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HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 25, 1967

The House met at 12 o'clock noon.

The Very Reverend Theodore F. Forosty, Holy Ascension Ukrainian Church, Passaic, N.J., offered the following prayer:

Let us pray. Eternal God, having lifted our hearts to heaven, we humbly beseech Thee to protect our President, his Cabinet, all the Armed Forces, and all statesmen here gathered today. It is known only to Thee why so many nations still await this blessed freedom and liberty, and among them the Ukrainian nation which has struggled and suffered under the terrible yoke of Communist slavery for 49 years.

Our Eternal and Merciful God, we Ukrainians who live today in the freedom of America, longingly pray in our churches.

"* * * Men are enslaved, a nation in ruins,
And even to pray our foes us forbid * * *"

Our Heavenly King, Thou hast proclaimed through Thy prophets who wrote for us, who called us, and who reminded us of Thy teaching to love one's country. And of this we are instructed through Thy commandments, we the citizens of this great and freedom-loving American Nation, pray Thee and ask Thee for our Ukrainian nation, for our dearest Ukraine, from which we descended, that Thou in Thy goodness and mercy, shorten this Golgotha of our people.

We put our trust in Thee, we bow before Thee, and we glorify Thee forever and ever. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

FOOT DRAGGING ON ADEQUATELY FINANCING OUR FEDERAL HIGHWAY PROGRAM

Mr. HULL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an address.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HULL. Mr. Speaker, the concern which many of us share over the foot dragging on adequately financing our Federal highway program recently was articulated by Missouri's able chief highway engineer, M. J. Snider, in a speech before the annual meeting of the Missouri Ready Mixed Concrete Association in Jefferson City.

Under leave to extend my remarks in the RECORD, I include Mr. Snider's address:

THE ROAD PROGRAM NEEDS HELP IN CONGRESS

(Address by M. J. Snider)

It is a pleasure indeed for me to have the opportunity to be asked to take part in the program of your annual meeting. I sincerely appreciate the invitation.

My remarks today are entitled "The Road Program Needs Help in Congress."

Yes, the nation's highway program presently is in deep trouble. It is facing a crisis which, in my opinion, is the most serious since the birth of the motor vehicle age more than half a century ago. And the crisis comes at a time when it least can be afforded.

It results primarily from two things:

(1) The failure of the Congress to provide the federal government's share of financing to permit the 41,000-mile Interstate Highway System to be completed anytime near the 1972 target date.

(2) The 17½ per cent cutback in federal aid highway work ordered in late November by the national administration.

Each of these happenings in itself represents a serious setback to highway progress. But together they add up to what I believe is the most crippling one-two punch ever delivered to America's road program.

They mean that Americans are not going to get the modern highways they need so desperately at as fast a rate as was hoped for or planned. They mean that the nation's highway program is being held back just when, on the basis of all available information, it should be proceeding full speed ahead.

This is particularly disturbing because:

It comes at a time when Americans are being killed in record numbers in traffic accidents, with total fatalities in 1966 being in the neighborhood of 54,000. This is the first year that traffic deaths have exceeded 50,000. It represents a gain of some 16,000 (or 42 per cent) just since 1961, the steepest gain ever in so short a period. And the National Safety Council says traffic fatalities could range anywhere between 57,000 and 65,000 in 1968.

The slowdown in America's highway program also comes at a time when a record 94,000,000 motor vehicles presently are using this nation's roads and streets, with estimates that there will be 120,000,000 motor vehicles registered in the United States in 1975.

It comes at a time when a record 100,000,000 Americans now are driving these motor vehicles, with the total number of drivers expected to increase to 125,000,000 in 1975.

It comes at a time when motor vehicle travel in the United States presently stands at a record 900 *billion* miles a year, a figure estimated to grow to the staggering total of 1.2 *trillion* miles a year in 1975.

And, finally, the slowdown in highway work throughout the nation comes at a time when America's urban areas are facing strangulation from traffic congestion, and the rural areas are laced with thousands and thousands of miles of highways and bridges which are inadequate for modern day traffic.

Statistics, of course, are restricted in their meaning and impact unless viewed in the perspective of how they will affect people. Looked at in this manner, then, just what do all these figures I've cited on traffic deaths, vehicles, drivers and miles traveled tell us about the future?

Well, they tell us that there will be substantially more exposures to possible accidents—and death and injury—for individual motorists as traffic volumes shoot upwards.

They tell us that the terrible bloodbath being experienced day in and day out on this nation's highways and streets undoubtedly is going to get worse before it gets better.

They tell us that there will be even greater competition by drivers and their vehicles for available road and street space.

They tell us that the threatened strangulation of our urban areas by traffic congestion will be intensified.

They tell us that people had better start giving as much thought and concern to buying safe and efficient highways as they give to choosing the horsepower, color and accessories on those shiny new cars which they seem so eager and willing to buy.

And, finally, it seems to me, these statistics tell us and warn us—in a message both loud and clear—that as a nation we should be expanding our efforts to build new highways and modernize old ones if there is to be any hope of accommodating the onrushing tide of traffic safely, economically and conveniently.

But instead of expanding the nation's highway program, what do we now see happening?

Well, on the one hand, we see the vitally important Interstate Highway System inadequately financed at the federal level. And on the other hand, we see a federal cutback imposed on the states to keep them from spending 17½ per cent of the federal aid highway money which is available.

I want to explain each of these developments for you, and then make some comments and observations on them.

INSUFFICIENT FINANCING OF INTERSTATE SYSTEM

The Interstate Highway System—the 41,000-mile nationwide network of superhighways now under construction—was supposed to be finished in 1972. However, indications now are that it will be at least 2 or 3 years late in completion, and possibly longer.

The main reason the system is falling so far behind schedule is due to a lack of federal aid highway funds. Interstate System routes are built with 90 per cent federal and 10 per cent state funds.

The trouble became glaringly apparent early in 1966 when the latest cost estimates for construction of the Interstate System were submitted by the various states to the Secretary of Commerce and Congress. The new estimate showed that the freeway system was going to cost $46.8 billion, as compared to the $41 billion which had been estimated several years before.

The sharp rise in estimated costs was due to several factors: Construction costs have risen; prices of land needed for right of way have increased; and higher design standards—featuring additional traffic lanes and more traffic interchanges—are being incorporated into the remaining miles to be built in order to serve better the skyrocketing demands of traffic.

The administration introduced a bill in Congress early last year which would have revised upward certain federal highway user taxes in order to keep the Interstate System program moving along somewhat near schedule in accordance with the new cost estimate. The move was necessary for this reason: The Highway Trust Fund, out of which all federal aid highway work is financed, is by law on a pay-as-you-go basis. No deficit financing is permitted. Money must be on hand to reimburse the states for federal aid highway work they complete.

The administration bill to raise additional money for the Highway Trust Fund didn't get to first base in Congress last year. In fact, I don't believe it even got out of committee.

However, at the same time the tax increase bill was being allowed to die a slow death, the Congress proceeded to approve another bill which increased the amount of money authorized to be spent on highways by the federal government. Under that legislation, the states in fiscal year 1968 were authorized to spend $4.4 billion in federal aid highway funds, an increase of $400,000,000 over the $4 billion of fiscal 1967.

I can still see the big black headlines and hear the voices of television and radio newscasters from last summer declaring something like this: "Congress Votes Millions More for Roads." It sure made good reading and listening for the uninformed, who believed the nation's highway program was being stepped up: But it did not fool anyone, I am sure, in the highway field.

Last September, in a speech before the Missouri Good Roads Association, I pointed out that the increase in *authorizations* by Congress did not mean a thing, and that it couldn't possibly result in stepping up the nation's highway program. The reason was simple. The Congress did not provide the additional revenue which would have been necessary to allow those increased authorizations to become a reality.

The first clearcut indication that there would be no step up in America's roadbuilding program came in October, when the federal government released to the states for obligation their first quarter funds for fiscal 1968. The amount released was $1 billion, not the $1.1 billion it would have been for the 3-month period had the money been available to cover the increased authorizations voted by Congress.

Clearly, there was to be only enough money on hand to finance at most a $4 billion federal aid highway program in fiscal 1968. And the additional authorizations which the headlines and newscasts had proclaimed so loudly last summer were in fact meaningless.

So that is where the Interstate Highway System program stood last October—considerably underfinanced and facing a substantial delay beyond its 1972 target date for completion.

But I don't believe we've heard the last of this financial problem yet. Future cost estimates undoubtedly will show even further rises in the amount of money needed to build the Interstate System. And if that occurs, then the shortage of federal and highway funds and delays in completing the freeway network could be even more pronounced.

Some people estimate that the cost of the Interstate System may eventually run as high as $50 billion or more, and that wouldn't surprise me a bit. The nation has experienced considerable inflation since the last cost estimate was made. And it should be understood that when costs are fluctuating rapidly, a cost estimate often is out of date when presented to Congress because of the time necessary to prepare it.

So the failure of Congress to come up with the money necessary to finance construction of the Interstate System somewhat on schedule was the first serious blow delivered in 1966 to America's highway program.

A SEVENTEEN AND ONE-HALF PERCENT CUTBACK ORDERED

The second blow, perhaps even more damaging, came about six weeks ago. In fact, it was the day before Thanksgiving when the national administration announced that there would be a $700,000,000 cutback in the federal aid highway program during the present, or 1967, fiscal year.

Instead of the $4 billion program which was anticipated for the year, even with the failure to gain additional revenue, the cutback means the national program will amount to $3.3 billion.

Applying the cutback to Missouri, it means the state will be able to obligate only $80,924,000 in federal aid highway funds during the present fiscal year, which runs from July 1, 1966, to June 30, 1967. This is about $17,000,000 less than the approximate $98,000,000 released to Missouri for obligation during the preceding fiscal year.

Please understand that I am referring now only to federal aid highway funds.

And I want to repeat here that all Interstate System projects are financed with 90 per cent federal and 10 per cent state funds. Most Primary, Urban and Secondary (Farm to Market) System highway projects are built with 50 per cent federal and 50 per cent state money. However, other Primary, Urban and Secondary System construction is done with any 100 per cent state money which is on hand after all available federal aid funds are used during a year.

It should be emphasized that the 17½ per cent cutback in the federal aid highway program does not mean that the states will lose any federal road money due them. This is a slowdown imposed by Uncle Sam, and the main effect will be delays in awarding construction contracts for federal aid highway projects.

Most seriously affected will be progress which can be made on the Interstate System. The cutback will mean that there will be delays of about three months more in getting scheduled Interstate System work under contract. This is in addition to delays of three months or longer which already were being experienced due to the shortage of federal aid highway money which has been growing progressively worse.

Delays of six months in getting work under contract can, of course, mean much longer delays in the completion of some projects, depending on when contracts are awarded. For example, a delay of only one month in awarding a construction contract can result in a project failing to be finished in the fall months of a year, and instead being thrown over into the following spring or summer.

It remains to be seen if we in the Missouri State Highway Department are able to take up some of the slack in the federal funds cutback by awarding more 100 per cent state money projects on the Primary, Urban and Secondary Systems of highways. Certainly we are going to make every effort in this regard because, realizing the necessity and value of modern roads, we want to keep pushing ahead the improvement of Missouri's highways as rapidly as possible.

However, there is absolutely no way that we can make up for the additional slowdown which is going to occur in building the Interstate System. Since Interstate System routes are built with 90 per cent federal and 10 per cent state funds, it would be unwise and impractical to put 100 per cent state money into their construction.

Digressing a moment from the federal funds situation, but still on the subject of highway financing, there is another method of highway construction which now is being explored in Missouri. Governor Hearnes and the State Highway Commission have proposed that consideration be given to building toll roads in Missouri, and legislation calling for the establishment of a toll road authority within the framework of the State Highway Commission is being introduced in the General Assembly. Naturally, if such legislation is enacted, the first thing necessary for the development of such a program would be studies to determine if the proposed routes are economically feasible. These things will take time, of course, but they do represent an additional means for financing highways and could have an impact on Missouri's long range highway development.

But now back to discussing the 17½ per cent cutback in the federal aid highway program. In announcing the cutback in late November, the national administration said it was being done as an anti-inflationary measure designed to take some of the pressure off of what is being commonly described nowadays as the overheated American economy. Not being an economist, I do not feel qualified to comment on the merits or demerits of the cutback as an anti-inflationary device.

But as a professional roadbuilder for nearly 38 years, I do feel an obligation to make several observations concerning the financial troubles plaguing the federal aid highway program and the cutback which now is curtailing it even further.

SOME OBSERVATIONS

In my opinion, it is nothing short of tragic that the Interstate Highway System is not now sufficiently financed to allow its completion by the 1972 target date. It is tragic because we in the highway field are particularly aware—and the general public gradually is becoming more aware of this too—what modern freeways mean in terms of traffic safety, in economic development and in actual savings to the people.

Numerous studies, both by federal and state agencies, show that Interstate System routes are some three times safer than the conventional 2-lane roads they replace. Presently a little more than half of the planned 41,000-mile Interstate System is open to traffic, and it is estimated that this completed mileage is saving about 4,000 lives a year that otherwise would be lost in traffic crashes.

I am confident that anyone who has driven on a narrow, twisting and congested 2-lane highway—and then compared it to the dual lane, divided Interstate routes, with their traffic interchanges, no crossings at grade, stabilized shoulders and other features—is fully aware of the safety, comfort and convenience of these freeways.

Let's talk a moment, too, about the economic benefits which accrue to users of the Interstate System. Estimates are that when the entire 41,000-mile network is in operation it will return savings of $11 billion a year to its users in the form of fewer accidents, savings in time and less operating and maintenance costs for vehicles. A substantial share of these savings already is being realized by the motoring public from the mileage now open to traffic.

And all of us also are familiar, I believe, with the way that freeways contribute to and spur the economic development of areas they serve.

So modern highways add up to a sound investment for this nation and its people, no matter how you look at it.

Those are some of the reasons I am disturbed by the failure of Congress to finance completion of the Interstate System at the earliest possible date. But the frustration is compounded by the realization that it is going to take almost *40 years* from the time the Interstate System was first conceived until it finally is finished.

That may surprise many people, who are not aware that the Interstate System was proposed back in the 1930s. Highway people knew then that such a national network of freeways was needed and was vital to America's burgeoning motor vehicle age. But it was not until 1956 that Congress made financing available to allow construction of the system to get under way.

Some may say, well, if it took that long to get the Interstate System off the ground, then a few more years in completion won't make any difference. To me it makes a great deal of difference, especially when we read the news reports and see that people are dying like flies in motor vehicle crashes day after day.

Now I know Congress has its troubles just like the rest of us. And certainly I know the members of Congress constantly are feeling public pressure to "do this and do that" to such an extent that it is impossible to do everything requested. I've been in public life long enough to sympathize with them and understand their problems. I realize, too, that Congress has been a victim of circumstances with the cost estimate of the Interstate System constantly continuing to rise, just as the rest of us have been the victim of the same circumstances.

But even with these considerations, it still is an inescapable fact that it is the Congress which has the responsibility for providing the revenue needed to complete the Interstate System as closely on schedule as possible. And I am disappointed that there have not been strong voices raised in the Congress in behalf of the additional financing which is required.

Now for a few comments on the 17½ per cent cutback in the federal aid highway program ordered by the administration.

We are all aware, I am sure, that the American economy is being strained by the increased demands placed on it to support the war in Vietnam. I want it clearly understood that I believe we must support our nation's efforts there with every resource necessary to bring that struggle to a successful conclusion, because what happens in Vietnam is vitally important to every American and to free men everywhere.

But I believe as a nation we must recognize that we also are in the midst of a "war" right here at home on our highways and streets. It is a "war" in which there has been no interruption since the motor vehicle came into popularity more than 50 years ago. It is a "war" that in 1966 saw some 54,000 Americans die in traffic crashes, more than 1,800,000 sustain injuries and about $9 *billion* in economic losses.

Broken down on an average daily basis, this amounts to about 148 traffic deaths, more than 4,900 injuries and about $25,000,000 in economic losses *per day* in America. What a terrible toll and price for this nation and its people to pay every 24 hours!

Both of the wars of which I speak—the one in Vietnam and the one on our highways and streets—vitally affect the interests of America and its citizens. And we should do whatever is necessary in providing the tools, manpower and materials needed to fight both.

While we realize that traffic safety is an extremely complex problem involving many factors, we also know that modern highways are one of the most effective weapons available for attacking the problem. So it is disheartening for me to see that weapon now being blunted by the cutback in federal aid roadbuilding.

If Americans can afford to continue buying new cars, color television sets, electric knives and all the other items of an affluent society while our men fight and die in Vietnam, then it seems to me that we also can afford to buy the modern highways we need so urgently when 148 of our citizens are dying each day in traffic crashes. The nation's well-being, I believe, demands that Americans give support to *both* the war in Vietnam and the war on traffic crashes.

One final note:

During the last session of Congress, two new federal laws were passed dealing with traffic safety. One is the National Traffic and Motor Vehicle Safety Act of 1966, which will require certain safety standards to be incorporated into the manufacture of motor vehicles and tires. The other is the Highway Safety Act of 1966, which calls for the Secretary of Commerce to fix certain minimum standards required to be met by the states in the field of traffic safety.

Both of these measures, in my opinion, offer hope in improving traffic safety in the United States over the long haul.

But it seems to me that the good work of Congress in passing this legislation is being nullified to a great degree by the failure to increase the financing for the Interstate System, and by the cutback in the federal aid road program.

So I would urge active support from members of the Congress in behalf of America's vitally needed road program—not only in the stepped up financing of the Interstate System, but also in a reasoned and urgent plea to the administration to take a second look at the cutback that has been ordered in federal aid highway work.

To maintain silence in the face of *148 traffic fatalities a day* in the United States is, in my opinion, a luxury that this nation can ill afford.

Thank you.

THE NATIONAL BUDGET AND THE DISTRICT OF COLUMBIA BUDGET

Mr. ADAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ADAMS. Mr. Speaker, it is my conviction that the proposed $169 billion budget must be examined in order to hold down the projected $8 to $9 billion deficit. At the same time, Congress must be careful to establish reasonable priorities for wisely using America's resources.

Congress should scrutinize all proposed expenditures in proportion to the percentage of the budget each will demand. Congress must not restrict its attacks to the politically weak new programs which aim at answering modern America's problems.

Mr. Speaker, it is political subterfuge to say the budget can be balanced by cutting the new domestic programs. Both the proposed expansion in military spending in fiscal 1968, from $58.3 to $75 billion, and the increase in interest on the national debt, caused by high interest rates from $12 to $14 billion, comprise more than the entire combined expenditures for modernizing our cities—$3.1 billion; the poverty program—$2.06 billion; the education program—$4.08 billion; and medicare—$4.2 billion.

Many Members of this House have pledged in campaigns to seek cuts in new domestic programs. I wonder if these same Members will seek to cut our burgeoning agriculture budget. That proposed budget would artificially support agriculture prices through the Commodity Credit Corporation at the cost of $1.7 billion when, at this very time, we are suffering scarcity in certain agricultural commodities. The total proposal for a $6 billion agricultural budget in no way reflects the inescapable fact that America is basically an urban society.

Mr. Speaker, throughout this Congress I will be asking those who advocate cuts in educating our children, caring for our aged, helping our poor, and rehabilitating our cities if they are willing to put similar ceilings on expanding the Military Establishment—$17.5 billion; maintaining high interest rates—$2 billion; and retaining agricultural price supports—$1.7 billion.

America's strength is not only military but also economic and social. Programs which look to the development of America's strength, such as NASA technology, SST development, and the rehabilitation of the human and material resources of our cities, should not be automatically sacrificed because we believe it necessary to endlessly continue outmoded programs, military and nonmilitary alike.

We should allocate our resources based on reasonable modern priorities which will allow us to fulfill our destiny as a great nation.

II. THE DISTRICT OF COLUMBIA BUDGET

I am very much impressed with the budget submitted by President Johnson for the District of Columbia. The budget shows that there will be an effort to make Washington, D.C., a city worthy of being our Nation's Capital. I believe our Nation's people want this. Particularly, it demonstrates the President's determination to give priority attention to the problems revealed by the recent report of the District's Crime Commission.

I support the President's proposal for a further increase in the salaries of the Police Department. This is our first and strongest line of defense against crime.

In addition, however, the President is not neglecting the other areas where crime prevention efforts can be significant—the strengthening of both preventive and rehabilitative programs throughout the District.

The two approaches are both necessary since the level of civilization in any area is determined by the degree to which the people observe and obey the rules of that civilization as well as the help the offenders receive to solve their individual problems.

I strongly endorse this budget, and hope that it receives a favorable response from the Congress.

SALUTE TO GRADUATES OF NIGHT HIGH SCHOOLS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, today, I am taking this time to pay tribute to academic achievement in one of its finest expressions. My hat is off in admiring salute to the graduates of night schools—some of them adults making up with hard work for time lost, some of them young men and young women who for various reasons have taken their high school courses at night.

I am indebted to Mrs. Fred Borrowdale, of my congressional staff serving my constituents from our Chicago office at the headquarters of the 5th Army at 1660 East Hyde Park Boulevard, for the suggestion. In sending me the names of the 36 students graduated this week from Hyde Park Evening School, 6220 Stony Island Avenue, Chicago, Mrs. Borrowdale, who is well and affectionately known in the Second District as "Bun," writes:

> There are so many people who gain recognition for academic achievement, all well and most commendably earned, but these worthy people had everything going for them while doing it.
>
> The list of people graduated by attending night school for a high school diploma should have recognition. Don't you think? The list contains names of adults as well as youth. The adult that returns to school to finish a delayed education and the youth that pursues a diploma at night, I salute.

Mr. Speaker, for myself and all the members of my staff, both here and in Chicago, I repeat, salute.

Vernon E. Miller was chairman of the commencement committee. Dr. William Rohan, principal of Hyde Park Evening School, gave the commencement address.

The high school graduates are: Barbara Ann Agee.

Alma Jean Bailey, Mabel Bevil, Johnny Earl Blakley, Sue Bully.

Roberta Calhoun, Rose Marie Cannon, Daniel Cox, Cicero Ernest Curry, Jr., Jewel Chaney.

Marcia Antoinette Dagley, Verene Dowling.

Phillis B. Finner.

Beverly J. Gayden, Margie Jean Gilliam, Jacqueline Sandra Gibson.

Lillian Harris, Joyce Lorraine Holt.

Derrell Joyce Kress.

Louise T. Maxwell, Raymond Morris, Celya McAfee, Shirley Ann Moore, Bernice Lillian Morris.

Joseph J. Peery.

Flora Belle Robertson.

Nanette Stevens.

Robert Earl Thomas, Craig Allyson Trotter, Linda Thomas, Lynda Thomas, Bessie M. Lynch Turner.

Geraldine Mathis Wadlington, Vivian Maxine Willbanks, Mary J. Williams and Linda K. Willis.

Hyde Park Evening School is still continuing registration for the high school and elementary school programs. Everything from foreign languages to vocational training courses is being offered. The evening school invites all people who want to further or implement their education to come in for program counseling. The school office is open from 6 to 9 p.m., Monday through Thursday.

DAIRY IMPORTS

Mr. SISK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SISK. Mr. Speaker, I would like to call your attention to legislation which I am introducing today to establish effective and needed controls on imports of milk and dairy products.

In my mind, it is ironic that the dairy industry is plagued with imports in view of the law which supposedly controls such imports as a means of supporting prices to farmers. As you know, Mr. Speaker, dairy imports have been limited since 1953 by authority of section 22 of the Agricultural Adjustment Act of 1935. However, the problem lies in the fact that imports are controlled on specifically defined dairy products, such as Cheddar cheese, butter, blue mold cheese, Italian type cheeses, and certain other products. But there is no limitation on variations of these products which are brought into our country. The total allowable imports of these prescribed products per year presently amount to 11 million pounds of butterfat or the equivalent of 292 million pounds of milk. The total imports including those with quotas in 1966 were equivalent to 2.8 billion pounds of milk. This was increased from 0.9 billion pounds in 1965 and is expected to exceed, based on USDA predictions, 3.5 billion pounds in 1967.

In order to show this more clearly, the 1965–66 fiscal year quota on imported Cheddar cheese, for example, amounted to 3.7 million pounds. Ironically, however, Colby cheese, which is for all practical purposes the same as Cheddar and displaces Cheddar in the market, is not subject to limitation. Total imports of Colby cheese during the first 9 months of 1966 were 28.5 million pounds—an annual rate of 38 million pounds. This is more than 10 times the quota for Cheddar cheese. If there is no restriction on the importation of Colby cheese, what is gained by placing a limit on Cheddar?

Importation of butterfat for the ice cream market perhaps has been the most flagrant violation of the intent of our import control law. Butterfat, in constantly increasing volumes, has been imported as frozen cream, butter oil, and mixtures of butterfat and sugar.

The frozen cream imports pose a double threat as they displace sales for domestic cream, thus serving to break the cream market. At the same time, these imports force our own cream into butter, adding to the supply and adversely affecting the market price for butter. Frozen cream, as you might guess, is not restricted by present controls.

Consequently, under the bill I am introducing today, all dairy imports would be subject to limitation. The Secretary of Agriculture would be authorized to permit entry of dairy products for any year in amounts totaling not more than the annual quantity imported during the 5 calendar years of 1961 through 1965. The total quantity would be adjusted, upward or downward percentagewise, with changes in the total size of the market. In other words, foreign countries would share in the growth of our market in the same proportion as our producers, but the foreign countries' exports could not grow by displacing our production.

Under my bill there would be no circumvention of the import quotas. The door would be closed to any article of commerce containing any significant amount of butterfat, solids not fat, or any combination of the two. It would be necessary for importers to obtain permits, and the amounts would be held in check by the total average annual imports during the 1961–65 period.

Effective import controls are necessary in order that our farmers may have an opportunity to achieve parity prices for their milk and butterfat. But just as importantly, if these imports are permitted to continue, they will drive many of our dairymen out of business and consequently the prices to the consumer will increase substantially. Furthermore, effective import controls are necessary to provide an opportunity for U.S. dairy farmers operating in our high-price and high-wage economy to compete free from inroads of large supplies of foreign products made cheap through subsidy arrangements. And, as a taxpayer, it is ridiculous to me that on the one hand our Federal Government should subsidize the dairy industry, and on the other hand, allow unchecked amounts of dairy imports to reduce the dairymen's market price. Also, in my opinion, it is unjust that our dairymen should be flooded with dairy products from other countries just after having reduced domestic milk production to match consumer requirements.

Mr. Speaker, in conclusion, I might add that in my opinion this bill could well be the most important piece of dairy legislation to be considered by Congress in the last 20 years, and as such I am going to do my best to see that the objectives of this bill are enacted in this session of Congress.

INCREASE THE RATES ON JUNK MAIL

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, I want to say a few more words today about junk mail. Press statements have indicated the administration will shortly ask for an increase in first-class and airmail rates plus only a modest increase in other postal rates.

Mr. Speaker, I have had overwhelmingly favorable reaction to my bill, H.R. 99, in letters from many States. This bill provides an increase of over 50 percent in third-class postal rates to cover the cost of mailing this advertising material. Support from my colleagues here in the House also indicates that the people strongly favor and support an early rise in third-class rates to help reduce the postal deficit which has reached $1.2 billion annually.

First-class mail now pays more than 100 percent of the cost of mailing, and third-class mail only pays 60 percent of the cost. So we ought to raise third-class rates sharply. And we should make such increases effective on the first of July 1967, and not wait, as has been proposed, until 1968 to make these raises applicable.

Before we talk about raising first-class or other rates, and before raising taxes, why not give top priority to making this third-class junk mail pay its own way?

SITUS PICKETING LEGISLATION NEEDED

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, I hope that this new Congress will eradicate a very serious blot on the record of the 89th Congress—I refer to the dismal failure of the 89th Congress to consider and pass situs picketing legislation.

Needless to say, the objective of situs picketing legislation is a simple one. It will give the building trades unions the picketing rights all other unions enjoy but which the building trades unions do not enjoy, because picketing on their job sites invariably involves picketing another employer which is prohibited by the law as it now stands.

I strongly believe and sincerely feel that the building trades unions should not be deprived of their right to picket because of this technicality.

While it is true, other employers—subcontractors of the general contractor—must be affected by situs picketing when a building trades employee group pickets its own subcontractor—employer—by picketing the construction site, but this cannot be avoided. A construction site, by its very nature, involves a whole group of employers—the subcontractors. Their very proximity to one another on the job makes it absurd to consider them separate entities for purposes of prohibiting picketing of the site. They are just as much working together as the several divisions of a company, and workers from one division, it goes without saying, can picket their entire plant.

But I do not think I have to dwell on the merits of situs picketing legislation. It has been endorsed by Democrats and Republicans alike, by the Eisenhower, Kennedy, and Johnson administrations. What I am asking is that this 90th Congress take affirmative action regarding this important legislation.

During the last Congress, situs picketing legislation was blocked by the administration, despite the pious claims of the Democrats to be labor's great friends. Where were labor's great friends in the White House when the chips were down? Where were labor's friends when 14(b) repeal came up? Where were they for situs picketing? Where were they for Federal unemployment compensation standards? They certainly were not helping labor. It is quite apparent that labor was left out of the Great Society.

From labor's viewpoint, the Great Society can be renamed the "Gripe Society." Labor has a lot to gripe about.

I hope one gripe will be listened to this year. I hope we enact the situs picketing bill. I urge this Congress to show that it is labor's friend.

PROTESTING IMPORT OF DAIRY PRODUCTS

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I am pleased to hear my friend, the gentleman from California [Mr. SISK] protest the increasing imports of foreign dairy products into this country. But I would remind him that the Democrat Party is the party of free trade.

I would also remind the gentleman that it was the Democrats in Congress who approved the so-called Reciprocal Trade Agreements Act, which, for all practical purposes, abolished U.S. tariffs on foreign imports.

I join with the gentleman in his protest, and I hope he will join with me and other Members who seek to protect American agriculture, industry, and labor by replacing the so-called Reciprocal Trade Agreements Act with effective tariffs.

Mr. SISK. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman.

Mr. SISK. Let me say to the gentleman, I appreciate this expression of support from my friend. I hope I do have a lot of support in this area. As I recall in the past, when the Reciprocal Trade Agreements Act was adopted, both Republicans and Democrats had quite a hand in it. There was a Republican administration in power. I grant that I supported it and I hope that we can make it work, but I do think we need to strengthen the Reciprocal Trade Agreements Act and that is what I hope will bring some good results out of this chaotic situation.

Mr. GROSS. Since I have never supported the abolition of effective tariffs, I hope the gentleman, and all others of like mind will join with me in correcting this obviously bad situation.

JOINT ECONOMIC COMMITTEE HIGHLY PRODUCTIVE IN THE 89TH CONGRESS, SAYS OUTGOING CHAIRMAN PATMAN—SENATOR WILLIAM PROXMIRE NEW CHAIRMAN FOR 90TH CONGRESS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, for the past 2 years it has been my privilege to serve as chairman of the Joint Economic Committee. As you know, the chairmanship of the committee rotates between the House and the Senate, so that a House Member serves as chairman for 2 years and then a Senate Member serves for the next 2. Today the Joint Economic Committee held its organization meeting and chose WILLIAM PROXMIRE, a most able, energetic, and productive Member of the Senate, to be chairman of the committee. We can expect that the committee will have a very dynamic and highly productive 2 years ahead of it and I am looking forward with pleasure and anticipation to the committee's forthcoming activities.

Upon leaving the chairmanship of the Joint Economic Committee after serving in that capacity during the 89th Congress, I would like to take the opportunity to commend my colleagues on the Joint Economic Committee for a most productive 2 years. They are the following Members of Congress: Representatives RICHARD BOLLING, HALE BOGGS, HENRY S. REUSS, MARTHA W. GRIFFITHS, THOMAS B. CURTIS, WILLIAM B. WIDNALL, and Robert F. Ellsworth; Senators Paul H. Douglas, JOHN SPARKMAN, J. W. FULBRIGHT, WILLIAM PROXMIRE, HERMAN E. TALMADGE, JACOB K. JAVITS, JACK MILLER, and LEN B. JORDAN.

It is most significant that in cognizance of the growing challenges faced by the Joint Economic Committee, the Congress has seen fit to expand its membership to 20 Members, adding a Member of each party from each of the two Houses. They are among the most able and distinguished Members of their respective bodies. In addition, the Congress has designated a distinguished Senator and Representative to take the places of the two Members who left the committee. The newly selected Members are as follows: Representatives WILLIAM MOORHEAD, DONALD RUMSFELD, and WILLIAM E. BROCK; Senators STUART SYMINGTON, CHARLES H. PERCY, and ABRAHAM RIBICOFF—Senator RIBICOFF, while not officially designated, is expected to be appointed momentarily.

It is a source of pride to me always to be associated with the members of the Joint Economic Committee and I am particularly grateful to them for choosing me as their vice chairman for the period of the 90th Congress. At the same time, like all other members of the committee, I cannot but regret the departure of Senator Paul Douglas and Congressman Robert Ellsworth. Senator Douglas, an outstanding economist and international figure in the world of the intellect, and a great legislator, was always an inspiring associate and we shall miss him. Bob Ellsworth was one of the most imaginative and hardworking of our younger members and we shall all miss him, too.

The list of productive work performed by the committee during the past 2 years is highly impressive. Moreover, 1966 marked the 20th anniversary of the passage of the Employment Act of 1946 and the establishment of the Joint Economic Committee. The anniversary provided the occasion for a special economic symposium bringing together many of the Nation's leading economists. Subsequently published as a committee hearing, the symposium sought to reassess the objectives of the act and the uses of public policy instruments to obtain its goals. In addition, it reviewed the administration of the act and the work of the Joint Economic Committee. The discussion emphasized the important function the committee's studies and hearings serve in providing guidance to the Congress in making its vital economic decisions. With this in mind, I would like to highlight the important studies and hearings undertaken in the past 2 years.

Each year the committee studies the President's Economic Report and prepares a report for the Congress based on the testimony of both government and private experts in the field of economics. These reports, which are required by law, serve to highlight basic economic policy recommendations and provide focus to the committee's work during the year. In addition, the committee has held hearings and prepared studies on many important economic issues and topics. This material provides a wealth of information and analysis which will aid the Congress in making many difficult economic decisions in the year ahead.

As the President pointed out in his state of the Union address, one of the first economic objectives this year will be the reduction of excessively high interest rates. Achievement of this objective will require cooperation from the Federal Reserve System. The December 1965 hearings of the Joint Economic Committee on the recent Federal Reserve action and economic policy coordination highlight the serious difficulties in the way of achieving this important goal that result from the Federal Reserve Board's intransigence to the Government and the Congress. In addition, the Subcommittee on Economic Progress received nearly 90 responses from monetary economists discussing the structure and management of the rapidly growing portfolio of financial assets held by the Federal Reserve. These materials, entitled "The Federal Reserve Portfolio: Statements by Individual Economists," were published in January 1966 and provide expert comment on critical issues of monetary policy.

This year we will be concerned with evaluating the merits of a tax increase. Members of Congress will find of special interest, the hearings in March 1966 and report in May 1966 of the Subcommittee on Fiscal Policy, on Tax Changes for Shortrun Stabilization. The hearings and report were concerned with the use of prompt tax changes for countering inflation and unemployment. Of particular relevance also, are the subcommittee's compendium of statements and hearings on fiscal policy issues of the coming decade, published in February and July 1965, respectively. The compendium of statements received from fiscal economists and the hearings cover basic fiscal policy issues and provide a framework for evaluating the current situation.

The Congress will soon be considering changes in social security benefits. Several studies and reports of the committee during the past Congress focus on the social security system and related income maintenance programs. A staff study prepared for the Subcommittee on Fiscal Policy, entitled "Old-Age Income Assurance: An Outline of Issues and Alternatives" was released in November 1966. This document poses issues and alternatives particularly relevant to current proposals. Hearings of the subcommittee in April and May 1966 on private pension plans provide information on the role of private pension plans in an overall program of income protection for the aged. The committee published in September 1965 a study paper entitled "European Social Security Systems; a Comparative Analysis of Programs in England, Sweden, and the Common Market Countries, Together With a Description of the U.S. System." Finally, the Subcommittee on Economic Progress is about to release a study of Federal programs for the development of human resources, which includes a description of the social security programs and other income maintenance programs, along with analysis of their economic effects.

The 90th Congress will be called upon to reassess the Great Society programs designed to alleviate poverty and to improve the quality of life in the United States. The aforementioned study of the Subcommittee on Economic Progress, "Federal Programs for the Development of Human Resources," to be released shortly, will provide a convenient compilation of these Federal programs. It includes extensive detail of program operation, objectives, and coordination, as well as analysis of economic aspects and impacts. As part of its general inquiry into this field, the subcommittee held hearings in June 1966 and subsequently issued a report on "Automation and Technology in Education." The report appraises the potential effects of automation on education, and indicates its significance for resource usage in this important area. Also related to alleviating the problems of poverty, but with a different approach, are the Subcommittee on Economic Statistics' hearings and report on "Job Vacancy Statistics," published in May and June 1966, respectively. Here the committee appraises the feasibility and usefulness of a regular survey of job vacancies, as a complement to the Nation's manpower and placement programs.

Not only must we evaluate Federal efforts to achieve our Great Society objectives, but we must also consider ways to better enable our State and local governments to meet their urgent needs. Proposals for Federal tax sharing with State and local governments are now receiving much attention. The Subcommittee on Economic Progress has just completed a two-volume study of "State and Local Public Facility Needs and Financing Over the Next 10 Years." This study, prepared for the subcommittee by experts from Government departments, private industry, and trade associations, provides extensive material upon which informed judgments can be made.

Of continuing concern is our balance-of-payments deficit. Our ability to control this problem is essential to the continuance of our foreign aid programs, both military and economic, and is thus, intimately connected with the success of our foreign policy. During the past 2 years the Subcommittee on International Exchange and Payments has been particularly concerned with international monetary reform, which will lessen world dependence upon the dollar and the pound as reserve currencies. In July 1965 the subcommittee held hearings on "Guidelines for Improving the International Monetary System," and in August issued a report of its findings. Representatives REUSS and ELLSWORTH undertook a factfinding trip to Western Europe in November 1965 to explore these and other related issues. Their report, entitled "Off Dead Center: Some Proposals To Strengthen Free World Economic Cooperation," was published in December 1965. Investigation of these issues continued in the past year with hearings before the Subcommittee on International Exchange and Payments on a "New Approach to U.S. International Economic Policy." The report following the hearings was entitled "Twenty Years After: An Appeal for the Renewal of International Economic Cooperation on a Grand Scale."

Intelligent formulation of our foreign policy requires the greatest information possible about developments within the Soviet Union and mainland China. Not only do we need to keep abreast with political developments, but we also need to find out what economic achievements or setbacks have occurred. Economic strength is directly connected to military capacity, as well as to the ability of a country to meet its domestic needs. In August 1966, the Subcommittee on Foreign Economic Policy released the latest in a series of studies on the Soviety economy. The comprehensive research studies, entitled "New Directions in the Soviet Economy," cover the topics: economic policy, economic performance, human resources and the world outside. During the past year this subcommittee initiated a parallel series of studies on the Chinese economy. This compendium, to be released shortly, will be followed by hearings this year.

Finally, our economic knowledge and decisions can only be as accurate as the statistics we employ. As chairman of the Subcommittee on Economic Statistics, Senator PROXMIRE has conducted several important hearings and released reports aimed at improving our economic statistics. These include the hearings and report on "Measuring the Nation's Wealth," printed in June 1965 and August 1965, respectively; and the hearings and report on the "Balance of Payments Statistics of the United States," released in June 1965 and July 1965, respectively. In addition the subcommittee has prepared studies on "Improved Statistics for Economic Growth, July 1965 and March 1966," and "Inflation and the Price Indexes, July 1966."

Listed below are the committee's publications which are all available at the Superintendent of Documents, Government Printing Office, Washington, D.C.

In each case the price is indicated. It is also important to note that the committee maintains limited supplies of its publications which are available to members free of charge.

The list follows:

Improved Statistics for Economic Growth: Comments by Government Agencies on Views submitted to the Subcommittee on Economic Statistics. March 1966. 84 p. 25 cents.

January 1966 Economic Report of the President:

Part 1, Hearings, February 1 and 2, 1966. 169 p. 50 cents.

Part 2, Hearings, February 3, 4 and 8, 1966. 176 p. 55 cents.

Part 3, Hearings, February 9 and 10, 1966. 170 p. 45 cents.

Part 4, Hearings, Invited Comments. 164 p. 45 cents.

Joint Economic Report on the 1966 Economic Report of the President, March 1966. (H. Rept. 1334). 86 p. 25 cents.

Latin American Development and Hemisphere Trade. Report of the Subcommittee on Inter-American Economic Relationships. March 1966. 17 p. 15 cents.

Twentieth Anniversary of the Employment Act of 1946, An Economic Symposium. Hearings, February 23, 1966. 150 p. 45 cents.

Background Material on Economic Impact of Federal Procurement—1966: Materials prepared for the Subcommittee on Federal Procurement and Regulation. March 1966. 134 p. 35 cents.

Economic Impact of Federal Procurement—1966. Hearings, January 24, March 23 and 24, 1966. 450 p. $1.25.

Economic Impact of Federal Procurement—1966. Report of the Subcommittee on Federal Procurement and Regulation. May 1966. 22 p. 15 cents.

Short-Run Stabilization and Tax Changes. Hearings before the Subcommittee on Fiscal Policy, March 16, 17, 18, 22, and 30, 1966. 318 p. 75 cents.

Short-Run Stabilization and Tax Changes. Report of the Subcommittee on Fiscal Policy. May 1966. 28 p. 15 cents.

Inflation and the Price Indexes. Materials submitted to the Subcommittee on Economic Statistics. June 1966. 129 p. 35 cents.

Government Price Statistics. Hearings before the Subcommittee on Economic Statistics, May 24, 25, and 26, 1966. 266 p. 70 cents.

Government Price Statistics. Report of the Subcommittee on Economic Statistics. July 1966. 19 p. 15 cents.

Job Vacancy Statistics. Hearings before the Subcommittee on Economic Statistics, May 17 and 18, 1966. 215 p. 60 cents.

Job Vacancy Statistics. Report of the Subcommittee on Economic Statistics, June 1966. 6 p. 10 cents.

Private Pension Plans, Hearings before the Subcommittee on Fiscal Policy: Part 1, April 26, 27; and May 2, 1966. 70 cents.

Private Pension Plans, Hearings before the Subcommittee on Fiscal Policy: Part 2, May 3, 9, 11, and 20, 1966. 265 p. 70 cents.

Discriminatory Ocean Freight Rates and the Balance of Payments, Part 4. Hearings before the Subcommittee on Federal Procurement and Regulation, May 6 and 19, 1966. 148 p. 45 cents.

Discriminatory Ocean Freight Rates and the Balance of Payments. Report of the Subcommittee on Federal Procurement and Regulation. August 1966. 26 p. 15 cents.

Technology in Education. Hearings of the Subcommittee on Economic Progress, June 6, 10, and 13, 1966. 277 p. 65 cents.

Automation and Technology in Education. Report of the Subcommittee on Economic Progress. August 1966. 14 p. 10 cents.

Economic Policies and Practices, Paper No. 9, Foreign Banking in the United States. July 1966. 35 p. 15 cents.

New Directions in the Soviet Economy. Studies prepared for the Subcommittee on Foreign Economic Policy, August 1966.

Part I. Economic Policy. 100 p. 30 cents.

Part IIA. Economic Performance. 230 p. $1.00. (1) Aggregate National Product. (2) Industry.

Part IIB. Economic Performance. 250 p. 60 cents. (3) Agriculture. (4) Consumption. (5) Transportation.

Part III. Human Resources. 280 p. 65 cents.

Part IV. The World Outside. (Also includes a selected bibliography of Recent Soviet Monographs and Appendixes.) 220 p. 55 cents.

Twentieth Anniversary of the Employment Act of 1946: An Economic Symposium, Supplement to Hearing February 23, 1966. August 1966. 196 p. 50 cents.

New Approach to United States International Economic Policy. Hearings before the Subcommittee on International Exchange and Payments, September 9, 1966. 43 p. 20 cents.

Twenty Years After: An Appeal for the Renewal of International Economic Cooperation on a Grand Scale. Report of the Subcommittee on International Exchange and Payments. September 1966. 4 p. 10 cents.

Old Age Income Assurance: An Outline of Issues and Alternatives. Materials prepared by the Committee staff for the Subcommittee on Fiscal Policy. November 1966. 39 p. 15 cents.

State and Local Public Facility Needs and Financing. Study prepared for the Subcommittee on Economic Progress. Volume 1. December 1966. 693 p. $2.00.

State and Local Public Facility Needs and Financing. Study prepared for the Subcommittee on Economic Progress. Volume 2. December 1966. 453 p. $1.25.

THE DISTRICT OF COLUMBIA BUDGET MESSAGE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 15 PT. 2)

The SPEAKER laid before the House the following message from the President of the United States; which was read, and together with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed:

To the Congress of the United States:

I present the budget for the District of Columbia for the fiscal year beginning July 1, 1967.

Notwithstanding increased attention to the District of Columbia by the Federal Government in recent years, there is persuasive evidence that much remains to be done if the Nation's Capital is to be a capital in which all Americans can take pride. Problems of housing, education, employment, crime, and a rapidly changing racial balance—the problems of most large American cities—are critical. Now, not later, is the time to attack them.

American citizens have a right to express themselves at the polls about the people to run their governments. The citizens of the District must be given a voice in their own government through home rule. I believe that the last Congress should have granted home rule to the citizens of the District, and I urge the present Congress to give them home rule.

Two recent reports underscore the urgency of the District's needs. A 4-year study completed in August 1966 under a grant from the Department of Housing and Urban Development found a gradual worsening of the physical, social, and economic conditions of the District. The report concluded that to do no more than just "hold the line" will require $175 million in additional funds over the next 8 years. To make "substantial inroads" on present conditions will require $750 million over that same period, and a course of "total action toward solving the problems" would require additional expenditures of $3 billion between now and 1975. This is a measure of the magnitude of what we are facing and of the inadequacy of our past efforts.

The other report, completed last month, is that of the President's Commission on Crime in the District of Columbia. The Commission recommends many changes in the agencies and programs directly concerned with crime, some of which are reflected in this budget. The Commission also expressed its concern at inadequacies in other District programs—in employment, housing, education, health, welfare, and recreation. Significantly, it adds that if these deficiencies in community life "are allowed to continue or to worsen, it will be difficult to formulate solutions to our crime problems, no matter what action is taken in the police, court, or correctional fields."

I shall shortly transmit to the Congress proposals to enable the District to come to grips with its needs. It must move forward, not stand still or fall back.

The budget which I am presenting reflects the needs of the present. However, the District must prepare for greater efforts in the years ahead and it must consider sources of new revenue. To do so successfully, it must have the best advice and assistance possible. I will therefore include a 1967 supplemental budget for the District, which I will shortly transmit to the Congress, $200,000 for an independent study of the entire range of District revenue sources, actual and potential, to determine what changes should be made in its fiscal policies and tax structure. I would expect the study to be completed in time for consideration with the District's budget for fiscal 1969.

The Federal Government, of course, must meet its own responsibilities to the District. It is our Capital City. The Federal Government depends for its own proper functioning on a healthy and stable District. Moreover, the District, as the heart of a rapidly expanding, prosperous metropolitan area, directly affects the character and livability of the entire region. Self-interest as well as proper pride in our Capital dictates that the Federal contribution to the city's revenues be completely adequate.

In my judgment, the Federal contribution is not yet at that level. Large but essential increases in District expenses have not been adequately matched by increases in the Federal payment. For that reason, I am again recommending to the Congress that the basis for determining the authorized Federal payment to the District be established as a percentage of basic local tax revenues.

This basis is not only more equitable for the present, but also will maintain an equitable balance into the future as changes occur in the tax burden of the

District taxpayers. Revenues will be more predictable and forward planning of District programs will be more meaningful. In fiscal 1968, based on the current estimate of the specified tax revenues of $282.3 million, this basis would fix the authorization at $70.6 million—$10.6 million above the present authorization of $60 million. In fiscal 1967, this basis would have fixed the authorization at $64 million. The change in a period of only 1 year illustrates the need for a basis which will continue to reflect a fair apportionment of the costs of general District government between District taxpayers and the Federal Government.

Another aspect of District finances is also vitally in need of revision. The District is now compelled to borrow for its capital expenditures from the Treasury. The total of such borrowings for the general fund—which, of course, must in each instance be approved in the appropriation bills—cannot now exceed the fixed amount of $290 million. Repayments by the District are not taken into account; once the authorized amount has been borrowed the District's authority is exhausted, even though its outstanding obligations may be less than the $290 million authorized.

This type of authorization is both unnecessary and unfair. The District should not, of course, borrow beyond its needs, which the Congress evaluates in appropriation bills. Neither should it borrow beyond its capacity to repay; but that capacity, rather than an arbitrary dollar limit, should be the measure of its maximum permitted debt. I will, therefore, also propose legislation which will create a District debt ceiling related to the annual amount of general fund revenue, including the authorized Federal payment and using the same general fund tax revenue base proposed for the Federal payment authorization. A fair limitation—6 percent—of such revenues for debt service would permit a debt ceiling of $335 million in fiscal 1968. This is $45 million above the present authorization, and will, of course, permit the District to take advantage in the future of any portion of its present obligation which it has repaid.

These changes in the Federal payment authorization and in the District's borrowing authority are needed now. The Commissioners, on their part, intend to increase the real and personal property tax rates by 20 cents per $100 of assessed valuation, to produce an estimated additional revenue of $8 million. The District is also continuously seeking to reduce costs and improve management. For example, its cost reduction program has—

Saved $500,000 in simplification of paperwork.

Saved $57,000 annually and some 50,000 police man-hours, by use of special school crossing guards.

Saved $250,000 during the past 2 years by disposal of obsolete records to release prime office space.

Saved $97,000 annually in clerical time by simplifying police field reports.

Reduced inventories by $100,000 by using computers for improving inventory management.

Efforts to eliminate unnecessary expense and improve management, and the added financial resources proposed, will permit an expenditure budget for fiscal 1968 which is appropriate to the District's requirements, both for operating expenses and for catching up on a major backlog of sorely needed capital projects. A table summarizing the District's budget and a description of significant budget proposals follow:

Authorizations and financing

[In thousands of dollars]

	1966 actual	1967 estimate	1968 estimate
Education:			
Operating expenses	75, 641	86, 529	101, 028
Capital outlay	17, 569	27, 213	63, 270
Welfare and health:			
Operating expenses	80, 958	90, 945	106, 809
Capital outlay	6, 014	2, 572	5, 889
Highways and traffic:			
Operating expenses	14, 203	15, 350	16, 307
Capital outlay	9, 852	15, 455	18, 501
Public safety:			
Operating expenses	79, 957	91, 591	92, 295
Capital outlay	1, 687	1, 630	3, 773
Parks and recreation:			
Operating expenses	11, 052	13, 360	17, 619
Capital outlay	1, 035	1, 253	4, 105
General operating expenses:			
Operating expenses	20, 536	23, 507	27, 570
Capital outlay	2, 110	898	13, 705
Sanitary engineering:			
Operating expenses	23, 257	24, 708	26, 625
Capital outlay	12, 547	12, 747	17, 516
Repayment of loans and interest	5, 690	6, 077	7, 790
Payment of District of Columbia share of Federal capital outlays	987	1, 350	1, 247
Contribution to rail rapid transit system	2, 000	4, 527	
Judgments, refunds, and other expenses	3, 983	980	1, 851
Total new obligational authority	369, 078	420, 692	525, 900
Distribution of new obligational authority:			
General fund	(325, 984)	(367, 207)	(464, 687)
Highway, water, and sewage works funds	(43, 094)	(53, 485)	(61, 213)
Proposed for later transmittal:			
Police pay increase—proposed legislation		220	1, 327
Plans for new District of Columbia colleges—existing legislation			500
Reserves for indefinite appropriations	39	1, 040	940
Funds required in subsequent years to pay obligations for capital projects (net)	−1, 750	−2, 851	−16, 964
Total financial requirements	367, 367	419, 101	511, 703
Revenues and balances:			
Taxes, fees, etc.[1]	293, 802	321, 562	353, 046
Federal payment:			
Existing legislation	44, 250	60, 000	60, 000
Proposed legislation			10, 600
Loans for capital outlay:			
Existing legislation	28, 312	37, 527	49, 600
Proposed legislation			34, 200
Funds released to surplus	2, 841	3, 618	4, 720
Beginning and end of year balances (net)[2]	−1, 838	−3, 606	−463
Total revenues and balances	367, 367	419, 101	511, 703

[1] Includes increases in real estate taxes from $2.70 to $2.90 per $100 assessed valuation and in personal property taxes from $2 to $2.20 per $100 of assessed valuation in fiscal year 1968.

[2] Balances are in the highway, water, and sewage funds. No general fund balance estimated in 1967 or 1968.

EDUCATION

Operating funds for the public school system in 1968 require $101 million, an increase of $14.5 million over 1967.

The urgent need further to improve District schools has been emphasized not only in a recent congressional investigation and report, but also in the report of the Commission on Crime in the District of Columbia. The deficiencies are substantial, and they are serious. Education for every child to the limits of his capacity is basic to all other efforts. To achieve this goal in the District, the quality of education must be improved, the needs of children from deprived and inadequate family backgrounds must be given more attention, and the physical plant must be expanded and modernized. The budget reflects the urgent need to accomplish each of these objectives as quickly as possible.

IMPROVING THE QUALITY OF EDUCATION

With the funds provided in the budget the quality of education will be improved by—

More support, through additional teachers, for elementary school instruction in such fields as science, mathematics, music, art, physical education, and foreign languages.

Added professional help for schools of all levels in such areas as reading, speech, curriculum, library science, guidance, history, and business education.

An internship program to assist teachers in their first year of teaching through in-service training.

Attaining Board of Education standards for librarians and counselors: a librarian for each school where facilities are available, and a ratio of counselors to pupils of 1:750 in elementary schools and 1:400 in the secondary schools.

Beginning a reduction in class sizes in schools where space is available. Regular academic pupil-teacher ratios in junior and senior high schools will be reduced from 25:1 to 21:1. Because of space limitations, the goal of a ratio of 24:1 in elementary schools must await the construction program.

Additional assistant principals in elementary schools to improve school administration and instructional supervision.

MEETING THE NEEDS OF THE DISADVANTAGED

The funds provided in the budget will also help to meet the needs of children whose background and family resources are inadequate. Nearly half the pupils in the District's schools come from areas where the average family income is under $5,000. Funds from Federal programs have helped to enrich the school experience of these children, but more is necessary. The budget will—

Provide teachers who can give individualized instruction to pupils who can be helped by more teacher attention provided through team teaching, ungraded classrooms, smaller class arrangements, seminars, and tutorial assistance in after-school study.

Initiate a prekindergarten program for 3,000 children, to convert the Headstart approach into a full-year program.

Provide help to approximately 60,000 students in remedial reading.

Double the present number of pupil personnel teams to provide help both to pupils and to teaching personnel in determining the abilities and emotional stability of children.

Expand the school lunch program.

Provide matching funds to qualify for teachers from the National Teachers Corps.

CONSTRUCTING AND EQUIPPING SCHOOLS

Funds in the amount of $63.3 million are provided in the budget for various phases of school construction. This is a substantial increase over past levels, but it is a more current assessment of the need. There is no economy in delay. On the contrary, postponement of essential facilities condemns many students to educational handicaps that will endure throughout their lives. The budget is intended to reflect urgency.

It will provide funds for—

Construction of 17 projects for which site and planning funds have already been appropriated—including two new elementary schools, two elementary school replacements, additions to 12 other schools, and an addition to the school warehouse.

Equipment for elementary and junior high construction projects already funded.

Planning and construction funds for three elementary and one senior high school additions.

Site and planning funds for 28 school projects.

Seventy-five portable prekindergarten classrooms for the most seriously deprived areas of the District.

An addition to Sharpe Health School, and a new school for the severely mentally retarded.

Funds are provided for the construction of a new Shaw Junior High School, for which the Congress provided special legislation in 1966. Funds to enable the Board of Vocational Education and the Board of Higher Education to begin planning for the two new institutions authorized by Public Law 89–791 can be supplied from existing resources in 1967. Provision is made in the budget for financing the two Boards in 1968.

CRIME

The budget reflects my continuing concern that people who live, work, and visit in the Nation's Capital must be safe in their persons and their property. The continuing increase in the District's rate of crime demonstrates that our efforts thus far have not been adequate. The President's Commission on Crime in the District of Columbia has now given us a measure of our needs and of the steps to be taken. Its recommendations are being carefully evaluated, and a great many of them are reflected in the budget. I will shortly be proposing legislation to carry out other recommendations which require legislative approval.

The attack on crime must be on a broad front. The Police Department must be provided with adequate resources. No less must be made available to the courts, the prosecutors, the Department of Corrections, and to all of the youth-serving agencies that seek to prevent delinquency, and to help young offenders become law-abiding citizens. The budget reflects much of this need.

STRENGTHENING THE POLICE DEPARTMENT

For the Police Department itself, the budget provides—

Additional civilian positions and additional computer services to carry forward the planning and information activities of the Department. When these activities are fully staffed, they are estimated to achieve greater manpower utilization in the Department equivalent to 600 additional policemen.

Additional civilians to relieve policemen from clerical duties, and to assist in improving the Department's community relations, training, recordkeeping, and criminal investigations.

Additional sergeants—from a ratio of 1:20 patrolmen to 1:9—to improve the supervision of patrolmen.

Increases in the Police Cadet program and in the number of school crossing guards.

Increased police mobility through additional automobiles.

The 1967 supplemental budget for the District will provide an additional $420,000 to expand and modernize the police communications system.

I shall also transmit to the Congress a bill to provide an increase in the salaries of the Police Department, to be applied principally in the lower ranks as an aid to recruitment of policemen of high quality. The 1967 supplemental budget will request funds to make this increase effective on May 1, 1967. This increase along with that already authorized by the 89th Congress and the District's more successful recent recruiting efforts should bring the Department very near its authorized strength in fiscal 1968. A direct result of this will be a saving of $2 million in tactical force operations, since there will be a sharp decrease in the need to staff this force on an overtime basis by the use of patrolmen on their day off.

CRIME PREVENTION AND OTHER CRIMINAL JUSTICE PROGRAMS

These improvements in the Police Department will fail to realize their full potential, however, unless improvements are also made in other areas. The crime prevention budget, therefore, also includes funds for—

A major increase in the staff of the roving leader program, which has had marked success in working with youth gangs and delinquency-prone young people.

Stepping up sharply the transfer begun in fiscal 1967 of children from large institutions to group shelters, foster and prerelease homes. Funds are provided to add 20 group foster homes to the six funded in 1967 and to provide eight youth group homes for delinquent children. The savings in cost to the District will be substantial because the present system of institutional care is expensive.

Additional child support and probation workers for the juvenile court.

A research unit to permit the juvenile court to determine how to improve its operations and procedures.

Strengthened court services, including increased legal assistance to indigents in the court of general sessions.

NEW FACILITIES

The budget also reflects the urgent recommendation of the Crime Commission that if the war on crime is to be effective, major improvements are needed in the District's physical facilities. Funds are provided to construct, at Blue Plains, the new police training facility. Survey funds are included to make comprehensive studies for a modern detention and diagnostic facility to replace the District of Columbia jail, for new court facilities, and for a modern facility to replace the present Receiving Home. Funds are also provided for plans and specifications for an alcoholic treatment center at the District of Columbia General Hospital, which will continue and improve the adjustments made necessary by the long overdue removal of the chronic alcoholic from the criminal process.

HEALTH

The budget provides a total of $66.5 million for the operation of public health and vocational rehabilitation programs for 1968, an increase of $8.2 million over 1967. These funds are needed to improve a variety of services, and to remedy some serious deficiencies.

The Department of Public Health has made impressive gains in recent years. Much more will be possible, with additional Federal assistance, when present laws are amended to permit the District to join the many other States which are receiving Federal assistance in local health activities under title XIX of the Social Security Act. Under that program, not only will many more District residents receive needed medical attention, but increasing pressures upon both District of Columbia General Hospital and Children's Hospital will be eased. I urge the Congress to give prompt attention to the necessary legislation.

The budget will maintain the momentum of prior years, and make other essential improvements. It will—

Increase the number of nurses, nurses' assistants, and the capacity of the nursing school at District of Columbia General Hospital. These increases, together with the improvement in the recruiting ability of the hospital which will result from the recently announced pay increases for nurses, should materially improve the quality of nursing care at the hospital. More funds are also provided to the hospital for supplies and equipment.

Provide expanded services for the aged, through a geriatrics clinic at the Potomac Gardens public housing project for the aged, and through an increase in home health services.

Permit payment to contract hospitals and Freedmen's Hospital of their reasonable costs for the services they provide the medically indigent residents of the District, in conformance with the criteria set forth in Public Law 89–97.

Provide plans and specifications for the Northwest Community Health Center.

The average daily patient load of St. Elizabeths Hospital for which the District is responsible continues to decline. The per diem cost, however, continues to increase so that an additional $3.6 million will be required in 1968.

WELFARE

The budget provides $40.3 million for the Department of Welfare in 1968, an increase of $7.7 million over 1967.

The operations of the Welfare Department continue to reflect efforts to rehabilitate individuals and families, increase their self-sufficiency, and in as many cases as possible assist them to become self-supporting. Funds are provided to maintain the present ratio of social workers to families with dependent children, to complete the basic staffing for two recently established neighborhood centers, and to meet additional staff needs for the aged at District of Columbia Village. Funds are also provided to staff the new District facility which will replace the present National Training School for Boys.

Many special welfare programs have been established in recent years to meet the needs of the less advantaged. The budget will permit intensifying this effort by—

Expanding the crisis assistance and emergency family shelter programs.

Continuing and improving the training and job placement assistance programs for unemployed parents of needy children. This effort will continue to be closely related to the work training program financed under title V of the Economic Opportunity Act, and provides for the removal of limitations that now prevent Federal assistance under the Social Security Act.

Paying the actual rental expenses of public-assistance recipients if their quarters meet building code requirements and a reasonable standard of maintenance.

Further expanding the day care program.

PARKS AND RECREATION

The needs of those agencies concerned with parks and recreation will require $17.6 million, an increase of $4.3 million over 1967.

The additional funds will permit a substantial expansion of supervised recreational activity. The major portion, $2.5 million, will provide a comprehensive summer program for youth, combining organized recreation with educational and preschool training. These funds, together with $500,000 which will be included in the supplemental 1967 budget, are needed to continue and improve the District's summer programs for young people. During the past 2 years District programs have been among the most successful in the United States. Their value can no longer be doubted.

Funds are also provided for more adequate coverage of existing facilities, for more hours of operation of 90 playgrounds recently lighted for night use with the help of private contributions, for an extended summer season for swimming pools, for expanded recreation programs serving the physically handicapped and the mentally retarded, and for staffing the Buchanan playground which will also be improved by a grant from the Astor Foundation.

The capital budget reflects an urgent need to increase the recreation facilities available in the District. A total of $4.1 million is proposed to provide, among other things—

Acquisition of the old car barn on East Capitol Street for development into a community and recreation center to serve an area badly in need of such a facility.

Construction funds for two swimming pools, and plans for four more.

Reconstruction of the Chevy Chase Community Center, for which Congress in fiscal 1967 provided funds to prepare plans and specifications.

The 1967 supplemental budget will provide funds to make available next summer 15 walk-to-learn-to-swim pools for younger children.

TRANSPORTATION

The budget reflects the substantial progress toward an ultimate solution of the transportation program that was made during the past year.

The mass transit program moved closer to the regional system which I recommended when the 89th Congress enacted for the District and granted Federal consent to the compact creating the Washington Metropolitan Area Transit Authority, with power to plan, finance, and operate a regional system. Maryland, Virginia, and the District have already provided funds for the operation of the authority in 1967 and are budgeting funds for that purpose in 1968.

Funds are already available to permit continuation of preliminary engineering and construction work by the National Capital Transportation Agency on that part of the system authorized by the Congress in 1965. Funds for the District's share of the engineering and construction costs of the authority are authorized. Although the authority does not come into being officially until February 20, 1967, the provisional board of directors has been actively at work for several months.

Agreement reached during 1966 by the Policy Advisory Committee, and accepted by the District Commissioners and the National Capital Planning Commission regarding the location of interstate freeways within the District, together with the increased funds resulting from the additional borrowing authority made available to the highway fund, have made it possible to provide adequate funds so that the entire freeway program can go forward. In addition, the budget provides funds through the Council of Governments for the District's share of the expenses of the regional planning, including transportation planning, being undertaken jointly by the local governments in the National Capital region.

OTHER

The major portion of the budget is related to the programs already mentioned. Other budget proposals of particular significance include—

Funds for a major increase in sanitation services, to permit more frequent street cleaning and more efficient refuse collection.

Funds for the construction of the new central public library.

Funds to enable the public library to send books to 16,000 kindergarten children, to enlarge their horizon through the world of books. Books for these children are even more important than the books already provided by the library to children in the elementary schools and in many junior high schools.

Funds to augment the staff of the Commissioners' Council on Human Relations. The services provided by the Council have been important, but much more can and should be done.

Funds for a Civil Rights Division in the Corporation Council's office.

Funds to prepare preliminary plans for two new buildings in the municipal center area. These buildings will not only provide the District with badly needed office space, but also help to carry out the long-range plans for Pennsylvania Avenue.

Funds to conduct the 1968 presidential election in the District.

CONCLUSION

This budget which I am recommending reflects the needs of local government in an increasingly urbanized society. The District is no less subject to these urgent needs than are other cities, and because in many ways it performs the function of a State as well, its responsibilities are even broader. To ignore the District's needs is to confess that the Capital City of this great Nation cannot cope with today's challenges. We must make no such confession. We must make the District of Columbia, rather, the proof that our civilization continues to secure to every citizen "life, liberty, and the pursuit of happiness."

LYNDON B. JOHNSON.

JANUARY 25, 1967.

INCREASING PROBLEMS OF AUTO THEFT

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. KUPFERMAN] is recognized for 30 minutes.

Mr. KUPFERMAN. Mr. Speaker, a serious problem which deserves our immediate attention and that of all law enforcement agencies is auto theft.

According to the U.S. Department of Justice, auto theft is the third most frequently committed felony throughout the Nation, following only burglary and grand larceny. Moreover, I am informed that in measurable financial loss, auto theft is second only to burglary.

According to the Federal Bureau of Investigation and the National Automobile Theft Bureau, a half million cars were stolen in this country in 1965, a 12.5 percent increase over the figures reported for 1964. Statistics indicate that the number of auto thefts has doubled since 1955, with a continued increase expected by law enforcement officials.

The FBI reports indicate the ratio of stolen cars per 100,000 inhabitants of the United States in 1960 was 179.2. In 1965, the ratio increased to 251.0 per 100,000 people. The National Automobile Theft Bureau expects the figures for 1966 to easily pass the half-million mark. FBI figures for the first 9 months of 1966, which support this view, indicate a 10-percent rise in the occurrence over the prior year, in which a half million cars were stolen in this country.

The increasing problem of auto thefts is particularly disturbing to me because there is already such a high incidence of crime committed within the New York City area. In 1960, according to the FBI, there were 24,325 car thefts in Manhattan. In 1962, this figure jumped to 27,366, or 246.4 cars stolen per 100,000 people in the metropolitan area.

In 1964, there were 39,638 car thefts in the New York metropolitan area as contrasted with 49,228 thefts that year in all New York State. In other words, in 1964 there were 348.9 cars stolen per 100,000 people in New York City as compared with 274.8 cars stolen per 100,000 inhabitants of New York State.

It should be noted that the figures supplied to the Federal Bureau of Investigation for auto thefts prior to 1965 by the New York City Police Department are considerably less than an accurate reflection of the actual number of stolen cars. Commissioner Howard R. Leary discovered upon assuming duty as the New York City police commissioner on February 22, 1966, considerable inefficiency, and a failure by the New York City police to report all of the auto thefts which had occurred in New York City.

Thus, the more recent figures, which are the product of Commissioner Leary's commendable institution of a new system of accurately reporting and recording car thefts, indicate that 34,726 cars were stolen in New York City in 1965. Moreover, during the first 6 months of 1966, 15,459 auto thefts were reported in Manhattan alone.

The figures above have been of real concern to law enforcement officials in New York as well as to Commissioner Joel J. Tyler of the New York City Department of Licenses, and former District Attorney Nat H. Hentel, of Queens, who have been the leaders in the fight to retard the dramatic increase of auto theft in New York City.

While experience indicates that most stolen cars are eventually recovered, research shows that the average financial loss for each such recovered car is approximately $200. In addition, millions of dollars are lost each year as a result of stolen cars which are not recovered.

Statistics from the Federal Bureau of Investigation indicate that more than 60 percent of all auto thefts are committed by youngsters under the age of 18. The all too familiar pattern experienced by law enforcement officials is that of the "joyride," where the car is stolen, used and then returned or left for the owner or police to find.

Aside from the serious consequences of an arrest, trial, and conviction of our youth, "joyriding" presents a real threat to all those who use the Nation's streets and highways. The young driver's unfamiliarity with the stolen car, together with his apprehensive state of mind and lack of pride of ownership in the vehicle serve to insure a reckless drive, thereby creating a hazard to innocent motorists.

Another problem auto theft poses, is that of the theft rings, which are composed of groups of professional thieves, usually adults, generally employing stolen cars to carry out other crimes which they have conceived. By stealing the car used to execute their crimes and then later disposing of the vehicle, criminals are able to reduce the likelihood of being apprehended.

One of the ways in which thieves are able to disguise the stolen automobile is to grind the serial numbers off the engine while at the same time repainting the car a different color so that it may be disposed of on the open market.

The difficulty with this procedure, however, is that it is time consuming, and time is a precious ingredient to the successful operation of the auto thieves ring. Also, it requires technical resources.

Therefore, a much faster and therefore safer means is generally employed by the professional auto thieves to dispose of their "hot" cars. The cars are simply shipped, trucked or driven out of the United States to be sold in a foreign country close to the United States, or in many cases, overseas.

Unfortunately, the Federal Bureau of Investigation has no figures or even estimates as to the number of stolen automobiles which are being exported each year. This is so, notwithstanding the fact that the FBI and Justice Department have been aware of the increasing problem of stolen vehicles being transported in interstate and foreign commerce for the past several years.

This method of disposition of the stolen vehicles is made considerably easier for the thieves primarily because, under present law, there is absolutely no requirement that the U.S. customs service make a check to ascertain proof of ownership of any motor vehicle being shipped, flown, trucked, or driven out of the United States, nor is it their policy to do so.

At present, the U.S. Department of Commerce, operating under the authority of the Export Control Act of 1949, as amended July 1965, authorizes the Customs Department under the U.S. Treasury, which administers the act, to file an export declaration certificate on quantities of exported goods. This declaration certificate is intended to provide statistical data to the Department of Commerce regarding amounts and descriptions of goods leaving the country, but in no way is concerned with proof of title or ownership of the goods being exported.

On the contrary, the U.S. Department of Commerce and the customs department are more concerned with goods coming into the country because of the imposition of U.S. duty on these items.

The reason the Export Control Service and Customs are generally only concerned with a statistical check on the description and amounts of goods leaving the United States may be found in the purpose of the Export Control Act itself. The Export Control Act expressly provides—50 U.S.C. 2021–2032, 63 Stat. 7, chapter 11—that it is the purpose of the United States to use export controls to the extent necessary to protect the domestic economy from the excessive drain of scarce materials and to reduce the inflationary impact of abnormal foreign demand. It further provides for export control when necessary to further the foreign policy of the United States or to exercise the necessary vigilance over exports from the standpoint of their significance to the national security.

It would seem that as long as the Customs officials and the Export Control Service under the Department of Commerce, presently require a declaration for statistical purposes as to the description and quantity of vehicles leaving the United States, they could also seek some evidence of ownership or lawful identification of any motor vehicle or motorcycle under the holders' direction or control which is about to be removed from the United States.

To require some evidence of ownership or lawful identity in addition to the routine statistical check made by Custom officials of those seeking to export vehicles at our borders would be a far less hardship than to continue to allow the felons who steal our motor vehicles and endanger our lives to rapidly and successfully complete their plans by simply removing the stolen vehicles from the country.

Accordingly, I have today introduced a bill which would provide that it shall be unlawful for any person to transport a motor vehicle or motorcycle out of the United States without first making a satisfactory showing of proof to the Secretary of Commerce regarding the ownership or lawful identification of the motor vehicle or motorcycle being exported.

Authority presently exists in most, if not all States in the United States, for law enforcement officials to request, at least upon probable cause, such proof of ownership.

Moreover, in New York State, as well as in many other States, every person operating a motor vehicle shall upon request of a law enforcement officer produce a certificate of registration for the vehicle being driven—New York Vehicle and Traffic Law, title IV, article 14, section 401(4). New York law further provides a sanction of suspension or revocation of the driver's license of any person who prevents lawful identification of any motor vehicle or motorcycle under the holders' direction or control—New York Vehicle and Traffic Law, article 20, section 510(3)(2).

Routine checks made by local and State law enforcement officials continuously turn up stolen cars which may or may not have been reported as stolen.

A similar routine check by the Federal export control authorities at Customs, when cross-checked against lists of reported stolen vehicles, could no doubt lead to the discovery of auto thefts and seriously cut down the number of stolen or "hot" vehicles presently being "dumped" outside the country.

Another way in which we can reverse the current climb in the number of auto thefts in the United States is to recognize and stop a new means employed to accomplish this crime which has recently developed with alarming speed.

I refer to the fact that thousands of car thiefs are aided each year by the use of so-called master keys. Master keys are designed to fit some or all makes and models of cars and are usually ordered and sent by their manufacturers through the mail.

Indiscriminate sale of these keys allows them to fall into the hands of juveniles and professional criminals alike, and are perfect instruments to enable them quietly and quickly to steal a car and to remove its contents or valuable parts, such as engines and radios, without being discovered.

New York State Senator Simon J. Liebowitz expressed concern over the growing menace to life and property from auto thefts by the use of master keys during a recent hearing of the U.S. Senate Subcommittee on Executive Reorganization on the subject of traffic safety. State Senator Liebowitz pointed out that inasmuch as these keys are ordered and sent through the mail there is no way a single State can effectively prohibit their purchase and receipt by one of its residents.

Senators Jacob K. Javits, Robert Kennedy, and Abraham Ribicoff have recognized the master key problem as a serious one and introduced in the Senate during the second session of the 89th Congress a bill, S. 3176, designed to deal with the problem of master keys.

In discussing the master key problem in the July 1966 issue of Popular Mechanics, Senator Ribicoff said:

> While some key manufacturers conscientiously try to confine their sales to legitimate users, others make no attempt whatever, and do, in fact, solicit business—by mail and advertising—from anyone who'll pay their price.

Senator Ribicoff said the number of auto thefts has jumped 20 percent in the last 2 years and, that if the trend continues, more than a million cars will be stolen every year by 1970—one every 30 seconds.

With the exception of large-scale auto theft operations in which the thieves tow or truck the car away, the majority of automobile thefts are accomplished by starting the engine and driving the vehicle away. The emphasis should be, therefore, upon restricting the ease with which this can be done.

By stopping unauthorized master key traffic and usage, and by encouraging manufacturers voluntarily to take steps to improve car design by adding the small items necessary to automobiles being manufactured, and, thereby insuring more "theft proof" qualities, millions of dollars and numbers of lives could be saved.

A simple preventive measure which car manufacturers could adopt would be to place a lock on the hood latch of the automobile and cause it to operate from inside the car rather than continue to manufacture the simple opening devices presently being designed to operate from under the hood on the outside front of most cars.

I would strongly urge our Nation's automobile industry to cooperate in, which I hope will be, a massive national effort to reduce auto thefts. One way in which they could help would be voluntarily to improve the lock mechanisms of the ignition of the automobiles so that they will be more difficult to pick.

Another method would be to make it more difficult to obtain master keys. To accomplish this, I have today introduced legislation which would prohibit the interstate mailing of master keys to all unauthorized individuals or groups by making it a Federal offense to use the mails to sell master keys except for legitimate uses.

There is a particular need for such legislation in order to take away the incentive which master keys presently provide for teenagers to take joy rides. According to Senator Ribicoff, the frequency of auto thefts by teenagers runs to 92 percent in some areas.

Moreover, the National Auto Theft Bureau, which has gone on record as violently opposing the indiscriminate sale of master keys as potential burglar tools, reports that nationwide more than 60 percent of juvenile crimes are auto thefts.

I believe it is imperative that the Federal Government take action now to come to the aid of local and State law enforcement officials in their struggle to effectively deal with the growing menace of auto theft.

Assistant Attorney General Fred M. Vinson, Jr., recently told the U.S. Senate Judiciary Committee's Subcommittee To Investigate Juvenile Delinquency that the Justice Department already has conferred with the representatives of the major car building firms in an effort to see that devices are built in or added to newly manufactured cars in order to make them more difficult to steal.

Assistant Attorney General Vinson said that the Government might take the mandatory course if manufacturers did not act voluntarily—to add the necessary theftproof devices. Mr. Vinson stated that the Government wants the automobile manufacturers to adopt "feasible and effective devices at the earliest practical date."

Unfortunately, the administration has not undertaken realistic action in an effort to solve the problem. Requirement of theftproof devices on newly manufactured automobiles is only one small step toward its solution. The fastest and easiest way to dispose of "hot" cars already in use is simply to ship them out of the United States for sale in a neighboring country or overseas. We cannot afford to wait in dealing with this problem until newly manufactured domestic automobiles are uniformly built with theftproof devices.

I strongly urge this body to consider legislation along the lines I have introduced today, which would provide a legal check on the ownership or lawful identification of motor vehicles or motorcycles being exported. It is only through comprehensive auto theft legislation dealing with the problem as a whole that the tragic advance in auto theft figures can be halted. We must take positive steps toward this end now.

There follows a statement by Michael J. Murphy, president of the National Automobile Theft Bureau, at the public hearing on auto theft recently held by the U.S. Senate Judiciary Committee's Subcommittee on Juvenile Delinquency. Mr. Murphy is a former police commissioner of the city of New York and served in that capacity during the period when I was a member of the New York City Council.

Statement by Michael J. Murphy, President, National Automobile Theft Bureau, at the Public Hearing on Auto Theft Held by U.S. Senate Committee on the Judiciary Subcommittee To Investigate Juvenile Delinquency

My name is Michael J. Murphy. I am president of the National Automobile Theft Bureau—a service organization that traces its history back to 1912 when the 11 insurance companies then writing automobile insurance formed an association to assemble and disseminate reports on stolen cars. Today nearly 400 insurance companies support the NATB in its efforts to assist law enforcement officials in identification and recovery of stolen vehicles. The Bureau also investigates automobile arson and has been responsible for the break up of numerous and extensive auto theft rings in every corner of the nation. It maintains five division offices—in New York, Atlanta, Chicago, Dallas, and San Francisco—and maintains a network of resident agents throughout the country and in Mexico and Canada.

In addition to investigations, the NATB conducts training seminars on auto theft detection and prevention techniques for police departments. Also in the realm of prevention, we conduct an extensive public information campaign in an attempt to reduce auto thefts. The NATB is a voluntary, non-profit association. Any insurance company in good standing, whether stock or non-stock, engaged in motor vehicle insurance is eligible for membership. Member companies finance NATB activities through assessment on the net automobile fire and theft premiums written by the individual company.

Gentlemen, I appreciate the opportunity to speak to you today on the subject of auto theft. Each day the problem grows more acute. Every year the auto theft rate increases faster than either the number of vehicles manufactured or the population.

Despite the fact that nearly nine out of every ten stolen cars are recovered through NATB and police operations, this crime continues to cost the public and the insurance industry more than half a billion dollars each year. In fact, it is the nation's costliest crime against property. Final figures are not yet in, but we expect the 1966 auto theft figure to easily pass the half-million mark. FBI figures for the first nine months of 1966 indicated a 10 per cent jump in the number of auto thefts.

These figures sound bad—and they are. But these cold facts, awesome as they may be—don't add up to the one, overriding concern of those of us familiar with the auto theft problem. It is a young man's crime.

According to the Uniform Crime Reports compiled by the FBI the highest arrest rate for auto theft is for persons in the 15 to 19 age group. The most recent figures we have show offenders under the age of 18 account for 64 per cent of all auto theft arrests while persons under the age of 25 are responsible for 89 percent of the total arrests. Compounding the problem is the fact that where the auto thief is under age 18, in most cases the crime involves other youths.

More and more cars are being stolen by youths for the souped-up engines, expensive transmission and fancy bucket seats. Although the auto may be recovered later, and nearly nine out of ten stolen cars are recovered, an increasing number are found stripped with the loss running into hundreds of dollars.

The problem is not a simple one nor is the solution. A number of suggestions which we think would improve the theft situation—such as adoption of the Certificate of Title provisions of the Uniform Vehicle Code and the enactment and enforcement of local lock your car ordinances—properly come under state jurisdiction. Others, perhaps, could be most effectively felt on a national level.

MASTER KEYS

A problem that we encounter with increasing frequency is that of Master Keys. Mail order master key firms in such states as Pennsylvania, Maryland, Florida and California solicit business by direct mail and through advertisements in national magazines. The ads state that the sets are for legitimate use only, but we have found that nearly any one can obtain complete sets with ease. Members of the NATB staff, in fact, in an experiment ordered such sets from home addresses on plain stationary. Our orders were filled without question. We have no figures to support our contention that a growing number of car thieves are also among the customers, but our agents and police with whom we work point to a rising number of stolen cars recovered which show no signs of forcible entry, an increasing number of cars stolen from once comparatively safe parking lots and garages, and frequent arrest of persons in possession of master keys.

The NATB fully supports state legislation outlawing sale of master keys except to legitimate agencies. As far as I know only Texas, Oregon, Massachusetts and Michigan have incorporated such laws on their books. But even if most states had laws forbidding the sale of master keys, the U.S. mails could still be used to buy them and states would be powerless to stop it. We are, therefore, especially hopeful legislation outlawing indiscriminate sale of master keys in interstate commerce will be re-introduced and passed in Congress. Interrelated federal and state laws making it illegal to sell, possess or receive master keys unless they are for legitimate users is the key to halting the growing master key problem.

PUBLIC EDUCATION

There is a moral aspect to the leaving of cars unlocked. Often the very fact that the keys are in the ignition provides a temptation to young people which is very difficult for them to resist. In my experience over many years as a law enforcement officer, I have read thousands and thousands of criminal records, and invariably in the early stages of a criminal career there is an arrest and conviction for the crime of auto theft. I believe that we owe it to young people to prevent the occurrence of this indiscriminate temptation.

Our greatest task is to eliminate the major reason making car theft possible—especially among teenagers—the unlocked car. In a recent survey the FBI reported at least 42 per cent of the cars stolen had been left with keys in the ignition. From 80 to 85 per cent of the cars stolen had been left unlocked.

Significantly, it is the unlocked car with key still in ignition that accounts for many a teenage theft. A teenager steals on the spur of the moment. And an unlocked car is an open invitation.

A substantial reduction in the number of auto thefts could be made by a campaign of education addressed to the public concerning the necessity for locking motor vehicles. Public awareness of this fact could substantially reduce auto theft. In our experience in more than 130 cities, including San Francisco, Dallas, Houston and Chicago, it has been shown that concerted campaigns calling this to the public's attention have substantially reduced the incidence of auto theft. The NATB is ready to cooperate with any law enforcement agency or motor vehicle bureau in the mounting of such a campaign.

The value of these Lock Your Car campaigns has been recognized by chiefs of police and other officials throughout the nation. The latest development is a National Automobile Theft Prevention Campaign which is planned for the Spring of this year. The Department of Justice is coordinating this effort with the cooperation of several national organizations—including ours.

TEENAGE EDUCATION

In a related matter it is suggested, if it is not already being done, that part of the federally approved curriculum for driver education in high schools should include information concerning proper security measures to prevent the loss of the vehicle which is being operated by the student either at school or after his graduation.

It is my understanding that federally aided highway programs are now contingent on inclusion of an approved driver education program. These courses should also emphasize the serious nature of a crime that could jeopardize a youngster's entire life. It is impossible to overemphasize the fatal consequences to the career of a young person who has been associated with auto theft.

MANUFACTURING IMPROVEMENTS

I might point out that we have been successful in recent years in working with automobile manufacturers to reduce car thefts by making it as difficult as possible for the thief to enter, start, or drive away the vehicle.

Beginning with 1965 models, General Motors Corporation has modified Chevrolet and Buick ignition systems to make it impossible for the key to be removed without locking the ignition. These cars were especially vulnerable to theft prior to this change. Separate keys and locks were also provided for the ignition and the trunk.

Ford Motor Company has redesigned all locks beginning with 1965 models to provide production tumblers at both top and bottom of ignition assembly. The new lock requires a key cut on both edges, making it difficult to open the lock with a "jiggler key"—a technique used successfully by thieves on earlier Ford locks.

Over the years, the NATB has helped the automobile industry develop a voluntary system of confidential numbering of vehicles—usually including high-performance engines and transmissions—for tracing and identification purposes. While we wholeheartedly endorse this system and are working for its expansion, we also believe that it must be voluntary. We feel that any type of local, state or federal legislation relating to this system of secret numbering would jeopardize the very program such legislation would presumably be intended to insure.

RESEARCH

Throughout my testimony one tremendous lack may have become increasingly apparent—the lack of information on those who commit the crime of auto theft and the methods they use. The FBI keeps auto theft statistics. And we know from experience that it is predominantly a teenage crime, that master keys are often involved, that it is a crime of opportunity and often is the first step in a career of crime. But we know this only from experience. The NATB could do no greater service for our clients than to undertake a countrywide study of the problem. But, unfortunately, financing such a study is far beyond the realm of our organization. I feel very strongly, however, that much of our effort toward stemming the constantly growing problem of the nation's costliest crime against property—auto theft—will be wasted until a comprehensive study is undertaken.

CONCLUSION

We of the NATB keep three important objectives in mind while working at our daily job of stolen automobile recovery:

1. an educational program aimed at the general public, to make them aware of the problem, but mainly to get them to lock their cars,
2. an educational program aimed at teenagers, and
3. toughening of laws against auto theft.

I suggest that the true problem of automobile theft is—with few exceptions—that few people recognize it for the real and pressing problem that it is. Most authorities are in agreement on this: the car thief's closest ally is the car owner himself, for it is he who leaves the doors unlocked, the windows ajar, the keys in the ignition, or the vehicle itself parked in an unlighted, mostly deserted area.

Effective control of auto theft is a many-faceted problem demanding close cooperation among many interested groups. Experience of the past demonstrates the need for a stronger, more vigorous approach—a few new laws and stricter enforcement of the ones we have, as well as a strong and effective public information program.

Projections based on present trends indicate that almost one million cars will be stolen in the United States in 1970. Based on current averages the total value will be a staggering $872,608,275.

It is essential that every effort be made to prevent such huge losses which are not only staggering from an economic view point but represent a turn to crime by large numbers of our most precious asset—our young people.

CLAIM OF DR. SOLOMON S. LEVADI

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Rumsfeld] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, in 1965 I introduced a bill, H.R. 3557, to confer jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Dr. Solomon S. Levadi. The House passed the bill on August 2, 1966, the Senate Committee on the Judiciary reported the measure, but the bill failed to reach the Senate floor during the closing days of the Congress. I believe that Dr. Levadi is entitled to pursue his claim for a service-connected disability, and am reintroducing the bill with the hope of speedy action by both the House and Senate.

POLICE DEPARTMENT OF THE VILLAGE OF PALATINE, ILL.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Rumsfeld] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to

the request of the gentleman from Missouri?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, I am reintroducing a bill today which, if enacted, will resolve a serious burden currently placed on the members of the police department of the village of Palatine, Ill.

Because of the growth of the community, the members of the police department now find themselves subject to both the State police pension fund and the Social Security Act. This situation arose through a quirk in timing and has been described by the village attorney as follows:

> Because of unusual timing, the double coverage of the Palatine Police Department is considered a unique position in the State of Illinois. Neither the corporate authorities, nor the policemen themselves, desire this double coverage. There appears to be no way to escape the operation of the state-required Police Pension Fund contributions and coverage. Because of Palatine's present population, the application of the Police Pension statute is mandatory. Municipalities with a Police Pension set-up are not required to assume Social Security coverage.

Mr. Speaker, as I noted last year, if the village had attained its population growth before social security coverage was first extended to the village, the problem would not have arisen. Since the only relief in sight appears to be amendment of the Social Security Act, I ask favorable consideration of this bill by the Congress.

EDITORIAL FROM THE BRISTOL, VA.-TENN., HERALD COURIER COMMENDS REPRESENTATIVE QUILLEN FOR HIS RESOLUTION TO ESTABLISH A SELECT COMMITTEE ON STANDARDS AND CONDUCT

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. QUILLEN] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. QUILLEN. Mr. Speaker, I am extremely pleased with the reaction in my district over the resolution that I introduced last week, along with several of my colleagues, to establish a Select Committee on Standards and Conduct.

I would like to call to the attention of all the Members of the House the following editorial which appeared in Sunday's edition of the Bristol, Tenn.-Va. Herald Courier, and in so doing, I again urge those of you who have not yet considered this resolution to join in this endeavor by not only introducing your own resolution but also seeking immediate action on it.

I think I should point out that my resolution makes a slight, but I feel very important, change from the one introduced by my colleagues. To safeguard the person against whom the indiscretions are claimed, I believe that any charge must be made in person to the chairman of the select committee, and, of course, under oath, rather than in writing.

I offer this editorial, as well as a copy of my resolution, for your consideration:

A Good Proposal

The House of Representatives, if it is to protect itself against the excesses of its own members, will have to establish a Select Committee of the sort recommended by Rep. James H. Quillen of Tennessee's First District.

He has introduced a resolution calling for establishment of a permanent committee similar to the temporary committee now investigating the shenanigans of one Adam Clayton Powell. This is not the first time Rep. Quillen has urged such action. But it has more going for it now, since Mr. Powell has so brazenly forced the issue with his own misconduct.

Under Rep. Quillen's proposal, the permanent Select Committee would be empowered to investigate misconduct on the part of congressmen when specific charges are made—and only then. Consequently, it would not be a "witch hunting" committee, nor would it lend itself readily to political manipulation.

In practice, the committee probably would have very little investigating to do. Fortunately, there are not many Adam Clayton Powells in Congress, though certainly there are many members of that body who are not exactly lily white.

Sadly, power does indeed tend to corrupt, and absolute power does indeed tend to corrupt absolutely. Honest men have too often been tempted by the rewards of personal gain—and have succumbed.

The very existence of a permanent Select Committee, however, would serve as something of a deterrent. It would be a constant reminder to all congressmen that their misdeeds are subject to immediate investigation. And, being reminded, most congressmen would not be so easily led into indiscretions.

There are rules and laws which govern the conduct of elected officials. In the case of Congress, however, the members constitute their own judge and jury, and possibly there are too many glass houses to permit much brick throwing.

But something has to be done to prevent a recurrence of the Adam Clayton Powell case. And something has to be done to ferret out others who already have overstepped the bounds of propriety.

Only by admitting the problem and taking steps to correct it can Congress hope to maintain the confidence of the American people. Those of the House who want to appear before their constituents with clean hands would do well to join Rep. Quillen in seeking establishment of a Select Committee.

It is not enough for one congressman to say, "I'm four-square." He also must do what he can to insure that other members of the Congress also are "foursquare" and remain so. For if Congress, as we are so often told, is the sole judge of its own membership, then every member must bear some of the blame for misconduct on the part of a single congressman.

Rep. Quillen has made a good proposal. We hope Congress will agree and give his resolution the approval it deserves.

H. Res. 133

Resolved, That (a) there is hereby established a select committee of the House of Representatives to be known as the Select Committee on Standards and Conduct (hereafter in this resolution referred to as the "select committee"). The select committee shall be composed of twelve Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Six members of the select committee shall be selected from members of the majority party and six shall be selected from members of the minority party.

(b) Vacancies in the membership of the select committee shall not affect the authority of the remaining members to execute the functions of the select committee, and shall be filled in the same manner in which the original appointments were made.

(c) A majority of the members of the Select Committee shall constitute a quorum for the transaction of business, except that the select committee may fix a lesser number as a quorum for the purpose of taking sworn testimony. The select committee shall adopt rules of procedure not inconsistent with the rules of the House governing standing committees of the House.

Sec. 2. (a) The select committee is authorized—

(1) to recommend to the House, by report or resolution, such additional rules or regulations as the select committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the House, and by officers or employees of the House, in the performance of their duties and the discharge of their responsibilities; and

(2) to report violations, by a majority vote of the select committee, of any law to the proper Federal and State authorities.

(b) The select committee shall have power to make an investigation of any violation by a Member, officer, or employee of the House, of standards of conduct established by the House of Representatives by law or resolution, including those standards provided in title 18, United States Code, and in the concurrent resolution passed July 11, 1958 (72 Stat. B12). Such an investigation may be made only upon receipt by the select committee of a complaint, in person and under oath, made by or to a Member of the House and transmitted to the select committee by such Member. No investigation may be made with reference to any complaint of a violation occurring prior to the establishment of the standards of conduct involved. After such investigation the select committee may recommend to the House appropriate resolutions of censure for its consideration and action thereon.

Sec. 3. For the purpose of carrying out this resolution the select committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House is in session, has recessed, or adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, papers, records, correspondence, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the select committee or any member designated by him, and may be served by any person designated by such chairman or member. The chairman of the select committee or any member thereof may administer oaths to witnesses.

Sec. 4. As used in this resolution—

(1) the term "officer or employee of the House" means any person whose compensation is disbursed by the Clerk of the House; and

(2) the term "Member of the House of Representatives" includes the Resident Commissioner from Puerto Rico.

TOM MBOYA OUTLINES ROLE OF AFRICAN YOUTH IN BUILDING A MODERN AFRICA

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, my attention has been called by the Honorable J. Wayne Fredericks, Deputy Assistant Secretary of State for African Affairs, to an interesting and inspiring speech on the role of youth in Africa by the distinguished and universally esteemed Hon. Tom Mboya, of Kenya.

This speech was delivered this week in Nairobi. It is a statement by one of the great leaders in Africa of the role of African youth in the building of a modern and prosperous Africa, and as such I deem it worthy of full reporting in the CONGRESSIONAL RECORD.

I include a news release incorporating his statement along with his remarks:

"The youth of the world had an inevitable role to perform, for in their hands lay the destiny of millions of people. In particular, the challenge of the development of Africa rested squarely on the shoulders of the younger generation," Kenya's Minister for Economic Planning and Development, Mr. Mboya, told the 12th international students conference in Nairobi.

Pointing out that Africa urgently needed her own experts, the Minister said a university was not just a place for passing resolutions, but a place where young men and women were trained to make the world a better place to live in.

"Let me give you a challenge," Mr. Mboya said. "Look at our forests, our deserts, look at our land, our lakes, our seas. All of these have hidden or potential resources. In order to exploit what they hold we urgently need trained and dedicated manpower. We need ideas, plans, programmes and proposals."

The Minister said that when an African country wanted to carry out a feasibility survey for an economic project it was forced to find overseas experts to do the job. These experts came from the same countries which controlled capital resources and would say whether investment in a given project was wise, from their own point of view. "Decisions and proposals must be made within the context of our own people. We need to be freed from subservience, from this continuing dependence on outsiders," Mr. Mboya said.

The Minister went on: "In the energy and dynamism, the impatience and directness of youth, there is a danger that energy and brainpower may be too often diverted into unproductive channels.

"I am emotionally involved like you in world problems of right and wrong. I, too, am angry and aroused by the evils of apartheid and discrimination, by the inhumanity of totalitarian regimes, by the continuing inhumanity and exploitation by man of his fellows. These are matters which must concern and arouse all of us.

"In other countries men discovered electricity, steam engines, aeroplanes. African deserts, forests, water and land await the miracle to be worked by the hands and brains of its own sons. I regard this as our prime challenge.

"I have seen little concern in reports of your meetings and deliberations, with this sort of immediate and practical problem. I had hoped to see that vital matters of this kind would figure positively at the conference.

"It is natural to feel intensely about the large issues which concern mankind. From bitter experience and often from mistakes, I have learnt the need for a restraint when the heart was for hasty action. I have found how often caution pays off. I have experienced the advisability of suppressing emotion and the desire to display commitment in the rewarding task of advancing to real achievements in the implementation of one's principles and beliefs.

"Most certainly our countries need the dynamism, the dedication and the single-mindedness of youth. Yet equally we must temper and guide our energies by the exercise of caution, wisdom, foresight and experience. Without the tempering of the emotional approach, without the careful mingling of cool calculation with youthful dynamism, we might find ourselves confronted with new problems instead of solving the existing ones.

"The challenge of the development of Africa rests squarely on the shoulders of the younger generation who are the agents of economic and social development. How many of your contemporaries in the universities of the older countries have such opportunities and such challenges as those which face those of the developing nations? They must wait a decade to achieve the sort of jobs you will move straight into.

"Some of you from Africa will be permanent secretaries or heads of departments within two or three years. In the older countries a man of great ability may work his way up for 30 years before achieving such a distinguished office. Some of you will go out to be district officers right away and within a few years carry the responsibility of whole districts.

"Others will go from university straight to high executive positions in national corporations, often establishing such institutions from the start and laying down their pattern for the future.

"You will face responsibility and great challenges the moment you walk out of university into your first job. You will often not have a body of older and more experienced people above to help and make mistakes and they can be corrected by those with more experience.

"In Africa, the educated man, even if he is straight from university, is expected to know he is looked up to by those without the privilege of education as one who does not make mistakes. The responsibility of the student in Africa is so much greater. Students must take a fresh look at their role. The student is supposed to be studying hard, searching for the truth. He must be a person of courage and initiative. It is not enough for him to shout old slogans and to repeat old phrases.

"Neither the Eastern nor the Western bloc is as monolithic as it was. Major conflicts have developed among the Communist states and many are adopting political practices and economic measures which they once condemned. The face of capitalism is changing, too, and who can say today that the Western World are purely capitalist in the old sense?

"We must beware lest our young people (and perhaps some older ones) become confused and led astray in this intellectual and ideological ferment.

"We must grasp the challenge of the modern world. We in Africa must not blindly follow others but must experiment, with our own forms and institutions, our own ways and methods."

UKRAINE'S INDEPENDENCE AND A SPECIAL HOUSE COMMITTEE ON THE CAPTIVE NATIONS

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a resolution and extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, on this 49th anniversary of the independence of Ukraine it is most important for all Americans to recognize the interrelationships between the captive nations of Eastern Europe and the war against Red imperialism in Vietnam. Russian material aid to the Red totalitarian regime in Hanoi comes in the last analysis from the sweat and toil of the captive nations in the Soviet Union and in Eastern Europe generally. The plight of 17 million captive North Vietnamese is substantially no different from that of 43 million captive Ukrainians or the millions of other captive peoples in Eastern Europe, Asia, and Latin America. As freedom is indivisible, so is Red totalitarian tyranny indivisible, despite all the superficial changes in the Red empire.

UKRAINE'S PUPPET IN THE U.N.

Before elaborating on the enormous significance of this anniversary, I should like to point out one of the most comical aspects of our period.

The chairman of the Ukrainian S.S.R. delegation to the U.N. lamented in his maiden speech in 1965 that we in Congress observe the real Ukrainian independence that was destroyed by Soviet Russian imperio-colonialism over 45 years ago. This puppet had the gall to say:

> The Ukrainian Soviet Socialist Republic is a sovereign and free nation in the great brotherly family of Soviet Republics.

Using an old imperialist Russian theme song, he further insulted the intelligence of his audience by blurting:

> Our Government and our people consider the acts of some American circles as interference in the domestic affairs of the Ukrainian nation.

In October 1966, his successor in the U.N. used practically the same language, deprecating our free observance of a once free people in their state of independence.

It is obvious that these poor puppets and their Moscow masters do not want us to bring the truths of Ukraine's miserable captivity to the attention of our own people and the world. These truths hurt them in their efforts to enlarge the Red totalitarian empire. It is our moral and political obligation to drive these truths home in every corner of the earth, for without a captive Ukraine the artificial edifice of the U.S.S.R. would topple like a stack of cards. Moscow knows this, but many free governments have yet to learn to appreciate this fundamental truth.

OCCASION FOR HOUSE RESOLUTION 14

On this significant occasion of the 49th anniversary of Ukraine's independence, I deem it necessary to go beyond the realm of sincere expressions of thought and feelings by advancing a concrete proposal that would aid immensely in the eventual liberation of Ukraine—indeed, all other captive nations—from the imperiocolonialists heel of Moscow.

I know that by offering the adoption of House Resolution 14, a measure to establish a desperately needed special House Committee on the Captive Nations, my proposal for specific and concrete action bespeaks also the desires of numerous Members of this body, who in the 87th Congress, in the 88th Congress, in the 89th, and in the present 90th Congress have joined in submitting similar resolutions.

This congressional observance of Ukrainian independence affords us the excellent opportunity in this Congress to urge the necessary creation of this special committee.

Mr. Speaker, in a move which I believe touches the heart of every Ukrainian patriot—in fact, the hearts of all our captive allies in the Red totalitarian empire—I take this important occasion to urge the immediate adoption of House Resolution 14, a copy of which will be found at the end of my remarks.

THIS 49TH ANNIVERSARY

Mr. Speaker, the national histories of East European peoples are full of miseries and misfortunes, and the history of the Ukrainian people is no exception. Since the signing of a compact between the Russian Czar and the Ukrainian leaders in 1654, stouthearted and liberty-loving Ukrainians have not been allowed, except for periods in the 18th century and the brief 2-year period of 1918–20, to enjoy the benefits of free and independent life in their historic homeland.

Through the turns and twists of fateful international events, some 45 million Ukrainians have not been permitted to be masters of their fate. For too long a period they have been held down under the oppressing yoke of alien despots. They have endured hardships, privations, and indescribable miseries. They have been ruthlessly persecuted for clinging to their national ideals, for dreaming and cherishing their independence and freedom.

Yet, no oppressive measure, no amount of severe persecution could compel them to abandon their yearning for freedom. Instead, oppressions and persecutions have united the Ukrainians against their foes, held them together. Then toward the end of the First World War, when the decrepit czarist regime was overthrown, and Austria's hold over the western Ukraine was broken, the Ukrainians proclaimed their independence and established the Ukrainian National Republic.

This historic event took place on the memorable 22d of January 1918—49 years ago. That day has become a landmark in the history of Ukraine, and remains the brightest spot in their struggle for freedom and independence. Unfortunately, the newborn Republic was suffering under severe handicaps. It was surrounded by powerful foes, ready to pounce upon it and put an end to its existence. And that is what happened even before the joy and jubilation had ceased.

Before the Ukrainian people had any time to recoup their losses, they were attacked by their inveterate foes, Moscow and its Red army. Early in 1920 enemy forces entered and occupied the eastern part of the country; soon the whole country was overrun and all Ukrainian opposition was ruthlessly crushed. Then in the fall of that year Ukraine became a satellite of Soviet Russia, and by 1923 it was forcibly incorporated into the Soviet Union.

Since those fateful days, for nearly five decades, Ukraine has been submerged in the Soviet Russian Empire, and the Ukrainian people have suffered grievously under Moscow's totalitarianism. For all practical purposes the country is sealed off from the free world. Neither the people of Ukraine are allowed in large numbers to travel abroad, nor are the people of the free world, except under carefully guided Communist supervision, to go to Ukraine.

Thus, the country has become a large prison-house for its people. Their most cherished possession is their spirit of freedom. Inhuman Kremlin agents have resorted to every device to deprive the Ukrainian people of this possession, but fortunately they have not succeeded in their task. Today, even under the most relentless of Soviet Russian totalitarian tyrannies, the sturdy and stouthearted Ukrainian clings steadfastly to his national ideals and still preserves his fervent love for freedom and independence.

The Ukrainian people, in and out of their homeland, have been a boom to the communities in which they lived. In this country they have been noted for their industry, ingenuity, and tenacity for hard work in whatever vocation. They have never shunned heavy labor in preference to something less arduous. In this respect their tough and resilient physiques, and their tenacious nature have served them well.

Hundreds of thousands of loyal, patriotic, and hardworking Americans of Ukrainian origin have always given excellent accounts of themselves in this country. I can say this because I have known many of them in my congressional district, and have seen them at work. These people of solid character have contributed their full measure to the free and democratic way of life in this great Republic. They have been a positive force in the building of our democratic institutions, and they have always been ready to fight and die for the preservation of these institutions.

Today, on this solemn occasion, I am happy to join them in the celebration of the 49th anniversary of Ukrainian Independence Day.

Mr. Speaker, in addition to the copy of the text of House Resolution 14, heretofore referred to, as part of my remarks today I would like to include the following:

A letter I received, dated January 16, 1967, from Dr. Lev E. Dobriansky, of Georgetown University, who is the national president of the Ukrainian Congress Committee of America, Inc.;

The text of an address delivered by our colleague from New York, the Honorable LEONARD FARBSTEIN, upon receiving the Shevchenko Freedom Award on October 8, 1966;

Remarks delivered in New York City last October 8 by the Honorable Liu Chieh, permanent representative of Nationalist China to the United Nations;

And, remarks of the Honorable Nguen Duy Lien, permanent observer of the Republic of Vietnam to the United Nations at the Ninth Congress of Americans of Ukrainian Descent last October 8 in New York City.

The material referred to follows:

H. RES. 14

Whereas on the all-important issue of colonialism the blatant hypocrisy of imperialist Moscow has not been adequately exposed by us in the United Nations and elsewhere; and

Whereas Presidential proclamations designating Captive Nations Week summon the American people "to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of the people of those captive nations"; and

Whereas the nationwide observances in the seven anniversaries of Captive Nations Week have clearly demonstrated the enthusiastic response of major sections of our society to this Presidential call; and

Whereas following the passage of the Captive Nations Week resolution in 1959 by the Congress of the United States and again during the annual observances of Captive Nations Week, Moscow has consistently displayed to the world its profound fear of growing free world knowledge of and interest in all of the captive nations, and particularly the occupied non-Russian colonies within the Soviet Union; and

Whereas the indispensable advancement of such basic knowledge and interest alone can serve to explode current myths on Soviet unity, Soviet national economy and monolithic military prowess and openly to expose the depths of imperialist totalitarianism and economic colonialism throughout the Red Russian Empire, especially inside the so-called Union of Soviet Socialist Republics; and

Whereas, for example, it was not generally recognized, and thus not advantageously made use of, that in point of geography, history, and demography, the now famous U–2 plane flew mostly over captive non-Russian territories in the Soviet Union; and

Whereas in the fundamental conviction that the central issue of our times is imperialist totalitarian slavery versus democratic national freedom, we commence to win the psychopolitical cold war by assembling and forthrightly utilizing all the truths and facts pertaining to the enslaved condition of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and other subjugated nations; and

Whereas the enlightening forces generated by such knowledge and understanding of the fate of these occupied and captive non-Russian nations would also give encouragement to latent liberal elements in the Russian Soviet Federative Socialist Republic—which contains Russia itself—and would help bring to the oppressed Russian people their overdue independence from centuries-long authoritarian rule and tyranny; and

Whereas these weapons of truth, fact, and ideas would counter effectively and overwhelm and defeat Moscow's worldwide propaganda campaign in Asia, Africa, the Middle East, Latin America, and specifically among the newly independent and underdeveloped nations and states; and

Whereas it is incumbent upon us as free citizens to appreciatively recognize that the captive nations in the aggregate constitute not only a primary deterrent against a hot global war and further overt aggression by Moscow's totalitarian imperialism, but also a prime positive means for the advance of world freedom in a struggle which in totalistic form in psychopolitical; and

Whereas in pursuit of a diplomacy of truth we cannot for long avoid bringing into question Moscow's legalistic pretensions of "noninterference in the internal affairs of states" and other contrivances which are acutely subject to examination under the light of morally founded legal principles and political, economic, and historical evidence; and

Whereas in the implementing spirit of our own congressional Captive Nations Week resolution and the eight Presidential proclamations it is in our own strategic interest and that of the nontotalitarian free world to undertake a continuous and unremitting study of all the captive nations for the purpose of developing new approaches and fresh ideas for victory in the psychopolitical cold war: Now, therefore, be it

Resolved, That there is hereby established a nonpermanent committee which shall be known as the Special Committee on the Captive Nations. The committee shall be composed of ten Members of the House, of whom not more than six shall be members of the same political party, to be appointed by the Speaker of the House of Representatives.

Sec. 2. (a) Vacancies in the membership of the committee shall not affect the power of the remaining members to execute the functions of the committee, and shall be filled in the same manner as in the case of the original selection.

(b) The committee shall select a chairman and a vice chairman from among its members. In the absence of the chairman, the vice chairman shall act as chairman.

(c) A majority of the committee shall constitute a quorum except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

Sec. 3. (a) The committee shall conduct an inquiry into and a study of all the captive non-Russian nations, which includes those in the Soviet Union and Asia, and also of the Russian people, with particular reference to the moral and legal status of Red totalitarian control over them, facts concerning conditions existing in these nations, and means by which the United States can assist them by peaceful processes in their present plight and in their aspiration to regain their national and individual freedoms.

(b) The committee shall make such interim reports to the House of Representatives as it deems proper, and shall make its first comprehensive report of the results of its inquiry and study, together with its recommendations, not later than January 31, 1968.

Sec. 4. The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times within or outside the United States to hold such hearings, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony as it deems advisable.

Sec. 5. The committee may employ and fix the compensation of such experts, consultants, and other employees as it deems necessary in the performance of its duties.

Sec. 6. The committee shall enjoy a nonstanding status, performing its duties in the course of the Ninetieth Congress and subject to renewal only as determined by needs in the completion of its work and further purposes of the House of Representatives.

Ukrainian Congress Committee
of America, Inc.,
New York, N.Y., January 16, 1967.

Hon. Daniel J. Flood,
House of Representatives,
Washington, D.C.

Dear Mr. Flood: This January 22 marks the 49th Anniversary of Ukraine's Independence. On this date in 1918, the Ukrainian nation, now comprising 45 million people and surviving as the largest captive non-Russian nation both in the USSR and Eastern Europe, declared its independence in the tradition of our own American Revolution. Unaided, scarcely understood, and alone, the new state became by 1920 one of the first victims of Soviet Russian imperio-colonialism which had been given birth by the Russian Bolshevik revolution in 1917.

On this occasion your free voice is needed more than ever before. Clearly, there would be no Vietnam crisis today if Ukraine and others were supported then against the first wave of Soviet Russian conquest. We ask you to join millions of other Americans to celebrate this historic event with expressions on the floor of Congress and in the Record, thus building a real and sincere bridge of understanding with the captive people of Ukraine. Your expression, before or after the 22d, will be heard by them.

Why the importance of this anniversary and what can we do beyond this? In his 1966 State of the Union Message, the President declared, "The fifth and most important principle of our foreign policy is support of national independence—the right of each people to govern themselves and to shape their own institutions . . . We follow this principle by encouraging the end of colonial rule." This is commendably stated, but the measures proposed and the omissions committed have blatantly contradicted the principle in application to Ukraine and other non-Russian nations in the USSR, where Russian colonial rule is the worst.

In the Cold War, in Vietnam, our chief enemy is Russia, not Red China or anyone else. We urge you to consider (1) support of a resolution for a Great Debate on US-USSR policy, which we have never had in Congress (an analysis will be sent you shortly), (2) open and fair hearings on the US-USSR Consular Convention, (3) a poltrade policy toward the Red Empire, (4) a Special Committee on Captive Nations and (5) early exposure of the fraudulent Russian Bolshevik Revolution and its 50th anniversary this year by supporting the 49th anniversaries of Ukraine and others this year.

With grateful thanks for your devotion to freedom—everywhere,

Sincerely,

Lev E. Dobriansky,
Georgetown University.

Spirit That Will Never Die

(Remarks of the Hon. Leonard Farbstein, member of the U.S. Congress, upon receiving the Schevchenko Freedom Award during the Ninth Congress of Americans of Ukrainian Descent, in New York, October 8, 1936)

I want to thank all of you tonight for presenting me with the Schevchenko Freedom Award. Any award that bears the name of "freedom" honors its recipient. You award—because it represents a dream of freedom that is so tenacious, yet so distant—is particularly precious. It is a great compliment to me that you have chosen me for this freedom award. It will remain as a pinnacle of my public life.

If I have earned the honor which you have bestowed on me, it is, I am sure, because I am—like all of you—part of a heritage in which freedom has too often been a yearning, and a dream, rather than a reality.

The Jewish people, like the Ukrainian people, have throughout too much of their history found themselves the victim of some mighty outside oppression. They have fought for their freedom and died for it. They have planned for it and prayed for it. For centuries it remained with them in spirit, when physically they had no freedom at all. This was the heritage in which I was raised and which I understand. It is a heritage which parallels yours. That is why, I think, we feel so comfortable with each other. We both understand what it means to aspire to freedom.

At this very moment, the Soviet Union is tyrannizing your people and mine. It seeks them out for persecution. It denies them their religion. It deprives them of their national identity. It imposes upon them a grim Communist conformity that violates our deep instincts for liberty. The Communists think they will succeed in stamping out both Jewish and Ukrainian feelings of community distinction. We know they will not succeed.

The long and often painful history of both our peoples tells us that oppression only strengthens the will. Whatever the Kremlin chooses to do, Ukrainians will remain Ukrainians and Jews will remain Jews and that, I believe, is the way it ought to be. We will not let the Soviet government destroy our will.

We are very fortunate here in the United States to live and function in a land where liberty is total. It is Soviet tyranny which brings us here tonight, but it is American liberty which permits us to meet. In this fertile American soil, we can perform our duty to our brethren across the ocean, without in any way compromising our loyalty to this land which is ours. We, as Jews, have our committees and organizations, both lay and religious, and so do you. The more the Kremlin seeks to crush our people within its borders, the more we will protest through the organs of freedom available to us. I am sure that our work has an impact. I am sure that our presence here tonight will be known to the Soviets and they will be more cautious because of us. That is why we must never relent as the watchdog for freedom. That is why we must continue to act as the conscience of mankind in examining the acts of oppression that take place behind the Soviet frontiers.

Your beloved poet laureate, Taras Shevchenko, who gave his name to the award you have presented to me tonight, has expressed the conscience of mankind perhaps better than any human ever has. The language of his verse was that of the Ukrainians, an assertion of your birthright. The thrilling lilt of his verse embodied man's eternal outcry—against man's inhumanity to man, against social injustice, against political enslavement, against resignation to subjugation. Thus, through verse he was a spokeman not only for Ukrainians, but for all those who believe in man's basic rights and dignity. He was a universal statesman and crusader.

Shevchenko's poetry gave impetus to the development of revolutionary movements among your fellow countrymen, the culmination of which was the independence which Ukraine enjoyed for a brief three years beginning in 1918. But again tragedy befell the Ukrainians, when Soviet Communist forces overran the country. For the second time in its history, Ukraine came under Russian domination, its people subjected to the will of a superimposed government.

But the history of your people is like mine. Whatever force the Soviets use, they will not crush the spirit of their victims. You are a proud people and you will not give in. My people, too, are proud and neither will they submit to brute force. Let these two peoples remain as symbols of the thirst for freedom that will not be slaked by falsehood and hypocrisy. Let us listen to the words of Shevchenko and take them, as we have in the past, as a model:

"So likewise shall our spirit never die
Nor our dear freedom wholly vanquished lie.
Sooner may foemen hope to plough with glee
A meadow at the bottom of the sea,
As chain the living soul with force uncouth
Or choke to death the vital word of Truth.
The glory of our God may not be rent,
The glory of the Lord Omnipotent."

[From the Ukrainian Bulletin, October-November 1966]

China and Ukraine: Must Regain Freedom

(Remarks by the Hon. Liu Chieh, Permanent Representative of China to the United Nations, on the 25th anniversary of the Ukrainian Congress Committee of America, New York Hilton Hotel, October 8, 1966)

I consider it a unique privilege to participate in the celebration of the 25th anniversary of the founding of the Ukrainian Congress Committee of America. Your organization, if I may say so, is the very embodiment of the spirit of Taras Shevchenko, the great poet of Ukraine, the symbol of Ukrainian nationhood.

In its tireless work for the cause of the Ukrainian people, decades after their absorption into the Soviet Empire, the Ukrainian Congress Committee of America is an inspiring example to all those who are fighting in defense of human freedom.

The world knows that the so-called Union of Soviet Socialist Republics is not a true union, not a voluntary and free union. It was formed, and has been maintained, not with the consent of the peoples of the component "national republics," but by the use of force and coercion. It will be recalled that on January 4, 1920, in a letter to the workers and peasants of Ukraine, Lenin declared:

"The independence of Ukraine is recognized by the All-Russian Socialist Federated Republic and the Russian Communist Party . . . We desire a voluntary union of nations, a union which would not permit the use of force by one nation against another."

This promise of independence was never meant to be kept. The Red Army destroyed mercilessly the resistance forces in Ukraine, as well as those in Georgia, Armenia, and elsewhere in the Russian Empire, just as the Soviet tanks ruthlessly suppressed the Hungarian uprising ten years ago. The Soviet regime has never allowed the oppressed the opportunity to exercise their right to self-determination.

Today, in the United Nations, the Soviet Union has the effrontery to pose as the world's champion of the cause of freedom and independence for the colonial countries and peoples. The Chinese Delegation has, on more than one occasion, urged the United Nations to include, in its study of colonialism, a survey of the conditions of all the submerged nations and enslaved peoples in the Soviet Empire. Unfortunately, such a survey has never been made.

In this connection, I was particularly impressed by your publications, *The Ukrainian Quarterly* and *The Ukrainian Bulletin*, published by the Ukrainian Congress Committee of America, which contain a wealth of information on the conditions in Ukraine and elsewhere within the Soviet empire. I believe public interest could be aroused if these facts were to become more widely known.

We of Free China are in complete sympathy with the purposes of your organization. Our fellow countrymen on the mainland have been under Communist domination for 17 years, but have never ceased to resist the tyrannical regime in Peiping. The Chinese mainland is today in a state of great chaos and turmoil. The so-called "cultural revolution" that is going on in the mainland, as the official Communist press describes it, is an unprecedented "life-and-death struggle" against the "anti-Party" and "anti-Socialist" elements as well as a war to eradicate the vestiges of "old culture, old thinking, old customs, and old habits."

To accomplish these purposes, Mao Tse-tung, the old mad man in Peiping, and Lin Piao, his heir apparent, have organized fanatic youths in Red Guards and directed them to rampage about the country. They desecrate churches and temples; they destroy art objects and burn old books; they invade and ransack homes of so-called "feudal" and "bourgeois" elements; they subject the populace to extreme humiliation and often physical ill-treatment. A reign of terror has now swept over the length and breadth of the vast country. The need to use such roaming gangs of bullies to stamp out opposition is implict confession that the regime does not itself believe that it has the support of the people.

Let me state in all frankness that my Government's policy toward our people on the Chinese mainland has always been one of liberation. The Government of the Republic of China in Taiwan stands as a beacon of hope to people all the time. The knowledge that there is a Chinese Government on Chinese soil trying its best to help them throw off the Communist yoke impacts to their struggles a meaning, a courage that is sustained by a sense of purpose. For this reason, opposition to the Communist regime is growing on the mainland of my country. I can assure you that the time is fast approaching when the masses of people, realizing that the evils of submission are obviously greater than those of resistance, will rise up and topple the Communist tyranny. When that time comes—and I have not the slightest doubt that it is coming—the Government and people in Taiwan are ready to come to the succor of their brethren on the mainland. I hope our purpose and our commitment will have your sympathy and moral support.

Let all free men go forward together with united strength to hasten the day when all peoples now under Communist domination will regain their freedom.

We Are Alike in Our Aspirations

(Remarks of the Hon. Nguen Duy Lien, Permanent Observer of the Republic of Viet Nam to the United Nations, at the Ninth Congress of Americans of Ukrainian Descent, October 8, 1966)

I am happy to convey to the Congress my best wishes of success and fruitful discussions.

We in Viet Nam are fully aware of the precious support the members of the Ukrainian Congress Committee of America have given us directly or indirectly in our struggle against the Communists to preserve our freedom and our inherent right to self-determination.

Ukraine and Viet Nam are far apart. But the aspirations of our two peoples are the same and the fight they are sustaining will have a great impact on the cause of freedom everywhere.

Freedom, as well as security, has become indivisible. Each time that a nation is submerged by communism, it is not only its fate which is at stake, but the security and freedom of other people is at the same time threatened and imperiled.

When the Iron Curtain fell over Eastern Europe, with a long list of enslaved nations, this marked an important turning point in the drive of International Communism for world domination. This expansion of the Communist empire increased the potentials of Soviet Russia for mischiefs in other parts of the world.

In Asia, when Mainland China fell to Communism, this was a momentous historical event, because 700 million people lost their freedom, and also because the Communist camp vastly increased the manpower and natural resources at its disposition. Since then, Southeast Asia has been under a continuous campaign of subversion, infiltration or even open aggression.

In the Philippines the Communist-directed Huk revolt came very close a decade ago to taking over the country and still is posing a serious threat to the national security.

In Malaysia, the Communists, who were defeated after a 12-year guerrilla war, are again stirring troubles with their newly created National Liberation League and National Liberation Army.

Laos which has adopted a neutralist policy and which has spared no effort to woo the good will of Red China and North Viet Nam has attained none of its goals of territorial integrity and peaceful coexistence. In statements made before the United Nations General Assembly and in documents submitted to the International Control Commission, its government has given undeniable evidence of the infiltration of North Vietnamese regular units through Laotian territory and of attacks by these units against the Laotian Armed Forces.

Thailand, which has never fallen under colonial rule, is not spared by the so-called Liberation Movement. Red China's Foreign Minister Chen Yi has overtly announced that a war of liberation would soon be started there and in fact guerrilla activities have already been launched in the northeast area close to the Laos border.

A policy of strict neutralism or even close relation with the Communists are not guarantees against attacks. The invasion of India in 1962, the Communist attempt to take over Indonesia last year are flagrant examples of the true meaning of Red China's professed friendship. Thus, the war in Viet Nam is only the most dramatic development of the same confrontation which is occurring everywhere in Asia. Viet Nam is the point of impact in the decisive test for Asia's future course. If the Communists were allowed to take over South Viet Nam through armed aggression, the present state of latent subversion would explode into large-scale guerrilla warfare all over Southeast Asia. Conscious of the true nature of the Communist conspiracy and of the far-reaching implications of the present struggle, the Vietnamese people are determined to increase their efforts until the aggression directed against them has been stopped.

I would like to point out that the non-Communist Vietnamese have unequivocally rejected the Communists whenever they had an opportunity to express their choice. In 1954, against tremendous odds and at tremendous cost, a million North Vietnamese chose to move to the South in a period of three hundred days to participate in the building of a new nation. Some weeks ago, 4.3 million Vietnamese, over 80 percent of the electorate, went to the polls in spite of Communist terrorism to affirm their option for a non-Communist system of government.

In this struggle, the Vietnamese are deeply appreciative of the assistance given by friendly nations. We have requested the aid of countries whose security is threatened like ours, and many have responded with enthusiasm.

Our case is quite simple: we are victims of an aggression and we have to defend ourselves. The war we are fighting is purely for self-defense. Neither Viet Nam nor her allies harbor any expansionist ambition. We do not seek to destroy the North Viet Nam Communist regime or any other Communist government. We did not start this war and we have spared no effort to bring back peace. It is very unfortunate, it is tragic for our people and for world peace in general that the Communists have been so far unresponsive to every peace overture and have chosen, instead, to pursue their aggressive policy. The main reason for this intransigence on their part is, I think, the lack of unity and dissenting opinions of small minorities in various countries of the free world. These dissenting minorities have led the Communist aggressor to think that the disunity of the western alliance, the internal contradictions of the free world make it impossible for us to sustain a protracted war effort. The lesson for us is clear: security and survival of the free nations can be achieved only through a firm determination to resist Communist expansion.

At the same time, let us never forget that communism—either the Soviet or the Chinese brand—today remains as dedicated as ever to world domination. Their main point of difference concerns only the means to achieve this aim—whether to resort to open warfare or to a more refined system of subversion. Let us not be lulled into such illusory hopes as "peaceful coexistence," "Red liberalization" or a relief of tension between the free world and the Soviet Union or Communist China.

In the face of the Communist determination to bury the free world, one way only is open to free men everywhere: to unite their ranks, to keep alive the flame of liberty and it is in this spirit that joining this Congress, I look forward with you to the day when through the concerted efforts of free men, we can celebrate the recovery of freedom in enslaved nations throughout the world.

Mr. McCORMACK. Mr. Speaker, today we commemorate the 49th anniversary of Ukrainian independence. It is a day on which peoples of the free world can rejoice, for in that declaration by the Ukrainian patriots 49 years ago, there was manifested once again man's dedication to the principle of self-determination.

The principle of self-determination was the seminal source of Ukrainian independence; it is the seminal source of all movements that seek a free and independent way of life.

It is this principle of self-determination that generated much of the motive power in the spirit of nationalism that has pervaded so much of the history of the modern age.

We Americans claimed for ourselves the right to determine what our destiny would be; and when that right was denied us, we resorted to a long, wearisome war to achieve our national purposes.

We have never forgotten that historical experience.

We have never forgotten the sacrifices we made to achieve our national independence.

Is it any wonder, therefore, that we should feel a deep sympathy for all peoples who seek to achieve the goals that we claimed as our right?

Today we are engaged in a difficult struggle in Vietnam. At the root of this struggle is our conviction that all peoples have a right to determine the government that leads them. For the fulfillment of this philosophic concept as well as that of other more earthly bound interests we are fighting in Vietnam. It is essentially for this reason that we were engaged in both the Pacific war of 1941–45 and again in the Korean war of 1950–53.

On this anniversary of Ukrainian independence it is right that we should call to mind our own historic commitment to self-determination; for in so doing we can contemplate our own good fortune and that of a people who through no fault of their own failed to achieve their national goal.

We can rededicate ourselves again to the purposes of our forefathers, men of great heroic proportions, who sought to make this principle an enduring reality for all mankind.

Ukrainians and all oppressed people deserve our profoundest sympathy; more than that, they deserve from us a restatement of our historic commitment to this principle of self-determination; for it is a truism that our own freedom shall never be wholly assured until this principle has been universally accepted and respected by all humanity.

Mr. ALBERT. Mr. Speaker, I am proud to join my colleagues in saluting the brave people of Ukraine, whose 49th anniversary of independence occurs this month. These gallant people, although overrun with communism within 3 years of their independence, today serve continuously as an inspiration and guiding light to all men of peace, freedom, and independence.

It is fitting and proper that this House and this Congress recognize the Independence Day of the Ukrainian people. Although they have long been dominated by their Communist conquerors, they have not given up the hope nor the fight for independence.

All Americans, I am sure, share this hope and this dream. I am proud to join in the tribute to a proud and courageous people.

Mr. GOODLING. Mr. Speaker, today marks the 49th anniversary of the proclamation by a national council at Kiev declaring the Ukraine to be a free and independent republic. The pages of history sadly reveal, however, that this independence of the Ukraine was shortlived, for in 1920 the Communists submitted the Ukraine to the hammer and sickle, and that country has been under Kremlin domination ever since.

The Ukraine is, as we all know, a heavily populated area that borders on the Black Sea, with Poland, Czechoslovakia, Hungary, and Rumania being to the west and the southwest. Kiev is its capital.

This area contains the arable black soil belt, which is extremely well suited to the production of wheat. In addition, sugarbeets and oil seeds are proving very important crops, and livestock breeding is rapidly becoming a very important industry.

The Donets Basin in the Ukraine has a huge storage of coal, iron, and other metals, and the Ukraine also has chemical and dye industries, as well as salt mines.

It is quite apparent, Mr. Speaker, that the Ukraine is rich in resources, and history also proves that its people are rich in the spirit of freedom. America has given recognition to this spirit of freedom, for on September 21, 1963, historic ground-breaking ceremonies were conducted in the Capital of our Nation for Taras Shevchenko, a 19th-century Ukrainian poet and freedom fighter. Shevchenko died in 1861 at the age of 47, after a life in which he was a serf, a soldier, a prisoner of the Russians, and only briefly a free man. A statue of the poet-fighter stands in the city of Kiev in the Ukraine, and Moscow contends that this man stood out as a foe of imperialism.

Close to 3,000 Americans of diverse backgrounds took part in the groundbreaking ceremony at the Shevchenko site on P and 23d Streets NW., Washington, D.C., and the city had not seen such a groundbreaking ceremony in many years. The statute was unveiled on May 30 of 1963 in a dramatic and well-attended ceremony.

Mr. Speaker, it is hard to understand why some people in this world are free while others are under bondage. It is, however, encouraging to see that many Afro-Asian peoples have obtained their complete national sovereignty, and others stand on the threshold of freedom.

This nonetheless makes it hard to perceive why a nation like the Ukraine still remains under the shadow of domination by another nation, deprived of equal, national, cultural, economic, political, and religious rights. True peace for mankind can come only when this inequality is eliminated from the face of the earth.

We of the free nations, Mr. Speaker, must hold out our hands and our hearts to these people who do not share with us the warm light of freedom, and we must hold the light of kindness high for them so that they can see it through the darkness of their confined existence.

If we do this, then our fellow men who are not free will see a beacon of hope, and they will perceive a promise that someday they, too, will walk the pathway of purposeful living.

On this 49th anniversary date, then, of the declaration of Ukrainian independence, the free world rededicates itself to the eventual peaceful liberation of the Ukrainian people. To the Ukrainians good luck and Godspeed.

Mr. ANDREWS of North Dakota. Mr. Speaker, the State of North Dakota is fortunate to have among her citizens a sizable number of Ukrainian Americans. They are observing the 49th anniversary of the proclamation of independence of the Ukrainian National Republic and the 48th anniversary of the act of union in a fitting and solemn celebration. There will be a series of special church services, rallies, and radio programs on several stations in North Dakota. These freedom-loving people have called on their fellow American citizens, regardless of their ethnic or cultural backgrounds, to join with them in marking this important anniversary of the freedom of the Ukraine.

Mr. Speaker, I wish to commend them all who are demonstrating this unity and determination to uphold the cause of freedom everywhere.

Mr. BYRNE of Pennsylvania. Mr. Speaker, January 22 marked the 49th anniversary of the establishment of the Ukrainian National Republic. At a time when many people in this world live under varying stages of tyranny, it is appropriate for all of us to recall the valiant struggle for freedom and independence which Ukrainians have waged for centuries. Our enthusiasm for freedom and self-determination will be revived tenfold when we examine the courageous perseverance of the Ukrainians.

During the 9th through 11th centuries various peoples in the Ukraine assembled around the capital of Kiev to constitute a nation of some importance in the Western and Eastern World. However, the invasion of the Mongols, in 1240, ended this progress and since then the Ukraine has been the victim and pawn of neighboring states. In fact, the Ukraine endured persecution and destruction of enormous proportions.

In time, Russia gained physical control over the Ukraine, using the Treaty of Pereyaslav of 1654 as an instrument of interference. Throughout the following centuries, Ukrainians suffered atrocity after atrocity at the hands of the Russians but their spirit of independence and freedom flourished rather than languished. A cultural revival in the 1740's reached its peak with Taras Schevchenko, whose poetry evoked strong feelings for national independence. Indicative of Shevchenko's national passion is this quotation from one of his poems:

> . . . when,
> When will we receive our Washington
> With a new and righteous law?
> And receive him we will some day . . .!

All of the Ukraine's hopes seemed to become reality in 1918 when on January 22 the Parliament proclaimed the Ukrainian National Republic as completely independent. This reality, however, was short lived; the Bolsheviki quickly moved back in 1920 and took over where they left off before World War I. Persecutions, relocations of whole villages, exiles of significant personages, starvations, and executions have been the rule of the day, but through it all the Ukrainians have kept alive their indomitable spirit and desire for independence. We can do no less than to offer every means of support available.

I am proud to join my colleagues in the House of Representatives in tribute to the Ukraine.

Mr. JOELSON. Mr. Speaker, some nations are blessed with favorable geographic locations. Others have not been so fortunate. One of the latter countries is the Ukraine. She has always been located in a part of the world where great power rivalries frequently and bloodily meet. Caught thus between powerful neighbors, her people have had to wage a constant struggle to maintain their national identity.

Since the 17th century when the fledgling Russian empire destroyed her national freedom she has almost always been under the domination of foreign powers. But, for a brief period of 2 years after the First World War had weakened her great neighbors, she was able to reassert her claim to independent nationhood. The sad sequel to this great event in Ukrainian history was the reimposition of alien domination. The new regime of Lenin incorporated that rich, but vulnerable, country into the new Soviet empire.

On the 22d of January millions of friends of the Ukraine celebrated the 49th anniversary of the declaration of Ukrainian independence. It is fitting that we should pause in our activities to join with others in doing this. The example of the Ukraine is both a stirring and forceful reminder of the harsh facts of international life. So long as any nation, the Ukraine being an excellent example, still lives under the forceful domination of another country we must publicly state our belief that this state of affairs is wrong. The Ukraine wanted freedom. There is little or no reason to believe her people have changed their minds and given up the goals they espoused over the centuries and openly declared 49 years ago. Thus, it is only right that other freedom-loving nations and individuals should support and praise the courageous act of nearly a half a century ago.

Mr. Speaker, the terrible consequences of geographical accident should not be a factor in determining the national existence of any people. We must always affirm that all nations have the right to determine their destiny irrespective of their natural physical situation. Therefore, it is my pleasure at this time to extend to the people of the Ukraine and to their brethren living in other lands such as our own my deepest best wishes that the hopes of 1918 will again be converted into the concrete institutions of a free and independent Ukraine.

Mr. CUNNINGHAM. Mr. Speaker, today marks the 49th anniversary of the independence of the Ukraine. In 1918 the Ukrainian people proclaimed their freedom from Russian domination. Taking advantage of the chaos produced by the Russian revolution the Ukrainians joyously declared their independence in the city of Kiev. But the tyranny of the czars was soon replaced by the tyranny of the Communists. The great dream of the Ukrainian people came true, but only for a brief time. The Ukrainians fought Russian Communist domination for 3 years but were finally conquered by the superior military might of Moscow.

Today the Ukrainian people are still under the yoke of foreign domination. Although the Ukraine was an independent nation as long ago as A.D. 900, the Ukrainian people are today denied their right to self-determination and national independence.

Americans of Ukrainian descent enjoy the blessings of liberty in our great country. But they cannot forget their friends and relatives in the Ukraine. They know that the Ukrainian love of liberty cannot be conquered. Some day that desire for freedom will triumph.

I wish to reaffirm my personal commitment to the cause of Ukrainian self-determination. The demise of the old colonial empires has demonstrated the inherent weakness of a system in which one country tries to rule another. Communist colonialism must also eventually succumb to the desire of peoples everywhere to control their own destinies.

Mr. GALLAGHER. Mr. Speaker, on this day, January 22, 1967, we recognize the anniversary of the independence of the Ukraine. On this date in 1918, the Ukrainian state, now comprising 45 million people and surviving as the largest captive non-Russian nation, declared its independence in the tradition of our own American Revolution. It is fitting that on this date each year we recognize that in the dark world of captive nations, the light of freedom still burns. It is the symbol of a sustained spirit that communism has failed to destroy. Soviet dictators may imprison a man, but not his soul and his longing for freedom.

Few free people in this world have suffered as long or as severely as those of the Ukraine. For more than 300 years, under Czarist and Communist, they have borne the yoke of the oppressor. But still the torch of freedom burns not in a public square, but in the hearts of the people.

Only for a very brief period of 2 years did they enjoy some freedom. They tried hard to fashion their own destiny, but unfortunately they were not successful in their gallant attempt.

At the end of the First World War, when the czarist regime was overturned and the Russians were unable to hold the Ukrainians in check, then the people of the Ukraine proclaimed their independence and established their national government in the newly created Ukrainian Republic. Under severe handicaps, they managed to maintain their freedom and preserve their rather weak state for about 2 years. But even from the moment of its birth, it seemed that the days of the new state were numbered unless effective foreign assistance was forthcoming. At the time this proved impossible. Then in 1920 the Ukrainian Republic was treacherously attacked by the Red army, was overrun, and all opponents of Soviet Russia were ruthlessly eliminated. Independent Ukraine ceased to exist, and the country became part of the Soviet Union. They were deprived of their freedom, yet they still clung to their ideals of freedom and independence, only by keeping alive the spirit of freedom can captive citizens ever hope to be free. This spirit, so evident in the Ukraine, is probably the free world's most effective weapon in our continuing fight against the powerful forces of communism.

Today marks the 49th anniversary of Ukrainian Independence Day, and I join all Americans of Ukrainian descent in the celebration of the Ukrainian Independence Day, a memorable and significant occasion.

Mr. HOLLAND. Mr. Speaker, today we pause to remember the gallant people of the Ukraine and to pay homage to their love of liberty. For we are commemorating the 49th anniversary of the day when the Ukrainians proclaimed their independence from the yoke of the Russian czars. Tragically, that independence was short lived. For the Ukrainians were forced under the domination of a new set of Russian rulers, the Bolsheviki.

In 1917 the Ukrainian people took advantage of the Russian revolution to free themselves from the tyranny of Moscow. The gallant Ukrainian people fought the new rulers in Moscow for 3 long years to preserve their precious and new-found freedom and national independence. Ultimately the numerically superior forces of Moscow prevailed.

Yet the flame of freedom and independence lit by that great struggle burns unextinguished in the hearts of the Ukrainian people, wherever they live. Americans of Ukrainian descent enjoy the blessings of democracy in this great country. But they cannot forget their friends and relatives in the Ukraine who are not so fortunate.

We must reaffirm our support for the principle of national self-determination, all over the world. We must do all we can to hasten the day when Ukrainian independence will become a fact, and not just an inspiring memory.

Mr. BURKE of Massachusetts. Mr. Speaker, more than a million and a half Americans of Ukrainian descent paid homage on January 22, 1967, to the ideal of Ukrainian national independence; for that day marked the 49th anniversary of the proclamation of independence of the

Ukraine. It is, for Ukrainians as well as for all freedom-loving men everywhere, a day of sadness, because, as we all know, independence for these proud people has been thwarted at every turn by her more powerful neighbors. For centuries, millions of people of Ukrainian descent have striven to form an independent state as a logical extension of their unique Ukrainian culture and spirit. But their lands were too rich and their neighbors too numerous and powerful. The Turks, the Poles, the Germans and the Russians at numerous times in history have sought to extend their control over the Ukraine, and Imperial Russia, and later Communist Russia, has been politically dominant in the area since the time of Peter I.

Yet the will of a people to be free has not been extinguished. Ukrainian poets and writers have kept the spirit alive, and when the Russian grip has been loosened by events beyond her control that spirit has rekindled the efforts of the whole of the Ukrainian people to be free. It happened on January 22, 1918, with the Ukrainian declaration of independence, an independence which endured more than 3 years in the face of overwhelming military opposition by the Red army. And it happened again on June 30, 1941, when Ukrainian independence was reproclaimed in the face of both Russian and Nazi threats.

A great Ukrainian nationalist, Ivan Franko, said: "To live means to struggle." And for Ukrainians everywhere January 22 marks a day of rededication to the struggle which is the most important of all—the struggle to be free.

Mr. SMITH of New York. Mr. Speaker, today we commemorate the 49th anniversary of Ukrainian independence, proclaimed in the city of Kiev in 1918. Freed of czarist Russian tyranny, the gallant young republic was soon faced with a threat to its existence from the new Communist rulers at Moscow. The Ukrainian people bravely battled their Russian oppressors, but at last succumbed to Moscow's superior military force.

But the Ukrainian people have never abandoned their love of liberty and their longing for national independence. Their love of independence is deeply rooted in their national history, for they have suffered from almost continual foreign domination.

Ukrainians who today struggle for their freedom remember their nation's history with great pride. Between the ninth and the 13th centuries Kiev was the capital of a strong and independent Ukrainian state. The Ukraine had close ties with the Byzantine Empire and her cultural development was extremely advanced. In the year 988 Volodymir the Great converted his nation to Christianity. His son, Yaraslav the Wise, compiled an advanced code of laws and founded many schools.

But the Ukraine is a rich land and it attracted many plunderers and invaders. For several centuries the Ukrainian people bravely defended their country but were not always able to drive off their enemies. During this long period of almost continual fighting there arose a brave class of fighters known as the Cossacks. And this class produced new leadership for the beleaguered nation. The most famous of these was Bohdan Khmelnytsky—1595–1657.

In the year 1709 Czar Peter the Great conquered the Ukraine and ruthlessly crushed the leading class, which believed deeply in independence. From that date to the present day the history of the Ukraine is the story of the Ukrainian people's struggle to throw off Russian rule.

In 1918 the Ukrainian people took advantage of the continuing chaos which followed the Russian revolution and declared their independence. At last the dream of centuries came true. But, tragically, the Ukrainians were again confronted with the threat of Russian domination under the Communists. At the end of 3 long years the Ukrainian nation had been conquered, but the struggle for independence did not die.

During World War II the Ukrainians organized the underground Ukrainian Insurgent Army—UPA—which fought first the Nazis and then the returning Red Army. Even today news of opposition to Russian Communist domination leaks out to the West.

I should like to take this opportunity to reaffirm my personal commitment to the cause of Ukrainian independence. I am convinced that no people so dedicated throughout their history to this cause can forever remain under the yoke of foreign domination.

Mr. McCLORY. Mr. Speaker, January 22 of this year marked the 49th anniversary of Ukraine's independence. The Ukrainian nation, presently numbering 45 million people, on that date in 1918, and emulating the earlier American Declaration of Independence, declared itself a free and independent state. Shortly thereafter, in 1920, this large and beautiful area bordering the Black Sea, became victim to the Soviet Russian march toward world conquest.

The voice of peoples yearning for freedom cannot be stilled. Forty-six years have elapsed since the overthrow of the Ukrainian Government and this section of the world is still voicing its insistence on its right to be self-governed and out from under the control of any nation.

Mr. Speaker, it seems incumbent upon us to support the Ukrainian people in their efforts to oust the aggressor by giving special consideration to this important date in the world's history. Let us continue to support in whatever appropriate manner we may, every segment of this planet's peoples as they strive to achieve and maintain their national integrity.

Our Nation has been unstinting in its efforts to achieve these goals, globally. I ask no appropriation for funds, no delegations nor military missions, but an increased awareness on the part of all of us that while the U.S.S.R. is urging others to reject colonialism, she herself has been one of the chief practitioners of imperialistic colonialism since her own revolution.

I, therefore, wish to express my own sentiments and those of a large measure of our population in congratulating the Ukraine people on their steadfast and undeviating position of resistance to the U.S.S.R. and to applaud their continuing efforts to regain their freedom and independence.

Mr. DULSKI. Mr. Speaker, I join my colleagues today in paying tribute to the more than 40 million Ukrainians who comprise the largest captive non-Russian nation in the Soviet. January 22 marked their 49th anniversary of Ukrainian independence.

These proud and freedom-loving people were among the earliest victims of Communist imperialism. But they have not forgotten their proud history and continue to cling to hopes that some day freedom and independence will return to the Ukraine. It remains for us in the free world to keep these hopes and aspirations alive, to be sympathetic and understanding of their plight.

Again, I express my support for a Special Committee on the Captive Nations, and for the issuance of a captive nations freedom series of postage stamps in honor of national heroes of freedom, commencing with a Taras Shevchenko freedom stamp.

When Congress adopted the resolution on Captive Nations Week in 1959, a hard blow was dealt to communism which echoed throughout the world and struck a responsive chord in the hearts of many people.

On this sad anniversary, we in the United States once again pledge our warm friendship for the Ukrainian people, and our solidarity with their undying aspirations for independence and liberty. We support their cause for a free and independent nation, and we join in their prayers on this day that freedom will soon be realized.

With permission, I wish to append the following selected items as part of my remarks, which I think will be of interest to my colleagues:

First. An article, "Voice of Moscow Puppet in U.N.," which appeared in the October–November 1966 issue of the Ukrainian Bulletin.

Second. Speech of Senator THOMAS J. DODD on October 8, 1966.

Third. Address by Dr. Lev E. Dobriansky, president of the Ukrainian Congress Committee of America, and chairman of the National Captive Nations Committee, before the Ninth Congress of the UCCA.

[From the Ukrainian Bulletin, October-November 1966]

VOICE OF MOSCOW PUPPET IN U.N.

On October 11, 1966 the "Minister of Foreign Affairs" of the Ukrainian Soviet Socialist Republic, Dmytro Bilokolos (he prefers to call himself "Belokolos" a la Russe!) made a scathing attack on the United States in the U.N. Assembly, which fact was totally ignored by the New York press.

In the October 13, 1966 issue of *Radyanska Ukraina* of Kiev there appeared the complete text of Mr. Bilokolos' address. It seems that he assailed the United States for "interfering in the internal affairs of other nations," notably, the Ukrainian SSR. This "interference" is manifested, he said, by "participation of some members of the American government in gatherings of counter-revolutionary organizations and traitors of the Ukrainian people," and in declarations of the U.S. government expressing a "solidarity of the U.S. government with actions of these former lackeys of German fascism," and especially "in annual sessions of both Houses of the American Congress, dedicated to a regime stillborn and established by the bayonets of foreign interventionists."

This is, of course, reference to the anniversary of Ukraine's independence, observed by the Ukrainian American community and by Ukraine's friends in Congress on January 22nd each year.

In typical Communist fashion this puppet of Moscow twists the facts to suit the Kremlin's line. It was the Russian bayonets which crushed the independent state of Ukraine. Yet, he brazenly reversed the truth, so as to make the Russians look like "liberators." He not only accused Americans of Ukrainian ancestry of being "criminals," but degraded the historic deeds of Ukrainian patriots who in 1918 rose to freedom and established a free state of Ukraine.

Can anyone believe that Comrade Bilokolos really represents the Ukrainian people?

Senator Dodd Urges Issue of Soviet Imperialism Be Raised at U.N.—Asks Self-Determination for European Captive Nations, October 8, 1966

Senator Thomas J. Dodd (D-Conn.) in a speech before the Conference of Americans of Ukrainian Descent at the New York Hilton Hotel this evening, said that the free world powers had displayed a "strange inconsistency" in championing self-determination for primitive peoples in Africa but ignoring the right of self-determination for the captive nations of Europe. Senator Dodd urged that the United States and the other free nations should start talking about this matter at the UN.

The text of Senator Dodd's remarks follows:

"When my old friend, Lev Dobriansky, invited me to address this conference of Americans of Ukrainian descent, I was pleased and honored and perplexed all at the same time.

"I was pleased and honored because I have so many Ukrainian-American friends and because I have such great admiration for their national character, for the warmth of their folk music, for their culture, and for their total commitment to the cause of freedom.

"But, I was also perplexed because it is difficult to know how to explain to people in your position the strange inconsistency the free world powers have displayed on the issue of the Captive Nations of Europe.

"We hear much in the United Nations these days about American imperialism and Western imperialism in general. Hardly a day goes by but that some spokesman for the Communist bloc or for the Afro-Asian nations raises the issue of self-determination for Mozambique and Angola and Southwest Africa. I do not complain about this, indeed, I believe that even primitive peoples are entitled to the basic right of self-determination.

"But, for some strange reason, nothing is said in the halls of the United Nations on the subject of Soviet imperialism.

"No one speaks about the many ancient and civilized peoples who are the victims of the cruelest imperialism that history has ever known.

"No one ventures to remind the Communists, when they raise the fraudulent issue of American imperialism in Puerto Rico, for example, that the Soviet Union, itself, is a great prison-house of nations.

"It is high time, it is past time, that the representatives of the United States and of the other free nations, started talking about these matters.

"I always feel a sense of humility when I speak to a group such as yours because I believe that we in America have perhaps forgotten part of the meaning of freedom and that we have much to learn about the meaning of freedom in the world of today from our citizens of Central and Eastern European descent, and, in particular, from our citizens of Ukrainian descent.

"The Ukrainian people, having suffered for centuries under the cruel yoke of the Russian Czars, took advantage of the post World War I chaos to declare their freedom from Moscovite control and to establish a free republic, dedicated to the principles of democracy, and inspired by the writings of Shevchenko and of our own founding fathers.

"The barbarous hordes of the newly created Red army swept over the liberated Ukraine and killed their new-born state. The Ukrainian Republic was crushed.

"But the spirit of freedom which burns in the hearts of your countrymen, has demonstrated over five long decades of Soviet repression and brutality, that it cannot be destroyed by any tyranny.

"During World War II, hundreds of thousands of Ukrainians fought as guerrillas against the Nazi invaders and against the Bolsheviks. And for many years after the war, although the struggle seemed hopeless, they continued the fight against the overwhelmingly superior forces of the Red army. There are a thousand different proofs, including the continuing annual mass sit-down strikes of millions of Ukrainian peasants, that Ukrainian people have not abandoned the fight for freedom.

"What do the Ukrainian people want? The answer is agonizingly simple.

"They want to live as human beings and not as cogs in the Communist machine.

"They want to live as Ukrainians, and not as colonial surfs of Moscow.

"They want the right to raise their children in belief of God, to taste the sweet things of life, and to organize their personal lives free of State control.

"They want the right, which is assured to every people under the United Nations charter, to freely elect the men who will govern them, and thus, to determine their own future.

"The Ukrainian people, and the people of all the captive nations, will never accept their enslavement; they will continue to struggle until their dreams are realized, and their children are free.

"But the citizens of the free world should not leave the Ukrainian people and the other peoples of the captive nations alone in their struggle. We have a duty to speak up. And I want to assure you that, so long as I am a member of the United States Senate, I shall continue to raise this issue on every possible occasion, in the hope that some day the liberation of the captive nations will be converted from a meaningless slogan into a realistic goal of our foreign policy."

Unite, Conserve, Construct, and Advance

(Address by Dr. Lev E. Dobriansky, president of the Ukrainian Congress Committee of America, and professor of economics at Georgetown University, also chairman of the National Captive Nations Committee, before the Ninth Congress of the UCCA, New York, October 7, 1966)

As on numerous occasions in the past, it is my privilege and pleasure to warmly greet you all on this most significant Ninth Congress of the Ukrainian Congress Committee of America. By all evidence this is the largest convention of our national organization, and the enthusiasm and constructive dedication displayed here augur well for the further development and success of our work and common action on a broad spectrum of activities.

It is not my intention here to report on the manifold representation and activities we have been engaged in from the vantage points of both Washington and New York these past four years. Those who were interested and dedicated enough to follow the many, diverse courses pursued in the realization of our objectives and principles have doubtlessly read with regular intent the periodic *Washington UCCA News* as reported in *America* and *Narodne Slovo*. The columns in these respective newspapers have covered in specific detail the almost day-to-day engagements dealing with our activities, and if anyone professes to know nothing about what is currently transpiring, then very simply he hasn't taken the pains to indulge in any reading. Frequently our largest American organs have covered these essential activities, as well as our own *Ukrainian Bulletin*. So there is really no excuse on the part of anyone in our organization to plead ignorance, other than on the basis of his own literary negligence. A condensation of my report on UCCA's national operations has been made available to each of you.

UNITY

Rather, the overriding theme of this presidential address is UCCA, realistically spelled out for all of us and the period ahead as United, Conserve, Construct, and Advance. In the eyes of many fellow Americans this period in our history is supposed to be one of uncertainty, confusions, rapid change, and compromising adjustment. Some, perhaps rightly, point to the growing disunity in our country concerning the Viet Nam issue, the admission of Red China into the U.N., East-West trade, the American detente with the Soviet Union and related issues, but for us, knowing quite vividly how all this came to be what it is, from the time of the original Soviet Russian imperio-colonialist conquests in 1918 to the present, there cannot honestly be any disunity in conscience, intellect, and dedication as to basic principles and realistic policy.

In the past four years we have maintained a genuine unity in organization, outlook, and objective. As always, and I can assure you more so now, there have been and are divisive elements that seek to undermine this priceless and envied unity. Some of these elements are communist-inspired, one is on a government payroll and is only worth the money it receives, and others are either blind or duped. As in the case of the cultural exchange program, not to mention the festivities surrounding the erection of the Shevchenko statue in our Nation's capital, such elements were firmly resisted and quelled.

Make no mistake about this overall development. UCCA will increasingly become a target of these elements, and one would have to be quite naive not to understand why. But as in the past and now, for the eventful period ahead we shall properly guard against these obnoxious, self-seeking influences. And in performing this marginal exercise we shall be adding new lustre to our genuine unity, and intensifying and strengthening it for the positive tasks that lie ahead. Thus, when with one refrain we cry aloud Unite-Conserve-Construct-and Advance, the first, logical step is to unite more than ever before.

CONSERVATION

As we unite more cohesively to cope with the inevitable challenges of the immediate future, we must also conserve what has been built up all these years. Proudly, this Congress commemorates the 25th Anniversary of UCCA. In truly commemorating anything one's mind recounts the cumulative experiences of the past—the successes and failures, the pains and joys, the achievements and the nullities—and above all it concentrates on the living goods and assets that have been created with a resolve and dedication to conserve these goods for the work ahead.

Viewing the scope and diversity of UCCA's operations, many of our fellow citizens still believe that this is a million dollar organization. Pointing to such evidences as the historic Shevchenko statue unveiling, the Captive Nations Week Resolution and the annual observance, our remarkable publications and the periodicals *The Ukrainian Quarterly* and *The Ukrainian Bulletin*, our Congressional testimonies and events, and our broad representations in every conceivable sphere, they still don't believe that we function at somewhat less than a million per year, even after you show them our financial report. One Latvian friend of ours contends we operate with two sets of books.

In this deceptive and confusing period of Moscow's "peaceful coexistence" we have been conserving and defending our goods, our ideals, and our positions right down the line, despite the criticisms of some about the great changes that have supposedly engulfed the Red Empire. Accidental change and substantive change are not synonymous, and these people fail to see the difference. Just to mention a few examples, we conserved our position in the fight against the U.S. Senate's ratification of the Consular Convention with the USSR, in the fight against liberalizing East-West trade, in opposition to the myths about "Russia" entertained by some of our highest leaders, but also in support of Immigration law changes, a Shevchenko freedom stamp, a Congressional committee on the captive nations, Congressional hearings on cultural genocide in the USSR and a host of other issues.

Simply put, conservation does not mean stagnation. On the contrary, it means putting to dynamic use your fixed principles and ideals, your accumulated goods and facilities, your already well-directed energy and convictions to the next and successive tests in our basic, educational work. It also means expanding our conserved goods—more subscriptions for the *Quarterly* and the *Bulletin*, more talented personnel, more activist youth, more book publications, more organizational activity, more contributions and endowments, and a building for UCCA to conserve all this and more. On the basis of my own experiences in UCCA since 1946, I have indicated some important changes we should execute at this Congress in the jubilee book article "Nine Themes For The Ninth Congress." For the good of UCCA and in preparation for our 10th Congress, I hope these changes will be approved by you. Also, if we are really intent upon conserving for the eventful future, this Congress should approve and support a campaign for a UCCA building here in New York. In short, UCCA—Unite, Conserve, Construct, and Advance. Conserve we must for what challengingly lies ahead.

CONSTRUCTION

For the past four years and with the wonderful and greatly appreciated cooperation of the members of the Executive Committee, as well as the entire UCCA, we have not been content only with uniting and conserving but also, at times against overwhelming odds, we have been tirelessly constructing—initiating new ideas, entering and developing new phases, making new friends, and forging new relations.

As in previous administrations of UCCA, this one is marked by several new "firsts." The ten new "firsts" are as follows: (1) in 1963, for the first time we managed to get the President to issue his Captive Nations Week Proclamation well in advance of the Week, and this has continued to be since; (2) also in 1963, for the first time we managed an amendment to the Foreign Assistance Act prohibiting aid to "the captive constituent republics of the USSR"; (3) in 1963–64, for the first time we found ourselves in sharp conflict with a powerful newspaper, *The Washington Post*, and won in the so-called Shevchenko affair; (4) one of the greatest of all "firsts" was, of course, your and my unveiling of the Shevchenko statue in Washington only two years ago; (5) in July, 1964, for the first time a major political party specifically incorporated into its Party Platform the liberation of Ukraine; (6) in the fall of 1964, for the first time a nationwide TV exposure of Ukrainian-American representation was executed on the program "The Captive Nations"; (7) in January, 1965, for the first time a Ukrainian Independence Day celebration was held at the Shevchenko statue with Asian participation in time coincidence with Asian Freedom Day; (8) in 1965, for the first time we worked for and achieved bipartisan acceptance of the Feighan immigration bill, which insured its passage; (9) in June, 1966, for the first time we participated in a legal-type Senatorial hearing, defending the integrity of a leading anti-Communist Senator who was concerned about the Stashynsky murders of Rebet and Bandera, and the published hearing was just released this week, and (10) just two weeks ago, on September 25, our people participated in the dedication of the Freedom Studies Center in Virginia which is the first institution in this country designed for psycho-political warfare instruction.

Construction does not only mean paving new paths and courses but also reconstructing old paths and courses for successful development. This we have been doing, too, on countless projects, such as the Shevchenko stamp, the Congressional captive nations committee, at international conferences and the like. I personally am never satisfied with what we have together achieved; for me, one achievement is only a prelude, a steppingstone to a still more significant achievement that you and I can realize in time, with determined patience, and a prudent alertness for changes in climates of opinion and situations. These are the ingredients for constructive activity; petty, obtuse, and picayune conflicts have no place in UCCA.

In a constructive mood, I strongly recommend at this point that this Congress pass a special resolution commending Mr. John M. Fisher, the President of the Institute for American Strategy, on his leadership in founding the unique Freedom Studies Center in Virginia and, as a cooperating agency of the Center, the UCCA contribute to the Center as determined by the new executive committee. Again, UCCA means Unity, Conservation, Construction, and Advancement—Unite, Conserve, Construct, and Advance. And as we look ahead, there is much to construct in order to advance.

ADVANCEMENT

Those who have followed closely our operations of the past four years know that we have always staked out definite objectives, definite plans, and definite tactics. Conditions change, personalities change, and so do our plans. but never our ideals and principles. It would be foolhardy for me to detail now what one would consider a full program for UCCA in the next administration. Certain changes in the Viet Nam situation, for example, could radically alter our presently planned activity. However, even at this point, what we must do and prepare for presents a program which you must consider here, and I hope will approve, for the next administration—all in the enthusiastic spirit of UCCA—Unite, Conserve, Construct, and Advance. I'll elaborate further on this minimal program tomorrow, a program which as it stands will require for its fulfillment the maximum of your resources. But for the present and for our advancement it entails the following:

(1) consideration and acceptance by you, the Ninth Congress, of my nine recommendations for change in the UCCA, with no purpose but to make our organization more efficient, more effective, and more successful;

(2) the launching of a campaign for a UCCA building to house, conserve, and basically expand UCCA's activities;

(3) provision for the creation of a publishing affiliate of UCCA to be known as the Eurasian Publishing Company, and a campaign for the publication of books dealing with our problems. This can be economically executed, and will satisfy the urgent need for book publications in line with our educational objectives;

(4) a specific resolution here and participation in all activities this month observing the 10th Anniversary of the Hungarian Revolution;

(5) literary and other preparation in unmasking the 50th Anniversary of the Bolshevik Revolution, a revolution for the worst type of imperio-colonialism seen in the modern world. It is absolutely essential that we ward off probable equations in our own land of this fraudulent revolution for freedom and our own American or the Ukrainian Revolution;

(6) planning and preparation for the World Ukrainian Congress next year, an event fraught with tremendous possibilities and also risks;

(7) a persistent campaign for the Shevchenko Freedom Stamp, which we will achieve sooner or later;

(8) active participation in the activities of the American Revolution Bicentennial Commission, leading up to 1976 and including a 10th Anniversary of the unveiling of the Shevchenko statue in 1974;

(9) expanded international participation in Asian and European conferences, for which adequate funds must be provided;

(10) participation in the United Nations' International Year for Human Rights in 1968, showing their deprivation and suppression in Ukraine and other captive countries;

(11) preparations soon for more resounding Ukrainian Independence Day and Captive Nations Week observances in 1967.

And friends, these are only a few of the tasks facing us. We have roles to play in the policy of building bridges of understanding with Eastern Europe, in the attempted US–USSR detent and perhaps against Red China, in the admission of Red China into the U.N., in the diplomatic recognition of Outer Mongolia and on many other issues bearing on the captive nations and, either directly or indirectly, on the largest of them, Ukraine itself. We don't think in narrow, insular and exclusive terms but rather in broad, global, and inclusive terms. And it is primarily for this reason that we are more active than our resources presently permit, that we are looked upon as a million dollar organization, and that we are the envy of every other so-called ethnic group.

In the period ahead we will have to be on guard against a number of essential developments. One is the thinking of certain circles for an American-Russian alliance, whether against the so-called yellow peril or for fear of a global nuclear war. This line of thinking certainly is not in accord with our traditions and principles, but the fantastic fear of the Russian totalitarians can lead to many policy aberrations. We will have to be prepared to steer such a development in the right direction of Russian concessions toward the captive non-Russian nations in the USSR. Another possible development is U.S. compromise in the scandalous Viet Nam War, in which Russian missile aid plays a fundamental role in destroying American lives while many advocate economic assistance to the USSR and others, including Mr. Foy Kohler, raise horrendous notes about Russian intervention in South Vietnam. The mistakes in Viet Nam are not new, nor would a shameful compromise be new in our contemporary diplomatic history. It is these and similar developments that we must watch closely.

I assure you that your dedicated and full material support of our expanding activities will bring you the utmost personal satisfaction. Our budget should be 100% greater than what it is. You can make this possible and realizable if in this Ninth Congress you determine to make UCCA what in all truth it can be—Unity, Conservation, Construction and Advancement, toward the secured interests of the United States, victory in this Cold War, and the freedom and independence of Ukraine and all the captive nations in the Red Empire.

Mr. FALLON. Mr. Speaker, January 22 marked the 49th anniversary of the proclamation of the Ukrainian National Republic in 1918. I am honored to participate in the commemoration of this significant event in Ukrainian history by the U.S. Congress.

A chronicle of Ukrainian history reaches back into the ninth century when the first state was formed at Kiev and quickly recognized as a prominent outpost of civilization in that part of the world. The Kiev state was developing at a lively pace when the Mongols invaded the region in 1240. Even the extensive destruction of the Mongols did not overwhelm the Ukrainian desire to be free and independent.

While nominally under the rule of the Mongols, and at other times under the King of Poland, the Ukrainians organized their own units of local administration. In the 1650's Hetman Bohdan Khmelnytsky conceived the idea of forming a separate and distinct state by joining together all the Ukrainian lands and expelling all other ruling groups from the area. The Treaty of Pereyaslav with Moscow was signed so that Ukrainians would have allies in this struggle for complete unity.

The Russians, however, in characteristic fashion broke their promises and used the treaty as an instrument of interference in Ukrainian affairs. The Russians even used the Ukraine as a pawn in their own foreign policy, dividing it with Poland. Realizing their plight Ukrainians took advantage of every opportunity to throw off Russian control. Each action, however, brought upon the Ukrainians a more terrifying and revengeful reaction by the Russians. Peter I attacked, captured, and tortured to death the entire population of a town because the inhabitants had sided with Sweden in attacking Russia. Catherine II abolished the Hetmanate as an institution, dissolved the military regiments and wiped out any vestiges of self-government still remaining in the Ukraine. All Ukrainians suffered under Catherine's extensive Russification program.

Ukraine's answer to Russification was an intensified national revival—Ukrainian culture flourished in this time of oppression. The small beginnings of nationalistic literature exploded into enormous proportions when Taras Shevchenko emerged in the mid-1800's. His poetry was of such excellent literary quality that it guaranteed a place for the Ukraine in the annals of Slavic literature. In addition, all the pleadings of a true and dedicated patriot burst forth in Shevchenko's works. His poems and stories renew the passion for freedom and independence in the heart of the listener; Shevchenko has inspired not only Ukraine but freedom-loving peoples everywhere.

The 1905 revolution in Russia brought some relief to Ukrainians who were granted a delegation in the first Russian Duma—parliament. However, World War I caused the pendulum to shift back to the suppression of all things Ukrainian. When the Russian Revolution of February-March 1917 erupted, the Ukrainians realized that this was also their chance to break free and on June 23, 1917, the Rada—Parliament of the Ukraine—declared that the Ukraine intended to become independent.

After the Bolshevik revolution of October-November 1917 Lenin recognized the Ukrainian National Republic and its right to independent action. The Rada, within earshot of the Russian guns across the Dnieper River, proclaimed the complete independence of the Ukrainian National Republic on January 22, 1918. Representatives of the National Republic participated in the signing of the peace treaties at Brest-Litovsk; the central powers recognized the independence of the Ukrainian nation and helped Ukrainians clear the Bolshevik army from their lands. On April 29 Mykhaylo Hrushevsky was elected president of the Ukrainian National Republic.

Despite this tremendous progress in erecting the tools of a stable and independent government, the Ukraine was still beleaguered by the Bolsheviks. By early 1920 the Ukraine was once more in the throes of fighting—this time the civil war which was rampant in Russia after the Bolsheviks took over. The Ukraine was overrun and the forces of the Ukrainian National Republic were forced to withdraw in November 1920, a tragic ending for what should have been the beginning of a fine and glorious nation.

Once again Ukrainians fell victim to the harsh persecution of the Russians. The change in name to Union of Soviet Socialist Republics did not change the nature of the treatment which Ukrainians received, except perhaps to intensify the cruelties Ukrainians have had to endure. But atrocities beyond the realm of imagination have failed to diminish Ukrainian longing and struggles for independence. The memory of January 22, 1918, is carefully nurtured and the unfulfilled aspirations of Ukrainians everywhere will one day be realized.

Mr. MADDEN. Mr. Speaker, this is the 49th anniversary of Ukrainian independence and the world admires its constant fight to regain self-government and liberty which it has fought for so valiantly over the centuries.

Forty-nine years ago great joy was brought to millions of Ukrainians with the hope that victory had finally been won and that freedom to millions of Ukrainians would permanently be had after long generations of battling for independence. Unfortunately, one of its oldtime neighbors and enemies terminated this dream of self-government and today we find Ukraine under the tyrannical domination of the Soviet Socialist Republics.

Ukraine is located on the shores of the Black Sea and extends from the Carpathian Mountains to the Donets Basin and Kryvy Rih and Don River. This area comprises the richest and most productive soil in the world. Unlimited coal and iron deposits are in this section. By reason of the unlimited wealth in nature's soil and mineral deposits the Turks, Russians, and all of the powerful tyrants in history have sought to control Ukraine. It is the earnest hope of the people throughout the world that a nation which has fought for centuries for liberty will someday be rewarded with self-government and permanent peace.

When the Soviet Communists first invaded Ukrainia after World War I, they were as much interested in plundering the people to secure grain and food as they were in capturing the country. The people resisted and the leaders of the nation fought to the bitter end to maintain their independence. After heroic resistance by the Ukrainian people, in 1930, came the Soviet order for compulsory collectivism organization of all the land and products of the nation. Naturally this aroused tremendous opposition. In many places the Ukrainian people killed their cattle rather than turn them over and the general revolt against the Soviet tyrants was rampant among the farmers of the nation.

Thirty-seven years ago, Stalin and his henchmen inflicted their mandate of tyranny. This enslavement caused starvation to millions of Ukrainians and sent others into Soviet prisons and labor camps. The story of Ukrainia since that time has been sad and sorrowful but to the everlasting credit of the Ukrainians throughout the world, their spirit and desires for freedom and independence still survives with the same intensity that it has back through the centuries. With the aid of free nations and the fact that millions throughout the world are rapidly learning the true facts about atheistic communism and its leaders, it is our hope that the day is not too far distant when internal rebellion behind the Iron Curtain, with the aid of freedom-loving people on the outside, will bring independence to the Ukrainian people and other satellite countries now under the Soviet tyranny.

Mr. HELSTOSKI. Mr. Speaker, Sunday, January 22, marked the 49th anniversary of the declaration of the independence of the Ukraine, and I wish to join my distinguished colleagues in the House in saluting these gallant people.

On January 1918, the government of Ukraine issued a proclamation of independence. Shortly thereafter, Ukraine was invaded by the Bolsheviks, and was incorporated into the Communist Union of the Soviet Socialist Republics. The Iron Curtain was drawn across the afflicted Ukrainian nation.

Historic Ukraine is one of the largest countries in Eastern Europe and its inhabitants, more than 45,000,000 Ukrainians, are among the most numerous of all ethnic groups in that region. This fertile country has rightly been regarded as the breadbasket of Eastern Europe. Its hard-working people, a pillar of the Eastern European peasantry, have tilled their black soil tirelessly for centuries not only for their own well-being but also for their neighbors, and in recent decades for their heartless taskmasters in the Kremlin. The very fact that this extreme fertility of the land, with its rich natural resources, has roused the envy of the neighboring countries, has thus been a cause of the misfortunes of the Ukrainian people.

For some 300 years the Ukraine has been submerged in the Russian continent, and during all that time autocratic czars and tyrannical Communists have done their worst to suppress and eradicate what we in the West regard as the best Ukrainian traits: their desire for freedom, their boundless love for their homeland, their undying yearning for independence, and their readiness to sacrifice their all for the attainment of their national goal. Only once in the course of three centuries was there success in attaining that goal—that was in 1918. When the czar's autocracy was overthrown and Austria no longer ruled the western Ukraine, the Ukrainian leaders seized upon the occasion and proclaimed their national independence. That was done on January 22, 1918, the day on which the Ukrainian National Republic came into being, and a new day dawned for the Ukrainians.

That memorable day is a landmark in the recent history of the Ukraine, and so remains to this day, though Ukraine's independence vanished in 1920. The Republic thus established did not last long. Being surrounded by envious enemies, its days seemed to have been numbered soon after its birth. Finally, early in 1920 Communist Russians treacherously attacked and overran the country, then put an end to the independent Ukraine and incorporated it into the Soviet Union. Since then the Ukraine has remained a province of the Soviet empire, and the Ukrainians there have been fated to suffer under the unrelenting Soviet tyranny.

They have endured mass murder, wholesale deportations, brutal torture in slave labor camps, the destruction of their churches. Yet they have never abandoned hope of eventual liberation and the reestablishment of their land as a free, sovereign, and independent republic. Ukrainian patriots have engaged in continuous and valiant underground resistance. The fight goes on today to regain their independence and free way of life. The lamp of freedom still burns in the hearts of its people. It will not be extinguished and will blaze again, proudly and fiercely when liberation has been won.

Even though there has been considerable relaxation of the Kremlin rule there in recent years, the Ukrainians still suffer, and they still hope to attain their national goal.

This anniversary is an appropriate occasion to make known to the courageous people of Ukraine that we Americans are wholeheartedly dedicated to the cause of human freedom, and once again express our determination never to rest until freedom is restored to people now living under Communist captivity, or in the danger of being overrun by Communists.

On this, their independence day, I wish them luck and patience, and hope that soon the day will come when they can be free and independent to pursue their God-given right to live their lives without fear of oppression.

Mr. MOORHEAD. Mr. Speaker, I am proud and pleased to associate myself once again with the eloquent remarks of the gentleman from Pennsylvania [Mr. FLOOD], who has articulated the cause of the Ukrainian people for so long in these Chambers.

It is appropriate that this country, founded on the principles of freedom and liberty for all, honor the courageous people of the Ukraine on this occasion of their 49th independence day.

The word "independence" must have a hollow ring in their ears today, but we in the free world can only be inspired by the example of these captive people who have continued their struggle against enslavement, and who, against hope, have surely believed in hope.

Mr. IRWIN. Mr. Speaker, nearly a half century ago—January 22, 1918, to be exact—the Ukrainian nation declared its independence.

Today, the 45 million Ukrainians survive as the largest captive non-Russian nation both in the U.S.S.R. and Eastern Europe.

The circumstances of history saw the Ukraine, in only 2 years—by 1920—fall victim to the so-called Soviet Russian imperio-colonialism stemming from the Russian Bolshevik Revolution in 1917.

Suppose, nearly 50 years later, we had the question of Ukraine independence before us rather than the question of South Vietnam independence?

Would we be going all out to save Ukraine freedom as we are to contain a Communist aggressor in South Vietnam?

There are those who feel that had we acted many years ago to save Ukraine independence—if we had moved then to halt the first wave of Russian conquest—we would have no Vietnam crisis today.

It is difficult to hazard a guess as to what the future might bring, but it is vital that we in the free world construct a real and sincere bridge of understanding with the captive people of Ukraine.

We must show by our deeds and our actions, not by mere words, that we shall not rest—we shall not be content—until the people of Ukraine once again govern themselves.

Mr. MULTER. Mr. Speaker, almost a half century ago, the Ukrainian people declared their land a free and autonomous republic. Today, we commemorate the 49th anniversary of this proclamation.

The flame of Ukrainian independence flickered for less than 3 short years, after which it was quenched by torrents of Russian bullets. Such has been the fate of the Ukrainian people for centuries. The annals of history tell us that they enjoyed freedom from the 9th to the 14th century, from 1648 to 1783, and once again from 1917 to 1920. How brief when one considers the span of recorded history.

Of most significance to us is their most recent relapse into colonial subjugation. I will not elaborate here on the persecution and exploitation they have suffered at the hand of Moscow. Suffice it to say that the Ukraine has been but one of many pawns in Russia's hegemonic global scheme. However, we must admire these people for their steadfast determination to regain nationhood.

As we recall that day of hope 49 years ago, let us be ever mindful of the unsuppressible Ukrainian spirit and pledge our support to its unrestricted revival.

Mr. HALPERN. Mr. Speaker, on January 22, 1918, the Ukrainian people declared their land an independent nation for the first time in over 150 years. That glorious day brought to an end a most unjust period of subjugation, and the Ukrainians set themselves to the task of building a strong, self-sufficient country.

Freedom had not long been won when another wave of oppression hit the Ukrainian people. The Soviets, as the revolutionary inheritors of the Russian Government, reabsorbed the Ukraine into the land mass of Russia less than 3 years later. Not only were the hopes of a brave people shattered; the fruits of ethnic development were likewise destroyed as the Soviets sought to centralize and communize their captive nations.

We Americans who appreciate and admire the colorful costumes, gay folk dances, and epic music of the Ukrainian-Americans often forget that the same expression of Ukrainian culture is censored, or at least restricted, in the Soviet Union. Yet this is only a minor form of deprivation when compared with the range of atrocities committed by the Soviets. Massive extermination, dislocation, and collectivization were decreed by Moscow whose whims were enforced by the militantly powerful Soviet army.

Today, the Ukrainians continue to cherish the memories of that short period of freedom. Their dedication to the revival of their homeland as a nation sovereign in the eyes of the world cannot be ignored. The Ukrainian spirit lives on, though it must be concealed. My heart goes out to these people, and I look forward to the day when their ideal of nationhood can spring forth from the bonds of tyrannical imperialism.

Mr. FARBSTEIN. Mr. Speaker, the celebration of Independence Day throughout free nations of the world is usually a time of great national rejoicing, of unbridled mirth, and limitless joy, for it is a time that one can share with his neighbors the happy knowledge of being free citizens, free to express opinions and to participate in the activities of their nation.

January 22, 1967, marks the 49th anniversary of Ukrainian independence. It is not, however, a day of rejoicing for Ukrainian citizens because the freedom they briefly shared was cruelly and abruptly snatched from their grasp. The sons and daughters of the Ukraine are left only with memories of a nation and an ideal for which they fought, and died.

There remains, within their hearts, the same burning hope that someday they shall regain the liberty lost to a ruthless aggressor. It is my hope that the Ukrainian Republic will again be able to take its place among the free nations of the world and once again become a reality to the Ukrainian people.

We sadly sympathize with the Ukrainians for the loss of their Republic and we take this opportunity to rededicate ourselves to the goal that every man, woman, and child on this earth has the irrevocable right to live, work, worship, and vote without the encumbrance of tyrants dictating the scheme of their lives.

It is the spirit of the Ukrainians that serves as a constant reminder of the essence of democratic desire and provides us with the reality that thousands of oppressed peoples in the world are living without the freedoms we take for granted every day.

Let us be reminded by their heroic vigilance, that the democratic way of life is not a stagnant rule of right but is a living process which requires daily exercise to insure its survival.

These brave people have not forgotten that the liberty they hold so dear has been denied to them, nor will they ever relinquish the hope of another Ukrainia, reborn in freedom and liberty.

The cause of freedom does not die so easily that it may be stamped out by one twist of the oppressor's boot, for freedom lives in the hearts of people despite the shackles of tyranny encircling their necks.

The Ukrainians have not lost their dedication to the cause of freedom and for that persistent spirit, we salute them.

Mr. BATES. Mr. Speaker, a year ago the following words were quoted in this Chamber from His Excellency, the most Reverend Ambrose Senyshyn, O.S.B.M., archbishop and metropolitan of Catholic Ukrainians in the United States:

> Whether it be the marking of independence day on January 22, the sponsoring of Captive Nations Week, or the recitation of a prayer in our American Congress, we remind the freedom-loving American people of our land and our governing authorities that there are still nations—among them the Ukrainian—who live in the slavery of an imperialistic Communist regime and, at the same time, we keep alive the hope of liberation for these people.

This we are doing again today, and I am grateful for this opportunity of joining my distinguished colleague, the gentleman from Pennsylvania [Mr. FLOOD], in honoring the stalwart people of Ukraine whose long-sought independence of 49 years ago was so quickly wrenched from their grasp. It was on January 22, 1918, when the Ukrainians proudly proclaimed that independence for which they and their forebears had valiantly struggled for two and a half centuries. But it was a scant 2 years later when their jubilation was shattered by the victors of the Russian Bolshevik Revolution of 1917. Since then, Ukraine has suffered under Soviet totalitarianism, but the Communists have not been able to obliterate the eternal hope for freedom which lives in the hearts of the brave Ukrainian people.

It is, as Archbishop Senyshyn observed, to keep that hope alive, and to pledge anew our determination to help all subjugated people to attain their independence from enslavement, that we raise our voices today. I am sure that all other Americans join the more than million and a half citizens of Ukraine descent in this country in their prayers for the ultimate liberation of their millions of relatives and friends now under the cruel domination of their Red captors.

What happened in Ukraine less than five decades ago stands as a monument to why the United States is committed to helping others, such as South Vietnam today, to resist Communist aggression. The right of people must be protected, and where it has been abrogated as in the ancient nation of Ukraine, every possible assistance must be given toward restoring the opportunity for exercise of that right.

Mr. FRIEDEL. Mr. Speaker, the reality of the Iron Curtain as a barrier remains intact. It signifies a failure on the part of the Soviet system to reach its goals and to provide successful competition with the free world for the minds and loyalties of the people in captive nations behind that barrier.

That this is so can be clearly gathered from the fact that the desire for liberty and freedom still burns in the hearts and minds of over 40 million people in Ukrainia, the largest non-Russian nation behind the Iron Curtain and the second largest nation within the U.S.S.R. itself.

Today marks the 49th anniversary of the Ukrainian Independence Proclamation and we, as freedom-loving Americans who are imbued with an abiding sense of justice and equity, take full cognizance of this day and express our sympathy for the brave people of the Ukraine who proclaimed to the world their independence and tried to establish a republic. History has clearly shown that the United States has always sided with those who value liberty and freedom. Here in the capital of our own country, a very imposing statue of Taras Shevchenko, Ukraine's poet laureate and national hero, was erected in 1964.

We well remember also that, unfortunately, the independence of Ukrainia was only of a temporary nature. In 1920 the ruthless Red army overran that nation and compelled it to become a mere satellite of Russia and, in fact, a captive nation. Nor should it be forgotten that the Ukrainians are a distinct people with their own language, their own customs, their own traditions, their own history; and yet, they are held in bondage by the Reds—a veritable, large prison camp in their historic homeland.

Hundreds of thousands of Ukrainians and people of Ukrainian descent in the United States celebrate this day in solemn observance in an effort to keep alive the undying spirit of their ancestral home.

Mr. Speaker, I submit that we in the United States must rededicate ourselves not only to the preservation of freedom but also to the restoration of freedom and liberty for those millions of our fellow human beings who have been engulfed in communism.

We Americans say to the stouthearted people of Ukrainia—do not despair, keep up your fighting spirit against the unrelenting tyranny of Communist totalitarianism, for we join with you in your cherished hopes and fervent prayers that in the not-too-distant future your land will become a free and independent nation.

Mr. FASCELL. Mr. Speaker, Ukrainian Independence Day—January 22—is a sacred occasion on which all Americans and all men everywhere should commit themselves to deep reflection on the beauty and bounty of national independence.

Too often we think of nationalism solely in terms of its possible perversions—in terms of colonialism and imperialism, provinciality and chauvinism, even racism and murder. Exaggerated or perverted nationalism can have these faces, certainly. And certainly in a world where nationhood has proliferated these faces must be remembered well.

Mr. Speaker, we err seriously if we do not recall just as vividly the creative force for good that surges forth from a national spirit rightly conceived and rightly directed. We Americans can claim and boast of such spirit.

But there are other peoples that have been tested at least as much and possibly more than we, that have also ignited the watchfires of liberty—illumination by which each nation of good will can and should be guided.

After nearly four centuries of freedom followed by two more centuries of foreign subjugation, the Ukrainian people regained their independence on January 22, 1918, as a democratic republic. Though Soviet enslavement replaced czarist domination shortly thereafter, what was accomplished that day can never be undone. What was accomplished that day lives on as an inspiration to freemen everywhere, and particularly to those men whose fettered bodies sustain and succor free minds.

So long as there is a Ukraine—and there always will be—and so long as there is a Ukrainian Independence Day—and there always will be—no force on earth can consume any nation or any national culture anywhere.

And so long as corrupt political power can decay—and it always will—the cherished hopes of today are the promises of tomorrow.

Mr. ZABLOCKI. Mr. Speaker, I rise to join my colleagues in commemorating Ukrainian Independence Day, marking the 49th anniversary of the Ukraine's declaration of sovereignty.

As history shows us, this independence was short-lived, for in 1920 the Soviet Government of Russia snuffed out the free Ukrainian nation and reduced it to the status of a constituent state of the U.S.S.R.

This deed shocked the world, denying as it did the right of self-determination of peoples. The memory of it even 49 years later causes burning indignation and sorrow in loyal sons of the Ukraine.

These men of courage and strong conviction still hold firm to the vision of their homeland independent and free to chart its own national course.

But more than that, theirs is a real concern for the people of the Ukraine, for their welfare and their political freedom and progress.

We must never forget that nations are simply collections of individuals, persons like you and me, who have similar needs, wants, and desires.

This is the belief on which the administration has based its policy of "building bridges" to the peoples of Eastern Europe and the Soviet Union.

This policy recognizes that we truly assist these people, not by making a battleground out of their homeland, but by showing them that the world does present successful alternatives to the bleak existence which has been forced upon them.

As an American, I firmly believe that we have a powerfully attractive and revolutionary idea as the underlying foundation of this country: the idea of the dignity and worth of the individual man.

We can and we must communicate that idea to peoples everywhere.

To do so, however, we must open channels of dialog; we must be able to break through the walls of silence and control which regimes attempt to erect around their people.

At the present time our activity for a better understanding among peoples is limited to efforts of the Voice of America and Radio Free Europe, cultural and educational exchanges, and distribution of periodicals.

Yet we could be doing more. One way, certainly, would be through increased trade. For that reason the administration has proposed the East-West Trade Act. Hopefully this needed measure will be passed before the end of the current session.

But this must not be our only avenue of approach to the peoples of Eastern Europe and the Soviet Union. We must apply our creative energies to developing and expanding new points of contact between ourselves and those forced to live under communism.

If we are successful in carrying out our objectives, the ultimate result must be greater freedom for the people of the Ukraine and the other national groups of Eastern Europe. This is the goal to which we must earnestly rededicate ourselves upon this the anniversary of Ukrainian independence.

Mr. STRATTON. Mr. Speaker, this week we pause again to commemorate the proclamation of independence and sovereignty of the Ukraine.

Fifty years ago the Russian Bolshevik Revolution swept Eastern Europe crumbling the Russian Empire. But rather than bringing freedom and independence it brought new tyrannical power which it extended over neighboring non-Russian nations.

The independence declared in January of 1918 as a result of the Ukrainian National Revolution lasted only a few short years before Soviet forces reoccupied the country, bringing an end to self-determination and exposing the high-sounding slogans Bolshevik revolution for the tyranny it was then and remains today.

It is more than a mere gesture that we pause this week to observe this event. It is a sober reminder of the unfinished work which is the responsibility of all freemen. The events of those years almost a half a century ago are also a lesson of history that should remain fresh in our minds.

While the methods employed by Soviet leaders today and the weapons they used then may differ, their actions clearly demonstrate that their objectives have not changed. In Korea or Cuba, Latin America or Vietnam, Communists under the guise of "proletarian revolution" still undermine the self-determination of nations and the freedom of individuals. It may be aggression or subversion or the arrest of a Mr. Kazan-Komarek, but the assault on the dignity of nation and individual continues.

The pride and courage of the people of the Ukraine is a source of inspiration in our struggle. We commemorate here today much more than an event. We honor a steadfast people and their undying love of freedom. And we pledge to those people, as we pledge to freedom-loving people throughout the world, our continuing efforts in behalf of the ideals which were common to both the American Revolution and the Ukrainian Revolution.

Today on the battlefields of Vietnam young men give their lives to prevent the further spread of Communist tyranny, and in other parts of the world Americans work to strengthen other nations so that they may withstand other assaults upon their own freedom.

But merely to resist and react is not enough. Defense of those who are free while others are denied their liberty is only half the battle. The struggle for liberty must have an offense as well as a defense.

I have sponsored a resolution along with many of my colleagues to create a Committee on Captive Nations. This committee would have the important and challenging tasks of developing policy that would lead to the liberation of the captive nations. Its objective would be to bring back to the free world the people of the Ukraine and those under the yoke of tyranny throughout the world. Creation of a Committee on Captive Nations would enable us to turn more attention to this vital task and serve notice to the world that we in Congress and the people of the United States do not shrink from this unfinished task, and that we recognize we cannot fully be free ourselves until in every corner of the world every man can also breathe the fresh air of freedom.

Mr. Speaker, it is an honor and the privilege of a freeman to be able to pay these few words of tribute to the people of the Ukraine on this 49th anniversary of their independence. I look forward hopefully to the day when the people of the Ukraine may enjoy this same privilege of freedom, that they knew so briefly 49 years ago, once again.

Mr. DADDARIO. Mr. Speaker, on January 22, Ukrainians around the world commemorated the 49th anniversary of Ukrainian Independence Day. In support of the eventual restoration of that independence, I would like to pay tribute to the Ukrainian people today.

The Ukrainian tradition is rich in culture, spirit, and patriotism. We Americans who fought so resolutely for our own independence should be appreciative of Ukrainian aspirations for national fulfillment.

History has been unjust to the Ukraine, allowing it only 3 years of complete and unrestricted freedom within the last two centuries. The chains of Russian imperialism were temporarily released between 1917 and 1920, only to be refastened by the new Communist regime which had overturned its equally tyrannical predecessor, the czarist regime.

The taste of independence was sweet but brief. Subsequent attempts to develop culturally, economically, and politically along Ukrainian lines have been systematically opposed by Moscow. The underground Ukrainian Insurgent Army—UPA—has served as a menace to Moscow's decrees for communization and Russification of the Ukraine. However, the Soviets have taken brutal revenge against the Ukrainians for their resistance. UPA activities were answered by manmade famines, purges, and dislocations.

Today, Ukrainian opposition and creativity are condemned. But the fervor for and dedication to national ideals that constitute the Ukrainian essence cannot be eradicated. Behind the silence of the Soviet press, we are confident that the inspiration and heritage of the Ukrainian literary spokesman for freedom, Taras Shevchenko, still have the same deep meaning as he so intensely expressed in his poem, "My Legacy":

When I shall die, pray let my bones
High on a mound remain
Amid the steppeland's vast expanse
In my belov'd Ukraine:
That I may gaze on mighty fields,
On Dnieper and his shore,
And echoed by his craggy banks
May hear the Great One roar.
When from Ukraine that stream shall bear
Over the sea's blue sills
Our foemen's blood, at last shall I
Forsake the fields and hills
And soar up to commune with God
In His eternal hall.
But till that Day of Liberty—
I know no God at all.

Mr. ROONEY of New York. Mr. Speaker, 49 years ago last Sunday a new nation—the Ukraine—joined the community of free nations. The people of the Ukraine in joyfully announcing their independence at that time believed, like much of the world, that the Bolsheviks sought freedom for all the peoples of the Russias. In 2 short years, however, the Ukraine, the largest non-Russian nation in Eastern Europe, was to learn the real and vicious meaning of communism and its brand of colonialism. Pillaged, looted, murdered, and transported by the hundreds of thousands to the frozen wastes of Siberia, the Ukrainians indeed learned the first bitter lesson in the school of communism. And is it not ironic that even now as we mark the short-lived freedom of that country, the Communist despoilers of that freedom call us warmongering colonialists?

The religious persecution, economic exploitation, and genocide that went on in the Ukraine in the name of communism was not a short-lived thing. A decade later in the 1930's more than 30 archbishops and bishops of the Ukrainian Orthodox Church were murdered along with several thousand monks and priests as the Communists moved to stamp out organized religion. In 1932 6 million Ukrainian farmers were intentionally starved to death as the Communists sought to collectivize the rich, fertile farms of the area. During World War II both the Communists and Nazis slaughtered millions of Ukrainian patriots. It is interesting to note, Mr. Speaker, that this area which the Soviets say is an integral part of their country continued a guerrilla warfare against the Red army and secret police all the way into the early 1950's. The end of the war saw the Communists once again at the business of trying to indelibly stamp the Ukraine into their mold. In 1946 Moscow ordered the destruction of the Ukrainian Catholic Church and only one of its 12 bishops survived the purge which also took the lives of several hundred priests and other Catholic religious. More than 6 million Catholics were denied their religion and forcibly subordinated to Russian Orthodoxy.

These are just a few examples of what it means to be a captive nation—a victim of Communist colonialism. Is it any wonder then that the United States opposes such action by Communists in the Far East and supports President Johnson in his statement that we will do everything possible to insure "the right of each people to govern themselves and to shape their own institutions"?

Mr. Speaker, this year we will see a mammoth propaganda barrage pour from the Kremlin as it tries to sanctify the 50th anniversary of the Russian revolution. Let us, as we wade through this diatribe, remember the Ukraine and the other captive nations and place the Communist revolution in full perspective.

Mr. MURPHY of Illinois. Mr. Speaker, since 1914, the colonial empires of the European powers have melted away under the impetus of the national independence movements which have occurred throughout the world. Of these former empires, only one remains intact. The Soviet Union has succeeded in perpetuating the hold of the czarist Russian Empire on its many subject peoples. Today, of the nationalities which broke away from Russian control in 1918, only Finland and Poland have been able to maintain an independent existence.

January 22, 1967, marks the 49th anniversary of the proclamation of Ukrainian independence. For a brief period, from 1918 to 1920, the Ukraine stood against a host of enemies including the Russian Bolsheviks, the Russian White armies, and the Germans. Finally, in 1920, the fledgling state fell under the weight of Red army invasion. Ukrainian independence was dead.

The vision of national independence survived, however. In Poland, during the 1920's and 1930's, nationalist organizations sprang up to keep the idea alive. When Germany invaded the Soviet Union in 1941, it appeared that a free Ukraine would once again come into being, as over 200,000 Red army troops of Ukrainian origin defected into the German Armed Forces. Unfortunately, the German attitude on this issue differed very little from the Soviet view; and once again, Ukrainian aspirations were frustrated.

The final armed struggle of the Ukrainian people for independence began in 1944, when the 50,000-man Ukrainian Insurgent Army—UPA—began what developed into a 12-year guerrilla war against Soviet forces. Several times during this period, the Soviets boasted that they had crushed the insurgents; but on each of these occasions, the UPA responded by resuming the fight. We know that in October and November 1956 during the Hungarian uprising, Ukrainian partisans launched strong attacks on Soviet convoys moving into Hungary and blew up a number of troop trains.

January 22 serves to remind us of this struggle. It also reminds us that the problem of self-determination in Europe will not be solved until the Ukraine and the other non-Russian nationalities of the Soviet Union receive the right to determine their own future. We can only hope that such a day will soon dawn in Eastern Europe.

Mr. BUCHANAN. Mr. Speaker, freedom—like hope—springs eternal in the human heart. Men were born to be free, and nations composed of freemen were intended to govern themselves and shape their own institutions. Independence, once known, is never forgotten. Tyranny, once imposed, is never accepted. The saga of the heroic Ukrainian people is the epitome of such truth.

Today, the Ukrainian people, under Soviet Russian domination, are not free and cannot enjoy the accruments of freedom, because the Russian Bolshevik Revolution, contrary to its high-sounding slogans and objectives, was a fraud. Not only did it fail to bring freedom to the Russian people, but it extended its tyrannical power over Ukraine and other non-Russian nations which had adopted the principles of national self-determinism and declared their independence after the fall of Russian Czardom.

Forty-nine years ago, on January 22, 1918, the Ukrainian Central Rada proclaimed the full independence and sovereignty of the Ukraine. Forty-eight years ago, on January 22, 1919, the Western Ukrainian National Republic, including the provinces of the Carpatho-Ukraine and Bukovina, were united by the act of union with the Ukrainian National Republic into one, independent and sovereign state of the Ukrainian people. Two years later, after Soviet forces succeeded in reoccupying Ukraine in the summer of 1920, the Treaty of Riga between Communist Russian and Poland put an end to the Ukrainian National Republic.

As a result, eastern Ukraine was made a Ukrainian Soviet Socialist Republic under a Ukrainian Communist government. Western Ukraine was ceded to Poland, and Bukovina and part of Bessarabia to Rumania, and Carpatho-Ukraine to Czechoslovakia, of which they were part until the outbreak of World War II in 1939.

The Ukrainian National Revolution, which brought about the rebirth of the modern Ukrainian state, engendered and developed Ukrainian nationalism and the national consciousness of the Ukrainian people. Although the true Ukrainian state has been destroyed, the Ukrainian national revolution lives on in the hearts and minds of the Ukrainian people.

In theory, Ukraine is an independent state. In fact, Ukraine is a colony of communist Russia. The so-called Ukrainian government in Kiev is a puppet government imposed upon the Ukrainian people by the ruling Communist Party of the U.S.S.R. Ukraine has no separate army, no separate foreign, financial, or economic policy. Ukraine is a colonial dependency of Communist Russia. Her 44,600,000 people are captives of and live in subjugation to the U.S.S.R. While the Soviet oppressors of Ukraine are doing everything possible to give the impression to the world that the Ukraine is not a captive nation, and that it is, in fact, a "sovereign and independent" state which may secede from the U.S.S.R. of its own volition, the Ukraine is, in actuality, a submerged and captive nation—a victim of Communist aggression.

We are assembled here today not only to commemorate Ukrainian Independence Day, but to salute the Ukrainian Congress Committee of America. Founded in 1940, this patriotic group has become a powerful advocate of freedom and independence for Ukraine. I am impressed by the overall objective of UCCA which is to support the U.S. democratic form of government, and to enlist the support of the United States and all other free nations of the world for the freedom and independence of Ukraine, and other captive countries. I count it a privilege to join Presidents Truman, Eisenhower, Kennedy, and Johnson in lauding UCCA for its dedicated work for the preservation of freedom at home and the establishment of liberty in Ukraine and in other captive nations.

This historic commemoration should serve three essential purposes today. First, it should serve to illustrate dramatically that no form of tyranny shall ever curb men's craving for freedom. The light of freedom has shone and is shining in the darkness of oppression and that darkness has never snuffed it out.

Second, it gives us a propitious opportunity to join our colleagues in recording our support for the creation of a Special Committee on Captive Nations which has been introduced in this Congress as House Resolution 14 and House Resolution 15. In the exercise of the stewardship of our freedom it may well be our responsibility to provide the climate and atmosphere which can feed that dim light of freedom burning in darkness within all captive nations. Every effort should be made to give life to the hope of freedom burning in the hearts of captive peoples throughout the world.

Third, it gives us a chance to examine the supposedly more relaxed atmosphere in our dealing with Soviet Russia. Are we to forget that millions of people are still enslaved by that godless government? Is it in the best interest of present day diplomacy to forget that the Soviet Union has vowed to bury us? Are we to build the bridges to the East which for some of our own citizens and for many of our captive friends have been nothing more than one-way streets?

The fact that the Russian bear occasionally cries "peace" does not necessarily mean that peace is forthcoming. Perhaps we should read again Rudyard Kipling's poem about the bear that walks like a man:

> When he stands up as if pleading, in wavering, man-brute guise;
> When he veils the hate and cunning in his little eyes;
> When he shows as seeking quarters, with paws like hands in prayer,
> That is the time of peril—the time of the true of the Bear!

Mr. DERWINSKI. Mr. Speaker, I am honored to join the distinguished gentleman from Pennsylvania [Mr. FLOOD] in commemorating today the 49th anniversary of Ukrainian independence.

Today, while we are preoccupied with a struggle being waged by South Vietnamese and U.S. forces in the jungles and rice paddies and cities of Vietnam, we pause to remember the fate of another people—who also struggled, who lost, but who have not given up hope. January 22 was the 49th anniversary of Ukrainian independence, an independence proclaimed in 1918, only to be lost again in 1920.

For over 300 years, the people of the Ukraine had suffered as a divided nation under the role of Russian czars. When the czarist regime crumbled during 1917, the long-awaited opportunity for independence came. A group of Ukrainian patriots declared their intention to seek independence in December 1917, and declared it achieved on January 22, 1918. The newly independent Ukraine was a wartorn country, surrounded by aggressive and feuding neighbors. The preservation of independence was to prove impossible. The Red army invaded the Ukraine in the spring of 1920. In 1923, the Ukraine was made a constituent republic of the Soviet Union, making the Ukrainians among the first victims of a new imperialism.

The Ukraine experienced no respite during World War II. The country again became a battlefield for the contending forces of East and West. The Soviets withdrew only to be replaced by other cruel masters—the Nazis. Following World War II, Soviet authority was reasserted, and tightened. Cruelest of ironies, the Ukrainians, on Soviet insistence, were given a delegation to the United Nations. But this delegation is a sham. The facade of independence cannot disguise the ugly fact of subservience.

With a population of more than 45 million, the Ukraine has a territory which exceeds in area that of several Western European nations combined. The Ukraine is rich in human and material resources, its history and culture are more than a thousand years old. In an era which has seen the rise of many new nations, some of them throwing off colonial bonds after long periods of subjugation, is it not a singular injustice that the Ukrainians, along with their neighbors in Eastern Europe, continue to be subject to exploitation by the worst colonial system of modern times?

Today, as we fight in southeast Asia on behalf of a small, brave people striving to maintain its freedom and independence, let us not forget that there are many areas of the world where the cause of liberty has yet to prevail, and that we must not relax our vigilance or abandon our struggle until that cause has prevailed.

Mr. Speaker, how can we best observe and commemorate Ukrainian Independence Day? I recommend that we in Congress, first, set up a Special Committee on Captive Nations; second, reject the President's scheme to subsidize the Soviet Union and East European dictatorships through trade concessions; third, have open and fair hearings on the U.S.-U.S.S.R. Consular Convention; fourth, hold a full congressional debate on U.S.-U.S.S.R. policies; and, fifth, use every means available, including the Voice of America, to expose the fraudulent Russian Bolshevik revolution, which the Russians are using this year in a massive propaganda drive.

Mr. Speaker, under unanimous consent, I include as part of my remarks, "Facts About Ukraine and the Ukrainian People," published by the Ukrainian Congress Committee of America, New York, N.Y., on the occasion of the 50th anniversary of the Ukrainian national revolution:

Facts About Ukraine and the Ukrainian People

INTRODUCTION

The year 1967 marks the 50th anniversary of the great revolutionary upheaval in Eastern Europe. In 1917 the far-flung Russian empire met its inevitable doom, and its fall unleashed a series of national revolutions which swept the enslaved non-Russian nations and brought them long-awaited freedom and national independence. The Austro-Hungarian monarchy also crumbled under the impact of ethnic and nationalist desires for freedom and independence.

The Ukrainian National Revolution, in contrast to the Russian Revolution, was very much like the American Revolution of 1776, inasmuch as its overall objective was a free and independent state of the Ukrainian people, just as the American Revolution sought freedom for the 13 colonies which refused to live under colonial subjugation.

Today the Ukrainian people, under Soviet Russian domination, are not free and cannot enjoy the blessings of freedom and independence, because the Russian Bolshevik Revolution, contrary to its high-sounding slogans and objectives, was a fraud. Not only did it fail to bring freedom to the Russian people, but it extended its tyrannical power over Ukraine and other non-Russian nations which had adopted the principles of national self-determination and declared their independence after the fall of Russian Czardom.

Ukraine is the largest and, economically, most important of the non-Russian nations now held captive in the USSR. Consequently, a short survey of its past and present history is in order so that the true status of Ukraine should not be beclouded by the propaganda which Moscow is now disseminating throughout the world in observing what it calls the "great proletarian revolution."

GEOGRAPHIC POSITION—AREA AND POPULATION

Generally speaking, the Ukrainian ethnic territory extends between 43°20′ and 53° north latitude and 20°30′ and 45° east longitude. The Ukrainian Soviet Socialist Republic lies between 44°20′ and 52°20′ north latitude and 20°5′ and 40°15′ east longitude. Ukraine is located in the southeastern corner of Europe. It borders with Romania and Hungary to the southwest, Poland to the west, Byelorussia to the north and Russia to the north and southeast. It is bordered by the Black Sea in the south.

According to Ukrainian ethnographers (cf. *Ukraine: A Concise Encyclopaedia*), the the Ukrainian ethnic territory embraces 289,000 square miles and has a population (1959) of 49 million. The Ukrainian Soviet Socialist Republic, which does not encompass all the Ukrainian ethnic territory, comprises 232,000 square miles and a population of 41,869,000, according to the Soviet population census of 1959. On January 1, 1964, Ukraine had a population of 44,600,000 people, of which number Ukrainians constituted 77 percent, Russians 17 percent, with the remaining 16 percent consisting of various national minorities: Jews (1,025,800), Poles, Germans, Greeks, Bulgarians, Romanians and Tatars.

As mentioned, over 56,600 square miles of Ukrainian ethnic territory are outside the political borders of the Ukrainian SSR, specifically: in Russia (the regions of the Belgorod, Kursk, and the Voronezh *Oblasts*, as well as regions in the Don and Kuban areas), Byelorussia, Poland, Czechoslovakia and Romania. At least 7,500,000 Ukrainians are now living outside the compact Ukrainian ethnic territory.

Religion: The overwhelming majority of Ukrainians, that is, 76 percent, are Orthodox, 13.5 are Catholics of the Eastern Rite, 2.3 percent are Jewish, and 8.2 percent are Protestants, Baptists, Mennonites and Moslems.

HISTORY

Ukraine has had three distinct periods of national statehood and independence:

a) the first period of national statehood when Ukraine, known as Kievan Rus, was a powerful state in Eastern Europe, lasting from the IXth to XIVth centuries;

b) the Kozak period of Ukrainian independence, from the middle of the XVIIth century to the end of the XVIIIth century;

c) the third (modern) period, beginning with the fall of the Russian empire and the establishment of the Ukrainian Central Rada *in March, 1917, and ending in 1920.*

THE UKRAINIAN NATIONAL REVOLUTION

The fall of Russian Czardom was the signal for bursting enthusiasm throughout the whole of Ukraine; despite the systematic attempts of the Russian government to suppress Ukrainian ideals and aspirations, the dream of freedom and independence had survived. On March 17, 1917 the Ukrainian Central *Rada* was established in Kiev under the presidency of Prof. Michael Hrushevsky, Ukraine's foremost historian.

Within a period of 10 months the *Rada*, through a series of important acts, led Ukraine through the turbulent period, establishing first an autonomous state and then a full-fledged independent and sovereign state of the Ukrainian people.

Between March and October, 1917 the *Rada* had to deal with a weak and ineffective Russian Provisional Government under Alexander F. Kerensky who refused to accept or recognize the independence of Ukraine. The *Rada* issued in the period its two *Universals*, one on June 23, and the second on July 16, 1917, whereby it announced that Ukraine was to become an autonomous state, which was agreed to by the Kerensky government. It swiftly organized the Ukrainian national army, established Ukrainian schools, introduced Ukrainian judicial and administrative systems, prepared a Ukrainian Constituent Assembly, provided vast autonomy for the national minorities of Ukraine and won recognition by a number of foreign states.

On November 20, 1917, after the Bolshevik *coup* in Petrograd, the *Rada* issued the Third *Universal* whereby it proclaimed Ukraine to be the Ukrainian National Republic (UNR). While trying to secure recognition from the new Russian Soviet government, the Ukrainian Central *Rada* maintained its troops on the front against the armies of the Central Powers. Lenin and Trotsky, while paying lip-service to national self-determination, were sending Communist agitators into Ukraine in order to prepare a Communist takeover of the country. When these efforts did not bring the desired results, the Soviet government officially recognized the Ukrainian government. In a note, dated December 17, 1917, the *Sovnarkom* (Soviet of People's Commissars) stated:

"The Soviet of People's Commissars of the Russian Republic recognizes, without any

limits or conditions, and in all respects, the national rights and independence of the Ukrainian Republic. . . . (Cf. Organ of the Provisional Government of Workers and Soldiers, No. 26, December 20, 1917, Petrograd.)

At the same time the Russian Soviet government sent an ultimatum to the *Rada*, demanding, among other things, that the armed Communist bands be stationed in Ukraine. When the *Rada* rejected the ultimatum, Lenin and Trotsky launched armed aggression against Ukraine. For over 4 months the Ukrainian armies had to wage a defensive struggle against the Soviet Russian invaders who were thrown out of Ukraine in April, 1918.

Meanwhile, the *Rada* issued the Fourth *Universal* on January 22, 1918, by which the full independence and sovereignty of Ukraine were proclaimed. Subsequently, on February 9, 1918 Ukraine concluded a Peace Treaty with the Central Powers in Brest Litovsk, by which act it received full-pledged recognition from Germany, Austria-Hungary, Turkey and Bulgaria, which powers also provided military assistance to Ukraine against the Russian Bolsheviks. France and Great Britain also granted *de facto* recognition of Ukraine.

From April to November, 1918 Ukraine was under the monarchist government of *Hetman* Paul Skoropadsky, and in 1919 under the Directorate of the Ukrainian National Republic, headed by Simon Petlura.

On November 1, 1918 Western Ukraine (formerly under Austria-Hungary), proclaimed its independence and was forced to wage a defensive war against the newly-born Poland which coveted this Ukrainian ethnic territory as its "own." On January 22, 1919 the Western Ukrainian National Republic, including the provinces of Carpatho-Ukraine and Bukovina, were united by the Act of Union with the Ukrainian National Republic into one, independent and sovereign state of the Ukrainian people. The united Ukrainian Republic had to wage a gallant war against the Red and White Russians (Denikin) in the East and the Poles in the West, alone and unaided. In 1920 a military alliance between Poland and Ukraine was formed by Pilsudski and Petlura, and the combined Polish-Ukrainian forces occupied Kiev for a brief period. Eventually the Soviet forces succeeded in reoccupying Ukraine in the summer of 1920.

In March, 1921 the Treaty of Riga between Communist Russia and Poland put an end to the Ukrainian National Republic.

The greater part of Ukraine, i.e. Eastern Ukraine, was made a Ukrainian Soviet Socialist Republic under a Ukrainian Communist government; Western Ukraine (Galicia and part of Volhynia) was ceded to Poland, and Bukovina and part of Bessarabia to Romania, and Carpatho-Ukraine to Czechoslovakia, of which they were part until the outbreak of World War II in 1939.

The Ukrainian National Revolution, which brought about the rebirth of the modern Ukrainian state, engendered and developed Ukrainian nationalism and the national consciousness of the Ukrainian people. Although the true Ukrainian state has been destroyed, the Ukrainian National Revolution lives on in the hearts and minds of the Ukrainian people.

PRESENT STATUS

Since 1923, Ukraine proper has been a member of the Soviet Union as one of its "equal and sovereign constituent republics." In theory, Ukraine is an independent state. It became a charter member of the United Nations in San Francisco, in April, 1945, and to this day remains a member of the U.N. and maintains its permanent mission to this international body.

Internally, Ukraine is a colony of Communist Russia. The so-called Ukrainian government in Kiev is a *puppet* government imposed upon the Ukrainian people by the ruling Communist Party of the USSR. The Communist Party of Ukraine is also a subservient adjunct to the Russian Communist Party, and takes its orders from the latter without protest or dissension. Although Ukraine is a "sovereign republic" it has no separate army, foreign policy, its own financial nor economic policy. Ukraine is a colonial dependency of Communist Russia.

PERSECUTION AND OPPRESSION

There is no exaggeration in stating that of all the captive nations languishing in Soviet communist slavery, Ukraine has suffered the longest.

The record of Russia's inhuman treatment and persecution in Ukraine is matchless in all the history of mankind. Since 1920 Ukraine has endured persecution, mass murders amounting to full-scale *genocide*, religious and national persecution and economic exploitation.

In the 1930's Moscow liquidated the Ukrainian Autocephalous Orthodox Church by murdering over 30 archbishops and bishops, headed by Metropolitan Vasyl Lypkivsky, and several thousand priests and monks. Untold numbers of Ukrainian intellectuals were liquidated, while at least 6,000,000 Ukrainian farmers perished in the manmade famine in 1932–33 for their opposition to collectivization. During the German-Soviet war, both Stalin and Khrushchev ordered executions of Ukrainian patriots, political prisoners and other Ukrainians fearing their disloyalty to the Soviet regime. How the Ukrainians regarded their Russian oppressors is demonstrated by the fact that over 2 million Ukrainian soldiers from the Soviet armies deserted to the German lines in 1941; and several thousands of them joined the Ukrainian Insurgent Army (UPA), a powerful Ukrainian underground resistance movement which fought against both the Nazis and the Bolsheviks in Ukraine; the UPA continued its anti-Soviet resistance well into the early 1950's, during which time some 35,000 KGB and other Soviet security troops and agents were killed by the UPA. In 1946 the Kremlin wantonly destroyed the Ukrainian Catholic Church in Western Ukraine: of 11 Ukrainian Catholic bishops, only Metropolitan Joseph Slipy survived (released in 1963, upon direct intervention by Pope John XXIII, he was made a cardinal and now resides in Rome); hundreds of Ukrainian Catholic priests were killed or exiled, while some 6,000,000 Ukrainian Catholics were forcibly subordinated to Russian Orthodoxy.

Khrushchev himself stated at the XXth Congress of the Communist Party in February, 1956, that "Stalin had wanted to deport all Ukrainians, but there were too many of them and there was no place to which they could be deported."

The fate of the Ukrainian people evoked world-wide indignation, and many governments expressed their concern over the inhuman treatment of the Ukrainians by Communist Russia.

ASSASSINATION OF UKRAINIAN LEADERS ABROAD

One of the old and tested methods of destroying Ukrainian leaders, deemed dangerous to Russian rule in Ukraine, is the method of kidnapping and assassination of Ukrainian patriots in foreign countries by the NKVD, MVD and KGB. Over the decades the Kremlin had been doing just that:

a) In May, 1926, in Paris, a Soviet agent killed Simon Petlura, head of the Directorate of the Ukrainian National Republic, and the head of the Ukrainian government-in-exile;

b) In May, 1938, Col. Eugene Konovalets, head of the Organization of Ukrainian Nationalists (OUN), was killed in Rotterdam, Holland by a time bomb placed in his trench coat by a Soviet secret agent, Valukh, (who was later identified as a general in the Soviet security troops);

c) On October 12, 1957, Dr. Lev R. Rebet, a Ukrainian nationalist writer and theoretician, was killed in Munich, although his death had been described as caused by heart failure;

d) On October 15, 1959, Stepan Bandera, head of the Organization of Ukrainian Nationalists (OUN), was killed under mysterious conditions, also in Munich.

Both murders were committed by Bogdan N. Stashynsky, a trained agent of the KGB, who was subsequently given the "Order of the Red Banner" by the Soviet government. (In August, 1961 Stashynsky defected with his German-born wife to West Germany and confessed to the killing of Rebet and Bandera, for which crimes he was tried and sentenced by the German Supreme Court to eight years at hard labor.)

ARRESTS OF UKRAINIAN WRITERS, ASSAULT ON UKRAINIAN CULTURE

Recently, Moscow renewed with reinforced vigor its traditional policy of the Russification of Ukraine, aiming at the cultural and linguistic genocide of the Ukrainian people. Although the Ukraine language is the official language of Ukraine, the Russian language is imposed everywhere as a "language of higher culture and international significance." In 1965 and 1966 a number of Ukrainian writers, poets, and literary critics were arrested and sentenced by the Communist courts in Ukraine. At least 30 of these Ukrainian intellectuals were reported arrested, tried and sentenced in such cities of Ukraine as Kiev, Odessa, Lviv, Lutsk, Ternopil and Ivano-Frankivsk. Among them the most prominent are Ivan Dzyuba and Ivan Svitlychny, who have been accused of writing anti-Soviet works and of smuggling to the West the anti-Soviet works of another Ukrainian poet, Vasyl Symonenko, who died in 1963 at the age of 29. Extensive reports on arrests of Ukrainian writers appeared in the Neue Zuricher Zeitung (April 1, 1966) and the New York Times (April 7, 1966). Protest letters by the Ukrainian Writers Association in Exile were sent to the International P E N., the European Community of Writers, and UNESCO. Similar protests were sent to the State Department by the Ukrainian Congress Committee of America and the Shevchenko Scientific Society.

The extent of anti-Soviet and anti-Russian opposition and resistance is best demonstrated by the fact that Peter Shelest, secretary general of the Communist Party of Ukraine, and Alexander Korneichuk, top-ranking Communist writer and ideologist, recently warned the Ukrainian youth against listening to Western radio broadcasts and assailed the United States for its alleged support of Ukrainian "subversive nationalist elements," which they said were infiltrating Ukraine.

UKRAINE—A SUBMERGED AND CAPTIVE NATION

Despite the outward trappings of "independence and sovereignty of the Ukrainian Soviet Socialist Republic, Ukraine is a captive and submerged nation. It is recognized as such by the U.S. Congress in its "Captive Nations Week Resolution," enacted on July 17, 1959, which stated as follows:

"*. . . The imperialistic policies of Communist Russia have led through direct and indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and others. . . .*"

Soviet oppressors of Ukraine are doing everything possible to give the impression to the world that Ukraine is not a captive nation, and that it, in fact, is a "sovereign and

> *independent" state, which may secede from the USSR of its own volition.*

UKRAINIAN CONGRESS COMMITTEE OF AMERICA

> In the United States the Ukrainian Congress Committee of America (UCCA), founded in 1940, is a powerful advocate of freedom and independence for Ukraine. It is an American organization embracing over 1,200 Ukrainian American organizations, clubs, fraternal lodges, veterans and youth societies, women's and sports groups, as well as cultural, social, church and political organizations.
>
> The overall objective of the UCCA is to support the United States democratic form of government, and to enlist the support of the United States and all other free nations of the world for the freedom and independence of Ukraine, and other captive countries. Its record for the twenty-five years of its existence is an outstanding one. For its dedicated work for the preservation of freedom at home and the establishment of liberty in Ukraine and in other captive nations, the UCCA has been lauded by four Presidents, namely: Presidents Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy and Lyndon B. Johnson.
>
> The UCCA has been frequently a target of Communist assault and vituperation. For instance, *Komunist Ukrainy*, an official organ appearing in Kiev, in its February, 1966 issue, denounced the CIA, the Department of State, the FBI, a number of Ukrainian exile organizations in Europe, and the UCCA. If anything, these attacks on the Ukrainians in the free world indicate that the Russian Communist jailers of Ukraine are well aware of the corrosive effect that freedom can have on the bonds of the Ukrainians and other non-Russian nations in slavery.

Mr. LIPSCOMB. Mr. Speaker, January 22, 1967, marked the 49th anniversary of the official declaration of independence of the Ukrainian National Republic. It is appropriate that we pause again to remember the fate which has befallen that proud people and to reflect upon the significance of their continued subjugation.

Today there are nearly 40 million Ukrainians descendent from Cossack communities which established themselves as self-governing, independent communities in the 17th century. From earliest times their rich lands were subject to the greedy incursions of their more powerful neighbors—Moscow, Poland, and Turkey. At length, Czar Peter I, of Imperial Russia, was successful in bringing the Ukraine and its peoples under Russian domination in 1709, and the struggle of Ukrainians to be free had begun.

Perhaps it might have ended there. Perhaps the independence-loving farmers and cultivators of the Ukraine might have lost their sense of national identity in the decades under Russian domination. If that had been the case we would not today be concerned with their fate. The fact is, of course, that Ukrainian nationalism did not wither under foreign domination; it grew. Ukrainian culture, different in so many ways from that of the Russian rulers, flowered.

The immortal Ukrainian poet, Taras Shevchenko—1814-61—inspired the Ukrainians of his day never to give up in their fight to win their homeland back from Russian domination, and others such as Ivan Franko—1856-1916—and Lesya Ukrainka—1872-1913—gave renewed voice to the yearning to be free.

It was a long wait for the millions of Ukrainians dreaming of an end to Russian rule, but, finally, in the turmoil that was the Russian Revolution they had their chance and they took it. After more than 200 years of Russian domination they threw off the foreign yoke and on that January day nearly a half century ago proclaimed themselves to be a free and independent nation. But, as we all know, that freedom was not to last. Russia, now a Communist state, attacked the young nation, and after a bitter 3-year struggle again forced her to yield to the domination of Moscow.

Again, as in the two centuries after Peter I, Ukrainian nationalism did not die. An underground insurgent force fought both the Nazis and the Communists in World War II and on June 30, 1941, Ukrainians again proclaimed themselves to be free and the struggle was reborn, a struggle which continues to this day.

Ukrainians throughout the world still feel the surge of spirit which has motivated them from their earliest days. Whether it be the 1,600,000 who have found their home in the United States or the 40 million who still remain in Communist-controlled Ukrainia, they seek, and shall continue to seek that freedom which it is the inherent right of all men to share. All Americans, everywhere, share with these brave people that determination. And as it has not died in the centuries of subjugation to the present time, so it shall not die in the future.

Mr. KLEPPE. Mr. Speaker, countless Americans across the country joined with their fellow citizens of Ukrainian descent on January 22, 1967, to mark the 49th anniversary of the proclamation of independence of the Ukrainian National Republic and the 48th anniversary of the act of union under which all Ukrainian ethnic lands were united into one independent and sovereign state. For 3½ years, the gallant people of Ukraine defended their independence against Communist Russia's onslaught, finally succumbing to superior military force. The spirit of these brave people has never been crushed, however.

Dr. Anthony Zukowsky, of Steele, N. Dak., president of the State branch of the Ukrainian Congress Committee of America, Inc., speaks for the cause of these people in these words:

> The freedom-loving people of Ukraine have not accepted Soviet Russian domination and have been fighting for the reestablishment of their independence by all means accessible to them for the past 46 years.
>
> During World War II the Ukrainian people organized a powerful underground resistance movement, known as the Ukrainian Insurgent Army (UPA), which fought not only against the Nazi regime, but against the Soviet security troops as well. Stalin and Khrushchev unleashed bloody persecution and reprisals against the Ukrainian people in the late 1940's, and it was Khrushchev himself who stated at the Congress of the Communist Party of the Soviet Union in February, 1956, that "Stalin had wanted to deport all Ukrainians, but there were too many of them and there was no place to which they could be deported."
>
> Relentless and harsh persecution of Ukrainians continued after the death of Stalin, and it continues now after the ouster of Khrushchev from the top leadership in the Kremlin, inasmuch as the Brezhnev-Kosygin duumvirate is bent on keeping the Soviet Russian empire intact and unified.

Mr. STANTON. Mr. Speaker, nearly half a century has passed since the world witnessed the brief glory of Ukrainian independence. On January 22, 1918, the Ukrainians finally realized the culmination of their aspirations for liberty and dreams for national independence, which several centuries of Russian domination had prevented. Even though Ukrainian independence was officially recognized by the Bolsheviks, within 2 years the Russians had reconquered the Ukraine.

Despite the brevity of their liberty, despite long centuries of foreign domination, despite the anguish and despair of the Ukrainian people, their commitment to Ukrainian independence has never been destroyed.

During both periods of Russian domination the Russians have tried to incorporate the Ukraine, denying its people self-government and those basic rights considered inalienable in Western philosophy. At one point in Ukrainian history—in 1863—their Russian tasklords even denied the Ukrainian people their own language. During both periods of Russian domination, the Ukrainians have been subjected to many atrocities, including mass executions and deportations.

The Soviet Union may through coercion continue to maintain the Ukraine in captivity for the present, but they will never succeed in controlling the Ukrainians' passions for freedom, liberty, independence, and national identity. The Ukrainians are not a submissive people; the history of their long struggle for independence is a testament to their unyielding, indomitable spirit. The Ukrainian poet laureate described that spirit as follows:

THE CAUCASUS

So likewise shall our spirit never die
Nor our dear freedom wholly vanquished lie.
Sooner may foemen hope to plough with glee
A meadow at the bottom of the sea
As chain the living soul with force uncouth
Or choke to death the vital word of Truth.
The glory of our God may not be rent,
The glory of the Lord Omnipotent.

Today we wish to express our deep respect for the Ukrainian people and add our fervent hope to theirs for their restoration of independence.

Mr. DELANEY. Mr. Speaker, I am pleased to join my colleagues in honoring the courageous freedom-loving Ukrainian people as they commemorate the 49th anniversary of Ukrainian Independence Day.

As Americans, proud of our own successful fight for independence, we share a common bond with all those who seek to determine their own destiny. Therefore, it is appropriate that we pause to remember the brave Ukrainian people who keep the light of liberty glowing in the bleak world of captive nations.

Except for a brief period of freedom during 1918–20, the valiant Ukrainian people have been dominated by foreign powers since the 17th century. But that brief period, when the long frustrated hope of liberty became joyous reality, has served as an inspiration to Ukrainian peoples everywhere for the last half century. It was on January 22, 1918, in the aftermath of the Russian revolution, that the Ukrainian Parliament proclaimed the Ukrainian National Republic as completely independent. The Ukrainian people tried hard to fashion their destiny; but, unfortunately, their gallant efforts were smashed within 2 years by the brutal Red army. All opponents of Soviet Russia were ruthlessly eliminated, and the independent Ukrainian Republic ceased to exist.

Since that time the hearts of the brave Ukrainian people burn brightly with the hope, once realized, that they will live again in freedom. We salute their courage and steadfastness of purpose, and sincerely hope their aspirations soon will be fulfilled.

Mr. MINISH. Mr. Speaker, it was my privilege to be the guest speaker at the Ukrainian Independence Day program held Sunday, January 22, in the Irvington, N.J., High School to mark the 49th anniversary of the proclamation of independence by the Ukrainian National Republic. The memorable program was conducted by Dr. W. Huk, chairman, Ukrainian Congress Committee of America, Inc., branch for Newark, Irvington, and vicinity.

Over 1,200 persons were in attendance to affirm their dedication to the cause of Ukrainian independence. Believing, as members of this great democracy, in the concept of individual freedom and liberty, Americans of all races join their good fellow citizens of Ukrainian descent in mourning the tragic fate of the captive peoples and in hoping for the restoration of sovereign independence that the brave Ukrainians so gloriously proclaimed 49 years ago.

I am honored to submit to the Congress the following protest resolutions adopted on this significant occasion by the Ukrainian Congress Committee, branch for Newark, Irvington, and vicinity.

The resolution follows:

PROTEST RESOLUTIONS OF UKRAINIAN CONGRESS COMMITTEE OF AMERICA, BRANCH FOR NEWARK, N.J. AND VICINITY

We, Americans of Ukrainian descent, of City of Newark and its vicinity, County of Essex, State of New Jersey, appeal to our President and his Secretary of State and to our legislative bodies, the Senate and the House of Representatives of the United States, to raise their voices in defense of the recent ruthlessly persecuted Ukrainian culture by the Communist Government of the Union of Soviet Socialist Republics in the so-called Ukrainian SSR, which is only the administrative region of the centrally ruled Soviet State. There an iron-clad assault on the culture and intellectual life of the Ukrainian people is presently going on with an intensified furor of the Russian chauvinism using the means of suppression of the Ukrainian language in the schools and press and by means of arrests, imprisonments, sentencing and deportation of the Ukrainian writers, poets, and scholars, whose only guilt was writing and speaking Ukrainian and defending the Ukrainian culture against the mass harassment by the official Soviet Russification policy.

We ask our government to speak up in defense of the rights of the Ukrainians to develop their own culture in their home land by direct talks with the Soviet leaders and through the channels of the United Nations in the name of justice and humanity.

On this day of 22nd of January 1967, the Forty-Ninth Anniversary of the proclamation of the national independence of Ukraine and establishment of the Ukrainian National Democratic Republic in Kyiv, and the Forty-Eighth Anniversary of the unification of all Ukrainian lands and provinces into one national state, we take the liberty to remind our government and all its branches that the Ukrainian political sovereignty was then ruthlessly crushed by the Soviet government by means of military invasion and the incorporation of Ukraine by force into the USSR, giving it the Russian-marinette status of the so-called Ukrainian Soviet Socialist Republic, where the Russians have ruled since and the Ukrainians being there the second ranked subjects of the Bolshevik regime.

On this commemorable anniversary, we take the liberty to remind our government that since that compulsory incorporation of the Ukraine our brethren and sisters there, have been continually exposed to persecution both physical and spiritual. The Soviet regime had but one end in mind and it was extermination of the Ukrainians as a separate nationality.

Genocide was practiced by the Soviets in Ukraine on a large scale. Mass arrests, mass imprisonments, mass deportations to distant parts of the USSR and mass executions, man-made famine in 1932-33 and ruthless suppression of Ukrainian language, folklore, writing, poetry and scholarship were the chief devices of the Soviet-Russian unceasing drive to "solve" the Ukrainian question, of which the present intensified Russification policy in the Ukrainian SSR is only a link in the long chain of Russian policy toward the non-Russian nationalities in the USSR in general.

We call to the attention of our government that the Russians did not hesitate to suppress also the religious life of the Ukrainian people which has been a factor in their intellectual and spiritual development as a separate nationality. Hundreds upon thousands of the faithful of the Ukrainian Orthodox and the Ukrainian Catholic Churches perished under the atheistic drive of the Soviet rulers, along with several bishops and thousands of clergy of both denominations.

We Americans of Ukrainian descent assert, that during the Second World War and thereafter the Ukrainian Insurgent Army fought for years against the Soviets to testify the will of the Ukrainian people to live a free and independent national life in the tradition of the 22nd of January 1918.

We recall the words of the great American, Abraham Lincoln, that no house divided against itself can long endure—half free and half slave. In the world of ours tyranny, persecution and colonialism must be abolished in order to save mankind from a catastrophe. Hence, we appeal to our government to speak up in defense of all those enslaved by the Soviet Russian colonialism.

DR. W. HUK,
Chairman.
VOLODYMYR HUERTYMAC,
Secretary.

Mr. NEDZI. Mr. Speaker, the continued thaw in our relations in Eastern Europe and the spirit of accommodation which presently pervades United States-Russian affairs should not deflect us from a continued interest in the captive nations.

Patriotism and nationalism still permeate the peoples of Eastern Europe, including the Ukraine. Today's seeming tranquillity and stability may be tomorrow's unrest and revolt.

We should not spurn the voices who call attention to the independence days of Eastern European nations, for events have proved them right on more than one occasion. For example, diplomats on both sides were unprepared for the October 1956 events in Poland and Hungary. Since that time, many experts have miscalculated the reversal of the liberal trend in Poland and have underestimated the rapidity of Rumania's political and economical transformation. The point is that we can benefit from a variety of view in Eastern Europe and particularly from giving a sympathetic audience to those most in tune with the enduring nationalism of oppressed people, such as the Ukrainians.

The Ukrainians, as much as any captive nation, have maintained their language, culture, and national spirit despite many, many years of Russian dominance. The people of Ukraine have never been truly afforded the right of self-determination. It behooves us, as responsible public officials, to call attention to the facts.

During this week of special attention to the situation in the Ukraine, I am pleased to join my colleagues in observing the 49th anniversary of Ukrainian Independence Day.

Mr. BRASCO. Mr. Speaker, 49 years ago, after centuries of domination by foreign rulers, the people of the Ukraine overcame their oppressors and acclaimed their independence on January 22, 1918.

The democratic government constituted in the new Ukrainian Republic did its utmost to cope with the new state's difficult problems, but, having neither the manpower nor resources to defend itself successfully, it was overrun by the ruthless Red Army in 1920. Thus ended a brief 2-year period of independent existence for the Ukrainian people.

The oppressive Soviet domination has continued over the freedom-loving people of the Ukraine ever since. They have been robbed of their worldly possessions, and put to death by the thousands. They have been forced to work for their heartless taskmasters in the Kremlin under most abominable conditions, with no promise of restoration to their rightful place in the community of nations. Nevertheless, the thirst for freedom has not weakened among these wonderful people, and the spirit of resistance is as strong today as in generations past.

The more than 40 million Ukrainians under Soviet domination are afforded no opportunity to commemorate the anniversary of the winning of their short-lived freedom in 1918. Only we, who live in freedom and independence, can mark the day for them. We can express our concern over their present plight, and pray to God that soon again, they, and all oppressed people throughout the world, will be masters of their own destinies.

UNIVERSITY OF CALIFORNIA

The SPEAKER pro tempore (Mr. ROUSH). Under previous order of the House the gentleman from California [Mr. TUNNEY] is recognized for 60 minutes.

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TUNNEY. Mr. Speaker, the University of California will enter its second century of service to California and America within the next year. There are presently nine general campuses which represent a 400-percent increase in 8 years, and five more are being planned. There are 87,000 students enrolled in the university and including the Atomic Energy Commission funding, the budget is $792 million.

But the accent has not been on size alone. The university currently has more Nobel laureates on its faculty than Russia has produced in its history. It has more members in the National Academy of Science than any other school in America. The American Council on Education last year called Berkeley the "best balanced, distinguished" graduate school in the United States. Seventy-five percent of the freshmen students there were rated, within the last month, after a national test, in the top 5 percent of college freshmen throughout the country.

It goes without saying that a university of this magnitude requires exceptional faculty members and administrators to allow it to continue its pursuit of excellence. It is also evident that men of this caliber are not attracted to a campus that sways with the winds of political change.

This great institution is now facing a time of crisis. It is being buffeted by storms which can have a lasting effect upon the quality of education and the standing of the university in academic circles for years to come.

Within a period of 3 weeks after his inauguration, Gov. Ronald Reagan proposed:

First. A tuition of up to $400 for California students.

Second. A budget cut which would represent 10 percent less spending than last year; and

Third. Seemingly promoted the firing of Clark Kerr, the president of the University of California for the past 8 years.

Even if Governor Reagan did not intend it, and his adherents say he did not, the timing of the three events makes it appear that this was a political purge. Often it is not the intent of the protagonist which counts; what matters is the way the deed appears to the eyes of the world. What is believed becomes reality—what is fancied becomes fact.

The Press Enterprise of Riverside, Calif., cogently summed this up in an editorial of January 22, 1967.

> Inevitably, the action taken Friday by the board will be interpreted as political purge of the head of an institution which is supposed to be free of politics.
>
> After all the denials are in, Governor Reagan's included, this interpretation will remain—and will remain difficult to argue against. The timing of the firing, so soon after the inauguration of a Governor who had campaigned against the way the university was being run, will not simply be dismissed as coincidence.

In the future, this impression of political interference should never be allowed to reoccur through similar actions by persons in power, either Democrats or Republicans. The impression of political interference which now exists, whether accurate or inaccurate, should be eradicated by a thorough explanation by the board of regents of their actions.

The financial needs of the university are ever expanding. This year the university programed a budget increase of approximately 15 percent over 1966. Not only has the Governor stated that the increase will be denied, he has asserted there must be a cutback of 10 percent from last year's expenditures.

The budget cut is placed in its proper short-sighted perspective when it is realized that enrollment is expected to increase by almost 10,000 next September which dictates the need for approximately 600 more teachers. This would call for a $10 million increase in faculty salaries alone. Furthermore, Governor Reagan's new budget figure assumes income of up to $20 million from tuition which certainly cannot be counted upon as a sure source of income unless the regents also like the principle of eliminating free higher education in California. It then robs Peter to pay Paul by taking $22 million from the regents' special funds which are usually set aside for quality education purposes.

This action comes at the time of the year when the university is in the process of hiring 600 new faculty members. It has been reported that many prospective professors are already declining the offers, where they would have delightedly accepted before this month. If we fail to attract the best teachers, we will also fail to attract the best students. The fallout effects of lowering the standards of the university would be immense, if not incalculable.

Academic freedom is a modern term for an ancient idea. The struggle for freedom in teaching can be traced at least as far back as Socrates' eloquent defense of himself against corrupting the youths of Athens. When a president of a university is unable to make long-range plans because of an impending gubernatorial election, we will have political influence within the school which will pervade it to such an extent that academic freedom will be a hollow phrase echoed by the type of hollow man who would work under such conditions.

The great purposes of the university—to train and enlarge minds, to propose arguments and counterarguments, to irritate and conciliate, to be abrasive and stimulating—these will then be fulfilled at some other university.

The public will no longer send children to school believing that they will acquire wisdom through intellectual conflict, because that conflict will no longer prosper without the catalyst of reasoning dissent. If the university is allowed to start on the pathway of politics, it will ultimately reach the point where the best ideas are thought to be only the ones we agree with, and we will then lose this great forum for dispersal of innovative ideas.

When I mention academic freedom, however, I do not mean license to disobey laws and regulations. Students who do not abide by fair and just rules should be disciplined by the administration. The university should not have its purpose thwarted because a few miscreants mistake freedom for anarchy.

The idea of a tuition of up to $400 in addition to the present fees, will have one foreseeable effect. It will make education relate to and depend upon income. Education will no longer depend upon ambition, intelligence, and perseverance, but additionally upon the size of your father's bank account. Where then will the children of low-income families go? They will go on and create another low-income family instead of being allowed to become a more productive member of society. Education bridges the gap between frustration and opportunity. The 2 million people in California who now live in families that make less than $3,000 a year will lose the chance to have the children in those families receive the same education the wealthiest child in California receives. And let us not for a moment think that a tuition of up to $400 will be the end of tuition. History shows tuition increases but never decreases. If the principle is established, if the idea is accepted, then what is wrong with $500, or $800, or $1,000?

You just cannot treat a university as a normal budgetary expense item. It does not just absorb money. It multiplies it and returns it in many ways, tangible and intangible. For every dollar that is spent on a college student, the annual return to society once he has graduated will be between 13 and 25 percent. Each engineering graduate will be responsible for creating 40 new jobs. Secretary of Defense Robert McNamara, in talking about the large proportion of Government contracts awarded in California, said that, "we seek the best brains and we go where they are." Those brains have been attracted by the University of California. The university alone brings more than $400 million in Federal research money into the State, and is responsible for most of the nuclear weaponry in America. A specific example of the economic drawing power of the university is the Irvine campus. Before the first building was constructed, 30 new industries established in that area because the school would be built there.

The leaders of the State, the regents, and the citizens of California cannot allow the university to become entwined in politics whether by fact or illusion. The damage done is irretrievable. The colloquy between the academic community, the public, and their elected representatives should begin anew in an atmosphere of rejuvenation and reason and not recrimination.

We are now able to enter an era when the University of California will be acknowledged throughout the world as the finest education institute, modern or medieval, that has ever been known. We should not let this promise be aborted because of political expediency. We owe our State too much for that.

Mr. HANNA. Mr. Speaker, will the gentleman yield?

Mr. TUNNEY. I yield to the gentleman from California [Mr. HANNA].

Mr. HANNA. Mr. Speaker, I want to commend the gentleman from California [Mr. TUNNEY] on his remarks today in calling to our attention a matter which was of great import to the people of California. But I think this also impinges upon a concern that could be entertained by all of the people of the United States. I think he has rightfully focused attention in his presentation not upon the decisions that have been made in California but rather upon the methods and manner in which these decisions have been arrived at.

I think we all recognize that the policy that is not being sustained by fiscal support is a dusty policy and goes nowhere.

Those programs that are not undergirded by continued commitment of our resources die on the vine.

The policies on education are very important to our State and our Nation. They should not be dusty policies nor should they be allowed to die on the vine.

I think what we see here is that a distinction must be made between politics and government. Politics by its very nature rests too often upon expediency and it is too often directed to our short-term goals.

Government must rest upon statesmanship and it must be interested in long-term goals. There has to be a distinction between the goals and their attainment.

We can always cloak ourselves in the language of our goals and then abort those goals actually by the way we set about seeking to attain them.

We cannot say that because you have a good goal that, therefore, your program for attaining it is a good program.

I think this distinction must be made here.

I should say that insofar as goals are concerned, nobody can fault the Governor of the State of California nor any other political personage when he sets about getting a concensus and embarking upon a program to evolve ways of solving problems identified and described.

That is all great. There should be no sacred cows. All government institutions should be subject to criticism and to a good close look.

We cannot, however, make decisions without study and care and a full exposure of what is involved. We must weigh advantage against loss; short-term gains against long-term losses.

Now I am willing to concede that where you have spectacular growth you are going to have some inefficiency and some possibility of waste. That nearly always occurs. Certainly we have had dramatic growth in the university of our State. But that does not mean that you can go in with a meat ax and solve what inefficiencies or waste as are found to be present. You had better jolly well find out whether it actually is present and where it is and how best to eliminate it, using as your guide what is consistent based upon the long-term facts.

Certainly, we do not solve State problems merely by stating a good policy, or by high resolve, or even with a good idea. As the gentleman pointed out in his presentation, California faces the risk of finding out, after the decision, that we can no longer continue to attract and retain the highest regarded scholars as our teachers. If we cannot continue to attract and retain the cream of the graduate students who are always out on the knife edge of new knowledge and new technology, are we going to be able to attract and retain that fine flow of inquisitive, vigorous young minds—even contentious young minds as undergraduates? If these are things we learn, then certainly the quality of education is going to be seriously eroded.

I believe that this is the great problem in the State of California. It is not the personalities involved. It is the principles involved.

I believe it is also a very solemn fact that to a large extent the economic strength of the State of California rests upon its education. This has been true in the past, and it is true now, and it will continue to be true.

The fiscal investments that the people of California—or any State—make in their educational efforts—and in this day certainly in their higher education—will be clipped as coupons by all the other segments in their society.

I rhetorically posed the question on the floor of this House 4 years ago, when there was some talk about the flow of contract funds to the State of California, whether others would like to enjoy that same thing in their State, in their area? If so, then look at the performance of California. Look at the millions of dollars that Californians have been willing to put into their school programs—from the elementary through high school into the higher education, and special centers. Sure, there are defense industries in the bay area, but also there is the University of California. There is Stanford. Sure, there are great industries in Los Angeles, but also there is UCLA, and USC, and Cal Tech. There is the total investment by the people to make this potential a reality. If others would like to enjoy the rewards, let them make the investment.

It cannot be done overnight. It takes a long-term heavy commitment of funds to accomplish such things. This would certainly be a dark day for the history of California if we are going to turn back and fail to make the investment today that makes the future.

I would hope that what we have seen in California does not mark that kind of shortsighted political expediency that falls into the category of erosion of quality and the destruction and death of good policy, which would be going against good government, statesmanship, and long-term goals.

I thank the gentleman for extending me this courtesy.

Mr. CHARLES H. WILSON. Mr. Speaker, will the gentleman yield?

Mr. TUNNEY. I yield to the gentleman from California.

Mr. CHARLES H. WILSON. Mr. Speaker, I commend the gentleman for the statement he has made and the gentleman from California [Mr. HANNA] for the statement he has made in connection with academic freedom. I am sure this is the principal purpose of the special order which has been secured for today.

I believe, however, there are two points that should be brought into the record which I noticed in the press today in connection with this matter.

First. Governor Reagan acknowledged that the timing of the firing of President Kerr was bad. He regrets this and he said this in the press conferences held yesterday.

Second. I read that Dr. Kerr had already obtained another position, apparently through the Carnegie Foundation, prior to the time he had been dismissed from the University of California. I do not know whether he was going to submit his resignation, or what the actual flow of events might have been, but apparently he had planned on leaving the university. This is a side issue, of course, but if the press report is true, this should be brought into the record.

Mr. TUNNEY. It was my understanding from the press report that this was a part-time and not a full-time job, and even if he had been president of the university, he would have been able to fulfill that part-time commitment in addition to his regular duties.

This is really not in point. The point I was trying to make was that we are attempting here to try to show that the University of California cannot be considered a political football.

The University of California must remain inviolate from the political pressures from any source, whether it be the "beatniks" in the student body or whether it be the political pressures of the normal political parties in California.

Mr. CHARLES H. WILSON. I am certain all Members of this House on both sides of the aisle wish to agree on that type of statement, that our great university should be free from any political influence. This we want to guarantee in California as well as in other States.

Mr. TUNNEY. I thank the gentleman. It would certainly seem to me to be a terrible tragedy if in California we should give up the principle of free education at higher levels. It seems to me this is one of the most fundamental principles we have in our society, one of the most basic ethics that our forefathers had when they came and settled this country—that a person should be entitled in a public school to have free education, and it should depend upon his persistence, upon his ability, upon his drive, and not depend upon the size of his parents' pocketbook or the amount of money his parents are willing to spend.

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. TUNNEY. I yield to my colleague from California.

Mr. MOSS. I should like to associate myself with the remarks the gentleman has made.

As a Californian, I find that I am disturbed and distressed over the developments at the University of California and also the threat which now appears to be poised against the entirety of a superlative system of higher education, a system which constitutes perhaps the greatest single asset possessed by the State of California, a system which has had incalculable value in aiding the development of the State.

No dollar that Californians have expended over the years has paid so richly in dividends, to the enrichment of the social, the cultural, and the industrial society of our State. It also has contributed significantly to the entire Western World, and I could go beyond that.

It is a system of free education, a system of higher education almost at the local community level in every area of the State.

I am old enough to have vivid recollections of each Governor of California back to the time of C. C. Young in the late 1920's.

This is the singular instance of a State administration launching a course of action which could, unless changed in course, do irreparable damage not only to education but also to the entire economy of the State of California.

Mr. TUNNEY. I thank the gentleman very much.

WHOM THE GODS WOULD DESTROY THEY FIRST MAKE MAD

The **SPEAKER** pro tempore (Mr. ROUSH). Under a previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 60 minutes.

Mr. ASHBROOK. Mr. Speaker, during the Korean war a Senate subcommittee issued a report entitled "Korean War Atrocities," in which it was stated:

> Communist massacres and the wholesale extermination of their victims is a calculated part of Communist psychological warfare.

Some time before the issuance of this report a House select committee investigating the Katyn Forest massacre in Poland in which the Soviets brutally murdered thousands of Poles in cold blood, stated:

> This committee noted the striking similarity between crimes committed against the Poles at Katyn and those being inflicted on American and other United Nations troops in Korea. Communist tactics being used in Korea are identical to those followed at Katyn.

The January 16, 1967, issue of U.S. News & World Report, in an article on the killing of innocent civilians in South Vietnam, commented regarding the accidental deaths due to U.S. bombing of North Vietnam:

> In capitals where indignation runs highest over these accidental deaths, there is silence about a different kind of killing—the purposeful slaughter committed by Communists against the civilian population of South Vietnam. No voices are heard condemning the Hanoi Government for what is going on in the South.

In the three above-cited cases, one cold and frightening fact screams out to the free world for recognition: The use of terror in the form of the slaughter of defenseless human beings is an integral part of Communist strategy whether it be committed by the Soviets in Poland, the North Koreans and Chinese Reds in Korea, or the Vietcong in South Vietnam.

It is almost unbelievable that some of those who are interested in the welfare of mankind can overlook the brutal record of the Communist regimes in various countries and vociferously protest the accidental deaths in North Vietnam. Granting their sincerity, one must question their sense of responsibility in remaining silent about the cool, calculating, bestial treatment of South Vietnamese civilians by the Vietcong.

U.S. News & World Report is to be congratulated for directing public attention to the present reign of Communist terror which continues in South Vietnam, but which began in 1917 in Soviet Russia. This year marks the 50th anniversary of the October revolution in Russia in 1917, and no more fitting and current illustration of what mankind owes to the Communist revolution can be found than the brutal treatment of the South Vietnamese by Moscow-trained Ho Chi Minh.

As a fitting testimonial to the 50th anniversary of the Soviet October revolution, I include the article, "Speaking of Killing Civilians—Look at What's Happening to the South Vietnamese," in the RECORD at this point.

SPEAKING OF KILLING CIVILIANS: LOOK AT WHAT'S HAPPENING TO THE SOUTH VIETNAMESE

SAIGON.—A wave of anti-American frenzy has just swept half the world, whipped up by people who oppose U.S. bombing of North Vietnam.

In Britain and Western Europe, news of civilian casualties caused by U.S. air raids over North Vietnam brought anguished protests.

De Gaulle of France once again went on a verbal rampage against the U.S.

Noisy "peace" delegations in one capital after another expressed "sympathy" to the North Vietnamese and heaped scorn on the United States.

The number of civilians killed in these air raids, it now is found, totals several hundred North Vietnamese—killed not purposely, but by accident.

SELECTIVE SILENCE

In capitals where indignation runs highest over these accidental deaths, there is silence about a different kind of killing—the purposeful slaughter committed by Communists against the civilian population of South Vietnam. No voices are heard condemning the Hanoi Government for what is going on in the South.

Just what are the facts? What are the Communists in South Vietnam and those sent from the North doing to people, civilians, local officials, communities in the South? How does this compare with what American bombs may have done to civilians in the North?

The basic facts:

While civilian deaths in the North have run to a few hundred, the number of civilians killed by specific Red attacks in the South since 1957 runs to 11,000 actually counted—and many thousands more uncounted.

On top of that, untold thousands of South Vietnamese have been maimed in deliberate acts of Viet Cong terror, and another 40,000 South Vietnamese civilians have been kidnaped.

The toll of Communist terror, sabotage and aggression is described in the figures on page 35.

Some details: In the final week of 1966, Vietnamese and U.S. officials reported that 30 South Vietnamese civilians were killed by Viet Cong terrorist activity and 68 more civilians were wounded and 44 kidnaped.

During this past year, Government officials report, nearly 400 civilian officials were singled out by the Viet Cong and assassinated. About 1,300 other civilians were killed apparently for no particular reason. Some 3,700 civilians were kidnapped during the year.

Few of the kidnaped ever return. Last November 15, the Communists swept into a village in the Mekong Delta, burned 15 homes and kidnaped 109 civilians. Youths were pressed into service in Red battalions, girls were degraded, schoolteachers were assassinated and village elders were tortured and killed.

How Communists wage war in the South—bombings, massacres, systematic slaughter—the official record:

Vietcong attacks on civilians

	1962	1963	1964	1965	1966
Civilians assassinated	1,719	2,073	1,611	1,890	1,703
Civilians wounded	6,458	8,375	2,324	[1]3,500	[1]3,000
Civilians kidnaped	9,688	7,262	6,710	8,315	3,733
Total	17,865	17,710	10,645	13,705	8,436

[1] Estimated.

Vietcong attacks on public transport

Locomotives destroyed	236
Bridges destroyed	1,953
Rail cars destroyed	1,673
Miles of rails sabotaged	6,185
Miles of paved road torn up	63
Transport workers killed	266

Vietcong terrorism, including mines, grenades and bombing attacks

1962	8,800
1963	9,700
1964	19,500
1965	20,500
1966	19,000

Vietcong sabotage in the past 6 months

Separate acts of violence:

July	1,750
August	1,800
September	1,850
October	1,600
November	1,500
December	1,700

In addition to all these attacks on civilians and their property, a strong and growing force of 279,000 enemy attackers is waging aggression against American and South Vietnamese military forces in South Vietnam.

The enemy lineup:

North Vietnamese Regulars	45,600
Vietcong main force	30,400
Vietcong local force	32,500
Militia (mostly guerrillas)	112,800
Combat support (supply)	18,700
Political cadre	39,200

The toll these Red forces took in 1966

American soldiers killed or wounded by Communists in 1966	35,101
South Vietnamese regulars killed or wounded in 1966	33,260
Other allied soldiers killed or wounded in 1966	2,269

GONE: 7,559 HAMLETS

Whole villages are burned to the ground by the Viet Cong. The Communists themselves claim that in the four years from January, 1961, to January, 1965, they destroyed 7,559 hamlets.

Every form of murder weapon is used. Mines on highways take a heavy toll. Forty-eight farm workers, on the way to harvest rice, died in a bus that struck a mine near Tuy Hoa last February 14. Twenty-six civilians died in a mined bus in Kien Tuong Province on Jan. 18, 1966.

Dynamite killed 27 South Vietnamese, 12 Americans, 2 Filipinos, 1 Frenchman and 1 German in a Saigon restaurant on June 25, 1965.

A bomb alongside the U.S. Embassy in downtown Saigon killed 18 civilians and injured a hundred others.

Hand grenades—four of them—were thrown into a village theater near Can Tho in the Mekong Delta. Result: 108 people killed or wounded. Of the dead, 24 were women and children. Says a U.S. official: "This was a typical Viet Cong act of terror. It bore no relation to any military actions."

Mortar shells were used last November 1 against crowds gathering in Saigon for the National Day parade. Toll was 12 civilians dead and 32 wounded.

Small arms and knives were the weapons used to kill 23 unarmed Vietnamese construction workers spending the night in a Buddhist pagoda in Dinh Tuong Province. Seven others, who were wounded, told the story.

NAIL IN THE FOREHEAD

Fresh acts of violence are reported daily. On January 5, officials reported that Viet Cong terrorists shot to death the chief of a hamlet 10 miles north of Saigon. In Saigon itself, terrorists killed two policemen and left one of them with a two-inch nail imbedded in his forehead.

A South Vietnamese official comments: "Propagandists in Hanoi make much of the attacks by U.S. warplanes. Does a victim in the South know the difference between death delivered by a bomber or by Viet Cong grenades delivered during the dead of night?"

It took Hanoi nearly two years after the bombings started to launch an intense propaganda campaign charging the U.S. with "indiscriminate" bombing. Analysts here conclude that Hanoi, during that entire period, didn't regard the civilian toll large enough to warrant making it a world issue.

TEN YEARS OF TERROR

South Vietnam, by contrast, has been enduring heavy Viet Cong terrorist attacks on civilians for a decade. Precise statistics were not kept during the early years, and as time passed the terror and death became such a part of daily life that the press ignored them.

Says a senior Asian diplomat: "If Ho Chi Minh in Hanoi insists on applying the word 'indiscriminate' to American bombings, he had better first look at the manner in which he has unleashed terrorist attacks in the South.

"Civilian casualties have occurred in schools, clinics, theaters, playgrounds in marketplaces and on the streets. Families of South Vietnamese troops, living nearby, having suffered from mortarings, machine-gunning and rifle fire just as Hanoi claims its civilian bystanders have been hurt by bombings."

More than that, officials emphasize, the Viet Cong murder and terrorization of civilians is planned and deliberate—a key part of the Communist strategy.

The noncombatant civilian in the South is the primary target—unlike the North Vietnamese civilian who may be hit by bombs aimed with all possible precision at military targets.

South Vietnamese civilians are attacked for various reasons.

Some are killed at random, to intimidate large groups. Some are singled out because they are civic or political leaders. Object of that kind of terror is to break down local government.

Schools are burned and teachers are killed. As long as six years ago, Saigon reported to the International Control Commission that the Viet Cong in two years had destroyed 284 schools used by 25,000 children.

Churches and temples are razed and priests killed. Object of that terror is to disrupt religion as a cohesive force in South Vietnam.

OFF THE TOP

A main Viet Cong target is the village leadership class. Not only village headsmen and other officials are assassinated, but also the "natural leaders" such as teachers, priests, nuns and village elders.

A documented study by the U.S. mission in Vietnam says of these natural leaders:

"Because they are superior individuals these people are more likely to have the courage to stand up to the Viet Cong when they come to their villages and thus most likely to be the first victims of Viet Cong terror. Potential opposition leadership is the Viet Cong's most deadly enemy.

"Steadily, quietly and with a systematic ruthlessness, the Viet Cong in six years have wiped out virtually a whole class of Vietnamese villagers. Many villages today are virtually depopulated of their natural leaders. . . . This loss to Vietnam is inestimable and will take a generation or more to replace.

"By any definition, this is genocide."

THE DOUBLE STANDARD

Critics of the U.S., while rarely challenging Communist aggression in the South, are quick to insist the U.S. bombing of the North "violates international law."

A legal basis for the U.S. action has been developed by the State Department—one that has not been challenged by any international tribunal.

The State Department finds that by precedent the U.S. bombing of the North is justifiable by Hanoi's armed attack on the South. In the words of Leonard C. Meeker, the State Department's legal adviser: "Legitimate defense includes military action against the aggressor wherever such action is needed to halt the attack."

U.S. fighting men in Vietnam are dismayed at the double standard that critics of the American effort seem so anxious to apply. Protests go up among some groups in the U.S., for example, whenever it is suggested that the U.S., by one means or another, block Haiphong harbor. Says one American:

"They cry, 'Don't touch Haiphong,' yet everyone should know that the Communists are regularly mining the harbor of Saigon. And who takes time to remember that the Communists sank the U.S. carrier *Card* at its Saigon dock? What's the distinction? This whole thing borders on absurdity."

AMERICA'S "BUM RAP"

Authorities here are convinced that it is the South and not the North that is taking the harder blows in this war, not only in terms of lives lost, but in damage to the economy.

In the South, the Reds terrorize and paralyze much of the rich Mekong Delta, without which South Vietnam can never have a healthy economy.

In the North, the economy is even more completely dependent on agriculture. Yet, while the U.S. has attacked military targets, it has purposely avoided the vital irrigation systems so as not to flood the densely populated Red River Valley and endanger civilian lives.

Against a background of indiscriminate Red terror in the South, and U.S. restraint in the North, American fighting men here feel strongly that they are taking a "bum rap" from outsiders—from people eager to find fault with the U.S. at every chance.

ANACOSTIA: AN EXAMPLE OF THE NEED TO REFORM

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Gude] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GUDE. Mr. Speaker, the Evening Star has performed a great public service in preparing and publishing Haynes Johnson's series of articles on the problems in the area east of the Anacostia River. These articles point out that family and community breakdowns, crime and lawlessness characteristic of poverty in acute stages, are in evidence in the Anacostia area.

The war on poverty, including the demonstration cities program is, of course, not only an attack to eliminate poverty in the chronic forms but will serve to prevent it from reaching acute stages such as have been exhibited in a number of American cities in the last several years. Making Anacostia a demonstration city would be an ultimate solution, but such a program would take a considerable amount of time to get underway effectively. Anacostia needs immediate relief.

An ad hoc committee under the District Committee could be set up to attack and deal with the critical problems of the area. However, we must not forget that this is also a national problem. Other cities need emergency relief and advice as to how to combat their developing problems until longer range social and economic cures can begin to take effect. I would like to consider how Congress could provide information, counsel, and assistance to accomplish these ends in a swift and effective manner.

The articles referred to follow:

Fear Has Found a Home East of the Anacostia—Across the River—1

(By Haynes Johnson)

Until a few months ago the supermarket at the corner of Kenilworth and Eastern Avenues, just inside the District of Columbia line in the Far Northeast, was doing a $5,000-a-week business. Now it is closed. The front windows have been bricked in; the side windows have been covered with plywood. Scrawled on the wood are the words "And you better believe it because these are our men," and a list of names, each in a different hand—Nut, Hawk, Romie, Walter, Boo Boo, Mooney, Joe, Little Junior, Apple, Gary, and Killer.

A few doors away is the area's only drug store. It, too, has gone out of business. So have the meat market, the milk store, the delicatessen. Their fronts are plywood masks. Around the corner in front of a small, white-frame church, a misspelled sign declares:

"All that is good is undone by evil thougths."

There are more than evil thoughts at work in this neighborhood. There is vandalism, lawlessness, anger, alienation, extortion, destruction for its own sake—and a pervasive fear.

A woman in a house near the church put it this way:

"You have a group here that all they're interested in is crime. They laughs at the police and tries to demoralize the community, rather than build it up. They knows when a stranger is in the area. They can detect him. And they even gives certain signals, certain light signals, at night when the police is coming."

Then she said, "If this going to be in the paper I going to be found dead somewhere."

Several miles away, on Wheeler Road, in the Far Southeast, plywood and bricks and wire mesh cover the windows of another group of stores. But these stores are still open; the merchants are simply trying to cut the costs of pilfering and broken glass.

This time a druggist speaks. "I have fears all the time," he says. "I have employees who have left me. I can't blame them." He closes now at 9 p.m. instead of 10, "and we're thinking of closing earlier."

Another merchant on the block was more emotional:

"We are afraid for our lives here. What I am trying to say is very important. There is no law and order in this city. There is a whole bunch of criminals out of hand here trying to terrorize this community. It's getting worse and worse and worse."

Like many others interviewed for these articles, he added:

"Look, if my name is in the paper, it would be like committing suicide."

The first row of stores is in Kenilworth, the second is in Congress Heights. Aside from the bricks and boards and fear, these two sections of Washington have something else in common: They are both across the Anacostia River and out of sight. In effect, they are removed from the rest of the city. Their isolation is both physical and psychological; their cumulative problems are probably the most severe in the city.

None of this is immediately apparent. A stranger coming to the area might notice boarded store fronts and broken windows, but he would also see middle class homes and the quiet streets inhabited by law-abiding citizens of both races who constitute by far the largest proportion of the population there.

Neither would a casual observer find the old familiar hallmarks of the American slum—the rat-infested tenements, the decaying buildings, the wide-open night places. Across the River, there is a new type of slum and a new kind of problem.

In other cities, problem areas are easily identifiable—Harlem in New York, Hough in Cleveland, Watts in Los Angeles. But Washington has no such handy labels. The area across the Anacostia covers about 16 square miles. Nobody knows just how many people live there. Estimates are unreliable because the area is growing at a faster rate than any other section of the city. There are at least 200,000 people there; there may be as many as 250,000. In any case, the area contains at least one quarter of Washington's population.

MAIN REASON: CHEAP LAND

The rapid growth is mainly due to cheap land. Cheap land is also responsible for an important fact about these articles: the area has nearly two-thirds of the public housing units in the District, serving perhaps 35,000 people, most of them young children and teenagers, and nearly all of them Negro.

For the same reason—cheap land—the area will continue to get the largest proportion of the new public housing units as well as the new private buildings for low-income tenants. That is the way the system works, and that system is not working well. Indeed, it has virtually broken down.

According to official crime statistics, the area is not the worst in Washington. But the statistics don't tell the full story. The incidence of serious criminal acts is increasing more rapidly than population.

The area is served by two of Washington's 14 police precincts—the 14th, in the Far Northeast, and the 11th in the Southeast. Six years ago, the 14th Precinct ranked 10th in the city in crime. Today, it is eighth. In the same period, the 11th Precinct has climbed from 11th place to nearly a tie for fifth.

More revealing are the percentage increases in serious crimes during the last three years. In the 14th Precinct, adult crime has risen 54 percent. Juvenile arrests for felonies shot up 80 percent in the same period.

In the 11th Precinct, the increases are even more dramatic: Adult crime, up 110 percent; juvenile felonies, up 135 percent; auto thefts, break-ins, lootings, all up, all rising. Another statistic underscores what is taking place: The two precincts rank first and second by an overwhelming margin in the number of false fire alarms.

MORE THAN COLD FIGURES

These are more than cold figures, to be totaled, filed and forgotten. They are proof that ignoring the problems across the river hasn't worked, that they are growing day by day. It is not coincidental that the two places where Washington came closest to race riots last summer were in the center of the areas to be examined in these articles.

Despite all this, the territory across the Anacostia is no huge lawless frontier inhabited only by the troublesome and the troublemaker. Nor is it one gigantic slum. The troublemakers represent a relative few out of the total population. But the problems that do exist are so great, so deeply seated, and so complex that they affect a far wider number and area. Like the smoke that constantly rises from the notorious Kenilworth dump, they cast a wide pall.

These problems are similar to those that may be found in any low-income area of any city. But in a special sense, Washington's failure in alleviating these problems has been particularly striking, for here, in the Nation's Capital, the government itself has contributed to the difficulties. This is especially true in the field of public housing.

For example, while the National Capital Housing Authority continues to talk about the long waiting lists of more than 5,000 families for public housing, in one such housing unit alone Across the River 109 out of 350 apartments are vacant. The windows now are boarded up and the entire development is as much a slum as any group of buildings on the South Side of Chicago or the West Side of New York.

"I'm so tired of complaining and complaining," said a woman who lives in one of those buildings. "What good does it do you? I complained about the broken windows. I do believe it got worse. I tell you, if things don't get better, I'm going to move. I can't stand it."

The fact is, though, she has no place to move. The housing authorities have told her, and others like her, that all transfers are "frozen."

YOU JUST DON'T KNOW

Another mother of several children in that same development lives with vacant apartments above and beneath her. "I wish somebody would move in so I wouldn't be so scared," she said. Then she told how her children were afraid to pass by the vacant apartments. "Sometimes the door is open, and then sometimes, you see, it's shut, and you just don't know who's in there."

A National Capital Housing Authority administrative aide, Robert A. Bailey, was talking about some of these problems the other night at a meeting of parents in one of the projects, Kenilworth Courts. Only eight parents out of 422 families in the project attended.

"It's an awful thing," Bailey told his sparse audience. "We cannot do anything in this community if the parents cannot control the children. There's so much damaging and vandalizing that it seems like people who don't care are in the majority, and I know that's not true, but it seems that way, and in the meantime the community's going down, down, down."

This is a typical comment in an endless round of accusations. Everyone can point to someone else who is to blame. The merchants blame the city for not providing enough police protection. The police blame the courts and the parents for failing to do their part. The parents blame the housing, the schools, the transportation. And everyone blames the youth—who in turn blame society.

On one point, everyone will agree: There is a problem Across the River. A merchant was speaking for a large segment of those involved when he said:

"Can I do anything about it? No. So I shut my mouth. But there comes a time when everyone says you got to stand up. Well, who stands up? I'll tell you this. They say this is the Model City and Mrs. Johnson plants those flowers downtown. Well, I'll say this: Let President and Mrs. Johnson come out here any time. Let them come out here without their Secret Service guards. Let them come out and see what Washington's really like.

"I'll tell you, some people may say that it's just our problem because we're way out here, but don't kid yourself. We are the insurance for the downtown department stores and businesses. If you don't stop what's going on out here it'll spread right to downtown. I'll tell you, they'll take over the city."

PROTECTION

There are 287 Metropolitan policemen assigned to duty in the two Washington precincts located across the Anacostia River. That represents 55 more than in 1960.

Of that number, however only a relatively small percentage actually do street patrol work.

Six patrol cars—half with two men, the others with one man each—are on the streets at all times in the Far Northeast 14th precinct. In the 11th, in the Far Southeast, four two-man and three one-man cars are on continuous duty.

Normally, the maximum number of foot patrolmen on duty at one time is 11 or 12 for an entire precinct. They walk beats from 4 p.m. to midnight. Another group relieves them from midnight to 8 a.m. Then the regular day-time shift begins.

In the 14th precinct, patrolmen still walk their beats alone. Only one beat in the 11th is patrolled by two men, and that double team operates only from 4 p.m. to midnight.

THE MERCHANTS VERSUS THE YOUNG DESTROYERS—ACROSS THE RIVER—2

(By Haynes Johnson)

At 9:15 o'clock on a Saturday night in November, George R. Johnson, an insurance man on his way to his home in Maryland, parked his car in front of a liquor store in the 1600 block of Kenilworth Ave. NE, not far from the Maryland line. He went inside, cashed a check, bought two cartons of cigarettes, and left.

"As I walked out there in front of the store were all kinds of kids," Johnson said later. "They all wanted money, 'Give me a nickel, give me a quarter, give me a dollar.' I said I wished I could give them some, but I couldn't.

"Then they started surrounding me, pulling at my clothes, grabbing for my wallet. They were pulling at my clothes like they were going to tear them off. They were kids from 3 feet to—well, I'm 5 feet 8—to taller than I am. They formed several rings around me, and so those on the outside ring started reaching their hands through the others. Grabbing at you. Pulling at you. But you can't see who's actually doing it, you understand.

"They hit me and beat me and knocked my glasses off. As I broke away and jumped in my car they started throwing stones as I drove off. I'll tell you, I was lucky to get away with my life. You can bet I'll never stop there again."

Johnson's experience, by no means unusual, helps explain why within a four-block area a number of merchants have closed up shop and others are threatening to close. Declining business, losses to thieves and vandals and an ever-present fear of physical harm combine to make conducting a business there less attractive every day.

The impact goes far beyond the merchants themselves. Everyone involved—most of all the people who live in the neighborhood—is paying a high price in the form of a breakdown of community services.

The smashing and pilfering of stores across the Anacostia is not a part of some criminal conspiracy. There are no organized mobs intimidating customers and then guaranteeing store owners protection for a price. Neither are there gangs, or gang leaders.

Instead, there is destruction for the sake of destruction, intimidation for the sake of intimidation, impromptu thefts and shakedowns casually planned, quickly executed.

And in most of the cases the offenders are children—children for whom trouble has become a way of life.

A visit to the Safeway store on Kenilworth Avenue in that section demonstrated one aspect of that problem. It was 2:30 p.m. on a Tuesday, and the assistant manager, Rudolph Daggett, a Negro, was on duty.

"Just wait around for half an hour and you'll see the problem," he said.

Shortly after 3 o'clock groups of children, ranging in ages from 6 to 16, began entering the store. Immediately, the manager started following them closely, telling them to move on if they stayed too long in the back of the store.

"They'll steal right in front of your eyes," Daggett said. "They'll even steal right in front of their mothers, and the mothers won't do a thing. And you know something else: They don't steal major food items; mostly they take cosmetics and candy.

"They want to prove to the other fellows that 'I can steal from Safeway and get away with it.' "

Now the Safeway store itself may go out of business, according to Russell Cool, the manager. "That is being considered at this time," he said.

Another merchant, commenting about the petty thefts, said:

"When they steal these things, it's because they want to sell them. They'll peddle this right up and down the street, everything from toothpaste to topcoats."

That group of stores in the Far Northeast lies in one of the areas studied for this series of articles. The other group of stores is on Wheeler Road in Congress Heights. Both are across the Anacostia River; both experience similar problems.

TWO TYPES OF TROUBLE

The problems of the merchants usually fall into two categories—vandalism, petty thievery and breakage by youngsters under 18, and more daring and potentially dangerous depredations by slightly older groups.

The experiences of a merchant in Congress Heights shows how the older groups work.

"They come in bunches of 10 or 11, like a football team," explained a liquor dealer. "They say, 'Give me a pint of gin.' So you give them a pint of gin. Then they say, 'Put it in a bag.' So you put it in a bag. Then they throw three cents on the counter and walk out.

"I know who they are, but what can you do? Do you call this law and order? Anarchy!"

The man who recounted that incident spoke in a whisper in the back of his store.

"They already know you're here," he said. "They know." Clearly he lives his life in fear.

The police know about such incidents, but can do little about them.

"We had one store owner call us after a bunch of kids walked into his place and started grabbing merchandise," said Capt. Owen W. Davis, the Negro commander of the 11th Police Precinct. "From what he told us we had a pretty good idea of who the kids were. I told him he should keep an eye out for them and when he saw one of them to call us and we'd have him arrested.

"But this man was terrified. He wouldn't do it. What can we do? We have to rely on the citizens for help."

As the policeman pointed out, fear is a potent weapon across the Anacostia River.

"Suppose a group of kids walks into some store where they know they have a certain merchant scared," Capt. Davis said. "They just go around the place picking up bottles of whiskey. They don't use a gun; they may not even utter a single word that can be construed as a threat."

SENSELESS DESTRUCTION

Such pilfering is a problem, but a worse one is sheer, senseless destruction: Windows, doors, counters, broken time and again at night, sometimes even in broad daylight, by stones, sticks or B-B guns.

Take the experience of James Shortley, the manager of an AAMCO auto repair shop on Kenilworth Avenue.

He opened the shop a year ago in October, he said, after looking for weeks for the right place. He thought he had found it in Kenilworth. The area appeared quiet and, with the Anacostia Freeway nearby, he believed he would have a good business.

His problems began with break-ins during the first two months. Then the windows were broken out. Cars were stolen right from his parking lot. Others were stripped of batteries, tires, even motors, in daylight.

"We've got nothing but trouble here," Shortley said. "I was insured and they cancelled everything—the whole shooting match. I had a new policy rewritten, but you can't get glass insurance out here; it isn't available. I've replaced all the windows out front twice. There are seven double windows, and now I've got wood in them, and they won't break that.

"God knows, I never imagined it would be this way when I started out here. And it's hard to live with, I'll tell you. For instance, when I go home for a long weekend I know something's going to happen. I just know it.

"It's been pretty rough these last couple of months, but it can't get any worse as far as I'm concerned."

Now Shortley has a vicious-sounding police dog in the shop all the time. At night, the dog roams the building unleashed. Shortley says the dog has helped to curb break-ins, but not thefts outside or smashed doors and signs.

MUTUAL ILL WILL

The merchants are not only fearful and frustrated; they are angry. It is not uncommon to hear talk of vigilante groups. Some store owners say they have purchased pistols and are prepared to use them.

In some areas the store owners have joined together to hire a private security guard to patrol their properties during the late afternoon and evening. A shopping center on Wheeler Road, in Far Southeast, has such a guard now, and while he appears to have had some success in curbing vandalism, his presence has heightened tensions.

The security guards wear blue uniforms, a badge, and sometimes a D.C. insignia, making it hard to distinguish them from regular police. But the residents know the difference, and they resent the guards even more than they resent metropolitan policemen. The guards reciprocate.

"These people are not human beings. They are animals," said a strapping Negro guard as he walked down the sidewalk on a Saturday night telling people to move on and clear the doorways.

What the people said about him cannot be printed.

The mutual ill will underscores the present state of community relations. In an area of low-income tenants, most of them Negro, tension between the merchants and customers is always a factor. That is especially true across the river.

On the surface, there seems no obvious racial pattern to the merchants' problems. Negro store owners suffer along with whites. Most of the owners, however, are white, and they are disliked the most by the Negroes of the area. It's an old attitude, and an old problem.

"The store owner is the guy who keeps them down," said one resident. "That's where they have to spend their money, and those are the people who have all the money."

MERCHANTS CRITICIZED

Another Negro, a poverty program employe working across the river, was sharply critical of the merchants.

"Maybe if the businessmen, with their knowledge and experience, used their intelligence to get better relations with the kids and the community instead of knocking them, maybe then we could solve these problems. I think the businessmen are too negative. If the businessmen would have a conference on how to improve this community instead of saying they're all no damn good, maybe we could do something.

"Sure, the kids are throwing things. Sure, there are lots with an attitude of, 'well, I'll either steal something or throw a brick through here.'

"But the businessmen, their answer to all these problems of 'Negro violence' is they're no damn good. You would get the impression that no white kid is bad. There are many bad white kids. But it's easy to hide them behind the black children. This has been going on so long it's useless to talk about it.

"They have white kids that ride the bus to Chevy Chase and raise as much hell as Negroes going to the Far Northeast, but there's the power structure bit, the society bit, again. And so they say, 'They're just being kids and letting off steam where the Negro is being violent.' Many young Negroes are aware that they are blamed for what white kids do.

"If maybe these businessmen would give these kids a job at $1.25 an hour, maybe they wouldn't have this problem. There must be some place where they can find these people a job. I'm sure if they were employing more Negroes in their stores they wouldn't have to worry about stealing or breaking.

"I think the Negro kid of today, I don't care how bad he is, if you can convince him that you are concerned, that you care about him, that he has a chance, he won't let you down. The businessman, in his place in society, has a chance to save some of them. You know, it's not the kids' fault that they're poor any more than it's his fault that he's rich."

RESIDENTS LOSE

The eventual losers are the residents of the troubled areas, those who can least afford it. Merchants close their stores and leave when they can't take any more; the poor remain, living in an area deprived of community services.

That is what has happened on Kenilworth Avenue where the drug store, grocery store, meat market, delicatessen have closed, and the Safeway supermarket, the only remaining large store, closes early at night.

"I've got to wait until 9 the next morning or get on a bus and ride all the way down to H Street for a loaf of bread," said Mrs. Ernestine Watson, a 35-year-old mother of four who lives in the Kenilworth Courts public housing project there. "We need a drugstore and a five and dime store."

Others echo her complaint.

"I think it's really bad here because everyone needs a drugstore in case the kids get sick," said a man. "You got to walk so far to a store and there is bad transportation."

"Why, we can't even get a Bandaid out here," said a mother of five. "My finger hurts and you can't get a Bandaid."

Still another mother said:

"When the kids get sick you can't go running way over to Minnesota Avenue for a little aspirin."

One of the most poignant expressions of what is happening across the river came from Yates B. McCorkle, a former star college football player, later a semipro, and now the man in charge of the D.C. Recreation Department's Youth Center at Kenilworth Courts.

"I was going to the Safeway during the Christmas vacation to ask for a donation to the youth center," McCorkle said, "and as I got down there I saw a workman putting in new window panes. They had been broken out the night before. And I just couldn't go inside and ask that man for a donation. I just kept on walking by."

The Public Housing Islands of Despair—Across the River—3

THE COST OF VANDALISM

It is virtually impossible to determine the full cost of vandalism and destruction at Valley Green public housing project. But here are some clues:

In July, 30 boxes of large panes of glass, six sheets to a box, at $14 a box were requisitioned, as well as several dozen smaller boxes, 12 sheets to a box, at the same price. Today, only a few boxes are left. On some days, eight to 10 panes of glass are replaced. One hundred new boxes are being ordered.

In July, there are spare 500 mail box locks and 100 mail box doors on hand. They are nearly gone and 200 more locks, at a $1 apiece, and 150 doors, at $2 apiece, are being ordered.

On Sept. 13, an order was placed for 200 thermostats at $7.20 apiece. There are not many left.

Last summer, there were 1,200 hall light bulbs in supply. Another 1,200 were purchased then. A new order is being placed for 2,800 more. Maintenance men have been putting in 60 hall light bulbs a day.

About 50 wash basins are needed to replace those broken in vandalized apartments. Orders have been placed for 50 toilet seats, 50 fire alarms, and 150 fire alarm switches.

(By Haynes Johnson)

The best that can be said about the Valley Green public housing development is that it is still standing. It must also be said that it is a disgrace to Washington.

Valley Green, across the Anacostia in the Far Southeast, is a place of lawlessness and neglect, fear and hatred, destruction and looting. Its problems cannot be overstated. There, children prey upon children, adults upon adults. For the tenants there is no security, no protection and, one can only feel, no hope.

"Last Friday night there was a party in the apartment next to mine and I was afraid to go to sleep," said a mother of five children. "They started fighting inside, and then they went outside, right outside my window, and they started firing shots. I was afraid to go to the window, even. Two times they did that. They went back inside and started fighting again and then they go outside and start shooting again.

"I was scared to death, of course, and I was afraid for my kids. I'm on the ground floor and they was right outside the window and the violence was outside and it could come right in and get me.

"It's bad when you're afraid to lay down to go to sleep at night. It's like at Highlands (an adjoining public housing project) when all the apartments was catching fire and my friend's girls got burned up. It's bad to have a place you call home and you're afraid to lay down your head."

Valley Green is no special island of despair. Nearby are other housing projects, both public and private, wearing the same look—drab slabs on a drab landscape—and containing the same problems. Broken windows, looted mailboxes, smashed fixtures, terrifying sounds in the night—all these are part of the way of life in the trouble spots Across the River.

Two generalizations can be made about public housing projects studied during the preparation of these articles:

First, the people who live in them hate them—with good reason.

Second, there is something seriously wrong with the planning and administering of the units.

Public housing always has been a vexatious problem in Washington. It throws together large numbers of people, all of them poor, in areas away from the heart of the city. Many of these people reinforce each other's problems and behavioral patterns. As a group, they also form the true dispossessed of Washington.

In the projects, families without fathers are the rule. They are large families, most of them dependent on welfare for a living. Many of them have been uprooted and forced to move from other areas of the city by urban renewal or freeways. At Valley Green, for example, nearly all the 100 families who moved there when it became public housing had been displaced and were given housing priorities because relocation officials could do nothing for them. In fiscal 1966, of the 196 housing priority families needing four or five bedrooms, nearly half went to Valley Green.

Thus, that project became a focal point for problem families in an area that already had substantial housing problems.

Complicating the picture is another fact. The National Capital Housing Authority (NCHA) always has been—and still is—timid about tackling the social problems of the people it serves.

Housing officials can point to numerous difficulties in their path—lack of funds, the complications of dealing with Congress, the necessity to build a maximum number of units at the lowest price on the cheapest land available, disagreement over which public agency should be responsible for providing community services, employment, health, recreation.

They can point to their awareness of sound planning principles—and also their difficulties in applying these principles.

But what emerges most strongly from talks with these officials, and from a review of the record, is that planning for public housing over the years has been, at best, fitful. More important, there apparently has been no real recognition that the system just doesn't work in its present form.

Consider again Valley Green, a collection of four-story walk-ups stretching back from Wheeler Road SE and facing on numerous small and dreary courts. Until 1964, Valley Green was operated privately; then, over vigorous protests from integrated neighborhood groups, it was converted to 350 public housing units for large families.

The neighborhood, bounded by St. Elizabeths mental hospital, Bolling Air Force base, the Anacostia River, and the Maryland line, already contained a large number of public and low-income private housing units. Valley Green added more.

A father—a rarity in the project—who works for the Treasury Department at night, described what has happened since then.

"It's getting worse since they made this place public housing," said Vadon McDowell, 28, a Negro. "And I say this destruction of the buildings don't make sense. I'll tell you, I can understand why the government don't have the money to help them because they tear it up. I figure it comes from the parents. If the parents can't stop it nothing can. The mothers is either afraid or don't care. Children roam the streets unsupervised as late as 2 a.m.

TRANSFERS UNAVAILABLE

"Now I went through this Korean conflict. You think I'd be afraid of these people? No sir, I'm not afraid. But it just don't make sense to live in a world like this and that's why I'm getting out."

Others interviewed over a six-week period said essentially the same thing. Many mothers want to leave, but cannot. There are no transfers available, and, because of economics, they have no other place to go.

Residents who lived there in 1964 when it was a private project claim there has been a decline in services since the government took over. Before, they say, the garbage was collected seven days a week. Now, it is only picked up twice a week. Before, there were two security guards on patrol at night, making the area safer and keeping children inside. Now there are no guards. Before, the maintenance work was better. Now it is almost impossible to get repairs.

NCHA gives a variety of answers.

On the question of security, all the housing authority personnel in that section—NCHA's Area 9—work regular daytime hours. There is no resident manager. Maintenance men might work at night on an overtime basis to make specific emergency repairs, but they are not there to serve as police.

Edward Aronov, the acting executive director of NCHA; Harvey Everett, director of management, and other officials say the authority is not budgeted to provide a place like Valley Green with adequate protection. One man estimated Valley Green alone would need at least 10 men on night-time patrols.

Thinking in terms of all the projects, Everett said, "It would probably cost several hundred thousand dollars a year."

On the question of garbage collection, there is an odd regulation that says if a project has individual heating units the city provides pickup. Where there is central heating, NCHA must pay. The procedure then is for NCHA to invite bids by private trash firms. At most projects, two pickups a week are arranged. At Valley Green, the officials maintain, it is picked up six times a week. If that is so, then the residents are wrong.

FEELING OF DESOLATION

After going to the Valley Green area day and night for the six-week period, one comes away with a feeling that no one is supervising the buildings. As only one small example, in front of one of the apartments stands a trailer truck, rusting in the rain. It has been standing there for a year, residents say. No one seems to know why it and other abandoned vehicles have not been removed.

The most vivid impression of Valley Green is its feeling of desolation. There are virtually no doors left on the entrance hallways, and on the upper landings the large glass frames have been completely broken out. At night, there are few hall lights. Then, Valley Green is dark and dangerous. In the daytime, it is merely depressing.

Out of 350 apartments 109 are vacant—the result of vandalism. By last summer, the destruction clearly was getting out of hand.

"There has been a drastic change out here," said James Wentz, the hardworking former investigator for the Department of Licenses and Inspection who took over as Area 9 manager last summer.

"The situation is now far beyond normal management and maintenance problems. This used to be a private development. The construction wasn't the best, but at least it had a good appearance. Now it has every appearance of a slum area. As recently as last summer there was glass in the first-floor front windows and there were doors. Now *there is little glass and few doors.*

"This problem was what to do about housing for large families. So NCHA experimented at Valley Green. Now, with the number of children in each apartment, the place has become an attraction for other young people. They come from all parts of the city, and they cause a great deal of trouble, especially at nights and on weekends.

"Now, I'm not saying all the trouble comes from outsiders. Many of the people living here have lost sight of the thought, 'This is our home.' There is a strong feeling in the air that you can do anything to hurt government property, and it is all right. And there is also the feeling in the air that the authorities are taking it easy. At night the police come out here, and they are as cautious as possible."

At Valley Green, the damage is so great, so frequent and so extensive that the maintenance men cannot really tell new breakage from old.

BUT WE ARE TRYING

"So many things are happening that we can't get to them fast enough," said Wilber Branch, the maintenance supervisor for that area. "We are trying to keep up. I think we are falling behind, but we're trying."

Wentz said conditions have reached the point where people "don't even report damage to their apartments. They are accepting it. They know what's going on, but they say if they tell us where it's coming from, they'll get their own apartments smashed."

Both men are dismayed by what's happening. Branch, in particular, seems stunned. He and the 30 men under him cannot keep up. "We thought it would get better after the summer," he said. "Instead, it has gotten worse."

It was during the summer that Branch's crews began boarding windows of vacant apartments. They went from the first floor up. By the time they got to the top floors not long ago, the boarding on the first floor had begun to disappear. Then they ran out of plywood. Three hundred sheets had been on hand in July. Now two more shipments of 72 sheets apiece have arrived and the boarding will resume.

At various times, Wentz said, he has had 50 apartments ready for occupancy, but they were damaged before families could be moved in. So the would-be tenants had to go back on the waiting list.

The oldest public housing project in the Valley Green section, Highland, was built during World War II to house naval personnel. Five years ago, the housing authority began replacing and repairing those buildings to correct fire hazards. That work was accelerated after two fires in recent years killed several children.

Today, 109 families live in Highlands, while work continues on 26 buildings with nearly 100 more units. With so many vacant buildings, Highland, too, has serious vandalism problems—though not of the magnitude of Valley Green. A possible explanation might be that the families are smaller.

Another public housing project, Highland Addition, lies between Valley Green and Highland. It contains 246 units, nearly all of them occupied. While the maintenance and vandalism problems are troublesome, they are not as bad as at Valley Green.

LEASING MORE APARTMENTS

Across the street, also adjoining Valley Green, is a complex of private apartments, High Point, Barnaby Terrace and Sky Tower.

Now, the housing authority is beginning to lease apartments there for its public housing tenants. Why, when NCHA is fully aware of the over-all problems there, it adds still more tenants to a troubled area has not been satisfactorily answered.

John P. Walsh Jr., the manager of those private apartments, says difficulties are *"getting worse." As an example, he said* that for the month of November he ordered 500 new window panes for the 579 units in the development.

Thefts and destruction are common, he said.

"They tear up everything. We replace the locks left and right. They swing on the pipes and break them. They tear out the panels. They take the doors off the hinges, and cut holes big enough for you to put your first through on these hollow steel metal doors. One and a half months ago they totally destroyed 80 percent of the laundry machines. They turned them upside down and took the coin boxes off the washers and dryers."

Now the coin boxes are covered with an eighth of an inch of steel plate attached to concrete posts sunk in the floor.

Valley Green and the other housing developments stand in the midst of one of the two areas already examined in earlier articles in this series. The other section, also across the Anacostia, is in Kenilworth in the Far Northeast. There, the same general problems are evident.

Across the street from a group of boarded-up stores described earlier is Kenilworth Courts, a public housing project. A combination of row houses and four-story walk-up apartments, it contains 422 units, of which only a handful are vacant. In common with the project to the south, the families are large and there are few men.

Unlike Southeast, where the apartment projects are stacked row on row, Kenilworth Courts is a study in isolation. In the front is Kenilworth Avenue; on all the other sides are woodlands, the aquatic gardens, and the Anacostia River. Behind the apartments, on the strip of open land between the woods and the river, is the Kenilworth dump.

Still, physically, Kenilworth Court appears in far better condition. The exteriors are neat, there is some grass. But inside the larger apartments the same old problems are evident.

"We have problems of window breakage, fire extinguishers disappearing, and damage to equipment in storage rooms," said Edwin Gardner, NCHA's Area 11 manager.

Damage in the last year has been greater than at any time before, Gardner said. "There seems to be a growing trend among young people to lose respect for authority."

He readily concedes that Kenilworth Court tenants, mostly the young, have been principally responsible for damage and pilferage at business establishments across the street.

As always, the tenants themselves express the most discontent.

"This is the only neighborhood where it appears the police are afraid of the children," said a 35-year-old mother of four interviewed in her sparsely furnished living room. "There's no police protection out here. Right here in my hall the kids beat up a little boy. He was beaten up and had his coat taken. He was afraid to say he'd been robbed of a genuine leather coat. It just goes to show that people aren't depending on police to protect them out here."

CITIES GAMBLING PROBLEM

She, like others, said that gambling is a major problem.

"Every night men gamble in the halls. The quarters hit the cement so hard that I can hear it in the last bedroom in here. Half the night in the street people are screaming at the top of their voices."

Then she said:

"I've always maintained that this is the worst place on God's earth to live."

Her words help to explain why James Wentz, the housing manager in the Southeast, is talking about "a feeling of rebellion out here."

"There are regulations, and they will have to be enforced," Wentz says. "This soft *patting on the shoulder is going to have to* be done away with. At the same time we're going to have to build something of a community out here. We need things like adequate recreation, but that might take two years.

"Something has to be done now."

CROWDED SCHOOLS AND THE LURE OF THE STREETS—ACROSS THE RIVER—4

(By Haynes Johnson)

During school hours, when the weather is fair, groups of teen-agers can be seen walking the streets Across the River. They congregate on corners, sit on cars, and move idly through the neighborhoods. If you stop and ask one what school he goes to, often the answer will be:

"I go to the twilight school."

The truth is, their school is the school of the streets. It teaches hard lessons.

Truancy is common Across the River. Take the modernistic Ballou High, in the Congress Heights section of the far Southeast, where juvenile vandalism has been examined in earlier articles. Absenteeism there runs from 15 to 20 percent of enrollment. That means 250–300 teen-agers from that school out on the streets every day.

They are unsupervised—and uneducated. Their futures are bleak. Inevitably, they are the students who finally drop out of school entirely to become the core of tomorrow's adult problems.

Like Washington in general, the schools Across the River are for the most part overcrowded and understaffed. In the far Southeast, in fact, the schools are the most overcrowded in the city. They have been that way for some years. They cannot keep pace with the increasing population.

Figures from the Congress Heights section provide a quick picture of the problem. Hart Junior High School has nearly 2,000 children in classrooms designed for 1,443. Hendley Elementary School has almost 1,500 in space for 1,056 (including four classes in the auditorium). Ballou has 1,430, when it should have no more than 1,187.

In addition, the schools experience a constant turnover of pupils, another reflection of the social turmoil of the area. New families move in, others leave, adding to disruptive influences in the classrooms. In the first eight weeks of this school year, for instance, more than 700 students were affected by moves at the Hendley School alone. Two hundred fifty students left; some 500 entered.

What these figures only indicate are the problems of discipline and behavior which place tremendous burdens on teachers and pupils. The behavior of the streets carries over to the classrooms and corridors.

An incident this month at Hart Junior High was illustrative.

After class one day, a 14-year-old girl entered the lavatory there. She was accosted by five or six older girls, who took $1 and slashed her arm with a razor blade. Last October, in the same school, a 13-year-old girl was stopped on her way to class by a youth demanding money. He got none, and snapped the girl's arm. Last month, a group of teen-age boys and girls swept down 4th Street SE, knocking down every smaller child they met. One boy tells of being kicked and having his glasses smashed. Others tell of beatings.

And every day at Hart, by the pupils' own accounts, older youths shake down smaller ones for a quarter or a dime, threatening beatings if their demands are not met.

Windows are broken, lockers are looted, walls are decorated with profane "Magic Marker" graffiti.

Like the stores of the troubled neighborhoods, many schools bear the physical evidence of vandalism. Pieces of cardboard replace the broken window panes. In the fall of 1965, 280 broken window panes had to *be replaced at Hart before school opened.* Last fall, the figure had risen to 350, and vandalism in general is "the worst ever," according to the head custodian.

None of this means that the schools Across the River are part of some vast "Blackboard Jungle." The point must be emphasized that the troublemakers are only a very small percentage; that teachers and students are working together; that hope has not ended for today's youth. Still, the problems exist.

Teachers, understandably, single out control and discipline as key factors.

"I ask a student as nicely as possible to bring up her paper," says one teacher, "and she tells me to go to hell. And the rest of them laugh. What can I do? I can't send 37 kids to the office."

A DIFFERENT PERSPECTIVE

Students, also understandably, see it from a different perspective.

"The teachers pick on students," said a girl who attends the Roper Junior High School in the Far Northeast.

"When they know the student won't say anything, they pick on them. So the child fights the teacher and gets suspended. The principal doesn't pay any attention to the students, just to the teachers."

Such expressions of mistrust barely begin to illuminate the alienation and anger and often overwhelming sense of inadequacy felt by so many children from large, and poor families. A psychologist may say they have no sense of identity; that, by their actions, they are craving recognition, demanding to be noticed.

In their own words, the children often express the same thought.

"You know," said one youth, when asked why fights occur, "you walking down the street with your girl or some other boys, and one of them say, 'Hey, man, I bet that little kid can beat your —.' So, maybe you had a little drink and you don't know right then what to say, and your girl's laughing and so you gotta hit this little kid. I mean, how else you gonna show her?"

And, a girl, 13:

"Some girl, she say, 'Ain't you had your baby yet?' And all the other girls, they laugh. So she says it some more times and you gotta show her you a woman."

Students, particularly those from broken homes and low-income housing, often reveal a feeling of inferiority toward their more fortunate classmates. One teacher tells of students coming to her and whispering "I haven't got a father," after she asks the pupils to invite their mothers and fathers to the school. A mother in the Valley Green public housing development, put it another way:

"My girl doesn't even want to go to McCogney (the elementary School) because they tell her, 'Your mother is on the welfare.' They go to school with the middle class and the upper income and they laugh at your coat."

And a poorly-dressed teen-age boy, when asked if he had enough warm clothes for winter, laughed, and said sharply:

"No, I don't need that damn' jacket. I got two others."

Those children are still in school. Then there is someone we shall call Jimmy. That is not his real name, but his experience is all too real.

Jimmy is 18 now, an attractive looking young man. He had attended school in Congress Heights, and dropped out of junior high. When asked why, he said:

"The teacher kept throwing a whole lot of things in my face. They talk a whole lot *of trash. They had to keep on talking.*"

On further questioning he said the teacher had threatened to tell the students "about how I got locked up, how bad I was, how I was locked up for being bad."

"Tell the truth, Jimmy," his mother interrupted, and then explained, "My husband *beated me and he (Jimmy) accidentally* killed him."

QUIETLY AND CASUALLY

In fact, Jimmy had stabbed the man to death. Jimmy was 13 at the time. The man was his stepfather; his own father died years ago and he has no memory of him. Now a dropout at age 18, Jimmy lives in a family of eight other children. Two of the older children are in jail—one charged with bank robbery, the other with rape. And Jimmy tells you he doesn't like to go to downtown Washington because, he says, a friend of his was shot and killed by police there. Another friend, aged 16, also was shot and killed by police, Jimmy says, because "they thought he had a gun and it turned out to be a pipe."

Jimmy told his story quietly and casually, as if acts of violence were ordinary events. In his life, they have been. Yet Jimmy also says that he doesn't like hearing that Congress Heights is a bad place to live (he said that before these articles began appearing).

With a sense of pride, Jimmy says:

"Congress Heights is a nice place to live."

The schools did not fail Jimmy, but Jimmy is nevertheless a failure before he is out of his teens.

Another boy, also 18, gave this picture of his life:

"The trouble is, like I'm a young boy. If I had some place to go. Like a pool room, like downtown to play, but what we got to do but drink more and go to D.C. jail. How would you like it if you was stuffed down like a top on a garbage can?

"Like today, I goes downtown to the employment office to see about plumbing work and the woman says I got four (police) records. So I told her, 'no three of the records was beat.' 'They may be beat, but you still got four records,' she says. So everywhere you go you can't get no job."

He returned to his neighborhood Across the River, and spent the afternoon inside a laundromat with other boys and older men, "because," he explained, "it's warm." The rest of the day, he stands on the street corner waiting, he says, to be hired for odd jobs in the neighborhood.

"How you going to get a job if they run you off the corner," he remarked, after police told him and others to move on. "And you got a record. I'd like to go back to school and take up a trade, to tell you the truth."

One of the problems, nearly everyone will agree, is that the Jimmies of Washington, and other cities, have not been successfully reached by anyone—not their teachers, their counselors, and most certainly not their parents. In this situation the schools are expected to assume the responsibilities of the parents, and the community. But obviously, the schools cannot. They are doing everything that can be done, given things as they are today.

Last month, for instance, the Congress Heights principals wrote an appeal to D.C. Superintendent of Schools Carl E. Hansen requesting a full-time nurse for each elementary school, a full-time psychologist, and one or more social workers for each school.

Hansen would be only too happy to fill the request, but there one comes back to the old Washington cycle of responsibility: Money wasn't available.

After talking to many children visiting schools Across the River in preparation for these articles, one of The Star's reporters was strongly reminded of a passage in "David Copperfield," where David says, "day after day, week after week, month after month, I was coldly neglected."

TEACHERS, REPORTER MEET

The neglect is present Across the River, and what makes it worse is that it is not intentional. No one is more aware of this than the teachers. An incident yesterday sharply underscored that fact.

A teacher from one of the schools there had called The Star to say that while what was being reported was "sad but true," she would like to arrange a meeting between a reporter and other teachers. The meeting was held yesterday afternoon with eight teachers and the principal present. It was understood neither the school nor the teachers would be identified.

After an hour of discussion, several points of agreement emerged. First, everyone felt that whatever troubles existed stemmed from only a very small percentage of the children, and that these problems could be duplicated in other areas of Washington—and in every other city in the United States. What intensifies the problems, however, in such an area Across the River, is the high concentration of public housing units with so many large families.

"Do you think that a child who has been kept up all night from loud talking, or other behavior, will come to us the next morning smiling and happy?" asked one teacher.

The more they talked, the more the conversation turned to the problems lying outside the school—the problems of jobs, housing, poverty, automation, attitudes, prejudices, stereotypes, lack of communications. To illustrate, the principal told of an incident that occurred last year. The school was being painted, he said, and the painters all were white men, all from outside the area. By his account, they did a slapdash job. While they were painting that school, Negro men were standing idle on the street outside.

"They would have done a beautiful job," one teacher said, "because they live here, and they do have a sense of pride in their community."

She also said:

"I have taught in schools throughout Washington. I have taught the privileged, as well as the underprivileged, and I can say one thing about them all—at the age of 4 or 5, when they first come to us, they all start out the same way. They are happy, and they are full of love. It is society that changes them."

As the conference ended, and the teachers and the reporter left, the sound of lusty young voices rang through the first-floor corridors. Third-grade students, 75 of them, were singing together in their joint classroom in the school auditorium. They were singing "Washington," from the first verse down to through the chorus. They sang it twice, loudly, beginning with:

"*Washington, the fairest city in the greatest land of all.*"

A CHALLENGE FOR BOTH SIDES OF THE RIVER—LAST OF A SERIES

(By Haynes Johnson)

Last month posters appeared on bulletin boards in public buildings throughout the far Northeast of Washington. They began dramatically—"Emergency Flash!!! Mass Meeting"—and concluded with a plea:

"Let's Curb
Crime
Necessity for Closing Stores
Threats to Curtail Transportation
Threats to Cancel, Deny Insurance

Protection and Other Causes of
Blight and Wrong Image of Area."

The meeting was held the night of Dec. 14 in Kenilworth Courts, a public housing project near the Maryland line. Representatives from a broad cross-section of the community attended—the police, fire, and sanitation departments; the schools, churches, and civic associations; the District government and public housing; private businesses and public transportation. More than 60 residents of the housing project, both parents and children, also attended.

The gathering demonstrated that some of the people of at least one of the trouble spots across the River are willing to work on the problems that beset them. But the sparse turnout made it clear that they are a long way from the kind of dynamic community action that would make a difference.

In earlier articles, The Star has pinpointed a number of serious problems in the trouble areas—vandalism, intimidation, and shakedowns; depredations by juveniles; declining community services; difficulties in public housing projects and schools. This concluding article focuses on what is being done about those problems, and what lies ahead.

Two points should be made at the outset. The first is that the two trouble spots—centering on Kenilworth in the far Northeast and Congress Heights in the far Southeast—are by no means typical of the whole area across the Anacostia. The vast majority of the citizens Across the River are law-abiding; they live in pleasant homes in quiet neighborhoods. The second point is that there are many residents of the area who are aware of the problems and who are trying to do something about them. The Kenilworth Courts meeting is an example. It is indicative of the magnitude of the job that they have made so little progress.

Mrs. Ruth Bates Harris, executive director of the D.C. Commissioners' Council on Human Relations, was one who attended the Dec. 14 meeting. She came away struck by the "amiable" spirit there.

Also in the Northeast, an active integrated business group meets regularly to discuss problems of the community. There is an integrated bank, the United Community National Bank, headed by Dr. William Collins; meetings are held there. Citizens and civic leaders also gather in schools and churches to explore common problems.

Mrs. Harris and others make the point that such business-community rapport is not as evident in the far Southeast. One man, a Negro merchant, put it bluntly, "There is a lack of community relations among the citizens out here."

Poverty programs are also at work in both troubled sections across the Anacostia, offering a variety of services to the communities. These programs, too, grew out of grass-roots initiative.

Less than two years ago, for example, the far Northeast Council of Civic Associations, representing 13 civic groups east of the Anacostia and north of Pennsylvania Avenue, completed a study calling for aggressive community action to combat poverty. The need was urgent, the Council declared, because:

". . . We have a community which, while not totally poverty-stricken, is headed toward blight, despite strenuous and energetic action by many individuals and groups in the community."

The poverty program in the Northeast has the solid support of its community—from the PTA and the Northeast Business and Professional Association down to the 14th Precinct Crime Council. In the far Southeast, where the Southeast Neighborhood House operates the poverty program, a militant approach has produced some friction between the workers and the businessmen.

But whatever the particular community attitude may be, in both areas Across the River poverty workers are attempting to get at the basic causes of unrest and disorders. There simply have not been enough of them—and now no one is sure how much antipoverty money will be available for the programs in the future.

"They wanted us to fight a war with a pea shooter, and now they're trying to take the pea shooter away," says Ralph Fertig, the director of the Southeast Neighborhood House.

MORE POLICE ASKED

Inevitably, any discussion of the problems Across the River bogs down on one question: What can be done to change things? Many persons interviewed urged more police, better protection. Some advocated a return to the old-fashioned neighborhood foot policeman, with men assigned fulltime to beats in the housing project areas.

There were some charges of police brutality, but the police had many defenders. One recreation department worker said that "police brutality isn't the problem; police protection is the problem. Many of these kids humiliate the police." Others told of incidents when teen-agers, who have been arrested and released, come back to taunt the police to their faces.

The police have their views, too.

"The people brought their complaints to us," said Capt. Bernard E. Carroll, the commander of the 14th Precinct, referring to the mass meeting in Kenilworth last month. "But when we questioned them, it turned out that most of the blame should have been put on the courts here. The courts just aren't giving them the protection they should have.

"They call on us for help and we follow through and then nothing is done in court, and these people see the same man who threatened them or pushed them around going free. Maybe the chief judge should come to some of these citizens meetings."

Carroll then drew out a map to illustrate one of his greatest problems—the size of his precinct. His men on foot patrols—never more than 12—have huge beats to cover. They are lucky to get around once during their shift.

The former commander of that Northeast precinct. Vernon H. Culpepper, now the head of the Police Community Relations Division, was asked his opinion on the reasons for juvenile vandalism.

"I can see why a kid might rob a store, or steal a car," he said, in his southwestern Virginia drawl, "but giving false alarms, and breaking school windows—we get that constantly. When somebody does that he's just hurting himself. He might have to sit in a cold school room the next day, or his home might be the one that needs protection by the fire department. I just don't get it."

Culpepper, who is highly regarded by residents of his former precinct, made clear his conviction that problems of criminal behavior will not be solved by more men or stricter enforcement alone.

He particularly emphasized that by no means all the blame should be placed on children in public housing. Some of the best children he has known, he said, have come from the projects.

NO ONE TO LEARN FROM

Capt. Owen W. Davis, the Negro commander of the far Southeast's 11th Precinct, made the same points—but even more strongly.

No matter how many men and cars are put on the streets, he said, the social and economic causes of crime will remain. He also said he feels that jamming the poor together in large public housing projects undoubtedly decreases their chances of obtaining an education in urban living.

"They have no one to learn from," he said. "It's like the 'alley-dwellings' that they had here after the Civil War. The freed slaves came to Washington and lived in the alleys. They were out of sight of the white world. They had their own little world."

Housing comes up again and again in discussions.

Most of the problems appear to stem from the large projects—from a very few in those projects. The most notable example is the Valley Green project, on Wheeler Road.

The National Capital Housing Authority executives have been well aware of the troubles there, and have attempted to do something about them. Their largest effort so far has been to move nearly everyone involved in the authority's social service unit to full time duty at Valley Green. Of 12 staff members in the unit, 11 were stationed at Valley Green two months ago.

That unit is headed by John Staggers, former director of Howard University's Community Service Project. Staggers, who came to NCHA last spring, speaks hopefully. "It's impossible to make inroads overnight," he says, "but we're gratified at the progress we're making."

His first order of business was to conduct a "social inventory of the tenants" to determine needs. Now, he says, that data is being tabulated. The next step will be "mobilizing the resources of the community" by organizing tenants and bringing the services of other agencies into the development.

Candor compels one to say there is little evidence that the social service unit is making dramatic progress. Its "social inventory" was taken some weeks ago, and that appears to be the only contact many families have had with Staggers' staff. During six weeks of research for these articles Staggers himself had little direct contact with Valley Green. He has been busy, he said, arranging "a mammoth pageant" that will involve the participation of teen-age girls from all 40 NCHA projects. The pageant is scheduled for Feb. 10.

YOUTH WORK PLAN

Housing officials have several other ideas they want to try. One would be to hire teenagers in the projects for maintenance jobs now done only sporadically. The youngsters would work 16 hours a week, and be paid $1.25 an hour. Three or four project adults would be hired to supervise the youth work.

Such steps may help to instill pride and responsibility and provide needed income. But, as one housing official commented, "That's first aid. What Valley Green needs is surgery."

Looking further into the future, NCHA points toward two relatively new and promising programs. One involves placing tenants in rehabilitated houses in existing neighborhoods. NCHA first buys the houses, and then, on contract, has them renovated for tenants. The agency now has the authority to rehabilitate 240 of these houses. In its second program, it is currently leasing 110 units for tenants and has authority to lease 240 more.

"These units are in all quadrants of the city," said Edward Aronov, NCHA's acting director, "but there are none west of Rock Creek. We can't get any to sell or lease at a price we can afford."

There, the housing agency runs into its old dilemma of finding suitable, reasonably priced sites outside of the present concentrations of housing projects. NCHA has been offered enough land for 1,000 to 2,000 units—but the land is adjacent to existing projects.

SENSE OF ISOLATION

On one point, there can be no question—virtually without exception those interviewed in the projects Across the River express a sense of isolation and alienation. They do not feel a part of Washington. Also there was almost unanimous agreement among both parents and children that they were happier in other sections of the city.

When you ask why, the answer varies. To a boy who had lived previously in Southwest, he had "more fun." To a boy who had lived behind Union Station, he could play the pinball machines in the game rooms there. To still another who had lived on North Capitol Street, there were more lights in his old area.

The suggestion often is made that the projects do not provide enough community services—recreation, shopping, entertainment, even close schools; that future planning would dictate smaller, more homogeneous units. In fact, as a general rule the behavioral problems increase with the number of the people in a single building; the row-type dwellings show far less evidence of vandalism than the four-story walkups.

One way to attack the problems on a massive scale would be to make the two areas part of Federal Demonstration Cities projects, and thus pour substantial Federal resources into the troubled communities. Officials here have indicated such a proposal might be viewed favorably.

But it would be naive to suggest that merely building better units is going to resolve the problems. Behind the mortar and bricks lie the more difficult problems of family structures and attitudes of inferiority and hopelessness which contribute toward acts of vandalism and worse.

FRUSTRATED AMBITION

During the interviewing for these articles, the mother of a 13-year-old boy in Kenilworth spoke of only her son's experience, but his frustration is shared by many more. Her son, she said, is "very ambitious," and he was working hard at delivering papers. Then she said:

"He didn't make a penny. People just wouldn't pay him."

His frustrations, and the frustrations of others like him, signal trouble ahead—more trouble for more youths. For, as has been shown, Across the River today the problems are primarily juvenile problems. Already a number of youths have police records. Some see arrest as a mark of distinction.

A school crossing guard, who lives with her children in one of the large projects surveyed, spoke angrily about some of the youths. But most of her scorn was directed at the parents.

"If these parents would take the time and be near the kids," she said, "there would not be as much trouble. But a lot of parents are living with stolen goods themselves. You see a boy walking around here with fine clothes, then find out where they came from. The parents know the kids don't work. Yet they walk around with fine $34 shoes. It's not only the kids' fault. The parents are involved, too. How many mothers ask their kids where they got things?"

One explanation for the behavior she described is singularly disturbing. Time and again during research for these articles, mothers have told of being physically afraid of their own children.

Out of the whole experience, that one fact remains the most vivid for this reporter.

One comes away from this study convinced that, in the long run, all other problems are secondary when placed beside the unmet needs of the youths. If real changes are to come soon, they must come through programs designed to reach the young people.

There are youth programs functioning now Across the River. There are dedicated people who devote their time and talents to helping erase the bitterness and the despair felt by the young and draw them back into the community. Many more are needed. Many more facilities are required.

This Across the River study was born last Dec. 7 when a group of businessmen from east of the Anacostia came to The Star and told of vandalism, extortion, fear and destruction.

Their troubles continue. The Kenilworth and Congress Heights areas are still beset by lawlessness, destruction and declining business.

As has been shown, the merchants do not bear these burdens alone. The entire communities involved are paying the price in the breakdown of community services and morale.

Nor is the problem something that rests with those troubled neighborhoods alone. It must be shared by the rest of Washington, which, for the people east of the Anacostia, is also Across the River.

EARLY WARNINGS

A community leader Across the River summed up much of the frustration of civic leaders there when he said "we've told you, and we've told you, and we've told you" of the problems there. Here, chronologically, are some of the things one civic group, the Far Northeast Council, has been saying to the District government over the years:

1954

"... Although the juvenile delinquency problem is not as pronounced in this area as in other areas of the city, a notable increase is reported in offenses and arrests of juveniles in the area. Adequate health facilities, recreation facilities, social service, schools, and police protection can do much to prevent the upsurge of crime in this community."

1957

". . . It is high time that all who are concerned with the welfare of Washington, as a whole, recognize that one section of the city, as large as ours, cannot be neglected without eventually bringing harm to the city as a whole. The Far Northeast's needs are dire and immediate. They must be attended to."

1960

"The recorded history of our request for a public health center begins with the period just prior to 1954 when our minutes show increasing concern over the health problems in this area; the increasing number of public housing projects being built in the area. . . ."

1960

"Despite the excellent efforts of the staff of the 14th Precinct to control crime in this area, it must be pointed out that crime has been on the increase in this community for the last five years."

1965

"We feel, strongly . . . that community needs have become so neglected, and that the civic voice has been so ignored that it is incumbent upon us to bring these matters to the attention of the Board of Recreation. . . ."

HOW REPUBLICANS VOTED ON MAJOR ISSUES

Mr. **ERLENBORN**. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. **GOODELL**. Mr. Speaker, recently the majority leader and other members of his party took the floor on the minority leader's Republican state of the Union address.

So many misleading statements were made by members of the majority party in characterizing and commenting on the Republican position on major votes taken in the House during past Congresses that I think the record should be set straight.

I rise to offer a factual analysis of the more important charges which spokesmen of the majority party leveled at the minority in the course of their remarks.

The statement that 85 percent of the Republicans "voted to kill the voting rights bill"—of 1965—is false.

On final passage in the House on July 9, 1965, the vote by party was as follows:

Republicans: Yea 112, nay 24; percent voting yea, 82.

Democrats: Yea 221, nay 61; percent voting yea, 78.

These figures show that this bill had more support from Republicans than Democrats.

The administration bill was inferior to the Republican proposal to protect voting rights, the Ford-McCulloch bill. The basic difference between the administration proposal and the major Republican alternative, the Ford-McCulloch bill—H.R. 7896—lay in the fact that the Republican bill provided a remedy for unconstitutional discrimination in all 50 States, wherever it occurs, and regardless of the device used to achieve discrimination. The administration bill, on the other hand, struck at discrimination only in a few States, and only when literacy and other tests were the device used to achieve discrimination.

Eighty-four percent of the Republicans in the House voted to substitute the more effective Ford-McCulloch bill for the administration bill on a motion to recommit. This was a vote to improve and strengthen protection of the right to vote.

The allegation that "90 percent of the House Republicans voted to kill medicare" is equally false.

Forty-nine percent of the Republicans in the House voted for the medicare bill which passed on April 8, 1965, after a better Republican proposal had been defeated.

Most House Republicans registered their preference for the alternative bill, H.R. 7057, on a recommittal motion to substitute this bill for the proposal which prevailed. Unlike the bill which passed, the Republican alternative, H.R. 7057, provided for a different system of financing, avoiding the regressive social security tax, made coverage voluntary rather than compulsory, and generally gave more ample benefits to those truly in need.

In any discussion of medicare, it should not be forgotten that the proposal made by the administration at the outset in 1965 was narrow in coverage, limited to payment of hospital charges. The expanded coverage providing for most medical expenses and not just hospital costs originated in the Republican alternative bill. The medicare bill that became law was an amalgam of the administration proposal and the bill offered by the gentleman from Wisconsin [Mr. BYRNES] along with many other Republicans.

Equally false is the statement that 70 percent of the Republicans "voted to kill the minimum wage."

H.R. 13712, raising the minimum wage and extending coverage of the Fair Labor Standards Act, was passed by the House on May 26, 1966, by the following vote:

Republicans: Yea, 89; nay, 38.

Democrats: Yea, 214; nay, 55.

The Republican motion to recommit was an amendment to the bill and in no sense an attempt to kill it.

One persistent misstatement repeated recently on the floor of the House pictures Republicans as the foes of the social security system.

According to a Democratic Member of this House, 99 percent of the Republicans "voted against the original social security bill in 1935." In fact, more than 60 percent of the Republicans in House and Senate voted for the passage of the Social Security Act of 1935. The vote on final passage among Republicans was:

House: Yea, 77; nay, 18.

Senate: Yea, 14; nay, 5.

House Republicans have consistently urged expansion of social security benefits in the past 2 years. Changes advocated include enlarging of the right of social security beneficiaries to earn money without loss of benefits, blanketing in those over 72 who never had an opportunity to contribute to social security, and automatic adjustment of social security benefits with rise in prices. All of these creative Republican proposals have been ignored by the Democratic majority in Congress.

Let me turn now to other instances cited by the majority spokesmen in saying Republicans opposed various bills of the so-called Great Society: the Elementary and Secondary Education Act and the war on poverty, and the establishment of the Department of Housing and Urban Development.

In these instances Democratic critics have failed to tell about creative, positive Republican proposals that had been spurned by Democrats.

Republicans voted against the administration's version of a war on poverty because it was demonstrably disorganized, wasteful and because constructive, practical suggestions to improve the program were totally ignored. We tried to substitute an effective program—the opportunity crusade—to correct abuses and redirect the whole chaotic mess.

Republicans voted against the Elementary and Secondary Education Act in 1965 because of a multitude of defects in a hastily drafted bill. We were particularly critical of the allocation formula for Federal funds in title I, which results in the absurdity of spending more Federal money to help poor children in wealthy counties than in poor counties. Republicans sought to amend this formula in the interests of simple justice to give as much money for a poor child in Sunflower County, Miss., as was granted to a poor child in Westchester County, N.Y. Subsequent experience has borne out the validity of Republican observations that States and local educational agencies should be given more freedom in handling funds and setting their own priorities.

Again in the case of the establishment of the Department of Housing and Urban Development, Republicans sought to pass a more effective bill to deal with urban area problems. The administration bill, H.R. 6927, was defective in many respects. It did no more than confer a more prestigious title on certain existing agencies. It brought together in the new Department less than one-third of the Federal Government's housing activities and only a minor fraction of Federal activities and funds aimed at assisting States and municipalities to solve the problems of metropolitan areas. As passed by the House of Representatives, it made no provision for the continued existence of the Federal Housing Administration, a defect which Republicans sought to correct and which was finally remedied in conference.

The Republican alternative, H.R. 5173, offered by the gentlewoman from New Jersey [Mrs. DWYER], and several other Republicans, would have created an agency in the Executive Office of the President to deal with metropolitan area problems. This agency would have been a center of coordination and information for all Federal programs and activities relating to urban areas.

Another ill-founded attempt on January 23 to raise an issue superficially, leaving the impression of Republican negativism, was shot down immediately on the floor by the distinguished gentleman from Illinois [Mr. ERLENBORN]. The weird allegation had been made that Republicans had attempted to kill the Department of Transportation at birth. The allegation was based on the fact that most Republicans voted in the House for a motion to recommit the bill and report it back immediately with an amendment separating the accident investigating function from the enforcement of rules and regulations and the conduct of traffic in the airways. Although the recommittal motion failed, the Republican recommittal amendment was ultimately added to the bill in the Senate and approved in the final law. An overwhelming proportion of Republicans voted for creation of the new Department of Transportation, even before our important amendment was added.

The time has about run out on Democrats who automatically chant the refrain, "Republicans voted to recommit and kill." They exploit the fact that many of our citizens do not understand the technical nature of a recommittal motion. As illustrated by the issues cited above, a recommittal motion is the major device available to the minority in Congress to get a rollcall vote on a substitute bill or a specific amendment to a bill brought forth by the majority party. It is time our Democratic friends started debating the relative merit of Republican substitutes for ill-considered Democratic measures. The accumulated problems in the poverty program, in the Elementary and Secondary Education Act and in a variety of other measures rushed through without careful consideration in the past 2 years are evidence enough of the need for this kind of debate. The results of the election last November 8 would indicate that a large number of Americans are not to be confused by the old, shopworn, and superficial Democratic tactic of labeling every Republican effort to improve legislation or substitute different proposals as negative efforts to kill the legislation.

FOR THE RELIEF OF ATAOALLAH M. YAZDI

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am introducing today a private bill on behalf of Dr. Ataoallah M. Yazdi. A citizen of Iran and a graduate of medical school in Shiraz, Iran, Dr. Yazdi came to the United States in 1959 on the exchange visitor program to obtain a residency in obstetrics and gynecology. He served a rotating internship at De Paul Hospital, St. Louis, Mo., between July 1, 1959, and June 30, 1960, and as a first year resident in obstetrics and gynecology at the same hospital between July 1, 1960, and June 30, 1961. Dr. Yazdi also served 2 years as an assistant resident in obstetrics and gynecology and 1 year as chief resident in obstetrics and gynecology at St. Louis City Hospital between July 1, 1962, and June 30, 1964. This latter date marked the completion of the formal training necessary to enter private practice as a licensed physician.

However, Dr. Yazdi has been unable to use his specialized skills and training to the fullest extent for the past 2 years because Missouri, like many of our States, requires that a person be a citizen of the United States before he can be issued a certificate to practice medicine in the State or take the examination which is a prerequisite to the issuance of a medical certificate. Dr. Yazdi has been able to perform minor surgery, general medicine, and some uncomplicated deliveries under supervision of the private physician. He has been unable to do any major surgery or obstetrics which he is trained and qualified to do, and fears that he is losing his skill.

Dr. Yazdi received his permanent visa in the spring of 1966. But under section 319 of the Immigration and Nationality Act, he will be unable to make application for U.S. citizenship for at least 3 years. This means that Dr. Yazdi's full skills will be lost to his community and State for at least this period of time unless some action is taken by Congress. The matter is not simply a State concern because the problem is brought about by a combination of Federal and State laws. The time which Dr. Yazdi has spent here in this country, which ordinarily would be sufficient to qualify him for citizenship, so far has not counted for naturalization purposes because he has been under the exchange visitor program. While I share, and have in the past taken the floor to express, the concern of my colleagues who may feel that to accept for U.S. citizenship the skilled professional people of other nations after they have been trained and could aid in the further development of their countries, is to violate the spirit and intent of the exchange visitor program, I believe that the circumstances in Dr. Yazdi's case have changed considerably since his entry into this country as an exchange student, and warrant our granting an exception to a basic policy whose soundness I do not question.

The bill which I introduce today remedies the situation I have described by declaring that for the purpose of the Immigration and Nationality Act, Dr. Ataoallah M. Yazdi shall be held and considered to have complied with the requirements of section 319 of the act as they relate to permanent residence.

FOR THE RELIEF OF BERNARD KIM

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am again introducing a private bill for the relief of Mr. Bernard Kim, a native of South Korea.

This man received a master of science degree in chemical engineering from the Illinois Institute of Technology in 1958. He had his status in this country adjusted to that of permanent resident. He is currently employed as a heat transfer engineer by Emerson Electric in St. Louis. Mr. Kim's special skills make him necessary and valuable for much defense work of a confidential nature undertaken by Emerson. At the moment, Mr. Kim will not be eligible to apply for naturalization until December of 1970. This legislation would accelerate his application for naturalization and allow him to engage in this work which would be beneficial to our country.

It has been estimated that there are at least 2 million persons who are structurally unemployed and who need additional training to become employable. This situation means that there is a considerable strain on private industry seeking to attract and retain skilled workers. This fact, if coupled with the fact that the industry is involved in defense production, creates a situation of national importance.

The introduction of this bill for the relief of Mr. Kim will, in my opinion, relieve the pressure in one specific instance that has been called to my attention.

LEGISLATION TO PROMOTE EQUALITY OF TAXATION UNDER THE INTERNAL REVENUE CODE

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS. Mr. Speaker, the successful operation of our system of taxation depends to a great extent on the voluntary and good faith cooperation of our citizenry. Even with the advent of automatic data processing and other auditing devices, the extent of our tax laws—touching almost every citizen—makes this fact true.

It is therefore essential that public confidence be maintained in the fairness of the application of our tax laws. Public confidence is undermined when one individual or organization pays more or less taxes than another in essentially the same situation. This is often the result of one of three causes: lack of foresight on the part of the drafters of the legislation, or alteration in the circumstances of the taxpayer changing his real economic position from one tax category to another, and the continuing shifting structures in the dynamic American economy itself. Among other things a sound tax policy must recognize that an entity deserving of one tax treatment as an embryo may not deserve the same treatment in its maturity.

Thus, whatever the cause, it is important that we continually reassess our tax legislation to take account of economic technical alterations to insure that those in essentially the same position are treated equally by the Internal Revenue Service. To this end I am introducing today several bills designed to promote equality of taxation.

A BILL TO EQUALIZE THE TAX TREATMENT IN LIFE INSURANCE TRANSFERS

Mr. Speaker, under the present Internal Revenue Code, section 101(a)(2), the proceeds of life insurance contracts transferred for value are taxable as to the amount over the value given and premiums paid by the transferee. Certain exceptions have been created to this general rule. The first of these deals with the situation in which the transferor's basis is passed to the transferee for gain and loss purposes. The second deals with the status of the transferee, and I have today introduced legislation to broaden the scope of the second exception to include such transferees as the spouse, former spouse, parent, lineal descendant, or adopted child of the insured or the shareholder of a corporation when the policy is transferred as part of a buy and sell agreement for corporate stock.

All of these additional transferees which are included in my proposal would have an insurable interest in the insured in any situation. They could take out a policy of such as the one transferred to them without having the proceeds taxable. This bill would equalize treatment for a new policy and a transferred policy.

Because of the present state of the tax laws, transfers covered by this extension rarely occur, the tax detriment being what it is. Thus, enactment of this bill, which is supported by the three major life insurance trade associations, would cause little or no revenue loss to the Government.

A BILL TO EQUALIZE TAXATION ON REDEMPTION OF PREFERRED STOCK

Mr. Speaker, I have today introduced an amendment to section 302(b) of the Internal Revenue Code of 1954 dealing with the income tax treatment of the proceeds received in the redemption of preferred stock. To the extent that the proceeds do not exceed the amount paid in to the corporation on the issuance of such stock, the amendment provides that these proceeds shall be treated as a distribution in part or full payment in exchange for the stock and not as a dividend.

My amendment to the Internal Revenue Code is made necessary because of the distinction now made between the proceeds of preferred stock in differing situations. Under the present law, in certain cases, redemption of preferred stock is treated for tax purposes as return on capital, while in others this redemption on the same stock is treated as dividends and taxed accordingly. This distinction is based only upon whether the owner of preferred stock owns in addition a substantially proportionate ratio of common stock. If he does, the proceeds on the preferred stock are treated as dividends for tax purposes, while if he does not, these same proceeds are treated as return on capital. My amendment would remove this arbitrary distinction and permit proceeds on preferred stock, insofar as it represents capital invested in money or goods, to be treated as a return of capital.

Preferred stock is in reality a cross between common stock and bonds. However, the same reasoning which underlies the present distinction among owners of preferred stock and common stock does not apply to holders of both bonds and the common stock, so long as the bonds represent true indebtedness and the equity capital is sufficient for the needs of the corporation.

The present taxation of the income derived from the redemption of preferred stock as dividend income turns some corporations, especially closely held family corporations, to debt financing rather than equity financing when further investment is needed. A change in the system of taxation of the redemption proceeds of paid-for preferred stock would have the beneficial effect of making equity financing more attractive to the corporation and, in the long run, produce greater tax revenues.

The taxation of capital return as distinguished from interest or dividends paid on that capital is contrary to our Constitution. This amendment would assure proper tax treatment for the redemption of all preferred stock.

A BILL TO EQUALIZE THE TAX TREATMENT OF COMMERCIAL BANKS, SAVINGS AND LOAN ASSOCIATIONS, AND MUTUAL SAVINGS BANKS

Mr. Speaker, legislation enacted in 1962 recognized the inequitable situation then existing whereby savings and loan associations and mutual savings banks were virtually free from the Federal corporation income tax. The 1962 enactment apparently has failed to attain its full purpose. It permitted savings and loan associations and mutual savings banks to deduct as bad-debt loss reserves a substantially larger part of their taxable income than that permitted the commercial banks. There seemed to be and still seems to be sound reasons for some differential treatment. However, the prospective revenue yield from the measure had been estimated by the Treasury at $200 million—$168 million from savings and loan associations and $32 million from mutual savings banks—but actual collections for the year 1963 were only about $98 million.

The commercial banks still argue that an inequity exists in this bad-debt differential and results in an unfair competitive position. There has been some argument to increase the amount that commercial banks should be allowed to deduct as bad debt. However, because of the unexpected small amount of revenue derived from the 1962 enactment, the other aspect of the problem that of an unrealistically high figure for the savings and loan and mutual banks needs further looking into. Certainly in the interest of all the financial institutions, the Congress should review the entire situation.

In order to bring this matter before the Congress, I am introducing H.R. 7585. It is a simple measure. It merely removes the present allowance for bad-debt loss reserve deductions by savings and loan associations and mutual savings banks and permits them to use the same bad-debt loss reserve deduction formula now applicable to commercial banks.

In my opinion, enactment of this bill amended to provide possibly for some increase in bad-debt reserves for commercial banks and possibly leaving some differential to reflect valid differences existing in the bad-debt reserves of the different financial institutions, will provide more equitable basis for the taxation of the competing financial institutions, savings and loan associations, mutual savings banks, and commercial banks. The total result should also lighten somewhat the burden on all other taxpayers by broadening the tax base and producing additional revenue.

A BILL TO EQUALIZE THE TAX TREATMENT OF CO-OPS

Mr. Speaker, I am introducing today a bill to equalize the tax status of cooperative corporations with that of other incorporated businesses. The different Federal tax treatment of these two forms of doing business has created an artificial competitive advantage for one over the other. Although there is some economic and social justification for giving preferential tax treatment to the small farm marketing or purchasing co-op which remains, by its small size truly a cooperative organization, there seems to be no justification for the preferential treatment to the mammoth cooperatives that have sprung up largely as the result of the preferential tax treatment they receive. This bill will also produce additional revenue for the Federal Government which would reduce somewhat the fiscal burden of all other taxpayers.

While the Congress recently partially reduced the preferential tax treatment of co-ops, under the present law, a cooperative still can escape taxation of the business income earned by distributing 20 percent of net earnings in cash to its patrons. Thus the cooperatives avoid most of the tax that is paid by other business corporations at rates up to 48 percent of their earnings. The cooperatives' patrons, however, are required to report as individual income 100 percent of their share in the cooperatives' earnings even though they may receive less than enough in cash to pay their tax obligation thus incurred.

As matters now stand, hardly anyone is satisfied with these provisions of the 1962 Revenue Act, which purport to tax cooperative income either to the cooperative or to its patrons. The patrons can complain that it is unjustifiable to require them to pay tax in excess of the cash they receive as part of their patronage dividends, the Treasury is deprived of the opportunity to collect the tax at the source, and businessmen are disappointed because they believe that cooperative income should be taxed in the same way as the income of any other corporation in order that there will be competitive fairness.

Cooperative leaders claim that there should be a single tax on income, and that it should be at either the cooperative level or the patron level. I agree with this in principle, provided it is equally applicable to the earnings and dividends of all corporate businesses. This would be the single tax on corporation earnings that many of us would like to see displace the present double taxation of such earnings when they are distributed. But I believe we recognize, as realists, that the elimination of this double taxation is not at present at all likely. As long as the double taxation of corporate earnings continues for the sake of fairness in competition, it should be equally applicable to the earnings of all corporate business, cooperative corporations and ordinary corporations which compete with each other.

My bill provides for the taxation of cooperative corporations and their owner-patrons in the same way as ordinary corporations and their owners are taxed. However, it would exempt from the income tax—just as the original exemption of cooperatives, many years ago, was intended to do—those small groups of farmers who may join together to assist each other in the sale of the individual farmer's products and the purchase of supplies that the individual farmer needs. Where such cooperative activity is this type of business operation, and the individual farmer has dominion over his own transactions, it would not be subject to the income tax.

If the earnings of cooperatives were subject to tax at both the cooperative level and the patron level, as proposed, patronage dividends, like the dividends of ordinary corporations, would be excluded from the income of the recipients up to $100—or $200 in the case of a joint return. This is already permitted under the present law. As comparatively few members of cooperatives receive more than $100 a year of patronage dividends, there still would be, to a large extent, a single tax on the cooperatives' earnings, but it would apply where the impact of the tax should fall, directly to the cooperatives themselves.

The original intent of Congress to exempt from the income tax small groups of farmers that act for themselves has been so magnified and extended that it has become a tax "loophole" of major proportions, causing a revenue loss to the Government of millions of dollars each year. This constitutes a subsidy to the cooperative form of doing business at the expense of all other taxpayers, and gives this form an unwarranted competitive advantage over other forms of doing business.

The tax preference that this bill would remedy, if continued, endangers continuation of the free competitive enterprise as we know it. After all there is little distinction between the operation of a cooperative organization with hundreds and even thousands of "patrons" and a corporation with hundreds and even thousands of stockholders. Both organizations are essentially run by management and the patrons and stockholders actually have little to say about the running of the organization, particularly if it is prospering and growing. The only difference is that the patrons of a cooperative vote and elect management on the basis of a per capita voting system regardless of the number of patron shares they own while the stockholders of a corporation vote by the number of shares they own. Once either of these organizations have grown to substantial size with many owners, diffuse and unorganized as they are, management runs the show and perpetuates itself. There seems to be no economic or social justification in preferring this one form of doing business, the cooperative, over the corporation.

A BILL TO EQUALIZE THE TAX CLASSIFICATIONS OF DEBIT LIFE INSURANCE SALESMEN

Mr. Speaker, under the Internal Revenue Code of 1954, those who are classified as "outside salesmen" are allowed to take as deductions from gross income, the ordinary and necessary expenses of their business activities. What this means, in effect, is that having this status, one may take this form of deduction to reach adjusted gross income and then may take either the standard 10-percent deduction or his itemized deductions to compute his taxable income.

At present, most life insurance salesmen are classified as outside salesmen. One group, however, the so-called debit life insurance salesmen, are not and, because of the similarity in the job and the means of doing it between debit salesmen and other life insurance salesmen, I have today introduced an amendment to section 62(2)(D) of the Internal Revenue Code to equalize treatment of these two groups.

Both of these groups of insurance salesmen must hold the same license for their profession and both sell basically the same lines of insurance. The debit agent, however, sells industrial insurance in addition to the other lines of insurance. These sales involve work away from the employer's place of business and much out-of-pocket expense for the agent. Industrial life insurance is subject to cancellation at will by the insured and the premiums on it are small and fall due weekly or monthly. The agent must collect the premiums and each collection is, in essence, a new sale. These debit agents are salesmen primarily and not collectors and drawing a distinction between them and other insurance agents on the basis of a collateral collection function is unwarranted for purposes of the outside salesmen section of the Internal Revenue Code.

THE WAR OVER POVERTY

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS. Mr. Speaker, I commend to my fellow Members in the House and others interested the pamphlet "The War Over Poverty" written by Carl H. Madden, delivered at the recent symposium of antipoverty programs at Duke University.

Dr. Madden's paper is an incisive analysis into the prevailing philosophy, statistics, and rhetoric of our current efforts to combat poverty while offering the suggestion that success in the past as well as in the future involves focusing on opportunity, not deprivation. Dr. Madden's paper is invaluable in assessing the performance of the Federal antipoverty program, and provides needed perspective for the evaluation of current proposals such as the "negative income tax."

Dr. Madden's paper follows:

THE WAR OVER POVERTY*

(By Carl H. Madden) **

The war *on* poverty is becoming a war *over* poverty. A struggle is being waged over the approach to alleviating poverty. The war over poverty could create a new social structure in our changing cities. Even more important, it could decide the fate of the developing revolution in our concepts of social welfare.

That revolution, not fully understood, would replace the relief dole as a major approach to treating poverty. It would substitute the positive policy goal of more human development, within a framework of rapid and stable economic growth, for the static or redistributional welfare concepts.

I

No one knows how many Americans are poor. It is most probably not two-fifths or even one-fifth of our population, as early writers in the current "war," such as Keyserling and Harrington, argued. Their numerical definition (Keyserling: family income under $4,000 per year; Harrington: family income under $3,000) of poverty was wrong. Their numbers were therefore wrong. And so, also, was the picture they created of America and American life. This is made clear by an authoritative interpretation of the 1960 census by the former director of the U.S. Census Bureau.[1]

Poverty, a harsh word, is defined as "the condition of being poor: *lack of what is needed.*" This dictionary meaning is more accurate than any numerical definition. In terms of needs such as food, shelter, clothing, medical treatment, education, entertainment, and personal transportation, there is not as much poverty in the United States as has come to be believed.

This is made clear by Scammon's analysis of 1960 census data. Today few Americans suffer from lack of food because of deprivation. By 1960, only 6.8 per cent of American dwelling units were dilapidated. Even Michael Harrington acknowledged that the problem of lack of clothing is largely gone, in arguing that U.S. poverty is largely "invisible." Further, the 1960 census reports that almost three-quarters of families with incomes under $4,000 per year have washing machines to wash their clothes.

Medical treatment is potentially available to Americans of all income classes; and the poor for the most part share in public health and sanitation programs, in effect throughout the country. From 1961 to 1963, ninety-nine per cent of thirteen-year-olds were in school, as were ninety-seven per cent of fifteen-year-olds and ninety-one per cent of sixteen-year-olds. A census study of October 1960 showed that nineteen per cent of youth from families with less than $5,000 annual income got into college; this is about one in five, compared with a national rate for all incomes of thirty-one per cent or about one and one-half in five. As of May 1964, ninety-three per cent of American homes had television sets. By 1960, almost sixty per cent of families with less than $4,000 annual income had automobiles available. All these facts and others reported by the 1960 census, now five years old, are analyzed by Scammon.[2]

This does not mean that the problem of poverty in the United States should be underestimated or that its alleviation should not be a major policy goal. It does mean that the problem has in fact been exaggerated and distorted in many people's minds. The fact that the nation can undertake the major effort of minimizing poverty with such a high probability of success is itself a blessing unique in the history of great nations. Even so, as Scammon puts it:

"That poverty is not a major malignant disease, that the nation is not overrun by a huge, seething, hopeless invisible quintile of poor people—this, too, apparently needs public articulation. One of the reasons the "poor" are so "invisible," as Harrington states, is that there may be far fewer than have been written about."[3]

Harrington, associate editor of the socialist journal *Dissent*, was limited by lack of data in his interpretation. Poverty in the United States, as of now, is not measured accurately, and it could be measured much more accurately at low cost. This would require taking into account such variables as family composition, family size, age of family head, farm-nonfarm living, urban-suburban-rural living, size of city, and regional differences in living standards.[4] Approaches by Orshansky and Friedman,[5] admittedly still not adequate, are marked improvements over the faulty data that launched the war on poverty. Some government statisticians would suppress regional or other differences among families because they favor "national norms," similar to social security and the minimum wage. If this position does not implicitly violate the basic methodology of science, it at least begs the question of measurement.

U.S. poverty is not a mass phenomenon, but a problem of specific individuals, families, and groups with "poverty-linked" characteristics. Far from being a single problem, poverty is linked with other difficult domestic issues, such as race, discrimination by sex, unemployment, education, sickness-disability-old age, agriculture, depressed areas, and regional differences.[6]

The United States was making much progress against poverty before the war on poverty began. It is still doing so, and the major source of that progress has been and is economic growth at high levels of employment. Smolensky has shown that, using a variable definition reflecting the changing national consensus, poverty declined by more than thirty-five per cent towards complete elimination in this century. Smolensky found further that high growth and employment rates led to a more rapid rise in the definitional level of poverty, but also that poverty declines faster as the definitional level rises faster.[7]

It is elementary that when everyone's income rises, the gain of the poor is most significant in human terms. Says Scammon:

"Much of our recent income revolution has involved precisely such [poor] families moving from the lower classes into the middle classes. . . . Thus, in 1947, 64 per cent of U.S. families lived on less than $5,000 per year. In 1963 that figure was reduced to 37 per cent (constant 1963 dollars)."[8]

Because the well-off have gotten better off, the fact that the poor have gotten better off is obscured.

The shift since 1947 in people occupying the lowest end of the income distribution casts grave doubt on the Harrington thesis of a "culture of poverty." People in this quintile, according to Scammon, are more likely now to be old people, two-person families, and young individuals. Some of these people, such as young students, both single and married, are themselves moving through the lowest quintile, not without hope for the future. Further, these are people getting better off, not worse off, but only at a slower rate than others. Finally, they are people whose needs, by and large, are less than families with children, whose place they have taken in the lowest quintile.

Before the war on poverty, large sums were being spent to help the poor. Some sources have estimated that in 1964 Americans earmarked $31 billion for federal antipoverty programs alone.[9] When one adds funds spent by states, counties, cities, and philanthropies, it may well be that Americans, before the war on poverty, were spending more to help the poor than on any other single national purpose except national defense. In December 1965 the Office of Economic Opportunity released a 414-page inventory of federal programs totalling $21 billion to help poor individuals and groups.

How can the poor be helped? First, it should be clear that the basic source of potential progress against poverty is an increase in per capita real output and income. This, in turn, means that output must grow faster than population; otherwise, no matter what measures are taken to help the poor, the real incomes of the society in general will not rise. Rising productivity in a society, therefore, is basic to its ability to reduce poverty.

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* The views expressed in this paper do not necessarily reflect the opinions of the Task Force on Economic Growth and Opportunity or the Chamber of Commerce of the United States.

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I should like to acknowledge the valuable assistance of Mr. Richard L. Breault, Associate Director of Research, Task Force on Economic Growth and Opportunity, in preparing this paper.

[1] For Keyserling and Harrington's definitions, see Leon H. Keyserling, Poverty and Deprivation in the United States—The Plight of Two-fifths of a Nation (1962); Michael Harrington, The Other America (1962). For the refutation of their views, see Ben J. Wattenberg & Richard M. Scammon, This U.S.A. 130–51 (1965). Keyserling's "under-$4,000 per year" for families and Harrington's "under-$3,000 per year" for families were both admittedly arbitrary; the point, however, is that, as Scammon, a former District of the U.S. Bureau of the Census, writes, *no* numerical definition of poverty is correct.

[2] Wattenberg & Scammon, *op. cit. supra* note 1, at 135–37.

[3] *Id.* at 138.

[4] Task Force on Economic Growth and Opportunity, Chamber of Commerce of the United States, The Concept of Poverty 16–19 (1965) [hereinafter cited as The Concept of Poverty] recommends a more careful definition of poverty.

[5] Orshansky, *Counting the Poor: Another Look at the Poverty Profile,* Social Security Bull., Jan. 1965, p. 3; Rose D. Friedman, Poverty: Definition and Perspective (1965).

[6] The Concept of Poverty 5–7. See also Wattenberg & Scammon, *op. cit. supra* note 1, at 138–39.

[7] Smolensky, *The Past and Present Poor,* in The Concept of Poverty 33, 35–36.

[8] Wattenberg & Scammon, *op cit. supra* note 1, at 142.

[9] The War on Poverty: A Handbook 28 (National Catholic Coordinating Committee on Economic Opportunity, 1964).

Given rising productivity, national policy has available three basic ways to relieve poverty: income redistribution, area development, and human development.

To redistribute income is to transfer wealth or income from the nonpoor to the poor, however defined, for the purpose of providing living standards considered adequate by social norms. Income redistribution does not of itself increase the nation's total income; it reallocates what is available. An example is the Old-Age Assistance Program of the Social Security Act.[10]

Area development, as used against poverty, is an attempt to raise the income of poor people in a geographical area through raising total income in that area by investment in natural resources or physical capital goods without regard for market criteria. *Area development rests on two assumptions which can be questioned.* The first is that non-market investment in specific geographical areas will in fact be more productive in those areas than it would have been in market uses in other areas. The second assumption is that such investment in specific geographical areas will raise the incomes of poor people in those areas. An example of area development is the Appalachian Regional Development Act of 1965.[11]

Human development, as an antipoverty approach, tries to raise total income through *investment in people,* especially the poor, in order to increase their individual productivity. It rests on the assumption that investment in human beings will raise their income without reducing society's total income. An example is the Vocational Rehabilitation Act.[12]

A. Prevalence of income redistribution

By far oldest and most prevalent, income redistribution as the relief dole stems from our Anglo-Saxon heritage and goes back to the Elizabethan Poor Law. Its motive was combined compassion and fear of disturbance,[13] not economic reasoning. Poverty was viewed as derived either from acts of God, personal weakness, or personal wickedness. If the poor are themselves to blame for their lot in life, or if God's will is at work, it is wasteful for society to invest in human development programs; it suffices to provide such people bare subsistence as a matter of conscience and to prevent disorder.

Dominance of the relief dole approach in this country well into the twentieth century rested on several factors. Among them were the English poor law concept, the Puritan ethic, the rags-to-riches epic of European immigrants, the strong optimism of people of enterprise in a secure and developing subcontinent, the prevalence of jobs calling for strong backs, and a social milieu of swift upward mobility for most.

B. Impact of the great depression

Millions of proud and self-respecting Americans, thrown into poverty through conditions beyond their control in the Great Depression, began to see poverty differently. Clearly the culprit was management of the economy, not personal weakness. The new national attitude, that poverty was remediable, took shape in New Deal measures such as public works employment, the Civilian Conservation Corps, and others to treat remediable poverty, and Social Security to make irremediable poverty less onerous. Today, the personal weakness concept of poverty has all but received the coup de grace. The Second World War showed that only a tiny handful of able-bodied people refuse to work when jobs they can fill are available. It also showed paradoxical progress against poverty despite the enormous waste of war, as real living standards rose with total output.

Yet New Deal measures were experimental, often mutually inconsistent, and stemmed more from strong conviction of a need to act than from purposeful and integrated movement of thought. A deeper conviction, not yet firmly articulated, is based not only on progress since the Great Depression but also on growing knowledge of the economy. This conviction holds that the motive force behind economic growth is application of science and technology to a market-based economy. It holds that scientific methods of analysis and standards of data-gathering and use can be extended to social organization. It holds that policy-making based upon reasoned and informed consensus within such a framework can resolve problems of poverty by combining rapid and stable economic growth in the market economy with intensive development of productive potentials of human beings, viewed not only as human economic resources but also as ends in themselves.

C. The scientific revolution and progress against poverty

When Malthus wrote about population, he assumed that it would increase faster than the food supply. The pessimistic conclusion from his theory for social policy, leading Carlyle to describe economics as "the dismal science," was that attempts to increase the welfare of the poor were self-defeating. The poor, given more than bare subsistence, would only multiply until, by an iron law, they fell back to bare subsistence once more. The only hope for Malthusians was for checks to population growth through moral restraint rather than the wars, famine, and disease that were the only grim alternative checks.

The history of technology in the Western world since the early nineteenth century, when Malthus wrote, dramatically refutes the inevitability of his theories. Thus, today, the scientist Berkner can write: "Man now sees—almost within his grasp—the promise of a society beyond the dreams of the sage and poet."[14]

In the past century, advances in science and technology have brought revolutionary changes in the living patterns and social institutions of the Western world. New discoveries have given means to solve or alleviate a vast array of human and social problems while they have given men unprecedented power over nature, life, and death. They have reduced hunger and disease, increased the span and numbers of lives an earth, lifted the burden of hard manual labor, ended the economic need or benefit of slavery; and they have given man *the chance* to reach the age-old ideal of a life freed from base want and scarcity.

This science- and technology-based revolution has been led by nations whose social organization stimulates the application of technology to meeting consumer demands. In the United States, a free market system within a governmental framework of diffused political power and ideals of freedom provides the needed economic organization. The basic principle of a free market system is that people are free to buy and consume what they wish and to produce and sell what they wish. People as consumers try to maximize the satisfaction from their limited incomes; the same people as producers try to maximize their income gained from using limited resources and capabilities. The efforts of these two groups interact to set prices of consumer goods and productive services so that the relation between any two prices measures their relative scarcity or abundance in satisfying wants.

This system has achieved high productivity in developing economic innovations. Such innovations are not inventions but successful application of invention to meet people's needs as they are expressed in markets. Innovations in such a society are the result of people, acting in their self-interest, adjusting to complex relations between prices and costs, to change such relations to their own benefit. Successful innovations are subject to economic forces. In fact, the relations between prices give a strong incentive to producers to anticipate wants, to change their habits, to eschew complacency, and to use opportunities of whatever kind to meet market demands.

The use of new ways to produce goods and services leads to higher real incomes for society. The scientific revolution of today is marked by waves of innovation as new industries emerge and grow, displacing older ones with multiplied productive power. The record of history confirms this development. Populations are growing at rates of two per cent per year, a doubling time of forty years compared to 200 years at the time of our American Revolution. Science and medicine, joined together, have reduced death rates faster than birth rates can be checked, multiplying mouths to feed.

Yet standards of living have risen dramatically in industrial countries. U.S. agriculture is almost wholly mechanized, its productivity having risen many-fold through intensive use of biology, chemistry, and mechanics in farming. From 1860 to 1960 the farm population declined from seventy to seven per cent of the U.S. total. We enjoy enormously increased production of basic fuels and minerals, employ exotic ones, and create new ones. The ability to produce of industry gains steadily at rates estimated at 2.5 to 3.5 per cent per year.

The impact of innovation has produced great changes in the labor force. The service industries[15] now account for more than half the nation's employment, now growing "far more rapidly than in the rest of the economy."[16] As manufacturing becomes more efficient, the labor force shifts to the expanding services sector, providing more convenience, professional and personal care, and government services, including education, to our people.

Fears that automation will produce mass unemployment and new poverty are a will-o-the-wisp. After a year-long study, a blue-ribbon presidential commission on automation found that technological change presents no basic threat to employment that cannot be overcome by vigorous fiscal policies to spur economic growth.[17] The commission's conclusion recognizes the basic economic lesson of the Great Depression: that to achieve full employment in a progressive society, the total monetary demand of business, consumers, and government must match the society's productive potential. Aggregate desired employment levels can be achieved by appropriate monetary and fiscal policies that match total monetary demand with productive potential at a stable price level.

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[10] Section 202, 49 Stat. 623 (1935), as amended, 42 U.S.C. § 402 (1964).

[11] 79 Stat. 5, 40 U.S.C.A. App. A (Supp. 1965).

[12] 68 Stat. 652 (1954), as amended, 29 U.S.C. §§ 31–42 (1964).

[13] See D. A. MacIntyre, Public Assistance, Too Much Or Too Little ch. 2 (N.Y. State School of Industrial and Labor Relations, Cornell University Bull. 53–I, 1964).

[14] L. V. Berkner, The Scientific Age 129 (1964).

[15] The service industries are defined to include wholesale and retail trade, finance, insurance, real estate, professional services, repair services, personal services, and general government.

[16] Fuchs, *Productivity in the Service Industries,* in National Bureau of Economic Research Forty-fourth Ann. Rep. II (1964).

[17] National Commission on Technology, Automation, and Economic Progress, Technology and the American Economy, Report 189–92 (1966).

The presidential commission's views are supported by many other studies.[18] Those who, in wild exaggeration, have created an automation hysteria have done the nation a disservice by muddy thinking unsupported by factual evidence.[19] The burden of proof that automation is a new threat auguring mass unemployment rests on those who claim it vitiates all past experience with technological change.

It must be recognized, however, that technological change involves inherent costs as well as benefits. Among these, such change in the short run and at the level of individual industries destroys jobs. If the shift from old to new industries is slow or inefficient, both economy and workers are penalized in loss of output and income. Therefore, it is sound public policy to improve labor mobility, job market efficiency, and structural adjustment of the labor force. Easing structural adjustments and keeping total monetary demand roughly equal with national productive capacity are closely related. It is important to promote the flexibility and adaptability of the work force. It is also important to provide for those unable to meet the demands of the labor market—the sick, the disabled, the aged.[20]

And it is important to keep fiscal and monetary policies effectively matching total spending and productive capacity. There is no intrinsic reason that an increase in our ability to produce should not lead to an actual increase in production. Indeed, we need more and faster technological change in order to raise living standards; to provide more goods and services, more leisure, a more satisfying work environment; and to enable us to solve the problems created by technical advance.

Thus, the basic means of minimizing poverty is stable and rapid economic growth, with more emphasis on human development to provide skills needed in a scientific and service-oriented age, and with institutions that minimize disruptions caused by increased mobility. It is our capacity to grow faster that gives the sine qua non for alleviating poverty; it is upgraded human skills that makes ability out of capacity. Further, as John Dunlop has pointed out, our productive potentials "underscore the common gains to be shared by increasing productivity and the possibilities of insuring adequately those who bear the costs of the adverse initial impacts of some technological changes." [21]

III

Human development to combat poverty is not a new concept in this country. From the vision of William Penn and Thomas Jefferson until today our public school system is an attempt to develop the human resources needed to build a great nation. And from the Northwest Territory Ordnance in 1787 until today, when ninety-nine percent of our thirteen-year-olds are in school, Americans have followed the mandate laid down in that Ordnance, that "means of education shall forever be encouraged," as well as upholding—not without strife—its ideals of social and political democracy.[22] The Morrill Act of 1862,[23] fathered by Michigan farmers, set up land grant colleges to develop human resources needed to tap our food-producing potential and provide needed engineering skills to supplement humanistic and scientific education in private and state universities. The Smith-Lever Act of 1914,[24] setting up the Agricultural Extension Service, and the Smith-Hughes Act of 1917,[25] providing vocational education in agriculture, likewise fostered human development. The Elementary and Secondary Education Act of 1965,[26] though it places the federal government into traditionally state areas of responsibility, recognizes the national interest in the education of citizens, poor as well as not-so-poor.

But early efforts to develop human skills were focused on opportunity, not deprivation. Only since the poverty concept revolution of the Great Depression have we given serious thought to developing human resources as a specific way to fight poverty. In fact, we see the first national application of this approach in the George-Barden Act of 1946,[27] the Vocational Rehabilitation Act of 1954,[28] the Manpower Development and Training Act of 1962,[29] the Vocational Education Act of 1963,[30] and certain programs since then. If poverty is, however, a problem of specific individuals, families, and groups with "poverty-linked" characteristics, and if science promises further economic growth for the society, giving means to alleviate poverty and insure against disruptions of technological change, it follows that antipoverty efforts should emphasize remedying personal deficiencies, imparting personal abilities, in order to help people become more productive and so share directly through their own efforts in society's economic advance. The purpose—as distinct from the programs—of the Economic Opportunity Act [31] reflects this concept, which has considerable merit.

A. Human development versus other approaches

The debate about the merits of guaranteed annual incomes—a sophisticated version of relief doles—whether as "negative income taxes," for the poor, or "demogrants" making up universal grants to all citizens, or in other forms—challenges the human development approach. Proponents offer many reasons for such guarantees. Perhaps the most persuasive is that they are more efficient and less demeaning than present complex welfare programs with their often offensive and arbitrary eligibility conditions and hodge-podge benefit levels among states, counties, and cities.

Certainly, the need for such grants as a response to automation can be sharply questioned along lines argued above, and needs no further elaboration. Further, grants do not strike at today's poverty-causing conditions. Grants do not reduce job or union discrimination by color or sex, nor increase education, skills, or work discipline.

In effect, the guaranteed-income approach begs an important question if used for more than cutting red tape. The market system takes the individual as given—assuming the participants are rational, knowledgeable, and have initiative; and it promises favorable results on this assumption. Yet, in fact, individuals are complex and importantly influenced by their environment. It is callous to assume a degree of knowledge and initiative by today's poor which ignores environmental factors; to leave them isolated and dangling at the end of a new-fangled welfare check. Human development offers opportunity; while it is more expensive, it has merits recognized throughout our history.

Area development also challenges the human development approach. The Appalachian Regional Development Act sets aside eighty per cent of its authorized $1-billion-plus for roads. This comes when Appalachia requires more than 100 more vocational-technical schools.[32] The Appalachian Act concept raises several difficult questions. Why should high-cost roads in Appalachia built in the hope of generating demand, yield higher returns to society than less costly roads built to meet pressing demands eleswhere? Why should road-building, that creates temporary jobs for skilled workmen and highly organized construction companies, help the *poor* in Appalachia? Indeed, why should the nation's poverty efforts go to help entire geographic areas and regions when it is specific people in them who are poor? Is it areas or people who are poor?

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[18] Such scholars include staff experts of *Fortune* magazine, in a series of articles on technology. "Technology and the Labor Market," Jan. 1965 to Aug. 1965; George Terborgh, economist of the Machinery and Allied Products Institute, in his book, THE AUTOMATION HYSTERIA (1965); Ewan Clague, U.S. Commissioner of Labor Statistics; and the President's Council of Economic Advisers.

According to Mr. Clague, for example, "Technology as such does not result in a net loss of jobs in the economy. It does destroy the jobs and occupations of individual workers; but it creates new jobs and occupations which require workers." See *What Employment Statistics Show, Automation,* April 1964, p. 95.

According to the Council of Economic Advisers, "Technological change permits any given level of output to be produced with less labor and, in that sense, destroys jobs. But it also provides a significant spur to investment and consumption and thus creates jobs. . . . Historically periods of rapid technological change have generally been periods of high and rising employment." COUNCIL OF ECONOMIC ADVISERS, ANNUAL REPORT 95 (1964).

[19] Examples of wild exaggeration can be found in DONALD N. MICHAEL, CYBERNATION: THE SILENT CONQUEST 15 (1962); in *Hearings on the Nation's Manpower Revolution Before the Subcommittee on Employment and Manpower of the Senate Committee on Labor and Public Welfare,* 88th Cong., 1st Sess., pt. 5, at 1649 (1963) (prepared statement of John I. Snyder, Jr., Chairman and President of U.S. Industries, Inc.); and THE TRIPLE REVOLUTION (reprint of a statement by the Ad Hoc Committee on the Triple Revolution, P.O. Box 4068, Santa Barbara, California, 1964).

The statement of the Ad Hoc Committee is perhaps the most extreme. The Committee includes W. H. Ferry, Vice President, Fund for the Republic; Michael Harrington, author, THE OTHER AMERICA (1962); Gunner Myrdal, Swedish economist; Ben B. Seligman, Retail Clerks International; Linus Pauling, chemist-pacifist; and Norman Thomas, Socialist leader. The Committee states that because of the technical revolution, "the industrial productive system is no longer viable . . . the traditional link between jobs and incomes is being broken. The economy of abundance can sustain all citizens in comfort and economic security whether or not they engage in what is commonly reckoned as work." Committee proposals include "a massive program to build up our educational system . . . massive public works . . . a massive program of low-cost housing, and . . . the conscious and rational direction of economic life by planning institutions under democratic control." THE TRIPLE REVOLUTION, *op. cit, supra* at 10–13.

[20] See TASK FORCE ON ECONOMIC GROWTH AND OPPORTUNITY, CHAMBER OF COMMERCE OF THE UNITED STATES, POVERTY: THE SICK, DISABLED AND AGED (1965).

[21] Dunlop, *Introduction* to AUTOMATION AND TECHNOLOGICAL CHANGE 1, 3 (Dunlop ed. 1962).

[22] Northwest Territory Ordinance art. 3, 12 JOURNAL OF THE U.S. CONGRESS 85, 90 (1787).

[23] 12 Stat. 503 (1862), as amended, 7 U.S.C. §§ 301–05, 307–08 (1964).

[24] 38 Stat. 372 (1914), as amended, 7 U.S.C. §§ 341–43, 344–46, 348 (1964).

[25] 39 Stat. 929 (1917), as amended, 20 U.S.C. §§ 11–15, 16–28 (1964).

[26] 79 Stat. 27, 20 U.S.C.A. §§ 234–44, 331–32b, 821–85 (Supp. 1965).

[27] 60 Stat. 775 (1946), as amended, 20 U.S.C. §§ 151–15m, 15o–15q (1964).

[28] 68 Stat. 662 (1954), as amended, 29 U.S.C. §§ 31–42 (1964).

[29] 76 Stat. 23, as amended, 42 U.S.C. §§ 2571–2620 (1964).

[30] 77 Stat. 403, 20 U.S.C. §§ 15aa, bb, aaa, 35–35n (1964).

[31] 78 Stat. 508 (1964) 42 U.S.C. § 2701 (1964).

[32] See THE CONCEPT OF POVERTY 14.

Area development promises to become competitive for federal funds. Already, such regions as New England, the Ozarks, the Upper Midwest, and still others are prepared to follow the route of Appalachia. Government officials privately admit that in guiding the Appalachian act through Congress, roads were "easier to sell" than vocational schools. Current programs in urban renewal, farm subsidies, public works, and the like suggest that area redevelopment is far from taking a back seat. It hardly needs documenting here that public works tend to follow political influence. It is likely, indeed, that major federal subsidy programs have tended to redistribute income from the poor to the not-so-poor.

B. The economic opportunity administration

As it is turning out, the Economic Opportunity Act may well be a poor vehicle for testing the human development concept. For one thing, it is not much of a test. Seen in the perspective of our country's great accomplishments in education, training, and welfare, the Office of Economic Opportunity (OEO), for all its strident publicity, is small potatoes. Beyond that, the act was hurriedly pieced together; [33] many of its offerings are old or duplicate existing programs; [34] it has spent its money mainly for administration; [35] it is deeply embroiled in what a former administrator terms "savage" politics; [36] it has been given a virtually impossible job of coordination; [37] its purposes are by definition apt to be confused; [38] and its independent life as of now seems likely to be short.[39]

Not only duplication with other federal programs but conflict with existing institutions and philosophy could lead to failure of the Economic Opportunity Act. Such conflicts are being more frequently reported publicly, ranging from views of Saul Alinsky [40] to Rutgers University consultants of the Camp Kilmer Job Corps Center.[41] Largely unreported are conflicts with existing welfare, public health, and educational agencies that are nevertheless real.

Job Corps centers, both rural and urban, give remedial education and job training in residential camps to poor youth sixteen to twenty-one in age, out of work and out of school. The average cost in fiscal 1965 for 10,000 enrollees was $8,000 per enrollee. For its second year the Job Corps plans for 30,000 and a budget request of $240 million—that is, about $8,000 per enrollee.[42] There have been reports that Job Corps enrollments are lagging; whether its training is job-related for the forty per cent of enrollees required to be in rural camps, or indeed, for the rest of its enrollees, will be tested only with employment of trainees.

There may be deeper conflict than meets the eye in severe criticism by Rutgers professors of Camp Kilmer and its business-like job-training contractor. The criticism came close to condemning the whole concept of residential, private-industry approach. It called for central leadership from education, youth work, or welfare to replace business leadership.[43] In effect, the Camp Kilmer approach implies failure by (and, hence, conflict with) schools and welfare agencies in dealing with poor youth.

The largest of OEO programs in human development is the Neighborhood Youth Corps (NYC), which served in its first year 278,000 teenagers at a cost of $134 million.[44] It provides part-time work in "newly created jobs in non-profit or municipal agencies." By Labor Department administrative decision, the jobs pay at the rate of $1.25 per hour. This means that some NYC youth may be receiving higher pay-rates than their parents, if parents are training under the Manpower Development and Training Act programs. The NYC programs, through the restrictiveness of work opportunities, are not immune from political abuse, inviting as they do municipal governments to hire young people in newly created jobs. Again, the existence of NYC implies failure of public schools in developing sound work habits and attitudes among poor youth.

The Work Experience program for people on relief rolls, involved about 80,000 at a total cost of over $100 million in fiscal 1965. An example of the program is given by a million-dollar grant to Rhode Island for 1,000 men and women to receive, among other things, "training in good work habits and attitudes . . . and training through beautification activity as nurserymen, gardeners, and truckdrivers." [45] While these are valuable occupations in an increasingly service-oriented economy, it is not yet clear that, in general, training in the Work Experience program is well matched with market needs.

The VISTA (Volunteers in Service to America) program, with only about 2,100 enrollees, implies that a new corps of workers is needed to supplement the efforts of social workers, efforts that presumably fall short of the mark. However, VISTA has so far proved remarkably unsuccessful in attracting and holding volunteers, compared with initial claims.

If the above "war on poverty" programs are successful, they could lead to far-reaching changes in our traditional institutions. Buttressed by other federal manpower programs such as Manpower Development and Training, Vocational Education, and so on, the "war on poverty" programs could create a new educational and welfare concept and structure in our society. The controversy they create, even if moving in the right direction, could create formidable obstacles to OEO success.

An even greater source of conflict is title two of the Economic Opportunity Act,[46] the general Commodity Action Program (CAP), for here political organizations are being challenged. This is the title which, in many communities, is turning the war *on* poverty into a war *over* poverty. It is the title of the act which led Adam Clayton Powell to speak of "giant fiestas of political patronage," and which William Haddad linked with "savage" politics. To cost almost $500 million in fiscal 1966, CAP gives financial support for specific local antipoverty efforts in rural and urban areas. What Haddad calls a "powder keg" is the provision that local programs must be "developed, conducted, and administered with maximum feasible participation of residents of the areas and members of the groups served."[47] It could mean a blank check for communities, anything from family planning to cultural enrichment field trips. It could also mean that, from the politician's viewpoint, the poor would be given not only money—as in the past—but also a voice in spending it—which, translated, in politics means power for indigenous leaders of the poor.

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[33] Reports in congressional hearings on the act indicate that it was drafted in six weeks; testimony of Sargent Shriver does not deny that it was put together in a hurry. A consultant serving on the task force that drew up the Economic Opportunity Act, in seeking cooperation from this author, replied to questions about the need for study: "We haven't got time to study; we have to act." The majority leadership of the House Committee on Education and Labor, when OEO legislation was reviewed and OEO's appropriation doubled in 1965, admitted that a complete study of the act was not possible—a study that had been assured the year before when the majority was pushing for quick passage of the act. CONGRESSIONAL RECORD, vol. 111, pt. 13, p. 17508.

[34] The Job Corps duplicates in large part the Civilian Conservation Corps of the 1930s; it overlaps current measures such as the Manpower Development and Training Act, 76 Stat. 23 (1962), as amended, 42 U.S.C. §§ 2571–620 (1964), and the Vocational Educational Act of 1963, 77 Stat. 403, 20 U.S.C. §§ 15aa, bb, aaa, 35–35n (1964), which offer manpower retraining programs. The Work-Training (Neighborhood Youth Corps) program of the OEO also overlaps the same earlier acts. The College Work-Study program under OEO seems to duplicate the student loan program under National Defense Education Act §§ 201–03, 72 Stat. 1583 (1958), as amended, 20 U.S.C. §§ 421–29 (1964).

The Adult Basic Education program, the special programs to Combat Poverty in Rural Areas, Employment and Investment Incentives, and Work Experience programs duplicate in some degree programs existing before the act was passed. The inventory of programs to help people and groups in poverty, available from the federal government, released by OEO in December 1965, shows 57 separate federal programs for vocational education.

[35] Agency data are not available. This statement is based on the nature of the act and on press reports such as that in the Washington Evening Star, Dec. 23, 1965, sec. B. p. 4, reporting that of more than $600,000 granted Fairfax County under its community action program, only $20,000 was for nonadministrative expense, and in the Chicago Tribune, April 15, 1966, p. 5, reporting that 49% of federal war on poverty funds spent in Chicago is to pay salaries.

[36] See article by William F. Haddad, formerly assistant director and inspector general of OEO, *Mr. Shriver and the Savage Politics of Poverty,* Harper's Magazine, Dec. 1965, p. 43.

[37] The OEO enabling legislation provides that OEO is to coordinate all antipoverty efforts in the federal government. Economic Opportunity Act of 1964, § 611, 78 Stat. 532, 42 U.S.C. § 2961 (1964). Since poverty is a problem closely related to employment, race and sex discrimination, education, agriculture, depressed areas, and sickness-disability-old age, responsibility at the federal level is scattered throughout powerful government departments responsible to cabinet-level secretaries. To anyone familiar with organizations, it seems impossible for an independent agency head to "coordinate" policy of cabinet secretaries. As one example, OEO personnel have been reported in the press as proposing that the target for full employment, set by the Council of Economic Advisers to the President at an "interim" four per cent in 1963, now be lowered to three per cent. It is difficult to believe that, among the conflicting responsibilities of what Walter Heller called the "troika" of the old line Treasury Department, the prestigious Federal Reserve, and the influential Council, the OEO would, in fact, carry much weight.

[38] As Sargent Shriver explained on "Meet the Press," Dec. 19, 1965, the community action programs are locally directed by "some 700 or more" communities, and range from sponsoring newspapers (Ypsilanti, Mich.) to "work on beautification projects" (Providence, R.I.). As OEO says, "The door is always open for new programs with new approaches." *Community Action Programs,* I OFFICE OF ECONOMIC OPPORTUNITY, CONGRESSIONAL PRESENTATION 47, 48 (1965).

[39] In a front-page story, it was recommended by an inter-agency task force that the community action program should be transferred from OEO to the new department of Housing and Urban Development because of its deep involvement in the politics of cities. The Washington Post, Dec. 24, 1965, p. A–1.

[40] *The Professional Radical: Conversations With Saul Alinsky,* Harper's Magazine, June 1965, p. 37.

[41] N.Y. Times, Nov. 17, 1965, p. 1, col. 2.

[42] Address by George J. Vicksnins, *The War on Poverty and Federal Manpower Policies,* before the Washington chapter of the Industrial Relations Research Organization, Dec. 15, 1963, and *Community Development,* National Association for Community Development, Washington, D.C., March 1966, p. 2.

[43] *Trouble in the Job Corps—Report from a Showplace,* U.S. News & World Report, Dec. 27, 1965, p. 51.

[44] Vicksnins, *supra* note 42.

[45] *Hearings on Supplemental Appropriation Bill, 1966 Before Subcommittees of the House Committee on Appropriations,* 89th Cong., 1st Sess., pt. 2, at 394 (1965).

[46] 78 Stat. 516, 42 U.S.C. §§ 2781–2831 (1964).

Title two departs from the traditional federal welfare programs by placing main responsibility on local communities for programs and by setting up a direct channel for funds from Washington to local community action groups, bypassing, if needed, local government (and political) organizations. In the view of some, CAP could evolve into a mid-twentieth century equivalent for the central government of *The Last Hurrah*, the "beer-bucket and coal-scuttle" local politics of some nineteenth-century city life. Others see CAP as challenging a source of power valuable to big-city administrations for a generation—namely, the power of doling out welfare through existing agencies.[48]

Reasons given for title two by its sponsors were the superiority of local leadership,[49] concern for the "state's rights" principle, and a desire to "unify" communities through broad local participation. Two "silent" reasons privately discussed were that the bill's drafters simply did not know what programs the war on poverty needed, and—perhaps more important—the act was designed as another layer of the Great Society's civil rights program. Because of growing distrust of established social and political institutions by increasingly vocal and powerful urban poor, particularly Negroes, such urban poor are to be the major beneficiaries, but under direct national administration leadership.

Few informed students can deny the ironic role of Negroes in the United States. European immigrants came here with the peasant's strength of family, full of hope in the land of opportunity, capable of "fading" into suburbs as language barriers fell before a new generation. The European belief that hard work could lead to fortune has been largely confirmed. Many urban Negroes, often of much longer American lineage and so more socially and politically sophisticated, feel trapped. Recognizing need for education and skills, they have been in the past frustrated by lack of opportunity and by unstable family life patterns set up purposefully earlier by the mores of slave ownership. Despite much progress in income that is closing the gaps between whites and Negroes,[50] the Negro faces the aroused expectations of mass media, on the one hand, and the realities of declining opportunities for the uneducated, on the other, all the while remaining "visible" on account of color.

Many of today's poor lack provision for that education, training, and environment that are needed. Central Harlem and other city school children undergo declines in measured intelligent quotient from third to sixth or eighth grades.[51] Urban renewal has often pushed urban poor into denser inner-core ghettoes.[52] Health of the poor is less robust; they are sick more and have higher infant mortality[53] and death[54] rates, suggesting preventive health care weaknesses.

Sophisticated leadership of urban poor—particularly civil rights organizations—know and protest such conditions. Equal opportunity is their main theme; relief programs of the past are considered an affront. The concept of economic opportunity has much validity, in line with the argument of this paper. Enhanced skills add to national output and income, to consumer buying power, to social and political stability—in short, to the means of reducing not only economic but also social, intellectual, and cultural poverty. This is why OEO has aroused interest and excitement.

In this context, the war *over* poverty is real and undeniable. It presses against the welfare and education status quo in cities, and thus also against city halls across the land. The U.S. Conference of Mayors noted last November that both "public and private agencies and interests are being combined and coordinated under community action program guidance"; and in view of this, the report said, ". . . the almost revolutionary potentialities of this new organizational unit become apparent."[55]

With the stakes so high, competition for CAP leadership is keen. Labor unions publish how-to-do-it pamphlets for their leaders.[56] Walter Reuther sets up a million-dollar "Citizens Crusade Against Poverty" to help involve labor. Austin Kiplinger writes that Reuther sees unions "as a vital cog in the coming power structure, with a unified voice, louder than any other, and able to run the show."[57] Part of the show may well be the powerful poor.

The war over poverty creates troubles for the Johnson administration. On one side, the administration faces the angry big-city mayors, mostly Democrats; on the other, there are the civil rights groups and others whom the "establishment" frustrates. The conflict surfaced last November with a news report alleged to stem from what was said to be an intra-office Bureau of the Budget memorandum. The report claimed the administration plans to de-emphasize CAP in favor of NYC and Project Head Start. The Vice President's "informal" talks to reporters were soon in print with a similar line—hardly a coincidence in such a tightly news-disciplined presidency.[58] Carl Rowan, Negro columnist, has since reported that to move CAP to the new Department of Housing and Urban Development, Sargent Shriver may have to be replaced.[59] Such a move, with what some hear as overtones of the Johnson-Robert Kennedy power struggle, would add merit to Haddad's appellation of "savage" politics.

C. What is the basic philosophy of the OEO?

The real longrun weakness of the OEO is lack of a basic philosophy. In the absence of strong intellectual underpinnings or vision of purpose, the sponsors of the Economic Opportunity Act created what Silberman aptly calls "a mixed-up war on poverty."[60] Defenders of the act and of the OEO as "pragmatic" overlook the wide gulf which separates the pragmatism of confusion from the pragmatism of hypothesis explored through scientific analysis and testing.

Many of the troubles in the war on poverty stem from its clouded vision and activist posture: Weak and distorted factual bases are too often defended instead of probed. Legislative devices such as "coordination" are substituted for strong policy direction to federal antipoverty efforts, vastly overlapping and duplicative. Existing welfare and educational institutions and concepts are naively attacked rather than firmly challenged on logic, quality and results. Indeed, issues which are at base substantive and analytical are exploded into political battles, rather than the desired reverse "implosion" of potential political issues into technical and substantive questions.

A meeting on December 5–8, 1965 of 286 representatives of community action and development programs—the National Association for Community Development—reflected in its resolutions concern over the conceptual shape of OEO administration as follows:

"Judged in the light of its CAP funding actions, the OEO has not recognized the centrality to the community action effort of manpower development and employment programs."

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"Attempts to carry out this [OEO coordinating] responsibility have proven especially difficult in the area of manpower development and employment programs in large part because this central planning and coordinating role is not afforded priority in federal bureaucratic practice."

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[47] Haddad, *supra* note 36, at 44; § 202(a)(3), 78 Stat. 516, 42 U.S.C. § 2782(a)(3) (1964).

[48] Silberman, *The Mixed-Up War on Poverty*, Fortune, Aug. 1965, p. 156.

[49] H.R. REP. No. 1458, 88th Cong., 2d Sess. 10 (1964).

[50] WATTENBERG & SCAMMON, *op. cit. supra* note 1, at 130–51.

[51] Clark, *Education of the Minority Poor—The Key to the War on Poverty* (paper prepared for the Task Force on Economic Growth and Opportunity, Chamber of Commerce of the United States).

[52] See MARTIN ANDERSON, THE FEDERAL BULLDOZER ch. 4 (1964).

[53] U.S. NATIONAL CENTER FOR HEALTH STATISTICS, DEP'T OF HEALTH, EDUCATION AND WELFARE, SERIES 10, NO. 4, DISABILITY DAYS, UNITED STATES: JULY 1961-JUNE 1962, at 9 (1965); U.S. DEP'T OF HEALTH, EDUCATION AND WELFARE, WELFARE ADMINISTRATION, DIVISION OF RESEARCH, CONVERGING SOCIAL TRENDS, EMERGING SOCIAL PROBLEMS, Chart 40, at 48 (1964).

[54] Handler, *Poverty No. 3 Cause of Death Here*, N.Y. Times, Oct. 10, 1964, p. 59, col. 2. The five causes of death included in the study were cardiovascular renal diseases, cancer, diabetes, pneumonia-influenza diseases, and accidents.

[55] Loftus, *Mayors Chide U.S. on Poverty Drive*, N.Y. Times, Nov. 28, 1965, p. 55. Last November's narrow re-election of Cleveland's Mayor Ralph S. Locher, who was nearly defeated by a Negro opponent, is possibly an example of what the Conference of Mayors was talking about. For months prior to the election, Locher, the OEO, civil rights groups and church organizations had been carrying on a battle over the composition of Cleveland's community action council. Until the election, the mayor had resisted demands that he increase representation of the poor. The groups that wanted more representation of the poor played active roles in the mayoralty election campaign and supported Locher's opponent, who came within 2,000 votes of defeating the incumbent mayor. Pincus, *Politics and Change in Poverty War, Interpretative Report*, The Washington Evening Star, Nov. 12, 1965, p. 2.

[56] See AFL–CIO, LABOR'S ROLE IN THE WAR ON POVERTY (pamphlet prepared by the AFL–CIO Antipoverty Office, Washington, D.C., 44 pages, undated).

[57] The Kiplinger Washington Letter, Nov. 26, 1965, p. 1.

[58] As two experienced newsmen on the Washington scene later pointed out:

"The Vice President and the Budget Director are anything but bureaucratic adventurers who go off on policy tangents. High officials here just can't believe Humphrey and Schultze have crawled out on a limb without a nudge from President Johnson." Evans & Novak, *Inside Report*, The Washington Post, Dec. 1, 1965, p. 17.

[59] Rowan, *Shriver Likely Poverty War Victim*, Washington Evening Star, Dec. 22, 1965, p. A–15.

[60] Silberman, *supra* note 48.

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". . . greater recognition than ever should be given . . . to the realities of the current and future labor market, occupational demands, and labor force. . . . These realities include . . . a heavy concentration of hardcore unemployed young men and women without the formal or the actual qualifications for acceptance by employers.

* * * * *

"Almost one-half of those persons who make up the poverty population reside in rural areas and a large segment of the impoverished in urban areas have their origin in rural areas. . . . But only about 10 per cent of CAP funds have gone to rural programs." [61]

Too much of OEO efforts aim at offering people of good will a cause. John Fischer, editor of *Harper's* magazine, argues that since many of our youth lack substitutes for violence because of the comforts of modern life, we should start projects based on what William James long ago called the "moral equivalent of war." To some extent, Fischer points out, Project Head Start, VISTA, the Peace Corps, and such programs aim in this direction.[62]

One cannot help a feeling of disquiet, however, with such approaches by central government in questions affecting the lives and hopes of the poor. For one thing, the moral issue insists on turning around—are these programs aimed at doing good to the poor, or at doing good for those doing good to the poor? Next, is the issue of fighting poverty only an issue of doing good? If rich men in India gave all their goods to feed the poor, perhaps moral wealth would be enhanced, but certainly poverty would not be conquered. To those who argue that such programs help both helped and helpers, one can recall the haunting remark of Jane Addams: "One cannot do good to the poor; one can only hope to do good with the poor." Historically the supply of saints has always been scant.

These unhappy questions need facing, above all, because the war on poverty could conceivably only mislead, misinform, and misdirect the hopes of our most inarticulate people. What could be more regrettable an outcome of the war on poverty than to turn the stigma of "deprivation" in a loosely-defined barrage across major groups, areas, and regions? In a recent article "A Federal Study Finds Unrest Among Negroes Rising in Many Cities," the *Wall Street Journal* reports: "Federal officials who have felt the pulse now possess a closely guarded list of 'high tension' cities where it's said the threat of violence is raised by Negro resentment over lack of jobs, inadequate schools and housing, and the attitudes of police and local officeholders." [63] Is mounting resentment and frustration, is more disrespect for law and order, either a desired or necessary result of antipoverty efforts? It would not appear so.

Lacking a clear philosophy, the war on poverty has nonetheless created a powerful rhetoric. No one who reads newspapers can escape realizing that the war on poverty has yielded tons of news releases. OEO has had more than one hundred ex-newsmen in its evaluation unit, to check complaints, while its research staff amounted to about forty. The public information staff of the war on poverty includes federal, state, and local manpower, throughout the country. The danger of powerful public information is that its output can be no better in the long run than its input. Thus, powerful rhetoric amplifies trouble with the war on poverty as much as accomplishment. It also runs the risk of demeaning its clients with the stigma of deprivation, which blotting out solid news of progress against poverty (in facts about income, jobs, and wealth) with the minutiae of OEO grants and administration.

D. Toward a philosophy of overcoming poverty

The National Association for Community Development, earlier quoted, held in one of its resolutions:

". . . we feel that the private and public institutions of America must not be led to believe that the usual market mechanisms and general fiscal and monetary policies can be expected to contribute *a direct or even an indirect* solution to these [hardcore unemployment] problems. Specific, tailor-made programs of manpower development, job development, and economic development must take up the attention and energies of employers, unions, and government in order to provide solutions and techniques congruent with the realities of the labor market today, and in the future." [64]

It is puzzling to determine who it is that contends that the market plus monetary and fiscal policy—alone—solve hard-core unemployment. It has been the National Chamber view that much unemployment in recent times is structural—that is, the result of job-upgrading not yet matched by skill-upgrading, or of other shifts in employment producing mismatches of jobs and skills.[65] Further, businessmen have historically supported both public and private education and its expansion, as well as spending perhaps today as much as $15 billion yearly for training on-the-job.

The National Association for Community Development seems to raise a strawman issue in its premises. Signs of progress in education led *Time* magazine to write of "the education explosion." A few sentences put its essence briefly:

"Sixty-five years ago, when the U.S. population stood at 76 million, a thin 6% of the nation's 17-year-olds graduated from high school, and only 4% of the college-age youths were in college. Today, with the U.S. population grown by nearly 40% [*sic*], to 195 million, an impressive 71% of the 17-year-olds are getting their high school diplomas, and about 30% of the college-age population is in the classroom." [66]

The market mechanism and general fiscal and monetary policy have never alone solved human development problems in this country. They create conditions of high employment; the educational system, stimulated by a free and enterprising people bent on a better life for their families and children, has done so.

And given our great educational plant, still abuilding, why should we not ask about its quality in serving the poor? Is the issue not falsely drawn which leaps from hard-core joblessness to OEO-type programs, bypassing schools?

In seeking a philosophy of overcoming today's remediable poverty, are not probing questions needed about our concepts and practices in this great educational system? For example, might we not require schools to develop, use, and report on measures of their own productivity? We need a system of testing which would serve as a quality control for local school boards. Might public schools be subject to more competition, to improve quality for children of the poor? Why should educators not be required to produce results?

Indeed, if we are serious as a society in striving to enter the age of science—wherein results are tested formally and self-consciously—might we not also demand higher standards of accomplishment in government welfare-type programs such as OEO? Most such programs report results in numbers of cases served or in dollars spent, rather than in the achievement of specific purposes. Industry and commerce cannot survive through such primitive reporting methods.

Social innovations at once consistent with our ideals of freedom, enterprise, opportunity—and at the same time fit for the coming age of science—will require unleashing the mind of our age from depression-born manacles still evident in the war on poverty. It is hard to hear America singing tunes of negative income taxes, guaranteed incomes, or songs written by federal bureaus of economic opportunity, in such an age. A clearer theme emerges from phrases such as "the means of education shall forever be encouraged." Ours is the semantics of individual opportunity and know-how—not of individual dependency and deprivation. Those who write the new philosophy of poverty must hear America singing.

PROPOSAL TO AMEND THE COMMUNICATIONS ACT OF 1934

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, under present law each broadcaster in the United States must apply for renewal of his license every 3 years. Those governmental agencies such as police, forestry, and fire departments who use safety and special radio service licenses must apply for renewal every 5 years.

These procedures are time consuming and costly to both the applicant and the Government. Furthermore, the present regulations governing license renewals are outmoded and unrealistic as applied to today's communication needs.

Accordingly, Mr. Speaker, I am today introducing a bill to amend the Communications Act of 1934, to extend the maximum period for broadcasting licenses from 3 to 5 years. It also will abolish the necessity of renewals for licenses in the safety and special services category which now imposes a useless burden on the Federal Communications Commission and on the licensees. However, the bill will preserve authority in the Commission to grant licenses for a fixed term of years in the safety and special services category, where the public interest would, in the Commission's judgment, so require.

UKRAINIAN INDEPENDENCE: SELF-DETERMINATION DENIED

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the Record and include extraneous matter.

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[61] National Association for Community Development, Eight Resolutions Passed at NACD Conference (Dec. 5–8, 1965).

[62] Fischer, *Substitutes for Violence*, Harper's Magazine, Jan. 1968, p. 16, at 19, 24.

[63] Wall Street Journal, Jan. 5, 1966, p. 1.

[64] National Association for Community Development, *op. cit. supra* note 61. (Emphasis added.)

[65] See Chamber of Commerce of the United States, Unemployment: The Nature of the Challenge (1965).

[66] Time, Oct. 15, 1965, p. 60.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RODINO. Mr. Speaker, throughout history many national groups have, in one way or another, been denied the free and independent status to which they were entitled. Outstanding among the groups refused the right to shape their own national institutions are the people of the Ukraine.

At one time, from the 9th to the 13th centuries, the Ukraine did exist as an independent entity. Unfortunately, it fell prey to its larger, more powerful neighbors; struggling first with the Poles, then with the Russians. From the mid-17th century on the Ukraine was under the domination of Czarist Russia. Not only were the Ukrainians unable to govern themselves, but Russian policy called for their complete absorption and Russianization. Every attempt was made to obliterate their language and culture.

The Russians, however, were never able to attain these objectives. Somehow the people of the Ukraine managed to retain their identity. Finally, in the late 19th century clandestine independence movements, inspired in part by the writings of the poet Taras Shevchenko whose statute is here in Washington, were begun in both Russia and the portion of Ukrainian territory controlled by Austria-Hungary.

World War I seemed to bring the realization of the hopes of patriotic Ukrainians like Shevchenko. Russia was defeated and in the throes of revolution. On January 22 of 1918 the patriots in the Russian-controlled portion of the Ukraine proclaimed an independent state. A year later the Austro-Hungarian territory joined with them to form a united Ukrainian National Republic.

It is unfortunate that today we cannot truly celebrate the anniversary of that first declaration of Ukrainian independence. Within 3 years of its founding the Ukrainian National Republic had been reconquered by the Red army, despite the complete recognition originally granted by Russia's Communist rulers. Rather than rejoice we must hope that the spirit of independence which caused resistance to Russian dominance before January 22, 1918 still lives among the Ukrainian people. And we must assure this captive people that we have not forgotten them, for our commitment to freedom is unending.

NEED TO REVISE SELECTIVE SERVICE LAW—IX

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Kastenmeier] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection

Mr. KASTENMEIER. Mr. Speaker, the President is authorized to provide for the deferment from training and service in the Armed Forces all categories of persons whose employment in industry, agriculture, or other occupations or employment, or whose activity in study, research, or medical, dental, veterinary, optometric, osteopathic, scientific, pharmaceutical, chiropractic, chiropodial, or other endeavors is found to be necessary to the maintenance of the national health, safety, or interest. Furthermore, Congress has declared that adequate provision for national security requires maximum effort in the field of scientific research and development, and the fullest possible utilization of the Nation's technological, scientific, and other critical manpower resources.

Those specialties necessary for the maintenance of the national health are well defined. Certain standards are followed when examining a request for an agricultural deferment. But, what of the other fields? In the absence of well defined skills or scientific endeavors that are essential to the national interest, who determines the categories of people who are to be deferred in these areas? It is, of course, the local boards. In an exchange between the distinguished gentleman from New York [Mr. Pike] and General Hershey before the House Armed Services Committee last June, the general testified that "the local board is the man who makes the decision."

How do the local boards determine what occupations are in the national interests? There are the guidelines in the law itself, that I referred to previously. The U.S. Department of Commerce "List of Currently Essential Activities" and the U.S. Department of Labor "Currently Critical Occupations" are used by the Selective Service System for information when considering requests for occupational deferments of individual registrants and as a guide in selecting men with critical civilian occupations for the special enlistment program in the Ready Reserve. These lists are heavily weighted in favor of the scientific and technical fields. For example, in the teaching field, the following definitions are given:

> Teacher, college—Special Definition: Instructs students in college-level institutions in the scientific and technical subjects required as preparation for critical occupations or in any modern foreign language except French, German, Italian, or Spanish.
>
> Teacher, high school (Mathematics, Physical and Biological Sciences, and Modern Foreign Languages Except French, German, Italian, or Spanish)—Special Definition: Instructs students in high school (grades 9–12) in one or more subjects in mathematics, the physical and biological sciences, or any modern foreign language except French, German, Italian, or Spanish.

Listed as a critical occupation, along with that of an astronomer, chemist, electronics mechanic, mathematician, physicist and tool and die maker, is that of a scientific linguist, the special definition of which is as follows:

> Linguistician; linguistic scientist; structural linguist. Studies components, structure, and relationships within a language to provide better understanding of its social functioning: Prepares description of sounds, forms, and vocabulary of a language. Contributes to the development of linguistic theory. Applies linguistic theory to at least one of the following: Development of improved methods in translation, either computerized or not; the teaching of a language to other than native speakers of it; preparation of language-teaching materials, dictionaries, and handbooks; reducing previously unwritten languages to standardized written forms; preparation of literacy materials; preparation of tests for language-learning aptitudes and language proficiency; consultation with government agencies to the benefit of their language programs, preparation of descriptions of two languages in comparison with each other for the purpose of improving teaching or translating between them. Does not perform routine translations (translator) or teaching (faculty members, college or university (education); teacher, secondary school (education)).

Presumably there are other guidelines and advisory opinions that the national selective service headquarters issues to the local boards. Whatever they may be, however, the Director of the Selective Service feels that "we send them too much in the way of guidelines." Essentially, the local boards have complete autonomy in the determination of what is in the national interest.

General Hershey emphatically rejects any suggestion for national standards or for a central control of the classification and deferment system. He has said:

> No system of compulsory service could long endure without the support of the people. The Selective Service System is, therefore, founded upon the grass-roots principle, in which boards made up of citizens in each community determine when registrants should be made available for military service.

Despite General Hershey's unshakable belief in the grassroots principle, what has happened is that the local boards, even those within reasonably close proximity of one another and having essentially the same set of circumstances, operating autonomously, have come up frequently with significantly different interpretations or conclusions with respect to the deferment policy. Considering the fact that there are over 4,000 local boards, who, at time, have handled about 2 million classifications during a month, there is bound to be some variance among the interpretations. The disturbing factor, however, is that there is not some, but a great deal of difference existing in regard to the opinions issued by the local boards.

National standards for classifications and deferments must be established. Some order must be introduced into this system. In view of the excessive amount of inequities which arise from varying interpretations of the present law, we can no longer afford to "have more confidence" and "put up with the mistakes of the local board." The present law must be revised.

HAZARDOUS SUBSTANCES LABELING

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'Hara] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection

Mr. O'HARA of Michigan. Mr. Speaker, in the past few years, the deaths of several young people have been attributed to the inhalation of toxic vapors from model airplane cement. The death of a 12-year-old boy in Maine was caused by exposure to such vapor while building plastic models. A 15-year-old youth in Marysville, Mich., died under circumstances which suggest the possibility of glue vapor as a causative factor. Other deaths after exposure to glue vapor have been reported in several States.

To other youngsters glue inhalation has not been fatal but has reportedly caused permanent damage to the brain. The Detroit Department of Health states that after long usage or a single heavy exposure, damage could occur in the blood vessels of the brain, kidneys, and liver.

Tests conducted in Salt Lake City indicate an abnormal number of white blood cells in the urinary sediment of boys who had inhaled glue vapors. Other tests in Sweden indicate possible damage to bone marrow from the same cause.

All that the present regulations for airplane cement require, under the Federal Hazardous Substances Labeling Act, are the words "Vapor Harmful," and some fine print about adequate ventilation. More needs to be done to stress the danger involved and the preventative measures which must be taken. The warning must be in bold type and in clear, simple language. The Food and Drug Administration is already empowered to specify the precautionary words, which ought to be intelligible to the average juvenile user of these products.

Even if the language is simple and clear, it may escape notice unless the warning is in large, bold type. Accordingly, I am introducing an amendment to the Federal Hazardous Substances Labeling Act requiring that the warning be printed in type which is at least as large as the largest type used anywhere on the label.

Protecting the lives and safety of our children is at least as important as advertising the product and its manufacturer.

We can give little comfort to the mothers of the young people who have died from glue vapor inhalation, but we can take steps to see that other mothers do not suffer similar losses as a result of our failure to act.

Mr. Speaker, I submit my amendment to the Federal Hazardous Substances Labeling Act and urge our colleagues to join in supporting it. I place the text of my bill, H.R. 3791, at this point in the Record:

H.R. 3791

A bill to amend the Federal Hazardous Substances Labeling Act to specify the minimum size of type which must be used to print certain information on the labels of packages of hazardous substances

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(p)(2) of the Federal Hazardous Substances Labeling Act (15 U.S.C. 1261(p)(2)) is amended by inserting immediately before the period at the end thereof the following: ", and on which any statement required by clause (E) or (F) of subparagraph (1) is printed in type which is at least as large as the largest type used anywhere on such label".

Sec. 2. The amendment made by the first section of this Act shall apply only to packages of hazardous substances which are labeled after thirty days after the date of enactment of this Act.

STATISTICS ILLUSTRATE NEED FOR CONSTRUCTION SAFETY ACT

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'Hara] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection

Mr. O'HARA of Michigan. Mr. Speaker, statistics released by the Michigan Construction Safety Commission on the increase in the number of accidental deaths in the State's construction industry during 1966 over the total in the previous 12 months offer a timely illustration of the vital need for Federal legislation to help correct this situation.

In citing these figures, it is not my intention to single out Michigan's record as deserving more criticism than the record of other States. Michigan's record is an example of what is occurring across the country. In fact, except for mining, the construction industry has the highest frequency and severity rates of injuries of any major industry in the Nation. And the rates, as the Michigan figures show, continue to climb.

H.R. 2567, my bill to establish safety and health regulations for federally sponsored construction projects in excess of $20,000 would represent a big step toward general improvement in the industry as a whole because Federal projects represent a relatively large segment of the total building and construction trade activity in the country today.

Because of the serious national problem the figures illustrate, I include as part of my remarks the lead story from the January 13, 1967, issue of the Building Tradesman, official publication of the Detroit Building Trades Council and the Michigan Building and Construction Trades Council, which reports the statistics released by the Michigan Construction Safety Commission.

The story follows:

State Construction Death Toll Up by Nine in 1966—48 Fatalities Are Recorded in 12 Months—Harvie Says Enlarged Staff Will Help in 1967

Lansing.—Accidental deaths in Michigan's huge construction industry rose by nine during 1966 over the previous 12 months, according to statistics released today by the State Construction Safety Commission. In all, there were 48 deaths over the 12-month period as opposed to 39 in 1965.

Despite the increased toll, fatalities were down from 1964 when 57 workmen were killed accidentally on job sites.

Deaths due to falls were reduced in 1966 to 15 from a total of 21 in 1965, but more fatalities (10) were recorded from excavation cave-ins in 1966 than in 1965 when there were only five.

Allan W. Harvie, commission director, attributed the reduction in deaths due to falls to a statewide drive against this type of accident.

"We were happy with the reduction in the number of deaths from falls, but are equally disappointed at the over-all toll and the increase in the number of fatalities due to cave-ins," he said.

"It is my belief that every construction death that occurred in 1966 might have been prevented with a few more precautions by those responsible.

"In any event, the commission hopes to reduce the number of over-all accidents in 1967. In September of last year, our staff of inspectors was doubled to a total of 14 and territories to be covered were reduced.

"Certainly, we expect to make a more favorable safety impact in the months ahead."

Harvie blamed the increase in excavation cave-ins on inexperienced contractors, who had been in the field only one or two years.

Commission figures revealed that there were 3,900 compensable injuries (seven or more days of lost time) in the construction industry in 1966. Of these, 1,100 were due to falls, 820 were caused by employees being struck by falling or moving objects and 640 were blamed on improper lifting.

Of the fatalities, 15 were caused by falls, 10 by cave-ins, eight workers were crushed to death, seven were killed because of contact with overhead power lines, there were three other electrocutions, and two workers died when struck by falling objects. Other types of fatal mishaps were listed at three.

Of the victims, nine were self-employed, 15 were laborers, six were carpenters, four were painters and five were equipment operators.

HOME RULE

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Reuss] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection

Mr. REUSS. Mr. Speaker, I am delighted to see in the President's message on the District budget a reaffirmation of his belief that the District should have home rule. I am particularly delighted with his statement because there has been a campaign of considerable proportions during the last few months to persuade people that the home rule issue died, for all practical purposes, in the last Congress.

I agree with the President that the last Congress should have passed a home rule bill. But I deny emphatically that just because the 89th Congress failed, the 90th Congress cannot succeed. It can succeed. And with the support of the President, it will.

The membership should not overlook the fact that both Houses in the last Congress passed home rule bills. They were far apart in concept—a gap that was never bridged—but they were the same in declaring it to be the purpose and intent of Congress to grant powers of self-government to District citizens.

Mr. Speaker, the home rule issue will not go away. The failure to remove District citizens from second-class status is a continuing stain on our democratic system. We would do well to get on with the job of removing that stain, once and for all. I believe it will be an achievement of the 90th Congress, and I will do all that I can to advance us toward that goal.

A U.S. ACADEMY OF FOREIGN AFFAIRS

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WHITE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection

Mr. WHITE. Mr. Speaker, I am today introducing legislation for the consideration of the 90th Congress, to establish the U.S. Academy of Foreign Affairs.

The intent of this legislation is to promote peace, freedom and greater understanding throughout the world. It will provide more adequate facilities for the training and education of professional personnel who conduct U.S. foreign policy, stimulate research in foreign affairs, and provide leadership in bringing colleges and universities into a more effective relationship with the agencies of the U.S. Government in the field of foreign affairs.

The legislation sets up a college and a graduate school, awarding bachelor's, master's, and doctor's degrees. Citizens of the United States shall be admitted to the college who are between 20 and 25 years of age, have had 2 years of college or 2 years in the Peace Corps abroad, and admission shall be on the basis of competitive examinations. Students at the college shall receive pay and allowances as determined by the Board of Regents. Admission of students shall give due consideration to the objective of obtaining broad geographical representation. Foreign students, as well, shall be admitted to the graduate school, if such admission is deemed by the President to be in the national interest.

Persons admitted to the Academy shall sign an agreement to accept employment with the U.S. Government for not less than 2 years, in departments or agencies dealing with foreign affairs.

Like the service academies, the Academy of Foreign Affairs shall have a Board of Regents chaired by the Secretary of State, determining policy and providing guidance to the Academy; a Board of Visitors, composed of Members of the U.S. Senate and House of Representatives, making at least annual visits and reports on the Academy to the President; and a Chancellor of the Academy appointed by the President, by and with the advice and consent of the Senate.

The Foreign Service Institute, presently training Foreign Service officers for the Department of State, shall be incorporated into the Academy.

The graduate school shall provide advanced professional instruction geared to the needs of foreign affairs officers, be an institution where foreign affairs officers can meet to explore common and special interests and problems, conduct research activities, provide leadership and assistance in training of staffs of foreign affairs agencies, and coordinate research with other educational institutions, private businesses, organizations, and individuals.

This legislation will continue to permit the Secretary of State to continue recruiting and training of personnel for the Department of State, other than in the Academy of Foreign Affairs.

As the conduct of foreign affairs becomes more complex, and as more agencies of the U.S. Government are necessarily becoming involved in the conduct of our foreign policy, the need for additional, competent foreign policy specialists in Government grows acute. The Academy of Foreign Affairs will meet this growing need, and I ask early consideration of the proposal by the Congress.

FIRE AT HAMLETT HALL

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. BLANTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection

Mr. BLANTON. Mr. Speaker, on November 11, 1966, in early morning, a disastrous fire destroyed Hamlett Hall, displacing 117 male students at Lane College, Jackson, Tenn.

Stafford Thompson, a senior and student assistant basketball coach from Jacksonville, Fla., discovered the blaze. Thompson, returning to his dormitory reported he saw the blaze through an attic window at 3:50 a.m. He alerted George Stanton, Jr., security guard, who helped spread the alarm to freshmen sleeping in the stricken building.

Thompson said:

> Some of them were going around in a daze and we had to help them get in their clothing.

Jackson fire chief had great praise for Stanton, a veteran employee of the college. He gave credit for saving the boys' lives to him. Stanton said:

> I had just made my last round about 3:30 when Stafford came in and said, "Hamlett Hall is on fire." I immediately went to the second floor of the building and started beating and kicking down doors. The roof caved in while I was on the second floor. After all of the boys had gotten out of the building, we had trouble trying to keep them out.

As a result of the heroic manner in which these two gentlemen worked, the building was evacuated with injuries to only one student. All others were safely led from the building due to the intelligence and courage of Stanton and Thompson.

I would like to join with all citizens of Jackson in giving commendation to these two men for the outstanding courage shown while preventing loss of human life.

DISTRICT OF COLUMBIA BUDGET

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. JACOBS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection

Mr. JACOBS. Mr. Speaker, the budget for the District, which the President forwarded today, is a most welcome recognition of the long-delayed need to improve educational opportunities for District children. I am particularly pleased to see the President stressing in his message the need to improve the quality of education—particularly the educational opportunities of our poor and our deprived.

It is high time, too, that we meet head on, as the budget does, the need to expand and modernize the educational facilities of the District. While the dollars required to provide the District with quality education are large, dollars so spent are the best investment a modern and enlightened society can make.

The District in the past few years has been doing better in many ways. We have improved its schools, its recreational facilities, its medical services, its welfare programs, to name just a few. This budget will continue that progress. It will not meet all the needs, but it is a very significant step forward. It deserves favorable consideration.

WATER POLLUTION

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WOLFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection

Mr. WOLFF. Mr. Speaker, I rise today to introduce a bill, which, when enacted, will be one more tool in our arsenal of weapons to fight the contamination and pollution menacing our waterways.

The bill requires certain vessels operating on the navigable waters of the United States to use a chemical head that enables vessels to conform to certain standards of waste disposal.

Such a requirement, Mr. Speaker, is imperative, since boatowners and users have no standardization of chemical heads with which to conform. The chemical head acceptable at one port of embarkation might not be acceptable at the proposed port of debarkation, making impossible the free use of our waterways. Raw sewage is today being dumped into our waters, contaminating them and menacing the public health and making unusable many marinas and beaches.

I urge the Committee on Merchant Marine and Fisheries to hold hearings and the Congress to act so that we can begin to stem the waste pouring into our rivers and streams each day.

WATER POLLUTION

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HANLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection

Mr. HANLEY. Mr. Speaker, last year Congress enacted the landmark Clean Rivers Restoration Act. This legislation greatly strengthened already existing tools which our communities use to control and abate water pollution. It also added new authorities to permit the Secretary of the Interior to contribute to local efforts designed to conquer a number of the special problems associated with water pollution. Where all of these tools are used together in a comprehensive program, we have every reason to believe that certain types of waterways will be effectively cleaned up.

There are other types of waterways, however, where even the very best use of these tools will not produce an appreciable impact on water quality. I refer to the many lakes throughout this country, large and small, locked into heavily populated areas and remotely located, whose water quality will not be sufficiently improved because of the application of sound waste water control and abatement programs. For a variety of reasons, these lakes cannot be considered as restored simply because the waters which flow into them are much cleaner than before. Some of the lakes are extremely degraded, and their waters are slow moving or even stagnant, allowing little or no natural purification.

In my judgment, we ought to give special attention to the problems of water pollution in our lakes. Already the Federal Government is giving special attention to industrial and municipal waste, and to the problems of pollution which are caused by the runoff from combined storm and sanitary sewers. Many of our lakes will continue to receive the effluent from waste treatment plants, and I am concerned that this highly cleansed effluent will not suffice to achieve in our lakes the purposes we are seeking.

I am introducing legislation today to authorize the Secretary of the Interior to make grants to communities which can produce projects designed to rehabilitate America's lakes. These projects must go beyond normal waste water control and abatement. A basic assumption is that the community is already doing all that it can to prevent future pollution of the lake. The Federal Government ought to support local efforts to rectify the damage which is already done. In many cases, the condition of the receiving body will demand just as much attention as the waters which flow into it. We are seeking to improve the water quality of the receiving body in order that the body can be put to greater use. There are lakes that are so extremely degraded that their only present use can be a receptable for municipal and industrial waste. In order to upgrade and improve the lakes, communities are attempting to severely control and eventually abate pollution, but in many cases it is unlikely that these efforts will have much of an impact on the lakes. Improved water quality, in combination with other factors, is the key to multipurpose usage. Industries and municipalities demand clean water in great abundance. Americans are looking in increasing numbers to water for recreation. Good sense and good management suggest strongly that water resources be managed in such a way that they are capable of serving a number of purposes.

For many of our lakes, it is going to be necessary to take bold and imaginative measures in order to restore them to multipurpose use. The Federal Government ought to participate in the development and application of projects which will provide actual rehabilitation of our lakes.

"MR. MARINE CORPS"

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Moss] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection

Mr. MOSS. Mr. Speaker, on January 12, 1967, death took "Mr. Marine Corps" from our Nation. "Outwardly hard-boiled, inwardly soft-hearted," wrote one reporter. The general himself once said, "My God, how I suffer over the loss of my boys."

The late General Holland "Howlin' Mad" Smith was a rough, relentless, colorful leader. He was also a compassionate, concerned, warm human being.

History will duly record his illustrious 40-year career which was culminated by his advancement to full general—the third marine in history so honored. History will not forget his landing at Iwo Jima with tears flowing down his cheeks and his grievous words, "My God, what's happening to my Marines."

Gen. Holland McTyeire Smith—militant leader—sensitive human being.

I include, under unanimous consent, the text of the Washington Daily News editorial, "Howlin' Mad Smith," in the Record at this point:

[From the Washington Daily News, Jan. 13, 1967]

HOWLIN' MAD SMITH

Scarcely any event could recall more dramatically the desperate days in the Pacific in World War II than the death yesterday of Gen. Holland McTyeire Smith who came to be known as "Mr. Marine Corps."

Makin, Tarawa, Kwajalein, Saipan, Iwo Jima, Guadalcanal, Eniwetok, Tinian—all headline names in the early 1940s, far-off places of bloody battles as American forces pushed back the Japanese island by island. Howlin' Mad Smith was there.

Gen. Smith will forever be an illustrious name to the Marine Corps, an unforgotten name in military history. He was tough, rugged and aggressive. Or, as a reporter who followed him in the Pacific wrote: "Outwardly hard-boiled inwardly soft-hearted."

He grieved over the horrendous losses the Marines suffered in the Pacific campaign; but there was no choice. Death is an inevitable part of war. Gen. Smith trained his men hard and made them rough and relentless; the soundest way to protect their lives.

Howlin' Mad not only was a colorful and militant leader. He was a strategist and tactician. He has been called the "father" of amphibious warfare; even before the United States was attacked at Pearl Harbor, Gen. Smith was training Marines for landing assaults and persuading shipbuilders to develop new landing craft.

He abandoned an early law career to join the Marines and went all the way in his 40-years service, from lieutenant to full general, the third Marine to achieve that rank. His decision in 1905 to take down his shingle for a military life was momentous to him, but much more so—as fate was to have it—for the welfare of the Marine Corps and the whole nation.

ADDITIONAL MILEAGE MUST BE ADDED TO INTERSTATE SYSTEM

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FASCELL. Mr. Speaker, I have today introduced a bill which provides for the extension of two highway segments in the State of Florida—I-75 and I-95—to be designated as parts of the National System of Interstate and Defense Highways.

I am again urging the Governor of Florida and the State road board to give top priority to these two segments in their recommendations to the Federal Bureau of Public Roads which are currently being prepared for the next phase of the Interstate System.

While I wholeheartedly oppose attempts to make piecemeal additions to the Interstate Highway System, I am introducing this bill in order to make the legislative record clear on the absolute necessity for the inclusion of these two segments in any expansion of our Interstate Highway System, although the State road department did not include them in its priority requests for the first phase of the Interstate System.

Congress has recognized that the immense problem of road construction cannot be effectively coped with financially on the local or State level; that the magnitude of need and the corresponding cost requirement make Federal participation mandatory.

We have already created under the first congressional authorization a vast Interstate Highway System consisting of 41,000 miles of roads throughout the Nation. Every mile of these highways has already been allocated and the system is nearing completion. However, it has long been anticipated that substantial additions would be necessary in order to keep up with the rapid growth and increasing transience of our population. It was for this reason that I cosponsored legislation during the 88th Congress instructing the Department of Commerce to conduct an additional 10-year study of the country's highway needs. While the study is not scheduled for completion until 1972, planning is now going on in every State in order to insure a continuous program of road construction and one that will encompass those areas where the need is most urgent.

It is obvious that Congress should not consider piecemeal additions to the Interstate System. Piecemeal additions could only produce a haphazard conglomeration of concrete that would relate itself only to local needs and not in any way service the original and continuing congressional intent to construct a nationwide network of technically approved, interconnecting serviceable highways.

I have introduced this bill to support the requests of the county commissioners of the two counties within my congressional district—Dade and Monroe—made to the road board of Florida. Furthermore, I wish to strongly emphasize to the State road board and to the Federal Bureau of Public Roads that these two extensions should be requested as top priority projects by the State road board and should be approved by the Federal Bureau as part of the Interstate System.

The first of these segments would provide for the continuation of Interstate 75 from Tampa, on Florida's west coast, to Miami, with an extension terminating in Homestead, which is the hub of a rapidly growing metropolitan area with extensive agricultural and industrial interests southwest of Miami. I, along with my colleagues in the Florida congressional delegation, have been stating the need for this vital "missing link" in our road system for the past decade.

At the present time, I–75 ends in Tampa and for a distance of approximately 250 miles between that city and Miami, motorists are forced to travel U.S. 41. This road, which joins Florida's two largest metropolitan areas, and which is one of the most heavily used highways in the Nation, is an antiquated, narrow, two-lane highway with many bridge abutments, narrow shoulders, deep canals at the sides, and rimmed by marshlands. This highway has long been known for its dangerous traffic conditions and the safety problems involved on U.S. 41 have been recognized by the Miami Herald, the Miami News, the Sarasota Journal, and the American Automobile Association's Florida Motorist and Florida Explorer—all of whom have repeatedly expressed concern.

Furthermore, the Dade County Redlands agricultural area which supplies a large part of the Nation's vegetable and fruit market is dependent on adequate highways to transport fresh produce to the rest of the country. Few people realize the extent of the produce industry in south Florida and the Nation's dependence on it. Construction of I–75 would accelerate and insure a steady flow of fruits and vegetables from the Redlands area to all points of the South, North and Midwestern States.

This highway would also serve an important defense purpose by providing a vital internal line of transport from Homestead Air Force Base—the site of one of our major SAC bases—inland.

The second segment of this bill would provide for the extension of I–95 from Miami to Key West as part of the Federal Interstate System. Once again, I cannot emphasize strongly enough the importance of this major access road.

From a defense standpoint alone, this highway should receive immediate priority. As was clearly demonstrated during the Cuban missile crisis, this road must be made adequate to facilitate the military and defense industry traffic vital to our national security in the Florida Keys. The highway would also serve as a valuable connector between the naval air station and other Navy facilities at Key West and Homestead Air Force Base.

The shrimp and fishing industries also have a pressing need for the additional mileage which would be provided by the extension of I–95 southward to Key West.

In addition, the Keys serve as a choice vacation spot to thousands of American citizens who drive over the narrow, two-lane overseas highway every year. These people—both residents and visitors—deserve more adequate road facilities. From the safety standpoint alone, a four lane highway, constructed according to federally approved standards, is essential.

As I have noted before, and in past years, the two segments of highway proposed in this bill—I–75 and I–95—are vital extensions of the already existing Interstate Highway System. I shall continue to urge that they be given top priority by the State road board for inclusion in any Federal program—either present or future.

In summation, the Congress has created a 41,000 mile Interstate Highway System; every mile of this System has already been allocated; recognizing the fact that additional mileage will be necessary, the Congress has ordered a study to determine these needs. The individual States have been requested to submit priority recommendations outlining their future interstate highway requirements. It is now up to the Governor of Florida and the State road board to give these two highway segments—I–75 and I–95—top priority in the recommendations they are currently preparing for the Federal Bureau of Public Roads. I encourage such recommendations by the Governor and the State road board and assure my continued support as is evidenced by my introduction of this bill.

HON. HERBERT A. KOEHLER, SR.

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, it is with much sorrow that I report to my colleagues the death of the Honorable Herbert A. Koehler, Sr., a longtime resident of Jackson Heights, Long Island, N.Y.

Bert Koehler had been active in Queens politics for almost 70 years. He cast his first vote in 1897, and had risen to the Democratic leadership of the Jackson Heights-Elmhurst area after many hectic election fights. Through the years the name of "Bert Koehler" was synonymous with the Democratic Party in Queens. He was its strength and backbone, and under his guidance the Democratic Party was able to elect another borough president in 1940, after an absence from that position for a period of many years.

He was appointed to the post of borough secretary under the borough president, James A. Burke, and was later named commissioner of licenses for the city of New York under the then Mayor William O'Dwyer. He served with great distinction in this post for approximately 8 years. He was elected Democratic county leader in 1958, after having served as acting county leader for a period of 6 months.

His entire life was devoted to the community and to the Democratic Party, and especially to helping many outstanding young Democrats gain an opportunity to serve the party and the community.

He was held in high esteem by all who were privileged to know him, and he will be sorely missed, not only by me, but by the many who looked on him as a true and tested friend.

The members of his family have my deepest sympathies.

FUNDS FOR LATERAL SEWERS

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Dow] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DOW. Mr. Speaker, I offer an amendment to section 708(a) of the Housing and Urban Development Act of 1965 that would add critically needed funds to our basic water and lateral sewer facilities program. I propose to revise the $200 million authorization to read $500 million. The number of the bill is H.R. 3645.

The need for increased funds for this part of our program is recognized in the budget of the U.S. Government for the fiscal year ending June 30, 1968. Yet the increase, estimated at $65 million over the 1967 estimate—and congressional authorization—of $100 million is not enough. I have it on good authority that there are so many applications for Federal assistance that to meet these confirmed water and sewer needs of our communities across the Nation, present appropriations would have to be multiplied 26 times. The proposed increase from $200 million to $500 million is modest, compared to the need.

However, there is no magic in the figure of $500 million. The amount is offered as a base figure from which this matter may be discussed. This, I am sure, the many Congressmen interested in this authorization are willing to do.

Mr. Speaker, it is a strange logic that puts some of our water and sewer programs such as this subject program for water systems and lateral sewers under the one department, while other sewer programs fall to other departments. Sewer treatment plants and sewer mains are funded through the Department of the Interior. Yet these and the lateral sewers funded through the Department of Housing and Urban Development depend inextricably upon each other. Logic calls for a merger of these activities. Certainly some of us will address ourselves to the task. In addition, the Department of Agriculture aids water and sewer systems in rural areas. While this is suportable as a distinct agricultural activity, perhaps this, too, wants to be viewed in the overall perspective of our entire effort to assure sanitary water for the communities of this Nation and to eliminate pollution from our waterways.

In addition, I offer an amendment to section 702 of the Housing and Urban Development Act of 1965. This amendment supplements the proposed increase in funds for basic water and sewer facilities. It is a further mechanism borne of urgency to solve the critical lack of funds for sewer facilities needed in many communities. The number of my bill for this second amendment is H.R. 3584.

At present, a community may be able to commence part of a lateral sewer or water system with local or State funds. However, no Federal grant-in-aid will be forthcoming if a sewer facilities system is commenced before approval from the Federal Government for Federal funding.

My amendment makes possible local or State initiative in speeding construction of the lateral sewer or water system in those communities where critical conditions are faced. My provision permits a community to start construction without jeopardizing chances of obtaining Federal assistance. A community would be eligible for Federal assistance when such assistance becomes available in the future, providing the system under active preparation receives prior approval of the Secretary of Housing and Urban Development. My amendment authorizes such prior approval. No later grant would be made that exceeds the amount which would otherwise be made under the Housing and Urban Development Act of 1965.

I urge that we adopt this provision, which will not authorize greater Federal outlay, but will fill a critical gap in our national water pollution control program.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ERLENBORN, for 15 minutes, January 26; and to revise and extend his remarks; and to include extraneous matter.

Mr. YOUNGER (at the request of Mr. HALL), for 60 minutes, on February 1 and for 60 minutes, on February 2; and to revise and extend his remarks and include extraneous matter.

Mr. ASHBROOK (at the request of Mr. HALL), for 60 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. KUPFERMAN (at the request of Mr. HALL), for 30 minutes, on Thursday, January 26; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. FINO.

Mr. FULTON of Pennsylvania.

Mr. PUCINSKI.

Mr. ULLMAN.

(The following Member (at the request of Mr. HALL) and to include extraneous matter:)

Mr. HARSHA.

(The following Members (at the request of Mr. EILBERG) and to include extraneous matter:)

Mr. DINGELL.

Mr. VANIK.

ADJOURNMENT

Mr. EILBERG. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 56 minutes p.m.), the House adjourned until tomorrow, Thursday, January 26, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

253. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting the text of ILO Recommendation No. 123 concerning the employment of women with family responsibilities (H. Doc. No. 45); to the Committee on Foreign Affairs, and ordered to be printed.

254. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend title III of the Bankhead-Jones Farm Tenant Act, as amended, to require advance reports to committees of Congress before making certain loans in excess of $250,000; to the Committee on Agriculture.

255. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Watershed Protection and Flood Prevention Act, as amended; to the Committee on Agriculture.

256. A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting a report on title I, Public Law 480, agreements signed during December 1966, pursuant to the provisions of Public Law 85–128; to the Committee on Agriculture.

257. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to authorize the extension of certain naval vessel loans now in existence, and for other purposes; to the Committee on Armed Services.

258. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report of the location, nature, and estimated cost of two nonarmory projects proposed to be undertaken for the Army National Guard, pursuant to the provisions of 10 U.S.C. 2233a(1), and to the authority delegated by the Secretary of Defense; to the Committee on Armed Services.

259. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to authorize certain construction in support of military activities in southeast Asia; to the Committee on Armed Services.

260. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to authorize appropriations during the fiscal year 1968 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes; to the Committee on Armed Services.

261. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to authorize appropriations during the fiscal year 1967 for procurement of aircraft, missiles, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes; to the Committee on Armed Services.

262. A letter from the Secretary of the Navy, transmitting a report of the Naval Reserve Officers' Training Corps flight instruction program for fiscal year 1966, pursuant to the provisions of section 2110(b) of title 10, United States Code; to the Committee on Armed Services.

263. A letter from the Secretary of Labor, transmitting a draft of proposed legislation for an Age Discrimination in Employment Act of 1967; to the Committee on Education and Labor.

264. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a petition dated November 3, 1966, signed by U.S. citizens residing in Havana at the time, reviewing their difficulties in trying to return to the United States; to the Committee on Foreign Affairs.

265. A letter from the Secretary, Export-Import Bank of Washington, transmitting a report of the amount of Export-Import Bank insurance and guarantees issued in connection with United States exports to Yugoslavia for the month of December 1966, pursuant to the provisions of title III of the Foreign Assistance and Related Agencies Appropriation Act of 1967, and to the Presidential determination of February 4, 1964; to the Committee on Foreign Affairs.

266. A letter from the General Manager, U.S. Atomic Energy Commission, transmitting a report of the disposal of foreign excess property during fiscal year 1966, pursuant to the provisions of section 404, 63 Stat. 398; 40 U.S.C. 514; to the Committee on Government Operations.

267. A letter from the Comptroller General of the United States, transmitting a report of potential benefits from quarterly collections of Federal unemployment taxes, Department of Labor and Department of the Treasury; to the Committee on Government Operations.

268. A letter from the Comptroller General of the United States, transmitting a report of review of methods used to provide telephone service to military family housing occupants, Department of Defense; to the Committee on Government Operations.

269. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the Small Reclamation Projects Act of 1956, as amended; to the Committee on Interior and Insular Affairs.

270. A letter from the Secretary of the Interior, transmitting a report of the activities carried on by the Geological Survey, during the period July 1 to December 31, 1966, pursuant to the provisions of Public Law 87–626; to the Committee on Interior and Insular Affairs.

271. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend section 5941 of title 5, United States Code, to provide payment of nonforeign differentials to certain U.S. citizen wage board employees serving in nonforeign areas outside the continental United States and Hawaii; to the Committee on Post Office and Civil Service.

272. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a draft of proposed legislation to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes; to the Committee on Science and Astronautics.

273. A letter from the Secretary of the Treasury, transmitting a draft of proposed

legislation to provide an extension of the interest equalization tax, and for other purposes; to the Committee on Ways and Means.

274. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a draft of proposed legislation to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Illinois:

H.R. 3739. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollutions, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. ANNUNZIO:

H.R. 3740. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. BELL:

H.R. 3741. A bill for the education and training of the handicapped; to the Committee on Education and Labor.

By Mr. BROTZMAN:

H.R. 3742. A bill to amend the Communications Act of 1934 to abolish the renewal requirement for licenses in the safety and special radio services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BYRNE of Pennsylvania:

H.R. 3743. A bill to provide for the addition of certain property in Philadelphia, Pa., to Independence National Historical Park; to the Committee on Interior and Insular Affairs.

By Mr. CLEVELAND:

H.R. 3744. A bill to establish a national cemetery in New England; to the Committee on Interior and Insular Affairs.

H.R. 3745. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. CORBETT:

H.R. 3746. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. CURTIS:

H.R. 3747. A bill to amend the Internal Revenue Code of 1954 to provide that certain insurance agents shall be treated as outside salesmen for purposes of computing adjusted gross income; to the Committee on Ways and Means.

H.R. 3748. A bill to amend the Internal Revenue Code of 1954, as amended, by equalizing taxation with a special exemption for farm marketing and purchasing agencies; to the Committee on Ways and Means.

H.R. 3749. A bill to amend the Internal Revenue Code of 1954, as amended, with respect to the taxation of banks, savings and loan associations, and other institutions; to the Committee on Ways and Means.

H.R. 3750. A bill to amend the Internal Revenue Code of 1954 to provide that the proceeds of life insurance contracts transferred for a valuable consideration to certain persons shall not be subject to income taxation; to the Committee on Ways and Means.

H.R. 3751. A bill to amend the Internal Revenue Code of 1954 with respect to the treatment of certain redemptions of preferred stock; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 3752. A bill to provide that the United States shall make no payments or contributions to the United Nations for furnishing assistance to Communist countries; to the Committee on Foreign Affairs.

By Mr. DINGELL:

H.R. 3753. A bill to consolidate water quality management and pollution control authorities and functions in the Federal Water Pollution Control Administration; to the Committee on Government Operations.

By Mr. DULSKI:

H.R. 3754. A bill to amend title 38 of the United States Code so as to increase the income limitations applicable with respect to the payment of pensions to veterans of World War I, World War II, and the Korean conflict, and their widows; to the Committee on Veterans' Affairs.

By Mr. FASCELL:

H.R. 3755. A bill to provide that the highway running from Tampa, Fla., through Bradenton, Fla., Punta Gorda, Fla., Fort Myers, Fla., Naples, Fla., to Miami, Fla., with an extension to Homestead, Fla.; and that the highway running from Miami, Fla., to Key West, Fla., shall be a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. FINO:

H.R. 3756. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

H.R. 3757. A bill to amend the public assistance provisions of the Social Security Act to require corroboration of unsupported statements and evidence of eligibility for aid or assistance thereunder which may be provided by applicants for such aid or assistance; to the Committee on Ways and Means.

By Mr. FLOOD:

H.R. 3758. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. GERALD R. FORD:

H.R. 3759. A bill to amend title II of the Social Security Act to increase the amount of outside income which a widow with minor children may earn without suffering deductions from the benefits to which she is entitled thereunder; to the Committee on Ways and Means.

By Mr. GARMATZ:

H.R. 3760. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. HALPERN:

H.R. 3761. A bill to amend the Clean Air Act to provide for more effective prevention, control, and abatement of air pollution through the establishment of air regions and standards applicable thereto; to the Committee on Interstate and Foreign Commerce.

H.R. 3762. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

H.R. 3763. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HANLEY:

H.R. 3764. A bill to amend the Federal Water Pollution Control Act to authorize certain grants for rehabilitation of the lakes of the United States; to the Committee on Public Works.

By Mr. HARVEY:

H.R. 3765. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 3766. A bill to amend title 38 of the United States Code so as to make widows of servicemen who die on active duty in the Armed Forces eligible for educational assistance under that title; to the Committee on Veterans' Affairs.

H.R. 3767. A bill to amend title 38 of the United States Code so as to provide that monthly social security benefit payments shall not be included as income for the purpose of determining eligibility for a pension under title 38; to the Committee on Veterans' Affairs.

By Mr. HOLLAND:

H.R. 3768. A bill to prohibit age discrimination in employment, and for other purposes; to the Committee on Education and Labor.

H.R. 3769. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 3770. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. KARSTEN:

H.R. 3771. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. KORNEGAY:

H.R. 3772. A bill to amend title 38, United States Code, to increase the statutory rates for anatomical loss or loss of use and for arrested tuberculosis; to the Committee on Veterans' Affairs.

H.R. 3773. A bill to amend title 38 of the United States Code, to provide that the Administrator of Veterans' Affairs may furnish a therapeutic or rehabilitative device, as well as other medical equipment and supplies without first establishing eligibility to receive an invalid lift; to the Committee on Veterans' Affairs.

By Mr. KUPFERMAN:

H.R. 3774. A bill to reduce thefts of motor vehicles by prohibiting the exportation of unidentified motor vehicles, and by prohibiting the unauthorized possession and transmission in interstate commerce of motor vehicle master keys; to the Committee on Interstate and Foreign Commerce.

By Mr. KYROS:

H.R. 3775. A bill to authorize the conveyance of all right, title, and interest of the United States reserved or retained in certain lands heretofore conveyed to the State of Maine; to the Committee on Armed Services.

H.R. 3776. A bill to extend to volunteer fire companies the rates of postage on second-class and third-class bulk mailings applicable to certain nonprofit organizations; to the Committee on Post Office and Civil Service.

H.R. 3777. A bill to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3778. A bill to amend title 38, United States Code, so as to require the Administrator of Veterans' Affairs to give 6 months' advance public notice of the planned closing or relocation of a veterans' facility, and to provide for at least one veterans' service center in each State, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LEGGETT:

H.R. 3779. A bill to establish certain policies with respect to certain use permits for national forest lands; to the Committee on Agriculture.

H.R. 3780. A bill to establish and maintain orderly marketing conditions for processing pears in the interest of producers and consumers, and an orderly flow of the supply thereof to market throughout its normal marketing season to avoid unreasonable fluctuations in supplies and prices; to the Committee on Agriculture.

H.R. 3781. A bill to amend title 10, United States Code, to authorize the Secretary of Defense to conduct a special educational training and physical rehabilitation program for persons with educational or physical deficiencies to enable them to serve effectively in the Armed Forces; to the Committee on Armed Services.

H.R. 3782. A bill to amend the Public Health Service Act to establish the position of Chief Veterinary Officer of the Service and provide for the rank of Assistant Surgeon General for said position; to the Committee on Interstate and Foreign Commerce.

By Mr. MacGREGOR:

H.R. 3783. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 3784. A bill to amend title 38 of the United States Code in order to increase the pensions payable to widows of veterans of the Spanish-American War; to the Committee on Veterans' Affairs.

H.R. 3785. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. MINISH:

H.R. 3786. A bill to amend title VII of the Public Health Service Act to authorize direct student loans to be made to certain students studying outside the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. MIZE:

H.R. 3787. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. MURPHY of New York:

H.R. 3788. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

H.R. 3789. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. NIX:

H.R. 3790. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. O'HARA of Michigan:

H.R. 3791. A bill to amend the Federal Hazardous Substances Labeling Act to specify the minimum size of type which must be used to print certain information on the labels of packages of hazardous substances; to the Committee on Interstate and Foreign Commerce.

By Mr. QUILLEN:

H.R. 3792. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 3793. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

H.R. 3794. A bill to incorporate the Jewish War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 3795. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 3796. A bill to establish a Small Tax Division within the Tax Court of the United States; to the Committee on Ways and Means.

By Mr. RUMSFELD:

H.R. 3797. A bill to provide for appointment by the Postmaster General of postmasters at first-, second-, and third-class post offices; to the Committee on Post Office and Civil Service.

H.R. 3798. A bill to permit the State of Illinois to terminate the social security coverage, under its agreement entered into under section 218 of the Social Security Act, of the members of the police department of the village of Palatine; to the Committee on Ways and Means.

By Mr. ST GERMAIN:

H.R. 3799. A bill for the relief of the city of Pawtucket, R.I.; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.R. 3800. A bill to amend the act of July 1, 1948, so as to provide that flag-holder-type headstones and grave markers shall be made available by the Secretary of the Army to mark the graves of certain deceased servicemen and veterans; to the Committee on Armed Services.

H.R. 3801. A bill to govern further development of the national cemetery system; to the Committee on Interior and Insular Affairs.

By Mr. SCHWEIKER:

H.R. 3802. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. TENZER:

H.R. 3803. A bill to amend the Internal Revenue Code of 1954 to limit the maximum rate of percentage depletion to a rate of 20 percent, and to impose a special limitation on the amount of the depletion deduction where the proceeds thereof are used to finance the taxpayer's expansion into an unrelated field; to the Committee on Ways and Means.

By Mr. THOMPSON of Georgia:

H.R. 3804. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.R. 3805. A bill to provide for the disposition of judgment funds on deposit to the credit of the Confederated Tribes of the Umatilla Indian Reservation; to the Committee on Interior and Insular Affairs.

By Mr. VAN DEERLIN:

H.R. 3806. A bill to prohibit the transportation or shipment in interstate commerce of master keys to persons prohibited by State law from receiving or possessing them; to the Committee on Interstate and Foreign Commerce.

By Mr. WOLFF:

H.R. 3807. A bill to require certain vessels operating on the navigable waters of the United States to conform to certain standards of waste disposal; to the Committee on Merchant Marine and Fisheries.

By Mr. WRIGHT:

H.R. 3808. A bill to amend the Older Americans Act of 1965 to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

H.R. 3809. A bill to amend the Internal Revenue Code of 1954 to provide a deduction for amounts expended by firemen for meals which they are required to eat at their post of duty; to the Committee on Ways and Means.

By Mr. CORBETT:

H.R. 3810. A bill to provide training opportunities for persons employed in the legislative branch of the Government; to the Committee on Post Office and Civil Service.

By Mr. HANNA:

H.R. 3811. A bill to promote the development of nuclear-powered merchant ships; to the Committee on Merchant Marine and Fisheries.

By Mr. MATSUNAGA:

H.R. 3812. A bill to amend title 39, United States Code, to authorize the transportation by air of all classes of mail to and from the State of Hawaii; to the Committee on Post Office and Civil Service.

By Mr. MILLS:

H.R. 3813. A bill to provide an extension of the interest equalization tax, and for other purposes; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 3814. A bill to amend title 38, United States Code, to provide a program of death indemnification for persons serving in combat zones; to the Committee on Veterans' Affairs.

H.R. 3815. A bill to provide that the Administrator of Veterans' Affairs shall establish, operate, and maintain a Veterans' Administration cemetery in the Commonwealth of Pennsylvania, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SISK:

H.R. 3816. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. VIGORITO:

H.R. 3817. A bill to authorize certain retired persons 65 years of age or over to participate in the food stamp and direct distribution programs; to the Committee on Agriculture.

By Mr. WATKINS:

H.R. 3818. A bill to provide for the establishment of a national cemetery in the Ninth Congressional District of the State of Pennsylvania; to the Committee on Interior and Insular Affairs.

By Mr. WHITE:

H.R. 3819. A bill to provide for the establishment of the U.S. Academy of Foreign Affairs; to the Committee on Foreign Affairs.

By Mr. CHARLES H. WILSON:

H.R. 3820. A bill to amend the act of April 3, 1952; to the Committee on the District of Columbia.

By Mr. KYROS:

H.R. 3821. A bill to provide full and fair disclosure of the nature of interests in real estate subdivisions sold through the mails and instruments of transportation or communication in interstate commerce, and to prevent frauds in the sale thereof, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. EDMONDSON:

H.J. Res. 211. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. FLOOD (by request):

H.J. Res. 212. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.J. Res. 213. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. WATKINS:

H.J. Res. 214. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.J. Res. 215. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. THOMPSON of Georgia:

H.J. Res. 216. Joint resolution proposing an amendment to the Constitution of the United States to provide for revenue sharing with the several States and their political subdivisions; to the Committee on the Judiciary.

By Mr. WATKINS:

H.J. Res. 217. Joint resolution proposing an amendment to the Constitution of the United States to limit the power of the States and their political subdivisions to tax the salaries and wages of persons who are not domiciliaries or residents thereof; to the Committee on the Judiciary.

By Mr. DERWINSKI:

H. Con. Res. 87. Concurrent resolution expressing the sense of the Congress that any variation in the traditional interpretation of the treaties between the United States and the Republic of Panama may only be made pursuant to treaty; to the Committee on Foreign Affairs.

By Mr. ANDERSON of Illinois:

H. Con. Res. 88. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. DINGELL:

H. Res. 175. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. ANDERSON of Illinois:

H. Res. 176. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. CELLER:

H. Res. 177. Resolution to provide funds for the select committee pursuant to House Resolution 1, 90th Congress; to the Committee on House Administration.

By Mr. FUQUA:

H. Res. 178. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. MORGAN:

H. Res. 179. Resolution authorizing the Committee on Foreign Affairs to conduct a full and complete investigation of matters relating to the laws, regulations, directives, and policies including personnel pertaining to the Department of State and such other departments and agencies engaged primarily in the implementation of U.S. foreign policy and the oversea operations, personnel, and facilities of departments and agencies of the United States which participate in the development and execution of such policy; to the Committee on Rules.

By Mr. RESNICK:

H. Res. 180. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. SAYLOR:

H. Res. 181. Resolution expressing the continued opposition of the House of Representatives to the admission of the Communist China regime to the United Nations; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

4. The SPEAKER presented a memorial of the Legislature of the State of Washington, relative to Federal aid highway funds, which was referred to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 3822. A bill for the relief of Peitro De Vita; to the Committee on the Judiciary.

H.R. 3823. A bill for the relief of Michele Foglia; to the Committee on the Judiciary.

H.R. 3824. A bill for the relief of Gaspare Impeduglia; to the Committee on the Judiciary.

H.R. 3825. A bill for the relief of Salvatore Polizzi; to the Committee on the Judiciary.

H.R. 3826. A bill for the relief of Antonio Rapisardi; to the Committee on the Judiciary.

H.R. 3827. A bill for the relief of George Sembrakis; to the Committee on the Judiciary.

H.R. 3828. A bill for the relief of Jermin and Diran Tirpan and their minor child, Migirdic Tirpan; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 3829. A bill for the relief of Alfredo M. Fernandez; to the Committee on the Judiciary.

H.R. 3830. A bill for the relief of Filomena Moccia; to the Committee on the Judiciary.

By Mr. CLANCY:

H.R. 3831. A bill for the relief of Konstantina D. Ioannou (Johnson); to the Committee on the Judiciary.

By Mr. CORBETT:

H.R. 3832. A bill for the relief of Mo Tseng Hsu and Cheng Hsing; to the Committee on the Judiciary.

H.R. 3833. A bill for the relief of Mr. Orlando Leone and his wife, Mrs. Silvia Leone; to the Committee on the Judiciary.

H.R. 3834. A bill for the relief of Dr. Anthony N. Manoli; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 3835. A bill for the relief of Bernard Kim; to the Committee on the Judiciary.

H.R. 3836. A bill for the relief of Dr. Ataoallah M. Yazdi; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 3837. A bill for the relief of Halina J. Adamska; to the Committee on the Judiciary.

H.R. 3838. A bill for the relief of Stefania Anc; to the Committee on the Judiciary.

H.R. 3839. A bill for the relief of Maria Esther Nacson De Garcia Moya; to the Committee on the Judiciary.

By Mr. FLOOD:

H.R. 3840. A bill for the relief of Miss Amalia Salvaterra; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 3841. A bill for the relief of Sybil Alexander Andrews; to the Committee on the Judiciary.

H.R. 3842. A bill for the relief of Francesco Canale; to the Committee on the Judiciary.

H.R. 3843. A bill for the relief of Francesco Caroppo; to the Committee on the Judiciary.

H.R. 3844. A bill for the relief of Christos Charakas; to the Committee on the Judiciary.

H.R. 3845. A bill for the relief of Danillo Conti; to the Committee on the Judiciary.

H.R. 3846. A bill for the relief of Giuseppe Fasulo; to the Committee on the Judiciary.

H.R. 3847. A bill for the relief of Rosario Gancitano; to the Committee on the Judiciary.

H.R. 3848. A bill for the relief of Peter Goldson, his wife, Merva Hedy Goldson, and child, Brian Goldson; to the Committee on the Judiciary.

H.R. 3849. A bill for the relief of Helen and Wilfred Henry; to the Committee on the Judiciary.

H.R. 3850. A bill for the relief of Antonio Lamberti; to the Committee on the Judiciary.

H.R. 3851. A bill for the relief of Nicola Lante; to the Committee on the Judiciary.

H.R. 3852. A bill for the relief of Pietro Silvo Licata; to the Committee on the Judiciary.

H.R. 3853. A bill for the relief of Vito Matranga; to the Committee on the Judiciary.

H.R. 3854. A bill for the relief of Jose Maya-Fernandez; to the Committee on the Judiciary.

H.R. 3855. A bill for the relief of Lampros Nicolaides; to the Committee on the Judiciary.

H.R. 3856. A bill for the relief of Mario Noto; to the Committee on the Judiciary.

H.R. 3857. A bill for the relief of Guido Parete, his wife, Giovanti Parete, and their children, Claudia and Mario Parete; to the Committee on the Judiciary.

H.R. 3858. A bill for the relief of Yacov Shimon; to the Committee on the Judiciary.

H.R. 3859. A bill for the relief of Konstantinos Tsonatos; to the Committee on the Judiciary.

H.R. 3860. A bill for the relief of Marianna and Francesco Turco; to the Committee on the Judiciary.

H.R. 3861. A bill for the relief of Faye Walters; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 3862. A bill for the relief of Vered Baum; to the Committee on the Judiciary.

By Mr. LAIRD:

H.R. 3863. A bill for the relief of Antonio Gonzalez-Mora, and his wife, Natalia Sandoval Gonzalez-Mora; to the Committee on the Judiciary.

By Mr. MacGREGOR:

H.R. 3864. A bill for the relief of Martha Pilworn Kim; to the Committee on the Judiciary.

H.R. 3865. A bill for the relief of Mauritz A. Sterner; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 3866. A bill for the relief of Eduardo Enrique Ramos; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 3867. A bill for the relief of Lucia Ciancimino; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 3868. A bill for the relief of Dr. Naveed A. Siddiqi; to the Committee on the Judiciary.

H.R. 3869. A bill for the relief of Dr. Livia S. Wan; to the Committee on the Judiciary.

H.R. 3870. A bill for the relief of Dr. Mohammad Zahir; to the Committee on the Judiciary.

By Mr. RONAN:

H.R. 3871. A bill for the relief of Vasilios C. Aggelopoulos; to the Committee on the Judiciary.

H.R. 3872. A bill for the relief of Vasilios Alexopoulos; to the Committee on the Judiciary.

H.R. 3873. A bill for the relief of Cavit Alidede; to the Committee on the Judiciary.

H.R. 3874. A bill for the relief of Maria Hebda; to the Committee on the Judiciary.

H.R. 3875. A bill for the relief of Vasilios Kyriakopoulos; to the Committee on the Judiciary.

H.R. 3876. A bill for the relief of Irene Markopoulos; to the Committee on the Judiciary.

H.R. 3877. A bill for the relief of Marina Restos; to the Committee on the Judiciary.

H.R. 3878. A bill for the relief of Polixene Viatsas; to the Committee on the Judiciary.

H.R. 3879. A bill for the relief of Guiseppe Vitale; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 3880. A bill for the relief of Dr. Sunshil Chang; to the Committee on the Judiciary.

H.R. 3881. A bill for the relief of Despina and Christina Hatzisavvas; to the Committee on the Judiciary.

H.R. 3882. A bill for the relief of John Kondros; to the Committee on the Judiciary.

H.R. 3883. A bill for the relief of Ofelia Manrique; to the Committee on the Judiciary.

H.R. 3884. A bill for the relief of Dr. Mahmood Mousavipour; to the Committee on the Judiciary.

H.R. 3885. A bill for the relief of Kazimiera Niemirowska; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 3886. A bill for the relief of Jose Isidro Rodriguez; to the Committee on the Judiciary.

By Mr. RUMSFELD:

H.R. 3887. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Solomon S. Levadi; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.R. 3888. A bill for the relief of Gordon Pak Man Gartner-Chan; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 3889. A bill for the relief of Standard Meat Co.; to the Committee on the Judiciary.

SENATE

WEDNESDAY, JANUARY 25, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, help of the ages past, hope for the years to come, in the white of Thy holiness we know ourselves for what we are—petty, proud creatures who seek their own wills and whims in spite of the noble professions with which we come to Thee.

We would yield our flickering torch to the flame of Thy redeeming love. Consecrate with Thy presence the way our feet may go, and the humblest work will shine, and the rough places be made plain.

In a world filled with problems that perplex, may our hearts be strengthened by the realization that ours is also a time of splendor, bright with promise as we stand at the portal of a more glorious tomorrow.

Thus, may we be true to all truth the world denies, not tonguetied by its gilded lies; not always right in all men's eyes, but faithful to the light within.

We ask it in the name of that one who is the way and the life. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, January 24, 1967, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Special Subcommittee on Appalachia of the Committee on Public Works was authorized to meet during the session of the Senate today.

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON EXPORT-IMPORT BANK INSURANCE AND GUARANTEES RELATING TO EXPORTS TO YUGOSLAVIA

A letter from the Secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, that the amount of Export-Import Bank insurance and guarantees issued in connection with U.S. exports to Yugoslavia, for the month of December 1966, totaled $4,675; to the Committee on Appropriations.

REPORT ON NROTC FLIGHT INSTRUCTION PROGRAM

A letter from the Secretary of the Navy, transmitting, pursuant to law, a report on the Naval Reserve Officers' Training Corps flight instruction program, for the fiscal year 1966 (with an accompanying report); to the Committee on Armed Services.

REPORT UNDER EXEMPLARY REHABILITATION CERTIFICATES ACT

A letter from the Secretary of Labor, reporting, pursuant to law, that the information required to report under the Exemplary Rehabilitation Certificates Act is not available at this time; to the Committee on Armed Services.

AUTHORIZATION OF CERTAIN CONSTRUCTION IN SUPPORT OF MILITARY ACTIVITIES IN SOUTHEAST ASIA

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to authorize certain construction in support of military activities in southeast Asia (with an accompanying paper); to the Committee on Armed Services.

APPROPRIATIONS FOR PROCUREMENT OF AIRCRAFT, MISSILES, AND TRACKED COMBAT VEHICLES FOR FISCAL YEAR 1967

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to authorize appropriations during the fiscal year 1967 for procurement of aircraft, missiles, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes (with accompanying papers); to the Committee on Armed Services.

APPROPRIATIONS FOR PROCUREMENT OF AIRCRAFT, MISSILES, AND TRACKED COMBAT VEHICLES FOR FISCAL YEAR 1968

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to authorize appropriations during the fiscal year 1968 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes (with accompanying papers); to the Committee on Armed Services.

INTEREST EQUALIZATION TAX EXTENSION ACT OF 1967

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide an extension of the interest equalization tax, and for other purposes (with accompanying papers); to the Committee on Finance.

REPORT ON SALES AND TRANSFERS OF FOREIGN EXCESS PROPERTY BY THE VETERANS' ADMINISTRATION

A letter from the Deputy Administrator, Veterans' Administration, Washington, D.C., transmitting, pursuant to law, a report on sales and transfers of foreign excess property by that Administration, for the calendar year 1966 (with an accompanying report); to the Committee on Government Operations.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of the administration of the District of Columbia Nonresident Tuition Act, Board of Education, District of Columbia government, dated January 1967 (with an accompanying report), to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on examination of financial statements, fiscal year 1966, Federal Prison Industries, Inc., Department of Justice, dated January 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on audit of the Farm Credit Administration and certain banks of the farm credit system, fiscal year 1966 (with an accompanying report); to the Committee on Government Operations.

LAWS ENACTED BY THE LEGISLATURE OF THE VIRGIN ISLANDS

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, copies of all laws enacted by the Legislature of the Virgin Islands in its 1966 regular and special sessions (with accompanying papers); to the Committee on Interior and Insular Affairs.

AMENDMENT OF SMALL RECLAMATION PROJECTS ACT OF 1956

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the Small Reclamations Projects Act of 1956, as amended (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT ON CONDITIONAL ENTRIES

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a report on conditional entries of certain aliens, for the 6-month period ended December 31, 1966 (with an accompanying report); to the Committee on the Judiciary.

AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967

A letter from the Secretary of Labor, transmitting a draft of proposed legislation cited as the "Age Discrimination in Employment Act of 1967" (with an accompanying paper);

to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the **PRESIDENT** pro tempore:

A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a petition dated November 3, 1966, signed by sundry citizens of the United States residing at that time in Havana, relating to their return to the United States; to the Committee on Foreign Relations.

A resolution adopted by the council of the city of Struthers, Ohio, favoring the proposed interconnecting waterway linking the Lake Erie-Ohio River Canal; to the Committee on Public Works.

DISTRICT OF COLUMBIA BUDGET—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 15, PT. 2)

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The Chair lays before the Senate a message from the President of the United States transmitting the District of Columbia budget for 1968. Without objection, the budget and message from the President will be appropriately referred, and the message from the President will be printed in the RECORD, without being read.

The message from the President was referred to the Committee on Appropriations, as follows:

To the Congress of the United States:

I present the budget for the District of Columbia for the fiscal year beginning July 1, 1967.

Notwithstanding increased attention to the District of Columbia by the Federal Government in recent years, there is persuasive evidence that much remains to be done if the Nation's Capital is to be a capital in which all Americans can take pride. Problems of housing, education, employment, crime, and a rapidly changing racial balance—the problems of most large American cities—are critical. Now, not later, is the time to attack them.

American citizens have a right to express themselves at the polls about the people to run their governments. The citizens of the District must be given a voice in their own government through home rule. I believe that the last Congress should have granted home rule to the citizens of the District, and I urge the present Congress to give them home rule.

Two recent reports underscore the urgency of the District's needs. The 4-year study completed in August 1966 under a grant from the Department of Housing and Urban Development found a gradual worsening of the physical, social, and economic conditions of the District. The report concluded that to do no more than just "hold the line" will require $175 million in additional funds over the next 8 years. To make "substantial inroads" on present conditions will require $750 million over that same period, and a course of "total action toward solving the problems" would require additional expenditures of $3 billion between now and 1975. This is a measure of the magnitude of what we are facing and of the inadequacy of our past efforts.

The other report, completed last month, is that of the President's Commission on Crime in the District of Columbia. The Commission recommends many changes in the agencies and programs directly concerned with crime, some of which are reflected in this budget. The Commission also expressed its concern at inadequacies in other District programs—in employment, housing, education, health, welfare, and recreation. Significantly, it adds that if these deficiencies in community life "are allowed to continue or to worsen, it will be difficult to formulate solutions to our crime problems, no matter what action is taken in the police, court, or correctional fields."

I shall shortly transmit to the Congress proposals to enable the District to come to grips with its needs. It must move forward, not stand still or fall back.

The budget which I am presenting reflects the needs of the present. However, the District must prepare for greater efforts in the years ahead and it must consider sources of new revenue. To do so successfully, it must have the best advice and assistance possible. I will therefore include in a 1967 supplemental budget for the District, which I will shortly transmit to the Congress, $200,000 for an independent study of the entire range of District revenue sources, actual and potential, to determine what changes should be made in its fiscal policies and tax structure. I would expect the study to be completed in time for consideration with the District's budget for fiscal 1969.

The Federal Government, of course, must meet its own responsibilities to the District. It is our Capital City. The Federal Government depends for its own proper functioning on a healthy and stable District. Moreover, the District, as the heart of a rapidly expanding, prosperous metropolitan area, directly affects the character and livability of the entire region. Self-interest as well as proper pride in our Capital dictates that the Federal contribution to the city's revenues be completely adequate.

In my judgment, the Federal contribution is not yet at that level. Large but essential increases in District expenses have not been adequately matched by increases in the Federal payment. For that reason, I am again recommending to the Congress that the basis for determining the authorized Federal payment to the District be established as a percentage of basic local tax revenues.

This basis is not only more equitable for the present, but also will maintain an equitable balance into the future as changes occur in the tax burden of the District taxpayers. Revenues will be more predictable and forward planning of District programs will be more meaningful. In fiscal 1968, based on the current estimate of the specified tax revenues of $282.3 million, this basis would fix the authorization at $70.6 million—$10.6 million above the present authorization of $60 million. In fiscal 1967, this basis would have fixed the authorization at $64 million. The change in a period of only 1 year illustrates the need for a basis which will continue to reflect a fair apportionment of the costs of general District government between District taxpayers and the Federal Government.

Another aspect of District finances is also vitally in need of revision. The District is now compelled to borrow for its capital expenditures from the Treasury. The total of such borrowings for the general fund—which of course must in each instance be approved in the appropriation bills—cannot now exceed the fixed amount of $290 million. Repayments by the District are not taken into account; once the authorized amount has been borrowed the District's authority is exhausted, even though its outstanding obligations may be less than the $290 million authorized.

This type of authorization is both unnecessary and unfair. The District should not, of course, borrow beyond its needs, which the Congress evaluates in appropriation bills. Neither should it borrow beyond its capacity to repay; but that capacity, rather than an arbitrary dollar limit, should be the measure of its maximum permitted debt. I will, therefore, also propose legislation which will create a District debt ceiling related to the annual amount of general fund revenue, including the authorized Federal payment and using the same general fund tax revenue base proposed for the Federal payment authorization. A fair limitation—6 percent—of such revenues for debt service would permit a debt ceiling of $335 million in fiscal 1968. This is $45 million above the present authorization, and will, of course, permit the District to take advantage in the future of any portion of its present obligation which it has repaid.

These changes in the Federal payment authorization and in the District's borrowing authority are needed now. The Commissioners, on their part, intend to increase the real and personal property tax rates by 20 cents per $100 of assessed valuation, to produce an estimated additional revenue of $8 million. The District is also continuously seeking to reduce costs and improve management. For example, its cost-reduction program has—

Saved $500,000 in simplification of paperwork.

Saved $57,000 annually and some 50,000 police man-hours, by use of special school crossing guards.

Saved $250,000 during the past 2 years by disposal of obsolete records to release prime office space.

Saved $97,000 annually in clerical time by simplifying police field reports.

Reduced inventories by $100,000 by using computers for improving inventory management.

Efforts to eliminate unnecessary expense and improve management, and the added financial resources proposed, will permit an expenditure budget for fiscal 1968 which is appropriate to the District's requirements, both for operating expenses and for catching up on a major

backlog of sorely needed capital projects. A table summarizing the District's budget and a description of significant budget proposals follow:

Authorizations and financing

[In thousands of dollars]

	1966 actual	1967 estimate	1968 estimate
Education:			
Operating expenses	75,641	86,529	101,028
Capital outlay	17,569	27,213	63,270
Welfare and health:			
Operating expenses	80,958	90,945	106,809
Capital outlay	6,014	2,572	5,889
Highways and traffic:			
Operating expenses	14,203	15,350	16,307
Capital outlay	9,852	15,455	18,501
Public safety:			
Operating expenses	79,957	91,591	92,295
Capital outlay	1,687	1,630	3,773
Parks and recreation:			
Operating expenses	11,052	13,360	17,619
Capital outlay	1,035	1,253	4,105
General operating expenses:			
Operating expenses	20,536	23,507	27,570
Capital outlay	2,110	898	13,705
Sanitary engineering:			
Operating expenses	23,257	24,708	26,625
Capital outlay	12,547	12,747	17,516
Repayment of loans and interest	5,690	6,077	7,790
Payment of District of Columbia share of Federal capital outlays	987	1,350	1,247
Contribution to rail rapid transit system	2,000	4,527	
Judgments, refunds, and other expenses	3,983	980	1,851
Total new obligational authority	369,078	420,692	525,900
Distribution of new obligational authority:			
General fund	(325,984)	(367,207)	(464,687)
Highway, water, and sewage works funds	(43,094)	(53,485)	(61,213)
Proposed for later transmittal:			
Police pay increase—proposed legislation		220	1,327
Plans for new District of Columbia colleges—existing legislation			500
Reserves for indefinite appropriations	39	1,040	940
Funds required in subsequent years to pay obligations for capital projects (net)	−1,750	−2,851	−16,964
Total financial requirements	367,367	419,101	511,703
Revenues and balances:			
Taxes, fees, etc.[1]	293,802	321,562	353,046
Federal payment:			
Existing legislation	44,250	60,000	60,000
Proposed legislation			10,600
Loans for capital outlay:			
Existing legislation	28,312	37,527	49,600
Proposed legislation			34,200
Funds released to surplus	2,841	3,618	4,720
Beginning and end of year balances (net)[2]	−1,838	−3,606	−463
Total revenues and balances	367,367	419,101	511,703

[1] Includes increases in real estate taxes from $2.70 to $2.90 per $100 assessed valuation and in personal property taxes from $2 to $2.20 per $100 of assessed valuation in fiscal year 1968.

[2] Balances are in the highway, water, and sewage funds. No general fund balance estimated in 1967 or 1968.

EDUCATION

Operating funds for the public school system in 1968 require $101 million, an increase of $14.5 million over 1967.

The urgent need further to improve District schools has been emphasized not only in a recent congressional investigation and report, but also in the report of the Commission on Crime in the District of Columbia. The deficiences are substantial, and they are serious. Education for every child to the limits of his capacity is basic to all other efforts. To achieve this goal in the District, the quality of education must be improved, the needs of children from deprived and inadequate family backgrounds must be given more attention, and the physical plant must be expanded and modernized. The budget reflects the urgent need to accomplish each of these objectives as quickly as possible.

IMPROVING THE QUALITY OF EDUCATION

With the funds provided in the budget the quality of education will be improved by—

More support, through additional teachers, for elementary school instruction in such fields as science, mathematics, music, art, physical education, and foreign languages.

Added professional help for schools of all levels in such areas as reading, speech, curriculum, library science, guidance, history, and business education.

An internship program to assist teachers in their first year of teaching through inservice training.

Attaining Board of Education standards for librarians and counselors: a librarian for each school where facilities are available, and a ratio of counselors to pupils of 1:750 in elementary schools and 1:400 in the secondary schools.

Beginning a reduction in class sizes in schools where space is available. Regular academic pupil-teacher ratios in junior and senior high schools will be reduced from 25:1 to 21:1. Because of space limitations, the goal of a ratio of 24:1 in elementary schools must await the construction program.

Additional assistant principals in elementary schools to improve school administration and instructional supervision.

MEETING THE NEEDS OF THE DISADVANTAGED

The funds provided in the budget will also help to meet the needs of children whose background and family resources are inadequate. Nearly half the pupils in the District's schools come from areas where the average family income is under $5,000. Funds from Federal programs have helped to enrich the school experience of these children, but more is necessary. The budget will—

Provide teachers who can give individualized instruction to pupils who can be helped by more teacher attention provided through team teaching, ungraded classrooms, smaller class arrangements, seminars, and tutorial assistance in afterschool study.

Initiate a prekindergarten program for 3,000 children, to convert the Headstart approach into a full-year program.

Provide help to approximately 60,000 students in remedial reading.

Double the present number of pupil personnel teams to provide help both to pupils and to teaching personnel in determining the abilities and emotional stability of children.

Expand the school lunch program.

Provide matching funds to qualify for teachers from the National Teachers Corps.

CONSTRUCTING AND EQUIPPING SCHOOLS

Funds in the amount of $63.3 million are provided in the budget for various phases of school construction. This is a substantial increase over past levels, but it is a more current assessment of the need. There is no economy in delay. On the contrary, postponement of essential facilities condemns many students to educational handicaps that will endure throughout their lives. The budget is intended to reflect urgency.

It will provide funds for—

Construction of 17 projects for which site and planning funds have already been appropriated—including two new elementary schools, two elementary school replacements, additions to 12 other schools, and an addition to the school warehouse.

Equipment for elementary and junior high construction projects already funded.

Planning and construction funds for three elementary and one senior high school additions.

Site and planning funds for 28 school projects.

Seventy-five portable prekindergarten classrooms for the most seriously deprived areas of the District.

An addition to Sharpe Health School, and a new school for the severely mentally retarded.

Funds are provided for the construction of a new Shaw Junior High School, for which the Congress provided special legislation in 1966. Funds to enable the Board of Vocational Education and the Board of Higher Education to begin planning for the two new institutions authorized by Public Law 89-791 can be supplied from existing resources in 1967. Provision is made in the budget for financing the two Boards in 1968.

CRIME

The budget reflects my continuing concern that people who live, work, and visit in the Nation's Capital must be safe in their persons and their property. The continuing increase in the District's rate of crime demonstrates that our efforts thus far have not been adequate. The President's Commission on Crime in the

District of Columbia has now given us a measure of our needs and of the steps to be taken. Its recommendations are being carefully evaluated, and a great many of them are reflected in the budget. I will shortly be proposing legislation to carry out other recommendations which require legislative approval.

The attack on crime must be on a broad front. The Police Department must be provided with adequate resources. No less must be made available to the courts, the prosecutors, the Department of Corrections, and to all of the youth-serving agencies that seek to prevent delinquency, and to help young offenders become law-abiding citizens. The budget reflects much of this need.

STRENGTHENING THE POLICE DEPARTMENT

For the Police Department itself, the budget provides—

Additional civilian positions and additional computer services to carry forward the planning and information activities of the Department. When these activities are fully staffed, they are estimated to achieve greater manpower utilization in the Department equivalent to 600 additional policemen.

Additional civilians to relieve policemen from clerical duties, and to assist in improving the Department's community relations, training, recordkeeping, and criminal investigations.

Additional sergeants—from a ratio of 1:20 patrolmen to 1:9—to improve the supervision of patrolmen.

Increase in the police cadet program and in the number of school crossing guards.

Increased police mobility through additional automobiles.

The 1967 supplemental budget for the District will provide an additional $420,000 to expand and modernize the police communications system.

I shall also transmit to the Congress a bill to provide an increase in the salaries of the Police Department, to be applied principally in the lower ranks as an aid to recruitment of policemen of high quality. The 1967 supplemental budget will request funds to make this increase effective on May 1, 1967. This increase along with that already authorized by the 89th Congress and the District's more successful recent recruiting efforts should bring the Department very near its authorized strength in fiscal 1968. A direct result of this will be a saving of $2 million in tactical force operations, since there will be a sharp decrease in the need to staff this force on an overtime basis by the use of patrolmen on their day off.

CRIME PREVENTION AND OTHER CRIMINAL JUSTICE PROGRAMS

These improvements in the Police Department will fail to realize their full potential, however, unless improvements are also made in other areas. The crime prevention budget, therefore, also includes funds for—

A major increase in the staff of the roving leader program, which has had marked success in working with youth gangs and delinquency-prone young people.

Stepping up sharply the transfer begun in fiscal 1967 of children from large institutions to group shelters, foster and prerelease homes. Funds are provided to add 20 group foster homes to the six funded in 1967 and to provide eight youth group homes for delinquent children. The savings in cost to the District will be substantial because the present system of institutional care is expensive.

Additional child support and probation workers for the juvenile court.

A research unit to permit the juvenile court to determine how to improve its operations and procedures.

Strengthened court services, including increased legal assistance to indigents in the court of general sessions.

NEW FACILITIES

The budget also reflects the urgent recommendation of the Crime Commission that if the war on crime is to be effective, major improvements are needed in the District's physical facilities. Funds are provided to construct, at Blue Plains, the new police training facility. Survey funds are included to make comprehensive studies for a modern detention and diagnostic facility to replace the District of Columbia jail, for new court facilities, and for a modern facility to replace the present Receiving Home. Funds are also provided for plans and specifications for an alcoholic treatment center at the District of Columbia General Hospital, which will continue and improve the adjustments made necessary by the long overdue removal of the chronic alcoholic from the criminal process.

HEALTH

The budget provides a total of $66.5 million for the operation of public health and vocational rehabilitation programs for 1968, an increase of $8.2 million over 1967. These funds are needed to improve a variety of services, and to remedy some serious deficiencies.

The Department of Public Health has made impressive gains in recent years. Much more will be possible, with additional Federal assistance, when present laws are amended to permit the District to join the many other States which are receiving Federal assistance in local health activities under title XIX of the Social Security Act. Under that program, not only will many more District residents receive needed medical attention, but increasing pressures upon both the District of Columbia General Hospital and Children's Hospital will be eased. I urge the Congress to give prompt attention to the necessary legislation.

The budget will maintain the momentum of prior years, and make other essential improvements. It will—

Increase the number of nurses, nurses' assistants, and the capacity of the nursing school at the District of Columbia General Hospital. These increases, together with the improvement in the recruiting ability of the hospital which will result from the recently announced pay increases for nurses, should materially improve the quality of nursing care at the hospital. More funds are also provided to the hospital for supplies and equipment.

Provide expanded services for the aged, through a geriatrics clinic at the Potomac Gardens public housing project for the aged, and through an increase in home health services.

Permit payment to contract hospitals and Freedman's Hospital of their reasonable costs for the services they provide the medically indigent residents of the District, in conformance with the criteria set forth in Public Law 89–97.

Provide plans and specifications for the Northwest Community Health Center.

The average daily patient load of St. Elizabeths Hospital for which the District is responsible continues to decline. The per diem cost, however, continues to increase so that an additional $3.6 million will be required in 1968.

WELFARE

The budget provides $40.3 million for the Department of Welfare in 1968, an increase of $7.7 million over 1967.

The operations of the Welfare Department continue to reflect efforts to rehabilitate individuals and families, increase their self-sufficiency, and in as many cases as possible assist them to become self-supporting. Funds are provided to maintain the present ratio of social workers to families with dependent children, to complete the basic staffing for two recently established neighborhood centers, and to meet additional staff needs for the aged at District of Columbia Village. Funds are also provided to staff the new District facility which will replace the present National Training School for Boys.

Many special welfare programs have been established in recent years to meet the needs of the less advantaged. The budget will permit intensifying this effort by—

Expanding the crisis assistance and emergency family shelter programs.

Continuing and improving the training and job placement assistance programs for unemployed parents of needy children. This effort will continue to be closely related to the work training program financed under title V of the Economic Opportunity Act, and provides for the removal of limitations that now prevent Federal assistance under the Social Security Act.

Paying the actual rental expenses of public-assistance recipients if their quarters meet building code requirements and a reasonable standard of maintenance.

Further expanding the day care program.

PARKS AND RECREATION

The needs of those agencies concerned with parks and recreation will require $17.6 million, an increase of $4.3 million over 1967.

The additional funds will permit a substantial expansion of supervised recreational activity. The major portion, $2.5 million, will provide a comprehensive summer program for youth, combining organized recreation with educational and preschool training. These funds, together with $500,000 which will be included in the supplemental 1967 budget, are needed to continue and improve the District's summer programs for young people. During the past 2 years District programs have been among the most successful in the United States. Their value can no longer be doubted.

Funds are also provided for more adequate coverage of existing facilities, for more hours of operation of 90 playgrounds recently lighted for night use with the help of private contributions, for an extended summer season for swimming pools, for expanded recreation programs serving the physically handicapped and the mentally retarded, and for staffing the Buchanan playground which will also be improved by a grant from the Astor Foundation.

The capital budget reflects an urgent need to increase the recreation facilities available in the District. A total of $4.1 million is proposed to provide, among other things—

Acquisition of the old carbarn on East Capitol Street for development into a community and recreation center to serve an area badly in need of such a facility.

Construction funds for two swimming pools, and plans for four more.

Reconstruction of the Chevy Chase Community Center, for which Congress in fiscal 1967 provided funds to prepare plans and specifications.

The 1967 supplemental budget will provide funds to make available next summer 15 walk-to-learn-to-swim pools for younger children.

TRANSPORTATION

The budget reflects the substantial progress toward an ultimate solution of the transportation program that was made during the past year.

The mass transit program moved closer to the regional system which I recommended when the 89th Congress enacted for the District and granted Federal consent to the compact creating the Washington Metropolitan Area Transit Authority, with power to plan, finance, and operate a regional system. Maryland, Virginia, and the District have already provided funds for the operation of the Authority in 1967 and are budgeting funds for that purpose in 1968.

Funds are already available to permit continuation of preliminary engineering and construction work by the National Capital Transportation Agency on that part of the system authorized by the Congress in 1965. Funds for the District's share of the engineering and construction costs of the Authority are authorized. Although the Authority does not come into being officially until February 20, 1967, the provisional Board of Directors has been actively at work for several months.

Agreement reached during 1966 by the Policy Advisory Committee, and accepted by the District Commissioners and the National Capital Planning Commission regarding the location of interstate freeways within the District, together with the increased funds resulting from the additional borrowing authority made available to the highway fund, have made it possible to provide adequate funds so that the entire freeway program can go forward. In addition, the budget provides funds through the Council of Governments for the District's share of the expenses of the regional planning, including transportation planning, being undertaken jointly by the local governments in the National Capital Region.

OTHER

The major portion of the budget is related to the programs already mentioned. Other budget proposals of particular significance include—

Funds for a major increase in sanitation services, to permit more frequent street cleaning and more efficient refuse collection.

Funds for the construction of the new central Public Library.

Funds to enable the Public Library to send books to 16,000 kindergarten children, to enlarge their horizon through the world of books. Books for these children are even more important than the books already provided by the Library to children in the elementary schools and in many junior high schools.

Funds to augment the staff of the Commissioners' Council on Human Relations. The services provided by the Council have been important, but much more can and should be done.

Funds for a Civil Rights Division in the Corporation Counsel's office.

Funds to prepare preliminary plans for two new buildings in the Municipal Center area. These buildings will not only provide the District with badly needed office space, but also help to carry out the long-range plans for Pennsylvania Avenue.

Funds to conduct the 1968 presidential election in the District.

CONCLUSION

This budget which I am recommending reflects the needs of local government in an increasingly urbanized society. The District is no less subject to these urgent needs than are other cities, and because in many ways it performs the function of a State as well, its responsibilities are even broader. To ignore the District's needs is to confess that the Capital City of this great Nation cannot cope with today's challenges. We must make no such confession. We must make the District of Columbia, rather, the proof that our civilization continues to secure to every citizen "life, liberty, and the pursuit of happiness."

LYNDON B. JOHNSON.

JANUARY 25, 1967.

SUPPLEMENTAL INCOME TAX CONVENTION WITH CANADA — REMOVAL OF INJUNCTION OF SECRECY

Mr. MANSFIELD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive B, 90th Congress, first session, the Supplementary Income Tax Convention with Canada, transmitted to the Senate today by the President of the United States, and that the convention, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered. The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the supplementary convention between the United States of America and Canada, signed at Washington on October 25, 1966, further modifying and supplementing the convention and accompanying protocol of March 4, 1942, for the avoidance of double taxation and the prevention of fiscal evasion in the case of income taxes, as modified by the supplementary conventions of June 12, 1950, and August 8, 1956.

I transmit also, for the information of the Senate, the report of the Secretary of State with respect to the supplementary convention.

Article XI of the 1942 convention, as modified and presently in force, contains provisions regarding the rate of income tax imposed by either country in regard to income—other than earned income—derived from sources therein and applicable to nonresident alien individuals and nonresident foreign corporations and to intercorporate dividends paid by a subsidiary corporation to a parent corporation in specified circumstances. Under paragraph 1 of article XI, the rate of tax with respect to income other than earned income "shall not exceed 15 percent for each taxable year."

The sole purpose of the supplementary convention and its single substantive article is to add to article XI a new paragraph whereby it is provided that paragraph 1 of article XI shall not apply in respect of income derived from sources in one of the countries and paid to a corporation organized under the laws of the other country if such corporation, by reason of the fact that it is not a resident of the last-mentioned country for purposes of its income tax, is not subject to tax by the last-mentioned country on that income. The effect of this amendment, as explained more fully in the report of the Secretary of State, is to eliminate unintended preferential treatment accorded to persons living outside both countries who receive investment income from the United States at substantially reduced tax rates.

The supplementary convention, formulated as a result of technical discussions between representatives of this Government and representatives of the Canadian Government, is approved by the Department of State and the Department of the Treasury.

I recommend that the Senate give early and favorable consideration to the supplementary convention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 25, 1967.*

INVESTIGATION AND COMPLETE STUDY OF ALL MATTERS PERTAINING TO FOREIGN ASSISTANCE OPERATIONS BY THE FEDERAL GOVERNMENT—REPORT OF A COMMITTEE

Mr. GRUENING, from the Committee on Government Operations, reported the following original resolution (S. Res. 57); which was referred to the Committee on Rules and Administration:

S. Res. 57

Resolved, That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction, specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the operation of foreign assistance activities by the Federal Government, with a view to determining the economy and efficiency of such activities.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1967, through January 31, 1968, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $115,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF ORIGIN OF RESEARCH AND DEVELOPMENT PROGRAMS FINANCED BY THE DEPARTMENTS AND AGENCIES OF THE FEDERAL GOVERNMENT—REPORT OF A COMMITTEE

Mr. McCLELLAN (for Mr. Harris), from the Committee on Government Operations, reported the following original resolution (S. Res. 58); which was referred to the Committee on Rules and Administration:

S. Res. 58

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946, and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations, or any subcommittee thereof, is authorized, from February 1, 1967, through January 31, 1968, to make studies as to the efficiency and economy of operations of all branches and functions of the Government with particular reference to:

(1) the operations of research and development programs financed by departments and agencies of the Federal Government, including research in such fields as economics and social science, as well as basic science, biomedicine, research, and technology;

(2) review those programs now being carried out through contracts with higher educational institutions and private organizations, corporations, and indivduals to determine the need for the establishment of national research, development, and manpower policies and programs, in order to bring about Government-wide coordination and elimination of overlapping and duplication of scientific and research activities; and

(3) examine existing research information operations, the impact of Federal research and development programs on the economy and on institutions of higher learning, and to recommend the establishment of programs to insure a more equitable distribution of research and development contracts among such institutions and among the States.

Sec. 2. For the purposes of this resolution, the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized—

(1) to make such expenditures as it deems advisable;

(2) to employ upon a temporary basis and fix the compensation of technical, clerical, and other assistants and consultants: *Provided,* That the minority of the committee is authorized at its discretion to select one employee for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and

(3) with the prior consent of the head of the department or agency concerned, and the Committee on Rules and Administration, to utilize on a reimbursable basis the services, information, facilities, and personnel of any department or agency of the Government.

Sec. 3. Expenses of the committee under this resolution, which shall not exceed $85,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

FUNDS FOR STUDY OF LAWS PERTAINING TO PROPOSED REORGANIZATIONS IN THE EXECUTIVE BRANCH OF THE GOVERNMENT—REPORT OF A COMMITTEE

Mr. McCLELLAN (for Mr. Ribicoff), from the Committee on Government Operations, reported the following original resolution (S. Res. 59); which was referred to the Committee on Rules and Administration:

S. Res. 59

Resolved, That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study for the purpose of evaluating the effects of laws enacted to reorganize the executive branch of the Government, and to consider reorganizations proposed therein.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1967, through January 31, 1968, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $120,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

REVISION AND PRINTING OF SENATE MANUAL—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 60) authorizing the revision and printing of the Senate Manual for use during the 90th Congress, which was placed on the calendar, as follows:

S. Res. 60

Resolved, That the Committee on Rules and Administration be, and it is hereby directed to prepare a revised edition of the Senate Rules and Manual for the use of the Ninetieth Congress, that said Rules and Manual shall be printed as a Senate document, and that two thousand additional copies shall be printed and bound, of which one thousand copies shall be for the use of the Senate, five hundred and fifty copies shall be for the use of the Committee on Rules and Administration, and the remaining four hundred and fifty copies shall be bound in full morocco and tagged as to contents and delivered as may be directed by the committee.

MEMBERSHIP OF JOINT COMMITTEE ON PRINTING AND JOINT COMMITTEE OF CONGRESS ON THE LIBRARY—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 61) providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library, which was placed on the calendar, as follows:

R. Res. 61

Resolved, That the following-named Members be, and they are hereby elected members of the following joint committees of Congress:

Joint Committee on Printing: Mr. Hayden, of Arizona; Mr. Jordan, of North Carolina; and Mr. Scott, of Pennsylvania.

Joint Committee of Congress on the Library: Mr. Jordan, of North Carolina; Mr. Pell, of Rhode Island; Mr. Clark, of Pennsylvania; Mr. Cooper, of Kentucky; and Mr. Scott, of Pennsylvania.

DOROTHY S. McINTYRE—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 62) to pay a gratuity to Dorothy S. McIntyre, which was placed on the calendar, as follows:

S. Res. 62

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Dorothy S. McIntyre, widow of Joseph W. McIntyre, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

MARTHA I. ROBINSON—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 63) to pay a gratuity to Martha I. Robinson, which was placed on the calendar, as follows:

S. RES. 63

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Martha I. Robinson, widow of Evermont Robinson, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

CORNELIUS O'NEAL—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 64) to pay a gratuity to Cornelius O'Neal, which was placed on the calendar, as follows:

S. RES. 64

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Cornelius O'Neal, widower of Leila M. O'Neal, an employee of the Senate at the time of her death, a sum equal to six months' compensation, at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

HAZEL V. HOAK—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 65) to pay a gratuity to Hazel V. Hoak, which was placed on the calendar, as follows:

S. RES. 65

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Hazel V. Hoak, widow of John E. Hoak, an employee of the Senate at the time of his death, a sum equal to six and one-half months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

JENNIE L. WALDEN—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 66) to pay a gratuity to Jennie L. Walden, which was placed on the calendar, as follows:

S. RES. 66

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Jennie L. Walden, widow of Reuben A. Walden, an employee of the Architect of the Capitol assigned to duty in the Senate Office Buildings at the time of his death, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

ADDITIONAL FUNDS FOR COMMITTEE ON FOREIGN RELATIONS—REPORT OF A COMMITTEE

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported the following original resolution (S. Res. 67); which was referred to the Committee on Rules and Administration:

S. RES. 67

Resolved, That the Committee on Foreign Relations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make complete studies of any and all matters pertaining to the foreign policies of the United States and their administration.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; (3) to hold such hearings to take such testimony, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, and to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; and (4) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government, as the committee deems advisable.

SEC. 3. In the conduct of its studies the committee may use the experience, knowledge, and advice of private organizations, schools, institutions, and individuals in its discretion, and it is authorized to divide the work of the studies among such individuals, groups, and institutions as it may deem appropriate, and may enter into contracts for this purpose.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $250,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

TO PRINT ADDITIONAL COPIES OF A PRINT ENTITLED "THE FEDERAL SYSTEM AS SEEN BY FEDERAL AID OFFICIALS"—REPORT OF A COMMITTEE

Mr. MUSKIE, from the Committee on Government Operations, reported the following original concurrent resolution (S. Con. Res. 6); which was referred to the Committee on Rules and Administration:

S. CON. RES. 6

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Government Operations five thousand additional copies of its committee print of the Eighty-ninth Congress, first session, entitled "The Federal System as Seen by Federal Aid Officials", a study prepared by the Subcommittee on Intergovernmental Relations.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

John F. Henning, of California, to be Ambassador Extraordinary and Plenipotentiary to New Zealand;

David S. King, of Utah, to be Ambassador Extraordinary and Plenipotentiary to the Malagasy Republic;

Robert L. Payton, of Missouri, to be Ambassador Extraordinary and Plenipotentiary to the Federal Republic of Cameroon;

William B. Buffum, of Maryland, a Foreign Service officer of class 1, to be the deputy representative of the United States to the United Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary;

Arthur E. Goldschmidt, of New York, to be the U.S. representative to the Economic and Social Council of the United Nations;

Eugene Victor Rostow, of Connecticut, to by U.S. Alternate Governor of the International Monetary Fund and U.S. Alternate Governor of the International Bank for Reconstruction and Development;

Richard F. Pedersen, of California, to be deputy representative of the United States in the Security Council of the United Nations;

Clarence A. Boonstra, of Michigan, to be Ambassador Extraordinary and Plenipotentiary to Costa Rica; and

Idar Rimestad, of North Dakota, a Foreign Service officer of class 1, to be Deputy Under Secretary of State.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 636. A bill for the relief of Mrs. Chin Shee Shiu; to the Committee on the Judiciary.

(See the remarks of Mr. DIRKSEN when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN (by request):

S. 637. A bill for the relief of Fuat Ozkan and his wife Tulay Fatma Ozkan; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 638. A bill for the relief of Medina Alvarez Advincula; and

S. 639. A bill for the relief of Rigoberto Salazar; to the Committee on the Judiciary.

By Mr. NELSON:

S. 640. A bill for the relief of Nikolaos G. Kalaras; and

S. 641. A bill for the relief of Panagiote Bourantais; to the Committee on the Judiciary.

By Mr. METCALF:

S. 642. A bill for the relief of Kil Ja Chung; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 643. A bill for the relief of Wha Wang; to the Committee on the Judiciary.

By Mr. KUCHEL:

S. 644. A bill to prohibit the transportation or shipment in interstate commerce of master keys to persons prohibited by State law from receiving or possessing them; to the Committee on the Judiciary.

(See the remarks of Mr. Kuchel when he introduced the above bill, which appear under a separate heading.)

By Mr. ELLENDER:

S. 645. A bill to provide needed additional means for the residents of rural America to achieve equality of opportunity by authorizing the making of grants for comprehensive planning for public services and development in community development districts approved by the Secretary of Agriculture; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Ellender when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH (for himself, Mr. Clark, Mr. Dodd, Mr. Inouye, Mr. Bartlett, Mr. Magnuson, Mr. Gruening, Mr. Hart, and Mr. Mondale):

S. 646. A bill to provide for the compensation of persons injured by certain criminal acts; to the Committee on the Judiciary.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 1, 1967 for additional cosponsors.)

By Mr. MOSS:

S. 647. A bill for the relief of Nicholas B. Perry; to the Committee on the Judiciary.

S. 648. A bill to provide for the establishment and administration of the Canyon Country National Parkway in the State of Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Moss when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota:

S. 649. A bill to provide for a voluntary wheat certificate program, under which the price of all wheat would be supported at not less than $2 per bushel; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Young of North Dakota when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON:

S. 650. A bill for the relief of Tech. Sgt. Anthony J. Corso, U.S. Air Force (retired);

S. 651. A bill for the relief of a certain civilian employee of the U.S. Naval Torpedo Station, Keyport, Wash.;

S. 652. A bill for the relief of certain employees of the Puget Sound Naval Shipyard; and

S. 653. A bill for the relief of Capt. Robert C. Crisp, U.S. Air Force; to the Committee on the Judiciary.

By Mr. CURTIS:

S. 654. A bill to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus personal property to private nonprofit libraries for the blind; to the Committee on Government Operations.

By Mr. CURTIS (for himself and Mr. Hruska):

S. 655. A bill to provide for the construction of wells and other facilities necessary to provide a supplemental water supply to the lands of the Mirage Flats Irrigation District, Mirage Flats project, Nebraska, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. COOPER (for himself and Mr. Morton).

S. 656. A bill to provide for the appointment of one additional district judge for the eastern district of Kentucky; to the Committee on the Judiciary.

(See the remarks of Mr. Cooper when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 657. A bill to provide for the relief of the trustee of the bondholders of the Bankers Joint Stock Land Bank of Milwaukee, Wis.; to the Committee on the Judiciary.

By Mr. HART:

S. 658. A bill for the relief of Camnle Najib Rabah; to the Committee on the Judiciary.

By Mr. GORE:

S. 659. A bill for the relief of Phy Loc Ho Thi Kniet Tran-Kiem; to the Committee on the Judiciary.

By Mr. HART (for himself, Mr. Proxmire, Mr. Nelson, Mr. Clark, Mr. Scott, Mr. Young of Ohio, Mr. Lausche, Mr. Mondale, Mr. McCarthy, Mr. Griffin, Mr. Bayh, Mr. Hartke, Mr. Dirksen, and Mr. Percy):

S. 660. A bill granting the consent of Congress to a Great Lakes Basin Compact, and for other purposes; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 661. A bill for the relief of Dr. Albert Victor Michael Ferris-Prabhu;

S. 662. A bill for the relief of Dr. Robert H. A. Haslam;

S. 663. A bill for the relief of Dr. Palem S. Rao, his wife, and their two minor children; and

S. 664. A bill for the relief of Capt. William O. Hanie; to the Committee on the Judiciary.

By Mr. RUSSELL (for himself and Mrs. Smith) (by request):

S. 665. A bill to authorize appropriations during fiscal year 1967 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes; and

S. 666. A bill to authorize appropriations during the fiscal year 1968 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. Russell when he introduced the above bills, by request, which appear under separate headings.)

By Mr. EASTLAND:

S. 667. A bill for the relief of W. J. B. Daniel; to the Committee on the Judiciary.

By Mr. McINTYRE:

S. 668. A bill for the relief of Josefa Carrascal Rusch; to the Committee on the Judiciary.

By Mr. FONG:

S. 669. A bill for the relief of Sung Kyn Kim and his wife, Uckang Nam Koong Kim; to the Committee on the Judiciary.

By Mr. McGEE (for himself and Mr. Hansen):

S. 670. A bill to reauthorize the Riverton extension unit, Missouri River Basin project, to include therein the entire Riverton Federal reclamation project, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. McGee when he introduced the above bill, which appear under a separate hearing.)

By Mr. MUSKIE (for himself and Mr. Clark):

S. 671. A bill to establish a National Intergovernmental Affairs Council; to the Committee on Government Operations.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 4, 1967, for additional cosponsors.)

By Mr. MANSFIELD:

S. 672. A bill for the relief of Margaret Deme and her daughters, Clara Deme and Susie Deme; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 673. A bill to remit a share of Federal tax revenues to States and to governments of certain metropolitan areas, and to establish a Commission for Federalism to allot such revenues and to report on their use to the Congress; to the Committee on Finance.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 4, 1967, for additional cosponsors.)

By Mr. McCLELLAN (for himself, Mr. Ervin, Mr. Hruska, and Mr. Byrd of West Virginia):

S. 674. A bill to amend title 18, United States Code, with respect to the admissibility in evidence of confessions; to the Committee on the Judiciary.

By Mr. McCELLAN (for himself and Mr. Hruska):

S. 675. A bill to prohibit wiretapping by persons other than duly authorized law enforcement officers engaged in the investigation or prevention of specified categories of criminal offenses, and for other purposes;

S. 676. A bill to amend chapter 73, title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States; and

S. 677. A bill to permit the compelling of testimony with respect to certain crimes, and the granting of immunity in connection therewith; to the Committee on the Judiciary.

By Mr. McCLELLAN:

S. 678. A bill to outlaw the Mafia and other organized crime syndicates; to the Committee on the Judiciary.

(See the remarks of Mr. McClellan when he introduced the above bills, which appear under a separate heading.)

(Note.—The above bills were ordered to be held at the desk until February 4, 1967, for additional cosponsors.)

By Mr. JACKSON:

S.J. Res. 24. Joint resolution authorizing the President to proclaim May 4, 1967, as a "Day of Recognition" for firefighters; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

TO PRINT ADDITIONAL COPIES OF A PRINT ENTITLED "THE FEDERAL SYSTEM AS SEEN BY FEDERAL AID OFFICIALS"

Mr. MUSKIE, from the Committee on Government Operations, reported an original concurrent resolution (S. Con. Res. 6) authorizing the printing of additional copies of a Committee on Government Operations print entitled "The Federal System As Seen by Federal Aid Officials", which was referred to the Committee on Rules and Administration.

(See the above concurrent resolution printed in full when reported by Mr. Muskie, which appears under the heading "Reports of Committees.")

RESOLUTIONS

INVESTIGATION AND COMPLETE STUDY OF ALL MATTERS PERTAINING TO FOREIGN ASSISTANCE OPERATIONS BY THE FEDERAL GOVERNMENT

Mr. GRUENING, from the Committee on Government Operations, reported an original resolution (S. Res. 57) authorizing the Committee on Government Operations to examine, investigate, and make a complete study of all matters pertaining to foreign assistance operations by the Federal Government, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Gruening, which appears under the heading "Reports of Committees.")

STUDY OF ORIGIN OF RESEARCH AND DEVELOPMENT PROGRAMS FINANCED BY THE DEPARTMENTS AND AGENCIES OF THE FEDERAL GOVERNMENT

Mr. McCLELLAN (for Mr. Harris), from the Committee on Government Operations, reported an original resolution (S. Res. 58) authorizing the Committee on Government Operations to study the origin of research and development programs financed by the departments and agencies of the Federal Government, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. McClellan, for Mr. Harris, which appears under the heading "Reports of Committees.")

FUNDS FOR STUDY OF LAWS PERTAINING TO PROPOSED REORGANIZATIONS IN THE EXECUTIVE BRANCH OF THE GOVERNMENT

Mr. McCLELLAN (for Mr. Ribicoff), from the Committee on Government Operations, reported an original resolution (S. Res. 59) to provide funds to study and evaluate the effects of laws pertaining to proposed reorganizations in the executive branch of the Government, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. McClellan, for Mr. Ribicoff, which appears under the heading "Reports of Committees.")

REVISION AND PRINTING OF SENATE MANUAL

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 60) authorizing the revision and printing of the Senate Manual for use during the 90th Congress, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan of North Carolina, which appears under the heading "Reports of Committees.")

MEMBERSHIP OF JOINT COMMITTEE ON PRINTING AND JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 61) providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan of North Carolina, which appears under the heading "Reports of Committees.")

DOROTHY S. McINTYRE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 62) to pay a gratuity to Dorothy S. McIntyre, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan of North Carolina, which appears under the heading "Reports of Committees.")

MARTHA I. ROBINSON

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 63) to pay a gratuity to Martha I. Robinson which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan of North Carolina, which appears under the heading "Reports of Committees.")

CORNELIUS O'NEAL

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 64) to pay a gratuity to Cornelius O'Neal, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan of North Carolina, which appears under the heading "Reports of Committees.")

HAZEL V. HOAK

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 65) to pay a gratuity to Hazel V. Hoak, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan of North Carolina, which appears under the heading "Reports of Committees.")

JENNIE L. WALDEN

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 66) to pay a gratuity to Jennie L. Walden, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan of North Carolina, which appears under the heading "Reports of Committees.")

ADDITIONAL FUNDS FOR COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported an original resolution (S. Res. 67) to provide additional funds for the Committee on Foreign Relations for making certain studies, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Fulbright, which appears under the heading "Reports of Committees.")

ESTABLISHMENT OF SELECT COMMITTEE ON TECHNOLOGY AND HUMAN ENVIRONMENT

Mr. MUSKIE (for himself, Mr. Bartlett, Mr. Bible, Mr. Boggs, Mr. Gruening, Mr. Harris, Mr. Inouye, Mr. Javits, Mr. Kennedy of New York, Mr. Long of Missouri, Mr. Mansfield, Mr. McGee, Mr. Mondale, Mr. Moss, Mr. Nelson, Mr. Pell, Mr. Proxmire, Mr. Randolph, Mr. Scott, and Mr. Tydings) submitted a resolution (S. Res. 68) to establish a Select Committee on Technology and Human Environment, which was referred to the Committee on Government Operations.

(See the above resolution printed in full when submitted by Mr. Muskie, which appears under a separate heading.)

(Note.—The above resolution was ordered to be held at the desk until February 4, 1967, for additional cosponsors.)

MRS. CHIN SHEE SHIU

Mr. DIRKSEN. Mr. President, I am introducing today a bill for the relief of Mrs. Chin Shee Shiu.

Mrs. Shiu's husband, Mr. Moy Lam Shiu, died on November 30, 1947. Mrs. Shiu was told by the Railroad Retirement Board that she would receive benefits until her youngest child was 18 years of age and then would receive nothing more. No one advised her that she would be entitled to a widow's pension when she reached the age of 65. She is now 80 years of age and has applied for medicare.

The Social Security office advised her that she was entitled to a widow's pension from the Railroad Retirement Board, but that it would date back only 1 year, which would be November 1, 1965. This means she has lost 14 years of benefits because the Railroad Retirement Board misinformed her of her right to a pension at age 65.

In view of the hardship which she has encountered through the failure of the Railroad Retirement Board to properly advise her of her right to a pension years ago I send to the desk a bill for her relief and ask for its appropriate reference.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 636) for the relief of Mrs. Chin Shee Shiu, introduced by Mr. Dirksen, was received, read twice by its title, and referred to the Committee on the Judiciary.

THE KEY TO YOUR CAR IS FOR SALE

Mr. KUCHEL. Mr. President, increasing crime in America is one of our greatest domestic concerns. Each day, we are confronted with new and larger statistics on crime. Murder, robbery, rape—the same words are repeated over and over again on police blotters across the Nation. The conscience of every American is enflamed at this growing disregard for the rules of our society. The law-abiding people of this country are demanding and are entitled to effective counteraction on every level.

The President has called for an all-out effort to combat crime. But it is an effort that must strike in many directions. I want the law enforcement officer in the United States to be accorded the respect that is his due for courage and professional training and skill; and I want him better paid. Our corrections system must be more effective. Our courts must be more efficient. Above all, we must seek to eliminate the causes and the inducements to crime. This calls for effective legislation to control the sale of such hazards as narcotics and firearms. It calls for Congress carefully to weigh the elements of every serious crime to determine what legislative safeguards must be enacted. I am gratified to say that the Congress already has begun this serious endeavor.

The Senate Subcommittee To Investigate Juvenile Delinquency now is conducting hearings on one of the leading criminal offenses committed in America today—auto theft. It is a crime which ranks third among the most frequently committed felonies throughout the Nation. More than half a million cars were stolen in this country in 1966, approximately a 10-percent increase over 1965. The number of auto thefts has more than doubled since 1955. It is a crime which draws over 80 percent of the arrested offenders from young people under 25 years of age.

The subcommittee forecasts, on the basis of 1965 figures and the present rate of increase, that during the next 5 years: close to 4 million cars will be stolen; over a third of a million of these will not be found, adding up to an economic loss of close to $400 million; an additional two-thirds of a billion dollars will be lost as a result of damage to those automobiles that will be found; and there will be approximately 700,000 arrests of persons under 21 years of age. These figures are frightening reminders of the enormous dimensions of the problem.

The circumstances and methods of auto theft vary a good deal across the country. FBI figures indicate that more than 40 percent of the automobiles stolen are left unattended with keys in the ignition or the ignition unlocked. The National Auto Theft Bureau estimates that of the cars stolen, approximately 80 percent were left by the owners with the doors unlocked. This cause can be met substantially by a campaign of education addressed to the public concerning the necessity for locking motor vehicles. As pointed out by Fred M. Vinson, Jr., Assistant Attorney General, before the subcommittee:

> The success of these public information campaigns will be greatly enhanced if they are combined with the enactment and enforcement of local ordinances which prohibit drivers from leaving keys in unattended vehicles and which punish their violation as a parking offense.

Although carelessness on the part of owners contributes to auto theft, even automobiles which are properly locked can be stolen easily by professionals, and without much more difficulty by amateurs. One of the leading causes of this ease of theft is the master key.

At least six companies in the United States advertise that for sums ranging from $3 to $20, sets of keys may be ordered by mail which will unlock automobiles of any domestic make. Mail-order master key firms in Pennsylvania, Maryland, Florida, and California solicit business by direct mail and through advertisements in national magazines. The National Automobile Theft Bureau, in the testimony presented before the subcommittee by its president, Michael J. Murphy, contended that a growing number of car thieves are among the customers of these master key firms. Murphy pointed to "a rising number of stolen cars recovered which show no signs of forcible entry, an increasing number of cars stolen from once comparatively safe parking lots and garages, and frequent arrest of persons in possession of master keys."

Recent reports would seem to support the bureau's contention. In Chicago, an auto thief was apprehended recently carrying 17 master keys which could open almost any Ford car. Police concluded that the thief had obtained the keys from a mail-order supplier. The Los Angeles Police Department reports that nine recent bank robberies in the Los Angeles area were accomplished by a bandit who used General Motors master keys to steal his getaway car. Police Chief Thomas Cahill, of the San Francisco Police Department, reports that nearly one-third of the cases of residential burglaries were by the use of a key or device which readily opened the lock without a resort to force. The District of Columbia Crime Commission estimates that 52 percent of the cars stolen here are taken by the use of master keys. Other authorities place this figure at approximately 10 to 15 percent nationally.

These figures are compelling evidence of the need for legislative action dealing with master keys. The Department of Justice has called for such action. Newspaper editorials have demanded the regulation of master keys. Police departments unanimously support appropriate legislation in this area. And the National Automobile Theft Bureau has endorsed interrelated Federal and State laws on this growing problem. The president of the bureau publicly stated before the Senate subcommittee last week:

> The NATB fully supports state legislation outlawing sale of master keys except to legitimate agencies. As far as I know only Texas, Oregon, Massachusetts and Michigan have incorporated such laws on their books. But even if most states had laws forbidding the sale of master keys, the U.S. mails could still be used to buy them and states would be powerless to stop it. We are, therefore, especially hopeful legislation outlawing indiscriminate sale of master keys in interstate commerce will be re-introduced and passed in Congress.

In the 89th Congress, I introduced such a proposal. It was a companion bill to the one introduced in the House of Representatives by Congressman LIONEL VAN DEERLIN of San Diego. I regret that no action was taken on this measure despite the compelling need for master key legislation. I intend to reintroduce this bill today. It provides that no master key shall be shipped in interstate commerce to a person prohibited by State law from receiving or possessing master keys. Congressman VAN DEERLIN also will introduce a similar bill in the House today.

There are those that support a more stringent Federal approach to the master key problem, one which would provide complete Federal control regardless of State law. I have given very careful consideration to such an approach but believe that the States should not be divested of the responsibility of controlling this problem within their respective jurisdictions. As President Murphy of the Auto Theft Bureau has said:

> Interrelated federal and state laws making it illegal to sell, possess or receive master keys unless they are for legitimate users is the key to halting the growing master key problem.

The attack must be, therefore, on both a Federal and State level.

I am happy to say that the California Legislature has not been unmindful of this problem. A former Republican assemblyman and now a municipal judge in San Diego—Richard J. Donovan—has dedicated much thought to the problem and introduced 2 years ago a bill to effectively license locksmiths and control master keys advertisements in California. His successor, State Assemblyman Wadie Deddeh, will reintroduce this proposal today in the State Legislature. He is confident that the legislature will act on this proposal.

The purpose of the bill I introduce today is not only to strengthen State regulations but to encourage those States which do not now regulate the sale of master keys to consider establishing appropriate controls. This problem can no longer be ignored. I am hopeful that the proposals being offered today—here in the Senate, in the House, and in the California Legislature—will mark the beginning of a nationwide campaign to control the misuse of master keys.

Master keys are indispensable to automobile dealers, locksmiths, and police agencies. But the uncontrolled misuse of these keys is a contributing cause to the ease of crime in America. By correcting these abuses, both on a State and Federal level, we will insure that the legitimate interests of all Americans will be safeguarded and protected.

I ask unanimous consent that the bill as introduced be printed at this point in the RECORD and that it remain at the desk for 10 days for additional cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk as requested by the Senator from California.

The bill (S. 644) to prohibit the transportation or shipment in interstate commerce of master keys to persons prohibited by State law from receiving or possessing them, introduced by Mr. KUCHEL, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 644

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of this Act—

(1) The term "interstate or foreign commerce" means commerce—

(A) between any State, the Commonwealth of Puerto Rico, any territory or possession, or the District of Columbia and any place outside thereof;

(B) between points within the Commonwealth of Puerto Rico or within the same State, but through any place outside thereof; or

(C) within or between points within the District of Columbia or any territory or possession.

(2) The term "master key" means a key which will operate all the locks in a given group of locks each of which can be operated by a key which will not operate one or more of the other locks in such group.

SEC. 2. (a) It shall be unlawful for any person to sell, offer for sale, transport, or ship a master key in interstate or foreign commerce, knowing that such key is a master key, if, upon the delivery of such shipment or the conclusion of such sale or transportation, the key will be received or possessed by any person prohibited by the law of the jurisdiction within which such receipt or possession occurs from receiving or possessing master keys.

(b) Any person who violates any prohibition contained in subsection (a) of this section shall be fined not more than $5,000, or imprisoned not more than one year, or both.

COMMUNITY DEVELOPMENT DISTRICT ACT OF 1967

Mr. ELLENDER. Mr. President, I introduce for appropriate reference a bill entitled Community Development District Act of 1967. This is an identical version, except for dates, to the bill that was enacted by the Senate on April 25 of last year, but for some reason or other was not enacted by the House of Representatives.

This bill would extend to rural areas the general type of planning assistance now provided urban areas under section 701 of the Housing Act of 1954. The objective is to assist predominantly rural areas in planning for facilities and services necessary to their growth and development. Many such areas are faced with declining opportunities for employment and are withering away as their population migrates to the city to contribute to city unemployment and congestion.

This bill would assist hamlets, towns, and rural counties to determine cooperatively what their assets are; what their needs are; and what they must do to make their communities attractive places to live and work. Proper development of rural communities will provide industry with an opportunity to locate in rural areas where labor supplies are readily available, where freedom from congestion permits employees to move to and from work with ease, and where the benefits of country living can be had in addition to such necessary but diverse facilities and services as pure water, sewage disposal, and hospital and library services.

The bill does not provide any grants for the installation of such facilities, but only for assistance in their planning.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 645) to provide needed additional means for the residents of rural America to achieve equality of opportunity by authorizing the making of grants for comprehensive planning for public services and development in community development districts approved by the Secretary of Agriculture, introduced by Mr. ELLENDER, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

CRIME VICTIMS' COMPENSATION BILL

Mr. YARBOROUGH. Mr. President, I am introducing today, on my own behalf and on behalf of Mr. CLARK, Mr. DODD, Mr. INOUYE, Mr. BARTLETT, Mr. MAGNUSON, Mr. GRUENING, Mr. HART, and Mr. MONDALE, the Criminal Injuries Compensation Act, a bill which I first introduced in 1965—S. 2155 of the 89th Congress.

This bill provides for the creation of a Federal Violent Crimes Compensation Commission which could consider claims, examine evidence, and provide up to $25,000 compensation for individuals injured by criminal violence. The provisions of this bill apply only to those areas in which the Federal Government exercises general police power—the District of Columbia and the special maritime and territorial jurisdictions of the United States.

The importance of this bill cannot be read alone in the dollars and cents which it would provide to the victims of crimes of violence—important as this goal is. This bill records for the American people a milestone in the quest for a humane and socially responsible treatment of innocent people brutalized by acts of violence. With this bill we can demonstrate that a wealthy nation which can spend millions to bring to justice the perpetrators of crime, is not indifferent to the plight of their victims.

Contemporary interest in victim compensation was increased sharply in February 1964, when former Supreme Court Justice Arthur Goldberg while appearing as the James Madison guest lecturer at the New York University Law School became the chief American supporter of victim compensation. With a few remarks Mr. Justice Goldberg began a public discussion which resulted in legislative activity throughout the Nation. Mr. Goldberg made the clearest and most persuasive statement for victim compensation when he said:

> The victim of a robbery or an assault has been denied the "protection" of the laws in a very real sense, and society should assume some responsibility for making him whole.

Although there is no typical crime or victim, we can achieve a more graphic understanding by examining a hypothetical situation. Mary Doe is on her way home from work as a waitress when she is attacked, beaten, robbed, and left lying senseless on the street. Soon assistance arrives, and she is hospitalized. The next day, the police, acting on the advice of an informant, apprehend Billy Budd and charge him with the crime.

Now what happens to Billy Budd? He is in jail, but is being fed, clothed, and housed, and can receive medical treatment. Most of us feel that he should be entitled to go free on bond if he chooses, and that he should be supplied with legal advice if he wants it. Let us assume he is guilty—our society will work to give him all the common law protections and constitutional rights. When at last convicted, let us hope he is sent to a modern penal institution, where he may receive psychiatric guidance and vocational training, in addition to recreational programs. Being in prison is not yet considered a desirable situation, but so far as security, the prisoner has no worry for his immediate needs.

But what has happened to our victim? Quite probably she has no hospitalization insurance; as well as the hospital bill and the doctors' fees, she may owe for the ambulance ride that took her to the hospital. She is away from her job for 3 weeks while recovering; no wages. She must pay for extra baby sitters for her children while in the hospital, extra taxi fares while she is still weak. To appear as a witness against Billy Budd, she loses several more days of work in return for the often shockingly inadequate witness fees. In short, she has suffered a serious injury and all the extra expense that such entails—extra out of pocket expenses completely apart from her pain and suffering.

The innocent victim of crimes of violence has until recently been the forgotten man in our society. The danger today is that as we devote greater attention to crime detection and prevention and the rehabilitation of the criminal, the enormity of our neglect of the victims of criminal violence will be magnified.

However, in spite of our best efforts, it is reasonable to expect that as the United States grows in size and complexity, although we may succeed in reducing the percentage growth of criminal activity, the gross numbers of crimes of violence will continue to increase.

Although this may seem like a very pessimistic observation, I regret that the decline of so-called "sob sister" journalism has insulated us from the growing tribulations of thousands of our fellow citizens. Today our newspapers and reporters and television cameras will relentlessly follow the grimmest felon through his capture and into the courtroom where an outraged society can find some comfort in the lengthy process of our judicial system. But neither reporter nor camera follows the victim through his lonely hours or years of suffering or neglect.

One of the ironies of human history is that the criminal's victims are usually those who can least afford additional burdens and the perpetrators of violent crimes are those who usually have the least with which to compensate their victims.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. **YARBOROUGH.** Mr. President, I ask unanimous consent that I may have 3 additional minutes.

The **PRESIDING OFFICER.** Is there objection? Without objection, the Senator is recognized for 3 additional minutes.

Mr. **YARBOROUGH.** Mr. President, the bill which I am introducing has been considerably refined since I first introduced it in 1965. This bill has benefited greatly from a consideration of the legislation enacted since 1964 in England and later California and New York. This bill has also benefited from the concerted effort of scholars, lawyers, and commentators throughout the world. I am especially indebted to the Minnesota Law Review whose December 1965 symposium, "Compensation to Victims of Crimes of Personal Violence," to which I contributed a paper, has made an important contribution to the literature on the subject of victim compensation. I am also indebted to Mr. Paul Martin, articles editor for the Houston Law Review and several of his fellow students; John C. Fleming, editor, Harvard Law Review; William Johnson, Jr., for his article, "Compensation for Victims of Violent Crimes," in the December 1965 issue of the Vanderbilt Law Review; Prof. P. F. Rothstein of the University of Texas Law School for his article in the November 1965 Texas Law Review; my friend, Attorney Percy Selden of Houston, Tex.; Prof. Norval Morris of the University of Chicago Law School; and most particularly, Prof. James Starrs of George Washington University Law School, whose extended and detailed analysis of S. 2155 has been appreciated.

This bill also owes a great deal to the interest and comment of the editors of the Washington Post, the New York Times, Harpers, and Family Weekly magazines, through whose editorial support and several articles public interest in this problem has been aroused throughout the Nation.

Mr. President, I ask unanimous consent to have inserted in the Record at this point editorials from the New York Times of January 18, 1966, and the Washington Sunday Star of January 30, 1966.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the New York Times, Jan. 18, 1966]

Compensating Crime Victims

Since the maintenance of law and order is a basic responsibility of the State, it follows logically that the innocent victims of violent crimes are entitled to compensation from the State. Arthur J. Goldberg, while a Justice of the Supreme Court, endorsed this proposition. "The victim of a robbery or an assault has been denied the 'protection' of the laws in a very real sense," he said, "and society should assume some responsibility for making him whole."

Several experiments along this line have been initiated within the last 2 years. Great Britain and New Zealand both established the principle of compensating victims in 1964, and California followed their example last year. Only last month, as the result of the murder of a man who had sought to subdue a knife-wielding assailant in the subway, New York City adopted legislation permitting payment of a pension to his widow.

A committee appointed by Governor Rockefeller to help draft recommendations on this subject contends that compensating the victims of crime is a corollary to providing rehabilitation and other social services to the perpetrators of crime. The committee suggests that both minimum and maximum awards be fixed and that in general they be compensatory.

The committee is also considering a companion proposal to aid the good Samaritan who suffers injury or damage while trying to prevent a crime or assisting in the apprehension of a criminal, either at a policeman's command or on his own initiative. Such a measure is long overdue and should be enacted both for humanitarian reasons and as an aid to law enforcement.

[From the Sunday Washington Star, Jan. 30, 1966]

We Aid Criminals—Why Not the Victims?

It was 11 years ago that a British spinster and reformer, Margery Fry, began a campaign to make her country reimburse victims of criminal violence. Since then the United Kingdom and New Zealand both have enacted laws providing such aid. A few months ago California followed suit with its own version. Special committees in New York and Illinois are studying the problem, and the New Jersey attorney general has legislation on the drawing board. And now a move is afoot in Congress to protect District residents in similar fashion. This undertaking now has the strong support of Commissioner Tobriner.

The theory can be stated briefly in the form of two questions: If society assumes responsibility for protecting citizens from criminals, should it not help innocent victims when that law-enforcement fails? If the criminal is fed and sheltered at State expense while serving his prison sentence, shouldn't the object of his assault receive aid too?

The idea, which has been ably advanced in several speeches by former Supreme Court Justice Arthur Goldberg, seems novel. Actually, it has merely been rediscovered. The English philosopher, Jeremy Bentham, observed nearly two centuries ago that satisfaction for a victim in such cases should come from the assailant's property. But what if the criminal has no money to pay? Then, said Bentham, "it ought to be furnished out of the public treasury, because it is an object of public good and the security of all is interested in it."

History, in fact, is full of precedents for the concept of compensating victims of crime. The code of Hammurabi, ruler of Babylon 36 centuries ago, offers an example. Not only were fines against criminals the most common penalty, but the money went directly to the victim. The Babylonians spelled out such laws in astonishing detail. Where an assault was proven unintentional, for instance, the defendant still had to pay the victim's doctor bill.

The code spread its beneficient influence to other subsequent cultures, influencing Syrian, Roman, and Mohammedan law. A more or less direct line in aid-to-victim philosophy can be traced in Greek, Roman, and British penal codes up to the 18th century, when the idea for some reason languished.

Now it is gathering momentum again, and none too soon. At a time when our society leans over backward in its solicitude for the legal rights of the criminal suspect—sometimes even turning a deaf ear on his confessions—it is high time to reconsider the welfare of his victim.

Senator Yarborough, of Texas, has introduced a bill which would provide a basis for hearings on the subject. His measure would apply specifically to the District of Columbia, plus special Federal territorial and maritime jurisdictions.

A good deal more generous than the California law, the Yarborough bill proposes to reimburse each victim (or his survivors) up to $25,000 for injury or death in a crime. A list of 14 offenses is spelled out, including assault, rape, and murder. Claims would be administered by a special three-member Commission appointed by the President. No property damage would be covered.

The Senator's proposal contains some obvious loopholes. Unlike the California law, for example, awards would not take into consideration the element of need; a millionaire might collect as much as a pauper. The Yarborough bill also is vague as to the size of the staff the Commission would need to establish the validity of claims brought to it.

In addition, some critics feel such laws may be difficult to administer fairly. A New York criminologist recently warned that victims often invite violence by their behavior, particular busybodies and wealthy persons careless with valuables.

But the spirit of the Yarborough bill deserves commendation, and his proposal, of course, would not apply to stolen valuables. A similar measure has been introduced in the House, and Congress should schedule hearings in this session to iron out imperfections.

As a corollary, a number of States are also looking into a so-called good Samaritan law enacted by California. This takes the unusual step of indemnifying a citizen who has been injured while trying to prevent a crime. A bill introduced in Massachusetts would not only reimburse such persons but make it a misdemeanor not to come to the aid of a victim. New York City already has passed a bill authorizing pensions to families of citizens killed while seeking to enforce the law. Clearly, these measures indicate a belated awakening of conscience by authorities and a public revulsion against the ever-increasing violence of our times.

Here in the District, crime has become a national scandal. According to the FBI, serious crime rose 15 percent in the first half of 1965 over the preceding 6 months. In Federal buildings, strict precautions are necessary to protect workers, especially women. Last July, a police report showed 92 crimes were being committed here every 24 hours.

"If a person is murdered, raped, maimed, or feloniously assaulted," Senator Yarborough declares, "we give the person accused of the crime protection in every way, at government expense, if need be. The government furnishes him an attorney, psychiatrists, and other sanity experts, medical attention if he is injured in his crime or becomes ill in jail.

"But what of the family of the murdered person? What of a person feloniously assaulted, maimed, or raped and left with a broken body because of the criminal action?"

The question answers itself. It is time the richest nation on earth showed a little compassion for victims in these crimes.

Mr. **YARBOROUGH.** Mr. President, support for victim compensation is widespread throughout the Nation among every group of our society. A 1965 Gallup poll reported in the Washington Post on October 29, 1965, indicated that 62 percent of the people in the poll sample believed that the family of a deceased victim should receive compensation from the Government. The poll indicated that 61 percent of the Republicans and 64 percent of the Democrats who responded, supported compensation to the deceased victim's family. The poll indicated that the support was fairly well distributed throughout the Nation in that 65 percent in the East, 56 percent in the Midwest, 67 percent in the South, and 59 percent in the West endorsed victim compensation.

The time has come for us to see crime in terms of a three-part equation. The criminal act must be seen against the fabric of a society in which we have the conditions of life, the criminal act, and the victim's loss. At the moment our major resources center upon the critical act of the criminal. By focusing attention on the victim and the total equation, we may be able to devote more attention to the conditions of life and the crucible in which crimes are forged.

Society's responsibility to the victims of crimes of violence is directly related to society's dereliction in fulfilling its responsibilities for preserving law and order within the society. Unlike an earlier time in our history, our society obliges its citizens to go forth unarmed and creates through a variety of laws and institutions the expectation that the citizen will be protected. When society fails in its assumed duty to protect its citizens, society ought to have the responsibility for compensating the innocent victim for his personal injuries.

A society's responsibilities to its good Samaritans also arise out of its failure to fulfill its duties with respect to the preservation of law and order. The good Samaritan who comes to the aid of a fellow citizen is fulfilling a responsibility which belongs to the society, but one in which the society has failed to supply its regular custodians of law and order. If the good Samaritan is injured while acting on behalf of the society, he ought reasonably to expect that the society will reimburse him for his personal injuries. It is after all in the society's interest to encourage the good Samaritan to act on behalf of his fellow citizen who is threatened by a criminal.

The Criminal Injuries Compensation Act provides compensation for personal injuries and not property damage. There are several compelling reasons for this limitation. It is widely believed that personal injuries should be compensable, because these, unlike property damage, are not the subject of general insurance coverage for loss. It is also reasoned that the victims of crime and the criminals themselves are generally among the poorest people within the society.

Consequently, the victim is not likely to have insurance and the criminal is not going to be able to provide compensation. It ought to be stressed, however, that the Criminal Injuries Compensation Act would allow the Commission to recover a part of or the entire amount of compensation from the criminal by initiating an appropriate action in a Federal court. On the other hand, the victim who has received compensation from the Commission might still, under the terms of this bill, seek to recover damages in a civil action against any person.

The philosophical basis for this position although difficult to understand is extremely important. Since the Commission is limited to an individual maximum award of $25,000, it can in no sense be said that the award will make the victim "whole." In most instances where the victim has suffered grievous harm, where his life expectancy has been affected, or where his earning capacity has been reduced, $25,000 would clearly be incomplete and therefore unsatisfactory compensation.

The victim ought to be allowed, as he is under the terms of this bill, to recover damages in a civil action. The Commission is providing compensation in the nature of the fulfillment of a duty which runs between the victim and the State and which does not affect the rights and responsibilities which run between the victim and the criminal with respect to civil wrongs and remedies.

The design of the provisions of this bill has been motivated by the desire to create a simple and efficient system for providing the most just compensation with the least cumbersome procedure. The Chairman of the Commission and one member can constitute a quorum. The Commissioners or members of their staff can use their own discretion in receiving evidence from anyone and at any place in the United States.

It is important to keep in mind that the purpose of this legislation is to provide expeditious compensation. It is also important to remember that since the bill provides for ex gratia reward, it will not create a right not otherwise available to bring a civil action against the Government in other proceedings.

This bill also protects the rights of the criminal. Since it would be contrary to our sense of fair play and our rules of criminal procedure, proceedings before the Criminal Injuries Compensation Commission would not be allowed to prejudice the criminal's rights. The Commission itself or the criminal by petition may delay or postpone the victim's proceedings before the Commission. The bill would bar from criminal proceedings evidence which has been heard and accepted by the Commission in the compensation hearings.

In these proceedings our primary interest is in the victim and not the criminal. If on the basis of the evidence the Commission decides that the victim has been in fact criminally injured, the absence of the unapprehended criminal will not bar the victim's claim, or color the proceedings. With this provision we are taking cognizance of the fact that many criminals leave injured victims but are themselves not apprehended. Although we entrust the Commission with what at times will be a difficult task of deciding if the injury was in fact the result of a criminal wrong, I believe it would be a colossal injustice for us to leave the victim uncompensated because the society which initially did not provide him with adequate protection against the criminal has subsequently failed to apprehend that criminal.

A comprehensive plan of compensation for injuries to crime victims as is proposed here should provide compensation for personal injury resulting from every type of violent crime. It is believed that the list of crimes in this bill ought to be sufficiently broad to include every conceivable personal injury-producing crime. The Commission will no doubt control awards so as to insure a reasonable causal connection between a violent crime and an injury. All victims ought to be able to submit their cases to the Commission, which will make appropriate and judicious decisions on the merits of each case.

In view of the fact that the compensation provided in this bill fulfills a responsibility which the state has to the victim, the fact that he is incapacitated or deceased will not bar a petition on his behalf by those who are caring for him or who are dependent upon him, or if he is deceased, those dependents or relatives who relied upon him while he was alive and would have presumably continued to rely upon him if he had survived uninjured.

Similarly, under the provisions of this bill the absence of ability to form criminal intent will not bar the victim's petition for compensation. We should not confuse the tests which we apply in the criminal law with the tests we will develop in this area of victim compensation; we are focusing on the victim, not the criminal. Although our society may not wish to punish the child, drunk, or insane individual, who, for the purposes of the criminal law, is unable to form criminal intent, we should not lose sight of the fact that our society's responsibilities to the victim are unrelated to criminal intent.

The problem of the victim who contributes to his own injury is also dealt with in this bill. Scholars and jurists are generally agreed that victims very often put themselves in positions or act in such a way as to provoke or invite criminal injuries. Very clearly, society may not wish to give any compensation or may wish to give less compensation because of the victim's own contribution to his injury. Therefore, the Victim Compensations Act obliges the Commission to consider the victim's behavior in its determination of the amount of compensation or to bar compensation entirely.

Mr. President, I believe that the time has come for us to take this first important step in a neglected area of the law. We have collectively created an environment in which crime flourishes. Although we can sincerely dedicate ourselves to the reduction or even the eventual elimination of crime, we ought not to ask the innocent victim to wait upon our labors.

Mr. President, on Friday, October 1, 1965, NBC News able analyst Chet Huntley delivered a succinct, brief perspective on this bill with an excellent historical analysis of victim compensation theory. I ask unanimous consent to have the script of Chet Huntley's perspective printed at this point in the RECORD.

There being no objection, the perspective was ordered to be printed in the RECORD, as follows:

PERSPECTIVE

(By Chet Huntley)

The victim of crime is frequently the forgotten man. Modern society has gone on the premise that if the criminal were punished, crime would be so reduced, that society might take comfort in there being so few victims of the criminal. But it hasn't worked out that way. There are more victims of crime today than ever before and jurists and lawmakers in this country and abroad are saying it is time we do something about it.

More on this in a moment after this message from NAVL.

(Commercial.)

A bill was introduced in Congress last June 17 by Senator Yarborough, of Texas, which would establish a Federal Violent Crimes Compensation Commission to aid victims of 14 specified crimes. This proposed Commission, true, would operate only in areas where the Federal Government exercises general police power—the District of Columbia and the special maritime and territorial jurisdictions of the United States. However, Senator Yarborough said it was his hope that the States would follow the Federal example and establish their own commissions.

One State has already adopted the program. California is the first State in the Nation to give limited compensation to the victims of crime. New Zealand and Great Britain initiated crime compensation programs last year. New Zealand paid out $4,888 in the first 18 months of the program; Britain paid out $232,235, in 11 months.

The concept of compensating the victims of crime is not new. It is almost as old as law itself. The penal codes of ancient Babylon, Israel, Greece, and Rome all required the criminal to compensate the victim with a sum of money or property. Compensable offenses ranged from robbery and burglary to libel, slander, assault, and murder. Compensation for crime reached its zenith in Anglo-Saxon England. The seventh century documents from the Kentish laws of King Ethelbert include a list of payments for a variety of crimes. The amount of compensation to be paid in each case was carefully graded. A murderer might have to pay 100 shillings to the victim's dependents, but restitution was limited to 20 shillings if the assailant succeeded only in smashing his victim's shinbone.

In the eighth century, two things occurred. The Christian concepts of sin and penance were absorbed into penal law and punishment replaced compensation as expiation for crime. Also, the kings and the feudal lords began to demand a share, or all, of the money formerly given to the victim by the offender.

But now it is suggested that society has somehow failed to protect the victim of the criminal and therefore society should pay.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the bill lie on the table for 1 week for additional cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed at this point in the Record, an article in the October 9, 1966, edition of Family Weekly, by myself with Charles Remsberg, which is entitled "Should Crime Victims Be Paid?"

There being no objection, the article was ordered to be printed in the Record, as follows:

[From Family Weekly]

Should Crime Victims Be Paid?—Many Help the Criminal, but No One Aids the Man He Attacks—This Senator Proposes We Give a Hand to America's Forgotten Minority

(By Ralph Yarborough, U.S. Senator from Texas, with Charles Remsberg)

In recent months, more than 70 persons in a single state—Illinois—have been reduced from productive citizens to relief recipients by something that can befall any of us.

Through no fault of their own, they were victims of violent crimes which temporarily or permanently wiped out their savings, their jobs, and their future hopes.

Four years ago, for instance, George T. was attacked by three robbers as he headed home from his factory job. In the fight for his wallet, the bandits beat him and shoved him off a loading platform. He suffered head injuries that have since made it impossible for him to control his muscles—or to work!

Max K., a truck driver, was mercilessly beaten by a band of drunken teen-agers last October. Since then he has three times been hospitalized for recurring internal injuries, has run up more than $3,000 in medical debts, and has lost $350 in wages every month. His wife cannot work because she must care for their three small children.

Harold B. happened upon a street fight outside a tavern as he was shopping one evening. One of the fighters, apparently mistaking him for a fellow brawler, suddenly lunged at him and stabbed him in the head. Brain damage has claimed much of the sight of one eye and has left Harold paralyzed.

These startling cases, revealed in a survey by the Illinois Department of Public Aid, have their counterparts all across the nation. And for every victim who is completely impoverished by his encounter with crime, scores more are burdened with serious financial, psychological, and physical losses, simply because they happened to be in the wrong place at the wrong time.

Your chances of joining their ranks are increasing yearly. The rate of serious crime in this country is mushrooming six times faster than the population.

Collectively, these crime victims and their survivors constitute the largest forgotten minority in the U.S. Their attackers, if captured, often are defended by lawyers, examined by psychiatrists, and treated by physicians—all paid for by the state. If sent to prison, they are given everything from clothing to college educations without personal cost.

Yet their victims, whose lives may have been turned to chaos by the crimes, are almost universally ignored.

If a man is injured in an industrial accident—even if his own negligence contributed to the mishap—he is eligible for financial awards under our workmen's compensation laws.

Yet the only way to collect reimbursement for medical bills, lost wages, or other expenses in a criminal case is to sue your attacker. Often his identity is unknown. And even when he is in custody, he rarely has assets with which to pay for the trouble he caused.

On one case I am familiar with, a man beaten and blinded by a robber was able to get a judgment against the assailant. But the thief, because of his own poverty, can pay such small weekly installments that the victim would have to live more than 400 years to collect the total due him!

Ever since I was a district judge in Texas 30 years ago, I have been disturbed by the unfair irony of this system. Now I think it is time for us to follow the pioneering lead of some other countries and extend a helping hand to these innocent victims of crime.

After all, our government demands that we go into the streets unarmed. We pay taxes for police protection. We realize, of course, that lawmen cannot possibly prevent all crime. But as U.N. Ambassador Arthur Goldberg has pointed out: "The victim of a robbery or an assault has been denied the constitutionally guaranteed protection of the law in a very real sense, and society should assume some responsibility for making him whole."

In legislation I have introduced in the U.S. Senate, I offer a steppingstone toward this goal.

My bill calls for the creation of a Violent Crimes Compensation Commission. This three-man tribunal, appointed by the President and sitting in Washington, would be empowered to award Federal funds to cover the medical expenses, pain and suffering, lost wages, and decreased earning power inflicted on innocent citizens by crimes of violence.

A victim—or, in the case of murder, the victim's family—would be expected to file proof of his injuries and costs within two years of the crime. Applications would be checked out by an investigative staff, much as insurance claims are verified. Cases of assault, mayhem, lewd acts with children, kidnaping, murder, rape, and voluntary manslaughter are among the crimes that would be covered. The bill would also provide compensation to "good Samaritans" who are injured or killed trying to stop a crime.

No more than $25,000 would be granted to any one victim, and the size of the award would be influenced by personal insurance settlements, public donations, or job benefits an applicant might have received to help meet his expenses. Property losses would not be reimbursed, and no compensation would be allowed to victims who are relatives of their attackers or who were living with their assailants at the time of the crime.

However, policemen killed or injured in the line of duty would be eligible. Small-town police departments, particularly, often have little or no benefit funds to aid their personnel. Also persons adversely affected by witnessing a crime might qualify. Last May in Kansas City, for instance, one woman collapsed in shock and another suffered an epileptic seizure when they saw a murder committed.

The attacker would not have to be identified, arrested, or convicted for a victim to collect. Nor would the assailant's sobriety, sanity, or age affect the case, as it so often does in the courtroom.

Because the costs and machinery of such a program are hard to estimate accurately at the outset, I am proposing that compensation initially be limited to crimes which occur in areas of Federal jurisdiction—principally the District of Columbia and parks, military bases, maritime provinces, and other Federally policed territories.

Some experts suggest that a nationwide compensation program can be run for $20 million a year or less. If our pilot experiment suggests that this would be the case, I certainly would not object to future expansion. Meantime, I hope that the legislation I have drafted will serve as a model for individual states to adopt and finance with state funds.

A limited compensation program went into effect in California last January, and New York City has adopted an ordinance to aid persons who are injured or killed trying to prevent crimes. The New York law was passed after a young airline employee was stabbed to death in front of his wife and daughter as he grappled with a drunk who was molesting two elderly women on a subway train. The widow was so impoverished by the murder that she had to send her daughter to live with relatives in Germany.

Victim-compensation legislation also has been passed by New York State, effective next March. Other states considering such legislation are Oregon, Michigan, New Jersey, Illinois, Wisconsin, Pennsylvania, Rhode Island, Maryland, and Massachusetts. I believe the climate is ripe for action. A recent Gallup Poll shows that 62 percent of the American people agree that society has a moral obligation to aid those citizens it fails to protect from crime.

I believe we have missed the mark by not devoting concern to the innocent victims of crime equal to that we have given the criminal. The victim needs our help through compensation.

We can give him no less.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent for the printing of the bill at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 646) to provide for the compensation of persons injured by certain criminal acts introduced by Mr. YARBOROUGH (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 646

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—SHORT TITLE AND DEFINITIONS

SHORT TITLE

SEC. 101. This Act may be cited as the "Criminal Injuries Compensation Act of 1967".

DEFINITIONS

SEC. 102. As used in this Act—

(1) The term "child" means an unmarried person who is under eighteen years of age and includes a stepchild or an adopted child;

(2) The term "Commission" means the Violent Crimes Compensation Commission established by this Act.

(3) The term "dependents" means those who were wholly or partially dependent upon his income at the time of his death or would have been so dependent but for the incapacity due to the injury from which the death resulted and shall include the child of such victim born after his death;

(4) The term "personal injury" means actual bodily harm and includes pregnancy and mental or nervous shock.

(5) The term "relative" means his spouse, parent, grandparent, stepfather, stepmother, child, grandchild, brother, sister, half brother, half sister, or spouse's parents.

(6) The term "victim" means a person who is injured or killed by any act or omission of any other person which is within the description of any of the offenses specified in section 302 of this Act.

TITLE II—ESTABLISHMENT OF VIOLENT CRIMES COMPENSATION COMMISSION

VIOLENT CRIMES COMPENSATION COMMISSION

SEC. 201. (a) There is established a Violent Crimes Compensation Commission which shall be composed of three members to be appointed by the President, by and with the advice and consent of the Senate, solely on the grounds of fitness to perform the duties of the office. The President shall designate one of the members of the Commission who has been a member of the bar of a Federal court or of the highest court of a State for at least eight years, as Chairman.

(b) No member of the Commission shall engage in any other business, vocation, or employment.

(c) The Chairman and one other member of the Commission shall constitute a quorum, except as provided in section 205(b); and where opinion is divided and only one other member is present, the opinion of the Chairman shall prevail.

(d) The Commission shall have an official seal.

TERMS AND COMPENSATION OF MEMBERS

SEC. 202. (a) The term of office of each member of the Commission taking office after December 31, 1965, shall be eight years, except that (1) the terms of office of the members first taking office after December 31, 1965, shall expire as designated by the President at the time of the appointment, one at the end of four years, one at the end of six years, and one at the end of eight years, after December 31, 1965; and (2) any member appointed to fill a vacancy occurring prior to the expiration of the terms for which his predecessor was appointed, shall be appointed for the remainder of such term.

(b) Each member of the Commission shall be eligible for reappointment.

(c) A vacancy in the Commission shall not affect its powers.

(d) Any member of the Commission may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.

(e) Each member of the Commission shall be compensated at the rate prescribed for level IV of the Federal Executive Salary Schedule of the Federal Executive Salary Act of 1964 except the chairman who shall be compensated at the rate prescribed for level III of such schedule.

ATTORNEYS, EXAMINERS, AND EMPLOYEES OF THE COMMISSION; EXPENSES

SEC. 203. (a) The Commission is authorized to appoint such officers, attorneys, examiners, and other experts as may be necessary for carrying out its functions under this Act, and the Commission may, subject to the civil service laws, appoint such other officers and employees as are necessary and fix their compensation in accordance with the Classification Act of 1949.

(b) All expenses of the Commission, including all necessary traveling and subsistence expenses of the Commission outside the District of Columbia incurred by the members or employees of the Commission under its orders, shall be allowed and paid on the presentation of itemized vouchers therefor approved by the Commission or by any individual it designates for that purpose.

PRINCIPAL OFFICE

SEC. 264. (a) The principal office of the Commission shall be in or near the District of Columbia, but the Commission or any duly authorized representative may exercise any or all of its powers in any place.

(b) The Commission shall maintain an office for the service of process and papers within the District of Columbia.

POWERS AND PROCEDURES OF THE COMMISSION

SEC. 205. (a) Upon request made to the Commission after the filing of an application under the provisions of this Act, the Commission or its duly authorized representative shall have a hearing on such application, shall fix a time and place for such hearing, and shall cause notice thereof to be given to the applicant.

(b) For the purpose of carrying out the provisions of this Act, the Commission, or any member thereof, or its duly authorized representative, may hold such hearings, sit and act at such times and places, and take such testimony as the Commission or such member may deem advisable. Any member of the Commission may administer oaths, or affirmations to witnesses appearing before the Commission or before such member. The Commission shall have such powers of subpena and compulsion of attendance and production of documents as are conferred upon the Securities and Exchange Commission by subsection (a) of section 18 of the Act of August 26, 1935, and the provisions of subsection (d) of such section shall be applicable to all persons summoned by subpena or otherwise to attend or testify or produce such documents as are described therein before the Commission, except that no subpena shall be issued except under the signature of the Chairman, and application to any court for aid in enforcing such subpena may be made only by said Chairman. Subpenas shall be served by any person designated by the said Chairman.

(c) In any case in which the person entitled to make an application is a child, the application may be made on his behalf by any person acting as his parent or guardian. In any case in which the person entitled to make an application is mentally defective, the application may be made on his behalf by his guardian or such other individual authorized to administer his estate.

(d) Where any application is made to the Commission under this Act, the applicant, and any attorney assisting the Commission, shall be entitled to appear and be heard.

(e) Any other person may appear and be heard who satisfies the Commission that he has a substantial interest in the proceedings.

(f) Where under this Act any person is entitled to appear and be heard by the Commission, that person may appear in person or by his attorney.

(g) Every person appearing under the preceding subsections of this section shall have the right to produce evidence and to cross-examine witnesses.

(h) The Commission or its duly authorized representative may receive in evidence any statement, document, information, or matter that may in the opinion of the Commission contribute to its functions under this Act, whether or not such statement, document, information, or matter would be admissible in a court of law, except that any evidence introduced by or on behalf of the person or persons charged with causing the injury or death of the victim, any request for a stay of the Commission's action, and the fact of any award granted by the Commission shall not be admissible against such person or persons in any prosecution for such injury or death.

(i) If any person has been convicted of any offense with respect to an act or omission on which a claim under this Act is based, proof of that conviction shall, unless an appeal against the conviction or a petition for a rehearing or certiorari in respect of the charge is pending or a new trial or rehearing has been ordered, be taken as conclusive evidence that the offense has been committed.

(j) Except as otherwise provided in this Act, the Administrative Procedure Act shall apply to the proceedings of the Commission.

ATTORNEYS' FEES

SEC. 206. (a) The Commission shall publish regulations providing that an attorney shall, at the conclusion of proceedings under this Act, file with the agency the amount of fee charged in connection with his services rendered in such proceedings.

(b) After the fee information is filed by an attorney under (a) above, the Commission may determine, in accordance with such published rules or regulations as it may provide, that such fee charged is excessive. If, after notice to the attorney of this determination, the Commission and the attorney fail to agree upon a fee, the Commission may, within ninety days after the receipt of the information required by (a) above, petition the United States district court in the district in which the attorney maintains an office, and the court shall determine a reasonable fee for the services rendered by the attorney.

(c) Any attorney who charges, demands, receives, or collects for services rendered in connection with any proceedings under this Act any amount in excess of that allowed under this section, if any compensation is paid, shall be fined not more than $2,000 or imprisoned not more than one year, or both.

FINALITY OF DECISION

SEC. 207. The orders and decisions of the Commission shall be reviewable on appeal, except that no trial de novo of the facts determined by the Commission shall be allowed.

REGULATIONS

SEC. 208. In the performance of its functions, the Commission is authorized to make, promulgate, issue, rescind, and amend rules and regulations prescribing the procedures to be followed in the filing of applications and the proceedings under this Act, and such other matters as the Commission deems appropriate.

TITLE III—AWARD AND PAYMENT OF COMPENSATION

AWARDING COMPENSATION

SEC. 301. (a) In any case in which a person is injured or killed by any act or omission of any other person which is within the description of the offenses listed in section 302 of this Act, the Commission may, in its discretion, upon an application, order the payment of compensation in accordance with the provisions of this Act, if such act or omission occurs—

(1) within the "special maritime and territorial jurisdiction of the United States" as defined in section 7 of title 18 of the United States Code; or

(2) within the District of Columbia.

(b) The Commission may order the payment of compensation—

(1) to or on behalf of the injured person; or

(2) in the case of the personal injury of the victim, where the compensation is for pecuniary loss suffered or expenses incurred by any person responsible for the maintenance of the victim, to that person; or

(3) in the case of the death of the victim, to or for the benefit of the dependents or closest relative of the deceased victim, or any one or more of such dependents.

(c) For the purposes of this Act, a person shall be deemed to have intended an act or omission notwithstanding that by reason of age, insanity, drunkenness, or otherwise he was legally incapable of forming a criminal intent.

(d) In determining whether to make an order under this section, or the amount of any award, the Commission may consider any circumstances it determines to be relevant, including the behavior of the victim which directly or indirectly contributed to his injury or death, unless such injury or death resulted from the victim's lawful attempt to prevent the commission of a crime or to apprehend an offender.

(e) No order may be made under this section unless the Commission, supported by substantial evidence, finds that—

(1) such an act or omission did occur; and

(2) the injury or death resulted from such act or omission.

(f) An order may be made under this section whether or not any person is prosecuted or convicted of any offense arising out of such act or omission, or if such act or omission is the subject of any other legal action. Upon application from the Attorney General or the person or persons alleged to have caused the injury or death, the Commission shall suspend proceedings under this Act until such application is withdrawn or until a prosecution for an offense arising out of such act or omission is no longer pending or imminent. The Commission may suspend proceedings in the interest of justice if a civil action arising from such act or omission is pending or imminent.

(g) Upon certification by the Commission, the Secretary of the Treasury shall pay to the person named in such order the amount specified therein.

OFFENSES TO WHICH THIS ACT APPLIES

SEC. 302. The Commission may order the payment of compensation in accordance with the provisions of this Act for personal injury or death which resulted from offenses in the following categories:

(1) assault with intent to kill, rob, rape, or poison;
(2) assault with intent to commit mayhem;
(3) assault with a dangerous weapon;
(4) assault;
(5) mayhem;
(6) malicious disfiguring;
(7) threats to do bodily harm;
(8) lewd, indecent, or obscene acts;
(9) indecent act with children;
(10) arson;
(11) kidnaping;
(12) robbery;
(13) murder;
(14) manslaughter, voluntary;
(15) attempted murder;
(16) rape;
(17) attempted rape;
(18) or other crimes involving force to the person.

NATURE OF THE COMPENSATION

SEC. 303. The Commission may order the payment of compensation under this Act for—

(a) expenses actually and reasonably incurred as a result of the personal injury or death of the victim;

(b) loss of earning power as a result of total or partial incapacity of such victim;

(c) pecuniary loss to the dependents of the deceased victim;

(d) pain and suffering of the victim; and

(e) any other pecuniary loss resulting from the personal injury or death of the victim which the Commission determines to be reasonable.

LIMITATIONS UPON AWARDING COMPENSATION

SEC. 304. (a) No order for the payment of compensation shall be made under section 301 of this Act unless the application has been made within two years after the date of the personal injury or death.

(b) No compensation shall be awarded under this Act to or on behalf of any victim in an amount in excess of $25,000.

(c) No compensation shall be awarded if the victim was at the time of the personal injury or death of the victim living with the offender as his wife or her husband or in situations when the Commission at its discretion feels unjust enrichment to or on behalf of the offender would result.

TERMS OF THE ORDER

SEC. 305. (a) Except as otherwise provided in this section any order for the payment of compensation under this Act may be made on such terms as the Commission deems appropriate.

(b) The Commission shall deduct from any payments awarded under section 301 of this Act any payments received by the victim or by any of his dependents from the offender or from any person on behalf of the offender, or from the United States (except those received under this Act), a State or any of its subdivisions, for personal injury or death compensable under this Act, but only to the extent that the sum of such payments and any award under this Act are in excess of the total compensable injuries suffered by the victim as determined by the Commission.

(c) The Commission may at any time, on its own motion or on the application of the Attorney General, or of the victim or his dependents, or of the offender, vary any order for the payment of compensation made under this Act in such manner as the Commission thinks fit, whether as to terms of the order or by increasing or decreasing the amount of the award or otherwise.

TITLE IV—RECOVERY OF COMPENSATION

RECOVERY FROM OFFENDER

SEC. 401. (a) Whenever any person is convicted of an offense and an order for the payment of compensation is or has been made under this Act for a personal injury or death resulting from the act or omission constituting such offense, the Commission may institute an action against such person for the recovery of the whole or any specified part of such compensation in the district court of the United States for any judicial district in which such person resides or is found. Such court shall have jurisdiction to hear, determine, and render judgment in any such action.

(b) Process of the District Court for any judicial district in any action under this section may be served in any other judicial district by the United States marshal thereof. Whenever it appears to the court in which any action under this section is pending that other parties should be brought before the court in such action, the court may cause such other parties to be summoned from any judicial district of the United States.

(c) An order for the payment of compensation under this Act shall not affect the right of any person to recover damages from any other person by a civil action for the injury or death.

TITLE V—MISCELLANEOUS

REPORTS TO THE CONGRESS

SEC. 501. The Commission shall transmit to the President and to the Congress annually a report of its activities under this Act including the name of each applicant, a brief description of the facts in each case, and the amount, if any, of compensation awarded.

PENALTIES

SEC. 502. The provisions of section 1001 of title 18 of the United States Code shall apply to any application, statement, document, or information presented to the Commission under this Act.

APPROPRIATIONS

SEC. 503. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

EFFECTIVE DATE

SEC. 504. This Act shall take effect on January 1, 1968.

CANYON COUNTRY NATIONAL PARKWAY

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a bill to establish a Canyon Country National Parkway through southeastern Utah from Arizona to Colorado.

The parkway would connect the spectacular Glen Canyon Dam with Utah's newest national park—the magnificent Canyonlands—and with Colorado National Monument near Grand Junction. The parkway would traverse what is perhaps the world's most scenic area, nearly all of which is now accessible only by packhorse.

The parkway would begin at the Glen Canyon damsite at Page, Ariz., just across the southern border of Utah, and would end at Grand Junction, Colo.

It would run in a northeasterly direction along the north shore of Lake Powell through the Glen Canyon recreation area for about 100 miles, with connecting spurs out into the recreation area to special points of interest. The parkway would skirt Canyonlands National Park, west of the Maze and the new park boundary proposed in S. 26, of this Congress. Along the northern boundary of Canyonlands, the road would swing eastward across the Green River and down to the Colorado River near the town of Moab, Utah. It would then proceed northeastward along the bank of the Colorado River to the vicinity of "Dewey Bridge" where it would cross the Dolores River. The route would continue through Glade Park and reach a terminus on Route I–70 at Grand Junction, Colo. The entire parkway would total about 400 miles.

Since Lake Powell was born, it has become a major recreation area, a mecca for outdoor enthusiasts—for sightseers, fishermen, campers, boaters, water skiers, and escapists. The number of people enjoying the Lake Powell area has almost doubled in the past 2 years—the National Park Service record of attendance shows 196,000 people visited the lake in 1964, the first year the reservoir filled, and 359,700 came in 1966. Lake Powell's fame is spreading, and will continue to spread.

Canyonlands National Park, established in 1964, and into which access roads are now being constructed, has also attracted many visitors and their number will increase as the roads are completed.

There is no connecting link between the Lake Powell area and the Canyonland area. Nor is there any way to cross the interesting country north of Canyonlands, and to see the scenery on the Colorado River north and east of Moab, into Colorado. All this scenery is most unusual. A road which would allow tourists to drive along Lake Powell to Canyonlands would allow them to enjoy both attractions in one trip, and then, if they wished, to enjoy the splendors of the upper reaches of the Colorado. As a scenic drive, the Canyon Country Parkway would be unparalleled anywhere.

Mr. President, southern Utah is becoming one of the Nation's most popular western playgrounds. There are canyons by the hundreds waiting to be explored, many of them still inaccessible except by packhorse. There is a sculptured beauty and magnificent vistas and sun and solitude.

We are building access roads into the Glen Canyon Recreation Area and into Canyonlands which will open up some of this spectacular scenery. I hope to add some more of it to Canyonlands through the passage of S. 26. But we have only begun to explore the area, and exploit its beauties. A Canyon Country National Parkway would make more of it accessible and enjoyable to the American people. It would be a ribbon of beauty in our golden circle of national parks.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 648) to provide for the establishment and administration of the Canyon Country National Parkway in the State of Utah, and for other purposes, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

VOLUNTARY WHEAT CERTIFICATE PROGRAM

Mr. YOUNG of North Dakota. Mr. President, I introduce for appropriate reference a bill which would provide for a voluntary price support program for wheat with a minimum mandatory blended price support of $2 a bushel.

Mr. President, I ask unanimous consent to have printed in the body of the Record, as a part of my remarks, a comparatively short explanation of what this bill seeks to accomplish.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the explanation will be printed in the Record.

The bill (S. 649) to provide for a voluntary wheat certificate program, under which the price of all wheat would be supported at not less than $2 per bushel, introduced by Mr. Young of North Dakota, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The explanation presented by Mr. Young of North Dakota is as follows:

Explanation of Draft Bill To Provide for a Voluntary Wheat Program, Under Which the Price of All Wheat Would Be Supported at Not Less Than $2 Per Bushel

SHORT EXPLANATION

This bill provides for a voluntary wheat price-support and certificate program under which producers would receive price support of not less than $2 per bushel for all wheat through (i) loans or similar operations at about the world price and (ii) direct payments to make up the balance. Producers would not receive marketing certificates, but processors of wheat for domestic food consumption would be required to purchase certificates at the difference between the loan value and $2 per bushel. The bill would—

1. Repeal existing provisions for marketing quotas;

2. Revive the provision for a minimum national acreage allotment of 49,500,000 acres (plus the small farm allowance);

3. Provide price support—

(a) through loans, purchases and other operations at a level fixed by the Secretary after considering world prices and feed value; and

(b) additional price support through payments to bring the total support level to not less than $2 per bushel and not more than parity.

4. Make permanent the provision which now permits certain producers of excess wheat to store the excess and qualify for price support, and (on other farms) diversion payments;

5. Repeal existing provisions for issuance of marketing certificates to producers and require processors to obtain certificates valued at the difference between the loan value and $2 per bushel for wheat processed for domestic food consumption (Exporters would continue to be required to obtain variable value export certificates and the proceeds would continue to be distributed to producers);

6. Permit the President to suspend the requirement that processors acquire marketing certificates;

7. Repeal the provisions (not currently effective) for monetary penalties for producing crops on acreage required to be diverted from wheat;

8. Extend the wheat diversion payment program permanently with a mandatory payment rate equal to 50 percent of the county loan rate on the normal production of the acreage diverted.

Under the bill acreage allotments would be proclaimed every year. The amount of the national acreage allotment would be the larger of 49,500,000 acres (plus the 1966 small farm increase of 3.8 million acres), or the acreage needed to meet the production objective, which could not be less than 1 billion bushels. It would be apportioned among States, counties, and farms as provided by existing law. Marketing certificates would not be issued to producers as under existing law, but producers would receive price support at approximately the world value through loan or similar operation and additional support through payments to bring the total support level to not less than $2 and not more than parity. Processors and exporters would continue to be required to obtain marketing certificates as at present. The President could suspend the requirement that processors and exporters acquire certificates to the extent that he determined such suspension would contribute to effectuation of the purposes of the act.

SECTION-BY-SECTION EXPLANATION

Repeal of marketing quota authority—Extension of 49.5-million-acre minimum allotment

Section 1 repeals the existing provisions (currently inapplicable) for wheat marketing quotas, and revives the minimum national acreage allotment of 49.5 million acres, which applied to the 1965 crop.

Subsection (a) provides that, instead of proclaiming marketing quotas when the supply would otherwise be excessive, the Secretary shall determine a production objective each year and proclaim a national acreage allotment designed to achieve it. The formula for determining the production objective would be the same as the present formula for determining the amount of the marketing quota, and the national acreage allotment would be the same as under existing law, except that, in addition to the 1 billion bushel minimum provided by existing law, this subsection would revive the 49.5-million-acre minimum which was applicable to 1965. 3.8 million acres were provided small farms pursuant to section 335 in 1965 in addition to the 49.5-million-acre national allotment to provide a total effective allotment of 53.3 million acres. In order to provide not less than the same effective allotment as in 1965 the bill provides for a minimum allotment of 49.5 million acres plus the 3.8 million small farm allowance, or a total of 53.3 million acres. The national acreage allotment would be apportioned to States, counties, and farms as provided by existing law. Acreage allotments could be increased as under existing law, but the existing provision for termination is deleted.

Subsection (b) repeals Public Law 74, 77th Congress, which deals with wheat marketing penalties, and amends the Agricultural Adjustment Act of 1938 by striking out section 336 which deals with the marketing quota referendum, section 338 which deals with transfers of farm marketing quotas, and provisions in various other sections which have no meaning in the absence of marketing quotas. Paragraphs (8) and (9) of Public Law 74, which deal, respectively, with rice marketing penalties and support for the 1941 through 1946 crops are obsolete, and their repeal merely strikes out ineffective provisions. Rice marketing penalty rates are now established by section 356 of the Agricultural Adjustment Act of 1938.

Subsection (c) makes changes in headings in the Agricultural Adjustment Act of 1938 required by the deletion of quota provisions.

Wheat price support through loans, direct payments without marketing certificates, and other operations

Section 2 repeals the existing provisions for the issuance of marketing certificates to producers and for certificate and noncertificate support prices. It provides instead for (1) price support through loans (or similar operations not including payments) at a level deemed appropriate after consideration of world prices, feed value, feed grain support prices, and the income objectives of the Act, plus (2) payments in an amount sufficient to bring the total support level to not less than $2 per bushel and not more than parity.

Subsection (a) amends section 107 of the Agricultural Act of 1949, repealing (1) the currently applicable provisions for certificate and noncertificate support levels, and (2) the provision applicable to 1970 and subsequent crops, which provide for a domestic marketing certificate support level, an export certificate support level, a noncertificate support level, and the support level when marketing quotas are not proclaimed or are disapproved. In lieu of these provisions subsection (a) provides for—

(1) price support through loans and other operations (not including payments) at such level, not in excess of the parity price therefor, as the Secretary determines appropriate, taking into consideration competitive world prices of wheat, the feeding value of wheat in relation to feed grains, the level at which price support is made available for feed grains, and the income objectives of the Act; and

(2) additional price support through payments to bring the total support to not less than $2 per bushel and not more than parity.

The additional support would be paid on the basis of the normal production of the acreage allotment and would generally be shared by the producers on the farm in the same proportion that they share in the wheat produced on the farm.

Under the existing law applicable to the 1970 and subsequent crops price support is not to be made available in the noncommercial area if a commercial area is established, but marketing certificates can be made available in that area. Since direct payments would replace marketing certificates under this bill, subsection (a) provides that support through loans would not be available in the noncommercial area, but that price-support payments could be made in such area on such basis as the Secretary may determine to be equitable.

Section 379c(b) of the Agricultural Adjustment Act of 1938 as effective for the 1965 through 1969 crops permits producers exceeding their allotments to qualify for marketing certificates, but not for diversion payments, by storing their marketing excess in accordance with the Secretary's regulations. The existing definition of "cooperator" extends this provision by reference to permit such producers to qualify for price support. Since this bill would repeal all provisions relating to the issuance of marketing certificates to producers, including section 379c, the provision permitting producers to store their excess and qualify for price support has been incorporated by section 2(a) of the bill into the price support provisions. Section 2(a) also makes this provision permanent, extends it to permit a producer who stores his excess produced on one farm to qualify for diversion payments on another farm, and makes other technical changes required by the repeal of provisions for marketing quotas and marketing certificates.

Subsections (b) and (c) repeal existing provisions for the issuance of marketing certificates to producers. Under the bill price-support payments would take the place of certificates, and achieve the same purpose in a much simpler manner.

Processors and exporters required to acquire marketing certificates unless such requirement is suspended

Section 3 would fix the face value of marketing certificates required to be acquired by processors at the difference between the support level (not including the additional support made through payments) and $2 per bushel. Exporters would continue to be required to obtain variable value export certificates, with net proceeds being distributed to producers. Section 3 would authorize the President to suspend the requirement that processors and exporters acquire marketing certificates. The President might suspend the requirement that processors and exporters acquire certificates either in whole or in part. If he determined, for instance, that the regulation of commerce would be better served by requiring the processors and exporters to acquire certificates for a part of the wheat processed or exported by them, he could so provide. The suspension might be for an entire marketing year or a shorter or longer period, as determined by the President.

Repeal of monetary penalties for production on diverted acres

Section 4 repeals the provision (currently inapplicable) for monetary penalties for producing crops on acreage required to be diverted from wheat. Producers would continue, however, to be subject to loss of eligibility for wheat price support if they produced crops on such acreage.

Extension of wheat acreage diversion payment program

Section 5 extends the authority for a wheat acreage diversion payment program permanently (but only in years when the national acreage allotment less the 1966 small farm allowance is below 55 million acres) and provides for a mandatory payment rate if such a program is promulgated equal to 50 percent of the support price (not including payments) times the normal production of the acreage diverted from wheat.

Effective date

Section 6 would make the bill effective with the 1968 crop.

JANUARY 24, 1967.

APPOINTMENT OF AN ADDITIONAL DISTRICT JUDGE FOR THE EASTERN DISTRICT OF KENTUCKY

Mr. COOPER. Mr. President, I introduce, for myself and on behalf of Senator Morton, a bill to provide for the appointment of one additional district judge for the eastern district of Kentucky.

In recent years, I have received correspondence from many members of the Kentucky bar showing that the growing volume of business now being handled in the U.S. court for the eastern district of Kentucky requires the appointment of an additional Federal judge if the work of that court is to be dispatched with promptness and efficiency. The president of the Kentucky State Bar Association, Mr. Grant F. Knuckles, has brought to my attention a resolution adopted by the Kentucky State Bar Association on September 2, 1966, recommending the appointment of additional judges for the eastern district of Kentucky.

I ask unanimous consent that Mr. Knuckles' letter and the attached resolution of the Kentucky State Bar Association be included in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and resolution will be printed in the Record.

The bill (S. 656) to provide for the appointment of one additional district judge for the eastern district of Kentucky, introduced by Mr. Cooper (for himself and Mr. Morton), was received, read twice by its title, and referred to the Committee on the Judiciary.

The letter and resolution presented by Mr. Cooper are as follows:

KENTUCKY STATE BAR ASSOCIATION,
September 6, 1966.

Hon. John S. Cooper,
Senate Office Building,
Washington, D.C.

DEAR SENATOR COOPER: The Kentucky State Bar Association generally and lawyers and citizens in eastern Kentucky specifically are vitally interested in obtaining the appointment of additional judges for the United States District Court, for the Eastern District of Kentucky.

In order to promote this interest, advise you of this imperative need and enlist your good offices in the promotion of the administration of justice the enclosed resolution is submitted for your usual prompt action.

With kindest personal regards, I am

Sincerely yours,
GRANT F. KNUCKLES,
President.

Whereas, it is a matter of common knowledge that there is pending in the United States District Court for the Eastern District of Kentucky a tremendous backlog of cases, and

Whereas, the situation exists despite the fact that our able Judges exert a supreme effort to keep the dockets in each Division current, and

Whereas, the aforesaid District contains several divisions where Court is held and necessarily the Judges must expend a large amount of time in travel from Court to Court, and

Whereas, the need of additional Judges is recognized by the Members of the Bar and supported by statistics from the Administrative Offices of the United States District Court, and

Whereas, the matter has been called to the attention of the Kentucky State Bar Association to initiate and take such available steps to secure the appointment of additional Judges, and

Now, therefore, be it resolved by the Board of Governors of the Kentucky State Bar Association that our duly elected Senators and Members of the House of Representatives and the Attorney General of the United States of America initiate and take such steps as may be necessary to bring about the prompt appointment of additional Judges for the Eastern District of Kentucky.

Dated: September 2, 1966.

GRANT F. KNUCKLES,
President, Kentucky State Bar Association.

AUTHORIZATION OF CERTAIN APPROPRIATIONS, FISCAL YEAR 1967, FOR THE ARMED FORCES

Mr. RUSSELL. Mr. President, for myself and the senior Senator from Maine [Mrs. Smith], I introduce, by request, a bill to authorize appropriations during fiscal year 1967 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes.

I ask unanimous consent that letters of transmittal requesting introduction of this bill and explaining its purpose be printed in the Record immediately following the listing of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letters will be printed in the Record.

The bill (S. 665) to authorize appropriations during fiscal year 1967 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes, introduced by Mr. Russell (for himself and Mrs. Smith), by request, was received, read twice by its title, and referred to the Committee on Armed Services.

The letters presented by Mr. Russell are as follows:

THE SECRETARY OF DEFENSE,
Washington, January 24, 1967.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of proposed legislation (Titles I & II) to authorize additional appropriations during fiscal year 1967 for procurement of aircraft, missiles, tracked combat vehicles, and for research, development, test, and evaluation for the Armed Forces and for other purposes. This proposal is a part of the Department of Defense Legislative Program for the 90th Congress, and the Bureau of the Budget has advised that enactment of the proposal would be in accord with the program of the President.

In essence, this proposal would provide for additional authorization of appropriations as needed in each of the categories of aircraft, missiles, tracked combat vehicles, for the military services to cover the amount of new obligational authority being requested for such purposes in the supplemental estimates for fiscal year 1967 submitted to the Congress by the President. In addition, the proposal would provide additional fund authorization in amounts equal to the new obligational authority for such purposes being requested in the supplemental estimates for fiscal year 1967 for each of the reseach, development, test, and evaluation appropriations for the military departments and the defense agencies.

The Committee on Armed Services will be furnished, as in the past, information with respect to the program for which fund authorization is being requested in a form identical to that submitted in explanation and justification of the budget request. Additionally, the Department of Defense will be prepared to submit any other data required by the committees or their staffs.

It is expected that the Armed Services Committees will desire that top civilian and military officials of the Department of Defense be prepared to make presentations explaining and justifying their respective programs as in the past.

For ready reference, there is attached a table showing the results of previous congressional action on applicable fiscal year 1967 budget request, together with the amounts of new obligational authority being requested in the supplemental estimate.

Sincerely,

CYRUS VANCE,
Deputy.

Amounts requested for aircraft, missiles, ships, and tracked combat vehicle procurement authorization in fiscal year 1967 supplemental request

[In thousands]

	Authorized, fiscal year 1967	Appropriated, fiscal year 1967	Supplemental (new obligational authority), fiscal year 1967
Aircraft:			
Army	$612, 400	$612, 400	$533, 100
Navy and Marine Corps	1, 434, 200	1, 422, 200	1, 703, 300
Air Force	4, 041, 300	4, 017, 300	1, 303, 000
Missiles:			
Army	510, 000	510, 000	6, 100
Navy	367, 700	367, 700	48, 700
Marine Corps	17, 700	17, 700	2, 100
Air Force	1, 189, 500	1, 189, 500	45, 000
Naval vessels: Navy	1, 901, 800	1, 756, 700	------------
Tracked combat vehicles:			
Army	359, 200	359, 200	62, 200
Marine Corps	3, 700	3, 700	4, 200
Total	10, 437, 500	10, 256, 400	3, 707, 700

Source of funds for aircraft, missiles, ships, and tracked combat vehicles, fiscal year 1967 supplemental procurement program

[In thousands]

	Total fiscal year 1967 program	Funding available for financing program in part	New obligational authority requested for authorization
Aircraft:			
Procurement of equipment and missiles, Army	$1, 202, 100	$669, 000	$533, 100
Procurement of aircraft and missiles, Navy (and Marine Corps)	3, 462, 800	1, 759, 500	1, 703, 300
Aircraft procurement, Air Force	5, 685, 400	4, 382, 400	1, 303, 000
Subtotal, aircraft	10, 350, 300	6, 810, 900	3, 539, 400
Missiles:			
Procurement of equipment and missiles, Army	560, 500	554, 400	6, 100
Procurement of aircraft and missiles, Navy	323, 300	274, 600	48, 700
Procurement, Marine Corps	31, 100	29, 000	2, 100
Missile procurement, Air Force	1, 284, 500	1, 239, 500	45, 000
Subtotal, missiles	2, 199, 400	2, 097, 500	101, 900
Naval vessels: Shipbuilding and conversion, Navy	2, 041, 000	2, 041, 000	------------
Tracked combat vehicles:			
Procurement of equipment and missiles, Army	508, 900	446, 700	62, 200
Procurement, Marine Corps	18, 400	14, 200	4, 200
Subtotal, tracked combat vehicles	527, 300	460, 900	66, 400
Grand total	15, 118, 000	11, 410, 300	3, 707, 700

Amounts requested for R.D.T. & E. authorization in fiscal year 1967 supplemental request

[In thousands]

	Authorized, fiscal year 1967	Appropriated, fiscal year 1967	Supplemental (new obligational authority), fiscal year 1967
Research, development, test, and evaluation:			
Army	$1, 539, 500	$1, 528, 700	$40, 000
Navy (including the Marine Corps)	1, 801, 100	1, 758, 600	40, 000
Air Force	3, 118, 600	3, 112, 600	33, 000
Defense agencies	459, 059	459, 059	22, 000
Emergency fund	125, 000	125, 000	0
Total	7, 043, 259	6, 983, 959	135, 000

THE SECRETARY OF DEFENSE,
Washington, January 24, 1967.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith draft legislation (Title III) "To authorize certain construction in support of military activities in Southeast Asia." The construction authorization request is patterned after that submitted for the FY 1966 Supplemental which provided the flexibility still needed in execution of the construction program to meet operational changes in deployments.

This proposal is a part of the Department of Defense Legislative program for the 90th Congress. The Bureau of the Budget advises that its enactment would be in accord with the program of the President.

The proposal would authorize urgently needed facilities and installations essential for support of operations in Southeast Asia by United States and other Free World Forces. Appropriations to implement this legislation are being requested in the FY 1967 Supplemental budget. Additional facilities required in support of Southeast Asia which are also essential but can be phased to a later date have been included in the FY 1968 program.

Additional appropriations for construction totaling $624,500,000 would be authorized, of which $288,500,000 is for the Department of the Army, $140,000,000 is for the Department of the Navy, and $196,000,000 is for the Department of the Air Force.

Sincerely,

CYRUS VANCE,
Deputy.

AUTHORIZATION OF CERTAIN APPROPRIATIONS, FISCAL YEAR 1968, FOR THE ARMED FORCES

Mr. RUSSELL. Mr. President, for myself and the senior Senator from Maine [Mrs. SMITH], I introduce, by request, a bill to authorize appropriations during the fiscal year 1968 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes.

I ask unanimous consent that the letter of transmittal requesting introduction of this bill and explaining its purpose be printed in the RECORD immediately following the listing of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill to authorize appropriations during the fiscal year 1968 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes, introduced by Mr. RUSSELL (for himself and Mrs. SMITH), by request, was received, read twice by its title, and referred to the Committee on Armed Services.

The letter presented by Mr. RUSSELL is as follows:

THE SECRETARY OF DEFENSE,
Washington, January 24, 1967.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of proposed legislation to authorize appropriations during fiscal year 1968 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research development, test, and evaluation for the Armed Forces and for other purposes. This proposal is a part of the Department of Defense legislative program for the 90th Congress, and the Bureau of the Budget has advised that enactment of the proposal would be in accord with the program of the President.

This proposal is identical in form to the provisions of Public Law 89–501, approved July 13, 1966, providing authorizations for appropriations as required pursuant to section 412(b), Public Law 86–149, as amended.

This proposal would provide for authorization of appropriations as needed for procurement in each of the categories of aircraft, missiles, naval vessels, and tracked combat vehicles for each of the military departments in the amount of the new obligational authority being requested for such purposes in the President's budget for fiscal year 1968. In addition, the proposal would provide fund authorization in amounts equal to the new obligational authority included in the President's budget for fiscal year 1968 in total for each of the research, development, test, and evaluation appropriations for the military departments and the defense agencies. Appropriations are also authorized for the Emergency Fund for research, development, test, and evaluation or procurement or production related thereto, for the Department of Defense.

The proposal would also continue for fiscal year 1968 the authority for appropriations of the Department of Defense to be made available for the support of the Vietnamese and other Free World Forces in Vietnam. Additionally, it would amend section 401(a) of Public Law 89–367 so as to provide authorization for appropriations of the Department of Defense to be made available for the support of the forces of Laos and Thailand thus transferring responsibility for financing the support and related costs of these forces from the military assistance program to the military services and defense agencies programs and appropriations. This transfer is to be effective July 1, 1967, and unexpended balances of funds supporting military assistance programs for Laos and Thailand will be transferred to and merged with appropriate military functions appropriations as of that date. All of such appropriations would then be available, as in the case of the Vietnamese and other Free World Forces, for the use of these programs. The reporting requirements of subsection (b) of section 401 cited above would be equally applicable to the support furnished Laos and Thailand under this amendment.

The Committees on Armed Services will be furnished, as in the past, information with respect to the program for which fund authorization is being requested in a form identical to that submitted in explanation and justification of the budget request. Additionally, the Department of Defense will be prepared to submit any other data required by the committees or their staffs.

It is expected that the Armed Services Committees will desire that top civilian and military officials of the Department of Defense be prepared to make presentations explaining and justifying their respective programs as in the past.

For ready reference, there are attached tables showing the results of previous congressional action on applicable budget requests, together with the amounts of new obligational authority being requested in the supplemental estimate.

Sincerely,

CYRUS VANCE,
Deputy.

Amounts requested for aircraft, missiles, ships, and tracked combat vehicle procurement authorization in fiscal year 1968 request as compared with fiscal year 1967 budget

[In thousands]

	Authorized, fiscal year 1967 [1]	Appropriated, fiscal year 1967 [2]	Requested, fiscal year 1968
Aircraft:			
Army	$1,145,500	$1,145,500	$768,700
Navy and Marine Corps	3,137,500	3,125,500	2,420,400
Air Force	5,344,300	5,320,300	5,582,000
Missiles:			
Army	516,100	516,100	769,200
Navy	416,400	416,400	625,600
Marine Corps	19,800	19,800	23,100
Air Force	1,234,500	1,234,500	1,343,000
Naval vessels: Navy	1,901,800	1,756,700	1,824,000
Tracked combat vehicles:			
Army	421,400	421,400	424,700
Marine Corps	7,900	7,900	5,100
Total	14,145,200	13,964,100	13,785,800

[1] Include $3,707,700,000 requested in fiscal year 1967 supplemental authorization request.

[2] Same as footnote 1, above, except use "budget" in lieu of "authorization."

Source of funds for aircraft, missiles, ships, and tracked combat vehicles, fiscal year 1968 procurement program

[In thousands]

	Total amount of fiscal year 1968 program	Funding available for financing program in part	New obligational authority requested for authorization
Aircraft:			
Procurement of equipment and missiles, Army	$768,700		$768,700
Procurement of aircraft and missiles, Navy (and Marine Corps)	2,560,400	$140,000	2,420,400
Aircraft procurement, Air Force	5,782,000	200,000	5,582,000
Subtotal, aircraft	9,111,100	340,000	8,771,100
Missiles:			
Procurement of equipment and missiles, Army	769,200		769,200
Procurement of aircraft and missiles, Navy	625,600		625,600
Procurement, Marine Corps	23,100		23,100
Missiles procurement, Air Force	1,368,000	25,000	1,343,000
Subtotal, missiles	2,785,900	25,000	2,760,900
Navy vessels: Shipbuilding and conversion, Navy	1,946,400	122,400	1,824,000
Tracked combat vehicles:			
Procurement of equipment and missiles, Army	424,700		424,700
Procurement, Marine Corps	5,100		5,100
Subtotal, tracked vehicles	429,800		429,800
Grand total	14,273,200	487,400	13,785,800

Amounts requested for R.D.T. & E. authorization in fiscal year 1968 request as compared with fiscal year 1967 budget

[In thousands]

	Authorized, fiscal year 1967 [1]	Appropriated, fiscal year 1967 [2]	Requested, fiscal year 1968
Research, development, test, and evaluation:			
Army	$1,579,500	$1,568,700	$1,539,000
Navy (including the Marine Corps)	1,841,100	1,798,600	[3] 1,864,118
Air Force	3,151,600	3,145,600	[4] 3,288,514
Defense agencies	481,059	481,059	464,000
Emergency fund	125,000	125,000	125,000
Total	7,178,259	7,118,959	[5] 7,280,632

[1] Includes $135,000,000 in fiscal year 1967 supplemental authorization request.

[2] Includes $135,000,000 in fiscal year 1967 supplemental budget request.

[3] Includes $6,118,000 for the special foreign currency program included under a separate appropriation heading.

[4] Includes $1,514,000 for the special foreign currency program included under a separate appropriation heading.

[5] Includes $7,632,000, the total of amounts in footnotes 3 and 4, above.

Source of funds for the fiscal year 1968 R.D.T. & E. program

[In thousands]

	Total amount of fiscal year 1968 program	Funding available for financing program in part	New obligational authority requested for authorization
Research, development, test, and evaluation:			
Army	$1,571,000	$32,000	$1,539,000
Navy (including the Marine Corps)	[1] 1,946,118	[1] 88,118	[1] 1,864,118
Air Force	[2] 3,411,514	[2] 124,514	[2] 3,288,514
Defense agencies	477,000	13,000	464,000
Emergency fund	125,000		125,000
Total	[3] 7,530,632	[3] 257,632	[3] 7,280,632

[1] Includes $6,118,000 for the special foreign currency program included under a separate appropriation heading.

[2] Includes $1,514,000 for the special foreign currency program included under a separate appropriation heading.

[3] Includes $7,632,000 which is the total of amounts in footnotes 1 and 2, above.

AUTHORIZATION FOR THE RIVERTON FEDERAL RECLAMATION PROJECT IN ITS ENTIRETY

Mr. McGEE. Mr. President, on behalf of myself and my colleague, the junior Senator from Wyoming [Mr. HANSEN], I introduce for appropriate reference a bill to reauthorize the Riverton extension unit, Missouri River Basin project, to include therein the entire Riverton Federal reclamation project, and for other purposes.

Mr. President, this bill is the same measure as S. 1746 which I introduced in the 89th Congress. Its purpose is to reauthorize the entire Riverton unit as one entity, placing the admittedly troublesome third division under the administration of the Midvale Irrigation District and providing for a single repayment contract. The Department of the Interior considers this plan feasible and we concur with its position that the potential risks of reauthorization of this project are outweighed by the advantages of operating the entire project as one unit. The alternative is, in effect, virtual abandonment of well-designed, properly constructed works on the third division at a loss of about $18 million in Federal investment.

So far as I am concerned, and I know I speak for Wyoming in this, the bill here presented is of great importance. It is my hope that hearings can soon be held and that this legislation can have the proper consideration it deserves.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 670) to reauthorize the Riverton extension unit, Missouri River Basin project, to include therein the entire Riverton Federal reclamation project, and for other purposes, introduced by Mr. McGEE (for himself and Mr. HANSEN), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

NATIONAL INTERGOVERNMENTAL AFFAIRS COUNCIL

Mr. MUSKIE. Mr. President, I introduce for appropriate reference a bill to establish a National Intergovernmental Affairs Council in the Executive Office of the President to coordinate Federal aid programs and policy, and to develop a closer liaison between the Chief Executive and State and local officials.

I ask unanimous consent that the bill remain at the desk for 10 days to give other Senators an opportunity to join as cosponsors.

This bill is identical to S. 3509 which I introduced on June 15, 1966, and has been the subject of hearings by the Subcommittee on Intergovernmental Relations during this past November. It is the first in a package of proposals I shall introduce to improve the implementation of Federal assistance to States and localities and to develop a more cooperative relationship among our several levels of Government.

It is also my intention to suggest once again an Intergovernmental Cooperation Act which, among other things, would provide a policy of coordinating Federal programs affecting urban areas in accordance with local planning objectives. This legislation will contain a dynamic new proposal to permit the President to submit plans for consolidating existing grant programs within broad functional areas subject to the type of congressional veto provisions that govern executive reorganization plans. This would place on the Chief Executive broad responsibility for modernizing the Federal aid system.

Shortly thereafter, I shall introduce a new Intergovernmental Personnel Act which would provide a comprehensive Federal assistance program to improve State and local personnel and training programs. This will focus on four prime problem areas: merit systems, personnel management, in-service training, and interchange of Federal, State, and local employees.

These three areas—program coordination, grant-in-aid modernization, and improved manpower—present critical challenges for our American Federal system in the years ahead.

The accelerating demands of a growing citizenry are beginning to spill over in public tension and violence. More and more people are asking the hard questions about our Federal system: As the country grows, will it be capable of meeting the needs of all our citizens? Where in the machinery of Government—Federal, State, and local—must repairs be made, and new methods introduced? How can available public and private resources be joined to solve the problems of a viable America and get the best mileage for the dollar spent?

More and more we hear talk in the Congress, in the administration, in academic circles, and among State and local leaders about a "new federalism"—one that will provide a working partnership between the Federal Government and the States and localities to help them coordinate their resources and plan their public development. This has been called cooperative federalism, creative federalism, even dynamic federalism, but it all adds up to the same thing: better government at all levels through modern management techniques, more professional manpower, and more money.

During the past six sessions, Congress has concentrated on the substance of new programs designed to help State and local governments solve their social and economic problems. It has appropriated more Federal-aid money than in all the previous Congresses going back to 1789.

Now the spotlight must be shifted to the procedure of intergovernmental administration. We must take a new, hard look at our Federal-aid system, and develop a new approach toward helping State and local governments apply their resources to solve public problems. We must develop a "creative federalism" based on coordination and cooperation among governments, not conflict and confusion as too often has developed in the past.

The success of the Federal effort can only be as good as the machinery that carries it to the people. The heaviest burden of managing the Great Society falls on the States and localities. They are on the firing line. They are the first to feel the heat of public dissatisfaction.

Through a comprehensive questionnaire survey of Federal, State, and local officials, from 4 years of testimony from witnesses knowledgeable in State and local administration, and from other informational sources, the Subcommittee on Intergovernmental Relations has received a pretty thorough picture of the tensions and problems of State and local officials who are trying to implement Federal programs with their own efforts. It has found that these officials face an incredible numbers game in seeking and administering Federal assistance, which is leaving them confused and discouraged.

Federal aid expenditures have moved from less than a billion dollars in 1946 to nearly $15 billion for this fiscal year. By 1975, it is expected that this figure will quadruple.

There are now on the books over 220 major Federal aid programs, enmeshed in some 400 authorizations.

Federal aid is presently being administered by 21 Federal agencies, with over 150 major bureaus and offices in Washington alone; and by some 400 regional and subregional offices in the field. There are 2.6 million Federal employees involved in our domestic assistance activities.

There are over 75 different programs requiring planning as a condition of grants. Such requirements range from plans for specific functions or projects, to areawide comprehensive plans.

There are project grants and apportioned grants, formula grants and open-ended grants, shared revenues, loans, and technical assistance. Some Federal programs are processed through State agencies; others go directly to local governments. Some require the approval of planning bodies; some do not; and they all combine to provide a barrage of differing requirements and conditions which often conflict with State and local procedures, making effective use of Federal aid extremely difficult and, in many cases, impossible. One local official explained it to me this way recently:

> We spend an enormous amount of time running down the available programs, doing the planning, satisfying the requirements, cutting through redtape, and coming up with the matching money. Then when we finally get the project intact, what happens? The Federal money has run out. It's our biggest headache.

But no where in the Federal Government can State and local officials take their problems in a package, and get an across-the-board analysis of what they need, what they are entitled to, and what planning must be done to get the full benefit of available Federal aid. There is no effective policy of putting programs together and funding them on a coordinated development basis. In fact, the subcommittee survey disclosed all too clearly that when State and local administrators attempt to develop their own broad plans for public development, they run smack into the traditional hostility of Federal bureaucrats toward program coordination and comprehensive planning.

These two general problems—program fragmentation and the "tunnel vision" of Federal administrators—are creating the biggest threat to our Federal aid system today. We must get out of the rut of functionalism, and look at public problems and solutions on a comprehensive, areawide basis. Merely piling new Federal programs upon old ones, and scattering more Federal money in diverse directions are not going to help community development. We must consolidate what we have, and focus on the priority areas in line with comprehensive planning at the local level. Federal aid must be made more flexible and more adaptable in order to get to the people in the fastest and most effective way.

A first step in this direction is the establishment of a coordinating agency at the right hand of the President to pull the Federal establishment together and promote comprehensive planning at State and local levels.

In the next few days, I shall introduce legislation which would further assist the Chief Executive in carrying out this important task.

The complexity and fragmentation of Federal grants not only inhibits a coordinated approach to solving community problems, it reduces the control of Governors and mayors over their budgets. Decisions on grants are made between individual Washington bureaus and State and local agencies, frequently bypassing State and local chief executives. And information to these executives is usually very limited.

The overall system of grants is not related to State and local needs. Too much money is available for some purposes, too little for others. The extraordinary differences in terms, conditions, and matching requirements tend to tempt administrators, as the Director of the Bureau of the Budget, Mr. Schultze, testified recently, "to go after the easy money—to maximize the intake of available Federal funds—at the expense of meeting priorities and creating a balanced development program."

Narrow categorical grants create a host of bookkeeping and auditing problems. Furthermore, there is no rational pattern of matching requirements, even within the same agency or same function. Varying requirements and lack of sound criteria have resulted in shopping around for Federal programs and a diversion of local resources from one program to another without any basic adherence to priorities.

Of particular importance is the lack of any consistent pattern of equalization provisions, a means by which more funds are allocated to the poorer States incapable of having the fiscal capacity to meet their urgent needs. As of January 1966, only 31 of our Federal programs had equalization factors. Furthermore, we have not developed any valid or consistent indexes of State fiscal capacity or tax effort for use in determining the equitable apportionment of funds to the States.

Federal planning requirements are duplicative and confusing.

> This duplication—

Testified the Budget Bureau Director—

> can defeat the very purpose for which planning is sought. . . . In some areas we may be overplanning, while serious planning gaps exist elsewhere.

There are project plans, function plans, general plans, areawide plans, multifunction plans, and comprehensive planning. This has put an inordinate pressure on governments with limited resources, and in some cases they have had to forgo the Federal aid because they could not afford to do the planning or set up the required planning agency.

Physical boundaries of State and local planning entities that have been developed and recognized by Federal agencies vary unnecessarily, and the situation has become sufficiently acute to cause the President to issue a special memorandum to departments involved, calling for "common and consistent planning bases," in accord with established State planning districts and regions. The shortage of qualified planning personnel is severe, according to the Budget Bureau, and this is aggravated by the multiplicity of planning requirements and inadequate coordination among the agencies.

The Budget Bureau recently completed a series of factfinding surveys in major cities in some five States to identify the nature of the problems that Governors and local officials were having in doing business with the Federal Government. One of the problems it found was the need to improve the cooperation of Federal agencies at the regional level. Variations in boundaries and office locations caused confusion, in many instances resulting in a tendency to deal directly with Washington. Some western regions are too large. There is not sufficient delegation of authority at field levels to deal with interagency and intergovernmental conflicts. There are too many levels of application review, often leaving State and local officials in the dark as to the status of their projects. The Bureau found that there is great uncertainty regarding the availability and timing of Federal funds, causing widespread criticism of the Federal grant program. Delays in funding, for whatever reason, have caused funds to be rejected, wasted, or to lie unused; made advance program planning and orderly recruiting at State and local levels impossible; and created difficulties for State legislatures in respect to matching funds.

In too many instances, Federal actions are taken and regulations prescribed without sufficient consideration of State and local laws, government structure, and financial and administrative capabilities. State and local officials say they are contacted seldom, if ever, for comments on Federal regulations in draft. A number of Washington-established standards and guidelines are unrealistic for implementing programs, especially in small towns and rural areas.

The developing problems in the administration of Federal assistance to State and local governments can only increase as the programs proliferate, and the bureaucratic labyrinth expands. Much of the blame for the confusion and fragmentation can be laid at the door of Congress. But at the same time, the executive branch, with its traditional budgetary emphasis on functionalism and its built-in hostility toward coordination, is also at fault.

Our studies over the past 3 years have underscored the need for coordination and management reform in Federal aid. Governors' conferences have complained about the problem, mayors have called for reform, county and rural area representatives have called attention to the plight of local officials trying to find their way through a maze of Federal programs and requirements. The best programs in the world will only be as good as their implementation. We must do everything we can to insure effective implementation of the programs we have enacted.

People have been studying these problems for years. Unfortunately, their studies have been buried too long in academic treatises and lengthy reports. But we now know the problems and we cannot afford further time to look backward. We must start now—in this Congress, in this session—to put the Federal house in order, and develop a simpler, more flexible approach to helping State and local governments.

The legislation I am suggesting today would establish a new and centralized mechanism at the right hand of the President to assess these Federal assistance problems, and to develop policies of coordination and consolidation, with a special concern for the interests of State and local officials who are administering the assistance.

The National Intergovernmental Affairs Council would be chaired by the President and composed of the Vice President and those Cabinet officials and agency heads whose programs have a major impact on State and local government. It would be—and I emphasize this—a "working" organization both to advise the President and to see that agreed-upon administrative procedures are carried out and made effective. It would have a top-flight Executive Secretary in direct contact with the President. The Council's secretariat would be composed of experts independently selected and directly responsible to the Executive Secretary and to the President. This secretariat would be assisted by top-level policy officials—no lower than assistant secretaries or equivalent—from the departments and agencies specially designated to handle program coordination and intergovernmental relations.

The role of the NIAC is expected to be a broad one. It would go far beyond the staff responsibilities of the Bureau of the Budget and the Council of Economic Advisers, but nevertheless would utilize the resources of these offices. It would be a staff and operating arm of the President—a forum for determining administrative policies for domestic program coordination, and a mechanism for overseeing their implementation. At the same time, it could be the President's ombudsman, a watchdog for domestic crisis, a central source of information on programs and needs, and a monitor of program effectiveness. It would be concerned with both urban and rural development—as a multidepartmental responsibility involving education, housing, transportation, public facilities, law enforcement, civil rights, and other issues.

It would play a strategic role in national long-range planning, and assist State and local governments in their own developmental efforts.

The Council is an entirely different concept from a Cabinet committee. It wolud be actively run by the President; its Executive Secretary would speak for the President in developing policy by which departments and agencies are to be coordinated and intergovernmental conflicts resolved. Cabinet members and agency heads would be, in essence, advisers to the Executive Secretary in developing policy for Presidential approval. After policy decisions are made, the operating departments would be responsible for carrying them out, but the Council's Executive Secretary would be directly responsible to the President for seeing that the job is done in a timely and effective manner. As members of the Council, department heads could, of course, appeal to the President those recommendations of the Executive Secretary and his staff with which they disagree, but it is hoped that most of the controversies would be resolved before reaching the President.

A National Intergovernmental Affairs Council, as its name implies, would be essentially oriented toward helping States and local communities develop all available resources to better meet their expanding public needs. Through NIAC's offices, the President would have the opportunity to be constantly informed about any area in the country as to its problems and requirements. The President would have the means of developing flexible and more direct relationships with State and local leaders. And the States and localities, in turn, could be secure in knowing that "someone up there" in the complex of the Washington bureaucracy was concerned with their problems.

In this respect, NIAC could also provide the leadership and the organization for calling conferences of governors, mayors, and other leaders for a review of national and regional problems and for the development of new approaches to meet intergovernmental needs. Such conferences and special meetings with the Council's secretariat would be helpful to the Federal Government in getting an up-to-date assessment of regional, State, and local problems. They would be helpful to the States and local governments because they would provide a form for the airing of complaints and the discussion of new proposals.

The main point is that the President would have a special assistant and an institution through which he could pull the Federal Establishment together and direct smoother intergovernmental implementation of Federal aid programs.

The subcommittee heard testimony on this proposal to establish a Council, and on problems of managing Federal aid programs, from the Secretaries of HUD, Labor, HEW, Interior, Commerce, the Deputy Director of OEO, and the Director of the Bureau of the Budget. These officials were frank in admitting that our Federal aid system was in urgent need of consolidation and coordination at the Washington level and in the field, and that communication and cooperation between the Federal Government and State and local administrators was inadequate. Most agreed that something has to be done about this situation at the top executive level, and that, in fact, efforts were already underway to resolve these problems.

I have examined these efforts toward better coordination and intergovernmental cooperation, and I am frank to say that I find them inadequate. They seem to be more of an effort to get around the problems than going to the heart and solving them.

The executive branch has devised what is called a convener authority in the Secretary of HUD and in the Secretary of Agriculture to develop interagency coordination in their respective fields of urban and rural affairs. But when we look behind the fine print, we find that this is merely an authority of a Cabinet officer of equal, if not lesser, rank with other Cabinet officials, to call special meetings for the purpose of discussing coordination problems and obtaining advice on cooperating with State and local agencies. This is nothing but another interagency committee, and merely a discussion group, at that—the very thing we must avoid. There is no provision for leadership, no power in the convener to hammer out intergovernmental policies subject to appeal to the President. There is no provision for a working secretariat either to develop the agenda or monitor the implementation and effectiveness of coordination policy, if any such policy comes out of the meetings. Nor is there any established machinery for carrying out convener decisions at regional, State, and local levels, where coordination is most needed. Further, there is no real mandate from the President to department and agency heads to cooperate with the convener; the order just says that they shall "participate in meetings convened." Finally, there have been few, if any, meetings attended by Cabinet officials, and there does not appear to be any requirement that an overall agreed-upon plan of coordination and intergovernmental cooperation be worked out and sent to the President within a stated time.

When we asked about the merits of the convener policy, we were told: "Give us time to experiment with this new idea." I submit that there is not very much time left to bring order out of the confusion of Federal aid administration, and that experiments such as this may only add to the confusion rather than alleviate it.

Witnesses referred to another coordinating device in the urban field—that of the Office of Urban Program Coordination, which Congress specifically established directly under the Secretary of HUD to assist him in obtaining maximum coordination of Federal programs affecting urban development. It was expected that the Secretary would have a full-time, high-level staff of sufficient power to exact cooperation from the other agencies, but on inspection we find that, instead of sitting at the Secretary's right hand as Congress intended, the director of this office is tucked away as one of three sublevel officials under an assistant secretary, which leaves serious doubt in my mind whether he will ever be able to get an effective accommodation in his own department, let alone someone else's. If he does not get that cooperation, the whole demonstration cities program could well break down. When we get to the issue of developing effective machinery for maximum Federal grant coordination at the regional, State, and local levels, the HUD picture becomes even more confused.

In the antipoverty area, we were told of the Economic Opportunity Council, whose mandate was to marshal all Federal resources in the war on poverty. But, again, on inspection we find that this, too, is just another interagency committee. It has met only eight times this year, and a half-dozen times last year. It has no real staffing; it is headed, again, by an official of lesser Cabinet rank. It has no mechanism for monitoring the effectiveness of the few coordination "treaties" that OEO has worked out with other agencies. Its meetings have been generally attended by subordinate officials with little decisionmaking power.

The Joint Chiefs of Staff, with a full-time staff, meet weekly and perhaps more frequently on the Vietnam conflict, yet the overall coordinating council in the war on poverty meets eight times a year, and has no permanent staff. This gives me special concern as, indeed, it should every Member of Congress.

We were referred to the device of interagency committees and task forces with responsibilities for resolving conflicts between two or more functions within and between departments. The subcommittee is making a comprehensive assessment of these interagency groups, and the orders and agreements which have emanated from them. We have already counted over 100 of them. Most have had few, if any, meetings during the past year; most have no permanent staffing; nearly all are attended primarily by officials below assistant secretary rank. And the treaties they work out are more directed to keeping one agency out of another's function than putting the functions together in an effective package. As for monitoring coordination policy in the field, only the President's Committee on Manpower appears to have developed any meaningful activity.

Speaking of the interagency committee device, Secretary Gardner said: "Most of them are monumentally ineffective."

The Office of Management and Organization of the Bureau of the Budget is supposed to have an overall responsibility for agency coordination and liaison capacity for dealing with State and local leaders, but when it comes to developing and implementing broad policies of interdepartmental coordination and planning keyed to solving overall problems on a multifunctional basis, it has not been effective. By nature, and by history, the Bureau is not sufficiently oriented to this kind of management responsibility; it has been concerned primarily with budgeting, economy, and functional performance rather than promoting program flexibility and new approaches. Nor has the Bureau developed any effective machinery for dealing with State and local leaders in understanding their major problems, and working out across-the-board solutions. It has only a few professional employees assigned to intergovernmental problems, whose main liaison has been with the Advisory Commission on Intergovernmental Relations and with State budget officers, rather than with State and local administrators in the field.

The one encouraging piece of testimony in the hearings was Secretary Gardner's description of his recent reorganization of policy positions at HEW. First, he considers himself to be the chief coordinator; then he has separated his management arm from his budgeting people, and on the management side he has set up three substantive assistant secretaries whose prime responsibilities are to coordinate programs in the fields of health, education, and individual and family services, respectively. Five additional assistant secretaries deal with separate functional fields.

Further, Secretary Gardner has strengthened the coordinating role of HEW regional directors, whose responsibility it is to develop better intergovernmental relations. These regional directors represent the Secretary in the field. Further he has a special Office of Intergovernmental Relations in Washington, and a Director of Field Coordination who handles all of the field office problems.

Indeed, the HEW model, with its separation of management coordination from budget activities, and with its direct application of coordination and intergovernmental cooperation at regional levels, is precisely the same idea behind my proposed NIAC for modernizing the total Federal aid administration.

Recently—in fact, during the course of preparation for our hearings on this legislation—the President took three specific actions which underscored his commitment to improve coordination, policy direction, and management of national programs affecting State and local governments.

On November 11 he instructed his Cabinet officers to cooperate with State and local officials to make Federal aid programs more "workable at the point of impact."

On November 17 he directed Federal departments and agencies to make more effective use of the planning-programming-budgeting system.

On the same day he issued an Executive order establishing Operation TAP—talent for America's progress—a program for improving the talent pool for top management responsibility.

I am impressed with these actions, as I am with the steps Secretary of HEW Gardner has taken to coordinate the sprawling responsibilities of his Department. But all this is not enough.

There are many talented men in President Johnson's administration. They have made an honest effort to reduce the problem of coordination and management in their own departments. But I must observe that, on the subject of overall coordination, all they are offering the President is a patchwork of proposals, none of which goes to the heart of the problem.

As I see it, there are three roads we can travel to solve our crisis in coordination and management:

First. We can combine Federal programs to reduce the proliferation which confuses State and local administrators;

Second. We can reorganize the executive branch to concentrate programs under fewer agencies; and

Third. We can develop an effective and flexible method of policy coordination in Washington and in the field.

I suspect we shall have to travel all three roads at once. No one proposal and no one technique will be adequate.

My mind is still open on the most effective approach to the problem. But, on the basis of our November hearings, it is evident that the interagency committees and the convener authorities fall far short of the standards we must achieve. Single agencies or departments, acting under delegated authority or in concert, are not adequate to the task. The final answer, or answers, must rest in the Executive Office of the President. The coordination must have a broader base than budget considerations, a deeper significance than effective operations, and a bigger goal than day-to-day management.

Quite frankly, I feel that the proposed National Intergovernmental Affairs Council is closest to the mark.

I ask unanimous consent that the bill remain at the desk for 10 days to give other Senators an opportunity to join as cosponsors, and I also ask unanimous consent that the text of the bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie at the desk as requested and will be printed in the RECORD.

The bill (S. 671) to establish a National Intergovernmental Affairs Council, introduced by Mr. MUSKIE (for himself and Mr. CLARK), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 671

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in enacting this Act, it is the intent of Congress to provide for a more comprehensive consideration of national policies and programs affecting economic and social development and intergovernmental relations in an increasingly complex society; to provide for more effective coordination among Federal departments and agencies whose activities directly affect State and local governments; to assess the effectiveness of current and projected Federal domestic policies and programs in attaining national objectives within our Federal system; and to provide for the elimination of unnecessary duplication and overlapping among Federal departments and agencies administering Federal aid programs.

SEC. 2. (a) There is established a council to be known as the National Intergovernmental Affairs Council (hereinafter in this Act referred to as the "Council"). The President of the United States shall preside over meetings of the Council, except that in his absence he may designate a member of the Council to preside in his place.

(b) The function of the Council shall be to advise the President with respect to the formulation, implementation, and coordination of domestic policies and programs which affect intergovernmental relations and the Nation's economic and social development, so as to enable the Federal departments and agencies to carry out more effectively their activities, and to cooperate more fully with State and local governments in achieving those national goals.

(c) The Council shall be composed of—

(1) the President;

(2) the Vice President;

(3) the Secretary of Housing and Urban Development;

(4) the Secretary of Health, Education, and Welfare;

(5) the Attorney General;

(6) the Secretary of Labor;

(7) the Secretary of Commerce;

(8) the Secretary of Agriculture;

(9) the Director of the Bureau of the Budget;

(10) the Director of the Office of Economic Opportunity;

(11) the Chairman of the Advisory Commission on Intergovernmental Relations; and

(12) such Secretaries and Under Secretaries of other executive departments as may be designated by the President, to serve at his pleasure.

(d) In addition to performing such other functions as the President may direct for the purpose of more effectively coordinating the policies and functions of the departments and agencies of the Federal Government relating to intergovernmental relations and to economic and social development, it shall, subject to the direction of the President, be the duty of the Council—

(1) to assess and appraise the objectives and performance of the above-mentioned programs and activities for the purpose of making recommendations to the President in connection therewith; and

(2) to consider any other matters of common interest to the departments and agencies of the Federal Government concerned with initiating and carrying out of social and economic policies and programs which affect intergovernmental relations, and to make recommendations to the President in connection therewith.

SEC. 3. (a) The Council shall have a staff to be headed by an executive secretary who shall be appointed by the President, by and with the advice and consent of the Senate. The executive secretary, under the direction of the Council, is authorized to appoint and fix the compensation of such personnel without regard to the civil service laws or the Classification Act of 1949 and compensated at not to exceed the highest rate of grade 18 of the General Schedule of the Classification Act of 1949, as amended, as may be necessary to perform such duties as may be prescribed by the Council in connection with the performance of its functions pursuant to this Act. Other provisions of law or regulations relating to Government employment (except those relating to pay and retirement) shall apply to the executive secretary and to Council employees reporting directly to the chairman to the extent that such provisions are applicable to employees in the office of the President.

(b) Section 105 of title III of the United States Code is amended by adding immediately after the phrase "of the Executive Secretary of the National Aeronautics and Space Council", the following: "of the Executive Secretary of the National Intergovernmental Affairs Council".

(c) The Council shall, from time to time, make such recommendations and such other reports to the President as it deems appropriate or as the President may require.

CREATION OF A SELECT COMMITTEE ON TECHNOLOGY AND THE HUMAN ENVIRONMENT

Mr. MUSKIE. Mr. President, on behalf of myself and Senators BARTLETT, BIBLE, BOGGS, GRUENING, HARRIS, INOUYE, JAVITS, KENNEDY of New York, LONG of Missouri, MANSFIELD, MCGEE, MONDALE, MOSS, NELSON, PELL, PROXMIRE, RANDOLPH, SCOTT, and TYDINGS, I would like to introduce, for appropriate reference, a resolution to establish a Select Committee on Technology and the Human Environment.

Mr. President, this is identical to the resolution I introduced during the past session, Senate Resolution 298, on which the Subcommittee on Intergovernmental Relations held a hearing on December 15, 1966.

The legislation I am proposing would provide a special forum for learning more about the problems which will be caused by advancing technology, and about the ways that science and technology can provide solutions to these problems. It is to be a study committee, with no jurisdiction over legislation. It would have no permanence, its life being limited to 3 years, at the end of which it would render a comprehensive report. It would not interfere with the work of the standing committees, but rather would provide a much-needed central source of information not now available to the Senate—information which the standing committees do not have time to develop for themselves.

The particular merit and strength of this proposal, I believe, lies in the varied membership of such a committee. It would be composed of three members from each of the following standing Senate committees: Banking and Currency—concerned with public and private housing and urban development, private investment, and financial aid to commerce and industry; Commerce—with major interests in transportation, oceanography, weather science, and communication; Interior and Insular Affairs—handling public land development, recreation, irrigation, and development of natural resources; Labor and Public Welfare—primarily responsible for health, education, welfare, and employment capabilities; and Public Works—concerned with the building of roads and public facilities, water and air pollution, economic development, waterpower, and other public improvements.

At least one member appointed from each committee must be a member of the minority party. It is most important that a forum of this nature have bipartisan support.

Thus, the standing committees most involved with legislation affecting human needs would have a direct participation in this comprehensive inquiry. These permanent committees in the past have been virtually inundated by legislative proposals. Little or no time has been available for them to collect or evaluate information on the future nature of our environment. What I am proposing is a means of alleviating the pressures of time on those committees to assure that needed information will not be overlooked.

But one of its most important features is that such a committee can provide a forum where our scientists and technologists can confront the politicians across the table, on a broad range of subjects affecting technology and human development. An opportunity of such scope as envisaged here does not exist today in the Senate. In the light of the pressing need for scientific information among our nonscientific committees and Members, I feel that this experiment is well worth trying.

We are living in a time of great scientific and technological revolution. It is perhaps the single most important happening in our world. We have learned more and invented more in the past five generations than in all previous years of humanity. The acceleration of this learning and invention in the next 50 years will be awesome. Its impact on man's human development—physical, psychological, and philosophical—will be vast and critical.

At the same time, we in this country have developed a national prosperity and growth second to no other nation in the world, and our prospects for continued growth remain bright indeed.

More and more people are asking the question: Why can we not tap more of our massive scientific and technological effort and economic capability to help State and local governments meet the increasing physical and human needs of our urban and rural communities? Thus, science and technological change become very important ingredients in the area of intergovernmental relations. Man's technology is national, and international, but his environment is really a local matter. How we improve that environment in large part depends upon how well State and local governments plan and program their efforts to meet public needs. They are the first to be concerned with the problems that advanced technology will bring to their jurisdictions; they are the first to feel the pressures from the people to do something about these problems, because they are on the firing line of human activity.

Thus, as we explore the areas of scientific and technological achievement and expectations, and weigh the problems as well as the benefits, we should give serious thought to how we can better equip our Government administrators—Federal, State, and local—with a science orientation and a continuing source of information and know-how. This is a responsibility of not only our National Government but private industry as well.

Creative federalism, as we are beginning to understand it, involves the partnership between our several governments and with the private sector, to focus on the hard-core problems of the people and make our land a better place in which to live. Thus far in our intergovernmental inquiry, we have been talking about the management, manpower, and money needed to make our Federal system more creative and effective. This resolution brings in a new dimension—an indispensable one, I believe.

The subcommittee hearing on Senate Resolution 298 on December 15 was one of the most interesting I have ever chaired. Witnesses were Dr. S. Dillon Ripley, Secretary of the Smithsonian Institution; Dr. James A. Shannon, Assistant Surgeon General, National Institutes of Health; and Dr. Roger Revelle, Director, Center for Population Studies, Harvard University. Leading off, Dr. Ripley said:

> For a century or more we have been ignoring man's dependence upon his environment, with consequences that we cannot yet foresee but which will be of increasing importance to public policy.

Dr. Ripley called the proposed Select Committee study of these consequences an "excellent" idea.

Following Dr. Ripley, Dr. Shannon stated:

> At the moment of our great victories over many infectious diseases, and in the midst of our full engagement with the major diseases and conditions of basic biologic origins, we are now confronted with the realization that the most formidable and pervasive challenges to the well-being of man lie in . . . the hazards man has created for himself in the products, processes, and living patterns of his increasingly technological world. . . . As to environmental hazards:
>
> Accidents now rate as the major cause of death from the first year of life to age 36.
>
> The increasing dispersal of toxic chemicals and other substances of largely unassessed biological effect in air, water, and food engenders mounting public apprehension.
>
> The expanding use and diversity of sources of ionizing radiation threatens widespread biological damage.
>
> The complexity of industrial development and activity, and urban living with consequent growth in noise, strain, speed, tension, and social instability, pose grave psychogenic potentials.
>
> These and similar environmental hazards have been brought about by the transition of man from an environment dominated by nature to an environment dominated by technology. They will long present a major potential for harm to individual and community well-being.

Dr. Shannon strongly endorsed the proposal for the select committee.

The third witness, Dr Revelle, also supported the need for a Senate study in this central area. He said:

> We live in a world of such rapid change, and are beset by so many perils and instabilities, largely created by our own actions, that thoughtful men everywhere on earth today are trying to pierce the curtain of the future with an anxiety and a concentrated intensity that did not exist in past generations. Attempts to plan the future, at least for a few years ahead, are characteristic of most modern governments, and a new science of technical forecasting is rapidly developing in our universities and research institutions. But the rhythms and traditions of politics in the United States are such that our governmental agencies have had very little interest in, or capability for, making long-range plans based on valid technological forecasts. Hence, it is of the utmost importance that the Congress should take a pioneering lead in this direction.

Mr. President, the need for the politician and the government administrator at every level to become educated and oriented in the directions of science and technology has never been greater than it is today. What are some of the environmental issues that lie ahead?

The world's population is increasing at levels higher than were predicted 15 years ago. By the year 2000 we will have 300 million people in this country, 85 percent of whom will be crowded into urban and metropolitan areas.

Our industrial and commercial output will be over the trillion-dollar mark.

We will need 30 million new dwelling units in 10 years, and schools for an additional 10 million children, as well as a half-million new teachers.

By 1980, urban use of water will increase 70 percent, and industrial use will more than double, to a total requirement of around 450 billion gallons. The additional water supply will have to come from sources not now available because of pollution.

By 1980, we expect over 250 million tons of pollutants in the air we breathe in our cities.

We will need transportation facilities for the daily movement of 250 million people.

The problem of eliminating solid wastes of all types will be gargantuan.

What does this trend toward increased population, industrial activity, and urbanization mean in terms of energy needs, problems of water and air pollution, transportation problems, poverty, physical deterioration of our cities, mental and physical health problems, and education needs?

What factors will affect population distribution and profile, and how should public investment in public works be related?

What will be the character of urban areas in the year 2000 and how will public and private planning and investment in public facilities affect this character?

What technological advances will be necessary to maintain the character of the urban area consistent with a high standard of environment?

How will predictable technological change affect the cost and availability of public works and facilities?

What will be the relative values and impact on urban development of varying modes of transportation affected by technological change?

How will technological change affect housing, and what will be the relationship of such effect on water resources and parks and open spaces?

What do we know about the future health and psychological makeup of urban man, and what can we predict in the light of our future technological impact, so that we can plan our cities to reduce crime, mental anguish, and despair?

What technological potential is available to our Federal and State governments to help them conserve and utilize their natural resources for greater economic advantage? I am thinking particularly of the new opportunities developing in exploration, the tremendous energy potential of oil shale in the West, and the abundance of Government lands that can be developed for recreational purposes. These are some of the questions which the select committee could explore with benefit to the Senate and to the Congress.

Mr. President, the response to the proposal to create a Select Committee on Technology and the Human Environment has been most encouraging. Many of the letters I have received demonstrate the deepening concern of private citizens as well as professional scientists over the impact of modern science and technology on our society. I would like to have excerpts of some of these letters reprinted in the RECORD at this point.

From Leonard E. Schwartz, Consultant, Public Policy, Science and Technology for the Organization for Economic Cooperation and Development in Paris:

> I was delighted to learn of your proposal to create a select subcommittee on technology and human environment. Your proposal comes at a most appropriate moment when dissatisfaction with urban problems and the failure to apply science and technology towards their resolution are becoming increasingly pronounced. . . . Much more needs to be done. I am gratified to learn of your initiative in the States as technology and human environment are the concern of inhabitants in all nations. Urban planning could use technology for the mutual enrichment of the environment of all participating nations.

From Everett P. Partridge, vice president of the Calgon Corp., Pittsburgh, Pa.:

> The creation of the Select Committee would be desirable if it led to:
>
> 1. The stimulation of a general continuing debate throughout our society concerning the entire environment, comparable to the flood of discussion induced during the past decade concerning the management of our water resources.
>
> 2. The encouragement of private as well as public enterprise in experimental development of new modes of relating socially productive effort to individually rewarding living.
>
> The philosophy of science is to find out what is so by testing an initial belief, then, if necessary, modifying the belief successively to get a better and better fit with the way things actually are. This is a slow process, unacceptably slow to the enthusiast, but it is the way we have reached our present stage of control over energy and materials. From here on, in my opinion, we need eager, constructive collaboration of the social scientists with the physical scientists, the life scientists and the engineers to find out what really is so in our endless search for the good life.

G. Harry Stine of New Canaan, Conn., wrote me:

> I have read with great interest an article in the December 16th issue of the New York *Times* regarding the testimony of Dr. Roger Revelle before your subcommittee of the Government Operations Committee. Of even greater interest to me was the part of the article describing your proposed select committee of technology and human environment . . . . It is most certainly time that we started serious consideration of future technology in order to assure that it remains a tool to assist human beings rather than a master to whom we are beholden.

From John Voss, executive officer of the American Academy of Arts and Sciences, I received the following comments:

> I have read your resolution for the creation of a Select Committee on Technology and the Human Environment in the Congressional Record of August 25th with great interest. It is a far-sighted and imaginative proposal.

From Margaret E. Kuhn, associate coordinator for the Renewal and Extension of the Church's Ministry in the World of the United Presbyterian Church:

> The recent *New York Times* news release of the testimony of Dr. Revelle before the Senate Subcommittee which you have chaired was of special interest to our office. A task group of national staff members representing agencies of the United Presbyterian Church, U.S.A. will propose to the 179th General Assembly of our denomination next May the appointment of a special study committee to examine the role and status of women in our church and in society. Our staff group has recognized that the church has lagged in its recognition of woman's role in ecclesiastical affairs, and is also aware of the many changes which an expanding technology has brought to the lives of women. . . . The men and women in this staff group greatly appreciate your leadership in seeking to establish a select committee in the Senate to study problems brought about by technological change. We are keenly eager for groups in the United States to assess the social cost of technological development.

Finally, John E. Weinrich, professor of economics at the State University of New York at Binghamton, wrote me:

> I must comment favorably upon the work contemplated by your committee on technological change. Economists have long understood how critical research and development and innovation are to growth. Despite the crucial force that technological change has played in our advancing economy and its importance to the world economies, we are still very much puzzled and ignorant about it. . . . I would expect that your committee and the support that it gives to engaging scholarly interest in the topic will cast additional light on the causes of innovation and the spurs to diffusion.

Mr. President, I ask unanimous consent that the text of the resolution to establish a Select Committee on Technology and the Human Environment be printed in the RECORD at this point.

I ask unanimous consent that the resolution remain at the desk for 10 days for additional cosponsors, and I ask unanimous consent that the text of the resolution be printed in the RECORD at this point.

The **PRESIDING OFFICER**. The resolution will be received and appropriately referred; and, without objection, the resolution will lie at the desk as requested, and will be printed in the RECORD.

The resolution (S. Res. 68) was referred to the Committee on Government Operations, as follows:

S. RES. 68

Whereas man's ability to alter and control his environment through the use of new technology is increasing at an accelerating rate, bringing new problems as well as benefits; and

Whereas in the next fifty years, technological change will require a greater use of and have a substantial impact on the natural and human resources of the Nation; and

Whereas it is essential to the continued welfare of the United States that appropriate public and private planning and investment in resource development, transportation, housing, education, communications, community development, water resources (including oceanography), power supplies, technology, automation, and public works be made to improve the quality of man's environment; and

Whereas the Senate, in order to evaluate properly the probable needs for public and private investment in these areas over the next fifty years, should have recommendations and information relative to needed programs and their character, extent, and timing: Now, therefore, be it

Resolved, That (a) there is established a select committee of the Senate to be known as the Select Committee on Technology and the Human Environment (hereinafter referred to as the "select committee") consisting of fifteen Members of the Senate to be designated by the President of the Senate, as follows:

(1) three from among Senators who are members of the Committee on Banking and Currency;

(2) three from among Senators who are members of the Committee on Commerce;

(3) three from among Senators who are members of the Committee on Interior and Insular Affairs;

(4) three from among Senators who are members of the Committee on Labor and Public Welfare;

(5) three from among Senators who are members of the Committee on Public Works; and

(6) at least one such Senator appointed from each such committee shall be a member of the minority party. The select committee shall select by a majority vote of the members thereof a chairman from among such members.

(b) Vacancies in the membership of the select committee shall not affect the authority of the remaining members to execute the functions of the committee.

(c) A majority of the members of the select committee shall constitute a quorum thereof for the transaction of business, except that the select committee may fix a lesser number as a quorum for the purpose of taking sworn testimony. The select committee shall adopt rules of procedure not inconsistent with the rules of the Senate governing standing committees of the Senate.

(d) No legislative measure shall be referred to the select committee, and it shall have no authority to report any such measure to the Senate.

(e) The select committee shall cease to exist on January 31, 1970.

Sec. 2. (a) It shall be the duty of the select committee to conduct a comprehensive study and investigation of (1) the character and extent of technological changes that probably will occur and which should be promoted within the next fifty years and their effect on population, communities, and industry, including but not limited to the need for public and private planning and investment in housing, water resources (including oceanography), education, automation affecting interstate commerce, communications, transportation, power supplies, welfare, and other community services and facilities; and (2) policies that would encourage the maximum private investment in means of improving the human environment, for the purpose of making the recommendations of the select committee and the results of such study and investigation available to the Senate and the committees thereof in considering policies for public investment and encouraging private investment.

(b) On or before January 31, 1970, the select committee shall submit to the Senate for reference to the appropriate legislative committees a final report of its study and investigation together with its recommendations. The select committee may make such interim reports to the appropriate legislative committees of the Senate prior to such final report as it deems advisable.

Sec. 3. (a) For the purposes of this resolution, the select committee is authorized to (1) make such expenditures; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; (5) administer such oaths; (6) take such testimony orally or by deposition; and (7) employ and fix the compensation of such technical, clerical, and other assistants and consultants as it deems advisable, except that the compensation so fixed shall not exceed the compensation prescribed under the Classification Act of 1949, as amended, for comparable duties.

(b) Upon request made by the members of the select committee selected from the minority party, the committee shall appoint one assistant or consultant designated by such members. No assistant or consultant appointed by the select committee may receive compensation at an annual gross rate which exceeds by more than $2,100 the annual gross rate of compensation of any individual so designated by the members of the committee who are members of the minority party.

(c) With the prior consent of the department or agency concerned, the select committee may (1) utilize the services, information, and facilities of the General Accounting Office or any department or agency in the executive branch of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the Senate, or any subcommittee thereof, the select committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the chairman of the select committee determines that such action is necessary and appropriate.

(d) Subpenas may be issued by the select committee over the signature of the chairman or any other member designated by him, and may be served by any person designated by such chairman or member. The chairman of the select committee or any member thereof may administer oaths to witnesses.

Sec. 4. The expenses of the select committee, which shall not exceed ______, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the select committee.

JOINT COMMITTEE ON DEFENSE PRODUCTION

Mr. SPARKMAN. Mr. President, section 712(a)(1) of the Defense Production Act, as amended, provides that the Joint Committee on Defense Production shall be composed of 10 members, five of them members of the Senate Committee on Banking and Currency, and five of them members of the House Committee on Banking and Currency. The law provides that these five members from each of the committees are to be appointed by the chairmen of the respective committees, three from the majority and two from the minority party.

The Senate members of the Joint Committee on Defense Production will by Senators SPARKMAN, PROXMIRE, WILLIAMS of New Jersey, BENNETT, and TOWER.

CHANGE OF REFERENCE

On motion by Mr. SPARKMAN, and by unanimous consent, the Committee on Banking and Currency was discharged from the further consideration of the resolution (S. Res. 56) authorizing the Select Committee on Small Business to make a complete study of the problems of small and independent businesses, and the resolution was referred to the Committee on Rules and Administration.

LEGISLATIVE REORGANIZATION ACT OF 1967—AMENDMENTS

AMENDMENT NO. 33

Mr. METCALF submitted amendments, intended to be proposed by him, to the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 34

Mr. HART submitted an amendment, intended to be proposed by him, to Senate bill 355, supra, which was ordered to lie on the table and to be printed.

AMENDMENTS NOS. 35 THROUGH 37

Mr. MONRONEY submitted three amendments, intended to be proposed by him, to Senate bill 355, supra, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. CHURCH. Mr. President, I ask unanimous consent that at the next printing of the bill, S. 119, to reserve certain public lands for a national wild rivers system, to provide a procedure for adding additional public lands and other lands to the system, and for other purposes, the names of Senators HARRISON A. WILLIAMS, JR., of New Jersey and EDWARD M. KENNEDY of Massachusetts, be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOSS. Mr. President, I ask unanimous consent that on the further printing of S. 25, the name of the junior Senator from Montana [Mr. METCALF] be shown as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOSS. Mr. President, I ask unanimous consent that on the further printing of S. 479, the name of the senior Senator from Massachusetts [Mr. KENNEDY] be shown as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF SENATE JOINT RESOLUTION 8

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the name of the distinguished Senator from Washington [Mr. JACKSON] be added as a cosponsor of Senate Joint Resolution 8 at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF JOINT RESOLUTIONS AND RESOLUTIONS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following joint resolutions and resolutions:

Authority of January 12, 1967:

S.J. Res. 8. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens eighteen years of age or older: Mr. Aiken, Mr. Baker, Mr. Bayh, Mr. Bible, Mr. Case, Mr. Cooper, Mr. Dominick, Mr. Fong, Mr. Gruening, Mr. Hansen, Mr. Harris, Mr. Hatfield, Mr. Hayden, Mr. Javits, Mr. Kennedy of New York, Mr. Kuchel, Mr. Magnuson, Mr. McGee, Mr. Mondale, Mr. Morse, Mr. Morton, Mr. Moss, Mr. Randolph, Mr. Ribicoff, Mr. Sparkman, Mr. Thurman, Mr. Tydings, Mr. Yarborough, and Mr. Young of North Dakota.

Authority of January 16, 1967:

S.J. Res. 13. Joint resolution to require the removal of certain agricultural products from negotiation of tariff reductions under the Trade Expansion Act of 1962, and for other purposes: Mr. Smathers.

S. Res. 22. Resolution to provide for a study of the entry of nonimmigrant aliens into the United States to perform services or labor: Mr. Kuchel, and Mr. Yarborough.

Authority of January 17, 1967:

S. Res. 30. Resolution to amend the Standing Rules of the Senate relative to the Select Committee on Small Business: Mr. Allott, Mr. Baker, Mr. Carlson, Mr. Case, Mr. Hansen, Mr. Hatfield, Mr. Kuchel, Mr. McCarthy, Mr. McGovern, Mr. Montoya, Mr. Mundt, Mr. Murphy, Mr. Pell, and Mr. Smathers.

HEARING SCHEDULED ON GOLD MINING REVITALIZATION

Mr. GRUENING. Mr. President, I wish to announce that the Subcommittee on Minerals, Materials, and Fuels of the Senate Interior and Insular Affairs Committee will conduct a hearing on Thursday, February 2 on my bill, S. 49, to revitalize the gold mining industry and any other bills designed to improve the status of gold mining which may be before the subcommittee at that time.

S. 49 is the same bill I introduced in the two preceding sessions of Congress and which, in both sessions, has been reported favorably by the full Senate Interior and Insular Affairs Committee. This time, I am joined in the introduction of this measure by 19 of my distinguished colleagues, Senators Bartlett, Allott, Bible, Cannon, Church, Dominick, Fannin, Hansen, Jordan of Idaho, Kuchel, Magnuson, McGee, McGovern, Metcalf, Montoya, Morse, Moss, Murphy, and Mundt. The purpose of the legislation I have introduced is to overcome a longstanding and completely unjustified discrimination against an industry that once was of tremendous economic importance in the western States and was of particular significance in the development of Alaska.

Unfortunately, although the sentiment of the Senate Interior and Insular Affairs Committee in favor of revitalizing gold mining has been demonstrated by favorable reports on the measure in two sessions of Congress, it has not, in previous sessions of Congress, been possible to obtain action on the floor. I have ascribed this failure in obtaining Senate action on legislation to aid gold miners in the past to the obstinate opposition of the Treasury Department, and, meekly following, the Interior Department, to any measure designed to bring gold mining back in style. It is my hope this session of Congress may see a different result of the action taken by the committee having jurisdiction over the legislation. By holding hearings early in the session on S. 49 it should be possible to have the bill ready for full consideration by the Senate long before the end of session crush of legislation makes another postponement necessary.

Enactment of a law to increase our supplies of gold by making gold mining profitable is long overdue. I hope all those who wish to be heard on this subject will notify the Senate Interior and Insular Affairs Committee as soon as possible. The subcommittee will welcome a strong expression of interest from all those in the industry and Government concerned.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. HART. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Edward E. Davis, of Arizona, to be U.S. attorney, district of Arizona, term of 4 years, vice William P. Copple, resigned.

William M. Byrne, Jr., of California, to be U.S. attorney, central district of California, term of 4 years, vice Manuel L. Real.

Edward P. Gallogly, of Rhode Island, to be U.S. attorney, district of Rhode Island, term of 4 years, vice Raymond J. Pettine.

Luke C. Moore, of the District of Columbia, to be U.S. marshal, District of Columbia, term of 4 years—reappointment.

Elmer J. Hardegree, of Georgia, to be U.S. marshal, northern district of Georgia, term of 4 years, vice William J. Andrews, retired.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Wednesday, February 1, 1967, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

SHIFT TO NATIONAL INCOME ACCOUNTS BUDGET TRIUMPH FOR ECONOMIC REASON

Mr. PROXMIRE. Mr. President, one of the most encouraging developments in economic policy in recent years was the decision of the administration this year to shift from the so-called administrative budget to the national income accounts budget.

This is very good news for public understanding of what our Federal spending and taxing mean to the economy. It will also give the citizen a much more honest and comprehensive picture of what his Government is doing.

President Johnson deserves great credit for this decision. It was not an easy one. The NIA budget is some $35 billion, more than 20 percent larger than the administrative budget.

The principle difference is that the NIA budget includes such trust fund operations as the social security program, unemployment compensation, the highway program, and so forth. It excludes some purely financial transactions.

Why in the world should we include the social security program, with its massive taxing and spending impact on the economy, in reporting the Federal budget?

Of course we should. And of course we cannot get a fair or accurate picture without it.

Furthermore, under all our Presidents, the administrative budget has been highly suspect. It is an easy budget to manipulate. Loans, even with the best of security and bearing adequate interest, are considered as spending. The sale of these loans is construed in the administrative budget to constitute a reduction of spending.

The size of the deficit in the administrative budget is therefore a matter of executive discretion.

But, above all, the NIA budget will give the citizen interested in what the Federal program is doing to and for our economy a far clearer and fuller picture.

The $2.1 billion deficit far more closely measures the real economic impact of this budget than the more than $8 billion deficit projected for the administrative budget.

Presidential decision is one thing, Mr. President. What the press chooses to do with that decision is something else. I was very pleased to see that both this morning's New York Times and Washington Post reported the totals in the NIA budget—the big budget—as the budget story and the budget news.

The Nation's preeminent financial paper—the Wall Street Journal—in this morning's issue, stayed with the old administrative budget. I earnestly hope this is only a last fond farewell.

Hobart Rowen has written a detailed and clear exposition in this morning's Post of the reasons for the triumph of the NIA budget, and I ask unanimous consent that this article be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

National Income Accounts Budget Comes of Age as Better Yardstick—Huge Trust Funds Included

(By Hobart Rowen)

(Note.—This article by Hobart Rowen on the meaning and the details of the Federal budget is based on reports by Washington Post Staff Writers George C. Wilson, Eric Wentworth, William Chapman, Morton Mintz, J. V. Reistrup, Eve Edstrom, Thomas O'Toole, Gerald Grant, Carroll Kilpatrick and Stuart Auerbach.)

This will go down as the year that the National Income Accounts Budget came of age. Acknowledged to be the best measure of the impact of Government on the private economy, the NIA budget for years has been a budgetary step-child for a simple reason: It was too big.

In an era when Presidents struggled to maintain the fiction that Federal spending was and could be kept below the $100 billion mark, the smaller Administrative budget—which excludes the mounting billions flowing in and out of huge Government trust funds—was deliberately pushed into the headlines.

And like a poor relation who had embarrassed the family, the NIA budget was pushed aside.

But today, with record expenditures of $169.2 billion and record receipts of $167.1 billion for fiscal 1968, the NIA budget takes first place in the massive budget document.

The landmark decision to "go" with the NIA figures as the key budget analysis was made late in the summer at the Johnson ranch. "If you didn't have an NIA budget, you'd have to invent one," says Budget Director Charles Schultze.

Schultze and Treasury Secretary Henry H. Fowler convinced the President that in order to make economic forecasts, the administrative budget figures must be translated into the NIA accounts.

The general picture of the economy that comes through from the budget analysis is not one of rip-roaring exuberance. The President's goal is "a seventh year of uninterrupted growth."

But the economic assumptions are a real growth rate of only 4 per cent (compared to 5.5 per cent in 1966) which brings the Gross National Product in dollar terms to $787 billion from $739.5 billion in 1966.

A suggestion of the decelerated pace is seen in the estimate that corporate profits will increase only $1.3 billion to $83 billion in calendar 1967, compared to a $6.1 billion increase in 1966.

Receipts from corporations, as a matter of fact, will be down slightly, despite the proposed 6 per cent surtax, in part due to completion of an accelerated payments schedule.

Avoiding "substantial risks"

Without these fiscal actions, the President said in the Budget Message, "we would run substantial risks of . . . renewing inflationary pressures, particularly in the latter half of this year."

But to seek a lower deficit or surplus now, the President said, would involve either much higher taxes that would "depress" the economy, or major cuts in poverty and other Great Society programs.

The decision was to go ahead with a slightly stimulative budget policy, as reflected in the $2.1 billion NIA deficit, with domestic programs allowed to move ahead but at "a controlled and reasoned pace."

Dominated by defense

It is a budget dominated by defense—and especially Vietnam. National defense takes $74.1 billion of the $169.2 billion total, up $5.8 billion from fiscal 1967, and $17.6 billion from fiscal 1966.

The overhanging imprint of war is dramatically pointed out by the Budget Bureau's estimate that approximately $3 billion authorized by Congress last year for various civilian programs will not be utilized by the President.

For example, Congress authorized $2.4 billion last year to upgrade education in the slums and depressed rural areas. The President proposes to spend only $1.2 billion. There are similar "short-falls" in the poverty, community facilities, and various health programs.

Science recession

The purse strings to the Nation's science community tightened up a bit, leading some scientists to wonder whether we're in a science recession.

Few casualties could be seen on the surface of President Johnson's $17.3 billion request for research and development for fiscal 1968. But for the first time in recent memory the research request was smaller than it was the year before—by $200 million.

And just as important, it was the second straight year that research spending did not grow by the 10 to 15 per cent that some scientists insist research must achieve if science is to thrive and build on the ideas created out of past research.

What especially worries some scientists is that money for pure research is more scarce than it used to be.

Funds for basic research—the search for new knowledge that may or may not have any impact on people—will go up by about 5 per cent in fiscal 1968, to a shade above $2.4 billion. But fully one-third of this will come from the National Aeronautics and Space Administration, which lumps all research and development on rocket vehicles under basic research—hardly what objective scientists would do.

On the other hand, the President gave up budget-trimming battles he fought last year to reduce Federal loans to college students, and to cut back school funds for impacted areas.

For Vietnam, $22.4 billion

For Vietnam—badly underestimated at $10.2 billion last year—the revised fiscal 1967 total is $19.9 billion, rising to $22.4 billion in 1968.

And last year's assumption that hostilities might cease by mid-1967 is abandoned for the more realistic assumption that Vietnam spending will be on "a continuing basis, including the possibility of an extension of combat beyond the end of the fiscal year."

Accompanying this more candid approach is a request for a Vietnam supplemental of $12.3 billion, which will allow for ordering long-lead time military items that may not be delivered until fiscal 1969 or beyond.

Candor also accompanied the presidential announcement that he proposes to sell $5.75 billion in Participation Certificates (shares in Federal loans) and $300 million in other financial assets. But as a gesture to realism, Johnson counted only $5.3 billion in potential sales—which added $750 million to the administrative budget deficit ($8.1 billion).

In addition to including trust funds, the NIA budget differs from the traditional accounts in two other ways:

It excludes Federal loan expenditures (and receipts) since they do not represent additions to income.

It counts Federal revenues when tax liabilities are accrued, rather than when they are collected. Thus, the NIA budget measures Federal finances when they have their greatest impact on private decision-making.

Economists use the NIA budget to see what effect the Government is having on the income and the production potential of the economy. When this is matched with expectations for the private sector, they can get a pretty good idea of what may lie ahead—inflation, deflation, or an insignificant push either way.

Back in 1962, the Government more or less timidly listed the NIA account, along with the regular and the cash budget presentations. Now, it has gone all the way, stressing the NIA, while maintaining the regular budget for analyzing individual programs.

Smaller deficit

To be sure, a compelling reason for the presidential decision is that the $2.1 billion deficit is much more tolerable than the $8.1 billion deficit arising out of the traditional administrative spending total of $135 billion.

But another factor is that it ties in with the shift of social welfare programs into the trust-fund arena, where regular Departments such as Health, Education, and Welfare are re-asserting their dominance over such ad hoc agencies as the Office of Economic Opportunity.

For example, the administrative budget excludes from its presentation $48.1 billion in trust fund receipts and $44.5 billion in trust fund expenditures.

Budgetary reform

But the NIA budget is not a perfect accounting, either. While it gives the best over-view of Federal programs in total, it is not well suited for analysis of individual programs.

The President therefore announced he plans a bipartisan study of budgetary concepts which may lead to an entirely new budgetary presentation.

But the emphasis in this year's budget on NIA helps make clear the major economic and fiscal decisions for 1968.

The $2.1 billion NIA deficit, for example, would have run to $7.6 billion, were it not for the 6 per cent surtax announced a few weeks ago, and a speed-up in certain corporate tax collections announced in the budget message.

DEFENSE

Defense spending at $74.1 billion (NIA) is scheduled to be the third highest in history, exceeded only by the World War II peaks in fiscal years 1944 and 1945.

Although the Vietnam War is the biggest single reason for the rise, the non-Southeast Asia part of the budget also shows a significant increase as the United States seeks to improve its strategic striking force.

The Nike X anti-ballistic-missile option is held open by providing $421 million for research and development if diplomatic efforts to curb the arms race with Russia fail.

In short, the fiscal 1968 military request is pretty much a "more of everything" budget.

Limited war emphasis

The limited war force emphasis on mobility and firepower continues as the Pentagon invests heavily in airlift planes, helicopters and battlefield missiles.

The Navy has won its argument that aircraft carriers do have a future. The new budget provides money for the long leadtime items for a third nuclear-powered carrier, with the bulk of the funding to come in fiscal 1969.

A concerted effort is under way to keep tactical aircraft production ahead of losses in the expanded air war in Vietnam.

Two assumptions

The Air Force role in manned space flight is expanding. The total military space program rises from $1.7 billion in fiscal 1967 to $1.9 billion in fiscal 1968. The increase is due largely to higher spending for the Air Force manned orbiting laboratory program—$434 million in fiscal 1968 compared to $228 million in fiscal 1967.

The Defense Department budget is based on two optimistic assumptions: (1) the Vietnam War will not escalate as fast as it has in the past but will instead start leveling off; (2) there is no need to rush ahead with the Nike X anti-ballistic-missile system.

Defense Secretary Robert S. McNamara is confident that this year's estimates of Vietnam costs will hold up better than last year's wide-of-the-mark guesses. The basic premise is that the war will last indefinitely.

What this new budget planning attitude means is that the military services will be able to start buying long leadtime items for fiscal 1969 toward the end of fiscal 1968.

For example, if it appears obvious that a new airplane is needed for the war, the Pentagon leadership would be more likely to release money for such items as its engine and electronic systems—even though the plane itself would be financed in the fiscal 1969 budget.

Nike X policy

The Pentagon policy on Nike X was set by President Johnson himself after weeks of analysis. The idea is to delay going into production and deployment of Nike X as long as possible to give the diplomats in

Washington and Moscow time to work out an arms control agreement to save both countries the expense of an anti-missile defense.

The President, in his Budget Message, said the United States in fiscal 1968 will "continue intensive development of Nike X but take no action now to deploy an anti-ballistic-missile (ABM) defense." He added that if diplomacy fails, "we will reconsider our deployment decision."

On top of the $421 million R and D money, the Pentagon's fiscal 1968 budget has $375 million to start on production of Nike X "for such purposes as defense of our offensive weapon systems," according to the President's message.

Besides this total of $796 million, there is another $168 million that Congress added to the fiscal 1967 to buy the special tooling and working drawings needed to gear up for production of Nike X. This money is still available for allocation in fiscal 1968.

In sum, the Defense Department has a grand total of $964 million that could go for Nike X if the President decides there is no diplomatic way around building an anti-missile system for the United States.

The budget calls for $2.33 billion in expenditures by the Atomic Energy Commission, an increase of $60 million over the current fiscal year.

Of the total, $44.1 million would go into more nuclear weapons test sites in central Nevada and in Alaska. Another $32.3 million would go to increase the capacity for weapons production at existing plants.

Total payments to the public

[Fiscal years. In billions]

Function	1966 actual	1967 estimate	1968 estimate
Administrative budget expenditures:			
National defense	$57.7	$70.2	$75.5
Excluding special Vietnam	(51.9)	(50.8)	(53.6)
International affairs and finance	4.2	4.6	4.8
Excluding special Vietnam	(3.9)	(4.1)	(4.3)
Space research and technology	5.9	5.6	5.3
Agriculture and agriculture resources	3.3	3.0	3.2
Natural resources	3.1	3.2	3.5
Commerce and transportation	3.0	3.5	3.1
Housing and community development	.3	.9	1.0
Health, labor, and welfare	7.6	10.4	11.3
Education	2.8	3.3	2.8
Veterans benefits and services	5.0	6.4	6.1
Interest	12.1	13.5	14.2
General government	2.5	2.7	2.8
Allowances:			
Civilian and military pay increase	----------	----------	1.0
Possible shortfall in asset sales	----------	----------	.8
Contingencies	----------	.1	.4
Interfund transactions (deduct)	.6	.8	.7
Total, administrative budget	107.0	126.7	135.0
Trust fund expenditures:			
Health, labor, and welfare	26.4	31.5	37.1
Commerce and transportation	3.8	3.7	3.7
National defense	.8	1.1	1.4
Agriculture and agricultural resources	1.2	1.4	1.2
Housing and community development	3.2	3.0	1.0
Veterans benefits and services	.6	.8	.6
All other	−.2	.1	.3
Interfund transactions (deduct)	.8	.7	.7
Total trust fund expenditures	34.9	40.9	44.5
Intragovernmental transactions and other adjustments (deduct)	4.0	6.8	7.1
Total payments to the public	137.8	160.9	172.4

INTERNATIONAL AFFAIRS AND FINANCE

The foreign aid request was $3,126,420,000 for fiscal 1968, thus setting the stage for another in a long series of annual battles over aid.

The President's request for economic and military aid was for $259 million less than he asked a year ago—but $190 million more than Congress appropriated.

William S. Gaud, director of the Agency for International Development (AID), called the said request "a Bikini-type budget," the "minimum needed to carry out an effective aid program."

The President requested a slight increase in the amount of money for economic assistance—$2.5 billion in 1968 compared to a request of $2.4 for 1967.

The request for military aid was reduced from $917 million last year to $596 million this year. The reduction is accounted for in part because military aid for Laos, Thailand, the NATO infrastructure and international military agencies will be absorbed in the Defense Department budget.

Military aid for Vietnam earlier was transferred to the Defense budget.

The President's message said that AID's primary concern in the future will be to help the less developed nations increase their food production, expand their educational opportunities and improve the health of their citizens.

Gaud told a news conference that more of AID's funds and effort would go into food production than into anything else. He estimated that $600 million would be spent on agricultural projects in 1968 compared with $500 million in fiscal 1967.

The President emphasized, as he often has in the past, that countries that expect American assistance must demonstrate that they are doing everything possible in the way of self-help.

Another key point of the President's aid philosophy, which he emphasized in the message, is that other industrial nations must join the aid effort.

In 1968, the President said, about 90 per cent of America's development lending will be coordinated with the efforts of other developed nations through consortia and other international arrangements.

The President promised continued support for such international agencies as the World Bank, the Asian Development Bank, the African Development Bank and the Inter-American Development Bank.

He pledged another contribution, $104 million, to the World Bank's subsidiary, the International Development Association.

The President said that the Peace Corps "will continue to grow" and will be active in 60 countries in mid-1968, with 19,000 volunteers in training and service.

SPACE RESEARCH AND TECHNOLOGY

Exploration of the moon. Giant orbiting space stations, with as many as a dozen men living and working in them for as long as a year. Unmanned landings on Mars.

These are the goals the United States has set for itself in outer space in the 1970s. With a budget request for fiscal 1968 of $5.05 billion, more than $500 million of it for dramatic new programs to carry us beyond a manned landing on the moon, President Johnson has made it clear that the United States is in space to stay, no matter what the Soviet Union does or does not do.

In giving the green light to three big new programs, the President made it plain that he has no intention of abandoning anything in space he thinks will promote national welfare, security and prestige.

His most dramatic move was to ask for $375 million in new funds for the National Aeronautics and Space Administration to start a Post Apollo program to orbit giant manned space stations and begin manned exploration of the moon.

With the Saturn IB rocket used in the early Apollo flights as its launch vehicle, the flight of an orbiting space "lab" could come as early as next year. Each successive year will then see more and more flights, until permanent stations are placed in space in the early 1970s, with men being ferried back and forth to their space "homes" every three or six months.

The ultimate goal of the manned space station is to keep man in space as a sort of super-scientist.

Just as ambitious as the space station is the President's plan to begin exploration and colonization of the moon. In this part of the Post Apollo program, a giant Saturn V moon rocket will be used in 1971 to either orbit a manned laboratory around the moon or land it right on the moon.

This program will continue all through the 1970s, with its ultimate aim to have Americans colonize the moon, explore it and even mine it for minerals, if there are any to mine.

Besides the manned Post Apollo program, the President also gave a go-ahead to a long-discussed plan to land an unmanned Voyager spacecraft on the planet Mars.

This he did by proposing $72 million in fiscal 1968 for Voyager, which if successful will cost more than $2 billion by 1975.

HEALTH, LABOR AND WELFARE

The power base for the Great Society's war on poverty is now being centered in the Department of Health, Education and Welfare. That's why HEW Under Secretary Wilbur J. Cohen is wearing a multi-billion-dollar smile this week.

Cohen long has contended that no lasting gains in combating poverty can be recorded without a massive shoring up of the Nation's Social Security System of retirement, disability, and welfare benefits.

To do this, the President has submitted a staggering array of proposals that represent the largest absolute increase in Social Security cash benefits since the origin of the program in 1935, along with a substantial strengthening of relief programs for needy children.

At the same time, the President's budget for war on poverty programs operated by Sargent Shriver's Office of Economic Opportunity allows little room for growth.

OEO's recommended new obligational authority would be $2.1 billion, compared with $1.6 billion for the current fiscal year.

The bulk of the increase is for unearmarked programs operated by Community Action agencies. But the main effect of this increase would be to permit Community Action agencies to recoup the losses sustained when the 89th Congress cut their free-wheeling spending powers below levels sought for this fiscal year.

In Shriver's words, the budget would "get us back up" to the levels sought for 1967, and would permit a "few steps forward."

One of these steps would increase Community Action aid to the rural poor. This would go up from $47.6 million to $85.8 million. Small urban areas would get about $20 million more to spend, while the larger cities would have $40 million more spread among them.

The popular Head Start program for preschoolers, would receive less money and would aid no more children than are being helped now. This program, Shriver said, "probably" will not be shifted to HEW as has been rumored.

However, a new Head Start component to provide special follow-up services to children in primary grades would be lodged in HEW's Office of Education.

The only other new program, to be financed out of existing budgets, would provide summer camp facilities for children of the poor.

Both the Job Corps and the Neighborhood Youth Corps would aid only slightly more enrollees. Some work training programs for adults would be increased, while others would be reduced and gradually replaced by programs under new legislation for public relief clients.

The President's Social Security proposals would result in an over-all 20 per cent increase in benefit payments. Additional cash benefits of $4.5 billion would be paid out in calendar 1968. The increases would be financed principally by raising the wage base against which Social Security taxes are levied.

In all, the President's budget would parcel out $25.6 billion to 10 agencies to help lift the Nation's 31 million poor out of poverty. This would represent an increase of $3.6 billion over the current year of which $2 billion would come from trust funds.

Medical research

Although there have been recurring alarms in the medical research community about possible cutbacks in Government support, the estimated expenditures for fiscal 1968 by the National Institutes of Health and the National Institute of Mental Health will be $1.2 billion—$53 million more than in the current fiscal year.

In addition, new obligational authority for these two branches of the Public Health Service will go up by $95.5 million, to $1.5 billion.

The expenditures of the Food and Drug Administration are estimated at $61.9 million, up $5 million from the current fiscal year. New obligational authority is figured at $67.9 million, an increase of $3.7 million.

The President proposed a $28.5 million increase to deal with labor problems. It would be used for job training, improved research on unemployment and living costs and dealing with an expected rise in labor disputes.

The proposed Labor Department budget for fiscal 1968 is $529.9 million, an increase of $26.8 million over 1967. Nearly $20 million of the additional money would go directly for manpower training, raising its total to $295.4 million.

"I am recommending funds for 280,000 trainees under the manpower development and training act, an increase of 30,000 over the current year," Mr. Johnson said in his Budget message.

The Bureau of Labor Statistics is listed for $22.5 million, an increase of $2.5 million over fiscal 1967, "for improved statistics and statistical research on employment, unemployment, price, wages, and employe benefit plans."

The budget proposals also included increases for three independent agencies that deal with labor disputes.

The National Labor Relations Board, which supervises union representation elections and processes unfair labor practice charges, is listed for $32.4 million, an increase of $1.3 million to handle "an estimated 5 per cent increase in representation disputes and a 2 per cent increase in unfair labor practice cases.

The Board in fiscal 1967 will handle an estimated 13,000 elections and 16,500 unfair labor practice charges.

Mr. Johnson asked $7.5 million for the Federal Mediation and Conciliation Service, the Government's agency for attempting to win voluntary settlements in most labor disputes. This would be an increase of $372,000 for salaries and expenses over 1967.

The National Mediation Board, which deals with labor cases in the railroad and airlines industries, is budgeted for $2.2 million, an increase of $69,000.

HOUSING AND URBAN AFFAIRS

Net expenditures for housing and community development, within the administrative budget, will increase by only $133 million in fiscal 1968. On the other hand, new funds for making future commitments—especially for model cities and the public facility grant programs—will increase by $8.4 million to $3.0 billion.

Major items in the longer-term program are:

$412 million for the model cities program to help cities rehabilitate entire new slum neighborhoods. In budget expenditures, the Department of Housing and Urban Development is calling for only $149.5 million in fiscal 1968. This compares with $12 million spent on planning grants in fiscal 1967.

$250 million in urban renewal funds to be used only on model cities.

$338 million for college housing loans. This is a program run on 2-year authorizations. Thus, there was no request last year. It was $300 million for fiscal '66.

Other items: Johnson is seeking the full $40 million for the controversial rent supplements, $32 million was approved for fiscal '67.

There is a large increase for urban research and technology: $20,000,000 as compared with $500,000 in fiscal 1967.

EDUCATION

The President's budget for education clearly shows the domestic side effects of heavy spending for the war in Vietnam.

There are cutbacks in several areas, and only small increases in some programs where much more is authorized. But on an NIA basis, fiscal 1968 expenditures will rise to $4.0 billion from $3.3 billion in fiscal 1967.

A relatively small item in the education column, proposing about $2 million to gather "student achievement data" may set off a major uproar among the educators, who will charge it spells out a dangerous "national testing" program.

The school administrators slapped hard last week at the Carnegie Corp. proposal to conduct a "national assessment" of education that would involve Nation-wide testing. The budget indicates, and Commissioner Harold Howe II confirmed, that the U.S. Office of Education may carry out the Carnegie plan, now in the tryout phase.

Another minor budget item that may cause a major political skirmish is a proposal for a $12.5 million supplemental appropriation for the beleaguered Teachers Corps. The Teachers Corps, a cliff-hanger right along, was denied appropriations twice before it hobbled off to a slow start last fall.

A proposal to increase funds for school civil rights activities from $8 million to $30 million will provide a test of Congress's mood in that area. The funds would finance efforts to plan more school integration.

Funds for construction of college classrooms and other facilities will be cut by $271 million, but Administration sources say that because of a freeze on funds this year, the net result will be a pickup in construction next year.

COMMERCE AND TRANSPORTATION

Over-all spending for Commerce and Transportation programs is scheduled to decline by $455 million in 1968, to a total of $6.9 billion. This includes the major highway trust fund operation.

Increases in many programs are more than offset by a $700 million reduction in Post Office expenses that would result from proposed postal rate increases, including a 1-cent jump in first class and air mail rates, effective July 1.

The increases for second and third class mail were not spelled out in the President's budget message, but Assistant Postmaster General Ralph W. Nicholson said it would at least match the 20 per cent jump in first class and air mail rates.

The increase for second and third class mailing—newspapers, magazines and advertising matter—would be delayed until Jan. 1, 1968.

The money received from the rate increase will be allocated for employee pay increases, the postal deficit and improved service. Specifically, the Department plans to use some of the money to restore the sixth day of parcel post service and to provide door delivery in some residential neighborhoods that now receive curbside service.

This would be the first domestic letter increase since Jan. 7, 1963. An increase in international mail rates was proposed Jan. 13 and parcel post rates went up Jan. 16.

Elsewhere in the Commerce-Transportation budgets, the President proposed establishment of a Beauty-Safety Trust Fund, to finance costs of highway beautification and safety programs starting in fiscal 1968. The B-S Fund would be funded by receipts from 2 percentage points of the manufacturers' excise tax on new automobiles, which it's estimated would provide an annual $400 million at the outset.

AGRICULTURE

When Congress renewed the Food for Peace program last year it set a basic annual authorization for the 1967 and 1968 calendar years of $2.5 billion (plus unused authorizations from prior years). But the fiscal 1968 budget calls for spending only about $1.8 billion against more than $1.7 billion estimated for the current fiscal year.

The Administration's recent stress on basing food aid volume on the recipient nation's determination to increase its own output means Washington won't be handing out food too freely. Fiscal 1968 estimates include shipping more Food For Peace wheat abroad (502.4 million bushels vs. the current fiscal year's 379.5 million bushels) under various provisions of the program. The estimated fiscal 1968 cost for wheat would be $976 million, up from this year's $869 million. Lower per-bushel costs would partly offset the greater volume.

The Agricultural budget proposes no significant changes in operation of the Department's crop output control-price support programs. Only a slight increase is projected in the cost of crop-control and related programs, to $1.8 billion in fiscal 1968. The Department expects net spending in this area to rise by $578 million in the new fiscal year, but largely offsets this by a bookkeeping device—an estimate that banks will take over another $550 million in the Government's price-support loans.

The Agriculture budget includes slightly less than Congress authorized ($104 million vs. $115 million) for fiscal 1968 spending on the special school milk program. In the school lunch program, the 1968 budget allows for "normal growth" plus modest outlays for special aid to needy schools, the new school breakfast program and lunchroom equipment. The food stamp program would continue to expand.

In what might be considered part of the Administration's Great Society efforts, Agriculture's budget would extend or insure nearly $1.5 billion in farm-ownership, farm-operation and rural housing loans in fiscal 1968.

Agriculture's budget again proposes an overhaul of rural electric and telephone cooperatives' financing, including establishment of a revolving fund that would reduce Treasury outlays.

NATURAL RESOURCES

The Interior budget shows several spots where money requests for fiscal year 1968 fall well below what Congress authorized.

For example, Congress last year authorized $450 million for a stepped-up program of sewage treatment plan construction grants, but the budget calls for only $203 million in new obligational authority and estimates spending at $152 million.

In the field of dam-building, and other water projects, the President's budget calls for "a small number of new starts" in fiscal 1968. For the Corps of Engineers: a scant nine projects; for the Bureau of Reclamation, four projects (two small). Of these new starts, only one involves power generation.

The President concedes the pace of current dam construction has been braked to fight inflation. The new budget again proposes putting the Bonneville Southwestern and Southeastern Power Administrations on a partly self-sustaining basis, which would reduce demands on the general budget.

One small budget casualty involves activities in preservation of historic properties—which falls in the National Park Service budget. Congress authorized $10 million in fiscal 1968, but the budget estimates spending at $2.1 million.

VETERANS

The President asked $6.1 billion for veterans benefits and services and proposed higher educational allowances and more training for Vietnam war veterans.

His request for fiscal 1968 is $300 million less than the estimated spending during fiscal 1967 because it anticipates $552 million in increased sales of assets acquired under veterans housing loan programs.

The appropriation would "help assure that every returning veteran may attain a better education and job," President Johnson said, and "extend to veterans of the Vietnam era all compensation, pension and medical benefits accorded to veterans of earlier wars."

He also said he would propose legislation to amend the servicemen's group life insurance program "to enable each serviceman to increase substantially the insurance protection for his family."

INTEREST

The record $14.15 billion in interest requested by President Johnson is larger than the total budget for the year 1941. It is also bigger than the debt itself prior to 1919.

It represents a $1.36 billion increase over the revised interest payments for the current fiscal year which were inflated by the highest interest rates in more than 40 years.

At the end of the current fiscal year on June 30, the public debt is expected to reach $327.3 billion. By June 30, 1968, it is scheduled to grow to $335.4 billion, above the present, temporary debt ceiling of $330 billion. A request to hike the ceiling will go to Congress later this year.

Summary of Federal receipts and payments

[Fiscal years. In billions]

Description	1966 actual	1967 estimate	1968 estimate
Federal receipts:			
National income accounts receipts—Federal sector	$132.6	$149.8	$167.1
Deduct: Timing adjustment (cash versus accrual)	−1.2	−3.9	.4
Add: Loans repaid, differences in coverage, and other adjustments	.7	1.0	1.4
Total cash receipts from the public	134.5	154.7	168.1
Deduct: Trust fund receipts	34.9	44.9	48.1
Add: Intragovernmental transactions and other adjustments	5.1	7.2	7.0
Administrative budget receipts	104.7	117.0	126.9
Federal payments:			
National income accounts expenditures—Federal sector	132.3	153.6	169.2
Deduct: Timing adjustment (cash versus accrual)	−.3	.2	.4
Add: Loans, differences in coverage, and other adjustments	5.2	7.5	3.6
Total cash payments to the public	137.8	160.9	172.4
Deduct: Trust fund expenditures	34.9	40.9	44.5
Add: Intragovernmental transactions and other adjustments	4.0	6.8	7.1
Administrative budget expenditures	107.0	126.7	135.0
Excess of receipts (+) or payments (−):			
National income accounts—Federal sector	+.3	−3.8	−2.1
Receipts from and payments to the public	−3.3	−6.2	−4.3
Administrative budget	−2.3	−9.7	−8.1

EXPERTS' FORECASTS OF ECONOMIC OUTLOOK FOR 1967

Mr. PROXMIRE. Mr. President, the policies of this Congress will be heavily determined by our own estimates of economic prospects for 1967. What we expect the economy to do in the next 12 months will have more to do with our votes on the vast economic legislation that comes before us than the last election or even our expectations about the next one.

Obviously, if we anticipate a serious inflationary threat, we will be much more inclined to vote against Government spending programs, for tax increases, and less inclined to press legislation that will ease borrowing opportunities. A surplus in the Federal budget depends largely on what we do in Congress. Such a surplus would help greatly to hold prices down.

On the other hand, if we anticipate that this long period of economic expansion may be coming to an end and that unemployment and even bankruptcies may increase, while profits go down, our attitude toward a tax increase would be more negative and we would be more inclined to support proposals to provide assistance to unemployed and to permit those firms that needed capital to get it.

A deficit in the Federal budget would be expansionary; and, of course, only the Congress can provide this.

So, economic forecasting is right at the heart of sensible congressional policy

At the same time, economic forecasting has an erratic record. It has been wrong almost as much as it has been right. But it has also been improving. And whether we like it or not, each of us must make at least unconscious forecasts of economic prospects in connection with the many votes we cast in Congress on matters affecting the Nation's economy.

It is true that the Council of Economic Advisers make their highly expert forecasts, which will be available to Congress tomorrow. These are able men. They have excellent economic credentials.

But their position handicaps them. After all, can a Member of Congress really imagine the President's Council of Economic Advisers predicting that the President's policies will be highly inflationary, on the one hand, or lead to a recession—even a slight recession—on the other?

Those policies themselves are partly the result of the advice of these same economic experts. To accept their predictions on what the policies will do to the economy would be unwise. The conflict of interest is obvious.

Under these circumstances, there is, of course, no Delphic oracle to which we can go. But the advancement of the forecasting art and the development of a series of highly expert forecasting services provide some impartial and competent estimates on what we may expect in the coming 12 months.

With all this in mind, I ask unanimous consent that a series of summaries of the forecasts of what kind of business conditions we can expect in 1967, by some of the ablest groups and individuals in this fascinating economic art, be printed in the Record at this point.

There being no objection, the summaries were ordered to be printed in the Record, as follows:

National Industrial Conference Board—"Business Outlook 1967": A Discussion by the Conference Board Economic Forum and Guests Held at the Waldorf Astoria, New York City, November 28, 1966

The conclusions of the ten members and three guests of the Conference Board of Economic Forum, meeting for the 21st year, summarized by Martin R. Gainsbrugh, Senior Vice President, National Industrial Conference Board, presented the average consensus of the participants.

For the year 1967, as a whole, the GNP is placed at $787 billion, or 6 per cent above the corresponding output in 1966. The group's expectation is that the growth will be at a slower rate not only for the year 1967 but significantly slower in the second half than in the first—up 3.2 per cent in the first half as against a rise of 2.7 per cent in the closing half. Thus, the GNP is estimated at about $802 billion for the fourth quarter, 1967.

Changes in the index of industrial production are expected to be far more modest than the anticipated changes in the gross national product since the latter incorporates value as well as volume change.

Virtually every member of the forum indicated a continued increase in consumer prices, but with a slowing rate in the second half. Wholesale prices have stabilized of late, and the forum has them moving up in '67 less than the CPI.

For the last key aggregate, unemployment, the group was almost unanimous that full employment in the lexicon of the form will again prevail in 1967 but with some slippage in the closing half of 1967 to a figure of 4 per cent or slightly higher by year end.

A descriptive word, . . . on the basis of the forum's collective views, is "consolidation," certainly not recession. . . . As the second half of 1967 matures, there will be a regrouping of demand-and-supply forces far more sweeping than in the months immediately ahead. This consolidation process should be facilitated as we move into 1968, if not earlier, by the restoration of the 7 per cent investment incentive and liberalized depreciation.

Accelerated corporate tax payments, too, will have been eliminated, as we move into 1968. Far more attention, too, may very well have been extended to stepping up the rate of home-building activity, through both public and private measures.

The process of consolidation may thus be building this expansion on a sounder basis as the year ends than when it begins.

The American Bankers Association: Credit Policy Committee and the Department of Economics and Research

According to the Business and Credit Review and Outlook published by the A.B.A.'s Credit Policy Committee and the Department of Economics and Research, the present business expansion, now almost six years old, will continue to advance in '67 but at a slower rate than last year.

GNP in 1967 is expected to reach $783.7 billion—an increase of 6.2 per cent over the previous year's estimated $737.8 billion. Not all of this gain in GNP will be real in the year ahead. An increase in the physical output of goods and services will account for more than one-half of the increase, or about 3.5 per cent of the rise. The remainder—2.7 per cent—will be due to price increases.

In 1967, the thrust of the 6.2 per cent rise in GNP will again come from Government spending. The advance in this economic sector is estimated at 13 per cent. Consumer spending will be a little below that of the previous year, but will support the business advance by rising at an annual rate of 6.2 per cent. The growth in GNP, however, is expected to receive little impetus from business investment, residential construction, or from business inventories.

William H. Chartener, Economist, Goldman, Sachs & Co.: Address Before the Forecast Forum, Investment Analysts Society of Chicago, December 15, 1966

There are signs that we are heading into a recession, although the recession may not even be detectable except by professional chart-watchers and people in afflicted industries. The leading indicators have had a dreary aspect for several months. We shall probably come out of this recession in a matter of months since the basic forces in the economy are unusually strong.

Defense spending is probably rising about $3 billion, in annual rate terms, per quarter now. I expect the rise to be about $2 billion by spring and $1 billion per quarter later in 1967. But defense spending is still almost certain to remain among the more important expansive forces in the economy.

Inflation, which I would define pragmatically as the prices we pay rising faster than we care to see them rise, will continue through 1967.

The rate of increase in prices, though, is likely to be less in 1967 than it has been in 1966.

With consumer prices rising close to 4% at an annual rate, it would be surprising indeed if unions acceded graciously to a reduction in the real wages of their members—particularly when labor markets are tight. Under these circumstances, I would regard the recent pattern of about 5% for major wage settlements and the moderate rise in strike shutdowns as reassuring.

For 1967 as a whole, our expectation is 8½ million passenger car sales—which should be no occasion for tears.

I believe there is a good chance that housing starts will regain the million-and-a-half level by the end of 1967 and double to 1.7 million within the next two years.

Latest reports of plans for plant and equipment spending in 1967 indicate a rise of less than half the 16% increase occurring this year.

On the National Income basis, we expect profits after taxes to be about $48 billion in both 1966 and 1967.

The Wharton School, University of Pennsylvania: As Reported in December 3, 1966 Issue of Business Week

The Wharton School operates a computerized model of the U.S. economy constructed along so-called econometric lines to forecast general business conditions. The forecast reported in the December 3, 1966 issue of *Business Week* indicates that the model at that time pointed to contingent growth throughout '67 at roughly a 4% per year rate with an overall annual rate of increase in prices of about 2½% against 1966 experience of 3.7%. This would mean an average rise of about $12 billion per quarter in gross national product in 1967.

The model indicates that the size of 1967 wouldn't be changed much by shifting the mix of fiscal and monetary policy. Consumer spending is expected to rise about $6.6 billion per quarter, about $1 billion less than this year.

Non-residential construction, plus producers' durable equipment spending will rise only 5% from this year's anticipated fourth-quarter rate to the third quarter of 1967 with no increase in the fourth quarter.

Inventory accumulation will slow down to about $7.5 billion per year. Imports will rise faster than exports, which will impair the net foreign trade surplus.

The labor market will not ease. Unemployment will be down to 3.5%, compared with 3.9% at the time the projection was made.

Profits will continue moving up strongly, despite higher costs.

Gerhard Colm, Chief Economist, National Planning Association, December 1966

A summary of our estimates indicates a further rise in gross national product in current dollars, and likewise in constant dollars, though at a somewhat reduced rate as compared with the recent past. Taking into account the prospect for productivity advance and labor force growth, the projected 4 per cent real growth rate implies an over-all unemployment rate rising, by the end of 1967, somewhat above the average recorded in recent months.

The high level of business spending, continued during the last months of 1966, will probably slacken through 1967.

Residential construction starts showed a steady downward trend, significantly decreasing in the third quarter of 1966. The outlook for this sector of the economy is made more dire by stringent credit conditions, saturation of the market, high rates of interest, scarcity of funds for both those building and those purchasing homes, and rising costs of construction. A conservative estimate of this sector is that the rate of decline will taper off as the floor is approached midway in 1967. Congressional action to aid this sector of the economy is quite likely to have some effect by that time, and a modest upturn may occur toward the end of next year (although it may not be of a magnitude sufficient to affect the annual rate of residential construction).

Inventory accumulation is expected to run lower in 1967 than in 1966, partly because of the rise in steel prices in August 1966, the continuing uncertainty of the annual rate of automobile sales, the fact that some procurement programs will rise in the fourth quarter of 1966 and the first quarter of 1967 but might taper off through the remainder of the year, and the general uncertainty pervading the economy.

The road ahead for 1967 may be rougher than it was for previous years. There will be more bottlenecks, more labor disputes, more price rise. Policy will be determined largely by the political developments in Southeast Asia and other parts of the world; by decisions at what level to continue economic and social programs that have been initiated; by the need to combat the threat of inflation and the balance of payments deficit by monetary, fiscal, and price-wage policies, and particularly by the necessity to better balance these component parts of a comprehensive anti-inflation program; and, finally, by psychological factors of importance under conditions of uncertainty. How the partly conflicting goals of policy will be reconciled in the political arena is a question which the economic crystal-ball gazer is even less equipped to answer than the political soothsayer.

Dr. Oliver Jones, Director of Research, Mortgage Bankers Association of America, December 29, 1966

The most optimistic projection of business plans for plant and equipment expenditures foretell a lower volume of business demands for credit. After a rapid build-up in inventories, the slowed pace in autos, appliances, retail sales, and steel also suggest that business will require less credit in 1967. Bank loans to business have already slowed, but some of this demand has shifted to the capital markets. The momentum already built up will keep business demands for credit relatively high during the first half of 1967, but a marked reduction can be anticipated in the second half.

Consumers have already slowed down their credit demands. Net additions to consumer installment credit in the second half of this year have been running below 1965, and in October the $380 million added to consumer installment credit was the smallest in several years. Surveys of consumer buying intentions indicate that those moderating influences will continue in 1967. There is good reason for these changes. Buying power has eroded steadily in 1966 and reduced the consumer's discretionary income. Still consumer expenditures will continue to rise throughout 1967 but the pace will be slower, releasing some credit for other uses and discouraging further expansion of productive capacity.

We have little hard information about the federal budget at this time, but a deficit of $12 billion is clearly possible. Thus, the Treasury will remain a heavy borrower during much of next year. Even so, government expenditures are not likely to increase enough to offset in full a slower rate of growth in the private economy.

All of this adds up to a gross national product of $772 billion for 1967. Government expenditures will be increasing throughout the year. Consumer expenditures, particularly on durables, will increase at a slower pace. The drag on the economy during the first half of the year will be in residential nonfarm construction outlays and moderately in inventory adjustments. In the second half, residential construction should increase sharply while additions to inventories and plant and equipment expenditures are reduced.

In this frame, private nonfarm housing starts will continue at a relatively low level during much of the first half of 1967, around the prevailing 1 million unit annual rate, and pick up sharply during the second half to reach a 1.6 million annual rate by December. This delayed turnaround will produce an average volume of private nonfarm starts of 1,188,000 units, only slightly below this year's 1,220,000 units. More important, the trend will be up.

"The Agriculture Situation and Outlook for 1967": Rex F. Daly, Chairman, Outlook and Situation Board, November 14, 1966

Another good price and income year is in prospect for farmers in 1967, even if realized net farm income does not quite measure up to the near-record 1966 level. This is the best judgment we can make in the face of the greater-than-usual uncertainties in the agricultural outlook for 1967.

Prospective developments for the next 6 to 9 months seem fairly clear. But the picture becomes a bit more blurred than usual as we project further into the 1967–68 marketing year. Among the uncertainties in the economic outlook for 1967 are possible changes in the Vietnam conflict and their impact on the general economy and agriculture; new grain programs with added acreage and their influence on 1967 crop output; and foreign crop prospects and their effect on export markets.

Domestic demand for food and fiber is expected to increase in 1967, but not so much as the whopping advance this year. Expanding output, more jobs, and prospects for a more rapid rise in wage rates in 1967 will increase consumer buying power and the demand for farm products.

Farm output will likely increase by a sizable margin over this year, with much of the gain in grains, soybeans, hogs, poultry, and eggs. Producer prices for food and farm products as a whole next year may average close to 1966 levels; but wages, transportation and other costs of processing and marketing are expected to rise. Accordingly, a further increase is indicated for retail food prices. The rise is not expected to be anything like the big increase now indicated from 1965 to 1966. However, it is expected to exceed the average annual increase of 1½ percent from 1960 to 1965.

"Factors in the 1967 Economy": Talk by Louis J. Paradiso, Associate Director, Office of Business Economics, U.S. Department of Commerce, 44th Annual National Agriculture Outlook Conference, November 14, 1966

To sum up: The foregoing discussion suggests that business activity may be expected to continue upward throughout 1967, with a high probability that the increases would be at a slower pace than this year, assuming that the Vietnam war goes on at the present tempo. The momentum of the current boom will carry through in the first half of next year so that a slower rate of increase is quite likely in the second half than in the first half.

This year, real GNP is expected to be about 5½ percent above 1965; the increase in the total labor force is 1.7 million or 2.2 percent; the number in the Armed Forces has increased by about 400,000; this year's gain in productivity for the entire economy is estimated at 2.5 percent. These numbers imply a reduction in the rate of unemployment from the average 4.6 percent in 1965, to 3.9 percent this year which, on the basis of the actual rates for the first 9 months, look reasonable.

I am citing these figures to show how we have accomplished the interim objective of reducing the rate of civilian unemployment to around 4 percent. This rate was achieved with an increase in real GNP of 5½ percent, an expansion which was required to reach the low rate of unemployment. However, in the process, imbalances and price pressures have developed. Such a high growth rate of output is not sustainable without causing further severe pressures and imbalances. Now that we have attained a relatively low rate of unemployment, we can maintain this rate with a slower growth in real GNP than we had this year.

For purpose of illustration, let us assume that the gain in total labor force in 1967 will be 1.6 million, a little smaller than the 1966 increase, and that the Armed Forces will rise by 300,000 over this year's average of 3.1 million; the assumed increase is not much above the 3,230,000 in the Armed Forces as of this past September. Also, let us assume that total productivity in 1967 will be a little higher than that expected for this year—a gain of 2.7 percent over 1966; and, finally, we shall assume that the rate of unemployment remains at this year's average of a little below 4 percent. Then it follows that to absorb the growth in the labor force a real GNP growth of about 4½ percent would be needed.

This is not a forecast, but it does provide the dimensions of the real growth in output needed to maintain the rate of unemployment at a relatively low level.

If the growth rate of output is reduced to a more sustainable pace, we shall reap two important benefits: The present imbalances in our economy would be corrected and price pressures would ease. If the present rapid pace of economic activity, however, should continue, the penalty eventually will be a painful adjustment. I don't think anyone knows at this time, considering the uncertainties, that tax increases or control measures would or would not be required to moderate the tempo of economic activity in 1967. The President is watching developments closely and when the picture becomes clearer he will make a decision one way or another.

The Prudential Insurance Co. of America: "Prudential's Economic Forecast for 1967, the Outlook in Brief"

What worries some observers, however, is not our ability to expand production but that the boom will peter out and a recession begin in 1967. They point to declining housing starts, weakness in new orders for durable goods, lagging car sales, and depressed stock prices as symptoms of an economy heading for trouble. We do not share this view. Although the rate of economic growth may slow in the second half of 1967, we expect no recession during the coming year. In brief, these are our reasons:

Federal government spending will soar $12 billion, as both defense and non-defense expenditures continue to rise.

State and local spending will increase $5 billion. While substantial, this gain is somewhat less than the amount indicated by a simple projection of past trends.

Business capital outlays will rise $6 billion of 7½ percent in the full year 1967. Although this is only 60 percent as much as the dollar rise in 1966, it is still a considerable advance. The combined effect of tight money and the suspension of the 7 percent investment credit will reduce new orders but will not affect actual outlays until mid-1967. At that time, a minor and short-lived dip in plant and equipment expenditures is likely.

Inventory buying will continue at an above-normal $7.5 billion, compared with the hectic $10.5 billion accumulation of 1966.

Housing starts have been in the doldrums for months. As a result of tight money, a more than 300,000 unit backlog of demand has been accumulated. The result will be an upturn in housing expenditures during the second half of 1967, just as plant and equipment expenditures begin to show signs of easing.

Consumer expenditures will rise 7 percent, in line wtih our projected increase in personal incomes. The average American family will enjoy a boost in income from $7,250 in 1966 to $7,600 in 1967.

We conclude, therefore, that overall GNP will rise an impressive $50 billion, from $740 to $790 billion. This equals a 7 percent increase, of which inflation will claim 3 percent, real growth 4 percent. During the second half of 1967, however, some slowing of the expansion is expected. The result will be smaller real growth but also less intense price pressures as the year draws to a close.

Dr. Arthur F. Burns, Professor of Economics, Columbia University and President, National Bureau of Economic Research: "The Economic and Financial Outlook"

Let me now summarize briefly what I have tried to convey. The expansion of this economy has recently abated considerably, and this slackening is likely to continue in the private sector. Indeed, were it not for the the federal sector, we might now be gradually moving into a recession, albeit one in which the price level would still be under upward pressure. With federal spending continuing to rise, an early recession is unlikely. Even so, the growth of aggregate demand is likely to abate, economic crosscurrents will multiply, some industrial slack may develop; and while business as a whole should be good, profits will be less satisfactory than the volume of business. In view of the uncertainties of war, if for no other reason, prudence requires effective restraint on nonmilitary expenditures, but the economic case for a tax increase now appears very doubtful. All these surmises and judgments, I need not repeat, are based on relatively optimistic assumptions concerning future financial costs of Vietnam.

I would like, finally, to suggest a few lessons that may usefully be drawn from recent experiences.

1. Expansionist fiscal and monetary policies, if pushed beyond a point, may readily bring on inflation and threaten the continuance of prosperity. Economic forces have momentum and work with lags. Unless inflationary pressures are recognized at an early stage and steps taken to slow down gradually the growth of aggregate demand, blunt measures—such as those used in the credit market this year—may become unavoidable.

2. Although the promotion of a high level of aggregate demand is a vital governmental responsibility under modern conditions, we should not seek through expansionist policies what can be achieved at lower cost, and with more lasting effect, by attending diligently to the structural causes of unemployment.

3. The flow of factual information needs to be improved. We need current and comprehensive statistics on job vacancies as well as on unemployment. And we need information on prospective federal revenues and expenditures, quarter by quarter, similar to the information that the government now compiles on business sales expectations and investment intentions.

4. Perhaps most important of all, we need better coordination of economic policies. When, in a year of full employment and inflationary pressures, the government runs up expenditures sharply, tightens credit to a point that one day this summer seemed almost to invite panic, does little about taxes, exhorts labor to be modest about wage demands, and simultaneously legislates a substantially higher minimum wage, it appears that the art of managing our national prosperity has not yet reached the excellence that we hope for it.

A. G. Edwards & Sons, an Address Before the Industrial Relations Club of St. Louis by Oliver M. Langenberg, November 16, 1966: "Profit Prospects—1967"

So, very briefly and putting my conclusions at the beginning, what we look for is a continuation of this present period of slackening growth going through the balance of 1966 and most of next year, 1967, with negative forces gathering momentum in the early and the middle part of the year, hopefully bottoming out late in 1967 or early 1968. It is still too early to determine the extent and depth of a downturn. We just don't know about Vietnam. If the many questions that can only be resolved by the Administration are done so properly, the effects of a downturn can certainly be modified and the stage set for exploiting our bright long-term potential.

So, what does this all add up to? The picture as we see it is that we are closing in on a long period of business expansion. Demand by the consumer and business is leveling off and will decline next year as a result of the imbalances that have developed since 1965. Government spending, however, will rise, hopefully less than earlier expected as a result of the recent elections. We now have to boil off some of our excesses during which corporate profits, which already are flattening out, will be declining. How much you ask? Plus or minus 15 percent by year-end 1967, with some industries with a high labor component experiencing a much greater decline is my guess.

Business Week, December 31, 1966: "The 1967 Balancing Trick"

The U.S. economy will be trying to pull off a high wire act in 1967. And business, government, and labor will all have a tough time keeping their balance.

By all the odds, the problems will not cook up into a recession. The best available information points to a 1967 gross national product of around $790-billion, up $50-billion, or 7%, above last year.

Plenty of trouble. Demand will continue to press against capacity. Productivity gains will come hard. Profit margins will be difficult to maintain. And the fight will be intense between business and labor over how income should be distributed.

Real output will grow at a 4 percent annual rate.

Prices will continue to rise fast—at a 3 percent annual rate.

Productivity gains—the oil from the wheels of the economy—will come harder. The Labor Department experts who track productivity expect the year-to-year increase to average no more than about 2.5 percent to 2.6 percent in 1967, as against this year's 2.9 percent and the 3.5 percent average of the earlier years of the boom.

Unemployment will rise slightly from the current 3.7 percent.

Profits will stay high, but the trend will be level or perhaps slightly down.

National Association of Homebuilders, November 1966: "Economic News Notes—1967 Forecast"

In 1967 the economy will likely once again show substantial growth but at a slower pace than during 1966. Gross National Product will increase by $53 billion or at a rate of 7.2 percent. Due to increased inflationary pressure already being experienced during the latter half of 1966, real growth will be held to about 3.2 percent. The total GNP next year will be double that of 1959. In that 8 year period, however, residential construction will have increased by only 12 percent.

Economic growth during 1967 will take a different shape than that in 1966. Corporations, which in recent years have experienced rapid growth, heavy demand for their products and a resultant growth in corporate profits, will make only modest gains in profits during 1967. This, if coupled with a tax increase and a loss of the major portion of the benefit from the 7 percent tax credit, would result in a slowing in the rate of plant expansion. Any freeing of funds from the sector could eventually have a positive impact on the home building industry.

Slower rates of growth will affect the employment picture in 1967. The seasonally adjusted rate of unemployment is now running at 3.8 percent but will soon begin to edge upward. Any reduction in the commitment of men in Vietnam would also accelerate this rise. 1967 will be a year of major labor contract negotiations which usually put pressure on prices.

High levels of consumer after taxes income, have increased personal consumption expenditures by $100 billion since 1964. During 1967 the increase is expected to be $34 billion with the heaviest rise in the service sector. The consumer appears to be spending not only all his additional income but a little more. The savings rate has dropped from 5.5 percent of disposable income in 1965 to 5.1 percent this year and will fall even lower in 1967, to 4.9 percent.

The 11th Quarterly NAHB Metropolitan Housing Forecast covering 94 metropolitan areas indicates a further decline in home building activity during 1967.

After weighing the forecast for geographic representation and for the mixed single and multifamily activity, it was found that the decline during 1967 would be approximately 8 percent or an additional 100,000 units.

National City Bank of Minneapolis: "The Economic Outlook for 1967," by Walter W. Heller, January 3, 1967

In sum, the following overall GNP pattern emerges for 1967 from the foregoing analysis:

A 1967 GNP in the neighborhood of $780 billion, or about $42 billion above 1966.

A near-6% advance over 1966 in money GNP, but only 3% in real GNP.

A rather soft economy in the first half of 1967, gaining momentum in the second half and pushing toward a fourth-quarter GNP of $800 billion or a bit beyond.

In drawing lessons for policy from this GNP forecast, one must bear vividly in mind the earlier warnings about margins of error and the premium on skillful timing and maximum flexibility. Not many months ago, most of us foresaw strength in the first half, with the danger of undue softening delayed until summer or fall—not to mention that the whole year looked stronger than it does now. What does the revised outlook imply for policy?

First, it calls for all deliberate haste in easing monetary restraints, even at some risk on the beleaguered balance-of-payments front (though the probable readiness of Germany, Canada, the United Kingdom, and perhaps even France to follow our lead on lower interest rates tends to reduce this risk).

Second, if there is to be a tax increase (and I, for one, still favor a modest surtax to buy more monetary ease and more budget leeway for the Great Society), its economic risks can be minimized by aiming at a July 1 effective date, thus not adding to the burdens of an already soft first half; giving the stimulative effects of easier money time to be felt before imposing the surtax; permitting a better assessment of whether the *quid pro quo* in (a) easier money and (b) stronger support of essential civilian programs will really be forthcoming; keeping open the option of no tax increase at all in case the economic softness proves to be more than temporary.

Third, several important and flexible fiscal weapons should be pressed into action swiftly if and when needed: restoration of investment tax incentives; restoration of Federal highway funds; adjustment of the size and effective date of the projected Social Security increases.

The year 1967 will be a difficult one, economically. Wrong-headed economic policy could even make it a dangerous one. But with responsive economic policy—which I expect—it will be a year of movement toward better economic balance and a stronger base for future economic growth.

"The Economy in 1967": By Irving Schweiger—Text of His Address at the Annual Business Forecast Luncheon on December 7, 1966—Irving Schweiger is Professor of Marketing in the Graduate School of Business at the University of Chicago

In 1967, I expect the current economic boom to end. It will be a year characterized by downward revisions in sales targets and planned capital investment, by rising unemployment and industrial disputes, and by major changes in monetary policy. The boom will end not with a crash but with a materially reduced rate of growth and an economy unbalanced and dangerously sensitive to an unexpected truce in Vietnam, should it come in the early months of 1967.

My estimate is that the Gross National Product will total $778 billion in 1967, about $39 billion more than in 1966. However, a little more than half of this increase will be water resulting from substantial price rises, and only $19 billion of the $39 billion advance will accrue from growth in real output of goods and services. The number of unemployed persons will rise steeply from very low current levels as one of the more serious consequences of a greatly diminished rate of growth coupled with rapid expansion of the labor force.

Very briefly: I consider that present monetary and fiscal policies have been more effective in shrinking demand in the private sectors than is generally believed and that they will be more than sufficiently potent unless altered. Full effects of these policies have been masked by continuing waves of price and wage increases and by surveys that ascertain business investment plans to be still rising.

Instead of a gain in plant and equipment spending in 1967, I believe the yearly total will just about match the $79 billion of spending in 1966. From the fourth quarter of 1966 to the fourth quarter of 1967, I anticipate a decline of about 10 percent.

I am therefore allowing for an increase of $11 billion in defense spending in 1967 compared with a $9.5 billion rise in 1966. Nondefense Federal spending will be pruned heavily and I anticipate only a very small increase in this category. On the other hand, spending by state and local governments will continue to rise strongly and should total about $8 billion above the 1966 figure.

In 1967, slackening in consumer demand will contribute significantly to a lessened rate of overall economic growth. Tight credit is undoubtedly one major factor in contraction of the housing and automobile markets.

Disposable personal income will total about $435.5 billion, a gain of about 6.2 percent. Consumers are expected to increase their total spending for goods and services by only 5.5 percent. The difference is accounted for by higher interest payments and by a small increase in the rate of personal savings attributable to a reduced rate of spending for durable goods, primarily automobiles.

My estimate is that total private residential construction expenditures in 1967 will be about $24 billion, more than $2 billion below the total for 1966. Because of anticipated loosening of the credit reins, the fourth quarter 1967 rate is placed at about $26 billion.

In summary, the economy in 1967 is expected to grow less in real terms than in any year since the recession of 1960–1961. Monetary restraint applied forcefully, with modest assistance from fiscal policy, is completing the task of checking demand in the private sector of the economy—business and household. In the absence of a major expansion of the war, delicate and skillful shifts in governmental policy are now required to smooth transition to a new balance in the economy. It is probable that errors in monetary and fiscal policy will occur. A year ago fiscal and monetary restraints were too slow in coming and too weak to be effective before major damage resulted. In 1967, monetary and fiscal restraints are likely to last too long in too great strength for the needs of the economy. Slow growth, higher prices, major strikes, rapid increase in the number of unemployed, and greatly varying trends in individual markets are anticipated.

In spite of the complexities and strains, GNP in 1967 is expected to grow about 2.6 percent in real terms and by 5.3 percent or $39 billion in the higher prices that will prevail.

It will go down in the books as a nonvintage year for the economy.

"An End to Economic Euphoria": Text of Address by Beryl W. Sprinkel, Vice President and Economist and Director of Research for the Harris Trust & Savings Bank, Chicago, at Annual Business Forecast Luncheon, December 7, 1966

For the first time since 1960, a convincing although not conclusive case can be made for a recession within the year. If not for the anticipated strength in Federal and state and local spending, the argument would be completely convincing. Leading indicators of economic activity are quite weak, with well over half contracting. The present pattern is typical of developments prior to either a leveling tendency in the economy or a recession. At a minimum, this evidence suggests the rate of rise in the private sector of the economy will slow.

Analysis of individual major sectors of the economy fails to disclose hidden strengths. Consumer surveys suggest the consumer developing restraint after engaging in the longest and largest buying spree in U. S. history. Auto sales appear to be headed downward by at least a half-million units and probably more. Residential construction is severely depressed and money market conditions and building permits show no indication that improving demographic factors will exert a stimulus in near-term months.

Surveys of plant and equipment spending plans for all of 1967 indicate no rise above the current projected rate. Already plant and equipment spending is running 6 percent above the annual rate for 1966 and surveys suggest a 3 percent to 5 percent increase in 1967 over 1966. Although some modest increase may occur early in 1967, the recent suspension of the investment credit is likely to initiate a downtrend in plant and equipment spending in the last half. Inventories have risen over $10.5 billion in the past year and if sales gains moderate as expected, less inventory accumulation can be expected in 1967.

History is replete with evidence that our economy cannot adjust smoothly to abrupt policy shifts such as occurred in monetary policy in 1965 and 1966. Although the economy is probably not yet beyond the point of no return, historical relations suggest that continued monetary liquidation for a few more months would mean recession in 1967.

Although continued monetary restraint would, in my opinion, mean recession, I must assume that for both political and economic reasons the current policy will shortly be reversed even though there are numerous examples in the past where such reasoning proved erroneous. Even if we avoid a recession, the economy will surely show less steam in 1967. We project a rise in GNP to about $777 billion, approximately 5.3 percent above 1966. At least half the rise will represent inflation, so that real output will increase well below the long run trend and unemployment is likely to rise.

In such an environment corporate profits will come under pressure as wage rates rise well in excess of productivity gains.

Interest rates have probably already recorded their highs for this cycle, but so long as inflation remains a serious threat and recession is avoided, a sharp reduction in interest rates is unlikely.

There are times when convictions concerning the future trend in economic activity can be formulated with great confidence, i.e., at 3 to 1 or better odds. Unfortunately, the present is not one of those occasions.

"Monetary and Fiscal Policy and the Commercial Banking System": An Address by Walter E. Hoadley, Senior Vice President and Economist, Bank of America at American Finance Association Annual Meeting Panel Session, December 29, 1966

The second factor I mentioned—the course of the general economy—is a highly debatable subject these days. Polls of economists and other forecasters reveal an unusually loud chorus of complaints that 1967 is proving to be one of the toughest years to predict in a long, long time.

The current opinion of many of the nation's most seasoned economic forecasters, however, is that 1967 will see a rise in:

1. Gross national product of about 6 percent,

2. Consumer prices of no more than 3 percent, and

3. Industrial production of slightly more than 2 percent. But they foresee *no rise* in interest rates, no drop in unemployment, *and* a small additional decline in new housing starts.

In my judgment, this consensus still gives an encouraging picture of prosperity ahead for 1967, but not without some obvious problems. For some months, the coming year has seemed to me to be one of "pock-marked prosperity." The standard forecast just given clearly is less buoyant than just a few weeks ago, and general confidence is waning. Once again, we've had a dramatic shift in sentiment within 60 to 90 days—from widespread fears of overheating to rising concern about impending recession.

Private demands for money seem likely to diminish at an irregular pace over the year ahead, but not until the record high second quarter tax payments have been covered. Contributing to slackened private demands will be the cresting of plant and equipment expenditures, reduced inventory and receivable build-ups plus some actual liquidations, and lessened need to acquire added funds for financial reserves as well as operating purposes.

Economic trends in Western Europe suggest some cooling there as well as in the United States. In part, this undoubtedly reflects, as here, the inevitable results of restraining monetary policies. There also seems to be some scattered evidence, however, of supply catching up with some of the formerly urgent phases of durable goods demand. The profit margins of foreign enterprises, including those owned or controlled by U.S. organizations, are showing signs of narrowing, abroad as well as at home. Hence, new direct investment overseas in 1967 should continue to drift lower than in the recent past, taking some pressure from the developed countries off the international money market. The developing nations, however, will continue to ask for huge credit accommodations next year to the full limits of available money supply, so no sharp decline in international interest rates seems likely.

In short, the year 1967 will be another rough one for all who are directly or indirectly involved in making public or private financial policy decisions. Flexibility and liquidity must and should dominate most thinking. Tight money will not disappear as a problem next year, although some of its most acute aspects should be gone, and some of the delayed consequences of tight money are still to be felt. The authorities no doubt will make some progress toward achieving a better balance between fiscal and monetary policies in guiding the economy, but monetary policy will still have to carry much of the load.

Business Roundup: Fortune Magazine's Forecast for the Next 18 Months—January 1967

The great industrial boom of the past six years, which has lifted factory output by a half and total output by a third, is now coming to an end. From its extraordinarily high level, the U.S. economy is embarking on a new phase, call it pause, readjustment, or even recession. Roundup expects that the FRB index, about 158 in November for the fourth month in a row, will go off five points in coming months and then level out. Real GNP at a $758 billion rate last quarter, should level out and then edge up (see chart). In current prices (rising 2.5 percent a year), GNP will go up from $739 billion in 1966 to $770 billion in 1967, as Roundup in effect forecast last July.

Defense. The spending rate for arms has risen some $15 billion since 18 months ago, 3 times as much as Roundup was then considering as a possibility, and this, of course, has had a giant multiplier effect on GNP. On present prospects, the next 18 months, and some of that will again represent higher prices.

Budget. Federal fiscal policy, which notably failed to act as a restraint on the boom, does not promise to supply any stimulus now that the economy is turning. The rate of outlays soared by $23 billion in the past year, to $150 billion, on the national-income accounting of the budget, which went into deficit last quarter for the first time in a year. Outlays should be going up at only a $9-billion annual rate over the next 18 months.

On the revenue side, changes in social-security taxes and the suspension of investment incentives are now putting $2 billion more a year into the till, and the economy would throw off an additional $10 billion annually if it kept at full employment. A more realistic appraisal of economic and revenue prospects, however, indicates a moderate deficit.

Capital goods. Fixed investment in new plant and equipment has swelled by almost two-thirds or $30 billion over the past six years, in real terms. But the gains have been diminishing from $8 billion in 1965 to half that rate lately. And now demand for new capacity is being crimped by the suspension of the investment tax credit and the money situation. Next quarter, the volume of investment will be hardly bigger than it was last quarter, and then it will decline. Even when the tax credit is restored and credit gets easier and cheaper, the investment rate will not turn upward, but will continue to decline at a moderate $2 billion a quarter or less.

Utilization rates will meanwhile fall sharply, for example by nearly 10 percent in manufacturing where capacity will be expanding 7 percent and output dipping 3 percent. A year hence, outlays will still be reflecting large capital appropriations made recently, but new appropriations will be very much smaller, and as time goes on outlays will follow them down.

Inventories. Business accumulation of stocks hit a new peak rate last quarter, about $14 billion on Census' latest available data and a bit more on Roundup's own preliminary accounting. Cutbacks in industry are bringing the accumulation rate down now, and Roundup projects that it will drop, quarter by quarter, to zero by next summer, then turn into a $2-billion rate of liquidation in 1968.

Construction. Since spring housing starts have dropped from a rate of 1,500,000 private nonfarm units to below 900,000. Beginning soon, and over the next 18 months, the rate should climb back to its former level. Building activity is $8 billion down from the spring rate of $28 billion; by mid-1968 it will still be catching up.

Public-works volume, at $21 billion for two years, should decline a bit owing to presidential limitations on funds for highways and buildings, as well as to a lag in state and local bond financing. But in 1968 the volume should rise $1 billion again.

Prices and wages. In the past year consumer prices and the price level in general have risen nearly 3.5 percent which is about 2 percent more than the average of previous years. In the next 18 months prices will go up less than in the past year but again more than the prior average, probably by 2.5 percent per annum, possibly, a bit more.

Wage costs, of course, have been accelerating. New contract settlements have recently been averaging around 5 percent in pay increases. These, and more of the same to come, will speed up the rise in the average factory wage rate, which already has gone up 3.5 percent in the past year.

Consumer spending. Over the next 18 months the volume of consumer purchases will go up only about half as much as the $32 billion it advanced in the past year and a half.

Credit. The Federal Reserve already began to relax its credit policy last month, as witness the significant fall in money rates, particularly at short term, and the ease with which the market absorbed heavy new corporate flotations. The downtrend of interest rates is not apt to be headlong. And on the experience of the past two decades, they may not get back to where they were.

Exports. The U.S. export surplus hit a low last summer, a rate of $4.3 billion, down some $4 billion from its 1964 levels. Most if not all of this loss should be recovered by mid-1968.

Imports are the key now. They have been racing ahead, $1 billion a quarter, in part to meet demands U.S. suppliers could not fill, but hereafter they should decline, as domestic capacity grows and home demand eases.

THE LATE IRVING MARTIN—1865-1952—ELECTED TO CALIFORNIA PRESS ASSOCIATION'S CALIFORNIA NEWSPAPER HALL OF FAME

Mr. KUCHEL. Mr. President, the role of journalists in America has been, since the pamphleteers of colonial days fostered the spirit of independence, one of unique contributions to maintenance of liberty, and leadership toward progress for our people and our country.

The California Press Association long has manifested its earnest respect for the dynamic force and inspiration, and high regard for the dedication, and service of outstanding figures in this often prosaic business by maintaining a newspaper hall of fame. Election to this select institution is a most cherished honor, and choices are not made lightly.

The outstanding character named for 1966 was the founder of the respected Stockton Record, the late Irving Martin. I am delighted to recall that I had the privilege of acquaintance with him, although he was, of course, many years my senior, because among his other distinctive achievements was ardent support of one of my predecessors—in fact, one of my personal heroes in public service—in this body. I am doubly honored because my late father has been elected to that hall of fame, also. Mr. Martin was greatly instrumental in the advancement of the late, great Hiram W. Johnson to the governorship of our State, and to a conspicuous career as U.S. Senator.

During a full lifetime in journalism, Mr. Martin's experiences were touched with both romance and realism. Known widely for rare humor, and perspicacity, his influence on growth in the San Joaquin Valley has been indelible.

I believe inspiration will stem from reading the account of his stewardship of the newspaper he founded, which appeared in a recent issue of The California Publisher. I ask unanimous consent that this article be incorporated as part of these remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STOCKTON RECORD'S MARTIN ELECTED TO HALL OF FAME

Founder and publisher of the Stockton Record for 57 years, strong influence on his city's progress and future, influential in state affairs, a newspaperman all his life and ranking with the best—Irving Martin was elected to the California Newspaper Hall of Fame by the California Press Association Friday, Dec. 2.

Following announcement of the election, Carroll W. Parcher, Glendale News-Press, presented the award to Martin's grandson, Irving L. Martin, publisher and general manager of the Stockton Daily Record today, who accepted saying:

"My grandfather, the late Irving Martin, who is being honored here today, was endowed with a keen sense of brevity in his writing as well as his public speaking. For example, he announced the advent of the Stockton Record with this editorial in the first edition back on April 8, 1895:

GOOD AFTERNOON

There has, for a long time, been a clamor for a daily newspaper in Stockton that will print all the news. The Evening Record will stop the clamor. Good evening.

"That was all! With those few words he launched a lifelong career as a publisher.

"It is with a deep sense of humility and gratitude that I come here today to acknowledge my grandfather's selection to the California Newspaper Hall of Fame.

"Naturally, I feel that the honor is deserved! But it is overwhelming to realize that others, and particularly the members of the California Press Association, share this feeling.

"This is a remarkable tribute you are paying to my grandfather because the history of California's newspapers is filled with great men. This honor will serve to impress upon me and the 400 members of the Record organization more forcefully than ever before that we have a heritage that demands our greatest efforts—not only to fulfill the pledge set forth in my grandfather's first editorial but also to strive, as he did, to assure that the Stockton Record maintains a degree of journalistic integrity that cannot be excelled. . . ."

The Keepsake presented by the CPA briefed the new Hall of Fame member's life and record as follows:

DEAN OF NEWSMEN

Irving Martin of the Stockton Record was the acknowledged "Dean of California Newspaper Men."

He was born March 19, 1865 in Bath, South Carolina of parents whose home was Catskill, N.Y. These parents died while he was still an infant. He was farmed out to relatives in the East, and at the age of 7 came to relatives in California on a ranch in Yuba County. He attended school spasmodically.

At 17 young Martin looked for broader opportunities in education. He came to Stockton with the hope of taking a business college course. Lack of funds made it impossible. He secured a job as shop boy in the composing room of the Stockton Morning Independent at $4.00 per week. At 23 he was a journeyman printer and a real student of grammar and spelling. This led to a place on the Independent's reporting staff in a short time.

Before he was 25 he acquired a half interest in a weekly newspaper, the Commercial Record. By 1895 he owned the whole paper. Another Stockton daily was about to go under and he convinced the bank to let him buy it without putting up any cash. Consequently on April 8, 1895 the Stockton Daily Record was born and he was founder, editor and publisher—all this at the age of 30.

Martin showed wide state civic leadership. Governor Hiram Johnson in 1913 appointed him to the California Water Commission. Governor Wm. D. Stephens put him on the State Railroad Commission. Governor C. C. Young placed him on the State Board of Control and made him Chairman of the State Tax Commission in 1927. He was Campaign Chairman for Governor Earl Warren in 1942.

In Stockton he promoted the deep water ship channel, the modernization of the Fire Department, the development of the city park system.

In 1952 he became Chairman of the Board rather than President of the Stockton Daily Record and his grandson, Irving L. Martin, became President.

Editor and Publisher quoted Martin's concept of the principal duties of a newspaper as follows: "First, to get and to publish as much news as you can. Second, to interpret that news and make it plain. Third, to provide descriptive comment and opinion. It does not make much difference whether the readers agree with you. It does matter that they are stimulated by it and thereby find and learn their own opinion . . . If you express your honest convictions, few readers will quarrel with you."

Irving Martin died in Stockton on December 7, 1952, at the age of 87. He was truly a great leader and an inspiration to all the newspaper world.

The Keepsake is signed by Lowell E. Jessen, CPA president and publisher of the *Turlock Journal*, and Parcher.

FACED HARD COMPETITION

When Martin started his daily newspaper, he faced discouraging competition. There were two other Stockton dailies, the *Independent* (morning) and the *Mail* (evening), both well entrenched. Competition and rivalry for subscribers and advertising was frequently bitter. In later years, Martin said he was able to carry on by giving "a great deal of attention" to job printing and book binding—he operated the newspaper at a loss!

Gradually, however, his community affairs interest began to be noticed and his paper gained influence. It began to be known for "its vigilance, sometimes for its militancy, certainly for its independence." Subscribers increased and advertising began to flow in.

To meet increased demands, in 1912 Martin completed the construction of a three-story plant on Market Street—a plant still the home of the *Record* at the time of Martin's death.

With the added debt of the building, his financial status was precarious, but he had assumed the debt in expectation that a new plant would result in better service and increased revenue. His independence asserted itself, however, and he and his paper became embroiled in a bitter local controversy. The fight cost heavily because of a boycott, the withdrawal of advertising and canceled subscriptions.

Martin's biographer for the CPA continued: Time alleviated enmities, and sound business interests won out. The paper survived the ordeal; subscribers returned; advertisers reinstated contracts. For a few years, the newspaper experienced a calm prosperity, only to encounter another financial crisis in 1917.

ABSORBS THE MAIL

The Mail, his evening competitor, was taken over by its creditors, the chief among them appealed to Martin to buy the dying paper. He answered the appeal, bought the competitor, absorbed most of its staff into his own—and—ran his debt up to $165,000 in the process.

Taking the competitor over proved a wise move. There had been too many newspapers for the size of the city. Advertisers and subscribers both evidenced their approval. In the booming years after World War I, advertising revenue grew, circulation was extended to contiguous counties, and the Record's plant was thoroughly modernized. To cap the progress, the paper finally paid off its debt.

With the attainment of financial balance, Martin turned his attention to public affairs and became a leading figure in the political furor that brought Hiram Johnson to the governor's mansion. Gov. Johnson appointed him to the board of trustees of Fresno State Normal School and he served six years and four years on the California Water Commission.

His other state appointments mentioned above followed.

By the time of his retirement, Irving Martin had become widely known as the "Dean of California newspapermen"—a designation of which he was very proud. During his last years, numerous other honors were accorded him:

An honorary doctorate from the University (then the College) of the Pacific; the San Francisco Press Club's coveted honor symbol, the Black Cat statuette; public acclaim by 200 California editors meeting at Stanford University; a full page devoted to his life and an interview in Editor & Publisher; and numerous editorials in newspapers throughout the state.

California Press Association judges who selected Martin for the honor and served on the committee chaired by Parcher were:

A. W. Bramwell, publisher, Chico Enterprise Record; Mrs. J. D. Funk, president, Santa Monica Evening Outlook; William F. Knowland, publisher, Oakland Tribune; Ray Lovett, retired, Peninsula Newspapers, Inc.; Fred McPherson, Santa Cruz Sentinel; Hank Osborn, editorial department, Los Angeles Times; E. B. Person, Santa Rosa Press Democrat; Wanda Davis Phillips, society editor, Beverly Hills Citizen, and Homer Wood, Porterville Evening Recorder.

California newspapermen elected to the Hall of Fame by the California Press Association and the year they were elected were:

1957: James King of William, San Francisco Bulletin; Robert Baylor Semple, Monterey Californian; Walter Colton, Monterey Californian.

1958: William S. Green, Colusa Sun; M. H. and Charles de Young, San Francisco Chronicle; Sam Brannan, California Star.

1959: Loren Upson, Sacramento Union; James McClatchey, Sacramento Bee; John Nugent, San Francisco Herald.

1960: W. F. Bartlett, Livermore Herald; Henry Kuchel, Anaheim Gazette; Duncan McPherson, Santa Cruz Sentinel.

1961: Col. Harrison Gray Otis, Los Angeles Times; Charles Albert Storke, Los Angeles Daily Herald, Santa Barbara News, Independent.

1962: William Randolph Hearst, San Francisco Examiner; James Anthony, Sacramento Union.

1963: Fremont Older, San Francisco Bulletin, Call and Chronicle.

1964: Chester Rowell, Fresno Republican, Sacramento Chronicle.

1965: William Prisk, Long Beach Press Telegram, Grass Valley Union.

TOO GOOD TO BE TRUE?

Mr. CHURCH. Mr. President, the January 30 issue of Newsweek contains an article by Walter Lippmann entitled "To Good To Be True?" which I believe is a penetrating and, I am happy to say, optimistic commentary on European affairs. I would like to quote several sentences from that article. Mr. Lippmann writes:

> The news from Europe seems too good to be true. For what it says is that the European cold war is over and that there is a powerful movement under way to bridge the great schisms which divide the Europeans. The schism between Communist and non-Communist Europe. Between the two Germanys. Between France and Germany. Between the Common Market and the European free-trade association. Between the two of them and the East European countries. Between the NATO allies and the Warsaw Pact allies. And, if and when Vietnam can be resolved, between Washington and Moscow.

Mr. Lippmann then goes on to explain how each of these schisms is being bridged. He discusses the new German Government's acceptance of the principle that reunification can come only as a result of the pacification of Europe, instead of the old theory that reunification could be achieved only by compelling the Soviet Union to surrender East Germany. He also discusses the importance of troop reductions and notes that the armies of occupation of both East and West are already being reduced, if not in numbers then in quality.

I urge all Senators who are interested in what is happening in the Europe of today, and what is likely to happen in the Europe of tomorrow, to read Mr. Lippmann's article and for this reason I ask unanimous consent that it be inserted in the Record at this point.

There being no objection, the article was ordered to be printed in the Record.

Too Good To Be True?

(By Walter Lippmann)

Having fed on so much bad news for so long, we find good news hard to believe. In deed, we do not quite dare do it, feeling superstitiously that something terrible will happen to punish us for being wishful. The news from Europe seems too good to be true. For what it says is that the European cold war is over and that there is a powerful movement under way to bridge the great schisms which divide the Europeans. The schism between Communist and non-Communist Europe. Between the two Germanys. Between France and Germany. Between the Common Market and the European free-trade association. Between the two of them and the East European countries. Between the NATO allies and the Warsaw Pact allies. And, if and when Vietnam can be resolved, between Washington and Moscow.

The beginning of this movement goes back several years—roughly speaking to about 1960—with the coming into power of the postwar generation of men. The initiator and spokesman in this movement has been General de Gaulle, who voices the aspirations of Europeans to get on past the cold war, and by calculated action has shattered the institutional structure of the cold war.

Very recently, since October, the movement of pacification has gathered great momentum. Historians may find that Chancellor Erhard's reception in Washington at the end of September and, ten days later, President Johnson's speech of Oct. 7, brought on the benign crisis in the midst of which we are living.

The Erhard-Johnson encounter announced to the world, and particularly to the West Germans, that the Washington-Bonn axis—forged by Dr. Adenauer with Secretary Acheson and Dulles for the conduct of the cold war—was dissolved. This lead immediately to the black and red coalition of the Christian Democrats and Social Democrats, over which Chancellor Kiesinger presides.

RECONCILIATION

The new West German Government has reversed the fundamental policy of its predecessors. Instead of the old theory that Germany could be reunited by compelling the Soviet Union to surrender East Germany, the Kiesinger government accepts the principle that reunification can come only as a result of the pacification of Europe. This change of mind and heart in the Germans has led them back to a reconciliation with France and is leading them forward to accommodations with Moscow, Prague, Warsaw, Budapest, Bucharest, Belgrade, and to their compatriots in the German Democratic Republic.

It goes without saying that bridges across all the schisms cannot be constructed overnight. But we need not be afraid to believe that they can be built. For they will serve the true national interests of the several European nations. They are based, moreover, on the fact that Europeans, including the Russians, have to a degree unknown to most Americans today come to regard war among themselves as unthinkable and intolerable. The new generation of Europeans are profoundly opposed to the use of war as an instrument of policy, and it would be fascinating to be able to foresee what they will therefore make of the future.

In the near future we have reason to hope that a way will be found to bring to an end the isolation of Great Britain. For the disintegration of the British Empire has been followed by the virtual dissolution of the bonds of the Commonwealth and the fading out of the special relationship with the United States. The disparity of power between America and Britain has become too great to permit the kind of partnership which Churchill believed he had formed with Roosevelt.

GROWING CONSENSUS

For Great Britain there is no genuine alternative to becoming a European nation. This is bound to mean the liquidation of the remnants of empire east of Suez. It will come to mean a termination of the sterling commitment. After that, Britain will be in fact a European power and there can be no doubt that her European neighbors will welcome her in their community.

There is also in the making a military understanding between East and West. The most probable beginning will be the reduction of the anachronistic armies of occupation which have been in the positions they now hold since the end of the second world war, more than 20 years ago. There is a growing consensus that it is safe to reduce these armies, and as a matter of fact, they are already being reduced, if not in numbers then in quality.

The European movement toward the pacification of Europe has been advancing effectively and rapidly without leadership from Washington, indeed, since Washington became inactive in European affairs. But if, as we are daring to hope and believe, the great schisms are bridged, it will be very evident that the full stabilization of European peace requires the full agreement of the

Soviet Union and the United States on the character of that peace.

GENOCIDE MUST NEVER HAPPEN AGAIN

Mr. **PROXMIRE**. Mr. President—

> Take five quarts of water, six pounds of human fatty acids; add eight ounces of caustic soda. Boil for two or three hours then cool.

This formula was practiced and perfected less than a quarter century ago for the manufacture of soap. The second element is neither a misstatement nor a misprint—it calls for "6 pounds of human fatty acids." The mind literally boggles at such a recipe.

Ashes of these same human bodies were scattered on the victory gardens of the Third Reich. Wide experience proved them to be effective fertilizer.

Dachau, Treblinka, Belsen, Auschwitz—just a few of the bastions of brutality and depravity. At Auschwitz alone, 17 tons of gold were extracted from the dental fillings of slaughtered human beings. As a caveat to the living—an infant would be torn in two by ripping apart his legs.

Mr. President, I offer this brief recital of common atrocities—not to incite any passions of vengeance nor to advocate further retribution for those who were the perpetrators.

I address not the dead, but the living. Mankind cannot divorce these painful memories from our collective mind. Truly, in the words of George Arnold:

> The living need charity more than the dead

But if our belief in human dignity and human worth is real, we must respect the sacrifice of these millions of our fellow human beings, not in a frenzy of vindictiveness, instead by a solemn vow that never again will we as civilized human beings fail to believe, fail to concern ourselves, or fail to prevent such acts on this earth.

I believe the U.S. Senate does care about human worth and human dignity. I believe that the Senate will ratify the United Nations Convention on Genocide. But Mr. President, that treaty has been languishing in the Committee on Foreign Relations for 17 long years. Only the Senate—not the President, not the House of Representatives, and not the State Department—can act and this body has been cruelly neglectful in not acting to ratify.

It is good to recall the wisdom of the UNESCO Constitution:

> Since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed.

The very keystone in the defense of peace is universal condemnation of genocide. The U.S. Senate has ignored and avoided this duty for 17 years. Let us avoid and ignore no longer. Let us ratify.

THE U.S. PLOWSHARE PROGRAM

Mr. **PASTORE**. Mr. President, the Joint Committee on Atomic Energy has generously supported the Atomic Energy Commission in its program to develop peaceful applications of nuclear explosives—a program more commonly known as the Plowshare program.

Nuclear explosives contain tremendous amounts of energy in relatively small packages. Because of this fact it has been recognized that it may be feasible with the use of many nuclear explosives to build a second transisthmian canal cheaper and faster than conventional excavation technology will permit. Paper studies to this end have been made and a few excavations, or cratering, experiments with nuclear explosives have taken place at the Nevada test site. It is necessary, however, to establish the technical feasibility of building an interoceanic canal by nuclear explosives and to develop explosives that would be capable of accomplishing such excavation safely.

In order to accomplish these developments, underground nuclear explosions which produce craters, but very little radioactivity, are necessary. Unfortunately, a significant cratering program has not been carried out by the Atomic Energy Commission to date. By this I mean, until very recently the Plowshare scientists have not been given permission to actually set off the nuclear explosions they need in order to learn how best to use nuclear explosives to excavate holes and ditches. This has not been due to a lack of support by the Joint Committee. In the committee's report on the AEC's authorizing appropriations for fiscal year 1967, we said the following:

> In the past few years progress has been made in the development of nuclear devices for Plowshare. However, the demonstration of the ability to create craters by means of nuclear explosives, while containing most of the radioactivity produced, necessitates experimental excavation programs. Two such experiments were planned for fiscal year 1966. In spite of the assurances given to the Senate in 1963 during the hearings on the Limited Nuclear Test Ban Treaty that Plowshare cratering experiments could be performed, the fiscal year 1966 planned experiments have not been carried out. Data from such experiments are critically needed by the Atlantic-Pacific Interoceanic Canal Study Commission for their consideration of the route and means of construction for the proposed sea-level canal between the Atlantic and Pacific Oceans.

The Joint Committee has supported for the past several years proposals for cratering experiments in different media. Moneys were authorized and appropriated for these Plowshare excavation programs. For excavation alone almost $10 million in fiscal year 1966 and more than $9 million in fiscal year 1967 were authorized in the AEC's Plowshare program. An experiment known as Cabriolet, a low yield—several kilotons—cratering experiment was scheduled for execution at the Nevada test site in fiscal year 1966. That experiment, although authorized, was not conducted in fiscal year 1966.

The Cabriolet experiment is one of a minimum of six nuclear excavation experiments that are required to demonstrate the feasibility of excavating a transisthmian canal by nuclear explosives. Cabriolet is authorized and now scheduled for execution in fiscal year 1967. I have here a description of the Cabriolet experiment together with the AEC announcement concerning the conduct of this test early in February.

We also hope that the other five experiments, which include cratering events up to hundreds of kilotons in hard igneous and sedimentary rocks—the type of rocks to be found in the isthmus—and rows of nuclear charges, will be conducted as soon as possible. A reasonable length of time to carry out this experimental program to demonstrate feasibility is about 3 years. I think we should get on with this experimental program. The first experiment is authorized, funded, and ready to be fired.

I intend to examine in detail during this session of Congress the plans and schedules for the completion of this feasibility program and will urge that we get on with it. However, let us remember that, at present, all we can do is talk about building a canal with nuclear explosives; but, until we have demonstrated that it is technically and economically feasible and safe, we will not be in a position to get on with the task.

Mr. President, I ask unanimous consent to have the information to which I have referred printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

AEC TO CONDUCT PLOWSHARE CRATERING EXPERIMENT IN NEVADA

The Atomic Energy Commission will conduct a nuclear cratering experiment within the next few weeks as part of its program for developing excavation technology for peaceful purposes. The experiment, part of the AEC's Plowshare program, involves a nuclear explosion 170 feet underground at the Commission's Nevada Test Site. The explosion will release about 2.5 kilotons of energy (equivalent to 2,500 tons of TNT), creating a crater about 115 to 145 feet deep, and 425 to 460 feet in diameter.

The Plowshare program has as one of its goals the development, for the benefit of all nations, of an economic and practical nuclear excavation technology for use in digging harbors, canals, and railroad and highway passes through mountains.

The experiment—called Project Cabriolet—will be the next step in a continuing program to develop cratering theory. It will provide information about cratering effects in hard, dry rock as a basis for computer calculations and engineering studies.

Cabriolet will release only a small amount of radioactivity. Most of it will be trapped underground or in the earth and rock debris deposited near the crater. The experiment has been so designed that almost all the little remaining radioactivity will be deposited within the controlled area.

The plan includes awaiting very precise weather conditions to assure public health and safety. These weather conditions will dictate the exact date of the experiment. These and other precautions will assist the United States in meeting its obligations under the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space, and Under Water.

The earliest readiness date is expected to be sometime during the first week in February. Weather conditions could delay the experiment from 10 to 14 days.

A detailed discussion of Project Cabriolet and nuclear excavation is attached.

BACKGROUND INFORMATION ON PROJECT CABRIOLET

I. Introduction

The Atomic Energy Commission, in its Plowshare program, is studying and developing a technology for using nuclear explosives for peaceful purposes. With a tremendous amount of energy in a relatively small package, nuclear explosives may make feasible projects which otherwise would be uneconomic or technically impractical.

Since the Plowshare program was established in 1957, AEC has conducted 16 nuclear field experiments and extensive laboratory research and development, and has derived data from numerous nuclear tests conducted for other purposes. From this work an understanding of the basic phenomena of underground nuclear explosions is evolving. When a nuclear explosion occurs very deep underground in hard rock it produces a large amount of broken rock, but does not break the surface of the ground. When the explosion occurs at a lesser depth, a crater is formed in the surface. The AEC in its Plowshare program is currently studying in more detail the basic effects of explosions in a variety of geologic media and under a variety of conditions, and how these effects can be put to use.

The ability of an underground nuclear explosion, at the proper depth, to break and move—in one step—vast amounts of earth and rock offers potential for undertaking otherwise impractical earthmoving projects. Studies thus far, mainly based on results with chemical explosives, indicate that nuclear explosives might be used for large-scale projects such as constructing harbors, water reservoirs, ship canals, and highway and railroad passes through mountain ranges.

One potential application, the use of nuclear explosives to dig a sea-level canal, is being investigated in detail as part of a special study by the Atlantic-Pacific Interoceanic Canal Study Commission. As part of its responsibility under Public Law 88–609, the Canal Study Commission will recommend the best route and method of construction for a canal.

Recognizing the potential of a safe and economic excavation technology using nuclear explosives, the AEC has been actively engaged for several years in developing such a technology. To date, in addition to several hundred cratering experiments with chemical explosives, several nuclear cratering experiments in a variety of media and with energies up to 100 kilotons have been conducted. However, considerable experimental data are still needed before the technology is fully developed. Cabriolet is the next step in this development program.

II. Project Cabriolet

The AEC plans to conduct Project Cabriolet at its test site near Las Vegas, Nevada. The explosion is expected to release energy equivalent to nearly 2,500 tons (2.5 kilotons) of TNT. The explosive will be placed and detonated 170 feet underground and will form a crater with an expected depth in the range of from 115 to 145 feet, and a diameter of from 425 to 460 feet. The explosive will be put in place through a 48-inch diameter, uncased hole which will be stemmed, or sealed, with dense sand and concrete plugs set into the surrounding rock. This method of sealing the emplacement hole has been successfully used in previous cratering experiments, both nuclear and chemical.

This project is an important step in providing essential data on basic cratering effects from a nuclear explosion occurring at what appears to be the best depth underground in a hard, dry rock.

Project Sedan, conducted in July 1962, was the first major nuclear excavation experiment conducted in the Plowshare program. It released 100 kilotons of energy but was carried out in desert alluvium, a loose sand and gravel material. Although Cabriolet is 40 times smaller than Sedan, it will be an important step forward since it will be six times larger than the last experiment emplaced at the best cratering depth in hard rock—Project Danny Boy which released 0.4 kilotons of energy.

The determination of cratering effects at larger yields in hard rock is important because it is expected to be the most frequently encountered material in future excavation projects.

The information obtained from the experiment will be used in developing further the understanding of how craters are formed. In turn, this understanding is expected to result in increased confidence in predicting the characteristics of craters in other types of rock and from larger explosions. Data from field experiments, such as Cabriolet, combined with the most advanced knowledge of the physical and chemical properties of rocks and explosion phenomena, provide the input to complex computer calculations which produce a description of the entire cratering process. Thus, this cratering experiment will improve the computer calculations and, hence, the overall description of the cratering phenomenon.

Cabriolet will supply data with which to plan the future developmental program and to support on a timely basis the current feasibility studies of the Canal Study Commission.

Cabriolet, like previous underground cratering explosions, will release only a small amount of radioactivity. Most of it will be trapped underground or in the earth and rock debris deposited near the crater. The experiment has been so designed that almost all the little remaining radioactivity will be deposited within the controlled area.

The plan includes awaiting very precise weather conditions to assure public health and safety. These weather conditions dictate the exact date of the experiment. These and other precautions will assist the United States in meeting its obligations under the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space, and Under Water.

Some I^{131} may be deposited off the test site; however, because of the experimental nature of the test, the exact concentration at a given location cannot be predicted. I^{131} can be deposited on grass, concentrated in milk by cows which eat the grass and taken up by the thyroid glands if people drink the milk. For this reason, Cabriolet is scheduled to be conducted before the spring grazing season begins, so that any I^{131}, which has only an eight day half-life, will have decayed before any milk problem can occur.

The earliest readiness date for Cabriolet is expected to be sometime during the first week in February. However, awaiting the very precise weather conditions, which also could result in conflicts with other activities at the Nevada Test Site, might delay the experiment from 10 to 14 days.

OPERATION AND ADMINISTRATION OF FARM PROGRAMS

Mr. ELLENDER. Mr. President, yesterday I placed in the Record a letter which appears on page 1326 of the Congressional Record which was addressed to the president of the American Farm Bureau Federation in Chicago. I sent similar letters to all the farm organizations asking, in part:

> The purpose of this letter is to secure your cooperation in providing the Committee with a list of any problems or complaints with which your organization is familiar regarding the programs now in effect. These will be brought to the attention of the Secretary for clarification and review when he appears before the Committee.

Mr. President, I invite the attention of the Senate—in fact, all Members of Congress—that if they have any questions as to the operation of the Agricultural Act of 1965, with the food-for-peace program, they communicate with the Committee on Agriculture and Forestry as soon as possible so that we may have their views before the Secretary of Agriculture appears before us.

A NEW DAWN OF OPPORTUNITY

Mr. KUCHEL. Mr. President, on January 17, 1967, a statement advancing a Republican proposal for homeownership was made public. It was a statement subscribed to by 28 Republican Senators and concerned the need for new and creative approaches to the complex problems of our cities.

The principal catalyst for this joint effort was a proposal advanced by one of the able, new Republican Members of the Senate—Charles Percy, of Illinois. His approach seeks to encompass the vast resources of private enterprise in bringing about homeownership for economically underprivileged persons. It seeks, in the words of Senator Percy, a "new dawn of opportunity" to those now living in such desperate circumstances.

Mr. President, Republicans have long urged the incorporation of private enterprise into programs to improve America's future. I believe Senator Percy's proposal will be a significant contribution to these efforts and I was delighted to add my name to this statement. It emphasizes the determination of the Republican Party to deal boldly with the problems of urban America so long unsolved.

I ask unanimous consent that this statement be placed in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Twenty-Eight Republican Senators Advance Homeownership

The following Senators have subscribed to the attached statement on the problems of our cities:

Senator Gordon Allott—Colorado.
Senator Howard H. Baker, Jr.—Tennessee.
Senator Wallace F. Bennett—Utah.
Senator J. Caleb Boggs—Delaware.
Senator Frank Carlson—Kansas.
Senator John Sherman Cooper—Kentucky.
Senator Carl T. Curtis—Nebraska.
Senator Everett McKinley Dirksen—Illinois.
Senator Peter H. Dominick—Colorado.
Senator Paul J. Fannin—Arizona.
Senator Robert P. Griffin—Michigan.
Senator Clifford P. Hansen—Wyoming.
Senator Mark O. Hatfield—Oregon.
Senator Bourke B. Hickenlooper—Iowa.
Senator Roman Hruska—Nebraska.
Senator Jacob K. Javits—New York.
Senator Len B. Jordan—Idaho.
Senator Thomas H. Kuchel—California.
Senator Jack Miller—Iowa.
Senator Thruston B. Morton—Kentucky.
Senator Karl E. Mundt—South Dakota.
Senator George Murphy—California.
Senator James B. Pearson—Kansas.
Senator Charles H. Percy—Illinois.
Senator Winston L. Prouty—Vermont.
Senator Hugh Scott—Pennsylvania.
Senator John G. Tower—Texas.
Senator Milton Young—North Dakota.

Americans deeply concerned with the future of our cities and their inhabitants had little cause to applaud the State of the Union message.

No new approaches were offered for coping with the complex and baffling problems of the urban environment.

No new hope was extended to the millions of Americans who now inhabit our blighted slums.

No imagination, no creativity, no bold new thinking was evident in the three terse sentences uttered by the President in dealing with this question.

It is clear that the initiative for devising major new approaches to urban problems in 1967 must come from the Congress, along with State and Local governments and the private sector.

Nineteen sixty-seven must be a year for the beginning of a national effort to win the war against slums, and to bring a new dawn of opportunity to those now living in these desperate circumstances.

Three major principles must underlie progress toward this goal.

First, the enormous resources and strength of private enterprise must be brought to bear against the many-faceted problem of the slum. Mere lip service to private enterprise is not enough. Our national policy must be thoroughly reoriented to generate the maximum involvement of the private sector—business, labor, the professions, and nonprofit associations—in urban improvement. The role of government should emphasize reinforcement and guarantee, rather than execution and control.

Second, a new national effort must focus on home ownership for the economically underprivileged person. A century ago the Republican Party passed the Homestead Act, which populated the prairies of the West with free and independent farmers. Now the opportunity for home ownership and the values associated with it, must be opened to those presently beholden to the slum lord, or confined to tenancy in somber and impersonal public housing. For home ownership—whether it be a single family house, a condominium apartment, or a share in a housing cooperative—tends to bring pride and dignity and independence. How this great goal can be achieved must be one of the central questions faced by this 90th Congress.

Third, the poor people of our urban slums should be encouraged to actively involve themselves in self-help programs leading to better housing, decent jobs, and economic security. This task will not be easy. But government can do much more to generate in its people qualities of self-reliance and self-help. Self-help means self-esteem. Self-help represents a departure from "welfare paternalism". It means that a poor man can advance through his own efforts. The 90th Congress must find ways to help disadvantaged men and women become independent, not just ease their lives of hopeless dependency.

Here are principles on which a new national effort to bring dignity and a better life to today's slum dwellers must be based.

Republicans have long espoused imaginative forceful proposals for putting these principles into practice. Evaluating, improving and implementing these new ideas will be one of the most essential tasks of the 90th Congress.

The Republican Party will not fail to deal boldly with this responsibility. The 90th Congress *must* not.

"THE TIME OF THE HAWK"—NOVEL BY ANDREW TULLY

Mr. HARTKE. Mr. President, my friend Andrew Tully, whose column appears in several newspapers in my State by way of Bell-McClure Syndicate, has come along with a fascinating new book.

Mr. Tully is, of course, a distinguished reporter and writer whose books have portrayed Capitol Hill, the FBI, the CIA, and the Supreme Court. Some have been nonfiction and some fiction. His fiction is so well told that it is hard to remember that it is a product of Mr. Tully's imagination. Actually, his intimate knowledge of people and places lends credence to the idea that his novels are merely true narratives with some journalistic license.

Mr. Tully's deft treatment of our adventure in Vietnam is, frankly, what causes me some concern. This is the subject of his latest novel, "The Time of the Hawk." It is a sparkling piece of literature and may bring new controversy to the issue of when and how to wage peace in southeast Asia.

"The Time of the Hawk" portrays a mythical future time when the Vietnam cease fire is violated by the Communists of Peking and Hanoi. Its theme is that civil rights and liberal forces in this country have forced the United States into a premature cease fire, despite apprehensions of a hawkish President. The fictional result is political chaos in South Vietnam.

All this is told against Mr. Tully's vivid descriptions of atrocities, bombings, killings, and political upheaval. The rousing climax and closing of the book deal with international politics and cloak-and-dagger skulduggery.

This is a book of high quality and appeal but projects a pessimistic thesis. The very lifelike quality of this book may tend to discourage and disparage any accommodation with Hanoi or Peking.

Every war ends in negotiations. The war in Vietnam will probably end that way, for our announced goal is ostensibly not preconditioned on anything in particular. Certainly not on unconditional surrender.

If it is defeatist—as some assert—to seek negotiation wtih an enemy, it is far more defeatist to assume that no negotiating is possible. Worst of all is the assumption that negotiating with the enemy is always doomed to failure. Opponents of the test ban treaty tried this argument and they have been wrong. All mankind has benefited from the treaty.

"The Time of the Hawk," as I said, is based on the notion of a premature cease fire. American good faith is betrayed by machinations of Hanoi and Peking. Involved in this, too, is a religious angle which Mr. Tully develops by having a mad monk, privately in cahoots with Communists, seize power in Saigon.

In real life, negotiation is inevitable. It must be the goal toward which we set our course in this unfortunate war. It is the professed goal of the President and his advisers, however hawkish.

I prefer to think that our negotiators will insist on all possible safeguards to prevent deception and betrayal. Certainly, our negotiators ought to be alert to the possibility that Communist duplicity might pretend to agree to conditions while planning upheaval in Saigon.

As Winston Churchill once remarked, "Better jaw, jaw, than war, war."

There is, meanwhile, a fascination from the characters in the book. They include two brothers who are Senators—one a "dove" and one a "hawk." Mr. Tully's President also is threatened by impeachment because he insists on standing firm in Vietnam. I shudder at this outlook as well as the others.

My own dim view of our present position and action in Vietnam; the narrowness of our vision; and the elusiveness of peace make me take a second look at Mr. Tully and his book. I recognize that his forceful and dramatic presentation of the case for the hawks is not entirely without merit. It may stir new debate. If this is so and if the debate is constructive without further division and recrimination, there is good to be gained.

"The Time of the Hawk" is so vivid and forceful in its cynicism, I wonder about the consequences.

SUPPLEMENTAL WATER FOR MIRAGE FLATS, NEBR.

Mr. HRUSKA. Mr. President, this year my colleague from Nebraska [Mr. Curtis] and I are reintroducing legislation similar to S. 2976 of the 89th Congress, to provide a supplemental supply of water to the Mirage Flats project, in northwestern Nebraska, without imposing any additional reimbursement costs on the water users of the irrigation district.

The Mirage Flats project was constructed in the 1940's under the water conservation and utilization program, with construction under the supervision of the Bureau of Reclamation. It was to bring water from the Niobrara River to irrigate a total of nearly 12,000 acres.

The need for the legislation is based on the fact that there has never been enough water delivered to the farms in this project to really meet the requirements of sound agricultural operation. It would seem that the original calculations made in 1939 were faulty as to the amount of water that could be diverted from the river, or else the flow of the river during the years since construction of the project has simply been less than during the earlier period on which the estimates of the engineers were based.

Whatever the reason, it is clear from the history of the project that the amount of water the project would produce was overstated, and the ability of the farmers to pay was overestimated, inasmuch as they have never been as prosperous as it was expected they would be. In other words, if these factors had been correctly calculated at the beginning, it is likely that additional water from wells or otherwise would have been included as a part of the original project. It is now proposed by us that such additional works to provide supplemental water be constructed.

I ask unanimous consent to have printed in the Record an article entitled "Is There Enough Water for Mirage Flats? Other Irrigation Supplies Good," published in the Lincoln Sunday Journal and Star for December 11, 1966.

There being no objection, the article was ordered to be printed in the Record, as follows:

Is There Enough Water for Mirage Flats? Other Irrigation Supplies Good

Mirage Flats irrigation project in northwest Nebraska has a colorful name, a colorful history—and somewhat dim prospects for the 1967 irrigation season.

Behind the Flats' shortage of water—which seems chronic—may lie a costly miscalculation made early in its history, a state water official said.

Barring a miracle—natural or congressional—there will be too little water to meet 100% of the demands of farmers when the five-month irrigation season opens about May 1.

For most Nebraska irrigation projects drawing water from storage reservoirs, the irrigation outlook for 1967 is "good to excellent," State Water Director Dan Jones said.

"Mirage Flats is the only exception. Mirage Flats is the only one in really bad shape."

The natural miracle would come with unexpectedly heavy rains and snows. "Prospects don't look too good unless they get a lot of moisture," Jones said.

The congressional miracle would mean approval of plans to develop pump irrigation in the Flats. But a dispute between farmers and the government over who should finance the wells may block this.

Disputes are nothing new for Mirage Flats. About 10 miles long and three miles wide, the 11,657-acre project was once the scene of the bloody Niobrara Feud, a war between cattlemen and farmers.

In the late 1940's, Box Butte Dam, an earth and gravel embankment in Box Butte County about 10 miles north of Hemingford, was constructed on the Niobrara River to irrigate the Flats, a table land about 20 miles down river in Sheridan County.

The water, delivered by canal and ditch, caused the land to blossom with sugar beets, beans, potatoes, corn and alfalfa.

It was during this early period that the miscalculation may have been made, Jones said.

"The water supply never has been up to what we estimated it would have been, based on the rather meager records we had for planning.

"We haven't decided yet whether our estimates based on the records we had were really bad, or whether we're going through an extensive drought period up there.

"Precipitation during the last 10 or 15 years in that area has been generally below normal.

"Chances are a little bit of the two things are mixed in there—a lack of precipitation and an overestimate of the probable supply."

In planning irrigation projects, "We don't plan one that will have 100% supply of water in the worst year. If we did, we would have to cut the acreage down, and waste a lot of water in good years," Jones said.

"We usually figure that if you have a full supply eight years out of 10, you can stand at least minor shortages during the other two years."

At Mirage Flats, the lean years may be more than two of ten.

"The farmers could use some more if the water were there," a Bureau of Reclamation spokesman said, "but it's just not in the river."

Each year Mirage Flats farmers use nearly all of the Box Butte water for irrigation, "and there's not too much capacity to begin with," he said.

The Bureau reservoir can hold enough water to cover 30,420 acres with water one foot deep. Its peak last season was reached May 20 when it held 24,444 acre-feet.

The Bureau has offered a plan to provide the needed extra water by drilling wells upstream on the Niobrara.

"There are pretty good groundwater supplies along the canal," Jones said. "By controlling the number of pumps, you greatly increase the supply of water."

A feasibility study on the proposal went to the Bureau of Reclamation about two years ago, Jones said, but no action has been taken.

Jones cited "one thing which may have affected the progress of this proposal as far as Congress is concerned.

"The water users' irrigation district took the position that this additional supply from wells should be financed as part of the original project, that they should not have to repay the cost of this additional water.

"They reasoned that they got the land thinking that it had a full water supply; now they find they need more, they don't think they should have to put that on top of the other costs.

"This is not in line with the usual Reclamation projects. It would take special legislation to accomplish that."

Landowners in an irrigation district must repay certain costs of the project, usually costs of the distribution system, Jones said.

These costs are assessed—after the first decade of development—on the basis of irrigable land they have in the district, not on the basis of how much water they use.

In Nebraska there are 3.2 million acres being irrigated, Jones said, one million from reservoirs and the rest from groundwater.

The 1967 water supply for all of these acres of farmland is "in good shape," Jones said, except for the few thousand acres supplied from Box Butte Reservoir.

PRESIDENT JOHNSON AND THE PRESS

Mr. McGEE. Mr. President, one of the favorite preoccupations of the Nation's press is the character, personality, and political habits of President Lyndon B. Johnson.

Most of these press accounts would lead one to believe that the President is in a constant state of distress and rather discouraged about the course of his administration.

A rather refreshing refutation of this characterization is found in a recent column by McNaught Syndicate columnist Holmes Alexander. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the McNaught Syndicate, Inc., Jan. 20, 1967]

Johnson, 1967: The Press

(By Holmes Alexander)

Washington, D.C.—Peter Hurd's is not the only portrait that Lyndon Johnson doesn't like. He loathes with all the fury of his giant physique, hyperactive mentality and volcanic temper, those word-pictures which describe him as downcast in spirit because of the November election results, the surliness of Democratic governors and the plunging neckline of the popularity polls.

The President can ad-lib some short and bitter opinions of reportage which shows him as discouraged or in any doubt about the clear and present success of his Administration. Why are there journalists and book writers who tell lies just to hurt him, smear him, misrepresent him? Or he can enter upon colorful, graphic homespun analogies to tell how it feels to be tending the nation's well-being and to be distracted by some ugly and inconsiderate behavior too intimate to be ignored. It is like being at the bedside of a gravely ill wife and having your son come home reeling drunk. You are still there at the bedside in this critical hour, but the wretched deportment of persons whom you love and trust has wrung your heart and raised your honest anger.

The President was never dipped, like Achilles, into a magic bath which was supposed to make him invulnerable to the slings and arrows of conflict. There are more places on him than a heel where he can take a painful wound. But LBJ isn't much of an introspective bleeder. He gets over his injuries in a hurry by the willpower of banishing unpleasant matters from his mind and by the jet-engine thrust of energies which propel him at the speed of thought into the next problem on his desk.

You could say of Lyndon Johnson that he wouldn't know the death's-head of failure if he met it in the middle of the big road to the Ranch. If he feels discouragement, you would have to measure its duration by a stop watch. He is, as somebody wrote of George Washington in the Revolutionary War, "never more dangerous than after he'd taken a beating."

Mr. Johnson had one election stolen from him, but he made it to the Senate on the next run. He was a better Democratic floor leader when the margin was narrow than he was when it was wide in his favor. He bounced off the floor like a rubber ball when the massive heart attack laid him low.

Anybody who thinks President Johnson to be in a state of depression over the election of last fall hasn't heard him chortle about his ranch foreman—who listened to the electronic reporting, read the columns and came around to say, "Mr. President, I'm mighty sorry to hear you lost the House of Representatives." Mr. Johnson never got powdered sugar on his nose by peering through the doughnut hole. The way he sees it, there may be new Republican Senators named Percy, Hatfield, Baker and Brooke, but how many times in history have there been 63 Democratic Senators on Capitol Hill?

To be heart-wrung at unfavorable reporting in the newspapers, the magazines and Bill Manchester's book, and to be honestly angry about it, could make the man in the White House think of how Herbert Hoover was crucified during the depression, and how Franklin Roosevelt was pounded for trying to put the country together again, and how Harry Truman caught it in the neck from the inkpot slingers. A President who must worry about inflation, crime, race riots, legislation, administration of government and hot warfare—and who must hear himself ridiculed and abused—such a President just concludes that the American people give a man all these responsibilities and then, as a bonus, heap him with criticism and derision for any occasional slip-up. It's all part of the same job.

As it happens, Lyndon Johnson likes the job and can take the criticism, but there are times when he might lift up his leonine head and growl something like: "Look who's dishing it out." He has a pair of news tickers in his office suite, and somebody at hand might overhear him remark that in five minutes he can find five errors in the dispatches of the Associated Press and United Press International. Yes, but let the President of the United States make one small mistake and the American press falls like a thunderbolt upon his head.

The irritations and the ironies of the presidential office bear down upon him. The ingratitude that countries with a republican form of government commonly show to their superior men is ever in his mind. So is the license taken in the name of liberty by the free American press. And so is the fickleness of the people whom Hamilton once called "a great beast."

But none of this irksome contemplation takes President Johnson's attention from his work for any longer than it might take a man to swat at a buzzing fly. And is he downhearted? Not LBJ!

FARM POLICIES SHOULD BE CONCERNED WITH PEOPLE

Mr. McGOVERN. Mr. President, the Executive Committee of the National Catholic Rural Life Association is deeply concerned about the fate of 2 million farm families, if we accept the theory that American agriculture must be pulled down to a million farms.

At a meeting in Erlanger, Ky., on January 19, the committee adopted a resolution pleading that in setting farm policy, we give consideration to the spiritual, social, and cultural values at stake not only in uprooting farm people, but in the decline of rural communities and the throwing of "thousands of rural families into the impoverished ghettos of the larger cities."

I ask unanimous consent to place the text of the committee's resolution in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

A POLICY RESOLUTION IN DEFENSE OF THE 2 MILLION "EXPENDABLE" FAMILY FARMS BY THE NATIONAL CATHOLIC RURAL LIFE CONFERENCE, EXECUTIVE COMMITTEE, JANUARY 19, 1967

This year no special farm message is expected from the President of the United States and no major farm legislation is likely to be offered or considered in the Congress. Nevertheless, the National Catholic Rural Life Conference is deeply concerned and disturbed at reports from Washington which suggest certain attitudes and policies of the Administration which, if true, will be seriously harmful, we believe, to some two million farm families and to countless rural communities.

On the basis of exclusively economic norms—and not very sound ones, we judge—the decision seems to have been made that of the present 3.2 million farms in the U. S. only about one million can and should survive. Such a decision implies that farm programs and administrative actions should be designed to allow or encourage this result. We reject the easy assumption that only economic issues are involved. Also at stake are issues such as the destruction of the economic life and institutions of many rural communities and the enormous costs to cities absorbing and providing accommodations to those displaced.

The National Catholic Rural Life Conference strongly opposes such a policy. It neglects entirely the spiritual, social and cultural values of rural living. It is concerned more with prices and markets than with people. It means the uprooting of thousands of rural families to be thrown into the impoverished ghettos of the large cities. The spiritual, social and cultural values of the farm family and the rural community are important to our society and should be given priority in determining our agricultural programs.

The Conference recommends that the leaders of our country become more aware of values and norms which go beyond mere economic values. Farm leaders and farm organizations must unite their voices for the cause of their people and let their united voice be heard in the halls of the Congress. Individual farmers should communicate with their Senators and Congressmen insisting upon these other values and norms for the good of our society. Too much is at stake to do otherwise.

THE PRESIDENT'S FOREIGN POLICY

Mr. INOUYE. Mr. President, the recurring myth that President Johnson is something of a neophyte in dealing with foreign affairs has been exploded once again.

In fact, the Cleveland Plain Dealer gives this very characterization to an evaluation of the President's foreign policy record by the chief of its Washington bureau, John P. Leacacos.

Commenting editorially, the newspaper goes from one chapter to another in that record and finds good results in each. In Vietnam, it notes, the President inherited a commitment which has had to be enforced. He cannot be faulted on Vietnam at this point, and his total foreign policy record must be rated, in the Plain Dealer's terms, as good to very good.

To give emphasis to the President's successes, I ask unanimous consent that this summary be made a part of today's RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Plain Dealer, Jan. 3, 1967]

THE PRESIDENT'S FOREIGN POLICY

By his incisive evaluation of President Johnson's total foreign policy, John P. Leacacos, chief of The Plain Dealer's Washington bureau, has exploded the myth that the President, while a recognized giant in domestic affairs, is somewhat of a neophyte in dealing with situations abroad.

Outside of the Vietnam crisis which Mr. Johnson inherited, the President has shown an uncanny skill in knowing when to move and when to stand by patiently in critical developments engulfing other nations, either friendly or unfriendly to the United States.

His successes tend to be forgotten in the strident controversy over the American posture in Vietnam.

Leacacos reminds the reader of the solid progress the President has scored in his tireless efforts to improve relations with the Soviet Union.

His deft political and economic moves have established and promoted harmony between this country and the emerging nations of Africa.

Shrewdly, he has left to their own devices Charles de Gaulle, Fidel Castro and Abdel Nasser, enhancing his own prestige and dignity by ignoring their diatribes.

His policy of noninterference in Indonesia, despite gross insults to America, proved to be correct when that country sidetracked Sukarno and purged itself of a Communist threat in a manner devastating to Red China.

He moved swiftly into the chaotic revolt in the Dominican Republic against the advice of many in his inner circle and outside of it. Subsequent events have justified his stand.

It is only in Vietnam that the President's position on a foreign policy matter is under sustained fire, and here also time can vindicate him.

The integrity of the American commitment tied Mr. Johnson as tightly to the Vietnam involvement as it had Presidents Eisenhower and Kennedy.

It fell to Mr. Johnson, however, to implement the policy on which he could not backtrack without discrediting the United States before scores of smaller powers dependent for their security on a strong ally.

As Leacacos points out, the President's total foreign policy record must be rated as good to very good. It is too early to fault him on Vietnam.

KINDERGARTNERS AND "STAND-IN" GRANDPARENTS

Mr. MORSE. Mr. President, I read with a great deal of interest an article in the January issue of the Benedictine Nursing Home Reporter, a newsletter published by the Benedictine Nursing Home of Mount Angel, Oreg. The article, entitled "Kindergartners Win Prestige as College Adjuncts and BNH Aids," tells of a unique program at the home. Through it, 15 kindergarten children have "stand-in" grandparents at the home. The children visit their "grandparents" twice a week. At the home they are supervised by a teacher and the senior citizens act as teaching aids for the youngsters. The program was conceived by Sister Bernice, head of the department of education at Mount Angel College. She deserves a great deal of credit for her vision in bringing together the spirit and exuberance of the very young with the wisdom and gentleness of the elderly. Because I think this idea has a great deal of merit and may be of value to my colleagues, I ask unanimous consent that the Benedictine Nursing Home article be inserted in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Mount Angel (Oreg.) Benedictine Nursing Home Reporter, January 1967]

Casual visitors passing through our Nursing Home on Tuesday or Thursday mornings might encounter some momentary confusion as they come into the lounge and see preschoolers sitting on the floor, listening to stories, drawing, or standing beside some of our senior citizens, apparently getting confidential advice or help of some sort.

It is a unique experience—this "grandparent-kindergarten" project, and one which is proving to be of immense benefit to all involved.

Sister Bernice, head of education department at Mt. Angel College, conceived of a novel plan, whereby fifteen kindergarten children and a corresponding number of stand-in "grandparents" (residents in the nursing home) might derive mutual benefits from an interchange of learning activities.

Miss Mary Carlson, a patient at the Nursing Home and a certified teacher, supervises the program along with Sister Bernice and several student teachers. Miss Carlson conducts story hour for the children and also assists with lesson presentation and follow-up activities, while the "grandparents" fill their role as teaching aides.

The kindergarteners come for an hour, 9:30 to 10:30 A.M. twice a week, as part of their morning schedule. They seem to be thriving under the Senior Citizens, who in turn are beginning to see new horizons. They watch them at rhythm band and gymnastic activities and understand well the preference that snacktime receives.

No doubt the Christmas season brought an added joy this year, for each kindergartener presented a gift to his or her "grandparent" . . . "for such is the kingdom of heaven."

PROHIBITION OF ABUSIVE USE OF TELEPHONE

Mr. LONG of Missouri. Mr. President, on Tuesday, January 17, the senior Senator from Rhode Island [Mr. Pastore] reintroduced a bill to prohibit abusive use of the telephone. I was much pleased to see this early action, because this has been an area of concern to me for some time.

During the last Congress, I also introduced a bill on threatening and harassing telephone calls and appeared before Senator Pastore's subcommittee when hearings were held on the two bills. My proposal was limited to a narrower range of abusive calls but was applicable to intrastate as well as interstate calls. Nevertheless, I believe the bill approved by the subcommittee and later by the Senate set out a responsible and long-needed solution to a severe problem that plagues the people of our Nation.

Therefore, I endorse the bill S. 375 and hope it can be moved to early enactment. Mr. President, I commend Senator Pastore for his leadership and dedicated efforts to rid our Nation of this menace that has frightened and enraged so many of our fine law-abiding citizens.

THE NATION ABROAD

Mr. INOUYE. Mr. President, while endorsing President Johnson's sum-up of the picture in southeast Asia, the Baltimore Sun commends him equally for emphasizing the importance of our relations with Eastern Europe in his state of the Union message.

The Sun agrees with the President that both military and economic factors have prevented the Vietnam issue from wholly blocking the movement toward an American-Russian detente. It suggests that we in Congress can contribute to an atmosphere of progress by passing an East-West trade measure.

As for Vietnam itself, the newspaper says that the President's statements provide in themselves a strong argument for supporting his search for a reasonable and honorable solution of the conflict.

In order that others may study this newspaper's reaction to the President's foreign policy discussion, I asked unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

> [From the Baltimore Sun, Jan. 12, 1967]
>
> THE NATION ABROAD
>
> Apart from a brief broad glance at the rest of the world, the international portion of the President's State-of-the-Union message dealt in some fullness with two areas, Eastern Europe including the Soviet Union, and Southeast Asia including Vietnam. At a time when the latter occupies so much of our capacity for concern, Mr. Johnson did well to emphasize, in detail, the importance of the first.
>
> In our relations with Russia and Eastern Europe, said the President, we have avoided both the acts and the rhetoric of the cold war; and indeed it is encouraging for the future that the Vietnamese struggle, over which Washington and Moscow diametrically disagree, has not created a new chasm of fear and distrust between the two. Vietnam has perceptibly slowed down the movement toward an American-Russian detente, but has not wholly halted it. One reason, as Mr. Johnson suggested, is a common interest in arms control and disarmament, in the realization that an accelerated arms race "would impose on our peoples, and on all mankind, an additional waste of resources with no gain in security to either side." Another reason is economic, in the tendency toward normal trade. The Congress can contribute to an atmosphere of progress by passing an East-West trade measure, as proposed by the President.
>
> As to Vietnam Mr. Johnson stood firm on present policy, defining it once again as a policy of restraint with limited objectives, and asked the country to stand patiently firm with him. Calling this a time of testing of the American will, and facing squarely the grimnesses of the war, he said in the portion of his address that most demands quotation: "Whether we can fight a war of limited objectives over a long period of time, and keep alive the hope of independence and stability for people other than ourselves; whether we can continue to act with restraint when the temptation to 'get it over with' is inviting but dangerous, whether we can accept the necessity of choosing 'a great evil in order to ward off a greater,' and whether we can do these without arousing the hatreds and passions ordinarily loosed in time of war: on these questions so much turns."
>
> Taken along with the President's statement that "no part of our foreign policy is so sacred that it remains beyond review," these words provide a strong argument for support of President Johnson as he seeks a reasonable and honorable way out of the agony in which we are involved in Vietnam.

THE NEED FOR A COMMITTEE ON VETERANS' AFFAIRS

Mr. PEARSON. Mr. President, Congress has a long and distinguished record of enacting legislation for the proper and rightful benefit of the veterans of our country. The provision of reasonable and adequate benefits through educational, health, retirement, and other programs is the least we can do for these men who have fought in every area of the world to protect those principles in which Americans believe. But these programs are of benefit not only to veterans but also to the entire Nation. For example the various GI bills of rights which have made it possible for millions of veterans to pursue their educational development must surely rank as some of the most valuable and productive legislation ever passed by Congress.

Mr. President, veterans affairs have traditionally been handled in the Senate by the Committee on Finance and the Committee on Labor and Public Welfare. The members of these committees are well-versed in the area of veterans affairs, and have handled their responsibilities in a distinguished fashion. They have formulated legislation which has provided veterans with benefits for educational advancement, hospitalization, disabilities suffered while serving, rehabilitation, and retirement among other things. This has been an enormous task in the past; it will become an even greater task in the future.

There is no doubt that the members of the present committees are burdened by the fact that they must deal with so much important legislation. Besides veterans affairs, they treat our tax legislation, our labor legislation, and our educational legislation, to name only a few areas. Legislation in any of these areas today demands its own expertise. Mr. President, veterans affairs have become such a far-reaching and complex area of public policy that a veterans affairs committee would appear justified—indeed, absolutely necessary. It is an important area of specialization itself.

We have more than 23 million veterans and dependents in the United States today. This number will expand rapidly in view of our current situation in Vietnam. These men have given years of their lives for their country. Many have been wounded and maimed. It is not enough that these veterans simply be afforded the benefits of past programs. All existing benefits programs must periodically be studied and reevaluated. New programs should be initiated when necessary. To handle veterans' affairs legislation responsibly and effectively in the future, we need a new full-time committee.

There is another reason why we need such a committee. Almost all veterans' affairs legislation originates in the House Committee on Veterans' Affairs. In almost every session some bill or bills die in the two existing Senate committees because there is not time to consider them. Moreover, even if a veterans bill is reported favorably by a Senate committee late in the session, it may be lost in the mass of legislation which is being rushed for passage. This happened in the last Congress, when H.R. 17488, which would have provided a cost-of-living increase to 1.8 million veterans, widows, and children who were beneficiaries of non-service-connected pensions, was reported favorably but was not considered on the Senate floor. That will happen again unless we take the steps necessary to remedy the situation.

Mr. President, during the 89th session of Congress, I supported a proposal by the Senator from Illinois [Mr. Dirksen] for the creation of a Committee on Veterans' Affairs in the Senate. Now, at the beginning of the 90th Congress, I am once again supporting such a proposal, Senate Resolution 8, which was introduced January 11. I speak today with the firm hope that the Senate will see fit to establish a Committee on Veterans' Affairs, because such a committee is needed so badly. The problems of the 23 million veterans and their dependents need and deserve the attention of a specialized committee in the Senate. I believe that we can no longer delay action on this most vital measure, the enactment of which will better serve the needs of our deserving veterans and will add to the efficiency and effectiveness of the Senate.

NO LID ON LEARNING

Mr. MORSE. Mr. President, a review of the President's budget estimates for adult basic education, which were submitted on January 17, 1967, discloses that for fiscal year 1968 some $44,200,000 is being requested—a $15-million increase over the $29.2 million available for this purpose in 1967.

While there are many items in the administration's request for funding of educational activities which I shall have occasion to discuss in greater detail at a later date, and which in my judgment are understated, nevertheless in the area of adult basic education I wish to express my pleasure that this one area can receive for fiscal year 1968 the additional $15-million amount.

In this connection, my attention has been called to two articles published in the December–January issue of American Education. The first is entitled, "No Lid on Learning" and was written by Miss Virginia Warren. The second, entitled "One State's Adult Basic Program," was written by Miss Kate Erwin. Since both articles set forth quite lucidly and succinctly the need for adult basic education programs, I ask unanimous consent that they be printed at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From American Education, December 1966–January 1967]

NO LID ON LEARNING—A HISTORY OF ADULT EDUCATION

(By Virginia Warren, director of publications and promotion for the National Association for Public School Adult Education)

Elementary education for adults is old stuff. It has been provided since the early days of this Nation. Until recently, many of the students were immigrants who attended what were called "Americanization" classes.

As the immigration wave receded, the adult education classes' clientele expanded to include blue collar workers and the literate middle class. In some communities, in fact, adult education has become almost synonymous with avocational programs (education for leisure time) or "liberal adult education" or cultural education for the already well-educated.

Over the years, a few States and cities have developed strong elementary education programs for native-born adults—financed by State legislation or local school districts. But, by and large, it took Federal financing to make adult basic education an integral part of public education programs in every State.

Today, about two-thirds of the students in adult basic education classes are native Americans who do not read or write well enough to cope effectively with the world of work and community living.

Not long ago a newspaper reporter telephoned the headquarters office of the National Association for Public School Adult Education.

"I'm calling to verify a figure in a news release you just sent me," he said. "Did you really mean 11 million adults in this country haven't finished eighth grade?"

His reaction is that of most Americans who think (if they think about it at all) that the problem of illiteracy in the United States was solved circa World War I. They are usually surprised and shocked to learn how many Americans have such a serious educational handicap. They are equally surprised to hear that illiteracy is not confined to the poorer States, the South, or rural areas. New York State, for example, has over a million people age 18 and over with less than six years of schooling.

It would be an exaggeration to say that all social problems are due to undereducation. Many other forces are also at work. But a correlation cannot be denied: Seven and one-quarter million persons in our affluent society receive welfare payments; total annual Federal, State, and local expenditures for this purpose exceed $4.5 billion. Forty-five percent of all families with less than $2,000 of annual income have a head of the family with less than an eighth-grade education; these are the families that go on public welfare when the wage-earner becomes unemployed or ill. Low level of education is characteristic of parents receiving welfare payments under the Aid to Families with Dependent Children program.

One scary fact has emerged with clarity from recent studies of unemployment trends. When an undereducated person loses his job today, chances are that his unemployment is not a temporary thing, as in the past. Thirty years ago, the labor force in the United States had almost three times as many unskilled workers as professionals. Today the situation is practically reversed—with more than twice as many professional workers as laborers. By 1975, only four percent of the labor force will be unskilled workers. In more and more cases, men and women who hold unskilled jobs are let out because their work can now be done by machine. Unless they are able to learn new skills they become permanent welfare recipients. And it is impossible, as officials administering the Manpower Development and Training Act discovered, to teach new skills to a man or woman who cannot read directions, charts, work manuals, textbooks, safety instructions, and other "how-to" information.

Why, in a country with free, compulsory education, does any American have such a gross educational lack? one may ask. Are these people stupid, unable to learn? E. L. Thorndike's study of adult learning, and the experience of the Selective Service during World War II, show that most adult illiterates can learn. Some have a high degree of intellectual ability. The very fact that so many have managed to hold jobs and support families indicates a fair degree of native intelligence. They left school for a variety of reasons: illness, inaccessibility of schools, need for family income, lack of adequate clothing, parental unconcern, poor teaching, lack of enforcement of compulsory attendance laws.

Until recently, educators have wondered whether these people can be induced to come back to a learning situation. Do they want to continue their education? And if they want to, will they be ashamed to expose their inability to read and write to their family and neighbors? Many people felt that recruitment of adult illiterates would be a major problem. This has not been the case.

The 1960 Census figures show that some four million men and women were involved in formal classes or other adult activities offered by the public schools. Of these, approximately 150,000 were finishing elementary school with State and local financing. During the 1962–63 school year, over 5,000 adults were granted elementary school diplomas. This was the status of adult basic education before the Economic Opportunity Act was signed by President Johnson in August 1964.

Today, 384,000 students are enrolled in public school adult education programs made possible by title II-B of that act (now part of the Adult Education Act of 1966). Several hundred thousand more are in adult classes financed by State and local funds.

Under title II–B, $44 million was made available to State departments of education to operate adult basic education classes for two years. These funds were in addition to various other Federal support sources—the Manpower Development and Training Act and the Vocational Education Act of 1963, for example—for similar adult classes.

To give the new program maximum effectiveness at both State and local levels, legislators wrote into it four extremely important provisions:

That adult basic education programs would be administered through the State departments of education.

That plans for State programs would be drawn up by the individual State departments of education.

That the minimum age for enrollment would be kept at 18.

That there be flexibility in the basic education curriculum.

They were persuaded to do so by various organizations that had for years been urging adult education legislation—organizations such as the National Association for Public School Adult Education, the National Education Association, the American Vocational Association, the Adult Education Association of the USA, and other groups.

Once the bill was passed, several crucial problems immediately emerged. One was the lack of strong adult education leadership in many State departments of education (only 32 States had State directors of adult education in 1964). Consequently, it took longer than expected for States to prepare acceptable plans for programs eligible for title II–B funds.

Another acute problem was the shortage of teachers who had the kind of training necessary in this specialized field. An attempt to improve this situation was made by the National Association for Public School Adult Education, which in April 1965 held a national meeting to plan three university workshops for teacher-trainers in adult basic education. Because no Federal funds had yet been earmarked for teacher training, these workshops were financed by the Ford Foundation. (A survey made six months after the workshops revealed that more than 10,000 adult basic education teachers had been trained by the teacher-trainer participants.)

When the Congress approved a one-year extension of title II–B in November 1965, it set aside $1.5 million for the training of key adult education teachers. Drawing on these funds, the U.S. Office of Education, in cooperation with the National University Extension Association and the National Association for Public School Adult Education, set up a crash program of nine institutes for teacher-trainers. These institutes were held during August 1966. More than 900 men and women took part in month-long training sessions.

When students began pouring into Federally-financed adult basic education classes all over the country, teachers and administrators faced still another problem: shortage of suitable materials. Few existing textbooks, workbooks, or audiovisual materials were suited to the needs and interests of the undereducated adult. Publishers have never developed specialized materials because the market had been so limited. Since 1964, however, that picture has changed drastically. A famine has turned into a feast—the problem for teachers now is how to evaluate the new materials.

Some important gaps remain, however, despite the new abundance of materials. One is a lack of standardized tests based on adult norms; tests now in use are based on statistics for the achievement of children and youth.

Another need—research—is becoming evident in this fast-moving field of education. The lack of reliable data—and of funds to get that data—sometimes gives adult basic education leaders the feeling that they are groping through a fog. They keep running head-on into such questions as:

How do you get the "hardcore" undereducated interested?

What kinds of materials are best for migrant workers, for urban immigrants, for older adults, for delinquents?

How effective are nonprofessionals—teacher aides, volunteers—in working with undereducated adults? What kinds of materials can they work with best? How much training and supervision do they need?

How successfully can former students serve as teachers?

Do undereducated adults learn better in a school setting, or in improvised classrooms in homes, churches, libraries, at work? The unanswered questions that confront adult basic educators would fill this page.

But programs are under way. The answers are being sought. And adult education, armed with new weapons—new support, new ideas, new materials—is moving in force against undereducation. Through adult basic education, more and more people are getting a second chance at the elements of literacy, occupational training, and citizenship knowledge in courses geared to their own needs.

And in the future, predicts Robert A. Luke, executive secretary of the National Association for Public School Adult Education, there will be high school education for adults. "After all," he asks, "when adults complete their basic education, what happens next?"

[From American Education, December 1966–January 1967]

ONE STATE'S ADULT BASIC PROGRAM

(By Kate Erwin)

Seeing her sitting in the early autumn dusk with her legs tucked under her on the steps of the old schoolhouse, a casual passerby might have taken her for a first grader still waiting to be picked up after school. But when she glanced up, the street light fell on white hair and the full creased face of a grandmother.

The grandmother, as Nancy McKee will freely tell you, is also a first grader who never learned to read or write and at age 55 has gone back to school to learn.

"I don't know. I was embarrassed because I couldn't write my own name or count my change at the store," she says. "And I've got so I like school real well. I like the sounds, the words, you know."

Every Monday and Thursday evening Mrs. McKee waits on the steps of the Edgemont Elementary School in Durham, North Carolina, for class to begin. She was one of the first students to enroll when the program began.

"My neighbor told me about the class," Mrs. McKee said, "She told me, 'Nancy, you ought to learn how to read and write.' I said, well, I guess maybe I will."

Going back to school is not always easy for a grandmother. Once Mrs. McKee dropped out.

"We take these tests," she explained. "Well, I didn't make my pass. It really got to me. I told my principal not to send anybody after me. But one day, here he comes and he says, 'Nancy, you ought to come on back to school.' My teacher, she told me, 'Nancy, you shouldn't get discouraged. You're nearly 30 years behind.' "

Sitting beside Mrs. McKee in the class for students who read at less than a fourth grade level, Carl Ray Buckner stares at his book through thick glasses. Carl is partially blind. Although he finished the ninth grade, he never learned to read. His wife, whom he met at a State rehabilitation center for visually handicapped, asked him if he would go back to school when the basic education classes opened.

"My wife finished high school and she's been taking care of the reading and writing for us," Carl said. "But she's going to be totally blind pretty soon. When that happens, I want to be able to write our checks, things like that. It's just the little stuff, but I'd sure like to be able to read my mail, too."

While Carl and Nancy McKee struggle to master the rudiments of learning, the class next door moves more rapidly. These students all read at fourth grade level or better and many of them expect to go on to high school. For these students, it is not so much the delight at being able to read street signs or newspaper headlines that keeps them at their books, as the prospect of getting a better job.

Hillard Allen enrolled in the course a year ago because "I wanted to learn to count. I'm a painter. I have to measure footage and I used to make a lot of mistakes. I really used to mess myself up. Now I can measure the footage and divide into it to get the amount of paint I'll need."

A lean somber man of about 34, Allen quit school in the sixth grade because his father was ill. "I had to plow a crop. Things weren't so good then and when they got better I thought I was too old to go back to school. But I'm going to take advantage of this. Either I'm going to finish high school or they're going to run me away."

In the same classroom pretty Frances Marrow, 19, and her lanky brother George, 18, wave their hands in the air almost every time the teacher asks a question. Both dropped out of school in the eighth grade and both were reading on a fourth grade level when they came back to school in September.

"I want to get my high school education. I think it's important," says Frances. "No, I don't think the work is very hard."

Frances lives with her brother, her mother, and her 21-month-old son. She works with the Neighborhood Youth Corps as a teacher aide in a Durham preschool program and wants to make a career of teaching.

Her brother George likes math and with a touch of pride displays the extra math books he requested from his teacher. His ambition: to go to college and become a math professor.

For Frances and George, with their youth and eagerness, going back to school is not the task or trauma it is for those who, like Mrs. Gulia George, 52, find that "school is pretty heavy on me after raising a complete family." Still, though classes are open to anyone aged 18 and over, most of the students are a good deal older than Frances and George.

Rupert Marsh, director of the adult basic education program operated by Durham Technical Institute, says the bulk of the 1,001 students enrolled in his five-county area are in their late twenties or thirties.

"It seems to take that long for them to get the picture," Marsha says, "to realize that they're not going to get a very good job with less than an eighth grade education."

And many have gotten the picture all too clearly. Says 30-year-old Mary Hornback: "I work in a factory and it's hard work, hard on the arms. It's too hard for me because I've got a lung condition. But if I could finish my education, take some business courses, maybe I could get an office job."

Classrooms like those at Edgemont School in Durham can be found today in hundreds of communities over the Nation. Emerging from milltown shack and farmland shanty, the poor have responded eagerly to this second chance for education offered by the Economic Opportunity Act.

Since the act was passed in August 1964, close to 400,000 adults with less than an eighth grade education have enrolled in basic education classes in all 50 States and three territories. Nearly $35 million in Federal funds have been allocated for the program up to now, and the States have met or exceeded their one-to-nine matching funds requirement. Even so, the total has proved pitifully meager in light of the vast numbers of adults who have indicated they would enroll if classes were available.

North Carolina was the first State to be funded for adult basic education. The State plan was approved November 5, 1964, the first teacher training institute in the country was held in Durham in December, and classes started in January.

North Carolina gained an early lead in implementing the program largely because of its statewide chain of two-year institutions set up to bring post-high school education within reach of every community. These "open door" institutions are operated by the State Department of Community Colleges. Forty-three of them—community colleges, technical institutes, industrial education centers, and extension units—serve as hubs for classes that reach into 93 of the State's 100 counties.

From these administrative centers, community action recruiters and volunteer groups spread out into the surrounding counties, combing low-income residential areas for prospective students. Most classes meet in public schools under the theory that a regular classroom is most conducive to learning. But groups have met in churches, hospitals, and funeral parlors.

Recruiters had lined up more than 10,000 undereducated adults in North Carolina alone by the time the first Federal funds arrived in May 1965. The U.S. Office of Economic Opportunity had set as its national goal 35,000 adult students.

Ironically, the program "suffers from success," says Monroe C. Neff, director of the North Carolina adult basic education program.

"At the end of June, when the program had been in operation only seven months, we asked everyone to stop recruiting," Dr. Neff said. "We've had to trim the program back to the level we can sustain with the funds we have." As of August 31, 1966, some 8,275 adults were enrolled in North Carolina's programs—a drastic reduction from the peak enrollment of 14,000 fifteen months earlier, and only a fraction of the 100,000 to 120,000 adults Dr. Neff believes would return to the classroom if funds were available.

In a State where 1,170,652 adults over the age of 25 (50 percent of the population in that age bracket) have less than an eighth grade education, such a program might well provide a minor revolution in the State's economy.

But while educators chafe at their inability to accept every applicant for basic education, they also concede that there is a danger of leaving quality behind in the rush to reach every adult. This is especially true in an area where everything is a pioneer effort, from teaching techniques to learning materials to planning and evaluation.

Learning materials, according to one program director, "are plentiful enough. What we lack is evaluation."

At present there are thirteen "materials systems" identified for use in educating adults through the eighth grade. However, according to a paper submitted by Dr. Neff to the National Association for Public School Adult Education, "no single system meets the requirement of integrating various disciplines into a sequential program of instruction." Every system must be supplemented in order to provide the full range of education sought in the program: instruction in the communicative skills of reading, writing, speaking, and listening; the computative skills; informational areas of good buying, health, human relations, home and family living; and community and civic areas.

Recently, the Learning Institute of North Carolina provided a research grant of $23,000 to the State Board of Education for testing literacy systems, and the U.S. Office of Education has sponsored some 30 research projects related to adult education in the past 6 years. But important as these beginnings are, research results are not yet felt throughout the country. Accurate reporting systems and the gathering of relevant data are only now beginning, for program administrators are admittedly reluctant to spend their already insufficient funds on anything other than teacher salaries and necessary equipment.

The most serious problem in this new segment of American education, according to some educators, is the need to find teachers with that "special ability of getting through to adults" and to train them in techniques of teaching these second-time-around students. As one program director put it, "What we're really operating is the old one-room schoolhouse. A teacher must be prepared to teach every grade level from one to eight in the same classroom."

Besides encountering an uncommon diversity among students, the teacher of adults generally finds that old rules for dealing with school pupils are of little use and are sometimes a hindrance. One program director commented, "Make a mistake with an adult, embarrass him or something, and you probably won't see him again. He won't complain. He just won't come back. We spot our poor teachers when suddenly they don't have any class left."

Occasionally the student may give a signal, as when an elderly gentleman in a level II class in Durham draws his teacher's attention with the calm statement: "I'm leaving." After she has explained the problem to him, he says matter-of-factly: "OK. I'm staying."

For those to whom school has meant only failure in the past, leaving may be the first reaction when the going gets rough. Jerome Worsley, director of extension services at Durham Technical Institute, says that about one-fourth of the students in any new class will drop out unless the teacher is especially skillful. While this is the average dropout rate for most voluntary adult classes, it is also an indication of the need to train teachers in how to interest and understand the illiterate adult.

Last August, nine National Teacher Trainer Institutes were held over the country. Their purpose was to help teacher-trainers gain an insight into the adult basic education movement and a proficiency in using the tools needed to train other teachers. The nine institutes enrolled 982 teacher-trainers for a month's concentrated study of such topics as understanding the undereducated adult; planning, operating, and evaluating adult basic education programs; use of the latest innovative educational equipment; understanding the potential community resources as they might affect or be applied to adult basic education programs.

Thirty-three teacher-trainers from North Carolina were among the 114 attending a regional institute held in Raleigh. They will now "provide a planned program of inservice training throughout North Carolina," according to State Director Neff.

"In the beginning in 1964 we were able to provide a number of good teacher training institutes. [Over 3,300 teachers have completed training in the State's 24 preservice institutes.] Since that time it has been almost impossible to bring inservice training to our teachers over the State. Our objective in this inservice program is to meet with all 1,100 teachers presently teaching in the State once a month in their localities."

Teachers will then be able to discuss and, hopefully, solve not only teaching problems but also the many personal problems that emerge in the adult classroom. For example, Nancy McKee's teacher had to work with the local Community Action Program and public health agency when she found that Mrs. McKee's eyes would have to be treated before she could learn to read.

Now that they have their chance, undereducated adults in this country are placing a rigorous challenge before educators and before a public education system that promises to bring all levels of education within reach of all Americans. Adults everywhere—like Carl Buckner, Hillard Allen, Frances and George Marrow in Durham—may have surprised some by their determination to learn. Certainly their numbers have threatened to burst at the seams a program less than two years old. There is still much to be done to strengthen and broaden this undertaking in adult basic education. But at least the lights are on at night in the old school where Mary Hornback studies for an office job and Nancy McKee for the dignity of writing her own name.

(Note.—*Mrs. Erwin has followed developments in her State's adult education program as a reporter for the* Raleigh News-Observer.)

ON VIETNAM

Mr. INOUYE. Mr. President—"We will stand firm in Vietnam"—these words of the President in his state of the Union address simply must be credited by the rest of the world. The Washington Post speaks of the importance of such understanding in an editorial supporting the President's statements on Vietnam.

The Post also remarks that the American people must come to understand the test of national will and resolution which the President sees in the Vietnam situation.

What the country heard from the President was a careful, calm, and measured discussion of the outlook, the Post says in an editorial. It commends him for a presentation of perhaps unparalleled candor and restraint.

To be sure that Senators have an opportunity to read this reaction to the President's speech, I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington Post, Jan. 12, 1967]

The President on the War

The country will have a right perspective about the war in South Vietnam if it keeps in mind the solemn words of President Johnson's message to Congress: "We have lived with danger for a long time, and we shall live with it for a long time to come."

The test of national will and resolution seen by the President is one the American people must come to understand. Much more is involved in Southeast Asia than the outcome of combat in an isolated region. It is, as the President described it, a "test" of our ability to fight a long war of limited objectives, a test of our restraint in the face of a temptation to try to end the war at once, a test of our determination to avoid "the hatreds and passions ordinarily loosed in wartime." And it is a test, as he put it, of our will to fight to keep alive the hope of independence and stability "for people other than ourselves."

In the recently published Harold Nicholson diaries, Winston Churchill is quoted as saying that much would turn on the willingness of the United States, in the future, to "think always of something higher and more vast than one's own national interest."

The words of the President and the response of the Congress should correct any illusions that may exist in Hanoi about the resolution and power of this country to continue the struggle in South Vietnam until the North Vietnamese attempt to conquer it is abandoned. The world simply must credit the declaration of the President that "We will stand firm in Vietnam."

There is every present prospect that it will be necesary to stand firm for a long time. The recent spate of peace overtures so far seem to have produced nothing tangible. "Standing firm," of course, does not mean that this country must remain inflexible in the means it employs to prosecute the war or the measures it invokes to seek the peace. The task immediately ahead in South Vietnam clearly is to reinvigorate the war of pacification against the guerrilla forces; to encourage as much as possible the progress toward responsible civilian democratic rule; to maintain the gains against inflation and economic disintegration; to continue the war against the conventional forces of North Vietnam whenever they appear in the demilitarized zone or in South Vienam. At the same time, means must be sought, through which it can be made clear to North Vietnam and to the world, that our ultimate object is the diminution of the scale of the fighting. If peace by negotiation is impossible—and at present it seems to be impossible—peace must be sought by other means.

This country must be quick to embrace any opening that might lead toward a lower level of hostilities. Since the measures of South Vietnam and the United States are basically defensive, the level of the fighting proceeds at a pace largely dictated by the aggressors. If they exhibit any willingness to lower the plane of combat, the United States forces must be quick to reciprocate.

Congress and the country heard from the President a careful, calm and measured discussion of the outlook in South Vietnam. One might search the archives for utterance of a wartime leader that would exceed it in candor and restraint.

ARE THE LAWS RELATING TO MINERAL EXTRACTION OUTMODED? ADDRESS BY HON. WAYNE N. ASPINALL

Mr. BIBLE. Mr. President, I invite the attention of Senators to a highly important address given by the Honorable Wayne N. Aspinall, chairman of the House Committee on Interior and Insular Affairs and Chairman of the Public Land Law Review Commission, before the Mining and Metallurgical Society of America last night in New York City. The Chairman of the Commission, on which I have the honor to serve, brought out some very thought-provoking questions with respect to the current study of our land laws, particularly as it bears upon mining and mineral operations on the public lands of the country.

This is one of a series of addresses which he, other members of the Commission, and its staff are making throughout the country, in order to acquaint the public generally with the herculean task facing the Commission in arriving at recommendations for future policies to govern the disposal or retention and management of our public lands in a manner to provide the maximum benefit for the general public.

I believe Chairman Aspinall is rendering a real service to the Nation in focusing attention on the complex problems involved in wise conservation practices with wise use of our public land resources.

The address which he made last night presents some of the knotty issues which are not only before the Commission but also before the mining industry and other users of the public lands. The challenge to the mining industry is similar to challenges that have been or will be made to other land users in the talks I referred to a moment ago.

I am hopeful that factual data as to these matters may be assembled in comprehensive form so that the Public Land Law Review Commission will be able to thoroughly consider every facet relating thereto and to arrive at recommendations that may eventually be written into law and provide a guide for orderly and effectual handling of these problems without deterring the development of our natural resources.

It has been my observation that the Commission has been proceeding in an orderly manner in an effort to develop the best possible study of our complex system of public land laws. When we realize that these have grown up on a piecemeal basis since the founding of the Nation, it is readily apparent that a tremendous task is before the Commission to bring some semblance of order and to eliminate confusion not only in the laws themselves, but in the administrative practices and interpretations which have grown up over the years and which oftentimes are at variance with the avowed intent of the laws. I consider it an honor to be associated in this study and hope that its result will be a firm foundation for further progress in the development of our lands and their resources in the Nation, particularly in our Western States.

I commend Chairman Aspinall for his forthright exposition of the problems in the minerals field and urge you to keep abreast of similar statements with respect to other facets of the public land problem. My colleagues on this Commission who are from this body will, I know, join me in reporting to the Senate on this landmark review of public land law and administration.

I ask unanimous consent that Representative Aspinall's remarks be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Are the Laws Relating to Mineral Extraction Outmoded?

(Remarks of Hon. Wayne N. Aspinall, Chairman, Public Land Law Review Commission, chairman, House Committee on Interior and Insular Affairs, before the Mining and Metallurgical Society of America, New York, N.Y., January 24, 1967)

It was a distinct honor to be invited by my old friend Jim Boyd to appear before your Society for the second time in the past few years and to participate in your discussions of the task of the Public Land Law Review Commission. The Mining and Metallurgical Society has gained an enviable stature throughout the mining world and each passing year has recorded further gains in its accomplishments.

Tonight, I have chosen as my subject the all important question, "Are the Laws Relating to Mineral Extraction Outmoded?" I wish I could say categorically "yes" or "no" but such is not the case. To find an answer to this and many other similar questions underlies the study now being performed by the Public Land Law Review Commission of which I have the honor of being Chairman.

The Commission faces a number of basic policy issues. Many of these I consider to be of major interest and importance to the minerals and mining industry of the United States. Some are just as important to other public land users, and even those that are of prime importance to the mining and minerals industry will have an effect on such other users.

Because it was our idea in establishing the Commission that all elements of public land law and policy must be examined together, we did not rush into any research or studies without first having an overall plan. We have an overall program that is being implemented now by a staff which was built up and trained for this task during the last year. We lost almost a year before the Commission was formally organized; but in the time since, we have accomplished much, including great strides towards acquainting users and the public with the objective of the Commission's work.

The study plans now in process are designed to produce all available data, including the status of the law itself, relating to public lands.

It is the Commission's task to weigh all these data and the staff's evaluation of the data that bear on various policy issues and recommend to the Congress and the President whether existing law or administrative practice should be modified. Recommendations for modification must be considered within the framework of a declared congressional policy that the public lands of the United States shall be (a) retained and managed or (b) disposed of, all in a manner to provide the maximum benefit for the general public.

While the staff has developed plans for twenty-five studies and special analyses covering specific subjects that we must consider, the members of the Commission have embarked on a discussion among themselves concerning basic principles and issues that run as a thread of philosophy through all subjects. So, when we come to consider the use of the land and its natural resources, we will have behind us an interchange and possible agreement of views concerning such matters as economic development versus retention of resources in some reserve for the future, multiple use versus single use, the relationship of government and private enterprise in the development of our resources, the role of different levels of government in our dynamic federalist Republic, and the relationship between Congress and the Executive in our Constitutional form of government. These are but a few of the many basic matters with which we will come to grips as a foundation to examine the various commodities, services, and uses that the public lands can produce.

It will be against a background of the Commission's composite political-economic philosophy that the adequacy of all public land policy, not just minerals policy, will be viewed and judged. I can tell you from contacts with the members of the Commission, members of the Advisory Council Representatives of the fifty Governors, and the members of the staff, that all of us engaged in this effort are aware of the responsibility the Commission has, aware of the impact that the Commission's recommendations may have.

The Commission stands astride present public land policy with one foot on history and the other seeking the right path into the future. To find that right path, we need the help of all concerned.

Before posing some questions relating to the future, let us face squarely and frankly—so that we may ultimately deal with them constructively—basic policy issues which I spoke of a few moments ago that face your industry as well as others using the public lands.

1. Must the title to land bearing locatable minerals continue to be conveyed in fee simple? This practice, along with the right to uninhibited exploration, has been the backbone of United States mining law for nearly a century. It is in contention now, and has been at various times in our history, essentially because alleged surface values and other potential public uses are presumably preempted when fee-simple title is passed from public to private hands. Is fee-simple title essential as protection against claim-jumping and for development investment, or are there acceptable substitutes? What new problems for mineral exploration and development are posed by any contemplated change in this basic policy, and how can they be met?

2. Under what system can the mineral values retained by the United States, in lands the surface of which has gone to patent, be reasonably explored for, found, and developed, while at the same time protecting the legitimate interest of the surface owner?

This is a vexing problem for which no clear policy is now established in law. Should the title to reserved minerals be sold or transferred to the surface owner? Should we in the future reserve any minerals when land is made available for intensive surface development?

3. What is a reasonable policy to prevent unwarranted degrading of the environment (air and water pollution and landscape beauty) associated with or resulting from public land mineral development and production activity? Who should set and administer this policy?

You all know there has been an increase in public concern about air and water pollution and the destruction of anything that can be classified as natural beauty. Therefore, to be realistic, we must accept the fact that in any future policy it is going to be essential that consideration be given to the quality of the environment and how man's activity affects it. The question to you, therefore, is what type of flexible standards can be evolved so that you avoid the economic effects of arbitrary standards that might destroy an industry or a segment of an industry.

4. Is the system used for the sale or other means of disposition of minerals from the public lands, including the return to the government for such minerals, reasonable from all points of view, and if it is not, how should it be adjusted?

What type of adjustment would be fair to the public, to other users, and still not be unfair to the developer? Can you devise a policy that is fair and that will also encourage continued examination, exploration, and development of public land minerals?

5. To what extent, if any, does mineral exploration and development of the public lands impede or interfere with competing uses, and can mineral activity be economically accommodated to such competing uses?

This is a rather self-explanatory issue. Each of the public land users—the grazers, the recreationists, the lumbermen—must examine its own use in the light of yours and see to what extent each can be accommodated in the growing competition for the remaining lands. The questions you must consider concern themselves with how these accommodations can be accomplished economically. Can we achieve the ultimate in multiple use; are there devices and techniques that will permit a great variety of uses?

Because multiple use does not necessarily mean that there will be a variety of uses on each piece of land, each acre of land, but rather contemplates multiple use within large areas, I come to the sixth of the basic issues that I am presenting to you tonight.

6. In choosing between competing uses for a given segment of public land, which has a number of potential different uses, how can the alternatives be systematically weighed to produce acceptable results?

Today, there is no means of weighing alternatives in order to choose between them. Last summer, I challenged a recreation group to devise a scientific means of assisting us in Congress in determining when an area should be set aside for recreation purposes.

I do not expect that we will develop a foolproof scientific formula. But, I do think that if the leaders of each user group think in terms of criteria, we will have come a far way towards achieving a goal that will permit uniform action, thereby producing results acceptable to all.

As part of this aspect of the work generally, the staff of the Commission has undertaken a project to see whether criteria can be established to judge "maximum benefit for the general public." In addition, we have discussed this among the members of the Commission and with the members of the Advisory Council, and with the Governors' Representatives.

These policy issues will be determined in the context of the general philosophy we are discussing and against the data and legal analyses produced by our studies. The manuscripts will provide us with information on the laws of individual states and of foreign countries. We will have information on the extent of mineral deposits and examine the impact of their development on the area, regional and national, as well as the conflict with other uses on the land.

In determining, however, what the path for the future should be, the first question that you, the leaders of the mining and minerals industry of the United States, must ask yourselves is: what path do you want for the mineral industry on the public lands?

Do you want to fashion future public land mineral and mining policy by improvising on centuries-old concepts built into laws that were enacted decades before our modern society came into being? Yes, there is much practicability in this, but can the base accommodate the new realities?

Is such patching of old policy dynamic enough to suit the new exploration, extraction, and processing methods that scientific and technological change have given to your business? Does it fit the present and future organizational and financial characteristics of your industry?

Will a policy that is anchored in the past help you make progress instead of standing in your way? Will it help you meet the growing public pressures for accommodation of your business and industrial interests and the resolution of our water and air pollution, landscape beauty, and outdoor recreation needs?

As the leading policy-makers in the minerals industry, and as responsible citizens, you have the responsibility to examine your industry and your positions objectively, in perspective with the rest of the world, and to answer these questions to yourselves first. I believe this is the last time in this century and probably in your lifetime and mine, when the entire basis of public land minerals policy will be opened up and thoroughly evaluated by an official body of government not preoccupied with the daily problems and pressures of lawmaking or administration on a piecemeal basis.

The climate of this re-examination is one that eagerly invites new concepts and imaginative problem-solving to prepare a constructive role for the public lands in tomorrow's America.

What have you got to offer? I eagerly await your answers.

STATE REPORTS OF VOCATIONAL-TECHNICAL PROGRAM DEVELOPMENT, FISCAL YEAR 1966

Mr. MORSE. Mr. President, among the authorities which will come under review during the 90th Congress are those contained in the Vocational Education Act of 1963 and predecessor legislation. The Office of Education has recently issued a publication entitled, "State Reports of Vocational-Technical Program Development, Fiscal Year 1966." I commend it to the senatorial offices having an interest in this area. As an example of the type of information to be found in it, I ask unanimous consent that the "Foreword," the "Introduction" of the publication, and the material relating to the State of Oregon, which may be found on pages 32 and 33 of the publication, be printed at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FOREWORD

(By W. M. Arnold, Assistant Commissioner for Vocational and Technical Education)

These summary reoprts of vocational-technical program development in the States and Territories are vivid examples of the stimulus provided by the passage of the Vocational Education Act of 1963 (P.L. 88–210). High quality vocational education is rapidly becoming available for those who need instruction to obtain jobs or for those who must improve their skills and knowledge to keep the jobs they have. The reporting has come directly from the States and represents the State administration's views of vocational education, growth, and expansion. The narratives were then compiled and edited in the Office of Education.

The Federal-State-local cooperative relationship in vocational education, now in its 50th year, continues to demonstrate the effectiveness of such an administrative arrangement. Progress is evident not only in the number of new schools constructed and new occupations included in the training programs but also in the leadership development and planning exhibited by the States. Vocational education has moved ahead rapidly and is developing into a broad, flexible system of occupational education for all who need such instruction.

INTRODUCTION

This publication is intended as a review of what has happened during fiscal year 1966 in individual States' vocational-technical education programs. The Congress in 1963 passed a *Vocational Education Act* aimed at offering citizens occupational instruction to help them obtain a job or keep up-to-date in the job they have.

During the year more than 200 new vocational education facilities were constructed. The pace is not slackening—even more vocational-technical schools of various types are being planned. Depending on the State, these may be called area vocational-technical schools, vocational-technical centers, occupational schools, technical institutes, post-secondary area schools, service-center vocational schools, comprehensive high schools, secondary vocational schools, regional vocational schools, area vocational high schools, community or junior colleges. None of the schools is identical because programs differ from State to State; however, the programs are similar in that each offers instruction in selected occupations to high school youth, post-high school age youth, or adults. Occasionally a name peculiar to one State appears—trade schools in Alabama for example. By reading a State's report, one can probably grasp the unique qualities of the particular school. For the sake of clarity, the names common throughout the nation have been used as often as possible.

Content in vocational education programs is undergoing sweeping changes; course design, occupational manpower needs, curriculums, and students' desires for training in various programs are among the topics which the States are documenting through surveys and studies.

Enrollments in vocational programs reached close to 5.5 million in fiscal year 1966. This is a continuation of the upward enrollment spiral encompassing vocational education. States report that applicants are turned away because there are not enough facilities, money, or staff to answer the demand. The continuing construction of vocational schools is beginning to relieve the pressure, but the mandate set by the Congress in the Vocational Education Act of 1963 has not yet been fulfilled.

Flexibility is a key word in today's programs. A wider range of occupations is being included in curriculums, existing programs are expanding to give more in-depth training, and new fields are being opened. Examples of recent trends show an increased number of training programs for girls and women; remarkable growth in post-secondary offices, health, and technical education programs; more technical training for highly skilled workers; and greater numbers enrolled in programs for those with special socio-economic needs. Funds for occupational training programs with disadvantaged persons alone increased fifteen fold in 1966. Expansion and development are occurring in post-high school programs for youth and adults as well as in more traditional high school vocational programs.

The States and local communities have accepted the challenge set before them. One proof is the $420 million they have appropriated for program activities and the $60 million they have used for new or replacement equipment. Twenty-one States had larger appropriations this year than last. Staff additions or some reorganization to improve the administration of vocational-technical education took place in 25 States.

Since the passage of the Vocational Education Act of 1963, State boards, advisory committees, directors, and staff have given vigorous leadership to their programs. Seminars, institutes, and workshops have contributed to the development of teachers and other staff members. As the reports tell, the developing nationwide system of high quality vocational and technical education programs promises to match the standards set by the legislative mandate of the 88th Congress.

OREGON

Vocational and technical education at the post-secondary level continued to expand rapidly. In 1965–66 community colleges enrolled over 25,000 students, equal in man-hours to the enrollment of 8,000 full-time students and representing an increase of 61 percent over the previous year. Over 35,000 enrollees are expected to register for 1966–67. Of the 10 community colleges operating this year, 7 were organized within separate districts and offered comprehensive programs. The community colleges in Portland, Salem, and Oregon City were organized by local public school districts. Portland offered comprehensive programs, while Salem and Oregon City provided vocational and technical courses.

Mt. Hood Community College will begin operation in September 1966 with both lower-division and vocational-technical courses. In May 1966 voters approved the formation of a district in Clackamas County. A school will open there in the fall of 1966 replacing the Oregon City school districts' program and offering both vocational-technical and lower-division courses of study.

Funding for operation and construction of community colleges has not been possible as planned. Initial community college legislation was enacted which was to reimburse two-thirds of operational costs. With available State and Federal funds, however, only about 50-percent reimbursement actually was possible during the current biennium. In 1961 legislation providing for 65-percent State assistance in community college construction was enacted. During the 1963–65 period only 37.5 percent State aid was given. Of the $4.5 million set aside for construction during 1965–67, $4.3 million was allocated to 8 community colleges for 9 projects during fiscal year 1966. In order to achieve the intent of original legislation to provide approximately two-thirds of community college costs, legislation will be proposed to increase State aid from $433 to $541 per full-time student or the equivalent. Federal funds for vocational-technical programs will be in addition to this. A corresponding appropriation of approximately $21 million for the biennium is being requested for construction.

Investigation in several parts of the State identified specific requirements for area facilities which will serve several high schools. Planning is underway which follows these requirements. The Portland public schools completed a long-range plan for vocational education at the secondary level including area facilities for selected occupational instruction. During the 1965–67 biennium, $250,000 in Federal funds will be spent for area vocational high schools. For 1967–69 it is being requested that the Legislature permit the State Board to spend at least four times this amount.

Studies of vocational education indicate that an adequate program at the secondary level should provide for the enrollment of 50 percent of all 11th and 12th grade students in vocational-technical education programs. To reach this objective by 1975, the State will have to increase program capacity from present facilities for 12,500 students to facilities for 40,000. The plan is to ultimately provide 18 community college administrative units. To serve high school students, a complex of area facilities involving at least 20 separate administrative units will be developed during the next ten years.

WHY VIETNAM?

Mr. INOUYE. Mr. President, Newsday, of Long Island, has published a forceful explanation of why we are in Vietnam. Let me quote its conclusion:

> We are in South Vietnam to protect our national interest, the free world, and a free people. We shall stay until our mission is accomplished.

These two sentences summarize Newsday's editorial responding to a propaganda attack by the newspaper of the Young Communist League in Russia.

The Communists are playing every tune in the propaganda book, Newsday asserts, in an effort to convince the world that we are wicked and they are saintly. In the end, however, the facts will speak for themselves.

I believe Newsday has spoken for the vast majority of Americans in this article, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From Newsday, Jan. 13, 1967]

WHY WE ARE IN VIETNAM

On the page opposite we reprint the statement directed to John Steinbeck by Komsomolskaya Pravda (Moscow) the newspaper of the Young Communist League. This culminates in a Russian propaganda blast that accuses the U.S. of "crimes" against the people of North Vietnam through bombing raids by the Air Force. Mr. Steinbeck can, and no doubt will, answer this blast in his own time and far better than Newsday. So we prefer to state, once more, the reasons why the U.S. is fighting in Vietnam and what that fighting has accomplished.

We are in Vietnam, as all reasonable Americans know, to protect our East Asian continental flank against Red China, to maintain the Pacific as an ocean in which all free nations can move without hindrance, and to guarantee our allies against overthrow through Communist force or subversion. The results of Communist force are self-evident. In North Vietnam, the Red government of Ho Chi Minh killed probably 100,000 innocent people between 1954 and 1956 while wresting land from peasants. That slaughter would be as nothing compared to what would happen should the Communists take over South Vietnam.

The "'domino theory," first propounded years back, held that the U.S. must make its presence felt in Southeast Asia lest one country after another topple under Chinese pressure. That theory, as Secretary General Thant of the UN has said correctly, has long since been discredited. But why has it been discredited? Because the U.S. is physically present in Southeast Asia. Its presence has regenerated nationalism in Indonesia, in Thailand, in Cambodia and in Burma.

The Chinese would have a hard time occupying or controlling these typical countries now that they know that America means what it says. Once Peking referred to the U.S. as "a paper tiger." No more. Now they refer to us as a band of killers. We have proved to them that we are no sham, and that we will fight to keep our allies free.

A variety of people in and out of the U.S.—some sincere, some not—have urged that we get out of Southeast Asia. But if we get out, what happens to the people we have abandoned in South Vietnam? Much as Americans abhor war, we have a duty to stay until the enemy has learned his lesson and retired within his own frontiers; until we have completed the rehabilitation of villages and peoples hit hard by the war, and until we have made of South Vietnam a model nation, an example to the rest of the world.

The enemy is taking every advantage of propaganda, helped along sometimes by the pathetic films on American TV showing families uprooted from their homes by war. In every war, families are uprooted; it is a sad fact of war. The enemy is taking further advantage of us by subtly distorting the reports sent back from North Vietnam by the first American correspondent to visit there. Harrison Salisbury, of the New York Times, may have taken on faith too much of the so-called evidence supplied by Hanoi, but before the end of his series of reports he did attribute these to that government. Komsomolskaya Pravda quotes him as "confirming" the "crimes" of the U.S., which he did not. This exemplifies the Communists' cynicism. They are playing every tune in the book to convince the world that we are wicked and they are saintly.

In the end, let it be hoped, the facts will speak for themselves. The hundreds of thousands murdered, tortured or punished in North Vietnam; the countless thousands murdered or tortured or kidnaped by the Viet Cong in South Vietnam. And, balanced against this, the restraint with which we are pursuing our objectives. We are in South Vietnam to protect our national interest, the free world, and a free people. We shall stay until our mission is accomplished.

THE OTHER WAR ON POVERTY

Mr. PROUTY. Mr. President, in late December, Reporter William C. Selover, of the Christian Science Monitor, wrote an outstanding five-part series on "The Other War on Poverty"—the unheralded efforts of private business, labor unions, and our voluntary associations to advance economic opportunity for all Americans.

In our concern as national legislators with the President's war on poverty program, we may too easily tend to overlook the really important efforts by nongovernmental organizations which have been fighting poverty since long before the Great Society was announced. I commend this excellent series of articles from the Monitor to all Senators and ask unanimous consent that they be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, Dec. 28, 1966]

1. THE OTHER WAR ON POVERTY—STEPPING INTO AID-TO-POOR GAPS

(The antipoverty efforts of private individuals and groups, labor unions, and businessmen are largely untold. Their work constitutes "the other war on poverty." This and four subsequent reports detail the rising momentum of this private campaign.

(By William C. Selover, staff correspondent of the Christian Science Monitor)

WASHINGTON.—The stone-cold image of the private businessman may be fading.

The high-pressure executive in the gray flannel suit, obsessed only with making more money, has all but disappeared in some circles.

In his place is emerging a new likeness: the business leader concerned with the economic and social betterment of the poor.

There have always been some businessmen devoting spare time to worthy charities. But today, that trend is becoming widespread and well organized.

And for the first time, the well-proven methods of private enterprise are being brought to bear on the problems of poverty. (The introduction of a system analysis approach to antipoverty projects is one example.)

Some people think this trend is a fearful reaction to the summer riots in Watts, Cleveland, and elsewhere. Some see it developing after the famous 1963 march on Washington.

The head of Chicago's Association of Commerce and Industry, Thomas H. Coulter, says: "I think it's just plain enlightened self-interest. It's as simple as that."

But another theory gaining currency is that it developed out of the failure of the federal government to do the job.

In any case, whatever the reasons, the private sector now is out to show government how to win the poverty war.

Symptoms of the trend are everywhere:

The Chamber of Commerce of the United States, under this headline in its newspaper: "Your role in poverty war," urged businessmen to order its pamphlet, "The Role of the Businessman in Reducing Poverty." It sells for $2.

The National Association of Manufacturers in New York is conducting seminars for business leaders from all over the country in an effort to involve them in private antipoverty projects. The Chamber of Commerce is doing much the same thing in some 13 selected communities.

And one of the giants of big business, chairman of the board of AT&T Frederick R. Kappel, is reminding businessmen that the "social responsibilities of business are increasing."

Before an Indianapolis audience he pointed out that poverty is concentrated among Negroes—and, he added, "we in business must help. . . . We can go a long way to give disadvantaged people the chance to learn. . . ."

The views are reflected by men like Arjay Miller, Ford Motor Company president; Donald C. Cook, American Electric Power Company president, and Dr. Walter E. Hoadley, vice-president of the Bank of America.

PRACTICAL STEPS URGED

Dr. Hoadley told the recent annual meeting of the Chamber of Commerce, "Poverty is a crucial problem we must give more time to, in very practical ways. Each of us must find his own specific role and do his best to help."

Mr. Cook says he believes that business leaders must "break the artificial barriers that have separated the purely business values from the purely social and human values."

Instances of businessmen who are visibly breaking down these barriers are multiplying.

In Chicago, for example, the Yellow Cab Company worked up a training program to offset a shortage of cab drivers in that city. Since the program began in 1962, 1,700 have graduated and now are driving cabs.

A restaurant association in the same city instituted a course in food preparation for poor people.

The Shell Oil Company worked up a service-station-attendant program.

An astonishing number of people placed in jobs as a result of such programs—84 percent—came off the relief rolls.

One private business started a school to train key-punch operators. They trained women who were on relief—mostly mothers receiving Aid to Dependent Children payments.

Out of 111 graduates who had never worked before, 53 have jobs and are holding on to them. The private training group gets paid only for those graduates who are able to hold jobs.

National Cash Register is developing a program to help train poor and deprived people—and then get them jobs.

This is just a sampling of stories repeated in countless ways—all across the country.

WANTING TO GET INVOLVED

"More and more businessmen are interested in programs to help the poor," explains one New York businessman who is devoting full time to recruiting other businessmen for a private, antipoverty project. "I talk to people every day who want to get involved."

Elaborating, he continued: "They range from independently wealthy men who have plenty of time—to those who have full careers already. Yet they want to play a role. Some who are very busy and have practically no time at all for this—still they say 'let's have lunch, and let's talk about it.' "

Already, it is estimated that businessmen are giving time worth about $5 billion a year to voluntary charitable endeavors.

And that figure is accelerating. A spokesman for the National Industrial Conference board says that businessmen have doubled their nonprofit activity in five years. Some top executives spend up to 80 percent of their time on good works, partially on long-standing good-will programs and partially on efforts to combat poverty.

It's not only in this country that businessmen are spending their considerable efforts to help people. The International Executive Service Corps has nearly 300 projects under way in 17 poor countries, in Latin America, Middle East, Africa, and Asia.

The potential of free enterprise in reducing poverty is regarded by some as virtually limitless.

Experts point out that if industries in this country provided 2 percent more jobs than they now do, unemployment could be wiped out overnight—assuming workers had the necessary skills.

Experience with the "war on poverty" over the past two years indicates that the most pressing need is basic training for jobs.

EQUIPPED FOR ACTION

Private business is already massively equipped to undertake far-reaching programs in job development.

It is variously estimated that private industry spends between $4.5 billion and $20 billion a year just on job training alone. Business groups like NAM and the C of C figure if that resource could be tapped adequately, this country would be well on the road to removing from poverty all except those who are disabled or aged.

Incentives to further enlist the skills, equipment, and know-how of business in job development are being studied.

Rep. Harold Collier (R) of Illinois has proposed legislation which would allow a credit against income tax to businesses to compensate for the expense of providing training programs for employees and prospective employees. It provides a 7 percent tax credit for training expenses.

This method appears to businessmen to be the most acceptable way for government to encourage private efforts—without actually exercising direct control over them.

The success of many of the individual efforts of businessmen in this area is impressive by any standard.

APPROACH CRITICIZED

From experience so far, this fact is becoming clear: When businessmen run such programs, money is usually spent wisely and efficiently.

Men skilled in getting the best return for their dollar rarely waste money needlessly. They can experiment with various approaches—if they fail, they can shift gears quickly and easily.

This is something government programers seem unable to do.

Pollster Dr. George H. Gallup described the contrast in approaches this way:

"No manufacturer today would launch a new product or a new service without trying it out in a test market or without trying to determine its effectiveness in a controlled situation, but the national government has no hesitancy to launch with hundreds of millions of dollars a completely new and untested program. And the government likewise, always manifests a great reluctance to abandon a program even after it has proved ineffective. . . ."

Even Daniel P. Moynihan, one of the original drafters of the poverty program admits "disappointment" in the administration's poverty war. He sees that "the way we rush into things . . ." possibly offers "a caution for the future."

Businessmen feel they can offer that "caution."

They want to know all they can before spending money on a project. Dr. C. Lowell Harriss, economics professor at Columbia University, says he is "impressed at how much more we need to know about causes and cures of poverty, about the methods and means, costs and accomplishments, as well as the objectives."

The Chamber of Commerce's Task Force on Economic Growth and Opportunity has turned out three impressive major reports in an attempt to fill in the knowledge gap.

Dr. Hoadley wants businessmen to use such knowledge as a basis for considering "all possible alternative proposals."

SPREAD OF INFORMATION

But to consider all alternates, businessmen must know what is working and where. They must know how the Chicago taxicab company set up driver training, how NAM is teaching typing to unskilled women. "There is always the lack of information about what is going on," says Dr. Harriss, ". . . what has succeeded, and what has failed in other places."

The Chamber of Commerce, the NAM, and other business-oriented groups consider it their role to spread this information around. This is what they are doing in programs all over the country.

Real efforts of businessmen in this area on an organized basis are only beginning.

But if their potential can be tapped, through coordinated efforts across the country, many feel the day when grinding poverty is eliminated will be considerably closer at hand.

[From the Christian Science Monitor, Dec. 29, 1966]

2. THE OTHER WAR ON POVERTY—AMERICANS REDISCOVER A TALENT—PROBLEM-SOLVING KNACK

(By William C. Selover)

WASHINGTON.—In the 1830's, when the French nobleman, Alexis de Tocqueville, sailed across to the new world to look around, he found that Americans had a knack for solving their problems quickly, efficiently, and with very little fuss.

They did this, he discovered, through their voluntary "associations."

"These Americans are unusual people," he wrote later. "When they see a problem come up—a canal to be dug or a school to be built—they immediately form a group or committee, whatever is necessary to get the job done."

Today, there is a growing minority of vocal opinion insisting that many current problems presently handled by government, can be better approached by this same, old-fashioned, nongovernmental action. They want a return of reliance on "independent," voluntary associations to solve social and economic problems.

These people insist government isn't the only answer.

Advocates of this thesis contend that the "independent" sector—(as opposed to the public and private sectors)—can end unemployment, crime, slum conditions, air and water pollution, etc., and "wipe out poverty."

This may seem like an immense order.

But more and more people think it's worth a try.

One quiet advocate of this thesis is Dr. George H. Gallup, one of this country's most respected public-opinion analysts.

He believes there is a vast reservoir of talent and manpower just waiting to be used in the battle against poverty. Voluntary associations of such people, he says, could revolutionize the approach to social problems.

"In a nationwide study," he recently told a New York audience of businessmen, "we found that nearly three out of every four persons who had attended college said they would be willing to devote time each week without pay to the solution of such local problems as crime, housing, recreation, juvenile delinquency, traffic congestion, unemployment, and the like.

"These people," Dr. Gallup continued, "are ready and eager to go to work on the problems of special interest to them. Now here is a veritable Niagara of brain power that can be utilized by any state or local community at any time."

Some of these groups are already emerging in this new role.

The Urban League, for example, is proceeding to train and place many Negroes in jobs.

Labor unions have their special antipoverty projects.

Even the meticulously conservative National Association of Manufacturers is running a training program for Harlem dropouts—getting them training and finding them jobs. The NAM has been able to train typists and place them in jobs—at the ridiculously low cost of just $8 per person.

One of the most recent such independent associations to emerge is the Citizens' Crusade Against Poverty (CCAP), under the chairmanship of labor leader Walter P. Reuther.

All of these groups operate under the assumption that government alone can't do the job.

Richard W. Boone, executive director of CCAP, explained the rationale of his organization this way: "We had the feeling that big government cannot, should not, and would not be allowed to solve all our problems. Out of this comes the notion of partnership of private and public involvement."

He has been bitterly disappointed in the government's war on poverty. He is dismayed by the budgetary cutbacks in the program.

"What we are talking about is the failure of small business administration, welfare programs, rural programs—none produced what early visionaries expected. . . . OEO [Office of Economic Opportunity] is a testimony to the fact that the government has not been doing well."

His answer is that we "must now have a major input of private capital."

CCAP is a coalition of many voluntary associations—religious, labor, business, political—engaged in the exploration of the most effective approach to fighting poverty.

"We are asking," explains Mr. Boone, "what are the most effective approaches to poverty consistent with the preservation of freedom?"

CCAP is concerned with government's tendency to come up with "bold new ideas," however untested, and to launch them with a "massive flow of money."

Mr. Boone pointed out that several years ago in the great push for public housing the "intentions were good," but "the effect has been to maintain rather than tear down the slums."

He wants to press for new ideas and resources—"but we are concerned that we don't reduce rather than extend freedoms."

CCAP has taken on the task of watchdogging OEO.

It wants to assure due process by OEO in its decisions, such as fund cutoffs. Its recent successful battle with OEO to refund the Mississippi Headstart Program CDGM (Child Development Group of Mississippi) was an instance of this type of effort.

CCAP is training community workers under a sizable Ford Foundation grant. And it is setting up a kind of clearinghouse to steer applicants to proper programs—public and private—to meet their needs. It will also field complaints about OEO programs.

CCAP is currently supporting a pilot project in Georgia and Alabama to mobilize private resources to build self-help housing and to set up a cooperative factory.

It wants to come up with practical alternatives to big government programs.

Even the NAM is searching around for substitutes to government action. Richard C. Cornuelle, vice-president of NAM, and author of "Reclaiming the American Dream," has much the same misgivings about the growth of big government in the welfare area.

Like Dr. Gallup, Mr. Cornuelle feels that independent groups can come up with some pretty good answers.

So Mr. Cornuelle sits high in his glass-faced Park Avenue skyscraper and runs a program for Harlem dropouts.

He is out to prove that independent efforts are cheaper, more effective, and safer.

"Our goal is to outperform the federal government," he says with the coolness of a man who already has. This he actually did with a loan program for college students privately set up to rival the government's program. The results were strikingly better than the government's.

His success in this fired his confidence. Now he wants to get into competition with the government's poverty program.

He wants to help independent groups modernize their methods. He wants to spread news of the successful, tested approaches. "Many of our welfare agencies are operating with techniques and methods generations old," he says.

With this revitalization of the independent sector—the voluntary associations de Tocqueville was fascinated with—Mr. Cornuelle predicts: "We will be amazed at our ability to get social results."

Thus, CCAP and NAM, though operating from essentially different postures, are headed in much the same direction. The approach is slightly different: Mr. Cornuelle would reject government money under all circumstances. ("A lot of people are groping for a method to have your cake and eat it too—have federal money and not federal control.")

Mr. Boone isn't worried about the source. (On tainted money: "You have to have the determination to take it, wash it, and use it. Protect yourself—establish clearly the conditions under which you are going to accept it.")

But on basic objectives they are in agreement: The federal government is not the answer—or certainly not the only answer—to solving the problems of this age.

As Mr. Cornuelle concludes: "I think we are going to look back on the last third of the century as a time when we rediscovered the astonishing vitality and problem-solving capacity of the independent sector and put it to work in America."

[From the Christian Science Monitor, Dec. 30, 1966]

3. The Other War on Poverty—New Front—Business Know-How Mobilized

(By William C. Selover)

WASHINGTON.—Some congressmen are beginning to think private business should play a bigger role in the antipoverty war.

They feel now that the private sector might be capable of wiping out poverty more efficiently and intelligently than the federal government. They contend that big government hasn't done the job it set out to do.

These probably sound like Republican ideas.

But some pretty un-Republican politicians and leaders are coming to these conclusions—like Sen. Robert F. Kennedy (D) of New York and Walter P. Reuther, president of the United Automobile Workers Union, to name two.

Republicans and Democrats alike are exploring whole new approaches to the sluggish progress of the "war on poverty."

Sen.-Elect Charles H. Percy and Sen. Jacob K. Javits have promoted government-private corporation partnerships—along the communications satellite (Comsat) lines. And Sen.-Elect Edward W. Brooke has pushed for greater government-industry cooperation.

Even more interesting is the fact that Democrats are beginning to compete with Republicans in advocating retreat from big government.

PARTNERSHIP WITH INDUSTRY

Senator Kennedy wants to get private nonprofit corporations to combat urban poverty. And he has spearheaded such a group in New York's Bedford-Stuyvesant slum.

Such corporations, he says, "would find a fruitful partnership with American industry."

Mr. Kennedy insists that these "cannot and should not be owned or managed by government, by the rules and regulations of bureaucracy, hundreds of miles away, responding to a different constituency."

Similarly, Mr. Reuther calls for the creation of a nonprofit corporation to remake the cities and wipe out slums. Funds, he said, would come from private capital, union pension funds, and foundation grants.

While he wouldn't turn away federal subsidies, he would insist that control remain in private hands. "When government is an equal partner," he says "you tend to become a prisoner of bureaucratic infighting."

These are, to say the least, unexpected words coming from perennial advocates of an increasing government role in American life.

Yet, today, more and more, the latter-day liberals are disillusioned by failures in the poverty program. To them the "war on poverty" has been a disappointment. The problems it sought to conquer remain.

Furthermore, Republicans who had earlier predicted the worst now are calling for new initiatives. Some are coming up with "Republican alternatives."

CRUSADE TO BE REVIVED

Rep Albert Quie (R) of Minnesota, for example, plans to revive his "opportunity crusade," in the 90th Congress. Interest in his alternative to the "war on poverty" is apparently growing.

His proposal includes a far-reaching job-training program run by private industry. Mr. Quie points out that American industry is already massively geared to this kind of work.

"Young people must have a place to learn needed skills," he says. "The private sector is the only place to do it."

Sen. Jacob K. Javits is another Republican searching for alternatives.

He wants to "break the circle of conventional thinking" which he says, leaves the solution of social problems to government.

"I propose that the war on poverty be escalated by enlisting in it the resources of the private enterprise system," he says.

His proposal—establishment of an economic opportunity corporation—chartered by an act of Congress, has been compared to Comsat. The potential for profits, however, would be considerably more limited than is presently seen in the Comsat corporation.

The Javits proposal has yet to take its final shape.

Initially it would have been capitalized at about $1 billion, 40 percent from the federal government, with 60 percent from private sources.

But the Senator now feels that a much less ambitious program would be more practical. Also, he wants to keep government funds out of it.

A $50 MILLION STOCK OFFERING

As his proposal now stands, the government would not own stock. However, 3 of the 15-man board would be appointed by the President.

The corporation would make an initial $50 million stock offering—to be raised through a canvas of corporations, labor unions, church groups, foundations, and other private organizations.

The Senator feels that such a corporation could fill "the desperate need for business-like management techniques: the confusion, overlapping of functions, and waste which are plaguing so many of the existing programs could undoubtedly be reduced if business management, which handles enormously complex enterprises with efficiency could be utilized."

Skeptics seriously doubt that business, geared to the profit motive, can be moved to invest in such programs. But Senator Javits heartily disagrees.

"Business has already shown a major desire to participate in activities in the public interest in many fields," he recently told a Boston audience, "but especially in manpower training, redevelopment projects in poor neighborhoods, and investments in small business—all of which have had a significant impact on poverty conditions."

OEO CRITICIZES PROPOSALS

Senator Kennedy likewise contends that business has taken an active role in this area. "Many firms . . ." he says, "have actually undertaken the search for ways to bring the ghetto into the national economic market."

Says Senator Kennedy: "Loans and technical cooperation from industry and commerce; trained manpower and organization from labor unions; academic and educational partnership with the universities . . .: these would be resources thus far unknown to the ghetto, resources sufficient to mount a real attack on the intertwined problems of housing and jobs, education and income."

How well these ideas will go over, in Congress and with the voters, nobody is predicting.

Senator Javits asked OEO officers for an evaluation of his proposal. They tended to pooh-pooh it. They would rather spend money on direct programs to help the poor, they argued.

Still, even the administration is examining the Comsat-type proposal with great interest. Just how the private sector would be involved remains unclear. But one thing is for sure: the initiative, skill, and resources of private industry are being welcomed in Washington with unusual interest.

The chances for the Quie proposal, for example, have increased measurably with the election of 47 more Republicans to the house.

Last Sept. 29, Mr. Quie's motion to substitute his "opportunity crusade" for the administration's "war on poverty" failed by 162–203. Of that number, 47 Democrats voted for the Quie proposal—among them were several who had earlier voted for strongly liberal administration programs such as open housing, rent supplements, etc.

These include Rep. William J. Randall of Missouri and Rep. Walter S. Baring of Nevada.

Mr. Quie thinks he'll pick up considerably more support as more legislators seek alternatives.

Yet, there is a final school of thought which would argue that Congress won't succeed just by passing more laws.

Conservative writer Richard Cornuelle, author of "Reclaiming the American Dream," believes that there remains today a "very neglected area of legislative responsibility."

He would urge congressmen to use the prestige of their offices to encourage independent institutions to develop their own attack on poverty.

CORNUELLE THESIS TESTED

In his much-thumbed handbook for Republican candidates written last summer, Mr. Cornuelle writes: "A political leader has other powers which can be used to encourage independent agencies—the power of persuasion, the power to command public attention because of the prestige of his office."

Mr. Cornuelle's friend, the Lieutenant-Governor-Elect of California, Robert Finch, plans to use his office to put the Cornuelle thesis to a test. He thinks he can encourage antipoverty efforts without new laws, without government money—just by persuading people who could help to become involved.

It should prove a useful experiment.

Still it will be lively around Washington this year—with the basic political groundrules shifting so strikingly: Now some politicians appear to be competing to see who can come up with the best proposal to increase the role of the private sector in antipoverty and diminish the role of the federal establishment.

By the end of the 90th Congress, a good many political-science textbooks may need updating. And a whole new chapter in the antipoverty effort may have been written.

[From the Christian Science Monitor, Dec. 31, 1966]

4. THE OTHER WAR ON POVERTY—BUSINESS ACCEPTS GROWING ROLE IN ANTIPOVERTY PROGRAM

(By William C. Selover)

WASHINGTON.—The marriage of business and government is not always rosy. Nevertheless, it is a bond of convenience. And the poverty program may have finally sealed the compact.

The courtship began in earnest when government turned to big business to solve defense and space problems.

Research industries that grew out of that relationship represent a modern-day wonder. Federal funds, plus the creative, technical, and management skills of industry served as a monumental resource in problem solving.

CHALLENGE ACCEPTED

But the whole thrust—especially in defense—was toward solving technical problems.

Now industry is being asked to bring its best techniques to bear on solving social problems—unemployment and poverty. Many of the top industries, including defense industries, have taken up the challenge.

Litton Industries, Inc., for example, was one of the first to get in on the poverty problem.

In early 1965, it began operating a Job Corps center at Camp Parks, near Oakland, Calif.

The logic of extending their range into the poverty field was explained by a Litton spokesman, Col. Barney Oldfield:

"If we could be approached in one time period," he said, "and told to build an inertial navigation system which would give a precise fix to a pilot in an aircraft doing twice the speed of sound, we felt we could be approached in another time period and told to do a part of solving this national unskilled, poverty program.

SYSTEM APPROACH TRIED

"As we saw it," he elaborated, "it was a sociological twist of a technique we have grown to call the system approach—breaking the task down into a number of smaller parts, then solving each part."

The whole shiftover has meant changing some notions of business. In defense contracting, the profit motive was clearly predominant.

Businesses running Job Corps centers don't make such profit.

Some figures show that job contractors pocket a 4 to 5 percent profit. Defense contracts average out at about 6 percent.

SOCIAL ROLE EVOLVING

Former presidential assistant Theodore C. Sorensen sees industry evolving "consciences and social responsibility."

He says: "Gradually, almost imperceptibly the modern corporation has evolved into a social as well as an economic institution, without losing sight of its need to make a profit. It has concerns, ideals, and responsibilities which go far beyond the profit motive . . today the business of business is America."

OEO Director R. Sargent Shriver, a skilled and successful businessman himself, paid recognition to this fact early in the game.

And he worked to mobilize this resource.

Back in May, 1964, before Congress enacted the Economic Opportunity Act, Mr. Shriver urged business to join in the battle against poverty.

"We need new productive relationships," Mr. Shriver told a gathering of the Business Council at Hot Springs, Va.

COUNCIL HELP ASKED

He called upon the council to specifically be sure there are jobs waiting for Job Corps graduates, help develop new and meaningful job training programs for Job Corps, and contribute financially to the local costs of Community Action Programs (CAPS).

The last never got off the ground. CAPS became so controversial and so fraught with political dangers that no responsible executive could justify to the stockholders putting corporation money into such an experiment.

But in the other two areas, business leaders have done some noteworthy work.

Private businesses have evolved successful and effective training programs for several job corps centers. Some United States industries, General Electric, Litton, International Business Machines, Xerox, Radio Corporation of America and Burroughs, to name a few, are on contract to run these centers.

They are also helping in the placement of the trained graduate.

Early in the war on poverty, Mr. Shriver urged the creation of a business leadership advisory council. It is made up of 38 presidents of top industry. It meets about four times a year to consider OEO programs and to give advice to the OEO director.

JOBS SOUGHT OUT

Individual members of the council have been working diligently to urge businesses to hire Job Corps graduates.

For example, one of the members, Roger Sonnabend, president of the Hotel Corporation of America, formed a hotel and restaurant council for the Job Corps.

This council has set up training programs for the food industry at Job Corps centers. And the council members follow the graduate, to see him placed in a job for which he was trained.

This has apparently been a very promising role for businessmen to play.

Ward Schram, executive secretary to the Business Leadership Advisory Council, (BLAC), says such efforts have "picked up momentum" in recent months.

COOPERATION ACCEPTED

He thinks there is a "natural marriage between Job Corps and a great many industries, especially service industries. They have been very quick to pick this up."

Most businessmen are not afraid of cooperating with government. Many consider the relationship natural. Says Litton's Colonel Oldfield: "I see no great sin in government recognition of an overwhelming problem, focusing attention on it, then saying in effect to universities, agencies, and private businesses 'You, you, and you hop to it and help.' For who are we helping in helping others in this fashion, except ourselves?"

He sums up the dangers in not accepting the challenge: "If we refuse to be counted—those of us in business and industry—who have we to blame if government takes over more and more such roles where we were the logical, the prepared, and the most talented ally?

"I know no antidote to spreading government intervention in our society like being anxious to apply ourselves as industrialists to every facet of that society's improvement before government has to move in to correct a grave deficiency."

From this thinking and soul-searching on the part of top industrialists a new business ethic may be evolving. No longer devoted solely to profits or expansion the business community is becoming socially concerned and constructive.

REVOLUTION IN BUSINESS

Mr. Schram claims that "Shriver and the poverty program have started a revolution in American business—it has at least triggered responses in business that have rarely appeared before."

Sol M. Linowitz, of Xerox, sees the new relationship as productive and healthy.

"Already there has developed a new concept on the part of businessmen toward business-government relationships; and businessmen are today playing an increasingly important role which in the past businessmen traditionally tended to shun," he says.

However, many feel that the business-government marriage in the antipoverty program has been at most tentative. And many, including Mr. Linowitz and other business leaders, feel that the business community as a whole should be doing much more to accept the poverty challenge.

SUPPORT APPRECIATED

But at OEO, with Congress cutting back funds, congressmen taking enormous swipes at the program, and the administration acting very cool toward the whole operation—

business support is highly appreciated just now.

Many of the solid successes of the program are directly attributable to business efforts. In many ways business has stuck by the program where others, civil-rights groups, church and labor organizations, and ordinary citizens, have deserted it.

What the relationship may grow to in the future is anybody's guess.

One thing is certain, American business has had a taste of doing good directly for the poor of the country, at government expense, and it will never be quite the same.

[From the Christian Science Monitor, Jan. 3, 1967]

5. THE OTHER WAR ON POVERTY—LABOR LEADERS FIND ACTIVE ROLE IN FIGHT AGAINST POVERTY

(By William C. Selover)

WASHINGTON.—Labor leaders, diligently searching for their own special role in the antipoverty war, may have stumbled on an answer.

It grew out of a successful experiment which took place in the grim, numbing poverty of Appalachia during the past year.

Their answer, in short, is that to combat poverty most successfully, labor needs involvement—an activist role—rather than a conventional, passive role.

The experiment involved intensive training of 100 community-action leaders drawn from unions in 10 Appalachian states. The AFL–CIO Appalachian Council and the Institute for Labor Studies at West Virginia University sponsored the program. It combined both classroom and field training. Two weeks initial classroom work in April included a drilling in programs available to poor people not only in the antipoverty program, but also under the Manpower Development and Training Act (MDTA), and in health, welfare, and education.

FIELD WORK NEXT

This training was followed by six months of field work in the trainee's own community. Trainees returned to the university's classrooms for a week in October and a week in December.

The Office of Economic Opportunity (OEO) paid the costs, reasoning that the trainees have a "high personal commitment to the war on poverty" and that they can get "more community-action programs organized in Appalachia."

The results of the training have been surprisingly impressive to both OEO and the AFL–CIO.

These 100 workers have returned to their homes and made substantial contributions by simply spreading around their newly gained knowledge—showing groups how to start their own programs.

Even more important, their knowledge filled another major gap in the administration of government programs. Trainees now knew enough to coordinate various antipoverty efforts of all the federal departments, of the states, and localities, public and private.

COORDINATION STRESSED

It is in this kind of coordination labor leaders feel they can make a sizable, major contribution toward helping the poor.

"We are going to coordinate," asserted a top labor leader privately. "Government people are always talking about it, but they are never doing it. Unions can do it."

Because of the success of this experiment, plans now call for greatly increasing this kind of program. The Pennsylvania AFL–CIO is moving ahead with a similar effort.

Details are being worked out for more such training in New England, in the Rocky Mountain states, and in the Southwest states.

AFL–CIO officials are talking of such programs ultimately reaching every state. "This will provide a nationwide cadre of trained community leaders in the poverty war at the grass roots and, hopefully, enhance the effectiveness of the programs," explains Miles C. Stanley, who is retiring as the poverty aide of George Meany, president of the AFL–CIO.

PROGRAM WELCOMED

Thomas Cosgrove, OEO's labor-liaison man, welcomed the development of this trained cadre. And he urged expansion of the cadre.

He said his hope is to "maximize union involvement in the program."

"The key things that unions do are the things needed here," said Mr. Cosgrove.

Unions have experience, he explained, in organizing people "very similar to the poor."

He also cited bargaining ability and political experience as key skills possessed by union leaders and members.

At first labor leaders and poverty officials expected grass-roots union members to rush forward with these skills, eager to help.

Mr. Stanley, who came from the West Virginia state presidency of the AFL–CIO to help Mr. Meany, viewed the poverty program as just "another tool in the war on poverty." He said he felt the civil-rights laws, MDTA, and area-redevelopment administration, among others, were part of the same effort and added a new dimension to social legislation.

INVOLVEMENT REQUIRED

"The difference between programs of the 1930's and those of the 1960's, is that the new ones require real community involvement," he said.

He said he hoped this would come from union members almost spontaneously.

On his last day at work for the AFL–CIO in Washingotn, on a cold day late in December, Mr. Stanley paused to look back over the 22 months of his efforts to get unions involved in the war on poverty.

"When I came here," he said, "our approach was to use the organization, structure, skill, and expertise we had, to work with the rest of the community—to make the social legislation of the '60's effective, rather than isolating ourselves from the rest of the community by running our own programs."

His first move was to turn out a pamphlet, "Labor's Role in the War on Poverty," which was based on the premise that local union members would take it individually and sign up for the local efforts as private citizens. More than 100,000 copies were distributed.

UNIONS UNTAPPED

But this approach failed to draw on the organizing skills of unions.

And it was dubiously effective, because it was a haphazard effort. "Miles Stanley had no power to force action. He had to goad volunteers into working," said a close observer.

Mr. Stanley, who is returning to West Virginia union activities, figures that between 500 and 700 union members responded to the call by direct involvement on community-action-program boards.

He was moderately happy with that figure. But of some 30,000 board members, 500 seems modest indeed.

OEO director Sargent Shriver saw the problem. "Despite the leadership and the vision demonstrated by our own leaders," he told a national labor convention in December, 1965, "there has been a dragging of the feet at the local level."

VISIBILITY SOUGHT

Mr. Stanley is concerned that union members have evolved into a "new middle class."

To strike out against that trend, Mr. Stanley tried branching into more visible and identifiably "labor" antipoverty projects such as training and apprenticeship programs.

At the same time, Mr. Shriver called on labor to act as a "spokesman for the poor . . . as a countervailing force, to watch us—to keep us on the track."

He pointed to Walter Reuther's major role in setting up the Citizens Crusade Against Poverty as a vigorous move in that direction.

But even among union leaders there is a confusion about the exact role of labor.

Mr. Reuther recently attacked AFL–CIO policy on social, welfare, and antipoverty questions as showing "insufficient commitment." The AFL–CIO "suffers from a sense of complacency and adherence to the status quo," he charged.

Mr. Stanley replied that if his own AFL–CIO efforts and the Reuther activities disappeared overnight, "I don't know which one would leave the biggest vacuum."

He said that each has a distinct and vital role. He said he feels that AFL–CIO efforts on the part of passage of poverty and other social legislation have been decisive in many cases.

APPROACH SHIFTED

Still, before Mr. Stanley's departure from the AFL–CIO, he had moved his efforts quietly more towards the Reuther activist role—with noticeable improved results. And the new emphasis on coordination of the many antipoverty efforts—which government talks about but often fails to do—offers a common meeting group for both Meany and Reuther wings of the labor union movement in poverty activities.

Whatever one or the other may say, it is generally conceded that both approaches are vital to reaching the poor, because they are nongovernmental groups serving to challenge the government to do better.

Each group has launched modestly into its own privately funded effort. Many persons say unions could do more on their own—without government involvement. Such a trend, however, is not clearly identifiable at present.

One thing is certain: The poverty program could hardly survive without the considerable efforts of unions as well as businesses, churches, colleges, and other independent groups.

GROUPS INVOLVED

"We knew that right from the beginning," said Hyman Bookbinder, a Shriver assistant in charge of national organizations. "That's why we work so hard to get them involved."

"Even if OEO stopped functioning, we already have so many groups involved in the poverty program, much of the work could continue," Mr. Bookbinder said.

Depending on how Congress feels in the coming year, the private groups might have their chance.

In the meantime, the base of interest in antipoverty efforts gets broader every day.

COLD WAR AND HUNGER

Mr. INOUYE. Mr. President, President Johnson's proposals to build bridges to Eastern Europe and to increase world food production have received the studied endorsement of the Philadelphia Evening Bulletin.

As the Bulletin sees it, pressures and emotions engendered by the conflict in Vietnam should not frustrate peaceful alternatives to the strife of the cold war. The newspaper believes that the President is wise to seek an agreement with the Soviet Union to check the expansion of arms. And it urges us to go as far as possible in normalizing relations with Russia and Eastern Europe.

Likewise, the Bulletin calls favorable attention to the President's state of the Union remarks on the imbalance between food resources and population.

This editorial is a reflection of my own viewpoint, and I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Philadelphia Evening Bulletin, Jan. 12, 1967]

Of Cold War and Stark Hunger

In scanning the horizons beyond Vietnam, President Johnson in his State of the Union message emphasized two subjects of singular urgency. He asked Congress for help in building bridges to Communist countries in Europe. He urged world cooperation in redressing the imbalance between food resources and population. The difficulty of achieving agreement in these areas makes the need for constructive action no less compelling.

It has seemed an unholy contradiction to some Americans that the Administration should have pressed forward with peaceful measures on commerce, cultural contacts and arms control with Communists in Europe even as the United States wars with Communists in Asia.

This reaction may cause Mr. Johnson's plea for passage of the East-West trade bill and approval of the long-stymied consular convention with the Soviet Union to fall on deaf congressional ears. Yet the pressures and demotions engendered by the Vietnam war should not be permitted to obscure what that devastating conflict itself demonstrates: Wherever it can be safely done there must be developed advantageous peaceful alternatives to the unremitting strife that has characterized the period since World War II.

The logic of this approach is further fortified by intelligence indicating that the Soviet Union has begun installation of limited anti-missile defenses. This is a move that could bring a costly escalation of the arms race in a period when tensions are dangerously high.

Mr. Johnson is wise to seek an agreement with the Russians that will check mutual arms expansion especially in this critical strategic field of missiles.

Congress should reject the simplistic idea that limited war in Vietnam requires total hostility in all relationships with the Communist world. It should go as far as it can in normalizing relations with the Soviet Union and Eastern Europe. Allies in Europe have already gone much further than the United States in dispelling the cold war atmosphere. Mr. Johnson should be supported in his efforts to show that this, too, is America's sincere wish.

While mankind screams its ideological hates, presses its national rivalries, arms to the teeth and makes war, the common enemies of the human family are on the march. This underlies the heavy stress that Mr. Johnson placed on the necessity to increase world food production and for those nations in food-deficit areas to put more of their resources into curbing population growth.

Here is an undertaking that requires all the cooperation, all the skill and all the generosity that highly developed nations can muster to help areas facing the threat of starvation. Cold war rivalry will seem a stupid thing if it prevents "leaders" from acting together to fend off a condition debasing the human condition and imperiling progress.

TRIBUTE TO SENATOR YOUNG OF NORTH DAKOTA

Mr. CARLSON. Mr. President, the 40th Legislative Assembly of the State of North Dakota recently adopted House Concurrent Resolution G, commending the Honorable Milton R. Young for his outstanding and dedicated service to his own State and to the Nation.

Senator Young is one of the most able, courageous, and highly respected Members of the U.S. Senate and is so regarded by Senators on both sides of the aisle. He is a farmer in his own right, and therefore has a thorough knowledge of the problems of agriculture. Every farmer in the Nation is indebted to him for his untiring and devoted service in their behalf.

Not only is Senator Young a member of the Committee on Agriculture and Forestry; he is also the ranking minority member of the powerful Committee on Appropriations. He takes a personal interest in the taxpayers' money by insisting that it be spent with prudence and frugality.

Senator Young's services are invaluable to his State and the Nation.

I ask unanimous consent that North Dakota House Concurrent Resolution G be made a part of these remarks.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

House Concurrent Resolution G

A concurrent resolution commending Milton R. Young, Senior Senator from North Dakota, on the twenty-second anniversary of his dedicated, devoted and loyal service for the state of North Dakota and our Nation

Whereas on March 12th, 1967, Milton R. Young will have served in the United States Senate with distinction for twenty-two years; and

Whereas his affable personality, youthful vigor and dedication to the high office he holds, and his outstanding abilities have rewarded him the respect, confidence and trust of not only his colleagues but that of our Nation's leaders, both civilian and armed forces, and the leaders of our foreign allies; and

Whereas he is the senior member of the Republican Party on the appropriations committee, the second in seniority on the agricultural committee, a 1966 subcommittee of appropriations, agriculture, defense, deficiency and supplementals independent offices, subcommittee of interior, and the legislative branch of public works and C.I.A.; and

Whereas he was the prime instigator of legislation that gave North Dakota the Garrison Dam, Missouri River Diversion and Water Resources Development programs; and

Whereas he served one term in the North Dakota House of Representatives, 1933-34, and continuously in the North Dakota Senate from 1934 until he resigned in March 1945, when he accepted the appointment to the U.S. Senate to fill the vacancy due to the death of the late John Moses. As a member of the North Dakota Senate, he was honored by being elected President pro-tem in 1941, and floor leader in 1943; and

Whereas he was elected in the special election in June 1946, to serve the five years unexpired term of the deceased John Moses; and

Whereas the citizens of North Dakota, by overwhelming majorities, have re-elected him to three consecutive six-year terms in the United States Senate; and

Whereas with each succeeding year, Milton R. Young, by his physical stamina, conscientious regard for the well-being of his State and Nation and their citizens, has expanded in stature and respect, by all with whom he represents and associates; Now therefore, be it

Resolved by the House of Representatives of the State of North Dakota, the Senate concurring therein: That Milton R. Young be given our vote of confidence and that Providence may allow us the good fortune of many more years of devoted, dedicated, and loyal service from him; be it further

Resolved, That this resolution be printed in the journal and that a properly authenticated copy be sent by the Secretary of State to Milton R. Young, Senior United States Senator from North Dakota.

Gordon S. Armott,
Speaker of the House.
G. R. Gilbreath,
Chief Clerk of the House.
Charles Tighe,
President of the Senate.
Leo Leidholm,
Secretary of the Senate.

THE DISTRICT OF COLUMBIA BUDGET

Mr. McINTYRE. Mr. President, the budget for the District of Columbia, which the President submitted to Congress today, is a forward-looking document. It recognizes that there are many needs which the District of Columbia must meet, and it clearly points the way toward meeting them.

Education and crime prevention are given major attention, but the budget also reflects a concern with current deficiencies in welfare and in recreation, and with the need for better facilities throughout the District.

The President properly calls attention in his message to the fact that the Federal Government has not been bearing its full share of the cost of the District's general government. I believe that this is the year that Congress should heed the President's urgent call for a new formula for the Federal payment to the District. It should be put on a basis which will make it responsive to the needs of the District and in direct proportion to the tax burden of District citizens themselves. This is a long overdue reform.

THE NECESSITY FOR UNLIMITED DEBATE

Mr. INOUYE. Mr. President, we have heard much discussion, pro and con, on rule XXII. It is well that we have, for in this rule rests a fundamental principle in our democracy: that the rights of the minority shall always be represented. To keep this fundamental concept alive and vital, we must reexamine it periodically and test its relevance to the times in which we live. For a democracy deals less with absolute than with relative values as it strives to achieve those adjustments which are its sources of resiliency and strength.

If any lesson in history is clear, it is that minorities change, new minorities take their place, and old minorities grow into the majority. We can observe this course in the decisions of the Supreme Court, where the development of the Nation's law so often takes the form of adapting as the opinion of the Court the dissenting views of an earlier decision. We have seen it in the great social legislation enacted in past sessions of Congress.

I have heard so often in the past few days eloquent and good men plead for a chance to let the majority rule. This, they say, is the essence of democracy. I disagree, for to me it is equally apparent that American democracy does not necessarily result from majority rule, but rather from the forged compromise of the majority with the minority.

The philosophy of the Constitution and the Bill of Rights is not simply to grant the majority the power to rule, but is, also, to set out limitation after limitation on that power. What are the guarantees of freedom of speech, freedom of religion, freedom of the press, but a recognition that at times when the majority would willingly destroy him, the dissenting man may have no friend but the law? What is our system of checks and balances—the Senate against the House, and Congress against the judicial and executive branches—but a reiteration of the philosophy that this democracy is not intended as a rule of the majority? This power given to the minority is the most sophisticated and the most significant power bestowed by our Constitution.

In this day, when consensus is the desired goal, when "image" is more important than convictions, the right to express this power and the courage to express it have become less and less apparent. One of the few places where this power remains a living force is in the Senate.

The decision before us is clear enough. It is not over the right to debate, for that right may now be limited when no great issue is at stake. Nor is it the Senate's inability to act at all, for I cannot believe that a majority which is truly determined in their course cannot fail eventually to approach their ends. It is instead the power of the minority to reflect a proportional share of their views upon the legislative result that is at stake in this debate.

I believe that rule XXII serves a vital need in our democracy. To those who wish to alter radically the balance of power between a majority in the Senate and a minority, I say, as I have said before, "You sow the wind, for minorities change, and the time will surely come when you will feel the hot breath of a righteous majority at the back of your own neck. Only then, perhaps, will you realize what you have destroyed." As Alexis De Tocqueville said about America in 1835:

> . . . A Democracy can obtain truth only as the result of experience; and many nations may perish while they are awaiting the consequences of their errors.

I speak as a liberal. To my liberal friends, I say we especially should preserve this tool. It is in the nature of our political philosophy to support the unpopular racial, economic, and social minorities of this country. History has shown us that extended debate may be the only effective instrument we have.

In 1933, President Franklin D. Roosevelt, at the beginning of his administration, proposed an amendment to the Organic Act, the Federal framework for the government of Hawaii. The Organic Act, as originally established, gave the President authority to appoint the Governor of the territory, its secretary, and its judges. It was carefully stipulated that such appointees must have been residents of the Territory of Hawaii for at least 3 years prior to appointment. President Roosevelt proposed to do away with this residency requirement. He did so on the ground that the best men available throughout the country would then be eligible for appointment to these posts.

The proposal attracted no national press attention, but in remote Hawaii, the community shivered in deepest alarm. Our citizens knew that this proposal would make the highest and most crucial offices in the Territory merely token rewards for political services rendered. There could be no guarantee that defeated Congressmen, or large campaign fund contributors would understand or be identified with the nuances of a cross-cultural, multiracial society in the middle of the Pacific Ocean.

The bill was introduced on May 22, 1933; in less than a week, it passed the House, 237 to 119. By June 10, it had been reported from the Senate Committee on Territories and Insular Affairs, and was set for passage before the June 15 deadline for congressional adjournment. Hawaii's opposition went unheeded.

But fortunately, at the last minute, a few Members of the Senate, men like Senators LaFollette, Borah, King, and Vandenberg, rose to stop the steamroller. Senator La Follette objected to its consideration, but was overridden. Then Senator Vandenberg and other Senators, in the closing hours of the session, made long speeches voicing their stubborn opposition. The bill was killed.

This was not a full-blown extended debate; it did not need to be. Exercise of the right to obstruct the quick order of business was enough to save the day. I submit that had that measure passed, the history of Hawaii would have been arrested at about the level of Guam or the Virgin Islands. The people of my State can be eternally grateful to those men, and to this tool by which they were able to defeat what then truly appeared to be a minority opinion.

Let me cite another instance—this one affecting the length and breadth of this Nation and its institutions. In 1946, after a long war in which labor had been told to set aside its grievances in the interest of national security, the railroad workers opened the readjustment period with demands for higher pay. These were rejected, and in the ensuing strike, the major industries of the Nation were brought to a halt. Hysteria struck Wall Street. The public was up in arms. President Truman, in response to the emotional upheaval, ordered the railroaders back to work. As the deadline approached and no solution seemed in sight, the President called an extraordinary Saturday joint session of Congress. Although he received word, as he was speaking, that the strike had been settled, he continued with the strike proposal. That very day the bill was brought to the floor of the House, and, 2 hours later, passed, 306 to 13. That same Saturday, identical legislation was introduced in the Senate and reported from committee with one slight amendment.

Sunday was a holiday; on Monday the matter was before the Senate; the Senate did not meet Tuesday because of the death of a Member.

On Wednesday, debate was resumed, and there seemed to be no stopping the measure until a handful of Senators called a halt to the hysteria. Senators Downey, Milliken, PEPPER, MORSE, Wagner, and a few others stubbornly held their ground in opposition to crucial elements in that bill. Again, it was not extended debate, but the threat was enough to frustrate the desires of what surely was the majority of Congress and perhaps the American people. All of us must remember what the legislation provided: it was to draft into the Army those railroad workers who refused to return to work.

Incredible? Indeed it was. For having just fought a long and bloody war against tyranny and dictatorship abroad, Congress, in the hysteria of the moment, narrowly missed sacrificing the very principles the Nation had fought to preserve.

There are many other examples of how the determined opposition of a minority has effectively forestalled objectionable legislation. I do not say that all such opposition has yielded good results. But I do seriously doubt whether any legislation which would arouse the stubborn opposition of one-third of this body, or that could be stopped simply by threatening a delay, could necessarily be very effective legislation. After all, ours is a government by consent; and its powers are divided, so that what is legislated may not be administered, may not be funded, may not be supported by the courts. Our task is to anticipate and reconcile conflicting pressures in this society as we formulate its laws.

But why is the two-thirds majority necessary to overrule? Why not, liberal Senators argue, a simple majority? Or if not that, why not a three-fifths majority—a difference of a mere seven Members of the Senate? Why permit the tyranny of the one-third?

These are not new questions. As Senators know, up until 1917, the Senate had no instrument by which debate could be terminated. But in 1917, the Senate approved a rule by which two-thirds of those present and voting could stop discussion. In 1949, the rule was changed to call for two-thirds of the entire membership of the Senate, but in 1959, the rule reverted to two-thirds of those present and voting. But at no time in our history has the Senate accepted less than the two-thirds majority present and voting to curtail free and open discussion.

I should like to point out that the simple majority is by no means a basic concept in our democracy. Our judicial system rests on trial by jury, but nowhere at the lower court level do we find guilt or innocence determined by majority rule. If swift justice were desired, majority rule would be the instrument. But the Founding Fathers knew that if one iota of uncertainty remained, the benefit of the doubt should go to the minority view. The ratification of treaties requires a two-thirds vote of Senators present. Impeachment requires a two-thirds vote of the Senators present.

Need I point out in this connection the consequences of what almost happened during the bitter reconstruction period when, but for one vote, President Andrew Johnson would have been removed from office?

To expel a Member of Congress also requires a two-thirds vote.

To override a Presidential veto requires a two-thirds vote; to inaugurate an amendment to the Constitution of the United States requires the support of either two-thirds of the State legislatures or a two-thirds vote by both Houses of Congress. Then three-fourths of the States must vote their acceptance of a change in that document.

The initial ratification of the Constitution of the United States required not two-thirds, but 9 of the 13 States—almost three-fourths.

In every instance, I have cited the two-thirds or greater majority which has been required—all to guard against any but the wisest and most temperate decisions. I submit that the American form of government evidences the greatest respect for minority opinion.

Should the making of any law of the land be impervious to the strongly held will of a minority? Since when is a simple majority an infallible indication of wisdom and right? We hear much talk about the tyranny of the one-third. I am just as fearful of the tyranny of the majority.

Unlimited debate is a double-edged sword. Through the threat of its use, we liberals were able to stop the proposed constitutional amendment which would have set aside the Supreme Court's ruling on reapportionment, an approval which would have denied millions of Americans the simple justice of fair representation. By its use, we stopped the so-called prayer amendment which, if carried through, would have denied freedom in religious practice. In spite of rule XXII, we have recently enacted historic social legislation: The Civil Rights Act, the poverty program, and medicare. To us, that was progress. The pendulum of public support finally swung our way; but it could well swing in the other direction, and in the days ahead we could be hard put to defend our hard-fought gains.

Democracy is a slow and deliberate process. It requires patience and tolerance for opposing views. But when in the passions of the moment these virtues do not dominate, unlimited debate becomes a necessary instrument in the arsenal through which we liberals may defend the rights of the minority.

INTERNATIONAL YEAR FOR HUMAN RIGHTS

Mr. McGOVEPN. Mr. President, the United Nations has designated the year 1968 as International Year for Human Rights. Because I believe this matter will be of considerable interest to the Senate and the American public, I ask unanimous consent that the text of a resolution adopted by the General Assembly on December 20, 1965, as well as an annex containing recommendations made by the Commission on Human Rights be printed at this point in the Record.

There being no objection, the resolution and annex were ordered to be printed in the Record, as follows:

Resolution Adopted by the General Assembly [on the Report of the Third Committee (A/6184)] 2081 (XX). International Year for Human Rights

The General Assembly,

Recalling its resolution 1961 (XVIII) of 12 December 1963 designating the year 1968 as International Year for Human Rights,

Considering that the Universal Declaration of Human Rights has been an instrument of the highest importance for the protection and promotion of the rights of individuals and the furtherance of peace and stability,

Convinced that its role in the future will be of equal significance,

Considering that the further promotion and development of respect for human rights and fundamental freedoms contributes to the strengthening of peace throughout the world and to friendship between peoples.

Considering that racial discrimination, and in particular the policy of *apartheid*, constitutes one of the most flagrant abuses of human rights and fundamental freedoms and that persistent and intense efforts must be made to secure its abandonment,

Reaffirming the belief that the cause of human rights will be well served by an increasing awareness of the extent of the progress made, and the conviction that the year 1968 should be devoted to intensified national and international efforts and undertakings in the field of human rights and also to an international review of the achievements in this field,

Stressing the importance of further development and implementation in practice of the principles of the protection of human rights laid down in the Charter of the United Nations, the Universal Declaration of Human Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Declaration on the Elimination of All Forms of Racial Discrimination,

Convinced that an intensification of efforts in the intervening years will heighten the progress that can be made by 1968.

Convinced further that the proposed international review of progress in the field of human rights can advantageously be carried out by means of an international conference,

Noting the interim programme of measures and activities to be undertaken in connexion with the International Year for Human Rights and in celebration of the twentieth anniversary of the Universal Declaration of Human Rights, recommended by the Commission on Human Rights and set out in the annex to the present resolution,

Noting further that the Commission on Human Rights is continuing the preparation of a programme of observances, measures and activities to be undertaken in 1968,

1. *Calls upon* States Members of the United Nations and members of the specialized agencies, regional inter-governmental organizations, the specialized agencies and the national and international organizations concerned to devote the year 1968 to intensified efforts and undertakings in the field of human rights, including an international review of achievements in this field;

2. *Urges* Member States to take appropriate measures in preparation for the International Year for Human Rights, and in particular to emphasize the urgent need to eliminate discrimination and other violations of human dignity, with special attention to the abolition of racial discrimination and in particular the policy of *apartheid;*

3. *Invites* all Member States to ratify before 1968 the Conventions already concluded in the field of human rights, and in particular the following:

Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery;

International Labour Organisation Convention concerning the Abolition of Force Labour;

International Labour Organisation Convention concerning Discrimination in respect of Employment and Occupation;

International Labour Organisation Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value;

International Labour Organisation Convention concerning Freedom of Association and Protection of the Right to Organize;

United Nations Educational, Scientific and Cultural Organization Convention against Discrimination in Education;

Convention on the Prevention and Punishment of the Crime of Genocide;

Convention on the Political Rights of Women;

International Convention on the Elimination of All Forms of Racial Discrimination;

4. *Decides* to hasten the conclusion of the following draft conventions so that they may be open for ratification and accession if possible before 1968:

Draft Covenant on Civil and Political Rights;

Draft Covenant on Economic, Social and Cultural Rights;

Draft International Convention on the Elimination of All Forms of Religious Intolerance;

Draft Convention on Freedom of Information;

5. *Decides* to complete by 1968 the consideration and preparation of the draft declarations which have been approved by the Commission on Human Rights and by the Commission on the Status of Women;

6. *Approves* the interim programme of measures and activities envisaged for the United Nations annexed to the present resolution and requests the Secretary-General to proceed with the arrangements for the measures to be undertaken by the United Nations set out in the annex;

7. *Invites* Member States to consider, in connexion with the International Year for Human Rights, the possible advantage of undertaking, on a regional basis, common studies in order to establish more effective protection of human rights;

8. *Invites* regional inter-governmental organizations with competence in the field to provide the international conference envisaged for 1968 with full information on their accomplishments, programmes and other measures to realize protection of human rights;

9 *Invites* the Commission on the Status of Women to participate and co-operate at every stage in the preparatory work for the International Year for Human Rights;

10. *Requests* the Secretary-General to transmit the present resolution and the interim programme annexed thereto to States Members of the United Nations and members of the specialized agencies, regional inter-governmental organizations, the specialized agencies and the interested international organizations;

11. *Recommends* that, in view of the historic importance of the observance of the International Year for Human Rights, the United Nations Educational, Scientific and Cultural Organization should be urged to mobilize the finest resources of culture and art in order to lend the International Year for Human Rights, through literature, music, dance, cinema, television and all other forms and media of communication, a truly universal character;

12. *Commends* to the States, regional inter-governmental organizations, agencies and organizations mentioned in paragraph 10 above the programme of measures and activities set out in the annex to the present resolution and invites their co-operation and participation in this programme with a view to

making the celebrations successful and meaningful;

13. *Decides* that, to promote further the principles contained in the Universal Declaration of Human Rights, to develop and guarantee political, civil, economic, social and cultural rights and to end all discrimination and denial of human rights and fundamental freedoms on grounds of race, colour, sex, language or religion, and in particular to permit the elimination of *apartheid*, an international conference on human rights should be convened during 1968 in order to:

(*a*) Review the progress which has been made in the field of human rights since the adoption of the Universal Declaration of Human Rights;

(*b*) Evaluate the effectiveness of the methods used by the United Nations in the field of human rights, especially with respect to the elimination of all forms of racial discrimination and the practice of the policy of *apartheid;*

(*c*) Formulate and prepare a programme of further measures to be taken subsequent to the celebrations of the International Year for Human Rights;

14. *Decides* to establish, in consultation with the Commission on Human Rights, a Preparatory Committee for the International Conference on Human Rights, consisting of seventeen members, to complete the preparation for the Conference in 1968 and in particular to make proposals for the consideration of the General Assembly regarding the agenda, duration and venue of the Conference, and the means of defraying the expenses of the Conference, and to organize and direct the preparation of the necessary evaluation studies and other documentation;

15. *Requests* the President of the General Assembly to appoint the members of the Preparatory Committee, eight of whom shall be States represented on the Commission on Human Rights and two of whom shall be States represented on the Commission on the Status of Women;

16. *Requests* the Secretary-General to appoint an Executive Secretary for the Conference from within the Secretariat and to provide the Preparatory Committee with all necessary assistance;

17. *Requests* the Preparatory Committee to report on the progress of the preparation in order that such reports might be considered by the General Assembly at its twenty-first and twenty-second sessions.

The President of the General Assembly, in pursuance of paragraph 15 of the above resolution, appointed the members of the Preparatory Committee for the International Conference on Human Rights.[1]

The Preparatory Committee will be composed of the following Member States: Canada, France, India, Iran, Italy, Jamaica, New Zealand, Nigeria, Philippines, Poland, Somalia, Tunisia, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Yugoslavia.

ANNEX—INTERNATIONAL YEAR FOR HUMAN RIGHTS: INTERIM PROGRAMME RECOMMENDED BY THE COMMISSION ON HUMAN RIGHTS

I. THE THEME OF CEREMONIES, ACTIVITIES AND CELEBRATIONS[2]

It is recommended that the programme of measures and activities to be undertaken throughout the International Year for Human Rights should be calculated to encourage, on as wide a basis as possible, both nationally and internationally, the protection of human rights and fundamental freedoms and to bring home to all the people the breadth of the concept of human rights and fundamental freedoms in all its aspects. The theme of the ceremonies, activities and celebrations should be: "Greater recognition and full enjoyment of the fundamental freedoms of the individual and of human rights everywhere". The aim should be to dramatize universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion.

II. A YEAR OF ACTIVITIES[3]

It is agreed that all the participants in the celebration should be invited to devote the year 1968 as a whole to activities, ceremonies and observances relating to the question of human rights. International or regional seminars, national conferences, lectures and discussions on the Universal Declaration of Human Rights, and on other declarations and instruments of the United Nations relating to human rights, may be organized throughout the year. Some countries will wish to stress the entire content of the Declaration, as further elaborated in later United Nations human rights programmes. Some participating countries may wish to emphasize, during particular periods of the International Year for Human Rights, rights and freedoms in connexion with which they have faced special problems. During each such period the Governments would review, against the standards set by the Universal Declaration of Human Rights and other declarations and instruments of the United Nations relating to human rights, their domestic legislation and the practices within their society in respect of the particular right or freedom which is the subject of that period's observances. They would assess the extent to which the right had been effectively secured and would give publicity to it and make special efforts to promote among their citizens a basic understanding of its nature and significance so that the gains already made might not easily be lost in the future. To the extent that the right or freedom had not yet been effectively secured, every effort would be made during the period towards its achievement. In the choice of subjects, priority could of course be given to those rights of a civil and political character and those of an economic, social and cultural character.

A. Measures to be undertaken by the United Nations in the period prior to the beginning of the International Year for Human Rights

1. *Elimination of certain practices*[4]

Believing that certain practices which constitute some of the grosser forms of the denial of human rights still persist within the territories of some Member States, the Commission on Human Rights recommends that the United Nations adopt and set before the Member States as a target to be achieved by the end of 1968 the complete elimination of the following violations of human rights:

(*a*) Slavery, the slave trade, institutions and practices similar to slavery, and forced labour;

(*b*) All forms of discrimination based upon race, sex, language, religion, political or other opinion, national or social or ethnic origin, property, birth or other status;

(*c*) Colonialism and the denial of freedom and independence.

2. *International measures for the protection and guarantee of human rights*[5]

Measures for the effective implementation of the rights and freedoms set forth in the Universal Declaration of Human Rights and other declarations and instruments of the United Nations relating to human rights have been under consideration in the United Nations for many years. The Commission on Human Rights is confident that action on the draft Covenant on Civil and Political Rights and the draft Covenant on Economic, Social and Cultural Rights, and measures of implementation, and on the other conventions or international agreements in the field of human rights listed in the draft resolution prepared by the Commission in 1964 for consideration by the General Assembly, will be completed before the beginning of the International Year for Human Rights. If, however, by the beginning of 1968, international machinery for the effective implementation of these covenants and conventions or international agreements does not form part of the instruments adopted, international measures for the guarantee or protection of human rights should be a subject of serious study during the International Year for Human Rights.

B. Measures to be undertaken by Member States in the period prior to the beginning of the International Year for Human Rights

1. *Review of national legislation*[6]

Governments are invited to review their national legislation against the standards of the Universal Declaration of Human Rights and other declarations and instruments of the United Nations relating to human rights, and consider the enactment of new, or the amending of existing, laws to bring their legislation into conformity with the principles of the Declaration and other declarations and instruments of the United Nations relating to human rights.

2. *Machinery for implementation on the national level*[7]

All Member States are invited, as one of the measures they will undertake in connexion with the International Year for Human Rights, to establish or refine, if necessary by the end of 1968, their national machinery for giving effect to the fundamental rights and freedoms. If, for example, within any Member States, arrangements do not exist which will enable individual persons or groups of persons to bring before independent national tribunals or authorities any complaints they may have concerning the violation of their human rights and obtain effective remedies, the Member State should be invited to undertake that such arrangements will be introduced. If such arrangements already exist, the Member States should be invited to undertake to refine and improve them. This is not a recommendation that any particular improvement in machinery should be introduced. In one set of circumstances what may be needed is the establishment of a special court; in another the appointment of an Ombudsman or Procurator General or similar official; in another simply the setting up of offices to which individual citizens may bring their complaints. The determination as to what machinery or improvement in machinery is required for giving effect to the fundamental rights and freedoms would be within the sole discretion of the Government concerned.

3. *National programme of education on human rights*[8]

Believing that there are limits to the effectiveness of laws in making the enjoyment of human rights and fundamental freedoms a reality, the Commission is convinced that a concentration of effort on legal and institutional guarantees of human rights, although it will go far towards the achievement of objectives we seek, will not go all the way. Attention needs to be concentrated, in addition, on means of changing some old ways of thinking on these subjects, and of rooting out deep-seated prejudices in regard to race, colour, sex, religion and so on. In short, it is necessary to embark upon a complementary programme of education, including both adult and child education, designed to produce new thinking on the part of many people in regard to human rights. Accordingly, it is recommended that an integral part of any programme of intensification of effort to be undertaken in the next three years should be a world-wide educational programme in human rights. Such an educational programme would be consistent with the objectives of the United Nations Development Decade and also with the objectives in the field of human rights of the United Nations Institute for Training and Research. This programme should aim at mobilizing some of the energies and resources of:

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[1] See *Official Records of the General Assembly, Twentieth Session, Plenary Meetings,* 1408th meeting.

[2] See E/CN.4/886, paras. 46–52.

[3] *Ibid.*, paras. 53–58.

[4] *Ibid.*, paras. 73–77; see also *Official Records of the Economic and Social Council, Thirty-ninth Session, Supplement No. 8* (E/4024), paras. 424 and 425.

[5] See E/CN.4/886, paras. 93–99.

[6] *Ibid.*, paras. 116–120.

[7] *Ibid.*, paras. 121–129.

[8] *Ibid.*, para. 130.

(*a*) Universities, colleges and other institutions of higher learning, private and public, within Member States;

(*b*) The teaching staff of primary and secondary schools;

(*c*) Foundations and charitable, scientific and research institutions;

(*d*) Media of information and mass communication, including the Press, radio and television,

(*e*) Interested non-governmental or organizations;

towards the education of the people, adults and children, about the state of human rights in their communities and elsewhere, and about the further steps which need to be taken to secure the fullest and most effective realization of these rights. Member States with federal systems of government are called upon to encourage the activities in the field of human rights of local and state educational institutions.

It would guarantee the success of this educational effort if the national leaders within Member States would give it every encouragement. Within this effort Governments would organize conferences of universities and other institutions of higher learning within their territories and invite them to consider how the curricula and their teaching programmes can be utilized to improve the awareness in the student population of the fundamental questions of human rights, how their research programmes might be directed to this end, and how they can co-operate with other interested organizations, through extra-mural and other programmes, in furthering the aims of adult education in human rights. In this context, studies of local customs and traditions could be undertaken by national authorities with a view to examining to what extent they might be fostering and encouraging attitudes or values contrary to the principles of the Universal Declaration of Human Rights and how these customs and traditions can be eventually eliminated. Charitable and philanthropic foundations might be invited to consider making grants for programmes of research and study in this field and to make bursaries and fellowships available for research in human rights. Responsible authorities of colleges, and of elementary and secondary schools, could be invited to review their curricula and textbooks in order to eradicate bias, intentional and unintentional, towards the preservation of ideas and concepts contrary to the principles of the Universal Declaration of Human Rights, and to introduce courses of study which positively promote respect for human rights and fundamental freedoms. It has been noticed with appreciation that certain universities have already included in their curricula courses in the international protection of human rights; other universities could be guided by such programmes and benefit by those experiences. Attention is also called to the Associated Schools Project in Education for International Understanding and Co-operation, sponsored by the United Nations Educational, Scientific and Cultural Organization.

Governments might also convene, or give encouragement to the convening of, conferences among the radio and television broadcasting services within their territories, inviting them to consider how their facilities might most usefully co-operate with other organizations within the country, and with international agencies, in advancing the effort to educate the people to have greater respect for individual rights and fundamental freedoms.

The specialized agencies of the United Nations, especially the United Nations Educational, Scientific and Cultural Organization and the International Labour Organisation, can make a particularly valuable contribution towards the intensification of the educational effort with the co-operation of United Nations regional institutes, bearing in mind Economic and Social Council resolution 958 D I (XXXVI) of 12 July 1963. It is recommended that they should be invited to do so.

"TIME OF THE HAWK"—A NOVEL BY ANDREW TULLY

Mr. McGEE. Mr. President, the country of Vietnam and, indeed, all southeast Asia, continues to be very much the subject of the day—uppermost in the minds of all Americans.

Thanks to the ingeniousness of advanced and rapid communications and electronic techniques, the conflict in Vietnam is viewed in our living rooms each night. Our newspapers and magazines sometimes seem to be devoted almost exclusively to reportorial coverage of that part of the world.

As a result of this news and reporting focus, more Americans than ever before have become knowledgeable and informed of current events as well as of the policies and personalities that influence those events.

One aspect of the media coverage of the Vietnam conflict has been notably absent until the present time; namely, a novel based to some degree on the present events in southeast Asia.

However, that void has recently been filled with the publication of a novel by Mr. Andrew Tully entitled "Time of the Hawk." As a seasoned reporter, Mr. Tully has been able in a work of fiction to capture in the novel's characterizations many of the current attitudes toward our Vietnam policy.

The events which transpire in "Time of the Hawk" are, perhaps, improbable, but not by any means impossible; and as a thought-provoking work of fiction I certainly commend it to Senators.

"THE RICH GET RICHER"—EDITORIALS PUBLISHED IN BOSTON HERALD

Mr. MORSE. Mr. President, on January 9, and January 13, 1967, I received from Mr. William S. Brodrick, chief editorial writer of the Boston Herald, letters transmitting a series of editorials entitled, "The Rich Get Richer," which were published in the Boston Herald on January 2, 3, 4, 5, and 6.

These editorials described the operations of the Elementary and Secondary Education Act 1965, and had special reference to title I of the act. In view of the editorial comments, I requested the Commissioner of Education to provide me with his comments upon the editorials.

Mr. President, I ask unanimous consent that the editorials and the memorandum received from the Office of Education be printed at this point in the RECORD.

There being no objection, the editorials and memorandum were ordered to be printed in the RECORD, as follows:

[From the Boston Herald, Jan. 2, 1967]

THE RICH GET RICHER—I

Not many Americans understood the historical significance of the Elementary and Secondary Education Act and especially Title I of the Act when it was first proposed. Even fewer Americans were aware of the shameful educational inequalities which the Act was supposed to correct: A child in Breathitt County, Kentucky, for example, attends a one-room schoolhouse with a potbelly stove and no plumbing, and the average per pupil expenditure is $285. A child in New Rochelle, New York, on the other hand, attends a modern school plant with auditoriums, libraries, and a staff of remedial reading teachers, psychiatrists, and psychologists. The per pupil expenditure is $896.

One of those who did understand was President Lyndon B. Johnson. In his education message to Congress on January 12, 1965, he spoke in uncompromising terms of the part inadequate education plays in the vicious cycle of poverty. Because poor parents cannot afford to support good schools, their children receive an inferior education. Because they receive an inferior education, they are denied good jobs. And because they are denied good jobs, they cannot support good schools and their children receive an inferior education. And so it goes, round and round, generation after generation with poverty breeding ignorance and ignorance breeding poverty.

President Johnson proposed the Elementary and Secondary Education Act to break this cycle. But under his plan, New Rochelle was given about as much money—$321,000—as was Breathitt County, which receives $340,000! Such cases are the rule, not the exception, for among the wealthy suburbs given Title I money for the poor are Wellesley and Newton, Brookline and Lexington, Beverly Hills, Cal. and Scarsdale, N.Y.

We cannot believe the President intended this. In his message transmitting the Act to Congress he said, "The burden on the nation's schools is not evenly distributed. Low-income families are heavily concentrated in particular urban neighborhoods or rural areas. Faced with the largest educational needs, many of these school districts have inadequate financial resources. This imbalance has been created by the movement of high income families from the center of cities to the suburbs—and their replacement by low-income families from rural areas."

Finally, Mr. Johnson proposed a cure. "This is a national problem," he said. "Federal action is needed to assist the states and localities in bringing the full benefits of education to children of low-income families."

Federal action marked a tremendous break with the past. Americans traditionally have accepted elementary and secondary education as a local responsibility, with everyone looking after his own. But President Johnson made it clear that while this was fine in theory, it just didn't work anymore. American communities were reorganizing, with the affluent congregating in the suburbs and the poor becoming increasingly isolated in the rural areas and city ghettos. Many local governments simply didn't have the financial resources to handle the increased problems.

So the President asked us to break with tradition. The implications of his message were clear. Or at least they seemed clear at the time. He was asking affluent Americans to continue paying for their own modern schools, and he was also asking them to help provide quality education for the children of the ghettos and the desolate rural areas.

The American people responded. Through their representatives in Washington they voted $1.34 billion for the first year of the Elementary and Secondary Education Act of 1965. Of that sum, the major share—$1.07 billion—was to be spent under Title I to aid poor school districts.

The money was to be used in a concentrated effort to help the children who need help through extra services such as remedial reading, speech therapy, counseling, social and cultural enrichment, and food programs.

To find out what effect Title I has had on poverty, this newspaper has traveled to 10 school systems throughout the country, studied the Act, interviewed the administrators of the Act in Washington, and talked with teachers and principals who are using Title I funds. The answers we have found are highly disturbing.

Although Title I has enjoyed some successes (one of the most notable being in the Boston schools) the program as a whole has had very little effect on poverty. And when one considers the provisions of the Act, this is not surprising.

While President Johnson talked about taking our billion dollars and firing it into the hard-core areas of poverty in the ghettos and Appalachias where it would do the most good, the U.S. Office of Education distributes it as if through a shotgun. The dollar bills float down in the affluent areas that contributed the money in the first place. Thus we find Wellesley, with a median income of $11,478, receiving $12,000 in Title I funds; Belmont receiving $32,000; Scarsdale, New York receiving $18,000; Brookline receives $89,000; Newton, which has one of the best school systems in the country, receiving $69,000; and Westchester County—the sixth wealthiest county in the country—being allocated more than $2.8 million. The best schools in the country are getting better, and they are doing it on poverty money.

Because America's wealthy communities are siphoning off so much Title I money, there is naturally not enough left for meaningful programs in the hard-core poverty areas. Fall River, Mass., is an economically depressed town which can afford an average per pupil expenditure of only $400. In fact, it is so economically depressed that it had to use much of the $515,069 it received in Title I funds to feed children suffering from malnutrition. There was not enough money left over to hire remedial reading teachers, even though one-quarter of Fall River's children are not reading at their own grade level.

The food, of course, is important. Children can't be expected to learn if they are constantly hungry. But the hot lunch program will have little permanent effect if the children continue to receive an inferior education. When they finish school, they will merely rejoin the cycle of poverty.

We do not believe this is what President Johnson had in mind when he first proposed the Elementary and Secondary Education Act of 1965. Nor do we believe this is what the American taxpayers had in mind when they contributed a billion dollars to this program.

The idea was to give our poor children "the full benefits of education" and thus break the cycle. Ironically, by giving just a little bit of money to both the rich and the poor schools, Title I is not eliminating educational inequalities, it is reinforcing them. And by reinforcing them, it is making the rich richer and the poor poorer. In four subsequent editorials, we will document exactly how this is happening.

[From the Boston Herald, Jan. 3, 1967]

The Rich Get Richer—II

As indicated by President Johnson, the original purpose of the Elementary and Secondary Education Act of 1965, and especially Title I of that Act, was to eliminate the educational inequalities existing in America between the wealthy suburbs, on the one hand, and the urban ghettos and desolate rural areas, on the other. Title I is not accomplishing this goal. In fact, as we pointed out in Monday's editorial, it is reinforcing the inequalities—to such an extent that some schools in Newton, where the per pupil expenditure is $760, and New Rochelle, New York, where the expenditure is $896, are receiving Title I aid while some schools in Fall River, where the per pupil expenditure is $400, are not. And all of this is taking place at a cost to the American taxpayer of more than $1 billion.

Title I went astray because of a basic change in philosophy as the Act made its way through the committee rooms of Congress. When he first proposed the idea in his education message to Congress in 1965, President Johnson strongly implied that the wealthy suburban communities would be expected to continue to take care of their own and at the same time help out the urban and rural areas that no longer had the financial resources to support good schools. In other words, the President seemed to be calling for massive injections of federal aid into hard-core poverty districts. Hopefully, this technique would break the vicious cycle wherein poverty breeds ignorance and ignorance in turn, breeds more poverty.

But Congress did not interpret the President's message in this way. Congress took the President's phrase, "low-income districts," and changed it to "children of low-income families." This change in emphasis from districts to individual children seems innocuous. But not when considered in context with the amazing eligibility formula Congress established. Congress ruled that any county containing 100 or more children aged 7 through 17 from families with an annual income of less than $2,000 is eligible to receive Title I funds. It further ruled that any local school system within that county is also eligible. Because almost every community in the United States, no matter how wealthy, still has a number of poor families, this meant that approximately 25,000 of the 27,000 local school districts in this country immediately became eligible for Title I poverty funds. In effect, Congress substituted a shotgun for a rifle and decided to scatter money all over the place.

This change in emphasis is what enabled Belmont, Brookline, Lexington, Marblehead, Milton, Newton, Wellesley and Winchester to receive a total of roughly $300,000 in Title I funds this year. The eligibility clause completely ignores the fact that the lowest median family income in this group is $8,295. The eligibility clause completely ignores the fact that the small number of poor children in these communities were already attending some of the best schools in the country. The eligibility clause completely ignores the fact that Title I funds enabled these communities to better their already excellent schools and thus widen the educational gap that Title I was theoretically supposed to close.

And the gap is widening. Hard-core poverty areas like Fall River are, to be sure, receiving a larger percentage of Title I funds on a population basis than wealthy communities like Newton and Wellesley. But Title I officials who are quick to point this out neglect to emphasize the disparity that exists among these communities in the all-important area of average per pupil expenditure.

Wellesley spends $700 per pupil, Newton spends $760 and Brookline spends $778, exclusive of federal aid, building construction and debt service. Fall River, which seems to be in the clutches of a permanent depression, can afford to spend only $400 per child. The $515,000 Fall River received in Title I funds seems to be a great deal of money and it is. But in terms of the enormous educational problems that exist in Fall River, it is of relatively little value. Because even with Title I funds Fall River is still spending only $439 per pupil and that is not enough to break the cycle of poverty.

It is certainly not enough for a young, bushy-haired boy in Fall River named Danny. Danny is poor. He is suffering from malnutrition. Thanks to Title I funds, he is now getting one good meal a day. Unfortunately, lack of food is not Danny's only problem. He also has trouble reading.

Although Danny is in the sixth grade, he reads at a third grade achievement level and the only help he receives is several hours a week with a "reading coach" in a class with 13 other children. The "coach" has no degree and no training in remedial reading. She is impatient when Danny falters as he recites, and apparently she does not notice that Danny holds his book a few inches from his face, indicating both a need for glasses and better lighting in the antiquated classroom.

Fall River would like to do more for Danny. The school would at least like to hire trained remedial reading teachers. But as the administrator of Title I funds in Fall River said, "How can we spend money on academics when these kids don't have enough to eat?" So Newton and Brookline continue to improve while Fall River, already far behind, struggles against overwhelming odds to avoid falling further behind.

It is interesting to speculate what Fall River could do with the millions of dollars now being allocated in Newton, Wellesley, and the thousands of communities like them across the country. But it will always be speculation unless Congress changes the distribution clause that governs Title I. That clause, and the restrictions within it that actually discriminate against poor school systems in rural states, will be closely examined in Wednesday's editorial.

[From the Boston Herald, Jan. 4, 1967]

The Rich Get Richer—III

New Rochelle is a New York City suburb where it is not uncommon to live in a mansion. Breathitt County is a Kentucky Appalachian community where it is all too common to live in a shack. But the two communities do have one thing in common. They both received slightly more than $300,000 last year in Title I funds from the Elementary and Secondary Education Act of 1965.

Even before Title I went into effect, New Rochelle had one of the most advanced school systems in the country. It had a staff of remedial reading teachers, social workers, psychologists, psychiatrists. It had special programs for the gifted and special programs for the not-so-gifted. To run these programs, New Rochelle recruited the finest teachers in the country with maximum salaries of $11,750 for an M.A. and $12,800 with a Ph.D.

Before Title I went into effect, Breathitt County had 16 schools, most of them unapproachable except by foot. Inside one of these schools, a one-room wooden building called the Stray Branch School, a woman teacher instructed 16 children in grades one through six. Breathitt County had no remedial reading teachers, no social workers, no psychologists, and no psychiatrists to help this teacher and her schools had no special programs for anyone. In fact, Stray Branch had no bathroom, no history course, and precious few books. After teaching for 40 years, this highly dedicated teacher received a maximum of $5,500.

Why the gap between the two school systems? Simple enough. Money. A small percentage of New Rochelle's citizens are on welfare but most of them earn high salaries as scientists, engineers, lawyers, doctors, and corporate executives. Their median family income is $8,600 per year and because they want the best schools for their children, they spent $896 per pupil in 1966 (exclusive of building construction and debt service), which is just about $400 above the national average.

Breathitt County doesn't have a small percentage of poor persons in its community. Practically everyone is poor and since the coal mines have closed, 77 per cent of the people are on welfare. Their median family income is $1,324, and much of the $285 they spend to educate a child is already supplied by the federal government, but it is still about $215 below the national average.

This sort of situation is what led to enactment of the Elementary and Secondary Education Act of 1965, and especially Title I of that Act. But instead of starting Breathitt County up the ladder toward the level of New Rochelle, Title I distributed about as much money to New Rochelle ($321,000) as it did to Breathitt County ($340,000). The slight edge Breathitt County enjoys over New Rochelle disappears under close examination. The way in which the two districts spent the money tells the story.

Since New Rochelle had almost anything a modern school system could want before it received Title I funds, the school administrators—well-trained in the art of spending money—developed "communications skills" classes to supplement the normal elementary school program. In the Daniel Webster School, one of the New Rochelle schools receiving Title I aid, all students in the school (rich and poor) watch rented movie strips, paint image pictures on slides illuminated by overhead projectors, and then describe their pictures into tape recorders and hear themselves talk. In another school, children learn to take pictures with a Polaroid purchased with Title I money. And so all of the money went towards improving the academic standards of this already first-rate school system.

Breathitt County officials wanted to improve their curriculum, toc. And out of their $340,000, they did manage to hire their first nutritionist, their first art teacher, their first drama instructor, and their first social worker. But the Breahitt County administrators knew where most of the money had to go. They knew that the main diet of most children in the county was potatoes and beans. They knew that 80 per cent of the children had trouble paying attention in school because they were suffering from intestinal parasites. They spent their money wisely. They spent it for food.

Trying to decide which school system has been helped more by Title I is not easy. But one thing is clear. All of New Rochelle's money went into the improvement of its curriculum. Very little of Breathitt County's did. Therefore it is probably safe to assume that in academic terms, the gap between New Rochelle and Breathitt County is wider than ever before. In terms of the original purpose of the Act—which was to give the children of Breathitt County "the full benefits of education" so that they could break the poverty cycle—well, that is simply out of the question.

What in the Title I law accounts for such a poor distribution of funds? In yesterday's editorial, we explained how the Title I eligibility clause scatters the money all over the place, thus discriminating against poor districts in favor of the wealthy suburbs in any given state. But on a broader scale, there is another clause that discriminates even more in terms of state against state.

To determine how much money it will be allocated under Title I, every school district in the country first figures out as best it can how many poor children it has. But then it multiplies this figure times one-half the average per pupil expenditure in that particular 'state. This sounds reasonable enough but when you stop to consider the great financial gulf that separates the rural states from the industrial states it is not very fair at all.

Kentucky's average per pupil expenditure is only $320. New York's in contrast, is $786. Although Breathitt County has nearly three times as many poor children as New Rochelle, its Title I allocation in 1966 exceeded New Rochelle's by only $19,000 because Kentucky's average per pupil expenditure is so low compared to New York's.

And ironically, another clause in the Title I law prevented Breathitt County from using $100,000 of its meager allocation. This clause says, "The amount of a maximum basic grant may not exceed 30 per cent of the amount budgeted by the local educational agency for current expenditures." Because Breathitt County couldn't afford to spend much money on its schools in the first place, its original $440,000 Title I allocation exceeded 30 per cent of its budget. Congress, to its credit, has raised this restriction to 50 per cent for next year. But desperately poor Breathitt County has already watched $100,000 go off to wealthier school districts with bigger budgets and it might still lose money under the new formula.

A third restrictive clause in the Title I distribution formula requires that the money be used only in schools with a proportion of children on Aid to Families with Dependent Children greater than the average proportion for the entire town. In other words, the money goes to the poorest schools in the town. Once again, this sounds reasonable but it ignores the fact that a poor school in one town may be a wealthy school in another town. Coming back to Massachusetts to illustrate this point, we find that in Newton, the two schools receiving Title I money have only a six per cent AFDC enrollment. Yet three schools in impoverished New Bedford with a 10 percent AFDC enrollment are denied Title I funds.

There are more questionable clauses in the law but we think the main point is clear. Title I is not achieving its original goal. Instead of giving massive injection of Federal money into hard-core poverty districts, Congress decided to scatter the taxpayers' billion dollars over a wide area. In the one-room schoolhouse of Breathitt County and the drafty classrooms of Fall River, Title I money is used for food. In the wealthy suburbs, Title I funds are used for the latest model projectors, tape recorders, and even $48 of pencils (Belmont), a $200 typewriter (Lexington), and $500 of a custodian's salary (Newton).

As a result of this scattering of funds, the hard-core poverty districts do not have enough money to give their children "the full benefits of education" which President Johnson proposed. They receive only piecemeal benefits, while the educational inequalities which Title I was supposed to correct are reinforced and the poverty cycle is unbroken.

This is a terrible waste, because where Title I money has been concentrated to do the most good, it has shown what can be done to help the children who most need it, the subject of tomorrow's editorial.

[From the Boston Herald, Jan. 4, 1967]

TITLE I FUNDS SPENT FOR FOOD—APPALACHIAN SCHOOLS FIGHT HUNGER, FILTH, FUTILITY

(By Ronald Kessler)

BREATHITT COUNTY, KY.—Dusk was setting on this Appalachian community as the visitor drove into the county seat of Jackson and stopped at the best hotel, the Jefferson.

A swarthy man pulled out the key to the most expensive suite in the hotel, a $6 room with no telephone, and, after contracting a stiff neck from the drafty accommodation the visitor set out the next morning to see some schools and homes in this typical Appalachian county.

The nearest elementary school, the Stray Branch, was approachable only over a steep mountain road which proved to be too muddy to be climbed by car. A school department truck finally succeeded in climbing the mountain, and it stopped beside an unpainted wooden structure suspended over the ground on cinder blocks.

An outhouse stood at the rear of the school, since only three of Breathitt's 16 schools have indoor plumbing. Inside, one instructor was teaching 16 children from grades one through six. The two 60-watt bulbs in the ceiling provided only dim illumination, and the children had to bend over their papers to see. A pot-belly stove stood in the center of the room. There were few books in sight. On the wall was a color picture of President Johnson.

The teacher, Mrs. Dertha Watts, asked if the visitor would speak to the class. "They never see anyone from the outside; just a few words from you would mean so much," she said.

How many of you have ever heard of Boston? the students were asked. No one raised his hand.

How many have been outside Breathitt County? Four children raised their hands.

Would you like to hear about airplanes or Washington or how newspapers are made? They all shook their heads up and down.

Many of the children had blank expressions on their faces, and others bore obvious signs of malnutrition. In the back room, a pretty 16-year-old girl, Drusie Ann Kinniard, was preparing a lunch of beef stew provided by the government.

She had been in her second year of high school, learning history for the first time, when her father said he didn't want her going to school any more. She never knew why. So Drusie was working mornings at the Stray Branch School, preparing meals for children who only had beans and potatoes at home.

But food is not the only problem at school. Seven-year-old Stephen Cockerhn, a blond-haired boy with a hopeless expression on his face, came to school the week before wearing old womens' shoes. A school official finally succeeded in getting him some old men's boots from the precious supply of old clothes donated by people in apartment houses in New York.

Stephen walks a mile every day to school in the old boots, but some Breathitt County children are transported 45 miles by bus every day, and other Breathitt children cannot go to school because they are retarded or handicapped and there are no facilities for them at school. The incidence of mental retardation is high in Breathitt County, since the county's 15,000 people—only 10 of them Negro—have been inbreeding for generations, and incest is not uncommon, which is true of many rural areas.

But Stephen Cockerhn is a normal boy with a typical home environment for the Appalachias. He lives in a splintery shack in the middle of the mud with his five brothers and sisters and his mother, Mrs. Delvena Cockerhn. Her husband had gone to Michigan a month before to try to find a job, a common occurrence in Breathitt since 77 per cent of the people are on welfare.

Ever since the coal mining companies closed up before the Depression "the main occupation here is sitting around and breathing the fresh air," according to School Supt. Mrs. Marie R. Turner. And since 95 per cent of the land is mountainous (even the cemeteries are hatcheted out of the hills), farming cannot support the needs of the population.

Inside the Cockerhn shack, a pot-belly stove was burning soft coal, blackening the faces of the children. But there was no way for them to take a bath or shower and no outhouse. The windows were made of dirty rags, and the shack smelled of urine.

Mrs. Cockerhn had not paid her rent of $10 a month since the summer, and she stopped paying her $12-a-month electric bill a year ago. The refrigerator is now used only to store food, but there is not much need for refrigeration since the children have potatoes and dried beans for breakfast, lunch and dinner, and only once every two weeks are they lucky enough to have "hog's meat." However, often the family goes for two to three days without any food and the baby sleeping in filth in a corner of the shack is then deprived even of milk.

Like 80 per cent of the Breathitt County children, Stephen Cockerhn has worms and other intestinal parasites. One of his brothers has tuberculosis, a disease with a 50 per cent higher incidence in the Appalachias than throughout the country.

Stephen never has heard of toothpaste, and when he gets a toothache, he suffers until the nerve dies and the tooth falls out, since he has no way of getting to a dentist, and even if he did, his mother has no money. Like most children in Breathitt County, Stephen already has lost many of his teeth.

Stephen has never been to Jackson, the county seat of 2,000 persons. But even if he had, he could not have known what a movie is, since Jackson has no movie theater, and one of the few forms of entertainment open to Breathitt residents is going on wild sprees in the hills with homemade gin.

The school superintendent says, "We need remedial reading teachers terribly bad." But much of the $340,000 allocated to the Breathitt schools last year from Title I of the Elementary and Secondary Education Act went to feed youngsters. There was little left over for remedial reading.

Despite Title I's intention, as stated by President Johnson, to balance educational inequalities, New Rochelle, N.Y., was also given more than $300,000 from Title I. The money was used to buy tape recorders, slide projectors, and Polaroid cameras, since the schools already had remedial reading teachers, psychiatrists, social workers, and psychologists.

But Mrs. Cockerhn and many of the 15.3 million people who live as she does in the Appalachias have never heard of Title I or New Rochelle or even New York City.

But she had heard of President Johnson. "I was hearing him on a radio once," she said through missing teeth.

"He talked about having war. They already killed seven people and they're going to kill some more. He said the people across the water need help."

[From the Boston Herald, Jan. 5, 1967]

The Rich Get Richer—IV

The Boston schools are not noted for their excellence. They have been strongly criticized, both in this column and elsewhere, and most of that criticism is deserved.

But in a major program funded by Title I of the Elementary and Secondary Education Act, the Boston schools have created some of the most original and exciting projects we have seen in visits to Title I programs in 10 school systems throughout the country. The Boston program is a good example of what Title I funds can do to help children from hard-core poverty areas. It shows what Title I can do when the money is not scattered around, but is applied in a concentrated effort to bring the full benefits of education to children and thereby give them the opportunity to break the poverty cycle.

The program is called the sub-system, a nearly autonomous experimental unit consisting of four school divisions from preprimary to high school levels within the larger school system. The elementary level is conducted in the Boardman School in Roxbury, a school with a nearly 100 per cent Negro enrollment. Visitors to the Boardman School can feel the excitement and enthusiasm in the air.

In one un-graded class with fourth, fifth, and sixth grade youngsters, a hose-thin boy peering into a microscope suddenly screamed, "I got it! I got it!"

The class had taken a field trip and collected samples of water from ponds, puddles, and water faucets in a program developed by Educational Services, Inc., of Cambridge. Each child had been given a 100-power microscope built by Bausch & Lomb. The pupils were left alone to figure out for themselves how to use them.

Now the classmates of the boy who had finally succeeded in focusing his microscope crowded around him. Some of them looked through the eye-piece and saw what he had seen: one-celled protozoa, tiny water beatles flitting through the water, baby snails, and algae. The children rushed back to their microscopes, one by one learned to focus them, and then started asking questions: "Are these things alive?" "Is it good to drink this water?" "How come they can move?" "What are these things called?"

The teacher did not answer them. Instead, he suggested how the answers could be obtained by consulting reference books, and several of the children became so interested in the phenomena they had found that they went to the public library to find out more about them.

"We believe the children learn best by discovery," said School Director Bernard H. Shulman as he described several dozen similar programs instituted by sub-system director Evans Clinchy. Children in the first grade are taught about banking, the stock market, and writing checks even before they can read. They discover relationships between numbers with colored blocks and rods. Children in the upper grades experiment with batteries and light bulbs, ice cubes, seeds, pendulums, balances, and butterflies—all Educational Services, Inc. courses. Fifth and sixth grade children learn about animals from live guinea pigs, rabbits, and gerbils (similar to hamsters) kept caged in the classrooms. Children in kindergarten and classes for slow learners discover musical concepts by taking off their shoes and socks and responding to music through their bodies in a eurythmics course.

Afternoon activity programs offer a potpourri of cultural enrichment projects including creative writing, ceramics, field trips to supermarkets and swimming. Parents are kept informed of the latest developments in school through newsletters and monthly meetings with teachers.

Teachers' horizons are constantly broadened with lectures at the school by psychiatrists, educational consultants, and professors.

Even more important, the funds from Title I have provided teachers the flexibility to innovate, to develop the proper attitudes toward culturally deprived children, and to discard the rigid thinking too often prevalent in the rest of the Boston schools. Children in many Boston schools must sit with their hands folded during most of the day, and they are not permitted to talk during cafeteria periods.

In contrast, a fifth grade class at the Boardman School recently brought in popular records from home and when they wanted to dance (and even twist) to release some of their energy, nobody objected.

This, then, is education in the sub-system, paid for by Title I funds. We believe it is what President Johnson meant when he originally proposed to bring "the full benefits of education" to children in poor school districts. It is not just receiving a solid academic background, although that is a great part of it. It involves the child's social and cultural life and his family as well. The child develops imagination, he develops enthusiasm, and if he can get enough of all of this, he will have a good chance to break the poverty cycle.

There is, of course, a catch to the Boston sub-system. Only 700 children are enjoying its benefits and Boston has 23,000 children who need this kind of help. Even if all of Boston's $3.5 million Title I grant were devoted to sub-systems of similar comprehensive programs, the city could accommodate only 4,500 of the 23,000 children.

Boston's Office of Program Development, which directs the sub-system, would like to expand the program into other schools, but it needs more money. Like many large American cities, Boston has almost taxed itself out of existence in recent years but it can still spend only $530 per pupil, exclusive of Title I funds, compared to $760 in Newton and $1,239 in Scarsdale, N.Y. The city cannot be expected to do much more. The Federal government will have to help.

But under the Title I distribution formula enacted into law by Congress, that cannot happen. Under the formula, in fact, Newton receives $69,000, Scarsdale receives $18,000, and Westchester County—the sixth wealthiest county in the country—is allocated $2.8 million, nearly as much as the city of Boston.

[From the Boston Herald, Jan. 6, 1967]

The Rich Get Richer—V

The American people and their representatives in Congress must ask themselves just what they want to do with the billion dollars in Title I funds now being scattered all over the country. For Title I of the Elementary and Secondary Education Act of 1965 is not moving towards its original goal as defined by President Johnson.

Title I is not bringing "the full benefits of education" to children in the depressed urban ghettoes and rural areas so that they can break the poverty cycle. Instead, our investigation has disclosed that Title I:

Discriminates against poor school systems by allocating more money to states with the highest average per pupil expenditure. School systems in New York state receive three times as much money as school systems in Mississippi for the same number of poor children because New York's average per pupil expenditure is $786 as compared to Mississippi's $259.

Penalizes the most impoverished school systems by restricting grants to no more than 50 per cent (previously 30 per cent) of a school system's budget. The schools of Breathitt County, Ky., where 77 per cent of the people are on welfare, were last year denied more than $100,000 because of this clause, and this year they will still be denied part of their allocation.

Allocates money to wealthy schools with low proportions of poor children while poor schools with higher percentages of poor children are denied money. Two schools in Wellesley with two per cent of the students on Aid to Families with Dependent Children are receiving Title I funds, while three schools in New Bedford with 10 per cent on AFDC are not entitled to receive Title I funds.

Fails to accomplish its goal of providing equal educational opportunities by ignoring the main cause of educational inequalities: the vast differences in per pupil expenditures among America's school systems. A poor child attending the Fall River schools, where the per pupil expenditure is $400, or Breathitt County schools, where the expenditure is $285, will receive an inferior education; while the same poor child attending the Newton schools (expenditure $760), or New Rochelle schools ($896), will get the best education this country can offer.

This does not imply that Title I has been a waste of time. In its one year of existence it has provided valuable intelligence with which to make future plans. For one thing, Title I has proved that the warning cry, "Federal control of education!" is the reddest of red herrings. There are almost as many different programs being developed with Title I funds as there are school districts using the funds and Title I is, in a sense, the largest laboratory in the world. Wellesley, for example, is experimenting with the use of printing presses and new approaches to teaching while Newton seems to be getting results with its program of special reading and speech therapy training on an individual basis. These programs are good and should be continued. The question is, by whom?

We believe that Wellesley, with its median family income of $11,428, and Newton, with its median family income of $9,080, should not receive poverty funds. We would also like to believe that the citizens of Wellesley, Newton and the thousands of suburbs like them do not really want to receive poverty funds. And finally, we would like to believe that these affluent communities will want to continue their worthwhile Title I programs—using their own financial resources. Only in this way will hard-pressed communities like Fall River and Breathitt County get the money needed to raise their average per pupil expenditure to the productive level of the suburbs.

We realize that the concept of wealthy communities reaching into their pockets to help the schools of poor communities is a radical break with American tradition. But the structural change of American community life during recent years has also been radical. The wealthy are congregating more and more in the suburbs. The poor are becoming increasing isolated in the ghettos and rural areas. The old concept of each community looking out for the education of its children is a fine thing—if the community is wealthy.

In less fortunate communities, we find children whose families cannot pay for good schools, whose schools cannot give them a good education, whose education cannot get them good jobs so that they can pay for better schools. That, of course, is the poverty cycle and that is what must be broken.

The hard-pressed school districts need an all-out, comprehensive program to break the cycle. Boston's sub-system has shown what can be done. But this type of comprehensive program will not be possible for most poor districts under the present law which scatters Title I money to nearly all school districts in the country.

If Title I is to distribute money to those who really need it, the distribution formula should give primary consideration to the per pupil expenditure of each school system on a district, not a state-wide, basis. The systems with the lowest expenditures should get the most aid. The systems with the highest expenditures should get none.

Equalization of per pupil expenditures—or a start in that direction—would benefit the great majority of America's poor children now living in depressed areas and at the same time cut off aid to children in wealthy suburbs where the school systems are already providing each child with a superior education.

As in the present Act, any school system which reduces its budget would be denied Title I money. And perhaps other provisions could determine whether a school system's present per pupil expenditure bears a reasonable relationship to the median income or tax base of the town. But we believe this is a minor consideration since most communities are already spending as much as they can afford for education.

Figuring out the details of the new distribution formula will naturally be the job of Congress, and the Senate and House have the talent to do the job. The important thing is that they act this year. Because with so much money going to Vietnam, we must use what domestic money is available to the greatest possible effect.

We do not underestimate the difficulties involved. Changing Title I so that it benefits those who need it most will be a politically unpopular move for many Congressmen. It will mean taking money that is now going to their own districts and transferring it to others. But we believe Congress will act.

We believe Congress wants to help a little boy named Danny who is three years behind in reading because the Fall River schools cannot afford remedial reading teachers.

We believe Congress wants to help a seven-year-old boy named Stephen in Breathitt County who now gets enough food to concentrate on his reading, but doesn't have the books to read.

We believe Congress agrees with what President Lyndon B. Johnson said in his State of the Union Message of 1965: "Every child must have the best education our nation can provide."

We believe Congress will no longer tolerate spending one billion dollars a year for an act which reinforces the educational inequalities which it was supposed to correct, and makes the rich richer at the expense of the poor.

Title I. Allocations and payments in Massachusetts

[Jan. 3, 1967]

	Allocation	Payment (1966–67) [1]	Median income (1960 census) [2]
Arlington	$72, 448	$72, 448	$7, 538
Belmont	37, 888	32, 191	8, 372
Beverly	101, 376	0	6, 708
Boston	3, 619, 840	3, 228, 673	5, 747
Brookline	90, 368	89, 697	8, 380
Cambridge	370, 432	210, 461	5, 923
Chelsea	178, 432	168, 609	5, 298
Chicopee	131, 328	71, 139	6, 170
Everett	100, 608	81, 326	5, 983
Fall River	515, 072	515, 069	4, 970
Fitchburg	140, 288	99, 495	5, 833
Framingham	93, 440	54, 812	7, 495
Greenfield	78, 080	75, 429	5, 579
Holyoke	135, 168	42, 419	5, 755
Lexington	45, 824	[3] 21, 386	9, 043
Lowell	350, 720	290, 720	5, 679
Lynn	481, 024	233, 304	6, 021
Marblehead	28, 662	24, 511	8, 295
Marlboro	36, 352	20, 136	6, 127
Milton	20, 736	17, 760	8, 685
Natick	27, 392	11, 742	7, 550
New Bedford	651, 520	355, 380	5, 019
Newton	147, 200	69, 478	9, 008
Northampton	71, 424	60, 670	5, 856
Quincy	185, 856	185, 835	6, 785
Randolph	19, 712	13, 000	6, 883
Revere	123, 126	117, 253	5, 917
Somerville	343, 040	126, 386	6, 024
Southbridge	40, 960	33, 100	5, 917
Springfield	1, 072, 128	840, 106	5, 994
Waltham	89, 344	13, 601	6, 804
Webster	35, 840	0	5, 792
Wellesley	36, 608	12, 916	11, 478
Weymouth	111, 872	96, 410	7, 003
Winchester	23, 522	23, 552	9, 572
Woburn	51, 456	8, 663	6, 650
Worcester	828, 928	[3] 808, 893	5, 804

[1] Some school systems did not apply for their allocations, and others used only portions of them.

[2] One-half the families in a town have incomes lower than the median and ½ have incomes higher than median.

[3] Payment indicated was used during 1965–66 school year. Payment for 1966–67 has not yet been approved.

Office of Education Comments on Boston Herald Series, "The Rich Get Richer"

The *Boston Herald* series, "The Rich Get Richer," raises a number of issues concerning the intent and implementation of Title I of the Elementary and Secondary Education Act of 1965. The central points made are that the current formula for the distribution of funds makes little attempt to equalize expenditures among the States and that within States it distributes funds to school districts regardless of their fiscal capacity to support quality public education for educationally deprived children. The discussion of these issues in these articles reveals confusion about both the intent of the program and its operation and ignores changes made in the law in 1966 which were designed to alleviate many of the problems raised in the articles.

DISTRIBUTION WITHIN STATES

Title I is based on the premise that the children of poverty, wherever they may live, need an enriched educational program if they are to overcome the learning handicaps they bring to school with them. Funds are therefore to be concentrated in school attendance areas having high concentrations of such children, regardless of the fiscal capacity of the district or county as a whole. The law thus distinguishes between poor *districts* or *counties* and poor *children;* it allocates funds on the basis of the numbers of poor children and assures that these funds will be concentrated in those schools which these children attend.

The procedures for allocating funds within a State are complicated and undoubtedly resulted in some inequities during the first hectic year of operation (1966). The 1966 county allocation, made by the Commissioner of Education, was based on the numbers of children, ages 5–17, from families earning less than $2000 per year, according to the 1960 census, plus the numbers of such children from families receiving income from AFDC payments in excess of $2000 per year, according to 1962 data. Because of this time lag, each county's allocation could not reflect a *current* head count of disadvantaged children. When it came time for the State educational agency to allocate funds to each local district within the county, it ran into the same data time-lag problem, although it had some flexibility to use other poverty indices where they were more accurate.

A section in the Elementary and Secondary Education Amendments of 1966 helps correct this situation by requiring the use of the most recent available data in the Title I formula beginning this year. States are also being encouraged to use the most up-to-date data whenever possible for making sub-county allocations. This data provides the most up-to-date information that is currently available for distributing funds to the disadvantaged areas of our major cities, and will provide a more equitable distribution within these cities. Another amendment gives States greater flexibility in defining eligible "local educational agencies" so that they can more equitably distribute available funds in accordance with local peculiarities within their State.

It should also be noted that Title I does have some equalizing effect within States. There is wide variation in per-pupil expenditures in various districts within each State. By using a uniform per-pupil expenditure figure in each State, however, Title I provides a greater amount per disadvantaged child to local educational agencies with a low per-pupil expenditure than it does to districts above the State average.

In summary, Title I is not intended to compensate school districts for the inadequacy of their resources to meet general educational needs. Rather, its goal is to *supplement* their resources so that they are able to provide *extra* educational and related services to the children who need them most.

DISTRIBUTION AMONG STATES

The critical variable for determining how Title I resources will be allocated among States is the State average per-pupil expenditure. There is no doubt that the original Title I formula—which used one-half the State average per-pupil expenditure times the number of children defined at poverty level—provided a proportionally greater amount to those States which already had a higher rate of expenditure. The Congress, recognizing this inequity, amended Title I last year so that, beginning on July 1, 1967, one-half the State average per-pupil expenditure, or one-half the National average per-pupil expenditure (whichever is greater) will be used in computing each State's allocation. In addition, the low-income factor (currently $2000) will be increased to $3000, which will channel more resources into areas with large numbers of poor children not now counted under the formula.

In addition, if we do look at per capita income variations among States, we find that the proportion of Title I funds to State and local resources going into States with the lowest per capita income is more than twice as great as the amount going into the States with the highest incomes. The States of West Virginia, Kentucky, Arkansas, Louisiana, Tennessee, Mississippi, Alabama, Georgia, North Carolina and South Carolina all have per capita incomes below $2,000 per year and the percentage of Title I funds for these States to their expenditures for education is over 9%. On the other hand, wealthy States such as New York, Illinois, California and New Jersey with per capita incomes over $3,000 per year received amounts of money that were under 4% of their expenditures for education.

Finally, a recent article in *Educational Administration Quarterly* commented on this very issue. The author's conclusions are worth quoting:

"We have attempted to show that Title I of the 1965 Elementary and Secondary Education Act does indeed succeed in channeling federal government funds to the low-income regions of the country to a very substantial degree. Viewed in isolation, it is a highly progressive program with respect to its tendency of yielding more than proportional amounts to low-income areas and less than proportional amounts to high-income areas, thus tending to lessen regional income differentials.

"Furthermore, when this new program of educational grants is compared to some of the older activities of the federal government, it appears to be more oriented to directing funds to low-income regions, even more effectively than pure income transfer payments such as public assistance. In addition, the first year's allocation of education funds shows up as more "progressive" than the initial projects under the Office of Economic Opportunity.

"If the 1965 Elementary and Secondary Education Act can be considered representative of the rapidly expanding expenditure programs which have become part of the "Great Society" concept, then further reductions in regional income differentials may be anticipated as the income-equalizing programs in the federal budget become an increasingly large component of governmental finance.

"Government expenditures on education—with their heavy orientation to investment in human beings—may be considered in an even more favorable light vis-a-vis the more traditional welfare and income maintenance programs. This may become increasingly the case when it is realized that the new type of federal aid to education contributes both to the anti-poverty efforts, by channeling funds into low-income areas, and to raising the economic potential of the nation by increasing the productivity of its present and future labor force."

SPECIFIC COMMENTS

In addition to these general issues, there are other specific points which deserve comment.

(1) There was no change in philosophy between the time of the President's Education Message in January, 1965 and the Elementary and Secondary Education Act's passage in March. While the subheading in the Message refers to aid to "low-income school districts", the meaning of this phrase is spelled out clearly in the subsequent sentence. The President stated: "I recommend that legislation be enacted to authorize a major program of assistance to public elementary and secondary schools serving children of low-income families." The Administration bill reflected this philosophy and embodied the formula finally used in FY 1966.

(2) The 1966 Administration amendments recommended elimination of the clause which stated that a local educational agency's grant may not exceed 30% of its current budget. The Senate agreed to this recommendation, but the House raised the 30% limitation to 40%. The final amendment reflects a limit of 50%. The Office of Education would support any effort to remove this limitation, although it does not believe the amendment exerts a hardship on districts this year.

(3) The "statistics" used to support the author's arguments are misleading, and often fallacious. Take the Fall River example. The articles state that Fall River is using "much" of its allocations for food services. In actuality, the amount so used is about 18%. Fall River's program is quite comprehensive. Pre-school programs account for 15% of the funds; reading, math, and music, 11%. Other items include: tutoring (10%), health, psychological, and social services (15%), and related parent services (7%).

A more serious erroneous implication is revealed in the second article, where the author states that Fall River has increased its per-pupil expenditure by only $39 as a result of Title I. But Title I is not aimed at increasing a district's overall per-pupil expenditure; rather its intent is to increase the amounts spent on education in schools serving children below the poverty level. Fall River received $258.91 per child under the formula, not $39. This is a significant amount and one that, added to local expenditures, can assist local educational agencies to meet the most pressing educational needs of these deprived children. The total of $658.91 available from Federal and local funds per disadvantaged child in Fall River is well over the national average and compares favorably with the amounts available in our richest suburbs.

CONCLUSIONS

Finally, we cannot leave this discussion without commenting on the sweeping allegation that Title I "as a whole has had very little effect on poverty." This is simply not true. State evaluation reports of the first year's operation, now being analyzed by the Office of Education, reveal that a significant beginning has been made throughout the country in overcoming educational deprivation. The National Advisory Council on the Education of Disadvantaged Children confirms this finding. Their report dated November 25, 1966 points out:

"The single most widespread achievement of the Title I program is that it is *causing teachers and administrators to focus new thinking on ways to overcome educational deprivation*. In addition to this most significant accomplishment, Title I has produced important tangible change by enabling purchase of books and teaching materials where they had been sadly lacking; by enabling employment of new personnel, sometimes in specialized categories, where they were sorely needed; and by providing especially needy children with such basic prerequisites to learning as food, clothing, and medical care."

The process of improvement will be a long one; it requires not only financial resources but also a reorientation of both people and institutions to the special needs of deprived children. This is true for our central cities and rural pockets of poverty; it is also true for many suburban areas whose primary responsibility is felt by them to be to the middle-class child. Title I has forced nation-wide consideration of the problems of the disadvantaged child.

Mr. MORSE. Mr. President, I believe the record speaks for itself. I can assure the Senate, however, that as further evidence develops on the operation of the program, together with my colleagues on the subcommittee I shall be willing to give a fair hearing to any testimony which is factually based which could help us to improve the operation of the program.

ELECTION OF SENATOR PROXMIRE AS CHAIRMAN AND REPRESENTATIVE WRIGHT PATMAN AS VICE CHAIRMAN OF JOINT ECONOMIC COMMITTEE

Mr. SPARKMAN. Mr. President, it is my pleasure to inform the membership of the Senate that at an organization meeting of the Joint Economic Committee held this morning, the distinguished senior Senator from Wisconsin [Mr. PROXMIRE] was elected chairman and Representative WRIGHT PATMAN was elected vice chairman for the 90th Congress. Under the rules of the committee, it is customary also to designate a ranking minority member. Under the rules of the committee he must come from the House opposite to that of the chairman. It is my understanding that this means that Representative THOMAS B. CURTIS will be designated ranking minority member.

The distinguished Senator from Arkansas [Mr. FULBRIGHT] and I both have seniority on the committee, but because of our other responsibilities involving other committees, we are very happy that Senator PROXMIRE is in line to undertake this challenging responsibility.

FOOD COMMODITY RESERVES ARE ESSENTIAL

Mr. McGOVERN. Mr. President, Mr. Fred V. Heinkel, president of the Mid-continent Farmers Association and a member of the President's Advisory Commission on Agriculture, made a very timely and effective statement about our need to assure adequate food reserves at the 20th annual Southern Farm Forum in New Orleans on January 19.

A great many people accustomed to farm policy debates centering around surplus problems may be surprised by the theme of Mr. Heinkel's remarks and by their content. We are, however, looking ahead toward a period of very short supply to meet both our domestic and foreign requirements. Mr. Heinkel's talk is consequently not only a timely one, but a thoughtful discussion of the problems which the establishing and maintaining of proper reserves has raised.

I ask unanimous consent to place Mr. Heinkel's speech to the Southern Farm Forum in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

PLANNED RESERVES OF AGRICULTURAL PRODUCTS ESSENTIAL

(Statement by Mr. Heinkel)

In today's uncertain world planned reserves of foods, feeds, and fibers are imperative to national security.

Most of the nation's almost 200 million people are sitting at the ends of some rather tenuous food pipelines, and it makes good sense that we plan for reserves in order to assure adequate food. To not plan reserves is to invite disaster.

Last year, in cooperation with the Department of Defense, the United States Department of Agriculture made a study of the "estimated number of days supply of food and beverages in retail stores" by counties. The results were not surprising: The counties in and around New York City, Chicago, San Francisco and Los Angeles had only about two weeks' supply of food on hand. However, in many counties the stores had less than one week's supply.

Possibly we should at this point define what we mean by reserves. Webster defines a reserve as "something kept back or set aside for a particular purpose, use or reason; keeping something in store for future use. That which is accumulated as a source from which supplies may be drawn." It would be hard to say it more comprehensively or clearer than he does.

This is not intended as criticism of our food distribution system. But in case of war or natural disaster it becomes a matter of what and how much there may be to distribute unless there are adequate reserves.

The best known ancient mention of reserves is the narrative of Joseph and the seven bounteous years which were followed by seven lean years. He set aside one-fifth of the Egyptian agricultural production during the first seven years and thus averted mass starvation during the seven lean years that followed.

On the other hand, half of the Pilgrims who reached our continent perished the first winter for lack of food and fiber. They had not the time to clear land and raise crops before a hostile winter was upon them. They had no reserves on which to fall back.

Early American settlers and the migrants who followed were responsible for their own, their individual, food and fiber reserves. There were no surpluses, no carryovers, no commercial or governmental facilities for storing food and fiber.

Some of us here can remember that even as short a time as 50 years ago the individual farmer was responsible for an adequate reserve of food grains, feed grains, fiber, forage and fuel to see him through the winter.

He grew his own wheat and corn, had it ground for flour and meal at the local mill. He grew his own fruit which his wife and daughters canned and dried and preserved by the scores of quarts and half-gallons and kept in reserve. There were no food freezers or supermarkets on which to depend.

He grew his own vegetables—potatoes, turnips, cabbage, carrots and parsnips—and stored them through the winter in cellar, cave, or straw-lined earthen pit. His wife kept a flock of chickens for meat and eggs. Honey, maple syrup and sorghum supplied farm-produced "sweetnin'." Milk, cream and butter were home-produced. Animals were slaughtered, and meat was cured or canned on the farm.

The farmer and his family were virtually self-sufficient. They needed no commercial or governmental stored reserves.

Nearly all non-farm rural families likewise stored and carried food reserves. Many city people did too.

As late as 1920 our rural population (farm and non-farm) and the city population were nearly in balance: rural 49 per cent and city 51 per cent. At that time, in event of catastrophe from war or natural cause, each rural family could have helped a family of city "cousins" over the rough places.

Now there are about two city families for each rural family, and neither group carries much reserve.

Our reserves of the past 20 years were largely unplanned reserves or surpluses. These resulted from our great advances in the techniques of production that caused farm out-put to run ahead of use. And from farm programs of supply management and price stabilization that skimmed off these surpluses and stored them to avoid bankrupting farmers. And even if we somehow fumbled our way into the present reserve program, I hasten to say that it far exceeds no program.

THERE IS UNITY FOR REASONABLE RESERVES

There is virtually unanimous agreement that the United States should at all times maintain an adequate supply of food grains, feed grains, fiber and dairy products, and even a planned reserve of processed, preserved and refined food products for human use.

Even opponents of our present farm programs, who advocate all-out production, admit the merit and need of a planned and sufficient reserve. The USDA is for a reserve; our military leaders are for it; knowledgeable economists and well-known civic leaders feel that a reserve is essential; consumers do not want scarcities with accompanying sky-high prices. Farmers are uneasy without a reserve, knowing too well the vagaries of weather, the hazards of insect and plant disease damage. Even most commercial interests, some of whom might stand to profit from boom-and-bust situations, admit a proper reserve to be advisable.

In this day of world-wide demand for food and fiber, of starvation and near starvation, much of mankind looks to the United States for some of its subsistence. Certainly this vast portion of mankind wants us to have an adequate supply of food and fiber.

So do our allies of the free world.

Only our enemies would like to see us caught short without an ample food grain, feed grain and fiber backlog.

WHY PLANNED RESERVES ARE VITALLY NECESSARY

Crop failures and serious reductions in farm production—due to drouth, excessive rainfall, untimely frost, hail, insect and disease depredations—need to be hedged—insured against—by maintenance of an ample reserve.

For national security reasons an ample reserve of food and fiber is important. With all nations armed to a greater or lesser degree and the possible threat of a madman pulling the trigger, World War III, with probable nuclear warfare, is not an impossibility. For the entire world, free, partially enslaved, or partially developed, it could be tragic for us not to have on hand adequate reserves of agricultural commodities. Witness the importance of our food supplies in World War I and World War II. Perhaps even processed food and feed supplies should be included. It takes time to plant, grow, harvest and process crops.

A constant, assured supply of food and feed grains, fiber and oil seeds is needed for persuasive bargaining and trading as the U.S. endeavors to foster world freedom and peace. There is much truth in "A full belly brings contentment."

Planned reserves are essential to the Food For Freedom effort that is such an important part of our national policy, and the present Public Law 480 legislation makes this clear.

The best study thus far made on the subject of reserves was by a subcommittee of the National Agricultural Advisory Commission of which Dr. Charles R. Sayre, of Greenwood, Mississippi, was chairman. Their calculations on the quantity of reserves deemed necessary, together with their observations on the whole subject of reserves, merit further consideration.

QUESTIONS AND PROBLEMS RELATED TO PLANNED RESERVES OF AGRICULTURAL COMMODITIES

It is one thing to be in accord on the need for continuous, adequate reserves of food, feed and fiber commodities; it is quite another thing to agree upon several questions that arise in connection with the establishment and maintenance of such reserves.

(1) What is an adequate reserve of food and feed grains and fibers? Should amounts be flexible from year to year?

(2) Who should decide on reserve amounts?

(3) What about storage? Should a substantial part of any grains and soybeans reserves be stored on farms and in rural areas, with farmers being adequately paid for such storage? (This could be helpful to farmers in the way of needed additional income, and from a location standpoint could be advantageous for security reasons.)

(4) Should stocks be rotated annually to assure that all reserves are in good, usable condition when needed? If not annually, how often?

(5) Under whose control should these reserves be placed?

(6) Would it be advisable to have control vested only in the USDA and Secretary of Agriculture through Congressional directives?

If the government made no provision for planned reserves but depended entirely on the "free market," we could expect that the existence of any surplus over actual need would act directly to depress the farmer's prices to unfair levels. This would be inexorable and inevitable, however good the intentions of the private interests in possession of the stocks involved.

CONCLUSIONS

Important as they are, the foregoing problems and questions must not deter our nation from establishing and maintaining an adequate reserve supply of food and feed grains, of fiber and oil stocks. We should consider ourselves fortunate to be able to do so. Most nations are not able to maintain comfortable reserves.

Reserves are as old and fundamental as nature itself. Witness the instincts and activities of the squirrels, the bees and the bears as they prepare for a foodless winter.

Reserves are a hedge against adversity and emergency, hunger and want. They are a necessity for human existence.

It is in the interest and welfare of the individual U.S. citizen, the nation as a whole, and humanity in general that ample reserves of food grain, feed grain, fiber and oil be kept and carried on hand here and now.

Since the stocks of agricultural commodities that have constituted our reserves in former years have been of an unplanned nature, it is obvious that the people of this nation should provide for planned reserves and on a continuing basis.

Judicious consideration and great caution should be used in setting up food and fiber reserves so that:

(1) Farmer income and living standards are not jeopardized;

(2) Consumer interests are safeguarded;

(3) The nation's strategic and diplomatic status is maintained and enhanced; and

(4) The ever-present hunger of the world is taken into account.

Because of the importance of planned reserves, related problems of amounts, quality, maintenance, storage, use and control need to be worked out fairly.

DEATH OF FORMER REPRESENTATIVE HENRY ALDOUS DIXON, OF UTAH

Mr. MOSS. Mr. President, today in Utah we are holding the funeral of one of our most highly respected citizens—former Representative Henry Aldous Dixon—who passed away on January 22 after suffering a heart attack at his home in Ogden. Representative Dixon was serving in the House of Representatives when I came to the Senate, and I had the privilege of working with him the first 2 years I was in Washington.

I shall always cherish that privilege. I found Representative Dixon to be consistently tolerant, discerning, and well-informed, and dedicated to the best interests of the people of Utah and the Nation. Although we belonged to different political faiths, we were in accord on many issues, and we worked in harmony on matters of importance to the State.

Long before he came to Congress, Henry Aldous Dixon had thoroughly distinguished himself in the educational and cultural life of Utah. He filled two different terms as president of Weber College in Ogden, and at the time he was elected to Congress was president of Utah State University, in Logan. In his earlier years he had been a bank president, and served several terms as president of the chamber of commerce both in Provo, Utah, and in Ogden.

Perhaps it was because he was both a businessman and an educator that he made such a success of administrative jobs in the educational world. But there is no question that he left a strong imprint on education in Utah, and that his name will long be associated with educational progress in the State.

He is mourned by those with whom he served in Congress, by his many colleagues in the teaching profession, by hundreds of students who benefited by his example and his counsel, and by people the length and breadth of Utah who knew that he was a sensible and sensitive leader to whom they could turn with confidence. I extend my deepest sympathy to his wife and his five sons and daughters.

JUSTICE DEPARTMENT SERVES PUBLIC INTEREST IN SEEKING TO REOPEN ITT-ABC MERGER PROCEEDINGS

Mr. YARBOROUGH. Mr. President, last week the Department of Justice petitioned the Federal Communications Commission to reopen the record in the ITT-ABC proceeding and order an evidentiary hearing so that all the competitive implications of the proposed merger can be adequately considered. In some quarters the Department's action has come under criticism, but I want to applaud it. Let me explain why. Involved here is the largest merger ever to come before the Commission—indeed, it is the biggest consolidation in the history of broadcasting. Yet, despite the scale of the merger and the many serious questions it presents, a majority of the FCC chose to proceed in a highly summary fashion, examining only the applicant's submissions and listening to 2 days of oral testimony. The Commission, as is apparent, did not act affirmatively to inform itself of all the facts that would permit it to decide whether, to use the words of the statute, the merger was truly "consistent with the public interest." In particular, no close attention was devoted to the various ways in which the merger might injure competition, even though the Justice Department, in a letter filed with the Commission December 20, specified how broad network competition might be adversely affected. Instead, four members of the Commission, over the strong protests of their three fellow members, abruptly voted their approval. Under these circumstances only the Department of Justice was in a position to assert the public interest, and I am delighted it has done so. The Department of Justice petition for reconsideration and its application for a stay of the ITT-ABC merger should be granted for a full hearing and development of the facts, so that the public and the Congress might learn what is involved in this $2½ billion merger before this hasty 4 to 3 Christmas holiday—December 21—decision of the FCC becomes law of the land.

I ask unanimous consent to have the Department's petition for reconsideration and its application for a stay of the ITT-ABC merger printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Before the Federal Communications Commission, Washington, D.C.]

PETITION OF THE DEPARTMENT OF JUSTICE FOR RECONSIDERATION AND FOR LEAVE TO INTERVENE—DOCKET NO. 16828

(In the matter of applications by American Broadcasting Companies, Inc., for assignment of licenses of stations WABC, WABC-FM, WABC-TV, New York, N.Y.; WLS-FM, WBKB, Chicago, Ill.; KGO, KGO-FM, KGO-TV, San Francisco, Calif.; KABC, KABC-FM, KABC-TV, Los Angeles, Calif.; for transfer of control of stations WLS, Chicago, Ill.; KQV and KQV-FM, Pittsburgh, Pa.; WXYZ, WXYZ-FM, WXYZ-TV, Detroit, Mich.; for assignments and transfers of ancillary radio facilities)

Pursuant to Section 405 of the Communications Act of 1934 and Section 1.106 of the Commission's General Rules of Practice and Procedure, the Department of Justice petitions for reconsideration of the Commission's order of December 21, 1966, approving the assignment and transfer of station licenses now owned by American Broadcasting Companies, Inc. ("ABC") to a new corporation of the same name which would be a wholly owned subsidiary of International Telephone and Telegraphy Corporation ("ITT"). Pursuant to Section 1.223(b) of the Commission's Rules, the Department of Justice also petitions for leave to intervene as a party to such further proceedings as the Commission may order upon reconsideration.

I. INTEREST OF THE DEPARTMENT OF JUSTICE

The Department of Justice was not a party to the proceedings which led to the Commission's order of December 21, 1966, but under Section 405 of the Communications Act, it has standing to file this petition as a person "whose interests are adversely affected" by the Commission's order. The Department is charged by Congress with the duty of protecting the public interest in a competitive economy. See *United States* v. *Borden Co.*, 347 U.S. 514, 518–19; *United States* v. *Paramount Pictures, Inc.*, 334 U.S. 131, 177. The Commission has already recognized the Department's unique interest in and responsibility for the preservation of competition in requesting the views of the Antitrust Division with respect to competitive aspects of the proposed merger of ABC and ITT.

The interests of the Department of Justice are adversely affected by the Commission's order because the Commission has granted the requested authorizations without making an adequate analysis of the competitive effects of the proposed merger. As we show below, the Commission failed to consider facts crucial to an informed determination of these issues and failed to make a legally or economically sound analysis. Underlying and contributing to these defects in the Commission's analysis is the fact that it failed to conduct the type of full hearing required by Section 309(e) of the Federal Communications Act (47 U.S.C. 309(e)).

The Department's interest in the adequate consideration of the competitive issues raised by the proposed merger is not eliminated by the fact that the Commission's action does not preclude the Department from bringing a suit under Section 7 of the Clayton Act to restrain or set aside the merger. See *United States* v. *Radio Corp. of America*, 358 U.S. 334. The Commission applies a statutory standard different from the one which the courts would apply under the Clayton Act. The Commission must find that a granting of the applications would serve the "public interest, convenience, and necessity," i.e., that the benefits of the transaction will outweigh its possible adverse effects. Should the Commission, on the basis of an adequate consideration of the competitive issues, conclude that approval was not warranted under the "public interest, convenience, and necessity" standard, there would, of course, be no possibility that the courts would be required to determine the antitrust issues under the standard of the Clayton Act. Thus, the Commission's failure adequately to consider the merger's possible anticompetitive effects in determining whether the merger is in the public interest is a matter of serious concern to the Department of Justice.

II. THE DEPARTMENT OF JUSTICE HAD GOOD REASON FOR NOT PARTICIPATING IN THE EARLIER STAGES OF THE PROCEEDING

In this section we demonstrate, as required by Rule 1.106, that the Department of Justice had good reason for not requesting the status of a party earlier and thus not participating formally in the prior proceedings of the Commission.

The Department did not seek to intervene as a party to the proceeding because it had not completed its own investigation at the time of the Commission's hearing and because prior to the Commission's decision it was not clear that such intervention was necessary to inform the Commission that the proposed merger involved the possibility of serious anticompetitive effects.

The Antitrust Division's letter of December 20, 1966, set forth an analysis which, though summary in form, we believed sufficient to demonstrate that there are important issues that need to be considered on a reopened and expanded record. We would have preferred to complete our analysis of the complex antitrust issues raised by the proposed merger long before December 1966. But a brief review of the chronology of the Department's investigation will make apparent why that was not possible.

The Department opened its investigation within days of the announcement of the proposed merger in December 1965. It served a Civil Investigative Demand upon the parties, and was receiving information through April 1966. In March and April, the Department interviewed persons involved in the relevant lines of commerce. The extensive information thus accumulated was analyzed by the staff during the summer of 1966. This analysis was not complete when the Commission held its oral hearing upon the applications in September. After examining the record made at the Commission's proceeding the Department concluded that it, together with the information obtained by the Department still did not provide an adequate basis for evaluation of the possible anticompetitive effects of the merger. Accordingly, the Department requested additional information from ITT in November 1966 and interviewed additional third parties. Information in response to the Department's requests was still being received from ITT in December when the Chairman of the Commission informed the Assistant Attorney General in charge of the Antitrust Division that Commission action on the applications was imminent. The Assistant Attorney General's letter of December 20, 1966, setting forth a summary analysis of the results of the Division's investigation to date, promptly followed. The Department's collection and analysis of information, however, continued and is still continuing. While we have been aware of, and are sympathetic with, the Commission's wish to dispose of the pending applications promptly, we have found no shortcuts in probing the competitive aspects of a merger of such size and complexity.

III. THE COMMISSION HAS FAILED TO GIVE ADEQUATE CONSIDERATION TO IMPORTANT ISSUES BEARING UPON THE "PUBLIC INTEREST" STANDARD

At the outset we should make clear that we have no quarrel with the basic legal standard which the Commission has applied in evaluating the transfer applications. The Commission appears to have inquired, we think correctly, whether the transfer of control would be in the public interest, in the sense that the probable benefits clearly outweigh the probable detriment. But there are, we respectfully submit, fundamental defects in the Commission's decision resulting from its failure to consider facts and issues which may have important bearing upon the balance of the public interest. The Antitrust Division's letter of December 20, 1966, specified at least six respects in which the ITT–ABC merger may injure competition—either actual or potential—in network broadcasting. Yet the Commission opinion contains no discussion whatever of the three which appear to be the most significant: (1) the possible elimination of ITT as a potential competitor in network broadcasting; (2) possible elimination of ITT as an operator of numerous and extensive CATV systems which might eventually be capable of competing with conventional network broadcasting; and (3) possible elimination of ITT as an independent source of basic technological development which could lead to new systems of communication which might multiply channels of access to the public and provide the basis for new entrants into network broadcasting. Clearly the possibility that the merger might deprive the network broadcasting industry of a significant force which could alter its tightly oligopolistic structure, is a factor of the utmost importance for the Commission to consider in its assessment of the public interest.

Although the Commission states (Opinion, p. 6) that "all of the facts and considerations discussed in the letter from the Antitrust Division are and have been known to the Commission . . .," the analysis of issues made in the December 20, 1966 letter was based not only on the evidence in the Commission's record but also on important information, not contained in that record, which the Department had obtained through its own investigation. The December 20 letter was not intended to be a full statement of the relevant facts developed by the investigation; it was rather the briefest summary of the issues that are apparent to the Department in the light of its investigation. In addition, the letter indicated that there is important information, not in the Commission record, which bears upon the competitive and other public interest considerations raised by the merger.

Without describing such material in detail, the Department's investigation disclosed that ITT has been greatly interested in entering into the broadcasting business in the United States, and into telecommunications fields competitive with and related to broadcasting. Among other things, ITT explored the possibility of buying a number of individual broadcasting stations, groups of stations and networks, which effort resulted in the transaction involved in this proceeding. It explored the growing community antenna television ("CATV") industry, commencing entry in 1965 by financing construction of six CATV systems and advancing a proposal for a CATV system in New York City to that city's governing body. It considered further commitment of substantial funds, the possibility of developing CATV grids linking local systems into regional markets, and the ownership and operation by ITT of related communications networks. These plans for expanded activity were terminated at the time of the transaction in suit, after consultation with ABC.

Further, the Department's investigation raises serious question about what the Commission advances as "the principal reason for the proposed merger" (Opinion, p. 11), the asserted need of ABC for more funds. The documents reflecting consideration of this transaction by the managements of the two companies do not suggest that this was a significant factor leading to their merger decision. Moreover, rather than planning to invest large amounts in the capital improvement of ABC, ITT appears to have expected ABC to produce a large cash flow which would be available for use outside the broadcasting industry. The Commission's opinion does not mention the doubt thus cast upon the primary benefit claimed by the applicants.

The Commission's failure adequately to consider the competitive implications of the proposed merger may also have resulted from its failure to apply appropriate standards in appraising the facts in the record before it. Although, as we have emphasized, the ultimate determination of whether the proposed merger meets the requirements of the Federal Communications Act does not require a determination of its legality under the antitrust laws, the Commission is nevertheless obliged in assessing the competitive factors to apply standards drawn from sound economic principles of competition and from the experience of the courts in analyzing anticompetitive consequences of mergers under the antitrust laws. It is plain that the Commission cannot perform the balancing function required by the Communications Act in a rational and sound manner until it has made a reasonable effort to determine the scope and magnitude of the merger's possible adverse competitive effects.

The standards applied by the Commission appear to be deficient in a number of respects. For example, while the Commission found that the merger "will not increase the concentration of broadcast holdings . . ." it does not follow, as the Commission concluded, that "the structure of broadcasting will be the same after this merger as it was before it . . . ." (Opinion, p. 12). It has long been recognized that potential competition may play an important role in assuring competitive behavior in an industry—particularly one in which concentration is already high—and the courts have held that a change in industry structure which may result from the elimination of potential competition may be sufficient to condemn a merger under the antitrust laws. *United States* v. *El Paso Natural Gas Company, supra*; *United States* v. *Penn–Olin Chemical Company*, 378 U.S. 158.

Moreover, sound economic principles, as expressed in numerous court opinions, require that the prediction of competitive effects be based on industry structure rather than on past behavior or assurances of future conduct. Indeed, the concern of the antitrust laws with industry structure is premised on the fact that it is often impossible to detect or effectively regulate economic conduct and that competition can be assured only by industry structure which makes competitive behavior in the self-interest of those companies in the market.

These basic principles appear to have been ignored by the Commission in evaluating the competitive aspects of the proposed merger. On the basis of assurances of ABC's future independence the Commission dismisses the possibility that the union of ABC's broadcasting activities with ITT's activities as a communications common carrier might affect the positions ABC might advocate before the Commission or other public forums—one of the areas of competitive concern noted in our letter of December 20, 1966. Similarly, the Commission dismisses the possibility of anti-competitive reciprocity largely on the basis of "an unqualified representation that neither company engages in such practice and that the policy of ITT is against any such practice" (Opinion, p. 9), ignoring the teachings of such cases as *Federal Trade Commission* v. *Consolidated Foods*, 380 U.S. 592 and *United States* v. *General Dynamics Corporation*, 258 F. Supp. 36 (S.D.N.Y.).

We note that the principle that assurances of good conduct are not lightly to be relied on when a merger results in an industry structure which is inherently conducive to undesirable conduct, is not limited to the consideration of the competitive aspects of a merger. As the Commission's opinion recognizes, the public concern with diversity in broadcasting is "similar to . . . the policy of the national antitrust laws" (p. 8) and we believe that the Commission should reexamine whether the proposed merger threatens the independence and objectivity of ABC's news and public affairs reporting in the light of the antitrust principles discussed above.

We agree, of course, that had the Commission made the proper analysis of the merger's effects, it might still have approved the merger if it concluded that the probable benefits clearly outweighed the probable adverse effects on competition or other areas of the public interest. We respectfully submit, however, that a proper balancing of relevant considerations did not take place. The Commission, having found that "the merger proposed here would enhance rather than lessen competition in the field of communications" (Opinion, p. 6)—a view, we believe, not adequately supported in the Commission's opinion—weighed no competitive dangers against the merger's alleged benefits.

IV. THE PROCEDURE FOLLOWED BY THE COMMISSION WAS INADEQUATE TO PERMIT INFORMED DECISION OF THE ISSUES PRESENTED

We did not urge the Commission to decide the competitive issues discussed above on the basis of our summary statement of December 20—or even the investigative file which underlies it. Rather our point was, and is now, that the Commission record—consisting basically of the applicant's submissions and the transcript of the oral hearing—is not adequate to permit informed decision of all the issues bearing upon the public interest. The Federal Communications Act requires that in a proceeding of this type, there must be a full hearing if a substantial issue of fact is presented.

We respectfully submit that in a matter of such great public importance—involving as it does, the largest merger in the history of the broadcasting industry—the Commission has a duty not merely to take the record as it finds it but rather to act affirmatively so that the record is truly informative on all known aspects of the public interest. See *Scenic Hudson Preservation Conference* v. *Federal Power Commission*, 354 F. 2d 608 (C.A. 2), certiorari denied, 384 U.S. 941; *Michigan Consolidated Gas Co.* v. *Federal Power Commission*, 283 F. 2d 204, 224–26 (C.A.D.C.); certiorari denied, 364 U.S. 913; *Isbrandtsen Co.* v. *United States*, 96 F. Supp. 883, 891–892 (S.D.N.Y.) aff'd by an equally divided court sub nom. *A/S. J. Ludwig Mowinckels Rederi* v. *Isbrandtsen Co.*, 342 U.S. 950. Cf. *WORZ, Inc.* v. *Federal Communications Commission*, 345 F. 2d 85 (C.A.-D.C.).

Moreover, even if the Commission's procedure appeared entirely sufficient at the time when it was promulgated, the actual experience with it and the additional light shed by the Department's investigation, summarized in our letter of December 20, have demonstrated that the procedure in fact did not do the necessary job. There was no adversary party to the proceeding actively asserting the public interest in effective competition. Important issues remain unresolved, and the Commission's record, as it now stands, does not permit them to be resolved in an informed manner.

V. THE COMMISSION PROCEEDING SHOULD BE REOPENED

We have discussed above the interest of the Department of Justice in an adequate consideration of the competitive problems raised by the proposed merger.

Accordingly, we request that the record of the Commission proceeding should be reopened and an evidentiary hearing ordered, to commence within 60 days, to consider the issues specified in the Antitrust Division's letter of December 20, 1966 and in this petition. While it would appear that the applicants bear the burden of persuading the Commission of the desirability of the merger, the Department is prepared to cooperate with the Commission to assure that all the significant information which its investigation has revealed with respect to possible anticompetitive effects of the merger may be presented in evidence in an orderly manner. The Department believes that its participation in such an evidentiary hearing on reconsideration will assist the Commission in the determination of the issues in question, and accordingly, it further requests that it be granted leave to appear formally as a party to the proceeding, pursuant to Section 1.223(b) of the Rules.

Respectfully submitted.

DONALD F. TURNER,
Assistant Attorney General.
LIONEL KESTENBAUM,
SAMUEL Z. GORDON,
Attorneys, Department of Justice.
WASHINGTON, D.C., *January 18, 1967.*

[Before the Federal Communications Commission, Washington, D.C.]

APPLICATION OF THE DEPARTMENT OF JUSTICE FOR STAY—DOCKET NO. 16828

(In the matter of applications by American Broadcasting Companies, Inc., for assignment of licenses of stations WABC, WABC–FM, WABC–TV, New York, N.Y.; WLS–FM, WBKB, Chicago, Ill.; KGO, KGO–FM, KGO–TV, San Francisco, Calif.; KABC, KABC–FM, KABC–TV, Los Angeles, Calif.; for transfer of control of stations WLS, Chicago, Ill.; KQV and KQV–FM, Pittsburgh, Pa.; WXYZ, WXYZ–FM, WXYZ–TV, Detroit, Mich.; for assignments and transfers of ancillary radio facilities)

Pursuant to Section 1.106(n) of the Commission's General Rules of Practice and Procedure, the Department of Justice moves for a stay of the Commission's order of December 21, 1966, granting authorization to American Broadcasting Companies, Inc. to transfer its station licenses to International Telephone and Telegraph Corporation under their plan of merger. In support of this application, the Department states the following:

The Department of Justice has this day filed, pursuant to Section 1.106 of the Rules, a timely petition for reconsideration of the Commission's order of December 21, 1966, and for leave to intervene in further proceedings on reconsideration. This petition, submitted in good faith and not for purposes of delay, raises important questions regarding the Commission's application of the public interest standard in this case. If the Commission affords the relief sought in the Department's petition for reconsideration, it will reopen the record of the proceeding and direct an evidentiary hearing with respect to certain issues not fully considered in the December 21, 1966 order.

Unless stayed, the Commission order will become final on January 20, 1967, thirty days after its issuance, and the parties will be free to consummate their merger and effect the transfer of station licenses.

It is of manifest importance, we respectfully submit, that the status quo be preserved throughout the Commission's further consideration of the case. Section 310(b) of the Communications Act contemplates that a transfer of control of a station license shall be effectuated only after the applicant has satisfied the Commission that such authorization would be in the public interest. Moreover, the consummation of the merger and transfer of effective control of the station licenses to ITT could prejudice the outcome of an evidentiary hearing and the Commission's further consideration of the case; for the Commission would be naturally concerned about the possible difficulties involved in requiring retransfer of the station licenses, and the other problems of attempting to undo an extraordinarily large and complex merger transaction. As the Supreme Court has noted, "where businesses have been merged or purchased and closed out it is commonly impossible to turn back the clock." *United States* v. *Crescent Amusement Co.*, 323 U.S. 173, 186. Cf. *Federal Trade Commission* v. *Dean Foods, Inc.*, 384 U.S. 597. In view of the questions raised as to the application of the public interest standard in this matter, we strongly believe that consummation of this transfer—authorized by Congress only if found to be in the public interest—should be deferred until disposition of the issues we have raised.

The stay requested herein will not unduly delay consummation of the merger if, upon reconsideration, the Commission should find that it would serve "the public interest, convenience, and necessity." The Department's Petition for Reconsideration recommends that the evidentiary hearing commence within sixty days; and the record should be closed and the case presented to the Commission for decision well before the expiration of the applicants' contract of merger, which extends through 1967 for the express purpose of allowing adequate time for the Commission's consideration.

Although the Department has endeavored to present its Petition for Reconsideration as expeditiously as possible, we recognize that the Commission may not be in a position to act upon it until after the expiration of the thirty-day period. This would plainly be the case if the applicant should wish to submit a reply to the petition. Accordingly, we respectfully request that the Commission rule upon the present motion for a stay before completing its consideration of the Petition for Reconsideration and, in any event, by January 20, 1967.

CONCLUSION

For the foregoing reasons, the Commission's order of December 21, 1966 should be stayed for such time as will permit the Commission to rule upon the Department's Petition for Reconsideration and to conduct such further proceedings herein as the Commission shall direct.

Respectfully submitted.

DONALD F. TURNER,
Assistant Attorney General.
LIONEL KESTENBAUM,
SAMUEL Z. GORDON,
Attorneys, Department of Justice.
WASHINGTON, D.C., *January 18, 1967.*

UKRAINIAN INDEPENDENCE

Mr. DODD. Mr. President, Monday, January 23, marked the 49th anniversary of the proclamation of independence by the Ukrainian National Republic.

Unlike the happy and festive celebrations of our own Independence Day, however, this is a day for somber commemoration by Ukrianians and their friends the world over.

The brief respite for the fledgling Ukrainian state from the autocratic regime of the Russian czars was replaced in only 2 short years by the brutality and horror of Communist aggression. Although they resisted valiantly, the Ukrainians were outnumbered and overpowered by the Soviet hordes set against them.

This set a pattern which the Russian Communists have followed on many occasions since 1920 and which their Chinese counterparts are imitating today in southeast Asia.

A darkness descended over the world when the Iron Curtain was first lowered over the brave people of the Ukraine.

We have made a practice of observing Ukrainian Independence Day on the floor of the Senate. It is fitting that we should do so to reaffirm our support of these brave and individualistic people in their efforts to raise the curtain and bring the light of freedom back into their lives.

It is also fitting that we should tell the 35 million Ukrainians, cruelly enslaved by their Russian oppressor, that we have not forgotten them, that we do not accept their enslavement as final, that we are confident they will again take their place, as is their God-given right, among the community of sovereign nations.

COVERAGE OF COSTS FOR PRESCRIBED DRUGS UNDER MEDICARE PROGRAM

Mr. MONTOYA. Mr. President, on the opening day of Congress, I was joined by Senators BAYH, BREWSTER, CASE, GRUENING, INOUYE, KENNEDY of New York, LONG of Missouri, MANSFIELD, MORSE, NELSON, TYDINGS and YARBOROUGH in introducing S. 17, a bill which would amend title XVIII of the Social Security Act to provide coverage toward the costs of prescribed drugs under the medicare program.

Since that time an additional number of my colleagues have expressed their desire to join me as cosponsors of this legislation. I am pleased that Senators ANDERSON, BARTLETT, CLARK, KENNEDY of Massachusetts, MAGNUSON, MCGEE, MCINTYRE, MOSS, and PELL also join in sponsoring this bill.

It will be recalled that S. 17 amends the present medicare program to provide coverage of drugs prescribed outside of a hospital or nursing home. A schedule of allowances toward the cost of covered drugs will be established by a high-level Formulary Committee. This committee will base the allowance for a particular drug on the lowest priced version of the drug which is of acceptable quality, plus a factor representing a professional fee for the services of the pharmacist.

The patient would pay the pharmacist directly and then be reimbursed according to the amount allowed for that drug by the Formulary Committee. These benefits would be paid only after the individual has paid the first $25 of drugs expense himself.

A basic listing of drugs for which allowances may be paid will be prepared by a committee consisting of the Surgeon General of the United States, the Commissioner of the Food and Drug Administration and the Director of the National Institutes of Health. This committee will be aided by seven advisers selected by the Secretary of Health, Education, and Welfare from national organizations concerned with pharmacy such as the Council on Drugs of the American Medical Association, American Public Health Association, American Society of Hospital Pharmacists, American Association of Colleges of Apothecaries, American Pharmaceutical Association, the Pharmaceutical Manufacturers Associations, and others.

I would like to stress that this legislation in no way interferes with a doctor's right to prescribe a drug by trade name if he wishes, or with the patients' right to have an allowance toward the cost of that drug. However, if they wish to use the higher priced version of a drug, reimbursement will be made on the basis of the allowance established for the lowest priced version of the drug of acceptable quality.

These new benefits would be added to part B as of January 1, 1969, and would be accompanied by an increase in part B premiums of approximately $1 monthly per beneficiary. The Federal Government would pay 50 cents and the participant 50 cents of this amount.

In conclusion, may I say that this bill is in many respects similar to the one offered in the last Congress by Senator Douglas. It does reflect certain changes that I believe will strengthen and improve it. I, therefore, take pride in introducing this legislation in tribute to a man who was in the forefront of so much of our social legislation of the past two decades.

It will be recalled that the Senate previously recognized the need for and merits of this type of legislation. The Douglas amendment was added by the Finance Committee to H.R. 13103, the Foreign Investors Tax Act of 1966, in the last Congress and approved by the Senate. The amendment, as Senator LONG noted, was reluctantly dropped in conference with the House.

THE EARLY YEARS

Mr. MORSE. Mr. President, in view of the interest which has been generated by President Johnson's comments in the state of the Union message regarding the importance he attaches to activities which will preserve the educational gains of children who have participated in Headstart programs, it has occurred to me that articles contained in the December 1966 issue of Grade Teacher, under the general heading "The Early Years," may be of interest to Senators.

It is a question, I know, of much concern within the educational community. I therefore ask unanimous consent that the articles be printed at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

HEADSTART OR FALSE START?—PRIMARY TEACHERS MAKE THE DIFFERENCE

All signs indicate that Headstart is here to stay. It is one of the most popular antipoverty programs and the one that many feel holds the most promise. It offers to take disadvantaged children in their most formative years and help them to become productive, competent pupils, able to compete with others many times more advantaged. This is truly an exciting prospect.

But what happens when these children leave Headstart? This is perhaps the most critical question facing us. We know that youngsters can make rapid gains, given the right environment, but can they hold onto these gains when they get to school?

Evidence indicates that some children maintain their gains, but that others lose them within the first year of public school. One thing emerges loud and clear: Schools must carry on the same philosophy, the same approach to families, the same richness of program for children, the same awareness of individual differences, and the same sensitivity to the damage done by poverty and deprivation.

Public education is being challenged as never before. Headstart has shown that it can be done—that, given small groups, trained teachers, good equipment, and the proper encouragement, children can gain at an unprecedented rate. But send these children on to a kindergarten or first grade where there are 30 in a room, poor tools of learning, and a teacher with an inadequate background in working with young children and it is the survival of the most favored.

Clearly, these young children need our help to keep them from sliding back and losing all the progress they have made. Are we ready for them? To get an idea of the job ahead for primary teachers, let's take a look at the elements that constitute a good Headstart program. A study of its methods and objectives can help teachers in determining the best ways to follow through on their new pupils' needs.

All young children, regardless of economic class, need basically similar things. Good principles of early childhood education apply to rich and poor alike. Perhaps foremost, young children need to feel they are with caring adults. They are keen barometers of the atmosphere, and they will sense sincerity almost immediately. They will also spot the rigid teacher who cares more for decorum or cleanliness than children's feelings.

The good early childhood teacher will care about children because she respects them as people, not merely because they are cute and lovable. She likes young children because they suit her pace, because their development excites her, and because their dependence causes neither anxiety nor excessive gratification.

A good Head Start program for children has a teacher in charge who is sensitive to each child's development. She uses a diagnostic approach in assessing his stage of growth intellectually, physically, and emotionally. The diagnostic teacher looks at each child individually and plans a program that suits a wide range of abilities. Children are helped to learn at their own pace and in their own individual ways. The program allows for free choice and self-initiated activity with small doses of teacher-dominated activity.

WHAT THEY NEED

Young children need spacious rooms, set up in an orderly, functional way. They need ample, sturdy equipment such as a full kindergarten set of unit blocks, transportation toys to use with the blocks, and space to build in; a range of art media such as tempera paints and large paper, crayons, clay, collage materials, scissors, and paste; a dramatic play area where there are dress-up materials, child-sized housekeeping equipment, dolls, and a doll carriage; attractive picture books of good quality, with content that is meaningful to the particular children in the group and that the children themselves can handle and enjoy; science materials such as a magnifying glass, pulleys, magnets, rubber tubing, batteries, bells, and lights; musical instruments and a phonograph with records; and a woodworking bench with good tools and soft wood.

All these things, and more, are needed to provide a rounded program for Head Start or any other good pre-primary school. Children also need a good outdoor setting when learning can go on in a different way. Playing and experimenting with sand, mud, and water, climbing, and building with large blocks, boxes, planks, and ladders are as important in the program as indoor activity. Children learn and develop outdoors as well as "blowing off steam"—the traditional reason for recess.

A good Head Start program should be especially rich in first-hand experiences. Many of its children have not had experiences that are commonplace to more favored children. Such places as bus terminals, railroad stations, airports, and docks may be totally unknown to them. For others, such common animals as dogs, cats, and horses may be undifferentiated. For still others, oranges and peaches may be strange. Many city ghetto children have no idea that vegetable and fruit grow in the ground, while many rural poor children have never been to a shopping center.

A good diagnostic teacher analyzes her children's gaps in knowledge and then plans a sequence of experiences that builds a sound foundation for later learning. She makes sure that she always starts with the concrete before moving to the abstract. She knows that a picture of a turtle is no substitute for watching a real turtle's slow, lumbering, awkward walk, for feeling his hard shell, for observing his retracting head and feet, for introducing the idea of protective armor where his slowness puts him at a disadvantage with his enemies.

A good Head Start program stresses language development, for it has been found that most children of poverty are from backgrounds where verbal skills and reading ability have not been highly developed. Many are from homes where verbal communication is minimal, where no one reads for pleasure, and where children's immature attempts at oral communication do not receive much attention. We know that such children will have difficulty in bridging the gap between home and school when they reach first grade where they will be expected to *want* to learn to read as well as to be able to communicate orally.

Every good Head Start program involves parents actively. It is axiomatic that children in the program have parents who are deprived and burdened with problems themselves. In order to carry the benefits of the program into the child's home life, every effort is made to help parents to cope with their problems. Social work services are an intrinsic part of work with families. In addition, Head Start centers employ neighborhood residents who engage in certain aspects of the work with parents and as classroom aides. Thus the parents feel that some of the staff are from their own group and therefore understand "our language."

Each Head Start center makes an impact on its neighborhood as a source of employment and as a rallying point for various types of community action. From the parent group can develop a nucleus that plans other types of programs that can be financed locally. The center cooperates with other neighborhood groups and organizations engaging in like-minded activities.

THEY MUST NOT SLIP BACK

To build on the gains of Head Start, we need thousands of teachers who are solidly trained in early childhood education, who can accept deviation from the middle-class "norm" of attitudes and behavior, and who have a high tolerance level for the hurly-burly of an informal classroom.

We need school boards and administrators who see the need for these teachers, who can create a flexible structure within which they can function effectively, and who will provide small classes and the proper tools of learning.

We need an informed and aroused society willing to pay for this. We are beginning to recognize that prevention is cheaper and infinitely better than cure. There seems to be a growing national enthusiasm for education, which augurs well for increased financial support. However, teachers and school administrators are in the best position in their own communities to interpret their programs and their needs.

Head Start is getting the ball rolling. Now the schools must be ready to pick it up and run with it.

DON'T JUMP THE GUN WITH HEAD STARTERS

Primary level teachers and elementary principals should slow down and ease up when disadvantaged children move from preschool into kindergarten or first grade.

These children have a desire to succeed. They have come to life and are filled with enthusiasm as a result of their preschool experience. Elementary schools must meet them halfway by slowing down subject matter orientation and easing up expectations and demands that may be premature. These children are still making up deficits. They need time, patience, and tolerance in order to grow.

The widespread attention to many preschool programs springing up in villages and cities across the nation creates a misconception that early childhood education has just been discovered. The fact is, decades of work and study lie behind the preschool movement. Research long ago established that early childhood experience with stories, play materials, discussions, and excursions increases I.Q., vocabulary, and school success. Early education is neither new nor, by itself, a cure-all for everything.

The nursery school movement and the kindergarten movement before that started with the study of children. The curriculum was shaped and reshaped to support and enhance what was learned about the characteristic growth patterns of young children.

The earliest concentration in nursery schools and kindergartens was on social development through companionship and play. Concern for emotional experience came later, and more recently there has been increased awareness of the potential for intellectual growth.

A good program today incorporates as much concern for the emotional, social, and physical as for the cognitive development of the child. Any content that is comprehensible as a concept to young children is suitable in a preschool program. There are no datelines for achievement. Skills develop out of practice related to needs and interests.

The elementary educator, however, is accustomed to measuring specific achievement of specific goals. If he is conscientious, he runs the risk of feeling impelled to apply some yardsticks of achievement to the growth of young children. Often, these are yardsticks more suitable to the older child—norms in reading, writing, arithmetic, good work habits, good social regulation, and the ability to work in a committee.

WHAT NOT TO DO

In the context of elementary methodology, it is difficult for some to see any value in an apparently unstructured, many-faceted, constantly shifting curriculum of the preschool type.

As a member of the early childhood profession, I extend these pleas to those involved in helping children who are both young and disadvantaged:

Do not base your approach to children under six years of age on experience with older children. Study the particular ways in which children under six learn.

Set aside, temporarily, subject matter orientation in which logical sequence is of major concern and recognize that the changing interests of young children can cover an amazing breadth, scope, and variety of possible learnings provided that sensory experience and oral language go hand in hand.

Do not underestimate the intellectual power of the non-reading child. At the same time, do not overestimate the readiness for symbol learning of the child who shows interest and responsiveness to an expanding world.

Do not overemphasize the significance of measurable achievement in specifics while a child still needs time to learn and grow.

THE REAL NEEDS

The new programs at the preschool level and those that follow at the primary level must now give disadvantaged children not only what has not been available to them at home, but also what has rarely been given them in the first grade, either. We must seriously question whether their basic need is merely the mechanics for passing tests—the identification of triangle and square, the associative response of saucer to cup, the ready agreement that today is, indeed, a sunny, or a cloudy, or a rainy day.

What are the qualities that must be strengthened by any program for young children?

1. Feelings of autonomy and independence based on actual competence of body and mind in meeting and overcoming manageable challenges. Without these, the courage to try new things may well be inadequate. They are the key to exploratory behavior, which, in turn, is the key to learning. If a child is to develop this competence and learn from others, he must develop trust in adults.

Most disadvantaged children are too repressed to venture, to experiment, to explore. Many do not trust adults. They reject direction, affection, and guidance. The preschool and primary teacher must provide the kinds of experiences and encouragement necessary to develop independence to venture forth.

2. The power to generalize, to think, to reason, and to make mistakes. These are dependent on the opportunities children have from birth to try, to test, and to explore. Limiting too sharply the boundaries within which they can safely explore—as happens in many homes and in much of the primary curriculum—narrows the scope of knowledge too soon and impedes learning processes. Many disadvantaged children come to school without the will to try; many parents do not know how to open the world to them for fruitful exploration.

3. Associating words with objects and experiences, attitudes and feelings, and people and events in a context of emotional and social meaning to a young child. This is the basis of a child's creating his own combinations of words to express understanding of new experiences and objects.

ALL IN GOOD TIME

The formal school will be concerned with the correctness of usage and the mechanics of speech in time, but the young child needs an opportunity to use language to communicate. Mechanics must be learned in the interchange of experience and ideas. But these goals should not be pressed into organized, testable lessons.

The young child is too much of a "natural." His literalness, sense of immediacy, impulsiveness, and egocentricity make him inaccessible to adult conceptions of logic and learning. When forced to comply, he either withdraws and goes his way untouched, or he repeats skillfully what he does not understand, sacrificing his own beautiful capacity to learn for the privilege of being accepted and approved.

HOW TITLE I PROGRAMS FOLLOW THROUGH ON HEAD START

Getting virtually 100 percent of the parents to participate in planning classroom and outside activities for a preschool program is producing excellent rapport between home and school in Great Falls, Montana. This program is funded jointly by Title I of the Elementary and Secondary Education Act and the Office of Economic Opportunity as a Head Start followup. Children enrolled in the half-day sessions are overcoming physical, cultural, and other problems that might later impede their educational growth, according to Gerald D. Sullivan, administrative assistant.

From May through August, 150 children of preschool age were enrolled. Currently, from October through March, there are 120 four- and five-year-olds enrolled, with four teachers and four teacher aides. Classes are in private buildings and churches because of lack of space in public schools.

Pupils include the children of landless Indians who do not live on reservations and the children of migrant workers and unskilled laborers, all in the low-income group. The program combines cultural enrichment with reading readiness and emphasis on oral communication. The children take field trips to dairies and farms to extend their experience to that of the average middle-class youngster. The program also acquaints them with books, libraries, nutrition, hygiene, and proper behavior.

"We're happy with our Head Start follow-up program, and we think the children are happy, too," Mr. Sullivan reports. The most apparent benefits of the program, he adds, are better attitudes toward other children, respect for others' property, and learning to share.

Services include transportation, free milk and lunches, health checkups, and home visitations by two social workers. Standardized tests administered before enrollment and at the completion of the program will be used to evaluate progress in attaining specific skills.

KINDERGARTEN COMES TO PIKE

Two hundred culturally deprived children in Pike County, Georgia, are receiving the benefits of kindergarten through a Title I grant of ESEA funds. The single greatest benefit of this program, according to County School Superintendent Harold T. Daniel, is an early childhood adjustment to school that will remedy the school dropout problem eventually.

Superintendent Daniel predicts that the dropout rate, now 35 percent among white pupils and 50 percent among Negro pupils, will be reduced to 15 percent in the next eight years. He also expects further gains in the ratio of those going on to college, now about 40 percent of the white students and 20 percent of the Negro graduates.

Other benefits of the kindergarten classes, introduced in January and continuing throughout the 1966–67 school year, include improving health and personal habits, meeting the individual child's needs, raising his cultural level, and preparing him for regular school. Some children had attended Head Start classes.

Children who come to kindergarten from small towns, tenant farms, and rural areas have taken their first field trips—their first experiences outside the narrow confines of their own environments. The January group visited the Grand Park Zoo in Atlanta, 55 miles away, and the Little White House in Warm Springs and Indian Spring State Park, each 40 miles away.

None of the low-income families whose children are enrolled in the half-day kindergartens at four public schools could have afforded any one of these field trips, according to the county superintendent of schools. Most of the children's parents work in agriculture, canning plants, dress factories, or textile mills in the area.

During the current school year, six full-time kindergarten teachers and two teacher aides are directing sessions. Children receive free mid-morning milk and cookies and pay 25 cents for lunch unless they are unable to pay. All ride a regular school bus or station wagon, often in the company of sisters and brothers.

This program is enabling children to make all sorts of social adjustments and to cooperate in working with a group. They are learning to do things for themselves, to pay attention, to have good table manners, and to get along with each other.

The $46,937 federal grant made possible the purchase of 10 record players, four swing sets, and two school buses. The project also provides funds for physical examinations, eyeglasses if needed, and other routine health necessities.

Parents visit the kindergarten rooms and, along with older school children, attend a year-end musical program staged by the uninhibited five-year-olds.

IN NEW MEXICO, ENGLISH IS A SECOND LANGUAGE

Teaching English as a second language to 600 American Indian and Spanish-American children is the prime purpose of a preschool project in McKinley County, New Mexico. This Title I preschool project is closely coordinated with year-round Head Start programs on the Navaho and Zuni Indian reservations and provides continuity and followup for youngsters who were enrolled in Head Start groups during the summer.

"We're trying to teach them to speak so we can later teach them to read," explained Raymond Mazon, project director. Parents are cooperative in encouraging children to use English, he reported.

"We don't want to destroy their own language, but we hope to make the children bi- or trilingual," Mr. Mazon emphasized. To this end, Indian and Spanish art and songs are incorporated into the program.

The 600 children, all five-year-olds, are in 36 classes, including some on Indian reservations. Some of the classes are 90 miles from Gallup, N. M., and the county covers an area as large as the state of New Jersey. Transportation alone costs $100 per child. Project funds provide buses from rural areas and reservations, a between-meal snack, a hot lunch, and necessary medical services. Head Start children who received physical, dental, and eye examinations during the summer are being followed up in the current program.

"We are trying to give these children a more intensive experience than a normal kindergarten program to acquaint them with the English language through pre-reading activities," the director reports. There are no state-supported kindergartens in the public schools. Until now, non-English-speaking children at the age of six were placed in a pre-first grade. This made them overage and oversize at the beginning and throughout all their school years.

"This project provides a background of learning and orientation for these children before they enter public school. We hope this will reduce dropouts in later years. With this program, we are moving in the direction of taking care of *all* children," Mr. Mazon commented.

Some of the teachers speak Navaho and Spanish, but none speaks the Zuni language. The program includes a language consultant and teacher aides, all of whom are bilingual.

The children are timid when they first come, but soon become eager to enter the world of books. The staff has developed its own materials for the oral language program, based on observations of the work with Spanish-American children at the University of Texas. The preschool classes use electronic reading devices that include viewing screens, tapes, and filmstrips.

NASHVILLE, TENN.

In Nashville, Tenn., where more than 1,000 deprived children had 11 months of Head Start before entering first grade, principals report:

These children are more self-assured and poised in relationships with adults and with each other.

They exhibit more purpose in what they do.

The percentage of all beginners who ranked as "poor risks" on the basis of metropolitan readiness tests was reduced from between 40 and 60 percent to 24 percent.

Those with Head Start experience had learned colors, the concepts of left and right, opposites, comparatives, the concept of a set, which is the beginning of new math, and showed improved visual perceptual ability, vocabulary, and spatial concepts, as well as broadened cultural experiences.

There was excellent coordination between Head Start and public school programs since the Head Start director is also supervisor for kindergarten and grades one and two.

Title I funds are providing additional school social workers and aides to follow through with Head Start families.

TACOMA, WASH.

In Tacoma, Wash., where 600 first-graders have had one summer and a full year of Head Start, administrators report the following:

Title I funds have made it possible to reduce class size to a 25-to-1 ratio in the first grade, with added teachers, nurses, and social workers.

There are now coordinated efforts through multi-service centers that involve both parents and children.

Teachers can tell which children have had Head Start because these children are more self-reliant.

There is more opportunity for enrichment of the kindergarten and primary programs because some of the basic orientations have been accomplished in Head Start.

AN INSIDE LOOK AT THE LATEST PICTURE BOOKS FOR LITTLE PEOPLE

The recent opening of the new Metropolitan Opera House in New York City suggested to me that writing a picture book must be similar to composing an opera. In each case, the creator is trying to fuse two art forms into a unified whole. In opera, it is drama and music; in picture books, it is text and illustration. The objectives are the same: to create characters and tell a story or produce a mood.

This latter aim is achieved remarkably well in two recent picture books. *I See the Wind* (Crowell, $2.95, lib. ed. $2.65), by Kazue Mizumura, portrays the changing forms of the wind in all of the seasons. Each mood is expressed in a brief poem and an accompanying full-page illustration. There is a delicate beauty and rare sensitivity in both the text and pictures.

In *The Old Barn* (Bobbs, $3.75, lib. ed. $3.55), by Carol and Donald Carrick, a feeling of warmth and protection is evoked by the author's description of the shelter given to nature's smaller creatures by a deserted barn.

In two other recent picture books, distinction is achieved by emphasizing a good suspenseful story line. *Why the Sun Was Late* (Parents' Magazine Press, $2.95, lib. ed. $3.03) by Benjamin Elkin, is a tasteful retelling of an old African folktale concerning a series of misadventures that stop the sunrise and create a near-tragedy for the jungle animals. Especially praiseworthy are the full-color pictures of jungle life by Jerome Snyder.

The illustrator of last year's prize-winning *Tom Tit Tot,* Evaline Ness, has contributed charming woodcuts to Sylvia Cassedy's *Pierino and the Bell* (Doubleday, $3.25). In this folklike story set in Tuscany, the churchwarden's son, Pierino, sets out to prove to the villagers that their beloved pigeons remain in the town because of the daily ringing of the mighty bronze bell in the town square. The pigeons help in a most enchanting way to convince the townspeople of the importance of the bell.

One of the most beloved collections of poetry for children is Robert Louis Stevenson's *A Child's Garden of Verses.* To the many fine editions now available, we can add the one recently published by Franklin Watts ($5.95, lib. ed. $6.95), with pictures by Brian Wildsmith, one of England's foremost illustrators.

The illustrations again show Mr. Wildsmith's highly stylized figures and bold, imaginative use of color. Although not all of the illustrations are up to the artist's usual standards, this is still a worthy item.

Ellen Raskin has taken another classic, William Blake's *Songs of Innocence*, and produced two volumes of great beauty. In the first volume, the 22 poems are reprinted with handsome woodcuts by Miss Raskin. In the second, each poem is set to simple music and illustrated with the same woodcuts reduced in size. The set, published by Doubleday, is available for $6.95 boxed or separately for $3.50 for Volume I without music and $3.95 for Volume II with music.

Not all picture books can achieve the rare distinction of those just described. But in each publishing season there are a few that, though hardly destined to be classics, still can amuse and delight young children. Here are four titles that should do just that. In *The Bear's Picnic* (Random House, $1.95, lib. ed. $2.19), by Stan and Jan Berenstain, the Bear family introduced in *The Bike Lesson* and *The Big Honey Hunt* discover through a series of humorous incidents that picnics at home can be fun.

Denise and Alain Trez in *Rabbit Country* (Viking, $2.50, lib. ed. $2.57) explore the consequences when all the rabbits in rabbit country decide to have a king. How the snarling, grumbling Brute family is transformed into the smiling, loving Nice family is amusingly told by Russell and Lillian Hoban in *The Little Brute Family* (Macmillan, $2.95). On a more serious note, Miriam Anne Bourne describes in *Emilio's Summer Day* (Harper, $2.50, lib. ed. $2.57) how a lonely boy, Emilio, finds a little fun in the big city on a scorching summer day.

For slightly older children (grades three and up), there are three new books that deserve special mention. Roald Dahl, whose *Charlie and the Chocolate Factory* is still making new friends, has created a superb fantasy, *The Magic Finger* (Harper, $2.50, lib. ed. $2.57), about a young girl's personal vendetta against game hunters.

Paula Fox is a newcomer to the field of children's literature, but if her first book, *Maurice's Room* (Macmillan, $2.95, lib. ed. $3.24), is any indication, we should be hearing a great deal of her in the future. Maurice's room is a treasure house filled with fascinating objects like a dried octopus, snake skin, salamanders, a bird, and a hamster.

Unfortunately, Maurice's parents do not share their young collector's enthusiasm. Their attempts to create new, more orthodox interests for their son is told in an engaging, human way that children will love.

SAGA OF A SALMON

Mary O'Neill's name is associated with such books of poetry for children as *Hailstones and Halibut Bones.* However, in *The*

White Palace (Crowell, $3.95, lib. ed. $3.76), she turns to the field of nature writing and tells the life cycle of Chinoo, a Chinook salmon, from his birth in a mountain stream, through his journey to the Pacific, to his eventual return to the place of his birth.

The exquisite color illustrations by Nonny Hogrogian, the 1965 Caldecott Award winner, complement the text beautifully. Mrs. O'Neill's prose achieves a poetic quality that will perhaps attract only the sensitive, thoughtful reader. Nevertheless, this is a richly rewarding book.

What It Takes To Make a Difference

Children of the very poor come to school from homes characterized by defeat, chaos, and conflict. A course of failure is established early. Disadvantaged children continue this course of failure in school. They know no other course.

Living in a cultural Siberia has had its effects on listening and seeing, health, language, and thought. Other factors, fear and insecurity, rooted in the culture of the home and reinforced by the expectations of the school, contribute to the course of failure. While the middle-class child commonly progresses well in school despite teaching technique or teacher attitude, only the best that teachers can offer results in *any* observable gain for the disadvantaged. Those teachers who do make a difference have special qualities of empathy, sensitivity, and insight.

Of highest teacher priority is the substitution of hope for fear and confidence for insecurity. This demands the highest form of understanding—empathy. This means making a child's needs and desires so much a part of yourself that the child knows you know and feels he is at least as important as any other child in the classroom. Then, and only then, can effective teaching-learning proceed.

The empathetic teacher opens the path to verbal communication for the disadvantaged child, and she accepts communication on his terms in the beginning for he has no other, more elaborate means at his disposal. Consider Mark, seven years old, a migrant laborer's son, attending summer school. He greets Mrs. Jones, his teacher, on arrival at school. His cheek is bulging. "What do you have in your mouth?" asks Mrs. Jones.

"My baccer," answers the child.

"Where did you get it?"

"Down at the store. My Daddy bought it for me, cost twenty cents, but I picked beans."

"Do you like it?"

"Yeah."

"What do you like about it?"

"It tastes good."

"Do you swallow it, or do you just chew and spit?"

"I do both."

"How long have you been chewing tobacco?"

"Ever since Ise five."

"What about you little brother? Does he chew it?"

"No, it makes him sick."

"Do you have any more?"

"Yeah, you want to see it?"

The child reaches into his inner shirt pocket (wearing two shirts during August) and pulls out a plug of tobacco. "I keep it here so the big boys won't know I have it. They'd take it away from me."

"How do you think chewing tobacco will go along with reading?"

"I'll get rid of it."

The disadvantaged child is often faced with the task of reconciling the two worlds of classroom and home. Mark's teacher did not attack or attempt to tear down home and parental practices even though she disagreed with them.

A REASONABLE SUGGESTION

The wise teacher attempts to gain parental involvement and support in every possible way. Mark felt free to share his feelings with a trusted adult who understood—no scolding, no patronizing, just recognition of a way of doing things in a different way, with the cautious interjection of an alternative that appeared reasonable to Mark.

The successful teacher of the disadvantaged is unusually sensitive to unspoken messages that daily flow out from children. Too frequently, these mesages fall on desensitized eyes and ears. This lack of sensitivity limits a teacher's effectiveness as much as restricted living has limited the perceptual skill of the child she is attempting to teach.

Thus the disadvantaged child and the disadvantaged teacher often demonstrate failure to tune in specific sounds that are pertinent to a situation. Particularly for the slum child, crowded living and the galaxy of surrounding sounds have offered too little that sounds good enough to gain sustained attention. Adults have not answered his questions, have not pointed out interesting things. Consequently, sounds become one big noise or are not heard at all. There is little to look for, less worth listening to.

How carefully does the teacher listen to the spoken and unspoken language of a child? Does she see the telltale signs of imminent disruption? Detect the mismeshed cog early enough to make a difference? Sense a child's needs before they become disabling? How can we help a teacher burdened by perceptual problems? Should we direct more professional attention toward the *disadvantaged teacher?*

In addition to empathy and sensitivity, the successful teacher of disadvantaged children has deep insight into learning—the developmental stages involved, the individual differences, the complex interrelationships. She also has insight into children—their needs, growth characteristics, what makes them tick. And she has insight into finding out what she doesn't know but needs to know. This insight is achieved through work and study in an educational framework, but remains non-functional in a setting devoid of empathy and sensitivity.

The three qualities together are needed to produce teachers who can alter the disadvantaged child's course of failure. Take a case like this: Jimmy, two years behind (as determined by achievement tests), goes to fifth grade. Quiet, but not particularly studious, Jimmy has never seemed to fit into the usual scheme of classroom activity. Here, in fifth grade, the teacher introduces group planning. One morning during the regular planning of activities, Jimmy says he needs to use a period of time for *thinking.* The teacher has never heard such a request. What would the principal think if he came into the room and found a child *thinking?*

THINKING PAYS OFF

Jimmy, nevertheless, is allowed to have a quiet thinking period regularly. His reflection leads to searching through reference materials for information on his previously unrevealed interest—science. He builds models; his parents give him space in the basement for a laboratory; his peers gain new respect for him. At the end of the school year, he scores two to four years above his grade level.

Available studies indicate that the effects of environmental restriction during infancy and early childhood cannot be erased. But elementary teachers *can* make a positive difference. Preliminary results from studies of enrichment programs show significant gains for welfare children in personality, intelligence, and academic achievement.

Although these children did not catch up to their middle-class peers, the course of failure was broken. These gains, though relatively small, can make the difference between dropout and retention, delinquency and positive social contribution, and illiteracy and literacy. And strangely enough—yet perhaps not so strangely—it appears that the kind of enrichment program that accelerates the learning of disadvantaged children is also the kind of program that all children profit from.

Even a Small Start Can Be a Big Step

(By Lucille Lawler, elementary teacher Shawneetown, Ill.)

When I called at Willie's home to enroll him in Project Head Start, I found a family of nine living in a three-room dilapidated house. Willie's parents, who had both left school early and had little interest in education, agreed to let Willie attend the summer kindergarten when they learned he would receive a free lunch.

Another child, Susan, with a scared-rabbit look in her eyes, clung to her mother's skirt on enrollment day. "We hope Head Start will help Susan overcome some of her shyness," the young mother told me.

Willie and Susan and their problems are typical of those in need of such a preschool program. In this community in Gallatin County in southeastern Illinois, Head Start children took some giant steps in eight short weeks last summer.

NEEDED: FOUR HANDS

From the very first day in our kindergarten room, I became convinced that I needed four hands, three laps, eyes in the back of my head, and the ability to run as swiftly as a deer. Willie came to school accompanied by his 12-year-old sister for the first trip out of his small town—and then he ran away from class. I sent his long-legged sister across the yard to retrieve the would-be dropout. When she returned with the reluctant pupil, I took Willie's hand only to be bitten on my arm. My helper and I redoubled efforts to make the child feel secure and at ease in strange surroundings.

Children from disadvantaged homes often feel uncertain of who they are, what they look like, and how they fit into things. A mirror in the classroom proved popular during free playtime as the children played "dress-up." With a few props, they took turns playing doctor, nurse, fireman, seaman, and farmer.

We stressed self-identification further by calling the children by name in games, chants, and songs:

Willie's eyes are blue;
Sammy's shirt looks new.
Alice's dress is green;
So are Billy's jeans.

What did the children get out of this? Some picked up the catchy tune quickly. Others learned colors through constant repetition. The significance of the ditty for Willie, who hadn't taken part in many activities, was that he had a prominent place in his teacher's song. We hoped that he began to see himself as a somebody and would develop more trust and self-confidence.

My helper and I searched diligently for any detail or achievement we could praise: "Pat has her face and hands really clean this morning." "Susan knows how to tie a bow." "Stan knows just how to pour rice without spilling it." "You waited patiently for your turn on the slide, Lisa. I like that."

FREEDOM WITH RESPONSIBILITY

The spirit of our classroom was to stimulate the preschooler and to restrict him as little as possible. My aide and I moved from child to child, working with individuals as they needed help and, occasionally, with small groups. Although children talked and walked around the room at will during certain periods, their absorption made them surprisingly quiet.

On our bulletin board was the advice: "Keep Busy. Don't Bother Anybody." There was a freedom based not on permissiveness, but on responsibility. Head Start children learned to take turns, to share experiences as well as things, to put away their ingenious learning materials, and to clean up spills.

While there were many who had to be encouraged to speak up, there were others who had to be turned off. We found many children using strange and unconventional expressions: "We et it onder the ellum tree." "Ma whupped him with a willer switch cauz he tore his overhalls on a war fince." "He slud down the crick bank after chunkin rocks in it." Eight weeks is too short a time to bridge the gap, but there was some improvement in speech as well as in manners in general.

During the first weeks, I found beginners were not ready to sit and listen while the teacher read a story. It was necessary to "tell" a story, using gestures, voice changes, and, at times, a puppet to hold attention.

I felt everything we did was a learning situation. We built a repertory of games, songs, and stories. We allowed full exploration during free-play periods. Most important, we provided a flexible program. I believe strongly that a child should be given a great deal of time to explore in his own way. When a child follows his own nose, pursuing what interests him, he covers more ground and remembers more of what he finds.

Too many six-year-olds are not emotionally, psychologically, or physically ready to bridge the gap from home to school. It is only when children feel secure at school, secure about the teacher's regard for them, and secure about their place in the school program that they develop an eagerness to explore and find out.

Susan, who was so timid on her arrival and would not enter into any activity at first, finally came out of her shell of insecurity. With urging from a little friend, she marched to the rhythm band, though still with dragging feet. She painted—if I put the brush in her hand and led her to an easel.

One day, during the second week, Susan walked into the room, went directly to an easel, and began to swirl bright tempera paints on paper, without a suggestion from anyone. Of such small but marvelous victories are a teacher's day made. Susan became more articulate after painting every day for some time, and she began to branch out to paper-cutting, pasting, and clay-modeling. When she became interested in these activities, she talked and asked for supplies readily.

WILLIE MAKES PROGRESS

I wish I could report that our runaway Willie also blossomed like a watered plant. But eight weeks was too short a time to make up for the many deficiencies apparent to us. His family had very few values pertaining to cleanliness, social graces, or cultural advantages. But washing his hands became part of Willie's regular morning routine. Willie had never been to a party, a picnic, a farm or a zoo, but he experienced all of these in the Head Start program.

Making an extra effort to enter into his world seemed to be a good way to insure that his world was broadened to include ours. Willie was able to bring to class turtles that he caught in a river near his house. He also told us about the barges carrying coal and grain that moved or tied up along the river. We learned to view each other's different backgrounds as an exchange program.

The academic gains from Head Start are difficult to assess. The benefits included many intangibles that can't easily be measured. Head Start is definitely a success, and this preschool opportunity will be a continuing part of the American educational system.

They Must Talk Before They Read

No doubt you've heard stories about parents—and even education experts—claiming success in teaching toddlers to read. The truth is, when it comes to reading, neither the glow of parental pride nor the torch of research are bright enough to make babies see the light.

Evidence shows that, even under the most favorable conditions, a young child can't be forced from one intellectual level to the next. Just as a child needs to crawl before he walks, he needs a collection of suitable preparatory experiences before learning to read. Gaining these experiences takes a measure of time—but *how much* varies dramatically from child to child. It is up to our kindergartens and primary classrooms to cope with these variations and, when they are lacking, to provide the experiences required to make a child reading-ready.

THERE ARE MISCONCEPTIONS

Reading readiness has come to mean many things—most of them laden with misconceptions. There are many, for example, who persist in believing the myth that at, say six, a child suddenly and automatically is ready to read. This implies that reading readiness requires just one ability—an ability that can be acquired at only one point in time in the process of intellectual maturation. This is nonsense.

Just as erroneous is the idea that only scientifically programmed materials are effective in reading readiness work and in teaching reading. The truth is that children learn to read in many ways, some of them apparently unrelated to formal instruction.

WHEN IS A CHILD READY?

What then is reading readiness? The most widely accepted definition goes something like this: That time when a child can profit from group instruction in certain elements of a reading program.

But how do you judge when a child is ready to profit from such group instruction? Interest in this question has led to the development of a number of reading-readiness tests. The tests have been widely used—and widely misused. As is true of almost all group tests for young children, the results are not sufficiently reliable to give a completely accurate diagnosis of "readiness" status. Yet in some schools, a child's program in kindergarten and first grade—even his promotion to first grade—depend on his test score.

The tests may, however, have indirect advantages. To insure success on an impending test, a parent often will tutor his child at home. If the parent-child relationship during such sessions is free of tension, no harm can be done. And it's entirely possible that the child gains not only from exposure to the reading skills but, also, from the close personal contact with the parent.

Whether at home or at school, however, efforts at making children reading-ready often fail. The reason is simply that we do not yet fully understand how children between three and six learn.

POVERTY LEAVES ITS MARK

We do know, however, that the child who is exposed to books and conversation at home gets ready quicker, even without a so-called lesson or a reading-readiness workbook. These are the children who notice things, ask questions, and carry on conversations. They try new activities and they like to show off their skills. In this way, they acquire the variety-pack of knowledge needed to develop the complex set of skills we call beginning reading.

On the other hand, youngsters from talk-poor and book-poor homes demonstrate their cultural disadvantages in more than low scores on reading-readiness tests: Usually, they are less alert than other children, and they are not so eager to try new things and talk about them. They don't know how to study pictures carefully, they don't ask questions, and they don't listen in a way that enables them to acquire and use new phrases.

IT'S UP TO KINDERGARTEN

It is the kindergarten that must provide such children with the wide array of experiences they need to become reading-ready: Visits to stores, the police station, the fire department, etc.; walks around the neighborhood; guided experimentation with new materials and toys; introduction to the world of books and stories; the chance to talk . . . talk . . . talk. To have them sit quietly doing meaningless crayon drawings while the teacher works with the more agile learners is denying them the very experiences they most need to increase their awareness of and interest in symbols, words, and ideas.

Children do not just naturally become ready for reading. To sprout intellectually, they need to have active, interesting experiences with other children and adults. The thousands of ideas they learn as they play, explore, construct, and listen boost their intellectual growth—actually lift their I.Q.'s—and help them grow as successful readers.

The effort put forth by day-care centers, nursery schools, Head Start programs, and kindergartens for four-year-olds are, of course, helping to assure the advantage of a good reading foundation for many youngsters. Where the benefits of such programs are not available, the full burden—and opportunity—for developing reading readiness rests with the kindergarten and/or first-grade teacher.

MUST MEET MANY NEEDS

The urgent need in such situations is for careful planning of programs that are intellectually appropriate for all youngsters—both those who, from the standpoint of pre-reading experiences, are culturally bankrupt and those who have had five years of wonderful home experiences to fall back on.

Across the country, I have seen kindergarten and first-grade classrooms packed with more than 30 children. It is a credit to the profession that so many of the teachers in these overcrowded classrooms are able to marshal their small armies with courage and efficiency. They keep five or six activities going at the same time and manage to know what's happening everywhere.

In my visits to schools, I have been glad, too, to see a shift in emphasis in reading readiness programs from the narrow, non-conversational workbook operation to the freer, more active exploration-and-discussion type of learning. Children need to *talk* words in order to learn to *read* words. When the emphasis in reading readiness stresses *symbol recognition* to the exclusion of meaningful language, a child's entire intellectual growth—and most specifically, his reading growth—is actually stunted.

The Fine Art of Follow-Through

It takes great effort to reach the really poor in many communities. In some city communities, they are not responsive. The people who respond immediately and bring their children in are not necessarily the people who need it most.

Parents who are already ambitious for their children, who care about their children, and who are attuned to anything anyone says that would be good for their children respond first. The "hard core" may need to have somebody go around knocking on the door and patiently explaining—and explaining again.

Follow-through in kindergarten and first grade is more than a challenge; it's a real responsibility. Once something has been learned, you cannot put blinders on and ignore it. One of the things that has happened—and we saw this a year ago—is that teachers who had taught in this summer program with Head Start children and who, themselves, regularly taught slightly older children—either kindergarten or one of the primary grades—felt that they would never teach the same way again. They learned so much that it affected their permanent style. They didn't just have a summer style and a permanent style; they really changed because they had done some learning. Some of this will come of its own momentum where teachers begin to have more insight.

A MILLION DIFFERENCES

There is no question that initiative is needed for followup on the part of the school and the community. This relates to one of our most important considerations, which is individualizing. Thus far, Head Start has been a program for about 1.3 million children. Actually, what it really amounts to is more than a million different learning experiences. The effects vary from one child to another and from one program to another. But it is a program that's needed, and it's proof that the regular school system doesn't begin where the children are. Following through on this beginning is now a basic challenge to the schools.

In some schools I have visited, I have seen teachers trying to do the kind of things they knew had been found to be useful in Head Start. That's a kind of follow-through. The programs that have resulted from the Elementary and Secondary Education Act are in themselves a pattern for follow-through.

In some communities, there is just lip service to follow-through. I recall one first-grade teacher who divided the first-grade children into two groups—those who had attended Head Start and those who hadn't. Whenever a visitor came by, she had the children stand up and show what they had learned in Head Start. These children went on singing the same songs and doing the same little stunts that they had done in Head Start. She didn't teach them anything new. This is a pathetic example of follow-through.

Where the focus of Head Start has been understood, you find that follow-through takes the form of a critical look at the community's own schools. It becomes a matter, for instance, of the community doing more about health because this has been found to be very important. But many children who were evaluated for their health needs didn't get their deficiencies taken care of immediately. That had to be done later. On the other hand, some of the changes through health services are really a followup.

THE IMPORTANCE OF INDIVIDUALITY

One of the greatest challenges to teachers is recognizing individual differences in children. This means not only seeing each child as different from every other, but *doing* something about it. Some teachers see the individuality of children in their differences, but they don't feel a responsibility to deal with it. Instead, they recognize it and hope to get these children of different sizes into the same shape.

We have to distinguish between merely recognizing individual differences and dealing with them in a constructive way. This is one of the best contributions that Head Start has made.

We must realize that only a meager half of the communities in this country have any kindergarten. But as result of parent involvement in Head Start and the publicity given the program, parents are demanding kindergarten. School age is now being lowered to five in some communities, and in others it is being lowered to four and even three.

QUANTITY OR QUALITY?

There is no question that communities are beginning to recognize the value of kindergarten. Today, there are more kindergartens than ever before, and kindergartens have risen on the priority list in some communities.

The content of Head Start is what many of us in the field of early education have been looking for and working for a long time. But the real crux is the quality. There are those who say that quantity is more important; that it is better to give all children a little than to give some children a lot.

The importance of quality is often misunderstood by people who have never seen a really well developed program for young children. Quality is achieved by individualizing each child's experience and giving real support to the child in all aspects. The answer lies in quality.

There are three ways in which this can be done.

First, by not losing sight of the basic child-development principle of starting with a child—and recognizing where he is—and not regretting it. Then helping him to go on from there, one step at a time, whether in small steps or giant steps.

Secondly, teachers should follow through by making parents feel welcome and included and by helping them to participate for the child's sake and for their own sake. Parent involvement is evident in Head Start and is, in fact, one of the most important components of the program.

PARENTS LEARN TEACHERS CARE

One thing that happens as a result of Head Start is that parents make a little more effort. Those who would not normally be responsive to overtures are now bringing their children to Head Start. In a number of instances parents have said, "I never knew before that teachers were so interested in my children. This is the second child I've brought to school, but I didn't know that you really cared."

As a result, such parents now feel closer to the school. The logical follow-through is to welcome them and continue this.

Finally, follow-through includes helping disadvantaged parents with their special problems. Teachers can lead them to the proper agency that can help them obtain medical assistance, housing, or employment. Teachers should be acquainted with community agencies and draw upon them for assistance.

When teachers, using their special skills, work sensitively and warmly with disadvantaged children and their parents, they will discover that Head Start was only a start and that they can make its promise a reality.

THE VITAL SAFETY VALVE OF SELF-EXPRESSION

One of the most beneficial outcomes of preschool programs for disadvantaged children is the potential for diminishing tension, frustration, and violence through the gift of language. The importance of language in the development of concepts and for logical thinking is well known. But what is less well understood is the role of language and verbalization in personality development.

If a young, pre-verbal child gets angry, he has no way of expressing his anger except to kick and scream, or to express it through some psychosomatic symptom or some organic disfunction. But language gives him the ability to communicate a feeling and to express the feeling symbolically. He can now say, "I'm mad," "I'm furious at you," or some other expletive, but he doesn't have to kick.

THE LANGUAGE LAG

Because there is such a great lag in the acquisition of language among the disadvantaged, we frequently find that children from such groups express emotions, particularly the negative ones, in a much more physical fashion, so that they tend to attack others or become self-destructive more often than their middle-class counterparts. Along with this goes a diminished frustration tolerance.

These youngsters have not learned that you can symbolically achieve the same drive discharge that you can through actions, that the same gratification of a drive or relief from tensions can be accomplished through a verbalization of your feelings. This, as a matter of fact, is one of the principal functions of psychotherapy.

While there is some disagreement among workers in this field about the existence of a language gap, I believe, along with Dr. Martin Deutsch, that this is one of the crucial differences between socio-economic groups. Preschool education directed toward minimizing and lessening this difference—toward helping the child think symbolically and abstractly and particularly in *language*—has enormous positive consequences for mental health as well as for education.

Despite the fact that many find it hard to believe, talking about an experience or painful emotion can bring about the same relief or satisfaction as if it had been acted upon—usually without the negative consequences. One of the most significant contributions of early education is the effect it can produce on a child's mental health by enabling him to express his feelings.

In this regard, I hope there is immediate follow-through in the area of language development for those children fortunate enough to have had Head Start training. I think it mandatory that the same atmosphere and the same attitude toward these children prevail in the first and second grades. If the first-grade or second-grade teacher returns to a traditional curriculum utilizing traditional teaching techniques, whatever Head Start has been able to accomplish may quickly be undone. But if schools can follow up with these children, again in small classes, again enriching their curriculum, particularly in the area of language and concept formation, then I think they can undo to a significant extent the troubles that have accrued.

THE CHILD MUST BE SOLD

Another issue that concerns me in the early years is the development of an attitude toward learning that proves conducive to learning. This is much more necessary for the culturally disadvantaged group than it would be for the advantaged group. The middle-class child is identified with a parent who usually holds the values of education highly.

Conversely, the disadvantaged child comes from a home where formal education has rarely been highly regarded. He may have had the unfortunate and discouraging experience of seeing members of his cultural or ethnic group, even though well-educated, serving in menial or belittling positions.

Therefore, the disadvantaged child comes to class not particularly sold on what the teacher has to offer. Unless he presents it in an interesting way, in a way that is immediately attuned to the child's life so he experiences it as fun and pleasurable, I don't think we can accomplish anything.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Is there further morning business? If there be no further morning business, morning business is concluded.

LEGISLATIVE REORGANIZATION ACT OF 1967

Mr. MANSFIELD. Mr. President, I move that the Senate turn to the consideration of Calendar No. 2, S. 355.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

CONSIDERATION OF AMENDMENTS

Mr. MONRONEY. Mr. President, since the two leaders are here, I ask unanimous consent that in receiving amendments on this quite long and complicated bill, the amendments be accepted and considered title by title, with the understanding that we can revert back to any title after completion of the amendments as they are offered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma?

Mr. DIRKSEN. Mr. President, I think it is in the interest of orderly procedure if all amendments which may be on the desk or which are contemplated be considered for each title as we go along, without prejudice, however, to any other amendment that, at some subsequent time, may be offered to that title, even though we have moved on to other titles in the bill.

I merely wish to be sure that no rights are prejudiced.

Mr. MONRONEY. That was what I was requesting.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, with the stipulation that the distinguished Senator from Oklahoma does not lose his right to the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, the unfinished business before the Senate today is the Legislative Reorganization Act of 1967.

The Congress of the United States is the only branch of the Federal Government regularly and entirely accountable to the American people. Indeed, it is the people's branch. Our constitutional system is based on the principle that Congress must effectively bring to bear the will of the people on all phases of the formulation and execution of public policy.

However, it is becoming more and more difficult for any collective decision-making entity like Congress to meet its responsibilities. A global foreign policy in an age of nuclear confrontation requires a timely and cohesive national response. Moreover, an increasingly complex society produces social, economic, and technological problems of staggering complexity.

Despite the prestige, power, and responsibility of Congress, embarrassing questions are being asked of us with increasing frequency by critical observers. Is Congress still capable of initiating and enacting its own legislative program? Do we understand the financial consequences of the appropriations we pass? Does legislation receive measured and careful consideration in the committee and on the floor? Are we still a viable, creative legislative force or are we, as our detractors contend, mere ornamental trappings to legitimize the legislative program of an increasingly powerful Federal Government?

These are pretty fundamental questions and they are subject matter of the pending legislation. We are no longer in the days of Webster, Calhoun and Clay—not because the caliber of our membership is any less distinguished, but because the problems we face are so vastly more complicated. The congressional organization of that golden age of simple issues and matchless oratory is no longer adequate at a time when we must appropriate over $130 billion annually, maintain the most awesome and sophisticated military capability in man's history, and evaluate a host of highly complex domestic programs. We must, as described in Alice in Wonderland, "keep running just to stay in place."

The pace of congressional reorganization has lagged far behind organizational changes in the executive branch. The Federal Government as we know it today—its departments, agencies and commissions—is almost entirely a product of the past 60 years. And the reorganization plans keep coming. Congress, on the other hand, has taken only one previous look at its own organizational machinery in the 20th century.

I was privileged to participate in that inspection. Twenty-some years ago, as a Member of the House of Representatives, I cosponsored the Legislative Reorganization Act of 1946 with a great Member of this body, Senator Bob La Follette of Wisconsin. In addition to other organizational improvements, the 1946 act was the genesis of the standing committees in both Houses from 81 to 34 to correspond with the major public policy areas of that time. It provided permanent, professional staff for the committees. It provided stated committee jurisdictions for the first time. It included a legislative mandate to the standing committees to review the administration of existing laws as well as to enact new proposals. If there are any who doubt the significance and necessity of congressional reorganization let them imagine our plight during the past two decades if we had transacted our business with twice as many committees, with no stated jurisdiction for the referral of legislation and with no staff to assist us.

But I would be the first to admit that the 1946 act was no panacea for congressional problems. It was not intended to be our final organizational effort. Just as we could not function at the end of World War II with a gay nineties organizational structure, we cannot effectively legislate in the age of the atom and the computer without additional organizational improvements.

The growing awareness of these organizational needs resulted in the passage of Senate Concurrent Resolution 2 in March 1965, creating a Joint Committee on the Organization of the Congress. This was—as it should be—both a bipartisan and a bicameral undertaking. The 12-member joint committee had equal representation from each House of Congress and from each political party. From the Senate side, I was joined on the committee by five distinguished colleagues—Senators SPARKMAN, METCALF, MUNDT, CASE, and BOGGS. The House Members were headed by our distinguished cochairman, Representative RAY J. MADDEN and Representatives BROOKS, HECHLER of West Virginia, CURTIS, HALL, and CLEVELAND. The able junior Senator from Michigan, Senator BOB GRIFFIN, was a member until his appointment to this body.

In keeping with the importance of our mandate, the joint committee conducted a lengthy, painstaking and exhaustive examination. Public hearings were held over a 5-month period in 1965 and additional hearings were held last August. In all, the committee has received the views of 206 witnesses—including more than 100 Members of Congress—on means to improve congressional organization. In addition to the hearings the joint committee and our staff have interviewed members and staff of all the standing committees—and many of the subcommittees of both Houses. We have reviewed the reports filed by the committees on their activities. The 88th Congress was programed on computer in order to analyze the committee system's demands on the time of Members. This analysis appears as an appendix to the joint committee's final report.

The committee evaluated the proposals contained in both published and unpublished works of political scientists, studies of congressional organization conducted by private, nongovernmental agencies, and the reports made on legislative procedures by the various State legislatures. I believe it is a fair statement that no proposal for congressional reform made in recent years—irrespective of source or media—escaped the attention of the joint committee.

Our most difficult task was to screen and evaluate the literally thousands of proposals to reach a set of realistic recommendations. This work began in January 1966, and the committee held more than 50 executive sessions before the final markup of its recommendations and the publication of its final report on July 28, 1966. I know my distinguished cochairman, Representative RAY J. MADDEN, joins me in expressing appreciation to the membership of the committee for the many, many hours they devoted to participate in this monumental task.

Obviously the committee's goal was not simply to publish a thought-provoking group of recommendations. Rather, our objective has been to produce meaningful legislation based on those recommendations. Congressional reorganization is by its nature a rather extraordinary undertaking. It cuts across the jurisdictional lines of a number of standing committees so that no single committee is in a position to consider an omnibus reorganization bill. For this reason, the six Senate Members of the joint committee were authorized to act as a special committee with legislative authority to consider and report a reorganization bill.

Last September, the special committee introduced and reported S. 3848 to implement the recommendations of the joint committee's final report. The pressures at the end of the session made it impractical for the legislation to be considered prior to adjournment. However, the majority leader, with his usual courtesy and accommodation, made it clear that this would be one of the first orders of business in the 90th Congress.

On January 16 we introduced S. 355 and filed Senate Report 1, bringing the reorganization bill to the floor for consideration. Copies of the bill and report are before you. The committee has also prepared a compilation of amendments made to the Legislative Reorganization Act of 1946. This compilation, together with a complete copy of the 1946 act, has been placed on each Member's desk.

I believe it is worthwhile to reflect briefly on the public response to our proposals for congressional reform. Since the publication of the joint committee's final report, there have been countless news stories on our recommendations and more than 100 editorials written in periodicals scattered over the country. Not one of the editorials opposed the committee's recommendations. All editorial comment expressed the hope that Congress would see fit to enact them. Indeed, the only derogatory comment was that the committee should have gone further—that its recommendations were too modest.

It is now my privilege to outline the provisions of the Legislative Reorganization Act of 1967 so that they will be in proper perspective for discussion and debate.

THE COMMITTEE SYSTEM

Title I of the bill proposes improvements to committee procedures. We all know that the committee system is the heart and soul of the legislative process. The quality of legislation is usually a reflection of the type of consideration the bill received in committee. While we can all be justifiably proud of the magnificent record of our standing committees over the years, this should not blind us to the need for improvements in committee procedures.

We have proposed a "committee bill of rights" to insure that all proposed legislation receives critical examination, that a majority of the committee has the power to work its will after adequate deliberation, and that the public has maximum opportunity to observe and participate in the legislative process. Let me stress at the outset that these changes will not disrupt or impede normal committee operations. Rather, they are as safeguards to discourage rare instances of abuse and to insure an adequate flow of information to all committee members on a regular basis.

Section 102(a) of the bill adds to the present requirement for regular committee meetings a procedure whereby a majority of the committee may call and convene committee meetings if the chairman fails or refuses to do so. This is the existing rule in the House of Representatives. They have found it a sensible protection in those infrequent instances when the desire of a committee majority to consider business is frustrated.

Section 102(c) clarifies the present duty imposed on the chairman of each committee to report or cause to be reported promptly any measure approved by his committee. The new language would permit a majority of the committee to require such reporting within 7 days after filing a request to the committee chairman.

I have the honor to serve as chairman of one of our standing committees. I know that the responsibilities of our chairmen are substantial—and that authority must accompany that responsibility. But I am keenly aware that—just as the committees are creatures of the Senate—the chairman must act as the agent of the committee. Moreover, the integrity of the committee system is threatened when it becomes necessary to utilize parliamentary devices which bypass the standing committees in the fear that a majority of that committee cannot process legislation within its jurisdiction or secure its reporting to the floor of the Senate.

Section 102(b) deals with committee meetings and records. It gives a majority of the committee the option of determining if the meeting will be held for the markup of legislation or other matters necessitating an executive session or if it should properly be open to the public. Although the committee heard testimony urging that all committee meetings be open, it believes that the markup of legislation—where the compromise of views is the yeast of the legislative process—can best be accomplished in executive session. However, rollcall votes taken in committee should be announced publicly at the conclusion of the meeting. This would seem a far more dignified and desirable practice than present occurrence of informal press leaks of voting results.

One of the most controversial provisions of this section is section 101(d) prohibiting voting by proxy in committee. Many Senators have expressed the fear to me that elimination of this practice would severely disrupt committee operations because multiple committee assignments make it impossible for Senators to attend all meetings. I believe the unfavorable impact of the proposal has been exaggerated. Present rules prohibit the reporting of any measure by a committee unless a majority of the committee is actually present. In fact, a bill reported in the absence of a majority quorum is subject to a point of order on the floor and recommittal to the committee. But we have fallen into the dangerous habit of permitting proxies to serve as the balance of power in reporting a bill on which the committee is closely divided. In other words, while a majority of the committee must be present, a majority of those present need not support the bill.

Your committee cannot subscribe to the proposition that the expediting of legislation requires us to follow the proxy procedure at the critical stage of reporting a bill. Many proxies are general and some are oral. Even if the proxy was specific, changes in proposed amendments at the final markup make it impossible for another Senator to adequately reflect his colleague's views. The use of proxies discourages committee attendance.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to the distinguished assistant majority leader.

Mr. LONG of Louisiana. Mr. President, I have been a member of the Committee on Finance for many years; and we have followed a policy in that committee, as long as I have been a member of it, that a member could be recorded by proxy, in the event that, for some reason or other, he was necessarily absent. As a member of the committee, my proxy has been voted many times by other Senators when I could not be present, and on occasion I have voted the proxy of other Senators.

I would concede that on one or two occasions, in voting on an amendment, a Senator who was necessarily absent was recorded and subsequently after returning, decided he would prefer to be recorded in a different fashion. But a Senator could have changed his mind, had he been present.

So far as I can recall, we have never had any problem about it. If a Senator found his proxy had been voted differently from the way he would have voted had he heard both sides of the argument, he always had the right to have the matter reconsidered—and, indeed, has done so—and to have it voted on after we had re-argued the matter.

In other words, the procedure that we have followed in the Committee on Finance is that no vote is ever a final vote until we finally vote to report a bill and the bill is actually on the floor.

Does the proposed change that the Senator has in mind preclude us from following that practice in the future—that we could vote the proxy of any Senator who could not be present, subject to the right of any or all of those matters being reconsidered any time a member desired that they be reconsidered?

Mr. MONRONEY. After hearing a number of complaints about the difficulty that the absolute prohibition of proxies would cause, the committee has instructed me to offer an amendment to the bill which would provide that, up to the final reporting of the bill, the committees or subcommittees thereof are free to exercise proxy use or quorum discretion, but that on the final vote reporting the bill to the floor, it being of such great importance to the bill itself and to an understanding of the support it received in committee, that proxies would not at that point be permitted. From my discussions with a number of Senators who are concerned about this matter, I feel that this arrangement would give the committees the right to assemble for the final vote a quorum of their membership for this important vote. The Members always would have the right, if they did miss the vote, to announce the position they would have taken had they been present and voting in the committee. We feel that this would dispose of the difficulty that the original provision had created.

Mr. LONG of Louisiana. If the original proposal of no proxy voting is modified to that extent, it will be a great improvement, but it still leaves a problem.

In order to get on with the business, the Committee on Finance has always agreed that in voting to report a bill, a Senator whose proxy was being voted reserved the right to change his vote. We would not put the bill on the calendar until this had been done. We have always agreed that if a Member should change his mind and should wish to hold up the reporting of a bill or to put it back into the committee, we would do that.

It seems to me—and I believe the Finance Committee would feel—that, in order to get on with the business of the committee, it is better to go ahead and vote on something, reserving to every committee member the right to change his mind and to have the matter brought back to the committee. We have done that more than once. And this has not been limited to a proxy vote, but also has been accorded to the Senator who was there, but who then said, "I voted for this, but I have had occasion to study it further, or I wish to look at it further, and that being the case, I want it held up." We have done it on that basis.

One of the major veterans' bills, as I recall, was reported, with a Member present who subsequently changed his mind, and he asked that the measure be held up; so we held it up, and would have been glad to put it back in the committee if he had insisted on it.

I should like to urge, for the consideration of the distinguished manager of the bill, that there is some merit to being able to get on with the business of the committee, with the ability to put the bill back in the committee, even if those present might say that they had second thoughts about what they had voted for, so that they could say, "Let us go back in the committee and study it further."

Mr. MONRONEY. This provision gives the chairman of the committee the opportunity to announce to the members a day certain on which they intend to report the bill, thereby validating all previous agreements, which passed on one section or another.

The committee was strongly of the opinion that before the bill receives the great prestige, the great strength, the great opportunity to go before the Senate, the members should be recorded as to their individual voting attitude on the bill. This would strengthen the committee position when the bill reached the floor of the Senate. It would strengthen accountability for our actions in committee, as well as the accountability we have when we answer a rollcall.

I do not believe that anyone would wish us to have proxy voting on a rollcall. Yet, the voting of a Senator in a committee—particularly a very important committee—is 10 times as important as a vote cast on the floor when it is diluted by its relationship to the other 100 Senators who are Members of this body.

Mr. LONG of Louisiana. I had hoped that in the recommendations of the committee there would be a recommendation that by unanimous consent of the Senate, on at least a certain number, perhaps five, rollcalls—an absent Senator could be recorded as actually voting, provided that the Senator who gave him a pair was also actually recorded as voting. This would avoid the situation of a Senator coming to one of us in the leadership and saying, "I do not want that bill voted on while I am absent. I want to be on record, and I want you to promise me that you will not have a vote. Otherwise, I will delay the Senate's business and insist on quorum calls and deny unanimous consent to proceed expeditiously."

I believe the Senator knows something about the experiences we have had.

Mr. MONRONEY. I certainly do, and I know that it is a difficult problem; but I believe it is one that can be easily adjusted to the habits of all Members, if a day certain is set far enough ahead for the Senator to be present. A long period of discussion would not be necessary, because the Members would be familiar with what had occurred.

Mr. LONG of Louisiana. We have had occasions when Members were on their deathbed and were brought into this Chamber so that they could answer a rollcall vote. It seems to me that on finally reporting a measure, knowing very well how a Senator wishes to vote, both sides can talk to him. If need be, both could get on the telephone and explain their side of the argument. This is particularly true when everybody knows the Senator in question is in favor of a certain position and has always advocated it.

Mr. MONRONEY. Of course, the Senator can always be given a pair, which does not count as a vote on the floor, just as a Senator can be announced in committee not present and voting. Often, in the final reporting of a bill, there are issues with respect to which the Member's proxy does not necessarily apply in the consistent manner that the Member who exercises the proxy might have presumed it would.

This would be for the final vote to report and would not interfere with the final markup up to that point. It would go a long way toward answering objections we have heard from Members, and particularly from the chairmen who are charged with a great responsibility, as the assistant majority leader is, in reporting the most important legislation handled by the Senate.

Mr. LONG of Louisiana. This proposal, as I understand it, is not now a part of the bill, S. 355, before the Senate, but is to be offered as a committee amendment and prohibits proxies only on the vote to report the bill.

Mr. MONRONEY. The final reporting of the bill.

Mr. LONG of Louisiana. It is not limited to voting for substitutes of the bill or amendments, but the bill itself.

Mr. MONRONEY. The final report of the bill, as it goes to the floor. This is the last action, after having been modified by amendment; and does not require on all measures a quorum call and on all votes a nonproxy vote.

This goes a long way toward answering the objection we heard from Members who said it would work a hardship on the committee. With respect to final markup, if there is a final markup, it would not work a hardship.

Mr. LONG of Louisiana. This would not present much of a problem if all committees would do as members of the Committee on Finance do. They do not leave a general proxy in the room for the chairman of the committee or for anybody else to vote. Once in a while on a particular instance they will trust that to the discretion of a Senator, but when they vote a proxy not knowing if the Senator wanted to vote that way, they immediately check with the Senator to see whether or not they voted the proxy as the Senator wanted it voted. If there is any doubt about the matter we hold up the bill.

Mr. MONRONEY. I have served on many committees where the matter of a proxy has come up. The proxy is announced. I am certain that the Senator voting the proxy could not possibly remember all the issues that this man might be voting for.

We do not intend to prohibit that during the markup of the bill. We do think, however, we are entitled to have the member present and voting if the bill gets the blessing of the Committee on Finance or another committee. This is a most important stage of the legislation, the time the legislation comes from committee.

Mr. LONG of Louisiana. I thank the distinguished Senator.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to the distinguished Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. President, I know that the Senator wishes to complete his presentation, but since he was interrupted once, perhaps he would not mind being interrupted again.

Mr. MONRONEY. I am happy to yield to the Senator.

Mr. CLARK. I understand that the Senator from Louisiana [Mr. LONG] and the Senator from Oklahoma [Mr. MONRONEY] were discussing the question of proxy voting in committee.

Mr. MONRONEY. The Senator is correct.

Mr. CLARK. It is my understanding that the Senator has undertaken to modify the original provisions of the bill in that regard. Perhaps the Senator has already stated what the modification is. I wonder if the Senator would repeat the modification.

Mr. MONRONEY. There are no limitations regarding the fixing of quorums or use of proxies during the consideration within the subcommittee or committee until final approval of the bill by reporting it to the floor of the Senate. At that time a majority of the members of the committee would be required and proxy voting would be eliminated for that particular and specific stage.

Mr. CLARK. I am happy to hear that.

Mr. MONRONEY. The Senator helped us very much in that respect. We conferred with him and his staff. The Senator from Pennsylvania had the first amendment that dealt with this matter.

Mr. CLARK. I am happy to note the new position taken by the Senator from Oklahoma. I wonder if I correctly understand it. Presently the Senate rules provide that for any purpose other than reporting a bill the committee may fix a quorum but not less than one-third of the members of the committee.

Mr. MONRONEY. I believe that is correct.

Mr. CLARK. That would remain as it is.

Mr. MONRONEY. We would not change that rule.

Mr. CLARK. Now, the new suggestion of the Senator would be that all through the hearings on the bill, the markups in executive session of the bill, in subcommittee and in full committee, proxy voting would be permitted until the bill is ready to be reported to the floor of the Senate, at which point a quorum of the committee must be present in person.

Mr. MONRONEY. The Senator is correct.

Mr. CLARK. I am delighted with the change.

Mr. MONRONEY. But proxies would be prohibited when the bill is reported.

Mr. CLARK. Yes; they would have to be there in person and proxies could not be voted.

Mr. MONRONEY. The Senator is correct.

Mr. CLARK. I congratulate the Senator on this change and I find myself in hearty accord with it.

Mr. MONRONEY. I appreciate the position of the Senator in this regard. It was through his insistence and accommodation that we reached accord. We had two or three drafts. I would like to have the latest draft examined which I intend to offer at the conclusion of my remarks.

Mr. CLARK. I thank the Senator and I shall look at the draft with interest.

In order that we may make a brief but appropriate legislative history of this matter, it has been my experience during the 10 years I have served in the Senate that Senators are seriously overworked in terms of their committee assignments. As a result, it is often impossible for them to attend conflicting meetings of committees.

This morning, for example, there were meetings of the Committee on Rules and Administration, the Committee on Foreign Relations, and the Committee on Labor and Public Welfare, of all three of which I am a member. It was obviously impossible for me to attend all three meetings. And yet, I would not want to hold back the legislative progress of bills because I could not be there.

Therefore, in connection with the Committee on Rules and Administration, I left my proxy with the chairman, the Senator from North Carolina [Mr. JORDAN]. In connection with the Committee on Foreign Relations I left a proxy with the chairman, Senator FULBRIGHT. Since the Committee on Labor and Public Welfare was only having hearings it was not necessary for me to be there or to leave a proxy.

It is my view, and I believe that the Senator from Oklahoma agrees with me to some extent, that we would be far wiser if we curtailed the number of committees on which Senators could serve, because it is impossible to do a conscientious job. I realize that there are pragmatic situations where older Senators are concerned, and I am coming closer to their group. I serve on three committees. We have to do justice to that fact. Yet, we are not willing to give up the right to sit on the committee and have our name on letterheads telling our constituents that we belong to that committee and the other committee. It is a most unfortunate situation. I know that the Senator is making an effort to reduce the size of committees, but in each instance there must be grandfather clauses or somebody will get irritated, and enough Senators would be irritated to vote down the provision.

The end result is as with so many matters in the Senate, including the adoption of a new and better closure rule; we will have to wait for time, and time may not pass before the Senator from Oklahoma and I pass on to our reward, whatever it may be.

I do not think that there is much that the Senator from Oklahoma can do about it, but I am happy that with respect to the proxy and quorum matter he has eased our pain to some extent and made it possible for legislation to be processed with some expedience.

Mr. MONRONEY. I thank the Senator. It is only fair to Members who are present to participate in the final markup, and who are concerned with the fine points of the bill. They work hard and at this critical point in the bill are sometimes outvoted by so many pieces of paper that have been collected to express how they would have voted had they been there. It is not possible to have the give and take that is necessary if there is no one there with whom to discuss it.

Although it may be a little difficult to make the adjustment it will be well worth the difficulty in providing for live Senators to consider the live questions that must go to the floor of the Senate.

Mr. CLARK. I heartily support what the Senator has said.

Mr. MONRONEY. I am happy to have the comments of the Senator.

Mr. CLARK. I have serious doubts regarding the amendment intended to be proposed by the Senator beginning on line 9, page 7.

I see nowhere in that language any permission for proxy voting, or action by a committee with less than a majority quorum present. I think it would be most worthwhile, in view of what the Parliamentarian may later say, in spite of the legislative history we are making, to have a specific provision in the amendment which would state that at all points prior to the time a bill is voted out, a committee may act, if it so chooses, with a quorum of as few as one-third the total number of members, and that members may vote by proxy on the adoption of amendments, and even on the bill itself, in subcommittee. Unless that is explicitly stated, I would be dubious as to whether the intention which the Senator from Oklahoma has clearly indicated he has would have been carried into effect by the actual language of the amendment.

Mr. MONRONEY. Let me quote the language:

> No vote shall be taken with respect to any measure, or any amendment thereto, by any such committee unless a majority of the members thereof are actually present. Any action by any such committee with respect to any measure, or any amendment thereto, shall require the concurrence of a majority of the members of the committee who are present. No vote of any member of any such committee with respect to any measure, or any amendment thereto, may be cast by proxy.

This language is amended by striking out that substance and providing that section 133(d) is amended by adding:

> No measure or matter shall be reported from any such committee . . .

Mr. CLARK. Would the Senator stop right there? What bothers me is what the Parliamentarian might well rule with regard to the phrase:

> No vote of any member of any such committee with respect to any measure or amendment thereto, may be cast by proxy.

I want to be sure that it does not apply to a report of a subcommittee, or to an amendment in the full committee. I do not want to be difficult. I wonder whether it might be in order to pose to the Parliamentarian a parliamentary inquiry on the meaning of this new language, in order to assure for the RECORD that what this means is that Senators can vote by proxy on any amendment or on the measure itself all the way through the subcommittee and up to the time when the measure is ready for approval or disapproval by the full committee, and that a quorum of as little as one-third may do business.

If the Senator has no particular objection, I should like to pose——

Mr. MONRONEY. I think it would be better, since we are not offering these amendments for adoption now, to informally discuss them a little later on, when we can get more thoroughly the Senator's views, as to what deficiencies, if any, exist in the amendment which I have agreed to propose, if it does meet with the satisfaction of those who have raised this point.

Mr. CLARK. That will be satisfactory to me, but as a result of this colloquy, the Senator from Oklahoma and the Senator from Pennsylvania are in accord as to what we want to accomplish, are we not?

Mr. MONRONEY. We want to provide for no new restrictions on the use of proxies or on the quorum matters from those which now exist, I would say.

Mr. CLARK. Correct.

Mr. MONRONEY. But prohibiting proxy use, and requiring a majority vote for the final reporting of a bill from a committee to the Senate floor. This is the big step in which a bill ceases to be merely a piece of paper and becomes one of the great legislative issues before the Senate itself.

Mr. CLARK. As the Senator knows, what he intends to accomplish for all committees is presently the rule in many committees, including all three on which I serve.

Mr. MONRONEY. They vary, however, substantially, in the use of proxies. It is widespread in the reporting of bills in the House. I am not familiar, unfortunately, with the committees on which the Senator from Pennsylvania serves.

Mr. CLARK. I mean the Senate, not the House.

Mr. MONRONEY. Sorry.

Mr. President, use of proxies frequently permits the chairman or ranking minority member to control a bill in the face of major "live" opposition. You cannot argue with a proxy; a proxy cannot consider an offered amendment; a proxy cannot compromise. The vote of a Member in committee to report a closely contested issue is far more important than his vote on the floor. Yet no one would seriously argue that the Senate should permit proxy voting on floor votes. While we permit pairs as a means of making an announcement of a Member's position, we do not permit them to affect the result of the vote.

Of course, it will still be necessary for the committee to take preliminary action and reach tentative agreements with less than a quorum present. All that our proposal requires is that when a bill is reported a committee member may insist that a rollcall vote be taken to determine that the committee has actually considered the matter carefully with participation from the full committee membership.

In order to eliminate any possible confusion on this, I will offer an amendment to the bill to specifically provide that the reporting of the measure by a majority of those present—and with the quorum already required under our rules—shall act as ratification of previous votes on amendments on amendments or the measure itself so that no bill would be subject to a point of order on the grounds that earlier committee action with less than a quorum had been invalid.

I think that this language would make it clear that the elimination of proxies would not impede committee consideration of routine matters. Measures reported unanimously do not require recourse to proxies. Preliminary committee action need only be ratified at the time of reporting. Consequently, I hope those who oppose this proposal will do so on the real question of whether the use of proxies to report a bill is compatible with the objective of careful consideration of public policy issues in the world's greatest deliberative body.

This bill also seeks to encourage more attention to the committee report. After all, the report should be the primary source document for those favoring and those opposing new legislation. Section 101(e) provides, if request is made, for circulation of the report to the membership of the committee for 48 hours before the report is filed. During that time, committee members would have the opportunity to submit individual, minority or supplemental views and those views would be printed in the report. Thus, the arguments pro and con are readily available when the bill is considered on the floor.

It was suggested during our hearings that this provision might serve as a delaying tactic. Let me point out that routine legislation reported unanimously would not be subject to this requirement. Where minority views are to be filed, most committees presently accommodate their members by giving them reasonable time to file their views. In fact, this provision would also insure the right of the committee to file the report within a fixed period after it had been completed—if time were of the essence.

Section 101(f) deals with the problem of giving Members an opportunity to become informed on legislation before important floor votes. It provides that the committee report and any hearings shall be available to Members for at least 3 days before a vote is taken on the measure.

Mr. CLARK. Mr. President, will the Senator from Oklahoma yield at that point?

Mr. MONRONEY. I yield.

Mr. CLARK. I am delighted at that provision which the Senator is writing into the bill because, as he well knows, during the past few years—in fact, during the whole time since I have been a Member of the Senate—that principle has been honored much more in the breach than in its observance. Very important legislation, including appropriation bills, has been brought before the Senate and, in an atmosphere of haste, if not panic, these bills have been considered and passed with the committee report only in galley proof form and with hearings not available. I should therefore like to commend the Senator for this provision in the bill, and express my hope that it will be enacted into law. I shall support it. This will put to an end that kind of procedure, which I think is most unwise.

Mr. MONRONEY. The Senator is speaking of a rule which has been in effect with respect to appropriation bills and is now being extended to others. It is a matter against which a point of order could be raised by any Member on the floor if the report and the hearings are not made available to any Member who wishes to have them.

Mr. President, this is the present rule with respect to appropriations bills and would be extended to other legislation.

I believe that most Members of the Senate have shared my frustration at the frequent instances—particularly late in the session—when the committee report is just arriving from the printers as floor debate begins on the bill and important votes may be expected later the same day. How do we vote intelligently under these circumstances? The answer, I fear, is that we often do not. I would suggest to Senators that a bill on which there is controversy and which cannot survive a 3-day scrutiny is a bill which should not be enacted.

Adoption of this rule would not mean that routine matters could not be disposed of without delay by unanimous consent. Matters with sufficient support could even be considered immediately by a two-thirds vote to suspend the rules. But on hotly contested issues of grave public interest, we simply must begin to schedule floor consideration in such a way that Members are better equipped to debate and decide the issues.

Some critics have asserted that the reduction in standing committees made by the Legislative Reorganization Act of 1946 has been negated by the proliferation of subcommittees. However, the growth of subcommittees is a logical development in the division of committee workload. We should remember that subcommittees are not autonomous units. They function within the jurisdiction and control of the full committee and without legislative authority.

We do believe that proper supervision of subcommittee activity by the full committee is to be desired. Accordingly, section 102(g) provides that funds for all subcommittees shall be obtained by a single annual committee resolution so that proposed subcommittee activity can be evaluated in its entirety by the full committee. Section 102(h) provides that subcommittee proceedings shall be conducted in conformity with the rules governing the full committee.

This bill also proposes improvements in committee hearing procedures. In considering these provisions, I hope each Member of the Senate will reflect on his own experience as a participant in committee hearings. Your committee tried to do so. We concluded that hearing procedures should be designed to, first, provide maximum opportunity for expression of public opinion so that important issues may be thoroughly ventilated; and, second, provide information giving the entire committee a greater awareness of the issues involved.

The adoption of section 103 of the bill would greatly enhance both public participation and opportunity for information. The section encourages public announcement of hearings at least 2 weeks in advance of their commencement. Hearings would be open to the public except in national security matters or where testimony may tend to reflect adversely on the character or reputation of the witness or others. The present requirement—usually ignored—that witnesses file in advance written statements of their proposed testimony would be modified to provide that such statements should be filed 2 days before the appearance. Enforcement of this section would give committee staff the opportunity to perform their present statutory obligation of preparing digests of the statements for the use of committee members.

The section also provides for the preparation of daily summaries of testimony by committee staff so that committee members may have a means of keeping up with the hearings when they cannot be present continuously. Such summaries could be printed with the hearings so that they would be generally available before floor consideration of the bill. The section would also grant the minority the right to call witnesses of their choice during at least one day of the hearings as a protection against those rare instances when the viewpoint of the loyal opposition might be stifled.

This bill seeks to undo one inequity resulting from the 1946 act. That act provided that committees should not sit without special leave while the Senate is in session. The term "special leave" has been interpreted as requiring unanimous consent so that a single Member is able to block any committee hearing or meeting during a floor session. Section 104 would permit committee hearings to be held if consent had been obtained from the majority or minority leader or their representative. Thus, business may be expedited without doing violence to the rights of the minority to object.

The next section of the bill should be of particular interest in view of the recent admonition by our distinguished majority leader that each standing committee give more attention to its statutory oversight responsibility. The charge to each committee to exercise continuous watchfulness of the execution of laws under its jurisdiction was a part of the 1946 act. Unfortunately, most committees have grown so preoccupied with new legislative programs that little time has remained to examine those already on the books.

I believe we are all aware that the public is particularly anxious that Congress fulfill this responsibility. The President himself expressed the need for a critical examination of existing laws in his state of the Union address. We must be better equipped in our committees to determine if laws under our jurisdiction are being administered in accordance with congressional intent, whether amendments are desirable, or whether any of these programs have outlived their intended purpose. The committee believes this important function should be designated as "review" rather than "oversight" so that there will be a better public understanding of the function.

It is not practical to establish a rigid means by which each committee can carry out its review responsibility. Some committees have created permanent investigative subcommittees with earmarked staff for this function. Others divide the review function among various subcommittees which have both legislative and review responsibilities. While this flexibility is natural and desirable, it is equally important that each committee have some encouragement to perform this important task.

Section 105 provides the statutory staff position of "review specialist" as a member of the professional staff of each committee. To insure that his activities are conducted on a nonpartisan basis, he would be selected by the chairman with the approval of the ranking minority member and would carry out his activities under their joint supervision. He would be used as they see fit—with the proviso that his responsibilities involve the studying of the administration of existing laws under the committee's jurisdiction. While a thorough job of review by the committee would certainly require more than a single staff member's time, this provision would insure that at least a minimum effort was made by each committee.

Mr. CLARK. Mr. President, will the Senator yield briefly at that point?

Mr. MONRONEY. I yield.

Mr. CLARK. I think that is an excellent provision. Let me point out, as a pragmatic matter, that it would be inadequate with respect to the jurisdiction of major committees. Let us take the Committee on Labor and Public Welfare as an example. We deal with the whole wide scope of labor legislation, railroad legislation, education, welfare, manpower, employment, poverty, migratory labor, railroad retirement, arts and humanities foundations. One man cannot possibly do more than scratch the surface of that oversight responsibility.

In the relatively narrow area of the poverty program, I happen to be chairman of the Subcommittee on Manpower, Employment, and Poverty, and we are about to undertake an oversight—a review, if you will—of the whole poverty program since its inception. We have concluded, after consultation with experts in the field—though they are excellent, we have a small staff on the committee—that it would mean the hiring of special consultants, perhaps as many as 15 or 20 in number, to give it anything like adequate oversight. So we will not even begin to scratch the surface in view of the complexity of the committee's jurisdiction. This provision would be wholly inadequate.

If we consider the Foreign Relations Committee, I think the point could be made with even greater force because we have not only geographic areas of the world to consider, but also the complexities of foreign policy. We deal also with arms control, disarmament, international institutions, and the like.

I commend the Senator for what he is doing, but it seems to me it will not do anything but scratch the surface.

Mr. MONRONEY. The recommendation is one additional staff member to a committee. His responsibility would be solely in that field, to deal with reports from the General Accounting Office, to deal with reports from the President, to keep abreast of matters being raised of which the committee has jurisdiction. The other staff, which is, in many cases, extremely well staffed with personnel, could then be organized to do the special work in the review field as well as to process the committee's legislative program. In the years when it was felt necessary, by resolution through the Committee on Rules and Administration, funds could be sought for such investigations as may be desired.

We would like to have one committee staff member on the job whose prime duty it would be to supervise the review function. If he were not busy in that work, he could do something else. One person could begin that work, but he could not, obviously, take care of a nationwide problem such as the poverty program. It would take many to do the job which I am sure the senior Senator from Pennsylvania would like to do.

Mr. CLARK. If the Senator will yield further, I see on the floor the junior Senator from West Virginia [Mr. BYRD], who serves on the Rules Committee. He full well knows of the wide variety of the requests which are made by the committees. There is at least one committee which asks for several million dollars every year for investigations, with respect to which I might raise an eyebrow were it not for senatorial courtesy; whereas some of our other committees do not have adequate staffs. So that situation is not going to be remedied by this kind of provision in the Reorganization Act.

I merely call attention to the fact that while it may be desirable, in the view of some, that one or two committees be overfinanced, there are others that are underfinanced. With respect to the last statement, I am sure the Committee on Labor and Public Welfare and the Committee on Foreign Relations need substantial staff assistants in addition to those we have now.

Mr. MONRONEY. I would feel that the addition of one man would take care of an omission which was not intended in the act of 1946. I recognize, as does my distinguished colleague from Pennsylvania, that in major investigations of agencies by the Government Operations Committee, or perhaps where investigation would reveal the necessity for even greater amounts of study by the Legislative Committee, this review specialist would be only a beginning.

We do not propose a large-scale addition of committee staff. That will be up to the committees to determine, as they have matters before them. Some of the committees, I think, can handle this with one review specialist.

Mr. CLARK. If the Senator will yield, as the Senator leaves it, I do not see anything else to do. In the end, a decision must be made first by the Committee on Rules and Administration, when a request for money comes before it, and next by the Senate itself, when those money resolutions are reported out.

Mr. MONRONEY. That is correct.

The section also provides for an annual review report by each committee so that the membership of both Houses—and the public as well—can determine how well the review function is being performed and the committee's evaluation of the agencies and programs under its jurisdiction. Presumably one of the functions of the review specialist would be in the preparation of this report.

I want to stress that none of these provisions for improvement in committee procedures are designed to place the standing committees in a rigid straitjacket. Each will function differently, according to the temperament of its membership, the personality of its chairman, and the nature of its jurisdiction. Each will use its staff according to its own needs. Subcommittee patterns and the frequency of hearings will vary widely. Nothing in this bill's provisions would alter this flexibility.

However, the bill does seek to provide basic ground rules which are consistent with all sound committee operations. In the final analysis, who can quarrel with the objectives of committee control by the majority, maximum participation by all members, public exposure to committee activity, accountability for our actions, and adequate information, both in committee and on the floor.

Let me add that this title is applicable only to legislative committees. The 1946 act specifically excluded the Appropriations Committee from its sections on committee procedure because of the special responsibilities and demands on that committee. We have done likewise. However, elsewhere in this act we suggest specific modifications in the appropriations process.

Section 106 proposes that the conference report be printed as a report of each House of Congress and be accompanied by an explanatory statement by the conferees of that House.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield.

Mr. CLARK. I think this is a splendid provision. All too often, when conference reports come back to the Senate, we find that the managers on behalf of the House have made a representation which is not at all in accord with the views of the Senate conferees.

I have long felt that the Senate was entitled to the views of its own conferees on a conference report, before we had to act, in voting the conference report up or down. I therefore commend the Senator from Oklahoma on this provision, which, as I understand it, would require a printed report on behalf of the Senate conferees before the conference report is brought up for approval or disapproval. Is that correct?

Mr. MONRONEY. That is correct. We felt that the House report could give a one-sided opinion of what the conferees thought they were doing, whereas the Senate conferees often say there was a difference here or a difference there.

The only way we have had in the past of correcting such a situation was by oral statements on the floor, or a colloquy with the chairman of the Senate conferees; and oftentimes that would be lost or ignored in the records, while the House conference report seemed to take on a privileged status, almost, of action by the conferees themselves.

I think this is a good suggestion. I think the Senator has suggested it many times in the past, and I am glad that the committee is able to recommend it fully.

Mr. CLARK. If the Senator will yield further, I wonder why the Senator did not provide in his bill a requirement that a majority of the Members of the Senate conferees should be in accord with the action taken by the Senate. This, I believe, is in accord with the precedents, but the precedents have far too often not been enforced, and we find Senators who have seniority going to the conference because of their seniority, despite the fact that they are not in accord with provisions written into the bill which goes to conference by amendment on the floor. I would have thought it would have been wise to incorporate in the legislation such a provision, which is now contained in the precedents, but rather cunningly concealed.

Mr. MONRONEY. That matter was taken up and considered at some length, I will say, in the executive sessions of our committee. The feeling was that the average bill that goes to conference today is such a many-sided operation that a Senator's direct position on the bill as passed would be somewhat confusing, because the Senator took no definite position during the passage of the various amendments. I know I find myself, oftentimes, first with the side that prevails and then with the side that loses. I would have difficulty in analyzing just which side I would consider myself to be on.

Mr. CLARK. If the Senator will yield, I think, with all due deference, the Senator overemphasizes the difficulty in that regard. In my 10 years in the Senate, I have never seen a situation where any real difficulty has been involved, where, working with reason, intelligence, and good will, one could not see just what the major issue to be raised in conference would be, and where it would not be possible, almost always, for members of the committee which reported the bill to arrange for the selection of conferees so as to insure that a majority of the conferees will have represented, by their votes, the opinion of the Senate on the bill as it passed the Senate.

Mr. MONRONEY. Perhaps this is one way in which not to show any favoritism in the selection by the Chair in the appointment of conferees. You take them generally by the seniority they have on the committee. It does, by chance or accident, perhaps sometimes make for a more substantial membership on the conference committee than there would be under the distinguished Senator's suggestion, that only those who favored the version of the bill as it passed be considered for appointment as conferees.

Mr. CLARK. If the Senator will yield, I think he has misunderstood my point.

I do not say that only those who favor the bill as passed should be named as conferees. I say that a majority of those who were named as conferees should be prepared, in conference, to support the position of the Senate vis-a-vis the opposition of the House, because they had supported the action on the floor.

Another thing—if the Senator does not mind—I think it is useful to make a legislative history as we go along, even to the extent of inconveniencing the Senator by extending the length of his speech.

Mr. MONRONEY. I think it is fine to take these matters up as we go along.

Mr. CLARK. The custom with respect to conferees is very different among the different committees. In the Committee on Labor and Public Welfare, the Senator from Alabama [Mr. Hill]—who I say parenthetically is in my opinion one of the great committee chairmen in our body—always arranges to have appointed as conferees the members of the subcommittee which considered the legislation.

For example, in the poverty legislation last year, the Subcommittee on Employment, Manpower, and Poverty, of which I am chairman, were named as conferees, and I was chairman of the Senate conferees, although my seniority on that committee is no greater than the rank of four.

Other committees, for example the Finance Committee, appoint the conferees on a straight seniority basis, and frequently the Senate Members of those conference committees have voted against amendments which were carried on the floor. I do not wish to be invidious by offering instances out of the dark past, but I know of cases where the Senate had agreed to an amendment after a stiff floor fight, and that amendment would be abandoned by the conferees in 20 minutes, without the slightest attempt to support the bill of the Senate, because the majority of the conferees were opposed to the amendment which the Senate had passed.

Mr. MONRONEY. Yes; but does not the Senator realize that many of the committees do their work without subcommittees, as I believe is the case with the Finance Committee, so they do not have the benefit of the specialization, as does the Committee on Labor and Public Welfare?

Mr. CLARK. All the more reason, as I see it, for appointing conferees who represent the majority view of the Senate.

Mr. MONRONEY. It is very difficult, however, unless you have a subcommittee in charge which is practically unanimously on the majority side for the legislation being considered, to be representative. We do have in the conferences, and necessarily, I think, a proper division between the parties in relationship to their membership on the committee, which is scrupulously observed, as the Senator well knows.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CLARK. The precedents hold—and I believe the Parliamentarian would agree with me—that whenever difficulties arise on the floor of the Senate, the senior members of the committee in question who voted against the prevailing Senate view almost universally yield their position in the conference in favor of the junior members of the committee who have supported the Senate view.

I full well remember—I think it was perhaps even before I came to the Senate—that the present majority whip, the junior Senator from Louisiana [Mr. Long], took this matter up and led a really strong floor fight, as a result of which several senior members of the committee refused to serve because they were being charged with a conflict of interest.

I think it is very embarrassing to handle it in that way. A vote by a junior Member raises a point for the senior Member who is implicitly under attack.

I would hope—and I shall submit an amendment to that effect—that the procedure which is presently set forth in the Parliamentary Manual would be written into law.

Mr. MONRONEY. Mr. President, I thank the Senator for his comments, and we will consider with great interest the proposal which he will make in his amendment.

In speaking about the ground rules on the oversight and review section, let me add that this title is applicable only to legislative committees. The 1946 act specifically excluded the Appropriations Committee from its sections on committee procedure because of the special responsibilities and demands on that committee. We have done likewise. However, elsewhere in this act we suggest specific modifications in the appropriations process.

Section 106 proposes that the conference report be printed as a report of each House of Congress and be accompanied by an explanatory statement by the conferees of that House. Presently, only the House conferees prepare an explanatory statement and the Senate is dependent on that statement and explanations in floor debate for its legislative history. The section would also insure that floor debate on a conference report was equally divided between proponents and opponents of the report.

The most significant achievement of the Legislative Reorganization Act of 1946 was the reduction of the standing committees of both Houses from 81 to 34 and a clarification of committee jurisdictions to more nearly correspond with the major areas of public policy. Of course, jurisdictional flaws remain. Moreover, the past 20 years have seen the growth of the new areas of Federal involvement such as the space program—as evidenced by the creation of a Committee on Aeronautical and Space Sciences—and growing participation in such fields as education, health, air and water pollution, and the problems of our cities. Even so, the committee did not regard the area of committee jurisdiction as the most pressing concern of this reorganization study.

The joint committee did recommend two jurisdictional changes which have not been included in this bill. These were the proposals to create a new Committee on Education and an expansion of the jurisdiction of the Aeronautical and Space Sciences Committee. The hearings held by the special committee last fall showed wide opposition to these proposals and a particular concern that there had been very little testimony in the joint committee's hearings regarding these jurisdictional shifts. Consequently, we concluded not to propose these realinements as a part of this bill.

The bill does propose two changes to rule XXV governing committee jurisdictions. The Committee on Banking and Currency would be redesignated as the Committee on Banking, Housing, and Urban Affairs. The distinguished chairman of that committee, Senator SPARKMAN, supports this redesignation. It more accurately reflects the increasing responsibilities of this committee in these areas. In fact, some Members of the Senate have argued that urban programs have so multiplied that there should be a separate Committee on Urban Affairs. Our committee was of the opinion that the existing expertise of the Banking and Currency Committee's membership and staff and its past involvement in the problems of urban areas would make it the logical instrument for the evaluation of urban proposals.

We also propose the creation of a Committee on Veterans' Affairs with jurisdiction paralleling that of the House committee. It can hardly be denied that the problems of our veterans are now a major public policy area and a significant increment in the annual budget. The joint committee heard considerable testimony supporting a separate Senate Veterans' Committee. Proposals for such a committee have been pending during the past 20 years. We believe it is time the Senate considered this issue and made a policy determination as to whether the needs of our veterans—as well as the interests of all other segments of our society—would best be served by the creation of this committee.

Every Member of the Senate quickly learns that one of our most perplexing institutional problems is how to divide our immense workload among 100 Members. Unlike the House, the smaller size of the Senate requires service on more than one committee. But we have permitted our committees to grow so much in size that many of us are just spread too thin. I am a typical culprit since I serve on two major committees, one minor committee, one special committee, one select committee, and a joint committee. In our study of the committee workload in the 88th Congress, we found that all committee assignments—including subcommittees—averaged 19.5 assignments for each Senator. One Senator had 39 separate assignments.

Our bill would not disturb existing committee assignments. It would, however, reduce the permanent size of the standing committees to more manageable proportions by not filling vacancies on oversized committees unless it was necessary in order to preserve party ratios. The end product would be a limitation of two major committee assignments for each Senator or a total of 200 major committee assignments.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CLARK. Mr. President, is that requirement not contained in the present rule?

Mr. MONRONEY. It is, but it has been so little observed that it needs, I think, to be restated.

Mr. CLARK. Mr. President, it is my understanding that rule XXV presently restricts membership to two major committees but that, because of grandfather clauses, it has never been enforced.

I merely desire to make this brief legislative record to indicate my strong view that every Senator is vastly overworked in connection with his committee responsibilities.

I wish that the Senator's joint committee had brought in a proposal which would much further restrict membership on committees, in the interest of getting more experts working harder on the ever-increasing jurisdiction of the Senate legislative committees, and, for that matter, on the Appropriations Committee also.

As an example, this morning it would have been highly desirable for me to appear at 9:30 at a hearing of the Subcommittee on Manpower, Employment, and Poverty of the Committee on Labor and Public Welfare, which committee was taking testimony with respect to scientific manpower utilization. I am a member of that committee.

At the same time I wish to give some testimony before the Public Works Committee in connection with amendments to the Appalachian bill.

At the same time the Committee on Rules and Administration, of which I am a member, had an important meeting dealing with the money requests of the various committees for the present session.

And the Committee on Foreign Relations, of which I am also a member, was meeting at the same time on some quite important nominations.

Obviously, it was absolutely impossible for me to get to that many places. As a result, I never did get to the meeting of the Committee on Foreign Relations. Whether my priority was right or not, I do not know.

The workload is absolutely impossible and I do not think, with all due deference to the Senator, that we are making much of a dent in it by the present bill.

Mr. MONRONEY. Mr. President, take the case of two committees of such importance as Government Operations and the Aeronautical and Space Sciences Committee. These committees were considered to be minor committees at the time of their establishment. They were permitted as an additional committee assignment.

These Senators worked faithfully and the workload of the committee increased until the committees became major committees in nature and were so declared by the Senate.

We cannot expect, by any means that I know of, to arbitrarily displace a Senator from his committee if he is still serving in the U.S. Senate and desires to continue his service on that committee.

We do legislate against the escalation of the importance of minor committees which results in the overloading of major committee assignments.

I do not think that anyone wants to increase the present membership of the Senate above 100.

We find it difficult to decrease the workload of Senators because of the continued expansion of the problems with which Government must become involved.

A tabulation of the present size of committees and that proposed by the act appears on page 19 of our committee report and I ask unanimous consent that the table be printed at this point in the RECORD.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Major committees

Committee	Present members	Proposed members
Aeronautical and Space Sciences	16	14
Agriculture and Forestry	15	13
Appropriations	26	26
Armed Services	18	15
Banking, Housing, and Urban Affairs	14	15
Commerce	18	15
Finance	17	15
Foreign Relations	19	15
Government Operations	15	14
Interior and Insular Affairs	17	14
Judiciary	16	15
Labor and Public Welfare	16	15
Public Works	16	14
Total	223	200

Minor committees

Committee	Present members	Proposed members
District of Columbia	8	7
Post Office and Civil Service	12	9
Rules and Administration	9	9
Veterans' Affairs	----------	9
Total	28	34

Mr. MONRONEY. This adjustment does not apply to present committee assignments.

Present rules place no limitation on the number of joint, special, and select committees on which a Member may serve. Minor committee assignments are always a third assignment. Under section 122, Members would be limited in their future committee memberships to one such assignment in addition to their two major committee assignments. Exceptions are made for committees of limited duration and joint committees with jurisdiction directly related to a minor committee assignment. The result would be to distribute such assignments to more junior Senators instead of increasing the already substantial workload of more senior Senators.

The section also limits Senators in future assignments to service on not more than one of the following Committees: Finance, Appropriations, Foreign Relations, and Armed Services. I believe this is important, although it is a grandfather clause, again. The Finance Committee and the Appropriations Committee supervise the revenue raising and expenditures of the entire Government. The jurisdictions of the Foreign Relations and Armed Services Committees involve questions vital to man's very survival. No Senator should be required to master the intricacies of more than one such committee jurisdiction.

Obviously, every Senator cannot be a member of the Senate leadership. Every Senator cannot be a committee chairman. But development of leadership within the Senate dictates a diffusion of leadership responsibilities to the maximum extent practicable. Nor is it desirable for Members to attempt to direct a multitude of activities simultaneously. In an effort to cope with this problem, the bill provides that each Senator shall be chairman of only one standing, joint, select, or special committee and that no Senator shall be chairman of more than one subcommittee of each standing committee on which he serves. This provision would not apply to presently held positions.

Part 3 of title I is concerned with the jurisdiction of the standing committees of the House of Representatives. This part was included in the bill at the request of the House leadership and the House Members of the joint committee. Of course, the Senate will take no action on these provisions, and the House may work its will on them when this bill is messaged to that body.

FISCAL CONTROLS

Title II of this bill is concerned with how Congress exercises the power of the purse. Consideration of the level of Federal spending has become an awesome responsibility in an era of $130 billion budgets.

Traditional congressional responsibilities in the budget field have been altered greatly in the past half century. Since the creation of the Bureau of the Budget in 1921, the Executive budget has been presented as a unified document incorporating the spending requests of all Federal agencies and departments. Although Congress must still appropriate the funds, the actual level of spending is substantially affected by Executive apportionments, deferral of projects, and impounding of funds. Within the past 2 years the President has initiated sweeping changes in executive budgetary procedures in an effort to measure the output of Federal programs on a cost-effectiveness basis through the planning-programing-budgeting system.

What should be the congressional reaction to these developments? Although budget control is now obviously shared with the executive branch, I cannot believe that Congress intends to abdicate its role in the process. Yet, as a member of the Appropriations Committee, I am painfully aware of how fragmented our budget study has become, how oriented it is to detail rather than program output, and how difficult it is to make a comprehensive, overall budget evaluation.

One major defect is that the individual Member simply does not have the budget information he needs to make well-informed judgments on the proper spending level for competing programs. We have, to be sure, an annual budget of voluminous proportions. We receive reams of justification sheets in the appropriations process. But it remains very doubtful that we are devoting our attention to the issue which makes a vast difference in our overall spending totals. We are in the age of the computer. Private industry has invested billions of dollars to develop and utilize data processing techniques as an aid to reaching intelligent financial decisions. The Federal Government itself now spends more than $3 billion annually on ADP equipment and systems. Congress must begin now to take the action which will eventually enable it to benefit from these modern informational techniques.

Our budgetary process urgently requires the systematic employment of modern automatic data processing techniques. Extensive use of these techniques can provide essential fiscal and budgetary data, vastly improve the evaluation of these data, and make this information more accessible to individual Members.

Automatic data processing now makes it possible to sift millions in individual budget items and make selective inquiry in specific fields. Duplication of effort would be more easily discovered. Norms of performance can be established for comparable activities. It may someday be possible to achieve a quality of budget review which would today seem sheer fantasy.

Despite this potential, I am not suggesting that Congress buy a bank of computers and attempt to assemble all of the financial information existing throughout the various agencies and departments. Nor would it be desirable to create a staff bureaucracy rivaling the Bureau of the Budget. Instead, what we need is ready access to information that already exists and expert assistance in locating and analyzing that information.

Section 202 of the bill directs the Comptroller General, the Secretary of the Treasury, and the Director of the Bureau of the Budget to develop and maintain a standardized information and data processing system for budgetary and fiscal data. Section 203 directs them to establish standard classifications of programs, activities, receipts, and expenditures of the various agencies. This is an extension of the mandate these three officers already have under the Accounting and Auditing Act of 1950.

The purpose of this provision is to furnish congressional participation for the program already underway in the Bureau of the Budget to classify information so that the same activity means the same thing in each agency and department. The computer is only as useful as its programed information. Consequently, the first step is the establishment of standard classifications so that our studies produced will yield accurate and useful information.

Section 204 provides a means to obtain data that exists throughout the Government. The General Accounting Office would maintain information on the location and nature of budget and fiscal data available in the various agencies with respect to their programs, activities, receipts, and expenditures. Upon request of a committee or individual Member, it would furnish the location of that data and prepare summary tables to the extent feasible. Recently, we have heard a good deal about the need to provide private individuals and organizations with "one-stop service" to acquaint them with the enormous variety of Federal programs which may affect them. The complexity of government is such that Congress must now avail itself of the same service.

Of course, proper cataloging and retrieval of information is of no value unless it is actually put to work in the decisionmaking process. I believe the planning-programing-budgeting system initiated by the executive branch is a constructive step forward, because it attempts to assess programs on the basis of what they are accomplishing as well as what they are spending. The danger is that Congress may remain so preoccupied with individual items of expenditure and the executive branch so enamored with cost-effectiveness output that we no longer talk the same language. There is already a disturbing trend in this direction.

Congress must be able to understand and evaluate critically the cost-effectiveness studies conducted by the executive branch. It must have the means to test the assumptions and conclusions of these studies and to conduct its own studies if it desires to do so. This requires a staff capability in cost-effectiveness techniques.

Section 205 would provide staff in the General Accounting Office who would be on call to assist any standing committee in analyzing a cost-effectiveness study or conducting one of its own. Let me stress that GAO is not being assigned a policymaking role. The decision rests with the committee, and the conduct of any study is a committee responsibility. The GAO function is simply to provide personnel with background in this technique so that the analysis or new study has maximum value.

Another problem is the currency of budget information. Budget information often becomes obsolete as estimates of revenues and expenditures change. Action on new legislation, annual authorizations, supplemental appropriations, deferral of programs, and other actions by both the legislative and executive branches may radically affect the Government's financial position. Although the Appropriations Committees collect much of this information and periodically place it in the CONGRESSIONAL RECORD, it is often received too late to be of value in reaching decisions.

Section 206 provides for periodic "boxscore" reports by the General Accounting Office which updates this information and reflect changes since the delivery of the President's budget. For example, this should include the revenue estimates of the Joint Committee on Internal Revenue Taxation, as compared with those of the Department of the Treasury, so that Members can reach their own judgment as to the budget implications of particular legislation in the context of the overall financial picture.

There have been substantial improvements in the budget document itself. In particular, the emphasis on Government programs by function, the expansion of the special analyses, and the fuller presentation of the comprehensive cash budget and the national income accounts budget, as well as the administrative budget, are all to be commended.

This bill would make additional improvements. Section 221 provides for a supplemental summary of the budget each June 1 to include revisions in estimates of total expenditures and receipts, estimated expenditures, and proposed appropriations which were not included in the budget, and appropriations and substantive legislation enacted after the transmittal of the budget. There is no excuse for Congress appropriating on the basis of information that is 6 months old, when more current information is available.

Another frequent criticism of the budget document is that it does not reflect any significant amount of information on expenditures for future years. Although the Bureau of the Budget requires agencies to provide 5-year planning estimates, these projections are not available to Congress. The joint committee received testimony urging that the entire budget be presented on a multiyear basis.

We concluded that a multiyear budget or projections for future years on all programs was an unrealistic requirement. Future program commitments involve political as well as financial decisions—and these decisions will be made by Congress as well as the Executive. On the other hand, provision of this information is realistic on programs which have a legal commitment for future years or are considered mandatory under existing law.

Section 221 would require summaries of estimated expenditures for this type of program for the 4 years following the fiscal year under consideration. It also provides for estimates as to the rate of future expenditures of carryover balances. This information can be most important since it is the expenditure itself rather than the appropriation that will shape the size of a budget deficit.

Now let me turn to the appropriations process itself. I think it is high time Congress faced up to the fact that we simply lack the means—under our present procedures—to effectively consider the budget as a whole.

The approach to the budget of Congress and the executive branch is a vivid contrast. The executive budget concept permits the President with the advice of the Bureau of the Budget to weigh the economic and fiscal consequences of spending at particular levels, to consider the problems of debt management, to estimate budget deficits, and to establish priorities among competing programs.

It is far more difficult for a collective decisionmaking body like Congress to do the same thing. While the Appropriations Committee of each House does see the entire budget, it is immediately broken up into separate appropriations bills under subcommittees with very substantial autonomy. As a result, total appropriations are a tabulation of congressional action on individual bills rather than an allocation from any predetermined budget total.

We tried to do something about this problem in the 1946 Legislative Reorganization Act. The act provided for a legislative budget to be established by a joint committee composed by the entire membership of the revenue-raising and Appropriations Committees of both Houses. This experiment has been an obvious failure. The committee was too large and unwieldy. It did not have professional staff. It was—and with good cause—unwilling to establish a "magic" budget total prior to appropriations review. This section of the 1946 act has proved unworkable and this bill expressly repeals it.

But does this mean that the guidelines of the executive budget must be accepted at face value with no independent analysis? I hope not. Our beloved pro tempore of the Senate, the distinguished chairman of the Appropriations Committee, has on several occasions held a hearing at the beginning of the session in which the Director of the Bureau of the Budget and other top Government officials have been invited to testify on the broad sweep of the President's budget. He has announced plans to hold such a hearing this year. This is a step in the right direction and our bill would follow this lead by creating a permanent framework for such an appearance.

Section 231 provides that the Appropriations Committees of both Houses shall, within 30 days after the transmittal of the budget to the Congress, hold hearings on the budget as a whole with particular reference to the basic recommendations and budgetary policies of the President and the fiscal, financial, and economic assumptions used in arriving at total estimated expenditures and receipts. The committees would receive testimony from the Secretary of the Treasury, the Director of the Bureau of the Budget, the Chairman of the Council of Economic Advisers, and such other persons as they may desire to hear. The hearings would be held in open session and a transcript printed and furnished to the entire membership of both Houses.

Such a hearing on a regular annual basis would work no instant miracles. But it would provide a public forum by which a dialog between the executive and legislative branches would be commenced on the overall budget before it is broken up into separate appropriations bills. This would be a realistic beginning to more careful consideration by Congress of the total budget picture.

The bill also provides for compliance by the Appropriations Committee with two of the rules of procedure established in title I for the legislative committees. Hearings should be open except in national security matters. Proxy voting would be eliminated. Actually, this proposal is in conformity with the present practice of the committee not to report out a bill on the basis of proxy votes.

Other sections of the title respond to the ever-growing problems of multiagency programs which cut across a number of appropriations bills and the need to analyze programs on the basis of their output as well as their objects of expenditures. No subject has been discussed more frequently in recent months than the need to eliminate the waste of overlapping programs which attempt to achieve the same end and the companion need to assess whether programs are really achieving results commensurate with their cost. The Appropriations Committees have a vital role to play in both areas.

Section 232 provides that the full committee or a subcommittee shall review the budget each year for the specific purpose of examining programs which are under the control of more than one agency and may be considered under more than one appropriations bill. The recommendations resulting from this review could be of real benefit to the full committee in its markup of various subcommittee bills covering these programs.

Section 233 is designed to encourage greater attention to program output. It provides that appropriations reports shall include an analysis of the major factors taken into consideration by the committee in recommending the appropriation and make reference to any cost-effectiveness analysis which had been conducted by either the legislative or executive branch on the subject of the bill. This would enable Members to determine if these studies received consideration in committee and will give him the opportunity to examine the study itself if he desires to do so.

The section also provides for an explanation in appropriations reports on supplemental and deficiency appropriations bills as to why the request could not have been included in a regular bill. While supplemental and deficiency appropriations are necessary when the need for funds was not known at the time of the regular bill or when intervening circumstances have necessitated additional funding, every effort should be made to fund measures through regular bills so that Congress has a realistic picture of the budget.

Finally, section 234 provides that the vote on final passage of an appropriation bill shall be a rollcall vote. While this rule would still be subject to waiver by unanimous consent, we should not hesitate to be accountable for our actions and I believe it difficult to justify voice votes on appropriations bills involving the expenditure of many billions of dollars.

In suggesting these modifications to the appropriations process, the committee is indicating no criticism of the Appropriations Committee. I am proud to serve on that committee and know from personal experience that no committee has a greater responsibility and no committee works harder to meet it. My concern is that we are often so close to the forest that we do not see the trees. The magnitude of the budget is so overwhelming that the tendency is to focus our examination on familiar areas and with the same old means. I think we must now reassess our approach to the budget to make it more consistent with modern techniques of decisionmaking. The provisions of this bill give us an opportunity to do so.

The next part of title II attempts to establish better liaison between all participants in the budget process. It is both wasteful and foolish to fail to make maximum use of GAO audits in the evaluation of new legislation, review of existing laws, or the consideration of appropriations. Section 241 provides for GAO personnel to be on call at the request of any committee to discuss an audit or report which would be of value to the committee in its deliberations. Section 242 provides for delivery of all GAO reports to the Committees on Appropriations, the Committees on Government Operations, and other legislative committees having jurisdiction over part or all of the program or agency. Section 243 provides that when GAO reports contain recommendations to the head of a Federal agency, the agency shall submit a statement to the Appropriations Committee with its next appropriations request which outlines the action it took in response to those recommendations.

We should also realize that the appropriations process is only one element of congressional fiscal controls. A very large portion of the budget is not really subject to annual appropriations review. For example, there are more than $30 billion of annual expenditures in trust fund programs such as social security and the Interstate Highway System. Once we have authorized the fund, congressional supervision can be exercised only through changing the authorizing legislation and review of the administration of the law. Other programs—veterans' assistance is one—become fixed obligations since they are regarded as mandatory under existing law. Some additional programs, although technically subject to appropriations review, become virtually sacrosanct once the program has been authorized.

Obviously, the key budget action was really the authorizing legislation and we sometimes wake up to the consequences of our action too late to lock the barn door. We compound the felony by usually focusing our attention on the need for the legislation and its intent rather than its cost. Although the executive branch is required by the law to furnish cost estimates on proposed legislation, they are loosely prepared and receive very little consideration.

Congress itself should assume the responsibility of estimating the cost of new legislation. Section 251 of this bill provides that the committee report shall contain an estimate of cost during the period authorized—up to a maximum of 5 years. Because this is of such vital concern in evaluating new legislation, the section provides that consideration of the bill shall not be in order unless this estimate has been concluded.

The legislative committees also have a responsibility to propose new legislation in a form that will permit meaningful budget review. Therefore, section 252 encourages the committee to propose programs in a form that will include annual appropriations review. The committees are also directed to study existing programs which are not appropriated for annually to determine if they could be modified to provide such review.

Proper fiscal controls depend upon cooperative effort and communications among all participants in the process—Appropriations Committees, legislative committees, Government Operations Committees, the General Accounting Office, and the individual Member. Congress can best exercise its power of the purse when all participants have maximum information so that they can realistically evaluate the financial consequences of the action we take.

SOURCES OF INFORMATION

Today, congressional problems have become infinitely complex. We are called upon to evaluate Federal participation in public policy areas ranging from the technology of an SST and outer space to control of the pollution of our own environment and the conservation of our natural resources. We support the prices received by our Nation's farmers and seek to improve the purchasing power of those who live in urban slums. Yet our resources are not unlimited and decisions must be made among programs that compete for our dollars and our national attention.

To meet this responsibility we must have information—objective information on which we can rely; immediate information at a time we can put it to use; accurate information so that our position is well founded; distilled information in digestible quantities. Title III of this bill deals with these sources of information.

First, the committee staffs must be equal to their increasing responsibilities. The 1946 act provided statutory authority for committee staff for the first time. Each standing committee was provided four professional and six clerical staff positions. Additional staff needs are met through annual resolutions. As the workload of committees has grown and the complexity of their problems has increased, it is natural that the need for committee staff also has grown. At the present time, 27 of the 36 standing committees of both Houses have more than 12 staff positions.

Section 301 increases the statutory allotment for professional positions from four to six. This is more in keeping with current needs. This can, of course, still be supplemented by the annual resolution mechanism.

The 1946 act also provided that professional staff should be appointed without regard to political affiliations and solely on the basis of fitness to perform their duties. This nonpartisanship has been preserved on many committees, but there are others that have divided along party lines. Our committee regarded the spirit of the 1946 language as desirable and it has been retained.

During the hearings of the joint committee, we heard considerable testimony as to the need for increased staff for the minority. Most Senate committees make provision for minority staff positions if they are requested. However, there have been some instances where the minority has without doubt been denied adequate staff.

It is fundamental to our legislative system that the opposition have adequate resources to prepare informed dissent or present alternative courses of action. All sides of an issue should be forcefully presented. To insure that the minority is not deprived of staff assistance, section 301 provides for two professional positions and one clerical position to be assigned to the minority as a matter of right. This does not mean that the minority becomes entitled to additional positions if they already have staff acceptable to them. Nor does it deprive the minority of a larger allocation if the committee has provided additional positions as a matter of accommodation.

It is also important to the vitality of the legislative process that committees have access to outside expertise on a part-time basis and that the permanent staff maintain the highest possible level of professional training in their specialties. Section 301 provides that, with the approval of the Committee on Rules and Administration, staff assistants may be employed on a consulting basis for special studies of a limited duration. It also gives authorization for specialized training or education of professional staff members where it will aid in the proper discharge of committee responsibilities.

The second source of information available to us is our personal staff. We have provided a reasonably adequate clerk-hire allowance to handle the routine of the individual member's office. Although constituent services continue to increase, the committee has not recommended additional clerk hire for general office purposes. What we hope to do is separate existing staff from legislative responsibilities.

Section 321 authorizes a legislative assistant for each Senator. He may be paid at a rate not in excess of $8,460 basic or a gross salary of $23,244.66 per annum. The committee believes this will make it possible for each Senator to obtain a staff assistant of high caliber to assist him with his legislative responsibilities in committee and on the floor.

Section 322 provides a modest increase in office travel allowances. It would provide one additional roundtrip for each Senator and one additional trip for the Senator's staff. Under this addition, each Senator would have an allowance for seven roundtrips annually to his State and his employees could have a total of either five or seven roundtrips, depending on the size of the State. While employees of private industry and members of the executive branch travel on official business at no personal expense, Congress limits its Members to a specified number of trips. Certainly almost every Member of this body travels to his State far more than the allowance permits and pays the difference from his own pocket. Because we are politicians as well as public officials, we realize these allowances cannot be unlimited. It is an occupational hazard we cannot escape.

Section 323 of the bill is a recognition that the technology of telecommunications has progressed to the point that a thorough study should be made of congressional telephone needs to determine if they could be better met by the establishment of a leased-line telephone system or expansion of the existing Government-wide leased-line service. The Sergeant at Arms of the Senate is also directed by this section to formulate a plan which would include the consolidation of telephone and telegraph allowances and submit that plan to the Senate for action.

The third source of information is the Legislative Reference Service of the Library of Congress. Statutory recognition of this overall research facility to backstop individual and committee staff was another contribution of the 1946 act. During the past 20 years, LRS has developed into one of the principal research and reference arms of the legislative branch.

Despite these many important contributions, the joint committee heard considerable testimony indicating a lack of satisfaction with its work. To the extent that LRS work has been mediocre, we must shoulder some of the blame. We have been guilty of diluting the value of this research pool by expending their efforts on senior class themes for constituents rather than meaningful research on current legislative issues. In 1965, over 50 percent of the Service's inquiries were reference requests for constituents rather than legislative research. Although these requests require less time to process, the Service estimated that 19 percent of its total man-hours were utilized in servicing these constituent inquiries.

The problem is compounded by the fact that demands for service are steadily increasing. A total of 113,628 inquiries were handled during 1965 as compared with 92,937 inquiries the previous year—an increase of 22 percent. This bill contains a number of proposals which would both enlarge the capability of LRS to perform good service and provide a better direction to it from Congress.

Section 331 would redesignate the Service as the Legislative Research Service to emphasize that its work involves more creative effort than the mere acquisition, storage, and retrieval of data and information produced elsewhere. It would authorize the creation of a new reference division to handle routine inquiries and relieve the professional staff for more important tasks. It would increase the Service's staff capability by authorizing employment of individual consultants and research organizations on a temporary basis and by authorization of supergrade positions in the employment of specialists and senior specialists. However, let me make it clear that these positions would still be subject to annual appropriations review.

It is also most essential that closer direct contact be maintained between the Service and Congress itself. Section 332 provides for the appointment of the LRS Director by the joint committee on the Library. The Director would make an annual report to the joint committee on LRS operations. Section 333 authorizes the position of review specialist for the joint committee so that there would be more direct surveillance by Congress over the Service's activities. Presently, the Joint Committee on the Library has no staff so that such supervision becomes extremely difficult.

The committee believes that a capable committee staff, a personal legislative assistant, a revitalized Legislative Reference Service, and the additional functions imposed on the General Accounting Office will combine to give Members an information capability considerably in excess of present levels—and more consistent with present needs.

CONGRESS AS AN INSTITUTION

During the joint committee's 2-year study, all of us realized the many important items on which it would be difficult for us to make specific recommendations. We have tried to propose legislation in the areas we regarded to be of most pressing immediate need. But many institutional problems will remain—and others will soon appear.

It is not realistic to think that comprehensive congressional reform can be accomplished at an even pace—it has been 21 years now since the last major reorganization bill. However, there should be a continuing examination of the organization and operations of Congress with a view to recommending changes which would keep us in step with the times. Part 1 of title IV recommends the creation of a Joint Committee on Congressional Operations to be charged with this responsibility. Let me hasten to add that we are not proposing an extension of the life of our joint committee. The Joint Committee on Congressional Operations, as provided in section 401 of the bill, would be composed of five Members of the Senate, appointed by the President pro tempore, with two representatives from the Government Operations Committee, two from the Rules and Administration Committee and one from remaining Members. The five Members from the House of Representatives would be chosen on a similar basis. The Government Operations and Rules and Administration Members would include one each from the minority party.

The joint committee would not have legislative authority. It would, however, make a continuing study of congressional organization and operations. It would be specifically charged to make a continuing study of automatic data processing and information retrieval systems to determine the feasibility of these systems in congressional operations. It would be authorized the same professional and clerical allotment as provided for the standing committees.

The joint committee would become the supervising agency for functions which lend themselves to central supervision. The functions of the Joint Committee on Disposition of Executive Papers would be transferred to it and that committee abolished. For those who fear the effect of abolishing a committee, I might add that I am presently its chairman.

The functions of the Capitol Guide Service would be transferred to the joint committee to avoid the present division of authority between the Sergeant at Arms of each House.

The joint committee would be responsible for supervising a new congressional unit, the Office of Placement and Office Management. Our original recommendation designated this the Office of Personnel and Office Management. We have redesignated it to make clear that the job of the Office is not to exercise any supervision over the personnel in the office of a Member, a committee, or an officer of Congress.

The function of the Office would be to operate as a central clearinghouse for applications for congressional employment. It would be equipped to test applicant qualifications and to provide advice and information on request to Members and committees with respect to better office management practices. The use of the Office would be purely voluntary and it is intended to supplement rather than replace such facilities as the U.S. Employment Service Office.

Section 421 grants proper authority to officers of the Congress. Many service employees under their jurisdiction are appointed on recommendation of Members of the Senate. Although this has provided opportunities for education for many deserving young men and an opportunity for them to examine Government at close proximity, we should face up to some of the problems that it has created for our elected officers. It is imperative that Capitol employees meet minimum qualifications necessary for the efficient performance of the duties assigned to them. And no employee, regardless of the manner of his appointment, should be immune from supervision.

Section 421 provides authority for the responsible officer to prescribe training periods for an employee before or after his assignment to duties, to promulgate rules and regulations governing performance and to remove or otherwise discipline employees who do not satisfactorily perform their duties. I believe our fine officers who have many employees under their supervision—such as the Sergeant at Arms and the Secretary of the Senate—are entitled to have this clear display of our confidence in them and their right to maintain reasonable standards for Capitol employment.

The patronage system has been clearly unsatisfactory for one important group of employees—the Capitol Police force. These young men, unlike other service employees, are directly responsible for the safety and well-being of others. I am honestly frightened that we continue to put guns in the hands of these generally inexperienced and untrained hands. Section 422 of the bill directs the Capitol Police Board to formulate a plan for converting the Capitol Police force into a professional force. Consideration is to be given to the feasibility of operating the force as a division of the Metropolitan Police Force of the District of Columbia. The board is also directed to make a report to the Senate and House of Representatives at the earliest practical date setting forth the plan and its recommendations for legislation to implement it.

Section 423 is concerned with the problem of supervision of Senate and House pages. The committee concluded that the most desirable solution was to limit page appointments to students who have completed their high school education. This would eliminate the need for page dormitories and schools. It would alleviate the undesirable situation of inadequately supervised adolescents in a large city. These provisions would apply to future appointments so that existing pages could complete their period of service.

Now let me turn to a problem of major proportions—the scheduling of congressional sessions. Despite our every effort and contrary to our fondest dreams, congressional sessions continue to grow longer and longer. The 1946 Act provided that Congress should adjourn sine die no later than the end of July except in time of national emergency. Our increasing workload has caused the "national emergency" clause to be used to avoid this provision in every session since 1946. Last year, even in an election year, we did not adjourn until late October.

We know the Herculean effort the leadership makes to encourage the expeditious handling of legislative business earlier in the session so that we can adjourn in accordance with the legal requirement. But it is an effort that requires the cooperation of every committee. Committees have grown accustomed to transacting much of their business on a Tuesday-to-Thursday basis. During the 88th Congress almost twice as many committee meetings were held on Tuesday, Wednesday, and Thursday as on Monday and Friday. This discourages attendance for floor sessions and compounds the scheduling difficulties.

There is no easy answer to the problem. However, this bill takes a constructive step to encourage more activity early in the session to meet the July 31 deadline. Section 433 provides that Congress shall adjourn sine die on July 31 unless a later date is fixed by a concurrent resolution adopted in each House by rollcall vote. In any event, there would be an August recess and the session would not reconvene until a day subsequent to August 31.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CLARK. Could the Senator tell us whether the committee considered the proposal which has been made for many years by the Senator from Washington [Mr. MAGNUSON], and which was cosponsored by me in the last session of Congress, to break up the session into a legislative session and an appropriation session?

Mr. MONRONEY. We did consider that suggestion in the committee. It was testified to by the Senator from Pennsylvania and the Senator from Washington [Mr. MAGNUSON]. We did not adopt it as one of our recommendations, feeling that it would be quite difficult to develop legislation by adopting legislation early in the session and then getting into the appropriation hearings and work on the appropriations following the reconvening after the August period.

Mr. CLARK. Does not the Senator believe that appropriation bills could be more fairly and intelligently considered on the floor if the consideration of them took place after all authorizing legislation for that particular session of the Congress had been disposed of?

Mr. MONRONEY. It would help us only, I think, with respect to new programs that had been enacted. It would still be necessary to take testimony and make budget decisions on funding existing programs.

Mr. CLARK. It occurred to me, on the contrary, particularly in view of the provisions in this bill, that we could deal in a more businesslike way with our consideration of the budget and the House and the Senate would be better able to deal with the requirements of the particular appropriation bills if they know what the total legislative appropriations for the session were.

Moreover, the division of the session, the second of which would be confined to appropriation measures, would not mean, of course, that Appropriation Committees could not meet, take testimony, and, to some extent at least, mark up bills during the legislative session.

I must say this idea was not primarily mine; it was that of the Senator from Washington [Mr. MAGNUSON]. I think it is still valid. I regret that it was not adopted as a provision of the bill.

Mr. MONRONEY. One of the difficulties, and a real one, is that we cannot deal with appropriation matters until the House disposes of the appropriation bills. The House is very adamant in its view that it must originate those matters. While the suggestion that we would start one half and the House could start the other half, may be a good one, we could never expect the cooperation on the other side in this matter. The Senator from Pennsylvania is familiar with some of the difficulties that have taken place in this regard.

Mr. CLARK. Yes; but the Senator from Oklahoma would agree with me, would he not, that there is no constitutional basis for the arbitrary position taken by the other body?

Mr. MONRONEY. Perhaps, but the House insists on it. The House would continue to insist on it and throw up every roadblock it could in the matter both of appropriations and taxation.

Mr. CLARK. Of course, the Constitution is clear on matters of taxation. It is perfectly clear in the Constitution that taxation bills must originate in the House. But there is nothing in the Constitution which provides that appropriation bills must originate in the House. I have been disappointed for some years that the Senate did not take the bull by the horns, hold hearings on an appropriation bill, mark it up, send it to the House, and see what would happen.

Mr. MONRONEY. The Senator may remember the difficulty we had a few years ago as to whether the conference on an appropriation bill should be held on the House side of the Capitol, the Senate side of the Capitol, or whether it should be held in the middle of the Capitol. We now have such sessions in the old Supreme Court chamber.

Mr. CLARK. I remember full well that thoroughly infantile procedure. It seems to be irrelevant to the subject I am speaking of now, however.

Mr. MONRONEY. I would think that taking half of the bills up before the House considered them would present a controversy of a greater degree than the one I just mentioned. I am sure there would be considerable delay and hard feeling between the two coequal bodies of the U.S. Congress.

Mr. CLARK. I say to my friend that sometimes, in a democracy, progress is made only through controversy. We cannot always govern by consensus.

Mr. MONRONEY. I see. I am sure the Senate Appropriations Committee would not like to delay their consideration until August 31, without other duties, because they have very fine staffs, and many members who specialize in that work. Only through division of the workload can those staffs be efficiently utilized. To start one-half of the bills ahead of the House would present, in the appropriation techniques, a considerable degree of difficulty in resolving disagreement with hundreds of thousands of items in the bill on which the House and Senate have to finally agree.

Mr. CLARK. I am not particularly interested in having the last word on this subject, but I say again, as I said earlier, that the suggestion which the Senator from Washington [Mr. MAGNUSON] made, in which I concur, would not in any way inhibit the right or the duty of the Appropriations Committees to get their work underway during the preliminary legislative session.

The important thing would be not to bring the appropriation bills to the floor until after all legislative business is disposed of. This would serve a double purpose, because it would make possible a rather substantial adjournment during the summer months, and possibly even through the November election, to the great benefit of the families of some of the younger men, and the grandchildren of some of the rest of us who are not quite so young, and leave ample time to consider appropriation bills on the floor at a time when we were all fully advised of the extent to which the appropriations were or were not in excess of the budget recommended by the President.

Mr. MONRONEY. I thank the distinguished Senator from Pennsylvania. The 31st of August adjournment date was strongly supported by the Members of the House, and by a great many Members of the Senate.

I think we might as well face up to the problem. Perhaps—at least in election years—we could re-form our own scheduling habits sufficiently to meet the July 31 deadline. If we cannot do so, August is an appropriate time to recess on a fixed basis. This would enable Members to have a firm schedule for visits to the State to meet with constituents or to plan family trips which do not conflict with the school term. If a long session is necessary, an August break would furnish a desirable period during which we could feel the pulse of our constituents on pending issues, and in general go over the States we represent and find out their difficulties, their problems, and their suggestions for means for solving them.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield.

Mr. CLARK. Does not the Senator agree that one major reason why recent sessions of the Senate have been so protracted, extending in one instance, I remember, to the very end of the calendar year——

Mr. MONRONEY. Christmas Eve.

Mr. CLARK. To Christmas Eve, was that, for one reason or another, the Appropriations Committees just did not get their work done, and we could not adjourn until all appropriation bills had been passed?

As I recall it, that particular year the foreign aid appropriations bill was what held us in session right through Christmas.

I wonder whether the Senator's committee considered a suggestion which has been made by many Senators besides myself for some years: authorizing the Senate and the House Appropriations Committees to hold joint hearings. That would certainly expedite, I would think, the appropriative process.

Mr. MONRONEY. We considered that at some length. We again felt absolutely convinced that the right of first and original consideration of appropriation bills by the House would render such practice ineffective; and, second, that the joint meetings would be most difficult to arrange because of the different schedules of the two Chambers and the increased number of committee assignments which Senators have vis-a-vis the one committee assignment that the House Members have.

We do provide, or have suggested here, that we have joint meetings on the overall budget. I think it is of vital importance to both Houses, to see how that works out. If it can work out so that the leaders of our fiscal affairs and budget proposals can outline the broad budget spectrum, we might find this double on a joint basis.

We have one example of failure to reach agreement with the House on their budget rights in the act of 1946, when nothing came at all of the proposed legislative budget. That was one of the reasons for its failure, although not the major one, as I have already mentioned.

Mr. CLARK. I do wish my friend would not use the word "right" in connection with the quite unsound legal and constitutional position taken by the other body.

Mr. MONRONEY. I am merely referring to a right asserted by the House of Representatives, which has been maintained by the House of Representatives during most of the years of their history.

Mr. CLARK. Perhaps one should substitute the word "privilege." It would occur to me that if the Senate and House Appropriations Committees can usefully meet jointly for consideration of the budget, they can equally usefully meet jointly for the purpose of taking testimony with respect to appropriations.

I have never understood why the Appropriations Committee was such a special committee, so set aside from the restrictions which appear to prevail with respect to legislation. For example, for many years it has been the custom to grant unanimous consent to the Appropriations Committee to meet while the Senate is in session. To me, this is utterly unjustifiable, unless other committees are given the same privilege.

Similarly, with respect to a number of legislative committees, on some of which I have served, we find legislation has been substantially expedited by holding joint hearings of House and Senate committees on legislation which is part of the President's program. We have been able to save the time of administration witnesses and, indeed, of others, by holding joint hearings. We did that in connection with the Manpower Development and Training Act and the amendments thereto last year, in the two Labor Committees. I am hopeful that we may be able to do something of the same sort in connection with the poverty legislation this year. I think we have to do something, if the Senator will indulge me for a moment further, to break down this rugged individualism and sort of status symbol feeling on the part of a number of committees, which results only in undue delay, does not result in any enhancement of the legislative process, and keeps the Senate and the House in session much longer than there is any real national need.

Mr. MONRONEY. I say to my distinguished friend that there is no desire for delay on any of the Appropriations Committees I have served on—we wait for bills to be passed by the House, and then to start the work over here on them. It would be impossible, I think, to get the two Houses to agree, in any series of committee meetings, as to how much the House and the Senate jointly would agree at that time to appropriate for the various activities of government. We have to act independently after the taking of testimony.

Mr. CLARK. If the Senator will yield, I am sure that inadvertently he misunderstood one of my statments, which was merely that they have joint hearings for the purpose of taking testimony—for taking agreed testimony, largely, such as the testimony of administration witnesses with respect to the particular appropriation under consideration. Then, if the Senate wanted to call additional witnesses, or the House wanted to call additional witnesses, that would be entirely in order, but I suspect a vast amount of time would be saved not only by members of congressional committees, but perhaps equally importantly by members of the administration, who have to bounce back and forth from committee hearing to committee hearing in the course of getting through legislation which is part of the program of the President.

As one example of what I have in mind, I suppose the Senate and the House spend more time every year on the foreign aid bill than any other single piece of legislation—to my way of thinking, far more time than the importance of the legislation justifies, particularly when we think how rapidly defense appropriations and military construction bills race through both Houses.

Mr. MONRONEY. Is not that because generally the law has in the past required that they be authorized each year, and so they go through a double operation in both Houses?

Mr. CLARK. That is correct, but also it is true that in recent years, some parts of the foreign aid bill have been authorized for more than a year. Some of the provisions have been for 2 years—some, indeed, for 5.

Nevertheless, every year the Administrator of AID and his staff of able and competent people have to make four appearances before Congress. That is every single year. They must make one before the Senate Foreign Relations Committee on the authorization and one before the House Foreign Affairs Committee on the authorization. They must then make an appearance before the Senate Appropriations Committee on appropriations, preceded by an appearance before the House Appropriations Committee on the House appropriation.

I would suggest that this process could be enormously expedited by the holding of joint hearings.

Mr. MONRONEY. We would still have the question and answer process that I would expect would be almost the same volume that we now have in separate hearings. Certainly Senators would not yield to Representatives in their desire to develop fully the item for which funding was being requested.

Mr. CLARK. It has been my experience in the relatively minor instances in which we have had joint hearings that Representatives and Senators who attended joint hearings exercised self-discipline in terms of the amount of questioning.

I understand why the bill comes out of the joint committee in the form in which it does, and I have nothing but the deepest of sympathy for the Senator who, I think, has done a splendid job under the circumstances. However, the fact of the matter is that Congress does not want to reform itself. We would rather sit around here until after Christmas in occasional years, until after the normal summer vacation period has gone by, than change these ways which have become ingrained as procedures established by individual Members of Congress who grew up in a day when the world was relatively simple.

I think back to the fact that it took George Washington 3 weeks to get from Mount Vernon to Cambridge to take command of the Continental Army. I suspect that some of us here still think there is not much hurry about anything. Yet, the world is becoming more complicated and the jurisdiction of Congress has expanded almost beyond the imagination of the Founding Fathers.

We nevertheless still go along in the same old routine horse and buggy way, and so able and so intelligent and so earnest a Senator as the distinguished Senator from Oklahoma faces that problem when any reforms are suggested which amount to more than the mere minimum. Immediately the status quo advocates arise and say: "No. That has always been done this way. Let us not change it."

Mr. MONRONEY. Mr. President, I say to my distinguished colleague, the Senator from Pennsylvania, that the joint committee proposal was discussed in 1946, and it was discussed this year.

Our experience has not indicated that this could save a great deal of time because of the interruptions that occur in our own joint committee when Members must answer a House or Senate rollcall, and the postponements which occur because of scheduled meetings and the requirement of Members to be on the floor. It did not lend itself, at the very best, to a speeding up of procedure.

The Senator is entitled to his opinion, and perhaps sometime we will continue to try it out.

I think that in the case of the testimony of heads of departments and people of that kind, whose jobs put great pressure on their time, joint hearings might be a way to start. However, I do not think we can wave a wand and get the Senate and the House to join together.

The Senate would be reluctant to give up its right to review the actions taken by the House on budget matters.

We take an independent look at those matters and oftentimes we develop testimony which may vary the House action. The House, on the other hand, is equally jealous of its prerogatives.

Mr. CLARK. Mr. President, I am reluctant to reiterate the obvious. Yet, I am compelled to say again that I think the Senator completely and inadvertently misunderstands my point.

Mr. MONRONEY. The point, as I understand it, refers to the joint hearings of the Appropriations Committee and perhaps of other committees. This would be the point to which the Senator is referring.

Mr. CLARK. But not exclusively. I do not have the slightest objection to either the House or the Senate having as extended hearings of their own as they want to hold after an effort has been made to have a joint hearing to establish all the relevant facts and data on which the legislation or appropriation should be based.

I still adhere to my opinion. I am sorry that we do not agree that weeks and weeks, if not months, of the time of Congress could be saved if this very simple procedure were established.

Mr. MONRONEY. Mr. President, let us try another way to save a little time. Perhaps my distinguished colleague would agree that we are approaching an avenue that bears some chance of yielding benefits.

Many of the provisions of this act are concerned in one way or another with how a Member should spend his time. It is impossible to delegate any substantial portion of our legislative or constituent workload. But we can and should rid ourselves of one time-consuming function which neither contributes to our legislative output nor serves our constituency as a whole. We should abolish the practice of the appointment and confirmation of postmasters.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CLARK. Mr. President, three cheers for the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, section 441 of this act provides for the appointment of postmasters by the Postmaster General in accordance with civil service laws and prohibits recommendations for these positions by Members of Congress. It abolishes the requirement for Senate confirmation. Needless to say, a number of these provisions are of immediate concern to the House of Representatives and their concurrence would be required.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CLARK. Mr. President, I again congratulate the Senator for bringing this very worthwhile subject before the Senate.

I wish that he could have included Federal marshals in that exemption from confirmation.

Mr. MONRONEY. I was the author of the bill to put them under civil service, and in respect to today's appointees, they are generally men who have to qualify as peace officers.

I would feel the same as my distinguished colleague about the matter. I do not think there is any real reason for it, but at least there are fewer marshals than there are rural postal carriers and postmasters who consume so much time in seeking the positions which the Senate has to handle or on which we have some control over the confirmation.

Mr. CLARK. The Senator is quite correct, and I would like to make a brief bit of legislative history by indicating that the requirement for Senate confirmation of postmasters results in effect—as the Senator well knows as chairman of the Committee on Post Office and Civil Service—in the Senator actually making the appointments as a pragmatic and practical matter, even though under the law the appointment is supposed to be made by the President upon the recommendation of the Postmaster General.

This is, of course, all within the civil service rules. We cannot drop down below the first three on the eligible list, although veterans' preference in many instances makes that pretty much of a farce. However, the end result, in my opinion, has been that for every postmaster whose gratitude we earn, we earn the enmity of 10 defeated candidates who feel that they have either far better qualifications from the point of view of merit or, more often, from the point of view of partisan politics.

I suggest that we could extend this to the Federal marshals, even though they are very much smaller in number, because there the ill will for the appointing Senator by the disgruntled, nonappointee is perhaps at an even higher level than it is with those of the would-be postmaster.

Mr. MONRONEY. Mr. President, I thank the Senator. I have not had much experience with the other classification. However, I have had a great deal of experience with Post Office matters.

I think the efficiency of the postmasters would be greatly improved if the men in the Post Office could apply for the positions on the basis of merit and not depend on the basis of political endorsement for their promotion.

I think the year of 1967 is a good time for the Congress of the United States to announce to the American people that it recognizes this patronage responsibility as an anachronism from Andrew Jackson's day which has long since outlived its usefulness. The political value of these appointments is open to serious doubt. Moreover, the Post Office Department is big business and should be operated with modern efficiency. Most important of all, this is the type of activity which should not be allowed to encroach on the limited time available to Members for the performance of our duties.

The next sections in the bill deal with revisions to the House Employees Position Classification Act and the payroll administration of the House of Representatives. These provisions were included as a matter of accommodation to the House, and our committee expresses no opinion on them. The House will pass on these provisions when that body considers this bill.

REGULATION OF LOBBYING

The last title of the act is designed to strengthen the existing statutory provisions for the regulation of lobbyists. The 1946 act was the first law imposing regulation on these groups which have become such an integral part of the legislative process. Since one of the stated objectives of our joint committee was the consideration of modifications to the 1946 act, we felt a special obligation to make a careful study of the lobbying laws with a view toward their improvement.

Let me point out that neither existing law nor the amendments we propose in any way prohibit lobbying. It is a legitimate activity under the constitutional right of petition, and the word "lobbyist" should not be a dirty word. Each of us, in fact, lobbies for the legitimate interests of his constituency—and our election from that State is public registration of our representation of those interests.

What the 1946 act required was registration of those who represent for pay a less conspicuous constituency—so that Congress and the public alike would have an awareness of the nature of their stake in pending legislation.

The experience of the past 20 years has exposed a number of flaws in the provisions of the act. Although the U.S. Supreme Court found the act to be constitutional, it interpreted its provisions in a manner exempting many organizations with obvious legislative interests. The act is also deficient in that there is no clear-cut responsibility for policing registrations or any satisfactory procedure for making this information readily available to the public. As a result, present registrations reveal but a small fraction of the money paid and received for lobbying activities. This also tends to penalize the more conscientious registrant and reward the individual or organization who is less candid about his legislative activities.

Neither existing law nor our proposed amendments would require registration by those using their own funds to influence legislation. The existing registration requirement applies to any person who solicits or receives money or other consideration "to be used principally to aid, or the principal purpose of which is to aid" the influencing of the passage or defeat of legislation. This bill would substitute a "substantial purpose" test for "principal purpose." As a result, registration would be required by a person who solicited or received money "a substantial part of which is to be used, or a substantial purpose of which is to aid" lobbying activities.

The principal purpose test has been interpreted by the Supreme Court in such a manner as to exempt many major organizations from the provisions of the bill.

The apparent result of the interpretation is to permit an organization to operate without registration unless it can be proved that more than 50 percent of its total activities constitute lobbying.

Although "substantial" would also be subject to judicial interpretation, the courts have interpreted this term in the context of internal revenue decisions. It would unquestionably widen the threshold of the act and this was the committee's intent. It seems to me that individuals and organizations who know they are spending substantial sums of money for lobbying purposes should simply get on record under the registration requirements and cease their efforts to evade a law that was clearly designed to include them.

Another provision of the title is aimed at organizations which claim it is impossible to separate lobbying expenditures from those for other purposes. They have ether refused to register or have filed their entire budget without any allocation for lobbying activities. Either way, the public is not informed and the intention of the act is subverted. This also makes it impossible to tabulate total lobbying expenditures geographically, by type of organization or for particular measures.

Section 502 gives a registrant the option of filing only the amounts attributable to lobbying activities or—if he alleges that he cannot ascertain those amounts with reasonable certainty—to file his total receipts and expenditures with an estimate of the part allocable for lobbying activities.

Section 505 deals with arrangements for contingent fees—in other words, a situation where the lobbyist's compensation depends on his success in influencing the passage or defeat of the legislation. There was sentiment for outlawing such arrangements entirely—but the committee did not take this position. Instead, the section simply requires a recital of the terms of the fee arrangement, including a description of the event on which the occurrence of the fee is contingent and a statement of the amount of the fee either in terms of a dollar amount or a percentage of recovery.

Another provision of this section is an extension of the 1946 exemption of newspapers and periodicals to include the media of radio and television broadcasting. Of course, such organizations are still subject to the provisions of the act if they engage in lobbying activities for their own economic interests and apart from normal news coverage.

Perhaps the most significant addition to the act is the designation of the Comptroller General as the agent of Congress to administer it. He would replace the Secretary of the Senate and the Clerk of the House of Representatives, neither of whom have had the facilities or the mandate to actually enforce the law.

Under section 506, the Comptroller General will administer registrations, make them available for public inspection as provided under the act, notify persons within the purview of the act who have failed to file, and refer to the Department of Justice complaints for failure to register or the filing of false and improper information. This is a logical activity for the General Accounting Office as the congressional watchdog over spending practices.

Some Senators have already indicated to me their concern over the tightening of this act. I welcome their suggestions and proposals to improve the language of these provisions. But the committee earnestly believes that the principle of identification of interests as set forth in the 1946 act and expanded by this act is a sound one. We hope that Congress will not overlook this opportunity to make the lobby registration law a truly effective instrument.

Those are the provisions of the Legislative Reorganization Act of 1967. My colleagues on the special committee join me in urging the enactment of this bill.

Mr. President, this Reorganization Act is no panacea for the problems that we face. It is no substitute for the earnest effort of able and dedicated men. No organization will be stronger than its membership. But it is a step forward—an impressive step—toward providing more of the organization capability needed in this complex and turbulent world.

This week the eyes of the Nation must be watching the Senate with a particular curiosity—and perhaps skepticism. For this time we are not considering the regulation of some other sector of American life. We are legislating for ourselves—and for those Members who will follow us and have to contend with even more complicated issues. I have faith that our message to the American people will be loud and clear.

I believe we will tell them—and congressional critics and doubters as well—that Congress has faced up to the organizational problems that beset it; that we have strengthened our committee system to permit maximum participation for our entire membership; that we have placed a firmer hand on the power of the purse; that we have sharpened and expanded our sources of information; that we have brought our institutional obligations into better focus; that we have strengthened the regulations governing those from the private sector who join us in the legislative process.

Finally, I believe that we will show by our acts that the world's greatest legislative assembly—our best symbol of democratic institutions—is still young, virile, and unafraid of change.

Mr. BOGGS. Mr. President, I should like to associate myself with the remarks of the distinguished chairman of the Special Committee on the Organization of the Congress.

He has carefully explained this proposed legislation (S. 355) in detail, and it is not my wish to cover the same ground.

I should like to emphasize what to me is the obvious need for this bill, however.

Congress operates in a changing world. Other institutions, including the agencies of the executive department, have changed and are changing because of new conditions and new pressures of the times. Congress, with its vast responsibilities to the American public, cannot do otherwise. We must improve the machinery of Congress, and, more to the point, improve the opportunities of individual Members of Congress to make effective contributions to the legislative process.

A study of the legislation before us will disclose no startling innovations. We do not try to set Congress on a new course. Rather, we try to help it make effective progress in carrying out its constitutional responsibility to legislate in the best interests of the American people.

We would establish more regular rules of procedure for the committees of Congress, and thereby enhance and make more effective the individual roles of committee members.

We would give Congress better tools with which to consider the Federal budget and keep individual Members informed, and thereby to better carry out the essential congressional function of the "power of the purse."

We would improve congressional sources of information, and thereby assure a more rounded consideration of legislative proposals.

We would set up a Joint Committee on Congressional Operations to review continually ways to improve the machinery of Congress, and thereby encourage a constant emphasis on keeping our operations up to date.

And, finally, we would tighten the regulations concerning lobbying, and thereby give the American public the opportunity to know who is actively interested in influencing the course of legislation.

Mr. President, these are all worthwhile aims. I am sure that there is no disagreement on that score. There certainly can be, and I expect there is, some disagreement on the means we have suggested for reaching these aims.

In our committee deliberations we tried to consider all views and opinions in hammering out this omnibus bill. I believe it fairly represents an equitable consideration of varying points of view, and at the same time offers the prospect of solid gains in the way we conduct our business.

At stake are not merely committee procedures, however, or a better way of testing the conclusions and figures of the Federal budget.

At stake is the ability of the U.S. Congress to operate effectively in the final third of the 20th century. At stake is the question of whether Congress will be a body of action, or one of reaction. At stake is the question of whether Congress can forge new habits and more effectively carry out its responsibility of representing and acting for the American people.

Again may I congratulate the distinguished committee chairman for his untiring leadership of this committee. It has been a pleasure, and inspiring as well, to be associated with him in this endeavor.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HANSEN in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MUNDT. Mr. President, first of all, I congratulate the chairman of the Select Committee on the Organization of the Congress representing the Senate for his comprehensive, clear-cut, and persuasive statement in support of the work which has been produced as a result of our joint committee deliberations, and shall offer a few comments of my own as the ranking Senate Republican member of the joint committee in connection with the work of the joint committee.

It seems to me that the enactment and implementation of the roughly 100 suggestions and recommendations incorporated in the provisions of the bill before us would greatly enhance the capacity of Congress to deal with its ever-increasing legislative workload. Also, specific provisions of the bill would go far toward strengthening Congress as an institution, and thus thwarting the erosion of its constitutional power by the executive and judicial branches of our system of government. Unless some kind of change is made somewhere along the line, it seems to me that our tripartite system of checks and balances will continue to develop an imbalance favorable to the executive and judicial branches, and detrimental to the people's branch of this organization, which is, of course, the U.S. Congress.

The Special Committee on the Organization of the Congress, which operated under provisions of Senate Concurrent Resolution 2 of the 89th Congress, labored long and diligently to come up with its recommendations, which are incorporated in Senate Report No. 1414 of the 89th Congress, on the numerous controversial questions placed before the committee.

I take this opportunity to commend all its members, on both sides of the aisle, representing both Houses of Congress, for their sincere efforts in this endeavor. The cochairmen, the Senator from Oklahoma [Mr. MONRONEY], to whom I have already alluded, and Representative MADDEN, of Indiana, were not only diligent but were gracious throughout our deliberations. All Members of both bodies should be grateful for the time and effort the cochairmen devoted to the work of the special committee.

Since the special committee dealt with the business of Congress as an institution, and not with the capability of one segment or one party of Congress to work its will against the other, Congress wisely provided for a bipartisan balance and membership.

To me, one of the gratifying experiences of serving on the special committee was that it proved that an evenly balanced committee as between the two parties can achieve results. As a matter of fact, all of the recommendations which are placed before the Senate were approved by a unanimous vote of the committee members. While not every specific provision was achieved by a unanimous vote, it is quite obvious that none of them was achieved by a partisan vote, because neither party alone could have advanced a majority viewpoint on the committee. So there was bipartisan majority support for all the provisions. In the main, most of the provisions were supported unanimously, but certainly the total package is reported to the Senate by both parties of both the Senate and the House and by a unanimous committee vote.

I wish to remind the Senate that prior to his welcome transfer to this body the junior Senator from Michigan [Mr. GRIFFIN], then a Member of the House of Representatives, was an original House member of the special committee. He went through all of the laborious hearings and helped to mold the shape of the committee deliberations. Although under the provisions of the resolution he had to resign from the committee when he became a candidate in what I am happy to observe was a highly successful election campaign, it is only proper to point out that he did help to tailor the result, and I am sure that he will have much to say during the debate in support of the recommendations of the joint committee.

The bill before the Senate embodies the essential recommendations of a great many suggestions that have come out of tremendously voluminous hearings. I hope that the Senate will work its will on the various provisions, as it should, and I hope at the same time that the vast majority of them—I hope all of them—will be adopted.

Mr. President, it seems to me that we have here an excellent chance to strengthen this body and make it a more effective instrumentality. I sincerely hope that whatever opposition there is will rise above parochial opposition and that we will approve these measures in terms of the general overall necessity of placing more muscle and more authority in the people's branch of our tripartite system of government, the Congress of the United States. It is here that the people are represented because it is here and here alone that those the people choose directly come to carry out the ideas, attitudes, and ideals of the people back home.

Mr. President, it seems to me that Congress has literally been living in the dark ages when it comes to our ability as an institution to obtain adequate information, to say nothing of obtaining it promptly and adequately. We do not have even a handful of the detailed information we should have from the executive agencies about the makeup of the Federal budget, which the President juggles and bundles up and sends us each year in a big mammoth document, and which takes months and months of time on the part of studious members of the staff to analyze. Surely few Members of Congress who are not members of the Committee on Appropriations could intelligently locate, to say nothing about analyzing and appraising recommendations for specific line items coming to us in the President's budget.

We should develop and make available to all Senators and all committees of Congress additional information and better factfinding machinery. We have made little use of the various types of information and data supplying services which are available to the big institutions of these days. We have lagged far behind the executive departments and agencies in connection with the two to three thousand data processing installations, with vast stores of information at their fingertips, but not at our fingertips as Members of Congress.

Mr. President, the bill before us would take a great step forward in trying to minimize this information gap. The Comptroller General would be given new responsibilities with regard to furnishing budget information. It would also create a Joint Committee on Congressional Operations with continuing responsibility in the committee to review congressional operations and explore all feasible automatic data processing and information retrieval systems, with a view to meeting the needs of members, committees, and Members of Congress as a whole.

Incidentally, we lodge this responsibility in the proposed joint committee because we found that data processing systems inevitably will come into congressional operations and it is highly important that we have a single, central body which can explore, plan, and direct congressional use of such systems.

If we do less than this, if we fail in this regard, we can envision the day not very far distant when we might very well find ourselves with an inexcusable proliferation and duplication of data processing installations all over Capitol Hill. One committee will have it and another committee will not. The House will have it and the Senate will have it, there will be duplication and a tremendous waste of money to the taxpayers, and we will move in an awkward fashion toward achieving results which can be efficiently produced.

Installation of data processing rapid information retrieval systems can help to alleviate the workload of Members and their office staffs.

A word of caution. Members should not be led to believe that miraculous results will immediately be achieved merely by creation of the Joint Committee on Congressional Operations, as provided in the bill, or even by the data processing machines. This will require skill, planning, preparation, and someone in charge who is knowledgeable, in order to tell us how to make these aids serve the purpose of efficiency instead of duplicating what is already being done.

Thus, this Special Committee on Congressional Operations, it seems to me, will fill a very important function in providing the guidance, the technical assistance, and the supervision required to make these new aids work successfully.

In a fundamental sense, establishment of the Special Committee on Congressional Operations is the backbone of the special committee's recommendations which we are debating here today. I repeat, it would be a continuing body and would continue to study and make recommendations regarding congressional operations. Enactment of this provision, Mr. President, would provide Congress with a central agency to keep abreast of changing times—not to await the passing of 20 years, as we have done in the past, before taking a look at how we have failed to keep up with rapidly changing techniques.

Not only that, but the proposed special joint committee would be charged with the responsibility of representing Congress for the first time in its contacts with other branches of the Government, such as any court actions or proceedings, for example, which are sometimes leveled against the chairmen of committees, or against members or, in effect, various functions of Congress which can be involved.

It would provide us with some kind of direction in that area for identifying any court actions or proceedings that affect or involve the vital interests, or constitutional prerogatives, of Congress as an institution.

Not now, nor in the past, has anyone, or any agency of Congress, been charged with looking out after these concerns of Congress. Other branches in our system have had their say and gone their own way—often at the expense of the intent of the Congress. The least we can do is to charge a properly constituted tribunal of the Congress; always, of course, with the approval of the majority and minority leadership of both Houses, to look into any troublesome matters involving the powers of Congress as an institution.

There are many areas of reconciliation, it seems to me, which can be arrived at by a joint committee of this kind. It has always seemed to me to be entirely absurd and utterly unjustifiable, for example, that two great branches of Congress, operating less than a thousand feet apart, do not have any commonality of pay scales in their respective committees, or for the functionaries of the respective Houses, who are doing identically the same work with the same background. There is a restless migration of persons from one House to the other because at a particular time one House is able to pay a little bit more for the same function, be it doorkeeper, a clerk to a committee or something else. We are competing with each other in this regard, sometimes, paying more for the best talent. It would seem to me that a committee of this kind would not have to deliberate very long before it would decide that the same kind of jobs and the same kind of assignments in both Houses of Congress should be paid the same, and that the respective legislative subcommittees of the Appropriations Committees would not get into the business of vying with each other, each trying to pull over someone by paying him a little more money to do work in the other branch.

Our very able chairman, the Senator from Oklahoma [Mr. MONRONEY] has discussed the bill's provisions in detail. At this time, I shall limit my further remarks to certain essential provisions of the bill with which I have been particularly concerned for some time.

Although the Reorganization Act of 1946 admonished each standing committee to "exercise continuous watchfulness" of the execution by the administrative agencies of laws under their respective jurisdictions, nothing much has come of it over the last 20 years.

In those days, someone came up with the unfortunate designation of that function of Congress as the "oversight function." I think it is a most unfortunate descriptive phrase although it had some prophetic qualities because, in the main, oversight has been exactly what has occurred. We have overlooked that responsibility. It has not been followed through. It needs to be followed through because it is a highly important function of the legislative branch.

Most of the committees have been embroiled with adding new legislation to the books, even overlapping and duplicating legislation, providing the necessary consequences of additional spending of the taxpayers' money, without much concern about what the executive departments were doing with the responsibilities imposed upon them by previous enactments.

This is deplorable, Mr. President, because it means that Congress as an institution has not been tending to its basic responsibilities. It has been sort of sitting in the back row, merely watching, as our intent, piece by piece, has been whittled away, or perverted, or expanded upon, or misinterpreted by the executive agencies—and, of course, the Federal budget soars and soars and soars. I hope that we are not going to admit that we do not have the capability to measure up to that specific function.

Thus, since many Members have expressed themselves with equal concern about this situation, we took action through our joint committee to do something about it.

Concern about the problem has been expressed repeatedly by Members of this body. Indeed, our distinguished and most able majority leader—who is now in the Chamber—in his statement before the Senate Democratic conference no longer ago than September 28, 1965, called attention to the issue, as follows:

> What is indicated, it seems to me, is that barring some extraordinary crisis in foreign policy the main concern of the Senate in the second Session will be the perfection, the elaboration, and the refinement of the basic legislation which underpins major Federal programs and, particularly, the legislation which has been put into the statute books during the past 3 or 4 years. Indeed, that is likely to be the main concern not only for the next Session but for some time to come.
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> It is with that expectation in mind that I would like to suggest to the conference that thoughts should be given in the weeks ahead to the frequently mentioned but generally underexercised Congressional function of legislative oversight. I would suggest in particular, that the committee chairmen consult with their committee members prior to the next Session, on how this function may be more effectively and fully exercised within the scope of the committee's assigned responsibilities.

Mr. President, it was either later that year, or early this year, that the same excellent majority leader made a similar statement relating to the functions of the 90th Congress and he was applauded on all sides. His suggestions met with general approval, I am sure, by his own party members. They certainly met with the general approval of the members of the minority. They were happily received by the public generally as well.

Now, as all Senators know, even after the majority leader's statement, the 89th Congress went right ahead in its second session, adding new legislation to the books and doing little or nothing about looking into what was happening about administration of the previously enacted Great Society programs.

The Congress, now freed from the annual hassle over the rules, is going to move forward on the legislative process without anything merely being changed unless it is the mental attitude on the part of individual Senators. But now we have a chance to do something about it. It seems to me that if one thing we do is to earmark and pinpoint the responsibility, if we propose to call the function "the legislative review responsibility"—instead of "legislative oversight"—so that we know whose responsibility it was, so the responsible official knows to whom he must report, so the Congress and the public can determine what is in this record, so at least once a year we look back and see what we have done in the last 5 or 10 years, and what the executive department has done with the intent of Congress, we will know what changes are needed, what modifications or extensions are needed.

The problem, Mr. President, is that there has been no earmarking of facilities, or pinpointing of effort, to assure that there is a continuing and unrelenting effort on the part of the Congress and its committees, to exercise the legislative review—or oversight—function, which is imperative if the Congress is to rise up to its constitutional obligations, not the least of which is exercising control over the so-called purse strings.

I do not wish to belabor the point. The bill before us, in my judgment, provides a workable solution to the problem at this time. Actually, it is very simple in principle. We simply "earmark" the legislative review or "oversight" function. The 1946 act admonished committees to indulge in the function, but in practice over the last 20 years, the committees of Congress largely ignored the admonition, except for the Government Operations Committees of the Senate and the House which are so overworked that they could not attempt to undertake the legitimate and legislative review of many, many functions of Government handled by the executive agencies.

So I firmly support the joint committee's recommendation that the Congress establish a position for the standing committees to be known as a "review specialist."

This is a completely new staff position in the personnel structure of the Congress, which, after considerable deliberation, I believe necessary, if the Congress is going to do anything worthwhile about checking on the Executive agencies with regard to their administration of the laws we have imposed upon them.

Under the provisions of the bill, Mr. President, we provide for a "review specialist" for each committee. This position will be filled by the chairman with the approval of the ranking minority member of each committee.

He will be out of the arena of politics. He will not be known either as a majority or minority counsel, clerk, or specialist. He will simply serve the Congress. He will serve the people. He will serve the country.

The review specialist must make, under the terms of the bill, an annual written report to both the majority and the minority. These will be public reports, available to the press, and to be made available to Members of Congress. The review specialist will be jointly supervised by the chairman and the ranking minority member of each committee of Congress. He will deal with both. He will have two bosses, two employers, serving the bipartisan interests of the country generally.

This is a new concept which should greatly strengthen all the committees in overseeing administration by the executive branch of the laws under jurisdiction of the respective committees.

Also, specific provision has been made, where the minority members so request, for at least two permanent professional staff members and one clerical position on each committee. While most of the committees already have provided some minority staff personnel, this measure would at least assure, now and in the future, as a matter of right, that the minority is entitled to necessary professional staff assistance. The report also provides that the minority be given fair consideration in staff selections for the subcommittees.

This makes it a very desirable formula, one which was begun under the Monroney-La Follette Act of 20 years ago, in which we moved in that direction, but we now move it a step further, and provide a formula which should be satisfactory to 90 percent of the Members, where there is no partisanship in the selection or functions of the professional members of our committee staffs.

Mr. President, I am especially pleased that the Joint Committee on the Organization of the Congress unanimously approved my motion to set up a new and separate Senate Committee on Veterans' Affairs. This recommendation is now before us in S. 355. The other body, in its wisdom, has been operating through a Committee on Veterans' Affairs for the last two decades. Why do we continue to proliferate in the Senate the jurisdiction of committees over the vital interests of our veterans?

We have on our hands the many problems of the veterans. The least we can do is provide one single committee charged with the responsibility of screening their problems, hearing their pleas, and expediting the action required to get them their just deserts.

I have sponsored bills previously to establish a Senate Committee on Veterans' Affairs, as have many other Members of the Senate. As a matter of fact, I believe a majority of my colleagues in this body have, at one time or another, cosponsored bills that would give the Senate a Committee on Veterans' Affairs.

The question is now before us. We have a chance to vote on it. It will be voted up or down. I sincerely hope it will be voted up and in to establish this reform which is so essential for the veterans of America.

Finally, Mr. President, I wish again to pay tribute to the splendid devotion to our assigned task that all members of the joint committee displayed during the extensive deliberations. I urge all Senators seriously to consider the recommendations before us. I hope they will approve them. I hope, if they find themselves in opposition to them, they will balance that opposition as against the general public interest in bringing about this overall reform. It seems to me it is a package which, in the main, the House and Senate should willingly accept.

I ask unanimous consent that immediately following the end of my remarks there be inserted in the RECORD the context of appendix A of the final report of the Joint Committee on the Organization of the Congress. These few pages, Mr. President, show in a nutshell the legislative workload that confronts all Members of Congress, and particularly Senators. It is must reading for all of us and the facts support many of the recommendations in the bill before us.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MUNDT. I commend the hearings, which are rather voluminous, to those who have time to read them. I certainly commend to the attention of my colleagues the report. I think a reading of the appendix will help persuade many Members of the Senate that action is imperative at this time.

I yield the floor.

EXHIBIT 1

[From S. Rept. No. 1414, 89th Cong., 2d sess.]

APPENDIX A

THE PROBLEM OF THE LEGISLATIVE WORKLOAD OF MEMBERS

The fundamental legislative mechanism, of course, is the congressional committee system. What are its demands upon Members? Relatively few observers outside the Congress itself have any idea of the overall volume and scope of congressional committee activities. In fact, Members themselves often are aware of it only in light of the competing day-to-day demands on their own time by numerous, concurrent meetings.

In order to provide a factual background of the problem, your committee endeavored to assemble, as completely as possible, the available data on all committee meetings, including standing and ad hoc subcommittees, conference committees, boards, and commissions, during both sessions of the 88th Congress. The resultant statistics were derived from a reconciliation of committee meetings as reported in the Daily Digest of the CONGRESSIONAL RECORD with those especially compiled by the various committees for the purposes of this report. Since collection and preparation of the data had to begin midway in the 1st session of the 89th Congress, it was not feasible to base the study on committee work of this Congress.

These data, together with related information from other official sources, were prepared and programed for computer processing. In this connection, it should be noted that the staff requested and received assistance from the International Business Machines Corp. and computer time was furnished the committee by the Library of Congress. All Members were related to their committee assignments and to all committee meetings scheduled during the entire 88th Congress, as well as all sessions of the Senate and House of Representatives. Following is a review of the committee structure and Member assignments of the 88th Congress, which served as the basis of the study, together with analysis of the problem of the legislative workload.

COMMITTEE STRUCTURE—88TH CONGRESS

Number of committees

Members of the 88th Congress conducted their work through the medium of at least 535 committees of all types, including boards and commissions.[1] Of this total, 245 were in the House of Representatives and 157 in the Senate. Joint committees with representation from both Houses accounted for 24 and also included were 75 conference committees appointed during the 88th Congress to resolve differences between the two bodies. Various boards and commissions on which Members served made up the remaining 34 of the total of 535.

The full committee structure, of course, has remained little changed from that established under the provisions of the Legislative Reorganization Act of 1946, when standing committees were reduced from 81 to 34. In the 88th Congress there were 18 full committees in the Senate, of which 16 were standing, and 22 in the House, of which 20 were standing.

On the other hand, there has been a considerable proliferation of subcommittees. There were 139 in the Senate, of which 97 were standing and 42 ad hoc, and 223 in the House, of which 124 were standing and 99 ad hoc.[2] Thus standing subcommittees of the Senate and House totaled 221, or more than 40 percent of all committees and boards or commissions upon which Members served in the 88th Congress. The ad hoc subcommittee total of 141, of which 99 were in the House, was perhaps unduly large because of the establishment of ad hoc subcommittees to handle individual bills, especially by the House Committee on Post Office and Civil Service, which created 41 of them. An additional 14 standing subcommittees served 2 of the 10 joint committees of the 88th Congress. All told, there were 376 subcommittees, or more than 70 percent of all the committees, boards, and commissions.

Size of committees

Membership on the 535 committees, boards, and commissions of the 88th Congress ranged from 2 to 50. Most of them (70 percent) had from 2 to 10 members, as shown by the distribution in table 1. The Appropriations Committees were the largest in both Houses—50 members in the House and 27 in the Senate. The Committee on the District of Columbia, with seven Members, was the smallest full committee in the Senate, while in the House it was Un-American Activities with nine. As a general rule, Senate full committees tended to be about one-half the size of their counterparts in the House.

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[1] Data were either not available or incomplete for an undetermined number of ad hoc type committee activities. Also, political party policy and caucus type committee activities, which are not inconsiderable, were omitted from the study because of inadequacy of the available data. Accordingly, at least to this extent, the data presented hereinafter understate the committee workload of Members.

[2] In a few instances so-called ad hoc subcommittees which had persisted for two or more Congresses were classified as standing subcommittees for the purposes of this study.

TABLE 1.—*Number of committees and boards of the 88th Cong., by size and type*

Type of committee	Total	Number of members of committees and boards									
		Less than 6	6 to 10	11 to 15	16 to 20	21 to 25	26 to 30	31 to 35	36 to 40	41 to 45	46 to 50
All committees and boards	535	155	223	93	36	14	1	11	1		1
Senate (subtotal)	157	58	70	14	12	2	1				
Full	18		3	5	8	1	1				
Subcommittee:											
Standing	97	29	55	8	4	1					
Ad hoc	42	29	12	1							
House (subtotal)	245	86	86	43	11	6		11	1		1
Full	22		2	2		5		11	1		1
Subcommittee:											
Standing	124	21	60	31	11	1					
Ad hoc	99	65	24	10							
Joint (subtotal)	24	1	20	1	2						
Full	10	1	6	1	2						
Subcommittee:											
Standing	14		14								
Ad hoc											
Conference	75		30	33	10	2					
Board or commission	34	10	17	2	1	4					

Although most of the subcommittees had from 2 to 10 Members (90 percent of them in the Senate and 76 percent in the House), there were a number of exceptions, particularly the standing Subcommittee on Public Works of the Senate Committee on Appropriations on which were 21 of the full committee's 27 members. Also there were 21 Members on the standing Subcommittee on Irrigation and Reclamation of the House Committee on Interior and Insular Affairs. The membership of 10 joint committees ranged from 4 to 18, the largest being Atomic Energy.

Composition of conference committees

Data were obtained on 75 committees of conference on disagreeing provisions of measures passed by the two Houses during the 88th Congress. Since a conference committee is practically two distinct committees, each of which acts by a majority, there was wide variation in the numbers of conferees appointed to such committees by each House.

The number of conferees ranged from a low of 6, on a Government employee salary increase bill, to a high of 22, once on a supplemental appropriations measure and again on a bill amending the National Defense Education Act. There was an average of 12.5 conferees per conference—6.7 Senators and 5.8 Representatives. Nearly one-third (23) of the conferences committees had 10 conferees, while one-sixth (12) had more than 15.

For 52 of the 75 conferences the House appointed 5 conferees, while the Senate appointed 5 on only 27 occasions. The proclivity on the part of the Senate to appoint more conferees than the House should be noted. The number of Senators exceeded the number of House conferees in 31 of the conferences, while the House outnumbered the Senate in only 18. In one conference 14 Senators confronted 5 Representatives and on another occasion it was 13 to 5. The 2 bodies had the same number on 26 of the conference committees.

NUMBER AND TYPE OF MEMBER ASSIGNMENTS—88TH CONGRESS

The competing demands on the available time of Members, of course, stem in large measure out of the number of different committee and other assignments they have undertaken. The legislative workload is by no means evenly distributed, for various reasons, either among members or among the complex of committees. It is literally true that no two standing committees of the Congress are alike. Indeed, some are much more demanding on the time of members than others and there is perhaps even greater variation in the work of the subcommittees, some of which are more demanding than full committees. Nevertheless, in general, the more the assignments, especially the so-called major ones, the more the pressure on Members.

Data available to your committee show for the 88th Congress a rather surprising assortment of more than 5,000 Member assignments. It averaged 9.5 for all Members, 19.5 for Senators and 7.4 for Representatives. As might be expected, in view of the large number of subcommittees in the committee structure, subcommittee assignments accounted for well over one-half (2,798) of the total (table 2). Over 2,000 assignments were to standing subcommittees, with nearly 800 to ad hoc subcommittees. Approximately one of every five (19.8 percent) of all the assignments were to full committees, including the joint committees, while a slightly smaller ratio (18.6 percent) were assignments to the much less time-consuming conference committees of the 88th Congress. Boards and commissions loomed relatively small in the picture, with about 300 assignments for 6 percent of the total.

Contrary to the notion expressed from time to time that minority party Members are more burdened with assignments, because of their smaller number, the relative numbers of assignments to majority and minority Members of the 88th Congress were quite similar. The minority Senators averaged 20.8 assignments of all kinds, as compared with 18.8 for the majority. This difference arises largely because minority Senators were slightly more favored proportionately in appointments to conference committees and to various boards and commissions, which often are bipartisan in composition. Limiting the analysis only to full committees and standing subcommittees of the Senate, the makeup of which is determined at the beginning of a Congress on the basis of proportional party representation, the assignments to minority Members averaged 10.4 to 10.0 for the majority. There was virtually no difference in the House where total assignments averaged 7.2 for the majority and 7.0 for the minority.

By individual Members, the number of assignments of all types ranged from a low of 1 to a high of 39, the latter, of course, being a Senator. The contrast between the House and Senate is highlighted by the distribution of Members shown in accompanying table 3. A total of 184 Members of the House of 42.8 percent, had less than 6 assignments, and 354, or 86 percent, had less than 11. Just the reverse was true of the Senate where 82.3 percent of the Members had 11 or more assignments. Only three Senators, two of whom were appointed to fill vacancies in the 88th Congress, had less than six assignments. One-fourth of the Senators (26) had more than 25 and 3 had over 35. With a few exceptions, as might be expected, Senators with the most seniority tended to have the largest numbers of assignments.

Appointments to conference committees tended to inflate the total number of assignments for Senators having the largest numbers, while in the House, where 29 assignments was the highest, the totals tended to be inflated for Members serving on committees that made relatively extensive use of ad hoc subcommittees.

TABLE 2.—*Number of assignments of Members during the 88th Cong., by type of committee*

Type of committee	Total assignments	Senate			House		
		Total	Majority	Minority	Total	Majority	Minority
All committees and boards	5,027	1,949	1,262	687	3,078	1,813	1,265
Full	892	281	188	93	611	362	249
Subcommittee:							
Standing	1,921	732	472	251	1,198	713	485
Ad hoc	771	196	128	68	575	335	240
Joint:							
Full	102	51	31	20	51	31	20
Subcommittee	106	56	34	22	50	29	21
Conference	934	500	323	177	434	257	177
Board or commission	301	142	86	56	159	86	73

TABLE 3.—*Number of Members of the 88th Cong., by number of committee and other assignments*

Classification of Members	Total	Number of assignments							
		Less than 6	6 to 10	11 to 15	16 to 20	21 to 25	26 to 30	31 to 35	36 to 40
All Members	530	187	181	69	37	26	22	5	3
Senate (subtotal)	100	3	11	19	24	17	18	5	3
Majority	67	3	8	13	16	10	12	3	2
Minority	33		3	6	8	7	6	2	1
House (subtotal)	[1] 430	184	170	50	13	9	4		
Majority	253	108	99	29	9	6	2		
Minority	177	76	71	21	4	3	2		

[1] Does not equal the 435 total membership of the House of Representatives because of vacancies or other adjustments necessary at the time of collection and processing the data. This creates a slight but statistically insignificant understatement of data throughout this analysis.

Including the nonstanding Committees on Small Business and the Aging, there were five Senators assigned to as many as five full Committees and one of them also served on a full joint committee. Similarly, an additional 13 Senators were assigned to 4 full committees, 2 of whom also served on 2 joint committees and 4 of whom were on 1 joint committee. Also including nonstanding full committees, there were only seven Members of the House who were assigned to as many as three full committees.

COMMITTEE MEETINGS—88TH CONGRESS

While the number of assignments is an important indication of probable demands on the time of Members, it does not, of course, distinguish as to the relative workload imposed by the various assignments. It turns out that many of them in the 88th Congress were quite inconsequential, while others were severely demanding.

Number of committee meetings

Data assembled by your committee reflected well over 8,000 committee meetings of all types, including boards and commissions, during the 88th Congress.[3] Subcommittee meetings accounted for two-thirds of the reported total for the Congress and for 72.1 percent in the House and 63.7 percent in the Senate. Full committee meetings accounted for the remainder, including 266 meetings reported for conference committees and boards or commissions combined. The number of full committee meetings was similar in the 2 Houses with the House reporting approximately 1,300 and the Senate about 1,100. But the House accounted for nearly two-thirds (63.7 percent) of all subcommittee meetings reported during the 88th Congress.

Of the full committees, the Appropriations Committees of both Houses, working largely through their standing subcommittees, reported considerably more meetings than any other committee in either House. The subcommittees of these 2 full committees alone accounted for 1,034 or 20 percent of all subcommittee meetings reported throughout the committee structure of the 88th Congress. (See table 4.) The Judiciary Committee, also largely through subcommittee activity, was next in the Senate, with about 450 total meetings as compared with 510 for the Appropriations Committee. No other Senate committee approached these 2 in number of meetings and the least number (24) was listed by the Select Committee on Small Business. The Senate Foreign Relations Committee, working relatively little through subcommittees, reported nearly 200 full committee meetings, a total considerably in excess of such meetings for any other committee.

The Committee on Interior and Insular Affairs with over 450 total meetings was second to Appropriations in the House, and Education and Labor was next with a little over 400. The House Ways and Means Committee, which had no subcommittees, reported 180 full committee meetings, the most for any full committee in the House.

Only two of the 10 joint committees—Atomic Energy with 169 total meetings and Economic with 60—reported any substantial number of meetings. Another two—Defense Production and Library—reported only 1 meeting each, while Internal Revenue Taxation had 8. The remaining five had no meetings.

A total of 147 meetings were attributed to conference committees, an average of 2 per conference. All meetings reported for boards and commissions totaled 119, for an average of about 3.5 each during the entire 88th Congress.

Taking a closer look at the subcommittee structure, it becomes apparent that although a total of 376 of them were identified in the 88th Congress and Members were assigned to them, they do not impose as great a demand on the time of Members, in many instances, as commonly supposed. The number of meetings reported ranged from none to a high of 186 in the Senate, the latter being for the Internal Security Subcommittee of the Judiciary Committee, and in the House the range was none to a high of 106 for the Appropriations Subcommittee on the Department of Defense. As many as 55 subcommittees, or 14.6 percent of the total, reported no meetings. Interestingly enough, 28 of these were carried by the parent full committees as standing subcommittees and the other 27 were listed as ad hoc. An additional 121 subcommittees, or 1 out of every 3, reported only 1 to 4 meetings. Including the ones with no meetings, there were 229 subcommittees of the 88th Congress, or 60.9 percent of the total, which reported fewer than 10 meetings. (See table 5 for Senate and House distribution.) At the other extreme were 24 subcommittees, or 6.4 percent, which had 50 or more meetings. Only 7 of the 18 full committees of the Senate and 10 of the 22 in the House reported 50 or more meetings. The group of 24 subcommittees was distributed among several full committees but half of them were under the Appropriations and Judiciary Committees.

TABLE 4.—*Number of committee meetings during the 88th Cong., by committee, listed in descending order by number of meetings*

Committee	Total meetings	Full committee meetings	Subcommittee meetings
All committees	8,171	2,805	5,366
Senate (subtotal)	2,935	1,064	1,871
Appropriations	510	66	444
Judiciary	451	40	411
Commerce	243	127	116
Foreign Relations	229	196	33
Armed Services	206	84	122
Interior and Insular Affairs	203	41	162
Labor and Public Welfare	196	23	173
Government Operations	139	14	125
Finance	125	125	
Rules and Administration	125	110	15
Banking and Currency	119	40	79
Public Works	82	19	63
District of Columbia	79	32	47
Post Office and Civil Service	75	52	23
Agriculture and Forestry	53	40	13
Aging	39	10	29
Aeronautical and Space Sciences	37	37	
Small Business	24	8	16
House (subtotal)	4,739	1,321	3,418
Appropriations	614	24	590
Interior and Insular Affairs	456	82	374
Education and Labor	403	40	363
Judiciary	334	58	276
Foreign Affairs	321	135	186
Armed Services	296	107	189
Interstate and Foreign Commerce	274	90	184
Agriculture	251	62	189
House (subtotal)—Continued			
Science and Astronautics	235	37	198
Banking and Currency	229	125	104
Government Operations	207	10	197
Ways and Means	180	180	
Post Office and Civil Service	163	44	119
Public Works	141	53	88
Rules	134	134	
District of Columbia	132	25	107
Merchant Marine and Fisheries	127	47	80
Un-American Activities	81	12	69
Veterans' Affairs	66	19	47
Small Business	59	9	50
House Administration	27	19	8
Government Research	9	9	
Joint (subtotal)	231	154	77
Atomic Energy	169	108	61
Economic	60	44	16
Internal Revenue Taxation	[1] (8)	[1] (8)	
Defense Production	1	1	
Library	1	1	
Disposition of Executive Papers			
Immigration and Nationality Policy			
Navajo and Hopi Indians			
Non-Essential Federal Expenditures			
Printing	(2)		
Conference (all meetings)	147	147	
Board or commission (all meetings)	119	119	

[1] Number inadvertently omitted from original tabulation and from subsequent analysis.

[2] No formal meetings.

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[3] Effort was made to obtain information on all meetings, including those when the Congress was not in session, as well as those held outside of Washington, D.C. An executive session followed by an open session or vice versa was counted as two meetings and a morning session followed by an afternoon session of the same committee was counted as two meetings. Excluded were political party policy type committee activity (see footnote 1 hereinabove) and informal meetings for which data were unavailable or incomplete.

TABLE 5.—*Number of subcommittees, by number of meetings during the 88th Cong.*

Number of meetings	Number of subcommittees			
	Total	Senate	House	Joint
All subcommittees	376	139	223	14
None	55	16	33	6
Less than 10	174	75	93	6
10 to 19	59	24	34	1
20 to 29	26	6	20	----------
30 to 39	22	5	17	----------
40 to 49	16	3	12	1
50 to 59	7	4	3	----------
60 to 69	5	2	3	----------
70 to 79	4	1	3	----------
80 to 89	6	2	4	----------
90 and over	2	1	1	----------

Open and executive sessions

In addition to data on the number of committee meetings, information was obtained as to their breakdown into open and executive sessions. The Congress frequently has been criticized for seeming to overindulge in the use of executive sessions by its committees. Open meetings generally are held, of course, for the conduct of public hearings on proposed legislation and subcommittees hold most of the hearings. On the other hand, the technical markup of bills by the subcommittees and, subsequently, by the full committees traditionally, and as a practical matter of procedure, is done in executive session. Hearings, as well as the markup of bills, involving matters of national security are conducted in executive session, as are exploratory inquiries in preparation for committee investigations. Conference committees to reconcile differences between the two Houses, also as a practical procedural matter, always meet in executive session. With a few, but significant, exceptions this general procedure governs the decisions as to whether meetings are open or executive.

Of over 8,000 meetings of all committees, excluding boards and commissions, during the 88th Congress, a total of 4,579 or 57 percent were open sessions, while 3,473 or 43 percent were executive (table 6). In the Senate open sessions accounted for 61.7 percent of all meetings and in the House for 55.5 percent.

Further analysis of the executive sessions shows a relatively heavy concentration of them in a few committees. First, the House Appropriations Committee and its subcommittees, which as a matter of operating policy do not sit in open session, reported 611 executive sessions. This one committee accounted for 29 percent of all executive sessions reported for the House and for nearly 18 percent of the total for the entire Congress. This was not true of the Senate Appropriations Committee, which reported 404 open sessions, or approximately 80 percent of its 510 meetings.

TABLE 6.—*Number of open and executive sessions of committees during the 88th Cong., by type of committee*

Type of committee	Total meetings	Open sessions	Executive sessions
All committees	8,052	4,579	3,473
Senate (subtotal)	2,935	1,810	1,125
Full	1,064	499	565
Subcommittee	1,871	1,311	560
House (subtotal)	4,739	2,629	2,110
Full	1,321	642	679
Subcommittee	3,418	1,987	1,431
Joint (subtotal)	231	140	91
Full	154	86	68
Subcommittee	77	54	23
Conference	147	----------	147

Second, three additional House committees—Armed Services, Foreign Affairs, and Ways and Means—were relatively heavy on the side of executive sessions. These committees, when coupled with the Appropriations Committee, accounted for 1,153 executive sessions, or nearly 55 percent of the total for the House. Three Senate committees—Armed Services, Foreign Relations, and Judiciary—accounted for nearly 500 of the executive sessions in that body, or approximately 40 percent. Finally, the Armed Services and Foreign Relations (Affairs) Committees of the 2 Houses reported 684 or approximately 20 percent of all executive sessions.

Weekday distribution of committee meetings

It is rather common knowledge that the Congress generally is inclined not to subject itself to heavy or even average scheduling of work, either on the floor or in committees, on Fridays and Mondays. Many Members, quite understandably, wish to return home to their constituents on weekends and they do so. The practical side of the matter is that over the years it has been difficult to obtain working quorums on Fridays and Mondays because of the absentees, and, accordingly, much of the legislative workload has tended to concentrate from Tuesday to Thursday. An unfortunate consequence of this is that it inevitably results in the scheduling of meetings over a 3-day period which otherwise could be spread over at least a 5-day period, and thus help to avoid meeting conflicts, which, as your committee will show later, are severely demanding upon the available time of many Members.

Although the data for the 88th Congress show somewhat more Friday and Monday meetings than might have been expected, in view of the prevalence of the practice, the Tuesday to Thursday concentration of the committee workload is very much evident. Approximately twice as many meetings were scheduled on each of these days as were reported for either Monday or Friday. (See table 7.) Wednesday had the most, with 27 percent of the total number of meetings reported for all committees, and Friday the least, with about 12 percent. Senate committees reported relatively more meetings on Monday and Friday (28 percent) than did those in the House (22 percent). In the House, there were nearly three times as many Wednesday meetings as Friday meetings. A few meetings (110) were reported on Saturday and Sunday. Most of these, and all of them on Sunday, arose out of committee activity away from Washington, D.C.

In round figures, the number of meetings averaged 1,600 for each day, Monday through Friday. The average was 2,000 for Tuesday through Thursday and it was 1,000 for Monday and Friday. Thus, had the number of Monday and Friday meetings been up to the average, these 2 weekdays during the 88th Congress would have accommodated 1,200 more meetings than they did, thereby reducing the overload on Tuesday to Thursday by a like amount.

TABLE 7.—*Number of committee meetings during the 88th Cong., by day of the week and type of committee*

Type of committee	Total meetings	Number of meetings						
		Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
All committees	8,171	27	1,038	1,973	2,196	1,891	963	83
Senate (subtotal)	2,935	4	413	692	732	656	409	29
Full	1,064	1	153	273	249	249	133	6
Subcommittee	1,871	3	260	419	483	407	276	23
House (subtotal)	4,739	17	569	1,163	1,347	1,119	488	36
Full	1,321	1	133	340	411	317	112	7
Subcommittee	3,418	16	436	823	936	802	376	29
Joint (subtotal)	231	----------	30	61	62	57	21	----------
Full	154	----------	23	37	42	37	15	----------
Subcommittee	77	----------	7	24	20	20	6	----------
Conference	147	----------	17	35	36	38	19	2
Board or commission	119	6	9	22	19	21	26	16

MEMBERS' COMMITTEE MEETINGS—88TH CONGRESS

In addition to an understanding of the nature and scope of Members' assignments and the volume of committee meetings, it is necessary to relate the assignments of each Member to the committee meetings that accompanied them. This gets at the sheer magnitude of the committee structure's demands upon the time of Members. It is also a prelude to determining the nature and extent of meeting conflicts, which pose a vexing problem for many Members.

Weighing each committee meeting by the number of committee members resulted in a total of approximately 110,000 Members' meetings during the 88th Congress.[4] House committees accounted for only twice as many as those in the Senate, while full committees, with their much larger memberships, accounted for over 38,000 Member meetings in the House compared with about 32,300 for subcommittees. In the Senate, the subcommittees were responsible for over 17,200 and the full committees for about 16,300 (table 8).

Turning now to individual Members, there were 76, or 14.3 percent of all Members, mostly in the House, who had fewer than 100 Member meetings during the entire 88th Congress. At the other extreme was a Senator with 737. This, of course, is equivalent to a committee meeting of some kind every day, including Saturdays, Sundays, and holidays for a period of 2 years. But the meetings obviously do not spread out so nicely and, as will be developed below, many of them conflict with each other.

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[4] For the purposes here and in the discussion of meeting conflicts below, an open meeting followed by an executive session or vice versa was counted as one meeting. Had such instances been counted as two meetings the total Members' meetings would have been 112,007.

TABLE 8.—*Number of individual Member meetings during the 88th Cong., by type of committee*

Type of committee	Total Members' meetings	Senate			House		
		Total	Majority	Minority	Total	Majority	Minority
All committees and boards	109,876	36,433	23,982	12,451	73,443	43,323	30,120
Full	54,495	16,286	11,040	5,246	38,209	22,644	15,565
Subcommittee:							
Standing	45,140	15,079	9,895	5,184	30,061	17,724	12,337
Ad hoc	4,398	2,167	1,296	871	2,231	1,309	922
Joint	2,614	1,307	751	556	1,307	751	556
Conference	1,848	982	630	352	866	508	358
Board or commission	1,381	612	370	242	769	387	382

Although the House had 1 Member with as many as 537 Member meetings, the committee workload demand on Members is, of course, essentially a Senate problem. Less than 200 Member meetings were reported for 321 Members, mostly in the House, which accounted for 60 percent of all Members. A total of 401 House Members, or more than 9 out of 10, had fewer than 300. On the other hand, two-thirds of the Senators had more than 300 member meetings, nearly half of them (43) had 400 or more, nearly 1 out of 5 (19) had 500 or more, and 5 had over 600. (See table 9.)

TABLE 9.—*Number of Members of the 88th Cong., by number of individual Member meetings*

Classification of Members	Total	Number of Member meetings							
		Less than 100	100 to 199	200 to 299	300 to 399	400 to 499	500 to 599	600 to 699	700 to 799
All Members	530	76	245	114	46	29	15	3	2
Senate (subtotal)	100	3	12	19	23	24	14	3	2
Majority	67	3	7	14	17	12	11	1	2
Minority	33		5	5	6	12	3	2	
House (subtotal)	[1] 430	73	233	95	23	5	1		
Majority	253	41	140	55	13	3	1		
Minority	177	32	93	40	10	2			

[1] See footnote to table 3.

The latter 5 Senators alone accounted for 3,500 Member meetings, or 3.2 percent of the total for all Members. The average in the Senate was 364 and in the House 170.

MEETING CONFLICTS—88TH CONGRESS

The foregoing discussion has dealt with the committee workload of Members. Also calling on the time of Members, of course, are the working sessions of the Senate and the House and in order to get at the problem of meeting conflicts, it is essential to incorporate these additional "Member meetings" into the analysis. Although under the rules of the Senate and the House most committees are prohibited from sitting without special leave when the respective Houses are in session, permission to do so frequently is granted and committee meetings often are in progress while business is being conducted on the floor.

Inclusion of sessions of the two bodies produced an additional total of 168,110 Members' meetings—132,010 in the House and 36,100 in the Senate.[5] When this is added to the corresponding figure for Members' committee meetings, there were well over a quarter of a million (277,986) total Members' meetings during the 88th Congress. Sessions of the two Houses can be quite demanding on the time of Members, with all 375 sessions of the Senate averaging 6 hours and 23 minutes in the 88th Congress and 334 sessions of the House averaging 3 hours and 45 minutes.

Number of concurrent meetings

Congressional committees generally act very independently of each other in the scheduling of meetings. It is not uncommon, even though there is overlapping membership, for two to three or more subcommittees of the same parent committee to schedule meetings at the same time. Multiply this throughout the committee structure, and numerous meeting conflicts inevitably result.

In order to get at the scope and nature of the problem, your committee has identified for each Member the total number of meetings which were scheduled concurrently during the 88th Congress. Of the approximately 278,000 total Members' meetings of all kinds, a total of 60,094, or 22 percent, were concurrent meetings. This breaks down into 30,361 concurrent or 40 percent of the total of 72,533 for the Senate and 29,733 or 14.5 percent of the House total of 205,453. The average was approximately 70 per Member in the House and a little over 300 in the Senate.[6]

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[5] Sessions in both Houses of less than 30 minutes' duration were excluded from the tabulation. Had these been included, the House total would have been 143,620 and the Senate 37,500.

[6] The concurrent meeting data and other meeting conflict information were based on the following definitions and procedure:

DEFINITIONS OF MEETING TIMES

1. All committee meetings: Data were not generally available for the Stop Time of meetings. Accordingly, Start Time between 9:00 and 11:59 was identified as an a.m. meeting and a Start Time between 12:00 and 8:59 was identified as p.m. meeting.

2. Senate and House sessions: A session of less than 30 minutes' duration, whether starting in the a.m. or p.m., was not considered as a scheduled session for purposes of determining meeting conflicts.

DEFINITION OF MEETINGS IN CONFLICT

1. All meetings were counted separately for each Member, for each date on which the Member had one or more meetings scheduled.

2. Counts for each Member, for each date where made on (*a*) Total meetings; (*b*) all meetings not scheduled in conflict; (*c*) all meetings scheduled in conflict as the result of an out-of-town committee meeting; (*d*) all meetings scheduled in conflict with a Senate or House session, if there was no out-of-town meeting; (*e*) all committee meetings scheduled in conflict with each other, if there were no out-of-town meeting or session scheduled in conflict.

3. Out-of-town and session or committee meetings: For the day on which any committee meeting was recorded as scheduled out of Washington, all other meetings for that day, committee or session, were counted as scheduled in conflict with the out-of-town meeting only.

4. Session and committee meetings (no out-of-town meeting): All committee meetings identified as a.m. meetings were counted as scheduled in conflict with the session only, when the session Start Time was before 12:00 noon; all committee meetings identified as p.m. meetings were counted as scheduled in conflict with the session only, when the session Stop Time was later than the committee meeting Start Time.

5. Committee meetings only (no out-of-town meeting or session): All committee meetings identified as a.m. meetings were counted as scheduled in conflict with all other committee meetings identified as a.m. meetings; all committee meetings identified as p.m. meetings were counted as scheduled in conflict with all other committee meetings identified as p.m. meetings.

6. Examples:

A. Out-of-Town conflict: (1) One a.m. committee meeting; (2) two p.m. committee meetings; both "Start Times" (2:00 p.m.) being before "Stop Time of Session," (3) session "Start Time" at 12:00, "Stop Time" at 4:00 p.m.; (4) one committee meeting, out of town; (5) this would result in five meetings scheduled in conflict, as a result of the out-of-town meeting.

B. Session conflict: (1) Same as in A; (2) same as in A; (3) same as in A; (4) not applicable; (5) this would result in three meetings scheduled in conflict, as a result of the session and one single meeting.

C. Committee meeting conflict: (1) Same as in A; (2) same as in A; (3) not applicable; (4) not applicable; (5) this would result in two meetings scheduled in conflict and one single meeting.

For virtually all Members, at least some of the time, and for many Members on many days, the problem of meeting conflicts is quite serious. As many as 89 Senators during the 88th Congress had 2 concurrent meetings on more than 50 different days and 40 of these same Senators had them on more than 100 days. The high was tabulated for one Senator who had two concurrent meetings on 131 days and another for 130 days. Only 67 House Members had 2 such meetings on more than 50 days and the high was 1 Member with 97 days. (A general summary of these data is in table 10.)

There were other days, of course, when Members, especially Senators, had more than two concurrent meetings. They ranged up to as many as 10 meetings 1 day for 1 Senator, while the high in the House was 7 for 1 member. One Senator had 3 such meetings on as many as 50 days, one had 4 on 33 different days, two had 5 on 16 days, and one had 6 on 10 days. No member in either House had three or more concurrent meetings on more than 50 days. A total of 21 Senators had 7 meetings scheduled in conflict on as many as 1 to 5 different days, 6 had 8, and one had 9. Two House Members had 3 concurrent meetings on 22 days and 1 for 23 days, while 1 had 4 meetings on 23 days.

From the foregoing it is quite apparent that there are too many meeting conflicts. Members naturally are hard pressed to do justice to their legislative business when they are expected to be in several different meetings, at different places, at the same time. Something has to give way to a higher priority meeting and the frequent result is lack of quorums to do business and poor attendance of Members at many of the public hearings. What to do about the problem of course, is one of the major issues and further analysis of the question is in order.

Member assignments in relation to the incidence of concurrent meetings

As might be expected, the more assignments a Member has, the more likely he is to have a larger number of meeting conflicts. This is true in both Houses but is especially pronounced in the Senate.

Although, as indicated earlier, the average number of concurrent meetings per Member was 300 in the Senate and 70 in the House, the number for individual Members ranged up to a high of 669 in the Senate and 406 in the House during the 88th Congress. But 330 or 80 percent of the House Members had fewer than 100 such meetings, in contrast to the Senate where only 4 percent were in this category. Over half of the Senators, as compared with only two Members of the House, had more than 300 concurrent meetings of all kinds.

The impact of the number of committee assignments on meeting conflicts is shown quite clearly by the fact that 47 Senators, each with 20 or more assignments, averaged 400 concurrent meetings, or almost twice the average of about 220 for the 53 Senators having less than 20 assignments. The 47 Senators having the most assignments, while accounting for only 8.9 percent of all Members of both Houses, experienced 18,755 concurrent meetings, or 31 percent of the total (60,094). Further detail of the assignment relationship is contained in tables 11 and 12.

TABLE 10.—*Number of Members having concurrent meetings during the 88th Cong., by number of meetings and frequency of occurrence*

Number of days' occurrence	Total Members	Number of concurrent meetings								
		2	3	4	5	6	7	8	9	10 and over
SENATE [1]										
Majority:										
Less than 6	94		10	16	26	23	12	5	1	1
6 to 10	45		8	20	14	3				
11 to 15	20	2	9	8	1					
16 to 20	22		11	9	2					
21 to 25	7		4	3						
26 to 30	8	1	5	2						
31 to 50	25	5	18	2						
51 and over	59	59								
Minority:										
Less than 6	53		3	10	15	15	9	1		
6 to 10	24		5	10	6	2	1			
11 to 15	15		5	9	1					
16 to 20	4		1	2	1					
21 to 25	5		4	1						
26 to 30	7		7							
31 to 50	12	3	8	1						
51 and over	30	30								
HOUSE [1]										
Majority:										
Less than 6	215	15	97	78	22	2	1			
6 to 10	81	47	22	10	2					
11 to 15	38	30	6	2						
16 to 20	38	29	8	1						
21 to 25	22	20	1	1						
26 to 30	19	19								
31 to 50	57	57								
51 and over	36	36								
Minority:										
Less than 6	134	7	63	44	19	1				
6 to 10	62	31	22	9						
11 to 15	38	27	6	5						
16 to 20	24	24								
21 to 25	13	11	2							
26 to 30	14	14								
31 to 50	31	31								
51 and over	31	31								

[1] Totals, if given, would not equal number of Members in either the Senate or House because a Member may be listed in more than 1 line and/or more than 1 column. Senators averaged 4.3 listings and House Members approximately 2.

TABLE 11.—*Senate: Number of Members having concurrent meetings during the 88th Cong., by number of meetings and number of committee and other assignments*

Number of assignments	All Members	Number of concurrent meetings						
		Less than 100	100 to 199	200 to 299	300 to 399	400 to 499	500 to 599	600 to 699
Total, Senate	100	4	26	19	24	21	3	3
Majority (subtotal)	67	4	17	15	13	14	2	2
Less than 6	3	2	1					
6 to 10	8	2	5	1				
11 to 15	13		6	4	4	1		
16 to 20	16		4	5	3	4		
21 to 25	10		1	5	2	2		
26 to 30	12			1	4	6		1
31 to 35	3			1			1	1
36 to 40	2					1	1	
Minority (subtotal)	33		9	4	11	7	1	1
Less than 6								
6 to 10	3		2			1		
11 to 15	6		4	2				
16 to 20	8		2	2	3	1		
21 to 25	7		1		4	2		
26 to 30	6				4	1	1	
31 to 35	2					1		1
36 to 40	1					1		

D. The total concurrent Members' meetings, or the total for an individual Member, results from adding together each day's conflicts, such as illustrated by these examples, as they occurred during the 88th Cong.

TABLE 12.—*House of Representatives: Number of Members having concurrent meetings during the 88th Cong., by number of meetings and number of committee and other assignments*

Number of assignments	All Members	Number of concurrent meetings: Less than 50	50 to 99	100 to 149	150 to 199	200 to 249	250 to 299	300 to 349	350 and over
Total, House	[1] 430	218	112	54	23	15	6	1	1
Majority (subtotal)	253	125	74	29	11	9	4	-------	1
Less than 6	108	86	21	1	-------	-------	-------	-------	-------
6 to 10	99	34	40	21	2	1	1	-------	-------
11 to 15	29	4	9	7	4	3	2	-------	-------
16 to 20	9	1	2	-------	2	4	-------	-------	-------
21 to 25	6	-------	2	-------	1	1	1	-------	1
26 to 30	2	-------	-------	-------	2	-------	-------	-------	-------
Minority (subtotal)	177	93	38	25	12	6	2	1	-------
Less than 6	76	59	13	3	1	-------	-------	-------	-------
6 to 10	71	32	20	10	5	3	1	-------	-------
11 to 15	21	1	3	11	3	1	1	1	-------
16 to 20	4	1	1	-------	1	1	-------	-------	-------
21 to 25	3	-------	-------	1	2	-------	-------	-------	-------
26 to 30	2	-------	1	-------	-------	1	-------	-------	-------

[1] See footnote to table 3.

No significant difference was noted between the majority and minority Members in this connection. The members of the Senate majority with 20 or more assignments averaged 398 concurrent meetings to 401 for those in the minority.

It may also be noted that the more the assignments made available to Members, the larger the size of committees. Although the membership of the House outnumbers that of the Senate more than 4 to 1, the full committee structure of the two bodies is essentially the same. At the same time, Senate committees tend to have about half as many members as their House counterparts—not one-fourth—which helps explain why the volume of concurrent meetings runs over four times as many per Senator as for Members in the House.

Type of meeting conflicts

Virtually all Members of the 88th Congress had some type of committee meeting, at one time or another, that conflicted with sessions of either House. At the extreme, it is estimated that about 15 Senators experienced such conflicts for as many as 100 or more sessions.

There are a number of combinations of the various types of committee meetings that produce the conflicts. But one of the most prevalent was subcommittees meeting concurrently with full committees. This combination accounted for over 15,300 concurrent meetings, or approximately one-fourth of all such meetings, and they were about evenly divided between the House (7,800) and the Senate (7,500). Subcommittees conflicting with other subcommittees is another combination which accounted for more than 9,800 concurrent meetings, over 5,300 of which were in the House and 4,500 in the Senate. Full committees conflicting with full committees accounted for about 6,300 concurrent meetings—3,400 in the Senate and 2,900 in the House. Because of the limited number of Members serving on them, and because of the infrequency of their meetings, combinations including joint committees, conference committees, boards, and commissions were relatively unimportant in the overall picture.

TABLE 13.—*Number of Members having concurrent committee meetings during the 88th Cong., by type of committee having meeting conflicts and number of concurrent meetings*

Number of concurrent meetings	Type of committee having concurrent meetings: Full committees	Subcommittees and full committees	Subcommittees	Full and subcommittees and joint committees	Full and subcommittees and conference committees	Full and subcommittees and boards or commissions
Senate (all Members)	100	----------	----------	----------	----------	----------
Majority (total)	67	67	67	67	67	67
Less than 50	50	26	43	60	67	67
50 to 99	14	22	11	3	----------	----------
100 to 149	3	6	10	1	----------	----------
150 to 199	----------	10	2	3	----------	----------
200 and over	----------	3	1	----------	----------	----------
Minority (total)	33	33	33	33	33	33
Less than 50	26	15	19	28	33	33
50 to 99	5	8	8	3	----------	----------
100 to 149	2	6	1	2	----------	----------
150 to 199	----------	3	4	----------	----------	----------
200 and over	----------	1	1	----------	----------	----------
House (all Members)	[1] 430	----------	----------	----------	----------	----------
Majority (total)	253	253	253	253	253	253
Less than 50	247	225	234	250	253	253
50 to 99	6	21	17	2	----------	----------
100 to 149	----------	7	2	1	----------	----------
150 to 199	----------	----------	----------	----------	----------	----------
200 and over	----------	----------	----------	----------	----------	----------
Minority (total)	177	177	177	177	177	177
Less than 50	171	160	167	174	177	177
50 to 99	6	14	9	3	----------	----------
100 to 149	----------	2	1	----------	----------	----------
150 to 199	----------	1	----------	----------	----------	----------
200 and over	----------	----------	----------	----------	----------	----------

[1] See footnote to table 3.

Looking now at the concurrent meetings for individual Members under the subcommittee and full committee combination, the number ranged from none in both Houses to a high of 337 in the Senate and 187 in the House. There were 29 Senators that had 100 or more such concurrent meetings, and 4 had over 200, while in the House only 10 Members had 100 or more and none were over 200 (table 13). Similarly, leaving out the full committees, subcommittee concurrent meetings alone ranged to a high of 346 for one Senator and 112 for a Member of the House. Full committee only concurrent meetings for Members showed a high of 142 in the Senate and 99 in the House.

In conclusion it is felt that the foregoing analysis speaks very much for itself. It also represents, except for recent limited use by the Library of Congress, one of the first applications of automatic data processing techniques by the Congress. In showing the very considerable and varying array of committee demands upon the limited time of many Members, the analysis offers ample justification for many of the joint committee's recommendations for alleviating the problem.

THE RISING TIDE OF CRIME

Mr. McCLELLAN. Mr. President, on two occasions in 1965, I addressed the Senate on one of our most urgent domestic problems—the constantly increasing incidence of premeditated and violent crimes. Unhappily and most regrettably, the Federal Bureau of Investigation reports that the rate of increase climbed still another 10 percent during the first 9 months of 1966 over the corresponding period in 1965.

In our Nation's Capital the increase in serious crime skyrocketed three times that of the national average. And it is reliably estimated that more than 80 percent of criminal acts committed in the District of Columbia are not reported to the police.

There is no need to emphasize further with statistics the gravity of the problem. Our citizens are alarmed at the magnitude of the crime menace in America today. They are unable to walk the streets unafraid or to feel secure in their homes. A clarion call for help is rising across the land for something to be done about it. It has been demonstrated again and again that the Supreme Court will not answer that call.

The Court—five members—a one-man majority—is committed to the illogical pursuit of tenuous technicalities which it recklessly invokes to nullify the convictions of and to set free confirmed criminals to prey again on a victimized society.

In his recent state of the Union message, President Johnson stated that "this Nation must make an all-out effort to combat crime," and that he would recommend to the Congress the "Safe Streets and Crime Control Act of 1967."

what provisions the President's proposed measure will contain and what its potential effectiveness will be on the war against crime, we do not know. We shall simply have to wait and see. But, it is highly gratifying and reassuring to have the President declare:

> I will support—with all the constitutional powers I possess—our Nation's law enforcement officials in their attempt to control the crime and violence that tear the fabric of our communities.

The President can wield great influence on this issue. He has the opportunity to provide powerful and dynamic leadership in this field. His help is sorely needed as the American people look more and more to the Congress for the enactment of laws that will remedy or help to alleviate the deplorable conditions that now prevail.

Last year, the Senate Judiciary Subcommittee on Criminal Laws and Procedures, of which I am privileged to be chairman, made a modest start by holding hearings and considering a number of bills relating to criminal laws and procedures. Five of those bills were passed by the Senate; three were enacted into law. One of those laws continues in force the Law Enforcement Assistance Act of 1965 and authorizes the necessary appropriations to increase the efficiency of State and local law enforcement agencies. Another establishes a Commission on Revision of the Federal Criminal Laws. And the third provides for the civil commitment and rehabilitation of narcotic addicts in an effort to restore them to a useful life and remove them as a source of profit to the underworld.

The two Senate-passed bills which were not acted on by the House were first, a bill to prohibit the obstruction of criminal investigations; and second, a bill to extend the authority of the Attorney General to grant immunity and compel testimony in certain cases. The tools that these bills would provide are needed. They will help stem the rising tide of crime, and I shall reintroduce them and seek their enactment during this Congress.

Thus, some legislative progress was made in the battle against crime last year. But it was very little compared to the enormity of the crisis confronting us. Much remains to be done. Prompt action by this Congress is imperative if we are to afford protection to our citizens from the lawless elements who are now committing heinous crimes with virtual impunity. Our people are forced to look to Congress for enactment of laws to combat successfully and to eliminate the crime menace that now threatens our internal security.

There are two areas in which Federal legislation is particularly and urgently needed. One of these concerns the admissibility in evidence of voluntary confessions and statements tending to prove guilt made by alleged criminals after their arrest. Congress simply must rectify the mockery of justice and protect society from the dire consequences of a number of recent 5-to-4 Supreme Court decisions that allow self-confessed, vicious criminals to go free. Self-confessed criminals should be punished—not liberated. These enemies of law and order and decent society should be penalized—not freed on the basis of frivolous and dubious technicalities. I hardly need remind you of the many cases in which courts have had to enter judgments of acquittal because the trial judge was required under the untenable "exclusionary rules" fashioned by a bare majority of one on the Supreme Court to exclude voluntary confessions of the accused.

I am referring particularly to the opinion of the Supreme Court in *Miranda* v. *Arizona*, 384 U.S. 436, decided June 13, 1966. In that case, the Court in a 5 to 4 decision formulated a new constitutional code of rules for police interrogation of criminal suspects. The decision provides that no confession—even if wholly voluntary in the traditional sense—can be admitted in evidence in a State or Federal criminal proceeding unless the prosecution can sustain the burden of proving that a fourfold warning of his rights was given to the suspect in custody before he was questioned: namely, that he has a right to remain silent; that anything he says may be used against him; that he has the right to have an attorney present during all questioning; and that, if indigent, he has the right to a lawyer without charge. Under this decision, the prosecution also has the burden of proving that the suspect voluntarily waived these rights by some affirmative statement and that such waiver continued in force throughout the entire questioning period. Any conviction depending in whole or part upon confessions—even admittedly voluntary ones—obtained by methods which do not measure up to these rigid standards must be reversed on appeal.

Recently a self-confessed murderer was turned loose in Columbus, Ohio, because of the Miranda decision. He had voluntarily confessed and told where the murder weapon, a shotgun, could be found. It was found, and tests proved it was the weapon used in the commission of the crime. Both confession and gun had to be excluded from evidence. As a consequence, that murderer walks the streets today—free and unpunished for his terrible crime.

In Evansville, Ind., a murderer was seen leaving his victim's apartment. Later he admitted the crime. No coercion was exerted over him. Yet, under the Miranda decision, the prosecuting attorney felt the confession had to be excluded and, therefore, allowed the murderer to plead guilty to manslaughter. Numerous prosecuting attorneys in our major cities have informed the subcommittee that this decision has had similar effect in their jurisdictions.

In Seattle, Wash., on March 19, 1966, a hotel clerk was shot and killed during the course of a robbery. He was shot twice with different caliber pistols. A suspect was questioned and given all the warnings required by the Miranda decision, including advice as to his right to counsel, but was not furnished with an attorney before being questioned, although he was told the court would appoint an attorney for his trial. He freely confessed to the robbery and murder. The confession was corroborated by the finding of the guns, but it was excluded on the basis of the Miranda decision. The guns were likewise excluded as derivative evidence, and so was the testimony of three witnesses who saw the murderer borrow one of the guns and later return it. Thus, the State had to capitulate to the unrealistic technicalities of the Miranda doctrine and dismiss an otherwise open-and-shut case of murder and robbery. But the real loser in this case was not the State. It was the victims and society who suffered tragically, while a self-confessed murderer goes free.

In November 1965, in Brooklyn, N.Y., a mother killed her 4-year-old child. She taped his mouth and hands and beat him with a rubber hose and a broomstick. When the police arrived, the tape had been removed, but the child was dead. And, of course, there were no witnesses except the mother. She made a confession which was not coerced and which was not repudiated. But she had not been told that she need not make a statement and that she was entitled to have a lawyer sitting beside her when questioned. The trial judge had no choice under the Miranda decision but to dismiss the indictment. Whereupon the defendant thanked the judge, who replied, "Don't thank me; thank the Supreme Court. Don't thank me at all. You killed the child and you ought to go to jail." In commenting upon this unbelievable result, the Washington Star on September 29, 1966, said in an editorial:

> This is what passes for justice in this country in 1966. Surely, the men who drafted our Constitution more than a century and a half ago would shudder if they could know what has happened to their handiwork.

In the same editorial, it was pointed out that five members of the Supreme Court apparently had discovered something in the Constitution that had gone undetected for 177 years by all of the distinguished Justices who had served on that tribunal, including a number of Justices who are presently members of the Supreme Court.

In another editorial concerning a similar case, in which 12 persons had been killed by an arsonist, the Washington Star stated on October 28, 1966, that the Miranda decision and the results that will continue to flow from it are a travesty on justice.

I make the comment that the word "travesty" is a very mild term under the circumstances.

The New York Times of September 5, 1966, quoted District Attorney Asron E. Koota of Brooklyn as saying that there had been a 40-percent increase in the past 2 months in the number of suspects who refused to make statements to Brooklyn authorities in criminal cases. Mr. Koota stated that since the Miranda decision a total of 96 out of 239 suspects in homicide, robbery, felonious assault, and rape cases had refused to make statements either to the police or to the District Attorney's office. In the past, such refusals ran only about 10 percent. Mr. Koota was further quoted as saying:

> Most of these men will walk the streets as free men. These vicious crimes may never be solved. Recent Supreme Court rulings have shackled law-enforcement agencies,

making it possible for vicious criminals to escape punishment.

The foregoing are but samples of what is happening all over the country as a direct result of strained and unjust decisions by a bare majority of one on the Supreme Court. Reports to the Subcommittee on Criminal Laws and Procedures from many prosecuting attorneys and other officials who are constantly beset with the problems posed by these decisions show that they share my conviction that a majority on the Supreme Court has lost judicial balance and is subjugating the rights and safety of society to privileged exploitations and atrocities by the criminal.

When I spoke to the Senate on September 30, 1965, I called attention to the baleful effect of the so-called Mallory exclusionary rule and introduced a bill to overcome its onerous effect. That bill, S. 2578, provided that confessions and incriminating statements should not be inadmissible merely because of delay in arraignment if such confessions or statements were otherwise admissible in evidence. This would have put an end to the extreme and ridiculous applications of the exclusionary rule that has resulted in so many miscarriages of justice.

Action on S. 2578 was deferred, however, pending the Supreme Court's decision in five cases then under review, which hopefully would clarify the confusion engendered in the lower Federal courts by the Mallory rule. But in the resulting Miranda decision the Supreme Court, by a bare majority of one, over unusually vigorous dissents of four Justices, fashioned a new exclusionary rule, based upon the Constitution, not upon rule 5(a) of the Federal Rules of Criminal Procedure as in the Mallory decision. Four dissenting Justices forcefully demonstrated the disastrous effect upon law enforcement and the unsound reasoning of the majority opinion. I share the views of the dissenting Justices, and I daresay that most lawyers and judges throughout this country do, also. A majority of the Supreme Court appears to be so obsessed in its quest of discovering new rights for the criminal and so enthusiastic in its efforts to magnify and articulate them that it has lost sight of law enforcement, an indispensable ingredient of our internal security. There is no sense in having criminal laws unless they are used to prevent crime, to protect society, and to punish the guilty. When our criminal laws are just and properly enforced, they serve as a deterrent to crime. When violated and flouted with impunity, they become a mockery of justice and a protector of crime. The average citizen, although untrained in the law, knows that something is drastically wrong. He is bewildered and dismayed by such decisions and is understandably looking anxiously to his representatives in the Congress to take action needed to correct this condition.

In the closing days of the last session, Congress passed the District of Columbia omnibus crime bill, which, unfortunately, was vetoed by the President on the ground of possible unconstitutionality. The question of constitutionality might well have been left to the courts. That bill has been reintroduced in this session, in the hope that if another veto is exercised it can be overridden. I trust the bill will be passed again. I shall vote to override any ensuing veto.

It is obvious from the many editorials appearing in newspapers and other periodicals that the public is thoroughly disgusted with the existing situation. A fair sample is an article in the December 1966 issue of Reader's Digest, which I now ask unanimous consent to have inserted in the Record at the conclusion of my remarks along with a number of other newspaper articles, editorials, correspondence, and a resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. McCLELLAN. Mr. President, the article in Reader's Digest was recently disseminated by the International Association of Chiefs of Police, Inc., to all of its members in the United States, with the statement that this latest pronouncement of the Supreme Court—the Miranda decision—"has and will have considerable impact upon the ability of law enforcement to carry out its responsibilities in this country."

And, Mr. President, this situation will continue—even worsen—so long as confusion and uncertainty over the admissibility of voluntary confessions and admissions exist in our judicial system.

Congress must deal with this problem. We can shirk this reponsibility only in dereliction of our duty. It simply does not make sense that uncoerced confessions and incriminating statements cannot be used in prosecutions of defendants in criminal cases. From time immemorial voluntary confessions and incriminating statements have been considered the very best of evidence. After all, a criminal trial should be a serious effort to ascertain the truth. It is a flagrant travesty on justice to reject and exclude from consideration the strongest and most reliable evidence of guilt. No lawyer or judge for one moment would contend that coerced confessions should be admitted against an accused. They have always been excluded, for the simple reason that coerced confessions or statements are not trustworthy. But, if uncoerced, they are obviously the most trustworthy and convincing evidence of guilt that it is possible to produce.

How, then, is civilized society to determine the issue of whether or not such evidence was coerced? Commonsense dictates that the determination, in each individual case, should be made in the same manner that other disputed issues of fact are determined under our system of jurisprudence—by judge and jury. When the confession or incriminating statement is offered in evidence and the issue of its voluntariness is raised, the trial judge should exclude the jury and hear the evidence. If the trial judge concludes that the confession or admission was involuntarily given, he should exclude it. If he concludes that it was the voluntary act of the defendant, he should admit it and then permit the jury to hear all the evidence as to the circumstances of the giving of the confession or statement, with instructions that it be given such weight as the jury may feel it is entitled to receive. In short, voluntariness should be the only test for the court in determining admissibility, and the jury should be allowed to consider all the circumstances in weighing the credibility of such voluntary confessions or statements of the accused.

Certainly such a procedure would adequately safeguard the rights of defendants. Judge and jury decide the ultimate issue of guilt or innocence in criminal cases. A man is tried to determine whether he is guilty or innocent. If a jury is capable of determining guilt it surely is competent to determine the competency of evidence with respect to whether a confession was made voluntarily. Give the jury the facts and let them settle the issue instead of having the Supreme Court set guidelines that cannot be followed and at the same time protect society. There is no reason why the issue of voluntariness should not be determined in the manner I have just outlined—a procedure that has long been approved and accepted by our courts. I believe that our trial judges and juries are to be trusted. They see and hear the witnesses and, therefore, are better able to determine the truth than an appellate court or the Supreme Court, which sees only a cold printed record.

The bill which I am offering would require the trial judge to take into consideration, in determining the issue of voluntariness, all the circumstances surrounding the giving of the confession or incriminating statement of the accused. Such circumstances would include the length of time between arrest and arraignment; whether the defendant knew the nature of the offense with which he was charged or suspected; whether he was advised or knew that he was not required to make any statement and that such statement could be used against him; whether the defendant had been advised prior to questioning of his right to the assistance of counsel; and whether he was without the assistance of counsel when questioned and when giving his statement or confession.

The trial judge would have to take into consideration all these factors, together with many others which have relevance in determining voluntariness. Can we not trust the trial judges of this Nation? Is the Supreme Court the only one possessed of the wisdom and integrity to make such determinations?

I do not believe so.

This procedure would provide a workable yardstick for the court, the jury, the accused, law enforcement officers, and the general public. It would be eminently fair to the accused as well as to society. It is reasonable. No arbitrary time limit would be set for holding and questioning an accused before arraignment. Nor would this procedure deny the prosecution the use of prime evidence of guilt—that is, voluntary confessions and incriminating statements—on the arbitrary and unreasonable ground that the arresting officer did not warn the accused of his constitutional rights and that the accused did not have a lawyer present. We all know that a confession might be involuntary and coerced no matter how much warning the arresting officer might have given or how short the time between arrest and arraignment. And we all know that a confession might be unquestionably completely voluntary even though the accused had not been so warned and had not been arraigned without unnecessary delay. The test of admissibility should, therefore, rest upon the circumstances in each individual case and should be applied by those best able to make the determination—our trial judges and juries who hear the evidence and see the witnesses as they testify.

Mr. President, the majority opinion in the Miranda decision actually "encourages" Congress and State legislatures to enact legislation on the subject which would safeguard the rights of the accused while promoting efficient enforcement of our criminal laws. Whether they would sustain as constitutional the bill to which I have just referred, I do not know; but they encourage legislative action.

It is my view that the public is demanding action. This is evident from newspaper editorials and articles being written all over the country, as well as from resolutions adopted by interested organizations. It is my view that Congress should enact corrective legislation such as I am proposing. Should the Supreme Court strike down such legislation and persist in an arbitrary or unrealistic course unduly favoring the criminal element and disregarding the rights of society, we can then resort to the more cumbersome remedy of amending the Constitution or the more drastic remedy of limiting the appellate jurisdiction of the Supreme Court under article III of the Constitution.

The second area in which congressional action is imperative is that of wiretapping. In the first session of the 89th Congress I introduced a bill, S. 2189, to outlaw wiretapping by all except duly authorized law enforcement officers engaged in the investigation or prevention of specified categories of crime. Furthermore, such law enforcement officers could then tap wires only after showing just and reasonable cause to a court of competent jurisdiction and obtaining a court order to do so. Hearings were held on this measure during the last Congress, and the witnesses gave it almost unanimous support.

Wiretapping is a highly controversial issue which has been heightened by the recent disclosures of eavesdropping by Federal officers through the use of electronic devices. The Congress has too long delayed taking action with respect to this area. As we all know, the present state of the law is unsatisfactory to everyone except the criminal element. And, this is the real problem, because unauthorized persons can now tap with virtual impunity and with little or no risk of conviction under the current law prohibiting wiretapping—section 605 of the Federal Communications Act, title 47 U.S.C. 605. The hands of Federal and State law enforcement officers are tied by the present law and decisions by the Supreme Court interpreting this law.

The Supreme Court now holds that evidence obtained through wiretapping is not admissible in Federal courts, and that, while evidence thus obtained by State officers is admissible in State courts, the officers by divulging the conversations violate section 605 of the Federal Communications Act. As a practical matter, therefore, both State and Federal officers are prevented from obtaining evidence against the organized criminal element who are free to tap at will, since effective detection and prosecution is virtually impossible.

In this age of organized criminal activity, with the number of vicious crimes ever mounting, it is tragic to handcuff the police while criminals go unpunished for the crimes they often perpetrate by the use of wiretapping. As I said when I introduced a wiretap bill in the last Congress, this is particularly true in the light of the fact that there is scarcely a major crime in the field of organized criminal activity in which the telephone is not used in some fashion. The present state of the law in this area is untenable, and Congress should deal effectively with the problem. I am, therefore, reintroducing the bill to prohibit wiretapping except by law enforcement officers in limited categories of crime and, only then, under the rigid supervision and control of court orders.

A third bill which I shall reintroduce is one to outlaw the Mafia and other organized crime syndicates. In the 89th Congress, I introduced S. 2187, which would have made it an offense to become or remain, knowingly and willfully, a member of the Mafia or any other organization having for one of its purposes the use of any interstate commerce facility in the commission of acts in violation of the criminal laws of the United States, or of any State, relating to gambling, extortion, blackmail, narcotics, prostitution, or labor racketeering, with knowledge of the purposes of such organizations.

Organized crime syndicates in this country are a fact, and Congress should combat this danger with every possible means.

The two other bills I am introducing today passed the Senate during the last session but were not acted upon by the House. One bill would prohibit the obstruction of criminal investigations of the United States; and the other would provide for the compulsion of testimony with respect to certain crimes, and the granting of immunity in connection therewith.

Mr. President, crime flourishes in our Nation today. We have long talked about it and have sounded many warnings of its growing threat to our internal security. But, we have not taken action commensurate with the danger that is inherent in the mounting lawlessness which is now being inflicted upon our society. It is time to do something—to take whatever measures are necessary to deal effectively with this grave problem.

What I have offered today is only a beginning on what yet needs to be done, but it is a start. I respectfully solicit the cooperation and support of my colleagues in this gigantic undertaking.

EXHIBIT 1

[From the Reader's Digest]

LET'S HAVE JUSTICE FOR NON-CRIMINALS, TOO!

(By Eugene H. Methvin)

In a Washington, D.C., courtroom, Federal Judge George L. Hart faced the jury and shook his finger angrily at 41-year-old James W. Killough, on trial before him for murder. "On three separate occasions this man voluntarily confessed foully killing his wife and throwing her body on a dump like a piece of garbage. He led police there. Yet the U.S. Court of Appeals has seen fit to throw the confessions out. Though it makes me almost physically ill, I must direct a verdict of acquittal. I feel I'm presiding not over a search for truth but over an impossible farce. We know the man is guilty, but we sit here blind, deaf and dumb, and we can't admit what we know. Tonight felons can sleep better."

Thus, in a spectacle now being repeated across the nation, after confessing a murder the confessor walked free, a scoffing example of the "impossible farce" the Supreme Court has made of American justice. For, in a series of rulings over the past nine years, the Court has progressively handcuffed the police, turned trial judges into automatons, and blindfolded juries, all to the immense benefit of criminals.

Last June 13, the Court went further than ever before in a decision the New York *Times* called "an over-hasty trespass into the legislative area, . . . lacking either constitutional warrant or constructive effect." Chief Justice Earl Warren, in a razor-thin five-four decision, announced a new interpretation of the 175-year-old Fifth Amendment: now it requires that police, in questioning suspects, not only first warn them of their right to silence, but even furnish a lawyer and allow him to sit in on the interrogation if the suspect wishes. Moreover, if the suspect "indicates in any manner" that he does not want to answer questions, the police must stop.

Dissenting thunderously, Justice Byron R. White said the Court's ruling "has no significant support in the history or language of the Fifth Amendment" and "in some cases will return a killer, a rapist or other criminal to the streets to repeat his crime whenever it pleases him. As a consequence, there will not be a gain but a loss in human dignity."

I DID IT

Justice White's prediction was speedily verified. Consider these two cases.

After a $10,000 fire almost killed a sleeping housewife and her three children, a Washington policeman answered a radio call. Two men walked up to him. "This is the guy who set the fire," said one. The policeman blinked, looked at the other and asked, "What have you got to say?" "I did it!" the man blurted. A painter who showed up for work drunk and was ordered off the job, he had returned at night to explode a Molotov-cocktail firebomb in the home.

At the arson trial, his lawyer argued that the mere presence of the uniformed policeman psychologically coerced him, thereby violating his Fifth Amendment privilege against self-incrimination. Incredibly, the judge excluded the confession from the jury. (However, in this case a conviction was obtained on other evidence.)

A young probationer in Cleveland admitted killing another youth. But because police neglected to warn him of his rights, Judge Angelo J. Gagliardo had to let him go.

"There is no question in my mind that this is anything but a willful, deliberate act of murder without any justification," Judge Gagliardo fumed. "Someday members of the Supreme Court will engage themselves in the practical problems of life in a modern urban society, and deal with realities rather than theories that place individual rights far above the community."

Since Chief Justice Warren announced the new rules, Philadelphia police are finding that 56 percent of the suspects they arrest refuse to answer police questions. In Brooklyn, police find four times as many suspects as before—96 out of 239—arrested in homicide, robbery, felonious assault and rape cases are refusing to make statements.

"Most of these men will walk the streets as free men," warns District Attorney Aaron E. Koota. "These vicious crimes may never be solved." Police in Boston, Washington, Cleveland, Los Angeles, San Francisco and Memphis report similar results, and the percentages can be expected to increase in every U.S. city.

SQUEAL-ROOM TACTICS

The Supreme Court's foray into legislating rules for police conduct springs from one of the oldest riddles of American criminal justice: How can we ensure that police obey the rules protecting individual liberties, yet have enough freedom themselves to protect society against criminals?

The Constitution offers no solutions. When the Bill of Rights was written, the United States had only four million citizens and was 95-percent rural; the largest city, New York, had only 33,000 people; there was no such thing as *police*. Magistrates questioned defendants—vigorously—and their statements or refusals could be laid before a trial jury.

As police evolved, city by city, the chief demand was that they catch criminals, and few questioned how. With no authoritative guidance, police did the best they could—and often that was horrendous. In 1931 a Presidential commission documented shocking "lawlessness in law enforcement," including the use of third-degree interrogations in at least two-thirds of America's cities. Cleveland police, for example, would beat prisoners from behind (so they couldn't be identified in court), over kidneys, and in the soft hollows above the hips, using a sausage-shape sandbag made of silk to avoid leaving telltale bruises.

The Supreme Court waited five years for state legislatures and courts to start cleaning up this sordid mess. Then came a murder conviction, duly approved by Mississippi's supreme court—a case in which a deputy sheriff had hanged a Negro suspect by his neck to a tree and whipped him until he confessed. The deputy unblushingly admitted he had beaten the man, "but not too much for a nigger." The Supreme Court reversed the conviction, using the Fourteenth Amendment's "due process" clause to limit state law-enforcement officers for the first time in history.

HAIR-SPLIT DECISIONS

In undertaking to police the police, basically a legislative and executive function, the Supreme Court until recently operated under Justice Cardozo's wise injunction: "Justice, though due to the accused, is due to the accuser also. The concept of fairness must not be strained till it is narrowed to a filament. We are to keep the balance true."

Now as Dean Erwin Griswold of the Harvard Law School points out, the Court has become "absolutist." It is pursuing defensible doctrines beyond the realm of rationality and common sense. Such extremism has spread like moral rot throughout federal and state appellate courts until, as the then Attorney General Nicholas Katzenbach last year protested: "The judges have left the public behind, and even among judges the margins of consensus have been passed."

Take, for example, the crucial problem of search and seizure. "It must be remembered that what the Constitution forbids is not all searches and seizures, but unreasonable searches and seizures," says Justice Potter Stewart. But judges are handing down increasingly unreasonable decrees on what constitutes reasonable police conduct. Consider:

In Tucson a policeman followed a suspected stolen car. The driver parked and went into a college fraternity house. The officer crawled under the car, looked at the transmission serial number and, sure enough, it matched one on the list of stolen property.

In Washington, police had a tip that a known prostitute had illegal dope. They went to her rooming house, knocked on the door, then started inside to find her room. At that moment she dashed past them and dropped a small package into a garbage can under the front porch. The officers looked in the garbage can and found a package of narcotics.

In each of these cases, hair-splitting judges ruled the searches "unreasonable," dismissed the evidence and turned the defendants loose upon the community, as a "lesson" to police.

Yet the reasonable citizen is likely to agree with Federal Judge Warren Burger's acid dissent in the garbage can case: The police would have been derelict in their duty if they had *not* done precisely what they did. Judge Burger declared, "I cannot find a constitutional right to privacy in the garbage pail of a rooming house." He denounced the "unfortunate trend of judicial decisions which stretch and strain to give the guilty not the same but vastly more protection than the law-abiding citizen."

THE MEANING OF MALLORY

Until 1957, non-coercive police interrogations were taken for granted. Then came the Mallory case. After police questioning and a lie-detector test, Andrew Mallory, a Washington, D.C., handyman, confessed to raping a woman in the apartment house where he lived. But the Supreme Court freed Mallory by—in effect—writing a new rule for federal law-enforcement officers. The Court said taking Mallory to the police station for questioning represented an "unnecessary delay" in presenting him before an arraigning magistrate, and his confession therefore could not be used in evidence.

The net results? Thirty-three months after Mallory's release he attacked another woman in a Philadelphia apartment. This time he got a 10-to-20-year sentence. His Philadelphia victim was, as one Justice Department lawyer told me sardonically, "deprived of her constitutional right to equal protection of the laws by the Supreme Court, without due process of law."

Unnecessary delay in Mallory's case meant seven and a half hours. In 1962 the courts said "three hours" was unreasonable; in 1964, 30 minutes; in 1965, *five* minutes.

Since the *Mallory* decision applied only to federal officers, federally ruled Washington, D.C., was the only city affected. But there the impact was devastating. In the five years before *Mallory*, with crime rising nationally, Washington's police had reduced serious crimes 37 percent. But thereafter the rate began to climb sharply, and in nine years it has gone up 124 percent. Holdups, purse-snatchings and muggings, down a third before *Mallory*, skyrocketed 305 percent—five times the national increase. Worse, the rate of police success in solving crimes has been cut in half, to an all-time low.

TRUE CONFESSIONS

Other American cities can expect similar results now that the Supreme Court is undertaking detailed supervision of their police in questioning suspects. Consider two recent decisions:

[Like Mallory himself, both his victims were Negroes from underprivileged backgrounds. A survey of slum dwellers in Harlem and Watts (Los Angeles) found that the problem worrying most families was "crime in the streets" and "the need for more police protection"—not "police brutality." In a similar poll in Washington, D.C., 1500 people were asked to name the two or three biggest problems "something should be done about." More than half singled out crime and law enforcement.]

In Tacoma, Wash., shortly after a filling-station holdup, police in a squad car saw a likely-looking suspect walking through a suburban neighborhood. They drove up alongside and asked him what he was doing. "Going home," he said. As the officers followed him slowly, he turned in at a house, walked up to the door—and found it locked. At that, he came back to the parked police car and said, "Okay, you got me! Let's go." On the drive to the police station, he pointed out the filling station. Before locking him up for the night, the officers questioned him for 30 minutes, and he confessed again. Next morning he made a third oral confession and asked to call his wife. "Let's get this in writing first," the police said. Taken to a prosecutor's office, he confessed a fourth time and signed a transcript.

No easily led youngster, the man had previously been convicted of housebreaking, robbery, jailbreak, car theft and other crimes. He made no claim of abuse or prolonged questioning. Yet the Supreme Court ruled that the refusal to let him call his wife meant that the signed transcript "cannot be said to be the voluntary product of a free and unconstrained will."

A wave of brutal street crimes erupted in a Los Angeles low-income area. Women—Negroes, Mexican and Japanese—were being knocked down from behind in the dark, horribly beaten and robbed. One elderly Negro woman was kicked to death. Police had not the slightest clue until a check from one victim's purse was cashed under a forged signature. They traced the passer, Roy Allen Stewart, and found his residence to be a veritable Fagin's nest lined with empty purses, wallets and other stolen property. Stewart, his wife and three others in the house were arrested. But which, if any, had committed the street crimes?

Under California law the police had five days before they were required to produce the suspect before a magistrate for arraignment. They questioned Stewart eight times, for a total of two hours and 46 minutes, and on the day of arraignment he confessed robbing and kicking the woman who died. At his trial he made not the slightest claim that police had abused him or denied any right to see anyone—lawyer, family, or bondsman. Yet Stewart's was one of the four convictions based on confessions historically admitted as voluntary and reliable that the Supreme Court reversed in last June's landmark decision.

"RIDE LOGIC TO HELL"

Such monstrous miscarriages of justice result directly from the Supreme Court's practice of excluding evidence not because it is unreliable but because the judges may disagree with police conduct in gathering it. They hand police a complex set of "interpretations" that, says California Chief Justice Roger Traynor, "dot just enough t's to cross the eyes." In the quiet of their chambers they cannot themselves agree on just what the law prescribes, yet they demand absolute perfection of the policeman who must make a snap judgment in the heat of conflict and danger. An American Bar Association committee long ago protested that the rigid exclusionary rule "warps the conduct of a criminal trial from the main issues which determine guilt or innocence" and turns it into "an inquiry into the misconduct of police after the crime itself."

British courts have found a middle way. They have given police a set of "Judges' Rules" to follow in interrogations: They must warn the suspect only of his right to silence; he may consult a lawyer, but the lawyer is not allowed to be present during questioning. If, however, police for some reason depart from these rules, judges are not automatically bound to exclude whatever evidence might result. The trial judge inquires into all the circumstances. Was the police infraction a mere questionable judgment, or a willful disregard of settled standards? The judge is then free to decide which in this case is more important: to protect the public from such police conduct, or from the criminal.

Thus the power to exclude valid evidence is a seldom used club, hanging on the courtroom wall as a reminder, not a bludgeon used indiscriminately against the police even when the real victim is the law-abiding public. A similar process could be applied to police searches and seizures of physical evidence.

Says Chief Judge Edward Lumbard of the U.S. Court of Appeals for the Second Circuit: "The British are much better at these commonsense compromises. We ride logic to hell."

TELL THE POLICE HOW

Congress has the clear duty and power to curb the Supreme Court's extremism; Article III of the Constitution lays on the legislators the responsibility to make "exceptions and regulations" for the Court's appellate jurisdiction. Thus, declare the classic essays in *The Federalist*, Congress "would certainly have full power to provide that in appeals to the Supreme Court there should be no re-examination of facts where they had been tried by juries." Or it clearly could permit the jury to decide finally whether a confession is voluntary within the Fifth Amendment's terms. What could be a more democratic way of enforcing standards upon police and safeguarding individual rights?

Moreover, state legislatures have a heavy duty to provide safeguards against "squeal room" secrecy and the occasional instances of police abuse. "It's time the American people tell policemen how they want the law enforced, and back them to the hilt in doing it," says former New York City Police Commissioner Michael J. Murphy. "We want and need legislative guidelines. Virtually every policeman in America wants to obey the Constitution—if somebody will only tell him what it says."

One fact is clear: Police must be allowed a fair opportunity to do their job. To police its 198 million people the United States has 397,000 state and local law-enforcement officers. Only 70,000 are on duty on any 4 p.m.-to-midnight shift. With 7600 serious crimes reported every day (on the average), and untold thousands more unreported, police already have to pick and choose which they will investigate. Says Quinn Tamm, executive director of the International Association of Chiefs of Police, "It would be grand if the officer could play Sherlock Holmes and contemplate all aspects of a case for hours on end. But he has 15 cases, and, in the real world many of them simply cannot be solved without questioning." Even vast increases in police manpower and scientific techniques will not prevent a substantial loss in law-enforcement effectiveness. Some form of interrogation is necessary.

The American Law Institute, representing 1800 law professors, judges, prosecuting and defense attorneys, is working on a Model Code that provides police authority to stop and frisk citizens on the streets in suspicious circumstances, question them for 20 minutes without formal arrest, and question them at the police station up to four hours. They must warn the subject of his rights, and tape-record the station-house sessions so judges and jurors can be sure what goes on. On their own, New Orleans police have even installed a television-tape device so they can later show courts the whole interrogation process.

Find Out the Truth. The Supreme Court today is rewriting the Bill of Rights. Dominating this process are five Justices who apparently prefer turning patently guilty criminals loose if the slightest flyspeck can be found on police conduct. But, as Brooklyn's erudite prosecutor William I. Siegel reminded them last spring, "No human institution is perfect, and we cannot require from a prosecutorial apparatus a level of perfection not found anywhere else in human affairs. 'Ideal' is by definition unobtainable. The true function of a court is to find out where the truth lies." Even Chief Justice Warren has recognized that the Court is ill-fitted to "police the police" on a case-by-case basis, and has urged legislative action.

A wholesale revision of state and federal laws is urgent. British practice suggests one form of compromise that would be more workable than the Supreme Court's absolutist doctrine. If nothing is done, we will live under a system prescribed not by elected representatives but by a committee of five lawyers sitting in a faraway marble palace and unaccountable to anyone at the ballot box for the results of their legislating.

So extreme have the present Court rulings become that Federal Appeals Judge Wilbur K. Miller spoke for millions when he protested in Washington's Killough murder, "Nice people have some rights, too!"

[From the Washington Evening Star, Dec. 5, 1966]

MAJOR CRIMES IN DISTRICT OF COLUMBIA, NATION RISE SHARPLY

Major crime in the District rose sharply in all categories except murder in the first nine months of this year as compared to the same period of 1965, the Federal Bureau of Investigation reported today.

But the local rise ran slightly behind the national increase.

Murders in the city declined from 113 during that period last year to 109 this year, but there were increases in forcible rape, robbery, aggravated assault, burglary, larceny over $50 and auto theft the FBI said.

For the nation as a whole, the FBI report showed an increase of 10 percent for all crimes during the first nine months of the year.

The increase in the nation's suburbs was 12 percent, compared to 9 percent in large cities and rural areas.

In the District, the total number of major crimes rose from 18,882 in the first nine months of 1965 to 20,671 in the same period this year, an increase of 9 percent.

This compared with a national average increase of 11 percent for crimes of violence and 10 percent for property crimes.

Geographically, the biggest national increase was in the South, where the volume of serious crimes rose 12 percent. In the North Central states, there was an increase of 11 percent, with 9 percent increase in the northeast and 8 percent in the West.

The figures for major crimes in the District in 1965 and 1966 respectively are as follows:

Murder: 113 and 109;
Forcible rape: 99 and 106;
Robbery: 2,126 and 2,484;
Aggravated assault: 2,011 and 2,396;
Burglary: 7,277 and 7,470;
Larceny: 2,829 and 3,564;
Auto theft: 4,427 and 4,542.

The FBI's crime index, a compilation of reported offenses in seven categories, does not include the categories of negligent homicide, larceny under $50, attempted rape, attempted housebreaking and attempted robbery, covered in the District's Part 1 Offense reports.

[From the Washington (D.C.) Evening Star, Jan. 21, 1967]

RAPIST'S VIOLATED RIGHTS CLEAR HIM OF MURDER

NEW YORK.—Two murder indictments against a convicted rapist have been dismissed because he was not informed of his rights to counsel before making his confession.

Manhattan Asst. Dist. Atty. Patrick W. McGinley said after the proceedings yesterday that if he had spoken one more sentence to the defendant, Charles Wright, 23, at the time that Wright had been questioned, the confession would have been usable in court.

McGinley said that sentence was, "You have the right to have a lawyer and if you have none and cannot afford one, one will be provided for you."

Wright's confession was made in June 1965. The U.S. Supreme Court's decision that a suspect must have the right to counsel before he is interrogated was made a year later. The ruling applied in Wright's case because he had not been to trial when the decision was made, McGinley said.

Wright, once employed as a cook at Columbia University, did not go free, however. State Supreme Court Justice Charles Marks sentenced him to 30-to-40 years in prison on his plea of guilty to first degree rape.

PROSECUTOR COMMENTS

As he moved for dismissal of the homicide charges, McGinley told Justice Marks:

"I cannot help but note that if it were not for assaults on eight other women, many of whom were prepared to testify against the defendant, I would now, by virtue of the Supreme Court decision—hailed and praised in many circles—be recommending that your honor return this admitted killer to a community that he ravaged for more than five months."

"After the defendant's arrest," McGinley continued, "I went to the station house. I sat across the table from Wright and I warned him.

"I told him who I was, that he didn't have to talk to me and that anything he said could be held against him in evidence. I told him that if he was going to tell me anything, he should tell me the truth. I made no mention of his right to have an attorney.

"He told me in 41 pages of vivid detail what he had done, how he had stabbed two women to death—one stabbed 18 times, the other stabbed 32 times. He told me his motive was sex, not money."

STATES HIS RIGHTS

Wright, about 5 feet 11 inches tall, spoke to the court about his constitutional rights and due process of law. He said that he was not being treated fairly. He did not deny the murder confession. The court denied motions he made himself to permit him to withdraw his guilty plea to rape.

Justice Marks granted the motion for dismissal of the homicide charges with "much reluctance."

[From the Washington Post, Oct. 30, 1966]

MIRANDA RULING CITED—MAN FREED IN KILLING THOUGH HE CONFESSED

(By Paul W. Valentine)

Perplexity crossed the faces of the 12 District Court jurors and the prosecutor as Judge Burnita Shelton Matthews ordered an acquittal of the first-degree murder suspect.

The 23-year-old had told police that he shot his father.

His 20-year-old sister had given police an elaborate five-page statement supporting the confession.

But when she took the witness stand this week, she said she could recall nothing about making the statement. Despite prosecutor Joel D. Blackwell's prodding, she said she could not even say if the signature on the statement was hers. Her mind was a complete blank about the case, she insisted.

CONFESSION DROPPED

With the prime witness thus out of the picture, Blackwell tried to introduce the suspect's confession. Defense attorneys protested that it was psychologically coerced.

After a non-jury hearing, Judge Matthews threw the confession out, basing her ruling partially on the Supreme Court's Miranda decision in June. The confession was obtained ten months before the Miranda standards were announced.

With no confession, no eyewitnesses and no murder weapon in evidence, the prosecutor's case was washed out.

The result of this hearing sharpened the focus on current police complaints about strict ground rules on confessions and specifically highlighted an issue of retroactivity in the Miranda decision.

The decision—which, among other things, said a suspect must be told of his right to an attorney during police stationhouse interrogation—was handed down June 13.

DATE LIMIT SET

The high court said the standards would apply only to cases in which trials began after that date. This meant the standards would not apply to any other cases except those in which the defendant had already made a confession or incriminating statement but had not yet gone to trial.

This was precisely the situation that faced Judge Matthews Tuesday.

The day before, in Westchester County, N.Y., a State judge barred the confession of a suspect in the slaying of 12 persons on similar grounds. His confession was made before the Miranda decision at a time when the local police advice to the suspect of his right to a lawyer and of his right to remain silent were not up to Miranda standards.

Unlike the New York case, Judge Matthews' ruling was not based solely on Miranda, but both instances demonstrate the inability of police to anticipate new court standards.

MANY CASES PENDING

In Washington, where many criminal cases have been awaiting trial for more than a year, the chance of this sort of situation cropping up again is considerable.

Officials in the U.S. Attorney's office said it is impossible to calculate how many pending cases involve confessions obtained before Miranda.

The number is "considerable," said one official. Others point out that confessions most frequently occur in major crimes such as rape, murder and robbery. There are more than 50 pre-Miranda cases of that sort awaiting trial now. Many contain confessions or other incriminating statements.

It is doubtful that many of them will be used, however, one prosecutor said, because of the shaky constitutional grounds on which they were obtained.

SEEK OTHER AVENUES

Open court exclusions of confessions may thus be infrequent under the Miranda decision, he said, simply because the prosecutors abandon the confessions and attack the cases through other avenues.

"We've been 'Mirand-izing' our cases so much lately," he said, "that it's rare a confession gets into a trial at all now."

In Tuesday's murder case, Judge Matthews barred the confession after police conceded they had permitted a "confrontation" between the suspect and his sister after telling him she had implicated him.

The confession followed the confrontation. Judge Matthews also noted that police advised the suspect of his general right to a lawyer but did not specify as required under Miranda that the lawyer could be with him during the stationhouse interrogation.

[From the Washington (D.C.) Evening Star, Sept. 29, 1966]

JUSTICE—AND A DEAD CHILD

Five members of the Supreme Court (there were four vigorous dissents) discovered something in the Constitution last summer that had gone undetected for 177 years by all of the distinguished justices who had served on that tribunal. The effect of this discovery, for all practical purposes, was to ban confessions in most criminal cases.

Some people said the ruling was of little consequence. It wouldn't seriously cripple law enforcement, they said. It would merely make police and prosecutors work harder to perfect their cases.

Well, let's see. Last November a Brooklyn mother killed her four-year-old son. She taped his mouth and hands and beat him with a rubber hose and a broom stick. When the police arrived the tape had been removed, but the child was dead. And of course there were no witnesses except for the mother.

She made a confession which was not coerced and which was not repudiated. But she had not been told, as required by the Supreme Court, that she need not make any statement to the police and that she was entitled to have a lawyer sitting beside her when questioned.

As a result, when her case came up in court the judge, having no choice, dismissed the indictment. With that, the mother, described as a neatly-dressed and self-possessed woman, said to the judge: "Thank you, your honor, from all my heart." The judge replied: "Don't thank me, thank the Supreme Court. Don't thank me at all. You killed the child and you ought to go to jail." But this mother won't go to jail. She is free to come and go as she pleases.

This is what passes for justice in this country in 1966. Surely, the men who drafted our Constitution more than a century and a half ago would shudder if they could know what has happened to their handiwork.

[From the Arkansas Democrat, Dec. 20, 1966]

WIRETAPS NEED CONTROL

This is the electronic age. Science constantly is developing improved tools to pry into the lives of persons in a way that would have seemed fantastic 30 years ago. The whole subject is reason for concern because the right of privacy is violated.

A thief may ransack a person's home or office, rifle drawers and examine everything he finds, and when he's caught, the law deals with him in specific ways. But not the wiretapper. All he gets is information, to be sure, but who is to say that information cannot be as valuable as any material wealth?

The Constitution guarantees the people against unreasonable searches and seizures, thus putting restrictions on government, and while this freedom was written many years before the electronic age, it still should be made to apply to free-wheeling electronic violators.

The law allows homes to be searched when lawful warrant has been issued, letters and records can be subpoenaed, and in a few states wires may be tapped under a court order. This is reasonable. The age of invention does not mean that there is now a new area in which communications are absolutely privileged while in the past, homes and mail were only conditionally privileged.

There are forceful arguments that law enforcement agencies should be allowed to use, under careful legal safeguards, the equipment that modern science provides for detection and prevention of crime. The big question is how to guard against abuses. Congress should give deliberate consideration to a law assuring meaningful control of wiretapping. After all, a freedom is at stake.

[From the Wall Street Journal, Sept. 9, 1966]

FRAUDULENT FAILURES—MORE SWINDLERS PROFIT BY DRIVING THEIR OWN FIRMS INTO BANKRUPTCY—COSA NOSTRA GANG IS INVOLVED IN SOME CASES, FEDS SAY; TYPICAL TAKE RUNS $300,000—"FAT MAN" SCOLNICK & "SCAMS"

(By Wayne E. Green)

A growing number of entrepreneurs are succeeding in business without really trying.

In fact, they're trying hard to fail—and almost always do, with profitable results. They're known as "scam" operators, promoters who set up ostensibly legitimate businesses, order large amounts of merchandise on credit, sell it fast and strictly for cash—and then go "bankrupt," leaving their creditors unpaid. ("Scam" originally was a carnival term meaning "to fleece the public.")

Scams "are the newest and fastest growing business fraud," says Nathaniel E. Kossack, first assistant in the Justice Department's fraud section. Federal sleuths insist that, while the scam technique was once used almost exclusively by free-lance confidence men, it's now becoming the province of professional crime syndicates. "Scams are a natural for the syndicate," says a U.S. attorney. "The racket boys don't have to kill anybody, and they work within the law, up to a point." One Federal source estimates the underworld raked in $50 million to $75 million through scams in 1965, possibly equal to that taken in by free-lancers of more or less amateur standing in the phony bankruptcy business.

A Midwest case illustrates the scam technique. Three businessmen bought a hole-in-the-wall furniture store. Without bothering to tell wholesalers of the ownership change, they ordered $125,000 in furniture and appliances, using the former proprietor's credit rating.

NO PROOF OF FRAUD

After the three ignored repeated dunning notices, creditors got suspicious and investigated. Too late; the three insisted they were bankrupt, and no records could be found to prove otherwise. Nor was there any trace of the goods they had acquired. Unless a Justice Department investigation now in progress turns in solid evidence that the men violated Federal bankruptcy laws, by hiding assets or some other fraud, they will go free.

Similar cases have cropped up in New York City, Philadelphia, Chicago, Detroit and in smaller towns in Iowa and Texas. "We're aware of more than 200 of these swindles," says Sheldon Davidson, an attorney in the organized crime and racketeering section of the Justice Department.

Lately the Government has started turning the heat on planned bankruptcy promoters. The Federal Bureau of Investigation says that in the past three fiscal years it investigated bankruptcy fraud cases in which 137 persons have been convicted. In Chicago alone, 12 persons have been convicted so far this year in cases where creditors lost at least $500,000. In one case, two officers of a now-defunct automobile dealership were convicted of concealing "in contemplation of bankruptcy" $226,000 they realized from the sale of 98 autos.

A $1.3 MILLION FRAUD

An even bigger fraud case was prosecuted in New York City. A Federal district court recently convicted six persons of conspiring to transfer $1.3 million in assets at the expense of creditors. The scheme began when Joseph Pagano, identified by the Justice Department as a member of the Cosa Nostra, a group of racketeers, maneuvered himself into control of Murray Packing Co., a financially ailing wholesale meat and poultry firm.

Mr. Pagano began ordering meat and poultry from all over the country, selling much of it to Pride Wholesale Meat & Poultry Corp., Brooklyn. That firm was owned by Peter Castellana, who the Government also claims is a Cosa Nostra member. Pride paid Murray more than $750,000 during one 10-day period, the Justice Department charged, but no money could be found when creditors started involuntary bankruptcy proceedings against Mr. Pagano. Both he and Mr. Castellana were sentenced to five years in prison.

Unlike crimes whose perpetrators are unidentified by police, scams are planned by known individuals; indeed, they point the finger at themselves when they insist they are bankrupt. "These are not who-done-it situations," says Mr. Kossack. But for every conviction in such cases, many more swindlers go untouched, Justice Department officials concede. To establish fraud, the Government—which has jurisdiction over most types of bankruptcies—must have evidence that intent to defraud existed at the time the crime took place. "We're dealing with people who don't keep records," Mr. Kossack says. "To build a good case the FBI has to reconstruct a whole set of books."

LIGHT PENALTIES

Sometimes, too, "where major hoodlums are involved, creditors are afraid to testify," adds Robert M. Morgenthau, U.S. District

Attorney in New York City, whose staff prosecuted the Pagano case.

Even when convicted, scam operators often get light penalties. Hiding assets carries a maximum prison sentence of five years and a $5,000 fine. Stiffer punishment is possible if a scam operator is found guilty of conspiring with others in his scheme or using the mail in his fraud. But "it's very rare that we get convictions calling even for five-year prison terms," says one Federal agent.

In cases involving crime syndicates, FBI Director J. Edgar Hoover says, "Front men" usually carry out the schemes, making it "most difficult to tie the top members of the underworld into these operations so they can be prosecuted." Senator John L. McClellan (D., Ark.) has introduced a bill designed to make it easier to reach the kingpins. The bill would allow the Justice Department to grant immunity from prosecution to front men if they testify against underworld higher-ups who direct scams.

Most authorities agree that easier credit standards in recent years have contributed to the rise in planned bankruptcies. Spotting phony business busts is complicated, too, by the legitimate failures that have swamped bankruptcy courts. In each of the past three years more than 16,000 businesses went bankrupt. Most suspected scam operators are discovered by bankruptcy referees or creditors who tip off Federal attorneys and the FBI.

Small businessmen who lose heavily at gambling or fall victim to loan sharks are easy targets for racketeers wishing to take over and bankrupt their businesses. On occasion, though, a scam operator purchases a business in an ordinary way or organizes one for the purpose of bankrupting it. The new owner usually makes a bank deposit—"nut money" in the trade—to help establish his solvency, and uses as credit references seemingly reputable firms that are secretly controlled by criminal associates.

Once in control of a business, says the FBI's Mr. Hoover, "the hoodlums waste no time. Immediately large orders go out for all types of merchandise which can be purchased on credit. It matters not what the company has handled under legitimate operation. The scam merchant wants anything he can obtain quickly on credit and sell with equal speed for cash." Thus, adds Mr. Hoover, "a jewelry store may suddenly begin ordering large shipments of (phonograph) records, radios, television sets, luggage, food products, toys, clothing and various other items."

BARGAIN PRICES

To lessen their chances of being convicted of mail fraud, scam operators usually order their wares by telephone or at trade shows. The merchandise is often sold over the counter at prices bargain-hunters can't resist. Other times it is shipped to businesses "willing to buy at a cut rate without asking questions," says Dallas bankruptcy referee Elmore Whitehurst, or stowed in a secret warehouse until bankruptcy proceedings are over. Most scam operators purchase their goods on a 60-day or 90-day credit basis. When creditors come around at the end of that time, the promoters fold up shop.

Mr. Kossack of the Justice Department says underworld operators expect each bankruptcy they sponsor to earn at least $250,000. In a typical case, he says, the syndicate puts up $50,000 as capital and the scheme takes in $300,000. Syndicate chiefs get their investment back plus one-half of the profit; "front men" share the remainder after money is set aside for lawyers' fees, bail bonds and bankruptcy court expenses.

Suppliers vulnerable to scam operators are increasingly putting up their guard. "You just can't take people at face value anymore," moans a Philadelphia stereo distributor, "no matter how legitimate they appear." He was one of more than 200 businessmen left holding the bag by Sylvan Scolnick, a 634-pound merchant known as "Fat Man." Last June Mr. Scolnick, who operated a general merchandise store in Philadelphia, pleaded guilty in the Federal district court there to a charge of concealing from creditors assets of more than $600,000.

He hasn't been sentenced yet.

The National Association of Credit Managers, with 35,000 members over the nation, currently is raising money to expand a fraud prevention service used largely to fight scam operators. "We're definitely worried about the increase in planned bankruptcies," says an association spokesman. "Such schemes take an awful lot of money out of the economy, and if they are large enough they can cause a supplier company to go under."

GROUND FOR SUSPICION

Suppliers are getting more suspicious of orders from little-known firms for immediate delivery because they may mean a swindler is trying to hasten the supplier into making only a perfunctory credit check. One tip-off, too, is a sudden acceleration in orders—25 television sets a week instead of the usual two, for instance.

In one case now being investigated in the South, an operator successfully combined both tricks. He first took over the corporate shell of a lumber firm by buying its capital stock for a few hundred dollars and began "setting up" creditors by making small purchases for cash.

Then, recalls a lumber wholesaler, "he came dashing in one Saturday morning and ordered $12,000 worth of door units and trimming." The supplier began a credit check. On Monday, the customer telephoned that he needed the supplies immediately and was sending a truck to pick up whatever was available. When the truck arrived, "We threw the materials (about $5,000 worth) on, figuring he was only going across town," says the wholesaler. "Instead, he drove about 15 feet, stopped the truck and began tarping it down for a 100-mile trip. We suspected that we had been had, but we couldn't legally prove anything until his bill became due a month later. By then, he claimed bankruptcy."

With the Federal crackdown on scam operators in some major cities, some of the swindlers are moving into places where they haven't been active before. Recently three operators bought two retail outlets in Louisville, and within 10 days placed orders for $250,000 worth of merchandise. The scheme collapsed when the local credit association was tipped that the three were hardly the respectable businessmen they seemed; they were already under indictment in Chicago on a phony bankruptcy rap.

RESOLUTION

Whereas, a series of rulings during the past nine years by the U.S. Supreme Court has progressively handcuffed the police and made an impossible farce at times of the American justice, all to the immense benefit of criminals, and

Whereas, on June 13, 1966, the Court went further than ever before in an overhasty trespass into the legislative area by announcing a new interpretation of the 175-year-old Fifth Amendment which requires law enforcement officers, in questioning suspects, not only first to warn them of their right to silence, but even to furnish him a lawyer to sit in on the interrogation if the suspect wishes, and

Whereas, the ruling makes it mandatory upon the police to stop questioning the suspect if the suspect indicates in any manner that he does not desire to be questioned, and

Whereas, the Court is pursuing indefensible doctrines beyond the realm of rationality and common sense, causing such extremism to spread through the Federal and State Appellate Courts, and

Whereas, holdups, purse-snatching and muggings have now increased 305 percent in Washington, D.C., and the rate of success of police in solving crimes has been cut in half since the infamous Mallory decision which effectively handcuffed Federal officers,

Now therefore be it resolved by the executive committee of the Arkansas Association of Chiefs of Police that we:

1. Go on record as deploring decisions of the U.S. Supreme Court which have re-written the Bill of Rights in favor of the criminal and drastically limited the rights and freedoms of law-abiding citizens.
2. Commend U.S. Senator John L. McClellan and others who have waged a fight against such decisions and practices which seriously handicap law enforcement and place our people at the mercy of criminals.
3. Urge our fellow law enforcement officers to point out to the law-abiding public that they are the real victims of the bludgeon which is being wielded indiscriminately by the nation's highest court over the heads of the nation's police forces.
4. Join with law enforcement organizations of Arkansas and other states in a campaign to point up to Congress that it has the duty and power to curb the U.S. Supreme Court's extremism which is hampering the fair, efficient, effective, and impartial administration of justice.

Adopted this Fifth Day of January 1967, at Little Rock, Arkansas.

JACK KELLY, *President*.
R. E. BRIANS, *Secretary*.

GRAND JURY ASSOCIATION,
OF NEW YORK COUNTY, INC.,
January 10, 1967.

Hon. JOHN MCCLELLAN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MCCLELLAN: Attached hereto is a joint petition of the Grand Jury Associations of Greater New York, seeking enactment by Congress of necessary wiretapping legislation to fight the inordinate rise of crime throughout the United States. We urge simultaneously that Congress meet the threat of invasion of privacy by passing laws to curb illegal wiretapping and eavesdropping sanctioned by clear and severe penalties for violation.

As President of the Grand Jury Association of New York County, I sincerely believe that legislation along both lines at the same time is a key to this vital problem and that early enactment of such legislation is long overdue and would be in the best interests of the citizens of the United States.

We hope and trust that the Commission on Law Enforcement and the Administration of Justice, and the Congress, will give this petition early attention.

Sincerely,
GORDON E. HYDE, *President*.

STATEMENT OF GRAND JURY ASSOCIATION OF NEW YORK COUNTY, INC. IN SUPPORT OF WIRETAPPING LEGISLATION UNDER COURT ORDER

(Endorsed by: Grand Jurors Association, Bronx County, N.Y.; Kings County Grand Jurors' Association, Inc.; Nassau County Grand Jurors' Association, Inc,; Queens County Grand Jurors' Association; Grand Jurors Association, Richmond County, N.Y.; Suffolk County Grand Jurors' Association, Inc.; Westchester County Grand Jurors' Association, Inc.)

We think the time has come for the citizens of this great country to recognize that organized crime exists, that it is a *business* of large proportion, and that despite ardent police work, organized crime is growing bigger each year. As Senate Robert F. Kennedy acknowledged . . . "organized crime has become so rich and so powerful and so well entrenched as to often become beyond the reach of law enforcement . . . I think the choice is between taking action soon or seeing the racketeers and the hoodlums tighten their hold on illegal enterprises and move more and more into legitimate labor and businesses." It is the private individual who is the victim of organized crime. The cost exceeds $50 billion annually. To deal effectively with this problem we believe there is a deep need for realistic wiretapping legislation under the authority and protection of the Federal Courts.

Wiretapping by law enforcement officers under the court order as provided by the New York State Constitution is one of the most important weapons against organized crime. Yet the United States Supreme Court in construing an obscure section of the Communications Act, has held such action is illegal if officers *divulge* information so obtained.

The 45 year debates in Congress over wiretapping legislation seeking the exquisite balance between private rights and safety against crime have gone on too long—to the detriment of the people. As Court of Appeals Judge Kenneth B. Keating summed up the wiretapping controversy while Senator from New York:

"Invasion of privacy is repugnant to all Americans. And it should be. Nevertheless, the safety of our Nation and its people must be paramount."

The argument against wiretapping is largely emotional. Various groups say that it is "dirty business" and therefore intolerable. It is still more intolerable that an effective weapon to prevent the peddling of dope to our young people and other vicious crimes should be destroyed.

Chief Judge J. Edward Lumbard, United States Court of Appeals, Second Circuit, quotes District Attorney Frank S. Hogan as having stated the dilemma in which this state's prosecutors find themselves: " * * * we want to do our duty and, on the other hand, we would appear to be violating federal law."

We believe that judicial control is the answer to safeguarding individual rights. Overall bans on authorized wiretapping merely provide a shield to organized crime. We must learn to protect society against internal as well as external enemies with the same vigor and care as we protect the right to be let alone. For what does freedom mean without order and safety for each of us?

The Grand Jury Associations of Greater New York respectfully propose that deficiencies in wiretapping legislation should be remedied in three vital ways:

1. Prohibit all private and unauthorized wiretapping (including use of all electronic and eavesdropping devices) and make the penalties for violation clearly understood and severe.

2. Restore to the states their traditional right to have legislation permitting legal interception on court order of telephone communications involving organized crime. This can be done by clarifying existing Federal law.

3. Permit court-controlled wiretapping by Federal law enforcement officers for use only in special areas of major crimes, such as sedition, treason, narcotics, kidnapping and organized crime, and there only with the approval of the Attorney General.

Reform along these lines in our opinion would not lessen individual liberties. Such legislation would remove confusion, discourage crime, protect the individual and hearten law enforcement authorities as well. The citizens and their representatives should face up to this problem and act now. We urgently need sensible wiretapping legislation.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. LONG of Louisiana. Mr. President, is the Senator distressed over the fact that one Justice on the Supreme Court seems dedicated to striking down the Court's past decisions while another Justice appears to proclaim that the law means what it says and that it means the same today as it did 10, 20, or 50 years ago?

Mr. McCLELLAN. I have voted to confirm most of the members of the Supreme Court. I think I voted in two instances against confirmation.

When someone who is a recognized, capable, and able lawyer is appointed to the Supreme Court, and there is no question of his personal character and fitness to serve, it is very difficult for us in the Senate to vote against confirmation, and I do not find it pleasant to contemplate even voting against confirmation.

As the same time, had I known that the man I was voting to confirm would support this philosophy, I would have felt justified in refusing to grant my approval of the confirmation on the basis that his philosophy is so fundamentally wrong that it would be dangerous to our society.

I think the Supreme Court has gone that far today. Within 2 months, there has been a tremendous increase in the number of people who would not respond to police interrogation. I do not know what it will be 6 months or a year from now.

Make no mistake about it. The impact of these decisions which are strongly in favor of the criminal become known through the grapevine to those who are habitual law violators and they take advantage of it.

I do not think that anyone should be coerced to make a confession. I think everyone should have the right under the Constitution not to be compelled to give incriminating evidence against himself. However, there is also an obligation of citizenship, I believe, which requires that when a crime is committed, certainly the law enforcement officers have not only a duty to interrogate, to make inquiry, and to try to ascertain the identity of the criminal and make an arrest, but the citizen also has an obligation to cooperate.

The situation is getting worse as a result of each of these five-to-four decisions. It is leading to the point—and I will not be surprised when it gets there, and very soon—that every time an arresting officer suspects anyone, before he arrests him, he would be well advised to take a lawyer with him and turn the suspect over to the lawyer immediately.

That is a ridiculous situation if we are to have law enforcement in this country. There are many causes of crime. Poverty, disadvantages, and many other things contribute to crime. We will always have these conditions. We had far more poverty and less crime years ago. Today we have less poverty and more crime. So that is not the answer. One of the great factors that is encouraging more crime today and is reducing the deterrent—the fear of detection and punishment—is the 5-to-4 decisions by our Supreme Court.

I think the Court has to take some responsibility, and I think it is our responsibility here. If we do not agree with this philosophy and think that it contravenes the true meaning and spirit of our Constitution, I think that not only do we have the duty to speak out, but I also think the American people must look to and expect their Congress to enact laws so far as they can do so within the purview of the Constitution to remedy this situation.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Does the Senator yield?

Mr. McCLELLAN. I yield.

Mr. LONG of Louisiana. The President has recommended a so-called safe streets program——

Mr. McCLELLAN. That is a general term that I suppose every decent citizen in the country will use, but how is it to be effectuated?

The President recently vetoed a similar law which was enacted in Congress for the District of Columbia. I am not criticizing him for doing so. He may have found some good reason. But an attempt was made here to reach these conditions, which I am seeking to do in the District of Columbia, and the President vetoed the bill after the last session of Congress.

We will have to do something. We will have to introduce bills and hold hearings on them and weigh them and study the Constitution and determine the means by which we can, within the framework of the Constitution, lend a little assistance to law enforcement officials, who today are discouraged throughout the land. There no longer is incentive for them to risk their lives to apprehend criminals.

Law enforcement officials are underpaid, to begin with. They are undertrained. We must give them better training. They should be better paid. There should be some assurance that when a law enforcement official has risked his life for society, laws will sustain him and bring the accused to trial, and that a conviction can be secured if his guilt is proved.

Mr. LONG of Louisiana. As the Senator has so well pointed out, the present Supreme Court, by its close votes of 5 to 4, has accorded to the murderers, the rapists, and the arsonists rights which no one ever dreamed they would have in any land on this planet.

Mr. McCLELLAN. For 177 years the Supreme Court of the United States did not know that such persons had these rights; and we have the same Constitution now, with respect to that matter, that we have had for the entire 177 years.

Mr. LONG of Louisiana. Society has some rights. In fact, one reason why we organized a government is for the protection of society itself.

Can the Senator show me what parallel rights society itself has been accorded, while criminals have been accorded such a broad, sweeping extension of their rights in our government?

Mr. McCLELLAN. I believe that the broad, sweeping advantages of which the Senator speaks, which have been given to criminals in many of these decisions, have certainly militated against and damaged and done great injury to the rights of society to be protected.

I think there is an imbalance. The further the Court pursues its logic, or supposed logic—the course of reasoning that it has been pursuing—the more disastrous the impact is on society and on law and order in this country.

Mr. LONG of Louisiana. Does it not seem illogical, after a person has murdered more than once, to turn that person loose, to further prey upon innocent people, and thus to deny certain rights to the victim? After all, the victim has a right to survive and a right to be considered.

Mr. McCLELLAN. I think that an imbalance exists, as I have said. I had hoped that the Court would arrest its course and get back on a line of reasoning that would protect society. But the Court is drifting further away, in my judgment, instead of returning to a true course of justice in this country.

Under those circumstances, I believe that it becomes imperative that Congress, as an independent and separate branch of the Government—exercising its prerogatives and duties—do everything within its power, under the framework of the Constitution, to attempt to arrest this trend, to reverse this trend, and to give society the protection that was contemplated in the founding of our system of government, which society must have, I may say, if law and order are to prevail and chaos is to be averted.

Mr. LONG of Louisiana. It has even been suggested that because of doctrines set forth by the court in recent years the assassin of President Kennedy might have been turned loose.

Mr. McCLELLAN. Had these trends continued, by the time he ultimately would have come to trial and the matter would have reached the court, I do not know what the decision would have been. We can only speculate about that. But there is more here. What has passed, we cannot prevent. The assassination of our President was a great tragedy. That matter has been the subject of much inquiry, anxiety, wonderment, concern, and speculation. But we still look to the future.

We must provide some measure of safety. We have another President now. We will have other Presidents. But we do not think only of Presidents. Here is a little child who was murdered by its mother. Here is a man in his shop, where a confirmed criminal walks in, murders him, and takes his property. Here is a woman in her home, in her kitchen or in her living room; an intruder breaks in and rapes her at gunpoint or knifepoint, and he confesses, and we turn him loose on some little technicality.

There ought to be a purpose, a prime purpose, in the courts to ascertain truth and to predicate their judgment and decision on that, rather than some dubious means to find an excuse to free these criminals.

I have just read—with no great surprise, I may say, but it was unexpected—that the wife of the chief of police of Washington, D.C.—Chief Layton—was mugged and robbed on the street a day or two ago. These culprits are not respecters of persons. The culprit probably did not know who the lady was when he made his assault. But no one is safe.

I have lived in a neighborhood for 18 years. It was a wonderful neighborhood when I first moved there. And I am not critical of anybody. But there has been a great deterioration, I may say, in that 18 years. So much so, that it gives me great concern.

That is true not only in the neighborhood where I live; it is true almost anywhere that one goes within the District of Columbia. I am singling out that place because I lived there and know directly about it. However, I know from observation and information—and no one will deny it—that there is no place in Washington today, that I know of, that is as safe as it was 18 years ago or even 5 years ago. This condition prevails throughout the District of Columbia, the Nation's Capital. Something will have to be done to correct it, because such conditions cannot continue indefinitely.

If the crime rate continues to rise during the next 2 decades as fast as it has risen during the last few years, more than one person out of every four in the United States will be committing a serious crime. Such conditions cannot be allowed to continue. People will not be safe, and society will not be able to survive. Law and order will be unable to exist.

Mr. LONG of Louisiana. I hope that the Senator's committee and the Senator himself will bring before us proposed legislation for which we who agree with him can vote, because present conditions resulting from crime are very sad, indeed.

Mr. McCLELLAN. In answer to the distinguished Senator from Louisiana, I may say that we will do our best. But we earnestly solicit the advice, counsel, assistance, suggestions, and proposals for legislation from every Member of this body. We do not have all the answers. We do not know what the answers are. We are groping to find some solution to a condition that cannot long be tolerated.

Mr. BYRD of West Virginia. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I am happy to yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. I want to compliment the distinguished Senator from Arkansas on a timely and cogent statement and, also, on his announced intention to introduce various measures dealing with crime.

The Senator made reference to the fact that during the first 9 months of 1966, the crime rate had increased 10 percent over the same period of the previous year.

I point out that during that previous year, which is the last year for which the FBI has the complete record of a 12-month period, the overall crime rate increased 6 percent over the previous year thereto.

Murders increased 6 percent.

Forcible rapes increased 9 percent.

Burglaries increased 6 percent.

Auto thefts increased 5 percent.

I should also like to point out that in that year, a major crime was committed every 12 seconds. A forcible rape was committed every 23 minutes. A murder was committed every 53 minutes. An auto theft was committed every 60 seconds, and a burglary was committed every 27 seconds. An aggravated assault was committed every 2½ minutes, and a robbery was committed every 4½ minutes.

Of course, we could expect an increase in the crime rate by virtue of the increase in our population, but since the year 1958, the crime rate has increased six times faster than has the population growth. While the population in the 10- through 17-year age group was increasing 17 percent, during the years 1960 through 1965, arrests for serious crimes committed by that same 10-through 17-year age group were increasing 47 percent.

I think it should also be pointed out that in the year 1965, 53 policemen were murdered while serving on duty. This brought to a total of 278 the number of policemen killed while serving on duty during the years 1960 through 1965.

Of those individuals arrested for the murder of these policemen, 76 percent had been arrested on some previous occasion for commission of a serious crime. Half the arrests were for the assaultive type of crime—that is, rape, robbery, assault with a deadly weapon, and so forth.

Of those individuals who were arrested for the murder of 278 policemen, 66 percent had been convicted for the prior commission of serious crime, and two-thirds of those who had been convicted had been granted leniency in the form of probation or parole.

So one could go on and on to quote alarming statistics concerning the scourge creeping over the country, the growing crime rate.

I, for one, am glad to see the distinguished Senator from Arkansas take action to introduce legislation which would deal with this growing crime epidemic.

Mr. President, crime is not taking a holiday in any area of the country, nor is it taking a holiday in any category of crime. Something must be done, and we here have a duty to act to protect law-abiding citizens against those who would rob, rape, and maim and who would jeopardize life and property.

I, therefore, wish to associate myself with the remarks made by the distinguished Senator from Arkansas and, if he has no objection, I ask unanimous consent that my name be added as a cosponsor to the bill dealing with the admissibility of confessions in criminal cases.

Mr. McCLELLAN. I ask unanimous consent that the name of the Senator from West Virginia may be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, I wish to thank the Senator for his very fine statement in support of the general objectives of these bills.

I ask unanimous consent that the bills which I am introducing today may be printed in the RECORD and lie on the desk for the next 10 days for the opportunity of Senators who wish to cosponsor the measures.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD and lie on the desk, as requested by the Senator from Arkansas.

The bills, introduced by Mr. McClellan, for himself and other Senators, were received, read twice by their titles, referred to the Committee on the Judiciary, and ordered to be printed in the Record.

By Mr. McCLELLAN (for himself, Mr. Ervin, Mr. Hruska, and Mr. Byrd of West Virginia):

S. 674. A bill to amend title 18, United States Code, with respect to the admissibility in evidence of confessions.

S. 674

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 223, title 18, United States Code (relating to witnesses and evidence) is amended by adding at the end thereof the following new section:

"Sec. 3501. Admissibility of confessions.

"(a) In any criminal prosecution brought by the United States or by the District of Columbia, a confession, as defined in subsection (e) hereof, shall be admissible in evidence if it is voluntarily given. Before such confession is received in evidence, the trial judge shall, out of the presence of the jury, determine any issue as to voluntariness. If the trial judge determines that the confession was voluntarily made it shall be admitted in evidence and the trial judge shall permit the jury to hear relevant evidence on the issue of voluntariness and shall instruct the jury to give such weight to the confession as the jury feels it deserves under all the circumstances.

"(b) The trial judge in determining the issue of voluntariness shall take into consideration all the circumstances surrounding the giving of the confession, including (1) the time elapsing between arrest and arraignment of the defendant making the confession, if it was made after arrest and before arraignment, (2) whether such defendant knew the nature of the offense with which he was charged or of which he was suspected at the time of making the confession, (3) whether or not such defendant was advised or knew that he was not required to make any statement and that any such statement could be used against him; (4) whether or not such defendant had been advised prior to questioning of his right to the assistance of counsel; and (5) whether or not such defendant was without the assistance of counsel when questioned and when giving such confession.

"(c) In any criminal prosecution by the United States or by the District of Columbia, a confession made or given by a person who is a defendant therein, while such person was under arrest or other detention in the custody of any law-enforcement officer or law-enforcement agency, shall not be inadmissible solely because of delay in bringing such person before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States or of the District of Columbia if such confession is found by the trial judge to have been made voluntarily and if the weight to be given the confession is left to the jury.

"(d) Nothing contained in this section shall bar the admission in evidence of any confession made or given voluntarily by any person to any other person without interrogation by anyone, or at any time at which the person who made or gave such confession was not under arrest or other detention.

"(e) As used in this section, the term 'confession' means any confession of guilt of any criminal offense or any self-incriminating statement made or given orally or in writing."

(b) The section analysis of that chapter is amended by adding at the end thereof the following new item:

"3501. Admissibility of confessions."

By Mr. McCLELLAN (for himself and Mr. Hruska):

S. 675. A bill to prohibit wiretapping by persons other than duly authorized law-enforcement officers engaged in the investigation or prevention of specified categories of criminal offenses, and for other purposes.

S. 675

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Wire Interception Act".

FINDINGS

Sec. 2. On the basis of its own investigations and of published studies, the Congress makes the following findings:

(a) Wire communications are normally conducted through the use of facilities which form part of an interstate network. The same facilities are used for interstate and intrastate communications. In order effectively to protect the integrity of interstate communications and the privacy of parties to such communications it is necessary for the Congress to prohibit interception of any wire communication using such facilities and to define on a uniform basis the circumstances and conditions under which such interception is permitted.

(b) Existing law prohibiting interception and disclosure of wire communications has not been effective to preserve the integrity of the Nation's wire communications systems. There is inconsistency among the laws of different States relating to wiretapping and there is extensive wiretapping without legal sanctions. Additional legislation is needed to provide adequate protection against improper interception of wire communications, and to regulate such interception in the limited area in which it should be permitted.

(c) Modern criminals make extensive use of the telephone and telegraph as a direct instrumentality of crime and as means of conducting criminal business. In some circumstances, interception of wire communications in order to obtain evidence of the commission of crime is a necessary aid to effective law enforcement.

(d) Wiretapping may invade the privacy, not only of the suspected criminal, but of innocent persons using the tapped facility. Accordingly, the privilege of wiretapping should be limited to certain major offenses, and accompanied by safeguards to insure that the interception is justified and that the information obtained thereby is not misused.

INTERCEPTION AND DISCLOSURE OF WIRE COMMUNICATIONS PROHIBITED

Sec. 3. (a) Except as otherwise specifically provided by this Act, it shall be unlawful for any person to—

(1) willfully intercept, attempt to intercept, or procure any other person to intercept or attempt to intercept, any wire communication; or

(2) willfully disclose or attempt to disclose to any other person the contents of any wire communication if the person disclosing that information knows or has reason to know that that information was obtained through the interception of a wire communication; or

(3) willfully use or attempt to use the contents of any wire communication if the person using that information knows or has reason to know that that information was obtained through the interception of a wire-communication.

(b) It shall not be unlawful under this Act for an operator of a switchboard, or an officer, agent, or employee of any communication common carrier, whose facilities are used in the transmission of a wire communication to intercept, disclose, or use that communication in the normal course of his employment while engaged in any activity which is a necessary incident of the rendition of service.

(c) Nothing in this Act shall be deemed to limit the constitutional power of the President to obtain information by such means as he deems necessary to protect the Nation from actual or potential attack or other hostile acts of foreign powers or to protect essential military information against foreign intelligence activities. The contents of any communication intercepted by authority of the President in the exercise of the foregoing power shall not be received in evidence in any judicial trial or administrative hearing and shall not be otherwise used or divulged except as is necessary to implement this subsection.

(d) Violations of this section shall be punished as provided in section 1362, title 18, United States Code.

EVIDENCE OBTAINED FROM UNAUTHORIZED INTERCEPTION NOT ADMISSIBLE

Sec. 4. Whenever any wire communication has been intercepted by any person, no part of the contents of that communication obtained through that interception and no evidence derived therefrom may be received in evidence in any proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the United States, or any State or political subdivision thereof if the disclosure of that information would be in violation of section 3 of this Act, and the interception took place after the effective date of this Act.

AUTHORIZATION FOR CERTAIN INTERCEPTION OF WIRE COMMUNICATIONS

Sec. 5. (a) The Attorney General, or any Assistant Attorney General of the Department of Justice specially designated by the Attorney General, may authorize an application to a Federal judge of competent jurisdiction for, and such judge, after making the findings required by section 8(c) of this Act, may grant, in conformity with section 8 of this Act, leave to permit the Federal Bureau of Investigation, or other Federal agency having responsibility for the investigation of the offense as to which such application is made, to intercept wire communications when such interception may provide evidence of—

(1) any offense punishable by death or by imprisonment for more than one year under chapter 37, 105, or 115 of title 18 of the United States Code, or sections 224 to 227, inclusive, of the Atomic Energy Act of 1954 (68 Stat. 921), as amended;

(2) any offense involving murder, kidnaping, or extortion punishable under title 18 of the United States Code;

(3) any offense punishable under section 201, 1084, or 1952 of title 18 of the United States Code;

(4) any offense punishable under section 471, 472, or 473 of title 18 of the United States Code;

(5) any offense involving the manufacture, importation, receiving, concealment, buying, selling, or otherwise dealing in narcotic drugs or marihuana punishable under any law of the United States; or

(6) any conspiracy to commit any of the foregoing offenses.

(b) The attorney general of any State or the principal prosecuting attorney for any political subdivision thereof, if such person is authorized by a statute of that State to make application to a State court judge of competent jurisdiction for leave to intercept wire communications, may apply for, and such State judge, after making the findings required by section 8(c) of this Act, may grant, in conformity with section 8 of this Act, leave to intercept wire communications within that State when such action may provide evidence of the commission of any crime or any conspiracy to commit crime as to which the interception of wire communications is authorized by the law of that State.

AUTHORIZATION FOR CERTAIN DISCLOSURE AND USE OF INTERCEPTED WIRE COMMUNICATIONS

SEC. 6. (a) Any investigative or law enforcement officer who has obtained knowledge of the contents of any wire communication in accordance with this Act may disclose such contents to another investigative or law enforcement officer to the extent that such disclosure is appropriate to the proper performance of the official duties of the officers making and receiving the disclosure.

(b) Any investigative or law enforcement officer, who has obtained knowledge of the contents of any wire communication in accordance with this Act, may use any information therein contained in the proper discharge of his official duties.

(c) Any person who has received, by any means authorized by this Act, any information concerning a wire communication intercepted in conformity with section 5 of this Act may disclose the contents of that communication while giving testimony under oath or affirmation in any criminal proceeding in any court of the United States or of any State, or in any Federal or State grand jury proceeding.

PENALTY FOR UNAUTHORIZED INTERCEPTION OR DISCLOSURE OF WIRE COMMUNICATIONS

SEC. 7. Section 1362 of title 18, United States Code, is amended by—

(1) redesignating the text thereof as subsection (a); and

(2) inserting at the end thereof the following new subsection:

"(b) Whoever willfully intercepts, discloses, or uses any wire communication, or attempts to do so or procures another person to do so, in violation of the Federal Wire Interception Act, shall be fined not more than $10,000, or imprisoned not more than two years, or both."

PROCEDURE

SEC. 8. (a) CONTENTS OF APPLICATION.—Each application under section 5 of this Act shall be made in writing upon oath or affirmation, and shall state the applicant's authority to make such application. Each application shall include the following information:

(1) A full and complete statement of the facts and circumstances relied upon by the applicant;

(2) The nature and location of the communications facilities involved; and

(3) A full and complete statement of the facts concerning all previous applications, known to the individual authorizing the application, made to any judge for leave to intercept wire communications involving the same communication facilities, or any of them, or involving any person named in the application as committing, having committed, or being about to commit an offense, and the action taken by the judge on each such application.

(b) ADDITIONAL EVIDENCE IN SUPPORT OF APPLICATION.—The judge may require the applicant to furnish additional testimony or documentary evidence in support of the application.

(c) GROUNDS FOR ISSUANCE.—Upon such application the judge may enter an ex parte order granting leave to intercept wire communications at any place within the territorial jurisdiction of the court in which the judge is sitting, if the judge determines on the basis of the facts submitted by the applicant that there is probable cause for belief that—

(1) an offense for which such an application may be filed under this Act is being, has been or is about to be committed;

(2) facts concerning that offense may be obtained through such interception;

(3) no other means are readily available for obtaining that information; and

(4) the facilities from which communications are to be intercepted are being used or about to be used in connection with the commission of such offense, or are leased to, listed in the name of, or commonly used by, a person who has committed, is committing, or is about to commit such offense.

(d) CONTENTS OF ORDER.—Each order granting leave to intercept any wire communication shall specify—

(1) the nature and location of the communications facilities as to which leave to intercept is granted;

(2) each offense as to which information is to be sought;

(3) the identity of the agency authorized to intercept the communications; and

(4) the period of time during which such interception is authorized.

(e) TIME LIMIT AND EXTENSIONS OF ORDER.—No order entered under this section may grant leave to intercept any wire communication for any period exceeding forty-five days. Extensions of the order may be granted for periods of not more than twenty days each upon further application made in conformity to subsection (a) of this section and upon the findings required by subsection (c) of this section.

(f) NOTICE OF INTENTION—The contents of an intercepted wire communication shall not be received in evidence or otherwise disclosed in any criminal proceeding in a Federal court unless each defendant, not less than ten days before the trial, has been furnished with a copy of the court order or other authorization pursuant to which the interception was made. The ten-day period specified above may be waived by the judge if he finds that it was not possible to furnish the defendant with the above information ten days before the trial, and that the defendant will not be prejudiced by the delay in receiving such information.

(g) MOTION TO SUPPRESS.—Any defendant in a criminal trial in a Federal court may move in that court to suppress the use as evidence of the contents of any intercepted communication or any part thereof or evidence derived therefrom, on the ground that (1) the communication was unlawfully intercepted; (2) the order or other authorization pursuant to which it was intercepted is insufficient on its face; (3) in the case of an order of a court, there was not probable cause for believing the existence of the grounds on which the order was issued; or (4) the interception was not made in conformity with the order or other authorization. Such motion shall be made before trial or hearing unless opportunity therefor did not exist or the defendant was not aware of the grounds of the motion, but the court in its discretion may entertain the motion at the trial or hearing. If the motion is granted the evidence shall not be admissible in any court or proceeding.

(h) SEALING OF APPLICATIONS AND ORDERS.—Applications made to a court and orders granted by the court pursuant to this Act shall be sealed by the court. They shall not be made public except in accordance with this Act or by order of the court.

REPORTS CONCERNING INTERCEPTED WIRE COMMUNICATIONS

SEC. 9. (a) Within thirty days after the expiration of any order (including any extension thereof) entered by any State or Federal judge granting leave to intercept any wire communication under this Act, the judge shall cause to be transmitted to the Administrative Office of the United States Courts and to the Attorney General of the United States a true and correct copy of (1) that order and any order for the extension thereof, and (2) the application or applications made therefor. Within thirty days after the denial by any judge of any application made to him for the entry of any such order, or for the extension of any such order previously entered by him, under this Act, the judge shall transmit to the Administrative Office of the United States Courts and to the Attorney General of the United States a true and correct copy of that application.

(b) In March of each year the Director of the Administrative Office of the United States Courts shall transmit to the Congress a full and complete report concerning the number of applications under section 5 of this Act which were made, granted, and denied during the preceding calendar year. Such report shall state:

(1) the number of applications made by or on behalf of each Federal or State agency, and the number of orders granting or denying such applications;

(2) the number of applications made to, and granted and denied by, each Federal or State court;

(3) the number of applications made, granted, and denied with respect to each category of criminal offenses enumerated in section 5 of this Act; and

(4) the number of applications made, granted, and denied within each State, and each municipality or other political subdivision thereof, with respect to each such category of criminal offenses.

DEFINITIONS

SEC. 10. As used in this Act—

(1) The term "wire communication" means any communication made in whole or in part through the use of facilities for the transmission of communications by the aid of wire, cable, or other like connection between the point of origin and the point of reception furnished or operated by any person engaged as a common carrier in providing or operating such facilities for the transmission of interstate or foreign communications;

(2) The term "interstate communication" means any communication transmitted (a) from any State to any other State, or (b) within the District of Columbia or any possession of the United States;

(3) The term "foreign communication" means any communication transmitted between the United States and any foreign country;

(4) The term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any possession of the United States;

(5) The term "intercept" means the acquisition of the contents of any wire communication from a wire communication facility or component thereof, through the use of any intercepting device, by any person other than the sender or receiver of such communication or a person authorized by either;

(6) The term "intercepting device" means any device or apparatus, other than an extension telephone instrument furnished to the subscriber or user by a communication common carrier in the ordinary course of its business as such carrier;

(7) The term "contents", when used with respect to any wire communication, includes any information concerning the identity of the parties to such communication or the existence, contents, substance, purport, or meaning of that communication;

(8) The term "person" means any individual, including any officer or employee of the United States or any State or political subdivision thereof, and any partnership, association, joint stock company, trust, or corporation;

(9) The term "investigative or law enforcement officer" means any officer of the United States or of a State or political subdivision thereof, who is empowered by law to conduct investigations of or to make arrests for offenses described in this Act, and any attorney authorized by law to prosecute or participate in the prosecution of such offenses; and

(10) The term "judge of competent jurisdiction" means—

(a) a judge of a United States district court or a United States court of appeals; and

(b) a judge of any court of general criminal jurisdiction of a State who is authorized by a statute of that State to enter orders granting leave to intercept any wire communication.

COMMUNICATIONS ACT AMENDMENT

SEC. 11. The text of section 605 of the Communications Act of 1934 (48 Stat. 1103; 47 U.S.C. 605) is amended to read as follows:

"No person receiving, or assisting in receiving, or transmitting, or assisting in transmitting, any interstate or foreign communication by wire or radio shall divulge or publish the existence, contents, substance, purport, effect, or meaning thereof, except through authorized channels of transmission or reception, to any person other than the addressee, his agent, or attorney, or to a person employed or authorized to forward such communication to its destination, or to proper accounting or distributing officers of the various communicating centers over which the communication may be passed, or to the master of a ship under whom he is serving, or in response to a subpena issued by a court of competent jurisdiction, or on demand of other lawful authority; and no person not being authorized by the sender shall intercept any radio communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person; and no person not being entitled thereto shall receive or assist in receiving any interstate or foreign communication by radio and use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto; and no person having received any intercepted radio communication or having become acquainted with the contents, substance, purport, effect, or meaning of the same or any part thereof, knowing that such information was so obtained, shall divulge or publish the existence, contents, substance, purport, effect, or meaning of the same or any part thereof, or use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto: *Provided*, That this section shall not apply to the receiving, divulging, publishing, or utilizing the contents of any radio communication broadcast, or transmitted by amateurs or others for the use of the general public, or relating to ships in distress."

SEPARABILITY

SEC. 12. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the other provisions of this Act and the application of any provision to other person or circumstances shall not be affected thereby.

By Mr. McCLELLAN (for himself and Mr. HRUSKA):

S. 676. A bill to amend chapter 73, title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States.

S. 676

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 73, title 18, United States Code, is amended by adding at the end thereof the following new section:

§ 1510. Obstruction of criminal investigations

"(a) Whoever willfully endeavors by means of bribery, misrepresentation, intimidation, or force or threats thereof to obstruct, delay, or prevent the communication of information relating to a violation of any criminal statute of the United States by any person to a criminal investigator; or

"Whoever injures any person in his person or property on account of the giving by such person or by any other person of any such information to any criminal investigator—

"Shall be fined not more than $5,000, or imprisoned not more than five years, or both.

"(b) As used in this section, the term 'criminal investigator' means any individual duly authorized by a department, agency, or armed force of the United States to conduct or engage in investigations of or prosecutions for violations of the criminal laws of the United States."

(b) The chapter analysis of chapter 73, title 18, United States Code, is amended by adding at the end thereof the following new item:

"1510 Obstruction of criminal investigations."

By Mr. McCLELLAN (for himself and Mr. HRUSKA):

S. 677. A bill to permit the compelling of testimony with respect to certain crimes, and the granting of immunity in connection therewith.

S. 677

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1952 of title 18, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) Whenever in the judgment of a United States attorney the testimony of any witness, or the production of books, papers, or other evidence by any witness, in any case or proceeding before any grand jury or court of the United States involving a violation of this section, or any conspiracy to violate this section, is necessary to the public interest, he, upon the approval of the Attorney General or an Assistant Attorney General designated by the Attorney General, shall make application to the court that the witness shall be instructed to testify or produce evidence subject to the provisions of this subsection, and upon order of the court such witness shall not be excused from testifying or from producing books, papers, or other evidence on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture. But no such witness shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, nor shall testimony so compelled or evidence so produced be used as evidence in any criminal proceeding (except prosecution described in the next sentence) against him in any court. No witness shall be exempt under this subsection from prosecution for perjury or contempt committed while giving testimony or producing evidence under compulsion as provided in this subsection."

SEC. 2. Section 1503 of title 18, United States Code, is amended by placing "(a)" before the present paragraph and by adding the following new subsection at the end thereof:

"(b) Whenever in the judgment of a United States attorney the testimony of any witness, or the production of books, papers, or other evidence by any witness, in any case or proceeding before any grand jury or court of the United States involving a violation of this section, or any conspiracy to violate this section, is necessary to the public interest, he, upon the approval of the Attorney General or an Assistant Attorney General designated by the Attorney General, shall make application to the court that the witness shall be instructed to testify or produce evidence subject to the provisions of this subsection, and upon order of the court such witness shall not be excused from testifying or from producing books, papers, or other evidence on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture. But no such witness shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, nor shall testimony so compelled or evidence so produced be used as evidence in any criminal proceeding (except prosecution described in the next sentence) against him in any court. No witness shall be exempt under this subsection from prosecution for perjury or contempt committed while giving testimony or producing evidence under compulsion as provided in this subsection."

SEC. 3. Chapter 9 of title 18, United States Code, is amended by adding the following new section at the end thereof:

"§ 156. Refusal to testify

"Whenever in the judgment of a United States attorney the testimony of any witness, or the production of books, papers, or other evidence by any witness, in any case or proceeding before any grand jury or court of the United States involving a violation of this chapter, or any conspiracy to violate this chapter, is necessary to the public interest, he, upon the approval of the Attorney General or an Assistant Attorney General designated by the Attorney General, shall make application to the court that the witness shall be instructed to testify or produce evidence subject to the provisions of this section, and upon order of the court such witness shall not be excused from testifying or from producing books, papers, or other evidence on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture. But no such witness shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, nor shall testimony so compelled or evidence so produced be used as evidence in any criminal proceeding (except prosecution described in the next sentence) against him in any court. No witness shall be exempt under this section from prosecution for perjury or contempt committed while giving testimony or producing evidence under compulsion as provided in this section."

SEC. 4. Chapter 11 of title 18, United States Code, is amended by adding the following new section at the end thereof:

"§ 225. Refusal to testify

"(a) Whenever in the judgment of a United States attorney the testimony of any witness, or the production of books, papers, or other evidence by any witness, in any case or proceeding before any grand jury or court of the United States involving a violation of this chapter, or any conspiracy to violate this chapter, is necessary to the public interest, he, upon the approval of the Attorney General or an Assistant Attorney General designated by the Attorney General, shall make application to the court that the witness shall be instructed to testify or produce evidence subject to the provisions of this section, and upon order of the court such witness shall not be excused from testifying or from producing books, papers, or other evidence on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture. But no such witness shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, nor shall testimony so compelled or evidence so produced be used as evidence in any criminal proceeding (except prosecution described in the next sentence) against him in any court. No witness shall be exempt under this section from prosecution for perjury or contempt permitted while giving testimony or producing evidence under compulsion as provided in this section."

Sec. 5. (a) The analysis of chapter 9 of title 18, United States Code, is amended by adding the following new item at the end thereof:

"156. Refusal to testify."

(b) The analysis of chapter 11 of title 18, United States Code, is amended by adding the following new item at the end thereof:

"225. Refusal to testify."

By Mr. McCLELLAN:

S. 678. A bill to outlaw the Mafia and other organized crime syndicates.

S. 678

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

FINDINGS AND DECLARATION OF FACT

Section 1. That the Congress finds and declares that there exist in the United States, organizations, including societies and syndicates, one of which is known as the Mafia, which have as their primary objective the disrespect for constituted law and order; that the members of such organizations are recruited for the purpose of carrying on gambling, prostitution, traffic in narcotic drugs, labor racketeering, extortion, and commercial-type crimes generally, all of which are in violation of the criminal laws of the United States and of the several States; that these organizations, such as the Mafia, are conducted under their own code of ethics which is without respect for moral principles, law, and order; that the existence of these organizations is made easier through the use of bribery and corruption of certain public officials; that secrecy as to membership and authority within such organizations is a cardinal principle; that discipline and authority within such organizations are maintained by means of drastic retaliation, usually murder, and that similar methods are employed to coerce nonmembers; that, because such organizations violate every law of decency and humanity, they constitute a grave threat to the American way of life; that the members of such organizations refuse to cooperate with congressional investigative committees and deliberately engage in actions which are intended to hinder and frustrate the work of these legislative committees; and that, for the aforementioned reasons, the Mafia and other such organizations, societies, and syndicates should be outlawed.

MEMBERSHIP

Sec. 2. (a) Whoever on and after the date of enactment of this Act knowingly and willfully becomes or remains a member of (1) the Mafia, or (2) any other organization having for one of its purposes the use of any interstate commerce facility in the commission of acts which are in violation of the criminal laws of the United States or any State, relating to gambling, extortion, blackmail, narcotics, prostitution, or labor-racketeering, with knowledge of the purpose of such organization, shall be guilty of a felony and upon conviction shall be imprisoned for not less than five years nor more than twenty years and may be fined not more than $20,000.

(b) In determining membership or participation in the Mafia or any other organization defined in section 3 of this Act, or knowledge of the purpose or objective of such organization, the jury, under instructions from the court, shall consider all evidence presented as to whether the accused person—

(1) has been convicted for the violation of any State or Federal criminal law relating to the offenses mentioned in subsection (a);

(2) has made financial contributions to the organization in dues, assessments, loans, or in any other form;

(3) has given financial assistance in the form of gifts, loans or bail bonds to any member of any such organization, or to such organization;

(4) has carried out or attempted to carry out any order or instruction from the organization to do any act which would be a violation of any of the criminal laws of any State or of the United States, or in any other way has carried out to any degree the plans, designs, objectives, or purposes of the organization;

(5) has participated to any degree in meetings of the organization at which was discussed matters relating to any of the criminal violations referred to in subsection (a); or

(6) has refused to cooperate with law enforcement agencies and legislative bodies in their efforts to protect society from the demoralizing influences of crime and vice.

DEFINITIONS

Sec. 3. As used in this Act, the term—

(1) "Mafia" means a secret society whose members are pledged and dedicated to commit unlawful acts against the United States or any State thereof in furtherance of their objective to dominate organized crime and whose operations are conducted under a secret code of terror and reprisal not only for members who fail to abide by the edicts, decrees, decisions, principles, and instructions of the society in implementation of this domination of organized crime, but also for those persons, not members, who represent a threat to the security of the members or the criminal operations of the society;

(2) "organization" means any group, association, society, confederation, or syndicate whose aims, objectives, and purposes are as stated in subsection (a) of section 2 of this Act; and

(3) "interstate commerce facility" means any mode of travel interstate, whether by common carrier or by private means, and any communication facility as defined in paragraph (b) of section 1403, title 18, of the United States Code.

Mr. HRUSKA. Mr. President, the distinguished senior Senator from Arkansas [Mr. McClellan] has just performed an invaluable service for the Senate and the American people in detailing the facts of several critical crime problems which presently face the American people. I wish to associate myself with those remarks and ask unanimous consent that I be listed as a cosponsor of S. 674, S. 675, S. 676, and S. 677.

Mr. President, the 10 percent increase registered in the Federal Bureau of Investigation's crime reporting index for the first 9 months of 1966 over the corresponding period of the previous year, as alluded to by the distinguished Senator, are truly cause for alarm and concern. It serves to highlight and underscore the need for concerted action at all levels of government to combat the burgeoning crime menace.

This issue, in reality a myriad of many complex problems having to do with what I have previously described on the Senate floor as the criminal justice system, knows no partisan bounds. It is truly national in scope and demands the full talents and best efforts of all concerned. It should be free from political bickering. As the ranking minority member on the Criminal Laws Subcommittee, it is my privilege to work with the distinguished Senator from Arkansas and do what I can to help to work for solution of these vexing problems.

The Senator has introduced today a series of bills which can do much to attack some of the most pressing problems associated with the mounting tidal wave of crime and lawlessness. One bill would lay to rest the controversy generated by recent Supreme Court decisions centering around the admissibility of voluntary confessions in Federal criminal proceedings.

It would establish a commonsense approach to the question of the admissibility of confessions, leaving the decision properly to the trial judge and jury who are in a position to ascertain the facts and circumstances which bear on the question of admissibility.

A second bill would go a long way in resolving the intolerable situation which presently obtains on the difficult question of wiretapping. While I have reservations about some features of the bill, particularly those sections having to do with the use of wiretapping by State and local officials, it is my conviction that Senator McClellan's approach is basically sound and I am happy to be associated with him in cosponsoring the bill.

Two other bills, S. 676 and S. 677, are identical to two bills which passed the Senate during the second session of the 89th Congress, S. 2188 and S. 2190. They are much-needed measures which provide for protection of potential witnesses in Federal criminal proceedings prior to the beginning of the trial proceeding and extend the Federal immunity statutes to four more areas. These bills should be enacted without delay by both the Senate and the House.

The final bill, S. 678, would make membership in organizations such as the Mafia unlawful. While its objectives are most laudable, I cannot in good conscience support it, as there appear to be several fundamental constitutional questions which would arise should the bill become law. A real need exists in this area and perhaps an approach which would amend our present conspiracy laws might be an alternative approach to the problem.

Mr. President, again I commend the distinguished senior Senator from Arkansas [Mr. McClellan] for his hard work and continuing efforts in this field. I will do what I can to assist him in these worthy and essential efforts.

A DYNAMIC DEFINITION OF STATES RIGHTS

Mr. TYDINGS. Mr. President, I introduce, for appropriate reference, a bill which would rebate a share of Federal tax revenues, substantially without restrictions on the use of those revenues, to States and large metropolitan areas.

The central purpose of this bill is to strengthen the effective governing capacity of State and local governments, and thus to revitalize the true "Jeffersonian" definition of "States rights" in our federal system. I do not mean "States rights" in the way that term is used by those who want an excuse for governmental inaction, either at Federal or State levels, in the regulation of vast economic forces, or in meeting pressing public demands for improved and more equitable social services. I would redefine "States rights" in dynamic terms, as the rights and responsibilities of States and of local governmental units generally, to act, to innovate, to experiment, in order to meet public needs which they are best qualified to meet. This bill will give States and local governments the means to protect their right to act.

The experience of this country since 1900 demonstrates the importance of inculcating the true, dynamic definition of States rights. Since 1900, this country has seen a veritable explosion of governmental activity to regulate the economy, and to provide far-reaching social services. What activities should be undertaken by the Federal Government, and what should be left to State and local governments, was the central question of American constitutional law until almost the beginning of the Second World War. Until that time, many constitutional lawyers believed, as an immutable principle, that the authority of the Federal Government to regulate the economy or to provide social services was rigidly limited, and that the overwhelming portion of this power was firmly in the hands of State and local governments. States rights, for these constitutional lawyers, simply meant the right of the States to be free from any Federal Government competition in regulating the economy or providing social services.

That constitutional principle has today virtually vanished from our law books. Since the late 1930's the constitutional power of the Federal Government to regulate the economy and to provide services for "the general welfare" has been firmly established. The crisis of the 1929 depression vividly demonstrated the interdependence of all parts of our national economy and the consequent need for central economic regulatory power.

The pervasive controls exercised by the Federal Government during World War II further set the stage for expansion of the Federal role in our national life. When at the end of the war, the American people saw the magnitude of the social needs which had been ignored during the war and before—needs in housing, health care, transportation, education, and a multitude of other areas—they turned to the Federal Government, both from habit and because they could not get a fair hearing from State governments dominated by unrepresentative interests, and hamstrung by archaic constitutions and a tradition of inaction. Thus Federal expenditures, in grants-in-aid and other forms, to State and local governments rose from $894 million in 1946 to $14 billion in 1966. These expenditures were made for specific programs, with detailed Federal supervision of the purposes for which and manner in which the funds were spent by the State and local governments.

I believe that the Federal Government was right to respond to the unmet social and economic needs of our citizens during the past several decades. I am confident that we will never again be dominated by the political views of the 1920's and early 1930's which held that the Federal Government had no power to meet pressing social needs, even though the States refused to act.

But today the success of the Federal Government in establishing its constitutional right to act, and the vast scope of the programs undertaken by the Federal Government, create new problems. State and local governments are today threatened with two unfortunate possibilities. They can accept limited roles, under Federal grant-in-aid programs, to carry out programs initiated and guided by the Federal Government, and thus they can become mere adjuncts or departments of the Federal Government. Or even worse, they can become wholly passive and permit the Federal Government to bypass them altogether in providing the broad range of social services which our citizens demand. In that event, State governments would simply wither away until, as Senator DIRKSEN has said in another context, "the only people interested in State boundaries will be Rand McNally." In short, State and local governments are in danger of being swamped by the Federal Government.

This situation threatens the vitality of our governing processes. The lesson we learned in high school civics courses—that our federal system insures plural centers of power and permits local initiative and control to meet local problems—is in danger of becoming irrelevant. Some people may not regret this. They may say that the long history of State inaction, of wholesale legislative corruption and domination by special interests, has proved that the States cannot be trusted and must be rigidly controlled by the Federal Government or bypassed altogether.

I wholeheartedly disagree with this view. I cannot deny the unsavory past history of many State and local governments. But many factors which produced that history can be overcome. For one thing, the courts have acted against malapportionment in State legislatures which made State governments unrepresentative and unresponsive to public needs. I am proud to have played a part in the opposition to the unsuccessful attempts, in the last Congress, to overturn the Supreme Court's reapportionment decisions. Now we can build on the promise offered by reapportionment—the promise of more responsive and responsible State governments.

Another important element contributing to the unsatisfactory performances of many State and local governments has been the absence of sustained public interest, or public scrutiny, regarding the actions of these governments. This situation can, I think, be changed. The bill I propose today contains measures to increase effective public scrutiny of State and local governments.

Fundamentally, I believe that we cannot afford to mistrust State and local governments, and to discard our federal system. We have too much to lose. We will lose the benefit of the State as a laboratory for social programs, as a potential source of innovation and experimentation in our system of government. And we will lose the benefit of the State as an independent source of authority in our society, a source which is more accessible to many people than the Federal Government. No matter how much autonomy the Federal Government gives to its bureaucrats administering programs outside Washington, those bureaucrats cannot respond as freely as State and local officials to the peculiar problems of citizens in different localities in this country. If we permit the functions of State and local governments to atrophy, we will lose a vital humanizing element in our system of government.

We must devise means to rescue State and local government. What can we do? Some politicians attempt to meet this problem by resurrecting the old, dead slogans of States rights. "The Federal Government has become too big," they say. "Its programs must be cut back, and its role in our national life must be reduced, to leave the field free for the States to act—or to refuse to act." This is no true answer to the problem. Simply reducing the activities of the Federal Government with no corresponding assumption of responsibilities by State and local governments brings the clear danger that the vital social needs of this country will not be adequately met. In effect, these critics of the Federal Government are saying, "We must strengthen State government by weakening the Federal Government, and if this means that our educational system will become increasingly outmoded, that our air and water will continue to choke us with pollution, that our health facilities will remain inadequate and unavailable to many people—if weakening the Federal Government will mean that a multitude of social problems go unmet, well, that's too bad." That, in effect, is the old States rights argument. I think that argument is unacceptable to the great majority of the American people.

I propose a different answer to meet the threat that the activities of the Federal Government will swamp State and local government. I believe that State and local government can be strengthened without at the same time weakening the Federal Government. I believe we must strengthen and refurbish the Jeffersonian concept of States rights—the responsibility and right of State and local governments to compete, on equal terms, with the Federal Government in meeting the needs of our citizens. When I said, at the beginning of these remarks, that we must protect the rights of States to act, to innovate, to experiment, I did not mean that the Federal Government must step aside in the hope that the States would rise to the challenge. I meant that States must be able to compete with the Federal Government, and not be permanently confined to a back seat in our processes of government. This is a dynamic definition of States rights. If it is put into action, it could revitalize our federal system.

The bill which I introduce today is intended as a basic step in establishing this dynamic definition of States rights. The bill is designed to meet two needs: First, to provide funds to States and to large metropolitan area governments which can be used, basically as those governments see fit, to provide public services, and second, to create incentives for better government at State and local levels by requiring comprehensive planning and, in large metropolitan areas, some form of intergovernmental cooperation. Moreover, the bill provides a mechanism for evaluating—though not controlling—the State and metropolitan area plans, by establishing a Commission for Federalism.

I believe both needs—the State and local need for funds and the need for incentives to better government—must be satisfied if we hope to achieve a dynamic federalism. The State and local need for funds has been eloquently attested to since World War II by a courageous number of State and local officials who have run the considerable political risks of increasing taxes. In 1963 alone, State and local property taxes across the Nation were increased 7.3 percent, sales taxes were increased 8.7 percent, corporate income taxes were increased 7.5 percent, and personal income taxes were increased 6.3 percent. There are, however, serious inhibitions on the ability of State and local governments to increase taxes to meet their needs: traditional political resistance generated by powerful constituents at State and local levels; fears among State and local officials that tax increases would cause industry and population to move to other jurisdictions; rigid constitutional provisions which restrict tax rates and, in a number of States, forbid income taxes altogether. My own State of Maryland lost the services of a great Governor, William Preston Lane, who was defeated in 1950 solely because his administration enacted a State sales tax. Every State has similar examples of excellent Governors—members of both parties—who have been defeated at the polls because they had the courage to propose an unpopular tax increase which their people badly needed.

Tax revenues, are, of course, not the only source of State and local funds, and these governments have been prodigious in using other sources. For example, since World War II, State and local debt have increased by 600 percent. Nonetheless, I seriously doubt whether State and local government will be able to meet increased expenditure needs during the next decade from the sources now available to them. Unless State and local governments are freed from the heavy financial pressure which now lies on them, they will be continually tempted to defer public necessities, to gloss over inadequate facilities in education and health, in transportation and housing, in recreation, police protection, and a host of other areas. Until the financial pressures on State and local government are eased, we cannot hope to see them rise boldly and imaginatively to meet public needs.

The Federal Government must act to ease these financial pressures, in order to assure the vitality of our federal form of government, and to guarantee the concept of States rights for which I have spoken. The Federal Government must accept its responsibility to restore a proper balance to our governmental system. Moreover, as a practical matter, I believe it is desirable that Federal, rather than State and local, taxes should be utilized to meet increased revenue needs. At present, approximately four-fifths of total State and local tax revenues come from property and sales or gross-receipts taxes. These taxes do not respond to economic growth as readily as income taxes, and in many areas, these taxes have been raised to the point where they discourage business and farming and throw a disproportionate burden on those least able to pay. State income taxes, as they have been traditionally administered, are also more regressive than the Federal income tax. Furthermore, as Walter Heller has pointed out:

> Costs of collecting Federal taxes are far below costs of collecting state and local taxes, and given vast advantages in jurisdiction, size and scale, the Internal Revenue Service is an inherently more efficient tax administering agency that those of the states. (Heller, *New Dimensions of Political Economy*, p. 167)

We must insure, of course, that Federal grants are used by the States for action, not simply for replacing tax revenues which they would otherwise raise from their own sources. I therefore propose that any State whose revenue-raising effort falls below the average of the efforts made by all States, will have its share of Federal funds correspondingly reduced. It would not be fair, I think, for a State, which is making less than an average effort to raise its own revenues, to receive Federal funds equal to the funds received by the other States.

I further believe that the governments of large metropolitan areas in this country need special financial assistance to meet their pressing needs. The revenue requirements of metropolitan areas significantly exceed requirements of other areas. Population density brings disproportionately high demands for public services of all kinds—schools, roads, mass transportation, parks, sewers, health facilities. Expenditures average 30 percent higher, on a per capita basis, in metropolitan areas than in other areas.

Moreover, many problems of metropolitan areas—the most intractable problems—can only be solved through the cooperative efforts of fragmented and often overlapping political jurisdictions. But there are many forces in metropolitan areas which make cooperative efforts difficult to achieve. The flight of population from the central city to the suburbs—taking rich sources of tax revenues and leaving behind growing social problems of the very young, the very old and the disadvantaged—in itself fosters political separatism between city and suburb. The city and the suburb too often refuse to admit that many of their problems are common problems that can only be solved through common action. Because of the old parochialisms, the sanctity of the county line and the city line, one community cannot help another. We have an example in my own State of Maryland, where the authorities of the city of Baltimore, and Baltimore County cannot agree on the location of a joint incinerator.

I believe that the Federal Government must provide concrete incentives for metropolitan areas to acknowledge their common problems and to act together to solve those problems. I agree with the recent recommendation of the Advisory Commission on Intergovernmental Relations:

> The Congress and executive agencies should authorize and encourage responsible joint participation in urban development programs by local governments having common program objectives in metropolitan areas that overlap political boundaries. (Advisory Commission on Intergovernmental Relations, *Metropolitan America: Challenge to Federalism*, p. 138, Oct. 1966.)

I therefore propose that payments of the per capita allotment be made directly to the governments representing substantially all the population of any metropolitan area, whose population exceeds 1.5 million. To qualify for direct payments, the governments of the area need not join together in any "super-metropolitan government," nor need they enter formal regional compacts or any other particular intergovernmental arrangement. They need only agree together to request funds, and, as I will discuss later, agree on a plan for spending the funds. I would leave the precise governmental form of metropolitan cooperation to the imagination and good sense of the metropolitan governments themselves.

Where a metropolitan area receives direct payments, my bill also authorizes an additional allotment of 40 percent of that payment to the State or States which contain the metropolitan area. This added payment is needed in view of the extraordinary demand for services which the densely populated large metropolitan areas impose on both State and local government. Moreover, the added payment will be a further important incentive in persuading metropolitan governments to devise means for needed joint action.

The bill I propose today will thus enhance the governing capacity of State and local governments by providing necessary revenues and incentives for regional metropolitan cooperation. It will promote good government, at the State and local level, by another means as well. I propose that, each year, before any payment is made to State or metropolitan governments, those governments must prepare a comprehensive plan indicating the purposes for which the anticipated payments will be spent, and the relationship of those purposes to the overall development of the State or metropolitan area in question. Requiring State and metropolitan area governments to develop and publicly articulate comprehensive plans will make these governments more aware of their need to choose intelligently among competing program alternatives and to relate those choices to their long-range purposes. The publication of these plans will, moreover, give the public an opportunity to scrutinize the long-range policies of their local governments and to participate more fully in the development of those policies.

The plans prepared by State and metropolitan area governments will be submitted to a Commission for Federalism, created by this bill, which will advise the various governments in the preparation of their plans, and will evaluate and report annually to the Congress on the plans. The Commission will have no veto power over any part of the plans submitted by State and metropolitan area governments. The only restrictions placed on State and local expenditures of the revenues are the constitutionally based antidiscrimination provisions of title VI of the Civil Rights Act of 1964, and the minimum wage requirements of the Davis-Bacon Act. Otherwise, the State and metropolitan area governments will be free to spend the funds as they see fit, to choose program priorities based on their independent views of the public welfare, unhampered by Federal priorities or limitations.

Any limitations—such as those proposed by Senator JAVITS in his Federal tax-sharing bill, S. 482, introduced last week—that, for example, funds cannot be spent for administration or for highways would, aside from their merits, be unenforceable since States could simply spend the Federal tax-shared revenues for approved purposes and its general revenues for the disapproved purposes and no one could prove whether the State was really spending "extra" money on the disapproved projects.

The independence of the State and metropolitan area governments will in no way be diminished by the advisory functions of the Commission for Federalism. Moreover, the evaluations made by the Commission of the various State plans, and the Commission's annual report to Congress, will produce great benefits for good government. The various States and metropolitan areas—and their citizens—will be kept informed of the plans and activities of the governments throughout the country. Invaluable information about program successes and failures will be communicated among governments and among the people generally. We will effectively tap the great potential of our federal system to operate as a multitude of governmental laboratories for the development and testing of new ideas.

The amount of money proposed under this bill is not great, as compared to the need. The bill would provide that approximately 1 percent of the Federal individual and corporate income tax revenues would be distributed among the States and metropolitan areas. The bill would have provided allotments of approximately $3.80 per capita based on 1965 tax returns, and $4.38 per capita based on projected 1966 returns. If allotments were made to all States and to all qualified metropolitan areas, the total expenditure would have been approximately $842.6 million, based on 1965 returns, and $969.8 million based on projected 1966 returns. The current fiscal limitations in the Federal budget have led me to propose these relatively limited expenditures. As I have stated to my constituents in Maryland, one of the reasons I support the President's proposal for a tax increase is so that we may consider a plan such as this for remitting funds to the States and metropolitan area governments. I believe that a start must be made now to rescue our federal system. We cannot postpone this pressing social need. The Congress must clearly commit itself now to underwrite the fiscal base of State and metropolitan area governments. We must begin a new era of dynamic States rights.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD, and, further, that the bill lie on the desk for 10 days for additional cosponsors.

I also ask that the following tabulations, of amounts which my bill would have made available to States and metropolitan areas based on 1965 and 1966 tax revenues, be appended to these remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and tabulations will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from Maryland.

The bill (S. 673) to remit a share of Federal tax revenues to States and to governments of certain metropolitan areas, and to establish a Commission for Federalism to allot such revenues and to report on their use to the Congress, introduced by Mr. TYDINGS, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 673

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled,

STATEMENT OF PURPOSE

SECTION 1. It is declared to be the policy of Congress—

(a) that the effective governing capacity of state and metropolitan area governments must be strengthened by increasing the financial resources available to those governments;

(b) that the ability of State and metropolitan area governments to identify and choose among competing priorities and to meet their problems by innovative means must be enhanced;

(c) that comprehensive planning efforts and areawide intergovernmental cooperation must be fostered in order successfully to meet areawide problems.

COMMISSION FOR FEDERALISM

SEC. 2. There is hereby established a Commission for Federalism (hereinafter referred to as "the Commission"), which shall consist of five Commissioners, appointed by the President by and with the advice and consent of the Senate. The first Commissioners appointed shall continue in office for terms of three, four, five, six, and seven years, respectively, the term of each to be designated by the President, and their successors shall be appointed for a term of seven years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the Commissioner whom he shall succeed.

The President shall designate one among the Commissioners as Chairman of the Commission. The annual rate of basic compensation for the Chairman, and the other Commissioners, shall be equivalent to that provided by level III and level IV, respectively, of the Federal Executive Salary Schedule (5 U.S.C. § 2211 (c), (d)).

No more than three Commissioners shall be members of the same political party. The Commission is authorized to employ such personnel as, in its judgment, shall be required to carry out its functions.

ALLOTMENT TO STATES

SEC. 3. (a) The Commission shall annually make an allotment among the several States of a sum equal to one per centum of the aggregate revenue paid (or withheld for credit against payment) on individual and corporate income tax returns during the preceding calendar year. This sum shall not include revenue paid (or withheld) but refunded to the taxpayers during that calendar year. Each State shall receive an allotment of such sum based on the ratio of its population to the population of all States, except that any State whose revenue-raising efforts (including the efforts of any political subdivisions) relative to its revenue-raising capacity falls short of the average revenue-raising efforts of all States (including the efforts of any political subdivisions) relative to their revenue-raising capacity, shall receive a correspondingly lesser allotment.

(b) The revenue-raising effort relative to revenue-raising capacity of each State shall be determined by comparing the total general revenues of the State (including any political subdivisions) with the total income of individuals residing in the State.

(c) For purposes of this title, the term "State" shall include the various States and the District of Columbia.

ALLOTMENT TO METROPOLITAN AREAS

SEC. 4. (a) If the authorities which represent substantially all of the population residing in the jurisdictions which compose any metropolitan area whose population exceeds one million five hundred thousand people shall in concert so request, the Commission shall make an annual allotment directly to such authorities. The amount of such allotment shall be a sum equal to that part of the sum allotted under section 3, above, to the State or States containing the metropolitan area, which part reflects the ratio of the population of the metropolitan area to the population of the entire State or States.

(b) Where an allotment is made to the authorities of a metropolitan area, under subsection (a) of this section, three-fifths of the sum thus allotted shall be deducted from the total sum allotted, under section 3, above, to the State or States which contain the metropolitan area.

(c) The term "metropolitan area" means a standard metropolitan statistical area as established by the Bureau of the Budget, subject, however, to such modifications as the Commission may determine to be appropriate to carry out the purposes of this title.

SEC. 5. There is hereby appropriated, out of any money in the Treasury, not otherwise appropriated, for the fiscal year beginning July 1, 1968, and each fiscal year thereafter, an amount which the Commission shall each year indicate is required to satisfy the allotments made under sections 3 and 4 above.

SEC. 6. (a) Before receiving an allotment under section 3 or 4, each State or the authorities governing metropolitan areas shall each year submit to the Commission a comprehensive plan indicating the purposes for which the sums to be allotted will be expended and the relationship of those purposes to the overall development of the State or metropolitan area.

(b) The Commission shall have no power to disapprove or to revise any portion of a plan submitted, pursuant to subsection (a) of this section, by a State or the authorities governing a metropolitan area. The Commission may, however, from time to time consult, in an advisory capacity, with each State and authorities governing a metropolitan area regarding the preparation or implementation of a plan.

(c) The Commission shall annually report to the Congress, after the conclusion of the fiscal year beginning July 1, 1968, regarding the implementation of this title and, in particular, the Commission shall give its evaluation of the purposes for which and the manner in which the sums allotted under this title have been expended. The Commission is authorized to require, from time to time, reports from States and metropolitan areas, for purposes of carrying out this subsection.

Sec. 7. (a) The provisions of title VI of the Civil Rights Act of 1964 shall be deemed applicable to any activity, program or service provided solely or in part from any allotment received under this title by a State or authorities governing a metropolitan area.

(b) All laborers and mechanics employed by contractors or subcontractors on projects assisted by funds allotted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended. The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority and functions set forth in the Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934, as amended.

Sec. 8. (a) For purposes of this title, the term "individual and corporate income tax returns" shall mean returns of the tax on the income of individuals and corporations imposed by chapter 1 of the Internal Revenue Code of 1954.

(b) The population of a State, of all the States and of metropolitan areas shall be determined by the Commission on the basis of the most recent data available from the Department of Commerce.

The tabulations presented by Mr. Tydings are as follows:

Approximate allotments to each State (including allotments to metropolitan areas) based on 1965 and 1966 tax revenues

State	1965	1966
Alabama	$12,779,500	$14,706,000
Alaska	1,040,100	1,197,000
Arizona	6,018,100	6,925,500
Arkansas	7,430,000	8,550,000
California	85,345,700	98,236,300
Colorado	7,504,500	8,635,500
Connecticut	10,847,000	12,483,000
Delaware	1,931,000	2,223,000
Florida	22,215,500	25,564,500
Georgia	16,866,000	19,408,500
Hawaii	2,749,000	3,163,500
Idaho	2,674,000	3,078,000
Illinois	51,280,000	58,984,500
Indiana	18,723,500	21,546,000
Iowa	10,550,500	12,141,000
Kansas	8,168,500	9,918,000
Kentucky	12,185,000	14,022,000
Louisiana	13,671,000	15,732,000
Maine	3,789,500	4,360,000
Maryland	17,786,000	20,473,500
Massachusetts	25,443,500	37,695,000
Michigan	37,912,000	43,658,500
Minnesota	16,108,000	18,538,500
Missouri	20,260,000	23,298,500
Montana	2,674,500	3,078,000
Mississippi	8,841,500	10,174,500
Nebraska	5,572,500	6,412,500
Nevada	1,634,000	1,881,000
New Hampshire	2,600,500	2,992,500
New Jersey	30,078,500	34,616,500
New Mexico	3,863,500	4,446,000
New York	86,645,000	99,738,500
North Carolina	18,946,500	21,802,500
North Dakota	2,526,000	2,907,000
Ohio	42,246,000	48,597,000
Oklahoma	9,361,500	10,773,000
Oregon	7,430,000	8,550,000
Pennsylvania	52,663,000	57,808,000
Rhode Island	3,417,500	3,933,000
South Carolina	9,807,000	11,286,000
South Dakota	2,600,500	2,992,500
Tennessee	14,785,500	17,014,500
Texas	43,218,500	48,788,000
Utah	3,789,500	4,360,500
Vermont	1,560,500	1,795,000
Virginia	18,149,500	20,657,500
Washington	11,367,500	13,081,500
West Virginia	6,984,000	8,037,000
Wisconsin	15,900,000	18,297,000
Wyoming	1,263,000	1,453,000
District of Columbia	4,265,500	4,910,500

Approximate allotments to each metropolitan area,[1] over 1,500,000 population, based on 1965 and 1966 tax revenues

Metropolitan area	1965	1966
New York, N.Y	$43,122,500	$49,704,000
Los Angeles-Long Beach Calif	25,748,500	29,677,500
Chicago, Ill	25,216,500	29,065,500
Philadelphia, Pa. (and certain parts of New Jersey)	17,730,500	20,437,000
Detroit, Mich	15,093,500	17,397,500
Boston, Mass	12,156,000	14,011,500
San Francisco-Oakland, Calif	11,153,000	12,855,500
Washington, D.C. (and certain parts of Virginia and Maryland)	9,169,500	10,569,000
Pittsburgh, Pa	8,090,500	10,367,460
St. Louis, Mo. (and certain parts of Illinois)	8,464,500	9,702,500
Cleveland, Ohio	7,490,000	8,633,000
Baltimore, Md	7,056,500	8,133,500
Newark, N.J	6,942,500	7,992,500
Houston, Tex	6,441,000	7,424,000
Minneapolis-St. Paul, Minn	6,087,500	7,016,760

[1] For purposes of this approximation, the metropolitan area is the same as the standard metropolitan statistical area, as determined by the Bureau of the Budget.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. SYMINGTON. Mr. President, I have been listening with great interest to the distinguished Senator from Maryland.

I am also studying the so-called Heller plan under which, as I understand it, the Federal Government would collect the money and the State government would distribute it. Is that understanding correct?

Mr. TYDINGS. The Senator is correct. My proposal is not identical with the Heller plan, but a number of the ideas in my proposal have their genesis in that plan.

Mr. SYMINGTON. I am not saying that I am against the plan. I am studying it.

Would that not give those in the Federal Government all the problems incident to that of a tax collector, and those in the State government all the pleasure of distributing the money?

Mr. TYDINGS. Yes. The Senator is correct.

Mr. SYMINGTON. I thank the Senator.

Mr. TYDINGS. Mr. President, I might point out that we stand to gain the great benefits by revitalizing the States, by giving them a lesser tax load and a greater opportunity to meet the needs of their people. These benefits to our system of government will give us ample justification against any criticism that we might receive.

One characteristic, in particular, disturbs me about the programs which Congress devises and sends to the States. I realize that these programs are, in the judgment of Congress, what the States need. But I question whether we in Congress are the best people in every instance to determine what the individual States need.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. TYDINGS. If the Senator will permit, I shall yield in a moment.

I refer, for example, to the interstate highway program. Many areas, particularly great cities, have swallowed highway funds, and provided matching funds of their own, even though, if they had free choice, they would a hundred times rather have used the funds for the construction of a rapid transit system or some other facility more vitally needed by the city or community. But since the Federal program is on a "take it or leave it and lose it" basis, the State and local officials say, "Even though we would prefer not to invest hundreds of millions of dollars for highways for our city, nevertheless, since it is offered to us on a 'take it or lose it' basis, we will take it." I would like to get away from such an arrangement.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. SYMINGTON. I should like to have the Senator give consideration to this thought: In my State, a State official said that the Federal Government is inefficient in the way it is handling these programs. Therefore, he thought an operation of the Heller type would be a good thing.

I asked, "Would it not simplify matters and reduce the work of the bureaucracy if the money were collected by the State and not by the Federal Government?"

We have a State income tax, for example.

He said, "Oh, but the Federal Government could collect the taxes much more efficiently than the State government could."

So I was a little torn between the idea of the State distributing the tax revenues because of the inefficiency of the Federal Government, and the idea of having the Federal Government collect the taxes because of the State's inefficiency.

Mr. TYDINGS. I think the point is well made, at least so far as tax collection is concerned. The Federal Government's tax-collection machinery is immeasurably superior to and more economical than the tax-collection machinery in any State.

Basically, I am afraid that if we in the Congress do not act, the same situation will continue as has occurred in the past—that sufficient revenues will not be raised in the States, perhaps because they cannot do so, perhaps because they fear political retribution if they do so; our problems will continue to grow: schools falling behind, air pollution, water pollution, transportation systems that can't accomplish what the people want, inadequate police protection. If the States fail to meet these problems, the people will demand that somebody else act. There is only one "somebody else" and that is the Congress. But when Congress moves into these areas in which State and local government should play an active role, we break down the federal system. We will lose the dynamism in our society if everything emanates from Washington.

Mr. SYMINGTON. I say to the Senator from Maryland, half in jest and half seriously, that if there were to be political retribution because of a raise in taxes, I am sure he would be willing to join me in a willingness for State officials to share that retribution with Congress.

I thank the Senator for enlightening me on this subject.

Mr. TYDINGS. I thank the distinguished Senator.

EAST-WEST RELATIONS AND THE SENATE OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, it is anticipated that the Senate will be asked, shortly, to consider measures which bear on the relations of the United States with Eastern Europe. These measures—whether the Soviet-United States Consular Treaty which is now before the Committee on Foreign Relations or an East-West Trade Act or something of the sort—will not be earth-shaking. In themselves, they will involve, for the most part, dollars-and-cents and rubles-and-kopeks considerations. They will be designed to make commercial and other exchange between the United States and Eastern Europe simpler, safer, and, perhaps, more ample than is now the case.

Insofar as this Nation is concerned, the principal objective of these measures is to remove some of the handicaps which American businessmen, traders, farmers, and others now experience, as compared with West Germans, British, Japanese, French, and other nationalities, when pursuing legitimate activities with respect to the nations of Eastern Europe. We seek, too, better consular services and more adequate protection for American travelers in that region, to the end that high-handed detentions and other offensive acts against citizens of this Nation may be better controlled and strange incidents like that involving the death of Newcomb Mott in early 1966 may be avoided or clarified.

Considerations such as these, in my judgment, would be sufficient in themselves to argue for the kinds of measures affecting East-West relations which are likely to come to the Senate. Beyond them, moreover, are additional considerations which, in the end, may prove to be of even greater importance. In this connection, I refer to the address of President Lyndon B. Johnson in New York City on October 7 last. The President, on that occasion, dwelt on the need to bring the two segments of Europe—East and West—into a new fusion. He spoke of the willingness of this Nation, in its policies, to contribute to meeting that need, in the larger context of promoting world peace.

The President outlined several areas where progress had already been achieved in the improvement of East-West relations. He noted other areas where he intended to act on his own constitutional authority to remove barriers to understanding and to peaceful exchange with Eastern Europe, and to still other areas in which, in order to act effectively, he would seek the concurrence of the Congress.

In my judgment, the Administration has moved for some time with sensible caution to give substance to the views which were expressed by the President not only last October but, again, in the state of the Union message in January. Some of the self-imposed roadblocks to the export of non-strategic American products to Eastern Europe, for example, have now been removed. The Export-Import Bank has been empowered to guarantee commercial credits for sales of U.S. goods to additional Eastern European countries, as it already has been doing for many years with respect to just about every other nation in the world. Accords have been entered into with Hungary and Bulgaria which, on a reciprocal basis, provide for raising the status of diplomatic installations from legations to embassies. Recently, a civil air agreement has been signed which paves the way for the growth of the commercial movement of passengers and freight by air between the Soviet Union and the United States.

These are examples of the kinds of understandings and agreements which have been reached in recent years. There are others which also bear upon the gradual amelioration of relations with Eastern Europe. I shall not burden the Senate with an enumeration at this time. I ask unanimous consent, however, that there be included at this point in my remarks a list of treaties and other international agreements between the United States and the nations of Eastern Europe since 1963.

There being no objection, the list of treaties and other international agreements was ordered to be printed in the RECORD, as follows:

TREATIES AND OTHER INTERNATIONAL AGREEMENTS CONCLUDED BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS AND EASTERN EUROPEAN COUNTRIES, NOVEMBER 23, 1963, TO JANUARY 18, 1967

BILATERAL

Union of Soviet Socialist Republics

Aviation

Civil air transport agreement, with exchange of notes. Signed at Washington November 4, 1966. Entered into force November 4, 1966.

Agreement supplementary to the civil air transport agreement. Signed at Washington November 4, 1966. Entered into force November 4, 1966.

Cultural Relations

Agreement on exchanges in the scientific, technical, educational, cultural and other fields in 1964 and 1965, with annexes. Signed at Moscow February 22, 1964. Entered into force Februrary 22, 1964.

Agreement on exchanges in the scientific, technical, educational, cultural and other fields in 1966 and 1967. Signed at Washington March 19, 1966. Entered into force March 19, 1966.

Desalination

Agreement on cooperation in the field of desalination, including the use of atomic energy. Signed at Moscow November 18, 1964. Entered into force November 18, 1964.

Agreement extending the agreement of November 18, 1964 on cooperation in the field of desalination, including the use of atomic energy. Effected by exchange of notes signed at Moscow November 18 and December 3, 1966. Entered into force December 3, 1966.

Fisheries

Agreement relating to fishing operations in the northeastern Pacific Ocean. Signed at Washington December 14, 1964. Entered into force December 14, 1964.

Agreement relating to fishing for king crab. Signed at Washington February 5, 1965. Entered into force February 5, 1965.

Poland

Agricultural Commodities

Agricultural commodities agreement with exchanges of notes (wheat, cotton, edible oil, tobacco). Signed at Washington February 3, 1964. Entered into force February 3, 1964.

Agricultural commodities agreement with exchanges of notes (wheat, rice, cotton). Signed at Washington February 3, 1964. Entered into force February 3, 1964.

Aviation

Agreement relating to reciprocal acceptance of certificates of airworthiness for imported civil glider aircraft. Exchange of notes at Washington September 16 and 27, 1965. Entered into force September 27, 1965.

Cotton Textiles

Agreement concerning trade in cotton textiles. Signed at Washington June 24, 1965. Entered into force June 24, 1965.

Agreement concerning trade in cotton textiles. Signed at Washington May 18 and 20, 1966. Entered into force May 20, 1966.

Radio Facilities

Agreement relating to the reciprocal establishment and operation of a low-power radio station. Effected by exchange of notes at Washington March 31 and April 16, 1964. Entered into force April 16, 1964.

Romania

Cultural Relations

Arrangement relating to a program of visits and exchanges in cultural, educational, scientific and other fields during the calendar years 1965 and 1966. Exchange of notes at Washington December 23, 1964. Entered into force December 23, 1964.

Yugoslavia

Agricultural Commodities

Agricultural commodities agreement under title I of the Agricultural Trade Development and Assistance Act, as amended, amending agreements of January 5, 1955, November 3, 1956, December 22, 1958, April 28, 1961 and December 28, 1961. Signed at Belgrade April 15, 1964. Entered into force April 15, 1964.

Agricultural commodities agreement with exchange of notes (title I). Signed at Belgrade April 27, 1964. Entered into force April 27, 1964.

Agricultural commodities agreement with exchange of notes (title I). Signed at Belgrade April 27, 1964. Entered into force April 27, 1964.

Agricultural commodities agreement. Signed at Belgrade April 28, 1964. Entered into force April 28, 1964. Amendment: December 29 and 30, 1965.

Agricultural commodities agreement with exchange of notes. Signed at Belgrade October 28, 1964. Entered into force October 28, 1964.

Agricultural commodities agreement with exchange of notes. Signed at Belgrade October 29, 1964. Entered into force October 29, 1964. Amendment: December 29 and 30, 1965.

Agricultural commodities agreement with exchange of notes. Signed at Belgrade March 16, 1965. Entered into force March 16, 1965.

Agreement amending agricultural commodities agreement of December 28, 1961. Signed at Belgrade May 21, 1965. Entered into force May 21, 1965.

Agricultural commodities agreement with exchange of notes. Signed at Belgrade July 16, 1965. Entered into force July 16, 1965.

Agreement amending the agricultural commodities agreement of November 28, 1962. Signed at Belgrade August 9 and November 3, 1965. Entered into force November 3, 1965.

Agricultural commodities agreement with exchange of notes. Signed at Belgrade November 22, 1965. Entered into force November 22, 1965.

Agreement amending the agricultural commodities agreements of April 28 and October

29, 1964. Signed at Belgrade December 29 and 30, 1965. Entered into force December 30, 1965.

Agreement amending the agricultural commodities agreement of November 22, 1965. Signed at Belgrade January 21, 1966. Entered into force January 21, 1966.

Agricultural commodities agreement under title IV of the Agricultural Trade Development and Assistance Act of 1954, as amended. Signed at Belgrade April 11, 1966. Entered into force April 11, 1966.

Cotton Textiles

Agreement concerning exports of cotton textiles from Yugoslavia to the United States. Exchange of notes at Washington October 5, 1964. Entered into force January 1, 1965. Amendment: December 30, 1965.

Education

Agreement for financing certain educational exchange programs. Signed at Belgrade November 9, 1964. Entered into force November 9, 1964.

Visas

Agreement for the abolition of all nonimmigrant visa fees. Exchange of notes at Belgrade December 30, 1963, March 27 and April 4, 1964. Entered into force April 15, 1964.

MULTILATERALS

Fisheries

Protocol to the Northwest Atlantic Fisheries Convention of 1949 regarding harp and hood seals. Dated at Washington July 15, 1963. Ratifications deposited: United States, July 13, 1964; Union of Soviet Socialist Republics, April 13, 1964; Poland, January 5, 1966.

Fur Seals

Protocol amending the interim convention on conservation of North Pacific Fur Seals. Done at Washington October 8, 1963. Ratifications deposited: United States, February 6, 1964; Union of Soviet Socialist Republics, March 12, 1964.

Health

Addition regulations amending the international sanitary regulations of May 25, 1951. Done at Geneva May 12, 1965. Accepted by: the United States, Albania, Bulgaria, Czechovakia, Hungary, Poland, Romania, the Union of Soviet Socialist Republics, Yugoslavia.

Statute of the International Agency for research on cancer. Done at Geneva May 20, 1965. Notifications of Intentions to Observe and Apply Provisions of Statute: United States, Union of Soviet Socialist Republics.

Maritime

International Load Lines Convention, 1966. Done at London April 5, 1966. Ratifications deposited: United States, November 17, 1966; Union of Soviet Socialist Republics July 4, 1966.

Amendments to the international convention of 1954 for the prevention of pollution of the sea by oil. Done at London April 11, 1962. Ratifications deposited: United States, September 21, 1966; Poland, April 29, 1963.

Postal

Constitution of the Universal Postal Union, General Regulations, Final Protocol, and Convention with Final Protocol and Regulations of Execution. Done at Vienna July 10, 1964. Ratification deposited: United States December 29, 1965. Signed for but not yet ratified by Albania, Bulgaria, Czechoslavakia, Hungary, Poland, Romania, Union of Soviet Socialist Republics, Yugoslavia.

Sugar

Protocol for the further prolongation of the International Sugar Agreement of 1958. Done at London November 1, 1965. Signed for the United States, Czechoslovakia, Hungary, Poland, and the Union of Soviet Socialist Republics.

Telecommunications

Final Protocol and Additional Protocols to the International Telecommunication Convention, 1965. Done at Montreux November 12, 1965. Signed for the United States, Bulgaria, Czechoslovakia, Hungary, Yugoslavia.

Partial Revision of the radio regulations (Geneva 1959). Done at Geneva November 8, 1963. Ratifications deposited: United States, April 3, 1964; Union of Soviet Socialist Republics, August 3, 1965; Yugoslavia, October 8, 1964.

Trade

Procès-verbal extending the declaration on the provisional accession of Tunisia to the General Agreement on Tariffs and Trade. Done at Geneva December 12, 1963. Signed for the United States, Czechoslovakia.

Declaration on the provisional accession of Iceland to the General Agreement on Tariffs and Trade. Done at Geneva March 5, 1964. Signed for the United States, Czechoslovakia, Yugoslavia.

Second procès-verbal extending declaration on provisional accession of Argentina to the General Agreement on Tariffs and Trade. Done at Geneva October 30, 1964. Signed for the United States, Czechoslovakia, Yugoslavia.

Similar protocols done at Geneva October 30, 1964, February 8, 1965, December 14, 1965, and July 20, 1966. Accepted by the United States with Czechoslovakia and Yugoslavia.

United Nations Charter

Amendments to the Charter of the United Nations on representation on the Security Council and on the Economic and Social Council. Adopted at New York December 17, 1963. Ratifications deposited: United States, Albania, Bulgaria, Czechoslovakia, Hungary, Poland, Romania, Union of Soviet Socialist Republics, Yugoslavia.

Whaling

Amendments to the schedule to the international whaling convention of 1946. Adopted October 1, 1964, July 2, 1965, July 1, 1966. Accepted by the United States and the Union of Soviet Socialist Republics.

Wheat

Protocol for the extension of the International Wheat Agreement, 1962. Open for signature at Washington March 22–April 23, 1965. Ratifications deposited: United States, June 21, 1965; Union of Soviet Socialist Republics, September 20, 1965.

Protocol for the further extension of the International Wheat Agreement, 1962. Open for signature at Washington April 4–29, 1966. Ratifications deposited: United States, July 15, 1966; Union of Soviet Socialist Republics, June 28, 1966.

Mr. MANSFIELD. Senators will note from this list that the number of agreements which have been reached is substantial and that it covers a wide range of quite ordinary human pursuits such as agriculture, aviation, communication, trade, and fisheries. The list involves neither a massive nor a sudden or unprecedented departure in policy with respect to Eastern Europe. Rather, it reflects a slow and painful evolution in the relations of the United States and the nations of Eastern Europe. We have been moving, in a very prosaic fashion, in the direction of a greater stability and an enlarged mutuality in these relations.

May I say that the Eisenhower administration deserves every credit for initiating this process, because it really began as a debate in a Moscow kitchen and a friendly discussion between heads of state at Camp David many years ago. During the Kennedy administration, there was a continuance of the process of trying to bring to a close an era of mutual suspicion, reprisal, hostility, and intolerance, and it received a very powerful impetus, it should be noted, when the Senate consented to the ratification of the Nuclear Test Ban Treaty. During the Johnson administration a series of additional agreements have been concluded which have carried the process even further. In fact, the process has gone just about as far as it can go on the fuel of executive initiative and prerogative alone.

What is now sought by the President, therefore, is a contribution from the Congress to the end that the amelioration in relations may continue. With the legislation that is sought, the President and the Secretary of State will be able to continue the effort if, as, and when opportunities arise.

I have every confidence, Mr. President, that Members on this side of the aisle will give the most thoughtful consideration to legislative requests of the President which bear on East-West relations. I have every confidence that under its responsible leadership, the Senate minority will do the same. May I say of the distinguished minority leader that he has, at all times, been willing to put the interests of the Nation before everything else in matters of foreign policy. Indeed, my recollection is still vivid of the great, the decisive contribution of this distinguished American, the Senator from Illinois [Mr. DIRKSEN] to the ratification of the Nuclear Test Ban Treaty which was negotiated by the late President, John Fitzgerald Kennedy.

In the Senate, we owe it to the President—to any President—to give him whatever support and cooperation we can give him in good conscience in the field of foreign policy. We owe him that, regardless of his party and regardless of our party. There is no other way, if the interests of the Nation, of all of us, are to be safeguarded.

May I say, too, that, in the Senate, we also have our own responsibilities in matters of foreign policy. We have an obligation to resist the pressures which would compel the Senate to a point of view on the basis of intimidation, browbeating, or cajolery. The issues of East-West relations are of the highest importance to the Nation and its future. They warrant the most dispassionate and deliberate consideration of which the Senate is capable.

As a Senator of Montana and as a Senator of the United States, I want to say that I will not be importuned by any pressure from any side into the discard of that responsibility which has been placed upon me by all the people of the State of Montana and by the Constitution of the United States.

If it is proper to urge upon the Senate, as I have, a thorough and dispassionate examination of legislation which involves domestic problems, how much more so it is valid to urge upon the Senate that it look closely and dispassionately at legislation and practices of our foreign relations which may have atrophied into postures more suitable to the past?

It is in that context, Mr. President, that I hope the Senate will study any measures related to East-West questions which may be suggested by the President. It is in that context that I would hope adjustments, as may be appropriate can be made to the end that those policies and practices may be brought abreast of the times.

I am not deluding myself as to the immense difficulties, even in the Senate, of that kind of dispassionate consideration of East-West relations. The currents of an old hostility run deep and strong. The difficulties, moreover, are now heightened by the conflict in Vietnam. That war casts an ever-lengthening shadow over all efforts to build peace more stable. Indeed, to some there is an incongruity, a repugnance in the mere contemplation of measures to ease relations with nations which are hostile to the policies we are following in Vietnam. That is a sentiment which can be understood by any Member of the Senate, because every one of our States has suffered its share of casualties in Vietnam, and the end is still not in sight.

But it is time to face up to the facts: To give way to that resentment will not end the war in Vietnam one day sooner; to indulge that indignation may relieve our feelings, but it will not bring one less American casualty in Vietnam. On the contrary, to pursue policies based on resentment and indignation is to invite the enlargement and prolongation of conflict and, in the end, an infinitely greater number of casualties for ourselves and all concerned.

It will test our wisdom to be able to act with reason and equanimity in spite of the fact that the world is moving on, largely indifferent to the conflict which engages us in Vietnam and, in some instances, even hostile to it. The failure of our efforts for peace in southeast Asia do not give us leave to turn off our intelligence and to turn our backs on the possibility of advancing peace elsewhere. Indeed, the more the arrows in Vietnam, the more the urgency of the olive branch whenever it can be extended. The antidote to the spread of war remains the spread of peace.

Mr. PELL. Mr. President, I wish to congratulate the Senator from Montana [Mr. MANSFIELD] on his statement in regard to renewing and increasing contact with Eastern Europe. By coincidence I was there last month, as I have been or have sought to be every other year for the past 20 years. If there was ever an area where we might increase contacts, where the process of eroding communism should be increased in tempo, it is in Eastern Europe, where the people have now tasted some degree of consumer goods, greater education and medical benefits, and now want to succumb to the ordinary human wishes to live freely, worship freely, pile up a little property freely, and talk freely. For this reason they need more exposure to the United States.

Along a similar line I would hope that ratification of the consular convention with the Soviet Union would be accomplished quickly and that similar conventions would be negotiated and concluded with other Eastern European states.

In one country in Eastern Europe I came across an instance where a young American had been in jail for 2 months but our Government had not been notified, and we were not aware of that fact. This situation would have been eliminated if such a consular convention were ratified.

We have recently raised our legations in Sofia and Budapest to embassy status. However, I would hope that soon actual ambassadors would be appointed there. We now have a minister in Sofia, but he has not yet been appointed an ambassador, which is of certain embarrassment to our mission. I would hope, too, that the Ambassador we appoint to Budapest would be one of the same verve and vitality as Eugenie Anderson displayed when she was assigned behind the Iron Curtain.

Mr. President, all of these thoughts of the Senator from Montana are, to my mind, excellent thoughts, and I hope that they will be heeded and followed by the administration.

Mr. MANSFIELD. I thank the distinguished Senator from Rhode Island [Mr. PELL] who is probably the best qualified man in this body to speak on the situation in Eastern Europe. He served in the diplomatic corps of this Government. He has served in various countries in Eastern Europe. He has gone back there on a number of occasions, and he has retained his keen interest in that part of the world.

It it is my hope that in our consideration of East-West relations we will recognize the possibility of these countries becoming more "capitalistic" minded and "capitalistic" oriented. One of the ways that comes about is by an increase in consumer demands for various type goods which are not available. That is one of the reasons why it would appear to be in our interest, but only one reason, to establish better relations, to encourage commerce. Once we make a commitment, however, we must carry through on it. That was not the case as it involved a rubber company in the Midwest. We should stick to commercial commitments and be prepared to follow through with consistent trade policies.

Mr. PELL. As was not the case with the rubber company; that company was scared, I think is the correct phrase, by its competitor who organized a lobby, and it withdrew from the area. The rubber company showed some pusillanimity in following through with the commitment.

Mr. MANSFIELD. That is my understanding of the commitment as it developed.

The Senator will recall my mentioning to him that while in Rumania I was told by Rumanian officials, "We don't care what kind of regulations you lay down. You lay them down and we will follow them and abide by them, but be clear and consistent." Here is Rumania, a country which we have largely ignored in trade but which is developing trade with the West, and especially with West Germany; in fact, Rumania is West Germany's second best customer. Our allies in Europe can increase trade with Rumania, the Soviet Union, and even China and we find nothing wrong with what they are doing. It is only when this country tries to drop some of the barriers to nonstrategic trade with Eastern Europe that there is something wrong. I know that traders, businessmen, and agriculturalists, want to penetrate into that part of the world, but emotions run pretty deep and hatreds are often hard to forget.

Mr. PELL. It is also interesting that in the same country, Rumania, because of the restrictions which we applied to Communist country diplomats in this country, they placed even harsher restrictions on our diplomats; but these restrictions apply only to diplomats of the United States, China, and Russia. The Rumanians seem to lump us all in together; every other diplomat is allowed to travel unrestrictedly.

Mr. MANSFIELD. The Senator is correct. I wonder, sometimes, whether Mr. Newcomb Mott might not be alive today if we had had a consulate in Leningrad, or Archangel, or some such place, to look into situations such as his. We do not know, really, what happened to him. Perhaps, if we could have looked ahead, that young man might be home now with his parents in New England.

Mr. PASTORE. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I am happy to yield to the Senator from Rhode Island.

Mr. PASTORE. There is a rather amusing sidelight to what the Senator has already said, the experience I had on attending the NATO Parliamentarians Conference. We were briefed by our Ambassador to NATO on our arrival in Paris, and the one thing he cautioned us about was the displeasure on the part of the West German representatives at the Conference with reference to the speech that was made by our President last October, advocating more trade between East and West.

Lo and behold, West Germany had a change of Chancellors, and the first suggestion the new Chancellor Kiesinger made was to develop trade with the nations behind the Iron Curtain.

It is these inconsistencies which disturb me. After all, what the President of the United States is trying to do is to develop a detente which, in the long run, will give us the tranquillity and the atmosphere necessary to avert ultimately a nuclear or a thermonuclear holocaust.

That is the challenge of our time.

Naturally, how we approach this question is very serious. If anyone has any better ideas than the President of the United States, I would hope he would advance them. Here we are. We are committed. We are committed up to our necks in Europe. We have already officially taken the position that we cannot recall any of our troops, although some in the Senate feel otherwise; yet, we find our allies, those we are committed to protect, dealing with the very forces we are committed to protect them against. As the Senator from Montana has already pointed out, they are even doing business with North Vietnam. They are doing business with Red China.

Therefore, if what we are doing is right, then what they are doing is wrong.

If what they are doing is right, then what we are doing is wrong.

Somewhere along the line, I believe that these two extreme points of view should be brought together. The challenge of our time is to cultivate that kind of atmosphere which will avert the terrible holocaust which all of us are so dreadfully concerned about.

I wish to congratulate the Senator from Montana. I do not believe that he makes any sacrifice on the floor today by expressing his own point of view. I heard him say that he does not care what the people here or what the people there think about it, he will exercise his own judgment.

The Senator from Montana has been courageous, and in good conscience he is saying exactly what should be said.

I realize that we have to be careful because there is no question that we have our problems with Russia. We were elated at our triumph in 1963 when, in August of that year, a Nuclear Test Ban Treaty was signed by the United States and Russia.

This great achievement was brought about so that a holocaust would not begin by accident. We have already achieved, under the aegis of the United Nations, a treaty for the prohibition of the use of nuclear and thermonuclear weapons in space. Now, of course, we have the new threat of devices which have been exploded in Red China.

I say that the time has come for us to rethink our position in the world, to reassess our position in the world, in order to make sure that we do not adopt that inflexibility which will prevent a development of friendship among the nations which is so necessary if we are to have peace.

The manufacture of bombs by the thousands will never give man peace in the world.

Peace will have to come first from the hearts of men.

Somehow we must cultivate it.

I want to thank the Senator from Montana again for his fine remarks.

Mr. MANSFIELD. The Senator's thoughts are correct. I thank him for his inspiring words, and for his sound and cogent arguments.

Mr. CLARK. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I am happy to yield to the Senator from Pennsylvania.

Mr. CLARK. I should like to commend the Senator from Montana for the splendid speech which he has just made, dealing with the question of East-West trade, and indicating his desire to support the President in the legislation he is submitting to Congress which would carry out in legislative form the policy outlined in the splendid speech the President made on the subject of East-West trade on October 7, 1966.

I associate myself with the comments made by the two distinguished Senators from Rhode Island. I invite the attention of the Senator from Montana to the fact that during the period immediately after the fall elections, on behalf of the Foreign Relations Committee, I went on a study mission, accompanied by a very able member of the committee's staff, Mr. James Lowenstein, to Warsaw, to Moscow, to Prague, and to Belgrade, in the interest of probing what relaxation of tensions or accommodations could be achieved between the countries east of the Elbe and ourselves, with particular reference to East-West trade, to cultural exchanges, and to arms control and disarmament.

As a result of that study mission, a report was published by the Foreign Relations Committee only yesterday. It is contained in a brief pamphlet entitled "East of the Elbe." My observations and conclusions are identical with those of the Senator from Montana. I would hope that the point of view which he has expressed today might become the majority point of view of the Senate.

I am depressed that, under the Constitution, the East-West trade bill must start in the House of Representatives because it deals with tax matters and, therefore, we will not have a crack at it in the Senate unless and until, in his wisdom, the eminent chairman of the House Committee on Ways and Means undertakes to bring out a bill—hopefully—in the general form recommended by the President.

I did, however, in the report to which I have referred—which, of course, is available to all Senators—recommend that joint hearings be held by the Finance Committee, which would have jurisdiction of the East-West trade bill when it reaches the Senate, and the Foreign Relations Committee, to explore the advantages or the disadvantages of an East-West trade bill implementing the President's October 7 speech.

I would hope that that recommendation would find favor with the Senator from Louisiana [Mr. LONG], the chairman of the Committee on Finance, and also with the Senator from Arkansas [Mr. FULBRIGHT], the chairman of the Foreign Relations Committee.

I believe that such hearings would be useful in disabusing many Members of Congress—and, I fear, many members of the American public—of fears of a relaxation of tensions and an approach toward a detente between East and West, and would perhaps persuade the American public of the desirability of moving along the lines which the President and the Senator from Montana have so eloquently set forth.

Mr. President, if the Senator from Montana is agreeable, I should like very briefly to obtain the floor in my own right on another matter.

Mr. MANSFIELD. I am delighted to yield the floor and I thank the Senator.

Mr. President, I yield the floor.

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. CLARK. Mr. President, what is the pending business?

The PRESIDING OFFICER. S. 355, a bill to improve the operation of the legislative branch of the Federal Government.

Mr. CLARK. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. CLARK. Is there an amendment pending?

The PRESIDING OFFICER. There is not.

AMENDMENT NO. 7

Mr. CLARK. Mr. President, I call up my amendment No. 7 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The assistant legislative clerk read as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"Sec. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"STANDING RULES OF THE SENATE

"SEC. 123. Paragraph 6(a) of rule XVI of the Standing Rules of the Senate is amended to read as follows:

"'6. (a) Three members of the following-named committees, to be selected by their respective committees, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the annual appropriation bill making appropriations for the purposes specified in the following table opposite the name of the committee is being considered by the Committee on Appropriations:

"'Name of committee and purpose of appropriation:

"'Committee on Agriculture and Forestry: For the Department of Agriculture, and related matters.

"'Committee on Armed Services: For the Department of Defense.

"'Committee on Aeronautical and Space Sciences: For aeronautical and space activities and matters relating to the scientific aspects thereof, except those peculiar to or primarily associated with the development of weapons systems or military operations.

"'Committee on Banking and Currency: For the Department of Housing and Urban Development and the Export-Import Bank.

"'Committee on Commerce: For the Department of Commerce and related activities, including the Department of Transportation.

"'Committee on the District of Columbia: For the District of Columbia.

"'Committee on Finance, Committee on Post Office and Civil Service: For the Department of the Treasury and the Post Office.

"'Committee on Foreign Relations: For the Department of State and related agencies, and for the foreign assistance programs.

"'Committee on Interior and Insular Affairs: For the Department of the Interior and related agencies.

"'Committee on the Judiciary: For the Department of Justice and for the judiciary.

"'Committee on Labor and Public Welfare: For the Departments of Labor and of Health, Education, and Welfare.

"'Committee on Public Works: For public works.

"'Senate Members of the Joint Committee on Atomic Energy (to be selected by said Members): For the development and utilization of atomic energy.'"

Mr. CLARK. Mr. President, the purpose of this amendment is to change the Senate rules which presently provide for the selection of three ex officio members of the Appropriations Committee from each of eight legislative committees. These ex officio members serve on the Appropriations Committee, and the relevant subcommittees thereof, for the limited purpose of considering annual appropriations for programs within the jurisdiction of their particular legislative committee. The revision of this rule would add six more legislative committees to this list, on the ground that they have equally valid claims to participate in appropriations decisions affecting matters within their jurisdiction. These six additional committees are: Commerce, Finance, Interior and Insular Affairs, Judiciary, Labor and Public Welfare, and Banking and Currency.

I have never understood why ex officio members of those six committees were not permitted to sit on the Appropriations Committee when the very important appropriations bills for programs over which they have legislative jurisdiction are being considered. The Committee on Labor and Public Welfare, for example, of which I am a member, has important legislative authorizations every year in the field of health, education, welfare, manpower, poverty, migratory labor, railroad retirement, and a score of other matters where appropriations are required; and yet, under the present composition of the Appropriations Committee, there are no ex officio members representing the Labor and Public Welfare Committee.

Now, it is true that since the giving to the Republicans of one additional seat on that committee there are presently three members of the Labor and Public Welfare Committee who are members of the Appropriations Committee, but this is hardly the same thing as having ex officio members to the same extent that other committees of the Senate have.

Similarly, the Finance Committee, which deals with legislation affecting the Treasury Department, does not have any member on the Appropriations Committee, and therefore that committee does without the benefit of having members of the Finance Committee represent it on the Committee on Appropriations for that important branch of the Federal Government.

My purpose is to proceed to a consideration of this amendment when the morning hour is over tomorrow.

I should like to give notice to Members of the Senate that it is my intention to call for a live quorum when that occurs, in order that Members of the Senate may be alerted to the fact that the amendment will be under consideration.

I have conferred with the majority leader, who in turn is going to confer with the minority leader, and have suggested that I would be quite content to enter into a unanimous-consent agreement to limit the time on this amendment to 1 hour, one-half hour for the proponents, and one-half hour for the opponents, at the end of which I would expect to ask for a rollcall vote.

AMENDMENTS NOS. 35 THROUGH 37

Mr. MONRONEY. Mr. President, I send to the desk three amendments which I intend to offer. I ask that they be printed for the information of the Senate. I wish to add that the distinguished Senator from Pennsylvania [Mr. Clark] has approved the drafting of the amendment dealing with proxy voting, dealing with section 102(d) which amends section 133(d) of the 1946 Reorganization Act.

The VICE PRESIDENT. The amendments will be received and printed, and will be on the table.

Mr. MONRONEY. I thank the Senator from Maryland for yielding.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED MERGER OF AMERICAN BROADCASTING COMPANIES AND INTERNATIONAL TELEPHONE & TELEGRAPH CORP.

Mr. HICKENLOOPER. Mr. President, the recent action of the Assistant Attorney General, Mr. Donald Turner, as head of the Antitrust Division of the Department of Justice, is astounding.

For more than a year Mr. Turner and his staff remained silent while the Federal Communications Commission investigated a proposal which would permit the merger of the American Broadcasting Companies, Inc., with the International Telephone & Telegraph Corp. Mr. Turner was urged repeatedly to submit his views with respect to the possibility of anticompetitive aspects of such a merger.

Since he offered no objections either by letter or by testimony at a public hearing, the logical conclusion was that he found no anticompetitive elements of substance involved in the merger.

Indeed, when the FCC was on the verge of ruling upon the merger, Mr. Turner finally conceded that there were insufficient grounds for his Antitrust Division to take court action to block the merger.

The FCC voted on December 21, 1966, to approve the merger. On January 18, 1967, 2 days before its order was to become final, Mr. Turner suddenly called upon the Commission to reopen the entire case and to conduct a hearing in which the Department of Justice could participate.

What kind of government process is this?

If Mr. Turner had something to say, where was he all of last year during the FCC study of the case?

It seems to me, Mr. President, that Professor Turner in his unorthodox way is trying to get the FCC to do for him what he has been unwilling and unable to do for himself. He is asking an independent, autonomous agency of the Federal Government to reverse a decision, reached in good faith, that the ITT–ABC merger will be in the public interest.

In fact, Professor Turner has admitted this, in effect.

In an interview with Television Digest on January 23, 1967, he is quoted as saying:

> There are different standards involved between the FCC and the courts. I must have a 50% case to win in court; the FCC might throw the merger out on a 25% case. The FCC can consider other things beyond which I can look into—like ABC news coverage.

Mr. President, this position is a most bizarre one for an official of the Government with such far-reaching responsibility.

I wish to associate myself with the recent remarks of the Senator from Kentucky, the Senator from Louisiana, and the Senator from Pennsylvania in deploring the efforts of Mr. Turner and his associates at the Department of Justice in this 11th-hour maneuver to upset the FCC ruling.

In conclusion, I should like to point out that neither Mr. Turner nor anyone else has raised any question about this case that was not raised and answered to the satisfaction of a majority of the FCC during its extensive investigation.

LEADERSHIP VISION

Mr. BYRD of West Virginia. Mr. President, America's economic structure, the envy of other nations throughout the world, has continued to grow in productiveness through the leadership vision and management abilities of industrialists such as George H. Love, who has served on the boards of some of America's largest corporations and has advised U.S. Presidents.

Mr. Love's personal career has had a tremendous impact on the economy of my own State of West Virginia through his service as chairman and chief executive officer of Consolidation Coal Co., now merged with Continental Oil Co.

Mr. Love's executive abilities and shrewd business judgment are effectively revealed in the article "Uniting For Strength," published in 1966 by Nation's Business as part 20 of its series, "Lessons of Leadership."

I ask unanimous consent that the article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Lessons of Leadership—Part 20—Uniting for Strength—A Conversation With George H. Love, Who Built Consolidation Coal Co. From Scratch and Steered Chrysler Corp. Along the Road to Bigger Profits

A smile spreads across George Love's ruddy face when you ask him when he's going to take life easy.

Feet propped on his desk and swivel chair tipped back he responds, "I've been taking it easy for the past 30 years."

"Taking it easy," to George Love, has meant starting with a single, unprofitable coal operation and expanding, automating and innovating until it is now the nation's largest and most profitable one. It has meant bringing sustained peace to what used to be one of labor's bloodiest battlegrounds—the coal mines.

It has meant taking over direction of a giant automobile company that seemed headed for a smashup and then rebuilding that company—Chrysler—into the nation's fifth largest industrial enterprise.

It has meant serving on the boards of some of America's largest corporations and advising U.S. Presidents.

Mr. Love's answer that he has been coasting all these years is illustrative of his personality—he's low key, affable, relaxed and witty.

After a couple of years in the investment business following graduation from Princeton and Harvard's Graduate School of Business, Mr. Love began to erect what has become the empire of Consolidation Coal Co.—a company that in the face of burgeoning demand for gas and electricity never had an unprofitable year since Mr. Love took command.

Now 66, Mr. Love is Consolidation's chairman and chief executive officer and recently brought about Consolidation's merger into Continental Oil Co., thus melding a nearly total energy company—gas, coal and oil.

Mr. Love relinquished one of the many hats he wore the first of the year when he retired as chairman of the board of Chrysler Corp., a post he took in 1961 when the now healthy corporation was in trouble. But Mr. Love is keeping his hand in Chrysler by continuing to serve on its board and chair its executive committee.

Mr. Love is also a director of Union Carbide Corp., General Electric Co., Hanna Mining Co., Continental Oil Co. and Mellon National Bank & Trust Co. He's a member of the Business Council, comprising about 100 top executives, is active in civic organizations and sports and is a trustee of the University of Pittsburgh and of Princeton University.

To Admiral Arleigh A. Burke, who retired as chief of naval operations in 1961 and serves on the board of Chrysler and a number of other major corporations, George Love's greatest asset is his "rare ability to combine great kindness and sympathy with the expectation of high performance from his associates."

"He is an extraordinary man," Admiral Burke adds.

John L. Lewis, retired president of the United Mine Workers of America and an old adversary of Mr. Love's, told NATION'S BUSINESS: "George Love is an industrial statesman. Our nation would fare well had we more of his breed."

The following interview with Mr. Love in his modest, but tastefully furnished office high up in the Koppers Building in downtown Pittsburgh tells something of the man, his vision, his successes and his hopes for the future.

Question. Mr. Love, your father was a partner in a wholesale grocery operation in Johnstown, Pa., that had a name almost too good to be true. Isn't that right?

Answer. That's right, Love & Sunshine. And it was actually the name of two people, my father and a friend of his by the name of William H. Sunshine. I think the name was intriguing enough that they did reasonably well.

Question. But you didn't follow in your father's footsteps. Why?

Answer. After graduating from Harvard Business School, I thought I would like to start completely on my own. I went with Lee, Higginson & Co., the investment concern, and they sent me from Boston to New York, to Chicago and finally to St. Louis.

Question. Why did you leave the investment business to go into the coal business?

Answer. My uncles had a small coal company—Union Collieries—in Pittsburgh, and since they had no sons, they suggested I come with them. They explained that the coal business was so bad it just had to get better and that I might get part of the credit for making it better.

But as a matter of fact, it got steadily worse.

Question. What did you do about it?

Answer. Well, the first job was merely to stay alive in the coal business.

The trouble with the coal business had always been that a family or an individual owned only one or two mines. It was better to lose a little money than close down, because once a mine was closed the roof fell in. It filled with water and the whole capital was gone.

We felt that if we could eventually build a company that could afford to close down the poorer properties and concentrate on the better ones, there was a chance to make something out of this industry. And that is just what we were able to do by acquiring coal properties through purchase or merger.

And, there was no technology. Nobody could afford it. No company was large enough to work on it. When we finally got the present Consolidation Coal Co. together in the mid-40's, it had the assets and personnel to develop technology and do research. But up to that time there had been very, very little.

Question. How did you and George Humphrey, who later was to become President Eisenhower's Treasury Secretary, meld two unprofitable coal operations—Pittsburgh Coal Co. and the old Consolidation Coal Co.—into one that was to become very profitable?

Answer. By following the strategy I mentioned a bit earlier—putting together a company that had enough mines so that all of its business could be put at the better mines and then close down the poorer ones.

In February, 1943, I joined Consolidation Coal Co. Meanwhile, M. A. Hanna Co., represented by Mr. Humphrey, and my company, Union Collieries, had acquired stock in Consolidation.

After working with Consolidation Coal for a period, we decided their properties were as hopeful as we had originally thought, so we put Union Collieries into Consolidation Coal, which made the Hanna-Love interests the main stockholder in Consolidation.

We then brought quite a few smaller companies into Consolidation, primarily in northern West Virginia. The next step was really instituted by the owners of Pittsburgh Coal Co., because they were in all sorts of financial difficulties, with arrearages on their preferred stock amounting to over $200 a share, and things were getting worse. After long, drawn-out negotiations, we merged Pittsburgh Coal with Consolidation, to give us a company with some 50 operating coal mines. We sold off or closed down the unprofitable ones and concentrated business at the profitable ones.

If coal was going to be competitive with other fuels, like oil and gas, you had no choice but to mechanize.

Question. Consolidation Coal has never lost money since you took the reins, has it?

Answer. No.

I joined the company in the early part of '43, and it hasn't lost money since then. But bear in mind that it had gone through a reorganization in the '30's and had cast aside a great amount of its debt.

Question. You have done more than just automate. You've geared coal to the customers' needs, haven't you?

Answer. Yes. The main job was to find a cheaper way to get the coal, which after all is just energy, to the consumer.

The railroads, because of their own financial plight, were slow to reduce rates on coal, so my company thought of pipelining coal; we successfully pipelined coal 120 miles for several years.

Also, energy generated by coal can be transmitted to the consumer by wire, and there is a growing tendency to bring the power plant itself back to the mines so there would not be any transportation of coal by rail, just the energy would be transported.

These two tendencies, I think, brought the railroads to the realization they had to play their part in reducing the cost of energy to the consumer, and they have taken up that responsibility and met it.

An added impetus for us to keep our costs down and for the railroads to keep their transportation charges down was the arrival on the scene of atomic energy. With the rapid progress in atomic energy, we have been forced to mechanize further and the railroads to reduce rates further.

However, while atomic power as a source of energy has grown more rapidly than we expected, so has the demand for our coal grown more than we expected because of the tremendous increase in the use of electrical energy all through the country. Therefore, to date there has been room for growth in both energy created by coal and created by the atom.

Question. You have had some pretty spirited battles in the past with John L. Lewis and his United Mine Workers, haven't you?

Answer. Yes, we have had a great many of them. Our main battle, I suppose, was in 1949 and 1950 when the coal industry went through several months of partial work and no work. I was called on to represent the coal operators in this battle with Mr. Lewis.

I might say that was sort of like matching an elephant and a mouse, because he was an old hand at negotiating and it was something new for me. But after this long, bitter struggle—and it was a very difficult one—Mr. Lewis claims he made a man out of me, and I claim I made an enlightened labor leader out of him. I don't know who won.

The result of it all was that we learned to understand each other better, we learned to have a great respect for each other, I think, and that has benefited the industry.

Incidentally, that's the last time the industry decided to pick one operator to represent the whole nation, because it was pitting a man who had other responsibilities against a labor leader who was unusually strong and had such bargaining as his main occupation.

Shortly after those negotiations we formed the National Bituminous Coal Operators Assn., with Harry Moses, who was one of the outstanding operators of the country, to run it as a full-time job. From then until now, some 16 years, we haven't had any major strikes or labor trouble in coal.

Question. You were also one of the architects of the National Coal Policy Conference. How did it emerge, and what is its significance?

Answer. Early in 1959, after consultation with John Lewis, we called a meeting of major operators, the heads of the main coal-carrying railroads, the union leaders, the manufacturers of coal-mining equipment and the heads of several utilities consuming great quantities of coal, and put before them the thought of organizing into a conference whose main purpose would be to further the interests of coal, politically and every other way. We felt we could lengthen the arm of the industry by uniting.

The reception of the idea was enthusiastic, the organization was formed and it has met our expectations in every way. The voice of coal has been heard in a different way from that of any other industry, I think, because it is unique to have labor, the operators, the transporters, and the users combine with a single purpose.

Here were four groups that had fought each other tooth and nail for decades. We felt the wages were too high, and fought against that; we felt that the transportation costs of coal by the railroads were too high, and we fought the railroads; and, of course, the utilities had fought us, saying our price was too high.

The organization still goes on, and I hope it always will.

Question. After years of building Consolidation Coal into the nation's largest and most profitable producer of soft coal, you recently led it into corporate marriage with Continental Oil Co. Why?

Answer. I think that the main motivating force in this transaction was the fact that

Continental represented two major sources of energy, oil and gas, and Consolidation represented the other one as far as fossil fuel goes—coal.

These fuel industries had been wasting their time and money battling each other through many years in spite of the fact that they were no longer competitive.

Each of these domestic fuels had its own market. Years ago they were competitive, but in the last five to 10 years, they haven't been. Yet they have still hurt each other by battling publicly before government commissions and in the courts.

I had always dreamed of a company that would represent all three sources of fossil-fuel energy and one that would be a step in the direction of conserving each fuel for the highest possible use. If coal was the best fuel to use under boilers in Detroit or Baltimore, use it there, and conserve gas for other consumer use on a higher plane.

Other countries have done this, but the U.S. is without a national plan.

I felt this merger with Continental would be a small step in setting a pattern for the more thoughtful use of these particular fuels. Fortunately, L. F. McCollum, Continental Oil's chairman, agreed with that theory.

Question. In 1961, you took on another board chairmanship—that of Chrysler Corp. In what shape was Chrysler then?

Answer. Chrysler was in an unusual number of difficulties. The confidence of the public had waned; their dealers were leaving them; some of their best managerial personnel were going and they had to let their president go just a few months after they had engaged him as president. So it was quite necessary to do something pretty quickly.

Before I became chairman, I was on a committee of outside directors that was given the task of finding new management for Chrysler. Because of other responsibilities, sickness and so forth, the main responsibility of that committee fell to me. After a search of several months which led in all directions, we recommended Lynn Townsend, who at that time was 43 and employed by Chrysler in a responsible position, to be president.

That turned out to be a very fortunate selection, dictated not completely by wisdom but by necessity, because Chrysler's fortunes were at such a low ebb not too many people were willing to take the job.

The board then suggested since we were giving this responsibility to such a young man, someone untried, that I take some job of responsibility to look over his shoulder and be his father confessor. That's what happened.

Question. And then Consolidation put some of its money where its chairman was?

Answer. That's right.

So after changing the bylaws of the coal company so we were legally able to buy, we proceeded to buy. And as we bought the stock in the market, we reported it publicly at the end of each month.

I have a feeling that this outside company being willing to put large amounts of capital into Chrysler at that particular time went a large way in restoring confidence, in the employees, the buying public and the dealers. Consolidation finally ended up, as you know, with some three and a half million shares, or eight per cent, of Chrysler's stock.

Question. Mr. Love, one of your closest friends, Donald B. Lourie, chairman and chief executive officer of The Quaker Oats Co., tells me your strongest executive skill is being able to pick the right man for the right job. Do you agree?

Answer. If you are lazy enough and don't want to work yourself, you had better pick the right fellow to do the job.

My theory is to let the selected individual do the job, but always be ready to share the responsibility for his decisions if they turn out wrong. Of course, if they are wrong too often, you make a change.

Question. What qualities do you look for in the men you choose to help run a corporation?

Answer. I think the qualities that you search for primarily are personality, desire, knowledge of the business. And of all these, I suppose desire or ambition is the most important.

But you frequently find somebody with the ambition who hasn't the personality to handle or guide other people. So you have to look for a combination of real, serious ambition, personality and ability.

Another important ingredient is a happy family life and a wife who expects you to do well and would be terribly disappointed if you failed her. I have been particularly fortunate in that regard.

Question. How in such a short time did you and your management team restore Chrysler to the successful and growing corporation that it is now?

Answer. I think the primary reason we were able to make the turn-around at Chrysler was that we had four very good automobile years. We had economic conditions that gave us time to move.

If we'd run into a slump in the automobile business in 1962 or 1963, we might not have been able to make the turn, because it is very difficult to stop a downturn in any consumer goods in which the public has lost confidence, much less turn it up. So I think the primary reason we were able to do it was the favorable economic climate.

Second, Lynn Townsend and the people he picked to take major jobs with him were the right people. And that's fortunate, because there is no sure way of knowing you have the right man till he's doing the job.

Then third, the general public wanted Chrysler to succeed. It had a great reputation, and they didn't want to be left with only two major automobile companies.

Question. Mr. Love, you have called yourself a policy and investment man. What do you mean by this?

Answer. It means just about what it says. Take Chrysler for example. The day-to-day running of the company was not for me; I didn't know enough about the automobile business to confuse the issue by getting into such things as design decisions.

On the other hand, any matters of financial policy or general policy which would normally go to a board of directors, should and did come to me. And because of the very close relationship between Townsend and myself, we could decide quickly and move quickly. I felt that I represented the board in these decisions and could forecast what their decisions would be.

Question. You were able to attract really top-notch people to Chrysler's Board, weren't you?

Answer. That's right, and that was essential. Getting outside people to come to the board helped restore public confidence in the company. We got John Coleman in New York; Admiral Arleigh Burke from Washington; Robert Semple, a very prominent Detroit industrialist; J. Richardson Dilworth, a former Kuhn-Loeb partner who was looking after affairs for the Rockefeller interests.

I think all these men made a tremendous contribution, coming on the board when Chrysler was in such trouble. It was very fortunate for Chrysler.

Question. You have been critical of government policies regarding mergers. Why?

Answer. I have seen a whole industry saved by mergers.

I don't think the coal industry would be nearly as far along technically, or any other way, if it hadn't been for mergers.

For example, Consolidation Coal, built largely through acquisition, does more research in a year than the whole industry did in a hundred years before. And its ability to be a leader, I think, went a great way toward making the bituminous coal industry in this country one of the strongest in the world.

Where mergers tend to save time and money, they are good. For example, Chrysler could have saved time and money if the government had permitted it to merge with Mack Trucks, Inc. The result would have been to make Chrysler a little more competitive with its main competitors, General Motors Corp. and Ford Motor Co., a little faster. Therefore, I think it would have been a good thing for the country.

I believe mergers are one of the most important reasons this country has been able to attain to its present high level of industrial activity and leadership.

Question. What is the proper relationship between business and government?

Answer. Well, there has to be a close relationship. I think knowing each other's problems is a help to both.

Just where contact between the two should end, I don't know. But certainly, supply and demand should be the principal cause of price changes, up or down, rather than government action.

Certainly, where the public interest is at stake, the government has to take some part in labor negotiations if the parties can't agree. But whether they should take any part where the industry is not fraught with the public interest is something else again.

I think that there has to be close contact, and probably closer contact as we go along, but the dividing point will shift from time to time.

Question. When does a person with your energy and responsibilities decide to take life a bit easier?

Answer. My friends say that I started to take life easier about 30 years ago. And that's true.

You had better ask my old boss George Humphrey that question; he says he could never find me in the office and there were too few telephones on golf courses.

Question. Mr. Love, your friend Mr. Lourie tells me you are quite a musician and golfer.

Answer. I'm equally bad at both. I play the flute in such a fashion that shortly after I start I lose my audience.

I play golf in such a fashion that my friend Arnie Palmer and others turn away when they see me swing, so they won't copy it.

However, I spend a lot of time on the golf course and a little time practicing the flute, but nobody takes the results very seriously, including me.

Question. You and the late Ben Fairless of U.S. Steel founded a golf club, didn't you?

Answer. Yes, Laurel Valley, some eight years ago, I suppose.

Uncle Ben Fairless and I thought it would be a fine idea to have a businessmen's golf club that could be used for entertaining on a very high-level basis. Laurel Valley was the result, and, as you know, it is recognized as one of the great courses in the country.

Our commission to the architect was to build the best course in the country, and we think he succeeded.

We have something over 200 members. We picked the membership carefully, and we would normally suggest that the head of a corporation become a member rather than somebody down the line.

Therefore we probably have the most outstanding business membership of any club in the country. You may recall the PGA championship was played there in 1965.

Question. You picked a pretty good golfer by the name of Arnold Palmer, to be the pro.

Answer. Yes, and recently we had a rather unique dinner party with him. Arnie became 37, and his wife and I planned a surprise party, which consisted of President Eisenhower arriving at Arnie's house the day of his birthday with a suitcase, asking if he could spend a few days.

Mrs. Eisenhower drove out that day, and inasmuch as the Eisenhowers were there to surprise Arnie Palmer, I called the President's great friend and associate, George Humphrey, and he and Mrs. Humphrey came over that evening and surprised the Eisenhowers. It turned out to be a delightful affair.

Question. Mr. Love, how do you make a big decision?

Answer. Most top executives haven't the time to go into the details of many transactions that demand a decision. I think they have to base their own decision on how well particular advocates of one side or the other in the organization present their arguments.

It is a matter of judging the people involved and how strongly they are for or against a particular transaction which guide most of us in reaching a final conclusion.

AUTOMOBILES FOR PARAPLEGICS

Mr. BYRD of West Virginia. Mr. President, on January 17, I introduced a bill, S. 427, to liberalize the provisions of title 38, United States Code, relating to automobiles for disabled veterans. This measure is identical to that which I introduced during the 89th Congress, and which was passed by the Senate with some liberalizing amendments but was not acted upon by the House of Representatives prior to adjournment.

The need for legislation to provide specially designed and specially built automobiles for disabled veterans of the cold war fighting, and specifically of the period of the Vietnam involvement of our Armed Forces, was brought to my attention by the case of a West Virginia soldier who was injured by enemy mortar missile fire in April 1964 near the Cambodian border of Vietnam. It is my conviction that American fighting men of the present military crisis deserve comparable treatment and benefits accorded those of former periods of armed conflict. Serious service-connected disabilities, such as the loss of limbs, are equally impairing to any veteran regardless of the time or country in which he received his injuries while in defense of his Nation's safety and best interests.

This commonality of loss by seriously disabled veterans of military service was the subject of a report in the January 22, 1967, issue of the Sunday Star, Washington, D.C., entitled "Amputees of Other Wars Point Way."

I ask unanimous consent that this newspaper article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Amputees of Other Wars Point Way

(By John Sherwood)

They shared a common bond, although it happened to Sol Kaminsky in the spring of 1944 and it happened to Spec. 4 Larry Tucker 22 years later, in another place and in another war.

They were both in uniform when it happened. That was their first bond. Yesterday they were having lunch at the Washington Hilton and Tucker, 20, of Euclid, Minn., every once in a while would look over at Kaminsky, who offered the most positive kind of reassurance in their informal talk.

Tucker was drafted Nov. 16, 1965, and on Nov. 27, 1966, after laying a grenade field, he stepped on one of his own grenades and blew off his two legs below the knee caps.

Kaminsky, a New York purchasing agent, lost both legs in Germany in April of 1944: Again, as in Tucker's case, just below the knee caps.

The meeting was the best kind of therapy . . . Tucker was in a wheel chair and his pants legs were folded under the chair seat. Kaminsky was seated in a regular chair and his legs, although artificial, reached to the floor. One man had overcome his handicap. Another was just learning how to overcome it.

The Washington Hilton is host for three World War II amputees this weekend, and yesterday the old veterans went out to Walter Reed Hospital to visit with amputees from the Vietnam war.

"The first thing they want to know," said one of the World War II vets, "is whether we were married before the injury or after the injury. When we tell them that most of us were married after the amputation they seem to perk up immediately."

Sandy Solo, a dapper New York textile designer with a striking wife sitting across from him, was handling a knife and a fork and a martini, and Tucker and Pfc. Bill Jenkins, 25, of Griffin, Ga., were obviously impressed with the way he went about feeding himself.

Solo was with the 13th Air Force in the Pacific when Tucker wasn't even born and his B-24 bomber was hit when they were 15 feet off the ground. "What happened?" says Solo. "Who knows what happened? I lost both arms below the elbows."

Solo is wearing hooks now where his hands used to be and he handled the weary business of eating and drinking better than most people do with hands.

"Oh, every once in a while there's something you can't do," he says "But you get used to it. It doesn't take long."

Cyril Wofsy, a Silver Spring lawyer, had his legs amputated during World War II when he was a prisoner of war and on a month-long forced march. "They froze," he said. "But I was really too young at first to realize what had happened. Funny thing, but I got married after this happened; I learned to dance, and I play a fair game of golf."

Irving Peltz, of Bethesda, national service director of the Disabled American Veterans, was almost blown to bits. But somehow he held on to most of his body and he is thankful for that. Perhaps his case—of just being alive today—is the best proof of rehabilitation.

Bill Elkind of New York is a Chevrolet salesman and he got it right below the knees as a radio operator crossing the Rhine.

"It all passes," one of the old vets said. "You've got to learn to live with it, or else you're going to die of it. It's corny to say so, but you've got to learn to live with it."

Capt. Manuel "Butch" Domingoes, 25, of Gloucester, Mass., was one of the patients at Walter Reed. His left foot is off, and he was slightly embarrassed when he reached for his two aluminum arm crutches.

The camaraderie was there throughout the afternoon although the ages were vastly different.

The wives of the World War II vets could well have been the mothers of the young men of the Vietnam war. And in the eyes of the older people, one could see the thoughts of the young.

It had happened to all of them once in a brutal moment of reality, although no one had quite thought it would happen to him. Nor did they every think they would live to reminisce about the common bond.

But there they were, having lunch at the Washington Hilton on a sunny afternoon overlooking the swimming pool, and the wars in Europe and Vietnam had all of a sudden grown old and tired.

INCREASING GRAVITY OF POPULATION CRISIS

Mr. BYRD of West Virginia. Mr. President, legislation was introduced in the 89th Congress and is expected to be introduced in the 90th Congress dealing with the problems of exploding population on a worldwide basis. For those persons who are not yet convinced of the impending gravity of the crisis which faces the human race, two recent newspaper articles will provide strong material for thought. For those persons who are increasingly concerned that the problems of overpopulation be constructively dealt with, these same two articles will strengthen their conviction.

One is "The Population Crisis," published in the January 22 edition of the Evening Star, Washington, D.C., and the other is "Calcutta: Squalor Beyond Measure," printed in the January 18 edition of the Washington, D.C., Post.

I ask unanimous consent that these newspaper articles be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Jan. 22, 1967]

The Population Crisis

By the summer of 1966, the population of the world had passed the three-and-a-third billion mark. According to the Population Reference Bureau's annual Data Sheet, just released, world population totaled 3.346 billion, an increase of 65 million in 1 year—180,000 a day. This equivalent to a third of the total population of the United States.

Robert C. Cook, PRB president, said: "Half the population now living on the earth has been born since the end of World War II. Curiously enough, this 1.6 billion increment approximates the total population of the planet in 1900—only 66 years ago.

"It took a million years for world population to reach the billion mark in 1800. In the intervening 166 years, world population more than tripled. So rapid has the acceleration in growth been that, as matters now stand, the next doubling will occur around the end of the century and the population would increase to more than 9 billion in about 50 years.

"The United Nations estimates that world population is now growing by 2 percent per year. At this rate, population doubles in 35 years, and in a century, it increases nearly eightfold. In 2066, the total would be 24 billion."

Information regarding the population of many countries is still scanty even though censuses are becoming almost universal and of better quality. The big blank spot in the population map of the world remains China about which even the Chinese appear extremely vague. Students of the Chinese enigma range in their estimates of the number of Chinese from 700 million to 900 million.

1. The low birth rate countries. These mainly comprise the industrial nations of Europe (including U.S.S.R.), North America, Oceania, and Japan. Birth rates in these countries are under 25 births per 1,000 population per year. About a fourth of the world's people live in these relatively slow growing lands.

2. The so-called "developing countries." These comprise most of the population of Asia, Africa, and Latin America. They have birth rates at traditionally high levels and declining death rates. Births range from 35 to 60 per 1,000 population per year. The increase in these countries is due to continuing traditionally high fertility rates combined with declining death rates.

In general, the countries with the most rapid population growth are least equipped to deal with it. Per capita income is low; in many countries hunger and illiteracy are endemic. Because of the high fertility and declining mortality, a large proportion of the people in these countries are children.

This has many important social and economic implications. Such relatively large proportions of youth in the developing countries demand heavy expenditures from an already overburdened economy for clothing, housing, feeding, and schooling. This tends to siphon off the limited capital resources urgently needed for economic development.

The high child ratio in the developing countries has another somber aspect. Each year, on the average, an increasing number of young people will be moving into the reproductive age brackets. Barring changes in the death rate, the number of women in the high fertility age group, 20–30, will increase by approximately a half in the next 20 years. This growing "fertility potential" ads significantly to the gravity of the looming population crisis.

[From the Washington Post, Jan. 18, 1967]

Calcutta: Squalor Beyond Measure

(By Arthur J. Dommen)

Calcutta.—For years it used to be said that Calcutta was the cesspool of the British empire. Nineteen years after India's independence I could say Calcutta has earned the uncontested right to be called the cesspool of the world.

No other city in Asia, to the knowledge of this reporter, can quite match Calcutta's filth and smell, its poverty and backwardness, its corruption and violence.

Other Indian cities, like Bombay and Delhi, have their slums. But in Calcutta the slums have moved in and taken over the downtown area so the city hardly has a good side to show.

Everywhere the hand of want is outstretched. Everywhere the threat of mob revolt against almost subhuman conditions simmers just beneath the surface.

Calcuttans were hardly surprised at the riot that broke out in a sports stadium on New Year's Day and spread to the burning of buses on city streets. For Calcutta is a city where even tickets to a cricket match are now sold through the back door and where the police force is so despised that their clubs and tear gas have long since proved inadequate to protect policemen from the wrath of the public.

The struggle for survival is a full-time occupation in this jungle of 7 million people where more than half the families earn less than 2000 rupees ($267) a year.

By day the scene along Jawaharlal Nehru Road, one of Calcutta's main avenues, is one of intense competition between beggars, many of them crawling along on stumps of shriveled or missing arms and legs, and pimps and black marketeers, who seem to operate more openly in Calcutta than in other Indian cities. By night bundles of human hopelessness sleep on the sidewalks along with the stray cows.

Public sanitation facilities, like other services, have long since failed to keep pace with the crush of population. More people manage to pack into, on top of, and on the bumpers of Calcutta buses than they do in any other city.

The few public services still functioning are harassed by strikes and other forms of agitation that compel everything to go slow.

Calcutta grew like an overgrown village on the left bank of the Hooghly River, a sluggish stream that today cuts off India's largest city from the main body of the country. A single British-built bridge spans the river to the satellite city of Howrah where the railroad lines from the west terminate.

Vehicle traffic jams up on the two-lane bridge every day, but last month a Calcutta newspaper claimed a new record had been set when nothing on wheels moved on the bridge from 3:30 p.m. to 9:30 p.m. because a truck stalled halfway across.

The city took in an estimated million refugees from Pakistan at the time of independence, and now another mass migration threatens because of famine in the neighboring state of Bihar.

Although the city lies in the huge Ganges delta, potentially one of the most fertile rice-growing areas of the world, its food supply is shriveling. In Christmas week the government announced first that the daily rice ration was being cut from 2 to 1.75 kilograms and then that there was not enough rice anyway and so Calcuttans would be fed wheat instead.

The city has a host of problems that may never be solved. The crime rate is going up. The port is silting up so that large cargo vessels can no longer dock here. The education system is cracking up. The percentage of children in school is lower in Calcutta than in the surrounding countryside and getting lower.

About the only hope of keeping the city from degenerating further into one vast slum that has to be quarantined from the main body of India is that the West Bengal state government steps in with resources that are no longer available inside the city.

The state government is already working on a greater Calcutta development plan for the 450 square miles of the Calcutta metropolitan area. The plan will take responsibility for essential services out of the hands of the Calcutta Corp., which administers the downtown area's 40 square miles and 3 million inhabitants as if today were still 1885 when it was founded by the British.

Among the Calcutta Corporation's many liabilities is an unwieldy city council of 100 members. It has had four city commissioners within the last four years, none of whom has served out his full term.

To get the uncollected garbage off the street corners and to enforce some child labor laws alone, Calcutta needs something more than that.

CRIME IN THE DISTRICT OF COLUMBIA

Mr. BYRD of West Virginia. Mr. President, once again the rate of crime increase in the District of Columbia has made the headlines, with local newspapers commenting on the relationship between these crimes and juvenile lawlessness.

On January 21, the Washington, D.C., Evening Star reported that the year 1966 was the ninth consecutive year of crime increases in the District, as revealed by police statistics just released.

On January 22, the Washington (D.C.) Post, in commenting on these crime statistics, stated that auto thefts led the monthly increases, with a rise of 110 percent since December 1965, when 310 thefts were reported as compared with an unprecedented 652 cases of automobile theft in December 1966. The newspaper article further pointed out that auto thefts constitute one of the biggest manifestations of juvenile delinquency. Previously, that same newspaper, in a January 20 editorial, reminded the public that, since most cars are stolen by youngsters, this particular crime becomes a first step toward a vast number of criminal careers, with auto thefts inevitably being closely associated with major crimes such as bank robbery and kidnaping.

As an indication that the serious aspects of juvenile lawlessness are more and more of concern to responsible elements within the Metropolitan area of Washington, D.C., the Evening Star has reported on the action of Kiwanis Clubs in printing and supplying to the Metropolitan Police Department 15,000 booklets which warn children against committing criminal acts. These booklets printed in youth-oriented language, were given to Police Chief John B. Layton, for distribution to juveniles and parents.

Effective work to combat crime among juveniles in the Nation's Capital City imperatively needs to be pursued at all levels of community life.

I ask unanimous consent that these newspaper articles and editorials be printed in the Record at this point.

There being no objection, the news items were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Evening Star, Jan. 21, 1967]

Crime Warning Booklets Ready

Fifteen thousand booklets which warn children against committing criminal acts have been given to the Metropolitan Police Department by six Kiwanis clubs for distribution in the Washington area.

The 15-page booklets, which tell in vivid, youth-oriented language what can happen when a youngster gets into a scrape with the law, were given to Police Chief John B. Layton yesterday afternoon.

Hugh Philips of Kiwanis International and several local club representatives gave the booklets to Layton for distribution to all city precincts. The precincts will, in turn, distribute them to local teen-agers and their parents.

[From the Washington (D.C.) Evening Star, Jan. 21, 1967]

District of Columbia Crime Increases Ninth Straight Year—Auto Thefts Pace Rise in December

Last year was the ninth consecutive year of crime increases in the District, police statistics revealed yesterday.

And the monthly crime rate for December didn't indicate any reversal of the trend. It was up 32 percent over December, 1965.

The monthly and year-end statistics were published yesterday by the Metropolitan Police Department. They list the seven main categories of crime, from homicide to auto theft.

Auto thefts led the monthly increases, up 342 offenses from December 1965, a rise of 110 percent. Robberies were up 65 percent, aggravated assaults 33 percent, burglaries 14 percent and larcenies 1.4 percent.

The only decreases in the monthly classifications were homicides, down 2 percent, and rapes, down 28 percent. Crimes solved by police fell to 27.5 percent, down from 31 percent in the same month a year ago.

For the year, robberies were up 28.5 percent, larcenies over $50 up 26.7 percent, aggravated assaults up 20.6 percent, auto thefts up 16 percent and housebreakings up 6.3 percent.

Homicides and rapes both showed small yearly decreases. Total crimes increased for the year by almost 16 percent.

Police statisticians said April, 1966, was the last month to show a dip in the monthly rates. Yearly rates have risen steadily since 1957, while crime solving has not changed appreciably.

The total number of crimes committed in the metropolitan area in the last year was 29,251, a new high, police said. The most frequent crime was housebreaking, which accounted for 10,276 offenses. Auto thefts numbered 6,565, larcenies 5,261, robberies 3,703, assaults 3,177, homicides 144 and rapes 134.

[From the Washington Post, Jan. 22, 1967]

Big Auto Theft Increase Sparks City Crackdown

(By Alfred E. Lewis)

Spurred by a 32.8 per cent rise last month in the incidence of serious crime over the previous December, Federal and private agencies planned an all-out cooperative effort to halt the runaway trend in one of the offense categories—auto theft.

The year-end report by Metropolitan police showed only insignificant decreases in two of the seven major crime categories. Homicides during last December decreased by two cases, or 20 per cent, from December, 1965, and rapes were down by four cases, or 28.6 per cent.

But auto thefts, one of the biggest manifestations of juvenile delinquency, registered an unprecedented 110.3 per cent increase, with 652 cases reported last month as compared with 310 in December, 1965.

In the concerted effort to temper this outbreak, former New York City Police Chief Michael J. Murphy, now heading up the National Auto Theft Bureau, conferred here last week with FBI officials and other interested agencies on the problem.

On an annual basis, the report for 1966's final month showed a total of 25,234 serious crimes reported here in 1965 as compared with last year's 29,251—an increase over the year of 15.9 per cent. The same two categories, homicide and rape, were the only ones to show decreases, and robberies led the overall rise with an increase of 28.5 per cent.

Among the precincts, No. 11 showed the largest increase over the two Decembers, 40.5 per cent, but No. 9 checked in with the greatest number of serious crimes reported—455 last month as compared with 424 the previous December, for an advance of 7.3 per cent.

Robberies last month were second only to the auto thefts in their percentage of increase, with 491 of them reported as against 297 in December, 1965—up 65.3 per cent. Other categories, with the 1965 figures in parentheses, showed:

Aggravated assaults, 278 (208), up 33.7 per cent; housebreakings, 1032 (901), up 14.5 per cent, and larcenies ($50 or more), 520 (513), up 1.4 per cent.

[From the Washington (D.C.) Post, Jan. 20, 1967]

LOCK YOUR CAR

The Department of Justice certainly acted none too soon in launching its campaign against automobile thefts. Not only do these thefts cost the country some $140 million anually; they are also closely associated with such major crimes as bank robbery and kidnaping. And since most cars are stolen by youngsters, this particular crime becomes a first step toward a vast number of criminal careers.

Especially disturbing is the fact that millions of law-abiding citizens and legislators are partly responsible for the high rate of auto thefts. Last year about 200,000 cars were stolen because they were left unattended with keys in the ignition or with the ignition unlocked. This is a shocking price to pay for carelessness. Some communities have found that automobile stealing can be reduced by as much as 45 per cent by alerting the public to the danger and by making it an offense (similar to a parking violation) to leave a car unlocked and unattended.

Ten states contribute to auto thefts by having failed to pass strict title laws. Fortunately, Maryland, Virginia and the District are not on this list. Additional laws may also be needed to require automobile manufacturers to build new safety devices into new models. But it is not necessary to wait for that remote avenue of relief to produce results. In very large measure the individual motorist can keep himself out of stolen-car trouble by locking the ignition and the doors.

WATER POLLUTION CONTROL NEEDS

Mr. MUSKIE. Mr. President, yesterday the Congress received the administration's proposed budget for 1968. A detailed analysis of that document will require a good deal of effort expended over a long period of time. However, one thing is obvious—the budget grossly underestimates the costs associated with the water pollution control needs of this country.

Last year the Senate unanimously agreed to legislation which would have authorized $6 billion over a 5-year period for grants to construct waste treatment facilities. For a variety of reasons, including the fact that the other body authorized in their bill considerably less money, the figure finally agreed to was $3.4 billion for a period of 4 years. This was below what our information indicated to be the national need. It, in fact, was a minimum figure.

The $450 million authorization for fiscal 1968 represented a $150 million cut below the initial Senate amount. The Senate conferees knew, in accepting the lower figure, it would be imperative that no less than $450 million be requested by the administration for fiscal 1968 to set an adequate pace.

The reasons for this position are obvious. In last year's legislation an incentive program was enacted whereby, if the States perform certain tasks, additional Federal funds would be made available. The legislation enacted last year provided for a basic Federal grant of 30 percent of a project's cost regardless of State activity. It provided a Federal share of 40 percent if the State matched 30 percent, and the Federal portion increased to 50 percent if the State provided 25 percent of a project's cost and had established enforceable water quality standards. Also, the Federal share would increase by 10 percent of the grant if the project was consistent with metropolitan area planning.

In many States the State legislatures are now in sesesion. I am sure that they have been, or soon will be, alerted to the expanded Federal program. I am equally certain that their response will be somewhat less than wholehearted when they realize that the administration has requested an inadequate amount of money to support the program authorized by the Congress.

According to the budget, the President has requested $200 million for the construction grants program of which the administration estimates only $152 million will be spent. I question those estimates.

Because of the allocation formula in existing law, many States would not receive a sufficient amount in fiscal year 1968 even if the full $450 million were to be appropriated. For example, the State of New York, which voted by a margin of four to one a $1 billion bond issue to help offset the cost of water pollution control and which has an estimated cost of $1.7 billion to clean up their backlog, would only receive $37 million in 1968. In New York City alone, information supplied the committee indicates $179,585,532 will be spent in 1968. Therefore, even if all New York's money were allocated to New York City, that city would only receive a little over 20 percent of its cost. And in New York, because that State provides a 30-percent matching grant, the full Federal share would be 40 percent. With enforceable standards the Federal grant would be 50 percent. There are many other examples as the following chart demonstrates.

I ask unanimous consent that the table be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE I.—*Municipal waste treatment facilities needs estimates compared with Federal share of project cost and Federal allotment for State for selected cities* [1]

City	1966 committee survey [2] (1)	Federal share of project cost [3] (2)	State allotment (total $450,000,000 authorized) [4] (3)	State allotment under the budget estimate (4)
1. Atlanta, Ga.	$40,171,900	$12,051,570	$9,764,500	$4,296,380
2. Chicago, Ill.	96,795,000	29,038,500	22,871,300	10,063,372
3. Detroit, Mich.	36,543,000	10,962,900	17,989,450	7,915,358
4. Jackson, Miss.	13,000,000	6,900,000	6,248,750	2,738,570
5. St. Louis, Mo.	16,500,000	4,950,000	10,307,450	4,535,278
6. Omaha, Nebr.	7,400,000	2,220,000	3,975,600	1,749,264
7. New York, N.Y.	179,585,532	53,875,659	37,588,750	16,539,050
8. Providence, R.I.	25,000,000	7,500,000	2,716,200	1,195,288
9. Seattle, Wash.	10,022,000	3,006,600	7,054,400	3,103,936
10. Milwaukee, Wis.	20,250,000	6,075,000	9,531,050	4,193,662
11. Washington, D.C.	4,100,000	1,230,000	2,277,000	1,001,880

[1] All cities in the table have cost estimates which exceed their State's Federal allotment under the Clean Water Restoration Act of 1966 (Public Law 89-753).

[2] The Senate Public Works Committee's Subcommittee on Air and Water Pollution conducted a survey of municipal waste treatment facilities in the summer of 1966. Figures in column 1 are for the July 1, 1967, through July 1968 period.

[3] Under the provisions of the Clean Water Restoration Act of 1966 (Public Law 89-753), the minimum amount a municipality can receive for a project is 30 percent.

[4] Allotment figures are based on the Clean Water Restoration Act of 1966 (Public Law 89-753) $450,000,000 authorization for fiscal 1968. Under the provisions of the Water Pollution Control Act of 1956 (Public Law 84-660), 50 percent of the total authorization is allotted among the States on the basis of population, and 50 percent is distributed on the basis of the ratio of a State's per capita income to the sum of quotients obtained from the ratio of each State's per capita income to the Nation's per capita income.

Mr. MUSKIE. Mr. President, the President's request of $200 million would cut by more than half the money available to any State in 1968.

The national concern for effective control of water pollution has not been translated into action by the administration. The funds requested for sewage treatment construction grants are totally inadequate.

The Congress must assume its responsibility to correct this inadequacy. The Senate did so last year when it authorized $6,000 million for water pollution control, and the final bill agreed to by the conferees reflected a considerable increase over the best compromise which the administraton could propose. We cannot afford the delays inherent in the budget request.

The question before the Senate and the House must be whether or not, this year and in the years to come, we will make available the funds we unanimously authorized last year.

Mr. President, neither the Senate Public Works Committee nor the Senate unanimously agreed to last year's legislation without a great deal of study on the water pollution needs of this country. Evidence abounds to indicate that we have tried to meet an identifiable need. I am convinced of this, as I am sure are my colleagues. I intend to go before the Appropriations Committee to request that the full $450 million be made available for waste treatment grants for 1968 and, if necessary, carry that fight to the floor of the Senate.

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair, pursuant to Public Law 87-758, appoints Senator Warren G. Magnuson to the National Fisheries Center and Aquarium Advisory Board.

The Chair also, pursuant to Public Law 77-250, appoints Senator Gordon Allott to the Joint Committee on Reduction of Nonessential Federal Expenditures.

The Chair also, pursuant to Public Law 83-420, appoints Senator Daniel Brewster to the Board of Directors of Gallaudet College.

The Chair also, pursuant to Public Law 86-417, appoints Senator Jennings Randolph to the James Madison Memorial Commission.

The Chair also, pursuant to Public Law 86-380, appoints the following Senators to the Advisory Commission on Intergovernmental Relations: Ervin, Muskie, and Mundt.

The Chair also, pursuant to the provisions of Public Law 79-304, appoints Senator Abraham Ribicoff to the Joint Economic Committee.

The Chair also, pursuant to Senate Resolution 33 and Senate Resolution 111 of the 87th Congress, appoints Senators Thruston Morton and Clifford Hansen to the Special Committee on Aging in lieu of Senators Allott and Pearson, resigned.

The Chair also, pursuant to the provisions of Public Law 84-1028, appoints Senators Stennis, Allott, and Thurmond to the Board of Visitors to the U.S. Military Academy.

The Chair also, pursuant to the provisions of Public Law 84-1028, appoints Senators Bible, Case, and Morton to the Board of Visitors to the U.S. Naval Academy.

The Chair also, pursuant to the provisions of Public Law 84-1028, appoints Senators Pastore, Yarborough, and Burdick, to the Board of Visitors to the U.S. Air Force Academy.

The Chair also appoints the following Senators to attend the Third Special Inter-American Conference, to be held at Buenos Aires, Argentina, on February 15, 1967: Senators Smathers and Hickenlooper.

The Chair also, pursuant to the provisions of Public Law 84-372, appoints the following Senators to the Franklin Delano Roosevelt Memorial Commission: Senators Joseph Tydings and Edward Brooke.

The Chair also, pursuant to the provisions of Public Law 89-187, appoints Senator Gaylord Nelson to the Father Marquette Tercentenary Commission.

The Chair also, pursuant to the provisions of Public Law 754 of the 81st Congress appoints Mr. Francis R. Valeo to the Federal Records Council to fill the vacancy caused by the retirement of Mr. Emery L. Frazier.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate now stand in adjournment until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 45 minutes p.m.) the Senate adjourned until tomorrow, Thursday, January 26, 1967, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

Ukrainian Independence Day

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 25, 1967

Mr. PUCINSKI. Mr. Speaker, this week marks the 49th anniversary of Ukrainian independence and it is important that we take a moment to honor this great anniversary in the annals of freemen.

Independence was declared in the Ukraine on January 22, 1918. Yet barely 3 years were to pass before this newly free land was to be invaded and overrun by the Soviets.

The people of the Ukraine, denied the right of self-determination by their Communist oppressors, were early victims of Soviet colonialism. No one could conquer the Ukrainian free soul, however, and Ukrainians throughout the world continued to commemorate their great anniversary of independence.

Those of us fortunate enough to live in the United States would do well to remember this significant anniversary, and thereby to renew our efforts and our determination to resist further encroachment by the Communists on the territory of freemen.

Our country is fighting today, with the South Vietnamese and representatives of free nations around the world, to secure self-determination for those who would be free to choose their own destiny. It is our hope and fervent prayer that the people of the Ukraine will one day regain their rights. And we take this opportunity today to reassure them that their cause and their struggle will remain ours, as well.

Hon. James W. Day To Retire as Mayor of Parma, Ohio

EXTENSION OF REMARKS

OF

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 25, 1967

Mr. VANIK. Mr. Speaker, on Sunday, January 29, 1967, in the Sheraton Hotel in Cleveland, the citizens of Greater Cleveland, and the city of Parma in particular, will pay tribute to the successful leadership of the city of Parma by Mayor James W. Day, who is retiring as mayor on February 15, 1967, to take a position in private business.

It is fitting that at this time when so much of our emphasis and concern is directed toward the city and its problems that we analyze the extraordinary accomplishments of the municipal executive who managed to reduce the bonded indebtedness of his city during his tenure of office from over $16 million to slightly over $4 million, while improving the urban services of the city to levels which place it among the highest in Ohio and in the country.

Before Mayor Day entered the office of mayor, he had extended previous experience as a member of his city's board of zoning appeals of the city council. He served in the office of mayor since the year 1961.

The achievements of Mayor Day as mayor of Parma have brought new dimensions to this important office. It has become, in fact, "model city," making great strides while reducing its obligations—a most extraordinary feat.

While it is unfortunate that public service should lose so capable an administrator—we in public life share pride in this recognition of talent in the public service.

Parma is becoming recognized as a training ground for excellence in public administration. Only last year the city provided Cleveland with a topnotch school administrator in Dr. Paul Briggs.

Parma and the entire northern Ohio

community and the Nation are grateful for the contribution which Mayor Day has made as mayor.

On his new assignment with the Higbee Co., we wish him well. If he had to move from public service to private enterprise, he could have made no better change. This extraordinary department store, in my judgment, is one of the finest institutions of its type in America. It is my hope that the Higbee Co., as his new employer, will provide him with released time so that he can be free for occasional community and public responsibilities in which he has provided such capable leadership. We would like to reserve the right to call upon his experience, his time, and his talent.

Fino Introduces Bill To Deny Federal Funds to Honor System Local Welfare Programs

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 25, 1967

Mr. FINO. Mr. Speaker, today I have introduced legislation to establish a new condition of Federal aid to help pay for local welfare programs. Under my bill, localities would not qualify for Federal aid in meeting welfare costs unless they required investigation or some corroboration of applicants. New York City is presently quietly shifting to honor system welfare by which clients are accepted on the basis of affidavits. Under my bill, such a welfare program allowing payments on uncorroborated affidavits would cease to be eligible for Federal aid.

I have read recently that a number of cities think that money will be saved if they forgo red tape and put welfare on an honor system, whereby one can get on welfare by making an affidavit. This strikes me as absurd. I am willing to grant that overinvestigation is unnecessary and unjustifiable harassment, but I feel that a certain amount of corroboration of need is much in order to justify the expenditure of public funds, particularly Federal funds.

I believe that the Federal Government ought to make sure that lax Federal statutes do not suffer a pipeline to be thrust into our National Treasury by loosely run local welfare programs. The first place to draw the line is in insisting on some corroboration of welfare eligibility before applicants are allowed to draw money from the local authorities.

To me, such a requirement is simple commonsense, but I am aware that among certain groups, it is considered unkind to require welfare applicants to prove their eligibility. The coddling of spongers, glorified in exotic sociological jargon blaming the middle class for the plight of the deprived, has become high fashion these days. It is a fashion I do not subscribe to. I think the taxpayers are entitled to know that welfare applicants have proven their eligibility for payments made.

I have been disturbed to see the great rise in the New York City budget for welfare programs. Honor system welfare will undoubtedly jack up welfare costs still further. As an interesting sidenote, I might add that the welfare rolls have been increasing in direct proportion to New York City poverty program expenditures. The poverty program does not achieve anything, but it stirs up the spongers.

Frankly, I think it is time to draw the line. I know that most Members of Congress agree with me. Unfortunately, most of them do not realize that the backroom social planners over at HEW's Office of Welfare, have been working with a number of cities to try and get welfare on the honor system so that welfare clients can enjoy their rights without undue questioning. This sort of thing has got to stop.

I am proud to represent a district with many poor people who have worked long and hard, often at pay levels little above welfare, to support themselves and keep from being public charges. This is the spirit that made America great. The spirit that the welfare planners are trying to inculcate in this country is the spirit that has brought an incredible suicide rate to Scandinavia and decline and fall to Great Britain.

National Wildlife Conservationist of the Year

EXTENSION OF REMARKS

OF

HON. WILLIAM H. HARSHA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 25, 1967

Mr. HARSHA. Mr. Speaker, yesterday a singular honor was bestowed upon a close friend of mine and I would like to offer my sincerest congratulations to him and call to my colleagues' attention the outstanding record of this great American.

John H. Dunlap, Jr., was selected as National Wildlife Conservationist of the Year, in the second annual nationwide conservation achievement program conducted by the National Wildlife Federation in conjunction with the Sears-Roebuck Foundation.

His selection was made by an impartial review board of professional conservationists. The review board made this selection from the most outstanding candidates in the Nation representing each of the States.

John Hyde Dunlap, Jr., of Williamsport, in Pickaway County, Ohio, whose Virginia forebears settled in the Scioto River bottoms north of Chillicothe after the Revolutionary War, is a seventh-generation central Ohio farmer.

A 1928 graduate of Ohio State University, he and his wife Ellen were married when she graduated from OSU in 1929. They have three children, Shirley Anne—Mrs. Clifford Bowser—also an OSU graduate; Gail Ellen Dunlap, a Vassar alumna, and a married son, John H. Dunlap III, who attended OSU. There are three grandchildren, Anne and Lee Bowser and John H. Dunlap IV.

An active farmer, Dunlap, age 61, manages 31 farms encompassing 13,000 acres in Pickaway, Ross, Madison, Franklin, and Clark Counties. He owns outright 11 of these farms, containing over 4,000 acres, an implement business, hardware, and general supply store in Williamsport, and two elevator and feed businesses in Pickaway County. He operates under the name of the Dunlap Co., which also builds levees, ditches, ponds, and the like. He started this type of work on his farms and now does it for others.

He is considered a pioneer in the building of farm ponds and their proper management for conservation purposes. He has constructed hundreds of farm ponds and the 14 ponds he has built on his own land are stocked with game fish and personally regulated by him for production and longevity of the species. Each pond contains duck boxes and aquatic plants for ducks and other wildlife.

A bass fisherman from way back, Dunlap admits that his first loves are fishing and hunting. He was 7 when he did his first hunting for birds. Then it was quail, followed by pheasants, the latter which he prefers now. For several decades he has personally purchased, raised, and turned out annually hundreds of pheasants, quail, and wild ducks in the county in which he resides. His father early taught him the wise use of natural resources. Probably his first lesson, he thinks, was when his father made piles of brush or cover for rabbits, and the likes. Today he accomplishes this with the planting of miles of multiflora roses and thousands of mountain olive and coniferous trees.

He is the chairman of the recreation and resources commission, a lay advisory group to the Ohio Natural Resources Department. In this capacity he has been instrumental in carrying forward the policies and suggestions of the department of better use and conservation of the State's natural resources and recreational facilities.

It is only fitting that John Dunlap should hold this chairmanship as he was the organizer of the Citizens' Committee for Ohio Parks and Water Development. He subsequently spearheaded the committee's recommendation which urged the Governor and the general assembly to provide a minimum of $50 million "to start and expedite the development of our parks and water resources." The outcome of this untiring work with this committee was State issue No. 1 on the ballot in 1963, which permitted the State to borrow $250 million for capital improvements and issue bonds for same. The portion of this voter-approved bond money allocated to the natural resources department was the start of the department's current $100 million capital improvements plan for outdoor recreational facilities—more money for conserving the State's natural resources than has been cumulatively expended in this field since Ohio became a State, in 1803. The many improvements now completed and underway will be living mementos to this public-spirited conservationist, yet, he neither receives—nor would accept—1 cent for his never-ceasing efforts on behalf of conservation in Ohio.

To point up this man's dedication to conservation and public service, note a partial list of the organizations in which he is presently, or has in the past, actively participated, and the positions he has held in each: He is a director of the Scioto Conservancy District, since 1960, and was also a director of its predecessor, the Scioto-Sandusky Conservancy District—1936–58; is vice president of the Ohio Forestry Association, a member of the Ohio State University Advisory Committee to the College of Agriculture; past president of the Ohio Farm Manager's Association; a member of the Williamsport School Board for 20 years; director, First National Bank of Circleville; director, Columbus Production Credit Association; director, Home State Publications, which publishes five farm papers in the Midwest, emphasizing good conservation practices; a member of the League of the Ohio Sportsmen and a member of the Methodist Church, the Elks, the farm bureau, and Masonic orders.

John Dunlap truly exemplifies the best example of citizen participation and leadership in conservation and public service. His contributions are indeed of national significance to the wise use and management of the Nation's natural resources.

I am proud and privileged to consider him my friend.

Hon. John Connor

EXTENSION OF REMARKS

OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 25, 1967

Mr. DINGELL. Mr. Speaker, John Connor has served this Nation well as Secretary of Commerce, and I feel certain that history will rank him among the very best who have filled that office. Moreover, his 2 years in Washington have reminded us all that excellence of person need never be compromised to achieve excellence in office.

I can sum up my estimate of John Connor with a single, unadorned phrase: He is a good man—good to know, good to work with.

I deeply regret his leaving us. The Federal Government will be hard hit by the loss of his service. However, the Secretary has already offered, most generously, to continue to be of further service to the Federal Government. With typical selflessness, he has committed himself as standing ready to respond to the President's call for further duty in an advisory capacity. That that call will come, again and again, I have no doubt.

John Connor's impact on the conduct of our Government and the course of the Nation will be felt for many years to come. He has left his mark, and it is a mark shaped by wisdom and principle.

Mr. Speaker, not the least of Mr. Connor's accomplishments was his elevation of the complex relationship of business and Government to a level of true dialog. With Secretary Connor at the helm in Commerce, we have witnessed an unprecedented broadening and deepening of the channels of understanding between the two, and we have only begun to reap the benefits of this creative partnership.

Some public officials win headlines and acclaim by their handling of crises; Secretary Connor sought to avert crises, and by successfully doing so he won our admiration and respect.

He has worked quietly and effectively to help insure balanced and orderly economic growth at a time of great economic stress. By his astute management of the voluntary balance-of-payments program with the business community, he has kept our deficit down and our dollar strong.

He has expertly helped to promote the modernization of industry to strengthen our competitive position at home and abroad; he has worked hard to reseed the bare spots in the economy through regional planning and economic development; he has increased the flow of tourists to our shores. These, of course, are just a few of his achievements, for the responsibilities of his office have been many, and he has fulfilled them all with uncommon excellence.

He has performed with characteristic ease and effectiveness on all these many fronts, including the reorganization of the Department of Commerce. It is a different and more effective arm of government as the result of his leadership and executive ability.

So, to John Connor I say—and I am sure the other Members concur; "Well done—and best wishes."

Hon. Dean Rusk Addresses International Panel on Science and Technology

EXTENSION OF REMARKS

OF

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 25, 1967

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

KEYNOTE ADDRESS TO THE INTERNATIONAL PANEL ON SCIENCE AND TECHNOLOGY, HOUSE COMMITTEE ON SCIENCE AND ASTRONAUTICS, TUESDAY, JANUARY 24, 1967, HON. DEAN RUSK, THE SECRETARY OF STATE

Thank you Chairman Miller, Mr. Speaker, members of Congress, distinguished guests of the Committee, and ladies and gentlemen. It is an honor to be here.

The uncharted region where the interests of science and foreign policy meet is of great import in a world increasingly devoted to understanding and control of our total physical environment. The United States is one of several nations trying to chart that region, and until it is mapped we cannot intelligently choose our routes. In foreign affairs we pool our knowledge of history, politics, economics, science and technology to arrive at new syntheses.

Science and technology are, in the United States today, a part of the fabric of life itself. We have, in the past twenty years, entered a new phase of the great American adventure. Throughout the world, technology, and the science which supports it, have provided new means of education, new sources of power, new ways of processing data, and fast, reliable transportation and communications. Man is extending his reach beyond this earth and into the vast reaches of space. The new knowledge and concepts, even the very tools of the new technology, promise ever more intensive investigations in the years ahead. We have learned how to pool our resources in coordinated efforts to develop new devices and to exploit new fields. We are supporting science and technology on a scale undreamed of even two decades ago.

We are all familiar with the so-called culture gap between science and the humanities, and more recently with the "technological gap" between the United States and Europe. Last year, Vice President Humphrey said to this Committee:

"I think there is danger of another gap—a gap between public policy and advancing science and technology. It is in government that we must face the task of closing that gap. . . . It is only in recent years that we have really understood the close relationship between public policy at the governmental level and science and technology."

In the interest of closing that gap, the Department of State began a program at the Foreign Service Institute, in 1965, designed to equip Foreign Service Officers with some competence to handle science as a part of foreign affairs. For the most part, we selected officers who will be assuming the foreign affairs burdens over the next decade. We followed this with a program for the exchange of officers with the scientific agencies to provide direct experience in scientific programs.

We have been holding a series of science briefings and more informal "science luncheons" for high level Department officers. Our last science briefing was on the implications of the world-wide use of nuclear power. The latest science luncheon was held yesterday, and it was my pleasure to host this Committee's distinguished guests from abroad. Dr. Hornig, who will speak to you tomorrow, was also our guest at a recent science luncheon, and our subject was the impact of computers on society. I have found these discussions with eminent men of science to be invaluable.

For any American involved in public affairs today, scientific literacy is a must; and that is particularly so in foreign affairs. We are firmly convinced that the Foreign Service Officer should be familiar with the ways, the concepts and the purposes of science. He should understand the sources of our technological civilization. He should be able to grasp the social and economic implications of current scientific discoveries and engineering accomplishments. I think it is feasible for non-scientists to be, in the phrase of H. G. Wells, "men of science" with real awareness of this aspect of man's advance.

But the burden is not all on one side. Scientists and engineers must, of course, recognize very real progress in many fields outside their own specialties, and they should be conscious of the difference between the values of society and the verifiable truths of the natural sciences. For such men there is a role in the foreign policy process. I think that perhaps scientists have been a little more willing to wade in the turbulent pond of foreign policy, and that we in foreign affairs must be more willing and better prepared to dip in the waters of science. That science is international in character has come to be regarded as a truism, but it is no more true of science than it is of the humanities or the social sciences. The larger truth is that billions must live together successfully on this planet, and that we are making common cause in vast areas of human competence and search for knowledge.

This Committee has pioneered in equipping men of public affairs to deal intelligently with policies involving science and technology. As a by-product of that goal, scientists and philosophers of science have also had their horizons stretched, not only through presence at these seminars—the Committee's reports are widely read. A valuable new channel has been established between public affairs and the scientific community with this Committee at the crossroads.

We have, in the State Department, a small group of scientists and Foreign Service Officers working with the science agencies and with the scientific community on policies and programs for international scientific and technical cooperation. We do not administer those programs; but we guide them and retain the foreign policy decisions. The Department's International Scientific and Technological Affairs Bureau has the resources of the government at its disposal in the United States, and a network of Scientific Attachés in 17 capitals on the other end. At some major posts, our science agencies support their own representatives to assist in specialized cooperative programs. It is not a question of preparing to move in new dimensions; science and technology are already important elements in our international relations, and indeed, have emerged as instruments of foreign policy.

To some extent, we can extrapolate from politics, economics and science in projecting future policy. In a way, science is the least predictable of these three major fields. There are few "breakthroughs" in politics and economics; these are evolutionary fields. Broad patterns, such as a United Nations Organization, the rise of nationalism in Africa, and the movement of Europe toward economic integration, are discernible far in advance. To a lesser degree this also holds for the products of known technology. We foresee the wide use of nuclear electric power and satellite communications, and we can predict some of the uses to which computer technology will be put, for example.

However, we cannot foresee the breakthroughs in basic understandings to come. Let me illustrate this point. Thirty years ago, President Roosevelt established a blue ribbon Science Committee to look into "technological trends and their social implications." The Committee was accurate in predicting increased development and use of helicopters and conventional aircraft. Autogiros and dirigibles were reported as on the way out. The Committee predicted color television (and commercials), stereo FM radio, our modern highspeed highway system and urban traffic congestion. Air conditioning, plastics, frozen foods, infrared and radio air navigation, microfilm and accounting card machines were also predicted. All of these extrapolations were based upon then-known technology. But where were the microcircuit, the computer, radar and sonics, the jet engine and rocketry, radioactivity, and underwater breathing gases? The top three scientific and technical fields of major foreign policy interest today were almost completely ignored by that eminent Committee. Space technology, or even rudimentary investigations of our solar system, were not mentioned. In oceanography mention was made only of the possibility of extracting minerals from seawater. In spite of predicted future needs for oil, none of these experts considered the continental shelves as new sources. Investigation of the sea as a source of fresh water, for fish protein or simply because of man's native curiosity was not considered. The sole reference to the third area, nuclear energy, was by a chemist of some vision in these words:

> "Much has been said and written about releasing atomic energy and utilizing the vast forces that it represents. While we see no immediate possibility of doing this economically, who shall say that it will not be achieved, and once achieved, how shall we estimate the social implications resulting from the use of such energy?"

How indeed? This same man of vision advised that:

> "It is the unexpected turn, when some little detail has been perfected after long search, that brings such things to pass, just as occasionally a promising development must be dropped when some unexpected defect develops. These are what make prophecy difficult."

And so they do. The year after that report was written nuclear fission was discovered and, in four years more, the world's first nuclear reactor reached criticality in Chicago, opening the nuclear era. In our turn, we cannot now predict if we will harness the thermonuclear reaction nor would we be able to gauge its social and economic implications.

Nevertheless, an occasional look ahead is of great value. Although the President's *ad hoc* Science Committee back in 1937 did not foresee some major innovations soon to come, it was fairly successful in predicting the future uses of technical devices and methods then known or just coming into use. The value of this type of forecasting to policy judgments is obvious. In most cases a true technological innovation does not reach full bloom for some years—the first basic patent on the transistor was, after all, issued in 1930. Sometimes it may be telegraphed in advance, as are the new energy storage devices, but in these cases the specifications for an end product are set forth in the beginning; it is directed research.

Congressman Daddario recently called for consideration of an "early warning system" to apprise us of the potential dangers of certain technologies. If this call is heeded, as I hope it is, we can be better prepared to cope with the problems posed by our advancing technology. The system could perhaps even be extended to provide useful forecasts for the foreseeable future. I would think that a distinguished committee, drawn from the natural sciences, the social sciences, and industry, could be impanelled about every five years to explore our technological future. This could satisfy the need for expert opinion on the directions of science and technology so far as it can be foreseen, within acceptable time limits and without a permanent "watch dog" group. After all, technological forecasting is much more sophisticated than it was in 1937, and we should take advantage of the new techniques.

Although scientific prediction seems to me to remain a chancy business, we can usefully examine some aspects of the changing modern environment which are of direct concern to foreign affairs, many of which can only be dealt with internationally.

The increasing pollution of our atmosphere, particularly in large urban complexes, is of common interest to the advanced nations. The industrialization and urbanization of the developing nations will further contaminate the atmosphere. An international cooperative effort to cure our air, followed by international conventions to keep it clean, would be a long step toward meeting our responsibilities to our own future.

Population pressures can be relieved by means more civilized than war, disease or famine. Recent discoveries make possible effective population control; and information and assistance for family planning are widely available. The barriers are those of conviction and communication. The governments of the world must first be convinced of the necessity for a program of concerted and immediate action. They must act in time to prevent the mass starvation predicted within the next fifteen years. We shall need more food, but more food is not the long-term solution. We must continue development of better instrumentalities for population control; we need better means for reaching billions of people; and we must recognize that a crisis is at hand. Changes in mores are in process in many parts of the world, and the approach is becoming international. In the President's words: "Every member of the world community now bears a direct responsibility to help bring our most basic human account into balance."

The spread of nuclear power reactors requires reliable and credible safeguards over the use of nuclear fuels and equipment, to prevent their diversion to military uses. The further proliferation of nuclear weapons' programs not only increases the hazard to peace, but diverts material and human resources from more constructive goals. We have a good beginning on effective international safeguards, but much remains to be done. Some of the remaining tasks are political and some are technical. We must act in good faith and with resolution to try to assure the world that the doorway to nuclear warfare can be locked. A cooperative assault on the treasure chest of the seas would prevent the waste of talent and money through unnecessary duplication.

The challenges of our space environment require a truly international response. It is already clear that there are benefits to be derived from the use of space which are world-wide in application. The agreement last month on a draft treaty on the peaceful use of outer space makes this a propitious moment to consider again whether we cannot respond even more effectively to this challenge.

All of these possibilities for cooperative programs with other nations call for an advanced technology. But we have not forgotten our own growing pains.

Most of the world's population live in the developing nations, and not all of these are making sufficient material progress. There is an ever-widening gap between the advanced and those struggling to keep their heads above water. The advanced nations must assist the developing countries in building a base for technological competence. We cannot overlay advanced technology on an insufficient base. That base must first be prepared through intelligent planning toward rational goals.

Our world has acquired a new orientation over the past twenty years. Science and technology are advancing the clock of civilization at an ever-increasing rate. Science has become accustomed to its place at the frontiers of man's knowledge. But we do not forget the older frontier where man meets man, and we welcome the alliance of the natural sciences with the social sciences in meeting new facets of old problems in the world laboratory.

The political significance of strong national programs in science and technology expands steadily. Political-scientific areas such as disarmament, nuclear safeguards, ocean exploitation, space technology and communications, and water management are areas in which the natural and the social sciences meet, and they offer major opportunities for international programs. Wider use of forums, such as this today, to bring the international problems of science and technology before learned men from both broad areas can assist in finding the solutions.

As to our approach to this kind of international cooperation, my points were three. We can make better use of new techniques for technological forecasting as an input to foreign policy judgments. New understandings and mutual respect between the physical sciences and the social sciences are prerequisites if the gap between them is to be completely closed. We must have programs of international scientific and technical cooperation on two levels: with the advanced nations in understanding and controlling the total environment; and with those nations in assisting the material progress of the developing nations.

Our future no longer stands in the wings. Man's needs and his competence have both reached dimensions which can no longer be ignored. The scientific revolution has arrived—live, and in color. We cannot clearly foresee the advances, discoveries and innovations which lie ahead, but the uses to which we put the new knowledge and our human relationships may well be critical.

Modernize Customs Procedures

EXTENSION OF REMARKS

OF

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 25, 1967

Mr. ULLMAN. Mr. Speaker, I introduced legislation yesterday which would correct some longstanding abuses of our customs regulations and procedures.

The general purpose of my bill is to eliminate the requirement for reimbursement by the traveler for all overtime inspection and quarantine services performed at designated ports of entry on Sundays and holidays.

This bill will require the Government to provide, without reimbursement by the private parties involved, the necessary Federal inspection agency services—such as customs, immigration, and agriculture foreign quarantine—during regular hours of duty on Sundays and the eight national holidays.

Under present law and regulation, the traveler by boat and airplane, or commercial carrier, arriving during Sunday or holiday hours, must pay up to $60 to clear customs at many ports of entry. The fee is intended to compensate the customs collector for his overtime duties and inconvenience. If the same entry takes place during ordinary business hours, the Government provides these services free of charge.

Mr. Speaker, all administrative means of correcting this situation have been explored, and in the judgment of all concerned a legislative remedy is the most appropriate solution.

This system, while it may have been justified years ago, works a considerable hardship in this age of pleasure travel by boat and plane. In many cases the use of these facilities by vacationers is limited almost exclusively to off-hours entry.

In addition, our Nation's commitment to expanded commercial interchange with our neighbors is burdened by these restrictions. These services are performed in the interest of the public and the Nation's welfare, and not in the interest of any individual citizen or private group. U.S. citizens and private groups should not be required to pay these expenses which result from the conduct of the Government's business, particularly in enforcement agencies whose activities are similar to other police functions required to protect the Nation.

The bill I introduce today has the support of private aircraft and vessel operators, as well as all segments of our transportation industry. The proposed legislation is the same bill approved by the Senate in the 89th Congress. I was privileged to introduce it in the House on August 16, 1966, but time did not permit its consideration before adjournment.

One practice, which is patently unfair, is the sliding fee system now employed at small ports of entry. The first traveler arriving at a port of entry—say at 10 a.m. Sunday morning—may be charged $60 for his overtime customs inspection. Another traveler who by chance arrives at 10:15—while the inspector is still on the premises—will be charged perhaps $20 for his inspection.

The public has the right to know in advance the cost of clearing customs. Therefore the bill provides for the collection of a flat fee for inspection services, and specifies how this fee will be computed, in circumstances when other sections of the legislation do not apply. This feature of the bill was proposed by the Treasury Department and enjoys its support.

I consider these antiquated practices, which date back 50 or more years, completely inequitable today. Transportation into our country is no longer limited to the weekday operations which prevailed when the laws were enacted establishing these practices.

In promulgating the present requirements, I am sure that the Treasury Department did not intend to hinder international travel for business or pleasure, or to provide a lucrative reward for some of their employees.

I believe it is time for the U.S. Government to move into the 20th century by providing, without reimbursement, Government services needed to handle the international commerce of the United States on all Sundays and holidays of the year.

SENATE

THURSDAY, JANUARY 26, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty God, grant to our anxious, groping hearts the assurance that behind the shadows, and in them, standeth one who slumbers not nor sleeps.

We are beset by perplexity; our needs are many, but our greatest need is of Thee; unless we find Thee and art found of Thee the laws of Thy physical universe break our mortal life and the laws of Thy moral order make mockery of our futile rebellion.

Breathe now Thy peace on hearts that pray—the peace that comes only when our jarring discords are tuned to the music of Thy will; then, as heralds of Thy love, send us forth across all barriers of race and creed, bearing to yearning hearts, as a holy sacrament, the bread of human kindness and the red wine of willing sacrifice.

Gird our hearts to seek peace and pursue it, that the sadly sundered family of mankind at last may be bound by golden cords of understanding fellowship around the feet of the one God.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Wednesday, January 25, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on January 25, 1967, the President had approved and signed the act (S. 376) fixing the representation of the majority and minority membership of the Joint Economic Committee.

ECONOMIC REPORT OF THE PRESIDENT—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 28)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Joint Committee on the Economic Report:

To the Congress of the United States:

A healthy and productive economy is a bulwark of freedom.

Around the world and here at home, our trials of strength, our works of peace, our quest for justice, our search for knowledge and understanding, our efforts to enrich our environment are buttressed by an amazing productive power.

Americans have confronted many challenges in this century. The ones we face in 1967 are as trying of men's spirits as any we have known. But the overwhelming majority of us face our challenges in comfort, if not affluence. The sacrifices required of most of today's generation are not of income or security; rather we are called on to renounce prejudice, impatience, apathy, weakness, and weariness.

In purely material terms, most Americans are better off than ever before. That fact expands our responsibilities, as it enlarges our resources to meet them.

RECENT ECONOMIC GAINS

An average of 74 million persons were at work in 1966—2 million more than in 1965. Nonfarm payrolls averaged 64 million, a gain of 3 million. On the whole, these jobs were better paying than ever, and more regular and more secure than most workers can remember.

The value of our total production of goods and services in 1966 was $740 billion—$58 billion, or 8½ percent, higher than in 1965. More of the increase than we wanted represented higher prices. Still, the gain was nearly 5½ percent after correction for price changes.

Labor, business, and the farmer all contributed to this major gain in production, and they rightly shared the benefits.

Aggregate compensation of employees rose 10.3 percent. Average compensation per man-hour in the private economy rose 6.5 percent, reflecting increased wages and fringe benefits, more overtime, the shift to higher paying jobs, and increased employer contributions to social security. Corporate profits after taxes advanced more than 8 percent; per dollar of sales they were roughly unchanged from the high rate of 1965. Net income per farm rose more than 10 percent.

The single most meaningful measure of economic well-being is real disposable income per person—the after-tax purchasing power in stable dollars, available on the average to every man, woman, and child. It rose 3½ percent or $89 per person in 1966. Although this advance was somewhat smaller than in 1965, it was still three times as large as the average yearly gain in the 1950's.

February 1961 launched the strongest and most durable economic expansion in our economic annals, and it still continues.

Almost 9 million jobs have been added in the last 6 years.

The rate of unemployment has fallen from 7 percent in early 1961 to under 4 percent. The rate for white adult males fell from 5 percent to 2 percent; for Negro men, from nearly 12 percent to less than 5 percent.

Early in 1961, more than two-thirds of our major labor markets were "areas of substantial unemployment"; today only eight of the 150 are so classified, and 66 have unemployment below 3 percent.

While total population rose 11 million between 1961 and 1965, the number of Americans in poverty declined 5½ million, and probably fell at least another 1¼ million in 1966. The poverty definition is adjusted for the increase in living costs.

Our gross national product—GNP—has grown 50 percent in 6 years. In constant prices, the gain has averaged 5½ percent a year. The physical output of our factories and mines is up over 50 percent.

Private output per man-hour in 1966 was 19 percent higher than in 1961.

The 6-year addition to our gross stock of private productive capital—machines, buildings, transportation equipment, land improvements, and inventories—is valued at $220 billion.

American families have added $470 billion to their accumulated financial assets. They have added $150 billion to their debts. So their net financial position is $320 billion stronger than 6 years ago.

OUR ECONOMIC PROBLEMS

Prosperity is everywhere evident. But prosperity is never without problems, and—in 1966—some of them were serious.

SOME LEADING PROBLEMS

1. Economic progress still left far too many behind.

Nearly 3 million workers were without jobs at the end of 1966. Perhaps two-thirds of them were "frictionally" unemployed: new entrants to the labor force in the process of locating a job; persons who quit one job to seek another; workers in the "off" months of seasonal industries; those temporarily laid off but with instructions to return. Their unemployment will be temporary; many were drawing unemployment insurance.

But most of the remaining third will wait a long time for a steady job. They are the "hard core" unemployed—lacking the necessary skills to find other than intermittent work; the victims of past or present discrimination; those unable or unwilling to move from depressed areas and occupations; the physically or emotionally handicapped.

Another half million to 1 million potential workers were not even counted as unemployed. Many had long ago abandoned any search for a job. Some had never tried.

But even among those who worked year round, some 2 million breadwinners—particularly the low skilled with large families—earned incomes insufficient to support a minimum standard of decent subsistence.

And 6½ million families were poor because the heads of their households were unable to work: either aged, severely handicapped, or a widowed or deserted mother with young children.

Those left behind used to be called the invisible poor. But an awakened public conscience has sharpened the vision of most Americans.

2. Price increases—although less than in many comparable periods—still were greater than we wanted or should long tolerate.

It is tempting to blame the creep of prices on the greed of producers—or the irresponsibility of labor—or Government policies—or bad weather—or economic disturbances abroad. Some of the price rise may have been due to each. But the main causes lay elsewhere:

Some can be traced to imbalances created by the special pressures of Vietnam procurement and booming private investment.

The spurt of demand—partly real, partly psychological—that followed the step-up of our Vietnam effort in mid-1965 simply exceeded the speed limits on the economy's ability to adjust. Our resources were sufficient for the task; but the sheer speed of the advances strained the ability of industrial management to mobilize resources at the required pace.

Some price advance was the inevitable cost of the adjustments required in recovering from a decade of slack:

Wages had to be raised sharply in underpaid occupations, which previously held their labor only because the alternative was no job at all.

Producers in once stagnant, low-profit industries saw opportunities for expansion and found it possible to raise prices and earnings in order to attract needed capital.

Demand pressed harder on skilled occupations and professional services where we had trained too few persons to meet the needs of a high employment economy.

Some price increases would still have occurred had we moved at a steadier pace.

But these price increases could have come slowly enough and have been small enough not to threaten a chain reaction of wages chasing other wages—wages chasing prices—prices chasing wages—and prices chasing other prices.

It is this spiral we must and can avoid. But it will require responsible action on the part of all.

3. Achieving equilibrium in our balance of payments remained a problem in spite of strong new measures.

The costs of Vietnam required us to spend many more hundreds of millions of dollars beyond our shores. At the same time, the spurt of demand caused our imports—especially of capital goods—to soar.

We are determined to continue our progress toward equilibrium.

4. Tight money and high interest rates concentrated the burden of restraint on housing.

Interest rates in 1966 were as high as at any time in 40 years. They were pushed there by an insatiable demand for credit, straining against a deliberately restricted supply. Monetary policy in 1966—like tax policy—was properly aimed at slowing down an economy expanding too fast.

The brakes applied last year worked. But tight money worked painfully and inequitably. It cut construction by more than $8 billion during 1966. Its impact was equivalent to a heavy across-the-board tax increase, but with most of its effect concentrated on a single industry.

FINDING SOLUTIONS

We will move this year toward solutions for these problems and others. But they cannot all be completely solved in 1967.

LIFTING THE BURDEN ON HOUSING

Now that the economy's advance is again more moderate, the burden of tight money is being lifted. Interest rates are still extremely high—but they are moving down from their peaks. Credit is still not readily available to all who can make sound and productive use of it—but it is becoming easier to get. More savings are flowing into our thrift institutions and are beginning to be available to builders and homebuyers.

The steps we took last year and those I am now proposing, the steps the Federal Reserve has recently taken and is continuing to take to increase credit availability and lower interest rates, should have our housing industry moving smartly forward by the end of 1967, and ready for one of its best years in 1968.

RESTORING PRICE STABILITY

The advance of prices has already begun to slow. Wholesale prices in December were below their levels of August.

The more moderate pace of economic advance now underway, which the policies I am recommending are designed to maintain, should further diminish inflationary pressures.

We cannot rescind all of last year's increases in costs, some of which are still spreading through our structure of prices. Price stability cannot be restored overnight. But we will be making good progress toward price stability this year.

IMPROVING OUR INTERNATIONAL PAYMENTS

We have recently announced stronger voluntary balance-of-payments programs for 1967. Our policies to constrain economic expansion to a sustainable pace should permit an improved export surplus.

I am now recommending further steps to strengthen our external payments. Yet so long as we remain heavily engaged in southeast Asia, we will have a balance-of-payments problem.

COMBATING POVERTY

We will continue to attack poverty and deprivation through such weapons as community action and Headstart; rent supplements and child nutrition; aid to elementary and secondary education in poverty areas and the Teachers Corps; the Manpower Development and Training Act, the Job Corps, the Neighborhood Youth Corps; medicare, medicaid, and neighborhood health centers; measures to end discrimination in jobs, education, and public facilities; and the expanded coverage enacted last year for a higher minimum wage.

I am proposing that our attack be reinforced with new weapons in 1967.

Yet, with old weapons and new, the war on poverty will not be won in 1967—or 1968. There is no wonder drug which can suddenly conquer this ancient scourge of man. It will be a long and continuing struggle, which will challenge our imagination, our patience, our knowledge, and our resources for years to come. Our capacity to stay with the task will be a test of our maturity as a people.

USING THE GAINS OF GROWTH

From early 1961 to the end of 1966, our GNP rose an average of $44 billion a year. About $9 billion a year was price increase. Of the balance an average real gain of $10 billion a year—in 1966 prices—came from putting idle men and machines back to work; an average real gain of $25 billion a year—in 1966 prices—came from the growth of our resources: a larger work force, more and better capital and management, higher productivity.

Further gains from putting idle resources to work will now be harder to achieve.

But our annual dividend from growth has meanwhile become more generous. In 1967 it will add $30 billion at today's prices to our potential output.

Our economic policies must assure that we realize this potential dividend—and use it wisely.

REALIZING THE GROWTH DIVIDEND

To insure our full dividend from economic growth requires that markets for goods and services expand steadily and adequately—but not excessively. In recent years, we have tested and refined the power of fiscal and monetary policy to stimulate or moderate the expansion of total demand.

During 1966, Federal expenditures were expanding rapidly. But tax policy worked to counter their impact.

Federal expenditures in our national income accounts grew $19 billion in calendar year 1966, reflecting the stepup in national defense; in social security, medicare, and related payments; and in grants to State and local governments. They added strongly to private purchasing power. They would have added more but for the substantial expenditure cutbacks put into effect during the year.

On the other side, taxes restrained demand. Higher payroll taxes, the restoration of some excise taxes, the institution of graduated withholding, and the suspension of tax incentives to investment all represented new measures that were draining off more than $9 billion of spendable incomes by yearend. In combination, and for the full year, these measures and an expanding economy produced $18 billion more in revenues than in 1965. Prompt action by Congress in response to my tax proposals of January and September made tax policy an important force for economic restraint.

Taking the two sides together, our national income accounts budget was in surplus in the first half and in balance for 1966 as a whole.

But as private investment threatened to outrun private saving, sharp monetary restraint was also applied. In response to both fiscal and monetary restraints, the economy shifted gears from excessive speed to a moderate advance.

FISCAL POLICY FOR 1967

In the year ahead we are determined to maintain that moderate advance; we need no further slowdown; we can tolerate no new spurt of demand. After midyear, the tax increase I have proposed and a more moderate growth of Federal spending will increase the freedom of monetary policy to support expansion. I am confident that the opportunity will be used.

The specific fiscal program I am recommending includes a surcharge of 6 percent on the tax liabilities of individuals, exempting persons in the lowest income brackets; the same 6 percent surcharge on the tax liabilities of corporations.

Here are some examples of the effect of this proposal, as applied to a married couple with two dependents, using typical deductions:

With $5,000 income, their tax will be unchanged—still $130 lower than they would have paid in 1963.

With $10,000 income, their tax in 1968 will rise $67, or $1.30 a week. Their annual tax will still be $190 less than they would have paid in 1963.

With $20,000 income, their tax in 1968 will rise $190, or $3.65 a week. But their annual tax will still be $450 less than they would have paid in 1963.

A corporation with profits before tax of $100,000 will pay an extra $2,490. It will still pay $2,510 less than it would have paid in 1963.

One with profits of $1,000,000 will pay an extra $28,410, still $12,590 less than it would have paid in 1963.

The surcharge will provide for $5.1 billion of extra revenues in fiscal year 1968 on a national income accounts basis, substantially offsetting the expansion of $5.8 billion in defense purchases.

The national income accounts budget will also be affected by my proposals for social security benefits and taxes.

After allowance for these changes, the national income accounts deficit for fiscal year 1968 is now estimated at $2.1 billion, compared with $3.8 billion in fiscal year 1967.

I am also recommending two further accelerations of corporate tax payments, to begin in 1968:

Requiring quarterly payment of estimated tax on the basis of 80 percent rather than 70 percent of liability;

Requiring, over a 5-year period, that small corporations, as well as large, become current in their tax payments, in the same way as individual proprietors.

We have fashioned a fiscal program for sustainable expansion. With that program, we now see a rise of about $47 billion in our GNP in 1967—a growth dividend close to 4 percent in real terms.

USING THE GROWTH DIVIDEND

The first priority for the use of our growth dividend must, as always, be the defense of freedom. But it will take only a small part of our $47 billion of added production.

These will be the public claims on our growth dividend:

Ten billion dollars more of our output in 1967 will go for the support of our men in Vietnam and other urgent needs of defense.

One and one-half billion dollars will go for the expansion of other Federal purchases, including adjustments in Federal, civilian, and military pay.

State and local governments will use about $8 billion more of the Nation's resources in 1967. In this, they will be aided by Federal grants totaling nearly $15 billion.

The remaining $27½ billion of our GNP gain in 1967—nearly 60 percent of it—will be used in the private sector. And the flow of goods and services to consumers will expand this year by even more than that.

In the past several years, an unusually large part of our output growth has gone to expand the productive capacity of business and to build up inventories to support high and growing production and sales. On balance, a slightly smaller portion of our resources will be used for these purposes in 1967 than in 1966.

For the year as a whole, slightly less of our resources than last year will be used to build new homes, although a sharp recovery in residential construction from its current deep recession is expected during the course of the year.

As the flow of goods and services to consumers expands, the ability of our elderly citizens to share in these gains will be supported by a rise of more than $6 billion in social security and medicare payments.

In 1967, we will have no bonus dividend from using previously idle resources. But the dividend from growth alone is a big one. We must be sure we get it; and we must use it wisely.

RESTORING PRICE STABILITY

From the beginning of 1961 until 1965, the United States enjoyed both price stability and a strongly expanding economy. The average of wholesale prices hardly moved, and consumer prices rose only a little more than 1 percent a year. Last year, that record was blemished. Consumer prices rose 2.9 percent between 1965 and 1966, wholesale prices 3.2 percent.

When we were involved in Korea, consumer prices rose 8.0 percent between 1950 and 1951, wholesale prices 11.4 percent. And we had price controls during most of 1951.

Even when we were not at war, consumer prices rose 3.5 percent between 1956 and 1957, wholesale prices 2.9 percent.

Nevertheless, we are not satisfied with our record on prices. And we expect to improve on it this year.

There are many reasons why we refuse to tolerate rapidly rising prices:

They injure those with fixed incomes, especially older people.

They can lead to speculation and economic distortions which could undermine prosperity.

They weaken our competitive position in world markets.

As they persist, they become harder to stop without throwing the economy into reverse.

Restoring price stability is one of our major tasks. It will not be accomplished all at once, or all in 1967. That could be done—if at all—only at the cost of mass unemployment, idle machines, and intolerable economic waste. But a gradual return to stability can go hand in hand with steady economic advance.

Such an improvement will require prudent fiscal and monetary policies; Government efforts to help relieve the key points of pressure on prices; the responsible conduct of those in business and labor who have the power to make price and wage decisions.

With steady, sustainable, and balanced growth, we can look forward to relief of pressures on capacity in such strained areas as machinery and metals; adjustments of raw materials supplies to demand; the end of labor shortages in key areas.

Other efforts of the Federal Government can help to relieve particular pressures on prices and wages. We will continue to develop manpower training programs to meet skill shortages; to increase the efficiency of the employment services in matching jobs and men; to handle Government procurement so as to minimize its pressure on prices; to dispose of surplus Government stockpiles to alleviate shortages of raw materials; to manage farm programs to assure adequate supplies as well as equitable returns.

But efforts of the Government alone will not be enough. The cooperation of business and labor is essential for success.

In the past year, most businessmen who had a choice in setting prices and most trade unions that negotiated wage contracts acted responsibly. They did so because they took account of the national interest and saw that it was also their own.

If business and labor were to consider only their own short-run interests, each union might seek a wage increase which exceeds the most recent settlement by some other union; each business might strive to achieve a new profit record by translating strong demand into higher prices, whether or not costs have increased.

But when business and labor consider the national interest—and their own longer run interests—they realize that such actions would have only one result: a wage-price spiral which is in the interest of neither.

If unions now attempt to recoup in wages all of the past or anticipated advance in the cost of living—in addition to the productivity trend; if businesses now seek to pass along rising costs when it would be possible to absorb them or do not reduce prices when costs fall; then the result will be just such a spiral—damaging to business, damaging to labor, and disastrous to the Nation.

Once again, I appeal to business and labor—in their own interest and that of the Nation—for the utmost restraint and responsibility in wage and price decisions.

INTERNATIONAL ECONOMIC POLICIES

The current year is a critical one for our international economic policies and for the economic progress of the world community.

As the largest single market and source of capital, the United States carries special responsibilities.

TRADE

This administration is committed to reducing barriers to international trade, as demonstrated by my recent action terminating the 1954 escape clause action on watches, and rolling back the special tariff on imports of glass.

The Kennedy round of trade negotiations is now entering its final and most critical phase. I emphasize once more how important this great attempt to liberalize world trade is for all the developed and developing nations of the free world.

After more than 4 years of discussion, it is essential that the participants now resolve the many complex problems that still remain. It would indeed be a tragedy if the wide authority granted to the President by the Trade Expansion Act of 1962 were allowed to lapse unused. Never before has there been such a splendid opportunity to increase world trade. It must not be lost.

But the Kennedy round is not the end of the road. We must look beyond the negotiations in Geneva to further progress in the years ahead. We must begin to shape a trade policy for the next decade that is responsive to the needs of both the less-developed and the advanced countries.

We should seize every opportunity to build and enlarge bridges of peaceful exchange with the countries of Eastern Europe and the Soviet Union. We should have the ability to adopt our policies to whatever political circumstances or commercial opportunities may present themselves. I again urge the Congress to provide authority to expand our trade relations with Eastern Europe and the Soviet Union.

AID

Although 1966 was a relatively good year for world economic growth, average output in developing countries rose by less than $3 a person.

There were, however, encouraging signs of progress. Developing nations demonstrated a willingness to take difficult but necessary steps to help themselves. India, for example, revised her foreign exchange and agricultural policies to promote more rapid growth.

Among the wealthier nations, stronger efforts were made to assist the development of the poorer countries. Canada and Japan increased their assistance programs. Major free world aid donors joined in new groups to coordinate their flow of aid.

The United States will continue to respond constructively to the aspirations of the developing nations. We will give first priority to fighting the evils of hunger, disease, and ignorance in those free world countries which are resolutely committed to helping themselves.

There should, however, be increasing efforts to make both the receiving and giving aid a matter for creative international partnership. We shall, therefore—

Continue to support enthusiastically, in a manner consistent with our balance-of-payments position, such promising cooperative regional efforts as the Alliance for Progress, the Inter-American, the Asian, and the African Development Banks, and the Mekong Development Fund of the United Nations;

Further encourage the coordinated extension and expansion of aid by the major donor countries in ways that result in an equitable sharing of the burden;

Seek the cooperation of other major donor countries this year in replenishing the resources of the International Development Association.

BALANCE OF PAYMENTS

We can take some satisfaction in the fact that our balance of payments in 1966 may prove to have been in surplus on official reserve settlements. Despite the added costs of the war in Vietnam and the rapid growth of imports, our deficit on a liquidity basis increased only slightly in 1966.

But we cannot relax our efforts to seek further improvement.

Our goal in the coming year is to continue to move toward balance of payments equilibrium as rapidly as the foreign exchange costs of the Vietnam conflict may permit. This goal will be supported through measures and policies consistent with healthy growth at home and our responsibilities abroad.

We already have extended and reinforced the voluntary restraint programs for corporate investment abroad and for foreign lending by financial institutions. I am counting on the continued full cooperation of businesses and banks with these programs in 1967. And I have instructed all agencies of the Government to intensify their efforts to limit the dollar drain resulting from their activities.

But more is needed. I now recommend the following steps:

1. The Congress should extend the interest equalization tax, in strengthened form, to July 31, 1969. This tax has proved extremely useful in limiting the borrowing of developed countries in our capital markets and in reinforcing the Federal Reserve voluntary program. As we move toward easier money in the United States, foreign borrowing in our financial markets may tend to increase. I am therefore requesting authority to adjust the rates of the interest equalization tax as monetary conditions warrant, so that the effective impact on interest costs can be varied between 0 and 2 percent. This would replace the present flat 1-percent impact.

Moreover, to insure against possible anticipatory increases in foreign borrowing, I am also requesting that the tax be imposed at rates which provide an impact of 2 percent on interest costs while the legislation is under consideration by Congress.

2. The most satisfactory way to arrest the increasing gap between American travel abroad and foreign travel here is not to limit the former but to stimulate and encourage the latter. I shall appoint in the near future a special industry-Government task force to make specific recommendations by May 1, 1967, on how the Federal Government can best stimulate foreign travel to the United States. After a careful review of their advice, I shall ask the U.S. Travel Service and other appropriate agencies to take the steps that seem most promising.

3. As part of our longrun balance-of-payments program, I shall also—

Request continuation and expansion by $4.5 billion of the lending authority of the Export-Import Bank in order to support the expansion of exports;

Continue to urge other countries to participate in the development of better means both of sharing the resource burdens and of neutralizing the balance-of-payments effect arising from the common defense and foreign assistance efforts.

4. For the longer run strength of our payments balance, we should intensify efforts to stimulate exporters' interest in supplying foreign markets; enlist the support of the financial community to attract additional foreign investment in the United States; and encourage further development of foreign capital markets.

IMPROVING THE INTERNATIONAL MONETARY SYSTEM

In 1966, significant progress was made toward a better international monetary system. Through close consultation and cooperation among the financial authorities of major countries, temporary strains were met promptly and effectively.

Two large forward steps were taken on the road to international monetary reform: wide consensus was reached on basic principles for the deliberate creation of additional reserve assets; and the negotiations advanced to a second stage in which all members of the International Monetary Fund are participating.

An even greater effort must be made in the coming year to improve our monetary system. In particular, I urge that all countries participate in the continuing task of strengthening the basic monetary arrangements that have served the world so well; both surplus and deficit countries assume their full responsibility for proper adjustment of international payments imbalances, and cooperate in efforts to lower world interest rates; full agreement be reached on a constructive contingency plan for the adequate and orderly growth of world monetary reserves.

HELPING THE DISADVANTAGED

The United States is the first large nation in the history of the world wealthy enough to end poverty within its borders. There are many fronts in the war on poverty. We are moving forward on them all.

There must be full employment so that those qualified and able to work can find jobs. The unemployment rate last year was the lowest in 13 years.

Those not now fully qualified must be given the education and training, the health and guidance services which will enable them to make their full contribution to society. We have greatly increased our aid to education and enlarged our training programs, and we will expand them further.

For those who will be unable to earn adequate incomes, there must be help—most of all for the benefit of children, whose misfortune to be born poor must not deprive them of future opportunity. We have increased our income support, and we will increase it further.

Wherever the poor and disadvantaged are concentrated, intensive and coordinated programs to break the cycle of deprivation and dependency must continue and be reinforced. We have instituted these programs in hundreds of cities and rural areas; we are expanding them and designing others.

INCOME GUARANTEES

Completely new proposals for guaranteeing minimum incomes are now under discussion. They range from a "negative income tax" to a complete restructuring of public assistance to a program of residual public employment for all who lack private jobs. Their advocates include some of the sturdiest defenders of free enterprise. These plans may or may not prove to be practicable at any time. And they are almost surely beyond our means at this time. But we must examine any plan, however unconventional, which could promise a major advance. I intend to establish a commission of leading Americans to examine the many proposals that have been put forward, reviewing their merits and disadvantages, and reporting in 2 years to me and the American people.

PUBLIC ASSISTANCE

Our system of public assistance is now 30 years old and has obvious faults. The standards of need set by many States are unrealistically low; benefits are further restricted by excessively stringent eligibility conditions. In some respects the system perpetuates dependency.

1. State standards of need are miserly low. In 18 States a family of four is presumed able to manage for a month on $45 a person—or less. And in many States, actual payments average far below their own standards of need.

It is time to raise payments toward more acceptable levels.

As a first step, I ask the Congress to require that each State's payments at least meet its own definition of need; and that its definition should be kept up to date annually as conditions change.

2. With minor exceptions, payments under public assistance are reduced dollar for dollar of earnings by the recipient, removing any incentive to accept part-time work. We should encourage self-help, not penalize it.

It is time to put an end to this 100-percent tax on the earnings of those on public assistance.

I shall therefore ask Congress to enact payment formulas which will permit those on assistance to keep some part of what they may earn, without loss of payments.

3. Many recipients of public assistance are capable of receiving training which would ultimately make them self-supporting.

I therefore urge the Congress to make permanent the unemployed parent and community work and training programs associated with aid to families with dependent children—AFDC—and to require all States receiving Federal support under AFDC to cooperate in making community work and training available for the unemployed parents of dependent children.

TRAINING AND EMPLOYMENT

The coexistence of job vacancies and idle workers unable to fill them represents a bitter human tragedy and an inexcusable economic waste. One of society's most creative acts is the training of the unemployed, the underemployed, or the formerly unemployable to fill those vacancies.

A dynamic economy demands new and changing skills. By enabling workers to acquire those skills, we open opportunities for individual development and self-fulfillment. And we make possible higher production without inflationary pressures.

I shall ask the Congress for funds to support a new and special effort to train and find jobs for the disadvantaged who live in urban ghettos.

I shall also propose legislation to improve the effectiveness of the Federal-State employment service.

SOCIAL SECURITY

Millions of aged still live in poverty. Millions of younger Americans are willing to pay for more adequate retirement benefits in the future.

I ask the Congress to approve an overall 20-percent increase in our social security program. We can increase benefits for all social security beneficiaries by at least 15 percent, raise the minimum benefit by 59 percent to $70 a month, assure workers with 25 years of coverage at least $100 a month, extend medical insurance to disabled beneficiaries, and allow larger earnings without loss of benefits.

UNEMPLOYMENT INSURANCE

Our system of unemployment insurance was created in a world of massive unemployment. The needs of a high employment economy are different. Today, when jobs are available, the jobless who exhaust their benefits typically need training, guidance, or other supportive services.

Therefore, I am asking the Congress to consider legislation to provide such services in conjunction with extended benefits to the long-term unemployed, to extend the protection of the system to additional workers, to establish more uniformly adequate benefits, and to correct abuses.

CITIES AND HOUSING

The American city is not obsolete; it is still a great engine for economic and social progress. But cities are in trouble, threatened by congestion, pollution, crime, poverty, racial tension, slums, and blight.

Yesterday's rural poor have been moving to the city just as many of the jobs they seek and need have been moving to the suburbs. Inadequate transportation and discrimination in housing make it difficult for them to follow the jobs; and deficiencies of education, health, and skills compound their disadvantages.

Most cities cannot afford the massive expenditures necessary to solve these problems. The flight of higher income families and businesses to the suburbs erodes sources of revenue for the cities, even as expenditure demands escalate. Inflexible city limits have created a hodgepodge of local taxing jurisdictions, often dividing the tax base from the need. The cities cannot collect for the many benefits they supply to residents of the suburbs.

The problems of the cities flow across irrelevant boundaries established by historical accident. So solutions must draw on the resources and imagination of a larger area. Our efforts have been aimed to encourage a metropolitan approach to metropolitan problems.

We must also find ways to enlist more fully the resources and imagination of private enterprise in the great task of restoring our cities.

I have just appointed a Commission, under the chairmanship of Senator Paul H. Douglas, to work with the Department of Housing and Urban Development to examine problems of codes, zoning, taxation, and development standards and to recommend ways to increase the supply of low-cost housing. I am convinced that this study can make a major contribution to the solution of urban problems.

Last year, the Congress enacted the pathbreaking model cities legislation. The Federal Government will help cities to focus all available programs on their needs—eventually to overwhelm the problems that have heretofore overwhelmed the cities.

More than 70 cities will have completed their plans and be eligible to start receiving assistance in 1968. Federal aid for water and sewer projects, open land conservation, and urban mass transportation is encouraging a more coordinated approach to metropolitan problems. I seek increased appropriations for all of these programs. And I shall seek authorization and resources for a greatly expanded program of research on urban problems.

Growth in the number and incomes of American families will require us to build about 2 million new houses a year for the next decade, most of them in and around cities. Last year, housing bore a disproportionate part of the burden of needed restraint. But we are now moving into a period of renewed homebuilding. I look for construction to rise briskly during 1967.

Federal programs for fiscal 1968 will assist in construction or renovation of 165,000 housing units for the urban poor, the elderly, and the handicapped. The rent supplement program will contribute to this goal.

This year will be a brightening one for the housing industry; it can also be a landmark year in the progress and evolution of our cities.

EDUCATION AND HEALTH

Individually and collectively, Americans have insatiable appetites for more education and better health. Education and health contribute both to individual well-being and to the Nation's productivity. But far too many of our urban and rural poor are denied adequate access to either. The efficiency of our methods of education and of providing medical care can and should be strengthened.

History will record these years as the time when this Nation awoke to its needs—and its limitations—in education and health. The Elementary and Secondary Education Act, Headstart, the Teachers Corps, medicare, medicaid, and the partnership in health will be landmarks in our social and economic development.

I shall propose an expanded Headstart program; a followthrough program in the early years of school; and the opening of other new educational opportunities for children; both legislative and administrative changes to accelerate research and development on more efficient and effective ways of providing health resources; an expanded child health program, including early diagnosis and treatment, a pilot program of dental care, and the training of additional health personnel to provide services to children.

ABATING POLLUTION

A polluted environment erodes our health and well-being. It diminishes individual vitality; it is costly to industry and agriculture; it has debilitating effects on urban and regional development; it takes some of the joy out of life.

The 89th Congress enacted important legislation to improve the quality of our environment. All 50 States have now signified their intention to establish water quality standards for their interstate and coastal waters. The Federal Government is assisting State and local governments through comprehensive water basin planning, and is providing financial help to States for the administration of water pollution control and to local areas for the construction of sewage treatment facilities. In addition, we are studying appropriate methods to encourage industry to control its discharge of pollutants.

The foundation for abating air pollution was laid in the Clean Air Act of 1965. But the air over every city proves that further steps are necessary.

I propose that we get on with the jobs of preserving and restoring our environment. I will present detailed proposals on control of air pollution in another message.

IMPROVING OUR TAX SYSTEM

Our tax system is one in which we can take pride. In terms of fairness, revenue productivity, and balanced economic impact, it is unsurpassed by any other tax system in the world today.

Nevertheless, it can be improved. As they now stand, our tax laws impose undue burdens on some and grant unfair benefits to others.

A system as complex as ours cannot be perfected in a single bill. Rather, the process of tax reform must be continuous, with every provision of the law subject to constant examination and adjustment where needed. Moreover, this work of basic reform should proceed independently of the requirements for raising taxes or the opportunities for tax reduction.

I, therefore, plan to submit proposals to the Congress to improve the equity of our tax system and reduce economic distortions. These proposals will be designed to avoid significant budgetary effects.

As one specific reform, I will urge changes to deal with abuses by tax-exempt private foundations.

IMPROVING GOVERNMENT ORGANIZATION

Separate Departments of Labor and Commerce perpetuate the obsolete notion that there is fundamental conflict between the interests of business and labor, or between the interests of either and that of the Nation.

A single Department of Labor and Business can more effectively carry out those national programs which affect the private productive sector as a whole. The two Departments share many common objectives; their interests and activities coincide or overlap in fostering economic and regional development; matching the skills of labor with the needs of employers; providing more jobs at better wages; avoiding labor disputes; maintaining a fair distribution of private incomes without inflation; providing stability of production and jobs; providing basic economic and social information and technical services needed by both private and public sectors; and supporting expansion of international trade and considering its impact on the domestic economy.

By combining these activities, we can greatly improve efficiency, reduce costs, simplify the reporting burden on business, provide better and more uniform statistics, and assure that the views and the problems of the private sector enter more effectively into decisions on general economic policy.

I urge the Congress to support my recommendation for a new Department of Labor and Business.

OTHER ECONOMIC POLICIES

1. I renew four recommendations made in my Economic Report of 1966 and not acted upon by the 89th Congress:

A fair system of charges for users of highways, aviation facilities, and inland waterways, to improve efficiency in the use of transportation resources, and to reimburse the Federal Government for a part of its expenditures on facilities which directly benefit those who use them;

Truth-in-lending legislation, to provide consumers with a full and clear statement of the true cost of credit;

Stronger regulation of savings and loan holding companies; and

Provision of Federal charters for mutual savings banks, to enlarge and strengthen our system of thrift institutions.

2. To aid the advance of technology on which economic progress depends, I now urge congressional support for a long-overdue modernization of our patent system; a large-scale program of research in transportation.

3. Total holdings in the Nation's stockpile of strategic and critical materials now stand at $6.5 billion. Of this amount, $3.4 billion are excess to our defense needs as presently determined.

During the last fiscal year, the Administrator of General Services disposed of excess stockpile materials valued at slightly more than $1 billion without disruption of the domestic economy or the normal channels of trade.

The last session of the Congress authorized disposal of excess stockpile material valued at $782 million. I will ask the Congress for authority to dispose of additional stockpile excesses, bringing to about $2 billion the present value of excess stockpile material available for disposal.

I believe that we should relieve taxpayers of the burden of carrying unneeded surplus stocks, and provide businesses and workers with the materials necessary to assure continued high levels of production.

4. The responsibility which we share with the States to insure that our banks and thrift institutions are honest, competent, and competitive is a continuing function demanding constant attention. We must continue to encourage the orderly and progressive development of a financial system adequate to meet the needs of a growing and dynamic economy.

I urge the Federal Reserve Board, the Federal Deposit Insurance Corporation, the Comptroller of the Currency, and the Federal Home Loan Bank Board to continue and to intensify their efforts to coordinate their regulatory policies and procedures, and to improve their examination methods.

AFTER VIETNAM

Despite all our efforts for an honorable peace in Vietnam, the war continues. I cannot predict when it will end. Thus our plans must assume its long duration.

But peace will return—and it could return sooner than we dare expect.

When hostilities do end, we will be faced with a great opportunity, and a challenge how best to use that opportunity. The resources now being claimed by the war can be diverted to peaceful uses both at home and abroad, and can hasten the attainment of the great goals upon which we have set our sights.

If we keep our eyes firmly fixed on those goals—and if we plan wisely—we need have no fear that the bridge from war to peace will exact a wasteful toll of idle resources, human or material.

But when that welcome day of peace arrives, we will need quick adjustments in our economic policies. We must be prepared for those adjustments, ready to act rapidly—both to avoid interruption to our prosperity and to take full and immediate advantage of our opportunities.

Planning for peace has been an important activity in many executive agencies. But the effort needs to be stepped up and integrated.

Accordingly, I am instructing the heads of the relevant agencies in the executive branch, under the leadership of the Chairman of the Council of Economic Advisers, to begin at once a major and coordinated effort to review our readiness. I have asked them to consider possibilities and priorities for tax reduction; to prepare, with the Federal Reserve Board, plans for quick adjustments of monetary and financial policies; to determine which high priority programs can be quickly expanded; to determine priorities for the longer range expansion of programs to meet the needs of the American people, both through new and existing programs; to study and evaluate the future direction of Federal financial support to our States and local governments; to examine ways in which the transition to peace can be smoothed for the workers, companies, and communities now engaged in supplying our defense needs, and the men released from our Armed Forces.

I have directed that initial reports be prepared on all of these and related problems, and that thereafter they be kept continuously up to date.

CONCLUSION

Our task for 1967 is to sustain further sound and rewarding economic progress while we move toward solutions for the problems we met in 1966. It will require a flexible and delicate balance of economic policies.

Above all, we must guard against any interruption of our prosperity. The steady advance of jobs and incomes is our most powerful weapon in the battle against poverty and discrimination at home. And it undergirds our policy around the world.

Yet we must be equally alert to the dangers of inflation.

In his Economic Report of January 1956, President Eisenhower wrote:

> The continuance of general prosperity cannot be taken for granted. In a high-level economy like ours, neither the threat of inflation nor the threat of recession can ever be very distant. . . . The only rigid rule we can afford to admit to our minds is the principle that the best way to fight a recession is to try to prevent it from occurring.

Only 18 months later, the sharpest recession of the entire postwar period began—which also led to the largest peacetime budget deficit in our history. Over the same 18 months, both consumer prices and wholesale prices advanced 5½ percent—considerably faster than in the 18 months since June 1965.

That history does not invalidate but rather reinforces President Eisenhower's proposition. Neither the threat of inflation nor of recession is ever distant in a high-level economy.

How can we steer between these dangers, and—at the same time—supply the needs of national defense, strengthen our overseas payments, relieve the inequities of tight money and high interest rates, maintain the momentum of social progress, and provide the growth of incomes which lets each of us move toward fulfilling his private aspirations?

I am confident that we can find such a course. We will continue to coordinate the tools of monetary and fiscal policy to the common goal—the sound, balanced, and noninflationary advance of production and incomes. We are steering toward lower interest rates, a better balance in our economy, a budget and a social security program that reflect national priorities.

There will be surprises in store along the way. We must be prepared to meet them swiftly and flexibly. And I think we are. The tools of economic policy are not perfect; but they are far better understood and accepted—in the Government and in the private community—than ever before.

We have surely proved over recent years that economic progress does not need to be interrupted by frequent recessions. And, although prices have risen faster in the past year and a half than we expected or wished, we have done better than in most similar periods of our economic history. And we have done it without burdensome controls on prices or wages.

The Federal Government cannot do the whole job—or even very much of it. Production and incomes arise from the strength and skill of workers, the ingenuity of managements, the willingness of savers to risk their capital, the genius of inventors and engineers, the patience of teachers, the devotion of local public servants—the contributions of all who participate in our economy.

Yet the Federal Government has a role of leadership and a responsibility for coordination.

The Congress defined that role in the Employment Act of 1946:

> . . . it is the continuing policy and responsibility of the Federal Government . . . with the assistance and cooperation of industry, agriculture, labor, and State and local governments, to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, . . . useful employment opportunities . . . for those able, willing and seeking to work, and to promote maximum employment, production, and purchasing power.

Our economic policies for 1967 respond to that mandate.

LYNDON B. JOHNSON.

JANUARY 26, 1967.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary was permitted to meet during the session of the Senate today.

On request of Mr. Byrd of West Virginia, and by unanimous consent, the Special Committee on Appalachia of the Committee on Public Works was permitted to meet during the session of the Senate today.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

EXECUTIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The **PRESIDENT** pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. RUSSELL, from the Committee on Armed Services:

Gen. John P. McConnell (major general, Regular Air Force), U.S. Air Force, to be reappointed as Chief of Staff, U.S. Air Force.

The **PRESIDING OFFICER** (Mr. Byrd of West Virginia in the chair). If there be no further reports of committee, the nominations on the Executive Calendar will be stated.

DEPARTMENT OF STATE

The legislative clerk proceeded to read sundry nominations in the Department of State.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

Mr. MOSS. Mr. President, I am proud to speak this morning in behalf of my Utah colleague, former Congressman David S. King, and to urge his confirmation as Ambassador Extraordinary and Plenipotentiary of the United States to the Malagasy Republic.

Dave King is admirably prepared to fill this ambassadorship. As the son of Utah's illustrious Senator William H. King, who served 27 years in the House of Representatives and the Senate, young Dave grew up in the political, diplomatic and social atmosphere of the Capital City. His friends included young people of all nations, and he developed a broad view of people and the world early in life. As a young student, he attended school in France. Later he lived abroad as a missionary for the Church of Jesus Christ of Latter-day Saints—Mormon—in Great Britain.

He did his undergraduate work in economics at the University of Utah, and after graduation he took his law degree at Georgetown University. He served as law clerk to Justice Stephens of the U.S. Court of Appeals for the District of Columbia, and is a member of the bar in both the District of Columbia and Utah. He served as counsel for the Utah State Tax Commission, and has practiced law in Salt Lake City. He has also been the vice president and director of a finance company, and a teacher of commercial law. He has fluent command of the French language and is a gifted and inspired speaker.

Dave King served for 6 years in the House of Representatives where he was highly respected. He went to Vietnam for the Foreign Operations and Government Information Subcommittee of the House Government Operations Committee, and his reports were full and penetrating. He served also on the Interior and Insular Affairs Committee, and, for one term, on the Science and Astronautics Committee, both of which give him additional background to serve his country well in an ambassadorship.

One of Dave's greatest assets has always been his charming and dynamic wife, Rosalie Lehner King. She would be an embellishment to any American embassy, and I predict will win friends for the United States wherever she goes. Since she is a registered nurse by profession, she has both the understanding and skills to be of assistance in areas of social need, should she be called upon to consult or serve.

And finally, I want to mention the King children—Jody, who is Mrs. Robert V. Olsen, is in Tunisia with her husband. Both are serving in the Peace Corps. David, Jr., is serving as a missionary for the Latter-day Saints Church in France. The others, Franklin Lawrence, Stephen Edward, Matthew Thomas, Christine, and Christopher Henry, will accompany their parents to the Republic of Malagasy. The United States has a bonanza in the King family—we could send no finer representatives of this country abroad as a sample of good healthy Americanism.

David S. King will be an excellent Ambassador Extraordinary and Plenipotentiary of the United States of America to the Malagasy Republic. I urge his immediate confirmation.

The **PRESIDING OFFICER.** Without objection, the nominations are considered and confirmed en bloc.

UNITED NATIONS

The legislative clerk read sundry nominations to the United Nations.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The **PRESIDING OFFICER.** Without objection, the nominations are considered and confirmed en bloc.

Mr. KUCHEL. Mr. President, I am delighted to see a distinguished citizen of California, Ambassador Richard E. Pedersen, nominated and now confirmed as Deputy Representative of the United States of America in the United Nations Security Council.

I had the pleasure of talking with Ambassador Pedersen the other day. He has a phenomenal record of accomplishment in public service in this field. I ask unanimous consent that I may be permitted to place in the Record at this point a brief biographical sketch of Ambassador Pedersen.

There being no objection, the biographical sketch was ordered to be printed in the Record, as follows:

Richard F. Pederson

Present Position: Senior Adviser to the Representative of the United States of America to the United Nations and in the Security Council, with the personal rank of Ambassador.

Office Address: United States Mission to the United Nations, 799 United Nations Plaza, New York, New York.

Born: February 21, 1925, at Miami, Arizona.

Legal Residence: California.

Marital Status: Married, May 9, 1953.

Family: Wife's maiden name: Nelda Newell Napier. Children: Paige Elizabeth, Jonathan Foote, Kendra Gayle.

Home Address: 1 Lexington Avenue, New York, New York.

Education: University of the Pacific, Bachelor of Arts summa cum laude, 1946; Stanford University, Master of Arts, 1947; Harvard University, Doctor of Philosophy, 1950; George Williams College Doctor of Laws, 1964.

EXPERIENCE

Military, 1943–1945: Served with infantry, Army of the United States, European Theater of Operations (ETO).

Non-Government, 1949–1950: Teaching fellow, tutor Harvard.

Government, 1950–1953: With Office of United Nations Economic and Social Affairs, Department of State.

1953–1955: Adviser economic and social affairs, United States Mission to the United Nations.

1955: Appointed FSO-4 (Integrated), Consul, and Secretary in the Diplomatic Service; assigned to the Department.

1956: Assigned to the United States Mission to the United Nations; adviser on political and security affairs.

1959: Appointed FSO-4; senior adviser, political and security affairs, and chief of political section.

1953–1965: Member, United States Delegation, 8th–20th Session, United Nations General Assembly, New York, New York.

1962: Resigned from the Foreign Service.

1964–65: Counselor, United States Delegation, 19th–20th Sessions, United Nations General Assembly, New York, New York.

1964–1966: Counselor of the United States Mission to the United Nations, with personal rank of Minister.

1966 to present: Senior Adviser to the Representative of the United States of America to the United Nations and in the Security Council, with personal rank of Ambassador.

Memberships and Clubs: Chairman program committee, member national council Y.M.C.A., 1961—. Member: American Political Science Association, American Foreign Service Association, Council on Foreign Relations.

Publications: Not stated.

Decorations and Awards: Recipient Sumner Peace prize for dissertation Harvard, 1950.

Named one of ten outstanding young men United States Junior Chamber of Commerce, 1956.

Outstanding Alumni award, University of the Pacific, 1962.

Named one of 50 outstanding alumni Pi Kappa Delta, 1964.

Mr. KUCHEL. Mr. President, I also wish to say Godspeed to another distinguished Californian, Mr. John F. Henning. He has served the administration as Under Secretary of Labor; and now he goes to the post of Ambassador to New Zealand. He goes across the Pacific to affirm America's close ties with an old and trusted ally. I want to wish him well in his new assignment.

Mr. MANSFIELD. Mr. President, I move that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Order No. 4 on the calendar, and that the rest of the calendar be considered in sequence.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

JENNIE L. WALDEN

The resolution (S. Res. 66) to pay a gratuity to Jennie L. Walden was considered and agreed to, as follows:

S. RES. 66

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Jennie L. Walden, widow of Reuben A. Walden, an employee of the Architect of the Capitol assigned to duty in the Senate Office Buildings at the time of his death, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

HAZEL V. HOAK

The resolution (S. Res. 65) to pay a gratuity to Hazel V. Hoak was considered and agreed to, as follows:

S. RES. 65

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Hazel V. Hoak, widow of John E. Hoak, an employee of the Senate at the time of his death, a sum equal to six and one-half months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

CORNELIUS O'NEAL

The resolution (S. Res. 64) to pay a gratuity to Cornelius O'Neal was considered, and agreed to, as follows:

S. RES. 64

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Cornelius O'Neal, widower of Leila M. O'Neal, an employee of the Senate at the time of her death, a sum equal to six months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

MARTHA I. ROBINSON

The resolution (S. Res. 63) to pay a gratuity to Martha I. Robinson was considered, and agreed to, as follows:

S. RES. 63

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Martha I. Robinson, widow of Evermont Robinson, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

RESOLUTION PASSED OVER

The resolution (S. Res. 62) to pay a gratuity to Dorothy S. McIntyre was announced as next in order.

Mr. MANSFIELD. Mr. President, I ask that this resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

MEMBERSHIP ON CERTAIN JOINT COMMITTEES

The resolution (S. Res. 61) providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library was considered, and agreed to, as follows:

S. RES. 61

Resolved, That the following-named Members be, and they are hereby, elected members of the following joint committees of Congress:

JOINT COMMITTEE ON PRINTING: Mr. Hayden, of Arizona; Mr. Jordan of North Carolina; and Mr. Scott, of Pennsylvania.

JOINT COMMITTEE OF CONGRESS ON THE LIBRARY: Mr. Jordan of North Carolina; Mr. Pell, of Rhode Island; Mr. Clark, of Pennsylvania; Mr. Cooper, of Kentucky; and Mr. Scott, of Pennsylvania.

SENATE MANUAL

The resolution (S. Res. 60) authorizing the revision and printing of Senate Manual for use during the 90th Congress was conisdered and agreed to, as follows:

S. RES. 60

Resolved, That the Committee on Rules and Administration be, and it is hereby directed to prepare a revised edition of the Senate Rules and Manual for the use of the Ninetieth Congress, that said Rules and Manual shall be printed as a Senate document, and that two thousand additional copies shall be printed and bound, of which one thousand copies shall be for the use of the Senate, five hundred and fifty copies shall be for the use of the Committee on Rules and Administration, and the remaining four hundred and fifty copies shall be bound in full morocco and tagged as to contents and delivered as may be directed by the committee.

ORDER FOR ADJOURNMENT UNTIL MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon Monday next.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

PERSONAL STATEMENT

Mr. MANSFIELD. Mr. President, if I may have the attention of the Senator from New York [Mr. JAVITS], I should like to refer to a request made by him after we had the vote on cloture last Tuesday. I do not have the exact language, but the Senator made a request then, as I have read the RECORD, asking that I move at that time that the Senate turn to the consideration of the next order of business. I declined to do so.

I wish to apologize, because I misunderstood the request, and I want the record to be clear that the fault was mine and the misunderstanding was entirely my responsibility.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I think it is typically gracious of the Senator; but I have been here too long, and my affection for the Senator and the minority leader are too great, and they have indulged me too often, for me to have dilated on that point at all. We just passed it by, and the next day the Senator did precisely what he could have done the day before.

Mr. MANSFIELD. Exactly. And, therefore, the Senator from Montana was at fault, and wishes to apologize for the misunderstanding.

Mr. JAVITS. I thank the Senator.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Is there further morning business?

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT, 1968

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes (with accompanying papers); to the Committee on Aeronautical and Space Sciences.

EXTENSION OF CERTAIN NAVAL VESSEL LOANS

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to authorize the extension of certain naval vessel loans now in existence, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

REPORT ON PROJECTS TO BE UNDERTAKEN FOR ARMY NATIONAL GUARD

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on proposed projects to be undertaken for the Army National Guard, at East Haven, Conn., and Camp Ripley, Minn.; to the Committee on Armed Services.

Proposed Legislation Relating to Interstate Commerce

A letter from the Chairman, Interstate Commerce Commission, Washington, D.C., transmitting eight drafts of proposed legislation relating to the following subject: Through Routes and Joint Rates; Clarification of Agricultural Cooperative Exemption; Suspension and Revocation of Motor Carrier Operating Authority for Noncompliance with Commission's Rules, Regulations, or Orders; Section 22 Rates; Pooling Agreements of Household Goods Carriers; Elimination of Unnecessary Motor Carrier Regulation; Elimination of Unnecessary Valuation and Reporting Requirements; and Delegation of Authority to Qualified Individual Employees (with accompanying papers); to the Committee on Commerce.

Report on Disposal of Foreign Excess Property

A letter from the General Manager, U.S. Atomic Energy Commission, Washington, D.C., reporting, pursuant to law, on the disposal of foreign excess property, during fiscal year 1966; to the Committee on Government Operations.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on potential benefits from quarterly collections of Federal unemployment taxes, Department of Labor and Department of the Treasury, dated January 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of methods used to provide telephone service to military family housing occupants, Department of Defense, dated January 1967 (with an accompanying report); to the Committee on Government Operations.

Recommendation Adopted by International Labor Conference

A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting, for the information of the Senate, recommendation No. 123, concerning the employment of women with family responsibilities, adopted by the International Labor Conference at Geneva, on June 22, 1965 (with an accompanying paper); to the Committee on Labor and Public Welfare.

Report on Losses Incurred by the Postal Service

A letter from the Postmaster General, reporting, pursuant to law, on losses incurred by the postal service in the performance of public services, during the fiscal year ended June 30, 1967; to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution of the House of Representatives of the State of Colorado; to the Committee on Foreign Relations:

Introduction of Memorial

H. M. No. 1001, Memorializing the Congress of the United States concerning the conflict in Viet Nam

Whereas, The United States is engaged in a war in Viet Nam; and

Whereas, The scope of this country's involvement has grown by successive stages of escalation to a level which has been exceeded only by the Nation's participation in World War I and World War II; and

Whereas, Despite Article I, Section 8, of the Constitution of the United States, which grants to Congress, and Congress alone, the power to declare war, there has been no full and free discussion in the Congress of the United States on the origin and nature of this war and the extent to which it is in the national interest; now, therefore,

Be It Resolved by the House of Representatives of the Forty-sixth General Assembly of the State of Colorado:

That this House of Representatives hereby petitions the Congress of the United States to determine, at hearings by the appropriate committees and after full discussion by its members, the origin and nature of this war, and whether it is in, or conflicts with, our national interest; and thereafter, by appropriate resolution, to authorize and direct the President of the United States to conduct this nation's affairs in Viet Nam and Southeast Asia in accordance with that determination; and

Be It Further Resolved, That a copy of this Memorial be transmitted to the members of the United States Congress from the State of Colorado.

A resolution of the Senate of the State of Washington; to the Committee on Public Works:

In the Legislature of the State of Washington—Senate Memorial 1967–2

To the Honorable Lyndon B. Johnson, President of the United States, and to the Senate and House of Representatives of the United States of America, in Congress Assembled, and to the Secretary of the Department of Transportation:

We, your Memorialists, the Senate of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

Whereas, The Bureau of Public Roads of the Department of Transportation in late November 1966 advised all states of a cut in their authority to obligate federal-aid highway funds for fiscal 1967 as well as a retroactive prohibition on obligating any funds not yet obligated from previous apportionments as of June 30, 1966; and

Whereas, The State of Washington had twenty-six million dollars authorized as of June 30, 1966, and ninety-seven million two hundred thousand dollars was to be allocated to it for fiscal 1967, which amounts were reduced to zero and seventy-two million five hundred thousand dollars, a cut of fifty million dollars; and

Whereas, The State of Washington has geared its highway planning and steadily increasing construction in reliance on the promises, announced policies, budgets, statutes, and urgings of the federal government, resulting in the employment of a heavy proportion of construction engineers and consulting engineers; and

Whereas, The private construction industry has increased its employment and capital investments to meet anticipated highway department programs; and

Whereas, The federal aid cut will create employment difficulties in both state government and private industry as well as losses in capital investments; and

Whereas, The federal aid cut will severely curtail this state's efforts to achieve an adequate state highway transportation system and to fulfill its obligations to complete its portion of the interstate highway system;

Now, therefore, be it resolved, That the Senate of the State of Washington does respectfully urge that the Congress of the United States does at the earliest possible time devise and approve legislation which will restore all federal aid highway funds to the levels in effect and contemplated in November 1966, prior to the cut-back.

Be it further resolved, That copies of this Memorial be transmitted by the Secretary of the Senate to the President of the United States, to the Vice President, to the Senators and Representatives from the State of Washington, to the Chairmen of the Committees on Finance and on Commerce of the Senate, to the Speaker and the Chairman of the Ways and Means and Public Works Committees of the House of Representatives, and to the Secretary of the Department of Transportation.

I, Ward Bowden, Secretary of the Senate, do hereby certify this is a true and correct copy of the Resolution adopted on January 12, 1967.

Ward Bowden,
Secretary of the Senate.

The petition of Edward T. Weir, of Jacksonville, Fla., praying for a redress of grievances; to the Committee on the Judiciary.

A letter in the nature of a petition from Rev. Robert H. Fix, of Onamia, Minn., relating to safety on the road; to the Committee on Public Works.

ADDITIONAL FUNDS FOR COMMITTEE ON ARMED SERVICES—REPORT OF A COMMITTEE

Mr. STENNIS, from the Committee on Armed Services, reported the following original resolution (S. Res. 71); which was referred to the Committee on Rules and Administration:

S. Res. 71

Resolved, That the Committee on Armed Services, or any duly authorized subcommittee there of, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) Common defense generally;

(2) The Department of Defense, the Department of the Army, the Department of the Navy, and the Department of the Air Force generally;

(3) Soldiers' and sailors' homes;

(4) Pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces;

(5) Selective service;

(6) Size and composition of the Army, Navy, and Air Force;

(7) Forts, arsenals, military reservations, and navy yards;

(8) Ammunition depots;

(9) Maintenance and operation of the Panama Canal, including the administration, sanitation, and government of the Canal Zone;

(10) Conservation, development, and use of naval petroleum and oil shale reserves;

(11) Strategic and critical materials necessary for the common defense;

(12) Aeronautical and space activities peculiar to or primarily associated with the development of weapons systems or military operations.

Sec. 2. For the purpose of this resolution, the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The expenses of the committee under this resolution, which shall not exceed $175,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. COTTON:

S. 679. A bill to encourage individuals to pursue the career of nursing by financially assisting public and nonprofit hospitals and certain other health facilities in meeting the costs of paying a fair and reasonable wage to nursing personnel employed by them; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Cotton when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 2, 1967 for additional cosponsors.)

By Mr. PROUTY:

S. 680. A bill for the relief of Massoud Philip Sissi; to the Committee on the Judiciary.

By Mr. BARTLETT (for himself, Mr. Gruening, Mr. Brewster, and Mr. Byrd of West Virginia):

S. 681. A bill to promote the replacement and expansion of the U.S. nonsubsidized merchant and fishing fleets; to the Committee on Commerce.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 1, 1967, for additional cosponsors.)

By Mr. NELSON (for himself and Mr. Mondale):

S. 682. A bill to provide for the control and prevention of erosion and sediment damage on rivers and streams, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk for 1 week for additional cosponsors.)

By Mr. MAGNUSON (by request):

S. 683. A bill to facilitate the provision of adequate, economical, and dependable electric service for the present and future needs of the public and the proper and timely installation and use of the products of advancing technology in the generation or transmission of electric energy; to the committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of Ohio:

S. 684. A bill to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Finance.

(See the remarks of Mr. Young of Ohio when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL:

S. 685. A bill for the relief of the living descendants of the Creek Nation of 1814; to the Committee on Interior and Insular Affairs.

By Mr. BREWSTER:

S. 686. A bill for the relief of Philip Dunstan Gabb; and

S. 687. A bill for the relief of Tin Shik Chin; to the Committee on the Judiciary.

By Mr. DODD (for himself, Mr. Magnuson, Mr. Bartlett, Mr. Brewster, Mr. Clark, Mr. Hart, Mr. Hartke, Mr. Moss, Mr. Nelson, Mr. Yarborough, and Mr. Williams of New Jersey):

S. 688. A bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Dodd when he introduced the above bill, which appear under a separate heading.)

By Mrs. SMITH:

S. 689. A bill for the relief of Guvenc Alpander, and his wife, Tanju Tumer Alpander; to the Committee on the Judiciary; and

S. 690. A bill to authorize and direct the Secretary of the Treasury to cause the vessel *Draggin' Lady*, owned by George W. Stevenson of Rockport, Maine, to be documented as a vessel of the United States with coastwise privileges; to the Committee on Commerce.

By Mr. YOUNG of North Dakota:

S. 691. A bill for the relief of Dr. Amado G. Chanco, his wife, Ruby Chanco, and his daughter, Arlene Chanco; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 692. A bill for the relief of Hou Tzeng-Yin (David S. Hou); and

S. 693. A bill for the relief of Aaron Bailey; to the Committee on the Judiciary.

By Mr. SCOTT (for himself, Mr. Baker, Mr. Bennett, Mr. Javits, and Mr. Pearson):

S. 694. A bill to establish a Federal-State tax-sharing system; to the Committee on Finance.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY of Massachusetts (for himself and Mr. Magnuson):

S. 695. A bill to authorize the Secretary of the Interior in cooperation with the States to preserve, protect, develop, restore, and make accessible estuarine areas of the Nation which are valuable for sport and commercial fishing, wildlife conservation, recreation, and scenic beauty, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Kennedy of Massachusetts when he introduced the above bill, which appear under a separate heading.)

By Mr. COOPER (for himself, Mr. Mondale, Mr. Gruening, and Mr. Yarborough):

S. 696. A bill to amend the Rural Electrification Act of 1936, as amended, to provide additional sources of financing for the rural electrification and rural telephone programs, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Cooper when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 3, 1967, for additional cosponsors.)

By Mr. CHURCH (for himself and Mr. Jordan of Idaho):

S. 697. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the southwest Idaho water development project, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Church when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE (for himself, Mr. Boggs, Mr. Jackson, Mr. Mundt, and Mr. Moss):

S. 698. A bill to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to provide for periodic congressional review of Federal grants-in-aid, to permit provision of reimbursable technical services to State and local government, to establish coordinated intergovernmental policy and administration of grants and loans for urban development, to authorize the administration of grants and loans for urban development, to authorize the consolidation of certain grant-in-aid programs, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to establish a uniform relocation assistance policy, to establish a uniform land acquisition policy for Federal and federally aided programs, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 6, 1967, for additional cosponsors.)

By Mr. MUSKIE (for himself, Mr. Brewster, Mr. Clark, Mr. Gruening, Mr. Hart, Mr. Jackson, Mr. Kennedy of New York, Mr. McGee, Mr. Metcalf, Mr. Nelson, Mr. Randolph, and Mr. Moss):

S. 699. A bill to strengthen intergovernmental cooperation and the administration of grant-in-aid programs, to extend State and local merit systems to additional programs financed by Federal funds, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees to authorize interstate compacts for personnel and training activities, to facilitate the interchange of Federal, State, and local personnel, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 6, 1967, for additional cosponsors.)

By Mr. FONG:

S. 700. A bill for the relief of Yuan-Fu-Kuo and his wife, Li-Tzu Yen Kuo; to the Committee on the Judiciary.

By Mr. MOSS:

S. 701. A bill to authorize and direct the acquisition of certain lands within the boundaries of the Wasatch National Forest in the State of Utah by the Secretary of Agriculture; which, by unanimous consent, was referred to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

RESOLUTIONS

STUDY TO ACHIEVE PORTABILITY OF BENEFIT RIGHTS UNDER PRIVATE PENSION PLANS

Mr. SPARKMAN submitted the following resolution (S. Res. 69); which was referred to the Committee on Finance:

S. Res. 69

Resolved, That the Committee on Finance or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study of private pension plans with a view to determining the feasibility of the attainment of complete portability of rights of employees covered under such plans by facilitating and encouraging, through appropriate amendments to the social security and internal revenue laws, the establishment of a central fund into which all contributions under such plans will be made and from which all benefits under such plans will be paid.

SEC. 2. The committee shall report its findings upon the study and investigation authorized by this resolution, together with such recommendations as it deems advisable, to the Senate at the earliest practicable date, but not later than July 31, 1967.

SEC. 3. For the purposes of this resolution the committee, through July 31, 1967, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $——, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

TO PRINT THE REPORT ON THE HIGHWAY BEAUTIFICATION PROGRAM AS A SENATE DOCUMENT

Mr. RANDOLPH submitted a resolution (S. Res. 70) authorizing the printing of the report on the highway beautification program as a Senate document, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. RANDOLPH, which appears under a separate heading.)

ADDITIONAL FUNDS FOR COMMITTEE ON ARMED SERVICES

Mr. STENNIS, from the Committee on Armed Services, reported an original resolution (S. Res. 71) to provide additional funds for the Committee on Armed Services for making certain studies, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. STENNIS, which appears under the heading "Reports of Committees.")

ASSISTANCE TO THE NURSING PROFESSION

Mr. COTTON. Mr. President, I introduce, for appropriate reference, a bill to provide much needed assistance to the nursing profession, at a time when the Nation suffers from an acute shortage of nurses and, as a direct result, the ill and the aged are being deprived of the care to which they are entitled.

In brief, this bill would make provision for participation by the Federal Government in the salaries of nurses, in both public and private nonprofit facilities, on a graduated basis to a maximum of 30 percent of their earnings. Federal funds would be made available to such facilities, under regulations established by the Secretary of Health, Education, and Welfare, with the provision that such funds are passed on to the nurses in the form of increased wages.

I was troubled, following the recent viewing of a documentary educational film on a national television broadcast depicting a New York hospital with so great a shortage of nursing personnel that it required the assignment of more patients to the staff nurse than she was capable of professionally handling, resulting in inadequate care for which the patients were paying and rightfully entitled. So impossible was the situation in this hospital and so frustrated were the nurses regarding their inability to meet their own professional standards of minimal care that many were forced to resign which caused further aggravation of an already acute and serious problem.

Obviously, this was not an easy decision for any nurse to make. It probably came after weeks of emotional upheaval and soul-searching following detailed examination of principles as well as conscience.

So concerned was I for the patients, as well as the nurses, that I availed myself of a detailed review of medical facilities throughout this Nation and learned that the New York hospital experience is not unusual or unique, but that all hospitals are similarly handicapped by nursing shortages in varying degress.

Due to our neglect of the nursing profession over the past two decades, we now have so few nurses responsible for so many patients that they are just unable to provide professional nursing care, and and the situation is steadily deteriorating.

If there are those who do not think the situation is serious, take a look at some of the facts. We have a total of 621,000 professional registered nurses to accommodate a nation of 192 million inhabitants.

Twenty-one percent of the full-time registered nurse positions in hospitals are now vacant. Twenty percent of the registered nurse positions in psychiatric hospitals are unfilled. Additional shortages exist in public health agencies, licensed nursing homes, and school nurse programs.

The proportion of high school graduates enrolled in basic nursing programs has declined since 1950 and is only 5 percent of the potential with the probability that it will fall even lower. While salaries are not wholly responsible for this situation, it is interesting to note that in most communities nurses are paid less than other workers whose jobs require equal or less training.

This great Nation of ours is embarking upon an expanding program of medical services for its citizens with emphasis upon increased quality of medical care, but this will never be accomplished without the availability of qualified nurses to carry it out. My bill, with emphasis upon more adequate salaries, would serve to encourage many of the 283,000 inactive nurses to return to active service. The Surgeon General, Dr. William Stewart, shares this view when he says:

> If it comes to the point that the salary of a nurse makes it worthwhile for her to turn from family life back to nursing, we will attract many who have left the field. Then, too, higher salaries make nursing much more attractive as a career.

The value of the nurse must be seen from the point of view of the patient. Too few stop to consider that during diagnosis and following diagnosis necessary therapy is carried out by the nurse.

While I have stressed the hospital problem, my bill recognizes the need for nurses in the community. With our expanding elderly population, there is increased demand for nurses in caring for the sick at home, in nursing homes, and other settings which do not warrant hospitalization. There are increased demands upon nurses with increased functions. She has to assume additional activity requiring greater skill and assume responsibility for more people. With additional functions requiring greater skill, it is only proper to recognize increased salary.

My reference to hospitals is in no way intended as a reflection on hospital administration. Salaries account for approximately 70 percent of hospital expenditures, and most hospitals do not have sufficient revenue to adjust wages when all costs of such facilities have been spiraling. However, we must bear in mind that all money for hospitals comes from the public one way or another, and my plan will permit a salary adjustment for nurses without a corresponding increase in patient rates.

In conclusion, proper care of patients and recognition of nursing services are synonymous. Economic security for nurses will be translated into increased public service.

It is my earnest hope that this proposal will receive expeditious and sympathetic consideration in order that we may see it enacted into law during the first session of the 90th Congress.

Mr. President, I foresee that this proposal may prove to be a very important measure. The support or care that we are undertaking under medicare in most hospitals—and nearly all private hospitals, as a matter of fact—is supported by the public in one form or another, but we are going to need more rather than fewer nurses.

Mr. President, unless we do something to make the nursing profession as attractive as other professions, or at least on a par with other professions open to young women, and unless we do something to bring back the nurses who have left the profession because of inadequate salaries and have gone into other endeavors, the whole structure of our care of young and old, and particularly of the aged, may fall to the ground.

Mr. President, I ask unanimous consent that the bill may lie at the table for 1 week in order that Senators who feel that this is an important proposal may have the opportunity to add their names as cosponsors.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk as requested by the Senator from New Hampshire.

The bill (S. 679) to encourage individuals to pursue the career of nursing by financially assisting public and nonprofit hospitals and certain other health facilities in meeting the costs of paying a fair and reasonable wage to nursing personnel employed by them, introduced by Mr. COTTON, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

NEEDED: NEW MERCHANT AND FISHING FLEETS

Mr. BARTLETT. Mr. President, on behalf of myself and Senators GRUENING, SCOTT, YOUNG of Ohio, BREWSTER, and BYRD of West Virginia, I introduce, for appropriate reference, a bill to promote the replacement and expansion of the U.S. nonsubsidized merchant and fishing fleets.

This Nation has men fighting in Vietnam and is hard pressed to supply these men using U.S. vessels.

This Nation is currently negotiating fishing agreements with the Soviet Union, and it is not negotiating from a position of strength.

The only parallel I wish to draw is that in both cases our small, outdated fleet, be it merchant or fishing, is making our task more difficult.

To meet the demands of Vietnam, we have had to use ships long ready for the scrap heap. The inefficiency of such ships is reflected in higher costs and delays which would be eliminated if we had a modern fleet.

In the negotiations with the Russians we are handicapped because the Soviet Union has a large, modern fleet capable of harvesting fish off our shores while the vast majority of our fishing vessels cannot venture out on the high seas.

To do a great injustice to a great poet, but to do it in the interest of righting a major shortcoming, I will say, "Let me count the ways" a modern fleet is in the national interest.

First. In times of conflict, sublimited, limited or major, we must have the capability of carrying in our own ships our own supplies to our own men.

Second. In times of peace, we must have the capability for independent action in economic competition. That means we must be able to carry a major portion of our own goods to oversea markets.

Third. In time of peace or war, world hunger continues its relentless war of attrition. No means must be spared to defeat that threat, and that country which does the most to successfully bring that conflict to a happy end will have a large headstart in influencing the uncommitted nations of the world. At the present time, we are forfeiting a great source of food to other nations which have had the foresight to build a modern fishing fleet.

For these reasons I am reintroducing this bill designed to encourage modernization of our nonsubsidized merchant and fishing fleets.

The bill allows merchant vessel operators to commit themselves by contract with the Secretary of Commerce, and fishing vessel owners with the Secretary of the Interior, for the establishment of a vessel replacement reserve fund. Into this fund must be deposited the proceeds of the sale of any vessel, proceeds of any insurance and indemnities, annual depreciation charges, earnings made on deposits in the fund, and may be deposited moneys from other sources such as operating earnings. Such deposits are treated as tax deferred but only if they are used for this exclusive national interest purpose—the replacement and modernization of merchant or fishing vessels. This is no tax escape proposal.

Further it provides, in the case of merchant vessels, that Government payments in the form of freight rate differentials on Government-sponsored cargoes must, and in degree determined by the Secretary of Commerce, be deposited in the reserve fund dedicated to vessel replacement. It is apparent to me that to a substantial degree the singular inadequacy we can now note in the so-called cargo preference act is that it has not promoted the construction of a modern tramp or bulk-carrying fleet. This must be corrected now. With this correction we can look to the construction of modern vessels—and with them a vast lowering in the cost of differential payments as these programs continue in the future.

Mr. President, I have no delusion that this measure will be a cure-all for our merchant and fishing fleet ills, but it will help. I would prefer that we embark on a major, unified program to update our fleets, on a program which has the strong backing of the administration.

However, in face of apparent apathy on this problem within the administration, in face of a growing crisis, Congress must take what action is open to it. Perhaps if we pass enough bills which will help in small ways we can impress the administration with the depth of concern and of our desire to once again make this Nation the world's leading maritime nation. Who knows, perhaps Congress will have to come up with the needed major, unified program.

Mr. President, on January 7 I spoke at the launching of the SS *Van Buren* in Pascagoula, Miss. My remarks then were pertinent to the problem I have discussed today. I ask unanimous consent that my speech be printed in the RECORD at the conclusion of my remarks.

I ask that the bill lie on the table until February 1 for additional cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the speech will be printed in the RECORD and the bill will lie on the table as requested.

The bill (S. 681) to promote the replacement and expansion of the U.S. nonsubsidized merchant and fishing fleets introduced by Mr. BARTLETT (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Commerce.

The speech of Senator BARTLETT is as follows:

We meet to launch the SS Van Buren, a modern cargoliner designed to serve a modern world.

For the men who designed the ship, for those who built it, and for the men who will operate it, the launching is a testimony to skill and vision, and in these days, to perseverance.

To the nation which the SS Van Buren will serve and to the world whose seas the ship will sail, this launching calls public attention to the fact that we possess the skill, resources and men to build a modern merchant marine if we but recognize the necessity of doing so. In this case, the "we" is we the people of the United States, for nothing less than a national commitment will suffice if we are to regain our place as a great sea power.

There are too many who fail to see that a nation's power in the world is closely equated with its sea power, even in these days of missiles and airplanes that travel faster than sound. The reason for that equation should be clear. Vietnam should have made it clear. Before we became so deeply involved in Vietnam, the statement was made by a responsible official that the United States no longer had need, for defense purposes, of a merchant marine sufficient in size and sufficiently modern to meet emergencies. We know otherwise now.

We have been hard put to ship supplies and men to Vietnam. Ships old by any standard have been broken out of the reserve fleet. Not only has there been a shortage of vessels, but our shortsighted maritime policy has cost money. The cost of operating an outmoded fleet is several times the cost of operating a modern fleet. And what if we were to become involved in conflict in another part of the world? How would we move men and cargoes? The question is easier asked than answered. What we know surely is that the airplane, remarkable though it is in its modern version, has not replaced the ship.

Despite these facts, there remains an alarming degree not only of public apathy about our maritime position but hostility in many quarters, publicly expressed, to the use of the taxpayers' dollars for the upgrading and modernization of our merchant fleet. We all have read many such criticisms in recent months. Curiously enough, their authors seem completely unaware of the fact that the program of federal assistance for a certain segment of our merchant marine has been remarkably successful and has given us a liner fleet, restricted though it may be in size, equal—and perhaps superior—to that of any other nation in speed and cargo-handling efficiency.

There is no need to quote here the alarming statistics which show that while our merchant marine ages, Russia has embarked on a building program which could make the Soviet Union the world's dominant merchant sea power. While our Moscow adversary may have rejected all-out war as foreign policy, it is clear that the Kremlin seeks to expand its influence through economic competition. Just as clearly, the nation which can deliver its goods to foreign ports is the nation which shall win this competition. For a nation to enter this contest depending on ships of other nations is like a football coach asking his opponent's linemen to block for his ace passer. I wouldn't want to be the quarterback or the coach, but I would not mind being one of the opposing linemen.

Unfortunately, the public has not been alerted to all the ramifications of the decline of this nation's merchant marine. For that matter, almost all facets of a sensible sea policy, including harvest of the resources of the sea to feed a hungry world and exploration of the sea, have suffered from lack of public interest. Let's be realistic. In the scramble for federal funds, projects with public appeal have a built-in advantage.

I suspect part of the trouble has to do with photography. Underwater cameras have a maximum range of 50 feet. In outer space, cameras snap spectacular shots of our planet. Also, our TV and newspaper editors apparently have a great liking for what they describe as "spectacular" pictures of the moon. The result is public acceptance of the space age. More concretely, the result is billions for space exploration, but only a fraction of that amount for oceanography. We are ready to commit huge amounts of federal money for a supersonic airplane. We gruan when any federal money goes to the merchant marine.

It would appear that political programs as well as politicians must be photogenic to succeed these days.

At any rate, the facts of life are that despite the efforts of many of us, adequate government assistance to modernize our fleet will not be forthcoming, at least in the foreseeable future.

With that thought in mind, let us take a quick look at what must be done for just one aspect of sea power. It seems to me that an "adequate" merchant marine fleet should be large enough to carry a substantial portion of U.S. foreign commerce. Therefore, we need a quick and major infusion of new ships into our merchant marine fleet to reach the necessary figure and then a program of replacement and additions so that the fleet will continue to grow and modernize as our foreign commerce grows.

Obviously, we will need an adequate number of shipyards to service if not build all these ships. Otherwise, our fleet will be as dependent on foreign "friends" as our exporters are today. We must have the shipyards to employ our ship builders. We must not lose these men, a precious natural resource, to other industries.

In the past we have managed to crank up a major shipbuilding industry in times of emergency. There is no guarantee—let that be emphasized—of successful repetition.

We await the formulation and presentation of a national maritime transportation policy by the executive department of the federal government. It has been long promised. It has been long in coming. We know it has not yet arrived. It is easier, perhaps, to rail against the delay than it would be for any one of us, or any group of us, to come up with a plan which would be acceptable to all, or even to a bare majority. The divergent forces are strong—and vocal. One individual, or group, says it should be done this way; another demands a directly contrary policy. Change is not easy to effect. There are built-in barriers to change. Yet it is clear as clear can be—or ought to be—that changes are essential if our merchant marine is not going to continue to deteriorate and disintegrate.

Some have said that since the administration has not acted, the Congress should be advancing a bold, forward-looking new program to revitalize our merchant fleet. Again, this is easier said than accomplished, for under our system of government these days a merchant marine policy which had its genesis in Congress without support, active support, from the executive department would be almost foredoomed to failure. For some years past I have served on the Merchant Marine and Fisheries Subcommittee of the Senate Commerce Committee. It has not been pleasing to me, and I am sure not to the others involved, that in the main we have been performing, legislatively speaking, only housekeeping functions, tidying-up legislation while the big job, the pressing job, the imperative job, remains untouched. For myself, I had a feeling of outright frustration while visiting a few weeks ago a shipyard in Japan which by itself produces each year more tonnage than all the shipyards in the United States combined. Comparison with Japan, or with the Soviet Union, or with any other nation are not necessarily to the point, but what is to the point is that American flag vessels carry less and less of our cargo each year. That is very much to the point.

It is in keeping with the spirit of the public importance of this ceremony that we pledge to put first things first, for a shipping policy which does not serve the best interests of the nation will not serve the best interests of the industry.

American President Lines has a long and honored history on the seas. The company and its predecessors have served the nation well. In undertaking a program to build five cargoliners such as the SS *Van Buren*, the American President Lines proves again that there is a place and a need for modern merchant vessels in a modern world.

This nation became great in part because it has traditionally had men who would go down to the sea in ships, who would carry our commerce to distant shores and make the American presence known.

This nation can remain great, but not, I fear, if we ignore the lessons of history and let a noble tradition drift away. The traditional breaking of a bottle on the bow of the SS *Van Buren* is a symbol that there are still some people in this nation who are not content to let that happen.

Let there be many more christenings. Let there be many more launchings. Let American ships slide from the ways into the water in increasing numbers. Let the American flag fly on ships on all the seas and in all the ports. So it was in the days of old. So it will be in the days to come if we set our minds and hearts to the task.

Mr. GRUENING. Mr. President, it is with satisfaction that I join my distinguished colleague, Senator BARTLETT, the chairman of the Subcommittee on Merchant Marine and Fisheries of the Senate Committee on Commerce, in the introduction of a bill which will, we believe, greatly improve the quality and increase the number of our domestic merchant and fishing fleets. The State of Alaska, being almost completely dependent on ocean shipping for supply of commodities necessary to life and being a State where fishing is one of our most important industries, we are particularly aware of the absolute necessity for reversing the decline in the domestic shipping industry which has appeared to be inexorable over the past years.

The bill my colleague has introduced is a constructive plan for insuring construction of a fleet of merchant and fishing vessels that will support the needs of the Nation in years to come. It is directed at one of the most serious deficiencies in operation of existing fleets which is the failure to replace obsolete equipment. As has been pointed out, the domestic fleet of nonsubsidized merchant and fishing vessels has not only decreased in size over the last years but has become a fleet largely composed of ancient, outmoded vessels. This bill would provide an incentive to operators of nonsubsidized merchant and fishing fleets to replace obsolete vessels in cooperation with the Government.

I hope this measure will receive speedy consideration by the Senate Commerce Committee and the Senate of the United States.

Mr. BARTLETT. I should say at this time, in addition, Mr. President, that this bill seeks to grant to the nonsubsidized segments of our fleet the same privileges which now operate to the benefit of the subsidized fleet, which has been a notably successful segment of our merchant marine operation. The entire merchant marine throughout the country declines year by year, as the Senator from Maryland [Mr. BREWSTER] so well knows; and last year only about 8 percent of American cargo was carried in American-flag ships.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. BARTLETT. I am glad to yield to the Senator from Maryland, who likewise is a member of the Committee on Commerce, and who will have much to do with the proposed legislation.

Mr. BREWSTER. Mr. President, I congratulate the two Senators from Alaska for the introduction of this wise measure. I ask unanimous consent to have my name added as a cosponsor of the proposal.

The PRESIDING OFFICER. Without objection, it is so ordered.

RIVER AND STREAM EROSION CONTROL ACT

Mr. NELSON. Mr. President, for myself and the Senator from Minnesota [Mr. MONDALE], I introduce, for appropriate reference, the River and Stream Erosion Control Act, a bill which would give the Secretary of Agriculture authority to assist public and private organizations in abating and controlling bank erosion on our smaller rivers and streams. I ask that this bill lie on the table for 1 week so that other Senators who may wish to do so may join us in sponsoring it.

Wisconsin is second to no State in the beauty of its rural landscape. That beauty, in part, is the result of careful land and water conservation practices.

But I am deeply concerned that we have not kept pace in the protection of our waterways so that they will continue to serve the growing needs of the State and Nation. And, in this concern, I speak not only for Wisconsin but for America as a whole because every State shares this problem.

In Wisconsin alone, of 66,000 miles of stream banks that are producing or have the potential for producing sediment, 24,000 miles have a critical erosion problem. As much as 30 percent of the total sediment that pollute streams, lakes, reservoirs, and harbors in Wisconsin comes from stream bank erosion.

The failure to manage properly the rainwater and snowmelt on the lands near streams results in heavy waterflow that cuts away the streambanks and carries tons of soil—500 million tons nationwide every year—from both field and streambank into the waterways. This sediment represents more than lost soil. It represents lost productivity, a blow to the agricultural economy, and ugliness on the rural landscape. The deepening sediment that clogs the waterways interferes with navigation, pollutes the water, and reduces the capacity of stream channels resulting in damaging floods.

It is high time that we did something concrete to stop the tremendous loss arising from streambank erosion. That was the intent of a bill I introduced in the last Congress. That is the intent of the River and Stream Erosion Control Act I propose now. This bill can be a hallmark of the 90th Congress as the Federal Government proceeds to work cooperatively with State and local agencies to protect our streams and assure their contribution to the future prosperity and welfare of the American people.

Streambank erosion along 300,000 miles of the Nation's waterways destroys land adjacent to the stream channels valued at about $11 million a year. The annual cost of removing soil deposited in stream channels, harbors, and reservoirs is estimated at $250 million. This sediment increases water treatment costs, makes the water unsuitable for fish, and destroys the natural beauty of the stream and the area near it.

Streambank erosion is a form of vandalism of the American land that can—and must—be prevented. We can do it with the tools we already have and with the added authority that the proposed legislation would give to the Secretary of Agriculture.

A successful program of bank erosion control requires community cooperation along the course of a waterway. The River and Stream Erosion Control Act would make it possible to undertake bank erosion control for the entire course of a river or stream, or for extensive parts of waterways, by giving the Secretary of Agriculture authority to: "Assist State and local governments and other local nonprofit public and private agencies in the preparation of plans for controlling bank erosion; and

"Provide through cooperative agreements Federal technical assistance and financial aid up to 75 percent of the total cost for carrying out the bank erosion control plan."

This authority is needed to make present programs more effective by extending Federal assistance to organized groups with taxing authority for this purpose, and increasing the Federal rate of cost sharing required.

The proposed program of erosion control would be flexible so that only those portions of a particular watershed, or along a particular stream, that require protective measures would be brought into a particular streambank protection plan. The bill assumes that plans formulated or carried out under it would be consistent with other resource conservation and development programs receiving Federal assistance.

A notable effort has been made to control streambank erosion by riprapping or lining channel banks, by channel realinement, by building jetties, dams, and debris basins, by bank sloping and seeding, and by planting shrubs, trees and grass. The need cannot be adequately met under existing authorities.

The small watershed program of the Soil Conservation Service provides assistance to local units of Government for community bank erosion control projects, and much has been accomplished within the limitations of this program. Under the Agricultural Conservation Program of the Agricultural Stabilization and Conservation Service individual landowners are assisted in controlling bank erosion on agricultural land. While these landowners may work together voluntarily under a pooling agreement, organized groups are excluded from this assistance. Both programs, moreover, have suffered from a shortage of funds.

Streambank erosion problems usually cover large areas along a watercourse and affect many landowners and communities. Joint, cooperative action, supported with adequate financial assistance, is needed over the entire area where the problem exists to do the job right.

Primary benefits derived from controlling streambank erosion accrue to the public in general. They are not limited, nor are they necessarily of direct concern, to any particular landowner. Because of this broad public interest, streambank erosion control deserves and requires determined governmental support.

The Soil Conservation Service has the knowledge, experience, and the needed technical and administrative resources to administer the proposed bank erosion control program within the Department of Agriculture.

By making those modifications to present authority as are contained in the bill, we will make it possible to expand and accelerate the vital work of streambank protection, as a cooperative effort to meet a compelling national need, in the best tradition of our Federal system.

Mr. President, I ask unanimous consent that the text of the River and Stream Erosion Control Act be printed in the Record at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, and held at the desk, as requested by the Senator from Minnesota.

The bill (S. 682) to provide for the control and prevention of erosion and sediment damage on rivers and streams, and for other purposes, introduced by Mr. Nelson (for himself and Mr. Mondale), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

S. 682

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress recognizes that the rivers and streams of the United States form an important part of the national water distribution and drainage system and contribute significantly to the use and preservation of land and water resources, and that the erosion caused by rivers and streams and the deposit of eroded material damage and destroy valuable land; alters and fills channels, estuaries, lakes, reservoirs, and harbors; undermines highways; destroys fish and wildlife; mars natural beauty; and pollutes the waters generally, and, therefore, declares it to be the policy of the Congress to provide Federal assistance to abate, prevent, and control the erosion by rivers and streams and the deposit of eroded material in order to promote conservation management of natural resources, preserve agricultural and other lands, protect channels and basins, protect fish and wildlife, foster recreation, abate pollution, and enhance natural beauty.

Sec. 2. In order to carry out the policy stated in section 1 of this Act, the Secretary of Agriculture, hereinafter referred to as the "Secretary", is authorized—

(1) to assist States, counties, local public agencies, including soil and water conservation districts, and private nonprofit agencies in formulating plans for the prevention and control of erosion caused by rivers and streams and the sediment damage resulting therefrom, and

(2) to assist in carrying out any such plan that has been agreed upon by the Secretary and any such State, county, or public or private agency, by cooperating, and entering into agreements for periods not exceeding ten years, with any such State, county, or public or private agency, and by furnishing financial, technical, or other assistance to any such State, county, or public or private agency in the carrying out of any such plan.

Sec. 3. The Secretary shall require as a condition to providing assistance for the installation of works or measures pursuant to the authority of this Act that any State, county, or public or private agency which is provided such assistance shall—

(1) bear not less than twenty-five per centum of the costs (excluding engineering costs) of installing any works or measures involving Federal assistance;

(2) acquire, or provide assurances satisfactory to the Secretary that it will acquire, without cost to the Federal Government from funds appropriated for the purposes of this Act, such land, easements, or rights-of-way as will be needed in connection with any such works or measures; and

(3) make arrangements satisfactory to the Secretary for defraying the costs of operating and maintaining any such works or measures.

Sec. 4. The Secretary is authorized to prescribe such rules and regulations as he deems necessary or desirable to carry out the provisions of this Act or to facilitate the practical administration of the program provided for herein.

Sec. 5. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, such sums to remain available until expended.

INTERCONNECTION AND POOLING AGREEMENTS BETWEEN ELECTRIC POWER UTILITIES

Mr. MAGNUSON. Mr. President, I introduce, for appropriate referral, a measure dealing with interconnections and pooling agreements between electric power utilities.

I introduced an identical bill last year. I wish to repeat some of the things that I said then.

The Pacific Northwest generating utilities have indicated that their continuing voluntary efforts to secure practical pooling agreements are inhibited by the possibility of prosecution or litigation under a strict application of the antitrust laws. Pooling agreements are usually long-term arrangements on which power supply will depend. Such agreements often involve large commitments of capital. The possibility of an antitrust action arising after the conclusion of a pooling agreement is one threat to the type of pools envisaged in the National Power Survey and demanded in order to reduce the likelihood of another failure.

These utilities admit, however, that to date no antitrust actions have arisen, but as pools become prevalent and larger, the threat becomes more ominous. The Legal Advisory Committee of the National Power Survey, composed of lawyers representing the investor-owned, local public agency, cooperative, and Federal segments of the industry, said:

> Existing laws or the lack thereof do constitute legal impediments to the full realization of the benefits of pooling and coordination and may affect the form which a particular pooling transaction will take.

The utilities in the Northwest have requested that I introduce legislation so that this problem can be debated openly. I have studied their suggestion and I believe that it represents a highly satisfactory way to open the debate.

Accordingly, I offer for congressional consideration, a bill to authorize the Federal Power Commission to be the sole agency to approve or reject pooling agreements and police the competitive practices of utilities signing pooling and interconnection arrangements. It would enable the Commission to decide whether or not contracts filed with it unduly restrain competition. This can be accomplished without affecting the substantive rules of competition that should apply without extending the regulatory jurisdiction of the Federal Power Commission. FPC action, of course, would be subject to judicial review.

The bill empowers the FPC to review, in a hearing, the terms of the contract. It is intended to provide a mechanism whereby an expert agency of the Government can maintain surveillance in the public interest over the industry in this specialized field. It will provide a method by which utilities intending to make long-term power and management commitments through pooling arrangements can receive assurances in appropriate cases that such commitments will be free from subsequent antitrust attack. Relief from the danger of the possibility of antitrust litigation will improve implementation of the congressional directive to the Federal Power Commission to encourage voluntary interconnection and coordination.

Section 202(a) of the Federal Power Act states:

> It shall be the duty of the Commission to promote and encourage . . . interconnection and coordination . . . ."

The bill would amend that section. The bill is intended to make the implementation of such arrangements legally more secure.

Hearings may be demanded by anyone interested in the contract or in its effects including its competitive effects. The Department of Justice could request such a review, for example. The hearing provides a forum where all views can be expressed and considered.

The bill would allow parties to seek approval of new contracts, contracts already in existence; or existing contracts that are amended. Such an amendment might have an impact on competition. A pooling contract solely between nonjurisdictional organizations—like public agencies or utilities not in interstate commerce, would not come under the bill. No extension of FPC jurisdiction is intended or involved.

The bill would exempt from the antitrust laws all persons and organizations participating in the contract, whether or not they are within the jurisdiction of the FPC for other purposes. The Commission could require conditions, which the parties could accept, before approving the contracts. If these conditions were not accepted, the Commission could prevent performance of disapproved contracts, thereby giving the FPC some powers to enforce the antitrust policy of the United States.

This is not a merger bill. Its intent is to facilitate and encourage independent entities to secure the best and most economical service for all consumers no matter whether the organization which serves them is large, small, public, private or Federal. Pooling agreements can benefit small companies since they can share the advantages of large generation units and high voltage transmission lines.

On July 12 and 13, 1966, the Committee on Commerce held hearings on the bill. Those hearings brought forth a variety of opinions. Unanimity was not possible at that time; hence no final action was taken on the bill.

During those hearings, some opposition was heard. A considerable portion of the opposition, however, was directed at particular language and not directed at the concept embodied in the bill.

For this reason, it is appropriate that the bill be reintroduced. This will give supporters a chance to clarify misunderstandings that may have arisen and it will give others the opportunity to reach a consensus and offer appropriate amendments.

The proponents of the bill asked that it be reintroduced. The proponents are an impressive group of generating utilities, both public and private. I ask unanimous consent that their letter be made a part of the RECORD so as to identify these important companies.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 683) to facilitate the provision of adequate, economical, and dependable electric service for the present and future needs of the public and the proper and timely installation and use of the products of advancing technology in the generation or transmission of electric energy, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

Hon. WARREN G. MAGNUSON,
Chairman, Senate Commerce Committee,
Old Senate Office Building,
Washington, D.C.

MY DEAR MR. CHAIRMAN: On March 25, 1966, at the request of a group of Pacific Northwest generating utilities you introduced a bill (S.3136—89th Congress) relating to pooling and other cooperative arrangements among utilities. A committee hearing was had on the bill, but no further action was possible before adjournment of the 89th Congress.

The same group of utilities will appreciate it very much if you will reintroduce the same bill in this Congress; so that it may, if deemed to be in the public interest, be enacted at the earliest possible time.

This letter has been approved by representatives of the following utilities:

Eugene (Oregon) Water & Electric Board
City of Seattle, Washington, Department of Lighting
City of Tacoma, Washington, Department of Public Utilities
Public Utility District No. 1 of Chelan County, Washington
Public Utility District No. 1 of Cowlitz County, Washington
Public Utility District No. 1 of Douglas County, Washington
Public Utility District No. 2 of Grant County, Washington
Public Utility District No. 1 of Pend Oreille County, Washington
Pacific Power & Light Company
Portland General Electric Company
Puget Sound Power & Light Company
The Montana Power Company
The Washington Water Power Company

Very truly yours,
CORPORATE SERVICES,
By GORDON C. CULP,
Attorney.

IN SUPPORT OF PRESIDENT JOHNSON'S PROPOSAL TO LIBERALIZE OUR SOCIAL SECURITY SYSTEM

Mr. **YOUNG** of Ohio. Mr. President, I wholeheartedly support the President's requests for liberalization and expansion of the social security law including provisions whereby each of the 23 million American men, women, and children receiving monthly payments would receive an increase of at least 15 percent; the minimum payment would be increased from $44 to $70 per month for an individual and $105 for a married couple; and a minimum benefit of $100 per month for single persons and $150 for married couples be provided for those with 25 years of coverage.

I am hopeful that this humanitarian legislation will be among the first proposals considered by Congress this year and that it will be enacted into law so that recipients can begin receiving additional benefits by July 1, 1967, at the latest.

It is a happy personal recollection that 32 years ago, when I was Representative at Large from Ohio, I gave my vote in favor of the original social security law. I also recall with pride the fact that while a member of the Ways and Means Committee of the House of Representatives from 1949 to 1951, I personally helped write many of the liberalized amendments in the present law, which has meant so much to so many.

Where would the American people have been without that law? Think of the distressful situation of our country during those three recession periods of the Eisenhower administration. What would have been the pitiful plight of millions of our fellow Americans except for social security and the payments that came in every month to the beneficiaries of the social security system? Those recessions would have become great, deep, and sorrowful depressions. No one today seriously questions the need for our social security system or its importance in promoting economic and social stability. Anyone with a sense of history realizes that the social security system is a permanent feature in our way of life.

Last year, in Ohio alone, 1,100,000 men, women and children received more than $1,060 million in social security payments.

In 1936 Republican leaders condemned social security as state socialism. The Republican platform of that year pledged repeal of the social security law. The Republican candidate for President, an outstanding American, Gov. Alf Landon, of Kansas, carried only two States. Mr. President, were that man and the Grand Old Party, of which I am not a member, in its platform of 1968 to pledge repeal of the social security law it would not carry even one State. Our social security system, which is an actuarially sound insurance system, is so much a part of our fundamental law that no political party would even consider repealing or even weakening it.

As a matter of fact social security has been so successful that Republican leaders not only no longer talk of repealing it, but now are among its most fervent supporters.

We are proud of the fact that the social security system, which is one of the great imprints left by Franklin D. Roosevelt on the pages of American history, is an actuarially sound insurance system and President Johnson's latest proposals would keep it that way. We must now further expand and liberalize our system of safeguarding Americans against the hazards and cruelty of a poverty-ridden old age. Unless we do so, the Great Society will never leave the launching pad for millions of our elderly citizens. Today, 5,300,000 elderly Americans have yearly incomes below the poverty level, and nearly 40 percent of our single older citizens have total assets of less than $1,000. Social security benefits must be raised to a level which will meet the needs of our citizens.

The adoption of President Johnson's proposals for an expanded social security program will mean a stronger, more vibrant America, a nation with expanded opportunity for all, where no one is forgotten, where the young have faith, where the aged have hope, and where the dignity of the individual is still looked upon as the highest goal of civilized society.

Mr. President, in his recommendations to the Congress the President also called for raising the limits retired workers can earn without losing social security income. In previous Congresses I have introduced and urged the adoption of legislation to create a realistic earnings limitation for social security beneficiaries. This reform is long overdue.

Today, social security recipients may not earn more than $1,500 per year without suffering deduction from their social security benefits. The President has recommended raising this to $1,680 a year. I frankly believe that even this recommended increase is not realistic and will not meet the problem. Elderly Americans should be permitted to earn at least $3,000 a year without suffering any deduction whatever from their social security benefits. It cannot be claimed in today's economy that this will be taking jobs away from younger Americans. It will make life easier and more productive and fulfilling for millions of elderly Americans.

The present limitation imposes a cruel financial burden on people still able to work after 65 and denies them a right which they have earned by their own contributions into the social security fund. It is reasonable to look forward to dramatic new breakthroughs in the search for cures for cancer and heart disease that will push higher and higher the life expectancy of Americans. Men and women of 65 and 70 and 75 will—and many now do—have the ability to participate in gainful employment after retirement. To maintain a decent standard of living, many require this income in addition to their social security benefits.

It is unfair to bar these men and women from receiving social security retirement payments for which they have paid premiums during their more active years. This can be remedied at no cost whatsoever to taxpayers by increasing the earning limitations.

Therefore, Mr. President, I introduce, for appropriate reference, a bill which would amend the Social Security Act, increasing the earning limitations to $3,000 a year.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 684) to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title, introduced by Mr. YOUNG of Ohio, was received, read twice by its title, and referred to the Committee on Finance.

FEDERAL-STATE TAX SHARING ACT OF 1967

Mr. SCOTT. Mr. President, American federalism is a system of shared governmental functions and noncentralized political power. Our federal system is an intimate and intricate partnership of the National Government, the States and their political subdivisions. Balance is its hallmark and the key to its survival.

The federal idea has served this Nation well for nearly 2 centuries. It gives government sufficient power to carry out its functions while dispersing that power to protect our cherished liberties. As Prof. Daniel J. Elazar of Temple University points out:

> The central role of federalism . . . (is) to maintain the liberties of the people from vitiation through the consolidation of power into hands far removed from popular control or domination of minorities by an unrestrained majority, while at the same time providing a government with sufficient energy to meet the demands placed upon it.

But we cannot afford to take for granted the successful operation of our federal system. Periodic review and reassessment of its functioning are necessary to insure that its central role is being performed. Now is the time for such a review.

The States are indispensable components of our federal system. Indeed, in Professor Elazar's words, they are "the keystones of the American governmental arch," situated as they are "between the powerful Federal Government and the burgeoning local governments in a metropolitanizing nation."

The burden of performing the civil functions of government falls upon the States and their political subdivisions. They are the agencies which have the primary responsibility of meeting public needs.

Today, the independence of the States and their capacity to meet the needs of their citizens are being undermined.

The balance between the States and the National Government has tipped in favor of the latter as the result of two factors: the fiscal mismatch between the two levels of government, and the consequent tendency of Washington to perform functions traditionally and best performed by the States and their political subdivisions.

Regarding the first factor, the States are finding it harder to pay for programs designed to meet the basic needs of their citizens. A rapidly growing and urbanizing population rightly demands such services as schools, care for the mentally ill and the aged, parks and other recreational facilities, urban redevelopment, local transportation, sanitation, clean air and water, and so forth.

State and local governments have made heroic efforts to meet this growing demand. Revenues from all sources including Federal grants-in-aid rose by 244 percent between 1950 and 1965 to $88.1 billion. Expenditures rose by 212 percent in the same period to about $87 billion. By 1970, it is estimated that the States and their political subdivisions will be spending over $110 billion.

One could easily conclude from these statistics that the States are meeting their expenditure needs. They are doing it painfully, however, by increasing their bonded indebtedness.

Total debt outstanding for State and local governments has increased 125 percent over the past decade while the Federal debt has risen by only 14 percent. The future calls for more of the same. According to a study recently issued by the Joint Economic Committee of Congress, State and local government debt, which totaled about $100 billion in 1965, will reach $145 billion in 1970, and almost $200 billion in 1975. Interest costs associated with the debt now total over $3 billion and may reach $8 billion in 1975.

One might argue that the States could ease their financial strain by increasing their own taxes. They have been doing this in recent years, but there is a limit: no Governor worth his salt wants to lose established industries or to pass up opportunities to bring new industry into his State by asking his legislature to increase taxes to income-defeating limits.

From another standpoint, one might point out that additional Federal grants-in-aid could ease the States fiscal plight. Federal grants are projected to increase substantially from their 1965 level of $15 billion. A study underway at the George Washington University estimates they will double their 1965 level by 1970, while the Tax Foundation figures they will almost triple their 1965 level by 1975.

I do not quarrel with the necessity and utility of Federal grants-in-aid in principle. Indeed, may I point out, parenthetically, that the bill which I am about to introduce is not a substitute for them. Federal grants-in-aid have often served the Nation well. But, in recent years, their number and variety have proliferated to such a degree as to hamstring the ability of States and localities to provide public services. This is the second factor that is sapping the strength and creativity of our federal system.

At present, there are more than 170 Federal grants-in-aid to State and local governments. More than 20 Federal departments and agencies administer these programs. A vastly enhanced role for Washington has been the consequence of the States fiscal plight and of the growth in the number, variety, and complexity of Federal grants-in-aid.

Listen to Gov. Daniel J. Evans of Washington, one of the Nation's ablest young chief executives, describe the problem as seen from the States:

> The net effect of the disparity between state and federal revenue capacities to meet state and local problems—and the corre-

sponding effect of the grant-in-aid program—has been an increasing federal leverage on the solution of essentially state and local problems.

This leverage has resulted in four inequities which the individual states find an increasingly difficult burden to bear:

First, federal control must of necessity be imposed on the basis of the lowest common denominator, without sufficient regard for the wide variance between states as to both the degree of the problems involved and the degree of the solutions required. The existence of federal "minimum standards" applied to the administration of programs has detracted from state efforts to individually seek greater quality and higher standards.

Second, the excessive mandate exercised by departments of the federal government through grants-in-aid has caused a proliferation of bureaucratic controls, thus thwarting the abilities of states to apply individual state-administered solutions and, consequently, making irreversibly rigid those programs which should be operationally flexible.

Third, the grant-in-aid program, principally through the matching funds device, has had the effect of distorting priorities of need in many states. Funds which may be urgently required to resolve a particular state problem are diverted in the interest of obtaining grant-in-aid funds in an area of lesser priority.

Fourth, the flow of grant-in-aid funds to a variety of levels of local and intermediate governments has resulted in a "perpetual splintering" process, establishing competition between various related governments and, in consequence, undercutting the necessary elements of coordination and continuity. A subsidiary effect has been an increasing use of grant-in-aid funds by smaller units of government without regard for common area or region problems. This particular circumstance arises at a time when the states, above all, should be providing the maximum direction possible to cities and metropolitan areas, in an effort to achieve an orderly and efficient application of dollars to a common plan of growth for common local areas.

Though admirable in purpose, the system of narrow, categorical grants-in-aid has outlived its usefulness. Those on the firing line who must provide the public services assisted by these grants are rightly demanding a rationalization of Federal aids. Pity the poor mayor of a community who, when seeking help for constructing a sewage treatment plant, must shop around among several different Federal agencies which administer the five grant-in-aid programs designed for this purpose, only to discover a backlog of applications from several hundred other communities and a shortage of Federal funds to meet them.

Something must be done to remedy this situation.

The States and their political subdivisions are much better situated than Washington to serve their citizens. They need ample administrative discretion and financial resources to respond adequately to the needs of people.

I intend this year to offer several pieces of legislation designed to strengthen the independence of the States and their capacity to serve their citizens, and thereby to insure the maintenance of balanced federalism. Creative federalism presupposes a balance of strength among the component units of our federal system. Centralization of power in Washington stifles creativity where it is desperately needed—at the levels of government closest to the people.

On behalf of myself and Senators BAKER, BENNETT, JAVITS, and PEARSON, I introduce for appropriate reference the Federal-State Tax Sharing Act of 1967.

My bill would establish in the Treasury a tax-sharing fund to be distributed among the States on the basis of their population. The Secretary of the Treasury would deposit into the fund an amount equal to 1 percent of the Federal individual income tax base. That would be $3 billion if my legislation were enacted today.

My bill attaches a minimum of strings to the States use of tax-sharing funds. States are free to spend them on any functions or services they choose except highways, debt service, payments in lieu of property taxes, and administrative expenses. They must abide by certain Federal laws, including title VI of the Civil Rights Act of 1964. They must institute appropriate fiscal control and accounting procedures to insure proper disbursement of the funds. They must submit a detailed annual plan showing how and for what purposes the tax-sharing funds will be spent.

My bill requires suspension of allotments to those States or local governments, after reasonable notice and opportunity for hearings, if they fail to meet the foregoing conditions.

Mr. President, I ask unanimous consent that there be printed at the end of my remarks, first, the text of my bill, second, a summary of its provisions, and, third, a table showing how the tax-sharing fund created by my bill would be distributed among the States.

Mr. President, in recent years we have been hearing a great deal about the movement to revitalize the States. It is time for the Congress of the United States to join that movement. Enactment of a tax-sharing plan is an important step toward strengthening the States and restoring balance to our federal system.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, summary, and table will be printed in the RECORD.

The bill (S. 694) to establish a Federal-State tax-sharing system, introduced by Mr. SCOTT (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 694

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal-State Tax-Sharing Act of 1967".

DEFINITIONS

SEC. 2. For purposes of this Act—

(1) The term "taxable income" shall have the same meaning as specified in section 63 of the Internal Revenue Code of 1954.

(2) The term "individual income tax returns" means returns of the tax on the income of individuals imposed by chapter 1 of the Internal Revenue Code of 1954.

(3) The term "State" means any of the various States and the District of Columbia.

(4) The term "local government" means any city, township, village, municipality, county, parish, or similar territorial subdivision of a State, but shall not include any department, agency, commission, or independent instrumentality of a State.

TAX-SHARING FUND

SEC. 3. (a) There is hereby established in the Treasury of the United States a fund to be known as the "Federal-State Tax-Sharing Fund", hereinafter referred to as the tax-sharing fund. The tax-sharing fund shall consist of such amounts as may be appropriated to such fund as provided in this section.

(b) There is hereby appropriated to the tax-sharing fund, out of any money in the Treasury not otherwise appropriated, for the fiscal year beginning July 1, 1968, and for each fiscal year thereafter, an amount, as determined by the Secretary of the Treasury, equal to (1) one per centum of the aggregate taxable income reported on individual income tax returns during the preceding calendar year or (2) the amount appropriated to the tax-sharing fund for the preceding fiscal year, whichever is the greater.

(c) The Secretary of the Treasury (hereinafter referred to as the "Secretary") shall, from time to time, but not less often than quarterly, transfer from the general fund of the Treasury to the tax-sharing fund the amounts appropriated by subsection (b). Such transfers may, to the extent necessary, be made on the basis of estimates by the Secretary of the amounts referred to in subsection (b). Proper adjustments shall be made in the amounts subsequently transferred to the extent that prior estimates were in excess of or less than the amounts required to be transferred.

ALLOTMENTS TO THE STATES

SEC. 4. (a) Subject to the provisions of section 6 (b), the Secretary shall, during the fiscal year beginning July 1, 1968, and during each fiscal year thereafter, pay to each State, from amounts appropriated to the tax-sharing fund for the fiscal year in which payments are to be made, a total amount equal to the allotment of such State in such fiscal year under this section. Such payments shall be made in installments periodically during any fiscal year, but not less often than quarterly.

(b) From the total amount appropriated to the tax-sharing fund pursuant to section 3 for any fiscal year, the Secretary shall allot to each State in such fiscal year an amount which bears the same ratio to the total amount so appropriated as the population of such State bears to the total population of all of the States.

(c) For purposes of this section, the population of a State and of all the States shall be determined by the Secretary on the basis of the most recent data available from the Department of Commerce.

USE OF ALLOTMENTS

SEC. 5. Each State may use payments from any allotment or reallotment to it in any fiscal year under this Act for such activities, programs, projects, and services as it determines to be appropriate; except that no funds received by a State under this Act shall be expended for highway programs, State payments in lieu of property taxes, debt service, or administrative expenses for State or local governments.

STATE PLAN

SEC. 6. (a) (1) Any State desiring to receive its allotment or reallotment in any fiscal year under this Act shall, on behalf of itself and any local government which may receive any apportionment thereof, submit an application for such allotment or reallotment prior to the first day of such fiscal year and accompany such application with a detailed plan which the Secretary finds—

(A) was prepared by the Governor of such State (or by such State body generally responsible to the Governor of such State as he may designate) or, in the case of the District of Columbia, by the Board of Commissioners of the District of Columbia, in close consultation with officials of local governments of such State and representatives of citizens' organizations and other interested public service groups within such State;

(B) was prepared with due consideration for the needs of local governments in carrying out activities, programs, projects, and services for which they are responsible;

(C) contains a detailed statement of intent as to how and for what purpose the funds allotted or reallotted to such State shall be spent; and

(D) provides that such State and any local government which may receive any apportionment of any allotment or reallotment of such State will—

(i) use such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for any allotment or reallotment paid to such State, and any apportionment made by such State to local governments, under this Act;

(ii) make such reports to the Secretary, the Congress, and the Comptroller General, in such form and containing such information as the Secretary may reasonably require to carry out his function under this Act, except that any State may make such reports on behalf of any local government thereof; and

(iii) adhere to all applicable Federal laws in connection with any activity, program, or service provided solely or in part from such allotment.

(2) For purposes of this subsection, the provisions of title VI of the Civil Rights Act of 1964 shall be deemed to be applicable to any activity, program, or service provided solely or in part from any allotment received by a State under this Act.

(3) Upon receipt of any State plan submitted in any fiscal year pursuant to paragraph (1), the Secretary shall transmit copies thereof to the Appropriations Committee and the Finance Committee of the Senate and the Appropriations Committee and the Ways and Means Committee of the House of Representatives, respectively.

(b) Whenever in any fiscal year the Secretary, after giving reasonable notice and opportunity for hearing to a State, finds that such State, or any local government thereof, is not in substantial compliance with the purposes of subsection (a), or has used any funds received under this Act for purposes not within the scope of section 5, or has not obligated any funds received under this Act within five calendar years after the calendar year in which such funds were received, the Secretary immediately shall—

(1) in the case of the failure of compliance of any State, cancel any subsequent payments to such State under this Act in such fiscal year and reallot any remainder of such State's allotment or reallotment in such fiscal year to other States in proportion to the original allotment to such States under subsection (b) of section 4 for such fiscal year, or

(2) in the case of the failure of compliance of any local government, require satisfactory assurance that such State will cancel any subsequent payments to such local government under this Act in such fiscal year and reapportion any remainder of such local government's apportionment to other local governments of such State in proportion to the original apportionments made by such State pursuant to its State plan submitted for such fiscal year.

REPORT BY SECRETARY

SEC. 7. The Secretary shall report to the Congress not later than the first day of March of each year on the operation of the tax-sharing fund during the preceding fiscal year and on its expected operation during the current fiscal year. Each such report shall include a statement of the appropriations to, and the disbursements made from, the tax-sharing fund during the preceding fiscal year; an estimate of the expected appropriation to, and disbursements to be made from, the tax-sharing fund during the current fiscal year; and any changes recommended by the Secretary concerning the operation of the tax-sharing fund.

CONGRESSIONAL STUDY

SEC. 8. The Appropriations Committee and the Finance Committee of the Senate and the Appropriations Committee and the Ways and Means Committee of the House of Representatives, respectively, shall conduct a full and complete study at least once during each Congress with respect to the operation of the tax-sharing fund and the activities, programs, projects, and services provided by the States from allotments received pursuant to the Act, and report its findings upon such study to each House, respectively, together with its recommendations for such legislation as it deems advisable at the earliest practicable date. This section is enacted by the Congress as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

The summary and table presented by Mr. SCOTT, are as follows:

SUMMARY OF SCOTT TAX-SHARING BILL

1. Establishes a trust fund into which the Secretary of the Treasury would deposit 1% of the Federal individual income tax base for each fiscal year beginning with FY 1969. Since the net taxable income of Americans is approximately $300 billion today, the trust fund after July 1, 1968, would consist of at least $3 billion and would certainly increase as the tax base grows. My bill precludes reduction of the trust fund by requiring that in a given year it be at least as large as it was in the preceding year.

2. The Secretary would make payments from the trust fund to the States at least quarterly. Payments would be distributed among the States on the basis of their population.

3. States may use funds from these payments for any programs or services they choose *except* highway programs, debt service, administrative expenses, or State payments in lieu of real property taxes.

4. To qualify for its annual payment, a State must file with the Secretary of the Treasury a detailed plan showing how it intends to spend the funds. The plan must contain assurances that (1) the State will comply with all applicable laws including Title VI of the Civil Rights Act of 1964, and (2) the State will establish adequate fiscal control and accounting procedures to ensure proper expenditure and accounting of its payment.

5. While my bill does not specify how much of a State's payment should be allocated to local governments, it requires the State, in formulating its annual plan, to consult local officials and interested citizens to give due consideration to local government needs.

6. A State's payment can be cancelled and the balance for the fiscal year can be redistributed among the other States if the State fails to comply with the assurances given in its annual plan or if it spends any portion of its payment on proscribed programs and services. The same applies to local governments.

7. The Secretary of the Treasury must submit to Congress a detailed annual audit report on the operations of the tax-sharing fund.

8. The Appropriations and Ways and Means Committees of the House of Representatives and the Appropriations and Finance Committees of the Senate must conduct a thorough examination of the operations of the tax-sharing fund at least once each Congress and make such legislative recommendations as appropriate.

State allotments under Scott tax-sharing bill

State	(1) Percent of national population (July 1966 estimate)	(2) Total allotment, col. 1×$3,000,000,000
		Millions
Alabama	1.80	$53.9
Alaska	.14	4.3
Arizona	.83	24.8
Arkansas	1.00	29.9
California	9.66	289.8
Colorado	1.01	30.3
Connecticut	1.47	44.0
Delaware	.26	7.8
Florida	3.03	91.0
Georgia	2.28	68.3
Hawaii	.37	11.0
Idaho	.35	10.6
Illinois	5.47	164.2
Indiana	2.51	75.3
Iowa	1.40	42.1
Kansas	1.15	34.5
Kentucky	1.63	48.8
Louisiana	1.84	55.2
Maine	.50	15.1
Maryland	1.84	55.3
Massachusetts	2.75	82.5
Michigan	4.28	128.3
Minnesota	1.83	54.8
Mississippi	1.19	35.6
Missouri	2.30	69.1
Montana	.36	10.8
Nebraska	.74	22.3
Nevada	.23	7.0
New Hampshire	.35	10.4
New Jersey	3.52	105.7
New Mexico	.52	15.7
New York	9.32	279.7
North Carolina	2.55	76.6
North Dakota	.33	10.0
Ohio	5.26	157.8
Oklahoma	1.25	37.6
Oregon	1.00	29.9
Pennsylvania	5.91	177.4
Rhode Island	.46	13.8
South Carolina	1.32	39.6
South Dakota	.35	10.4
Tennessee	1.98	$59.5
Texas	5.49	164.7
Utah	.51	15.4
Vermont	.21	6.2
Virginia	2.30	69.0
Washington	1.52	45.6
West Virginia	.92	27.5
Wisconsin	2.12	63.7
Wyoming	.17	5.0
District of Columbia	.41	12.4
Total	100.0	3,000.0

A BILL TO PROTECT ESTUARIES AND ESTUARINE AREAS

Mr. KENNEDY of Massachusetts. Mr. President, I introduce today and send to the desk for appropriate reference a bill concerned with the conservation of this country's estuaries and estuarine areas. I am pleased that the distinguished chairman of the Senate Committee on Commerce, Senator WARREN MAGNUSON, has joined with me in sponsoring this important bill. His interest in its provisions is well known and of long standing, and I look forward to working closely with him in securing its passage.

An estuary can most easily be defined as the point at which rivers and streams, carrying the fresh water drainage from the land, meet the waters of the sea.

The salt marshes, coastal and intertidal areas, bays and sounds, lagoons, inshore waters and channels immediately surrounding estuaries are estuarine areas. Because the mouths of rivers and streams are constantly changing location and contour under the forces of the wind, the waves and the tides of the ocean, these estuarine areas must be treated as one, for the purposes of conservation, with the estuaries themselves.

The pressures of population growth are threatening to destroy these tidal wetlands. Along the North Atlantic coast from Maine to Delaware, for example, about 45,000 acres of wetlands were destroyed in the last 10 years. The figures for the South Atlantic, gulf, and Pacific coasts show the same alarming rates of spoliation.

The patterns of this destruction are familiar. Bays and harbors are dredged and the spoil used to fill salt marshes for development. Rivers are poisoned with raw sewage and industrial and chemical wastes. Waters are clouded with silt because erosion control is disregarded. Slowly but inexorably, our estuaries and estuarine areas are disappearing.

There are three main and compelling reasons why we must act, and act now, to slow this destruction.

First, the very viability of our commercial fishing industry depends upon these tidal waters and lands. At least three-quarters of the total catch of commercial seafood, on all three coasts, depends upon the existence of estuaries and estuarine areas for one of its life cycles. This estuary-dependent catch in 1963 amounted to 3.5 billion pounds of seafood and brought fishermen $275 million. If these estuarine areas disappear under the pressures of shore development, then commercial seafood dependent upon them will disappear too, and with it, the industry.

Second, the recreational opportunities of estuaries and estuarine areas are vast. In 1965, over 4 million people fished in estuaries, spending $600 million in the process. Also in 1965, over three-quarters of a million hunters pursued their sport in estuarine areas, spending $41 million in doing so. Americans spent $2.75 billion on boating in 1965, and although exact figures are impossible to obtain, a very large proportion of this activity took place in the protected waters of estuarine areas. The value of swimming and sunbathing is not readily susceptible to the determinants of economics; the value of human well-being, on the other hand, is beyond measure. The destruction of estuaries and estuarine areas by bulkheading, dredging, and filling can put beyond recapture this irreplaceable recreational resource.

Third, and often overlooked, is the scientific value of estuarine areas. Wildfowl, fish, and shellfish abound in the nutrient-rich waters of these areas. Migratory wildfowl and fish use these areas as transient stopping places. Often the particular part of the life cycle of an individual species spent in the tidal wetlands is the only one which can be closely observed, as the others are spent far at sea or at other inaccessible places. If we are to learn more about these birds, fish, and shellfish, and thus to keep them from extinction from overfishing or overhunting, then we must be careful to preserve some of our estuaries and estuarine areas in an undeveloped state.

Testimony in hearings last year before subcommittees of the Senate Committee on Commerce and the House Committee on Merchant Marine and Fisheries give ample and graphic support for these three reasons justifying the need for the bill I introduce today. I am sure that if hearings are held this year, they will present an even stronger case for the urgency of its consideration and passage.

The bill will not—and should not—strike down all shore development in estuarine areas. Instead, what it will do is seek a balance between the pressure to develop and the need to conserve. This balance must, if it is to succeed in its objective, reflect a system of priorities which is responsive not only to private interests, but also to the public interest.

The bill's provisions are fitted to realizing this system of priorities.

First, it authorizes the Secretary of the Interior to conduct a 5-year, nationwide study of estuaries and estuarine areas. The Secretary must report to the Congress annually on his findings in the study and on his legislative recommendations to authorize specific estuarine areas for acquisition by the Secretary. The maximum cost of the study is $4.5 million.

Second, it authorizes the Secretary to designate estuarine areas to be acquired by him as a national estuarine area. These areas must not already be owned by a State or political subdivision thereof, and in any case the designation is not effective until the acquisition is approved by an act of Congress.

Third, it authorizes the Secretary to enter into agreements with a State or political subdivision thereof for the management, development, and administration by the Secretary of an estuarine area owned by the State or political subdivision thereof. Such an area would then be designated as a national estuarine area by the Secretary without further action by the Congress. The Secretary would pay the bulk of the costs incurred under this arrangement. This cooperative agreement is designed to protect areas which might otherwise be lost because of fiscal or legal limitations on any one level of government.

Fourth, it prohibits anyone from dredging, filling, or excavating any estuary of the United States or the Great Lakes without a permit from the Secretary. It also gives the Secretary authority to regulate dumping of dredgings, earth, garbage or other refuse matter other than oil—presently regulated by the Oil Pollution Act of 1924—in any estuary or estuarine area.

Fifth, it does not affect the authority of the States to permit and regulate shellfishing, or the Secretary's authority to regulate migratory birds in estuarine areas.

Sixth, it gives the Secretary power to seek injunctive relief in cases where violations of its provisions present imminent danger to persons, fish and wildlife, or to scenic and recreational areas.

The sum total of these, and of other technical provisions, is a comprehensive program for the conservation and protection of our estuarine areas. These areas are every bit as much a part of our natural heritage as are our mountains and great rivers, every bit as irreplaceable, and every bit as deserving of national attention and treatment.

The Commonwealth of Massachusetts, in 1965, recognized the clear and present dangers to its estuaries and estuarine areas and the need for their protection. Under legislation passed that year, nearly 45,000 acres of salt marshes will be spared from destruction which would have otherwise occurred in the near future. The provisions of the bill I introduce today can lend much-needed support to the efforts of Massachusetts—and to other States as well—to balance the pressures of development against the needs for conservation.

The late Rachel Carson knew the estuaries as a scientist and wrote of them in poetic prose. In describing one such estuary, she had this to say:

> (The island) lay across a quiet sound from which the banks shouldered away the South Atlantic rollers. To the north the island was separated from the mainland by a deep gutter where the ebbing tides raced strongly; On the south side the beach sloped gently, so that at slack water the fishermen could wade out half a mile before the water came above their armpits as they raked scallops or hauled their long seines. In these shallows young fishes swarmed, feeding on the small game of the waters, and shrimp swam with backward flipping of their tails. The rich life of the shallows brought the skimmers nightly from their nesting grounds on the banks, to take their food from the water as they moved with winnowing flight above it.
>
> About sunset the tide had been out. Now it was rising, covering the afternoon resting places of the skimmers, moving through the inlet, and flowing up into the marshes. Through most of the night the skimmers would feed, gliding on slender wings above the water in search of the small fishes that had moved in with the tide to the shelter of grassy shallows.

The bill I have introduced today can go far toward saving the tidal wetlands of this Nation from the destruction which would otherwise befall them.

We can save these estuaries, and I believe we should.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 695) to authorize the Secretary of the Interior in cooperation with the States to preserve, protect, develop, restore, and make accessible estuarine areas of the Nation which are valuable for sport and commercial fishing, wildlife conservation, recreation, and scenic beauty, and for other purposes, introduced by Mr. KENNEDY of Massachusetts (for himself and Mr. MAGNUSON), was received, read twice by its title, and referred to the Committee on Commerce.

Mr. MAGNUSON. Mr. President, I commend the senior Senator from Massachusetts [Mr. KENNEDY] for his leadership in the conservation of our Nation's estuarine areas. He has eloquently stated the growing concern over the destruction of our valuable coastal estuaries. I am pleased to join with him in sponsoring a bill to preserve and protect the estuarine areas which are so much a part of our natural heritage.

Mr. President, estuaries, the places where salt water meets fresh water, are the environment for many natural resources. They serve as habitat, spawning, and nursery areas for many species of commercially important finfish and shellfish. They are important recreational resources, providing swimming, boating, bird watching, and hiking opportunities. Ducks, geese, rails, and snipe depend upon estuarine areas for winter feed and nearly a million hunters enjoy their recreation in estuarine zones.

However, as the Senator from Massachusetts has pointed out, disaster is imminent for our estuarine areas. Residential and industrial development has dramatically reduced the total area of estuarine environment. Pollution, both industrial and municipal waste has destroyed many of our existing estuarine areas. There has been additional damage through the unnecessary dumping of spoil from navigation channels.

As population pressure increases, the accompanying demand for housing space and industrial developments accelerates the destruction of estuarine areas. Nearly every past action of man along the coastline has damaged to some degree, the physical existence of biological quality of the estuarine areas.

This bill will authorize the Secretary of Interior in cooperation with the States to embark on a program to preserve, protect, develop, restore, and make accessible estuarine areas of the Nation. This program would include a nationwide study of estuarine areas for the purpose of identifying areas that are relatively unspoiled or only partially spoiled. The Secretary would then determine which of these designated areas should be preserved and protected. Preservation and protection could be carried out in a number of ways: First, through acquisition or administration by the Secretary of Interior when an estuary is of national significance; second, through acquisition or administration by a State or local subdivision of a State; or third, through the application of local zoning laws. However, acquisition by the Secretary of Interior, would require congressional action.

Mr. President, we have the opportunity through this bill to reverse a destructive trend in our Nation. This bill is of national importance, and I would like to point out to the Senators that, as chairman of the Committee on Commerce, I intend to schedule early hearings on estuarine areas.

I congratulate the Senator from Massachusetts [Mr. KENNEDY] for his leadership in this field.

REA SUPPLEMENTAL FINANCING BILL

Mr. COOPER. Mr. President, I introduce on behalf of myself and the junior Senator from Minnesota [Mr. MONDALE] a bill to provide supplemental financing for the rural electrification and rural telephone programs, and ask that it be appropriately referred to the Committee on Agriculture and Forestry.

I am very happy that the Senator from Minnesota [Mr. MONDALE] has joined me as the chief cosponsor of this proposal. He is an able and effective member of the Committee on Agriculture, on which we have served together, knows the importance of the rural electric program to his State, as I do to the State of Kentucky, and to the growth and progress of the Nation. He is a true friend of the farmer.

We are glad also that the President, in his budget message to the Congress on Tuesday, recommended such legislation to establish revolving funds and authorize the creation of two cooperative banks to help finance REA electric and telephone loan programs.

The purpose of this bill is to maintain the service of the rural electric and telephone systems, and to provide a means of financing the growing needs of their consumers. It would do so by establishing a public policy which will permit and encourage the rural electric and telephone systems to take steps toward independence and self-sufficiency, and to move away from complete dependence on the annual Federal appropriations of 2-percent REA loan funds.

The bill we introduce today is identical to S. 3720, which I introduced last August 12 with Senator Bass and 22 other Members of the Senate. The only change has been to correct several typographical errors. The committee held 5 days of hearings on that bill August 15 to 19. It received the support both of the Rural Electrification Administration, and of the National Rural Electric Cooperative Association.

Of course there have been proposals for changes in the bill, a number of amendments have been suggested, and we know that changes will undoubtedly be made during its consideration by the Committee on Agriculture. But because this is the bill to which testimony was directed by the administration, proponents and opponents, we thought it would provide a good point from which to continue the consideration of this proposal—and that it would enable the committee and all interested in this matter to more easily refer to the facts elicited by the testimony which has already been directed to specific provisions of the bill.

Although neither the House nor the Senate acted on the REA supplemental financing proposal last year, we are very hopeful they will do so during this session of the Congress.

I am confident that a supplemental REA financing program will finally be enacted. For rural America is growing and this growth requires the continued development of the electric and telephone service now being provided by the REA-financed systems throughout the country. At present their only source of capital to build the facilities needed to meet this growth is the Rural Electrification Administration. While the REA program has served its purpose in an exemplary way over the last 30 years, it now needs supplementing if the needs of the future are to be met.

The credit systems which the bill would create are patterned after the banks in the farm credit system which have proven so successful. By means of a rural electric bank and a rural telephone bank the cooperatives would be enabled to pool their collective credit. With some initial capital from the Federal Government, they could then secure through private investment in the banks the funds they need for their growth. The Federal capital would eventually be repaid, and the banks would then be under the ownership and control of their borrowers.

I believe this to be a practical plan, as shown by the experience of the Federal land banks, the Federal intermediate credit banks, the bank for cooperatives, and the production credit associations—all of which are either self-sufficient today, or well along the road toward that goal. It is our intent in this legislation to use the same method to enable the rural electric and rural telephone systems to achieve similar success.

I want to emphasize, and make very clear, that this legislation is not designed to replace the present REA program, but to supplement it. We all know that many of the rural systems, because of their low density of consumers per mile of line and other handicaps, will continue to need 2-percent REA loan funds in order to survive. At the same time, there are others which have achieved a degree of maturity such that they are able and willing to pay a higher rate of interest to obtain capital funds. This bill would both preserve the present REA loan program for those systems which need it, and provide new sources of capital to augment the only source now available.

It has been my privilege to support the REA program since I first came to the Senate in 1946. I have observed the great change that has come over agriculture and rural life in my own State of Kentucky, as well as elsewhere in the Nation, which the REA program has helped bring about. No one denies the tremendous benefits it has brought to the people and the country. And, just as I have been concerned with the success of the program in the past, and supported it in every way I could, I am now equally concerned about its future. It seems to me that unless supplemental financing legislation is passed by the Congress, the rural electric and telephone could wither and fail to meet the growing power needs of their consumers. The Congress will not, I am sure, allow this to happen.

Mr. President, I know that many Senators are interested in this bill, and will want to associate themselves with it as cosponsors. Therefore, I ask that the bill be received and appropriately referred, and that the bill lie at the desk through the close of business on February 3, for additional cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk, as requested by the Senator from Kentucky.

The bill (S. 696) to amend the Rural Electrification Act of 1936, as amended, to provide additional sources of financing for the rural electrification and rural telephone programs, and for other purposes, introduced by Mr. COOPER (for himself, Mr. MONDALE, Mr. GRUENING, and Mr. YARBOROUGH), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. COOPER. Mr. President, I ask unanimous consent that an excerpt from my statement before the Committee on Agriculture last year, describing the purposes of S. 3720, which was the same as the bill we have introduced today, be included at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXCERPT FROM STATEMENT OF SENATOR COOPER, HEARINGS, SUBCOMMITTEE ON AGRICULTURAL CREDIT AND RURAL ELECTRIFICATION, AUGUST 15, 1966

Since the Rural Electrification Act of 1936, over $5 billion advanced in loan funds to nearly 1,000 cooperatives and other borrowers has brought modern service to 5½ million consumers in 46 States. In my own State of Kentucky, in contrast to that small band of 8,000 farmers who enjoyed electricity in 1936, 26 cooperatives now distribute power over 57,000 miles of line to 313,142 rural consumers. No Kentucky borrower is in default; they have paid nearly $100 million in principal and interest on their loans. It is this record of successful operation and financial integrity which now makes feasible the carefully developed plan for supplemental financing contained in S. 3720.

A.

The central fact on which this supplemental REA financing proposal rests—which has brought the cooperatives to seek authority beyond the 2% government loans, and which brings the issue of new REA legislation before this Committee for the first time in many years—is the growing use of power in our country.

Rural consumers are no different from their urban neighbors. They constantly require more power—for household appliances, TV, air conditioning, home freezers, modern heating, and the rest. At the same time, electricity has enabled farmers, in the face of the diminishing supply of farm labor, to install machinery and operate efficiently so as to continue to supply the American people with ample food at fair prices.

To give an idea of the problem, in 1935, only 40 kilowatt hours per month were required for the average farm. Today the average load for farm and residential nonfarm consumers is 478 kw hours per month—and this will grow. The root of the need of the rural electric cooperatives for assured capital is this growing demand for electricity, and the consequent necessity of maintaining the orderly development of rural electric systems. These power demands must be financed, and are entitled to be financed, just as the growth of private utilities must be financed.

For example, I understand that the country's private utilities plan to spend over $100 billion to expand their own facilities in the next 15 years—more than doubling their present capital investment of $70 billion—just as studies by NRECA and REA estimate that $8 billion, in addition to the $5 billion invested to date, will be needed in the next 15 years to meet power demands within the rural electric systems.

I emphasize this point because I think it should be clear from the outset that the issue is *not* who shall serve new areas, or whether "public power" shall replace "private power".

It is well-known, and it will be often stated during these hearings, that rural areas, as urban areas were before them, are now almost wholly reached by power lines. The areas served by cooperative systems and the areas served by the private systems are both, on the whole, already defined; so it is a diversion to state as if it were pertinent to this financing proposal that 97 or 98 or 99 percent of farms now receive central station power.

Rather, the fact is that within the areas already defined and served, whether by cooperative or private systems, both rural and urban power consumption is doubling every 8 or 10 years. The REA program must take into account this fact of our national life, just as the utilities do. It must do so, in fact, just as do thousands of businesses and banks in rural communities, and the great corporations of the nation as well, when they count on sales of electrical appliances to the rural market of $1 billion a year and look forward to the steady growth of that market.

B.

As heavier lines are extended to consumers, as the change is made from single phase to three phase service, as the total power requirements of a system increase—which is the experience of all systems, rural and urban—its management must arrange to finance this investment in progress. With repect to the REA systems, I see two possibilities:

First, the REA program could continue to depend on annual appropriations from the treasury of the 2 percent loan funds, as now provided by law. This raises, of course, the prospect of steadily increasing the annual appropriation to a level which should soon be double that of recent years. Yet, it is not clear that the Administration is willing to recommend nor the Congress approve such increases.

We had an example this year, when the President's budget recommended only $220 million for REA loans, plus $50 million carried over—or less than one-half the amount of the loan applications of some $675 million then expected to be on hand at the beginning of the fiscal year. The Appropriations Committees of the House and Senate know the value of the REA program, and it has strong support in the Congress. While the budget figure was increased to $365 million by the House and $375 million by the Senate, that amount is nevertheless smaller than the $402 million originally authorized last year for the fiscal 1966 REA loan program. So we have this example before us.

Even without crises such as the war in Vietnam, we know that the established programs have entered a new area of competition for federal funds. It is evidently the intention of this Administration, and I believe inescapably will be the concern of future administrations, to give a high priority to programs to reach the enormous problems of the cities—housing, slum clearance and urban renewal, transportation systems, water, delinquency, and education. We could all give examples, as I have done elsewhere.

It is this competition for funds which leads me to draw the parallel, although it is not exact, with the TVA Self-Financing Act of 1959—which grew out of the demand for growth within the TVA system and finally the recognition that Congress had not provided and would not provide the increasing funds which TVA needed. The Act has worked well, with savings to the government and taxpayers of $345 million, and last month was extended by the Congress to provide an additional $1 billion of self-financing authority.

Similarly, I believe it is the heart of the findings of the National Association of Rural Electric Cooperatives, and I assume of the Rural Electrification Administration itself, that even if there were no war, or competition from new programs, and even with generous financing by the federal government, the REA cooperatives cannot be certain that their capital needs will be met by federal appropriations.

Yet, if the annual REA appropriations are not sharply increased, and if nothing else is done, the rural electric systems could become obsolescent—their fine record of service could falter, and the national policy and the intent of Congress to provide comparable electric service in the rural areas could fail.

It will not fail, because the Congress and the country will not abandon millions of farm families, thousands of rural communities, and the REA program. But I do mention this prospect because those who have opposed REA from the beginning—and who now oppose this bill even though it is a step in the direction they have urged for years, away from complete dependence on government financing—recognize that any growing system will either be supplied or starve.

The second possibility, then, is to find a means that will provide the funds needed by the rural electric systems to supplement appropriations by the Congress.

Cooperatives have no stock to sell, for they belong to their user-members. It would be difficult or impractical for a single cooperative to attempt to sell its own securities to private investors. It is for this reason that the Congress has acted with respect to the Production Credit Association cooperatives, financed through the Intermediate Credit Bank, and with respect to the Bank for Cooperatives, also within the Farm Credit Administration. In these Banks, the Congress has established financial institutions which provide the necessary link between private investors and the cooperative systems in which the investment ultimately rests.

The Rural Electric Bank to be established by this bill would—through its paid-in capital, through its record of sound fiscal operation in issuing its own securities, and through its extension of sound loans timely repaid—gives assurance to private investors. It would pool the risk of individual loans to cooperatives, offering investors confidence in the Bank itself rather than dozens of particular situations. Those who wish to invest in the great development of rural America could do so through their purchases of the securities of the Rural Electric Bank.

For the rural electric systems, the Bank would offer a single source of funds—a source having known policies applicable to all eligible borrowers and coordinated with the policies of the Rural Electrification Administration.

I emphasize this basic function: that the Bank would serve as a conduit through which to channel private investment to the rural electric systems. It would give the rural electric systems which can afford to do so the opportunity to utilize private investments, and the responsibility of bearing its realistic cost.

The bank would receive an initial federal investment—and it is substantial. But I think it puts this matter in perspective to say that the entire federal investment would represent only a portion of the proceeds of loans and interest being repaid to the federal government by the REA systems.

The money is out on loan now. When returned to the federal government, it would simply be used to purchase stock in the Rural Electric Bank. And this federal investment, to provide initial strength to the bank, will generate several times that amount of private investment.

The federal investment would gradually be replaced by investment of the borrower cooperatives themselves in their bank. Meanwhile, the federal government could share in any dividends paid on Bank stock, and under S. 3720, the Appropriations Committees could at any time limit the amount of the annual federal investment.

C.

The purpose of the Rural Electric Bank would be to provide capital to those cooperatives which have matured to the point that they need not be wholly dependent on 2% government loans—and we know there are many strong and efficient co-ops. This additional source of capital would supplement the appropriated 2% loan funds, which will continue to be required for those cooperatives having high costs in reaching sparsely populated areas and to meet the purpose of the Rural Electrification Act in bringing electricity to areas which cannot be reached through the usual financing.

The Rural Electric Bank, as I have said, would receive its initial capital through investment by the government in its capital stock. Repayment by REA co-ops of principal and interest on their existing outstanding loans would be used for this purpose. Up to $50 million annually could be invested for 15 years—a total Federal investment of up to $750 million.

Additional capital would be provided to the Bank through the requirement that cooperatives obtaining a loan from the Bank invest 5% of their loan in bank stock—just as farmers invest in their PCA when they get a loan. Eligible co-op borrowers, and individual REA consumers themselves, could also invest in the Bank.

With this invested capital as security for its operations, the Rural Electric Bank would then issue debentures to be sold to private investors, up to a limit of 8 times the amount of the paid-in capital—although at first, of course, the ratio would be lower, about 3 or 4 times.

The funds provided to the Rural Electric Bank, from the government investment of REA loan repayments, and chiefly from the sale of its securities to private investors, would then be loaned by the Bank to rural electric cooperatives.

The plan calls for two levels of interest on the loans made by the Bank. The first would be an intermediate rate—3%, or perhaps 4% as recommended by the Administration. The second rate of interest, for cooperatives in a strong position, would reflect the cost of money.

The Rural Electric Bank would be managed by a board of directors which would include officials of the Department of Agriculture and representatives of the rural electric cooperatives. The REA Administrator would serve as the chief executive officer or Governor of the Bank. As the Federal investment was retired over a period of years, control would eventually pass into the hands of the cooperatives themselves.

In this way, the plan would maintain the present 2% loan program for those systems that have not yet attained financial strength to reach their objectives without this source of funds. It would provide through the Rural Electric Bank 50-year loans at a higher rate, sufficient to attract private capital. In short, by treating the sound economic growth of the REC's as a resource which could attract private investment to rural electric systems through the Rural Electric Bank, it would provide the capital to finance the growing use of electricity.

While I have tried to present the need for supplemental financing and the operation of this plan in understandable terms, the proposal is major legislation and it is not simple. Details of this bill which may not attract public attention could be critical to the successful operation of this proposal. It presents issues which will be hard fought—for they represent not only an opportunity for the cooperatives to move toward independence and stand on their own feet, but also the chance for others to misread their intentions, deny their accomplishments, and attack their future.

We know the committee will receive testimony directed to every provision of these bills, and that it will require work to enact the supplemental REA financing system. But the work has begun. I hope very much that with patience a practical, constructive and genuinely helpful plan can be adopted.

It can be a plan which will not only help assure the future of rural America as an organic part of a growing and developing nation, and one which will be a credit to our system, but also a plan which will help sustain the economic life of thousands of other communities and private businesses, including the private utilities, whose prosperity also rests on the undiminished vitality of the nation as a whole.

Mr. COOPER. Mr. President, I ask unanimous consent that the names of the senior Senator from Texas [Mr. YARBOROUGH], and the Senator from Alaska [Mr. GRUENING] be added as cosponsors.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

REA SUPPLEMENTAL FINANCING LEGISLATION

Mr. MONDALE. Mr. President, I am most pleased to have the honor and privilege of introducing this legislation to provide for the capital needs of rural electric and telephone cooperatives with the distinguished Senator from Kentucky [Mr. COOPER]. At the outset, I would like to say that I know Senator COOPER will continue to be a most effective and persuasive advocate for rural electric and telephone cooperatives—despite the fact that his colleagues have recognized his skill, experience, and ability in the field of foreign affairs by assigning him to the Senate Foreign Relations Committee. Despite the fact that he will no longer be a member of the Senate Agriculture Committee, his influence will most clearly and necessarily be felt in our efforts there to move ahead on this most important legislation. And so I do want to thank Senator COOPER for inviting me to join with him as a coauthor of this legislation.

It is impossible to overstate the tremendous revolution in American farm family life caused by the onset of central station electricity under the Rural Electrification Act of 1935. One of the great American success stories over the past 30 years has been the extension of electric and telephone service to 20 million rural people. Electric lights, radio, television, and farm machinery, have brought a higher standard of living to rural areas, lessened the drudgery of farmwork, and boosted farm productivity and income. Today, the farmer's telephone, like the electric motor, has become an essential and familiar part of this life.

Today's more efficient farmer uses electric-powered corn and grain drying machinery, irrigation pumps, and machinery for refrigerating milk and livestock and even grain products.

I was born and raised in rural Minnesota, and I know the tremendous job done by our rural electric and telephone cooperatives. Almost every farm in the Nation has electricity, and four out of five have telephones, mostly dial phones. Minnesota cooperatives have never defaulted on a single penny borrowed from the Rural Electrification Administration.

This achievement has been won against overwhelming odds. For one thing, low consumer density makes such service very expensive. Almost 20 miles of electric lines had to be built to serve the same number of consumers that are served by 1 mile of powerlines in the city. REA-financed cooperatives in Minnesota receive an average annual revenue of only $480 per mile of powerline, as compared to $8,559 for private power companies.

This is also true for REA-financed rural telephone companies. They serve about four or five subscribers per mile of line, compared to 40 people on each mile of line in the Bell system companies.

Some people say the REA's job is done, and the REA programs should be terminated. But as each one of you knows, the needs and demands of farmers and rural people for electricity and telephones are growing along with the rest of our society.

REA electric systems will need twice as much capital in the next 15 years as was required in the entire 30-year life of the REA. The fact that most farms have electricity does not mean they have nearly enough for all their needs. Much of the machinery that makes American agriculture the most advanced in the world is powered by electricity. This is especially true of our dairy farms. The powerlines built years ago have to be beefed up to handle the ever-increasing amounts of power needed for the modern farmer.

But even beyond the growing electrical needs of farm technology, there is a deeper problem. This is our failure to close the gap between the level of rural and city life. Not only does the gap still exist, but more and more of our young people are moving to the large urban centers, draining the strength and vitality from many of our farm communities.

The future health and vitality of rural America goes hand in hand with the continued expansion of our rural electric and telephone service. For in addition to providing necessary service, we must also attract small industries and businesses into the country, in order to improve job and income opportunities.

The legislation we are introducing today will provide additional, supplemental funds, for those systems strong enough financially to pay higher interest rates. It recognizes that Congress will be unwilling to appropriate sufficient funds to meet all of the future capital needs of REA borrowers. Over the past 7 years, the Congress has appropriated a yearly average of $35 million dollars for the electrification loan program, and $105.2 million dollars for the telephone loan program, both of which are insufficient to meet the estimated projected needs of these systems. This will not, of course, replace the need for the present 2-percent loan fund appropriations, for there will always be rural electric and telephone systems in sparsely settled uneconomic areas which will not be financially capable of providing central services without Federal assistance.

Despite the fact that many rural electric cooperatives will continue to need and use the present 2-percent funds, the establishment of new sources of funds will benefit all such systems. Use of the supplemental loan funds by those cooperatives able to do so will make more of the 2-percent REA loan funds available for those who cannot.

As a member of the Senate Agriculture Committee, I will work hard for constructive legislation to insure a hopeful future for the rural electric cooperatives of the Nation. Minnesota is a great cooperative State, and I know well that the cooperative approach is a good way for people to get a necessary job done—whether it be rural electrification, the marketing of farm products, or securing reasonably priced consumer or farm supplies.

At the present time in Minnesota, representatives from both investor-owned utilities and electric cooperatives are discussing this legislation and other proposals in an effort to arrive at a proposal which both can support as meeting future needs. I look forward with a great hope to the possibility that these discussions will help us to move responsibly and wisely in passing supplemental financing legislation. Minnesota and the upper Midwest is unique, I believe, in its unprecedented degree of cooperation and willingness to meet and discuss issues of interest between both private power and electric cooperatives.

SOUTHWEST IDAHO WATER DEVELOPMENT PROJECT

Mr. CHURCH. Mr. President, I introduce, for appropriate reference, on behalf of myself and my colleague from Idaho [Mr. JORDAN], a bill to construct the southwest Idaho water development project.

This bill is similar, Mr. President, to S. 3128, which I introduced in the last session of the 89th Congress, and upon which field hearings were conducted in Idaho last September. I am hopeful that we can conduct Washington hearings early this year, for this is one of the most important and urgent projects for Idaho, the Pacific Northwest and the Nation. It will provide great new opportunities for the development of arid lands in southwestern Idaho, and produce wildlife, provide flood control, power, and recreational benefits.

The southwest Idaho water development project, upon completion, will open for cultivation nearly a half-million acres of vacant desert land and furnish supplemental water to more than 60,000 acres of cultivated farmland without an adequate supply. Growing cities and towns within the area will be assured industrial and domestic water supplies. New reservoirs of sparkling, clean water will afford extensive recreation playgrounds for fishing, boating, water skiing, and swimming. Nearly 500,000 kilowatts of power would be generated by the project.

Mr. President, our country's population and our agricultural crop requirements grow apace, and we must plan now to meet these needs or—as our best forecasters tell us—confront a possible food shortage by the end of this century. At that time, unless such projects as this can become a reality, we will have a "land deficit" of productive acres. Not only are there not enough acres available today to meet our projected requirements, but without further reclamation work nearly 25 million acres now under cultivation will have been lost to urbanization as the Nation's growing cities spread ever wider upon the face of the land. Wise planning means that we can get on with comprehensive development projects of this kind, not just for the benefit of Idaho, but for the welfare of the entire Nation.

Deeply cognizant of these factors, we urge the authorization of the southwest Idaho water development project and we emphasize that is one of the finest potential reclamation projects remaining in the West.

It embraces under a single concept, several well-developed and already studied plans for utilizing the unappropriated waters of the Snake River and its tributaries in 11 southwestern Idaho counties.

A series of dams, some already built and others to be constructed, will provide needed storage, while diversion tunnels at three sites will funnel the waters to the reservoirs in the system. Balanced usage and integrated development are the bywords of the proposal. Through a system of diversion works, water will be channeled from surplus mountain torrents in the Garden Valley division, to irrigated lands in the Boise Valley, and to yet-unopened desert lands along the Snake River in the Mountain Home and Bruneau divisions of the project. The principal power source for the project will be in the Garden Valley division where the brimming waters of the Payette River, which have spilled and flooded over downstream farmlands and communities in past years, will be harnessed to generate 368,500 kilowatts of electricity at two powerplants. At the Guffey Dam in the Mountain Home division, another 85,000 kilowatts of power will be produced, which will turn mighty pumps to suck the waters up from the canyon of the Snake River and turn them out upon the thirsty desert.

Providing effective flood control to prevent needless destruction of already developed farmlands and damage to the downstream communities in the drainage basins, is another goal of the project.

Opening new lands to farming means the development of wildlife cover and habitat for game birds and animals. Water quality control and creation of manmade lakes will greatly enhance fishing resources.

As the agricultural base broadens, the cities and towns in the project area will expand to supply the services and, in turn, will require new and assured water supplies for municipal use. The southwest Idaho water development project will furnish that assurance and the city of Mountain Home has already committed itself to purchase a share of the water when available.

Specifically, the bill asks immediate authorization of the Mountain Home division, including the Guffey Dam and Reservoir and the Long Tom diversion tunnel and Hillcrest unit. It also seeks authorization of that portion of the Garden Valley division which includes the Garden Valley Dam, Reservoir, and related power facilities. It calls for accelerated studies on the remainder of the project, including the Weiser and Bruneau divisions.

Let me make it absolutely clear, Mr. President, that in every division of this project, all existing water rights are completely protected and that, in any exchange of use that may be contemplated, no basic water rights will be altered or impaired.

It is seldom that a proposal has received as much general support as has the southwest Idaho water development project. The proposed project has already received the endorsement of the Idaho State Legislature and the State's principal water policy agency, the Idaho Water Resource Board. House Joint Memorial 7, enacted by the second extraordinary session of the 38th session of the Idaho State Legislature, on March 7, 1966, says in part:

> We, the Legislature of the State of Idaho, do wholeheartedly endorse the concept of the southwest Idaho water development project as supported by the entire congressional delegation from the State of Idaho.

Additionally, the project has received equally enthusiastic support from public and private organizations and individuals throughout the State. Farmers, ranchers, conservationists, and leaders of business and industry, all recognize the need for balanced and integrated development of our wealth of natural resources.

The costs of construction will be repaid from numerous sources. While irrigators will pay a portion of the overall costs, part will be charged to recreational benefits, to municipal and industrial users, and to fish and wildlife benefits. A substantial share of the costs would be covered by a project basin account against Federal power-producing sources. Idaho water provides a sizeable share of the flow energizing the Columbia River Federal power system. The Snake River enters Idaho with an annual flow of 4 million acre-feet at our eastern border. When the Snake leaves Idaho and crosses into Oregon and Washington to join with the Columbia River, it is carrying an annual flow of 38 million acre-feet—more than a ninefold increase in its passage through Idaho. Accordingly, it is both just and necessary that a substantial share of the overall project costs be repaid through surplus power revenues of the Bonneville Power Administration.

I feel, Mr. President, that I am asking the Senate to consider one of the most comprehensive and well-developed plans that has ever been presented for the multipurposed utilization of a great natural resource.

I ask unanimous consent, Mr. President, that the bill, together with the house joint memorial of the Idaho Legislature in support of it, be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and house joint memorial of the Idaho Legislature will be printed in the RECORD.

The bill (S. 697) to authorize the Secretary of the Interior to construct, operate, and maintain the southwest Idaho water development project, and for other purposes, introduced by Mr. CHURCH (for himself and Mr. JORDAN of Idaho), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 697

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to provide for the comprehensive development of the Snake River and its tributaries in southwestern Idaho for the purposes, among others, of furnishing water for irrigation and for municipal and industrial purposes, controlling floods, controlling water quality, producing and transmitting hydroelectric power, conserving and developing fish and wildlife resources, enhancing outdoor recreation opportunities, and for other purposes, the Secretary of the Interior is hereby authorized—

Garden Valley Division

(a) To construct, operate, and maintain the Garden Valley division of the project, providing a supply of irrigation water to approximately one hundred and sixty-five thousand acres of land. The principal features of the division shall consist of the Garden Valley Dam and Reservoir on the South Fork of the Payette, and other dams, reservoirs, powerplants, transmission facilities, and appurtenant facilities: *Provided,* That construction of the Garden Valley division, excepting the Garden Valley Dam and Reservoir and related power facilities, shall not be undertaken until the Secretary has submitted his report and finding of feasibility on this division to the President and to the Congress; and

Mountain Home Division

(b) To construct, operate, and maintain the Mountain Home division of the project, consisting of the Guffey, Long Tom, and Hillcrest units, and providing a supply of irrigation water to approximately one hundred and thirty-one thousand acres of land. The principal features of the division shall consist of the Guffey Dam, Reservoir, and powerplant, the Long Tom diversion dam, and the upper and lower Canyon Creek division dams, together with reservoirs, transmission facilities, and appurtenant facilities; and

Weiser River Division

(c) To construct, operate, and maintain the Weiser River division of the project, providing a supply of irrigation water to approximately sixteen thousand five hundred acres of land. The principal features of the Division shall consist of a diversion dam on the West Fork of the Weiser River, enlargement of the existing Lost Valley Reservoir, other diversion dams, reservoirs, canals, and pumping plants and appurtenant facilities: *Provided,* That construction of the Weiser River division shall not be undertaken until the Secretary has submitted his report and finding of feasibility on this division, including a reevaluation of the proposed Goodrich Dam, to the President and to the Congress; and

Bruneau Division

(d) To construct, operate, and maintain the Bruneau division, including the Wickahoney unit, of the project, providing a supply of irrigation water to approximately two hundred and forty thousand acres of land. The principal features of the division shall consist of Grindstone Butte Dam and Reservoir on Deadman Creek, Clear Lakes Dam and Reservoir on the Snake River, other diversion dams, reservoirs, canals, and pumping plants and appurtenant facilities: *Provided,* That construction of the Bruneau division shall not be undertaken until the Secretary has submitted his report and finding of feasibility on this division to the President and to the Congress.

SEC. 2. The authority contained in section 1(d) of this Act shall constitute the authority required under Public Law 89–72 to initiate the feasibility studies of the Bruneau division of the southwest Idaho water development project in the Snake River Basin in Twin Falls, Elmore, and Owyhee Counties, Idaho, including the Wickahoney unit.

SEC. 3. In carrying out investigations under the authority of this Act, the Secretary shall expedite completion of feasibility reports on the Garden Valley, Weiser River, and Bruneau divisions of the southwest Idaho water development project, and shall submit the feasibility report of the Garden Valley division to the Congress by January 1, 1969. The exchange of water in connection with the operation of the project authorized by this Act shall in no way jeopardize, dimminish, or otherwise alter contractual rights and obligations now in existence, and shall not exceed 600,000 acre-feet annually from the Payette River Basin.

SEC. 4. The period provided in subsection (d) of section 9 of the Reclamation Project Act of 1939, as amended, for repayment of construction costs properly allocable to any block of lands and assigned to be repaid by the irrigators may be extended to fifty years, exclusive of a development period, from the time water is first delivered to that block, or as near that number of years as is consistent with the adoption and operation of a repayment formula as therein provided. Power and energy for operation of project pumping and other electrical facilities shall be supplied from the project power facilities and from the Federal Columbia River power system at charges to the water users as established by the Secretary. Costs allocated to irrigation in excess of the amount determined by the Secretary to be within the ability of the irrigators to repay within a fifty-year period shall be returned to the reclamation fund from revenues derived by the Secretary from the disposition of power marketed through the Bonneville Power Administration.

SEC. 5. The Secretary is authorized, as part of the project, to construct, operate, and maintain or otherwise provide for public outdoor recreation and fish and wildlife enhancement facilities, to acquire or otherwise make available such adjacent lands or interests therein as are necessary for public outdoor recreation or fish and wildlife use, and to provide for public use and enjoyment of project lands, facilities, and water areas in a manner coordinated with the other project purposes.

SEC. 6. No lands may be acquired for any of the purposes herein authorized without the consent of the owner thereof except lands that are within three hundred feet of the maximum flowage line of project waters measured horizontally therefrom.

SEC. 7. In order to maintain the local tax base, the Secretary of the Interior and the Secretary of Agriculture shall make available and shall sell to individuals or organizations described in the Small Tracts Act, as amended (52 Stat. 609; found in 43 U.S.C. 682 a et seq.), reserved lands of the United States within the project area which are chiefly valuable for residence, recreation, business, or community activity purposes. The values of the lands made available under this section shall equal the values of the lands taken. Determination of the values of the lands taken and the lands made available in lieu thereof shall be based upon values as of the date of the taking. Private owners whose lands have been taken for project purposes shall have a right of first preference to purchase such tracts. Each such tract shall not exceed five acres, and no person or organization shall be permitted to purchase more than one such tract except upon a showing of good faith and for reasons satisfactory to the Secretary of the Interior or the Secretary of Agriculture. Lands available for the purpose of this section shall be not less than three hundred feet above project waters measured horizontally from the maximum flowage line of such waters. Sales of such tracts shall be made in accordance with the provisions of the Small Tracts Act, as amended, except as herein modified.

SEC. 8. The interest rate used for purposes of computing interest during construction and interest on the unpaid balance of the capital costs allocated to interest-bearing features of the project shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which construction is initiated, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations, which are neither due nor callable for redemption for fifteen years from date of issue.

SEC. 9. For a period of ten years from the date of enactment of this Act, no water from the project authorized by this Act shall be delivered to any water users for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(1) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

SEC. 10. The Secretary shall construct, operate, and maintain the southwest Idaho water development project in accordance with the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory and supplementary thereto), and nothing in this Act shall be construed as affecting or intended to affect or to in any way interfere with the laws of the State of Idaho relating to the control, appropriation, use, or distribution of water made available by the project, or any vested right acquired thereunder, and the Secretary, in carrying out the provisions of this Act, shall proceed in conformity with such laws, and nothing in this Act shall in any way affect any right of the State or of the Federal Government or of any landowner, appropriator, or user of water in, to, or from the project.

SEC. 11. There is hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this Act.

SEC. 12. This Act shall be cited as the Southwest Idaho Water Development Project Act of 1967.

The house joint memorial of the Idaho Legislature, presented by Mr. CHURCH, is as follows:

HOUSE JOINT MEMORIAL 7

Joint memorial to the Honorable Senators FRANK CHURCH and LEN B. JORDAN and the Honorable Representatives COMPTON I. WHITE and GEORGE HANSEN

We, your memorialists, the Legislature of the State of Idaho, respectfully represent that:

Whereas in order to provide for the comprehensive development of the Snake River in Idaho for the purposes, among other, of regulating the flow of the Snake River and its tributaries, furnishing water for irrigation and for municipal and industrial purposes, controlling floods, controlling water quality, producing and distributing hydroelectric power, conserving and developing fish and wildlife resources, enhancing outdoor recreation opportunities, and for other purposes, the southwest Idaho water development project is being proposed to promote the development, whether by private effort or by reclamation projects, of the Mountain Home division, the Garden Valley division, the Weiser River division, and the Wickahoney and Bruneau division, as outlined in the Bureau of Reclamation proposal, and other projects, such as supplemental water for the Salmon Falls tracts, that might fall within the area; and

Whereas our congressional delegation has advised us that united support from the State of Idaho is necessary to their efforts in our National Capitol; and

Whereas time is perhaps short for the State of Idaho to start using her waters: Now, therefore, be it

Resolved by the 2d extraordinary session of the 38th session of the Legislature of the State of Idaho, now in session, That we, the Legislature of the State of Idaho, do wholeheartedly endorse the concept of the southwest Idaho water development project as supported by the entire congressional delegation from the State of Idaho; and be it further

Resolved, That the secretary of state of the State of Idaho be, and he hereby is authorized and directed to forward certified copies of this memorial to Senators Frank Church and Len B. Jordan, and Representatives Compton I. White and George Hansen, congressional delegates for the State of Idaho.

Passed the house on the 28th day of February 1966.

Pete T. Cenarrusa,
Speaker of the House
of Representatives.

Passed the senate on the 2d day of March 1966.

W. E. Drevlow,
President of the Senate.

Attest:

Dryden M. Hiler,
Chief Clerk of the House
of Representatives.

Mr. **JORDAN** of Idaho. Mr. President, I am happy to join with my distinguished colleague, Senator Church, in introducing legislation to authorize the southwest Idaho water development project.

This multipurpose plan envisions development affecting a 15,500 square mile area in which some 650,000 acres are now successfully irrigated and about 1,400,000 additional acres have characteristics suitable for irrigation. The project will bring about one-half million acres into productive use and furnish supplemental water to some 50,000 acres.

There are now more than 200,000 people living in the project area. This number should double when the project is fully developed. But, this project is by no means just for Idaho. The new production from the lands involved will make a significant positive contribution to our total economy.

The development of land and water resources should not be a partisan political matter. I am very pleased that all the Members of the Idaho congressional delegation are joined in sponsoring this project. It represents a concrete formulation of a vision of the extraordinary potential of developing the arid acres of southwest Idaho which has been held by many men over many long years.

Both Houses of the Idaho Legislature have memorialized the Congress in favor of this development. The Idaho Water Resources Board, the Southwestern Idaho Development Association, the Idaho Reclamation Association, and numerous other organizations in our State have endorsed it. Last fall the House Interior Committee held hearings in Idaho which elicited further expressions of support for it. In fact, it has the nearly unanimous approval of the citizens of Idaho.

Wise stewardship in the management and development of our great land and water resources is a responsibility to the future in which we must not fail. We are all aware that the world's needs for food are rapidly outstripping the ability of present production to fulfill. We do not need to look far ahead to see that in order to avert a crisis of staggering proportions, agricultural output must increase.

The United States in recent times has been in the peculiar position of having to deal with problems of surplus. The measure we introduce here today contains safeguards for the short run against production from this project contributing to commodity surpluses in this country. But, I firmly believe that the days of such problems are numbered.

I believe now is the time to move to combat the growing problem of want from which ultimately even our Nation may not be exempt.

The southwest Idaho water development project is the kind of broad-scale proposal for unlocking the potential productivity of new arable lands which the times require. It is designed to fit into our total comprehensive plans for development in the Snake River Basin. It will be integrated with older projects such as the Boise project as well as with other new development plans such as the southeast Idaho development project formulated by Congressman George Hansen and myself. Our goal is the full development of the Snake River Basin. And I feel that I should point out that in order to achieve this goal, we will need to put to beneficial use the total water resource of the Snake above the Weiser gage. The Geological Survey has estimated that under full possible reclamation development the Snake River Basin will be a region of water shortage rather than one of surplus.

The southwest Idaho water development project represents the best kind of multipurpose planning. Irrigation is a major consideration. But the project will also provide hydropower generation, recreation, municipal and industrial water supply, flood control, water quality control, and conservation and development of fish and wildlife resources.

The southwest Idaho water development project is an investment which will be more than repaid. Irrigation costs are reimbursable. The feasibility of a reasonable repayment schedule has been considerably enhanced by the enactment of a Columbia Basin accounting system which permits the application of revenues marketed through the Bonneville Power Administration to all Federal projects in the Columbia River system in the United States. Further, of course, there is the consideration of the sizable long-term returns to the economy which the new production resulting from this project will bring.

The needs for water resource development are such that I feel we must move at all possible speed on the broadest possible front to achieve our comprehensive planning objectives. The southwest Idaho water development project is a major step. But while we pursue Federal development, I believe we must also allow private development to proceed—and to proceed rapidly. Private efforts have already brought under cultivation fully one-half of the 3 million acres now being irrigated in southern Idaho. Where people are willing to expend their own time and money in land and water development we should encourage such initiative.

Presently over 1,000 applications filed by individuals for entry on desert lands in Idaho are pending in the Department of the Interior. The Secretary of the Interior recently rendered a decision and set new criteria for applications which I am hopeful will have the effect of unclogging the administrative logjam which has delayed the processing of these applications for far too long.

In the proposed area of the Bruneau division of the southwest Idaho water development project there is considerable overlap with lands under application for private entry. I believe that no conflict need exist here. I believe we can permit private enterprise to go ahead now in this area.

The bill we are placing before you contains authority for the initiation of feasibility studies on the Bruneau division. I am convinced that these studies can be made, taking into account the factor of private development going forward in the area concerned. I have set forth my views in this regard in a letter to the Secretary of the Interior which I ask unanimous consent be included in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

December 20, 1966.

Hon. Stewart L. Udall,
Secretary of the Interior,
U.S. Department of the Interior,
Washington, D.C.

Dear Mr. Secretary: In my letter of December 5, I stated that desert entries in Idaho should be allowed based on their merits. I believe this should apply regardless of whether the lands applied for lie within a proposed reclamation unit.

Persons who have made applications have indicated they are ready, willing and able to develop these lands with private capital in the near future. They will utilize water that is presently unappropriated. The best way to protect water needed in Idaho is to put it to beneficial use. I can see no reason why putting this land under cultivation should be held back where almost immediate development is possible.

To cite the situation in one area, there are apparent conflicts between some 250 desert entry applications and the proposed Bruneau Division of the Southwest Idaho Water Development Project. In my opinion these entries should be allowed, where they classify as eligible, without delay. Lands in the vicinity of the Bruneau Division have already proven their productivity. They will grow foods that are in increasingly great demand.

The allowance of qualified entries will permit each entryman to farm 320 acres or double that now permitted under the Reclamation Act. This is a more feasible unit under present day conditions.

Approval of entries, no matter where they are located, need not jeopardize the feasibility studies of any proposed division. What is wanted and needed is progress in development on a broad front. Feasibility studies can still go forward on projected units taking into account the development already accomplished. If, at a later date, it appears that the use of lands for private development has reduced the feasibility of broad-scale federal reclamation in a region, it may be possible to bring in additional lands under the Small Reclamation Projects Act which is specifically designed to assist owners of land in small units.

I hope you will move forward promptly in processing all pending desert land entry applications, each according to its individual merits.

Sincerely,

Len B. Jordan,
U.S. Senator.

Mr. **JORDAN** of Idaho. Mr. President, in conclusion, let me reemphasize my reasons for asking this body to give approval for the southwest Idaho water development project.

The project offers an opportunity to increase the irrigated land in a proven locality with unappropriated water. Its costs are largely reimbursable.

The nonreimbursable costs will represent only a small fraction of the dividends from new productivity which the project will create, not only for the people of the area but in tax receipts to the Federal Treasury as well.

The undertaking encompasses multipurpose planning providing a variety of benefits in addition to irrigation. The people of Idaho are united and enthusiastic in support of the project.

By the time construction of this project can be completed, a world faced with a deepening food crisis will welcome the new production the project will provide.

These facts should demonstrate the wisdom of approving the legislation we have placed before you. We are ready to move ahead in this development. I believe we must do so now.

INTERGOVERNMENTAL COOPERATION ACT OF 1967—JANUARY 26, 1967

Mr. MUSKIE. Mr. President, on behalf of myself and Senators Jackson, Boggs, Mundt, and Moss, I submit, for appropriate reference, a bill entitled the Intergovernmental Cooperation Act of 1967, to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our Federal system in an increasingly complex society to improve the administration of grants-in-aid; to provide technical services to State and local governments; to establish a coordinated intergovernmental policy and administration of grants and loans for urban development; to authorize the President to submit to the Congress for its consideration plans for the consolidation of individual categorical grants within broad functional areas; to provide for conformity in Federal acquisition, use, and development of urban land with local government programs; to provide for uniform relocation assistance to persons and businesses affected by federally assisted real property acquisition; and to provide for a uniform land acquisition policy in Federal and federally assisted programs.

I ask unanimous consent that the bill remain at the desk for 10 days to permit other Senators to add their names as cosponsors.

Mr. President, developments in the past year have demonstrated a growing concern for the administration of Federal grant-in-aid programs. These programs, which have been described—and correctly, I think—as the most important vehicle of intergovernmental relations, now number around 220. They are concerned with, and critical to, the development of the resources of this Nation. Their growth over the past two decades is a testament to their acceptance by a vast majority of the American people. Their effects on the development of our human resources, our natural resources, and our community environment are inestimable. They are critical to the development of our Great Society.

However, the administration of this multitude of programs has severely taxed the resources of all levels of government. And the proliferation of Federal grants has put the spotlight on the federal system—that durable, but delicate balance of jurisdictions and powers that has evolved throughout our history.

Since its inception, the Subcommittee on Intergovernmental Relations has carried on a continuing study of the problems of the relationships which operate within our Federal system. In the 89th Congress, the subcommittee considered a number of proposals designed to resolve the problems associated with its findings. Several of these proposals focused on the grant-in-aid device. Others involved the problems of the inequities of property acquisition for public development programs, and the relocation of persons and businesses affected.

The Senate approved legislation in both of these areas during the 89th Congress.

INTERGOVERNMENTAL COOPERATION

First, the Intergovernmental Cooperation Act was passed by the Senate on August 5, 1965. This proposal was designed to achieve the fullest cooperation and coordination of activities between the levels of Government in order to improve the operation of our federal system. As passed by the Senate, the measure would—

First. Authorize full information for the Governors on grants made to their States and would provide for more uniform administration of Federal grant funds to the States. It would also improve the scheduling of fund transfers to the States and permit the States to budget Federal grant funds in much the same manner as they budget other revenues;

Second. Provide for congressional review of future grant programs to insure that such programs are reexamined in a systematic fashion and reconsidered in the light of changing conditions;

Third. Authorize the Federal departments and agencies to render technical assistance and training services to State and local governments on a reimbursable basis;

Fourth. Establish a coordinated intergovernmental urban assistance policy, by requiring local government review of certain applications for Federal aid in urban programs. This provision would serve to strengthen metropolitan planning machinery and encourage more orderly metropolitan growth; and

Fifth. Prescribe a uniform policy of procedure for urban land transactions and use undertaken by the General Services Administration, by requiring consistency of that agency's policies with local zoning regulations and development objectives.

As I mentioned, the Senate unanimously adopted a bill which contained these five provisions. That bill had been introduced with 42 cosponsors, and had drawn broad support from many sources, including national organizations and public officials at all levels of government. Unfortunately, the House of Representatives did not take final action on this measure.

Therefore, the bill I am introducing today contains, in titles I through V and title VII, the measure which received the unanimous consent of the Senate in the last Congress. This is a proposal of utmost importance in the improved functioning of the federal system, particularly as grant-in-aid programs affect that system. It contains all the provisions of H.R. 17955 of the 89th Congress, which the House Subcommittee on Executive and Legislative Reorganization reported to its parent committee in the last week of the 89th Congress. It also includes title V—the Senate-approved provision for periodic review of grant-in-aid programs by the Congress, which the House measure omitted. I believe this provision is a sound management technique which is badly needed and of critical importance to the overall grant system.

CONSOLIDATION OF CATEGORICAL GRANT PROGRAMS

Title VI of the bill I am introducing today contains a new proposal designed to improve the management of grant-in-aid programs. Briefly, it would authorize the President to submit to the Congress plans for the consolidation of individual categorical grants within broad functional areas and to effect the interagency transfer of administrative responsibility for grant programs, subject to the type of congressional veto proviso that governs executive reorganization plans. This proposal would involve the submission to Congress of categorical grant consolidation plans, including such modifications in apportionment formulas and allocation requirements as the President deems necessary. The Congress would accept the plans or disapprove them in a manner similar to that provided in the Reorganization Act of 1949.

Mr. President, Federal grants-in-aid are unquestionably essential and effective methods of financing and administering essential programs to achieve national objectives. But, because their number and variety have increased so rapidly in recent years, the need for coordination in their administration is persistently acute. It was pointed out, in recent hearings before the Subcommittee on Intergovernmental Relations, that over 220 Federal grants-in-aid to assist State and local governments are now administered by 16 of the 21 departments and agencies of the Federal Government. We have 50 different programs to aid general education; 57 programs for vocational and job training; 35 programs involved in housing; more than 20 programs involving transportation; 27 for utilities and services; 62 for community facilities; 32 for land use; 28 for recreational and cultural facilities.

One relatively simple example of the problems which a number of similar categorical grants produce may be found in Federal grant programs for community water supply, sewers and sewage treatment facilities. Five agencies of the Federal Government are presently involved in administering such grants:

First. The Farmers Home Administration in the Department of Agriculture;

Second. The Department of the Interior's Federal Water Pollution Control Administration;

Third. The Economic Development Administration of the Department of Commerce;

Fourth. The Appalachian Regional Commission (for communities within that Commission's jurisdiction); and

Fifth. The Land and Facilities Development Administration of the Department of Housing and Urban Development.

In this particular group of aids, the agencies concerned have worked out arrangements which are designed to minimize administrative confusion. But during our recent subcommittee hearings, it became evident that confusion continues to characterize the administration of these programs. The simple form 101, by which local officials attempt to present their case for Federal aid, cannot be filled out until the local official has carefully read—and understood—four pages of closely typed instructions. Judging from a number of examples of cases of grant applications from which local officials have had no response—for sometimes as long as 2 years—I think it can safely be said that improvements in their administration are imperative. This may require action beyond voluntary cooperation among the agencies involved.

Title VI of my proposed bill would give the President the authority he needs to consolidate these programs—subject to congressional review—if he determines such action would improve their administration.

Mr. President, this proposed title has been suggested by the Advisory Commission on Intergovernmental Relations. It has been studied carefully by the Commission's experts, and I believe it merits the Senate's serious consideration. I believe the Congress itself provided a precedent for such a consolidation of programs when it enacted the Comprehensive Health Planning and Public Health Service Amendments of 1966. I hope this proposal will be seriously considered as a means to more effective management of these important grant programs.

UNIFORM RELOCATION

Mr. President, the bill I am introducing today contains two other important titles. The first of these—title VIII—is concerned with a program of uniform relocation assistance for those forced to relocate as a result of the acquisition of real property for Federal and federally aided public improvement programs.

Title VIII is not a new measure in this body. I introduced it as S. 1681 in the 89th Congress. It was passed unanimously by the Senate in July 1966 and subsequently was referred to the House Committee on Public Works, where no action was taken.

Very briefly, this title would provide a policy of uniform treatment for the thousands of individuals who are affected every year by such Government projects as urban renewal and highways.

Mr. President, relocation is a serious and growing problem in the United States. Federal and federally aided programs are displacing approximately 111,000 families and individuals, 18,000 businesses and nonprofit organizations, and 4,000 farm operators each year. The pace of Federal programs indicates this trend will continue. Federally assisted programs alone—mostly urban renewal and highway programs—displace about 96 percent of the families and individuals, 96 percent of the businesses, and 34 percent of the farms affected by land acquisition.

The uniform relocation bill passed by the Senate in the last Congress was the result of an intensive study conducted by the House Select Subcommittee on Real Property Acquisition of the Public Works Committee and by the Advisory Commission on Intergovernmental Relations in cooperation with the U.S. Conference of Mayors, as well as by our own Subcommittee on Intergovernmental Relations.

These studies revealed serious inconsistencies among Federal and federally assisted programs with respect to the amount and scope of relocation payments and advisory assistance. For instance, a homeowner whose property is taken for a federally aided urban renewal project is entitled to moving costs up to $200. His neighbor, whose property is taken for a federally aided highway program, is also entitled to $200 but only if the State has authorized participation in the Federal relocation program. Inconsistency in payments for business moving expenses is even greater. Here, the Federal-Aid Highway Act allows such expenses only up to $3,000, whereas displacement by a federally aided urban renewal project entitles the businessman up to $25,000 for moving costs. Finally, urban renewal provides fairly comprehensive advice and counseling to business and individuals; the Federal highway program provides no such service.

Among other findings in the studies to which I referred is the fact that the single greatest problem in relocating families and individuals is the shortage of standard housing for low-income groups. Small businesses—particularly those owned and operated by the elderly, such as "Mom and Pop" grocery stores—are major casualties. They have less capital, find it more difficult to secure outside financing, and need assistance to supplement their energy or spirit to resume business in a new location.

Advisory assistance is of growing importance in the relocation process. The poor, the nonwhite, the elderly, and the small business people all need intensive counseling to prepare them for, and to help them carry out, their move.

With the continued growth of Government property acquisition, there has been more, and more concern that relocation programs be made more uniform, and more equitable. Both Presidents Kennedy and Johnson have expressed concern over the human costs and the lack of uniformity in relocation of both families and business.

Title VIII of the bill I am introducing would establish uniform relocation payments, and advisory assistance programs for those displaced by Federal and federally assisted programs. Compliance with these relocation requirements would be a condition in Federal grants to State and local governments. The bill would impose on all federally assisted programs the present urban renewal requirement that no property acquisition project may proceed until there is assurance of available standard housing for those displaced.

It would provide full Federal reimbursement of relocation payments up to a maximum of $25,000; and above that, Federal sharing according to the project's cost-sharing formula. Urban renewal and public housing now pay up to $25,000, fully reimbursed by the Federal Government, for business moving expenses. The Federal highway program now allows only up to $3,000 for businesses reimbursed by the Federal Government on a 90–10 basis for interstate, and 50–50 for primary-secondary highways. Today's measure would thus make Federal reimbursement 100 percent up to $25,000, and would assure that relocation payments will be made by those States where highway displacees are not now entitled to such payments.

Mr. President, I believe the features of this relocation assistance title of the bill I am introducing today, which were passed unanimously by this body last summer, are of utmost importance to the welfare of those who are adversely affected by Federal and federally assisted programs.

URBAN LAND ACQUISITION POLICY

The final title of this legislation—title IX—provides for the establishment of a uniform policy for the acquisition of real property by Federal Government agencies and by State agencies using Federal funds for public improvement programs.

Mr. President, this title follows the legislative recommendation introduced by Senator SPARKMAN in the last Congress as S. 1201. His original proposal combined both a relocation assistance program and one dealing with a uniform acquisition policy for real estate in Federal and federally assisted programs. It is the latter of these two proposals by Senator SPARKMAN that is incorporated in title IX. Hearings were held on this proposal before the Subcommittee on Intergovernmental Relations in late June and early July of 1965. Title IX was drafted to include most of the recommendations made to the subcommittee by the Departments of Defense, Commerce, and Justice, and the Bureau of the Budget.

As I mentioned in my discussion of the need for uniform relocation assistance policy in Federal and federally assisted programs, growing activity in development programs aided by Federal funds will continue to affect large numbers of property owners each year.

Studies, particularly the one conducted by the Select Subcommittee on Real Property Acquisition, reveal that widespread and serious inequities are found in the acquisition of real property in public development programs. The select subcommittee's study revealed that, in many cases, Federal agencies acquired land at less than the agency-approved appraisals. This is true of some acquisitions by States and localities using Federal funds.

In some jurisdictions, it was found that property owners are, in effect, penalized for lowered market values which result from preliminary announcement of a proposed project; in other instances, the public is compelled to pay higher prices for properties whose values are increased by announcements of a proposed project.

Mr. President, title IX of this bill would institute a uniform policy to guide Federal and federally aided land acquisitions. This is a matter of equity which ought to be an overriding consideration in such acquisitions.

I should say that this title, so far, has not yet been formally endorsed by the Senate as have most of the other titles in the bill. But I believe it is of utmost importance in restoring a measure of assurance to property owners faced with acquisition of their property by the Government. They should be able to expect equitable treatment.

Mr. President, I realize that the bill I am introducing is long and, at first glance, complicated. But as I have said, most of its provisions have already been accepted—unanimously—by this body. Only titles VI and IX are new, and I hope they will be thoroughly studied by all Members.

Mr. President, I ask unanimous consent that the text of the bill be reprinted in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Maine.

The bill (S. 698) to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to provide for periodic Congressional review of Federal grants-in-aid, to permit provision of reimbursable technical services to State and local government, to establish coordinated intergovernmental policy and administration of grants and loans for urban development, to authorize the administration of grants and loans for urban development, to authorize the consolidation of certain grant-in-aid programs, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to establish a uniform relocation assistance policy, to establish a uniform land acquisition policy for Federal and federally aided programs, and for other purposes, introduced by Mr. MUSKIE (for himself, Mr. BOGGS, Mr. JACKSON, Mr. MUNDT, and Mr. MOSS), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 698

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act be cited as the "Intergovernmental Cooperation Act of 1967."

TITLE I—DEFINITIONS

When used in this Act—

FEDERAL AGENCY

SEC. 101. The term "Federal agency" means any department, agency, or instrumentality in the executive branch of the Government and any wholly owned Government corporation; and for the purposes of title VIII, the Architect of the Capitol.

STATE

SEC. 102. The term "State" means any of the several States of the United States, the District of Columbia, Puerto Rico, any territory or possession of the United States, or any agency or instrumentality of a State, but does not include the governments of the political subdivisions of the State. For the purposes of title VIII and title IX the term "State" does include such political subdivisions.

POLITICAL SUBDIVISION OR LOCAL GOVERNMENT

SEC. 103. The term "political subdivision" or "local government" means a local unit of government, including specifically a county, municipality, city, town, township, or a school or other special district created by or pursuant to State law.

UNIT OF GENERAL LOCAL GOVERNMENT

SEC. 104. "Unit of general local government" means any city, county, town, parish, village, or other general-purpose political subdivision of a State.

SPECIAL-PURPOSE UNIT OF LOCAL GOVERNMENT

SEC. 105. "Special-purpose unit of local government" means any special district, public-purpose corporation, or other strictly limited-purpose political subdivision of a State, but shall not include a school district.

GRANT OR GRANT-IN-AID

SEC. 106. The term "grant" or "grant-in-aid" means money, or property provided in lieu of money, paid or furnished by the United States under a fixed annual or aggregate authorization—

(A) to a State; or

(B) to a political subdivision of a State; or

(C) to a beneficiary under a State-administered plan or program which is subject to approval by a Federal agency;

if such authorization either (i) requires the States or political subdivisions to expend non-Federal funds as a condition for the receipt of money or property from the United States; or (ii) specifies directly, or establishes by means of a formula, the amounts which may be paid or furnished to States or political subdivisions, or the amounts to be allotted for use in each of the States by the States, political subdivisions, or other beneficiaries. The term does not include (1) shared revenues; (2) payments of taxes; (3) payments in lieu of taxes; (4) loans or repayable advances; (5) surplus property or surplus agricultural commodities furnished as such; (6) payments under research and development contracts or grants which are awarded directly and on similar terms to all qualifying organizations, whether public or private; or (7) payments to States or political subdivisions as full reimbursement for the costs incurred in paying benefits or furnishing services to persons entitled thereto under Federal laws.

FEDERAL FINANCIAL ASSISTANCE

SEC. 107. The term "Federal financial assistance" does not include any annual payment by the United States to the District of Columbia authorized by article VI of the District of Columbia Revenue Act of 1947 (D.C. Code, secs. 47-2501a and 47-2501b).

SPECIALIZED OR TECHNICAL SERVICES

SEC. 108. "Specialized or technical services" means special statistical and other studies and compilations, development projects, technical tests and evaluation, technical information, training activities, surveys, reports, documents, and any other similar service functions which the Secretary of any department or the administrative head of any agency of the executive branch of the Federal Government is authorized by law to perform.

COMPREHENSIVE PLANNING

SEC. 109. "Comprehensive planning," except in title VI, includes the following, to the extent directly related to area needs or needs of a unit of general local government: (A) preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities, including transportation facilities; (B) programing of capital improvements based on a determination of relative urgency; (C) long-range fiscal plans for implementing such plans and programs; and (D) proposed regulatory and administrative measures which aid in achieving coordination of all related plans of the departments or subdivisions of the governments concerned and intergovernmental coordination of related planned activities among the State and local governmental agencies concerned.

URBAN DEVELOPMENT

SEC. 110. "Urban development" means all projects or programs for the acquisition, use, and development of open-space land; and the planning and construction of hospitals, libraries, airports, water supply and distribution facilities, sewerage facilities and waste treatment works, transportation facilities, highways, water development and land conservation, and other public works facilities.

STATE AGENCY

SEC. 111. For the purposes of titles VIII and IX, the term "State agency" means any agency or instrumentality created by a State, or by a political subdivision of a State or by agreement between two or more States or by two or more political subdivisions of a State or States.

HEAD OF AGENCY

SEC. 112. The term "head of a Federal agency" or "head of a State agency" includes a duly designated delegate of such agency head.

DISPLACED PERSON

SEC. 113. The term "displaced person" means—

(1) any person who is the owner of a business which moves from real property or is discontinued on or after the effective date of this Act as a result of the acquisition or reasonable expectation of acquisition of such real property, in whole or in part, by a Federal or State agency;

(2) any person who is the farm operator of a farm operation which moves from real property or is discontinued on or after the effective date of this Act as a result of the acquisition or reasonable expectation of acquisition of such real property, in whole or in part, by a Federal or State agency;

(3) any individual who is the head of a family which moves from real property occupied as a dwelling on or after the effective date of this Act, as a result of the acquisition or reasonable expectation of acquisition of such real property, in whole or in part, by a Federal or State agency, or which moves from such dwelling as a result of the acquisition or reasonable expectation of acquisition by such Federal or State agency of other real property on which such family conducts a business or farm operation;

(4) any individual, not a member of a family, who moves from real property occupied as a dwelling on or after the effective date of this Act, as a result of the acquisition or reasonable expectation of acquisition of such real property, in whole or in part, by a Federal or State agency, or who moves from such dwelling as a result of the acquisition or reasonable expectation of acquisition by such Federal or State agency, of other real property on which such individual conducts a business or farm operation; and

(5) any individual, not described in paragraph (1), (2), (3), or (4) of this section, who moves his personal property from real property on or after the effective date of this Act as a result of the acquisition or reasonable expectation of acquisition of such real property, in whole or in part, by a Federal or State agency: *Provided,* That this shall

not include the owner of property on the premises of another under a lease or licensing arrangement where such owner is required pursuant to such lease or license to move such property at his own expense.

BUSINESS

SEC. 114. The term "business" means any lawful activity conducted primarily (1) for the purchase and resale of products, commodities, or any other personal property; (2) for the manufacture, processing, or marketing of any such property; (3) for the sale of services to the public; or (4) by a nonprofit organization. Such term does not include the activity of an investor in acquiring or holding real property for resale for gain.

FARM OPERATION

SEC 115. The term "farm operation" means any activity conducted solely or primarily for the production of one or more agricultural products or commodities for sale and home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

FARM OPERATOR

SEC. 116. The term "farm operator" means any owner, part owner, tenant, or sharecropper who operates a farm.

FAMILY

SEC. 117. The term "family" means two or more individuals living together in the same dwelling unit who are related to each other by blood, marriage, or adoption.

ELDERLY INDIVIDUAL

SEC. 118. The term "elderly individual" means a person, not a member of a family, who is sixty-two years of age or over.

HANDICAPPED INDIVIDUAL

SEC. 119. The term "handicapped individual" means a person, not a member of a family, who is handicapped within the meaning of section 202 of the Housing Act of 1959.

DISPLACED

SEC. 120. The term "displaced", when used in relation to any person, means any person moved or to be moved from real property on or after the effective date of this Act as a result of the acquisition or reasonable expectation of acquisition of such property for a public improvement constructed or developed by or with funds provided in whole or in part by the Federal Government.

OWNER AND PERSON

SEC. 121. The terms "owner" and "person" mean any individual, and any partnership, corporation, or association.

TITLE II—IMPROVED ADMINISTRATION OF GRANTS-IN-AID TO THE STATES

FULL INFORMATION OF FUNDS RECEIVED

SEC. 201. Any department or agency of the United States Government which administers a program of grants-in-aid to any of the State governments of the United States shall, upon request, notify in writing the Governor or other official designated by him, or the State legislature, of the purpose and amounts of actual grants-in-aid to the State.

DEPOSIT OF GRANTS-IN-AID

SEC. 202. No grant-in-aid to a State shall be required by Federal law to be deposited in a separate bank account apart from other funds administered by the State. All Federal grant-in-aid funds made available to the States shall be properly accounted for as Federal funds in the accounts of the State. In each case the State agency concerned shall render regular authenticated reports to the appropriate Federal agency covering the status and the application of the funds, the liabilities and obligations on hand, and such other facts as may be required by said Federal agency.

SCHEDULING OF FEDERAL TRANSFERS TO THE STATES

SEC. 203. Heads of Federal departments and agencies responsible for administering grant-in-aid programs shall schedule the transfer of grant-in aid funds consistent with program purposes and applicable Treasury regulations, so as to minimize the time elapsing between the transfer of such funds from the United States Treasury and the disbursement thereof by a State, whether such disbursement occurs prior to or subsequent to such transfer of funds. States shall not be held accountable for interest earned on grant-in-aid funds, pending their disbursement for program purposes.

ELIGIBLE STATE AGENCY

SEC. 204. Notwithstanding any other Federal law which provides that a single State agency or multimember board or commission must be established or designated to administer or supervise the administration of any grant-in-aid program, the head of any Federal department or agency may, upon request of the Governor or other appropriate executive or legislative authority of the State responsible for determining or revising the organizational structure of State government, waive the single State agency or multimember board or commission provision upon adequate showing that such provision prevents the establishment of the most effective and efficient organizational arrangements within the State government and approve other State administrative structure or arrangements: *Provided*, That the head of the Federal department or agency determines that the objectives of the Federal statute authorizing the grant-in-aid program will not be endangered by the use of such other State structure or arrangements.

TITLE III—PERMITTING FEDERAL DEPARTMENTS AND AGENCIES TO PROVIDE SPECIAL OR TECHNICAL SERVICES TO STATE AND LOCAL UNITS OF GOVERNMENT

STATEMENT OF PURPOSE

SEC. 301. It is the purpose of this title to encourage intergovernmental cooperation in the conduct of specialized or technical services and provision of facilities essential to the administration of State or local governmental activities, many of which are nationwide in scope and financed in part by Federal funds; to enable State or local governments to avoid unnecessary duplication of special service functions; and to authorize all departments and agencies of the executive branch of the Federal Government which do not have such authority to provide specialized or technical services to State and local governments.

AUTHORITY TO PROVIDE SERVICE

SEC. 302. The Secretary of any department or the administrative head of any agency of the executive branch of the Federal Government is authorized within his discretion, upon written request from a State or political subdivision thereof, to provide specialized or technical services, upon payment to the department or agency by the unit of government making the request, of salaries and all computable overhead and indirect costs of performing such services: *Provided, however*, That such services shall include only those which the Director of the Bureau of the Budget through rules and regulations, determines may be provided by Federal departments and agencies. Such rules and regulations shall be consistent with and in furtherance of the Government's policy of relying on the private enterprise system to provide those services which are reasonably and expeditiously available through ordinary business channels.

REIMBURSEMENT OF APPROPRIATION

SEC. 303. All moneys received by any department or agency of the executive branch of the Federal Government, or any bureau or other administrative division thereof, in payment for furnishing specialized or technical services as authorized under section 302 shall be deposited to the credit of the principal appropriation from which the cost of providing such services has been paid or is to be charged, or to the appropriation currently available for the cost of similar services.

REPORTS TO CONGRESS

SEC. 304. The Secretary of any department or the administrative head of any agency of the executive branch of the Federal Government shall furnish annually to the respective Committees on Government Operations of the Senate and House of Representatives a summary report on the scope of the services provided under the administration of this title.

RESERVATION OF EXISTING AUTHORITY

SEC. 305. This title is in addition to and does not supersede any existing authority now possessed by any Federal department or agency with respect to furnishing services, whether on a reimbursable or nonreimbursable basis, to State and local units of government.

TITLE IV—COORDINATED INTERGOVERNMENTAL POLICY AND ADMINISTRATION OF GRANTS FOR URBAN DEVELOPMENT

DECLARATION OF URBAN ASSISTANCE POLICY

SEC. 401. (a) The economic and social development of the Nation, its strength in world affairs and the achievement of satisfactory levels of living depend in large degree upon the sound and orderly development of urban communities. In pursuit of this basic objective, the President shall establish rules and regulations for uniform application in the formulation, evaluation, and review of urban development programs and projects for the provision of federally aided urban facilities, and Federal projects having a significant impact on the development of urban and urbanizing communities. Such rules and regulations shall provide for full consideration of the concurrent achievement of the following specific objectives of urban development, and, to the extent authorized by law, reasoned choices shall be made between such objectives when they conflict:

(1) Appropriate land uses for residential, commercial, industrial, governmental, institutional, and other purposes.

(2) Wise development and conseravtion of natural resources, including land, water, minerals, wildlife, and others;

(3) Balanced transportation systems, including highway, air, water, pedestrian, mass transit, and other modes for the movement of people and goods;

(4) Adequate outdoor recreation and open space;

(5) Protection of areas of unique natural beauty, historical and scientific interest;

(6) Properly planned community facilities, including utilities for the supply of power, water, and communications, for the safe disposal of wastes, and for other purposes;

(7) Any other objective through which urban development activities can contribute to the economic, social, and cultural development of the Nation, its strength in world affairs, and the achievement of enhanced levels of living; and

(8) Concern for high standards of design.

(b) All viewpoints—national, regional, State, and local—shall, to the extent possible, be fully considered and taken into account in planning urban development programs and projects. Regional, State, and local government objectives shall be considered and evaluated within a framework of national public objectives, and available projections of future national conditions and needs of regions, States, and localities shall be considered in plan formulation, evaluation, and review.

(c) To the maximum extent possible, consistent with national objectives, all Federal aid for urban development purposes shall be consistent with and further the objectives of State and local government comprehensive planning for urban development. Consideration shall be given to all developmental aspects of the total urban community, including but not limited to housing, transportation, economic development, natural resources development, community facilities, and the general improvement of living environments.

(d) Each Federal department and agency administering an urban development aid program shall, to the maximum extent practicable, consult with and seek advice from all other significantly affected Federal departments and agencies in an effort to assure fully coordinated programs.

(e) Insofar as possible, systematic planning required by individual Federal programs (such as highway contruction, urban renewal, and open space) shall be coordinated with and made part of comprehensive local and areawide urban development planning.

FAVORING UNITS OF GENERAL LOCAL GOVERNMENT

SEC. 402. Where Federal law provides that both special-purpose units of local government and units of general local government are eligible to receive loans or grants-in-aid for urban development, heads of Federal departments and agencies shall, in the absence of substantial reasons to the contrary, make such loans or grants-in-aid for urban development to units of general local government rather than to special-purpose units of local government.

RULES AND REGULATIONS

SEC. 403. The Bureau of the Budget or such other agency as may be designated by the President is hereby authorized to prescribe such rules and regulations as are deemed appropriate for the effective administration of this title.

TITLE V—CONGRESSIONAL REVIEW OF FEDERAL GRANTS-IN-AID TO STATES AND TO LOCAL UNITS OF GOVERNMENT

STATEMENT OF PURPOSE

SEC. 501. It is the purpose and intent of this title to establish a uniform policy and procedure whereby programs for grant-in-aid assistance from the Federal Government to the States or to their political subdivisions which may be enacted hereafter by the Congress shall be made the subject of sufficient subsequent review by the Congress to insure that (1) the effectiveness of grants-in-aid as instruments of Federal-State-local cooperation is improved and enhanced; (2) grant programs are revised and redirected as necessary to meet new conditions arising subsequent to their original enactment; and (3) grant programs are terminated when they have substantially achieved their purpose. It is further the purpose and intent of this title to provide for continuing review of existing Federal programs for grant-in-aid assistance to the States or their political subdivisions by the Comptroller General with a view to the formulation of recommendations to assist the Congress in making changes in requirements and procedures applicable to such programs in the interest of eliminating areas of conflict and duplication in program operations and achieving more efficient, effective, and economical administration of such programs, and greater uniformity in the operation thereof.

EXPIRATION OF GRANT-IN-AID PROGRAMS

SEC. 502. Where any Act of Congress enacted in the Ninety-first or any subsequent Congress authorizes the making of grants-in-aid to two or more States or to political subdivisions of two or more States and no expiration date for such authority is specified by law, and such grant is not specifically exempted from the provisions of this title, then the authority to make grants-in-aid by reason of such Act to States, political subdivisions, and other beneficiaries from funds not therefore obligated shall expire not later than June 30 of the fifth calendar year which begins after the effective date of such Act.

COMMITTEE STUDIES OF GRANT-IN-AID PROGRAMS

SEC. 503. Where any Act of Congress enacted in the Ninety-first or any subsequent Congress authorizes the making of grants-in-aid over a period of three or more years to two or more States or to political subdivisions of two or more States, then during the period beginning not later than twelve months immediately preceding the date on which such authority is to expire, the committees of the Senate and of the House to which legislation extending such authority would be referred shall, separately or jointly, conduct studies of the program under which such grants-in-aid are made with a view to ascertaining, among other matters of concern to the committees, the following:

(1) The extent to which the purposes for which the grants-in-aid are authorized have been met;

(2) The extent to which such programs can be carried on without further financial assistance from the United States;

(3) Whether or not any changes in purpose, direction, or administration of the original program, or in procedures and requirement applicable thereto, to conform to recommendations by the Comptroller General under section 504, should be made;

(4) Whether or not any changes in purpose, direction, or administration of the original program should be made in the light of reports and recommendations submitted on request by the Advisory Commission on Intergovernmental Relations; and

(5) The extent to which such grant-in-aid programs are adequate to meet the growing and changing needs which they were designed to support.

Each such committee shall report the results of its investigation and study to its respective House not later than one hundred and twenty days before such authority is due to expire.

STUDIES BY COMPTROLLER GENERAL OF FEDERAL GRANT-IN-AID PROGRAMS

SEC. 504. The Comptroller General shall make continuing studies of presently existing and all future programs for grant-in-aid assistance from the Federal Government to the States or their political subdivisions concerning the extent to which programs conflict and duplication can be eliminated and more effective, efficient, economical, and uniform administration of such programs could be achieved by changing certain requirements and procedures applicable thereto.

In reviewing such programs the Comptroller General shall consider, among other relevant matters, the equalization formulas, and the budgetary, accounting, reporting, and administrative procedures applicable to such programs. Reports on such studies, together with recommendations, shall be submitted by the Comptroller General to the Congress. Reports on expiring programs should, to the extent practicable, be submitted in the year prior to the date set for their expiration.

STUDIES BY ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SEC. 505. Upon request of any committee referred to in section 503, the Advisory Commission on Intergovernmental Relations (established by Public Law 86–380 as amended) shall, during the same period referred to in such section, conduct studies of the intergovernmental relations aspects of programs which are subject to the provisions of such section, including (1) the impact of such programs, if any, on the structural organization of State and local governments and on Federal-State-local fiscal relations, and (2) the coordination of Federal administration of such programs with State and local administration thereof, and shall report its findings and recommendations to such committee.

RECORDS AND AUDIT

SEC. 506. (a) Each State or political subdivision thereof receiving assistance under (1) any Act of Congress enacted after the effective date of this Act which provides for a grant-in-aid from the United States to a State or a political subdivision thereof, or (2) any new grant-in-aid agreement, or extension, modification, or alteration of any existing grant-in-aid agreement pursuant to existing law shall keep such records as the Federal agency administering such grant may prescribe, including records which fully disclose the amount and disposition by such recipient of such grant-in-aid, the total cost of the project or undertaking in connection with which such grant-in-aid is given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The head of the Federal agency administering such grant and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of such recipients that are pertinent to the grants received.

TITLE VI—CONSOLIDATION OF GRANT-IN-AID PROGRAMS

STATEMENT OF PURPOSE

SEC. 601. (a) The President shall from time to time examine the various programs of grants-in-aid provided by law and shall determine what consolidations are necessary or desirable—

(1) to promote the better execution and efficient management of individual grant programs within the same functional area;

(2) to provide better coordination among individual grant programs within the same functional area; or

(3) to promote more efficient planning and use by the recipients of grants under programs within the same functional area.

(b) The Congress declares that the public interest demands the carrying out of the purposes of subsection (a) and that the purposes may be accomplished in great measure by proceeding under this title, and can be accomplished more speedily thereby than by the enactment of specific legislation.

PREPARATION AND TRANSMITTAL OF PLAN

SEC. 602. (a) When the Presdent, after investigation, finds that a consolidation of individual grant-in-aid programs within the same functional area is necessary or desirable to accomplish one or more of the purposes set forth in section 601(a), he shall prepare a grant consolidation plan for the making of such consolidation, and shall transmit such plan (bearing an identification number) to the Congress, together with a declaration that with respect to each individual program consolidated under such plan, he has found that the consolidation is necessary or desirable to accomplish one or more of the purposes set forth in section 601(a). Each such consolidation plan so transmitted—

(1) shall place responsibility in a single agency for administration of the consolidated program, and

(2) shall specify in detail the formula or formulas for the making of grants under the consolidated program, and shall set forth the differences between such formula or formulas and the formula for making grants under each of the individual programs consolidated under such plan.

(b) Each grant consolidation plan shall provide for only one consolidation of individual grant programs.

(c) The President shall have a grant consolidation plan delivered to both Houses on the same day and to each House while it is in session.

CONGRESSIONAL CONSIDERATION

Sec. 603. (a) Except as otherwise provided in subsection (c), a grant consolidation plan shall become effective at the end of the first period of ninety calendar days of continuous session of the Congress after the date on which the plan is transmitted to it unless, between the date of transmittal and the end of the ninety-day period, either House passes a resolution stating in substance that the House does not favor the grant consolidation plan.

(b) For purposes of subsection (a)—

(1) continuity of session is broken only by an adjournment of the Congress sine die, and

(2) the days on which either House is not in session because of an adjournment of more than three days to a day certain shall be excluded in the computation of the ninety-day period.

(c) Under provisions contained in a grant consolidation plan, a provision of such plan may become effective at a time later than the date on which such plan becomes effective under subsection (a).

(d) A grant consolidation plan which becomes effective shall be printed (1) in the Statutes at Large in the same volume as the public laws and (2) in the Federal Register.

Sec. 604. (a) This section is enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions described in subsection (b); and it supersedes other rules only to the extent that it is inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(b) The provisions of sections 910 through 913 of title 5 of the United States Code shall apply with respect to a grant consolidation plan and, for such purposes—

(1) all references in such sections to "reorganization plan" shall be treated as referring to "grant consolidation plan", and

(2) all references in such sections to "resolution" shall be treated as referring to a resolution of either House of the Congress, the matter after the resolving clause of which is as follows: "That the ______ does not favor the grant consolidated plan numbered ______ transmitted to the Congress by the President on ______, 19__.", the first blank therein being filled with the name of the resolving House and the other blank spaces therein being appropriately filled.

EXPIRATION DATE

Sec. 605. The authority of the President under section 602 to transmit grant consolidation plans shall expire three years after the date of the enactment of this Act.

TITLE VII—ACQUISITION, USE, AND DISPOSITION OF LAND WITHIN URBAN AREAS BY FEDERAL AGENCIES IN CONFORMITY WITH LAND UTILIZATION PROGRAMS OF AFFECTED LOCAL GOVERNMENT

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

Sec. 701. The Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.), is amended by adding at the end thereof a new title as follows:

"TITLE VIII—URBAN LAND UTILIZATION

"SHORT TITLE

"Sec. 801. This title may be cited as the 'Federal Urban Land-Use Act'.

"DECLARATION OF PURPOSE AND POLICY

"Sec. 802. It is the purpose of this title to promote more harmonious intergovernmental relations by prescribing uniform policies and procedures whereby the Administrator shall acquire, use, and dispose of land in urban areas in order that urban land transactions entered into for the General Services Administration or on behalf of other Federal agencies shall be consistent with zoning and land-use practices and shall be made to the greatest extent in accordance with planning and development objectives of the local governments and local planning agencies concerned.

"DISPOSAL OF URBAN LANDS

"Sec. 803. (a) Whenever the Administrator contemplates the disposal for or on behalf of any Federal agency of any real property situated within an urban area, he shall, prior to offering such land for sale, give reasonable notice to the head of the governing body of the unit of general local government having jurisdiction over zoning and land-use regulation in the geographical area within which the land or lands are located in order to afford the government the opportunity of zoning for the use of such land in accordance with local comprehensive planning.

"(b) The Administrator, to the greatest practical extent, shall furnish to all prospective purchasers of such real property, full and complete information concerning—

"(1) current zoning regulations and prospective zoning requirements and objectives for such property when it is unzoned; and

"(2) current availability to such property of streets, sidewalks, sewers, water, street lights, and other service facilities and prospective availability of such services if such property is included in comprehensive planning.

"ACQUISITION OR CHANGE OF USE OF REAL PROPERTY

"Sec. 804. (a) To the extent practicable, prior to a commitment to acquire any real property situated in an urban area, the Administrator shall notify the unit of general local government exercising zoning and land-use jurisdiction over the land proposed to be purchased of his intent to acquire such land and the proposed use of the property. In the event that the Administrator determines that such advance notice would have an adverse impact on the proposed purchase, he shall, upon conclusion of the acquisition, immediately notify such local government of the acquisition and the proposed use of the property.

"(b) In the acquisition or change of use of any real property situated in an urban area as a site for public building, the Administrator shall, to the extent he determines practicable—

"(1) consider all objections made to any such acquisition or change use by such unit of government upon the ground that the proposed acquisition of use conflicts or would conflict with the zoning regulations or planning objectives of such units; and

"(2) comply with and conform to such regulations of the unit of general local government having jurisdiction with respect to the area within which such property is situated and the planning and development objectives of such local government.

"Sec. 805. The procedures prescribed in sections 803 and 804 may be waived during any period of national emergency proclaimed by the President.

"DEFINITIONS

"Sec. 806. As used in this title—

"(a) 'Unit of general local government' means any city, county, town, parish, village, or other general-purpose political subdivision of a State.

"(b) 'Urban area' means—

"(1) any geographical area within the jurisdiction of any incorporated city, town, borough, village, or other unit of general local government, except county or parish, having a population of ten thousand or more inhabitants;

"(2) that portion of the geographical area within the jurisdiction of any county, town, township, or similar governmental entity which contains no incorporated unit of general local government but has a population density equal to or exceeding one thousand five hundred inhabitants per square mile; and

"(3) that portion of any geographical area having a population density equal to or exceeding one thousand five hundred inhabitants per square mile and situated adjacent to the boundary of any incorporated unit of general local government which has a population of ten thousand or more inhabitants.

"(c) 'Comprehensive planning' includes the following, to the extent directly related to the needs of a unit of general local government:

"(1) preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities including transportation facilities, together with long-range fiscal plans for such development;

"(2) programing of capital improvements based on a determination of relative urgency, together with definitive financing plans for the improvement to be constructed in the earlier years of the program;

"(3) coordination of all related plans of the department or subdivisions of the government concerned;

"(4) intergovernmental coordination of related planning activities among the State and local governmental agencies concerned; and

"(5) preparation of regulatory and administrative measures in support of the foregoing."

TITLE VIII—UNIFORM RELOCATION ASSISTANCE

DECLARATION OF POLICY

Sec. 801. The purpose of this Act is to establish a uniform policy for the fair and equitable treatment of owners, tenants, and other persons displaced by the acquisition of real property in Federal and federally assisted programs. Such a policy shall be as uniform as practicable as to (1) relocation payments, (2) advisory assistance, (3) assurance of availability of standard housing, and (4) Federal reimbursement for relocation payments under federally assisted programs.

Part A.—Federal Programs

RELOCATION PAYMENTS

Sec. 802. (a) If the head of any Federal agency acquires real property for public use in a State, he shall make fair and reasonable relocation payments to displaced persons in accordance with the regulations established by the President under section 805 of this Act.

(b) If any displaced person who moves or discontinues his business elects to accept the payment authorized by this subsection in lieu of the payment authorized for such business by subsection (a) of this section, the head of such Federal agency shall make a fixed relocation payment to such person in an amount equal to the average annual net earnings of the business, or $5,000, whichever is the lesser. No payment shall be made under this subsection unless the head of such agency is satisfied that the business (1) cannot be relocated without a substantial loss of its existing patronage, and (2) is not part of a commercial enterprise having at least one other establishment, not being acquired by the United States, which is engaged in the same or similar business. For purposes of this subsection, the term "average annual net earnings" means one-half of any net earnings of the business, before Federal, State, and local income taxes, during the two taxable years immediately preceding the taxable year in which such business moves from the real property acquired by the United States and includes any compensation paid by the business to the owner, his spouse, or his dependent children during such two-year period. Such earnings and compensation shall be established by Federal income tax returns filed by such business and its owner and his spouse and dependent children for such two taxable years.

(c) If any displaced person who moved from a dwelling elects to accept the payments authorized by this subsection in lieu of the payments authorized by subsection (a) of this section for moving from such dwelling, the head of such Federal agency shall make the following fixed relocation payments to such person:

(1) A moving expense allowance, determined according to a schedule established by the head of such agency, not to exceed $200;

(2) A dislocation allowance equal to the amount paid under paragraph (1) of this subsection or $100, whichever is the lesser;

(3) An additional payment of $300 if the displaced person purchases a dwelling for the purpose of residence within one year from the date of actual displacement except that such displaced person shall only be eligible for payment under this subsection when the dwelling purchased is situated upon real estate in which such person acquires fee title, life estate, ninety-nine-year lease, or other type of long-term lease equivalent to fee ownership; and

(d) If any displaced person who moves or discontinues a farm operation elects to accept the payment authorized by this subsection in lieu of the payment authorized for such farm operation by subsection (a) of this section, the head of such Federal agency shall make a fixed relocation payment to such person in the amount of $1,000. In the case where the entire farm operation is not acquired by such Federal agency, the payment authorized by this subsection shall be made only if the head of such agency determines that the remainder property is no longer an economic unit.

(e)(1) In addition to any amount under subsections (a), (b), (c), and (d) of this section, the head of such Federal agency may pay to or on behalf of any displaced family, displaced elderly individual, or displaced handicapped individual, monthly payments over a period not to exceed twenty-four months in an amount not to exceed $500 in the first twelve months and $500 in the second twelve months to assist such displaced family or individual to secure a decent, safe, and sanitary dwelling. Subject to the limitation imposed by the preceding sentence, the additional payment shall be an amount which, when added to 20 per centum of the annual income of the displaced individual or family at the time of displacement, equals the average annual rental required for such a decent, safe, and sanitary dwelling of modest standards adequate in size to accommodate the displaced individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities: *Provided*, That such payment shall be made only to an individual or family who is unable to secure a dwelling unit in a low-rental housing project assisted under the United States Housing Act of 1937, or under a State or local program found by the Secretary of Housing and Urban Development to have the same general purposes as the Federal program under such Act, or a dwelling unit assisted under section 101 of the Housing and Urban Development Act of 1965.

(2) The Secretary of Housing and Urban Development shall make the determinations under this subsection on the amount of assistance according to family size, family or individual income, average rents required, or similar considerations for all agencies making such payments.

(3) The additional payments under this subsection may be paid on a lump sum or other than monthly basis in cases in which the small size of the payments that would otherwise be required do not warrant a number of separate payments or in other cases in which other than monthly payments are determined warranted by the head of the Federal agency.

(4) No payment received under this subsection shall be considered as income for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal act.

(f) All functions performed under this section shall be subject to the operation of the Act of June 11, 1946 (60 Stat. 237), as amended (5 U.S.C. 1001–1011). Any displaced person adversely affected or aggrieved by the operation of this section after the effective date of this Act may institute in the district court of the United States for the judicial district in which such claimant resides or in which such claim first arose an action for the review of such determination. Upon the filing of such action, such court shall have jurisdiction to hear and determine such action and to enter therein such judgment, decree, or order as it shall deem appropriate and may modify such determination upon a showing that such determination was arbitrary, capricious, or in violation of standards applicable to such determinations in similar cases.

RELOCATION ASSISTANCE PROGRAMS

SEC. 803. (a) If the head of any Federal agency acquires real property for public use in a State, he shall provide a relocation assistance program for displaced persons which shall offer the services described in subsection (c) of this section. If the head of such agency determines that other persons, occupying property adjacent to the real property acquired, are caused substantial economic injury because of the public improvement for which such property is acquired, he may offer such persons relocation services under such program.

(b) Federal agencies administering programs which may be of assistance to displaced persons covered by this Act shall cooperate to the maximum extent feasible with the Federal or State agency causing the displacement to assure that such displaced persons receive the maximum assistance available to them.

(c) Each relocation assistance program required by subsection (a) of this section shall include such measures, facilities, or services as may be necessary or appropriate in order (1) to determine the needs of displaced families, individuals, business concerns, and farm operators for relocation assistance; (2) to assure that within a reasonable period of time prior to displacement, there will be available, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, decent, safe, and sanitary dwellings equal in number to the number of, and available to, such displaced families and individuals and reasonably accessible to their places of employment, except that such assurance may be waived during any period of national emergency proclaimed by the President; (3) to assist owners of displaced businesses and displaced farm operators in obtaining and becoming established in suitable business locations or replacement farms; (4) to supply information concerning the Federal Housing Administration home acquisition program under section 221(d)(2) of the National Housing Act, the small business disaster loan program under section 7(b)(3) of the Small Business Act, and other programs offering assistance to displaced persons; (5) to assist in minimizing hardships to displaced persons in adjusting to relocation; and (6) to assure, to the greatest extent practicable, the coordination of relocation activities with other project activities and other planned or proposed governmental actions in the community or nearby areas which may affect the carrying out of the relocation program.

(d) Paragraph (3) of section 7(b) of the Small Business Act is amended to read as follows:

"(3) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to assist any small business concern in continuing in business at its existing location, in reestablishing its business, in purchasing a business, or in establishing a new business, if the Administration determines that such concern has suffered substantial economic injury as the result of its displacement by, or location in, adjacent to, or near, a federally aided urban renewal project or highway construction program or any other public improvement program conducted by or with funds provided in whole or in part by the Federal Government or by the States; and the purpose of a loan made pursuant to such project or program may, in the discretion of the Administration, include the purchase or construction of other premises whether or not the borrower owned the premises occupied by the business and,"

STATES ACTING AS AGENTS FOR FEDERAL PROGRAMS

SEC. 804. Whenever real property is acquired by a State agency for a Federal public improvement project, such acquisition shall, for purposes of this Act, be deemed an acquisition by the Federal agency having authority over such project and such Federal agency shall make relocation payments, provide relocation assistance, and provide assurance of availability of housing as required in the case of acquisitions of real property by a Federal agency.

AUTHORITY OF THE PRESIDENT

SEC. 805. (a) To carry into effect the provisions of this title, the President is authorized to make such rules and regulations as he may determine to be necessary to assure:

(1) That relocation payments authorized by section 802 shall be fair and reasonable and as uniform as practicable;

(2) That a displaced person who makes proper application for a relocation payment authorized for such person by section 802(a) shall be reimbursed for or paid—

(A) his actual and reasonable expenses in moving himself, his family, his business, farm operation, or other personal property, and in the case of a farm operation, for his actual and reasonable expenses in searching for a replacement farm;

(B) if he disposes of personal property on moving his business or farm operation and replaces such property at the new location, an amount equal to the reasonable expenses that would have been required in moving such personal property to the new location; and

(C) such other expenses authorized by section 802(a) as may be provided for in regulations issued under this section;

(3) That a displaced person who makes proper application for a relocation payment authorized for such person by this title shall be paid promptly after a move or, in certain hardship cases, the President may, by regula-

tion authorize advance payment of certain relocation costs;

(4) That any person aggrieved by a determination as to eligibility for a relocation payment authorized by this title, or the amount of a payment, may have his application reviewed by the head of the agency; and

(5) That a displaced person shall have a reasonable time in which to apply for a relocation payment authorized by this title.

(b) The President may, by regulation, establish a limitation on the amount of a relocation payment authorized by section 802(a) with due consideration for the declaration of policy in this title and the provisions of subsection (a) of this section and section 807(b).

(c) In order to prevent unnecessary expense and duplication of functions, and to promote uniform and effective administration of relocation assistance programs for displaced persons, the President is authorized to require that any Federal agency make relocation payments or provide relocation services, or otherwise carry out its functions under this title, by utilizing the facilities, personnel, and services of any other Federal agency, or by entering into appropriate contracts or agreements with any State agency having an established organization for conducting relocation assistance programs.

(d) The President may make such other rules and regulations consistent with the provisions of this title as he deems necessary or appropriate to carry out this title.

FUND AVAILABILITY

SEC. 806. Funds appropriated or otherwise available to any Federal agency for the acquisition of real property or any interest therein shall be available also for obligation and expenditure to carry out the provisions of this title.

PART B.—FEDERALLY ASSISTED PROGRAMS

RELOCATION PAYMENTS AND ASSISTANCE; ASSURANCE OF AVAILABILITY OF HOUSING

SEC. 807. (a) Notwithstanding any other provision of law, on and after the effective date of this Act, no grant to, or contract or agreement with a State agency, under which Federal financial assistance will be available to pay the cost in connection with the acquisition of real property or of a public improvement for which real property is to be acquired or as the result of which displacement will otherwise occur, may be approved by the head of the Federal agency responsible for the administration of such Federal financial assistance unless such State agency has entered into an agreement with the head of such Federal agency to provide to displaced persons for moves from such real property—

(1) fair and reasonable relocation payments as described in section 802(a) of this title and in accordance with regulations established by the President under section 805 of this title;

(2) fixed relocation payments in the same amounts and under the same terms and conditions as are required to be made by a Federal agency by subsection 802 (b), (c), (d), and (e) of this title;

(3) relocation assistance programs offering the services described in section 803(c) of this title; and

(4) a feasible method for the temporary relocation of families and individuals displaced *from the property acquired*, and assurance that within a reasonable period of time prior to displacement, there will be available in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, decent, safe, and sanitary *dwellings equal in number to the* number of and available to such displaced families and individuals and reasonably accessible to their places of employment.

(b) The cost to a State agency providing the payments and services described in subsection (a) of this section may be included as part of the cost of the project for which Federal financial assistance is available to such State agency, and such State agency shall be eligible for Federal financial assistance with respect to such payments and services in the same manner and to the same extent as with respect to other project costs, except that the Federal agency providing such assistance shall contribute the first $25,000 of the cost of providing a relocation payment to any displaced person. However, no State agency need agree to make any relocation payment in excess of $25,000 to any displaced person in order to receive the assistance authorized by the subsection.

(c) In order to prevent unnecessary expenses and duplication of functions, and to promote uniform and effective administration of relocation assistance programs for displaced persons, any agreement by a State agency under subsection (a) of this section shall provide that such agency may make relocation payments or provide relocation assistance or otherwise carry out its functions under this title by utilizing the facilities, personnel, and services of any other State agency having an established organization for conducting relocation assistance programs.

(d) Any grant to, or contract or agreement with a State agency executed before the effective date of this Act, under which Federal financial assistance is available to pay the cost in connection with the acquisition of real property, or of the improvement for which such property is acquired, may be amended to include an agreement as described in subsection (a) of this section.

(e) If the head of a Federal agency determines that it is necessary for the expeditious completion of a public improvement for which a State agency has entered into an agreement, as described in subsection (a) of this section, to make relocation payments to displaced persons, or to provide the funds necessary to meet the requirements of section 905(b)(1) of this Act, he may advance the Federal share of such relocation payments and an amount necessary to make the required payments under section 905(b)(1) to such State agency. Upon determination by the head of such Federal agency that any part of the funds advanced to a State agency under this subsection are no longer required, the amount which he determines not to be required shall be repaid upon demand. Any sum advanced and not repaid on demand shall be deducted from sums otherwise available to such State agency from Federal sources.

DISPLACEMENT BY CERTAIN PROGRAMS RECEIVING ASSISTANCE UNDER TITLE I OF THE HOUSING ACT OF 1949, AS AMENDED

SEC. 808. A person who moves or discontinues his business, or moves other personal property, or moves from his dwelling on or after the effective date of this Act, as a direct result of any project or program which receives Federal financial assistance under title I of the Housing Act of 1949, as amended, shall, for the purposes of this title, be deemed to be a displaced person.

SEVERABILITY

SEC. 809. If any provision of this title, or the application thereof to any person or circumstance is held invalid, the remainder *of this title and the application of the* provision to other persons or circumstances shall not be affected thereby.

ACTS REPEALED

SEC. 810. (a) The following laws and parts of laws are hereby repealed:

(1) The Act entitled "An Act to authorize *the Secretary of the Interior to reimburse* owners of lands required for development under his jurisdiction for their moving expenses, and for other purposes," approved May 29, 1958 (43 U.S.C. 1231–1234).

(2) Paragraph 14 of section 203(b) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2473).

(3) Section 2680 of title 10, United States Code.

(4) Section 133 of title 23, United States Code.

(5) Section 7(b) of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1606(b)).

(6) Section 105(c) of the Housing Act of 1949 (42 U.S.C. 1455(c)).

(7) Section 114 of the Housing Act of 1949 (42 U.S.C. 1465(a)–(d)).

(8) Paragraph (8) of section 15 of the United States Housing Act of 1937 (42 U.S.C. 1415(8)), except the first sentence of such paragraph.

(9) Section 404 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3071–3074).

(10) Section 107 of the Demonstration Cities and Metropolitan Development Act of 1966.

(b) Any rights or liabilities now existing under prior Acts or portions thereof shall not be affected by the repeal of such prior Acts or portions thereof under subsection (a) of this section.

TITLE IX.—UNIFORM LAND ACQUISITION POLICY

PART A.—FEDERAL PROGRAMS

UNIFORM POLICY ON LAND ACQUISITION PRACTICES

SEC. 901. (a) In order to encourage the acquisition of real property by amicable agreements with owners, to relieve congestion in the courts, to assure consistent treatment for owners in the many Federal programs, and to promote public confidence in Federal land acquisition practices, heads of Federal agencies shall, consistent with program requirements, be guided by the following policies:

(1) The head of a Federal agency should make every reasonable effort to acquire real property by negotiated purchase.

(2) Real property should be appraised before the initiation of negotiations, and the owner or his designated representative should be given an opportunity to accompany the appraiser during his inspection of the property.

(3) Before the initiation of negotiations for property, the head of the Federal agency concerned should establish a price which he believes to be a fair and reasonable consideration therefor and should make a prompt offer to acquire the property for the full amount so established.

(4) No owner should be required to surrender possession of real property before the head of the Federal agency concerned pays the agreed purchase price, or deposits with the court, in accordance with section 1 of the Act of February 26, 1931 (46 Stat. 1421; 40 U.S.C. 258a), for the benefit of the owner an amount not less than the appraised fair value of such property as determined by such agency head, or the amount of the award of compensation in the condemnation proceeding for such property.

(5) The construction or development of public improvements should be so scheduled that no person lawfully occupying real property will be required to move from a dwelling, or to move his business or farm operation without at least ninety days' written notice, *if consistent with project requirements, from* the head of the Federal agency concerned, of the date by which such move is required.

(6) If the head of the Federal agency concerned does not require a building, structure, or other improvement acquired as a part of the real property, he should offer to permit its owner to remove it. *As a condition of removal, an appropriate agreement should* be required whereby the fair value of such building, structure, or improvement for removal from the real property, as determined by such agency head, will be deducted from the compensation otherwise to be paid for

the real property, however such compensation may be determined.

(7) If the head of a Federal agency permits an owner or tenant to occupy the real property acquired on a rental basis for a short term or for a period subject to termination by the Government on short notice, the amount of rent required should not exceed the fair rental value of the property to a short-term occupier.

(8) In no event should the head of a Federal agency either advance the time of condemnation, or defer the condemnation and the deposit of funds in court for the use of the owner, in order to compel an agreement on the price to be paid for the property. If an agency head cannot reach an agreement with the owner, after negotiations have continued for a reasonable time, he should promptly institute condemnation proceedings and, at the same time or as soon thereafter as practicable, file a declaration of taking and deposit funds with the court in accordance with the Act of February 26, 1931 (46 Stat. 1421), if possession is required prior to the entry of the judgment in the condemnation proceedings.

(9) If an interest in real property is to be acquired by exercise of the power of eminent domain, the head of the Federal agency concerned should, except as to property to be acquired under section 25 of the Tennessee Valley Authority Act of 1933 (48 Stat. 70, as amended; 16 U.S.C. 831x), request the Attorney General to institute formal condemnation proceedings. No Federal agency head should intentionally make it necessary for an owner to institute legal proceedings to prove the fact of the taking of his property.

(10) If the acquisition of only part of a property would leave its owner with an uneconomic remnant, the head of the Federal agency concerned should acquire the entire property.

(11) In determining the boundaries of a proposed public improvement, the head of the Federal agency concerned should take into account human considerations, including the economic and social effects of such determination on the owners and tenants of real property in the area, in addition to engineering and other factors.

(b) The provisions of this section, being general policies for the guidance of Federal agencies, shall create no rights or liabilities not otherwise existing or available, nor affect the validity of any property acquisitions by purchase or condemnation.

COMPENSATION FOR PROPERTY ACQUIRED

Sec. 902. If the head of any Federal agency acquires real property for public use in any State or the District of Columbia, by purchase or condemnation, the fair market value of such property shall be paid as compensation therefor unless it is the intention of the seller to convey the property for less than fair market value.

BUILDINGS, STRUCTURES, AND IMPROVEMENTS

Sec. 903. (a) Notwithstanding any other provisions of law, if the head of a Federal agency acquires land or any interest in land for public use in a State, he shall acquire a like interest, or greater interest, in all buildings, structures, or other improvements comprising part of the real property so acquired which are required to be removed from the land or which, in the opinion of such agency head, will be adversely affected by such public use, of such improvements are not required to be removed.

(b) As used in this section, the term "real-property" means land, or any interest in land, and (1) any building, structure, or other improvement imbedded in or affixed to land, and any article so affixed or attached to such building, structure, or improvement as to be an essential and integral part thereof; (2) any article affixed or attached to such real property in such manner that it cannot be removed without material injury to itself or the real property; and (3) any article so designed, constructed, or specially adapted to the purpose for which such real property is used that (A) it is an essential accessory or part of such real property (B) it is not capable of use elsewhere, and (C) it would lose substantially all its value if removed from the real property.

(c) For the purpose of determining the extent of the acquisition of real property and the valuation thereof, no building, structure, or other improvement shall be deemed to be other than a part of the real property solely because of the right or obligation of a tenant, as against the owner of any other interest in the real property, to remove such building, structure, or improvement at the expiration of his term, and the head of the Federal agency shall pay to the tenant the fair value of building, structure, or improvement, which fair value shall be determined by such agency head as the greatest of (1) the contributive value of the improvement to the present use of the entirety, (2) the current cost of reproduction less depreciation of the improvement, or (3) the value of the improvement for removal from the property.

EXPENSES INCIDENTAL TO TRANSFER OF TITLE TO UNITED STATES

Sec. 904. (a) The head of a Federal agency, not later than the date of payment of the purchase price or the date of deposit of funds to satisfy the award of compensation in a condemnation proceeding to acquire real property, whichever is the earlier, shall reimburse the owner, to the extent the head of such agency deems fair and reasonable, for expenses necessarily incurred for—

(1) recording fees, transfer taxes, and similar expenses in conveying such real property to the United States;

(2) penalty costs for prepayment of mortgage incident to such real property; and

(3) the pro rata portion of real property taxes allocable to a period subsequent to the date of vesting title or the effective date of a court order of possession, whichever is the earlier.

(b) The determination as to such payments by the head of such agency shall be final and no provision of this section shall be construed to give any person a cause of action in any court, nor may any violation of this section be raised as a defense by such person in any action.

PART B.—FEDERALLY ASSISTED PROGRAMS

REQUIREMENTS FOR APPROVAL OF CONTRACTS OR AGREEMENTS FOR FEDERAL FINANCIAL ASSISTANCE

Sec. 905. (a) Notwithstanding any other provision of law, on and after the date of enactment of this Act no grant to or contract or agreement with a State agency, under which Federal financial assistance will be available to pay in whole or in part the cost of the acquisition of real property or of a public improvement for which real property is to be acquired, may be approved by the head of the Federal agency responsible for the administration of such Federal financial assistance unless such State agency has entered into an agreement which shall provide—

(1) that every reasonable effort shall be made to acquire the real property by negotiated purchase;

(2) that the construction or development of the public improvement will be so scheduled that, to the greatest extent practicable, no person will be required to move from a home, farm, or business location without at least ninety days' written notice, if consistent with project requirements, from such State agency of the date by which the move is required; and

(3) that it will be the policy of the head of the State agency, before initiating negotiations for real property, to establish a price which he believes to be a fair and reasonable consideration therefor, and to make a prompt offer to acquire the property for the full amount so established.

(b) Notwithstanding any other provision of law, on and after January 1, 1970, no grant to, or contract or agreement with a State agency, under which Federal financial assistance will be available to pay in whole or in part the cost of the acquisition of real property, or of a public improvement for which real property is to be acquired, may be approved by the head of the Federal agency responsible for the administration of such Federal financial assistance, unless such State agency has entered into the agreements described in subsection (a) of this section and has agreed—

(1) that no owner will be required to surrender possession of real property before the head of the State agency (A) pays the agreed purchase price, (B) makes available to the owner, by court deposit or otherwise, an amount not less than seventy-five percent of the appraised fair value of such property, as approved by such State agency head, without prejudice to the right of the owner to contest the amount of compensation due for the property, or (C) deposits or pays the final award of compensation in the condemnation proceeding for such property;

(2) that any decrease in the value of real property prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for the proposed public improvement, other than that due to physical deterioration within the reasonable control of the owner, will be disregarded in determining the compensation for the property; and

(3) that for the purpose of determining the extent of the acquisition of real property and the value thereof, no building, structure, or other improvement will be deemed to be other than a part of the real property solely because of the right or obligation of a tenant, as against the owner of any other interest in the real property, to remove such building, structure, or improvement, and that an amount not less than the value which such building, structure, or improvement contributes to the value of the real property acquired, or the value of such building, structure, or improvement for removal from the real property, whichever is the greater, will be paid to the tenant therefor.

PROVISIONS REPEALED

Sec. 906. Effective on January 1, 1970, sections 401, 402, and 403 of the Housing and Urban Development Act of 1965 are hereby repealed.

THE INTERGOVERNMENTAL PERSONNEL ACT OF 1967

Mr. MUSKIE. Mr. President, on behalf of myself and Senators BREWSTER, CLARK, GRUENING, HART, JACKSON, KENNEDY of New York, MCGEE, METCALF, NELSON, and RANDOLPH, I would like to introduce, for appropriate reference, the Intergovernmental Personnel Act of 1967, to strengthen intergovernmental cooperation and the administration of grant-in-aid programs, to extend State and local merit systems to additional programs financed by Federal funds, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the interchange of Federal, State, and local personnel, and for other purposes.

I ask unanimous consent that the bill remain at the desk for 10 days to permit other Senators to add their names as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, for over 3 years the Subcommittee on Intergovernmental Relations, which I chair, has been studying the problems of American federalism in its effort to meet the public demands of our rapidly increasing population. One serious crisis area that we have found involves government manpower at State and local levels. There are not enough competent and professional people employed at these levels to coordinate and implement effective planning and public development programs. A tight professional and technical labor market and an extraordinary lack of personnel, training, and recruitment systems, which discourage good people from choosing a career in State and local governments, all compound the problem.

I am more than ever convinced that the success of our Great Society programs—and indeed perhaps the future of American federalism—largely depends upon whether we recognize and overcome the crisis in governmental manpower. Thus far, we have acted as though this crisis does not exist.

During the past five sessions of Congress we have developed the most impressive package of Federal legislation since the New Deal to attack poverty, ignorance, uneven economic development, discrimination, and urban blight and sprawl. We have appropriated more money for aid to State and local governments than in all the previous Congresses in our history.

But the success of these programs is only as good as the people who carry them out—in the fastest, most effective way possible. The ultimate burden is on the State and local administrators. They are on the firing line of the Great Society. They must be given every encouragement and assistance to do their work well.

The proposed Intergovernmental Personnel Act of 1967 is designed to provide the first comprehensive Federal aid program for improving and strengthening State and local administration. With some additions, the bill is the same as S. 3408, which I introduced in the last session and on which hearings were held last August. It focuses on four prime problems in the manpower area: merit system requirements; personnel management; in-service training programs; and interchange of Federal, State, and local employees.

TITLE I—MERIT SYSTEMS IN FEDERALLY AIDED PROGRAMS

Title I authorizes the President, as he deems practicable, to require as a condition for receiving funds under Federal grant-in-aid programs that State and local administrative personnel be employed under a merit system meeting Federal standards.

This title also authorizes the President to appoint an "advisory council" composed of representatives of the various levels of government to study and recommend the appropriate personnel standards and to identify those programs to which merit systems should be extended.

The title further requires that the President take such recommendations of the council into consideration in establishing the merit system requirements.

This injection of the role of an advisory council to help the President work out merit system standards came from the hearings, where many knowledgeable witnesses expressed the view that there should be the greatest possible representation of views from the State and local levels in determining merit conditions which must be met.

There is really nothing new or revolutionary in this title. Such requirements have been in effect since 1939, when they were added to such programs as old age assistance, medical assistance for the aged, unemployment compensation, aid and services to needy families with children, and others. In recent years, the requirement has been included in the Older Americans Act of 1965, health insurance for the aged, and medicare. Presently, some 24 programs out of a total of approximately 220 now carry the merit system requirement. The Department of Health, Education, and Welfare administers most of these programs, but grants under the civil defense program are also covered by it. In 1964, the Labor Department's Appropriation Act applied the requirement to the Federal Employment Service.

The Federal Government, nearly all the experts in the field, and 26 States recognize a relationship between attracting and retaining competent public personnel, and the presence of a viable, functioning merit system. Title I is rooted in this relationship, as the following comment of a secretary of internal affairs of a Middle Atlantic State indicates:

> . . . I believe it is generally conceded that in programs where this principle is already applied . . . it has had a salutary effect on State and local administration. I can see no objection to this provision, especially since it is provided that the Federal Government shall exercise no authority over the selection, tenure, or compensation of individuals employed in accordance with such an arrangement. . . .

Existing Federal efforts to encourage merit systems, however, have not been sufficiently adequate, since they are geared largely to the needs of certain grant programs and certain categories of specialized personnel administering them. State and local efforts have been equally piecemeal and shortsighted. The professional needs of the public service at these levels are simply not being met. The record shows that, of a total of 2 million State employees in 1965, less than a million were under a merit system. In 26 States, only 50 percent of full-time employees were covered, and in 12 States, coverage was minimal. This is only a quantitative picture; the qualitative side is much less known.

Estimates for local personnel are even more unimpressive. A reading of various surveys suggests, however, that the majority of municipalities and nearly all of our counties are dominated by old-style patronage politics or an equally old-style civil service system that emphasizes rigid requirements, job security, and the policing function.

The Municipal Manpower Commission, and more recently the Committee for Economic Development, attempted to come to grips with this problem. The Commission recommended, among other things, that—

The chief executive should be given clear-cut responsibility for personnel administration.

The independent civil service commission, where it exists, should be abolished or limited to an advisory function.

The appointment and advancement of public personnel should be based exclusively on merit principles.

Unfortunately, most local jurisdictions have made little progress in blending these merit and modern management themes into a functioning, politically feasible, and effective personnel system.

One of the recommendations advanced by the Committee for Economic Development in its recent and widely publicized report, "Modernizing Local Government," is a case in point. The report reads:

> Personnel practices based on merit and professional competence should replace the personal or partisan "spoils system" found in most counties and many other local units.
>
> Specialized skills are increasingly essential to solution of most governmental problems, whether in highway engineering, public health and sanitation, police and fire protection, education, pollution control, slum clearance, public finance, or in management of such. Skills require training and experience, as well as innate ability. Persons with high skills must be recruited, developed, and utilized effectively. This is unlikely to occur in a climate of petty partisanship, low salaries and confused authority.

The record shows that the impact of the Federal legislation requiring merit standards has been the primary factor in sustaining the career principle in nearly half the States and in many localities. Moreover, the administration of these requirements has been carried out with a minimum of discomfort and political controversy.

For these reasons, I believe that requirements establishing a system of public employment—operating under public rules and based on competitive examinations, tenure contingent upon successful performance, and promotion on evaluated capacity and service—should be extended to more grant-in-aid programs, such as this title provides. There are, admittedly, problems inherent in attempting to apply merit system requirements across the board, but I feel that the language now worked out in title I will give the President sufficient flexibility and an opportunity to be advised by the States and localities as to the best ways of resolving these problems before they are encountered.

TITLE II—GRANTS FOR STATE AND LOCAL PERSONNEL ADMINISTRATION

Title II authorizes matching grants to State and local governments to help strengthen their personnel management systems. In order to upgrade the core management personnel function at State and local levels, we must first strengthen the professional capabilities of those who recruit, examine, and develop position classification systems and pay scales on an agency-wide basis. Project grants are authorized to cover a wide variety of activities—including the improvement of one or more of the traditional personnel functions, the upgrading of personnel agencies, manpower planning, or the initiation of pilot projects geared to meeting special urban needs.

To be approved, a State program must include designation of a State agency for its administration, provision for a merit system and for State matching funds, and a description of the plan for improving State personnel management. Such a program might include expansion of a State's present merit system; plans to meet the manpower needs in new or expanding State programs; improvement in recruitment, examination, classification, and pay plans; development of auxiliary types of jobs to supplement professional staff in short supply; research and demonstration projects; and interdepartmental and intergovernmental cooperation in personnel administration.

Other sections of this title would extend grant programs for improvement of personnel administration to local governments, both metropolitan and nonmetropolitan. As I said earlier, metropolitan governments are facing new and acute problems with limited resources in personnel administration; and, to a lesser degree, this is true of those local governments experiencing rapid growth as a result of their proximity to already-urbanized areas.

The Secretary of Health, Education, and Welfare is assigned the responsibility for administering this program. This was done in recognition of the long experience and competence of HEW's Division of State Merit Systems in giving assistance to States for the past 20 years under the various grant-in-aid programs which already require merit system personnel administration. That division, moreover, has demonstrated the capacity to reach agreement with the Defense and Labor Departments on standards for personnel administration in grant programs requiring merit coverage. At such time as the preponderance of aid programs requiring merit system shifts from HEW, it may be desirable to transfer this unit to the Civil Service Commission.

Title II has been changed in some respects from that title in S. 3408. The authorization for grants for State personnel administration has been increased to meet the objections of a number of witnesses that the original amounts were inadequate. The minimum State allotment has been increased. The requirement of a State plan providing for a merit system has been made more flexible. And provisions have been inserted to assure that State and local matching funds required to qualify for Federal grants not be obtained by reducing State and local support for existing programs, or that State funds used for matching on other federally assisted merit programs not be used for matching.

TITLE III—AUTHORIZATION FOR TRAINING

Title III of the proposed Act authorizes Federal departments and agencies conducting training programs for their administrative, professional, and technical personnel to open these programs to counterpart State and local personnel. It also authorizes Federal agencies and departments administering Federal aid programs to conduct training programs for such State and local personnel. Federal agencies are permitted to make grants to States and localities, from that portion of grant funds earmarked for administrative costs, to cover the expense of such training. In addition, such agencies are permitted to make grants from these funds for educational leave to allow State and local employees in short supply categories to attend training courses related to the grant programs.

A new section to title III authorizes the Civil Service Commission to review existing training programs, to identify training needs, and to advise the President with respect to its findings. It further authorizes the President to assign the Civil Service Commission the role of "coordinator" under the title.

In general the title seeks to expand the cooperative relationships which already exist between many Federal Government agencies and States and localities with respect to training. The FBI Academy for some years has trained police officers for both State and local governments. The Law Enforcement Act of 1965 provides "assistance in training State and local law enforcement officers." The Internal Revenue Service and the Public Health Service are also authorized to train counterpart State and local officials. A number of other agencies have the training authority, but some have made little use of it; others—and no one has been able to provide us thus far with a reliable listing—lack this authority.

Title III meets both these problems. It will give new life to the training efforts of those agencies that have failed to exercise their statutory powers. And it will remove any restrictions which others have encountered in conducting such training programs.

A new section has been added to title III which would establish an advisory council on training, composed of representatives of State and local officials and other interested groups to advise the Civil Service Commission in establishing policy and programs under this title. Again, as in the case of merit systems, State and local governments are brought into Federal decisionmaking and encouraged to develop a closer partnership.

Changes in public policy, advancing technology, and the application of new Federal programs require State and local governments to train or retrain employees to meet the needs of the job and the times, and to compete in the manpower market. But the voters do not really understand the difficulties confronting these central personnel offices. Ponder this assessment by a New England educational foundation of the problem as it affects this six-State area:

> The central personnel agencies in New England are preoccupied with immediate operating problems and are hemmed in by limited financial resources. For these reasons they have been unable to undertake research and planning projects necessary to anticipate manpower development. The central personnel agencies are, moreover, experiencing difficulty in the performance of daily operations. Several State line agencies consider their central personnel agency to be seriously understaffed and say that this has hampered departmental recruitment, classification, examination, and training. As a result, recruitment and training functions are increasingly being performed by line agencies themselves . . . Central personnel agencies need both additional manpower and financial resources . . .

Speaking for the Department of Housing and Urban Development, Assistant Secretary Taylor supported this New England statement:

> There is a great need for programs of in-service training to upgrade the skills of present State and local public employees. Many of these men and women have been serving well as public employees for many years, but the demands of today's urban development techniques are often outside the scope of their training and experience. These public servants have great contributions to make to the realization of the goals of the Great Society if only we will recognize their desperate need for short courses, extension courses, workshops, and on-the-job training in current urban development practices.
>
> . . . Public enterprise is a going concern on the local and State level and it must not only attract new talent, but also retrain its present employees.

These findings clearly indicate that most of us have yet to accept, and act on the proposition that a professional public service is as critical to improved intergovernmental relations, and to the meaningful concept of creative federalism as any single issue. At the Federal level, the personnel problem has received almost continuous attention since President Kennedy's appointment of the Randall Commission in 1961. At the State and local levels, however, it is only beginning to be recognized as a topic of broad national concern.

TITLE IV—GRANTS FOR TRAINING STATE AND LOCAL OFFICERS AND EMPLOYEES

Title IV gives the States the basic responsibility for developing plans for training their own employees, and the initial responsibility for joining with local governments to develop such programs for local personnel. Plans would include the continuing assessment of training needs, equitable standards relating to the selection and assignment of personnel for training, and better utilization of personnel receiving such training. A State plan also would include guidelines covering the selection of universities or other nongovernmental facilities when such institutions are to be used for training purposes. However, if after 1 year a State has not presented a plan, the local governments can submit their own plans, designating a single local agency for administration under requirements established by the Civil Service Commission with the concurrence of the Department of Housing and Urban Development. Such an assertion of local control can be challenged by the State at an administrative hearing.

TITLE V—COOPERATION IN RECRUITMENT AND EXAMINATION

Title V authorizes the Civil Service Commission to join on a shared-cost basis with States and units of general local government in cooperative recruitment or examinations under mutually agreeable regulations. Some authorities believe the Commission already possesses this authority, but the same authorities concede that adequate provision is lacking with respect to financing such joint activity. This title provides a statutory basis for the Commission's authority to enter into such cooperative arrangements, and it settles the financial question by adopting the shared-cost formula.

The Committee for Economic Development's recent study on local governments recommended:

> To assist in recruiting competent individuals, the Federal Service Entrance Examination test results should be made available to local governments. Since less than 9 percent of those eligible for Federal GS-5 appointments, for example, ever accept any Federal position, to provide local units with such information should not materially affect the Federal Government's recruitment capability. Instead, it would undoubtedly result in more persons entering government service at levels where their training is critically needed.

Title V implements this recommendation.

TITLE VI—INTERSTATE COMPACTS

Title VI gives prior congressional consent to interstate compacts or other agreements for cooperative efforts and mutual assistance relating to the administration of personnel and training programs for State and local employees. The New England States have already launched a survey of the possibilities of regional collaboration with respect to personnel training programs. It is hoped that this title will stimulate comparable efforts in other regions. Building on the precedent set in the Housing Act of 1961—which gave prior congressional approval to interstate compacts establishing metropolitan agencies in multi-State urban areas—this provision hopefully will encourage expanded efforts to develop training programs on a regional basis.

TITLE VII—REPORTS, RECORDS, AND AUDITS

The reports, records, and audits provisions which were under individual titles in S. 3408 have now been consolidated under one title, in accordance with the recommendation of the General Accounting Office.

TITLE VIII—INTERCHANGE OF FEDERAL, STATE, AND LOCAL EMPLOYEES

Title VIII provides for the opportunity for Federal employees to be interchanged in their positions with State and local employees for a period of assignment not to exceed 2 years. Federal employees would be considered on detail to a regular work assignment, with full salary and benefits or in a status of leave-of-absence-without-salary, but with a continuation of benefits. Employees of State or local governments assigned to a Federal agency would be given appointments in the agency, or be considered on detail to the agency. Supervision of the duties of State and local employees during such assignment would be governed by agreement between the Federal agency and the governments involved.

This is a new title, framed out of the recommendations of many witnesses at the hearings on S. 3408. It follows language suggested by the Advisory Commission on Intergovernmental Relations, and may well become one of the most dynamic features of the bill.

The Council of State Governments' Committee on Suggested State Legislation has developed a model State employee interchange act to equip States to participate in exchange programs. A 1962 Public Personnel Association study showed that three States had specific legislation authorizing employee interchange, while 34 additional States could provide for such interchange either by detailing individuals or by leave of absence and appointment elsewhere. Of particular significance is the fact that by 1965, 2 years after the appearance of the model act, 10 States had provided specific statutory authorization. Recently, the Midwestern Conference of the Council of State Governments took action urging favorable consideration of the model legislation by those States which had not adopted it.

In connection with promulgating the model act, the Committee on Suggested Legislation recommended that Congress enact broad legislation permitting all Federal agencies to participate in employee interchange programs with State and local governments.

Civil Service Commission Chairman John Macy strongly supported this idea of personnel interchange. He testified:

> There are interchange programs taking place now in areas such as public health, but I believe there would be profit for all concerned if it were possible for State officials to serve a period of time on loan in the Federal Government, and I think the Federal Government could assist States and localities materially if they would loan out some of their experienced people. Not as Feds who have entered the local fold, but as members of the local staff for a period of time. This kind of service should be encouraged.

THE PROBLEMS OF GROWING GOVERNMENT

Mr. President, State and local governments are big government today. Their growth has been enormous during the past 20 years. This growth has been a necessary response to the burgeoning public demands of our citizens, especially in the urban areas.

Between 1946 and 1965, State revenues rose 467 percent, and local revenues were up 460 percent. Twenty years ago, the States and localities spent a total of $11 billion to meet public needs; this year they will spend nearly $90 billion, and an annual expenditure of over $180 billion is anticipated by 1975. This is more than is expected for the entire Federal budget, including defense, space, and foreign aid commitments.

Big expenditure is not the only measure of size at State and local levels. In 1946, State and local employees numbered 3.3 million; today this has increased 130 percent to 8 million persons, including 2 million in State governments. By 1975, the figure is expected to reach 12 million. This rise in public employment in State and local government is in sharp contrast to 2.6 million Federal civilian employment workers, which figure has remained stable during the past 20 years.

Analysis of the evolving employment pattern for State and local government reveals some striking shifts from that of a generation ago. From 1954 to 1964, special districts, school districts, townships, and States—in that order—enjoyed higher employment rates than the 4.3-percent average annual increase that characterized overall State and local hiring during that decade. In terms of functional categories, State and local employment in police protection increased by 30 percent from 1957 to 1964, and in public health and hospitals, by 41 percent. The number of full-time public employees in education soared by 60 percent, and those in public welfare, by 62 percent. Finally, of the total manpower involved with civil governmental functions, the State and local sector now accounts for over 80 percent. In short, State and local public service has experienced a remarkable transformation during the past 2 decades—in terms of size, hiring units, occupational composition, and added responsibilities.

Most of us know the reasons for this massive growth: the population boom, the demand for expanded services generated by it, the physical and social problems stemming from urbanization and suburbanization, and the desire of American citizens for a higher level and quality of public services than provided a generation ago; the disproportionate growth in the size of those age groups requiring extensive public services—the young and the old—and the stimulating effect of expanded Federal grant-in-aid programs.

The growth in manpower and public programs at State and local levels has not been accompanied by improvement in the quality and professional caliber of administration. The Senate Subcommittee on Intergovernmental Relations has been studying this problem for the past 3 years.

The subcommittee found that the primary need of State and local government is to attract and retain good people. This is frustrated at the outset by the extraordinary shortage in professional manpower at all levels of government and in the private sector. Compared with an 18-percent increase in the total number of workers of all kinds, the U.S. Department of Labor foresees a rise of 40 percent in the number needed for professional and technical jobs. Many well-trained and well-qualified employees of State and local government who were hired during the depression years are now approaching retirement. More than one-third of all municipal executives, for example, fall in this category and are slated for retirement in this decade.

When the long-range implications of prospective State and local manpower needs are considered, this gap yawns even wider. As the President pointed out in his Princeton University speech last May:

> By 1970, our State governments must grow by more than 600,000 to keep pace with the times. Employment for State and local government will exceed 10 million persons. Each year over the next decade, our Nation will need 200,000 new public school teachers to keep up with the growing population.

Other chilling statistics can also be cited:

Approximately half the Nation's municipal health directors will be eligible for retirement within the next 10 years.

Two hundred vacancies for traffic engineers will occur annually in the years ahead, but only approximately 50 new graduates will be available each year in this specialized field.

Two vacancies will exist for every graduate of a university course in city or regional planning.

By 1980, local governments alone will have to recruit approximately 300,000 additional administrative and professional employes to maintain their current program objectives.

But aside from the manpower shortage, the subcommittee found that existing State and local personnel and management systems tended to discourage competent people from entering government service at these levels. In many instances, working conditions were unfavorable. Budgets for equipment and office space were limited. Career development systems, including the chance for job mobility, inservice training, and promotions, were minimal except in the larger jurisdictions. Strong merit systems were frequently lacking, thereby resulting in the loading of agencies with incompetent, uninspiring, and often indifferent personnel.

Too often, administrative personnel were given assignments without clear objectives, or were frustrated by complicated intergovernmental structures, and responsible administrators were boxed in by inflexible rules and regulations with respect to hiring, firing, and disciplinary action.

It was found that one of the most serious deterrents to improved manpower at State and local levels was the low salary scales. For instance, annual salaries of professional positions, all requiring college degrees, were typical: public health nurse, $5,200; unemployment claims deputy, $6,000; welfare case worker, $6,500; sanitation official, $6,000; vocational counselor, $7,000; hearings examiner, $8,000. Besides discouraging employees of merit, low pay scales create a host of other problems: turnover is high, and efficiency is greatly reduced. Many workers spend too much time and energy "moonlighting" in order to augment total income. The temptation for accepting gratuities for special favors is heightened. And the ability of supervisors to achieve cooperation and work effort is greatly hindered.

This adds up to a crisis in manpower at those levels of government which hold the future of public development in their hands. The Federal Government has moved ahead in upgrading the caliber of personnel at its level, but the States and localities—largely as a result of misguided economy measures and failure to recognize the existence of a manpower crisis—are so far behind that it will take a massive effort to stir them into action.

Mr. President, I feel that the Intergovernmental Personnel Act of 1967 which I propose today will be a dramatic start in helping State and local governments solve this critical problem of manpower. Much, of course, will have to be done through their own efforts. Greatly increased salaries should be high on their list of improvements. But where the Federal Government is so concerned with the effective implementation of its grant-in-aid programs, it should be equally concerned with providing incentives for the modernization of personnel systems and training for those who administer these joint-action programs. Through a judicious combination of grant funds, technical assistance, and new devices for intergovernmental cooperation in the personnel area, the proposed legislation provides a variety of ways to strengthen the professional standing and prestige of personnel at the State and local levels.

At hearings last August on the original bill, the Advisory Commission on Intergovernmental Relations reported that at its April meeting it had unanimously approved the objectives of the bill. Through its director, Mr. William G. Colman, the Commission made helpful suggestions which were incorporated in the new version.

Civil Service Commission Chairman Macy heartily endorsed "the broad-scale approach" of the bill, and specifically supported each of its titles with the caveat that he would be for "enlargement rather than contraction."

Similar approval came from Undersecretary Wilbur Cohen, of the Department of Health, Education, and Welfare, who said that the bill goes to "the very essence of what is necessary to develop in this country more effective merit systems and personnel to carry out the programs."

Some others supporting S. 3408 were W. Fletcher Lutz, national president of the Federal Government Accountants Association; Ralph R. Widner, executive director of the Appalachian Regional Commission; and H. Ralph Taylor, Assistant Secretary for Intergovernmental Relations, Department of Housing and Urban Development.

Mr. President, I ask unanimous consent that the text of the bill be reprinted in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 699) to strengthen intergovernmental cooperation and the administration of grant-in-aid programs, to extend State and local merit systems to additional programs financed by Federal funds, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the interchange of Federal, State, and local personnel, and for other purposes, introduced by Mr. Muskie (for himself and other Senators), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the Record, as follows:

S. 699

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Intergovernmental Personnel Act of 1967."

Declaration of policy

Sec. 2. The Congress hereby finds and declares: That effective State and local governmental institutions are essential in the maintenance and development of the Federal system in an increasingly complex and interdependent society;

That, since numerous governmental activities administered by the State and local governments are related to national purpose and are financed in part by Federal funds, a national interest exists in a high caliber of public service in State and local governments;

That intergovernmental cooperation in State personnel administration on a merit basis has contributed to greater efficiency in various federally aided programs and should be extended generally to such programs;

That Federal financial and technical assistance to State and local governments for strengthening their personnel administration will improve the effectiveness of the public service and is in the national interest; and

That the continuing training and development of career employees, particularly in professional, administrative, and technical fields, are critical to the success of joint Federal-State-local programs and that the Federal Government should encourage and assist in such training for State and local employees.

TITLE I—EXPANSION OF MERIT SYSTEM IN FEDERALLY AIDED PROGRAMS

Sec. 101. The purpose of this title is to achieve greater efficiency in the administration of programs financed in whole or in part by Federal funds by extending the application of personnel standards on a merit basis in the administration of such programs.

Advisory Council

Sec. 102. The President is authorized to appoint an advisory council including, among others, representatives of the various levels of government to study the appropriate role of personnel standards in grant-in-aid programs and Federal assistance in the improvement of State and local personnel administration. It shall be the duty of the council to—

(a) review personnel standards including those established by regulations with respect to existing programs of grant-in-aid;

(b) assess the feasibility of extending merit systems to grants of a Federal-local character;

(c) identify additional Federal-State programs to which such systems should be extended;

(d) make recommendations from time to time with respect to the above measures, to achieve greater efficiency in the administration of programs financed in whole or in part by Federal funds; and

(e) make recommendations with respect to criteria for approval of grants under title II of this Act.

Personnel standards

Sec. 103. The President is authorized to require, insofar as he deems practicable, that as a condition for the receipt of Federal grants in any program financed in whole or in part by Federal funds, the personnel engaged in the administration of the program be employed under a State or local merit system meeting Federal standards prescribed by him after taking into consideration the views and recommendations of the advisory council established pursuant to section 102. He is authorized to approve for this purpose standards for a merit system of personnel administration. The Federal Government, however, shall exercise no authority over the selection, tenure, or compensation of individuals employed in accordance with such system. The authority granted by this section shall not be construed to apply to any public or nonprofit educational institution, organization, or agency at any level.

TITLE II—GRANTS FOR STATE AND LOCAL PERSONNEL ADMINISTRATION

Declaration of purpose

Sec. 201. The purpose of this title is to provide Federal grants-in-aid to enable each State to strengthen its system of personnel administration, to provide State personnel services to nonmetropolitan units of local government, and to stimulate projects for the improvement of personnel administration in metropolitan areas.

Appropriation authorization

SEC. 202. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1968, and each of the four succeeding fiscal years, the following sums: (a) \$12,000,000 for payments to States which have plans for State personnel administration approved under section 204; (b) \$8,000,000 for payments to States which have plans for provision of State personnel services to nonmetropolitan units of general local government approved under section 206; and (c) \$20,000,000 for payments to States or metropolitan units of general local government which have projects for metropolitan personnel administration approved under section 208.

PART A—GRANTS FOR STATE PERSONNEL

Administration

SEC. 203. (a) From the sums appropriated under section 202(a) the Secretary of Health, Education, and Welfare (hereinafter referred to as the Secretary) shall make annually grants to States which have plans for State personnel administration approved by him under section 204.

(b) The sum available annually for grants under this section shall be allotted among the States under a formula approved by the Secretary which shall give weight to the number of employees under the merit system plan and the financial ability of the State as indicated by its relative per capita income, except that the annual allotment of no State shall be less than \$50,000.

Requirements of State plans

SEC. 204. A State plan for State personnel administration to be approved by the Secretary must—

(a) designate the appropriate State personnel agency for the administration of the plan;

(b) provide for a merit system covering State agencies generally or a merit system covering only State agencies designated in the State plan, conforming to the standards to be established under title I. Until such standards are issued, State merit systems approved under present Federal standards applicable to agencies receiving Federal grants shall continue to be acceptable under this Act;

(c) set forth a program for the improvement and strengthening of State personnel administration which may include, among other features;

(1) expansion of the coverage of State employees under the State merit system;

(2) assessment of manpower needs in developing programs and methods for meeting them;

(3) improvement in one or more areas of personnel administration such as recruitment, examinations, classification, and compensation plans;

(4) research and demonstration projects for the use of valid personnel methods, including electronic data processing techniques;

(5) development of auxiliary or support types of positions to perform appropriate functions currently performed in occupations in which there are now shortages; and

(6) interdepartmental and intergovernmental cooperation in personnel administration; and

(d) provide for financial participation by the State in the costs of merit system administration at least equal in amount to the Federal grants, and further provide that the operation of the plan will not result in a reduction in State expenditures for such administration or the substitution of Federal for State funds previously available for merit system administration, and further provide that Federal funds made available to States under other programs may not be used by States for matching purposes under this Act, and State funds used for matching in other federally assisted merit programs may not be used for matching under this Act, except that this shall not affect the receipt of the minimum sum authorized under section 203(b).

PART B—GRANTS FOR STATE PERSONNEL SERVICES TO NONMETROPOLITAN UNITS OF LOCAL GOVERNMENT

SEC. 205. (a) From the sums appropriated under section 202(b) the Secretary shall make annually grants to States which have plans approved by him under section 206 for services to nonmetropolitan units of general local government.

(b) The sum available annually for grants under this section shall be allotted under a formula approved by the Secretary which shall give weight to (1) the number of employees and number of local governments served, (2) the scope of State services provided, and (3) the financial ability of the State as indicated by its relative per capita income, except that the annual allotment of no State shall be less than \$50,000.

Requirements of State plans

SEC. 206. A plan for State services for personnel administration to non-metropolitan units of general local governments to be approved by the Secretary must—

(a) designate the State agency, which may be the agency designated under section 204, for the administration of the plan;

(b) set forth a program for improvement and strengthening of personnel administration of such local governments by one or more of the following means:

(1) the coverage of local employees under the State merit system;

(2) technical services in one or more areas of personnel administration such as recruitment, examination, classification, and compensation plans;

(3) cooperative research and demonstration projects for the use of valid personnel methods; or

(4) intergovernmental cooperative arrangements between the State and local governments or among local governments, including facilitating interjurisdictional loans, transfers, or promotions of personnel;

(c) provide for financial participation by State or such local governments, or both, in the costs of providing services at least equal in amount to the Federal grants, and provide further that the operation of the plan will not result in a reduction in local expenditures or a substitution of Federal for State or local funds for personnel administration, and further provide that Federal funds made available to States under other programs may not be used by States for matching purposes under this Act, and State funds used for matching on other federally assisted merit programs may not be used for matching under this Act, except that this shall not affect receipt of the minimum sum authorized under section 205(b).

PART C—GRANTS FOR PERSONNEL ADMINISTRATION IN METROPOLITAN AREAS

SEC. 207. (a) From the sums appropriated under section 202(c) the Secretary shall make annually grants to States or metropolitan units of general local government which have projects approved by him under section 208.

(b) The Secretary of Health, Education, and Welfare, with the concurrence of the Secretary of Housing and Urban Development, shall establish such standards for the distribution of grants under this section among the States and among such metropolitan units as will most effectively carry out the purposes of this Act, and shall establish regulations for financial participation by States or such units, or both, in an amount equal to at least one-third of the costs of each project, including the reasonable value of facilities and personnel services made available by the State or such local government for the administration of the project.

Project requirements

SEC. 208. Projects to be approved for grants under section 207 shall conform to criteria established in regulations which shall be issued by the Secretary of Health, Education, and Welfare, with the concurrence of the Secretary of Housing and Urban Development. Grants will be used, in accordance with such regulations, for projects for strengthening personnel administration on a merit basis in order to meet increasingly critical problems of administration in metropolitan units of general local government. Projects may include, but are not limited to—

(1) assessment of manpower needs in developing programs and methods for meeting them;

(2) improvement of classification and compensation plans, and recruitment and examinations, particularly for professional, administrative and technical personnel in shortage categories;

(3) application of psychological and other research in personnel administration directed toward improvement of selection and development of members of disadvantaged groups whose capacities are not being fully used;

(4) plans for establishing auxiliary or support types of positions to perform appropriate functions currently performed in occupations in which there are now shortages;

(5) research and demonstration relating to techniques, such as electronic data processing, for improving the speed and quality of personnel operations; and

(6) cooperative activities in recruitment and examining by governmental jurisdictions operating in metropolitan areas.

Exception—Submittal of local projects

SEC. 209. After the expiration of one year from the date of enactment of this Act, if a State has not submitted any projects under section 208 of this title which have received approval, the metropolitan units of general local government may submit projects for approval, and such projects may be approved if they comply with the requirements of section 208.

Administration

SEC. 210. The provisions of this title shall be administered by the Secretary, who is authorized to furnish such technical assistance to States or units of general local government and to prescribe such regulations as may be necessary to carry out the purposes of this title.

Suspension of grants

SEC. 211. Whenever the Secretary, after giving reasonable notice and opportunity for hearing to the State or local agency administering a plan approved under this title, finds (1) that such plan has been so changed that it no longer complies with the provisions of this title, or (2) that in the administration of the plan there is a failure to comply substantially with any such provision, the Secretary shall notify such agency of his findings and no further payments will be made to the State or other recipient under this title (or in his discretion further payments will be limited to projects under, or portions of, the plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply.

TITLE III—AUTHORIZATION FOR TRAINING

Declaration of purpose

SEC. 301. The purpose of this title is to foster the training of State and local employees and elected officials by permitting their attendance at Federal courses, and by authorizing Federal departments or agencies administering grant-in-aid programs to conduct training and to permit Federal grants to States and localities to be used for training and educational leave.

Participation in Federal programs

SEC. 302. Any Federal department or agency conducting training programs for professional, administrative, or technical employees in the Federal service is authorized to include in such programs, under conditions imposed by the head of such agency, State and local officers and employees in similar or related functions, on the request of the State or local government. Fees for attendance at any such training program may be received by the Federal agency conducting it and expended in the same manner as fees received for attendance of Federal employees, or the payment of fees may be waived in occupational categories determined by the head of the Federal department or agency to be in short supply.

Training in grant-aided programs

SEC. 303. Any Federal department or agency administering a program of grants or financial assistance to States and localities, but not including project grants, is authorized (a) to conduct training for State and local officers and employees in professional, administrative, and technical fields related to such programs; (b) to allocate sums to States and localities from Federal funds appropriated for State or local administrative expenses of the program, but not in excess of 10 per centum of such funds, and under the usual terms and conditions of such grants, for the conduct of training for State and local officers and employees in such program; and (c) to allocate sums to States and localities from Federal funds appropriated for State or local administrative expenses of the program, but not in excess of 10 per centum of such funds, and under the usual terms and conditions of such grants, for educational leave or comparable arrangements for salaries and training expenses of employees in professional, administrative, and technical fields who have been employed under a merit system of personnel administration in State or local agencies administering the federally aided program, in order for them to attend university or other training courses related to the program. Allocations authorized under sections 303(b) and 303(c) will be made only upon the request of participating State and local governments.

Civil Service Commission study

SEC. 304. To facilitate implementation of this title, the Civil Service Commission shall assume responsibility for—

(a) identification, review, and assessment of existing programs, and making recommendations to individual department heads with respect to problems of overlapping and duplication;

(b) identification of areas of training needs; and

(c) advising the President and department heads of findings with respect to the foregoing.

The President is authorized to assign to the Commission the role of coordinator under this title.

SEC. 305. The authorizations in this title are not a limitation on existing authority under law for Federal departments or agencies to conduct training or to make grants for training or educational leave.

TITLE IV—GRANTS FOR TRAINING OF STATE AND LOCAL OFFICERS AND EMPLOYEES

Declaration of purpose

SEC. 401. The purpose of this title is to promote higher levels of performance of elected officials and employees in the public service, particularly in professional, administrative, and technical fields, and the development of employee potential by providing Federal assistance to State and local governments to institute and carry out programs for the training of their employees in fields where such Federal assistance is not already provided under grant-in-aid or other statutes.

Advisory Council on Training

SEC. 402. The President is authorized to appoint an Advisory Council on Training composed of representatives of State and local governmental officials and agencies having State- and local-related programs, and such interested groups as labor organizations, public and private educational institutions, and business enterprises to advise the Commission in carrying out its function under this title and with respect to matters of general policy in its administration. The Chairman of the Civil Service Commission shall serve as Chairman of the Advisory Council.

Appropriation authorization

SEC. 403. There is hereby authorized to be appropriated the following sums for payments to States and units of general local government which have plans approved under this title for the training of their employees: $10,000,000 for fiscal year 1968, $25,000,000 for fiscal year 1969, and $50,000,000 for each of the fiscal years 1970, 1971, and 1972.

Grants authorized

SEC. 404. (a) From the sums appropriated under section 402 the Commission shall make annually grants to States or units of general local government which have plans approved by it under sections 405 and 406, respectively.

(b) The sums available annually for grants under this section shall be allotted among the States, and between States and units of general local government in a State, under formulas to be approved by the Commission which shall give weight to the number of State and local employees, the number of local governments participating, the scope of training to be provided, and the financial ability of the State as indicated by its relative per capita income, except that the annual allotment of no State will be less than $35,000 for fiscal year 1968 and $70,000 for any fiscal year thereafter.

Requirements of State plans

SEC. 405. A State plan for training of officers and employees to be approved must—

(1) designate the State agency for the administration of the plan;

(2) set forth a program for the training of officers and employees of States and units of general local government, which may include elected officials and legislative employees and which will meet the objectives of this title and provide for training personnel of agencies not receiving assistance under other Federal programs;

(3) provide for continuing assessment of training needs;

(4) set forth equitable standards for the selection and assignment of personnel for training;

(5) provide for the efficient utilization of personnel who have been given such training, and for their continued service for a reasonable period of time;

(6) provide that educational leave or other arrangements for payment of salary and training expenses for periods in excess of three months in any one year shall be allowed only for career personnel employed in accordance with a merit system;

(7) set forth, when training is to be given through university, professional association, or other nongovernmental facilities, the policies with respect to the selection of such facilities and types of agreements to be entered into for the training; and

(8) provide for financial participation by the States, the units of general local government thereof, or from private sources, in an amount equal to one-fourth of the cost of the training, including the reasonable value of facilities and personal services made available for administration of the training, and provide that the operation of the plan will not result in a reduction in State and local expenditures or substitution of Federal for State or local funds for training, and further provide that Federal funds made available to States under other programs may not be used by States for matching purposes under this Act, and State funds used for matching in other federally assisted merit programs may not be used for matching under this Act, except that this shall not affect receipt of the minimum sum authorized under section 404(b) of this Act.

Exception—Submittal of local plans

SEC. 406. If after one year from the effective date of this Act, a State has not submitted and had approved a plan under section 405, including provision for training of local governmental employees involving expenditures at least equivalent to the expenditures for training of State government employees, one or more units of general local government in the State jointly or severally may submit a plan for such training during the following fiscal year, designating a single local agency for administration and otherwise conforming to the requirements of section 405 under regulations which shall be prescribed by the Commission with the concurrence of the Secretary of Housing and Urban Development.

Administration

SEC. 407. The provisions of this title shall be administered by the Commission, which is authorized to furnish such technical assistance to States or units of general local government and to prescribe such regulations as may be necessary to carry out the purposes of this title.

Suspension of grants

SEC. 408. Whenever the Commission, after giving reasonable notice and opportunity for hearing to the State or other agency administering any plan approved under this title, finds (a) that a State or other plan has been so changed that it no longer complies with the provisions of this title, or (b) that in the administration of the plan there is a failure to comply substantially with any such provision, the Commission shall notify such agency of its findings and no further payments will be made to the State or other recipient under this title (or in its discretion further payments will be limited to projects under, or portions of, the plan not affected by such failure) until it is satisfied that there will no longer be any failure to comply.

TITLE V—COOPERATION IN PERSONNEL RECRUITMENT AND EXAMINATION

SEC. 501. The Commission is authorized to join, on a shared-cost basis, with States or units of general local government or both, in cooperative recruitment or examinations under such regulations as may be jointly agreed upon.

SEC. 502. The Commission is authorized, upon written request from the State, a unit of general local government thereof, or both, and under such regulations as may be jointly agreed upon, to certify to such State or unit, from appropriate registers, a list of eligible personnel who have successfully completed such examinations and satisfied such requirements as the Commission has prescribed, upon payment by such State or unit of salaries and other costs for performing such service.

SEC. 503. The terms of reimbursement for the service authorized under section 502 shall be determined by the Commission. All moneys received by the Commission in payment for furnishing such service authorized shall be deposited to the credit of the appropriation of the Commission currently available for the cost of such service.

TITLE VI—AUTHORITY FOR INTERSTATE COMPACTS

SEC. 601. To promote higher personnel standards and mobility of qualified personnel, particularly professional, administrative, and technical personnel in shortage categories, the consent of the Congress is hereby given to any two or more States to enter into compacts or other agreements, not in conflict with any law of the United States, for cooperative efforts and mutual assistance (including the establishment of such agencies, joint or otherwise, as they deem desirable) for the administration of personnel and training programs for officers and employees of State and local governments.

TITLE VII—REPORTS, RECORDS, AND AUDITS

SEC. 701. (a) Each recipient of a grant under this Act shall make such reports in such form and containing such information as the head of the Federal department or agency concerned or the Commission may from time to time require, and shall keep such records as the head of the Federal department or agency concerned or the Commission shall prescribe, including records which fully disclose the amount and the disposition by such recipient of such grant, the total cost of the project or undertaking in connection with which such grant is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The head of the Federal department or agency concerned or the Commission, and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to the grant received.

TITLE VIII—INTERCHANGE OF FEDERAL AND STATE AND LOCAL EMPLOYEES

DECLARATION OF PURPOSE

SEC. 801. The objectives of this title are to aid in the dissemination of useful information, to provide a means whereby the Government of the United States and the several States and local governments may better cooperate in problems arising as a result of the interrelationships of their work and to provide training opportunities for their employees.

Cooperative agreements: Period of assignment

SEC. 802. In carrying out this title, all Federal departments and agencies are authorized through cooperative agreements or otherwise to provide for the interchange of Federal employees and employees of State and local governments. The period of assignment under such an interchange agreement shall not exceed two years.

Departmental employees: Status, salary and leave rights; disability or death arising out of injury

SEC. 803. Federal employees participating in an exchange of personnel as authorized in section 802 of this title may be considered during such participation to be (1) on detail to a regular work assignment of their department or agency, or (2) in a status of leave-of-absence from their positions in the department or agency. Employees who are considered to be detailed shall be entitled to the same salary and benefits to which they would otherwise be entitled and shall remain employees of the department or agency for all other purposes except that the supervision of their duties during the period of detail may be governed by agreement between the department or agency and the State or local government involved. Employees who are in a leave-of-absence status as provided herein shall be carried on leave without pay: *Provided*, That they may be granted annual leave to the extent authorized by law and may be granted authorized sick leave only in circumstances considered by the head of the department or agency to justify approval of such leave. Except as otherwise provided in this title, such employees shall have the same rights, benefits, and obligations as employees generally who are in such leave status but, notwithstanding any other provision by law, such employees shall be entitled to credit the period of such assignment (1) toward periodic and longevity step-increases, and (2) upon payment into the retirement fund of the percentage of their salary which would have been deducted from a like Federal salary for the period of such assignment, as service within the meaning of the Civil Service Retirement Act; and they shall also be entitled to continuation of their benefits under the Federal Employees' Group Life Insurance Act of 1954 and the Federal Employees' Health Benefits Act of 1959, so long as the department or agency continues to collect the employee's contribution from the employee and to transmit for timely deposit into the employee's life insurance fund or the employee's health benefits funds, as the case may be, the amount of the employee's contribution, and the Government's contribution from department or agency appropriations. Any employee who participates in an exchange under the terms of this section and who suffers disability or death as a result of personal injury arising out of and in the course of an exchange, or sustained in the performance of duties in connection therewith shall be treated, for the purposes of the Federal Employees' Compensation Act, as amended, as though he were an employee as defined in such Act, who had sustained such injury in the performance of such duty, but shall not receive benefits under that Act for any period for which he elects to receive similar benefits from a State or local government agency.

Same; travel expenses

SEC. 804. Appropriations of the department or agency shall be available, in accordance with existing regulations, as amended, governing travel and related expenses of classified employees, for the expenses of travel of employees assigned to State or local governments on either a detail or leave basis, expenses of transportation of their immediate families and expenses of transportation of their household goods and personal effects to the location of the posts of assignment and for such expenses for the return of employees to their official duty stations, but shall not be available for expenses of travel of the employees during such period of assignment.

State employees; appointments or detail; compensation; supervision of duties

SEC. 805. Employees of States who are assigned to the department or agency under authority of this title may (1) be given appointments in the department or agency covering the periods of such assignments, or (2) be considered to be on detail to the department or agency. Appointments of persons so assigned may be made without regard to the civil service laws or regulations. Persons given appointment in the department or agency shall be paid at rates of compensation in accordance with the provision of chapter 51 and subchapter III of chapter 53 of title 5, United States Code. State or local employees who are assigned to the department or agency without appointment shall not be considered to be employees of the department or agency, except as provided in section 806 of this title, nor shall they be paid a salary or wage by the department or agency during the period of their detail. The supervision of the duties of such employees during the assignment may be governed by agreement between the department or agency and the State or local governments involved.

Same: Conflict of interest; disability or death arising out of injury

SEC. 806. (a) Any State or local employee who is assigned to a department or agency without appointment shall nevertheless be subject to the provisions of sections 203, 205, 207, 208, 209, 1902, and 1905 of title 18, United States Code.

(b) Any State or local employee who is given an appointment while assigned to the department or agency or who is assigned to the department or agency without appointment and who suffers disability or death as a result of personal injury arising out of and in the course of such assignment, or sustained in the performance of duties in connection therewith shall be treated, for the purpose of the Federal Employees' Compensation Act, as amended, as though he were an employee, as defined in such Act, who had sustained such injury in the performance of such duty, but shall not receive benefits under that Act for any period for which he elects to receive similar benefits as a State or local employee.

Same; travel expenses

SEC. 807. The appropriations of the department or agency shall be available in accordance with existing regulations, as amended, governing travel and related expenses of classified employees, for the payment of expenses of travel of persons assigned to, but not given appointments by, the department or agency under authority of this title during the periods of such assignments on the same basis as if they were employees of the department or agency.

TITLE IX—DEFINITIONS

SEC. 901. When used in this Act—

State

(a) The term "State" means any of the several States of the United States, the District of Columbia, Puerto Rico, any territory or possession of the United States, or any agency or instrumentality of a State, but does not include the governments of the political subdivisions of any State;

Merit system

(b) The term "merit system" means generally a planned State or local operation to develop and maintain an efficient career service, under public rules, which among other provisions include appointment through competitive examination, nondiscrimination in race, politics, or religion, an equitable and adequate pay plan, tenure contingent on successful performance, and promotion on evaluated capacity and service;

Metropolitan unit of general local government

(c) The term "metropolitan unit of general local government" means any city or comparable general-purpose political subdivision of a State with a population of one hundred thousand or more, as determined by the most recent Federal census, or any county or parish with such population which includes a city or comparable subdivision with a population of fifty thousand or more, as determined by such census; and

Nonmetropolitan unit of general local government

(d) The term "nonmetropolitan unit of general local government" means any city, county, parish, town, village, or other general-purpose political subdivision of a State, except such units of general local government as are included within the definition contained in subsection (c).

PURCHASE BY U.S. FOREST SERVICE OF 3,000 ACRES OF PRIVATE LANDS FOR ADDITION TO WASATCH NATIONAL FOREST IN UTAH

Mr. MOSS. Mr. President, I send to the desk, for appropriate reference, a bill to authorize the purchase by the U.S. Forest Service of private lands, not to exceed 3,000 acres, for addition to the Wasatch National Forest in Utah.

The land is located in Mill Creek Canyon above the diversion of the proposed Little Dell Reservoir, and in Little Cottonwood and Big Cottonwood Canyons.

These areas are now being sought for subdivision development, which would create sanitary and stream pollution problems which could seriously threaten the quality of the water in all three creeks and thus threaten the water source of Salt Lake City. Both Big and Little Cottonwood Creeks are already a major source of the present water supply for Salt Lake, and the waters of Mill Creek are contemplated for use as an additional source of supply through construction of the Little Dell Reservoir which has been approved by the Division Office of the Army Corps of Engineers Office in San Francisco, Calif.

I am introducing this bill at the request of Salt Lake City Corporation.

I ask unanimous consent that a letter from Commissioner Conrad P. Harrison covering the details of the proposal, and indicating other sources of support for the project in Salt Lake, be printed in the Congressional Record; as well as the resolution passed by the board of city commissioners, and referred to in the letter, that a statement of problems on the land in question prepared at my request by the U.S. Forest Service; and an editorial from the Salt Lake Tribune.

There being no objection, the material was ordered to be printed in the Record, as follows:

Salt Lake City Corporation,
Department of Water Supply
and Waterworks.
Salt Lake City, Utah, January 18, 1967.

Hon. Frank E. Moss,
U.S. Senate,
Washington, D.C.

Dear Senator Moss: The increasing number of applications for approval of subdivisions on the watershed along the Wasatch Front for year around residential and commercial use has become a source of great concern to public officials responsible for water supply in the Salt Lake Valley, and also to citizens interested in the conservation of our natural resources.

We are all concerned with the economic progress of this area, but land uses must be compatible with the overall development of our resources if the public is to be assured of the maximum commodities and services the land is capable of producing.

Two large tracts of land, one located in Sections 32 and 33, Township 1 South, Range 3 East, Salt Lake Base & Meridian, containing some 960 acres in Mill Creek Canyon above the diversion of the proposed Little Dell Reservoir, and another located in Section 12, Township 3 South, Range 1 East and Sections 7, 8 and 9, Township 3 South, Range 2 East, Salt Lake Base & Meridian, containing approximately 700 acres in the lower portion of Little Cottonwood Canyon are being vigorously promoted for this purpose.

This turn of events prompted this department to contact the Wasatch National Forest officials to determine whether or not this property could be purchased and included within the National Forest boundary. We were informed that this was feasible, but that under present funding it would not be possible to acquire this land. We then requested the Board of City Commissioners to pass a resolution (a copy of which has been forwarded to you) to seek your assistance in solving this problem by introducing legislation in the Congress to authorize the purchase of these canyon lands by the federal government.

The proper development and management of these lands is not only important for the protection of the quality of the water supply, but also for the preservation of the natural beauty of the area and to reserve the land for recreational use by the public rather than for the benefit of a few individuals. An added benefit would be the protection of a historically valuable area in Little Cottonwood Canyon where the granite for construction of the Salt Lake Temple was quarried.

We are also forwarding maps showing the location of these properties and a copy of a letter to the Salt Lake County Planning Commission written by the City Health Commissioner and the Superintendent of the Department of Water Supply & Waterworks setting forth the city's position in this matter. At the hearing held by the planning commission other letters were submitted by the Utah State Health Department, the League of Women Voters, Midvale City and several other groups supporting this position.

Mr. Tourtillott, Supervisor of the Wasatch National Forest has been compiling a report on this proposal that will be forwarded to your office in the near future.

We appreciate your interest in this problem and sincerely hope that you will be successful in having a bill passed to acquire this property. We are certain that proper control of this land will be of lasting benefit to the citizens of Salt Lake County.

Please call on us for any additional information that you may require.

Sincerely,

Conrad B. Harrison,
Commissioner.

Resolution

Whereas, Little Cottonwood Creek constitutes one of the major sources of water supply presently used to supply water to the residents of Salt Lake City and Salt Lake County; and,

Whereas, it is contemplated to use the waters of Millcreek as an additional source of water supply in connection with the construction of which has been approved by the Army Engineers, Division Office in San Francisco, California; and,

Whereas, there are certain portions of the canyons through which said creeks flow which are being sought by real estate interests for subdivision purposes; and,

Whereas, the development of said canyon lands into year round residential subdivisions would create sanitary and stream pollution problems seriously affecting the quality of the water of said creeks; and,

Whereas, the lands comprising said canyons ought to be preserved for their beauty and their utility to the public generally as a place of recreation and relaxation; and,

Whereas, to best preserve these lands for these purposes they should be made a part of the Wasatch National Forest:

Now, therefore, be it resolved by the Board of Commissioners of Salt Lake City, Utah, that it hereby requests the members of the Congress of the United States representing the State of Utah to introduce and sponsor legislation in the Congress to authorize the purchase of said canyon lands by the Federal Government and make the same a part of the Wasatch National Forest. Said lands are situated in Salt Lake County, Utah, and are generally located and described as follows: One tract located in the head of Millcreek Canyon, being Section 32, S ½ of Section 33, T1S, R3E, totaling 970 acres; and a tract located in Little Cottonwood Canyon containing approximately 700 acres, situated in Section 12, T3S, R1E, and Sections 7, 8 and 9, T3S, R2E.

Be it further resolved that a copy of this resolution be forwarded to each member of the Utah Congressional Delegation, Washington, D.C.

Passed by the Board of Commissioners of Salt Lake City, Utah, this 29th day of December, 1966.

J. Bracken Lee, *Mayor.*
Herman J. Hogensen, *City Recorder.*

Report on Certain Lands Within the Wasatch National Forest

This is a report on the status, condition, and use of certain lands within the Wasatch National Forest and lying in or adjacent to Mill Creek Canyon, Little Cottonwood Canyon, and Big Cottonwood Canyon. All three canyons are critical watersheds along the Wasatch Front east of Salt Lake City. They also afford fine recreation and other outdoor opportunities for the people of the Salt Lake City area.

The Wasatch Front portion of the Wasatch National Forest is contiguous to and overlooks Metropolitan Salt Lake City and the heavily populated Salt Lake Valley. Because of the physiographic relationship to the population centers, this geographic area requires special consideration in occupancy and land use management planning. The area of particular concern is comprised of the drainages of the three major canyons, Mill Creek, Big Cottonwood Creek and Little Cottonwood Creek.

In a resolution of December 29, 1966, the Salt Lake City Corporation's Board of Commissioners urged that certain privately owned lands in two of the canyons, Mill Creek and Little Cottonwood Creek, be made a part of the Wasatch National Forest. The resolution stressed the need for placing these lands in public ownership to protect the present and future water supplies of Salt Lake City. The lands specified in the resolution cover approximately 1,885 acres. Plans are being made by the owners to develop these lands for residential purposes. Such use poses an immediate threat to the quality and supply of water available to the City and surrounding areas. The two creeks are major sources of water for Salt Lake City. Much of the water now goes or will go into the city's culinary water systems.

The canyons are narrow, steep walled, and glaciated. Bare canyon walls or steep slopes with a highly flammable brush cover are typical. Because of the steep slopes, avalanche paths, and rockfall areas, most of the area is unsuitable for conventional types of construction without considerable land development work. The presently proposed residential development would take place on gentler terrain along the canyon bottoms.

Even though garbage and sewage disposal are planned, there could be pollution from residents working and playing in areas adjacent to their homes. Excrement from family pets, trash, and other pollutants from yards, streets, and gutters would be washed into the streams by surface runoff. Replacing the vegetative cover and covering the absorptive soil of the canyon floor with paved roads and rooftops would produce undesirable watershed effects. Abnormally high stream flows and early runoff would affect stream channels and improvements and late summer water supplies.

The private lands described in the resolution are only those the Commissioners consider as posing an immediate threat to the water and recreation resources of the Salt Lake City area. Although most of the watershed area is National Forest land, many other private tracts are so situated as to be critical components of the three major watersheds. Their future use and management will determine to a large extent water quality and supply for the Salt Lake City area.

Much of this private land lies near the mountain crest in the highest precipitation zones, where good watershed conditions are most important. Because of higher altitudes and lower temperatures, soils are thin and less productive. Vegetative cover is thin and delicate for the same reasons. This combination of conditions means that watershed values can be very easily destroyed or impaired by use for incompatible purposes. Because of the urban dependence on this area for its water supply, the control of siltation, pollution, and timing of runoff is critical.

The canyons along the Wasatch Front are an important recreation resource also. Residents of Salt Lake City and the heavily populated Salt Lake Valley are dependent upon these lands for reasonably close outdoor recreation. Development of private lands for residential purposes could destroy or impair the value of these areas for hiking, picnicking, hunting, fishing, winter sports, geologic and nature interpretation and other recreational and aesthetic purposes.

There are approximately 15,200 acres of privately owned inholdings within the Wasatch Front area of the Wasatch National Forest in these three canyons. About 80 percent or 12,000 acres have significant winter and summer watershed and public recreation values. Prompt assurance that some 3,000 acres in key privately owned tracts will receive proper use and management so as to protect these water and recreation resources is of vital importance to the people of this area. Plans, and the potential, for development of certain of these lands for residential and other high density or intensive private use have escalated land values in the area to more than $1,000 per acre for certain tracts. The estimated cost of acquiring the 3,000 acres for public purposes is $2,100,000.

[From the Salt Lake Tribune, Jan. 6, 1967]

GUIDELINES FROM PROVO WATER PLAN

A recent ceremony in Provo, marking the launching of a cooperative program to protect and properly manage 10,000 acres of critical watershed, offers a guideline for safeguarding other vital water-producing lands in the Wasatch Front area.

The ceremony featured Clarence C. Thornock, supervisor of the Uinta National Forest, presenting a check from the federal government for $199,976.87 in partial payment for watershed land being acquired from private owners for protection.

The check, representing about half the total cost, pays for land being acquired on the South Fork of the Provo River, vital for Provo's present and future culinary water supply. Provo will bear the remaining expense. Following a previous agreement, about 9,000 acres of the higher mountain land goes to the Uinta National Forest for protection and treatment, and 1,000 acres of the sloping bench land will be administered by Provo City.

The Provo agreement, culminating years of negotiation, is one of several projects to give maximum protection to steep watersheds put in jeopardy by modern developments and overuse. The need for adjusting the boundaries of the national forests to safeguard critical watershed land has been acute for years. That the program could be pushed through Congress in two years is a compliment to the hard work and persuasiveness of Senator Frank E. Moss and other members of the Utah delegation.

Similar efforts in local communities and Washington have resulted in ceding seriously eroding private land to the Wasatch and Cache National forests in recent years. Notable was the purchase by the federal government in 1962 of some 24,000 acres of land at the head of Weber Canyon and placing it under Forest Service administration. This stabilized land adjacent to the trans-mountain diversion tunnel of the Weber River Reclamation Project which conveys water from the Weber in Morgan County to communities on the west side of the mountain in Weber and Davis counties.

The most crucial need for protecting watershed from developments which could cause pollution and serious erosion involves steep canyon land southeast of Salt Lake City. It was brought to public attention recently by announced plans of a real estate firm to subdivide steep mountainous land remaining in private ownership in Little Cottonwood and Mill Creek canyons. The lower Little Cottonwood Canyon subdivision proposal resulted in demands for strong measures to protect the streams and adjacent land from all forms of damage. Local public funds are lacking to buy the land in question (700 acres in Little Cottonwood and 790 acres in upper Mill Creek Canyon) and keep it in its present semi-primitive condition. As a result, the Salt Lake City Commission has asked Utah's congressional delegation to sponsor a bill to buy the land for the Wasatch National Forest, and Senator Moss has announced he will introduce the bill early in the 90th Congress. Under the plan, owners of the private land which exists in a "crazy quilt" pattern with public acreage, would be compensated for their land.

The Provo ceremony should spur Salt Lake City groups to action.

Mr. MOSS subsequently said: Mr. President, I ask unanimous consent that the bill which I introduced earlier today, to acquire certain lands within the boundaries of the Wasatch National Forest, be referred to the Senate Committee on Interior and Insular Affairs, and printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered, and the bill will be printed in the RECORD.

The bill (S. 701) to authorize and direct the acquisition of certain lands within the boundaries of the Wasatch National Forest in the State of Utah by the Secretary of Agriculture, introduced by Mr. Moss, was received, read twice by its title, by unanimous consent, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 701

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to promote in a timely and adequate manner control of floods, the reduction of soil erosion and stream pollution through the maintenance of adequate vegetative cover, and the conservation of their scenic beauty and the natural environment, and to provide for their management, protection and public use as national forest lands under programs of multiple use, the Secretary of Agriculture is authorized and directed to acquire, at not to exceed the market value as determined by him, such of the non-federally owned land, not to exceed 3,000 acres, in the area described in section 2 hereof as he finds suitable to accomplish the purposes of this Act.

SEC. 2. This Act shall be applicable to lands with the boundary of the Wasatch National Forest in the watersheds of Mill Creek, Big Cottonwood Creek, and Little Cottonwood Creek, being portions of townships 1, 2 and 3 south, ranges 1, 2, and 3 east, Salt Lake base and meridian.

SEC. 3. There is hereby authorized to be appropriated for the purposes of this Act not to exceed $——, to remain available until expended.

BEAUTIFICATION PROGRAM IS ADVANCED—REVIEW OF STANDARDS CONTEMPLATED

Mr. RANDOLPH. Mr. President, on January 10, 1967, the Department of Commerce transmitted to Congress the report on the highway beautification program required by the provision of Public Law 89–285.

As the result of that transmittal, I wrote to the Honorable Alan S. Boyd, the Secretary of Transportation, whose Department will have the responsibility for administering the beautification program. The purpose of my letter of January 16, 1967, was to establish more fully the ground rules pursuant to which the Secretary would reach agreements with the several States in controlling outdoor advertising signs located in zoned and unzoned industrial and commercial areas.

Mr. President, I submit a resolution to authorize the printing, as a Senate document, of the January 10 highway beautification report and the accompanying draft standards and criteria together with that correspondence.

The Department's reply to my letter to Secretary Boyd indicates, I believe, that the States will not be required to accept the standards developed by the Bureau of Public Roads as the sole basis for an agreement under penalty of losing 10 percent of their Federal highway funds for failure to do so.

I emphasize that the Committee on Public Works will hold hearings on this subject prior to any extension of the authority of the program. It is my earnest belief that the States must be treated as coequal partners under the Beautification Act and that they shall not be required to take any action which may be inimical to what they believe to be their best interests.

Implementation of this program as suggested by the Department is highly controversial as the Members of the Senate well know. In addition, there are many differences among the parties concerned with the overall program that remain as yet unresolved.

I request that those responsible for administering the program adopt a realistic attitude until the Committee on Public Works has had an opportunity to examine the full impact of what has been proposed. It is obvious that adjustments to this program are necessary if it is to be effective.

I wish to make it clear to Senators that the Public Works Committee is committed to the development of a reasonable approach to this subject and will maintain an open mind to all suggestions for improvement of the basic legislation, which I sponsored, joined by other Senators, and which I am convinced will bring beautification progress to our country.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 70) was referred to the Committee on Rules and Administration, as follows:

S. RES. 70

Resolved, That the report of the Department of Commerce entitled "The 1967 Highway Beautification Program", be printed, together with certain additional correspondence, as a Senate document.

SEC. 2. There shall be printed five thousand additional copies of such document for the use of the Committee on Public Works.

LEGISLATIVE REORGANIZATION ACT OF 1967—AMENDMENTS

AMENDMENT NO. 38

Mr. PROUTY submitted an amendment, intended to be proposed by him, to the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 39

Mr. THURMOND submitted amendments, intended to be proposed by him, to Senate bill 355, supra, which were ordered to lie on the table and to be printed.

AMENDMENTS NOS. 40 THROUGH 48

Mr. FULBRIGHT. Mr. President, I send to the desk several amendments designed to eliminate or revise certain sections of S. 355 which I believe are impractical and unnecessary. I ask unanimous consent that they be printed at this point in the Record, together with a brief explanation of each one.

The PRESIDING OFFICER. The amendments will be received, printed, and will lie on the table; and, without objection, the amendments and explanations will be printed in the Record.

AMENDMENT NO. 40

On page 5, beginning on line 11, strike out all through line 25 on page 9.

The explanation, presented by Mr. Fulbright, is as follows:

This amendment strikes out several provisions of Section 102 of the pending bill relating to Committee Procedure.

Subsection (a) of section 102 states that three members of the Committee may request that the Chairman call a special meeting of the Committee, and if the Chairman refuses or fails to call such a meeting of the Committee after seven days from the date of the request, a written and signed request from the majority of the Committee can force a meeting whether the Chairman is present or not. If the Chairman does not attend such a meeting, the most senior majority member present shall preside.

In my opinion, this provision is unnecessary. According to the report of the Special Committee, this provision would make applicable to the Senate the procedure presently provided by the Rules of the House. Just because the House has decided to follow this procedure is no reason why the Senate should do so. I believe most Chairmen cooperate closely with the members of their Committees and comply with requests to schedule meetings on any matters of general interest to the members. I would hope, therefore, that it would not be necessary to write this stricture into law.

Subsection (b) provides that Committee meetings for the transaction of business "shall be open to the public except when the committee by a majority vote orders an executive session." This section also provides that "results of roll call votes taken in any meeting . . . upon any measure, or any amendment thereto, shall be announced publicly at the conclusion of that meeting . . ."

I do not agree that we should require Committee business meetings to be open to the public unless a majority decides otherwise. Such a rule would have the effect of discouraging candid discussion and I believe whether meetings should be open or closed is a proper matter for Committee discretion. Moreover, I do not believe the results of roll call votes taken in *executive session* should by law be required to be announced. This should also be a matter for Committee discretion. I might add, however, it has been the practice of the Committee on Foreign Relations to make roll call votes public.

Subsection (c) requires that the report upon a measure approved by a Committee "shall be filed within seven calendar days . . . after the day on which there has been filed with the clerk of the committee a written and signed request of a majority of the committee for the reporting of that measure."

I regard this provision as unnecessary. The present law directs the Chairman of each Committee "to report or cause to be reported promptly . . . any measure approved by his committee . . ." The Committee on Foreign Relations has never experienced any serious problems in connection with filing reports and I seriously question the need for enacting the proposed provision.

Subsection (d) states that no vote shall be taken with respect to any measure or any amendment thereto, "unless a majority of the members . . . are actually present." In addition, this section provides that no votes may be cast by proxy and that the Committee report shall include a "tabulation of the votes" cast on each measure and "each amendment offered thereto."

In my view, this provision is impractical. As you know, many members of the Committee on Foreign Relations serve on other major committees in the Senate and it is impossible for them to attend several meetings at the same time. The same argument applies to voting by proxy. Members unable to be present at Committee meetings should not be denied the right to be recorded by proxy on measures in which they are interested.

With regard to the provision requiring the Committee report to include a tabulation of all votes cast, it seems to me that this requirement is unnecessary and burdensome. Here again, if votes taken in executive session are to be made public, I think it is a matter for the Committee to decide.

Subsection (e) provides that if, at the time of approval of a measure by a Committee, any member "gives notice of intention to file supplemental or minority views" the proposed report shall be sent to each Member of the committee who shall have two days in which to file such views. In addition, it provides that the report shall be filed, and the printed hearings made available, at least three calendar days before any vote is taken in the Senate.

The Committee on Foreign Relations has always permitted its members to file supplemental or minority views on all measures which are ordered reported. It is my view, therefore, that this provision in the proposed bill is not necessary. To require the submission of draft reports to each member of a Committee would delay unduly the filing of reports. In the Senate Foreign Relations Committee any interested member may see and make suggestions regarding the report. I have had no complaints on this score.

I do not agree that measures reported to the Senate should be held for three days after the report is filed and hearings are made available. Although this is primarily a matter which should be decided by the leadership of the Senate itself, in my view, the proposed provision infringes on the Senate leadership's present flexibility in scheduling votes and would result in inconvenience to members and delay in carrying out the business of the Senate.

AMENDMENT NO. 41

On page 12, beginning on line 2, strike out all through line 7 on page 14, and insert the following: "Section 103(a) The last sentence of subsection (e) of section 133 of the Legislative Reorganization Act of 1946 is repealed."

The explanation, presented by Mr. Fulbright, is as follows:

This amendment strikes out Section 103 of S. 355 which deals with Committee Hearing Procedure.

Subsection (a) of section 103 requires each Committee to make a public announcement of the date, place and subject matter of hearings *at least two weeks in advance,* unless the Committee determines by a majority vote that there is good cause to begin the hearings at an earlier date.

In my opinion, this provision would be unworkable and cause undue delay in the scheduling of hearings on matters pending before the Committee on Foreign Relations. The experience of the Committee has shown that the public is put on notice by publication in the Congressional Record when legislation is introduced or nominations and treaties are received, and at that time interested persons or organizations communicate with the Committee and ask to be heard when hearings are scheduled. I believe strict adherence to the two week advance notice requirement would proliferate the number of witnesses with only peripheral interest.

Subsections (c) and (d) of section 103 provide that each Committee shall require witnesses to file written statements of their proposed testimony at least two days in advance of the hearing, unless the Committee determines by a majority vote that there is good cause for the failure of witnesses to file such statements. Before each day of hearings the Committee staff is required to prepare a digest of the witnesses' statements, and at the conclusion of each day of hearings, the staff is required to prepare for the use of the members a summary of the testimony given on that day. These summaries, after approval by the Chairman and the ranking minority member, shall be printed as a part of the Committee hearings.

In my view, a Committee of the Senate should not have to concern itself, *by a majority vote,* with such minutiae as excusing a witness from filing a statement of his testimony two days in advance. If this provision is to be retained, I would prefer that the burden be placed entirely on the witness with an "either or" alternative, *i.e.,* either he submits a statement two days in advance or he will not be allowed to testify. He should, however, be permitted to submit his statement for inclusion in the record.

I have serious doubts about the requirement that Committee staffs prepare digests of witnesses' statements and daily summaries of hearings. Obviously, this would necessitate the hiring of additional personnel and I do not think the digests and summaries would be useful enough to justify the expenditure involved in their preparation. I might add, each witness who appears before the Committee on Foreign Relations usually gives an oral summary of his prepared statement at the time he testifies. Moreover, the Foreign Relations Committee staff prepares a memorandum on each measure under consideration which, in my view, is sufficiently adequate for our purposes. It seems to me that relationships between the Committee and its own staff and what the staff does are not proper subjects for legislation. Surely each Committee can be entrusted with a proper dealing with that relationship.

AMENDMENT NO. 42

On page 16, beginning on line 5, strike out all through line 8 on page 18.

On page 18, line 14, beginning with the word "Such" strike out all through the word "section," on line 23.

On page 19, strike out all on lines 3 to 21, inclusive.

The explanation, presented by Mr. Fulbright, is as follows:

This amendment deletes those provisions of Section 105 of S. 355 which authorize each

Committee to employ a professional staff member (review specialist) who would be assigned exclusively to "legislative oversight" duties. He would be responsible for carrying out projects or supervising studies (approved by the Chairman and ranking minority member) of matters within the jurisdiction of the Committee involved. In this connection, each Committee would be required to submit an annual report to the Senate on its activities carried out under the authority of this section.

In my opinion, these and other legislative oversight functions have been and are presently being adequately performed by the Committee staff under Committee supervision. While I favor the increased staff provisions of S. 355, I see no valid reason why one individual should be assigned *exclusively* to oversight duties. The Committee on Foreign Relations has undertaken reviews of a number of subjects within its jurisdiction and I expect that it will continue to do so, even in the absence of a "review specialist."

AMENDMENT NO. 43

On page 20, beginning on line 6, strike out all through line 16 on page 21.

The explanation, presented by Mr. Fulbright, is as follows:

This amendment deletes Section 106 of the bill which would require the Senate to prepare a separate conference report and permit any conferee to submit an additional explanatory statement as an appendix to such report. The Special Committee feels that this practice should be followed in the Senate "in order that the membership of both Houses will be adequately informed prior to a vote."

While I have no objection to the Senate conferees preparing separate conference reports, I do question whether this requirement should be mandatory. In my experience, there are times when it is more helpful to report the results of a conference by making a statement on the Senate floor. This has been my practice. I believe, therefore, that the conferees should be given some discretion as to whether it is necessary to file a separate conference report.

AMENDMENT NO. 44

On page 54, line 20, insert a period after the word "reported" and strike out all through line 7 on page 55.

The explanation, presented by Mr. Fulbright, is as follows:

This amendment strikes out Section 251 of the proposed bill which provides that the report accompanying each bill or joint resolution shall contain a Committee and Executive Branch estimate of the costs which would be involved in carrying out such legislation over a five-year period. Moreover, this section adds that it shall not be in order to consider a bill or joint resolution if the Committee report does not comply with the cost estimate provisions.

I have no objection to including a cost estimate provision in a Committee report. As a matter of fact, this practice is currently followed by the Committee on Foreign Relations. However, I do question the advisability of requiring the inclusion of *two* cost estimates. It seems to me that one such cost estimate by an appropriate Federal agency should suffice. If each Senate Committee were to include its separate estimates, there would be need for additional staff budget officers.

AMENDMENT NO. 45

Beginning with line 26 on page 56, strike out through line 5 on page 60 and insert in lieu thereof the following:

"'(a) Each standing committee on the Senate and House of Representatives is authorized—

"'(1) to appoint, on a permanent basis, without regard to political affiliation and solely on the basis of fitness to perform their duties, not more than six professional staff members in addition to the six clerical staff members;

"'(2) to prescribe their duties and responsibilities; and

"'(3) to terminate their employment as the committee may deem appropriate.'

"(b) Subsection (b) of such section 202 (2 U.S.C. 72a(b)) is amended to read as follows:

"'(b) Notwithstanding any other provision of law, no amounts shall be paid to any employee of the Committee on Appropriations of the Senate or the Committee on Appropriations of the House of Representatives, in addition to the regular salary of such employee, for supervising the work of preparing statements of appropriations required by section 64 of the Revised Statutes, as amended and supplemented, (2 U.S.C. 105).'

"(c) Such section 202 is amended by striking out subsection (h), and by adding after subsection (f) the following new subsections:".

On page 60, line 6, strike out "(i)" and insert in lieu thereof "(g)".

On page 61, line 17, strike out "(j)" and insert in lieu thereof "(h)".

On page 63, beginning with line 14, strike out through line 7 on page 64.

On page 64, line 8, strike out "(f)" and insert in lieu thereof "(e)".

The explanation, presented by Mr. Fulbright, is as follows:

Section 301(a) of S. 355 sets forth a very elaborate and detailed system for selecting standing committee staffs. This amendment strikes out all of the proposed new language and substitutes the more simplified provisions contained in section 404(a) of the bill, which governs the staff selection procedure of the proposed Joint Committee on Congressional Operations.

In addition, the amendment prohibits the payment of compensation to any employee of the Senate or House Appropriations Committees for supervising the work of preparing statements of appropriations required by section 64 of the Revised Statutes, as amended and supplemented (2 U.S.C. 105). Annual legislative branch appropriations acts currently authorize an appropriation of $13,000 to be paid to the persons designated by the chairmen of the Senate and House Appropriations Committees to supervise the preparation of such statements. The effect of this provision is to increase the salaries of selected members of the staffs of the Appropriations Committees.

I see no reason why the staffs of the Appropriations Committees should be singled out to receive additional compensation for carrying out the duties which they are required to perform by law as a part of their regular assignments. Furthermore, staffs on other committees perform similar functions of summarizing the work of their committees for which they do not receive such compensation. Equity would seem to require equal pay for equal work.

AMENDMENT NO. 46

On page 11, after line 24, insert the following new subsection:

"(f) Section 133(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190a) is amended by inserting therein immediately after the words 'Committees on Appropriations', the words 'and the Committee on Foreign Relations of the Senate'."

AMENDMENT NO. 47

On page 12, immediately after the word "Appropriations" on line 9, insert the words "and the Committee on Foreign Relations of the Senate".

AMENDMENT NO. 48

On page 14 after the words "Committee on Appropriations" on line 16, insert "or the Committee on Foreign Relations".

The explanation, presented by Mr. Fulbright, is as follows:

The purpose of these three amendments is to give the same privileges and immunities to the Committee on Foreign Relations as are currently applied to the Committee on Appropriations. As presently written, the Senate Committee on Appropriations is exempt from these provisions and I believe the Committee on Foreign Relations would operate much more efficiently and expeditiously if it did not have to comply with them either. I do not see why the Committee on Appropriations needs to be extended special privileges or excluded from rules applicable to their standing committees.

Thus it seems to me that if the Committee on Appropriations is to be excluded from complying with those provisions relating to committee procedure, such as, giving two weeks advance notice of hearings, requiring the staff to prepare digests of witnesses' statements and summaries of hearings, the same privileges should be accorded to other committees. My amendment applies only to the Committee on Foreign Relations. However, I should think that members of other Committees would wish to propose similar amendments.

ADDITIONAL COSPONSOR OF RESOLUTION

Mr. JAVITS. Mr. President, I ask unanimous consent that the names of the Senator from Colorado [Mr. Dominick], and myself, be added as cosponsors to Resolution 30 to amend the Standing Rules of the Senate, relative to Select Committee on Small Business which has been submitted by the Senator from Vermont [Mr. Prouty], with his permission.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I was a cosponsor of this resolution when it was submitted in the 88th and 89th Congresses. As I am the ranking minority member of the Select Committee on Small Business, I feel that this committee should be given authority to receive bills and resolutions concerning small business, and should have legislative authority generally.

It seems to me anomalous that this committee should be inhibited from performing the functions for which it is especially equipped by hearings, and so forth, because it does not have authority to handle the necessary bills.

ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Mr. BYRD of West Virginia. Mr. President, I ask that the names of the Senator from Arkansas [Mr. McClellan] and the Senator from West Virginia [Mr. Byrd], be added as cosponsors at the next printing of Senate Joint Resolution 22, proposing a constitutional amendment to allow voluntary confessions in criminal proceedings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS AND RESOLUTION

Under authority of the order of the Senate of January 11, 1967, the following names have been added as additional cosponsors for the following bills and resolution:

S. 188. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials: Mr. BREWSTER, Mr. COTTON, Mr. DIRKSEN, Mr. DOMINICK, Mr. EASTLAND, Mr. FONG, Mr. JORDAN of Idaho, Mr. KUCHEL, Mr. MCGOVERN, Mr. MORSE, Mr. RIBICOFF, Mr. SPARKMAN, Mr. TYDINGS, and Mr. YOUNG of North Dakota.

S. 198. A bill to amend the act of June 6, 1933, as amended, to authorize the Secretary of Labor to develop and maintain improved, voluntary methods of recruiting, training, transporting, and distributing agricultural workers, and for other purposes: Mr. BARTLETT, and Mr. KENNEDY of Massachusetts.

S. Res. 13. Resolution to amend rule XXV of the Standing Rules of the Senate: Mr. BIBLE, Mr. FONG, Mr. LONG of Missouri, Mr. MCCARTHY, Mr. MCINTYRE, Mr. RANDOLPH, and Mr. RIBICOFF.

NOTICE OF HEARINGS ON NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. BURDICK. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for: Thursday, February 2, 1967, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nominations:

Francis L. Van Dusen, of Pennsylvania, to be U.S. circuit judge, third circuit, vice J. Cullen Ganey, retired.

Lindley G. Beckworth, of Texas, to be judge of the U.S. Customs Court, vice David J. Wilson, retired.

Joseph C. Waddy, of the District of Columbia, to be U.S. district judge, District of Columbia, vice Richmond B. Keech, retired.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from Missouri [Mr. LONG], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

NOTICE OF HEARINGS ON NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. BURDICK. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Friday, February 3, 1967, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nominations:

Frank G. Theis, of Kansas, to be U.S. district judge, district of Kansas, to fill a new position created by Public Law 89-372 approved March 18, 1966.

James A. Comiskey, of Louisiana, to be U.S. district judge, eastern district of Louisiana, to fill a new position created by Public Law 89-372 approved March 18, 1966.

Myron L. Gordon, of Wisconsin, to be U.S. district judge, eastern district of Wisconsin, to fill a new position created by Public Law 89-372 approved March 18, 1966.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from Missouri [Mr. LONG], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to the provisions of 15 United States Code 1024(a), as amended, the Speaker had appointed Mr. PATMAN of Texas, Mr. BOLLING of Missouri, Mr. BOGGS of Louisiana, Mr. REUSS of Wisconsin, Mrs. GRIFFITHS of Michigan, Mr. MOORHEAD of Pennsylvania, Mr. CURTIS of Missouri, Mr. WIDNALL of New Jersey, Mr. RUMSFELD of Illinois, and Mr. BROCK of Tennessee as members of the Joint Economic Committee, on the part of the House.

END GEOGRAPHIC INEQUITIES IN THE SELECTIVE SERVICE SYSTEM

Mr. KUCHEL. Mr. President, America's young men, their parents, their loved ones, and all who share our interest in the livelihood of our democracy are deeply concerned over reported inequities in our Selective Service System. Last November a great California newspaper, the Riverside Press-Enterprise printed a series of studies of the draft, its operations and their effects on the future of our youth. One of the significant findings of the Press-Enterprise was summed up in an article entitled "Draft Odds Depend on Where You Live."

Mr. President, I ask unanimous consent that at the conclusion of my remarks, the entire text of that article be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KUCHEL. Mr. President, the Press-Enterprise report has taken into account the compensating factors which make draft quotas for different areas equalize over time, or according to other factors. But, even so, it shows that glaring geographic inequities persist.

A good example can be shown from the comparison between Riverside County in California and Denver County in Colorado. Although total population of the two counties is similar, and Denver County has 7,000 more men registered for the draft, the Press-Enterprise reports that in the first 10 months of 1966 Riverside County supplied 637 more men, or nearly 75 percent more than Denver did.

There are undoubtedly sound reasons for some of this difference. Denver, for example, has a larger number of enlistees serving in the Armed Forces, a factor which might reduce the pool of draftable manpower.

Assuming an equal ardor of young men of both areas to serve their country, there appears, nevertheless, to be a significantly greater risk of being drafted in the one county than in the other.

In the coming months the Congress will be called upon to examine thoroughly the effectiveness and the fairness of our Selective Service System, as well as its costs both in terms of money expenditures and in terms of the utilization in our economy of our most precious possession, America's youth. Every Member of Congress will be deeply interested in the entire problem.

I urge the Committee on Armed Services to give full and expeditious consideration to the problem of geographic inequities. For my own part, as a member of the Defense Appropriations Subcommittee, I will support all reasonable expenditures to make our system fair.

EXHIBIT 1

[From tho Riverside (Calif.) Press-Enterprise, Nov. 17, 1966]

DRAFT ODDS DEPEND ON WHERE YOU LIVE

(By Bob Holmes)

Comparing a sampling of draft figures from different counties and states—although a risky business—turns up added indications that a man's chances of getting drafted vary, depending on where he lives.

Such comparisons reflect, and they also underscore the fact that draft boards operate differently in different counties and states, and that statewide draft organizations vary in their methods.

For example, Denver County, Colo., which includes Denver, and has a population of roughly 530,000, has had draft calls totaling 856 through the first ten months of 1966.

Riverside County, population 440,000, has had calls totaling 1,493 through October, or almost 75 per cent more.

Fresno County, the California county closest in population (415,000) to Riverside County, has 10,000 more draft-age men registered than here. But its boards have granted student, job, hardship and family deferments to almost twice as many men as have boards here.

On an average, Fresno has 10 per cent fewer men ready for induction each month than Riverside. Too, Fresno quotas through 1966's first ten months have totaled 1,284 men, or 209 less than Riverside County's 1,493.

Including enlistees and draftees, Fresno actually has more men in the armed forces than Riverside County (4,955 to 4,280). So does Denver. A high enlistment rate can help lower a county's draft quotas.

But for the potential draftee, this means part of the odds on his induction depend on something he has no control over—the number of his fellow citizens who enlist.

Selective service officials, explaining variations, say that:

1) Differences in draft quotas equalize out in time;

2) Draft-age groups vary in size in counties with similar population size;

3) Varying local situations result in different numbers of men entitled to a particular type of deferment (such as hardship) in different counties;

4) Local board flexibility produces some differences; and

5) Quotas aren't allotted strictly to counties but to boards, and thus comparing countywide figures is not always meaningful.

Yet these don't seem to explain all variations. And they leave unanswered, the question of whether the differences, even if explainable, can be justifiable. Particularly to the potential draftee facing a Viet Nam sojourn.

Take Riverside County (440,000) and Denver County (530,000):

Col. Frederick Obitz, manpower director for Colorado Selective Service, says Denver is a city that isn't growing rapidly, and whose population includes large numbers of older people.

This would seem to explain partly why its draft calls are lower than Riverside County's.

Yet Denver County has 32,834 available men registered of draft age. Riverside County has 25,000, Selective Service figures show. But Denver County's draft calls this year have totaled 856, compared to 1,493 for Riverside County.

At present, Riverside County has 1,139 draftees serving, compared to 881 from Denver County. The latter has more enlistees on active duty, 4,095 to 3,301, and this accounts for part of the difference in size of draft calls.

Whether it accounts for all of the difference, is difficult to determine. Draft calls this year for the entire state of Colorado, with a population of roughly 2 million, have totaled 2,512 through October. Riverside County, with a population one fifth as large, has had draft calls totaling 1,500. Yet Colorado has six times the number of men registered for the draft as has Riverside County.

To the potential draftee, it again shows that his chances depend partly on how many fellow county residents enlist, and where in the nation he lives.

Illustrative of how quotas vary in different places at the same time, Riverside County's March quota was 386, compared to 275 for the whole state of Colorado. This doesn't necessarily indicate that draft machinery is awry. But it does indicate that in March, a potential draftee would have been better off living in Denver than in Riverside.

Take Riverside County (440,000) and Fresno County (415,000) for another comparison:

The two are considered by the Riverside County Department of Development to be similar counties, and are often used for comparison.

Though about equal in population, Fresno has 34,000 draft age men registered, compared with 25,000 here.

However, Fresno's four boards at any one time has an average of more than 13,300 deferments granted to students, fathers, hardship cases, conscientious objectors, jobholders and ministers—the types of deferments that boards can grant or deny.

The total of such deferments in Riverside County averages only 7,300.

Fresno, for instance, has 9,000 men deferred as fathers and hardship cases, compared with 5,500 here. It has twice as many men deferred for college (2,600 to 1,200 in September), and five times as many deferments granted to high school students.

Fresno also has 6,300 men 4–F, compared with 2,800 here, though the boards have no control over this. Fresno has granted deferments to about six times as many conscientious objectors as have Riverside County boards. Some of these variations are undoubtedly due to varying situations. But they leave the questions of whether boards there are more lenient than is true here, on some types of deferments.

These figures may reflect the results of these differences:

Average monthly number of men classified A–1 in Fresno in 1966, 2,100; in Riverside, 2,420.

Average monthly number of men 19–26 in 1–A who have had physical exams: Fresno, 590; Riverside, 650.

Average monthly number of men 19–26 examined and ready for induction: Fresno, 268; Riverside, 301. These are the figures on which the State Selective Service office bases its monthly calls to counties.

The end result: Fresno's total quotas this year through October, 1,284; Riverside's 1,493. Number of men actually inducted this year: Fresno, 625; Riverside, 780, through October of this year. (The number of men inducted is always about half the draft quota, because of emergency postponements, enlistments and other factors which remove men at the last minute.)

Col. Walter Henderson, deputy state director, admits that a thorough study would have to be made to determine fully the reasons for differences in the two counties' figures.

Variations in draft statistics have also been pointed to in recent months by other sources. Reporter Magazine, for instance, in its June 16, 1966 issue, cited the fact that while Texas has 2.5 million more population than Michigan, its number of men registered for the draft is about the same.

Further, from January through June, 1966, 17,210 men were called for the draft in Michigan, 15,156 from Texas, the magazine reported.

Colonel Henderson says he has wondered at the variations in the number of men registered in New York and California. "The two have about the same population, but New York apparently has about 400,000 more men registered than California," he said recently.

Here as with the draft board policies, only an intensive study by a Congressional committee on government agency could tell whether the variations in draft figures can all be explained away satisfactorily, or whether the system does permit too much local control and difference.

The National Advisory Commission, now making a study of the entire draft system for President Johnson, may come up with the answers early in 1967.

L.B.J. PUTS EMPHASIS ON HUMAN ISSUES IN THE ECONOMIC REPORT

Mr. PROXMIRE. Mr. President, the President's Economic Report shows clearly how important human issues enter into his economic program.

The Council of Economic Advisers' annual report amplifies this, presenting a balanced mixture of humanitarian feelings with hard facts. In looking forward to better education, to the end of poverty, and to improved health care, the Council does not ignore the costs and difficulties, but it recognizes the growing wealth of this country and its increasing ability to end these problems. We now have the means to deal with problems that were rightly considered beyond the means of previous generations.

I want to make it clear that I still believe the budget can and should be cut sharply, by billions of dollars, particularly in the area of public works, the withdrawal of six of our divisions from Europe, which would be a vast savings, and the space program. I am delighted that the President seems to be postponing in large part the supersonic transport which would cost a half billion dollars in coming years.

But we cannot accept the educational inequalities which to this day foreclose many young Americans from equal opportunity.

We cannot tolerate the situation in which health care for many Americans remains inadequate.

These situations are wrong and they are wasteful; they are obstacles to economic growth and efficiency.

Obviously, the economic and social benefits in most areas can be obtained only at substantial public and private costs. Expenditures for health and education have been steadily rising, and will continue to do so. But this money is well spent, both as a social commitment and as an economic investment.

But there is one area where improvement is not costly: to end racial discrimination, the Council reminds us:

> The only cost entailed will be the sacrifice of prejudices.

Economic analysis of social problems has been slow in developing, partly because its variables are difficult to measure. But it is to the credit of the Economic Report that it takes a hard look at these issues. The findings are reflected in the President's important proposals for improving social security, unemployment insurance, and public assistance; for investigating urban problems like zoning and the possibility of income guarantees; and for expanding child health and Headstart programs.

Mr. President, I am delighted to observe in the President's Economic Report that he announces the appointment of former Senator Paul Douglas as the man who will head a commission to investigate urban problems. The President himself comments on the importance of urban problems and zoning to solve our very important problems of the cities.

I am also delighted that the Joint Economic Committee is going to study the problem of income guarantees under the chairmanship of MARTHA GRIFFITHS, who is the chairman of the Subcommittee on Fiscal Policies. It will study problems of cities under the chairmanship of RICHARD BOLLING, of Missouri, who is a very competent Congressman and he is deeply interested in this problem.

PEACE AND HUMAN RIGHTS GO HAND IN HAND

Mr. PROXMIRE. Mr. President, as I continue my daily effort to win Senate ratification of the human rights conventions, I am struck by the shortsightedness of so many of the critics of these treaties.

No responsible observer today advocates our withdrawal to "the easy life" internationally. The question now is not whether the United States accepts an international role, but whether we accept a role commensurate with our unique opportunities and grave obligations.

America cannot indefinitely ignore our opportunity nor permanently postpone our obligation. We must perceive that human rights are not merely a question of State law or Federal statute. The sovereignty of the individual human being must be established. Because only when human rights are secure is peace secure.

The Second World War was begun and waged by countries which first had flaunted and destroyed human rights within their own borders. Aggression since 1945 has been the exclusive practice of powers which deprived their own citizens of basic human freedoms. Contrast these aggressive acts with the Western nations who have granted the right of self-determination to well over a billion people since World War II.

Peace is the constant companion of human rights throughout history. Where the latter is established, the former almost invariably follows. This is not a utopian wish, but a historical fact.

In this challenging hour—when human rights are being recognized by more individuals and more nations than at any time in history—the U.S. Senate continues to "deliberate" human rights conventions on the fundamental questions of slavery, forced labor, political rights of women, and genocide.

This Senate cannot afford to deliberate any longer. The United States must accept the opportunity and the obligation to lead the great struggle for human rights. If we fail, mankind will be the victim and history will be our final judge. Dante perhaps said it best of all in his "Inferno":

> The hottest places in hell are reserved for those who in a period of moral crisis maintained their neutrality.

Let us be sure that history will not characterize the United States as neutral. Let us press for peace by pressing for the establishment of human rights everywhere through Senate ratification of these four conventions.

SENATE RESOLUTION 62—DOROTHY S. McINTYRE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Resolution 62.

The PRESIDING OFFICER. The resolution will be stated for the information of the Senate.

The legislative clerk read as follows:

> *Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Dorothy S. McIntyre, widow of Joseph W. McIntyre, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. KENNEDY of Massachusetts. Mr. President, Joseph W. McIntyre, who was my administrative assistant and had served more than 30 years on Capitol Hill, died suddenly on December 11 of last year.

Joe McIntyre served three U.S. Senators. He served with great skill and diligence. His honesty, judgment, and his warmth were respected by all who knew him. He was a career Senate employee who strengthened the Senate during his years here, and served well the people of Massachusetts. His death is a great loss to me and to his many, many friends, here in the Senate and in Massachusetts as well.

As a tribute to his memory, I ask unanimous consent that the eulogy delivered at the funeral mass for Joseph McIntyre be printed in the RECORD.

There being no objection, the eulogy was ordered to be printed in the RECORD, as follows:

HOMILY GIVEN AT FUNERAL MASS FOR JOSEPH MCINTYRE

(By Very Rev. Msgr. Leo J. Coady)

He who serves well loves best, for love is manifest in service. This is true in all human relationships, between man and man, and between man and his Creator. When we know God and love Him, then we will show that love in service. A father and a mother show their love for their family in their constant service to their children. The Church calls herself a "servant church", for it is her mission among men to serve them by her teaching and giving them the means of divine grace.

There is another kind of service in our national life that is in our thoughts this morning. It is what we call "public service" that which is demonstrated by those we call public servants. In our democracy, public service takes many forms. It may be that of the elected official charged with the framing of the law that is essential to public order. It may be that of the executive, charged with the responsibility of carrying out the mandate of the lawmaker. It may be that of the judicial arm of government, whose task it is to interpret and to enforce compliance with law and order. Then there are those, too, who serve in a less well-known capacity, but they are equally important to the public weal. We are fortunate to have in our land thousands upon thousands of such dedicated men and women who understand the meaning of service in our public life.

We gather here at the altar today to mourn the passing of one such servant of the public, one who did not serve in an elected capacity, but one who found his role to be that of serving others in public life. Joseph McIntyre was one not often seen in the public limelight, he did not often enter into the public awareness, but those he served would be the first to admit that much of what is good and honorable in their work depended on his loyal service. Joseph McIntyre found his niche in that kind of public service, and served well for many years.

Many of you who are here appreciated that service and for that reason you come today to pay your respects to him and to offer your consolation to his widow and his family.

Joseph McIntyre served well in the other role, that of parent, and if anything will be of consolation to those who are left behind, it is the memory of a loyal and devoted father, one who served his home and his children.

Our blessed Lord showed his attitude toward service in his own acceptance of Martha in the Gospel as a loyal servant. When her brother Lazarus died, it was Christ who looked into her face and spoke gently to her. He gave her much more than empty words of sympathy. She loved Him much and had given Him much in service, all that her heart could give. He returned that love for love, gift for gift. He opened His lips and spoke those simple words that have been the hope of all the Marthas of the world, and their peace in sorrow: "I am the resurrection and the life."

There is nothing comparable to the majesty of those seven words of Christ, spoken for the consolation of a beloved friend, but intended as the expression of the depth of which the love of Christ is supremely capable. In those words is the promise that those who believe in Him will not die—they will pass through death to a better life.

Whenever we bury the dead, the story of Martha is told in the Gospel of the Mass. Because she believed, many believed and have stood strong in their sorrow because of their faith. And for the Marthas of all time, the Requiem Mass is less a dirge than a quiet lullaby. It is Mother Church laying her little one in the cradle of Mother Earth, confident that the lad will wake in the morning.

As we pray for Joseph McIntyre today, we ask that the merciful Lord will grant him eternal rest, and for ourselves that we may be inspired to higher aspirations of service by his example.

"O Lord, support us all the day long until the shadows lengthen and the evening comes, and the busy world is hushed, and the fever of life is over, and our work is done. Then in thy mercy grant to us all a safe lodging and a holy rest, and peace at the last." (Card. Newman) Amen.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 62) was agreed to.

THE ALTERNATIVES TO BRITISH COMMON MARKET MEMBERSHIP

Mr. JAVITS. Mr. President, at this time, I wish to speak on a serious subject and invite the attention of the press to the fact that I am making, in this oral presentation, a serious change in one sentence of the short statement which I wish to make, on the problems which Prime Minister Wilson will be dealing with in his current European trip.

Prime Minister Wilson's current European trip of exploration is being carefully watched in the United States and is being accorded the historic importance it deserves. For this trip could either mark the beginning of a Britain in Europe, enormously strengthening Western Europe itself, or it could mark the beginning of a long-term setback to Europe's becoming a key third factor in the councils of the world.

I believe that Prime Minister Wilson sincerely wants to take Britain into the European Economic Community. The alarming fact, however, seems to be that France—which blackballed the United Kingdom before—has shown little enthusiasm for this new British initiative.

This lukewarm reception is due to three factors: first, the well-known French demand that Britain break its bonds with the Commonwealth and the United States; second, the current West German emphasis on seeking to revitalize its friendship and cooperation with France; and third, the hard negotiations which must lie ahead on the actual economic terms of agreement for British entry into the Common Market.

Top priority must go to British entry into the Common Market. Indications from Mr. Wilson's tour, his Strasbourg speech, and previous statements made for him by Foreign Minister George Brown are that the United Kingdom is prepared to make it unequivocally clear that the United Kingdom intends to accede to the Treaty of Rome. This has always been thought to be President de Gaulle's main condition.

The United Kingdom may be called on, also, to accept the political and military consequences of an intimate European economic involvement. This may even mean short-term difficulties in United Kingdom relations with the United States, but, as one Senator, I believe that our longrun interests will remain in accord, and will be greatly favored by the entry of Britain into the Common Market.

If the United Kingdom does these things and is still rejected, the responsibility for this rejection will lie squarely on France and also on the other five members in the EEC.

As much as I believe it is vital for Britain to enter the Common Market, alternatives must be prepared. While I would not wish the United Kingdom to embrace any alternative now, and while

I feel that the issue is so important that the United Kingdom should take considerable time in attempting to join the EEC—unless economic pressures dictate its abbreviation—I do not believe that the people of the United States ought to be considering the alternative they would be willing to embrace, because we cannot let Britain get into a tremendous tailspin because she is rejected by the Common Market.

In my view, this alternative should be for the industrialized nations of the non-Communist world to form a free trade area involving a commitment for the gradual elimination of tariff barriers among themselves during the next 20 years. This arrangement would begin with the North Atlantic nations—United States, Canada, and Britain—and such European free trade area countries as would be willing to join, and finally Australia and New Zealand as associate members. The aim of this free trade area would be to liberalize trade on industrialized products between the countries adhering to the free trade area by the end of this 20-year period.

Membership would be open to all of Western Europe and associate membership could be offered to developing countries giving them the right of access to this market after a transitional period.

I am fully cognizant of the difficulties in bringing into this free trade area the United States, with its great industrial power, and the other industrialized nations with lesser economic strength. I believe, however, that this problem is not insurmountable and ways can be found to lessen the competitive impact of such an arrangement either through making the tariff reduction process very gradual or by creating a multinational adjustment assistance fund or by delaying tariff reductions for those industrial commodities which would be most likely to suffer untoward injury from such an arrangement.

I believe this alternative which I have suggested and which, incidentally, I have been campaigning for for sometime, should be carefully examined by the governments concerned and by interested private groups in the countries involved. I am confident that support for this alternative exists in the United States, the United Kingdom, Canada, and elsewhere and is growing. I emphasize, I propose it for the firm and deep consideration of the American people.

I want to reemphasize that this propoposal is not designed to exclude the EEC but is a positive attempt to deal with the contingency of another British rejection by the Six. The unavoidable point is that something must be done to help Britain revitalize its economy, and benefit other industrialized nations at the same time.

I would urge my own Government to do everything possible to encourage and assist the United Kingdom in this European policy. I feel we all hope that the Six and the United Kingdom recognize their obvious common interest in this matter and begin the process of making a West European Community, including the United Kingdom, a reality. Should Britain fail in this endeavor, I urge that the U.S. Government and the people of the United States give careful consideration to the alternative I propose, and prepare themselves, if they think well of it, and put it in effect.

A PENNSYLVANIA MINER'S CAMPAIGN FOR CLEAN AIR

Mr. CLARK. Mr. President, I rise to salute a brave man, whom I have never met, but for whom I have deep admiration. His name is Mike Demchak. He is a retired coal miner from Centre County, Pa., and he lives near the little town of Osceola Mills. Last week Mike went to Harrisburg to attend a conference on proposed air pollution controls.

Mike is something of an expert on the subject of air pollution. He has silicosis from 44 years of working underground, and he lives in the vicinity of a coal cleaning plant which emits a choking pall of black dust over the neighborhood.

Mike Demchak's appeal sums up the whole argument for air pollution controls with far more force than a whole library of engineering studies could. He said:

> Most of you people here don't know what it is like to live like we do. . . . I'm pleading with you to do something now for people like us and not wait five years before you begin cleaning up the air. I hate to think I must wait until I die to appeal to the people of Pennsylvania to do something about this dust.

I agree with Mike. The time for action on all levels of government—Federal, State, and local—is not 5 years from now, or 3 years from now, but now.

I suspect that the young people of this country are going to have something to say about this. I suspect that they will insist that their elders do something about cleaning up our polluted air before they strangle to death on it after we have gone to meet our Maker.

I ask unanimous consent that an article on Mike Demchak's crusade for clean air, printed in the Pittsburgh Press of January 22, 1967, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"HUNDRED DEATHS": GRIM REALITY OF DIRTY AIR JOLTS EXPERTS—RETIRED MINER TAKES FIGHT TO CAPITAL WITH EVIDENCE

(By Fred Jones)

Few people in Pennsylvania, outside labor circles, know Mike Demchak. They should. For Mike Demchak is what the battle over the State's new air pollution control is all about.

Mike is a retired coal miner. He has silicosis from 44 years of working underground to help produce the coal that keeps America's economy on the move.

He lives along a wide spot in the road between Osceola Mills and Philipsburg in Centre County—a collection of about 80 people in a community that is so small that it doesn't even have a name.

Mike and his neighbors have a problem. A coal cleaning plant was built near their home recently and from then on, Mike and his neighbors lived under a choking pall of black dust, day in and day out. They wrote letters to the county authorities about the problem. They wrote to the State. They even asked Federal agencies to step in.

NEGATIVE RESULTS

Nothing happened. In the total scheme of things, perhaps, 80 people and Mike Demchak in a little community that doesn't have a name didn't loom very large.

Then last week, Mike made a decision. He and two of his friends drove to Harrisburg to attend a conference on proposed air pollution controls.

For three hours Mike sat there and listened to experts talk. They discussed complicated formulas for determining the amount of pollutants in the air.

Phrases like vector analyses and parametric factors echoed through the auditorium. Economists and officals of large corporations spoke learnedly of the economic impact of proposed regulations on their businesses.

Just before the noon recess, Mike got his chance to speak. He walked up the aisle to the microphone . . . a slight man in a sport shirt faded from repeated washings and began to talk in a clear, calm voice.

LIGHTNING STRIKES

He didn't talk long . . . perhaps five minutes at most. But his words burst like a lightning streak of humanity across a session in which the human element of the problem was buried under a dusty pile of statistics and laboratory reports which reduced human illness and misery to the impersonality of test tube reactions.

"I'm not an important man even if my wife and children think I am," he said. "But I had to come here and tell you what air pollution is really like in the little communities like mine.

"We don't exercise much influence and perhaps it is right that the big problems have to be taken care of first. But I do think something should be done to help the little communities in the state.

"Most of you people here don't know what it is like to live like we do. In the past two years, I have died a hundred times because of this dust. If you have not experienced it, you can have no idea of the agony involved.

"I'm pleading with you to do something now for people like us and not wait five years before you begin cleaning up the air. I hate to think I must wait until I die to appeal to the people of Pennsylvania to do something about this dust."

MOST IMPORTANT THEN

"My wife and children think I am important and I hate to let them down," he said. "I can't tell you what to do to help us because I don't know. All I can do is ask you to do something and to do it soon."

Mike was wrong about only one thing. At that moment, in that auditorium, faded shirt and all, he was the most important man in Pennsylvania.

He represented the thousands of people who died years before they should—the babies who developed respiratory ailments and never enjoyed the full health that every American should have—and he made the experts, the engineers, the industrialists and the businessmen who crowded that hall aware, as nothing else could have, of what all the talking was about.

He was and is important. He was the people of Pennsylvania speaking out and demanding their birthright.

Officials of the State Air Pollution Control Division promised Mike that they would do something immediately about the dust in his little community. They better. Legislators in the audience, some of them near tears, promised Mike that something would be done immediately or they would know the reason why.

While most Pennsylvanians don't know Mike, officials of the United Mine Workers (UMW) remember him well. As president of the St. Michaels local for 15 years, he battled UMW President John L. Lewis over the autonomy of union and gained a reputation as a fighter.

Now 69, Mike's labor battles are behind him. But he proved last week that he can still fight when necessary.

"SCIENCE CAN END ARMS RACE"—ARTICLE BY JEROME B. WIESNER

Mr. CLARK. Mr. President, a most interesting article appeared in the Sunday, January 22, 1967, issue of the Washington Post, by the former scientific adviser of President Kennedy, Dr. Jerome B. Wiesner, provost of the Massachusetts Institute of Technology, entitled, "Science Can End Arms Race—Premier Issue of Our Time Can Be Solved the Same Way It Began and Must Be if Man Will Survive." The article states in a cogent and closely reasoned way why and how we should be moving toward arms control and disarmament, instead of lulling ourselves into a false sense of security by deploying an antiballistic missile system, at a cost of about $5 billion a year, to create an ineffective defense against a missile threat.

I ask unanimous consent that the article be printed at this point in the Record as a part of my remarks, and I commend it to the attention of Members of the Senate.

There being no objection, the article was ordered to be printed in the Record, as follows:

Science Can End Arms Race—Premier Issue of Our Time Can Be Solved the Same Way It Began and Must Be if Man Will Survive

(By Jerome B. Wiesner)

Provost of Massachusetts Institute of Technology and science adviser to three Presidents of the United States, Dr. Wiesner wrote the article from which the following was excerpted for the Associated Press.

Throughout the world, men dread the spectre of an annihilating nuclear war—yet the arms race goes on and the prospect of controlling it grows dimmer each year. There is still time to reverse this suicidal trend.

As a scientist long concerned with the technical problems of disarmament, I am convinced that it is feasible to design a safe and practical system to limit and control the arms race.

One of the few encouraging aspects of the disarmament picture is that there are so many alternative steps we can take. If one method proves politically impractical, another can be substituted. Singly, and together, these measures would significantly control the arms race and set the stage for world disarmament under international law.

DISARMAMENT BARRIERS

If this is so, why don't we begin? Unfortunately, there are formidable barriers. For instance:

Most people look on disarmament as a utopian dream. There is no effective constituency for peace. Military interests, veterans organizations and weapons producers all have large constituencies and powerful lobbies.

Many people who advocate disarmament demand that it be total disarmament, all at once.

We participate in disarmament conferences, but we don't try sufficiently to understand the attitude of other people, such as the Russians.

In our own strategy discussions, arms control measures are evaluated in terms of the most dangerous possibility, with no consideration given to what will happen if we fail to halt the arms race. The urge to protect ourselves against a madman or an adventurer has seemed to dominate the planning of our defense strategy. This kind of thinking can only end in a world in which sane men are helpless to avoid the ultimate catastrophe.

What started in Europe after World War II as a political confrontation between West and East has become a major military problem, a matter of controlling the arms race. These political and military issues overlap and prevent movement in either field. By reducing the military component, we would immediately open more areas for political accommodations.

THE SCIENTIFIC APPROACH

Against these barriers is the knowledge that the price of failure to prevent another major war is unbelievable horror. If we continue to rely on the traditional forms of international security arrangements, which have always failed, the odds are in favor of a major war within the next two decades.

In many ways, however, the situation is very different today than it has been in the past—in good part because of the scientific revolution. I suggest that this same scientific approach can show us how to avoid war.

In 1957, in response to the realization that the Soviet Union was acquiring a long-range nuclear bomber force, there was a demand for a bomb shelter program. President Eisenhower appointed the Gaither study group to examine our vulnerability to nuclear attack. I became a member.

The President's question was in effect: assuming that a nuclear war was going to occur, what actions should the Government take to protect the people? The question clearly led to an answer calling for a vast shelter and active defense program.

After careful study of the facts, it became clear to us that the issue was not that simple. Nuclear war was not a certainty, nor was it even highly likely. Therefore, what course of action had the greatest likelihood of avoiding war? What effect would a major shelter program have on the actions of a potential enemy, and upon our allies, and therefore on the possibility of war?

GAITHER REPORT INSIGHTS

As a member of President Eisenhower's science advisory committee and as science adviser to Presidents Kennedy and Johnson from 1961 to 1964, I was guided by a number of insights that emerged from the work of the Gaither study.

1. No level of defense could prevent a determined and technologically capable enemy from killing vast numbers of people and destroying much of our country.

8. A massive civil defense program, necessarily creating great public excitement, would almost certainly increase the likelihood of war. The general public will not take it seriously unless it is convinced that a nuclear attack is likely.

3. The longer the arms race went on, the more convinced other nations would be that the Soviet Union and the United States could not come to an agreement. Then other nations, like France or China, would start to build nuclear weapons. This is just what happened.

4. Whatever security we might achieve in an arms race involving nuclear weapons amounted simply to the threat of mutual annihilation.

The Gaither panel recommended measures to insure the existence of a deterrent force. Time has proven that they were based on highly exaggerated estimates of the threat posed by the Soviet Union. The panel concluded that by 1960, or shortly thereafter, the Soviet Union would be able to launch an attack of intercontinental ballistic missiles in sufficient force to annihilate the United States Strategic Air Force and destroy most of our cities. The panel recommended an elaborate program of active and passive defense.

EISENHOWER'S WISDOM

President Eisenhower showed great wisdom in his cautious responses to the recommendations. He said: "You fellows are working on the wrong problem. Why don't you help me with some of the disarmament measures I am interested in? I can't get any help from the Government agencies which should be helping me. They are not interested."

For me, that initiated a long involvement in the complicated subject of disarmament—the technical and military, as well as the political and psychological aspects, looking toward some agreements that would halt the arms race.

In our Government, there was no real understanding of the relative importance of continued nuclear testing to develop "clean" neutron bombs—a frequent reason cited against a test ban—as compared to the achievement of a test ban.

Neither was there any agreement on what constituted a deterrent force. Would we have to threaten to kill 50 per cent of the Soviet population before their leaders would hesitate to attack us, or would the expectation of losing 20 million people plus the cities of Moscow and Leningrad be enough?

It is now evident, incidentally, that up until the time of Cuba, or slightly later, the Soviets were content to rely upon a kind of minimal deterrent force for their security. They never tried to match our bombing forces or our missile forces. We were wrong in our early belief that they were preparing a first strike against the United States. Lately, there has been some evidence that the Russians are building hardened, dispersed missiles and increasing the size of their force. There is also some evidence that they may be contemplating the deployment of defenses against our missile systems.

There has been relative tranquility since 1961 when improved intelligence information convinced United States leaders that the Soviet strategic forces were not capable of a pre-emptive strike. It appears that the Soviet leaders were prepared at that time to settle for an inferior force, both vulnerable and small, requiring only enough strength to act as a creditable deterrent. If they have now chosen to attempt to match United States force size, and we respond by trying to prevent this, the arms race could become more intense than it has been in recent years.

American experts on Russian affairs have ventured a number of guesses about the reason for the possible change in strategy. Perhaps the Soviet leaders felt at a serious disadvantage in bargaining during the Cuban missile crisis. Or perhaps their military planners have taken seriously all the reasons Secretary McNamara has given for our force composition. Possibly the growing argument with China and China's developing ability to make nuclear weapons and ballistic missiles is accountable.

THE DISARMAMENT AGENCY

During President Eisenhower's term, there was no Government agency with the skills, background and motivation to study the technical aspects of arms control, and none that could be expected to work on them with enthusiasm. Only the Science Advisory Committee could give the President that support he needed.

In 1961, President Kennedy established the Arms Control and Disarmament Agency, staffed by full-time experts and advisers on disarmament. The agency is small, undersupported, inadequately staffed and not sufficiently independent. Nonetheless, its creation was a great step toward the goal of a more peaceful world.

Many people take a gloomy view of the possibility of achieving significant disarmament agreements because of the belligerence of the Chinese leaders. I do not think that anything prevents the United States and Russia from taking major disarmament steps. Each is militarily much more powerful than China. The problem with China is different. With no operational nuclear force, she feels threatened by ours and by that of the Soviet Union. Our problem is to minimize China's fears. Moreover, until China has developed a force strong enough to act as a deterrent to both the United States and the Soviet Union, she is not likely to be a party to any major arms control agreement.

Ultimately, I am certain that the Chinese will want to avoid the dangers and the great costs of a continuing arms race. No matter what they say of their better ability to survive vast damage to people and property, they cannot be very anxious to waste their badly needed resources on a military system that isn't likely to be used.

All of my experiences in the study of disarmament have convinced me that it is possible to design a militarily secure system of arms limitation. It must be done gradually, which does not mean that it must take 50 years. There are people who consider the gradualistic approach too slow for a problem of such urgency, but I do not believe one can blueprint a world acceptable to us and the Chinese and the Soviets, or to anyone else. A peaceful world order must develop by trial and error, by a process of evolution.

At this time, only moderate disarmament steps or experiments—that will present little risk of a major miscalculation—are likely to be acceptable. There is real hope, however, that we could all agree on the need for world disarmament under international law, and that we could spell out these objectives and then begin to carry out experiments.

TWO STEPS TAKEN

We have already taken two steps, the test ban treaty of 1963 which forbade atmospheric testing of nuclear devices, and the agreement approved by the United Nations last month banning the use of outer space for military purposes.

It takes a long time and a great effort to change the balance of military power in any major way. There is essentially no possibility that the clandestine development or production of new weapons can threaten our security before being detected and countered.

The fantastic power of nuclear weapons provides a high degree of stability. Consequently, a few bombs, certain to be delivered, will constitute a powerful deterrent, at least in my view. If one fears attack, the desire to insure the effectiveness of the deterrent in the face of all possible attacks is understandable, and so is the consequent desire to have a force so large that the portion of it surviving a major blow can still destroy a large number of the opponent's military and civilian targets. This is the kind of strategic force that the United States has created.

But the prospect of being struck by a much smaller residual force would still constitute an effective deterrent. Because of this, a considerable variation in relative force size can be permitted. The important point here is to insure that some modest number of weapons can survive any attack and then be delivered effectively.

The dominent security role played by deterrence, the large variation in force size that may be tolerated with safety and the long time required to make any significant changes in weaponry—all provide an environment in which it is possible to reduce armaments with considerable self-assurance.

PROPOSALS TO LBJ

A year ago, I chaired the panel on arms control and disarmament of the White House Conference on International Cooperation Year. Our recommendations to President Johnson placed considerable emphasis on measures that would strengthen the United Nations, since without confidence in the ability of an international organization to keep the peace, nations will continue to rely on their ability to build up their own forces.

The panel recommended a nonproliferation treaty to prevent more nations from becoming nuclear powers. This treaty, under discussion now, is perhaps the most important single step we could take at the moment. Blocking it, however, is United States confusion on the issue of sharing control over its European nuclear weapons with NATO, and the Russian refusal to sign a nonproliferation treaty if Germany, as a NATO country, shares control.

It appears that recently, while Soviet Foreign Minister Gromyko was in the United States, the gap between United States and Soviet positions was closed somewhat and some officials are now predicting agreement.

Unfortunately, opposition to a simple nonproliferation treaty has been developing among some of the non-nuclear nations, among them India, which have come to believe that the United States and the Soviet Union are only interested in restricting the access of other nations to nuclear weapons and not in disarmament.

These nations are likely to refuse to sign a nonproliferation agreement unless the nuclear powers impose restraints upon themselves. Among the restraints that have been mentioned are a comprehensive test ban and a halt in the production of nuclear materials.

Among the other initial arms control steps recommended by the I.C.Y. disarmament panel were:

Pledges by the nuclear powers not to attack, or threaten to attack, any nonnuclear nation.

A treaty among the United States, Britain and the Soviet Union to cease production of nuclear materials.

Creation of nuclear-free zones in Latin America, Africa and the Near East.

A freeze on the construction of new missiles.

A one-third cut in the number of existing nuclear weapons by the major powers—leaving all far more than enough to serve as a deterrent against attack.

A moratorium for at least three years on developing and deploying antiballistic missile systems. The prime reason for this recommendation is that a United States or Soviet ABM system would almost surely induce both superpowers to step up "deterrent" capabilities. There is also a serious question of the military value of such defense systems.

Some of these recommendations are simple and easy to achieve. Others would require a great deal of thought and effort. But none would pose a security problem for the United States or any other nation.

The real threat lies in continuing the arms race.

FACTFINDING ARMS CONTROL, AND DISARMAMENT

Mr. CLARK. Mr. President, last November 28, after the Senate had adjourned, Mr. Richard N. Gardner, senior adviser to the U.S. delegation to the 21st General Assembly, in the sixth committee of that organization, on the question of factfinding, made an extremely important and useful statement about the attitude of the United States toward the vexing problem of factfinding.

In that statement Mr. Gardner said the U.S. delegation considers the subject of factfinding as of critical importance to our nationally announced goal of arms control and general and complete disarmament.

I ask unanimous consent that a copy of Mr. Gardner's statement be printed in the RECORD at this point of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY RICHARD N. GARDNER, SENIOR ADVISER TO THE U.S. DELEGATION TO THE 21ST GENERAL ASSEMBLY, IN THE SIXTH COMMITTEE ON THE QUESTION OF FACTFINDING, NOVEMBER 28, 1966

The United States welcomes the opportunity to express its views on the subject of fact-finding and on the draft resolution put forward by the Delegation of The Netherlands.

Our Delegation considers the subject of fact-finding of central importance, not only in efforts to achieve political settlements and a reduction of tensions, but also in efforts toward arms control and general and complete disarmament. We see improved fact-finding procedures as an important part of a package of immediately realizable measures to lessen international tension and turn down the arms race.

In almost every region of the world there are international disputes which either have erupted or threaten to erupt into violence. In many of these disputes there are differences, not only over the applicable law, but over the facts. Is a frontier being violated? Are foreign powers inciting domestic violence? What are the real wishes of the people as they would be expressed in a fair and free election?

In our domestic societies, we have all learned the central importance of fact-finding for civil peace and the rule of law. As lawyers, we know that in most law suits the parties assert different versions of the facts. What would all of us do if our courts had no orderly way of deciding between contradictory and self-serving statements of the interested parties? What would we do if our legislatures had no means for the systematic and objective elucidation of the facts? The outlook for civil peace and the rule of law, to say the least, would be very bleak.

Yet is this not very nearly the situation in which we will find ourselves in the international community if our institutions for fact-finding are not significantly strengthened? It is true that some progress in fact-finding has been made by the Specialized Agencies and by regional organizations such as the Organization of African Unity and the Organization of American States. It is also true that the United Nations has conducted successful fact-finding and peace observation missions ad hoc, as a result of decisions of the Security Council or General Assembly, or as a result of action by the Secretary General pursuant to his authority under the Charter.

But is all this enough? We do not believe that it is. There is growing interest in our country in the further strengthening of international fact-finding machinery. As examples, I would call the attention of my distinguished colleagues to two studies that have recently been published in the United States on this subject. The first is the report of the Committee on the Peaceful Settlement of Disputes to President Johnson's White House Conference on International Cooperation, a report which contains proposals for strengthening the fact-finding machinery of this Organization. The second is the important study by Mr. David Wainhouse, "International Peace Observation: A History and Forecast," a study that was undertaken on the initiative of the U.S. Arms Control and Disarmament Agency.

As to the attitude of the United States Government, I am authorized to state today that the United States is prepared to accept impartial fact-finding—through a United Nations organ, a regional organization or bilateral arrangements, as may be appropriate—in *any* dispute to which we are a party *anywhere* in the world where there is a controversy over the facts.

We of the United States Delegation are quite open-minded about just how fact-finding machinery should be improved. Perhaps, as Ambassador Goldberg suggested last year in his statement in the Special Political Committee on the Peaceful Settlement of Disputes, the existing UN Panel for Mediation and Enquiry should be reconstructed to make it a more effective instrument for the performance of its task. Perhaps greater use should be made of rapporteurs and conciliators in cases before the Security Council and General Assembly. Perhaps some different approach is needed.

This item of fact-finding has now been before this Committee for three years. We believe the time has come to deal with this matter in a more concrete and systematic way. That is why we favor the adoption in its present form of the draft resolution submitted by the Netherlands Delegation.

ESTABLISHMENT OF A FEDERAL MOTOR VEHICLE INSURANCE GUARANTY CORPORATION

Mr. DODD. Mr. President, I have two unanimous-consent requests to make. One is that Mr. Dean Sharp, of the Subcommittee on Antitrust and Monopoly Legislation staff, may be present on the floor while I make my remarks about the bill I am about to introduce.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. My second unanimous-consent request is that I be granted an additional 3 minutes to introduce this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, on behalf of Senators MAGNUSON, BARTLETT, BREWSTER, CLARK, HART, HARTKE, MOSS, NELSON, YARBOROUGH, WILLIAMS of New Jersey, and myself, I introduce for appropriate reference a bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation.

This bill is similar to S. 3919, which I introduced last October. Certain of its provisions have been revised and clarified, but the basic purpose of this legislation remains the same.

Mr. President, this bill is based on information that we developed during and following hearings of the Senate Antitrust and Monopoly Subcommittee in May 1965. The hearings and our investigation show that during the last 6 years, 73 companies writing motor vehicle insurance have been placed in liquidation or receivership. As of last October, there were 65 insolvencies. Since then we have learned that eight more companies are bankrupt, including three in the past few weeks.

These companies were chartered in 22 States, and more than one-half of them were writing auto insurance policies in States other than their home State. In fact, six were writing in 35 States or more.

These companies are called high risk because they write coverages mainly for those unable to obtain auto insurance from the standard or regular casualty companies.

We found during our investigation that nearly all of these insolvencies were caused by specific acts of dishonesty practiced by company management, or management's failure to act in the best interests of the company and policyholders.

The tragedy of these insolvencies is the unbelievable financial suffering caused to some 300,000 unfortunate policyholders and accident victims, many of whom were seriously injured. These claimants are seeking an estimated $600 million out of net collectable assets of $25 million. Undoubtedly these claims will be settled for a much smaller amount. When this sad chapter in insurance history is finally closed, these claimants will have lost well over $100 million.

In order to illustrate the seriousness and magnitude of this insolvency problem I am including a table showing the estimated average amount of cents on the dollar claimants will receive in certain States. We will continue to gather such data from the States, and publish it from time to time.

The problem of auto insurance insolvency is not new, and it is not limited to those companies writing this high-risk, high-rate business.

During the years 1945 to 1959, some 98 property and casualty insurers were declared insolvent and liquidated. This is demonstrated by various studies, including those made by the Antitrust Subcommittee prior to 1961. Nearly all of these insurers wrote some automobile business, with some writing a predominance of it. It is now estimated that the public lost some $150 million as a result of these failures.

Our recent investigation indicates that in a number of cases lax regulatory practices by State officials permitted conditions to exist which eventually led to financial disaster. Inadequate insurance department budgets and occasional apathy by regulatory officials contributed to this staggering financial loss.

In addition, the absence of effective coordination among the States was a factor in many insolvencies.

But insurance regulators have told us that even under the best of conditions acts of managerial malfeasance and careless management practices cannot always be detected in time to avert insolvency. They say that regulation and examination will not eliminate the basic cause of insolvency—human frailty. They do agree, however, that more money, better trained personnel, and higher quality examinations would certainly help check insolvencies and reduce losses in many instances. But it would not eliminate all insolvencies and consequent losses.

Our studies substantiate the view of these regulators. They also indicate that in the present keenly competitive automobile insurance climate with relative freedom of entry into the business, it is extremely doubtful that regulation and examinations alone can be expected to protect the public from insolvency losses.

Of course, we could eliminate insolvency by granting monopolies, or by giving subsidies to the weaker companies or by even attempting to reform human nature. But, I for one, do not propose that we do any of these.

Three States, New York in 1947, New Jersey in 1952, and Maryland in 1965, recognized the wisdom of establishing guarantee or security funds to compensate the victims of auto insurer insolvencies. These States know that adequate and effective insurance regulations entails quality examinations and guarantee funds.

That this fact has long been known to the Federal Government in the financial field is evidenced by the Federal Deposit Insurance Corporation and the Federal Savings and Loan Corporation.

Just last year, Congress strengthened the protection offered by these Corporations through the Financial Institutions Supervisory Act. And the maximum insurance on deposits in these institutions was also raised from $10,000 to $15,000.

There is no question that these Federal Corporations have greatly benefited not just the public, but the banking and savings and loan institutions themselves.

As opposed to these laws as many of the banks and savings and loan associations were at one time, there is not one of them who would now dispute the wisdom of their enactment.

There is little that we can do to alleviate the terrible financial suffering caused by past auto insurance insolvencies. But we can and must prevent these tragic financial losses from occurring in the future.

I believe that the Federal motor vehicle insurance guarantee system proposed in this bill would reduce both the frequency of auto insurer insolvencies and the magnitude of financial loss.

I further believe that the approach taken in this bill would be of definite benefit not only to the public and the insurance business itself, but to those State insurance departments that are so woefully underbudgeted and understaffed.

This bill includes many of the features of the FDIC and FSLIC legislation, and the motor vehicle insurance guarantee or security funds of New York, New Jersey and Maryland.

The basic purpose of the proposed legislation is to guarantee the contractual performance of insurers issuing policies of motor vehicle insurance in interstate commerce. It also provides coverage for insurers issuing policies only in the State in which they are chartered—that is, in intrastate commerce—if they wish to apply for guarantee status.

Interstate insurers must apply for guarantee status within 1 year after enactment of the bill. A civil penalty is provided if, after 1 year, any insurer without guarantee status issues any motor vehicle insurance policy in interstate commerce.

The bill provides that any insurer whose policies are guaranteed by the Corporation shall include a statement in each policy to the effect that such policy is guaranteed by the Corporation. It is anticipated that competition from interstate insurers with guaranty status will provide incentive for local insurers to seek guaranty status.

Once any insurer whose policies are guaranteed is declared insolvent by the final decision of the appropriate court, the Corporation shall assume and perform all the obligations of the insolvent insurer.

The Corporation is authorized to adjust and settle any claim pending against the insured or insurer, but only up to policy limits. The Corporation is also authorized, subject to certain limitations, to defend actions pending or brought against the policyholder or insured. Each policyholder claim will be subject to a $300 deductible provision, and each injured party claim will be subject to a $100 deductible.

The Corporation would succeed to the rights of the insured or injured party for purposes of asserting any of their rights against the insurer. The Corporation, instead of claimants, would wait in line for an eventual distribution which takes from 5 to 10 years today.

A fund consisting initially of $50 million capitalized through the Treasury, to be later repaid, would be self-supporting by means of a nominal semiannual charge of one-eighth of 1 percent of each insurer's net direct premium writings. This would be established in the Treasury, and would be available to the Corporation to carry out its guaranty functions. All administrative costs of the Corporation, including those of examinations, will be borne by the fund.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DODD. I am happy to yield.

Mr. LAUSCHE. The Senator has just stated that the fund would be supported by the imposition of a one-eighth of 1 percent premium or tax upon those who participate?

Mr. DODD. Yes, of each insurer's net direct premium writings.

Mr. LAUSCHE. Yes.

The PRESIDING OFFICER. The Senator's 6 minutes have expired.

Mr. DODD. I ask unanimous consent that I may have an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, has sufficient attention been given to the adequacy of the amount necessary to sustain the fund permanently?

Mr. DODD. I believe so. I intend to spell that out in a moment. I think the Senator will be interested in that feature of it.

The guarantee fee computed on an annual basis would mean a charge of 25 cents on every $100 of premium, and the bill allows the insurer to pass on any part of the fee to the policyholder. But any part charged the policyholder shall not be included in any premium otherwise payable and shall be clearly identified and described by the insurer as an assessment or charge for guarantee purposes.

We talked to many people who had experience in this matter, including people in the industry and in the regulatory phase of the insurance business in the various States. Many of these people think that this is a workable program.

Once this fund reaches a ceiling of 2 percent of the net direct premium writings of all insurers with guaranteed status, the Corporation would waive the fee required as long as the fund remains at this 2-percent level.

The Corporation would be given broad examination powers to examine insurers making application for guarantee status, and those insurers whose policies are guaranteed.

But, in carrying out its examination functions, it would be "the intent of Congress" that all examinations conducted by the Corporation would be coordinated with the appropriate State supervisory authorities and with the National Association of Insurance Commissioners.

My answer to the Senator from Ohio [Mr. LAUSCHE] is that this matter has been carefully studied and examined. We believe that this is a workable formula. The cost is very slight. I think that the average policyholder would not mind paying a charge amounting to 25 cents on every $100 of motor vehicle insurance premium. It does not amount to very much money. It seems to me that this terrible problem of insolvency must be solved.

I think that this is one way in which the Federal Government, without stepping in and taking over full control, can help the States to better regulate the insurance business, and protect the thousands of insurance policyholders so that they will not be left without any recourse whatsoever.

The Corporation's examination powers are intended only to reinforce, not to supplant, State insurance regulation.

This concept envisions one level of government attemping to strengthen another through partnership, not rivalry.

I believe that the guarantee and examination system proposed by this legislation is reasonable. This bill is one that I, and the many who have helped, have spent a great deal of time thinking about and working on.

Mr. President, because this terrible insolvency problem cries out for a solution, I urge my colleagues to give this legislation serious and prompt consideration.

I cannot say it any stronger than I did last October. The need for this bill is plain and demanding. It has become a matter of urgency.

Mr. President, I ask unanimous consent to have the table, the text of the bill, and certain editorials, and other material, printed in the RECORD. I also ask unanimous consent that the bill be kept at the desk for 1 week so that my colleagues will have an opportunity to join as cosponsors.

Mr. President, I am extremely pleased that certain Representatives have taken the position they have on this legislation, and on a thorough investigation of automobile insurance.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the material referred to and the bill will be printed in the RECORD and the bill will be held at the desk as requested by the Senator from Connecticut.

The bill (S. 688) to establish a Federal Motor Vehicle Insurance Guaranty Corporation, and for other purposes, introduced by Mr. DODD (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 688

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to express the intent of Congress with reference to the regulation of the business of insurance," approved March 9, 1945 (59 Stat. 33, 15 U.S.C. 1011 et seq.), is amended by adding at the end thereof a new title as follows:

"TITLE II—FEDERAL MOTOR VEHICLE INSURANCE GUARANTY CORPORATION

"SHORT TITLE

"SEC. 201. This title may be cited as the 'Federal Motor Vehicle Insurance Guaranty Act'.

"DEFINITIONS

"SEC. 202. As used in this title—

"(1) The term 'insurer' means any partnership, corporation, association, reciprocal exchange, interinsurer, or any other legal enterprise engaged in the business of issuing or reinsuring motor vehicle insurance policies in interstate commerce, or engaged in the business of issuing motor vehicle insurance policies which are reinsured (in whole or in part) in interstate commerce.

"(2) The term 'motor vehicle insurance policy' or 'policy', means any contract of motor vehicle insurance including any endorsements thereto, without regard to the nature or form of the contract or endorsements, insuring against legal liability and all other loss contingencies arising out of the ownership, operation, or maintenance of motor vehicles.

"(3) The term 'net direct written premiums' means direct gross premiums written on motor vehicle insurance policies, less return premiums thereon and dividends paid to policyholders on such direct business. For the purposes of this subsection, premiums written on motor vehicle insurance policies issued to self insurers, whether or not designated as reinsurance contracts, shall be deemed 'net direct written premiums'.

"(4) The term 'injured party claim' means a claim of a person, other than a policyholder or insured, who suffered an injury to his person or property, for personal injuries or property damage, arising out of a motor vehicle accident within the coverage of a policy.

"(5) The term 'policyholder claim' means (A) a claim of a policyholder or insured within the coverage of a policy, arising out of a motor vehicle accident wherein such policyholder or insured suffered damage within the coverage of the policy (B) a claim by a policyholder or insured for return premium arising out of the termination of the policy by reason of insolvency, or (C) any other claim of a policyholder or insured who has suffered any other losses arising out of contingencies covered under a policy.

"(6) The term 'interstate commerce' means trade or commerce among the several States, or between the District of Columbia or any possession of the United States and any State or other possession, or within the District of Columbia.

"(7) The term 'State' means any State, or any possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

"ESTABLISHMENT OF CORPORATION

"SEC. 203. (a) There is hereby established a Federal Motor Vehicle Insurance Guaranty Corporation (hereinafter referred to as the 'Corporation') which shall guarantee the contractual performance of certain insurers and other entities issuing motor vehicle insurance policies.

"(b) The management of the Corporation shall be vested in a Board of Directors (hereinafter referred to as the 'Board') consisting of three members appointed by the President by and with the advice and consent of the Senate. Not more than two members of the Board shall be members of the same political party. The President shall, at the time of appointment, designate one of the members of the Board to serve for a term of two years, one for a term of four years, and one for a term of six years. Thereafter the term of each member appointed to the Board shall be six years from the date of the expiration of the term for which his predecessor was appointed. Whenever a vacancy shall occur among the members of the Board the person appointed to fill such vacancy shall hold office for the unexpired portion of the term of the member whose place he is selected to fill. The President shall designate one of the members as Chairman of the Board. In the absence of the Chairman or in the event of his disability the duties of his office shall be performed by one of the other members of the Board to be designated by the Chairman.

"(c) The Corporation shall have a capital stock of $50,000,000 which shall be divided into shares of $1,000 each. The total amount of such capital stock shall be subscribed for by the Secretary of the Treasury. For the purpose of making payments for such stock the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds of the sale of any securities hereafter issued under the Second Liberty Bond Act, and the purposes for which securities may be issued under such Act are extended to include such purchases.

"(d) Upon the date of enactment of this title, the Corporation shall become a body corporate and shall be an instrumentality of the United States, and as such shall have power—

"(1) To adopt, alter, and use a corporate seal.

"(2) To adopt, amend, and repeal bylaws governing the performance of its powers and duties.

"(3) To have succession until dissolved by Act of Congress.

"(4) To make contracts, and execute all instruments necessary or appropriate in the exercise of its powers.

"(5) To sue and be sued, complain and defend, in any court of competent jurisdiction in the United States or its territories or possessions or the Commonwealth of Puerto Rico. No attachment or execution shall be issued against the Corporation or its property. The Board shall designate agents upon whom service of process may be made.

"(6) To appoint such officers, employees, attorneys and agents as may be necessary for the performance of its duties.

"(7) To exercise by the Board, or duly authorized officers or agents, all powers specifically granted by this title, and such incidental powers as may be necessary to carry out the powers so granted.

"(8) To prescribe by the Board such rules and regulations as it may deem necessary to carry out the provisions of this title.

"(e) Except as otherwise provided in this title, the Government Corporation Control Act, or any other Act of Congress, the Corporation shall determine the necessity for and the character and amount of its obligations and expenditures, and the manner in which they shall be incurred, allowed, paid, and accounted for.

"(f) The Corporation shall be entitled to the free use of the mails in the same manner as the executive departments of the Government, and, with the consent of the head of any department or agency of the Government, may avail itself of the use of information, services, and facilities thereof in carrying out the provisions of this title.

"(g) The Corporation, including its capital, reserves, surplus, or other security holdings, and income shall be exempt from all taxation now or hereafter imposed by the United States, or any territory or possession thereof, or by any State or political subdivision thereof.

"(h) No individual, association, partnership, or corporation, other than the Corporation, shall hereafter use the words 'Federal Motor Vehicle Insurance Guaranty Corporation', or any combination of such words, as the name or part thereof under which he or it shall do business. Any violation of this subsection shall be punishable by a fine of not exceeding $100 for each day during which such violation is committed.

"(i) Section 5315 of title 5 of the United States Code is amended by redesignating items (70)-(77) as items (71)-(78), and by inserting after item (69) a new item as follows:

"'(70) Members of the Board of Directors of the Federal Motor Vehicle Insurance Guaranty Corporation'.

"(j) Section 101 of the Government Corporation Control Act, as amended (31 U.S.C. 846), is amended by adding after 'Federal Housing Administration', the following: 'Federal Motor Vehicle Insurance Guaranty Corporation'.

"APPLICATIONS FOR GUARANTY

"SEC. 204. (a) Each insurer shall make application to the Corporation for guaranty under this title, and any other entity engaged in the business of issuing motor vehicle insurance policies may make application for guaranty under this title. Such application shall be in such form and contain such information as the Corporation shall by regulation prescribe. The Corporation shall approve any such application if it finds, after a thorough examination, that the capital and/or surplus of the applicant is not impaired, and its financial condition and management are sound. Upon the approval of any such application the Corporation shall notify the applicant and issue to it an appropriate certificate, which shall become effective not earlier than one year after the date of enactment of this title. Upon the taking effect of any such certificate issued to an insurer or other entity, the contractual obligations of such insurer or other entity under motor vehicle insurance policies shall be guaranteed by the Corporation. Any insurer or other entity whose motor vehicle insurance policies are guaranteed by the Corporation shall include a statement in each policy to the effect that such policy is guaranteed by the Corporation. The Corporation shall prescribe by regulation the substance of such statement and the form and manner of use. If any such application is not approved by the Corporation it shall promptly notify the applicant and the appropriate State supervisory authority, and shall state the reasons therefor. Any insurer or other entity the application of which has been denied by the Corporation shall, upon written request made to the Corporation within thirty days after receipt of the notification of denial, be granted a hearing.

"(b) Each insurer or other entity the policies of which are guaranteed under this title shall pay to the Corporation not later than June 30 and December 31 of each year commencing after the date on which the application of such insurer or other entity was approved by the Corporation a guaranty fee. Such fee shall be equal to one-eighth of 1 percentum of the net direct written premiums charged by the insurer or other entity during the preceding six-month period. Whenever the net asset value of the fund, established pursuant to section 206 (excluding the aggregate of actual and estimated liabilities chargeable to such fund as determined by the Corporation), exceeds 2 per centum of the annual net direct written premiums charged by all insurers or other entities the policies of which are guaranteed under this title, the Corporation shall waive the requirement for fees as herein stated: *Provided*, That such requirement shall be reinstated whenever the net asset value of such fund (including the aggregate of actual and estimated liabilities chargeable to such fund as determined by the Corporation) is less than 2 per centum of the annual net direct written premiums charged by all such insurers or other entities: *Provided further*, That no distribution or rebate shall be made by reason of the fact that the total amount in fees collected by the Corporation at any time exceeds 2 per centum of such annual net direct written premiums.

"(c) In any case where an additional charge is made by an insurer or other entity to any policyholder to defray any part of the cost of any fee payable by such insurer or other entity as provided in subsection (b), the amount of such charge shall not be included in any premium otherwise payable by such policyholder and shall be clearly identified and described by the insurer or other entity as an assessment or charge for guaranty purposes.

"PAYMENT OF GUARANTY

"SEC. 205. (a) The Corporation shall assume and perform all the obligations of an insurer or other entity under motor vehicle insurance policies which are guaranteed under this title, if:

"(1) such insurer or other entity is determined by a final decision of a court of competent jurisdiction to be insolvent;

"(2) the receiver or liquidator appointed by such court gives written notice to the Corporation of such decision; and

"(3) such receiver or liquidator makes all books and records (including claim files) available to the Corporation.

"Upon compliance with the foregoing with respect to any such insurer or other entity, the Corporation shall file forthwith a certificate of assumption with the court having jurisdiction over such insurer or other entity.

"(b) Upon the filing of a certificate of assumption, all proceedings pending in any court against the insured or insurer or other entity arising out of a motor vehicle accident within the coverage of a policy guaranteed under this title shall be stayed automatically for a period of thirty days for the purposes of this title.

"(c) The Corporation shall be subject to the same obligations, liabilities, terms, conditions and waivers of the insurer or other entity the policies of which are guaranteed under this title and shall have available any defense or defenses (including that of policy limits) which would be available to the insurer or other entity.

"(d) The Corporation is authorized to investigate, examine, adjust, compromise or settle any claim pending against the insured or insurer or other entity on or after the date of the filing of a certificate of assumption. The Corporation is authorized to defend any action pending or brought against the policyholder or insured on or after the date of the filing of such certificate.

"(e) No injured party claim in the amount of $100 or less and no policyholder claim in the amount of $300 or less shall be paid by the Corporation. With respect to any injured party claim, the Corporation shall pay only that portion of the claim which is in excess of $100, and the Corporation shall pay only that portion of any policyholder's claim which is in excess of $300. No claim for return premium shall be allowed in excess of 50 per centum of the unearned premium.

"(f) The Corporation shall succeed, as of the date of the filing of the certificate of assumption, to the rights of the policyholder or insured or injured party for purposes of asserting any rights of such policyholder or insured or injured party against the insurer or other entity.

"FEDERAL MOTOR VEHICLE INSURANCE GUARANTY FUND

"SEC. 206. (a) Funds obtained by the Corporation from the sale of its capital stock, as provided in section 203(c), and from fees collected pursuant to section 204(b), shall be deposited in the Federal Motor Vehicle Insurance Guaranty Fund (hereinafter referred to as the 'fund'), which is hereby established in the Treasury of the United States. The fund shall be available to the Corporation for carrying out its guaranty functions under this title, and for operating expenses arising in connection therewith. Moneys deposited in the fund which are not otherwise employed shall be invested in obligations of the

United States or in obligations guaranteed as to principal and interest by the United States.

"(b) The Corporation shall retire as rapidly as practicable, having due regard to the need to maintain at all times the solvency of the fund, the capital stock of the Corporation which is held by the Treasury.

"(c) If at any time the Corporation determines that the solvency of the fund is jeopardized by reason of extraordinary demands made in the course of its guaranty operations, the Corporation is authorized to borrow from the Treasury and the Secretary of the Treasury is authorized and directed to lend to the Corporation, on such terms as may be fixed by the Corporation and the Secretary, such funds (not exceeding in the aggregate $500,000,000) as the Corporation determines are necessary to meet its guaranty obligations. For the purposes of this subsection, the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds of the sale of any securities hereafter issued under the Second Liberty Bond Act, and the purposes for which securities may be issued under such Act are extended to include such loans. Any such loan shall be used by the Corporation solely in carrying out its guaranty functions. All loans and repayments under this subsection shall be treated as public-debt transactions of the United States.

"EXAMINATIONS

"SEC. 207. (a) The Corporation shall have power to make examinations of and require information and reports from any insurer or other entity making application for guaranty status, or whose policies are guaranteed under this title.

"(b) The Corporation shall appoint examiners who shall have power, on behalf of the Corporation, to examine any insurer or other entity making application for guaranty status, or whose policies are guaranteed under this title, whenever in the judgment of the Corporation an examination of such insurer or other entity is necessary. Each such examiner shall have power to make a thorough examination of the insurer or other entity, and shall make a full and detailed report of its condition to the Corporation. The Corporation in like manner may appoint (1) claim agents who shall have power to investigate, examine, adjust, compromise, or settle all claims assumed by the Corporation within the coverage of policies guaranteed under this title, and (2) attorneys who shall have power to represent the Corporation in any action the defense of which is assumed by the Corporation under this title.

"(c) All examiners appointed by the Corporation shall cooperate as far as practicable with the appropriate State supervisory authorities in conducting examinations under this title. It is the intent of Congress that any such examinations shall be coordinated with examinations by the appropriate State supervisory authorities and the National Association of Insurance Commissioners.

"(d) Copies of any report or statement made to the appropriate State supervisory authority by an insurer or other entity whose policies are guaranteed under this title shall be filed with the Corporation within ten days after such reports or statements have been made to such authority. The Corporation may accept any report or statement made to an appropriate State supervisory authority by any insurer or other entity making application for guaranty status under this title, or whose policies are guaranteed under this title.

"(e) If any insurer or other entity whose policies are guaranteed under this title, after written notice is given to it and the appropriate State supervisory authority of the recommendations of the Corporation based on a report of examination by an examiner of the Corporation (alone, or in conjunction with, an examiner of the appropriate State supervisory authority), shall fail to comply with such recommendations within such time as the Corporation deems appropriate in the light of the circumstances of the case, the Corporation may publish such part of such report of examination as relates to any such recommendation not complied with: *Provided*, that notice of intention to make such publication shall be given to the insurer or other entity and the appropriate State supervisory authority at least sixty days before such publication is made.

"TERMINATION OF GUARANTY

"SEC. 208. (a) If, in the opinion of the Corporation, any insurer or other entity the motor vehicle insurance policies of which are guaranteed under this title is engaging in an unsafe or unsound practice or is violating or has violated an applicable law, rule, or regulation, the Corporation shall serve upon such insurer or other entity a statement with respect to such practices or violations for the purpose of securing the correction thereof, and shall send a copy of such statement to the appropriate State supervisory authority.

"(b) Unless such correction shall be made within sixty days after service of such statement, or such shorter period of not less than ten days after such service as (1) the Corporation shall require in any case where the Corporation determines that its guaranty risk with respect to such insurer or other entity could be unduly jeopardized by further delay in the correction of such practices or violations, or (2) the appropriate State supervisory authority shall require, or unless within such time the Corporation shall have received acceptable assurances that such correction will be made within a time and in a manner satisfactory to the Corporation, or in the event such assurances are submitted to and accepted by the Corporation but are not carried out in accordance with their terms, the Corporation may, if it shall determine to proceed further, issue and serve upon such insurer or other entity written notice of its intention to terminate its guaranteed status.

"(c) Such notice shall contain a statement of the facts constituting the alleged violation or unsafe or unsound practices, and shall fix a time and place for a hearing thereon. Such hearing shall be fixed for a date not earlier than thirty days after service of such notice. Unless the insurer or other entity shall appear at the hearing by a duly authorized representative, it shall be deemed to have consented to the termination of its guaranteed status. In the event of such consent, or if upon the record made at any such hearing the Corporation shall find that any violation or unsafe or unsound practice specified in such notice has been established and has not been corrected within the time above prescribed in which to make correction, the Corporation may issue and serve upon the insurer or other entity an order terminating its guaranteed status and a copy thereof shall be filed with the appropriate State supervisory authority. The Corporation shall also cause notice of such termination to be published in such newspapers or journals of general circulation as it deems necessary and advisable in the public interest. Such order shall become effective upon the service thereof upon the insurer or other entity and the appropriate State supervisory authority, and shall remain effective except to the extent that it is stayed, modified, terminated, or set aside by action of the Corporation or by a reviewing court.

"(d) An order terminating the guaranteed status of any insurer or other entity shall not affect any guaranteed motor vehicle policy issued by such insurer or other entity prior to the date on which such order was issued, but shall be effective with respect to (1) the renewal of such policy, and (2) any motor vehicle policy thereafter issued by such insurer.

"HEARINGS AND JUDICIAL REVIEW

"SEC. 209. (a) Any hearing provided for in this title shall be held in the Federal judicial district or in the territory in which the principal office of the insurer is located, unless the insurer consents to another place, and shall be conducted in accordance with the provisions of chapter 5 of title 5 of the United States Code. Such hearing shall be public unless the Corporation, upon the request of the insurer, determines that a private hearing would be in the public interest. After such hearing, and within thirty days after the Corporation has notified the parties that the case has been submitted to it for final decision, the Corporation shall render its decision (which shall include findings of fact upon which its decision is predicated) and shall issue and cause to be served upon each party to the proceeding an order consistent with the provisions of this title. A copy of such order shall be filed with the appropriate State supervisory authority. Unless a petition for review is timely filed in a court of appeals of the United States, as hereinafter provided, and thereafter until the record in the proceeding has been filed as so provided, the Corporation may at any time, upon such notice and in such manner as it deems proper, modify, terminate, or set aside any such order. Upon such filing of the record, the Corporation may modify, terminate, or set aside any such order with permission of the court.

"(b) An insurer may obtain a review of an order served pursuant to subsection (a) (other than an order issued with consent of the insurer) by filing in the court of appeals of the United States for the circuit in which the principal office of the insurer is located, or in the United States Court of Appeals for the District of Columbia Circuit, within thirty days after the date of service of such order, a written petition praying that the order of the Corporation be modified, terminated, or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Corporation, and thereupon the Corporation shall file in the court the record in the proceeding, as provided in section 2112 of title 28 of the United States Code. Upon the filing of such petition, such court shall have jurisdiction, which upon the filing of the record shall, except as provided in the last sentence of subsection (a), be exclusive to affirm, modify, terminate, or set aside, in whole or in part, the order of the Corporation. Review of such proceedings shall be had as provided in chapter 7 of title 5 of the United States Code. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari as provided in section 1254 of title 28 of the United States Code.

"PENALTIES

"SEC. 210. (a)(1) Any insurer issuing any motor vehicle insurance policy which is not guaranteed under this title shall forfeit to the United States the sum of $——— for each and every day that such policy is in effect and is not guaranteed under this title. Such forfeiture shall be payable into the Treasury of the United States and shall be recoverable in a civil suit in the name of the United States.

"(2) This subsection shall take effect upon the expiration of one year after the effective date of this title.

"(b) Whoever advertises or otherwise represents falsely by any device whatsoever that any motor vehicle insurance policy is guaranteed by the Federal Motor Vehicle Insurance Guaranty Corporation, or by the Government of the United States, or by any instrumentality thereof, shall be fined not more than $———, or imprisoned not more than ——— years, or both.

"REPORTS

"SEC. 211. The Corporation shall make an annual report of its operations to the Congress. Such report shall include a statement with respect to the status of the fund established pursuant to section 206, together with such recommendations concerning its adequacy or inadequacy as the Corporation deems necessary or desirable. Such report shall be filed not later than January 31 of each year."

The material presented by Mr. Dodd is as follows:

Estimated average amount of cents on the dollar claimants will receive, based on amount of valued or approved claims, from insolvent insurance companies writing motor vehicle business by State of domicile of company, 1960–67 (January)

State	Total number of insolvent insurance companies writing motor vehicle business	Number of insolvent companies for which claims data are available	Estimated number of claimants	Averge amount of cents on the dollar a claimant will receive
Pennsylvania	17	7	4,000	1
Illinois	12	9	50,000	25
Missouri	7	3	20,000	10
Indiana	5	5	14,000	25
Michigan	3	3	25,000	25
Wisconsin	2	2	10,000	45
West Virginia	3	2	7,000	40
Florida	3	2	10,000	40
Texas	2	1	1,000	10
Arkansas	2	1	411	30

NOTE.—Complete data pertaining to insolvencies in these States are presently unavailable:

Maryland	4	South Dakota	1
Minnesota	2	Delaware	1
California	2	South Carolina	1
Maine	1	Colorado	1
Tennessee	1	Nebraska	1
Massachusetts	1	Louisiana	1

Source: Compiled from data furnished to the Senate Antitrust and Monopoly Subcommittee by State insurance departments (receivers), and attorneys for receivers.

CONGRESSMEN ADDABBO, EILBERG, FARBSTEIN, MOSS AND ROSENTHAL CALL FOR AN AUTOMOBILE INSURANCE PROBE

Congressmen Joseph P. Addabbo, (D–L, N.Y.), Joshua Eilberg (D. Pa.), Leonard Farbstein (D–L, N.Y.), John E. Moss (D. Calif.), and Benjamin S. Rosenthal (D–L, N.Y.) called today for a thorough congressional investigation of the automobile insurance industry and the establishment of a Federal Guaranty Corporation to protect policyholders and injured parties against automobile insurance company failures.

In speeches made today on the floor of the House, the five Congressmen announced that each was introducing legislation to establish a Federal Motor Vehicle Insurance Guaranty Corporation. This corporation would compensate the victims of auto insurance company bankruptcies much in the same manner as the Federal Deposit Insurance Corporation protects depositors against bank failures. This legislation is similar to a bill introduced today by Senator Thomas J. Dodd, and cosponsored by Senators Magnuson, Bartlett, Brewster, Clark, Hart, Hartke, Moss, Nelson and Yarborough.

During the past six years, 73 companies writing auto insurance have failed. An estimated 300,000 policyholders and injured accident victims are attempting to recover some $600 million out of assets with a net worth of $25 million. The Congressmen pointed out that in Pennsylvania 4,000 claimants will receive 1 cent on the dollar; in Illinois 50,000 claimants will be paid 25 cents on the dollar; in Michigan 25,000 claimants will be getting 25 cents on the dollar; and in Missouri 20,000 claimants will receive 10 cents on the dollar.

The Congressmen expressed the belief that the Federal guaranty and examination system proposed in their bills would be an essential first step in the protection of the public. They stressed, however, that such serious problems as the indiscriminate cancellation of auto policies, including the refusal of companies to write auto insurance in low income areas, and the method of setting and regulating auto insurance rates need a thorough probing to determine whether other Federal legislation is necessary to fully protect the American public. "To most American families," declared the Congressmen, "the automobile is no longer a luxury item, but a virtual necessity." 79% of all U.S. families own one or more autos and 25% own two or more cars. Automobile liability insurance is likewise a necessity. All the states either require or encourage auto insurance. "The regulation of this great interstate business of insurance has been under the domain of the several states, and it's about time Congress took a good hard look at how effectively the public interest is being served", they said.

[From All Industry, Nov. 5, 1966]

SOMETHING TO THINK ABOUT

The proposal by Sen. Dodd of Connecticut for an automobile insurance guaranty fund, made tangible by introduction into the Senate in the last few days before recess of a bill to establish such a fund, is something which should go high on the list of things for the industry to think about.

The bill is co-sponsored by three eminent Senators, Hart of Michigan, Clark of Pennsylvania and Magnuson of Washington. Inasmuch as Mr. Magnuson is chairman of the Commerce Committee, into whose hands it was immediately placed, there are chances of wide Congressional interest.

This bill will not be up for consideration for some time, but it certainly will be up at the next session of Congress. With triple co-sponsorship and some evidence of a fairly wide interest in the measure in Congress, it will surely come in for very serious consideration.

It is not something to be tossed aside as one more evidence of government encroachment. It is more nearly one of those cases suggested by several recent speakers from industry management ranks, of an area where business and government have their specific areas of functioning.

What must be kept in mind is the fact that there is a large and vital involvement of public interest here—anything which can write up a loss to the public of a quarter to a third of a billion in a few years is something to be wary of.

Also, it is something most difficult for the companies to meet voluntarily and impossible on a national footing.

Then, too, according to reported statements from various state insurance commissioners involved in auto insurer failures, there is nothing that can be done under the state regulatory system, as these represent human failure and nothing in the law can control human failure before said failure.

The proposal in the bill is a carefully considered one. It clearly recognizes state regulation and ties every step of procedure into the state regulatory system. In the essential area of company examinations for approval and maintenance of approval, the tie-in is carefully spelled out with state regulation.

It is for this fragile area of automobile insurance—especially the high-risk auto coverage—the equivalent of FDIC for banks. And the banks are generally quite content with FDIC, and should be, for it has been their salvation, saving many a strong breeze from becoming a banking storm of hurricane force.

Perhaps this is clearly an area of Federal cooperation—at least, it should be given the most serious though by the industry.

—C.C.N.

[From the Evening Star, Washington (D.C.), Dec. 6, 1966]

DODD PRESSES AUTO INSURANCE PLAN

(By James J. Kilpatrick)

Just before the Congress adjourned in October, Senator Thomas J. Dodd (D-Conn.) introduced a bill proposing a system of federal guarantees on motor vehicle insurance. His purpose was to toss up the plan for public discussion. He expects to reintroduce his bill next month, and to press for early hearings.

If history repeats (and history constantly repeats), Dodd can expect the auto insurance industry to rise up honking in dismay. This was the story when Congress launched into federal insurance of bank deposits and savings and loan associations. Today the bankers boast of their FDIC as if it were something they invented and the companion FSLIC is embraced with equal rapture.

The automobile insurers would be well advised to fall in line behind the Dodd proposal. Thus far, in a country still madly in love with motor cars, they have managed to stave off any national outcry against their rates, their profits, their insurance practices and their scandalous failures, but their public image is not especially bright. They could use the comforting respectability that Dodd's modest plan might provide.

In a statement accompanying his draft bill, Dodd recalled the shocking testimony turned up by the Senate Antitrust and Monopoly subcommittee in May 1965. In the preceding five years, no fewer than 65 companies writing motor vehicle insurance had been placed in liquidation or receivership. These insolvencies left $100 million in unpaid claims, and struck a cruel blow at 300,000 policy-holders and injured parties.

As Lester Velie has written in Reader's Digest, such statistics barely hint at the desperate human tragedies produced by the failure of these companies. Hundreds of families discovered, after an accident, that their policies were worthless. Other families lost homes and went heavily into debt. Mangled victims confined to hospitals for months, could collect no damages. It is not enough to blame this appalling record on a handful of racketeers who operated a maze of companies out of Minneapolis. Many of the auto insurance failures of recent years have resulted from poor management and indifferent or inadequate supervision at the state level.

Most of the companies exposed by the Senate investigation were engaged in writing "high risk" insurance on drivers with bad accident records. They charged high rates and they took large chances. But the basic cause of insolvency, says Dodd, is the human frailty that manifests itself in faulty judgment—and this cannot always be caught before a company goes under.

Under his plan, Congress first would appropriate $50 million (later to be repaid) to a federal motor vehicle insurance guaranty fund. In time, the fund would be made self-supporting through a charge of one-eighth of 1 percent on each company's direct premium writings. Such a fee would amount to an annual charge of 37½ cents to 75 cents on the average auto insurance policy. Once the fund reached and held a satisfactory level, the annual charge would be waived. Out of this fund, the federal corporation would adjust and settle policy claims left by an insolvent insurer.

The Dodd plan has been inspired partly by the government's excellent experience with FDIC and FSLIC, and partly by the good experience of New York, New Jersey and Maryland, which already have established their own state guaranty funds. The three states are entitled to much credit for pressing ahead in the field.

Is the Dodd bill enough? Some recent rate hearings in Virginia and Maryland suggest that more may be required. The auto insurance companies, crying poor mouth, incessantly ask for rate increases; on the surface, their horrendous tales of high jury judgments and escalating costs of automobile repair make a plausible case. But the layman who attempts to track his own way through massive actuarial exhibits and operating statements soon is hopelessly lost in doubt. In between the accrual method of accounting and the cash method of accounting, as the Virginia State Corporation Commission discovered, some remarkable sums of money vanish into an indeterminate limbo. The companies earn immense sums on their unearned premium and loss reserves, but this income doesn't seem to be counted as profit. The befuddled outsider, not privy to such mysteries, scarcely knows what to think.

To most American families, automobile liability insurance is the first necessity of their lives. They can go hungry for a few days, or skimp on clothes and furnishings, or be a little late on the routine bills. They dare not risk a day of driving without adequate coverage, and they will pay almost anything to get it. In this vital area of public interest, there is room for constructive efforts all around—by state regulatory agencies, in beefing up their supervision; by Congress, in taking up the Dodd bill; and by the companies themselves, in promoting safer cars and better drivers.

Dodd, at least, is showing some leadership. What of the others?

[From the Bridgeport Sunday Post, Dec. 18, 1966]

A MATTER OF PROTECTION

Senator Thomas J. Dodd has established a need for his proposal to create a system of federal guarantees for motor vehicle insurance. The senator plans to reintroduce this legislation in January and cites statistics to justify a debate on the subject.

Since 1960, the senator notes, 65 companies writing high-risk motor vehicle insurance were placed in liquidation or receivership. This meant financial tragedy for approximately 300,000 policyholders and injured parties.

"When this sad chapter in insurance history is finally closed," says Senator Dodd, "these claimants will have lost well over $100,000,000." The problem indeed cries out for a solution.

Under the Dodd plan, once any insurer with guaranteed status is declared insolvent by a state court, a federal motor vehicle insurance guarantee corporation would assume any pending claims arising from policies guaranteed by it. Provision is made for the federal corporation to succeed to the rights of the policyholder upon the payment of any claim.

The legislation involves such matters as insurance rates, supervision by states of the insurance industry and uniformity of procedure on a national level, among other things.

This is a complex matter which calls for careful scrutiny. Behind the financial complications lies the matter of protection for the public. The legislation deserves serious consideration.

[From the National Underwriter, Jan. 20, 1967]

AUTOMOBILE INSURER INSOLVENCIES

The news from Washington that Sen. Warren G. Magnuson of Washington is taking over the drive for passage of the automobile insurer insolvency fund measure of Sen. Thomas J. Dodd of Connecticut has caused leaders in the insurance business to take a second look at the Dodd proposal. The news from Washington also indicated that the AFL–CIO would get behind the measure in vigorous fashion.

Consequently, there is apt to be a good deal of discussion of the Dodd measure, pro and con, with proposals for additions and subtractions, in the days ahead.

One sidelight on the situation is that the matter of motor vehicle insurers in financial difficulties is not an American exclusive—it is pretty international. England had one such insurer go broke some months ago—which resulted in much discussion, suggestion, and even action.

In Ireland, it was recently pointed out by George Colley, minister for industry and commerce, that in 1964 that country created the Insurance Compensation Fund, to which all licensed companies are obliged to contribute. The fund is available to meet most classes of claims that otherwise would go unsatisfied in case an insurer became insolvent.

Creation of the Irish fund, Mr. Colley reported to the 1966 meeting of the Insurance Institute of Ireland, had an important side effect. Since each insurer must contribute to it, and since the size of contributions was entiely dependent on the demands of the fund, it would obviously be in the interest of the companies generally to bring to notice the impending failure of a company before its financial condition had got out of hand. These arrangements, therefore, made for greater security for the policyholder and more stable conditions in the insurance business, according to Mr. Colley.

At the second world congress on insurance law in Hamburg in 1966, nine comprehensive papers were presented on state action with respect to property and casualty insurance enterprises in financial difficulties (mostly because of automobile). States dealt with included those of Western Europe, North America, Israel, Japan, and Tunisia.—K.O.F.

[From the Army Times, Dec. 7, 1966]

"FLY-BY-NIGHT" AUTO INSURANCE FIRMS HIT—SERVICEMEN LOSE HEAVILY

WASHINGTON.—Senator THOMAS J. DODD (D., Conn.) charged this week that servicemen have lost hundreds of thousands of dollars to fly-by-night auto insurance companies. "Over the years thousands of military men have lost hundreds of thousands of dollars because of automobile insurance company insolvencies," Dodd said.

"During the closing days of the 89th Congress I introduced a bill which would establish a Federal Motor Vehicle Insurance Guaranty Corporation, which would back up auto insurance policies just as the Federal Deposit Insurance Corporation backs up bank deposits. When passed, this bill should protect servicemen against fly-by-night insurance companies because it provides for broad examination powers over interstate auto insurance as well as providing for a guaranty mechanism."

DODD is joined in sponsorship of the bill by Senators HART, CLARK, and MAGNUSON. It would protect civilians as well.

"Once any insurer with guaranteed status is declared insolvent by a state court," DODD added, "the corporation will assume any pending claims arising out of policies guaranteed by it, subject to certain restrictions. Any other claims filed during the course of the liquidation or receivership proceedings would also be assumed by the corporation."

Pentagon officials have been wrestling with this problem for some time. Military posts require that servicemen's cars brought on base be insured. Because so many servicemen are young and single, they are charged higher rates. In shopping around for cheaper rates they often go to companies with shaky financial bases.

One case cited by officials concerned a serviceman who paid for a car insurance policy. The company wrote him four months later that his policy was cancelled. He wrote for a refund of the remaining eight months' premium. The company didn't reply.

The serviceman then wrote to a newspaper "Action Line" column asking for help. The column turned the matter over to Defense which contacted the company and extracted a promise to pay.

The man received a check from the company, but the check bounced. The company is now in receivership so the man is without insurance and is out more than $100.

[From the Detroit (Mich.), Building Tradesman, Dec. 9, 1966]

CONGRESS TO SCAN DRIVER LOSSES ON CAR INSURANCE

WASHINGTON.—The beating which auto drivers are taking from insurance companies these days is fierce and, until now little has been done about it.

The automobile insurance industry is a giant among giants.

* * * * * *

Policy cancellations by the companies are rarely questioned and too frequently a driver, who has faithfully paid his premiums through the years, suddenly finds himself an undesirable risk and without protection.

In May of 1965, the Senate Anti-trust and Monopoly Subcomittee conducted hearings on some phases of motor vehicle insurance.

The hearings and investigations showed that since 1960, 65 companies writing auto insurance have been placed in liquidation or receivership. The companies that failed are known as "high risk" firms since they write mainly coverages for motorists who are unable to obtain regular auto insurance.

Reporting on the investigations, Senator Thomas Dodd (D.-Conn.) declared that "nearly one-half of these insolvencies were caused by specific acts of dishonesty practiced by company management."

The cost of these insolvencies has been heavy for some 300,000 policyholders, many seriously injured in accidents.

"When this scandalous chapter in insurance history is finally closed," Dodd said, "these claimants will have lost well over $100 million."

It is in this area that legislation will be pushed when the first session of the 90th Congress opens next month.

Dodd is introducing legislation, co-sponsored by Senators Philip Hart (D.-Mich.), Joseph Clark (D.-Pa.) and Warren Magnuson (D. Wash.). Their proposal would set up a Federal Motor Vehicle Insurance Co. system which would protect the policyholder by guaranteeing the contractual performance of the insurers.

If an insurance firm becomes insolvent, the insured would be protected much as the Federal Deposit Insurance Corp. protects the public against insolvencies of banks.

At the present time, three states have such legislation on their books: New York, New Jersey and Maryland.

Obviously this is an extremely modest approach to an extremely serious problem. Most knowledgeable observers believe it is an essential step but only a start. Its sponsors, in fact, accept the fact that it is a limited approach, but feel that with the great power of the insurance industry it is the best that can be expected in the 90th Congress.

Many questions have been raised, for example, about the slick accounting methods of many insurance firms which show them operating in the red while actually they are extremely profitable.

The American Trial Lawyers Association, which represents some 20,000 claimants' lawyers, has been looking into this phase of insurance operations. An accountant employed by the ATLA found that in Virginia, insurance firms were supposed to be operating on a five per cent profit basis last year. However, studies showed profits of nine percent.

Questions have been raised about the freedom of firms to drop what they consider poor risks and to seek out good risks, about rates based on age and geography rather than experience, and, in fact, the entire rate structure.

Magnuson is chairman of the Senate Commerce Committee. He has indicated that he hopes to hold hearings in the spring.

Perhaps at this time Magnuson may seek to push for more far-reaching legislation than is covered in the Dodd bill.

Meanwhile, though, the insurance industry which is opposed to any government regulation may take a dim view of even this limited approach.

[From the Charleston (W. Va.) Gazette, Nov. 5, 1966]

BY CONGRESS: PUBLIC INSURANCE SAFEGUARDS EYED

(By Harry Ernst)

WASHINGTON.—Congress next year will consider how to insure citizens against irresponsible insurance companies that have caused financial suffering to more than 80,000 West Virginians.

Just before the 89th Congress adjourned, Sen. Thomas J. Dodd, D-Conn., introduced a bill to establish a federal Motor Vehicle Insurance Guaranty Corp.

It would guarantee the policies issued by high-risk auto insurance companies that apply to participate just as the federal government now insures bank accounts or savings and loan company deposits.

Dodd, who introduced his bill to stimulate discussion of the problem, said he intends to press for congressional action next year on establishing such a federal insurance program.

His Senate antitrust and monopoly subcommittee revealed that 65 high-risk auto insurance companies have failed since 1960 including National and Crown which left 80,000 West Virginians holding worthless policies.

These insolvencies resulted in a loss of more than $100 million to 300,000 policyholders as well as other citizens injured in accidents involving them.

"There is little that we can do to alleviate the terrible financial suffering caused by past auto insurance insolvencies," Dodd commented. "But we can and must prevent these tragic financial losses from happening in the future."

He proposed to do it by establishing an auto insurance guaranty corporation with $50 million in federal funds that would be repaid by fees charged participating companies, which would raise the annual cost of the typical policy only 37.5 to 75 cents.

Auto insurance companies would find it difficult to resist participating in the program because, if they didn't, their competitors could lure away business by citing the additional safety of federal protection.

If an insured company fails, the federal corporation would assume any pending claims and would wait for eventual distribution of the company's remaining assets instead of policyholders and injured claimants.

Only three states—New York, New Jersey and Maryland—now have guaranty or security funds to compensate the victims of auto insurance company insolvencies.

Senator Dodd stressed that he doesn't want the federal government to replace the states as chief regulators of insurance companies.

"Our studies indicate that in a number of cases lax regulatory practices by state officials permitted conditions to exist which eventually led to financial disaster," he observed.

"Inadequate insurance department budgets and occasional apathy by regulatory officials contributed to this staggering financial loss ($250 million by the public since 1945)."

Dodd would like to see the states beef up their insurance departments with more money, better trained personnel and higher quality examinations to help check insolvencies and reduce losses.

But this alone won't solve the problem, he commented, because nearly half of the 65 insolvencies since 1960 "were caused by specific acts of dishonesty practiced by company management."

"The remaining insolvencies were caused by the failure of management to act in the best interest of the company," Dodd said, which is why he thinks it's time for the federal government to insure the insurers.

[From the Washington (D.C.) Machinist, Nov. 17, 1966]

AUTO INSURANCE RACKET EXPOSED, THOUSANDS OF MOTORISTS VICTIMIZED

A series of Federal and state investigations have laid bare a national scandal in auto insurance.

Profit-hungry insurance companies are now cancelling motorists' policies for many reasons other than repeated accident claims. As a result, hundreds of thousands of auto owners coast to coast have been driven to deal with high-rate, fly-by-night firms.

A U.S. Senate anti-trust subcommittee reports that since 1960, a total of 60 so-called high-risk auto insurance companies have gone broke. These failures have cost 300,000 auto-owning policy holders and injured parties more than $100,000,000 in losses.

POOR MANAGEMENT

U.S. Sen. Thomas Dodd of Connecticut, the insurance subcommittee chairman, charged recently that half these insurance company failures "were caused by specific acts of dishonesty practiced by company management." The rest, he said, stemmed from poor business operations, permitted because of a lack of effective state regulation.

A committee of the Pennsylvania State House of Representatives has just reported that 12 high-risk, high-rate auto insurance firms in the Keystone State have folded within the past three years.

From five of these insurance firms, 4,200 persons are now trying to recover $13,000,000 in claims the companies failed to pay. The firms' combined assets, left after they crashed were but $55,000.

The Pennsylvania committee also reported that purportedly reliable companies have carried out mass cancellations of auto insurance policies of persons living in the Negro areas of Philadelphia. Blackballed because of their address, these motorists have been forced into the clutches of the high-rate operators, including some of those that failed.

The committee also condemned companies that automatically cancel policies of auto owners as they reach age 65, with no regard for a past record of accident-free driving. Thereafter, with a cancellation on their record, these persons have trouble obtaining other insurance.

Much the same thing happens to many younger persons 16 to 25. Despite individual safe-driving records, they are refused by the regular companies and forced to insure with the high-rate firms. Returning veterans from Viet Nam have run into this problem.

Auto insurance rate increases are under scrutiny as well. Three Virginia state legislators are protesting what they contend are unnecessary increases in the Old Dominion State.

For three straight years the State Corporation Commission has approved rate increases based solely on claims without considering companies' other earnings. These earnings include the annual interest received on over a billion dollars in reserves set aside to meet claims.

The annual interest, at least 4 per cent, nets the companies a minimum of $40,000,000 a year.

The Pennsylvania committee headed by State Rep. Nicholas Kornick cited the case of Seymour Rosenfield as an example of how "unscrupulous promoters" operate.

Rosenfield was president of the General Union Mutual Insurance Co. of Chicago, Ill., which failed in 1962. Thereafter, he switched to Philadelphia, Pa., as president of Empire Mutual Insurance Co. The state suspended Empire in January, 1964, for insufficient assets. It owed at least $2,500,000 on claims filed by policyholders and injured parties.

Several months later Rosenfield emerged as president of the Municipal Mutual Insurance Co., also of Philadelphia, which the state dissolved last January. Meanwhile, another firm, Chesapeake Insurance Co. of Maryland, which also failed, was doing business out of the same office.

The committee charged that Mrs. Audrey Kelly, state insurance commissioner appointed by Gov. William Scranton, was lax in letting Rosenfield do business in Pennsylvania after his dubious record in Illinois.

BILL TO CREATE NEW AGENCY

Spurred by such scandals, Connecticut's Senator Dodd has introduced a bill (S. 3919) in Congress to create a Federal motor vehicle insurance guaranty corporation.

Armed with broad powers of examination, the new agency would operate to protect auto owners in the same manner that the Federal Deposit Insurance Corp. safeguards bank depositors.

The auto insurance corporation, Dodd said, would work with state insurance agencies to weed out the fly-by-night operators. This would reduce the number of firms going broke.

Policyholders of firms that failed despite stricter regulation would have their claims paid by the Federal corporation. The corporation would then take over the fight for recovery of the money from the remaining assets of the defunct firms.

[From the Salisbury Evening Post, Nov. 19, 1966]

CONGRESS MAY FOCUS ON AUTO INSURANCE "ABUSES"

(By Tom Nolan)

WASHINGTON.—(NEA)—In China, 1967 will be the year of the Big Insurance Explosion.

Only the high-risk segment of the auto insurance industry was exposed to the glare of a Senate investigation in 1966. But behind-the-scenes inquiries have already been launched into a number of alleged abuses in other aspects of auto insurance and several segments of life and health insurance.

Some of them are likely to become full-scale investigations next year.

The first act in the drama will begin Jan. 10, when Sen. Thomas Dodd, D-Conn., reintroduces his bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation, cosponsored by Sens. Joseph Clark, D-Pa., Philip Hart, D-Mich., and Warren Magnuson, D-Wash.

Designed to protect those victimized when their auto insurance firms go broke, the proposed guaranty insurance system would be set up along the lines of the Federal Deposit Insurance Corporation, which protects depositors against failures by banks and savings and loan associations.

Introduced just before adjournment, Dodd's bill stemmed from the high-risk investigation carried out by Hart's Antitrust and Monopoly subcommittee.

Since 1960, this investigation showed, 65 high-risk companies went into receivership, leaving more than 250,000 people without insurance and costing accident victims more than $100 million in claims which could not be collected.

Dodd's bill would require all interstate insurers—not just high-risk firms—to apply for guaranty system status one year after passage of the legislation. Failure to prove financial stability would mean a firm could not continue to do business on an interstate basis.

The federal corporation would settle all pending claims against any guaranty-status firm which went broke. The corporation would be financed initially by a $50 million Treasury loan.

Permanent financing would come through a semiannual charge of one-eighth of one per cent of each insurer's net direct premium writing. Passed on to the consumer, it would mean a hike of 25 cents on a $100 insurance premium.

It is virtually certain that Dodd's proposal will meet the unified opposition of the entire insurance industry, just as the FDIC proposal earlier aroused the unified wrath of bankers.

The industry has been able to stave off Washington's hand for more than a century. But to insurance officials, the presence of Hart and Magnuson as co-sponsors of this measure is an ominous sign.

Magnuson's Commerce Committee—where Dodd's bill will be referred—is noted as one of the Senate's best "legislation producers." In 1966, among others it produced the Truth in Packaging, Auto Safety and Tire Safety laws.

Hart's subcommittee, on the other hand, is known as a good investigative group. Some other insurance areas it has been quietly probing recently:

Credit Life Insurance: This is the form of insurance which borrowers are required to take out to guarantee that their loans are paid off should they die or become incapacitated. Rarely is the premium more than $1 per $100 of debt.

Dean Sharp, assistant counsel of the subcommittee, recently charged that Americans have paid some $700 million in overcharges for credit life premiums since 1959.

Market-creaming: This is the process in which a large auto insurance company reviews its books, finds that it is losing money in a certain area, and cancels (or fails to renew) policies indiscriminately in this area.

Subcommittee staffers say that these mass geographic cancellations create a market vacuum which invites financially unstable or fraudulent, high-risk firms to move in.

[From Labor, Nov. 19, 1966]

NEW BATTLE SET FOR CURBS ON AUTO INSURANCE FRAUDS

(By Harry D. Garduk)

Sen. Thomas J. Dodd (D., Conn.) has announced he'll renew his battle for federal regulation to curb frauds and swindles in the insurance field. Dodd heads a subcommittee which has been investigating these rackets.

Since 1960, he pointed out, 65 auto insurance company failures have cost 300,000 people well over $100 million. What's worse, he said, nearly half of these failures were because of dishonesty of management.

Their unsavory practices, he said, included misappropriation of company funds for personal use, falsification and manipulation of company assets, payment of grossly excessive fees to agencies controlled by company executives, juggling of loss reserves, fictitious reinsurance arrangements, inaccurate and inadequate records and over-expansion of policies written in relation to capital and surplus.

Dodd has introduced a bill to prevent "flagrant abuse and outright fraud" in the industry by setting up a federal corporation to protect the insurance buyer in much the same way the government guarantees bank deposits. This would be done through creation of a Federal Motor Vehicle Insurance Guaranty Corp.

The bill also provides for this corporation to check the management and financial condition of insured companies in coordination with the appropriate state insurance authorities so as to weed out shady companies and provide protection against loose or crooked practices.

Where companies fail, payment of claims to policyholders and to plaintiffs in auto damage suits would be guaranteed by the government corporation.

The bill's aim, Dodd noted, is to reinforce, not to supplant state insurance regulation. He warned the industry, however, that "if state (and self) regulation proves inadequate to the task of protecting the public. How long can the federal government be expected to stay its hand?"

"Scandalous swindles," he declared, "impair confidence not only in automobile insurance, but in the trustworthiness of government as well."

Sen. Philip A. Hart (D., Mich.), as cosponsor of the bill, has given notice that he, too, will do battle for the measure.

[From the United States Investor, Nov. 21, 1966]

KEEPING UP TO DATE ON INSURANCE—PROPOSED FEDERAL MOTOR VEHICLE INSURANCE GUARANTY CORPORATION NO IDLE THREAT!

(By Roger Kenney)

(NOTE.—Record number of failures among "high risk" insurers points up inability or unwillingness of states to cope with the problem.)

When the Senate Subcommittee on Antitrust and Monopoly commenced public hearings on aviation insurance on August 6, 1958, the then chairman, the late Senator Joseph C. O'Mahoney, made it eminently clear that the purpose was to review the record of state regulation in the ten-year period since the effective date of the McCarran Act (Public Law 15). And during the course of those hearings Senator O'Mahoney made this significant remark:

"The question that now arises immediately is whether the Congress of the United States, in a field which has been assigned to it by the Constitution, should lightly bow itself out of the picture and say that it is of no concern to the Congress how these great combinations work.

"The records that I have seen indicate that 96 per cent of all aviation insurance is carried by these three great combinations of insurance companies, domestic and foreign, which, according to the National Air Transport Association, levy an unduly high charge upon the writing of insurance."

And later, he reiterated:

"But I do not believe that the Congress of the United States, now on the eve of our entering into a great new world of interstate commerce (commercial aviation), should wash its hands lightly of all power to supervise insurance and leave that power in the exclusive hands of these combinations."

MERELY TO SPUR THE STATES?

In the opinion of many observers in those days, these remarks seemed to indicate that the hold of the states on regulation of aviation insurance was to be loosened forthwith—and for the good and simple reason that this branch of the insurance business was almost entirely interstate in aspect, thereby coming within the purview of Congress. But as the old saying goes, "the mills of the gods grind slowly"—and this has proved to be the case with aviation insurance. And because it has, we find a number of people in the industry citing the lack of any drastic and far-reaching action by Congress in this field as fairly strong evidence that the bill recently introduced by Senator Thomas J. Dodd of the Senate Subcommittee calling for the establishment of a Federal Motor Vehicle Insurance Guaranty Corporation is not to be taken too seriously. Let these people tell you, the bill is designed for the sole purpose of spurring the states into action in a long neglected field.

While this is a comforting manner of viewing the situation—especially from the standpoint of preservation of state regulation in what has become the most important area of operation for property-casualty companies—it ignores not only the historical background of the bill but also the care with which it was framed. And not to be overlooked is the fact that while the bill was introduced by Senator Dodd, the latter was ably supported by Senator Hart of Michigan, the subcommittee chairman who commissioned Senator Dodd to continue the investigation of state regulation broken off by the illness of Senator O'Mahoney—and by Senator Clark of Pennsylvania.

BILL HAS MORE THAN NOMINAL SUPPORT

That this support was something more than nominal is evident from the remarks made upon the Senate floor by the latter senators upon introduction of the bill. Commenting upon the pressing need for such legislation, Senator Hart made these pointed remarks:

"Mr. President, since 1960, some 100,000 Michigan residents have had their automobile insurance terminated because of the insolvency of four companies—three headquartered in Michigan and one in Texas.

"For approximately 35,000 of these Michiganites who had claims against these companies the failures mean severe financial hardship—hardship which in many cases will cripple their families for years.

"As Senator Dodd has pointed out, Michigan was not the only state to so suffer. Each state was affected—with a grand total of 300,000 Americans who will lose well over $100 million by not being able to collect justified claims from the 65 auto insurance companies which have failed since 1960.

"There is nothing, unfortunately, that this Congress can do to alleviate the suffering of these Americans. However, clearly, we have a responsibility to act to prevent further suffering. Senator Dodd's proposal for a Federal Motor Vehicle Insurance Guaranty Corporation seems to put us on the road to a responsible solution and I am happy to add my name as a sponsor of the bill."

Adding his support, Senator Clark of Pennsylvania said: "Mr. President, I am happy to be one of the initial co-sponsors of this legislation establishing the Federal Motor Vehicle Insurance Guaranty Corporation. If this bill had been law five years ago many Pennsylvanians would have been spared a serious financial loss.

"From late in 1961 to the present, 12 Pennsylvania high-risk automobile insurance companies have failed and become bankrupt. Over 6,000 accident victims have filed claims against 7 of these companies. The Pennsylvania Insurance Department has placed a total value of over $5 million on 4,000 of these claims. These 4,000 claimants are seeking satisfaction out of $55,000 in assets of the defunct companies.

"Automobile insurance is a necessity today. These high-risk companies operate with a captive market. Both the people who must buy such insurance and the people who suffer personal injury or property damage at the hands of high-risk insurance holders deserve to be protected. This bill would give them the protection they need against insurance company insolvencies."

LEGISLATION HAS EMOTIONAL APPEAL

So, you see, this bill known as S. 3919 is not the brain child of a single Senator, but rather one that has widespread appeal in the Senate not only from the humanitarian standpoint but also the political. That Senator Dodd sensed this is quite apparent from the stress he laid upon the heartaches caused by the failure of 65 "high-risk" companies since 1960. Referring to these and other failures in the automobile insurance field in recent years, he said:

"The tragedy of these insolvencies is the unbelievable financial suffering caused to some 300,000 unfortunate policyholders and injured parties. When this scandalous chapter in insurance history is finally closed, these claimants will have lost well over $100 million.

"The problem of auto insurance insolvency is not new and it is not limited to those companies writing this high-risk, high-rate business.

"Studies show that from 1945 to 1959, some 98 property and casualty insurers were declared insolvent and liquidated. All of these insurers wrote at least some automobile business, with most writing a predominance of it. It is now estimated that the public lost some $150 million as a result of these failures.

"Thus from 1945 to date, years of unparalleled prosperity and at the same time a period of intensive state rate, reserve and investment regulation, auto insurer failures have cost the public $250 million."

WEAKNESS OF STATE FUNDS RECOGNIZED

As to the nature of S. 3919, there isn't any doubt that it has many of the features of similar legislation passed at both the Federal and state level, particularly the legislation establishing the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation. On this score, it will be remembered that whenever attempts have been made by the states to establish automobile guaranty or security funds, great emphasis has been placed upon the success of the FDIC in the banking field. Frankly acknowledging the success of the FDIC, critics of automobile guaranty funds have never failed, however, to point out that there is no analogy between that organization and the guaranty funds. This, because the FDIC has standards of admission and can expel a member bank whereas neither situation prevails in a guaranty fund of the type discussed when the question was last before the National Association of Insurance Commissioners in a serious way—in Montreal in 1962. In short, the common complaint of the industry has been that guaranty funds, as set up and operated in the insurance business, have the effect of making the well-managed companies involuntary partners with the incompetents over which they have no control. And in that respect, they are a millstone around the neck of private enterprise in the insurance business

Apparently, the framers of the Federal Motor Vehicle Insurance and Guaranty Corporation legislation were aware of this criticism. At any rate, it is interesting to note that while the basic purpose of legislation is to guarantee the contractual performance of insurers issuing policies of motor vehicle insurance in interstate commerce, it also provides coverage for companies issuing policies in intrastate commerce—if they wish to apply for guarantee status. But interstate insurers *must apply for guarantee status within one year of enactment of the bill.*

The point is, of course, that the proposed Federal Motor Vehicle Insurance and Guaranty Corporation is not going to be a mere catch-all for any and all insurance companies simply because they have a license. On the contrary, if you read Section 207(a) of the bill, you will find that it specifically sets forth that the "Corporation shall have power to make examinations and require information and reports from any insurer or other entity making application for guaranty status, or whose policies are guaranteed under this title." Furthermore, there is provision for terminating the guaranty status after examination.

It is also interesting to note that even though Senator Dodd commended the States of New York, New Jersey and Maryland for having organized motor vehicle guaranty funds, he evidently was not unmindful that the question of cost to companies and their policyholders had been a subject of serious discussion from time to time in these states. According to him, the guarantee fee in the Federal fund, computed on an annual basis, would mean a charge of 37½ cents to 75 cents on the average automobile policy. The fund, consisting initially of $50 million capitalized through the Treasury, to be repaid later, would be self-supporting by means of what he termed "a nominal semiannual charge of one-eighth of one per cent of each insurer's net direct premium writings." And once the fund reaches 2 per cent of the net direct premium writings of all insurers with guaranteed status, the Corporation would waive the fee requirement as long as the fund remains at this 2 per cent level.

WE MAKE A SUGGESTION

There can be little doubt that this provision is aimed at meeting the criticism so often levelled at guaranty funds operating at the state level—the criticism that such funds, like old soldiers, never die, nor do they just "fade away." Back in 1962, this became a really hot question in New York in connection with the operation of the Motor Vehicle Liability Security Fund, created in 1947. The contention of the industry was that the total amount of the Fund on March 31, 1962, was $70,119,390.30 and that in the fifteen years the fund had been in existence, it had only been necessary to pay a comparatively small amount—less than a year's interest. The lesson to be derived from this would seem to be that there ought to be a provision in the Federal legislation calling for a periodic review of the ceiling requirements of the fund—instead of a flat percentage of writings to endure forever.

MEANS DUAL REGULATION

Undoubtedly, Senators Dodd, Hart and Clark—acting as co-sponsors of the Federal Motor Vehicle Insurance and Guaranty Corporation legislation—were prompted to introduce the bill in the closing days of the session in order to give the various parties at interest an opportunity to express their views. This being so, we dare say that many amendments will be made before any serious attempt is made to enact the bill. Particularly interesting is the fact that every effort has been made by the authors of the bill to forestall the criticism that it is the first step towards outright regulation of automobile insurance by the Federal government—it being stated that the examination powers of the Federal Motor Vehicle Insurance and Guaranty Corporation are intended only to reinforce, not to supplant, state insurance regulation and examination. This, of course, means dual regulation—the type we have been discussing in recent articles. And we might add here that if history is any guide, dual regulation in most any sphere usually makes the state a very junior partner with the Federal Government—especially when you have a Federal and a state examining force operating side by side in the same field. In making this remark, we are duly mindful of all that has been said in Washington about the Federal partner under S. 3919 being concerned only with regulation for financial stability and solvency.

We will be very much surprised, therefore, if the state regulatory authorities take at its face value Senator Dodd's statement to the effect that "all examinations conducted by the Corporation would be coordinated with the appropriate state supervisory authorities and with the National Association of Insurance Commissioners." With the examining forces of some states being of the "rented" variety, and in some other states on a more or less transient basis, we are wondering how this "co-ordination" is to be accomplished.

THE OUTLOOK

Frankly, as we view the record of state regulation in the automobile field, we find it difficult to believe that the states will be able to retain anything like exclusive regulatory powers in this field over any extended period of time. And this, if for no other reason than that the automobile is the most mobile land vehicle ever contrived.

The sad part of it all is that the showdown on this important question might well have been postponed for years if many state regulatory authorities had not abused the power of approval of rates accruing to them under these strict prior approval rating laws. To come right down on the button, these "high-risk" insurers which have caused all these heartaches among policyholders and claimants would not have been spawned, if they had not found a perfect breeding ground in the insufficient rate structure forced upon the automobile insurers by politically-minded state regulators.

Confronted with such a situation, it is going to be very difficult to make out a case against intrusion by the Federal Government into the automobile liability insurance picture. It is simply a matter of the states having been tried and found wanting in an area affecting the public welfare—and in an area, incidentally, where the states have been tenants at the will of Congress since Public Law 15 was passed in March, 1945.

[From the AFL–CIO Insurance Worker, December 1966]

SEN. DODD PROPOSES LEGISLATION TO PROTECT AUTO POLICYHOLDERS

Senator Thomas J. Dodd (D-Conn.) has disclosed he will introduce legislation when the 90th Congress convenes next month to set up a Federal Motor Vehicle Insurance Company system which would protect automobile policyholders against any financial failure of the insurance company.

The Dodd measure—which will be co-sponsored by Senators Philip Hart (D-Mich.), Joseph Clark (D-Pa.) and Warren Magnuson (D-Wash.)—will be patterned after the Federal Deposit Insurance Corporation, which insures the public against bank failures.

IWIU International V-Pres. Joseph Pollack said the Union is "most interested in this proposed legislation." He added:

"We are studying the Dodd bill now, and will probably support the measure because it is in the public interest."

By sharp contrast, the insurance industry has shown a noticeable lack of support for the measure. While Arthur F. Blum, president of the National Association of Insurance Agents, agreed that the failures of automobile insurance companies constitutes a "glaring weakness," he objected to the Dodd bill as "yet another attempt by federal government to get its foot firmly in the door of private insurance."

In May 1965, the Senate Anti-Trust and Monopoly Subcommittee conducted hearings on some phases of motor vehicle insurance.

The hearings and investigations showed that since 1960, 65 companies writing auto insurance have been placed in liquidation or receivership. The companies that failed were "high risk" firms—the ones that write mainly coverage for motorists who are unable to obtain auto insurance in the regular marketplace.

Reporting on the investigations, Senator Dodd declared that "nearly one-half of these insolvencies were caused by specific acts of dishonesty practiced by company management."

The cost of these insolvencies has been heavy for some 300,000 policyholders, many seriously injured in accidents.

"When this scandalous chapter in insurance history is finally closed," Dodd said, "these claimants will have lost well over $100 million."

Dodd said that he will push for legislation in this area on the principle that if an insurance firm becomes insolvent, the innocent policyholder has as much entitlement to protection as does the person who is safeguarded against the insolvency of his bank.

At the present time, three states have such legislation on their books—New York, New Jersey and Maryland.

Dodd considers the action taken thus far at the state level to be an extremely modest approach to an extremely serious problem. The Dodd bill is considered to be an essential step, but only as a start. The sponsors of the bill, in fact, accept the premise that their bill is a limited approach but feel that with the great power of the insurance industry it is the best that can be expected in the 90th Congress.

Many questions have been raised, for example, about the accounting methods of many insurance firms which show them operating in the red while actually they are extremely profitable. These accounting methods are used as the basis for asking for higher rate structures—requests which usually are granted by state insurance commissioners.

The American Trial Lawyers Association, which represents some 20,000 claimants' lawyers, has been looking into this phase of insurance operations. An accountant employed by the ATLA found that in Virginia, for example, insurance firms were supposed to be operating on a 5 percent profit basis last year, but actually had profits of 9 percent.

Questions have been raised about the freedom of firms to drop what they consider poor risks and to seek out good risks, about rates based on age and geography rather than experience, and, in fact, the entire rate structure.

Magnuson is chairman of the Senate Commerce Committee. He has indicated that he hopes to hold hearings in the spring. Perhaps that will be the time that Magnuson may seek to push for more far-reaching legislation than is covered in the Dodd bill.

[From the Missouri Teamster, Dec. 9, 1966]

Investigation Likely To Probe Beatings on Car Insurance

Washington.—The beating which auto drivers are taking from insurance companies these days is fierce and, until now, little has been done about it.

The automobile insurance industry is a giant among giants. In the past five years it wrote about $8.5 billion in annual premiums and except for a few states operated with relatively few restrictions.

Most states have state insurance commissioners, ostensibly for the purpose of regulating the industry. Few of these commissioners have done much for the driver and, more often than not, operate in the interest of the companies.

Demands by the insurance firms for an increase in rates are usually granted. Policy cancellations by the companies are rarely questioned and too frequently a driver who has faithfully paid his premiums through the years suddenly finds himself an undesirable risk and without protection.

In May of 1965, the Senate Antitrust and Monopoly Subcommittee conducted hearings on some phases of motor vehicle insurance.

The hearings and investigations showed that since 1960, 65 companies writing auto insurance have been placed in liquidation or receivership. The companies that failed are known "high risk" firms since they write mainly coverages for motorists who are unable to obtain auto insurance at the regular marketplace.

Reporting on the investigations, Senator Thomas Dodd (D.-Conn.) declared that "nearly one-half of these insolvencies were caused by specific acts of dishonesty practiced by company management."

The cost of these insolvencies has been heavy for some 300,000 policyholders, many seriously injured in accidents.

"When this scandalous chapter in insurance history is finally closed," Dodd said, "these claimants will have lost well over $100 million."

It is in this area that legislation will be pushed when the first session of the 90th Congress opens next month.

Dodd is introducing legislation, co-sponsored by Senators Philip Hart (D.-Mich.), Joseph Clark (D.-Pa.) and Warren Magnuson (D.-Wash.). Their proposal would set up a Federal Motor Vehicle Insurance Company system which would protect the policyholder by guaranteeing the contractual performance of the insurers.

If an insurance firm becomes insolvent, the insured would be protected much as the Federal Deposit Insurance Corporation protects the public against insolvencies of banks.

At present time, three states have such legislation on their books: New York, New Jersey and Maryland.

Obviously this is an extremely modest approach to an extremely serious problem. Most knowledgeable observers believe it is an essential step but only a start. Its sponsors, in fact, accept the fact that it is a limited approach but feel that with the great power of the insurance industry it is the best that can be expected in the 90th Congress.

Many questions have have been raised, for example, about the slick accounting methods of many insurance firms which show them operating in the red while actually they are extremely profitable.

The American Trial Lawyers Association, which represents some 20,000 claimants' lawyers, has been looking into this phase of insurance operations. An accountant employed by the ATLA found that in Virginia, insurance firms were supposed to be operating on a five per cent profit basis last year. However, studies showed profits of 9 per cent.

Questions have been raised about the freedom of firms to drop what they consider poor risks and to seek out good risks, about rates based on age and geography rather than experience, and, in fact, the entire rate structure.

Magnuson is chairman of the Senate Commerce Committee. He has indicated that he hopes to hold hearings in the Spring.

Perhaps at this time Magnuson may seek to push for more far-reaching legislation than is covered in the Dodd bill.

Meanwhile, though, the insurance industry which is opposed to any government regulation may take a dim view of even this limited approach.

[From the Bridgeport Sunday Post, Dec. 11, 1966]

Capitol Closeup: Dodd To Press Insurance Bill

(By Carey Cronan)

Senator Thomas J. Dodd will reintroduce his bill in January to establish a system of federal guarantees for motor vehicle insurance despite claims of rising opposition in certain insurance industry quarters.

After several years of investigation by the Subcommittee he heads, Senator Dodd offered the legislation purely for test purposes in the closing days of the 89th Congress, and its re-introduction is expected to be one of his first acts in the 90th Congress next month. The late offering of the Dodd bill was prompted by a desire to stir up public discussion and to obtain some reactions from the insurance industry itself.

The Senator has investigated failures of high risk firms and the operation of foreign companies in the U.S., but he has not been especially critical of the American insurance industry as a whole. However, if he succeeds in obtaining early hearings on his bill for federal guarantees there undoubtedly will not be any lack of witnesses to testify for or against his legislation, which will be the first type of federal supervision in this field which affects nearly every U.S. citizen.

There has been some criticism of rates, lack of supervision by some states, complaints of red tape, etc. But Senator Dodd's plans for a Federal Motor Vehicle Insurance Guaranty corporation is calculated to go far in public protection and establishment of national uniformity in the motor vehicle area.

Matter of urgency—Senator Dodd, whose state capital is known as the insurance hub of the world, says his proposal is "a matter of real urgency" and he has pointed out that he does not advocate monopolies or granting of subsidies but provision for guaranty of security funds. The plan can be compared favorably with the operation of the Federal Deposit Insurance corporation for the protection of depositors and also to the Federal Savings and Loan corporation.

Senator Dodd said "there is no question that these federal corporations have greatly benefited not just the American public but the banking and savings and loan institutions themselves. As opposed to these laws as many of the banks and savings and loan associations were at one time, there isn't one of them who would now dispute the wisdom of their enactment."

He explained that the basic design of the legislation he proposed "is to guarantee the contractual performance of insurers issuing policies of motor vehicle insurance in interstate commerce. It also provides coverage for insurers issuing policies in intrastate commerce if they wish to apply for guaranty status."

Under the Dodd plan, once any insurer with guaranteed status is declared insolvent by a state court the corporation would assume any pending claims arising from policies guaranteed by it, subject to certain restrictions. Any other claims filed during the course of the liquidation or receivership proceedings would also be assumed by the federal corporation.

Other details—The Senator also explained that "on the payment of any claim, the federal corporation would succeed to the rights of the policyholder and assured as against the estate of the insolvent. Thus, the corporation would wait in line for an eventual distribution instead of policyholders and injured party claim holders and injured party claimants."

He added, "in carrying out its examination functions, it would be the intent of Congress that all examinations conducted by the corporation would be coordinated with the appropriate state supervisory authorities and with the National Association of Insurance Commissioners. The corporation's examination powers would be intended only to reinforce, not to supplant state insurance regulation. In fact, the corporation would be required to notify the appropriate state supervisory authority before any action is taken such as recommending the termination of guaranty status."

Prevention of inequities—Senator Dodd noted that since 1960, 65 firms writing high risk motor vehicle insurance were placed in liquidation or receivership.

"The tragedy is the unbelievable financial suffering caused to some 30,000 unfortunate policyholders and injured parties," he declared. "When this sad chapter in insurance history is finally closed, these claimants will have lost well over $100 million . . . This problem cries out for solution and I am hopeful this bill will provide some needed answers."

[From the Los Angeles Citizen, Dec. 16, 1966]

Legislation Drawn: Car Insurance Probe Mapped

Washington.—The beating which auto drivers are taking from insurance companies these days is fierce and, until now, little has been done about it.

The automobile insurance industry is a giant among giants. In the past five years it wrote about $8.5 billion in annual premiums and except for a few states, operated with relatively few restrictions.

Most states have state insurance commissioners, ostensibly for the purpose of regulating the industry. Few of these commissioners have done much for the driver and, more often than not, operate in the interest of the companies.

Demands by the insurance firms for an increase in rates are usually granted. Policy cancellations by the companies are rarely questioned, and too frequently a driver who has faithfully paid his premiums through the years suddenly finds himself an undesirable risk and without protection.

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Reporting on the investigations, Senator Thomas Dodd (D-Conn.) declared that "nearly one-half of these insolvencies were caused by specific acts of dishonesty practiced by company management."

The cost of these insolvencies has been heavy for some 300,000 policyholders, many seriously injured in accidents.

"When this scandalous chapter in insurance is finally closed," Dodd said, "these claimants will have lost well over $100 million."

It is in this area that legislation will be pushed when the first session of the 90th Congress opens next month.

Dodd is introducing legislation, co-sponsored by Senators Philip Hart (D-Mich.), Joseph Clark (D-Pa.) and Warren Magnuson (D-Wash.). Their proposal would set up a Federal Motor Vehicle Insurance Company system which would protect the policyholder by guaranteeing the contractual performance of the insurers.

[From the Texas Observer, Dec. 30, 1966]

Insurance Companies Prefer That the States Do the Regulating

Insurance companies, Keeton and O'Connell relate, are exempt from federal anti-trust prosecutions because regulation by the individual states has historically been permitted to predominate. This situation was threatened by a federal court decision that held that insurance companies are subject to federal regulation (particularly under anti-trust legislation) under the commerce clause of the U.S. Constitution. However, Congress in 1945 passed a statute to preserve the states' dominance in this matter, contingent on the state legislatures' occupying the field of insurance regulation more completely. Under pressure from the insurance industry, anxious to avoid federal regulation, all of the states by 1950 had broadened their statutes (particularly relating to rate regulation) governing insurance practices.

"Under the prevailing pattern," Keeton and O'Connell go on, "rates are set by the industry, through the rating organizations, subject to regulation by state officials. Two states, Massachusetts and Texas, follow a wholly different pattern of rating for at least the most basic auto tort liability insurance coverage; rates there are prescribed in the first instance by an agency of the state," based, as has been noted for Texas, largely on data collected and processed by the rating agencies.

The Texas rates, as established by the S.B.I., are *computed* by the agency, its chief actuary, Joe Eddins, tells the Observer. (In this context, to compute, of course, is to reckon by mathematical means.) The computations follow a formula; when the ratio of loss (claims paid out by the companies in Texas) exceeds 63.16% of the premiums collected from state motorists, then a rate increase is indicated. If, on the other hand, Eddins says, the loss ratio is below 63.16% of premiums for a year, then a rate reduction will follow. The formula assumes that 36.84% of premiums are needed by companies to cover operating costs (20% for production costs, including agents' commission; 5.87% for general operation; 1.09% for inspections, audits, and premium discounts; and 4.88% for taxes, excluding federal income taxes) plus a profit of 5%.

Rates are set for the state based on data provided to the S.B.I. by, primarily, three major statistical or rating agencies that are supported by the insurance companies. Operating in Texas are the National Bureau of Casualty Underwriters (representing stock companies), the Mutual Insurance Rating Bureau (for mutual companies) and the National Association of Independent Insurers. Some companies, such as State Farm Mutual, do their own statistical work. The data covers premium and loss experience for the group of companies subscribing to each rating agency.

Mauzy, the newly-elected state senator from Dallas, believes that the data filed with the S.B.I. should come directly from the companies, rather than being processed and then provided by their rating agencies; thus the state officials would not have to deal with pre-digested information provided by the insurance interests. Mauzy would support a move to expand the S.B.I.'s staff for this purpose. Thus inefficient and efficient companies would not be considered together, as they are now. Mauzy believes that it doesn't make sense to let the companies, "in effect, regulate themselves" by the use of rating bureaus; "I'll let you decide all day long what I should do if your decision will be based on my arguments," Mauzy says. He believes that the S.B.I. also needs increased subpoena power to call for company records. He is complimentary of agency officials, but believes that the system under which they operate needs revision. He asserts that "the public has lost confidence in the system of liability insurance," and every time the rates go up the number of uninsured drivers on the state streets and highways increases. Should this trend continue, he says, there may develop a public demand for compulsory insurance or state insurance.

Congress seems to be increasingly concerned about auto insurance. One aspect that troubled the Senate Insurance Subcommittee in 1965, Ridgeway reports in *New Republic,* was that in the most recent five years, 300,000 people had been left uninsured after the failure of 65 companies, which went under with about $100 million in unpaid claims. U.S. Sen. Thomas Dodd of Connecticut is said to favor establishing a federal Motor Vehicle Insurance Guaranty Corporation which would guarantee that policyholders' claims would be paid in case of company failure. This prospect displeases insurance men, who do not view any degree of federal regulation comfortably.

Mauzy believes that permitting the companies to compete on rates in Texas would probably be unwise, as it likely would result in more company failures than occur now. He says the big companies could afford to undercut their competition for several years, losing money if necessary, killing off competition, and then charging whatever rates they wanted.

[From the Sports Car Graphic, January 1967]

Washington Report

(By Robert Herzberg)

One of the last bills introduced in the now dead 89th Congress was the "Federal Motor Vehicle Insurance Guaranty Act." It is an important one to all sports car owners. The measure would take the high risk out of buying so-called "high risk" auto insurance.

The idea is to do for the people buying auto insurance the same thing already done for people putting money in banks. Thus fulfillment of the obligation under terms of the policy, should the insurance company go broke, would be completed by the Federal Government.

The Government would in effect be insuring insurance companies. In order to participate, and advertise as being insured by the government, insurance companies would have to meet Federal requirements on sound management, and pay one-eighth of one percent of the sum charged customers.

Is the legislation necessary? On introduction of the bill, its author, Sen. Thomas J. Dodd (D., Conn.), told the Senate: "According to my information, some 65 auto insurers writing high-risk business have failed since 1960, mainly because of fraudulent and inept management practices, coupled with the apathy of State officials and their failure to act in time when trouble appeared. Hundreds of thousands of unfortunate policyholders and third party accident victims stand to lose over $100 million due to the fact that not one of the 22 states in which these failures occurred had guarantee funds." Insurance companies get their money before they give coverage. Yet, the insured now really have no way of assuring themselves of protection. Auto insurance insolvencies are not a new phenomenon. They cost the public a minimum of $150 million from 1948 to 1960, since then the rest of a billion dollars. Yet, only three states, New York, New Jersey, and Maryland, have passed laws providing for a security fund to compensate victims of auto insurance insolvency.

The proposed Federal law is the result of an investigation into insurance company insolvencies by the Antitrust and Monopoly sub-committee of the Senate Judiciary Committee. Interesting is the fact that when Sen. Dodd, who chaired the investigation, introduced the legislation, it was not referred back to the Judiciary but to the Commerce Committee.

The measure was referred to Commerce because of the way in which it was written. Committees investigate areas where Congress has assigned its authority. Ordinarily, any proposed legislation is referred back to this same committee. Just why the insurance measure was written in a manner to send it to Commerce is a matter of speculation.

Counsel for the insurance investigation sheds little light on the answer. The best hint perhaps comes from the list of co-signers of the bill. Most noticeable, Sen. Warren Magnuson (D., Wash.), Commerce Chairman, is a co-signer, and Philip Hart (D., Mich.), also a committee member, is another co-signer.

Next Congress, the 90th, which starts this January, will surely see the re-introduction of the measure. It is expected Commerce will hold public hearings. If enough support can be found, the idea or a similar one will probably become law. Adjournment of the 89th Congress has given interested parties time to study the effects of the bill.

The big opposition is expected to come from the various insurance commissioners within the various states, and insurance underwriters. Also, portions of the insurance industry are expected to charge that the legislation is just another way of getting Government into industry. Small companies may charge such a law will work a hardship on those in competition with giants of the industry.

It could be that once Commerce gets underway with hearings, the entire auto insurance picture will be thrown open. Some embarrassing questions could come up. For instance, why are people thrown into so-called "high-risk" groups? Why do some of the large companies refuse to write so-called "high-risk" insurance?

This reporter is informed that one auto manufacturer has a subsidiary which will not write insurance on certain high-performance vehicles which the parent company manufactures. Another company will not insure young drivers. Thus, when a teenager starts to drive, the family is forced to shop for insurance among strange companies, which raises their insurance rates.

Why won't some companies insure sports cars?

It promises to be an interesting situation. Sen. Dodd, author of the bill, is from Connecticut. Connecticut is to insurance what Milwaukee is to beer. Maybe the Senator foresaw a political hot potato. This may be the real reason behind the bill being referred to Commerce.

Whatever the reason for referring the bill to another committee, Sen. Dodd deserves credit for starting the ball rolling. If it's as politically hot as some suggest, he deserves high marks for intestinal fortitude.

The whole question of insurance is an important one to sports car owners. This reporter has been requested to ask the readership of SCG to voice their views on the matter. The proper people to write are your Senators and Congressmen, Washington, D.C. 20025.

A public airing is the best way to get at the truth of any problem. When laws direct or permit the requirement of insurance, it should not be insurance in name only. It is a two-way street. Actual protection should be assured.

People can more readily afford to lose what they have been able to save than they can what they do not have available. Insurance in name only can cost the policyholder and the innocent victims their savings, properties, and the larger portion of their future income.

New language added to the legislation could also take the guesswork out of buying insurance from the more reputable companies. One Congressional investigator, a lawyer trained in examining insurance policies, recently told this reporter he could not really compare value given for the customer's insurance dollar. All companies, according to this informant, design the language of their protection as to prevent customers from truly shopping for value.

[From the Wall Street Journal, Jan. 24, 1967]

Casualty Firms Seek Tougher State Rules To Forestall Federal Insurance Legislation

(By Stanford N. Sesser)

Chicago.—In an effort to forestall Federal intervention, casualty insurance companies are embarking on an unprecedented nationwide campaign to convince states to toughen their insurance regulations.

The unusual prospect of an industry asking that it be more closely regulated was disclosed yesterday at a press conference of three high insurance executives. They were specifically responding to proposals made by Illinois Gov. Gerner to the state legislature that deal with the problem of insolvent auto insurers.

"The insurance industry is in back of this program," declared George H. Kline, vice president and general counsel of Allstate Insurance Co., and "there isn't going to be a roaring fight over it." Allstate is a subsidiary of Sears, Roebuck & Co.

The casualty companies presented their own legislative proposals for strengthening the Illinois Insurance Department, many of them echoing Gov. Kerner's measures. According to James S. Kemper Jr., president of Lumbermen's Mutual Casualty Co., it's this so-called "Illinois plan" that's going to be pushed by the industry in other states.

"The way to solve the insolvency problem," Mr. Kline said, "is to give the state insurance department the men, money and laws it needs to do its job."

DODD BILL STIRS INDUSTRY

The heightened interest of casualty insurers in adequate state regulation is their response to a bill being introduced this week by U.S. Senator Dodd (D., Conn.) calling for the establishment of a Federal motor vehicle insurance guaranty corporation, which would protect policyholders against insolvent auto insurers. Hearings on the bill are planned by the Senate Commerce Committee this spring.

Mr. Kemper called the Dodd bill "bad all the way through." He said it would lead to the possible "emasculation" of state insurance departments. "Past history indicates that when Washington gets a foot in the door, the next step is to open the door wider," he added.

Mr. Kemper denied that the industry's call for tougher state regulation came in response to the Dodd bill. But, he conceded that "we were influenced by the fact the Federal Government was taking an interest in the problem." Well-placed sources, however, characterized the industry position as a direct attempt to head off Federal intervention.

The Illinois plan backed by the casualty insurers would amend uninsured motorist coverage to protect against insolvencies. Uninsured motorist coverage, which in most states costs only a few dollars a year, now protects the policyholder when he's injured by someone who isn't insured. Under the new plan, it will also pay losses if the driver who causes the accident finds that his insurance company has become insolvent.

In addition, the Illinois plan calls for the strengthening of state insurance departments through higher state appropriations and the granting of greater power to deal with companies that are financially insecure. It asks for "a new and more meaningful form for company reports of reserves set aside to meet pending claims." It would also give state insurance commissioners power to conserve a company's assets when there are indications of potential insolvency.

The adoption of these measures, insurers reason, would put an end to insolvencies. Thus, they claim that expanded uninsured motorist coverage would cost no more than it does in its current form.

MAIN FEATURE OPPOSED

However, the casualty companies are opposing the main feature of Gov. Kerner's proposals—an "insolvency fund," financed by assessments on insurers, that would pay the claims of drivers who have accidents but find their insurance company has become insolvent. The industry contends that extended uninsured motorist coverage would meet the same ends at a lower cost.

Many state insurance regulators, pointing to legal problems that would be brought about by extended uninsured motorist coverage, dispute this claim. They also say that pedestrians injured by a driver whose insurance was with an insolvent company wouldn't be covered under such a system. New York, New Jersey and Maryland currently operate state insolvency funds.

The problem of insolvencies among auto insurers has long plagued state insurance departments. Many of these departments are severely understaffed, and in several states capitalization requirements for a new insurance company are minimal. The result has been a host of "fly-by-night" auto insurers, who mainly offer high-risk coverage of drivers unable to get insurance at regular rates.

Sen. Dodd's Antitrust and Monopoly subcommittee has found that 73 companies writing motor-vehicle insurance have been placed in liquidation or receivership since 1960. These companies were chartered in 22 states, and more than half were issuing policies in states outside their home territory. The committee estimates that 300,000 policyholders are seeking claims from these companies for an estimated $600 million. "When this sad chapter in insurance history is finally closed," Mr. Dodd said last year, "these claimants will have lost well over $100 million."

Mr. BREWSTER. Mr. President, the distinguished chairman of the Commerce Committee recently told the Senate of several areas of consumer interest which the committee plans to investigate this session. I associate myself with the remarks of the distinguished Senator from Connecticut and the distinguished Senator from Washington. As a member of the Commerce Committee, I look forward eagerly to the chance to develop meaningful legislation in the consumer area.

One problem which the chairman touched on briefly was that of insurance. The distinguished Senator from Connecticut [Mr. Dodd] has offered a bill which would establish a Federal Motor Vehicle Insurance Guaranty Corporation. I am cosponsoring this bill, and I hope that we will take prompt and favorable action on it in the Commerce Committee.

I have asked Senator Magnuson to make the hearings on the insurance field much more wide-ranging than the bill itself. Investigators on other committees of the Senate have dug up facts which indicate that the time has come for a thoroughgoing look at the auto insurance industry. The Commerce Committee is the appropriate group to take that look and report out such legislation as may prove necessary and wise.

Let me say at this point how proud I am of the action taken by my own State of Maryland. A few years ago, insurance problems in Maryland were among the worst in the Nation. Now, under the leadership of two strong insurance commissioners, Francis B. Burch and Norman Polovoy, Maryland has possibly the best regulated insurance industry in the Nation.

Just this past weekend, Commissioner Polovoy announced the establishment of an insurance consumers placement bureau to help those policyholders who are arbitrarily refused coverage. This is the latest indication of the great progress made in Maryland.

I would hope that we will have an opportunity to hear Mr. Burch and Commissioner Polovoy tell the Commerce Committee what they have been able to accomplish, and what their recommendations are for the Federal Government.

Among other things, the Maryland State Legislature has passed several progressive insurance measures. One law establishes a motor vehicle liability insurance fund, which covers part of the problem area of the Dodd bill. Former Commissioner Burch also set forth guidelines for insurance companies to follow in Maryland—excellent guidelines, I might add.

The fact remains, however, that we will not always have insurance commissioners in Maryland of the caliber of Bill Burch and Norman Polovoy. Many States are not so fortunate, and the chain of State insurance regulation is hardly stronger than its weakest link.

It seems to me that there are at least five areas of abuse which the Commerce Committee should examine. These are:

First. The financial and personal losses resulting from bankruptcies of insurance companies;

Second. Arbitrary cancellations of insurance coverage;

Third. "Blackout maps," designating areas in which companies will simply refuse to issue any insurance;

Fourth. Lack of regulation by some State insurance departments, leading to shoddy financial practices; and

Fifth. Unreasonably high insurance premiums in some areas.

BANKRUPTCIES

Senator Dodd, as I mentioned before, is the sponsor of legislation which would protect motorists and third parties against the failure of insurance companies.

Since 1960, there have been 73 failures of insurance companies, representing approximately 1 million policyholders. When these companies fail, they leave the policyholders personally liable for any damages sustained. Let me cite an example from the Antitrust Subcommittee's hearings in the spring of 1965.

A Marylander, the father of three, was involved in an accident which resulted in death to the other driver. This man's insurance company failed—leaving him to pay $32,000 in damages. He had to sell his house. A lien was attached to his salary. And the family of the deceased driver did not get its full compensation, and will not, for a number of years.

There have been over 350,000 victims of automobile accidents who have received only partial settlement of their claims because of the failure of the other driver's insurance companies. More than $300 million in claims has never been paid off.

This problem was brought home to me recently when one of the secretaries in my office told me of her situation. It seems that her insurance company had gone out of business—without even informing her. As a result, she had driven around for months, unaware that she had no insurance at all. Had she suffered an accident during this time, she might be paying the damages for the rest of her life.

One expert recently estimated that one out of every 10 high-risk insurance policies will be worthless when the time comes to collect on it.

Maryland passed a law on this subject last year, establishing a motor vehicle liability security fund. This fund will pay the claims of third parties against persons whose insurance companies have gone bankrupt.

But Maryland is one of only three States in the Nation to have such a law. And the Maryland law does not, in my opinion, go far enough.

For these reasons, I am cosponsoring Senator Dodd's bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation. The bill would set up a corporation similar to the Federal Deposit Insurance Corporation. It would provide a guarantee for all qualifying insurance companies operating in interstate commerce.

In addition—and this is where it goes further than the Maryland law—it would pay the claims of insurance policyholders, in addition to those of third parties, in the event of bankruptcy of the company.

What this means is that, if John Smith is involved in an accident with John Doe, and his insurance company goes bankrupt, both Doe and Smith will be able to recover for their injuries. The bill I am cosponsoring would thus provide protection for both the insured party and the public.

This bill would empower the guaranty corporation to take a close look at the insurance company before giving it clearance for a guarantee. If the insurance company is engaging in shady practices, or is not on a sound financial basis, it will not be guaranteed until it corrects the situation. Again, this is comparable to what the FDIC does for member banks.

As the president of the Royal-Globe Insurance Co. said last year:

> If we could be regulated like national banks, it would seem ideal.

That is the aim of this legislation.

This, however, is not enough. I hope that the Commerce Committee investigation will not stop there. I have asked Senator Magnuson and the committee staff to see that it goes further. While at the hearings I intend to ask questions that will push further.

There are several other areas that we must examine. What about the "blackout maps" in parts of Baltimore, New York, Philadelphia, and other large cities—entire areas which no major company will insure?

What about the arbitrary cancellations, of which, I am told, there are some 300 a month in Maryland alone? What about the people over 65, who are flatly denied insurance by some insurance companies? The same thing is true for certain veterans, servicemen, Negroes, and low-income groups.

These are only a few of the problems plaguing insurance policyholders. Many others have been uncovered by the excellent work already done by the Senate Antitrust Subcommittee and its investigators. I have asked my staff to examine these and other problems. I hope to report on further abuses in this field next week.

What we must do, as the first order of business, is to conduct a thorough investigation of this field. We should not prejudge the case. Perhaps the abuses which I have outlined are mere exceptions to the general rule.

Nor should we presume that Federal legislation is the only answer. Maryland has shown what progressive State government can do to regulate insurance. Perhaps we can galvanize other States into action. But if Federal action is necessary, then by all means, let us act.

The average consumer pays 9 percent of his income for all insurance. In many cases, his coverage is only illusory. Surely this is an important area of consumer protection. It is a major responsibility of the Commerce Committee to investigate the entire field of auto insurance, in depth at this time.

Mr. DODD. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. DODD. Mr. President, I express my gratitude to the Senator from Maryland for his support on this measure.

The Senator has been greatly interested in the subject matter and has been of great help in getting the bill prepared and introduced. I am sure that other Senators interested in the legislation are of the same mind.

Mr. BREWSTER. Mr. President, I thank the Senator.

Mr. HARTKE. Mr. President, I am pleased to add my support to this bill which would create a Federal Motor Vehicle Insurance Guaranty Corporation for automotive insurance firms.

The bill, based on extensive investigations by my colleague, Senator Thomas Dodd, on behalf of the Antitrust and Monopoly Subcommittee is a strong move to protect the insured and accident victim from "fly by night" operators.

Many well-run insurance companies have suffered loss of public confidence by the machinations of illegitimate operators who prey on the public. The corporation would protect the public much in the same way as FDIC has protected depositors from bank failures.

One particular Indiana case appalled me. In 1959, a young Jeffersonville, Ind., basketball star was permanently injured in an accident involving a schoolbus and a tractor-trailer loaded with 21 tons of glass. The truck was insured by a high-risk firm which subsequently went out of business. This boy and his family have thus far only collected for immediate medical expenses and have not been paid one red cent of compensation for the permanent injury, as the company is now in receivership.

There are thousands of cases like this young basketball player throughout the country. We must move to protect the consumer. It is almost inconceivable that we have not had such a guarantee before this time.

Data collected by the Senate Antitrust Subcommittee on firms in my own State of Indiana shows that since March of 1962, five casualty insurance companies writing auto business in Indiana are now in liquidation. All but one were writing in more than one State, two of the five had written policies in more than 18 States. Some 14,000 policyholders and accident victims will receive on the average, 25 cents on the dollar.

The Federal Motor Vehicle Insurance Guaranty Corporation bill will come before us in the Commerce Consumer Subcommittee, and I, for one, will urge swift consideration for the protection of American consumers.

I ask unanimous consent, Mr. President, to include at the close of remarks the Washington Post article from May 23, 1965, which points to the need for such legislation.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, May 23, 1965]

HIGH-RISK INSURANCE PRACTICES HIT

(By Laurence Stern)

On the morning of Jan. 13, 1959, a tractor-trailer truck loaded with 21 tons of glass plowed into an Indiana school bus that had made a lawful stop to pick up students. Among the injured youngsters was a 17-year-old varsity basketball player who subsequently spent 19 months in hospital beds.

Today—nine operations later—the former high school athlete is permanently crippled. When he stands straight, his left heel hangs three inches from the floor. His parents have amassed more than $19,000 in medical and hospital bills.

The boy's father wrote Sen. Thomas J. Dodd (D-Conn.) recently that the trucking company's Michigan insurance firm went into receivership early in 1962. Their claim, he told Dodd, was one of many thousands against the company that now lie in the legal thicket of receivership and crowded Indiana court dockets.

HIGH-RISK PAYDIRT

This letter is but one in a rapidly growing portfolio of protests streaming into Dodd's files from victims throughout the country of a slick, new breed of operators who have scented paydirt in the high-risk automobile insurance business. They are the entrepreneurs of what one insurance commissioner called "the company formed to go broke."

A Dodd investigator last Friday compiled a list of 44 high-risk auto insurance firms—many of them linked by hidden ties of common corporate control—that have been ridden into insolvency during the last five years. The list embraces 17 states. Nearly 250,000 motorists were left without insurance as a result of the failures.

In sounding the theme for a series of hearing by the Senate Antitrust and Monopoly subcommittee into high-risk auto insurance abuses, Dodd said on May 11:

"The high-risk field has been infiltrated by unscrupulous persons . . . who use insurance funds for their own personal financial gain by engaging in sleight-of-hand and fly-by-night operations."

INADEQUATE LAWS

Dodd, whose home state constituents include some of the Nation's biggest and most powerful insurance companies, laid part of the blame on faulty state laws, inadequate enforcement and lack of cooperation among state insurance departments. The Connecticut Democrat made it clear that his concern centers only on a small segment of the $165-billion American insurance industry. The troublesome minority is concentrated in the high-risk field.

"The business of insurance is essentially interstate in character," he said, "but its regulation is fragmented in that the individual states set out to administer the regulations."

The Dodd investigation has caused concern in the insurance industry that revelations, if they prove too gamey, might open the door to some measure of Federal control.

Insurance was held to be interstate in nature by the Supreme Court in its 1944 South-Eastern Underwriters case. But Congress vested policing authority in the states the following year with passage of the McCarran-Ferguson Act.

INSOLVENCY PATTERN

At this month's preliminary hearing the subcommittee plotted some tangled tales of insolvency growing out of the operations of high risk companies covering 11 states. Here are some highlights of the testimony:

In Indianapolis a group of investors bought control of International Automobile Insurance Exchange, a high-risk automobile insurance company, with a $100,000 loan in late 1963 and three weeks later voted themselves a $310,000 "management fee." The company, which boasted an $850,000 surplus shortly before being taken over was declared to be $1 million in the red two months after it was purchased.

The former treasurer of a Maryland high-risk firm, the National Motors Insurance Co., testified that he refused to sign its annual statement to the Maryland Insurance Department because of the "juggling" of figures to conceal the firm's bankrupt financial condition. The witness, Philip W. Ireland, also said that early in 1963 during a state audit of a "sister company" a state insurance examiner showed up in his office to pick up two suits that the firm's management decided to give him as a "present." The high-ranking Maryland examiner was reported to be still with the Insurance Department at the time of the Dodd hearings, two years later.

A Cincinnati high-risk auto insurance operator, Mark Kroll, "siphoned" funds through a maze of interlocking corporations spreading over three states, according to sworn testimony by a former associate, who said the Cincinnati investor channeled funds from his policyholders into a yacht, a home and unrelated personal business ventures. Most of the underwriting companies that figured in the scheme are now in receivership.

DRIVERS ARE VICTIMS

Numerous other case histories are piling up in the cramped Senate office of Dodd's staff investigator, Dean Sharp, who has neither assistants nor clerical help.

The prey of unscrupulous high-risk operators are drivers who for reasons of health, age, occupation or even residence, are refused insurance at regular rates. This market includes an estimated 5 million drivers and accounts for more than $500 million in written premiums, according to Dodd.

A motorist who has been branded a bad risk has the option of placing himself in an "assigned risk" pool or else do business with a company specializing in costlier high-risk insurance. Under "assigned risk" plans, insurance companies agree to accept so-called bad risks in proportion to the amount of auto liability business each firm does in a state. But, according to one witness before the Dodd panel, many drivers shun the assigned risk pool because of the stigma of being identified as a bad risk.

Charles W. Gambrell, chief insurance commissioner of South Carolina, emphasized before the Dodd group that not all high risk insurers are "predators."

MANY LEGITIMATE

"The fact is," he said "that many such insurers are ready, able and willing to operate legitimately in a field where a public service can be performed but are thwarted and frustrated by the unfair competition represented by the irresponsible and parasitical few."

In describing the operations of the shady high-risk insurers, Gambrell pointed out that a common failing has been lack of reserves to cover liabilities.

"It is just like a check-kiting situation," he explained. "They are taking today's cash dollars and paying yesterday's losses only when they are absolutely compelled to do it. As long as they continue to write business somewhere, they can continue this kiting operation until their house of cards will crumble somewhere along the line."

The South Carolina official also pointed to lack of adequate coordination across state lines by state regulatory authorities. He cited one case of an Indiana company that went into receivership, leaving 20,000 South Carolina motorists without insurance and more than $1 million in unpaid claims in his state.

In another instance, Gambrell pointed out, Maryland insurance authorities approved a reinsurance contract for a Baltimore firm operating in South Carolina that "was a sham from the very beginning."

Mr. WILLIAMS of New Jersey. Mr. President, I join in sponsoring today a bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation. Arguments for the bill are sound and urgent. I will not repeat them here.

But I will point out that this bill has special relevance to all older Americans, who suffer severe financial, and emotional strain in today's market for automobile insurance coverage.

Their problem is simply this:

Quite often, when a driver reaches age 65 or even a lesser age, he is told that he can no longer receive insurance protection.

His driving ability is not in question. He is not being rejected because of physical incapacity. He is the same man on the day after his birthday as he was on his birthday. But he is told that—as far as his insurance company is concerned—that he has become high risk and can no longer be served by them.

The Senior Citizen News, published by the National Council of Senior Citizens, put the problem in dramatic terms when it reported in its January 1967 issue:

> . . . Are the states seeing to it that auto insurance is available to their licensed drivers?
>
> And when a motorist, who cannot obtain insurance from a regular company, buys a policy from a company specializing in selling coverages to those not wanted by the regular companies, are the states doing everything possible to protect that motorist and the public from risk of loss due to the insolvency of the specialty company.

The council article gives arguments to the effect that the elderly are among the major victims of insolvencies. I ask unanimous consent to have that very useful article reprinted at the end of these remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Senior Citizens News, January 1967]

AUTO INSURERS RAISE PROBLEMS FOR ELDERLY

Millions of licensed American drivers, including over eight million elderly citizens over 65, are finding it increasingly difficult to obtain adequate auto insurance coverages from the regular companies, both giant and small. *Senior Citizens News* has learned that in one state, the consensus of underwriting guides of all companies writing auto liability insurance indicates that 83% of the insurance companies doing business in that state will not cover an auto if it has a driver 65 or older.

No sensible person today would dare drive his car without adequate auto insurance. In fact, three states (New York, Massachusetts and North Carolina) require their registered car owners to have auto liability insurance. Every other state encourages auto liability insurance through its financial responsibility law. Under such a law, a person involved in an auto accident may be required to furnish security (usually auto liability insurance) up to certain minimum dollar limits. Consequently, auto insurance is a virtual necessity today.

Year after year the big auto insurance companies have pleaded they would go broke without rate increases. Time after time State Insurance Commissioners have granted their demands.

SPIRALING PREMIUMS

In the past five years, for many of the nation's elderly, auto insurance costs have gone up 25 per cent. The extra money many elderly paid for car insurance last year swallowed up their gains from the 7 per cent Social Security increases voted by Congress in 1965.

But even after winning increased rates—authorized by commissioners in the public interest—the big companies are locked in competition for the "preferred risk drivers." These are people between the ages of 30 and 50 who don't drive their cars around much and haven't had any accidents.

Those who are not included in this prime risk category are paying more and more for their auto insurance and, in some cases, find it hard to get policies from reputable companies. The squeeze is hardest on the aged—particularly those living in metropolitan centers. Some companies, it has also been reported, will not write any business in poor

Negro neighborhoods. Recently there have been complaints that amputee and paraplegic veterans have had policies cancelled—though these veterans drive specially equipped cars and have excellent driving records.

If a state requires or even encourages that autos be covered by insurance, then surely the state has an obligation to see that an adequate insurance market exists for all licensed motorists. The assigned risk plan, the specialty high-risk market, and the thought that auto insurance should be made available to all comers, are all directly the result of a social policy requiring and encouraging auto insurance.

But are the states seeing to it that auto insurance is available to their licensed drivers? And when a motorist, who cannot obtain insurance from a regular company, buys a policy from a company specializing in selling coverages to those not wanted by the regular companies, are the states doing everything possible to protect that motorist and the public from risk of loss due to the insolvency of the specialty company?

SENATE STUDIES

These are some of the questions that the U.S. Senate Antitrust & Monopoly Subcommittee insurance studies have been seeking to answer. In May, 1965, Senator THOMAS J. DODD, Democrat of Connecticut conducted hearings for the Antitrust & Monopoly Subcommittee on high-risk auto insurance. These hearings produced a 670 page volume of testimony and documents. After the hearings, the Subcommittee continued to explore high-risk auto insurance, and auto insurance in general. This is some of what was found.

Since 1960, 65 companies writing motor vehicle insurance have been placed in liquidation or receivership. These companies were chartered in 22 states, and more than half of them were issuing policies in states in addition to their home state. Six were writing in 35 states or more.

For example: In Pennsylvania, 15 companies failed since 1961 and 12 alone since January, 1964. 6,000 accident victims have filed claims of $13 million against 7 of these companies. The Pennsylvania Insurance Department has placed a total value of over $5 million on 4,000 of these claims. These 4,000 claimants are seeking satisfaction out of $55,000 in assets of these defunct companies.

In Illinois, some 50,000 claimants are seeking over $150 million against 15 companies with collectable assets of $7 million. Even if these filed claims are worth only 20%, or $30 million instead of $150 million, claimants will average around 23 cents on the dollar.

In Florida, 10,000 claimants, with claims valued at $1.74 million, will receive around 40 cents on the dollar from the receivers of two insolvencies.

In Texas, when one auto writer went bankrupt in 1963, it left 20,000 policyholders, many of them servicemen, without insurance protection.

These 65 companies were called "high-risk" because they write mainly coverages for motorists who were unable to obtain insurance from the regular companies. It is estimated that there may be more than 20 million motorists considered to be high-risk today.

According to the regular insurance companies these motorists represent unprofitable business. Since these companies would rather compete for the preferred risk driver, they eliminate from consideration the more risky driver. By doing this the companies are able to curtail their underwriting losses.

FAST BUCK OPERATIONS

So by concentrating on the preferred risk motorist, the auto insurance industry has paved the way for a booming business by the high-risk specialty companies. But many of these during the past six years have been nothing more than fast-buck operations.

It has been reported that nearly one-half the 65 insolvencies were caused by acts of managerial fraud, and the remaining failures by inept insurance practices in some cases not quite amounting to indictable fraud. In a number of instances lax regulatory practices by state insurance departments, and even apathy, contributed directly to ultimate financial disaster.

From 1945 to date, years of unparalleled prosperity, and at the same time, a period of intensive State rate, reserve and investment regulation, auto insurance failures have cost the public $250 million.

Three states—New York in 1947, New Jersey in 1952, and Maryland in 1965—recognized the wisdom of having guaranty or security funds to compensate the victims of auto insurer insolvencies. These states know that good insurance regulation encompasses quality examinations and a guaranty fund. This fact has long been known to the Federal government in the banking field. This is evidenced by the Federal Deposit Insurance Corporation (FDIC) and the Federal Savings and Loan Insurance Corporation (FSLIC).

LEGISLATION NEEDED

Connecticut's Senator Dodd believes that the principles and features of FDIC and FSLIC, as well as the existing state auto insurer guaranty funds, could be successfully applied on a unified national basis to prevent tragic financial suffering caused by insurance company failure.

He introduced a bill, in the closing days of the 89th Congress, to establish a Federal Motor Vehicle Insurance Guaranty Corporation. This bill, known as S. 3919 in the 89th Congress, was co-sponsored by Senator Joseph Clark (D. Pa.), Senator Philip Hart (D. Mich.), chairman of the Senate Antitrust & Monopoly Subcommittee, and Senator Warren Magnuson (D. Wash.), chairman of the Senate Commerce Committee, which is the Senate committee to which the bill was referred.

Senator Dodd will reintroduce and press for action on his bill early in the upcoming 90th Congress. Senator Magnuson has said that he is hopeful that his Consumer Subcommittee (of the Commerce Committee) will consider this legislation during the next session and act favorably on it.

The guaranty functions of the Corporation would be carried out through a fund established in the U.S. Treasury. This fund would consist initially of $50 million capitalized through the Treasury, which would be repaid as quickly as possible without endangering the solvency of the fund itself.

Other than insuring policyholders against loss due to the failure of their auto insurance company, the proposed bill would place the Federal examiner in the present insurance regulatory picture. The Corporation would be given broad examination powers to examine insurers making application for guaranty status, and those insurers whose policies have been guaranteed.

The need for this legislation is plain and demanding.

Mr. WILLIAMS of New Jersey. Mr. President, I might add that I am also informed by the council that its staff receives poignant letters from older drivers who—deprived of insurance because of age—find that they must limit their activities and their interests. In a sense, they have become marooned in suburban expanses or in urban centers that quite often lack adequate public transportation facilities.

The Subcommittee on Consumer Interests of the Elderly in the Senate Special Committee on Aging is taking an interest in problems caused by cutoff of automobile insurance to older drivers. At hearings I conducted last week, for example, we heard dramatic testimony from Mr. William C. Fitch, executive director of the American Association of Retired Persons and the National Retired Teachers Association.

He reported to us at that time:

> The fact is that thousands upon thousands of older drivers are having their insurance cancelled, or they are denied renewal or their rates are drastically increased simply because they have exceeded an age limit arbitrarily imposed by the insurance company without regard for the physical soundness or driving ability of the individual involved.

The AARP–NRTA are conducting an intensive survey—which will cover some 200,000 persons—to ask members of those associations about their experience with insurance coverage. Even from preliminary findings, Mr. Fitch regards the problem as very acute. He also is turning over to the subcommittee hundreds of letters describing individual problems caused by what appears to be present insurance practices.

Mr. President, I soon will be given for this presentation the findings of that survey from 80,000 inquiries in three States. I think that this documentation will be impressive.

The Committee on Aging may well devote much more time and research to problems associated with insurance discrimination because of age.

Even in States such as New Jersey—which have acted to curb cancellations strictly on the grounds of age—there is still fertile ground for out-of-State companies to sell cancellable policies to unwary buyers.

Obviously, such cancellations contribute to the problem which is the target of the bill introduced here today. I will do all possible to focus public attention on such discrimination, as I add my support to this bill.

Recently an article appeared in the National Underwriter which discusses the writing of policies for the senior citizen. While not endorsing all the views expressed in the article, I do think it raised some interesting and provocative issues and problems. I therefore ask unanimous consent that the portion of the article dealing with senior citizens be reprinted with these remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

[From the National Underwriter,
Dec. 16, 1966]

And, with increased emphasis on the attainment of an underwriting profit, long, hard looks are being taken at the senior citizen, who, by virtue of age may or may not be the good preferred driver he was a little earlier in life. Providing automobile insurance for the so-called elderly driver has become a very real problem. Although conclusive experience statistics on elderly drivers are not generally available, there are indications that uprating is warranted on the liability and medical payment coverages at least.

At the present time throughout the industry statistics on elderly drivers are being accumulated. Until the proof is in and any adjustments indicated are made, it is important to continue the elderly driver in the preferred market unless it can be shown that for the same underwriting considerations as are applicable, to say, a driver of 50 years of age, the elderly driver no longer qualifies.

Because physical deterioration can set in in the elderly rather rapidly, underwriting surveillance and review should be on an increasingly frequent basis as age increases.

The elderly driver is not an unknown quantity as far as past experience and the many other important underwriting considerations are concerned. This driver is known and can be evaluated. For underwriting purposes, if he has been with the company over the years, he warrants consideration as an individual, not as a class. Thus, arbitrary action based solely on the elderly driver attaining a certain age is avoided and any necessary action would be based on specific facts.

POLITICS AND THE PUBLIC

If the basic principle of fair play is not sufficient to convince you to give a long time insured individual consideration, consider the public relations and political aspects of contrary action. The senior citizen is generally a respected and listened-to citizen—one who receives and is given attention by legislators, insurance regulators and the various news media. Much of today's political pressure for limiting our underwriting activity comes from the growing number of elderly drivers who feel they have been set upon and mistreated by their auto insurance companies.

Such legislative and administrative restriction on company underwriting practices cuts across the board, affecting all categories of drivers. The result could snowball, causing further caution on the part of the underwriter, thus, further tightening of the voluntary market and a ballooning of the assigned risk plans, and then back to more legislative and/or administrative direction.

The circle can and must be broken. Can a total market for all conscientious, properly licensed drivers be provided? Can it be provided at a scale of rates that recognizes variations in driver exposure—from the very preferred to the non-insurable driver, allowing the individual driver to float up or down the scale based on his exposure?

Over the past twenty or so years the automobile programs have been refined and further refined, all for the purpose of finding and defining the preferred driver and reducing the difference in exposure between risks in the same class, thus reducing the leverage of selective underwriting within a class to a minimum.

The same energy which has been expended to formulate and develop the present programs for the preferred market needs to be put to preparing an integrated program for all insurable drivers—just as in the youthful driver category of the 6 Class Plan, but in reverse, the premium spread and charge for a driver who today is preferred and tomorrow has a problem, is too great when he finds the only avenue open to him is the automobile assigned risk plan or a sub-standard auto program topped off with perhaps restricted coverage and low limits.

At this time more knowledge and data are needed concerning the drivers between what might be considered the preferred and the substandard. Who are these in-between drivers, and what volume do they develop? This is not known. We all know of drivers we have taken and stayed with at preferred rates because there was no basis for uprating the driver.

Today there are many bureau programs available for tailoring, or up-rating insurance keyed to the driver exposure to be covered or avoided. But by their variety and differences they are not easy to use or administer. Here are some of them:

1. Excess Liability and Physical Damage Program—For the auto assigned risk driver who needs and is willing to pay for limits and coverage not available under the plan. Also available to any other driver who finds only basic Liability Limits available to him in the preferred market. Calls for a separate policy, separate rating.

2. Rates in Excess of Manual—Available only in a few states (N.J., N.Y., Ohio, W. Va.). Where manual rates are determined to be inadequate for the individual auto driver and he cannot obtain coverage at regular rates, driver and company can agree to an increased premium. Special procedures and consent forms required. Insurance department review and approval on case basis is required.

3. Special Increased Limits—Generally available, but in some states not, and Kansas has an exception. A youthful male is an operator of the auto. Policy is issued at basic liability limits and then endorsed to provide liability limits needed for the other than youthful drivers.

4. Unacceptable Hazards—Sometimes referred to a limitation endorsement, driver restriction endorsement, etc. Availability and administrative requirements vary by state. Some states prohibit its use. Use of the endorsement has been increasing and so has the political problem it creates when used promiscuously. If used, use it judiciously. Know that the insured and driver involved know the existence, purpose and effect of the endorsement. Left to handling by some salesmen or agents, the insured may not comprehend the full impact of the endorsement.

5. Liability and Physical Damage Deductibles—except for liability, deductibles have been used for individual insured for years. Now we are seeing increasing use of higher collision deductibles and comprehensive deductibles as underwriting tools. Liability deductibles not used as yet but likely are on the way.

6. Type of Policy—Family auto; special packages; package—where available—for direct bill and generally for preferred driver; family—where package available—sometimes is used to control coverage and limits.

7. Auto Assigned Risk Plans.

SUBSTANDARD PROGRAMS

Now a brief word about sub-standard auto programs. The underwriting of these programs is different. The assumption here is that the exposure is undesirable—otherwise it wouldn't be seeking insurance here. Generally, the reason is obvious—driving record, auto, physical impairment, previous insurer and any number of other reasons why a preferred writer finds the exposure unsatisfactory.

When the reason for being submitted is obvious, there is little reason to spend money for a commercial report—unless, of course, the rating plan is such that rating factors should be verified.

An application answered and signed by the driver, plus money and the MVR, should do the job. But the underwriting possibilities in these seemingly simple areas are tremendous—not particularly easy for any underwriter to swing. It takes a different kind of thinking and a specialized approach in order to come out whole in the continually changing sub-standard auto market.

A few years ago this market consisted primarily of youthful drivers. But with improved rate adequacy for the youth, more aggressive underwriting, and the youthful driver credit program in auto assigned risk plans, youths are no longer the major portion of this market. Today the bulk of the sub-standard drivers are 25 to 65 years old. Their problem is generally a poor driving record. But the really big boomer in this market is the elderly driver. He is coming on strong. Time will not solve his driving problem as it will for the youthful driver. Instead, for the elderly, it can only get worse.

The rating approaches used for sub-standard business varies considerably. However, the base rate in these programs is substantially above the bureau rate and uses a refined surcharge approach. This can take the form of just recognition of the driving record or also include certain undesirable driver characteristics. Superimposed on this can be a scale of renewal credits for each accident-violation-free year while insured under the plan.

Mr. MAGNUSON. Mr. President, recent investigations have disclosed serious inadequacies in the regulation of automobile insurance. I am particularly concerned about reports of arbitrary cancellation of insurance policies.

The January 3, 1967, issue of the Seattle Post-Intelligencer contains an incisive and revealing report by Orman Vertrees on auto insurance cancellation practices. The January 26, 1967, issue of the Machinist also examines this critical problem. I ask unanimous consent that these articles be printed in the Record at this point.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Seattle Post-Intelligencer, Jan. 3, 1967]

Disclosure Made by Magnuson

(By Orman Vertrees)

Congressional hearings into a number of insurance industry practices are in the works for this year, an aide to United States Senator Warren G. Magnuson told the Post-Intelligencer Monday.

He said the senator is particularly concerned with reports of arbitrary mass cancellations of auto insurance as well as the question of investment income as it relates to the setting of insurance rates in some lines.

The hearings most likely would be held in Washington, D.C., but field hearings might be held in Washington State.

Senator Magnuson is chairman of the U.S. Senate Commerce Committee, which shortly before the close of the last session of Congress created a new permanent Subcommittee on Consumer Affairs. This subcommittee would be concerned with the insurance hearings.

Magnuson has reports of large auto insurers paring their lists and forcing their rejects into the arms of "bucket-shop operators," or the high-risk insurance companies, a member of the senator's staff said.

Another Senate investigation has shown that some 65 of these high-risk companies have become insolvent since 1960, leaving 300,000 policyholders and injured persons with a loss of $100 million.

A bill will be introduced in this session of Congress to protect policyholders against bankrupt auto insurance companies. It would work much like the federal insurance that protects bank and savings and loan depositors.

Concerning investment income, the staff member said a question has been raised about this in connection with the setting of some insurance rates.

He said the accounting methods used by some auto insurance companies apparently do not take into consideration the investment return on large reserves attributable to the policyholders' premiums.

Senator Magnuson was also instrumental in getting the Federal Trade Commission to investigate the operations of numerous mail order insurance companies, some of which were preying on the wives and families of servicemen in Vietnam.

The FTC's work so far has led to the prosecution of several of these fringe operators and the termination of their deceptive practices.

"The evidence thus far points to the inability of the states to effectively regulate mail order insurance because of the interstate quality of the industry," the Magnuson aide said.

Moves on the federal level to control insurance practices not in the public interest would coincide with a strong approach recommended to the coming session of the Washington State Legislature.

The legislature's Interim Insurance Committee under Chairman Karl V. Herrmann, state senator from Spokane, is also critical of auto insurance cancellation practices as well as the failure of the state Insurance Commissioner to consider investment income in reviewing rates.

[From the Machinist, Jan. 26, 1967]

AUTO POLICIES CANCELED, MANY UNIONISTS REPORT

IAM members from 33 cities in 19 states have written THE MACHINIST complaining that insurance companies have canceled or refused to renew their auto insurance policies.

The protesting union members are of all ages, and deal with—or did—most of the big, well known auto insurance companies.

Bitterest protests come from those who cannot find out why insurance was canceled. Most have had no accidents, no arrests, made no claims—or only minor ones, and are under 60 years of age. A 56-year-old Bessemer, Ala. machinist reported his auto insurance was canceled this month. He wrote:

"I do not drink alcohol of any nature. I never filed a claim with this company or any other insurance company. I have never been involved in a traffic accident or even a traffic ticket. I wrote this company for an explanation why. They never answered my letter."

Fortunately, he got coverage with another company but only after going through a complete investigation and paying another agent's commission, he stated.

A 23-year-old Milwaukee, Wis., member reported that his insurance company recently notified him that his premium was being raised 50 per cent, to $565 a year. His was one of the middle cars in a five-car chain accident last spring. He shopped around and secured insurance from another firm at $529 a year. He wrote:

"One of the factors that brings up the cost of the insurance is that I am paying for my car on installments and the bank with whom I have the loan requires full coverage, collision, etc. Also the insurance companies put me in a bracket that is high because of my age and because I am unmarried. How can a guy afford to get married?

"My driving record is good and it sure burns me up to have to pay such high premiums."

A union member from Oak Lawn, Ill., wrote:

"I had my auto insurance canceled in October, 1965, on the basis of three traffic violations in the preceding five years Frankly, I think the main reason was because I became 50 years of age."

He reported he got insured by another company, but the policy costs him $65 a year more.

A Minnesota member reports that his insurance company refuses to renew his policy "because I traded my station wagon off on a Corvette Sting Ray. I've had but one ticket in the past six years and that was four years ago."

CANCELLATION BECAUSE OF SON

A union member from South Montrose, Pa., writes that her family's auto insurance was cancelled in 1963 shortly after her son, then 16 got his driver's license. She was 38 and her husband, 42, at the time. They drove without liability insurance until they managed to get coverage with another company through a relative. They had made only one claim, for $25, during the 11 years with the original company.

A San Mateo, Calif., member's insurance was canceled because he was honest enough to tell the company he had diabetes, kept under control by a doctor. He had driven 26 years without an accident.

A Seattle, Wash., member, an auto mechanic, reported that insurance on his 1957 Cadillac was canceled without explanation. He had had no accidents and had made only one claim, for a windshield under the comprehensive feature. Insurance with another company cost him 30 per cent more.

INSURANCE FOR TWO WEEKS

A Chicago member's insurance was canceled two weeks after the policy was issued. The agent told him it was because he lived in a predominantly Negro neighborhood. Although he has never had an accident he is now in a high-cost pool.

A Kansas member thinks he was canceled because the company ceased doing business through his agent. He had had no accidents.

Many members reported cancellations or company refusals to renew after filing the latest of several claims. They felt the cancellations were unfair because the premiums they paid over the years were much more than claims paid.

Saddest reports of all came from elderly members in their 60's or 70's. Many said they had been refused renewal because of their age despite long records of accident-free driving.

Mr. YARBOROUGH. Mr. President, I am pleased to be a cosponsor of the proposed legislation to establish a Federal Motor Vehicle Insurance Guaranty Corporation. Automobile insurance insolvencies have left their toll in Texas. When one auto writer went bankrupt in my State in 1963, it left some 20,000 policyholders, many of whom were servicemen, without insurance protection. Another auto insurance failure has left nearly 1,000 claimants who will be lucky to receive 10 cents on the dollar.

These companies that failed were writing auto insurance for motorists who were unable to obtain coverages from the standard casualty companies. The standard auto writers claim that these motorists—some 20 million today—represent unprofitable business. These companies are able to curtail their losses from policy writings by eliminating the more risky drivers. Thus, the auto insurance industry, by competing for only the better drivers, has opened the way for the high-risk specialty companies.

As Senator DODD has pointed out—73 of these companies have failed during the last 6 years. This is appalling when we stop to consider the financial suffering caused thousands of policyholders and accident victims; I believe this proposed legislation is long overdue.

Mr. HART. Mr. President, anyone running his finger down the tabulation of insolvent high-risk automobile insurance companies could figure the senior Senator from Michigan would be interested in Senator DODD's proposal for a Federal Motor Vehicle Insurance Guaranty Corporation.

It is true that my support for this bill is influenced by the fact that Michigan has experienced what can happen when an auto insurance company goes broke. Twenty-five thousand residents of my State—and their families—know all the ramifications of that all too well.

But there is further—if not better—reason for my support of this proposal.

The Senate Antitrust and Monopoly Subcommittee was the vehicle under Senator DODD's direction for developing a very complete record of the wave of bankruptcies which has struck the high-risk auto insurance field in the past 6 years. There is no question in my mind—and I doubt if there would be in the minds of other readers of that record—that a solution is needed.

Senator DODD has proposed a solution today. But he has done more than that, it seems to me. He has proposed a fair solution which while giving peace of mind to citizens will work no hardship on the many legitimate insurers in this country.

Therefore, I am pleased to add my name as a sponsor of this bill and join Senator DODD in urging speedy consideration and action on it.

Mr. NELSON. Mr. President, I am pleased to join with my colleagues in cosponsoring this necessary legislation. The car-driving public needs to be better protected than it is now. In my State of Wisconsin, in recent years two companies writing motor vehicle insurance have gone insolvent. An estimated 10,000 number of claimants will receive less than 45 cents on the dollar after final distribution is made.

The passage of this bill will prevent future occurrences of this kind. I would also like to praise the pioneering efforts of Dr. Richard Heins of the University of Wisconsin who contributed so much to the writing of this bill. His work in depth provided information in the whole area of insurance company insolvencies.

PLOWSHARE PROJECT

Mr. DOMINICK. Mr. President, I was delighted yesterday to see the senior Senator from Rhode Island [Mr. PASTORE] endorse and support the so-called plowshare program.

I have been trying to push this study along myself ever since I have been in the Senate.

Last year I presented testimony to the Appropriations Subcommittee on the AEC headed by the senior Senator from Rhode Island, concerning the need and desirability of continuing Project Gasbuggy in New Mexico, the State which the distinguished present occupant of the chair [Mr. MONTOYA] represents so ably.

I am happy to say that we did get committee reports which would indicate that Project Gasbuggy should be carried on if possible with the existing funds that were then available, urging AEC to try to reallocate some of its funds so that this project could go forward.

This particular project is an underground explosion to try to fracture the ground and thereby increase the permeability of the gas and oil in that particular area.

We have two proposed projects in Colorado at the present time which will, if approved, engage in the same type of endeavor. These two projects are known as Project Rulison and Project Dragon Trail. Both are deep nuclear shots in the oil shale geology of the area, deep underground.

The distinguished Senator from Rhode Island, who is the chairman of the Joint Atomic Energy Committee and also the chairman of the Subcommittee on Appropriations for Atomic Energy Items, has been urging—and did urge, as can be seen in yesterday's Record—that we go forward more rapidly in the plowshare program.

The program that I mentioned is part of the overall plowshare program, and it is envisioned that it will be directly applicable to very useful endeavors in our Rocky Mountain region.

It is my hope that all of these specific projects will go forward. It is my hope, also, that we will be able to proceed in general with the plowshare program, so that the peaceful uses of nuclear energy can really be made available to the people of this country.

I applaud and am happy to announce that I will support, in whatever way I can, the urgings and the efforts of the distinguished senior Senator from Rhode Island on this subject.

U.N. EFFORTS IN THE MIDDLE EAST

Mr. JAVITS. Mr. President, I invite the attention of the Senate to the efforts being made by the United Nations in the Middle East—which I have called time and again the tinder box of the world, which could easily break into a tremendous conflagration—to settle the border problem between Israel and Syria.

I am much encouraged by today's report of the U.N. successfully sponsoring a meeting for the first time, according to the New York Times report, since 1951. In all that time, both sides have been stoutly affirming a juridical position, which they have laid aside for the purpose of trying to find some common ground upon which cultivation could continue in the so-called demilitarized zone, without involving the assertion of sovereignty over that zone.

Mr. President, I think we all should be encouraged by this action. I hope very much that the U.N. will be encouraged to continue and persevere in this action, and the United States, I feel, will lend its support. The situation remains critical. I intend to follow the events very closely and to continue to report from time to time to the Senate and to the American people.

I might add that I have outstanding with the State Department a request for their views on what should be done about the three-power pact of 1950, guaranteeing the armistice lines between Israel and the Arab States.

Also outstanding is the question of whether some accord can be reached with the Soviet Union to deescalate the raging arms race in that area.

These are the big problems, but it is good to see a little progress. I believe that this action by the U.N. represents a little progress. I believe that we should be gratified and that we should applaud the U.N. for this initiative, and hope that the U.N. will persevere in its efforts, until at least this cause of irritation, which could ignite into a conflagration, may be successfully removed.

I ask unanimous consent to have printed in the Record the article appearing in the New York Times of Thursday, January 26, 1967.

There being no objection, the article was ordered to be printed in the Record, as follows:

Israelis and Syrians Meet—Reaffirm Armistice Pledge

(By James Feron, special to the New York Times)

Jerusalem (Israel), January 25.—Israel and Syria reaffirmed today their 17-year-old armistice pledge to refrain from hostile and aggressive acts.

The agreements came during the first session of a United Nations-sponsored meeting between the two countries intended to ease tensions along their 45-mile border. The meeting, which an Israeli participant described as "very correct and businesslike," took place on the Syrian side of the B'not Ya'akov bridge over the Jordan River border.

A United Nations spokesman in Jerusalem said that a second meeting had been scheduled for Sunday at Mahanayim, a settlement on the Israeli side. The town was the site of the signing of the armistice agreement of July 20, 1949.

Israeli observers were pleased with the results of the first days session. The Israeli delegation had asked for reaffirmation of the nonaggression pledge as "an appropriate beginning" for the talks.

U.N. ISSUES COMMUNIQUE

The agreement was contained in a communique issued by the United Nations after the session. It was not learned whether agreement had been reached on any other points, although basic positions were reviewed.

Today's meeting lasted five hours with consecutive translation, from Arabic and Hebrew into English, slowing the proceedings considerably. There were 17 delegates present, five for each side and seven for the United Nations.

The participants met in a long-unused customs house at the foot of the Syrian hills on the east bank of the Jordan. They did not stop for lunch. One Israeli spokesman said the adjournment had been requested by the Syrians to enable them to consult officials in Damascus.

The single-item agenda, which had been agreed to without condition by both sides, calls for an attempt to find a "practical arrangement on problems of cultivation on the armistice demarcation line" to provide a peaceful atmosphere for farmers and civilians along the border.

The meeting had been called by Secretary General Thant of the United Nations after nearly three weeks of border shootings that included tank and heavy mortar fire. There were also cases of sabotage and infiltration inside Israel.

SOVEREIGNTY IS DISPUTED

Israel has maintained that she has sovereignty in the demilitarized zones that run along most of the Syrian-Israeli border. Syria disputes this claim. Both sides agreed, however, to ways of marking areas for cultivation.

Today's meeting was presided over by Lieut. Gen. Odd Bull, chief of staff of the United Nations Truce Supervision Organization.

The Israeli delegation was headed by Moshe Sasson, Damascus-born head of the armistice division of the Foreign Ministry. The Syrian delegation was headed by Adlan Abdullah, senior representative in the Israeli-Syrian Mixed Armistice Commission.

It was understood that today's session consisted of the reading of an opening statement by each side setting out its long-maintained position on the unsettled border.

THE SYRIANS' STATEMENT

Mr. Sasson said Israel intended to abide by the cease-fire "on the understanding of reciprocity and on the assumption that no hostile acts will be conducted against us from the territory of the other signatory."

He said Israel was ready "to negotiate a practical arrangement on problems of cultivation" provided any agreement was "without prejudice to our stated views on the broader political and juridical issues" of border sovereignty.

An Israeli spokesman summarized the Syrian statement as pointing out the fact of Israel's extended boycott of the Mixed Armistice Commission and Syria's determination to make Israel abide by the armistice agreements.

Today's "extraordinary" meeting of the Syrian-Israeli Mixed Armistice Commission was the first in eight years. The last time Israel and Syria met at a regular commission session was in 1951. In the six years that followed there were 15 emergency sessions. After that Israel stopped attending.

Since the inception of the commission following the 1948 Israeli-Arab war, 67,000 complaints have accumulated.

The Israeli refusal to attend was based on Syrian insistence that Item No. 1, sovereignty of the demilitarized zones, be discussed before anything else could be considered.

Syrians Limit Coverage

Beirut, Lebanon, January 25.—Before today's meeting with the Israelis the Syrian authorities had declined to allow newsmen to cover the commission meeting from the Syrian side and had advised correspondents that Syrian news and views would be broadcast by the Damascus radio.

TRIBUTE TO SECRETARY OF COMMERCE JOHN T. CONNOR

Mr. HART. Mr. President, a few moments ago I heard the announcement that former Secretary of Commerce John T. Connor shortly will become the president of Allied Chemical Corp.

This announcement gives me an opportunity, which I regret I had not seized last week, publicly to express the pride that I feel Mr. Connor should take in the record he established in the 2 years he served as Secretary of Commerce. I believe that he represents the very finest of talent and dedication and purpose which our business community can provide this Government.

Surely, those who look back on the history of the Department of Commerce will note among its most exceptional leaders this man, whom I take occasion to wish all good things, as he assumes this new responsibility.

BALANCE-OF-PAYMENTS PROBLEM

Mr. BYRD of West Virginia. Mr. President, our Nation has been plagued with a balance-of-payments problem for some time now, and it appears unlikely that final reports on the year 1966 will indicate any substantial improvement in our position on this score. But the vital point now is, "Where do we go from here? What actions are possible to reverse the tide?"

Among recent articles which I have particularly noted, in sampling public opinion on our balance-of-payments problem, are: "Inside the Economy: The Tourist Gap Grows," written by Joseph R. Slevin, and published in the Washington Post on January 24; and "The 1967 Payments Deficit Crucial to U.S. Dollar, Roosa Warns," written by Frank

C. Porter, and published in the January 19 edition of the same newspaper.

I ask unanimous consent that the articles be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 24, 1967]

INSIDE THE ECONOMY: THE TOURIST GAP GROWS

(By Joseph R. Slevin)

Free spending U.S. tourists are raising hob with the balance of payments and the situation is going to get worse before it gets better.

Americans paid out a record-smashing $3.5 billion for foreign travel in 1966, according to flash reports. That was more than twice the $1.6 billion that overseas visitors spent here and the resulting $1.9 billion "tourist gap" was the biggest in history.

This year's record remains to be written but officials are glumly predicting that the worrisome gap will increase and that it will soar to a new high of more than $2 billion.

Americans are making elaborate plans to travel abroad. The airlines are ballyhooing new, low fares and the lure of foreign lands is greater than ever. While there undoubtedly will be a rise in the number of foreign visitors to the U.S. during 1967, American spending overseas has been climbing faster than foreign spending here, and the trend is expected to continue.

The tourist gap is particularly troublesome now because it is widening at a time when Vietnam foreign exchange costs are rising and Americans are importing larger quantities of foreign goods. It is the biggest nonmilitary cause of the chronic U.S. balance of payments deficits and of a dangerous, accompanying drain on this country's gold reserves.

The U.S. persistently runs payments deficits because it lends, spends, and gives away more money in foreign countries than it earns from overseas transactions. Firm 1966 figures are not yet available but officials estimate that the deficit deepened from $1.3 billion in 1965 to more than $1.5 billion last year.

The Administration is anxious to cut the tourist gap but at this point it would be happy to keep it from getting bigger. It has been trying to narrow the gap during most of this decade and has found that it does not yield easily.

The best remaining answer is to try to reduce the tourist gap by inducing more foreign vacationers, businessmen and students to come here. The U.S. Travel Service has been making a valiant effort on a skimpy budget ever since it was set up in 1961 and there are signs that it soon may get more help.

Foreign countries spend much more to attract Americans than we spend to interest overseas visitors in traveling to the U.S.

Congress voted $3 million for the U.S.T.S., this year. The same sum that it provided last year. The U.S.T.S. should be carrying on massive advertising and promotion campaigns overseas and should be manning information offices both here and abroad but it can do only a small part of the job on its inadequate budget.

Mr. Johnson now is considering a confidential Cabinet committee recommendation that he name a blue-ribbon panel of top private citizens to make a thorough but quick study of the U.S.T.S. and the tourist problem.

The group would be told to report its findings to the President by May 1. Its recommendations would come too late to have an impact on travel plans for this summer but, hopefully, its proposals would lead to the Government's beginning the all-out campaign that it must mount if the damaging $1.9 billion tourist gap is to be reduced to manageable proportions.

[From the Washington Post, Jan. 19, 1967]

THE 1967 PAYMENTS DEFICIT CRUCIAL TO U.S. DOLLAR, ROOSA WARNS

(By Frank C. Porter, Washington Post Staff Writer)

The prospect of a mounting deficit in international payments "could make 1967 a crucial year for the dollar, and even for the standing and leadership of the United States in world affairs," Robert V. Roosa, former Under Secretary of the Treasury, warned last night.

Roosa, now a partner in Brown Brothers, Harriman & Co. and sometimes mentioned as a possible successor to Treasury Secretary Henry H. Fowler, said the deterioration in last year's payments balance was masked by large inflows of volatile funds attracted by tight credit conditions and interest rates here.

But with monetary strains easing, he said, some of these inflows may be reversed in 1967. Thus, "the statistical deficit may be inflated next year in the same way that it was reduced last year," Roosa predicted.

The payments deficit—the excess of dollars spent, lent, invested and given away abroad over those flowing back into the country—has not yet been announced for 1966.

But it is expected to approximate the $1.3 billion reported for 1965 on the overall liquidity basis of accounting, which includes private dollar holdings overseas as well as those in central banks.

Roosa noted however, that the country's trade surplus worsened substantially during the year with imports rising twice as fast as exports. This was largely offset, he said, by extraordinary inflows of some $2 billion to $3 billion induced by the credit squeeze.

Roosa attributed these inflows largely to Euro-dollars borrowed by overseas branches of American banks at 7 or 8 per cent interest and remitted to main offices in the States to meet domestic credit demands.

(A similar prediction of further deterioration in the payments balance in 1967 was made earlier in the week by the National Foreign Trade Council.)

The former Under Secretary addressed a dinner meeting of the Economic Club of New York at the Waldorf-Astoria. A transcript of the speech was made available here.

He endorsed President Johnson's proposal for a 6 per cent surcharge on corporate and personal income taxes. He counseled a return to the Administration's "Operation Twist" of several years ago in which short-term interest rates were kept high to be internationally competitive while long-term rates were kept low enough to insure ample credit availability. And he proposed restoration of the 6 per cent investment tax credit "as soon as possible."

Roosa also called for complete reappraisal of military costs in Europe. He backed Administration guidelines for its voluntary balance of payments program but said he was surprised they were not made even tighter.

THE YEAR 1967 COULD BE A CRUCIAL YEAR FOR THE DOLLAR

Mr. SYMINGTON. Mr. President, in a thought-provoking lead editorial, entitled "The Persistent Deficit," published in the New York Times on Tuesday, former Under Secretary of the Treasury Roosa, respected in this town for his knowledge of fiscal and monetary matters, is quoted as saying that 1967 could be "a crucial year for the dollar."

If there is justification for his statement, I would hope we would start to do something about this problem in a more practical fashion. There has been much discussion, but obviously no action, based on the 18-year continuing unfavorable balance of payments, and the continuing loss of our gold.

I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE PERSISTENT DEFICIT

After a solid decade of piling up annual deficits in its transactions with the rest of the world, the United States appears to be no nearer a solution for eliminating them than it was when they began.

The results for 1966, which have not yet been revealed, may give rise to complacency because the deficit has been kept from growing. But Robert V. Roosa, former Under Secretary of the Treasury, has warned against "euphoria," pointing out that there was fresh deterioration in the balance of payments during 1966 and predicting that 1967 could be "a crucial year for the dollar." The National Foreign Trade Council also fears that the deficit will show a substantial worsening in 1967, which could lead to increased foreign pressure on the nation's gold supply.

These expressions of alarm may at first glance seem exaggerated. The United States possesses the most powerful economy on earth, with total output of goods and services approaching the $750-billion mark. So a balance-of-payments deficit of a mere $1 to $2 billion could appear to be nothing to get worried about. Furthermore, the Administration has made progress in cutting down the size of the deficit. So it can argue that once the extraordinary drain resulting from the Vietnam war ends, the problem will vanish.

But the fact is that the deficit has not been erased despite the persistent efforts and firm pledges of three successive Presidents. Washington has had to resort to a series of devices to stem the outflow—or to minimize its impact—yet the deficit has gone on like a nagging and chronic toothache.

The United States has been able to avoid really painful or drastic measures because it has a large gold stock and because it has been successful in persuading most of its creditors to add to their dollar holdings. But the gold stock is declining and Mr. Roosa notes that the Europeans are no longer willing to take more dollars. They may continue to cooperate—in lowering interest rates, for example, when it suits them to do so; but they are growing increasingly skeptical—and nervous—about the true state of the American economy, questioning whether so stubborn and serious a deficit indicates some basic weakness.

The American economy is rich and healthy. But both its stamina and its strength will be suspect so long as the deficit continues. Indeed, the deficit may seem small and unimportant but it could become an Achilles' heel, exposing American influence to financial attack, unless it is eliminated.

This threat to American power and to the essential stability of existing monetary arrangements can no longer be brushed aside. As Mr. Roosa sees it, closing the gap made by the deficit deserves "the highest priority" this year. He recommends reduction of military expenditures in Europe and shoring up of short-term interest rates to keep volatile funds from flowing out. There are other approaches, including direct controls over capital, that may have to be employed.

Unfortunately, the Administration has not called for setting a priority or exploring new approaches, apart from Secretary Fowler's latest effort to seek coordinated reduction of interest rates. Mr. Johnson failed to make any mention of the deficit problem in his

State of the Union message and his advisers take the attitude that somehow, someday, the deficit will disappear. The last decade has shown that getting rid of the deficit is not so simple or painless a task.

There may be difficulties involved in closing the gap. But an all out effort, preferably launched by a special Presidential message conveying new determination and setting forth new proposals, is called for. The deficit must be eliminated.

SOLUTIONS TO WATER POLLUTION PROBLEMS

Mr. TYDINGS. Mr. President, as a Senator from a State whose river, bay, and ocean shorelines far exceed its landlocked boundaries, I have had a strong incentive to work in Congress for effective water pollution control legislation. In the Water Pollution Control Act and its subsequent amendments, we have begun to provide the kind of national leadership necessary to restore the quality of America's waters.

But throughout our proceedings on national water pollution control legislation, and in the Water Pollution Control Act itself, we in Congress recognized that the primary arenas in the battle against pollution are the States where the waters are, and that the primary responsibility for abating pollution lies with the officials and agents of State and local governments.

I am pleased to be able to say that in my own State of Maryland the kind of State leadership needed for the fight against water pollution is already emerging. For example, at a recent hearing conducted by the Maryland Department of Water Resources at our State capital, Annapolis, Mr. Werner Fornos, a member of the Maryland House of Delegates, who represents Anne Arundel County, delivered a comprehensive and incisive statement on Maryland's water pollution problems and offered positive solutions to those problems.

Delegate Fornos accurately summarized the threat water pollution poses to every State in our Nation when he said:

> We all know what happens when there isn't enough clean water for all necessary and desirable purposes. First the desirable uses go. Both sport and commercial fishing come to an end. In the face of growing needs for recreational opportunities, those opportunities are lost or become greatly restricted. At the extreme, people close their homes and move elsewhere. In the meantime, the costs of providing safe water for essential domestic and county purposes go up.
>
> These are some of the costs that ultimately must be paid when too many of us become bemused with the fallacy that water pollution control costs too much money. The simple fact is that water pollution can, in the long run, become far more expensive than its control—more expensive in actual dollars, to say nothing of a host of other costs.

Werner Fornos represents not only the kind of State leadership we envisioned in the Water Pollution Control Act, but also the kind of State leadership which promises to rejuvenate State government across the board. I ask unanimous consent that his statement on water pollution be printed at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY DELEGATE WERNER FORNOS, DEMOCRAT, ANNE ARUNDEL, AT A PUBLIC HEARING CONDUCTED BY THE STATE OF MARYLAND DEPARTMENT OF WATER RESOURCES ON QUALITY OF MARYLAND'S WATERS, ANNAPOLIS ARMORY, JANUARY 20, 1967

I deeply appreciate the opportunity to talk with you this morning about one of Maryland's major resource problems. Perhaps I understate the subject. All factors considered, water has become this state's preeminent resource problem. In any event, there can be no question that water is one element of our environment that deserves and will continue for a long time to deserve the most careful and objective consideration—whether you have 441 miles of seashore like Anne Arundel County or have the headwaters of the Potomac River located in your county.

At the outset let me congratulate Paul W. McKee and his staff of the Department of Water Resources for the obviously hard work that has gone into the water quality standards we are considering here this morning. I know that all the citizens of Anne Arundel and Calvert County—the two counties considered here today—are looking forward to the day when pollution will no longer be with us.

I would make the observation that this material, provided for in this hearing today, deals primarily with water uses and water quality criteria for specific uses, such as recreation, fishing, industrial water supply, etc.

The problems created by these two elements are significant indeed. But not effective if they are promulgated alone. The list of problems and potential problems could be strung out indefinitely and some of them have to be considered before any effective water pollution control can become a reality in the State of Maryland.

What they all add up to, as matters stand, is that rising water demand and progressive destruction of water resources by pollution are on a collision course. Something is going to have to give. Either water use is going to have to be controlled or the destruction of available water resources by pollution is going to have to be controlled.

It is just as simple as that. And I am not dealing here with theory. I am dealing with fact. The use of water for desirable—even necessary purposes—has already been severely restricted in many locations. Notices that say bleakly "No Swimming—Water Polluted" are today a reality in many areas. In Anne Arundel County we are quickly on our way for similar signs. An example is the Severn River where one apartment project is pumping raw sewage into the river. The destruction of once-productive oyster beds is another. The oyster, one of Maryland's most valuable seafood resources, by its nature of intake and secretion is more readily susceptible to contamination by pollutants. Chief areas of condemned oyster beds are the Severn River, Magothy River and the Rockwell Beach area of the southern end of the county. Picture the forlorn, peeling "For Sale" signs on peeling and blackened waterfront establishments and homes in Masons Beach and Owings Beach of this county. This blight on our citizens' property is caused by the dreaded sea lettuce. The peeling and blackening is a direct result of the reaction of hydrogen sulphide upon any lead-based paint. On a hot summer day the hydrogen sulphide produced by the sea lettuce is so strong to force evacuation of homes and beaches. A very serious side-product of our considerations today and our need for speedy action is that no building permits are available for home sites from the Chesapeake Bay inland 1½ mile on the south bank of the South River directly south to the end of Anne Arundel County because the water table is from 4 to 5 feet and no sewage facilities are available. In Deale, I have seen with my own eyes raw sewage floating in the ditches. Gentlemen this is 1967. What does it take for us to act.

There comes a time when there is no choice, a time when controlling water use—or allowing it to be controlled as a result of neglect or abuse—amounts to setting limits on local, county or state growth and well-being. Ultimately it amounts to setting limits to the total growth and well-being of the State of Maryland.

The seashore I described above is one area where this fatal point has been reached and that area is now reaping the consequences. We all know what happens when there isn't enough clean water for all necessary and desirable purposes, first the desirable uses go. Both sport and commercial fishing come to an end. In the face of growing needs for recreational opportunities, those opportunities are lost or become greatly restricted. At the extreme, people close their homes and move elsewhere. In the meantime, the costs of providing safe water for essential domestic and county purposes go up.

These are some of the costs that ultimately must be paid when too many of us become bemused with the fallacy that water pollution control costs too much money. The simple fact is that water pollution can, in the long run, become far more expensive than its control—more expensive in actual dollars, to say nothing of a host of other costs. The good life, the kind of life we want for ourselves and for our children and polluted water do not mix.

How often have we heard the refrain that a community or an industry cannot afford waste treatment or that we don't want a sewage treatment plant located here. How often, on the other hand, do we hear that a community or an industry cannot afford *not* to treat its wastes? Not very often. Fortunately this is beginning to change. The facts are beginning to get around.

The notion that water pollution control is too costly is an economic fallacy. And there is mounting evidence that the people of the State of Maryland are beginning to see through the fallacy. There is more and more evidence that more and more people would rather pay for clean water than to pay the ultimate costs of trying to live with polluted water. The action of the Anne Arundel County Council in 1966 making available six million dollars is one concrete example of this. The financing of this Anne Arundel County effort will be through a bond issue and federal subsidies but in the long run the people receiving the benefits will pay. The significance of this example is that the measure did not just squeak through—it was approved by the unanimous vote of the Council.

There is a clear community of interest between the State and the County in every aspect of the water pollution control effort, and I emphatically include the two touchiest aspects of all. One is the establishment and administration of water quality standards and the other is the construction of facilities to purify the water to enforce these standards.

Today's meeting was called to discuss these standards. However, the standards provision of the Federal Water Quality Act of 1965 referred to in the State's notice of this meeting covers considerably more than just uses and criteria. The second, and possibly most important phase of the standards provision deals with the plan for implementing water quality criteria. This implementation plan should consist of the ways and means to control, abate and prevent water pollution.

The plan of implementation should consist of the specific control measures for counties, municipalities, industries and other sources of pollution. The plan of implementation should have a timetable such as the following:

A period for financing treatment works;

Designing the necessary facilities;

A period for construction;

A definite date as to when the treatment facility should be in operation.

Such a realistic timetable for each source of pollution should be developed for every significant source of pollution. The suggestion has been made that a period of no longer than five years be allowed for the construction of all immediate waste treatment facilities. The implementation plan and the timetable for this plan are important at this particular time because our county governments and our industries should be alerted to very specific responsibilities so that they can take the necessary steps as early as possible to arrange financing, hire consulting engineers. The counties and industries should also be given the opportunity to speak at these hearings so that their capabilities for meeting these timetables can be considered. I am aware that all those interested who were able to get a copy of these notices are present here today. Your invitation to me has been passed on to all of the civic associations in District 6C. I cannot help but wonder how many more people and officials would have attended today's meeting if we were considering possible costs and timetables involved. I would definitely suggest that the counties and industries meet with the Department of Water Resources to develop realistic timetables for implementing their abatement requirements. The time schedule of five years suggested for major sources of pollution appears to be realistic; however, I would suggest that known sources of pollution should be handled as soon as possible.

The development of water quality standards by the State of Maryland is a major step toward the ultimate goal of eliminating pollution. I must point out that the development of standards must be accompanied by their planning and action programs. I strongly suggest that the Governor instruct the Department of Water Resources to initiate and review programs of other State Agencies to make sure that they do not contribute to pollution. For example, the pollution abatement program of the State Department of Public Roads or the establishment of such a program if they do not have it. In many cases the construction of public roads can be a source of major pollution through the disposal of soil and excavation resulting in the elimination of earth cover and subsequent soil erosion.

Most of the counties of this state are in the process of developing Master Plans. Water Pollution Control should be a vital element of those plans. For instance, future recreation areas for bathing, boating, fishing, etc., must have a high quality water and the necessary steps to achieve these quality goals must be considered in these plans.

I am today calling on the Maryland Congressional delegation and asking them to take every step necessary to eliminate as a major source of pollution in Maryland waste disposal from Federal installations, such as Aberdeen Proving Grounds, Edgewood Arsenal and the Naval Academy, and that these installations within our state be directed by their departments to provide a realistic plan of cleaning up waste from these Federal installations and that they comply with the State's standards.

In receiving these water quality criteria, I note that they make no provisions for waste discharges from vessels and marinas. They also are a major source of pollution in the Chesapeake Bay and have a direct significance with seafood growing areas and bathing and boating. I recognize that the technology with dealing with the sources of pollution is not highly developed and I would encourage our State Department of Water Resources to lay out a program which will incorporate the latest methods now being developed and are ready for use.

Pollution caused by soil erosion is also very significant and not mentioned in this document. I know that all of you have seen our muddy rivers after a heavy rain. Corrective measures for this type of pollution are not well known; however, I would urge that we diligently seek solutions for this type of pollution and that all research facilities at the disposal of the State concentrate on this problem.

I have already referred once or twice to enforcement. This has to be an integral and expanding aspect of water pollution control effort from the beginning. I know that your standards have to be submitted to the Federal government by June 30, of this year but none-the-less I don't see how it's possible to talk standards without talking enforcement.

Enforcement and water quality standards go like hand in glove. They are the two elements of the Maryland water pollution control program that are of immense significance to state-local relations and to the ultimate outcome of the total water pollution control effort.

As a management-consultant, a self-confessed politician, a member of the House of Delegates, a former Federal official, and a sometime observer of the American scene, it is my judgment that the future role of the State of Maryland and its counties in the water pollution control field will turn largely on these two inter-related elements. Moreover, I believe that of these two elements, water quality standards will become in time the controlling element. Enforcement actions will still be necessary but in a changing dynamic program they will be different in the future.

Raising our sights, I realize, will not be easy. But there is an aspect of water pollution control that has been largely overlooked that might make the task much easier. I think it is fair to say that throughout the development of this program there has been an almost total preoccupation with the costs of water pollution control and that this one factor has loomed so large as to dominate all other considerations, including benefits.

I can readily understand how the members of our General Assembly, our Governor, and others, hard pressed to find money for schools, roads, hospitals, housing, and a host of other pressing needs, have been understandably reluctant to ask for the relatively large sums needed for waste treatment facilities. Except perhaps to the scientific and technical mind, there isn't anything very glamorous about a sewage treatment works in the first place, and besides, the benefit seems to accrue mainly to the people down stream. Manufacturers, struggling to maintain their competitive position are likewise understandably reluctant to add on costs from which they can see no immediate benefit and that, may indeed, put them at a competitive disadvantage.

The result is that water pollution collects some powerful friends. As an individual, the elected official doesn't like water pollution any more than anyone else. As an individual, neither does the industrialist. But a simple fact of life is that individual interests, individual standards and the political or corporate mind do not always follow parallel courses.

To the extent that water pollution control continues to be merely a desirable objective—or even a theoretical necessity—dirty water will continue to have powerful friends among political and industrial statesmen of otherwise impeccable taste.

Perhaps that is why these hearings today are dealing only with interstate waters. It seems to me that if we are truly serious about water pollution in Maryland, standards should be developed for all of our waters. There is no reason why our people living near intrastate waters should not enjoy the benefits of pollution abatement as well as those on interstate waters. Picture the industry which seeks a location free from abatement requirements and locates on an intrastate stream where the state would not have adequate enforcement powers to require waste treatment.

I can, however, foresee the time when industry and government alike will be talking proudly of the money they are spending to make the Chesapeake Bay and its tributaries, the Potomac and all the water in our state sparkle again—and winning legions of friends in the process.

I believe there is no question about the necessity for water pollution control. Water pollution has caused much hardship, much economic loss, much ugliness—but we have been getting by.

The pace of change, however, is quickening. The gap between mounting needs for water for all purposes and the supply of usable water is already dangerously narrow in many parts.

The time is here! Water pollution control must be universally recognized not as a matter of choice but as a matter of necessity.

THE DISTRICT OF COLUMBIA BUDGET

Mr. MORSE. Mr. President, the President's budget message comes closer to grips with the overall budgetary needs of the District of Columbia than any Presidential budget message in recent years.

I am particularly pleased by the President's budget recommendation to improve education in the District of Columbia. The education request comes very close to the fiscal requirements contained in Dr. Carl Hansen's model school budget submitted to Congress last year. The President is to be commended for recommending the funds necessary to improve the quality of education in the Nation's Capital.

I am pleased that the President reiterated his support for self-government for the people in the District of Columbia.

I regret, however, that the President did not recommend substantially increased funds for more playgrounds, swimming pools, and other recreational facilities. Greatly expanded facilities are imperative and urgent, in my opinion, if we are to have a meaningful recreational program for boys and girls throughout the year; especially during the hot summer months.

AIR POLLUTION

Mr. TYDINGS. Mr. President, the crisis the Nation faces from air pollution is now at long last beginning to receive nationwide attention. Newspapers and magazines increasingly are relating the tragic tale of how Americans are filling their skies with pollutants. Almost every day articles filled with information, expressing indignation, and demanding action can be found in the pages of the Nation's press. This week's cover story in Time magazine is devoted exclusively to the problems of air pollution. Such publicity is earnestly welcomed by all of us interested in the battle for clean air for only with such attention will the people of this country come to realize that a costly and greatly expanded Federal effort is needed to combat successfully the myriad problems of air pollution.

Polluted air is a form of trespass, and the damage it does is vandalism. We would not tolerate this trespass and vandalism if it were overt, if the purveyors of pollution wandered about and deliberately sprayed citizens and their property with acids, filth, and other pollutants. We should not tolerate the trespass and vandalism simply because it is remote.

The Clean Air Act of 1963 and its amendment in 1965 marked the beginning of a long campaign to clean up our air. While these acts are important, of and by themselves, they are insufficient to guarantee the clean air we must have. Further and stiffer legislation is required. As a member of the Subcommittee on Air and Water Pollution ably chaired by the distinguished junior Senator from Maine [Mr. Muskie], I believe such legislation is forthcoming. The 90th Congress has the opportunity, indeed the obligation, to pass new laws so that the purity of the air we all breathe is restored and preserved.

Mr. President, I have with me a small, representative selection of articles from the Nation's press relating to the problems of air pollution. A feature article entitled "Can Baltimore Afford Its Dirty Air?" written by James D. Dilt, and published in last Sunday's Baltimore Sun, points out that 25 tons of pollutants monthly fall on each square mile of the city of Baltimore. A lead story in Tuesday's Wall Street Journal emphasizes the "airshed" approach necessary for the effective abatement of air pollution. Last Sunday's New York Times carried an article stressing the need for increased Federal participation in air pollution control. Time's cover story mentioned among other things how Gemini Command Pilot Pete Conrad repeatedly failed to photograph Houston due to the dense smog that usually hangs above the city. A tragic example of the great costs of air pollution is given in the January 12 New York Times, which links a higher-than-average death rate in Staten Island, New York, to pollution of the air. The great damage done to agriculture, estimated at $500 million annually, is told in two articles in the Saturday, January 21, Baltimore Sun and the Tuesday, December 27, 1966, New York Times. Finally, the possible affects of air pollution on weather is carried in a November 20, 1966, article in the New York Times.

For the benefit of all Senators who are deeply concerned with the problems posed by polluted air and who are determined to find solutions to these problems, I ask unanimous consent that the articles be printed at this point, in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Baltimore Sun, Jan. 22, 1967]

High Cost of Pollution: Can Baltimore Afford Its Dirty Air?

(By James D. Dilts)

"There are certain obvious air pollution entities in the city that ought to be attacked," Abel Wolman was saying. "My interest is in seeing which ones. Smoke, for instance—why should you have it? People just have to start saying 'I don't think I want that kind of atmosphere.' "

One of the country's leading authorities on a city's natural resources and their pollution, Dr. Wolman was seated in his Ames Hall office at the Johns Hopkins University where he is professor emeritus of sanitary engineering. As he talked, across the campus in the basement of the university's heating plant, fireman Len Wisner opened a discharge door to take out a few hours' accumulation of ashes from the furnace that burns 35 to 40 tons of soft coal a day, thereby breaking the combustion cycle and sending darker smoke than usual up the 120-foot stack, which over the past hour had discharged roughly 72 pounds of ash along with quantities of sulphur dioxide and nitrous oxides, products of coal burning.

Some of the stuff was no doubt destined to land on the tenth-floor window sill of Mortimer E. Bell, an insurance man in his sixties who has an apartment a block from the university. A few weeks before, he had written a letter to a newspaper calling attention to the "smoke from the university's heating plant (that) has darkened the sky for many years, admittedly to a lesser degree in 1966, but still contributing during the winter to the irritants in the air. . . ."

Yet earlier that morning, before Dr. Wolman arrived at his office, or Wisner opened the ash discharge door, Bell had driven his car out to his York road office. By the time he got back home, he had left roughly a pound of carbon monoxide, an eighth of a pound of hydrocarbons and a little less than an ounce of nitrous oxides in the air.

Bell and the engineers at the Hopkins heating plant would not consider their respective contributions to pollution significant and, as a matter of fact, they aren't. Yet neither, except in rare instances, are those of any other single polluter. But multiply the university's smokestack by several hundred, and Bell's auto exhaust by several thousand, add one public and three or four private dumps in the city where open burning takes place, mix in several auto junkyards littered with smoldering hulks and the result in Baltimore is air that has been described (after Pasadena, Calif.) as the second dirtiest in the country.

But whether this city has the second or only the third filthiest atmosphere in the United States and whether others cheat on the analysis of their own isn't really the point. The point is that there are large numbers of people in downtown Baltimore, at street level, where the pollution is and that by any standard the air they breathe is dirtier than it ought to be.

SOURCE OF POLLUTANTS

Most pollutants get into the air because of burning, a process, unfortunately, that our way of life depends on. Besides the obvious necessity of heating home and office, there is a need for power. The burning of coal produces most of the electricity used to heat our electric stoves and run our vacuum cleaners. Many cities, Baltimore included, dispose of the resultant garbage and trash again by burning. Even the automobile, which is a highly inefficient burner throughout its lifetime, all too often ends up itself in flames when it is discarded.

All of this burning produces varying combinations of smoke—made up of particulate matter, including such stuff as fly ash and soot which is large enough to see and feel—and invisible substances made up of complex chemicals. It is these invisible chemicals, sometimes acting in conspiracy with the particulates that seem to pose the greater hazard to health. In other words, as a city sanitarian neatly put it, "It's not the blackness so much as what's coming out the smokestack."

What is coming out and who are the polluters? They are, in ascending order of tons of pollutants produced: burning refuse dumps, heating furnaces, electric power plants, manufacturers and cars. And they throw out several different materials.

There is still plenty of ashes and soot filtering down from the city skies to annoy homeowners who have constantly to wash their cars and curtains. But other cities have duplicated Baltimore's success in reducing the dust fallout. (Even so, there are recent signs that particulates are once again on the rise, seemingly due to sheer growth in manufacturing, power generation, etc.) Meanwhile, other pollutants have dramatically increased.

THREE-YEAR STUDY

"Third," corrected John B. Brown, at the division of air quality of the State Department of Health, one of the many agencies involved in local pollution control. Brown did not elaborate on his judgment but in his fourth-floor headquarters in the State Office Building, surrounded by air-sampling equipment in various stages of repair, he did explain that he is also the chairman of the metropolitan air quality survey committee, established last June to conduct a three-year, $1,200,000 study (75 per cent of the funds come from the Federal Government) to determine "the state of air quality we have now so we can find out whether more strigent controls are needed."

The State Health Department, with the help of city officials and those in Baltimore and Anne Arundel counties, where pollution units have recently been set up, will conduct the study. There will be six sampling stations in the city (the three present ones will be improved, three others added) and two each in the counties. Some of the grant money is being used to get badly needed instruments and personnel and in acquiring them, the study has fallen somewhat behind schedule. But Brown says he will have some results by June.

However, there are already some figures on the quality of Baltimore's air available at the division of air pollution in the City Health Department. There, with the help of some 32 dust jars placed throughout the city and sampling stations in Canton, at Morgan State College and atop the downtown Fire Department headquarters, dust, suspended particulates and certain gases in the air have been measured for the past several years. It was data from the Fire Department headquarters sampling station, sent to the Public Health Service for interpretation and released in a booklet about a month ago at the National Conference on Air Pollution in Washington, that revealed the fact that Baltimore scored the maximum level in nine of fourteen types of pollution measured, second in the nation.

Elkins W. Dahle, Jr., who oversees the air pollution division, contends that things aren't really as bad as all that. He points out that now only 25 tons of stuff fall out of the air on every square mile of the city every month compared to 1,000 tons back in 1931, a reduction due mainly to people using oil or gas in their furnaces instead of coal. Dahle and others at the air pollution division also claim that Baltimore's poor showing is misleading because other cities may be "fudging the figures." Some of them evidently take their samples high up in the air or out near the city line where it's cleaner and some took no readings at all on certain pollutants.

There is an exotic variety of these: they range from copper to lead, from fluorides produced by fertilizer factories to 'orange clouds of iron oxide generated by steel plants. But the most worrisome of the major pollutants is sulphur dioxide. It is a product of the combustion of coal or oil, and makes up the bulk of the junk put into the air by power companies. Open burning, space heating and manufacturing also account for large amounts of it.

Sulphur dioxide production is negligible in the case of the proliferating automobile, the nation's No. 1 polluter. But cars do emit great quantities of carbon monoxide, hydrocarbons and oxides of nitrogen, in that order. The hydrocarbons (organic vapors such as metane and benzene) and the nitrous oxides can combine, if the sun shines on them on a warm day, to produce photochemical smog.

THERMAL INVERSIONS

Baltimore scored heavily, in the P.H.S. survey, in total suspended particulates, hydrocarbons, sulphur dioxide and nitrogen dioxide. Of course, on a clear day, when the wind's blowing hard, this aerial refuse doesn't create much of a problem, for most of it is conveniently carted off by the natural motions of the sea of air above us in whose upper reaches it eventually disperses. But with surprising frequency, perhaps a third of the time over much of the United States (and chronically in Los Angeles) a thermal inversion occurs. Inversions are a matter partly of topography and they happen most often, according to Dr. Wolman, in the low-lying seaside areas—exactly where most cities are.

Usually the air is warmer at the ground and colder up above, which accounts for the atmosphere's ability to clean itself up: the warm air rises, carrying the dirt and gases with it. In an inversion, however, a layer of warm air sneaks over the top and traps a layer of colder air underneath. This may put a roof as low as 500 feet from the ground over a city or an entire region (as it did last Thanksgiving Day along the Eastern seaboard) leaving the pollutants and the population to stew, sometimes for days, in a gigantic pressure cooker. Inversions can occur in any season; in the summer, smog frequently results and it is by no means confined to Los Angeles.

SINISTER EFFECTS

What are the effects of all this? Often the brownish haze that is characteristic of most cities today when seen from the air is not even noticeable to the people on the ground who go right on breathing, putting up occasionally with sooty window sills and watery eyes.

However, there can be more sinister effects of indiscriminately spewing stuff into the air. Most people know of the disasters in the Meuse Valley, Belgium, in the 1930's and at Donora, Pa., in 1948, at London in 1952 and New York the following year and both London and New York again in 1962. All of them had one thing in common: an inversion. Twenty persons died at Donora, ten times the normal rate; there were 4,000 excess deaths in London in 1952. The casualties were mainly older people with lung disease. Sulphur dioxide was noticeably present at both Donora and London.

Although the air pollution disasters proved that inversions trapping pollutants can kill, it has not been established with absolute certainty that small doses of pollution, over a long period, adversely affect health. But all the evidence gathered so far would indicate that they do.

While carbon monoxide can reach dangerous levels in heavy traffic and on crowded freeways and show up immediately in reduced response at the wheel, the cause and effect relationship of specific pollutants in other situations is more tenuous. One disease that more and more scientists are concerned about these days is chronic bronchitis-emphysema, the leading cause of death in men over 45 in England. (Emphysema lessens the lung area used for transferring oxygen to the blood; bronchitis narrows the small branches of the bronchial tree through which air passes. Both make breathing more difficult.) Studies of the disease in England and Japan with regard to air pollution are much farther along than they are in this country, which is more worried about cigarette smoking.

LOWERED RESPIRATORY FUNCTION

In any case, patients suffering from such diseases have been the subjects of a number of studies by William S. Spicer, Jr., head of the division of pulmonary diseases at the University of Maryland. Recently Dr. Spicer studied two groups of Baltimoreans who had chronic bronchitis and bronchial asthma, measuring the effects of certain weather and pollution factors on their breathing.

The two most obvious causes of lowered respiratory function were variations in temperature and the sulphur dioxide level, and the latter was the more significant. (Sulphur dioxide gas alone can irritate the nose and throat; hitching a ride on a piece of particle matter deep into the lung, it can injure delicate tissue.)

Still, Dr. Spicer is reluctant to carry the findings too far. "If you talk about pollution in general, it causes chronic lung disease," he says flatly. "But if you talk about specific pollutants—there the evidence goes awry." There are, it seems, just too many different things floating around to pick one out of the air and say it causes a particular disease.

How much lung disease is produced by pollution? Donald F. Proctor at the Johns Hopkins School of Hygiene and Public Health, who has two grants to investigate several aspects of airborne disease says, "The immediate and obvious effects associated with air pollution are a small proportion of the total injury done by air pollution. It's the top of the iceberg."

SMOKE CONTROL

What is being done to cut down the rain of pollution? In the Baltimore area, with present laws, budgets and personnel, the remedies have been somewhat limited.

The city has about nine men and roughly $58,000 to enforce a smoke control ordinance that restricts the emission of dense smoke and fly ash, but "leaves much to be desired," according to a division spokesman. The law bends over backward to be kind to industry. It provides for fines but when the division last tried taking an offender into court three or four years ago, it lost the case.

There is another city law on air pollution that deals mainly with new or modified installations. Under it the City Commissioner of Health is empowered to adopt rules and regulations for its enforcement. They have not been written nor, according to the commissioner, Dr. Robert E. Farber, are they likely to be, for a while anyway.

Neither have the regulations called for by the State Air Pollution Control Law, introduced in the Legislature in 1963 by two Harford county delegates, W. Dale Hess and John W. Hardwicke. (Hardwicke is no longer a member of the Legislature. He is counsel to the Davison Chemical Company, a post he held when he introduced the bill.)

The State law contains little in the way of enforceable measures; it is really a statement of intent. Under it an air pollution control council was established. It was made up originally of four representatives of industry and Dr. Spicer from the University of Maryland, who argued for broader representation. The council now consists of nine members, four from industry, three from universities and one each from labor and metropolitan government.

The council was empowered to "formulate and recommend to the board (of health and mental hygiene) rules and regulations for the control of air pollution." (The board of health and mental hygiene is the governing body of the State Health Department.) The council was also required to "review the policies and program of the board with respect to air pollution." Was the council then supposed to write regulations or review them? That has been the discussion at monthly meetings for some 3½ years while precious little of either has taken place.

PROPOSED REGULATIONS

Last March, according to Thomas O. Tongue, chairman of the council, a public hearing was attempted on "something similar to regulations." It fizzled. Now some other loose regulations on controlled new or altered facilities have been drawn up; they could become effective in May. (They consist partly of guidelines on limiting such things as sulfur dioxide. For this pollutant, .05 parts per million is considered a critical level, that is, above it, effects on breathing have been measured. The guidelines recommend holding it to .5 ppm, an increase of ten times. In residential Canton over a recent 24-hour period, the count was .9 ppm.)

"I really think the progress we've made since last fall has been quite acceptable," said Chairman Tongue, who is the manager of engineering and development for the Davison Chemical Company. But he added, "If there'd been an aroused public two years ago, we'd have made more progress."

The charge that Baltimore's air is especially dirty has aroused a number of people and it looks as if progress now will be less slow in coming. "There are under consideration," according to James B. Coulter, chief of the bureau of environmental hygiene in the State Health Department, " a set of regulations we could adopt in Maryland on open burning and control of smoke."

The air pollution control council has agreed to accept the proposals when they're advanced (between the council and the board of health and hygiene there is now a workable agreement, established at the insistence of Governor Tawes) but then, says Coulter, "there is a long, tortuous path," until they become effective. Still to be considered is State control of existing facilities, in other words, the present polluters.

The State has about nine men and $95,000 a year to carry out its work. Coulter wants more: specific rules and regulations, a measuring system, an alert and emergency system "and a strengthening of the law to make people at least as valuable as fish."

COMMON PROBLEM

Many officials look to the Federal Government to help them control pollution. The Government's response, embodied in the Clean Air Act of 1963 which provides grants for state and local enforcement programs, is to pitch the ball right back to City Hall and the State House where it unquestionably belongs. For proof, one need only look at Los Angeles which was faced with the prospect of either cleaning up its atmosphere or abandoning it.

In 1947 the city and surrounding counties mounted an air pollution program unequaled anywhere. Laws were passed requiring cars to have pollution-limiting devices and industry reduced its emissions by 80 per cent, the result being that while Los Angeles air now is not always pleasant, people can at least live in it.

It is difficult to overemphasize the intensity of feeling, and the duplicity, that air pollution arouses in people. Virtually no one is willing to discuss the pollutants emerging from his own smokestack but is quick to point out a dirtier one nearby. Said William H. Megonnell, of the Division of Air Pollution of the Public Health Service in a recent speech: "Nobody escapes responsibility for . . . air pollution. It should be equally apparent, since we all live in a sea of air, that we cannot completely escape the consequences of polluted atmospheres. Not so obvious, perhaps, is the fact that each of us will have to pay for abatement and control. It is not exclusively the other fellow's problem: it is yours and mine as well."

Automobiles are the greatest polluters. Blow-by devices eliminating emissions from the crankcase are standard equipment on most models now and by 1968 cars will come equipped with devices to control most of the stuff coming out the tail pipe. These will not be cheap—$40 to $50 according to one estimate. Are Americans willing to pay for and maintain them? It is the cost of fresh air.

INDUSTRY'S RECORD

Will industry be willing to clean up its smokestacks? Except in the face of strict laws, it record thus far has been dismal, despite the fact that there is plenty of pollution-control equipment available. True, it is expensive, but there is often compensation in the recovery of usable materials. But we can count on the ultimate cost being passed on to the consumer.

Few people are as well qualified to discuss these complexities as Dr. Wolman who for the last 50 years has served as a consultant to cities and agencies all over the world. Says Dr. Wolman:

"I think one of our first official tasks is a better identification of the nature of atmospheric pollution." (Maryland is conducting such a study.) "Then a decision on the part of the groups as to what it ought to be." (To help them, the Federal Government will soon publish criteria of air quality.) "Then a selection of priorities of attack." (Cars are now being partially controlled; manufacturers, the second biggest polluters, only vestigially). And a continuation of the work on the epidemiology of air pollution and disease." (There are several such projects under way here and in other parts of the country.)

"But," adds Dr. Wolman, "we don't have to wait to institute corrective measures." (Stronger state laws will probably be introduced in this session of the Legislature and the city is considering a ban on open burning.)

Perhaps most instrumental in getting these things accomplished are citizens who recognize that 1) the air, in too many parts of Baltimore, stinks and more than that, is probably unhealthy, 2) things can be done to clean it up, and 3) we will all have to bear the expense.

[From the Wall Street Journal, Jan. 24, 1967]

Cleaning the Air: More Federal Power, Regional Control Likely in Antipollution Drive—"Airshed" Groups Would Have Wide Authority; a Ruling on Diesel Fumes Possible—Foul Air in the Countryside

(By Mitchell Gordon, staff reporter for the Wall Street Journal)

Sweeping new proposals for the use of more Federal power in curbing air pollution may be proposed to Congress within the next few weeks.

It's expected they will be included in a special Presidential message on land, water and air resources. According to experts who have helped draft the proposals, and who believe President Johnson is convinced of their worth, the following will be asked:

—That the Health, Education, and Welfare Department be given the authority to set national standards limiting pollutants from all sources. Currently, HEW has such standards in force only for major automobile pollutants.

—That regional "airsheds" be established. These would embrace broad areas, covering parts of two or more states, in which pollution is a present or potential problem.

—That regional commissions, comprised of members from the Federal and the appropriate state and local governments, be established to control pollution within the airsheds. These commissions, like those authorized last year for the control of water pollution problems involving two or more states, would have the power to impose uniform control regulations throughout the areas regardless of the position of individual state or local governments.

That HEW be allowed to step in directly and impose its own regulations if any regional commission fails to act to curb pollution to allowable levels within two years.

AN UNPREDICTABLE PRESIDENT

President Johnson, of course, has surprised before those who anticipate his actions, and it's possible that any measures he might propose would differ somewhat from those listed above—particularly as concerns the creation of regional commissions whose power would supersede that of state and local governments in matters pertaining to air pollution.

But air pollution experts, at any rate, believe the President will indeed advocate strong measures. In fact, they expect him to follow through with still more action against the problem—most likely by extending Federal power to regulate automotive and truck pollutants not covered now by HEW restrictions. For example, controls over pollutants emitted by diesel engines may be forthcoming, as may standards restricting the output of oxides of nitrogen by gasoline engines. HEW's current rules limit only carbon monoxide and hydrocarbon wastes emitted by autos.

The President is certain to encounter difficulty in getting some of the major proposals through Congress, however. A spokesman for the special Senate subcommittee on air and water pollution chaired by Sen. Edmund S. Muskie (D., Maine), says: "The states righters will probably put up a big fuss over giving regional commissions authority in this area over the state and local governments."

WITH EXISTING WEAPONS

Whether Congress acts or not on the expected set of new proposals, the Administration almost certainly will mount a more vigorous attack on air pollution under its existing authority. For example, the 1963 Clean Air Act, broadened in 1965, already gives the Government some power to take legal action in interstate pollution disputes.

This power has not been used in a single case to date, much to the chagrin of those who believe the Government must move rapidly and forcefully against major polluters. HEW officials explain that they have had difficulty getting appropriations to finance their clean air activities, and that setting up an effective organization to deal with such a major problem has taken much time. Also, the work that must be done on a single major case is intensive and time-consuming.

But they also admit they haven't been under as much pressure to move as they are today. "The whole tenor is different now," says one. "The department is becoming much more aggressive, with the public and state and local officials demanding we do something."

HEW's existing legal powers may get their first test soon. Secretary John Gardner reportedly is preparing to call for hearings before Federal, state and local officials on the alleged failure of a plant in Bishop, Md., to install equipment controlling odors from its chicken-rendering operations. The smell is bothering residents of Selbyville, Del., just across the state line.

PROSECUTION POSSIBLE

A special commission that included Federal officials had given the plant until last Sept. 1 to take adequate control measures. If the hearings indicate that the plant has indeed failed to take the necessary action, HEW could ask the Justice Department to prosecute.

A much more publicized case involving HEW, and a much graver and more complex one, is air pollution in the New York-New Jersey metropolitan area. Federal officials first stepped into that dispute at the request of Gov. Nelson Rockefeller of New York, who, complained that the huge industrial complex along the north-central part of the Jersey coast was producing enormous amounts of pollutants that drifted over to New York City. Gov. Richard Hughes of New Jersey, while conceding that this was true, contended that pollutants originating in New York were fouling his state's air, too.

The Interstate Sanitation Commission, a body established some years ago largely to tackle just such mutual problems of the two states, has had little success in controlling pollution. It is only an advisory group and has no real enforcement power. So, say critics, the individual states and localities often have ignored the commission's recommendations rather than penalize their own industries or lose out in the competition for new plants. Meanwhile, pollution has continued to mount.

HEW tried to get the parties concerned to arrive at a set of recommendations, and formed an interstate air pollution abatement conference to study the problem—which, as it developed, was considerable. The National Center for Air Pollution Control (NCAPC), an arm of the U.S. Public Health Service, had identified 373 power plants, factories and other pollution sources estimated to be pouring over 1,000 tons of sulfur dioxide into the air annually in the New York-New Jersey metropolitan area.

Last week the conference, which included representatives of both states, New York City, and the Interstate Sanitation Commission as well as Federal officials, issued its recommendations. They included a drastic acceleration of plans for use of low-sulphur fuels such as natural gas and certain grades of fuel oil, and the creation of a bistate commission, with the Federal Government having an equal voice with either of the states. This body would frame regulations and would act as an enforcer, with powers overriding those of the cities and states involved—in short, a group very much like the regional "airshed" commissions the President is expected to call for on a national scale.

S. Smith Griswold, the Federal Government's chief air pollution abatement official and presiding head of the interstate conference group, announced the recommendations. He indicated that if they are not put into effect within six months, as the Clean Air Act prescribes, HEW Secretary Gardner is prepared to set in motion the machinery that could lead to legal action by the Justice Department against offenders.

REGIONAL APPROACH VITAL

Many in the Federal Government view the regional approach as absolutely necessary to a successful war on pollution. "We've tried supporting a purely local approach and we mean to do so even more in the future, but it's senseless to tackle the problem only in this manner when it is a regional one," says a NCAPC spokesman.

Even where the Federal Government has no jurisdiction—namely, in air pollution problems that do not involve two or more states—it is attempting to help local and state governments finance their own programs for control. Since the Clean Air Act took effect in 1963, the Federal Government has spent over $10 million helping state and local governments initiate and improve air pollution abatement efforts.

Currently, Uncle Sam is authorized to put up $2 for every $1 pledged by state and local authorities to begin or improve air pollution campaigns and $3 for every $2 if the agency dealt with represents two or more jurisdictions. Now, under an amendment to the Clean Air Act, Federal funds may also be used to match expenditures by state and local units in keeping the programs running.

Approximately 30 states have put general air pollution control laws on their books, most of them only in recent years. The Air Pollution Control Association, a private nonprofit organization with 4,000 members in industry, government and other institutions, predicts practically all of the remaining 20 will follow within three years. Two states where bills have been introduced recently, Arizona and Montana, had been considered among the country's few remaining fresh-air havens.

In New Jersey, a state legislator just introduced a bill which would give the governor wide powers in event of a "smog emergency." Under it, he would be able to shut down plants and incinerators, prohibit the movement of vehicles and stop the burning of fuels. Those refusing to comply could be fined as much as $100,000 and imprisoned for up to 10 years.

BAD SMELL IN SAN FRANCISCO

Localities have been active, too. San Francisco, which has long boasted that its air is cleaner than that of smog-ridden Los Angeles, recently had to put into effect a new regulation controlling the emission of gaseous, malodorous solvents from dry cleaning operations, paint-making plants, chemical factories and other sources.

Most state and local edicts have aimed at industry and municipal installations, such as incinerators or dumps where garbage is burned. Now polluters in agriculture areas, too, are targets for control. The Colorado legislature, for example, has two bills under consideration which would drastically curtail the burning of waste materials from farm operations. Only a few states, including California, have similar restrictions.

Despite all the laws and regulations that have gone into effect, despite the spending of hundreds of millions by industry to reduce impurities, air pollution continues to grow. The Public Health Service estimates that about 135 million tons of pollutants are being poured into the air over the U.S. annually, some 70% of it as carbon monoxide and oxides of sulphur. The PHS says the volume is certain to rise in years to come; even if controls on auto emissions prove reasonably effective, it expects carbon monoxide wastes to double by the end of the century. Sulphur dioxide volume is expected to rise to 40 million tons from 25 million now.

POLLUTION SPREAD EXPECTED

The PHS says 120 million people in some 7,300 communities are presently affected by air pollution and that 25% of the U.S. population lives in areas described as suffering "major" air pollution problems. The number of people affected has risen 50% in the past 15 years, says the PHS, and it warns that the increases may be even greater in the next 15 years.

The service says pollution is worst in the nation's five biggest cities, but it notes that a good many smaller towns are now facing the problem for the first time. Ranchers in the little community of Garrison, Mont., for example, are asking for $123,000 in damages from a phosphate plant that they claim has emitted fumes which have caused their animals to lose their appetites, give less milk, produce more malformed calves, and develop bad teeth.

The PHS estimates that air pollution is now costing the country about $11.5 billion a year in abatement equipment, extra expenses for cleaner fuel, damage to crops, buildings and other property, and says the figure may rise to approximately $20 billion by 1975. As recently as 1960, it figured air pollution costs at only $7 billion. None of these estimates allows for the increase in respiratory ailments and other health hazards that accompany air pollution.

[From the New York Times, Jan. 22, 1967]

WASHINGTON TAKES A HAND ON POLLUTION

(By John Pascal)

In a community that systematically deposits two pounds of poison in the air for each of its citizens every single day, it was inevitable that demands would increase for an effective antidote. The recommended antidote came last week, and, like most medicines for a serious ailment, it was potent.

The patient, in this case, was the New York-New Jersey metropolitan area, a region of 16 million people living in an aerial swamp thick with sulphur dioxide, carbon monoxide and other toxins that are the inevitable residuals of a great, furiously productive industrial complex. The pollution from sulphur dioxide, a health-endangering residue from certain coals and fuel oils, was, for example, "the worst, the most critical in the United States," according to the Federal Public Health Service. Pollution from carbon monoxide in the region, the P.H.S. said, was "at or near the top." Fed into the air from thousands of incinerators and industrial smokestacks and millions of exhaust pipes, the pollutants now amount to some 730 pounds per person a year and cost, as one authority calculated it, a total of some $3-billion a year, or $620 a family, principally in property damage and medical bills.

Although both New York and New Jersey and most of their municipalities have been making some attempt to control air pollution in their jurisdictions, progress has been haphazard, often mired down by political considerations, and not nearly rapid enough to bring pollution levels below the accepted standards of safety on a permanent basis.

CONCERN IN WASHINGTON

The New York-New Jersey situation has its parallel in dozens of other major population centers throughout the nation. Their common plight has created a growing concern by Washington and a realization by the Federal and local governments alike that the problem could not be left to the states and cities alone.

It has been clear that unless Washington provided national direction and authority, the nation might face the alternatives grimly enunciated last month by Secretary of Health, Education, and Welfare John W. Gardner: "We can remain indoors and live like moles for an unspecified number of days each year; we can issue gas masks to a large segment of our population; we can live in domed cities, or we can take action to stop fouling the air we breathe."

Spurred on by a growing public sense of urgency, Washington has moved into the battle in a number of ways—by passing the Clean Air Act of 1963, for example, and by ordering that all new automobiles beginning with the 1968 models be fitted with exhaust controls to reduce carbon monoxide emissions. But until last week, the Government did not function on the operational level. It did not take an active hand in formulating local laws to meet specific pollution problems.

Last week, in what air pollution authorities regarded as an important precedent, Washington shifted its approach.

On Friday, after a grueling, often quarrelsome two-week conference on air pollution abatement in the New York-New Jersey metropolitan area, called by H.E.W., S. Smith Griswold, an H.E.W. official and the conference's presiding officer, announced the Federal Government's intention to become an active and equal partner in shaping a solution to the region's air pollution problems. Washington would not only prescribe the antidote to the poison, but in effect stay in the house to administer it and to watch at first hand the patient's recovery.

THIRD PARTNER

Specifically, the Government said it would sit in as the third partner with an equal vote on policy and administration on a powerful bistate agency with full authority to make rules and enforce them.

"It's the first time the Government has come in on the operating level like this," Mr. Griswold said. "There has to be a regional approach to air pollution and the job can't be done without strong Federal participation." Mr. Griswold said that the New York-New Jersey case represented a new pattern for other areas of the country, and added.

"There are 75 metropolitan areas in the country and some of them, like the Philadelphia area, extend into three states. You must get them all to have uniform laws, uniform standards so that there's no haven for anyone who doesn't want to cooperate. We now have staff people in eight of them doing the same kind of preliminary work we did here prior to this conference. In time we expect to get to all of them."

Federal, state and local authorities were in full agreement about the Government's new role, as they were about most of the other conference recommendations. The only major disagreement was over the nature of the bi-state agency. The Federal Government wants a new super-agency. New York and New Jersey insist the job can be done by the already existing Interstate Sanitation Commission if it is strengthened by new legislation. It now has only limited power to make air pollution recommendations and to refer complaints for individual state action. Whatever the final decision, the New York and New Jersey Legislatures will have to enact identical laws for the new compact, and then Congress will have to approve it.

As for the other conference recommendations, they dealt with specific air pollution controls and went far beyond anything either New York, New Jersey or any of their communities have yet proposed.

Among other things, they called for a drastic speedup in the use of low-sulphur fuels to cut down sulphur dioxide pollutants. Consolidated Edison, for example, a major sulphur dioxide contaminator in the area, would have to switch from its present 2.5 per cent to 1 per cent sulphur fuels after Oct. 1, 1969, a full 20 months earlier than required under New York City law.

Even stronger restrictions would be placed on fuel for heating and other nonpower-plant uses. Not only would users of such fuel have to switch to lower sulphur fuels by October 1969 rather than the May 20, 1971, deadline given them by the city, but the 1 per cent sulphur content allowed them by New York City law would be sharply reduced to 0.2 per cent sulphur on coal, and 0.3 per cent on fuel oil.

Also, no existing power plants could be expanded and no new plants built after next July 1 unless the power generating companies gave assurances they had at least a 20-year supply of low-sulphur fuel.

The proposals were generally viewed as stringent, and as Dr. Roscoe P. Kandle, New Jersey's Health Commissioner told the conference Friday, they are going to be expensive "and the public is going to have to bear the cost." But as Mr. Griswold summed up. "The problem is acute. We have to take strong measures. There is no other choice."

[From Time, Jan. 27, 1967]

MENACE IN THE SKIES

On the morning of Oct. 26, 1948, at Donora, Pa., the skies delivered a deadly warning that man had poisoned them beyond endurance.

As workers trudged to their jobs, a heavy fog blanketed the bleak and grimy town. It hung suspended in the stagnant air while local businesses—steel mills, a wire factory, zinc and coke plants—continued to spew waste gases, zinc fumes, coal smoke and fly ash into the lowering darkness. The atmosphere thickened. Grime began to fall out of the smog, covering homes, sidewalks and streets with a black coating in which pedestrians and automobiles left distinct footprints and tire tracks. Within 48 hours, visibility had become so bad that residents had difficulty finding their way home.

Donora's doctors were soon besieged by coughing, wheezing patients complaining of shortness of breath, running noses, smarting eyes, sore throats and nausea. During the next four days, before a heavy rain washed away the menacing shroud, 5,910 of the town's 14,000 residents became ill.

Twenty persons—and an assortment of dogs, cats and canaries—died.

Investigating the tragedy, meteorologists concluded that it had been triggered by a temperature inversion, an atmospheric phenomenon that prevents normal circulation of air. Ordinarily, warm air rises from the earth into the colder regions above, carrying much of man's pollution with it. Occasionally, a layer of warmer air forms above cooler air near the ground; the inversion acts as a lid, preventing the pollutants at lower altitudes from rising and dispersing. Inversions are no novelty, but what happend at Donora shocked public-health officials into an awareness that such layers pose a deadly threat to an increasingly industrialized and pollutant-producing society.

SULKY SUN

On Dec. 5, 1952, a thick fog began to roll over London. Hardly anyone paid any attention at first in a city long used to "peasoupers." But this fog was pinned down by a temperature inversion, and was steadily thickened by the soot and smoke of the coal-burning city. Within three days, the air was so black that Londoners could see no more than a yard ahead. Drivers were forced to leave cars and buses to peer closely at street signs to find out where they were. Policemen strapped on respiratory masks. The Manchester Guardian reported that London's midday sun "hung sulkily in the dirty sky with no more radiance than an unlit Chinese lantern."

Hospitals were soon filled with patients suffering from acute respiratory diseases; deaths in the city mounted. The British Committee on Air Pollution finally estimated that during the five days that the smog smothered London, there were 4,000 more deaths than would have occurred under normal circumstances. During the next two months, there were another 8,000 excess deaths—most of them apparently caused by respiratory disease—that scientists suspected were a direct result of the killer smog.

Extreme air pollution again darkened London in 1956, killing 1,000, and in 1962, claiming more than 300 lives. In 1953, a ten-day temperature inversion over New York City trapped so much air pollution that 200 excess deaths were attributed to the smog by Dr. Leonard Greenburg, then New York's commissioner of air pollution. Another New York smog in 1963 killed more than 400, and there were 80 excess deaths recorded in New York during a four-day siege over the last Thanksgiving Day weekend. Scientists suspect that thousands of deaths each year in cities all over the world can be linked to air pollution. Says U.S. Assistant Surgeon General Dr. Richard Prindle: "It's already happening. Deaths are occurring now. We already have episodes in which pollution kills people. And as we build up, we're going to have an increasing frequency of episodes."

"TAKE A DEEP BREATH"

Such warnings, added to the widely publicized New York and Los Angeles air-pollution alerts and open bickering between politicians and industry over pollution controls, have made the U.S. suddenly aware that smog is a real and present danger. The belching smokestacks that long symbolized prosperity have now become a source of irritation. the foul air that had come to be accepted as an inevitable part of city living has suddenly become intolerable. "Tomorrow morning when you get up," reads a recent magazine ad placed by New York's Citizens for Clean Air, Inc., "take a nice deep breath. It'll make you feel rotten." Indeed, as the adjoining color pages show, the U.S. city dweller had only to look at his skyline last week to see the startling and ominous inroads that smog has made.

Air pollution has become a world-wide preoccupation. Some 230 miles southwest of Tokyo, for example, school yards in the port city of Yokkaichi are filled with children running and playing games. But their shouts and laughter are muffled by yellow masks impregnated with chemicals to protect them against air polluted by nearby petrochemical plants. In Tokyo, where smog warnings were issued on 154 days last year, policemen in ten heavily polluted districts return to the station house to breathe pure oxygen after each half-hour stint on traffic duty in order to counteract the effects of breathing excessive amounts of carbon monoxide.

"Sitting on the hill of Lycabettus, overlooking the valley of Athens," writes Greek City Planner Constantinos A. Doxiadis, "I can see early Monday morning the first dark clouds building in the lower part of the valley, where the industries are. It grows, it covers the middle and lower parts of the city. Gradually it reaches the eastern part, and by expanding in height it covers the rock of the Acropolis and the Parthenon. By then everybody in the city of Athens has had to breathe the polluted air."

Authorities in the German state of North Rhine-Westphalia are so concerned about the dangers of smog in 15 Ruhr districts that they have posted warning signs that will bar traffic from roads in the event that air pollution becomes extreme. And out in space last September, after other astronauts had repeatedly failed to photograph Houston because of the dense brown disk of smog that usually hangs above it. Gemini 11 Command Pilot Pete Conrad finally shot a picture of the city on one of its better days. Discussing the photograph after his return to earth, Conrad pointed to the reduced but ever present pall over the city. "Notice the air pollution drifting out there," he said, "in case anybody thinks we don't have it."

Smog disintegrates nylon stockings in Chicago and Los Angeles, eats away historic stone statues and buildings in Venice and Cologne. Rapidly industrializing Denver, which for many years boasted of its crystalline air, is now often smogbound. In Whiting, Ind., a concentration of fog and pollution from an oil refinery produced a chemical mist that one night last year stripped paint from houses, turned others rusty orange, and left streets and sidewalks covered with a greenish film.

POLLUTION'S FIRST VICTIM

Air pollution, commonly thought to be a result of the industrial revolution, actually preceded man himself. Nature has long contaminated the air with sand and dust storms, with forest fires and volcanic eruptions that spew tons of particles and gases into the atmosphere. When Krakatoa, a volcano in the East Indies, blew up in 1883, the debris and dust it hurled into the air spread around the globe, darkening daytime skies for hundreds of miles. Krakatoa dust, suspended in the atmosphere, produced spectacularly ruddy sunsets and sunrises the world over for months after the blast.

Nature even produces its equivalent of smog. Over large fir forests, there is a continuous bluish haze produced by terpenes—volatile hydrocarbons that are emitted by the trees. Decaying animal and vegetable matter give off gases. Flowers saturate the nearby air with pollen that causes such allergic reactions as hay fever in man. It was natural air pollution rather than the man-made kind that claimed the man who is probably the first recorded human victim; Pliny the Elder died in 79 A.D. after breathing in an overdose of sulphur oxides emanating from erupting Vesuvius.

Once man mastered fire, however, he was superbly equipped to surpass nature's contribution to air pollution. The burning process—combustion—powers most transportation in the U.S., plays a vital role in its manufacturing, generates electric power, heats homes and buildings, and consumes much of its refuse. But this year it will also pour 140 million tons of pollutants into the air. And as population, industrial production, number of automobiles, and other indices of U.S. prosperity increase, the upward flow of contaminants will increase correspondingly.

COLORLESS CONTAMINATION

The most obvious component of polluted air is the smoke that pours from millions of home chimneys, power-plant and factory smokestacks, incinerators and garbage dumps. It consists of tiny pieces of carbon, ash, oil, grease, and microscopic particles of metal and metal oxides. Some of these particles are so large that they settle rapidly to earth, but many are small enough to remain suspended in the atmosphere until they are removed by rain or wind. Though the particulates, as they are called, are highly visible and often the first target of antipollution officials, they constitute only abut 10% of the pollution in the air over the U.S.

Cities such as Pittsburgh and St. Louis, which after World War II enforced vigorous and successful campaigns to clear smoke from their skies, have now discovered that their drives against pollution have only just begun. A full 90% of U.S. air pollution consists of largely invisible but potentially deadly gases. More than half of the contamination in the air over the U.S., for example, consists of colorless, odorless carbon monoxide, most of it issuing from the exhaust pipes of automobiles, trucks and buses.

The second most plentiful gas pollutant is composed of oxides of sulphur, produced by home, power-plant and factory combustion of coal and oil containing large percentages of sulphur. More than a tenth of air pollution consists of hydrocarbons, most of them emanating as unburned or only partially burned gaseous compounds from automobile fuel systems. Combustion also produces large quantities of carbon dioxide, nitrogen oxides and other gases.

As if these products of combustion were not unpleasant or dangerous enough by themselves, some also undergo complicated chemical changes in the atmosphere that make them even less attractive. In the presence of sunlight, the hydrocarbons and nitrogen oxides emitted largely by automobile exhausts react to produce the sort of brownish and irritating photochemical smog that blankets Los Angeles for most of the year. "Los Angeles smog" is a highly complex soup containing, among other things, nitrogen dioxide, hydrocarbons, ozone (a highly active and poisonous form of oxygen) and peroxyacyl nitrate (commonly called PAN). "London smog," on the other hand, usually contains high quantities of sulphur oxides that react with moisture to produce a dilute but corrosive sulphuric-acid mist.

Though air conditioners can effectively filter pollutant particles out of the air, the troublesome gaseous contaminants pass through unhindered. Thus city dwellers who feel that they have found sanctuary from the smog in sealed and air conditioned offices and apartments are actually in an atmosphere that may be little better than the foul air of the streets.

FOR CLEANING, $600

The unwholesome mess that U.S. citizens and corporations spew into that great sewer in the sky costs them dearly—$11 billion a year in property damage alone, according to the Department of Health, Education, and Welfare. Air pollutants abrade, corrode, tarnish, soil, erode, crack, weaken and discolor materials of all varieties. Steel corrodes from two to four times as fast in urban and industrial regions as in rural areas, where much less sulphur-bearing coal and oil are burned. The erosion of some stone statuary and buildings is also greatly speeded by high concentrations of sulphur oxides.

Heavy fallout of pollution particles in metropolitan areas deposits layers of grime on automobiles, clothing, buildings and windows; it adds about $600 per year in washing, cleaning, repairing and repainting bills to the budget of a family with two or three children in New York City, according to a study made by Irving Michelson, a consultant in environmental health and safety. Because of fly ash and soot from smokestacks, the main facade of Manhattan's New York Hilton was so badly discolored that it had to be replaced last year, only 3½ years after the hotel was completed. Ozone, a principal component of photochemical smog, discolors and disintegrates clothing and causes rubber to become brittle and crack.

Vegetation, too, suffers from polluted air—even in rural areas that until recently were believed to be out of the range of contamination. Sulphur dioxide causes leaves to dry out and bleach to a light tan or ivory color, kills the tips of grasses and of pine and fir-tree needles.

Scientists are certain that the ozone and PAN in Los Angeles smogs have caused the serious decline in the citrus and salad crops in the area. In one of the many smog experiments they are conducting, they have planted lemon trees in small greenhouses in a grove near Upland. Pure filtered air is pumped into some of the greenhouses, air containing measured amounts of pollutants into others. When the fruit is finally picked, the scientists will compare the quality and yield of lemons from trees in different greenhouses, hoping to learn more about how each component of smog affects the crop. Some effects of the smog are indisputable. Such diverse plants as orchids and spinach can no longer be grown in metropolitan Los Angeles.

In semi-rural Florida, east of Tampa, large amounts of fluorides, emitted from phosphate plants have rained down on nearby citrus groves, ranches and gladiolus farms. Orange and lemon trees that absorbed the fluorides produced smaller yields, and gladioli turned brown and died. A national air-pollution symposium reported that cattle grazing on grass that was contaminated with the fluorides developed uneven teeth that hindered chewing and joints so swollen that many of the animals could not stand. Fluorides have also etched windowpanes, giving them the frosted appearance of a light bulb.

DAMAGE TO PEOPLE

Pollutants that injure plants and erode stone are likely to have a damaging effect on humans too. Motorists who would never contemplate committing suicide by running a hose from their exhaust pipe into the car often unknowingly endanger their lives by exposing themselves to large amounts of carbon monoxide on expressways and in tunnels and garages. Though an hour's exposure to 1,500 parts of monoxide per million parts of air can endanger a man's life, only 120 parts per million for an hour can affect his driving enough to cause an accident. And concentrations of about 100 parts per million have been found in tunnels and garages and on the streets of Chicago, Detroit, New York and London.

Assistant Surgeon General Prindle points out that a heavy cigarette smoker carries a 3% to 4% concentration of carbon monoxide in his bloodstream. Thus it is not surprising, he says, that habitual smokers are the first to turn up at hospitals during periods of extreme air pollution; carbon monoxide concentrations in their bloodstream reach a toxic 25% to 30% level before those of nonsmokers.

Chief culprits in the Donora, London and New York smog disasters were probably sulphur dioxide and sulphur trioxide, which, either in gaseous form or converted into sulphuric-acid mist, can irritate the skin, eyes and upper respiratory tract. Extreme exposure, such as might occur in an industrial accident, can do irreparable damage to the lungs—and even attack the enamel on teeth.

ARSENIC AND HEART DISEASE

Ozone and PAN produce the eye irritation, coughing and chest soreness experienced by many Los Angeles residents on smoggy days. In laboratory experiments, continuous exposure to ozone shortened the lives of guinea pigs. Scientists also calculated that a child born in New York City after World War II has now inhaled the pollution equivalent of smoking nine cigarettes per day every day of his life. Like those in cigarettes, some of the hydrocarbons identified in automobile exhausts have produced cancer in laboratory animals.

The particles in pollution are injurious to humans also. Carbon particles that blacken the lungs of residents of London and New York carry gases absorbed onto their surface. They enable sulphur dioxide, for example, to penetrate deeper into the lungs than it could on its own; without particles to carry it, the gas can be exhaled relatively easily from the upper respiratory tract. Other particulates act as catalysts in the atmosphere, speeding the conversion of sulphur dioxide into more harmful sulphuric acid. **Particles of arsenic, beryllium, cadmium, lead, chromium and possibly manganese, discharged into the atmosphere by a variety of man-made processes, may contribute to cancer and heart disease.**

Though researchers have not been able to prove a direct cause-and-effect relationship between air pollution and disease, they have found that the incidence of chronic bronchitis among British mailmen who deliver the mail in areas with heavy air pollution is three times as high as among mailmen who work in cleaner regions. Researchers also know that there are more deaths from chronic pulmonary disease in high-pollution areas of Buffalo than in other neighborhoods. Boston policemen working around high concentrations of carbon monoxide seem more susceptible to the common cold.

EVOLUTION OF CONTROL

Alarmed by ever-murkier skies, increasing property damage, unpleasant odors and more frequent pollution alerts, communities, states and the Federal Government have finally begun to mount a systematic attack on air pollution. They have been able to use as a model the pioneering antipollution program of Los Angeles, which evolved out of sheer necessity. Though the city has frequent temperature inversions and lies in a mountain-rimmed bowl that traps the pollutants, Los Angeles had practically no pollution problem until the 1940s, when it began its explosive growth in population and industry.

Almost overnight, the clear air that had played so important a role in drawing movie-makers to Hollywood was replaced by palls of smoke, a brownish haze and offensive odors that made city life irritating and unpleasant. Concerned Angelenos began to come forward with California-size plans to solve the problem. One suggestion was to bore mammoth tunnels through the surrounding mountains, install huge fans in them and literally suck the smog from the Los Angeles basin into the desert to the east. There was one drawback: operating the fans for a day would require the total annual power output of eight Hoover Dams. A proposal to install giant mirrors to focus the sun's rays, heat the air, and thereby cause it to carry pollution up through the inversion also turned out to be impractical; even if the entire basin were a giant mirror, scientists calculated, not enough heat would be generated to do the job.

Then, backed by aroused citizens, Los Angeles County established a control board and vested it with the authority to control any pollution released into the atmosphere from Los Angeles County, an area of 4,000 sq. mi. Running roughshod over objections from many business leaders, the board established regulations to limit the amount of pollutants released into the air by industry, banned the use of high-pollution fuels and the burning of junked cars and garbage. To further limit pollution, the board even ordered that paint containing volatile, smog-forming chemicals not be sold in containers larger than quart size. It reasoned that such a regulation would discourage large users from purchasing high-pollutant paints.

To prove that it meant business, the board brought to court and won conviction of thousands of pollution violators. It was backed to the hilt by Angelenos. In protest against an oil company that was convicted of a pollution offense, 1,500 residents returned their credit cards issued by the firm. On a single day in 1958, the board closed down $58 million worth of incinerators; instead of burning garbage, the county began hauling it as far as 40 miles away to use as land fill. Aided and goaded by the board, Los Angeles oil refineries developed new techniques to reduce sulphur and to trap and recycle malodorous wastes; the refineries became the cleanest and least offensive in the world. Power companies were ordered to use low-sulphur natural gas whenever available, and required to use fuel containing a minimum amount of sulphur the remainder of the time.

LOSING BATTLE

Instead of disappearing, however, Los Angeles' characteristic whisky-brown smog has actually grown worse. The culprits are Los Angeles County's 3.75 million autos, which produce 12,420 of the 13,730 tons of contaminants released into the air over the county every day. (Some of the remainder is contributed by planes; a 4-engine jet expels 88 lbs. of pollutants during each takeoff.) In addition to nearly 10,000 tons[1] of carbon monoxide, autos exhaust 2,000 tons of hydrocarbons and 530 tons of nitrogen oxides daily, enough to form a substantial brew of irritating smog.

At the urging of the pollution-control board, California decreed that cars sold in the state from 1964 on be equipped with a "blow-by" connection to feed unburned gasoline in the crankcase back into the engine manifold. Another law made it mandatory for all 1966 cars sold in the state to have devices that would reduce carbon monoxide emitted from the tail pipe by 50%, hydrocarbons by 65%. A further reduction in tail-pipe emissions will be required in 1970. Taking its cue from experts, the Federal Government has ordered Detroit to make similar improvements on all of its 1968 cars. But California—and the U.S.—are fighting a losing battle against the autos.

Inspections of California cars that have been driven more than 20,000 miles and are equipped with antipollution devices have shown that as many as 87% fail to meet state requirements for the suppression of hydrocarbons and carbon monoxide; the devices generally become less efficient with age and are improperly maintained. Even if the devices work perfectly, however, they cannot keep pace with the rapid growth of Los Angeles' auto population—which is expected to increase by another 2,000,000 vehicles by 1980. "Even if by then the average motor vehicle is producing only one-half of the pollution of today's average car," says County Air Pollution Control Officer Louis Fuller, "motor-vehicle pollution will be greater than it is now."

ELECTRIC CAR RESEARCH

To solve the dilemma, Fuller believes, legal limitations may have to be placed on the movement of autos into heavily contaminated urban areas. Frank Stead, a top offi-

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[1] The volume of carbon monoxide produced in one day is computed by multiplying the amount released by the burning of one gallon of gasoline by the average number of gallons consumed in Los Angeles. The weight of this volume of gas is influenced by existing temperatures and pressures, and can be easily calculated.

cial in the state's public health department, has a more drastic solution. "It is clearly evident," he says; "that between now and 1980 the gasoline-powered engine must be phased out and replaced with an electric-power package." The only realistic way of bringing about such a change, Stead feels, is to "serve legal notice that after 1980 no gasoline-powered motor vehicles will be permitted to operate in California."

Californians have not overstated the auto-pollution case. In a speech that had ominous implications for Detroit's automakers, HEW Secretary John Gardner suggested that "we need to look into the electric car, the turbine car, and any other means of propulsion that is pollution-free. Perhaps we also need to find other ways of moving people around. None of us would wish to sacrifice the convenience of private passenger automobiles, but the day may come when we may have to trade convenience for survival."

Detroit has responded by talking up its electric-car research, demonstrating new batteries and fuel cells, and driving newsmen around in battery-powered compact cars. And Ford President Arjay Miller insists that a crash program is on to build an electric car. But most auto officials believe that between five and ten years will pass before moderately priced electric cars can be produced in volume. In Washington last week, to emphasize the need for electric cars, New York Democratic Representative Richard Ottinger drove an electric Dauphine, powered by silver-zinc batteries (developed by New York's Yardney Electric Corp.), about 70 miles on trips around the city.

FINES AND PRISON TERMS

While Los Angeles ponders new strategies in its fight against pollution, other cities—aided by increasing federal technical and financial aid made possible by the Clean Air Act of 1963—have begun to take tentative and sometimes faltering steps in the same direction. To reduce New York City's dirty smog, some 50% of which comes from chimneys, smokestacks and open fires (compared with only 10% of Los Angeles' smog), a regulation has recently been passed to limit the sulphur content of fuel burned within the city. It came none too soon; the U.S. Public Health Service describes the sulphur-dioxide concentrations in the New York-New Jersey metropolitan area as "the worst, the most critical" in the U.S.

In heavily polluted New Jersey, which shares high sulphur-dioxide concentrations with New York, a state assemblyman introduced a bill that would empower the Governor to shut down plants and incinerators and prohit the movement of vehicles and the burning of any fuel during smog emergencies. Private citizens or corporate officers refusing to comply could be fined as much as $100,000 and imprisoned for as long as ten years.

To clear the air in Chicago, the city has launched a campaign to force local steel plants to adopt costly antipollution techniques, and transportation officials are investigating combination diesel-electric buses that would reduce exhaust fumes. An Illinois legislator has gone so far as to introduce a bill that would limit the use of Illinois coal—which has a high sulphur content—in public buildings.

GRADUAL SUFFOCATION

But with these few exceptions, most communities in the U.S. have still to come to grips with the problems. There is still time to do so, but it is dwindling. U.C.L.A. Meteorologist Morris Neiburger points out that the air that now streams across the Pacific from Asia is clean when it reaches the west coast of the U.S. It picks up pollution over the coastal states, loses some over the Rockies, and becomes dirty again as it moves toward the Eastern Seaboard. "Imagine the smog that would accumulate," he says, "if every one of the 800 million Chinese drove a gasoline-powered automobile—as every Angeleno does."

The Chinese autos and the new factories that produce them will quickly pollute the Asian skies, Neiburger fears, dirtying the air currents even before they reach the U.S. Eventually, if air pollution increases beyond the capacity of the atmosphere to cleanse itself, smog will encircle the earth, he says, "and all of civilization will pass away. Not from a sudden cataclysm, but from gradual suffocation by its own effluents."

Other scientists are concerned about the tremendous quantities of carbon dioxide released into the air by the burning of "fossil fuels" like coal and oil. Because it is being produced faster than it can be absorbed by the ocean or converted back into carbon and oxygen by plants, some scientists think that the carbon dioxide in the atmosphere has increased by about 10% since the turn of the century. The gas produces a "greenhouse" effect in the atmosphere; it allows sunlight to penetrate it, but effectively blocks the heat generated on earth by the sun's rays from escaping back into space.

NO APOCALYPSE

There has already been a noticeable effect on earth—a gradual warming trend. As the carbon-dioxide buildup continues and even accelerates, scientists fear that average temperatures may, in the course of decades, rise enough to melt the polar ice caps. Since this would raise ocean levels more than 100 feet, it would effectively drown the smog problems of the world's coastal cities.

The waters, however, need never rise. Within his grasp, man has the means to prevent any such apocalyptic end. Over the short run, fuels can be used that produce far less pollutant as they burn. Chimneys can be filtered so that particulate smoke is reduced. Automobile engines and anti-exhaust devices can be made far more efficient. What is needed is recognition of the danger by the individual citizen and his government, the establishment of sound standards, and the drafting of impartial rules to govern the producers of pollution. Over the long run, the development of such relatively nonpolluting power sources as nuclear energy and electric fuel cells can help guarantee mankind the right to breathe.

[From the New York Times, Jan. 12, 1967]

STATEN ISLAND DEATHS LINKED TO AIR POLLUTION—JERSEY IS CALLED PROBABLE SOURCE AFFECTING LUNG CANCER IN NORTH AREA

(By Peter Kihss)

Higher death rates from respiratory cancer in northern Staten Island probably result, at least in part, from air pollution produced in New Jersey, the interstate air-pollution conference was told here yesterday.

A study financed by the United States Public Health Service was reported by Dr. Leonard Greenburg to show that a death rate for white men 45 years and older at 55.4 per 100,000, as against 40.2 in central and southern Staten Island. The rate for white women was 8.2 in the north and 4.1 in other sections.

Dr. Greenburg, the city's first Air Pollution Control Commissioner from 1952 to 1960, also said that a citywide increase in deaths appears to have occurred from the Thanksgiving weekend weather inversion, which led to a smog alert.

The city, Dr. Greenburg said, had 268 deaths from all causes on the first day of the inversion, which was Wednesday, Nov. 23, and exceeded 250 deaths a day for the following six days. This was the only month of November with seven consecutive days of 250 daily deaths or more in studies going back to 1961, he added.

AVERAGE DEATH RATE

The Staten Island study by Dr. Greenburg and associates at Albert Einstein College, where he has been chairman of preventive and environmental medicine since 1960, reported deaths in the borough from all causes and from all cancer-caused deaths averaged close to rates for the rest of the city.

Newsmen recalled to Dr. Greenburg that all of Staten Island had been covered in New York State complaints about air pollution from New Jersey, while his data would imply that the southern area was better off on respiratory cancer death rates. His response was that one factor might be "different types of pollutant."

The northern section along Kill van Kull lies south of the Bayonne and Elizabeth complexes of mixed industry. New York State has also complained of pollution along Arthur Kill from the Linden, Carteret, Woodbridge and Perth Amboy areas.

New Jersey has insisted at the conference at the Statler-Hilton Hotel that each state's pollution affects the other with shifting winds.

William A. Munroe, New Jersey Health Department representative, commented to newsmen that northern Staten Island had "high-density population—more automobiles and more people keeping warm" than the south.

Dr. Greenburg suggested that cancer deaths in the north section might also be linked to lower-income status, indicated by more persons housed in each room than in the south.

INVERSION DEATHS

New York City's Health Department, queried later about the Thanksgiving inversion deaths, reported deaths from all causes in the five boroughs numbered 269 on both Nov. 23 and Nov. 24, followed by 254 on Nov. 25, 255 on Nov. 26, 263 on Nov. 27, 254 on Nov. 28 and 266 on Nov. 29.

This would indicate 80 more deaths than a seven-day average of 250 a day, not quite 5 per cent for the period. Dr. Howard J. Brown, the city's Health Resources Administrator, said:

"During the period of inversion the number of deaths was higher than was expected at this time of year, but the number was not significantly higher in a statistical sense."

Hospitals Commissioner Joseph V. Terenzio had said on Nov. 28 that "almost with certainty that there was no detectable immediate effect on morbidity [illness] and mortality because of the smog."

A spokesman said yesterday, however, that there had been delays in filing death certificates on the holiday weekend.

Dr. Greenburg told the conference that illness records from hospitals indicated a rise in bronchitis, and in one instance in asthma, during the inversion period.

RESPONSES POLLED

In another report to the conference, Dr. William H. Becker, research director of the Continental Research Institute, told of responses by 2,052 workers on their experiences Nov. 23 through Nov. 27 in the inversion.

Of these, 38 per cent reported one or more of a series of symptoms. Eye irritation was the complaint of 17 per cent of all the respondents; increased coughing, 8.5; difficulty in breathing, 6.8; increased sputum production, 5.2; and wheezing, 3.2.

"There was an ascending positive response each day, which correlated with the ascending level of the air-pollution index and reached a peak on Friday, Nov. 25," Dr. Becker said.

In yesterday's sessions, Dr. Richard A. Prindle, the nation's assistant surgeon general, said most of the country's major sources of sulphur oxide pollution were "still uncontrolled."

He said increased illness had been shown when 24-hour concentrations of the contaminant, produced by fuel burning, exceeded 0.2 to 0.25 parts for each million parts of air. Dr. Prindle added that the Public Health Service recommended a goal that would not exceed a 24-hour average of 0.1 for more than 1 per cent of the time.

SEES MASS SUICIDE

Carbon monoxide, deriving mainly from motor vehicles, was growing, Dr. Prindle said, to the point where "we may find ourselves using it to commit mass suicide."

California and New York State have recommended air quality objectives with an eight-hour average of 30 parts per million for carbon monoxide. Dr. Prindle suggested these "may be too high to afford ample protection for anemic, respiratory or cardiac-impaired persons."

George A. Jutze, deputy chief of field investigations for the abatement branch of the National Center for Air Pollution Control, told of Federal steel plate and sulphur dioxide measurements that showed the following:

"The urban New York environment is slightly more corrosive than Chicago, one and a half to two times that of Philadelphia and Detroit, and at least two times that of St. Louis, Washington and Cincinnati.

"The corrosivity of the suburban Staten Island environment is quite severe, equal to or greater than that of Philadelphia and twice as bad as St. Louis."

Roger H. Gilman, director of planning and development for the Port of New York Authority, said the authority had experimented with "platooning"—sending vehicles through its tunnels a group at a time in heavy traffic to minimize stopping and starting—to hold down exhaust pollution.

[From the Baltimore Sun, Jan. 21, 1967]

AIR POLLUTION HURTS CROPS—BELTSVILLE CENTER LOOKS TO FILTERED GREENHOUSES

(By John S. Carroll)

Scientists at the Beltsville Agricultural Research Center believe that farmers along the Eastern Seaboard may have to grow their crops indoors to protect them from serious air pollution damage.

The January edition of *Agricultural Research*, a Department of Agriculture publication, says tests at Beltsville indicate that filtered greenhouses may become a requisite for profitable farming.

"Carbon filtered greenhouses are now used commercially in some parts of California," the report states. "Research of Beltsville indicates that they may be necessary along the Eastern Seaboard for growing sensitive plants without serious injury from polluted air."

NINETY-THREE PER CENT HIGHER YIELD

The Beltsville research thus far has been concerned primarily with the effects of polluted air on tobacco plants.

In one test, a sensitive variety of tobacco grown in filtered air produced a 93 per cent higher yield than similar plants in unfiltered air.

The report also comments on the overall crop losses caused by polluted air.

"Last year air pollution caused agriculture an estimated $500,000,000 in losses," the report asserts, "and the problem is getting worse."

"Farmers no longer raise spinach in some areas of New Jersey because of air pollution. Weather fleck, caused by the air pollutant ozone, cuts yields and quality of shade-grown cigar wrapper tobacco in Connecticut, Massachusetts, and Florida—the most valuable tobacco grown in this country."

NEW LAB OPENED

"Losses in the $25,000,000 crop in Connecticut and Massachusetts have been as high as $5,000,000 a year. Growers have cut losses to some extent by raising resistant varieties, but even these have suffered damages."

The Beltsville center is undertaking projects to combat these crop losses. A new Plant Air Pollution Laboratory has been opened, under the direction of Dr. Howard E. Heggestad.

Recently, Beltsville scientists discovered that relatively low levels of ozone and sulfur dioxide can combine to injure plants.

[From the New York Times, Dec. 27, 1966]

AIR POLLUTION TOP HAZARD TO CROPS IN SOME AREAS

(By Harold M. Schmeck, Jr., special to the New York Times)

WASHINGTON, December 26.—In some areas of the United States air pollution is already a greater hazard to agriculture than weather or insect pests, specialists said today.

The areas are usually near major cities, but the ill-effects of air pollution have been spreading geographically in recent years.

In the vicinity of Los Angeles, one specialist said, vegetable farmers have been moving gradually farther and farther from the metropolitan area—into country less favorable to agriculture—partly to avoid the damage inflicted on crops by air pollution.

In California the crop damage by air pollution appears to be more than $100-million a year, said Dr. O. Clifton Taylor, a horticulturist of University of California at Riverside.

Dr. Taylor and several other specialists discussed the relationship of air pollution to agriculture and plants in general at a symposium of the American Association for the Advancement of Science.

The association is holding its annual meeting here this week at the Sheraton Park Hotel.

At a news conference the panel members were asked whether air pollution was becoming a greater hazard to agriculture than that posed by weather and insects.

For some specific places, the speakers said, the answer is "yes."

"Right now we have controls for insects at a price," said Dr. Robert H. Daines of the Department of Plant Biology at Rutgers University. "We don't have controls for air pollution at any price."

Farmers in Bergen County, N.J., consider air pollution their biggest problem, said Dr. Daines. Air pollution is particularly damaging to leafy crops such as lettuce and spinach, Dr. Daines noted.

Some farmers in the metropolitan region of Northern New Jersey have discontinued spinach as a crop because of air pollution, he said.

In the early nineteen-fifties only a very few crops were showing the damaging effects of air pollution, Dr. Daines said. Now there are at least 40 such species, he went on, and it is "a really growing problem."

Dr. R. Keith Arnold, Dean of the School of Natural Resources at the University of Michigan, said most research on air pollution effects on plants had been limited to study of one or a few species.

A subject of great concern that has been little studied, Dr. Arnold said, is the effect of air pollution on whole ecological systems involving the entire spectrum of plant life in a locality.

"We have yet to plumb the full depths of the complex interactions of agriculture and air quality," he said.

Research should be expanded to about 10 times its current rate, the scientists declared.

The effects of air pollution on plants varies greatly from species to species, the speakers said. Wheat and corn seem to be little damaged, while leafy vegetables are extremely sensitive to air pollution effects.

Forest trees are also sensitive, said Dr. J. R. Hansbrough of the Forest Service of the United States Department of Agriculture.

FOREST DAMAGE CITED

Air pollutants can damage leaves, kill twigs and small branches, even kill the tree itself, Dr. Hansbrough said. Pine trees, for example, are particularly sensitive to sulphur dioxide from big coal-fired electric power plants, he observed.

There is a region extending in a circle with a 20-mile radius around Kingston, Tenn., he said, in which 90 per cent of the white pines have been killed, presumably because of sulphur dioxide and other pollutants from the Tennessee Valley Authority's big power plant in Kingston. Pines have been killed throughout thousands of acres, he said.

The pines vary greatly in their individual susceptibility to sulphur dioxide and other pollutants. Dr. Hansbrough and his colleagues are grooming pines of varying characteristics to serve as natural indicators of air pollution. Some 600 groups or "clones" of genetically distinct white pines are now being studied for this purpose.

The hope is to find groups of trees that are each susceptible to one specific pollutant. Much the same attempt is being made with other plant species.

Because plants are more susceptible to air pollutants than mammals are, plants could be used as gauges of air pollution of various kinds in a way roughly analogous to the use of canaries by coal miners in former years to give warning of concentrations of dangerous gases.

The others at the news conference were R. G. Menzel of the United States Department of Agriculture at Beltsville, Md., and D. C. MacLean of the Boyce Thompson Institute of Yonkers, N. Y.

POLLUTION IS CITED AS WEATHER FACTOR

SCHENECTADY, N.Y., November 19.—Dr. Vincent J. Schaefer, a pioneer researcher in seeding clouds to produce rain, says air pollution from automobile exhausts may be changing the weather over much of the nation.

Dr. Schaefer, director of the Atmospheric Sciences Research Center at the State University here, said this week that lead particles from gasoline combine with iodine that enters the atmosphere from various sources to produce rain or snow.

Just 20 years after he discovered that seeding clouds with dry ice could produce rainfall, Dr. Schaefer now suggests that the combination of particles from antiknock compounds in gasoline and iodine "could exert a profound influence" on cloud systems.

He said, however, that it would take much more study to pin down the effect of auto exhausts on the weather.

Dr. Schaefer said it was possible to develop "a new method for seeding clouds wherever auto exhaust diffuses into the atmosphere." Only iodine would have to be added.

Iodine already is present in the atmosphere from forests, the burning of coal, oil and natural gas and the processing of natural nitrate deposits.

IDAHO'S MEDAL OF HONOR WINNERS

Mr. CHURCH. Mr. President, the war in Vietnam is taking its tragic toll of young American lives. But it is again proving what our history has always shown—that in time of war, Americans always rise to new heights of heroism.

We reserve for our most gallant the Nation's highest award—the Medal of Honor.

I take much pride in the fact that within the span of 12 days, two Idaho men have received this highest of battle honors, bestowed by a grateful Nation. Yet, the occasion of these awards is bittersweet.

I watched with others from Idaho at the White House on January 19, as President Johnson draped the Medal of Honor around the neck of Air Force Maj. Bernard F. Fisher, of Kuna, Idaho, for his brave deed in saving the life of a fellow pilot. It was a great event for Major Fisher and his family.

The other ceremony will be a somber

one, for the second Idahoan to receive the medal gave his life to save a fellow marine.

On Tuesday, January 31, the Secretary of the Navy will present the Medal of Honor, posthumously, to Marine 1st Lt. Frank Stanley Reasoner, of Kellogg, Idaho. His widow and young son, Michael Lawrence, will accept the award.

Lieutenant Reasoner was a fine officer and a gallant marine. Two months short of his 28th birthday, he was killed in combat while going to the aid of his wounded radio operator.

The official Marine Corps biography of the life and death of this young marine officer tells simply, but dramatically, of the heroism that cost Lieutenant Reasoner his life but saved his combat patrol. I intend to ask that it be printed in full in the RECORD, Mr. President, but I first want to draw attention to the second paragraph. It reads as follows:

> A Marine Corps camp in Vietnam has been named "Camp Reasoner" and dedicated to his memory. The hand lettered sign near the gates of Camp Reasoner reads ". . . First Lt. Reasoner sacrificed his life to save one of his wounded marines. Greater Love Hath No Man."

Lieutenant Reasoner was cut down by a burst of machinegun fire as he dashed to the rescue of a wounded comrade. Only moments earlier he had killed two of the enemy company that had ambushed his small patrol. His admonitions to his men inspired them to knock out a machinegun emplacement, capture its wounded occupants, and inflict many casualties on the enemy.

I ask unanimous consent, Mr. President, that the official biography of 1st Lt. Frank Stanley Reasoner, U.S. Marine Corps, be printed at this place in the RECORD.

There being no objection, the biography was ordered to be printed in the RECORD, as follows:

FIRST LIEUTENANT FRANK S. REASONER, USMC (DECEASED)

First Lieutenant Frank S. Reasoner, a onetime enlisted Marine and graduate of the U.S. Military Academy, was killed in action in Vietnam, July 12, 1965, going to the aid of his wounded radio operator.

A Marine Corps camp in Vietnam has been named "Camp Reasoner" and dedicated to his memory. The hand-lettered sign near the gates of Camp Reasoner reads: ". . . First Lieutenant Reasoner sacrificed his life to save one of his wounded Marines. 'Greater Love Hath No Man.' "

On the day he died, the lieutenant was leading an advance patrol of Company A, 3d Reconnaissance Battalion, deep in Viet Cong territory, when he spotted a Viet Cong rifleman. He called to the Marines in the point, who opened fire as enemy sniper fire raked the unit. An enemy machine gun from the front pinned down the patrol. Moving among his five Marines, he saw his radioman had been wounded and was attempting to crawl to shelter, then was wounded a second time and unable to move.

Calling to the wounded man that he was coming in after him, the lieutenant raced toward the radio operator. Five feet from the radioman, the young officer was hit with a fatal burst of machine-gun fire. Minutes before, Lieutenant Reasoner had succeeded in killing two of the estimated company of Viet Cong. Inspired by his actions, his men killed 16 more of the enemy, knocked out the machine gun, and, heeding the lieutenant's last words, got their wounded comrades safely out.

Lieutenant Reasoner was returned to Da Nang by his men, and from there to Saigon, and thence to the United States and burial in Kellogg, Idaho, his hometown. In Vietnam he had received the last rites of the Episcopal Church from Chaplain Hugh F. Lecky, a lieutenant commander in the U.S. Navy, Chaplain Corps.

Frank Stanley Reasoner was born in Spokane, Washington, September 16, 1937, and moved with his parents, Mr. and Mrs. James C. Curry, to Kellogg in 1948. Graduating from Kellogg high school in June 1955, he enlisted in the United States Marine Corps three months before his 18th birthday.

Promoted to private first class after recruit training at the San Diego Recruit Depot in August, he went on to advanced infantry training at Camp Pendleton, Calif. He was designated an Airborne Radio Operator in 1956 upon completing Airman School, Naval Air Technical Training Center, Jacksonville, Fla., and the Communication Electronics School at San Diego. He was next assigned to Marine Wing Service Group 37, 3d Marine Aircraft Wing, El Toro, Calif., and while there was promoted to corporal.

He was transferred to the Naval Academy Preparatory School, Bainbridge, Md., in 1957, then served as a guard at Marine Barracks, Annapolis, Md. He was promoted to sergeant in January 1958, prior to receiving Congressional appointment to the U.S. Military Academy, sponsored by Senator Henry C. Dworshak of Idaho.

Successfully completing the Academy's entrance examinations in June 1958, Sergeant Reasoner was transferred to the inactive Marine Corps Reserve and enrolled as a cadet. While at the Military Academy, he lettered in baseball and wrestling and, in 1962, was designated the Academy's outstanding boxer, winning an unprecedented four straight Brigade boxing championships in four different weight classes. Upon graduation, June 6, 1962, he was awarded a BS degree and returned to the Marine Corps as a second lieutenant. He was promoted to first lieutenant in December of the following year.

Lieutenant Reasoner completed Officers Basic School at Marine Corps Schools, Quantico, Va., in January 1963, then embarked for a three-year tour of duty with the Fleet Marine Force in the Pacific area. He did not return from this tour.

During his entire time overseas, he served as a Reconnaissance Platoon Leader with the 3d Reconnaissance Battalion. Assigned initially to the 1st Marine Brigade, FMF, at Kaneohe Bay, Hawaii, he served with Company B, 3d Recon Battalion, 4th Marines, and moved with his organization to Vietnam in April 1965. On June 20, 1965, he was designated Commanding Officer, Company A, 3d Recon Battalion, 3d Marine Division (Forward), the unit he was with when he was killed. His Marine Corps service totaled six years, two months, and five days of active duty.

Lieutenant Reasoner's wife, Sally, and son, Michael Lawrence, reside with her mother, Mrs. Florence Demico, Box 242, Kingston, Idaho. His parents, Mr. and Mrs. James C. Curry, reside at 609 Chestnut Street, Kellogg, Idaho. The lieutenant also is survived by one brother, Lawrence Michael Curry, and one sister, Janice Allene Curry.

Mr. CHURCH. Mr. President, the heroic act of Lieutenant Reasoner ended in tragedy, but tragedy is not the inevitable result of heroism.

Last week Air Force Maj. Bernard Fisher was also honored with the Medal of Honor for rescuing a comrade. This was a happy time for his family and his comrades, for Major Fisher survived.

Extreme danger was involved in Major Fisher's act; failure was more likely than success. Major Fisher was flying under marginal weather conditions that exposed his airplane to heavy hostile enemy ground fire. He saw a fellow flyer crash-land on a small, enemy-held airstrip. He believed his comrade to be injured, and knew he faced certain capture.

Major Fisher decided to land and attempt a rescue. Under intense enemy fire, he brought his plane down on the debris-strewn runway. He found the pilot, pulled him into the airplane, and immediately took off again. When he landed at his base after the rescue, 19 bullet holes were counted in his airplane.

Mr. President, I ask unanimous consent that the official biography of Maj. Bernard Fisher, U.S. Air Force, be printed at this point in the RECORD.

There being no objection, the biography was ordered to be printed in the RECORD, as follows:

MAJ. BERNARD F. FISHER, U.S. AIR FORCE

On March 10, 1966, Major Fisher was leading a flight of A–1 fighter bombers from the 1st Air Commando Squadron at Pleiku in support of the A Shau Special Forces Camp, then under attack. The tops of the 1500′ hills surrounding the camp were obscured by clouds at the 800′ level, forcing the pilots to conduct their attack while circling in the valley.

During the battle to relieve the beseiged defenders of A Shau, one of the fighters was badly hit, but the pilot, Major Dafford W. Myers of Newport, Washington, managed to land on the camp's runway, aided by directions from Major Fisher. His aircraft exploded in flames on contact.

Major Fisher observed the pilot leaving the flaming wreckage and hiding within yards of an enemy position. Believing the pilot to be seriously injured and in immediate danger of capture or death, Major Fisher requested a rescue helicopter.

After learning one would not be immediately available, Major Fisher assessed the situation and elected to attempt the rescue himself. Directing his own close air support for the attempt, Major Fisher touched down on the short runway, but realizing he would not be able to stop his aircraft, applied power and circled for another attempt. Throughout this period, Major Fisher's aircraft, operating at altitudes of less than 100 feet, was under intensive enemy fire. On his second landing attempt, he was successful, although the fighter rolled off the end of the runway into rough terrain.

Reaching the proximity of the downed flyer, Major Fisher stopped his aircraft on the battle-strewn runway and assisted the pilot aboard while under direct fire by enemy forces. Some 19 bullets struck the aircraft prior to and during the rescue.

The take-off again required Major Fisher to dodge the numerous shell craters and battle debris littering the short runway. Utilizing the entire length, Major Fisher managed to lift off his fighter with only minimum flying speed. Unable to climb and at marginal airspeed, he flew through additional ground fire, gradually building up speed. He was finally able to climb into the overcast.

Major Bernard Francis Fisher was born on January 11, 1927, in San Bernardino, California, to Bruce L. and Lovina Stoddard Fisher. The family moved to Clearfield, Utah, shortly after his birth. He attended Clearfield Grade School, North Davis Jr. High School at Clearfield, and Davis High School at Kaysville, Utah.

Fisher entered the U.S. Navy V–6 program in March 1945. Discharged from the Navy in March 1946, he returned to Kuna, Idaho, where his parents were residing. He attended Boise Jr. College from 1947 to 1949. Then, as a Fine Arts major, he attended the University of Utah from 1949 to 1951. After receiving his commission through ROTC, he entered primary flying school as a student officer at Marana, Arizona, on January 19, 1952. He attended Basic Flying School at William AFB; Instrument School at Moody AFB, Georgia; and Day Fighter School in the F-80 at Tyndall AFB, Florida.

In 1965, Major Fisher volunteered for duty in Vietnam. In August 1966, he arrived at his present assignment with the 496th FIS, Hahn AB, Germany.

Major Fisher's father is deceased. His mother lives in Ogden, Utah. He has one sister, Charlene Opal Wells, who lives at Route #4, Ogden, Utah. Three brothers are Richard W. Fisher, of Boise, Idaho, who works for the Meadow Gold Creamery; Robert W. Fisher, a high school teacher at Clearfield, Utah, and Lyman B. Fisher of Ogden, Utah, who works for the Union Pacific Railroad.

Mr. CHURCH. Mr. President, the battle achievements of these Idahoans are a cause of pride for all of us. Their courage and valor have been recognized by the men of the 3d Marine Division, in their dedication of Camp Reasoner; and by the men involved in the heroic rescue performed by Major Fisher, who were present at the White House ceremony.

We who appreciate this heroism from afar must grieve with the family of Lieutenant Reasoner and celebrate with the family of Major Fisher. Remembering that the valor of American fighting men has reached new heights, I ask Senators to join with me in honoring these two brave Idahoans.

THE AMERICAN INDIAN AND THE WAR ON POVERTY

Mr. METCALF. Mr. President, no Federal program in history has meant as much to the American Indian as the war on poverty, directed so ably by the Office of Economic Opportunity. An article published in the Chicago Tribune on December 15, 1966, described the way in which OEO's Headstart and upward bound programs have opened the doors to opportunity for the children of the North Cheyenne Indians in Montana. I ask unanimous consent that this illuminating article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. PROGRAMS CUT CHEYENNE DROPOUT RATE—PROJECTS HELP INDIANS ADJUST TO TIMES

NEW YORK, Dec. 14.—"Because we won a little battle against Gen. Custer they made us go to Oklahoma for a while, and the tribe was down to about 100, but we have built up again."

John Wooden Legs, president of the tribal council of the North Cheyenne Indians in Montana, was talking by long-distance telephone from Lame Deer, the tribe's reservation headquarters in southeastern Montana. The Cheyenne helped the Sioux destroy Custer's troops at the Little Big Horn in 1876.

Wooden Legs spoke of the recovery of the tribe which now numbers nearly 3,000 on its reservation and of government-sponsored projects that are tackling the reservation's educational problems.

MANY DROP OUT

In common with other Indian tribes, the North Cheyenne have had a very large number of children who dropped out of their public or special government schools. These children had problems adjusting to 20th century American life.

But a federal Head Start program for prekindergarten Cheyenne and an Upward Bound project to prepare qualified Cheyenne youngsters for college may have reversed the school dropout trend.

These programs, sponsored by the federal office of economic opportunity, also have been made available to other Indian tribes in the west.

PROGRAMS WIN PRAISE

Both programs drew highly favorable comment from specialists during the recent educational conference of the Association on American Indian Affairs, Inc., New York City.

Wooden Legs, who has been tribal council president since 1955, described the Head Start program, started in 1965, as "a real good program, probably the best."

Head Start began with about 25 children, but this year the number doubled.

In the past, some Cheyenne children entering the first grade of public, reservation, or mission schools couldn't speak English, Wooden Legs explained. But under the Head Start program they are getting a "concrete foundation, and they won't drop out of school later on," he said.

INDIAN HERITAGE STRESSED

The Association on American Indian Affairs, a 44-year-old organization, sees great promise in the Head Start programs provided that the programs continue to emphasize Indian heritage and involve parents.

The Upward Bound program was started in 1965 because so few Cheyenne were prepared for college. Academic deficiencies, cultural barriers, fears of competing with white youngsters, or physical isolation acted as barriers to them.

During the first summer, 37 Cheyenne high school students who had demonstrated potential for college work were taken to Eastern Montana college in Billings where they lived for five weeks and received instruction in English expression, remedial reading, remedial mathematics, and in vocational studies.

Last summer the program was expanded to include other tribes in Montana and Wyoming, with 18 North Cheyennes among the 96 students.

Wooden Legs said high school teachers reported that the Upward Bound program "really helped the students. They are willing to work, and it has done them real good."

Five or six, he said, entered college this fall. Some of those attending the special summer course will not be eligible for college until next year.

WORLD DAY FOR LEPROSY SUFFERERS, 1967

Mr. HILL. Mr. President, on next Sunday, January 29, this Nation will join more than 100 other nations to observe World Day for Leprosy Sufferers. This is one more instance in which the people of the United States make clear their interest in helping the people of other nations bring under control a very serious problem.

Throughout the history of mankind, leprosy has been one of the great cripplers. In some ways the fear and superstition surrounding leprosy has been more difficult to deal with than the medical and scientific problems it has posed.

In today's world, leprosy could be brought under control by the drugs available if our mechanisms of government here and abroad could reach the world's people effectively. Our doctors know how to cope with leprosy, particularly when it is diagnosed early. Our surgeons in this country and many countries abroad have developed highly effective techniques to eliminate or reduce the disabling effects and to repair the scarring effects. Rehabilitation experts have developed special programs, so that the majority of recovered leper patients can work and live a largely normal life.

Yet the task remains far from accomplished. Experts estimate that, of the 10 to 15 million lepers in the world, less than 20 percent are under treatment. They also report that at least 25 percent are in need of reparative surgery.

While the United States has a very small proportion of the world's reported cases of leprosy, we are not entirely free of the problem. Americans afflicted with this disease are estimated at about 2,000. Reports from one section of the country show leprosy to be on the increase there.

We have reason to be proud of the outstanding Public Health Service hospital at Carville, La. It is concerned solely with the care and treatment of American patients with leprosy. Recently the Vocational Rehabilitation Administration announced three grants to Louisiana State University to help mount a concentrated and complete campaign of research, treatment, and rehabilitation among lepers.

Leprosy presents another challenge to the American people in our search for improved health for all humanity. We have made a good beginning medically and scientifically. Organizations such as the Public Health Service and the Vocational Rehabilitation Administration already support research and demonstration programs in leprosy in many countries abroad.

But the stigma of leprosy persists. It presents another illustration of science outrunning public understanding. Therefore, this observance next Sunday of World Day for Leprosy Sufferers gives us an opportunity to help the American people dispel fear and acquire greater understanding of leprosy as another disease which can be conquered. I am proud to serve as a sponsor of this world day and to work with the chairman, Miss Mary E. Switzer, and the many other cosponsors throughout the United States. By this type of educational effort we not only attack the problems of leprosy, but we build the highways to better international understanding.

SECRETARY OF COMMERCE JOHN T. CONNOR

Mr. MAGNUSON. Mr. President, in a few days, a distinguished public servant, John T. Connor, will be leaving his post as Secretary of Commerce to return to private life.

I would like to take this occasion to pay tribute to the fine public service Secretary Connor has performed for the Nation during the past 2 years. In that relatively brief period of time, he has left an unassailable record of achievement in an area which is vital to the success of our modern economy—the establishment and improvement of a healthy, cooperative relationship between business and Government.

Under the leadership of the President, and working together with Secretary of

Labor Wirtz, Mr. Connor has also played a substantial role in helping to forge the partnership of purpose between Government, business, and labor, which has brought our national economy to the record levels we enjoy today.

Those of us who work closely with other branches and agencies of government in developing programs which will benefit the American people are well aware of the pitfalls posed by mountains of statistics and bottomless valleys of murky language.

In my capacity as chairman of the Committee on Commerce, I can state from firsthand knowledge that confusing approaches to public problems are completely foreign to Secretary Connor. His appearances before the committee have been marked by a thorough understanding of the problem at hand, and a clear and incisive viewpoint on solutions. His own point of view, however, has never been so rigidly anchored that he could not objectively consider an alternative approach. Foremost in his mind, at all times, has been the goal of solutions, rather than endless debate over ways and means.

Secretary Connor can take with him, as he leaves public office, the earned satisfaction that under his direction the Department of Commerce has been involved in putting together some of the most impressive legislation in many years. In some instances, these were pioneering pieces of legislation.

There now stands on the statute books an effective beginning designed to protect the American consumer in a number of specific areas.

The Fair Labeling and Packaging Act will help to protect the consumer by requiring full, clear disclosure of what is in a food package and precisely how much it costs. Through the voluntary standards provisions of this act, a great opportunity is opened up for business to demonstrate that it does have a concern and a sense of responsibility toward the consumer.

For the first time, legislation has been passed to help reduce the human and material losses incurred by accidents on our highways. The Traffic and Highway Safety Acts have established the framework for national safety standards for improved automobile design. In addition, we can now begin a systematic effort to study the causes of accidents, and, hopefully, to develop ways of preventing them.

Through these acts, the States have been encouraged to improve their efforts to promote highway safety, to design safer highways, to require adequate car inspection, and to set up standards for the training and licensing of drivers.

The Tire Safety Act holds great promise for better automobile safety. The development of safety standards for the manufacture of tires can go a long way toward removing a potential source of danger to the Nation's motorists.

Secretary Connor played a vital role in the President's balance-of-payments program. In particular, his drive to expand the Nation's exports in markets throughout the world has contributed significantly to the economic health of the Nation.

In the area of economic growth and development, two pieces of legislation stand out. The Appalachian regional development program has become the model for a new kind of cooperation between the Federal Government and the States.

The State Technical Services Act is designed to place the results of advanced science and technology into the productive hands of local industry and commerce. It, too, is an example of the new creative federalism, for it is based upon local leadership, local initiative, and local participation.

Each of these programs would give satisfaction to anyone who had a part in its enactment. Taken together, they represent a great contribution to the welfare of the Nation. They reflect credit upon the Members of Congress, and upon the Department of Commerce, under the direction of Secretary Connor and the leadership of President Johnson.

Mr. Connor has served his country before, in times of peace and in time of war. He leaves public office at this time with a well-justified sense of accomplishment, and with the warmest of best wishes for the future from those of us who have come to know him and who have worked with him.

RESCISSION OF TARIFF INCREASE ON WATCH MOVEMENTS

Mr. MAGNUSON. Mr. President, as chairman of the Committee on Commerce, I want to commend the President for his decision rescinding the 1954 tariff increase on watch movements.

Congress, in adopting the Trade Expansion Act, embraced the principle that an "escape clause" tariff increase should be regarded as a temporary measure to assist a suffering domestic industry to adjust to foreign competition.

Unless extended by the President on the basis of economic evidence supplied by the Tariff Commission and advice furnished by the Commerce and Labor Departments, all "escape clause" actions were to terminate after 4 years—or 5 years in the case of preexisting "escape clause" decisions.

The "escape clause" action on watch movements endured for 12½ years, in spite of the fact that the domestic watch industry has been enjoying record prosperity. It was far and away the oldest "escape clause" action in the history of the trade agreement program.

At a time when we are engaged in vital tariff negotiations in Geneva, the United States could not in good faith maintain high tariffs on watch movements when the domestic industry had plainly made the adjustments contemplated under the law.

The only remaining question was the feeling of some that the contributions which the domestic watch manufacturers make to national defense might be jeopardized by competitive imports of commercial watch movements and parts.

Following an intensive study to which the Defense Department, the Commerce Department, the Labor Department, the Atomic Energy Commission, and the National Aeronautics and Space Administration all contributed, Director Farris Bryant of the Office of Emergency Planning advised the President as follows:

> I have concluded that watches, watch movements and watch parts are not being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security. I have also concluded, based on the studies and judgments of the interested defense agencies, that the domestic watch manufacturers will be likely to continue production of defense materials for the foreseeable future, that the non-horological industry now has and will continue to have a role in the production of essential military timing devices, and that horological-type defense items will continue to be available from one source or another without regard to the level of imports of watches, movements, and parts.

Although the domestic industry plainly would prefer to retain the advantages provided by higher tariffs, the plain fact is that we cannot expect other countries to allow U.S. firms to compete on a footing of equality with their firms if we continue to give "escape clause" protection to an industry in this country after the injury which required such protection has disappeared.

The significance of the President's action from a trade policy standpoint has already been demonstrated by the reaction in international trade circles.

The Federal Council of the Swiss Government promptly said in an official statement that the elimination of the "escape clause" increases "must be taken as an important contribution of the United States to the success of those far-reaching negotiations in which the United States and Switzerland are both vitally interested."

Officials of the European Economic Community were quoted as "very pleased" by the New York Journal of Commerce and one EEC official said "this should enable the market to study the possibility of reciprocating on some American exports."

The watch decision is generally expected to provide a needed shot in the arm for the Kennedy round negotiation in Geneva. U.S. economic interests are vitally involved in these negotiations, and our stake in their success is very large.

The President's decision in the watch case should have practical and beneficial consequences of a very substantial character, and I want to commend the President for taking this important step.

I ask unanimous consent to include in my remarks the text of the White House press release announcing the President's decision and an editorial from the New York Times of January 14, 1967.

There being no objection, the press release and editorial were ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE.

The White House announced today that President Johnson has proclaimed the termination of escape-clause rates of duty on imports of watch movements. By restoring the rates of duty prevailing before escape-clause action was taken 12 years ago, the proclamation will have the immediate effect of reducing U.S. tariffs on watch movements by about one-third. The changes in the many particular rates of duty will vary according to the size and type of watch movement. The reductions in rates of duty from the escape-clause levels will apply to watch movements of pin-lever construction or of jewel-lever construction but containing not more than 17 jewels.

The escape-clause rates of duty that are being terminated have been in force since mid-1954. At that time, President Eisenhower increased the tariffs from the levels established in 1936 in the U.S. trade agreement with Switzerland. The 1954 increases were declared necessary to avoid serious injury to the domestic watch industry as the result of increased imports attributable to the trade-agreement concessions.

The President's decision to terminate the 1954 increases was based on a recommendation by the late Christian A. Herter, his Special Representative for Trade Negotiations, and concurred in by the Secretary of Commerce, the Secretary of Labor, and the heads of other Government agencies. Governor Herter submitted his recommendation to the President upon the completion of a review that his Office and other Government agencies had undertaken following the submission in March 1965 of a Tariff Commission report on the escape-clause case. In that report, the Tariff Commission gave its judgment as to the probable economic effects on the U.S. watch industry of a reduction or termination of the escape-clause rates of duty.

During the period of the interagency review of the escape-clause case, the Office of Emergency Planning, at the request of the President in April 1965 and with the assistance of government defense agencies and the Departments of Commerce and Labor, examined the national security aspects of trade and production in watch movements. As a result of OEP's investigation, under section 232 of the Trade Expansion Act, the Director of the Office of Emergency Planning, Farris Bryant, reported that watches, watch movements, and watch parts were not being imported in a manner which threatened to impair the national security and that horological-type defense items will continue to be available without regard to the level of imports of watches, movements, and parts.

[From the New York Times, Jan. 14, 1967]

Mr. Johnson's Tariff Courage

President Johnson's decision to roll back watch and sheet-glass tariffs—despite powerful opposition mobilized by those industries in a Congress he no longer dominates—was an act of political courage with broader world implications than trade in those products would suggest. It affects the atmosphere of the entire Kennedy Round of trade negotiations now nearing completon in Geneva.

The Kennedy Round centers on an American offer of deep tariff cuts to persuade the Common Market to lower trade barriers toward other European countries and the outside world as a whole. Economically, success is vital to the export trade of Britain and many other countries, including the United States. Politically, the unity of the Atlantic Community is involved.

The decision on watches, a major Swiss export, eliminates the danger that Berne will withdraw many of its Kennedy Round offers, a move that could trigger similar action by the Common Market. The partial rollback in glass tariffs is symbolically important because the tariffs were raised in 1962, only a few months after a previous reduction. This circumstance outraged Belgium, and the Common Market as a whole joined in retaliatory tariff increases against several American export products.

Even more significant is the fact that the original American tariff increases for watches and glass took place under an "escape clause" which long had been a psychological impediment to trade liberalization. Europeans had come to suspect that the United States would rescind tariff cuts whenever foreign industries really succeeded in penetrating the American market.

Business requests for escape clause protection were, in fact, rarely granted by Washington. But the frequency of such requests and the lengthy procedures involved often created enough uncertainty to discourage European companies from the huge investment in product adaptation and merchandising needed to crack the American market.

To persuade Europe to enter the Kennedy Round, the 1962 Trade Expansion Act turned toward a new concept, "adjustment assistance" to American business and labor affected by foreign competition. The escape clause itself was made more difficult to use and a Presidential review was instituted that promised to roll back tariffs previously raised under escape clause procedures.

With his action on watches and glass, President Johnson now has kept that promise in all five of the cases on which he has had to rule and given Europe new reason for confidence that the tariff cuts made in the Kennedy Round will not be easily reversed.

ELECTRIC VEHICLES

Mr. MAGNUSON. Mr. President, with each passing day, interest in electric vehicles continues to grow. Sponsors of electric vehicle bills—Senator Muskie, Representative Ottinger, and myself—have all been excited and encouraged by the rapidly changing climate of opinion.

This new optimism is well founded in fact and technology, as well as in history. I invite the attention of Senators to a book entitled "Measures for Progress, a History of the National Bureau of Standards," U.S. Department of Commerce, written by Mr. Rexmond C. Cochrane.

On page 5, the author states, in a chapter entitled, "Main Street, 1900":

> For all the islands of light in city and town, the application of electricity most in evidence at the turn of the century was in transportation, propelling the trolleys that went to the suburbs and the vans and drays in the commercial center of the big cities. Electric delivery wagons capable of speeds up to 15 miles an hour trundled along with the throng of wagon teams in downtown New York, while up on Fifth Avenue, electric taxis sped past the horse-drawn stages and weaving crowds of bicycles. As late as 1913, the National Bureau of Standards in Washington did not own a single gas-driven car or truck, depending on electric vans for ordinary express and teams of horses to bring heavy equipment up the hill to the laboratories.

This early scene has faded, but a new generation of electric vehicles will soon appear to help remedy the problems created by internal combustion engines. Air pollution resulting from "tail pipe halitosis" sparks new interest in electric vehicles. Traffic jam technology must yield to new ideas in urban transportation.

Mr. M. L. Feldman, for the Urban Transportation Symposium, Stanford Research Institute, presented a paper entitled "Urban Transportation Alternatives." This stimulating and challenging paper presents many suggestions for the use of first-generation electric vehicles. These are some of the types of vehicles which should be developed under the electric vehicle development bill—S. 453—which I recently introduced.

I ask unanimous consent that Mr. Feldman's paper be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Urban Transportation Alternatives

(By M. L. Feldman)

Good afternoon. It is a real pleasure for me to have an opportunity to address such a large and distinguished audience on the subject of Urban Transportation Alternatives.

I spent an appreciable amount of time debating with myself what the introductory content of my talk should be. I finally concluded that since almost all of you are intimately associated with the urban-suburban transportation problem there was no point in presenting a mass of statistics to prove that a problem exists. Instead I have elected to trot out before you some of the features that I consider paradoxical in our present urban-suburban transportation complex.

I'd like to start by saying that I take issue with the title of the symposium. I don't believe we are looking for alternatives as much as we are looking for supplements. If one can believe what he reads in the appropriate literature and in the newspapers, we have arrived at some sort of an informal agreement between automobile-freeway proponents and rapid transit proponents which states that urban transportation should be an optimum combination of the two. But what is an optimum combination? In Chicago, where 87% of the people entering the downtown section come in by transit, a boy on a bike can easily outdistance a car during rush hours. In New York City, where over 80% of the people enter downtown via transit and commuter trains, the average vehicular speed is 6 miles per hour. How much higher can you go and still have a combination? In other cities with rapid transit, such as Boston, Cleveland, and Philadelphia, there are monumental automotive traffic problems in spite of the expenditure of fabulous sums for the construction of super highways. I contend that these observed conditions indicate that some vital ingredient is missing in our approach to urban-suburban transportation. I agree that we need rapid transit and that we need cars, but even with these in use together we still can't cope with rush hour traffic. I am convinced we need a supplementary form of transportation.

I believe that a large part of our transportation problems stem from human nature and our tendency to take things for granted, even things vital to life. Look at what we do to our fresh air. Haven't we done the same thing to a degree to our urban transportation?

The automotive exhaust problem is not new. The growth of transportation technology has been rapid. In less than a century we have cut the time required to travel around the world from 80 days to 80 minutes. In that same time span we have made zero progress with respect to time to cross Manhattan Island at midtown. I think we tend to expect these technological developments to apply themselves to our problems. They won't. It takes dedicated men and women to bring about the application of these new developments. You people in the Bay Area are forcing some of this with your BART system and your insistence on the best rapid transit that modern technology can provide. This is encouraging. I hope we can see this determination applied to the overall individual transportation problem.

So far, I haven't contributed anything, I've just muddied the water, but I'd like to stir the pot some more.

During our mad rush to accept the automobile as the ultimate in individual transportation we have created many problems besides the much publicized urban congestion one. These problems haven't been completely overlooked, but they have not yet attained crisis status, and ours is a crisis-based society. That is, we don't act until faced with a crisis. For example, after ducking the issue for years, indisputable research results have forced us to officially accept and publicize the link between cigarette smoking and lung cancer. When do we begin to become concerned about the link between smog and lung cancer? We used to have small urban areas with reasonably good public transportation. Now we have giant urban-suburban complexes with poor public transportation. This has created a serious personal transportation problem for senior citizens and for lower level teenagers (those under sixteen). College campuses used to be attractive and serene; now they are in the same fix as many urban areas because affluent students come equipped with autos. In most residential areas, young children and pets must either be fenced in or watched constantly or a four-wheeled, steel-clad, fume-spewing dragon might get them. When do we start developing solutions to these problems?

Now that I've defined the problem, I'd like to suggest the beginnings of a solution. I submit that the transportation supplement that we need is a transportation device to serve the short-haul transportation need. This is the short-trip travel that now amounts to about 50% of all automobile driving. It is the ten miles a day of urban driving that results from two or three short trips to places such as school, the supermarket, the bowling alley, the cub scout meeting, a friend's house, and the movies. This is the slow-speed, short-distance driving that is bad for automobiles. This is the type of driving that raises maintenance costs, shortens the life of the vehicle, lowers the gasoline mileage and contributes lots of hydrocarbons to the atmosphere.

I propose that we develop a battery-operated electric vehicle to serve this transportation need. This vehicle would be of minimum size consistent with reasonable riding comfort. It would be capable of carrying two adults, seated, with casual space for things such as kids, groceries and packages. It would have a range of 30 to 40 miles. It would have a top speed of about 20 miles per hour. It would be attractive and it would be inexpensive in comparison with the cost of a Volkswagen.

Let me diverge for a moment at this point, to say that I realize that I'd have a better chance of having this proposal receive an unbiased appraisal if I worked for C&H Sugar, Hunt Foods or Scott Paper instead of General Electric. Perhaps I can retain credibility by emphasizing that I am not proposing an electric automobile to replace the gasoline automobile. The automobile plays an important role in our transportation needs picture. It serves the long-distance, high-speed, transportation need admirably.

There is an over abundance of reliable data indicating that it is economically impossible to build a battery-operated electric vehicle that can compete with the automobile on a combined range and speed basis. Quite a few have tried to do so recently, but with absolutely no success, for example, the Henney Kilowatt, the Charles Townabout, and the Stuart Electric. When—or perhaps I should say if, fuel cells mature into commercially attractive power sources, this may change the numbers enough to disprove this statement. I'll be real surprised if this happens soon.

The type of vehicle I have in mind has been on the market for at least ten years and has grown in popularity each year. One example of it is the electric golf cart.

This little workhorse has been used for many tasks other than hauling golfers, and every day the list of applications grows longer. Another example of what I have in mind is the electric shopper-type vehicle that is so popular in Long Beach and is penetrating Santa Barbara. These electric shopper vehicles, built with marginal components and apparently without any sophisticated engineering, have been extremely popular among the elderly people of Long Beach.

Recent technological advances now make it possible for us to design vehicles of this type with greatly improved characteristics. For example, we can now build solid state speed controllers that permit completely step-less speed control with no energy consumed in large resistors. The solid state controller circuitry can be designed to also serve as the battery charger circuit. Technological advances have resulted in the development of golfcart-type lead acid batteries guaranteed for five years of deep discharge service. These batteries are available at a reasonable price. For those looking for bargains, reasonably good lead acid batteries, which give up to 2 to 2½ years of service and longer under partial discharge-use conditions, are available at low prices. Advances in plastics and polymers have provided us with materials for high impact plastic bodies and have made blowout and puncture-proof polyurathene foam tires a real possibility for the wheel loadings we are talking about here.

Now that I've told you what we should develop. I'd like to lay before you some thoughts with respect to where these vehicles could be used and how they could be integrated into our present people-movement transportation complex. These suggestions are based on a desire to see a concept such as an electric individual transporter developed on a planned basis rather than having it evolve in an uncontrolled fashion. One of the most attractive ways of introducing these vehicles would be through the medium of the planned community that so many California developers are building today. I would like to see some of these communities designed around the use of electric transporters.

Instead of installing the maze of streets now required, transporter paths would be provided. Special service roads would be provided for ambulances, fire trucks and other service vehicles. All automobiles and garages would be located at the outer perimeter of the community. Each house would come equipped with its own transporter and recharging pad. This would be my preference as the number one application opportunity for this concept. Once this had been done in one or more communities, these communities could be used as showcases for demonstrating the concept to city and regional planners.

The next step would be to fit these vehicles into an existing community. I'm a worrier, and it bothers me to see motorscooters and bicycles competing for road space with automobiles and trucks. Therefore, I cannot with a clear conscience propose the indiscriminate intermingling of electric transporters with trucks and autos. Instead, I propose that some existing streets be designated electric transporter streets while the others remain gasoline vehicle streets. On those streets where mixing is unavoidable, I suggest imposing a ridiculously low, but strictly enforced, speed limit for gasoline vehicles. Obviously, this is to discourage cars and trucks from using these streets other than for absolutely unavoidable reasons. In some instances it may not be possible to designate enough streets as transporterways to provide adequate mobility for the people using these vehicles. In those instances, special transporterways could be constructed. Construction costs would be low because the small size and low speed characteristics of these vehicles would permit relatively inexpensive designs.

Once we have taken these first two steps we have begun to make a contribution to the solution of the senior citizen and teenager mobility problems. When teenagers have adequate transportation for their short trip needs, it would then be feasible to legislate them out of automobiles for much of their traveling. It would be reasonable to permit 14 and 15 years olds to drive these vehicles.

Motor vehicle bureau employees, when called upon to revoke the driver licenses of senior citizens, could do so with less remorse.

The next application that I'd like to present is somewhat more complex, though attainable with today's technology. This involves the use of electric transporters in systems. Electric vehicles are relatively easy to control remotely and automatically. For example, this has already been done with shuttle trains in New York City. It is proposed for the BART system and G.E. has a rapid transit car traveling under such conditions on its test track in Erie. It is also done in several ways with small individual vehicles in many amusement parks.

The Mark I or first systems, as envisioned, are relatively simple with large headways and low speeds. As experience with such systems is developed, the headways can be reduced and speeds increased. These systems would accept standard battery-operated electric transporters which had been equipped with the appropriate accessory for system operation. When a transporter entered the ramp to the system, it would automatically be switched from its own battery power to system power. Power could be supplied through devices such as an overhead contactor, a third rail or a skid riding in a groove. Mark I systems could be used for purposes such as transporting people around historical sites, large jet airports, fairs and even tourist attractions, such as the mall area in Washington, D.C.

The Mark II system could be used to provide transportation from one residential community to another several miles away, from a residential community to shopping centers, and around the perimeter of large communities.

These systems could then be developed into feeder systems for transporting people to rapid transit stations. This would permit greater spacing between stations and capitalizing on the high speed capabilities of today's rail rapid transit. The vehicles used to get commuters to and from the rapid transit station could also be used during the day to move housewives and others around shopping centers and to transport teenagers after school. Since vehicles on a system would be controlled remotely, they could be moved remotely from one assembly or storage area to another.

Not all the opportunities I have been describing are readily exploitable everywhere. For example, weather conditions in some sections of the U.S. are too extreme to permit the year-round use of the minimum body type of vehicle I have been showing you. However, this minimum body concept is essential during the initial development stages in order to hold costs down. Therefore, I think we initially have to consider this as a moderate climate transportation scheme. But this should not be interpreted as meaning that it must forever remain so. For example, if this concept gains acceptance, the market potential within the semi-tropical sections of the U.S. would be large enough to permit large-scale manufacturing economies. Under these circumstances, the funds to develop bodies better suited to cold climates would soon be available. The heater problem might be solved through a completely novel approach, for example, by using an electric blanket. Many VW owners in the northeast suffer through extremely severe winters with little or no heat and apparently are none the less enthusiastic about their bugs for it.

On the proposed systems heat would be no problem. The absence of fumes would make it possible to enclose transporterways and to heat or air condition these as desired.

The temperature problem associated with batteries is more restrictive than the body problem. Lead acid batteries are temperature sensitive and the available energy falls off rapidly as the temperature drops below freezing. This could be a truly serious drawback in certain sections of the country. Nickel cadmium batteries are much less temperature sensitive than lead acid batteries, but their present cost prices them completely out of consideration and anticipated, near future price reductions aren't expected to make enough of a change to justify their use.

The question of electric transporter ownership offers many interesting ramifications. For years, Victor Gruen has been proposed in various master plans that he has prepared for large cities, such as Paris, Ft. Worth, New York, that the downtown section be closed to automobile traffic and that electric vehicles be used to transport people around the enclosed area. Under these circumstances the city could own the vehicles. Parking meters could be replaced with electric outlets and the vehicles could be equipped with an actuating mechanism sensitive to special credit cards and coins. The recharging problem might be handled by having the activating mechanism issue a partial refund when the relinquished vehicle was plugged into a charging outlet at the end of a trip. For those opposed to municipal ownership, this might be avoided by offering the local transit and taxi companies first crack at providing this service. Under conditions of municipality, transit company or taxi company ownership, the higher initial cost of multi-deep discharge batteries could be justified.

For some applications, for example, planned communities and rapid transit connection service, local utility companies might wish to own the vehicles and to lease them. An east coast utility is now in the process of building some electric transporters in order to determine both the suitability and possible customer acceptance of these vehicles as rental vehicles for use within a summer resort area. The rental of equipment is not uncommon to the utilities; some now furnish electric hot water heaters on a rental basis. One significant advantage of an electric vehicle is the low maintenance requirement of electrical equipment. A dollar figure cannot be placed on this for inclusion in the price to individual customers. However, this advantage looms large and is of dollar value to a fleet operator.

Mixed ownership is possible and should be encouraged and expected. A local utility might be willing to provide electrified, system transporterways in order to capitalize on the increased electrical load. This transporterway would be available for use both by individual-owned, municipal-owned and utility-owned transporters. Users would be charged on the basis of their power consumption while on the system.

I'd like to conclude by saying that some of what I have presented here today has been supported with experimental vehicle studies. We built a vehicle incorporating many of the features I have proposed today. We experimented with it in Schenectady, and then tested the suitability of a solid state controller under actual people-vehicle interaction conditions at the Seattle Fair, where we used the vehicle for VIP transportation around the fair.

Unfortunately, we have not built or experimented with systems or components specifically designed for electric transporter system concepts. Our confidence that such systems can be built is based both on our analysis of these conceptual systems and on studies relating the components required for these conceptual systems to existing components presently used on other types of systems.

DEATH OF DR. M. B. CARROLL, PASTOR, EAST GRAND BAPTIST CHURCH, DALLAS, TEX.

Mr. TOWER. Mr. President, on Friday night, December 31, 1966, Baptists of the State of Texas sustained a great loss in the death of Dr. M. B. Carroll, pastor of the East Grand Baptist Church of Dallas, Tex.

Dr. Carroll was a great leader among Texas Baptists and was a past president of the Texas Baptist Convention. He had been active in the reorganization of the many working programs that Baptists in Texas have undertaken. He was the chairman of the board of directors of the Baptist Standard, which is one of the outstanding Baptist publications of the country.

Dr. Carroll was in constant demand as a public speaker. He was known throughout Texas and throughout Baptist circles generally as a great leader of men. He could best be described as a "man's man." He was a gentleman of eminent tact, and yet he was a man without fear. He was a man of great vision and his life was dedicated to an attempt to be ready for the demands of the future.

Although born in North Carolina, Dr. Carroll was graduated from the Baptist Seminary at Fort Worth, Tex., and he remained in Texas after his graduation.

In addition to the many honors which Dr. Carroll received, his fellow Baptists honored him by electing him as chairman of the important program committee of the Southern Baptist Convention Executive Committee.

All Texans, not only the Baptists of our State, will miss the inspiration and kind leadership of this great man.

THE BALANCE-OF-PAYMENTS PROBLEM

Mr. TOWER. Mr. President, Mr. M. A. Wright, a fellow Texan and president of the Chamber of Commerce of the United States, has made recently some valid points concerning our balance-of-payments problem.

During this session of Congress, the Senate will most likely be asked to act upon the President's recommendations in this area, and I think it most beneficial that the Senate have the evaluation of one of the most outstanding spokesmen in the business community today. Mr. Wright is head of the largest organization representing the business and profession community and chairman of the board of the Humble Oil & Refining Co. with worldwide operations.

I ask unanimous consent that the remarks of Mr. Wright before the Miami-Dade County Chamber of Commerce in Miami, Fla., be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE BALANCE OF PAYMENTS: THE NEED FOR A NEW APPROACH

(By M. A. Wright, president, Chamber of Commerce of the United States, before the Miami-Dade County Chamber of Commerce, Miami, Fla., Jan. 16, 1967)

In recent years, both at home and abroad, an issue of continuing concern among public officials, economists, and businessmen has been the U.S. balance of payments situation. Various individuals and groups have explored in great detail the implications of the persistent deficit in our international accounts. There has been a variety of proposals on how the disparity between America's international payments and receipts can be eliminated. And seldom does our own government implement major domestic programs without first considering the impact on America's international economic position.

In view of the importance of this subject, I would like to offer some thoughts on how the problem developed and how serious it is; give a review of our present efforts to resolve the problem; and comment on how more effective and efficient solutions must be developed.

In simple terms, our country's balance of payments is a record of economic transactions on the part of government, business and individuals with their counterparts in the rest of the world. It is a summary statement of America's total payments to other countries and total receipts from these countries. Included in these payments and receipts are such items as imports and exports, direct foreign investments, interest and dividends, international loans, and military and foreign aid. The balance of payments, in other words, reveals how the United States pays its way internationally.

A deficit in a nation's balance of payments occurs when, except for the so-called balancing items, its receipts from abroad are not sufficient to cover its payments abroad. Moreover, as a deficit suggests a country is spending more than it is earning, the deficit is frequently regarded, though sometimes mistakenly, as a danger signal. Some observers believe that when a nation has a deficit in its international account it is living beyond its means and will eventually deplete its international reserves. This, too, can be a mistaken belief.

With but one exception, the United States has sustained a deficit in its international payments every year since 1950. During the early part of this period, the excess of U.S. payments over receipts was not considered a serious problem, if in fact a problem at all. The political and economic strength of the United States after World War II led it to become the leading international banker, foreign aid provider, military protector and producer of the Free World. We believed that our own security would be enhanced by using our public and private capital to facilitate the recovery of Western Europe and other nations around the world. Our efforts proved so successful that the international community welcomed our deficit and the resulting outflow of dollars. Moreover, because of their confidence in the dollar, most nations preferred dollar claims in their reserve accounts to noninterest-bearing gold.

Beginning in the late 1950s, however, the magnitude of our payments deficit and the international attitude concerning it changed. In 1958, the imbalance between our foreign receipts and our expenditures jumped to over $3 billion, almost three times the average level through the early 1950s. It remained at relatively high levels through 1964. Not until the past two years did the deficit again drop to the $1 billion range.

Even with this recent reduction of the deficit, the U.S. has not been able to remove all the anxieties of the international economic community. Because of the persistence and size of our deficits, some monetary authorities abroad have cast doubt on the United States' ability to keep the dollar strong and to maintain its worldwide commitments without accepting drastic internal and external policy changes.

If our payments situation is placed in proper perspective, much of the alarm currently being generated is not justified. When an individual's spending exceeds his income, we do not necessarily conclude that he is headed for bankruptcy. Before forming an opinion, we usually examine his financial situation more closely and attempt to determine why the shortage occurred. If he has a strong asset position and has borrowed in order to undertake investments which may later increase his income, we are likely to conclude that he is financially sound. It is his overall situation as to assets and liabilites that concerns us, not the fact that his income and outflow are unequal.

The same consideration should apply to a country's international accounts. In our own case, such an analysis would reveal that the present deficit does not reflect a basic weakness in our overall financial position. On the contrary, America's economic strength remains unequalled by any other nation in the world. The U.S. economy is, in fact, so large and growing so rapidly that the annual increase in our national output of goods and services far exceeds the total annual output of most other countries in the world.

This strength is readily apparent even if we limit our attention to our international economic activity. Our commodity exports, for example, have exceeded our commodity imports in every year since the beginning of this century. In the past five years alone, our net merchandise surplus has averaged about $5 billion per year, hardly a sign of a weak economy. Moreover, at the end of 1965, U.S. assets and investments abroad were valued at above $100 billion, about twice the total foreign assets and investments in the United States. The United States' fundamental economic situation is one of strength.

Our deficit does not reflect a basic weakness in the dollar or our economy. Instead, it reflects our long-term military, foreign aid and investment commitments to the Free World, as well as our role as international banker. There are, however, reasons for seeking a balance in our international payments. As a result of our longstanding deficit, at the end of last year we owed about $27 billion to foreign individuals and institutions. Approximately one-half of this total was held by foreign central banks, thus making it immediately eligible for exchange into our gold should these authorities so desire.

Along with the growth of these short-term liabilities, our official gold holdings have been declining. At the end of 1957, our gold reserves amounted to $23 billion. They are now down to about half this amount. It is clear that if we continued to lose gold at this rate, our gold supply would be exhausted. Thus, even though the United States is the world's largest producer, trader, and consumer of goods and services, continued depletion of our gold reserves could undermine the confidence in the convertibility of the dollar into gold and thereby disrupt the international monetary system.

Recognizing this potential danger, the last three administrations have assigned a high priority to reducing our balance of payments deficit. But most of the policies put into effect so far have been highly selective and have resulted in undesirable restraints or controls, particularly on the free flow of trade and capital. In 1959, for example, economic aid to developing countries was tied where possible to American sources of supply. Two years later, those countries where American military forces were stationed were asked to increase their military purchases from the United States. In 1963 and again in 1965, portfolio investments in foreign developed countries were discouraged by the interest equalization tax. And most recently, a comprehensive voluntary restraint program was implemented to discourage U.S. loans and direct investments abroad.

Some of these measures have met with limited success, but the long-term wisdom of the current strategy leaves much to be desired. Far too often, these programs tend to weaken rather than enhance our fundamental balance of payments position. Many may be costly, stop-gap measures—measures that offer only moderate short-term improvement at the risk of damaging our long-term political and economic objectives.

One example is the tying of foreign aid to U.S. goods. At times these same goods could be obtained elsewhere at a lower price. By requiring the recipients to spend their money inefficiently, we lose their good will and reduce the effectiveness of our foreign aid program. This policy also encourages recipient nations to introduce selective controls or import licensing—thus working at cross purposes with our long-term objective of free trade. In addition, the belief that our goods were not competitive in such instances has, rightly or wrongly, tended to attach a stigma to all goods of U.S. origin, including those that are clearly competitive in foreign markets. This may be one important reason why countries that receive our aid often seem to shun purchases of competitively-priced U.S. products that are not aid-financed.

A question can also be raised concerning restrictions on the amount of foreign purchases that American tourists can bring back duty-free. These restrictions are reported to have caused considerable bitterness and resentment toward the United States. The hardest hit have been those countries where U.S. tourists provide an important source of livelihood and foreign exchange earnings. This is especially true of Western Hemisphere countries, such as neighboring Mexico. Here, the United States—being by far the most important trading partner—would actually stand to lose few, if any, of these tourist dollars. Most of the money spent in these countries would soon return in payment for U.S. goods and services. In any event, even if these restrictions on tourist purchases have enhanced our balance of payments, the resulting loss of good will toward the United States may have more than offset this gain.

The interest equalization tax on foreign securities and loans also seems to have had adverse effects on the world economy. This program, which was designed to reduce the attractiveness of foreign securities to American investors, has caused some serious side effects. Insofar as this tax has actually reduced the outflow of funds from the United States, it has tended to raise interest rates abroad. At the same time—and partially reflecting the higher interest rates—it has tended to depress the value of foreign equities. Perhaps one of the most vivid examples of the sensitivity of the foreign stock values to the various effects of this tax was the sharp decline in the Japanese stock market that immediately followed its announcement in 1963. This measure may have reduced our balance of payments deficit, but it may have done so at the expense of foreign financial markets.

Perhaps the most questionable payments control has been the voluntary restraints applied to direct investment outflows. By encouraging companies to borrow abroad, this program has placed unusual pressure on foreign capital markets and has caused resentment against U.S. companies operating abroad. In addition, it has been a highly inefficient means of improving our international payments. It has impaired, for example, the usefulness of our own money and capital markets to Europeans. As a result, it has also weakened the incentive for these countries to maintain their dollar deposits and other financial assets in this country. Moreover, since the restraint program increased interest rates and equity earnings ratios abroad, we have encouraged foreign investors to shift their investments from the U.S. to other nations. Finally, the voluntary restraint program has caused American companies to borrow abroad at high fees and interest costs, thus shifting earnings from these loans out of the U.S. to foreign banks and investors.

This program, in short, could have a serious effect on our long-term payments position. Dollars invested overseas are, after all, a means of generating future income for the United States. Over the past few years, our private investments abroad have made a substantial positive contribution to the balance of payments. In 1965, for example, foreign investments resulted in a favorable contribution to our international payments of about $3 billion. Even this contribution fails to include the additional exports which are indirectly stimulated by the activities of local U.S. plants and marketing organizations abroad. Thus, government actions that jeopardize the competitive position of U.S. business overseas prevent effective management of assets that are of enormous value to the United States. Further, these programs could substantially weaken our long-term payments position.

Taking all these factors into account, our economy, as well as the economies of our friends abroad, is paying a dear price for our moderately reduced balance-of-payments deficit. This does not, however, suggest that the U.S. business community should withdraw its support from the Administration's current policy. Recognizing the impact of our commitments in Southeast Asia, American businessmen have responded to the government's request, and in some cases even exceded their guidelines. Total net capital outflows, for example, fell from about $7 billion in 1964 to less than $4 billion a year later. Under the current critical conditions, it is necessary for business to continue to comply with the present national policy.

Because of the inconsistencies stemming from the present controls, however, the business community should insist that improved programs be adopted for the future. Instead of proliferating, intensifying and perpetuating selective controls, we must develop more positive programs which promise a long-term solution to our balance-of-payments situation.

If we continue to rely on short-term expedients, our resolve in pursuing more fundamental solutions may be weakened. To the extent that our present balance-of-payments programs have increased our government's willingness to tolerate the inflation of the last 18 months, the ultimate cost of these programs has been greatly increased.

It is increasingly evident that the time has come to develop new approaches to this problem. The time has come to adopt programs that are compatible with our national and international goals. We can begin by asking some basic questions. For example:

Is our program of selective controls leading us and the rest of the world in the direction that is most desirable?

Over the long run, what kind of international political, economic and financial arrangements are in the best interest of the United States and the rest of the world?

Are we managing our nation's affairs in a way most likely to help us achieve our internal and external objectives?

It is evident that any program aimed at solving our payments deficit must recognize the vital importance of American exports. In 1965, if our exports would have been just 5 percent greater, the deficits in our balance of payments would have been eliminated. Moreover, such an increase in exports would have had the same immediate effect on our international payments as a 40 percent reduction in our direct investment outflow, a 55 percent reduction in our travel expenditures abroad, or a 110 percent increase in foreign travel expenditures in the U.S. These figures clearly suggest that if we are to reduce our deficit, we must begin by working together to improve our export performance.

The American business community has an urgent and immediate responsibility in this effort. We must do an even better job of eliminating inefficiencies and reducing costs of production so our goods will be more competitive abroad. All of us, both as individual companies and through our trade associations, must do a better job of promoting and selling U.S. goods in foreign markets. The return on these efforts could be substantial. In addition to increasing the market for our goods and services, success in this program would permit the gradual removal of the undesirable selective controls.

But the most necessary and fundamental condition for expanding U.S. exports—a condition towards which government fiscal and monetary policy must lead the way—is a restoration of price and wage stability to the American economy. Over the past two years, excessive demand and inflationary pressures have had a marked and adverse impact on our trade balance. As our incomes have risen and as prices have edged upward, our competitive position in international markets has steadily deteriorated. As a result, our surplus of commodity exports over commodity imports—once a very bright spot in the balance-of-payments picture—has been trending downward. Compared with a trade surplus of nearly $7 billion in 1964, the surplus declined to about $5 billion in 1965, and fell below $4 billion in the year just completed. If this trend is to be halted and hopefully reversed, a balanced monetary and fiscal policy must again restore noninflationary conditions to the American economy.

In dealing with our balance-of-payments problem, we have now for several years followed a path of stopgap, selective measures. In the current circumstances, we cannot immediately change paths and start anew. But as businessmen, we can and should discuss quite frankly the shortcomings of our present approach and try to throw light on the fundamental weaknesses of the present programs.

Each of us should evaluate the effects of these programs and offer constructive alternatives.

I am confident that through business participation a new and better approach to the problem will be realized.

THE MERCHANT MARINE BUDGET

Mr. BREWSTER. Mr. President, like the other Members of this body, I have had a brief opportunity to examine the budget for 1968. As a representative of the Port of Baltimore and of a State where the maritime industry is of great importance, I naturally turned to the merchant marine budget request for 1968.

There is, in my judgment, no other term to describe this request than totally inadequate. For new construction, a request of $139 million has been made. The budget report estimates that this will be sufficient to produce 13 ships.

Thirteen ships—when the Nation is falling farther and farther behind the Soviet Union and the other shipbuilding nations of the world. Thirteen ships—when we need dozens of new ships just to carry military materiel to Vietnam, 98 percent of which goes by private vessel.

The budget request indicates to me that, once again, the administration has failed to come up with a new and forward-looking merchant marine program. Instead, we will have the same old, tired, and inadequately financed program.

It is regrettable that the only voices in Government on behalf of our merchant marine comes from Congress. The executive branch must provide some leadership—and it has not done so thus far.

Let me briefly review a few aspects of the maritime situation. This country carries about one-twelfth of its foreign commerce in American bottoms. And we wonder why our balance of payments is so out of line.

This country ranks 13th in world shipbuilding—after Spain and Yugoslavia, not to mention the Soviet Union. I do not know when the country will wake up to the fact that we need to maintain a strong shipbuilding capacity. Apparently it will not be this year.

This country no longer has the finest and most advanced ships in the world. Many of the vessels now in use on the Vietnam run are appropriately called rust buckets—World War II ships so old and dangerous that I shudder to think of our men sailing on them.

In my opinion, we need 30 to 40 additional ships a year. That figure has been recommended by independent studies of the situation. It is recommended in an informal Navy Department memorandum which is now circulating.

As I outlined in a speech to the Senate last week, the history of the United States demonstrates that merchant marine power is a key factor in economic and military strength. We have allowed our fleet to disintegrate to a point where it ranks far behind those of our friends and our adversaries.

During the coming weeks, I intend to explore in depth, with the Senate, some of the problems facing our merchant marine. I intend to propose several bills to strengthen our fleet. And I hope to focus the attention of Congress on the urgency of the present situation.

THE 49TH ANNIVERSARY OF UKRAINE'S INDEPENDENCE

Mr. DOMINICK. Mr. President, January 22 was a day of nostalgia for Ukrainians throughout the world, for it marked the 49th anniversary of Ukraine's independence—that short-lived phase in Ukraine's history between 1918 and 1920 which ended when Soviet Russia cold-bloodedly victimized Ukraine and "annexed" it.

All of us realize that the reason we are in Vietnam is our support of national independence. As President Johnson said, "the right of each people to govern themselves and to shape their own institutions" is a basic principle of our foreign policy.

And it is just as important for us to recognize that right in other countries as it is in Vietnam, and certainly we should sympathize with the 45 million people of Ukraine who once knew independence and lost it to the imperialism of the Soviets.

The Ukrainian Congress Committee of America has urged several steps which would indicate to the world our interest in, support of, and determination to add Ukraine to the community of free nations. These steps are:

> (1) support of a resolution for a Great Debate on US-USSR policy; (2) open and fair hearings on the US-USSR Consular Convention; (3) a poltrade policy toward the Red Empire; (4) a Special Committee on Captive Nations; and (5) reaffirmation of our support of all Captive Nations in their struggle toward eventual liberation from Soviet Russia.

Although we may not need a special committee on this subject, it seems to me worthwhile to consider the effects in the cause of freedom of the administration's policy to trade and aid the Soviet bloc countries which are still exercising dictatorial controls over the captive people, are still fomenting subversion and terrorism in other countries of the world, and are still the main supplier of weaponry to North Vietnam in our present struggle.

Mr. President, I urge all Senators to recognize Ukraine's 49th independence anniversary, the desire of its people for freedom of self-determination, and the need to consider our own policies in the broad terms of their effect on people already tyrannized by communistic control.

UKRAINIAN INDEPENDENCE DAY

Mr. LAUSCHE. Mr. President, it gives me great pleasure to join with my Senate colleagues in observance of a signal event in Ukrainian history—January 22, 1918, the day which marked the culmination of centuries-old dreams of national independence from Russia. On that momentous occasion, in the city of Kiev, the Ukrainian National Republic was born.

In the 49 years since that wonderful day, the Ukrainian people have known many hardships and much sadness. Only a few short years after attaining independence, the Russian bear once again engulfed the beautiful little land. During the Second World War, the Ukrainian people bore the indignity of the scorched-earth policy, and afterward suffered terrible economic consequences from its effects. In the early 1950's, Ukrainian nationalist guerrillas fought against the forces of communism in the West Ukraine and Polish Slovak Carpathian borderlands.

Yet all Ukrainians can proudly say that their national character is not one that bows before adversity. They have been called upon many times to prove their courage in the face of great odds, their perseverance in the face of long hardships, and they have never failed the test.

Thus, Mr. President, on this day it is fitting that we pay tribute to the genius of the Ukrainian people and to their never-ending quest for national sovereignty. As Americans, we must ever remember that as long as any nation remains subjugated to another, as long as any man is denied the inalienable rights of life, liberty, and the pursuit of happiness, our task is not done. It is my privilege to salute the beautiful land of the Ukraine and to join with her valiant sons throughout the world in commemoration of this great event.

THE PORT OF HAIPHONG

Mr. McGEE. Mr. President, Columnist Holmes Alexander in a recent column about President Johnson supplies some rather effective answers to those who would suggest that our current Vietnam policy should include the destruction of the port of Haiphong or other forms of spectacular escalation.

I ask unanimous consent that Mr. Alexander's column of January 23 be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

L.B.J., 1967—THE WAR

(By Holmes Alexander)

WASHINGTON. D.C.—From the Oval Office, the Fish Room, and the Cabinet Room, where President Johnson meets with his advisors, the Vietnam War has the aspect of a human life.

And because LBJ is so intensely a human being, the very same man whom so many in Washington have known to be utterly untouched by the pomp and portentousness of the presidency, it isn't remarkable that he thinks and talks in the common language of mortality. Lyndon Johnson knows that he, and all men, must die, but the day and the hour of any decease cannot be fixed. So it is with this nerve-testing, life-taking war. End it must, and in victory, but not even the President can say when.

The perversity of newsmen who keep asking him, "When? When?" is an annoyance. Nobody on earth so yearns for the end of the blood-letting as does LBJ—not the beatniks, not the Doves, not the volunteer strategists who tell him publicly and privately how to wrap up the victory and bring it home.

Fifteen months ago, in mid-1965, the President had as crucial a decision as any chief executive of the nation ever faced: It was get in—or get out! It was to turn the distant struggle into an American war, with massive commitment, or call it quits. And with all the casualties, all the criticism, all the remaining uncertainty as to duration, it can't be doubted that LBJ did what the country would want him to do.

But the country doesn't pay him, and his duties don't require him, to predict. And after listening to many predictors, calculators and exhorters, the President has learned a great deal about margins of error. If these men had been his business counsellors, the rancher of the Pedernales would be broke! Destroy the port of Haiphong and sink a couple of Russian ships! How would it shorten the war by ten minutes? Wheel up the battle cruisers and blast the coastal targets of North Vietnam! Any escalation of that magnitude would have political repercussions, perhaps beyond military gains.

But out of some trial and error, out of the experience and intuition of important participation in three wars, based on a meeting of minds with Generals Westmoreland and Wheeler, President Johnson now has a master plan.

It could go by the initials M & M: "maximum result from minimum cost." What it amounts to is a war of attrition. The grand strategy has been in effect since November. General William Westmoreland, as theater commander, is now moving into the once-impregnable enemy strongholds and is systematically destroying them. The communists need bases just as much as we do, but theirs are more important to them than ours are to us, since ours can be replaced.

With relentless pressure on the Vietcong and the North Vietnam forces, coupled with selective bombing of supply lines, we are exterminating men and materiel at a rate that is grinding the enemy into submission. General Earle Wheeler, Joint Chiefs of Staff chairman, recently returned from his eighth trip to the front. He told reporters as he presumably had told the President two days before:

"Our combat units . . . have suffered not a single major reverse, and the enemy everywhere is harassed and on the defensive."

The end of the conflict is unpredictable at the White House for the best of reasons—namely, that we are winning and, in the circumstance of limited warfare, it is the loser who decides when to give up. Yet it would be an informed guess that Ho Chi Minh has begun to wonder about his own basic decision: to stay in a losing fight or to pick up the standing offer to negotiate.

Meanwhile, President Johnson's ordeal often seems more than a man should have to bear. He can daily read and hear (a) that he is bombing nothing but orphanages and hospitals, or (b) that he is chasing motorcycles and trucks with million-dollar aircraft.

In fact, he does have a master plan, a grand strategy, and it is small wonder if it irks him how little is written or said about it.

RHODESIA

Mr. THURMOND. Mr. President, the Greenville News of Greenville, S.C., has published a series of three editorials on the Rhodesian matter.

These editorials are entitled "Rhodesia: United States Should Look Again"; "U.N. Proposals Are Hypocritical—I"; and "U.N. Proposals Are Hyprocritical—II." The positions taken and the conclusions reached in these editorials are the result of much careful deliberation on the part of the editors and others associated with this newspaper. These editorials call for a return to realism and reason in U.S. dealings not only with Rhodesia but toward all the countries of the continent of Africa.

Great Britain should never have taken this matter to the United Nations, since it is clear that the United Nations has no jurisdiction over it as it is a purely internal matter. In addition, the complicity of the United States in urging Great Britain to submit the matter to the United Nations and in urging the United Nations to invoke economic sanctions against Rhodesia is reprehensible.

There always exists the possibility that the United Nations will take even sterner action against Rhodesia and this may include even military action. To quote from one of these three editorials:

> A long bloody war could result, perhaps involving the use of American troops.

The United States should bow gracefully out of any involvement in this issue and use its influence and prestige to reverse the United Nations action so far taken.

I commend these editorials to the study of Senators and ask unanimous consent that they be printed at the conclusion of my remarks in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Greenville (S.C.) News]

RHODESIA: UNITED STATES SHOULD LOOK AGAIN

The Rhodesian crisis in the United Nations should cause the United States to take a long, hard look at what is happening to the toeholds of civilization in the still dark continent of Africa.

In nation after nation (if some newly "freed" areas really can be called nations) civilization has receded, to be replaced by either anarchy or tyranny.

This has happened in those states which suddenly turned over the right to govern themselves to millions of uneducated, unprepared people, some of whom still live in pre-civilization conditions.

Some regressions to savagery took place under United Nations auspices, even to the point of military force, as in the Congo.

To the dismay of many Americans, the government of the United States generally has been on the side of unbridled, premature political freedom for people lacking the human resources necessary to handle self-government.

It appears the United Nations, with the United States concurring, is about to make the same mistake all over again in the case of Rhodesia. There, a relatively small White population has built a stable, prosperous nation in the midst of savagery, and now is hard at work trying to upgrade millions of unprepared people to the point of governing themselves.

Admittedly, it will be a long, slow process, even a painful one for all concerned. Admittedly, also, the process may have started late. That is largely Britain's fault.

The alternative, as proposed by the reckless, backward states of Africa would be even more painful.

At best it would be a repetition of other tragic episodes. It would force the flight or slaughter of thousands of civilized people suddenly engulfed by millions of uneducated, untrained near-savages, inflamed by slogans of "uhuru" or "freedom now."

The civilization now flourishing in Rhodesia would die beneath either an iron dictatorship or in a bloody anarchy perpetrated by people who don't know that freedom means responsibility before privilege.

Great Britain, which is asking the United Nations for stern sanctions against Rhodesia to force her to yield to the black majority, could find itself involved in a bitter trade war with South Africa. That civilized nation is not going to yield, without fighting, to heavy African pressure to turn its orderly, prosperous country over to an unprepared pack of warring tribes.

Already the British pound has weakened in international markets over the prospects. Conceivably Britain could go broke in a head-on trade clash with South Africa as a result of the Rhodesian affair.

Any enforcement of UN sanctions against Rhodesia or against South Africa for non-compliance could result in armed intervention in either or both peaceful nations.

Since resistance would be certain, particularly in the case of South Africa. A long, bloody war could result, perhaps involving the use of American troops.

It is doubtful that many Americans would stand for the idea of their sons fighting against civilized people in either nation. It is doubtful that they would continue to condone use of their tax money to support UN meddling and outright aggression.

Therefore, a big blowup over Rhodesia could arouse a serious effort in this country to force the United States to pull out of the UN, leaving that already weak body—and Africa—in a shambles.

It is time, past time if not quite too late, for the United States to re-examine and re-evaluate, both in terms of right and wrong and its own and the UN's proper role and capabilities, the American position on African affairs generally. We'll have more to say about that soon.

U.N. PROPOSALS ARE HYPOCRITICAL—I

In an editorial last Friday, before the UN debate began, we suggested that the United

States should re-examine, re-evaluate and, most probably change, its entire policy toward Africa and the settlement of its ancient, enduring and nettlesome problems.

Since Great Britain—with United States support and with frenzied black African demands for something more drastic—has asked the UN Security Council for limited mandatory sanctions to be applied to trade with Rhodesia, we are more than ever convinced that the United States is playing the wrong role in the wrong place.

In view of the attitude taken by most of the nations involved, including Great Britain, towards the policies being followed by the United States in the Far East, and considering the fact that the UN allows a "majority" of millions of all races to live in enslavement under Communist subjugation and tyranny, the proposed action is totally hypocritical.

Moreover, it is most unlikely that the halfway measures proposed by Britain, which is anxious to avoid disrupting its trade agreements with the Union of South Africa, will succeed. If the UN follows through, stronger steps will have to be taken, steps that almost surely will lead to war.

By going along, the United States will have taken the first step toward participation in that war. Step by step, as it did in Vietnam, this country will become involved, deeper and deeper. And it will be a war against white men who have built a civilization on a savage continent and are willing gradually, but not abruptly, to share it with the blacks who have contributed only their inefficient labor to it.

Reluctantly, the American people support the war in Vietnam as an idealistic and political necessity. Their attitude toward a war of outright intervention in Africa may be something else again.

It is not as if this were the only alternative for the development of Africa. It is that it is the warlike way, when there is available an admittedly slower, but constructive rather than destructive, way to accomplish that which Great Britain says is her purpose.

Let us strip the Rhodesian situation of its ideological and political hyperbole and idealistic unrealism and see what is involved.

Bowing for reasons of political expediency to the black African racist demand for "uruhu" (freedom now), the British Labor government of Harold Wilson demanded that Rhodesia, which is ruled by about 250,000 whites with only limited participation by 4 million blacks, immediately grant total democracy to the blacks.

The government of Premier Ian Smith insisted that this could not be done immediately. Years of preparation would be necessary, he told Whitehall.

Under continued pressure from Britain and from black-dominated nations of the British Commonwealth of Nations, Rhodesia followed the example of the Union of South Africa—which may be the key to the whole future of southern Africa, especially if the UN persists in following the British requests—and seceded from the Commonwealth.

Since then, over a year ago, the Wilson government has tried to force Smith out of office with the view to turning the government over to the blacks.

The power of Britain has been insufficient. She now is asking UN help, knowing that the United States will have to bear the brunt of whatever is done, financially and otherwise.

U.N. PROPOSALS ARE HYPOCRITICAL—II

Insisting that the United States must stand for "democracy" in Rhodesia, American UN Ambassador Arthur Goldberg is backing the British request for mandatory economic sanctions against that African state.

Under the UN agreements the United States has signed, President Johnson can take whatever steps are necessary to enforce this policy without any further authority from Congress.

But not even the cutting off of trade in most items with Rhodesia will satisfy the black Africans. They demand also, immediately, an oil embargo. In fact, what they want, and what they said they wanted at a meeting of Africa states last year, is a blood bath in southern Africa—white blood, that is.

If the oil embargo is voted, or if the sanctions are to be effective, ships of the United States fleet will have to blockade shipments to Rhodesia. And the route for these shipments to landlocked Rhodesia is via ports of the Union of South Africa, or Southwest Africa, former German territory now under a South African protectorate.

To further complicate matters, the UN is trying to force South Africa to turn Southwest Africa over to UN control. (It is noteworthy that the UN would rule Southwest Africa until it is capable of self-rule, yet it would turn Rhodesia over to the blacks immediately.)

Great Britain is anxious to avoid a confrontation with South Africa, which is the reason for not proposing the oil embargo. Without trade with that country, England would fall. In that event, the United States would be left holding the bag for the UN—again, and to no worthy avail.

What Britain and Ambassador Goldberg propose for Rhodesia will not result in "democracy," any more than democracy prevails in even the most piously praised black African states.

Britain is trying to bring a defiant nation of the Commonwealth to its knees because of the threat to British trade.

To the average black African "uruhu" does not mean self-government, because he doesn't understand that. To him it is a way to get his hands on the wealth, the industrial and agricultural development, built by the whites from the days of the earliest settlers with their own hands and know-how.

Why should the United States serve either of these causes?

In Vietnam, the United States is fighting a war to protect a minority, the free South Vietnamese, against an overwhelmingly ruthless, bloodthirsty and terroristic multination Communist majority. But Great Britain and other countries in on the present move trade freely with the nations which are supporting the Communist cause.

But none of these nations, individually or through the UN, supports the United States in Vietnam.

The United Nations has yet to take the first step toward freeing from the militant Sino-Soviet dominated Communist minority the millions of persons living behind the Iron Curtain in Eastern Europe and the Bamboo Curtain of Asia.

If Ambassador Goldberg is planning to export democracy through the UN, he is starting at the wrong place, and in the wrong way. The problems of southern Africa should be solved by peaceful, not warlike, means.

If ever there can be a solution which will enable the white Africans to retain what they have built up, and the black Africans to rule and build for themselves, if they are capable, it will have to be the slow way—through education, economic development and true "democratic processes."

There is nothing "democratic" about the UN as now constituted. Naked "Black Power," sadistic communism and self-seeking anti-Americanism are running rampant in its councils.

AUTOMOBILE INSURANCE

Mr. BREWSTER. Mr. President, one of the more perceptive articles which has appeared recently on the subject of automobile insurance was written by James Ridgeway and published in the New Republic of January 14, 1967.

Mr. President, I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MORE ON AUTO INSURANCE

(By James Ridgeway)

The states have granted automobile insurance companies one price hike after another over the past five years, so that they might continue to insure the general public. But the companies are locked in a deadly competition for the relatively small number of preferred risk drivers—perhaps 30 million of the nation's 100-million drivers—and they are canceling or refusing to renew policies for growing numbers who are not in the preferred risk category and are viewed as "suspect." These are the people who are forced to buy insurance from the fly-by-night, high-risk operators who hang about the fringes of the insurance markets.

To get an idea of how difficult it is for people to buy insurance, here are a few cases that have come to members of Congress in the past few months:

In December, Nationwide Mutual Insurance Co. canceled insurance of a South Carolina man. Asked why, the company said, "Investigation reveals that your automobile coverage was terminated due to circumstances surrounding a parking ticket which your wife received recently." The woman had protested the ticket to the police, because, she said, the meter was broken. Nonetheless she paid the fine. (In this case, the best guess is that by protesting the ticket, she gave the company an opportunity to define her as an unsuitable customer.)

State Farm Mutual Automobile Insurance Co. dropped an Alexandria, Virginia, resident because of "loss history." The man was involved in one accident during the fall of 1965; the other driver was charged by the police and his insurance company had reimbursed State Farm for repairs. In addition, there had been one $6 charge against the policy for towing the car out of deep snow and two charges totaling $4 for mechanics. This man was 43, had been driving since 1938 and had never had a moving charge brought against him. Unable to see why he should be canceled, he protested to the Virginia regulatory agency, which got in touch with State Farm. State Farm then reversed itself and said it would renew the policy if the owner would drop the road-service provision. Apparently the $10 in towing and mechanics' charges constituted a "loss history" which was too much for State Farm.

"Have you ever had to turn down a request from a friend, a customer or business associate?" begins a letter to a New Jersey man from Sentry Insurance, of Syracuse, New York. "If so you know it's not an easy thing to do. Unfortunately, we too occasionally are faced with this problem—telling a policyholder that we cannot continue his insurance protection." The letter went on to announce cancellation of the man's auto insurance policy because it no longer met Sentry's "underwriting requirements." When pressed for details, Sentry replied, "All insurance companies are permitted to set certain standards of underwriting and apply these standards to the policies that they accept or renew. It is not our intention to appear arbitrary, but under certain circumstances, misunderstandings occurred where our specific reasons for retirement have been given, resulting in embarrassment to either the insured or the companies or both. For this reason we prefer to follow the general practice of insurance companies and ask that we be excused from giving the reason for cancellation."

This didn't mean anything to the New Jersey man and he further pressed the company for an explanation. This time he got a tart reply: "I am sorry that my first letter did not satisfy you. I hope I can do better this time, but unfortunately I must reiterate my comment in my previous letter concerning the confidential nature of our file." The letter went on to say there was a record of losses in 1963, and in 1965 (about $150 for repairs to the car) and a speeding violation.

"There are other factors that enter into underwriting decisions which must number in the hundreds," the Sentry letter said. "It would be impossible for me to list them all here but I am sure that you can think of a few yourself. For instance, how a car is used, where it is used, who uses the car, the age of the drivers, and many others would enter into an underwriting decision. Not all of the underwriting factors apply in any one case but when our underwriting information reveals that a particular policy does not meet with our present requirements we have no choice but to not renew the policy."

Servicemen and young veterans have a difficult time getting insurance. A veteran recently wrote the Michigan Insurance Commissioner: "I have just come home with an honorable discharge after serving four years in the Navy, I have had a driver's license since I was 16 years old. I had insurance on my car when I left for the service. A few days ago I bought a new car and immediately applied for insurance. However AAA Insurance Co., Detroit, and Michigan Mutual Auto Insurance Co. of Traverse City have refused me insurance because they class me as a bad risk. I have taken driver's training and have never had an accident."

"I'm 46 years of age and have worked at the same plant for better than 19 years," wrote a West Virginia car owner. "I received my driver's license two years ago and bought a car. Nationwide carried me for six months and then sent me a cancellation notice, no explanation at all. When I couldn't find out why they canceled me, I secured insurance with Insurance Co. of North America. In the meantime, I bought a new '66 Dodge through a local bank. To make a long story short I've received a notice of cancellation from this company. I've never been in a wreck, never been arrested, and I do not have one point against my license. No teen-ager drives this car. I just don't understand why they can do this."

Charles W. Gambrell, South Carolina's insurance commissioner, says that rate increases in his state have not resulted in wider markets, but instead have made the cancellation problem worse. In South Carolina, insurance companies are required to disclose the "guides" agents follow in writing policies. Gambrell said 83 percent of the companies doing 65 percent of the business in the state refuse to write new business with over-age drivers, that is, drivers between 62 and 70. Sixteen percent of the companies won't do business with divorced people. The theory is that a divorced person, especially a woman, is emotionally unstable and likely to run around a good deal, thereby increasing the chances of an accident. If a divorcee did get into an accident and it wasn't her fault, no jury would believe her. So it's better not to insure divorcees at all.

Gambrell said guides for different companies doing business in the state list the following categories of poor risks, or as the trade calls them, "suspect": garbage collectors, amusement park workers, bartenders and tavern owners, bowling alley or dance hall atendants, pawn shop proprietors, watchmen, farm laborers, professional athletes, entertainers and people who live at the YMCA. Gambrell said these guides probably apply throughout much of the country and are in many instances simply veiled discrimination against Negroes.

BLACKOUT IN APPALACHIA

Last April, Orman Vertrees, a reporter for the *Seattle Post-Intelligencer*, got hold of an agent guide, then in its fifteenth printing. It warned agents away from selling auto insurance to people in the "lower laboring classes," including those who worked for aircraft companies and as longshoremen. The guide told agents one could determine a good customer by looking at the children's haircuts. If the man is called "Shorty" or "Scotty," he might not be conservative enough to get auto insurance. If his wife works in a "reject qualification," for example, as a waitress, that lessens chances of getting insurance. Since then, a committee of the Washington state legislature has urged that insurance companies be made to state grounds for cancellations before issuing the policy, and then state the reasons when cancellation is made.

Narrowing the market for auto insurance can have a startling effect. Recently the National Bureau of Casualty Underwriters, the rating bureau that represents the big stock insurance companies, asked for a rate increase in Kentucky. At the rate hearings called by Commissioner S. Roy Woodall, Jr., testimony showed that of 1,150,000 private passenger cars registered in the state, 35 percent are uninsured. In arguing for higher rates, the National Bureau said its member companies couldn't afford to do business at current levels. The cost of claims was rising so fast, the bureau argued, that member companies were forced to reduce risks by canceling policies, some of them held by people who under more ordinary circumstances would be considered good customers.

Both the state insurance department and the Louisville Auto Club, however, claimed business was not so bad as the National Bureau made it out to be, and that insurance companies were making 7.6 percent profit, instead of the usual 5 percent. (It is interesting to note net income before tax for all stock property and casualty companies in the US rose to an estimated $1.03 billion for 1966, up from $561 million in 1965.)

As the auto insurance market got tighter in Kentucky, state officials reported finding "blackout" maps in the offices of some companies. These maps show marked areas of Louisville, mostly poor sections, where insurance is not to be sold. Moreover, state officials claim there is an effective blackout for all kinds of casualty insurance in the depressed Appalachian region.

Probably the simplest way to stop the capricious cancellation policies of the insurance industry would be for Congress to insist that cancellations be based on sizable loss experience alone. This might be accomplished by amending Senator Thomas Dodd's bill setting up a Motor Vehicle Insurance Guaranty Corp., which aims to protect insured motorists against their insurance company becoming insolvent.

In first discussing the automobile insurance business in the December 3 issue, I dealt rather sharply with accounting practices. This brought heated retorts from insurance people who felt this journal had been sucked in by ambulance-chasing lawyers of the American Trial Lawyers Association. But they must not have understood the article, for while it was an attack on the insurance industry, it was also an attack on ATLA for having backed down on a small group of lawyers who are working for reform.

Senator Magnuson's Commerce Committee hopes to begin an investigation into auto insurance practices later this year, and in doing so, it might well look into some other ideas for making auto insurance more equitable and less expensive. Professors Robert E. Keeton and Jeffrey O'Connell have worked out a basic protection scheme, which would have insurance handled rather like Blue Cross payments, regardless of who is at fault. This would do away with much of the lengthy legal work, speed up payment and reduce costs by 15 to 25 percent, mainly by getting the lawyers out of the picture.

Because of the strong lobby of insurance agents, it is impossible to buy group automobile insurance in the country. Group insurance has helped to reduce the cost of life and accident and health insurance. Here savings would be made by doing away with the agent network. The agent often gets 20 percent of the premium as commission. In a group of 1,000 people paying premiums of $150,000, agents would stand to make $30,000 in commission. On the group basis, however, one agent might make about 2.5 percent (the rate paid a life insurance agent for a group policy). Thus, commissions would be reduced from $30,000 to $2,500. In addition, the group would get lower rates if its members weren't involved in accidents, which would work as an incentive to safer driving.

Neither of these proposals, however, deals specifically with the main issue of a narrowing insurance market, a problem which is not likely to be solved without federal regulation of the market.

Mr. BREWSTER. Mr. President, another item on this subject should be included in the RECORD. One of the cosponsors of the bill is the chairman of the Commerce Committee, the distinguished Senator from Washington [Mr. MAGNUSON].

Senator MAGNUSON has been for some time concerned with the insurance situation. He has instructed the staff of the committee to study the matter in depth, and he has indicated his intention to push hard for this legislation.

A recent editorial in the Washington Teamster recognized the Senator's work in this area. I think that it deserves the attention of the Senate, as another indication of Senator MAGNUSON's concern for the consumer. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editoral was ordered to be printed in the RECORD, as follows:

[From the Washington Teamster,
Jan. 20, 1967]

MAGNUSON AND INSURANCE

Almost everybody who has driven a car for long has had an unhappy experience with an insurance company. A casual question in a lunch hour gathering will start a round of accounts illustrating the speaker's belief that he was mistreated. A woman tells how hard it was to collect for damages after a man from Alaska drove his car through a red light into hers. Another says his insurance was cancelled after he got his first speeding ticket in ten years, and that one for going ten miles an hour over the speed limit on an arterial. He remembers that letters to the company brought no satisfaction; the firm didn't feel it necessary to explain why his insurance was cancelled. The company has a book full of vague phrases it uses on cancellation letters; he had to guess that the cancellation resulted from the ticket.

No one except an insurance salesman or someone else in the business will say that service is as good as it is pictured in the TV commercials. To get satisfaction, a customer often has to call in a lawyer. Only the voice of the lawyer, talking the language of the business, will force some companies to get a move on. That part of the story doesn't get told in the TV commercials. Well, it's probably because the company can't tell everything in a minute.

It is obvious that the public believes something has to be done to make the automobile insurance companies live up to the promises they make in their sales pitches. It is apparent too that the criticism has reached the point where some lawmakers are going to take the action called for.

There is encouraging evidence that Senator Warren G. Magnuson is ready to fight hard for reforms in the insurance business. His name already is on one bill that would advance needed change in insurance-company responsibility.

Under terms of Senate Bill 3919, Senator Dodd, Clark, Hart and Magnuson introduced last October, insurance companies would be required to insure themselves against going broke and leaving customers dangling with worthless policies. The bill would establish a Federal Motor Vehicle Insurance Guaranty Corporation. It would do for insurance companies what Roosevelt did for banks in the depression. Bank customers know they aren't going to lose their savings today even if the bottom falls out of the business. There is a sign on the door saying that all deposits are insured up to $15,000 by the federal government. As long as the government has money, the savings are protected. A cynic can mumble about the national debt, but he would have to acknowledge that as long as the government controls money through the federal reserve board, the money is as safe in a bank as under a brick in the basement.

With the Magnuson bill in effect, a driver would not have to fear that he would be unable to collect on claims because the other driver's company is bankrupt. Claims of bankrupt companies would be paid from the fund built up by contributions from insurance companies.

Bankrupt companies in Illinois, Florida and Texas attest to the need for the legislation.

Still there is need for more than is in S. 3919. The version introduced last fall does not cover cancellations, for example. But the bill does provide a basis for protecting a driver against arbitrary actions. Since the legislation empowers the government to examine the finances of companies, there would be available the kind of information examiners need to determine whether cancellations are warranted. A company that says it is forced to cancel policies of certain drivers because it can't afford the risk would be subject to investigation. A company pleading that it has been losing money on car insurance would have to be prepared to face a challenge.

There is evidence that the companies are making more money than the public has been led to believe. A New Republic writer, James Ridgeway, recently wrote that companies in Kentucky were making 7.6 percent profit, instead of the usual 5 percent. Even with this profit, companies argued that they had to reduce risks by canceling policies.

With information on income and expenditures available, the government insurance corporation would be in a position to judge the justification for premium increases. It would also be able to do something for the people now excluded from coverage because of their age or occupation.

Insurance companies won't like to change their practices, but the good of the public justifies rules making them do what they are supposed to do.

Senator Magnuson undoubtedly will find himself pressured to weaken the legislation. He has faced such pressures often before, however. Numerous monuments testify that he has the courage of his political convictions. The public would look upon a reformed car insurance industry as additional evidence of Senator Magnuson's capacity for getting done these things that need to be done even over the protests of powerful private interest groups.

WILLIAM J. CROCKETT, DEPUTY UNDER SECRETARY OF STATE FOR ADMINISTRATION

Mr. METCALF. Mr. President, before he leaves the Federal service at the end of this month, I should like to join in paying tribute to an outstanding public servant, William J. Crockett, Deputy Under Secretary of State for Administration.

Last week, our distinguished majority leader [Mr. MANSFIELD] cited Mr. Crockett as a "key executive" who has exhibited "exceptional personal characteristics of courage, perserverance, fairness, understanding, and aplomb," in dealing with difficult tasks. And the distinguished Senator from Wyoming [Mr. McGEE] commended Mr. Crockett as "a most dedicated American, a public servant whose efforts in a post of great trust and responsibility are greatly appreciated, not only by the Members of this body but by fellow workers in the Department of State and by his superior officers."

While I did not get to know Mr. Crockett as well as my colleagues on the Appropriations and Foreign Relations Committees who have had frequent discussions with this dynamic administrator, I have learned much about his unyielding, forward-looking drive from some of his associates.

He demanded from those about him constant innovation and change in his persistent efforts to modernize and improve the administration of one of the oldest—and certainly one of the most important—departments in our Federal Government. Under both Presidents Kennedy and Johnson, and with the support of Secretary of State Dean Rusk, he labored to bring the Department of State and its administration into the 1960's.

This kind of successful operator is bound to incur opposition from those wedded to the status quo, and Mr. Crockett was not without his critics. Suffice it to say that time will show that Mr. Crockett built on the records of his predecessors and produced achievements unheard of in the administration of the Department of State and the Foreign Service of the United States.

Bill Crockett has been on duty 24 hours a day, 7 days a week. He has been devoted to the President, to the Secretary of State, and to the Department and the Foreign Service. He is leaving to enter private industry. He has assured the President that he will be available to help again if called upon. I join with my colleagues in wishing him well. I have the feeling that because he is a strong advocate of the Department of State and the Foreign Service, we shall be hearing more from him.

CRIME INCREASE IN DISTRICT OF COLUMBIA

Mr. BYRD of West Virginia. Mr. President, almost every edition of the Washington, D.C., newspapers can be counted on to provide substantial news of daily crime occurrences in the Nation's Capital City. Consider the reports of occurrences within the District carried in the Tuesday, January 24, editions of the Washngton Post and the Evening Star, as examples of the daily newspaper fare on crime.

The Washington Post listed in a single grouping four instances of theft in various areas of the city: "Manager of Theater Punched and Robbed"; "Northeast Restaurant Robbed of $70"; "Young Clerk Bound, Gagged by Robbers"; and "Robber Takes $146 From Pizza Parlor."

But the afternoon edition of the Evening Star really provided the day's shocker by heading on its front page, "Purse Snatcher Strikes—Police Chief's Wife Robbed on Northwest Street." It seems that on Monday evening, Mrs. John B. Layton, wife of the District's police chief, was robbed of her purse containing $40 on a Northwest Washington street between 8:30 and 9 p.m. while returning home. Although it was stated that this mother of four children "fell to the pavement when her assailant wrenched the purse away," she apparently was otherwise uninjured.

I fear that Police Chief Layton must be nearing a saturation point on crime in the District, when he finds it apparently unsafe for his own wife to be out alone on the Washington streets in the early evenings.

I am happy that Mrs. Layton escaped injury. Many other victims were not so fortunate. I hope that Chief Layton and his aids will apprehend the criminal and bring him to speedy justice. However, in the light of the steadily rising crime rate in the District, I fear that tomorrow's newspapers are likely to provide fresh examples of the lawlessness which yesterday's headlines publicize.

I ask unanimous consent that the newspaper items which I have cited be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 24, 1967]

MANAGER OF THEATER PUNCHED AND ROBBED

Two men punched and robbed the manager of the DuPont Theater of $1953 which he was about to place in the night deposit box at the National Bank of Washington, police reported yesterday.

Frank H. Moss, 52, the manager, was struck in the face and knocked down late Sunday night, police said, but did not require hospital treatment. Both the theater and bank are in the 1300 block of Connecticut Avenue nw.

[From the Washington Post, Jan. 24, 1967]

NORTHEAST RESTAURANT ROBBED OF $70

Two men robbed Wilson's Ranch House Barbecue, at 519 H st. ne., at gunpoint at midafternoon yesterday, forcing night manager John Magibe, 22, to turn over $70 before they fled.

[From the Washington Post, Jan. 24, 1967]

YOUNG CLERK BOUND, GAGGED BY ROBBERS

A 16-year-old clerk at Foodway Markets, 3215 23d st. ne., was bound and gagged and left in a storeroom about 7:15 a.m. yesterday by two men who took $150 from the cash register, the store's gun and door keys.

Police said Gregory Lipscombe, the clerk, was forced at gunpoint into the room.

[From the Washington Post, Jan. 24, 1967]

ROBBER TAKES $146 FROM PIZZA PARLOR

A man with his hand in his pocket walked into the Pizza Box, 450 Lee hwy., Arlington, Sunday night and muttered to an employe, "If you want to live, give me the money."

George Young, who was behind the counter, did not hesitate. He handed over $146 from the cash register.

[From the Evening Star, Jan. 24, 1967]

PURSE SNATCHER STRIKES—POLICE CHIEF'S WIFE ROBBED ON NORTHWEST STREET

Mrs. John B. Layton, wife of the District's police chief, was robbed of her purse containing $40 last night on a Northwest Washington street. The bag was found this morning.

Mrs. Layton, a 53-year-old mother of four, fell to the pavement when her assailant wrenched the purse away but was uninjured, investigating officers said.

Layton said today the incident occurred at 8:45 p.m., moments after his wife had alighted from a D.C. Transit bus at 4th and Van Buren Streets NW.

Mrs. Layton, who had been in downtown Washington, planned to pick up her car, which she had parked on Van Buren Street, and drive to her home in the 1800 block of Redwood Terrace NW.

As she walked toward the lot, the chief said, a young man tugged the purse from Mrs. Layton's grasp and she fell.

Layton said "a couple of fellows on the far side of the street" responded to his wife's cries for help. But by the time they reached her the thief had sprinted away.

The thief was described as a Negro about 20 years old, 6 feet tall, weighing 225 pounds and wearing a grey-yellow trench coat.

The purse was recovered, emptied of money but with important papers apparently intact, by an unidentified motorist this morning before 9 a.m., police said.

It was found beside the road at the intersection of Sherrill Drive and Branch Drive in Rock Creek Park, a considerable distance from the scene of the theft.

CONCLUSION OF MORNING BUSINESS

The **PRESIDING OFFICER**. Is there further morning business? If not, morning business is concluded.

LEGISLATIVE REORGANIZATION ACT OF 1967

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The **PRESIDING OFFICER** (Mr. MONTOYA in the chair). Without objection, the Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

Mr. SYMINGTON. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the rule of germaneness be suspended.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

VIETNAM AND THE EFFORTS TO DENIGRATE AMERICAN AIR POWER

Mr. SYMINGTON. Mr. President, in recent weeks and months there has been "growing criticism" of the performance of Air Force and naval airpower in the Vietnamese war.

As a result, it is being increasingly asserted that air operations against North Vietnam are, first, expensive and second, ineffective.

After three trips to the Vietnam theater in the past year, it is clear that such criticism of this application of air power is not justified; also that the current failure to achieve the success characteristic of previous air operations results from unprecedented rigidity in the regulations and rules of engagement that have been laid down, and under which our pilots are forced to operate. These rules are complicated to the point where maximum effectiveness and efficiency are impossible.

Upon my return from Vietnam last year, I reported to the Senate that a fighter pilot, taking off in a single-seated fighter-bomber to attack North Vietnam had to, first, watch the weather, second, watch for probable enemy air intercept, third, evade ground-to-air attack—AAA and SAM's, fourth, then deliver his bombs precisely on target, whereas, fifth, at the same time he was forced to remember seven pages of detailed instructions as to where geographically he could not go, and what military targets he could not attack.

In recent months, various efforts to denigrate air power in the minds of the public have been on the increase. One group of critics now state these air attacks are ineffective. Another group asserts they are immoral.

In the Vietnamese theater last month, civilians as well as the military were asking: "Why does the Government first put our airpower in the ring, tell our pilots to put up a 'good fight,' but then by means of all these restrictions, in effect, then tie one of their hands behind their backs."

At the same time it is known by all concerned that the enemy is increasing steadily the sophistication of their "ground and air" defenses.

Typical quotes from these pilots are:

> I fly over barges that have been unloaded from ships and see on their decks the trucks, ammunition and POL which later I attack with questionable success in the jungles of the Ho Chi Minh trails. Is not a North Vietnamese barge loaded with weapons and ammunition a legitimate military target?"

Another quote from my trip last year:

> I am a regular officer and therefore expect to risk my life as part of my job. But why should I do it "several times a week" on long missions, in a multi-million dollar airplane so as to knock out an "empty barracks" or an "empty bus," or a buffalo pulling an irrigation wheel in a rice paddy.

This pilot was later killed on his 77th mission over North Vietnam while attacking one truck.

Another quote:

> We are so bound up in target limitations that often we attack targets which would not have been looked at even in Korea.

Another quote:

> On four of our last five missions I have flown directly over the airfields of Phuc Yen, some "twelve miles" from Hanoi on my way in to attack targets of questionable importance only five miles from that city. Each time we saw MIG–21s on the field of Phuc Yen; in fact watched them take off so as to attack us from the rear while we continued on to the approved target nearer Hanoi.
>
> Our planes have no "tail gun" capacity. The MIG–21 can "out-maneuver" us. Surely an airfield loaded with military planes is a military target. Therefore, we "cannot understand" why we are forbidden to attack those MIGs, on that field. This is not theoretical. Recently MIG–21 activity has been increasing.

It is a fact that our Government has instructed the Joint Chiefs to utilize air strength with even greater constraint than was imposed in Korea; and as "previously mentioned," this unprecedented constraint is why both Air Force airpower and naval airpower are coming under increasing criticism.

Most people "do not understand" why the application of this arm of our overall military strength is subjected to fluctuating political decisions to a point never before known in military history.

I noticed the newspaper reports this morning of further restrictions imposed as a result of this proposition.

While these fluctuating decisions continue, and against the advice of all previous military leaders, we are now waging "a major ground war" on the mainland of Asia, at a cost to the American taxpayer of "tens of billions of dollars."

Upon returning from the Vietnam theater a year ago, I reported to the Senate my growing doubts about the wisdom of trying to achieve peace by attacking the least meaningful military targets most, the more meaningful targets less, and the most meaningful military targets, "not at all."

With relatively slight variations, this policy continues; and as a result, published articles with thoughts such as the following are on the increase:

> It has been widely concluded in public discussions that air power has been given its head in Vietnam, that an all-out air war has been mounted and that it has not borne any "notable fruit".
>
> The Administration has made it clear on numerous occassions that the primary purpose of the out-country bombings are: (1) to stem the infiltration of men and materials southward, and (2) to make the price of the war so high the North Vietnamese will want to go to the conference table.

Continuing with this quote:

> Neither of these objectives has been achieved and there is little hope that they can be under present ground rules. The Defense Department reports say that the infiltration rate has about tripled since the bombings of the North began in earnest about "eighteen months" ago and Ho Chi Minh's government shows "no signs" of changing its position and negotiating an end of the war.

Continuing:

> A recent Newsweek headline is typical. It reads: "The Air War: Less Than a Success". The accompanying story questioned not only the effectiveness of the out-country effort, but the rationale behind much of the "in-country" air war as well. Lyle Wilson, writing for United Press International, said public confidence in the Air Force is fading. He characterized USAF efforts in Vietnam as "prat-fall" and said the Service's performance, along with Navy and Marine Air, "is a shocking disappointment" . . . when it is unable to overcome a little country with fewer resources than the State of New Mexico.

Continuing the quotes:

> Others, with "far less belief in air power," are calling for a cessation of the bombing because (they say) there is "no hope" that it can achieve the Administration's objectives. Consequently, it is described as useless. Critics of this persuasion also contend that aircraft basically are less accurate weapons than any employed by "ground troops;" and that dropping at such "a furious rate" at North and South Vietnam inevitably means "mass slaughter" is involved.
>
> They ridicule any contention by anyone that these air wars are restrained. Some even say air warfare is intrinsically evil and immoral.

That is the end of that quotation in a recent publication.

And so it goes, with some "well meaning," and others not so well meaning, critics attempting to denigrate the military value of airpower itself. Others question the use of airpower from a moral standpoint. They do this primarily by criticizing the "unintentional killing" of North Vietnamese civilians during air attacks against strictly military targets.

I also wonder why those who criticize the unintentional killing in North Vietnam have so little to say about the intentional killing of tens of thousands by the Vietcong in South Vietnam, not to mention the close to 7,000 Americans who died for their country there.

But to those who take the time to visit the theater and talk to the people involved, it becomes clear that if it is wise for the United States to continue to wage this war on the Asian mainland on any basis it should be done in recognition of our "qualitative advantages" instead of on the basis of our "quantitative disadvantages."

Whereas today we control much of South Vietnam during the day, sustained from the north, the North Vietnamese and Vietcong regulars, and even more, their guerrillas, often return to the villages to take control at night. Not only, therefore, should the superb Air Force and Marine support of ground troops continue—so as to prevent as much as possible waging this war on a "one against one" basis, on the ground, in the jungles—but also, again if we are to continue this war—we should use our superior airpower to eliminate the meaningful military targets in North Vietnam. Otherwise, there is relatively little chance of any permanent success in the overall effort.

In conclusion, if we are to continue, I again urge the elimination of these abnormal and unprecedented restrictions which tie the hands of our Air Force and naval pilots to the point where the United States can only continue to lose, unnecessarily, not only more airplanes, but what is vastly more important, more of our finest young Americans.

For unless these present arbitrary and abnormal restrictions are lifted, these unnecessary losses can only increase, primarily for two reasons. First, there has been a marked increase in the sophistication of the ground-to-air defenses of North Vietnam; and an increase both in the number and quality of pilots and MIG-21 planes, the latter a fine air superiority fighter, only exceeded in performance in that category by the new Soviet day fighter, the SU-7.

In summary, against all previous military advice, the United States is now waging a gigantic land war on the mainland of Asia, at a cost for construction, maintenance and operations of tens of billions of dollars annually; and what is more important, thousands of lives.

In addition, because of the great and growing cost of this war, it will not be possible to continue, at least on a proper scale, many of the domestic programs which are so essential to the progress of this country.

For the above reasons, as well as others, if we do not start fully utilizing our technological superiority, on a conventional basis, it would be better to terminate hostilities as against continuing them on the present quantitative basis.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from Texas [Mr. TOWER].

Mr. TOWER. I wish to associate myself with the remarks of the distinguished Senator from Missouri [Mr. SYMINGTON], and to commend him on a very excellent presentation. Senator SYMINGTON has been, I think, this body's outstanding and most articulate advocate of the effective use of our air and naval superiority in performing a proper role of interdiction in North Vietnam.

I wish to ask the Senator a question. Does the Senator believe, or is it not his conclusion, as a result of his visits to Vietnam, that we could fly fewer sorties, endanger fewer lives and machines, use less ordnance to more effectively do the job that we should be doing there, if we could liberalize the rules of engagement or liberalize target selection.

Mr. SYMINGTON. The Senator is right. Not only that, but a good many more civilians are killed unintentionally in North Vietnam—when we bomb the less meaningful targets such as trucks moving along the roads, and other moving targets, which they are allowed to attack in certain areas of North Vietnam—than we do when we attack the meaningful targets such as, for example, the POL storage system.

Mr. TOWER. Does not the Senator believe, too, that most military supplies of bulk importance move by sea and, therefore, the port of Haiphong is, properly, the most vital funnel through which the supplies to North Vietnam flow?

Mr. SYMINGTON. That is correct.

Mr. TOWER. It would appear, then, that the effective thing—I am not arguing whether this would be done or not—I happen to think that it should—but I think it would be an effective step, then, to put that harbor of Haiphong out of operation, would it not?

Mr. SYMINGTON. Let me say to my able friend from Texas that it is the unanimous opinion of the Joint Chiefs of Staff that this harbor should be taken out if possible. There are political considerations about the harbor which are unique as against many of the other targets—several, anyway——

Mr. TOWER. I meant from the military standpoint only, not the political.

Mr. SYMINGTON. Yes. There is no question about the fact that a very large proportion of everything moving down the Ho Chi Minh trail to kill Americans in South Vietnam comes through the harbor.

Mr. TOWER. Does not the Senator from Missouri believe, or would he comment, that actually the purpose of using air power for effective interdiction—that is, to destroy the enemy's ability to logistically support a war effort—is the ultimate goal in order to bring the war to the earliest possible conclusion to save human lives in the long run?

Mr. SYMINGTON. The Senator is correct, and also because of the gigantic costs involved. That is why some of us, including the able Senator and myself, do not understand why our pilots in these expensive airplanes are not allowed to hit meaningful targets.

Mr. TOWER. Again, I should like to thank the Senator from Missouri for his excellent presentation and to express the hope that he will continue to make his voice heard on this matter.

Mr. SYMINGTON. I thank the Senator from Texas, who is a true authority in this field. I am grateful to him for his support of my position.

Mr. PEARSON. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I am happy to yield to the Senator from Kansas.

Mr. PEARSON. The Senator from Missouri is rendering a great service to the Senate and, indeed, to the Nation. When the administration first announced the bombing north of the 17th parallel in North Vietnam, it said it did so for three reasons.

One, to give a sense of satisfaction, as it were, to the people of South Vietnam so that the source from which all of their suffering and evil came would also suffer some of the hardships of war.

Second, to force Hanoi to the negotiating table to show that there is a price to pay for aggression.

Third, to interdict the flow of men and supplies down the Ho Chi Minh trail to South Vietnam.

Thus, the bombers went forth.

Today, Hanoi is no closer to the negotiating table than before. The men and supplies that flow south through the jungle areas are now up, I understand, to 4,500 men per month infiltration.

Thus, it continues.

The satisfaction that the South Vietnamese people must feel is caught up in the very problem which the Senator from Missouri has just described so well.

I would think that there are many people in America today who are wondering about this, as well as about many other things connected with Vietnam: The policy of the administration that does not seem to succeed. It comes back to what the Senator said, "Is it a failure on the part of our air arm? Can they not implement the policy of the administration?"

I think here is an answer to one of the hundreds upon hundreds of questions the American people are asking as to why the policy of the administration regarding the bombing of the north is not a success.

I commend the Senator from Missouri for so succinctly and precisely putting his finger on the point.

Let me add this one thought. The distinguished Senator from Colorado [Mr. DOMINICK] is now in the Chamber. Yesterday, we sat together in committee listening to the recitations of the rules and regulations placed upon our pilots who are doing the bombing in North Vietnam. I turned to him—and I would not have the glibness of this comment detract from the seriousness of the subject about which I speak—but I turned to him and I said, "I doubt if you and I could fly this war, as we did in the last one, because we could not remember all those rules and regulations involved with all the other very arduous work that one must do."

Again, I associate myself with the comments of the distinguished Senator from Missouri, as well as those of the distinguished Senator from Texas.

Mr. SYMINGTON. I thank my colleague from Kansas for his contribution to this discussion. He was a pilot in World War II and thus he knows only too well the problems involved when one is limited to the extent which has been mentioned previously this morning.

Mr. BYRD of Virginia. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I am happy to yield to the Senator from Virginia.

Mr. BYRD of Virginia. I congratulate the Senator from Missouri for what I consider to be one of the clearest descriptions of the dilemma confronting our young fighting men who are forced to fight a war under artificially imposed restrictions.

I concur in the Senator's views that so long as we draft Americans and send them to Vietnam to fight, we are obligated to give them full support and not impose unreasonable and handicapping restrictions.

I think that the Senator from Missouri has rendered a service today to the Senate and the Nation in pointing out many of the handicaps under which our pilots and our fighting men are operating in Vietnam.

I congratulate the Senator.

Mr. SYMINGTON. I thank the able Senator from Virginia for his contribution. It is a privilege to serve with him on the Armed Forces Committee and it is also a great privilege to remember the contributions that his father made on that same committee during the long years he was in the Senate.

Mr. DOMINICK. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I am happy to yield to the Senator from Colorado.

Mr. DOMINICK. I thank the distinguished Senator from Missouri. I also want to thank him for going on a program with me recently in my own home State discussing some of these same problems which have been brought particularly close to home these days.

Much like the distinguished Senator from Missouri, I also have received some letters from returning fliers. The Senator quoted portions of his letters, and I should therefore like to add a few letters along the same line.

I do not feel at liberty to give the name of the writer of the letter I hold in my hand but it comes from the son of a good friend of mine. This boy is a pilot, in this case, in the helicopter force in South Vietnam, and he has been engaged in flying helicopters and operating in the so-called pacification zones. He has received, I believe, some 15 air medals and has been put in for the DFC with bronze star, with "V" for valor.

He reports on the fact that four of his planes have been shot down and reports—and I want to be sure I quote this correctly, "We are not allowed to shoot at anyone even if he is firing at you." This is in the pacification zone. This was written, I might say, apparently just about the time the rules were changed. This was the third of October 1966. His letter was forwarded to me on the date of October 12.

He then goes on to say that after the meeting the previous evening, the rules had been changed but that the pilots and the helicopters going into the area where they had lost four ships the previous week, and three more in another area that day, were now told they were free to fire after they had been shot at first.

It is the old situation of where one is trying to fly and do a job and he is not permitted to do it, because of rules that have been established, I presume by the civilian authorities here—I guess the best way to put it is to say the civilian authorities in Washington—who say, "You are not permitted to fire until you are shot at first."

I received another letter in July of last year which goes into considerable detail with respect to the situation in North Vietnam. This man had been released from active duty after 115 combat strike missions, the great majority of which were over North Vietnam. One of the points he makes in his letter is that the aviator has been made to feel angry and unsupported. He says that they watched day by day the construction of SAM missile sites. They were not permitted to bomb them while it was militarily wise to do so. Then when they were completely constructed and heavily defended, they were ordered to bomb them, with high losses.

I am reading from that letter. I have had others of the same import.

It is discouraging, as the Senator has pointed out, to hear critics say that the Air Force and air power are not working, without taking into consideration the very great restrictions under which the air power and the Air Force are being operated.

It seems to me that the remarks of the Senator from Missouri have brought out the facts so clearly that they are well worth study and reading by anyone. I want to congratulate the Senator for his leadership in bringing these matters up again and again.

Mr. SYMINGTON. I thank my colleague from Colorado, who is a member of the Armed Services Committee and also has expertise in this field, because he was an outstanding pilot in World War II.

In further reference to what was said by the Senator from Colorado and other Senators this afternoon, one can only wonder why there is this sudden sharp attack on aviation. It seems probable that it comes as a result of the fact that both of the nuclear weapons that were dropped in anger were dropped from airplanes. There developed the slogan "Ban the Bomb." As those of us familiar with aviation know, in the future, the chances of a nuclear weapon being dropped from an airplane as against coming out of a silo or from the tube of a submarine are very small indeed. God forbid that either happens. Nevertheless, the "Ban the Bomb" slogan was carried to "Ban the Bombing." All of a sudden, there was an attempt by those, apparently unmindful of the security of the United States, to appear to make the word "airplane" an unthinkable word, synonomous with "atomic bomb." I see in these growing efforts to denigrate air power a growing problem, especially as related to its importance to the security of the United States. Therefore, I am grateful for this colloquy.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield to the Senator from Texas.

Mr. TOWER. Does the Senator agree that in this day and age we must avoid what might be considered a narrow global or strategic mentality, and think in terms of perhaps conventional and brushfire wars and the necessity to maintain a whole spectrum of deterrents? Does not the Senator agree that in any conventional war situation, there is certainly no substitute for air power?

Mr. SYMINGTON. The best answer to the question of the Senator from Texas is that the strongest advocates of air power I have met in recent months are our able and dedicated leaders of our armed services in the Army and Marines in South Vietnam. There are very few roads that are not interdicted, at night especially, by the enemy. There are no railroads. There is no way to transport materiel to our men throughout South Vietnam except by air power. In addition, there would be no chance of bringing aid to the Special Services, what we know as the Green Beret boys, unless we had the ability to give them support by air if and when they are attacked, as they often are.

Therefore, as opposed to these attempts to denigrate air power by critics who say that air power is ineffective in South Vietnam, our generals in Vietnam, General Westmoreland and General Walt, and other high-ranking officers over there, who are doing a good job there militarily, would be the first to say they could not function without the support of air power.

Mr. TOWER. I was particularly impressed by the facts that the Senator from Missouri has introduced into the RECORD. I also had the privilege of being on the deck of a carrier on Yankee Station and talking to pilots who had made strikes against North Vietnam.

This is the finest class of airmen we have ever known, and I would have to include the distinguished Senator from Colorado [Mr. DOMINICK], and the distinguished Senator from Kansas [Mr. PEARSON]. I include myself when I say that this is the finest class of fighting men, bar none. I have stood on the deck of a Navy carrier off Yankee Station and talked to a Navy pilot whose face was contorted with frustration because he had lost his wing man going in to attack a heavily defended target.

I wish every Member could talk to these pilots who fly over Vietnam. They would be convinced of the profound validity of what the distinguished Senator from Missouri has said today.

Mr. DOMINICK. Mr. President, I want to associate myself with the comments which the distinguished Senator from Texas has just made. Having been a flyer, having been in some fairly difficult situations myself, I cannot conceive of a more frustrating type of situation to be in than to be told you must fight for your country, but you must fight with one hand tied behind your back. I cannot conceive of any more difficult position.

Mr. President, will the Senator from Missouri yield further?

Mr. SYMINGTON. I yield.

Mr. DOMINICK. I had some remarks that I was going to make during the morning hour, together with an accompanying letter, from a man in the Army who, I think, points out so clearly the morale of our forces. I think it is worthwhile that I make these remarks at this time.

Most of us in the Senate have at one time or another found ourselves in uniform fighting for our country: some in World War I, some in World War II, some in Korea, some in World Wars I and II, some in World War II and Korea.

Still others have put on uniforms and gone into the armed services of our country to help maintain and perfect our defenses against outside attack even though the country was not actively engaged in hostilities, a job perhaps not as perilous but equally necessary to our security.

These military experiences inevitably involve sharp changes in living patterns. Often discomfort, dirt, and danger have been the hallmarks of existence in the military, and I am sure that each of us at these times has asked himself, "Why? Why are we doing this?"

This question is even more pertinent to our troops in Vietnam, because many news columnists and editorialists have savagely attacked our involvement as a waste of people and principle.

The other day I received a letter from a young Coloradan, Pvt. Gordon Walker of the U.S. Army, whose family is waiting for him to return home after military service. Private Walker gave such a heartwarming answer to the editorialists, the columnists, the pickets, and others who are almost professionally attacking our purposes in Vietnam, that I asked for and received his permission to insert his letter in the RECORD.

Bless this country and our State, that we can still produce young people equal to those who have fought in other struggles for freedom, and equal to those now slogging through the jungles of Vietnam in the same cause.

Mr. President, I submit his letter together with his letter of consent.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. ARMY,
January 11, 1967.

DEAR SENATOR DOMINICK: Thank you so much for so thoughtful a reply to my letter of a couple of weeks ago. It was a gratifying thing to know that you were so interested in my views.

You asked if you might use the letter for entrance into the CONGRESSIONAL RECORD after Congress reconvened and I thought that to avoid any possible repercussions on that score, I would write my agreement for you.

That letter is now yours and you certainly may do with it as you please for whatever good use you may have.

By the way, my company commander and brigade colonel have both seen your reply to me and have asked if I might ask for a copy of the letter for their records. Would it then be possible for you to send me a carbon of my letter? I would be very grateful.

Thank you again and God bless you.

Yours very truly,
PHILIP G. WALKER,
Private, U.S. Army.

3RD PLT., CO. C, 3RD BN., 2ND BDE (BCT),
Fort Bliss, Tex.

DEAR SENATOR DOMINICK: I hope that you have time from your very busy schedule to read a thought or two from a young man who would like to put in his say about service in the military in general and the U.S. Army in particular.

I know that in the past few months there has been an odd movement all over the country in regards to our place in the world community of war. Certainly most of this regard has been focused on the part that we are playing in the struggle now going on in South Viet Nam. Many small groups and a few of the large ones have spoken out critically about our activities in that area. Let's make the position clear and set the ball rolling in a less wobbly manner.

The other day, while I was home on leave for the holidays, my three-year-old girl asked me, "Daddy, why do you go to war?" It occurred to me at the time that this is exactly the question that all of the groups and individuals have been asking for all these months. Certainly the answer is not a clear-cut one just as the battle lines in Viet Nam are not clear-cut. Moreover, the question has not received an adequate reply since the demonstrations go on. But one day the answer must be extant or the struggle here at home may force us into making a mistake that we cannot afford to bear the cost of at this time.

"Daddy, why do you go to war?" Can I tell her that there is a militant group of people who align themselves behind and plot for the overthrow of our precious way of life? Can I say that nearly every week in a hundred ways, a hundred men die to keep that curtain from falling on the stage in Southeast Asia? How do I explain that for nearly two hundred years young American men have marched off to fight in places that they could not even pronounce simply because it was the right thing to do. No, Senator, I can't say these things. She could not understand any better than could the children who mareh with placards on their shoulders and burn their American responsibilities in little piles on the ground that was paid for in blood. My little girl simply is asking a question. She may not understand, but she listens. Others just don't understand.

My answer to her was put in three-year-old language. It was said in such a way that she would comprehend. "Bambi Ann," I said, "I must go away because I want you to have a good dinner tomorrow, so that you can sleep warm in a soft bed tonight and so you will always have a nice dolly to hug and squeeze." My little girl has all of those things today because 400,000 of my comrades are out buying them for her this day. I will not shirk my chance to help pay for her things. I will not burn her heritage along with my draft card. I will not march her away to chains and bondage by marching along with a protest sign. I will not subscribe to the adage that "It is not the Earth the meek inherit, but the dirt."

Senator Dominick, tell the people, all of them, that my little girl and all the other little girls in our country, will not be sold out by the bearded boys who scream "Peace"!, when a million of their American brothers carry a rifle and answer, "Where"?

Tell the people that all of my little girl's tomorrows ride with me and a hundred thousand like me, today, in camps all across the continent. We are not here because we like it. We do not take up arms because it is our choice. But rather, we are there because the hands that are taught to kill today, will be home to tuck all the little girls into bed tomorrow.

Make no mistake about it. The people with whom we fight in those jungles are our enemies. And they will be our executioners if they have the opportunity. I will not retreat. My fellow soldiers will not retreat. I know that you will not retreat. Now if only those who will not listen would only put aside their fears and accept their heritage like a man, then perhaps there would be nothing to fear.

I suppose that if the world were made out of gold, men would still go on killing each other for a handful of dirt. Until the glitter of world domination is gone from the eyes of those behind the curtains. Until the walls of bigotry, hate, greed and oppression have crumbled to dust, men like myself will go on fighting for the protection of that part of the world where those things grow least of all. My land, my life, my hearts delight. My America!

Yours very truly,
Pvt. PHILIP G. WALKER,
U.S. Army.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and I ask that Senators be notified that this will be a live quorum.

LEGISLATIVE REORGANIZATION ACT OF 1967

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 8 Leg.]

Aiken
Anderson
Baker
Bartlett
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Hansen
Hart
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Lausche

Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Mundt
Murphy
Muskie
Nelson
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Russell
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senators from Indiana [Mr. BAYH and Mr. HARTKE], the Senator from Hawaii [Mr. INOUYE], and the Senator from New York [Mr. KENNEDY] are absent on official business.

I also announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Alaska [Mr. GRUENING], the Senator from Rhode Island [Mr. PASTORE], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that the Senator from Oklahoma [Mr. HARRIS] is absent because of the death of his grandmother.

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] and the Senator from Iowa [Mr. MILLER] are absent on official business.

The Senator from Kansas [Mr. CARLSON] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The PRESIDING OFFICER. A quorum is present.

Mr. JAVITS. Mr. President, if the Senator from Oklahoma is agreeable, I should like to call up my amendment 32 and ask that it be stated.

The PRESIDING OFFICER. An amendment is pending.

Mr. JAVITS. Mr. President, I have the permission of the Senator from Pennsylvania [Mr. CLARK].

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is amendment 7 to S. 355.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the Senator from New York be permitted to present his amendment at this time. He has discussed the matter with the Senator from Pennsylvania who is willing to stand aside until the amendment of the Senator from New York has been acted upon.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The amendment of the Senator from Pennsylvania is temporarily withdrawn.

AMENDMENT NO. 32

Mr. JAVITS. Mr. President, I send a modification of my amendment No. 32 to the desk and ask that it be stated. It is a very simple matter and I point out that Senators may follow it from the printed copy.

The PRESIDING OFFICER. The amendment as modified will be stated.

The legislative clerk read as follows:

On page 80, line 3, insert the following new subsection:

"SEC. 336(a) In order to insure that debates of the Senate may be heard in all parts of the Senate Chamber and in the galleries thereof, the Majority and Minority Leaders are authorized and directed to take such action as may be appropriate for the installation and operation within the Senate Chamber of a suitable electrical public address system approved by them.

"(b) To the extent authorized by law, the expenses incurred for the installation and operation of such public address system may be defrayed from the contingent fund of the Senate."

Mr. JAVITS. Mr. President, as is clear from the amendment, we are not dealing with this matter in any hostile way; neither the Senator from Oklahoma nor I.

The question involved is simply: Does the Senate wish to have, if we can find one—I am sure that electronically we have advanced to that point—a suitable public address system so that we can be heard in the galleries and by our distinguished friends of the press, and so that we can hear each other, which is mighty important, and so that we can hear the Chair, which is very important.

I have decided that the best way in which to accomplish this—I have discussed it with Senator MONRONEY; not that he necessarily consents, but I have his views—is to vest in the majority leader and minority leader the choice of a system. All we would be doing, if we adopt this amendment, would be to say to them that we desire such a system. If they can find a suitable system which will be congenial to them and congenial to the rest of the Senate, then we could deal with the matter again in an appropriation bill; because all this measure would do would be to ask them to go ahead and pick a system. The funds for the plan would have to be incorporated in an appropriation bill, and we could turn it down at that time if necessary.

It seems the consensus is that instead of getting a report from the majority leader and the minority leader and then going at it in another authorization, we ought to authorize the idea, if this is what we wish, and then let them pick a system, and deal with it finally in the appropriation process.

Now, as to the merits of the proposal itself: In the first place, we have been going on in this manner for many years, long beyond the time when other people with similar problems have been going on in the same fashion.

For example, in the other body, as all of us who have served there know, there are effective public address systems at the seats of the majority leader and the minority leader, in the well of the House, where many of us have spoken who were Members of the House, and at the Speaker's podium.

It is true that we are a much smaller body, but, Mr. President, I should like to point out that matters have often gone awry here because Members could not hear or the galleries could not hear the Members or we could not hear the Chair. It is a little embarrassing to a Member and he always feels uncomfortable when somebody asks him to speak up. Some Members are happier and feel better if they do not have to speak up. They like to pursue their normal tone of voice.

On some occasions when Vice President Nixon was in the chair, he spoke so quietly that many of us could not hear him; and we were uncomfortable about asking the Chair to speak up.

A number of Members have had occasion to correct on the floor a misconstruction of what they said or a misstatement of what they said, which was put out by the press, through nobody's fault, except that the people in the gallery just did not hear it.

We also have the rather unfortunate practice where we are latched down to a mimeographed speech; and if we do not give it to the boys and girls in the gallery, we probably are not reported, because often they cannot hear or are unable to make notes because we do not speak quite clearly. The give and take of debate often is not reported because we are not being heard adequately for a report.

I should like to relate one instance in which a serious question arose. Our beloved President pro tempore [Mr. HAYDEN] made a ruling on a rule XXII committal motion on January 14, 1965, which apparently was misinterpreted, and it took some straightening out, because he just was not heard.

I should like to point out that in the Supreme Court of the United States there is an analogy with our situation. The Supreme Court—perhaps many of our Members know this—now has a public address system of its own, with an individual microphone in front of each Justice, which he can turn off or on as he chooses. If he does not wish to hear what is going on, or if he does not wish to speak into the microphone, he switches it off. The lawyers at the stand, arguing before the Court, also have a microphone, so that the judges may hear them, if they choose. The Justices can keep their public address system on or turn it off.

Certainly, the state of the art has advanced enormously. I first introduced this concept in 1957, exactly 10 years ago. So that nobody can say that we are moving too precipitately in this Chamber. I first introduced this concept 10 years ago. At that time, the state of the art might have been such that a microphone on each Senator's desk would have been unsightly. But, today, microphones can be small and are so sensitive, so selective, that they can be toned up or down and can be turned off by the simple flip of a switch at the Senator's desk.

I am confident that a microphone can be contained in this recess on our desks which has a rather old-fashioned container, to be used with quill pens, and is completely archaic. Nonetheless, here it is—a charming ornament, but a perfectly proper recess into which, with modern technology, a sensitive microphone could be inserted.

I am honored, Mr. President, that the minority leader has joined in this matter with Senators HARTKE, MORSE, MOSS, MURPHY, SYMINGTON, CLARK, and our beloved Mrs. SMITH, who have joined with me in putting this matter before the Senate.

This is an opportunity for us to express ourselves. I do not know what will happen to this bill. I hear all sorts of things about it. Whatever we do on the bill may not necessarily survive a motion to recommit the bill. But I believe that this is a housekeeping matter of our own, and I rather agree with Senator MONRONEY, who said he would like to know—he is not necessarily fighting this matter pro or con—how the Senate feels about this matter.

If we feel that the time has come that we want the public address system—the exact system to be selected by the minority leader and the majority leader, the two Members in whom the Senate has the most collective confidence—then I am confident that we will get this system. Whether we obtain it by this bill or by some other action of the Senate, I am sure that, the Senate having expressed itself on this subject at long last affirmatively, the matter will be taken care of properly.

I assured Senator MONRONEY, when I spoke with him this morning, that this is such a unique matter of housekeeping, that it does not represent any particular precedent as to the other rather numerous amendments to this bill. This is a very clearly defined unique matter of internal housekeeping for the Senate. A good time to handle it is in connection with this bill, because our minds are concentrated in part II of this bill, on Senate business and Senate organization. But it is not necessarily any precedent for what the Senate may do on many other amendments to this bill which Senator MONRONEY will be facing, as we approach a different aspect of the subject.

I ask unanimous consent that the Senator from Delaware [Mr. WILLIAMS] be added as a cosponsor of the amendment, as modified.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. SPONG in the chair). Does the Senator yield?

Mr. JAVITS. I yield.

Mr. HOLLAND. The first question: Am I correct in my understanding that this does not change the formal Standing Rules of the Senate?

Mr. JAVITS. It does not.

Mr. HOLLAND. Am I correct in my understanding that the printed text of the Senator's amendment, which would have committed the carrying out of this matter to the Committee on Rules and Administration, has been rewritten so as to leave the working out of this matter to the two leaders—the majority leader and the minority leader?

Mr. JAVITS. The Senator's understanding is correct.

Mr. HOLLAND. I want to say to the distinguished Senator that I think this is a reform that has been long needed in the Senate. I have had many complaints from people who have come here, that they had been unable to understand what was being said by various Senators and by the Presiding Officer, and unable to know what was being disposed of; and that they had gone away with a sense of deep dissatisfaction because of that fact.

So long as this is not a change of the rules, so long as this does leave the matter to the two leaders to work out on any basis they find it can be worked out satisfactorily, at which stage it would, as the Senator said, come back before the Senate for appropriation, I strongly hope the measure will prevail.

Mr. JAVITS. I am grateful to the Senator from Florida [Mr. HOLLAND] for his support.

Mr. President, I might point out that because it is the majority leader and the minority leader I struck out the word "required" in line 5 and inserted "appropriate"; and struck out in lines 6, 7, and 8 any specificity about the plan and inserted "a suitable electric public address system approved by them," to wit, the majority leader and the minority leader, to carry out the spirit with which I presented this matter.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MUNDT. I wish to raise one question with respect to the response of the Senator from New York to the question of the Senator from Florida [Mr. HOLLAND]. It seems to me that what the Senator from New York [Mr. JAVITS] told the Senator from Florida [Mr. HOLLAND] is not quite in conformity with the bill as I read it.

As I understand the matter, changes have been made that do not appear in the text. I believe that this is something which deserves a study. I like the idea of the two leaders giving it the study. I believe that this is a sharp departure from the past, and before action is finalized it should come back to the entire membership for approval. I thought the Senator from New York said this would come back to us for final decision after studying the recommendation through the Committee on Appropriations.

Mr. JAVITS. I shall restate the plan which I have in mind.

Mr. MUNDT. I thank the Senator.

Mr. JAVITS. If we adopt this resolution or amendment—it really is a resolution—whatever happens to the bill, I am sure that the majority leader and the minority leader will honor what we want to do. They will then be requested and directed to find a suitable system which they approve. When they have found such a system, it can be taken by them to the Committee on Appropriations for an appropriation.

We will next be able to pass on it if they have approved the system. The Committee on Appropriations would provide for it in an appropriation bill; then, it will be before us to take it or leave it, by either leaving it in the appropriation or striking it out.

Mr. MUNDT. This is where there should be additional tailoring. The Senator said that it would be to the extent authorized by law. The expense for the installation and operation of such a public address system may be from the contingent fund of the Senate, which means that the money cannot come from the Committee on Appropriations. I would like to have the usual procedure followed rather than the confused procedure in the text.

Mr. JAVITS. The Senator would prefer the usual procedural plan, talking about "such funds."

Mr. MUNDT. Yes, that would do what the Senator said.

Mr. JAVITS. I thought that this would do, but I am perfectly willing to agree to that.

Mr. MUNDT. Has the bill been amended?

Mr. JAVITS. I shall amend it in a formal way.

Mr. LONG of Louisiana. Mr. President, as the Senator from New York perhaps well knows, the General Assembly of the United Nations has an extremely sophisticated and perfected system of loudspeakers and translators. A person can even sit in the galleries and hear any speech that is being delivered in five languages. He picks up the receiver by the side of his chair and he tunes to whomever he wishes and hears the speech in any language he wishes to hear it delivered to him. That system could be useful in a number of instances in the Senate. From time to time we have foreign dignitaries who do not speak our language, and it would be perfectly appropriate, when they address the Chamber, for a translator to deliver the message in our language as the speech is addressed to us. It is my judgment that if we do experiment with this matter we will probably find it worthwhile.

What is the reaction of the Senator with respect to the possibility of having other outlets in the building so that when a person is at the luncheon table at noontime he can hear what is being said with respect to a matter which he opposes, or with respect to a matter which he favors?

Mr. JAVITS. Big Brother is watching us. We could have television screens in our offices. I have been here long enough to know that one needs to get a pretty good consensus before trying something that is new. I think I have a pretty good consensus to leave the choice of the system to the majority leader and the minority leader. I think that the Senator from Louisiana [Mr. LONG] has a little standing with them. His ideas will be most refreshing. I would say that the ideal would be of interest to me as a modernist, but they will be making the decision. If they feel that the system can be extended to our offices so we can hear there, too, that is all right with me, but I would rather not have that in the legislative history because I honestly feel that the best plan is to leave it to these two Senators.

Mr. LONG of Louisiana. I have no objection to that feature. I wish to make it clear for the RECORD that the Senator does not object to experimenting with a number of things which we might do with electronics. This is an electronic age, in some respects, and we might as well see what we can do with it. I was hopeful that we would make more use of the electronics with the work of this committee than we have. It was my thought that perhaps we might have a voting machine here so that when we have finished debating some measure the vote might be taken immediately, as is done in some State legislatures, rather than to require 12 to 15 minutes to call the roll.

Mr. JAVITS. I thank the Senator.

I yield to the minority leader.

Mr. DIRKSEN. Mr. President, I think we ought to update the Senate Chamber. I recall when I was in the House of Representatives 30 or 40 years ago there were no loudspeakers and there were no committee tables. There was great difficulty hearing Members who were off in one corner of the Chamber, especially when there was a substantial number of the total membership of 435 on the floor. The matter was agitated in the hope that amplification could be had and at long last a casketlike box appeared under the ceiling of the House of Representatives. It is still there today. I do not know whether they bounce beams off of it or what they do, but they have these gadgets at the committee table, and at least they can hear the people who go up there to speak.

I think the distinguished Senator from New York [Mr. JAVITS] pointed out that quite often the press does not hear accurately and it is not their fault. Then, they have to chase down a quotation and if they do not find the author of the quote they may wrongly quote him, and then he will be full of bile and umbrage and nobody is at fault.

I think that the public who comes here is entitled to hear. Families of Senators sit in the Members' Gallery and so often they will complain of the fact that they could not quite hear what the discussion was about on the floor of the Senate. They and all of the public who honor us by their visits are entitled to hear. That is another question.

I would assign still another reason. I thought at one time every Senator's desk was equipped with a snuffbox. I understand they have the snuffbox down near the door and it is glued down or something or other so Senators can get some snuff but cannot take away the box as an antique or a souvenir.

But I do not know what these gadgets are. I have a whole flock of blotters in this drawer. Then, there is this sand shaker. I never used it in 16 years in the Senate. This is the first time I have shaken any sand from it. It does not look good to me as it is. It is black and if it is used on ink, I do not know what kind of a result will be had.

I am confident that we can get a gadget that will fit into the place occupied by this sand shaker. That will be all that will be necessary. A Senator would be able to pick it up in his pocket and "waltz" around the Senate and violate the rules by leaving his desk, but he will still be heard. Such a device would not interfere with whatever electronic devices may be installed at other desks.

There is one more reason, and this is by way of a confession.

As one grows older, his vocal cords lose a little of their dynamite, a little of their resonance. The voice becomes a little thin, sometimes a little squeaky. Well, even a squeaky voice or a thin, piping treble is entitled to be heard on this floor as well as a resounding bass.

Therefore, if these gadgets will help to convert a piping treble into something profound that will go up into the ambiance, I am for it.

Thus I hope, since the Senator has submitted this to the majority and minority leaders, that we will be willing to spend a little of the public's money to get the best gadgetry we can. If we do obtain it, I believe that we will be thanked.

I should add to that this one thought: We punctuate the air with many speeches, and hurl an assortment of rhetoric at one another. Well, it is rather relaxing and restful to modulate the voice a little into the upper register and then let it sink into the cellar, or let it be musical at times, or let it thunder like a burst of oratory from Daniel Webster. To a person like that, it is restful, but we cannot do that very well in this Chamber. But if we had one of these little gadgets—oh, what we could do then, particularly if we injected some poetry into our speeches. I think it would add not only eloquence but also persuasiveness to our speeches.

So, all hail to my good friend from New York. We will give it a try and see how it works out.

Mr. President, I hope it is not a violation of the rules to pour this sand from the top of my desk into the wastebasket.

Mr. CLARK. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. CLARK. As a cosponsor of this proposed aid to the Senate, I should like to express my delight at the spirit of sweetness and light which has descended upon the Senate during the last few moments.

Such a show of unanimity is, indeed, wonderful to behold. The sight of the Senator from New York and the Senator from Illinois walking hand in hand down the road to useful reform of the procedures of the Senate is one which delights my heart.

I am happy, indeed, to follow in their train and I express the fervent hope that the same spirit of unanimity will prevail in the Senate when certain of the changes which I intend to propose are called to the floor for a vote.

I congratulate the Senator from New York on the extraordinary skill and diplomacy with which he has brought together so imposing a coalition in support of his most useful amendment.

Mr. JAVITS. Mr. President, I desire to modify my amendment.

I modify my amendment by striking subsection (b) thereof and insert in lieu thereof the following:

(b) The expenses incurred for the installation and operation of such public address system shall be considered in the legislative appropriations bill.

I ask that my amendment be so modified.

The PRESIDING OFFICER. The amendment is modified accordingly.

Mr. MONRONEY. Mr. President, the Joint Committee on the Organization of Congress considered suggestions that had had been made by a number of witnesses to provide for loudspeakers and microphones in the Senate Chamber. Discussion largely revolved over the intimate character of Senate discussion, its low-key reasoning, and attempts to justify and explain the various measures on more of a person-to-person basis than on a public address basis. The consensus of the committee was that we would be better served by not having a microphone placed on each Senator's desk, and loudspeaking equipment placed throughout the Chamber and the galleries, particularly the press gallery. Today there seems to be a strong unanimity of opinion, however, beyond the decision of the committee.

I believe that the amendment offered by the Senator from New York, giving authorization to the Appropriations Committee to approve a sound system for the U.S. Senate, leaving the final decision on whether money would be appropriated and whether the recommendation of the majority and the minority leaders would approve the system, would leave this open for the final decision of what kind of equipment to obtain, and whether any is available which could be placed in the Senate Chamber without violating the decor which has so long existed here.

I do not feel that the minority leader has any need ever to worry about the sound of his voice, its soft and strong characteristics which carry so well when heard resounding throughout this Chamber. I can say this, too, about many other Senators who, I believe, can be heard distinctly. But, I must admit that in the galleries it is sometimes very difficult to hear what is going on.

For that reason, since this is an authorization for the Appropriations Committee to consider the appropriation, I believe that the other members of the joint committee from the Senate would be happy to accept the amendment of the senior Senator from New York and others.

Mr. MUNDT. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. MUNDT. I think that the language of the suggestion of the Senator from New York comports with the definition and delineates the action as stated by the distinguished Senator from Oklahoma. I see no reason for anyone to object to initiating this study.

Let us come up with the facts and have a good look at it.

Mr. JAVITS. Well, I think that the amendment goes a little further than that, in all respect, let me say. The amendment makes the decision that we want it and authorizes the majority and minority leaders to carry out the decision. It will give us another chance at it through the appropriations process.

Mr. MUNDT. We must be sure we do not get a "pig in a poke."

Mr. JAVITS. This is the authorization now.

Mr. MUNDT. That is right.

Mr. JAVITS. Under the circumstances, I should like to ask my colleague from Oklahoma this question:

I never like unnecessary rollcalls but as I feel that this is a decision which the Senate should make in a considered way, that it really does want such a system, does not the Senator from Oklahoma feel that rather than just taking the amendment—sometimes they go down the drain in conference—that we should have a yea-and-nay vote on it and see how a majority of the Senate feels about it on the record? This is a historic determination to be made by the Senate.

Mr. MONRONEY. I agree that we

should have a yea-and-nay vote, because it is an intimate matter on which Senators can express their choice.

I would hate to see the Senate get a system such as is now being used in the House of Representatives, where the amplified voice is boomed into the ear drums as one enters the Chamber. That would not fit in with the kind of debate engaged in in this Chamber.

In the House, with Representatives sitting close to each other, when one Member addresses the Chair, he then comes down into the well and looks out upon 434 Members and the vast expanse of the House Chamber.

Our decision is to go forward and get the very best design submitted which would work out well in the Senate Chamber. It will then be submitted to the leadership on both sides of the aisle and then, with the vote of the Appropriations Committee, bring it in. I am sure that the Senate would then have the right, as it always does on appropriations, to vote yea or nay on the proposal.

Let me say, however, that as I read the amendment, it is an authorization. We do not commit ourselves, as the Senator from South Dakota has stated, to buy a "pig in a poke" and thus automatically tie ourselves to a system which would be incompatible with Senate debate.

Is that the distinguished Senator's understanding?

Mr. JAVITS. That is correct. The Senator will agree, I am sure, that we would have had a substantive decision.

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MUNDT. Mr. President, I wonder if the Senator is prepared to read the revised amendment so we will know what is involved.

Mr. JAVITS. Mr. President, I ask unanimous consent that the clerk may read the amendment as modified.

The PRESIDING OFFICER. The clerk will read.

The legislative clerk read the amendment of Mr. Javits, as modified, as follows:

On page 80, line 3, insert the following new section:

"Sec. 336. (a) in order to insure that debates of the Senate may be heard in all parts of the Senate Chamber and in the galleries thereof, the majority and minority leaders are authorized and directed to take such action as may be appropriate for the installation and operation within the Senate Chamber of a suitable electrical public address system approved by them.

"(b) The expenses incurred for the installation and operation of such public address system shall be considered in the legislative appropriations bill."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York, as modified.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, since being elected to this distinguished body 2 years ago, it has become increasingly apparent to me that there exists a great need for the installation of a public address system in the Senate Chamber. There have been times during these 2 years when important legislation was before the Senate, and I have been unable to hear clearly the discussion and debate that were taking place.

Mr. President, with the wonders of electricity that are available to us, it is inexcusable that a Senator should ever be unable to hear all the Senate proceedings. True, a Senator can leave his regular desk and move across the Senate floor in order to be nearer the Senators who are at that moment engaged in a colloquy or who are making an important speech. But even if this were always possible, it just seems to me that this is a needless inconvenience to the Members of this body.

Although the installation of a public address system is completely justified because of the importance that each Senator hear every single word of the debate involving the great issues of our day, there is in my judgment another equally cogent reason for the Senate's use of a public address system.

Mr. President, in 1960, 15 million persons visited Washington, D.C. By 1970, it is anticipated that this number will increase to 24 million yearly, and by 1980 it is expected that 35 million Americans will arrive in the Nation's Capital. Included in this group, Mr. President, are more than 750,000 students who each year make a pilgrimage to the Capital as part of their education in order to learn more about the Federal Government and the Nation's history.

I have spoken to many of these constituents from my State, who have had occasion to sit in the Senate galleries and attempt to follow the debate. Their story is always the same—they left the Chamber discouraged and disillusioned, in no small part due to the fact that they could not hear and understand the debates.

Mr. President, this not the impression that I for one want the citizens of California to form regarding the greatest legislative body in the world.

I must not neglect another group of individuals to whom the installation of a public address system will be most valuable. As my colleagues can well foresee, it will play an important role in assisting the working press in its important function of keeping the American people fully advised and informed.

These are the reasons why I believe it is so important that the amendment offered by Senator Javits today, and which I cosponsored, be adopted.

Mr. President, if the Senate will indulge me on a personal observation—although my voice has greatly improved, I still find that the use of my little amplifying system is a great help in making certain that my words can be heard by my good friends and colleagues on the other side of the aisle. I, of course, am deeply grateful for the kindness and cooperation that I received from my Senate colleagues, particularly the always agreeable majority and minority leaders, when I was permitted to use this amplifying box last year and possibly established somewhat of a precedent.

Mr. JAVITS. Mr. President, I understand that there is some question whether the words "and directed" on line 4 change the intention that we have: that, first, we shall make our decision; second, that the majority and minority leaders shall pick the systems; third, that we shall have another "crack" at it in the appropriation bill.

Therefore, I ask unanimous consent that the words "and directed" in subsection (a), line 4, of the amendment may be deleted.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from New York, as modified.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Louisiana [Mr. Ellender], the Senator from Indiana [Mr. Hartke], the Senator from Hawaii [Mr. Inouye], the Senator from New York [Mr. Kennedy], the Senator from Montana [Mr. Mansfield], the Senator from Oregon [Mr. Morse], and the Senator from Mississippi [Mr. Stennis] are absent on official business.

I also announce that the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Alaska [Mr. Gruening], the Senator from South Dakota [Mr. McGovern], the Senator from Rhode Island [Mr. Pastore], the Senator from Connecticut [Mr. Ribicoff], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that the Senator from Oklahoma [Mr. Harris] is absent because of the death of his grandmother.

I further announce that, if present and voting, the Senator from Florida [Mr. Smathers] would vote "yea."

On this vote, the Senator from Oregon [Mr. Morse] is paired with the Senator from Rhode Island [Mr. Pastore]. If present and voting, the Senator from Oregon would vote "yea" and the Senator from Rhode Island would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott] and the Senator from Iowa [Mr. Miller] are absent on official business.

The Senator from Kansas [Mr. Carlson], the Senator from New Hampshire [Mr. Cotton], and the Senator from Kentucky [Mr. Morton] are necessarily absent.

The Senator from Vermont [Mr. Aiken] and the Senator from Iowa [Mr. Hickenlooper] are detained on official business at the White House.

If present and voting, the Senator from Iowa [Mr. Miller] and the Senator from Kentucky [Mr. Morton] would each vote "yea."

The result was announced—yeas 50, nays 27, as follows:

[No. 9 Leg.]

YEAS—50

Anderson
Baker
Bible
Boggs
Brewster
Brooke
Byrd, W. Va.
Case
Clark
Cooper
Curtis
Dirksen
Dominick
Fannin
Gore
Griffin
Hansen
Hart
Hatfield
Hayden
Holland
Hruska
Javits
Jordan, Idaho
Kuchel
Long, Mo.
Long, La.
Magnuson
McIntyre
Metcalf
Monroney
Montoya
Moss
Mundt
Murphy
Muskie
Nelson
Pearson
Percy
Prouty
Randolph
Scott
Smith
Spong
Symington
Talmadge
Thurmond
Tydings
Williams, Del.
Yarborough

NAYS—27

Bartlett
Bennett
Burdick
Byrd, Va.
Cannon
Church
Dodd
Ervin
Fong
Hill
Hollings
Jackson
Jordan, N.C.
Kennedy, Mass.
Lausche
McCarthy
McClellan
McGee
Mondale
Pell
Proxmire
Russell
Sparkman
Tower
Williams, N.J.
Young, N. Dak.
Young, Ohio

NOT VOTING—23

Aiken
Allott
Bayh
Carlson
Cotton
Eastland
Ellender
Fulbright
Gruening
Harris
Hartke
Hickenlooper
Inouye
Kennedy, N.Y.
Mansfield
McGovern
Miller
Morse
Morton
Pastore
Ribicoff
Smathers
Stennis

So Mr. Javits' amendment, as modified, was agreed to.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. COOPER. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question recurs on amendment No. 7 of the Senator from Pennsylvania [Mr. Clark].

Mr. CLARK. Mr. President, I ask unanimous consent that amendment No. 7 may be set aside temporarily in order to give the manager of the bill an opportunity to bring up and dispose of three noncontroversial amendments, and that thereafter amendment No. 7 may become the pending business.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT NO. 35

Mr. MONRONEY. Mr. President, I thank the distinguished Senator.

I call up amendment No. 35 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> Beginning with line 9, page 7, strike out all to and including line 23, page 7, and insert in lieu thereof the following:
>
> "(d) Section 133 (d) of that Act is amended by adding at the end thereof the following new sentences: 'The vote of the committee to report a measure or matter shall require the concurrence of a majority of the members of the committee who are present. No vote of any member of any such committee to report a measure or matter may be cast by proxy. Action by any such committee in reporting any measure or matter in accordance with the requirements of this subsection shall constitute the ratification by the committee of all action theretofore taken by the committee with respect to that measure or matter including votes taken upon the measure or matter or any amendment thereto, and no point of order shall lie with respect to that measure or matter on the ground that such previous action with respect thereto by such committee was not taken in compliance with such requirements. Whenever any such committee by rollcall vote reports any measure or matter, the report of the committee upon such measure shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each member of the committee. Nothing contained in this subsection shall abrogate the power of any committee of either House to adopt rules (1) providing for proxy voting on all matters other than the reporting of a measure or matter, or (2) providing in accordance with the rules of that House for a lesser number as a quorum for any action other than the reporting of a measure or matter.'."

Mr. DIRKSEN. Mr. President, I reserve a point of order.

Mr. MONRONEY. Mr. President, my amendment represents an effort of several days to compromise a difference pointed out by the distinguished Senator from Pennsylvania and others with respect to the matter of proxy voting that was included in the joint committee's recommendations.

The original report provided that proxies would not be considered in the reporting of a bill or in other business transacted before a committee. This was objected to most strongly by a number of distinguished Senators, some of whom are committee chairmen. They pointed out that this could unduly delay the process of considering a bill, adopting amendments, taking up minor points, and reaching decisions on the legislation up to the final markup of the bill.

In order to resolve this matter, we worked for several days to get language which is now satisfactory to the distinguished Senator from Pennsylvania and, I believe, to others from whom I have heard. This would provide that the present committee procedures under the Senate rules which permit one-third of the membership as a quorum and accept proxy voting up to the final decision to report the bill would not be disturbed.

My amendment would come into operation at the time of reporting and that point only. On the final reporting of any measure no vote of any member shall be cast by proxy.

We feel that the transition of a measure from the committee to the floor of the Senate is one of the most important stages of the bill and that the rules under the Reorganization Act of 1946 required that a quorum be present. Our amendment provides that no proxy voting be allowed in reporting the bill.

The votes of Senators in committee, as we can all agree, are on a ratio of almost 10-to-1 in importance to their votes in the Senate itself.

We do not permit proxy voting in the Senate under the Senate rules. Therefore, we feel on this final decision, after the bill has been considered and been marked up and amendments made, the committee can set a day and time certain at which the members would be present in person to cast their votes, and that the votes of absentees, while they can be announced in favor of or against the measure, would not be counted as a vote to report the bill to the floor.

I believe this meets the objection of the distinguished Senator from Pennsylvania.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CLARK. Mr. President, I thank the Senator from Oklahoma for his cooperation in working out this change in the provision dealing with quorums and proxy voting in the original bill he introduced.

I think the amendment, as he has presently explained it to the Senate, really does little more than to continue the procedures on quorums and proxy voting which now apply in a number of committees.

I would like to be crystal clear and I therefore ask the Senator to turn to page 2, line 12, and see whether his understanding is the same as mine.

It reads:

> Nothing contained in this subsection shall abrogate the power of any committee of either House to adopt rules (1) providing for proxy voting on all matters other than the reporting of a measure or matter.

I understand that the Senator agrees with me that, within a subcommittee, a bill can be reported to the full committee by proxy voting.

Mr. MONRONEY. That is my understanding.

Mr. CLARK. I continue to read from page 2, line 15:

> (2) providing in accordance with the rules of that House for a lesser number as a quorum for any action other than the reporting of a measure or a matter.

That would preserve the right presently existing in the Senate rules which permits the setting of a quorum at as low a figure as one-third of the members of a subcommittee, or, indeed, a full committee, if that particular committee desires to do so. This privilege would continue with the single exception of when a bill is about to be reported to the floor from the full committee.

Mr. MONRONEY. The Senator is correct.

Mr. CLARK. Mr. President, I find myself in full accord with the Senator from Oklahoma. I thank the Senator for his cooperation.

Mr. MONRONEY. I thank the Senator from Pennsylvania for his cooperation.

Mr. HOLLAND. Mr. President, I notice with interest the sentence:

> No vote of any member of any such committee to report a measure or matter may be cast by proxy.

As the Senator knows, in the Committee on Appropriations, which is a large committee, requiring a considerable number of its members to be present to constitute a majority of the full committee, a quorum of 14 has been required up until this time, and 14 will be required from here on, in spite of the reduction of the membership of the committee by one.

Mr. MONRONEY. The Senator is correct.

Mr. HOLLAND. This practice has prevailed. Assume that a Senator has stayed at the markup session during the discussion of the full bill, but finds himself compelled to go elsewhere a few minutes before the final vote and assume he has been allowed to declare his final vote and to record it, but he leaves before the actual final vote is put, because someone else is speaking at the time or wishes to be heard. I ask this question: Is that practice still to be approved if this amendment of the Senator is adopted?

Mr. MONRONEY. If I understand the Senator's description, this would not be in line with the purpose of nonproxy voting at the final reporting stage. If it were the meeting of the full Committee on Appropriations and a quorum of 14 were required by the committee's rules for the transaction of the final business of the full committee, I believe that the Senator would have to prevail upon the member to remain until the vote could be had.

As a matter of fact, I believe that the operation will not be too difficult for the various committees, in setting a time certain and a day certain on which the final vote will be had. It will be a high priority action in reporting an appropriation bill or any other final report from the committee and would, I believe, be deserving of the member's time to be present for that occasion.

Mr. HOLLAND. Mr. President, do I correctly understand from this statement of the distinguished Senator that he regards the practice that I have just described—wherein the vote was actually recorded by the member when he was present, though a few minutes before the final consideration of the bill, when he was not leaving any proxy with anyone—as the use of a proxy?

Mr. MONRONEY. No, perhaps I was not clear. I would not regard that as the use of a proxy. I would regard it, perhaps, as a questionable vote having been cast before the vote of the committee is formally taken. This would go to the question of a quorum being present at the time of the vote.

We must have our rules for voting, and I believe that we could easily adapt to these rules.

As the Senator knows, in some committees we have fallen into the habit of members making a quorum by coming by at the beginning of the meeting and moving on to another necessary committee meeting, and still counting them as having been present in forming a quorum.

I believe that the requirement against proxy voting would require the member to be present and voting, the same as when we vote on the floor.

I believe that a Member's vote in a committee is 10 times as important, in the legislative process, as the Member's vote in the Chamber.

It is a matter that I believe we would adjust to very easily and very readily; and it would be much better to have a set of rules that would be enforced at this very critical point before the bill in the committee would move to the floor, by the approval of a majority of the committee.

Mr. HOLLAND. Mr. President, will the Senator yield for one more question and further comment?

Mr. MONRONEY. I yield.

Mr. HOLLAND. If I understand the Senator's position correctly, it is that a practice such as I have outlined—wherein a Member is actually present and listening to the discussion on the question of the markup of the bill, is called elsewhere a few minutes before the final vote and asks to be recorded at that time upon the final vote, either for or against—would not be allowed under the rule and would be regarded as proxy voting.

Mr. MONRONEY. I would not say it is proxy voting. I would say that the question is when the vote is taken, which would subject it to some question. The rule would not apply, any more than the rule of a quorum would apply if the member were to leave before the vote was officially taken. As the Senator knows, that has been a standing rule of the Senate for the past 20 years.

Mr. HOLLAND. Mr. President, in actual practice, as the Senator from Florida has observed, very frequently the practice he has outlined here has had to be followed in order to get a majority vote of the full Committee on Appropriations; and it certainly satisfies the requirements of the rule that the Senator is present, that he votes, that he has heard the discussion upon the bill, that he has participated in all the numerous votes that have gone before that, and is therefore ready to cast his final vote.

I think that any narrower interpretation than the practice which has been followed would subject some committees—certainly, the Committee on Appropriations—to very great difficulty in reporting out a final bill.

The distinguished chairman of the full committee is here, and I have not had the opportunity to discuss this matter with him. However, that seems to me to be a rather clear conclusion, because we have had to resort to that practice repeatedly, and I thought it was justifiable.

Mr. HAYDEN. That has been the practice; there is no question about it. Actually, if a Member announces how he stands and then leaves before the vote, I cannot see any great harm resulting.

Mr. MONRONEY. So that our legislative history is clear, I would say that it is up to the presiding officer of that committee to determine when the vote begins and when it ends. If the quorum is present at the vote and this member casts the vote, there would be no question about it. I believe that the critical matter is to have a majority actually participating in the reporting of the bill.

I know from experience that some committees—not the Committee on Appropriations—become quite careless in recording votes on reporting bills to the floor, even though a quorum is not actually present.

Mr. HOLLAND. I remember that in the last 2 or 3 years we have had an instance when one member of the Committee on Appropriations raised the point of order on the floor that a majority of the committee was not actually present at the time of the vote. The point of order was sustained, and we had to take the matter back to the committee and report it out again.

To meet this kind of situation, this other practice has grown up, and I see no possible objection to it; because the Senator involved has attended, he has voted on all the preliminary votes, and he knows how he stands on the report of the full bill. Then he asks the Presiding Officer if he may leave the vote there, because he has been called elsewhere. The Presiding Officer tells him yes, he can. That has been considered as the participation by that particular Senator in the final reporting of the bill.

The Senator from Florida does not see any objection to that practice, which has become almost necessary because of the huge size of the committee and because we are frequently called to various places at the same time, as the Senator from Oklahoma well knows.

I would hesitate to adopt any rule which would impair the usefulness of the practice I have just described.

Mr. CASE. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CASE. Is it not a clear statement that the proposed rule would not change the legality or illegality of the practice described by the Senator from Florida? We are talking now about a proxy and the proscription of a proxy for use on the final vote to report a bill or to reject its recommendation. Whatever the legality may be of the practice suggested by the Senator from Florida, it would not be affected here, except as that legality might be reinforced by the argument that it was in effect a proxy and valid as such. We are not permitting proxies.

Mr. MONRONEY. We are not talking about a proxy.

Mr. CASE. Whatever it may be, we are not changing the legality of it.

Mr. MONRONEY. That is true. I still believe that under the rules of the Senate, this is a questionable practice.

Mr. CASE. I agree with my chairman. But I am saying that I do not believe that what we do on this proposal would affect the legality or illegality of that practice.

Mr. MONRONEY. I do not think so at all; but I believe that this is a matter that is up to the Presiding Officer, as the parliamentarian of that committee, to determine whether it is in the voting time or not.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. DIRKSEN. I believe that there is a little ambiguity in this amendment, because the first sentence provides that a vote to report a measure shall require the concurrence of a majority of the members of the committee who are present.

Mr. MONRONEY. Yes.

Mr. DIRKSEN. That does not require that a majority of the committee be present.

Mr. MONRONEY. No.

Mr. DIRKSEN. Only a majority of those who are present.

Mr. MONRONEY. The Senator is correct.

Mr. DIRKSEN. The last sentence in the amendment provides that no committee can change the rule with respect to making a lesser number a quorum for any action other than reporting of a measure. So, the two do not quite square. All that is needed is a majority of a majority.

Mr. MONRONEY. A majority of the quorum.

Mr. DIRKSEN. That is not what the last sentence provides.

Mr. CLARK. I thought the last sentence did provide that when there is a majority of the quorum it can vote the bill out of committee.

Mr. DIRKSEN. Is that a wise provision? There may be one third of the committee of 15. Five members may be present. The first sentence provides that three of five members can report that bill.

Mr. CLARK. I would not get that meaning.

Mr. DIRKSEN. It does so provide.

Mr. MONRONEY. The original section was section 133(d) of the Reorganization Act of 1946, which states that no measure or recommendation shall be reported unless a majority of the committee is present.

Mr. DIRKSEN. That is in conformity with the last sentence, but it is not in conformity with the first sentence.

Mr. CLARK. I think that the Senator from Illinois [Mr. DIRKSEN] has a point.

Mr. DIRKSEN. A majority of those present could vote to report the bill.

Mr. CLARK. That would be the majority of the quorum, or the majority of the majority.

Mr. DIRKSEN. It does not say majority.

Mr. CLARK. I think that the Senator from Illinois has a good point.

Mr. DIRKSEN. Senators will probably find that a point of order will be made at some time.

Mr. CLARK. On this amendment?

Mr. DIRKSEN. On this point. The Parliamentarian will have to determine whether the first sentence or the last sentence takes precedence.

Mr. CLARK. Unless the Senator from Oklahoma [Mr. MONRONEY] amends the language as the Senator from Illinois [Mr. DIRKSEN] suggests.

Mr. MONRONEY. Is that line 15 on page 2?

Mr. DIRKSEN. The vote of the committee to report a matter "shall require the concurrence of a majority of the members of the committee who are present."

Mr. CLARK. Which could be a minority of the committee.

Mr. DIRKSEN. Certainly.

Mr. LAUSCHE. How could it, when the first sentence provides:

> No vote shall be taken with respect to any measure, or any amendment thereto, by any such committee unless a majority of the members thereof are actually present.

Mr. CLARK. That is a majority of the quorum, a majority of the majority.

Mr. LAUSCHE. Unless a majority of the members are present.

Mr. CLARK. As the Senator from Illinois [Mr. DIRKSEN] has said, there could be five members, and three would be a quorum; two could vote to report the bill, and there would be less than a majority.

Mr. LAUSCHE. Does not the first sentence of section (d) mean that there must be a majority of the committee present?

Mr. CLARK. But to vote out a bill only a majority of that.

Mr. LAUSCHE. But the next sentence states:

> Any action by any such committee with respect to any measure, or any amendment thereto, shall require the concurrence of a majority of the members of the committee who are present.

It says "a majority of the members of the committee who are present" but the preceding sentence says there shall be no vote taken unless a majority of the committee is present. Then, the next sentence provides:

> No vote of any member of any such committee with respect to any measure, or any amendment thereto, may be cast by proxy.

I would construe that language to mean a quorum requires the majority of the members of the committee to be actually present.

Mr. MONRONEY. The Senator is correct.

Mr. LAUSCHE. And, unless there is a majority of the committee, a vote could not be taken.

Mr. MONRONEY. To report the bill.

Mr. LAUSCHE. To report the bill. Then, it is provided that no proxies shall be allowed. That means the member must actually be there. He cannot vote by proxy.

Mr. MONRONEY. The Senator is correct.

Mr. LAUSCHE. Is the Senator from Illinois [Mr. DIRKSEN] trying to prove that a vote can be taken on the bill with less than a majority of the members present?

Mr. DIRKSEN. I would make the first sentence of the amendment conform to the preceding paragraph in the existing rules so that there is no question about its clarity, and so that it will not be the predicate for a point of order at some future time. I do not mind, but the staff should take a look at it to make sure.

Mr. LAUSCHE. I ask the Senator from Oklahoma [Mr. MONRONEY] to assume that this situation prevails. Less than a majority of the members are present and a vote is taken on reporting the bill.

Mr. MONRONEY. That cannot be done.

Mr. LAUSCHE. That cannot be done?

Mr. MONRONEY. No.

Mr. LAUSCHE. There must be a majority of the members present?

Mr. MONRONEY. To report the bill. This is provided for in existing law that has been in effect for 20 years.

Mr. LAUSCHE. I was going to say that on the two committees on which I serve a quorum is the presence of the majority of the members.

Mr. MONRONEY. That is what the present law provides for final reporting of the bill. It does not apply to the bill in its early markup stages; or until it is ready to be transferred from the care of the committee to the care of the Senate.

Mr. LAUSCHE. That is the practice that we followed in both of the committees on which I serve.

Mr. MONRONEY. And throughout the Senate.

(At this point, Mr. MUSKIE assumed the chair.)

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the distinguished Senator from Florida.

Mr. HOLLAND. Was this matter considered by the committee which is so ably headed by the Senator from Oklahoma [Mr. MONRONEY]?

Mr. MONRONEY. The matter was discussed at length. We considered prohibiting all proxy voting. Then, we ran into questions that were raised by various chairmen that this would delay and sometimes prevent the enactment of desirable legislation if they were compelled to have a majority quorum and to deny proxy voting in the original markup stages. To reach an agreement with Senators, and particularly chairmen, we worked out the compromise which is here before us.

Mr. HOLLAND. The question I am asking is: Why was not this measure dealt with in the report of the able committee?

Mr. MONRONEY. We did deal with it in the report. However, we did not know of the very strong feeling of the chairmen of some of the committees that this would delay and impede the reporting of bills because of the difficulty of having a quorum present in the subcommittees or in the early stages of the full committee in the tentative markup of the bill.

Most of the chairmen with whom we discussed the matter agreed that it would be a proper procedure if they could shape the bill, agree to various amendments and changes, and on a day certain and time certain have the membership there to vote with a quorum present, no proxies, on the bill being reported.

Mr. HOLLAND. The matter was not dealt with in any way in the report of the committee?

Mr. MONRONEY. Yes. Proxy voting was dealt with.

Mr. HOLLAND. That is dealt with in the existing law, is it not?

Mr. MONRONEY. No, there is no prohibition against proxy voting. It was in connection with reporting a bill that we thought it necessary to have this in the act.

Mr. HOLLAND. I thank the Senator.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. MUNDT. I wish to add, perhaps for the edification of the Senator from Florida [Mr. HOLLAND], and for the RECORD, that as far as the Senator from South Dakota is concerned, my understanding of what occurred is that the proxy voting determination of our joint committee is as reported in the bill. The committee report was based on the bill. After that occurred, trouble began developing from subcommittee chairmen and others who felt that the proxy regulation was too tight. I am one who favors the provision in the bill. I think that we did the appropriate thing, but there are realistic problems involved. So, we have here a compromise position.

The chairman has heretofore agreed, and he proposes by his amendment, as I understand it, to modify the proxy prohibition, as reported by the joint committee and included in the report, to conform to what he believes to be the best solution under the circumstances on the floor of the Senate.

I was a great advocate in the joint committee, and we argued it for many days, to apply a no proxy rule through amendments and subcommittees. I do not think it is good legislative practice to permit any one Member to cook up an amendment in which he greatly believes, spring it on the committee, and then say to them, "I have solicited enough proxies so that I can vote this thing through if all of you vote against me." I have seen it happen.

I have seen it happen in the subcommittee. I do not believe that is good practice, but we could crawl toward such a goal as fast as we can. I am disappointed that the chairman believes this is the best we can do, but it is better than we had before. It will insure the fact that there will be a yea and nay vote, if someone should ask for it. Of course, proxies will not be counted on final passage, so there is a court of last appeal if some "hanky-panky" has occurred in a subcommittee whereby someone by a vote of proxies has been able to pass an amendment with a vote of the absentees over the opposition of those there. Thus, at least there is a court of last appeal, as I understand it, when it gets to the Senate, because there will have to be a yea and nay vote. If that is the best we can do, I will support it. I wish we could do better. I hope I have explained it correctly.

Mr. MONRONEY. The Senator's explanation is satisfactory and I thank him for his comments.

Mr. President, if there are no further statements to be made, I urge adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

AMENDMENT NO. 36

Mr. MONRONEY. Mr. President, I call up my amendment No. 36 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The ASSISTANT LEGISLATIVE CLERK. On page 14, line 3, strike out the closing quotation marks and the concluding period.

On page 14, between lines 3 and 4, insert the following new subsection:

(f) Whenever any such committee has reported any measure, by action taken in conformity with the requirements of section 133(d) of this Act, no point of order shall lie with respect to that measure on the ground that hearings upon that measure by that committee were not conducted in accordance with the provisions of this section.

Mr. MONRONEY. Mr. President, this is a saving amendment in which we desire to make the final test of the legality of committee action, the record vote on reporting by the full committee to the Senator floor. This would not allow a point of order to lie because of failure to follow the hearing procedures set forth in this bill. In other words, the committee must police its own rules and not use them to obstruct legislation after it has already reached the floor.

I do not believe there is any objection to this amendment, and I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment No. 36 of the Senator from Oklahoma.

The amendment was agreed to.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, I call up my amendments (No. 7) and ask that they be read.

The PRESIDING OFFICER. The amendments will be read.

The assistant legislative clerk read the amendments (No. 7), as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"Sec. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"STANDING RULES OF THE SENATE

"SEC. 123. Paragraph 6(a) of rule XVI of the Standing Rules of the Senate is amended to read as follows:

" '6. (a) Three members of the following-named committees, to be selected by their respective committees, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the annual appropriation bill making appropriations for the purposes specified in the following table opposite the name of the committee is being considered by the Committee on Appropriations:

" 'Name of committee and purpose of appropriation:

" 'Committee on Agriculture and Forestry: For the Department of Agriculture, and related matters.

" 'Committee on Armed Service: For the Department of Defense.

" 'Committee on Aeronautical and Space Sciences: For aeronautical and space activities and matters relating to the scientific aspects thereof, except those peculiar to or primarily associated with the development of weapons systems or military operations.

" 'Committee on Banking and Currency: For the Department of Housing and Urban Development and the Export-Import Bank.

" 'Committee on Commerce: For the Department of Commerce and related activities, including the Department of Transportation.

" 'Committee on the District of Columbia: For the District of Columbia.

" 'Committee on Finance, Committee on Post Office and Civil Service: For the Department of the Treasury and the Post Office.

" 'Committee on Foreign Relations: For the Department of State and related agencies, and for the foreign assistance programs.

" 'Committee on Interior and Insular Affairs: For the Department of the Interior and related agencies.

" 'Committee on the Judiciary: For the Department of Justice and for the judiciary.

" 'Committee on Labor and Public Welfare: For the Departments of Labor and of Health, Education, and Welfare.

" 'Committee on Public Works: For public works.

" 'Senate Members of the Joint Committee on Atomic Energy (to be selected by said Members): For the development and utilization of atomic energy.' "

Mr. CLARK. Mr. President, I invite the attention of my gracious and genial friend, the senior Senator from Illinois [Mr. DIRKSEN], to this request. I am sure he is greatly interested, as I am, in the expeditious disposition of the business of the Senate, particularly in these difficult days.

I ask unanimous consent that the debate on the pending amendments be limited to 1 hour, to be equally divided between myself as the proponent of the amendment and the learned, able Senator from Oklahoma [Mr. MONRONEY], the manager of the bill, who I am sure would be willing to confer with the able and gracious Senator from Illinois so that appropriate time may be taken by that great statesman.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Mr. President, I shall be stricken by conscience for a long time, and I shall be overwhelmed by feelings of remorse because I shall not be able to agree to the request of that distinguished scholar, the Senator from Pennsylvania. Though I regret it exceedingly, I must object.

The PRESIDING OFFICER. Objection is heard.

Mr. CLARK. Mr. President, it is with deep regret that I heard the ukase of my friend, the distinguished Senator from Illinois, so now I suppose we shall have to proceed as we have, time after time in the past, and no Senator can know when, if ever, a vote on this amendment will be had. It might well be, because of the proceedings which took place here a week or 2 weeks ago, that we may be confronted with that most dreadful Senate institution, known as the filibuster. It may well be that, in due course, a cloture motion will have to be filed, and the Senate will go over for several days, in order to see whether two-thirds of the Senate will be willing to make this simple, little change, this little change which merely does normal justice to some six committees now being treated most unfairly under the present rules.

If that is the case, so be it. Nevertheless, I must say I have been notified that if the able Senator from Illinois thinks—and when he thinks something, it is usually right—he has the votes to beat down, with the heavy hand of tradition, this simple, little amendment of justice, he will move to table, and therefore, perhaps in due course, the matter will be disposed of by the heavy hand of tradition. But until that occurs, no Senator can know when that vote will come.

Therefore, I wonder if I can prevail on the Senator from Illinois to let the Senate know so that Senators will be given notice, over the Alexander Graham Bell devices in the cloakrooms, how soon he will move to table.

Mr. DIRKSEN. If my genial friend from the Keystone State will yield——

Mr. CLARK. I am happy to yield.

Mr. DIRKSEN. First let me say that my deep love and affection for him are as high as the sky and as deep as the sea.

Mr. CLARK. May I say to my friend that it is mutual.

Mr. DIRKSEN. Second, when he speaks of a "little change," let me point out that tall oaks from little acorns grow, and tall aches from little toe corns grow, and tall dangers from little changes come, and there is so much that does not quite meet the eye.

So I want to hear the eloquent argument of my friend from Pennsylvania, and then, in due course, as the spirit moves, I may pursue one of two or three courses. Since I like confusion, unpredictability, and uncertainty, I do not think I should be too precise or too specific as to the exact time when doom shall be visited upon us.

Mr. CLARK. The Senator, of course, is well within his rights under those archaic procedures under which this, the greatest deliberative body in the world, self-styled—and I love it—has been operating.

So let us, then, reason together, and perhaps in the course of the argument, I can convince my open-minded friend from Illinois of the justice of this little amendment.

Mr. DIRKSEN. I enjoin my good friend from Pennsylvania to follow the course of Macbeth, when he said: "Lay on, Macduff; and damn'd be him that first cries 'Hold, enough!' "

Mr. CLARK. May those words apply to the Senator from Illinois as well as the Senator from Pennsylvania.

Mr. DIRKSEN. I thank my friend.

Mr. CLARK. I thank my friend.

Mr. President, I shall, then, proceed with my argument in support of this amendment.

The Senate rules presently provide for the selection of three ex officio members of the Appropriations Committee from each of eight legislative committees. I defy any Senator to tell us how those eight committees came to be chosen for this privilege in the dusty days of the dead past. If one were to consider on any logical basis which were the committees which should be given the privilege of having three ex officio members serve with voting rights with the Appropriations Committee, and more particularly with the subcommittees of that committee, when the appropriation measures falling within the legitimate legislative jurisdiction of the legislative committee concerned were up for a vote, I suggest in all humility it would be absolutely impossible to find any rationale as to why these particular committees should be so favored.

Here they are; there are eight of them:

Agriculture and Forestry.
Post Office.
Armed Services.
The District of Columbia Committee.
Public Works.
Foreign Relations.
Atomic Energy.
Space.

In each instance, the present rule sets forth the particular appropriations to which this privilege of having three ex officio members relates. This is rule XVI, section 6(a). It reads as follows:

> Three members of the following-named committees, to be selected by their respective committees, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the annual appropriation bill making appropriations for the purposes specified in the following table opposite the name of the committee is being considered by the Committee on Appropriations:

Then let us see what these committees are, and what the appropriations are:

> Committee on Agriculture and Forestry: For the Department of Agriculture.
>
> Committee on Post Office and Civil Service: For the Post Office Department.
>
> Committee on Armed Services: For the Department of War; for the Department of the Navy.

Is that not a good joke? The rules do not even mention the Department of the Air Force. They do not even mention the Department of Defense. How old is this rule? It must go back to at least the days immediately after World War II, before we had a Department of Defense and before we had an independent Air Force. So when the Air Force budget comes up, according to the letter of the rule, the Armed Services Committee is not entitled to have any ex officio members.

> Committee on the District of Columbia: For the District of Columbia.
>
> Committee on Public Works: For Rivers and Harbors.

Is this not an interesting relic of the dead past? When we think how many authorizations come out of the Public Works Committee today which never mention a river and never look at a harbor—those dealing, as one good example, but only one, with the highway program—one wonders how obsolete this rule is.

> Committee on Foreign Relations: For the Diplomatic and Consular Service.

No mention of foreign aid, the most important money bill that comes out of the Committee on Foreign Relations.

> Senate members of the Joint Committee on Atomic Energy (to be selected by said members): For the development and utilization of atomic energy.
>
> Committee on Aeronautical and Space Sciences: For aeronautical and space activities and matters relating to the scientific aspects thereof, except those peculiar to or primarily associated with the development of weapons systems or military operations.

So, again, since most weapons systems—or many of them—for military operations are under the jurisdiction of the Air Force, the Space Committee does not move into the gap left by the fact that the Armed Services Committee is not entitled to have any members present when the Air Force appropriation, as part of the appropriation of the Department of Defense, is up for consideration.

There are six committees which are not given the privilege of ex officio representation. They are:

The Committee on Commerce—which has perhaps as heavy a money authorization load as several of the committees given the privilege of the three ex officio members, as examples of which I could mention the District of Columbia and the Post Office Committees.

The Committee on Finance, which supervises—or should supervise, and does not—the appropriations for the Treasury Department and a host of other appropriations for various international institutions of a fiscal or monetary nature.

The Committee on Interior and Insular Affairs, which has very wide jurisdiction. I see the able chairman of that committee in the Chamber; he will be able to tell the Senate better than I of the wide scope of that committee's jurisdiction over national parks, of the new jurisdiction given with respect to water pollution control, the Department of the Interior, and a host of other functions with respect to which it is not represented when the important appropriations dealing with those functions come before the Appropriations Committee.

The Committee on the Judiciary, which is concerned with the appropriations for the Attorney General's office, and a host of other allied functions dealing with the general objects put within the jurisdiction of the Committee on the Judiciary by Senate rule XXV.

The Committee on Labor and Public Welfare, on which I have the honor to serve, has perhaps as many money bills coming before the Appropriations Committee as does any other committee of the Senate.

Let me list only a few. It has all of the health measures so ably guided through the Committee on Labor and Public Welfare by the chairman, the distinguished Senator from Alabama [Mr. HILL]; all of the labor bills dealt with by the Subcommittee on Labor, chaired by the Senator from Texas [Mr. YARBOROUGH], and which deal in part at least with appropriations for the Department of Labor; the whole poverty program, which comes within the jurisdiction of the Subcommittee on Manpower, Employment, and Poverty, which I have the honor to chair; and all the education bills under the primary legislative jurisdiction of the Senator from Oregon [Mr. MORSE], the chairman of the Subcommittee on Education.

I could go on with a number of other areas under the jurisdiction, from a legislative point of view, of the Committee on Labor and Public Welfare which call for appropriations in the billions of dollars in the course of every year.

Yet it has no representation on the Committee on Appropriations, whereas the District of Columbia Committee, the Post Office and Civil Service Committee, and the other committees I have mentioned are given the privilege of naming three members.

Finally, the Committee on Banking and Currency, which, in its important Housing Subcommittee, carries the whole load for the Department of Housing and Urban Development, Public Housing, Urban Redevelopment, and Mass Transit. All of those measures deal with the great needs of our sorely pressed cities; yet that committee has no representation when the appropriations which it has authorized come before the Committee on Appropriations for approval.

It has been said, and it will be said, I know, that the Appropriations Committee is too big now, and that if we add three ex officio members for the restricted purpose of sitting with the subcommittee and the full committee when it is considering appropriations with respect to which those three men have an expertise unrivaled, I dare to charge, by any regular member of the Appropriations Committee, the committee will not be able to function.

Oh, yes; if it is a farm problem, surely there can be three ex officio members, but not when it concerns the problems of the cities. I merely wonder why.

I say that if it will be argued here—and I suspect it will be—that the Appropriations Committee is too big and therefore they cannot afford to do justice to these six committees—Commerce, Finance, Interior and Insular Affairs, Judiciary, Labor and Public Welfare, and Banking and Currency—then it is too big to have three members from the Aeronautical and Space Sciences Committee, the Agriculture and Forestry Committee, the Armed Services Committee, the Foreign Relations Committee, the Committee on Public Works, and the Atomic Energy and Space Committees.

The argument, Mr. Chairman, proves too much.

Let us get rid of special privilege for all committees, or let us give the same privilege to every committe which deals in the area of authorization for appropriation.

It will also be argued: "Well, Senator, just by the luck of the draw, there are already on the Appropriations Committee in most instances—not in all—Senators who just happen to be there and who also serve on the legislative committees. So you do not really need them."

There can be two answers to that. In the first place, it is highly unlikely, although it is not impossible, that the members of the Committee on Appropriations from, let us say, the Committee on Labor and Public Welfare will all be sitting on the subcommittee dealing with the appropriations for the Labor Department or the poverty program. So they will not be in the subcommittee where they are most needed. However, more than that, I think it can be said that this is just the luck of the draw; and who knows when the exigencies of politics will remove from the Appropriations Committee that representation for a very important legislative committee which it may now happen to hold?

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, committee by committee, the list of members of the Appropriations Committee who also serve on the standing and legislative committees.

There being no objection, the list of members was ordered to be printed in the RECORD, as follows:

Aeronautical and Space Sciences: Senators Russell, Magnuson, Stennis, Holland, and Smith.

Agriculture and Forestry: Senators Ellender, Holland, and Young of North Dakota.

Armed Services: Senators Russell, Stennis, Byrd of West Virginia, and Smith.

Banking and Currency: Senators Proxmire and McGee.

Commerce: Senators Magnuson, Pastore, Monroney, Bartlett, and Cotton.

District of Columbia: Senator Bible.

Finance: None.

Foreign Relations: Senators Mansfield, Mundt, and Case.

Government Operations: Senators McClellan, Mundt, and Javits.

Interior and Insular Affairs: Senators Bible, Hayden, Kuchel, and Allott.

Judiciary: Senators McClellan and Hruska.

Labor and Public Welfare: Senators Hill, Yarborough, and Javits.

Post Office and Civil Service: Senators Monroney, Yarborough, and McGee.

Public Works: None.

Rules and Administration: Senators Hayden and Byrd of West Virginia.

Mr. CLARK. Mr. President, one will see from the list, which is the point I want to make, that some legislative committees have a large number of members on the Appropriations Committee, and some have hardly any, and in one or two cases, none.

One will also see that the ratio between Democrats and Republicans on the Appropriations Committee with respect to these legislative committees is entirely chaotic. It makes no sense at all.

Let us take first the Committee on Aeronautical and Space Sciences. It has five members on the Appropriations Committee: Senators RUSSELL, MAGNUSON, STENNIS, HOLLAND, and Mrs. SMITH. Is that fair? Four Democrats and only one Republican.

I do not happen to know whether these five Senators sit on the pertinent subcommittee which deals with appropriations for NASA, but whether they do or not, the whole thing is helter-skelter and chaotic, and makes no sense.

The Committee on Agriculture and Forestry has three members on the Appropriations Committee: Senators HOLLAND, ELLENDER, and YOUNG of North Dakota. One might say that is all right. Two Democrats and one Republican. All three are senior members. If they can arrange—and perhaps by the gracious kindness of the chairman of the Appropriations Committee they may have been able to arrange—to sit on the Subcommittee of Appropriations which deals with farm legislation, that particular instance might be all right. I do not know.

On the Armed Services Committee are four members of the Appropriations Committee: Senators RUSSELL, STENNIS, BYRD of West Virginia, and again, Senator SMITH. Three Democrats, one Republican. Is that fair? I would say no, that it is not fair.

The Committee on Banking and Currency has two members on the Appropriations Committee: Senators PROXMIRE, and MCGEE, Senator MCGEE having joined that committee for the first time 2 weeks ago. Is that fair? Two Democrats, no Republicans?

The Committee on Commerce has five members on the Appropriations Committee: Senators MAGNUSON, PASTORE, MONRONEY, BARTLETT, and COTTON. Again, four Democrats and one Republican. Is that fair? I say no.

The District of Columbia Committee has only one member on the Appropriations Committee: Its able chairman, the Senator from Nevada [Mr. BIBLE]. Not a single Republican. It does not have three Senators represented as does every other committee, but only one.

While it is true that the jurisdiction of the District of Columbia Committee is relatively restricted, it is a most important committee because it deals with the finances of the Nation's Capital, the capital of the greatest and most opulent country in the world, and a capital, which I think most will agree, is being inadequately governed because it does not have home rule and provisions for its adequate government are often too little and too late.

The Committee on Finance deals with the activities of the Treasury Department. Yet, it does not have a single member on the Appropriations Committee. It has been the general rule in this body that no Senator shall serve on both the Committee on Finance and the Committee on Appropriations, although this is, of course, a custom, rather than a law.

Why should the Committee on Finance not have its membership represented on the Committee on Appropriations when the latter committee is considering a bill for the Treasury Department and measures for all the allied fiscal matters reaching to the far corners of the earth in connection with our international institutions of a fiscal and monetary nature?

The Committee on Foreign Relations has three members on the Appropriations Committee: Senators MANSFIELD, MUNDT, and CASE. Is that fair? One Democrat and two Republicans? Of course not.

I suggest that that situation should make the Democrats scream for rectification.

The Committee on Government Operations rarely has important monetary matters coming before the Appropriations Committee, but sometimes it does. Again, there are three members on the Appropriations Committee: Senators MCCLELLAN, MUNDT, and JAVITS. Again, one Democrat and two Republicans. How unfair can one get?

The Committee on Interior and Insular Affairs—whose congenial chairman is on his feet, and to whom I will yield in a minute—has four members on the Committee on Appropriations: Senators BIBLE and HAYDEN, Democrats; and Senators KUCHEL and ALLOTT, Republicans. Again, an unfair distribution of party strength, because in the Senate at this time are 64 Democrats and 36 Republicans.

The Committee on the Judiciary, which deals with appropriations for the Attorney General's Office and the Department of Justice, has only two members on the Committee on Appropriations: One Democrat, Senator MCCLELLAN; and one Republican, Senator HRUSKA. Again, I suggest that this is an unfair distribution.

(At this point, Mr. HOLLINGS assumed the chair.)

Mr. CLARK. The Committee on Labor and Public Welfare has three members on the Committee on Appropriations, thanks to the generosity of the members of the Democratic steering committee, a generosity in which I was happy to concur, in opening a seat on the Committee on Appropriations for the Senator from New York [Mr. JAVITS]. The three members are Senator HILL, Senator YARBOROUGH, and now, Senator JAVITS.

The Committee on Post Office and Civil Service has three members on the Committee on Appropriations—Senators MCCLELLAN, YARBOROUGH, and MCGEE. Not a single Republican, three Democrats. How fair is that?

The Committee on Public Works, I find to my surprise, does not have any members on the Committee on Appropriations. The Committee on Public Works authorizes about as much money that subsequently has to be appropriated as any other committee in the Senate. I believe this situation to be grossly unfair.

I have not mentioned one or two other committees—particularly the Committee on Rules and Administration, because it does not have appropriations measures which are particularly important.

I would be happy to yield at this point to the Senator from Washington, but the Senator from Maine [Mr. MUSKIE] is anxious to state a unanimous consent request.

I yield to the Senator from Washington.

Mr. JACKSON. Mr. President, I believe that the distinguished senior Senator from Pennsylvania is making a very important point at this time. Certainly, a need exists for better coordination between the legislative committees and the appropriating committees; and I take it that that is the burden of his effort in connection with the pending amendment.

Mr. CLARK. Generally speaking, that is my intention; because I believe that all these committees could better coordinate their work if they all had the privilege which the sacred eight presently have. But my point is a little broader than that. They all should have it or none of them should have it. I believe that they all should have it, and I believe that the Senator from Washington agrees with me.

Mr. JACKSON. Mr. President, I am not asking the Senator from Pennsylvania to commit himself at this time, but I would hope that possibly the distinguished Senator would give consideration to making an exception in connection with the six committees that are not now represented by ex officio members, to stipulate that where members already are on the Committee on Appropriations and on the authorizing committee, an exception be made. Otherwise, I can see that criticism might arise that the committee is being loaded down. But those committees that do not have representation on the Committee on Appropriations should have the same representation that is now applicable to the other committees that have been heretofore authorized under the rule.

I am not asking the Senator to commit himself on that, but I would hope that that might be a possible solution to this problem.

Mr. CLARK. I thank the Senator from Washington for his most interesting suggestion. I say to the Senator that I believe he has made a good point—that where a committee does not have any members on the Committee on Appropriations, they ought to have three.

I believe—and I wonder whether the Senator will agree with me—that where a committee only has two members on the Committee on Appropriations, as is the case with respect to Judiciary—the District of Columbia has one, the Finance Committee has none, the Committee on Public Works has none—there should be in each instance an appropriate representation.

Mr. JACKSON. I wonder whether the Senator would not agree that there should be a minimum of three. But I do not believe that the right way to go about it would be to remove those who are already on the committee, in the event there are more than three, by reason of dual membership. In other words, I think that, in accordance with past practice, we should recognize grandfather rights, shall we say.

Mr. CLARK. I quite agree with the Senator from Washington, being a grandfather four times myself, with one more grandchild in the offing.

Mr. JACKSON. I regret that I do not qualify.

Mr. CLARK. That is because the Senator is so young.

I think that the Senator has made an excellent point.

Mr. MONRONEY. Mr. President, will the Senator yield for clarification?

Mr. CLARK. I shall yield in a minute.

Let me ask the Senator from Washington how to deal with this problem, which vexes me a bit. Is not the minority entitled to representation in this area, and should not the majority always have more than the minority when these bills come up? As the Senator from Washington knows—it may be unfortunate, but it is true—a certain amount of difference of view exists between Republicans and Democrats with respect to many of these problems.

As an example, I point out that the Committee on Post Office and Civil Service has no Republican. The Committee on the District of Columbia has no Republican. The Committee on Foreign Relations has two Republicans and only one Democrat. How can we deal with this situation under the Senator's suggestion?

Mr. JACKSON. I agree that there should be minority representation. I suppose the provision could be made that there should be at least one member of the minority, if there is no representation at the present time, either by reason of the existing rule or by reason of dual membership.

Mr. CLARK. Would the Senator not also agree that in situations such as the Committee on Foreign Relations and the Committee on Government Operations, his party and mine ought to have at least equal and perhaps more membership when there matters come up for discussion? The Committee on Foreign Relations, for example, as I said before, has two Republicans and only one Democrat.

I yield to the Senator from Oklahoma.

Mr. MONRONEY. In order to clarify the RECORD, I believe it should be said that while the Senator from Pennsylvania has pointed out that the Committee on the District of Columbia had but one member, that means one regular member of the Committee on the District of Columbia, but they have three ex officio members. So that four members of the Committee on the District of Columbia are members of the Committee on Appropriations, considering the District of Columbia appropriations.

The Senator indicated that the Committee on Public Works had no members, and yet they have three ex officio members who are participating in the public works sections of the bills as they are reported.

Mr. CLARK. May I ask the Senator from Oklahoma—I agree with him—why the Committee on Public Works has three ex officio members and the Committee on Finance has none?

Mr. MONRONEY. It has been traditional, as long as I have been in the Senate—I think it goes back beyond the time I came to the Senate—that a Member could not serve or be appointed by the steering committees to both the Committee on Appropriations and the Committee on Finance. These are supposed to be the two choice assignments and, so far as I have been able to learn, they have not been given or bestowed upon any single Member.

This is a tradition that I would dislike to see broken, because I believe that service on these two choice committees should be spread among the maximum number of Members of the Senate who aspire to them.

Mr. CLARK. All the more reason why, for the particular purpose of considering the appropriations of the Treasury Department and other allied matters in which the Committee on Finance has a deep interest, they should have this temporary ad hoc membership while those matters are being discussed.

Mr. MONRONEY. I do not see why the Committee on Finance with the jurisdiction and great prestige that it has should be allowed ex officio membership on a very minor bill with the exception of the recurring interest on the public debt, which is not even an annual appropriation but a permanent indefinite appropriation. The remainder are small appropriations and deal only with Internal Revenue and Secret Service, both of which are handled by the Treasury-Post Office Subcommittee of the Committee on Appropriations.

Mr. CLARK. The Senator from Oklahoma is the chairman of the Committee on Post Office and Civil Service, and in that capacity he does a magnificent job. The Senator from Oklahoma is also a member of the Committee on Appropriations. When the Post Office bill comes before the Committee on Appropriations, he is entitled, as the chairman of the Committee on Post Office and Civil Service, to add to the Committee on Appropriations for the purpose of considering the appropriations to the Post Office Department, three more members in addition to the three he already has. He has three Democrats now, who are himself, Senator YARBOROUGH, and Senator McGEE. It may be that the Senator has not exercised the privileges given him by the rules of naming three more members. I wonder if the Senator has exercised that privilege.

Mr. MONRONEY. I think that they are named now or will be.

Mr. CLARK. And I hope, in all fairness, that there will be named one Republican.

Mr. MONRONEY. We always have had the Senator from Kansas [Mr. CARLSON] as a member.

The Senator is familiar with the ratio between the minority and the majority with respect to these ex officio situations. There are two members for the majority and one member for the minority.

When the Republicans are in the majority, they have two members and the Democrats step down to one member, and they are satisfied with that.

The addition by the Senator from Pennsylvania of ex officio members would further increase this disparity between the majority and the minority because for every committee there would be two majority members and one minority member, as is the custom.

Mr. CLARK. I quite disagree with the Senator from Oklahoma because the purpose of these ex officio members is to sit with the subcommittee when it considers the Post Office bill and the Treasury bill.

Mr. MONRONEY. And also to sit with the full committee when the Post Office and Civil Service bills are being considered. They are members not only of the subcommittee but also members of the Committee on Appropriations.

Mr. CLARK. Does the Senator from Oklahoma think it fair for the Committee on Post Office and Civil Service, as a minor committee—and it has been designated as not a major committee, and it is not a major committee; it is an important committee, and the Senator is an able chairman—to have six members sitting on the Committee on Appropriations when the Post Office bill is considered, and not a single member from the Committee on Finance sitting when the Treasury bill is under consideration? Does the Senator really think that it is fair for the Committee on Public Works to have only three ex officio members on the Committee on Appropriations while the Post Office Committee has six members, all told?

I say that we should either knock it out altogether or extend the same privilege to all, and I strongly favor the latter course.

Mr. MONRONEY. In proportion to the Treasury's portion of the bill to be determined by the Committee on Appropriations, excluding interest on the public debt, the Committee on Finance has never sought, asked, or been interested in the Treasury-Post Office appropriation bill.

This is a minor matter, traditionally members of the Committee on Appropriations have not served on the Committee on Finance nor have members of the Committee on Finance served on the Committee on Appropriations. This custom is not too bad because of the vast importance that these two committees play in the overall spectrum of the Senate.

Mr. CLARK. The Senator knows that I am not trying to change that. I suggest, in all good humor, that the Senator is setting up straw men and knocking them down. We are only talking about temporary service on an ex officio basis, with respect to people who know more about that bill than anybody else.

Mr. President, I am almost finished with my argument. However, I see in the Chamber the able chairman of the Committee on Banking and Currency, the Senator from Alabama [Mr. SPARKMAN]. I would like to have his attention for a moment because he came in after this matter was under discussion. It may well be that the Senator from Alabama is fully conversant with the matter I am discussing. If so, it will be unnecessary for me to explain this matter, but if not, I would like the opportunity to explain it to him.

This amendment would give to the Committee on Banking and Currency the same privilege which is presently given to the Committees on Agriculture and Forestry, Post Office and Civil Service, Armed Services, District of Columbia, Public Works, Foreign Relations, Atomic Energy and Space, of having three ex officio members sit with the Committee on Appropriations when the latter committee considers the many important and, indeed, large appropriations bills which arise from the authorizations, which, as the Senator from Alabama knows, come from the Committee on Banking and Currency, dealing with the whole complex of assistance to our cities. The Committee on Agriculture and Forestry has had that privilege since goodness knows when. The rural people are protected by having three ex officio members on the Committee on Appropriations when that bill is considered.

Since there are three members from the Committee on Agriculture and Forestry, this means that the Committee on Agriculture and Forestry has six members on the committee when the bills dealing with our farm problems are up for appropriations.

Now, when we turn to the Committee on Banking and Currency we see that there is only one member of any seniority on the Committee on Banking and Currency who is also on the Committee on Appropriations. That member is the Senator from Wisconsin [Mr. PROXMIRE].

About 2 or 3 weeks ago the Senator from Wyoming [Mr. MCGEE], much to my regret and much to my opposition, was displaced from the Committee on Foreign Relations and placed on the Committee on Banking and Currency. He is also on the Committee on Appropriations.

There is no Republican representative from the Committee on Banking and Currency at all, but I would hope that the Senator from Alabama would feel, as I do, that the six discriminated-against committees which are not given this privilege, but process bills that authorize billions and billions of dollars, should have the same privilege as eight favored committees, the six committees being the Committees on Commerce, Finance, Interior and Insular Affairs, Judiciary, Labor and Public Welfare, and Banking and Currency.

Mr. President, I yield the floor.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HAYDEN. Mr. President, I am very much opposed to the amendment offered by the Senator from Pennsylvania numbered 7.

This amendment would provide additional ex officio members to the Committee on Appropriations to serve when the annual appropriation bills were being considered for the Department of Housing and Urban Development; the Export-Import Bank; the Department of Commerce; the Treasury Department; for foreign aid; Interior appropriations; judiciary appropriations; and Labor and public welfare appropriations.

This would add a minimum of 21 Members of the Senate to the list of ex officio members already serving.

At the present time, the Committee on Appropriations has 27 ex officio positions. Under the amendment proposed by the Senator from Pennsylvania, the committee would have a total of 48 ex officio members. Together with 26 Senators on the committee, the committee would consist of 74 members—or almost three-quarters of the Senate.

The procedures which would have to be followed, were this amendment agreed to, would be most cumbersome and would contribute to delay and a waste of energy.

Let us consider for one moment the foreign assistance appropriation bill. Under the amendment submitted by the Senator from Pennsylvania, on the foreign aid bill it could be interpreted to require us to have three Senators from the Banking and Currency Committee to consider Export-Import Bank matters; three members from the Senate Committee on Foreign Relations to consider matters relating to the AID program; and three members from the Labor and Public Welfare Committee to consider matters in that bill relating to appropriations under the Department of Health, Education, and Welfare.

The difficulty of assembling all of these ex officio members at the appointed time for hearings and markup would contribute greatly to the delay in the consideration of this bill.

This same situation would exist in connection with other subcommittees and other bills being considered.

I hope that the amendment will be defeated.

Mr. President, let me say as a matter of history that prior to the Budget Accounting Act of 1921, appropriation bills were made by various committees in the House and Senate. The Military Affairs Committee made appropriations for the Army. The Naval Affairs Committee made appropriations for the Navy and so on, all around.

When the time came to consolidate the appropriation bills in one committee they did not provide for such a scheme in the House.

In the House, there are no ex officio members. There is really no need for them in the Senate because the Appropriations Committee at the present time consists of over a quarter of the Senate.

When we try to make it, in effect, three-quarters of the Members of the Senate, this just cannot be justified on any basis except that in the old days the older Members who had the power did not want to give it up; thus, they insisted upon being ex officio members.

The principle upon which the Senator's amendment is based is wrong

Mr. LAUSCHE. Mr. President, will the Senator from Arizona yield for a question?

Mr. HAYDEN. I yield.

Mr. LAUSCHE. Just as a matter of information, do the ex officio members have the right to vote on measures that are before the Appropriations Committee?

Mr. HAYDEN. Yes, they have the right to vote on their particular items.

Mr. LAUSCHE. On their particular items. I thank the Senator.

Mr. HOLLAND. Mr. President, will the Senator from Arizona yield?

Mr. HAYDEN. I yield.

Mr. HOLLAND. Is it not correct that at the beginning of this particular Congress, the distinguished chairman of the Appropriations Committee requested the reduction of the regular members of his committee from 27 to 25?

Mr. HAYDEN. Now the committee consists of over one-quarter of the Members of the Senate.

Mr. HOLLAND. I understand.

Mr. HAYDEN. It was a very much more efficient committee when it had about 18 to 20 members. If additional members were to be added, it would be really difficult to get the work done.

Mr. HOLLAND. Is it not true that the distinguished chairman of the committee, in an effort to make the committee more efficient, requested the steering committee of the Senate and various other committees, that a cut was made down to 26 at the request of and on the recommendation of the chairman of the full committee?

Mr. HAYDEN. That is correct; 26 members.

Mr. HOLLAND. Really, it was the hope of the Senator from Arizona, chairman of the committee, that, in the cause of greater efficiency, the membership of the full committee be cut down from 27 to 25?

Mr. HAYDEN. That is correct.

Mr. MONRONEY. Mr. President, I observe the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MOSS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, the measure before us is widely regarded as a measure to reform congressional practices and procedures. And in most respects it is.

But many of the sections dealing with committee procedure are not reforms in the sense that they will expedite the handling of legislation by the committees of the Senate. They change, but they do not reform, if by reform is meant expediting.

Members of this body know that in the last 22 years I have probably raised more objections to short circuiting of Senate rules than any other Member. I believe in following the rules that are established by the Senate and by individual committees for their operation. They are there to assure fair handling of bills and opportunity for the minority as well as the majority to express in full its point of view.

In my opinion, we have gone further than we shoud in short circuiting the rules by use of unanimous consent. The unanimous consent procedure requires individual Members to safeguard their rights one at a time, and as individuals.

But what I see in this bill are many more Senate and committee rules that will almost have to be waived by unanimous consent, and which also will be available for use by individuals who seek to exercise rights given them by S. 355. The new possibilities it affords for delaying action by objecting to unanimous consent agreements seeking to waive these provisions are a delight to any stickler for rules.

I have no desire to see more rules put on the books that we know from our personal experience are going to be evaded. It may come as a surprise to some to know that I do not seek, either, more Senate rules that will enable a single Senator to delay Senate business. I like to operate within rules that are accepted and practiced by the Senate as a whole.

Where rules changes are needed to correct abuses of majority power, or the power of committee chairmen, I would support them; but the unfortunate thing about S. 355 is that it contains so many provisions dealing with practices that are normal in the Senate and which cannot be shown, and have not been shown, to be abuses requiring the remedy of a new rule.

I think I am the only Member of this body who has served here in the majority with both parties, and in the minority as a Republican and an independent. I have never served with a Democratic minority. But I have had a lot of experience as a junior member of both parties, and as a junior member of Senate committees.

Out of that experience, I must conclude that little in S. 355 would give junior or minority members rights that would enable them to promote, or enhance, the scope and standard of committee work, and nothing that would speed up the handling of legislation by committees. The most striking feature of the bill is that it seems to provide remedies for which there are no abuses.

An item by item review of the bill is called for in order to compare existing practice with what would happen if the bill were passed in its present form.

Section 102 is entitled "Committee procedure." Section (a) of it permits a majority of a committee to call a meeting within 7 days after the chairman has declined to call one at the request of three members. The report states that this would apply a House rule to the Senate. This is perhaps the only provision in this or the following sections that really constitutes a "bill of rights" for members against autocratic rule by a committee chairman. But the problems in this connection are so few and far between that I cannot imagine the provision being used or considered being used on Senate committees.

Item (b) of this section establishes that all committee meetings are to be open unless a majority decides to make them executive. This apparently means, in light of other sections of the bill, that a physical majority must be present before this decision can be made and no proxy votes can be used in connection with it.

Right there is a provision that will delay a great many committee meetings. If we want an executive session to mark up a bill, we cannot begin until we have a majority of the committee there that will vote to make it executive. A great many committee meetings are begun with preliminary business before a quorum is present and a lot of necessary but not critical matters are disposed of. We could not do this in executive session under this provision; we would have to wait until a majority is there to make this decision and as it is, we have to wait half an hour to an hour before a quorum arrives.

Moreover, this provision means that every executive session must begin with a majority voting to exclude the public, including the press. In the consideration of important, critical issues, this alone could become a serious issue. Members will find themselves in hot water for voting to make it executive, in addition to what they may do in the executive session. Or if it remains open because too many are unwilling to vote an executive session, the free flow of opinion and decision will be greatly impaired.

What will happen in many instances is simply that nothing will be done of any consequence until a later date, when a majority can be rounded up to vote the session closed. This affords a great opportunity for delaying tactics.

When I think of what this provision would have done during the consideration last summer of the airlines strike problem in the Labor Committee, when the politics of labor legislation were cutting in all directions, I wonder whether Members have really considered its ramifications.

It is current practice for the chairman of a committee to call closed or open meetings, and since an expression of views from members is invariably responded to by a chairman, I see no reason to put all committees into a straitjacket with this item.

Item 2 of section 102(b) requires that rollcalls on amendments and on the final reporting of legislation be announced publicly. This includes a tabulation of how each Senator voted on each amendment and on the proposal itself.

Current practice allows each committee to make these decisions. Ordinarily, we discuss before we break up what we want the chairman to announce, and what we do not want him to announce. This rule would prevent the majority on the committee from making that determination.

While, personally, I have no objection to having the world know how I stand and how I voted on every rollcall within a committee, I see no reason for every member to have this information about his actions published by law.

The Constitution itself protects the right of the voters to know how their Senators stand on the issues. Section 5 of the article I states:

> Each House shall keep a Journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the Yeas and Nays of the members of either House on any question shall, at the desire of one fifth of those present, be entered on the Journal.

Any one of us who wants his colleagues to stand up and be counted publicly on an issue can accomplish that purpose by offering an amendment or a motion that will produce a rollcall on the Senate floor. I have done that many times. It seems unnecessary and undesirable to compel publication of votes in an executive session, and deny the committee members the right to make this determination.

Paragraph c of section 102 states that a majority of a committee may require a report to be filed by presenting a written request to the clerk of the committee. The report must be filed within 7 days after filing of the request.

It is difficult to see to what problem this provision relates. I know of none on any committee on which I serve. As with time for minority views, the preparation and filing of a majority report is left to the informal arrangements worked out by members. I have prepared majority reports from the Labor Committee, minority views from Foreign Relations, and both from the District Committee. The timing is always worked out amicably, according to the convenience of everyone and the other demands upon their time. This provision seems totally unnecessary and if adopted, it no doubt will be completely ignored.

More important is the original provision requiring the physical presence of a majority for votes on all amendments and for final reporting, and the ban on proxy voting. These provisions have been modified, and they should be. The present Senate rule permits each committee to establish a quorum for doing business except the final reporting of a bill. Any restriction on proxy voting would do more to delay and hamstring committee work than all the rest of the bill would do to reform Congress. On any partisan matter, it would simply mean that no business would be transacted until the majority rounded up enough of its members to control the voting.

The alternative test that has been adopted would permit proxy voting on amendments, but not on final reporting of a measure. In practice this means that if those present do not include enough members who will vote to report a bill, final action will just be postponed until the majority can round up enough of its members to control the outcome. The use of proxies in final reporting of a bill is often vital to expeditious committee action. A Senate rule now in effect requires an absolute majority of members to be present on a final vote. That protects the minority that is about to be outvoted.

Prohibiting the use of proxies will only mean the committee will not report the bill that day when it lacks sufficient votes; it will try again tomorrow or the day after or next week. But the provision will not speed up a thing.

Nor will it enable members to be better informed by requiring them to be present. For those of us who serve on Labor and Foreign Relations, it only means that we will dash from a vote in the Labor Committee to a vote in Foreign Relations and back to a vote in Labor, and instead of knowing personally what has gone on in at least one committee, we will not know what has gone on in either committee when we vote.

Where our staff members are present in committee meetings, they really enable us to be two places at once, and can assure that our proxies are cast as we would want them cast.

I appreciate that elsewhere in the bill, our committee assignments are limited. But they are not so limited as to remove the need for proxy voting. Even if this restriction is limited to the final reporting of a bill, it will slow up committee action.

CIRCULATION OF REPORTS IMPRACTICAL

The item paragraph (e) of section 102 requires committee reports to be circulated to all members of the committee for 2 days prior to filing, if any member gives notice of intent to file supplemental or minority views.

This provision is completely impractical. Requests for changes in language in a report will be inevitable and endless under these circumstances. As soon as a report is circulated, interested groups—lobbyists—will be at our doors, asking to see it. If they do not get it from us, they will get it from another member.

Then they will all have language they will want in or out. At that point, it will be up to each member to decide whether these lobbyists have a good point. Then we will have to decide whether or not to go to the staff man writing the report and tell him what we want in or out. On a bill like an omnibus tax measure, or a minimum wage bill, the lobbying on committee reports will match the lobbying on the bill itself. Members will have to pass judgment on all the claims for and against the language of the report, and then press them with the staff.

What happens then? Do the changes Senator X demands have to be circulated again among all the members? At least there will be demands that they be circulated, and the process opens the door for great confusion and delay.

It is not as though this matter of who sees committee reports were a problem now. We work out within the committee what we want to go into a report. On a difficult point of the bill, we discuss what can be written into the report to clarify it, and often we instruct the majority counsel to get together with the minority counsel on it, or to prepare and clear language with the members who are affected.

It seems to me what goes into a committee report should be kept within the control of the committee and not thrown open to the winds in the way this provision provides.

From the standpoint of writing minority views, this provision does not seem vital to me. A member desiring to file minority or additional views is in common practice allowed to read the majority report, if he asks to see it, so that he may rebut it.

I would not object to a provision guaranteeing him this right, but general circulation of reports is a cure much worse than the disease.

This provision also gives the writer of additional views 2 days to file them after the majority report has been circulated. Two days is never enough for minority views, although additional days would apparently be available from the time the bill was ordered reported.

But reasonable time for minority views is always worked out between the majority and minority. The means would be found to evade time limits on minority views, but why have limits in the law at all?

Section 102(f) requires that a committee report must have been filed at least 3 days before a vote may be taken on it on the floor.

This is an infringement on leadership prerogatives, and while it may be set aside by unanimous consent, it provides a delaying tactic for any single Senator who wishes to enforce it.

Section 102(h) requires each committee to print rules to govern its proceedings. I have no strong opinion about this provision, except that it will be an incentive to committees to write detailed rules, whereas general accommodation and flexibility seem to serve at present.

HEARING PROCEDURES AND DUTIES

Section 103 deals with hearing procedures of committees. In it are provisions that would seriously impede the hearing process and impose burdensome duties on the staff.

One requires that 2 weeks' notice be given before any hearing may be held, unless the notice is waived by majority vote of the committee. Unless this provision is ignored, it will put an end to any hearing within 2 weeks of a pending adjournment of the Congress, and it will make fast action very difficult at any time. To get a majority together for the purpose of waiving it will be a harassment to the chairman, and the mechanics of arranging hearings with witnesses and then having to clear every change in scheduling with a formal majority of the committee will discourage the most hardy chairman from holding hearings at all.

A second requirement is that witnesses submit their statements 2 days in advance.

This rule has not been enforced in the past because it is impractical. If a Cabinet member appears before a committee with testimony fresh from the mimeograph machine and hands it to members just as he sits down to testify, who is going to rule that he may not proceed because he did not have his statement here 2 days before? We ignore this requirement for all witnesses, and we should. It is reasonable to ask them to provide us with a copy of their testimony in advance, but I see nothing to be gained by trying to write it into law. All it does is put a great premium on the witnesses who have the most organization to help them prepare and distribute their testimony.

Another requirement is that the committee staff summarize this testimony in advance for members. In my opinion, that is a completely useless and unreasonable misuse of committee staff. For one thing, it is the witness who knows the salient features of his testimony, and which points he is most anxious to get across. It should not be left up to the staff to interpret his testimony. If statements are received in advance, they should be forwarded to the offices of individual members for any advance summary their office staffs wish to prepare in order to flag the points in which they are interested.

More important is the burden this would impose on the staff of a committee that may have its hands full trying to organize and run hearings, sometimes every day for days at a time.

A third requirement that is burdensome and unnecessary is that of preparing summaries after the testimony is taken, as well as before. This summary must be printed as part of the hearing record.

When would a staff that has been in hearings all day and must return to them at 10 a.m. the next morning have time to summarize 8 hours of testimony? On top of that, the majority and minority have to agree on the summary of the testimony. This task would take the full time of at least one staff member, probably one from minority and majority staffs. I see no advantage to be gained from it. Hearings are generally indexed, and members and their office staffs can read what they need to know from hearings.

Section 104, as I read it, goes back to the old practice of prohibiting committee meetings, except for hearings, when the Senate is in session, including the morning hour. Agreement of the majority and minority leaders may be obtained for hearings, but I gather that no executive business can be transacted during the morning hour. This would seem to impede more than it would expedite committee business.

Section 105 creates the post and duties of a review specialist.

No doubt every committee wishes it were better equipped to supervise the administration of laws that are passed by the committee. But I challenge the concept that one person, a "review specialist" is the way to equip a committee for this purpose.

Most of our professional committee staff members are experts in an area of legislative business. They are the people who should assume the review duties in that area. To expect one man to cut across the whole spectrum of committee business and make himself an expert on every subject so he can oversee its administration is entirely unrealistic.

I would hope this section could be rewritten so as to leave the duties it provides for to be carried out at the discretion of the committee. That way we can use our personnel more effectively than this section as now written will permit.

Finally, I have serious doubts about the wisdom or virtue of excluding the Appropriations Committee from the many procedures that are applied to other committees. I see no reason to exclude the Appropriations Committee from the reduction in membership that is applied to other committees. The Appropriations Committee handles money; other committees handle authorizations. That is the only distinction, and I see nothing in it that should elevate the Appropriations Committee above the will of the Senate as applied to all other standing committees.

Let me add that I do not doubt the Senate will continue to operate if all the present provisions of S. 355 are enacted. But we will act much more slowly than we do now. There will be many more requests for unanimous consent; likewise there will be many more objections by individual Senators, for there will be many more rules that can be invoked to hinder committees and the Senate from acting.

These sections of the bill may change Senate rules; but they do not reform the Senate.

AUTHORITY TO PRINT AS SENATE DOCUMENT A SERIES OF ARTICLES ENTITLED, "U.S. SUPREME COURT UPSETS TRADITION" (S. DOC. NO. 3)

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that a series of articles written by Dick Kirkpatrick, chief of the Cincinnati Enquirer's Washington office, entitled "U.S. Supreme Court Upsets Tradition" be compiled and printed as a Senate document.

The PRESIDING OFFICER. Is there objection? The chair hears none, and it is so ordered.

APPOINTMENT TO BOARD OF VISITORS TO COAST GUARD ACADEMY

Mr. MAGNUSON. Mr. President, as chairman of the Committee on Commerce, I wish to announce that I have appointed the Senator from Alaska [Mr. BARTLETT] and the Senator from Michigan [Mr. GRIFFIN] as members of the Board of Visitors to the U.S. Coast Guard Academy.

APPOINTMENT TO BOARD OF VISITORS TO U.S. MERCHANT MARINE ACADEMY

Mr. MAGNUSON. Mr. President, as chairman of the Committee on Commerce, I wish to announce that I have appointed the Senator from South Carolina [Mr. HOLLINGS] and the Senator from Vermont [Mr. PROUTY] as members of the Board of Visitors to the U.S. Merchant Marine Academy.

ADJOURNMENT UNTIL MONDAY

Mr. MONRONEY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate adjourn until noon on Monday.

The motion was agreed to; and (at 4 o'clock and 40 minutes p.m.) the Senate adjourned until 12 o'clock meridian Monday, January 30, 1967.

NOMINATIONS

Executive nominations received by the Senate January 26, 1967:

DEPARTMENT OF TRANSPORTATION

John L. Sweeney, of Michigan, to be an Assistant Secretary of Transportation.

APPALACHIAN REGIONAL COMMISSION

Joe W. Flemming II, of Arkansas, to be Federal Cochairman of the Appalachian Regional Commission.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 26, 1967:

DEPARTMENT OF STATE

Idar Rimestad, of North Dakota, a Foreign Service officer of class 1, to be Deputy Under Secretary of State.

John F. Henning, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to New Zealand.

David S. King, of Utah, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Malagasy Republic.

Robert L. Payton, of Missouri, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Cameroon.

Clarence A. Boonstra, of Michigan, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Costa Rica.

INTERNATIONAL MONETARY FUND AND INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Eugene Victor Rostow, of Connecticut, to be U.S. Alternate Governor of the International Monetary Fund for a term of 5 years and U.S. Alternate Governor of the International Bank for Reconstruction and Development for a term of 5 years.

UNITED NATIONS

William B. Buffum, of Maryland, a Foreign Service officer of class 1, to be the deputy representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary.

Arthur E. Goldschmidt, of New York, to be the U.S. representative to the Economic and Social Council of the United Nations.

Richard F. Pedersen, of California, to be deputy representative of the United States of America in the Security Council of the United Nations.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 26, 1967

The House met at 12 o'clock noon.

Father Patrick J. Nagle, Sacred Heart Church, La Plata, Md., offered the following prayer:

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

O God of all, as of old our fathers prayed, so do we now:

"Lift up Thy hand over the strange nations that they may see Thy power—that they may know Thee as we also have known Thee, that there is no God beside Thee, O Lord."

Take from us all false pride and foolish thoughts of self-glory. Instead, let us see in Thy divine plan and gracious purpose self-perfection and the desire to lead others by just and proper legislation to this end.

Glorification, whole and entire, of Thy name and a lasting reward from Thy hand—peace in our times.

This more than all else we ask of Thee.

A good conscience, peace within our native country and with all nations.

We ask it in the name of the Father, and of the Son, and of the Holy Spirit. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Vice President, pursuant to Public Law 84–1028, appointed Mr. PASTORE, Mr. YARBOROUGH, and Mr. BURDICK to be members of the Board of Visitors to the U.S. Air Force Academy.

The message also announced that the Vice President, pursuant to Public Law 84–1028, appointed Mr. BIBLE, Mr. CASE, and Mr. MORTON to be members of the Board of Visitors to the U.S. Naval Academy.

The message also announced that the Vice President, pursuant to Public law 84–1028, appointed Mr. STENNIS, Mr. ALLOTT, and Mr. THURMOND to be members of the Board of Visitors to the U.S. Military Academy.

The message also announced that the Vice President, pursuant to Public Law 79–304, appointed Mr. RIBICOFF to be a member of the Joint Economic Committee.

The message also announced that the Vice President, pursuant to Public Law 86–380, appointed Mr. ERVIN, Mr. MUSKIE, and Mr. MUNDT to be members of the Advisory Commission on Intergovernmental Relations.

The message also announced that the Vice President, pursuant to Public Law 86–417, appointed Mr. RANDOLPH to be a member of the James Madison Memorial Commission.

The message also announced that the Vice President, pursuant to Public Law 420, 83d Congress, appointed Mr. BREWSTER to be a member of the Board of Directors of Gallaudet College.

The message also announced that the Vice President, pursuant to Public Law 250, 77th Congress, appointed Mr. ALLOTT to be a member of the Joint Committee on Reduction of Nonessential Federal Expenditures.

The message also announced that the Vice President, pursuant to Public Law 89–187, appointed Mr. NELSON to be a member of the Father Marquette Tercentenary Commission.

The message also announced that the Vice President, pursuant to Public Law 754, 81st Congress, appointed Mr. Francis R. Valeo to the Federal Records Council in lieu of Mr. Emery L. Frazier, retired.

The message also announced that the Vice President, pursuant to Public Law 87–758, appointed Mr. MAGNUSON to be a member of the National Fisheries Center and Aquarium Advisory Board.

The message also announced that the Vice President, pursuant to Public Law 84–372, appointed Mr. TYDINGS and Mr. BROOKE to be members of the Franklin Delano Roosevelt Memorial Commission.

APPOINTMENT OF MEMBERS TO THE JOINT ECONOMIC COMMITTEE

The SPEAKER. Pursuant to the provisions of 15 United States Code 1024(a), as amended, the Chair appoints as members of the Joint Economic Committee the following members on the part of the House: Mr. PATMAN, of Texas; Mr. BOLLING, of Missouri; Mr. BOGGS, of Louisiana; Mr. REUSS, of Wisconsin; Mrs. GRIFFITHS, of Michigan; Mr. MOORHEAD, of Pennsylvania; Mr. CURTIS, of Missouri; Mr. WIDNALL, of New Jersey; Mr. RUMSFELD, of Illinois; and Mr. BROCK, of Tennessee.

CONGRESSMAN ANNUNZIO INTRODUCES MEASURE TO MAKE COLUMBUS DAY A NATIONAL LEGAL HOLIDAY

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, I am introducing a measure today, which I had introduced in the 89th Congress, to make Columbus Day a national legal holiday.

Thirty-eight States have already declared Columbus Day a legal holiday, but national recognition of Christopher Columbus' momentous discovery has been withheld all these many years. It is indeed an oversight on the part of the Congress of the United States to withhold this national recognition, particularly when we realize that the development of our great country, as well as the development of the whole Western Hemisphere, resulted from Columbus' discovery in 1492.

The importance of Columbus' achievement was best expressed by the eminent Harvard scholar, Samuel Eliot Morrison, who said:

> His four voyages—the first in 1492–93; the second, in which the Lesser Antilles and southern Cuba were discovered, in 1493–94; the third, in which he first touched the mainland, in 1497–98; and the fourth, in 1502–04, in which he discovered the unknown shores of the western Caribbean—are the most important in modern history.

Thus, not only we in North America, but our neighbors in South America as well, owe a tremendous debt to Christopher Columbus for opening up the New World. Our neighbors in South America recognize this debt and each year pay tribute to the memory of Columbus.

Almost every country in South America, including Argentina, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Paraguay, Peru, Uruguay, and Venezuela celebrate "Dia de la Raza" on October 12 each year. They recognize that Christopher Columbus' discovery on this day marked the actual beginning of their countries and their cultures.

It is unfortunate that we in the United States do not celebrate Columbus Day as a national legal holiday, for if we did, we could join hands with our brothers and sisters in South America in a joint celebration of the one event which holds such profound meaning for all of us. Perhaps, by extending our hand in friendship and by celebrating this holiday together, we could create a more hospitable atmosphere for settling some of the vital social and economic problems which confront us.

Of all the outstanding men whose deeds have made an imperishable record in the hearts and minds of men and women through the ages, it is Columbus whose fame will last forever. Perhaps his achievement is more meaningful for us today than it was for previous generations, because we face the vastness of outer space in the same way that Columbus faced the expanse of the uncharted ocean. Despite all obstacles and hazards, despite primitive navigational equipment, this great Italian found land and achieved the most spectacular and important geographical discovery in the history of our planet.

The qualities that made Columbus great—stubborn persistence despite discouragement and danger, indomitable will, faith in God, and absolute fearlessness—are qualities which our early settlers possessed, which our courageous pioneers demonstrated as they opened up the West, and which our great industrialists and labor leaders have used in building the successful economic enterprises and achieving the remarkable industrial advances that have made our country the greatest nation in the world.

Today, we have more people employed than at any time in our history. Our country is enjoying the greatest prosperity we have ever known. Our gross national product is over $740 billion and by 1972 it is predicted that our gross national product will reach over $1 trillion.

In this era of prosperity and progress, it is hard to believe that there are those who would oppose making Columbus Day a national legal holiday. Yet, there are some few who have put a material value on the holiday, and claim that the closing of our Government offices, our schools, our banks, and other public places would cost too much money.

When one considers, however, the great prosperity in our country, the overabundance of goods, and our constantly growing and expanding economy, this excuse of cost becomes weak, flimsy, and ineffective.

Mr. Speaker, the magnificent courage and boundless imagination of Columbus made possible the discovery of our country where today the greater democracy ever known to man is flourishing. His indomitable spirit has become a part of us and our way of life. Today, our astronauts who explore outer space are manifesting the same dauntless spirit that Columbus demonstrated when he sailed an uncharted and trackless ocean to find America.

Our debt to Columbus is profound. No longer can we deny him national recognition. The other body, during the 88th Congress, recognized this debt, and in an effort to give Columbus the recognition he justly deserves, passed on August 15, 1964, a bill introduced by Senator J. Caleb Boggs, of Delaware, to make Columbus Day a national legal holiday. Unfortunately, this bill never came to the floor of the House for action, and died in the House Judiciary Committee. The Representatives, both Republicans and Democrats, from the 38 States which have already made October 12 a State legal holiday never had an opportunity to vote on this legislation.

These States include: Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Montana, Nebraska, Maryland, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

I urge my colleagues from these States to join me in introducing legislation to make Columbus Day a national legal holiday, and I call upon all of the Members of the House to join in enacting my measure to make Columbus Day a national legal holiday. By working together, we can insure this long overdue recognition for Christopher Columbus.

UKRAINIAN INDEPENDENCE DAY

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, on January 22, 1918, the Republic of the Ukraine proclaimed its independence. Free from Czarist tyranny the Ukrainian people set about the nation-building process. Unfortunately, their independent status soon vanished. In 1920 they were besieged by the Red Army. There followed a bitter 3-year struggle, ending with the suppression of the Ukraine and its incorporation into the Soviet Union. Again during World War II the Ukraine served as a battleground when the Nazi armies swept through it. Following the Nazis' defeat the Soviet Union quickly reestablished control. Today, 45 million Ukrainians live under Soviet domination. They constitute the largest non-Russian ethnic group living under the Kremlin regime.

This brief chronology of the 49 years following the Ukrainian proclamation of independence is a sad commentary of its short-lived freedom. Even more tragic is the fact that its suppression is not an isolated historical event. Throughout man's history is witnessed the greed of one nation feeding upon another. Avarice has been the rule of conduct in too many cases.

Fortunately, the peoples of the captive nations have not assented willingly to foreign rule, nor have they surrendered their allegiances to the possible reestablishment of sovereign homelands. Whatever alien sanctions that have been imposed on them have not constrained their nationalism. Their fervent devotion to freedom and autonomy is an inspiring record.

With the 49th anniversary of the Ukraine Republic's birth being observed this past Sunday, it is appropriate that we renew our expressions for the future hopes of that beleaguered nation. It is entirely fitting that we take time to honor and observe the birthdate of the Republic of the Ukraine, a nation whose identify and existence are masked by alien domination.

THE CREDIBILITY GAP IN SACRAMENTO

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, under unanimous consent, I include in the Record the following column of Doris Fleeson which appeared in the January 24 Evening Star:

Ronald Reagan Sheds His Moderate Image

(By Doris Fleeson)

The long and astute buildup of Gov. Ronald Reagan as a political moderate has collapsed with the sudden firing of Dr. Clark Kerr as president of the University of California.

The new governor was attending his first meeting as ex-officio member of the board of regents when he voted for the ouster. So was Lt. Gov. Robert Finch, another professed moderate and ex-officio member who voted aye. So was Reagan appointee Allen Grant, head of the State Board of Agriculture, an ex-officio regent because the University of California is a land-grant college.

Grant, a member of the State Right to Work Committee, in fact made the original motion to oust Kerr. Surprised conservatives, Republican and Democrat, grinned happily as these signals from Sacramento kept coming.

The Grant motion was deemed too harsh, however, by Regent Lawrence Kennedy, a maverick Democrat appointed by former Gov. Edmund G. Brown, and it was the Kennedy substitute that prevailed. It was far from the first resolution Kennedy has offered, but it is the first that has ever prevailed.

As these circumstances spread through the news media and educational circles, increasing emphasis was put on the political aspect of the story. It could not be otherwise. Reagan had promised in his campaign to "keep the university out of politics." In his first significant act as governor, he had put it in, breathing new life into his 1964 image as the darling of the Goldwaterites.

Republicans here pinned their first reactions to the horrid thought that their extreme right-wingers had not gone down with Barry Goldwater. A few foresaw another bitter and divisive primary campaign in 1968, dimming their present cheerful prospects.

Others comforted themselves with the notion that it is better to know early rather than too late that Reagan's political instincts are at the service of the right-wingers. All are astonished that he did not exercise more patience and prudence, as he has made it so plain that he intends to use his state's power on the national political scene.

Early reports about the scene within the board of regents were confusing. The governor in particular made some statements that other regents do not support. Comment on "the credibility gap in Sacramento" is widespread.

This is as it may be, but Kerr, a distinguished educator with a difficult and complicated job, has been summarily dismissed by newcomers with neither educational nor administrative experience, as if he were an errant office boy. The far right and the new left, enemies who should make sensible people think hard before assisting their goals, wanted Kerr out and have prevailed.

Reagan has been discovering that campaign promises come easily but that delivering on them is another story. He promised to reduce real estate taxes but finds he then must raise others.

No doubt he was angry when Kerr criticized cuts for education and fought Reagan-proposed tuition fees for California residents. Yet Kerr could not do less than defend the educational system that has put California, land-grant college though it is, in competition with the greatest schools in this country and the world.

HIGHER EDUCATION THE LOSER IN CALIFORNIA

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, under leave to extend my remarks in the Record, I include the following January 23 Edwardsville, Ill., Intelligencer editorial:

Reagan Wins Pyrrhic Victory

Enemies of academic tolerance will probably cheer the firing of Dr. Clark Kerr, as president of the University of California by the state board of regents.

But to those truly concerned with the quality of higher education in California, as well as the national implication of Dr. Kerr's removal, the ouster is a heavy blow.

In Dr. Kerr's eight-year tenure as president, the university has become ranked in educational circles among the top state universities in the country.

The quality of the faculty has increased, also. The university has more Nobel Prize winners on its staff than any other in the country.

Opponents of Dr. Kerr would say, at this point, that student quality has deteriorated. They will point to the unrest at the Berkeley campus during 1965 and 1966, the Free Speech and Filthy Speech movements, the student boycotts and demonstrations, and Dr. Kerr's refusal to take heavy-handed action against student strike leaders.

What they seem to forget is that Berkeley is only one of the University of California's nine campuses.

They overlook the fact that student unrest has not been limited to Berkeley alone, but has been seen on other campuses, both public and private, across the country.

They neglect to point out that many educators consider the 1965 Berkeley student revolt to have been justified, that the university administration had erred in taking away from students some political rights, or that the 1966 boycott failed because the students' case that time just did not have merit.

Dr. Kerr will not have to worry about his future. His talents are known and surely will be desired by other academic systems.

The cause of higher education in California, however, may be severely disrupted by Dr. Kerr's removal. Many good professors who support Dr. Kerr may seek employment elsewhere. Students who recognize his values and goals may stage rebellions of their own.

The board of regents once before recognized the worth of Dr. Kerr. That was in 1965, when Dr. Kerr resigned to protest certain decisions of the board regarding the student revolt.

A majority of the regents, realizing that they could not afford to lose a man of his convictions and caliber, persuaded Dr. Kerr to stay.

This year, however, under another governor and a different political climate in California, Dr. Kerr's enemies on the state board, the conservatives, made their feelings dramatically known.

Gov. Ronald Reagan, who since his election has been at odds with Dr. Kerr for insisting on budgetary cuts and student tuition, has won an important victory. His prestige has been enhanced and his power with the regents has been underlined.

But the governor's victory, if it can be called that at all, is a short-term one. Higher education in California will suffer because of his, and the board of regents, shortsightedness.

THE WAR ON POVERTY

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include pertinent material.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, the 89th Congress authorized $1.75 billion for fiscal year 1967 for the Office of Economic Opportunity to fight the war against poverty.

It was clear at the time that this authorization was not sufficient to meet our needs. However, under the authorization-appropriation process which the House follows, the authorization was cut before the House adjourned last October by $137.5 million, and the Office of Economic Opportunity wound up with $1,612,500,000.

Instead of continuing ongoing programs or starting new ones, there had to be cutbacks. To say that the poor of this Nation were disappointed is an understatement.

Today I have introduced a supplemental appropriation bill to restore the lost $137.5 million for fiscal year 1967.

The failure to live up to the commitments made in the authorization bill through the loss of this money is nothing short of an American tragedy. Unless Congress restores the cut, we will be guilty of reneging on our promises to the poor. This will result in increasing the cynicism which already exists concerning the promise of the Great Society.

The wealthiest nation in the world cannot afford to cut any deeper into the antipoverty program. It is up to Congress to fulfill the commitment to eradicate poverty in an affluent America.

SOCIAL SECURITY LEGISLATION

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, today, I have introduced legislation providing for automatic social security increases in the future whenever the cost of living increases 3 percent or more, and for an across-the-board increase of 8 percent in social security benefits.

It has been apparent for some time that the inflation we have been experiencing has worked a severe hardship and burden on our citizens, who depend on social security benefits, and who have tried to secure their own future. Last Congress, as a member of the Republican task force on aging, I introduced legislation to provide automatic increases in benefits commensurate with increases in the consumer price index. If my bill had been enacted into law during the 89th Congress, the recipients of social security would have already benefited from a comparable increase.

Since the effective date of the 1965 increase, the consumer price index has increased 5.3 percent. If the social security laws had contained an escalator provision, such as I am now proposing, this hardship would not have been imposed upon our senior citizens.

However, despite the continued erosion of social security benefits, and other savings by inflation, the administration did not feel that any action was necessary. If the administration's sense of concern matched the urgency of its political rhetoric, social security beneficiaries would currently be receiving increased benefits. Fairness to our elderly citizens requires that Congress act on this proposal as one of the first orders of business.

This provision for automatic increases, in the future, is identical to the bill I introduced in the last Congress, and is patterned after similar provisions in the civil service and military retirement laws.

Mr. Speaker, this bill will help compensate for the failure of benefit increases to keep up with increases in the cost of living, or the corollary thereof; namely, decreased purchasing power of the dollar. But equally, and perhaps even more important, it will insure prompt adjustment of benefits to living costs in the future. It will do this with an automatic trigger that will help take politics out of social security, and thus insure the adequacy of the trust fund for present-day workers when they reach retirement age.

The administration must bear the responsibility for the plight of our older citizens during the last few inflationary years. While inflation has robbed them of a decent standard of living, the administration prevented a benefit increase by insisting that any increase be delayed until the medicare program could be enacted. If the social security laws had contained an escalator provision such as I am now proposing, this delay could have been avoided.

Based on information and the latest actuarial estimates from the Office of the Chief of Actuary of the Social Security Administration, an 8-percent increase in benefits can be enacted with absolutely no increase in social security taxes, or erosion of existing trust funds.

Mr. Speaker, three other areas of social security structural reform, I feel, that should be carefully examined by the Committee on Ways and Means are raising the minimum benefit, raising the present earnings limitation, and increasing the widows' benefit rate to 100 percent of primary. However, since each of these three proposals would require additional financing, either an increase in the tax rate or the tax base, or both, I think the Committee on Ways and Means should hold hearings and determine the cost as well as the priorities that should be accorded.

In summary, Mr. Speaker, the two provisions of this bill, the automatic cost-of-living increases and the 8-percent increase in benefits, are a responsibly progressive answer to the various alternatives proposed in this field. It provides for increased benefits, while not increasing the tax burden upon our gainfully employed citizens, and establishes machinery whereby future benefits will be taken out of the hands of partisan politics.

BRAND-EX

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, the Great Society's ringmasters have decreed that the American people should have a 6-percent surtax, a permanent and sizable increase in social security tax payments, and a jump in the postage rate. Yet, this is the same Johnson-Humphrey administration that will, sometime this year, solemnly assure everyone that it is working very hard to keep down the cost of living.

It was this same administration that admonished housewives to put on their glasses and examine their shopping lists closely. Every taxpayer should put on his or her glasses and take a close look at the fiscal ballooning of the Federal budget for 1968.

If there were standards for labeling and packaging the budget, this one would never pass inspection. While we are at war, the Federal budget is obese and out of shape. While the taxpayer is called on to sacrifice, Federal agencies are asking for more money to spend for their pet projects and programs.

The L.B.J. supermarket will never qualify as a discount house. The surtax is going to become a sore-tax for hard-pressed taxpayers, and I would venture to say that those who support this superfluous raid on the family finances will be known as "brand-ex" after the taxpayers go to the polls in 1968.

AUTHORIZING PAYMENT OF COMPENSATION FOR CERTAIN COMMITTEE EMPLOYEES

Mr. **FRIEDEL**. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 113.

The Clerk read the resolution, as follows:

H. Res. 113

Resolved, That there shall be paid out of the contingent fund of the House of Representatives such sums as may be necessary to pay the compensation for services performed during the period beginning January 3, 1967, and ending at the close of February 28, 1967, by each person (1) who, on January 2, 1967, was employed by a standing committee or any select committee of the Eighty-ninth Congress and whose salary was paid under authority of a House resolution adopted during the Eighty-ninth Congress, and (2) who is certified by the chairman of the appropriate committee as performing such services for such committee during such period. Such compensation shall be paid such person at a rate not to exceed the rate he was receiving on January 2, 1967.

The **SPEAKER**. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTEND MEDICARE TO WIDOWS WITH UNDERAGED CHILDREN

Mr. **PUCINSKI**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. **PUCINSKI**. Mr. Speaker, President Johnson has proposed a 20-percent increase in social security benefits to the Nation's senior citizens.

I firmly support this proposal for there is no question in my mind that we must increase monthly benefits to our senior citizens if they are to meet the increased cost of living.

However, I believe that in discussing the President's amendments, the time has come when we should extend hospital care under medicare to widows with underage children so that this entire program will become more acceptable to the younger worker who will have to carry the brunt of additional contributions to social security which in turn will make possible the President's proposal to increase by 20 percent benefits to senior citizens.

We cannot be unmindful of the fact that present wage earners who must carry the full brunt of providing increased benefits to senior citizens are becoming more and more concerned with mounting monthly contributions they must make to social security.

I believe the younger worker would be more willing to absorb higher social security premiums if he knew that under these increased premiums, he would be guaranteeing decent hospital care under medicare for his wife and children should he die before his children become of age.

If we now pay a widow with underaged children a pension, it appears to me that a breadwinner would find greater peace of mind if he knew that should something happen to him, his wife and children would not have to stand in line in a county hospital when they need medical attention, but rather could obtain such attention from their family doctor in a hospital of their choice under medicare. Please keep in mind that most group insurance plans lapse when the worker dies or leaves his employer.

I should like to remind my colleagues that the original medicare bill, sponsored by Congressman Aime Forand in 1958, included widows with underaged children for hospital care under social security.

This proviso was dropped as a concession to opponents of medicare. In my judgment it was a mistake to drop them from coverage then, and it is a greater mistake to exclude them from medicare now.

There are an estimated 2.5 million widows and underaged children receiving a pension under social security at the present time. I know of no reason why these widows and their underage children should not receive the same hospital care that we provide other social security recipients. But I do know that such care for widows with children would provide great comfort to the young father who today is concerned about the future of his family should death claim him prematurely.

I sincerely believe that young married couples would view the entire social security program with greater acceptance if this amendment became part of the overall changes being proposed by President Johnson in this year's social security revision.

I have every reason to believe the increased cost for this extended coverage to widows with young children would be nominal.

It is my intention to suggest this proposal to the Ways and Means Committee when it begins hearings on the President's proposal.

ECONOMIC REPORT OF THE PRESIDENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 28)

The **SPEAKER** laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Joint Economic Committee and ordered to be printed with illustrations:

To the Congress of the United States:

A healthy and productive economy is a bulwark of freedom.

Around the world and here at home, our trials of strength, our works of peace, our quest for justice, our search for knowledge and understanding, our efforts to enrich our environment are buttressed by an amazing productive power.

Americans have confronted many challenges in this century. The ones we face in 1967 are as trying of men's spirits as any we have known. But the overwhelming majority of us face our challenges in comfort, if not affluence. The sacrifices required of most of today's generation are not of income or security; rather we are called on to renounce prejudice, impatience, apathy, weakness, and weariness.

In purely material terms, most Americans are better off than ever before. That fact expands our responsibilities, as it enlarges our resources to meet them.

RECENT ECONOMIC GAINS

An average of 74 million persons were at work in 1966—2 million more than in 1965. Nonfarm payrolls averaged 64 million, a gain of 3 million. On the whole, these jobs were better paying than ever, and more regular and more secure than most workers can remember.

The value of our total production of goods and services in 1966 was $740 billion—$58 billion, or 8½ percent, higher than in 1965. More of the increase than we wanted represented higher prices. Still, the gain was nearly 5½ percent after correction for price changes.

Labor, business, and the farmer all contributed to this major gain in production, and they rightly shared the benefits.

Aggregate compensation of employees rose 10.3 percent. Average compensation per man-hour in the private economy rose 6.5 percent, reflecting increased wages and fringe benefits, more overtime, the shift to higher paying jobs, and increased employer contributions to social security. Corporate profits after taxes advanced more than 8 percent; per dollar of sales they were roughly unchanged from the high rate of 1965. Net income per farm rose more than 10 percent.

The single most meaningful measure of economic well-being is real disposable income per person—the after-tax purchasing power in stable dollars, available on the average to every man, woman, and child. It rose 3½ percent or $89 per person in 1966. Although this advance was somewhat smaller than in 1965, it was still three times as large as the average yearly gain in the 1950's.

February 1961 launched the strongest and most durable economic expansion in our economic annuals, and it still continues.

Almost 9 million jobs have been added in the last 6 years.

The rate of unemployment has fallen from 7 percent in early 1961 to under 4 percent. The rate for white adult males fell from 5 percent to 2 percent; for Negro men, from nearly 12 percent to less than 5 percent.

Early in 1961, more than two-thirds of our major labor markets were "areas of substantial unemployment"; today only 8 of the 150 are so classified, and 66 have unemployment below 3 percent.

While total population rose 11 million between 1961 and 1965, the number of Americans in poverty declined 5½ million, and probably fell at least another 1¼ million in 1966. The poverty definition is adjusted for the increase in living costs.

Our gross national product—GNP—has grown 50 percent in 6 years. In constant prices, the gain has averaged 5½ percent a year. The physical output of our factories and mines is up over 50 percent.

Private output per man-hour in 1966 was 19 percent higher than in 1961.

The 6-year addition to our gross stock of private productive capital—machines, buildings, transportation equipment, land improvements, and inventories—is valued at $220 billion.

American families have added $470 billion to their accumulated financial assets. They have added $150 billion to their debts. So their net financial position is $320 billion stronger than 6 years ago.

OUR ECONOMIC PROBLEMS

Prosperity is everywhere evident. But prosperity is never without problems, and—in 1966—some of them were serious.

SOME LEADING PROBLEMS

1. Economic progress still left far too many behind.

Nearly 3 million workers were without jobs at the end of 1966. Perhaps two-thirds of them were "frictionally" unemployed: new entrants to the labor force in the process of locating a job; persons who quit one job to seek another; workers in the "off" months of seasonal industries; those temporarily laid off but with instructions to return. Their unemployment will be temporary; many were drawing unemployment insurance.

But most of the remaining third will wait a long time for a steady job. They are the "hard core" unemployed—lacking the necessary skills to find other than intermittent work; the victims of past or present discrimination; those unable or unwilling to move from depressed areas and occupations; the physically or emotionally handicapped.

Another half million to 1 million potential workers were not even counted as unemployed. Many had long ago abandoned any search for a job. Some had never tried.

But even among those who worked year round, some 2 million breadwinners—particularly the low skilled with large families—earned incomes insufficient to support a minimum standard of decent subsistence.

And 6½ million families were poor because the heads of their households were unable to work: either aged, severely handicapped, or a widowed or deserted mother with young children.

Those left behind used to be called the "invisible poor." But an awakened public conscience has sharpened the vision of most Americans.

2. Price increases—although less than in many comparable periods—still were greater than we wanted or should long tolerate.

It is tempting to blame the creep of prices on the greed of producers—or the irresponsibility of labor—or Government policies—or bad weather—or economic disturbances abroad. Some of the price rise may have been due to each. But the main causes lay elsewhere:

Some can be traced to imbalances created by the special pressures of Vietnam procurement and booming private investment.

The spurt of demand—partly real, partly psychological—that followed the step-up of our Vietnam effort in mid-1965 simply exceeded the speed limits on the economy's ability to adjust. Our resources were sufficient for the task; but the sheer speed of the advance strained the ability of industrial management to mobilize resources at the required pace.

Some price advance was the inevitable cost of the adjustments required in recovering from a decade of slack:

Wages had to be raised sharply in underpaid occupations, which previously held their labor only because the alternative was no job at all.

Producers in once stagnant, low-profit industries saw opportunities for expansion and found it possible to raise prices and earnings in order to attract needed capital.

Demand pressed harder on skilled occupations and professional services where we had trained too few persons to meet the needs of a high employment economy.

Some price increases would still have occurred had we moved at a steadier pace.

But these price increases could have come slowly enough and have been small enough not to threaten a chain reaction of wages chasing other wages—wages chasing prices—prices chasing wages—and prices chasing other prices.

It is this spiral we must and can avoid. But it will require responsible action on the part of all.

3. Achieving equilibrium in our balance of payments remained a problem, in spite of strong new measures.

The costs of Vietnam required us to spend many more hundreds of millions of dollars beyond our shores. At the same time, the spurt of demand caused our imports—especially of capital goods—to soar.

We are determined to continue our progress toward equilibrium.

4. Tight money and high interest rates concentrated the burden of restraint on housing.

Interest rates in 1966 were as high as at any time in 40 years. They were pushed there by an insatiable demand for credit, straining against a deliberately restricted supply. Monetary policy in 1966—like tax policy—was properly aimed at slowing down an economy expanding too fast.

The brakes applied last year worked. But tight money worked painfully and inequitably. It cut construction by more than $8 billion during 1966. Its impact was equivalent to a heavy across-the-board tax increase, but with most of its effect concentrated on a single industry.

FINDING SOLUTIONS

We will move this year toward solutions for these problems and others But they cannot all be completely solved in 1967.

LIFTING THE BURDEN ON HOUSING

Now that the economy's advance is again more moderate, the burden of tight money is being lifted. Interest rates are still extremely high—but they are moving down from their peaks. Credit is still not readily available to all who can make sound and productive use of it—but it is becoming easier to get. More savings are flowing into our thrift institutions and are beginning to be available to builders and homebuyers.

The steps we took last year and those I am now proposing, the steps the Federal Reserve has recently taken and is continuing to take to increase credit availability and lower interest rates, should have our housing industry moving smartly forward by the end of 1967, and ready for one of its best years in 1968.

RESTORING PRICE STABILITY

The advance of prices has already begun to slow. Wholesale prices in December were below their levels of August.

The more moderate pace of economic advance now underway, which the policies I am recommending are designed to maintain, should further diminish inflationary pressures.

We cannot rescind all of last year's increases in costs, some of which are still spreading through our structure of prices. Price stability cannot be restored overnight. But we will be making good progress toward price stability this year.

IMPROVING OUR INTERNATIONAL PAYMENTS

We have recently announced stronger voluntary balance-of-payments programs for 1967. Our policies to constrain economic expansion to a sustainable pace should permit an improved export surplus.

I am now recommending further steps to strengthen our external payments. Yet so long as we remain heavily engaged in southeast Asia, we will have a balance-of-payments problem.

COMBATING POVERTY

We will continue to attack poverty and deprivation through such weapons as—

Community action and Headstart;

Rent supplements and child nutrition;

Aid to elementary and secondary education in poverty areas and the Teachers Corps;

The Manpower Development and Training Act, the Job Corps, the Neighborhood Youth Corps;

Medicare, medicaid, and neighborhood health centers;

Measures to end discrimination in jobs, education, and public facilities;

The expanded coverage enacted last year for a higher minimum wage.

I am proposing that our attack be reinforced with new weapons in 1967.

Yet, with old weapons and new, the war on poverty will not be won in 1967—or 1968. There is no wonder drug which can suddenly conquer this ancient scourge of man. It will be a long and continuing struggle, which will challenge our imagination, our patience, our knowledge, and our resources for years to come. Our capacity to stay with the task will be a test of our maturity as a people.

USING THE GAINS OF GROWTH

From early 1961 to the end of 1966, our GNP rose an average of $44 billion a year. About $9 billion a year was price increase. Of the balance—

An average real gain of $10 billion a year—in 1966 prices—came from putting idle men and machines back to work.

An average real gain of $25 billion a year—in 1966 prices—came from the growth of our resources: a larger work force, more and better capital and management, higher productivity.

Further gains from putting idle resources to work will now be harder to achieve.

But our annual dividend from growth has meanwhile become more generous. In 1967 it will add $30 billion at today's prices to our potential output.

Our economic policies must assure that we realize this potential dividend—and use it wisely.

REALIZING THE GROWTH DIVIDEND

To insure our full dividend from economic growth requires that markets for goods and services expand steadily and adequately—but not excessively. In recent years, we have tested and refined the power of fiscal and monetary policy to stimulate or moderate the expansion of total demand.

During 1966, Federal expenditures were expanding rapidly, but tax policy worked to counter their impact.

Federal expenditures in our national income accounts grew $19 billion in calendar year 1966, reflecting the stepup in national defense; in social security, medicare, and related payments; and in grants to State and local governments. They added strongly to private purchasing power. They would have added more but for the substantial expenditure cutbacks put into effect during the year.

On the other side, taxes restrained demand. Higher payroll taxes, the restoration of some excise taxes, the institution of graduated withholding, and the suspension of tax incentives to investment all represented new measures that were draining off more than $9 billion of spendable incomes by yearend. In combination, and for the full year, these measures and an expanding economy produced $18 billion more in revenues than in 1965. Prompt action by Congress in response to my tax proposals of January and September made tax policy an important force for economic restraint.

Taking the two sides together, our national income accounts budget was in surplus in the first half and in balance for 1966 as a whole.

But as private investment threatened to outrun private saving, sharp monetary restraint was also applied. In response to both fiscal and monetary restraints, the economy shifted gears from excessive speed to a moderate advance.

FISCAL POLICY FOR 1967

In the year ahead we are determined to maintain that moderate advance; we need no further slowdown; we can tolerate no new spurt of demand. After midyear, the tax increase I have proposed and a more moderate growth of Federal spending will increase the freedom of monetary policy to support expansion. I am confident that the opportunity will be used.

The specific fiscal program I am recommending includes—

A surcharge of 6 percent on the tax liabilities of individuals, exempting persons in the lowest income brackets;

The same 6-percent surcharge on the tax liabilities of corporations.

Here are some examples of the effect of this proposal, as applied to a married couple with two dependents, using typical deductions:

With $5,000 income, their tax will be unchanged—still $130 lower than they would have paid in 1963.

With $10,000 income, their tax in 1968 will rise $67, or $1.30 a week. Their annual tax will still be $190 less than they would have paid in 1963.

With $20,000 income, their tax in 1968 will rise $190, or $3.65 a week. But their annual tax will still be $450 less than they would have paid in 1963.

A corporation with profits before tax of $100,000 will pay an extra $2,490. It will still pay $2,510 less than it would have paid in 1963.

One with profits of $1,000,000 will pay an extra $28,410, still $12,590 less than it would have paid in 1963.

The surcharge will provide for $5.1 billion of extra revenues in fiscal year 1968 on a national income accounts basis, substantially offsetting the expansion of $5.8 billion in defense purchases.

The national income accounts budget will also be affected by my proposals for social security benefits and taxes.

After allowance for these changes, the national income accounts deficit for fiscal year 1968 is now estimated at $2.1 billion, compared with $3.8 billion in fiscal year 1967.

I am also recommending two further accelerations of corporate tax payments, to begin in 1968:

Requiring quarterly payment of estimated tax on the basis of 80 percent rather than 70 percent of liability;

Requiring, over a 5-year period, that small corporations, as well as large, become current in their tax payments, in the same way as individual proprietors.

We have fashioned a fiscal program for sustainable expansion. With that program, we now see a rise of about $47 billion in our GNP in 1967—a growth dividend close to 4 percent in real terms.

USING THE GROWTH DIVIDEND

The first priority for the use of our growth dividend must, as always, be the defense of freedom. But it will take only a small part of our $47 billion of added production.

These will be the public claims on our growth dividend:

Ten billion dollars more of our output in 1967 will go for the support of our men in Vietnam and other urgent needs of defense.

One and one-half billion dollars will go for the expansion of other Federal purchases, including adjustments in Federal civilian and military pay.

State and local governments will use about $8 billion more of the Nation's resources in 1967. In this, they will be aided by Federal grants totaling nearly $15 billion.

The remaining $27½ billion of our GNP gain in 1967—nearly 60 percent of it—will be used in the private sector. And the flow of goods and services to consumers will expand this year by even more than that.

In the past several years, an unusually large part of our output growth has gone to expand the productive capacity of business and to build up inventories to support high and growing production and sales. On balance, a slightly smaller portion of our resources will be used for these purposes in 1967 than in 1966.

For the year as a whole, slightly less of our resources than last year will be used to build new homes, although a sharp recovery in residential construction from its current deep recession is expected during the course of the year.

As the flow of goods and services to consumers expands, the ability of our elderly citizens to share in these gains will be supported by a rise of more than $6 billion in social security and medicare payments.

In 1967, we will have no bonus dividend from using previously idle resources. But the dividend from growth alone is a big one. We must be sure we get it; and we must use it wisely.

RESTORING PRICE STABILITY

From the beginning of 1961 until 1965, the United States enjoyed both price stability and a strongly expanding economy. The average of wholesale prices hardly moved, and consumer prices rose only a little more than 1 percent a year. Last year, that record was blemished. Consumer prices rose 2.9 percent between 1965 and 1966, wholesale prices 3.2 percent.

When we were involved in Korea, consumer prices rose 8.0 percent between 1950 and 1951, wholesale prices 11.4 percent. And we had price controls during most of 1951.

Even when we were not at war, consumer prices rose 3.5 percent between 1956 and 1957, wholesale prices 2.9 percent.

Nevertheless, we are not satisfied with our record on prices. And we expect to improve on it this year.

There are many reasons why we refuse to tolerate rapidly rising prices:

They injure those with fixed incomes, especially older people.

They can lead to speculation and economic distortions which could undermine prosperity.

They weaken our competitive position in world markets.

As they persist, they become harder to stop without throwing the economy into reverse.

Restoring price stability is one of our major tasks. It will not be accomplished all at once, or all in 1967. That could be done—if at all—only at the cost of mass unemployment, idle machines, and intolerable economic waste. But a gradual return to stability can go hand in hand with steady economic advance.

Such an improvement will require—

Prudent fiscal and monetary policies;

Government efforts to help relieve the key points of pressure on prices;

The responsible conduct of those in business and labor who have the power to make price and wage decisions.

With steady, sustainable, and balanced growth, we can look forward to—

Relief of pressures on capacity in such strained areas as machinery and metals;

Adjustments of raw materials supplies to demand;

The end of labor shortages in key areas.

Other efforts of the Federal Government can help to relieve particular pressures on prices and wages. We will continue—

To develop manpower training programs to meet skill shortages;

To increase the efficiency of the employment services in matching jobs and men;

To handle Government procurement so as to minimize its pressure on prices;

To dispose of surplus Government stockpiles to alleviate shortages of raw materials;

To manage farm programs to assure adequate supplies as well as equitable returns.

But efforts of the Government alone will not be enough. The cooperation of business and labor is essential for success.

In the past year, most businessmen who had a choice in setting prices and most trade unions that negotiated wage contracts acted responsibly. They did so because they took account of the national interest and saw that it was also their own.

If business and labor were to consider only their own short-run interests—

Each union might seek a wage increase which exceeds the most recent settlement by some other union;

Each business might strive to achieve a new profit record by translating strong demand into higher prices, whether or not costs have increased.

But when business and labor consider the national interest—and their own longer run interests—they realize that such actions would have only one result: a wage-price spiral which is in the interest of neither.

If unions now attempt to recoup in wages all of the past or anticipated advance in the cost of living—in addition to the productivity trend;

If businesses now seek to pass along rising costs when it would be possible to absorb them or do not reduce prices when costs fall;

Then the result will be just such a spiral—damaging to business, damaging to labor, and disastrous to the Nation.

Once again, I appeal to business and labor—in their own interest and that of the Nation—for the utmost restraint and responsibility in wage and price decisions.

INTERNATIONAL ECONOMIC POLICIES

The current year is a critical one for our international economic policies and for the economic progress of the world community.

As the largest single market and source of capital, the United States carries special responsibilities.

TRADE

This administration is committed to reducing barriers to international trade, as demonstrated by my recent action terminating the 1954 escape clause action on watches, and rolling back the special tariff on imports of glass.

The Kennedy round of trade negotiations is now entering its final and most critical phase. I emphasize once more how important this great attempt to liberalize world trade is for all the developed and developing nations of the free world.

After more than 4 years of discussion, it is essential that the participants now resolve the many complex problems that still remain. It would indeed be a tragedy if the wide authority granted to the President by the Trade Expansion Act of 1962 were allowed to lapse unused. Never before has there been such a splendid opportunity to increase world trade. It must not be lost.

But the Kennedy round is not the end of the road. We must look beyond the negotiations in Geneva to further progress in the years ahead. We must begin to shape a trade policy for the next decade that is responsive to the needs of both the less developed and the advanced countries.

We should seize every opportunity to build and enlarge bridges of peaceful exchange with the countries of Eastern Europe and the Soviet Union. We should have the ability to adapt our policies to whatever political circumstances or commercial opportunities may present themselves. I again urge the Congress to provide authority to expand our trade relations with Eastern Europe and the Soviet Union.

AID

Although 1966 was a relatively good year for world economic growth, average output in developing countries rose by less than $3 a person.

There were, however, encouraging signs of progress. Developing nations demonstrated a willingness to take difficult but necessary steps to help themselves. India, for example, revised her foreign exchange and agricultural policies to promote more rapid growth.

Among the wealthier nations, stronger efforts were made to assist the development of the poorer countries. Canada and Japan increased their assistance programs. Major free world aid donors joined in new groups to coordinate their flow of aid.

The United States will continue to respond constructively to the aspirations of the developing nations. We will give first priority to fighting the evils of hunger, disease, and ignorance in those free world countries which are resolutely committed to helping themselves.

There should, however, be increasing efforts to make both the receiving and giving of aid a matter for creative international partnership. We shall therefore—

Continue to support enthusiastically, in a manner consistent with our balance-of-payments position, such promising cooperative regional efforts as the Alliance for Progress, the Inter-American, the Asian, and the African Development Banks, and the Mekong Development Fund of the United Nations;

Further encourage the coordinated extension and expansion of aid by the major donor countries in ways that result in an equitable sharing of the burden; and

Seek the cooperation of other major donor countries this year in replenishing the resources of the International Development Association.

BALANCE OF PAYMENTS

We can take some satisfaction in the fact that our balance of payments in 1966 may prove to have been in surplus on official reserve settlements. Despite the added costs of the war in Vietnam and the rapid growth of imports, our deficit on a liquidity basis increased only slightly in 1966.

But we cannot relax our efforts to seek further improvement.

Our goal in the coming year is to continue to move toward balance-of-payments equilibrium as rapidly as the foreign exchange costs of the Vietnam conflict may permit. This goal will be supported through measures and policies consistent with healthy growth at home and our responsibilities abroad.

We already have extended and reinforced the voluntary restraint programs for corporate investment abroad and for foreign lending by financial institutions. I am counting on the continued full cooperation of businesses and banks with these programs in 1967. And I have instructed all agencies of the Government to intensify their efforts to limit the dollar drain resulting from their activities.

But more is needed. I now recommend the following steps:

1. The Congress should extend the interest equalization tax, in strengthened form, to July 31, 1969. This tax has proved extremely useful in limiting the borrowing of developed countries in our capital markets and in reinforcing the Federal Reserve voluntary program. As we move toward easier money in the United States, foreign borrowing in our financial markets may tend to increase. I am therefore requesting authority to adjust the rates of the interest equalization tax as monetary conditions warrant, so that the effective impact on interest costs can be varied between zero and 2 percent. This would replace the present flat 1-percent impact.

Moreover, to insure against possible anticipatory increases in foreign borrowing, I am also requesting that the tax be imposed at rates which provide an impact of 2 percent on interest costs while the legislation is under consideration by Congress.

2. The most satisfactory way to arrest the increasing gap between American travel abroad and foreign travel here is not to limit the former but to stimulate and encourage the latter. I shall appoint in the near future a special industry-Government task force to make specific recommendations by May 1, 1967, on how the Federal Government can best stimulate foreign travel to the United States. After a careful review of their advice, I shall ask the U.S. Travel Service and other appropriate agencies to take the steps that seem most promising.

3. As part of our longrun balance-of-payments program. I shall also—

Request continuation and expansion by $4.5 billion of the lending authority of the Export-Import Bank in order to support the expansion of exports;

Continue to urge other countries to participate in the development of better means both of sharing the resource burdens and of neutralizing the balance-of-payments effect arising from the common defense and foreign assistance efforts.

4. For the longer run strength of our payments balance, we should intensify efforts to—

Stimulate exporters' interest in supplying foreign markets;

Enlist the support of the financial community to attract additional foreign investment in the United States;

Encourage further development of foreign capital markets.

IMPROVING THE INTERNATIONAL MONETARY SYSTEM

In 1966, significant progress was made toward a better international monetary system. Through close consultation and cooperation among the financial authorities of major countries, temporary strains were met promptly and effectively.

Two large forward steps were taken on the road to international monetary reform: wide consensus was reached on basic principles for the deliberate creation of additional reserve assets; and the negotiations advanced to a second stage in which all members of the International Monetary Fund are participating.

An even greater effort must be made in the coming year to improve our monetary system. In particular, I urge that—

All countries participate in the continuing task of strengthening the basic monetary arrangements that have served the world so well;

Both surplus and deficit countries assume their full responsibility for proper adjustment of international payments imbalances, and cooperate in efforts to lower world interest rates;

Full agreement be reached on a constructive contingency plan for the adequate and orderly growth of world monetary reserves.

HELPING THE DISADVANTAGED

The United States is the first large nation in the history of the world wealthy enough to end poverty within its borders. There are many fronts in the war on poverty. We are moving forward on them all.

There must be full employment so that those qualified and able to work can find jobs. The unemployment rate last year was the lowest in 13 years.

Those not now fully qualified must be given the education and training, the health and guidance services which will enable them to make their full contribution to society. We have greatly increased our aid to education and enlarged our training programs, and we will expand them further.

For those who will be unable to earn adequate incomes, there must be help—most of all for the benefit of children, whose misfortune to be born poor must not deprive them of future opportunity. We have increased our income support, and we will increase it further.

Wherever the poor and disadvantaged are concentrated, intensive and coordinated programs to break the cycle of deprivation and dependency must continue and be reinforced. We have instituted these programs in hundreds of cities and rural areas; we are expanding them and designing others.

INCOME GUARANTEES

Completely new proposals for guaranteeing minimum incomes are now under discussion. They range from a "negative income tax" to a complete restructuring of public assistance to a program of residual public employment for all who lack private jobs. Their advocates include some of the sturdiest defenders of free enterprise. These plans may or may not prove to be practicable at any time. And they are almost surely beyond our means at this time. But we must examine any plan, however unconventional, which could promise a major advance. I intend to establish a commission of leading Americans to examine the many proposals that have been put forward, reviewing their merits and disadvantages, and reporting in 2 years to me and the American people.

PUBLIC ASSISTANCE

Our system of public assistance is now 30 years old and has obvious faults. The standards of need set by many States are unrealistically low; benefits are further restricted by excessively stringent eligibility conditions. In some respects the system perpetuates dependency.

1. State standards of need are miserably low. In 18 States a family of 4 is presumed able to manage for a month on $45 a person—or less. And in many States, actual payments average far below their own standards of need.

It is time to raise payments toward more acceptable levels.

As a first step, I ask the Congress to require that each State's payments at least meet its own definition of need; and that its definition should be kept up to date annually as conditions change.

2. With minor exceptions, payments under public assistance are reduced dollar for dollar of earnings by the recipient, removing any incentive to accept part-time work. We should encourage self-help, not penalize it.

It is time to put an end to this 100 percent tax on the earnings of those on public assistance.

I shall therefore ask Congress to enact payment formulas which will permit those on assistance to keep some part of what they may earn, without loss of payments.

3. Many recipients of public assistance are capable of receiving training which would ultimately make them self-supporting.

I therefore urge the Congress to make permanent the unemployed parent and community work and training programs associated with aid to families with dependent children—AFDC—and to require all States receiving Federal support under AFDC to cooperate in making community work and training available for the unemployed parents of dependent children.

TRAINING AND EMPLOYMENT

The coexistence of job vacancies and idle workers unable to fill them represents a bitter human tragedy and an inexcusable economic waste. One of society's most creative acts is the training of the unemployed, the underemployed, or the formerly unemployable to fill those vacancies.

A dynamic economy demands new and changing skills. By enabling workers to acquire those skills, we open opportunities for individual development and self-fulfillment. And we make possible higher production without inflationary pressures.

I shall ask the Congress for funds to support a new and special effort to train and find jobs for the disadvantaged who live in urban ghettos.

I shall also propose legislation to improve the effectiveness of the Federal-State employment service.

SOCIAL SECURITY

Millions of aged still live in poverty. Millions of younger Americans are willing to pay for more adequate retirement benefits in the future.

I ask the Congress to approve an overall 20-percent increase in our social security program. We can increase benefits for all social security beneficiaries by at least 15 percent, raise the minimum benefit by 59 percent to $70 a month, assure workers with 25 years of coverage at least $100 a month, extend medical insurance to disabled beneficiaries, and allow larger earnings without loss of benefits.

UNEMPLOYMENT INSURANCE

Our system of unemployment insurance was created in a world of massive unemployment. The needs of a high employment economy are different. Today, when jobs are available, the jobless who exhaust their benefits typically need training, guidance, or other supportive services.

Therefore, I am asking the Congress to consider legislation to provide such services in conjunction with extended benefits to the long-term unemployed, to extend the protection of the system to additional workers, to establish more uniformly adequate benefits, and to correct abuses.

CITIES AND HOUSING

The American city is not obsolete; it is still a great engine for economic and social progress. But cities are in trouble, threatened by congestion, pollution, crime, poverty, racial tension, slums, and blight.

Yesterday's rural poor have been moving to the city just as many of the jobs they seek and need have been moving to the suburbs. Inadequate transportation and discrimination in housing make it difficult for them to follow the jobs; and deficiencies of education, health, and skills compound their disadvantages.

Most cities cannot afford the massive expenditures necessary to solve these problems. The flight of higher income families and businesses to the suburbs erodes sources of revenue for the cities, even as expenditure demands escalate. Inflexible city limits have created a hodgepodge of local taxing jurisdictions, often dividing the tax base from the need. The cities cannot collect for the many benefits they supply to residents of the suburbs.

The problems of the cities flow across irrelevant boundaries established by historical accident. So solutions must draw on the resources and imagination of a larger area. Our efforts have been aimed to encourage a metropolitan approach to metropolitan problems.

We must also find ways to enlist more fully the resources and imagination of private enterprise in the great task of restoring our cities.

I have just appointed a commission, under the chairmanship of Senator Paul H. Douglas, to work with the Department of Housing and Urban Development to examine problems of codes, zoning, taxation, and development standards and to recommend ways to increase the supply of low-cost housing. I am convinced that this study can make a major contribution to the solution of urban problems.

Last year, the Congress enacted the pathbreaking model cities legislation. The Federal Government will help cities to focus all available programs on their needs—eventually to overwhelm the problems that have heretofore overwhelmed the cities.

More than 70 cities will have completed their plans and be eligible to start receiving assistance in 1968. Federal aid for water and sewer projects, open land conservation, and urban mass transportation is encouraging a more coordinated approach to metropolitan problems. I seek increased appropriations for all of these programs. And I shall seek authorization and resources for a greatly expanded program of research on urban problems.

Growth in the number and incomes of American families will require us to build about 2 million new houses a year for the next decade, most of them in and around cities. Last year, housing bore a disproportionate part of the burden of needed restraint. But we are now moving into a period of renewed homebuilding. I look for construction to rise briskly during 1967.

Federal programs for fiscal 1968 will assist in construction or renovation of 165,000 housing units for the urban poor, the elderly, and the handicapped. The rent supplement program will contribute to this goal.

This year will be a brightening one for the housing industry; it can also be a landmark year in the progress and evolution of our cities.

EDUCATION AND HEALTH

Individually and collectively, Americans have insatiable appetites for more education and better health. Education and health contribute both to individual well-being and to the Nation's productivity. But far too many of our urban and rural poor are denied adequate access to either. The efficiency of our methods of education and of providing medical care can and should be strengthened.

History will record these years as the time when this Nation awoke to its needs—and its limitations—in education and health. The Elementary and Secondary Education Act, Headstart, the Teachers Corps, medicare, medicaid, and the partnership in health will be landmarks in our social economic development.

I shall propose—

An expanded Headstart program; a follow-through program in the early years of school; and the opening of other new educational opportunities for children;

Both legislative and administrative changes to accelerate research and development on more efficient and effective ways of providing health resources;

An expanded child health program, including early diagnosis and treatment, a pilot program of dental care, and the training of additional health personnel to provide services to children.

ABATING POLLUTION

A polluted environment erodes our health and well-being. It diminishes individual vitality; it is costly to industry and agriculture; it has debilitating effects on urban and regional development; it takes some of the joy out of life.

The 89th Congress enacted important legislation to improve the quality of our environment. All 50 States have now signified their intention to establish water quality standards for their interstate and coastal waters. The Federal Government is assisting State and local governments through comprehensive water basin planning, and is providing financial help to States for the administration of water pollution control and to local areas for the construction of sewage treatment facilities. In addition, we are studying appropriate methods to encourage industry to control its discharge of pollutants.

The foundation for abating air pollution was laid in the Clean Air Act of 1965. But the air over every city proves that further steps are necessary.

I propose that we get on with the jobs of preserving and restoring our environment. I will present detailed proposals on control of air pollution in another message.

IMPROVING OUR TAX SYSTEM

Our tax system is one in which we can take pride. In terms of fairness, revenue productivity, and balanced economic impact, it is unsurpassed by any other tax system in the world today.

Nevertheless, it can be improved. As they now stand, our tax laws impose undue burdens on some and grant unfair benefits to others.

A system as complex as ours cannot be perfected in a single bill. Rather, the process of tax reform must be continuous, with every provision of the law subject to constant examination and adjustment where needed. Moreover, this work of basic reform should proceed independently of the requirements for raising taxes or the opportunities for tax reduction.

I therefore plan to submit proposals to the Congress to improve the equity of our tax system and reduce economic distortions. These proposals will be designed to avoid significant budgetary effects.

As one specific reform, I will urge changes to deal with abuses by tax-exempt private foundations.

IMPROVING GOVERNMENT ORGANIZATION

Separate Departments of Labor and Commerce perpetuate the obsolete notion that there is fundamental conflict between the interests of business and labor, or between the interests of either and that of the Nation.

A single department of labor and business can more effectively carry out those national programs which affect the private productive sector as a whole. The two departments share many common objectives; their interests and activities coincide or overlap in—

Fostering economic and regional development;

Matching the skills of labor with the needs of employers;

Providing more jobs at better wages;

Avoiding labor disputes;

Maintaining a fair distribution of private incomes without inflation;

Providing stability of production and jobs;

Providing basic economic and social information and technical services needed by both private and public sectors;

Supporting expansion of international trade and considering its impact on the domestic economy.

By combining these activities, we can greatly improve efficiency, reduce costs, simplify the reporting burden on business, provide better and more uniform statistics, and assure that the views and the problems of the private sector enter more effectively into decisions on general economic policy.

I urge the Congress to support my recommendation for a new department of labor and business.

OTHER ECONOMIC POLICIES

1. I renew four recommendations made in my Economic Report of 1966 and not acted upon by the 89th Congress:

A fair system of charges for users of highways, aviation facilities, and inland waterways, to improve efficiency in the use of transportation resources, and to reimburse the Federal Government for a part of its expenditures on facilities which directly benefit those who use them;

Truth-in-lending legislation, to provide consumers with a full and clear statement of the true cost of credit;

Stronger regulation of savings and loan holding companies;

Provision of Federal charters for mutual savings banks, to enlarge and strengthen our system of thrift institutions.

2. To aid the advance of technology on which economic progress depends, I now urge congressional support for—

A long-overdue modernization of our patent system;

A large-scale program of research in transportation.

3. Total holdings in the Nation's stockpile of strategic and critical materials now stand at $6.5 billion. Of this amount, $3.4 billion are excess to our defense needs as presently determined.

During the last fiscal year, the Administrator of General Services disposed of excess stockpile materials valued at slightly more than $1 billion without disruption of the domestic economy or the normal channels of trade.

The last session of the Congress authorized disposal of excess stockpile material valued at $782 million. I will ask the Congress for authority to dispose of additional stockpile excesses, bringing to about $2 billion the present value of excess stockpile material available for disposal.

I believe that we should relieve taxpayers of the burden of carrying unneeded surplus stocks, and provide businesses and workers with the materials necessary to assure continued high levels of production.

4. The responsibility which we share with the States to ensure that our banks and thrift institutions are honest, competent, and competitive is a continuing function demanding constant attention. We must continue to encourage the orderly and progressive development of a financial system adequate to meet the needs of a growing and dynamic economy.

I urge the Federal Reserve Board, the Federal Deposit Insurance Corporation, the Comptroller of the Currency, and the Federal Home Loan Bank Board to continue and to intensify their efforts to coordinate their regulatory policies and procedures, and to improve their examination methods.

AFTER VIETNAM

Despite all our efforts for an honorable peace in Vietnam, the war continues. I cannot predict when it will end. Thus our plans must assume its long duration.

But peace will return—and it could return sooner than we dare expect.

When hostilities do end, we will be faced with a great opportunity, and a challenge how best to use that opportunity. The resources now being claimed by the war can be diverted to peaceful uses both at home and abroad, and can hasten the attainment of the great goals upon which we have set our sights.

If we keep our eyes firmly fixed on those goals—and if we plan wisely—we need have no fear that the bridge from war to peace will exact a wasteful toll of idle resources, human or material.

But when that welcome day of peace arrives, we will need quick adjustments in our economic policies. We must be prepared for those adjustments, ready to act rapidly—both to avoid interruption to our prosperity and to take full and immediate advantage of our opportunities.

Planning for peace has been an important activity in many executive agencies. But the effort needs to be stepped up and integrated.

Accordingly, I am instructing the heads of the relevant agencies in the executive branch, under the leadership of the Chairman of the Council of Economic Advisers, to begin at once a major and coordinated effort to review our readiness. I have asked them—

To consider possibilities and priorities for tax reduction;

To prepare, with the Federal Reserve Board, plans for quick adjustments of monetary and financial policies;

To determine which high priority programs can be quickly expanded;

To determine priorities for the longer range expansion of programs to meet the needs of the American people, both through new and existing programs;

To study and evaluate the future direction of Federal financial support to our States and local governments;

To examine ways in which the transition to peace can be smoothed for the workers, companies, and communities now engaged in supplying our defense needs, and the men released from our Armed Forces.

I have directed that initial reports be prepared on all of these and related problems, and that thereafter they be kept continuously up to date.

CONCLUSION

Our task for 1967 is to sustain further sound and rewarding economic progress while we move toward solutions for the problems we met in 1966. It will require a flexible and delicate balance of economic policies.

Above all, we must guard against any interruption of our prosperity. The steady advance of jobs and incomes is our most powerful weapon in the battle against poverty and discrimination at home. And it undergirds our policy around the world.

Yet we must be equally alert to the dangers of inflation.

In his Economic Report of January 1956, President Eisenhower wrote:

> The continuance of general prosperity cannot be taken for granted. In a high-level economy like ours, neither the threat of inflation nor the threat of recession can ever be very distant. . . . The only rigid rule we can afford to admit to our minds is the principle that the best way to fight a recession is to try to prevent it from occurring.

Only 18 months later, the sharpest recession of the entire postwar period began—which also led to the largest peacetime budget deficit in our history. Over the same 18 months, both consumer prices and wholesale prices advanced 5½ percent—considerably faster than in the 18 months since June 1965.

That history does not invalidate but rather reinforces President Eisenhower's proposition. Neither the threat of inflation nor of recession is ever distant in a high-level economy.

How can we steer between these dangers, and—at the same time—supply the needs of national defense, strengthen our overseas payments, relieve the inequities of tight money and high interest rates, maintain the momentum of social progress, and provide the growth of incomes which lets each of us move toward fulfilling his private aspirations?

I am confident that we can find such a course. We will continue to coordinate the tools of monetary and fiscal policy to the common goal—the sound, balanced, and noninflationary advance of production and incomes. We are steering toward lower interest rates, a better balance in our economy, a budget and a social security program that reflect national priorities.

There will be surprises in store along the way. We must be prepared to meet them swiftly and flexibly. And I think we are. The tools of economic policy are not perfect; but they are far better understood and accepted—in the Government and in the private community—than ever before.

We have surely proved over recent years that economic progress does not need to be interrupted by frequent recessions. And, although prices have risen faster in the past year and a half than we expected or wished, we have done better than in most similar periods of our economic history. And we have done it without burdensome controls on prices or wages.

The Federal Government cannot do the whole job—or even very much of it. Production and incomes arise from the strength and skill of workers, the ingenuity of managements, the willingness of savers to risk their capital, the genius of inventors and engineers, the patience of teachers, the devotion of local public servants—the contributions of all who participate in our economy.

Yet the Federal Government has a role of leadership and a responsibility for coordination.

The Congress defined that role in the Employment Act of 1946:

> It is the continuing policy and responsibility of the Federal Government . . . with the assistance and cooperation of industry, agriculture, labor, and State and local governments, to coordinate and utilize all of its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare . . . useful employment opportunities . . . for those able, willing and seeking to work, and to promote maximum employment, production, and purchasing power.

Our economic policies for 1967 respond to that mandate.

LYNDON B. JOHNSON.

JANUARY 26, 1967.

PRICES IN 1967

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I wish to commend the President for his balanced and constructive report on the state of the economy.

At a time when our attention is focused on the year ahead, the President's report performs a valuable service by placing 1967 in perspective and by reminding us of how far we have come since the dark days of February 1961. We have reached the administration's first-stage target of less than 4 percent unemployment; we have added nearly 9 million jobs; we have signficantly lowered the number of those living in poverty; and we have experienced an amazing growth rate of 5½ percent a year.

President Johnson nevertheless has not glossed over the very real problems which still confront the economy—and this Congress—in 1967. In particular, he recognizes the concern of all Americans over the price increases of the past year and the threat of continued increases this year. As he notes, much of the recent price increase can largely be traced to the spurt of demand beginning in mid-1965, as we stepped up our effort in Vietnam and as private investment continued to boom. Although the resulting price increases were less than in other comparable periods, such as the

Korean war, they present a clear warning that firm policies are needed in 1967 to assure improvement.

To meet the problem of inflation, the President has proposed a prudent mixture of policies. In addition, the President has wisely pointed out the need to improve the efficiency of our labor markets in matching jobs and men. We have now reached the critical point beyond which unemployment cannot be easily reduced by expanding demand, for such a course would produce a sharp rise in prices. We must instead place even more emphasis on training the hard-core unemployed and on bringing qualified workers and suitable vacancies together more quickly and at less cost to everyone concerned.

These measures will move us in the right direction. But they will not reduce or eliminate all inflationary pressures overnight. We must recognize that only a severe recession could entirely halt or reverse the recent price increases, and that a balanced growth of the economy in the year ahead will undoubtedly be accompanied by some price increases. It, therefore, becomes all the more important that business and labor respond to the President's call for restraint in their decisions on wages and prices. His report realistically acknowledges the pressures placed upon workers and employers by the recent rise in prices—but it also points forcefully to the dangers of a wage-price spiral, if both parties now attempt to recoup all of the past or anticipated advance in prices.

The year ahead will not be an easy one on the economic front, but the President has charted a course which deserves the support of this Congress and the country at large.

THE PRESIDENT'S ECONOMIC MESSAGE

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, the errors and omissions of economic policy in 1966 are now coming back to haunt the administration. It is evident from the 1967 Economic Report that there is no easy way out of the economic problems created by the administration's mismanagement of the economy last year.

The dilemmas which face the administration this year have produced curious and potentially dangerous contradictions in the President's proposals.

First, the administration admits that inflation, particularly from the cost side, will continue to be a serious problem, with no early or simple solution in sight. In spite of this expression of concern, it has proposed a sharp increase in spending that will result in substantial budget deficits that will, without question, exert additional inflationary pressures throughout the year. Even more to the point is the strong likelihood that current spending estimates will prove too low and revenue estimates too high, resulting in deficits substantially greater than those now predicted. Furthermore, the administration is proposing increases in personal and corporate income taxes, as well as new social security taxes which, in the final analysis, may themselves cause an upward push on business costs and prices.

Second, the administration foresees a slowdown in growth in the first half of the current year, and a speedup in growth in the second half. This forecast is almost directly the opposite of that now being made by most private economists. There is a strong chance that the rate of economic advance will fall in the second half of the year, when the investment tax credit will really begin to bite into business spending for plant and equipment. Under these circumstances, the administration's proposal for an increase in corporate and personal taxes to take effect July 1 cannot be supported on economic grounds at this time.

Third, the administration believes that interest rates should be lowered in order to correct the distortions and imbalances which arose from its high-interest-rate policy of last year. Yet based on conservative estimates, it proposes $9.4 billion in regular Treasury borrowing, net agency borrowing, and participation sales. The result of these Federal activities in the financial markets will make it difficult, perhaps impossible, to lower interest rates.

Fourth, the balance of payments is likely to suffer further deterioration next year. The administration's goal to lower interest rates, while desirable on domestic grounds, poses the risk of a massive outflow of funds that could create a balance-of-payments deficit of crisis proportions.

The Joint Economic Committee, in its annual hearings next month, will want to give careful consideration to these and other apparent contradictions in the administration's economic proposals. Unless policies this year are carefully tailored for their economic, as opposed to their political impact, the Nation is likely to face an economy market by more serious inflation, substantially slower growth—possibly even a recession—and a sharp worsening in the balance-of-payments position.

COMMITTEE ON THE HOUSE RECORDING STUDIO

The SPEAKER. Pursuant to the provisions of section 105(c), Public Law 624, 84th Congress, the Chair appoints as members of the Committee on the House Recording Studio the following Members on the part of the House:

Mr. STEED, of Oklahoma.

Mr. IRWIN, of Connecticut.

Mr. DEVINE, of Ohio.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 182) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 182

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That during the remainder of the Ninetieth Congress the Committee on Merchant Marine and Fisheries shall be composed of thirty-four members.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM FOR THE BALANCE OF THIS WEEK AND THE WEEK OF JANUARY 30, 1967

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of inquiring of the distinguished majority leader the schedule for next week.

Mr. ALBERT. Mr. Speaker, will the distinguished minority leader yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Upon finishing the business for today, we will have finished the business for the week, and it will be our purpose to ask to go over to Monday.

As the gentleman knows, we are just now finishing the constitution of the committees, and there will be no legislative business of any great importance next week. So we do not intend to send out notices to Members.

ADJOURNMENT OVER TO JANUARY 30, 1967

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today that it adjourn to meet on Monday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to dispense with the reading of Calendar Wednesday on Wednesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SEPARATION OF EDUCATION AND LABOR

Mr. LANDRUM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANDRUM. Mr. Speaker, on January 2, 1947, under the Legislative

Reorganization Act of 1946, two large subject areas—the area of education and that of labor—were joined together in the House of Representatives under one committee, the Committee on Education and Labor.

There was at that time perhaps some justification for uniting these two subjects under a single committee.

Twenty years ago there were 47 standing committees in the House, a cumbersome structure with no planned or logical organization. Mr. Wadsworth of New York, in an effort to help correct what he termed "this hodgepodge conglomeration of committees in the House" recommended the consolidation plan which was considered and accepted as most practical and feasible. It was Mr. Wadsworth who thought and suggested that "the Committee on Labor might well absorb the Committee on Education."

Knowing the House as I do from my experience here of 14 years, 12 of which were served as a member of the Education and Labor Committee, I feel sure that even at the time of this action there was skepticism among the Members, skepticism which is evidenced by the long months of study and discussion devoted to this entire question of reorganization.

Yet even conceding the point that sufficient reason existed at that time to combine the subjects of education and labor does not alter the fact that there is present today no justification for this common Committee on Education and Labor.

The individual areas of education and of labor, which though not unwieldy were large in 1946, are in 1967 giants. The scope of each has broadened to almost inconceivable limits with, of course, the proportionate advances in the field of education being greater.

The diversity of each from the other has increased with the expansion of each. Interrelationships exist, but to no greater extent than among other subject matters dealt with by our Government in general and the House of Representatives in particular.

Now it has come that we have the vital subject of education, which is the basis of all growth and progress in our country—and I might add the hope for solution to many of our problems—grouped with the sensitive subject of labor, which involves our Nation's economy, entire capacity for production and thus directly our standard of living.

Under the executive branch's classification of subject areas, education and labor fall into two separate, distinct Departments—that of Health, Education, and Welfare and that of Labor. And as you know, there is now a Presidential recommendation to combine this latter Department with another, involving yet other subject areas and serving to widen thus further the chasm, legislatively speaking, between education and labor.

Development of huge new Federal programs in each area has not necessarily led to increased proximity of the subjects. This development has added complexities and with them additional study and work required in each area.

Alone, the increase in the sheer volume of legislation in each area has been phenomenal. It is becoming more and more difficult for a single Member to be knowledgeable in both the subjects of education and labor. This difficulty naturally extends itself to the committee staff members.

We are, as Mr. Wadsworth was, as much concerned with the psychological aspects of a Member's committee assignment as we are with the pure mechanics of his position. Members of the House of Representatives, as all men, must be convinced that the work they are doing is important, necessary in order to be able to perform to capacity.

However, that which is required of a conscientious member of the Education and Labor Committee has mounted to heights never dreamed of even 20 years ago. Therefore, there is no valid argument that separation would reduce the prestige or responsibility of the members of the two individual committees because the work of each would be more limited in scope and reduced from that done by the committee as it now stands, combining the two fields. True, the work would be lessened, but only in volume and variety not in importance. Separated, each field would offer even greater potential and challenge to a Member.

By allowing the Committee on Education and Labor to stand as a single unit which functions in two very large and very different realms of responsibility, we are encouraging a single unit of crescendo purview and power. I believe we have reached the point of centralization of too much diversified responsibility in one committee and concentration of too varied a workload upon its members and its staff.

With all this in mind, I have come today to introduce a resolution which would dissolve the present Committee on Education and Labor and establish a major Committee on Education, consisting of 25 members, and a major Committee on Labor, consisting of 25 members.

Just a little less than 4 years ago, I introduced in this body an almost identical resolution. Actually, this differs from my original proposal only in that it includes jurisdiction designations for several major programs enacted since 1963.

The need for the separation of education and labor existed at the time of my first resolution; the need is imperative now.

During this period of inaction since my plea in the 88th Congress for this division, no less than three major governmental organizations have resulted from legislation originating from the Education and Labor Committee. They are, of course, the Office of Economic Oportunity, the National Foundation on the Arts and Humanities, and the Manpower Administration which, although it includes other previously enacted programs, is charged with the responsibility of administering the Manpower Development and Training Act.

I repeat—the need is imminent.

We must have this separation of education and labor. We must have it in order to guarantee thorough study and careful deliberation of all the problems and proposals related to each individual area. We must have it to insure well informed Members who have adequate time and the assistance of a specialized committee staff to remain current in that particular area and sufficient interest to prompt logical conclusions and intelligent projections.

I intend to ask for a hearing and consideration of this resolution at the earliest possible time, and I respectfully urge the serious attention of all Members of this House to this proposal.

ELECTION OF MEMBERS TO COMMITTEES

Mr. LAIRD. Mr. Speaker, I send to the desk a resolution (H. Res. 183), and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 183

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Agriculture: Page Belcher, Oklahoma; Charles M. Teague, California; Catherine May, Washington; Robert Dole, Kansas; George V. Hansen, Idaho; William C. Wampler, Virginia; George A. Goodling, Pennsylvania; Clarence E. Miller, Ohio; J. Herbert Burke, Florida; Robert B. Mathias, California; Wiley Mayne, Iowa; John Zwach, Minnesota; Thomas S. Kleppe, North Dakota; Robert D. Price, Texas; John T. Myers, Indiana.

Committee on Appropriations: William H. Harrison, Wyoming; Louis C. Wyman, New Hampshire; Burt L. Talcott, California; Charlotte T. Reid, Illinois; Donald W. Riegle, Jr., Michigan.

Committee on Armed Services: William H. Bates, Massachusetts; Leslie C. Arends, Illinois; Alvin E. O'Konski, Wisconsin; William G. Bray, Indiana; Bob Wilson, California; Charles S. Gubser, California; Charles E. Chamberlain, Michigan; Alexander Pirnie, New York; Durward G. Hall, Missouri; Donald D. Clancy, Ohio; Robert T. Stafford, Vermont; Richard S. Schweiker, Pennsylvania; Charles A. Halleck, Indiana; Carleton J. King, New York; William L. Dickinson, Alabama; Charles W. Whalen, Jr., Ohio; James V. Smith, Oklahoma.

Committee on Banking and Currency: William B. Widnall, New Jersey; Paul A. Fino, New York; Florence P. Dwyer, New Jersey; Seymour Halpern, New York; W. E. (Bill) Brock, Tennessee; Del Clawson, California; Albert W. Johnson, Pennsylvania; J. William Stanton, Ohio; Chester L. Mize, Kansas; Sherman P. Lloyd, Utah; Benjamin B. Blackburn, Georgia; Garry E. Brown, Michigan; Lawrence G. Williams, Pennsylvania; Chalmers P. Wylie, Ohio.

Committee on the District of Columbia: Ancher Nelsen, Minnesota; William L. Springer, Illinois; Alvin E. O'Konski, Wisconsin; William H. Harsha, Ohio; Charles McC. Mathias, Jr., Maryland; Frank J. Horton, New York; Joel T. Broyhill, Virginia; Larry Winn, Jr., Kansas; Gilbert Gude, Maryland; John Zwach, Minnesota; Sam Steiger, Arizona.

Committee on Education and Labor: William H. Ayres, Ohio; Albert H. Quie, Minnesota; Charles E. Goodell, New York; John

M. Ashbrook, Ohio; Alphonzo Bell, California; Ogden R. Reid, New York; Edward J. Gurney, Florida; John N. Erlenborn, Illinois; William J. Scherle, Iowa; John R. Dellenback, Oregon; Marvin L. Esch, Michigan; Edwin D. Eshleman, Pennsylvania; James C. Gardner, North Carolina; William A. Steiger, Wisconsin.

Committee on Foreign Affairs: Frances P. Bolton, Ohio; E. Ross Adair, Indiana; William S. Mailliard, California; Peter H. B. Frelinghuysen, New Jersey; William S. Broomfield, Michigan; J. Irving Whalley, Pennsylvania; H. R. Gross, Iowa; E. Y. Berry, South Dakota; Edward J. Derwinski, Illinois; F. Bradford Morse, Massachusetts; Vernon W. Thomson, Wisconsin; James G. Fulton, Pennsylvania; Paul Findley, Illinois; John Buchanan, Alabama; Robert Taft, Jr., Ohio.

Committee on Government Operations: Florence P. Dwyer, New Jersey; Ogden R. Reid, New York; Frank J. Horton, New York; Donald Rumsfeld, Illinois; John N. Erlenborn, Illinois; John W. Wydler, New York; Robert Dole, Kansas; Clarence J. Brown, Jr., Ohio; Jack Edwards, Alabama; Guy Vander Jagt, Michigan; John T. Myers, Indiana; Fletcher Thompson, Georgia; William O. Cowger, Kentucky, Margaret M. Heckler, Massachusetts; Gilbert Gude, Maryland.

Committee on House Administration: Glenard P. Lipscomb, California; Robert J. Corbett, Pennsylvania; Charles E. Chamberlain, Michigan; Charles E. Goodell, New York; Samuel L. Devine, Ohio; William L. Dickinson, Alabama; James C. Cleveland, New Hampshire; John Kyl, Iowa; Albert H. Quie, Minnesota; Fred Schwengel, Iowa; William O. Cowger, Kentucky.

Committee on Interior and Insular Affairs: John P. Saylor, Pennsylvania; E. Y. Berry, South Dakota; Craig Hosmer, California; Joe Skubitz, Kansas; Laurence J. Burton, Utah; Rogers C. B. Morton, Maryland; Wendell Wyatt, Oregon; George V. Hansen, Idaho; Ed Reinecke, California; Theodore R. Kupferman, New York; John Kyl, Iowa; Sam Steiger, Arizona; Howard W. Pollock, Alaska; James A. McClure, Idaho.

Committee on Interstate and Foreign Commerce: William L. Springer, Illinois; J. Arthur Younger, California; Samuel L. Devine, Ohio; Ancher Nelsen, Minnesota; Hastings Keith, Massachusetts; Glenn Cunningham, Nebraska; James T. Broyhill, North Carolina; James Harvey, Michigan; Albert W. Watson, South Carolina; Tim Lee Carter, Kentucky; G. Robert Watkins, Pennsylvania; Donald G. Brotzman, Colorado; Clarence J. Brown, Jr., Ohio; Dan Kuykendall, Tennessee.

Committee on the Judiciary: William M. McCulloch, Ohio; Richard H. Poff, Virginia; Arch A. Moore, Jr., West Virginia; William T. Cahill, New Jersey; Clark MacGregor, Minnesota; Charles McC. Mathias, Jr., Maryland; Edward Hutchinson, Michigan; Robert McClory, Illinois; Henry P. Smith, III, New York; William Roth, Delaware; Thomas J. Meskill, Connecticut; Charles W. Sandman, Jr., New Jersey; Thomas F. Railsback, Illinois; Edward G. Biester, Jr., Pennsylvania; Charles W. Wiggins, California.

Committee on Merchant Marine and Fisheries: William S. Mailliard, California; Thomas M. Pelly, Washington; Charles A. Mosher, Ohio; James R. Grover, Jr., New York; Rogers C. B. Morton, Maryland; Hastings Keith, Massachusetts; Jack Edwards, Alabama; G. Robert Watkins, Pennsylvania; Ed Reinecke, California; Henry C. Schadeberg, Wisconsin; William Roth, Delaware; John R. Dellenback, Oregon; Howard W. Pollock, Alaska; Philip E. Ruppe, Michigan; Daniel E. Button, New York.

Committee on Post Office and Civil Service: Robert J. Corbett, Pennsylvania; H. R. Gross, Iowa, Glenn Cunningham, Nebraska; Edward J. Derwinski, Illinois; Albert W. Johnson, Pennsylvania; James T. Broyhill, North Carolina; Daniel E. Button, New York; William L. Scott, Virginia; Philip E. Ruppe, Michigan; James A. McClure, Idaho; Fletcher Thompson, Georgia.

Committee on Public Works: William Cramer, Florida; William H. Harsha, Ohio; James R. Grover, Jr., New York; James C. Cleveland, New Hampshire; Don H. Clausen, California; Robert C. McEwen, New York; Joe Skubitz, Kansas; John J. Duncan, Tennessee; Fred Schwengel, Iowa; Henry C. Schadeberg, Wisconsin; M. G. (Gene) Snyder, Kentucky; Robert V. Denney, Nebraska; Roger H. Zion, Indiana; Jack H. McDonald, Michigan; John Paul Hammerschmidt, Arkansas.

Committee on Science and Astronautics: James G. Fulton, Pennsylvania; Charles A. Mosher, Ohio; Richard L. Roudebush, Indiana; Alphonzo Bell, California; Thomas M. Pelly, Washington; Donald Rumsfeld, Illinois; Edward J. Gurney, Florida; John W. Wydler, New York; Guy Vander Jagt, Michigan; Larry Winn, Jr., Kansas; Jerry L. Pettis, California; Donald E. Lukens, Ohio; John E. Hunt, New Jersey.

Committee on Un-American Activities: John M. Ashbrook, Ohio; Del Clawson, California; Richard L. Roudebush, Indiana; Albert W. Watson, South Carolina.

Committee on Veterans' Affairs: E. Ross Adair, Indiana; William H. Ayres, Ohio; Paul A. Fino, New York; John P. Saylor, Pennsylvania; Charles M. Teague, California; Seymour Halpern, New York; John J. Duncan, Tennessee; Theodore R. Kupferman, New York; John Paul Hammerschmidt, Arkansas; William L. Scott, Virginia; Margaret M. Heckler, Massachusetts.

Committee on Ways and Means: Barber B. Conable, Jr., New York; George Bush, Texas.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CARNATIONS IN HONOR OF WILLIAM McKINLEY

Mr. BETTS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BETTS. Mr. Speaker, I have been asked by the gentlewoman from Ohio [Mrs. Bolton], who is the dean of the Republican delegation from Ohio, to announce that the carnations have been distributed today by the Republican delegation from Ohio in honor of William McKinley, whose birthday will occur on Sunday next, January 29.

The Ohio Republican delegation has done this every year for many, many years, because McKinley not only was a beloved Governor of Ohio but also was one of our outstanding statesmen and Presidents.

We have always felt it fitting that the Republicans in the House do this, because we believe one of the great contributions McKinley made to his country was as a Member of the House, as a member of the Ways and Means Committee, and as chairman of that great committee.

Ordinarily the gentleman from Ohio [Mr. Bow] performs this task, because he represents the district in which McKinley was born and where he practiced law in Ohio before being elected to Congress. Unfortunately Mr. Bow is unable to be with us today since he is confined to the hospital. I am sure I speak for the membership of the House that he will have a complete and early recovery.

I take great pleasure in making this announcement to the House concerning the carnations and the recognition of McKinley's birthday.

Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Gerald R. Ford] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, as this coming Sunday is the birthday anniversary of one of our martyred Presidents, a distinguished son of the great State of Ohio, I rise to make a few observations about William McKinley.

President McKinley received his political schooling in this body, as it were, serving six terms in the House of Representatives before he was elected Governor of Ohio, from which office he went to the White House.

His career spanned a period of momentous changes in American life. When he was born 124 years ago, the Stars and Stripes flew over no Pacific territory; when he died the whole Pacific Ocean had become a special American concern. He rose from the ranks to major in the Civil War, at time when this Nation's vital interests were almost wholly domestic; he served as Commander in Chief of the short war with Spain which helped to heal the wounds between Blue and Grey and, wittingly or not, made the United States a world power with vast responsibilities in foreign affairs which are with us to this day.

President McKinley was struck down by an anarchist's bullet shortly after he was resoundingly reelected to a second term with Theodore Roosevelt as his vice-presidential running mate. Had doctors then known of today's wonder drugs, his life might have been saved and the political currents of the 20th century might have run quite different courses. These are the imponderables of history, which make it such a fascinating study.

Mr. Speaker, I am happy to join in this annual tribute to William McKinley who so ably served his congressional constituents, his State and the United States, and gave his life in the service of his country as its 25th President.

GENERAL LEAVE

Mr. BETTS. Mr. Speaker, I ask unanimous consent that all Members may have

5 days in which to extend their remarks on this subject.

The SPEAKER pro tempore (Mr. Landrum). Without objection, it is so ordered.

There was no objection.

NOISE POLLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. Kupferman] is recognized for 30 minutes.

Mr. KUPFERMAN. Mr. Speaker, on Thursday evening, January 19, 1967, I had the honor of being a member of a panel at a meeting conducted by the New York State Society of Professional Engineers, New York chapter, on the subject of "The City and Its Environment—Noise in the City."

Other speakers included Mr. William H. Correale, P.E., technical director, code project, Brooklyn Polytechnic Institute; Mr. Michael J. Kodaras, acoustical consultant, on "Noise Transmission in Building"; Dr. Wilbur J. Gould, M.D., noted surgeon and otologist from Lenox Hill Hospital; and Mr. Roy F. Sullivan, M.A., noted audiologist, director of the Audiology Research Laboratory, the Long Island College Hospital in Brooklyn, on "Impact of Noise on Human Beings." Mr. Kurt Rosenbaum, P.E., served as moderator.

I reviewed my legislative proposals on noise, H.R. 2819 in this Congress—H.R. 14602 in the 89th Congress—and my previous statements which will be found in the Congressional Record, volume 112, part 7, pages 8745–8769; volume 112, part 8, pages 9470–9476; volume 112, part 8, page 9680; daily edition, May 16, 1966, pages A2629–A2630; volume 112, part 9, pages 1291–1306; daily edition, August 1, 1966, pages A4038–A4049; volume 112, part 14, pages 18233–18257; volume 112, part 15, page 20388; volume 112, part 20, pages 27803–27824; volume 112, part 20, page 27874; and January 18, 1967, pages 788–810.

There follow the talks by Roy F. Sullivan, William H. Correale, and Michael J. Kodaras:

Noise in the Cities: Its Effect on the Hearing Man

(By Roy F. Sullivan, M.A., director, Audiology Research Laboratory, the Long Island College Hospital)

By ASA definition, "Noise is any undesired sound." The term "undesired" introduces no small degree of subjectivity into this specification. Consider the case of the audiophile in apartment 710, totally immersed in a concert level rendition of Moussorgsky's "Night on Bald Mountain" to the hapless or perhaps just uncultured residents of apartments 610, 810, 709 and 711 this would undoubtedly with subjective unanimity constitute a most undesirable of noises. There are, however, certain aspects to the problem of noise and its effects on man which may be examined more logically if not objectively.

The first slide presents a schema or outline of some of the ostensibly more common effects of noise on the hearing man. A definition of terms is in order here.

Noise induced Permanent Threshold Shift or PTS refers to that irreversible, unremitting impairment of hearing which may be solely attributable to the effects of prolonged exposure to physically intense levels of noise. Noise induced Temporary Threshold Shift or TTS represents a transient decrement in auditory sensitivity, also attributable to high level noise exposure. The combinations of intensity and duration, however, are such that when a day's exposure is terminated, hearing will revert to the previous nontraumatized level. Glorig indicates that this reversal should take place within a span of about 16 hours. Both permanent and temporary threshold shift have an organically determinate effect on man and may be assayed objectively. They are included under the major heading physiological as distinguished from, but hardly dichotomized with the heading psychological. The philosophical mind-body problem remains as such, a problem.

Under the latter psychological categorization, we have interference effects. For example, noise may interfere with a speaker-listener or orthotelephonic system, street noise may interrupt a sidewalk telephone conversation, subway noise may elicit the Lombard effect or the tendency to raise one's voice in a background of noise. We have all experienced this last transitory phenomenon which terminates immediately together with the noise, or perhaps embarrassingly a bit later as one finds oneself shouting to a friend 12'' distant on a stalled crowded subway. SIL refers to speech interference level a quantity to be mentioned later.

Interference with activity includes noise effects on occupational activity, recreation, perhaps we might even include inactivity, that is sleep. Again, to a man, we have been unceremoniously aroused during a night's sleep by some manner of air or motor vehicular traffic noise and generally been worse for wear the next morning. Annoyance levels implies impersonal or group consensus of dissatisfaction with the ambient or transient acoustic state of affairs in the office or, especially in the sanctum sanctorum, the home.

As one scans down the list of effects a number of approximately monotonic orderings may be noted:

(1) The minimally requisite acoustic noise energy for a given effect generally decreases. That is to say, energy in the IT or intensity times time sense. It takes less noise energy to just interfere with a telephone conversation than to just induce a temporary auditory threshold shift. In the same vein, the acoustic basis for one's annoyance with the neighbor's musical indiscretions may amount to put 34db on a sound level meter A scale provided that the hour and other conditions are adventitiously inappropriate.

(2) Next, an effect achieving a given maximum schematic ranking will generally include those responses found in lower positions. For example, any noise energy capable of inducing a permanent auditory threshold shift will most assertedly cause a temporary threshold shift, interfere with speech communication and probably annoy as well. The converse also appears to hold.

(3) Finally, as one again descends the list, the effects become progressively more evanescent, more difficult to document objectively; especially as we transcend from the realm of the physiological to that of the psychological; from the soma to the psyche. To illustrate a dB hearing, impairment ascribable to a noise induced permanent threshold shift is easily objectified through any number of available audiometric techniques. It may even be verified histologically, the latter unfortunately, only postmortem. On the other hand, temporary threshold shift by definition, slips away with rest time and removal from the organically irritating noise stimulus. Speech interference is immediately contingent upon the presence of a certain spectrum and level of noise being easier to identify pragmatically through experience of communication difficulty in its presence, than through detailed acoustical analysis. Finally, how does one scale with any degree of validity the annoyance of sounds.

The usable range of human hearing extends non-linearly in frequency from 16 to 20,000 cycles per second and in intensity from 0 through 140dB re $10^{-16 w/cm^2}$. There are more than 300,000 tones of different frequency and/or intensity which can be distinguished in the auditory area and virtually an infinitude of discriminable tonal combinations, a fair proportion of which produce the effects outlined in the preceding framework.

Keeping in mind this outline slide 3 presents a cutaway section of the human ear divided into outer, middle and inner portions with concomitant complex central neural pathways.

Sound pressure variations are focused on the tympanic membrane from the outer ear, the ossicular chain consisting of the smallest bones in the body, acts as a transformer carrying sound to fluids of the inner ear or cochlea. Here also in the middle ear are two of the smallest muscles in the body the stapedius and tensor tympani which serve to reflexively defend the delicate inner ear structure to an extent from potentially injurious sounds. Slide 4 illustrates the range of level above thresholds in which this protective mechanism comes into play, generally 70 to 90dB above threshold of audibility. Next, we see the extent of shift in sensitivity of the ear in responses to voluntary contraction of these muscles, primarily a low frequency attentuation stiffness effect.

Here we have a longitudinal section of the snail shell cochlea. We see the organ of corti a transducer responsible for translating acoustic hydraulic pressure variation into neural impulses. This juncture is affected at the hair cells as the hairs are bent in contact with the tectorial membrane. In general, certain areas of the cochlea are delegated responsibility for certain portions of the audible frequency range. Sections near the base or widest part of the cochlea facilitating hearing in the range of 4,000 to 6,000 cps are most susceptible to damage by noises. There are three rows of outer hearing cells and one row of inner numbering in total around 24,000. The outer hair cells are most susceptible to noise induces hearing loss. Noise induced hearing loss may be specifically attributable to physical destruction of the hairs with later degeneration of the hair cells and neural ganglion cells, and/or perhaps to the creations of some toxic products in response to overstimulation.

Next slide. Numerous studies have been undertaken to assess those levels critical to potential hearing damage. They are in general agreement. This chart is excerpted from AF 160–3, an Air Force Manual on noise hazards. In general levels of 85 dB in critical active bands between 300 and 4800 cps suggests the use of ear protection, ear plugs, etc., levels in excess of 95 dB make this mandatory. The next slide illustrates from the same source, a nomograph which allows an individual to reckon his noise exposure on an energy basis where one may trade an infrequent brief exposure to a high level noise for a longer, more frequent exposure to a lower level. This is similar to the monitoring approach on radiological or x ray technicians. It should be added that intermittent sounds are more damaging to hearing than continuous. This is probably attributable to a latency or delay in activation of the protective middle ear muscle reflex.

Next, this is an audiogram demonstrating a typical permanent threshold shift as a consequence of impairment in a traumatically high noise level occupation. Starting at 4,000 and 6,000 cps the impairment is generally not noted save perhaps for monitoring audiometry by a provident employer, until the speech frequency range is affected, that is 500 through 2,000 cps. There is no medical or surgical recourse for these individuals and they are among the poorest candidates for prosthetic amplification or hearing aids. The topic of litigation and compensation for a hearing loss is an evening's symposium in itself.

The next slide shows a temporary threshold shift following from the beginning to end of a noisy work day.

Glorig has suggested that injury to hearing acquired in a single highly intense blast be called acoustic trauma; that accumulated over a more prolonged exposure to lesser levels, noise induced hearing loss. The latter may be divided into occupational hearing loss and what he refers to as Sociocusis, the noise induced hearing loss accumulated other than in the course of daily labor—in the subways, in traffic, even in the discotheques, where a recent article in a woman's magazine cited a decidedly traumatic level of 105 dB for one of the more prominent establishments AU Go Go.

When sociocusis, occupational hearing loss and the products of otic diseases have been subtracted off, the remaining auditory deficit, solely attributable to the inexorable process of aging is called presbycusis. Next slide: we might extrapolate the amount of hearing loss due to living in a mechanized urban society from the data of Dr. Rosen who surveyed a relatively noise-free African jungle tribe, the Mabaans. Here one sees a significant difference in high frequency threshold as a function of age, especially in the septuagenarian relatively in a similarly aged not "significantly noise exposed U.S. group." One should interpet these findings with caution however in light of cultural, hereditary, diet and other similar environmental differences between the two societies.

Generally the crucial parameters for noise potentially inducing hearing loss are: (1) frequency spectrum, (2) injure in critical octave bands especially in the frequency range 300 to 4800 cps, (3) duration of exposure, (4) frequency of exposure. Getting into the psychological effects as with the physiological octave band analysis of the noise within the frequency range previously cited plays an important role in assessing effect. While speech interference level is a more complex measure than I can outline here, the next illustration shows in terms of sound level meter readings the effect of the typical broad spectrum noise on speech communication. Note that none of these levels broach the traumatic.

With regard to fatigue performance and job efficiency effects, these findings may be summed by stating that the bulk of studies undertaken to date have demonstrated negative results. Furthermore, those few positive generally have serious flaws in their experimental design. Finally, annoyance. . . . Numerous scales have been constructed to take into account not only the frequency nonlinearity of the ear but also the relative annoyance of a sound. Kryter has suggested that the following qualities contribute to the annoyance of sounds:

(1) Unexpectedness
(2) Interference
(3) Intermittency
(4) Reverberation
(5) Inappropriateness.

One such annoyance rating system promulgated by the ISO gives weighted consideration to noise sound pressure in various octave bands, arrives at a rating and then corrects for the following factors (Slide) which may be of interest. With this system, community and individual response can be predicted with a fair degree of accuracy based upon this empirical approach to noise annoyance analysis. Next slide is a portent of noise to come. With the advent of SST this shows a scheme for predicting community response to sonic booms as outlined by European OECD (Organization for Economic Cooperation and Development).

In summary, (slide 1) we see a gamut of responses to noises ranging from irreversibly, debilitating physiological trauma through mild perturbation or annoyance. While the tangible effects of noise on personality, performance and daily routine have yet to be authenticated it is felt that if the Founding Fathers of our country were contemporaries we might have been granted in the Declaration of Independence an inalienable right to choose life, liberty and the pursuit of happiness in relative peace and quiet.

Remarks by Mr. Correale

One of the first steps taken in the writing of a new building code for New York City was research and investigation intended primarily to uncover the latest information available with respect to all of the elements which go to make up a performance type building code.

These investigations also revealed a number of new elements relating to safety, health and general welfare in buildings and one of these was noise. We learned that the codes in a number of European countries did include provisions for the control of noise in multiple dwellings and had for some time. As for the United States, we found only a brief reference to the control of noise in the N.Y. State Building Code, and found also that some active research on noise in buildings and its effects was under way. We therefore decided that the control of noise in multiple dwellings should be added as an item of building regulation and with the approval of the then Commissioner of Buildings, Harold Birns, this was done.

The publicity which followed this decision generated a surprisingly large response. We received requests for copies of our noise control provisions from communities and individuals across the country and from some foreign countries including Israel and Italy. Public support as expressed in correspondence, newspaper and magazine articles exceeded any of our expectations. But along with this we received quite a few requests to include the control of external noises such as that from trucks, buses, construction equipment and the like, as well as airplane noises in the vicinity of airports. These, of course, are not susceptible of regulations in a building code.

We therefore arrived at a solution limited specifically to multiple dwellings and covering the following four categories:

1. Control of airborne noises between adjacent apartments, hallways, etc.
2. Control of impact noises between apartments.
3. Control of structure-borne noises originating in moving machinery and equipment.
4. Control of noise reaching apartments from equipment located on adjacent buildings.

All of the provisions are written insofar as practicable, in performance language, making reference to national standards available to designers as guides to solutions which will meet the performance goals established. These standards are primarily test standards for materials and assemblies of materials but provision is also included for the field testing of completed construction on an optional basis if and when found necessary.

So much for the broad picture. In working up details, we utilized the expertise of Michael J. Kodaras and Associates, Consultants in Acoustics, whom we retained specifically for this work. Mr. Kodaras will review these details with you.

Remarks by Mr. Kodaras

Where the exhausted air may contain toxic substances or strong objectionable odors, the exhaust system shall be independent of exhaust systems serving other parts of the building.

1207.11 *Ventilation for Special Uses and Occupancies*—Special uses and occupancies, not provided for in this article, shall be ventilated in accordance with the requirements of Article 7. Ventilation of stage areas shall be in accordance with the requirements of Article 8.

SECTION 1208.0—NOISE CONTROL IN MULTIPLE DWELLINGS

1208.1 *Requirements*—Interior wall, partitions, floor-ceiling constructions, and mechanical equipment in spaces or buildings of Occupancy Group J–2 shall be designed and constructed in accordance with the requirements of this article, to provide minimum protection for each dwelling unit from extraneous noises emanating from other dwelling units and from mechanical equipment. In addition, airborne sound from exterior mechanical equipment of buildings in any occupancy group shall conform to the requirements of this article.

(a) *Field Testing*—Where conditions indicate that the installed construction or equipment does not meet the noise control prescribed in this article, measurements shall be taken to determine conformance or nonconformance. For conformance with this article, the results of such measurements shall not fail by more than 2 db to meet the the requirements in any octave band, or by more than two points to meet any STC or INR requirements.

1208.2 *Acoustical Isolation of Dwelling Units*—

(a) *Airborne Noise*—(1) Walls, partitions, and floor-ceiling constructions separating dwelling units from each other or from public halls, corridors, or stairs shall have a minimum Sound Transmission Class (STC) rating of 45 for airborne noise. This requirement shall not apply to dwelling unit entrance doors.

(2) STC ratings shall be obtained by tests conducted in accordance with the procedures of Reference Standard RS 12–2 except as provided in (3) below.

(3) The STC ratings of construction assemblies as listed in Reference Standard RS 12–2 may be used to determine conformance with the requirements of (1) above and with any other section that requires a specific STC rating.

(4) Penetrations or openings in walls, partitions, or floors for pipe sleeves, medicine cabinets, hampers, electric devices, or similar items shall be packed, sealed, lined, backplastered, or otherwise isolated by sufficient mass to maintain the required STC ratings.

(5) Where grilles, registers, or diffusers in one dwelling unit are connected by ductwork with grilles, registers, or diffusers in another dwelling unit, and where such connecting duct is less than 7 ft. long, it shall be lined with duct lining; otherwise, an approved sound attenuating device shall be installed therein. Duct lining shall conform to the requirements of Article 13.

(b) *Structure-borne Noise*—(1) Floor-ceiling constructions separating dwelling units from each other or from public halls or corridors shall have a minimum Impact Noise Rating (INR) of 0.

(2) Such INR shall be obtained by tests conducted in accordance with the procedure of Reference Standard RS 12–3 except as provided in (3) below.

(3) The INR of a floor-ceiling constructions listed in Reference Standard RS 12–3 shall be used to determine conformance with the requirements of (1) above and with any

other paragraph that requires a specific INR. Constructions shall be designed and installed to avoid short circuiting the isolation devices that are incorporated into the constructions.

1208.3. *Noise Control of Mechanical Equipment*—(a) *Minimum Airborne Noise Insulation Requirements*—(1) Boiler rooms—Boiler rooms adjoining dwelling spaces, either vertically or horizontally, shall be separated therefrom by floor-ceiling or partition constructions have a minimum STC rating of 50.

(2) Mechanical equipment spaces—Spaces or shafts containing air conditioning, refrigeration, or ventilating equipment, elevator machinery, or other mechanical equipment shall be separated both vertically and horizontally from dwelling units by constructions that will provide a minimum STC rating of 50. Spaces or shafts containing equipment totalling more than 75 rated h.p. shall not be located vertically or horizontally adjacent to dwelling units unless the total sound power level output of all the equipment in the space or shaft is certified not to exceed the maximum soundpower levels of Table 12-3 in any octave band. Such sound power level ratings shall be obtained by tests conducted in accordance with the procedures of Reference Standard RS 12-5.

Table 12-3.—*Maximum sound power levels permitted in mechanical spaces or shafts adjoining dwelling spaces*

Octave bands (c.p.s.)	Maximum sound power level (decibels) [a]	
Midfrequency	Decibels re 10^{-13} watts	Decibels re 10^{-12} watts
63	101	91
125	101	91
250	103	93
500	105	95
1,000	102	92
2,000	101	91
4,000	98	88
8,000	96	86

[a] The maximum sound power levels shall be reduced 5 decibels in any octave band where the equipment data indicate pure tone generation. The presence of pure tones may be determined by means of ⅓ octave band analysis. The criterion for a significant pure-tone component shall be an audible pure-tone sound together with an increase of the sound pressure level in the corresponding ⅓ octave band above the mean of the 2 adjacent ⅓ bands of at least:

Center frequency of ⅓ octave band	40/125	160/250	215/500	630/1,000	1,000/10,000
Increase in sound power level (decibels)	6	4	3	2	1½

a. Ventilating Openings into Mechanical Equipment Spaces—Ventilating openings into boiler rooms and other mechanical equipment spaces shall not be located in yards or courts where there are windows opening from living quarters, unless such ventilating openings are provided with sound attenuating devices if needed to limit noise transmission to NC-40 (Noise Criterion) levels in the exposed dwelling units.

b. Noise Criteria Requirements—Noise criteria requirements prescribed in this article shall be in accordance with Reference Standard RS 12-4.

(3) Ductwork—Ducts serving dwelling units shall be lined with duct lining for at least 20 ft. from the fan discharge or intake; otherwise, an approved sound attenuating device shall be installed therein. All toilet exhaust ducts shall be lined with duct lining for at least 20 ft. upstream of the exhaust fan intake, otherwise, an approved sound attenuating device shall be installed therein. Duct lining shall conform to the requirements of Article 13.

(4) Exterior Mechanical Equipment—Mechanical equipment in a building in any occupancy group, when located outside of the building in a yard or court or on a roof, or where the equipment opens to the exterior of the building, shall be subject to the noise output limitations given in Table 12-4 where one or more windows of a dwelling unit in any building in Occupancy Groups J-1, J-2, or J-3 is located within a sphere of 100 ft. radius whose center is any part of the equipment or its housing, unless it can be shown that the sound pressure levels, in octave bands, of the exterior mechanical equipment as measured within the dwelling unit do not exceed the levels given in Table 12-5.

Table 12-4.—*Maximum sound power levels permitted for exterior mechanical equipment adjoining buildings*

Minimum distance from equipment to exterior window (feet) [a]	Maximum sound power levels in octave bands—decibels re 10^{-13} watts [a]							
	Octave bands—c.p.s. midfrequency							
	63	125	250	500	1,000	2,000	4,000	8,000
12	100	94	88	83	80	78	77	76
25	107	100	94	89	86	84	83	82
50	113	106	100	95	92	90	89	88
100	119	112	106	101	98	96	95	94
	In octave bands—decibels re 10^{-12} watts							
12	90	84	78	73	70	68	67	66
25	97	90	84	79	76	74	73	72
50	103	96	90	85	82	80	79	73
100	109	102	96	91	88	86	85	84

[a] The minimum distance shall be measured in a straight line regardless of obstructions. Interpolated levels may be used for distances between those given in this table. See note *a* at end of table 12-3.

Table 12-5.—*Noise output limitations for exterior mechanical equipment*

[Maximum sound pressure level [a] (not to be exceeded in any octave bands)]

Octave bands midfrequency c.p.s.)	Decibels re 0.0002 microbar
63	64
125	57
250	51
500	45
1,000	41
2,000	39
4,000	38
8,000	37

[a] (1) Measurements shall be obtained with a sound level meter and octave band analyzer, calibrated both electronically and acoustically before and after the measurements are made. The equipment used shall meet the requirements of Reference Standards RS 12-6 and RS 12-7. (2) The measurements shall be obtained with the microphone of the measuring equipment located at the interior of the dwelling unit affected in a line with the window nearest the exterior mechanical equipment. The window shall be fully open and the microphone shall be located 3 feet away from the open portion of the window. (3) Measurements shall be obtained during times when the ambient sound pressure levels, in octave bands, are at least 6 decibels lower at all octave bands than the sound pressure levels measured with the exterior equipment operating. By ambient sound pressure levels is meant the measured sound pressure levels, at the above-described measuring location, with the exteior equipment not in operation.

(b) *Minimum Structure-borne Noise and Vibration Isolation Requirements*—All isolators used in accordance with the following requirements shall be approved.

(1) Boiler Rooms—

a. Boilers—All boilers supported on floors above a story having dwelling units shall be supported on resilient isolators having a minimum static deflection of 1 in. The isolators shall be installed directly under the structural frame of the boiler.

b. Boiler Breeching and Piping—When boilers are equipped with mechanical draft fans, the boiler breeching and piping that is supported from or on slabs, floors, or walls that are contiguous to dwelling unit shall be supported for a distance of 50 pipe diameters on or from resilient isolators. Each isolator shall have a minimum static deflection of 1 in.

(2) Incinerator Charging Chutes—

a. Metal Chutes—Metal chutes, metal chute supports, and/or metal chute bracing, shall be free of direct contact with the shaft enclosure and the openings provided in the floor construction. Metal chutes shall be resiliently supported at each structural support location. Isolators shall provide a minimum static deflection of 0.30 in. All chutes shall be plumb.

b. Masonry Chutes—The interior chute wall shall be plumb and without obstructions for the full height of the shaft and shall have a smooth interior finish.

(3) Piping—

a. Metal piping connected to power driven equipment shall be resiliently supported from or on the building structure for a distance of 50 pipe diameters from the power driven equipment. The resilient isolators shall have a minimum static deflection of 1 in. for all piping with a 4 in. or larger actual outside diameter and ½ in. for piping with less than 4 in. in actual outside diameter. Piping connected to fluid pressure-reducing valves, shall be resiliently isolated for a distance of 50 pipe diameters from pressure reducing valves and isolators shall provide a minimum static deflection of ½ in.

b. Equipment such as heat exchangers, absorption refrigeration machines, etc., that is located on any floor or roof other than a floor on grade, and that is not power driven but is connected by metal piping to power driven equipment, shall be resiliently supported from or on the building structure. The resilient supports shall be vibration isolators having a minimum static deflection of 1 in.

and shall incorporate approved resilient pads having a minimum thickness of ¼ in.

(4) Fans—All fan equipment located on any roof or floor other than a floor on grade shall be mounted on or from vibration isolators. Fan equipment with motor drives separated from the fan equipment shall be supported on an isolated integral rigid structural base supporting both the fan and motor. Fan equipment with motor drives supported from the fan equipment shall be mounted directly on vibration isolators. Each isolator shall have provision for leveling. Isolators shall incorporate resilient pads having a minimum thickness of ¼ in. The vibration isolators shall provide a minimum isolator efficiency of 90% at fan rotor rpm with a maximum deflection of 2 in.

(5) Pumps—All pumps of 3 h.p. or more located on any floor other than a floor on grade shall be supported on vibration isolators having a minimum isolation efficiency of 85% at the lowest disturbing frequency. Each isolator shall incorporate a leveling device and a resilient pad having a minimum thickness of ¼ in.

(6) Compressors—Compressors and drives located on a floor other than a floor on grade shall be mounted on vibration isolators having a minimum isolation efficiency of 85% at the lowest disturbing frequency. Each isolator shall incorporate a leveling device and a resilient pad having a minimum thickness of ¼ in.

(7) Cooling Towers—All moving parts of cooling towers located on a roof or floor other than a floor on grade shall be installed on vibration isolators providing a minimum isolation efficiency of 85% at fan rotor rpm with a maximum static deflection of 4 in. Each isolator shall incorporate a leveling device and a resilient pad having a minimum thickness of ¼ in.

(8) Evaporative Condensers—Evaporative and air cooled condensers located on a roof or floor other than a floor on grade shall be mounted on vibration isolators providing a minimum isolation efficiency of 85% at fan rotor rpm with a maximum static deflection of 4 in. Each isolator shall incorporate a leveling device and a resilient pad having a minimum thickness of ¼ in.

(9) Duct Connections to Fan Equipment—Flexible connections shall be installed between fan equipment and connecting ductwork.

(10) Elevator Machinery—Gear-driven machinery, gearless machinery, motor generators, and controllers located in an elevator machinery room or shaft on a roof, or on a floor other than a floor on grade, shall be supported on vibration isolator pads having a minimum thickness of ½ in.

(c) *Maximum Permissible Air Velocities in Ducts*—(1) Ducts Located Over Ceilings of Dwelling Spaces—The maximum permissible air velocity in ductwork located over the ceilings of dwelling spaces or in masonry shafts adjoining dwelling spaces shall not exceed the velocities prescribed in Table 12–6.

TABLE 12–6.—*Maximum permissible air velocities in ducts*

[In feet per minute]

Type of system	Branch ducts	Submain ducts	Main ducts
Low velocity	750	1,000	1,500
High velocity	1,000	2,000	3,000

In the application of Table 12–6 the following shall apply:

a. Any duct that connects directly to any terminal device (grille, diffuser, etc.) shall be classified as a branch duct for a distance of at least 4 ft. from the terminal device.

b. Any duct that connects a branch duct to a main duct or to the fan shall be classified as a sub-main duct. No duct may be classified as a sub-main duct if it connects to a terminal device by means of a connection less than 4 ft. in length.

c. When a duct is connected to the fan and to two or more sub-main ducts it shall be classified as a main duct.

d. The maximum velocities shown in Table 12–6 for low velocity ductwork shall apply in all cases except where a system of round ductwork is used and an acoustic air control device with self-contained attenuation components is located in the duct work prior to each air terminal device. Branch ducts, if any, connecting the acoustic air control devices to the terminals shall not have air velocities exceeding 750 fpm. Maximum power level ratings for the acoustic air control devices shall be 3 db less than the values shown in Table 12–7.

(d) *Maximum Permissible Sound Power Levels of Fan Coil Units, Grilles, Registers, Diffusers and Induction Units*—Sound power level data, in octave bands, shall be certified in accordance with the provisions of Section 106.2, for grilles, registers, diffusers and induction units at design operating conditions and for coil units when operating at specified cfm. The sound power levels shall not exceed the levels listed in Table 12–7 when measured in accordance with the provisions of Reference Standard RS 12–5.

TABLE 12–7.—*Maximum permissible sound power levels for terminal units*

Octave bands (c.p.s.)	Sound power levels (decibels)	
Midfrequency	decibels re 10^{-13} watts	decibels re 10^{-12} watts
63	79	69
125	73	63
250	67	57
500	62	52
1,000	59	49
2,000	57	47
4,000	54	44
8,000	53	43

REFERENCE STANDARD RS–12 LIGHT, HEAT, VENTILATION AND NOISE CONTROL

List of referenced national standards

ASA–Z224.3—American Standard Sound Level Meters for Measurement of Noise and Other Sounds—1944.

ASA–S1.4—General Purpose Sound Level Meters—1961.

ASHRAE—Guide and Data Book—1965–66.

ASTM–E90 — Tentative Recommended Practice for Laboratory Measurement of Airborne Sound Transmission Loss of Building Floors and Walls—1961T.

ASHRAE–36—Standard for the Measurement of Sound Power Radiated from Heating, Refrigeration, and Air Conditioning Equipment—1962.

ASHRAE–36B—Standard Method of Testing the Acoustical Performance of Terminal Units—1963.

Reference standard RS 12–1—Heating

1. *Heating capacity*—The heating capacity required in each room or space shall be calculated in accordance with the principles set forth in ASHRAE Guide and Data Book; American Society of Heating, Refrigerating and Air Conditioning Engineers: 1965–66. The calculations of heating capacity shall consider the areas and transmission coefficients of all surfaces exposed to outdoor temperatures or to unheated areas, and shall include allowance for air infiltration and wind velocity. In spaces with high ceilings, an allowance shall be made for the effect of stratification so that the prescribed temperature will be maintained at a level 5 ft. above the floor.

Reference standard RS 12–2—Sound transmission class

1. *Test procedures for STC ratings*—The STC rating of a construction assembly shall be obtained by one of the following methods:

(a) *Laboratory Test*—in accordance with ASTM E90–61T, Tentative Recommended Practice for Laboratory Measurement of Airborne Sound Transmission Loss of Building Floors and Walls;

(b) *Field Test*—in accordance with either of the following:

(1) ASTM E90–61T, omitting paragraphs 3(b), 3(c), 3(d), and 3(f).

(2) London, Albert; Methods of Determining Sound Transmission Loss in the Field; Journal of Research of the National Bureau of Standards, May 1941.

2. *STC test data*—The following test data may be used in obtaining STC ratings:

Title and Publishers

"Sound Insulation of Wall Floor and Door Construction" (Supplement to Building Materials and Structures Report No. 144), February 27, 1956. Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

"Sound Insulation of Wall Floor and Door Construction" (2nd Supplement to Building Materials and Structures Report No. 144), Dec. 1, 1958. Superintendent of Documents, Government Printing Office, Washintgon, D.C. 20402.

"Sound Reduction Properties of Concrete Masonry Walls," 1955, and "Report of Sound Transmission Loss and Air Flow Resistance Measurements on Concrete Block Wall," March 1, 1959 (4db must be deducted from data contained in "Sound Reduction Properties of Concrete Masonry Walls" in accordance with page 3 of the Report). National Concrete Masonry Association, 2009 N. 14 Street, Arlington 1, Va.

"Noise Control with Insulation Board for Homes, Apartments, Motels, Offices," AIA File No. 39B, Third Ed., 1964. Insulation Board Institute, 111 West Washington Street, Chicago 2, Ill.

In addition, certified laboratory test data obtained by acoustical laboratories in accordance with ASTM designation E90–61T shall be submitted.

Reference standard RS 12–3—Impact noise ratings

1. *Test for INR*—The INR of a floor-ceiling construction assembly shall be obtained in accordance with FHA Bulletin No. 750, Impact Noise Control in Multifamily Dwellings, January 1963.

2. *Test data for INR*—The following test data may be used for INR: (a) F.H.A. Bulletin No. 750, January 1963.

3. Certified laboratory test data obtained by acoustical laboratories in accordance with F.H.A. Bulletin No. 750, and Bulletin No. R140–1960(E), International Organization for Standardization (ISO).

Reference standard RS 12–4—Noise criteria levels

NC levels shall be as shown in Figure 2 on Page 195 of ASHRAE Guide and Data Book, 1965–66.

Reference standard RS 12–5—Test procedures for sound power level

The sound power levels for air terminal units shall be measured in accordance with ASHRAE No. 36B–63, Standard Method of Testing the Acoustical Performance of Terminal Units. The sound power level of equipment other than terminal units shall be measured in accordance with ASHRAE No. 36–62, Standard for the Measurement of Sound Power Radiated from Heating, Refrigeration and Air Conditioning Equipment.

Reference standard RS 12–6

ASA Z224.3—American Standard Sound Level Meters for Measurement of Noise and Other Sounds—1944.

Reference standard RS 12–7

ASA S1.4—General Purpose Sound Level Meters—1961.

FOR LESS WASTE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. Erlenborn] is recognized for 15 minutes.

Mr. ERLENBORN. Mr. Speaker, I rise to call attention to a very serious problem confronting our schools and colleges—a problem, really, of intergovernmental relations—which the Congress alone can solve. In brief, it is the immense burden we are placing on educational administrators by late funding of Federal programs. This is often compounded by 1-year authorizations which are not renewed until well into the next fiscal year and, therefore, must be funded so late that the school or college year is far advanced before money is available. This situation has become so critical in the past 2 years that educators all across the country have urged members of our Education and Labor Committee to initiate remedial action. In recent hearings conducted by the Special Subcommittee on Education chaired by the gentlewoman from Oregon [Mrs. Green] which were held in nine cities across the country, this was the largest single complaint by educators and State and local officials about our whole vast Federal educational effort. A typical comment was offered by a spokesman for the California School Boards Association, who described the result of late funding as "chaotic."

Although this problem has occurred from time to time in the past in connection with Federal programs, there is a compelling reason why we must now give it urgent attention. The volume of Federal funds handled by the U.S. Office of Education has swollen from $272.6 million in 1957 to $3.9 billion in 1967.

When funds of this magnitude are poured into the educational system, through dozens of important programs ranging from preschool to graduate school, and are made available months after educational administrators must prepare their own programs and budgets—sometimes after the school year has begun—the effect on program planning, budgeting, personnel planning, and general administration is disastrous. Inevitably, there is also a considerable waste of funds due to hasty and faulty use which cannot fairly be blamed on our educators or upon Federal officials in the executive branch. The fault lies with Congress.

I am proposing the following remedies, several of which we can apply in the authorizing legislation handled by the Education and Labor Committee.

First, I shall work for authorizations for all major programs of at least 3 years' duration.

Second, I shall suggest that all major new programs provide for a year of advanced planning to permit adequate preparation by Federal, State, local, and institutional officials and administrators.

Third, I shall strive personally to broaden Federal programs to remove narrow and tedious limitations and to bring about maximum flexibility and local administrative responsibility in the use of Federal funds.

Finally, Mr. Speaker, I have today introduced a concurrent resolution calling upon the Appropriations Committees of both the House and the Senate to take early action on appropriations for Federal educational programs. My resolution directs the committees in each body to report such a bill by May 1 preceding the fiscal year for which such appropriations are authorized. Actually, the House committee reported the Labor-HEW appropriations bill for fiscal 1966 on April 29, 1965; but it was not reported in the Senate until August 31, 1965—well into the fiscal year and only a few days before the beginning of a new school year. Thus, the Elementary and Secondary Education Act, which had become law on April 11, could not be implemented until very late in the school year.

The appropriations for this fiscal year were even later. A bill was reported in the House on April 28, 1966, but it was not reported in the other body until September 22 and did not become law until November 7, 1966. Meanwhile, to make matters worse, the 1-year authorization for most of the Elementary-Secondary Act were not extended until November 3, 1966—months after the new school year had commenced. Both these situations ought never to occur again, and the responsibility lies solely with the Congress.

Mr. Speaker, my purpose is not to scold committees of the Congress but to suggest corrective action in light of a new situation that has arisen. In short, that we gear educational authorizations and appropriations to the actual school and college year, and that we act far enough in advance to permit adequate planning for the use of Federal funds. Although my resolution speaks only to the appropriations committees—because theirs is an annual process—I recognize the heavy responsibility of the substantive committees to assure that the authorizing legislation is scheduled so as to permit a timely appropriations procedure. Personally, for the sake of our school systems, I would hope that every authorization which is intended to be extended would be extended a full year prior to its expiration date; and I shall work with my colleagues to assure that this is done.

Happily, Mr. Speaker, this is not a partisan matter. Every single Member of this House, and of the other body, would agree that our own processes should not impede educational progress. I view my recommendations as being a modest but vital step toward the goal of a truly creative federalism.

MEETING THE CHALLENGE OF OVERHEAD TRANSMISSION LINES AND TOWERS

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ottinger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. OTTINGER. Mr. Speaker, as the author and original sponsor of legislation to spur the development of feasible methods of underground transmission of electric power, I was gratified to see the program included in the Budget submitted by the President to the Congress this week.

It has been a long hard fight to obtain recognition of the Federal obligation in this area and I wish that I could greet the President's recommendation with enthusiasm. Regrettably, I cannot.

The considerable study I have put into this problem over the past few years and the results of the hearings on my legislation in the Senate Commerce Committee last year, leave me convinced that the program as proposed in the Budget message is not in the best public interest and will not do the job.

My opposition to the proposal in the budget does not mean that I feel that there is any less urgency in solving the problem. Quite the contrary. The problem grows more serious and more difficult with each wasted year and I am reintroducing the powerlines legislation that I first proposed in the 89th Congress with a plea for speedy congressional action.

ACTION NEEDED

Last year's Senate hearings on my legislation clearly support this plea. Testimony from experts and the general public revealed for the first time the damage that high voltage lines and towers inflict upon communities and on our environment—the economic losses from depreciated property values and lowered tax revenues; the disrupted planning and the scenic blight. They showed that because of the Nation's growing power needs, especially around our great cities, the problem will become dramatically worse in a short time unless action is started soon. Although there were sharp differences in some areas, the hearings revealed that the Federal agencies, the utility industries, and the general public were in general agreement as to the need for action and Federal initiative.

The proposal put forward in the budget would appropriate $2 billion for fiscal 1968 for the Secretary of the Interior to begin a new research and development program. This program is based upon the report to the President, "Program for Advancing Underground Electric Power Transmission Technology," submitted by the Secretary of Interior on April 27, 1966.

PROGRAM OF $30 MILLION

There are several important issues involved here that must be understood before this body acts upon this recommended appropriation. First, this is not a $2 million program. It is the first step in a program that is to cost more than $30 million over the next 5 years.

Second, this is not a program specifically authorized by Congress. In fact, in action in the other body last year this same program was quite specifically rejected. In asking for the initial appropriation this budget relies upon the general authority of the Secretary under Reorganization Plan No. 3 of 1950. I do not believe this authority is adequate. I question whether it is in the public interest to allow such a substantial research commitment to be made without congressional authority—without guidelines and goals set and approved by Congress.

The problem goes even deeper however. When I introduced the first powerlines legislation in August of 1965, I also proposed to vest the authority in the

Interior Department. I did so because of the Department's charter to protect and enhance the Nation's resources and because of its substantial involvement in power generation and transmission in the West. However, my legislation also set firm guidelines and goals to protect the public interest and to assure that the fullest and most economic use is made of all our Nation's talent and resources in such an effort. In the Senate hearings it soon became apparent that the Executive found such guidelines onerous.

In addition, it also became obvious that, along with other serious defects, the program advanced by Interior was oriented almost entirely to the utility industry approaches and that the Department's involvement in power transmission was an encumbrance rather than a help in advancing creative solutions.

It also became clear that the most critical aspect of the powerlines problem involved our cities.

HUD SELECTED

For these reasons, I recommended in my testimony that my original proposal be changed to vest the responsibility for the initial research with the Secretary of Housing and Urban Development. The members of the Senate Commerce Committee concurred and, on August 31, 1966, legislation to give HUD the authority to carry forward initial studies was favorably reported to the Senate. The excellent report on the measure filed by the committee explains in greater detail both the faults of the current Interior proposal and the urgent need for action. I include in the Record following my remarks so that my colleagues may have at their disposal all the relevant facts before taking final action on this budget request.

I profoundly hope that this 90th Congress will complete the work which the 89th Congress left undone and get us started now on a program to meet the growing problem of overhead transmission lines and towers. But a program of the size and scope needed must be carried forward in a way that will get the job done efficiently and economically. It must protect the broadest public interest and assure that no single segment of our economy benefits at the expense of the others. It must have congressional authorization setting goals and guidelines. This need not mean delay. We have the information we need to pass sound legislation now.

I urge my colleagues to reject the budget proposal for underground powerlines research and undertake instead the better program that is needed.

The report follows:

OVERHEAD ELECTRIC TRANSMISSION LINE STUDY

[Calendar No. 1519, 89th Congress, 2d Session, Senate Report No. 1556, August 31, 1966.—Ordered to be printed]

(Mrs. Neuberger, from the Committee on Commerce, submitted the following report to accompany S.J. Res. 189:)

The Committee on Commerce, to which was referred the resolution (S.J. Res. 189) to provide for a study of the impact of overhead electric transmission lines and towers upon scenic assets, zoning and community planning, property values, and real estate revenues, having considered the same reports favorably thereon with an amendment and recommends that the resolution as amended do pass.

BACKGROUND AND NEED

Reconciling the Nation's use of its resources with the maintenance of a pleasing environment in which to live is difficult. Industry and improving technology are two of the brightest elements of our national history. Depletion of resources, pollution of the atmosphere and the water, and defacing the countryside are inevitable byproducts of our prosperity unless conscious efforts to the contrary are taken. Imense effort has gone into the creation of our material well-being, and now the Nation is beginning to recognize that considerable effort must be expended in order to remove the environmental scars resulting from this prosperity. Just as the Nation has come to realize that even our economy cannot afford unlimited expenditures, the Nation is slowly realizing that it cannot afford a permanent destruction of any significant portion of the environment.

THE CHALLENGE

People who do not live near power corridors and those unfamiliar with the tremendous and necessary expansion scheduled for power transmission over the next few years may have some difficulty appreciating the urgency and importance of the transmission line problem. To them, the environmental challenge may seem relatively modest. Unfortunately, this is not the case.

Today, there are more than 300,000 miles of overhead transmission lines and towers strung throughout the United States. More than 7 million acres are consumed in these power corridors and an untold number of additional acres are affected by the structures which range in heights up to 150 feet. Some estimates are that in settled suburban areas, in addition to the right-of-way, up to 300 acres are affected along each corridor mile of 250-kilovolt transmission line and towers.

There is no question that there will be a radical increase, not only in the number of lines, but in the impact on our environment. According to conservative estimates, the power needs of the Nation will more than double by 1980. In addition, the need for better and stronger interties within and between systems will require a significant increase in both the number and capacity of transmission lines. The 1965 blackout in the Northeastern United States dramatically emphasized this.

One of the more significant aspects of this growth is that it will not be evenly distributed across the Nation. A large share of new construction will take place in and around expanding metropolitan complexes where the need for power to support the growing population and expanding industry is already being felt. In the search for reliable and economic sources of power, metropolitan utilities must reach far beyond their immediate service area.

Another factor is the increase in the capacity of the transmission facilities themselves. Before 1953, the largest transmission line in the United States was 230 kilovolts and the average line was only about 138 kilovolts.

However, to bring power into the cities economically and efficiently, it will be held necessary to increase the capacity of the transmission line. Since 1953, 6,300 miles of 345-kilovolt lines have been installed and there has been a substantial investment in larger lines ranging up to 500 kilovolts.

Recently, a major utility announced plans to construct 1,050 miles of 765-kilovolt lines on 4,000 steel towers ranging through five Midwestern and Eastern States. This line will reach 145 feet into the air and will require a corridor 250 feet wide. Consideration is being given to lines with even greater capacity.

IMPACT ON ENVIRONMENT

The impact of such powerlines, towers, and corridors on the environment is pervasive and complex.

Conservation and esthetics

The construction of a transmission line may involve the destruction or defacement of a unique scenic or recreation area. In some cases, historical sites and wildlife preserves have been affected. It is difficult to place a value upon such natural assets. The conflict between power and esthetics is often won by default, because under present methods, no one has been able to match the dollars and cents construction figures with an equally precise calculation of the natural values.

It has been estimated that 40 percent of the populations' recreational activity comes from walking or driving simply for the pleasure of open areas. Considering the investment in such activities and the importance of preserving recreational opportunities as our metropolitan complexes grow, the costs of relocation or undergrounding intruding transmission lines may be relatively modest.

Many of the more scenic mountainous areas are the location of power sources and the beginning of a transmission line. Not only are the towers sometimes silhouetted against the horizon as they cross the hills, but chemical sprays are often used to maintain a clear right-of-way.

Impact on cities and suburbs

Little is known about the impact of transmission lines, towers, and corridors upon urban and suburban areas. Crossing through a planned suburban community or a densely settled area, the lines clearly have a substantial effect upon the settled environment, but there is no precise, impartial evaluation of the extent and cost.

Obviously, land condemned as right-of-way for a power corridor is barred for future development. There can be no question that this can have a direct effect on local real estate tax revenues and on community planning, but the nature of this effect—whether a net gain or loss—has never been assessed. Land may be lost from the tax rolls, other land may be devalued for tax purposes, or new structures may increase the tax base.

At the present, the costs of a transmission line right-of-way are usually determined under laws and precedents originally established when the paramount need was to expand the Nation's power system. The courts may not now consider other factors than value of the property immediately taken, but this does not mean that adjoining property is not affected. The failure of the courts to allow a noncontiguous landowner to recover a claimed loss resulting from the erection of transmission lines cannot be construed as proof that the land value has not been affected. Adequate information would help all parties concerned to reach equitable solutions to the inevitable problems. In one case reported in the hearings, availability of information concerning actual damage involved a difference of $48,000 per mile in an award.

There is some evidence that the towers and lines may have an impact extending far beyond the immediate right-of-way. People near these lines sometimes experience interference with television and radio reception. This is particularly true on amateur bands. People express the fear that the structures looming over suburban areas have a depressing effect on the real estate market and decrease the value of property.

To describe the situation in this manner is not to assume that the effect of transmission lines is always disruptive and harmful nor to imply that unfavorable impact on the environment can always be avoided.

Industry and growing communities need reliable and economic power. When there is a conflict between this need and the need to preserve a livable environment, it becomes necessary to work for a compromise, but the only way such a compromise can be worked out is if all of the economic factors are known. These factors are not known today and will not be known until there is an adequate study.

Safety

The impact of transmission lines and towers on the public safety has never been adequately studied. Organizations representing airplane pilots were able to give documented and detailed information on the hazards to air navigation and on airplane accidents attributable to electric power transmission lines. Reference has been made to injuries and deaths resulting from falls from the towers, from accidental contact with lines while flying kites and from contact with downed lines in storms and other accidents. While it is possible that such hazards are not as significant as many fear, an impartial study would aid in answering the questions.

Impact on planning

Transmission facilities can have a devastating impact upon community planning and zoning efforts. Increasingly, communities and builders have come to recognize the value of long-term planning and zoning efforts. Substantial long-term investments are dependent upon such planning; and disruption can not only involve significant direct economic losses, but also undermine public confidence, the cornerstone of sound planning.

One dramatic example was described in the hearings. A community in the Northeast had developed a long-range plan for the improvement of school facilities. This plan involved the construction of separate junior and senior high schools which were to share common facilities. Economy dictated the construction of the high school first. After the high school was constructed, plans were announced to build a transmission line down a corridor that would pass directly through the site planned for the common facility. The entire school program was delayed for several years.

The Federal Government has taken a leading role in encouraging community planning and coordinated development. The creation of the new cabinet-level Department of Housing and Urban Development is a clear expression of the importance that is attached to this objective, and clearly, there is a problem here of sufficient scope to warrant Federal attention.

UNDERGROUNDING

The most obvious alternative to overhead lines and towers is to place them underground. This is now being done to a considerable extent with distribution lines and to a much lesser extent with certain transmission lines.

The distinction between transmission and distribution is not always clear, even to the power engineer. In general terms, transmission involves the transportation of large blocks of power, usually in excess of 69 kilovolts, to switching stations where it is broken down for distribution to consumers in smaller voltages over smaller lines.

In the mid-1950's, many communities began to exert pressure to put the distribution lines underground. At this time, it cost 10 times as much to put these smaller lines underground as to put them overhead in the traditional manner.

However, in the face of mounting pressure, the utilities developed new techniques, and today the ratio is reported to be about 1½ to 1. The Department of Housing and Urban Development has given this trend a new impetus by providing for undergrounding of distribution lines in new Federal Housing Administration developments.

Unfortunately, the technology of underground construction has not kept pace with that of transmission lines, at least in the United States. As a result, there is very little accurate information as to costs for lower voltages and practically no information concerning either technology or costs for lines with a capacity in excess of 345 kilovolts. This is a very serious deficiency, since the expansion over the next decade will unquestionably occur in these higher voltage ranges.

At the committee hearings, estimates of the cost of underground construction ranged from 2 to 26 times that of overhead. In part, this reflects the general lack of actual construction experience upon which to base estimates, but it also reflects the lack of accurate information about the true costs of overhead lines to the communities through which they pass.

When utilities estimate the cost of overhead construction, they understandably take into account only the expenses of land acquisition and construction for which they pay. As previously noted, the costs to local communities, if any, in lost revenue, disrupted planning, and depreciated real estate value are not computed. Recently, however, the cost of land acquisition in some metropolitan areas has risen so, that undergrounding has become economically desirable from the utility point of view.

The Interior Department report to the President on underground technology (Program for Advancing Underground Electric Power Transmission Technology, Apr. 27, 1966), which reflected a close identification with industry problems, recognized this cost factor in recommending that all transmission lines within 30 miles of the center of populated areas should be placed underground within the next decade.

Such absolute determinations obviously cannot, and should not, be made in the absence of more complete information on all relative costs, but the Department's recommendation clearly represents a growing awareness on the part of the industry that a problem does exist which needs attention. That report and the Woodside, Calif., experience, described in detail below, suggest that perhaps Federal agencies will begin to set precedents in proposing solutions. Previously, there has been little indication of awareness at the Federal level.

OTHER ALTERNATIVES

Placing transmission lines underground would answer many of the objections raised against transmission lines. It is, however, not necessarily the only way to resolve environmental conflicts.

In selecting overhead transmission routes, the utilities naturally choose the route which is most economical. At the present, having no data on the cost of such installations to local communities, they necessarily base this judgment wholly upon land acquisition, construction, and maintenance costs. When the complete cost factors are available, it will be easier to determine not only whether underground construction is warranted, but also whether the proposed overhead route is, in terms of total cost, the most economic. This will provide a useful basis for working out compromises when conflicts arise in the future.

ALLOCATION OF COSTS

Once the problem of attempting to set values on these community costs has been attacked, there still remains the question of who should pay any additional expenses that are incurred in relocation or undergrounding.

Should a community which derives no direct benefit from the power transmitted be required to pay for a more expensive routing or undergrounding necessary to protect local property? Should consumers in a city help pay for the costs of protecting the property values of a community through which their power is transported?

Finally, are there areas of sufficient importance so that the costs of rerouting or undergrounding should be borne by the entire nation?

None of these questions can be answered until there is some way to calculate the relative values and benefits involved.

SOURCES OF DATA

The State and Federal agencies responsible for approving routes and authorizing construction often have no figures of their own. In the main, they rely upon the utility involved. The utility, as a regulated industry, is charged with responsibility for keeping costs low. Extra costs must be passed on to their consumers in the form of rate increases. Unless the communities or individuals are able to translate damages into dollars-and-cents figures which can be assessed, the utilities do not, and perhaps cannot, consider them in evaluating the most economic route for a line.

Unfortunately, there are not many experts in this field, and difficulties have been experienced in obtaining objective data. Unless a Federal agency, not involved with the utility industry and not marketing power of its own, but experienced in planning and environmental studies, undertakes to develop impartial data, there is less chance that the needed cost figures will be made available.

HISTORY OF THE RESOLUTION

Senate Joint Resolution 189 was originally introduced as S. 2507, and was, in part, the subject of 3 days of hearings.

These hearings gave an opportunity for the great public interest in transmission line construction to be voiced. Many Federal agencies, individuals, and citizens groups were heard, and communications from a great many more were received.

The committee also reheard the now classic story of the transmission line at Woodside, Calif. This 220,000-volt line was being built by the Atomic Energy Commission to supply the linear accelerator at Stanford University. The town of Woodside requested that the line be put underground to preserve the scenic beauty of the area. This request was denied and Federal legislation was needed to clarify the authority of the Atomic Energy Commission with respect to these matters. The President appointed Mr. Laurance Rockefeller to make recommendations on this matter. One of those recommendations was that the line should be placed underground in 5 to 7 years, if the local community had made reasonable progress to underground its own lines. In the meantime, the AEC line was specially constructed to attempt to make it blend into the natural environment of the area. In a situation such as this, the study contemplated in Senate Joint Resolution 189 would have been of immense value. As it was, the Congress, the President, and a panel of private citizens were involved in trying to reach a solution. (See appendix.)

As the hearings developed, however, it became clear that S. 2507 would have to be redrafted. S. 2507 was originally drafted to have the Department of the Interior bear the major responsibility for the study. It became apparent that, because of the Department's significant interest in the operation of hundreds of miles of overhead transmission lines, the charge of bias could be raised. In addition, the expertise of the Department of Housing and Urban Development in the problems of cities and their outlying regions became clearer, as well as the fact that there was no preexisting relationship with the electric industry. Accordingly, the Department of Housing and Urban Development was selected to be the prime mover in the study.

The original bill contained broad language, but was aimed at rather specific objectives. In the committee's redrafting process, it became clear that the various concerns and details could be better expressed in the resolution form rather than bill form; hence, that change was also made.

COMMITTEE COMMENT

Based on the hearings held over a 3-day period and on the significant number of communications received, it has become apparent that, while many decisions involving transmission lines are supposed to be decided on the basis of costs, the complete costs are in fact not known. In some instances, not only are the costs unknown because they were not considered, but some costs are unknown because the means of measuring them are difficult, if not impossible, with presently available techniques.

The difficulty of measurement should not be used as an argument for not attempting to measure them. In view of normal business requirements and the legal obligation of a regulated industry to maintain low rates, the industry cannot and should not be expected to calculate all of these factors. There is a clear Federal role in attempting to make these measurements.

The resolution is drafted to authorize the Department of Housing and Urban Development to conduct these studies. The question of the ability of HUD to make these measurements was posed to that Department. Their response was as follows:

"As to the specific issues raised in your letter, it will not be easy to develop objective standards for assessing the impact of overhead lines. Perhaps the major area susceptible measurement will be the changes in property values. However, the difficulty of constructing definitive standards should not be permitted to discourage efforts to develop them. On the contrary, it becomes all the more necessary to provide the best possible basis for making informed professional judgments based on the best available data and opinions."

The committee considers this response to be sufficiently encouraging to make this resolution meaningful and even essential.

The question may be raised as to whether the Department of Housing and Urban Development is the proper agency since much of the impact of transmission lines falls on rural areas. The Department addressed themselves to this point when they stated:

"Clearly, a study of this kind is related to the mission and programs of this Department. Our most direct interest would lie in the determining of the impact of high-tension lines on the quality of the urban environment, changes in urban land use and values, and the comprehensively planned development of communities of all sizes. This type of research would, of course, have to be closely correlated with the work of the Office of Science and Technology and the Department of the Interior on the technological problems involved in undergrounding."

The committee considers it essential that such work be closely correlated with the Department of the Interior and the Office of Science and Technology, as well as other groups so that the greatest expertise can be brought to bear on these difficult problems.

In addition to Government agencies, it is important that private groups be consulted. The Edison Electric Institute has offered their assistance and they have suggested that the Electric Research Council, which encompasses all segments of the industry, may be able to help.

SAN DIEGO'S 200TH BIRTHDAY

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. VAN DEERLIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, in 1969, my home city of San Diego will celebrate her 200th birthday. It will be an auspicious occasion, for during these past two centuries San Diego has grown from a sleepy Spanish village into a gleaming metropolis of more than 600,000 modern Americans.

The city has become a hub for commerce and industry, tourism, and national defense. And San Diegans, justly proud of their heritage and achievements, are making elaborate plans for the bicentennial observances.

I am pleased today to join with my San Diego colleagues, the gentlemen from California [Mr. BOB WILSON] and [Mr. UTT] in introducing legislation to provide for the striking of national medals to commemorate the 200th anniversary of the founding of San Diego.

The bill we are proposing would authorize the Treasury Department to prepare the medals—but at no cost to the taxpayers. All expenses for the production of up to 500,000 of the commemorative mementos would be borne by San Diego 200th Anniversary, Inc., the nonprofit corporation in charge of preparations for the year-long celebration.

From the public sale of the congressionally approved medals, the corporation hopes to raise money for such anniversary year activities as the commissioning of commemorative works of art and a possible visit by Pope Paul VI. Also planned are the establishment of a center for San Diego's newest industry—oceanography—and the designation of special months for recognizing the contributions of the city's traditional industries.

Two foreign nations, Spain and Mexico, have been invited to take part in the observances.

I urge the House to give prompt and favorable attention to this legislation to help a gracious city mark her 200th anniversary.

WORLD FARM CENTER

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HANNA] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. HANNA. Mr. Speaker, the Congress of the United States has the opportunity to endorse and encourage the development of a meaningful and farsighted idea. I am introducing a resolution, today, that will, if passed, give congressional endorsement to the development of a World Farm Center.

The concept of a World Farm Center offers one of the most imaginative and creative opportunities for world agriculture. The Center would put on display the great panorama of agri-related products, ideas, and potential that is such an integral and vital part of the world economy.

The question of world food supply and production is probably one of the two most critical issues of the time. With as much as two-thirds of the world's population suffering from nutritional deficiency, it is to the mutual advantage of all to encourage the development of institutions that will participate in shaping the needed solutions to this immense problem.

The idea of a World Farm Center was originated some 7 years ago by a group of Californians experienced in the areas of farm equipment, farm production, food processing and packaging, and farm finance. After years of preliminary planning, research, and groundwork, this original group of men succeeded in gaining the support and encouragement of every responsible segment of California agri-business.

Our Nation's responsibility and leadership in agriculture is undisputedly recognized the world over. Realizing this, the proponents of the Farm Center postulated that an institution that brought the whole of the great American agricultural technological revolution together would be of inestimable value. The Farm Center would be an institution designed to demonstrate in one place the essential interworkings of the various component elements of our huge agribusiness—a business that has given our Nation the greatest yield per acre in history and has delivered our bounty to the consumer at the lowest unit cost.

The World Farm Center will be an entirely private endeavor. The Center will not require any Government expenditures, or financial subsidies.

Secretary Freeman, in a favorable report issued on this resolution in the 89th Congress, said that it called "attention to the vital importance of agriculture in the national economy, and to the tremendous economic gains that have resulted from technological progress in agriculture. It points out that the World Farm Center is designed to improve understanding between agriculture and the general public."

Mr. Speaker, the Congress' endorsement of the World Farm Center would greatly add to an already tremendous concept. In addition, it would show the world that our Nation's political leadership encourages and supports the private initiative of its citizens in dealing with the great issues and needs of the day. This is an opportunity to demonstrate that every resource at our disposal will be used in combating man's most persistent and increasingly most acute problem—hunger.

VETERANS' ADMINISTRATION MEDICAL RESEARCH—1967

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. TEAGUE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, there is published in Washington on a semimonthly basis a magazine entitled "U.S. Medicine." As its name implies, it is devoted exclusively to reporting medical activities which occur in the Federal Government.

The first issue of the new year is devoted to a review of events in the Federal medical world in 1966 and I am happy to note that considerable recognition has been given to the activities of the Veterans' Administration. VA medicine has pioneered in many fields and not the least of which has been research for the benefit not only of veterans but for all mankind.

The publisher of "U.S. Medicine" has been kind enough to grant permission to reprint a portion of the material contained in the first issue of the new year and I commend to the Members of the House the articles by Dr. Benjamin B. Wells, Assistant Chief Medical Director of the Veterans' Administration for research and education. Dr. Wells was keenly interested in the landmark law which the 89th Congress passed and which has been designated as Public Law 89-785.

Dr. Wells was of great assistance to the committee and I am expecting nothing short of tremendous results in this field; here again, the benefit will be not only to the veterans of this country but the entire populace.

The article follows:

A STORY OF GROWTH—VA RESEARCH PROGRAM IS CLINICALLY ORIENTED

(By Benjamin B. Wells, M.D., Assistant Chief Medical Director for Research and Education in Medicine Veterans' Administration)

In the eleven years which have passed since the Veterans Administration first received a direct appropriation from Congress specifically for medical research, the research program has undergone a transition as significant as the growth from infancy to adulthood.

In size it has grown from a hopeful handful of investigators to an organized team of scientists which in 1966 consisted of 5,780 investigators working on 6,552 projects. More important, it has developed in its capacity for fruitful productivity as reflected in the 2,750 scientific papers presented at national scientific and professional meetings and 3,417 scientific articles published in recognized national journals in the last year alone.

The following description of some of our major programs in progress and some of our major accomplishments during the past year will make it apparent to the reader that a major portion of the program is clinically oriented.

CLINICALLY ORIENTED

Actually, clinical research related to disease—its treatment, amelioration, and better understanding—constitutes more than 85 per cent of the Veterans Administration's medical research effort. The balance of the program consists of essential supportive investigations of the basic research type considered to be scientifically meaningful and relevant to extending knowledge of human health and disease.

This predominant orientation of the investigative program towards clinical aspects of medicine was not deliberate, it was predestined. Medical research in the VA is a mission oriented program that is responsive to the needs of the veteran population.

Our research is accomplished largely by physicians whose first interest, and major objective, is the welfare of the patient. It was therefore inevitable that these physicians would participate in research on clinical problems confronting them at the bedsides of their patients. There can probably be no better direction of medical research than this—nor better motivation.

Many of the investigators work independently of their projects. Others choose to collaborate with staff members of their own hospital or the affiliated medical school to approach problems of common interest simultaneously from several aspects. Still others pool their observations of similar patients under similar treatment in different hospitals.

These researchers take full advantage of one of the greatest opportunities offered by the VA, its unparalleled resources for the study of clinical conditions: enormous numbers of clinical cases, uniform medical records maintained according to a standard of excellence—all within a single, highly organized, integrated hospital system.

Diseases which are rare in a single hospital, or in the experience of a single investigator, become relatively common when totaled throughout all the VA health facilities, which collectively constitute the largest medical care system in the world.

RESEARCH IN AGING

The establishment by the United States Government during 1966 of Medicare to assist the aging citizen in his medical needs attests to the general concern over the results of the scientific advances: the numbers of individuals who live beyond the sixth and seventh decades has been expanded markedly.

Census figures indicate that by 1970, 28 million Americans will have passed the age of 60, compared with 24 million in 1960. This has brought into focus the lag in solving the problems of chronic disease and deterioration that increase with advancing age. The problem that faces us now is to assure these larger numbers of elderly citizens healthy and purposeful lives in their later years.

The patient population of the Veterans Administration reflects the increased utilization of hospital and clinic by this older group. The average age of all veterans is now 47 years. In 1956, the average age of the veteran patient in VA and non-VA hospital facilities was 49.4 years; in 1965, it was 54.3 years. Thus, a major concern of VA medical authorities is the care and treatment of the older veteran.

This has been reflected in the dramatic rise in the numbers of VA hospitalizations for arteriosclerotic heart disease (hardening of the arteries of the heart), the most common cause of death in the United States. Hospitalization of such cases in the VA rose from just under 12,000 in 1957 to almost 17,000 in 1965. The average hospital stay of each of these VA patients in 1965 was 34.1 days.

Strokes and other brain damage accompanying aging rose from 6,810 in 1957 to 13,111—almost double—in 1965. The average VA hospital stay for this type of case was 84.4 days.

Patients with aging lung disease (emphysema and chronic bronchitis), excluding tuberculosis, numbered 10,460 in 1957. By 1965, this had more than doubled to 21,373 VA patients, each hospitalized an average of 38.9 days.

Predicated on the FY 1965 average inpatient day cost for general hospital care of $30.99, these three diseases of aging alone resulted in VA inpatient care costs of approximately 78 million dollars during 1965. Loss to the national economy through the loss of productivity of the affected individuals can be estimated at an almost equivalent amount. Completely immeasurable, however, is the impact on the afflicted veterans and their families in terms of the future that the Great Society holds out as a goal for every American.

EMPHASIS ON AGING

Emphasis therefore continues, as it has for the past several years, on solutions to the health problems of the aging veteran. These range from the nearly 300 individual projects, part of the 6,552 projects active during 1966; through large scale major studies by teams of professionals based in one locality; to the true cooperative study of specific therapeutic approaches to disease, involving pooling of ex-mental results obtained in a number of VA hospitals. There are 33 of the latter now underway in the VA, involving from 3 to 30 hospitals each. Four of these involve medical approaches to the prevention and treatment of aging of the blood vessels in heart; two involve the treatment of mental deterioration with aging; and two are studies of how the endocrine glands change with aging.

Three aging studies now underway are worthy of specific comment since they represent prototypes of research to which the Veterans Administration is uniquely suited.

EXERCISE AND AGING STUDY

Despite the medical opinions of some of the most prominent physicians on the beneficial effects of regular exercise on retarding or relieving the process of hardening of the arteries with age, the difficulties of setting up a truly controlled study have prevented the acquisition of acceptable scientific evidence to prove or disprove these opinions. Indeed there are a number of scientists who suggest, again without proof, that exercise may be harmful in this respect. At the VA Center in Bay Pines, Florida, a large scale study in its early stages whereby a group of patients with proven arteriosclerosis is being tested extensively, divided into an exercising group and a non-exercising group, and followed for a period of years. The two groups will be retested periodically and carefully checked for development of further disease in an effort to see what difference exercise has made in their health.

The Bay Pines-Jacksonville-Tampa area is particularly suited to such a study because of the large population of elderly veterans in this area, and because of the geographic stability of this population. Older citizens who settle there rarely move away again; and this, of course, is crucial to carrying out such a study over a period of years.

DOMICILIARY DIET FAT STUDY

In the VA Center at Los Angeles, a large scale study is underway in which 400 domiciliary members have had their diets altered so that the normal fat has been four-fifths replaced by unsaturated fats. This study is double blind, neither the patients nor their doctors know which patient is receiving the experimental diet and which the regular.

To set this up required unprecedented collaboration between the food industries and the investigators to develop foodstuffs such as milk, ice cream, sausage products and others that have been altered in fat content but not in taste or appearance; between the nutrition sections of the VA and the investigators, train dietitians and kitchen workers in new techniques (special meat cutters dissect each side of beef as completely fat free as possible); and between records and data handling experts, to keep the continuous flow of information on each of the patients in organized and readily available form. This study should settle the problem of the value of unsaturated fat in preventing or ameliorating arteriosclerosis in the human arteries.

NORMATIVE AGING STUDY

A long-term study of the aging process among healthy men has been undertaken by the Boston VA Outpatient Clinic. Known as the Normative Aging Study, it aims to delineate selected anatomic, biochemical, physiologic and psycho-social aspects of aging in 1,500 initially healthy males ranging in age from 25 to 65 years. The subjects volunteer to return for periodic examinations for the rest of their lives. The subjects include all socio-economic and occupational groups which are representative of the general population. This study is expected to provide descriptions of normal aging processes, prediction of later outcomes, and correlation of variables, cross-sectionally and longitudinally.

SATELLITE LABORATORY PROGRAM

In an effort to focus more intensely on the mechanisms of aging—an understanding of which will ultimately provide the means of retarding or preventing aging-related disease and deterioration—the Veterans Administration Research Service, in 1964, conceived its Satellite Laboratory Program. Under this unique concept outstanding non-VA senior researchers are able to undertake investigations of the nature and causes of the aging processes which are related to their particular areas of interest. Laboratory facilities are provided at VA stations in close proximity to the organizations of the collaborating scientists.

By June 1966, seven satellite laboratories had been established; the calibre of the senior scientist collaborators is such that these laboratories represent a major effort in aging research in the VA hospitals in Bedford, Mass., Baltimore, Md., Downey, Ill., Buffalo, N.Y., and Sepulveda, Calif. The latter hospital is the site for three separate units.

The unit at the Bedford hospital is under the sponsorship of Doctor Marott Sinex, Chairman and Professor of Biochemistry at Boston University School of Medicine. This laboratory is concerned with changes in RNA and DNA, the substances that are the basis for inheritance. Under investigation there is one of the theories of aging—that it is a process "programmed" at birth by the genes inherited from ancestors.

At Baltimore VA Hospital, Doctor Bernard Strehler, Chief of the Biological Research Section of the Gerontological Institute at Baltimore City Hospital is the sponsor of a laboratory concerned with basic cell biology. This unit is testing systematically three proposed mechanisms of aging: that mutation of cells is responsible for the changes called aging, and ultimately for determining length of life; that the process that controls growth and differentiation of the body parts (i.e. body height, number and length of fingers, etc.), has built into it the changes of aging; and that the accumulation of certain waste materials in the cells have a role in the aging process.

Doctor Arthur Veis of Northwestern University is the sponsor of a research group at Downey VA Hospital studying the lens of the eye as a model for the aging mechanism.

At the Buffalo VA Hospital, Doctor Noel Rose from the Department of Bacteriology and Immunology, of the State University of New York heads up an investigation of the theory that aging is caused by changes in body protein, changes to which the body reacts by mobilizing its immense mechanisms by which it defends itself against "foreign" substances.

Doctor Albert Tyler, Chairman of the Department of Biology, California Institute of Technology is the sponsor of two of the three satellites at the Sepulveda hospital. These two laboratories are exploring aging from the developmental biology approach. They are separately headed by independent scientists pursuing different experimental areas.

One is concerned with the effects of manipulation of the embryo on the rate and nature of aging, and the effects of aging on the reproductive system. The other is studying the effects of one type of cell on another in the same tissue culture and on transplantation from one animal to another. The mechanisms whereby these interactions influence normal growth, aging, and abnormal growth (cancer) are the focus of the work. The third laboratory at Sepulveda is sponsored by Doctor Linus Pauling. The mechanisms of memory and their changes with age are the areas under investigation. The relationship of these mechanisms to normal sleep and to surgical anesthesia is also being studied.

RESEARCH IN INTERNAL MEDICINE

Research in internal medicine continues to be the largest segment of the Veterans Administration medical research program. Of the $40 million allocated for the total program, almost $11 million were utilized for research in this specialty in fiscal year 1966.

Over 2,500 individual research projects are included covering a wide range—from purely clinical studies on the incidence, natural history, and therapy of specific diseases, to investigations into the molecular and cellular changes associated with disease. Some of the problem areas and related investigations may be described only briefly in the following paragraphs.

CARDIOVASCULAR DISEASES

Since heart disease is the leading killer of adult males in the United States today, much of the VA's research program in this area reflects the urgency attached to uncovering mechanisms for better treatments for this group of diseases.

During FY 1966, 688 research projects were being conducted in the cardiovascular area. These can be more finely divided: 323 projects were concerned with the detection and prevention of heart and blood vessel disease; 254 projects, with new approaches to treatment of these diseases; and 111 projects with the clarification of mechanisms of heart and blood vessel disease.

A physician-investigator in VAH, Birmingham has found that analysis of the motion of the chest over the heart not only gives important information on what diseases of the heart, if any, may be present; but also, by computer analysis, can yield significant information on the moment-by-moment efficiency of the heart as a pump. Such information in the past has been gathered only by such elaborate procedures requiring heart catheterization.

A physician in VAH, Washington, D.C., has been successful in detecting the degree of hardening of the arteries in patients by analyzing the shape of the pulse wave as it is transmitted through the arteries of the neck or the wrist. Since hardening of the arteries occurs at different ages in different individuals, this now enables physicians to pick out at an early age a high risk group of patients for intensive anti-arteriosclerosis treatment.

A physician in Coatesville √AH has found an abnormality of the electro-cardiogram that appears to be peculiar to a certain group of mentally ill veterans. The effects of some of the potent drugs used in treating the mentally ill on the electrocardiogram is now under investigation by him.

EXPERIMENTS WITH DOGS

In Houston VAH, doctors are experimenting on dogs with complete transplantation of heart and lungs. Only when the problems and techniques have been effectively solved in animals can any such procedure be applied to patients.

In Minneapolis VAH, specific changes in the structure of the heart in patients with chronic alcoholism are being studied for clues to treatment of this type of heart disease and for a better understanding of the nutritional requirements of the heart.

In Omaha VAH, a physician has described a form of heart disease that is associated with drinking large amounts of beer daily. Details of the nature of the heart disease and its treatment are being investigated.

ARTHRITIS AND RHEUMATISM

Although not one of the major killers of our time, this disease poses an important sociological and economic problem. It leads to repeated and frequently prolonged hospitalization, and eventually cripples and deforms its victims. It is an important cause of hospitalization among the veteran population and, as a consequence, investigators at a number of VA hospitals are working on various facets of the rheumatoid arthritis problem.

The VA Arthritis and Rheumatic Diseases Study Group has completed its cooperative study assessing the value of intra-articular corticosteroid treatment of small joints by means of Hypospray jet injection, and submitted the results for publication. In this double blind study of patients with comparable bilateral active rheumatoid synovitis of the joints of both hands and wrists the results showed a clear comparative difference in favor of medication administered by this method over placebo.

In addition, members of the Study Group compiled their experience in the clinical use of Hypospray jet injection of small joints among some 200 patients with 800 jet injection administrations. Clinical results were highly favorable.

As with diabetics, the earlier one can detect an arthritic individual and institute therapy, the more apt one is to delay the ultimate crippling and disability. A long term study of this problem continues to accept patients who have peripheral joint complaints insufficient for a definite diagnosis of rheumatoid arthritis. Each accepted patient has a normal control matched by sex and age. Clinical and laboratory progress of each patient is observed yearly.

It is hoped that long-range observation of these patients with mild disease may furnish invaluable information about the pattern of the progress of early rheumatoid disease.

GASTROENTEROLOGY

Over 500 research projects in gastroenterology, individual and collaborative, are currently underway in VA Hospitals. Cooperative studies, each of which involve several hospitals are being carried on in areas such as cancer of the esophagus, treatment of various hernia conditions involving the gastrointestinal tract, treatment of peptic ulcer, and treatment of gastrointestinal hemorrhage.

The VA Gastric Ulcer Cooperative Study has compiled pertinent information on over 800 patients and a book is being written reporting the findings regarding management of this common disorder and the reliability of stomach X-ray examination and response to medical treatment in differentiating this benign disorder from stomach cancer.

A special Purpose Research Laboratory for the investigation of liver diseases has been recently established at the Washington, D.C. VA Hospital, and is directed by an outstanding specialist in this field.

RESEARCH IN NEUROLOGY

The research program in neurology is directed into all aspects of the broad field of neurology with the exception of neurological problems of childhood. Because of the gradually increasing number of veterans in the older age group, emphasis is being given to research in diseases which are more likely to occur in this group, however, research not necessarily related to aging continues to receive strong support. Neurological diseases occurring in younger age groups which hold special interest are epilepsy, multiple sclerosis, and spinal cord injury.

A major effort to learn more about the causes and to discover improved methods of treatment and prevention of stroke continues. Two important cooperative studies on drug lipids are in progress. In one, Premarin® or a similar appearing placebo has been used in the treatment of more than 600 stroke patients in a statistically designed clinical trial. In a somewhat similar study chlorophenoxyisobutyrate (CPIB), Astromid-S, is being investigated as a therapeutic agent.

Two University-VA centers for research in the field of cerebral vascular disease, under joint National Institute of Neurological Diseases and Blindness-Veterans Administration support, have been established. The Duke-VA Center for Cerebral Vascular Research at the Duke University Medical Center and the Durham VA Hospital is investigating the biologic and clinical aspects of cerebral vascular disease. The Boston University

Aphasia Research Center has been developed at the Boston University Medical Center, the Boston VA Hospital, and the Joseph P. Kennedy Memorial Hospital, for a center-type of total language research.

The use and development of new techniques of stereotactic neurosurgery are being employed at selected VA hospitals for improved treatment of Parkinson's disease as well as other involuntary motor disorders. Studies are underway for wider clinical application of the therapeutic possibilities of these types of treatment in other diseases, such as intractable pain associated with strokes and cancer. Basic scientific research continues on methods for improved diagnosis as well as assessment of clinical improvement in certain motor disorders after various types of medical and surgical treatment.

SPINAL CORD INJURY AND DISEASE

The area of spinal cord injury continues to be one of high priority in the VA neurological research program. Although much has been done in improving our knowledge of care of the bladder and bowel in a patient who has sustained a spinal cord injury, not only in regard to the prevention of infection and the avoidance of the hypertensive crises that occur in patients with high spinal cord injury when proper bladder drainage is disrupted, there has, as yet, been no breakthrough in the ability to promote regeneration in the spinal cord once its pathways have been interrupted. Both neurochemical and neurophysiological approaches, individually and combined are being used in an attempt to solve that basic problem.

RESEARCH IN SURGERY

Surgical research in the past year has shown a steady increase in the number of projects with 87 stations engaged in over 700 individual research protocols, including 214 new projects. This research was conducted by 650 investigators. There were 524 publications, a 20 per cent increase in the number of publications over the previous year. Interest continues heavily in gastrointestinal, heart surgery and arterial disease investigation.

The Veterans' Administration continues to play a prominent role in organ transplantation research. New developments in methods of preventing rejection of transplanted organs are being pursued at VAH West Roxbury, VAH Denver, VAH Nashville, VAH Coral Gables, and several other stations. Recent developments in improved techniques to select donors have increased successful transplants by 20–30 per cent. The investigation of anti-lymphocyte serum to reduce the rejection phenomena is receiving intensive study and beginning trial.

Hyperbaric medicine is under investigation in six hospitals with one large hyperbaric tank being in active use at Buffalo where investigative efforts are being pursued in the field of shock and peripheral vascular disease. All stations with hyperbaric facilities (of which there are four) are banded together under a single protocol to treat patients with gas gangrene.

The new technique for treatment of prostatic hypertrophy by the use of profound cold is currently under investigation at four Veterans' Administration hospitals. Initial results are most encouraging and indicate that the technique may be especially useful in treating older and debilitated patients. The use of cryosurgery has been extended to other types of cancer, especially of the mouth and tongue, with encouraging initial results. A possible increase in the patients' resistance to cancer following the freezing procedure is under investigation.

Transplantation of the heart in animals has been accomplished at the Palo Alto VAH with some long term survival in these animals. Extremely valuable physiologic information has been developed. This work has proven the feasibility and satisfactory function of a heart deprived of all nerve connections. Continued success in liver transplantation in animals is bringing this nearer to clinical application.

Several surgical cooperative studies are producing important information. A highly successful study of the value of four different operations for the very common duodenal ulcer is producing data which may lead to a better means of selecting the best type of operation for patients. The cooperative study of surgery for bleeding esophageal varices is the largest in the world and is beginning to produce important evidence and indications for the operation. The evaluation has carried out several very large studies of which more are planned. This study prepared an exhibit recently for the American Medical Association convention in Chicago and was awarded the Billings Gold medal.

Three new cooperative projects are beginning. Coronary artery disease is being evaluated by coronary angiography and surgery is being prescribed partly on the basis of the findings of this procedure. Five hospitals are ready to embark on a project to assess the value of implanting the internal mammary artery in the left ventricular wall.

RESEARCH IN CANCER

The incidence of treated cancer in the Veterans Administration continues to increase. There were approximately 45,000 cancer cases last year. The Veterans Administration's efforts have been both in the basic research with a study of epidemiology and immunology of cancer. There are six cooperative studies in cancer in the Veterans Administration involving evaluation of various treatment methods, including drugs, surgery, and x-ray therapy. These six cooperative studies involve 84 groups of investigators.

Over 5,000 patients with inoperable cancer of the lung have been treated and observed. No drug has proved more effective than nitrogen mustard which is of very limited value. Thirty-seven new cancer chemotherapy compounds have been evaluated in over 3,000 cancer patients. A large series of studies of satisfactorily screened drugs have been assessed in patients with all types of tumors.

The value of various cancer drugs in conjunction with surgical removal of tumor of the lung, colon, rectum and stomach has to date shown no beneficial effect. The invaluable experience and capability has, however, been developed as a result of these studies, providing an instrument for continued evaluation as new agents and approaches to the treatment of cancer are produced.

Prostatic cancer treatment has been studied and over 2,000 patients treated and observed up to three years. Accepted treatment methods will have to be carefully reviewed as a result of this work.

PROSTHETIC AND SENSORY AIDS

The most significant accomplishment of the prosthetics research program during the past year was the refinement of immediate post-surgical prosthetic fitting techniques.

The VA-sponsored research project at the VA hospital, Seattle, Washington, continued to demonstrate excellent success with this exciting method of fitting a prosthesis immediately after amputation. Some 100 cases have been fitted with excellent results. Healthier stumps, with rapid healing, have been produced. Early ambulation, frequently beginning with assistance one day postoperatively, has resulted and post-surgical pain and discomfort have been markedly reduced.

Training in the use of a prosthesis has proceeded with minimum delay, and hospitalization stays have been shortened considerably. The technique has permitted the surgeon to amputate below the knee, rather than above, an estimated three to four times more frequently than he would have considered prudent using conventional procedures. The psychological, and economic advantages of the immediate post-surgical technique have stirred the interest of the medical community.

In the VA prosthetics center in New York City, research continued on immediate post-surgical fitting by conducting evaluation of prosthetic components and by instrument development. Several pylons designed by commercial manufacturers for use in immediate fittings were checked for adequacy. The Center also developed its own pylon which has great potential for conversion to a permanent prosthesis.

Moreover, the Center has developed an instrument to be used in tension myodesis surgery to permit better measurement of the tension applied to the muscles as each is sutured to the bone. An instrumented pylon was designed to give readings of torsion, vertical load, and shear as an amputee takes his first steps on the prosthesis, thus allowing clinical control of early progressive ambulation plus recording of later improvements.

The New York Center further investigated stance-control systems for above-knee prostheses by conducting evaluations of polycentric mechanisms developed by several VA research contractors. These evaluations combined with others are expected to result in a set of principles for clinical use of special stance-control mechanisms.

At a VA-sponsored project at the University of California at Berkeley and San Francisco, initial testing was substantially completed on a pneumatic swing-control system for above-knee amputees. This device appears to be effective and durable. Metal knee-shank assemblies for use with these pneumatic swing-control systems have been proclaimed and are also adaptable for knee-disarticulation cases. Another potentially significant contribution is the development of methods for designing linkages for knee and hip joints in artificial limbs and braces.

The possibilities of using external power in prosthetic devices continued to be studied at VA projects at the University of California at Los Angeles, Northwestern University, Evanston, Illinois, and Gilmatic, a laboratory in Northridge, California. Electrically powered artificial arm components have been developed for possible use in mechanical arms, as well as ultimate use in completely powered prostheses.

RESEARCH IN PSYCHIATRY

Particularly significant work on the effects of endocrine and nervous system responses to stress is being done at the Developmental Neuroendocrinology Research Laboratory at the VA Hospital in San Fernando, California. Productive stress studies are also underway at the VA Center in Biloxi, Mississippi and the Psychosomatic Research Laboratory, VA Hospital, Houston, Texas.

Forty-five VA hospitals are engaged in research on alcoholism, a national problem which has been largely shunned by research organizations outside the government. The VA hospital at Topeka, Kansas, which has had such a program underway since 1946 is currently using a problem-solving approach in a group-training setting.

Variant approaches are being tried at other VA hospitals. The one at Houston features a special room where the alcoholic patient can go for intensive help when he feels he must have a drink. The Coral Gables hospital has conducted research on aversive electric shock conditioning in animals for several years and recently adopted the technique to human beings with marked success. At the Salt Lake City, Utah hospital, a three-pronged therapy is used—an orientation clinic to which physicians can refer their patients for initial examination and treatment, a preliminary series of group therapy meetings, and later intensive group therapy.

Two of the VA's psychiatric research projects have attracted considerable attention nationwide during the past year.

Doctor D. Ewen Cameron, director of the Psychiatry and Aging Research Laboratory of the Albany VA Hospital, has been testing a chemical to evaluate whether or not memory can be improved by a drug. His preliminary results indicated that memory was aided in all test subjects who had scored 60 or better on a memory quotient test before being placed on the drug. Most of the subjects used in the study were in the 50–65 age range. Improvement ranged from slight to dramatic—the better the memory quotient was at the beginning, the greater was the gain after administration of the drug. Doctor Cameron found that a relatively small gain in the memory quotient score shows up as a considerably greater gain in the subject's social behavior and ability to handle himself in day-to-day situations.

The drug tested, Cylert, is produced by Abbott Laboratories. The principal side effect noted was that the chemical may prove slightly over-stimulating to a patient in the same fashion as the psychiatric energizers. Although the drug appeared quite effective in increasing the memory quotient of a normal subject, it did not appear to help the senile or brain-damaged patient. Its future potential appears most likely as a preventive measure in persons just starting to show memory impairment.

A new dimension in treatment of psychiatric patients has evolved at the Tuscaloosa VA Hospital. Doctor James C. Folsom, a VA psychiatrist, years ago was stationed at the VA Topeka facility. While there he was exposed to Doctors Karl and Will Menninger's ideas on the importance of consistency of attitude of all concerned with the care of the mentally ill. Experimenting since 1952, Doctor Folsom has modified the original Menninger concept, leading to the formulation of five basic attitude "prescriptions".

Under this concept each psychiatric patient entering the Tuscaloosa hospital is prescribed one of these five attitudes to be used by all the hospital staff in dealings with the patient. This unique therapeutic approach has produced such effective and successful results that it has attracted inquiries from other psychiatric treatment facilities throughout the country.

RESEARCH IN PSYCHOLOGY

The complexity of the psychological aspects of the causes of disease, treatment and rehabilitative procedures in a modern health program is reflected in the broad and diverse research activities conducted by VA psychologists during the past year.

Highly qualified investigators at the VA Hospitals in Salt Lake City, Phoenix, and West Haven, have developed sophisticated instrumentation and methodology for exploring brain-behavior relationships. Rapid advances are being made in relating behavior phenomena to structure and function of the brain utilizing the evoked potential techniques. When a sensory stimulus, such as a flash of light, tap to the skin, or a sound such as a click is delivered to a man or animal, it evokes in the brain a complex sequence of minute electrical changes called evoked potentials.

The character of these cerebral evoked potentials indicates that they represent activity in several different parts of the brain and are produced by different nerve pathways. These investigators have discovered that the resultant complex wave patterns are reliable measures of cortical activity and reflect individual differences. Such investigations hold great promise for the development of objective methods for examining the functioning of the central nervous system especially in patients who cannot or will not cooperate with the usual clinical methods of sensory examination. The psychology laboratories at VA Hospitals, Sepulveda, Pittsburgh (Leech Farm Road), and Kansas City, are complementing this work through studies in behavioral pharmacology, brain biochemistry behavior interaction and biochemical and physiological bases of learning and memory. The effects of specific brain lesions on behavior is being systematically pursued in other laboratories.

One VA psychologist at Bedford, Mass., discovered and has developed a novel electronic method, "feedback" electroencepalography, to study cortical activation and the psychological, neurophysiological, and neuropathological conditions which modify it. Among other things he is using this technique to explore automatic regulation of level of alertness without stress.

APHASIA STUDIES

Although the amount of research effort devoted to aphasia on a national level lags in relation to the magnitude of the problem, VA research psychologists are in the forefront of significant work being done in this area. For the past two years, a psychologist at the Boston VA Hospital has pursued experimental procedures for detecting brain hemisphere dominance by differential efficiency in recognizing auditory and visual linguistic stimuli presented to one side of the brain or the other. Concrete applications of this issue lie in determining the risk of producing aphasia by operating on the side of the brain affected by a removable lesion or the ability of the unimpaired half of the brain to recover speech lost by injury to the other side.

Other studies are producing evidence as to anatomic allocation of certain linguistic processes in the brain, making it possible to diagnose aphasic defects more reliably. Another research psychologist, at the Los Angeles VA Center, has developed an automated teaching system for testing and retraining of brain damaged patients who show disorders in the area of visual language functioning. Work is now in progress in the Los Angeles laboratory to determine if lengthening the delay period between speech sounds in words will eventuate in better performance by aphasics.

At the VA Hospital, West Haven, an investigator's years of careful study of normal and pathological language, resulted last year in the compilation of a conceptual dictionary of over 26,000 entries for use in language analysis. This work, of major significance, is directed toward a deeper understanding of the adaptional processes of patients as we may know them through the patient's language and also directed toward understanding the patient's integration into small groups.

PIONEERING STUDIES

The pioneering efforts of VA research psychologists at the Los Angeles VA Center in the scientific study of suicide have received world-wide recognition and have resulted in greater understanding of this behavior and development of preventative programs, both in the veteran and non-veteran population. A promising new approach to the wide range of self-destructive behavior is currently being developed in this laboratory in a study of patients who seem to be embarked on a long, devious, indirect road to self-destruction. This study will include, for example, diabetic patients who appear and reappear in hospital wards having neglected their diet and/or insulin regime. Also considered are alcoholics, drug addicts, the accident prone, careless cardiacs, inappropriate risk takers and others. Important work on the meaning of death is also being done at the Los Angeles VA Outpatient Clinic.

Clinical and research psychologists continued investigative activities in the front line laboratories of patient wards. Their effort is directed toward more accurate definition and quantification of behavior, increased knowledge of traditional procedures for altering or modifying behavior, and investigation of programs designed for more effective and successful return of patients to the community.

A research psychologist at Palo Alto VA Hospital has developed a community lodge, outside of the hospital itself, for discharged patients. No professional person is required by lodge members except on a consulting basis and one lay leader is currently on duty to supervise the productive work activities in which lodge members participate. Compared with matched controls in usual post hospital programs, these men are more frequently employed, remain out of the hospital longer and are more satisfied with their lot in life.

RESEARCH IN INFECTIOUS AND PULMONARY DISEASES

Allergy, immunology and infectious diseases are intimately interrelated. VA research in this broad area is supported by about 5 per cent of the annual research budget and includes approximately 80 programs of individual research, three cooperative studies—in chemotherapy and chemoprophylaxis of tuberculosis and therapy of fungus diseases, and three special laboratories.

Tuberculosis continues as a significant but decreasing problem among veteran patients. The tuberculosis cooperative studies of the VA-Armed Forces continue to evaluate and improve chemotherapy. A study of a new drug, capreomycin, was completed during the past year. This antibiotic was shown to be a staisfactory substitute for streptomycin in treatment of tuberculosis. A report of the study has been submitted for publication. Other studies have shown that tuberculosis of the spine can often be treated effectively with drugs alone with less frequent need for surgical fusion. It has also been shown that minimal and non-cavity pulmonary tuberculosis requires less intensive drug treatment than that needed for more extensive disease.

A number of research laboratories continue the studies of other aspects of tuberculosis. Investigators at Baltimore, East Orange, Jefferson Barracks and Minneapolis are studying drug resistance mechanisms of tubercle bacilli in relation to metabolic and nutritional requirements of the bacilli. Other investigations relate to immunization to prevent tuberculosis, and chemoprophylaxis to prevent reactivation of arrested diseases. Diagnostic tests have been improved and standardized on the basis of VA studies.

An extensive study of mycobacteria other than *M. tuberculosis* has been underway for the past decade in several research laboratories and for the past five years as part of the tuberculosis cooperative studies. The infections produced by these bacteria resemble tuberculosis but are often more severe and respond less well to treatment. Continued research, particularly at the Atlanta, Salt Lake City and San Fernando VA hospitals has resulted in better understanding of these bacteria and better diagnosis and treatment of the mycobacterial infections they cause.

FUNGUS DISEASES

Fungi which produce human infections are being investigated in basic research laboratories at Atlanta, Brooklyn, Cleveland, Fresno, Houston, Jackson, Kansas City, Long Beach, Memphis, Oklahoma City and San Fernando. The clinical diseases caused by fungi are being studied on many hospital services and great advances in the knowledge of these diseases have been made within the past decade including better definition and recognition of the clinical manifestations of fungous diseases, improvement in treatment and better identification of the epidemiology and methods of prevention of infection.

Bacterial infections such as pneumonia, osteomyelitis, pyelonephritis and dysentery are being subjected to investigation at Albuquerque, Chicago (Research), Hines, Kansas City, Long Beach, Los Angeles, Madison, Minneapolis, Nashville, Philadelphia and Washington VA hospitals. Studies in immunity are basic to improvement of treatment of infections as well as to development of methods for prevention of infectious diseases. Studies of pathogenesis which are underway can lead to prevention of recurrent attacks of pyelonephritis, brucellosis and similar infections. The urinary problems of paraplegic patients are receiving special attention at the Long Beach hospital.

Virus infections have come under special study particularly at the New York, Hines and Memphis hospitals. Technics have been developed for isolation and maintenance of viruses in tissue culture. These technics are essential to the development of vaccines. Investigators at Bronx, Cincinnati and New York hospitals are studying further the relationship of viruses to cancer. One more important aspect of these studies is to establish that vaccines grown in tissue cultures can be produced without contamination with other viruses which could cause cancer.

Basic studies in immunobiology continue to seek the mechanisms by which the body recognizes and rejects foreign living tissue. Until these can be fully understood and prevented, transplantation of tissues and organs cannot be accomplished except under unusual circumstances. Successful treatment and prevention of disease such as rheumatoid arthritis will depend on understanding and controlling the immunologic factors that underlie the diseases.

Allergy, immunology and infectious disease research in the VA provides opportunity for strictly basic laboratory study of fundamental biologic mechanisms as well as applied investigation into day by day clinical problems in wards of VA hospitals with close interrelation of these two types of research approach.

LUNG DISEASES

The principal disease of lungs which afflicts veterans is chronic obstructive lung disease. This disease complex includes asthma, chronic bronchitis and pulmonary emphysema. The similarities and differences among these disease entities have been well documented by VA investigators and others both in the U.S. and Great Britain. The physiologic derangements which result have been clearly documented and numerous methods of measuring the incapacitating effects have been devised.

Attention has been focused recently by VA investigators on studies of the etiology and pathogenesis of chronic obstructive lung diseases. If the cause or causes can be determined, programs for prevention can be developed. This would be a much more effective approach than treatment of the disease once it has become established.

Many factors have been identified as probably related—such as air pollution, smoking which provides a specific pollution of the air in the lungs, recurrent respiratory infections, allergic disorders, vascular changes and perhaps congenital predisposition. Several research laboratories are concentrating on testing these relationships. It has been found that exposure of animals to nitrous oxide absorbed on carbon particles can duplicate many of the changes seen in human lungs caused by emphysema. Similar changes can be produced by drugs and particles which obstruct the blood supply to the lungs.

Most recently it has been demonstrated that changes resembling emphysema can be produced in dogs that have been made to smoke cigarettes regularly. This work was accomplished by Doctor Oscar Auerbach in his laboratory at the VA Hospital in East Orange, New Jersey.

Radioisotope labeled serum albumen particles have been adapted to produce lung scan studies. This provides a most successful method of mapping many diseases of the lungs, especially those which involve the blood vessels. These studies are being compared with other diagnostic techniques in one large investigation to determine the best method of detecting early and occult pulmonary embolism.

Other investigators are studying the biochemical changes that take place in lungs with diseases, both acute and chronic, compared with the changes which result from aging without diseases.

Diagnostic technics receive considerable attention in VA pulmonary disease research laboratories. Cardiac catheterization, special X-ray studies, improvement of endoscopic methods and refinement of the tests of respiratory function receive critical study but many of these which have been developed in recent previous years are now routine service tests. The VA hospitals have received higher operating budgets to apply these procedures routinely. This has freed research money formerly committed to the support of these laboratories. This makes it possible to support new and different research programs. Currently, about 3 per cent of the VA research budget is used for pulmonary disease research.

The research summarized in the preceding paragraphs constitutes the major portion of our diversified program. But in addition to the foregoing the VA is conducting investigations in many other fields—in oral diseases, social work, pathology, in physical medicine and rehabilitation, clinical nursing, and, of course, in basic sciences.

SMALLER PROGRAMS

These smaller programs, although lesser in size and scope due to funding limitations, have produced equally significant scientific results.

The work of Doctor Liberson at the Hines VA Hospital, for instance, has attracted international attention in the field of physical medicine and rehabilitation. Development of a tartar inhibiting toothpaste by Doctor Charles M. Belting at the Sepulveda VA Hospital provides promise of eliminating the primary cause of most gum disease. It is but one of the dental research program's outstanding accomplishments. The work of Doctor Leonard Skeggs, Cleveland VA Hospital, in developing the now famous "autoanalyzer" which has revolutionized laboratory procedures is yet another accomplishment which has received widespread acclaim.

The point I am trying to make is that all good research does not necessarily have to come out of a large program; there is no correlation between size and quality in research.

CONCLUSION

It can be readily realized that a medical research program, predominantly clinically oriented in its goals and completely intramural in its constitution, provides ideal conditions for the rapid translation of results of successful research efforts into established clinical practice within a unified hospital system. Veteran patients thus stand to gain immediate and direct benefit whenever improved patient care results from VA medical research.

But such health benefits are not restricted to veterans alone. The acquired knowledge is communicated to the medical community at large through presentations at professional meetings, publications in scientific and professional journals, and through articles in the lay press. These additions to the fund of medical knowledge thus become available for use in improving the health of all mankind.

TO CREATE A NATIONAL INSTITUTE FOR CRIME PREVENTION AND CONTROL

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. SCHEUER. Mr. Speaker, the Federal Government is spending more today on fighting tooth decay than it is spending on the fight to lower the Nation's crime rate. The Federal Government is spending more for research into the uses of coal in fiscal 1967 than it is spending on research into the spiraling increase in crimes against society in this country. Our national crime rate is a matter of great concern to all Americans. In 76 percent of all crimes in this country no apprehension of the criminal is made. In many cities in the United States, both large and small, people are afraid to go out of their houses at night. Millions of Americans have in a very real sense lost not only their valued right of freedom of movement, but have also come to fear the very environment in which they live.

I am introducing today a bill to create a National Institute for Crime Prevention and Control. The purpose of this Institute would be to provide for the Justice Department a research arm comparable to the National Institutes of Health. This Institute would have as its primary task the job of assisting State and local law enforcement agencies, courts and correctional institutions in the prevention and control of crime. This assistance would be given in the form of support and coordination of research activities in the area of crime prevention and control.

The National Institute for Crime Prevention and Control would be authorized to spend $100 million in fiscal 1968 to coordinate research of four types. The first type of research would involve the selection of police personnel. What type of man makes a good police officer? The second type of research concerns discovery of better methods for training police and correctional personnel. The third type of research would be to encourage the development of police equipment in tune with our 20th century technological capabilities. Finally, the Institute would conduct basic behavioral research on the more effective involvement of the public at large in public safety programs.

The research budget of the National Institutes of Health is over $1.3 billion this year, while the budget of the Justice Department for crime research is only $7.2 million. This means that the Federal Government is spending over 180 times as much on research in the health area as it is spending for crime research. Unfortunately, the sad comparison does not end with health research. The research budget of the Department of Agriculture this year is approximately $139,468,000, 19 times greater than the amount spent on crime research and the Department of Interior research budget of $129,707,000 is 18 times greater than the Federal budget for crime prevention and control.

We must reverse this trend and revise our list of priorities. We must bring the fight against crime into the 20th century.

Our law enforcement personnel are still largely dependent on 19th century weapons and procedures to fight the sophisticated techniques of the 20th-century criminal. The possible application of space age science and communications technology to police work is boundless. Yet the practical application of this advanced science and technology to police work is undoubtedly one of the most neglected aspects of current public safety programs.

Two recent incidents in my South Bronx constituency are indicative of the need I am citing here today. In one incident an innocent bystander was wounded in an exchange between police and a holdup man. In another incident a 12-year-old boy was shot by a policeman while trying to escape from a stolen car. In both of these very unfortunate incidents the patrolman was only doing his duty, but the result in each case was a very serious physical injury, as well as a potential riot-producing situation. It is unlikely that either of these serious injuries would have occurred if the New York police had had at their disposal a gun that would stun or temporarily disable, but not kill.

The saddest part of these two incidents is that neither is unique nor isolated. Innocent bystanders and youthful offenders are all too frequently the unfortunate victims of a deadly weapon used in the pursuit of the public safety. We owe it to our patrolmen on the beat and to the citizens who walk our streets to provide our police with the best possible equipment with which to do their job. It is inconceivable that a nation which is about to land a man on the moon at the cost of untold billions of Federal tax dollars cannot provide its law enforcement personnel with more efficient weapons than they use today.

The application of space age technology is by no means limited to law enforcement personnel alone. Over this past weekend New York City was victimized by a series of taxi cab holdups, a common event in many American cities. It is well within our current technological capabilities to provide taxi cabs with an instant emergency detection device. We also have within our current capacities the ability to provide law enforcement agencies with instantaneous identification of fingerprints and with immediate data on stolen automobiles via closed-circuit television. These are only a few small examples of the potential applications of current technological advances to police problems.

But the problem of crime in this country requires more than the development of better weapons and better police methodology, as important as these are. The National Institute of Crime Prevention and Control would also carry out an extensive program of behavioral research into the causes of crime, into the effectiveness of various means of preventing crime, and into cost-benefit techniques for reducing recidivism among those released from correctional institutions.

Every survey I have made of my own Congressional District in the South Bronx has shown that neighborhood security is the most critical concern of the residents in this area. This anxiety is not unique. People in our major cities across the country as well as in rural areas live in fear of becoming the targets of unrestrained criminal activity.

Police chiefs throughout the country, in response to my recent inquiry, have stated that the lack of adequate research funds is a universal deficiency. Most of our State and local governments have virtually no funds to devote to research activities and where funds do exist the lack of coordination is virtually universal. Criminologists, sociologists, and jurists have likewise pointed up the lack of adequate funds for the large-scale research and demonstration projects that are needed to provide us with better information into the causes of crime as well as for testing existing theories of how to prevent criminal activity.

I expect that the National Crime Commission will soon be issuing its long-awaited report, and I am confident that these findings will serve as a valuable guide for an all-out attack on crime in America. The President has also promised in his state of the Union message that he will send to Congress this year a safe streets and crime control bill. Congress has already taken an important step in this area with the passage of the Law Enforcement Assistance Act of 1965, which was definitely a step in the right direction.

Grant-in-aid programs to local police departments, however, will not solve the problem of inadequate research into weapons technology and criminal behavior. No one would ever have expected State and local grant-in-aid programs to produce a Manhattan project, a supersonic transport, or a Telestar satellite. Why then should we place the enormous burden of the types of research that I have discussed today on our State and local governments?

The National Institute of Crime Prevention and Control would provide the basic research tools, the funds, and the expertise to improve the work of those involved in reducing crime. Communities across the Nation are desperately looking to the Federal Government to attack this problem which can only be solved with the commitment of substantial Federal funds and strong Federal leadership.

CONGRESSMAN STRATTON INTRODUCES BILL TO CONVERT FOUR NATIONAL HOLIDAYS INTO 3-DAY WEEKENDS, AS IS NOW DONE WITH LABOR DAY

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. STRATTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. STRATTON. Mr. Speaker, I have recently introduced legislation in this Congress, as I have every year since I first came to this body in 1959, to shift the designation of four of our major national holidays which have no religious bearing so that each year they will automatically provide the basis of a 3-day holiday weekend, as is now done only in the case of Labor Day which falls regularly on the first Monday in September.

My bill, H.R. 1292, would reset Washington's Birthday, Memorial Day, Independence Day, and Veterans Day so that, like Labor Day, they too would always fall on a Monday. Because of their religious or semireligious significance, however, no change is proposed in Thanksgiving Day, Christmas, or New Year's.

Under my bill Washington's Birthday would fall on the third Monday in February rather than automatically on February 22, Memorial Day on the last Monday in May rather than May 30, Independence Day on the first Monday in July rather than automatically on July 4, and Veterans Day on the second Monday in November rather than November 11. In this way each of these holidays would make possible a 3-day weekend every year, which happens now only infrequently. When these holidays fall in the middle of the week, as Washington's Birthday falls on a Wednesday this year and Memorial Day and Independence Day fall on a Tuesday, they make a long weekend impossible unless of course one chooses to stay away over 1 or 2 additional business days.

This proposal, Mr. Speaker, has two important advantages:

First. The 3-day weekend would make more time available for family vacation trips and outings over these holidays, which cannot be done so easily when the holiday is observed on a single day in the middle of the week.

Second. It would reduce the absenteeism and disruption on adjoining days which business and manufacturing plants report always occur when holidays do fall in the middle of the week, and people try to stretch the holiday observance into a 4- or 5-day weekend anyway.

Although I have introduced this legislation for the past 8 years, I believe chances for enacting it are far more encouraging in this Congress than they have been before. The first reason for this is that a survey taken last fall by the U.S. Chamber of Commerce revealed that 85 percent of those responding favored establishing these holidays on Mondays, in line with the provisions of my bill. In addition to that, the national Sunday supplement, This Week, has just conducted a nationwide poll from its readers on the same subject and has come up with an overwhelmingly favorable response. In fact officials of This Week inform me that the mail ballot response to their article was the greatest they have ever received. They tell me that they already have on hand 21 mailbags of replies, estimated to total more than 100,000 votes. Preliminary samples indicate about 90 percent of those replying favor my recommendation. This Week officials told me they were themselves amazed at the size of the favorable response.

I recognize, Mr. Speaker, that objections have been expressed to my bill, chiefly two which I would like to deal with here briefly:

First, some people feel there is something not quite proper in celebrating Independence Day on July 5, let us say, rather than July 4. But the fact is the Declaration of Independence was signed over a period of almost a year, beginning on July 2. The designation of July 4 as Independence Day was thus a fairly arbitrary decision. Similarly, Memorial Day, which originated in my own congressional district in Waterloo, N.Y. in 1866, was first observed on May 5. Veterans Day now commemorates veterans of all our wars not just of World War I, which ended on November 11.

The second objection most frequently mentioned is that if we had more 3-day weekends the traffic death toll would be much higher. But statistics of the National Safety Council actually demonstrate that the traffic death count for single-day holidays falling within the middle of the week is far higher than for any single day of a 3-day weekend. The obvious reason is that families often try to get in a long trip even over a 1-day holiday, but the pressure of time and increased fatigue result in a higher accident rate. On the other hand, with 3 days instead of 1 in which to make the trip, drivers proceed at a somewhat more leisurely pace and the total traffic death toll is therefore less than for an ordinary weekend plus a 1-day holiday.

Mr. Speaker, I believe that the results of the surveys by the U.S. Chamber of Commerce and This Week clearly indicate the public recognizes that the advantages of my legislation far outweigh the supposed objections. I believe that my bill should be considered and enacted promptly, so that the difficulties created this year by so many of our national holidays falling in the middle of the week will not occur in the future. I have called on the chairman of the Committee on the Judiciary, my colleague the gentleman from New York [Mr. CELLER] to schedule hearings as soon as possible and I hope that this can be done. I invite the support of all my colleagues.

Under leave to extend my remarks I include a copy of H.R. 1292:

H.R. 1292

A bill to provide for uniform annual observances of certain national holidays on Monday

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) each of the following holidays shall be observed as a holiday in each year as follows:

(1) Washington's Birthday on the third Monday in February.

(2) Memorial Day on the last Monday in May.

(3) Independence Day on the first Monday in July.

(4) Veterans Day on the second Monday in November.

(b) Each law of the United States in effect on the effective date of this section, which refers to any holiday named in subsection (a) of this section, shall be held and considered to refer to the day prescribed for the observance of such holiday by such subsection (a).

(c) All laws or parts of laws inconsistent with this Act are modified and superseded to the extent necessary to eliminate such inconsistency.

SEC. 2. The foregoing section of this Act shall become effective on January 1 of the year following the date of the enactment of this Act.

CONGRESSMAN ANNUNZIO INTRODUCES LEGISLATION TO REQUIRE ALL INSURED BANKS TO CLEAR CHECKS AT PAR

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, today, I am happy to join my distinguished colleague from California, Hon. RICHARD T. HANNA, who is a member of the House Banking and Currency Committee, in introducing legislation which is long overdue on the statute books. My bill would require all banks whose deposits are insured by the Federal Deposit Insurance Corporation to pay all checks drawn upon them at par.

Many banks presently make exchange charges. They refuse to honor their outstanding checks at full face value. This is an abominable practice, Mr. Speaker, and the evil results are crystal clear and undeniable. Checking accounts represent the great bulk of our money supply, and exchange charges are thus no different from clipping dollar bills or coins. It interferes with the free functioning of our banking system and affects interstate commerce. Exchange charges are much more than a mere inconvenience. Millions of dollars annually are involved. This borders upon financial extortion.

The banks which make exchange charges refuse to redeem their own obligations at par and benefit at the expense of the customers of all the other banks which live up to their obligations. Millions upon millions of the banking public are subsidizing the customers of the "nonpar" banks. Nearly all our banks now clear their checks at par and this exchange practice is evil, reminiscent of the days of "wildcat banking."

Banks which enjoy the benefit of a banking system behind which is the strength of the U.S. Government should no longer be permitted to interfere and impair this system by "clipping" their checks and "clipping" the public.

RESOLUTIONS IN BEHALF OF PRESIDENT JOHNSON

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I believe that the resolutions recently adopted in Texas by the United Automobile Workers Texas Leadership Council bespeak the mind of all Texans. I take pride in asking unanimous consent that these resolutions be printed in the RECORD at this point. I alsc take this opportunity to congratulate the Texas UAW and my great friend and fellow Texan, H. A. Moon, the area director, for his thoughtfulness in making them available to me. They follow:

RESOLUTION OF TEXAS UAW LEADERSHIP COUNCIL

Whereas President Johnson's domestic and foreign policies merit the support of every American and

Whereas we, the assembled representatives of 25,000 UAW members in Texas, pledge our unwavering support of the President's program to strengthen freedom at home and abroad and

Whereas the achievements of the Johnson administration are many and great and his courage in leadership has moved the nation to recognize the long neglected weaknesses in our society and to chart solutions. And with strong voice he has told the world that Americans are determined to assist the weak and the menaced in other parts of the world in their struggle to win and maintain freedom and

Whereas we deplore the recent snide attacks on the President. The late Sam Rayburn often reminded us that any President who helped the poor and oppressed was destined to be the target of such attacks, citing Presidents Jackson, Lincoln, Roosevelt and Truman. History now adds President Johnson to that list.

Whereas the late President John F. Kennedy made the judgement that Lyndon B. Johnson should be his running mate. The voters of the nation overwhelmingly reaffirmed that judgment in the 1964 elections.

Therefore be it resolved that the representatives of the UAW membership in the State of Texas are unanimously in support of the President's legislative goals and foreign policies, and that we voice our pride in him as a man and as one of history's truly great Presidents.

Adopted unanimously at Texas UAW Leadership Council meeting, January 16, 1967, Driskill Hotel, Austin, Texas.

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1. Permanent voter registration. No one in a democracy should quarrel against a voting system which affords the fullest participation by all citizens. Organized labor favors a system of permanent voter registration, without fee. Registration should be by party affiliation and enrollment periods should be of sufficient duration before each primary and general election that no citizen could be deprived of the opportunity to register.

2. Single districts for State legislators. State legislatures should be composed of members from single districts. This would bring our state government closer to the people, and would prevent one economic group or any other group from dominating an entire county. It would drastically cut the expense of legislature campaigns.

3. Job safety bill. Texas is the only major industrial state without safety protection for its working people. It naturally follows that Texas has the highest injury and death rate among working people on the job. Organized labor has long pushed for protection on the job. Such legislation is not pro-labor or pro-management, but is definitely pro-worker.

4. Unemployment compensation. Benefits paid to Texas workers hit by unemployment are among the lowest in the nation, and state eligibility and disqualification rules are among the toughest. Organized labor favors higher payments and more realistic rules governing eligibility and disqualification.

5. Workmen's compensation. Again, benefits paid to Texas workers injured on the job are among the lowest in the nation.

Organized labor favors substantially higher benefits.

6. Right-to-work. Organized labor and enlightened management are opposed to restrictions on collective bargaining typified by state right-to-work laws made possible by 14b of the Taft-Hartley Act. Labor Unions may be decertified by the National Labor Relations Board for refusal to represent *all* workers in a bargaining unit whether or not they are members of the Union. Thus Union members must use part of their dues to afford non-members with contract protection against discharge, mis-classification, discrimination, etc.

7. Minimum wage law. The Federal Congress has established minimum wage protection for all workers engaged in interstate commerce. Organized labor believes strongly that workers not protected by Federal standards should be afforded protection by the individual states.

8. Anti-discrimination law. We believe that the individual states should enact laws prohibiting any form of discrimination (such as race, color, creed, religion, sex, etc.) in employment and promotional opportunities.

9. Schools. We believe the Founders of our State Constitution, when they talked of free public schools, were advocating just that—Free Schools—Elementary, Junior High Schools and Colleges—At all levels. The position of the UAW is that the only way to eliminate ignorance is through higher education.

10. Teachers' pay. We believe our school teachers—elementary, junior and high school—should be paid equivalent to at least the highest paid skilled workers in our plants and factories; and that our college professors should be paid in line with Junior Executives in our plants and factories. There is no greater commodity than the youth of our State, and in order for the schools to turn out students who will be the better citizens of tomorrow, the best qualified teachers must be provided for them. To attract the best salaries must be raised to a level commensurate with salaries of private industry.

11. State department of labor. We believe there should be a State Department of Labor that has authority, backed up by statute, that will give meaningful protection to the working people of our State.

12. Insurance laws and loan sharks. We believe that the Legislative and Executive Branches should take a long hard look at the Loan Sharks and Insurance Laws of this State. There should be a maximum ceiling on interest—not to exceed 10%. Our Insurance laws should be revised wherein they would create genuine competition among insurance companies.

13. Crime. We believe that more can be done to eliminate crime in this State, and that the State and Local police should receive better pay. Untrained and unfit police should be eliminated. We should have laws imposing severe penalties for brutality in the police forces of this State.

U.S. MEDICAL FIELD SERVICE SCHOOL URGENTLY NEEDS FACILITIES

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, ever since the 1700's San Antonio has been a city of military activity. The Spanish Viceroys who governed the Southwest at the turn of the 18th century believed that a garrison at the headwaters of the San Antonio River would serve very well as a place from which to mount frontier exploration, and to protect settlements of the King of Spain. So it was that in San Antonio a presidio was built. A hundred years later one of these combination fortresses and churches was the scene of a battle in the Texas revolution—the Battle of the Alamo. In the latter part of the 1800's the U.S. Army restored the Alamo and used it as a quartermaster depot. Troops were garrisoned along the San Antonio River, but they were later moved to the place where Fort Sam Houston stands today.

Fort Sam Houston started as a cavalry garrison. The troops stationed there protected the city of San Antonio against Comanche raids, and the border against depredations from Mexico. Today, this post is the headquarters for the 4th U.S. Army and site of many vital military activities. Among other things, Fort Sam Houston is the home of the U.S. Army Medical Training Center. This Center is the place where every soldier in a medical career field receives his basic medical instruction. This is where battlefield medics are trained, and where research is done on ways and means of saving lives by bringing sophisticated medical care closer to the frontlines. Techniques developed at Fort Sam Houston are responsible for our being able today to have a man in an air-conditioned operating room within 15 minutes or so of being wounded in battle; and it is responsible for developing the medical techniques that reduce our battle deaths to 1 percent or less of casualties who actually receive medical treatment.

When a soldier is wounded or injured, three things become vital: aid on the spot, speed in moving him to trained surgeons and readily available hospital equipment. The final requirement is filled by portable hospitals; the second is filled by helicopters; and the first is filled by medical aid men. I submit that our troops' lives depend upon the courage and skill of medical aid men, whose job is to keep wounded men alive long enough to get them to treatment.

Mr. Speaker, those men must be trained, and their training takes place at the Medical Field Service School.

Today, the Medical Field Service School is operating in old and inadequate facilities. I have inspected those facilities myself; it is a tribute to the skill and dedication of the Army that training can take place in these facilities as well as it does. The Medical Field Service School is using no less than five old barracks that have been converted to classroom and demonstration use. They were never intended for this purpose. Troops are being forced out of these barracks and into old quarters that should not be in use at this time.

Congress in 1965 authorized the expenditure of $8.3 million to furnish the facilities that the Medical Field Service School so urgently needs.

I believe that favorable consideration is required at an early date, so that this project can get underway. I urge my colleagues to support the work of this school by approving the funds that it needs. If we fail to approve this request, we will be failing the men upon whom our soldiers must depend for their lives, if they fall victim to the bullets, mines, or traps of the enemies they face.

FEDERAL MOTOR VEHICLE INSURANCE GUARANTY CORPORATION

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, I am today introducing a bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation. Identical legislation is being introduced in the Senate.

The bill would create a Federal corporation to compensate policyholders and accident victims in cases where automobile insurance companies become insolvent. The corporation would protect citizens much as the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation protect people with deposits and savings accounts.

The need for such legislation has been apparent for a long time. In the last 6 years, 73 companies writing motor vehicle liability insurance have been placed in liquidation and receivership. Senate Antitrust and Monopoly Committee investigations conducted in May 1965 revealed that most of these insolvencies were caused by carelessness or by specific acts of management dishonesty.

The human suffering these insolvencies have caused are staggering. Currently, there are some 300,000 unfortunate policy holders and accident victims, many of whom have been seriously injured, seeking an estimated $600 million in claims out of net collectable assets of $25 million. Obviously, these claims will be settled for far less.

Something must be done to protect the poor and others considered to be high auto insurance risks. Most of them have no choice but to deal with these fly-by-night auto insurance companies, and ultimately find themselves unprotected when it comes time to collect.

Of the 73 auto insurance companies which became insolvent in the last 6 years, half of them wrote policies in States other than those in which they were chartered. Thus, Federal legislation appears to be the only effective way of getting to the heart of the problem.

These are the main features of the bill:

First. Its basic purpose is to guarantee the contractual performance of insurers issuing policies of motor vehicle insurance in interstate commerce, and it also provides coverage for insurers issuing policies only in the State in which they are chartered, if they wish to apply for guarantee status.

Second. Any insurer whose policies are guaranteed by the Corporation shall include a statement in each policy to that effect.

Third. Once any insurer whose policies are guaranteed is declared insolvent by the final decision of the appropriate court, the Corporation shall assume and perform all the obligations of the insolvent insurer.

Fourth. The Corporation would have broad examination powers to examine insurers making application for guarantee status and those insurers whose policies are guaranteed.

Fifth. In carrying out its examination functions, the Corporation should coordinate its efforts with the appropriate State supervisory authorities and with the National Association of Insurance Commissioners.

Sixth. A fund consisting initially of $50 million capitalized through the Treasury, to be repaid, would enable the Corporation to be self-supporting by means of a nominal semiannual charge of one-eighth of 1 percent of each insurer's net direct premium writings. All administrative costs of the Corporation, including those of examinations, would be borne by the fund.

I believe that this legislation would go far to reduce both the frequency of auto insurer insolvencies, and the magnitude of financial loss suffered by policy owners. I strongly urge that we take this first important step to protect buyers of automobile liability insurance.

A BILL TO AMEND THE INTERNAL REVENUE CODE OF 1954, PROVIDING ADDITIONAL $600 PERSONAL EXEMPTION FOR THE WORKING COLLEGE STUDENT

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mrs. MINK. Mr. Speaker, I am today introducing a bill designed to amend the Internal Revenue Code of 1954 to provide an additional $600 personal exemption for the student who is working his way through college.

We may well reflect with pride on the legislation we passed in the 89th Congress to provide financial assistance for a college education. The new guaranteed loan program, work-study funds, educational opportunity grants, and the National Defense Education Act loans were our major contributions toward opening up educational opportunity for all qualified young people.

Yet we cannot pretend that our work is finished and that we are now providing the means for a college education for all. Consider the guaranteed loan program, for example, whose implementation depends to a large part on the willingness of financial institutions to participate. Because of the well-known tight-money squeeze, preliminary reports indicate that this program has not received the wholehearted acceptance on the part of lenders that we had hoped for, and that the 6-percent interest rates guaranteed by the Government are not as attractive as the much higher returns being realized on personal loans. With loan funds in short supply, it is predictable that many students will not be able to avail themselves of this program.

Nor are the National Defense Education Act and other assistance funds unlimited. Therefore, I am reintroducing the bill which I also sponsored in the 89th Congress to provide a deserving incentive to the working student who makes his own effort to meet the costs of education. Scholarship and loan funds may not be adequate, even though they are available, or the student may choose to avoid a loan because of the immediate financial obligation to begin repaying it. I firmly believe that we should encourage individual initiative and make sure that this type of student is not overlooked in our general aim to provide financial assistance. My bill will allow the working student to earn approximately $1,500 a year tax free, which is not much when we consider the rising costs of college fees. In the 1964–65 school year, the average cost of attending a public college was $1,560, an increase of 30 percent from 10 years ago. In the same academic year, the student attending a private college or university paid an average of about $2,370—a 40-percent jump from the $1,700 average cost of a decade ago. Furthermore, these expenses will continue to rise as institutions of higher education are forced to raise fees to meet their operating costs. Statisticians predict that the cost of a college education will go up by an estimated 50 percent in the next 10 years.

I might point out also that we provide tax relief for interest on home mortgages, flood damage, health expenses, and a variety of other special situations. Why should we not consider the education of our youth as much in the national interest by providing a tax incentive, at least for the working student? Many tax-credit bills have been introduced in past sessions but have drawn the disapproval of the executive branch, which opposes them on account of the consequent loss of tax revenues. It seems inconsistent that this same administration endorses the loan programs, for these are direct cash outlays and similarly a drain on revenues.

It is the responsibility of this Congress to seek out those avenues of assistance for our youth to enable them to fulfill their educational goals. We have provided students with scholarships and loans. We know that in most cases this is not enough to maintain the student in school, pay for his food, housing, and other expenses. We know that many of them must work in order to meet these costs. Certainly the Government should be willing to adopt a policy which seeks to encourage these students to self-help. Thus far we do not recognize these working students. My bill is only a modest attempt to grant them a tax advantage which will encourage many to retain part-time jobs knowing that everything they earn up to approximately $1,500 will be tax exempt.

The approach of allowing deductions for college expenses, books, and tuition, is, of course, much broader in coverage and therefore more liberal in application. It does not, however, meet the problem which my bill seeks to alleviate. Most students who do work while going to college would not be helped greatly by deductions for expenses alone, for many are nontuition paying and are in college on scholarship programs and would not have allowable deductions, for the expenses are not out-of-pocket. The cold war veteran, whose tuition is paid for by the Government and who must work, will also not be helped with only a deductible provision for expenses.

I urge my colleagues to join me in sponsoring legislation that I am convinced will keep many working students in college. The types of jobs which are ordinarily available to such individuals are not high salaried and thus cannot be expected to meet the annual increases in fees, books, and board that each student faces. I hope that the 90th Congress will continue to build upon the fine record of previous Congresses in the field of education, and I respectfully submit this bill as one steppingstone to our eventual goal of a college education for all qualified young Americans.

The full text of my bill follows:

H.R. 3980

A bill to amend the Internal Revenue Code of 1954 to provide an additional personal exemption for a taxpayer who is a student

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 151 of the Internal Revenue Code of 1954 (relating to allowance of deductions for personal exemptions) is amended by adding at the end thereof the following new subsection:

"(f) ADDITIONAL EXEMPTION FOR TAXPAYER WHO IS A STUDENT.—An additional exemption of $600 for the taxpayer if he is a student."

(b) Section 151(e)(4) of such Code (relating to definitions of student and educational institution) is amended by striking out "paragraph (1)(B)(ii)," and inserting in lieu thereof "subsection (f) and paragraph (1)(B)(ii) of this subsection."

SEC. 2. The amendments made by the first section of this Act shall apply with respect to taxable years beginning after December 31, 1966.

LEGISLATION INTRODUCED TO AMEND THE INTERNAL REVENUE CODE OF 1954 TO PROVIDE THAT SERVICEMEN TRAVELING ON LEAVE, FURLOUGH, OR PASSES SHALL BE EXEMPTED FROM THE PAYMENT OF EXCISE TAXES ON AIR TRAVEL

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CAREY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CAREY. Mr. Speaker, I have introduced today legislation that would amend the Internal Revenue Code of 1954 to provide that servicemen traveling on leave, furlough, or passes shall be exempted from the payment of excise taxes on air travel.

Taxes on transportation by rail or bus have been repealed in toto, whereas the

5 percent on air fares continues in effect. This means, of course, that the serviceman and all other persons who choose to travel by train or bus may do so without paying any excise tax. If, however, a member of our Armed Forces elects to fly so that he may have more time at home with his family or is forced to travel by air because of an emergency, he is required to pay the 5-percent tax on his ticket.

Because of our increased military obligations overseas, particularly in southeast Asia, the number of men and women in uniform has increased substantially during the last few years. The serviceman returning from Vietnam with a limited amount of time is dependent in most instances on air transportation. I believe we should try to lessen the burden of his service in every way possible, and one small, though significant, way the Congress could express its awareness and appreciation of his sacrifice is to amend the Internal Revenue Code to grant our military exemption from excise taxes on air fares.

I think the very least we can do is to extend to our servicemen who travel by air the same consideration we have given to everyone who travels by rail or highway.

Simply stated, I do not believe the few dollars in pay servicemen accumulate for recreation and visiting home should be taxed in any way when they are traveling on air transport.

FIRST ORGANIZATIONAL MEETING OF THE NATIONAL COMMITTEE OF DIOCESAN DIRECTORS OF THE CONFRATERNITY OF CHRISTIAN DOCTRINE

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Hanley] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. HANLEY. Mr. Speaker, the 1960's are truly days of sweeping change—in religious reforms, educational awareness, and societal consciousness. It is altogether fitting then that a meeting which took place in Washington this week should be noted here in Congress. I am referring to the first organizational meeting of the newly formed National Committee of Diocesan Directors of the Confraternity of Christian Doctrine. The 23 Catholic priest-educators who attended the session are the elected representatives of more than 200 diocesan educators from every part of the United States.

I am particularly pleased to hail this meeting because the newly elected chairman of the committee is a close personal friend of mine, and one of the most outstanding priest-educators in the Diocese of Syracuse, N.Y., Rev. John S. Russell.

While we here in Congress are seriously deliberating the state of our national educational structure, our religious bodies are likewise underscoring their educational obligations—particularly in the field of adult religious education. This very field was high on the agenda of the Confraternity's National Committee. As Father Russell pointed out to his colleagues:

> The present demands of religious education—especially continuing religious education for the adult—are so vast and so acute that only by a coordinated effort of all educational agencies can we hope to make continued progress.

Mr. Speaker, beyond the mere occurrence of this meeting there lies a greater significance. This newly coordinated effort is a direct result of the second Vatican council only recently concluded. In keeping with the spirit of the council, the national committee prepared a memorandum for the bishops' committee specifying, first, the members' concern for the upgrading of all religious educators; second, keen awareness of the need for collaboration of all agencies; third, indicating how the confraternity's religious education apostolate to the child and adult can be further perfected and strengthened.

It is important to note not only the coordinating nature of the committee but also its national complexion. Elected as officers to work with Father Russell were the Very Reverend John J. Scanlon, San Francisco, vice chairman; Very Reverend John L. Burton, Pittsburgh, secretary; and Rev. Joseph J. Brunner, Miami, treasurer.

Mr. Speaker, I commend the committee and pray for their success.

BILL INTRODUCED TO PROVIDE PERIOD OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE FOR VETERANS

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Dulski] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DULSKI. Mr. Speaker, I am today introducing a bill to provide that the period of entitlement to educational assistance for veterans shall be computed on the basis of 1½ months of entitlement for each month of service on active duty after January 31, 1955. At present, this subsection provides that it be computed on the basis of 1 month of entitlement for each period of service on active duty after January 31, 1955.

Under the original GI bill—Public Law 346, 78th Congress—the period of entitlement for World War II veterans was computed by adding 1 year to the total period of active service after September 16, 1940, and the period of entitlement of Korean conflict veterans under Public Law 550, 82d Congress—was determined by multiplying the active service performed after June 26, 1950, by one and one-half. In the case of the World War II veteran, the period of entitlement could not exceed 48 months and for the Korean conflict veteran 36 months.

Although chapter 34 of title 38, United States Code, provides that those with service after January 31, 1955, may have entitlement up to 36 months, I feel the conditions of service in the Armed Forces today are on a par with service in the forces during the Korean conflict—both under conditions of war. Therefore, if a grateful Government accorded the one group a program under one formula, the other group should not fare less.

In addition, since the current draft system favors the selection for military service of those who do not have sufficient means to attend a college or university upon graduation from a secondary school, the 2-year period of active duty performed should be the basis of educational assistance for 36 months—or 4 years of college level education.

UNENLIGHTENED TRADE STAND

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Rees] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. REES. Mr. Speaker, the Denver Post suggests clearing the air of outmoded viewpoints in considering President Johnson's proposals to broaden nonstrategic trade with Eastern Europe.

Unfortunately, the newspaper charges, the Republican leadership is pursuing a narrow, unenlightened position on the issue.

Eastern Europe no longer represents the monolithic bloc of the 1950's, the Post declares editorially. Other nations are increasingly asserting their political and economic independence from Russia.

Moreover, as the newspaper says, the blunt fact is that if we are unwilling to deal with Eastern Europe, other Western countries are more than willing to do so.

Presidents Johnson, Kennedy, and Eisenhower have seen the advantages of widening trade with that part of the world.

To help keep those advantages in sight, I ask that this editorial be made a part of the Record.

[From the Denver Post, Jan. 19, 1967]

GOP's Trade Stand Unenlightened

In searching for a way of criticizing the administration's Vietnam policies, the Republican leadership in Congress is unwisely pursuing a narrow, unenlightened position on East-West trade.

Sen. Everett M. Dirksen, R-Ill., and Rep. Melvin Laird, R-Wis., in particular, have been ill-advised on the facts behind President Johnson's recommendations for broadening nonstrategic trade with the Soviet Union and other Eastern European countries.

The GOP leaders this week were trying to marshal opposition to proposals for increasing trade with Iron Curtain nations that are providing military equipment for North Vietnam. Their main argument, reverting to outmoded cold war strategy, is that U.S. trade will strengthen the economies of the

Iron Curtain countries who, in turn, will be able to give more help to Hanoi.

This approach made sense in the 1950s when the Eastern European states were part of a monolithic bloc directly controlled by the Kremlin, and the flow of East-West trade was insignificant.

But in recent years, significant changes have occurred among and within the Iron Curtain countries. The "satellites" increasingly are asserting their political and economic independence from the Soviet Union. And, as a result, peaceful trade with the West—notably with Western Europe—has increased tremendously.

The blunt fact is that if the United States is unwilling to trade with Eastern Europe, other Western countries are more than willing to do so.

Thus, for example, if Congress ties the President's hands in a proposed multi-million-dollar machine tool deal for a Soviet auto plant, Moscow will merely take its business elsewhere in the West.

Three presidents—Eisenhower, Kennedy, and Johnson—have recognized the commercial and diplomatic advantages for the United States in widening our trade with Eastern Europe.

The war in Vietnam, of course, has distorted our foreign policy priorities, but it should not be permitted to halt the gains three administrations have made in opening "windows to the East."

We hope that the Republican leadership does not maintain a narrow, stubborn view on the trade issue, but instead listens to some of the voices of such progressive newcomers as Sen. Charles H. Percy, R-Ill., who last weekend publicly commended the President for promoting East-West trade.

NATIONAL GUARD TECHNICIANS RETIREMENT AND OTHER BENEFITS

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Fulton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, today I have joined with Mr. Hébert and others in cosponsoring legislation to give our National Guard technicians retirement and other benefits where not provided by the States.

We passed a bill in the House last year but it was not acted on by the other body.

This bill will provide retirement and other civil-service-type benefits to these technicians who, in 31 States, have no coverage.

Under the bill all technicians not covered by State programs would be eligible for coverage. Those currently under State programs would be given an opportunity to come under the Federal program.

This legislation is long overdue. These people perform unique duties and their duty routine is unique in that though most work a 40-hour, 5-day week they are subject to irregular recall. In addition, these people are performing a vital role in our efforts in Vietnam through their support operations and I firmly believe it is time they were accorded first-class treatment as Federal employees.

BILL TO ALLOW TRANSFER OF PROPERTY KNOWN AS THE KENNEDY HOSPITAL TO THE MEMPHIS STATE UNIVERSITY

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Blanton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BLANTON. Mr. Speaker, I introduced a bill that will allow the transfer of property known as the Kennedy Hospital to the Memphis State University, in Shelby County, Tenn. This property falls under the jurisdiction of the Veterans' Administration and while I realize there is an established form for dispersement of surplus property, I would like to set forth the reasons I feel that in this case an exception is warranted.

Mr. Speaker, Memphis State University now has an enrollment of more than 14,000 students. The curriculum has been constantly expanding to meet the urgent and constantly growing needs of the student body. It is projected by the university that by 1970 there will be over 20,000 students. Memphis and Shelby County are one of the largest and most rapidly growing areas in America. Memphis State University is serving the Midsouth and is responsible for the educational needs of a majority of high school students of this area.

I feel it is imperative that the acquisition of this property be expedited to the fullest extent. The existing buildings can be utilized immediately and a professional plan has been designed toward the ultimate goal of new facilities blending in with existing ones.

Therefore, on reference of this bill to the committee, I shall desire to appear and request those who share my feelings to join with me and urge that the committee act expeditiously on this urgent and justified matter.

A like bill has been introduced in the Senate by Senators Gore and Baker.

WE MAY ALREADY HAVE WHAT COULD BECOME AN OMBUDSMAN

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Steiger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, my distinguished colleague from Wisconsin [Mr. Reuss], on Monday of this week, inserted in the Record a scholarly presentation on the concept of a congressional ombudsman embodied in his bill, H.R. 3388.

The question of how best to effectively deal with administrative and constituent problems is one which deserves the serious attention of this body. Mr. Reuss has proposed that this be done through a centralized office to be known as the congressional ombudsman.

A very convincing case can be made for the ombudsman idea and my colleague cited the warm praise his legislation has received in a book written by a most learned gentleman, Prof. Walter Gellhorn, a past president of the Association of American Law Schools and a member of the faculty of the Columbia University School of Law.

Of Professor Gellhorn's book, "When Americans Complain," Mr. Reuss cited for our perusal pages 87 to 94. Indeed, in these pages there is an approving discussion of H.R. 4273—89th Congress—for an administrative counsel of the Congress or congressional ombudsman.

What I would like to call to the attention of my colleagues today is more of Professor Gellhorn's book. I recommend the whole book, but wish to point particularly to those pages after page 94.

Professor Gellhorn recalls that a law enacted in 1964, but still not in operation, provided what—in his words—"might very possibly become a sort of American ombudsman." This institution, now on the books, is the Administrative Conference of the United States.

One wonders, of course, why there is no operating Administrative Conference in 1967 when it was specifically provided for in 1964. The answer is that the President has thus far failed to appoint a person to the 5-year chairmanship. Hence, we have no Administrative Conference and therefore what could be the initial step toward the creation of an ombudsman has not been taken.

Mr. Speaker, because of this body's clear interest in administrative and constituent problems, I ask that Professor Gellhorn's fine description of what we should expect of the Administrative Conference be included in the Record following my remarks.

I might stress one sentence of the Gellhorn discussion because it mentions parenthetically Mr. Reuss' proposal:

> Enough has been said . . . to suggest that the Chairman of the Administrative Conference might very possibly become a sort of American Ombudsman for broad aspects of administrative functioning, while congressional casework (whether or not referred to the Administrative Counsel proposed by Representative Reuss) might continue to salve individual hurts.

I believe on this matter we would do well to review what already exists. The question of effectively dealing with the increasing volume of individual problems is one which we cannot ignore. But perhaps we would do well to inquire as to why nothing has been done with the Administrative Conference so that we might better chart a course for tomorrow.

The Administrative Conference of the United States

Many years ago administrative lawyers urged that dissatisfaction with governmental methods and attitudes could be reduced if bureaucratic experience were pooled and then strained through the meshes of objective analysis. The Attorney General's Committee on Administrative Procedure, after perhaps the first penetrating examination of all federal administrative rulemaking and adjudication recommended in 1941 the establishment of "a permanent organization to devote attention to the agencies' common procedural problems." The Committee well recognized that refinements of procedure and practice would be determined less by outside forces than by "the agencies' own sensitivity to the need for self-criticism and improvement." Still, these could be "stimulated by an organization especially qualified to perceive existing defects and suggest correctives."[60] The proposal was kept alive in various forms, notably through the efforts of the American Bar Association.[61]

Now, thanks to a statute enacted in late 1964 but not yet operative in mid-1966, opportunity exists to discover whether improvements really can be "stimulated by an organization especially qualified." The statute in question[62] establishes the Administrative Conference of the United States, composed of the heads of major administrative bodies, other administrators, and persons who can broadly represent "the views of private citizens and utilize diverse experience"—practicing lawyers, scholars in the fields of administrative law and government, and others "especially informed by knowledge and experience." The Chairman, appointed for a five year term by the President with the Senate's approval, is to be compensated "at the highest rate established by law for the chairman of an independent regulatory board or commission," a materialistic indication that his post is taken seriously and that he is meant to be a man of distinction.

The Administrative Conference has been given a wide field of operation. It is to concern itself with the adequacy and fairness of the means used in effectuating any federal program that "involves protection of the public interest and the determination of rights, privileges, and obligations of private persons through rulemaking, adjudication, licensing or investigation." In that connection it can look at "any aspect of agency organization, procedure, or management which may affect the equitable consideration of public and private interests, the fairness of agency decisions, the speed of agency action, and the relationship of operating methods to later review"; but the Conference is not to address itself to the statutory scope of an agency's substantive powers or to policy matters that have been committed to its best judgment.

The Conference may make whatever studies it thinks desirable; information it needs from the agencies "shall be supplied to the extent permitted by law." Then the Conference may formulate recommendations to administrative agencies (singly or en masse), to the President, and to Congress. Moreover, the Chairman is to report annually to both Congress and the President, and he may transmit to either or both of them additional interim reports he thinks might be useful. Thus the way is open to press hard for whatever may be needed to translate the Conference's opinions into acts.[63]

The Chairman is the chief executive of the Conference. In that capacity he has been empowered, among other things, to "make inquiries into matters he deems important for Conference consideration, including matters proposed by persons inside or outside the Federal Government." And he is to be "the official spokesman for the Conference in relations with the several branches and agencies of the Federal Government and with interested organizations and individuals outside the Government, including responsibility for encouraging Federal agencies to effectuate the recommendations of the Conference."

Events and personalities are more influential than statutory verbiage in shaping reality. In this instance they remain as yet unknown. Enough has been said, however, to suggest that the Chairman of the Administrative Conference might very possibly become a sort of American ombudsman for broad aspects of administrative functioning, while congressional casework (whether or not referred to the Administrative Counsel proposed by Representative Reuss) might continue to salve individual hurts. The Chairman may freely inquire into "matters proposed by persons inside or outside the Federal Government," selecting those he believes might be "important for Conference consideration." A complaint by a particular pensioner that his benefit rate had been miscomputed would presumably not be in that group; inquiries in the pensioner's behalf, if made at all, would continue to be made by a congressman or, were he to exist, the Administrative Counsel. On the other hand, a report that a great many pensioners believed themselves to have been victimized by miscomputations might raise the question whether the Conference should look for flaws in existing decisional methods.

The Administrative Conference, in concept, has one particularly marked advantage over the ombudsman systems now in use abroad. That is the administrative agencies' direct involvement in recommendations affecting some or all of them. The Conference membership, heavily infused with important administrators and at the same time with professionally respected non-governmental figures, adopts whatever proposals it thinks will make for improved administrative methods. Views formulated by such a body—constituting, one might almost say, a specialized legislature—should carry very considerable weight. If those conclusions can be effectuated by direct action of the agencies, this is likely to occur with considerable frequency.[64] If Presidential directives or remedial legislation be needed to bring them into force, they are likely to claim more respectful attention than if they were but one man's opinion. All of the existing ombudsman systems have exhibited a common weakness, namely, the ineffectiveness of the ombudsman's general proposals. When an ombudsman has dealt with a concrete issue, his recommendations have almost invariably been speedily adopted. When, however, he has sought to speak more broadly about administrative procedures, his thoughts have been received respectfully, but very little has then happened. Nor have proposals for legislation been conspicuously successful. The unfruitful outcome of most of these essays in reform may well be attributable to the ombudsman's isolation. He dwells alone on an eminence. His solitariness gives him a detached outlook. His freedom from governmental involvement fortifies public confidence in his objectivity. But isolation has its weaknesses as well as strengths. It encourages the supposition that an ombudsman, like a cloistered scholar, may be "too theoretical"—a pejorative phrase whose users seemingly feel no need to inquire further into whether the theoretician's views are sound. Moreover, an ombudsman has no testing ground, no forum in which a generally wholesome idea can be discussed until, by modifying it here and refining it there, it gains acceptance. When making a proposal to a particular administrative body about a specific issue, every ombudsman exchanges thoughts with the affected administrators before formally announcing his conclusion. He has less readily useful machinery, however, for similar exchanges when broader topics engage his attention. This weakens assurance that he has fully perceived and considered all ramifications of problems to which general recommendations may be addressed.

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[60] Final Report of the Attorney General's Committee on Administrative Procedure, S. Doc. No. 8 77th Cong., 1st Sess., 123 (1941). Shortly afterward a somewhat similar recommendation was made in New York, following a searching investigation of that state's agencies. See R. M. Benjamin, *Administrative Adjudication in the State of New York* 18 (1942).

[61] Compare Boyer, note 57 (above), at 158–165.

[62] 78 Stat. 615, 5 U.S.C. § 1045 (1964). For legislative background, see S. Rep. No. 621, 88th Cong., 1st Sess. (1963), H. Rep. No. 1565, 88th Cong., 2nd Sess. (1964). And see also "The Administrative Conference Act," 53 *Georgetown Law Journal* 457 (1965); V. G. Rosenblum, "Federal Legislative Activity: Appendix to Report of Committee on Administrative Law," *1964 Proceedings of the Association of American Law Schools* Part I at 24; M. P. and A. N. Farley, "An American Ombudsman: Due Process in the Administrative State," 16 *Administrative Law Review* 212 (1964).

[63] No judicial or other review of Conference actions is contemplated by the statute. Like an ombudsman, the Conference can only recommend: it cannot command administrators nor change past decisions either to the advantage or disadvantage of private parties. If an administrative body regards the Conference's criticisms as unwarranted and its suggestions as unwise, it may simply ignore them. The Conference can then do no more than make public its views and their rejection. Appeals to reason are reviewed by those to whom the appeals are made, and no formal mechanism need be provided for that purpose.

[64] This is not an entirely speculative assertion, for administrative agencies have made substantial responses to past advice. Many revised their procedural regulations extensively in the light of recommendations made in 1961 and 1962 by a temporary Administrative Conference of the United States, created by Executive Order of President Kennedy with functions and powers much like those now embodied in statute. The temporary Administrative Conference addressed thirty recommendations to particular agencies or to all; some were of large importance. See Selected Reports of the Administrative Conference of the United States, S. Doc. No. 24, 88th Cong., 1st Sess. (1963).

The Attorney General's Committee on Administrative Procedure reported in 1941 (note 60 above, at 4) that even its preliminary discussions with administrative personnel had "stimulated agencies themselves toward the improvement of their own procedures. Some agencies, made conscious of procedural problems by the Committee's inquiries, have already substantially altered existing practices, either as a result of their own thinking or in accordance with informal suggestions of the Committee or its staff."

The two Commissions on the Reorganization of the Executive Branch of the Government, commonly called the First and Second Hoover Commissions (1947–1949, 1953–1955), put forward 585 proposals of which 69.5 percent were adopted. Of those adopted, approximately two thirds were put into effect by direct administrative action. This information is derived from Dechert, note 56 (above), at 178, which in turn draws on data from Senate Committee on Government Operations. Summary of the Objectives Operations, and Results of the Commissions on the Reorganization of the Executive Branch of the Government, Committee Print, 88th Cong,. 1st Sess., May 1963.

The Administrative Conference will not share that weakness. Whatever proposals may emerge from its discussions will reflect diverse experiences of "practical men," keenly aware that immobilizing governmental processes does not improve them. Moreover, the full-time Chairman will be discharging the responsibility, laid on him by law, of "encouraging Federal agencies to effectuate the recommendations of the Conference." Without constant fanfares of trumpets, a tactful Chairman could well offset the defeatist attitude that "mistakes, carelessness, delay, rigidity, and perhaps heartlessness"[65] are bureaucratic inevitabilities. They need not be so if pains are constantly taken to assure proper organization, procedures, and above all spirit.

CONGRESSMAN WILLIAM O. COWGER DISCUSSES URBAN POLITICAL POWER TODAY

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Steiger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, one of the most crucial problems our Nation faces is that of the growing urban areas, our rapidly expanding cities. It is not often that we hear a sound assessment of that problem and, in particular, the problems in the city where we now work, Washington, D.C.

When a former distinguished mayor of one of this Nation's larger cities discusses this problem, I think it would do all of us well to listen and learn. I would, therefore, like to include at this point in the Record the remarks of my distinguished colleague, the Honorable William O. Cowger of Kentucky, before the District of Columbia Republican Executive Committee on January 25 of this year.

Remarks by the Honorable William O. Cowger, Member of Congress, Third District of Kentucky, Louisville, Before the District of Columbia Republican Executive Committee, Washington, D.C., January 25, 1967

I very much appreciate this opportunity to be with you briefly today and to discuss one of the compelling problems of America. President Lyndon B. Johnson has stated, "Our society will never be great until our cities are great. Today the frontier of imagination and innovation is inside those cities, not behind their borders." We are now in the very midst of the great urban revolution of the 1960's. In my opinion, the course of our cities determines the greatness of our nation. The list of problems facing municipal government is steadily increasing. We are faced with doubling the size and capacity of our present urban areas before the turn of the century. This means that we shall in effect reproduce in less than 40 years the urban physical plant which has been developed over a two-century period. The cost will be a staggering one, requiring an investment of between one and two trillion dollars.

As a new Republican Member of the 90th Congress and a former Mayor of the City of Louisville, Kentucky, I share with all of you a concern for the trend that is evident here in Washington, D.C. I need not tell you that no city in the United States is in more dire need of municipal administration than this—the Capital of our country. Here we have located the White House, the Capitol Building, wide boulevards, magnificent monuments, and gleaming new office buildings. Over nine million Americans visit this city each year. They have found, as I have, that behind the broad tree-lined avenues, behind the beautiful and expensive Federal buildings exists one of the most depressing slum cities of America. The crime rate reaches higher each year and Americans are discovering that their Capital City is unsafe after dark: Nowhere in the United States will you find a more poorly organized and least efficient municipal government.

As a former Mayor, I look upon the poor municipal management of the District of Columbia as one of the outstanding failures of the "Great Society" under President Lyndon Johnson. The President and the National Democratic leadership are advocates of what they refer to as "Creative Federalism". This is a theory that the White House can direct all of the great society programs with efficiency and dispatch. But here in Washington, D.C., which should be a model for the "Great Society," we see a depressing failure of mismanagement. The municipal administration for Washington is directly under the jurisdiction of the White House. It is here that the President's anti-poverty program has been one of the great failures. It is here where urban development lags and stumbles. It is here where traffic is snarled beyond description and it is here where Federal aid to education is a failure.

It is my opinion, that we are now faced with one of the most critical periods in our history. Municipal government across the nation, and more particularly here in Washton, can no longer be hog-tied to a set of old crony ideas or blind alley solutions for the future. I submit to you that the facts of life in America are the urban facts of life. Nourish your community; help your community and you have helped and nourished the nation. Ignore the problems of the cities and you have ignored the problems of America. I feel that the Republican Party here in Washington has a perfect opportunity to exert the leadership necessary to lead this city out of the dark ages. I have been astonished to learn that here in the Nation's Capital where there has been a perennial clamor for home rule and voting representation in Congress that more than 60% of the eligible voters failed to go to the polls in the Presidential Election of 1964. With a concerted effort on the part of the Republicans of this community they could in 1968 help elect a President who would bring to an end the municipal mismanagement of your city. It is, therefore, important for us as a party and for you as individuals to begin the action now that would lead to victory in 1968. In addition to the mechanics of registering voters, we must be the party representing new ideas in the field of municipal administration. That distinguished jurist, Oliver Wendell Holmes once said, "I find the great thing in this world is not so much where we stand, as in what direction we are moving. We must sail sometimes with the wind and sometimes against it, but we must sail and not drift nor ride at anchor." The Republican Party has never had a better opportunity to chart a course toward victory in 1968. However, it must be a true course—one that offers answers and solutions to the problems of our cities. The urban areas of America are fertile grounds for recruitment to our party. Certainly here in Washington, D.C. with the example of the Johnson Administration you have nothing but a bright future. But please remember that victory must be served as well as sought, served in terms of presenting a positive program, served with dedication, and above all, served in terms of good hard work.

SOME REFLECTIONS ON THE NEW BUDGET

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the Washington Daily News of January 25, 1967, carried two provocative items concerning the Federal budget which require no comment. I include herewith the column by Ray Cromley, entitled "L.B.J. Budget Adds Up to $700 More to Family's Cost," and the editorial, "The 1968 Deficit Statement," in the Record at this point:

L.B.J. Budget Adds Up to $700 More to Family's Cost

(By Ray Cromley)

President Johnson's budget, if enacted as is, will put stiff upward pressure on living costs for the average man.

When analyzed, the President's program, including hidden items and some juggling, shows an average living cost increase of close to $700 for each family in the United States in the 15 months beginning about March 1 this year.

Vietnam war requests are up between $15 billion and $16 billion.

THE POOR AND AGED

Aid to the poor is up almost $5 billion. Mr. Johnson says help to the poor will be close to $26 billion in fiscal 1968.

Payments to the aged, including Social Security, will increase something over $5 billion over and above the increased aid to the poor. Some $4 billion of this will be the result of new payment schedules proposed by President Johnson in this budget message.

Housing, slum clearance and urban renewal, including the model cities program and increases in Federal mortgage insurance, are going to cost somewhat over $2 billion more than in the past year.

Increased postal rates, aid to education, increased costs of the public debt and a host of other smaller programs will call for increases of between $2.5 and $3.5 billion.

WON'T BE ENOUGH

The proposed increases in taxes and postal rates are not expected to cover the increases in costs and spending, despite optimistic forecasts.

The result is likely to be continued increasing inflationary pressures.

The men who planned the budget are counting on the increases in Federal, military, Social Security, welfare and housing aid payments to stimulate the economy sufficiently to produce enough income to hold the budget deficit to $3.8 billion for 1967 and $2.1 billion for 1968.

The actual deficit will be closer to $18 to $20 billion total for the two years. (It is impossible to split the deficits between 1967 and 1968 because of Mr. Johnson's juggling of his budget figures.)

A study of Federal 1967 expenditures to date indicates that even with the increased burdens of the Vietnam war excluded, Mr. Johnson a year ago in his mesasge to Congress seriously underestimated what his budget programs would cost.

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[65] The quoted phrase comes from G. Powles, "The Citizens' Rights Against the Modern State, and its Responsibilities to Him," 13 *International and Comparative Law Quarterly*, 761, 773 (1964).

OVER BY $4.3 BILLION

Excluding Vietnam, Mr. Johnson has now found that his 1967 programs cost $4.3 billion more than he'd estimated they would. He says that $3 billion of his mistake was due to the tight money market and $1.3 billion a result of underestimating public assistance, Medicare and postal service costs.

Mr. Johnson says he underestimated Vietnam costs for fiscal 1967 by $9.6 billion.

President Johnson has consistently underestimated costs in presenting his budgets to Congress. He thus has regularly had to come back to Congress for large supplements, not only for Vietnam (which is understandable) but for a variety of other programs as well.

This experience leads to the supposition that the President will again be back for sizable supplements next year. That is, based on his record, Mr. Johnson will spend this next 15 months at a faster rate than his budget calls for.

This greater than estimated spending will further increase the pressures on the economy and on living expenses for the average family.

THE 1968 DEFICIT STATEMENT

It used to be the budget makers in Washington made a stab at sending a balanced budget to Congress, at least on paper.

It was a risky business and usually didn't come out as calculated. (Since 1930, only six Federal budgets have wound up in the black.)

But at least the budgeteers gave the appearance of trying.

No more.

The last "balanced" budget was sent to Congress by President Kennedy for the 1963 fiscal year. He planned a year end surplus of $463 million altho it turned out to be a deficit of more than $6.2 billion.

The last year end surplus managed by Washington was in fiscal 1960 when President Eisenhower planned to spend $1 billion less than income, and actually finished with a surplus of more than $1.2 billion.

In the Johnson Administration, the deficits have been planned. Even talk of balancing the budget some day has vanished.

So, again for the 1968 fiscal year, Mr. Johnson is proposing a deficit—of $8 billion this time.

As Mr. Johnson appears to see it, the answer is simple: Just raise the national debt to $335 billion.

About everything in Mr. Johnson's deficit statement is a record of some type—record debt, record spending, record authority to spend more in the future, higher pay for Government employees, more employees (most since World War II), more for health, more for cities, more for welfare, more for interest on the debt (naturally) and even the same old wasteful subsidies for farms.

Before LBJ, the biggest year of Government spending was 1945, peak year of World War II. But nearly 90 per cent of that budget went to the war effort.

In World War II, the war had a priority on everything.

In this war, Mr. Johnson is proposing increases in non-war programs as well as war spending.

In short, he refuses to balance the budget.

"The economy, the budget and the aims of our society," he says, "would be jeopardized by either a larger tax increase or by large slashes in military or civilian programs."

There is no jeopardy in giving the war, where Americans are dying, a top priority. There is no jeopardy in paying for whatever we do while we have the resources to pay. There is no jeopardy in testing Mr. Johnson's rash of programs for validity and usefulness.

The American economy, LBJ says, has "performed superbly" in recent years.

It has for sure. It has withstood the inflationary pressure of the rising Government debt—altho not so well lately. It has produced goods for war as well as a booming consumer market. It has endured tax incentives given and then taken away. It has survived the mountainous regulation and paperwork imposed by the Government. It has financed Government apparently on a permanent spending spree.

Question is: Can it do this forever? Mr. Johnson seems to think so.

Before it tinkers with Mr. Johnson's too little too late tax and postage increases, before it continues all of the unproven welfare programs he wants, before it agrees to ride the easy road to ever bigger deficit spending. Congress ought to think it over thoroly:

Can we do something at once? And not pay for it? Who ultimately will pay up: Our great grandchildren, or our great great grandchildren? The interest on the debt is now bigger than the whole Federal budget of 1941.

U.S. AID TO POLISH COMMUNIST GOVERNMENT

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, this week I introduced legislation to keep U.S. dollars from going to Castro via the United Nations Special Fund—dollars which would have been used for the training of Communist youths in electronics, radar, and military communications only 90 miles from our shores.

I would also like to take this opportunity to say that I am opposed to the giveaway to the Polish Communist Government. I find it incredible that the State Department proposes that the $26 million in debts which Poland owes the United States for food shipments should not be repaid to the United States in dollars, but in Polish currency to be spent in Poland. This would, in effect, subsidize Polish Government shipments of industrial materials and goods to Cuba.

Only this month it was reported in the press that Cuba and Poland have signed a trade agreement by which Poland will supply food, consumer goods, and industrial and agricultural machinery to Cuba in exchange for Cuban sugar, rum, and minerals. If the State Department's proposal is accepted, it will mean that our supplies of food to Poland will allow Poland to supply food to Cuba.

It is inconceivable to me that at a time when Communist tyrants of Poland are openly supporting and assisting the Hanoi regime in North Vietnam, our Government can consider what amounts to simply giving that nation millions of dollars.

Late last year, a Hamburg newspaper dispatch noted that on one side of the harbor of Stettin, Poland, American wheat was being unloaded, while on the other side of that same harbor weapons to be used against American soldiers were loaded.

As long as the Polish Government is contributing to the export of Cuban communism to the Western Hemisphere and to the deaths of our servicemen in Vietnam, I find any effort to give them economic assistance absolutely unthinkable.

Mr. Speaker, we must keep in mind the distinction between the oppressed Polish people and the Soviet puppets which rule them. The plan of our State Department to further subsidize the Polish Reds perpetuates them in power to the detriment of the Polish people.

The propaganda, by which Ambassador Gronouski was used as the mouthpiece, is poor policy for the United States, poor policy in terms of the welfare of our servicemen in Vietnam, and another blow to the aspirations of the Polish people for freedom.

In this legislative session there will be a number of specific occasions when we can come to grips with the misdirected foreign policy now being applied to the Soviet Union and its Eastern European satellites.

DESECRATION OF NATIONAL FLAG SHOULD BE FEDERAL CRIME

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LANGEN. Mr. Speaker, every time our national flag is publicly mutilated or trampled upon, we are reminded that there is no Federal law prohibiting such shameful incidents outside of the District of Columbia.

Last year there were several flag-marring incidents which received nationwide publicity, I, like all responsible citizens who learned of these deplorable activities, was thoroughly disgusted that an American would even think of desecrating the symbol of our freedom and proud heritage.

To deter and punish any further efforts to deliberately damage our national flag, I have today introduced legislation to make desecration of the flag a Federal crime, with punishment by imprisonment up to 5 years or a fine up to $10,000, or both. This penalty is the same as that prescribed for draft card burners by a 1965 amendment to the Universal Military Training and Service Act.

I cite several examples where a public display was made of desecrating the national flag last year: An Illinois schoolteacher trampled on the flag in front of his class; demonstrators in Georgia pulled down the flag from courthouse grounds and proceeded to tear it, trample and spit on it; a speaker on a college campus in Indiana spit on the flag, then ripped it into pieces, threw it on the floor, and stomped on it; and a New York theater sponsored the burning of the flag on the stage.

At a time when our soldiers are engaged in a war halfway around the world, we, at home, should not hesitate to insure proper respect and protection for our national flag. Accordingly, Congress should take favorable action on my bill at the earliest possible time.

RUSSIA: ENEMY IN VIETNAM

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. Pelly] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PELLY. Mr. Speaker, the American people can fervently hope that Defense Secretary Robert S. McNamara is not over-rosy in his latest evaluation of the Vietnam war situation. Over the years he has been all over the lot in his various appraisals. Of course, this time his statement that the North Vietnamese buildup is leveling off is tempered by his adding that his conclusions are tentative. So I hope this first public statement on the overall effects of the various phases of our recent military actions were not self-serving to justify administration policies.

Meanwhile, little is said by public officials as to the stepup of military assistance that Hanoi is receiving from the Soviet Union. I fear this strengthening of the enemy is being played down while the administration calls for greater trade and friendship with Moscow.

It seems to me, Mr. Speaker, that the House of Representatives owes the American people a full and complete debate on the southeast Asia situation. How can public opinion be right without all the facts?

Mr. Speaker, the current issue of U.S. News & World Report has a most revealing article; it is entitled "Russia: The Enemy in Vietnam."

This article points out that Soviet Russia, not Red China, is the major enemy and that a steadily expanding Russian involvement is not told to the American people. Instead, high officials have pictured Russians anxious for peace.

With President Johnson having let down the bars on trade restrictions to Communist bloc countries, and having asked the Congress to provide guarantees and credit for increasing trade, the fact that the Russians are at war with us in Vietnam is ignored. I think, Mr. Speaker, the Congress should assure that all the facts are made public about Russian deliveries of strategic and military goods to Haiphong as reported by our intelligence sources.

THE COST-PRICE SQUEEZE ON FARMERS

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, I have today joined Republicans from several other States in introducing a resolution which points up the growing cost-price squeeze on American farmers.

It called upon the administration to stop using Government stockpiles and other tools to depress commodity prices. Farm costs continue to rise—at the same time the outlook for commodity price increases is blooming. In fact, indications of a decline in net realized income are ominous. With parity ratio at only 77, the farmers deserve every possible consideration. Certainly the Government should not manipulate stockpiles and sales policies in a manner which drives down prices. I am drafting legislation which will limit the authority of the Secretary of Agriculture to dump stockpiles.

The full text of the resolution follows:

Concurrent Resolution

Whereas the present administration is persisting in using American farmers and ranchers as scapegoats of inflation in spite of predictions by the Economic Research Service of the U.S. Department of Agriculture that realized net farm income will decline by at least 5 per centum during 1967; such decline being caused:

(1) by inflationary domestic fiscal policies which unduly increase farm production costs, such costs having increased 19 per centum since the year 1952; and

(2) by market price manipulations which have decreased prices received by farmers, such prices having decreased 6 per centum since the year 1952 with the result that the December 1966 parity ratio stands at only 77; and

(3) by failing to recognize that increased consumer prices have not been caused by farmers, such consumer prices having increased 17 per centum since the year 1952; and

(4) by the Secretary of Agriculture dumping huge quantities of grain upon the domestic market in order to break and depress grain, cattle, hog, mutton and lamb, and poultry market prices; and

(5) by the Secretary of Agriculture's expressions of pleasure with the fact that the prices of farm products had dropped in 1966; and

(6) by the Secretary of Agriculture's action to increase imports of raw sugar into the United States, such action being designed to lower market prices for United States sugar producers; and

(7) by stimulating the increase of wheat and feed grain production without providing adequate price incentives; and

(8) by a large and unilateral increase in Cheddar cheese and other dairy imports without seeking or attempting to secure reciprocal trade concessions from other nations to expand United States agricultural exports overseas; and

(9) by a sharp curtailment of purchases of pork and dairy products by the Department of Defense; and

(10) by permitting or condoning price and wage increases for other segments of the national economy: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity.

EAST-WEST TRADE

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Lipscomb] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, the Commerce Department, which in my opinion has been caught up in a web it spun itself, apparently has felt compelled to issue a denial relating to my statement to the House of Representatives January 17, 1967, beginning page 685 of the Congressional Record, on the subject of East-West trade.

In going about this, the Department attempts to set up the all-too-familiar strawman by righteously denying that a list of revisions to the Commodity Control List published by the Department October 12, 1966, includes jet aircraft engines, diesel engines, and machine tools as items that may be shipped to the U.S.S.R. and other Eastern European countries without a validated license. The implication is that I stated or indicated that these items are included in that category.

An allegation along the lines of the Department of Commerce press release is contained in a statement by the gentleman from the 26th Congressional District of California [Mr. Rees] which was placed in the Congressional Record on January 18, 1967.

Any charge or implication that I contended in my statement that the October 12, 1966, list clears jet aircraft engines, diesel engines, and machine tools for export to the U.S.S.R. and Eastern European countries without a validated license is completely without foundation.

The Department also denied that it misled the public in connection with its statements relating to its consultations with the intelligence community concerning decontrol of certain items for export.

For the Record, following is set forth a portion of my January 17, 1967, statement bearing on this matter:

> Following President Johnson's announcement, the Department of Commerce on October 12, 1966, removed hundreds of commodities from the list of items requiring specific validated licenses to be shipped to other countries. The Department published a 68-page bulletin which provides a detailed listing of the items which now may be more freely exported, including the 400 items referred to by the President in the state of the Union message that can be freely exported to the Soviet Union and East European Communist countries.
>
> And the Department of Commerce at that time issued a press release declaring to the American people that the items removed from the control list "fall into the category of peaceful goods, which may be freely exported without any risk to the United States national interests."
>
> Also, the Department of Commerce asserted that the Department had "consulted with other interested departments, including Defense, State, Agriculture, Interior, and the Intelligence Community, in taking this step."
>
> Something immediately seemed wrong, for though press preferences concerning the action seemed to stress only that decontrols on cereals and other food preparations were involved, it was obvious from a mere glance at the 68-page bulletin that many vitally important items were listed,

including such items as diesel engines, jet aircraft engines, machine tools, rifle cleaning compounds and other chemicals, and scientific and controlling instruments.

This raised the question: Could the Intelligence Community really have been consulted before these items were removed from export controls, particularly those who should be most concerned, the military intelligence agencies?

As is seen, Mr. Speaker, I pointed out step by step, inasmuch as the Commerce Department stated that the "intelligence community" had been consulted in connection with the decisions to place hundreds of items on the list of goods that could henceforth be freely exported to other countries, why in my opinion, it was necesary to check with the intelligence agencies on this point.

The reason for my concern, of course, is that policies adopted in this area have potentially far-reaching effects on our national security.

I therefore requested the heads of military intelligence organizations to describe whether the Commerce Department had consulted with their organization in connection with the October 12, 1966, revisions to the commodity control list. The document containing the revisions is identified as Current Export Bulletin No. 941.

For the information of the House I am again setting forth the text of letters from the chiefs of the service intelligence organizations and from the Director of the Defense Intelligence Agency. These were also included in my January 17, 1967, statement. I invite careful attention to the letters, which follow:

DIRECTOR OF NAVAL INTELLIGENCE,
Washington, D.C., October 26, 1966.
Hon. GLENARD P. LIPSCOMB,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR MR. LIPSCOMB: The interim reply from my Deputy, to your letter of 18 October 1966, concerning Current Export Bulletin Number 941 indicated that my Staff would research the matter in which you have expressed an interest.

I can report that the Office of Naval Intelligence, definitely a member of the "Intelligence Community," had no part in the consultations which preceded the revision of the Commodity Control List. It can be further stated that ONI did not give its authorization for the removal of specific licensing requirements for the categories of commodities listed in Bulletin Number 941.

I trust that this information satisfactorily answers your questions with respect to the Office of Naval Intelligence.

Sincerely yours,
E. B. PLUCKEY,
Rear Admiral, U.S. Navy.

DEPARTMENT OF THE AIR FORCE,
HEADQUARTERS, U.S. AIR FORCE,
Washington, D.C., October 28, 1966.
Hon. GLENARD P. LIPSCOMB,
House of Representatives.

DEAR MR. LIPSCOMB: Thank you for your letter of 18 Otcober 1966, and your inquiry into the recent revision of the Commodity Control List.

In response to your specific questions, I take this opportunity to inform you that no intelligence office of the United States Air Force participated in the revision of the Current Commodity Control List. I have no evidence to indicate that any other United States Air Force agencies participated in this revision.

Sincerely,
JACK E. THOMAS,
Major General, USAF,
Assistant Chief of Staff, Intelligence.

DEPARTMENT OF THE ARMY, OFFICE
OF THE SECRETARY OF THE ARMY,
Washington, D.C., October 25, 1966.
Hon. GLENARD P. LIPSCOMB,
House of Representatives.

DEAR MR. LIPSCOMB: This is in response to your inquiry addressed to Major General John J. Davis pertaining to the Department of Commerce Current Export Bulletin Number 941 and interest of Assistant Chief of Staff for Intelligency, United States Army (ACSI–DA), in selection of commodities approved for export to Communist Bloc countries.

The ACSI–DA was not consulted regarding the commodities listed, since the scope of interest does not include the intelligence aspects of strategic materials.

I regret I am not able to assist you in this matter.

Sincerely,
RAYMOND T. REID,
LTC, GS.
For J. L. BLACKWELL,
Colonel, GS, Office, Chief of Legislative Liaison.

OFFICE OF THE
SECRETARY OF DEFENSE,
Washington, D.C., October 27, 1966.
Hon. GLENARD P. LIPSCOMB,
House of Representatives,
Washington, D.C.

DEAR MR. LIPSCOMB: This letter is in response to your letter to General Carroll, dated October 18, 1966, which requests a description of the consultations of the Department of Commerce with the Defense Intelligence Agency (DIA) concerning Current Export Bulletin Number 941.

DIA does not participate in decisions on commodities to be deleted from or added to the Commodity Control List issued by the Department of Commerce. Intelligence concerning such items is provided by DIA, but not directly to the Department of Commerce.

Upon request of the Office of the Assistant Secretary of Defense for International Security Affairs which represents the Department of Defense on these matters, DIA provides intelligence on the military application of commodities that might be of a strategic nature. However, DIA was not requested to supply intelligence on the 400 commodities that are covered in Current Export Bulletin Number 941.

Sincerely,
C. R. RODERICK,
Major General, USAF,
Director, Office of Legislative Liaison.

On the basis of these responses, clearly there is no justification to indicate or imply that the entire intelligence community had participated meaningfully in the deliberations.

In essence therefore the denial of the Commerce Department is a diversionary tactic, a smoke screen to try to obscure the issue and hide the fact that these intelligence agencies were not in fact "consulted" in any true meaning of the word.

Let it also be noted that the Commerce Department in effect is centering attention on the matter of goods that can be freely shipped abroad without a validated license. This is an important aspect of our trade control program. However, developments of potentially far greater significance are taking place in the area of shipments or proposed shipments abroad that require validated licenses issued by the Department of Commerce.

When the bars are lowered on the granting of licenses authorizing the shipment of advanced equipment, goods, and technologies to the Communist bloc, as is occurring, this can have a highly significant impact on our national security.

Following is a listing of some of the licenses approved authorizing shipments to the Communist bloc in 1966. Some of the licenses were for commodities; others refer to technical data cleared for shipment:

U.S.S.R.: Airborne communications equipment; tin ore concentrating machinery; generator for electronic equipment used to control aircraft; silicone siliclad boring machine; micro switches; oil seals; tire cord factory; instrument transformers; insecticides; herbicides; synthetic resins; organic chemicals; rubber antioxidants; chemical corrosion inhibitor; cellulose acetate butyrate; ball bearings; special purpose vehicle; magnesium oxide; mining equipment; diethylene glycol; ammonia factory; nitric acid factory; information on how to make foamed polystyrene; rubber compounding agents; methyl bromide; methyl pyrrolidone; methylene chloride; diethylene glycol; isobutyl alcohol; phenyl dimethyl urea; fingerprinting kits; lift truck; grinding machines and parts; construction equipment; ball and roller bearings; communications equipment; airborne navigation equipment; electronic computer and parts; electrical testing instruments and parts; electric motors and transformers; rubber processing machines and parts; diamond core bits; tungsten carbide bits; synthetic rubber; chemical woodpulp; ethylene chlorohydrin; oxygen analyzers and handling system; filtering and purifying machines; magnetic tape instruments and spares; liquid scintillation system and accessories; radiation measuring instruments; diesel engines and spare parts; steel tubing; statistical machines and parts; tires, tubes and flaps; relief maps; coast and geodetic charts; ammonia; nitric acid; urea; ammonium nitrate; nitrogen solution factories; glass envelopes for TV tubes; ethylene oxide; ethylbenzene; pulp mill equipment; waste gas disposal units; glycol evaporator; sodium chloride crystallization; chlorine dioxide; electrostatic precipitation; pyrite roasting and reduction; alunite processing equipment; styrene; polyethylene tubes; iron ore pelletizing; tin ore dressing tables; rotary earth digging augers; shankplates and digging teeth; carbon tetrachloride; fractional hp refrigerator compressors and cabinets; melamine; iron ore concentrates; ship stabilization system; petroleum coke; analgetic agent; pulp mill; synthetic Vitamin A; carbon tetrachloride and perchloroethylene glycerol; sufuric acid.

Czechoslovakia: Ethyl cellulose; semi-conductors; synthetic rubber; ball and roller bearings; petroleum products; hydrogen plant; electric lift trucks; neoprene latex; electron tubes; instrument parts for measuring and checking temperatures; nuclear radiation detection and measuring instruments; synthetic rubber; methyl bromide; neoprene; resin; polyethane glycol; monoethylene glycol; methyl cellulose; nuclear radiation detecting and measuring instruments; nylon filament; mental valves and parts; ball and roller bearings; electronic computer system; polishing machine and converter; aluminum alloy; vanadium pentoxide; cellulose acetate butyrate; neoprene; isophthalic acid; rubber compounding agent; electrical measuring and testing instruments; nylon strapping; disk-file and parts; electronic computers and parts; pyrotechnical rocket engines; heat transfer oil; nickel alloy; woodpulp for rayon tire yarn; semiconductors and resistors; transmitter radio beacon and parts; glass fibers; pulp mill equipment; cold tube reducing mill; diamond wheels; carbon dioxide removal; atmospheric crude distillation, vacuum distillation and hydrosulfurization units; ethylene oxide/ethylene glycol; xyleneisomerization; hydrogen plant; para-xylene.

Rumania: Industrial instruments and parts; synthetic rubber; iron oxide catalyst; airborne radar, navigational equipment and parts; automotive replacement parts; petroleum drilling and production equipment; electrical testing instrument; signal generators; material and equipment for construction and maintenance of catalystic cracking unit; transceivers; diesel fuel; rubber antiozonant; iron oxide catalysts; petroleum and gas equipment; gas compressor and recorder; lubricating oil; samples of iron and steel; sheet glass and fibrous glass material; compressors; benzene; cold rolling mill; copper rod mill; acrylonitrile; carbon dioxide removal; blooming mill; ethylene/propylene; heaters for ethylene plant; polybutadiene/polyisoprene; detergent; pipeline centrifugal compressors; vinyl chloride; synthetic glycerine; ethylene dichloride pyrolyses furnace; polyvinylchloride; paraxylene; carbon tetrachloride and perchloroethylene; polyethylene; hot aluminum sheet mill; aluminum cold strip mill.

Bulgaria: Chemical analysis equipment; pumps and compressors; glass fiber factory; ammonia phosphoric acid factory; superphosphate factory; enzymes; catalysts; industrial equipment and parts; electrical and electronic equipment and parts; lubricating and fuel oil and grease; roller bearings; isobutyl alcohol; molybdenum catalyst; palladium catalyst; industrial chemicals; refining equipment and parts; metal cutting machine; airborne communications equipment; airborne radar (transponders) equipment; airborne navigation equipment; steel powder; sulfate crystallization; ammonia, phosphoric acid, sulphuric acid, nitric acid and complex fertilizer factories; sulphuric acid; hot dip tinning line; 2, 4-dicholorophenoxyacitic acid; carbon disulfide; heat exchangers; turbine and generator; tires and tubes; electrolytic tinning line; automotive tires and tubes; iron ore pelletizing.

Poland: Copper cable; spectrum measuring instrument; styrene factory; hypoid generator and tooling; electrical steel sheets; electrolytic tinning and coil preparation line; components and tubes for electrical equipment; magnetic tape units; metal working and cutting machine and parts; computer equipment and parts; radiocommunication receiver and parts; coaxial cable; aromatics extraction unit; subcritical oil fired steam generators; glass fibers; aluminum foil; diesel engine valves; valves, steering linkages, ball joint suspensions, manual steering gears and piston rings; sulphuric acid; control and piston valves; fractional hp refrigerator compressors; grinding machine; aroma chemicals, polyethylene; benzene; high speed turbine-driven generators.

Hungary: Scientific and professional instrument parts; electron tubes; crankshaft welder; physical properties testing equipment; statistical machine parts; optical measuring and checking instruments; steel samples; vacuum gauges; cellulose acetate; ethyl cellulose; triethylene diamine; ethylene glycol; methyl cellulose; electronic navigational aids; digital computer; radiation detection and measuring instruments; airborne communication equipment and parts; micro switches; butanol (butyl alcohol); electronic computer systems and parts; nuclear-radiation detection and measuring instruments; metal cutting and working machines and accessories; diesel engine exhaust manifolds; electronic testing, measuring and recording instruments; railway equipment and parts; tire recapping and repair parts; metal samples; heat transfer oil; airborne navigational equipment and parts; synthetic rubber; electrostatic precipitator; herbicides.

Yugoslavia: Copper scrap; semi-conductors; oscilloscopes; electrical measuring instruments; electronic computer parts; petroleum products; aircraft parts; communication cable.

East Germany: Gas chromatograph; machine for manufacture of polystyrene powder; nuclear radiation detecting and measuring instruments; boring and drilling machines; magnetic tape; data processing system; tractor shovel loader; electronic computer input/output device; virgin mercury; synthetic rubber; electronic computer with space parts; spectrometer system; lubricating oil; glass fibers; V-belt cord treating system; impregnating system for belt fabric; ethylene oxide/ethylene glycol; lime mud reburning system; crude oil topping and coke unit; cold strip rolling mill and tandem temper mill; pulp mill equipment; cyclohexane; rotary combution engines; air separation; dimethylformamide/methylamines; synthetic ammonia.

The entire field of export control is very much in need of congressional scrutiny and evaluation. For this reason I believe the creation of the House Select Committee on Export Control is essential. I have introduced a resolution for this purpose, House Resolution 67, and respectfully request support for this resolution.

AFTER THE KENNEDY ROUND, WHAT: NEW HORIZONS IN FOREIGN TRADE

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS. Mr. Speaker, for the past 4½ years the foreign trade policy of the United States has been primarily concerned with initiating and bringing to conclusion the so-called Kennedy round of trade negotiations conducted under the mandate of the 1962 Trade Expansion Act. At the end of the day on June 30, 1967, the President's power to cut U.S. tariffs through mutually advantageous trade negotiations will expire. The United States will be faced with the task of fashioning a new trade policy and new trade legislation to implement that policy. Already there is much discussion about its nature.

During the period of our concentration on the Kennedy round many problems have emerged that have had to remain of lesser importance. They will now take center stage, and addressing these problems will constitute the essence of future U.S. trade policy. An article by Mr. William Diebold, Jr., titled "New Horizons in Foreign Trade Policy," in the January 1967 issue of the Foreign Affairs Quarterly, discusses these new areas of concern. Mr. Diebold, senior research fellow of the Council on Foreign Relations, identifies nontariff trade barriers, agriculture trade, and trade of less developed countries—LDC's—as major concerns of future policy.

In an article in the New York Journal of Commerce on October 31, 1966, I expressed my own views on what should occur after the Kennedy round. My observations are remarkably similar to those of Mr. Diebold. I agree that agriculture, nontraiff barriers and LDC trade problems will be major concerns, except that I stress another area of commercial relations that relates to problems of industrial property, such as patents and copyrights. But Mr. Diebold is also concerned, as I am, about the role of huge transnational companies and their possible effects on national economic policies.

Mr. Diebold includes yet another area: trade with the Soviet Union and the Communist countries of Eastern Europe. This is a rather different policy problem—it does not come to our attention primarily as a result of the Kennedy round, and it is not likely to be handled in the context of legislation designed to cope with the problems of industrial, agricultural, nontariff, and LDC trade. Rather, trade with Communist countries is less an economic and more a political question than these, and Mr. Diebold recognizes the special circumstances of this element of trade policy.

A central idea in my article was that regardless of the outcome of the Kennedy round a period of reexamination should begin immediately after its conclusion and that a new set of trade policy goals should be formulated so that forward momentum and cohesion might bemaintained. Mr. Diebold, too, seems to favor this approach. He does not seem to favor the idea, now gaining currency, that there should be a trade policy "detente" until 1969 and a new Presidential term.

To fashion a new trade policy and legislation will require leadership, leadership from the President and his delegate in charge of trade policy—the Special Representative for Trade Negotiations. This post now lacks a permanent appointee. I submit that the President should appoint to this post without further delay a man of the ability to carry forward the work begun by Governor Herter, a man able to fashion a timely and informed new trade policy and an organization able to implement that policy.

With unanimous consent Mr. Diebold's article in Foreign Affairs and my article in the Journal of Commerce of October 31 follow:

[From Foreign Affairs, January 1967]

New Horizons in Foreign Trade

(By William Diebold, Jr.)

Unless there is new legislation, the President will, at midnight on June 30, 1967, lose his power to cut American tariffs in trade bargains with other countries. The situation is familiar enough. Eleven times already the country has faced the question of renewing the grant of power first made in the Trade Agreements Act of 1934. Each time, Congress has prolonged the power, sometimes enlarging and sometimes reducing it. Mixing long-run policy and short-run tactics to get the best possible terms for the renewal of trade legislation is an old art in Washington. But this renewal is different.

It is different because if the Kennedy Round—the tariff negotiations that have been going on in Geneva for the last few years—comes out as it seems likely to, we shall be on the threshold of a period in which trade negotiations among industrialized countries will take on new forms and a greatly enlarged scope. Sooner or later, though not necessarily in 1967, the President will have to be given new kinds of powers to engage in trade negotiations: an extension of the existing ones to cut tariffs will no longer suffice. (And if the Kennedy Round does not live up to reasonable expectations, the issues involved in a 1967 renewal will look different again, but for other reasons.)

Though trade negotiations may not be quite as unpredictable as dice or cards, it is surprising how much agreement there is among those who have looked into the matter as to what may come out of the Kennedy Round. The main impact will be on trade in manufactured goods among the advanced industrial areas—North America, Western Europe and Japan. Some important products will not be touched but for many others duties will be cut in half (the largest possible reduction under American law, with a few exceptions). For still other goods there will be some kind of in-between cut, especially if one country has very high tariffs and another very low ones. Averaging tariffs is a questionable practice, but some brave souls find it reasonable to say that the total effect will be a reduction of tariffs amounting to perhaps 25 percent or, with luck, as much as 35. Something may also be done about non-tariff barriers, but for the most part this will be unfinished business, opening questions for the future.

Agricultural exports are important for the United States, but it is hard to see how anything more can be expected than tariff concessions on a few products, some temporary understandings about the course of trade over the next few years in some major products and the beginning of a serious effort to negotiate in quite new ways so as to mitigate the costly clash of national farm policies in the future.

All this sounds prosaic enough. Where are the new horizons? Only as we look at the problems that will have to be dealt with after the Kennedy Round does the new prospect unfold.

II

The tariffs that remain after the Kennedy Round will not be negligible, and any new legislation aimed at them will have to start by renewing at least the President's existing powers. But would another 50 percent reduction be worth the trouble of going through the mill of another massive multilateral tariff negotiation? Simpler ways can be found, provided, of course, governments are willing to make further cuts. For example, tariff rates might be reduced a certain percent each year. Or levels could be set to which all countries would reduce their duties on certain products, thus producing a degree of "harmonization" which many people feel desirable. Rules can be devised to allow enough flexibility to permit each country to move a little more slowly on its hard cases if it moves a little more rapidly on others, or to permit a country with low duties to reduce them more slowly than those with higher rates. Formulas are neither magical nor scientific, but one can see that a general rule of this sort would simplify trade negotiations and probably enhance their effect.

Tariffs on trade among the industrial countries have been reduced much more than is generally realized. Many are far lower than at any time since the depression or, in some cases, since the end of the last century. The United States has quite a few rates that are one-quarter of what they were in 1934 and many that are almost as low. Within the Common Market and the European Free Trade Area, tariffs will soon disappear. If the Kennedy Round cuts duties by another quarter of a third, much of the world's trade in manufactured goods will move at tariff rates of less than 10 percent *ad valorem*, or not much more. Inevitably one asks, "If that much can be accomplished in twenty years without great disturbance, why not more?" Can the remainder not be removed in, say, another ten—gently, year by year?

This picture may, however, be illusory. The last quarter of a tariff may be what really protects, so that it would prove harder to remove than the first three quarters. A 10 percent tax can be very important in a highly competitive market; also, it may be equivalent to several times that much if what is being protected is only the cost of manufacturing, when raw materials are imported at low or no duties. (But then past cuts may also have been greater than they seemed.) An opposite view of things after the Kennedy Round would be that if tariffs are low enough they make so little difference to trade that they may not be worth the effort of removing. The evidence on all these points is limited and conflicting; generalizations are unwise. The fact of the matter is almost certainly that some low tariffs have a significant effect while others do not, and that negotiations will reveal more than analysis will about which further steps will be relatively easy and which very hard.

We can be sure in advance that governments will not be willing to apply simplified procedures for the reduction of tariffs to all their trade. Some of the hard cases might be attacked instead by a new way of negotiating that is taking shape during the Kennedy Round. Called the sector or industry-by-industry approach, it largely grew out of the fact that there was a danger of no significant tariff reductions being made in several major industries because one country or another wanted to hold out key products from the across-the-board cut of 50 percent. Consequently others were unwilling to make their best offers. So long as the approach was product by product, reluctance in the most timorous country blocked all action, often to the disadvantage of other parts of the same industry. In chemicals and steel, for instance, several major countries have both an export interest and a protected sector. By looking at each of these industries as a whole, the negotiators opened the possibility of working out balanced bargains covering tariffs and non-tariff barriers as well. Too little is publicly known as yet to make a confident appraisal of this technique. It suggests questions about relations between governments and businesses and among producers in various countries that will have to be looked at warily. Still it is noteworthy that Eric Wyndham White, the Director General of the General Agreement on Tariffs and Trade, has suggested that this approach could provide a way of moving toward free trade in a number of industries, particularly those with large enterprises and fairly advanced technologies.

If that technique works in the hard cases, and deep cuts are made in other across-the-board duty rates, then the Kennedy Round will have opened the prospect of the elimination of tariffs on trade in manufactured goods among industrial countries. Free trade, so long an impossible ideal for some and a worrisome specter for others, will become, for the first time in nearly a century, something that can be seriously contemplated as a reasonable objective of policy. But the Kennedy Round has also made clear—if there was ever any doubt—that the removal of tariffs does not by itself produce free trade.

One of the advantages of the industry-by-industry approach has been to clarify the significance of non-tariff barriers in each industry and to help link their removal or modification to tariff changes. But no matter what technique is used, non-tariff barriers will have a prominent place in future trade negotiations. So far as quotas and exchange controls are concerned, the question is largely one of enforcing existing rules. But large numbers of other barriers fall outside any agreed international code and present difficult problems. Their variety is great. Some devices enhance the effect of tariffs—for example, by using artificial prices to calculate duties and assigning goods arbitrarily to customs classifications with higher duties. There are suspected abuses of legitimate practices, as in the application of anti-dumping duties. "Buy American" laws are only the best-known example of the very widespread practice of discriminating against foreign goods in governmental purchasing. Some European countries have taxes that fall disproportionately on large (and therefore largely American) automobiles. Sanitary rules, marking and labelling requirements, copyright and trademark laws, and many other regulations may also have the effect of restricting trade. So do some private business practices. Sometimes restriction is a by-product of activities that have other major purposes, but many practices are undoubtedly subterfuge. How damaging each is, and to whom, are matters still in dispute.

These barriers are too numerous and too diverse to be dealt with in a simple, comprehensive way. Some would require detailed agreements; some might yield to a more general code; others will undoubtedly have to be dealt with case by case, or under some kind of complaints procedure. Concern with nontariff barriers is not entirely new, but the Kennedy Round has moved them to a new position of prominence and set them firmly on the agenda of future trade negotiations. As tariffs become less restrictive, non-tariff barriers become more important; and they affect the pace of tariff reduction as well. For example, European countries may link their reductions of duties on chemicals to the modification of the "American selling price" rule which has the effect of raising United States duties on some of their products. Other non-tariff barriers are likely to be treated in the same way in the future. What Percy Bidwell christened "the invisible tariff" is becoming more visible.

This prospect that the Kennedy Round has opened leads to another one. To start talking about non-tariff barriers is to open a subject that has no logical end. All manner of government activities undertaken for all sorts of reasons may have the effect of restricting trade, or at least of putting foreigners at a disadvantage compared to domestic producers. What is a trade barrier? When will it be brought into international negotiations? These are questions of new scope for the future. For example, border taxes related to domestic turnover taxes and the like have traditionally been regarded as not affecting foreign trade. Now that idea is being called in question, but the implication of change reaches deep into national tax structures and raises questions about exchange rates as well. And as tariffs fall, national laws and policies about prices, wages and business practices take on a new international importance. The foreigner's concern with depreciation allowances, shipping laws, government-financed research and the more recondite forms of subsidy grows. Only far in the future can one imagine international negotiations covering quite so wide a range of subjects, but much sooner there will be questions about these practices and others that influence trade negotiations.

Agriculture, for so long the bad boy of international trade liberalization, is already posing similar questions. For decades large segments of agricultural trade have not only been exempted from the general process of lowering trade barriers but have been subjected to new restrictions. More than simple protectionism and the political strength of farmers went into this process. Many of the restrictions were the logical consequence of domestic farm programs like those in the

United States which kept domestic prices above world levels and often sought to limit output as well. In the Kennedy Round the United States and other producers outside the E.E.C. found themselves faced with a complicated new agricultural policy applied to the whole Common Market. Close and ingenious attention had been given to working out its implications for imports with a degree of logical rigor that promised to create something very much like a self-sealing mechanism. For some important products the outside world seemed likely to be put in the position of being able to supply the Six only when their own production fell short. The effect was enhanced by an increase in production and productivity coming not only from the prices offered under the new policy but even more from a technological revolution in agriculture comparable to that which put the United States back into its historical position as a low-cost exporter.

There is no way out of this impasse if negotiations are confined to trade barriers alone. So long as countries adhere to policies of this sort, there is little hope of liberalizing agricultural trade except by agreements that affect the policies themselves, not just the tariffs, quotas and variable levies that support them. If there is to be progress at all, governments have to be willing to talk, negotiate and give undertakings about such things as price-support levels, subsidies, production control and the financing of surpluses, as well as about the regulation of imports. This awkward fact is widely recognized, but whether governments will be willing to act on these premises, will be able to reach agreement and will then be able to overcome the obvious domestic political obstacles to putting agreement into effect are questions which give some inkling of the difficulties of future trade negotiations. The most the Kennedy Round can do is to start the process—and it could fail in the effort.

Agriculture as a mid-sixties exemplar of future international trade negotiations is about as unlikely a picture as one could imagine. The reasons are peculiar to agriculture. The agreements that might be made are not at all like those to be sought in negotiations about manufactured goods. The position in agriculture has been reached through the impossibility of dealing with trade barriers in tne conventional way, while in industry it results from success in removing them to the point where other barriers stand revealed. And yet the two have something in common: both indicate that the trade policy of the future, if it is to make progress at all, will entail international discussion, negotiation and perhaps agreement on a whole range of things normally regarded as domestic.

That conclusion is not quite as shocking as it may seem at first sight. Defense and its economic impact have been of mutual concern to the United States and its allies for a long time. We made the domestic economies of Europe and Japan our business from the end of the war on. It is not just our difficulties with the balance of payments that have given other countries reason to be concerned about American recessions, inflation, interest rates, wage policies and general economic health. From concern has come international discussion, sometimes negotiation and, in varying degrees, undertakings. National autonomy has not given way to international obligations but it has not been left immune either. So it is not surprising if trade, the biggest international economic nexus of all, should lead in the same direction.

At the same time that what was thought to be domestic is becoming of greater international concern, the international economy is developing in ways that raise questions about what is any longer national. Europeans and Canadians ask themselves whether American ownership of segments of their industries and American involvement in their financial systems are denationalizing their economies. In underdeveloped countries some people who long ago thought they knew the answer to that question are now beginning to wonder if the expansion of the economy that is theirs to control does not depend in part on a willingness to accept more foreign enterprise. Oil-producing countries that are financially weaker than some of the companies that operate within their boundaries are finding ways to balance the seesaw while the international companies try to become good citizens of a dozen countries at once. Americans too have some questions. In 1964, manufacturing companies in Western Europe of which Americans owned at least 25 percent, and which they usually controlled, had sales equalling $16.5 billion, over twice the amount of U.S. exports to Western Europe that year. The figures are not strictly comparable and they are obviously very different in their economic meaning, yet they raise questions. Can one fully understand the American trade interest in Europe by looking at exports alone? What is the relation of American investments to European trade barriers? More fundamentally still, what is the American economy? Clearly it is not just a geographical entity surrounded by a tariff and an invisible monetary line. Our foreign trade is not just something that crosses the customs frontier or involves the exchange of dollars for other currencies. But how to define the economy is not clear, and so there must be doubt about how to define the national economic interest as well. With the United States government and most foreign governments declaring, in common but for different reasons, their interest in American investment abroad, it takes no vivid imagination to see how the area of international discussion will broaden.

III

Broad as they are, these prospects opened by the Kennedy Round apply only to part of American foreign trade. The possibilities of free trade in manufactured goods, negotiations about national farm policies, greater attention to non-tariff barriers and the increasing international discussion of formerly domestic issues are relevant primarily to our trade with Western Europe, Canada and Japan. The third of our trade that is conducted with the underdeveloped countries and the less than 1 percent with the Communist countries present quite different perspectives.

Trade with the Soviet Union and the Communist countries of Eastern Europe has some of the characteristics of trade among the industrial countries of the free world, but not many. Its own peculiarities make it a realm in which different approaches are needed. This is not just a matter of the security control the United States applies to its exports to these countries. The far larger West European trade with the East still involves quotas, bilateral balancing and even barter. No one has yet found a satisfactory way of laying down a set of rules for relations between state trading bodies and private enterprises. It makes sense to permit Communist states to take part in GATT under reasonable conditions, if they want to, but it is wrong to think that this will solve many problems. What it will do is to provide a way of dealing with the problems of this trade and, as time passes, may produce a more satisfactory kind of relation, perhaps even a workable body of rules. Decentralization of economic authority in the Communist states makes it a bit more likely that they can be fitted into a reasonable system; it even gives their tariffs more meaning than in the past. Trade can expand without all the problems being solved, but not satisfactorily if they are ignored.

In relation to the Soviet Union, the United States needs more flexibility than it has had in the past so that the President can negotiate effectively. He already has considerable discretion over export controls, but its use depends on political circumstances. He needs the power called for in a bill not passed by the last Congress to end tariff discrimination against the Communist countries in return for satisfactory commitments on their part. Not commercial advantage but the ability to negotiate should be the main American aim.

Trade with the less developed countries is different again. Our concern with their growth and stability might reasonably lead us to agree to some rather one-sided trade bargains. There is already agreement that the rich countries will not ask full reciprocity from the poor ones, at least so far as the removal of trade barriers is concerned. But this should not be taken to mean that the less developed countries have a blank check and no obligations. If their trade policies amount to nothing more than protection, restriction and the subsidization of exports, they will choke their development instead of fostering it. And even if they follow very enlightened policies, what they can do for themselves in trade depends largely on the developed countries' willingness to open their markets to the competitive products of the poor, low-wage countries.

What blend of measures will contribute most to development and a rational pattern of world trade is a subject going beyond this article. The problems are not simple. For example, a whole choir calls for tariff preferences in favor of the exports of the less developed countries. But any prescriptions ought to be written with a clear recognition that the developed countries have shown less willingness to remove barriers to imports from less developed countries than on trade among themselves. Generous talk about special treatment should always be compared with the reality of the elaborate international arrangements to restrain trade in cotton textiles, one of the few manufactured products that a number of less developed countries are able to export in quantity.

The interconnections between these two segments of trade somewhat blur the distinction implied by saying that the United States needs different policies toward these two kinds of trade. Pointing in the same direction is the fact that a simple division of countries into developed and less developed is too crude to guide policy for very long. Both considerations remind us that the basic elements of American trade policy involve more than the reduction of trade barriers. Other essentials are an agreed body of rules, an organization to look after their application and a way of discussing problems and hearing complaints. This last function becomes increasingly important not only as special categories are recognized, such as "advanced less developed countries," but also as negotiations among the industrialized countries move from the familiar field of tariffs into the unfamiliar ones of non-tariff barriers and other practices that interfere with trade but are not covered by clear-cut roles. One more fundamental of American policy is support for the principle of equal treatment. That statement may ring oddly in a world full of discriminatory trade practices and juxtaposed to acceptance of the case for special treatment of less developed countries. But there is no real inconsistency. To accept departures from the principle of non-discrimination because they permit the removal of trade barriers, as in the case of the Common Market, or to meet special circumstances, as in the case of the less developed countries, is entirely different from abandoning the framework of non-discrimination. In that direction lies the hodgepodge of bilateralism that grew up in the depression, the abandonment of past commitments and the erosion of the accomplishments of the postwar period. Quite different horizons would appear from those described in the first part of this article. Not just American political and economic interest but the rational ordering of world trade depends on constant advocacy of equal treatment.

IV

No trade legislation in the coming year can deal with all these issues. Some are not ready for action, others not yet well enough understood for us to know just what to do. Whatever is done in 1967, whether modest or ambitious, cannot be the solvent for trade-policy problems for the indefinite future, but whatever is done, particularly if it is ambitious, ought to take account of the new prospects that have been opened by the Kennedy Round.

Whether to ask for little or to ask for much is one of the classic problems of the renewal of trade-agreements legislation. A cogent case can be made for the view that with so many new problems arising the best course would be an extension of the existing act for a year or two. That would permit the President to tie up the loose ends the Kennedy Round is bound to leave, while preparing at home and abroad for the kind of approach that will be needed to deal with the problems of the future. The contrary view is also cogent: equip the President to take broad initiatives immediately, in order to build on the momentum of the Kennedy Round and guard against erosion or stagnation here or abroad. This view has its attraction. President Kennedy took the plunge when treading water would have been understandable, and he got the greatest advance in trade legislation since 1934. But he had some advantages that are now absent: the chance to break with a stagnant trade policy; the widespread feeling that the United States had to meet the challenge of the Common Market; and the wish to find a concrete expression of "partnership." No political equivalent of that situation exists now. The idea of an Atlantic free-trade area, which attracts some people, not only lacks charisma but has a negative political charge in the present state of transatlantic relations. It might also create more trade-policy problems than it would solve.

Still, the possibilities warrant something more than temporizing and some positive action would be a better earnest of American intentions than putting the decision off.[1] It should not be too difficult to draw up sensible proposals for broadening the President's power to cut or remove tariffs; to start on the problems of non-tariff barriers; to act on some of the issues of concern to the less developed countries; and to negotiate effectively with the Communist countries. How much can be done depends on a number of circumstances that are not now predictable—not least on what sort of agreement the negotiators bring home from Geneva and especially its agricultural provisions. And if instead of the satisfactory outcome of the Kennedy Round assumed earlier in this article there should be a very disappointing result with only dribs and drabs of unimportant trade concessions, still another situation would exist. Then the case for delay would be strong, to give time to consider whether the failure of the most elaborate effort yet made to reduce trade barriers might not mean that we needed new ideas about how to approach the subject. That kind of outcome would also raise very serious doubts about what the American people are willing—or ought to be willing—to do in trade policy.

There is another possibility, one hopes an unlikely one. That is that the Kennedy Round will become a political sacrifice, killed or made barren by some effort to strike at the United States, the *demandeur* who has been more interested than others in its success. If that happened, we would have many decisions to make, and trade policy would quite properly have to be looked at primarily in terms of what use it might be as an instrument of foreign policy. Choices that would be considerably less than second best from the point of view of trade—such as trying to form some kind of trading group omitting the Common Market—would have to be seriously considered. But the prospects of a broad liberalization of world trade are more likely to be set back than advanced by that course.

The less dramatic course suggested earlier does not imply a divorce of American trade policy from foreign policy. Quite the contrary, it assumes that long-run American interests are on the whole well served by persistence in the long and slow process of trade liberalization. There are moments when some foreign-policy aim can hasten the process by galvanizing the country to action it would not otherwise take. There are also risks of setting back the process in the effort to make trade policy respond too closely to relatively short-run political circumstances. Certainly the United States can afford economic sacrifices for foreign-policy ends; it makes them every day. But it is also easy to exaggerate the value of trade policy as a political weapon.

Perhaps trade relations among the industrial countries of the free world—though not East-West or North-South trade—have reached the point at which they should ordinarily be looked at as workaday matters rather than as a form of diplomacy. Certainly the prospects sketched in the earlier part of this article are not those of a preacher's promised land to be attained by those who will be moved to action by a vision. They emerge naturally out of what the advanced industrial countries will have done over the past twenty years and more. That experience has not proved that tariffs and other trade barriers are of no importance or that their removal is the key to prosperity or peace—just that they can be removed without great disturbance and with real benefit.

To look ahead to where we can go after the Kennedy Round is not the same as showing how to get there or laying down a time schedule. The balance of payments of leading countries, and perhaps especially the United States, will offer obstacles; so will difficulties of adjustment and resistance to it. Elections, diplomacy and particular circumstances in one country or another will be at work all the time, more often to slow the process than to speed it. Protectionism is not dead and sometimes takes on new forms. The creation of regional trading arrangements liberalizes segments of trade but at the same time introduces new distortions. And the external tariff of such a group may become not just a trade barrier but also a form of political cement, as we have seen in the Common Market. Broadening the range of trade negotiations to include national policies and practices not ordinarily thought of as trade barriers will itself generate new kinds of resistance and stimulate political fright.

The next stages of trade negotiation will be more complicated than those in the past. Maybe they will be harder. There is nothing inevitable about progress toward freer trade; it depends on what governments are willing to do. Trade barriers do not fall, they are removed. That governments ought to persist in their useful if sometimes pedestrian efforts is clear enough. That conclusion was valid in 1945 when the vision of a postwar liberal trading world was new and hopes of moving rapidly toward it were high. It was valid ten years later when the obstacles to free trade seemed great and the will to pursue it was flagging, and again in 1962 when the United States made its bid to link Europe's internal trade liberalization with the world. What is new in 1967 is not the validity of the case for further liberalization but the prospect that its result will be a new concept of trade relations between nations.

[From the Journal of Commerce, Oct. 31, 1966]

After Kennedy Round, What?—Curtis Urges Deliberate Action

(By Representative **Thomas B. Curtis**, Congressional delegate to the Kennedy Round)

The Trade Expansion Act of 1962 gave the President authority to cut tariffs reciprocally during a five year period ending June 30, 1967. Difficult negotiations making use of this delegated Congressional authority have been formally in process since 1964. If the authority can be utilized, the high rates established by the "Smoot-Hawley" Tariff Act of 1930 which have been reduced periodically by the series of "Reciprocal Trade Acts," will be largely eliminated. Henceforth, the U.S. and other trading nations will increasingly be concerned with non-tariff trade barriers, which have been increasing as tariffs have been decreasing.

To prescribe a specific series of actions to follow the current negotiations is not now possible. We will not know the results of the Trade Expansion Act—"Kennedy Round"—effort for some months, and there is little to be gained in trying to predict them here.

POLICY FOR THE FUTURE

In spite of this uncertainty I do not hesitate to outline some steps toward conceiving a trade policy for the future—the policy that will determine "what" we do after the Kennedy Round—and how to organize to implement that policy. But any new approach must take account of what I consider to be a major trend: a return to an artificial structuring of international trade reflecting mercantilist economic theories.

First, there is the need to maintain momentum and leadership. Since the first Reciprocal Trade Act in 1934, the United States has through periodic renewals of that act and six rounds of tariff negotiations under the General Agreement on Tariffs and trade, led a forward movement toward greater world trade. It has been suggested that the Kennedy Round be followed by a "breathing space" in which no action is taken. But without such momentum U.S. trade policy could settle into a series of fragmented, ad hoc responses unrelated to economic principle. Such forward momentum can only result from an effort to achieve well conceived foreign economic policy goals. We must establish new goals toward which to move, and a strategy for achieving them.

NATURE OF GOALS

What are these goals? We should strive toward a world where agreements about fair trade and economic practices would permit a minimum of barriers to the free exchange of money, goods and men, a world economy that allows the fullest adjustment with the least friction of national economies based on hard work and innovation; a world where human and physical resources are developed and utilized to allow the maximum of human fulfillment and to produce the maximum of goods and services in increased quality and variety.

In this setting, our foreign trade policy should be directed toward eliminating the really troublesome barriers to trade, trade that is based on fair competitive forces. This is not a simple matter of removing tariffs and quotas. Foreign trade flows in practice do not respond simply in accord with the theory of comparative advantage. Trade is in fact affected by a staggering variety of devices (many in essence governmental subsidies) which result from differences in national taxation systems, concepts of economic competition and government regulation of enterprise, variable ocean shipping and internal transportation systems. Often these are devious other-than-tariff methods of reflecting subsidies to a domestic industry or interest group—or as the interest group might say, and sometimes with accuracy, methods of retaliation against subsidies granted by foreign governments to their industries.

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[1] The Council on Foreign Relations will shortly publish a succinct analysis of future needs and specific proposals for the extension of the President's powers by John Evans, an experienced negotiator who for years headed the American delegation to GATT. I have gained much from talking with Mr. Evans and from reading his manuscript.

CODE OF BUSINESS PRACTICE

For some time I have suggested that we begin to resolve these difficult, tangled problems through negotiating an international code of business practice which would include such matters as antitrust, patent and copyright laws, anti sweat-shop labor laws, etc. To some extent the GATT itself is the embryo of such an agreement. At the same time, a program is badly needed to mesh trade with foreign private investment and with aid, to create a truly adequate policy toward developing countries that properly emphasizes the role of trade.

To devise a trade policy broad enough in scope to deal with these problems requires that we formulate what I call a "total" trade policy addressing itself to the "forgotten" trade problems. We must choose an effective strategy and mold a suitable governmental organization to carry out that policy.

ATLANTIC FREE TRADE IDEAS

As the Kennedy Round has met continuing obstacles and frustration has increased, many ideas about such future strategies have been expressed. There is a disillusionment with reciprocal tariff negotiations in a multilateral forum. Some have gone so far as to state that the unconditional most-favored-nation principle and multilateral trading have lost their usefulness. From this disillusionment with the post Smoot-Hawley approach to trade expansion two main groups spring, each with a different emphasis.

The first group wishes to move toward "Atlantic Union," which in their eyes was an important part of the initial Kennedy Round concept. They would do so by forming, perhaps by treaty, a "free trade area" of like-thinking countries that would agree progressively to reduce all barriers to trade among them. But I am not certain that this group equates removing "barriers to trade" with establishing a code of fair trade and economic practice which would remove the initial causes for the barriers being created. Any country, such as the European Economic Community, that might wish to join such a treaty in order to take part in its advantages, could do so on the condition that it accept the rules of the club. This group must be careful not to react in a spiteful and ill-considered way to what it considers the "rebuffs" of the Six, particularly France.

CONCERN FOR LDC'S

The concern of the second group is focused on the less developed countries (LDC's); on devising special trade measures on their behalf. Comparatively little attention has been given such measures in the United States. We all too often seem to satisfy ourselves with what can be called conscience payments to LDC's in the form of money transfers—aid not trade. Impetus to consider special trade measures for LDC's has come from abroad—from the developing countries themselves and their organizations, or from European countries. But these countries often seem more intent on maintaining some remnants of their colonial trade relationships for their own benefit than really permitting their former colonies to develop viable economic bases.

These nations now advocate steps that include additional commodity stabilization plans, land preferences. The need for price stability, both by the seller and the buyer, is a goal worth achieving, but the present approach to price stabilization through commodity control is of very doubtful value. International futures markets, properly regulated by government to ensure fairness and honesty, are a much more efficient way of evening out price swings, yet this approach has received very little consideration.

Schemes whereby LDC manufactured and semi-manufactured products are given preferential access to developed country markets have been emphasized by LDC's. Proposals for such preferences have advanced to a stage where much wider public understanding of them has, as a matter of the national interest, become very urgent.

UNCONDITIONAL MFN ROLE

Both lines of strategy would require a major deviation from the unconditional most-favored-nation principle, which has been a keystone of U.S. commercial policy. It is said that, after all, the unconditional MFN policy is not "holy," and indeed it is not. But in fact it has been very useful. If we decide to suspend it, we should be fully aware of what it is we are taking leave of, and what it is we will be undertaking. Suspension could lead to complete abandonment. The alternative to unconditional MFN and therefore the principle of non-discrimination among trading nations could be a chaotic international marketplace, which would surely be reflected in political divisiveness.

Neither strategy is exclusive. They could be combined and-or integrated with more traditional trade strategies. There has simply not been enough discussion and debate in order to evaluate them, and it is not yet possible to decide their merits.

How do we go about formulating the appropriate new trade policy—new goals and the strategy to implement them? There are several essential prerequisites. The first is that scholars and practicing businessmen study the problems in wider context and with a much longer perspective of the development of present concepts of international trade. Then both Congress and the Executive can give and maintain some needed leadership in shaping new legislation and implementing it.

THE PUBLIC POLICY PROCESS

The legislative process does not involve simply the passage of a bill by Congress. A bill signed into law is the culmination of a process of study and debate, involving the legislative and the executive branches, and including all concerned elements of the public—labor, agriculture, mining, chemistry, manufacturing, commercial and academic.

As with any major bill, new trade legislation will require reaching a consensus based upon public confrontation of the various theories and subject to cross examination and rebuttal testimony, in which Congressional institutions must play the major role. A first step is well-prepared public hearings by the competent Congressional committees which have authority in foreign economic policy—chiefly the House Ways and Means and Senate Finance Committees, and the House-Senate Joint Economic Committee. Here a most essential requirement is missing—the President's Annual Report on Trade does not receive the attention it needs through annual hearings by the right committee. It should have the same national attention that the President's Annual Economic Report receives.

PUBLIC RESPONSIBILITY

The creation of such firm underpinnings would minimize attempts to structure trade legislation in an unsound way. Public affairs organizations have a large responsibility here.

New legislation, when the time for it arrives, could take several forms. It might simply be a series of amendments to the Trade Expansion Act of 1962. The only sections that will expire are those that give authority to reduce U.S. tariffs. The remainder of the act could stand, and much of it could remain unchanged. But it will perhaps be necessary to shape entirely new legislation to implement the goals that we set.

I have said that a major task will be to create a suitable administrative structure to ensure that new policy goals and legislative intent will be implemented and elaborated. This structure should be provided in any new trade legislation.

NEED FOR CENTRALIZATION

The conduct of U.S. trade policy is highly fragmented and the need for centralization great. Many agencies are deeply concerned with foreign trade. The State Department retains primary jurisdiction in the area of commodity agreements, trade preferences and trading blocs, as well as concern with a wide variety of other problems, including economic development financing and technical assistance. The Treasury Department has primary responsibility for administering tax treaties, U.S. anti-dumping and customs laws. The Commerce Department administers U.S. export controls and the export promotion program. The Justice Department, Federal Trade Commission and Tariff Commission share authority in the area of international antitrust and unfair trade practices, as does the State Department with its concern in the area of foreign restrictive business practices. The Interior Department administers the large U.S. oil import quota program and is interested in trade in metals. The Agriculture Department is very active in dealing with international agriculture disposals and other problems. The Labor Department is active in the International Labor Organization (ILD) and related problems. The result is a proliferation of jurisdictions and activities—often without being related to a central core of principle and policy.

The Special Representative for Trade Negotiations was authorized to be appointed by the 1962 Trade Expansion Act, but that act did not fully establish an Office for Trade Negotiations. However, I believe the Congress clearly intended that powers be delegated to the Special Representative beyond the conduct of the reciprocal trade negotiations under the act. The act failed to make certain that the Special Representative's Office would have a professional career staff. Its dependence on the State Department for the administration and funding of its Geneva delegation and other activities is a weakness.

New trade legislation should establish an administrative structure strong enough to coordinate U.S. foreign economic policy and to make sure that sound economic judgments are made before steps are taken on foreign policy grounds.

NEO-MERCANTILISM?

There is a present danger that the U.S. will fall into a course of action simply through indirection. I note a trend toward increased, rather than lessened, government direct participation rather than simply government regulation to structure international commerce: a movement which might well be termed neo-mercantilism, as opposed to the laissez-faire reform promoted by Adam Smith and others to remove government from direct participation, and to relegate it to regulating a free and competitive marketplace. The proliferation of preferential trading areas (customs unions and free trade areas) and more recently of special arrangement 1) between a dominant industrial power and several poorer nations, 2) among a handful of countries covering one or several products, and 3) among many nations to arrange all trade in a single commodity, are strongly reminiscent of the mercantilist approach. The pious expressions about successful U.S. leadership toward a nondiscriminatory, open trading world through lowering tariffs, with which certain groups flattered themselves in the early 1960's, sound hollow in 1966.

These are reasons for an intensive national and international reexamination of trade policy that recognizes that we cannot put the new wine of increasing international trade in the old bottles of high tariffs and neo-mercantilism. We are presented with a choice between a world economy arranged on mercantilist lines, and a world economy dedicated to maximizing the benefits of economic freedom. Yet we must be careful at the same time not to adopt casually some cute new formula, hastily conceived and ill-considered. Congress, the Executive, and the people all have a role in deciding "what" happens "after the Kennedy Round." It is for us all to decide.

LEGISLATION TO REMOVE IMPEDIMENTS TO LABOR MOBILITY

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS. Mr. Speaker, one of the continuing challenges we face is to meet the demand for increased skills in our labor force. It is a matter of highest priority that we do everything possible to develop our most important resource—manpower. Programs such as the Manpower Development and Training Act of 1962 and, hopefully, enactment of the Human Investment Act are significant steps in a sound manpower training policy.

Corresponding with the need to upgrade skills is another need which must not be neglected—that of matching the skills with the job vacancies available. Retraining the unemployed and filling the many thousands of jobs which are now going begging in our society is not a one step job. In addition to training and retraining programs, attention must be given to encouraging workers to seek out jobs commensurate with their increased skills. One effective way to encourage this is to remove the many impediments to labor mobility contained in the Internal Revenue Code.

Thus, I am today introducing three bills designed to promote labor mobility by conforming our tax laws to an enlightened labor policy.

A BILL TO EXCLUDE FROM INCOME CERTAIN REIMBURSED MOVING EXPENSES

The first of these bills provides that certain moving expenses paid by an employer shall not be included as taxable income of the employee taxpayer as under present law. American industry has long followed the practice of transferring employees to new locations for a variety of reasons such as training, staffing new facilities, and retaining valuable skills of employees where an industry activity is closed down. When these transfers occur the employer has generally reimbursed the employee for the expense caused by the employer in moving the employee, members of his family, and his personal possessions to the new location.

The Internal Revenue Service has ruled that the expense of transporting the employee, his family, and household effects to the new work location is actually the employer's expense and thus is excludable from the employee's income. This clearly is a correct interpretation. However, the Internal Revenue Service contends that all other expense created by the move and for which the employee is reimbursed by his employer is income to the employee and subject to income tax. This seems to be an unduly strained interpretation.

When either Government or industry requires an employee to transfer his work location and move his family to a new place of residence, it is only simple equity that the employer pay the expense of the move and that the employee not be forced to dip into his own pocket. Thus when the employee bears the expense because of the move which he required, it seems in error to levy a tax on reimbursed expenses on the strained interpretation that the employee has received income. Indeed, such a tax defeats the purpose of reimbursement which is to keep the employee financially whole.

The expenses involved are substantially those which the Federal Government would pay for its employees under Public Law 89-516 passed in the last Congress. To be specific, my bill would exclude from the employee's income reimbursement for the following:

The reasonable cost of moving household goods and personal effects and of traveling from the old to the new residence. These expenses are presently excludable from income under existing IRS rulings as I previously stated.

The reasonable cost of traveling by the employee and his spouse for the purpose of searching for a new residence. The civil service bill provides for reimbursement of this same expense.

The reasonable cost of meals and lodging of the taxpayer and members of his family while occupying temporary quarters, but not to exceed 30 days in the United States or 60 days in territories or foreign countries. The civil service bill provides for payment of this same expense under regulations to be prescribed.

The expenses incident to the sale or exchange of a residence or the settlement of an unexpired lease and the expenses incident to the purchase of a new residence. The civil service bill provides for reimbursement of these expenses. Neither bill would permit compensation for any loss suffered by the employee in the sale of a residence.

Miscellaneous expenses to the extent they are directly attributable to the move and are substantiated by the taxpayer. However, these expenses are limited to not more than 2 weeks' wages or $1,000 whichever is less and, in the case of a single employee without dependents, only one-half of this amount. The civil service bill provides for reimbursement of similar amounts under regulations to be prescribed.

A BILL TO PERMIT A TAXPAYER TO DEDUCT AS A TRADE OR BUSINESS EXPENSE THE COST OF TRAVEL, MEALS, AND LODGING WHILE EMPLOYED AWAY FROM HOME

The second bill which I am introducing today, also designed to make our workers more geographically mobile and thus more able to take advantage of new opportunities, provides for a redefinition of the concept of "home" in our tax laws. The discouragement to worker mobility in our tax law revolves around the outdated concept of home. In earlier days, in days of less dramatic technological change, a worker's home was, as the tax law defines it, the principal place of his employment. Today, however, this is not the case. Technological progress, as I have noted, calls for mobility and, since most workers today own their homes, to call home the place of a worker's employment ignores the fact that he may for some extended period maintain his family at his place of residence and be employed elsewhere.

Two specific cases illustrate the operation of our tax laws to discourage worker mobility. The first deals with defense industry workers, in this instance machinists working for McDonnell Aircraft Corp., who must spend extended periods away from their homes in the process of developing modern weapons. The highly complex military hardware of today often demands long periods of testing, testing which, in the case of McDonnell products, takes place far away from the company's home office and the homes and families of the workers who must participate in these tests. Some provision is made for this type of situation in the tax laws; if there is a temporary period of employment away from home, per diem paid during this time may be considered spent for business purposes. But the rule as to a temporary period is very narrow and if this period is indefinite, the worker's home in the tax sense follows his job.

The second situation is exemplified by the problem facing the Chrysler Corp.'s employees who transferred from a plant in Indiana to the company's new plant in St. Louis County, Mo. Their tax home went with the plant to St. Louis, but many of the workers left their families in Indiana for some period, waiting to sell their homes there and find suitable places to live in Missouri.

In both of these cases the tax laws discourage the worker from being mobile, from taking the job which will involve a period of work away from home or from taking a job away from one's present home. This is the direct opposite of what we need. We need to encourage mobility of our workers as well as we need to encourage the upgrading of their skills. Both of these will continue materially to the achievement of our economic goals. Allowing business expense deductions for education and training and revising the tax rules as to the definition of home, making it, for a homeowning worker, the place where he owns his home and maintains his family would be significant steps toward the overall goal of helping America meet its potential.

A BILL TO ASSIST TRANSPORTATION AND MOBILITY OF DISABLED WORKERS

Mr. Speaker, the third bill which I am introducing today would allow a disabled worker to deduct from his taxable income the costs of his transportation to and from work. The disabled worker has special problems in the area of transportation and normally such additional expenses which he may be forced to incur are not deductable from his income tax. This is an unnecessary and discouraging obstacle to any efforts to rehabilitate disabled persons and bring them back into the work force. I think that it is one of the most meaningful of human activities, the rehabilitation of the individual to permit him, as nearly as possible to lead a normal life, and this bill would be one small step in reaching this goal.

Incorporating a suggestion provided me by the Department of Labor in 1964, the bill is now written in general language rather than listing the particular disabilities which would compel an individual to incur additional transportation costs. The intent of the bill is clearly to provide assistance to any person whose physical impairment makes it difficult to use public transportation to get to work.

YOUNG AMERICANS FOR FREEDOM STOPS MAJOR TRADE DEAL WITH SOVIET UNION

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Utt] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. UTT. Mr. Speaker, I have been proud to serve during the last 5 years on the national advisory board of the Nation's largest conservative youth group, Young Americans for Freedom. I share this honor with many of my colleagues in the Congress and other leading American citizens. I have been pleased to see Young Americans for Freedom grow from a small group of college students in 1960 to a present membership of more than 30,000 high school and college students in over 450 chapters in every State.

I am especially pleased to inform the House that Young Americans for Freedom, singlehandedly, has succeeded in stopping a proposed major trade agreement between the American Motors Corp. and the Soviet Union. The proposed trade deal was announced last November by American Motors and as a result it seemed all but certain that the Communists would receive thousands of automobiles made in the United States. Such trade would allow the Communists to bolster their own economy and shift large quantities of strategic resources from the Russian consumer market into the production of more military aid for the Communist war effort against American fighting men in Vietnam. I include in my remarks at this point a news article from the Chicago Tribune of November 27, 1966, in which the AMC-Communist trade deal was announced:

American Motors Hopes To Sell Cars to Reds

Detroit, November 26.—American Motors Corporation officials today said they plan a drive aimed at selling automobiles behind the iron curtain.

If successful, A.M.C. would be the first United States auto firm to sell cars directly in the Soviet Union or other communist nations in eastern Europe.

"I'm going to Russia and I am going to sell some cars there," said William S. Pickett, A.M.C.'s vice president for international automotive operations.

ACTION IN 1967

Picket expressed hope the project would be under way next year "if we can work out some kind of selling arrangement."

A.M.C.'s sales in the United States have been sliding, but its overseas picture is bright, with its 1966 export setting a high of 45,991 vehicles.

"I know we couldn't go to the Russians and say 'here is our car, give us $1,800,'" Pickett said. "We may have to work out a barter arrangement."

He said A.M.C. could build the cars in Argentina, sell them to iron curtain countries, which, in turn, would pay for the automobiles by shipping steel to American Motors.

ARRANGEMENT NOT NEW

"We've done this before," he said. "We shipped cars to Colombia from our Belgian plant and took payment in coffee."

Pickett said a third firm bought the coffee from A.M.C.

"These are the kinds of deals we are looking for," he said. "I think the communist bloc will more than pay its way."

Details of a sales agreement have not been planned yet, he said.

Mr. Speaker, the Soviet Union and American Motors Corp. did not reckon with the energy of thousands of patriotic young Americans willing to exercise their constitutional right of free speech. After the trade deal was made public, Young Americans for Freedom launched a nationwide campaign of protest against trading with the enemy, especially in time of war. The Young Americans for Freedom national protest began on January 9 and on January 20 American Motors sent a telegram to national YAF in which they now make clear they will not trade with the Communists. At this point I wish to include a statement made to the press by Young Americans for Freedom, on January 24:

American Motors Drops Trade Deal With Communists; Young Americans for Freedom Claims Victory in Protest Campaign

Young Americans for Freedom, the largest conservative youth group in the nation, today announced that they have been notified by the American Motors Corporation of Detroit that the auto making firm will not make any trade deals with "Communist bloc nations." The National Chairman of YAF, Tom Huston, called this a "victory for the millions of loyal Americans who oppose trade with the Communist enemy." Huston commended American Motors for their revised stand on the Red trade issue.

William S. Pickett, Vice President of American Motors had announced on November 26, 1966, that he was going to Russia to negotiate a trade deal. The Associated Press quoted him as saying; "I am going to Russia and I am going to sell some cars there." Pickett also said AMC was trying to work out almost any kind of agreement with the Russians, including bartering steel for finished cars. He told the AP, "These are the kinds of deals we are looking for. I think the Communist bloc will more than pay its way."

The American Motors announcement of Red trade brought strong protests from the 30,000 member Young Americans for Freedom, who contended that shipping autos to the Russians would directly aid in their assistance of the Communist war effort in North Viet Nam. In 1965 a similar YAF protest caused the Firestone Rubber Co. to cancel the building of a rubber manufacturing factory in Communist Rumania.

On January 9, 1967, Young Americans for Freedom launched a nationwide campaign of picketing local AMC dealerships. Many AMC dealers sided with the young conservatives and protested their own company's foreign trade policy. General public reaction was strongly in favor of YAF's position, especially in view of the Viet Nam war. The drumfire of local protest from YAF members in many states led to the announcement by American Motors. Privately AMC officials admitted that they had been pressured by the U.S. State and Commerce Departments to conclude a deal with the Soviet Union.

The American Motors announcement was signed by William S. Pickett, and stated in part; "American Motors has no plans, programs or intentions to trade with Communist bloc nations. . . . Our intentions are to continue our growing trade with our traditional customers all of whom would certainly be numbered as traditional allies and not members of the Communist bloc. . . . The story of November 26th was a misinterpretation."

The National Chairman of YAF, Tom Huston, congratulated AMC for reversing its previously announced intentions and called the change "a victory for the millions of loyal Americans who oppose trade with the Communists." Young Americans for Freedom is proud to have played a part in discouraging a trade deal with those who are supplying most of the military equipment needed to continue the war effort of the Communist North Vietnamese. Huston announced that YAF would continue its national efforts focusing its actions on the defeat of President Johnson's proposed liberalization of the laws governing trade with Communist nations.

Mr. Speaker, I would like to conclude my remarks by commending Young Americans for Freedom for this patriotic action on their part which stands in stark contrast to the small minority of beatniks and draft dodgers who compose the rag tag revolution of the so-called New Left. I include at this point a full account of the American Motors matter which appears in the January issue of the New Guard, the official magazine of Young Americans for Freedom:

YAF Exposes, Halts American Motors Plans To Trade With the Enemy

Exposure by Young Americans for Freedom apparently has caused the giant American Motors Corporation, manufacturers of the Rambler, to cancel their plans to sell cars in the U.S.S.R.

The November 27 issue of the *Chicago Tribune* carried an Associated Press dispatch which quoted William S. Pickett, AMC's vice president for international automotive operations, as saying that "I'm going to Russia and I am going to sell some cars there."

According to AP, Pickett expressed hope the project would be under way in 1967 "if we can work out some kind of selling arrangement."

A month later, American Motors issued a statement saying it has no plans to sell cars to the Soviet Union and "never has had any."

"Like all companies with a large international business," it asserted, "we have discussed the pros and cons of trade in every part of the world but our plans are exclusively concentrated on our business in friendly countries."

What happened in between the two statements was the appearance of a YAF picket line in front of the American Motors dealer in Valparaiso, Ind., and unsuccessful attempts by the main office of American Motors to intimidate the YAF students by calling the city chief of police and college authorities.

Ronald Pearson, chairman of the YAF chapter at Valparaiso University, had called American Motors' main office in Detroit to get a confirmation or denial of their plans to sell cars to Russia. He was unable to get either. The rest of the story is reported by John Hill in *The Torch*, Valparaiso University's student newspaper:

"The local YAF chapter called the main

office of American Motors to inform them that plans would proceed with picketing. The officials promised to have a denial of Pickett's statement sent over the UPI wires within an hour with the stipulation that if such a wire appeared YAF would call off the picket.

"For two hours, YAF members stopped making picket signs and watched the UPI releases in the office of WVUR-FM, VU's campus radio station. Pearson finally called Chicago UPI to put a tracer on the story; the Chicago office said that the story would appear on wire by midnight.

"The statement, given to the Detroit UPI stated: 'Mr. Roy Abernathy, president of American Motors, tonight said the company has no plans to seek auto sales in the Soviet union. . . .'

"After an hour, Pearson again called the Chicago office, which said that the story would not appear because the statement by Abernathy was made only to 'placate an individual in Indiana.'

"UPI would not carry the statement because it would probably have to be retracted. It stood by the original story carried by its wire, that AMC was entering into negotiations with the Soviet Union.

"Pearson then contacted other Indiana chapter chairmen and under the circumstances decided to proceed with the demonstration.

"Further complications arose when the local YAF chapter applied for a parade permit. An AMC official from Chicago called future Valparaiso Chief of Police Al Miller exerting pressure not to issue the parade permit. Saturday morning, just a few hours before the scheduled protest, the AMC Chicago office also called VU officials to ask them to forbid University students from picketing."

The Valparaiso YAF students did picket, however, and when national YAF promised to extend the campaign across the country American Motors backed down.

One aspect of the YAF campaign was a telegram from Tom Huston, YAF's national chairman, to Michigan Governor George Romney. "I respectfully request," he wrote "that you use your influence to stop the proposed auto sales trade deal. . . . As a former head of American Motors you are in a unique position to help the United States war effort in Vietnam by opposing this trade deal which would indirectly give aid to the Communists in North Vietnam. We urge you to prevail on your former business associates to drop any negotiations with the Russians. We hope that you will agree with the millions of Americans who believe that no amount of business profit can justify trading with the enemy in time of war."

No reply has been received from Governor Romney.

In a letter to chapter chairmen YAF executive director David R. Jones wrote that "Communist countries have repeatedly and publicly pledged their support to the Communist Viet Cong and are backing these pledges by supplying everything from MIG fighter planes to weapons and foodstuffs.

"National YAF," he continued, "believes that the selling of autos to Russia will most definitely aid the Soviets' support of the war in Vietnam. This will result because it allows the Reds to divert metals, rubber and other materials away from their domestic market and into their military industrial efforts."

It was YAF which in 1965 almost singlehandedly stopped the Firestone Tire and Rubber Company from building a rubber manufacturing plant in Communist Rumania. In spite of U.S. State Department support Firestone withdrew when customer pressure resulted from YAF picket lines at local stores. Sen. William Fulbright liberal chairman of the Senate Foreign Affairs Committee blasted Young Americans for Freedom in speeches on the Senate floor only to be rebutted by Senators agreeing with YAF. Eventually the State Department came out with a slick 20-page booklet entitled "Private Boycotts vs The National Interest."

Predictably, the liberals are angry again. An editorial in the Washington *Evening Star* regrets "the retreat by American Motors Corp."

"What all this really amounts to," says the *Star*, "is that a group of self-proclaimed vigilantes are (*sic*) contravening the foreign policy of the United States."

It is not clear from the editorial whether the *Star* wishes to repeal the right of assembly enunciated in the Bill of Rights.

WORLD'S FIRST FLOATING AUXILIARY NUCLEAR POWERPLANT

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BATES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BATES. Mr. Speaker, I would like to call the attention of the House to the attainment of a significant milestone by the Department of Defense. I have just been advised that the world's first floating auxiliary nuclear powerplant has achieved a self-sustaining nuclear chain reaction at Fort Belvoir, Va.

This 10,000-kilowatt electrical plant was constructed by the Martin Co. under contract with the Department of Defense. Named the Sturgis after the late Gen. Samuel D. Sturgis, Jr., former Army Chief of Engineers and early advocate of the development of nuclear powerplants for military use, this modern powerplant will be capable of operating for 1 year without refueling. A diesel powerplant operating for a similar period of time would require over 160,000 barrels of fuel.

The reactor core of the Sturgis is a little larger than an oil drum and is made up of 32 individual fuel elements low, enriched uranium dioxide pellets. The plant, which is mounted in the hull of a modified World War II Liberty ship drawn from the reserve fleet, can be towed to any port in the world to support military operations or provide electrical power in the wake of natural disasters.

It is important to note that the procurement of the Sturgis by the Department of Defense represents a significant utilization of technological development by the U.S. Atomic Energy Commission. As senior minority member of the Armed Services Committee and a ranking member of the Joint Committee on Atomic Energy, I will follow the utilization of this advanced electrical power source with especially great interest.

THE HONORABLE JOHN E. FOGARTY

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BATES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BATES. Mr. Speaker, the shortest biographical sketch in the Congressional Directory for the past year read:

> John Edward Fogarty, Democrat, of Harmony, R.I., elected in 1940; reelected to succeeding Congresses.

While the brevity of that record bespoke his modesty, it stands in sharp contrast to the long list of accomplishments that bore his mark during his distinguished career.

There were some who believed that the bill he presented before the House each year contained funds in excess of those which could be prudently spent. It might well be that a careful examination of expenditures would give credence to such a claim. Perhaps, confidentially, John Fogarty would not dispute this point for his eyes were more on results and hopes than on financial management. He seemed anxious, even overanxious to realize the fruition of his dreams and efforts. He seemed to be fighting against time and time was to be short and there was so much to do. He tried with dogged determination and, in his field he traveled far, and there are those who are with us today as living testimony to the product of his ambitions.

No period of civilization has seen more tangible results in the sciences than has been accomplished in the past two decades. Swept along with these advances has been the great progress in the knowledge and treatment of the diseases of the human mind and body. When scientists yearned to work but had neither funds nor facilities, John Fogarty and his subcommittee filled their needs. When scientists moved with less speed than his impatient desire for results demanded, he prodded them. When they seemed to him dilatory, he reprimanded them.

It is not for me to judge the place of one in the annals of history. I cannot accord to John Fogarty a lineal position in the long list of those who have contributed to fields of medicine and surgery. By profession he became a legislator. He never mastered or even understood the techniques of the scalpel nor the microscope, but who is to say that his name and fame have less lustre than those already widely acknowledged in these technical fields?

His fine family has every right to be proud of his distinguished record, and the world is a better place in which to live because John Fogarty served his fellow man well.

UKRAINIAN INDEPENDENCE DAY

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, Sunday, January 22, marked the 49th anniversary of the proclamation of the Ukrainian National Republic and I am proud to join with many of my colleagues and thousands of Americans in commemorating the historic date. I have done this before on the floor of this House on January 24, 1963, and January 22, 1964.

It was on January 22, 1918, that the Ukrainian Central Rada issued a solemn Act of Restoration of the Ukraine as a sovereign nation, called the Ukrainian National Republic.

But, although the new republic was recognized by many governments, including Soviet Russia, it was soon under attack by Russia and after nearly 4 years of valiant battle, succumbed to the might of the Communist forces.

Brutally crushed as a Republic and absorbed into the Soviet Union, Ukrainians have since suffered loss of freedom under despotic Communist rule.

Sunday Ukrainians throughout the world paused to observe their greatest holiday. It was ironic and unfortunate that those still in the Ukraine were unable to celebrate, except in fear and in great secrecy. This should be a grim reminder for those who urge us to abandon South Vietnam.

As we honor them on their Independence Day, we join hopes for new freedom and reaffirm our dedication to an increased effort to accomplish self-determination for the Ukrainian nation, and indeed all captive nations.

BILL TO PROVIDE FOR THE STRIKING OF MEDALS COMMEMORATING THE 200TH ANNIVERSARY OF THE FOUNDING OF SAN DIEGO, CALIF.

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, with my two distinguished colleagues, the gentlemen from California, Congressmen JAMES B. UTT and LIONEL VAN DEERLIN, I have today introduced a bill to provide for the striking of medals commemorating the 200th anniversary of the founding of San Diego, Calif. The cost of minting these medals would be financed by the San Diego 200th Anniversary, Inc., a nonprofit organization, at no expense to the Government. Under my proposal, the U.S. Mint would be authorized to furnish the nonprofit group with up to 500,000 commemorative medals.

San Diegans, and all Californians as well, look forward to the 200th anniversary of our city's founding in 1769. The reason for this statewide interest is that San Diego is the cradle of California's glorious history. We proudly recall how Gaspar de Portola, the Spanish Governor of Lower California, and Father Junipero Serra began the colonization of California with the establishment of Mission San Diego de Alcala. From that first mission was built a chain of 21 missions, each a day's journey apart, along the Camino Real—King's Highway. In the process, the mission padres imparted to the Indians knowledge of God, the construction trades, irrigation, and agriculture, while Spanish soldiers set up military establishments known as presidios. These missions, which laid the foundation stones for the subsequent rush of settlers into the Golden State, were established at a time when 2,000 miles away Daniel Boone was still trekking through the wilderness of Tennessee and Kentucky.

Recognizing our debt to these brave Spaniards, we San Diegans in 1969 plan a yearlong celebration of our glorious heritage. Many citizens have been working for more than a year laying the groundwork for our bicentennial. To emphasize California's rich inheritance of Spanish culture and tradition, the anniversary committee has contacted the Government of Spain to explore the possibility of constructing a Spanish building in San Diego to house documents and artifacts of the period of exploration and conquest. In conjunction with this, city and county schools are conducting an essay contest entitled "San Diego's Spanish Heritage" with a trip for two to Spain as reward for the winner. Historical societies will continue their research and writing on diverse phases of our history, while many community performing arts groups are planning original productions on California history. Recalling the important role of the friars in San Diego's founding, large interfaith observances are planned and preparations are underway to invite His Holiness Pope Paul to come to San Diego to participate in the 200th year of Christianity in California.

These are only a few of the many projects, but I will not take more of my colleagues' time for a recitation of our many ambitious celebration plans for 1969. I do request, however, their rapid and favorable consideration of the bill which I have introduced today. These commemorative medals will be an important and integral part of our bicentennial year. They will provide a lasting memento to San Diego's vital role in American history.

ELECTION OF GOVERNOR OF VIRGIN ISLANDS

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ERLENBORN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SAYLOR. Mr. Speaker, during the first days of the 90th Congress legislation was introduced in the Senate which would provide for the popular election of the Governor of the Territory of the Virgin Islands.

At the end of the last session an effort was made to approve the governorship bill for the territory, but in view of the lateness of the session and the immature actions of the Governor and legislature in setting up reapportionment of the islands earlier, I felt that the proposal should be held over until the present Congress in order that the legislation could be more thoroughly studied by the respective committees of the Congress.

Although I did not follow the recent elections in the islands in depth, I have heard various reports on the type and method of electioneering which was held last fall in St. Thomas, St. Croix, and the Island of St. John.

I wish to commend to my colleagues a report on these activities by the news media, "Caribbean Report," as well as the letter which I received from the associate editor of this report, which is incorporated as a part of my remarks.

I strongly suggest that before any action is taken on legislation to provide for an elective Governor of the Virgin Islands that the Congress take a closer look at the existing electoral and legislative practices of the islands.

I also draw to the attention of my colleagues the remarks of the senior Senator from Vermont which appeared in the daily RECORD of January 17 on pages A125, A126, and A127.

The report follows:

CARIBBEAN REPORT,
New York, N.Y., January 17, 1967.

Hon. JOHN P. SAYLOR,
Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. SAYLOR: Like most journalists, we are always delighted to uncover scandal, but we were really shocked by the reports of the elections in the U.S. Virgin Islands. With decisions in the offing on the Elected Governors Bill, and in light of the general financial relationship of the islands to the mainland, it seems to us that a closer look should be taken at the existing electoral and legislative practices.

We hope that the enclosed issue of *Caribbean Report* will help to spur such a study and will be of interest to you.

Sincerely,

PHYLLIS FREEMAN,
Associate Editor.

[From Caribbean Report, December 1966]

OUT-TAMMANYING TAMMANY HALL

The 1966 elections in the USVI seem to have hit an all-time high for charges of fraud, free beer at the polls, voting by deadmen, minors, and psychiatric inmates. Herewith, a special report from our VI correspondent:

The political spoils system in the VI would make old Boss Tweed green with envy. Governor Paiewonsky's statements that the VI now has a two-party system are only for Washington's consumption. Except for two candidates, the Victory '66 coalition that opposed Paie and his Mortar and Pestle (or Unity) Democrats were all registered Democrats of established standing. And the two Republicans went down to defeat.

Paie's electoral strength came from a tremendous roster of unsophisticated government employees. On a per capita basis, the VI has the highest number of employees on government payroll of any of the states or territories. These totally unqualified persons spend most of their time running their own businesses or shops, while regularly collecting paychecks solely for their "services" for the Mortar and Pestle Party.

Among the "services" they rendered in last month's balloting were these: In St. Thomas the Election Board counted 957 more votes cast than the number reported by the Election Supervisor. A decisive number of ballots in close races were discarded as "spoiled." Coalition party challengers charge election officials themselves disfigured ballots with holes or pencil smudges when the opposition tally ran uncomfortably high. Four coalition nominees, Bertha Boschulte, Ron de Lugo, Omar Brown, and Len Stein, promptly petitioned for recounts, but to no one's surprise, the new canvass confirmed the original victors. A two-page ad in the November 15 VI *Daily News* notes that, after failing to con the District Court of Appeals into upholding the "loyalty oath," Paie's Mortar and Pestle boys proceeded to fancy up the ballots. The coalition of 13 Democrats and 2 Republicans were jointly listed on the ballot as "Republicans." The Regular M & P Dems had their insignia placed at the bottom of the ballot with photos of *both* JFK and Johnson, and the words: "Let us continue." By marking this party symbol (or the unadorned eagle for the "Republicans"), a person could vote a straight ticket. Since there was no clue that this was the significance of the symbols, it is not improbable that many voters thought that they were indicating a party preference, as in a primary, rather than nullifying votes cast for split tickets on the ballot's upper portion. Yet, the day after the elections, Paie boasted that "the choice between candidates and parties was clearly understood." Shades of Duvalier and his similar maneuver in the last Haitian election.

Conclusion: Despite the statements by the Governor and his M & P associates that "now we are mature enough to elect our own governor," there is room for doubt. In this election, they demonstrated the maturity of teen-age hoodlums while splitting the loot of their first heist. The basic cause of the lack of efficiency and integrity in the VI government is that the governorship is a political plum.

Now firmly ensconced in office, VI lawmakers have voted themselves pay raises of $3,000, an increase of 50 per cent—making the total take for this part-time job $9,000 per year, plus the regular $1,800 for expenses.

NATIONAL COMMISSION ON PUBLIC MANAGEMENT

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Rumsfeld] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, the problems of increased air pollution, the growth of substandard housing in urban areas, and the mounting rate of traffic jams on our highways and in our cities, are typical of the major national problems requiring prompt and effective corrective action. To accomplish such action, outdated methods of management will not suffice. I believe that, just as the modern methods of management, such as system analysis, have been successfully applied in the defense and space efforts, they could be usefully applied in other public programs.

I am pleased to join my colleague, the gentleman from Massachusetts [Mr. Morse], in proposing the establishment of a National Commission on Public Management, to seek the best techniques for managing the public's business. Since this bill was first introduced in the last session of the 89th Congress, it has received increased public support, and recently it received the endorsement of the U.S. Chamber of Commerce.

The Commission, to be appointed by the President, will be composed of Members of Congress, representatives from government, business, labor, and education. After reviewing the various management techniques and the public problems requiring solution, the Commission will then, in a final report, set forth a specific plan for attaining our national goals economically and expeditiously.

Mr. Speaker, I believe the time has come to modernize our management methods. The establishment of a National Commission on Public Management is the necessary first step.

ABANDONING PATRONAGE IN POSTAL APPOINTMENTS

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Rumsfeld] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, much has been said and written about the problems of our post office system—the extraordinary number of complaints, misdeliveries, nondeliveries, delays, and backups, all of which have led to a marked increase in complaints to most public officials. It is no longer a matter of simple inconvenience, Mr. Speaker. There is not a segment of the economy which does not in some measure rely on the mails, and it is an unfortunate situation when the material and mental resources of the present administration cannot meet the administrative and mechanical problems of moving the mail from the city to the suburbs or vice versa overnight or even within two nights or, for that matter, many times even in a week.

I strongly believe, as I have stated repeatedly, that the elimination of the patronage system governing the appointment of postmasters would provide, over a period of time, a needed improvement in the postal service and a sound incentive for career employees in the postal service.

The following statement by J. Edward Day, president of the National Civil Service League and former Postmaster General of the United States, and a policy statement of the organization which Mr. Day heads, discuss this question. The statement, I believe, presents a concise argument for the inclusion of postmasters in the existing merit system.

The House minority leader, the gentleman from Michigan, the Honorable Gerald Ford, felt this to be such a serious problem that he commented on it in his state of the Union speech last week. Mr. Ford stated:

> We believe the Post Office Department should be taken out of politics from top to bottom. Republicans favor selecting all Postmasters on merit alone.

The civil service merit system has value. I see no reason why it cannot be applied to the appointment of postmasters. I see no reason why it should not be applied to the appointment of postmasters. The adoption of a more businesslike and orderly approach to the selection of postmasters might very well be the first step in adopting a more businesslike and orderly approach to the movement of the mail.

I urge my colleagues on both sides of the aisle to support this proposal, which I am reintroducing today. Although I introduced a similar bill in the 89th Congress, unfortunately no action was scheduled, no hearings were held on it. I am hopeful that the measure will be considered promptly.

The statement referred to follows:

POLICY STATEMENT—ABANDONING PATRONAGE IN POSTAL APPOINTMENTS

The United States Post Office is one of the world's best managed operations. Like every modern organization, it is faced with problems that impair its ability to give the best possible service. One serious deterrent to the Post Office's drive for quality is the archaic, inefficient system of appointing Postmasters and rural letter carriers through the old fashioned patronage system. Since 1881 the National Civil Service League has promoted government efficiency through modern merit systems of employment free from patronage and spoils. We believe the time is past due to rid the Federal government of this last great pool of patronage appointments. We believe the time has come for serious public discussion of how the postal service can be further improved by establishing a true merit system of Postmaster and rural letter carrier appointments. We welcome comments and help in this public service effort. (J. Edward Day, *President*, National Civil Service League.)

The National Civil Service League at this time once again forcefully reiterates its longstanding call for the elimination of the historic patronage system governing the appointment of postmasters and rural letter carriers by the Federal Government. The League urges elimination of the archaic practices of political appointment in the belief that the public climate is receptive to this long overdue reform and in the conviction that the general drive for efficiency and economy of Federal operations, sparked by President Johnson, is uniquely applicable to the multi-million dollar post office operations.

At no time has the postal service been faced with such critical public evaluation of its performance in delivering the mails. Technical improvements have been and are being made; but significantly contributing to the problem is the system of political preferment which impairs the development of a corps of postal managers fully qualified for the high level managerial competence called for by one of the world's largest enterprises.

In the early years of the nation's political and commercial life, the mail was the sole organized system of communication and local post offices a few miles apart represented virtually the only outpost of Federal Government in vast reaches of the nation. Then the appointment of the postmaster by political favor could be rationalized with the argument that there was a need to bring government closer to the people through a local representative of the dominant political party.

However, the expansion of the Federal services in many fields and to all sectors of the country as well as the demand for superior managerial talent in postal administration makes the opportunistic appointment of postmasters through a system of political preference totally obsolete. Moreover, in the light of contemporary demands for postal service, the present system of postmaster appointment—upon political advice with confirmation by the Senate—is no longer responsive either to postal or political considerations and no longer serves the Republic well. The time for urgent reform is already decades behind us.

HISTORICAL BACKGROUND

As President-elect in 1860, the first problem Abraham Lincoln tackled was which newspaper publisher in Chicago would be named postmaster. Publicly acknowledged and accepted at that time was the understanding that the publisher who backed the right candidate would be offered the local postmastership as his reward. Times have changed, yet the system of appointment based on the same relationship of local politics to postal patronage has survived through today.

In the nineteenth century the postmaster, as the only political appointee, *was* the Federal Government in many communities. That he was appointed by the incumbent administration and served a quasi-political local role far beyond delivery of the mail was, though inefficient, consonant with the Jacksonian concept of spoils and consistent with the practices of local political power structures.

At that time the professional demands of his job were small and the political demands were large. There was no other department of the government which provided a Federal presence in local communities. Furthermore, the political role of the postmaster evolved in an era in which every significant Federal position, including that of top military leadership, was filled by political preferment. Since 1883, however, under the stimulus of the civil service reform movement, all this has changed and the concept of merit in the public service has now become an accepted and cherished component of our governmental structure. Our Federal civil service has become renowned for the range of its services and the expertise of its personnel.

Yet, by a strange quirk of fate and time, the great civil service refinements of the early twentieth century bypassed the postmaster. As government and the postal system grew in complexity and importance, the postmaster remained in a sacrosanc back water. By the mid–20's, Postmaster General Hays could recognize the incongruity of the purely political appointee named in the tradition of local patronage but no longer responsive to the requirements of the job. It wasn't until 1937, however, that the increasingly complex postal operation persuaded the Roosevelt administration and the Congress, albeit with some reluctance, to move in the direction of reform.

The resultant Ramspeck-O'Mahoney Act placed all postmasters under the coverage of civil service once they had received Senate confirmation. This represented some ostensible advance. Yet the practical effect was to continue the anachronism of the political postmaster wholly alien to a modern management environment.

THE PRESENT SITUATION

The accepted current system for appointing postmasters is not widely known. In essence, the system superimposes political advice and preference upon the examination and qualification standards which generally apply to Federal civil service positions.

Under the Ramspeck-O'Mahoney Act enacted in 1938, postmasters of the first, second and third class are selected under civil service procedures with appointment by the President upon confirmation by the U.S. Senate. Thus, the Civil Service Commission is responsible for developing registers of qualified applicants through open competition for the position of local postmaster. The Commission has centralized post office examination functions in its Postal Examining Division. When a postmaster vacancy occurs, written examinations are given for filling positions in PFS levels 5 through 9. For PFS level 10 and above, representing the larger communities, the competitive examination is unwritten and consists of a rating of the candidate's experience and qualifications against the established qualification standards, with verification of the applicants' claims in their applications. Following the rating process, the names of the top three eligibles are certified to the Postmaster General, who is authorized to select one of these subject to veterans' preference provisions. The Postmaster General recommends formal appointment by the President, who transmits his nominations for confirmation by the U.S. Senate. This description represents the formal procedure—what actually happens outside formal civil service channels is another story.

It is the requirement for Senate confirmation which draws the whole business of appointing postmasters into the political arena. The key to the procedure for selecting postmasters is the "advisor" system, which is in no way sanctioned or even recognized in law but which governs the process as surely as if it were written into the statutes. The advisor system rests on long tradition and historic precedent. The salient point here is that in de facto terms the advisor selects the local postmaster with the whole civil service procedure representing little more than a facade of false respectability.

A carefully accurate and up-to-date list of advisors is maintained in the Office of the Postmaster General. Usually the advisor is the local Congressman of the dominant party. By historic privilege, he reserves the right to "appoint" the local postmaster. Should the opposition party be in local power, then the advisor is a member of the majority party—a Senator, a State or County Chairman, or perhaps the Governor. Whoever the advisor may be, by well accepted political agreement, his word is law in this sphere and all other parties are bound to support the choice of the advisor.

Thus, when a vacancy occurs in a postmastership by resignation, retirement or death, the first one likely to know is the local county chairman of the political party then in power in Washington. Sometimes the local chairman hears directly from the Post Office, however informally, or if the outgoing postmaster is of the same political faith, the chairman may well be alerted long before the established postal authorities are aware that there will be a vacancy. The district Congressman, Senators and other political leaders in the state then get the word fast. Ultimately, the notice of a vacancy filters through to the Civil Service Commission by way of official post office channels.

A strangely schizophrenic pattern then follows. On the one hand, the Post Office Department arranges for an examination with the Civil Service Commission and is concerned with matters of qualification standards, nature of the examination, veterans' preference, and the like. At the same time, the local political organization is deeply locked in negotiations over the recommendation it shall make to the designated Congressional advisor, who in turn will impart the distilled wisdom of this procedure to the Post Office as governing the ultimate selection. These decision-makers unfortunately give but scant attention to the civil service standards being solemnly proclaimed by the Post Office Department and the Civil Service Commission.

A whole lexicon of euphemistic jargon has grown up to obscure the formal procedure. First, obviously, an acting postmaster must be named while the formalities of civil service selection procedures are being pursued. The advisor, in fact, names the temporary postmaster and there is no requirement that he meet any qualification standards because of the temporary nature of his appointment.

But now begins the procedure of examinations solemnly conducted, often in some embarrassment by the Civil Service Commission. Thus, the permanent postmaster will be chosen from among the first three in a competitive examination unless, despite the Hatch Act, a career employee has achieved sufficient political stature to be recommended. It is at this point that the whole charade begins, turning the formal civil service process into a mockery. For, while the choice will be made among the top three in the examination, it becomes clear quite early that the political advisor will make that choice.

There are a number of other devices for making sure that the politically favored candidate finally gets the post.

Sometimes the examination has to be given more than once over a long period of time because available "advice" cannot recommend any of those who emerged from the examination among the top three.

New examinations are called for on technical grounds until the "right" name shows up.

Sometimes postal delivery areas have to be redrawn to assure the eligibility for examination of the person who, predictably, will be the beneficiary of the proper advice—or, conversely, to eliminate the better qualified individuals.

Sometimes the acting postmaster, already politically endorsed, is in office for a sufficiently long time for his experience as an incumbent to boost him into the top three on a subsequent examination so that once again advice can be pertinent.

The entire procedure, remarkable in its cynicism and even more remarkable in its transparency, often goes on for many months. Finally, the advisor's recommendation, gratefully received by a Post Office Department whose local office has been in a state of inefficient turmoil during this entire tedious process, finally appears on a long list of names which goes to the White House. From there the nomination goes to the Senate of the United States.

The President's nominations are referred to the Senate Committee on Post Office and Civil Service, which in turn reports the names of the nominees to both Senators from the subject states. At this point Senatorial courtesy takes over and no further move is made on the President's nominations until both Senators give notification that they have no objection to any of the recommended postmasters in their states. The senior Senator of the dominant party, prior to his no objection clearance, will refer the particular nominee to the advisor, who is likely to be his colleague in the other House. This serves as a double check, and the Senator does not release the name until he is satisfied that the person on the President's list is actually the selectee of the Congressman or other advisor. This solidifies the whole process and gives absolute assurance as to the political reliability of the nominee.

Finally, the entire Senate of the United States votes on the nominee who has been so scrupulously selected by his political peers. With the advice and consent of the Senate, a postmaster has now been chosen. Unfortunately, the results, after all this passage of time and slow grinding of mills, all too often give the postal establishment a local manager far less qualified than standard civil service procedures could provide in much less time, at much less expenditure, and with far less theatrics.

DEFICIENCIES OF THE PRESENT SYSTEM

Not surprisingly, the postmaster selected in this fashion is something short of the complete product of the civil service structure. Once confirmed by the Senate, he automatically achieves full civil service status. All of the fringe benefits, retirement advantages, and similar emoluments which the majority of public servants earn through the years of their progress through the ranks become his by fiat. His civil service tenure rights protect him from dismissal except for deficiencies of character or performance under civil service procedures.

The present system is inconsistent with the whole concept of merit in government employment. There is simply no assurance that the best or near best is finally chosen for the job.

The system has the potential for operating as a depressant on the morale and aspirations of the many devoted, able and experienced subordinate postal officers in local centers. They cannot aspire to the top of the hierarchy in the local office because this post is reserved for political appointment. Thus, an artificial ceiling is imposed on opportunities for advancement except in those occasional instances where a subordinate employee gains political favor and is the recipient of political preferment.

The system contributes to a political, nonprofessional atmosphere that tends to discourage young, vigorous talent from making careers in the postal service. Bright young men rarely consider seeking appointment in the Post Office Department. Yet this is precisely the type of person the Department requires. The available pool of talent shrinks yearly.

The system fosters a political climate in the post offices of our local communities with postal employees tending to assume a coloration of political activity sharply different from their civil service associates in other departments. Not only does the postmaster enter the career service through a back door in the system, but the manner of his selection erodes the prestige of the service among the largest single group of classified employees in the government.

The system absorbs the time of high officials who should be concerned with operating problems rather than devoting excessive energy in the endless negotiation and maneuvering incident to the processes of political conciliation. Even the President is not immune to these drains on his precious time. The system places the Civil Service Commission in the anomalous position of participating in a travesty on the concept of merit in public employment.

It may be further noted that on occasion politically appointed postmasters with strong and active political backing tend to feel they can resist supervision by headquarters superiors. This is particularly true since the creation during the past decade of regional offices staffed with career personnel. Such conflict of loyalties clearly impairs good management.

One further problem of vital importance deserves mention: The statutes impose a residence requirement on the appointment of all postmasters. This automatically requires that only local residents can be considered for any postmaster vacancy. Thus, the system does not permit flexible utilization and advancement of those postmasters who, whatever the defects of the political appointment process, prove in fact to be capable postal administrators. They cannot be advanced to higher responsibilities by transfer to another large city under present statutory limitations which were originally put in the law to protect the right of political designation by the local party.

It should also be noted that the advisor system described earlier for postmasters is used in selections to fill vacancies among the 35,000 rural letter carriers even though no Senate confirmation is involved. While these men do not have management responsibilities and the qualifications are different from those of postmasters, the retention of political selection is an anachronism which has no place in the Federal personnel system. The League, therefore, strongly urges the end of the advisor system for rural letter carriers as well as postmasters.

THE MYTH OF POSTAL PATRONAGE AS A SOURCE OF POLITICAL STRENGTH

The sanctity of the patronage system applying to postmasters has been passed from Congressman to Congressman and from party to party with all the untouchability of a graven tablet. Both its ethics and its effectiveness in practical political terms have been little discussed. Yet the notion that the right to name local pastmasters and rural letter carriers represents an undeniable source of political strength to political leaders is distinctly a myth.

Thus, the modern, sophisticated politician knows that the patronage system often creates enemies of those who do not succeed in getting one of the few plums the system offers. Even the favored appointee may become an ingrate and the whole system often opens rifts in party ranks. To name one of the best as Postmaster, the party sacrifices his talent under the strict dictates of the Hatch Act. To name less than their best, the party runs the risk of identification with a local post office performing under second rate management.

The subterfuges and anomalies of the present advisory charade are becoming apparent to an increasing number of Congressmen. Many are now side stepping their advisory role. They either seek a career man to recommend or make an effort to put the burden on the Post Office with a truly open competitive examination. But at the local level the tradition dies harder. It is the local or county political organization of both parties as well as the member of Congress who must be sold on reform.

Another disadvantage of the present system concerns the diversion of legislative time entailed. While the total time devoted to postmaster confirmation in the Senate—two floor actions and a single committee action on each group of nominees—seems relatively brief, the assumption is deceptive. Approximately one postmastership in every sixteen becomes vacant annually. For each, the Congresional advisor and his staff devote an enormous amount of time in correspondence with applicants, with the Post Office, and with their local political organizations. Often trips and conferences at home and with party officials go on for weeks and not infrequently for months. Members of the Senate and House postal committees who have a policy role in all aspects of the career service become the focal point of advisory pressure. This deep and continual involvement of Congressional committees and their staffs in postmaster patronage not only consumes much of their time but also a negative effect on the creditability of the same personnel as guardians of the career-merit concept.

For all these reasons—the myth of political advantage, the inordinate diversion of time, and the growing realization of the need for top management strength—there is a mounting readiness in the Congress for reform on this front. We are particularly encouraged by the recent strong recommendation of the Joint Committee on the Organization of Congress, co-chaired by Senator Mike Monroney of Oklahoma, that the patronage system applying to postmasters and rural mail carriers be finally and unequivocally abandoned. Many other legislators have submitted bills to this end.

RECOMMENDATIONS

The entire history of the civil service, the postal establishment and the political system demands the elimination of this throwback to the last century. The following steps are basic essentials to effecting the elimination of the political appointment of postmasters and improving postal management:

(1) Repeal of the statutory requirement for confirmation of postmasters by the U.S. Senate and abandonment of the advisor process.

(2) Provision for appointment to postmaster rank exclusively through the merit system based on open competitive or promotional examination conducted by the Civil Service Commission.

(3) Elimination of the resident requirement and granting limited authority to transfer incumbent postmasters to other post offices.

(4) Elimination of the advisor system for appointing rural letter carriers and selection strictly through civil service merit procedures.

The ultimate tragedy of the postmaster system today is its simple failure to produce the kind of person the post office most needs. We urge the President to initiate and the Congress to enact these long overdue reforms.

FARMERS SAY "CEASE AND DESIST"

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. NELSEN. Mr. Speaker, I am today joining with a number of other farm-State Representatives in sponsoring legislation calling on the Government to "cease and desist" from actions depressing farm prices. Our congressional directive to the executive branch of Government instructs the Government to use various legislative authorities to improve farm prices and to build a strong, viable market economy for agriculture.

This bill is similar to one I introduced in the last session expressing the sense of Congress that Government should take no action whatsoever which would prevent farm prices from rising to full parity.

Mr. Speaker, it is apparent from the recent Department of Defense order calling for butter substitutes in military rations that the administration is still attempting to hold down farm prices. Several of our colleagues in the Senate earlier this month wrote Defense Secretary Robert McNamara protesting this latest butterfat curtailment.

Experts interested in the welfare of the dairy industry have indicated this one Government action will deprive dairy farmers of a market for about 50 million pounds of butter annually. Yet no money is being saved, since the Commodity Credit Corporation is expected to spend some $33 million to cover the Defense Department's $28 million saving.

At a time the dairy industry is beset with skyrocketing costs and income still well below parity, this kind of Government price manipulation should be stopped in its tracks.

The House concurrent resolution which we are introducing today notes that American farmers are still being used as scapegoats of inflation in spite of statistics showing realized net farm income will decline by at least 5 percent during 1967.

The resolution lists 10 specific reasons for the decline, including:

Inflationary domestic fiscal policies which have increased farm production costs 19 percent since 1952;

Market price manipulation which has

decreased prices received by farmers 6 percent since 1962;

Dumping of huge quantities of grain upon the domestic market;

Increasing imports of raw sugar, cheese and other farm products to lower domestic prices;

Stimulating increased production of wheat and feed grains without adequate price incentives.

Mr. Speaker, it is my hope this resolution will receive earliest consideration. With farm parity at 77 percent, we can ill afford more price-depressing moves by the administration.

THE CONSULAR CONVENTION WITH THE SOVIET UNION—AN ISSUE FOR THE 1968 PRESIDENTIAL CAMPAIGN

The SPEAKER pro tempore (Mr. LANDRUM). Under previous order of the House the gentleman from Ohio [Mr. ASHBROOK] is recognized for 60 minutes.

Mr. ASHBROOK. Mr. Speaker, one of the most dangerous proposals which will come before the 90th Congress is the so-called Consular Treaty.

On Monday of this week, January 23, the U.S. Senate began hearings on the Consular Convention with the Soviet Union. This is the second time in recent years that the Senate has considered this measure, the Foreign Relations Committee having first approved it in 1965, but final action by the Senate was never taken.

I opposed the Consular Treaty then, and I am more opposed than ever. It borders on idiocy to appease Communist overlords in Moscow who are directly and indirectly responsible for aggression, subversion, and atrocities, while at the same time 400,000 Americans in Vietnam are trying to stem the tide of Communist conquest in southeast Asia.

It will be recalled that a statement by Director J. Edgar Hoover of the FBI provided the impetus for much opposition to the consular agreement and was undoubtedly a major reason why the measure was never brought to the Senate floor for action. At that time Mr. Hoover, in referring to the use of official personnel by the Soviets for intelligence purposes, said:

> Our Government is about to allow them to establish consulates in many parts of the country which, of course, will make our work more difficult.

In addition to the above statement, Mr. Hoover at that time referred again to new Soviet consulates in a written statement which was included in the hearings. The statement read:

> Long seeking greater official representation in the United States which would be more widely spread over the country, a cherished goal of the Soviet intelligence services was realized when the United States signed an agreement with the Soviet Union on June 1, 1964, providing for the reciprocal establishment of consulates in our respective countries.
>
> One Soviet intelligence officer in commenting on the agreement spoke of the wonderful opportunity this presented his service and that it would enable the Soviets to enhance their intelligence operations.

Nor were these the only references to Soviet intelligence operations in the United States made by Director Hoover. He referred to the Soviet "illegal"—deep cover—operations in the United States in these words:

> A growing problem is the extent to which the Soviet intelligence services are dispatching undercover spies into the United States. These individuals have no ostensible connection with either the official Soviet establishments or personnel in this country nor do they make any overt contacts with their foreign espionage headquarters. They are well-trained, professional intelligence officers and usually bear assumed identities and are supplied with expertly fabricated documents and unlimited funds. They enter the United States without difficulty to become assimilated into our population and, unless uncovered, eventually serve as the nucleus of an extensive clandestine espionage network. Their detection among the more than 190 million people in this country is a counterintelligence problem of great magnitude.

If these statements by the Director are not sufficient evidence of the very real danger of Soviet intelligence operations in our country, one might consider additional information supplied by Mr. Hoover during these same hearings. Included as vehicles of Soviet intelligence action in the United States were the East-West exchange program, press representatives, Amtorg Trading Corp., and personnel at the United Nations. Included at the end of these remarks is the statement of Mr. Hoover concerning the above references.

Much has appeared in the press in the last 2 weeks concerning inquiries made by Secretary of State Dean Rusk and Senator WILLIAM FULBRIGHT regarding Mr. Hoover's remarks on the proposed consular arrangement in 1965. There has been much confusion as to whether Mr. Hoover has actually taken a stand, one way or the other, on the advisability of the Consular Convention. Any doubts concerning this issue should have been laid to rest last Monday when Senator KARL MUNDT, of South Dakota, read into the RECORD a reply from Mr. Hoover concerning Mr. Hoover's 1965 statement. In the interest of clarification I am also including at the end of these remarks the texts of Senator MUNDT's inquiry and Mr. Hoover's reply.

Of special interest in this paragraph from Mr. Hoover's letter of January 23, 1967, to Senator MUNDT with regard to Soviet intelligence operations:

> You asked whether these efforts by communist diplomatic personnel still continue. They most certainly do. Representatives of the KGB (Soviet Committee of State Security) and the GRU (Soviet Military Intelligence Service), comprising a large segment of the Soviet diplomatic corps in the United States, are conducting an intensive campaign aimed at the most sensitive data regarding our scientific and technical developments, our military and defense programs and the future plans of our Government.

To give some idea of the extent of Soviet intelligence action in the United States, there have been since 1957, 28 Soviet officials arrested or expelled for having attempted to engage in subversion or espionage in our Nation.

Couple this figure with a listing of court cases from 1960 through 1966 in which violations of espionage and passport statutes were involved. Most of those involved were American citizens who conspired with Soviet officials and other Soviet personnel for the most part in the United States. The listing of cases is included at the end of my remarks. Note the severity of most of the sentences meted out to further appreciate the seriousness of this issue.

These cases involve only the Soviet Union. As the consular convention involves only the Soviet Union, particular reference has been made to the U.S.S.R. and not the other Soviet-bloc countries. This does not mean that the other Soviet-block countries do not engage in similar activities in the United States. For instance, in 1966 Frank John Mrkva, an employee of the Department of State, cooperated with the FBI when approached by Jiri Opatrny, a Czech intelligence agent assigned to the Czech Embassy in Washington, D.C. Mrkva was requested to install an electronic listening device in a State Department office. Opatrny was declared persona non grata on July 13, 1966, and has departed the United States. It is an established fact that the U.S.S.R. is the force that pulls the strings in satellite countries and many activities of agents such as Opatrny could undoubtedly be traced to Communist masters in Moscow.

The immensity of the threat to our national security which is presented by the Soviet Union, in conjunction with the other bloc countries—Albania, Bulgaria, Czechslovakia, Hungary, Outer Mongolia, Poland, and Rumania—should not be underestimated. Just last year, in February, Mr. Hoover again emphasized the magnitude of the task which faces the FBI in coping with this threat:

> The work of the official representatives of the Soviet-bloc countries who are assigned to the United States is being supplemented to an increasing degree by the "illegal", deep cover intelligence agents who are being dispatched into this country.
>
> This, for example, may be an individual who enters the country among a group of refugees. It might be an individual who enters as an immigrant. On the other hand, it might be someone already in this country who was recruited here by the foreign intelligence services. For the individual just arriving in this country, he may take no overt action on behalf of his foreign master for many years, becoming well assimilated into our way of life in the meantime.
>
> These individuals usually bear assumed identities; are supplied with documents, usually false but always expertly fabricated, which a person in this country would normally have in his possession so as to bolster the assumed identity; and make no open contact with known representatives of the foreign governments which they serve.
>
> The detection of these undercover spies constitutes a time-consuming, tedious investigative problem.

I continue to quote Director Hoover at length, for information of this type is usually unknown to even the most knowledgeable of American citizens:

> In their intelligence-gathering operations, the Communist-bloc countries have a seemingly inexhaustible supply of funds. In carrying out their relentless quest, there is virtually no phase of our national life which goes unexplored. A list of material which they seek would constitute a voluminous catalog of life in the United States. The emphasis, of course, is on scientific, technological, military, and industrial data which will strengthen the Soviet bloc. At the same time, however, they are alert for any and all infor-

mation—classified or unclassified—which will enable them to weaken the United States through propaganda or subversion.

As a result of several decades of development, the coordinated espionage attack against this country by the intelligence services of the Communist bloc has now reached an intensity which makes it the most massive offensive of its kind ever mounted.

U.S.S.R. PROMISES REVIEWED

Now, after viewing the extent of Soviet intelligence and espionage activities in the United States, it would be well to review the promise the Soviets made to the United States in the very first agreement made between the two countries back in 1933. Paragraph 2 of the letter sent to President Roosevelt by the Soviet Commissar for Foreign Affairs, Maxim Litvinoff, just prior to the establishment of diplomatic relations. Litvinoff, for the Soviet Union, promised:

> To refrain, and to restrain all persons in government service and all organizations of the Government or under its direct or indirect control, including the organizations in receipt of any financial assistance from it, from any act overt or covert liable in any way whatsoever to injure the tranquillity, prosperity, order or security of the whole or any part of the United States, its territories or possessions, and in particular, from any act tending to incite or encourage armed intervention, or any agitation or propaganda having as an aim, the violation of the territorial integrity of the United States, its territories or possessions, or the bringing about by force of a change in the political or social order of the whole or any part of the United States, its territories or possessions.

What a huge joke has been played on Uncle Sam, or to put it more exactly—Uncle Sucker. It is distressing enough to consider how we have been deceived in the past, but to entertain the idea of sweeping this all under the rug and entering a new agreement with the Soviet Union is utter idiocy. Only a soft and appeasing State Department, with eyes closed to past treaty failures and broken promises, would make such a proposal as the Consular Treaty in 1967.

The question should not be whether to ratify the consular convention, but what are we going to do about the Soviet activities referred to above by Mr. Hoover. Instead of ignoring the present situation outlined by Director Hoover, Mr. Dean Rusk and the State Department should be talking to the Soviets about their Soviet agents in the United States.

A 50-YEAR GOAL UNCHANGED

Another and more basic question has also been ignored in considering the consular convention; namely, what is the basic goal or purpose of the Communist movement with regard to the United States and other free countries of the world. For years the Soviets have been telling us that peace will come to the world only after the International Communist movement is in control of every nation on the face of this earth. Many choose to ignore or explain away this basic Soviet goal. As recently as January 4 of this year, the Communist leaders in Moscow again spelled out their goal. The Central Committee of the Communist Party of the Soviet Union issued a lengthy statement, entitled, "On Preparations for the 50th Anniversary of the Great October Socialist Revolution," which appeared in the publication Moscow News in an English translation. Remembering that the Soviet October revolution initiated the greatest series of blood baths ever visited upon mankind in all recorded history, this quote from the Central Committee's statement is a warning for all free men:

> The October Revolution showed a way of solving the vital problems brought to the fore by preceding world history: on the future of society, on the nature of social progress, on war and peace, on the destinies of world civilization.
>
> The victory of the October Revolution confirmed the Leninist theory of socialist revolution. Marxist-Leninist teaching had been proved correct: on the inevitability of the collapse of capitalism and its replacement by socialism; on the vanguard role of the working class, led by the Communist Party, in the Revolution and in building a new society; on the dictatorship of the proletariat and its role in the struggle for the victory of socialism.

As any student of communism knows, the above reference to socialism is, in Communist jargon, another way of saying communism.

As can be seen, then, from the Soviets' own statement, proclaimed as late as January 4 of this year, the bloody October revolution which provided the impetus for the slaughter of millions of human beings in various countries during the last 50 years, showed a way of solving vital world problems—the future of society, war and peace, and the destinies of world civilization. The means for solving these problems is, of course Lenin's theory of socialist—Communist, that is—revolution. The heart of their drive is subversion and further penetration of the last real bastion of the free world, the United States of America. It is, indeed, a tragedy that our already discredited State Department advocates giving more bases for subversion and penetration to the U.S.S.R. in their consular treaty. The American people must be alerted to this danger before it is too late.

Although foreign policy can be a very complex area at times, it doesn't take a foreign policy expert to realize that something is wrong when we continue to make concessions to a nation that is helping to kill American boys in South Vietnam. Surely it is reasonable to consider the Soviet SAM sites, the Soviet Migs, the Soviet personnel and other forms of Soviet help to North Vietnam when we think about further agreements with the Soviet Union.

The consideration of a consular convention is premature at this time until the State Department explains to the American people (a) how we can justify the killing of American boys in Vietnam with the help of the Soviet Union while at the same time considering the ratification of another agreement with the same Soviet Union; (b) what is going to be done about the increasing subversion of the United States by the Soviet Union as described by J. Edgar Hoover; (c) why make more concessions to a movement which is actively working for the collapse of capitalism and its replacement by communism, thus bringing to an end the existence of the United States of America as we know it today.

I include the documents heretofore referred, to be put in the RECORD at this point:

EXCHANGE OF LETTERS BETWEEN SENATOR KARL E. MUNDT AND DIRECTOR J. EDGAR HOOVER IN JANUARY 1967, REGARDING THE PROPOSED CONSULAR CONVENTION

JANUARY 21, 1967.

Mr. J. EDGAR HOOVER,
Director, Federal Bureau of Investigation,
Washington, D.C.

DEAR EDGAR: I am both concerned and confused over the various interpretations being given to your reply to the letter written by you by Secretary of State Rusk on September 14 with regard to the position of the FBI on the probable consequences likely to result from ratification of the Consular Treaty now before the United States Senate. Inasmuch as I am one of the five Senators alluded to by Secretary Rusk's letter as having in mind your testimony of March 4, 1965 when we signed our minority report, I am understandably eager to know your precise position because the whole matter is now again before our Senate Committee on Foreign Relations. Hearings will begin next Monday morning.

It was my interpretation of your views and testimony when I helped prepare the Minority Views which we signed that you were not counseling the Congress on all possible ramifications of the so-called Consular Treaty but that as the Director of the FBI charged with protecting the internal security of the United States you were very properly pointing out the increased dangers and likelihood of subversive actions by foreign communists if they were brought to this country in increased numbers and granted extended immunity. That was my interpretation of your views and it remains so today and I see nothing in the exchange of letters between Secretary Rusk and you which either indicates you have changed your views as presented to the House Appropriations Subcommittee on March 4 or that you are retracting the warning signs which you flashed about the probability of increased challenges to our security here in the United States which would "make our (the FBI's) work more difficult." Was I in error in my original interpretation of your testimony or in the way I continue to interpret it today?

Specifically may I inquire of you:

(1) Have you in any way changed your views or has any evidence developed since your testimony of March 4, 1965 to make you change your mind about your testimony concerning subversive actions by communist diplomats as you related it and the fact that added communist diplomatic personnel in our midst with extended immunities would necessarily "make your work more difficult" in meeting the responsibilities of the FBI?

(2) Since March 4, 1965, has there been a cessation of attempts by communist diplomatic personnel in this country to engage in acts of subversion or attempted espionage? Do these efforts still continue? Can you supply me a list of these attempts as they are available for public information, segregated by calendar years, over the past six to ten years?

Finally, Edgar, let me say that as I read the exchange of letters between you and Secretary Rusk, I feel you have reiterated precisely the interpretation which I placed on your testimony at the time I helped prepare our Minority Views for the Senate Committee on Foreign Relations in 1965, but due to the very much expanded and inclusive interpretations being placed upon these letters by some others, I would like to receive from you a reply to this letter and the questions presented so that there can be no misunderstanding on the part of any who are concerned.

Since our Senate Hearings on the Consular Treaty begin on Monday morning, I would deeply appreciate it if you could have your reply delivered by hand by Monday noon if this is possible; if not, the earlier I receive the letter the better opportunity we shall have to keep the record straight and clear.

With warmest personal regards, I am

Cordially yours,

KARL E. MUNDT,
U.S. Senator.

FEDERAL BUREAU OF INVESTIGATION,
U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., January 23, 1967.
Hon. KARL E. MUNDT,
U.S. Senate,
Washington, D. C.

DEAR KARL: I have received your letter of January 21, 1967, in which you advised that you are concerned and confused over the various interpretations being given to my letter of September 16, 1966, to the Secretary of State Rusk, "with regard to the position of the FBI on the probable consequences likely to result from ratification of the Consular Treaty now before the United States Senate."

It should be clearly understood that the FBI is the investigative arm of the Department of Justice and, as such, it is our responsibility to gather and report facts. The FBI is not a policy-making agency and we do not express opinions. Since 1924, when I became its Director, the FBI has refrained from injecting itself into the area of legislation. The Consular Convention between the Soviet Union and the United States, which is now before the United States Senate, is no exception to this long-standing rule.

Because the Consular Convention does involve considerations which have a direct bearing upon the responsibilities of the FBI, I appreciate your interest in requesting the following facts from me. Again I emphasize that the FBI is not recommending a course of action or expressing an opinion.

You specifically inquired whether I had changed my views or whether any evidence has developed to make me change my mind about my testimony of March 4, 1965. The answer is an unequivocal no.

During my testimony before a subcommittee of the House Appropriations Committee on March 4, 1965, I called attention to the fact that the establishment of Soviet consulates in this country, "of course, will make our work more difficult." At no point in my March, 1965, testimony—nor following the release of that testimony by the House Appropriations Committee in May, 1965—did I state or imply that the Consular Convention would impose any additional burdens of responsibility upon the FBI that we are incapable of handling. Nor did I express any opinion concerning the matter of ratification. The simple fact is that the work of the FBI in combating Soviet-directed espionage activities in this country has increased through the years commensurate with the increase in Soviet representation here. I can also state without equivocation that communist-bloc diplomatic establishments in this country serve as focal points for intelligence operations.

You inquired whether, since March 4, 1965, there has been a cessation of attempts by communist diplomatic personnel in this country to engage in acts of subversion or attempted espionage. The answer again is an unequivocal no.

You asked whether these efforts by communist diplomatic personnel still continue. They most certainly do. Representatives of the KGB (Soviet Committee of State Security) and the GRU (Soviet Military Intelligence Service), comprising a large segment of the Soviet diplomatic corps in the United States, are conducting an intensive campaign aimed at the most sensitive data regarding our scientific and technical developments, our military and defense programs and the future plans of our Government.

You requested that you be supplied with a list of attempts by communist diplomatic personnel to engage in acts of subversion or attempted espionage as they are available for public information, segregated by calendar years over the past six to ten years. In accordance with your request, there is attached a list of Soviet officials stationed in this country who have been arrested or expelled from the United States since January 1, 1957.

With every good wish,

Sincerely,

J. EDGAR HOOVER.

SOVIET OFFICIALS STATIONED IN THE UNITED STATES WHO HAVE BEEN ARRESTED OR EXPELLED SINCE JANUARY 1, 1957

Aleksey R. Malinin, Employee, Soviet Embassy, Washington, D.C., October 31, 1966.

Valentin A. Revin, Third Secretary, Soviet Embassy, Washington, D.C., September 1, 1966.

Stefan M. Kirsanov, First Secretary, Soviet Embassy, Washington, D.C., June 1, 1965.

Boris V. Karpovich, Counselor, Soviet Embassy, Washington, D.C., January 7, 1965.

Vladimir P. Grechanin, Assistant Military Attache, Washington, D.C., December 14, 1964.

Aleksandr V. Udalov, Assistant Air Attache, Washington, D.C., December 14, 1964.

Vasiliy V. Zadvinsky, Military Attache, Washington, D.C., December 14, 1964.

Vladimir I. Olenev, Employee, Soviet United Nations Mission, New York City, October 30, 1963.

Yuri A. Romashin, Third Secretary, Soviet United Nations Mission, New York City, October 30, 1963.

Gleb A. Pavlov, Attache, Soviet United Nations Mission, New York City, October 30, 1963.

Igor A. Ivanov, Chauffeur, Amtorg Trading Corporation, New York City, October 29, 1963.

Ivan D. Egorov, Employee, United Nations Secretariat, New York City, October 11, 1963.

Aleksandra I. Egorova, Wife of Ivan D. Egorov, October 11, 1963.

Gennadiy G. Sevastyanov, Attache, Soviet Embassy, Washington, D.C., July 1, 1963.

Yevgeni M. Prokhorov, Second Secretary, Soviet United Nations Mission, New York City, September 29, 1962.

Ivan Y. Vyrodov, Third Secretary, Soviet United Nations Mission, New York City, September 29, 1962.

Yuri V. Zaitsev, Attache, Soviet Embassy, Washington, D.C., August 3, 1962.

Igor Y. Melekh, Employee, United Nations Secretariat, New York City, March 24, 1961.

Valentin M. Ivanov, First Secretary, Soviet Embassy, Washington, D.C., August 13, 1960.

Petr Y. Ezhov, Third Secretary, Soviet Embassy, Washington, D.C., July 22, 1960.

Vadim A. Kirilyuk, Employee, United Nations Secretariat, New York City, December 17, 1959.

Yevgeniy A. Zaostrovtsev, Second Secretary, Soviet Embassy, Washington, D.C., May 13, 1959.

Kirill S. Doronkin, Employee, United Nations Secretariat, New York City, January 15, 1959.

Nikolai I. Kurochkin, Third Secretary, Soviet Embassy, Washington, D.C., June 6, 1958.

Gennadiy F. Mashkantsev, Employee, Soviet Embassy, Washington, D.C., April 17, 1957.

Vladimir A. Grusha, First Secretary, Soviet Mission to the United Nations, New York City, March 25, 1957.

Vasiliy M. Molev, Employe, Soviet Embassy, Washington, D.C., January 25, 1957.

Yuri P. Krylov, Assistant Military Attache, Washington, D.C., January 14, 1957.

OTHER MEANS USED BY THE SOVIET UNION TO BRING INTELLIGENCE PERSONNEL INTO THE UNITED STATES AS CITED BY DIRECTOR J. EDGAR HOOVER IN HIS MARCH 4, 1965, TESTIMONY BEFORE A HOUSE APPROPRIATIONS SUBCOMMITTEE

East-West Exchange Program—The numerous Soviet scientific delegations which arrive in the United States to tour U.S. universities and scientific establishments invariably have among their members Soviet scientists who have been given special assignments by the KGB. It is established Soviet policy that among such groups are one or more full-time KGB officers who are in charge of the delegations.

Upon returning, Soviet scientists who have visited the United States under the exchange program are required by the KGB to submit comprehensive reports on the technical aspects of their trip, including descriptions of installations visited, research being conducted and the status of particular projects. They must also submit reports concerning Americans contacted for possible future use by the KGB.

Students—As to the students, many of the Soviet exchange students attending colleges and universities in the United States are utilized as agents by the KGB. Having the responsibility of obtaining any information of intelligence interest, they photograph (or deliver to their KGB superiors for photographing) documents and scientific papers to which they have access as students.

Of the Soviet students in the United States for the school term beginning in the fall of 1964, over 20 percent were suspected of being agents with specific KGB assignments or officers of the Soviet intelligence services.

Press representatives—Press cover is tailored for the intelligence work of the Soviets. They are in a business in which they are expected to be where news is developing, to meet those persons having intimate knowledge, to ask questions and to seek information.

As of February 1, 1965, over half of the Soviet nationals posing as press representatives in the United States were known to be intelligence agents.

Amtorg Trading Corp.—Disguising their intelligence personnel as legitimate trade representatives has long been a tactic of the Soviet intelligence services. The official cover utilized enables such personnel to travel extensively and meet many persons associated with fields of special intelligence interest.

Over half of the Soviet nationals employed by the Amtorg Trading Corp. in New York City on February 1, 1965, were known or suspected to be actually connected with the Soviet intelligence services.

United Nations—Fully exploiting their diplomatic immunity, freedom from travel restrictions and the respectability enjoyed as members of an international organization dedicated to world peace, the Soviet intelligence services have continued to increase their use of employment with the United Nations as a cover for their espionage personnel.

On July 1, 1960, there were 32 Soviet official personnel assigned to the United Nations Secretariat. By February 1, 1965, the number had mounted to 108, of whom half were agents or officers of the Soviet intelligence services.

LISTING OF COURT CASES INVOLVING AMERICAN CITIZENS AND OTHERS IN COMPLICITY WITH THE SOVIET UNION IN VIOLATION OF ESPIONAGE AND PASSPORT STATUTES FROM 1960 THROUGH 1966

1. Igor Y. Melekh and Willie Hirsch, indicted on three counts with conspiracy to violate Section 793(a)(b)(c) and Section 951 of Title 18, U.S. Code. On motion by Government, court altered the bond of Igor Melekh, a United Nations employee, to permit him to leave the United States. Upon further motion by the Government, court dismissed the indictment on April 11, 1961, as to Melekh and Hirsch.

2. Robert Soblen, convicted for violation of espionage statutes and sentenced to life imprisonment on August 7, 1961. Free on appeal, Soblen unlawfully fled the United States and subsequently committed suicide in England.

3. Arthur Rogers Roddey, pled guilty to violations of espionage statutes and sentenced to eight years imprisonment on February 17, 1961.

4. Irvin C. Scarbeck, charged with unauthorized transmittal of classified information to an agent of a foreign government. Convicted and sentenced to 30 years imprisonment in 1961. In 1963 sentence was reduced to 10 years by District Court.

5. Nelson C. Drummond, indicted on two counts in October, 1962, convicted and sentenced to life imprisonment for having conspired with four Soviet Nationals, all former members of the Soviet Mission to the United Nations to deliver information relating to the national defense of the United States to the U.S.S.R.

6. Ivan Dmitrievich Egorov, Aleksandra Ivanovna Egorov, Robert K. Baltch and Joy Ann Baltch, indicted on charge of conspiring to transmit information about rocket launching sites, atomic weapons in shipments, and other aspects of national defense to the Soviet Union. Egorov, a Soviet National, was employed by United Nations Secretariat, but his claim of diplomatic immunity was denied by court. Prior to trial, the Egorov's were exchanged for two Americans, a Jesuit priest and a student, who were being held by the Soviets in U.S.S.R. The Baltches, alias Sokolovs were dismissed from a new indictment at the request of the Attorney General whose action was prompted by overriding considerations of national security. They departed from United States on October 15, 1964.

7. John William Butenko and Igor A. Ivanov, a Soviet National, convicted of conspiracy to violate espionage statutes and sentenced to 30 and 20 years imprisonment respectively in December 1964.

8. Robert Glenn Thompson, indicted on charge of obtaining information for the Soviet Union on U.S. military installations, missile sites, code books and intelligence and counterintelligence activities, including the identity of American agents. Pled guilty and sentenced to 30 years imprisonment last year.

9. Robert Lee Johnson and James Allen Mintkenbaugh, indicted on charges of conspiring to commit espionage on behalf of Soviet Union. Pled guilty and sentenced to 25 years imprisonment each in 1965.

10. Paul Carl Meyer, pled guilty on four counts of misuse of American passports. On February 26, 1965, was sentenced to 2 years' imprisonment on the first of these counts and to 1 year each on the remaining three counts, these sentences to run concurrently. Meyer fraudulently obtained 15 passports in Chicago, traveled to Berlin and sold passports to Soviets.

11. William Henry Whalen, a retired United States Army Lieutenant Colonel, indicted for violation of the Espionage Statutes. Whalen, who had been the subject of an extensive investigation by the FBI, entered a plea of guilty to the charges on December 16, 1966, and is presently awaiting sentence.

12. Herbert William Boeckenhaupt, a Sergeant in the United States Air Force, charged with conspiring with a Soviet Embassy employee to transmit to the Soviet Union information relating to the national defense of the United States. The Soviet Embassy employee was declared persona non grata (Aleksey R. Malinin), and Boeckenhaupt is presently awaiting trial after having been indicted by a Federal Grand Jury on December 16, 1966.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. ASHBROOK (at the request of Mr. ERLENBORN), for 60 minutes, today; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. ROUSH and to include extraneous matter.

Mr. TENZER.

(The following Members (at the request of Mr. ERLENBORN) and to include extraneous matter:)

Mr. PIRNIE.

Mr. PELLY.

Mr. FINO.

Mr. CUNNINGHAM.

(The following Member (at the request of Mr. BRINKLEY) and to include extraneous matter:)

Mr. TEAGUE of Texas.

ADJOURNMENT

Mr. BRINKLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 14 minutes p.m.), under its previous order, the House adjourned until Monday, January 30, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 or rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

275. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations) transmitting a report of the location, nature, and estimated cost of certain additional facilities projects proposed to be undertaken for the Naval and Marine Corps Reserves, pursuant to the provision of 10 U.S.C. 2233a(1), and pursuant to the authority delegated by the Secretary of Defense; to the Committee on Armed Services.

276. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations) transmitting a report of the location, nature, and estimated cost of certain additional facilities projects proposed to be undertaken for the Naval and Marine Corps Reserves, pursuant to the provisions of 10 U.S.C. 2233a(1), and to the authority delegated by the Secretary of Defense; to the Committee on Armed Services.

277. A letter from the Under Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Older Americans Act of 1965 so as to extend its provisions; to the Committee on Education and Labor.

278. A letter from the Assistant Secretary for Economic Affairs, Department of State, transmitting the Battle Act Report of 1966, pursuant to the provisions of the Mutual Defense Assistance Control Act of 1951; to the Committee on Foreign Affairs.

279. A letter from the Comptroller General of the United States transmitting a report of review of geodetic surveying activities within the Federal Government; to the Committee on Government Operations.

280. A letter from the Deputy Assistant Secretary of the Interior transmitting a proposed concession contract authorizing the operation of medical facilities and maintain a general medical practice in five areas of Yellowstone National Park, pursuant to the provisions of 70 Stat. 543; to the Committee on Interior and Insular Affairs.

281. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting the fifth annual report on the problem of air pollution caused by motor vehicles, and measures taken toward its alleviation, pursuant to the provisions of Public Law 87–272; to the Committee on Interstate and Foreign Commerce.

282. Secretary-Treasurer, Congressional Medal of Honor Society, United States of America, transmitting the annual financial report of the society for the calendar year 1966, pursuant to the provisions of Public Law 88–504; to the Committee on the Judiciary.

283. A letter from the Postmaster General, transmitting a report of the estimated amount of losses or costs (or percentage of costs) incurred by the postal service in the performance of public services during fiscal year 1967, pursuant to the provisions of Public Law 87–793; to the Committee on Post Office and Civil Service.

284. A letter from the Comptroller General of the United States transmitting a report concerning positions in the U.S. General Accounting Office in grades GS–16, GS–17, and GS–18, during calendar year 1966, pursuant to the provisions of 5 U.S.C. 5114; to the Committee on Post Office and Civil Service.

285. A letter from the Administrator, National Aeronautics and Space Administration transmitting a report indicating proposed actions to conduct certain programs at levels in excess of those authorized, pursuant to the provisions of 80 Stat. 336; to the Committee on Science and Astronautics.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 3890. A bill to require all insured banks to clear checks at par; to the Committee on Banking and Currency.

H.R. 3891. A bill making Columbus Day a legal holiday; to the Committee on the Judiciary.

By Mr. ASPINALL:

H.R. 3892. A bill to permit States or other duly constituted taxing authorities to subject persons to liability for payment of property taxes on property located in Federal areas within such States under specified conditions; to the Committee on Interior and Insular Affairs.

By Mr. BARING:

H.R. 3893. A bill to establish certain policies with respect to certain use permits for national forest lands; to the Committee on Agriculture.

By Mr. BERRY:

H.R. 3894. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

H.R. 3895. A bill to amend title II of the Social Security Act to provide an 8-percent across-the-board benefit increase, with subsequent benefit increases based on rises in the cost of living, and to amend the Internal Revenue Code of 1954 to provide for such tax increases as may be necessary to finance any of such benefit increases; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 3896. A bill to provide for the control of mosquitoes and mosquito vectors of human disease through research, technical assistance, and grants-in-aid for control projects; to the Committee on Interstate and Foreign Commerce.

By Mr. BROOMFIELD:

H.R. 3897. A bill to amend title II of the Social Security Act to increase the amount of outside income which a widow who has minor children, and is entitled to mother's insurance benefits, may earn without suffering deductions from the benefits to which she is entitled thereunder; to the Committee on Ways and Means.

H.R. 3898. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. BURTON of California:

H.R. 3899. A bill to amend section 407 of the Social Security Act to extend for 5 years the existing temporary authority to provide aid to families with dependent children in cases where the parent is unemployed; to the Committee on Ways and Means.

By Mr. BYRNE of Pennsylvania:

H.R. 3900. A bill to authorize the Secretary of the Interior to acquire certain property of the New Amsterdam Casualty Co. for inclusion in the Independence National Historical Park, Philadelphia, Pa.; to the Committee on Interior and Insular Affairs.

H.R. 3901. A bill to amend title 18 of the United States Code to provide for the greater protection of the President and Vice President of the United States, and for other purposes; to the Committee on the Judiciary.

H.R. 3902. A bill to extend the application of the Classification Act of 1949 to certain positions in, and employees of, the executive branch of the Government; to the Committee on Post Office and Civil Service.

H.R. 3903. A bill to amend the Internal Revenue Code of 1954 to provide that pensions paid to retired law enforcement officers shall not be subject to the income tax; to the Committee on Ways and Means.

By Mr. CAREY:

H.R. 3904. A bill to amend the Internal Revenue Code of 1954 to provide that servicemen traveling on leave, furlough, or pass shall be exempt from the excise tax on transportation by air; to the Committee on Ways and Means.

By Mr. CLEVELAND:

H.R. 3905. A bill to amend title II of the Social Security Act to increase from $1,500 to $2,400 (or $3,600 in the case of a widow with minor children) the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. COHELAN:

H.R. 3906. A bill to permit the city of Oakland, Calif., to count certain land acquisition costs as part of the development cost of a proposed facility for purposes of the neighborhood facility grant program; to the Committee on Banking and Currency.

By Mr. DANIELS:

H.R. 3907. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. DELLENBACK:

H.R. 3908. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Merlin division, Rogue River Basin project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3909. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Illinois Valley division, Rogue River Basin project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DONOHUE:

H.R. 3910. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

H.R. 3911. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

H.R. 3912. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act for the purpose of strengthening and facilitating mutual cooperation and assistance, including training of personnel, in the administration and enforcement of that act and of State and local laws relating to food, drugs, devices, or cosmetics, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3913. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act so as to improve the safety and reliability of drugs; to the Committee on Interstate and Foreign Commerce.

H.R. 3914. A bill to amend section 329 of the Immigration and Nationality Act to provide for the naturalization of persons through active-duty service in the Armed Forces of the United States in Vietnam during combatant activities in Vietnam; to the Committee on the Judiciary.

H.R. 3915. A bill to amend title 18 of the United States Code to make the robbery of a cooperative bank, which is a member of the Federal home loan bank, a crime; to the Committee on the Judiciary.

H.R. 3916. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 3917. A bill to amend the Internal Revenue Code of 1954 to provide that any unmarried person who maintains his or her own home shall be entitled to be taxed at the rate provided for the head of a household; to the Committee on Ways and Means.

By Mr. GIBBONS:

H.R. 3918. A bill to authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HANSEN of Idaho:

H.R. 3919. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the southwest Idaho water development project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HARVEY:

H.R. 3920. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 3921. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 3922. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

H.R. 3923. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. HICKS:

H.R. 3924. A bill to exempt from the interest equalization tax certain acquisitions made before the enactment of the Interest Equalization Tax Act; to the Committee on Ways and Means.

By Mr. LANGEN:

H.R. 3925. A bill to prohibit mutilation and desecration of the national flag; to the Committee on the Judiciary.

By Mr. McCARTHY:

H.R. 3926. A bill to provide that Columbus Day shall be a legal holiday for officers and employees of the United States in each State in which such day is designated as a legal State holiday; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 3927. A bill to amend the Fair Labor Standards Act of 1938 to exclude from that act's minimum wage coverage persons employed in agriculture; to the Committee on Education and Labor.

By Mr. MACHEN:

H.R. 3928. A bill to amend the Civil Service Retirement Act, as amended, to provide that accumulated sick leave be credited to the retirement fund or that the individual be reimbursed; to the Committee on Post Office and Civil Service.

By Mr. MILLS:

H.R. 3929. A bill to amend the Watershed Protection and Flood Prevention Act, as amended; to the Committee on Agriculture.

By Mr. MINISH:

H.R. 3930. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. NELSEN:

H.R. 3931. A bill to amend the act of April 3, 1952; to the Committee on the District of Columbia.

By Mr. OLSEN:

H.R. 3932. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. PATTEN:

H.R. 3933. A bill to promote the advancement of science and the education of scientists through a national program of institutional grants to the colleges and universities of the United States; to the Committee on Science and Astronautics.

By Mr. PEPPER:

H.R. 3934. A bill to amend the International Travel Act of 1961 in order to promote travel in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. PRICE of Illinois:

H.R. 3935. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. RHODES of Arizona:

H.R. 3936. A bill to provide that chief judges of circuits and chief judges of district courts shall cease to serve as such upon reaching the age of 66; to the Committee on the Judiciary.

By Mr. ROBERTS:

H.R. 3937. A bill to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska or Hawaii; to the Committee on Veterans' Affairs.

By Mr. RYAN:

H.R. 3938. A bill making a supplemental appropriation to carry out the Economic Opportunity Act of 1964 during the fiscal year ending June 30, 1967; to the Committee on Appropriations.

H.R. 3939. A bill to amend titles 10 and 37 of the United States Code to permit members of the Armed Forces to provide for their dependents in certain circumstances; to the Committee on Armed Services.

By Mr. TEAGUE of Texas:

H.R. 3940. A bill to restrict imports of dairy products; to the Committee on Ways and Means.

By Mr. UTT:

H.R. 3941. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. WALKER:

H.R. 3942. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. WHITTEN:

H.R. 3943. A bill to amend the Appalachian Act of 1965; to the Committee on Public Works.

By Mr. ADAMS:

H.R. 3944. A bill to amend the Indian Claims Commission Act of 1946, as amended; to the Committee on Interior and Insular Affairs.

By Mr. BLANTON:

H.R. 3945. A bill to authorize the conveyance of certain lands owned by the United States to the State of Tennessee for the use of Memphis State University, Memphis, Tenn.; to the Committee on Veterans' Affairs.

By Mr. COLLIER:

H.R. 3946. A bill to amend title II of the Social Security Act to provide an 8-percent, across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. CURTIS:

H.R. 3947. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 3948. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct (as trade or business expenses) the expenses of travel, meals, and lodging while employed away from his regular place of abode; to the Committee on Ways and Means.

H.R. 3949. A bill to allow a deduction for income tax purposes, in the case of a disabled individual, of expenses for transportation to and from work; to the Committee on Ways and Means.

By Mr. DE LA GARZA:

H.R. 3950. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 3951. A bill to preserve the domestic gold mining industry and to increase the domestic production of gold; to the Committee on Interior and Insular Affairs.

By Mr. DOLE:

H.R. 3952. A bill to amend chapter 15 of title 38, United States Code in order to increase by 20 percent the income limitations imposed by that chapter on persons entitled to pensions thereunder; to the Committee on Veterans' Affairs.

H.R. 3953. A bill to amend title II of the Social Security Act to provide cost-of-living increases in the benefits payable thereunder; and to provide that any such increases shall not be considered as income for purposes of determining eligibility for pension under title 38 of the United States Code (veterans' benefits); to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 3954. A bill to amend title 39, United States Code, to prohibit the mailing of unsolicited sample drug products and other potentially harmful items, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3955. A bill to amend title 38 of the United States Code to increase the entitlement period for educational assistance; to the Committee on Veterans' Affairs

By Mr. DUNCAN:

H.R. 3956. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

H.R. 3957. A bill to strengthen State and local governments, to provide the States with additional financial resources to improve elementary and secondary education by returning a portion of the Federal revenue to the States; to the Committee on Ways and Means.

By Mr. ERLENBORN:

H.R. 3958. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. EVERETT (by request):

H.R. 3959. A bill to liberalize the provisions for payment of the $5,000 death gratuity; to the Committee on Veterans' Affairs.

By Mr. FINO:

H.R. 3960. A bill to authorize the chartering of organizations to insure conventional mortgage loans, to authorize the creation of secondary market organizations for conventional and other mortgage loans, to authorize the issuance of debentures upon the security of insured or guaranteed mortgages, and to create a joint supervisory board to charter and examine such organizations, and for other purposes; to the Committee on Banking and Currency.

By Mr. FULTON of Tennessee:

H.R. 3961. A bill to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes, effective January 1, 1967; to the Committee on Armed Services.

By Mr. HALL:

H.R. 3962. A bill to amend title II of the Social Security Act to provide an 8-percent, across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. JOELSON:

H.R. 3963. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

H.R. 3964. A bill to establish a National Economic Conversion and Diversification Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3965. A bill to provide for construction of a protective glass screen in the spectators galleries of the House of Representatives; to the Committee on Public Works.

H.R. 3966. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer supporting a dependent who is mentally retarded; to the Committee on Ways and Means.

By Mr. KUYKENDALL:

H.R. 3967. A bill to authorize the conveyance of certain lands owned by the United States to the State of Tennessee for the use of Memphis State University, Memphis, Tenn.; to the Committee on Veterans' Affairs.

By Mr. KING of California:

H.R. 3968. A bill to authorize the transfer of a vessel to the Los Angeles Unified School District for nontransportation use in the training of merchant marine personnel; to the Committee on Merchant Marine and Fisheries.

H.R. 3969. A bill to amend title V of the Social Security Act to provide a grant-in-aid program to assist the States in furnishing aid and services with respect to children under foster care; to the Committee on Ways and Means.

By Mr. LIPSCOMB:

H.R. 3970. A bill to amend title II of the Social Security Act to provide an 8-percent across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. McCLURE:

H.R. 3971. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the southwest Idaho water development project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McMILLAN (by request):

H.R. 3972. A bill to enable the District of Columbia to participate in the health and medical assistance benefits made available by the Social Security Amendments of 1965, and for other purposes; to the Committee on the District of Columbia.

H.R. 3973. A bill to amend the Healing Arts Practice Act, District of Columbia, 1928, as amended, and the act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto, approved June 6, 1892, as amended, to exempt from licensing thereunder physicians and dentists; to the Committee on the District of Columbia.

By Mr. MACGREGOR:

H.R. 3974. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. MACHEN:

H.R. 3975. A bill to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces; to the Committee on Armed Services.

H.R. 3976. A bill to amend title 5, United States Code, with respect to court leave for Government employees appearing as witnesses on behalf of a State in any judicial proceeding, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MATSUNAGA:

H.R. 3977. A bill to amend section 212(b) of the Immigration and Nationality Act to exempt from the literacy requirement of section 212(a)(25) certain additional relatives of U.S. citizens and permanent resident aliens; to the Committee on the Judiciary.

H.R. 3978. A bill to amend section 331 of title 46 of the United States Code; to the Committee on Merchant Marine and Fisheries.

H.R. 3979. A bill to amend section 6409(b)(1) of title 39, United States Code, which relates to transportation compensation paid by the Postmaster General; to the Committee on Post Office and Civil Service.

By Mrs. MINK:

H.R. 3980. A bill to amend the Internal Revenue Code of 1954 to provide an additional personal exemption for a taxpayer who is a student; to the Committee on Ways and Means.

By Mr. O'KONSKI:

H.R. 3981. A bill to amend subsection 1331(c) of title 10, United States Code, and for other purposes; to the Committee on Armed Services.

H.R. 3982. A bill to amend section 409 of title 37, United States Code, relating to the transportation of house trailers and mobile dwellings of members of the uniformed services; to the Committee on Armed Services.

H.R. 3983. A bill to provide for the establishment of the St. Croix National Scenic Waterway in the States of Minnesota and Wisconsin and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. OLSEN:

H.R. 3984. A bill to amend the Civil Service Retirement Act to increase the annuities of Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

By Mr. O'NEILL of Massachusetts:

H.R. 3985. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 3986. A bill to amend title 39, United States Code, to prohibit the mailing of unsolicited sample drug products and other potentially harmful items, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3987. A bill to amend title 38 of the United States Code to remove the income limitations for purpose of receiving pensions for veterans who are over 70 years of age; to the Committee on Veterans' Affairs.

H.R. 3988. A bill to amend the war orphans' educational assistance program of title 38, United States Code, to extend to wives of veterans who are permanently and totally disabled as a result of a service-connected disability and to widows of veterans who died of service-connected disability the same educational benefits which are provided for war orphans; to the Committee on Veterans' Affairs.

H.R. 3989. A bill to amend the Internal Revenue Code of 1954 with respect to the tax treatment of payments under retirement plans of certain exempt organizations; to the Committee on Ways and Means.

H.R. 3990. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer or spouse who has had a laryngectomy; to the Committee on Ways and Means.

H.R. 3991. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 3992. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

H.R. 3993. A bill to amend the Federal Firearms Act; to the Committee on Ways and Means.

H.R. 3994. A bill to amend titles I, IV, X, XVI, XVIII, and XIX of the Social Security Act to require that drugs provided by, or under programs receiving Federal financial assistance pursuant to such titles, must be prescribed and furnished on a nonproprietary or generic basis; to the Committee on Ways and Means.

By Mr. PERKINS:

H.R. 3995. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. REUSS:

H.R. 3996. A bill to reserve certain public lands for a national scenic rivers system, to provide a procedure for adding additional public lands and other lands to the system, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RUMSFELD:

H.R. 3997. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. SCHEUER:

H.R. 3998. A bill to establish a National Institute for Crime Prevention and Control; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 3999. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 4000. A bill to change the period of eligibility under the war orphans' educational assistance program of title 38 of the United States Code from the period between an eligible person's 18th and 23d birthdays to the period between his 18th and 26th birthdays; to the Committee on Veterans' Affairs.

By Mr. UTT:

H.R. 4001. A bill to provide for the striking of medals in commemoration of the 200th anniversary of the founding of San Diego; to the Committee on Banking and Currency.

By Mr. VAN DEERLIN:

H.R. 4002. A bill to provide for the striking of medals in commemoration of the 200th anniversary of the founding of San Diego; to the Committee on Banking and Currency.

By Mr. BOB WILSON:

H.R. 4003. A bill to provide for the striking of medals in commemoration of the 200th anniversary of the founding of San Diego; to the Committee on Banking and Currency.

By Mr. MOSS:

H.R. 4004. A bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ADDABBO:

H.R. 4005. A bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. EILBERG:

H.R. 4006. A bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FARBSTEIN:

H.R. 4007. A bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL:

H.R. 4008. A bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BYRNE of Pennsylvania:

H.J. Res. 218. Joint resolution to authorize the President to designate Philadelphia, Pa., as the site of a world's fair commemorating the 200th anniversary of the signing of the Declaration of Independence; to the Committee on Foreign Affairs.

H.J. Res. 219. Joint resolution proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office; to the Committee on the Judiciary.

By Mr. CLARK:

H.J. Res. 220. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. DANIELS:

H.J. Res. 221. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. DERWINSKI:

H.J. Res. 222. Joint resolution relating to U.S. diplomatic relations with the Republics of Ukraine and Byelorussia; to the Committee on Foreign Affairs.

By Mr. DUNCAN:

H.J. Res. 223. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. PRICE of Texas:

H.J. Res. 224. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. ERLENBORN:

H. Con. Res. 89. Concurrent resolution to provide early appropriations for Federal educational programs; to the Committee on Rules.

By Mr. HANNA:

H. Con. Res. 90. Concurrent resolution concerning a World Farm Center; to the Committee on Agriculture.

By Mr. ANDREWS of North Dakota:

H. Con. Res. 91. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. BATTIN:

H. Con. Res. 92. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. BERRY:

H. Con. Res. 93. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. BURKE of Florida:

H. Con. Res. 94. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. DENNEY:

H. Con. Res. 95. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. DOLE:

H. Con. Res. 96. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. ESCH:

H. Con. Res. 97. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. FINDLEY:

H. Con. Res. 98. Concurrent resolution expressing the sense of Congress that in the public interest the administration should

(1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. HARRISON:

H. Con. Res. 99. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. KLEPPE:

H. Con. Res. 100. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. MATHIAS of California:

H. Con. Res. 101. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. MIZE:

H. Con. Res. 102. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. MYERS:

H. Con. Res. 103. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. NELSEN:

H. Con. Res. 104. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. PRICE of Texas:

H. Con. Res. 105. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. SHRIVER:

H. Con. Res. 106. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. SKUBITZ:

H. Con. Res. 107. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. SMITH of Oklahoma:

H. Con. Res. 108. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. WINN:

H. Con. Res. 109. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. WYMAN:

H. Con. Res. 110. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. BUTTON:

H. Res. 184. Resolution creating a select committee of the House to study the problems of urban areas; to the Committee on Rules.

H. Res. 185. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban Affairs; to the Committee on Rules.

By Mr. DOWNING:

H. Res. 186. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. CUNNINGHAM:

H. Res. 187. Resolution amending the Rules of the House of Representatives to allow televising and broadcasting of proceedings in the Hall of the House; to the Committee on Rules.

H. Res. 188. Resolution to amend the Rules of the House of Representatives to provide for the broadcasting by radio and television of the hearings conducted by standing committees of the House; to the Committee on Rules.

By Mr. LANDRUM:

H. Res. 189. Resolution to abolish the Committee on Education and Labor, and to create a new Committee on Education and a new Committee on Labor; to the Committee on Rules.

By Mr. LIPSCOMB:

H. Res. 190. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. O'HARA of Illinois:

H. Res. 191. Resolution for printing 2,000 additional copies of parts II and III of "United States-South African Relations" for use of the Committee on Foreign Affairs; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 4009. A bill for the relief of Emerson Vinuya Reyes and his wife, Violeta Sandoval Tabernilla Reyes; to the Committee on the Judiciary.

H.R. 4010. A bill for the relief of Virginia Doronio Anulacion; to the Committee on the Judiciary.

By Mr. ANDERSON of Illinois:

H.R. 4011. A bill for the relief of Branko Cule; to the Committee on the Judiciary.

H.R. 4012. A bill for the relief of Antonios Koklas; to the Committee on the Judiciary.

H.R. 4013. A bill for the relief of Bozidar Racic; to the Committee on the Judiciary.

H.R. 4014. A bill for the relief of Merickston L. Nicholson; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.R. 4015. A bill for the relief of T. Michael Smith; to the Committee on the Judiciary.

By Mr. AYRES:

H.R. 4016. A bill for the relief of Consuelo Guia Ramoso; to the Committee on the Judiciary.

H.R. 4017. A bill for the relief of Chi Koo Pyun and Pong Sun Kim; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 4018. A bill for the relief of Venovia Anthony; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 4019. A bill for the relief of Thiak Hui Lor; to the Committee on the Judiciary.

H.R. 4020. A bill for the relief of Miss Maria do Vau Machado; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 4021. A bill for the relief of the O'Brien Dieselectric Corp.; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 4022. A bill for the relief of Mrs. Margaret G. Bremner; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 4023. A bill for the relief of Rafaela Lorono; to the Committee on the Judiciary.

By Mr. COLLIER (by request):

H.R. 4024. A bill for the relief of Herbert L. Johnston; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 4025. A bill for the relief of Miss Yolanda Bolling; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 4026. A bill for the relief of Mrs. Vanda Paolini and Carla Paolini; to the Committee on the Judiciary.

H.R. 4027. A bill for the relief of Mrs. Zoe Stavropoulos; to the Committee on the Judiciary.

H.R. 4028. A bill for the relief of Gaetano Cappello; to the Committee on the Judiciary.

H.R. 4029. A bill for the relief of Vito Cangialosi; to the Committee on the Judiciary.

By Mr. DICKINSON:

H.R. 4030. A bill for the relief of Yong Chin Sager; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 4031. A bill for the relief of George P. Panagiotopoulos; to the Committee on the Judiciary.

H.R. 4032. A bill for the relief of Carlo Bianchi & Co., Inc.; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 4033. A bill for the relief of Anna Montalto; to the Committee on the Judiciary.

H.R. 4034. A bill for the relief of Francesco Biondo; to the Committee on the Judiciary.

H.R. 4035. A bill for the relief of Luciano Ferrarello; to the Committee on the Judiciary.

H.R. 4036. A bill for the relief of Pietro Ingoglia; to the Committee on the Judiciary.

H.R. 4037. A bill for the relief of Giuseppe Giallo; to the Committee on the Judiciary.

H.R. 4038. A bill for the relief of Carmine Buffolino; to the Committee on the Judiciary.

H.R. 4039. A bill for the relief of Natalino Colatosti; to the Committee on the Judiciary.

H.R. 4040. A bill for the relief of Biagio Colatosti; to the Committee on the Judiciary.

H.R. 4041. A bill for the relief of Giuseppe Esposito; to the Committee on the Judiciary.

H.R. 4042. A bill for the relief of Angelo Fullone; to the Committee on the Judiciary.

By Mr. GROVER:

H.R. 4043. A bill for the relief of Stefania Wtodarska; to the Committee on the Judiciary.

H.R. 4044. A bill for the relief of Dr. Incarangal Alzona Naval; to the Committee on the Judiciary.

H.R. 4045. A bill for the relief of Antonino Bellavia; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts (by request):

H.R. 4046. A bill for the relief of Nino and Maria Theresa Vespa; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 4047. A bill for the relief of Phillip Mazzella and his minor children, Michele Mazzella and Libera Maria Mazzella; to the Committee on the Judiciary.

H.R. 4048. A bill for the relief of Miguel Vargas Diaz and his wife, Eva Almazon Diaz; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 4049. A bill for the relief of Anthony Di Russo; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 4050. A bill for the relief of Chi Wei (Austin) Shu; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 4051. A bill for the relief of Mrs. Maria Rossi Pacifico; to the Committee on the Judiciary.

By Mr. MORRIS of New Mexico:

H.R. 4052. A bill for the relief of Dr. Mohamad Ali Rajaee and wife, Mrs. Parvin (Ghaziaskar) Rajaee; to the Committee on the Judiciary.

H.R. 4053. A bill for the relief of Arun Kumar Pattni; to the Committee on the Judiciary.

H.R. 4054. A bill for the relief of Eloy C. Navarro; to the Committee on the Judiciary.

H.R. 4055. A bill for the relief of the estate of Newton Watson; to the Committee on the Judiciary.

By Mr. NELSEN:

H.R. 4056. A bill for the relief of Kyu Whan Whang and spouse, nee Young Won Lee; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 4057. A bill for the relief of Moy Woon Man; to the Committee on the Judiciary.

H.R. 4058. A bill for the relief of JE-IL Brick Co.; to the Committee on the Judiciary.

H.R. 4059. A bill for the relief of Hom Siu (King) Wong and Lim Chung Huo Wong; to the Committee on the Judiciary.

H.R. 4060. A bill for the relief of Owen C. Boyle; to the Committee on the Judiciary.

By Mr. RAILSBACK:

H.R. 4061. A bill for the relief of Ricardo Magsalin Eduvas; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 4062. A bill for the relief of Ngon Suey Wong; to the Committee on the Judiciary.

H.R. 4063. A bill for the relief of Michael Valle Velasquez; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 4064. A bill for the relief of Agnes C. Stowe; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.R. 4065. A bill for the relief of Mrs. Jasmine T. Boyd; to the Committee on the Judiciary.

H.R. 4066. A bill for the relief of Carmela Asero Gelardi; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 4067. A bill for the relief of Radomir and Ruzica Mihaljlovic; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 4068. A bill for the relief of Haviv Schieber; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

16. By the SPEAKER: Petition of City Council, Philadelphia, Pa., relative to legislation providing for an orderly and mandatory expansion of the national cemetery system; to the Committee on Interior and Insular Affairs.

17. Also, petition of Henry Stoner, Portland, Oreg., relative to appropriations for the space effort; to the Committee on Science and Astronautics.

18. Also, petition of Mary T. Abbondondolo and Michael Abbondondolo, Glen Head, Long Island, N.Y., relative to their constitutional rights; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Colgate University Meets Challenge of Ford Foundation

EXTENSION OF REMARKS

OF

HON. ALEXANDER PIRNIE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 26, 1967

Mr. PIRNIE. Mr. Speaker, I am pleased to report that Colgate University in Hamilton, N.Y., has just taken a giant step forward in guaranteeing its future as a leading, independent college of the liberal arts—one of the finest in the Nation.

Three years ago, Colgate President Vincent M. Barnett, Jr., was invited to accept the greatest challenge ever presented to the university in its 150-year history. The Ford Foundation offered Colgate a $2.2 million grant on the condition that the university raise $6.6 million in eligible matching funds before June 30, 1967. That challenge not only was accepted and met, but was exceeded by more than $200,000, 6 months before the deadline. That is a significant and impressive accomplishment of which everyone associated with the endeavor should be justifiably proud.

This is but a portion of an overall success story at Colgate. With support coming from many and varied sources, including several Federal grants, the university to date has raised $16 million toward a $23 million 5-year goal which is expected to be reached by 1969, Colgate's sesquicentennial anniversary.

The future of higher education in America depends, in large measure, upon the continued success and growth of the independent colleges. It is with this thought in mind, coupled with my particular interest in this fine university that lies within the district I am privileged to represent in the Congress, that I commend Colgate and give well-deserved praise to its family of supporters.

Fine Arts Center Created in Anderson, Ind.

EXTENSION OF REMARKS

OF

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 26, 1967

Mr. ROUSH. Mr. Speaker, the cultural accomplishment of Anderson, Ind., should be acclaimed as an inspiration to similar U.S. communities. This primarily industrial city of 65,000 people has illustrated that efforts to improve a city's cultural environment are not just the concern of larger, more resourceful metropolitan cities. With great pride, Andersonians recently held an inaugural opening for their fine arts center.

The materialization of this center is a praiseworthy accomplishment not only for its potential value to all Hoosiers but also for the communitywide motivation which inspired its birth. No one patron family initiated and supported this project. Private citizens were able to maintain a spirit dedicated to the establishment of a permament facility for the presentation of a variety of artistic programs.

This objective was realized on January 15, 1967, when the center's inaugural exhibition entitled "The First Hundred Years of Indiana Painting" brought art history to Andersonians. Anderson people hope that their fine arts center will become a major contributor to the cultural revival of the Midwest.

I would like to see more cities the size of Anderson take an interest in stimulating private community support for the establishment of cultural centers. Cultural revitalization need not be solely a big city phenomena. Cultural growth of our less sophisticated cities not located in a metropolitan complex can keep pace with the more immediate local campaigns as the war on poverty and urban renewal.

Anderson, Ind., has proven that community dedication can produce a permament cultural contribution to the local modernization program.

ABC-ITT Merger: The Justice Delay Is Justice Denied

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 26, 1967

Mr. PELLY. Mr. Speaker, I would like to comment today on the recent action taken by the Justice Department and in particular the Antitrust Division in opposition to the Federal Communications Commission's approval of the merger between American Broadcasting Co. and International Telephone & Telephone Co.

At the outset let me make it absolutely clear that I believe that the Justice Department should actively and most vigorously police the antitrust laws of this Nation.

On the other hand, I am sure that many Members of Congress are familiar with the background of this merger. The FCC has spent almost 1 year studying the proposal while the Justice Department has spent over a year investigating the ramifications and effects of the merger.

In this connection the FCC considered all the facts of this case, and operating under the rules and regulations set forth by the Congress, carried out its obligations in a proper manner. Public hearings were duly held before the entire Commission, during the course of which hearings, the Justice Department elected to remain aloof. It did not participate. It was given every opportunity to voice its opinion, and it elected not to do so.

However, it is also a fact that no other interested parties voiced any objections to this merger. Now, in an 11th-hour move, the Justice Department has suddenly intervened, completely ignoring what seemed to be the evidence. The question in my mind is why and under what prompting did the Justice Department suddenly decide on a change of course. Why did the Department wait until the FCC had rendered its decision before it attempted to block this merger?

It has long been my feeling that the purpose of the antitrust laws was to assure competition rather than to stifle it in any respect.

It seems to me that the action of the FCC in approving the merger was to make it possible for a third network, ABC, which until now has had difficulting in competing with the giants, National Broadcasting Co. and Columbia Broadcasting System, to merge with a large company, acquiring able management, a better corporate structure, and putting the corporation in a position where it could more effectively compete. It is generally believed that at this time ABC is not in any position to give effective competition to CBS, much less NBC.

To me, the action of the Justice Department is ill advised and contrary to public interest. I would suggest, Mr. Speaker, that if the Justice Department has any new and pertinent information concerning this merger, it make its information available at once. But to try and stifle the principles of free enterprise is subject to the strongest criticism.

Fino Introduces Bill To Set Up Secondary Mortgage Market Facilities

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 26, 1967

Mr. FINO. Mr. Speaker, today I am introducing legislation to authorize the Federal chartering and supervision of private corporations to create a private secondary mortgage market. One type of corporation would insure conventional residential mortgage loans and the other type of corporation would buy and sell the insured loans. To supervise the corporations, the bill establishes a Federal Joint Supervisory Board of mortgage insurance and marketing corporations.

I think the tight mortgage money market of 1966 has taught us the need for secondary mortgage market facilities to facilitate and when necessary, expand, conventional residential mortgage lending.

The question is "What kind of facility should we set up?" And the question lurking behind all this is "What kind of facility can everybody affected agree on?" For my part, I believe the answer to both questions is the same—two types of Government-chartered corporations, one insuring and one buying and selling conventional mortgage loans. I do not believe we should set the facility up within the Federal Home Loan Bank Board, because such a proposal would alienate some who might see potential favoritism to the thrift institutions. Nor do I think that such an institution ought to be set up in FNMA, because FNMA's new "hock shop," that is, participation sales function, is utterly contrary to any secondary mortgage market function, inasmuch as participations soak up mortgage market money. FNMA should never have been made a "hock shop," but since it has been, it is not the place for the proposed secondary market facility.

I have therefore chosen to introduce the proposal which would set up a Federal Supervisory Board to charter new, independent private corporations to handle the two phases of the secondary mortgage market operation for conventional mortgages. I think that everybody ought to be able to agree on this proposal.

I was glad to note recently that the homebuilders agree with the several banking and thrift institution groups that secondary mortgage market facilities are needed.

The bill I am sponsoring was introduced last year by Senator JOHN SPARKMAN, new chairman of the Senate Banking Committee. I expect that he will hold hearings in the Senate on the secondary market proposals, and I hope that Chairman PATMAN will do the same in the House Banking Committee.

Dairy Production Continues To Decline

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 26, 1967

Mr. TEAGUE of Texas. Mr. Speaker, as 1966 ended and statistics for the year become available it is apparent that effective steps still have not been taken to reverse the downward trend in milk production. Total milk production for 1966 was estimated at 3 percent less than 1965 and 3 percent less when compared with the 1960–64 average. Production in every month in 1966 was down when compared to 1965 with the exception of November. It is now apparent that the small price increases approved by the Department of Agriculture earlier in the year were insufficient to reverse the downward trend of milk production. The price increases approved by the Department of Agriculture of about 1 cent per quart were immediately doubled by the processors to about 2 or 3 cents per quart and passed on to the consumer. The additional return to dairymen from these small increases has not been sufficient to halt the exodus of dairymen going out of business.

Reports from the Economic Research Services of the U.S. Department of Agriculture on farm costs and returns tell the story. Dairy farmers in the Central Northeast realized a return per hour for the operators and family labor of 60 cents an hour, about half the amount legislated by Congress last year as the minimum legal wage for agricultural employees. Grade A dairy farmers in Wisconsin realized 75 cents an hour return on their own and their family's labor. Grade B dairies in Wisconsin realized only half of this amount—30 cents for the operators and their family labor. The total invested capital in these dairies was from $50,000 to $75,000 and no profit was realized and there was no additional return for management. Obviously we cannot expect, during a period of high employment, the dairyman to work 7 days a week, risk invested capital and apply management skills for returns less than the typical 15-year-old babysitter receives for watching children for a few hours. In fact, a good many mothers would be quick to tell you that reliable babysitters cannot be found for 50 or 60 cents an hour.

During the year there was sharp reaction to increased food prices and the prices of bread, meat, and milk were usually mentioned when the consumer complained. In 1940 a man worked 15 minutes for a quart of milk, but now 8 minutes work will bring in enough money to buy a quart of milk. Consumers pay about 45 cents a quart for soft drinks and 55 cents a quart for beer, but complain about paying 25 cents a quart for milk.

The only decline in the last 3 months in the major elements making up the cost of living index has been for food. Economists are predicting a drop in net farm income in 1967 as compared with 1966. In the face of the depressed condition in the American dairy industry, the country is being flooded with imported butterfat-sugar products. This type of product is designed to evade restrictions against butterfat imports. An effort will be made during this session of Congress to limit these imports. Such action certainly will be in the best interest of the dairy farmer, the consumer and the rural economy. The dairy farmer is subsidizing the American housewife with cheap milk produced at a loss. He cannot be expected to continue this indefinitely. If the American consumer expects to continue to enjoy a dependable supply of wholesome dairy products it is inevitable that a more healthy economic climate for the dairy industry must be created.

H.R. 3803 Seeks To Reduce the Oil Depletion Allowance

EXTENSION OF REMARKS

OF

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 26, 1967

Mr. TENZER. Mr. Speaker, on January 25, 1967, I introduced H.R. 3803, a bill to reduce the oil depletion allowance from 27½ percent to 20 percent at the rate of 2½ percent annually over a 3-year period.

The bill also requires the Secretary of the Treasury to reduce the tax allowance by an additional 50 percent whenever he finds that a substantial part of the tax savings has been used to finance mergers with or to purchase companies in unrelated fields.

During the 89th Congress, I introduced an identical bill and I urge my colleagues in the House to call for congressional hearings on this special tax privilege which results in an annual loss of revenue to the U.S. Treasury of nearly $2 billion.

Now in 1967, with the President proposing a 6-percent surtax for individuals and corporations, it is all the more important—I should say urgent—that we do something about the oil depletion allowance in particular and also something about other tax loopholes in general.

Our Federal budget is increasing and our local village, town, city, county, and State budgets are likewise increasing—often to an even greater degree. Plugging the tax loopholes is our way to equalize the tax burdens among the Nation's taxpayers, corporate as well as individuals.

The special privileges under our present tax laws to the oil companies are inequitable and require all other corporations and individuals to carry a greater share of the tax burden than they should be carrying.

It is shocking that the largest oil companies pay a smaller percentage of their net incomes in taxes than small businessmen, workers, and farmers. The man in the lowest tax bracket pays 14 percent of his net income in taxes while in 1965 the 20 largest oil companies paid an average of 6.3 percent of their net incomes in Federal taxes. These companies had a combined net income of more than $5.7 billion, yet paid only $360 million in taxes.

The depletion allowance was originally enacted as an incentive for further exploration in a field with a large risk factor; but as President Kennedy stated in his 1963 tax message to Congress:

> Unintended defects have arisen in the application of the special tax privileges that the Congress has granted to mineral industries, and correction of these defects is required if the existing tax provisions are to operate in a consistent and equitable fashion.

In the 89th Congress we passed a bill to defer the 7-percent investment credit and to postpone the fast writeoff and depreciation of real estate and construction. These incentives were needed when originally enacted to help create jobs, reduce unemployment, encourage construction and provide housing, respectively. I respectfully contend that the incentive to encourage further exploration of oil is not as urgent as the requirement to fill some of our basic human needs and to help reduce the tax burdens upon our citizens.

The following editorial, in which a reference is made to the depletion allowances, appeared in the January 25, 1967, edition of the Long Island Press. I call it to the attention of my colleagues for their consideration:

> THE FEDERAL BUDGET
>
> President Johnson's $135 billion budget for fiscal 1968 is our largest in history, the result of his commitment for both guns and butter—to wage limited war and limited peace at the same time.
>
> A little more than half ($72.3 billion) will go for the guns, $21.9 billion of it for Vietnam. The remainder represents the butter.
>
> As incomprehensible as these huge figures are to ordinary mortals, none of this comes as a surprise—except for little things like a call for an unmanned landing on Mars in 1973 and construction of a third nuclear aircraft carrier.
>
> The remarkable thing is not that the budget is so high, but that it appears quite manageable, considering we are trying to fight a limited, but major war overseas, reach the moon, touch Mars, improve the nation's education, health and welfare and just keep the myriad of governmental wheels turning. In line with the national impatience over the rising federal commitment to non-war spending, the President has not significantly expanded the Great Society programs. Whatever increases he has called for are relatively modest, far below the national need.
>
> What makes this huge adventure in spending possible, of course, is something the viewers-with-alarm fail to consider—that a high rate of prosperity, represented by a $787 billion national output for 1967, means a higher rate of tax collection. And that $787 billion national product represents a $47.5 billion increase over 1966.
>
> Whether this will be enough to avoid those "measures of sacrifice" the President spoke of—notably the 6 percent surcharge on corporation and most personal income taxes—will depend on the course of the war and the state of the economy later this spring.
>
> None of this will stop the outcries for cuts in "non-essential" spending and the usual fears of doom in the deficit. Congress, motivated more by politics than good economics, will energetically go over all this with a fine-tooth comb. We wish them well in their economy hunt. There is always fat to be trimmed.
>
> But while the Congressmen are prowling through the space and anti-poverty budgets with their pruning shears, it would be refreshing to see them devote energy to plugging some tax loopholes as well. Thanks to depletion allowances and the like, for instance, there are a lot of rich people in the oil and cattle business, who chuckle all the way to the bank over the higher taxes that do not touch them. Philip M. Stern, in "The Great Treasury Raid," estimates these loopholes cost the Treasury $40 billion a year, nearly four times what the President's tax increase would bring in over two years.

I believe the House Ways and Means Committee should hold a public hearing on revisions of our tax laws to eliminate inequities such as the oil depletion allowance. This is a year in which Members of Congress will be talking about cutting nonessential spending as a result of the President's request for a 6-percent tax surcharge. I suggest that we also look at loopholes in the tax laws which cost the Treasury billions of dollars. That is why I have reintroduced my bill which would lower the oil depletion allowance by 7½ percent, bringing to the Treasury approximately $500 million per year in additional revenue.

Mr. Speaker, with a greater understanding of the inequity of the oil depletion allowance loopholes there would be greater support for the passage of H.R. 3803. I plan to make available to my colleagues and to my constituents vital statistics and material on the subject to help bring about a better understanding.

The Address of Congressman A. Sydney Herlong, Jr., Before the American University Conference on Federal Tax Aspects of Nonprofit Organizations

EXTENSION OF REMARKS

OF

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 26, 1967

Mr. CUNNINGHAM. Mr. Speaker, last week, our distinguished colleague, A. SYDNEY HERLONG, JR., made a significant address before the American University Conference on Federal Tax Aspects of Nonprofit Organizations. Speaking from his vast experience on the Ways and Means Committee, he called for tightening up tax loopholes, particularly in the foundation and tax-exempt advertising fields.

I have previously called the attention of this House to the absurd situation existing in the publishing business where tax-exempt organizations are running increasing amounts of advertising and paying no income tax on their profits. The Treasury Department has had a regulation on this subject before it for a long time. In my opinion, no further time should elapse and that regulation should be issued without further delay.

If there is one thing that my constituents said to me during the last campaign it was that they were prepared to pay their fare share of taxes, but they wanted the loopholes closed up first. I note that the very able gentleman from Florida has had the same experience, and I commend him for the courageous and forthright position he has taken. SYD HERLONG is eminently right, and let us hope that his courage is a forerunner of immediate action by Treasury on the advertising situation.

I appreciate this opportunity to call the attention of the House to the full text of the speech of our very able colleague from Florida:

REMARKS OF CONGRESSMAN A. SYDNEY HERLONG, JR., FOURTH DISTRICT OF FLORIDA, BEFORE THE THIRD ANNUAL AMERICAN UNIVERSITY CONFERENCE ON FEDERAL TAX ASPECTS OF NONPROFIT ORGANIZATIONS, JANUARY 16, 1967

I appreciate the privilege of appearing before this Third Annual Conference on the Federal tax aspects of non-profit organizations. In the American University's pamphlet which announces this conference, it is stated quite clearly that, "rarely has a single subject attracted such broad and concentrated attention from all types of tax-exempt organizations as their current confused tax status."

The invitation for me to appear here was received and accepted some months ago. At the time no one asked me my views on this subject and I can assure you that no one has attempted to influence them in any way since I accepted the invitation. What I have to say may not please all of you, but from the very nature of the invitation I received, I concluded that I was not invited to this American University sponsored forum for the purpose of parroting statements that my audience might wish to hear.

My remarks, therefore, will be in the spirit of academic inquiry and it is in that spirit that I should like to explore for a few moments two phases of tax exemption which I am sure are in the forefront of your minds—one, of course, involves the field of private foundations, the other, so-called tax-exempt advertising. As in most discussions such as this, it is not the use of the tax-exempt feature of our law that creates difficulty, it is the abuses; and as frequently happens, the abuse in this field is the reason for so much confusion.

The 90th Congress will have the opportunity to consider the subject of private foundations. Foundations have received a good deal of attention in the press recently because of the publication, in December, of the Fourth Report of Congressman Wright Patman's foundation investigations. They have also been the subject of continuing interest and comment in a number of different quarters for at least the past several years.

The Ways and Means Committee has pending before it a Report on private foundations prepared by the Treasury Department and submitted to Congress in 1965. The Report is, I understand, based upon a rather extensive Treasury investigation of what private foundations are doing and how the laws which govern them are operating. According to the Report, the Treasury investigations disclosed that serious abuses exist among a substantial minority of private foundations. To cope with those abuses, the Treasury Department recommended six major legislative changes. In general, the recommendations were:

First, that self-dealing practices—that is to say, dealings between foundations, their donors, and related parties—be prohibited.

Second, that rules be adopted to insure prompt flow of foundation income or its equivalent to the support of active charitable enterprises.

Third, that foundations be prevented from owning 20 percent or more of any single business.

Fourth, that charitable deductions be postponed for gifts to foundations of property over which the donors continue to maintain real and effective control.

Fifth, that restrictions be placed upon foundation borrowing for investment purposes, lending, and trading and speculation.

Sixth, that donor control over a foundation be limited to the first 25 years of the foundation's existence.

The Treasury Report illustrates its charges of foundation abuses with a number of specific examples. Without attempting to prejudge any of the issues which the Treasury Department raises, I think that some of those examples are rather striking. Discussing the extent to which some foundations have become involved in competitive business enterprises, the Report mentions one foundation which holds controlling interests in 26 separate corporations, including a large metropolitan newspaper, the largest radio broadcasting station in the state, a life insurance company, a lumber company, several banks, three large hotels, a garage, and a variety of office buildings. According to the Report, another foundation controls 45 separate business enterprises. Included are clothing manufacturing establishments, real estate businesses, retail stores, a hotel, and printing, hardware and jewelry businesses.

Again, illustrating its statement that some foundations have been able to develop very considerable wealth entirely through the manipulation of borrowed funds—without ever securing substantial contributions from the public and without, therefore, ever having to rely upon the community's evaluation of their charitable activities—the Report draws attention to one foundation which began with a capitalization of $1,000 and, entirely through the mechanism of investment borrowing, was able to multiply its net worth within five years to include a 34-acre tract of industrial real estate valued at $1,150,000. Another foundation was organized in 1954 with no funds of its own at all. By 1961 it had incurred indebtedness of more than $14 million in oil and gas dealings, and had annual income of over $68,000.

To facilitate our consideration of the Treasury's recommendations, in the fall of 1965 the Ways and Means Committee requested comments on the Treasury Report from all interested parties. A large volume of comments were received. More than 70 foundations, attorneys and others submitted material to the Committee, and we have published their comments in two volumes.

I have not yet had an opportunity to examine the Treasury recommendations in detail. I note, though, that a number of the country's well-known foundations—including the Ford Foundation, the Danforth Foundation, and the Alfred P. Sloan Foundation—commented favorably. In any event, it seems to me clear that the area is an important one; and I hope very much that the Ways and Means Committee and the Congress will be able to devote full attention to it this year.

In June of last year, Chairman Mills and Representative Byrnes of the House Ways and Means Committee introduced identical bills dealing with the group of problems highlighted and intensified in 1965 by the Supreme Court decision in *Commissioner* v. *Clay Brown, et al.*, which stemmed from investment borrowing by exempt organizations. This legislation was prepared by the staffs of the Joint Committee on Internal Revenue Taxation and the Treasury Department.

In the *Brown* case an organization claiming tax exemption acquired a business by agreeing to pay the former owners a percentage of the future profits of the business until a specified sum had been reached. The exempt organization, making no commitment for payment other than from the assets of the transferred business itself and the income produced by those assets, obtained a business—valued at $1,300,000—entirely without investment of its own funds. Careful and elaborate steps were taken to immunize the business earnings from the present tax on unrelated business income. With three Justices dissenting, the Supreme Court held that the former owners were entitled to report their profits on the transaction as capital gains.

The availability of the tax exemption for use in transactions following the *Brown* pattern, and in other arrangements involving borrowing for investment purposes, has a variety of undesirable consequences, the most important of which is to establish a powerful incentive for the transfer of businesses and other productive property to tax-exempt organizations. In an arrangement under which the entire price is to be financed from the future earnings of the transferred property, exempt organizations are peculiarly suited to pay a substantially higher price than a taxable entity could afford. They can, in effect, make available to the seller the additional business earnings which would have been paid to the government had the purchaser been taxable. The particular favorability of the exempt organization as a purchaser in transactions of this sort has for some time been widely advertised in the tax and business press, and since the announcement of the *Brown* decision such advertising has intensified. It seems quite likely, therefore, that unless something is done, a substantial unplanned shift of productive property to exempt organizations will occur. One consequence of such a shift would, of course, be considerable erosion of the tax base. Another, quite possibly, would be broad economic and social changes stemming from the ownership of a large number of the country's businesses by organizations with different motives and different objectives than the entrepreneurs who have thus far constituted our business community.

To deal with the problems of exempt organization investment borrowing, the Mills-Byrnes bills impose tax upon the "unrelated debt-financed income" of all classes of exempt organizations. The bills continue the fundamental policy of a statute adopted by Congress in 1950 to deal with one facet of this area—the sale of real property to an exempt organization and immediate leaseback to the original owner—but eliminate the defects which experience has demonstrated that statute to possess. Under the proposals, income would be subject to tax only if it meets two requirements: it would have to be derived from property acquired or improved with borrowed funds, and it would have to be produced by activities unrelated to the educational, charitable, religious, or other operations constituting the basis of the organization's tax exemption. The taxable portion of the unrelated income from any particular property would, in general, be the amount bearing the same ratio to the total income from the property as outstanding indebtedness bears to the basis of the property.

The Ways and Means Committee held a hearing upon the Mills-Byrnes bills in late 1966. Appearing on behalf of the Treasury Department, Mr. Surrey strongly supported the bills. Comments both for and against the bills were also received from several interested organizations and private attorneys. Because of the proposal of the investment credit suspension legislation almost immediately after this hearing, the Ways and Means Committee did not have an opportunity to consider the bills further last year. However, we anticipate that a substantially similar legislative proposal will be introduced early this session, and of course, we hope the Committee will have an opportunity to act on it.

Now, with reference to the subject of tax exempt advertising, I must say that more and more voices are being raised on the general subject of tightening up tax loopholes or escape hatches. No doubt, these same voices will be raised in the Ways and Means Committee when it considers the tax increase proposed by the President last Tuesday night. Granted that the amount to be recovered from plugging tax loopholes will not make up multi-billion dollar deficits, there is equity in the argument that those presently paying taxes should not be asked to pay more until those escaping taxes are also paying their fair share.

When Congress passed the unrelated business tax in 1950 as a result of the New York University-Mueller Macaroni situation, I note that both the Ways and Means Committee and the Finance Committee Reports state:

"The problem to which the tax on unrelated business income is directed is primarily that of unfair competition."

In passing the unrelated business tax, Congress was accepting the recommendations of organizations like the United States Chamber of Commerce. Appearing before the Finance Committee in 1950, Mr. John Dane of Boston, representing the Chamber, testified:

". . . It is our policy that we are opposed to government favoritism in any form, and we urge that no enterprise be favored over any other form, and that each enterprise, whether it is cooperative, individual, or corporation, should stand on its own feet, with protection from unfair competition, and free from either tax exemption or other public subsidy."

I know of no organization which was exempted from the income tax so that it could sell advertising. Indeed, I see no relationship between advertising and any tax-exempt purpose.

I understand there are some 700 tax exempt publications grossing over $110 million in advertising revenue today. I know also that they are fine publications and that some of them could not be published except for the advertising, much of which is of a complimentary nature and of doubtful advertising value. However, it is not this use of this type of tax exemption that I protest, it is the abuse, such as advertisements which appear in these publications in an attempt to convince a prospective advertiser that he will get more for his advertising dollar by advertising in the tax exempt publication than he would in publications which pay taxes on their profits. This certainly is unfair competition.

Having fought as hard as I have for free enterprise and against this government encroachment in my 18 years in the House, I cannot reconcile the acceptance of a handout from the government in the form of tax subsidy on profits resulting from advertising, with simultaneous expressions of faith in the free enterprise system. It is the great trade associations and professional societies which have been the leaders in this fight. We cannot by word support free enterprise, and by action accept government support, which tax exemption on advertising profits really is. It seems to me that someone's slip is showing and it ought to be corrected.

As you know, the Treasury Department is considering a regulation at this time because there seems to be a great deal of doubt as to just what the law means. In the last Congress, bills were introduced which would, if enacted, declare that such advertising is a "related activity" and therefore clarifying any confusion that now exists as to the meaning and intent of existing law. The Committee took no action on these proposals. I think this was proper and I further think that it is not necessary for the Committee to do anything in this field until Treasury does come up with some sort of regulation. I feel sure that before any such regulation is issued, there will be a public hearing before the Internal Revenue Service. It is at that time and in that forum that anyone who feels aggrieved should state his case.

Frankly speaking, how could the Ways and Means Committee act at this time without being premature? We are in the position of having passed the unrelated business tax. When we passed this unrelated business tax, Congress delegated to the Internal Revenue Service discretion as to where the tax should be applied. It is, therefore, up to the Internal Revenue Service to apply that tax. If after experience, the tax is found to be inequitable, then and only then should there be recourse to Congress.

I hope that some regulation in this field will be forthcoming before too long, and in this connection, my personal views are those expressed by the Court of Claims in the *Indiana Retail Hardware Association v. the U.S.*

"We are of the opinion that Congress did not mean to grant exemption from the payment of taxes to an association engaged to such a large extent in activities ordinarily carried on for profit by persons liable for the payment of taxes on the income derived from such activities."

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 30, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Peace I leave with you, My peace I give unto you: not as the world giveth, give I unto you. Let not your heart be troubled, neither let it be afraid. John 14: 27.

Eternal God, our Father, our refuge and strength in every generation and whose creative spirit does ever call us to new frontiers of thought and action, we bow before Thee this moment as we enter another week together. With Thy wisdom we would be made wise, by Thy strength we would be made strong, inspired by Thy spirit we would be made ready for our responsibilities.

May no danger overwhelm us, no difficulty overcome us, no discouragement overburden us, no duty overtax us, but may we now and ever keep our faith in Thee and in the leading of Thy wise and gracious spirit.

Bless our Nation and the nations of the world—together may we seek peace, patiently pursue it and persevere in our pursuit until peace reigns in the hearts of men and in the heart of our world. In the name of the Prince of Peace we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, January 26, 1967, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries.

THE LATE HONORABLE GRAHAM ARTHUR BARDEN

Mr. FOUNTAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, I have the sad duty this morning of announcing to the membership of the House the passing yesterday morning at 8:30 a.m., of our former distinguished and beloved colleague, Graham A. Barden, better known to most of us as "Hap."

Congressman Barden leaves behind him a wonderful and devoted wife, Agnes, and two fine children, one a son, Dr. Graham A. Barden, Jr., and the other a lovely daughter, Mrs. David Sibaston. This fine family has sustained a great loss.

North Carolina and the Nation, too, have sustained a great loss in the passing of this great former public servant who, in so many ways, under such a variety of circumstances, gave so much of himself, his time and his talents, to the service of his district, State, and Nation.

When "Hap" Barden announced his decision to retire from this body just before he had completed his 26th year, to return to the community life of his hometown, New Bern, all of North Carolina was disappointed, but today we are grievously shocked. His announced retirement was an unpleasant surprise, for his people wanted him to remain here. In fact, for a while they felt that he was letting them down. It took all of us some time to become reconciled to the fairness of the decision, to himself, his lovely wife, and family. I am sure many of us remember the pressures that were put upon him to change his mind and give further of himself here in the Congress. Countless numbers of our people petitioned him to stay. The entire North Carolina delegation, more than 100 in this great body, and countless others throughout North Carolina and the Nation, individually and collectively, did the same thing. Although knowing that once Graham Barden—after full deliberation on any matter—made up his mind, he was not likely to change it, nonetheless, in this instance, their interest in the welfare of our Nation prompted a try.

"Hap" Barden was and always will be remembered as a friendly man. The name "Hap," given to him by friends many years ago, is a tribute to his great quality of friendliness. In his work here, he was frank, sometimes too frank for his own popularity in some areas and with some people, but those of us who knew him caught the spirit of his great courage and convictions and his determination to stand by them at all costs.

One characteristic in particular which impressed me about "Hap" Barden—sometimes seemingly a small thing but always an important one—was his keen understanding of human nature. He could not be fooled. He had that great quality of being able to see beyond the words of those with whom he dealt. He also had those great qualities of understanding and love for his fellow man. These are among the many fine qualities which enabled him to be the great legislator that he was.

Included also among his many fine qualities was a great sense of humor. This quality enabled him to express himself, often in righteous indignation against the desecration of any principle for which he stood, without incurring the wrath of opponents who knew him.

This body has sorely missed "Hap" Barden, although his district has been ably and courageously represented by his successor, the Honorable DAVID HENDERSON. His imprint upon this body, in fact, upon the entire Congress and the Nation, will not soon be forgotten.

I know of no greater tribute in words which we can pay to the memory and service of "Hap" Barden than that paid by the American Good Government Society in 1960 when "Hap" received one of its coveted annual awards for his support of and faith in the inherent strength and majesty of our constitutional way of life. The text of the award described Graham A. Barden as follows:

> Patriot, jurist, and legislator, has devoted half his years to the service of his native State of North Carolina and to the Nation—more than a quarter-century of them in the U.S. House of Representatives.
>
> Courage, integrity, and wisdom have made him a major constructive force in the movement for responsible labor legislation and tower of strength against one-sided and unbalanced proposals, destructive of the mutual interests of employees, employers, and the public. In the field of education he has been a steadfast leader in the continuing struggle to keep control of public education in the States and their communities.
>
> Representative Barden over the years of his service has exerted a powerful influence for good on the work of the Congress of the United States. In well-earned retirement, he will be long remembered as one of North Carolina's most illustrious sons.

And so, Mr. Speaker, it is with a sense of shock and grief that I stand here this morning. Both Mrs. Fountain and I mourn with Mrs. Barden, her children, and other members of the Barden family, their great loss and extend to each of them our deepest sympathy.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. FOUNTAIN. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I join my distinguished colleague, the gentleman from North Carolina, and his delegation in their expression of sorrow over the death of our former outstanding colleague, Graham Barden, who as the gentleman said, was better known as "Hap."

I always considered Congressman Barden as one of the really able Members of the House of Representatives. I did not always agree with him on issues but I always admired him immensely. His devotion to the things in which he believed was unsurpassed. He had tremendous courage and tremendous fortitude. There has not been in my opinion a more articulate debater in my time in the House of Representatives. He was literally formidable when he took the floor. Some of his speeches are House classics.

I was always very fond of Congressman Barden personally. He was my good friend. There was something about him which touched everyone who knew him.

I extend, together with Mrs. Albert, my deep sympathy to his wife and children.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. FOUNTAIN. I yield to the gentleman.

Mr. ARENDS. Mr. Speaker, I heard with real and deep regret the announcement this morning in the press of the passing of our former colleague, Graham Barden.

For many, many years I had the privilege and the opportunity of serving with this distinguished American who so ably served his district, his State, and the Nation for better than a quarter of a century.

If I were to describe Graham Barden, I think I would say he was a stout man—a man of conviction—a man of determination. Time after time on the floor of this House, Graham Barden by the force of his personality and persuasive logic moved the House to a course of action as only he and very few people I have known could possibly do.

As I indicated, when Graham Barden believed in something, he steadfastly stood by that belief. This is not to say he was stubborn and would not listen to reason. On the contrary, he sought sound reasons and he always had sound reasons for what he advocated.

Those of us who had the privilege of knowing him as an individual cherish his friendship. He was a true friend and a distinguished gentleman in the fullest sense.

My wife joins me in extending to the Barden family our deepest sympathy.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FOUNTAIN. I yield to the gentleman.

Mr. GROSS. Mr. Speaker, it is with deep regret that I learn today of the death of our former colleague and my friend, the Honorable Graham Barden.

It was a serious loss to North Carolina and the Nation when Graham Barden retired a few years ago. He has been missed in the House of Representatives for he was a great American and a stalwart in the ranks of the conservatives.

I join with my colleagues in extending sympathy to the members of his family.

GENERAL LEAVE TO EXTEND

Mr. FOUNTAIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the life, character, and service of our former colleague, Graham Barden.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. FOUNTAIN. I yield to the gentleman.

Mr. JONAS. I thank my friend for yielding and for giving me an opportunity to express my own profound grief and sorrow over the passing of this distinguished American and my warm personal friend of many years.

I knew "Hap" had been going downhill physically but it was nevertheless a shock last evening when we received word that he had passed away. This man had always seemed to me to be as strong as the Rock of Gibraltar. He was unyielding in the face of pressure. He was as firm in his convictions as any man I ever knew and I admired him for his strength and determination to stand by those convictions regardless of the consequences.

He was a Representative who retained the affection of the people he represented throughout his long career in the House. They, too, admired his strength of character and his unwillingness ever to swerve from principle. And they also appreciated his long and faithful service to them and returned him to Congress year after year almost automatically.

I came to know him not only as a dedicated and courageous legislator but as a warm personal friend. His family and mine were close for many years and we visited back and forth frequently. I mourn with the family and the host of his friends over his passing and extend to Mrs. Barden and his loved ones my profound sympathy over their loss.

Mr. HENDERSON. Mr. Speaker, will the gentleman yield?

Mr. FOUNTAIN. I yield to the gentleman.

Mr. HENDERSON. Mr. Speaker, Graham Barden was my immediate predecessor in the House of Representatives. He served his district, North Carolina, and the Nation with great distinction. He was beloved by his people above and beyond the fact that they reelected him as their Representative for many years.

Graham Barden was my Congressman for 26 years, and I served as his Congressman for these past 6 years.

Of course, this affects me deeply. Mary and I were expecting the news we got, but it was nonetheless saddening when it came to us yesterday morning. I extend my heartfelt sympathy to Agnes, Graham, Junior, Aggie, and the grandchildren.

My memories of him will long endure and among them will be late night sessions in his office as he mapped strategy and mustered his forces for bruising fights on the floor or in committee; his actions in outmaneuvering his opponents by shrewd parlimentary tactics, his uncompromising loyalty to his friends and to his word; his consideration of his employees and staff.

There were people in high places who disagreed with Graham Barden, but few who did not respect him and it was characteristic of him that some of those he fought the hardest respected him the most.

He served during the frantic days of the New Deal; the agony of World War II, and the difficult adjustment period of the fifties.

Legislatively, he fought for what he believed to be fair standards in labor and programs of Federal aid to education in specialized areas and situations where he believed the aid to be needed, justified, constitutional, and without undesirable controls.

He came to Washington with a background which included a rural boyhood; enlisted service in the Navy during World War I; a legal education at the University of North Carolina; the practice of the law; teaching school and coaching and serving as a county court judge.

I remember well that in the spring of 1960 when his announcement of his retirement startled his many admirers throughout the country, I heard him asked why he was retiring. His answer was classic. "I promised myself many years ago that I would retire from Congress while I still had sense enough to serve in Congress, and by God, I'm going to do it."

Do it he did, and I rejoice in the knowledge that he was able to enjoy 6 years of retirement with his family and his close friends on the banks of his beloved Trent River before he answered that final rollcall which will someday sound the name of all of us.

Mr. HALLECK. Mr. Speaker, in the passing of Graham Barden I have lost a friend who was very dear to me through the years of my career here in the Congress. Our association in this body was one of admiration and respect—certainly mine for Graham Barden—a feeling I have reason to believe was reciprocated on his part.

In any event, it was my pleasure to enjoy his wonderful hospitality and thoroughly delightful company on many occasions in the countryside of North Carolina which he loved so much.

Graham Barden shared my enthusiasm for hunting and fishing and some of my happiest times were spent with him in these pursuits.

In the light of this sorrowful turn of events I am most gratified that it was my privilege to visit with Graham just a few weeks ago at his home in New Bern, where in spite of a prolonged illness he was alert and typically good humored.

To Mrs. Barden and her children I offer my deepest sympathy in the loss of a beloved husband and father.

May they find consolation in the long and dedicated service he rendered to the people of North Carolina and the Nation.

Mr. JONES of North Carolina. Mr. Speaker, I rise to pay tribute to the memory of one of the outstanding former Members of this body, the Honorable Graham A. Barden of New Bern, N.C. Since becoming a Member of Congress approximately 1 year ago, I have been deeply impressed with the high regard and love which those Members who had the privilege of serving with "Hap" Barden held for him. I am frequently reminded by those who knew him of his outstanding ability as a Member of Congress and as chairman of one of the more important committees.

Truly, this Nation and State of North Carolina join with the members of his immediate family in sharing a great personal loss. As a North Carolinian interested in our great State university as a longtime Congressman, and as an outstanding American, he has earned the right for it to be said "Well done, thou good and faithful servant."

Mr. WHITENER. Mr. Speaker, I was very saddened this morning to learn of the passing on January 29 of our distinguished former colleague, the Honorable Graham A. Barden.

In his death North Carolina has lost one of its most outstanding citizens. I have lost a dear friend for whom I had the highest admiration and respect.

Graham Barden took his seat in Congress on January 3, 1935. Prior to his election to the Congress he had served his State with great distinction as judge of the county court of Craven County, N.C., from 1920 through 1924 and as a member of the North Carolina General Assembly. He was a World War I veteran. He was proud of his service in the Navy in 1918 and 1919.

When I came to Congress in 1957 Graham Barden had been a Member for 22 years. He was chairman of the House Committee on Education and Labor. I sought his help and his advice. He was always helpful, and I shall never forget his many kindnesses and his wise and friendly counsel.

Graham Barden was firm, yet kind. He possessed all of the solid virtues of his native North Carolina. He believed in the Constitution of the United States, in private initiative, and in the worth of the individual.

He was a tireless worker and a devoted public servant. Although he was the chairman of a major House committee, he nevertheless found the time to give personal attention to the countless problems of his constituents. He was close to the people he represented; and they knew, admired, and loved him. They showed their affection for him and their confidence in his ability and integrity by keeping him in Congress for 26 years.

Graham Barden voluntarily retired. He went back to his beloved North Carolina and to the people, places, and things which were so dear to him. He was there when the end came.

A great American has passed from the scene. He will not be soon forgotten. He has left a legislative monument and a record of service that all of us should seek to emulate.

To the members of his family, Mrs. Whitener and I extend our sincere sympathy upon the great loss which they and the countless friends of Graham Barden have sustained.

Mr. SIKES. Mr. Speaker, I am deeply saddened at the untimely death of our former distinguished and beloved colleague, Graham A. Barden.

Mr. Barden, better known to most of us as "Hap," was elected to the House of Representatives in 1934 and began his first term of office in 1935. I took office in 1941 and had the honor and privilege of serving with Mr. Barden for 20 years. North Carolina and the Nation, too, have sustained a major loss in the passing of this great former Representative. In many ways and under often difficult circumstances, he gave so much of himself, his time and talents, to the service of his district, State, and Nation. Those of us who knew him cherished his friendship and appreciated his great talents. He was a true friend and a distinguished gentleman in the fullest sense.

Mr. Barden was and always will be remembered as a friendly man. In his work here in the Congress, he was very frank. But those of us who knew him caught the spirit of his great courage and convictions and his determination to stand by them under all circumstances.

I admired him for his strength in standing by his convictions regardless of the consequences.

Among his many fine qualities was a sense of humor which enabled him to express himself without incurring the wrath of opponents who knew him. He was a Representative who retained the affection of the people he represented throughout his long career in the House. They, too, admired his strength of character and his unwillingness ever to swerve from principle. They also appreciated his long and faithful service to them and returned him to Congress year after year almost automatically. He was a tireless worker and a devoted public servant. Although he was chairman of a major House committee, he nevertheless found the time to give personal attention to the countless problems of his constituents.

A great American has passed from the scene. We shall all miss him. He will not be soon forgotten. He has left a legislative monument and a record of service that all of us should seek to emulate.

I consider it a privilege to add my praise to his memory and I extend my condolences as a longtime friend to the sorrowing members of his family.

Mr. GALIFIANAKIS. Mr. Speaker, I never had the privilege of serving with the late Graham Barden, but the record of accomplishments he left behind in this body are achievements which all freshman legislators such as myself would do well to emulate.

You who have served with him will remember Graham Barden for his strength of character, his integrity, for his skills in the legislative process and his vision of the future.

We who have watched his career from the sidelines will remember him as a man who never sought a fight but never backed away from one. We will remember Graham Barden as a man who sought sincerely for the truth and for what was right and best for the people and the Nation he served.

There are others though who will remember Graham Barden and mourn his passing as we do.

The farmers and businessmen of eastern North Carolina will remember Graham Barden as the man who led the fight to move a stagnating agriculture-dominated economy into a fruitful 20th century.

The schoolteachers of the entire State of North Carolina will remember Graham Barden as the one-term State legislator who sparked the drive for pay standards for all of the State's teachers.

Graham Barden will be remembered by every person in this country who ever benefited from the talents of home economists or agriculture instructors educated under the provisions of the George-Barden Act.

And he will never be forgotten by the countless thousands of physically handicapped who have been turned into productive citizens by the Barden-LaFollette legislation for rehabilitation.

Mr. Speaker, Graham Barden will be remembered as one of the giants of this House and of his home State. Our deepest sympathies go out to his family for their loss only magnifies our own.

Mr. KORNEGAY. Mr. Speaker, while I never had the privilege of serving with the late Graham A. Barden, because he retired at the end of the 86th Congress and my service in the House began in the 87th term, I did know him for many years and considered him a most valued friend.

His great record of public service was well known and admired by me. He devoted most of his adult life to serving his fellow men in many important capacities, and his outstanding achievements have brought benefit to countless thousands and at the same time have built an enduring monument to his memory.

Graham Barden will long be remembered not only for his dedication to the cause which he served so well but also for his strength of character, humility of person, and graciousness and charm of manner.

His passing is a loss not only to his devoted family but to his legion of friends and admirers throughout North Carolina and the Nation. I extend to his family my deepest and most heartfelt sympathy in their hour of bereavement.

VIRGIL GRISSOM, EDWARD WHITE, AND ROGER CHAFFEE, ASTRONAUTS

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, tomorrow we lay at rest Virgil Grissom, Edward White, and Roger Chaffee. The people of America will stand in spirit at the gravesides of these three gallant, courageous men, mourning their loss.

All of us who believe in and have faith in the importance and purpose of our space program have dreaded the day and the hour when lives of our astronauts would be in dire jeopardy and perhaps lost. And now it has happened.

The shock of the dreadful tragedy of last Friday will be long remembered, and the men who died then will be known to many generations to come.

I think it is most consoling to us all that they did not throw away their lives foolishly, or for no purpose. They were totally dedicated to their careers and to the ideals that motivated them.

Before ever coming to the space program, they had been deeply involved as test pilots in aeronautical research and the advancement of aviation. Theirs was then a hazardous profession at best, which they unreservedly accepted and adjusted to.

As astronauts, they were pursuing an extension of their professional careers.

Virgil Grissom, Edward White, and Roger Chaffee were not superficial, vainglorious men. They were highly trained, intelligent, thoughtful, and involved in what was to them the highest calling men can choose—service to their fellow man and to their country.

The fulfillment of their lives and of their deaths is the achievement of the goal for which they worked so hard and for which they made the ultimate sacrifice.

If the Almighty were to grant them the privilege of communicating with us, they could not help but say—carry on, you must not stop now, do not let our deaths be meaningless, and do not throw away what we have worked so hard to accomplish up to now. Do not debase the sacrifice that we, our wives, and our children have made for America and mankind.

This I believe to the utmost of my convictions is what they would want and would say.

These men died with the focus of world attention upon them. But what they gave was no less and no more than what other Americans, unsung and unknown, have given and are giving freely and without reservation.

We can do no more here than to acknowledge a deep, personal, and eternal debt to Virgil Grissom, Edward White, and Roger Chaffee.

As Americans we owe a debt that cannot really be paid to the wives and families of these gallant men.

Through the years they steadfastly gave of themselves to the demands of their husbands' careers; they provided for them the havens of love and solace that reinforced their courage, enthusiasm, and purpose in life.

I know I speak for every member of the Committee on Science and Astronautics, as well as all Members of the House, when I say that we share with them and their children their profound sorrow.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I am happy to yield to the distinguished gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Speaker, my voice is added to that of all Americans and all the people of the world who mourn the deaths of Astronauts Virgil I. Grissom, Edward H. White, and Roger B. Chaffee. The loss to their families is irreplaceable but their example shines before us all; courageous and capable men who represent the spirit and determination to achieve. We share with their families the grief of their great loss knowing that these men sacrificed their lives for their country on a battlefield to gain knowledge for the betterment of mankind. It is fitting to reaffirm and rededicate our efforts to those goals which Astronauts Grissom, White, and Chaffee sought, so that the work which they started may be a living memorial to these great Americans.

Astronaut Virgil I. Grissom followed Alan B. Shepard, Jr., into space in 1961. Their brief suborbital flights lasting only 15 minutes opened a new era in American exploration. Grissom, accompanied by John B. Young, next flew in the first Gemini manned spacecraft to further extend man's horizons in space. Edward H. White, with James A. McDivitt, followed so that White could learn how to walk and work in space. Roger B. Chaffee had yet to experience the new world of space. These humble, daring men's lives, as with all of the astronauts, are dedicated to increasing man's view of the world we live in. Each dangerous step along this path of new understanding is taken so that our world may be enriched by knowledge and improved in intellectual and material well-being. Grissom, White, and Chaffee have paid the ultimate price of self-determination in a free society. They join the ranks of those great Americans who have placed their country before self. The personal loss to their families is beyond measure. This loss is shared by all Americans. These great men died in the knowledge that progress is often won only by making the ultimate sacrifice of life itself. That they were prepared for this is not questioned. It now resolves to the question of whether each of us is now prepared to take up the work they so valiantly started. The meaning of these men's lives stands out in sharp relief on this tragic day. Grissom, White, and Chaffee have dedicated their lives to our future. We must now muster our fortitude, based on their example, to fulfill their dedication. If the meaning of their lives is to be sustained we must take up the challenge of space they faced unafraid. Their quest for mastery of space must now be carried forward by their fellow astronauts. There can be no greater memorial to Grissom, White, and Chaffee than realization of the goals which they sought. The meaning of their lives is clear to us all. Let us meet the challenge.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I am glad to yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Speaker, this is both a personal and a national tragedy. Since the early days of our country when men braved the uncharted seas and pushed through the wilderness to conquer new land frontiers, men have not hesitated to sacrifice their lives for the benefit of mankind.

Such accidents cause deep personal grief. Yet they have never really slowed down our restless search to unlock the mysteries of land, sea, air, and space. Those who are in and associated with the space program as well as the Nation at large will be spurred on by the added resolve that we are doing this for Gus and Ed and Roger, and this increased determination will show that these three men have not died in vain.

Mr. ROUDEBUSH. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Indiana.

Mr. ROUDEBUSH. Mr. Speaker, on January 27 at 6:31 p.m. our Nation lost three gallant young men—Virgil "Gus" Grissom, Edward H. White, and Roger B. Chaffee. We on the House committee knew these great Americans very well. They appeared regularly before our committee to give testimony concerning our Nation's efforts in outer space.

Virgil Grissom was one of the original seven astronauts. Perhaps, because of the length of time he had spent in the program, he was the most familiar and had appeared more frequently with NASA officials. And Gus was a Hoosier and greatly loved and admired in his home State of Indiana.

I remember so well his many appearances back home.

The 500 festival parade in Indianapolis.

"Virgil Grissom Day" at his hometown of Mitchell.

Yes—these and many others.

Today our Nation—and the world—mourns their loss.

I extend by deepest sympathy to their families during their hours of bereavement.

Certainly they gave their lives in service of our Nation.

They were, indeed, the great Americans.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. Mr. Speaker, I yield to the majority leader.

Mr. ALBERT. Mr. Speaker, I join the distinguished chairman of the Committee on Science and Astronautics in his expression of sorrow over the tragic deaths of three of America's most heroic and devoted citizens. Word of this most unfortunate accident settled like a pall over the entire Nation and I am sure around the world. These men who had the talents of bravery, self-control, and unusual skills were extraordinary men indeed. They were the Columbuses of this generation. Pioneers of the cosmos, these noble men have risen on wings which have taken them far beyond the realms of outer space.

All Americans shared feelings of pride and joy in these outstanding men; now all share a common grief. I extend my heartfelt sympathy to the wives and children, and all the loved ones of Astronauts Virgil I. Grissom, Edward H. White 2d, and Roger B. Chaffee. They have paved the way. Their brave companions, and men like them in the future, will carry on until the job they helped start is done.

Mr. EVINS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. Mr. Speaker, the tragic news of the death at Cape Kennedy of our three pioneer astronauts—Gus Grissom, Edward White, and Roger Chaffee—has caused the Congress and the Nation to mourn the loss of these courageous frontiersmen of space.

It was my privilege to know personally Gus Grissom and Ed White who already had made great contributions in space exploration and to the advancement of civilization. Gus Grissom had made two flights and none of us will ever forget Ed White's pioneer walk in space. Roger Chaffee was young, dedicated, and enthusiastic with great promise as a space explorer.

Indeed the cost of progress comes high. The Nation is shocked—and yet it marvels at the pure courage and absolute dedication of these three pioneers of space.

I extend my deepest sympathy to the wives, children, and families of these great Americans.

Mr. DADDARIO. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Connecticut.

Mr. DADDARIO. Mr. Speaker, when the father of Astronaut Edward White, who is Major General White, was advised of his son's death, his comment was a simple one. He said that his son died in the service of his country, and this was the way he would have wanted it.

His tragedy heavily underscores the fact that our astronauts are engaged in one of the most heroic endeavors of all history. They walk with death not only during the times when they are on a mission, but every day during the course of their training activities. They are among our most experienced men, among our most educated and most courageous men.

I believe that these three young men, who had already done so much to elevate the character, the courage, and the capabilities of this country, have reemphasized many of our basic strengths and our willingness to face danger. The Nation is blessed to have men such as these who give so much and who give it gladly because they know how much it means to their native land.

Mr. ROUSH. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Indiana.

Mr. ROUSH. Mr. Speaker, the Nation has lost three of its bravest men, and Indiana lost its space-age hero, Gus Grissom, in the terrible tragedy at Cape Kennedy. All of us join with President Johnson in his expression of condolences to the families of these three brave men. For me this is a very personal tragedy because of my work with these men over a period of time as a member of the House Committee on Science and Astronautics. This personal relationship makes this expression very difficult for me.

I knew Gus Grissom and Ed White. It was good to know them because they were unusual men. They were inspiring and dedicated men and it was infectious. They were dedicated to a cause. For them there was never a hint of doubt as to why this Nation was engaged in such a dangerous and ambitious program. When President Kennedy announced that it would be this Nation's goal to put a man on the moon by the year 1970, they were delighted and each one of them was determined that he would be the astronaut to make that trip. They entered into the accomplishment of that goal with a passion and a dedication which could have only been borne of complete and unqualified belief in what they were doing. In their exploits—the Mercury flights, the Gemini flights, and in the preparation for the greatest of them all, the Apollo flight—they aroused a new spirit in all of America. Somehow or other, we had reached that place in history when it seemed that all of the frontiers had been explored and that all of the ventures which called for unusual sacrifice and bravery were behind us. But with the space program and the exploits of these brave men, the traditional American spirit of adventure was revived and there was a national determination to give all-out support for the attainment of this mighty goal. When Gus Grissom traveled into the unknown areas of space, it was as if he took with him the entire Nation. Many did not know why. They went along because this was an American adventure and brave men were leading them onward.

Where shall we go from here? We shall do just as these astronauts, whom we now honor, would want us to do. We shall continue to press forward with the determination that we shall attain this national goal for which they gave their lives. We shall honor and respect the sacrifice that these men made by finishing the task that they were not able to complete. I am glad America had Gus Grissom, Ed White, and Roger Chaffee. Our gratitude to them is boundless.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Speaker, in joining those who have previously risen to express sympathy to the families of the deceased astronauts and admiration for the work that these brave men have done, I believe it worthwhile to call to the attention of the House a matter which I have previously mentioned here.

Two of these astronauts had particularly deep Indiana roots—Astronaut Grissom and Astronaut White.

With respect to Astronaut White, I should like the Members to recall that his grandfather served in this House in the 50th Congress. The grandfather, who had come as an immigrant from Scotland and had fought in the Civil War, settled down in my hometown of Fort Wayne, Ind., and became a merchant, thereafter became active in politics, was elected, and did serve in that Congress in this House of Representatives.

The father of Astronaut White also has a distinguished history, being now retired as an Air Force major general.

This illustrates the type of family from which these men come, and perhaps explains in part their dedication to our country, Mr. Speaker.

To the families of all three of these brave and dedicated men, we extend our deepest sympathies.

Mr. HAMILTON. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Indiana.

Mr. HAMILTON. Mr. Speaker, this Nation moves forward because of men like Virgil Grissom, Edward White, and Roger Chaffee. They are pioneers upon whom all the rest of us depend.

Their lives now are unforgettable testimonials to the adventurous soaring of the human spirit. The spirit of man moves higher and farther than flesh can follow, and the miracle of space flight is today's great challenge to that spirit.

John Gillespie Magee, Jr., a poet who understood the exhilaration of flight, has expressed in these lines what these three men must have felt:

Oh, I have slipped the surly bonds of Earth
And danced the skies on laughter-silvered wings;
Sunward I've climbed, and joined the tumbling mirth
Of sun-split clouds . . . and done a hundred things
You have not dreamed of . . . wheeled and soared and swung
High in sunlit silence. Hov'ring there,
I've chased the shouting wind along, and flung
My eager craft through footless halls of air . . .
Up, up the long, delirious, burning blue
I've topped the wind-swept heights with easy grace,
Where never lark, or even eagle flew . . .
And, while with silent, lifting mind I've trod
The high untrespassed sanctity of space,
Put out my hand and touched the face of God.

Virgil Grissom, veteran of two space flights, and Edward White, the first American astronaut to walk in space, had indeed "slipped the surly bonds of earth," and "trod the high, untrespassed sanctity of space." Roger Chaffee would have soon done so.

For their quiet courage—their skill to meet great tasks—for their response to the challenge of space, they have lifted this Nation sunward with them.

We in Indiana have suffered a tremendous personal loss. Virgil Grissom was born and raised in the southern Indiana community of Mitchell. Edward White spent much of his boyhood in Fort Wayne, and Roger Chaffee, like Lieutenant Colonel Grissom, was graduated from Purdue University in West Lafayette, Ind.

Their service to this country called for courage guided by skill and skill armed with courage—the quiet, competent courage of scientific exploration.

Their courage is not measured in the embattled stress of combat, but in going ahead with their tasks with full awareness of the risk. Lieutenant Colonel Grissom said:

> The conquest of space is worth the risk of life.

It is with a profound sense of loss that I submit a resolution asking Congress to direct the President of the United States to award the Congressional Medal of Honor, posthumously, to Virgil Grissom, Edward White, and Roger Chaffee—the first of America's astronauts to die in their spacesuits.

Mr. KARTH. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Minnesota.

Mr. KARTH. Mr. Speaker, I join the distinguished gentleman from California, the chairman of our committee [Mr. MILLER] in extending deep degrets and condolences to the wives and families of the three loyal and brave astronauts who gave their lives so that this country would become a greater and better nation.

Let me just say, Mr. Speaker, that the chairman now in the well has on many occasions pointed out that no government, including this one, has ever before provided so many safeguards in a research and development program as has this Nation provided in the space program. But it is inherently true, I suppose, that research and development programs of this character will always have certain unpredictabilities about them and certain so-called fail-safe guards that have not worked on a given occasion.

My chairman has often pointed out, I should like to call to the attention of the House, that while we take for granted the automobile—of which there are many millions on the highways today—riding in an automobile today is really less safe than what this Government and the National Aeronautics and Space Administration have made of the manned space flight program.

So, while we deeply regret and mourn the loss of three loyal, dedicated, and distinguished Americans, we can rest assured that everything has been done that the Government can do to make a program of this kind as safe as it is humanly possible to make it.

Mr. Speaker, I join with the chairman of the committee and thank him very much for extending me this courtesy.

Mr. McCORMACK. Mr. Speaker, what happened at Cape Kennedy last Friday is truly a tragedy of paramount significance. So great a tragedy, indeed, that words are obviously inadequate to express the extent of our shock or measure in any degree of accuracy the scope of that tragedy.

The three astronauts, Lt. Col. Virgil I. Grissom and Lt. Col. Edward H. White II of the Air Force, and Lt. Comdr. Roger B. Chaffee of the Navy, who met death in the fatal Apollo I blast, truly lost their lives in combat, in man's unending battle to subject the elements of nature to his control. Our hearts here today are indeed overflowing with grief because these young men, men who were in their prime both intellectually and physically, had yet so much to contribute toward that battle, to the conquest of space. The young men who follow them in this noble yet dangerous undertaking will, I am sure, ever draw deep and recurring inspiration from the sacrifice made by Grissom, White, and Chaffee.

The board of inquiry appointed yesterday I am confident will do a competent and painstaking job of determining the cause of this tragic accident. When their findings are in I am sure that proper steps will be taken to make certain that there will be no repetition of this tragedy. Should any action by the Congress be necessary, such action will be forthcoming without delay.

In closing I should like to extend my heartfelt regrets to the families of these brave, noble men. Their untimely passing is certainly one of the truly great tragic moments of our era.

Mr. EDMONDSON. Mr. Speaker, every American shares a feeling of loss and grief in the tragedy that has taken the lives of three brave astronauts.

I am sure that feeling of loss is particularly acute in this body, where many of us have had the opportunity to know these fine men personally, and to observe their dedicated service at close range at Cape Kennedy.

Our astronauts—each and every one of them—serve at great personal risk and sacrifice to advance the cause of science and man's knowledge of space.

America and the world will be better places to live, in the years ahead, because of the contributions of our space program and the astronauts who make that program possible.

Today, however, all of us mourn the loss of three heroes. Let us also resolve that they have not died in vain.

Mr. BOGGS. Mr. Speaker, there are not adequate words to describe the feelings of all of us, and all Americans, on the tragic loss of three of our country's noble astronauts—Lt. Col. Virgil "Gus" Grissom, Lt. Col. Edward H. White II, and Lt. Comdr. Roger B. Chaffee.

These men gave their lives for our future—and I join my colleagues in saluting them on this sad occasion and expressing to their wives and children my deepest sympathy on their loss and the great loss to our Nation.

Symbolic of the nobility of these men are the words of one of them—Lt. Col. Virgil "Gus" Grissom—on his trip to my home city of New Orleans almost 3 years ago to visit the NASA Michoud assembly facility there. Scientists and technicians at the Michoud facility are engaged in building the first stage rockets for the Apollo spacecraft, and Gus Grissom was there to remind us that men—and not machines alone—would go to the moon and other planets.

In an interview by Miss Podine Schoeneberger of the Times-Picayune newspaper, Grissom looked always to the future of our Nation and its space program. He said he hoped, after retirement from active space flying, to be one of the leaders of the space program of tomorrow. He expressed his conviction that the astronauts of today will be the leaders of the space program of tomorrow. He said Americans would be on the moon before 1970.

These thoughts are symbolic, I believe, because they show the remarkable men who are chosen to be our astronauts are men of optimistic and positive thinking—men who always look to the future as a challenge—men who dare to chart and to fly the seas of space for the benefit of all mankind.

Gus Grissom, Edward White, and Roger Chaffee were this kind of men, and their heroism speaks louder and more forcefully than any words we mortals can utter. The example they have set for us—the challenge they have given to their fellow astronauts—the splendid heritage they have passed on to them and to us all—revitalizes our love of country and instills in us renewed dedication and energy to press forward with the great work they were doing.

Mr. Speaker, we do not yet know what caused this tragic flash fire, but I am confident that a thorough investigation will be conducted by NASA officials, and we will move forward with our space program. I know this is the way Gus Grissom, Edward White, and Roger Chaffee would want it to be, and I think we will respond to their vision and determination to keep America first in space. I, for one, certainly believe that this is the right course for our country, and I will do all in my power to help our space program maintain its forward thrust.

In closing, Mr. Speaker, I believe that we would all agree here in this House, that Gus Grissom, Edward White, and Roger Chaffee embody the very sinews of this Republic. With their inspiration we cannot fail in our task.

Mr. PELLY. Mr. Speaker, I want to join with the distinguished chairman of the House Committee on Science and Astronautics, the gentleman from California [Mr. MILLER], in expressing sorrow and regret at the tragic death of Astronauts Virgil I. Grissom, Jr., Edward H. White II, and Roger B. Chaffee due to an accident during a simulation of forthcoming orbit of the first manned Apollo craft.

I think the House committee of which I am a member will be investigating the source of the flash fire which caused the death of these three fine men. But I suggest that despite the accident the program will go forward and succeed. History will pay tribute to the contributions to the cause of science by the sacrifice of these men. Meanwhile, I join with other Members in expressing profound sympathy to their widows and families. We recognize that America has sustained a great loss but with more determination than ever, to justify that loss, the Apollo program must go on.

Mr. HAGAN. Mr. Speaker, last Friday a great tragedy struck this Nation with the deaths of three of our country's finest young men—Astronauts Lt. Col. Virgil I. Grissom; Lt. Col. Edward H. White II, and Lt. Cmdr. Roger B. Chaffee.

I wish to express the profound sorrow of the First Congressional District of Georgia on this sad event and our deepest sympathy to the families of these men.

We can pray that the grief over this great loss is somehow assuaged by the knowledge that these Americans died in the service of their Nation.

Mr. JONES of Alabama. Mr. Speaker, on behalf of the many thousands of citizens who have worked in this Nation's space efforts from the very beginning at Marshall Space Flight Center in Huntsville, Ala., I want to express the deepest sympathy to the families of Lt. Col. Virgil I. Grissom, Lt. Comdr. Roger B. Chaffee, and Lt. Col. Edward W. White.

The accomplishments of these heroic astronauts have seemed more personal and more significant to the many scientists, technicians, and workers who have been intimately acquainted with our country's space efforts. This tragic national loss, therefore, is greater for those in the space family.

As their duties carried them to Huntsville, Ala., they always gained new friends and admirers from those who came in contact with them. Their spirited and dedicated approach to life was an inspiration to all.

Speaking here today, I express not only of my deep personal pain at their demise but also for those people in the area I represent who knew them personally.

As we at home felt that we were a part of their total endeavors, their forfeiture of life spurs us to great purpose, dedication, and zeal to accomplish erasing of the errors that caused their loss.

These exceptional men had already earned a special place of affection and respect in the hearts of all citizens by their belief in the innate goodness of man and his infinite capacity to explore the universe.

As they represented all men in a reach for the stars, they epitomized those traits of bravery, patriotism, fidelity, intelligence, and unselfishness which we should all seek to emulate.

The contributions of Astronauts Grissom, White, and Chaffee to man's pioneer space exploration achievements were vast and long lasting. Those men who will follow to the moon and beyond will long be in their debt. The rest of us who remain earthbound, but share in the benefits of the opening of whole new worlds, owe them eternal gratitude.

Words can never express the extent of our sympathy for their young families who bear the greatest loss in this tragedy.

Mr. WHITENER. Mr. Speaker, the tragedy which took place at Cape Kennedy has deeply shocked and saddened all America. The accident which claimed the lives of Virgil I. Grissom, Edward H. White II, and Roger B. Chaffee has taken from us three of the Nation's heroes.

At the time of their deaths they were engaged in a project of tremendous significance to their fellow countrymen and to all mankind. They were trained to take risks and they were aware of the great dangers inherent in their mission.

They died as heroes. Their contributions to the realization of mankind's age-old dream of conquering outer space will become a legend of our time. Gus Grissom, Edward White II, and Roger Chaffee gave their lives that their Nation might remain the leader in the exploration of outer space and the advancement of space technology.

In life their service was an inspiration to every American. Their fellow countrymen were proud of their achievements and the respect they won for their Nation throughout the world. In their death they have reminded us in a painful way of the high price we must pay for technological advancement and national security.

With renewed determination the United States should push forward with the Apollo I mission. Gus Grissom, Edward White, and Roger Chaffee would want it that way.

When mankind finally reaches the moon much of the success of his mission will be due to those brave Americans who gave their lives at Cape Kennedy, Fla., on January 27, 1967.

To the members of their families we extend our deepest sympathy on the great loss which they have sustained.

Mr. GURNEY. Mr. Speaker, rarely has the news of any tragedy stunned so many Americans as did the announcement from the Kennedy Space Center Friday evening. To most, it was as if the three men had been personal friends, so great was the admiration and esteem in which these men were held.

Virgil I. Grissom, Jr., Edward H. White II, and Roger B. Chaffee were not strangers to risk or danger. They had constantly faced the unknown; they and their families lived with the knowledge that unexpected tragedy could happen at any time.

But perhaps even more than their bravery and heroism, it was their dedication that is the greatest legacy to us. They knew and understood what it means to be an American and to be willing to make any sacrifice for their Nation. These three men knew, and the others who work with them in our space program understand, what real patriotism means.

They all understand the reasons for their work and they know its dangers. The heroism lies in their decision to go on and to do their work despite its risks because they care deeply enough about the mission.

Nothing any of us can say can lighten the loss to the families and friends of these three men. But they can be certain that they are not alone in that grief, that to all Americans, these men were not just names in the news. They were and are our heroes. We followed their work and we looked to them as an example of what we all wish we could be in our own lives.

Their names are already deeply imprinted in the history of this Nation, and indeed in the history of the world. Nothing we can do could be a more significant memorial than the place they themselves have carved in the story of mankind's quest to conquer and understand the unknown. It is for those of us who stay here behind them to rededicate ourselves to carrying on their work.

Mr. CABELL. Mr. Speaker, I join with my colleagues in the House, and with all my fellow Americans, in lamenting the tragic deaths of our three astronauts.

These outstanding young men, as pioneers in space, exemplified the pioneers in other fields who made such great contributions to the development of our Nation and to the knowledge of our world.

Nothing that mortal man may say or do can compensate for the loss of human life.

But the families of these men, and the Nation as a whole, may take solace in the fact that their deaths were not in vain.

Ours will be a better world for having had such men of courage and character in the forefront of our space effort.

Mr. **FUQUA**. Mr. Speaker, a tragedy took the lives of three brave men.

In man's never ceasing quest for knowledge and advancement—Virgil Grissom, Edward White, and Roger Chaffee gave their lives.

They died as heroes of this Nation, above and beyond the call of duty. The pain and the agony their families know is shared by all Americans, for truly this was a personal loss for each American. Indeed it was a loss for all mankind.

I had talked with each of these three men. All were men you instinctively liked.

Merciful providence had spared us a tragedy throughout the Mercury and Gemini programs.

But at the outset of man's greatest scientific adventure, a voyage to the moon, three were called upon to make the supreme sacrifice.

I had discussed this particular chance with several of our astronauts, including one we miss today. They knew the danger far better than you and I. Each knew they might be called upon to give their lives. They knew that eventually something like this would happen.

They were technicians and test pilots who participated in the planning of the flights they would be called upon to make. They calculated every risk, every danger, minimizing chances for failure, but striving fearlessly for success.

They did not die in vain.

This Nation is richer because they lived. Each of the three astronauts had two children. They leave to these children the same heritage that Colin Kelly left to his son.

Duty, honor, country.

President Johnson's attendance at the funerals of Grissom and Chaffee symbolized the grief of a stunned nation. At West Point, Edward White was laid to rest at the institution he loved so well.

Americans should never forget their sacrifice. They gave their lives in service to their country, just as much as if they had been in armed combat.

They knew the danger, but more important, they knew how important success in the space program was to their country. Because they knew the latter, they were willing to risk their lives, and to give them if need be.

No quest in the history of man is more important. Building upon the foundation of Columbus, De Leon, Polo, Byrd, Magellan—of the explorers of the past, we strive to seek and to find.

For just as sailing across the Atlantic to find the new world became one of the most glorious feats in the history of man—so will be our quest for knowledge of the distant stars.

The task for which they gave their lives they knew was worth the sacrifice. This Nation could not honor their memory more than to continue its quest for knowledge.

Grissom, White, Chaffee.

To that endless line of men of all nations whose names will be revered through the ages because of their bravery, devotion, and contribution, is engraved forevermore, three additional names.

Grissom, White, Chaffee.

GENERAL LEAVE TO EXTEND

Mr. **MILLER** of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks at this point in the RECORD in connection with the loss of our astronauts.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

INVESTIGATIONS BY HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. **WILLIS**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WILLIS. Mr. Speaker, on October 3, 1966, as chairman of the House Committee on Un-American Activities, I directed the committee staff to undertake a preliminary inquiry into organized rioting, burning, looting, and other tragic acts of violence, for the purpose of determining whether these acts of mass violence have been planned and instigated by subversive elements, or to what extent, if any, such elements have succeeded in broadening and prolonging them after they have broken out.

I stressed that we were studying only acts of organized violence and not undertaking a broad-scale or freewheeling investigation into all disturbances or riots, no matter what their origin or cause, and furthermore that we have no intention of investigating the civil rights movement or the opinions or positions of any individual or organization on the civil rights issue. I pointed out that the House had given my committee specific jurisdiction, broad in some respects and limited in others, and that we were not going beyond our authority but, at the same time, we expect to fully exercise the jurisdiction given us by the House and upheld by the courts on numerous occasions.

Without waiting to see how we would carry out this undertaking, and caring less about the American concept that people are always entitled to the benefit of the doubt and presumed to be innocent until proven guilty, Mr. William F. Pepper, addressed a petition to the House of Representatives of the United States, which he signed as the executive director of the National Conference for New Politics, and which petition was also signed by the following individuals who called themselves "initiating signers":

Rev. Ralph Abernathy, vice president and treasurer, Southern Christian Leadership Conference.

Julian Bond, member, Georgia House of Representatives.

Stokely Carmichael, chairman, Student Nonviolent Coordinating Committee.

Laurence Guyot, Jr., chairman, Mississippi Freedom Democratic Party.

Myles Horton, director, Highland Center.

Dr. Martin Luther King, Jr., president Southern Christian Leadership Conference.

Floyd B. McKissick, national director, Congress of Racial Equality.

Rev. Fred L. Shuttlesworth, president, Southern Conference Educational Fund.

Rev. C. T. Vivian, director of fellowships, Urban Training Center.

Rev. Wyatt Tee Walker, publisher, Negro Heritage Library.

The petition asks the Members of the House of Representatives to stop the Committee on Un-American Activities from carrying out the preliminary study referred to in my announcement of last October, and portrays me and the other members of the Committee on Un-American Activities as being racists of the worst type and entertaining a viewpoint to the effect that Communists are responsible for all movements for social change. In other words, in the picturesque language of the habitue of the baseball diamond, they "wanna trow da bum out of da ball park before the game starts."

On the same day I received the petition I addressed a letter to Mr. Pepper and all of the other "Initiating signers," whatever that terminology may mean.

I insert my announcement of October 3, 1966, the petition, and my letter as part of my remarks at this point in the RECORD.

Now, Mr. Speaker, I am not deluding myself into believing that my letter will warm the hearts or change the attitude of these people toward members of my committee; but I am very sure of this, and that is enough: Having been in public life for a great number of years, it has been my experience that well over 50 percent of the people—of all races, creeds and faiths—will see and do what is right in the long run and, in turn, I can only reiterate what I said in my letter to the effect that so far as I am personally concerned, the announced preliminary study now underway will be conducted with the complete objectivity which we followed when my committee conducted an investigation of the Ku Klux Klan organizations in the United States.

The material referred to above follows:

RELEASE OF COMMITTEE ON UN-AMERICAN ACTIVITIES, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, D.C.

Representative Edwin E. Willis (D-La.), Chairman of the House Committee on Un-American Activities, announced today that he had directed the Committee staff to undertake a preliminary inquiry into organized rioting, burning, looting and other tragic acts of violence. The purpose of the inquiry, Mr. Willis said, is to determine whether these acts of mass violence have been planned and instigated by subversive elements, or to what extent, if any, such elements have succeeded in broadening and prolonging them after they have broken out.

Mr. Willis estimated that several months would pass before the preliminary study could be completed and the results reported to the Committee. He also announced that he had appointed Representative William M. Tuck (D-Va.) to oversee the general conduct of the preliminary inquiry.

Mr. Willis stressed that the Committee was studying only acts of organized violence and it was not undertaking a broad-scale or freewheeling investigation into all disturbances or riots, no matter what their origin or cause.

"The House has given this Committee specific jurisdiction," the Chairman said. "It is broad in some respects, limited in others. We are not going to go beyond our authority but, at the same time, we expect to fully exercise the jurisdiction given us by the House and upheld by the courts on numerous occasions.

"Our appropriate interest is organized subversion, no matter what form it may take or in whose interest it is carried out. Our records are packed with examples of varied forms of subversive operations which threaten our national security, but I can conceive of few which pose a greater threat than organized, mass violence which is deliberately designed to destroy our national unity and set citizen against citizen, and groups and classes of citizens against their government on all levels—local, state and national.

"There is already public evidence that subversive elements are at work in this area. What we want to find out—in the national interest—is the extent, the significance, and the effectiveness of their operations. The Congress and the American people have a right—and a need—to know these things.

"Does this mean that the Committee is investigating the civil rights movement?

"Not at all. My announcement makes it very clear that we are investigating only one thing—planned and organized violence by subversive elements.

"We have no intention of investigating the civil rights movement or the opinions or positions of any individual or organization on the civil rights issue. Those things are none of our business. I have my own view on certain civil rights issues. Other Committee members have varying views and, among the 435 Members of the House, there are a great variety of views on various aspects of that issue. The Committee on Un-American Activities, however, has no jurisdiction in such matters and it has no intention of trying to inject itself into them.

"If we should learn in the course of our investigation that a certain organization which claims to be a civil rights group is actually controlled and dominated by Communists carrying out the work of the Communist Party, we would not hesitate to investigate their operations. If that should develop, however, we will be investigating not a civil rights group, but the activities of a group of Communists doing the work of Moscow or Peking, as the case may be, and attempting to mask their subversion under the guise of civil rights.

"There is a tremendous difference between investigating such a group of individuals or their organized operations and the civil rights movement."

A PETITION TO THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES

We, the undersigned, petition the House of Representatives of the United States to stop the Committee on Un-American Activities from carrying out its plan to investigate uprisings in the black ghettos of this country.

The Committee claims to be looking for "subversive elements," "Communists doing the work of Moscow or Peking." It says it will not investigate the civil-rights movement unless it finds that a "* * * civil-rights group is actually controlled and dominated by Communists." Yet as Southerners, we know from experience that the Committee's viewpoint is that Communists are responsible for all movements for social change.

For 28 years, Southerners working for political and economic democracy have been labeled Communists or Communist dupes by the Committee. It has always proposed legislation to repress activists rather than to remedy social injustice. The Committee insinuates that ideas and movements concerned with ending the problems of racial injustice in our society are treasonous. This attitude has resulted in an atmosphere in which unknown numbers of Southerners have hidden their desire to end racism because they feared harassment and loss of their jobs or their lives.

Therefore, we feel it is our responsibility to warn the rest of the country about the danger of this Committee. We see no reason why its investigation into urban disturbances would have different results.

Two Southern segregationists on this Committee will be in charge of overseeing the preliminary investigation. One of them, Representative John Buchanan of Alabama, recently called the use of civil disobedience by the civil-rights movement a cause of outbreaks in the urban ghettos.

If the civil-rights movement has had any part in these uprisings, it is by reminding America of what it says it is—a land of equal opportunity and justice for all—and what it truly is for one-fourth of its people—one of poverty, unemployment, unequal education and injustice. For a fourth of these poor people, there is the added torment of hatred and discrimination against them because they are black.

These, not some vague external conspiracy, are the problems our government should be investigating in the name of our national interest.

INITIATING SIGNERS

The Rev. Ralph Abernathy, Vice President and Treasurer, Southern Christian Leadership Conference.

Julian Bond, Member, Georgia House of Representatives.

Stokely Carmichael, Chairman, Student Nonviolent Coordinating Committee.

Laurence Guyot, Jr., Chairman, Mississippi Freedom Democratic Party.

Myles Horton, Director, Highlander Center.

Dr. Martin Luther King., Jr., President, Southern Christion Leadership Conference.

Floyd B. McKissick, National Director, Congress of Racial Equality.

The Rev. Fred L. Shuttlesworth, President, Southern Conference Educational Fund.

The Rev. C. T. Vivian, Director of Fellowships, Urban Training Center.

The Rev. Wyatt Tee Walker, Publisher, Negro Heritage Library.

William F. Pepper, Executive Director, National Conference for New Politics.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, January 26, 1967.

Mr. WILLIAM F. PEPPER,
Executive Director, National Conference for New Politics, New York, N.Y.

DEAR SIR: I have just read the original petition signed by you and the following "initiating signers":

Rev. Ralph Abernathy, Vice President and Treasurer, Southern Christian Leadership Conference.

Julian Bond, Member, Georgia House of Representatives.

Stokely Carmichael, Chairman, Student Nonviolent Coordinating Committee.

Laurence Guyot, Jr., Chairman, Mississippi Freedom Democratic Party.

Myles Horton, Director, Highlander Center.

Dr. Martin Luther King, Jr., President, Southern Christian Leadership Conference.

Floyd B. McKissick, National Director, Congress of Racial Equality.

Rev. Fred L. Shuttlesworth, President, Southern Conference Educational Fund.

Rev. C. T. Vivian, Director of Fellowships, Urban Training Center.

Rev. Wyatt Tee Walker, Publisher, Negro Heritage Library.

asking the House of Representatives of the United States to stop the Committee on Un-American Activities, of which I am chairman, from carrying out its plan to *investigate* uprisings in the *black ghettos* of this country.

In the first place, when I made the announcement on October 3, 1966, a copy of which is enclosed for your information, I stressed that the undertaking was to be a preliminary study and not an investigation. You will see that nothing in the announcement limits the study to any particular area and that nowhere are the words "black ghettos" used. Furthermore, I specifically stressed that the Committee was studying only acts of organized violence and was not undertaking a broad-scale or freewheeling investigation into all disturbances or riots, no matter what their origin or cause.

I did, indeed, say that we have no intention of investigating the civil rights movement or the opinions or positions of any individual or organization on the civil rights issue: and I meant it.

Yet, you say that for twenty-eight years Southerners working for political and economic democracy have been labeled Communists or Communist dupes by the Committee and that this attitude has resulted in an atmosphere in which unknown numbers of Southerners have hidden their desire to end racism because they feared harassment and loss of their jobs or their lives.

On the other hand, I hope you won't take me to task for expressing the opinion that you are so sensitive about so-called civil rights and racism that you read white versus black between the lines when no color line is intended.

I do not know why you draw the period of time at twenty-eight years for political and economic democracy in this country, but speaking for myself only, I would say that while it is true that as a Member of Congress for nineteen years, I have not voted for so-called civil rights legislation, as far as I know I have consistently, invariably and at every opportunity voted for and supported all economic and general welfare programs without regard to race, color or creed.

But the thing that hurts most is your sweeping charge that you know from experience as Southerners that my Committee's viewpoint is that Communists are responsible for all movements for social change and that we have always proposed legislation to repress activists, rather than to remedy social injustice.

I challenge you to produce a statement from any Member of Congress, patriarch or neophyte, Democratic or Republican, white or colored, man or woman, or to produce any evidence, oral or written, by anyone, or any statement made or action performed by me throughout my life to sustain or even to remotely corroborate that I have ever entertained such a viewpoint or that any responsible person has ever made any such accusation other than your own.

Despite the expressed fear, or perhaps I should say the secret hope on the part of some of the "initiating signers" of the petition and others, that my investigation of the Ku Klux Klan organizations in the United States would be turned into an attempted expose on my part of the civil rights movement as being in some fashion in league with the Communist movement in this country, I think that every responsible person in the United States would admit that this investigation was conducted with complete objectivity. In fact, I was delighted to receive the commendation of the President and the Attorney General of the United States, innumerable Members of Congress of all political persuasions, on both the Senate and House sides, and many leaders in the civil rights movement, including Solicitor General Thurgood Marshall, Mr. Clarence Mitchell, Mr. Roy Wilkins and others for my fair and objective conduct of this and other investigations that I have personally conducted.

I assure you that so far as I am personally concerned, the announced preliminary study now underway will be conducted in the same fashion.

Very sincerely,
EDWIN E. WILLIS, *Chairman.*

THE WAR ON POVERTY NEEDS COMMUNITY CREDIT UNIONS

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, President Johnson's budget which was recently forwarded to Congress provides for an expenditure of $1 billion on community action programs under the war on poverty. One of the functions of the community action program is the establishment of credit unions in low-income areas. It has been dramatically shown that these credit unions are one of the most effective tools in overcoming poverty, primarily because the tool is of a self-help variety.

I have long been interested in the credit problems experienced by people with limited incomes. The fact that these people have less to spend on goods and services should not result in their being forced to pay more than others both for these items and for the credit they need to make the purchase. Yet, this is exactly what is happening in many cases today.

Why is this happening? It is coming about because these people are in many cases forced to rely on unscrupulous merchants and loan sharks. In the low-income marketplace they are treated with dignity for which they pay an exceeding high price in poor quality goods and exorbitant interest rates.

NEED ALTERNATIVES

Alternatives must be furnished to these people. One such alternative is the credit union. The credit union was originally conceived as a self-help organization for people of limited means. And it has continued to play this role down through the years. Congress recognized this feature of credit unions in 1934 when it established the Federal credit union system to make more available to people of small means credit for provident purposes through a national system of cooperative credit. Today there are nearly 600 Federal credit unions serving predominately low-income groups. These credit unions are providing their members with invaluable assistance through their loan and counseling services and through their encouragement of thrift on the part of members.

One of the characteristics of the credit union that is particularly appealing to the person of low income is its location. A credit union is a cooperative association of people joined together by some common bond—either occupational, residential, or associational. Because of this, the credit union is located close to where the individual lives or works. He does not have to take the time to make a long trip into another part of the city in order to enjoy the services of the credit union.

The credit union, since it is largely operated by volunteer help, is also run by people with whom the person of limited income can feel at home. He is dealing with his friends and neighbors who understand his problems since they have faced the same problems themselves.

One noteworthy advance made during the last year is strengthening the role of credit unions in low-income areas was Project Moneywise. Conducted by the Bureau of Federal Credit Unions in six selected locations throughout the country, Project Moneywise taught indigenous leaders in low-income areas how to operate successful and useful credit unions for their friends and neighbors.

LEARNING TO COUNSEL

People who took part in this training program learned how to shop and buy wisely. They learned how to counsel the people in their neighborhoods on money management and the importance of saving. And, of course, they learned what a credit union is and how to manage one. What is just as important, though, they themselves began to experience a sense of dignity and self-respect which some of them had never known before. They came to realize they had within themselves the ability to help their local neighborhoods break the chains of poverty.

Part of the problem is that many low-income people just do not realize when they are being "taken." Project Moneywise taught low-income leaders how to instruct their neighbors in wise shopping practices. One method the program used was to send the participants out on comparative shopping trips. One group on such an expedition discovered that the cash price of a 19-inch television set in the legitimate market was $110, while the cash price for the same set in the marketplace catering to low-income people was $279—a difference of almost $200.

The shoppers also discovered that different people were quoted different prices on the same item at the same store. In addition, interest rates ranged all the way up to 100 percent. Many times a customer was quoted one price. But if he took the time to add up his total monthly payments plus the down payment, the price was actually much higher The salesman took for granted that the customer would not take time or did not know how to multiply.

NOW ORGANIZING CREDIT UNIONS

Through these comparison shopping trips and through class discussions of the implications of poverty, the difference between desires and needs, and other similar topics, Project Moneywise provided an eye-opening experience for families caught in the grip of endless poverty. With the training they have received, many of them are now organizing their own credit unions. Others are going back to strengthen the services offered by already existing credit unions. These credit unions, which they themselves operate under the supervision of the Bureau of Federal Credit Unions, provide a safe place for them to save—and, more important, the motivation to save. And the credit union provides them with a convenient source of loans at fair rates of interest.

These new credit unions now being organized in many of our low-income neighborhoods are another way up and out of the hopelessness and despair of poverty. They are one more way our society can help people help themselves to achieve the dignity and self-respect that is the birthright of every American.

EASING THE PRESSURE ON THE SMALL BUSINESSMAN

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, it is as a means of easing the pressures on the small businessman that I rise to introduce H.R. 4069.

He is, for all practical purposes, preempted from the realm of manufacturing by the heavy capital demands put upon any prospective entrant into that arena. His chance to succeed in certain other areas is certainly limited; for example, by corporate supermarkets or huge shopping centers. Many, therefore, turn naturally to the distribution or service trades. My bill is intended to promote freedom of opportunity in this vital area for the small businessmen, by allowing for an expansion of the distributive horizon in which so many operate.

What is the meaning of a territorial franchise? To insure the availability of a brand or product so that it is always within easy access to the preponderant majority of potential consumers, the manufacturers of a brand or product designate a distributor within a specified territory—region, State, trading area, or any other geographical subdivision—upon whom the responsibility rests to fortify the market potential of the product. It has been demonstrated that such maximum exposure virtually assures greater consumer acceptance.

Such a method of operation has long been a feature of the American marketing and merchandising system. As mass production gained momentum and modern technology became instrumental in producing prodigious quantities of products, the need arose for a corollary service—mass distribution. Indeed, if an adequate, nationwide mass distribution system did not exist, our efficient mass production system would become clogged.

It has been shown that notwithstanding the enormous annual expenditures on advertising, this huge investment yields tangible benefits only when the advertised products are assured the maximum number of outlets provided by the unexcelled American distribution system.

Our Nation's distribution system is, of course, second to none. Contributing to this accomplishment is the franchise system under which a distributor, having a stake in the success of the brand or product entrusted to him, accelerates its movement and thereby substantially increases its sale.

This vehicle of distribution is of particular benefit and urgency to the less affluent manufacturer whose financial resources do not permit the luxury of unlimited appropriations for advertising purposes. He, to a much greater extent than his more favorably circumstanced competitor, is in need of the proven services of his franchised distributor.

It is the avowed purpose of H.R. 4069 to clarify, in legal terms, the legitimate role that this system plays in our country.

In discussions and hearings heretofore held on this subject, opponents of legislation such as H.R. 4069 have not so much criticized its utility but rather denied the need for such clarification. They have urged the small businessman to wait patiently while the courts of the land construe present law on a case-by-case basis. They state that, with enough patience, perhaps the courts will establish by judicial decisions the principles found in H.R. 4069.

The short answer to this, however, is that the small businessman cannot wait. He must survive in the rough and tumble competition of the marketplace. He has neither the necessary capital nor the ability to diversify that would be required to wait out the long period before a conclusion is reached on a case-by-case basis. Should he accept this well-mean advice, the "operation" may, indeed, be a success but the "patient" will be dead.

To ask small business to wait indefinitely until the law courts get around to deciding its individual problems one by one is, indeed, a council of despair.

It is the function of H.R. 4069 to grant to small businessmen of this country that hope which judicial determinations defer to an unknown future. It provides that a territorial franchise granted by a supplier to a buyer is not a violation of our laws under certain limited circumstances when competition is not unduly restrained. As such, this bill merits the active support of all Members of this body interested in the preservation of small business and business opportunity in this land.

FLOOD INSURANCE

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BINGHAM. Mr. Speaker, last week the distinguished assistant majority leader, the gentleman from Louisiana [Mr. BOGGS], introduced legislation to establish a permanent insurance program to protect homeowners throughout the country from the ravages of hurricanes, floods and other natural disasters.

Following the devastation caused by Hurricane Betsy last year, Congress ordered the Department of Housing and Urban Development to conduct a 9-month study of different alternatives for providing insurance to homeowners who suffered from such unexpected disasters. The legislation Mr. BOGGS introduced, and which I am happy to also offer today incorporates the recommendations of the HUD study.

Briefly, the bill would create a joint Government-private insurance industry program of flood insurance for property owners. Under its terms, the Department of Health, Education, and Welfare would pay the difference in premium rates between the actuarial cost and reasonable rates charged property owners, would assume the obligation for claims in excess of certain fixed amounts, and would give loans at reasonable rates to replenish the reserves of insurance companies which were adversely affected by losses on property covered by the bill.

Mr. Speaker, I think the approach taken in this bill makes the best possible use of both public and private resources to alleviate a problem of national proportions. When enacted, this program will give greater security and protection to many thousands of property owners who, until now, have been unable to adequately guard themselves against these natural disasters.

RAILROAD PASSENGER SERVICE

Mrs. MAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. MAY. Mr. Speaker, all of us have recognized for a good long time that our Nation's railroad industry is beset with difficult problems, especially in the area of keeping up high-quality, intercity passenger service.

I am sure that most of us who serve in this body have been aware of instances of a gradual deterioration of passenger train service.

Recently, after a constituent brought to my attention her concern over these conditions, I decided to make inquiry on the matter to railroad officials. The president of the Association of American Railroads, Mr. Daniel P. Loomis, responded in what I consider to be an extremely comprehensive and informative manner.

Under permission granted, Mr. Speaker, I include the detailed response received from Mr. Loomis at this point in the RECORD in the hope that it will shed some much-needed light on what both railroads and railroad users are up against in this situation and perhaps provide guidance toward meeting this truly national problem.

ASSOCIATION OF AMERICAN RAILROADS,
Washington, D.C., December 6, 1966.

Hon. CATHERINE MAY,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE MAY: Mr. Donald Baldwin, Washington representative of the Northern Pacific, Burlington and Great Northern, has shared with me the correspondence regarding railroad passenger service from your constituent, Mrs. Kenneth Courson, of Ellensburg, Washington. Because I would like to give as complete a viewpoint as possible on this complex problem, I am taking Mr. Baldwin's suggestion and responding to you directly, at the same time providing an extra copy of my letter in case you might wish to transmit my response directly to Mrs. Courson.

I can sincerely appreciate the frustration Mrs. Courson feels at the disappearance of much of the nation's railroad passenger service, as well as at some of the service failings. I also had the feeling, however, that she recognizes this problem is bigger than a matter that can be solved simply by a unilateral determination of rail management to "do something." The fact is that the railroad passenger problem has its root causes in a wide range of social, economic and government policy sources—and can be dealt with effectively only by a determined attack on an equally wide front.

If you will please excuse the length dictated by this multiplicity of problem facets, let me give the most meaningful course we here see toward solution.

First of all, let me state from personal knowledge that the railroad industry is more than willing to cooperate with Congress, the Administration or any responsible public body in making every reasonable effort to place our intercity passenger service on a paying basis, and in refraining from seeking to discontinue any trains that produce revenues in excess of the cost of operation. Indeed, it has never been the desire of the railroads to abandon any passenger service that can be continued without loss. The railroads have always been anxious to keep running those trains that are not a drain on their limited financial resources. This statement finds confirmation in the conclusions of the Interstate Commerce Commission (ICC) in its 1959 report in the *Railroad Passenger Train Deficit* (306 I.C.C. 417, 481) wherein it found that the railroads "have conscientiously endeavored to improve their standards of service" and "generally have not discontinued trains without serious efforts—sometimes prolonged—to make them pay and only after sympathetic consideration of public convenience."

Yet, the basic truth is that the railroad passenger business as a whole has not for many years paid its way as other preferred modes of travel have grown to great dimensions, aided by enormous amounts of financial assistance from public funds. Currently, the railroads are losing hundreds of millions of dollars a year on their passenger-train services overall and there are no present indications of improvement in this situation. They have been faced with ever-rising costs, especially for wages and wage supplements, while traffic and revenues have steadily diminished.

This chronic condition is not consistent with sound national transportation policy. The burden of the deficit has impaired the industry's financial position and its ability to provide essential freight service for which there is a demonstrated and growing demand. It is reflected, for example, in freight car shortages which this country has experienced.

The gravity of this problem from the standpoint of national interest is evidenced by numerous studies of regulatory bodies, the Department of Commerce and the Congress. One of the most exhaustive investigations was that conducted by the ICC in

1959. Unfortunately, as has been the case with so many studies of railroad problems over the years, little, if anything, has been done about many of its recommendations.

As private enterprises, the railroads should be permitted to eliminate those services on which they suffer losses or, failing that, some way must be found to compensate the railroads for continued losses on services which they are required by government to provide. The carriers do not have resources with which to maintain and operate poorly-patronized passenger trains as stand-by services, awaiting the uncertain and distant time when such operations might become viable.

We believe the research program contemplated by the High-Speed Ground Transportation Act of 1965 provides a wise approach in ascertaining to what extent travel requirements can and should be met by rail service as an adjunct to our highways and our air lanes.

We conclude that it would be sound national policy to let the determination as to whether particular passenger-train services should be maintained be based upon economic considerations. This means that as a general proposition the railroads should continue to operate passenger-train services that can be conducted without a loss and should be allowed to discontinue passenger-train services that can be conducted only with a loss. Not to permit the discontinuance of the ordinary losing passenger-train service would be to sap the strength of the railroads needlessly, with a consequent weakening of our national transportation system.

What should be done to prevent more and more existing trains from falling into the loss category and creating a need for discontinuance? Experience has demonstrated that such an effort requires far more than action on the part of rail management alone. It is evident that action on the part of railroad labor, Federal, state and local governments is also essential.

To be specific, railroads themselves must continue to develop the particular passenger-service markets that have a real economic potential. For example, in cooperation with the Federal Government (Department of Commerce) program now being initiated, the carriers will help to progress market and technical (both equipment and roadway) research studies and demonstration projects to determine the long-range economic potential of railroad passenger service in and between areas of high traffic density. Such activities should include (a) the effects of increased urban population concentrations and the saturation of highway and airway resources that may be disclosed, (b) the economic and engineering feasibility of high-speed and frequent rail transportation on routes of high traffic density, and (c) determination of the practical limits of train speed.

The carriers will also continue to strive for greater efficiency and economy in the operation of passenger-train service, and should be encouraged in such efforts by labor organizations and the government.

Railroad employees have a manifest interest in promoting the operation of passenger trains on a sound economic basis, and the cooperation of railroad labor organizations is essential to any effective effort to cope with factors that militate against this objective. Labor costs, which have risen sharply since World War II in the face of declining revenues, are a major factor in this respect. The total associated labor costs now absorb over 80 percent of passenger-train service revenues. It is particularly significant also that labor costs for train and engine crews have increased from 78 cents per train-mile in 1955 to $1.16 in 1965, or by nearly 50 percent. This high proportion of labor costs emphasizes the necessity of avoiding any uneconomic use of labor in passenger-train service operations and the importance of recognizing the impact of future labor demands on such service.

State and local government agencies can and should make important contributions to the alleviation of passenger-train service problems by taking remedial action in such areas as they influence as these:

Withdrawing opposition to abandonment of hopelessly unprofitable passenger trains.

Removing the discrimination that results from assessing railroad property at a higher ratio to market value than other property.

Collecting compensatory user charges for all transportation facilities provided from state and local funds.

Relieving the railroads from undue burdens imposed on them for providing and maintaining grade crossings, separations and protective devices since highway users are the principal beneficiaries.

Removing all outmoded "full crew" laws requring unneeded manpower under modern conditions of railroad operation.

The Federal Government itself has a decisive role to play. For its long-range implications, the initiation of a research and development program that is to include consideration of the dimensions and potentials of railroad passenger-train service, as represented by the High-Speed Ground Transportation Act of 1965, is a forward-looking and constructive step. Nevertheless, there are other very important aspects of Federal responsibility affecting the passenger-train service problem which are of much more immediate concern.

In the area of Administrative action, for example, the Post Office Department should be required to adhere to policies which are consistent with recognition of the importance of railway mail to continuance of essential intercity passenger-train services. The present policy of the Post Office Department to divert mail from the railroads has been and continues to be one of the major causes for the abandonment of railroad passenger service—for mail accounts for about 30 percent of total passenger-train revenues.

There also needs to be a more consistent recognition of the importance of railroad transportation to the national security. Particularly is there need for a Presidential directive to all government transportation procurement agencies requiring that their peacetime use of railroad and other transportation services be consistent with their comparative indispensability and availability in event of national emergency.

There is continuing need for expeditious disposition by the ICC of Section 13a applications to remove trains whose public use has dwindled and that are operated at a loss.

There should be vigorous development of sound public investment criteria to avoid excessive and uncoordinated promotional expenditures on transportation facilities for use by carriers by highway, air and water. These investment criteria should not fail to take into account the adverse effect upon existing transportation facilities.

In this regard the ICC in its aforementioned report on the *Railroad Passenger Train Deficit* pointed out that "the impetus given motor and air travel by Federal, State and local government promotional programs has unquestionably operated to the disadvantage of railroad passenger service." And the Commission further concluded that "there is little evidence of any comparable government effort to promote the public interest in railroad passenger service or to prevent or take into account competitive inequalities that may be induced by such promotional programs."

The railroads should be relieved of financial burdens for the cost of crossings on Federal-aid highways and of facilities to accommodate navigation—for example, as in the case of navigational clearances and the operation of moveable bridge spans over navigable streams. While the highway crossing matters involve the State and local agencies as well as the Federal Government, the latter should take the lead in providing a solution of this problem.

Railroads are currently being required to spend over $60 million a year for constructing and maintaining these facilities, and the costs of grade separations and protective devices are increasing with the tremendous expansion in highway construction and motor vehicle traffic. The ICC, after a recent investigation of railroad-highway grade crossing accidents, in its report of January 22, 1964, found:

"(13) That highway users are the principal recipients of the benefits flowing from rail-highway grade separations and from special protection at rail-highway grade crossings. For this reason the cost of installing and maintaining such separations and protective devices is a public responsibility and should be financed with public funds the same as highway traffic devices."

The Commission then recommended legislation to provide that "such funds be used to defray the costs of such installations and maintenance under some equitable arrangement between the users of the crossing."

There is growing need for more expeditious decisions by the ICC on railroad merger proposals. Soundly conceived mergers in the railroad industry will strengthen the industry and the national transportation system and should be encouraged by government.

In the vital areas of legislative responsibility, passenger-train services, as well as the railroads generally, have been adversely affected by the long-standing failure of government to collect adequate user charges for transportation facilities provided for the benefit of other modes by the expenditure of public funds. The Federal Government should take the lead in correcting this inequitable situation which has so long distorted the Nation's transport economy. An important step in this direction was the program of user charges for transportation by air, highway and inland waterway set forth in the Presidential Message to Congress in May 1965 and in the Administration's "Highway, Airway and Waterway User Act of 1966"—later modified as to airway user charges. This program has not yet been adopted by Congress.

It also makes only common sense that all present limits on truck sizes and weights should be retained until user charges have been enacted sufficient to cover both present as well as the increased highway costs that would result from raising such limits.

Certain fully justifiable tax relief would help the railroads to sustain more passenger service without loss and would improve the condition of the railroads generally. For example, railroads thus far have been unable to get adequate relief from discriminatory assessment practices of many State and local governments which result in railroad overpayments of some $100 million a year in property taxes. Such discriminatory assessments should be declared unlawful as a burden on interstate commerce—and the Federal District Courts given jurisdiction to deal with such matters.

Also, railroads have an enormous investment in tunnels and in the grading of their rights-of-way which under present federal income tax provisions cannot be recovered out of untaxed earnings. The railroads should be allowed to recover such investment by way of depreciation or amortization over a reasonable period of time.

The investment tax credit has worked well in the railroad industry but, unfortunately, a complete suspension until January 1, 1968, was put into effect this fall. The earliest possible restoration is essential to continued railroad improvement investment.

Clearly, problems of the railroad passenger-train services cannot be considered apart from the overall railroad problem, for such separate treatment would ignore some deep-seated problems that spread over the whole environment in which the railroads operate. It should be especially noted that the passenger service deficits themselves have imposed heavy and, in some instances, intolerable burdens on the financial resources of the railroads—resources which have been and are urgently needed to modernize those facilities and services that can be operated profitably, thus making possible either reduced rates for freight transportation or avoiding the necessity of rate increases.

Perhaps the greatest service the railroad industry can render the economy and security of our Nation at this time is to strive to develop new equipment, technological innovations and operating methods that will enable it to provide cheaper and more efficient freight transportation services for the shipping public—which benefits everyone. Attainment of this goal would be greatly aided if certain additional measures were to be taken by the Congress and the Administration, including the assurance of greater freedom for the railroads in pricing their services—in keeping with the highly competitive environment in which all carriers now operate.

The President has stated repeatedly that he believes greater reliance should be placed upon the forces of competition than upon regulation. With this philosophy we agree. The railroads have made great strides in recent years in reducing costs through innovations in methods, techniques and equipment. Tihs has led to keener competition and lower rates to the shipping public. In fact, the average level of railroad freight charges has declined for eight straight years and is now 15 percent below the 1958 level. Surely this has been a significant contribution to the containment of inflationary pressures which concern us all.

Amendment in 1958 of the rate-making rule in the Interstate Commerce Act has been helpful in providing a less fettered competitive climate giving such constructive results. Nevertheless, the ICC's construction of the present rate-making rule still hampers the railroads in their efforts to join advanced technological efficiencies with more effective competitive pricing for the benefit of shippers and consumers.

I might also point out that the Interstate Commerce Act's exemption from economic regulation of motor vehicles engaged in transporting agricultural commodities and of water carriers when transporting bulk commodities creates a sharp inequity for the competing but fully regulated carrier in each instance. This was recognized in President Kennedy's Transportation Message of April, 1962, and in the letter of January 27, 1964, from President Johnson to the chairmen of the Senate and House Commerce Committees. Repeal of the bulk commodity exemption and curtailment of the agricultural commodity exemption to accord more nearly with its original objective, as for example by limiting it to the first movement beyond the farm, together with the greater rate-making freedom recommended above, will serve both to provide equity as among competing carriers with a fair break for all common carriers, and to provide flexibility, economy and adequate service for the movement of these commodities.

Another facet of the problem created by the agricultural and bulk commodity exemptions is in the inordinate and unsound growth of private carriage resulting from the transportation of exempt commodities at cut-rates on the back haul. The treatment of the exemptions suggested here would do much to correct this situation, but in the absence of this remedy, the problem should be attacked directly through prohibition of any for-hire transportation by vehicles used by shippers to haul their own products.

Unnecessarily restrictive regulation also hinders the diversification of transport companies. There is general agreement that each form of transport has its inherent advantages and that a coordination of the services of the different modes can frequently provide the cheapest and most efficient transportation to meet the needs of the shipping public. Full and complete coordination can best, if not only, be achieved by permitting common ownership of different modes of transportation—something that is now restricted in varying degrees for different forms of transport, but with the most severe limitations imposed upon railroads.

This should be corrected in the public interest, for domination of any other mode of transportation by the railroad industry, and particularly the retardation of growth or subordination of any other mode, is no longer a realistic consideration in the light of the maturity and strength of the vast numbers of carriers by other modes, the ease and low cost of entry by new carriers by other modes, and the checks presented by private or do-it-yourself carriage.

Again, let me apologize for the excessive length of this letter, but I felt that this inquiry warranted our fullest effort to give a better understanding of what the nation and its railroads are up against in this field. In case you or Mrs. Courson are interested in exploring the matter further, I am enclosing some additional relevant items, including a booklet on transportation user charges, a report by one of our staff members comparing passenger-train services around the world, and the AAR's new collection of "Statistics of Railroad Passenger Service" (note particularly the Foreword on pages i through v).

Please let us know if we can provide any further information on this vital national problem.

Sincerely,

DANIEL P. LOOMIS.

A BILL FOR SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL-AID HIGHWAY SYSTEM

Mr. PELLY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, obscured by the more sensational news at the first of this session was a very disturbing report on the highway beautification program. The Secretary of Transportation has calculated that the 1965 Highway Beautification Act requires the removal of over 1 million billboards, mostly in the next 3 years, at a cost of $558 million. The Secretary proposed, in the same report, an extremely complex set of rules and regulations to govern outdoor advertising in the industrial and commercial areas along the major highways. This regulation poses an impossible administrative burden upon the State highway departments. The act, as it stands, erodes the traditional powers of State governments for the sake of Federal uniformity. Yet this uniformity has the actual effect of undercutting the beautification efforts of the State of Washington and many other States; in fact this law creates billboard advertising in areas where it is now prohibited. The supporters of highway beautification in Washington feel that the present law is worse than no law at all, while on the other hand, the same law will work a severe hardship on the outdoor advertising business. If there was ever a hastily written and poorly considered statute that merited rewriting by the Congress, the Highway Beautification Act is that statute.

I am introducing today a bill which would amend the Highway Beautification Act and improve it in five ways. It would substantially reduce the cost of the program. It would not put people out of business or work. It would more effectively protect roadside scenery. It would greatly ease the onerous burden of administration now facing the State highway departments. And it would restore more freedom of choice to the State governments.

The bill is not a repudiation of the principles of highway beautification. On the contrary, it is endorsed by the Washington Roadside Council, a group in my State which has labored long and effectively for more beautiful highways. The bill would amend the Highway Beautification Act as follows:

It would repeal the requirement that the entire Federal-aid primary system be controlled. This would leave the Interstate System highways subject to the act, in addition to which the States would designate about 80,000 miles of roads on their Federal-aid primary and secondary systems as scenic roads to be protected.

It would repeal the provision that billboards be permitted in industrial or commercial areas subject to regulations to be agreed to by the Secretary of Transportation and the individual States. This unworkable and universally unpopular formula would be replaced with a procedure by which highways passing through incorporated municipalities could be controlled by the municipalities as they chose, and thus excluded from the requirements of the Federal act which the States administer. The procedure would be that the State would apply for exclusion of such municipal segments as it wished to leave under local control. If the municipality had a zoning code in effect before September 1, 1965, the segment would then be automatically excluded. If the municipal government had zoned or enacted a sign control ordinance after the cutoff date, exclusion of the highway segment from Federal requirements would be subject to the approval of the Secretary.

It would retain the Federal cost-sharing formula for States which chose to purchase billboards and advertising rights, but the mandatory nature of the compensation provision would be repealed. This will would permit the States to choose between control by purchase and control by police power. Unlike the bill proposed by the administration 2 years ago, which required the States to use their police powers if they could, today's bill observes a policy of neutrality as between the two means of control. It provides that the States may secure effective control by whatever means they deem proper.

The policy of mandatory "just compensation" is, in fact, highly unjust to States such as Washington, where the elected representatives of the people have expressed a strong desire to use the State's traditional and constitutionally valid police power to control billboards and junkyards. The policy is unjust to cities which desire to enact sign control ordinances applying to all city streets—

for although the principle of compensation now applies by virtue of equal protection considerations to all billboards, the 75-percent Federal cost-sharing applies only to signs along the interstate and primary routes. Cities would have to pay 100 percent of the compensation costs of billboards off these two systems, and cities cannot afford such costs. The policy is unjust to cities and counties which try to draw industry by establishing attractive, landscaped industrial parks—for the law now permits billboards in all industrial areas and again there is no Federal aid for compensation to keep billboards out of industrial parks.

Mr. Speaker, although the principle of mandatory compensation cripples the beautification efforts of local governments, I recognize the considerations of mitigating individual hardships which influenced the adoption of this policy. The bill I am introducing mitigates those hardships in a more equitable way, by removing the application of the act from built-up sections of the primary system, where most of the signs exist, and by removing the application of the act from roads within incorporated municipalities, where many more valuable signs exist.

I would estimate that these revisions would cut the estimated cost of this program by at least 80 percent. That means a savings to the U.S. Treasury of about $400 million.

This amendment would also cut the costs of the programs in the next fiscal year by postponing for 2 years the deadline for State compliance with Federal billboard and junkyard requirements. The present act requires the States to provide effective control by January 1, 1968. Since this amendment would revise the requirements, many States would have to enact conforming laws at the next sessions of their legislatures, in 1968 or 1969. Thus, the compliance date would have to be set back, and an additional benefit of the postponement is that the States would not have to expend large sums for billboard removal in fiscal year 1968.

It is my earnest hope that the Committee on Public Works will soon schedule hearings on this bill. The Legislature of the State of Washington is now one-third through its biennial 60-day session and must soon pass some sort of billboard control legislation in order to protect its highway construction allocation. The State does not wish to pass a law conforming to the 1965 Highway Beautification Act and all its undesirable features, but the State will be compelled to follow this course of action if we do not promptly undertake the task of revising this law.

Since there is no controversy over policy in the third title of the Highway Beautification Act of 1965, the scenic enhancement and landscaping program, my bill does not suggest funding levels for this popular program; the purpose of my bill is merely to suggest a new direction in policy.

RESPECT FOR EMBASSY PROPERTY AND EMPLOYEES

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the right of a foreign embassy or consulate to protection from violence is a basic principle of international law. Every nation has a right to expect that its property and citizens are secure from threats of physical damage or injury. Over the years our Government has been zealous in its effort to discharge its responsibilities in this area, even when other nations have not always reciprocated. This policy is highly commendable.

Early Sunday morning property of the Yugoslavia Government was damaged when dynamite was exploded in four buildings in this country and two in Canada.

Among the buildings damaged was the Yugoslavia Embassy here in Washington. This violence was reprehensible and unjustified, and I am certain that every responsible American joins me in condemning it. While these acts may have been partially prompted by the recent stoning of our consulate in Yugoslavia, certainly no group is justified in taking retribution into its own hands. In the United States we exalt respect for law including protection of property.

If we do not respect embassy property and employees in this country we heighten the risk to U.S. citizens and property abroad.

FEDERAL TAX SHARING WITH STATE AND LOCAL GOVERNMENTS

Mr. GOODELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOODELL. Mr. Speaker, I am today introducing a tax-sharing proposal that will provide for the allocation to States and local governments of $2.2 billion. A large number of my Republican colleagues are introducing an identical or very similar proposal. We urge the Congress to hold full hearings and take action this year. Similar proposals have been made by Republicans for many years. A bill was introduced by the gentleman from Wisconsin [Mr. Laird] as far back as 1958 to provide for tax sharing.

The President's budget proposes an increase of more than $2 billion in existing Federal grant-in-aid programs for the next fiscal year—from $15.4 to $17.4 billion. A major cutback in these projected expansions could thus provide the money needed for effective tax sharing. In addition, many existing grant-in-aid programs could be phased out as funds from tax sharing became available at the State and local level for education and other purposes.

Our proposal would allocate 3 percent of Federal personal income tax revenue for tax sharing. The 17 poorest States would first receive 10 percent of the total funds as a form of equalization. The other 90 percent would then be divided among all States on the basis of population and a simple tax-effort ratio. Forty-five percent of the funds allocated to a State would have to be passed on to local subdivisions. The other 55 percent would be spent in any way the State desired. States reducing taxes would continue to receive tax-sharing funds, but in a comparably reduced amount.

There are two unique features of this tax-sharing proposal. First, at least 45 percent of the money would go to the local level for education or other municipal expenditures. Second, a new council on tax sharing, with State representation, would administer the program to insure simplified distribution procedures and to preclude any Federal controls. The 10-man bipartisan council would be appointed by the President and five of them would be State Governors.

State and local governments are now buried under a mass of over 400 Federal aid appropriations for 170 separate aid programs, administered by a total of 21 Federal departments and agencies, 150 Washington bureaus and 400 regional offices, each with its own way of passing out Federal tax dollars. It is time we moved firmly to restore vital State and local initiative and reinvigorate our federal system. The availability of $2.2 billion would provide the needed revenue for problem solving at the local level without rigid and wasteful Federal forms and control. Even those who previously proclaimed that proliferation of Federal grant-in-aid programs would solve our Nation's problems, are now raising anguished cries of protest at the resulting administrative chaos.

As our House Republican leader, the gentleman from Michigan, Jerry Ford, said in his state of the Union appraisal:

> Republicans will give leadership to the dynamic and constructive center in Congress.

I believe that tax sharing is an important first step in the new direction for America which was mandated by the voters last November 8.

FEDERAL TAX-SHARING PLAN

Mr. GOODELL. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Keith] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEITH. Mr. Speaker, today I am honored to join many of my colleagues in introducing a Federal tax-sharing proposal that would return $2.2 billion Federal dollars directly to State and local governments with a minimum of restrictions on their use.

If the Federal Government and the State and local governments are to strengthen the partnership that President Johnson cited as a goal in his state of the Union message, the financial resources of the other levels of government must be substantially increased. A genuine partnership will require considerably more than the administrative restructuring and effective planning to which the President referred in his message. It will require that large sums of money—to supplement State taxing powers that are now being used to their fullest—be made available through a well-designed program of Federal-State revenue sharing.

Mr. Speaker, the need for a program of tax sharing and the desire of the American people to have such a program is clear:

First, a recent Gallup poll reported that 70 percent of all adult Americans now favor a revenue-sharing plan; 49 percent of the people now consider "big government" the biggest threat to the country, and 48 percent of adults believe that State governments spend taxpayers' money more wisely than the Federal Government.

Second, State and local governments are now buried under a mass of over 400 Federal aid appropriations for 170 separate aid programs, administered by a total of 21 Federal departments and agencies, 150 Washington bureaus, and 400 regional officers. Furthermore, the President's budget proposes an increase of more than $2 billion for this fiscal year to administer these mushrooming offices and programs. It is my belief that as much of this $2 billion as possible should be directed toward a tax-sharing program.

Third, the need for more financial aid to the States cannot be overemphasized. The total debt outstanding for State and local governments in the past decade increased by 125 percent while the Federal debt increased only 14 percent. At the same time, State and local taxes have risen about as high as they can go with the increase in revenue at these levels from $23.6 billion in 1955 to $51.6 billion in 1965.

The tax-sharing proposal which I am today offering is supported by the Republican leadership and is, in my view, a refinement and improvment of previous proposals. It has been worked over many times by the best experts available. Our bill, if enacted, will allocate 3 percent of Federal personal income tax revenue for tax sharing. The 17 poorest States would first receive 10 percent of the total funds as a form of equalization. The other 90 percent would then be divided among all States on the basis of population and a simple tax-effort ratio. Forty-five percent of the fund allocated to a State would have to be passed on to local subdivisions. The other 55 percent would be spent in any way the State desired.

There are two really unique features to our proposal which merit the support of the administration and the Congress. First, at least 45 percent of the money would go to the local level for education or other municipal expenditures. Second, a new Council on Tax Sharing, with State representation, would administer the program to insure simplified distribution procedures and to preclude any Federal controls. The 10-man bipartisan Council would be appointed by the President and five of them would be State Governors.

I believe that this tax-sharing bill embodies a basic Republican objective—to revitalize State and local government and to restore the balance of a truly creative Federal system. I urge that Congress take action on this measure without delay.

THE COSTLY JOB CORPS

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, I have from time to time pointed out some of the exorbitant costs in funding the so-called war on poverty.

The up-to-date figures on the Job Corps disclose that there are now 9,766 graduates from the 112 training centers. Of these, 7,341 have been placed in jobs, 934 have gone back to school and 1,491 have entered the Armed Forces. The Job Corps has spent $522,502,378 up to the first of this year. This comes out to $53,502 per graduate.

Admittedly the program has had its problems in tooling up and that this initial cost would naturally balloon the cost of the first graduates, but we have come far enough now where we ought to be seeing some better results. Overly optimistic proponents were promising 40,000 graduates and more a year, but currently OEO cannot hold a candle to these unrealistic estimates. Now the Corps has launched an intensive recruiting drive in an attempt to bolster sagging enrollments, in spite of the fact that the program offers young people free training, free medical care, food and lodging, and job placement.

Do you not agree that it is a mighty costly program on the strength of the results obtained thus far?

CONGRESSMAN McCLORY RECOMMENDS AUTOMATIC DATA PROCESSING STUDY

Mr. McCLORY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, the establishment of an automatic data processing facility to serve the Members and the committees of Congress is urgently needed. Such a facility is provided for in my bill, H.R. 21, and similar measures introduced by other Members of this body. An analytical study of various ways in which electronic computers might be used to aid the Congress was prepared recently by the Legislative Reference Service.

In order that we may have an opportunity to review some of these recommendations, an abridged version of this study is set forth, as follows:

AUTOMATIC DATA PROCESSING FOR THE CONGRESS

(By Robert L. Chartrand, information sciences specialist, Science Policy Research Division, Legislative Reference Service, the Library of Congress, Washington, D.C., revised January 3, 1967)

INTRODUCTION

The impact upon American society of the "information explosion" and its often heralded antidote, "automatic data processing" (ADP), has been widely recognized and debated. Such factors as increased population and education, the development and availability of communication media, and the very nature of scientific method have resulted in voluminous outpourings from the universities, the commercial world, and the decision-makers and technological cadre in government.

In each of these environments, the problem of how best to cope with high volumes of written material—books, reports, specifications, etc.—must be faced. The evolution of any information handling operation to an "improved" state necessarily commences with a close scrutiny of the existing system. This should be done in the light of identified user needs:

The basic characteristics of information storage and retrieval problems, which appear to be common to all situations wherein new approaches must be considered, include on the one hand extremely rapid growth in the amount of information and, on the other, fragmentation and specialization in the immediate application of particular pieces of information with the probable need for multiple application.[1]

And so, the old problem of servicing many users with diverse information, from many sources, has grown to one of monumental proportions. During the past few decades, at least partial relief for this growing dilemma of our civilization has been found in the development of automatic data processing equipment. Without question, these devices have significantly enhanced the ability of man to perform many critical functions. It has been well said that:

"No single technological advance in recent years has contributed more to effectiveness and efficiency in Government operations than the development of electronic data processing equipment."[2]

Indeed, the increasing involvement of the Federal Government, both directly and obliquely, in numerous facets of the lives of its citizens, has resulted in a need for new capabilities to expeditiously collect, store, process, and utilize extremely high volumes of data. One significant advantage of automated systems is their ability to update rapidly large files of information without disrupting the whole system.[3]

The question often arises as to what to automate; or, to what degree does the machine replace the man? The late Dr. Mortimer Taube, eminent in the field of information systems, expounded upon the alternatives inherent in considering automation:

"If automation can never be total, then the 'where,' 'how much,' and 'when' of human interposition must be understood as questions of degree. Further, there should be discoverable principles in terms of which the degree of human interposition and the degree of automation for maximizing the result and minimizing the investment in any specific system can be determined."[4]

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[1] Joseph Becker and Robert M. Hayes, *Information Storage and Retrieval: tools, elements, theories* (New York: John Wiley & Sons, 1964), p. 6.

[2] Executive Office of the President, Bureau of the Budget, *Report to the President on the Management of Automatic Data Processing in the Federal Government* (Washington, D.C.: February 1965), p. 1.

[3] William E. Bushor, "Information Storage/Retrieval", *Electronics*, 1962 (quoting G. L. Ordway), p. 49.

Within the Federal Government, there is a spectrum of requirements for information of the right scope and nature. This is equally true in principle, although with modifications in the areas of detail, in the Executive branch, the Legislative branch, and the Judiciary. Today, the problem seldom is one of paucity of information. The different branches of government need equal access to facts, since the interplay between them is affected significantly by the degree to which any organizational entity has access to, and can utilize properly, vital information.

CONGRESSIONAL REQUIREMENTS FOR ADP SUPPORT

Some political analysts feel that the balance in the relationship between the Executive branch and the Congress has been jeopardized as the result of the demands upon the time and energies of the legislators. A recent management study of the Congress underscored the serious nature of this problem:

"Congress is burdened by an ever-increasing workload, caused by continuing growth of the nation and the government, and Congress' failure to relieve itself of unnecessary work detail. The weight of this workload as felt personally by legislators is a serious impediment to a greater Congressional effectiveness."[5]

Many persons believe that the trend has been for Congress to yield more and more authority to the Executive. The Congress, by the authority set forth in the Constitution, maintains its traditional role vis-a-vis the Executive branch in three ways—through its lawmaking power, appropriations power, and through investigations.[6]

Once again, the key concern must be that the Congressman utilize selective information and analyses in order to render knowledgeable decisions. In discussing decision making in Congress, James A. Robinson reinforces the criticality of the argument by pointing out that "as problems proliferate, the amount of information required as a basis for making policy decisions also radically increases. In consequence, no legislator can be an expert on more than a few few policy issues."[7]

Kenneth Janda goes one step further, in underscoring his point that . . . "information systems are *not* . . . devices for grinding out policy decisions, and they are not designed to replace human judgment. Rather they are intended to provide the human decision maker—here, the Congressman—with knowledge for making informed choices."[8]

When one considers that each Congress passes approximately 4,000 bills and resolutions, while determining not to act on about 22,000 other items,[9] the importance of information that is "factual, analytic, and attitudinal"[10] to the Congress cannot be overly stressed.

In order to understand more fully the Congressional problem of too much information, and how it is to be requested, retrieved, digested and used, the sources of information should be described. Many "communities" of dedicated professionals are responsible for the large amount of documentation: technical societies, Government agencies, private publishers, technically oriented companies. In *Science, Government and Information*, it is noted that

"The functions of many of these organizations overlap, partly because some of the groups are organized around a mission and some are organized around a discipline, partly because in a free society, overlap and blurring of sharp lines is inevitable."[11]

A major emphasis to be pursued within this paper is that of identifying Congress' needs for an improved system of acquiring and handling key information. One means of providing relief to the harassed Congressman and staff, deluged under masses of information, may be through the support that can be provided by automatic data processing. Recommendations in this area have ranged from the practical to the conjectural.

Vice President Humphrey urged, in a speech before the Spring Joint Computer Conference, that

"The legislative branch should, itself, take the lead. Few groups of men and women in the world need more, better or more varied information than the 535 elected Representatives and Senators. Congress' committees and subcommittees and Members need push-button, preferably display-type access, to specialized 'banks' of information. Each major 'bank' should serve the interested committees—Agriculture, Appropriations, Armed Services, Banking and Currency, Foreign Relations, Interior—and so on, down the alphabetic line."[12]

The need for pertinent information exists at several levels of Congressional functioning: the Congress *per se*, the individual chambers, the committees (and subcommittees), and the individual Congressman. In many instances, it is impossible for the limited, though excellent, Congressional staff effectively to identify, acquire, select, and absorb requisite information covering a wide range of projects. Thus the staff may require support from external groups, such as the Library of Congress (Legislative Reference Service). Many questions naturally arise when the desirability of providing an ADP-oriented information system for use by the Congress is broached. Charles Dechert reflects upon some of these:

"The problem of congressional access to information might be better defined as a problem of information management. What specific elements of information are needed to make what judgments? Where are these elements located? How are they to be retrieved? And how should they be presented in order to be meaningful?"[13]

The enormity of some of these considerations has caused Congress to move very cautiously in dealing with ADP matters. After several abortive attempts, it did pass Public Law 89-306, which provides "for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal Departments and agencies."[14] Although this action has abetted the Government planners by establishing a coordinator for equipment procurement, it in no way alleviates the plight of the Congress itself, which needs *relevant* information.

Whereas the Congress had been moved only recently to take positive action to establish a rationale and support for the utilization of automatic data processing equipment within the Federal community, earlier efforts were made to bring order out of chaos. In House Report 802, the Congress was asked to recognize:

"Since 1958, up to the time of the hearings on H.S. 4845, the GAO had issued approximately 100 audit reports to agencies, congressional committees, and to Congress revealing serious shortcomings in the manner in which specific agencies acquired and/or utilized ADP equipment. The major deficiencies cited in these reports have been:

"(a) Inadequate feasibility studies

"(b) Uneconomical and ineffective equipment utilization

"(c) Overpayments resulting from inadequate management practice

"(d) Uneconomical procurement of equipment."[15]

FEDERAL AGENCY USE OF ADP

The emphasis, then, for a number of years was on creating policies and procedures for procuring, sharing and using ADP equipment. Relatively little was done to study in depth and the equally significant problem of information handling systems development. Responsibility, through general statutory authority, has been conferred upon the Bureau of the Budget to "develop and establish policies and guidelines for the improved management and coordination of ADP within the executive branch."[16] These management activities relate to:

1. studies that should be made in advance of the acquisition of equipment;
2. selection and acquisition of equipment, with particular reference to purchase-or-rental decisions;
3. agency practices in respect to ADP management; and
4. sharing of equipment.[17]

The growth of ADP facilities within the Federal community during the past decade has been significant. From only 90 computers in 1956, 2600 electronic computers were projected for FY 1967.[18] Another indication of the Federal Government involvement in this area is that it projected expenditures of $1,292,000,000 in FY 1967 for ADP equipment and services.[19]

As the Federal Government agencies gained more experience with ADP systems, a better understanding of how to plan the integration of ADP into an existing operation came into being. Lessons learned in one quarter often could be adapted to another environment. It gradually became accepted that ". . . a master systems plan for an agency, at the highest feasible level, is desirable. All efforts to develop systems can then be undertaken in relation to the plan, in order to achieve an orderly and coordinated program." [20]

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[4] Dr. Mortimer Taube, ***Computers and Common Sense*** (New York: McGraw-Hill Book Company, Inc., 1963), p. 83.

[5] A. D. Little Company, Inc., *Management Study of the U.S. Congress*, (Report to NBC News, November 24, 1965), p. 11.

[6] *Ibid.*, p. 19.

[7] James A. Robinson, *Decision-Making in Congress* (Washington, D.C.: American Enterprise Institute for Public Policy Research, 1965), p. 8.

[8] Kenneth Janda, *Information Systems for Congress* (Washington, D.C.: American Enterprise Institute for Public Policy Research, 1965), p. 23.

[9] CONGRESSIONAL RECORD, vol. 112, pt. 23, p. D604.

[10] Charles R. Dechert, *Availability of Information for Congressional Operations* (Washington, D.C.: American Enterprise Institute for Public Policy Research, 1966), p. 3.

[11] The President's Science Advisory Committee, *Science, Government, and Information* (Washington, D.C.: The White House, 1963), p. 17.

[12] Vice President Hubert H. Humphrey, the CONGRESSIONAL RECORD, vol. 110, pt. 7, p. 9075.

[13] Dechert, *op cit.*, p. 6.

[14] U.S. Congress, *Public Law 89–306* (House Report No. 4845, 89th Congress, 1st session, 1965), p. 1.

[15] U.S. Congress, House Committee on Government Operations, *Automatic Data Processing Equipment* (House Report No. 802, 89th Congress, 1st Session), p. 17.

[16] *Report to the President on the Management of Automatic Data Processing in the Federal Government, op. cit.*, p. 75.

[17] *Ibid.*, p. vi.

[18] Executive Office of the President, Bureau of the Budget, *Inventory of Automatic Data Processing Equipment in the Federal Government* (Washington, D.C.: July 1966), Chart 1, p. 7.

[19] *Ibid.*, Chart 4, p. 10.

Exemplary within the Executive branch, which now lists 43 agencies with electronic computers (FY 1965),[21] have been such developmental projects as those at the Department of Defense, the Defense Documentation Center, Bureau of the Census, the Bureau of Labor Statistics, and the Social Security Administration.

Of the many large scale information handling systems developed within the Federal community, each project has been faced with the problems of determining definitively the *real* needs of the users for selected information. Of equal importance has been the delineation of the frequency, form, and format which this information should take. These paramount design considerations must be kept in mind as the Congress moves to alleviate its condition of chronic information satiety.

PROJECTED ADP SUPPORT FOR THE CONGRESS

In considering those potential applications areas where automatic data processing could assist the Congress and its members both in decision-making and housekeeping, it is worthwhile to take note of the attitude of the members themselves. In a survey reflecting general categories of problems as articulated by 80 members of the House of Representatives, 78% mentioned the "complexity of decision-making; lack of information." [22]

As the complexity of our society and the means of governing it increase, the decision-makers must be in a position to weigh possible options for action.

"Congress should develop an improved ability to test in advance the *relative* effectiveness of alternative courses of action . . . because effectiveness must be measured in tangible results affecting people, it cannot be measured solely in accounting terms." [23]

In order to determine astutely and set down such alternatives, the hard-pressed committee or member's staff ideally should possess "the professional capability backed by computers and other aids where appropriate, to identify and evaluate alternatives to the programs proposed by the Executive departments and agencies." [24]

Robinson stresses that ". . . the consequences of today's actions, or inactions, often determine tomorrow's possibilities of maneuver and decision." [25] Choosing when to call for a vote, or reveal support, or display overwhelming justification, is a mark of the successful Congressman.

In considering potential application areas for ADP support to the Congress, it is desirable to treat these, as previously mentioned, within the context of four levels of activity—the Congress as a unit, each chamber as an entity, by committee (or subcommittee), and the individual Congressman. Potential ADP applications are further discussed in the order presented in the summary listing.

SUMMARY LISTING OF PROJECTED APPLICATIONS OF ADP IN SUPPORT OF THE CONGRESS (ENTRIES ARE NOT NECESSARILY EXCLUSIVE)

The Congress as a Unit:
Status of pending legislation
Lobbyist activity information
Direct access to legislative research
Legal literature/information
Automated index/catalog of congressional documents
Payroll accounts of employees of Congress
Up-to-date Legislative telephone directory

Each Chamber as an Entity:
Current information on issues up for vote
Post-vote analytical information
Electronic (remote) voting by Congressmen

The Committee or Subcommittee:
Current schedule of committees' meetings and hearings
Histories of committee action
Exclusive file for each Committee
Information on Federal contract awards
Appropriations statistics and information

The Individual Congressman:
Exclusive file for each Congressman
Selected readings of interest to Congressmen
Constituent information

The Congress as a unit

Centralized information of many kinds would be valuable for use by the members of both Houses. Considering that some 25,000 bills and resolutions are "put in the hopper" for action (or rejection) by each Congress, a computerized file of all pending legislation would be most useful. Pertinent information could include the name and number of the bill, the sponsor, a précis of the content of the bill, related (other House) legislation, past legislation germane to the current bill, and status of action on the bill. Daily printouts, specially formatted, could be produced and distributed for Congressional consumption, and special (*ad hoc*) requests could be handled expeditiously.

A "Selective Dissemination of Information" (SDI) system [26] for providing tailored information for each Congressman based on a pre-established "interest profile" which could be matched by computer against descriptions (abstracts) of the bills is another possibility. The SDI system has proven, in other environments, to be highly useful since it offers flexibility in reflecting user needs and the changing content of information files. Also within the state-of-the-art, and occasionally implemented, is the option for printing out the entire content of a given document (in this case, a bill).

The desirability of maintaining registration data on lobbyists is discussed by Kenneth Janda, who notes that the lobbyists "constitute one of the most valuable sources of independent information available to Congress." [27] The computerized file could reflect the name of the individual, whether or not he is a registered lobbyist, the name and address of his employer, with what area of legislation (or special bill) he is concerned, total sum of contributions during the calendar year, and "the names of any paper, periodicals or other publications in which he has caused to be published any articles or editorials." [28]

Communication between the Congress and the Legislative Reference Service (LRS) of the Library of Congress has been in effect for many years, but only in recent years has the possibility of providing remote terminals for direct Congressional query of LRS become feasible. Man-machine interface—i.e., direct query access to computerized data banks—must be planned and implemented with care. Witnesses before Congress have urged the use of computers by LRS,[29] but the size of the holdings within the Library of Congress enforces the need for a careful systems analysis and design effort.

Not only must the existing system for rendering support to Congress be scrutinized, and its strengths and weaknesses weighed, but design considerations must allow for the continuation of service even while improvements are being implemented. This parallel operation allows a modular (step-by-step) development of the system, with periodic evaluations, that optimizes fulfillment of the user's needs.

The desirability of providing Congressional access to computerized legal literature has been recognized. Automated law searching has been developed at the University of Pittsburgh during the past several years. The entire United States Code, in full text, is available for querying, as are other statutes, codes and regulations.[30] In addition to such legal documentation, some persons have urged that ADP equipment be used to catalog and index Congressional documents.[31]

Housekeeping functions performed by ADP of benefit to the Congress could include placing the payroll accounts of the employees of Congress in computerized files, and maintenance of an "up-to-date telephone directory for the Legislative Establishment." [32]

Each chamber as an entity

In some instances, information needs of the two Houses are best treated separately. One recent study shows [33] that Congressmen often are summoned to the floor to vote with virtually no information as to the issue under consideration. The establishment of a chamber-oriented communications network would help the individual Congressman by providing him with information, both on an unsolicited basis (e.g., twice daily) or upon request, about the status of activities in his chamber. This could include furnishing substantive information on which to base his vote.

Once the vote has been taken, the office terminal could provide from a central computerized file such information as the voting positions of various Congressmen, a summary of the issue, and the consequence of the vote for passage of the bill.[34]

Another possible area for machine utilization by the Congressman is that of automated voting. This controversial issue will not be further discussed since it falls outside the orientation of this paper.

The committee or subcommittee

The Congress conducts much of its business through its committees and each may have separate needs for specialized information. A schedule of committee meetings and hearings could be maintained in an ADP form, thus aiding the Congressman in planning his time. Another salient application area is that of compiling histories of committee action for machine retention and subsequent accessibility. Over a period of years, Janda comments,[35] each committee may consider many bills which are quite similar. Machine memories could augment those of senior committee members. Human memories often fail, and in the case of the more junior lawmakers, they are not able to function as effectively without historical information on past action.

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[20] *Report to the President on the Management of Automatic Data Processing in the Federal Government, op. cit.*, p. 9.

[21] *Inventory of Automatic Data Processing Equipment in the Federal Government, op. cit.*, Chart 2, p. 8.

[22] Janda, *op. cit.*, Table 1, p. 7.

[23] A.D. Little, *op. cit.*, p. 31.

[24] *Ibid.*, p. 32.

[25] Robinson, *op. cit.*, p. 13.

[26] International Business Machines Corporation, Inc., *Selective Dissemination of Information*, a General Information Manual (White Plains, N.Y.: IBM Corp., 1962).

[27] Janda, *op. cit.*, p. 30.

[28] Karl Schriftgiesser, *The Lobbyists* (Boston: Little, Brown and Company, 1951), pp. 89–90.

[29] U.S. Senate, Joint Committee on the Organization of the Congress, *Interim Report* (Senate Report No. 426, 89th Congress, 1st Session, 1965), Appendix C, p. 28.

[30] Earl W. Brydges, "The Electronic Solon", *National Civic Review*, July 1965, p. 351.

[31] George B. Galloway, "Congressional Reform: Agenda and Prospects", (Address before the Tenth Southern Assembly, Biloxi, Miss.) January 28–31, 1965, p. 27.

[32] *Ibid.*, p. 27.

[33] Janda, *op. cit.*, pp. 31–32.

[34] *Ibid.*, p. 32.

Committee staffs, charged with performing research that is often sparsely or obscurely documented, would welcome enhanced access to information bearing on the mission of the committee. Often, staff members must browse among subject matter which *may* be of value. Rigby highlights the considerations inherent in this situation.

"For subject searches, no system can yield just what, and only what, is desired, no matter how carefully the question is formulated. There will always be some element of subjective judgment. Hence the need for browsing to find (or eliminate) what is most probably relevant (or irrelevant). The user sometimes looks for very specific data by subject; but more often he has vague or ill-defined or not definable ideas, or is merely looking for interesting information." [36]

Congressional committees should be able to conduct research without having to depend heavily upon the resources of the Executive branch. The ability to submit queries to a legislatively-administered data processing center, where key information is circumspectly controlled and stored, and to analyze the outputs produced in response to these queries without fear of external bias—these things are important to the Congressional staff person.

Another application area for ADP utilization is in storing information on Federal contract awards (by subject, contract recipient, and Congressional district).[37] This information could be quite valuable during the recurring debates on R & D projects and appropriations. Also, it would allow an examination of industrial resources applied to Government projects.

Committee review of appropriations requests or budgetary expenditures is one means by which the Congress reviews the activities and plans of the agencies within the Executive branch. The consequences of an enhanced Congressional ability to analyze the area of monies and expenditures have evoked this observation:

"Committees could use the computer for exhaustive and comprehensive analyses of current estimates according to past estimates and subsequent expenditures. The sources of increase and decrease (if any) can be pinpointed and subjected to closer scrutiny. Patterns of supplementary appropriations could be entered into the analysis." [38]

In amplification, George B. Galloway has said that Congress could use computers to reflect "trends in Federal budgeting to show rates of growth of program components together with data on original enabling authority and points of decision-making when funding levels were either increased or decreased." [39] With the introduction of an integrated Planning-Programming-Budgeting (PPB) System involving numerous Executive departments and agencies, the Congress may choose to alter its mode of fiscal review.[40] Variance in program categories and subcategories presentation may appear, as budget activity structures are modified. The employment of ADP techniques and devices to aid the Congress in its evaluation of appropriation trends and budget data may become desirable.

The individual Congressman

It is recognized that no general information system can be devised to fulfill all requirements of every Congressman, but the way in which he uses existing—or projected—capabilities is important. As implied above, the Congressman faces a dilemma in many vote-casting situations.

Much of the information relevant to a given piece of legislation, including the Congressman's past attitudes and statements regarding the area under focus, could be stored in a computerized memory. Any projected system could include allowing each Congressman the prerogative for placing into the central files—in a specially formatted section—key information of use to him alone. The importance of participation by the Congress in defining its collective and component needs for information *cannot* be overstated. With the recognition of this basic premise, the requester in effect accepts the admonition that ". . . when you request information, you must visualize the often indefinable gap in your knowledge clearly enough to state what it is you don't know but wish to find out. Learning to label information, learning to ask questions—these are the biggest problems." [41]

The constant need of the Senator or Representative to read all of the information that is essential to his office has been previously noted. The determination as to what material should be treated in cursory fashion, and what must be perused, is made by the Congressman and his staff as best they can. Here again, an SDI system would be useful. In many instances, computers could search those categories of information previously assigned top priority and provide a listing of those documents and related data for possible further scrutiny. The time-response factor, so often a constraint on staff action, is an ever-present determinant. Information systems often classify responses in three time frames: "priority, time critical, and scheduled." [42]

Each Senator and Representative would like to have a current, accessible file containing information on his constituents. The retention and retrieval of essential information about constituents—name, address, family composition, business, voting record (if known), degree of political participation—are easily handled by existing ADP equipment. Also, the Congressman may choose to answer much of his mail with special typewriters, perhaps linked to computers.[43]

In considering the significance of the projected applications, the reader should keep in mind that knowledge is useful only in the hands of the technical specialist. Automatic data processing is the instrument for information *processing,* but the all important function of selecting information for *decision-making* is the prerogative of the subject matter specialist.

Orientation and education for all involved with the system is mandatory. Extensive planning, weighing of alternatives, tailored design, and modular implementation must take place before the system of the future becomes a reality. The future of the United States resides in the efficacy of its decision makers, whose judgments must be rendered with perspective and knowledge.

OUTRAGEOUS AND SENSELESS ACTS OF TERRORISM

Mr. MIZE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. MIZE. Mr. Speaker, I was shocked, as I know many other Americans were, on Sunday when we learned about the bombings of the Yugoslav Embassies and consulates in the United States and Canada.

Secretary Rusk is correct when he calls these "outrageous and senseless acts of terrorism." These attacks happen in other countries, but they should not happen here because they are repugnant to the American sense of decency and justice. Even when we disagree with our neighbors, we respect their rights and spare them violence.

I visited in Yugoslavia in December as a member of the International Trade Subcommittee of the House Banking and Currency Committee. I feel confident that the Yugoslav people are interested in establishing a rapport with the West, and it is my opinion that we should keep the door wide open for any opportunities to promote better relations.

I am sure that the Yugoslav people who know the facts understand that the majority of American people abhor these terrorist actions and do not want to be judged by the thoughtless deeds of a few. We will spare no effort to bring the guilty to justice, and we should make sure that these and other offices receive added protection so that there will be no reoccurrence of Sunday's bombings.

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman from Kansas yield?

Mr. MIZE. I am happy to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I strongly support the statement which has been made by the gentleman from Kansas [Mr. MIZE].

Mr. Speaker, I learned with horror which all Americans surely share that the Embassy and other establishments of the Government of Yugoslavia in this country and in Canada were subjected yesterday to bomb attacks. I cannot imagine how anyone could be so stupid and so irresponsible as to seek to express his political opinions in this fashion, however strongly he may hold them. I particularly object to the extension of foreign political disagreements to this country, and to attacks on the diplomatic representatives of foreign governments who are guests in this country.

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[35] *Ibid.*, p. 36–37.

[36] Malcolm Rigby, "Browsability in Modern Information Retrieval Systems: The Quest for Information", *Proceedings of the Symposium for Information Sciences* (Washington, D.C.: Spartan Books, 1965), p. 49.

[37] Galloway, *op. cit.*, p. 27.

[38] Janda, *op. cit.*, p. 38.

[39] Galloway, *op. cit.*, p. 27.

[40] Executive Office of the President, Bureau of the Budget, *Planning-Programming-Budgeting,* Bulletin No. 66–3 to the Heads of Executive Departments and Establishments (Washington, D.C.: October 12, 1965), p. 5.

[41] Evan Herbert, "Finding What's Known", *International Science and Technology,* January 1962, p. 14.

[42] *Report to the President on the Management of Automatic Data Processing in the Federal Government, op. cit.*, p. 6.

[43] John Dillin, "Congress: streamlining letters", *Christian Science Monitor,* March 15, 1966, pp. 1 and 16.

Alan L. Otten, "Punched Card Politics: Parties and Unions Use Data Processing Gear", *Wall Street Journal,* May 24, 1965, pp. 1 and 20.

This sort of action is especially senseless when it is directed against a country which, whatever its internal political system, has courageously defended its independence for nearly two decades with our help and to our benefit. I am sure that the Congress of the United States joins with me in expressing to the Government of Yugoslavia, and to its Ambassador in Washington, our deep sense of outrage over this deplorable affair.

BOMBING OF YUGOSLAV EMBASSY AND CONSULATES

Mr. ADAIR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ADAIR. Mr. Speaker, I am sure that all of us feel a sense of shock and indignation at the bombing of the Yugoslav Embassy here in Washington and the Yugoslav consulates in New York, Chicago, and San Francisco. The Yugoslavian Embassy in Ottawa, Canada, and the consulate of Yugoslavia in Toronto were also bombed. The fact that the explosions occurred in all these cities in the early hours of Sunday morning indicates that they were the result of a carefully developed plot.

This sort of thing cannot be tolerated in the United States. It is not a question of whether anyone is for or against Tito or communism. Although there may be a certain tradition of terrorism as an expression of disapproval in some parts of the world, we must make clear to bomb throwers everywhere that we will not tolerate such actions here.

I know that all Members of the House feel a warm friendship for the people of Yugoslavia and want to join in expressing our regrets for what has happened and our determination to track down and punish the guilty parties.

BILL BAGGS REPORTS—PARTS VI AND VII

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, today I would again like to call to the attention of my colleagues, the sixth and seventh articles in the exclusive, descriptive sketch by Miami News editor, Mr. Bill Baggs, on his visit to North Vietnam.

He has afforded us all with an opportunity to reflect the present situation with a more personal insight.

In the following two articles, Mr. Baggs reports with a total grasp, the experiences of the citizens of Hanoi and Phu-ly.

PHU-LY: A CITY ALMOST BOMBED OFF THE MAP—PART VI

(This is the sixth in a series of exclusive articles by Miami News Editor Bill Baggs on his visit to North Vietnam.)

(By Bill Baggs)

Phu-ly, North Vietnam—(Delayed)—This is a little city which has been pretty much bombed off the map.

Indeed, an uncommon sight around here is a structure with a roof and walls. After examining the rubble, you estimate that at least four-fifths of the city has been destroyed.

Acres and acres of ruins stretch out from either side of the highway through the place.

The people here say the American planes came three times in October of last year, on the 1st and the 2nd and the 9th days, and that they were bombed hard on 10 occasions during those three days.

Once the little city had a population of 7,700, but when the bombing started in North Vietnam, the people of Phu-ly as in other cities, largely evacuated the place. Most of those left were doing housekeeping work at the hospital and the schools. A few religious persons remained to look after the old Catholic Church and the pagodas here.

The people you talk to in this province are convinced that the American bombers destroyed Phu-ly to terrorize the population, and to give a violent hint of what might be done to Hanoi and other large cities. Nothing a visitor can say convinces the people that these are not the American intentions.

Persons in the American government have told this reporter that Phu-ly was bombed because it had become a rallying ground for supplies headed south to the National Liberation Front at war with the Americans and the South Vietnamese.

These same persons explained the policy was to knock out those sections and sheltered areas in the city where the trucks and men gathered for the journey south.

The bombers knocked out about everything.

The rail bridge across the river may have been destroyed and such bridges could be considered military targets, but if so, the North Vietnamese have built another since the October bombings. A train huffed across the rail bridge while this reporter was here.

On the north side of town, a work crew of young men and women, a familiar sight in North Vietnam, had begun working south, across the rubble, into what had been Phu-ly. They were cleaning and stacking bricks.

A man in the government of this province was an encyclopedia of information, relating the number of bombers and the number of bombs dropped and the number of rockets fired at Phu-ly, but this reporter has not included these statistics because he cannot confirm them himself. In any event, the sight of Phu-ly is the best evidence of what happened here.

Phu-ly is located about 60 kilometers (35 miles) south of Hanoi, along the principal highway toward Saigon. Up and down the highway are signs of bombing. Repair of the important road is apparently swift. Dirt is hauled, packed into the bombed places, and the traffic resumes. Great amounts of earth and boulders are stored along the sides of the highway, and the rail lines, for prompt repairs.

There is no question that the bombings have hurt North Vietnam. The people here admit that. There does appear a question as to how much damage to the military capability has been accomplished by the bombings.

The persons you talk to in North Vietnam have two complaints about the bombings. One is that these attacks are aggressions against a sovereign nation. The second is that many places bombed have no relation to military purpose. Surely in Phu-ly, you can see with your own eyes that hundreds of homes were reduced to ruins along with whatever military facility which might have been here once.

When these complaints are auditioned to a visiting American reporter, he tries to explain that the American government is convinced North Vietnam is sending supplies and men south to fight the Americans, and that the bombings are designed to discourage the flow southward. The explanation is politely and firmly rejected.

DETERMINED NORTH VIET BETS ON ITS MOBILITY—PART VII

(This is the seventh in a series of exclusive articles by Miami News Editor Bill Baggs on his visit to North Vietnam.)

(By Bill Baggs)

HANOI—(Delayed).—North Viet Nam is a guerrilla society.

The people here have been at war, mostly guerrilla war, for 25 years, and only the older ones remember a season of peace.

And this long visit of war not only has conditioned the character of the people, but also the nature of their economy.

The adults, and many teenagers, are trained to use a rifle or a machinegun. The ministers in the government are trained to bear arms. Even the barmaids at the hotel are skilled at lifting a rifle and running into the courtyards to shoot at the American planes.

You could say that the modern guerrilla society was established when the Japanese occupied Viet Nam during World War II. The Japanese collaborated with the French residents, or most of them, and a Viet underground was fashioned to fight them both.

Later, the guerrilla society took on the French, and the world knows of the historic battle of Dien Bien Phu, where the Vietnamese astounded the French by transporting heavy artillery and other needs of war across the mountains and engaging the French.

Now, in the conflict against fellow countrymen in the south and the Americans, the North Viets enlist the same tactics . . . the tactics of the guerrilla fighter.

Usually the soldiers move in small units, and only at night, and the convoys are brief, and not strung out up and down the highway, to provide as small and mobile a target as possible.

The soldiers, as well as a colonel from what serves as chiefs of staff, tell of the same conviction: They believe they can outlast the Americans.

In frank conversation, these men express what appears a knowing respect for the economy and the military of the United States. But they speak of a belief that, in time, the Americans are going to weary of war, such as this one, although it may take 10 or 20 years.

You see the influence of a protracted war upon the Society everywhere. Almost every school has been closed in Hanoi, but the schools, in smaller units, have been relocated to the provinces. The same is true of the university.

There are 17 million (estimated) people in North Vietnam, and they appear less dependent upon their cities than any country ever visited by this reporter. Much of the industry has been moved to the countryside.

You hear, and you see some evidence, that North Vietnam does not need much industry to carry on the war at the present level. The heavier weapons of war seem to come from the Soviet Union, lighter weapons from China, some military aid from other countries. Food is shipped in from various nations.

Indeed, if one word could describe both the nature of the North Viet military and the economy of the country, the word surely would be "mobility."

The disadvantage of the Americans in the south is said to be the presence of fixed bases, large and known targets, while the guerrilla fighters "carry" their bases or stations with them, so to speak.

The North Vietnamese are very aware of the advantages of mobility and their strategy, or what little of it is revealed in conversation, indicates the mobility is at the heart of their strategy.

So it is with the economy. A mobile economy. It is not a country of abundance, but this is a guerrilla society. Bicycles take the place of autos, and a soldier is trained to operate for two weeks with a modest supply of rice, and thus the industry, with help from foreign countries, is adequate at this time. And it is mobile.

CONGRESSMAN JOHN SAYLOR ADDRESSES THE FLORIDA AUDUBON CONVENTION

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, at the recent Florida Audubon Convention held in Miami, Fla., we were privileged to have as the honored guest and principal speaker at the concluding banquet of the convention, one of our distinguished colleagues, who discussed the important subject of the sound conservation of our natural resources, calling for a serious reexamination of our national attitudes and suggesting a plan of action for the 90th Congress.

Because the speaker is eminently qualified on the subject, I am sure that my colleagues would be interested in his remarks, which I shall include hereafter.

I had the pleasure and privilege of presenting our distinguished colleague to the convention: Congressman John P. Saylor comes from an American family whose roots have been for over 300 years in Pennsylvania. On leaving college, he quickly pursued a course of public service which was already traditional in the Saylor family. He enlisted in the Navy, and had an outstanding service record in World War II, serving in major battles of the Pacific, including Iwo Jima and Okinawa. He had the honor of selecting the flag which was raised on that historic day on the hill in Iwo Jima. On his return to the States, he quickly got back into public service and was the leader of the Republican resurgence after the Truman election. Having been elected to the Congress by special election in September 1949, he has served here continuously ever since with great distinction.

He has been and is the ranking minority member of the Committee on Interior and Insular Affairs. He is rightly regarded nationally as a dedicated conservationist who can be found in the forefront of many of the most difficult conservation battles for the better management of our natural resources.

John Saylor's approach is not partisan to this important national issue. He is well regarded for another reason in the halls of the Congress, and that is because everyone knows where he stands. John Saylor is quick to say "Yes." He is just as quick to say "No," if that is what he believes. He has fought hard and successfully to protect the public interest and the Nation's national resources. He is regarded as a leader and leading conservationist.

He is father of the Wilderness Preservation Act, coauthor of the Land and Water Conservation Act, author of the Delaware Water Gap National Recreation Area, author of the Coal Research Act, and many others.

As an indication how well he is respected throughout the conservation community, I call to your attention that John Saylor was the first Member of Congress to receive the National Parks Association Award for distinguished service on behalf of national parks and monuments of the United States. He is the recipient of the National Conservation Award presented by six leading conservation organizations in the United States. He is the recipient of the Conservationist of the Year Award in 1964 from the National Wildlife Federation. His own people thought so highly of him that the Pennsylvania Outdoor Writers Association named him Conservationist of the Year in 1965. He is a member of many commissions and boards and conservation groups. He is truly a knowledgeable and distinguished champion of national resources conservation. It is a great privilege and honor to present the speech of my colleague, John P. Saylor, Republican, of Pennsylvania:

Remarks of U.S. Representative John P. Saylor Before Florida Audubon Convention, Miami, Fla., January 14, 1967

Mr. Chairman, Congressman Fascell, members of the Florida Audubon Society and honored guests:

In irrefutable fact of our modern existence is that our natural resources will continue to be less per capita. This is an obvious truism that is often lost in the details of effecting programs for one area of natural resource management, which is but a part of the total resource picture. It has been my concern for some time that we need badly a reevaluation or at a minimum a new perspective of the many problems of resource management. Often our zeal to solve a particular problem may create others that are even more onerous.

The failure to appreciate fully the interrelationship between resource uses can result in serious harm to any one such use; for example, as our population has grown many of our scenic resources have disappeared because of the demands of our productive economy. True, there were prophetic voices of the past to the effect that provisions must be made to protect areas from loss and encroachment by better planning of other resource use, but like most prophets, the temper of the time was such that their advice was not heeded. Areas that seemed to lag behind in economic development understandably sought to increase their economic activity, transportation and communication. When the per capita income of the region was below that of the rest of the country, a premium was placed on resource use and allocation that would improve their economic status. In this effort, scenic resources appeared to be in great abundance in many of these areas. Significant limitations upon them did not appear imminent. Thus the lack of concern was both understandable and predictable. As our population has burgeoned, however, the economic development has proceeded at a pace unparalleled in history, it became obvious that our assumption heretofore of inexhaustible scenic wonders was incorrect.

As more people began to be aware of the diminution of our scenic resources the instruments of Government began to reflect this concern. I should like to report to you that an immediate about face took place and that an immediate consideration of the overall balance of resource use was made. This was not the case. Public awareness is seldom immediate and as a consequence the policies that flow from such an awareness also are not immediate. It has been a difficult and frustrating task for the concept of scenic beauty to compete in the mind of the citizens, in public policy, and in the public purse, with forces of development.

I use the term competition advisedly, for the members of this body are aware of the many and obvious conflicts that they have been asked to adjudicate in the last two decades. Also, awareness is not even handed across the face of our Nation because the impacts of the problems and the policies that deal with them are not evenly distributed. The very nature of our existence has been to spread economic developmental techniques from the East to the West. As a result, in dealing with the problems of scenic resources and the new awareness on the part of the general public, there have been significant strides in effecting a natural resources policy to give due consideration to the preservation of scenic resources.

The Congress has moved to enact a Wilderness Preservation Bill and establish a Wilderness Preservation System. A Land and Water Conservation Fund has been established as a means of financing the necessary acquisition of areas for recreation and scenic enjoyment. The Wetlands Acquisition Fund has been established to accelerate the acquisition of wildlife habitat in order to protect our migratory waterfowl. Greater consideration for parks, recreation and wildlife has been achieved through the Coordination Act in planning our river basins. Water and air pollution have been broadened to consider not only the direct health implications but to evaluate the impact on recreational opportunities and natural beauty.

There has been no attempt to construct a definitive listing of the achievements that have been made in this general area. Rather, I have chosen only in an electic fashion policy actions that demonstrate to me the interest in achieving a status for scenic and recreation uses of resources in a management program. In lising such major areas I am not unaware that conflicts have been apparent and will no doubt continue.

Resource use and resource emphasis is a highly dynamic phenomenon. The value upon one use 10 years ago may be quite different today. Our institutions at all levels of Government and for all functions of Government seldom change with sufficient rapidity to meet the dynamic nature of our resource management problems. It is in this setting that we find ourselves with conflicts between Bureaus and between Departments. No one is suggesting, least of all I, that there is any panacea that can be promulgated to settle all conflicts in a harmonious manner. The purport of my remarks today is to urge that serious consideration be given by all members of this body and all those with responsibilities in the difficult decision-making task that is inherent in a successful resources policy, to a better procedure for the handling of conflicts.

We must reconsider existing statutes that in their effort to solve individual problems may in their implementation be in considerable conflict with one another. There must be better procedures between administering agencies and/or bureaus to resolve conflicts and work more cooperatively, one with another. I am not unsympathetic to this problem nor do I underestimate the prodigious task that confronts so many of our administrative authorities, but unless some means is achieved whereby individual administrative agencies can look beyond their immediate constituency and plan their own important but nevertheless parochial programs with those of others, the much sought for balance, which must be a significant goal in resource programming, will never be achieved. In addition, new problems present themselves to all resource managers and new means must be utilized if they are to be solved. New problems can manifest themselves in many ways. Problems may be age old inherently but placed in a new dynamic setting may demand rethinking and great imagination.

I want to suggest to you some of the specifics of the foregoing. Many of the members remember I am sure at the concern that was expressed some years ago for disappearing waterfowl and resulted in an authorization of increased appropriations to the Wetlands Acquisition Fund. As you know this Fund had been primarily funded by Duck Stamp money, which hunters and sportsmen purchased each year. This money was then used for the purchase of necessary wildlife habitat. The disappearance of waterfowl specifically had been great, thus the need for an increase in land devoted to this purpose. The Act of 1961 was to appropriate from the Federal Government certain monies to the Fund each year and after a period the appropriations would stop and would be repaid during another period by the revenues from the Fund. This decision was critical, since suitable lands for purposes of waterfowl habitat would soon be gone or diminished to such a degree that to acquire them would be beyond the resources of the Fund. Thus the availability and the need were at the greatest in the next few years. There were a number of problems because of the impact upon State and local communities but these were eventually worked out in the measure that was passed. Unfortunately the Congress has not appropriated the funds authorized to fulfill this program. As a result the program must either be extended or there must be an admission that waterfowl is not important to the American people. For unless the habitat requirements are achieved the waterfowl diminution will accelerate at a considerable pace. In my judgment, the program that was envisaged by the Administration and the Congress was a sound one. It sought to meet the need with a maximum economy and a minimum of burden upon the Government. It overcame the difficulties that such a program would have relative to the various States and localities but in spite of this concern great losses will result unless this need can be met in the relatively near future.

Other conflicts have been more direct than the basic competition for funds. The wildlife refuge system, which has been established throughout the United States and funded to a large extent by the Duck Stamps purchased by hunters and sportsmen, have been involved in a variety of conflicts over the years. In the early 1950's the decision as to the use of wildlife areas for oil drilling and oil exploration occupied the attention of Congress for some period of time. Another conflict, which occurred in the middle 1950's, was with the Department of Defense, where a portion of a wildlife refuge was to be used for military purposes. The integrity of the wildlife refuges was preserved, by and large. More recently the construction of our road system has been in conflict with refuge lands. Despite the public proclamations of the Bureau of Public Roads, wherein wildlife areas and streams are to be given every consideration, conflicts continue and are real. Two different agencies and two different Bureaus both seeking to carry out the spirit of their basic statutes are in direct conflict one with another. In most of these cases the argument is always on the basis of the cost incurred by the development. Usually, the additional cost of the road to detour around wildlife refuge is made the central point of consideration but seldom is discussed the damage done the wildlife refuge or the necessary cost that would be incurred to rehabilitate or reestablish the refuge in some other area. Often to the developer such cost of re-establishing a refuge is absent. The answer to him is simple—don't re-establish it. Emotional arousing catch phrases as people vs. wildlife are not now nor have they ever been accurate to describe the conflict. People pay the bill in any event. The issue, however, is that the people who want the road vs. people who want the wildlife area protected, thus the admonition of people vs. wildlife is an inaccurate and self-serving commentary on the conflict.

Executive orders urging cooperation have not been effective. Such action is not sufficient to the establishment of a proper procedure for resolving such conflicts. Statements by the developing agencies that these matters will be considered in their policy decisions also are not sufficient. A better procedure is contained in the recently passed Department of Transportation Act (P.L. 89–670) Section 4(f) wherein it states:

"(f) The Secretary shall cooperate and consult with the Secretaries of the Interior, Housing and Urban Development, and Agriculture, and with the States in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of the lands traversed. After the effective date of this Act, the Secretary shall not approve any program or project which requires the use of any land from a public park, recreation area, wildlife and waterfowl refuge, or historic site unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use."

Whether the consultation will be sufficient to effect a procedure that will offer a full opportunity for the alternatives to be expressed, will be dependent in the last analysis upon how serious a consideration of these matters will be given by the Department of Transportation. Despite the Executive commentary of the past, Route 17, New York "quickway", will be reconstructed for 18 miles along the Beaver Kill and Willowemoc Creek in the Catskills Mountains. This is probably one of the outstanding trout streams in the entire Eastern United States. Also, Interstate Route 40 is scheduled to cut through Overton Park in Memphis, Tennessee, despite the destruction of such an act and despite the avowed opposition of the Mayor of Memphis. Plans are being formalized for a second highway to the mainland from Key West, Florida, which would bisect Everglades National Park. California Route 89 is planned to traverse the Western portion of Lake Tahoe, which would require deep cuts in many of the mountains along the Lake. Wm. G. Wing, writing in the Audubon Magazine for July–August 1966, states in his article "The Concrete Juggernaut" this observation:

"As space becomes scarcer, highways become wider. Any fishing stream or hickory grove knocked out now may be the last in 20 counties. The roads themselves are no longer modest; they are dominating. They no longer meekly follow the topography, because engineers can put them anywhere—over, under, around and through. Roads rival all other engineering projects."

The conflict has been aided and abetted by programs heretofore not properly coordinated. On the one hand we have the Highway Trust Fund which offers a 90% subsidy to the States for the building of certain highways. On the other hand we have the Migratory Bird Fund and the Land and Water Conservation Fund. The L&WCF in particular allocates more than 50% of its funds to the States for purposes of planning, development, and land acquisition for outdoor recreation resources. Thus a state may have formulated a recreation program, which has been approved by the Department of Interior and the Department may have expended funds as it is directed to do under the statute. The State may be well on the way of acquiring and developing an area for recreation pursuits. In the process of this programming, however, plans for a road may be such as to take a significant part of the area previously dedicated to recreation. It may be that the State would not now place the area high in its priority for outdoor recreation because of the location of the road.

It is not my purpose here to suggest that in all instances road locations must inevitably give way to the use of a particular area for wildlife preservation, recreation and scenic enjoyment. In fact, it should be noted that experience indicates that these resources are more often than not sacrificed to that of development. The urgency of my concern, however, is that our present procedure is inappropriate and wasteful. In effect, we have the Federal Government subsidizing the States to one course of action and simultaneously are subsidizing them to another cause of action which is often in conflict with the first. Some better means of establishing procedure where rational decisions can be made is, in my judgment, incumbent upon this body. The decisions that are being made regarding the use of our natural resources are of the most critical and they must not be decided by expediency.

It is almost impossible to classify the many problems that impinge upon the acquisition of lands for recreation and scenic uses. First and foremost is the fast escalating cost of land values. Directly related thereto is the rapid disappearance of suitable lands for recreation and scenic use. This condition reinforces the pressure of escalating land values. Another concern is the rapidity by which this is all taking place. The Congress wisely passed the previously mentioned L&WCF Act. Part of the philosophy underlying this Act was the realization that the Federal Government could not provide all of the recreation, wildlife and scenic resources that would be required by our people for the foreseeable future. The fund properly shared this burden with the States. The Fund was also to provide the Federal Government with the means to acquire the inholdings in our National Forests, National Park System and Wildlife Refuge and Game Refuges. Additionally, it was to provide for future Federal acquisitions of new areas. It has been obvious from our brief experience that such funds are inadequate, especially involving Federal acquisition of new areas.

The conditions of fast rising prices, fast rising land values, the disappearance of suitable lands for recreation and scenic purposes can be partly aided if and when it is the decision of the Congress to take these lands for other purposes, that the cost of so doing be fully expressed by reimbursing the Land and Water Conservation Fund by the market value of the lands taken. This would have the effect, in the event it was determined that a public road should require a portion of a refuge or a park, then of treating this cost of acquisition as it would any other cost of land by transferring funds to the Land and Water Conservation Fund. We have found that often the Federally held areas, especially when they are open spaces, are an actual inducement for use by other agencies who need low-cost lands for development.

As one would expect the closer land acquisition is to metropolitan areas the more acute the problem of land values and hence the difficulty of any acquisition policy. It may be that we can no longer rely to the extent that we have in the past upon the fee simple acquisition of lands. To be sure there will be inevitably a necessity for acquiring land in fee simple, but there may be areas and times, where it would be appropriate and good economy to accept uses of land in less than full title. Administrative agencies by and large are not eager to utilize a number of devices that make possible the acquisition of land in less than full title. The negotiation is generally more difficult, the administrative convenience is generally less but neither of these circumstances should prevent us from utilizing such devices and techniques, when the failure to make use of them may result in a loss of the entire area. The use of scenic easements, purchase and leaseback, and reciprocal covenants running with the land are techniques that must be adjudged carefully for the future.

In many instances the aim of preservation is the beauty of an area. Under such circumstances it may be possible to obtain from the land owner an agreement whereby the area would be left in its natural state. Often this can be done by negotiation. There are several reasons for the reliance upon these instruments. The first and most obvious is that it now appears evident that many of the areas and scenes that are worthy of preservation will never be so preserved because of the rapid increase in values. I do not wish to give the members of this body the impression that these are new tools without any background of usage or success. On the contrary the State of Wisconsin has operated under an Act of 1951, which allows the Department of Highways to purchase scenic easements from owners whose lands lie contiguous to many of the highways in the State. They have had a considerable experience with this Act and through the process of trial and error have effected thereto a number of amendments. Other States have similar acts for similar purposes. The Federal Government has also utilized a number of these techniques for the taking of land in less than full title. I am aware that not in all instances will such devices provide a solution. It is often pointed out that under certain circumstances scenic easements would have to be purchased for a price higher than that of a fee title purchase. It is not suggested that a blind reliance upon a single device should be the procedure, but rather than a better array of tools be assembled for the job to be done.

It should not be overlooked that many individuals, who are also property owners in areas of prospective acquisitions, are as desirous as the various instruments of Government to preserve and maintain the natural beauty of their property. In circumstances such as these it is often possible for the Government to receive a donation of such easements with the understanding that the areas will be left in their natural state. An excellent example of this procedure was in the establishment of Piscataway Park (P.L. 87–362), which was initiated by land owners in areas opposite Mount Vernon. They determined their problems had been solved because of the general restrictions agreed to by members of that community. They were not aware that despite this forward-looking program of restricted zoning that they were still not safe from encroachment. Other State and regional agencies placed this area under considerable stress with a variety of development programs. In cooperation with conservation organizations it was determined that the establishment of a national park in that area was necessary to achieve the full protection of the Federal Government. Of approximately 3600 acres it was determined that only 1100 needed to be taken in fee simple. A part of the 1100 was donated by private foundations. Of the 300 individual property owners residing in the scenic easement area of 2500 acres, over one-half, 160, gave the Federal Government scenic easements on their land with the stipulation that the area would be left in its present state. The prospect for similar negotiations with individuals, many of whom are public spirited and are indeed concerned with the quality of their existence, may prove to be helpful in future situations.

Another device that merits serious consideration in the acquisition of park lands is the purchase and leaseback provision, which has been utilized in a somewhat different context for a number of years, wherein the simple purchase of scenic easements seemed to exceed the value of the purchase in fee; when the Government's contemplated use of the area does not warrant taking it in fee, the purchase and leaseback method can be an effective tool. The Government would purchase the area in fee simple and would lease the area back to the original owner or owners who would agree in the terms of the lease to uses of the area which are consistent with the Government's purposes. The Government in holding title to the land is thus reimbursed in part for its price as a result of the lease. The effect of this is to accomplish the Government's purpose at less than a fee simple cost.

On occasion the powers of eminent domain have been misused. Waste of land has occurred. Costs incurred by the Government have been excessive. Where considerable negotiating is involved, there has been a reluctance to negotiate because of the assurance that eminent domain will provide the necessary land. The use of eminent domain, as a result, has been coming under greater and greater public criticism. The long time accepted use of this power for the building of roads, reservoirs, public buildings, etc., becomes more critical and more contested as available land diminishes. I would suspect that the trend in the courts will probably continue. The protests of land owners have been receiving more favorable consideration. Even when scenic easements are employed, the land owner is becoming more sophisticated and while he wishes to continue the land in its natural state he is becoming wary as to the practices of Government. Many are, therefore, insisting that such scenic easements carry a reciprocal restriction which would restrain the Government from utilizing the area in such a fashion that the scenic beauty would be destroyed.

Other procedures must be investigated as a means of overcoming the fast escalating land values. So many procedures have been discussed from the land bank to the Federally established foundations, both of which seek to accelerate land acquisition policies at a more rapid rate than is possible under the present procedure of authorization and appropriation by the Congress. On the assumption that the Congress has rejected on numerous occasions procedures by which it is not necessary to return yearly to Congress for appropriations, I shall not dwell upon the land bank procedure. There does appear, however, that a foundation might be established under the authority of the Federal Government to receive and encourage private gifts of real and personal property or income. Suitable means of allocation could be achieved in any enabling legislation. Also, a number of regional corporations are established usually for purposes of administering river basins and river basin resources and these organizations, which are representative of Federal and State interests, may be helpful if authorized to issue bonds in order to facilitate the acquisition of necessary lands for scenic and recreation purposes. This had been suggested by the Administration in terms of regional water pollution control administrations. It is perhaps more adaptable to the acquisition of land areas inasmuch as the Congress has stipulated the amounts authorized and in no case would a bonded indebtedness incurred by the corporate authority be in excess of the authorized amount. Thus if the bonds were reimbursed by the Federal agency from appropriations as they do accrue, vital time may be saved in acquisition of these lands.

The program for a sound conservation of our natural resources has never been a partisan matter either with the people of the country or with the Congress. This is true to a very great extent at all other levels of Government. It is not my purpose therefore to plead a partisan case but to elicit earnestly the attention and serious consideration by all members of this body to the need for reconsidering the trend of many of our historical attitudes about resource management.

In summation I have tried to point out several considerations that should become a part of our obligation in the 90th Congress:

1. A re-examination of statutes that appear to promote rather than resolve conflicts in resource use.

2. An insistence upon the establishment of plans and procedures that require the coordination of Departments and Bureaus that have overlapping responsibilities in resource management decisions.

3. To require a full and projected account of funds required for Federal acquisition programs as best as they can be estimated from the present evidence.

4. A reduction of the time from the authorization of Federal acquisition to the appropriation of funds implementing the action.

5. An investigation of the possible uses of relatively new devices and techniques, which can reduce the cost of such acquisitions.

U.S. DELEGATION, THE MEXICO-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86–420, the Chair appoints as members of the U.S. delegation of the Mexico-United States Interparliamentary Group for the meeting to be held in Oaxaca, Mexico, February 8 to 15, 1967, the following Members on the part of the House: Mr. Nix, of Pennsylvania, Chairman; Mr. Wright, of Texas; Mr. Johnson, of California; Mr. Gonzalez, of Texas; Mr. de la Garza, of Texas; Mr. Selden, of Alabama; Mr. Fraser, of Minnesota; Mr. Springer, of Illinois; Mr. Morse, of Massachusetts; Mr. Reifel, of South Dakota; Mr. Harvey, of Michigan; and Mr. Whalley, of Pennsylvania.

BOARD OF REGENTS OF SMITHSONIAN INSTITUTION

The SPEAKER. Pursuant to the provisions of 20 U.S.C. 42 and 43, the Chair appoints as members of the Board of Regents of the Smithsonian Institution the following Members on the part of the House: Mr. Mahon, of Texas; Mr. Kirwan, of Ohio; and Mr. Bow, of Ohio.

BOARD OF VISITORS TO U.S. AIR FORCE ACADEMY

The SPEAKER. Pursuant to the provisions of 10 U.S.C. 9355(a), the Chair appoints as members of the Board of Visitors to the U.S. Air Force Academy the following members on the part of the House: Mr. Rogers, of Colorado; Mr. Flynt, of Georgia; Mr. Minshall, of Ohio, and Mr. Brotzman, of Colorado.

BOARD OF VISITORS TO THE U.S. COAST GUARD ACADEMY

The SPEAKER. Pursuant to the provisions of 14 U.S.C. 194(a), the Chair appoints as members of the Board of Visitors to the U.S. Coast Guard Academy the following members on the part of the House: Mr. St. Onge, of Connecticut, and Mr. Wyatt, of Oregon.

BOARD OF VISITORS TO THE U.S. MERCHANT MARINE ACADEMY

The SPEAKER. Pursuant to the provisions of 46 U.S.C. 1126c, the Chair appoints as members of the Board of Visitors to the U.S. Merchant Marine Academy the following members on the part of the House: Mr. Carey, of New York, and Mr. Burke, of Florida.

BOARD OF VISITORS TO THE U.S. MILITARY ACADEMY

The SPEAKER. Pursuant to the provisions of 10 U.S.C. 4355(a), the Chair appoints as members of the Board of Visitors to the U.S. Military Academy the following members on the part of the House: Mr. Teague of Texas; Mr. Natcher, of Kentucky; Mr. Lipscomb, of California; and Mr. Pirnie, of New York.

BOARD OF VISITORS TO THE U.S. NAVAL ACADEMY

The SPEAKER. Pursuant to the provisions of 10 U.S.C. 6968(a), the Chair appoints as members of the Board of Visitors to the U.S. Naval Academy the following members on the part of the House: Mr. Flood, of Pennsylvania; Mr. Machen, of Maryland; Mr. Laird, of Wisconsin; and Mr. Morton, of Maryland.

AMERICAN REVOLUTION BICENTENNIAL COMMISSION

The SPEAKER. Pursuant to the provisions of section 2(b), Public Law 89–491, the Chair appoints as members of the American Revolution Bicentennial Commission the following members on the part of the House: Mr. Donohue, of Massachusetts; Mr. Marsh, of Virginia; Mr. Saylor, of Pennsylvania; and Mr. Poff, of Virginia.

JOINT COMMISSION ON THE COINAGE

The SPEAKER. Pursuant to the provisions of section 301, Public Law 89–81, the Chair appoints as members of the Joint Commission on the Coinage the following members on the part of the House: Mr. Edmondson, of Oklahoma; Mr. Giaimo, of Connecticut; Mr. Conte, of Massachusetts; and Mr. Battin, of Montana.

STUDY COMMISSION TO INVESTIGATE FACILITIES AND SERVICES FURNISHED VISITORS AND STUDENTS COMING TO NATION'S CAPITAL

The SPEAKER. Pursuant to the provisions of section 2(a), Public Law 89–790, the Chair appoints as members of the Study Commission To Investigate Facilities and Services To Be Furnished Visitors and Students Coming to the Nation's Capital the following members on the part of the House: Mr. Gray, of Illinois; Mr. Kluczynski, of Illinois; Mr. Pickle, of Texas; Mr. Cramer, of Florida; Mr. Hansen of Idaho; and Mr. Schwengel, of Iowa.

FATHER MARQUETTE TERCENTENARY COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Law 89–187, the Chair appoints as members of the Father Marquette Tercentenary Commission the following members on the part of the House: Mr. Zablocki, of Wisconsin; Mr. Gray, of Illinois; Mr. Byrnes of Wisconsin, and Mr. Ruppe, of Michigan.

NATIONAL COMMISSION ON REFORM OF FEDERAL CRIMINAL LAWS

The SPEAKER. Pursuant to the provisions of section 2(a), Public Law 89–801, the Chair appoints as members of the National Commission on Reform of Federal Criminal Laws the following members on the part of the House: Mr. Kastenmeier, of Wisconsin; Mr. Edwards of California; Mr. Poff, of Virginia.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

The SPEAKER. Pursuant to the provisions of section 3, Public Law 86–380, the Chair appoints as members of the Advisory Commission on Intergovernmental Relations the following members on the part of the House: Mr. Fountain, of North Carolina; Mr. Ullman, of Oregon; Mrs. Dwyer, of New Jersey.

LEWIS AND CLARK TRAIL COMMISSION

The SPEAKER. Pursuant to the provisions of section 3, Public Law 88–630, the Chair appoints as members of the Lewis and Clark Trail Commission the following members on the part of the House: Mr. Hungate, of Missouri; Mr. Reuss, of Wisconsin; Mr. Berry, of South Dakota; Mr. Skubitz, of Kansas.

MIGRATORY BIRD CONSERVATION COMMISSION

The SPEAKER. Pursuant to the provisions of 16 U.S.C. 715a, the Chair appoints as members of the Migratory Bird Conservation Commission the following members on the part of the House: Mr. Karsten, of Missouri; Mr. Conte, of Massachusetts.

NATIONAL FOREST RESERVATION COMMISSION

The SPEAKER. Pursuant to the provisions of 16 U.S.C. 513, the Chair appoints as members of the National Forest Reservation Commission the following members on the part of the House: Mr. Colmer, of Mississippi; Mr. Saylor, of Pennsylvania.

NATIONAL HISTORICAL PUBLICATIONS COMMISSION

The SPEAKER. Pursuant to the provisions of section 6, Public Law 754, 81st Congress, the Chair appoints as a member of the National Historical Publications Commission the gentleman from California, Mr. Miller.

COMMISSION ON POLITICAL ACTIVITY OF GOVERNMENT PERSONNEL

The SPEAKER. Pursuant to the provisions of section 2(a), Public Law 89–617, the Chair appoints as members of the Commission on Political Activity of Government Personnel the following members on the part of the house: Mr. Olsen, of Montana; Mr. Nelsen, of Minnesota; and the following from private life: Mr. Robert Ramspeck, of Maryland; Mr. Charles O. Jones, of Arizona.

SELECT COMMISSION ON WESTERN HEMISPHERE IMMIGRATION

The SPEAKER. Pursuant to the provisions of section 21(a), Public Law 89–236, the Chair appoints as members of the Select Commission on Western Hemisphere Immigration the following members on the part of the house: Mr. Celler, of New York; Mr. Feighan, of Ohio; Mr. Rodino, of New Jersey; Mr. McCulloch, of Ohio; Mr. Moore, of West Virginia.

JOINT COMMITTEE ON NAVAJO-HOPI INDIAN ADMINISTRATION

The SPEAKER. Pursuant to the provisions of section 10(a), Public Law 474, 81st Congress, the Chair appoints as members of the Joint Committee on Navajo-Hopi Indian Administration the following members on the part of the house: Mr. Haley, of Florida; Mr. Udall, of Arizona; Mr. Berry, of South Dakota.

FEDERAL RECORDS COUNCIL

The SPEAKER. Pursuant to the provisions of section 6, Public Law 754, 81st Congress, the Chair appoints as members of the Federal Records Council the following members on the part of the House: Mr. Staggers, of West Virginia; Mr. Grover, of New York.

NATIONAL FISHERIES CENTER AND AQUARIUM ADVISORY BOARD

The SPEAKER. Pursuant to the provisions of section 5(a), Public Law 87–758, the Chair appoints as members of the National Fisheries Center and Aquarium Advisory Board the following members on the part of the House: Mr. Kirwan, of Ohio; Mr. Edwards, of Alabama.

AIR POLLUTION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 47)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

I. THE POLLUTION OF OUR AIR

THE PROBLEM

Two months ago, a mass of heavily polluted air—filled with poisons from incinerators, industrial furnaces, powerplants, car, bus, and truck engines—settled down upon the 16 million people of Greater New York.

For 4 days, anyone going out on the streets inhaled chemical compounds that threatened his health. Those who remained inside had little protection from the noxious gases that passed freely through cooling and heating systems.

An estimated 80 persons died. Thousands of men and women already suffering from respiratory diseases lived out the 4 days in fear and pain.

Finally, the winds came, freeing the mass of air from the weather trap that had held it so dangerously. The immediate crisis was ended. New Yorkers began to breath "ordinary" air again.

"Ordinary" air in New York, as in most large cities, is filled with tons of pollutants: carbon monoxide from gasoline, diesel, and jet engines, sulfur oxides from factories, apartment houses, and powerplants; nitrogen oxides, hydrocarbons, and a broad variety of other compounds. These poisons are not so dramatically dangerous most days of the year, as they were last Thanksgiving in New York. But steadily, insidiously, they damage virtually everything that exists.

They aggravate respiratory problems in man—asthma, bronchitis, lung cancer, and emphysema. Emphysema, a lung disease, is one of the fastest growing causes of death in the United States today. And it forces more than a thousand workers into early retirement every month.

Polluted air corrodes machinery. It defaces buildings. It may shorten the life of whatever it touches—and it touches everything.

This is not a problem of our largest cities alone. Weirton, W. Va., and Gary, Ind., are two among many communities that suffer days when the sun seems a pale orange ball hidden in a noxious cloud. Small towns, farmlands, forests—men, animals, and plants—are all affected by the waste we release into the air.

The economic loss from pollution amounts to several billions each year. But the cost in human suffering and pain is incalculable.

This situation does not exist because it was inevitable, nor because it cannot be controlled. Air pollution is the inevitable consequence of neglect. It can be controlled when that neglect is no longer tolerated.

It will be controlled when the people of America, through their elected representatives, demand the right to air that they and their children can breathe without fear.

WHAT WE ARE DOING NOW

We have proposed and the Congress has enacted three laws since 1963, each representing some forward movement toward cleaner air.

Under these laws, we are spending more than $25 million this year in matching grants to cities and States, and in research and other efforts:

We have helped to create 80 local air pollution programs, and to strengthen 40 others.

We are working in nine areas of the United States—including the New York-New Jersey area—to abate pollution that passes across the State lines and is beyond the reach of any single State or city.

We have established a system of national standards for motor vehicles, that will become effective with the 1968 models. These will require sharp reductions in pollution from automobile exhausts.

We have begun by Executive order to control the sources of air pollution on Federal installations throughout the country. The experience we gain in carrying out this order will help us develop more effective ways of controlling pollution elsewhere.

We have intensified our research work on sulfur oxide pollution from coal and oil burning, and on pollution from motor vehicles.

WHAT WE MUST DO NEXT

Yet the pollution problem is getting worse. We are not even controlling today's level of pollution. Ten years from now, when industrial production and waste disposal have increased and the number of automobiles on our streets and highways exceeds 110 million, we shall have lost the battle for clean air—unless we strengthen our regulatory and research efforts now.

Federal action alone cannot master pollution. The States, the cities, and private industry must commit themselves more fully, more effectively, and with a new sense of urgency, to America's struggle against poisoned air. Several steps are needed now.

To move forward in our attack against air pollution, I recommend the Air Quality Act of 1967.

First, emission control levels should be set for those industries that contribute heavily to air pollution.

Today, no such levels exist. Industries do not know to what extent they should control their sources of pollution or what will be required of them in the future. Strong State and local standards—essential to pollution control—cannot be effective if neighboring States and cities do not have strong standards of their own. Nor can such local standards gain the support of industry and the public, unless they know that plants in adjoining communities must also meet standards at least as strict.

We need the means to insure comparable emission levels for a given industrial source of pollution throughout the country.

I recommend that the Air Quality Act of 1967 authorize the Secretary of Health, Education, and Welfare to—

Designate those industries in interstate commerce that are nationally significant sources of air pollution.

Develop and publish industrywide emission levels in consultation with the industry concerned.

Provide each State the opportunity to adopt equivalent levels—or stricter ones.

Apply the Federal levels in those States which do not adopt their own.

The levels will establish pollution limits that a given industrial plant may not exceed—no matter where it is located. Our aim is to provide uniformity and stability in pollution control levels in cooperation with industry and local governments.

Second, Regional Air Quality Commissions should be established, to enforce pollution control measures in "regional airsheds" which cut across State and local boundaries.

Winds carrying waste gases have no respect for manmade political boundaries. The question we must answer is: Shall we, the victims of pollution, hinder our fight against it by concerning ourselves more with artificial boundaries than with our people's health?

Today, although many of our severest pollution problems involve more than one State jurisdiction, there is not a single effective interstate program in the Nation. Efforts to achieve uniform control activities among neighboring States and communities have failed, despite added Federal financial incentives.

Under the Clean Air Act of 1963, we have attempted to encourage States to develop effective regional control programs. The act offered three Federal dollars for every local dollar spent to develop and support regional interstate air pollution control programs. Despite this incentive, no effective regional programs have been developed under the act.

Men and women in one community, where there are relatively strict control standards, must suffer each time the winds bring in the aerial refuse of another community, where the standards are weak or nonexistent.

This is neither fair to the community that is willing to adopt strong controls, nor responsible to the citizens of the entire region.

We must develop the means to deal with sources of pollution that affect more than one political jurisdiction. We must have laws that do more than set in motion cumbersome legal processes requiring years to effect results.

I recommend that the Air Quality Act of 1967 authorize the Secretary of Health, Education, and Welfare to—

Designate those interstate areas where effective regional airshed pollution programs are needed, but do not exist.

Establish, in consultation with the States and local communities affected, a Regional Air Quality Commission in each such area. Each Regional Air Quality Commission would include two persons from each State involved, and one Federal official appointed by the Secretary of Health, Education, and Welfare.

The Commissions would establish regional air quality levels which would build upon the nationwide levels for major sources of air pollution, including industrial sources. The levels would encompass the entire pollution problem in a regional airshed—from waste burning and motor vehicle engines, as well as from industry. In every case, the Commissions will give due regard for the economic and technical feasibility of achieving adequate pollution control.

Each Regional Air Quality Commission would—

Determine, in consultation with the industries and local communities involved, air quality levels to protect the public health and welfare in the region.

Set emission levels to assure that the air quality levels will be met. These emission levels would be no less stringent than any applicable levels published by the Secretary of Health, Education, and Welfare.

Achieve compliance with those emission levels through enforcement proceedings initiated by the Secretary of Health, Education, and Welfare.

Third, vehicle pollution control devices, required on 1968 model cars and in years to come, should be inspected on a regular basis by the States, with Federal assistance to initiate State inspection systems.

This fall, new cars must be certified as meeting Federal exhaust emission standards when they are delivered to the retail showroom. But the best mechanical devices can fail through damage, the passage of time, or neglect. Many States have long recognized that the safety of our people requires periodic inspection of automobiles, to determine whether critical components are still in sound working order.

If a car's brakes—and its steering wheel, horn, turn signals, and lights—should be inspected periodically to protect against bodily injury, then surely its exhaust control device should be examined as well. In 1965, the Congress made the determination that such devices were required to protect the public health. The time has come to take the next step. We should insure that these antipollution devices continue to function properly during the useful life of the car.

I recommend that the Air Quality Act of 1967 authorize the Secretary of Transportation to provide matching grants to help the States establish inspection programs for motor vehicle pollution control. The Secretary of Health, Education, and Welfare would establish criteria for these grants.

Fourth, we must take steps to improve our enforcement procedures.

The Federal enforcement procedures established under the Clean Air Act of 1963 involve long delays between hearings, findings, and the completion of enforcement proceedings. Many State and local communities encounter similar difficulties with their own enforcement procedures. The problems are intricate and complex, but we must find ways to improve the enforcement process, while at the same time assuring that the rights of all of the parties are fully protected.

I am directing the Acting Attorney General and the Secretary of Health, Education, and Welfare, in consultation with State and local officials, to find ways to speed and improve the enforcement of clean air laws at all levels of government.

Fifth, research in fuel additives must be accelerated.

The use of fuel additives is growing, as demands for heat and energy grow. The extra power that additives give to diesel fuels, for example, is an important factor in the economics of trucking.

Yet, when exhaust fumes are sufficiently concentrated, some fuel additives are known to be detrimental to health. Other additives and the compounds that derive from them may pose similar hazards. We simply do not know what public health price we are paying for the economic benefits we gain from fuel additives.

I am directing the Secretary of Health, Education, and Welfare to begin a new research program on the health effects of fuel additives and on their contribution to air pollution. As an essential part of this program, I recommend that the Congress require that all fuel additives be registered with the Secretary of Health, Education, and Welfare.

Sixth, our efforts to understand and control air pollution must be intensified and broadened.

Many sources of air pollution cannot be economically or effectively controlled by our present technology. The sheer number of motor vehicles may, within a decade or two, defy the best pollution control methods we can develop. If this proves true, surely we cannot continue to use the type of internal combustion engine now in service. New types of internal combustion engines—or indeed new propulsion systems—may be required. Aircraft engine exhausts are also becoming significant pollution problems. Sulfur compounds—created wherever coal or oil is burned—threaten the environment of almost every city and town in America.

We must recognize that in dealing with fuels for industry and motor vehicles, we are dealing with matters of enormous importance to every section of the Nation and to many economic interests. America's technology and natural resource development are intimately involved in any program that affects fuels and their uses. Great investments have been made on given assumptions about those fuels and uses.

These considerations require that we approach the pollution problem with respect for its complexity and its economic implications.

But the health of our people, and indeed the health of the whole urban and rural environment, also require us to approach the pollution problem with urgency and tenacity.

The Clean Air Act of 1963 provided new authority to make grants for research and training, planning, and development of local control programs. Since then, we have invested $16.9 million in research grants, $5 million in training, and $4.6 million for surveys and pilot projects. This work has moved us along in our search for new solutions to the difficult technical and social problems associated with air pollution.

We are now ready to launch a wide-ranging research effort, involving government, private industry, universities, and independent research groups.

Our immediate research targets must include motor vehicle emissions; smoke and odors from diesel engines; alternative means of motor vehicle propulsion; sulfur dioxide emissions; low sulfur, or sulfur-free fuels.

I recommend an increase of 50 percent in funds to expand our research efforts.

I am asking the Chairman of the President's Council of Economic Advisers and the Secretary of Health, Education, and Welfare to explore appropriate measures to encourage industry and local governments to abate pollution. I have asked them to meet with business and local government leaders, and to present their recommendations to me.

It is in private laboratories, and in private boardrooms, that the crucial decisions on new fuels, new control technology, and new means of developing power and locomotion will be made. We should support private efforts now to expand the range of their alternatives and make wiser choices possible.

The Government's relationship with private industry in this field should not be one merely of regulator and regulated. Pollution affects the lungs and eyes of worker, manager, owner, and government servant alike. The air cannot be divided into convenient shares. It is indivisible—and either clear and beneficial—or fouled and dangerous for all of us. Out of personal interest, as out of public duty, industry has a stake in making the air fit to breathe. An enlightened Government will not only encourage private work toward that goal, but join and assist where it can.

America's air pollution problem emerges from our success as a modern Nation. Sources of pollution may be environmental villains—but they are also social and economic necessities. Our task is to determine how to abate the poison they pour upon the air, without seriously diminishing the benefits they provide. Surely this is not beyond the capacity of a great nation's productive and scientific genius. Clearly, it is an absolute necessity for the health of the American people.

II. HIGHWAY SAFETY AND BEAUTY

The automobile is a central feature of American life. It is a principal instrument of transportation and daily activity. In this mobile society, the safety and beauty of our highways are of direct concern to all of us.

In 1966, I proposed and you in the Congress approved the first comprehensive traffic safety program in the Nation's history. This measure was a forceful recognition of the fact that we can no longer tolerate the mounting toll of death and destruction on our highways. Under these programs, we are already working with State and local governments in a broad attack on all aspects of the highway safety problem; launching a comprehensive research program to probe into the "whys" and "hows" of traffic accidents; preparing to issue the first standards to make our automobiles safer.

In 1965, I proposed and you in the Congress approved legislation to preserve and restore natural beauty along our highways and to insure effective control over billboards and junkyards.

Under the law, over 2,200 projects have been developed by States under the highway beautification program.

Unsightly junkyards are being removed and screened. Roadside rest areas are being built and improved. Scenic strips along our highways are being acquired. In consultation with the States, the Secretary of Transportation is preparing a program of effective billboard regulation.

With the cooperation of all levels of government, we are moving toward our objective to make beauty part of the daily life of every American.

These vital programs have started well. Now, we must provide for their continued financing. We must do this so that our children, and their children can enjoy the benefits of a vast highway network that we cared enough about to improve and protect and make safe and scenic.

To provide a sound financing plan, I recommend the creation of a special highway safety and beauty trust fund to be financed with the receipts from 2 percentage points of the excise tax on new automobiles.

III. DEVELOPING OUR RESOURCES

This continent is an abundance, continually being discovered and developed—sometimes wastefully, more commonly now with prudent foresight.

Much of its richness still lies hidden or unused. Untouched mineral resources lie beneath the American topsoil. Food, minerals, and fresh water lie untapped within and beneath the oceans off our shores. The economic use of subsurface space is still beyond our powers.

The time has come to encourage the development of power from geothermal steam springs on Federal lands; increase our scientific knowledge of the sea's resources; develop rapid excavation techniques, to reduce the cost of underground construction; examine our nonfuel minerals needs; and strengthen our ability to answer broad energy policy questions.

GEOTHERMAL STEAM

This untapped source of power—exemplified by the "Old Faithful" geyser—lies within several Western States on lands under Federal control. It holds vast potential as a source of power for our cities and our industries. Legislation must be passed before leases can be granted to develop these geothermal steam resources. Congress last year passed such legislation, but it was deficient in several critical aspects, and, in my judgment, and the judgment of my principal advisers in this field, insufficiently protected the public interest.

I have directed the Secretary of the Interior to submit a bill that will avoid the defects of the vetoed measure, contain additional safeguards to protect the public interest, and encourage the development of geothermal steam; withdraw all lands potentially valuable for geothermal resource development from sale, entry, settlement or location pending enactment of such a bill.

THE RESOURCES OF THE SEAS

The ocean floor is an immense storehouse of mineral wealth. Intense research will shortly begin to identify those minerals.

The new National Council for Marine Resources and Engineering Development, chaired by the Vice President, will review our oceanographic program and recommend new directions for research. The new ship, *Oceanographer*, the best-equipped instrument of research on the seas, will shortly begin a round-the-world voyage. Geological mapping is being conducted now on the west coast, and will begin in the Gulf of Mexico in 1968.

Long range, we know that we must turn out enough competent scientists, engineers, and technicians to conduct the ocean research and development of tomorrow. Congress last year devised and passed the sea-grant college program, in which students will work and enlarge their talents and our knowledge in many of the marine sciences. The Director of the National Science Foundation is organizing that program now.

The sea is the source, not only of minerals, but of vast food reserves. Animal protein—desperately needed by hundreds of millions of ill-fed human beings—abounds in the sea. With the strong support of the Congress, we are trying to develop economic and acceptable methods of converting fish protein into a usable source of food. I have directed the Secretary of the Interior to proceed with this effort on an urgent basis.

ADVANCING EXCAVATION TECHNOLOGY

The clutter of our land not only offends our sense of beauty, but also limits our capacity to live fully and work effectively. Living space itself is a valuable resource. Webs of wire, carrying power and communications services, mar the landscape. Congestion has reached serious proportions in many of our metropolitan centers.

A promising alternative to this clutter—the earth's depths beneath us—has received only passing attention. But it can provide a location for the arteries a modern city must have—the wires, pipes, tubes, passageways, and parking spaces.

Subsurface excavation today is difficult, slow, and expensive. One hundred miles of subway, to be built in major urban areas during the next 10 years, will cost more than $1 billion for excavation alone. Obviously, we must develop cheaper and better methods. I recommend a program for research to develop rapid and low-cost excavation technology.

The beauty of cities and rural areas can be protected and enhanced by placing utility transmission lines underground. Many technical problems remain unsolved, however, especially those involving high-voltage powerlines.

I have directed the Secretary of the Interior to initiate a cooperative research program with industry, to find solutions to these technical problems, and to seek ways to reduce the cost of placing utility lines underground.

NONFUEL MINERALS

Sharply rising world demands threaten to exhaust the best and most accessible deposits of minerals. Rapidly changing demands for materials are bringing changes in our mineral needs. We must understand the technological and economic changes taking place. The last comprehensive study of these problems was completed by the President's Materials Policy Commission in 1952. Much has happened in the past decade and a half. A new examination is needed.

I am requesting from the Congress the necessary funds for the Secretary of the Interior to sponsor a comprehensive study of the problems involved in maintaining adequate and low-cost supplies of nonfuel minerals.

ENERGY POLICY

The number and complexity of Federal decisions on energy issues have been increasing, as demand grows and competitive situations change. Often decisions in one agency and under one set of laws—whether they be regulatory standards, tax rules, or other provisions—have implications for other agencies and other laws, and for the total energy industry. We must better understand our future energy needs and resources. We must make certain our policies are directed toward achieving these needs and developing those resources.

I am directing the President's Science Adviser and his Office of Science and Technology to sponsor a thorough study of energy resources and to engage the necessary staff to coordinate energy policy on a governmentwide basis.

IV. WATER—ABUNDANT AND PURE

As our population increases, our cities grow, and our industry expands, water becomes an increasingly precious resource. Many regions of the country are facing critical problems of water supply. We must thoroughly explore every means for assuring an adequate supply of pure water to arid areas like the Southwest.

I am renewing my recommendation for the enactment of legislation to establish a National Water Commission. Working with the Water Resources Council and with Federal, State, and private agencies, the Commission will examine our major water problems and develop recommendations, guidelines, and long-range plans for the most effective use of available water resources.

Adding to our pure water supply is not enough. The steady encroachment of pollution continues, throughout America's rivers, lakes, and coastal waters. During the last year and a half, we have acquired important means for resisting its progress. Ultimately, we shall use those means to turn it back decisively:

The Water Quality Act of 1965 requires that water quality standards be set on all interstate and coastal waters, and calls for plans to achieve those standards.

The transfer of the water pollution program to the Department of the Interior permits the comprehensive management and development of the Nation's water resources.

The Clean Water Restoration Act of 1966 creates new incentives for States and cities, in partnership with industry and the Federal Government, to develop basinwide plans for pollution control.

These actions recognize that polluted waters are not a problem of individual cities, or counties, or States. Each water pollution problem is as broad and as long as the watersheds it affects. To win the battle against pollution, we must concentrate our effort on entire river basins.

In 1967, the Secretary of the Interior will—

Review and approve effective State water quality standards which will serve as a guide for our cleanup effort.

Encourage effective and economical river basin plans for pollution control.

Support work on advanced treatment methods, to allow the reuse of waste water at reasonable costs.

Explore with the Chairman of the President's Council of Economic Advisers appropriate measures to encourage industry and local governments to abate water pollution.

V. THE ENDOWMENT OF NATURE

We must not only resist the spread of pollution in our environment—but we must also preserve what remains of the natural beauty and tranquillity that was here long before man came. We must create new occasions for people to encounter that beauty, and to experience the re-creation of the heart that occurs in the natural universe.

PARKS FOR AMERICA

In recent years, we have added considerably to our national recreational estate. Last year, I recommended, and the Congress authorized the Cape Lookout National Seashore off North Carolina, Indiana Dunes National Lakeshore near Chicago, Pictured Rocks National Lakeshore on Lake Superior, Bighorn National Recreation Area in Wyoming and Montana, and Guadalupe Mountains National Park in Texas.

But the need for more protected areas is still great. We must make significant additions to our present domain of land and water merely to keep pace with the need.

Therefore, in addition to the national parks and recreation areas I have previously proposed, I recommend that the 90th Congress—

Establish a Redwoods National Park in northern California. We must preserve a significant acreage of these primeval redwoods as a national park. This is a last-chance conservation opportunity. If we do not act promptly, we may lose for all time the magnificent redwoods of northern California.

Establish a national park in the North Cascades area in the State of Washington, provided that the wilderness and recreation areas are protected. This spectacular area of unparalleled mountain masses, glaciers, meadows, and timbered valleys is close to major metropolitan areas, and lies entirely within national forests.

Establish Potomac Valley Park in Maryland, Virginia, and West Virginia. This park, creating green and open spaces along the reaches of the Potomac would help make the Potomac Valley a model scenic and recreation area for the Nation.

Establish the Apostle Islands National Lakeshore in Wisconsin, to add a superb string of islands to our national seashore system.

WILDERNESS AREAS

In 1964, the Congress authorized a wilderness system, to preserve for future generations of Americans large areas of undeveloped lands in their natural state. The enabling legislation called upon the President to make recommendations for the inclusion of certain additional areas within the system.

In accord with that law, I recommend legislation to authorize the first addition to the wilderness system since its establishment—an area to be known as the San Rafael Wilderness, Los Padres National Forest, Calif. We will submit recommendations for other additions to the wilderness system in the coming months.

SCENIC RIVERS AND TRAILS

I renew my recommendation—overwhelmingly approved by the Senate during the 89th Congress—to establish a national scenic rivers system to maintain and restore segments of selected rivers in their natural state. This scenic rivers system will enable future generations of all Americans to know and experience this significant part of their natural heritage.

I again urge the Congress to establish a nationwide system of trails. We should begin with authorization on the Appalachian Trail from Maine to Georgia. The system should include similar status for the Pacific Crest and Continental Divide Trails from the Canadian border almost to Mexico, and for the Potomac Heritage Trail along that great river from tidewater to its source. Our proposal will call for expansion of metropolitan, State, and Federal trails where our people can hike and bicycle and ride horseback—near the cities in which they increasingly live.

TIMELY ACQUISITION OF RECREATION AREAS

We are seriously hampered by rapidly rising land costs when we seek new areas for recreation. Average land prices are increasing at a rate of almost 10 percent a year. The cost of land for recreation is spiraling at a considerably higher rate This diminishes the effectiveness of our program of State grants and Federal purchases of land for parks and recreation areas. We must act promptly to assure that we can acquire needed recreation lands before the price becomes prohibitive. The most effective means of controlling the increase in the price of land is to acquire the lands quickly after authorization by the Congress.

To speed up the acquisition of recreation lands, I recommend a $142 million appropriation to the land and water conservation fund for fiscal 1968. This is nearly a third higher than the amount appropriated in 1967. For the first time, it includes a $32 million advance appropriation from general funds to accelerate the purchase of lands for parks and other recreational purposes.

VI. PROTECTING OUR NATURAL HERITAGE

There is much to be done. And we are losing ground. The air and water grow heavier with the debris of our spectacular civilization. The domain of nature shrinks before the demands of commerce.

We can build, for a time, a rich nation surrounded and permeated by poisoned element. By ignoring the poisons, or by treating them in a casual, piecemeal way, we can endure in their midst for decades.

But here in America, we started out to do more than simply endure. We intended to live as men should live, working hard, raising families, learning, building—and breathing clean air, swimming in clear streams, finding a part of the forest or the shore where nobody else was.

If we are to have that America, we shall have to master the consequences of our own prosperity—and the time to begin is now.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 30, 1967.*

PRESIDENT'S MESSAGE ON NATURAL HERITAGE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, as a young man, I was witness to one of the most tragic results of man's carelessness that we have seen in this century. Many will remember, as I do, the wasteful Dust Bowl of the 1930's. Because man was wasteful, because he was improvident, because he was neglectful, he squandered and lost millions of acres of precious topsoil. We watched that soil blow away by the tons, in clouds so thick and dark they obliterated the sun.

I remember those unhappy days very well—and I hope I never live to see them return.

But today, Mr. Speaker, other ill winds are blowing, and they are not restricted to the great western plains. They are blowing across our entire continent. And they carry with them the accumulated poisons of an urban and industrial society.

They call it air pollution. Like the Dust Bowl, it is the result of man's indifference and neglect. But this time the implications are far worse. These winds, Mr. Speaker, leave more than a layer of sediment in their wake; they leave disease—and even death—as well.

I do not believe we can tolerate this much longer. The air we breathe grows more poisonous every day, and the health of our Nation is at stake.

The time has come for us to act—and act boldly.

As President Johnson has noted today, the responsibility is clearly ours. The air recognizes no political boundaries.

Let us respond to the President's call. Let us redouble our efforts before it is too late. The winds continue to blow and our citizens must breathe whatever they carry.

Mr. EDMONDSON. Mr. Speaker, the Nation is sure to welcome the President's message on the quality of the environment.

The solution to the pressing problems in this area—especially air pollution—requires action at all levels of government. Assuredly we must have Presidential leadership, and strong action by the Federal Government.

Our beautiful land will be a far better place to live when we rid our cities of smog and our streams of the waste which pollutes them.

Every citizen who drives a car contributes to air pollution. And every citizen is affected. Every day there are more and more cars, more and more factories, more and more fires, chimneys, sources of smoke and noxious gases. Every day more and more people become sick because of the air they breathe. Some of them die.

With this message the President has proposed needed amendments to the Clean Air Act. We have made a start, but, as he says, much more needs to be done. Nearly half of the urban population is still not covered by local air pollution programs. And in any event, local programs are not enough.

Regional programs—the kind that could cover the vast New York area, for example—scarcely exist at all. The President's proposal for a regional airshed approach is one of his most important points. Only five of the 24 largest metropolitan areas are now served by regional action against air pollution.

State and local government, and many of our industries, have not moved fast enough in this field. Their dragging feet have compounded the crisis we face today, for which we must share responsibility.

Lack of uniform standards has been one problem in the effort to cooperate on this problem. The President's requests, if acted upon, should help to solve that diffficulty.

These are problems that affect all of us.

We are all in this together. As the President proposes—let us solve it together.

Mr. RESNICK. Mr. Speaker, I wish to make some remarks in support of President Johnson's recent proposals to improve the quality of our air.

There is a tendency to consider air pollution as a problem which afflicts only the heavily urbanized areas of the country. Then why should a Member who represents an area of villages and farms be concerned with this problem? Because in addition to our natural sympathies for the problem faced by our fellow citizens of the great metropolitan areas, we too have experienced the damages and discomforts caused by polluted air.

In my district, there are many resort areas which have traditionally served as places to which the inhabitants of New York City and other nearby urban centers could retreat, leaving behind them the congestion, noise, and dirt of the city. That tradition is eroding. While our resorts still flourish, there are signs that they too are beginning to suffer some of the blights of the city. Air pollution is one of these.

I have been particularly concerned with the discharges from cement and asphalt plants in my area, and last year I held hearings on this subject. It is my feeling, as a result, that in too many instances the State and local governments have not lived up to the responsibility of controlling air pollution sources within their respective jurisdictions.

I am particularly pleased, therefore, by the President's proposal to establish minimum emission control levels on a national basis. I feel the setting of these levels will be particularly beneficial for the nonurban areas of our country. Too often the headlines seem to be concerned only with the major urban air pollution episodes, while the problems of citizens who may reside in the vicinity of a cement mill, for example, appear to go unnoticed. Yet the person who lives near a single air pollution source may, in fact, inhale as much dirt as the person who lives in the city with its many sources.

The Clean Air Act of 1963, and its subsequent amendments, have started us on the road to purer air, but it is only a start. Meanwhile, the problem grows worse with every passing year. If we are to roll back pollution levels to the point where the air we breathe supports life without adverse side effects, then we must redouble our efforts. The legislation proposed by President Johnson is an essential step in that direction.

ANNUAL REPORT OF THE U.S. CIVIL SERVICE COMMISSION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. Doc. No. 13)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Post Office and Civil Service and ordered to be printed with illustrations:

To the Congress of the United States:

I transmit herewith the Annual Report of the U.S. Civil Service Commission for the fiscal year ended June 30, 1966.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 30, 1967.*

TREASURY SHOULD SCRAP ITS PLAN TO ISSUE HIGH-RATE SAVINGS CERTIFICATES

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. WIDNALL. Mr. Speaker, for some time the savings industry has been disturbed by a Treasury Department proposal to issue a new type of high-rate savings certificate. The new savings certificate would be made available to regular purchasers of U.S. savings bonds.

Initially, a rate as high as 5 percent was talked of, with a term of 3 to 5 years. Since then an unspecified rate under 5 percent has been mentioned.

The savings industry only now is recovering from the near monetary crisis conditions of last summer and fall which so seriously impaired the flow of funds to savings institutions and the mortgage market.

Treasury has at its command a wide variety of marketable credit instruments to raise funds in the capital markets. These include marketable bills, certificates, notes, and bonds.

Only today, Treasury books are open for subscription to $5.5 billion of 15-month, 4¾ notes and $2 billion of 5-year 4¾ percent notes. The issues are priced at slight discounts to afford investors returns of 4.85 percent and 4.84 percent respectively. The subscriptions are open to anyone in denominations of $1,000 up to as much as $500 million. Without question, the $7.5 billion offering will be an outstanding success.

There is just no need for the Treasury to further invade the savings market by issuing a new form of high-rate savings certificate.

One of the greatest contributions the Treasury could make to reestablishing the flow of home mortgage funds would be for it to announce that it was scrapping its new high-rate savings certificate plan. Savings institutions freed from potential disruptive and devastating competition for savings from the Government would then be free to devote their energies to expanding home mortgage loans.

I call on the Treasury to announce without delay that it has abandoned its proposal for the issuance of a new high-rate savings certificate.

TROUBLE SPOTS IN SOUTHEAST ASIA

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CONTE. Mr. Speaker, there is little doubt in the minds of most Americans that southeast Asia is the dominant and most dangerous international powder keg in the world today. The war in Vietnam, especially, and all of its potential repercussions pose by far the most serious threat today to world peace and thus to our American security.

That war has already furnished us in this body and our colleagues on the other side of the Capitol with some of the bitterest and most heated debate in decades. The outlook for the 90th Congress rather obviously indicates that Vietnam will again dominate our discussion of virtually all issues and proposals.

The Vietnam situation today is a tragedy of major proportions. It is a source of maddening frustration to all Americans that we have so far been unable to bring the war to an end on any terms. We have explored a great many avenues toward negotiation with the North Vietnamese. In the months ahead, we must explore even more. We must literally leave no stone or even a blade of grass unturned in search of a solution.

The pages of the Washington Post recently featured an editorial which provided a balanced, rational view of the situation and of the possible alternatives open to the United States at the present time.

Under unanimous consent I include this editorial at this point in my remarks.

The editorial follows:

PEACE PERSPECTIVES

The pursuit of peace in South Vietnam will end in disappointment, disillusion and disaster if it is prosecuted in the belief it will bring lasting peace to Asia and the world, no matter on what terms it is obtained.

If that were the case, hardly any price would seem too high to the American people to whom the continuing loss of life on both sides is a matter of daily anguish and distress. But the anxiety to obtain a settlement in Vietnam must not be permitted to induce us to accept a settlement that will end in an early resumption of hostilities in South Vietnam, at a worse disadvantage, or incite hostilities elsewhere.

The painful truth is that there is not much likelihood that real peace can soon be obtained in Asia, no matter what happens in South Vietnam. Such peace as the world has seen there since World War II is due chiefly to the fact that the United States has acquired effective mobile military power and has demonstrated a willingness to use it to defend countries threatened by aggression. This is the single greatest deterrent to war and the greatest prop to peace. If the credibility of that deterrent is fatally diminished, by a decline in power or a decay in the will to use it, there will be less peace in Asia. Many countries who are not content with the boundaries established after World War II will then resort increasingly to the use of force and violence to change them. This deterrent, almost alone, is keeping peace along the artificial boundaries between North Korea and South Korea, between East Germany and West Germany, between the Soviet Union and Western Europe, between Mainland China and Taiwan—and at other borders around the world.

The peace of the world, as far into the future as any man can see, will be precarious, in any case. There will be frequent tests of American resolution, at every intimation of policy change in the United States and at every shift of power in Asian Communist states that covet the territory of their neighbors. There is no reason to hope that communism in Asia will make any swifter accommodation between its extravagant theories of universal domination and the realities of world power than European communism made.

It may be cruel to tell a people so passionately longing for peace that there is not going to be any peace. It would be an even greater cruelty to mislead them into the belief that a sacrifice of principle in South Vietnam would bring lasting peace there or elsewhere.

This does not mean that there can be no settlement in South Vietnam. There surely is some alternative to the war that would be acceptable. Let us hope that Secretary U Thant will find it. Difficult as it now seems, there is much reason to hope that a way can be found. The outlook is made brighter by the fact that the United States itself is in a position to sacrifice almost any strictly selfish interest in order to get a settlement. Unlike the colonial powers, it has no imperial interest to defend or preserve. It cannot consent to any settlement that will imperil the precarious peace that prevails upon a hundred restless borders in Asia as the result of the certain knowledge that the United States has the power and the will to live up to its commitments to help small nations preserve their integrity and their territory against the unprovoked aggression of their neighbors. Any settlement that does not abandon this deterrent to war can be considered; any settlement that does abandon this deterrent ought not to be considered.

This editorial makes abundantly clear what we must already understand—the need for a solution in Vietnam is of utmost urgency and must be subordinated to no other goal and no other issue.

Because of the complex problems involved, the countless conflicting reports we have had from various sources, and the seemingly insoluble controversy in the Congress, it has become clear to many of us that an accurate and reliable understanding of the situation could only be gained through personal, on-the-scene observations.

I have felt, as many of my distinguished colleagues have, that only through personal inspection of the installations, through discussions with U.S. and foreign officials on the scene, with our fighting men and the local citizens, and through the development of personal impressions, could the necessary understanding and insights be gained to make meaningful and constructive contributions to the forthcoming debates in the Congress.

It was with this incentive that I and my distinguished colleague and good friend, the Honorable EDWARD P. BOLAND, of the Second Congressional District of Massachusetts, undertook a joint inspection tour of the key trouble spots in southeast Asia. We left the United States shortly after adjournment of the 89th Congress and returned a few weeks before Christmas.

The tour fulfilled most of our expectations and furnished the kind of knowledge we were seeking as to the nature of the present situation not only in Vietnam but in Thailand, Indonesia, Laos, and the other political question marks throughout the Asian hemisphere. We also gained what I believe can be regarded as reliable impressions about what to expect in the weeks and months ahead and, above all, what is incumbent upon the United States if we are to maintain our policies and commitments throughout southeast Asia.

Upon our return to the United States, we prepared a series of reports on the impressions and information we gained in some of the most important and pivotal areas.

Because I believe our findings to be of substantial value in terms of our total understanding of the situation in southeast Asia, I respectfully place in the RECORD at this point excerpts from the first of these reports dealing with the war in Vietnam.

The report follows:

A JOINT REPORT ON THE VIETNAM TOUR OF CONGRESSMEN SILVIO O. CONTE AND EDWARD P. BOLAND, OF MASSACHUSETTS, NOVEMBER 22, 1966, TO NOVEMBER 25, 1966—THE WAR IN VIETNAM TODAY

The war in Vietnam is unlike any that American forces have ever fought. It is totally unlike previous wars in the military sense of strategy and tactics. The problems of logistics—of supply and material support—are unique in military history. The political and social aspects of the Vietnam war are different from any our State Department policymakers have ever encountered.

And, of course, the reaction here at home is unlike any we have ever known.

In our talks with the military leaders and civilian experts on the scene, the basic conviction was reaffirmed that we must continue fighting in Vietnam until the military war is ended. We cannot pull out. We cannot abandon the Vietnamese to the communist Viet Cong, to the Hanoi government, or to Peking.

The evidence is stronger than ever that a collapse in South Vietnam will trigger new outbreaks of aggression by Peking-supported communists in Thailand, in Indonesia, and elsewhere. As one Indonesian student leader told us: "We don't want the Chinese to grab hold of things and swallow it all." New wars will develop and, sooner or later, the United States will again be drawn into the conflict.

There is no question that the test is being made in Vietnam.

There is no question that Vietnam is the best place to accept the challenge, to accept the responsibility, and to resolve the question once and for all.

OUR VIETNAM ITINERARY

We arrived in Saigon on November 22, 1966, where we met and had lunch with Ambassador and Mrs. Henry Cabot Lodge. In the afternoon, we toured the docks of Saigon which are so vitally important in the logistical support of troops in the field. It was clear from the confusion and chaos of the area that the facilities, antiquated and primitive, were totally inadequate for the needs of the military. Nearby we observed the elaborate construction activity under direction of U.S. authorities to set up new, modern dock facilities and to establish a system for incoming and outgoing vessels.

The following day we flew to An Thoi in the Gulf of Thailand to inspect the Navy's repair facilities for Naval and Coast Guard patrol vessels on duty in the Gulf and the Mekong Delta area. We flew back to the Vietnamese mainland, stopping at Bien Hoa Air Base which officials described as one of the two busiest airstrips in the world.

The 3rd Tactical Fighter Wing is based there along with Vietnamese units, and logistical support units of the Army, Navy, and Marines. The wing of F-5 tactical support fighter aircraft at Bien Hoa is the only such wing currently operational in the Air Force.

We drove to Long Binh to inspect the troop concentration center there and to be briefed by officials of the commanding II Field Force Victor. The trip was over jungle roads, through the villages and tropical undergrowth in which the war is being fought. The area was infested with Viet Cong guerrillas and we rode in specially armed jeeps with full security precautions.

At Long Binh we were briefed by Major General Fred Weyand. General Weyand told us about "Battle Attleboro," which had been fought nearby and was regarded as one of the major engagements of the entire Vietnamese war.

The battle had been launched by elements of the 196th Light Infantry Brigade which is made up mostly of Massachusetts selective service personnel who had been assembled and trained at Fort Devon, Massachusetts. The battle developed, General Weyand told us, when the 196th uncovered a huge cache of Viet Cong supplies, including about 1300 tons of rice. Rice, at this stage, is more important to the Viet Cong than weapons and ammunition. The V.C. put up a bitter but futile fight to hold on to their supplies.

From Long Binh we flew on to Cu Chi by helicopter over more jungle area heavy with Viet Cong guerrillas. At several spots, it was necessary to fly at higher altitudes to be out of range of V.C. snipers in the jungles below. Cu Chi is headquarters for the 25th Infantry Division. We had further briefings on their activities and on "Battle Attleboro."

We then boarded the helicopter and flew out for a brief visit with the 196th Brigade itself at its jungle outpost. We had a chance to speak to about 165 men attached to the 196th, all from Massachusetts, and to visit the Brigade hospital.

This remote field hospital was a far cry from anything our GIs have ever had in the past. It was equipped as well as many metropolitan hospitals in the world today. The facilities were complete and modern, and it was truly amazing to discover such an elaborate setup in such a remote spot. Such facilities, coupled with the swift evacuation of wounded by helicopter, account for the fantastic recovery rate of our wounded men. There is no doubt that they are receiving the finest medical attention available in the world today, military or otherwise.

Undoubtedly the high morale of our men in Vietnam can be attributed in part to this fact. While visiting the 196th field hospital, we talked with a young soldier from Boston who had been brought in wounded only minutes before. We asked him what he needed and he said only two things; to assure his family that he was okay and doing well, and to get patched up to get back into the fight as soon as possible.

It was an inspiring and moving experience throughout our trip to feel the tremendous optimism and high morale of all our troops. During our visit later at Da Nang, we learned that more than 4,000 Marines due for rotation back to the United States had applied for reassignment right back at Da Nang. They seem to understand what it's all about and they're anxious to get the job done.

The following day, Thursday, November 24, was Thanksgiving Day and we planned to visit installations in the northern highlands. We flew up to Da Nang and visited Marine and Navy installations there. We were briefed by command personnel of Coast Guard Division 12 and the Northern Surveillance Group who have a two-fold mission: first, to form a naval blockade at the 17th parallel and, second, to provide fire support for our troops inland.

At Da Nang we also had an extensive briefing with Lt. Gen. Lewis W. Walt, Commanding General of the Third Marine Amphibious Force. General Walt described for us one of the more interesting and unique phases of the war—the so-called Civil Action Effort in which his troops are actively participating.

The Civil Action Effort is a joint civilian-military civic education program designed to build understanding, confidence, and loyalty among the South Vietnamese people in their legally constituted government. This particular phase of the war effort could perhaps prove the most devastating weapon of all since it is focused on the minds of the native citizens. We will discuss this in more detail elsewhere in this report.

Lunch on this Thanksgiving Day for us was with Coast Guard and Navy personnel at Da Nang. Our host was Rear Admiral Thomas R. Weschler, Commander of Naval Support Activity at the base.

From Da Nang, we flew southward again for a landing and tour of the port facilities at Cam Ranh Bay. The bay forms a natural harbor and required very little dredging for the Navy to establish highly efficient prefab-pier and docking facilities. It was one of the most beautiful scenic spots of our entire trip, with great mountain peaks sloping down to the sea and clear sandy beaches.

Following a helicopter and boat tour of the harbor, we took off again for Saigon. We had Thanksgiving dinner at the home of Rear Admiral Ward in Saigon.

The highlight of the tour, coming at the very end, was our meeting and summary talks with General William C. Westmoreland, commander of all U.S. forces in Vietnam. General Westmoreland described the changing character of the war and discussed, in retrospect, some of the factors that have prolonged the war, as well as those that will hasten its conclusion.

General Westmoreland explained the distinction between the military war and the psychological, sociological war. While the two are presently intermingled, it is the latter area that the ultimate victory must be won. It is here that the Vietnamese people themselves must win before any ultimate victory can be claimed, even though there may be a termination of major fighting between large organized combat units.

We departed Vietnam on Friday, November 25, with a far better understanding of the situation and a far better grasp of the factors that underlie our involvement there.

SUMMARY AND CONCLUSIONS

The question of when we can expect an end to the fighting inevitably emerges in any study of Vietnam. The American people have heard a great many general predictions made by the Defense Department and others over the past year or so, most of them finally proving false and erroneous.

Military experts presently on the scene no longer make specific predictions, beyond the fact that some kind of war will be going on in South Vietnam for quite some time. But they are now making a distinction between a classic war fought on battlefields by organized military combat forces and the kind of war that is shaping up more and more in Vietnam.

The character of the Vietnam war has changed. There are fewer major battles between large bodies of men. Our military officials expect even less in the months ahead. Some say we may even have seen the last major engagement already.

The war has shifted more and more to one of search-and-destroy, and of take-and-hold operations. Small detachments of men in patrols seek out the small bands and individual guerrillas and destroy them when and where they can. The goal is to take the villages and compounds out of the hands of the Viet Cong guerrillas and to hold them secure against their return.

The mobility of U.S. forces, demonstrated so well by the devastating success of helicopter-borne troops of the air mobile First Cavalry Division, have given us the edge in every major engagement since they first became operational. This is a fundamental example of why the U.S. can and will win the military war in Vietnam, where the French, for example, failed.

General Westmoreland stressed that continued strategic bombing of North Vietnam, of oil and supply dumps, of infiltration routes and other strategic targets remains a vital necessity. He insists the bombing has been effective in sapping the strength of Hanoi forces and in slowing down the rate of infiltration. It has not yet influenced Hanoi toward peace negotiations and, in General Westmoreland's view, we will soon have to escalate the bombing to knock out the MIG bases. It is a major phase of his war effort.

But the inability to bring our overwhelmingly superior firepower to bear on these guerrilla forces is what will prevent us from bringing a swift end to the war. We cannot crush the enemy's army because, in a classic sense, he has no army. He has tens of thousands of individuals sprinkled like salt throughout the country, fighting independently, taking control of peaceful villages.

As General Westmoreland explained to us, it has taken a long time—about a year and a half—for U.S. forces and our allies to learn about this new concept of warfare. The first 18 months of the Vietnam war were what he terms "learning years." The new tactic which has emerged, he says, is the take-and-hold tactic—the idea of recapturing territory from the guerrillas and securing it against their return.

The unfortunate fact is, of course, that U.S. casualties are highest in these isolated jungle encounters. Because of our superior firepower and training, U.S. casualties are far lighter in major battles and engagements. Most U.S. losses have actually been inflicted by booby traps and deadly "Claymore" land mines, fabricated by the V.C. in the jungle from crude implements and spotted alongside the trails and roadways. A thin green wire stretched almost invisibly across the trail triggers the mine, hidden waisthigh in the dense foilage alongside the road or path.

The final victory in this new kind of war in Vietnam, General Westmoreland says, can only be gained by the Vietnamese people themselves. In his opinion and that of other experts on the scene, Hanoi will only give up the guerrilla war when they are convinced that the South Vietnamese people cannot be won over to their side. Hanoi, fully aware that it cannot win the military war, is waging war for the minds of the South Vietnamese.

The Civil Action Effort which we saw at Da Nang, is an important step in the direction of encouraging national unity among the South Vietnamese and in ultimately convincing Hanoi that they cannot win over the South Vietnamese people.

The U.S. is heavily committed to the educational campaign and to supporting and aiding the native population wherever possible. This is being emphasized especially in the five northern provinces of South Vietnam. Largely through the efforts of AID and the State Department, a special coordinating council has been formed to meet on a regular basis. Under this council, special subcommittees function in such areas as education, public health, psychological warfare, and distribution of food and clothing.

In a little over a year—between October, 1965, and November, 1966—some 973,928 persons have received medical treatment through the auspices of the civic action programs. In addition, 33,176 persons received dental care, many perhaps for the first time in their lives. Some 99,463 pounds of clothing have been distributed; 1,898,937 pounds of food; and 220,959 pounds of soap. The program has also sponsored construction of some 626 buildings.

In addition to the civic action campaign in the South, a heavy propaganda program is underway to encourage desertions from North Vietnam. Daily raids drop leaflets into Viet Cong villages and communities describing the return to South Vietnam of former guerrilla leaders. Special "passes" are dropped, too, authorizing safe conduct for the bearer through the frontier into South Vietnam. Up to the time of our visit, some 800 former communists had defected to our side as a direct result of these campaigns.

An important step forward was passage by the South Vietnamese government of a new law for defectors from the North, making it easier and more attractive for them to leave the communist camp.

General Walt and his staff at Da Nang are convinced that the overall U.S. policy is paying dividends. But they concede that a long guerrilla war still lies ahead.

They point out that the guerrilla has an unusual stranglehold on the population throughout the country. He collects taxes. He does away with schools and churches. He gets food and intelligence information for the organized military units and serves as a guide for these units.

An interesting fact is that a man must be a local citizen, raised in his vicinity, in order to be a guerrilla. He must not only know the area and its people, but he must be known by them. No outsiders or "imports" from North Vietnam can become guerrillas.

Because of his unusual influence, it is therefore more important to kill a guerrilla than a regular army soldier. Military strategists rate one guerrilla as important as three to five North Vietnamese army soldiers.

Much emphasis is also being placed on recruitment and training of localized popular forces to counteract the influence of the guerrillas. The intent is that as regular troops force out and eliminate local guerrillas, specially trained local force personnel will secure the area against his reestablishment.

In the present conviction of our planners and strategists in Vietnam, it is this coordinated civic-military effort; the education of the people and the gradual elimination of the guerrilla that will win the war in Vietnam. It is a policy that depends heavily if not entirely, in the last analysis, on the determination of the South Vietnamese themselves to accept their national government and to want to resist the communist and the guerrilla terrorist.

Naturally, a competent, stable government is essential upon which to base such a program. In this regard, many observers agree that Premier Nguyen Cao Ky is not the most popular leader among the people. He is, in their view, however, about the best they have at the moment. And in serving as a kind of executive officer for the government of South Vietnam at the present time, he is well qualified and has done a good job in eliminating much of the corruption so characteristic of Asian governments. Many feel that he will undoubtedly be replaced when the people are able to select their own leader in a general election. The hope is, of course, that a leader will emerge to truly unite the country and to control the dissident factions.

Ambassador Alexis Johnson provided us with an encouraging final analysis. He believes that what must happen in Vietnam is precisely what has already happened in Korea. In his opinion, Korea today is almost a modern miracle. Its economy has stabilized and a strong popular government has emerged. It has happened in Korea and it must happen in Vietnam.

A REPORT ON THAILAND TODAY

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CONTE. Mr. Speaker, I have just read the report which I released jointly with my distinguished colleague and good friend, the Honorable EDWARD P. BOLAND, of the Second Congressional District of Massachusetts. The report dealt with the Vietnam phase of a recent tour of southeast Asia which my colleague and I undertook at the close of the 89th Congress.

Vietnam certainly is the most important and most critical issue facing both the United States and the entire world today. It is the greatest single threat to world peace.

However, because of the nature of that war and of the protagonists directly involved and those who wait in the wings, as it were, it cannot or should not be taken out of the context of the entire southeast Asia zone. It must be considered in relation to its neighbor nations and the peoples of the entire continent. What ultimately happens in Vietnam will have a decisive impact on all of these people and upon the entire world.

The trip which my colleague and I have taken purposely included, therefore, certain other trouble spots which, in our judgment, were equally important to an understanding of the situation today in that corner of the world.

Because I believe it to be of value to my colleagues, I respectfully ask unanimous consent to place at this point in the RECORD the second of a series of reports concerning our trip. This report deals specifically with the situation in Thailand as we found it in late November of last year.

The report follows:

What is happening today in Thailand should leave no doubt in the minds of any informed person just what the communist grand plan is for Southeast Asia and for the rest of the Western Pacific Hemisphere.

The Thai people are unique among their neighbors because they have never borne the yolk of colonialism; they have never been divided into ethnic factions, or regional rivalries, and they have been spared much of the political oppression so characteristic of other Southeast Asian nations. Psychologically, therefore, they are better equipped to deal with the communist menace.

The United States, as we have learned only recently, is officially committed to assist the Thai people in this effort. The lessons we have have learned in frustration and blood in Vietnam are, perhaps, paying big dividends now in Thailand, and in Indonesia and elsewhere throughout Southeast Asia.

Congressman Edward P. Boland of Springfield and I were most happy to have the opportunity to see these lessons being applied firsthand in northeast Thailand, where the communist menace is strongest.

Northeast Thailand comprises about a third of the country—about 10 million out of the 30 million people. It's the most impoverished part of the country; a rather high area with sandy soil and rolling hills. It is separated from Laos by the Mekong River, and because it's so easy to get back and forth across the river, the communists have been infiltrating agents through here, trying to organize bands of Thai guerrillas.

For many years up until just recently the area was cut off from the central Government. They didn't have communications, good roads or government services. For the last four or five years the Thai government has been working hard to get these services out there. And, of course, one of the services is that of police protection against both banditry and also these armed communist incursions.

It was clear to us from what we observed and from the patterns of communist aggression elsewhere that the historic neglect of this northeast region by the royal Thai government was a significant factor behind the inroads which the communists had been able to make so far. The government focused attention for too long on developing its military strength, with little effort given to internal social and economic problems.

Although considerable effort is now being made to reverse this trend, or at least to place more emphasis on the socio-economic sector, much damage has already been done and the communist menace is an established genuine threat.

Historically, communism is not a new threat in Thailand. Communist activity has been going on in Thailand since World War II, but on a limited scale. It became much more serious about two years ago when various communist radios in Hanoi and Peking announced the establishment of a so-called Thailand patriotic front. This is, of course, a communist front organization with the avowed purpose of overthrowing the government by violence.

At the same time, the Chinese foreign minister was also quoted as having told a Western diplomat that guerrilla warfare would start in Thailand sometime during 1965. Subsequent events proved he knew just what he was talking about because, of course, this was obviously announcing communist intentions.

Assassinations of selected village officials began. At first it was running perhaps two or three a month. There have probably been 80 or 90 people killed during the first half of 1966 as this activity has stepped up.

The pattern of the communists in Thailand has been a familiar one. It has followed the more or less stereotype sequence or "phases", that we have seen elsewhere.

Phase I is when the communists move into the villages, sending in people who have been trained up around Hanoi. They are sent in to start organizing and propagandizing among the villagers.

Frequently the villagers are duped. In many cases they've been told: "If you join with us we'll give you the equivalent of almost a year's income." Of course, very few people ever see the money, but there is a great deal of this type of recruitment, playing on the grievances they may have against taxes, things like that. This is Phase I, trying to organize these people.

Phase II then comes about when they begin resorting to terror. It's really a very sobering experience to see the way whole villages can be brought under control when they simply murder the village head man or schoolteacher—the people of influence within the village.

The communist objective, of course, and so far they haven't been too successful, is to move into stage III where they've gained complete control of some of these areas and can spawn off other communist bands—send them out into new areas. So far most of this activity is still in Phase II and as the Thai police officials told us they feel that, with their security efforts and their patroling and getting out into the countrysides, they have pretty well kept this thing under control so far.

In comparing the situation in Thailand with that in South Vietnam, we can see that the Viet Cong have gone far beyond even Phase III. As our military and civilian analysts put it, the communists in Vietnam are in what they themselves call the final stage, where there are actual major military engagements fought between large, organized troop units.

The hope and intention of the Thailand communists is, of course, to match their colleagues in Vietnam; to break down the government structure and eventually to seize enough power so that they are able to control whole areas from which to mount bases and recruit enough men to form regular, organized battalions. These units would then be thrown into battle against the regular troops of the royal Thai government, as we have seen in South Vietnam.

The aim of the Thai government and of the United States Overseas Mission presently assisting in Thailand is to prevent this.

There is, moreover, good reason to feel confident that the anti-communist, anti-insurgency effort will succeed in Thailand before the situation reaches the so-called "final stage".

Thailand, unlike Vietnam and most of the other nations of Southeast Asia, is a very homogeneous country. It has never been colonized, maintaining its independence from the British, French, and Dutch colonial rule which held sway over her neighbor nations for so many years. As a result, the Thai people have never been fragmented by the divide and rule policy so characteristic of colonialism.

By way of contrast, in Vietnam, Buddhists are set against the Catholic Christians; the northerners and southerners have been at each others throats even before the Viet Cong insurgence; the hill tribes and Montagnards are against the lowlanders; and so forth.

More than 90 per cent of the Thai people are Buddhists. The country has a good going government administration, which has been modernizing the country since the end of the 19th century. The figure of the King, who incidentally was born in the state of Massachusetts while his father was studying medicine in Cambridge, is very popular.

It's not overpopulated, it doesn't have a land tenure problem in which the peasants don't own their own lands and are exploited by wealthy landowners.

Despite the reasonable apprehensions of many in the United States that Thailand could indeed become another Vietnam, there are ample signs that the Thai people themselves are more determined that this will not happen in their country. There seems to be a greater awareness of the inherent falseness and evils of communism. The Thai seem clearly more determined to learn the tools and techniques of resistance than the South Vietnamese were several years ago.

The government has responded to the threat by increasing the security forces in the Northeast area and by accelerating a rural economic development program. Mobile medical teams from Bangkok hospitals are now functioning in the area, many of them helicopter-supported so that even some of the most remote isolated villages can now receive medical attention.

The United States, as has now been officially confirmed, is heavily committed to assisting the Thai people in the fight providing weapons, specialized training, and by developing vitally important military bases and installations.

While visiting the city of Udorn in the northeastern region, we were able to observe a "dress rehearsal" operation as a highlight of the counter-insurgency training program conducted there with U.S. help for delegates from the various villages.

A mock battle was staged in which communist infiltrators attempted to take over a village. The villagers opposed them with both sides firing blank ammunition. Special colored cloth panels were spread on rooftops as a signal to patrolling helicopters overhead. Spotting the panels, the helicopter patrol radioed to a police concentration center where armed police were immediately dispatched to the villages.

The police security patrol, together with the villagers, combined to drive the "communists" out. It was evident that a comprehensive training program had been set up for these villagers.

In all, it comprises about a four-week course beginning with an intensive indoctrination program—educating them about the history of Thailand, about the monarchy, and about their government's concern for them. They are told about the various new development programs and about the medical and health programs being brought out to the various villages.

This is followed by weapons training in shotguns, in M-1s, and in carbines which we saw used in the firing demonstration. Then, they go back in to spend about a week in their villages learning how to do patrols, how to set out alarms so that when people come down the trails of the villages they'll get some advance warning. Then, they also learn about the panel method of communication; a certain amount of first aid; and so forth.

Then they go back under the village chiefs and organize themselves and the other villagers so they can be in a position to defend themselves in case communist terrorists bands come in, as they frequently do, to try to round the villagers up at gunpoint and harangue them with communist propaganda attacking the Royal Thai Government and attacking the United States who are supposedly enslaving Thailand.

These people are being given the means through some of our AID programs and through the work of the Thai government to help them really defend themselves.

Inevitably, we had to draw comparisons between what we were seeing in Thailand and what we had seen in Vietnam. We know, for example, that even after we have helped the South Vietnamese win the military war against Hanoi troops and against the Viet Cong, that the ultimate victory over communism could still elude us.

The battleground lies in the hearts and minds of the people themselves and it is there that this final victory will have to be won. It is for this reason that U.S. policy in Vietnam has been geared to include the massive civic education programs to teach the natives about democracy, freedom, and their democratic form of government so that they will embrace these ideas and reject the terrorism and enslavement of the communists.

The fear throughout Southeast Asia is that a similar situation may exist in other countries. Native populations tend to be illiterate and isolated from any sense of national unity or purpose. It has been necessary to educate and try to enlighten populations about these ideas in order to equip them for the fight against communism.

With the active support and backing of the United States Overseas Mission under auspices of the State Department and the Agency for International Development, the Thai government is taking steps to remedy these problems.

The accelerated rural development program is one aspect of this, as well as the mobile medical and health teams. There is an extensive road-building program underway. They've got agricultural extension workers setting up the equivalent of our 4-H clubs, teaching them new farming methods, introducing fertilizers and pesticides. They are setting up new schools.

It's designed to go all across the board in meeting the needs of the villagers and trying to bring them modern technology just as quickly as possible. In addition to this there is a good information program as part of the psychological operation to win the hearts and minds of the people.

In the opinion of our experts on the scene, a comprehensive information program is a vitally important part of the plan because it has a sort of "multiplier" effect. Since all of the villages cannot be reached at once, sometimes not even in the same year, it is important to remind them that, sooner or later, they will receive the same care and attention that others are getting. It is claimed that such programs do tend to insulate the villages against the appeal of the communist propaganda.

There are secondary benefits, of course, from these efforts—especially the economic development programs—that apply not only in Thailand but throughout the area. Communication barriers have been lowered between the various countries and a tremendous growth of regionalism has developed.

Under the old colonial regimes, such separate states as Laos and Vietnam used to have to communicate with each other through Paris. Indonesia went through The Hague. Burma and Malaya used to contact each other through London. These restrictions have vanished and, despite the conflicting alignments and primitive means of communication, a great deal of contact has developed between the various countries.

Right along the Mekong River, they have a project comparable in scope to the TVA, building large dams to produce fertilizer and electric power, better fishing and flood control. They just had the worst flood in 50 years on the Mekong just a couple of months back, and this project is going to have about five different nations all along the river working together.

Even nations that have as strained relations as Thailand and Cambodia still meet under U.N. auspices in the Mekong Committee. There has been a meeting of Southeast Asia ministers of education setting up technical schools and agricultural centers. They're even talking in terms of a Southeast Asian common market now.

It is also startling to see the impact of our buildup in Thailand on the local economy. The city of Udorn has been likened to a U.S. boomtown of the late 19th century. Some have even nicknamed it "Dodge City". Shops and stores, restaurants, theatres, and all the other trappings of a new city have sprung up in this remote village in the middle of the jungle. A booming new community has emerged from the thatched huts and unpaved trails of Udorn.

Money has been pumped into the local economies. Jobs have been created for villagers and natives. In a large sense, the U.S. mission has really opened up the northeastern section of the country, given impetus and solidarity to the efforts of the Thai government.

It appears to have a galvanizing effect on the other nations of Southeast Asia, as well; just as our determination to stick it out in Vietnam has helped firm the stand against communism in other areas. We were told, for example, that the U.S. effort in Vietnam had an admittedly decisive influence on the Indonesian army officials in overthrowing the attempted communist coup in Indonesia during October 1965.

Previously, many of these countries were afraid to work together. It was fear of China, fear of what might happen. Cambodia tried to make its peace with China, thinking they were going to win. But there is a completely different psychology now and these people have gotten enough confidence to start working together. And basically it's been behind the shield of our power as we fulfill our commitments in South Vietnam.

Of our entire tour through Southeast Asia, Thailand was perhaps the most enlightening. Here is a country unique among her sister nations. Although it has been placed on the Peking "agenda" for communist takeover, it seems less likely to succeed here than anywhere else in Asia.

Thailand is better equipped to deal with the menace of communism from both a psychological and social point of view. They seem more determined to resist than the South Vietnamese did when they, too, were subject to the "Phase I" and "Phase II" efforts of the communists.

It seems most promising that, with a sufficient and well-planned effort now, the United States and the royal Thai government can indeed prevent another Vietnam in Thailand.

The Thai people themselves are more united than the Vietnamese people. They have lived under a strong, central government, independent of foreign rule, for many generations. They have a sense of loyalty and patriotism that was largely unknown in Vietnam just a few years ago.

By taking advantage of these assets from the outset and by building on the foundation that already exists, there is every reason to feel confident that Thailand will not become another Vietnam. The U.S. commitment in Thailand seems well justified under these circumstances.

INDONESIA

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Conte] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CONTE. Mr. Speaker, I reported here on Vietnam and Thailand and read excerpts from recent reports which I have released concerning the southeast Asia tour taken late last year by myself and my colleague, the Honorable Edward P. Boland, of the Second Congressional District of Massachusetts.

Those reports dealt, respectively, with the situation as we judged it in November in South Vietnam and Thailand.

The third and last of my special reports deals with still another, and in some ways even more significant country: Indonesia. Indonesia, more than any of the others, reflects the dramatic changes that have occurred among the peoples of southeast Asia, the shifting allegiances and the emergence of a strong nationalism after centuries of colonial control.

Indonesia presently hovers balanced on a kind of invisible political line. There are great tensions and anxieties among her people in the wake of the abortive Communist coup of 1965 and under the quasi-military rule of the present Suharto government.

It is clear that a great deal of attention must be devoted to the development of U.S. policy toward Indonesia in the months ahead. In the interest of the debates over that policy which will undoubtedly arise in the future, my colleague and I included Indonesia on our inspection tour.

Under unanimous consent procedures, I now place in the RECORD a portion of my report on Indonesia today, and respectfully call it to the attention of my distinguished colleagues.

The report follows:

INDONESIA

Political, military, and economic events in recent months in the sprawling republic of Indonesia have deservedly drawn worldwide attention. Virtually unaided, nationalist forces in 1965 overthrew an attempted communist takeover of the country's government. In the wake of the coup attempt, Indonesia's despotic President Sukarno was retained, but was stripped of much of his power. Economic reforms have been instituted by the ruling military presidium but the resulting period of uncertainty has triggered a critical inflationary spiral in the domestic economy.

The economy of Indonesia is presently undergoing perhaps its most severe test. Its political climate is stormy to say the least. For all intents and purposes, the country is ruled by a military junta headed by General Suharto. President Sukarno, because of his still considerable popularity outside the capital city of Jakarta, has remained as titular head of state and continues to maneuver and plot in an effort to regain his former power.

An enlarged parliament still made up principally of Sukarno-appointed deputies rather than elected ministers sits in deliberation over the fate of the country, looking to 1968 when a general election has been promised.

Despite the bloody purge of known communist elements in the wake of the unsuccessful coup attempt in 1965, the communist PKI continue to infiltrate and agitate, continue to spread lethal propaganda about U.S. and Western intentions in Southeast Asia.

A great deal of unrest exists among the youth of Indonesia and the extremely articulate and politically active student population. They are certainly a force to be reckoned with and indeed may hold the balance of power between the struggling factions of Sukarno and Suharto.

Because these events are vitally significant with respect to the current situation throughout Southeast Asia and therefore the entire world, I resolved to see for myself the conditions in Indonesia today. It has been clear to a great many observers that Indonesia must be weighed in any analysis of current events in Southeast Asia. It is a vast, populous nation with great potential riches locked in its mountains and rain forests. U.S. policy must continue to include Indonesia and, in the interests of the debate over that policy, I wanted to include Indonesia on my recent tour through Southeast Asia.

The following report deals specifically with what I saw and learned about Indonesia today and the impressions I gained which I am confident will be invaluable in the coming session of Congress; a session in which Southeast Asia will become perhaps the most critical issue we have faced in two decades.

* * * * *

BACKGROUND

Indonesia is a unique, sprawling island republic in the Southwest Pacific. Chief among its landfalls is the island of Java where the capital city of Jakarta is located. Much of Indonesia was under colonial control of the Dutch government up until World War II, and the influence of the Dutch can still be seen in dress, architecture, and in the accents of the language.

It is a populous nation, its 105 millions ranking fifth in the world behind the fourth-ranked United States. In population and area it is almost equal to the rest of Southeast Asia combined. It is regarded as one of the potentially richest countries in the world with vast natural resources of rubber, tin, and other commodities. It was the lure of these riches that brought the Japanese in World War II and triggered the nearly successful Peking-backed communist coup in September–October, 1965.

The present plight of Indonesia can probably be laid almost entirely on the doorstep of the arrogant, despotic, and seemingly deluded Sukarno. Although he has lost power, his country will continue to suffer the consequences of his regime perhaps for many years to come. Moreover, he remains a serious threat to return to power. His popularity is largely undimmed in the rural, isolated interior of the country. Although he ruled with an autocratic high-handedness, there was little apparent resentment from the native population who had been bred to generations of feudal servitude under the Dutch.

Instead of applying his country's wealth and potential to a meaningful program of economic expansion, Sukarno chose instead to strut the world stage with an outward show of opulence and military power. He lived in splendor and excess, committing his nation's resources to showy but useless projects such as fancy hotels and exotic government buildings. He resigned from the United Nations, encouraged an explosive confrontation with Malaysia, and tried to become the focal point of an Asiatic counterpart to the U. N. which would have included Communist China, Cambodia, and a number of nonaligned countries. Although he professed to maintain a neutralist policy in world affairs, thumbing his nose at offers of U. S. aid and assistance, he leaned increasingly toward the Peking communist orbit.

As one student leader told us: "Sukarno is just a new feudalist. (He lives) the way the old Princes lived. It is just the (extension) of the old kingdoms of Java on a national scale with modern symbols."

In September of 1965, Sukarno's Indonesia seemed a ripe plum for the Reds to pluck. Fortunately, they overlooked the nationalist determination of the army.

The attempted coup began on the night of September 30, 1965, with the kidnapping and subsequent murder of a number of army generals known for their strong anti-communist views. Sukarno himself, uncertain of the outcome and of his fate at the hands of the eventual victors, escaped in his nightshirt and holed up with one of his own generals.

General Suharto rallied the army together and overthrew the communist PKI. In the confusion and chaos that followed, Suharto established a military presidium to rule over the nation's economy and security forces. Sukarno, still a hero to the natives in the hill country, was allowed to remain as president but with only ceremonial duties. He held no meaningful control over the policies of his government.

At that point, a dramatic change occurred in the domestic and foreign policies of the Indonesian government. Sukarno's program of state and public buildings was abandoned. The confrontation with Malaysia was ended with a noticeable relaxation of tensions throughout the hemisphere. Sukarno's dream of an Asiatic U.N. was dashed and Indonesia eventually rejoined the worldwide United Nations.

The new leaders of the government, General Suharto and his presidium, are generally regarded as moderate and pragmatic. They have swung the focus of Indonesia's economic resources away from showy but wasteful extravagance, and the focus of her foreign policy away from false bravado to one of practical, realistic accommodation.

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INDONESIA TODAY

The transition from the status-seeking of Sukarno to the pragmatism of Suharto has neither been complete nor tranquil. The economy remains a shambles after years of mismanagement by Sukarno. It will take time to rechannel resources and redirect the energies of the Indonesian people. During this interim period, much confusion and uncertainty exists. Inflation is taking a terrific toll as it mounts day by day, driving the price of bare necessities to almost impossible levels.

Although the people have been warned that they will have to endure a period of upheaval, many observers and Indonesian leaders themselves are apprehensive that healthy results may not come soon enough. If the period of inflation and uncertainty continues too long, there could well be another political upheaval.

The political situation, meanwhile, remains far from stable. The shadow of Sukarno looms ominously on the horizon. He is considered too popular in many areas of the country to be deposed completely. He remains largely a figurehead, but with enough access to communications media and the political machinery of his government to continue to maneuver and plot to regain complete power.

Evidence of the persistent fear of Sukarno can be found in the continued harsh treatment and execution of leftist sympathizers and suspect military officials. An example was the recent conviction and death sentencing of Air Force General Omar Dani, a Sukarno aide accused of complicity in the coup. The military presidium under Suharto has retained the powers of government but is seriously lacking in management ability. While the phony splendor of Sukarno has been abandoned, redirection of human resources has been torturously slow, resulting in under-utilization, idleness, and poverty.

A visit to Jakarta today is, in many ways, deceiving. Instead of the hustle and bustle one might expect from an aggressive new government, there are signs of idleness and inactivity. Many of Sukarno's lavish projects stand empty and half-finished. Six years ago, when I first visited the country, Sukarno was at the height of prestige and power. Many of the buildings and monuments were just getting started.

They remain today in various stages of construction, empty and free of the clamor of workmen and machinery. Work has been resumed on some of them, primarily those to be used as new government buildings. But others will remain half-built shells until the economy can accommodate them as well as the hunger of its people.

Indonesia, while apparently free of the military pressures arising from the unwise confrontation with Malaysia, is overburdened with a huge foreign debt, exhaustion of foreign exchange reserves, and declining export trade.

Anti-communist sentiment in the wake of the 1965 coup attempt has undermined the nation's major entrepreneurial class, made up mostly of Chinese, resulting in a serious lag in business and private enterprise.

Many in Indonesia, including student leaders, are fearful that the Suharto regime will be unable to fulfill its goals soon enough, or that the nation will not have attained sufficient stability by 1968 to justify a democratic election.

This apprehension is warranted on several counts. Should the people lose confidence in Suharto and his presidium, the way would be clear for Sukarno to slip back into power and, on the strength of the reaction against Suharto's failures, restore his corrupt and deluded policies.

The Suharto regime can naturally be expected to counter any such trend with whatever weapons it could muster. With the army at least under Suharto's thumb, it is clear that a de facto military dictatorship could easily become the enduring form of government in Indonesia. There are many in the country who fear this as much or more than they fear a return of Sukarno.

The influence of the students, especially those united in the Indonesian Nationalist Student Front known as KAMI, cannot be under-estimated. They are active, courageous, and articulate. As the most promising segment of the population from the standpoint of enlightenment, they must be considered in planning for the future.

Up until recently, the role of the students was largely one of public demonstration; of picketing and parading in the streets, and other overt gestures. Suharto has imposed a ban on open demonstrations of this sort; perhaps furnishing another symptom of the military dictatorship. Instead, he has granted representation in the Indonesian parliament to the students and to KAMI. Thus, they are to have at least an oral means to express their interests and feelings. Here again, however, results must be evident within a reasonable time or the impatient students can be expected to rebel.

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The parliament, under prodding from Suharto and more progressive elements, has instituted a number of new programs and taken steps to stabilize the economy. In addition to suspension of Sukarno's many uneconomic prestige projects, the Indonesians have initiated new exchange rate regulations to spur export trade; a bank reform bill to restore soundness to the Central Bank; a new tax collection program; stringent monetary controls (which are undergoing severe strain in the present inflationary period); and a sharp cut back on government subsidies.

A new private investment law has been initiated and, with U.S. participation, a new investment guarantee program may soon be inaugurated. A major effort is also underway to remedy a severe food shortage.

While all these are promising signs, it seems unlikely they can bring about the necessary improvements within a politically acceptable timetable—specifically, by the 1968 elections. Outside help is essential.

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THE U.S. AID COMMITMENT

U.S. aid to Indonesia is but one phase of a multilateral program. In the short range, the U.S. has joined with other European and Asian nations in providing interim assistance during the most critical phase of Indonesia's political upheaval. (No longer do we hear cries from Sukarno: "To hell with your aid!")

Our aid program to Indonesia is, of course, founded on the requisite determination by President Johnson on September 1, 1966 that such aid was essential to the national interest. An ongoing program for Indonesia has subsequently been established.

Rice and cotton under Public Law 480 (Food for Peace) have been committed in the amount of $45.9 million, repayable in dollars. Under another provision of PL 480, some $8.2 million of emergency food supplies have been committed. An AID (Agency for International Development) loan of $10 million has been negotiated for spare parts and industrial raw materials to help eliminate bottlenecks in transportation, communication, power, industry, and agriculture. An additional loan of $1.2 million has been made available for military and civilian civic action personnel training, educational materials, and other aspects of the civic action program which is geared specifically to educate and train desperately needed Indonesians for government administration and educational institutions.

Long run programs include U.S. participation with the International Monetary Fund (IMF) and the International Bank for Reconstruction and Development (IBRD) and other participating countries in a multilateral debt rescheduling and monetary stabilization and development program for Indonesia. Much work has already been done with IMF toward stabilization and an IBRD team has visited Indonesia with the aim of identifying Indonesian priority import requirements. The U.S., along with other creditor nations, have held extensive talks to reach agreement on debt rescheduling.

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THE OUTLOOK

The Indonesian people are, for the most part, fiercely nationalistic. They are determined to rebuild from within, to restore their nation with their own resources. The more knowledgeable, including the student leadership, privately acknowledge that, alone, they cannot hope to accomplish all that is necessary within a reasonable time and thus be able to ward off a return of Sukarno, a successful communist coup or, as a third possibility, the permanent establishment of a dictatorial military regime.

They express the hope that the United States will not be lulled by the first outward signs of stability and progress—signs that so far are favorable and encouraging only in comparison to the despotism of Sukarno.

As the U.S. mission has stated unofficially, in order to be most effective, our presence in Indonesia must remain unobtrusive. We must give up the publicity and propaganda benefits for a quieter but more effective gain on behalf of the Indonesian economy.

U.S. policy must be carefully administered to neither overstimulate expectations among the Indonesians, nor to lag too far behind. We must acknowledge the authority of the military and the fact that Suharto's army is the only real bulwark against communism. Yet we must avoid policies that would prolong the military presidium in control of the country.

This apparently is Suharto's goal as well. He has encouraged the civic action program, personally created the additional deputy seats in parliament for the students, and has pledged the 1968 election.

It is clearly essential in Indonesia, as it is in Vietnam and in Thailand, that the U.S. continue to honor its commitments in Southeast Asia. There can be little doubt that an abandonment at this time or in the foreseeable future will drain away all vitality and support of existing neutralist and pro-Western governments and merely pave the way for Peking-oriented communists to assume control.

The impact Sukarno's government had on world affairs and particularly on U.S. foreign policy prior to October, 1965, leaves no room for doubt that he must not be allowed to regain control. Indonesia, by rejecting both communism and Sukarno, has demonstrated its determination to become an independent, respectable member of the community of free nations. As the unchallenged leader of that community, the United States cannot risk an abandonment in Indonesia.

OUR OBLIGATION TO ASTRONAUTS GRISSOM, WHITE, AND CHAFFEE

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Goodling] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GOODLING. Mr. Speaker, sadness fell upon the land in the wake of the tragedy last week that took the lives of three of our astronauts, Col. Virgil Grissom, Lt. Col. Edward H. White 2d, and Lt. Comdr. Roger B. Chaffee.

Our Nation owes these men a great debt, an obligation that will be honored not only by us today but by Americans of tomorrow.

The loss is all the more grievous when we recognize that here were three truly remarkable men, being possessed of rare combinations of mental and physical excellence required for a precise technical task—nuggets screened from the sands of men.

They were men of vision, looking beyond the horizon of earth into the outer reaches of space. While they had their eyes turned to the sky, they had—in their love and loyalty for family and their dealings with friends and associates—their feet solidly fixed to the ground.

That they were aware of the great dangers confronting them in their task was obvious, for these men had a total grasp of their mission.

On one occasion, for instance, one of the late astronauts, when confronted with the possibility of death in the space undertaking, answered:

> If it happens, we wouldn't want it to hold up the space program. We have to keep progressing.

It is truly a tragedy to lose men of this magnitude—it is a blessing, however, that in their day they did give tone and character to the future of America.

Our hearts go out in sympathy to their families.

FINO INTRODUCES LEGISLATIVE PACKAGE TO CURB PARTICIPATION SALES

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Fino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. FINO. Mr. Speaker, last year I was proud to help lead the fight against the administration's Participation Sales Act. Today I am introducing four different bills to curb the FNMA participation sales mechanism, by which L. B. J. hocks Federal loans to raise cash for budget juggling.

My four bills are: First, to restrict FNMA participation sales to sales of participations in pools of only FHA-insured and VA-insured loans as was the case prior to the Participation Sales Act of 1966; second, to limit participation sales interest rates to ½ percent above the 4¼ percent long-term debt interest rate which applies to Treasury borrowing; third, to prohibit FNMA from directly or indirectly selling participations to Government trust funds—so as to achieve budget gimmickry with a bookkeeping entry; and fourth, to make FNMA participations "obligations of the United States" so as to be within the Federal debt limit, as befits Government borrowing.

As I told the Ways and Means Committee, I am introducing this legislative package to focus attention on the Johnson administration's participation sales gimmickry.

"I do not think the money market will be able to absorb the $5 billion worth of participations the administration proposes to sell in fiscal 1968 so as to make room in the budget for "Great Society" waste. I think that the participations will bring back supertight money and roll back the stock market. I think L. B. J.'s budget is going to redefine the "Great Society" as history's first inflationary wartime recession.

I hope that the House of Representatives will take up the cudgels to curb the FNMA participation sales mechanism—it is nothing but a gimmick.

I include a copy of my statement to the Ways and Means Committee, as follows:

Mr. Chairman and Members of this Distinguished Committee:

At the outset, let me say that I appreciate this opportunity to testify on the proposal to raise the national public debt limit.

I would like to urge for your consideration two things:

First, I hope that this Committee will approve a small debt ceiling increase, and

Second, I hope you will turn down and disapprove the President's proposed tax increase, except for an excess profits tax on war industries.

If you grant the President only a small debt ceiling hike and a small tax increase on excess profits on war industries, you will be doing this country a great favor. You will be tightening the screws on the President's wild-eyed deficit spending. You will be setting the stage for the necessary cut back in the wasteful non-essential spending of the Great Society.

When I urge this Committee to approve only a small debt ceiling hike, I do so in the knowledge that the debt ceiling has been made all but meaningless. As we all know, the Participation Sales program makes the debt ceiling a false indication of the nation's longterm debt. Participation Sales are just a gimmick to borrow without admitting it.

But if Participation Sales have made the debt ceiling meaningless in one way, the heavy volume of Participation Sales which has been scheduled for Fiscal 1968 gives the debt ceiling a new, indirect effectiveness.

As you gentlemen know, the impact of a half-billion dollar Treasury borrowing on the money market is not great. The money market is used to Treasury borrowings. Nor does Treasury borrowing exert much upward pressure on the interest rate structure. But Participation Sales are something else again. They are not a "known quantity" like Treasury borrowing. And they carry very high and unsettling interest rates—usually between one quarter and three quarters of a percentage point higher than comparable period Treasury borrowing. High interest rates are the key reason why Participations upset the money market. Too great a volume of Participation Sales keep interest rates high. Back in the fall of 1966, this point was made by former Treasury Undersecretary Roosa; and the Morgan Guaranty Trust Co. and Salomon Brothers and Hutzler, both part of the FNMA underwriting syndicate. Even the President admitted it. He must have found it hard to swallow his words, because House Republicans had been saying this since last spring.

To put it more succinctly, my point is this: I doubt whether the economy can stand $5 billion worth of Participations in Fiscal 1968, as per the President's plans. I think that $5 billion worth will tighten interest rate pressures and contribute to a recession. At any rate, the President cannot expect to increase the Participation Sales above the $5 billion figure. Therefore, if this Committee slashes the debt ceiling request in half, the President will not be able to circumvent restricted Treasury borrowing power by going to FNMA. His budget already calls for all the FNMA gimmickry the money market will be able to bear—and perhaps more. Therefore, if this distinguished Committee refuses to hike the debt ceiling to the extent the Administration requests the Administration—having played budget gimmickry to the hilt—will be forced to cut back on federal spending. This is the goal for which you ought to aim. You can put immense pressure on the wasteful federal budget.

Now I am not suggesting that the debt ceiling request is the only one which ought to be cut. I believe that the tax request ought to be cut. And I myself intend to do what I can to put the FNMA gimmick out of action. Pressure on all these fronts will *force* the Administration to cut back heavily on planned federal spending. I believe that this is what we have to do if we are to restore a semblance of fiscal sanity.

Had the Administration not been able to doctor its budget with phony Participation Sales receipts, the Fiscal 1968 deficit—even allowing for the proposed new taxes—would be enormous. As it is, the inflationary effects of this budget will be enormous, and they may *also* contribute to the development of a recession. Deficit financing, particularly via Participation Sales, is both *inflationary* in the sense that it increases interest rates and indirectly *deflationary* in the sense that it tightens the money supply, shrinking loans and business expansion. It will be interesting to see the effect the proposed sale of $5 billion worth of high-yield Participation Sales will have. How much will they tighten the money supply and restrict credit? How much of an inflationary interest rate effect will they have?

I urge this Committee to limit the extent of the *Treasury* part in deficit financing by refusing to make any great change in the debt ceiling. If you reduce the debt ceiling increase which has been requested, the Administration will *have* to cut the budget and borrow less money.

If the budget is *not* cut, we will have to redefine the "Great Society" as the first instance in recorded history of a tight-money, inflationary recession during wartime. Only the black market in Vietnam, the French gold bankers and the American social planning establishment will be happy.

The proposed amount of non-Treasury and Treasury borrowing, in my opinion, means that tight-money will persist through Fiscal 1968, so long as we are heavily committed in Vietnam and the Administration is still funding all kinds of wild-eyed social spending programs here at home. I hate to think what five billion worth of Participation Sales will do to the money market during a generally inflationary period.

I suggest that the size of the *de facto* Fiscal 1968 budget deficit means that inflation is going to be with us for the next year or two—and with us in spades. The tax increase if passed, will not curb inflation—it will curb saving and investment, and facilitate the development of a recession.

Some people are under the false impression that recessions are periods of non-inflation. That is not true. Most of the postwar recessions in this country came during periods of inflation, even severe inflation. It is very likely that we are on the doorsteps of another inflationary recession. For such an event to occur during wartime would be an achievement—the type of achievement that characterizes the "Great Society"!

I think a recession in this country is just around the bend. The Johnson Administration proposes to tax away the savings and investment potential of this nation, all of which could be going into expanding economic development, to pay for an ill-conceived and ill-managed war we cannot seem to win and a social revolution that is contrary to the interests of ninety percent of this nation and ninety-nine percent of its taxpayers! I consider this a sad situation. We are about to see the "politics of money" and the "economics of opportunism" unite in a last hurrah before the "Great Society" collapses in the biggest political upheaval since the election of Franklin D. Roosevelt in 1932:

You gentlemen can help stem this tide. You can say "no" to the debt ceiling hike and "no" to the tax increase. I do not mean to say that I would expect you to refuse the requests altogether, but you can say "no" to half of what is sought. The rest of us will try to do our part when the debt ceiling hike, the tax increase and the proposed "Great Society" spending programs come to the Floor of the House for a vote.

The distinguished minority leader of the House, Gerry Ford, announced two weeks ago that he intended to seek repeal of the Participation Sales Act. I agree. But I think that there are a number of ways we can approach this problem.

This afternoon, I am introducing a package of four bills in the House, all of which relate to the Participation Sales gimmick. One of the bills limits Participation Sales to sales of participations in pools of only VA-insured and FHA-insured loans. This would restrict the pool mechanism to its pre-1966 scope. I first introduced this bill in February of last year, right after I read the Fiscal 1967 budget pooling plans. My second bill would limit Participation Sales interest rates to one-half of one percent more than the present 4¼% interest limit on Treasury long-term debt. My third bill would prohibit FNMA from selling participations to the government trust funds, which is the newest element of gimmickry in this very gimmicky program. My fourth bill would make FNMA Participation Sales certificates obligations of the United States, so that they might count in the national debt, as they should, being U.S.-guaranteed borrowings to pay for loan programs which ought to be in the budget.

I expect these bills to be sent to my own Committee, Banking and Currency, but I would be delighted to have the support of any members of this distinguished Committee.

When one of my aides telephoned the office of this Committee to indicate my interest in testifying, the Committee staff asked him whether or not I planned to talk about a national lottery. Now I had not planned to. But I think, in view of the growing interest the lottery idea seems to be stimulating, that I will make a brief comment. A lottery would be better than a tax increase. Let us siphon money out of the numbers racket to pay for the "Great Society" instead of saddling the taxpayer.

Let one racket pay for another! New York State is setting an example the federal government would do well to follow. At least, this form of taxation—a government-run lottery—would be a painless and voluntary method of raising revenue.

Before closing, let me remind this Committee what the late President Roosevelt said in 1932 when campaigning for the Presidency. He said:

"Any government, like any family, can for a year spend a little more than it earns. But you and I know that continuance of that habit means the poor-house."

Again, may I thank this Committee for allowing me this privilege to appear here today.

FEDERAL TAX SHARING

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Cramer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CRAMER. Mr. Speaker, I have today joined a number of my Republican colleagues in introducing a Federal tax-sharing proposal. The purpose of this legislation is to revitalize State and local government and to restore the balance of a truly creative Federal system.

Specifically, the bill provides for the return of 3 percent of Federal personal income tax revenue to the States. This would be raised to 5 percent over a period of 4 years.

The legislation provides that 10 percent of the returned revenue would be allocated to the 17 States with the lowest per capita income. Of the remaining 90 percent, 50 percent would be distributed to the States for any purpose they desire, 5 percent to the States for strengthening State and local administration, and 45 percent to local subdivisions of the States.

The bill also provides for the establishment of a 10-man Council on Tax Sharing which would: first determine the forms and procedures for distribution of the money; second, withhold money based upon failure to fulfill State and local obligations; and third, report to Congress its assessment of the impact of the program and to make recommendations for changes. The President shall appoint the 10 members of this Council. Five of the ten members are required to be Governors and no more than three of the remaining five can belong to the same political party.

Allocations to the States will be based on a tax-effort ratio multiplied by the population of the State. The tax-effort ratio would be the sum of all taxes collected within the State divided by the total personal income in the State.

Mr. Speaker, today there exists over 400 Federal aid appropriations for 170 separate aid programs administered by a total of 21 Federal departments and agencies, 150 Washington bureaus, and 400 regional offices, each with its own procedures for handing out Federal tax dollars. The obvious administrative chaos that is resulting from the present system could be largely obviated by adoption of this tax-sharing proposal. Although I am aware of the objections that will be raised to the enactment of this bill by the bureaucratic empire builders and alphabetical agency advocates, I am nevertheless convinced that the strengthening of the federal system and the resultant efficiency will be welcomed by the vast majority of Americans.

CONGRESS SHOULD BEGIN NOW TO EVALUATE THE DRAFT

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CURTIS. Mr. Speaker, on the opening day of this 90th Congress, January 10, I reintroduced my bill (H.R. 422) to establish a Joint Congressional Committee on American Manpower and National Security to study the Nation's draft laws. I had hoped that the report of the President's National Commission on Selective Service would be available by this time and I had withheld my remarks for this reason. However, it is becoming increasingly apparent that the Commission's report, if available at all, will be so at a time sufficient to allow only cursory evaluation before Congress must decide on whether to extend the draft or accept an alternative to it this June. We are witnessing again the phenomenon of "inaction by Commission."

In any event Congress should begin now with its study because reports of executive commissions and other sources can only supplement and can never replace the congressional hearing process. Only through congressional hearings can all the arguments and alternatives be debated and subjected to cross-examination in a public forum. Perhaps Congress will ultimately get the opportunity to evaluate the recommendations of the President's Commission, as it should, along with recommendations collected by several independent conferences on the draft held this fall and winter, and other available material. But Congress must not shunt its responsibility in this area because deliberations of executive commissions, as is characteristic of them, have been held behind closed doors without the public knowing what arguments were considered and what positions were advanced and explored. Congress is the unique instrument of our Government whose function it is to gather and assimilate publicly the wisdom of our society, and then publicly bring that wisdom to bear on social problems confronting us. Because of the great numbers of Americans involved, and, I would argue, because the problem of manpower procurement is more than a military one affecting our value system and the whole universe of civilian and military life, we cannot afford to do less than a complete, open, and thorough congressional study.

Congress must organize and begin to study the draft now. Because of the importance and the broad scope of the matter, I have proposed and again propose that a study be done by a joint House-Senate committee drawing its members from the Senate Labor and Public Welfare Committee, the House Education and Labor Committee, other interested Members, as well as members of the Armed Services Committee of each House.

To facilitate discussion of the feasibility of a volunteer career army as an alternative to the present Selective Service System, I am inserting in the Record at this point continuation of my dialog with the Department of Defense which I began last summer.

CONTINUING THE DRAFT DIALOG: THE DOD REPORT, CRITICAL SKILLS AND POLITICS

Mr. Speaker, the draft has been with us now for 15 years, and we, the Congress of the United States, have continually neglected our responsibility to examine and improve the operation of the draft and to consider viable alternatives to compulsory service. I have argued time and time again for a congressional study of the draft; but politics, bureaucratic fear of change, and anachronistic attitudes formed during World War II have stood in the way of progress and modernization in our military manpower procurement policies.

Yet the dialog on this all-important issue cannot die; we cannot shunt our responsibilities upon an Executive commission or upon some agency in the executive branch. This is our job, and as long as I remain a Member of this body, I will do my earnest best to see that our attention is drawn to this long-neglected problem. In order to further this crucial dialog, I have initiated a series of correspondences with various agencies of Government and private individuals who are concerned about this problem in order to gather information and opinions on the present operation of the draft. I take this opportunity today to share the information I have received so far with the many other Members of this House who have taken an active interest in the issue of military manpower procurement.

On June 30, 1966, Assistant Secretary of Defense for Manpower Thomas D. Morris testified before the Committee on Armed Services on the long-secret DOD draft study. Secretary Morris' 23-page statement, which was billed as a "report on the study," was the final product of a study ordered by President Johnson in 1964, but withheld from the Congress and the public for at least 12 months. Mr. Morris' testimony presented some vague conclusions on the feasibility of a "volunteer" army, but lacked most of the supporting data necessary to a careful analysis of the issues involved. I remarked at that time that this "report on a report" was wholly inadequate and merely beclouded the military manpower picture. The administration's subsequent announcement of a blue-ribbon commission to study the same topic clearly indicated that the President himself realized the inadequacy of the DOD effort.

However, an accurate evaluation of the DOD's limited study requires the publication of the supporting data and reasoning which underlies the Department's conclusions. Under pressure from the Armed Services Committee and other concerned Members, the DOD did eventually release some of this supporting data. It may be found in appendix I–A, pages 9999 to 10052, of the published hearings of the Committee on Armed Services, No. 75.

In addition to this material, I requested from Secretary Morris on July 15 the answers to certain questions which I had on the DOD study. The Secretary responded shortly thereafter with a comprehensive and thorough reply, and I wish to share this information with the House at this time.

The questions I put to Assistant Secretary Morris on the DOD study were the following:

(1) Who were the members of the com-

mission, or study group, which prepared the Department of Defense study of the draft? What are their qualifications and areas of expertise? Was outside research help employed in the study—from other departments or agencies—from non-governmental sources?

(2) What research techniques were employed in gathering this information mentioned in items 2, 3 and 4 on page 3 of your statement? How were the questionnaires administered or questions asked? (Please include sample copies of the questionnaires used.)

(3) Were formal or informal hearings held by the draft study group? What were the dates of any such hearings and who testified before the group? Are records of these hearings available? Were private witnesses called or invited to testify or present their views in writing?

(4) Could you provide supporting data to supplement your statement of the pay increases and dollar costs necessary to attract an all-volunteer force? What pay increases would be necessary to *sustain* an all-volunteer force, i.e., raise re-enlistment rates to a level at which the number of *new* volunteers required could be supplied without a draft? Include here any statistics you have on the effect of the pay increases passed by the Congress in recent years on re-enlistment rates. How much improvement can we expect in the rate of reenlistment among first-term enlisted men if pay is raised to equal that of civilian employees in similar jobs? Or how much above civilian pay levels must military pay be raised to sustain an all-volunteer force?

(5) Could you provide comparative statistics on the differences between present military pay (for officers and enlisted men) broken down by job categories, and civilian pay in occupations with similar educational and skill requirements?

(6) Could you provide supporting data on the "additional costs" (page 17 of your statement) necessary to attract and/or sustain an all-volunteer force?

(7) What are the complete results of the Bureau of the Census poll on the effect of "fringe benefits" on volunteering? List here the factors included under fringe benefits, the range of responses, and research technique used in acquiring this data. Were similar surveys conducted among men already in the service to determine the effect of fringe benefits on re-enlistments? If so, what results did you obtain?

(8) What improvements in the rate of volunteering could we expect by providing such fringe benefits—i.e. data on the combined effect of all fringe benefits taken together on volunteering and the effect of each benefit separately? Are these figures included in the cost estimates stated on page 17 of your statement; if not, what would be the revised figures? (Could you provide the supporting data on the relationship between fringe benefit improvements and volunteering and between fringe benefits improvements and re-enlistments?)

(9) Would you provide supporting data on the substitution of civilian personnel for military in support-type jobs? Explain in more detail the limitations on this substitution program. In what support jobs can increases be made in this substitution, and in what jobs have substitutions already been made? What effect will foreseeable increases in this area have on the cost estimates mentioned on page 17?

Assistant Secretary Morris responded to my request and provided me on July 27 with the following information:

REPLIES TO QUESTIONS BY REPRESENTATIVE THOMAS B. CURTIS CONCERNING DEPARTMENT OF DEFENSE DRAFT STUDY

1. The Department of Defense study of the draft was prepared by the staff group within the Office of the Assistant Secretary of Defense (Manpower) responsible for assisting the Assistant Secretary on manpower procurement and related problems, with augmentation and contract research support as described below. This immediate staff group included six professional staff members during the initial year of the study. Biographical statements on the three senior members of this group are attached (Tab A).

Additional support for this study was provided in the following ways:

a. Several personnel were retained by the Office of Secretary of Defense for the study in a consultant capacity during the initial year of the study. These included two economists employed on a full-time basis, two economists on a part-time basis, and two psychologists, part-time.

b. The Military Departments assigned personnel to work with the study group staff mainly on a part-time basis in developing data and surveys required for various aspects of the study, e.g., civilian-military substitution, qualitative standards, surveys, and reserve manpower problems. These included staff officers and civilians with specialized professional backgrounds in the specific areas.

c. The following other federal agencies provided substantial assistance for the study:

(1) *Selective Service System*—Conducted a special sample inventory of registrants as of July 1964 and made available statistical records from this inventory for analysis.

(2) *Labor Department*—Conducted special surveys of placement officers at U.S.E.S. offices, of college placement offices and of industry training directors.

(3) *Department of Health, Education and Welfare*—Provided staff support for study of medical manpower problems related to the draft. Also prepared special analysis of marriage rates for men of draft age following the September 1963 revision in order of call for induction.

(4) *Bureau of the Census*—Conducted survey of a sample of civilian men, ages 16–34 years. Also prepared detailed ten-year projections of the draft age population.

d. The following specialized research services were procured by contract by the Department of Defense:

(1) *National Opinion Research Center, University of Chicago*—Planning of sample attitude surveys of civilian and military personnel and technical evaluation of survey results.

(2) *Institute for Defense Analyses*—Research on economics of recruitment, with particular reference to effect of variations in unemployment.

(3) *Research Analysis Corporation*—Projections of annual military manpower procurement requirements and of civilian manpower pool.

(4) *Systems Development Corporation*—Specialized computer services.

(5) *University of Pittsburgh*—Special tabulations from its survey of high school youth (Project Talent).

2. A summary of the coverage and sampling methods used in obtaining the survey information for the Draft Study is included in Tab B, which also includes sample copies of the questionnaires used in the Department of Defense and Census Bureau surveys.

3. No hearings were held by the Draft Study group staff. A comprehensive review of all pertinent discussions of the subject in published sources was made. Numerous comments and suggestions addressed to the Department of Defense by private citizens were also carefully considered in the course of the study.

4. Following are responses to the separate questions under this heading:

a. A description of the cost estimates for an all-volunteer force appears in Tab C.

b. The estimated increases in pay of first-term and career personnel to maintain an all-volunteer force, following termination of the draft, are discussed on pages 8–9 of Tab C. It should be noted that these pay increases were primarily designed to attract the required number of new accessions needed to eliminate projected recruitment deficits without a draft. In addition, it was estimated that first-term reenlistment rates under an all-volunteer force would increase by an average of about ten percentage points, i.e., from 22.5% in FY 1965 to over 32%. This projected increase in reenlistment rates, combined with the longer initial tour of duty of enlistees (as compared to draftees) would result in savings, or cost offsets, ranging from $350 million to $720 million per year for enlisted personnel as shown in Table 8.

c. Attached as Tab D are the statistics on reenlistment rate trends in the Department of Defense. Military compensation is recognized to be an important factor in reenlistment decisions. However, it has not been possible to completely isolate the separate effect of pay increases upon reenlistment trends over the years due to the many concurrent forces at work, e.g., trends in earnings and employment in the civilian economy, changes in the military population, changes in other conditions of military service, etc.

d. The method used in deriving required pay increases for an all-volunteer force, as described in Tab C, did not require any specific comparisons of civilian versus military pay by occupation. Instead it was based on analysis of actual differences in enlistment rates in various regions of the United States in relation to differences in over-all civilian economic opportunities for youth in these regions. It should be noted, moreover, that a large majority of young men who enlist in service do so shortly after leaving school and before they have acquired a meaningful civilian skill.

5. The Department of Defense is currently compiling pertinent data on compensation in similar military and civilian occupations as part of its review of military compensation. However, as noted above, such comparisons were not made for the Draft Study.

6. The only additional cost estimate cited on page 12 of the statement refers to an increase of "at least an additional $1 billion" in order to attract an all-volunteer reserve force of present size. This estimate is based on the following facts:

a. Estimated expenditures for compensation of reserve components personnel totaled $717 million in FY 1966 according to the President's Budget for FY 1967.

b. A very high proportion of reserve enlistees (71%) were found to be draft motivated in the Department of Defense survey as compared to about 40% of active duty personnel.

c. The "best" estimates of required increases in first-term compensation of active duty personnel were projected at 110% and 160% under alternative unemployment estimates. Applying the average of these two percentages to reserve personnel costs resulted in an estimate of $1 billion as a minimum approximation of the additional payroll costs for reserve components.

7. Attached as Tab E is the detailed table showing the responses of nonveteran youth, ages 16–25 years, to the question: "If there were no draft now, and you had no military obligation at all, which . . . condition would be most likely to get you to volunteer?" The survey methodology used is described in Tab B.

A large number of surveys among military personnel have been made over a period of years on factors influencing their attitudes to military service careers. These generally support the conclusion that "fringe benefits" such as retirement, medical benefits and housing are significant factors in reenlistment decisions but not in first-term enlistment decisions. The importance of the retirement system in career retention was particularly highlighted in the Study of the Military Retired Pay System prepared by the Study Committee of the University of Michigan for the Senate Committee on Armed Services (87th Cong., 1st Sess., Committee Print, July 6, 1961, pages 29–30 and Appendix 3).

8. No estimates were made for the draft study of the combined effects of improvements in fringe benefits upon the rate of volunteering. Since these benefits—with the exception of training and educational opportunities—were not found to be effective inducements for initial enlistment, it may be assumed that increases in such benefits would not be an economically efficient means of inducing more enlistments, i.e., the cost per additional recruit would be greater than if the corresponding amount were provided directly in the form of increased compensation or enlistment bonuses.

In the case of educational incentives, the benefits provided under the new G.I. Bill have probably served to improve the long range recruitment capability of the Services to some extent. Additional experience under more normal recruitment conditions will be necessary to assess their full impact.

Relevant survey data on the relationship between certain fringe benefits and enlistments and reenlistments have been cited in response to question 7.

9. The current program of substitution of civilians for military is distributed by Service and by type of individual as follows:

	Military positions reduced			Number of civilian positions substituted
	Officer	Enlisted	Total military	
Army	1,800	34,700	36,500	28,500
Navy	1,575	13,425	15,000	12,500
USMC	120	2,680	2,800	2,500
USAF	3,000	17,000	20,000	17,000
Department of Defense total	6,495	67,805	74,300	60,500

The substitution of civilian personnel for military personnel is on a one for one basis; the difference of 13,800 between the number of military positions reduced and the number of civilian positions substituted is accounted for by the elimination of requirements for trainees, trainers, and other manpower support requirements for military personnel which are not incurred in the use of civilians.

The first limitation on civilian substitution is that combat positions and positions needed for military training must be set aside. During a period such as the present, when combat forces are engaged in operations, civilianization is also limited by the need to reserve an adequate number of military positions to support rotation policies. Other criteria which are considered in selecting positions for substitution are the need for career development, military security, military discipline, and civilian availability.

Substitutions are being made in positions in a wide range of skills and skill levels found in the civilian labor market. They are primarily being made at entry levels of skill in such occupational fields as clerical, crafts, food service and similar military specialties where the rotation base is adequate. Increases in substitutions would be expected to follow the same pattern.

Further increases in civilianization are expected to have a marginal effect on the cost estimates on page 17. The present program has a primary objective of alleviating requirements for drafting military personnel rather than of obtaining maximum cost reductions.

Summarizing the Secretary's response, I believe that the DOD study was accurate as far as it goes. However, it is subject to several major limitations, particularly its failure to consider reenlistment rate improvements in the cost estimates of an all volunteer Army. Their response is significant for it reveals that the DOD examined the question of "cost" for an all volunteer army solely on the basis of pay increases necessary to attract the same number of initial volunteers which are now supplied by the draft. The Department neglected to consider the increase in career personnel which could be provided by pay increases and other benefit improvements. This increase in enlistments could significantly lower the number of new volunteers required and thus lower the cost of an all volunteer army below the DOD estimates. Reenlistment rates for draftees are now about 10 percent, and for first termers are about 20 percent. Therefore, there is considerable room for improvement in this area and considerable opportunity for reduction of the needed military manpower. This apparent failure by the DOD to take this factor into its cost estimates severely limits the accuracy of the study and calls into question the cost estimates presented in Secretary Morris' testimony. Realistically these estimates should be much lower if reenlistment rates are increased.

Furthermore, because the DOD did not consider reenlistment improvements, the Department did not do so well in coordinating "fringe benefits" into their analysis. As the Secretary stated,

> These benefits—with the exception of training and educational opportunities—were not found to be effective inducements for initial enlistment.

However, the Secretary noted that these benefits are "significant factors in reenlistment decisions." Yet the Department neglected the effects of fringe benefts on reenlistment decisions in their draft study. Thus one vital aspect of military manpower procurement and military personnel management was overlooked. If the Congress considers this question of the draft and a possible career military force, it should keep in mind the limitation of the DOD study and the inapplicability of its cost estimates to a realistic model of a volunteer army.

A further area requiring more information is the civilian substitution program established by the DOD. The Secretary pointed out the further progress in this matter of "civilianization" is limited by the need to keep a certain number of billets open for military rotational policies. This may well be a realistic limitation. However, the Congress should know how many billets are required for these purposes and how many military jobs could be replaced. The statistics on civilian replacement show that a significant savings can be achieved through the elimination of requirements for trainers, trainees, and manpower support positions when military jobs are filled by civilians. This large savings should encourage the expansion of this "civilianization" program.

Seeking this further information, I wrote Secretary Morris again on August 18, 1966, and my letter follows. His response to me of September 19, 1966, is also submitted:

AUGUST 18, 1966.

Hon. THOMAS D. MORRIS,
Assistant Secretary of Defense,
Pentagon, Washington, D.C.

DEAR SECRETARY MORRIS: Thank you very much for your comprehensive and prompt reply, transmitted to me on July 27, on my questions regarding the Department of Defense draft study.

I certainly appreciate the thorough job your office has done in preparing this material; this is an important addition to the current dialogue on the draft which is taking place in your department, the Congress and the public, I intend to place this material in the CONGRESSIONAL RECORD for I know that many other Congressmen are interested in this subject, and I am happy to see that much of this information was made a part of the published hearings of the House Armed Services Committee.

Because I think this material is so valuable to an adequate discussion of this crucial issue, I would hope that the Department of Defense will publish this material along with other information obtained from your study in one comprehensive document so that the public and the Congress can more fully evaluate the questions raised by the draft problem. I am encouraged by the cooperation your Department has given to the Congress during and after the House hearings, and I feel that a comprehensive publication would have a significant value in the public debate on the draft issue.

In order to further the dialogue on this issue, I would appreciate your assistance in answering several questions which were raised by the material you transmitted to me.

(1) I note that your estimate of the cost of an all-volunteer armed force was based on an estimate of the inducements, largely pay increases, necessary to attract the same number of initial volunteers now brought into the services by the draft. As you state on page 4 of your reply, "fringe benefits," as well as higher pay, are significant factors in re-enlistment decisions. It would seem that pay increases and fringe benefit improvements would increase the number of re-enlistments and thus decrease the number of new enlistments needed below the 500,000 men now required. Could you give me any data you have, or estimates, on the possible reduction in needed new enlistments through higher re-enlistment because of (a) pay increases, (b) improved educational and job-training opportunities, and (c) medical, housing, retirement and other benefits? Could you relate this increase in re-enlistment due to pay and other improvements to the cost of an "all-volunteer" army, breaking down this data by specific increases in re-enlistment expected from specific improvements?

(2) Could you send me whatever data you have at present on the comparative study of military and civilian compensation mentioned in paragraph 5 on page 3 of your reply?

(3) I note with interest the data on page 5 of your reply on the current program of substitution of civilians for military personnel and understand the limitation imposed on this program by the need to maintain billets for the purposes of maintaining rotation policies. Could you send me the supporting data on the number of positions required for rotation purposes in (a) the present situation and (b) normal peacetime conditions? What other factors act to limit civilianization? Specifically, what further increases—by occupational area—in the substitution program are possible and/or desired by the Department of Defense under present and/or "normal" conditions?

Again, thank you for your cooperation and assistance in this matter. I am anxious to hear further from you.

Sincerely,

THOMAS B. CURTIS.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C.

Hon. THOMAS B. CURTIS,
House of Representatives,
Washington, D.C.

DEAR MR. CURTIS: This is in reply to your letter of August 18, in which you requested additional information related to the recent Department of Defense study of the draft. I regret that it has not been practicable to provide specific information on all of the questions included in your letter. The status of this information is described below with respect to each of these questions.

1. You inquired as to the possible reductions in required new enlistments under an all-volunteer force which could be accomplished as a result of increased reenlistments, through higher pay and other incentives. As noted in our earlier response to you, the estimates of the cost of an all-volunteer force described under Tab C did include cost offsets, ranging from $350 million to $720 million per year, as a result of reduced turnover under an all-volunteer force. These would result, in part, from a projected increase of about 10 percentage points (or nearly 50 percent) in first-term reenlistment rates from volunteers who would enter service initially in response to the higher pay rates projected in this study.

These estimates assumed, however, that the anticipated improvements in reenlistment rates—and reduction in enlistment requirements—would not occur immediately but would be phased in over a period of several years. If the draft were terminated in FY 1970, for example, the study projected a reduction of about 85,000 in annual accessions by FY 1976 below the number which would otherwise be needed to maintain a 2.65 million force. This phasing was based on the premise that individuals who were originally drafted, or who enlisted solely because of the draft, and whose tours of duty would expire in the years immediately following termination of the draft, would not be responsive—to any appreciable degree—to financial inducements to continue in military service on a career basis. Other individuals, who initially entered because of the economic attractiveness of military service, would be much more likely to continue in service on a career basis under favorable pay levels.

The increase in reenlistment rates projected for the latter group was based upon survey results of reenlistment intentions of those first term enlistees who had recently entered service for reasons other than the draft. The average level of first-term reenlistment rates, of more than 30 percent, which would result, corresponds closely to the optimum *average* level desirable for maintaining a balanced military personnel structure, allowing for a proper mixture of youth and experience level in our regular forces.

Under the above procedure, no estimates were required of the separate increase in reenlistment rates to be expected from increased career pay or other specific inducements.

2. The comparative study of military and civilian compensation cited in our earlier response is still under way. It is scheduled to be completed by the end of the current calendar year. We will be pleased to submit to you any pertinent information from this study as soon as it is completed.

3. A number of factors, in addition to rotational requirements, limit the scope of civilianization of support-type military positions in the Armed Services. These include such factors as the need for training and career management of essential military personnel in such functions, as well as practical civilian labor supply considerations. The Department of Defense is currently reviewing the potential for additional civilianization of military positions in 1968, following completion of the current program. All of these factors, as well as rotational requirements, are being considered in the context of current force level and deployment requirements. We anticipate that the results of this study will be reflected in the Department of Defense military manpower plans and budget for FY 1968.

Your comments on the materials provided to you earlier concerning the Department of Defense draft study are greatly appreciated. It is our intention to make available as much of the available research materials from these studies to interested individuals as possible to the extent that staff resources and funds permit. We will, of course, be happy to provide you the results of pending studies in which you have expressed an interest when they are completed.

Sincerely,

THOMAS D. MORRIS.

The Secretary has been most cooperative in providing information as this record will indicate. I will be most interested in the results of the mentioned DOD comparative study of military and civilian compensation scheduled for the end of last year as soon as it is made available. Also of great interest to Members of Congress and the public following this dialog will be the Department of Defense' review of the potential for additional civilization of military positions promised to be included in the DOD military manpower plans and budget for fiscal year 1968.

The cooperation of the Defense Department gives me hope that adequate consideration will be given to the potentialities of a volunteer army. It seems that we are beginning to focus upon the relevant data necessary to properly evaluate this possibility. It is however regrettable that this information has to be acquired by congressional request without which the public and Congress would never know of the opportunities before us. It is also regrettable that further study is not being undertaken now by the Congress, and that it has defered its responsibility to an executive blue ribbon commission.

PROTECTING CRITICAL SKILLS

Mr. Speaker, on July 28, I took the floor to discuss our present system of determining essential activities and critical occupations for draft deferment. During the course of my remarks, which may be found in the CONGRESSIONAL RECORD, volume 112, part 13, pages 17546–17550, I included several letters which I had written to the Secretary of Labor and the Secretary of Commerce seeking further information on our occupational deferment system. I promised at that time to make available to the membership the results of my inquiries, as this material is a crucial part of our evaluation of the draft.

Secretary of Labor Willard Wirtz replied on July 27. He submitted information in response to the six questions I posed on July 1 and included a copy of the Department's "Petition Guide" for inclusions on the "List of Currently Critical Occupations" and a summary of the data considered by the Interagency Advisory Committee on Essential Activities and Critical Occupations. Secretary Wirtz' reply, however, did not speak to the points I raised in my remarks of July 28, concerning the Department's list. These points include:

First. The "current" list has not been revised since 1962, despite the enormous growth in our domestic economy and the changing defense and civilian picture which has resulted from our increased involvement in southeast Asia.

Second. The job descriptions included on the Labor list are taken from the 1949—supplemented by 1955 changes—edition of the "Dictionary of Occupational Titles." Yet a new edition has finally been produced and has been available since January 1966. This new edition has made many changes in job descriptions, and the changing structure of our increasingly automated society demands a continual updating of our job descriptions.

Third. Secretary Wirtz states that the Selective Service System and the Department of Labor do not keep statistics on the number of workers being deferred in each critical occupation. Yet the whole purpose of the list is to protect, in the words of the Department, those skills in which "an overall shortage of workers in an occupation exists or is developing which will significantly interfere with the effective functioning of essential industries or activities." Thus the number of workers presently deferred in such occupations seems to be an essential item of information in the Department's deliberations on deferment advice to the Selective Service System.

These questions are important to our evaluation of the occupational deferment system, and I have written to Secretary Wirtz requesting his opinion on these points. The Secretary's letter and enclosed information of July 27 and my letter to Secretary Wirtz of August 25 and his response to me of September 12, 1966, follow:

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, July 27, 1966.

Hon. THOMAS B. CURTIS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CURTIS: Thank you for your letter requesting information concerning the Interagency Advisory Committee on Essential Activities and Critical Occupations which is advisory to the Selective Service System.

(1) ORGANIZATION OF INTERAGENCY ADVISORY COMMITTEE AND ITS COMPONENT PARTS

The Interagency Advisory Committee on Essential Activities and Critical Occupations is composed of seven agencies of government, namely, Agriculture; Commerce; Defense; Health, Education, and Welfare; Interior; Labor; and Selective Service System. The parent committee which has an Executive Secretary, Mr. W. J. Cotter, is on call for meetings at any time and has two major working committees. These agencies, as a committee make recommendations to the Secretaries of Commerce and Labor for inclusion on either list.

The Technical Subcommittee of the Department of Commerce on the List of Currently Essential Activities is chaired by Mr. Thomas E. Murphy of the Department of

Commerce Business and Defense Services Administration (BDSA) and staff composed of BDSA specialists.

The Technical Subcommittee of the Department of Labor is composed of members representing Wage and Hour and Public Contracts (WHPC), Bureau of Apprenticeship and Training (BAT), Bureau of Labor Statistics (BLS), Bureau of Employment Security (BES), and United States Employment Service (USES/DC), and is chaired by Mr. W. J. Cotter of the Branch of Manpower Mobilization.

For inclusion on the U.S. Department of Commerce List of Currently Essential Activities under the foreseeable mobilization program the activity must be: (1) necessary to the defense program, or national health, safety, or interest, and (2) inadequate to meet defense and civilian requirements because of manpower shortages or for which the manpower supply is not reasonably assured.

Each occupation on the U.S. Department of Labor List of Currently Critical Occupations is determined on the basis of the following criteria: (1) under the foreseeable mobilization program an overall shortage of workers in an occupation exists or is developing which will significantly interfere with the effective functioning of essential industries or activities, (2) a minimum accelerated training time of two years (or the equivalent of work experience) is necessary to the satisfactory performance of all the major tasks found in the occupation, and (3) the occupation is indispensable to the functioning of the industries or activities in which it occurs.

(2) TRANSMITTAL OF DECISIONS AND AUTHORITY OF COMMITTEE

Final decision for inclusion on the lists of Essential Activities and Critical Occupations rests with the Secretaries of Commerce and Labor. The decisions are transmitted to Selective Service by letter from the Executive Secretary of the Committee.

Selective Service System (SSS) uses the lists when considering requests for occupational deferment of individual registrants. The Committee is not responsible nor has any authority for the use made of these lists by local Selective Service Boards.

(3) SKILLS BEING DEFERRED

The skills listed on page (3) of the enclosed booklet are furnished as a guide to Selective Service for possible deferment. No record is maintained by Selective Service as to the number or type of skills being deferred. They keep a cumulative record of Class IIA industry deferments. This may include persons on the critical occupations list as well as others not listed. A ten year summary of these deferments is enclosed.

(4) BASIS FOR ESTABLISHMENT OF CRITICAL SKILLS LIST AND ESSENTIAL ACTIVITIES

The Committee is charged with the responsibilities for making recommendations for revisions, deletions and additions to each of these lists in order that they may be kept current in relation to any changes in the foreseeable mobilization plans. Revisions, deletions or additions to each list are initiated by petition from trade associations, nonprofit organizations, organized labor or government. Copies of instructions for the preparation of petitions are enclosed.

The Committee reviews the reports prepared by both Technical Subcommittees on Essential Activities and Critical Occupations and prepares recommendations for the Secretaries of Commerce and Labor.

(5) RELATIONSHIP OF THE WORLD WAR II WAR MANPOWER COMMISSION

The Department of Labor carries on most of the functions of the War Manpower Commission under a voluntary rather than a controlled basis. Under pertinent executive orders and other documents, the Department of Labor through two or three of its Bureaus would, in time of emergency, serve in an identical capacity as did the War Manpower Commission.

In the specific case of the lists, there were such lists used in World War II, but they were framed under wartime emergency power acts, executive orders, and organizational structure. The present lists are an extension of the parent lists tailored to peacetime needs.

The work of the present Advisory Committee is quite similar in most respects to that of the War Manpower Commission group.

(6) COORDINATION OF CIVILIAN AND DEFENSE MANPOWER NEEDS

The Committee, the Labor Department, and the Department of Commerce are sensitive to the delicate balance that must be maintained between the expanding military and civilian manpower needs. It is our belief that the Labor Department and Commerce Department do not need additional "authority" in the area of critical skills and essential activities, but we must continually re-evaluate the relative needs of the national economy as it relates to the needs of the military.

The Labor Department is making a special study of shortages in many skilled categories including those on the lists. To undertake an extensive study of emergency requirements over a period of time, we may need to request additional funds. This results from the limiting of our funds to present operations as opposed to planning for emergencies.

I want to thank you for your interest in the manpower problems with which we must deal. I am sure only a few questions in which you are interested have been answered here, but I shall be very happy to furnish additional information at any time.

Sincerely,

W. Willard Wirtz,
Secretary of Labor.

Enclosures.

Occupational deferments (*IIA*), *December yearend*

[Figures rounded]

Year:	
1956	29,000
1957	34,000
1958	44,000
1959	53,000
1960	67,000
1961	92,000
1962	111,000
1963	135,000
1964	163,000
1965	203,000
May 1966	204,000

Data Considered by Interagency Advisory Committee on Essential Activities and Critical Occupations

Check list of information to be supplied by petitioners for inclusion on *List of Currently Critical Occupations:*

1. The definition or description of the occupation. If the *Dictionary of Occupational Titles* adequately describes the job, reference can be made to this fact.

2. The type of industry, product manufactured, or service rendered in which it is believed the occupation is critical.

3. Hours of training required to produce acceptable workers under current practices.

(a) Approximate number of workers engaged in the occupation (indicate if this number represents workers in a specific industry or in all industries).

(b) Age distribution of male workers now in the occupation, grouped by 18 through 26 years, 27 through 35 years, and over 35 years.

4. Explain methods of recruitment in use.

5. Any action now being taken or planned to forestall critical shortage of workers by:

(a) Fully utilizing available trained workers by:

Use of women.

Use of retired workers.

Use of physically handicapped.

Upgrading qualified workers.

Lengthening the workweek.

(b) Reducing need for additional trained workers:

Re-engineering the job (job simplification) to permit use of less skilled workers.

Using workers full time at highest skill.

Using new labor-saving machinery and advanced production techniques.

(c) Training additional workers through:

Enlargement or acceleration of present training programs.

New apprentice training programs.

New on-the-job training for less skilled workers. (Arrangements with vocational schools for establishment of specific pre-employment training.)

6. Actual number of hours in average workweek for persons engaged in this occupation.

7. Present evidence of a current shortage of workers in this occupation.

Note.—Petitioners are requested to submit an original and 15 copies of the petition and supporting data for distribution to committee members. The information should be prepared on an industry basis for the country as a whole rather than for a specific employer or geographic area.

Please indicate source of data and/or method of computation.

Petition Guide—Essential Activities

The Interagency Advisory Committee on Essential Activities and Critical Occupations evaluates all petitions which request the addition of an activity to the *List of Currently Essential Activities*. To assist the petitioner in idenifying the kinds of information the Committee considers when reviewing these petitions, this petition guide has been prepared. Petitioners are requested to present all available information on the following items which pertain to the activity under consideration and should indicate on the petition the parts of the guide which do not pertain to the activity and parts of the guide for which the petitioner has no activity-wide information.

The Committee requires that petitioners present information covering the activity on a nationwide basis and not for a particular employer or geographic area. Please indicate source of data and/or method of computation and submit an original and 15 carbons of the petition for distribution to Committee members.

1. Describe production items or services.

2. Discuss, in general terms, the importance of this activity to the defense effort at this time and in the event of full mobilization.

3. Discuss, in general terms, the importance of this activity to the civilian economy or to the national health, safety or interest now and in the event of full mobilization.

4. Indicate minimum civilian requirements for the items or services produced at this time, and in the event of full mobilization. Explain reason for any increases or decreases expected during a period of full mobilization.

5. Indicate level of activity.
A. World War II
(1) Defense and defense supporting
(2) Other
B. Pre-Korea
(1) Defense and other supporting
(2) Other
C. Korea
(1) Defense and defense supporting
(2) Other

6. Level of current activity:
A. Defense and defense supporting
B. Other

7. Are products or services of the activity at present in short supply?
A. Present backlog of unfilled orders.
B. Normal backlog of unfilled orders.

C. Have inventories increased or decreased in the past year?

8. What are the demand or consumption prospects in the foreseeable future?

9. What are the supply or production prospects in the foreseeable future?

10. Manpower Data

A. What have employment levels been in the past four years? (Number of workers and average weekly hours worked).

B. What are current levels and what are indications for the foreseeable future?

C. What types of manpower problems are being experienced or anticipated?

D. What actions have been taken to alleviate these problems?

11. What governmental actions if any, are being taken to assist in alleviating manpower problems in this activity?

12. What other pertinent information is available on this problem?

AUGUST 25, 1966.

Hon. W. WILLARD WIRTZ,
Secretary of Labor,
Department of Labor,
Washington, D.C.

DEAR MR. SECRETARY: Thank you very much for your letter of July 27 replying to my questions concerning the Interagency Advisory Committee on Essential Activities and Critical Occupations. I appreciate having this information, and I feel it is a step forward in our examination of this problem.

I intend to introduce your informative letter into the CONGRESSIONAL RECORD, as many other Members are interested in this matter. I have already sent you a copy of my remarks on the Floor on July 28 in which I included a copy of my original letter to you of July 1, 1966. As I noted in my remarks at that time, I found what I regard as shortcomings in the Department of Labor and Department of Commerce "Lists". I would appreciate your observations and comments on the following questions in order to further the dialogue on our draft deferment policies:

(1) The current Department of Labor List of Currently Critical Occupations was written in 1962, with two amendments in 1965. Since that time, the United States has expanded its activities in Viet Nam, the labor supply has grown considerably, and unemployment statistics have fluctuated. What effect have these developments had on the protection of critical defense and civilian skills from the draft? What changes in the Labor "List" have been proposed by industries or the Department itself since 1962, and what were the reasons for rejecting these proposals? How often since 1962 has the "List" been reviewed by the Labor Technical Subcommittee of the Secretary of Labor?

(2) Occupations on the Labor List are identified in terms of the DOT, Second Edition, 1949, and Supplement I, 1955. However, a new edition of the DOT has been published (1966). Does this new edition make changes in the definitions of the "Currently Critical Occupations"? If so, when will the revised definitions replace those now on the List? Or are the definitions now used in the List already revised?

(3) In paragraph 3 on page 2 of your letter, you state that the Selective Service System does not maintain records of the number or type of skills being deferred. Do you feel such records would be valuable to the Labor Department's consideration of deferment policies in the area of "critical occupations"? Does the number of workers now being deferred in a given occupation enter into your decision as to whether or not an "overall shortage of workers in an occupation exists or is developing" (criterion 2 for the Labor List)?

(4) Does the Department of Labor or its representatives on the Interagency Advisory Committee conduct any reviews of the deferment policies of the local Selective Service boards to determine whether or not the advisory "guidelines" are being carried out? If so, what is your assessment of the occupational deferment practices of the local boards? Are the suggested guidelines uniformly applied by local boards throughout the country? Have there been any complaints from industry on the application of the occupational deferment guidelines by local boards?

Again, I want to thank you for your letter and your cooperation in my military manpower procurement studies. I feel this current dialogue on the draft and military manpower procurement is of extreme importance to our defense posture and to the nation's welfare, and I look forward to hearing from you again on this subject.

Sincerely,

THOMAS B. CURTIS.

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, September 12, 1966.

Hon. THOMAS B. CURTIS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CURTIS: Thank you for your letter of August 25 with your request for further information concerning essential activities and critical occupations. I am happy that the information contained in my letter of July 27 was helpful to you on your studies of the draft and manpower needs. Following are brief answers to your present questions:

(1) a. The expanded activity in Viet Nam, the growth of the labor supply, and changing unemployment statistics have had no effect on the protection of critical defense and civilian skills from the draft. None of the industries which have submitted petitions maintain that the draft has, at this time, taken more than an infinitesimal number of skilled workers or even apprentices in those skills. Two things account for this. First, the draft, until this month, has been at one-third the level of the Korean War. Second, as almost all petitioners have testified, relatively few skilled workers are within the draft age and those who are, mostly apprentices, have been generally deferred by the draft boards in the same manner as students have been deferred.

b. A few technicians in the health field have petitioned for inclusion in the present list of critical occupations and none have demonstrated that being on the list would significantly change any shortage situation. None of the manufacturers and producers of goods have requested additions to the list of critical occupations.

c. The "List" was reviewed by the Labor Technical Committee several times between 1962 and 1965, and since the fall of 1965 the committee has had the list under almost constant review and discussion.

(2) a. The new edition of the DOT definitely makes many changes in the definitions of "Currently Critical Occupations." Upon receipt of the new DOT, the Labor Technical Committee set about converting second edition codes to the new third edition codes. This resulted in the addition of several hundred titles. The committee is now working on a review of the some 2,000 titles to reduce them to the specific jobs intended for the lists.

b. The lists will be republished as soon as the present review is completed.

(3) a. A record of skills being deferred or drafted by the Selective Service System would certainly be of value to the Labor Department. While it is true that local boards are quite autonomous, the fact that they were drafting certain skills or deferring certain skills could be helpful in determining ways of alleviating skill shortages.

b. Since we do not at present know what occupations are actually being deferred, this fact does not enter into our determinations of shortage occupations.

(4) a. The Department of Labor does not conduct any reviews of the deferment policies of the local Selective Service boards to determine their policies.

b. Selective Service headquarters informs us that boards have been extremely liberal in deferring students, apprentices, and other trainees. They also believe that the currently critical occupations lists are recognized fully by the boards. Testimony from industries supports the fact that the boards have generally been quite reasonable in the past.

c. We are fairly sure that the guidelines furnished by Selective Service to local boards are not uniformly followed. Undoubtedly, if a board has a quota and cannot find enough bodies, it will take anyone available.

I would like to add here that the Interagency Advisory Committee on Essential Activities and Critical Occupations has anticipated practically every problem that arose regarding the lists and was entirely ready to operate when the first requests by industry were submitted for consideration. Within hours, completely new lists of activities and occupations can be published since these standby lists are already prepared. This would be done without waiting for requests from industry as the standby lists are based on the experience and knowledge of manpower requirements gained in World War II, the Korean War, and the interim period. Of course, individual requests to add occupations are accepted at any time. Please call upon me for any further information you may need.

Sincerely,

W. WILLARD WIRTZ,
Secretary of Labor.

I had also written to Secretary of Commerce John T. Connor for information regarding the Commerce Department's participation in the Interagency Advisory Committee and the development of the "Department of Commerce List of Currently Essential Activities." Secretary Connor replied on August 11, and he suggested, in his covering letter, that "consideration of any proposal regarding changes in the present manpower utilization program should be deferred until such time as the National Advisory Committee on Selective Service has had an opportunity to complete its exhaustive review and to report thereon.'"

Mr. Speaker, I mentioned in my July 28 remarks that this executive commission could be very useful to the Congress in its deliberation on our national manpower policies and their relationship to the draft, especially if it held public hearings—which it did not. However, I could not agree with Secretary Connor that we, the Congress, should wait until the Commission's report is available to consider this issue. Military manpower problems are complex ones, and they involve American values, civilian demands in a rapidly expanding and changing society, and serious questions of equity, as well as military needs. The Congress is going to be asked to come up with answers to these questions before June 1967, when the current draft law expires, and we cannot sit idly by while an executive commission deliberates. The Congress is charged with the responsibility for these decisions by the Constitution, and our decisions must be based on a careful and complete study. We cannot assume that the Advisory Commission is going to provide all the answers and cover the whole range of issues posed by the draft. We must continue our own research into these questions, and our committees, including the

Armed Services and Education and Labor, must continue its hearings and studies on this problem if we are to have viable solutions to draft problems by June of next year. I expressed this thought to Secretary Connor in my reply to his letter, and also continued my own research into this area by asking for the Secretary's opinions on a number of questions which arose from his letter. I would like to include Secretary Connor's letter and information of August 11, and my reply of August 25, and his subsequent reply of September 12, 1966, at this point in my remarks:

THE SECRETARY OF COMMERCE,
WASHINGTON, D.C.

Hon. THOMAS B. CURTIS,
House of Representatives,
Washington, D.C.

DEAR MR. CURTIS: This is in further reply to your letter of July 1, 1966, in which you asked several questions pertaining to the Interagency Advisory Committee on Essential Activities and Critical Occupations.

Please be assured that I share your interest in the problem of effective manpower utilization. As you know, on July 2, 1966, President Johnson established the National Advisory Commission on Selective Service to review and report by January 1967 on the past, present and prospective functioning of selective service. I believe that consideration of any proposal regarding changes in the present manpower utilization program should be deferred until such time as the Commission has had an opportunity to complete its exhaustive review and to report thereon.

I am enclosing answers to the specific questions you set out in your letter. If you require further information, please let me know.

Sincerely yours,

JOHN T. CONNOR,
Secretary of Commerce.

Enclosures.

ANSWERS TO QUESTIONS FROM CONGRESSMAN THOMAS B. CURTIS TO SECRETARY OF COMMERCE (CONGRESSMAN CURTIS, LETTER OF JULY 1, 1966)

1. Q. Who composes this joint advisory board, how often does it meet, and what criteria does it use in determining what skills are "critical" and thus need to be deferred?

A. Pursuant to Executive Order 10999, the Secretary of Commerce has the responsibility to maintain lists of essential activities. The Secretary of Labor has been assigned the responsibility to maintain lists of critical occupations. In view of the broad policy considerations involved in maintaining these lists, the two Secretaries established an interagency staff level advisory committee, the "Interagency Advisory Committee on Essential Activities and Critical Occupations", which in addition to a Commerce and a Labor representative includes representatives from the Departments of Defense, Interior, Agriculture, Health, Education, and Welfare and a representative from the Selective Service System. The functions of the Committee include a continual review of the lists in being, in addition to recommendations to the Secretary concerned with respect to government and business requests for revision or modifications of the lists. Meetings are held as often as necessary to perform these functions, but there is no fixed schedule. The duties of Executive Secretary of the Committee are assigned to the Labor representative. The criteria used in determining what skills are "critical" are as follows:

1. Under the foreseeable mobilization program an overall shortage of workers in the occupation exists or is developing which will significantly interfere with effective functioning of essential industries or activities.

2. A minimum accelerated training time of two years (or the equivalent in work experience) is necessary to the satisfactory performance of all the major tasks found in the occupation.

3. The occupation is indispensable to the functioning of the industries or activities in which it occurs.

2. Q. How are decisions of this committee transmitted to the Selective Service System and what is the effect of these decisions?

A. It should be stressed that the "decisions" of this Committee are in fact only recommendations, purely advisory in nature, and by no means do they constitute determinations. Generally, the recommendations of the Committee are made directly to the Secretary concerned. Assuming the recommendation calls for a modification of the lists, this modification, if the Secretary agrees, would be published as an amendment and made available through the Director of the Selective Service System to the local draft boards. The latest publication on essential activities and critical occupations is enclosed. The list of Currently Essential Activities has not changed since 1962. It should be stressed that these lists are purely advisory and the local draft boards are not required to defer an individual on the basis of the inclusion on these lists of his occupation or of the particular activity in which he is employed. In cases involving important policy considerations, the recommendations made at an interagency staff level, instead of being reviewed solely by the Secretary assigned the responsibility for maintaining the list, may be reviewed at an interagency cabinet level.

3. Q. What skills or occupations, and how many individuals in each occupational group, are now being deferred because they are "critical" to the national economy?

A. The Selective Service System does not maintain the kind of data described in your question. The following data show the number of occupational deferments (Class II–A) as of the end of the year cited and as of the end of May 1966:

Occupational deferments—Class II–A

Year:	*Number*[1]
1956	29,000
1957	34,000
1958	44,000
1959	53,000
1960	67,000
1961	92,000
1962	111,000
1963	135,000
1964	163,000
1965	203,000
1966 (May)	204,000

[1] Data rounded to nearest thousand.

Source: Selective Service System.

4. Q. On what basis do you recommend deferments for "critical" skills—on the basis of job description, relationship of the occupation to a particular defense industry, number of each critical skill needed in the economy as a whole, or another basis?

A. As explained in the answer to Question 1, the responsibility for maintaining the list of critical occupations is assigned to the Secretary of Labor who is guided by the three criteria set out above. The actual decision whether or not to defer an individual in one of the listed occupations is entirely within the discretion of the local draft board.

5. Q. During World War II, a War Manpower Commission was established to coordinate manpower needs in the war production effort and the civilian economy in general. How does the work of the present advisory committee differ from that of the War Manpower Commission and how are they similar?

A. The War Manpower Commission of World War II had very broad functional responsibilities in the field of manpower just as the War Production Board of World War II had broad functional responsibilities in the field of production. The broad mobilization powers in the field of manpower have been delegated to the Department of Labor for implementation in an emergency. It is understood that the Secretary of Labor is providing you with information on his responsibilities under this delegation.

The lists of Essential Activities and Critical Occupations originated during World War II. These lists were a small part of the framework intended to stabilize and control the flow of manpower. In other words, the Interagency Advisory Committee is concerned with one aspect of the overall problem of manpower utilization whereas the World War II War Manpower Commission coordinated all government activities in this area. At the end of World War II the lists were abandoned and then were reinstituted during the Korean emergency. At the end of the Korean emergency the lists were cut back but were not allowed to lapse. In addition, a Standby List of Essential Activities and a Standby List of Critical Occupations were developed for prompt implementation by the Secretary of Commerce and the Secretary of Labor, if and when needed.

6. Q. In general, how closely do you feel the needs of the civilian economy and the armed forces for manpower are being coordinated through the present set-up? Do you think the Departments of Labor and Commerce need more authority in the deferring of "critical skills"? Do you need additional staff and/or research funds for analyzing the manpower needs of the national economy and military forces or for determining which skills are "critical"?

A. In my opinion the Interagency Advisory Committee on Essential Activities and Critical Occupations has functioned, and continues to function, smoothly. I cannot see the need for further authority in this area. The load on the Committee and its technical subcommittee has grown with the developments in Viet Nam. However, the Department of Commerce, to date, has been able to carry out its responsibilities with respect to essential activities with the staff on hand. If the review load should increase considerably, we would, of course, be forced to devote additional resources to this program.

AUGUST 25, 1966.

Hon. JOHN T. CONNOR,
Secretary of Commerce,
Department of Commerce,
Washington, D.C.

DEAR MR. SECRETARY: Thank you very much for your letter of August 11 replying to my inquiries of July 1 concerning the Interagency Advisory Committee on Essential Activities and Critical Occupations.

I appreciate having this material, and I feel it is a valuable contribution to the current dialogue on the issue of the draft and manpower utilization. I intend to introduce this information into the CONGRESSIONAL RECORD, as many other Members are concerned about this matter. As you know, I inserted my July 1 letter in my remarks on the Floor on July 28, a copy of which was sent to you on July 29. I believe that the issue of draft deferment and its relationship to our national manpower utilization and procurement policies has not been fully explored, and I hope that the current discussion of this subject in the Congress, the Executive Branch, the press and the public will continue to move forward.

I find I must disagree with your view that consideration of proposed changes in our present military manpower procurement system should be deferred until after the National Advisory Commission on Selective Service has made its report in January, 1967. I believe that the public should be continually informed of the substance and scope of the current discussion on this issue and that the Congress must have before it all the relevant information and opinion so that it can properly discuss and evaluate the work of the Commission when it is made available.

I am sure that you will agree that a subject such as this, which affects so closely a large segment of American society, needs careful and continuous study before we can consider changes in our current policies. Thus information and opinions on the issue should be in the forefront of public and Congressional attention.

In order to further the dialogue on this matter, I would appreciate your observations and opinions on several questions which arise from the information you have graciously sent to me.

(1) In question No. 2 on page 2, you mention that "The List of Currently Essential Activities has not changed since 1962." Has the List been reviewed and examined with a view toward revision since 1962? What effects have the current military build-up in Viet Nam had on the civilian economy, with particular reference to the degree of draft protection afforded to essential civilian activities?

(2) Has your Department received a larger volume of requests for inclusion on the Commerce List in recent months? If so, what action has your Department or its representatives on the Interagency Committee taken with regard to these requests?

(3) Has your Department or its Interagency representatives undertaken any review of local board practices in granting deferments in the "national health, safety or interest" to see if your advisory "guidelines" are being observed? Have you received any industry complaints in this regard? Do you feel that the advisory "guidelines" are being uniformly applied and that the "essential activities" currently on the List are adequately protected from the draft?

(4) Finally, I enclose a copy of a clipping from *Steel* of July 4, 1966, which mentions the rejection of 20 trade association petitions for inclusion on the Commerce List. I would appreciate your comments on this article.

Thank you again for your cooperation and assistance in this matter, and I look forward to hearing from you again.

Sincerely,

THOMAS B. CURTIS.

THE SECRETARY OF COMMERCE,
Washington, D.C., September 12, 1966.
Hon. THOMAS B. CURTIS,
House of Representatives,
Washington, D.C.

DEAR MR. CURTIS: This is in further reply to your letter of August 25, 1966 in which you asked several questions pertaining to the Interagency Advisory Committee on Essential Activities and Critical Occupations and to the List of Currently Essential Activities.

I am enclosing answers to your specific questions.

Your letter indicates disagreement with a statement in my letter of August 11, 1966 to you. I stated in that letter that I believed that consideration of any proposal regarding changes in the present manpower utilization program should be deferred until the National Advisory Commission on Selective Service has had an opportunity to complete its review and report thereon. I did not mean to imply that discussion of these problems should cease awaiting the Commission's report. I fully agree with you that the public should be informed on this issue and that the Congress should be kept abreast of developments in order that it can properly evaluate the work of the Commission.

Sincerely yours,

JOHN T. CONNOR,
Secretary of Commerce,

Enclosures.

ANSWERS TO QUESTIONS FROM CONGRESSMAN THOMAS B. CURTIS TO THE SECRETARY OF COMMERCE (CONGRESSMAN CURTIS' LETTER OF AUGUST 25, 1966)

1. Q. In question #2 on page 2, you mention that "The List of Currently Essential Activities has not changed since 1962." Has the List been reviewed and examined with a view toward revision since 1962? What effects have the current military build-up in Viet Nam had on the civilian economy, with particular reference to the degree of draft protection afforded to essential civilian activities?

A. The Interagency Advisory Committee on Essential Activities and Critical Occupations maintains continuous surveillance over the List of Currently Essential Activities. From 1962 until the recent build-up in Viet Nam, the Committee received very few requests for inclusion on the List. Draft quotas were very low. The criteria governing the List were difficult to meet in view of the limited draft.

The Viet Nam situation has undoubtedly aggravated the shortage of manpower. Shortages in skilled manpower would exist, of course, irrespective of Viet Nam since the economy in many areas is operating close to capacity.

The List of Currently Essential Activities, supplemented by the List of Currently Critical Occupations, has undoubtedly afforded a degree of draft protection. The Lists are made available to the local draft boards. The boards are instructed by the Selective Service System to use these Lists as tools guiding their final decision with respect to draft deferment. The local boards are told, however, by the Selective Service System that deferments shall not be limited to listed Activities and Occupations. Other reasons may be adduced by the draft boards in granting deferments.

2. Q. Has your Department received a larger volume of requests for inclusion on the Commerce List in recent months? If so, what action has your Department or its representatives on the Interagency Committee taken with regard to these requests?

A. 23 requests for inclusion of new definitions on the List of Currently Essential Activities have been filed, in recent months, with the Executive Secretary of the Interagency Advisory Committee on Essential Activities and Critical Occupations. The Interagency Advisory Committee, of which the Department of Commerce is a member, has processed all but three of these requests. The Committee has recommended a course of action to the Secretary of Commerce. To date, no new Activities have been added to the List of Currently Essential Activities.

3. Q. Has your Department or its Interagency representatives undertaken any review of local board practices in granting deferments in the "national health, safety or interest" to see if your advisory "guidelines" are being observed? Have you received any industry complaints in this regard? Do you feel that the advisory "guidelines" are being uniformly applied and that the "essential activities" currently on the List are adequately protected from the draft?

A. Neither the Department of Commerce nor its representative on the Interagency Advisory Committee on Essential Activities and Critical Occupations has undertaken a review of local board practices in granting deferments in the "national health, safety or interest" in order to determine whether the List of Currently Essential Activities is being observed. The List is a tool provided to the Selective Service System for dissemination to the local boards. An assessment of its use by the local boards is a responsibility of the Director of the Selective Service System and not of the Department of Commerce.

The Department of Commerce has received no complaints in regard to local board use of the List of Currently Essential Activities.

The question of whether or not the List of Currently Essential Activities is being uniformly applied at the local draft board level, and whether or not the Essential Activities now on the List are adequately protected from the draft, can best be answered by the Director of the Selective Service System.

4. Q. Finally, I enclose a copy of a clipping from *Steel* of July 4, 1966, which mentions the rejection of 20 trade association petitions for inclusion on the Commerce List. I would appreciate your comments on this article.

A. The executive Secretary of the Interagency Committee has recently informed a number of associations and individual companies that their request for inclusion on the List of Currently Essential Activities was denied.

The Executive Secretary issued these denials with my concurrence.

Mr. Speaker, undoubtedly Secretaries Wirtz and Connor are fulfilling their responsibilities as they see them to provide some measure of insulation from the draft to key employees of essential industries. My deep concern is with the limited scope of their view. The problems of manpower procurement are much larger than the military. They affect the whole universe of our military and civilian life. The Secretaries' responses indicate that the Interagency Advisory Committee responsible for coordination of military and civilian manpower needs has concentrated solely on a few "defense" jobs. Critical occupations in the civilian sector have gone almost unconsidered. For example, as I reported on the floor of the House on July 28, 1966, a manufacturer of electrical fuses, with a large share of the civilian market but only a small number of defense contracts could not qualify for the Commerce list and thus has experienced great difficulty in keeping its trained employees. This failure of the Selective Service to coordinate its selection process with the needs of the civilian society is damaging to our defense efforts because the health of the civilian economy is an important aspect of our military strength.

Mr. Speaker, my remarks have covered a range of issues connected with the draft and I hope that I have opened up new areas for investigation. I will continue to report to the House my findings on these problems and I urge other Members to do likewise so that this vital dialog will progress. I know that I do not stand alone in my concern for this issue because the draft affects every congressional district, every side of the ideological dispute, and the values and welfare of every citizen. Therefore, let us move forward in our examination of this problem; let us begin now the congressional study of the draft which has been long overdue.

THE REDISCOVERY OF EDUCATIONAL TELEVISION

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROBISON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ROBISON. Mr. Speaker, I have noted with pleasure and growing enthusiasm the several signs in recent days indicating that, at last, educational television is about to be rediscovered.

First, in the state of the Union message, the President said:

> We should develop educational television into a vital public resource to enrich our homes, educate our families and to provide assistance in our classrooms.

And, now, as reported in the press last Thursday, January 26, we have the long-awaited report by the Carnegie Commission on Educational Television—a most interesting document which had this as its central conclusion:

> * * * that a well-financed and well-directed educational television system substantially larger and far more pervasive and effective than that which now exists in the United States, must be brought into being if the full needs of the American people are to be served.

Now, I am sure, Mr. Speaker, that the Carnegie report contains much that may be controversial as well as much that is stimulating to those of us who have heretofore concerned ourselves with what might be called the temporary decline of interest in educational television here, in official Washington, this past year or two. The reasons behind that decline are obscure—perhaps they relate, at least in part, to the plethora of other Federal programs in aid of education at various levels that were enacted subsequent to the enactment of the Educational Television Facilities Act of 1962. That act was one which presaged a bright future for educational television—and the benefits produced thereunder have, indeed, been of significant value. But they could—and, I think, should—have been even more significant.

As the gentleman from Pennsylvania [Mr. FLOOD], my friend and colleague on the Appropriations Committee, pointed out in his typically blunt fashion during the hearings held last year by the Fogarty subcommittee on the budget request submitted by the Office of Education, the administration's efforts to secure progress under the 1962 act "poohed out" pretty fast—as Mr. FLOOD put it, and this appears on page 1669 of part 2 of last year's HEW hearings.

As the gentleman from Pennsylvania [Mr. FLOOD] also brought out at that time—ably assisted by our late colleague from Rhode Island, Mr. Fogarty—given the current rate of educational TV station activation, it would take between 30 and 35 years, in the judgment of administration witnesses, to produce a true nationwide educational television service, which Mr. FLOOD commented amounted to "an appalling situation."

In any event, to bring the rest of my colleagues up to date on this situation, in case they have not yet had it brought to their attention, Mr. Speaker, let me remind them that the ETV Facilities Act of 1962 provided for a $32 million authorization for matching grants to the States, over a 5-year period, to assist in constructing new ETV stations and to expand existing ones. Some States moved to take the benefit of this program at once; others have, as usual, lagged behind. But for those States that did move, the $1-million-per-State ceiling also imposed in the act has created real difficulties. My State of New York, as well as Alabama, California, Pennsylvania, Illinois, and Georgia—and, perhaps by now there are others as well—have already reached or are within sight of the statutory maximum although their plans for statewide ETV networks are far from complete.

For us in New York, this has become of especial concern because our State government has moved—as one could hope other State governments would—to supplement the Federal and locally raised ETV funds with substantial State aid, but, without the anticipated Federal base of financial help, these State moneys are not being used.

Now, Mr. Speaker, while I have voted for and certainly approve of many of the other forms of new Federal assistance to education, it would be my judgment that educational television, properly developed and wisely used, could and will in time become one of the most important and helpful educational tools—for young and old alike—that we could use to make available to our people the knowledge and spirit of the kind of civilization they are expected to sustain and develop. The Carnegie report speaks along these lines in terms of both "public television" and "instructional television"—a combination, as the report says, that may "become a new and fundamental institution in American culture."

Well, obviously, creating that sort of institution is something that we ought to think about a while, as we probably shall. But, in the meantime, what about that ETV Facilities Act of 1962? As I understand the situation, it is now—or soon shall be—at the outer limits of its original authorization. Must we, then, merely sit back and wait while the Carnegie report is studied in all its ramifications, and wait for Congress to make up its mind about it while all ETV network development progress comes to a halt in those States which have sought to move ahead in this area but have used up their $1 million base?

I do not think we should, and I most certainly hope we will not. I did not think so last year, either, which is why I introduced a bill in the last Congress to extend the existing program for 5 more years, authorize the expenditure of another $32 million over that period and, most importantly, raise the per-State limitation from $1 to $2 million. Now, I admit that this was not a very imaginative proposal, but it would at least have kept the ETV wheels rolling for the time being and—with all the support there properly is for this program—it should have been one that we could have enacted without any great argument or delay.

I am today reintroducing that measure, Mr. Speaker, and I hope—now that ETV has been rediscovered by the President and others—that it will this time receive early committee consideration even though it is obvious that further and much more extensive work will have to be done in committee concerning the broader aspects of this whole problem during the life of this Congress.

CONSTITUTIONAL GUARANTEE OF THE RIGHT OF FREE RELIGIOUS EXPRESSION

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. BROCK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BROCK. Mr. Speaker, at this time, I submit to the House a joint resolution proposing an amendment to the Constitution of the United States. The text of the amendment is brief and clear enough to speak for itself. It simply guarantees the basic right of free religious expression to the American people. The amendment stipulates that the Constitution shall not be used to abridge the right of persons lawfully assembled in public buildings to participate in nondenominational prayers. It is a sad testimony to our times that such a modest right would have to be reaffirmed by constitutional amendment. But, due to the action of our courts in this field, such a step is not only called for, but absolutely necessary.

The American people have overwhelmingly demonstrated their support for a prayer amendment in poll after poll—letter after letter. Our country's deep and abiding spiritual faith is a matter of historical fact and is our greatest source of strength. I hope that we in the House can find the courage and the wisdom to stand by this spiritual heritage today.

TAX SHARING FOR EDUCATION

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. BROCK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BROCK. Mr. Speaker, the tax sharing for education bill which I have introduced is identical to one which I introduced into the last Congress. It constitutes a selective application of the broader principle of general tax sharing. My bill will give the States financial aid in the area of education without requiring that they surrender control of their school systems to the Federal Government. The money rebated to the States under my bill will be returned with no strings attached.

I do want to make it clear that I have no desire to see this approach limited to education, and, that in no way does the introduction of this bill mean that I intend to withdraw my support from a broader and more general application of the tax-sharing principle.

I do feel that the area of education is especially worthy of attention and in particular need of prompt action, but there are pressing problems in other areas that are equally deserving of our attention. When we consider the cause of all these problems, we find at the heart of the matter a "fiscal mismatch" in which the National Government has almost exclusive control of the high yielding revenue sources, such as the income tax, while the State and local governments with less satisfactory revenue sources are asked to provide more and better services for an ever expanding population.

We have witnessed in the last decade, in alarming and rapid expansion of Federal power and Federal control over almost every facet of American life. This has come to pass, not because Washington has superior know-how or more efficiency, but simply because State and local government do not have the necessary fiscal resources needed to solve the growing problems they face. Tax sharing for education—or a general program such as has been suggested by some of my colleagues—would combine the strength of the Federal Government—raising revenue—with the necessary ingredient of local control thereby assuring real progress in the American tradition.

I have limited my bill to tax sharing for education because I believe that this limitation may make the plan more readily acceptable to some who otherwise would not give the idea a chance to prove its worth. I cannot emphasize too much the need for immediate action. The prevailing trend toward centralization of authority, if it is allowed to continue, will lead to the destruction of our federal system. We must check this trend. We must make a start in the right direction.

I hope that every Member will give this bill careful study and attention. It is, I think, a significant step toward restoring the sort of meaningful balance in our federal system that will allow all levels of government to exercise their proper share of responsibility and authority. I urge the Ways and Means Committee to give early consideration to this important legislation.

The bill follows:

H.R. 308

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Tax Sharing for Education Act".

CONGRESSIONAL FINDINGS

SEC. 2. (a) The Congress hereby finds and declares that responsibility for and control over education is one of the powers not delegated to the United States but reserved to the States or to the people under the tenth amendment of the Constitution.

(b) The Congress further finds that continued encouragement of the means of education requires the strengthening of State governments.

EDUCATIONAL ASSISTANCE TRUST FUND

SEC. 3. (a) There is hereby created on the books of the Treasury of the United States a trust fund to be known as the educational assistance trust fund. There is hereby appropriated to the educational assistance trust fund, out of any moneys in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1966, an amount equal to 1 per centum of the taxes paid under subtitle A (other than chapter 2 thereof) and subtitle B of the Internal Revenue Code of 1954, and all customs duties collected, during such fiscal year, for the fiscal year ending June 30, 1967, an amount equal to 2 per centum of such taxes paid and duties collected during such year, for the fiscal year ending June 30, 1968, an amount equal to 3 per centum of such taxes paid and duties collected during such year, for the fiscal year ending June 30, 1969, an amount equal to 4 per centum of such taxes paid and duties collected during such year, and for the fiscal year ending June 30, 1970, and for each fiscal year thereafter, an amount equal to 5 per centum of such taxes paid and duties collected during each such year.

(b) The amounts appropriated by subsection (a) shall be transferred from time to time from the general fund in the Treasury to the educational assistance trust fund, such amounts to be determined on the basis of estimates by the Secretary of the Treasury of the taxes and duties referred to in subsection (a) paid or deposited into the Treasury; and proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or were less than the taxes and duties referred to in subsection (a).

(c) It shall be the duty of the Secretary of the Treasury to invest such portion of the trust fund as is not, in his judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired (1) on original issue at the issue price, or (2) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of public-debt obligation for purchase by the trust fund. Such obligations issued for purchase by the trust fund shall have maturities fixed with due regard for the needs of the trust fund and shall bear interest at a rate equal to the average market yield (computed by the Secretary of the Treasury on the basis of market quotations as of the end of the calendar month next preceding the date of such issue) on all marketable interest-bearing obligations of the United States then forming a part of the public debt which are not due or callable until after the expiration of four years from the end of such calendar month; except that where such average market yield is not a multiple of one-eighth of 1 per centum, the rate of interest of such obligations shall be the multiple of one-eighth of 1 per centum nearest such market yield. The Secretary of the Treasury may purchase other interest-bearing obligations of the United States or obligations guaranteed as to both principal and interest by the United States, on original issue or at the market price, only where he determines that the purchase of such other obligations is in the public interest. Any obligations acquired by the trust fund (except public-debt obligations issued exclusively to the trust fund) may be sold by the Secretary of the Treasury at the market price, and such public-debt obligations may be redeemed at par plus accrued interest. The interest on, and the proceeds from the sale or redemption of, any obligations held in the trust fund shall be credited to and form a part of the trust fund.

PAYMENTS TO STATES

SEC. 4. (a) The Secretary of the Treasury shall during each fiscal year pay from the educational assistance trust fund to each State which has in effect a plan for expenditure approved by the Comptroller General under section 5, an amount equal to the sum of—

(1) an amount which bears the same ratio to one-half of the total amount deposited in the educational assistance trust fund for the preceding year as the State product for that State bears to the sum of the State products for all the States, and

(2) an amount which bears the same ratio to one-half the total amount deposited in such trust fund for the preceding fiscal year as the number of students enrolled in public elementary and secondary schools in the State bears to the number of students enrolled in such schools in all the States.

Payments under this section shall be made from time to time throughout the year as needed by the States.

(b) The "State product" for a State shall be the product obtained by multiplying the number of students enrolled in public elementary and secondary schools in the State the preceding fiscal year by the percentage of the gross personal income of residents of such State which was expended for public elementary and secondary education in such State in such preceding fiscal year.

(c) Determinations of school enrollments, gross personal income, and amounts expended for public elementary and secondary education shall be made by the Secretary of the Treasury on the basis of the most recent satisfactory data from the Office of Education and the Bureau of the Census.

STATE PLANS

SEC. 5. (a) Each State which desires to receive funds under this Act shall through its Governor submit to the Comptroller General a State plan for the expenditure thereof which shall be in such detail and contain such information as the Comptroller General shall prescribe. If, upon his examinations of the plan, the Comptroller General determines that all of the expenditures proposed in the plan would be made by legally constituted public officers or agencies for public elementary or secondary education, he shall approve the plan, and notify the Secretary of the Treasury of his approval. If the Comptroller General takes no action with respect to a plan within sixty days after it is submitted to him, such plan shall be deemed to have been approved. For purposes of this Act, expenditures for construction of public elementary or secondary schools and the debt service on indebtedness contracted for construction of such schools, shall be deemed expenditures for public elementary and secondary education.

(b) The Comptroller General shall not finally disapprove any State plan for expenditure submitted under this Act, or any modification thereof, without first affording the Governor of the State reasonable notice and opportunity for a hearing.

(c) Whenever the Comptroller General, after reasonable notice and opportunity for hearing to such Governor of the State, finds—

(1) that the State plan has been so changed that it no longer complies with the provisions of section 5, or

(2) that in the administration of the plan there is a failure to comply substantially with any such provisions,

the Comptroller General shall notify such Governor of the State and the Secretary of the Treasury that the State will not be regarded as eligible to participate in the program under this Act until he is satisfied that there is no longer any such failure to comply.

JUDICIAL REVIEW

SEC. 6. (a) If any State is dissatisfied with the Comptroller General's final action with respect to the approval of its plan submitted under subsection (a) or with his final action under subsection (b), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Comptroller General. The Comptroller General thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the Comptroller General, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Comptroller General to take further evidence, and the Comptroller General may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) The court shall have jurisdiction to affirm the action of the Comptroller General or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(d) A suit or proceeding asserting that any provision of this Act or its application or administration is in violation of any provision of the United States Constitution may be brought by a State, a State educational agency, a local educational agency, or any public or other nonprofit institution or agency which is or may be prejudicial by the action of the Secretary of the Treasury making or denying a grant in a particular year, in a three-judge district court, in the State where the plaintiff is situated pursuant to sections 2282 and 2284 of title 28 of the United States Code.

LABOR STANDARDS

SEC. 7. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

DEFINITIONS

SEC. 8. For purposes of this Act—

(1) The term "elementary or secondary education" means education provided as elementary or secondary education under the law of the applicable State, except that such term shall include one year preschool programs and vocational education, as defined in section 8(1) of the Vocational Education Act of 1963, but shall not include any education provided beyond grade 12,

(2) The term "State" includes the District of Columbia.

FEDERAL CONTROL OF EDUCATION PROHIBITED

SEC. 9. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel or any educational institution or school system.

SEPARABILITY

SEC. 10. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of this Act and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

BILL RELATING TO THE SEIZURE OF VESSELS OF THE UNITED STATES

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Bob Wilson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, I am introducing a bill to amend the act of August 27, 1954, relating to the seizure of vessels of the United States by foreign countries.

In a number of cases, our American-flag fishing vessels have been seized by a foreign country and detained for an extensive period of time while determining whether or not a violation of provincial fishing regulations can be charged. These unreasonable detentions are very costly to our fishermen, who notoriously operate on close financial margin. My bill would amend the Fisherman's Protective Act so that the owner of any detained American-flag vessel will be reimbursed by the Secretary of the Treasury for all costs, including damage or destruction of the vessel, the loss or damage of fishing gear or other equipment, dockage fees, utilities, and seized fish.

The bill also would compensate the owners of such vessel and its crew for the fish that were not caught as a direct result of such seizures. This compensation would be based on the value of the average catch per day at sea during the three most recent calendar years immediately preceding the seizure.

It is not difficult to understand that timing is a highly critical factor in the fishing business, not only from the standpoint of keeping up with the elusive movements of the great schools of tuna but also from the standpoint of transporting the catch promptly to the cannery.

Events of the past few months have illustrated the necessity of some legislation to deal with this problem since the State Department has been unsuccessful in halting these acts of piracy against our fishing vessels off of Latin America.

The chief offenders have been Peru, Chile, and Ecuador which claim 200-mile offshore fishing limits. In the past 20 years, these three countries have received $2.2 billion in U.S. aid including aircraft and warships which they have frequently used to harass and seize U.S.-flag fishing vessels.

My bill would not be needed if the President would use the power given him by Congress to withhold aid from any country that harasses or detains a U.S. fishing vessel in international waters. It is my hope that the Congress will move rapidly in the favorable consideration of my bill. The language of the bill reads as follows:

H.R. ——

A bill to amend the Act of August 27, 1954, relative to the unlawful seizure of fishing vessels of the United States by foreign countries

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 27, 1954 (68 Stat. 883; 22 U.S.C. 1971–1976), is amended by adding at the end thereof a new section to read as follows:

"SEC. 7. (a) In any case where a vessel of the United States, which is documented or certified as a fishing vessel, is seized by a foreign country and detained under the conditions of section 2 of this Act, the Secretary of the Treasury shall pay such sums as the Secretary of the Interior determines to be equitable:

"(1) to reimburse the owners of such vessels for all costs directly resulting from such seizure and detention, including, but not limited to, the damage or destruction of the vessel, the loss or damage of fishing gear or other equipment, dockage fees, utilities, and seized fish;

"(2) to compensate the owners of such vessel and its crew for the fish that were not caught as a direct result of such seizure and detention based on the value of the average catch per day at sea during the three most recent calendar years immediately preceding such seizure and detention either (A) of all fishing vessels of the United States engaged in the same fishery as that of the type and size of the seized vessel, or (B) of the vessel seized, whichever, as determined by the Secretary of the Interior, is the most reasonable and equitable: *Provided,* That such compensation shall be distributed by the Secretary in accordance with the usual practices and procedures of the particular segment of the United States commercial fishing industry to which the seized vessel belongs relative to the sale of fish caught and the distribution of the proceeds of such sale;

"(3) to compensate the heirs or legal representatives of any fisherman for a death resulting directly from such seizure and detention; and

"(4) to compensate a fisherman or his heirs or legal representatives for any injury resulting directly from such seizure and detention.

"(b) All determinations made under this section shall be final. Persons receiving payments made under this section for such seizure and detention shall not be eligible to receive any compensation, reimbursement, or other payments for such seizure and detention under any other provision of Federal law. The United States shall be subrogated to all rights or benefits accruing under any other provision of Federal or State law or policy of insurance to any person eligible for payments under this section. The Secretary of the Interior, in consultation with the Secretary of State and the Secretary of the Treasury, shall issue such rules and regulations as he deems advisable to carry out the provisions of this section."

SEC. 2. Section 3 of the Act of August 27, 1954 (68 Stat. 883; 22 U.S.C. 1973) is amended by inserting "or license fees, or both," after the word "fine" wherever it appears.

TRIBUTE TO SPEAKER JOHN W. McCORMACK

The SPEAKER pro tempore (Mr. Waldie). Under previous order of the House, the gentleman from Illinois [Mr. Annunzio] is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, as one who was elected to the 89th Congress, and is now beginning his sophomore year in the Congress of the United States, I want to take issue with those who have said that the Honorable John W. McCormack, our highly capable Speaker of the House, should step down.

I can personally testify to the fact that Speaker McCormack has demonstrated unusual and outstanding qualities of leadership. Had it not been for the efforts of our great Speaker, the 89th Congress could not possibly have enacted all of the far-reaching and beneficial legislation that it did. Medicare, aid to education, water and air pollution, housing for the disadvantaged and the elderly, community health services, vocational rehabilitation, and countless other programs would not have become reality and the needs and wants of our citizens would still be denied today. The great social advancements we achieved in the 89th Congress can be attributed directly to the skillful and knowledgeable leadership displayed by our beloved Speaker.

All of us who served our first term in the 89th Congress know firsthand of the patience, fairness, honesty, and ability of our Speaker. He has always taken time from his busy schedule and his heavy responsibilities to consult with and advise the new Members. He is highly respected and esteemed by all of us, regardless of our political views, because of his vast legislative experience and the outstanding record he has made in the House of Representatives.

Mr. McCormack has served his country continuously as a Member of Congress since he was elected to the 70th Congress. He has given exceptional service not only as a legislator but as a leader of men in the responsible posts of Democratic whip, majority leader, and Speaker of the House. Through the years, he has always put the best interests of his country first.

I am proud to have the opportunity to serve in the 90th Congress under Speaker McCormack, and I know that under his astute leadership we shall continue to make great advancements for the benefit of all the people of America.

PRESIDENT'S MARITIME BUDGET, FISCAL YEAR 1968: AN EVALUATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Washington [Mr. Pelly] is recognized for 15 minutes.

Mr. PELLY. Mr. Speaker, I have been studying President Johnson's budget request for fiscal year 1968, especially that part which deals with the Maritime Administration.

To put it plainly, this budget would continue the administration policy of slow strangulation of our American merchant marine. It is a pint-sized bottle like last year but in a quart-sized box with more tissue paper and a prettier ribbon. The significance of the President's message, as I have found it, is not for what it sets forth but rather for what it fails to say.

It does not, for example, dispose of the outstanding issue of better than 2 years concerning a new maritime policy which the President promised in his state of the Union message of January 1965. Nor does it provide any indication as to the ultimate fate of the Maritime Administration in light of the proposed merger of the Departments of Commerce and Labor.

My reference to the "quart-sized box with more tissue paper and a prettier ribbon" has to do with the fact that, on its face, it would seem that the total budget request for the Maritime Administration for fiscal year 1968 represents an increase of almost $62 million more than was appropriated by the Congress for fiscal year 1967. However, upon closer examination, it appears that the administration is not quite as kindly disposed toward the industry as the increase might signify, inasmuch as the overall request actually is close to the same general level as that requested for the prior fiscal year which in itself established a new low for budget requests for the Maritime Administration.

The significant items of the Maritime Administration budget request are set forth in the attached table, and the following observations are made concerning these items:

(1) SHIP CONSTRUCTION

Last year, the Congress increased the administration's budget request for this item by $21,685,000 for a total of $106,685,000 to fully fund the construction of 13 ships then proposed by the administration. Therefore, the $143 million requested for fiscal year 1968 for the same number of ships—13—would appear to represent an increase of something more than $36 million over last year's appropriation. For a true comparison, however, the budget request for each of the past 2 years for ship construction is at the same general level because:

First, last year the Maritime Administration reprogramed into new ship construction unobligated funds on hand—for example, for vessel trade-in, retrofitting, and so forth—in the amount of about $30 million in order to fully fund that prior year's ship construction program of 13 ships. A letter from Mr. Alan Boyd dated September 6, 1966, was sent to the chairman of the respective Appropriations Committees in the House and Senate on this matter.

Second, the vessels being considered for construction in the forthcoming fiscal year will involve a greater cost and therefore a greater participation by the Government but will be offset by the potential promise of increased productivity; for example, the lighter-aboard-ship—LASH—of Prudential and the barge-on-ship concept of Lykes Bros.

It should be pointed out, also, that the Department of Defense has requested authorization in fiscal year 1968 to build five fast deployment logistics ships. Presumably, these five FDL ships will be in addition to the two already authorized by the fiscal year 1966 Defense Appropriations Act but which have not been constructed. The estimated cost authorized for the two earlier ships in fiscal year 1966 was $67.6 million—that is, $35.5 million for the lead ship and $32.1 million for the second ship. Therefore, assuming that the five requested for the current fiscal year will cost approximately $32.1 million each, this represents an additional $160.5 million for a total of $228.1 million for the seven ships, or an estimated unit cost of $32.6 million. The contrast in cost to the Government, therefore, between the proposed FDL ship and the somewhat comparable LASH-type ship is on the magnitude of three to one. Where is the McNamara economy in building ships for use in war only at three times the cost of a multipurpose ship?

The current budget request also carries a provision for the conversion of container ships, and presumably this is funding for the two 20-year and 16-knot ships that American Export Isbrandtsen Lines desires to convert. The expenditure is one which is subject to possible question owing to the age and slow speed of the vessels.

As for the acquisition of replaced ships under the ship replacement program, the budget request makes no provision for 1968 and apparently the administration is moving on the assumption that as in the past year the operators will not be trading in their old tonnage. However, this could become an item of cost in the event the world market for ships makes it more attractive to trade the vessels in to the Maritime Administration.

(2) OPERATING DIFFERENTIAL SUBSIDIES

The appropriation to liquidate contract authorization requested for fiscal year 1968 is $200 million representing an increase of $25 million over the request and appropriation for fiscal year 1967. However, it should be pointed out that this increase is the result of the fact that the Maritime Administration apparently erred in estimating the number of ships that would be going off subsidized service to charter with the Department of Defense as a result of Vietnam. It was based upon this earlier estimate that the Maritime Administration requested an appropriation $10 million less than the new obligational authority for fiscal year 1967. The balance of the increase in this item appears to be taken up by increased wage costs as a result of wage costs approved by the Board as being fair and reasonable.

(3) RESEARCH AND DEVELOPMENT

The request of $7,625,000 for fiscal year 1968 represents an increase over the prior fiscal year of only $125,000 which appears to be nominal. However, it is under this account that the experimental nuclear ship *Savannah* is operated by virtue of funds from the vessels operations revolving fund under which—on page 260—there appears the note that the vessel will be laid up in 1967. A Maritime Administration statement on the matter issued January 24, indicates that the operation of the *Savannah* will be discontinued in August 1967.

Since there was no preliminary announcement of this decision and since it was contained in a rather inconspicuous note within the budget, the decision came as somewhat of a surprise to all sectors of the industry, especially in light of press reports as recent as November 1966 indicating that she "has achieved an outstanding record in cargo tonnage and revenue earnings." See Journal of Commerce of November 1, 1966.

The New York Times of January 25 interprets the decisions as follows:

> With her demise go the plans envisaged by the Maritime Administration for a nuclear merchant ship fleet in the near future.

This decision, of course, will leave outstanding the matter of the Government's investment in the Todd Shipyard in Houston, Tex., for example, which is the only yard equipped to handle the nuclear-propelled merchant ship, as well as the investment of the Government in various and sundry training programs for personnel.

(4) SALARIES AND EXPENSE

The $15,947,000 requested for fiscal year 1968 represents a nominal increase of $157,000 over the request and appropriation for the prior fiscal year 1967.

(5) MARITIME TRAINING

The $4,627,000 request for fiscal year 1968 represents a nominal increase of $150,000 over the requested appropriation for fiscal year 1967.

(6) STATE MARINE SCHOOLS

The $1,775,000 requested for this item for fiscal year 1968 represents an increase of $140,000 over the request and appropriation for fiscal year 1967. The increase is due principally to the need for maintenance and repair of training vessels. Most of these vessels are of World War II construction, and it is to be assumed that like our similar vessels in the active merchant marine these training ships will be encountering ever-increasing maintenance and repair costs owing to their age. This invites a possible investigation into this area if and when the Special House Subcommittee on Maritime Education and Training is reestablished in the 90th Congress.

CONCLUSIONS

Mr. Speaker, from the foregoing, it can be seen that the general level of the budget request for fiscal year 1968 remains at the same general low level of that of the prior fiscal year. Although more new money is being appropriated or requested for ship construction, we will stay at the same level of construction in terms of numbers of ships—13. In terms of our long-range vessel replacement program, which has slightly more than 142 more contracts to be awarded to complete the program, the balance of ships remaining to be constructed contains something less than 130 ships which have reached the end of their economic lives as of September 1, 1966. Accordingly, it is safe to say that the replacement program is presently more than 100 ships behind schedule, and the request for fiscal year 1968 does nothing to alleviate or overcome this problem.

Mr. Speaker, may I emphasize in conclusion that the budget request also points up the desirability of vesting in the Committee on Merchant Marine and Fisheries authority to review the budget request of the Maritime Administration and to recommend authorization legislation thereon.

Hereinafter is a comparative tabulation of the 1966, 1967, and 1968 budgets which bears out what I say when I call this year's request a continued slow strangulation one like the previous year; it is wrapped up in a bigger box, more tissue paper and a prettier ribbon, but on careful study it is not going to add more strength to our national security or comply with the Merchant Marine Act of 1936, as passed by Congress.

I think it is time, Mr. Speaker, that the public took a hand in demanding the rebuilding and restoration of the American Merchant Marine.

U.S. Department of Commerce, Maritime Administration—1966–68 budgets

	Appropriation, 1966	Request, 1967	Appropriation, 1967	Request, 1968	Increase over appropriation of 1967
Ship construction	$132,150,000	$85,000,000	$106,685,000	$143,000,000	$36,315,000
Operating-differential subsidies:					
New obligational authority	(190,000,000)	(185,000,000)	(185,000,000)	(190,000,000)	-------------
Appropriation to liquidate contract authorization	180,000,000	175,000,000	175,000,000	200,000,000	25,000,000
Estimated expenditures	(183,453,000)	(179,000,000)	179,000,000	(200,000,000)	-------------
Research and development	6,500,000	7,500,000	7,500,000	7,625,000	125,000
Salaries and expenses	15,833,000	15,790,000	15,790,000	15,947,000	157,000
Maritime training	3,988,000	4,470,000	4,470,000	4,620,000	150,000
State marine schools	1,600,000	1,635,000	1,635,000	1,775,000	140,000
Grand total, appropriations	340,071,000	289,395,000	311,080,000	372,967,000	61,887,000

AID TO YUGOSLAVIA AND THE FINDLEY AMENDMENT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. FINDLEY] is recognized for 30 minutes.

Mr. FINDLEY. Mr. Speaker, during December a restrictive provision known as the Findley amendment, enacted as a part of the 1966 appropriation for agriculture and related agencies, became a point of wide discussion and controversy. Because I was the author of the amendment and became somewhat a focal point of the controversy, I am taking this opportunity to present an account of the episode as press reports have of course been fragmentary.

It is especially pertinent because of news developments last weekend. If usually reliable sources are correct, the United States has offered to go ahead with a subsidized credit sale of vegetable oil to Yugoslavia despite the obvious intent of the Findley amendment and a similar amendment which became a part of the law enacted last year extending for 2 years the authority for the Public Law 480 program.

The Government did however drop plans to ship wheat to Yugoslavia and in my view that was a commendable decision.

On April 11, 1966, the United States signed an agreement with Yugoslavia under some cotton as well as vegetable oil would be shipped under the dollar-sale provision of Public Law 480. Credit terms provided a 2-year grace period, and then 10 years to pay at only 3½ percent interest. Commercial firms have been forced to pay nearly twice that interest rate for nearly a year, so the advantage to Yugoslavia of this transaction was obvious.

However, the price of vegetable oil in Europe was at that time considerably below the U.S. price—so much so that Yugoslavia did not ask for a purchase authorization for the vegetable oil. Later that month the House overwhelmingly voted for my amendment which shut off from subsidized credit, deals like this one, to any nation making shipments to North Vietnam.

This amendment was later approved by the Senate and became law when President Johnson signed the appropriation bill. Meanwhile, although the cotton sales had been consummated, Yugoslavia did nothing further to buy the vegetable oil, presumably because of the price situation.

Yugoslavia was, however, keenly interested in buying U.S. wheat under this program because of the multimillion-dollar subsidy it would bring, and the U.S. administration obviously was keenly interested in arranging the deal. It should be noted that Yugoslavia at any time could have purchased any quantity of U.S. wheat through normal commercial channels or through Commodity Credit Corporation, but either course would provide only short term credit and then at the higher interest rates.

As the documents presented below will show, the administration was fully aware of the Findley amendment to the agriculture appropriation bill, and aware also that a similar amendment even more restrictive on Yugoslavia would take effect January 1. Under the latter Yugoslavia would be disqualified from this type of subsidy because it barred nations making shipments to either Cuba or North Vietnam, and Yugoslavia was doing so to both.

An agreement for wheat, unlike for vegetable oil, was never signed and of course the proposed deal was dropped.

Usually reliable sources report that the State Department has offered to issue a purchase order for vegetable oil—$9 million worth—under the subsidized credit terms if Yugoslavia wants it. Whether the Tito regime wants it or not remains to be seen. The price situation still may not be such as to make the deal attractive.

The important question to which this body should give attention is whether the administration has taken reasonable steps to abide by the clear expression of will made by the 89th Congress. The documents below will suggest that the administration sought eagerly to make the wheat deal and dropped the effort only in the face of determined congressional opposition.

It is now clear that the administration is equally eager to make the vegetable oil shipments. It did not taks steps to cancel the April 11 agreement when the Findley amendment became law last fall, nor has it seen fit to do so since then. This could easily have been accomplished in light of Yugoslav reluctance to go further with the deal. The original agreement had lain dormant for months, and Yugoslavia did not show any interest in taking the next step in the procedure—getting a purchase authorization from the Foreign Agricultural Service, Department of Agriculture.

As late as last Friday, Yugoslavia still had not asked for a purchase authorization and the Yugoslav Embassy reported simply the vegetable oil deal was still dormant.

Indeed, Department of Agriculture officials acknowledge that issuing a purchase authorization this long after the original agreement was signed would be unusual, and this alone would give the administration a valid excuse for canceling the original agreement—if it desired to comply fully with the letter and spirit of the Findley amendment.

Now that January 1 date has come and gone, the administration has an additional reason to cancel the agreement—Yugoslavia's trade with Cuba is now a legal bar to subsidized credit through dollar sales under Public Law 480.

If canceling seems too abrupt a step, the administration has a milder way out. It can take its option to delay delivery indefinitely. The right to delay delivery is clearly the legal right of the United States in transactions like this.

In some respects this Yugoslav affair may be a minor episode, but certainly it illustrates the determination of the executive branch to do what it wants to in foreign policy, even when Congress by law imposes clear restrictions.

Among the incidents which occurred during the episode was an anti-American mob demonstration which included stoning and heavy damage to the U.S. consulate at Zagreb, Yugoslavia.

The stoning climaxed a parade and demonstration in which an estimated 6,000 or more participated. Only token efforts by local police to quell the rioting were observed.

Last Saturday night the Yugoslav Embassy and several Yugoslav consulates in the United States were damaged by explosions in what was obviously a coordinated action. Although hardly parallel to the mob violence directed against the U.S. consulate in Zagreb, the damage was nonetheless regrettable.

Here are the documents and examples of press coverage which provide footnotes to the United States-Yugoslav imbroglio over wheat and vegetable oil credit subsidies:

DEPARTMENT OF STATE,
Washington, D.C., November 9, 1966.

Hon. FRANK M. WOZENCRAFT,
Assistant Attorney General, Office of Legal Counsel, Department of Justice.

DEAR MR. WOZENCRAFT: The Department of Agriculture and Related Agencies Appropriation Act, 1967 (Public Law 89-556) contains a proviso (the Findley Amendment) reading as follows:

Provided, That no funds appropriated by this Act shall be used to formulate or administer programs for the sale of agricultural commodities pursuant to titles I or IV of Public Law 480, Eighty-third Congress, as amended, to any nation which sells or furnishes or which permits ships or aircraft under its registry to transport to North Vietnam any equipment, materials or commodities, so long as North Vietnam is governed by a Communist regime."

Since the enactment of this Appropriation Act, we have been considering the possible impact of this provision on existing and future programs for the sale of agricultural commodities. In particular, we have considered the question whether the prohibition applies only to countries the governments of which trade with North Vietnam, or whether it is broader and covers countries whose private citizens trade with North Vietnam.

This question is particularly relevent in the case of Yugoslavia. Purchases of agricultural commodities by that country are of importance in enabling it to proceed with the program of economic reforms, involving decentralization and liberalization, upon which the Yugoslav Government embarked in the summer of 1965.

At the present time, no ships or aircraft under Yugoslav registry are transporting any equipment, materials or commodities to North Vietnam. Moreover, the Government of Yugoslavia is not selling or furnishing any equipment, materials or commodities to North Vietnam.

However, there have been shipments of medicines, bandages and blood, donated by Yugoslav citizens. These shipments are consigned by the Yugoslav Coordinating Committee for Assistance to the Peoples of Vietnam. This organization consists of representatives of the Socialist Alliance, the Trade Union Federation, the Association of Veterans Federations, the Youth Federation, the Yugoslav Red Cross, the Student Union, the Conference for Social Activity of Women, and the Youth League for Peace, Independence, and Equality of Peoples. The organization is not an agency of the Yugoslav Government.

We believe that a proper construction of the Findley Amendment would limit its scope to those cases where the government of a country is selling or furnishing products to North Vietnam. I am attaching a memorandum setting forth our reasons for this conclusion. It is my understanding that the Department of Agriculture, which is also interested in this matter, is forwarding to you a separate statement of its own views.

Sincerely yours,

LEONARD C. MEEKER,
Legal Adviser, Department of State.

MEMORANDUM: INTERPRETATION OF THE FINDLEY AMENDMENT, NOVEMBER 9, 1966

QUESTIONS PRESENTED

The Findley Amendment to the Department of Agriculture and Related Agencies Appropriation Act, 1967 (P.L. 89-556) reads as follows:

"*Provided,* That no funds appropriated by this Act shall be used to formulate or administer programs for the sale of agricultural commodities pursuant to titles I or IV of Public Law 480, Eighty-third Congress, as amended, to any nation which sells or furnishes or which permits ships or aircraft under its registry to transport to North Vietnam any equipment, materials or commodities, so long as North Vietnam is governed by a Communist regime."

This memorandum concerns the question whether "nation" as used in the proviso applies only to action by the *government* of a nation and therefore does not comprehend the actions of private persons.

SUMMARY OF CONCLUSION

The Department of State believes that the language and legislative history of the Findley Amendment require an interpretation limiting its scope to countries whose *governments* sell, furnish or permit their ships or aircraft to transport any equipment, materials or commodities to North Vietnam. We believe that a contrary interpretation would read into the Findley Amendment a requirement severely restricting the foreign policy objectives of the Administration and undermining the purposes of P.L. 480.

I. Interpretation of the statute—action by "any nation" means action by the government of a nation

A. The Statutory Provision

The term "nation" as used in the Findley Amendment is not defined at any place in the Appropriation Act nor is it used elsewhere in the Act in a comparable way. However, the language of the Amendment itself strongly impels a construction that would limit its scope to countries whose governments are taking actions among those prohibited. The Amendment would prevent the carrying out of P.L. 480 programs with any nation "which *permits* ships or aircraft under *its* registry" to transport goods to North Vietnam. When one speaks of nations *permitting* actions of ships or aircraft "under its registry", the only reasonable construction for "nation" is "government of a nation". Individuals have no registry of ships, only governments have them. Actions taken towards ships under a country's registry can only be taken by the government of that country. Thus, the portion of the Amendment devoted to transportation is clearly referring only to actions by governments.

There is no indication in the language of the Amendment of any intention that the word "nation" should comprehend something greater when applied to trade than when applied to transportation. A statutory term is normally interpreted to have but one meaning within the context of a single provision of law. The words "sell" and "furnish" are neutral so far as any distinction between a government and its private citizens is concerned. Therefore, since the word "permits" can be read in context only as referring to *government* action, the other two words in the same series should be read the same way.

B. Legislative History of the Proviso

Examination of the legislative history of the proviso does not indicate any Congressional intent to give the word "nation" more than one meaning within the proviso.

There was little debate as to the proviso on the floor of the House, where it originated. Hearings were held on the subject before the Agricultural Subcommittee of the Senate Committee on Appropriations, however, and there was some discussion of the government-private trade distinction. That discussion was as follows:

"Senator HOLLAND. This covers not only government shipments but also private shipments; does it not?

"Mr. MANN. That is not clear, Senator. Our lawyers have construed this, and there is some considerable ground, I think, for debate, to apply it to government-to-government transactions.

"The bill, as it is now worded, the pending amendment, I think, leaves it somewhat unclear.

"Senator HOLLAND. Do you think it ought to be clarified if the amendment be changed in the Senate or by conference so as to make the prohibition applicable to recipients of Public Law 480 aid who ship military strategic goods to North Vietnam in such a way as to cover only government shipments of all kinds whether it is government or private?

"Mr. MANN. I think we would be inclined to say if the amendment were changed so it is limited to strategic and military, that it might apply to all exports to North Vietnam regardless of whether they came from the private sector or the public sector.

"Senator HOLLAND. That would be my opinion also, but I wanted the record clear on that. Maybe there are other questions.

"Mr. MANN. On the other hand, Mr. Chairman, if the committee and the Congress were to give the President discretion, there is some advantage in leaving this a little bit vague because it would be helpful to us in our negotiations with foreign governments to reduce even the private sector trade. We would like to eliminate that, too, if we could." (Supplemental Hearing on "Agricultural Appropriations for Fiscal Year 1967", 89th Cong. 2d Sess. (1966), p. 6.)

This colloquy reflects the normal ambiguity of the term "nation".[1] Mr. Mann recognized that the Amendment was unclear. However, in discussing a clear prohibition on private as well as government shipments, he conditioned his approval on an amendment that would give Presidential discretion or that was limited to strategic and military shipments. Thus, the Congress was aware of the ambiguity of the provision and of the Executive Branch position. Yet, the

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[1] c.f. the following discussion of a synonym for "nation": "The word 'country' in the Internal Revenue Statute expression 'foreign country', is ambiguous. It may be taken to mean foreign territory or a foreign government. . . . When referring more particularly to a foreign government, it may describe a foreign State in the international sense, that is, one that has the status of an international person with the rights and responsibilities under international law of a member of the family of nations; or it may mean a foreign government which has authority over a particular area or subject matter, although not an international person but only a component part, or a political subdivision, of the larger international unit. The term 'foreign country' is not a technical or artificial one, and the sense in which it is used in a statute must be determined by reference to the purpose of the particular legislation." (*Burnet* v. *Chicago Portrait Co.*, 285 U.S. 1, 5-6 (1932))

Amendment was unchanged in this respect between the Subcommittee hearing and final passage.

There was no further discussion of this point in Senate floor debate, the statement of House managers on the conference report, the House debate on the conference report, or the Senate debate on the conference report.

Similar Terms in Other Laws

In these circumstances it is appropriate to look to similar provisions in other legislation for the meaning given in practice and understood by the Congress when it adopted the proviso in PL 89–556.

Since PL 89–556 is the Act appropriating funds for PL 480, we have looked at the use of the term "nation" or "nations" in PL 480. There, these terms are not distinguished from the term "country" or "countries". Thus, for example, sections 101 and 107 provide, in pertinent part, as follows:

SEC. 101—

". . . the President is authorized to negotiate and carry out agreements with friendly nations . . . In negotiating such agreements the President shall—

"(a) take reasonable precaution to . . . assure that sales . . . will not unduly disrupt . . . normal patterns of commercial trade with friendly countries;

"(d) seek and secure commitments from participating countries . . ."

SEC. 107—

"As used in this Act, 'friendly nation' means any country other than . . ."

There is no provision in the current PL 480 that gives any general definition of "nation" or "country". The Food for Peace Act of 1966, however, contains a very similar provision. That provision limits sales agreements to "friendly countries", which are defined to exclude any "nation which sells or furnishes or permits ships or aircraft under its registry to transport . . ."

The two provisions . . . the proviso in the Appropriations Act and new section 103(d)(3) of PL 480 as amended by the Food for Peace Act . . . were authored by Representative Findley. The day before the conference report on the Food for Peace Act came to the House for action, Representative Findley discussed the kinds of transactions his amendment was designed to prevent (CONGRESSIONAL RECORD, vol. 112, pt. 18, pp. 25053–25054). He said, in part:

"Polish trade unions, of course, are an arm of the government, so this is evidence of direct financial support for North Vietnam [referring to raising of money by unions for aid]. * * *

"Dictator Nasser's government is engaged in trade with North Vietnam."

There is nothing in the legislative history of the Food for Peace Act that contradicts the governmental cast ascribed to the amendment by Representative Findley.

We have also looked at provisions in foreign assistance legislation that are comparable, and interpretations there only confirm our view of the Findley Amendment. The pertinent portion of the Amendment is practically identical with language in sections 107 and 116 of the Foreign Assistance and Related Agencies Appropriation Act, 1966 (PL 89–273):

SEC. 107—

"(a) No assistance . . . to any country, which sells, furnishes, or permits any ships under its registry to carry . . .

"(b) No economic assistance . . . to any country which sells, furnishes, or permits any ships under its registry to carry . . ."

SEC. 116—

"No assistance . . . to any country that sells, furnishes, or permits any ships under its registry to carry . . ."

Section 107 was enacted in 1962 and section 116 in 1965. In 1963, the House Appropriations Committee asked the Executive Branch to report on the application of section 107. In a formal statement, several basic points were set forth. The statement reads, in pertinent part, as follows:

"Cuba Shipping: Section 107 of the Foreign Aid and Related Agencies Appropriation Act, 1963.

"This memorandum sets forth a legal analysis of the applicability of section 107 of the Foreign Aid and Related Agencies Appropriation Act, 1963 (Appropriation Act), to the voyages to Cuba undertaken by aid recipient country ships listed in the Maritime Administration Report No. 12. * * *

[While the memorandum is addressed to ships only, the analysis depends upon the word "country" meaning "Government". If it has that meaning for the last part of the series "sells, furnishes * * * or permits", it must have the same meaning for the first part.] * * *

"General conclusion

"All voyages to Cuba by aid recipient country ships listed in the Department of Commerce Maritime Administration Report No. 12 have been analyzed and fall into several categories. The applicability of section 107 to each of these categories is discussed below. On the basis of an analysis of the various categories listed below it is the opinion of the Office of the General Counsel of the Agency for International Development and of the Office of the Legal Adviser of the Department of State that no action to terminate aid or to waive application of section 107 is legally required at this time. * * *

"Where Congress in one statute [referring here to the Battle Act] uses certain descriptive words and then repeats these words in a subsequent statute at the same time referring to the first [section 107 of the Appropriation Act], it must be assumed that the words of the subsequent statute were intended to relate to the same things as the first statute. * * *

"A factor, if not the determining factor, in deciding whether a country permitted a voyage is whether the country took any steps to prevent this voyage. * * * Nothing in section 107—such as provision for indemnification of shipowners [against damages if the owners were forced to breach existing charters]—indicates that Congress intended to depart from this basic principle [of fairness in not penalizing people for contracts entered into before the new legal standard is adopted], and require *aid recipient governments* to take actions exposing their shipowners to substantial liabilities. No such intent, of course, can be attributed to general statements of the congressional desire to terminate aid recipient country shipping to Cuba. * * *

"* * * A substantial number of voyages to Cuba by aid recipient country ships were in fulfillment of charters made before the effective date of the appropriation act. The contract date is important in determining whether the *aid recipient government* permitted the voyages. The governments involved have exhibited a generally cooperative attitude on this issue. * * *

"The Greek Government at the time of [certain] * * * voyages had a general policy against its ships sailing to Cuba. This policy was evidenced by the Greek Government's generally cooperative attitude subsequently verified by its issuance of the royal decree barring Greek ships from trade with Cuba. * * * Accordingly, in the absence of any evidence that the Greek Government specifically acquiesced in these voyages with knowledge that they carried proscribed cargo (i.e., permitted the voyages), the United States Government must conclude that the Greek Government is following its stated policy." (Hearings on "Foreign Operations Appropriations for 1964", 88th Cong. 1st Sess. (1963) Part 4, pp. 2317–2319.)

Both PL 480 and the Foreign Assistance Act are directed at providing economic aid to less developed countries. Certainly, the Findley Amendment and sections 107 and 116 of the Foreign Assistance Appropriation Act are intended to deny this aid in very similar situations. It would be anomalous to construe the Findley Amendment in a way that would cast a significantly wider net than the comparable prohibitions in the Foreign Assistance Appropriation Act.

II. Operation of the statute—A reasonable interpretation requires that "any nation" include only action by the government of a nation

Any statutory interpretation should pay due regard to the purposes of the law. In this case, the Findley Amendment should, if possible, be construed in light of the purposes of PL 480 and of the foreign policy objectives attached to the PL 480 program. We believe that extending the scope of the Findley Amendment to cover private sales to North Vietnam could subvert many of the foreign policy gains achieved by the basic program itself.

A broad interpretation would tie the use of major instruments of United States foreign policy—PL 480 sales and also foreign assistance—to acts of private persons. It is one thing to hold a foreign government responsible for its own actions; it is another to require that government to install a far-reaching system of economic controls to prevent individual private citizens from trading where they want.

Second, if there are very many countries whose governments are unwilling or unable to institute controls of the necessary kind on private trade, the United States will lose a considerable market for its agricultural commodities. This is true because PL 480 not only serves to familiarize foreigners with United States products (a considerable portion of PL 480 local currency resources go for market development), but most PL 480 agreements carry a requirement for additional commercial imports of the same or like products.

A market loss resulting from termination of PL 480 sales would also adversely affect the United States balance of payments. In addition to the longer range benefits of repayment of dollar credits, the PL 480 program generates local currency to use to pay United States obligations abroad, saving the dollar outlay otherwise necessary to purchase foreign currencies for this purpose.

Moreover, there are some developed countries—*e.g.*, Spain, Portugal, Japan, Iran—where the *government* is not eligible for PL 480 purchases because of its favorable foreign exchange position but where PL 480 Title IV *private trade* sales may be in the United States interest. There were some $45 million in such private trade sales in 1965. The Governments concerned are not under very much pressure to qualify local private entities for such purchases, and may be under much more political and economic pressure to permit private trade with North Vietnam, or at least Cuba. These Title IV private trade sales in developed countries are most likely to be lost under a broad application of the Findley-type amendment.

Finally, our efforts to persuade other governments to limit or eliminate trade in strategic or otherwise significant commodities with Cuba and North Vietnam are likely to be unproductive if we insist on the elimination of all private trade. In the case of the developed countries the impact of restrictive provisions in the PL 480 legislation is virtually nil in any event. For the developing countries, acceptance of a ban on *private* trade is likely to be considered too high a political price to pay for foreign assistance. Experience shows there are limits to what the traffic will bear in political conditions on aid.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., December 12, 1966.
Hon. NICHOLAS DEB. KATZENBACH,
Under Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: This letter and attached documents will explain why I believe the Executive is clearly prohibited by law from making Title IV shipments under Public Law 480 to Yugoslavia. Thank you for giving me the opportunity to present this material to you personally today.

I have prepared it after having the benefit of a discussion on December 8 in my office with The Honorable Eugene Rostow, Under Secretary of State for Political Affairs and Ambassador Douglas MacArthur II, Assistant Secretary of State for Congressional Relations, and after examining a Department of State memorandum dated November 9 which Mr. Rostow left with me at that time. As you may know, they visited me at the suggestion of the Honorable Gerald R. Ford, House Minority Leader. I appreciated this courtesy very much and am glad to present my views on this very important foreign-policy question.

The fundamental question is whether a sale of vegetable oil and wheat to Yugoslavia under the subsidized credit terms in Title IV is legal in view of the language of the Findley Amendment to the Agriculture Appropriation Act of 1966.

The question is important for several reasons:

1. It deals with our prosecution of the Vietnam war, and a serious effort on the part of Congress to shorten the war by reducing shipments of all kinds to North Vietnam.

2. It involves a lot of money. At current cost of money, the value of the credit subsidies which would accrue to the Yugoslav government under the proposed shipments would be over $4 million. The subsidies would be financed of course by the U.S. taxpayer.

3. It involves good faith with Congress. In my view, the Congress had a specific objective in mind when it enacted the Findley Amendment, and the Executive should carry out this expressed will. To set it aside through a narrow construction of the Amendment never intended by the Congress would make a mockery of the legislative process and weaken the Constitutional separation of powers.

It is basically a question of aid, not trade. The Findley Amendment has nothing to do with normal commercial transactions. Yugoslavia is free to purchase these commodities from the U.S. on a regular commercial basis.

The Amendment applies only where subsidy is provided through the terms of Public Law 480. These subsidized transactions are prohibited if a nation trades with North Vietnam.

Text of the Findley Amendment:

"Provided, that no funds appropriated by this Act shall be used to formulate or administer programs for the sale of agricultural commodities pursuant to titles I or IV of Public Law 480, Eighty-third Congress, as amended, to any nation which sells or furnishes or which permits ships or aircraft under its registry to transport to North Vietnam any equipment, materials or commodities, so long as North Vietnam is governed by a Communist regime."

Legislative history and other pertinent references:

LEGISLATIVE HISTORY

CONGRESSIONAL RECORD: April 26, 1966, May 31, 1966, July 29, 1966, August 24, 1966, August 30, 1966, October 5, 1966.

Letter from Secretary of State to Speaker of House, September 26, 1966.

CASES

1. Al Abra Silver Mining Co. v. U.S. 175 U.S. 423 (1899)
2. Landrum v. Flannigan, 56 Pac 753 (Kan)
3. Patterson Pure Food Pic Go. v. Industrial Commission 167 NE 86 (111)
4. State v. Navaro 26 Pad 955
5. U.S. v. Ninety Nine Diamonds, 139 Fed 961

OTHER

1. Hoffman, George and Neal, Fred. *Yugoslavia and the New Communism,* New York, 1962
2. Landis, J. M. "*A Note on Statutory Construction*" 43 Harv. L. Rev. 886–893, 1930
3. Robinson, James, *Congress and Foreign Policy Making,* Homewood, Illinois, 1962
4. The Washington Post, December 9

From the Amendment text and legislative history and pertinent references, these facts are clear:

1. The fundamental purpose of the amendment was to shut off trade of all kinds with North Vietnam. No exemptions were intended.

2. As a means toward that end, aid in the form of Title IV transactions (concessional sales) under P.L. 480 was to be denied to any nation trading (or, implicitly, permitting trade) with North Vietnam, or permitting ships or aircraft under its registry to transport any equipment, materials or commodities to North Vietnam.

3. Trade was clearly intended to include transactions originating from non-governmental as well as governmental sources.

4. The conclusion of the Department of State memorandum that "a proper construction of the Findley Amendment would limit its scope to those cases where the government of a country is selling or furnishing products to North Vietnam" is unsound. Legislative history is overwhelmingly to the contrary.

My position is supported by a letter from the Honorable Dean Rusk, Secretary of State, to the Speaker of the House on September 27, in which he expressed a broad and clear interpretation of the Findley Amendment and declared that the proviso would be enforced.

As you know, the proposed Title IV shipments to Yugoslavia would be illegal for an additional reason when the law extending P.L. 480 becomes effective January 1. A new provision would prohibit subsidized credit sales to Yugoslavia because of trade with Cuba.

This means that aid to Yugoslavia was doubly objectionable in the eyes of the 89th Congress; first, because of trade with North Vietnam and secondly, because of trade with Cuba. For the Executive to go ahead with the commodity deal in the closing days of 1966—before the Cuban provision takes effect—would therefore be doubly wrong.

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

MEMORANDUM INTERPRETATION OF THE FINDLEY AMENDMENT

(Prepared by Representative PAUL FINDLEY, Republican, of Illinois)

QUESTION PRESENTED

The fundamental question is whether sales to Yugoslavia under the subsidized credit terms of Title I and IV of PL 480 (so-called "dollar sales") are legal in view of the language of the Findley Amendment to the Agriculture Appropriation Act. Involved are two proposed sales, one for 35,000 tons of vegetable oil and the other for 450,000 bushels of wheat. Yugoslavia may purchase these commodities on a cash basis. The Findley Amendment does not restrict this type of transaction, but is applicable to "dollar sale" transactions which provide for very liberal credit terms.

The State Department acknowledges that blood, bandages and medical supplies are being supplied North Vietnam by the Yugoslavia Coordinating Committee for Vietnam. The Department asserts that this is not an official agency of the Yugoslavia government nor is there any official connection between the constituent organizations of the Committee and the government. The Department further asserts that Yugoslavia does not transport or permit the shipment of any other commodities to North Vietnam. In view of these two facts, the Department claims the Findley Amendment is inoperative with respect to these two transactions because the word "nation" in the Findley amendment applies only to action by the *government* of a nation and therefore does not comprehend the actions of private entities, such as the Coordinating Committee.

SUMMARY OF CONCLUSION

The Department of State is mistaken in its interpretation of the word "nation" as used in the Findley Amendment. The legislative history of the amendment and the language is clear: the word "nation" as used in the provision applies not only to actions by the government of a nation, but also includes the actions of private persons residing in the nation or country. This is true because no external commerce occurs without the consent, sanction or regulation of the government. The logical conclusion of the State Department position is that the Findley Amendment would apply only to government to government transactions. Such a conclusion was not the intent of Congress.

It was clearly the intention of the Congress to restrict the foreign policy of the Executive which permitted Yugoslavia to purchase PL 480 commodities under so-called "dollar sales" while shipipng supplies to North Vietnam.

That Congress has the authority to participate in the formulation of foreign policy and can, within Constitutional limits, order a foreign policy contrary to that desired by the Executive is well recognized (James Robinson, Congress and Foreign Policy Making, Homewood, Illinois, 1962, Al Abra Silver Mining Company v U.S. 175 U.S. 423 at 460 (1899); see also statement by Representative Findley, "The House Must Assume a Stronger Role in Foreign Affairs" delivered on the floor of the House under a special order, October 5, 1966). The fact that the Findley Amendment is at odds wtih a foreign policy objective does not make the Amendment inoperative.

I. CONSTRUCTION OF THE STATUTE: ACTION BY "ANY NATION" IS NOT RESTRICTED TO A GOVERNMENT

Since the term "nation" as used in the Findley Amendment is not defined at any place in the Act its correct meaning must be ascertained by determining congressional intent and purpose. It is well settled that in the interpretation of statutes, the intent of the Legislature is important (Crawford, Statutory Construction, p. 245, U.S. v Hartwell 6 Wall 385).

Legislative intent involves purpose as well as meaning (James Landis "A Note on Statutory Construction" 43 Harv L. Rev. 886–893, 1930). In order to determinate the purpose of the Findley Amendment, one should examine the circumstances existing at the time of the Amendment's enactment, the necessity for the amendment and the policy intended to be changed by it, the intended remedy and the consequences of the interpretation urged (U.S. vs. Ninety Nine Diamonds, 139 Fed 961). Thus the interpretation or meaning of the statute can be determined only after the legislative purpose has been determined (Patterson Pure Food Pic. Co. v Industrial Commission 167 NE 86 (111)). The intention is to be sought in the language employed and the apparent purpose to be served (Landrum v Flannigan, 56 Pac 753 (Kan)). As a Utah court said, "We must be controlled by the evident purpose of the Legislature in view of the objectives sought to be attained" (State v Navaro 26 Pad 955).

Consequently, when construing a statute the reasons for its enactment should be kept in mind and the statute should be construed with reference to its intended scope and purpose (U.S. v Jackson 143 Fed 783).

What was, then, the purpose of the Findley Amendment?

The purpose of the amendment as seen by its sponsor was to "tighten up . . . on shipping" to North Vietnam (Congressional Record, vol. 112, pt. 7, p. 8970). On a point of order that the Findley Amendment was not germane, the Speaker overruled the point of order, saying the amendment was proposed as a "limitation on the appropriations."

That the Findley Amendment was designed to restrict third country shipping to North Vietnam by limiting such third country participation under PL 480 is demonstrated by the statement of the amendment's sponsor and the ruling of the Speaker, which clearly held the amendment was imposed as a limitation on the use of the funds.

That it was universally understood to apply not only to the government of a nation, but to private entities as well is clearly evident from a number of sources, including a letter from the Secretary of State, dated September 27, 1966, to the Speaker of the House. In his letter, Mr. Secretary Rusk stated:

"At the same time, the current Agricultural Appropriation Act (Public Law 89–556) in effect prohibits any such sales (referring to PL 480 dollar sale transactions) to countries that sell, *furnish* (emphasis ours) or permit their ships or aircrafts to carry *any* (emphasis theirs) equipment, materials or commodities to North Vietnam . . . it is now the law and *we will enforce it* (emphasis ours).

The letter from the Secretary in which he uses the term "countries" rather than nations shows that he too understood it to include acts of private entities within the country as well as acts of the government.

This position is further underscored by the Secretary's use of the term "any" which is broad enough to include materials furnished by third parties. The Secretary's letter also states the Department will enforce the provisions of the Findley Amendment, which Mr. Rusk obviously understood to apply to acts of private entities, and not just the governments.

Further evidence that the Findley Amendment applied to acts beyond those of a government:

1. In a letter to the Washington Evening Star, dated May 26, 1966, and inserted in the Congressional Record of May 31, 1966, I compared my amendment to PL 480 with that attached to the Agricultural Appropriations Act. Insofar as North Vietnam was concerned, I wrote, the amendments are the same. I spoke of the Amendment applying to "countries." Further, I wrote, "To the extent that we can cut off *all* (emphasis ours) supplies to North Vietnam we mercifully shorten the conflict." In my use of the term "all" obviously I was referring to actions beyond the government of a nation and included the actions of private entities as well. Thus, by the use of "all" I meant *all types of equipment or supplies, including medical supplies, from all sources possible, including private entities.*

2. In the House Speech of July 29, 1966 (Congressional Record, vol. 112, pt. 13, p. 17696) I spoke of "commerce of recipient countries." Here, by using the term country as a synonym for nation, I was further demonstrating the broad scope of my amendment.

In that same speech I said that countries must choose between purchasing our farm surpluses on subsidized credit terms or permitting trade with North Vietnam.

3. On August 24, 1966 (Congressional Record, vol. 112, pt. 15, p. 20372) I said my amendment "certainly shows the determination of the House of Representatives to shut off aid to any country that trades with North Vietnam." Again, by using "country" interchangeably with "nation," I, like Secretary Rusk, showed that my amendment did more than apply only to the government of a nation.

4. I was not alone in my understanding of the amendment's scope. In addition to Secretary Rusk, the Honorable Gerald R. Ford, House Minority Leader, indicated he felt it applied to organizations and persons other than the government of a nation.

For on August 30, 1966, Mr. Ford said (Congressional Record, vol. 112, pt. 16, p. 21288),

"The clear intent of Congress on this matter should be followed. The intent of the Amendment is to help cut off further aid and commerce to North Vietnam. Any nation which carries on commerce with North Vietnam should not be the recipient of concessional PL 480 sales programs from the United States . . . Congress also intended that the Amendment should apply to any attempted subterfuge by a PL 480 recipient nation."

At least one other representative, The Hon. Prentiss Walker of Mississippi, also spoke on the effect of the Findley Amendment. On April 26 (Congressional Record, vol. 112, pt. 7, p. 8986) Mr. Walker said the effect of the Amendment was to stop aid to "any country which trades or deals with the Communists." Mr. Walker, like the Secretary, used the term "country" interchangeably with "nation." In so doing, he indicated that the Findley Amendment did not apply solely to the government of a nation, but encompassed the activities within the nation, including acts of private entities.

II. YUGOSLAVIA CO-ORDINATING COMMITTEE ASSOCIATION WITH YUGOSLAVIA GOVERNMENT

There is, according to the State Department, no official connection between the Committee that is sending the medical supplies and the government of Yugoslavia. It is a fact so well recognized that it seems unnecessary to repeat it here, but we do so in order that there may be no mistake. In a Communist country, the acts of private entities, especially when they relate to matters that may affect the foreign relations of the government, are regulated or inspired by the government and the Communist Party. The fact that the Socialist Alliance is involved as a constituent member of the Committee is ample evidence of the great interest the government has in this matter. The connection between the Socialist Alliance, the labor unions, and many of the other constituent organizations is fully explored in *Yugoslavia and the New Communism* by George Hoffman and Fred Neal. The Coordinating Committee is in effect a private organization acting with the force of the government. Indeed, as in all Communist countries, the Communist Party and its auxiliaries are often indistinguishable from the government. It is a relationship that need not necessarily be created by statute or constitution. To pretend that in a Communist state such activities as those engaged in by the Committee could be performed without the approval or active support of the government is farfetched. In effect, assuming the correctness of the State Department interpretation, we are asked to believe that the Coordinating Committee is representing the acts of private persons and not those of the government.

That Congress fully intended to cover such activities under the Findley Amendment can be demonstrated in the case of the Trade Unions. The State Department Memo itself points out statements in which I stated that Polish trade unions under the control of the Polish government were aiding North Vietnam. Implicit in my remarks, which occurred during consideration of my amendment to PL 480, is that trade unions are an arm of a Communist government. The trade unions in Yugoslavia, as Hoffman and Neal point out, are influenced greatly by the government. Indeed, they often act for the government. Such is the case with the Yugoslavia Coordinating Committee.

In light of recent news reports, including statements by the Yugoslav vice-premier, we can reasonably question whether shipments to North Vietnam are limited to medical supplies. But the extent of shipments is beside the point. The Executive acknowledges that certain shipments have occurred and therefore Title IV shipments to Yugoslavia are illegal until Yugoslavia bans all shipments to North Vietnam.

Reasonable men may disagree over the wisdom of Congress in enacting the Findley Amendment. That, however, is not the issue here. What is at issue is whether the judgment of Congress, validly exercised under its Constitutional authority, can be set aside by the Executive by circumventing a legislative enactment. Clearly it cannot. If Congress erred, the remedy must be legislative. To permit legislative enactments to be set aside by dubious interpretations when the Congressional purpose is clear is to make a mockery of the legislative process and weaken Constitutional separation of powers.

House of Representatives,
Washington, D.C., December 15, 1966.

Hon. Elmer Staats,
Comptroller General of the United States, General Accounting Office, Washington, D.C.

Dear Mr. Staats: The Executive Branch has under consideration two agreements under which shipments of commodities would be made to Yugoslavia under Title IV of Public Law 480. One would consist of vegetable oil under an agreement signed on or about April 11, 1966 and the other wheat. So far as I know, no agreement has been signed in regard to the wheat, nor has a Purchase Authorization been issued in regard to the vegetable oil.

It seems to me either shipment would be a violation of law, because of the following proviso in the 1966 appropriation act for Agriculture and Related Agencies:

"Provided, that no funds appropriated by this Act shall be used to formulate or administer programs for the sale of agricultural commodities pursuant to titles I or IV of Public Law 480, Eighty-third Congress, as amended, to any nation which sells or furnishes or which permits ships or aircraft under its registry to transport to North Vietnam any equipment, materials or commodities, so long as North Vietnam is governed by a Communist Regime."

Please check on the legality of the proposed shipments and report your findings to me. I attach a copy of a letter on the subject I delivered on December 12 to the Honorable Nicholas Katzenbach, Acting Secretary of State, together with a supporting memorandum.

I add these pertinent items:

1. That the shipments going from Yugoslavia to North Vietnam are not isolated is suggested by a radio broadcast from Belgrade on December 9, as reported in the December 13 issue of the Foreign Broadcast Service, "A coordination committee for assistance to Vietnam has also been formed in Yugoslavia, and so far it has sent 13 shipments of blood plasma, medicines and medical supplies to Vietnam."

2. That the sponsoring coordinating committee is quasi-governmental is strongly suggested not only by the material placed in the attached memorandum, but also by an opinion issued by the United States Supreme Court on Monday of this week. Department

of Employment et al., Appellants v. U.S. et al., Docket No. 78 held that the American Red Cross is actually an instrumentality of the U.S. government. It seems reasonable to assume that the Yugoslav Red Cross would be at least as closely associated with the Yugoslav government as would be the American Red Cross to the U.S. government.

It is probable that the Administration will be forced by circumstances to decide on the shipments within the next two weeks.

I am writing to the Department of State and the Department of Agriculture informing them of the request I am making by this letter and expressing the hope that a final decision on the shipments will be delayed until I receive a report from you. Therefore, everything you can do to expedite the investigation will be very helpful.

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

On December 19, I sent the following letter to my colleagues in the House of Representatives:

"DEAR COLLEAGUE: For your convenience I enclose copies of letters I have sent to the Department of State and General Accounting Office in regard to subsidized credit on food shipments to Yugoslavia.

"In the closing days of 1966 the Administration must decide whether to go ahead with the shipments, and you may receive questions about it.

"Because Constitutional principles of great significance are at stake, I have urged the Administration not to go ahead. In my view, to do so would be clearly illegal.

"I oppose the shipments because, in my opinion, they would be a violation of a law passed by the 89th Congress—the one prohibiting subsidized credit to any nation trading with North Vietnam. Whether you voted 'yea' or 'nay' when the measure was passed, I am sure you will agree that the law be enforced.

"At stake is the authority and dignity of Congress, the separation of powers under the Constitution, and the supremacy of law.

"If the Executive gets away with circumventing this law, the practice may become a habit. In those circumstances, Congress could become just a tourist attraction.

"Sincerely yours,

"PAUL FINDLEY,
"Representative in Congress."

[Telegram]

WASHINGTON, D.C.,
December 21, 1966.

HON. LYNDON B. JOHNSON,
Austin, Tex.

DEAR MR. PRESIDENT: In simple justice to the American men fighting and dying in Vietnam please cancel plans now under consideration in Departments of State and Agriculture under which Yugoslavia would get $29 million in wheat and vegetable oil on terms which amount to a $4 million gift to the Tito regime.

State Department officials wish to make these shipments under Title IV Public Law 480 despite serious questions I have raised concerning the legality of the transaction. Coming in the wake of demonstrative anti-American rioting in Zagreb, Yugoslavia, these shipments would be a grave injustice to our men in Vietnam.

According to press reports a mob of six thousand or more Yugoslavs—with token resistance from local police—hurled a truckload of rocks through the windows of the U.S. Consulate after demonstrating against our military aid to South Vietnam. We cannot of course make Yugoslavia like what we are doing in Southeast Asia but surely we can shut off financial aid to that country. As I have stated in a detailed brief to the Undersecretary of State, I consider the proposed subsidized food shipments to Yugoslavia to be clearly in violation of law, but even if a legal loophole can be found, under present circumstances it must not be used. The gift to Tito would appear to be a reward for anti-American rioting. It will be one of the great ironies of history if the same country that responds violently to our war policy, sends aid to our enemy, damages our property and endangers the lives of our citizens should at the same time be permitted to reach into the United States Treasury.

I am confident you will not permit this to happen.

PAUL FINDLEY,
Member of Congress.

[Press statement issued on Dec. 29, 1966]

With only two business days remaining in 1966, it is obvious that the Executive Branch has quietly dropped its plan to grant aid worth over $4 million to Yugoslavia by means of credit subsidies. These would accrue under proposed wheat and vegetable oil shipments made through the Food-for-Peace program.

It would be almost impossible to complete either of these transactions before January 1 when an additional restriction on aid to Yugoslavia will take effect.

This Executive Branch decision is an important victory for both law and common sense.

It is a victory for Congress in its never-ending struggle to protect its Constitutional authority against Executive encroachment.

The transactions would clearly have violated a law enacted by the 89th Congress. A provision of the 1966 Appropriation Act for Agriculture and Related Agencies, known as the Findley Amendment, prohibits credit subsidies under Food-for-Peace to any nation that makes shipments to North Vietnam. It took effect when the bill was signed by President Johnson on September 8.

An amendment which I helped to attach to a legislative bill extending Food-for-Peace authority takes effect on January 1. It prohibits this type aid to any nation making shipments to either North Vietnam or Cuba.

Yugoslavia is making regular shipments to both Vietnam and Cuba, but the Executive Branch—anxious to aid the Tito regime—tried to split legal hairs on the first amendment and had originally planned to make the wheat and vegetable oil shipments before January 1.

The decision to drop the plans is also a victory for common sense and is mighty good news for our troops in Southeast Asia.

It makes no sense for us to send aid to a country like Yugoslavia that insists on aiding our enemies, stoning our embassies and demonstrating against our war policy.

[Telegram]

WASHINGTON, D.C.,
January 27, 1967.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.:

Commodity markets yesterday buzzed with rumors that the government is preparing to ship $9 million in vegetable oil to Yugoslavia under a Public Law 480 agreement signed last April 11.

According to Department of Agriculture officials, a purchase authorization under an agreement dormant that long would be unusual but not illegal solely because of the time elapsed. However, I respectfully call your attention to Subsection 3 of Section 103d of Public Law 480, a provision known as the Findley Amendment which became effective January 1. Under it any nation making shipments to North Vietnam or Cuba is ineligible for concessional sales which of course amount to a considerable monetary advantage. The attractive credit terms of the vegetable oil transaction, for example, are the equivalent of at least $4 million in aid to the Tito regime. Because it makes shipments both to Cuba and North Vietnam, Yugoslavia is doubly disqualified for aid under this provision.

The United States has the option to extend delivery dates indefinitely even on signed agreements and this is precisely what I suggest on this deal. Before we send any additional aid to the Tito regime, we should at least insist that Yugoslavia protect our embassies from mob violence and stop helping our enemies.

PAUL FINDLEY,
Member of Congress.

Mr. Speaker, here are typical editorials commenting on the Yugoslavia shipments:

[From the Indianapolis News, Dec. 15, 1966]

STOP THE TRADE

Congratulations to Rep. Paul Findley, R-Ill., who is moving to halt U.S. subsidized-trade to Communist nations.

The United States is doing a booming business, in terms of trade and aid alike, with the Communist countries of Eastern Europe. These nations are in turn fueling the war effort of North Viet Nam and the Viet Cong, who are industriously engaged in killing Americans in Asia.

Such trade and aid is doubly irrational. It is in violation of all rules of common sense, and it is also in violation of the stated intention of Congress. Findley is digging in to tackle the ruling policy in Washington on both counts.

Findley, according to news reports, is planning to file suit against the government to halt the sale of easy-credit wheat to Yugoslavia. ". . . this proposed extension of long-term, subsidized credit," he says, "would clearly be in violation of the trading-with-Hanoi amendment we passed. And what are the courts for, if not to prevent violation of the law by the Federal government or anyone else?"

Premise for this action is the fact that the Yugoslavs, recipients of healthy portions of U.S. aid, are in turn sending aid along to the North Vietnamese. This is par for the course for the European Communists, including those other beneficiaries of our largess, the Soviets.

Earlier this year, for example, Americans sold Moscow technical data for the construction of three large fertilizer plants while the Soviets in turn where supplying North Viet Nam with upwards of 150,000 tons of fertilizer. We have sold $660,000 worth of platinum pellets, useful in the manufacture of high octane gasoline, to Bulgaria. And we have supplied Romania with electronic equipment to be used in airplanes.

All of these governments are backing the Communists in Vietnam. Soviet MIGs, surface-to-air missiles, trawlers, and other supplies are widely deployed in support of the Viet Cong, and we are helping to pay the bills for all of it. We thus are making a mockery of our own war effort, and violating the laws of the nation along the way.

Such violations of the law and of the national interest have been routinely practiced by Washington diplomatists who seem obsessed with the idea of placating the Communists at any cost. It is about time someone called the turn on them, and we are delighted to see Rep. Findley has taken that task upon himself. We trust he will receive widespread support from other members of Congress and from the American people in general.

[From the Dallas Morning News, Dec. 13, 1966]

RUNAROUND AGAIN?

While Members of Congress are home, the bureaucrats in Washington are busy figuring out how to keep from doing what Congress clearly told them to do.

This isn't the first time it has happened. And we fear it won't be the last. But the elected Representatives and the people who elected them should resent this and do something about the recurrence of rule by bureaucracy.

Latest example concerns the sale of wheat to Yugoslavia. During the final hectic sessions of the 89th Congress, a ban was spelled out against extending long-term credit for wheat purchases by nations that trade with North Vietnam or Cuba.

Yugoslavia trades with both enemy nations. Hence Yugoslavia obviously isn't entitled to such credit. But our State Department says communist officials in Belgrade are upset. So is our own executive branch, which has been "building bridges" with Iron Curtain countries.

So, the State Department is trying to find a way to beat the ban. Reportedly the administration will assume that this barrier is not yet effective. But Rep. Paul Findley, R-Ill., who sponsored that amendment, says it has been in force for months. And wouldn't you think that the author of the amendment would know?

Another runaround that Congress is getting has to do with cotton planting regulations. This is the well-known skip-row provision. Planting a row of cotton, then skipping some rows, saves moisture and increases the yield. It is good farming. Congress wrote into agricultural legislation provisions to permit this when acreage is curtailed by law. But U.S. Agriculture Department has devised a regulation that revokes the law and prevents this practice.

Many other examples could be cited. Big government in Washington has become a maze of little men who often consider themselves the sole arbiter of what is best for the people of the United States, no matter what Congress and the voters want.

This is dangerous, indeed. Congress should stop it. If loud protests won't work now, Congress can choke off the finances next time to prevent it from happening again.

[From the Manchester (N.H.) Union Leader, Dec. 29, 1966]

A Vicious Triangle

Cong. Paul Findley (R.-Ill.) is doing his best to block the State Department which he claims is trying to arrange a $20 million wheat sale to Yugoslavia, despite congressional action cutting off authority for such transactions. Communist Yugoslavia in turn helps Communist Vietnam.

Entirely aside from the law against such transactions, when you realize that we are helping to support Yugoslavia, which in turn is helping the enemy to kill Americans in Vietnam, it simply doesn't make sense. But apparently this doesn't bother our State Department.

[From the Oakland (Calif.) Tribune, Dec. 19, 1966]

Trade Ban Showdown

The congressional ban on easy-credit food sales to countries trading with North Vietnam may be put to a test soon.

Rep. Paul Findley, R.-Ill., reports that the State Department is attemping to arrange the sale of 350,000 tons of wheat to Communist Yugoslavia on favorable credit terms. The Illinois congressman contends the sale would violate the ban on such transactions that was approved last year by Congress through an amendment to the Agriculture Department appropriation bill.

A similar prohibition is contained in legislation extending the Food for Peace program and is effective after Jan. 1.

The language of the congressional ban on food shipments to countries trading with North Vietnam was explicit. It was adopted because a majority of the members of Congress do not believe this country should be providing easy credit or any other type of aid to countries which are helping feed the warmaking potential of North Vietnam when that Communist regime is actively engaged in killing U.S. troops.

That attitude made sense then. It still makes sense. But it will be interesting to see which side prevails in a showdown—Congress or the Executive Branch of government. Any attempt to evade the ban would be a direct challenge to the authority of Congress to fix the terms of such agreements.

The Yugoslavian wheat deal may provide a test of whether a congressional directive means anything or may be ignored.

[From the Washington Post, Dec. 12, 1966]

Food for Spite?

The Administration ought to find a temporary loophole to let Yugoslavia continue to participate in the Food for Peace program, and it ought to seek permanent remedial legislation next year. The need arises because Congress shut Yugoslavia out of Food for Peace, supposedly a humanitarian program, in spite at its trade with North Vietnam and Cuba. Yugoslav pride understandably prevents it from altering its trade to suit congressional myopia. And in any event, the Administration is persuaded Belgrade ships only medical supplies to Hanoi, and its trade with Cuba is small and nonstrategic.

Neither aid nor local currency is involved. Yugoslavia now pays dollars ($25 million this year) for the food in question. In planning the sweeping, pro-market, economic reforms now being effected, the Yugoslavs counted on buying American grain with the long-term credits of Food for Peace.

Yugoslavia has stretched the meaning of "Communist" so far as to render the word silly as an epithet and virtually meaningless as a description. Consider that just the other day the government of one of its constituent republics resigned because the republic's legislature rejected its health-insurance proposal. The resignation of a "Communist" government? It is not only unprecedented but flabbergasting. Is this the kind of "Communist" behavior Congress really wants to punish?

[From the New York Times, Dec. 18, 1966]

Myopia on Yugoslavia

Defeated on an important vote in Parliament, the Government of the state resigned in the best Western tradition. Where did it happen? In Communist-ruled Yuogslavia. Premier Janko Smole of Slovenia, one of six republics in the Yuogslav federation, refused to reconsider, so the legislature launched the constitutional procedure for electing a new Government.

It was the first time anything like that had happened in President Tito's Yugoslavia, and perhaps it was the first time ever under a Communist regime. But Yugoslavia has scored many such "firsts" among Communist countries and the Slovenian event is unlikely to be the last of its kind.

Yugoslavia is still far from Western democracy, but in recent years, despite notable setbacks, it has evolved fairly steadily toward greater economic and political freedom. American aid and trade have encouraged that evolution.

Now Representative Findley of Illinois says his amendment to the 1965 Agriculture Appropriations Act bars the Administration from selling another 500,000 tons of surplus food to Yugoslavia. The amendment prohibits such sales to any nation furnishing or transporting aid to North Vietnam, A Yugoslav agency has sent medicines, bandages and blood.

The surplus food would facilitate Yugoslavia's economic reform and liberalization. It would implement the Administration policy of trying to improve East-West relations through expanded trade. But the State Department is delaying the transaction in deference to Mr. Findley's protest.

The Illinois Republican doubtless takes satisfaction from this situation, but what it really illustrates all over again is that shortsighted actions by Congress can damage America's best long-run interests.

[From the Chicago Tribune, Dec. 27, 1966]

Aid for Those Who Aid Our Enemies

The last Congress enacted a two year extension of the food for peace program with an amendment designed to shut off trade with North Viet Nam by countries who receive American food aid. The amendment provides that no American government funds shall be used for the sale of agricultural commodities to "any nation" which sells or furnishes to North Viet Nam or which permits ships or aircraft under its registry to transport to that country, any equipment, material, or commodities as long as North Viet Nam is governed by a communist regime. It was sponsored by Rep. Paul Findley, the Illinois Republican who is a member of the House agriculture committee.

Now Rep. Findley is protesting plans by the Johnson administration to send communist Yugoslavia 29 million dollars' worth of wheat and vegetable oil. He says such shipments would be in clear violation of the law authorizing the food for peace program.

The state department, however, interprets the word "nation" in Findley's amendment to apply only to governments. The department contends that the Yugoslavia Coordinating Committee for Viet Nam, which is supplying blood, bandages, and medical supplies to North Viet Nam, is not an official agency of the Yugoslav government and, therefore, the Findley amendment does not apply.

Findley maintains it was the intent of Congress to apply the law to the actions of private citizens in foreign nations, as well as to their governments. Moreover, he points out, cancellation of food aid for Yugoslavia would be "in simple justice to the American men fighting and dying in Viet Nam."

Obviously, the state department's position on this matter is nothing more than a flimsy technicality to get around the law. Even if the Yugoslav committee is a private group, the Yugoslav government could stop it from aiding the North Vietnamese Communists if it wanted to. The government, of course, doesn't want to, and the committee probably is a governmental front.

It is almost inconceivable that the Johnson administration sees no inconsistency in fighting Communists in Viet Nam and aiding Communists in Europe. Yet the administration not only proposes to send food aid to Yugoslavia but has been talking recently of expanding trade in agricultural commodities with the communist countries of eastern Europe.

The administration will find that the great majority of Americans, particularly those with sons and relatives fighting in Viet Nam, wholeheartedly support Rep. Findley's protest.

AMENDMENTS TO THE LIBERTY LOAN ACT—INCREASING THE DEBT CEILING

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. Curtis] is recognized for 60 minutes.

Mr. CURTIS. Mr. Speaker, I shall not take all of the time, but only a part of it. I will submit for the Congressional Record today copies of the remarks of the Secretary of the Treasury and of the Director of the Bureau of the Budget made during the hearings the Ways and Means Committee is now conducting on the proposed amendments to the Liberty Loan

Act, which is more popularly known as the debt ceiling.

I believe this is one of the most important things that faces this Congress. Fortunately, it faces us just as we start our sessions, because involved in this issue of the increase in the debt ceiling is the whole question of the expenditure policy of the Federal Government. For this reason I take the time and space in the CONGRESSIONAL RECORD to discuss the fundamental issues involved. In this manner more of the public will be alerted than through just the public hearings that are going on in the Ways and Means Committee. Hopefully, through this RECORD insertion those in the Congress who are interested will have a better opportunity of following the colloquy that is being developed in the Ways and Means Committee before the issue actually comes to the floor of the House for debate and decision.

Hereafter follows the statement of the Honorable Henry H. Fowler, Secretary of the Treasury, before the House Ways and Means Committee on the public debt limit, January 30, 1967, in the committee room, Longworth Building, interspersed with my comments:

Mr. Chairman and Members of the Committee, I would like to thank you for scheduling this hearing so quickly after the submission of the President's Budget in response to our request for prompt action to raise the limit on the public debt. This request is for a $7 billion increase in the temporary debt ceiling, to raise that ceiling level to $337 billion for the balance of fiscal year 1967.

My statement today will vary somewhat from the usual technical explanation of the basis for the figures suggested for the debt limit. In addition, the statement is designed to acquaint, not the knowledgeable members of the Committee who I know are fully aware of their responsibilities in dealing with this question, but other members of Congress, with the realities and consequences of any failure by the Congress to act *favorably* and *promptly* on this request.

Let no one mistake the realities. I am in the position of the treasurer of a business who comes to the Board of Directors for permission to go across the street to the bank and borrow additional monies in order to pay the bills coming due on contracts for goods and services entered into long ago. A vote against additional borrowing under these circumstances is not a vote for economy. It is a vote for a failure to use the credit of the company in timely fashion to pay the company's bills and obligations which have already been incurred. A vote against increasing the ability of that treasurer to borrow at the bank is an irresponsible act of management and should not be considered as anything else. The results of refusing permission to the treasurer to borrow to pay the bills coming due are damage to those who supply and work for the company, damage to the credit of the company, and damage to the company's ability to carry on its activities in an orderly manner.

COMMENT

Mr. Speaker, this is an inappropriate analogy for many reasons. Essentially, however, it disregards the fact that the administration has considerable flexibility over the expenditure levels for the remaining 5 months of fiscal year 1967; namely, February, March, April, May, and June. It is true that some "bills" already incurred are coming due and must be paid if the credit of the company and its ability to carry on its activities are to be preserved. Certainly, paying the monthly salaries of the Federal employees is a necessity. But is it beyond reason that the level of Federal employment cannot be cut during these 5 months at least through the employment termination that occurs routinely each month? Or that contracts in being cannot be stretched out or in some instances terminated, paying, of course, a penalty if a penalty clause exists, although in many instances no penalty clauses would be invoked? The President has said he cut back $3 billion on expenditure levels through stretching out and deferring many programs. He can make it $6 billion if he tries harder.

Of course, the Executive has considerable flexibility over his expenditure levels. Note the monthly expenditures for the months of July through December 1966. They are, in order, $10.3 billion, $11 billion, $11.9 billion, $11 billion, $10.4 billion, and $9.5 billion. There is little question in my mind, but that the lower level for December, namely, $9.5 billion, resulted from the impact of the debt ceiling.

CONTINUATION OF REMARKS BY MR. FOWLER

I stress this simple analogy because we know it is up to the members of this Committee on both sides of the aisle to persuade their colleagues to vote to increase borrowing authority and thereby maintain the credit of the United States. This is not the time or the place for those members of Congress who are interested in casting economy votes to register their protest. That occasion presents itself when various bills come before the Body involving new appropriations or new pay increases. And yet you and I know that there are many who have voted for, and will vote for, appropriations and then take comfort and protection in a vote against extending the debt limit. This is not a responsible act whether the legislator in question has voted for defense appropriations to pay for the war in Vietnam, to pay for Great Society programs, or for established services of the Federal Government.

Let me indicate the broad categories of payments that would be in jeopardy:

Social Security and disability benefits.
Veterans pensions.
Retirement pay, both military and civilian.

COMMENT

Mr. Speaker, the "new appropriations" are only part of the President's power to spend and the "new appropriations" to be considered by the 90th Congress have nothing to do with expenditures for fiscal 1967. They have to do with expenditures for fiscal 1968 which does not begin until July 1, 1967. The supplemental appropriation bill which will be submitted to this Congress does relate to expenditures for fiscal 1967, but relate largely to expenditures the administration has incurred without authority from the Congress. These supplemental appropriation bills are to a large degree "after the fact" appropriations and there is more limitation on what the Congress can do to cut back on them, except to be certain that they, indeed, are after the fact and are not padded as they frequently are with what can be termed "routine appropriations," and not "emergency appropriations."

The other part of the expenditure picture lies in the carryover balances of power to spend, previously granted by the Congress. On July 1, 1967, the President will have to spend according to his budget message, if Congress does give him all he asks for in new power to spend, $269.6 billion—$144 billion comes from the "new appropriations," but $215.6 billion comes from "unspent authorizations enacted in prior years." See table 8, page 49, 1968 budget. According to the 1967 budget beginning on July 1, 1966, the President would have $236.6 billion power to spend; $121 billion coming from "new appropriations" and $114.7 billion "unspent authorizations" enacted in "prior years." See table 8, page 47, of the 1967 budget.

Now the supplemental appropriation to be submitted to the Congress shortly will be an additional $15.7 billion—mostly for defense—for fiscal 1967 expenditure. Add this to the $236.6 power to spend and we get a total of $252.3 billion power to spend for fiscal 1967. But the President in his recent budget message says, "I will spend a total of $126.7 billion and I will leave a balance of $125.6 billion to be spent in fiscal 1968 and later fiscal years."

The point is Congress can if it wishes cut in on the carryover balances to spend by rescission bills, just as the President says he has cut back on the utilization of the power to spend by $3 billion. In other words, a tight debt ceiling can be an economy vote to register not just a protest but a requirement that the President actually cut back on expenditure levels in a considered and orderly fashion.

CONTINUATION OF REMARKS BY MR. FOWLER

Nor should any member of Congress mistake the consequences of failure to act, and act promptly, on this request.

If Congressional authority permitting additional cash borrowing is not provided before the end of February—less than 30 days from today—the Treasury will be in the untenable position of having to reduce outpayments for goods and services approved by the Congress and vital to the nation's well-being.

For the first half of March we will only be able to pay about one half of the total amount of the anticipated bills.

COMMENT

Mr. Speaker, the Secretary is resorting to extremism to prove his untenable case. Certainly, if the Congress granted no increase whatsoever in the debt ceiling of $330 billion, which is contemplated by no one, some real obligations incurred by the Government by March could not be paid. One month is not sufficient time to effect the cutbacks in expenditure levels in as orderly a fashion as might be necessary, but 5 months is. Probably cutbacks were made in December—to attain the $9.5 billion level—in the anticipation that Congress would increase the debt ceiling in January or at the latest in February. This was a risk that the administration took unwisely and recklessly by not asking Congress to increase the debt ceiling in September and October when it was quite clear that the expenditure estimates of $112.8 billion for fiscal 1967 given in January 1966 and unchanged in the May 1966 testimony before the Ways and Means Committee in the debt ceiling hearings were exceeding this rate by a considerable amount. As we now know the rate is projected to be $126.8—$14 billion more than the first unrevised estimates.

CONTINUATION OF REMARKS BY MR. FOWLER

More than 25 million people would be affected in these three categories alone.

Other millions could be affected directly or indirectly, such as those receiving:

Tax refunds;

Federal salaries;

Public assistance benefits;

Payments under the Medicare program;

Unemployment benefits;

Payments to farmers under agricultural programs;

Payments on Government contracts for supplies, services and construction for both military and civilian purposes.

COMMENT

Mr. Speaker, this is demagoguery. The Secretary could have listed foreign aid, highway beautification, rent subsidy, Teachers Corps, space or any other set of programs. Any group can be cut if it became necessary to get expenditures in line with anticipated revenues. If the President cut social security, and retirement pay first—ahead of all the other expenditures programs, it would be because he rated these programs at a lower priority than other programs, which is most unlikely. Actually, social security would not be cut because the Social Security Administration has a contingent fund of $20 billion in Government bonds which it could and would sell off before it cut one dime out of the social security benefits.

CONTINUATION OF REMARKS BY MR. FOWLER

The potential harm to this nation's economy and to our position in the world economy which would result from a failure to honor our legal and contractual obligations is self-evident. Unless the debt limit is increased by the end of February, at which time our outstanding obligations will exceed that which we could legally borrow, the possibility of an economic and monetary rearrangement will be a reality. In view of these critical circumstances, I believe this Committee will act, and act promptly and responsibly.

I hope that what I may say here will enable you to influence your colleagues, whether they be experienced members of the Congress who in the past have indulged themselves with votes against the debt limit or new members who may not have had an opportunity to learn that the place to cut spending is in the appropriations process—and not by the misapplication of the debt limit.

COMMENT

Mr. Speaker, I trust that all Members of Congress will consider the projected expenditure levels recommended by the President for the rest of fiscal 1967 and limit the increase of the debt ceiling to bring about a decrease in this level.

CONTINUATION OF REMARKS BY MR. FOWLER

Because of the short time available we are asking at this time *only* for a revision of the debt limit applicable to the remaining 5 months of this fiscal year 1967. I would prefer, of course, to have sufficient leeway to cover that 5 months and the ensuing fiscal year 1968 but I do not believe I should burden the present request with anything that could delay speedy and favorable action on the immediate need for a higher ceiling.

For that reason, as well as the other reasons referred to, *I believe I am justified in urging and insisting that the Congress in Committee or in floor action not burden the present request with anything that could delay speedy and favorable action by introducing highly controversial amendments or proposals.*

I am aware that there are some aspects of the present state of law and government practice relating to the debt limit and budgetary accounting that many members would like to see the subject of legislative proposals, hearings, and possible changes in law or practice. Many of these proposals are highly controversial. To handle them adequately and with full legislative process would take much time both here and in the other Body.

For example, there have been many members in both Houses who have urged from time to time that the practice of periodic extension of the temporary debt limit be abandoned and that the permanent limit at its present figure of $285 billion should be modified.

It is clear from examination of the record of sessions of this Committee that this is a subject which, if it is to be handled, should not be disposed of in haste and without searching appraisal by the Committee.

We are all aware that there is, and continues to be, a good deal of contention about the way in which the budget is presented. Statements continue to be made about so-called budget gimmickry. A good deal of this attaches to the running dispute about participation certificates and the sale of assets—how they should be treated in the budget presentation. They are now, under standard procedures followed by Administrations for the last twelve years, treated as reductions in expenditures. Some would propose that they be included under the debt limit.

Let me point out the proper approach to this problem. On page 36 of the Budget Message presented last week the President said:

"For many years—under many Administrations—particular aspects of the overall budget presentation, or the treatment of individual accounts, have been questioned on one ground or another.

"In the light of these facts, I believe a thorough and objective review of budgetary concepts is warranted. I therefore intend to seek advice on this subject from a bipartisan group of informed individuals with a background in budgetary matters. It is my hope that this group can undertake a thorough review of the budget and recommend an approach to budgetary presentation which will assist both public and congressional understanding of this vital document."

COMMENT

Mr. Speaker, this, of course, is desirable. However, why was this study not made in a timely and orderly fashion when the Congress studied and considered, and passed the Participation Certificate Sale Act last year? This is certainly no excuse for the Congress not checking a device which the administration has been using as a loophole to get around: First, the debt ceiling; second the 4¼ percent interest ceiling in Government securities with maturities beyond 5 years.

CONTINUATION OF MR. FOWLER'S REMARKS

The establishment of this Commission proposed by the President partly in response to the concern of members of this Committee regarding budgetary practice and partly because it is desirable to seek to improve this part of our governmental operations from a bipartisan point of view, should be an acceptable alternative to efforts to try and reform the budget in connection with this debt limit extension, where timing is a vital factor.

This is equally true of efforts to include the participation certificates under the debt limit. When this question was raised before this Committee last May, the Budget Director observed:

"If we go ahead and include them on the grounds that, essentially these issues have the backing one way or another of the U.S. Treasury, then it seems to me you are faced with the logical necessity to include in the debt limit some $98.5 billion worth of various Federal guarantees and insurance which also have a backup by the Treasury in the same sense. You have to add $7.6 billion of issues by the Federal Home Loan Banks and the Federal National Mortgage Association, quite apart from participations."

COMMENT

Mr. Speaker, this is specious because the participation certificates are by the law creating them an issue "sui generis" and do not partake of the nature of the debt certificates which go to make up the pool. They bear their own interest rate, which is well above the average interest rate of certificates in the pool. By the new law, the differential between the lower interest rate of the certificates in the pool and the new participation certificate is made up by funds coming from the U.S. Treasury. They bear their own maturities which may or may not reflect the average maturities, or have any reference whatever to the maturities, of the certificates in the pool. The participation certificate is backed by the full faith and credit of the United States.

Now the $98.5 billion worth of Federal guarantees—now estimated to be $115 billion by the end of 1968—are entirely different from the participation certificates. Furthermore, this figure includes many types other than the certificates which are authorized to be in the pool. The value of the type securities which are authorized to be considered for the pool is around $33 billion, not $98.5 billion, let alone $115 billion.

CONTINUATION OF MR. FOWLER'S REMARKS

When this Committee or any Committee of Congress undertakes to change the entire character and purpose of the debt limit, thereby affecting manifold operations involving far-flung private lending that is supported by Government guarantees, it should act only after the most careful and studied examination of the debt limit and the purpose it serves, and the feasibility and consequences of including these operations within its scope.

So, members of this Committee, I come back to you urging that you do not use this particular occasion for the handling and disposal of these broad and controversial aspects of government.

I shall be here again later, in the Spring, to ask that the temporary debt limit be extended at least until the end of the next fiscal year. Presumably there will then be more time for the debates and controversies that swirl around this fascinating subject.

Now I should like to move to the question of why we are here today asking for an increase in the debt limit when the Congress acted last May, presumably to take care of this matter for this fiscal year.

Last May, I appeared before this Committee to request a $4 billion increase in the existing $328 billion temporary debt ceiling to a level of $332 billion, to carry through fiscal 1967. Congress reduced that request by $2 billion, voting the current limit of $330 billion. It was pointed out that this reduction cut severely into our margin for contingencies and that, as a result, it might be necessary to return to the Congress for an increase in the limit applicable to this fiscal year.

COMMENT

Mr. Speaker, the Secretary sought to point out that the cut of $2 billion in his request would "cut severely into his margin of contingencies," but he was reminded forcefully when he made this point that the alternative Congress had in mind was for him to report back to the Director of the Budget and the spending agencies that if they did not cut their expenditure levels, he would have to cut into his margin of contingencies. This margin, by the way, was essentially granted to permit him to have flexibility in managing the Federal debt so that he had some discretion of when it was best to go into the investment market to sell Government securities in order not to be at the complete mercy of the market.

The Secretary's decision to use up his contingencies and other flexibilities to permit continued high rates of spending certainly has proved costly to the Government in higher interest rates and has proven very damaging to the total economy in forcing up interest rates as well as in monetizing the debt to the point that it contributed to the rise in the Consumer Price Index—created inflation.

The alternative, of course, was for the Federal Government to cut its expenditure levels.

CONTINUATION OF MR. FOWLER'S REMARKS

The likelihood that this provision would not be adequate was squarely faced at the time the Congress acted last June. In the report of this Committee it was stated:

"Should a sharp increase in expenditures for Vietnam or some other contingency require a reevaluation of the $330 billion limitation, Congress can take whatever action is necessary."

In presenting the proposal for floor action, Chairman Mills summarized the situation in the following terms:

"Mr. Chairman, if we are not going to spend more money than is projected in the President's budget, delivered to us in January of this year for fiscal year 1967, the Secretary of the Treasury can handle all of his responsibilities under this ceiling.

"Now, Mr. Chairman, if we are going to add a whole lot to it, or if the costs in the Vietnamese situation are to be greater by an appreciable amount than set forth in the budget and predicted for this fiscal year, then this amount of $330 billion may not be enough.

"However, Mr. Chairman, I believe all of us recognize that under such circumstances, $332 billion would likewise not be enough."

COMMENT

Mr. Speaker, this is quite true and being true, why did the administration not come in when it saw that its expenditures resulting from Vietnam were running considerably beyond their January 1966 estimates and ask for the debt ceiling to be increased in September—in October? Everyone but the administration seemed to know the expenditure rates were running way beyond the projected levels of $112.8 billion. Certainly, it was clear in September when the administration and the Secretary of the Treasury testified before this committee requesting the suspension of the investment credit. Yet, in September, the Secretary and the Director of the Budget were unwilling to revise the $112.8 figure. In my judgment, here was irresponsibility and one further reason for the growth of the credibility gap.

CONTINUATION OF MR. FOWLER'S REMARKS

The request last May for a debt ceiling of $332 billion was based on a projected budget deficit in fiscal year 1967 of $1.8 billion. Mainly because of the greater costs of Vietnam, and despite a larger inflow of tax revenues than was projected earlier, we now expect a budget deficit in this fiscal year of $9.7 billion.

Tax revenues are expected to reach $117 billion in this fiscal year, compared with a projected level of $111 billion.

Our expenditure projections, however, now point to a total administrative budget outlay of $126.7 billion, and to this should be added sale of participating certificates and all bonds, compared with the January estimate of $112.8 billion. Of the $13.9 billion difference, $9.6 billion is a direct result of larger defense expenditures, $9.1 billion of it due to Vietnam. Three billion dollars reflects the impact of tight money markets which have raised our interest costs and impeded the sale of financial assets.

COMMENT

Mr. Speaker, the tighter money markets were to a large degree the result of the administration "head-in-the-sand" fiscal policies and certainly the result of its obdurate refusal to relate expenditure levels to revenues.

CONTINUATION OF MR. FOWLER'S REMARKS

Recent trends in our debt and cash balance experience underline the urgency of the present request. The debt subject to limit has in fact remained very close to the statutory ceiling since late November 1966. On December 15, 1966, just before the inflow of quarterly corporate tax receipts, the debt subject to limit was $329,851 million, only $149 million under the $330 billion ceiling. At the same time the Treasury's operating balance (excluding gold) was just $916 million—far shore of the $4 billion level generally considered necessary for prudent cash management purposes, and certainly lower than could be maintained on a continuing basis.

At the end of December 1966 the debt was $329,548 million, having declined a little because of certain trust fund outpayments that entailed the liquidation of special Treasury securities. Meanwhile, with the benefit mainly of corporate tax payments the cash operating balance was up to $4,511 million. And that cash level, incidentally, is less than half a month's expenditures.

I call to your attention, for purposes of comparison, that the projections submitted to this Committee last May involved a debt at the end of calendar year 1966 of $323 billion, with the normal $4 billion cash balance. The *actual* levels, as just indicated, were about $329.5 billion of debt and $4.5 billion of cash. With the "normal" $4 billion cash balance the debt would have been $329 billion at the end of 1966—$6 billion above the projected level.

The $4.5 billion cash balance we enjoyed at the end of 1966 did not stay with us for long. By January 15 it was $2.6 billion, with the debt, also on January 15, at $329.8 billion. If we had held a $4 billion cash balance cash balance on that day, the debt subject to limit would have been $331.2 billion—$1.2 billion over the ceiling. The projections submitted to this Committee last May indicated a debt on January 15 of $325.3 billion assuming the $4 billion cash balance, so we were $5.9 billion above the projected level.

On January 18, the debt subject to limit reached a peak level of $329,925 million, just $75 million short of the limit. Our operating balance that day was $2.5 billion. With a $4 billion cash balance the debt would have been $331.4 billion.

Looking ahead, the situation becomes even tighter. The projected debt level for tomorrow, January 31, is $329.4 billion. While the cash operating balance is expected to be $4.1 billion tomorrow, our cash will drop steadily during February unless we borrow additional funds. By the middle of February, our cash will be down to an estimated $2.5 billion, with the debt still at $329.4 billion.

By the end of February, without additional borrowing above the mid-February level, our usable cash will be exhausted. In order to pay our bills and manage our cash properly, we must borrow additional funds by the end of February.

Using the normal method for projecting minimum debt limit leeway for the balance of this fiscal year—including the usual $4 billion cash balance and $3 billion contingency allowance—we would request a debt ceiling of $339 billion for a month or two away, however, rather than a year away as it is when we normally make these requests, it is possible to plan much more closely and to anticipate that we can get through without the same contingency allowance that would be needed otherwise.

With this kind of close planning, I believe we can operate with a $337 billion limit through this fiscal year. I stress that this will be adequate, but scarcely comfortable or roomy. We have made our calculations carefully, we have provided a minimum margin for safety during the critical period immediately ahead, and we ask that this higher ceiling be approved promptly in this form.

A delay in taking appropriate action would be disastrous. The Government's credit must be maintained by prompt payment of outstanding financial obligations, the trust funds in its charge must be administered properly, and the bills incurred in providing the goods and services for Government programs operating with appropriated funds must be paid. I urge that favorable action on our request be taken without delay.

COMMENT

Mr. Speaker, if a delay now would be disastrous, and it probably would, what possible justification is there for the administration having delayed so long before presenting this matter to the Congress instead of in September or October? I think it is not unreasonable to assume that the delay was to keep this serious fiscal problem from being an issue in the November 1966 elections. If so, not only was the objective not attained, but the country's future was endangered.

The President can still cut his expenditure levels sufficiently to ease the burden the management of the Federal debt is placing upon our economy. I trust the Congress in its wisdom will insist on an expenditure level assumption in the debt ceiling legislation which is below the $126.7 projection. It may be, however, we will find that when we dig further into the matter that, even now, the Congress and the people have not been told the full story and that the level of expenditures is scheduled to go beyond this new projected estimate of $126.7 billion expenditure for this fiscal year.

STATEMENT BY DIRECTOR OF BUDGET

Mr. Speaker, hereafter follows the statement of Charles L. Schultze, Director of the Bureau of the Budget before the House Ways and Means Committee on the public debt and interspersed with my comments:

Mr. Chairman and Members of the Committee: I am pleased to be here to discuss with you the Administration's request for an increase in the statutory debt limit. Secretary Fowler has already explained the financing problem we face and has given you our current estimates of revenues. I will discuss the other factor in the equation by giving you the outlook for expenditures.

In its report accompanying the debt limit extension last June, this Committee stated:

"Should a sharp increase in expenditures for Vietnam or some other contingency require a reevaluation of the $330 billion limitation, Congress can take whatever action is necessary."

Last week the budget submitted by the President to the Congress estimated fiscal 1967 revenues at $117 billion and expenditures of $126.7 billion, for a deficit in the administrative budget of $9.7 billion. The corresponding deficits in the cash and national income accounts budgets measures are significantly smaller—$6.2 and $3.8 billion respectively.

COMMENT

Mr. Speaker, the national income accounts budget has little or no relationship to the problems of the debt ceiling and the cash budget has a relationship only to the extent that the trust funds are in temporary surplus in relation to their obligations and so are available as a captive market for some of the debt. The administrative budget is the crucial budget for the purposes of considering the debt ceiling and expenditure levels in relation to revenues.

Comparison of debt projections of May 23, 1966, with actual results

[In billions]

Fiscal year 1967	Projections of May 23, 1966[1]		Actual			Difference, col. 5 compared with col. 2
	Operating cash balance (excluding free gold) (1)	Debt subject to limitation (2)	Operating cash balance (excluding free gold) (3)	Debt subject to limitation (4)	Debt subject to limitation after adjusting cash balance to $4,000,000,000[2] (5)	
1966—June 30	$4	$313.3	$10.8	$320.1	$313.3	----------
July 15	4	316.6	7.2	319.0	315.8	−$0.8
July 31	4	316.8	6.4	319.5	317.1	+.3
Aug. 15	4	318.4	3.6	319.2	319.6	+1.2
Aug. 31	4	320.3	5.6	324.6	323.0	+2.7
Sept. 15	4	323.4	2.1	324.7	326.6	+3.2
Sept. 30	4	318.1	7.2	325.0	321.8	+3.6
Oct. 15	4	321.9	2.3	323.8	325.5	+3.6
Oct. 31	4	322.2	5.0	327.1	326.1	+3.9
Nov. 15	4	324.4	2.3	327.1	328.8	+4.4
Nov. 30	4	324.6	3.3	329.6	330.3	+5.7
Dec. 15	4	327.8	.9	329.9	333.0	+5.2
Dec. 31	4	323.0	4.5	329.5	329.0	+6.0
1967—Jan. 15	4	325.3	2.6	329.8	331.2	+5.9
Jan. 31	4	324.1	[3] 4.1	329.4	329.3	+5.2
			Estimated			
Feb. 15	4	325.2	----------	----------	330.9	+5.7
Feb. 28	4	324.7	----------	----------	332.5	+7.8
Mar. 15	4	328.7	----------	----------	336.3	+7.6
Mar. 31	4	323.5	----------	----------	331.7	+8.2
Apr. 15	4	327.5	----------	----------	334.8	+7.3
Apr. 30	4	318.6	----------	----------	327.8	+9.2
May 15	4	319.8	----------	----------	330.3	+10.5
May 31	4	320.4	----------	----------	330.3	+9.9
June 15	4	324.7	----------	----------	333.6	+8.9
June 30	4	314.9	----------	----------	323.5	+8.6

[1] Used in debt limit hearings: House (May 23); Senate (June 13).

[2] Adjustment to $4,000,000,000 cash balance places data on basis comparable to estimates given on May 23, 1966, as shown in col. 2.

[3] Jan. 31 figures are preliminary.

The national income accounts budget is an excellent tool for economists primarily in relation to long-term economic impact of governmental expenditure policies and has been used by them for years for this purpose. The emphasis on the NIA budget this year by the administration is most untimely when we are confronted with such acute problems in the debt management area.

CONTINUATION OF MR. SCHULTZE'S REMARKS

The increase in the fiscal 1967 administrative budget deficit compared to the estimate of a year ago results from a rise of $13.9 billion in expenditures partially offset by a $6 billion increase in receipts. I do not believe it is generally appreciated that last January's under-estimate of the deficit followed three consecutive years in which the actual budget deficit turned out to be *smaller* than anticipated. If we take all four years together—fiscal 1964 through fiscal 1967—the over- and under-estimates almost exactly cancel each other out.

I would like to discuss with you the expenditure side of the 1967 budget, describing the factors which led to the rise in Federal outlays above last January's estimate and indicate the steps taken to hold that increase to a minimum.

The $13.9 billion expenditure increase can be divided in three parts:

First, and by far the largest, is a $9,650 million increase in military spending—$9,084 in support of our operations in Vietnam, and $566 million primarily from increased military and civilian pay.

COMMENT

Mr. Speaker, why were these increases not anticipated and allowed to develop without disclosure to the Congress and the people in a timely fashion?

CONTINUATION OF MR. SCHULTZE'S REMARKS

Second, an increase of $3.0 billion in Federal outlays as the direct result of stringent monetary conditions in the private sector.

COMMENT

Mr. Speaker, why was this unanticipated? Everyone else knew of the increases in interest rates and in the wholesale and consumer price indexes. The administration continued to deny that inflationary forces were serious and even criticized monetary policy for reacting to check it even though it must have realized that monetary policy alone could not hold these forces without increasing interest rates. Fiscal policy was needed, not alone the possibility of increasing taxes which was much talked about, but even more important the possibility of decreasing expenditure levels to the point where they would take hold. The administration instead, talked of decreasing the levels of increases as if this were an adequate substitute for real decreases.

CONTINUATION OF MR. SCHULTZE'S REMARKS

Third, a net remaining increase of $1.3 billion arising from other re-estimates of fiscal 1967 expenditures, reflecting:

The effect of Congressional action on budgeted spending for civilian programs;

The actions directed by the President to defer and reduce expenditures in fiscal 1967; and

Changed conditions (other than the money market) and more recent program experience which have caused revisions in the estimates for such outlays as public assistance, the postal service, the space program, and general revenue payments for Medicare.

COMMENT

Mr. Speaker, were these all incapable of anticipation?

CONTINUATION OF MR. SCHULTZE'S REMARKS

The effect of congressional action on appropriations and authorizations during the last session of Congress would have raised 1967 administrative budget outlays by some $2.6 billion. However, this increase will be approximately offset by the reductions, deferrals, and postponements ordered by the President as part of the economic program he proposed to Congress last September.

COMMENT

Mr. Speaker, how did the administration bring about "deferrals and postponements" of programs if, indeed, it were true that "nothing can be done about cutting expenditures once Congress has given the President the power to spend"? This process actually results in an item veto by the President. He chooses what programs to defer, postpone, or set aside without consultation of the Congress and without telling Congress specifically where he has cut. The Congress can certainly go over the total power to spend the President has been granted and rescind where it feels programs are of less priority.

CONTINUATION OF MR. SCHULTZE'S REMARKS

I will discuss each of the major elements of the 1967 expenditure revision in turn.

Defense spending

The 1967 estimates were developed in the latter months of calendar 1965, when—

Our buildup in Vietnam was really just beginning.

More than 100,000 men were moved 10,000 miles in 120 days.

Our measurable expenditures for Vietnam were growing explosively—there was a 50-fold increase in such expenditures from 1965 to 1966.

Enemy reaction was uncertain—

To our buildup, which radically altered the military balance.

To major diplomatic initiatives then under way.

In the context of these rapidly changing circumstances, accurate military requirements for the more distant future could not be established. For budgetary planning purposes, military requirements were forecast on the assumption that hostilities would cease on June 30, 1967—then nearly two years away. Precise calculations were impossible. We forecast large increases in expenditures—both absolutely and relatively—for 1966 and 1967. Unpredictable and uncontrollable developments, however, could make any forecast much too high or much too low.

COMMENT

Mr. Speaker, this completely ignores the point of the need to revise spending estimates. Why was not the midyear revision which this administration and other administrations was accustomed to make not made last year in September—or in October? This administration waited until January of 1967 to revise figures which the Budget Director says were made "nearly 2 years away" from June 30, 1967. And the assumption which was not changed was that hostilities would cease on June 20, 1967. Surely, by September, even the administration knew that this assumption was no longer valid. Encouragingly in the 1967 budget message the President is taking a more realistic approach to the Vietnam war. He now makes the assumption that the war will not end during this fiscal period.

It seems obvious that the more uncertain the picture, the greater the need for more frequent reappraisals based upon developments. Instead, the administration uses the uncertainties as an excuse for not making even the routine revisions.

CONTINUATION OF MR. SCHULTZE'S REMARKS

The many uncertainties in these estimates were stressed in the Budget Message, in other Presidential statements, and in testimony of administration witnesses before Congressional committees, beginning with January 1966. In his appearance before the Senate Armed Services Committee last February, Secretary McNamara outlined the assumptions behind the military budget. He explicitly pointed out that "if it later appears that they [combat operations in Vietnam] will extend beyond this date, it will be necessary to supplement the fiscal year 1967 Budget." On August 1, 1966, the Secretary of Defense advised the Senate Appropriations Committee that a supplemental appropriation request for 1967 was "very likely." Supplemental appropriations for the conduct of a war are, of course, nothing new. During the Korean War, for example, there were seven supplemental appropriation requests, totaling $45.1 billion.

COMMENT

Mr. Speaker, this was obvious to many people in January 1966. Why it took the Secretary of Defense until August 1, 1966, to say that a supplemental appropriation request for 1967 was "very likely" is hard to conceive. Yet, in spite of his warning, the Secretary of the Treasury and the Director of the Budget as late as October 1966, refused to revise upward the January 1 expenditure levels of $112.8 billion.

CONTINUATION OF MR. SCHULTZE'S REMARKS

As the need for a 1967 supplemental became clear, we chose to handle it in the regular 1968 budget and programming process, then under way. The alternative would have been to transmit hurried and partial estimates to the Congress late last year, while attempting to run two budget/program cycles at the same time. Moreover, many of the decisions which were involved in preparing a 1967 supplemental were also involved in preparing the 1968 budget. The 1968 budget, for example, is based upon decisions about the level of troop strength and the nature of their operations. But part of the long lead time procurement and pipeline requirements which are needed for those operations is financed in the 1967 supplemental. Had we gone forward with an amendment or supplemental last fall, it is quite probable that another drastic adjustment would have had to be made in the 1967 financing requests on the basis of decisions taken on the 1968 budget.

It is important to note that—

Our military effort in Vietnam has not suffered in any way from a shortage of funds. We have provided every plane, every gun, and every cartridge needed to support operations in Vietnam.

The most immediate needs have been covered through reprogramming actions, which have been reported to the appropriate committees according to established procedures.

The supplemental now before the Congress will take care of additional needs.

The presentation last year of appropriation requests not based on firm requirements would have been extremely wasteful. In the *first* place it would have courted the danger of the kind of overfunding which occurred during the Korean War when the Defense Department requested far more funds than were actually needed, created a huge unfilled backlog of industrial orders, and ended up with billions of dollars in unneeded materiel and supplies. *Secondly,* it is an exceedingly valuable practice, in military budgeting, to request funds only when justified by specific requirements. This practice is one of the important tools a Secretary of Defense has at his disposal to avoid unnecessary and wasteful spending. To have requested billions in appropriations based on no firm requirements, could, in my view, have risked destroying an effective budgetary control technique, painfully developed over many years.

While there are many uncertainties in our current estimates, we are on much more solid ground than a year ago. Specifically:

We now have more than 18 months of combat experience behind us.

The data base necessary for realistic forecasting is being augmented every day.

Although our buildup continues, the rate is far more gradual—we are no longer doubling our deployments in a period of a few months.

For these reasons it is now possible to determine future needs more accurately. As a consequence, the 1968 defense budget provides for financing Vietnam requirements on a continuing basis, and will assure the availability of long lead time items until fiscal 1969 funds are provided.

The 1967 supplemental, which is now before the Congress, requests $12,276 million for support of our operations in Vietnam. Expenditures for those operations will be $9.1 billion higher than estimated a year ago. Taking into account increases in military and civilian pay and similar items, the total increase in defense spending will be $9.6 billion.

I am attaching, as an exhibit to my statement, the first several pages of Secretary McNamara's statement last week before a joint session of the Senate Armed Services Committee and the Subcommittee on Defense Appropriations. It covers, in somewhat more detail, the points I have made with respect to the 1967 Defense expenditure estimates.

The impact of monetary stringency on the 1967 budget

The condition of the *money market* during this past year has been another major factor in increasing the current expenditure estimate as compared with the original 1967 budget a year ago. We estimate that the increasing shortage of credit funds and rising interest rates experienced last year are adding approximately $3 billion to the Federal budget for fiscal year 1967 as a whole, although monetary conditions are fortunately now easing.

First, interest on the public debt rose by $650 million, mainly on account of a rise in interest rates.

Second, sales of financial assets are now projected for fiscal 1967 at $3.9 billion—$800 million lower than last January's estimate.

Third, a decreasing availability of credit in the private money and credit markets led to additional outlays of $1.5 billion in various Federal credit programs—the major instances of which are as follows:

Large amounts of crop loans under the price support program, normally made by commercial banks with CCC guarantee, will instead have to be made by CCC itself—this is estimated to add $550 million to expenditures.

Sales of properties, acquired by the Federal Housing Administration under its mortgage guarantee program, are normally financed with private mortgages—an additional $500 million in expenditures will occur because these mortgages will be picked up by the Federal National Mortgage Association.

Some $200 million additional disbursements will have to be made by the Export-Import Bank to finance export loans which, under more normal monetary conditions, would have been made by private lenders.

$130 million of additional net budget expenditures will occur as a result of a reduction in the flow of savings into Savings and Loan Institutions which in turn led to lower than estimated payments of advance insurance premiums to the Federal Home Loan Bank Board.

EXPENDITURES RE-ESTIMATES

Finally there is a net increase in expenditures of $1.3 billion—apart from changes in defense outlays and changes stemming from money market conditions. This increase is the net result of three factors: re-estimates in expenditures reflecting changes in workload or program conditions; Congressional changes in the 1967 budget; and Presidentially ordered reductions and deferrals. Although the last two categories—Congressional actions and Presidential deferrals and reductions—roughly offset each other in total, this is not the case for each individual agency.

The most significant re-estimates are for—

The Department of Health, Education, and Welfare, up $0.7 billion. Here the most significant factors are increases for relatively new medical programs in which the estimating experience is so far very limited. The largest single increase is for the medical assistance grants under the public assistance program as State expenditures which earn Federal matching have risen above the level expected last year. In addition, about 2 million more elderly people than expected enrolled in the supplementary medical insurance program under which the Federal Government matches their $3.00 per month premium payment. These two items account for $0.4 billion of the HEW re-estimate.

The National Aeronautics and Space Administration, up $0.4 billion. While the NASA program was not increased, contractors performed work and delivered results at a faster rate than had been anticipated.

The Veterans Administration, up $0.3 billion aside from money market changes. The increase reflects the cost of the GI Bill enacted last session.

The Post Office Department, up $0.3 billion (excluding the cost of last year's pay raise). This increase occurred primarily from the cost of handling and transporting 2 billion more pieces of mail than estimated in the original budget figure for the Department, even though that estimate itself projected an almost record increase in mail volume.

The Agency for International Development up $0.2 billion. This increase reflects a faster spending rate than previously estimated for *program* loans being made in support of broad economic reforms in recipient countries. A shift from slower moving project loans to this type of loan had been taking place in prior years and we underestimated the expenditure consequences of this shift.

The Department of Housing and Urban Development, up $0.2 billion. This re-estimate includes various increases and decreases for specific programs, one of the largest of which is an upward revision in estimated insurance claim payments by the Federal Housing Administration. Recent experience indicates that the total number of units involved in claims will be about 62,150 compared with the 56,750 estimated last year, and that the average cost of the claims will be $13,735 rather than the $12,767 originally anticipated.

The largest decrease estimated is in the Department of Agriculture, for which the re-estimates amount to a reduction of $0.4 billion compared with last year's estimate. The major factors here are lower than estimated production of cotton and increased domestic consumption and exports of feed grains.

United States subscriptions and payments to international financial institutions in 1967 are now also estimated to be $0.4 billion less than we anticipated a year ago. The decrease results chiefly from a change in the method of providing cash to the International Monetary Fund and the Inter-American Development Bank. During 1967 some of the notes previously issued to these agencies were redeemed and the funds redeposited with the Treasury, subject to withdrawal through a letter of credit procedure.

Expenditures of the Federal Aviation Agency, both for the SST and its other operations, are estimated to be almost $0.1 billion less than anticipated last year.

Congressional additions to the 1967 budget

Congressional action on the President's budget requests last year would result in an increase in expenditures during the fiscal year 1967 of about $2.6 billion.

Although there were a variety of ups and downs, the total of *appropriations enacted* was not far from the President's budget recommendations, except for a few instances in which the appropriations covered more liberal legislation than the President has proposed—notably the new GI Bill. However, it is now clear that several appropriation reductions were made in uncontrollable formula programs—such as public assistance and vocational rehabilitation—simply on the basis of workload estimates which cannot be sustained. Such cuts will have to be restored. Allowing for these cases, we estimate an increase of $0.6 billion in expenditures this fiscal year over the amounts originally budgeted. Sixty percent of this increase is for the GI Bill.

The Congress last year also provided new obligational authority in substantive law—that is, *"Backdoor financing"*—not requested by the Administration. Increased expenditures from such authority, particularly for the purchase of mortgages on low cost housing, would amount to $0.6 billion, if the President had **not** placed some of these funds in reserve.

An increase of $0.2 billion in expenditures results from legislation which would have permitted certain reductions to be made. Examples include user charges for such services as meat and poultry inspection and authority to guarantee private loans to some students who now qualify for direct loans.

Additional 1967 budget costs of $0.7 billion stem from actions fixing benefits or pay rates—such as the advance in the effective date of the military and civilian pay raise to July 1, 1966, instead of January 1, 1967, as proposed, and increases in military medical and veterans' benefits.

Finally, the Congress enlarged program authorizations by an amount which would have added $0.5 billion to 1967 expenditures. The Administration, however, has not and does not intend to seek supplemental appropriations to cover these items. Four-fifths of the amount involved relates to increased authorizations in the Elementary and Secondary Education Act.

1967 program deferrals and reductions

In his September 8 economic message, the President stated his intention of deferring, stretching out, and otherwise reducing contracts, commitments and obligations. He indicated at that time that he had already ordered $1.5 billion of such deferrals and reductions, and estimated that another $1.5 billion would probably be required, for a total program reduction approximating $3 billion. With normal time lags this would have led to expenditure reductions of $1½ to $2 billion for the year.

The actual program reductions which have been undertaken exceed the target set out last fall. Reductions and deferrals in program obligations, commitments, and contracts total $5.2 billion. The expenditure effect of those actions we estimate to be $3 billion. Of that $3 billion, $2.6 billion is reflected in the administrative budget and roughly offsets the effect of Congressional additions to the 1967 budget. The other $400 million is the expenditure reduction, during the 12-month period beginning October 31, which results from the $1.1 billion reduction in highway contracts. It shows up in the trust funds, not in the administrative budget.

In the President's September message, and in my testimony before this Committee on the suspension of the investment credit, three specific means of achieving those reductions and deferrals were outlined:

Requesting appropriations for Federal programs at levels below those authorized by the Congress, where additions to the President's budget were involved,

Withholding appropriations provided above the President's budget recommendation,

Reducing or delaying programs requested by the President in his 1967 budget.

Each of these types of action was undertaken in reaching the $5.2 billion of programs and $3 billion of expenditure reductions.

As the President indicated in his September message and I pointed out in my testimony before this Committee, a very large part of the reductions stems from delays, postponements, and stretchouts in contract awards and program commitments. These contracts will, in most cases, eventually be let. But the delay and deferral of awards were designed to and succeeded in moderating inflationary pressures.

COMMENT

Mr. Speaker, if the President could do this, and, of course, he can, why cannot the Congress insist on even more by limiting the amount of his request for increased debt ceiling?

CONTINUATION OF MR. SCHULTZE'S REMARKS

The Administration is continuing to review 1967 programs with an eye to finding additional areas where stretchouts or postponements can be made. At the same time the delays and reductions already ordered are also being reviewed. If economic conditions should require, some funds that are now being withheld may have to be released. Consequently, the composition of the reductions may and most likely will change as the year progresses.

The attached table summarizes the major types of reductions or deferrals and also gives a list by major Federal agency. These overall summaries are the result of some 150 individual program actions.

At Mr. Byrnes' request I have furnished him, and Chairman Mills, a detailed list of those individual program elements. I would be pleased to discuss them with the Committee.

Illustrative of the kinds of actions involved are:

A reduction of $1.1 billion in obligations under the Highway Trust Fund. These funds will not be lost to the trust fund, but will be available for later obligation as budgetary and economic conditions warrant.

A postponement from 3 to 6 months of every new start in the Corps of Engineers program for fiscal 1967—both the 25 requested by the President and the 33 added by the Congress. To avoid price speculation, we are allowing land acquisition to proceed. These projects are not cancelled, but deferred.

A withholding of $750 million of the $1 billion in housing special assistance provided by the Congress. These funds will remain available. Should conditions require, it may be necessary to release some of these funds at a later date.

A deferral and postponement of 1967 new starts on Federal buildings.

A reduction in P.L. 480 shipments during fiscal 1967.

A reduction in the outflow of loans under various loan programs of the Agriculture Department.

These examples give the flavor of the actions we have taken. As I indicated earlier, we are continuing to search for additional areas in which to stretch out contracts and commitments. Both additions to and subtractions from these presently planned reductions may occur as the year progresses.

Budgetary concepts

Let me add one final point, covering a matter to which Secretary Fowler has already alluded. There has been, and continues to be, controversy over the particular techniques of budget presentation, and in particular the treatment of participation sales.

In the first place, I agree with Secretary Fowler that this is not the occasion for the handling and disposal of this question with its wide-ranging implications.

The rules governing the classification and treatment of various types of Federal expenditures and receipts are not established by law. Rather, they are based upon generally accepted rules of accounting, and upon tradition and precedent. Repayments and other receipts from loan programs which are revolving funds, for example, have always been treated as an offset to expenditures. Only the *net* outflow or inflow of payments is shown in the total budget expenditures. The detailed budget presentation, of course, shows the gross outlays and the inflows in each of these programs.

This practice has been universally followed for many years and applied to regular loan repayments, to sales of individual loans, and to sales of participation certificates or similar instruments. In the case of the participation certificates, for example, they were introduced in 1954, when RFC loans were pooled, "certificates of interest" sold against the pool and the receipts credited against expenditures in the revolving fund. In that same year, fiscal 1954, the Commodity Credit Corporation began issuing "certificates of interest" in pools of commodity loans to commercial banks, and netting the proceeds against gross loan expenditures. In the subsequent 14 years, 1954 through 1967, some $7.9 billion of such certificates have been issued—$3.2 billion in the first half of the period.

My point in citing this history is not to use it as a defense of any particular practice, but simply to indicate that our present procedures follow long-standing rules of budgetary accounting. Changes in those rules should not be made piecemeal, and in the urgency of the present situation. Changes in the treatment of one aspect of budgetary accounting should be consistent with treatment of all other aspects, and not handled as an isolated basis. The bipartisan commission on budgetary concepts which the President intends to establish can review carefully the budget as a whole, and make whatever consistent set of recommendations it deems proper. This approach, I believe, offers a fair and dispassionate means of dealing with questions of budgetary accounting and presentation.

CONCLUSION

We have, I believe, taken major and difficult steps to defer and reduce expenditures in order to hold the 1967 increase to the lowest possible amount. As Secretary Fowler has explained, an increase in the debt limit is imperative and urgent. Overly restrictive action on the debt limit at this time cannot effect further savings in the costs of Government. It can only lead to chaotic management of the Government's finances and to dislocations and disruptions in the affairs of those who do business with us.

COMMENT

Mr. Speaker, this is the issue. What is "overly restrictive"? Is the figure the President has asked of the Congress, $337 billion, sacrosanct? Is the expenditure level he now projects, $126.7 billion, sacrosanct? Or was the figure he projected in January 1966, $112.6 billion, sacrosanct? No indeed. All of these figures are the result of judgments based, hopefully, upon study. If the Congress in its judgment believes that expenditure levels for fiscal 1967 and 1968 projected in the President's budget are too high it can do two things: First, cut back on the new appropriation requests; second, rescind some of the unused power to spend previously granted to the President. A careful "restrictive" action on the debt ceiling by the Congress can provide the proper context for both of these actions.

1967 budget reductions

[In billions of dollars]

	Program level	Expenditures
Administrative budget:		
From funds appropriated	3.3	2.0
Deferrals within 1967	(.6)	.1
Increased congressional authorizations for which we do not plan to request appropriations	.8	.5
Trust funds (chiefly the highway trust fund)	1.1	.4
Total	5.2	3.0

1967 reductions from appropriated funds

[In millions of dollars]

Agency	1967 program level		1967 expenditures
	Reduction	Deferrals within the year	
Administrative budget:			
Economic assistance	25.0	(260.0)	24.0
OEO	32.0	(127.0)	141.0
Agriculture	424.2		405.1
Commerce	47.2		
Corps of Engineers	437.3		60.0
HEW	385.3	(195.6)	313.6
HUD	999.2		543.0
Interior	193.5		90.0
Transportation	98.8		49.6
Treasury	10.0		8.4
AEC	78.8	(7.6)	31.0
GSA	101.0		31.0
NASA	60.0		30.0
VA	24.1		14.1
NSF	12.0		5.0
SBA	54.0		33.0
TVA	6.0		5.5
Across-the-board absorption of pay raise costs:			
Civilian	240.0		240.0
Military	45.0		45.0
Total, administrative budget	3,273.4	(590.2)	2,069.3

ADDENDUM

STATEMENT OF SECRETARY OF DEFENSE ROBERT S. MCNAMARA BEFORE A JOINT SESSION OF THE SENATE ARMED SERVICES COMMITTEE AND THE SENATE SUBCOMMITTEE ON DEPARTMENT OF DEFENSE APPROPRIATIONS, FISCAL YEAR 1967 SUPPLEMENTAL FOR SOUTHEAST ASIA, JANUARY 23, 1967

Mr. Chairman and Members of the Committee: Last year when I appeared before this Committee in support of the FY 1967–71 program and the FY 1967 Budget I said:

"With regard to the preparation of the FY 1967–71 program and the FY 1966 Supplemental and the FY 1967 Budget, we have had to make a somewhat arbitrary assumption regarding the duration of the conflict in Southeast Asia. Since we have no way of knowing how long it will actually last, or how it will evolve, we have budgeted for combat operations through the end of June 1967. This means that if it later appears that the conflict will continue beyond that date, or if it should expand beyond the level assumed in our present plans, we will come back to the Congress with an additional FY 1967 request."

Throughout the spring and summer of last year in my appearances before various Congressional Committees, I reiterated the fact that the FY 1967 Budget was based on the arbitrary assumption that the conflict would end by June 1967, and that additional funds would be required if the conflict continued. I also repeatedly stated, both before the Congressional Committee and in public statements, that defense spending would rise above the Budget level if we had to take actions to provide for the continuation of the conflict beyond June 30, 1967.

For example, on February 25, 1966, I explained to the Senate Armed Services Committee and the Subcommittee on Department of Defense Appropriations:

"If it later appears that they [i.e., combat operations in Vietnam] will extend beyond that date, it will be necessary to supplement the fiscal year 1967 Budget.

"The reason why that planning assumption [i.e., that the conflict would end June 30, 1967] causes the 1967 total obligation authority to drop below 1966 is that there are long lead items that may have to be used in combat, let's say in the period January-June 1967, which can't be financed in the fiscal year 1967 Budget and be delivered in time. Therefore they must be financed in the fiscal year 1966 Budget, if we are to have them on hand when we need them. That is why the total obligational authority for 1966 is higher than 1967.

"Now, if later this year it appears that combat will extend beyond June of 1967, at high levels, then in the case of similar long lead items it will be necessary for us to come back to the Congress and ask for additional appropriations."

I said a little later:

". . . I think it would be irresponsible for us to come forward, now, today, with a higher figure, because it is extremely difficult to estimate the level of combat operations 18 months in advance, and very wasteful if we are to estimate on the high side, and quite unnecessary because the lead times don't require financing now."

On August 1, 1966, when I appeared before the Senate Subcommittee on Defense Appropriations in support of our appeals on the House action on the FY 1967 Appropriation Bill, I noted again that the FY 1967 Budget was based on the arbitrary assumption that combat operations would terminate June 30, 1967. I went on to say:

"As we get closer and closer to that date, it becomes more and more necessary to plan on the possibility of that not happening. We are considering that possibility. We, at present, however, do have sufficient funds to carry us on for several additional months.

"At the moment I would not recommend a supplemental, although I think one some time during 1967 is very likely. The reason I would not recommend it today . . . is that there are still many uncertainties not only as to the duration of the conflict, but also with respect to the level of operations that needs to be financed."

I pointed out that we had just completed a review of our air ordnance production programs and were reviewing our production plans for ground ordnance and aircraft. I concluded by saying:

". . . To the extent that we can finance our operations with the presently requested funds and push the timing of the submission of a supplemental into the future, I think we will be able to come forward with a more precise estimate of our total requirements . . ."

With regard to the additional $569 million added by the House for active duty military personnel, I pointed out that our military personnel strength estimates were still fluctuating widely. I suggested that rather than coming forward with one personnel estimate today and a different one tomorrow, and constantly changing our funding requirement, we would be better advised to use the special authority we have in the Appropriation Bill to expend whatever funds are necessary for military personnel. I pointed out:

". . . that almost surely we will expend the additional $569 million that the House inserted in the bill."

And I added later:

"More likely it will be higher than that level rather than lower."

What we were trying to do was to avoid the overfunding which occurred during the Korean War when the Defense Department requested far more funds than were actually needed. For example, the Defense Department requested a total of about $164 billion for the three fiscal years 1951–53; the Congress appropriated a total of $156 billion; the amount actually expended was $102 billion; and the unexpended balances rose from $10.7 billion at the end of FY 1950 to $62 billion by the end of FY 1953. It took about five years to work the unexpended balance down to about $32 billion; and we were able to support a defense program of about $50 billion a year during FY 1962–64 with about $30 billion of unexpended balances.

The excessive unexpended balances built up during the Korean War were duly noted by the Appropriations Committees. Mr. Mahon, for example, commented in February 1953:

". . . that will cause our colleagues and the press and the public who have not had a chance to study this to say, 'Are the members of the Appropriations Committee crazy in appropriating $41 billion, more or less, when they already have an unexpended balance of $62 billion?' "

Although we still have no way of knowing when the conflict will end, it is perfectly clear that we must take whatever measures are necessary to ensure our ability to support our forces in the event the conflict does continue beyond June 30, 1967. Indeed, when it became apparent last summer that this was likely to be the case, we continued the build-up of our military personnel strength beyond the level anticipated in the FY 1967 Budget and took action to ensure that deliveries of long lead time items would continue beyond June 30, 1967, without interruption. The Congress was informed of these actions through the reprogramming process and related hearings.

But, while it was clear even last summer that additional funds would be required for FY 1967 if the conflict in Southeast Asia were to continue, the timing and the amount of the additional request posed a problem. With regard to timing, we had essentially two alternatives: (1) request an amendment to the FY 1967 Budget in the summer of 1966, while it was still before the Congress; or (2) wait until early the following year and request a Supplemental appropriation. Each of these alternatives had certain advantages and disadvantages.

First, we still could not see clearly last summer the full dimensions of our requirements for Southeast Asia. There was at that time a wide range of uncertainty concerning the size of the forces required, their composition, and their tempo of operation. Consequently, we could not determine with any degree of precision how many more men we would need through the balance of the fiscal year, how much more ammunition and other supplies we would consume, how many more aircraft we would lose as a result of enemy action, and how much more construction we would need in Vietnam and elsewhere to support the larger forces that might be required. Without these data, we could only guess the amount of the additional funds which would be needed for the balance of the fiscal year.

Second, many of the decisions which would have been involved in preparing an amendment to the FY 1967 Budget would also have been involved in preparing the FY 1968 Budget, and these decisions could be made with much greater assurance of accuracy later in the year. Indeed, I am convinced that had we gone forward with an amendment last summer, the FY 1967 Budget would have had to undergo still another drastic adjustment because of the decisions made in connection with the FY 1968 Budget. In other words, an FY 1967 Supplemental would have been needed in any event.

The major disadvantage of waiting for a Supplemental has been the need to reprogram, on a rather large scale, available FY 1967 funds to meet our most urgent longer lead time procurement requirements, pending the availability of the additional funds. We recognize that this extensive reprogramming has placed an extra burden not only on the Defense Department but on the Armed Services Committees and the Defense Apppropriations Subcommittees as well. Some of these reprogramming actions required the prior approval of this and other interested Committees; all of them have been reported to the Committees concerned. However, in order to facilitate your consideration of the FY 1967 Supplemental request we have prepared a recapitulation of all of the major procurement program adjustments affecting that fiscal year, which will be furnished separately.

Now, with a year and a half of combat experience in Southeast Asia behind us, I believe that we have a much better understanding of our future requirements. In October 1965, when the FY 1967 Budget was being developed, we were in the midst of an explosive build-up in South Vietnam, it was then that we moved over 100,000 men 10,000 miles in less than 120 days. The future was impossible to predict with accuracy. In contrast, in October 1966 at the time of the preparation of the FY 1968 program, we could look ahead to the time when our forces in Southeast Asia could be expected to level off. Moreover, we have acquired a significant amount of data on actual consumption rates for individual items of ground and air munitions and on combat attrition rates for the various types of rotary and fixed-wing aircraft, and we can now project our requirements for these two very important categories of materiel much more accurately than was possible even last summer. And, I might point out that the rates of consumption and attrition actually experienced for many specific items have turned out to be quite different from those we projected last year—lower as well as higher.

Since we can now project our requirements for the conflict in Southeast Asia with far greater confidence than last year, we have changed our basic approach in preparing the FY 1967 supplemental as well as the FY 1968 Budget. Sufficient funds are being requested in both the FY 1967 supplemental and the FY 1968 Budget to protect the production lead time on all combat essential items until FY 1969 funds would become available. For example, in the case of ammunition, which is perhaps the category of materiel most affected by combat operations, we are requesting funds to cover the full production lead time beyond the end of FY 1968. Because ammunition reorder lead time averages about six months, this means that the FY 1968 Budget provides funds to finance ammunition deliveries at rates sufficient to support operations in Southeast Asia through December 1968. Thus, if it later appears that the conflict will continue beyond June 30, 1968, we would be able to use FY 1969 funds to order additional ammunition for delivery after December 1968 and keep the production lines going without interruption.

In the case of aircraft, which have a production lead time of about 18 months, we have included sufficient funds in the FY 1967 Supplemental and the regular FY 1968 Budget to cover deliveries at rates sufficient to offset combat attrition in Southeast Asia to January 1, 1970. If it later appears that all of such aircraft will not be required to replace combat attrition, the production of some might be cancelled and some used to modernize the forces at a faster rate than presently planned.

Similar provisions have been made in the FY 1967 Supplemental and the FY 1968 Budget for other categories of materiel which would be affected by the continuation of combat operations in Southeast Asia beyond June 1968. Accordingly, barring a significant change in the character or scope of the Southeast Asia conflict, or unforeseen contingencies elsewhere in the world, the FY 1967 Supplemental and FY 1968 Budget should be sufficient to cover our requirements until FY 1969 funds become available, even if the conflict continues beyond June 30, 1968.

TAX-SHARING PROPOSAL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. GOODELL] is recognized for 60 minutes.

Mr. GOODELL. Mr. Speaker, as I stated earlier to the House, I have today introduced a tax-sharing proposal that will provide for the allocation to States and local governments of $2.2 billion. A large number of my Republican colleagues have introduced an identical or very similar proposal. We urge the Congress to hold full hearings and take action this year. Similar proposals have been made by Republicans for many years. A bill was introduced by the gentleman from Wisconsin [Mr. LAIRD] as far back as 1958 to provide for tax sharing.

The President's budget proposes an increase of more than $2 billion in existing Federal grant-in-aid programs for the next fiscal year—from $15.4 to $17.4 billion. A major cutback in these projected expansions could thus provide the money needed for effective tax sharing. In addition, many existing grant-in-aid programs could be phased out as funds from tax sharing became available at the State and local level for education and other purposes.

Our proposal would allocate 3 percent of Federal personal income tax revenue for tax sharing. The 17 poorest States would first receive 10 percent of the total funds as a form of equalization. The other 90 percent would then be divided among all States on the basis of population and a simple tax-effort ratio. Forty-five percent of the funds allocated to a State would have to be passed on to local subdivisions. The other 55 percent would be spent in any way the State desired. States reducing taxes would continue to receive tax-sharing funds, but in a comparably reduced amount.

There are two unique features of this tax-sharing proposal. First, at least 45 percent of the money would go to the local level for education or other municipal expenditures. Second, a new Council on Tax Sharing, with State representation, would administer the program to insure simplified distribution procedures and to preclude any Federal controls. The 10-man bipartisan Council would be appointed by the President and five of them would be State Governors.

State and local governments are now buried under a mass of over 400 Federal aid appropriations for 170 separate aid programs, administered by a total of 21 Federal Departments and agencies, 150 Washington bureaus and 400 regional offices, each with its own way of passing out Federal tax dollars. It is time we moved firmly to restore vital State and local initiative and reinvigorate our federal system. The availability of 2.2 billion dollars would provide the needed revenue for problem solving at the local level without rigid and wasteful Federal forms and control. Even those, who previously proclaimed that proliferation of Federal grant-in-aid programs would solve our Nation's problems, are now raising anguished cries of protest at the resulting administrative chaos.

As our House Republican Leader, the gentleman from Michigan, JERRY FORD, said in his state of the Union appraisal:

> Republicans will give leadership to the dynamic and Constructive Center in Congress.

I believe that tax sharing is an important first step in the new direction for America which was mandated by the voters last November 8. I have been urging such a course since I first came to Congress in 1959.

COUNCIL ON TAX SHARING

To avoid any possibility of Federal administrators imposing conditions, controls or excessive administrative paperwork, the tax-sharing program would be administered by a Council on Tax Sharing appointed by the President. Five members of the Council would be State Governors, with no more than three from the same political party. The Governors would be permitted to appoint alternates to represent them on the Council. No more than three of the other five members of the Council could be members of the same political party. The Council would determine forms and procedures with a requirement that they be kept as simple as possible. Only the Council could withhold funds for failure of State and local officials to comply with established procedures. Any decision to withhold funds would be subject to judicial review in a Federal Circuit Court of Appeals. The Council would also be charged with responsibility for assessing the impact of the tax sharing program and making recommendations to Congress for changes.

EQUALIZATION

Ten percent of the total tax sharing fund would first be distributed to the 17

States with the lowest per capita income. Distribution within the 17 States would be based on population and total personal income in such States.

TAX EFFORT RATIO

The other 90 percent of the tax-sharing funds would be distributed to all States on the basis of population and a simple "tax effort ratio" for each State. The "tax effort ratio" is total taxes collected by the State and its political subdivisions—real, income, sales, and so forth—divided by total personal income in the State.

DISTRIBUTION OF TAX SHARING TO STATE AND LOCAL GOVERNMENTS

First, 50 percent of the funds would go to the States for whatever purpose they wished, including State aid to political subdivisions. Another 5 percent could be used by the State to strengthen administration or could be added to the general fund at the State's sole discretion.

Second, 45 percent of the tax-sharing payment received by a State would be allocated by the State to its political subdivisions. The State would have sole authority to determine the proportion to go to educational subdivisions as distinct from political subdivisions.

State allocation table for tax-sharing bill

[The number in parentheses indicates the State's per capita income ranking. New Jersey and New York share the same rank of 6; Vermont and Utah share the same rank of 32. In order to have the lowest rank equal to the number of States presented, the numbers 7 and 33 are omitted.]

	Basic grant	Supplementary grants	Total grant
Alabama (47)	$32,808,240	$17,826,600	$50,634,840
Alaska (2)	2,174,040		2,174,040
Arizona (35)	18,973,440	10,030,200	29,003,640
Arkansas (49)	18,775,800	9,417,000	28,192,800
California (8)	227,878,920		227,878,920
Colorado (19)	21,938,040		21,938,040
Connecticut (1)	25,100,280		25,100,280
Delaware (3)	4,348,080		4,348,080
District of Columbia [1]	6,324,480		6,324,480
Florida (28)	59,489,640		59,489,640
Georgia (40)	42,294,960	25,338,300	67,633,260
Hawaii (12)	8,103,240		8,103,240
Idaho (35)	8,300,880	4,380,000	12,680,880
Illinois (5)	92,100,240		92,100,240
Indiana (14)	48,817,080		48,817,080
Iowa (24)	31,424,760		31,424,760
Kansas (20)	25,495,560		25,495,560
Kentucky (43)	29,843,640	17,520,000	47,363,640
Louisiana (41)	41,504,400	19,644,300	61,148,700
Maine (37)	10,672,560	6,022,500	16,695,060
Maryland (10)	32,017,680		32,017,680
Massachusetts (9)	53,165,160		53,165,160
Michigan (11)	85,380,480		85,380,480
Minnesota (23)	43,876,080		43,876,080
Mississippi (50)	26,681,400	9,811,200	36,492,600
Missouri (22)	38,342,160		38,342,160
Montana (29)	7,905,600		7,905,600
Nebraska (25)	13,439,520		13,439,520
Nevada (4)	4,545,720		4,545,720
New Hampshire (26)	6,126,840		6,126,840
New Jersey (6)	59,687,280		59,687,280
New Mexico (39)	12,253,680	6,175,800	18,429,480
New York (6)	209,103,120		209,103,120
North Carolina (44)	47,828,880	26,871,300	74,700,180
North Dakota (36)	7,510,320	4,051,500	11,561,820
Ohio (16)	86,171,040		86,171,040
Oklahoma (38)	25,297,920	14,979,600	40,277,520
Oregon (17)	20,159,280		20,159,280
Pennsylvania (18)	106,330,320		106,330,320
Rhode Island (15)	8,893,800		8,893,800
South Carolina (48)	23,914,440	12,614,400	36,528,840
South Dakota (42)	8,696,160	3,898,200	12,594,360
Tennessee (46)	36,365,760	20,651,700	57,017,460
Texas (31)	98,622,360		98,622,360
Utah (32)	11,265,480		11,265,480
Vermont (32)	4,743,360		4,743,360
Virginia (30)	37,156,320		37,156,320
Washington (13)	32,610,600		32,610,600
West Virginia (45)	17,392,320	9,833,100	27,225,420
Wisconsin (21)	50,595,840		50,595,840
Wyoming (27)	3,755,160		3,755,160

[1] The District of Columbia per capita income ($3,673) is the highest in the Nation.

The text of the bill follows:

H.R. 4070

A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cut-back in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Tax-Sharing Act".

APPROPRIATIONS

SEC. 2. (a) In order to provide for a sharing with the States and their political subdivisions of receipts from Federal income taxes, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to the Secretary of the Treasury (hereinafter referred to as the "Secretary") for making tax-sharing payments under this Act an amount for the fiscal year ending June 30, 1968, and the succeeding fiscal year, equal to 3 per centum of the total receipts from individual income taxes during the preceding fiscal year, an amount for the fiscal year ending June 30, 1970, equal to 4 per centum of such receipts, and an amount for the fiscal year ending June 30, 1971, equal to 5 per centum of such receipts; except that the amount so appropriated for any year shall not be less than the amount so appropriated for the preceding year.

(b) For purposes of this Act, the term "individual income taxes" means the proceeds of taxes collected from individuals under subtitle A and the taxes collected under chapter 24 of the Internal Revenue Code of 1954. Determinations under this section shall be made pursuant to regulations prescribed by the Secretary, and his determination shall be final.

TAX-SHARING PAYMENTS

SEC. 3. The tax sharing under this Act shall be carried out by the Secretary through payments under section 4 to all qualified States, and through payments under section 5 to low-income States (as defined in section 5(c)). The aggregate of such payments to a State shall be the "tax-sharing payment" for that State.

BASIC TAX-SHARING PAYMENTS

SEC. 4. (a) The Secretary shall each year make a payment to each State which, under section 6, is qualified for a tax-sharing payment in an amount which bears the same ratio to ninety per centum of the amount appropriated for that year under section 2 as the product of—

(1) the population of the State, and

(2) the State's tax-effort ratio (as determined under subsection (b)) bears to the sum of the corresponding products for all the States which are qualified for a tax-sharing payment.

(b) The "tax-effort ratio" for a State shall be the ratio between the sum of all taxes collected in the State by the State and its political subdivisions and the total personal income for the State. Determinations under section 4 and section 5 of this Act shall be made by the Secretary on the basis of population estimates for the preceding calendar year and, in the case of other determinations, for the most recent fiscal year for which satisfactory data are available. His determination shall be final.

EQUALIZATION TAX-SHARING PAYMENTS

SEC. 5. (a) The Secretary shall each year make a payment to each low-income State which, under section 6, is qualified for a tax-sharing payment which bears the same ratio to 10 per centum of the amount appropriated for that year under section 2 as the product of—

(1) the population of the State, and

(2) the State's income index (as determined under subsection (b)), bears to the sum of corresponding products for all the low-income States which are qualified for a tax-sharing payment.

(b) The "income index" for a State shall be the population of the State divided by the aggregate personal income for the State.

(c) For purposes of this section, a State shall be deemed to be a low-income State if it is one of the seventeen States which had the lowest personal income per capita during the most recent fiscal year for which satisfactory data are available.

STATE UNDERTAKINGS

SEC. 6. In order to be qualified for a tax-sharing payment under this Act a State shall undertake—

(1) to assume the same responsibility for the fiscal control of and accountability for tax-sharing payments as it has with respect to State funds derived from its own tax resources;

(2) to distribute 45 per centum of the amount granted to it each fiscal year under sections 4 and 5 to its political subdivisions on the basis of whatever criteria it may select, but with no restrictions imposed on the use thereof which are not applicable to the use of funds which such political subdivision derives from its own tax resources, except that the State may specify the portions thereof which shall be used for educational purposes; but this provision shall not apply to the District of Columbia;

(3) to use 5 per centum of the funds granted it under section 4 for executive management improvement to meet the particular needs of the State for (A) well-staffed State budget offices, (B) qualified executive planning personnel, and (C) salary increases for top-level management personnel; but the State may use such funds for other purposes if it determines, in its sole discretion, that there are areas of greater or more urgent need;

(4) to furnish information and data to the Secretary in accordance with the rules and regulations of the Council on Tax Sharing.

COUNCIL ON TAX SHARING

SEC. 7. (a) There is hereby established a council to be known as the Council on Tax Sharing (hereinafter referred to as the "Council") which shall be composed of ten members appointed by the President without regard to the provisions of title 5, United States Code, governing appointments in the competitive service. Of the members of the Council, five shall be persons who are Governors of their respective States, not more than three of whom are from the same political party, and, of the remainder, not more than three shall be of the same political party. The Secretary shall designate a member of the Council as its chairman. Six members of the Council shall constitute a quorum. Each member of the Council who is a Governor may appoint another person to act as his delegatee in carrying out any of his functions under this Act.

(b) (1) It shall be the duty of the Council to prescribe by rule or regulation the information and data to be furnished by the States to the Secretary, and the manner and form in which such information and data shall be provided. In carrying out this duty the Council shall give emphasis to reducing to a minimum the administrative burden on States and their political subdivisions, consistent with the need of the Secretary and the Council for information and data to carry out their duties, and of the Congress to carry out periodic reviews of the general aid grant program. Reports and forms required under this Act shall be kept at an absolute minimum, and in as simplified a form as is practicable.

(2) It shall also be the duty of the Council to prescribe, by rule or regulation, the manner in which computations under sections 4 and 5 shall be made by the Secretary.

(3) It shall also be the duty of the Council to make determinations under section 8 on

withholding tax-sharing payments from States.

(c) The Council may appoint and fix the compensation of a director and such other employees as it may find necessary to carry out its duties. Members of the Council while serving away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

WITHHOLDING TAX-SHARING PAYMENTS

Sec. 8. Whenever the Council, upon complaint of the Secretary, finds, after reasonable notice and opportunity for hearing to the Governor of a State, that there is a failure to comply substantially with any undertaking required by section 6, the Council shall notify such Governor that further payments under this Act will be withheld until it is satisfied that there will no longer be any failure to comply. Until the Council informs him that it is so satisfied, the Secretary shall make no further payments to such State under this title.

JUDICIAL REVIEW

Sec. 9. (a) If any State is dissatisfied with the Council's final action under section 8, such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Council. The Council thereupon shall file in the court the record of the proceedings on which it based its action as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the Council, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Council to take further evidence, and the Council may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) The court shall have jurisdiction to affirm the action of the Council or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

ADMINISTRATION

Sec. 10. (a) There shall be in the Department of the Treasury an Administrator of Tax-Sharing who shall be appointed by the President. The Administrator of Tax-Sharing shall have such duties as may be prescribed by the Secretary.

(b) The Council shall make an annual report to the President and to the Congress with respect to the operation of the tax-sharing program provided for in this Act.

REVIEW OF TAX-SHARING PROGRAM

Sec. 11. It is the intention of the Congress to conduct a full and complete study and review of the tax-sharing program during the fourth year of its operation with a view to determining the need for revision therein. To assist the Congress in making such a study and review, the President and the Council shall each submit to the Congress a comprehensive report on the program before the end of the third fiscal year during which the program is carried on.

DEFINITION

Sec. 11. For purposes of this Act, the term "State" includes the District of Columbia.

TAX-SHARING ANALYSIS

This report is based upon a study submitted last summer by Dr. Richard Nathan, an economist now with the Brookings Institution.

The plan calls for sharing a fixed percentage of revenues from the individual Federal income tax with State and local governments for purposes which would be determined by the recipient governments. Beginning at 3 percent of the receipts of the tax, the amount shared would be increased in steps to 5 percent.

Under this proposal 50 percent of the Federal grant would be allotted to the States for purposes determined by the States, 45 percent would be allotted to States for unconditional allotment to local governments, and 5 percent would be devoted to strengthening State administrative machinery and practices. Local government includes local educational agencies.

This proposal seeks to provide for the great public needs of the 1960's and 1970's by equipping State and local governments to meet these needs. It is an alternative to the philosophy of the Great Society which would meet these needs by massive expansion of Federal programs and by further proliferation of narrow categorical grant-in-aid programs that end up in administrative confusion, waste, and centralized control.

Interstate competition for industry limits the revenue-raising potential of the wealthiest States. An inadequate tax base limits the poorer States.

Sharing of Federal revenues offers a means of providing the services required by the American people without reducing State and local governments to administrative subdivisions of the Central Government.

There is urgent need to bring order to the maze of confusing and duplicating Federal programs now in existence, but this is a separate problem.

The Republican message on the state of the Union presented in January 1966, contained the following appraisal of the current state of American federalism:

> Our nation has thrived on the diversity and distribution of powers so wisely embedded in the Constitution. The Administration believes in centralized authority, ignoring and bypassing and undermining State responsibilities in almost every law that is passed. As a result, our constitutional structure is today in dangerous disrepair. The States of the Union form a vital cornerstone of our Federal system and the headlong plunge toward centralization of power in Washington must be halted.

As a major step toward redressing the balance in the American federal system, the message proposed that Congress enact a system of tax sharing, long advocated by Republicans, to return to the States a fixed percentage of personal income without Federal controls. Funds from this source will lighten the load of local taxation, spur solution of vexing problems, and revitalize programs in education, health, and welfare at the local level.

The general principle of this reform has been endorsed by the Republican Governors' Association and by the Republican coordinating committee. In the 89th Congress, more than 30 Republican Members of the Senate and the House of Representatives introduced legislation providing for some form of sharing Federal revenues with State governments with a minimum of Federal direction.

Plans for general and relatively unconditional Federal grants to State and local government are not new. The Presidential Commission on Intergovernmental Relations appointed by President Eisenhower studied this type of reform in 1954–55, although it recommended against its adoption. One hundred and thirty years ago, the Federal Government put into effect a system of revenue sharing on a one-shot basis, by distributing to the States the surplus accumulated in the National Treasury. Foreign nations with a federal system such as Canada and Australia have long provided bloc grants to their political subdivisions. In many of our States, there are systems of tax sharing with local governments analogous to proposals made for adoption at the Federal level.

Recent interest in revenue-sharing proposals was stimulated particularly by a proposal made in 1964 to President Johnson by Walter W. Heller. This proposal was taken up by a Presidential task force headed by Joseph A. Pechman, of the Brookings Institution. The idea has not received a favorable reception from the White House.

The studies, proposals, and actual experience in the field of general aid and revenue sharing have all been taken into account in the formulation of the proposal made in this paper for a system of tax sharing for State and local governments with as few Federal strings as possible.

The proposal made here could—and perhaps should—be considered as part of a broader program to strengthen States and localities which would include not only tax sharing, but tax credits and appropriate measures to simplify and consolidate the complex and highly fragmented array of existing Federal grant-in-aid program.

TAX-SHARING OBJECTIVES

The tax-sharing legislative proposal made in this paper has been designed to achieve certain basic objectives, among them:

First, committing the Federal Government in a substantial and meaningful way to a reinvigoration of our federal system, long a major bulwark of American democracy;

Second, giving recognition to the legitimate claims of local governments to being a part of any tax-sharing program;

Third, placing emphasis on the enhancement of the leadership and overall policy formulation role of State governments in the State-local sector;

Fourth, preserving to States and localities full discretion as to the expenditure of their tax-sharing funds;

Fifth, incorporating a measure of equalization for the poorest States;

Sixth, rewarding with bonuses States and localities which make the greatest tax effort; and

Seventh, making the tax-sharing program sufficiently flexible so that Congress and the executive branch can review and revise it as circumstances require.

Each of these objectives is important. Among the most important is the inclusion of cities in the tax-sharing program.

With the steady increase in metropolitan area growth, many States have recognized the need to make local governments effective political jurisdictions. Home rule in many States permits localities to make major policy decisions on their own. The impressive rise in State aid to localities in many cases has shored up this political authority with needed fiscal resources.

Near the turn of the century—in 1902—total State aid to localities accounted for only 6 percent of local revenues. Twenty-five years later in 1927—just prior to the depression—State aid accounted for 10 percent. In the next decade ending on the eve of World War II, this figure more than doubled, rising from 10 percent of local revenues in 1927 to 23 percent in 1938. In the postwar period, State aid rose still further. During these years, it has consistently accounted for between 28 and 29 percent of local general revenues.[1]

In fiscal 1965, State aid to localities was $14 billion. This was nearly $3 billion more than total Federal aid to States and localities. It was 30 percent of total local general revenues and one-third of total State general revenues.[2] These figures warrant emphasis. In light of recent and steady tax increases in many States, the twin facts that States devote over one-third of their own revenues to State aid for localities and provide 30 percent of total local revenues certainly indicate that cooperative federalism is a working reality at the State-local level.

A new tax-sharing program should be based on a concept of American federalism which accurately reflects present relationships between State and city and which gives appropriate weight to the high costs of public services in cities—particularly the central cities of large metropolitan areas—where concentrations of lower income families often require special educational, employment, rehabilitative and other services.

This State-local tax-sharing proposal is distinguished from most other proposals, including that of Dr. Heller, in that it gives local governments—as well as States—needed additional resources to meet basic and vital tasks of government. As far as the cities are concerned, it should also be noted that this proposal differs markedly from the recent Great Society proposal to pick out a handful of cities, and with Federal funds and Federal inducements spruce up so-called "demonstration areas."

In sum, this proposal, in providing tax sharing to States and localities, rests on a view of American government that is both positive and current. It involves a commitment to a federal system of government, within which innovation can come from all levels, and within which all citizens can participate actively in the democratic processes of government so vital to our Nation. In both these respects—innovation mindedness and an orientation toward active citizen participation at all levels of government—this approach at this time is far preferable to the further enlargement of a Great Society in which innovation can only come from the top and in which active citizen participation is a political principle of very low value.

THREE-PART TAX SHARING

Tax-sharing funds from the Federal Government should be provided to the States to be used as follows: 50 percent for State purposes; 45 percent to be redistributed by the States to local governments unconditionally; and 5 percent to be allocated to the States for executive staff and management purposes as a means of improving the central staffing and management functions of State government if, in its sole discretion, the State wishes to separate funds for that purpose.

FIFTY-PERCENT SHARE FOR THE STATES

The 50-percent share for the States might be expended directly by State agencies or distributed in whole or in part to subdivisions for purposes determinded by the State.

This share for the States, as well as the 45-percent share for localities, should be provided by the Federal Government on an essentially unconditional basis. The only Federal requirements should be those applicable to all Federal aid payments under the Constitution and various Federal statutes, including title VI of the Civil Rights Act of 1964 prohibiting the use of Federal aid funds for programs or activities in which discrimination exists.

Examination of recent State-local expenditure patterns warrants confidence in the ability of State and local governments to utilize effectively general and unconditional Federal aid payments. Joseph A. Pechman, in a 1965 paper on "Financing State and Local Government," showed that in the decade 1953–63, State-local expenditures more than doubled and that additional resources were devoted to what are regarded as "urgent" public service needs. Forty percent of the increase in State-local expenditures over the decade went for education, the fastest growing area of State-local spending. This accounted for $14.6 billion out of a total increase of $37 billion. Besides education, spending also doubled for sewerage and sanitation, natural resources, highways, police and fire protection, and health and hospitals, as shown in table 1:

TABLE 1.—*General expenditure of State and local governments by major function, fiscal years 1953 and 1963*[1]

[Dollar amounts in millions]

Function	Amount		Increase 1953/1963		
	1953	1963	Amount	Percent distribution	Percent increase
Total general expenditures	$27,910	$64,816	$36,906	100.0	132.2
Education	9,390	24,012	14,622	39.6	155.7
Highways	4,987	11,136	6,149	16.7	123.3
Public welfare	2,914	5,481	2,567	6.9	88.1
Health and hospitals	2,290	4,681	2,391	6.5	104.4
Police and fire	1,636	3,468	1,832	5.0	112.0
Natural resources	705	1,588	883	2.4	125.2
Sewerage and sanitation	908	2,187	1,279	3.5	140.8
Housing and community redevelopment	631	1,247	616	1.7	97.6
General control and financial administration	1,263	2,474	1,211	3.3	95.9
Interest on debt	614	2,199	1,585	4.3	258.1
Other	2,572	6,343	3,771	10.2	146.6

[1] Excludes insurance trust, liquor stores, and public utility expenditures. Includes Federal grants-in-aid.

Source: Paper by Joseph A. Pechman, Mar. 26, 1965. Data from U.S. Bureau of the Census.

FORTY-FIVE-PERCENT SHARE FOR LOCALITIES

The 45 percent share for localities should be distributed to governmental subdivisions as general aid. While the State would determine the basis of allocation, it would not prescribe the use to be made of these funds.

FIVE-PERCENT SHARE FOR EXECUTIVE STAFF AND TAX-SHARING FUND

One of the most compelling needs of many States today is improvement of State executive and management functions. Some States have lagged in these fields, often because of a lack of funds. Pressures for higher spending for education, health, welfare, and urban development have overshadowed the development of executive staff machinery and the improvement of State management services.

The 5-percent share proposed here for executive staff and management improvement by the States should be defined as 5 percent of a State's basic tax-sharing allocation, that is exclusive of equalization.

This feature of a tax-sharing plan would put emphasis on the need for active, well-staffed State budget offices; qualified executive planning personnel in such fields as fiscal planning, development planning, and policy formulation and coordination; and sufficiently high salaries for top-level management personnel to attract and hold capable people in State government.

TAX-SHARING FUND

The tax-sharing fund, as proposed in this paper, would initially receive annual revenues equal to 3 percent of Federal individual income tax revenues, with the proviso that in no case shall the amount received by the fund in any given year be less than the amount received in the previous year. The proviso would protect States and localities from a cutback resulting from recession or future Federal individual income tax reductions. Estimated Federal individual income tax payments for fiscal 1968 would mean a transfer of approximately $2.2 billion to the tax-sharing funds as proposed here.

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[1] Data from U.S. Department of Commerce, Bureau of the Census, *Census of Governments 1962, Historical Statistics on Governmental Finances and Employment*, Vol. VI (Topical Studies) No. 4, p. 49.

[2] *Ibid., Governmental Finances in 1963–64*, p. 31.

Over a 4-year period, the percentage of individual income tax revenue distributed should be increased in steps to 5 percent.[3] Each year, revenues of the Fund would be distributed among the States on a quarterly basis by the Administrator of Tax Sharing in the U.S. Department of the Treasury. Ninety percent of these funds should be returned to the States on a population basis, weighted by an index of the tax effort. This part of a State's tax-sharing payment would be referred to as its basic allocation. The remaining 10 percent of the tax-sharing fund would be set aside for equalization purposes.

The tax-sharing fund should not be a separate trust fund in the Federal budget. These expenditures should be included in the administrative budget. Advance estimates of basic tax-sharing allocations should be made public and sent to the Governor of every State at least 90 days before the commencement of the fiscal year.

EQUALIZATION

The 10 percent of the funds reserved for equalization should be allocated among the poorest one-third of the States, defined for these purposes as the 17 lowest States in per capital personal income. The computation of equalization allocations should be based on the most recent State-by-State per capita personal income data available. Equalization allocations should be announced no later than April 1 of the fiscal year prior to the fiscal year to which they apply. Notices of equalization payments should be sent to the Governors of all eligible recipient States by the Administrator of tax sharing.

These various requirements for a one-quarter advance notice of equalization and estimated basic tax-sharing allocations are intended to allow States and localities ample time to incorporate these data into their plans for the utilization of tax-sharing funds.

The computation of equalization payments among the 17 eligible States shall be in proportion to population weighted by the reciprocal of per capital personal income. Figures given below demonstrate the effect of this equalization approach. State per capita income data for 1964 are presented in table 2 with the States divided into thirds.

TABLE 2.—*1964 State per capita income*

TOP 16 STATES	
1. Delaware	$3,460
2. Connecticut	3,281
3. Nevada	3,248
4. New York	3,162
5. Alaska	3,116
6. California	3,103
7. Illinois	3,041
8. New Jersey	3,005
9. Massachusetts	2,965
10. Maryland	2,867
11. Michigan	2,755
12. Ohio	2,646
13. Washington	2,635
14. Hawaii	2,622
15. Oregon	2,606
16. Pennsylvania	2,601
MIDDLE 17 STATES	
17. Missouri	2,600
18. Colorado	2,566
U.S. average	2,562
19. Indiana	2,544
20. Rhode Island	2,514
21. Wisconsin	2,490
22. Wyoming	2,441
23. New Hampshire	2,377
24. Iowa	2,376
25. Minnesota	2,375
26. Nebraska	2,349
27. Kansas	2,346
28. Montana	2,252
29. Florida	2,251
30. Virginia	2,239
31. Arizona	2,223
32. Texas	2,188
33. Utah	2,156
BOTTOM 17 STATES	
34. North Dakota	2,133
35. Maine	2,132
36. Vermont	2,119
37. Oklahoma	2,083
38. New Mexico	2,041
39. Idaho	2,020
40. West Virginia	1,965
41. Georgia	1,943
42. North Carolina	1,913
43. South Dakota	1,879
44. Louisiana	1,877
45. Tennessee	1,859
46. Kentucky	1,830
47. Alabama	1,749
48. South Carolina	1,655
49. Arkansas	1,655
50. Mississippi	1,438

Source: U.S. Bureau of the Census, *Compendium of State Government Finances in 1965*.

Using 1967 estimated Federal individual income taxes and current personal income data, the average basic tax sharing allocation in a distribution of 3 percent of Federal individual income taxes would be approximately $8.50 per capita.[4] A 10 percent equalization fund distributed as proposed here would increase the per capita grant to Mississippi—the bottom State—from $8.50 to an estimated $14.50—an increase of $6. North Dakota—the first State among the lowest 17 in 1964 per capita income—would have its share of general aid increased from $8.50 to $12.50. The States in between North Dakota and Mississippi would receive increases in their allocations ranging from $4 to $6 per capita.

TAX EFFORT

As noted above, basic general aid grants should be distributed according to population weighted by a measure of tax effort. Tax effort should be defined for these purposes as State and local taxes combined relative to personal income. Thus, a State's basic general aid grant would be determined by the ratio of State to U.S. average tax effort multiplied by an amount which bears the same ratio to 90 percent of the general aid tax sharing fund as State population bears to the total population of all States.

Table 3 presents U.S. Bureau of the Census data for 1963–64 showing the top and bottom five States in tax effort as defined here.

TABLE 3.—*State and local taxes per $1,000 of personal income: top and bottom quintiles, 1963–64*

Top quintile:	
Wisconsin	$126.07
Minnesota	121.73
California	120.65
Arizona	120.11
Vermont	119.78
U.S. average	103.52
Bottom quintile:	
Virginia	87.75
Missouri	85.69
District of Columbia	[1] 81.92
Delaware	81.68
Alaska	[1] 80.78

[1] Alaska and the District of Columbia also stand out as receiving much larger amounts of Federal aid than other States, partially explaining their lower tax effort standings. In 1963–64, Alaska and the District of Columbia ranked first and fourth, respectively, in per capita Federal aid.

Source: U.S. Bureau of the Census, *Governmental Finances in 1963–64*.

This proposed tax effort adjustment is most easily understood by illustration. The following illustrations assume a general aid plan allocating 3 percent of Federal individual income tax revenues.

The No. 1 State in 1963–64 tax effort is Wisconsin. With a tax effort bonus, Wisconsin would receive approximately $10.00 per capita as its basic tax sharing allocation, compared to $8.50—that is, the amount which would be received by a State with tax effort exactly equal to the national average. This bonus would mean the Wisconsin's total tax sharing grant would be $40 million. Without the tax effort bonus, it would be $33 million. Thus, the bonus increases its grant by $7 million.

The bottom State in tax effort in 1963–64 was Alaska, although there are rather special circumstances involved. One important reason why Alaska's tax effort is so low is the extremely large amount of Federal aid which it receives. Alaska ranked first in per capita Federal aid in fiscal 1964 with aid of $365.54 per capita—$313.27 above the national average of $52.27. With this proposed tax effort adjustment, Alaska would receive $6.65 per capita in basic general aid as compared to a national average of $8.50.

Taking the largest States in the bottom and top quintiles, California—the largest State in the top quintile—would receive $9.85 per capita and would have its general aid basic grant increased by $24 million from $153 million to $177 million as a result of its tax effort bonus. On the other hand, Missouri—the largest State in the bottom quintile—would receive $7.10 per capita, cutting its basic general aid grant from $47 million to $31 million.

Eight States among the 17 lowest per capita income States in 1964 would receive both equalization grants and tax effort bonuses—Idaho, Louisiana, Maine, Mississippi, New Mexico, North Dakota, South Dakota, and Vermont. Taking

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[3] A beginning percentage other than 3% could, of course, be selected. For example, legislation could provide that in the first year, 2% of federal individual income tax revenues would be allocated for tax sharing—this percentage rising by 1% every year (or two years) until it reaches 5%.

[4] The tax effort adjustment would mean States with a high tax effort would receive more than $8.50 and States with a low tax effort would receive less. However, the *average* basic grant for all the States would still be $8.50 under the program proposed here.

Mississippi as an illustration, the State would receive a total of $15.20 per capita, broken down as follows:

Per capita equalization grant	$6.00
Tax effort bonus	.70
Basic allocation	8.50
Total	15.20

STATE RESPONSIBILITIES FOR THE ADMINISTRATION OF TAX SHARING

Under this legislative proposal, heavy reliance is placed on the role of the State in that: First, States receive the largest share of tax sharing on an unconditional basis; second, States are responsible for the distribution to localities; and third, a special effort is made to improve the policymaking and policy coordination role of the States through the 5 percent executive staff and management improvement fund.

INCREASE IN FEDERAL GRANTS-IN-AID TO STATE AND LOCAL GOVERNMENTS IN THE PRESIDENT'S BUDGET FOR FISCAL YEAR 1968

The following table, extracted from table J–10, "Special Analyses of the Budget for Fiscal Year 1968," lists the grant-in-aid programs to State and local governments for which the President proposes in fiscal year 1968 to increase spending by $25 million or more above the expected level for fiscal year 1967:

Increases, $25,000,000 to $100,000,000

[In millions of dollars]

Program	Agency	Budgeted expenditure		
		Fiscal year 1967	Fiscal year 1968	Increases
Health manpower	HEW	47.5	138.3	90.8
Urban renewal	HUD	361.3	447.5	86.2
Public assistance	HEW	2,887.6	2,970.2	82.6
Economic development assistance	Commerce	50.6	131.6	81.2
Water pollution control	Interior	92.0	171.0	79.0
Higher education	HEW	170.3	245.3	75.0
Basic water and sewer facilities	HUD	40.0	110.0	70.0
Vocational rehabilitation	HEW	256.8	309.7	52.9
Maternal and child welfare	HEW	154.6	207.3	50.7
Food stamp	Agriculture	131.4	184.0	52.6
Appalachian highways	Commerce	42.1	80.1	38.0
CCC, removal and donation agricultural products	Agriculture	324.5	361.5	37.0
Administration of employment security	Labor	517.5	551.6	34.1
Open space land and urban beautification	HUD	28.5	57.8	29.3
Low rent public housing	HUD	249.1	277.7	28.6
Special milk and school lunch	Agriculture	315.7	343.6	27.9

The President's estimate of total Federal expenditure in the form of grants-in-aid and shared revenues for fiscal 1968 is $17,439 million—more than $2 billion above the level of expenditure estimated for fiscal 1967 for programs of this type and almost $4.5 billion above actual expenditure in fiscal 1966.

Increases of over $100,000,000

[In millions of dollars]

Program	Agency	Budgeted expenditure		Increase
		Fiscal year 1967	Fiscal year 1968	
Highway beauty and safety	Transportation	42.8	227.5	184.7
Medical assistance	HEW	1,038.2	1,182.8	144.6
Model city grants	HUD	5.2	147.0	141.8
Elementary and secondary education	HEW	1,324.2	1,456.1	131.9
Community action programs (other than Headstart)	OEO	318.0	436.0	118.0
Headstart	OEO	250.0	360.0	110.0
Adult work training and special impact	OEO	75.0	185.0	110.0
Mental health	HEW	112.4	216.1	103.7
Comprehensive health planning and services	HEW	4.0	105.7	101.7

THE GOSPEL OF REVOLUTION

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Tennessee [Mr. QUILLEN] is recognized for 30 minutes.

Mr. QUILLEN. Mr. Speaker, I am shocked and greatly alarmed by the following article from Barron's, the national business and financial weekly, which reviews the formal statement made at the conclusion of the 1966 Conference on Church and Society which was held in Geneva, Switzerland, by the World Council of Churches.

In view of the recent uprisings throughout the world, it would seem to me that a reinstilling of a respect for law and order is one of our greatest needs. Above all, we do not need a Christian group to come out in favor of eroding our Christian principles. I think this statement is deplorable, and it should be denounced by any American organization that is associated with the World Council of Churches.

Mr. Speaker, I include at this point in my remarks the entire report of the council's statement:

THE GOSPEL OF REVOLUTION—WHAT THE WORLD COUNCIL OF CHURCHES IS PREACHING

(This is an analysis of official documents issued at the 1966 Conference on Church and Society held in Geneva, Switzerland, by the World Council of Churches. It first appeared in the December 9, 1966, issue of U.S.A., a bi-weekly published by Alice Widener.)

The 1966 Conference on Church and Society held by the World Council of Churches took place last July at Geneva, Switzerland. There were participants from 70 countries, including all the Socialist bloc except Albania and Red China.

At the end of the Conference, the participants issued a formal message to thank God for bringing them together, and for granting them "this experience of the world community which is emerging in this age of advanced technology and social revolution."

The word "revolution" was a leitmotif of the Conference, occurring and recurring throughout the various working papers which were only recently released in revised and edited form. Evidently, the World Council of Churches holds gradual evolutionary change to be inadequate in our times and even undesirable.

The participants' message states, "We Christians cannot escape the call to serious study and dynamic action." These are to be directed toward four issues: "Modern technology . . .; The need for accelerated development in Asia, Africa and Latin America . . .; The struggle for world peace . . .; The problem of just political and social order and the changing role of the state."

The first and main document is entitled "Economic Development in a World Perspective." The introduction brands as "a scandal and an offense to God and men" the existing imbalance between rich and poor countries.

In a section dealing with the changing economic and social pattern of the advanced countries, the Conference summarizes "three types" of economic policy . . . Having more or less described capitalism, socialism and communism without the courage to name names, the World Council then goes on to bless all three with the statement that they "have shown themselves capable of rapid economic growth and wide distribution of income."

Not a single word in the Conference document reflects the fact that the Soviet Union and other nations with centrally planned economies have been unable to produce a self-sustaining agriculture, have been forced to adopt some profit and price incentives to rescue their bankrupt economies, and have been unable to develop wide enough distribution of income to permit consumers any but the narrowest choice of goods and services. Not a single line in the document contrasts the low productivity of welfare state economies to the high productivity of the private enterprise ones. Moreover, not a single line refers to the present stagnation of the centrally planned economies which are falling further and further behind the advancing economies of Western European nations, to say nothing of Japan and the U.S.

The World Council of Churches' report on economic development in a world perspective states flatly that all three economic systems—free enterprise, welfare state and centrally planned—can be supported by Christians "not as ends in themselves" but to achieve "ends for which men were made. The role of Christians is to be critical participants in the societies in which they find themselves."

How can Christians be critical participants in anti-Christian Communist societies that forbid criticism? Russian Orthodox Archbishop Alexei, who resides in Moscow, would not have been able to help govern the Conference in Geneva as one of its presidents had he dared to be critical of the Red regime in the USSR. The price of his Christian participation in that society is his absolute obedience to and acquiescence in its tyranny.

The transfer of capital from rich nations to poor ones is the World Council of Churches' main concern in the report on economic development. The Council's aim is set forth as follows:

"One hopeful sign of our times is the growing sense of international responsibility for assisting in the development of the economically less advanced nations. External aid is most helpful when it serves as a catalyst for internal efforts, is related to the mainstream of a nation's development strategy, and is directed toward its long-term rather than its short-term growth needs.

"Unfortunately the level of government contributions has only rarely been determined in consultation with the receiver. These contributions, even to international agencies, are voluntary, short-term commitments. However, the transfer of capital and skill through governmental channels must be considered as a long-term process, and more formal, medium or long-term arrangements and commitments are becoming increasingly necessary for the efficient operation of these agencies and the carrying out of development programs."

What is the World Council of Churches aiming at? The answer lies in the conclusion to the foregoing argument for long-term transfer of capital. "Eventually," declares the Council's Conference report, "these may lead to an 'international budget' and 'international taxation.' "

Such a budget and such a system of taxation could be accomplished only under a system of World Socialism in which the Marxian doctrine, "from each according to his ability, to each according to his needs," would be supreme.

Inevitably, then, the World Council of Churches' report on economic development stresses "the key role of the state and the public sector" in the process. The Council calls for "gradual imposition of supranational approaches upon national efforts." It also adopts the anti-capitalist doctrine, "The fundamental problem (in the transfer of capital from rich to poor nations) is that the goal of the businessman—to make profits—sometimes conflicts with the goal of governments—to increase the social product and to distribute it equitably."

Purporting to be a Christian document, it fails to point out many of the principal reasons for poverty in many lands—for example, polygamy, the worship of sacred cows and monkeys, the ban on eating pork and the husbandry of plant-destroying, desert-creating goats, the practice of tribal blood rites—and places basic blame on the modern businessman's legitimate and useful search for profits.

Through three dozen pages, the Conference report on economic development moves slowly but surely toward a radical goal, taking utmost care to avoid those words and phrases which might shock an American reader believing in the free system that has made our nation into a fountainhead of benefactions to needy humanity, and might cause such a reader to reject the report as thoroughly alien. Finally, the report lists a series of recommendations closely resembling the old Marxist-Leninist-Stalinist plan for One Socialist World, the plan that was eventually proposed to the United Nations in the Havana Charter of 1947, but was wholly rejected by Congress and President Truman, the plan that still later was presented at the United Nations in 1951 under the name "SUNFED" (Special United Nations Fund for Economic Development) and was again rejected by Congress.

Anyone familiar with the Havana Charter, the SUNFED scheme, and Gunnar Myrdal's "An International Economy" will recognize the similarity between these documents and the World Council of Churches' report on economic development.

It calls for grants instead of loans by rich nations to poor ones and for "rationalization of distribution . . . under the auspices of the United Nations." The report calls for "elimination of the adverse effects of price fluctuations and terms of trade" and also "the establishment of world commodity marketing boards."

The 1966 Conference report then calls for measures that beggar the imagination in trying to conceive of the resulting injustice, suffering and horror, all amounting to a hell paved with good intentions.

Obviously believing that a desired end justifies any means, the Conference, report proposes: "the deliberate transfer of non-capital and non-technical intensive industries to countries with insufficient capital but abundant manpower, and the acceptance of the problems involved in the fundamental restructuring of economies in the developed countries which that entails."

At this point, it must be remembered that a few years ago some Latin American socialists at the United Nations Economic and Social Council actually proposed that the U.S. get out of the textile manufacturing business so that Central and Latin American countries could have a Western Hemisphere monopoly. What would be the fate of thousands of U.S. textile workers was of no concern to the socialist planners.

The Latins' plan was relatively innocuous, however, when compared with that of the World Council of Churches. Its 1966 Conference report declares:

"The fundamental restructuring of the world economy necessarily implies temporary dislocation and possible suffering for a large number of people. The first task of the churches in this situation is to speak to the government or power structure responsible and to insist that prior measures be taken to prevent or at least to minimize and alleviate the difficulties which individuals and groups may have to face. Only after every preventive measure has been taken should the Church prepare people to accept and overcome these problems and impart the vision of a wider world order for which restructuring is a necessary preliminary."

Whew! One must pause and take a deep breath before launching into horrified analysis of what the foregoing really means.

It is hardly an exaggeration to say that nuclear war could not inflict greater suffering on people than the mass restructuring of the world economy, with mass transport of populations and mass transfer of non-capital and non-technical industries from the developed nations to the backward nations with insufficient capital and overpopulation.

Evidently the World Council of Churches—professing to be Christian—has adopted the cold-blooded, blood-curdling cynicism of "humanitarian" Swedish socialist Gunnar Myrdal, who called for redistribution of land (land reform) in India and other underdeveloped nations even though "It will almost always reduce temporarily the marketable surplus of agriculture, and it is easy to imagine cases where sheer starvation in the towns may be the result." ("An International Economy," page 183.)

How many millions of people would be dislocated, ruined, enslaved, tortured and murdered under a World Council of Churches' plan to restructure the world economy, and to redistribute wealth among nations by arbitrarily allocating the right to engage in this or that kind of industrial manufacture? Will it be as many millions as those who perished in the Bolshevisk collectivization of agriculture in Russia or in the establishment of the Red Chinese communes? Was any past crime committed in the name of Christianity during the darkest ages of history of greater magnitude than that contemplated in the World Council of Churches' "Christian" document? Does the organization really believe that millions of employed workers in developed countries will supinely accept abandonment of their industries in favor of poverty-stricken peoples in backward lands?

How could the Church "prepare" people in advanced nations for such suffering? The World Council of Churches' document envisages preparation for such enslavement as establishment of "an ethic of altruism and justice which will make these measures intelligible." The document goes on to state, "In the developed countries this would involve active support by the churches of such specific measures as severance pay, industrial retraining, higher unemployment benefits and mobility subsidies."

Can one really believe that a Swiss worker in an embroidery factory, a Belgian worker in a lace factory, a New England worker in a cotton textile factory, or a French or Italian worker in a vineyard could be persuaded by the Church to forfeit his means of livelihood so that it could be taken over by an African worker in Somalia, a Latin American worker in Guatemala, an Arab worker in Algeria, a Bantu worker in South Africa, a Buddhist worker in Laos?

To effect such redistribution and restricturing of the advanced nations' economies in favor of the backward ones, there would be only one possible way—total enslavement of populations in advanced and backward nations. For this there would be required a world dictatorship, and the reality was recognized by the World Council of Churches which called for a "World Economic Plan" for "the ultimate aim: an international division of labor . . ."

To help bring about such totalitarianism, the 1966 Conference report on economic development calls for replacing the present forms of aid by the rich nations to the poor ones "by a system of international taxation."

Since by far the greatest part of such aid is now rendered by the U.S., the heaviest burden of international taxation would fall on Americans.

To obtain this, the World Council of Churches calls for "church participation in political education" in order "to produce the political will for a world economic and social order compatible with Christian conscience." The Council's 1966 Conference also calls for "social education designed to help society understand and accept the costs of world economic development."

In total disregard of the U.S. Constitution, the American participants in the Council's Conference in Geneva supported without evident dissent or formal protest the participants' recommendation that "the Church" urge governments "to introduce economic, political and social education into national school systems" for support of the Council-proposed measures, including "a diminution of national sovereignty."

If all this is not a call for world socialism, then what is it? The fact that it is made by a handful of "Christians" in the name of "God" is characteristic of the moral decline of the West of its fall into the bottomless pit of revolutionary nihilism of the kind that gave rise to Hitler and Stalin.

Not surprisingly, the Council sanctions violence and civil disobedience in its second Conference document on "The Nature and Function of the State in a Revolutionary Age."

Categorically, the World Council of Churches rejected the concept that it is enough for Christians "to seek to save souls and improve individual characters on the assumption that good people will produce good government." Declaring that Christians must be concerned "for the structure of society" as well as for the moral qualities of individuals, the Conference declared it is "imperative" that Christian involvement in politics "become conscious" and active. There is no reason, states the Conference, why ministers of the Gospel should not play an active political role, although certain church and civil laws limit them.

Evidently the participants in the Conference do not regard these church and civil laws as insurmountable barriers to ministers' political action. The Conference document recognizes there are "special issues of Christian participation" and goes on to state:

"Political involvement at times confronts Christians with especially difficult issues such as the use of constitutional or extra-constitutional methods of political action, the use of violent or non-violent action, and the rights of minorities or other oppressed groups within the life of a nation."

From this, inevitably, proceeds the following Conference statement: ". . . In many cases where legislation violates an acceptable constitution, and no speedy means of legal relief are available, the Christian may be called to civic disobedience (sit-down strikes, passive disobedience or deliberate violation of laws). In cases in which the constitution itself is inadequate, the Christian is called to work for its amendment in the interest of firmer guarantees of human rights. Where such changes are impossible, the Christian may come to the conclusion that he has no alternative but to violate the constitution in order to make possible a better one. . . . We understand that laws may be defied in the defense of the constitution, and that the constitution may be defied in defense of human rights."

Is it any wonder that law and order are breaking down in Western society in general and in the U.S. in particular? How can laws be defied in defense of a constitution?

Proceeding from relativism to confusion, then to anarchism and nihilism, the Conference document argues that the question often emerges today "whether the violence which sheds blood in planned revolutions may not be a lesser evil than the violence which, though bloodless, condemns whole populations to perennial despair."

The third document issued by the World Council of Churches 1966 conference in Geneva is entitled "Structures of International Cooperation—Living Together in Peace in a Pluralistic World Society." It is a modern gospel for revolution and declares: ". . . the function of the state in God's purpose is to provide, if necessary by lawful coercion, that order which enables men to live in peace and justice with one another. Human experience as well as Holy Scripture shows us that the power of laws is required to compel man to respect the rights of others. While this remains true in our day, many circumstances in the modern world force men to revolution against an unjust established order."

There is no satisfactory explanation of what are the circumstances that "force men to revolution." There is only the sweeping assertion that this is so, and there is no censure of professional anarchists and agitators seeking to foment revolution in even the most prosperous and advanced societies.

In the Conference documents, one generalization follows another in almost unending sequence. Thus there is the unequivocal statement, "War between states results from the present disorganized and unjust political and economic conditions of international society . . ."

To insure peace, social justice, prosperity for all, the equality of men, to decrease tensions and increase cooperation, the Conference proposes "a supranational authority" over "the two major nuclear powers" and calls for the elimination of international trade conducted according to market rules in order to free all people from hunger, misery and poverty. Just how international trade conducted without market rules will achieve Utopia is not explained, but the overall implication is that socialism will solve all human problems.

The World Council of Churches Conference not only recognized the "revolutionary mood" of the most active and influential groups in the "Third World" (meaning Asia, Africa and Latin America) but also endorsed these groups' impatience with any kind of development that is not "rapid." Such rapid change must be achieved—so the Conference says—"if necessary, by violence."

What should Christians do?

Let heads roll. Then help mop up the blood.

Here is the "Christians'" proposal: "No generally valid overall prescription can be given for the ways in which changes in the organization of political and economic power in developing nations should occur and how Christians should respond to such changes. . ."

"There are, however, at least two generalizations which can be made about the approach of Christians to the reorganization of the structures of power in the Third World. One is that wherever small elites rule at the expense of the welfare of the majority, political change toward achieving a more just order as quickly as possible should be actively promoted and supported by Christians. The second is that, in cases where such changes are needed, the use by Christians of revolutionary methods—by which is meant violent overthrow of an existing political order—cannot be excluded a priori. For in such cases, it may very well be that the use of violent methods is the only recourse of those who wish to avoid prolongation of the vast covert violence which the existing order involves."

Mr. Speaker, I fail to see the reasoning that justifies the statements made by the World Council of Churches in support of violence and lawbreaking. Their endorsement of any tactics to justify revolution is startling and appalling. To me, and I am sure to many others, their advocacy is in no way Christian. It is barbaric and ruthless. I believe that every American must disassociate himself from any acceptance of this doctrine.

GENERAL LEAVE TO EXTEND

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in to extend their remarks, following the remarks of the gentleman from Oklahoma [Mr. ALBERT], on the President's message pertaining to the protecting of our national heritage.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

OUR YOUNGER GENERATION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RESNICK. Mr. Speaker, it may come as a surprise to some people, but the spirit of idealism and devotion to duty is very much alive in today's youth. It is true that sometimes, in reading particular headlines, we become a little skeptical about the moral fiber of the younger generation. But every once in a while something happens to jolt us back to the realization that our young people are possessed with all—and very likely more—of those virtues that we of an older generation like to believe are exclusively ours.

I wish every American would read a letter sent by Sp4c. Joe Paul Curran to his father, Joe Curran, president of the National Maritime Union. The Currans are residents of Dutchess County in New York's Hudson Valley. I have twice visited our servicemen in Vietnam and have often been asked what our servicemen are thinking of, and what their attitude is about the war and about their country's commitment in that far-off part of the world.

Joe Paul's letter to his father is the most complete and most eloquent answer to that question I have yet seen, and Mr. Curran has given me his kind permission to place it in the CONGRESSIONAL RECORD, to give every American an insight into the mind and spirit of a brave, dedicated young man. Specialist Fourth Class Curran wrote the letter on December 16 from the U.S. base at Niu Ba Den, while sitting on top of a tank—not exactly the place in which you would expect idealism to flower, but then we should learn to expect the unexpected from this new generation of proud young Americans. The letter follows:

AT THE BASE OF NIU BA DEN
ON THE TOP OF A TANK,
December 16, 1966.

DEAR POP AND FLO: Holy Popcorn, Batman, you sure gave the boy wonder hell. I think you can understand that in considering extending my hitch for six months beyond September—when I will have completed two years in Vietnam—I was thinking of other than our own interest. I think it is one of the great tests that one must face to be able to consider ideas without considering his own self interest.

Of course, you are concerned about my being killed here, and this is emphasized all the more by the fact that so many will never see Vietnam at all. But I do not consider them either, it does not disturb me that it's me and not them. I think it most unwise to gear one's action or thoughts to the mob. As for dying itself, I figure it this way: what we are doing here is important; if one dies, he dies for something worthwhile.

The selfish, the small, the cowardly ones who stay behind, who hide from challenge, who never do a noble thing, these are the ones to pity, not the one on the line. I wish what we hope for could be accomplished without war, but unfortunately it is not so.

Someday there will be peace here, then what will there be? If we, and that is all of us, are devoted and altruistic there will be freedom. If not there will be tyranny. The extent of that tyranny will be determined by our resistance to it. No one values "the good life" more than I; but I want it for all, for the Vietnamese as well as the Americans, for our children, as well as ourselves.

Too few people feel this way today, we have become selfish and indifferent, materialistic and petty, but I will not be this way. I value more than myself. Shame on the cowards, no matter how many and how loud they are, let them and the selfish mend their ways.

What we need are not more people who go along with this unfortunate state of affairs, but someone who will oppose, who will say so and set an example. This is what I intend to do and, to the best of my ability, will do.

As to specifically what I will do here, I have been giving it continuous thought. It seems to me that I must make a decision without regard to my personal safety, or enjoyment. I realized before I enlisted, before I volunteered for Vietnam, for the infantry and for a second whole year in Vietnam, that this was no bowl of cherries. I think that you must realize that too and I am not going to quit because it is difficult and hard—if anything that makes it more worthwhile as a challenge and a chance to gain discipline.

What will bring me home is when I believe that "the law of diminishing return" has set in. Actually I think we all realize that that is true. Moreover, I think now that what made me consider taking another six months was just that fact. That is to say that I feel that even with two years here my knowledge will be limited. Certainly, I know a great deal, but it has been from a very narrow perspective. Now that I think about it, six months more here in the Army wouldn't add much to my knowledge. I would still have the blinders on. As for a contribution for the war effort and the general cause behind it, I also realize that my contribution is very small, and in the Army there seems to be no way to expand that role.

There are only a few men who really make a difference here. A Lodge or a Lansdale cannot so easily be replaced. But I am quite dispensable here, as it seems every infantry trooper is. It would then seem to be a waste for me to stay in the Army over here beyond the end of this year. This still leaves the problem of my two years of limited knowledge. What I think I will do is this: at the end of this tour I will quit, come home for a month, and then come back to Vietnam for a month or two, that is (October, and/or November '67). I will use the time home to organize my papers and generally establish myself. The two months back here, I will get a Vietnamese, hopefully my friend, Khanh, to go with me around the country.

I want to interview people and see other parts of Vietnam before I write my book. After that I will be home for good. I hope this idea meets with your approval. I think it is a good one, all things considered.

Your loving son,

Joe Paul.

CULVER INTRODUCES LEGISLATION TO PROVIDE SECURITY FOR HOMEOWNERS IN HIGH RISK FLOOD AREAS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Culver] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. CULVER. Mr. Speaker, I have introduced a measure, H.R. 3243, which would authorize a flood insurance program, operated by private carriers with Government assistance, for homeowners who live in areas with high risks of flooding.

Such a program has never been available because of the difficulty of financing a sound program at reasonable rates. As a result, hundreds of families along the Mississippi River and elsewhere in eastern Iowa, who were flooded out of their homes and suffered heavy property losses during the spring of 1965, were faced with the hard reality that they had no insurance to recover from the water damage to their property.

Fortunately for many, donations and loans from friends, charitable organizations, and Government sources were offered to them, but our experience has indicated the critical importance of providing help through a actuarily sound insurance program.

By making this investment now, we can avoid the need for greater expense in the form of relief and emergency aid, by both the Government and the private sector, when floods occur in the future.

H.R. 3243 properly places the emphasis for such a program on private insurance companies, through contracts between the National Government and individual carriers. The Government would pay the difference between reasonable premium rates and the actuarial costs to the company of providing the insurance, and would make loans to replenish reserves of the companies at times of heavy loss.

Mr. Speaker, I want to emphasize that we are not interested in entering into any kind of competition with private companies, and this bill has been written to protect against that situation. This insurance will be available only if it cannot be obtained from other sources at reasonable premium rates. Furthermore, it will be available only in specifically designated flood hazard areas where risk of damage is particularly high.

In taking this new approach to the problem of flood losses, I very strongly feel that we should begin on a manageable scale, focusing on those individuals who are most in need of this kind of security. It is for this reason that my bill would limit the insurance program to housing for from one to four families. If our experience at this level indicates that expansion would be feasible, we can then investigate the possibilities of extending it to other property.

The program would be integrated into existing private, State, and Federal efforts in disaster relief and flood control, as part of the total effort not only to provide funds for flood victims but to avoid unwise land use in high risk flood areas as well.

Mr. Speaker, I am pleased to note that a number of my colleagues, representing areas with high risks of flooding like the Second District of Iowa, have introduced similar legislation this week. Clearly, we are concerned with a national problem, and I urge prompt action by the House of Representatives so that those individual homeowners who have been victimized by these natural disasters in the past can be prepared to meet them when they occur again.

EASIER MONEY AND HOMEBUILDING

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Boggs] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BOGGS. Mr. Speaker, the President's economic message gives a full assessment of the state of our economy. Last year was the most prosperous year in history for most Americans. A year when more people worked at better, steadier, higher paying jobs than ever before. It was a year when unemployment reached the lowest level in more than a decade.

The President's message calls attention to the success of economic policy in moderating the growth of demand last year when that was needed because of severe inflationary pressures. But he notes that the restraint imposed by monetary policy placed a heavy burden on construction activity, and, especially, on homebuilding in 1966.

Programs that he proposed and that Congress passed last year helped to ease the financial pressures on homebuilding. Interest rates have begun to decline. Savings have begun to flow into our thrift institutions again.

I am glad that the President has prepared a program which, if implemented, will continue to help the homebuilding industry recover. The home loan bank will be able to provide a billion dollars in advances to savings and loan associations. That will help to bridge the gap until the full effects of an easier monetary policy are felt. Sustained recovery in homebuilding requires a monetary policy which will promote a continued flow of funds to thrift institutions and an ultimate reduction in mortgage interest rates.

NEED TO REVISE SELECTIVE SERVICE SYSTEM—X

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Kastenmeier] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, the selective service defines the term "channeling" as that process through which registrants are influenced to enter and remain in study, in critical occupations, and in other activities in the national health, safety, and interest by deferment or prospect for deferment from military service.

At this point, I would like to produce the selective service paper which deals at great length with the subject of channeling:

Channeling

One of the major products of the Selective Service classification process is the channeling of manpower into many endeavors, occupations, and activities that are in the national interest. This function is a counterpart and amplification of the System's responsibility to deliver manpower to the armed forces in such a manner as to reduce to a minimum any adverse effect upon the national health, safety, interest, and progress. By identifying and applying this process intelligently, the System is able not only to minimize any adverse effect but to exert an effect beneficial to the national health, safety, and interest.

The line dividing the primary function of armed forces manpower procurement from the process of channeling manpower into civilian support is often finely drawn. The process of channeling by not taking men from certain activities who are otherwise liable for service, or by giving deferment to qualified men in certain occupations, is actual procurement by inducement of manpower for civilian activities which are manifestly in the national interest.

While the best known purpose of Selective Service is to procure manpower for the armed forces, a variety of related processes take place outside delivery of manpower to the active armed forces. Many of these may be put under the heading of "channeling manpower." Many young men would not have pursued a higher education if there had not been a program of student deferment. Many young scientists, engineers, tool and die makers, and other possessors of scarce skill would not remain in their job in the defense effort if it were not for a program of occupational deferments. Even though the salary of a teacher has historically been meager, many young men remain in this job, seeking the reward of a deferment. The process of channeling manpower by deferment is entitled to much credit for the large number of graduate students in technical fields and for the fact that there is not a greater shortage of teachers, engineers, and other scientists working in activities which are essential to the national interest.

More than ten years ago, it became evident that something additional had to be done to permit and encourage development of young scientists and trained people in all fields. A million and a half registrants are now deferred as students. One reason the Nation is not in shorter supply of engineers today is that they were among the students deferred by Selective Service in previous years. Similarly, Selective Service student deferments reduced what otherwise would have developed into more serious shortages in teaching, medicine, dentistry, and every field requiring advanced study. The System has also induced needed people to remain in these professions and in industry engaged in defense activities or in the support of national health, safety, or interest.

The opportunity to enhance the national well being by inducing more registrants to participate in fields which relate directly to the national interest came about as a consequence, soon after the close of the Korean episode, of the knowledge within the System that there was enough registrant personnel to allow stringent deferment practices employed during war time to be relaxed or tightened as the situation might require. Circumstances had become favorable to induce registrants, by the attraction of deferment, to matriculate in schools and pursue subjects in which there was beginning to be a national shortage of personnel. These were particularly in the engineering, scientific, and teaching professions.

This was coupled with a growing public recognition that the complexities of future wars would diminish further the distinction between what constitutes military service in uniform and a comparable contribution to the national interest out of uniform. Wars have always been conducted in various ways but appreciation of this fact and its relationship to preparation for war has never been so sharp in the public mind as it is now becoming. The meaning of the word "service," with its former restricted application to the armed forces, is certain to become widened much more in the future. This brings with it the ever increasing problem of how to control effectively the service of individuals who are not in the armed forces.

In the Selective Service System the term "deferment" has been used millions of times to describe the method and means used to attract to the kind of service considered to be most important, the individuals who were not compelled to do it. The club of induction has been used to drive out of areas considered to be less important to the areas of greater importance in which deferments were given, the individuals who did not or could not participate in activities which were considered essential to the defense of the Nation. The Selective Service System anticipates further evolution in this area. It is promoting the process by the granting of deferments in liberal numbers where the national need clearly would benefit.

Soon after Sputnik I was launched it became popular to reappraise critically our educational, scientific, and technological inventory. Many deplored our shortage of scientific and technical personnel, inadequacies of our schools, and shortage of teachers. Since any analysis having any connection with manpower and its relation to the Nation's survival vitally involves the Selective Service System, it is well to point out that for quite some time the System had been following a policy of deferring instructors who were engaged in the teaching of mathematics and physical and biological sciences. It is appropriate also to recall the System's previously invoked practice of deferring students to prepare themselves for work in some essential activity and the established program of deferring engineers, scientists, and other critically skilled persons who were working in essential fields.

The Congress, in enacting the Universal Military Training and Service legislation declared that adequate provsions for national security required maximum effort in the fields of scentific research and development, and the fullest possible utilization of the Nation's technological, scientific, and other critical manpower resources. To give effect to this philosophy, the classifying boards of the Selective Service System defer registrants determined by them to be necessary in the national health, safety, or interest. This is accomplished on the basis of evidence of record in each individual case. No group deferments are permitted. Deferments are granted, however, in a realistic atmosphere so that the fullest effect of channeling will be felt, rather than be terminated by military service at too early a time.

Registrants and their employers are encouraged and required to make available to the classifying authorities detailed evidence as to the occupations and activities in which the registrants are engaged. It is not necessary for any registrant to specifically request deferment, but his selective service file must contain sufficient current evidence on which can be based a proper determination as to whether he should remain where he is or be made available for service. Since occupational deferments are granted for no more than one year at a time, a process of periodically receiving current information and repeated review assures that every deferred registrant continues to contribute to the overall national good. This reminds him of the basis for his deferment. The skills as well as the activities are periodically reevaluated. A critical skill that is not employed in an essential activity does not qualify for deferment.

Patriotism is defined as "devotion to the welfare of one's country." It has been interpreted to mean many different things. Men have always been exhorted to do their duty. But what that duty is depends upon a variety of variables, most important being the nature of the threat to national welfare and the capacity and opportunity of the individual. Take, for example, the boy who saved the Netherlands by plugging the dike with his finger.

At the time of the American Revolution the patriot was the so-called "embattled farmer" who joined General Washington to fight the British. The concept that patriotism is best exemplified by service in uniform has always been under some degree of challenge, but never to the extent that it is today. In today's complicated warfare when the man in uniform may be suffering far less than the civilians at home, patriotism must be interpreted far more broadly than ever before.

This is not a new thought, but it has had new emphasis since the development of nuclear and rocket warfare. Educators, scientists, engineers, and their professional organizations, during the last ten years particularly, have been convincing the American public that for the mentally qualified man there is a special order of patriotism other than service in uniform—that for the man having the capacity, dedicated service as a civilian in such fields, as engineering, the sciences, and teaching constitute the ultimate in their expression of patriotism. A large segment of the American public has been convinced that this is true.

It is in this atmosphere that the young man registers at age 18 and pressure begins to force his choice. He does not have the inhibitions that a philosophy of universal service in uniform would engender. The door is open for him as a student to qualify if capable in a skill badly needed by his nation. He has many choices and he is prodded to make a decision.

The psychological effect of this circumstantial climate depends upon the individual, his sense of good citizenship, his love of country and its way of life. He can obtain a sense of well being and satisfaction that he is doing as a civilian what will help his country most. This process encourage him to put forth his best effort and removes to some degree the stigma that has been attached to being out of uniform.

In the less patriotic and more selfish individual it engenders a sense of fear, uncertainty, and dissatisfaction which motivates him, nevertheless, in the same direction. He complains of the uncertainty which he must endure; he would like to be able to do as he pleases; he would appreciate a certain future with no prospect of military service or civilian contribution, but he complies with the needs of the national health, safety, or interest—or is denied deferment.

Throughout his career as a student, the pressure—the threat of loss of deferment—continues. It continues with equal intensity after graduation. His local board requires periodic reports to find out what he is up to. He is impelled to pursue his skill rather than embark upon some less important enterprise and is encouraged to apply his skill in an essential activity in the national interest. The loss of deferred status is the consequence for the individual who has acquired the skill and either does not use it or uses it in a nonessential activity.

The psychology of granting wide choice under pressure to take action is the American or indirect way of achieving what is done by direction in foreign countries where choice is not permitted. Here, choice is limited but not denied, and it is fundamental that an individual generally applies himself better to something he has decided to do rather than something he has been told to do.

The effects of channeling are manifested among student physicians. They are deferred to complete their education through school and internship. This permits them to serve in the armed forces in their skills rather than in an unskilled capacity as enlisted men.

The device of pressurized guidance, or channeling, is employed on Standby Reservists of which more than 2½ million have been referred by all Services for availability determinations. The appeal to the Reservist who knows he is subject to recall to active duty unless he is determined to be unavailable is virtually identical to that extended to other registrants.

The psychological impact of being rejected for service in uniform is severe. The earlier this occurs in a young man's life, the sooner the beneficial effects of pressured motivation by the Selective Service System are lost. He is labeled unwanted. His patriotism is not desired. Once the label of "rejectee" is upon him all efforts at guidance by persuasion are futile. If he attempts to enlist at 17 or 18 and is rejected, then he receives virtually none of the impulsion the System is capable of giving him. If he makes no effort to enlist and as a result is not rejected until delivered for examination by the Selective Service System at about age 23, he has felt some of the pressure but thereafter is a free agent.

This contributed to establishment of a new classification of I–Y (registrant qualified for military service only in time of war or national emergency). That classification reminds the registrant of his ultimate qualification to serve and preserves some of the benefits of what we call channeling. Without it or any other similar method of categorizing men in degrees of acceptability, men rejected for military service would be left with the understanding that they are unfit to defend their country, even in wartime.

An unprejudiced choice between alternative routes in civilian skills can be offered only by an agency which is not a user of manpower and is, therefore, not a competitor. In the absence of such an agency, bright young men would be importuned with bounties and pirated like potential college football players until eventually a system of arbitration would have to be established.

From the individual's viewpoint, he is standing in a room which has been made uncomfortably warm. Several doors are open, but they all lead to various forms of recognized, patriotic service to the Nation. Some accept the alternatives gladly—some with reluctance. The consequence is approximately the same.

The so-called Doctor Draft was set up during the Korean episode to insure sufficient physicians, dentists, and veterinarians in the armed forces as officers. The objective of that law as to exert sufficient pressure to furnish an incentive for application for commission. However, the indirect effect was to induce many physicians, dentists, and veterinarians to specialize in areas of medical personnel shortages and to seek outlets for their skills in areas of greatest demand and national need rather than of greatest financial return.

Selective Service processes do not compel people by edict as in foreign systems to enter pursuits having to do with essentiality and progress. They go because they know that by going they will be deferred.

The application of direct methods to effect the policy of every man doing his duty in support of national interest involves considerably more capacity than the current use of indirection as a method of allocation of personnel. The problem, however, of what is every man's duty when each individual case is approached is not simple. The question of whether he can do one duty better than another is a problem of considerable proportions and the complications of logistics in attempting to control parts of an operation without controlling all of it (in other words, to control allocation of personnel without controlling where people eat, where they live, and how they are to be transported) adds to the administrative difficulties of direct administration. The organization necessary to make the decisions, even poor decisions, would, of necessity, extract a large segment of population from productive work. If the members of the organization are conceived to be reasonably qualified to exercise judgment and control over skilled personnel, the impact of their withdrawal from war production work would be severe. The number of decisions would extend into billions.

A quarter billion classification actions were needed in World War II for the comparatively limited function of the Selective Service System at that time. Deciding what people should do, rather than letting them do something of national importance of their own choosing, introduces many problems that are at least partially avoided when indirect methods, the kind currently invoked by the Selective Service System, are used.

Delivery of manpower for induction, the process of providing a few thousand men with transportation to a reception center, is not much of an administrative or financial challenge. It is in dealing with the other millions of registrants that the System is heavily occupied, developing more effective human beings in the national interest. If there is to be any survival after disaster, it will take people, and not machines, to restore the Nation.

JULY 1, 1965.

Mr. Speaker, throughout this publication, the central theme is that certain groups of people are performing services which are vital to the national interest, and therefore should not be required to serve in the Armed Forces. The Selective Service procures the manpower necessary for the maintenance of the national interest through its occupational and student deferment policy. In 1963, General Hershey admitted that the "deferment is that carrot that we have used to try to get individuals into occupations and professions that are said by those in charge of Government to be the necessary ones."

I, however, know of no conscious national decision to define the areas of greater or lesser national interest, much less that a particular goal should be pursued in the management of our Nation's vital human resources—our young men.

It appears that the Selective Service has made such a decision. The club of induction has been used to drive out of areas considered to be less important to the areas of greater importance in which deferments were given, the individuals who did not or could not participate in activities which were considered essential to the defense of the Nation.

The channeling of civilian manpower into certain deferred areas has given the Selective Service System ultimate power over the goals of our society. The unwarranted assumption by the Selective Service System that it can define the best uses for our civilian manpower on such a large and increasing scale calls for a major revision of the draft laws.

EXECUTIVE BRANCH FACES FACTS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MONAGAN. Mr. Speaker, in view of previous actions in December 1966, I wrote to President Johnson restating my concern for and opposition to any further tariff concession on rubber-soled footwear.

Ambassador William M. Roth, Acting Special Representative for Trade Negotiations, has replied to my letter in behalf of the President. I am gratified that Mr. Roth has agreed with my contention that the action of the Department of Treasury on February 7, 1966, concerning the determination of the American selling price as it relates to rubber-soled footwear constitutes a unilateral tariff reduction.

Ambassador Roth's stated recognition of this unilateral tariff reduction on the part of the Treasury Department, and his guarantee that the economic impact will be given full attention are reassuring to those of us who have been working for the security of domestic jobs and industry.

The text of Ambassador Roth's letter follows:

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS,
Washington, D.C., January 23, 1967.

Hon. JOHN S. MONAGAN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN MONOGAN: Your letter to the President of December 13, 1966, has been referred to this Office for further reply. In your letter, you restate your opposition to any further tariff concessions on rubber-soled footwear. In particular, you urge that account be taken of the effect of adopting the new guidelines with respect to American selling price (ASP) and stress that the future well-being of an industry and its employees turns upon the decision whether or not to eliminate the ASP system.

With respect to the new guidelines, we agree that the decision of the Department of the Treasury concerning the determination of ASP as it relates to rubber-soled footwear constitutes a unilateral tariff reduction. I can assure you that special consideration will be given to this factor before any final decision is made with respect to rubber-soled footwear in the Kennedy Round.

With respect to the well-being of the industry, we have for some time been engaged in an intensive inquiry into the probable economic impact upon the domestic rubber-footwear industry of converting the rate based on ASP to a new equivalent rate based on normal methods of valuation and reducing the new rate by as much as 50%. In making this inquiry, we are using economic data obtained by the Tariff Commission as well as all other pertinent information available to the agencies of the Executive Branch. We have also made a special effort to have periodic meetings with representatives of the domestic industry and their counsel, in order to have the fullest understanding of the rubber-footwear industry.

I would emphasize that we are considering the question of economic impact, which is of understandable concern to you and other members of the Congress, without commitment or prejudgement. We are determined to make as objective and thorough an exploration of this issue as possible before recommending to the President whether or not the United States should offer a concession on the ASP system as it relates to rubber-soled footwear in the Kennedy Round.

I appreciate receiving your views, and I can assure you that they will be fully considered by this Office and the other agencies concerned.

Sincerely yours,

WILLIAM M. ROTH,
Acting Special Representative.

ANNIVERSARY FOR RUSK

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] *may extend his remarks at this point* in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MONAGAN. Mr. Speaker, it is 6 years since Dean Rusk assumed the difficult and demanding job of Secretary of State. I think it only fitting that some mention should be made on this anniversary and some expression of appreciation offered for his devoted and dedicated service to our Nation.

A recent news column of Marquis Childs, entitled "Six Years in a Tough

Job," well expresses the sentiment that interested Americans must feel when the extent of Dean Rusk's contribution is considered.

I am happy to append Mr. Child's column to my remarks and at the same time express the hope that the Nation will long have the benefit of the service of Dean Rusk as Secretary of State:

SIX YEARS IN A TOUGH JOB

(By Marquis Childs)

WASHINGTON.—Six years and 652,478 miles after that first meeting in Palm Beach with young President-elect John F. Kennedy, Dean Rusk is still Secretary of State. The enduring qualities he has shown are loyalty, stamina, caution, modesty and a stubborn hold on what he believes to be the fundamentals of America's position of power in the world.

Rusk has been the victim—or the beneficiary, depending on the viewpoint—of peripatetic diplomacy in the pattern set by the late John Foster Dulles. He has long since passed the Dulles' record of 559,988 miles. And President Johnson is about to send him on still another tour of a large segment of the globe.

Early next month Rusk will swing around Asia. While the itinerary has not been finally determined he will go not only to several of the countries that participated in the Manila conference but others as well, including Japan. This will add perhaps another 30,000 miles to his total of 482,060 in foreign travel. The balance of the grand total is within the United States. Although the mileage exceeds that racked up by Dulles, Rusk points out that he has been out of his office fewer days, thanks to the speed of jet travel. President Johnson seems eager to send as many missionaries to Asia as he can, including former President Eisenhower, who almost certainly will not make the trip.

KEEP MOVING

Movement, to some critics it appears to be movement for the sake of movement, is becoming a dominant objective with the President himself. Shortly after his return from his Asian tour he called UN Ambassador Arthur Goldberg to the ranch in Texas for consultation. He urged Goldberg to start off within a day or two for several Western European capitals to present at the highest level the American stand in opposition to a new bombing pause that would leave the Communists free to prosecute their war without hindrance.

Only after considerable persuasion, pointing out that the General Assembly was in session, did Goldberg convince the President that the trip should be postponed. The Assembly is expected to conclude a day or two before Christmas and then presumably Goldberg will start on his rounds with a call on Pope Paul VI high on the priority list.

It is on Rusk that the burden of incessant travel falls most heavily. He shouldn't go running around the world that way, his critics say; he should stay home and direct and formulate the foreign policy of the nation. But if his chief asks him to go on these far-flung missions, then his loyalty and devotion dictate that he go without question.

This gets down to the basic concept of the office. For Rusk it is the agent to carry out policy determined by the Chief Executive as provided in the Constitution of the United States. That was his concept with Kennedy as with Kennedy's successor.

Although dulled by repetition, it is nevertheless true that the office tends to be a thankless one. The Secretary of State is the target for attacks that critics hesitate to aim at the President. He is, in short, a kind of buffer zone where the forces contending over the direction of American policy feel free to operate without restraint.

DEMANDING JOB

The six years have meant for Rusk a drain on his health. In the demands of the office he has spent virtually all the savings he had accumulated during eight years out of government as president of the Rockefeller Foundation. Every Saturday and almost every Sunday see Rusk at his imposing office in the State Dept. keeping appointments and trying to stay abreast of the flood of paper work. The same was true of George W. Ball, who recently resigned as the under secretary, frankly admitting that he was exhausted and without the resiliency the office requires.

Even sympathetic critics have said this must mean somewhere along the line a failure to reorganize the sprawling State Dept. and delegate authority. Again it is in the tradition of the Dulles era when foreign policy was contained in the Secretary's hat.

In his first press conference after returning from Manila the President said with marked acerbity that his travels had not tired him because on his plane he could sleep in a full-size bed and enjoy other advantages denied to his fellow travelers. In part this may be true. But swift changes of time, changes of climate, the constant demands of protocol take their toll.

Rusk joined the President at Manila and went with him on the balance of his tour for what purpose was never clear. Repeatedly the President praised him in extravagant terms as one of the greatest Americans who has ever lived. And that may be the reward for the well-nigh-impossible office he holds.

THE ATTACKS ON YUGOSLAV EMBASSIES AND CONSULATES

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. KELLY] may extend her remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mrs. KELLY. Mr. Speaker, I am certain that all of us were shocked by this weekend's violent attacks on Yugoslav Embassies and consulates in North America.

The dynamiting of those facilities was a wanton act, completely contrary to everything that our Nation stands for, both at home and abroad.

Acts such as these cannot be condoned by any civilized society. The fact that outrages have been committed in the past against American diplomatic establishments and American personnel abroad does not justify them. This type of violence represents a return to the law of the jungle.

As chairman of the Subcommittee on Europe of the Committee on Foreign Affairs, I have publicly condemned all unprovoked attacks against our embassies and consulates abroad. I have made my views known to officials of countries in which such attacks have occurred. And I am ashamed to find the same type of irrational behavior occurring in my country.

If we are going to bring justice and peace to this world, we will not do it by throwing foreign bombs into buildings occupied by foreign embassies, by organizing stone-throwing demonstrations, or by resorting to similar acts of vandalism.

I would like to express my apologies to the people of Yugoslavia and their Government for what happened here last Sunday. We are indeed distressed by it.

THE UKRAINE'S INDEPENDENCE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. GREEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. GREEN of Pennsylvania. Mr. Speaker, on January 22, 1918, there occurred an event in Eastern Europe which should strike a chord of sympathy in all Americans. On that day representatives of the Ukrainian people proclaimed the independence of their ancient homeland. Profiting from the weakening of the traditional great powers of that part of the world in the First World War, the Ukrainian patriots asserted for all the world to know that their country was once again a member of the family of nations.

Not since the loss of national independence in the 17th century to the rising might of the Russian Empire had there been a free Ukraine. The vulnerable geographic position, the weak defensive nature of the terrain of the Ukraine and its great wealth, had all combined to make it a prey to the ambitions of a stronger power. At that time the principle of might makes right was applied. The Ukraine passed from the international scene until the memorable day in 1918.

The events of that day are quite significant. They showed that the people of the Ukrainian nation had never accepted the principle that power was its own justification. They had never agreed in their hearts that another people should have the right to dominate their lives and try to impose their alien culture simply because the other people belonged to a more powerful nation. The declaration of January 22, 1918, was a gallant reminder that men value their national freedom and identity very highly and that they will take any opportunity to assert their claim to liberty.

This history of the Ukrainian National Republic was short lived. In 2 years a new conqueror had come out of Russia. The regime of Lenin assaulted the Ukrainian nation, and after heroic resistance, destroyed any overt signs of nationalism. The new religion of Marx had been added to the old justification of power to furnish an excuse for the incorporation of the Ukraine into the Soviet Empire.

Since the events of January 1918 showed that a foreign oppressor had not been able to obliterate the national identity of the Ukrainian people, we can assume that the hope of national freedom still exists very strongly in that unfortunate land.

Mr. Speaker, it is for this reason that I am able to say that I am convinced that someday the people of the Ukraine will again demand that they be given the right to decide their own destiny. The example of 1918 will continue to provide an inspiration and a precedent to emmulate at some future time when the opportunity for national independence will again appear. It is with great respect that I wish today to add my voice to those of many others in commemorating the great day of the declaration of Ukrainian independence.

THE WAR ON POVERTY IS BEING WON

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Green] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. GREEN of Pennsylvania. Mr. Speaker, Rowland T. Moriarty, writing in the Philadelphia Bulletin on January 8, tells the story of Billy Bergen, a young man who knows for certain that the war on poverty is being won. This is because Billy—William M. Bergen, Jr., of Drexel Hill—is one of 155 young people from the Greater Philadelphia area who have already won a new place in life for themselves through the Job Corps.

Mr. Speaker, 17 months ago Billy Bergen, the eldest of 12 children, was a high school dropout who could not find any sort of steady job and faced a bleak future. Last September Billy graduated from the Parks Job Corps Center in California with honors in electronics and in manufacturing techniques. Today, he is earning $12,500 a year as an electrician's helper in the Philadelphia Navy Yard.

Mr. Speaker, Bill Bergen's amazing success story is no exception. Mr. Moriarty cites the cases of many other young men and women from the Greater Philadelphia area who have found constructive and highly productive lives for themselves through the Job Corps. They are working and earning, and are part of a society already richer because of their Job Corps training. In Billy Bergen's case, his 11 younger brothers and sisters have been tremendously inspired by his Job Corps achievement. Three have already finished high school, and the eight younger Bergen children intend to do so. And Billy is freely giving of his time to encourage and counsel other young people for whom the Job Corps could be the key to the future.

Mr. Speaker, I include Mr. Moriarty's outstanding article at this point in the Record, and hope that my distinguished colleagues will give it the very serious consideration it deserves.

The article follows:

Job Corps Graduates Doing Well; for Dropouts—The Same Old Story

(By Rowland T. Moriarty)

A survey of Job Corps enrollees in the Philadelphia area last week showed that many are doing pretty well, and some—those who dropped out—not well at all.

The picture is an encouraging one for those who stay in. In some cases, they have had astonishing success, winding up with well-paying jobs and with college in the offing.

A case in point is William M. Bergen, Jr., 19, who last week carried home a stout $200.96 paycheck.

That figures out to an annual gross earning clip of $12,500 for young Bergen, oldest of 12 children in a family at 3433 Berkley av., Drexel Hill. He's an electrician's helper at the Navy Yard.

PLANS FOR COLLEGE

Billy happily went to the bank and cashed his check. Most of it stayed in the bank. A sizable sum went to his parents.

His mounting savings will pay for a planned college education. He wants a bachelor's degree in electronics. Then on for his master's. Afterwards, his own business.

Only 17 months ago, Billy Bergen couldn't buy a steady job, at minimum wage rates or even less.

He was a 17-year-old unskilled high school dropout. He had no particular ambition. His interests were those of most teenage dropouts—any $50-to-$60-a-week job. A cheap second-hand car, clothes, dates, maybe a steady girl friend.

LEARNS ABOUT THE JOB CORPS

Then one hot muggy day in July, 1965, Billy hitchhiked in to the Pennsylvania State Employment office in Upper Darby, after a frustrating round of job turndowns.

They had no openings for unskilled high school dropouts. But a kindly interested counselor told him about a new federal program just under way—the Job Corps.

The counselor sold the some-what-reluctant youngster on the potential and the opportunities the Corps offered unskilled teenagers with limited education, and the will to better themselves.

Young Bergen enrolled. He was one of the first from Delaware County.

Last September, he was graduated with honors in electronics and also in manufacturing techniques.

HANDSHAKES AWAIT HIM

He flew here from Pleasanton, Calif. He found employment managers welcoming him with big smiles and hearty handshakes. Now he was a skilled teen-ager with a high school diploma. He chose the job at the Navy Yard.

He's had two raises in four months, and he hopes for a third.

It cost Uncle Sam about $8,000 to train and educate young Billy Bergen. And, like the expanding ripples when a pebble is dropped into a pool, the benefits are aiding the whole Bergen family.

Billy Bergen is one of 155 youngsters from Greater Philadelphia—the city and four suburban counties—who have been graduated so far from the Job Corps. Seven of the graduates are young women.

PLACED IN JOBS, 124

Along with Bergen, some 124 area graduates have been placed in steady jobs. Sixteen have entered the armed services, some passing entrance tests they failed before Job Corps training.

Fourteen local graduates are attending high school or college.

Currently, 506 corpsmen from the five-county area are enrolled in training centers.

There have been 198 area dropouts from the program, most from the first year's operation of the Corps.

Created in late 1964 by Congress, at the request of President Johnson, the Job Corps has been financed by appropriations totaling $740 million through fiscal 1967. Some 82,000 young people, 16 to 21, have enrolled.

GRADUATES, 33,022

There are 33,022 graduates to date. Of this total, about 5,000 have entered the armed services, many from skilled jobs secured for them on their return.

About 3,400 have returned to school and college.

Officials say 95 percent of all graduates have been placed in either blue-collar jobs or white-collar positions at an overall scale of $1.71 an hour. Hourly wages range as high at $3.35 to $3.97—and Billy Bergen is shooting for that.

Billy's success story is paralleled in good part by many other area graduates.

Mercedes Sanchez, 19, of 2055 N. 4th st., is a high school dropout now earning $118.80 a week as a machinist at Yarway Corp., E. Mermaid lane, Chestnut Hill.

OTHER SUCCESS STORIES

Bailey F. Dean, 20, of 4391 Cresswell st., is working as a state liquor store clerk. He has his sights set on a $3-to-$4-an-hour draftsman's job, for which he was trained by the Corps.

George Barnes, 21, of 6203 Morton st., a Germantown High School graduate who completed his corps work with honors, is a $4,500-a-year bookkeeper with the Philadelphia Antipoverty Action Committee. He could earn more in private industry, but feels he can do more for the disadvantaged by working with PAAC.

Roy R. Dunning, Jr., 20, of 168 Duval st., is making more than $2 an hour as a machinist at the William M. Wilson Co., Lansdale. He is leaving for the service soon, but his job will be waiting when he comes back.

Robert Smallwood, 21, of 5822 Larchwood st., earns $110.10 as a meat handler at Cross Bros., 3550 N. Front st., with plenty of overtime available. He learned the meat cutters' trade in the corps.

WOMEN DOING WELL, TOO

Women graduates also provide achievement stories.

Miss Theresa Smith and Miss Diana Whaley are practical nurses at Frankford Hospital. Miss Ethel Curry and Miss Mary Leonard, of Fletcher st. near 26th, learned the operation of PBX and office machines in the Job Corps and are now employed by the Burroughs Co. All were high school dropouts. Miss Leonard, a dropout from Kensington High School, was singled out for honors upon graduation from the Omaha (Neb.) center.

Two area girls have won college scholarships at their centers.

Miss Minnie Walker, 18, of 5352 Webster st., a Bartram High School dropout, is learning library science at the Marquette (Mich.) center and has been speech tutoring without fee. She was given a scholarship to Northern Michigan University.

OUTLOOK BLEAK FOR DROPOUTS

Miss Yvonne Lamar, 19, of 707 N. 19th st., who dropped out of West Catholic High School for Girls, is training at the Poland Springs (Me.) center. She hopes to become a veterinarian's technician, and she has won a scholarship to the University of Maine.

A number of dropouts were interviewed in the course of the survey. Their economic outlook was a melancholy one and there seemed to be no future.

All were back making often-fruitless rounds, trying to get odd jobs or employment even at the most menial and hard occupations.

At best, they earn the going $50-to-$60-a-week for unskilled high school dropouts. Those fortunate enough to have steady work know they are low man on the totem pole, and will be laid off whenever business slacks off.

Many dropouts said homesickness caused them to leave. There were some disciplinary cases—the Job Corps is a no nonsense project, with careful screening and strict regulations.

CURE FOR HOMESICKNESS

Bill Bergen talked about his experience during a lunch break at the Navy Yard. He's working on the U.S.S. McMahan, a destroyer undergoing overhauling. He has another big paycheck going for him.

Bergen was homesick in the Job Corps too. But whenever he got homesick he thought of the job turndowns. "Then I wasn't homesick any more," he said. "And I began to mix with the staff and counselors, many of them college men. I realized what little education I really did have to face the future with.

"Now I can have all the jobs I want. I like it here at the Yard."

Today he's an example for his younger brothers and sisters. Three already have graduated from high school. A sister won a medal for an essay on the Job Corps. The eight younger children are going to finish high school, young Bergen says.

Meantime, Bergen is trying to pay the Job Corps in part for what it did for him. He speaks before youth groups about its advantages. He counsels boys and girls who are interested in enrolling. He does this without a fee.

IMPORTANCE OF THE OCEANS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. GARMATZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. GARMATZ. Mr. Speaker, the President today called the attention of the American people to the importance of the oceans, and I want to congratulate the President for providing a long needed emphasis in this neglected area. The seas are a part of our Nation's origin and our heritage. Yet we often forget their promise. With the enactment last year of the Marine Resources and Engineering Development Act, we now have a clear charter to relate the seas to our national security, economy, health, and welfare.

We have heard for many years of how the living resources of the sea can be tapped more effectively. I am especially gratified that the President proposes to utilize modern technology and capabilities to realize the potential of the seas and to aid our own competitive position.

The Merchant Marine and Fisheries Committee has been responsible during the past 7 years for examining all aspects of the Government-wide program in oceanography. Many Federal departments and agencies are involved, and we have wanted to be sure that neither duplication nor gaps existed in the total effort. I note from the President's budget some new initiatives in this area. Our committee now looks forward to the report that the President will shortly transmit to Congress to amplify and detail the recommendations of this special message. We will promptly review his proposals.

I commend the President for so quickly translating the statutory declaration of policy and objectives to a positive beginning.

FISHERMEN'S PROTECTIVE ACT

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. VAN DEERLIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, California tuna fishermen are under attack in Latin America. Fishing boats engaged in operations that would be regarded as perfectly legal in most parts of the world are subject to harassment, seizure, and even hostile gunfire.

Six American vessels have been seized by Ecuador and Peru so far this month. Last year, 17 U.S. boats were the victims of seizures, detentions, and harassment in Latin American waters.

The operators of these vessels have suffered heavy financial losses as the direct result of these incidents.

Our boats are trapped by the claims of six Central and South American countries to exclusive fishing rights up to 200 miles off their coasts.

Most nations, including the United States, claim only a 12-mile limit for fishing rights. Because of the excessive demands of the Latin nations, harassment of American boats 100 miles or more offshore is not uncommon.

I am today introducing legislation to expand substantially the compensation payable under the Fishermen's Protective Act to the boatowners who sustain such damages.

The act now allows the owners to file claims with the State Department for reimbursement for the amount of the fines they are frequently forced to pay by their captors.

But no compensation is provided for the other costs involved in the forced detention of a vessel—license fees, port charges, and the loss stemming from the idleness of the ship.

The bill spells out the additional indemnities that I believe the Federal Government should assume. Besides fines, the Government would be responsible for compensating the boat operators for the actual loss of equipment and income attributable to hostile foreign actions beyond the 12-mile limit. The Government also would be required to indemnify the operators of seized boats for the costs of fees, permits, and licenses that are paid to a foreign government to secure the prompt release of a vessel and its crew.

I am strongly convinced that Congress must act to provide more realistic Federal backing for our own fishermen who, in effect, have become pawns in the internal political power struggles of several of our neighbors to the south.

I do not at this point feel that legislation requiring the reduction of the foreign aid entitlements of offending nations would provide a satisfactory answer to the problem.

Such legislation would limit the State Department's flexibility to use foreign aid as a viable instrument of our foreign policy. In addition, I have just been informed by Under Secretary of State Eugene V. Rostow that the Department will soon propose a specific program for discouraging interference with our boats on the high seas.

I shall, of course, remain open to suggestions by the American Tunaboat Association, in San Diego, and by my colleagues in the House and Senate as to other steps that may be taken to protect more adequately the rights of our fishermen.

A FORWARD-LOOKING CONSERVATION PROGRAM

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. REUSS. Mr. Speaker, I enthusiastically endorse the programs for conservation achievement outlined in President Johnson's message to the Congress. I am especially delighted about his request that the 90th Congress take action to establish systems of scenic rivers and trails.

The time is at hand when we should identify and preserve free-flowing stretches of our great scenic rivers before growth and development make their unspoiled beauty a dim memory.

As President Johnson pointed out in his message today, the Senate overwhelming approved a scenic rivers bill last year. I believe that the 90th Congress will give its full approval to the President's recommendation.

It is also time to establish a nationwide system of metropolitan, park, forest, and national scenic trails, as recommended by President Johnson and in a report to Congress by Secretary of Agriculture Freeman and Secretary of the Interior Udall.

The national trails study was requested in the President's natural beauty message. Walking, hiking, and bicycling are pleasures that are within reach of all our citizens. We should proceed to carry out the President's recommendations as rapidly as possible.

We need to make outdoor recreation opportunities available to all income groups. We must be especially concerned with the quality of our natural environment, especially the rivers and streams of our Nation.

The President's recommendations to establish a national scenic rivers system and a nationwide system of trails are of high priority.

The Congress should promptly approve these measures.

THE WATER POSITION OF ED C. JOHNSON

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. ASPINALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ASPINALL. Mr. Speaker, there is an old saying: "You cannot step into the same river twice." That saying has a poetic meaning to some—a philosophic connotation to others. But to those of us who live in the vast arid areas of the West, that saying is the very heart of a problem—the solution to which is absolutely vital to the continued growth of seven of our 50 States.

The inexorable flow of the stream and river can literally carry away the means of livelihood and even existence of a people who have never been able to look to the skies to provide the dependable supply of water that they must have.

Someday there will be a magnificent history of the West put to paper that will revolve around man's continuing effort to meet the challenges of that great arid land and to make the mighty Colorado River a servant instead of a master. The theme of that story will not only contain the familiar element of "man against nature," but, perhaps even more importantly, man's relation to his fellow man.

Here was a mighty river with its precious water flowing to the Gulf of California while, over the years, multiplying numbers of people figuratively gathered along its banks from the headwaters to the mouth.

In addition to building the physical works to put the water to beneficial use, the men along the riverbank had to plan, discuss, and negotiate the rights to and the use of that water. Both disappointment and success have been the constant companions of this negotiation, which continues to this day. But it is important to add that both progress and defeat have combined to produce this Nation's greatest and most dedicated water statesmen.

Certainly among the most distinguished is the man who, as a member of the 1923 Colorado Legislature, voted to ratify the Colorado River compact, and today serves as the vice chairman of the Upper Colorado River Commission. I refer to the Honorable Edwin C. Johnson, former Governor of and U.S. Senator from the State of Colorado.

Governor Johnson is known the Nation over for his utter devotion to the principle of protecting the water rights of the people he has served so ably and for so long.

Mr. Speaker, because the very important Colorado River Basin bill has again been introduced in the Congress and again will be the subject of hearings before the House Interior and Insular Affairs Committee, I recommend to my colleagues the outstanding statement recently issued by Governor Johnson:

THE WATER POSITION OF ED C. JOHNSON

"No one knows it all but everyone knows something!" is one of our cherished observations. It has persuaded me to become aggressive with respect to all aspects of H.R. 4671-revised. This bill has been through the mill. It has been kicked around by the water experts of each of the seven Colorado River states for two years. Its provisions have been written and rewritten time without number and altered over and over, to fit it into the requirements of both basins of the Colorado River and each of their seven states. H.R. 4671-revised's intentions were good but it was not a good piece of legislation in the beginning. That is not true today.

Its basic purpose has been and is to expedite and expand the development of the Colorado River drainage area in the use and conservation of the water of the Colorado River. It also contemplates the importation of more than 6 million acre-feet of additional water into the fertile but desert area of the Great Southwest. It does not solve every water problem of this vast area but it proposes to take a long step towards getting the whole Colorado River area on the winning track of expanded and intensive development.

Under current Colorado River procedures the states of Colorado and Wyoming may use somewhere between a third and a fourth of the water which is produced by them in their portion of the Colorado River drainage area. The balance of their water must go down the river to Lee Ferry for the use of the lower basin states. While such an operation is strictly in accord with Supreme Court interpretations of the law respecting interstate stream flow, it should give these states an extra strong voice in the management of the Colorado River.

These interpretations began with "Wyoming v. Colorado," handed down by the Supreme Court on June 5, 1922 and which sustained the new and revolutionary doctrine of priority of water appropriations, *regardless of state boundaries*. Thus in theory California, which produces no Colorado River water at all, would be entitled to whatever Colorado River water California would put to beneficial use, ahead of any and all other states. Under our system of jurisprudence, the Supreme Court's interpretation of the law is the law! So, First in Time, First in Right, regardless of State Boundaries became the law in 1922.

Since California was the only Colorado River state planning huge irrigation projects, the new concept appeared to give her a tremendous advantage which greatly frightened the other six states. However, the cost of water development in the desert is so enormous that even California had to depend upon Federal finances. And here was the rub! California had two senators and her six neighbors had 12, so the use of Federal finances required a Federal joint venture, since California could not go it alone.

California had to have a joint venture and the six other states had to have many years of precious time before thay would be ready for construction, so a Seven State Compact became the solution and remains the solution to this day.

A serious and prolonged effort was made by the negotiators of these states and their technical assistants to divide all the water of the Colorado River System equitably among each of the seven states. But the negotiators who were exceptionally able and dedicated men serving under the greatly respected international engineer, Herbert Hoover, were not able to reach an agreement on the distribution of Colorado River water among these seven states on the basis of each state's entitlement or some other formula. The Supreme Court speaking:

"Participants (in the Compact negotiations) have stated that the negotiations would have broken up but for Mr. Hoover's proposal: that the Commission limit its efforts to a division of water between the upper basin and the lower basin, leaving to each basin the future internal allocation of its share." (Arizona v. California, 373 U.S. 566, June 3, 1963)

The seven negotiators finally adopted the Colorado River Compact, Article I:

"The major purposes of this Compact are to provide for the equitable division and apportionment of the use of the waters of the Colorado River System * * * To these ends the Colorado River Basin is divided into two basins, and an apportionment of the use of part of the water of the Colorado River System is made to each of them with the provision that further equitable apportionments may be made."

There is neither precedent in history nor in human experience similar to this turbulent River of the "Magnificent Southwest." It stands alone in a field of one, as the pioneer. Nature made it the "Mad River" of the Great American Desert and man divided it into two rivers in the hopes he might subdue it one basin at a time. They called the divided river the Upper and Lower basins. One of the basins produces all the water. The other basin thirsts for every drop of it. The total supply of its water compared with what this desert area actually needs is simply "a drop in the bucket."

Title VI of H.R. 4671-revised's bill is the project's very heart and soul. The immediate purpose of Title VI is to outline and provide a simple, effective and equitable method of delivering water produced in the mountains of Colorado and Wyoming to the lower basin states at Lee Ferry. While such an arrangement is easy to imagine, it is very difficult to arrange without terrific hardships and misgivings. Actually it is the most sensitive task imaginable. Yet this function is so vital to both the upper and lower basins that it cannot be overemphasized. The construction of Glen Canyon Reservoir and the creation of Lake Powell costing hundreds of millions of dollars had to be undertaken by the upper basin to make delivery of water to the lower basin orderly and even feasible. Glen Canyon is the vital part of the upper basin's delivery device. It is and it had to be an immense storage facility and at times it must be filled with precious water. It is silly to contend that there can be no storage in the upper basin. From time to time there must be as much as 20,000,000 acre-feet of stored water in the upper basin with most of it in Lake Powell.

In stating the major purposes of the Colorado River Compact Article I emphasizes the storage of Colorado River waters. As a practical matter in the realistic operation and the beneficial use of water for all lawful uses, storage is positively essential. The State of Colorado from the beginning has as have other western states resorted to storage wherever and whenever public water is put to beneficial use. Storage is the vital step of irrigation.

A month ago when I complained to Governor Love, Congressman Aspinall and Director Sparks about the inadequacy of Title VI, Director Sparks appointed a committee of his Advisory Board to meet with me in an effort to improve its provisions. Words fail me to express sufficient tribute to the committee's constructive work. They turned Title VI upside down and revised most of the provisions already in the measure, accepted a few of my suggestions, added some real good ones of their own and came up with a genuine masterpiece. Title VI is now the "Magna Carta" of the Colorado River, the "Declaration of Independence" of the upper basin states and their "Bill of Rights."

I am submitting herewith one additional amendment to H.R. 4671-revised which I deem very necessary. Its primary purpose is to clarify still further procedures in Title VI. We must bear in mind the absolute necessity of protecting in every way possible the certainty of upper basin water availability and we must go to whatever extremes may be required to achieve such results.

Director Sparks on December 30, 1966 said:

"If there is any one thing that the four upper basin states are agreed upon, it is the necessity for Title VI of H.R. 4671."

I am in substantial agreement with the Director's conclusion. But I believe the Supreme Court should name a Master to operate the delivery of water to the lower basin at Glen Canyon instead of employing the Secretary of Interior. He is the Supreme Czar of the lower basin and therefore has a severe conflict of interest in the delivery of water from the upper basin to the lower basin. The Secretary of Interior has a free hand in contracting hundreds of millions of dollars in water and power contracts in the lower basin and most of them are in conflict with the upper basin. The Supreme

Court has singled out the lower basin water users and the Secretary himself to not have any part in the delivery of water at Lee Ferry.

Here is my last proposed amendment. Following the words (any such officer or agency), line 20, page 2, "Sparks Amendment to H.R. 4671-revised," insert this phrase: "including the Secretary of the Interior."

The Secretary of Interior speaks eloquently of the "One River—the Colorado." That is a beautiful concept, but nearly everyone else including the United States Supreme Court identifies the very well established divisions as the upper and lower basins. However, it isn't the picturesque river which is at fault. It is the double talking Colorado River Compact which governs the river that has everyone confused. This compact is being criticized for what it does and more especially for what it does not do. Many contend that the Compact must be taken to the Supreme Court for a judicial interpretation of its alleged contradictions, ambiguities and its blunders.

In fact, H.R. 4671 in addition to clarifying Title VI also reveals the inadequacy of the Colorado River Compact and its basic unfairness. Its overall instructions and directives are to divide the water of the Colorado River equitably between the two basins but it does not do so. In this respect the current interpretation of the Compact by the lower basin is in error. The Secretary of Interior speaks glibly about the Colorado being "One River." That is a beautiful concept but the Colorado River never can return to such a status until the two basins share Colorado River water equally. To award the lower basin 7,500,000 acre-feet annually and the upper basin *what is left* was never the intention of the negotiators of the Compact. To contend that the lower basin is allocated 8,500,000 and the upper basin 7,500,000 is understandable. The lower basin's extra million acre-feet is Gila River Water and that fact was made plain when the Compact was drawn.

The Colorado River Compact has been recognized by the U.S. Supreme Court as the basic law of the Colorado River. Regardless of what individuals may think about it and say about it, we are stuck with its expressed provisions until the Supreme Court of the United States verifies them or modifies them by a down to earth interpretation. However a careful review of Article III (a) of the Colorado River Compact reveals that each basin is apportioned exclusive beneficial use of 7,500,000 acre-feet of water per annum, in perpetuity, from the Colorado River System. Paragraph (g) of Article III clarifies and emphasizes this equitable division formula between the two basins by this supporting and pertinent language:

"In the event of a desire for a further apportionment * * * it shall be the duty of the governors of the signatory states and the President of the United States forthwith, to appoint representatives, whose duty it shall be to divide and apportion *equitably* between the Upper Basin and the Lower Basin the beneficial use of the unapportioned water of the Colorado River System * * *."

Neither the upper basin representatives, the Congress of the United States, nor the Secretary of Interior has the authority and a right to settle for less. Perhaps I am not versed in the Law sufficiently to pass judgment on the venturesome and exclusive Colorado River Compact. But after trying for 44 years to understand it, I feel that many of its provisions are neither just, equitable nor reasonable. In 1922 I was elected to the Colorado Legislature. In 1923 the Colorado General Assembly ratified the "Seven State Colorado River Compact." Arizona speedily rejected it. In 1924 the Colorado General Assembly ratified the "Six State Compact." On February 24, 1944 Arizona realized her mistake of going it alone and ratified the "Seven State Compact."

In 1923 and again in 1925 I, as a freshman member of the Colorado General Assembly, I opposed Article III (d) vigorously. It provided:

"The states of the upper division will not cause the flow of the river at Lee Ferry to be depleted below an aggregate of 75,000,000 acre-feet for any period of 10 consecutive years reckoned in continuing progressive series beginning with the first day of October next succeeding the ratification of this Compact.

My argument was that the water of this extremely erratic river should be divided equally between the upper and lower basins on a year-by-year basis and that the required delivery of 75 million acre-feet on a year-by-year basis in each cycle of 10 years which actually made it a yearly requirement which did not adequately provide credit for overdelivery actually would give the lower basin unfair water priority over the upper basin. Actually that is exactly the way it has operated. Colorado's very able, very honorable, and very convincing Compact Negotiator Delph Carpenter, met my argument with this statement:

"There is no minimum or maximum requirement for any particular year. The Compact is satisfied and so are we, with the aggregate delivery of 75 million acre-feet of water during any 10-year period."

Unfortunately the Colorado Legislature officially went along with Delph Carpenter. He was an esteemed, capable and courageous water authority but he overestimated the flow of the Colorado River and that is the source of all our troubles.

In the desperate and sincere effort to develop Colorado River water numerous tragic errors have crept in. While this fact has been exasperating, yet tremendous progress has been made nevertheless. With the passage of time the conservation and use of water has grown more and still more vital. Apparently there are no limits. Congress has been patient, prudent and determined. We have now and we have had inspired Congressional leadership. The solid truth is our Congressional leadership, and I mean Wayne N. Aspinall, has been simply magnificent.

Striving for near perfection in such complicated and involved efforts as H.R. 4671-revised is a never ending task. It is only natural that differences of opinion occur and that errors may be overlooked. It requires great patience and understanding to handle such matters and we will simply have to fight them out. We must never surrender.

In constructing 4671 brick by brick, errors and mistakes keep coming to the surface. I repeat we have now and we have had in late years inspired Congressional leadership. The solid truth is that our Interior Subcommittee leadership has been terrific.

"Possession is still nine-tenths of the law." At least the greatly respected late chairman of the Compact negotiators, the Honorable Herbert Hoover, placed great stress on possession when he made this statement:

"The upper basin is protected under the Bill (Boulder Canyon Project Bill). The upper basin states have physical control of more than 80% of all of the water of the Colorado River System, therefore if California is bound by the terms of the Compact on any basis, the upper basin is fully protected. Necessarily, before any state in the upper basin could be disturbed in her use of water, a lower basin state would be obliged to be a moving party through the courts."

To me this means that the upper basin does not need to bring suit. All it needs to do under the Hoover common sense procedure is to continue to use our apportioned water and leave it to Secretary Udall, et al, to appeal to the courts. If nature under Article III(a) and (g) does not leave 75 million acre-feet at Lee Ferry, it would be the result of an Act of God and the upper basin could not be singled out for punitive action or correction since it would not be chargeable to the upper basin.

In 1956 when Congress enacted the upper basin storage project Public Law 485 the Southern California power users slipped through Section 7 of S-500. It read:

"The hydroelectric powerplants and transmission lines authorized by this act to be constructed, operated, and maintained by the Secretary shall be operated in conjunction *with other Federal powerplants,* present and potential, so as to produce the greatest practicable amount of power and energy that can be sold at firm power and energy rates, but in the exercise of the authority hereby granted he shall not affect or interfere with the operation of the provisions of the Colorado River Compact, the Upper Colorado River Basin Compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act and any contract lawfully entered unto under said Compacts and Acts. Subject to the provisions of the Colorado River Compact, neither the impounding nor the use of water for the generation of power and energy at the plants of the Colorado River Storage Project shall preclude or impair the appropriation of water for domestic or agricultural purposes pursuant to applicable state law."

Section 7 has a very narrow application but the Secretary of Interior contends it authorizes him to control the gates of Glen Canyon and open them whenever he wants to create additional energy at Lake Mead. The fact that a million acre-feet of water at Hoover Dam will produce more energy than a million acre-feet at Glen Canyon lends plausibility to his contention. But he overlooks the fact that a million acre-feet of water used at Glen Canyon to produce energy and again at Hoover, will produce more energy than if used at Hoover alone., Anyway, Section 7 is a mischief making arrangement and should be repealed by Congress.

Anyway, Title VI of H.R. 4671-revised, when enacted, will put an end to the Secretary's foolishness.

Section 1 of Public Law 485 does authorize the Secretary of Interior to construct, operate and maintain the Colorado River Storage Project but at no point nor in any degree did Public Law 485 propose, suggest, authorize or direct the Secretary to have anything whatsoever to do with the delivery of one drop of Colorado River water to the lower basin from the upper basin for domestic or agricultural uses.

The authors of Public Law 485 were not asleep at the switch as charged. When Public Law 485 was enacted its potent sections 3, 4, 7 and 9 denied the Secretary all authority to *deliver water from the upper basin to the lower basin* and left that authority undiminished with the Colorado River Compact.

And I repeat, Public Law 485, sections 3, 4, 7 and 9 specifically deny the Secretary of Interior any authority to deliver upper basin water to the lower basin under the Colorado River Compact to be used for domestic or agricultural purposes.

In denying the Secretary of Interior authority to deliver upper basin water to the lower basin for domestic and agricultural purposes, is how Public Law 485 met that responsibility. Here are the four prohibitions:

Section 3 of Public Law 485: "It is not the intention of Congress, * * * to limit, restrict, or otherwise interfere with such comprehensive development as will provide for the consumptive use by states of the Upper Colorado River Basin of waters, the use of which is apportioned to the Upper Colorado River Basin by the Colorado River Compact and to each state thereof by the Upper Colorado River Basin Compact * * *."

Section 4 of Public Law 485: " * * * All units and participating projects shall be subject to the apportionment of the use of water between the upper and lower basins fixed in the Colorado River Compact * * *."

Section 7 of Public Law 485: "* * * He (the Secretary of Interior) shall not affect or interfere with the operation of the provisions of the Colorado River Compact, the Upper Colorado River Basin Compact, the Boulder Canyon Project Act, and any contract lawfully entered unto under said Compacts and Acts. * * * Subject to the provisions of the Colorado River Compact, neither the impounding nor the use of water for the generation of power and energy at the plants of the Colorado River Storage Project shall preclude or impair the appropriation of water for domestic or agricultural purposes pursuant to applicable state law."

Section 9 of Public Law 485: "Nothing contained in this Act shall be construed to alter, amend, repeal, construe, interpret modify or be in conflict with the provisions of * * * the Colorado River Compact * * *."

Nearly three years ago the Secretary of Interior without consulting any official of the upper basin illegally opened the headgates of the upper basin's new storage reservoir at Glen Canyon and illegally kept Lake Powell from filling to a point where it could produce power from the millions of acre-feet of water per annum which is committed to be released at Lee Ferry. At the time of this illegal action by the Secretary the upper basin was more than 15 million acre-feet ahead of its 75 million in 10 years downstream commitment.

The Secretary grabbed this water to cover up his own failure to handle the water at Lake Mead properly. He had knowledge 10 years previously that the upper basin would start filling Lake Powell in 1964 and that the secretary should be accumulating stored water in Lake Mead but instead he squandered Lake Mead water. He failed to prepare for this crisis and so the upper basin suffered the loss of millions of dollars by his incompetence.

On December 30, 1966 Director Sparks made the following report to his Colorado Water Board:

"After the enactment of the Colorado River Storage Project Act, the Secretary adopted "General principles to govern, and operating criteria for, Glen Canyon Reservoir (Lake Powell) and Lake Mead during the Lake Powell filling period." The upper basin states, and the State of Colorado in particular, objected to the adoption of these principles, upon the following grounds:

"1. That they gave preference to the generation of power at Hoover Dam to the detriment of the Upper Colorado River Basin Fund.

"2. That funds appropriated to the Upper Colorado River Basin Fund were being improperly diverted to the lower basin payment for so-called power deficiencies at Hoover Dam.

"3. That no provision was made to accumulate holdover storage in Glen Canyon which would be necessary to permit us to make our Compact delivery at Lee Ferry while still making our full Compact use of water in the upper basin.

"As a result of our protest, the Secretary did make some modification in the filling criteria. However, this modification, although improving the situation somewhat, did not answer all of our objections. We have bided our time and there is now contained in Title VI of H.R. 4671 provisions for our protection which we have never been able to accomplish heretofore."

Secretary Udall has been opposed to the early development of Colorado, Utah and Wyoming shale oil. It is reported that someday he will make plans to produce shale oil. He is also dragging his feet on the importation of water into the Colorado River Basin. Public power is his passion and politics is his medium of exchange. He isn't for anyone except Stewart Udall. He isn't against anyone except the upper basin.

Every school boy knows that ours is a government of divided powers and that Congress is supposed to assume the exclusive policymaking prerogative, and that the executive branch has been assigned only the administrative function. That is, everyone in Washington knows this, except the Interior Department. Here the politically motivated Secretary and most of his top politically motivated Department colleagues have not been content to confine their attention to administrative activities, leaving policy determinations to the Congress where it belongs. Somehow or other they have gotten the idea that they are the *Government*. It is nothing less than open warfare against our form of government for the Interior Department to attempt to strip and usurp the policymaking powers of Congress. Of course, the Congress ought to have sufficient backbone to resist such an invasion but it is not easy for a congressman to oppose the terrific political power of the Executive Branch.

ED C. JOHNSON,
Vice Chairman, Upper Colorado River Commission.
JANUARY 20, 1967.

FEDERAL MOTOR INSURANCE GUARANTY CORPORATION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FARBSTEIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, on Thursday, January 26, together with others of my colleagues, I introduced a bill to establish a Federal Motor Insurance Guaranty Corporation. At the time of introduction, the following release, giving in concise language the purposes of the legislation, was introduced:

Congressman Leonard Farbstein (D-N.Y.), called today for a thorough congressional investigation of the automobile insurance industry and the establishment of a Federal Guaranty Corporation to protect policyholders and injured parties against automobile insurance company failures.

This corporation would compensate the victims of auto insurance company bankruptcies much in the same manner as the Federal Deposit Insurance Corporation protects depositors against bank failures. This legislation is similar to a bill introduced by Senator Thomas J. Dodd, and co-sponsored by Senators Magnuson, Bartlett, Brewster, Clark, Hart, Hartke, Moss, Nelson and Yarborough.

During the past six years, 73 companies writing auto insurance have failed. An estimated 300,000 policyholders and injured accident victims are attempting to recover some $600 million out of assets with a net worth of $25 million. The Congressman pointed out that in Pennsylvania 4,000 claimants will receive 1 cent on the dollar; in Illinois 50,000 claimants will be paid 25 cents on the dollar; in Michigan 25,000 claimants will be getting 25 cents on the dollar; and in Missouri 20,000 claimants will receive 10 cents on the dollar.

The Congressman expressed the belief that the Federal guaranty and examination system proposed in the bill would be an essential first step in the protection of the public. He stressed, however, that such serious problems as the indiscriminate cancellation of auto policies, including the refusal of companies to write auto insurance in low income areas, and the method of setting and regulating auto insurance rates need a thorough probing to determine whether other Federal legislation is necessary to fully protect the American public. "To most American families," declared the Congressman, "the automobile is no longer a luxury item, but a virtual necessity." 79% of all U.S. families own one or more autos and 25% own two or more cars. Automobile liability insurance is likewise a necessity. All the states either require or encourage auto insurance. "The regulation of this great interstate business of insurance has been under the domain of the several states, and it's about time Congress took a good hard look at how effectively the public interest is being served", he said.

Mr. Speaker, in 1944 the Supreme Court ruled that the insurance business was subject to full Federal regulation and taxation under the interstate commerce clause of the Constitution. In 1945 the McCarren-Ferguson Act returned to the individual States the power to regulate and tax the insurance business. This legislative history makes it clear that this was a conditional delegation of power to the States.

In 1966, nearly $9 billion in premiums were paid by approximately 100 million drivers of over 80 million motor vehicles. The Interstate Highway System allows our citizens the opportunity to drive from State to State. They should be able to do so with guaranteed protection from financial loss.

The proposed Guaranty Corporation, however, is not enough by itself. Such other serious problems as the indiscriminate cancellation of auto policies, including the refusal of companies to write auto insurance in low-income areas, and the method of setting and regulating auto insurance rates, require a thorough probing.

The automobile has become a necessary form of transportation to most American families. Automobile liability insurance is likewise a necessity. To make sure that the general public is fully protected, a good, hard look must be taken to determine whether other Federal legislation is necessary.

A BILL TO AMEND THE MENTAL RETARDATION FACILITIES CONSTRUCTION ACT

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mrs. MINK. Mr. Speaker, I am today introducing a bill to make it possible for Federal funds to be used for special classrooms and facilities for education of the mentally retarded. The bill is designed to amend the Mental Retardation Facilities Construction Act, which at present authorizes grants for facilities used in diagnosis, treatment, and care of the mentally retarded in special institutions. Educational services can be provided in these institutions, but no Federal aid is presently available for construction of classrooms and buildings solely for the education of the mentally retarded.

Of the more than 5 million mentally retarded persons in the United States, the vast majority are educable and do not need institutionalized care. Most of such youngsters could easily be integrated into existing schools, if funds are authorized for their special needs. While many thousands of these children are enrolled in the Nation's schools now, the available facilities are woefully short of meeting the need. With a nationwide shortage of regular classrooms, school administrators are understandably hard put to find the additional space for special services needed by mentally retarded children. Recognizing that most of these children could fit into the regular school environment with little difficulty, I am deeply concerned that we are not at present providing them with the opportunity to be educated.

Mr. Speaker, we are overlooking our obligation as a nation to provide learning experiences for thousands and thousands of individuals, who by our neglect are condemned to the role of passive onlookers in a society whose benefits and challenges they are capable of sharing. Since educators are willing to integrate the mentally retarded into the school community, it becomes a matter of urgent necessity that we do not delay in providing the means whereby this can be accomplished.

THE LATE HONORABLE CHARLES A. BUCKLEY

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, I join with thousands of my fellow New Yorkers and scores of his former colleagues in this Congress in paying tribute to the memory of Charles A. Buckley, who passed away last week.

It has been said, aptly and truly, that with the death of Mr. Buckley an era in our American political history has ended. His memory will endure, I am certain, for even before his death, researchers and writers in political science, sociology, and the histories of New York and the Nation were delving into his career. These students will discover a virile, fascinating personality that added to the color and legends of our history.

Charles Buckley had his foes and critics as any man in public life must have, if he takes and maintains positions on issues of his time. He was frankly partisan and contributed greatly to the clash of opinion and dialog which must be, if we are to keep a strong, working democracy. He was a practitioner of politics, concerned with "what is," not with "what ought to be."

He came to this House in 1934 when the New Deal was attempting to relieve unemployment and economic distress by a program of public works. Mr. Buckley brought great gifts and talents, and gave immediate and immeasurable advice for these programs. His membership and chairmanship of the Public Works Committee resulted in vast improvements to our country itself. His monuments are everywhere in highways, flood control projects, and conservation.

A more enduring monument is the regard and affection in the minds and hearts of many thousands who were recipients of his charity and wise counsel.

I extend my deepest sympathy to his wife and family.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RUMSFELD (at the request of Mr. ARENDS), for January 30 and 31, 1967, on account of attendance at the Ditchley Conference in England.

Mr. FRASER (at the request of Mr. ALBERT), for the week of January 30, on account of official business—NATO Conference.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ANNUNZIO, for 5 minutes, today; and to revise and extend his remarks.

Mr. PELLY, for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. FINDLEY, for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. LAIRD, for 1 hour, on Wednesday next, February 8; and to revise and extend his remarks and include extraneous matter.

Mr. CURTIS, for 1 hour, today.

Mr. GOODELL (at the request of Mr. DICKINSON), for 60 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. QUILLEN (at the request of Mr. DICKINSON), for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. BATES (at the request of Mr. DICKINSON), for 60 minutes, on February 7; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. MONTGOMERY) and to include extraneous matter:)

Mr. ST. ONGE.
Mr. ROYBAL.
Mr. HOWARD.
Mrs. SULLIVAN.
Mr. EVINS of Tennessee.
Mr. BENNETT.
Mr. WRIGHT.
Mr. YATES.

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 56 minutes p.m.), the House adjourned until tomorrow, Tuesday, January 31, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

286. A letter from the Comptroller General of the United States, transmitting a report on an examination of financial statements of the Federal Crop Insurance Corporation, Department of Agriculture, for the fiscal year ended June 30, 1966, pursuant to the provisions of section 513 of the Federal Crop Insurance Act of 1938, as amended (7 U.S.C. 1513), and the Government Corporation Control Act (31 U.S.C. 850, 851) (H. Doc. No. 46); to the Committee on Government Operations and ordered to be printed.

287. A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 37, United States Code, to extend the authority to pay basic allowances for quarters and dislocation allowances to members of the uniformed services without dependents; to the Committee on Armed Services.

288. A letter from the Acting Director, Office of Civil Defense, Department of the Army, transmitting a report on property acquisitions of emergency supplies and equipment for the quarter ending December 31, 1966, pursuant to the provisions of subsection 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

289. A letter from the Acting Secretary of the Navy, transmitting a copy of an agreement between the Department of the Navy and the Standard Oil Co. of California, for the calendar year 1966, pursuant to section 7424(b) of title 10, United States Code; to the Committee on Armed Services.

290. A letter from the Under Secretary of the Navy, transmitting a report showing the number of officers in the grade of lieutenant commander who are entitled to incentive pay, pursuant to 37 U.S.C. 301(g), for the period July to December 1966; to the Committee on Armed Services.

291. A letter from the Deputy Administrator, Veterans' Administration, transmitting a report on the disposal of foreign excess property for the period January 1, 1966, through December 31, 1966; pursuant to the provisions of Public Law 152, 81st Congress, as amended; to the Committee on Government Operations.

292. A letter from the Executive Director, Advisory Commission on Intergovernmental Relations, transmitting the eighth annual report, pursuant to section 5(3) of Public Law 86–380; to the Committee on Government Operations.

293. A letter from the Director, Bureau of Land Management, Department of the Interior, transmitting a report of negotiated sales contracts for disposal of materials, for the period July 1 through December 31, 1966, pursuant to 76 Stat. 587; to the Committee on Interior and Insular Affairs.

294. A letter from the Assistant Attorney General for Administration, U.S. Department of Justice, transmitting a report of the claims paid by the Department through June 30, 1966, pursuant to the Military Personnel and Civilian Employees' Claims Act of 1964, as amended; to the Committee on the Judiciary.

295. A letter from the Director, Administrative Office of the U.S. Courts, a draft of proposed legislation to amend chapter XI of the Bankruptcy Act to give the court supervisory power over all fees paid from whatever source; to the Committee on the Judiciary.

296. A letter from the Federal Bureau of Investigation, U.S. Department of Justice,

transmitting a report with respect to positions in the Federal Bureau of Investigation in grades 16, 17, and 18; pursuant to the provisions of 5 U.S.C. A. 5114; to the Committee on Post Office and Civil Service.

297. A letter from the Director, Administrative Office of the U.S. Courts, transmitting the annual report showing the duties of GS-17 positions, pursuant to section 5114(a), title 5, United States Code, for the year 1966; to the Committee on Post Office and Civil Service.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ROGERS of Colorado:

H.R. 4069. A bill to amend the Sherman Antitrust Act (15 U.S.C. 1 et seq.) to provide that exclusive territorial franchises, under limited circumstances, shall not be deemed a restraint of trade or commerce or a monopoly or attempt to monopolize, and for other purposes; to the Committee on the Judiciary.

By Mr. GOODELL:

H.R. 4070. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. BUTTON:

H.R. 4071. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 4072. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 4073. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. GERALD R. FORD:

H.R. 4074. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mrs. MAY:

H.R. 4075. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. MILLER of Ohio:

H.R. 4076. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. ROUDEBUSH:

H.R. 4077. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. STANTON:

H.R. 4078. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. WYDLER:

H.R. 4079. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 4080. A bill to provide for sharing of Federal taxes with States and their political subdivisions; to the Committee on Ways and Means.

By Mrs. BOLTON:

H.R. 4081. A bill to provide for sharing of Federal taxes with States and their political subdivisions; to the Committee on Ways and Means.

By Mr. BROOMFIELD:

H.R. 4082. A bill to provide for sharing of Federal taxes with States and their political subdivisions; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 4083. A bill to provide for sharing of Federal taxes with States and their political subdivisions; to the Committee on Ways and Means.

By Mr. CHAMBERLAIN:

H.R. 4084. A bill to provide for sharing of Federal taxes with States and their political subdivisions; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 4085. A bill to provide for sharing of Federal taxes with States and their political subdivisions; to the Committee on Ways and Means.

By Mr. FINO:

H.R. 4086. A bill to provide for sharing of Federal taxes with States and their political subdivisions; to the Committee on Ways and Means.

By Mr. HARSHA:

H.R. 4087. A bill to provide for sharing of Federal taxes with States and their political subdivisions; to the Committee on Ways and Means.

By Mr. KEITH:

H.R. 4088. A bill to provide for sharing of Federal taxes with States and their political subdivisions; to the Committee on Ways and Means.

By Mr. SCOTT:

H.R. 4089. A bill to provide for sharing of Federal taxes with States and their political subdivisions; to the Committee on Ways and Means.

By Mr. STEIGER of Wisconsin:

H.R. 4090. A bill to provide for sharing of Federal taxes with States and their political subdivisions; to the Committee on Ways and Means.

By Mr. ZION:

H.R. 4091. A bill to provide for sharing of Federal taxes with States and their political subdivisions; to the Committee on Ways and Means.

By Mr. ADDABBO:

H.R. 4092. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. ASHMORE:

H.R. 4093. A bill to amend part B of title XVIII of the Social Security Act to include prescribed drugs among the items and services covered under the supplementary medical insurance program for the aged; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 4094. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 4095. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

H.R. 4096. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

H.R. 4097. A bill to amend the Social Security Act to provide for expansion and development of social work manpower training; to the Committee on Ways and Means.

H.R. 4098. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for certain dependent parents of individuals entitled to old-age or disability insurance benefits; to the Committee on Ways and Means.

H.R. 4099. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1954 to provide that an individual 65 years of age or over may elect to treat services performed by him as noncovered (and exempt from tax) for social security purposes; to the Committee on Ways and Means.

H.R. 4100. A bill to amend title II of the Social Security Act to provide that a survivor beneficiary shall not lose his or her entitlement to benefits by reason of a marriage or remarriage which occurs after he or she attains age 62; to the Committee on Ways and Means.

By Mr. BROOMFIELD:

H.R. 4101. A bill to provide that certain aircraft may travel between the United States and Canada without requiring the owners or operators thereof to reimburse the United States for extra compensation paid customs officers and employees; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 4102. A bill to amend the Railroad Retirement Act of 1937 to provide that an individual's entitlement to retirement benefits under that act or the Social Security Act while he or she is entitled to dependent's or survivor's benefits under the other such act shall not operate to prevent any increases in his or her benefits under the 1937 act which would otherwise result under the so-called social security minimum guarantee provision; to the Committee on Interstate and Foreign Commerce.

By Mr. BYRNE of Pennsylvania:

H.R. 4103. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities with a period of 1 to 5 years; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 4104. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 4105. A bill to assist small business and persons engaged in small business by allowing a deduction, for Federal income tax purposes, for additional investment in depreciable assets, inventory, and accounts receivable; to the Committee on Ways and Means.

By Mr. DENNEY:

H.R. 4106. A bill to amend title 38 of the United States Code in order to promote the care and treatment of veterans in State veterans' homes by increasing the amount of the payments which may be made by the Veterans' Administration for the care of certain veterans in State veterans' homes; to the Committee on Veterans' Affairs.

By Mr. DONOHUE:

H.R. 4107. A bill to establish a system for the sharing of certain Federal tax receipts with the States; to the Committee on Ways and Means.

H.R. 4108. A bill to amend the Internal Revenue Code of 1954 to provide an income tax deduction for certain expenses of attending colleges and universities; to the Committee on Ways and Means.

By Mr. EDWARDS of Alabama:

H.R. 4109. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. FASCELL:

H.R. 4110. A bill to make the provisions of section 232(b) of the Trade Expansion Act of 1962 inapplicable to propane gas; to the Committee on Ways and Means.

By Mr. FINO:

H.R. 4111. A bill to amend title 38, United States Code, to increase the amount payable on burial and funeral expenses; to the Committee on Veterans' Affairs.

By Mr. GIBBONS:

H.R. 4112. A bill to improve the payroll administration of the House of Representatives, and for other purposes; to the Committee on House Administration.

By Mr. GONZALEZ:

H.R. 4113. A bill to amend the Disaster Relief Act of 1966 to provide for a Federal program of flood insurance; to the Committee on Public Works.

By Mr. HARRISON:

H.R. 4114. A bill to amend title II of the Social Security Act to provide an 8-percent, across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. HATHAWAY:

H.R. 4115. A bill to assist the domestic commercial fishing industry through the construction of three advanced-design factory fishing vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. HERLONG:

H.R. 4116. A bill to amend title 38 of the United States Code to provide a special pension for veterans of World War I and their widows; to the Committee on Veterans' Affairs.

By Mr. HOWARD:

H.R. 4117. A bill to establish the Sandy Hook National Seashore in the State of New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JONES of Missouri:

H.R. 4118. A bill to amend section 503 of title 38 of the United States Code so as to provide that certain social security benefits may be waived and not counted as income under that section; to the Committee on Veterans' Affairs.

By Mr. KARSTEN:

H.R. 4119. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. KING of New York:

H.R. 4120. A bill to permit an individual to obtain coverage under title II of the Social Security Act on the basis of service which was not covered employment at the time it was performed, if service of that type has since become covered employment and such individual makes payment of the applicable social security taxes; to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 4121. A bill to amend title 18 of the United States Code to protect the constitutional rights of mentally incompetent persons committed thereunder, and for other purposes; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 4122. A bill to establish certain policies with respect to certain use permits for national forest lands; to the Committee on Agriculture.

H.R. 4123. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mrs. MAY:

H.R. 4124. A bill to provide for a comprehensive review of national water resource problems and programs, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MILLER of California:

H.R. 4125. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 4126. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 4127. A bill to promote and foster the development of a modern merchant marine by encouraging the orderly replacement and modernization of merchant vessels, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MONTGOMERY:

H.R. 4128. A bill to amend the Appalachian Act of 1965; to the Committee on Public Works.

By Mrs. MINK:

H.R. 4129. A bill to amend the Mental Retardation Facilities Construction Act in order to permit the construction of classrooms under that act; to the Committee on Interstate and Foreign Commerce.

By Mr. MORSE of Massachusetts:

H.R. 4130. A bill to provide for the inclusion of certain costs in code enforcement programs undertaken pursuant to section 117 of the Housing Act of 1949 in Lowell, Mass.; to the Committee on Banking and Currency.

By Mr. NATCHER:

H.R. 4131. A bill to amend the Civil Service Retirement Act to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 4132. A bill to extend certain benefits to persons who served in the Armed Forces of the United States in Mexico or on its borders during the period beginning May 9, 1916, and ending April 6, 1917, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. O'HARA of Illinois:

H.R. 4133. A bill to establish a Commission on Trading Stamp Practices to provide for the regulation of trading stamp companies, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. OLSEN:

H.R. 4134. A bill to adjust the rates of basic compensation of certain employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 4135. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 4136. A bill to amend the Internal Revenue Code of 1954 to provide for an amortization deduction and an increased tax credit for certain underground electric transmission lines, and for other purposes; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 4137. A bill to provide for scenic development and road beautification of the Federal-aid highway system; to the Committee on Public Works.

By Mr. PIRNIE:

H.R. 4138. A bill to amend the joint resolution designating June 14 of each year as Flag Day (37 U.S.C. 157) to provide appropriate recognition of the Pledge of Allegiance to the Flag and its author, Francis Bellamy; to the Committee on the Judiciary.

By Mr. REIFEL:

H.R. 4139. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. ROBISON:

H.R. 4140. A bill to amend the Communications Act of 1934 to extend and enlarge the program of grants for educational television broadcasting facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Florida:

H.R. 4141. A bill to authorize a program of research, development, and demonstration of electrically powered vehicles; to the Committee on Interstate and Foreign Commerce.

By Mr. STAFFORD:

H.R. 4142. A bill to provide for a flat fee for services performed in connection with the arrival in, or departure from, the United States of a private aircraft or private vessel, and for other purposes; to the Committee on Ways and Means.

By Mr. ULLMAN:

H.R. 4143. A bill to provide for the payment of debt service construction charges, and increased operation and maintenance charges when irrigable lands are taken for nonagricultural uses under Federal programs; to the Committee on Interior and Insular Affairs.

By Mr. WYATT:

H.R. 4144. A bill to provide that no further sales may be made under the Participation Sales Act of 1966; to the Committee on Banking and Currency.

By Mr. FINO:

H.R. 4145. A bill to amend title III of the National Housing Act to provide that the Federal National Mortgage Association may sell participations only if limited to Federal Housing Administration insured and Veterans' Administration insured or guaranteed mortgages; to the Committee on Banking and Currency.

H.R. 4146. A bill to provide that securities issued under the Participation Sales Act of 1966 shall be obligations guaranteed as to principal and interest by the United States; to the Committee on Banking and Currency.

H.R. 4147. A bill to prohibit the sale of participations to Federal agencies, trust funds, and instrumentalities; to the Committee on Banking and Currency.

H.R. 4148. A bill to prohibit the sale of participations bearing interest rates in excess of one-half of 1 percentage point above the 4¼-percent maximum interest rate specified for long-term bonds of the United States in the first section of the Second Liberty Bond Act (31 U.S.C. 752); to the Committee on Banking and Currency.

By Mr. JONES of Alabama:

H.R. 4149. A bill for the relief of the Colbert County Board of Education; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 4150. A bill to authorize a program of research to determine the effect of overhead electric transmission lines upon the health and welfare of citizens, community planning and zoning, real estate values and tax revenues, and the natural beauty of our country; to the Committee on Interstate and Foreign Commerce.

H.R. 4151. A bill to authorize a program of research and development to encourage the use of underground transmission of electrical power and to undertake projects to evaluate and demonstrate the economical and technical feasibility of such transmission; to the Committee on Interstate and Foreign Commerce.

By Mr. STAFFORD:

H.R. 4152. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. VAN DEERLIN:

H.R. 4153. A bill to amend the act of August 27, 1954, relating to the seizure of vessels of the United States by foreign countries; to the Committee on Merchant Marine and Fisheries.

By Mr. WRIGHT:

H.R. 4154. A bill to provide for the control and prevention of erosion and sediment damage on rivers and streams, and for other purposes; to the Committee on Agriculture.

By Mr. BARRETT:

H.J. Res. 225. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BELCHER:

H.J. Res. 226. Joint resolution to designate Monday, October 4, 1967 (and each succeeding first Monday in October) as Free Enterprise Day; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.J. Res. 227. Joint resolution to designate Columbus Day, the 12th day of October in each year, a legal holiday; to the Committee on the Judiciary.

By Mr. BROCK:

H.J. Res. 228. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.J. Res. 229. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HICKS:

H.J. Res. 230. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MILLER of California:

H.J. Res. 231. Joint resolution proposing a national education policy; to the Committee on Education and Labor.

By Mr. ST. ONGE:

H.J. Res. 232. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. WYATT:

H.J. Res. 233. Joint resolution to authorize and direct the Secretary of the Interior to conduct a survey of the coastal and freshwater commercial fishery resources of the United States, its territories and possessions; to the Committee on Merchant Marine and Fisheries.

By Mr. OTTINGER:

H.J. Res. 234. Joint resolution to provide for a study of the impact of overhead electric transmission lines and towers upon scenic assets, zoning and community planning, property values, and real estate revenues; to the Committee on Interstate and Foreign Commerce.

By Mr. KING of New York:

H. Con. Res. 111. Concurrent resolution proposing the recognition of the village of Whitehall, Washington County, N.Y., as the birthplace of the U.S. Navy; to the Committee on the Judiciary.

By Mr. PATMAN:

H. Con. Res. 112. Concurrent resolution providing for printing volumes 1 and 2 of the document, "State and Local Public Facility Needs and Financing"; to the Committee on House Administration.

By Mr. ROGERS of Florida:

H. Con. Res. 113. Concurrent resolution expressing the sense of the Congress with respect to the settlement of the indebtedness of the French Republic to the United States made by the World War Foreign Debt Commission and approved by the President; to the Committee on Ways and Means.

H. Res. 192. Resolution to amend the Rules of the House of Representatives; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally read as follows:

By Mr. ADAIR:

H.R. 4155. A bill for the relief of Mrs. Norma Y. Teixeira, her husband, and their minor unmarried children, and Mrs. Greta Teixeira, her husband, and their minor unmarried children; to the Committee on the Judiciary.

H.R. 4156. A bill for the relief of Ki Ha Shin; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 4157. A bill for the relief of Ruel Longmore; to the Committee on the Judiciary.

H.R. 4158. A bill for the relief of Giuseppe Vivona; to the Committee on the Judiciary.

By Mr. ADDABBO (by request):

H.R. 4159. A bill for the relief of Teresina Fara; to the Committee on the Judiciary.

By Mr. BENNETT:

H.R. 4160. A bill for the relief of Benjamin Visaya Caoile; to the Committee on the Judiciary.

By Mrs. BOLTON:

H.R. 4161. A bill for the relief of Theodora Manafis; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 4162. A bill for the relief of Kyoko Sugita; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 4163. A bill for the relief of Leonardo Capirone and his wife, Tonino Iolanda Capirone; to the Committee on the Judiciary.

H.R. 4164. A bill for the relief of Stavros Constantin Thomaidis and his wife, Helena Stavrov Thomaidis; to the Committee on the Judiciary.

By Mr. CLANCY:

H.R. 4165. A bill for the relief of Alberto Martin (Gomez); to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 4166. A bill for the relief of Adele Romanelli; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 4167. A bill for the relief of Dr. Katerina K. Haka; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 4168. A bill for the relief of Dr. Vali Khairollahi; to the Committee on the Judiciary.

H.R. 4169. A bill for the relief of Mrs. Tomris Zeliha Ozdil and her minor daughter Umit Sükriye Balim; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 4170. A bill for the relief of Giuseppe Fico; to the Committee on the Judiciary.

H.R. 4171. A bill for the relief of Gaetano De Simone; to the Committee on the Judiciary.

H.R. 4172. A bill for the relief of Angela Maria Costanza; to the Committee on the Judiciary.

H.R. 4173. A bill for the relief of Antonino Cruciata; to the Committee on the Judiciary.

H.R. 4174. A bill for the relief of Ettore Favazzi; to the Committee on the Judiciary.

H.R. 4175. A bill for the relief of Phyllis Mayers; to the Committee on the Judiciary.

H.R. 4176. A bill for the relief of Francesco Fidello and Concettina Fidello; to the Committee on the Judiciary.

H.R. 4177. A bill for the relief of Giorgio Villaraut; to the Committee on the Judiciary.

H.R. 4178. A bill for the relief of Salvatore and Anastasia Li Vigni; to the Committee on the Judiciary.

H.R. 4179. A bill for the relief of Estafano Giannareas; to the Committee on the Judiciary.

H.R. 4180. A bill for the relief of Antonino Asaro; to the Committee on the Judiciary.

H.R. 4181. A bill for the relief of Maria Gambino; to the Committee on the Judiciary.

H.R. 4182. A bill for the relief of Giuseppa Constantino; to the Committee on the Judiciary.

H.R. 4183. A bill for the relief of Natale Grippe; to the Committee on the Judiciary.

H.R. 4184. A bill for the relief of Leonardo Bullaro; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 4185. A bill for the relief of Wanda Donderowicz; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 4186. A bill for the relief of Vito Barresi; to the Committee on the Judiciary.

H.R. 4187. A bill for the relief of Nicola, Vera, Franco, and Ezio Milella; to the Committee on the Judiciary.

By Mr. HAMILTON:

H.R. 4188. A bill authorizing the President of the United States to award posthumously Congressional Medals of Honor to Lt. Col. Virgil I. Grissom, Lt. Col. Edward H. White, II, and Lt. Comdr. Roger B. Chaffee; to the Committee on Armed Services.

By Mr. HUTCHINSON:

H.R. 4189. A bill for the relief of Sara Khalil Mohamed, Osmand Mohamed, her husband, and Hassan Mohamed, her son; to the Committee on the Judiciary.

By Mr. JONES of Alabama:

H.R. 4190. A bill for the relief of Aaron Bailey; to the Committee on the Judiciary.

By Mr. JONES of North Carolina:

H.R. 4191. A bill for the relief of Hye Huk Paeng; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 4192. A bill for the relief of Vukosava Nikcevic; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 4193. A bill for the relief of Denbigh T. Hernandez and Mrs. Ruby M. Hernandez; to the Committee on the Judiciary.

By Mr. REES:

H.R. 4194. A bill for the relief of Natan Pupko; to the Committee on the Judiciary.

H.R. 4195. A bill for the relief of Jin-Fu Hwang; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 4196. A bill for the relief of Nicola Di Nallo; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 4197. A bill for the relief of Dr. Harry Charles Ruche; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 4198. A bill for the relief of Brussel Folder; to the Committee on the Judiciary.

H.R. 4199. A bill for the relief of Jose Jesus Villalobos; to the Committee on the Judiciary.

H.R. 4200. A bill for the relief of Irfan Mavruk; to the Committee on the Judiciary.

H.R. 4201. A bill for the relief of Joseph Benrubi; to the Committee on the Judiciary.

By Mr. RUPPE:

H.R. 4202. A bill for the relief of James Papadakis; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 4203. A bill for the relief of Pedro Velasquez Espinoza; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 4204. A bill for the relief of Eric Azariah; to the Committee on the Judiciary.

H.R. 4205. A bill for the relief of Ozhan (Mike) Simsek, Gungor Simsek, and Omer Simsek; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

19. The **SPEAKER** presented a petition of the president, National Association for Retarded Children, New York, N.Y., relative to the death of the Honorable John E. Fogarty, which was referred to the Committee on House Administration.

SENATE

MONDAY, JANUARY 30, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God: Thou dost so fill all things with Thy glory, that earth and sky and sea but thinly veil Thy presence. For the beauty which covers the earth, for the love which hallows our homes, for the joy which springs from work worthy of our best, we thank Thee—the source of all pure gladness.

As we bow before Thee, open our eyes, we pray, to the faults and failings which mar the life of our Republic. Make us conscious of the evils in ourselves that we so readily condemn in others. Make us tall enough for these testing days. Cast out our pride—national, racial, and personal. Join us to those who labor to bring sense and system to this disordered globe: and grant that our eyes may yet look upon a world that will have found a path leading to the plains of peace, universal and righteous.

In the name of the Prince of Peace, we ask it. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 26, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

AIR POLLUTION, HIGHWAY SAFETY AND BEAUTY, DEVELOPMENT OF RESOURCES, WATER, AND ENDOWMENT OF NATURE—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 47)

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the message from the President on pollution of the air, highway safety and beauty, development of resources, water, and endowment of nature, be jointly referred to the Committee on Public Works and the Committee on Interior and Insular Affairs.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The message was referred to the Committee on Public Works and the Committee on Interior and Insular Affairs, jointly, as follows:

To the Congress of the United States:

I. THE POLLUTION OF OUR AIR

THE PROBLEM

Two months ago, a mass of heavily polluted air—filled with poisons from incinerators, industrial furnaces, powerplants, car, bus, and truck engines—settled down upon the 16 million people of Greater New York.

For 4 days, anyone going out on the streets inhaled chemical compounds that threatened his health. Those who remained inside had little protection from the noxious gases that passed freely through cooling and heating systems.

An estimated 80 persons died. Thousands of men and women already suffering from respiratory diseases lived out the 4 days in fear and pain.

Finally, the winds came, freeing the mass of air from the weather trap that had held it so dangerously. The immediate crisis was ended. New Yorkers began to breathe "ordinary" air again.

"Ordinary" air in New York, as in most large cities, is filled with tons of pollutants: carbon monoxide from gasoline, diesel, and jet engines, sulfur oxides from factories, apartment houses, and powerplants; nitrogen oxides, hydrocarbons, and a broad variety of other compounds. These poisons are not so dramatically dangerous most days of the year, as they were last Thanksgiving in New York. But steadily, insidiously, they damage virtually everything that exists.

They aggravate respiratory problems in man—asthma, bronchitis, lung cancer, and emphysema. Emphysema, a lung disease, is one of the fastest growing causes of death in the United States today. And it forces more than a thousand workers into early retirement every month.

Polluted air corrodes machinery. It defaces buildings. It may shorten the life of whatever it touches—and it touches everything.

This is not a problem of our largest cities alone. Weirton, W. Va., and Gary, Ind., are two among many communities that suffer days when the sun seems a pale orange ball hidden in a noxious cloud. Small towns, farmlands, forests—men, animals, and plants—are all affected by the waste we release into the air.

The economic loss from pollution amounts to several billions each year. But the cost in human suffering and pain is incalculable.

This situation does not exist because it was inevitable, nor because it cannot be controlled. Air pollution is the inevitable consequence of neglect. It can be controlled when that neglect is no longer tolerated.

It will be controlled when the people of America, through their elected Representatives, demand the right to air that they and their children can breathe without fear.

WHAT WE ARE DOING NOW

We have proposed and the Congress has enacted three laws since 1963, each representing some forward movement toward cleaner air.

Under these laws, we are spending more than $25 million this year in matching grants to cities and States, and in research and other efforts:

We have helped to create 80 local air pollution programs, and to strengthen 40 others.

We are working in nine areas of the United States—including the New York-New Jersey area—to abate pollution that passes across State lines and is beyond the reach of any single State or city.

We have established a system of national standards for motor vehicles that will become effective with the 1968 models. These will require sharp reductions in pollution from automobile exhausts.

We have begun by Executive order to control the sources of air pollution on Federal installations throughout the country. The experience we gain in carrying out this order will help us develop more effective ways of controlling pollution elsewhere.

We have intensified our research work on sulfur oxide pollution from coal and oil burning, and on pollution from motor vehicles.

WHAT WE MUST DO NEXT

Yet the pollution problem is getting worse. We are not even controlling today's level of pollution. Ten years from now, when industrial production and waste disposal have increased and the number of automobiles on our streets and highways exceeds 110 million, we shall have lost the battle for clean air—unless we strengthen our regulatory and research efforts now.

Federal action alone cannot master pollution. The States, the cities, and private industry must commit themselves more fully, more effectively, and with a new sense of urgency, to America's struggle against poisoned air. Several steps are needed now.

To move forward in our attack against air pollution, I recommend the Air Quality Act of 1967.

First, emission control levels should be set for those industries that contribute heavily to air pollution.

Today, no such levels exist. Industries do not know to what extent they should control their sources of pollution or what will be required of them in the future. Strong State and local standards—essential to pollution control—cannot be effective if neighboring States and cities do not have strong standards of their own. Nor can such local standards gain the support of industry and the public, unless they know that plants in adjoining communities must also meet standards at least as strict.

We need the means to insure comparable emission levels for a given industrial source of pollution throughout the country.

I recommend that the Air Quality Act of 1967 authorize the Secretary of Health, Education, and Welfare to—

Designate those industries in interstate commerce that are nationally significant sources of air pollution.

Develop and publish industrywide emission levels in consultation with the industry concerned.

Provide each State the opportunity to adopt equivalent levels—or stricter ones.

Apply the Federal levels in those States which do not adopt their own.

The levels will establish pollution limits that a given industrial plant may not exceed—no matter where it is located. Our aim is to provide uniformity and stability in pollution control levels in cooperation with industry and local governments.

Second, regional air quality commissions should be established, to enforce polution control measures in "regional airsheds" which cut across State and local boundaries.

Winds carrying waste gases have no respect for manmade political boundaries. The question we must answer is: Shall we, the victims of pollution, hinder our fight against it by concerning ourselves more with artificial boundaries than with our people's health?

Today, although many of our severest pollution problems involve more than one State jurisdiction, there is not a single effective interstate program in the Nation. Efforts to achieve uniform control activities among neighboring States and communities have failed, despite added Federal financial incentives.

Under the Clean Air Act of 1963, we have attempted to encourage States to develop effective regional control programs. The act offered three Federal dollars for every local dollar spent to develop and support regional interstate air pollution control programs. Despite this incentive, no effective regional programs have been developed under the act.

Men and women in one community, where there are relatively strict control standards, must suffer each time the winds bring in the aerial refuse of another community, where the standards are weak or nonexistent.

This is neither fair to the community that is willing to adopt strong controls, nor responsible to the citizens of the entire region.

We must develop the means to deal with sources of pollution that affect more than one political jurisdiction. We must have laws that do more than set in motion cumbersome legal processes requiring years to effect results.

I recommend that the Air Quality Act of 1967 authorize the Secretary of Health, Education, and Welfare to—

Designate those interstate areas where effective regional airshed pollution programs are needed, but do not exist.

Establish, in consultation with the States and local communities affected, a regional air quality commission in each such area. Each regional air quality commission would include two persons from each State involved, and one Federal official appointed by the Secretary of Health, Education, and Welfare.

The commissions would establish regional air quality levels which would build upon the nationwide levels for major sources of air pollution, including industrial sources. The levels would encompass the entire pollution problem in a regional airshed—from waste burning and motor vehicle engines, as well as from industry. In every case, the commissions will give due regard for the economic and technical feasibility of achieving adequate pollution control.

Each regional air quality commission would—

Determine, in consultation with the industries and local communities involved, air quality levels to protect the public health and welfare in the region;

Set emission levels to assure that the air quality levels will be met. These emission levels would be no less stringent than any applicable levels published by the Secretary of Health, Education, and Welfare.

Achieve compliance with those emission levels through enforcement proceedings initiated by the Secretary of Health, Education, and Welfare.

Third, vehicle pollution control devices, required on 1968 model cars and in years to come, should be inspected on a regular basis by the States, with Federal assistance to initiate State inspection systems.

This fall, new cars must be certified as meeting Federal exhaust emission standards when they are delivered to the retail showroom. But the best mechanical devices can fail through damage, the passage of time, or neglect. Many States have long recognized that the safety of our people requires periodic inspection of automobiles, to determine whether critical components are still in sound working order.

If a car's brakes—and its steering wheel, horn, turn signals, and lights—should be inspected periodically to protect against bodily injury, then surely its exhaust control device should be examined as well. In 1965, the Congress made the determination that such devices were required to protect the public health. The time has come to take the next step. We should insure that these antipollution devices continue to function properly during the useful life of the car.

I recommend that the Air Quality Act of 1967 authorize the Secretary of Transportation to provide matching grants to help the States establish inspection programs for motor vehicle pollution control. The Secretary of Health, Education, and Welfare would establish criteria for these grants.

Fourth, we must take steps to improve our enforcement procedures.

The Federal enforcement procedures established under the Clean Air Act of 1963 involve long delays between hearings, findings, and the completion of enforcement proceedings. Many State and local communities encounter similar difficulties with their own enforcement procedures. The problems are intricate and complex, but we must find ways to improve the enforcement process, while at the same time assuring that the rights of all of the parties are fully protected.

I am directing the Acting Attorney General and the Secretary of Health, Education, and Welfare, in consultation with State and local officials, to find ways to speed and improve the enforcement of clean air laws at all levels of government.

Fifth, research in fuel additives must be accelerated.

The use of fuel additives is growing, as demands for heat and energy grow. The extra power that additives give to diesel fuels, for example, is an important factor in the economics of trucking.

Yet, when exhaust fumes are sufficiently concentrated, some fuel additives are known to be detrimental to health. Other additives and the compounds that derive from them may pose similar hazards. We simply do not know what public health price we are paying for the economic benefits we gain from fuel additives.

I am directing the Secretary of Health, Education, and Welfare to begin a new research program on the health effects of fuel additives and on their contribution to air pollution. As an essential part of this program, I recommend that the Congress require that all fuel additives be registered with the Secretary of Health, Education, and Welfare.

Sixth, our efforts to understand and control air pollution must be intensified and broadened.

Many sources of air pollution cannot be economically or effectively controlled by our present technology. The sheer number of motor vehicles may, within a decade or two, defy the best pollution control methods we can develop. If this proves true, surely we cannot continue to use the type of internal combustion engine now in service. New types of internal combustion engines—or indeed new propulsion systems—may be required. Aircraft engine exhausts are also becoming significant pollution problems. Sulfur compounds—created wherever coal or oil is burned—threaten the environment of almost every city and town in America.

We must recognize that in dealing with fuels for industry and motor vehicles, we are dealing with matters of enormous importance to every section of the Nation and to many economic interests. America's technology and natural resource development are intimately involved in any program that affects fuels and their uses. Great investments have been made on given assumptions about those fuels and uses.

These considerations require that we approach the pollution problem with respect for its complexity and its economic implications.

But the health of our people, and indeed the health of the whole urban and rural environment, also require us to approach the pollution problem with urgency and tenacity.

The Clean Air Act of 1963 provided new authority to make grants for research and training, planning, and development of local control programs. Since then, we have invested $16.9 million in research grants, $5 million in training and $4.6 million for surveys and pilot projects. This work has moved us along in our search for new solutions to the difficult and technical and social problems associated with air pollution.

We are now ready to launch a wide-ranging research effort, involving government, private industry, universities, and independent research groups.

Our immediate research targets must include motor vehicle emissions; smoke and odors from diesel engines; alternative means of motor vehicle propulsion; sulfur dioxide emissions; low sulfur, or sulfur-free fuels.

I recommend an increase of 50 percent in funds to expand our research efforts.

I am asking the Chairman of the President's Council of Economic Advisers and the Secretary of Health, Education, and Welfare to explore appropriate measures to encourage industry and local governments to abate pollution. I have asked them to meet with business and local government leaders, and to present their recommendations to me.

It is in private laboratories, and in private boardrooms, that the crucial decisions on new fuels, new control technology, and new means of developing power and locomotion will be made. We should support private efforts now to expand the range of their alternatives and make wiser choices possible.

The Government's relationship with private industry in this field should not be one merely of regulator and regulated. Pollution affects the lungs and eyes of worker, manager, owner, and government servant alike. The air cannot be divided into convenient shares. It is indivisible—and either clear and beneficial—or fouled and dangerous for all of us. Out of personal interest, as out of public duty, industry has a stake in making the air fit to breathe. An enlightened government will not only encourage private work toward that goal, but join and assist where it can.

America's air pollution problem emerges from our success as a modern nation. Sources of pollution may be environmental villains—but they are also social and economic necessities. Our task is to determine how to abate the poison they pour upon the air, without seriously diminishing the benefits they provide. Surely this is not beyond the capacity of a great nation's productive and scientific genius. Clearly, it is an absolute necessity for the health of the American people.

II. HIGHWAY SAFETY AND BEAUTY

The automobile is a central feature of American life. It is a principal instrument of transportation and daily activity. In this mobile society, the safety and beauty of our highways are of direct concern to all of us.

In 1966, I proposed and you in the Congress approved the first comprehensive traffic safety program in the Nation's history. This measure was a forceful recognition of the fact that we can no longer tolerate the mounting toll of death and destruction on our highways. Under these programs, we are already working with State and local governments in a broad attack on all aspects of the highway safety problem, launching a comprehensive research program to probe into the "whys" and "hows" of traffic accidents, preparing to issue the first standards to make our automobiles safer.

In 1965, I proposed and you in the Congress approved legislation to preserve and restore natural beauty along our highways and to insure effective control over billboards and junkyards.

Under the law, over 2,200 projects have been developed by States under the highway beautification program.

Unsightly junkyards are being removed and screened. Roadside rest areas are being built and improved. Scenic strips along our highways are being acquired. In consultation with the States, the Secretary of Transportation is preparing a program of effective billboard regulation.

With the cooperation of all levels of government, we are moving toward our objective to make beauty part of the daily life of every American.

These vital programs have started well. Now, we must provide for their continued financing. We must do this so that our children and their children can enjoy the benefits of a vast highway network that we cared enough about to improve and protect and make safe and scenic.

To provide a sound financing plan, I recommend the creation of a special Highway Safety and Beauty Trust Fund to be financed with the receipts from two percentage points of the excise tax on new automobiles.

III. DEVELOPING OUR RESOURCES

This continent is an abundance, continually being discovered and developed—sometimes wastefully more commonly now with prudent foresight.

Much of its richness still lies hidden or unused. Untouched mineral resources lie beneath the American topsoil. Food, minerals, and fresh water lie untapped within, and beneath the oceans off our shores. The economic use of subsurface space is still beyond our powers.

The time has come to encourage the development of power from geothermal steam springs on Federal lands; increase our scientific knowledge of the sea's resources; develop rapid excavation techniques, to reduce the cost of underground construction; examine our nonfuel minerals needs; strengthen our ability to answer broad energy policy questions.

GEOTHERMAL STEAM

This untapped source of power—exemplified by the "Old Faithful" geyser—lies within several Western States on lands under Federal control. It holds vast potential as a source of power for our cities, and our industries. Legislation must be passed before leases can be granted to develop these geothermal steam resources. Congress last year passed such legislation, but it was deficient in several critical aspects, and, in my judgment, and the judgment of my principal advisers in this field, insufficiently protected the public interest.

I have directed the Secretary of the Interior to submit a bill that will avoid the defects of the vetoed measure, contain additional safeguards to protect the public interest, and encourage the development of geothermal stream; withdraw all lands potentially valuable for geothermal resource development from sale, entry, settlement or location pending enactment of such a bill.

THE RESOURCES OF THE SEAS

The ocean floor is an immense storehouse of mineral wealth. Intense research will shortly begin to identify those minerals.

The new National Council for Marine Resources and Engineering Development, chaired by the Vice President, will review our oceanographic program and recommend new directions for research. The new ship, *Oceanographer*, the best-equipped instrument of research on the seas, will shortly begin a round-the-world voyage. Geological mapping is being conducted now on the west coast, and will begin in the Gulf of Mexico in 1968.

Long range, we know that we must turn out enough competent scientists, engineers, and technicians to conduct the ocean research and development of tomorrow. Congress last year devised, and passed the sea-grant college program, in which students will work and enlarge their talents, and our knowledge in many of the marine sciences. The Director of the National Science Foundation is organizing that program now.

The sea is the source, not only of minerals, but of vast food reserves. Animal protein—desperately needed by hundreds of millions of ill-fed human beings—abounds in the sea. With the strong support of the Congress, we are trying to develop economic and acceptable methods of converting fish protein into a usable source of food. I have directed the Secretary of the Interior to proceed with this effort on an urgent basis.

ADVANCING EXCAVATION TECHNOLOGY

The clutter of our land not only offends our sense of beauty, but also limits our capacity to live fully and work effectively. Living space itself is a valuable resource. Webs of wire, carrying power and communications services, mar the landscape. Congestion has reached serious proportions in many of our metropolitan centers.

A promising alternative to this clutter—the earth's depths beneath us—has received only passing attention. But it can provide a location for the arteries a modern city must have—the wires, pipes, tubes, passageways and parking spaces.

Subsurface excavation today is difficult, slow and expensive. One hundred miles of subway, to be built in major urban areas during the next 10 years, will cost more than $1 billion for excavation alone. Obviously, we must develop cheaper and better methods. I recommend a program for research to develop rapid and low-cost excavation technology.

The beauty of cities and rural areas can be protected and enhanced by placing utility transmission lines underground. Many technical problems remain unsolved, however, especially those involving high-voltage power lines.

I have directed the Secretary of the Interior to initiate a cooperative research program with industry, to find solutions to these technical problems, and to seek ways to reduce the cost of placing utility lines underground.

NONFUEL MINERALS

Sharply rising world demands threaten to exhaust the best and most accessible deposits of minerals. Rapidly changing demands for materials are bringing changes in our mineral needs. We must understand the technological and economic changes taking place. The last comprehensive study of these problems was completed by the President's Materials Policy Commission in 1952. Much has happened in the past decade and a half. A new examination is needed.

I am requesting from the Congress the necessary funds for the Secretary of the Interior to sponsor a comprehensive study of the problems involved in maintaining adequate and low-cost supplies of nonfuel minerals.

ENERGY POLICY

The number and complexity of Federal decisions on energy issues have been increasing, as demand grows and competitive situations change. Often decisions in one agency and under one set of laws—whether they be regulatory standards, tax rules or other provisions—have implications for other agencies and other laws, and for the total energy industry. We must better understand our future energy needs and resources. We must make certain our policies are directed toward achieving these needs and developing those resources.

I am directing the President's science adviser and his Office of Science and Technology to sponsor a thorough study of energy resources and to engage the necessary staff to coordinate energy policy on a governmentwide basis.

IV. WATER—ABUNDANT AND PURE

As our population increases, our cities grow, and our industry expands, water becomes an increasingly precious resource. Many regions of the country are facing critical problems of water supply. We must thoroughly explore every means for assuring an adequate supply of pure water to arid areas like the Southwest.

I am renewing my recommendation for the enactment of legislation to establish a National Water Commission. Working with the Water Resources Council and with Federal, State, and private agencies, the Commission will examine our major water problems and develop recommendations, guidelines, and long-range plans for the most effective use of available water resources.

Adding to our pure water supply is not enough. The steady encroachment of pollution continues throughout America's rivers, lakes, and coastal waters. During the last year and a half, we have acquired important means for resisting its progress. Ultimately, we shall use those means to turn it back decisively:

The Water Quality Act of 1965 requires that water quality standards be set on all interstate and coastal waters, and calls for plans to achieve those standards.

The transfer of the water pollution program to the Department of the Interior permits the comprehensive management and development of the Nation's water resources.

The Clean Water Restoration Act of 1966 creates new incentives for States and cities, in partnership with industry and the Federal Government, to develop basin-wide plans for pollution control.

These actions recognize that polluted waters are not a problem of individual cities, or counties, or States. Each water pollution problem is as broad and as long as the watersheds it affects. To win the battle against pollution, we must concentrate our effort on entire river basins.

In 1967, the Secretary of the Interior will:

Review and approve effective State water quality standards which will serve as a guide for our cleanup effort.

Encourage effective and economical river basin plans for pollution control.

Support work on advanced treatment methods, to allow the reuse of waste water at reasonable costs.

Explore with the Chairman of the President's Council of Economic Advisers appropriate measures to encourage industry and local governments to abate water pollution.

V. THE ENDOWMENT OF NATURE

We must not only resist the spread of pollution in our environment—but we must also preserve what remains of the natural beauty and tranquillity that was here long before man came. We must create new occasions for people to encounter that beauty, and to experience the re-creation of the heart that occurs in the natural universe.

PARKS FOR AMERICA

In recent years, we have added considerably to our national recreational estate. Last year, I recommended, and the Congress authorized the Cape Lookout National Seashore off North Carolina, Indiana Dunes National Lakeshore near Chicago, Pictured Rocks National Lakeshore on Lake Superior, Bighorn National Recreation Area in Wyoming and Montana, and Guadalupe Mountains National Park in Texas.

But the need for more protected areas is still great. We must make significant additions to our present domain of land and water merely to keep pace with the need.

Therefore, in addition to the national parks and recreation areas I have previously proposed, I recommend that the 90th Congress:

Establish a redwoods national park in northern California. We must preserve a significant acreage of these primeval redwoods as a national park. This is a "last chance" conservation opportunity. If we do not act promptly, we may lose for all time the magnificent redwoods of northern California.

Establish a national park in the North Cascades area in the State of Washington, provided that the wilderness and recreation areas are protected. This spectacular area of unparalleled mountain masses, glaciers, meadows, and timbered valleys is close to major metropolitan areas, and lies entirely within national forests.

Establish Potomac Valley Park in Maryland, Virginia, and West Virginia. This park, creating green and open spaces along the reaches of the Potomac would help make the Potomac Valley a model scenic and recreation area for the Nation.

Establish the Apostle Islands National Lakeshore in Wisconsin, to add a superb string of islands to our national seashore system.

WILDERNESS AREAS

In 1964, the Congress authorized a wilderness system, to preserve for future generations of Americans large areas of undeveloped lands in their natural state. The enabling legislation called upon the President to make recommendations for the inclusion of certain additional areas within the system.

In accord with that law, I recommend legislation to authorize the first addition to the wilderness system since its establishment—an area to be known as the San Rafael Wilderness, Los Padres National Forest, Calif. We will submit recommendations for other additions to the wilderness system in the coming months.

SCENIC RIVERS AND TRAILS

I renew my recommendation—overwhelmingly approved by the Senate during the 89th Congress—to establish a national scenic rivers system to maintain and restore segments of selected rivers in their natural state. This scenic rivers system will enable future generations of all Americans to know and experience this significant part of their natural heritage.

I again urge the Congress to establish a nationwide system of trails. We should begin with authorization on the Appalachian Trail from Maine to Georgia. The system should include similar status for the Pacific Crest and Continental Divide Trails from the Canadian border almost to Mexico, and for the Potomac Heritage Trail along that great river from Tidewater to its source. Our proposal will call for expansion of metropolitan, State, and Federal trails where our people can hike and bicycle and ride horseback—near the cities in which they increasingly live.

TIMELY ACQUISITION OF RECREATION AREAS

We are seriously hampered by rapidly rising land costs when we seek new areas for recreation. Average land prices are increasing at a rate of almost 10 percent a year. The cost of land for recreation is spiraling at a considerably higher rate. This diminishes the effectiveness of our program of State grants and Federal purchases of land for parks and recreation areas. We must act promptly to assure that we can acquire needed recreation lands before the price becomes prohibitive. The most effective means of controlling the increase in the price of land is to acquire the lands quickly after authorization by the Congress.

To speed up the acquisition of recreation lands, I recommend a $142 million appropriation to the land and water conservation fund for fiscal 1968. This is nearly a third higher than the amount appropriated in 1967. For the first time, it includes a $32 million advance appropriation from general funds to accelerate the purchase of lands for parks and other recreational purposes.

VI. PROTECTING OUR NATURAL HERITAGE

There is much to be done. And we are losing ground. The air and water grow heavier with the debris of our spectacular civilization. The domain of nature shrinks before the demands of commerce.

We can build, for a time, a rich nation surrounded and permeated by poisoned elements. By ignoring the poisons, or by treating them in a casual, piecemeal way, we can endure in their midst for decades.

But here in America we started out to do more than simply endure. We intended to live as men should live, working hard, raising families, learning, building—and breathing clean air, swimming in clear streams, finding a part of the forest or the shore where nobody else was.

If we are to have that America, we shall have to master the consequences of our own prosperity—and the time to begin is now.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 30, 1967.*

REPORT OF CIVIL SERVICE COMMISSION—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

I transmit herewith the Annual Report of the U.S. Civil Service Commission for the fiscal year ended June 30, 1966.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 30, 1967.*

WAIVER OF CALL OF THE CALENDAR

On request of Mr. MANSFIELD, and by unanimous consent, the call of the Legislative Calendar, under rule VIII, was dispensed with.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary was permitted to meet during the session of the Senate today.

EXECUTIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

Everett Hutchinson, of Texas, to be Under Secretary of the Department of Transportation.

John E. Robson, of Illinois, to be General Counsel of the Department of Transportation.

The PRESIDENT pro tempore. If there be no further reports of committees, the nomination on the Executive Calendar will be stated.

U.S. AIR FORCE

The Chief Clerk read the nomination of Gen. John P. McConnell, to be Chief of Staff, U.S. Air Force.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

Mr. KUCHEL. Mr. President, I wish to reflect the respect and admiration which the Congress has in the gallant airman who has been confirmed by the Senate this morning to continue serving the people of this country and the cause of freedom as the Chief of Staff of the U.S. Air Force. Gen. John P. McConnell has the respect of the able people with whom he serves in the Pentagon. He is a soldier and statesman. I am proud on this occasion to rise and say that I reflect the views of the Congress in bidding him Godspeed and best wishes as he continues to serve the American people.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON PLANNED ACTIONS IN NASA 1967 PROGRAM

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report on planned actions in the NASA 1967 program (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

REPORT ON PROJECTS FOR NAVAL AND MARINE CORPS RESERVES

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, a report on certain additional facilities projects proposed to be undertaken for the Naval and Marine Corps Reserves (with an accompanying report); to the Committee on Armed Services.

REPORT ON PROPERTY ACQUISITIONS OF EMERGENCY SUPPLIES AND EQUIPMENT

A letter from the Acting Director of Civil Defense, reporting, pursuant to law on property acquisitions of emergency supplies and equipment, for the quarter ended December 31, 1966; to the Committee on Armed Services.

REPORT ON MILITARY CONSTRUCTION, NAVAL AND MARINE CORPS RESERVE

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, a report on military construction, Naval and Marine Corps Reserves (with an accompanying report); to the Committee on Armed Services.

THE BATTLE ACT REPORT

A letter from the Assistant Secretary for Economic Affairs, Department of State, transmitting, pursuant to law, The Battle Act Report, for the year 1966 (with an accompanying report); to the Committee on Foreign Relations.

LAWS ENACTED BY LEGISLATURE OF THE VIRGIN ISLANDS

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, laws enacted by the Legislature of the Virgin Islands in its 1966 regular and special sessions (with accompanying papers); to the Committee on Interior and Insular Affairs.

PROPOSED CONCESSION CONTRACT IN YELLOWSTONE NATIONAL PARK

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract in Yellowstone National Park (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON NEGOTIATED SALES

A letter from the Director, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, a report on negotiated sales contracts for disposal of materials, during the 6-month period ended December 31, 1966 (with an accompanying report); to the Committee on Interior and Insular Affairs.

OLDER AMERICANS ACT AMENDMENTS OF 1967

A letter from the Under Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Older Americans Act of 1965 so as to extend its provisions (with an accompanying paper); to the Committee on Labor and Public Welfare.

REPORT ON AUTOMOTIVE AIR POLLUTION

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on automotive air pollution, dated December 1966 (with an accompanying report); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of Mississippi; to the Committee on Labor and Public Welfare:

SENATE CONCURRENT RESOLUTION No. 107

Concurrent resolution petitioning the Congress of the United States for protection and relief of the hospitals of Mississippi from the repeated and flagrant violations of the United States Constitution and Federal statutes by the Department of Health, Education, and Welfare in the implementation of the 1965 amendment to the Social Security Act commonly known as medicare; further, to protect the constitutional rights being denied the sick elderly citizens of Mississippi by the arbitrary issuance of "Federal guidelines" by the Federal Department, and for related purposes

Whereas, There are over 204,000 Mississippi citizens who are over sixty-five (65) years of age who are legally entitled to receive hospitalization benefits under a 1965 Amendment to the Social Security Act which is commonly known as Medicare; and

Whereas, only 64 of 102 applicant Mississippi hospitals have been approved by the Department of Health, Education, and Welfare because arbitrary and unlawful "Federal Guidelines" have been demanded which would give this Agency control of Mississippi hospitals and although insurance benefits have been repeatedly denied elderly Mississippi citizens since the effective date of this Act, July 1, 1966, this Federal Agency has not followed the Federal Statute in giving aggrieved hospitals a hearing before the Secretary of said Agency nor has there been statutory hearings before appropriate committees of the U.S. Congress; and

Whereas, while reserving the right to disagree with the philosophy of government that resulted in the enactment of this law, the Department of Health, Education and Welfare is unlawfully withholding money benefits from elderly Mississippi citizens while giving said benefits to citizens of other States; said money being collected as a compulsory tax from citizens of Mississippi and being a private hospitalization contract between citizens of the United States and its Government and not being a Federal grant-in-aid; and

Whereas, hospitals operate financially on a marginal basis and State Hospital Commission indigent care funds are being denied to said hospitals if elderly patients are eligible for Medicare and private hospital insurance plans have greatly reduced benefits or refused coverage for elderly hospital patients eligible for Medicare; thereby causing great and permanent financial distress to Mississippi elderly citizens and hospitals; and

Whereas, the infamous Department of Health, Education and Welfare Guidelines concerning hospitals are neither a presidential executive order nor are they a departmental rule and regulation which has been published in the Federal Register, but are simply an administrative determination of a nameless non-elected Federal official; and

Whereas, this unlawful activity of the Department of Health, Education and Welfare violates the very letter of the United States Constitution and the intent of the United States Code and denies the citizens of Mississippi due process of law:

Now, therefore, be it resolved by the Mississippi State Senate, the House of Representatives concurring therein, That we hereby petition the United States Congress as an aggrieved State for relief from the repeated and flagrant violations of the Laws of the United States and the Constitution thereof by the unlawful and arbitrary withholding of unappropriated Social Security funds due to elderly Mississippi citizens pursuant to private contract by the refusing to approve recognized reputable Mississippi hospitals in an arbitrary manner without regard to the needs of the sick elderly people of this State. Further be it resolved that the United States Congress is hereby requested to take such steps as appropriate to insure that Mississippi citizens shall receive equal treatment, under law, as citizens of other states of this Union in the implementation of the Social Security Hospitalization Insurance Act.

Be it further resolved, That copies of this resolution be furnished to each member of the Mississippi Congressional Delegation, the Secretary of the United States Senate, and Clerk of the United States House of Representatives and that it be spread upon the Journals of the Mississippi Legislature for the 1966 Extraordinary Session and that copies be furnished the press.

Adopted by the Senate, December 5, 1966:

GEORGE M. YARBROUGH,
President pro tempore and Acting President of the Senate.

Adopted by the House of Representatives, December 13, 1966:

JOHN R. JACKSON,
Speaker of the House of Representatives.

A resolution adopted by the Common Council of the City of Buffalo, N.Y., relating to air pollution; to the Committee on Public Works.

CONCURRENT RESOLUTION OF SOUTH CAROLINA LEGISLATURE

Mr. THURMOND. Mr. President, on behalf of myself and my colleague, Mr. HOLLINGS, I send to the desk a concurrent resolution adopted by the General Assembly of the State of South Carolina memorializing Congress to enact a bill introduced in the U.S. House of Representatives by EDWARD J. GURNEY to liberalize pension rules for veterans and their widows.

I ask that this concurrent resolution be printed in the CONGRESSIONAL RECORD and appropriately referred.

There being no objection, the concurrent resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

A CONCURRENT RESOLUTION MEMORIALIZING CONGRESS TO ENACT A BILL INTRODUCED IN THE U.S. HOUSE OF REPRESENTATIVES BY EDWARD J. GURNEY, REPUBLICAN, FLORIDA, TO LIBERALIZE PENSION RULES FOR VETERANS AND THEIR WIDOWS

Whereas, Edward J. Gurney, R-Florida, introduced a bill to liberalize pension rules for veterans and their widows; and

Whereas, the bill calls for a ten per cent increase in veterans' widows pensions; and

Whereas, both types of pensions are now reduced when there is income from other sources and this measure would permit higher levels of other income; and

Whereas, the allowable income from other sources for veterans and their widows without dependents is now limited to six hundred dollars, and would be increased by this bill to one thousand dollars; and where it is now limited to twelve hundred dollars, it would be increased by this bill to seventeen hundred dollars; and where it is now limited to eighteen hundred dollars, it would be increased by this bill to twenty-six hundred dollars; and

Whereas, when there are dependents the corresponding changes would be one thousand dollars to sixteen hundred dollars; two thousand dollars to twenty-seven hundred dollars; and three thousand dollars to thirty-eight hundred dollars; and

Whereas, the General Assembly believes this to be suitable and necessary legislation for the welfare of the veterans and their widows. Now, therefore,

Be it resolved by the House of Representatives, (the Senate concurring):

That Congress be memorialized to enact, without delay, the bill introduced by Edward J. Gurney, R-Florida, to liberalize pension rules for veterans and their widows.

Be it further resolved that copies of this resolution be forwarded to the President of the United States, to each United States Senator from South Carolina, each member of the House of Representatives of Congress from South Carolina, the Clerk of the Senate of the United States and the Clerk of the House of Representatives of the United States.

Attest:

INEZ WATSON,
Clerk of the House.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. Con. Res. 2. Concurrent resolution continuing the Joint Committee on the Organization of the Congress (Rept. No. 6).

AUTHORIZATION FOR COMMITTEE ON COMMERCE TO MAKE CERTAIN STUDIES—REPORT OF A COMMITTEE

Mr. MAGNUSON, from the Committee on Commerce, reported the following original resolution (S. Res. 72); which was referred to the Committee on Rules and Administration:

S. RES. 72

Resolved, That the Committee on Commerce, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) interstate commerce generally;
(2) foreign commerce generally;
(3) transportation generally;
(4) maritime matters;
(5) interoceanic canals;
(6) domestic surface transportation, including pipelines and highway safety;
(7) communications, including a complete review of national and international telecommunications and the use of communications satellites;
(8) Federal power matters;
(9) civil aeronautics;
(10) fisheries and wildlife;
(11) marine sciences; and
(12) weather services and modification, including the use of weather satellites.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $500,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CASE:

S. 702. A bill to establish the Sandy Hook National Seashore in the State of New Jersey; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Case when he introduced the above bill, which appear under a separate heading.)

By Mr. KUCHEL (for himself and Mr. Murphy):

S. 703. A bill to provide for the striking of medals in commemoration of the 200th anniversary of the founding of San Diego; to the Committee on Banking and Currency.

(See the remarks of Mr. Kuchel when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 1, 1967, for additional cosponsors.)

By Mr. FULBRIGHT (for himself and Mr. McClellan):

S. 704. A bill to provide for the establishment of the Buffalo National River in the State of Arkansas, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Fulbright when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 705. A bill to amend the Intercoastal Shipping Act of 1933 to provide for accounting at the expiration of a rate suspension;

S. 706. A bill to amend section 27 of the Shipping Act, 1916; and

S. 707. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bills, which appear under separate headings.)

By Mr. MONDALE:

S. 708. A bill for the relief of Francy Romer;

S. 709. A bill for the relief of Dr. Jose C. Reyes; and

S. 710. A bill for the relief of Mr. and Mrs. David Long; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 711. A bill to amend the Internal Revenue Code of 1954 so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents; to the Committee on Finance.

S. 712. A bill to amend section 301(a)(7) of the Immigration and Nationality Act to grant U.S. citizenship at birth to any child born abroad whose father or mother is a citizen of the United States who has served abroad for certain periods of time with a church or missionary organization, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Scott when he introduced the above bills, which appear under separate headings.)

By Mr. WILLIAMS of New Jersey:

S. 713. A bill to establish the Sandy Hook National Seashore in the State of New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. PROXMIRE:

S. 714. A bill to amend section 22(g) of the Federal Reserve Act relating to loans to executive officers by member banks of the Federal Reserve System, and to amend the Federal Credit Union Act to modify the loan provisions relating to directors, members of the supervisory committee, and members of the credit committee of Federal credit unions; to the Committee on Banking and Currency.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

By Mr. BARTLETT:

S. 715. A bill to authorize the conveyance of all right, title, and interest of the United States reserved or retained in certain lands in Fairbanks, Alaska, heretofore conveyed to Hillcrest, Inc.; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

By Mr. BARTLETT (for himself and Mr. Gruening):

S. 716. A bill to authorize the Secretary of the Interior to convey certain land to the city of Anchorage, Alaska; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

By Mr. BARTLETT:

S. 717. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Commerce.

Mr. DIRKSEN (for Mr. Tower):

S. 718. A bill to amend the Universal Military Training and Service Act, as amended, in order to provide for the deferment of police officers of States, and subdivisions thereof, from training and service under such Act; to the Committee on Armed Services.

S. 719. A bill to amend section 705 of the Civil Rights Act of 1964 in order to increase the membership of the Equal Employment Opportunity Commission from five members to seven members, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Tower when he introduced the above bills, which appear under separate headings.)

(Note.—The above bills were ordered to be held at the desk until February 6, 1967, for additional cosponsors.)

By Mr. NELSON:

S. 720. A bill to amend the Federal Food, Drug, and Cosmetic Act, as amended, in order to provide for the publishing of a U.S. Drug Compendium, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 3, 1967, for additional cosponsors.)

By Mr. NELSON (for himself, Mr. Pell, Mr. Muskie, Mr. Mondale, and Mr. Clark):

S. 721. A bill to encourage the development of teachers aid programs in the schools of the Nation; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. SYMINGTON:

S. 722. A bill for the relief of Mrs. Basyle Glenn Gulledge; to the Committee on Post Office and Civil Service.

By Mr. McGOVERN:

S. 723. A bill to promote rail-highway safety by requiring light-reflecting markings on railroad locomotives and cars; to the Committee on Commerce.

(See the remarks of Mr. McGovern when he introduced the above bill, which appear under a separate heading.)

By Mr. THURMOND (for himself and Mr. Hollings):

S. 724. A bill for the relief of certain individuals; to the Committee on the Judiciary.

By Mr. HART:

S. 725. A bill to waive certain limitations upon claims under Public Law 88-519 (78 Stat. 699); to the Committee on the Judiciary.

By Mr. ANDERSON:

S. 726. A bill for the relief of Dr. Carlos Artur Neves Nunes Almeida and his wife, Alice Ceu Monteiro Alves Almeida; to the Committee on the Judiciary.

By Mr. DOMINICK (for himself, Mr. Allott, and Mr. Holland):

S. 727. A bill to exclude certain State employees from the application of the Fair Labor Standards Act of 1938; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Dominick when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 728. A bill to provide for the expansion of the Beverly National Cemetery, Beverly, N.J.; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. Case, Mr. Clark, Mr. Javits, Mr. Kennedy of New York, and Mr. Scott):

S. 729. A bill to provide additional authority to the Secretary of the Interior for land acquisition in the Delaware Water Gap National Recreational Area; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 730. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to assure the safety, efficacy, and reliability of therapeutic, diagnostic, and prosthetic devices; to the Committee on Labor and Public Welfare; and

S. 731. A bill to amend section 1498 of title 28, United States Code, to authorize the use or manufacture, in certain cases, by or for the United States of any invention described in and covered by a patent of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bills, which appear under separate headings.)

By Mr. MORSE:

S. 732. A bill for the relief of Dwayne C. Cox and William D. Martin; and

S. 733. A bill for the relief of Sabiene Elizabeth DeVore; to the Committee on the Judiciary.

CONCURRENT RESOLUTIONS

AUTHORIZATION OF PRINTING OF JOINT COMMITTEE PRINT ENTITLED "STATE AND LOCAL PUBLIC FACILITY NEEDS AND FINANCING"

Mr. PROXMIRE submitted a concurrent resolution (S. Con. Res. 7) authorizing the printing of a joint committee print entitled "State and Local Public Facility Needs and Financing," which was referred to the Committee on Rules and Administration.

(See the above concurrent resolution printed in full when submitted by Mr. PROXMIRE, which appears under a separate heading.)

NEED FOR MEMBERS OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION TO UNDERSTAND PROBLEMS OF ALL GROUPS OF WORKERS

Mr. DIRKSEN (for Mr. TOWER) submitted a concurrent resolution (S. Con. Res. 8) to express the sense of the Congress with respect to the need for members of the Equal Employment Opportunity Commission to be qualified to understand the problems of all groups of workers throughout our Nation, which was referred to the Committee on Labor and Public Welfare.

(See the above concurrent resolution printed in full when submitted by Mr. DIRKSEN, for Mr. TOWER, which appears under a separate heading.)

(NOTE.—The above concurrent resolution was ordered to be held at the desk until February 9, 1967, for additional cosponsors.)

RESOLUTIONS

AUTHORIZATION FOR COMMITTEE ON COMMERCE TO MAKE CERTAIN STUDIES

Mr. MAGNUSON, from the Committee on Commerce, reported an original resolution (S. Res. 72) to authorize the Committee on Commerce to make certain studies, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. MAGNUSON, which appears under the heading "Reports of Committees.")

INVESTIGATION BY COMMITTEE ON THE JUDICIARY OF ANY MATTER PERTAINING TO THE DISPLAY AND USE OF THE FLAG OF THE UNITED STATES

Mr. DIRKSEN (for Mr. TOWER) submitted a resolution (S. Res. 73) to authorize the Committee on the Judiciary to make a study and investigation of any matter pertaining to the display and use of the flag of the United States, which was referred to the Committee on the Judiciary.

(See the above resolution printed in full when submitted by Mr. DIRKSEN, which appears under a separate heading.)

(NOTE.—The above resolution was ordered to be held at the desk until February 9, 1967, for additional cosponsors.)

ADDITIONAL PROFESSIONAL AND CLERICAL STAFF FOR COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. HILL submitted the following resolution (S. Res. 74); which was referred to the Committee on Labor and Public Welfare·

S. RES. 74

Resolved, That the Committee on Labor and Public Welfare is authorized from February 1, 1967, to employ one additional assistant chief clerk, seven additional professional staff members, and nine additional clerical assistants to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with section 202(e), as amended, of the Legislative Reorganization Act of 1946, and the provisions of Public Law 4, Eightieth Congress, approved February 19, 1947, as amended.

SANDY HOOK NATIONAL SEASHORE RECREATION AREA

Mr. CASE. Mr. President, I introduce, for appropriate reference, a bill to create the Sandy Hook National Seashore Recreation Area.

Sandy Hook, a peninsula bounded by the Atlantic Ocean on one side and Sandy Hook Bay on the other, consists of 1,634 acres. From 1846 until approximately 5 years ago the entire complex was a military reservation known as Fort Hancock. However, in early 1962 it was determined that the entire acreage was no longer needed solely for military purposes and the Department of the Army leased 745 acres to the State of New Jersey for a recreation area. This becomes known as the Sandy Hook State Park.

I was, of course, pleased to support and work for the establishment of this State park.

The park is one of the most popular recreation areas along the New Jersey coast—providing swimming, nature walks, sunbathing, and some of the best fishing around. I am told that it is so popular that on many weekends during the summer months the gates to the park must be closed as early as 10:30 in the morning, depriving thousands of would-be visitors of its use.

Recently, the Department of Defense revealed that it is going to turn 1,200 acres of land at Sandy Hook, including the 745 acres that comprise the present State park, over to the General Services Administration for disposal.

My concern, which I know is shared by countless others, is to make certain the existing State park is preserved and expanded so that its use as a recreation area will be continued for all time. Its use for any other purpose would be unconscionable, for Sandy Hook is a national heritage and should remain in the public's possession.

In 1961, Congress passed and the late President Kennedy signed into law a bill which authorized the establishment of the Cape Cod National Seashore, Mass., as part of the national park system. The act authorized $16 million for the Park Service to acquire privately owned lands on Cape Cod and involved many thousand acres.

The land at Sandy Hook is not privately owned. The Federal Government already owns it.

Enactment of my bill will authorize the Department of the Interior to take possession of this 1,200 acres, operate and maintain it for continued recreational purposes, and place in New Jersey its first national seashore recreation area.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The bill will be received and appropriately referred.

The bill (S. 702) to establish the Sandy Hook National Seashore in the State of New Jersey, introduced by Mr. CASE, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

SAN DIEGO'S 200TH ANNIVERSARY

Mr. KUCHEL. Mr. President, in 1969, the cradle of California's rich and glorious history will mark its 200th anniversary. San Diego is California's oldest city. Its site was claimed for Spain in 1542 by Adm. Juan Rodriquez Cabrillo, a Portuguese navigator who first came to the New World with Cortes. It was not until 1602, however, that the site received its name. In that year, Don Sebastian Vizcaino, one of the most famous of the West Coast explorers, anchored off Los Guijarros in the shadow of beautiful Point Loma. Vizcaino was delighted with the harbor, pronouncing it probably "the best to be found in all the South Sea." He named the port and its future city after the canon San Diego de Alcala, whose feast day came 2 days after he arrived on November 10, 1602.

The actual colonization of San Diego and California began in 1769 with the founding of the first mission by Father Junipero Serra. From that first mission was built a chain of 21 missions up the California coast, each a day's journey apart. By 1850, San Diego had become a large settlement of more than 500 foreigners, 10 stores and 88 houses, and some 2,000 Indians. It became a center for hide collecting and a base for whalers.

Today, San Diego is no longer the quiet Spanish settlement of the past. Its industrial and cultural development symbolizes the tremendous growth of the "Golden State" itself. San Diego in 1967 is a great seaport, a vital naval base, an important training center for sailors and marines, and an aircraft manufacturing center. Indeed, this city and its harbor have become, in the words of its founder, Vizcaino, "the best to be found in all the South Sea."

As part of its 200th anniversary, I am introducing today, on behalf of myself and my colleague from California [Mr. MURPHY], a bill which will provide for the striking of medals commemorating that anniversary. The bill has previously been introduced by several of my able colleagues in the other body. These commemorative medals will be an important and integral part of the extensive plans being laid for the year-long celebration of 1969. They will provide a lasting memento of San Diego's vital role in California and American history.

Mr. President, I introduce the bill and ask that it be appropriately referred. I ask unanimous consent that the text of the bill appear at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the remarks made in the House of Representatives by my colleague, Representative Bob Wilson, be incorporated at this point in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Mr. Speaker:

With my two distinguished colleagues, Congressmen James B. Utt and Lionel Van Deerlin, I have today introduced a bill to provide for the striking of medals commemorating the 200th anniversary of the founding of San Diego, California. The cost of minting these medals would be financed by the San Diego 200th Anniversary, Inc., a non-profit organization, at no expense to the Government. Under my proposal, the United States Mint would be authorized to furnish the non-profit group with up to 500,000 commemorative medals.

San Diegans, and all Californians as well, look forward to the 200th anniversary of our city's founding in 1769. The reason for the statewide interest is that San Diego is the cradle of California's glorious history. We proudly recall how Gaspar de Portola, the Spanish Governor of Lower California, and Father Junipero Serra began the colonization of California with the establishment of Mission San Diego de Alcala. From that first mission was built a chain of 21 missions, each a day's journey apart, along the Camino Real (King's Highway). In the process, the mission padres imparted to the Indians knowledge of God, the construction trades, irrigation and agriculture, while Spanish soldiers set up military establishments known as presidios. These missions, which laid the foundation stones for the subsequent rush of settlers into the "Golden State," were established at a time when 2,000 miles away Daniel Boone was still trekking through the wildernesses of Tennessee and Kentucky.

Recognizing our debt to these brave Spaniards, we San Diegans in 1969 plan a year-long celebration of our glorious heritage. Many citizens have been working for more than a year laying the groundwork for our bicentennial. To emphasize California's rich inheritance of Spanish culture and tradition, the anniversary committee has contacted the Government of Spain to explore the possibility of constructing a Spanish building in San Diego to house documents and artifacts of the period of exploration and conquest. In conjunction with this, city and county schools are conducting an essay contest entitled, "San Diego's Spanish Heritage" with a trip for two to Spain as reward for the winner. Historical societies will continue their research and writing on diverse phases of our history, while many community performing arts groups are planning original productions on California history. Recalling the important role of the friars in San Diego's founding, large interfaith observances are planned and preparations are underway to invite His Holiness Pope Paul to come to San Diego to participate in the 200th year of Christianity in California.

These are only a few of the many projects, but I will not take more of my colleagues' time for a recitation of our many ambitious celebration plans for 1969. I do request, however, their rapid and favorable consideration of the bill which I have introduced today. These commemorative medals will be an important and integral part of our bicentennial year. They will provide a lasting memento of San Diego's vital role in American history.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the bill may lie at the desk for 48 hours in order that there may be additional cosponsors.

The PRESIDING OFFICER. Without objection, the bill will be held at the desk for 2 days, as requested by the Senator from California.

The bill (S. 703) to provide for the striking of medals in commemoration of the 200th anniversary of the founding of San Diego, introduced by Mr. Kuchel, (for himself and Mr. Murphy), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 703

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury (hereinafter referred to as the "Secretary") shall strike and furnish for the San Diego 200th Anniversary, Inc. (hereinafter referred to as the "corporation"), a not-for-profit organization for the celebration of the two hundredth anniversary of the founding of the San Diego community, national medals in commemoration of such anniversary.

Sec. 2. Such medals shall be of such sizes, materials, and shall be so inscribed, as the corporation may determine with the approval of the Secretary.

Sec. 3. Not more than five hundred thousand of such medals may be produced. Production shall be in such quantities, not less than two thousand, as may be ordered by the corporation, but no work may be commenced on any order unless the Secretary has received security satisfactory to him for the payment of the cost of the production of such order. Such cost shall include labor, material, dies, use of machinery, and overhead expenses, as determined by the Secretary. No medals may be produced pursuant to this Act after December 31, 1969.

Sec. 4. Upon receipt of payment for such medals in the amount of the cost thereof as determined pursuant to section 3, the Secretary shall deliver the medals as the corporation may request.

Mr. MURPHY. Mr. President, along with my distinguished colleague, Senator Kuchel, I am pleased to cosponsor this bill authorizing the striking of 500,000 medals commemorating the 200th anniversary of the founding of the great city of San Diego, Calif.

I would point out to my colleagues that the striking of these medals will be without cost to the taxpayer, but will be financed by a nonprofit organization, the San Diego Two-Hundredth Anniversary, Inc.

As my colleagues will recall, Mr. President, California was explored for Spain by Cabrillo in 1542, but the actual colonization did not begin until 200 years later. Fearful of the encroachment of other European nations into the Pacific, particularly the Russians from Alaska and the English from Canada, the Spanish moved to settle California by sending Capt. Gaspar D. Portola, Spanish Governor of Lower California, and Father Junipera Serra, who in 1769 began the colonization of California with the establishment of the Mission of San Diego.

The mission system, the most important Spanish—colonial—institution of that time, was repeated in settlement after settlement as the Spanish moved northward along the California coast. Under the direction of the Spanish Catholic priests, the Indians were taught agriculture, irrigation, and construction skills, the Spanish language and the Christian religion. The Indians also were provided with food, shelter, and clothing.

Naturally, the citizens of San Diego, proud of their rich heritage, are both excited and enthusiastic about the planned year-long 200th-year anniversary celebration. They have already completed much groundwork in preparation for this forthcoming event. Invitations have been sent to the Governments of Spain and Mexico, requesting their participation in the celebration. In recognition of the work of Father Serra, and those who followed him, in bringing Christianity to California, His Holiness Pope Paul will be extended an invitation.

Mr. President, if Father Serra and Captain Portola were to return to San Diego today, they would see not an aging Spanish mission, but a growing metropolis of 600,000, where industry, education, and commerce flourish. They would no longer see the tiny *San Carlos* or the *San Antonio* moored at its dock, but rather they would see the massive cruisers, submarines, and aircraft carriers of the U.S. Fleet plus ships which help to contribute to the 1,103,906 tonnage of goods that are exchanged at this port each year. They would see today a city active in the space age and a leader in the field of oceanography. They would see happy, proud, well educated citizens living in the land of beauty and rich in the blessings of nature. They, in short, Mr. President, would see in this model city of San Diego the fulfillment of their most golden dreams.

Mr. President, the enactment of this bill is of greatest importance to the citizens of San Diego, and for that matter to all citizens of California. I would hope that the Senate Banking and Currency Committee will act expeditiously on this matter.

INCLUSION OF BUFFALO RIVER IN ARKANSAS IN THE PROPOSED NATIONAL WILD RIVERS SYSTEM

Mr. FULBRIGHT. Mr. President, on behalf of myself and my senior colleague from Arkansas [Mr. McClellan], I introduce, for appropriate reference, a bill to include the Buffalo River in Arkansas in the proposed national wild rivers system.

The Senate will recall that a bill, S. 1446, passed the Senate on January 19, 1966, and would have established a national wild rivers system to be administered by the Department of the Interior. This bill designated 7 rivers, or portions thereof, as "wild river areas" and identified 17 other rivers, or portions thereof, as possible future additions to the wild rivers system. S. 1446 was not considered in the House of Representatives, and therefore was not enacted into law.

On January 11, 1967, the Senator from Idaho [Mr. Church] and other Senators introduced a bill (S. 119), which is identical with S. 1446 as it passed the Senate last year. The new bill does not include the Buffalo River in Arkansas, and it is for this reason that Senator McClellan and I are introducing this special bill for the Arkansas Buffalo.

Mr. President, the Buffalo River in Arkansas is one of the most beautiful rivers in the world. I will quote a passage from a report prepared by the National Park Service in 1963:

> Although man-made impoundments are causing the rapid disappearance of free-flowing streams in mid-America, the Buffalo River remains one of the few rivers still possessing exceptional wilderness value.
>
> The Buffalo River, deeply entrenched in a meandering course, flows eastward across Newton and Searcy Counties, entering briefly Marion and Baxter Counties before joining the White River in northwest Arkansas. In places the Buffalo lies 650 feet almost sheer below its canyon rim. Towering multi-colored cliffs sharply accent the mild mountain beauty into which nature has set the blue-green waters of this spring-fed stream. Born on summits almost 2400 feet above sea level, this river flows down to elevations of less than 400 feet before joining the White River.
>
> The scenic grandeur of unimpeded rivers—surging over rapids, moving lazily through long shaded eddies, and sweeping gracefully against streaked canyon walls that proclaim the handiwork of a free-flowing stream—is fast disappearing. Urbanization has altered and impoundments have tamed river after river until little is left to represent the wilderness waters known by first comers to these hills.
>
> Flora of the study area is perhaps the most diverse of any other area of equal extent in Arkansas and ranks noteworthy on a national basis. The wildlife constitutes one of the area's chief attractions. Practically every wild animal common to an oak-hickory type forest is found in great numbers. The red wolf, not known to be residing within any unit of the National Park System, is found here. In colder latitudes black bears and woodchucks hibernate during part or all of the winter season; in this locale they are active throughout the year.
>
> Known archeological sites within the immediate area of the river number at least twenty, and it is likely that others are present.
>
> The study area includes an expansive climax of wildness, ruggedness, and elevation contrasts in two sections of the Ozark Plateaus Province of the Interior Highlands Division of American Landscape Forms. The upper course of the Buffalo River is etched into the Boston Mountains Section, while the lower course with its tortuous canyons typifies the Springfield-Salem Plateaus Section. No other feasible management unit in the entire Ozarks portion of the Interior Highlands Division can likely surpass the combined resources of the area studied.
>
> Geologically the area is outstanding and typifies the Arkansas Ozarks with their numerous caves, waterfalls, persistent springs, interesting side canyons, and impressive bluffs.
>
> Being the last of the choice remaining major free-flowing streams in the Arkansas Ozarks, the Buffalo River offers an outstanding opportunity for preservation of a unique segment of outdoor America.
>
> The area is centrally located with respect to large urban populations and is well suited to provide increasing outdoor recreational opportunities for the nation.
>
> In combination, the scenic, scientific, and archeological values and the recreation potential of the area clearly indicate that consideration for preservation and administration at the national level is warranted. Therefore, the study area is recommended for establishment as a National River, administered by the National Park Service.

The bill which we introduce would include the Arkansas Buffalo among those rivers to be designated originally as a part of the national wild rivers system. I fully expect this bill to be endorsed by the Department of the Interior, and I hope that it may receive prompt and favorable consideration by the Committee on Interior and Insular Affairs and subsequently by the Senate.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 704) to provide for the establishment of the Buffalo National River in the State of Arkansas, and for other purposes, introduced by Mr. Fulbright (for himself and Mr. McClellan), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. McCLELLAN. Mr. President, I associate myself with the remarks of my colleague, the junior Senator from Arkansas [Mr. Fulbright]. The fate of the Buffalo River has been in doubt for some years now, with very strong feelings expressed on both sides of the issue. I have not taken a definite position before this date. However, it is my considered opinion, which I believe to be fully supported by a vast majority of the citizens of Arkansas, that this river, one of the last vestiges of natural beauty in my State, and, indeed, in the country, should be allowed to run free and remain unencumbered.

Our proposal to make the Buffalo River a part of the national wild rivers system would accomplish this purpose.

I urge early and favorable consideration by the Senate Committee on Interior and Insular Affairs to protect its beauty and to leave it free.

AMENDMENT OF INTERCOASTAL SHIPPING ACT OF 1933, TO PROVIDE FOR ACCOUNTING AT THE EXPIRATION OF A RATE SUSPENSION

Mr. MAGNUSON. Mr. President, I introduce, at the request of the Federal Maritime Commission, a bill to amend the Intercoastal Shipping Act of 1933 to provide for accounting at the expiration of a rate suspension. I ask unanimous consent that the text of the bill and a letter from the Chairman of the Federal Maritime Commission, together with a statement prepared by him, be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, letter, and statement will be printed in the Record.

The bill (S. 705) to amend the Intercoastal Shipping Act of 1933 to provide for accounting at the expiration of a rate suspension; introduced by Mr. Magnuson, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 705

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 3 of the Intercoastal Shipping Act, 1933 (46 U.S.C. 845), is amended by changing the period at the end of the second sentence of the second paragraph thereof to a semicolon, and inserting the following: "if the proceeding has not been concluded and an order made within the period of suspension, the proposed change of rate, fare, charge, classification, regulation, or practice shall go into effect at the end of such period; but in case of proposed increased rate of charge for or in respect to the transportation of property, the Commission may by order require the interested carrier or carriers to keep accurate accounts in detail of all amounts received by reason of such increase, specifying by whom and in whose behalf such amounts are paid and upon completion of the hearing and decision, may by further order require the interested carrier or carriers to refund, with interest, to the persons in whose behalf such amounts were paid, such portion of such increased rates or charges as by its decision shall be found not justified."

The letter and statement presented by Mr. Magnuson are as follows:

Federal Maritime Commission,
Washington, D.C., January 12, 1967.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: There are submitted herewith four copies of a proposed bill, to amend Intercoastal Shipping Act of 1933 to provide for accounting at the expiration of a rate suspension.

The need for and purpose of the proposed bill are set forth in the accompanying statement.

The Federal Maritime Commission urges enactment of this bill at the first session of the 90th Congress for the reasons set forth in the accompanying statement.

This proposed legislation is identical to S. 3544 which was introduced into the 89th Congress late in the session.

The Bureau of the Budget has advised that, from the standpoint of the Administration's program, there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

John Harllee,
Rear Admiral, U.S. Navy, Retired, Chairman.

Statement of Purposes and Need for the Bill To Amend Intercoastal Shipping Act of 1933 To Provide for Accounting at the Expiration of a Rate Suspension

The bill would amend section 3 of the Intercoastal Shipping Act, 1933, and authorize the Federal Maritime Commission to require a carrier to keep a detailed account of its charges when a suspended rate goes into effect prior to the conclusion of a hearing as to its lawfulness. In addition, in the event the proposed increase rate is found unlawful, the Commission would be authorized to order refunds, with interest, to shippers who have paid the proposed increased rates. This amendment is similar to language contained in the Interstate Commerce Act with respect to accounting for the monies and would offer similar protection to shippers.

AMENDMENT OF SECTION 27 OF THE SHIPPING ACT OF 1916

Mr. MAGNUSON. Mr. President, I introduce, at the request of the Federal Maritime Commission, a bill to amend section 27 of the Shipping Act of 1916.

I ask unanimous consent that the text of the bill and a letter from the Chairman of the Federal Maritime Commission, together with a statement prepared by him, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, letter, and statement will be printed in the RECORD.

The bill (S. 706) to amend section 27 of the Shipping Act, 1916, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 706

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 27 of the Shipping Act (46 U.S.C. 826), be amended by deleting the present section and substituting therefor the following:

"SEC. 27. (a) In all proceedings under section 22 of this Act, depositions and discovery shall be available, and the Commission may by subpoena compel the attendance of witnesses and the production of books, papers, documents, and other evidence, in such manner and to such an extent as the Commission may by rule or regulation require. Attendance of witnesses in response to subpoena shall be required from any place in the United States at any designated place of hearing, and witnesses so acting shall be entitled to the same fees and mileage as in the courts of the United States.

"(b) Obedience to this section shall on application by the Commission be enforced as are orders of the Commission other than for the payment of money."

The letter and statement presented by Mr. MAGNUSON are as follows:

FEDERAL MARITIME COMMISSION,
Washington, D.C., January 12, 1967.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There are submitted herewith four copies of a proposed bill to amend section 27 of the Shipping Act, 1916.

The need for and purpose of the proposed bill are set forth in the accompanying statement.

The Federal Maritime Commission urges enactment of this bill at the first session of the 90th Congress for the reasons set forth in the accompanying statement.

The Bureau of the Budget has advised that, from the standpoint of the Administration's program, there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,
JOHN HARLLEE,
Rear Admiral, U.S. Navy, Retired, Chairman.

STATEMENT OF PURPOSE AND NEED FOR THE BILL TO AMEND SECTION 27 OF THE SHIPPING ACT, 1916

The proposed bill would empower the Commission to adopt pre-trial discovery procedures along with its existing power to issue subpoenas in adjudicatory proceedings under section 22 of the Act.

The need for clear statutory authorization for discovery arose as a result of the holding of the United States Court of Appeals for the Ninth Circuit in *Federal Maritime Commission* v. *Anglo Canadian Shipping Company,* 335 F2d 244 (1964). In that decision the Court ruled that without statutory authority the Commission could not promulgate rules for discovery and production of documents.

Discovery defined broadly is a procedural technique by which a party to a proceeding may obtain relevant information in advance of hearing in order to prepare meaningful information for the hearing. Discovery includes depositions upon oral or written examination, written interrogatories, admissions by parties, and production and inspection of documents.

Permitting parties to enter a hearing with full knowledge of all relevant facts contributes to a fair and speedy resolution of cases. It is a simple, inexpensive means of developing facts, encourage settlements, significantly limit issues, minimize the length of records and the need for postponements, and lessen the expense of litigation.

Discovery authority would complement present section 27 subpoena power, since the subpoena authority only works towards insuring attendance of witnesses and the production of documents rather than the development of a case prior to such hearing. The reporting provisions of section 21 might apply in some cases to obtaining prehearing information but in practice it would be a cumbersome measure.

In the 1962 Report of the Administrative Conference of the United States (Prettyman Report), the principle of discovery in administrative proceedings was approved as a means of reducing delay and promoting fairness. Likewise Professor Davis in his Administrative Law Treatise observed that "probably no sound reasons can be given for failure to extend to administrative adjudications the discovery procedures worked out for judicial proceedings." This proposal, should it be enacted, would be similar to existing authority of other regulatory agencies; Interstate Commerce Commission (49 U.S.C. 305(d)); Federal Power Commission (16 U.S.C. 825f(d)); Civil Aeronautics Board (49 U.S.C. 1484(e)); and the Federal Trade Commission (15 U.S.C. 49).

The proposal would otherwise amend section 27 to update its wordage but without substantive change.

AMENDMENT OF FEDERAL AVIATION ACT OF 1958 TO AUTHORIZE AIRCRAFT NOISE ABATEMENT REGULATION

Mr. MAGNUSON. Mr. President, I introduce, at the request of the Federal Aviation Agency, a bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes. I ask unanimous consent that the text of the bill, and a letter from the Administrator of the Federal Aviation Agency be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 707) to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 707

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Aviation Act of 1958, as amended (49 U.S.C. 1301), is further amended by adding a new section 611 as follows:

"AIRCRAFT NOISE CONTROL AND ABATEMENT

"(a) The Secretary of Transportation is empowered to prescribe and amend standards for the measurement of aircraft noise and sonic boom and to prescribe and amend such rules and regulations as he may find necessary to provide for the control and abatement of aircraft noise and sonic boom, including the application of such standards, rules and regulations in the issuance, amendment, modification, suspension or revocation of any certificate authorized by this title.

"(b) In any action to amend, modify or revoke a certificate wherein violation of aircraft noise or sonic boom standards, rules or regulations is at issue the certificate holder shall have the same notice and appeal rights as are contained in section 609, and in any appeal to the National Transportation Safety Board, the Board may amend, modify, or reverse the Secretary's order if it finds that safety in air commerce or air transportation and the public interest do not require the affirmation of the Secretary's order."

The letter presented by Mr. MAGNUSON is as follows:

FEDERAL AVIATION AGENCY,
Washington, D.C., January 11, 1967.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft bill "To amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes."

This bill is part of the Federal Aviation Agency's legislative program and is needed to assist us in alleviating a most serious problem.

The introduction of jet aircraft into civil use has provided a faster and more economical method of air transportation which has proved a great benefit to the nation's, and the world's, air commerce. But while advancing jet aircraft technology has provided that benefit, and promises even greater benefits for the future, one increasingly serious disadvantage has accompanied the benefit: jet noise.

Several communities, particularly those located in the vicinity of large jet airports, have experienced the annoyance of jet noise. Heavier jet aircraft are now being introduced into service and the volume of traffic by jet aircraft of all types is rapidly increasing. Thus we can expect that more people will suffer the annoyance of aircraft noise in immediate future years. Moreover, future years may also bring the problem of sonic boom created by supersonic flight. Numerous bills have been introduced in recent Congresses proposing various approaches to the solution of the aircraft noise problem. These bills reflect the legitimate concern that many members of Congress feel regarding the impact of aircraft noise on persons and property on the ground.

We in the executive branch are also concerned. The President has designated his Special Assistant for Science and Technology to direct the activities of an interagency task group charged with the responsibility for studying the noise problem and recommending what legislative or administrative actions are needed to alleviate it. That group has recommended that the enclosed legislation be transmitted to the Congress with a request for early enactment.

A similar administration aircraft noise bill (S. 3591/H.R. 16171) was introduced in the 89th Congress in July 1966. There the Administrator was empowered to promulgate noise standards and to exercise all of the regulatory and certification authority contained in Title VI (which is now limited to safety) on the basis of such noise standards. Hearings on the bill were held before the Transportation and Aeronautics Subcommittee of the House Interstate and Foreign Commerce Committee on October 12, 1966. The new Title VI noise authority will complement the existing authority of the Administrator to act in the aircraft noise area under Title III of the Act, section 307(c) of which authorizes and directs the Administrator "to prescribe air traffic rules and regulations" governing the flight of aircraft. . . . for the protection of persons and property on the ground . . . ."

The new bill also makes it explicit that the phrase "aircraft noise" includes "sonic boom". While we believe that noise does include sonic boom, we want to emphasize that we intend to regulate not only aircraft noise but also the boom created by supersonic flight. In sum, then, in addition to the authority to regulate the flight of aircraft under section 307(c), authority is needed to require that certification authority over airmen, aircraft, air carriers, airports and air agencies be governed by noise standards and rules and regulations based on such standards. Under Title VI of the Act, the Administrator is already empowered to issue, amend, modify, suspend or revoke such certificates, but for safety considerations only. This bill would authorize the Secretary of Transportation to enforce noise standards on the same basis as we now promulgate and enforce safety standards under Title VI.

The proposed bill is a part of the Federal Government's overall program to alleviate the problems of aircraft noise by (1) reducing aircraft noise at the source, (2) developing noise abatement flight techniques, and (3) fostering the compatible use of land adjacent to airports. Under the proposed bill, noise output must, as a Federal requirement, be taken into account not only in the operating of aircraft but also at the appropriate stage of the development and manufacture of new aircraft. Without such a Federal requirement, there is no authority to insist that the manufacturers and operators take the necessary preventive action within the existing state of the art of noise reduction. Accordingly, we ask early enactment of this legislation to permit us to proceed immediately to develop whatever reasonable standards are appropriate to be applied in the certification of aircraft and in their operation.

The Bureau of the Budget has advised that submission of this proposed legislation is consistent with the Administration's objectives.

Sincerely,

WILLIAM F. MCKEE,
Administrator.

TAX DEDUCTION FOR COLLEGE COSTS

Mr. SCOTT. Mr. President, Federal aid to education has become a multimillion-dollar business. All of us are concerned with efforts to improve the quality of American education, and Congress has approved far-reaching legislation to this end. Letters to my office, however, make me continually aware that many young people are, nevertheless, denied an opportunity to earn a college degree simply because they cannot meet ever-increasing costs.

I believe action to meet this problem is long overdue. Therefore, I am again introducing today my bill to permit a personal Federal income tax deduction of up to $1,000 annually for the cost of higher education. This deduction, covering the most basic costs—tuition and fees—would be granted to parents for each child they are putting through school. Equally important, it would also be granted to students who, through their own initiative, are working to finance their own education.

My bill proposes a direct form of aid to education—one involving neither new Federal spending nor additions to the Federal bureaucracy. Yet, this legislation will provide a very real assistance to those citizens faced with the skyrocketing financial burden of a college education, and it will provide, at the same time, a needed tax incentive for parents to enroll and to keep their children in college.

Higher education is no longer a luxury but a necessity. The problems of the modern world are the most complex we have ever faced. If solutions are to be found, and we are to continue to move forward toward a more prosperous and progressive society in this age of social and technological change, we will need an ever-growing number of college-trained graduates.

My bill is introduced with this in mind. I urge early and favorable consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 711) to amend the Internal Revenue Code of 1954 so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents; introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Finance.

GRANTING OF U.S. CITIZENSHIP TO CERTAIN PERSONS

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill to grant U.S. citizenship at birth to any child born abroad whose father or mother is a citizen of the United States who has served abroad with a church or missionary organization. I am offering this bill at the request of the Evangelical Foreign Missions Association, an agency here in Washington, which represents some 7,000 missionaries, many of whose families have mixed citizenship.

Under section 301(a)(7) of the Immigration and Nationality Act—68 U.S.C. 1401(a)(7)—a child born abroad to a U.S. citizen father and an alien mother, or vice versa, does not acquire U.S. citizenship at birth unless the citizen parent, prior to the child's birth, was physically present in the United States or its outlying possessions for a period or periods totaling not less than 10 years, at least 3 or which were after attaining the age of 14 years. At present, only members of the Armed Forces may count the periods of honorable service abroad in order to meet the aforementioned physical-presence requirements of section 301(a)(7). My bill would place missionary parents serving abroad in the same category with military personnel.

It is quite common for one parent member of a missionary family to be Canadian, while the other is an American, or for there to be a British-American family. Since missionary families serve abroad for periods of 4 or 5 years at a time, it is not uncommon for their children to be born abroad. Usually, in these instances, the parents wish to raise and educate their children as American citizens, but it is very difficult for them to fulfill the physical-presence requirements of section 301(a)(7).

For this reason, the Evangelical Foreign Missions Association feels that section 301(a)(7) should be amended to enable these children, born while their missionary parents are serving abroad, to become U.S. citizens and to give them access to educational facilities in the United States that would not ordinarily be made available to them because of their years spent abroad, and I am happy to introduce this bill in their behalf.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 712) to amend section 301(a)(7) of the Immigration and Nationality Act to grant U.S. citizenship at birth to any child born abroad whose father or mother is a citizen of the United States who has served abroad for certain periods of time with a church or missionary organization, and for other purposes, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on the Judiciary.

SANDY HOOK NATIONAL SEASHORE, N.J.

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, a bill to establish the Sandy Hook National Seashore in the State of New Jersey. The bill I am introducing is identical to the one being introduced today in the House of Representatives by my good friend and distinguished New Jersey colleague, Representative JAMES J. HOWARD.

Sandy Hook, on the coast of New Jersey 18 miles south of New York, was discovered by Hendrik Hudson in 1609 and was recognized as a valuable defensive area as early as 1746. In that year, when France and England were at war, New York merchants, fearful that an attack by the French fleet might take the city by surprise, had a lookout outpost built on the Navesink Highlands to give warning of the approach of hostile vessels. Although the French fleet never did attack, Sandy Hook's military potential became apparent.

In 1807 the Federal Government made its first purchase of land at Sandy Hook and by 1892 was in possession of the entire Hook.

In 1857 the building of Fort Hancock was begun but never completed. The fort itself is situated near the northeastern tip of the 5-mile-long peninsula which juts from the New Jersey mainland. The primary purpose of Fort Hancock was to defend New York Harbor. In 1945, the fort was converted to a distribution center for American military prisoners returning from Europe.

By 1948 civic groups were formed to request that the Army turn over the land to the State, but with the outbreak of the Korean war, the Army retained the fort and in 1951 announced that it would keep the base and turn it into an antiaircraft installation. Two years later, Nike guided missiles were installed, and the fort and land remained in the possession of the Federal Government. Recently, Secretary of Defense McNamara announced the scheduled closing of this historic base.

An additional note to the historic dimensions of Sandy Hook is the Sandy Hook Light, the oldest lighthouse in the

United States and said to be the second oldest in the Western Hemisphere.

The State of New Jersey currently leases 745 acres from the Army for Sandy Hook State Park. The present State park, together with an additional 455 acres of magnificent shore parkland, would make available a total of over 1,200 acres for the Sandy Hook National Seashore in the State of New Jersey. The Army would retain 434 acres for defense purposes under present plans.

Mr. President, the bill is of personal importance to me. Even while I served in the House of Representatives, I felt that Sandy Hook's natural beauty and potential for recreation promised a welcome oasis in an area of rapid urbanization.

In 1961 the administration proposed that outdated military installations might be utilized for community developments. At that time, President Kennedy stated:

> A prime example of land for which there is urgent non-military need is Sandy Hook, New Jersey, on which Fort Hancock is located. This has one of the few undeveloped long shorelines in the New York Metropolitan area.

I can well remember when, in September of 1961, I toured Sandy Hook with my friend Stewart Udall, Secretary of the Interior, to look into the idea of making this area a State park. Beginning with my days as a House Member, I had numerous meetings with the then Governor of the State of New Jersey, Robert Meyner. I pointed out to Pentagon officials that if military requirements changed, Sandy Hook would be ideal for public recreation.

On October 10, 1961, Governor Meyner and Secretary Udall and I announced the decision that 460 acres of Sandy Hook would be made available for lease from the Federal Government to the New Jersey State Park authorities. This announcement climaxed almost 30 years of effort by New Jersey to win back some of the 6-mile peninsula in Monmouth County.

It was, therefore, with great personal pleasure in 1961 that the southern quarter of the 6-mile-long finger of land separating Raritan Bay and the Atlantic Ocean became available for recreation, known as the Sandy Hook State Park.

Sandy Hook could, under the provisions of this bill which I am introducing, become a small-scale "Cape Cod of New Jersey." Hundreds of fishermen each year try their luck at one of the best fishing grounds on the Jersey coast. The terrain on Sandy Hook is varied and ideal for a national seashore. The bayside strip would make an ideal boat basin accommodating hundreds of small craft.

A dramatic change takes place as one travels along the diverse terrain. On the upper half of Sandy Hook's 6-mile wilderness, the beaches are wide, the vegetation varied and interesting. Among the numerous trees can be seen sycamore, wild cherry, red cedar, and beech.

The array of potential tourist attractions includes the Hook's 197-year-old lighthouse, a monster cannon built after the Civil War, and a stone block watertower base, generally believed to have been designed by Gen. Robert E. Lee when he was serving at the fort as a captain.

From the very first day that the gates of Sandy Hook State Park were opened, the park has been constantly filled to capacity. On numerous occasions, thousands of disappointed families have had to be turned away from this small but beautiful recreation center.

The bill to establish the Sandy Hook National Seashore in the State of New Jersey provides that the area shall consist of the lands, waters, and interests therein and improvements thereon comprising the former Fort Hancock Military Reservation, together with the submerged land area adjacent to the reservation lying within one-quarter of a mile from the shoreline.

The above-mentioned area will be transferred without consideration to the Department of the Interior.

The bill also states that the Secretary of the Interior shall administer the Sandy Hook National Seashore for the general purposes of recreation and conservation, and gives authority to the Chief of Engineers, Department of the Army, to contribute to shore erosion control and beach protection measures within the Sandy Hook National Seashore.

With the passage of the bill, Sandy Hook Peninsula can be turned into a park paradise serving millions of urbanites crying out for such a park within easy traveling distance. The fact that 7 miles of beach would lie within 30 miles of 20 million people emphasizes the importance of passing the bill.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 713) to establish the Sandy Hook National Seashore in the State of New Jersey, and for other purposes, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 713

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of preserving for the use and inspiration of present and future generations certain relatively unspoiled beaches and waters on the Atlantic coastline of New Jersey which possess great scenic, scientific, and recreational value, there is hereby established the Sandy Hook National Seashore. The seashore shall consist of the lands, waters, and interests therein and improvements thereon comprising the former Fort Hancock Military Reservation, together with the submerged land area adjacent to the reservation lying within a distance of one-quarter mile from the shoreline.

SEC. 2. Notwithstanding any other provision of law, Federal property located within the seashore is hereby transferred without consideration to the administrative jurisdiction of the Secretary of the Interior for use by him in carrying out the provisions of this Act. Within the seashore, the Secretary may acquire lands, submerged lands, and interests therein owned by the State of New Jersey or a political subdivision thereof only by donation.

SEC. 3. The Secretary of the Interior shall permit hunting and fishing on lands and waters under his administrative jurisdiction within the Sandy Hook National Seashore in accordance with the laws of New Jersey and of the United States, to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the Department of Conservation and Economic Development of the State of New Jersey.

SEC. 4. The Secretary shall administer the Sandy Hook National Seashore for the general purposes of public outdoor recreation, including conservation of natural features contributing to public enjoyment. In the administration of the seashore the Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authorities otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

SEC. 5. The authority of the Chief of Engineers, Department of the Army, to undertake or contribute to shore erosion control or beach protection measures within the Sandy Hook National Seashore shall be exercised in accordance with a plan that is mutually acceptable to the Secretary of the Interior and the Secretary of the Army, and that is consistent with the purposes of this Act.

SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

LOANS TO NATIONAL BANK AND FEDERAL CREDIT UNION OFFICERS AND DIRECTORS

Mr. PROXMIRE. Mr. President, I am introducing a bill which would relax the provisions of the Federal Reserve Act restricting loans to executive officers of member banks and the provisions of the Federal Credit Union Act relating to loans to directors and members of the supervisory and credit committees of Federal credit unions. It contains provisions which passed the Senate last year in S. 1558, 89th Congress, and provisions which were contained in section 1 of S. 2330, 89th Congress, neither of which became law.

Under the Federal Reserve Act—section 22(g); 12 U.S.C. 375a—no member bank may lend more than $2,500 to one of its executive officers. The bill would permit member banks to make loans to their executive officers up to $5,000, or, in the case of a first mortgage loan on the officer's home, up to $30,000. The loans could not be made on terms more favorable than those extended to other borrowers, and they would, of course, be subject to the usual rules applicable to personal and home mortgage loans. These loans would have to be reported to the board of directors of a bank, and if the executive officer of a member bank borrowed from other banks more than he could borrow from his own bank, he would have to report this to his board of directors.

Testimony on S. 1558 was heard by the Banking and Currency Committee last year, and it was reported unanimously—Senate Report 535. No objections were raised to this proposal.

I ask unanimous consent that excerpts from the report of the Committee on Banking and Currency, dated August 2, 1965, be printed in the Record at this point.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

> The Committee on Banking and Currency, to which was referred the bill (S. 1558) to amend section 22(g) of the Federal Reserve Act relating to loans to executive officers by member banks of the Federal Reserve System, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.
>
> S. 1558 would amend the provision of the Federal Reserve Act which now prohibits any member bank from lending more than $2,500 to one of its executive officers. It would authorize member bank loans to their executive officers up to $5,000, or in the case of a first mortgage loan on the officer's home, up to $30,000. Such loans could only be made on terms not more favorable than those extended to other borrowers, and they would, of course, be subject to the usual rules applicable to personal or mortgage loans. These loans would have to be reported to the board of directors of the bank. In addition, if an executive officer of a member bank borrowed from other banks in an amount in excess of what he could borrow from his own bank, he would have to make a report to his board of directors.
>
> The provision now in the Federal Reserve Act was enacted in 1933. It has become unrealistically severe in the light of changed economic conditions. The President's Committee on Financial Institutions recommended in 1963 that the $2,500 ceiling be increased.
>
> S. 1558 was proposed by the Board of Governors of the Federal Reserve System, and its enactment was recommended by the Federal Deposit Insurance Corporation. The Treasury Department advised the committee that it had no objection to the bill.
>
> CHANGES IN EXISTING LAW
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> In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

Mr. PROXMIRE. Under the Federal Credit Union Act—12 U.S.C. 1757—a director or member of the supervisory and credit committees of a Federal credit union may not borrow from the Federal credit union more than the amount of his shares in the credit union plus the shares of any cosigner. The bill would change this so as to permit such directors or committee members to borrow up to the amount of his holdings plus other pledged holdings, and in addition the amount of the unsecured loan limit under the account at the present time—$750 (12 U.S.C. 1761c).

I ask unanimous consent that the text of the bill be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 714) to amend section 22(g) of the Federal Reserve Act relating to loans to executive officers by member banks of the Federal Reserve System, and to amend the Federal Credit Union Act to modify the loan provisions relating to directors, members of the supervisory committee, and members of the credit committee of Federal credit unions, introduced by Mr. Proxmire, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 714

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (g) of section 22 of the Federal Reserve Act (12 U.S.C. 375a) is amended by striking out the first two sentences thereof and inserting in lieu thereof the following: "(g) No executive officer of any member bank shall borrow from or otherwise become indebted to any member bank of which he is an executive officer, and no member bank shall make any loan or extend credit in any other manner to any of its own executive officers: *Provided,* That any member bank may extend credit, on terms not more favorable than those extended to other borrowers, to any executive officer thereof, and such officer may become indebted thereto, in an amount not exceeding $5,000, or, in the case of a first mortgage loan on a home owned and occupied or to be owned and occupied by such officer, in an amount not exceeding $30,000, but any such indebtedness shall be promptly reported by such officer to the board of directors of the bank of which he is an officer. If any executive officer of any member bank borrows from or if he be or become indebted to any other bank or banks in an aggregate amount exceeding that which he could lawfully borrow from the member bank of which he is an executive officer under this section, he shall make a written report to the board of directors of such member bank, stating the date and amount of such loan or loans or indebtedness, the security therefor, and the purpose for which the proceeds have been or are to be used."

Sec. 2. That subsection (5) of section (8) of the Federal Credit Union Act (12 U.S.C. 1757) is amended by inserting the following in the first sentence after the words "shall exceed" and before the words "the amount": "the amount of the unsecured loan limit under this Act plus".

CONVEYANCE OF CERTAIN LANDS IN FAIRBANKS, ALASKA, TO HILLCREST HOME FOR BOYS

Mr. BARTLETT. Mr. President, I introduce, for appropriate reference, a bill which would authorize conveyance of all right, title, and interest of the United States reserved or retained in certain lands, in Fairbanks, Alaska, which were conveyed to Hillcrest Home for Boys under the Recreation and Public Purposes Act of January 24, 1961.

Hillcrest Home for Boys was first organized at a meeting at the Eagle's Hall on September 11, 1958. Hillcrest, a home for boys without a home, is a community project and will accept all boys without regard to race, creed, or color. It is not a detention home nor a correctional institution. Rather, it is a home to live in during their 4 years of high school. Hillcrest will provide housing, school guidance, counseling, part-time opportunities for work and the interest and care of a director and his wife who will reside at Hillcrest.

Surveys have made apparent the need for Hillcrest, and Hillcrest has the support of both public and private agencies and service groups. Hillcrest plans to cooperate to the fullest degree possible with others in the field including Federal, State, and private organizations.

Hillcrest is in the process of acquiring property to accommodate 8 to 10 boys and personnel at a location close to schools, part-time job oportunities, medical and dental care and the general educational and cultural offerings at Fairbanks. The land, acquired under the Recreation and Public Purposes Act, can be used as income property if the bill I introduce today is favorably considered by Congress. The original plan to locate the home on that property is not at present feasible or desirable but future plans provide for expansion to the subject property.

Mr. President, the Hillcrest organization has expressed an interest in congressional action on my bill during this session of Congress.

Mr. President, I ask unanimous consent that the text of the bill which is very brief be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 715) to authorize the conveyance of all right, title, and interest of the United States reserved or retained in certain lands in Fairbanks, Alaska, heretofore conveyed to Hillcrest, Inc., introduced by Mr. Bartlett, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 715

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Interior is authorized and directed to convey to Hillcrest, Incorporated, without consideration, all of the right, title, and interest of the United States in and to the tract of land (together with any buildings or other improvements thereon) described as the southeast quarter, section 26, township 1 north, range 2 west, Fairbanks meridian, such tract being the tract conditionally patented to Hillcrest, Incorporated, by patent numbered 1216565 under the Recreation and Public Purposes Act of June 14, 1926 (43 U.S.C. 869), for use as a home for juvenile boys.

PLAYGROUND-RECREATION AREA FOR GOVERNMENT HILL, ANCHORAGE, ALASKA

Mr. BARTLETT. Mr. President, I introduce today, also in behalf of my colleague from Alaska [Mr. Gruening], for appropriate reference, a bill which would authorize the Secretary of the Interior to convey certain land to the city of Anchorage, Alaska.

Prior to 1961, the property was used by the Alaska Railroad, a Federal agency, in connection with a club established for the benefit of railroad employees. The old club building still stands on one corner of the land but, as I understand it, the structure is in need of expensive repairs. Title to the building and the 4.70 acres upon which it is located is in the Alaska Railroad.

In 1961, the city of Anchorage, leased the land and building from the railroad at an annual rental of $50. The city then invested about $3,500 in playground lighting, grounds improvement, and maintenance. The club building has not been used or subleased because of its present poor condition.

After leasing the entire 4.70 acres from the railroad, the city was able to sublease a small portion to the Anchorage Curling Club. This sublease, approved by the Alaska Railroad, allowed the curling club to construct a building, valued at $41,612, and install equipment, valued at $13,000. The curling club suffered damage estimated at $5,400 as a result of the March 1964 earthquake and subsequently asked for and was granted a revised sublease to cover the term of their 20-year loan for repairs.

The present lease arrangement, then, is satisfactory insofar as it allows the city to provide minimal recreation facilities in an area of the city devoid of any other such facilities or property suitable for development. The Anchorage City Council and the parks and recreation board feel obliged to do more. If the city owned the property, several thousand dollars would be spent in landscaping and new equipment. Moreover, at least $10,000 would be invested in refurbishing the old Alaska Railroad employees' club building so that it could be used for community meetings, square dancing, and what have you.

Mr. President, I have been advised informally by officials of the Alaska Railroad they would be more than happy to turn this property over to the city for its recreation program if the Congress were to authorize it. The improvements to be made by the city would enhance the general appearance of the neighborhood in which it is located. More important, the many children who live in the area would greatly benefit from improvements to existing recreational facilities. With ownership of the property in the city long-range plans for the park could be made with additional benefits to the community.

When I stopped by this little park for a few moments one day last May, the grass in Anchorage was just beginning to turn green and the trees were showing small leaves. The sun was delightfully warm and that playground looked mighty inviting. It took a great deal of will power to pull myself away and return to the day's busy schedule. There was potential for a first-rate recreation area, I could see that. On the way down Government Hill I hoped I could convince my colleagues back here in the Senate and the House that the bill I would introduce was important and would mean much to those people it affected.

Mr. President, today I introduce that bill and Alaska's junior Senator joins me. We hope our proposed legislation will be given due consideration and, of course, that it will be enacted.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 716) to authorize the Secretary of the Interior to convey certain land to the city of Anchorage, Alaska, introduced by Mr. Bartlett (for himself and Mr. Gruening), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 716

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to convey to the city of Anchorage, Alaska, all the right, title, and interest of the United States in and to the tract described in section 2 of this Act, and the improvements thereon.

Sec. 2. The tract to be conveyed under the first section of this Act is a parcel of land lying within the Alaska Railroad Terminal Reserve at Anchorage, Alaska, adjacent to the north addition to the Anchorage townsite and is more specifically described as follows:

Beginning at corner 7 of United States survey 3047; thence north 61 degrees 11 minutes 30 seconds east, 240.73 feet; thence south 28 degrees 48 minutes 30 seconds east, 91.94 feet; thence south 74 degrees 24 minutes east, 86.31 feet; thence south 15 degrees 36 minutes west, 384.37 feet; thence south 46 degrees 36 minutes west, 161.91 feet; thence south 74 degrees 41 minutes 35 seconds west, 161.63 feet; thence north 70 degrees 31 minutes 30 seconds west, 179.23 feet; thence north 19 degrees 28 minutes 30 second east, 431.35 feet; thence north 54 degrees 28 minutes 30 seconds east, 78.27 feet, more or less, to the point of beginning, containing approximately 4.70 acres.

Sec. 3. The conveyance made under this Act shall be without monetary consideration, but subject to the provision that if at any time after the lands are conveyed by the Secretary of the Interior, the city of Anchorage attempts to transfer title to or control over the tract to another, or the tract is devoted, in whole or in part, to other than recreational or public purposes, without the consent of the Secretary of the Interior, title to the tract automatically shall revert to the United States. The acceptance of any instrument of conveyance under this Act by the city of Anchorage shall constitute an agreement by the city that a determination of the Secretary of the Interior that a breach of the requirements of this section has occurred shall be conclusive with respect to the necessary facts constituting such a breach.

Sec. 4. The conveyance authorized by the Act shall be made subject to the terms and conditions contained in the sublease of the Anchorage Curling Club, Incorporated, dated September 15, 1964.

DEFERMENT OF CERTAIN POLICE OFFICERS UNDER UNIVERSAL MILITARY TRAINING AND SERVICE ACT

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Texas [Mr. Tower], I introduce, for appropriate reference, a bill to amend the Universal Military Training and Service Act, as amended, in order to provide for the deferment of police officers of States, and subdivisions thereof, from training and service under such act. I ask unanimous consent that the statement prepared by Senator Tower, together with his request that the bill be printed in the Record and held at the desk for additional cosponsors, be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the Record and held at the desk, as requested.

The bill (S. 718) to amend the Universal Military Training and Service Act, as amended, in order to provide for the deferment of police officers of States, and subdivisions thereof, from training and service under such act, introduced by Mr. Dirksen, for Mr. Tower, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the Record, as follows:

S. 718

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6(f) of the Universal Military Training and Service Act, as amended (50 App. 456 (f)), is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following: "and in order to avoid undue disruption of the law enforcement agencies of the several States, territories, possessions, and the District of Columbia, and the subdivisions of the States, police officers thereof shall be deferred from training and service under this title to the extent provided in regulations prescribed by the President.".

The statement prepared by Senator Tower is as follows:

Statement by Senator Tower

It is my sincere hope that this 90th Congress will take the necessary steps to deal with the mounting violence and crime which beset our cities and even towns. To this end, I am introducing legislation granting draft deferment to law enforcement officers.

As we all know, some of our nation's greatest cities are now experiencing great difficulty in curtailing crime. Maintenance of order, protection from violence, enforcement of laws, these are the very most fundamental functions of government. Yet the statistics show a steep upward trend in the yearly number of criminal incidents.

One increasing problem is that of obtaining law enforcement personnel. Physically qualified and competent men are simply not always available in the necessary quantities and at salaries which are available for law enforcement work. Recruiting is in many places virtually at a standstill in the face of mounting criminal activity. The competitive labor market and the budgetary restrictions of our city governments along with our increased armed forces personnel requirement add to the problem.

Accordingly, I am introducing legislation to amend the Universal Military Training and Service Act to provide draft deferment for police officers. This bill would grant broad authority and instruction to provide draft deferral status "in order to avoid undue disruption of the law enforcement agencies."

The Law Enforcement Act we passed in 1965 will do much to alleviate our problems in this area, but it has no effect on the problem of recruiting personnel—certainly the most pressing problem confronting police agencies today.

I ask that the bill be printed at this point in the Record and held at the desk one week for cosponsors.

TWO ADDITIONAL MEMBERS FOR EQUAL EMPLOYMENT OPPORTUNITY COMMISSION—PROBLEMS OF ALL GROUPS OF WORKERS

Mr. DIRKSEN. Mr. President, at the request of the Senator from Texas [Mr. Tower], I introduce a bill and submit a concurrent resolution relative to the Equal Employment Opportunities Commission. I ask unanimous consent that a statement prepared by the Senator from Texas, together with his request that these measures be held at the desk be printed in the Record.

The PRESIDING OFFICER. The bill and concurrent resolution will be received and appropriately referred; and, without objection, they will be held at the desk, as requested by the Senator from Texas, and printed in the Record.

The bill (S. 719) to amend section 705 of the Civil Rights Act of 1964 in order to increase the membership of the Equal Employment Opportunity Commission from five members to seven members, and for other purposes, introduced by Mr. Dirksen, for Mr. Tower, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 719

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (a) of section 704 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–4(a)) is amended as follows:

(1) In the first sentence thereof (A) strike out "five" and insert "seven", and (B) strike out "three" and insert "four".

(2) In the second sentence thereof (A) immediately after "members" insert "first taking office on June 1, 1965,", and (B) immediately after "title," insert "and one of the original members first taking office after June 1, 1965, shall be appointed for a term of three years and one for a term of five years, beginning from the date of enactment of the Equal Employment Opportunity Commission Amendments of 1967,".

(3) Between the second and third sentences thereof insert the following new sentence: "In making appointments to the Commission, the President shall give due consideration, among other reasonable factors, to whether there is maximum feasible representation provided among the membership of the Commission for persons of all the various groups throughout our Nation without regard to race, color, religion, sex, or national origin.".

(b) Subsection (b) of section 705 of the Civil Rights Act of 1964 (42 U.S.C. 200e–4(b)) is amended by striking out "three" and inserting "four".

Sec. 2. Members of the Equal Employment Opportunity Commission appointed to hold either of the two additional offices created by the amendments to the Civil Rights Act of 1964 made by the first section of this Act shall receive compensation at the same rate authorized for other members of the Equal Employment Opportunity Commission, not including the Chairman thereof.

Sec. 3. This Act may be cited as the "Equal Employment Opportunity Commission Amendments of 1967".

The concurrent resolution (S. Con. Res. 8), submitted by Mr. Dirksen, for Mr. Tower, was referred to the Committee on Labor and Public Welfare, as follows:

S. Con. Res. 8

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that, insofar as practicable, the persons serving as members of the Equal Employment Opportunity Commission should be qualified to understand and assess the nature of the employment problems of all groups of workers throughout our Nation, including, but not limited to, such major minority groups as Americans of Mexican and Latin heritage and ancestry, and that in order to achieve this goal the President, in making subsequent appointments of members of the Equal Employment Opportunity Commission as the result of vacancies thereon or an expansion of the membership thereof, should give due consideration, among other reasonable factors, to whether there is maximum feasible representation provided among the membership of the Commission for persons of all the various groups throughout our Nation without regard to race, color, religion, sex, or national origin.

The statement presented by Mr. Dirksen (for Mr. Tower) is as follows:

Statement by Senator Tower

In the last Congress I introduced a bill, S. 3307, to amend the Civil Rights Act of 1964 to provide for the appointment of an additional two members to the Equal Employment Opportunity Commission from five to seven.

In conjunction with this bill, I also introduced Senate Concurrent Resolution 97 expressing the sense of Congress that the employment problems of Americans of Latin and Mexican heritage should be given due consideration, as well as all minority groups. I wish to again introduce these measures.

I was prompted to introduce this legislation due to the peculiar employment problems of workers of Latin American descent. On the part of the EEOC, I do not believe that proper attention has been paid certain minority problems and I was hopeful that such Congressional direction would prove beneficial.

The purpose of increasing the membership was to provide the President with the opportunity to appoint persons to the board who have particular understanding of the problems of workers of Latin heritage.

The needs of Latin American descendents in this country are real. They have received too little encouragement in dealing with their problems. I am hopeful the Senate will take this situation into account and give serious consideration to these proposals.

I ask that these measures be printed at this point in the Record and that these measures lie on the table for 10 days for cosponsorship.

DRUG LABEL COMPENDIUM

Mr. NELSON. Mr. President, I introduce for appropriate reference, a bill to have a Drug Label Compendium, or Blue Book on Drugs, to be published regularly by the FDA.

Medical care for the aged, which became law during the past Congress, has not only enabled large numbers of our fellow citizens to obtain proper medical care at reasonable cost to themselves but has also confronted us with the proposition that every American of every income group and every social condition is entitled to the best medical care possible.

This principle that every person, independent of his means, has a right to the most efficient and scientifically advanced medical care has gradually been accepted by our citizens as one of their basic rights.

However, this basic right to the best and scientifically most advanced medical care is only too frequently impeded by practical difficulties. One of these difficulties, which is a major obstacle to the advances in medical practice, is the problem of medical information. As the Members of this body are aware, the Food and Drug Administration is charged with the responsibility of passing on the efficacy and safety of the 3,000 drugs which are now used by the medical profession. This indeed is an enormous task. But it is made even more difficult by the circumstance that at this moment the FDA has no means of getting information on the drugs passed by it to the practicing physician, the hospital, or the social welfare agency concerned with medical care.

Modern drugs are becoming increasingly sophisticated. Of the drugs now used in medical practice, some 90 percent were not even known a decade or so ago. The more sophisticated and potent a drug becomes, the more likely are the problems of side effects, adverse reactions, and contraindications. This is in the nature of the situation. It is impossible to visualize a drug that has any kind of efficacy without also having the potentiality of danger when used either for the wrong conditions or under the wrong circumstances or in the wrong doses. The only information available on these contraindications, warnings, and side effects is that contained in the labeling approved by the Food and Drug Administration after their careful consideration of all factors involved in the drug.

The problem, however, is that the labeling rarely gets into the hands of the physician, the hospital, or the social service agency dealing with medical care of all age groups. The U.S. Pharmacopeia and the National Official Formulary both are private publications which list basic drugs, brand names and official names, and their component parts but give no indication of their use, dangers, contraindications, side effects, or doses. They are thus of value only to the pharmacist and not to the practicing physician. The Physicians' Desk Reference, also a private publication, merely is a compilation of the advertising of the pharmaceutical firms producing the various drugs, and it is thus not an objective statement—contrary to the impression which many doctors have of this publication.

I believe it is therefore essential that the Food and Drug Administration be required to publish periodically a U.S. Drug Label Compendium or Blue Book of Drugs which will list all drugs, both official and proprietary, for the guidance of the medical profession, not only at the physician level but also for institutional purchasing which under the various medical care programs is certainly going to increase substantially in years to come.

The proposed legislation as it is drawn up now does not imply that such a Drug Label Compendium would be an undertaking expensive to the U.S. Government. Indeed, it is proposed that such a Drug Label Compendium would be paid for out of a revolving fund. Such a revolving fund would imply an initial U.S. expenditure of $1.2 million, and a fee would be charged for each new drug application made to the Food and Drug Administration. At the same time, provisions are made in this bill to empower the Secretary of Health, Education, and Welfare to give permission to the makers of drugs to omit packaging inserts and other information from the drugs at the point of shipping. These packaging inserts, which are a financial and technical burden to the drug manufacturers, in fact have proved to be less than useful in most cases, since they rarely get to the physician and even are more rarely read once before they get to the physician. The omission of these package inserts will save the drug manufacturer substantially greater amounts than those which they are required to pay for new drug application under the new statute.

Thus the initial appropriation of $1.2 million to get this undertaking underway does not in any fashion imply, nor is it intended to imply, any future appropriation on this project, which is of substantial importance to the practice of medicine today.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks, and that the bill lie on the desk until Friday of this week for additional cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Wisconsin.

The bill (S. 720) to amend the Federal Food, Drug, and Cosmetic Act, as amended, in order to provide for the publishing of a U.S. Drug Compendium, and for other purposes, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 720

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 321(g)(1)), is amended by striking out "or official National Formulary" and inserting in lieu thereof "official National Formulary, or United States Drug Label Compendium".

(b) Section 201(j) of such Act, as amended (21 U.S.C. 321(j)), is amended by inserting immediately after "official National Formulary," the following: "or United States Drug Label Compendium,".

SEC. 2. Section 503(a) of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 353), is amended to read as follows:

"(a) The Secretary is hereby directed to promulgate regulations exempting from any labeling or packaging requirement, including any packaging insert requirement, of this Act drugs or devices which are, in accordance with the practice of the trade, to be processed, labeled, or repacked in substantial quantities at establishments other than those where they were originally processed or packed, or which have been listed in the United States Drug Label Compendium, on condition that such drugs or devices are not adulterated or misbranded, under the provisions of this Act upon removal from such processing, labeling, or repacking establishment."

SEC. 3. Section 505 of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 355), is amended by adding at the end thereof a new subsection as follows:

"(k) (1) To aid in the administration of this Act, provide accurate information on new drugs for health agencies of the Federal, State, local, and foreign governments, and to enhance the practice of medicine generally, the Secretary shall publish a United States Drug Label Compendium. Such compendium shall list all new drugs which have been approved for marketing and shall list such drugs by their official names. Such compendium shall also include the text of the required labels for all such new drugs.

"(2) The Secretary shall publish the United States Drug Label Compendium not less frequently than once a year, with periodic updating not less frequently than four times a year.

"(3) Within three months after the enactment of this paragraph, the Secretary shall appoint an advisory committee, consisting of six persons qualified in the pharmaceutical field, at least two of whom shall be physicians duly licensed to practice under the applicable statutes of any of the States. It shall be the function of such advisory committee to advise the Secretary periodically on matters pertaining to the publication of the United States Drug Label Compendium.

"(4) The Secretary is authorized, whenever funds have been appropriated for such purpose, to establish a revolving fund which shall be used for the purpose of publishing the United States Drug Label Compendium each year (and the periodic updating thereof).

"(5) The Secretary shall require that any person making application with respect to any new drug pursuant to the provisions of subsections (a) and (b) of section 505 of this Act shall pay to the Secretary a fee of not less than $75 for each new drug application and a fee of not less than $25 for each new drug supplemental filed with the Secretary. Such fees, when collected, shall be credited to the revolving fund established pursuant to paragraph (4) of this subsection."

DEVELOPMENT OF TEACHER AID PROGRAMS

Mr. NELSON. Mr. President, I send to the desk a bill for myself and Senators PELL, MUSKIE, MONDALE, and CLARK, to encourage the development of teacher aid programs in the schools of the Nation.

I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

Mr. NELSON. Mr. President, I ask unanimous consent that at the conclusion of my remarks, a sampling of letters that I have received on this proposal for teachers—mainly from the State of Wisconsin and some from elsewhere—be printed in the RECORD immediately after the conclusion of my remarks. I ask that the bill be printed after the printing of these letters.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. NELSON. Mr. President, I have sent to the desk, for appropriate referral to committee, a bill for the creation and implementation of a nationwide teacher aid program. This proposed legislation would be a major step toward relieving the burdens of the elementary and secondary classroom teacher through the utilization of teacher aid, personnel qualified to perform clerical and monitorial tasks now required of teachers and, under the supervision of certified teachers, to assist children in need of additional instruction and attention.

Before describing the particular provisions of this bill, it would be of value to discuss the problems of teacher recruitment faced today in the United States, and to understand the problems we hope to solve.

Three out of each 10 Americans are enrolled in school, at a current annual cost of $50 billion. They are taught by over 2,800,000 teachers in elementary and secondary schools, colleges, and universities throughout the United States.

And the number of students is growing. In the fall of 1966, 43 million students were enrolled in the Nation's elementary and secondary public schools. Since last year enrollment has risen 2.6 percent. Yet an estimated 1 million students will become dropouts during this academic year.

Eleven million American adults have not completed the sixth grade and 3 million are totally illiterate.

Despite the mammoth efforts made by Government and educators, students returning to school this fall were met with a national teacher shortage of 72,500.

It is estimated that in the school year beginning in September 1967 the Nation's elementary and secondary schools will require 232,400 new teachers, while only 63,100 new teachers are expected to graduate from college in 1966, leaving a shortage of 169,300. By 1975 we will need an additional 390,000 teachers in elementary and secondary schools.

A serious teacher shortage is affecting a number of States throughout the Nation. New York City, which employs one-third of the State's teachers was short 12,000 teachers this fall. Chicago had 600 vacancies in slum areas, the sections where the need for decent education is most desperate. Ohio experienced a 12.2-percent increase in resignations among its teachers. Across the Nation, with few exceptions, the situation is the same.

The reasons for this shortage are many.

A career in industry proves more attractive to many young people than life in a schoolroom. This factor is directly related to the inadequate salaries we pay our teachers. A high school teacher of physics or chemistry stands to earn a starting salary of $2,000 a year less than his colleague in private industry, both having the same education and the same background.

The national average salary for a teacher stands today at $6,506. Top salaries in the public schools range from $4,220 in some Kentucky counties to $11,950 in New York City. Statewide averages vary from $8,600 in California to $4,300 in Mississippi.

Community colleges and junior colleges attract many high school teachers. The pay is higher and the prestige greater for a college teacher. Junior colleges employ 65,000 teachers today as compared to 26,000 only 5 years ago.

It is clear that a major effort must be made to retain teachers now employed and to attract imaginative and dedicated new young people to the teaching profession.

Teachers are alone among professional people in the volume of nonprofessional work they are required to do. Patrolling school grounds before and after the schoolday and during recess, supervising cafeterias during lunch hour, standing watch in corridors between periods, distributing and collecting materials as well as other clerical jobs, are but few of the cumbersome tasks required of today's teacher. The teacher's job has become loaded down with nonteaching duties.

Teachers must continue to follow new developments in their fields. A letter to me signed by a group of some 20 schoolteachers from Madison, Wis., listed the duties they must perform, in addition to teaching:

1. Supervising the lunchroom.
2. Itemizing monthly lunch bills for each pupil.
3. Supervising the playground during the noon hour.
4. Collecting lunch money.
5. Collecting savings stamp money.
6. Collecting photograph money.
7. Selling tickets for school events.
8. Collecting P.T.A. dues.
9. Pre-school supervision (due to bus schedule).
10. Post-school supervision (due to bus schedule).
11. Daily, quarterly, yearly attendance reports.
12. Yearbook orders and collecting money.
13. Checking standardized tests.
14. Playground recess duty.
15. Typing dittos.
16. Preparing duplicated materials.

The added responsibility of performing tedious nonteaching tasks has a greater effect than merely being time consuming.

The teacher's image as a professional person is tarnished and his morale is adversely affected. The years of study and intensive training teachers undergo result not only in inadequate salaries but in relegation to menial tasks that his fellow professionals, lawyers, technicians, and scientists do not have to do.

An idealistic, highly motivated young person can hardly be faulted for his reluctance to embark on a teaching career. In recent years, 1 million persons have left the teaching profession.

The children are also victimized by this system. How can a teacher, so immersed in trivia, give proper attention and counsel to his students?

President Kennedy said:

> Our progress as a nation can be no swifter than our progress in education. The human mind is our fundamental resource.

The educational crisis facing our Nation must be met with new and imaginative ideas. The problems created by modern society and technology are new and so must the solutions be new. Old patterns of thought and policy must be replaced when circumstances prove them outmoded.

The National Teacher Corps, sponsored by Senator EDWARD KENNEDY and myself, was a device to afford the educationally disadvantaged slum child an opportunity to receive the increased instruction and attention he so desperately needs. The Teacher Corps also attracts dedicated idealistic young people into the teaching profession.

The utilization of teacher aides can be a valuable tool in reshaping the professional image of the teacher.

There are large numbers of talented, conscientious housewives and other personnel able to spend part or all of the school day at work.

These people, some having college credits and others even possessing degrees will play a valuable role in their local educational system.

Three categories of aids may be drawn:

School aids—who would assist with general noninstructional school activities.

Clerical aids—who would assist with the mechanical tasks in libraries, school offices and other locations.

Classroom aids—persons qualified to work under the supervision of a teacher in the classroom in supervisory pupil activities.

The list of specific tasks, now performed by teachers, that could be done by aids is convincing evidence of the trivia now burdening our teachers. A sampling of these jobs include:

First. Patrolling school corridors and grounds between periods and during recess.

Second. Monitoring lunch rooms.

Third. Routine room duties, housekeeping.

Fourth. Record attendance.

Fifth. Keep milk records.

Sixth. Correct objective tests and drill exercises.

Seventh. Distribute supplies.

Eighth. File records.

Ninth. Type study help.

Tenth. Assist with reports—cumulative records.

Eleventh. Errands and phone calls.

Twelfth. Assist with clothes, boots, and so forth.

Thirteenth. Read stories.

Fourteenth. Assist in supervision of activities.

Fifteenth. Qualified personnel would help children in need of individual attention and instruction, under the supervision of qualified teachers.

Their first partial list of jobs need not be limited to these tasks alone. Local school administrators, principals, and teachers can best determine the capacity in which teacher aids can serve.

Teacher aid projects are now underway in many school districts throughout the country. Under title I of the Elementary and Secondary Education Act approximately 6,000 school districts have employed aids in their disadvantaged neighborhoods.

In Wisconsin 340 aids are now employed under title I and other programs. Almost 55,000 are employed in the United States.

Eleven pilot projects in this field were conducted by Bank Street College of Education in New York City last summer. They were financed under a grant from the Office of Economic Opportunity. Four additional projects are currently underway.

Auxiliary personnel trainees included low-income whites in Appalachia and Negroes and Puerto Ricans in East Harlem, Mexican-Americans in California and residents of the slums of Detroit. The detailed, in-depth report of these trainees' experiences has not yet been published but it was immediately apparent that many benefits would be realized by both educator and trainee alike.

Other projects implementing teacher aids have been developed by local school districts throughout the country.

It would be most sensible to coordinate the efforts being made under such programs as ESEA, MDTA, and OEO into one teacher aid program throughout the Nation, and to expand it.

The functions of the aids may vary substantially among the different communities, depending on the need.

One of the greatest difficulties middle-class teachers face when working in slum area schools is in the communication barrier standing between themselves and the students.

Residents of their neighborhood, trained to assist the teacher, can help the child become familiar with the ways of the school as well as help the teacher to better understand the student.

Parents of these slum school students can also develop a better relationship with school authorities through the aids.

This program will not be limited to only slum schools. All students will enjoy greater individual attention by teachers freed from clerical and monitorial duties.

The technical workings of the bill and machinery for the program's operation will insure that local control over the projects will be complete.

Applications for the teacher aid program will be filed jointly by the local educational agency and a local college or university who will conduct the preservice training course for the aids.

Teachers and principals of participating schools will attend these sessions and adequate inservice followup by the university will enable any difficulties in the program's operation to be discovered and resolved.

Events in the world of the 1960's move swiftly; how life will appear in the future we can but imagine.

Whether the United States shall continue to lead in the world of the 1970's and 1980's is dependent upon her schools.

A strong and vital system of public education will assure that America shall prosper. A weakened, inefficient American school system can bring comfort only to those who wish our Nation ill.

In maintaining an effective system of education we fulfill our responsibility to our children and to generations yet unborn.

I believe government and educators shall continue their outstanding cooperation in this endeavor.

None of the newly created and newly proposed education legislation can singly revamp the structure of education in the United States.

Together their impact will be felt and the revitalization of our educational system realized.

Mr. President, since I announced my intention to introduce the teacher aid program legislation, I have received many letters from teachers and school officials expressing their enthusiasm for this idea.

These letters, which I have asked to have printed in the RECORD, have come from my own State of Wisconsin and from several other States as well.

Teachers describe in the letters the burdens they now bear because of the mass nonteaching tasks they must perform. The teacher aid program would relieve them of these jobs and enable them to do what they were trained to do—to teach.

I ask unanimous consent that an article from the February issue of Grade Teacher entitled "Teacher Aids, How They Can Be of Real Help," be printed in the RECORD at the conclusion of my remarks. The article, written by Wayne Herman of the University of Maryland, College of Education, describes over 75 different tasks that could be performed by teacher aids.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

MADISON, WIS.,
December 12, 1966.

Senator GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: We have been discussing your proposal for teacher aides. Each year the list of our non-teaching responsibilities grows and so far there has been only one choice—quit teaching. We feel that our time should be spent planning, teaching, and evaluating.

Too much of our time is consumed by:

1. supervising the lunchroom
2. itemizing monthly lunch bills for each pupil
3. supervising the playground during the noon hour
4. collecting lunch money
5. collecting savings stamp money
6. collecting photograph money
7. selling tickets for school events
8. collecting P.T.A. dues
9. pre-school supervision (due to bus schedule)
10. post-school supervision (due to bus schedule)
11. daily, quarterly, yearly attendance reports
12. yearbook orders and collecting money
13. checking standardized tests
14. playground recess duty
15. typing dittos
16. preparing duplicated materials
17. collecting physical examination forms
18. indoor noon hour supervision every inclement day
19. cleaning the teachers' room
20. applying first aid
21. correspondence requesting materials
22. stapling
23. dusting the classroom

We are performing the job of accountants, clerical workers, nurses, policemen, janitors, and last—teachers.

No more time for correspondence—supervision begins. We are hoping for some help soon.

Sincerely yours,

Marcia Grant, Grace Feller, Mrs. Ruth Millin, Miss Else Solberg, Mrs. V. Hazelberg, Mrs. Lucille Setz, Mr. John R. Keyes, Miss Loretta Healy, Mrs. Frances Brown, Miss Helen Bon Durant, Mrs. Jean Kleckner, Miss Mary Linhardt, Miss Ruth Vegerus, Mrs. Sherry Mae Innes, Miss Annetta McLeod, Mrs. Sharon Matzinger, Mrs. Elsie Thompson, Mrs. Ione Uphoff, Mrs. Jean Hlavac.

MAYWOOD SCHOOL,
Monona, Wis., December 16, 1966.

SENATOR GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: Your proposal to initiate a teacher's aid program is a positive step forward in the educational field. For many years other professions have had an aid program so they could be more beneficial to society.

You have our support for this proposal. With aids, teachers can use their creative and specialized skills to a much better advantage.

Sincerely,

Sam Bahler, Cathie Swenson, Sharon Klein, Carolyn Manson, Kathleen Dorn, Lynda Bottle, Ethel West, Karen Kiessling, Jeannette Nelson, Elizabeth Williams, Gloria Lundquist, Kathleen Nelson, Susan Brockel, Richard Miggagaen, Wilma Reuter, Joyce Saueressig, Joyce Lilpi, Leone Helstad, Judy Van Ryzin, Jennie Seiberlich, Mary Ann Steckling, Jeanette Liska, Kathleen Haring.

MINNEAPOLIS PUBLIC SCHOOLS,
Minneapolis, Minn., January 13, 1967.

HON. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NELSON: I recently heard of your interest in a national teacher aide program. I want to assure you of our support for a program of this kind. Our experiences with teacher aides in the past 1½ years leads us to believe that the use of lay persons as teacher aides in the schools can provide a valuable service to the children of our nation's schools and to the teacher aides themselves.

I am taking the liberty of sending you a copy of the research of our 1965–66 teacher aide program. I would like to offer my assistance in any way to promote this program.

Sincerely,

FREDRICK V. HAYEN,
Consultant.

BOARD OF EDUCATION,
Norwalk, Conn., January 18, 1967.

Senator GAYLORD NELSON,
U.S. Congress,
Washington, D.C.

DEAR SENATOR NELSON: It was with great interest that I read in the periodical *Nation's Schools* that you have plans to introduce a National Teacher Aide Program. This article also mentions that there would be two facets to your proposed legislation. One would concern itself with training college graduates to work with pupils in the classroom. The second would be concerned with training persons who have less education, to take over many non-teaching chores such as monitoring study halls and performing paper work.

I would like to take this opportunity to congratulate you on trying to bring to the nation's public schools the need that we in Norwalk have recognized for many years. We have worked with Teacher Aides, almost all of them without college training, in a diversified and large area. The main purpose that I am writing this letter, is to hope that the legislation would be broad enough so that the Teacher Aides who do not have college education are not confined or restricted to a given or set number of tasks. We have found that they can perform many tasks that at first we didn't realize could be done by a nonprofessional.

I am taking the liberty of sending a copy of our outline in which we train aides, to show you some of the different areas covered by our work. If in any way we at the Norwalk Schools can be of any help in supplying information please feel free to call upon us.

Sincerely yours,

MILTON WARTENBERG,
Director of Curriculum.

MADISON, WIS.,
December 8, 1966.

Senator GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: I was elated to read in the Capital Times that you are sponsoring a bill for teacher aides!

It is true that many teachers leave the profession because of the non-teaching tasks. Each year the list of such tasks becomes longer.

I will be eagerly watching to see the outcome of your bill. For the sake of better teaching I do hope you succeed.

Sincerely,

MISS ELSE SOLBERG.

MONONA GROVE,
EDUCATION ASSOCIATION,
Madison, Wis., December 9, 1966.

Senator GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: What can we do to help get the support necessary to see your proposal for a national teacher aide program adopted by the next Congress? Is there any hope in the face of the current mood for curtailing everything in the budget not directed toward Vietnam? Many, many teachers have felt all along that there is more need for personnel than for all the new gadgets that we don't have time to use properly.

The morning the news about your proposal appeared in the *State Journal* one of the elementary teachers in our Monona Grove system called at 7:45 to ask whether I had seen the item and if we couldn't do something to show our strong support. If there is anything you think the Monona Grove Education Association can do, please let us know.

Yours very truly,

JANE E. BJORKLUND,
Chairman, Legislative Committee.

MADISON PUBLIC SCHOOLS,
Madison, Wis., December 15, 1966.

Hon. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NELSON: It was gratifying to me to learn of your proposal to introduce legislation which would create "a national teacher aide program" designed to relieve the classroom teachers of many non-teaching duties. Such a program, I am certain would be welcomed by most school administrators. Legislation of this type is highly desirable and essential especially if school systems are to be able to provide a quality educational program in the face of a limited supply of classroom teachers. I am sure I need not remind you that most school systems throughout the nation had a difficult time filling their teaching vacancies for the 1966–67 school year. A program such as you propose would be a valuable assist to school administrators in obtaining maximum use of the professional talents of the available classroom teachers.

Equally critical, however, is your concern for relief of the property owner from the overburdened property tax. I share this concern with you as do most other school administrators.

Fiscal dependence of a school district upon the property tax as a major source of its revenue becomes more critical with each passing year. The mere fact that the impact upon the property owners increases each year poses a potential threat to the quality of the educational program in many school districts. Increasing demands of educational programs, cost of supplies, salary increases, and rising building costs portend even greater financial needs for schools in the future. The limitations of the present school revenue sources makes it increasingly difficult each year to provide the youth of today with the kind and quality of education which will be required to live in a world which becomes smaller, more complex and more interdependent each day.

Local economy measures to relieve the overburdened property owner appear limited especially since the number of public agencies competing for available public funds appears to be increasing each year. Relief of the property owner at the expense of the school system at the local level would only result in an unhealthy crowding of classrooms, increased pupil-teacher ratios, and the lowering of our present standards of instruction. A continuing increase of the financial burden placed upon the property owners does not appear feasible nor completely fair since property ownership is not necessarily a measure of taxpaying ability. This is especially true of property owners who must live on low incomes or well earned and deserved fixed pensions.

I am aware that the positive and negative aspects of this question are so intermixed and that local conditions vary so much throughout the nation that no simple formula can be prescribed. However, it appears to me that the most profitable and workable solution can only be attained through joint action of federal, state and local governmental agencies. I support wholeheartedly your proposal to seek legislation which would strengthen and expand the financial resources of the state and the communities and would bring some measure of relief for the property owner.

Sincerely,

ROBERT D. GILBERTS,
Superintendent.

LADYSMITH HIGH SCHOOL,
Ladysmith, Wis., December 29, 1966.

Senator GAYLORD NELSON,
U.S. Senate Office Building,
Washington, D.C.

DEAR SENATOR: As a teacher with ten years of experience I was more than gratified to read about your speech before the National Committee for Support of the Public Schools in which you proposed a national teacher's aid program.

If only parents and the general public would realize how much they are paying highly trained people to perform routine clerical tasks while they should be teaching, they would be appalled. The average businessman could not survive using his highly skilled people in this way. Yet our schools continue to do so year after year.

I have invested five years of my life and a great deal of money preparing for my chosen profession. Now I would appreciate very much being given the opportunity "to teach" instead of being relegated to the status of a highly paid clerk.

Your proposal would be a great step in this direction.

Sincerely,

DONALD R. RUBOW,
Teacher.

EXHIBIT 2

[From Grade Teacher, February 1967]

TEACHER AIDES: HOW THEY CAN BE OF REAL HELP

(Using a helper effectively is not as simple as it may seem. Here are suggestions for tasks that can ease the teacher's load without conflicting with basic instruction.)

(By Wayne L. Herman, College of Education, University of Maryland)

One of the problems that increasing numbers of teachers and principals have to face when funds become available for teacher aides is: "Now that we have the aides, what are we going to do with them?"

This isn't as humorous as it may seem. The fact is, there is very little advice available on just how teacher aides can be worked into an efficient and productive classroom routine. I know because I have been asked the question many times and have attempted to find sources of helpful information without much luck. As a result, I have done considerable research on my own and have come up with a list of possible duties that may be useful to those blessed with an aide for the first time.

Because every school system has its own policy regarding the functions of aides, and because personnel qualifications vary widely, the following list is intended only to offer suggestions. No one school will employ aides in all of the capacities mentioned, but all of them are functions that have been tried and found successful at one school or another around the country. For convenience in separating basic duties, the list is divided into two parts—one for routine jobs requiring no instructional skills, and one for more advanced duties involving some instructional responsibility.

NON-INSTRUCTIONAL FUNCTIONS

1. Collecting lunch and milk money.
2. Collecting supplementary books and materials for instruction.
3. Collecting and displaying pictures, objects, realia, and models.
4. Collecting money for charity drives, pupil pictures, trips. etc.
5. Correcting standardized and informal tests and preparing pupil profiles and scattergrams.
6. Correcting homework and workbooks; noting and reporting weak areas.
7. Proofreading class newspaper.
8. Ordering and returning films, filmstrips, and other A-V materials.
9. Telephoning parents about routine matters.
10. Filing correspondence and other reports in children's records.
11. Distributing books and supplies to children.
12. Distributing and collecting specific materials for lessons, such as writing paper, art paper, and supplies.
13. Procuring, setting up, operating, and returning instructional equipment.
14. Requisitioning supplies.
15. Building up resource collections.
16. Sending for free and inexpensive materials.
17. Obtaining special materials for science or other projects.
18. Completing necessary records and bringing other information up to date for cumulative records.
19. Keeping attendance records.
20. Entering evaluative marks in the teacher's marking book.
21. Averaging academic marks and preparing report cards.
22. Completing school and county reports.
23. Keeping records of books children have read.
24. Supervising the playground, cafeteria, and loading and unloading of buses.
25. Supervising the classroom when the teacher has to leave it.
26. Arranging and supervising indoor games on rainy days.
27. Preparing and supervising work areas, such as mixing paints, putting drop-cloths down, arranging materials for accessibility, etc.
28. Supervising cleanup time.
29. Organizing and supervising the intramural athletic program.
30. Accounting for and inventorying nonconsumable classroom stock: books, textbooks, dictionaries, reference books, athletic gear, etc.
31. Checking out books in central library and other supervisory duties.
32. Managing room libraries.
33. Supervising seatwork.
34. Typing teacher correspondence to parents.
35. Typing and duplicating mass communications.
36. Typing, duplicating, and collating instructional materials.
37. Typing and duplicating the class newspaper.
38. Typing and duplicating children's writings and other work.
39. Typing and duplicating scripts for plays and skits.
40. Making arrangements for field trips, collecting parental permission forms, etc.
41. Keeping and maintaining a folder of representative work for each pupil.
42. Telephoning and making arrangements for special classroom resource speakers.
43. Displaying pupil work.
44. Attending to housekeeping chores.
45. Helping with children's clothing.
46. Setting up and maintaining controls on seating arangements.
47. Routine weighing, measuring, and eye testing (by chart).
48. Administering first aid and taking care of sick and hurt children, telephoning parents to pick up a sick or hurt child, taking home a child who does not have a telephone.
49. Taking an injured child to a doctor or hospital.
50. Telephoning parents of absent children.
51. Telephoning parents to verify notes requesting that children leave school early.

SEMI-INSTRUCTIONAL FUNCTIONS

1. Conferring with other teachers and the principal about specific children.
2. Interviewing children with specific problems.
3. Observing child behavior and writing reports.
4. Preparing informal tests and other evaluative instruments.
5. Preparing instructional materials: cutouts, master copies, flannel board materials, science materials, social studies displays, concrete teaching aids for arithmetic, etc.
6. Arranging bulletin board displays for teaching purposes, such as flow charts.
7. Arranging interesting and inviting corners for learning: science or recreational reading areas, investigative areas.
8. Keeping bulletin boards current.
9. Preparing introductions to A-V materials that give children background for veiwing them.
10. Developing techniques and materials to meet individual differences, such as rewriting reading materials down for less-able readers, developing study guides, taping reading assignments for less-able readers.
11. Supervising club meetings.
12. Supervising seatwork calling for some judgment.
13. Supervising committees engaged in painting murals, constructing, researching, or experimenting.
14. Teaching a part of the class about a simple understanding, skill, or appreciation.
15. Teaching a small and temporary instructional group, such as on the use of the comma or overcoming slang.
16. Tutoring individual children: the bright or the less able.
17. Reviewing, summarizing, or evaluating learnings.
18. Teaching children who missed instruction because they were out of the room for remedial reading or speech therapy; repeating assignments.
19. Helping pupils who were absent to get caught up with the rest of the class in content, skills, appreciations.
20. Assisting children with their compositions and other writings: spelling, punctuation, and grammer assistance.
21. Listening to oral reading by children.
22. Instructing children on the proper use and safety of tools.

23. Settling pupil disputes and fights.
24. Teaching good manners.
25. Contributing one's talents in art, dramatics, music, crafts, etc.
26. Reading and storytelling.
27. Helping with the preparations of auditorium plays and programs.
28. Previewing films and other A-V materials.

The bill (S. 721) to encourage the development of teacher aid programs in the schools of the Nation, introduced by Mr. NELSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 721

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Teacher Aid Program Support Act of 1967".

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. There are authorized to be appropriated $50,000,000 for the fiscal year ending June 30, 1968, $100,000,000 for the fiscal year ending June 30, 1969, and $150,000,000 each for the fiscal year ending June 30, 1970, and for the two succeeding fiscal years, to enable the Commissioner of Education to make grants to local educational agencies and institutions of higher education to assist them in carrying out projects for the development of teacher aid programs provided for in applications approved under this Act.

APPROVAL OF PROJECT APPLICATIONS

SEC. 3. (a) The Commissioner may approve an application for a project under this Act only if the application is submitted jointly by a local educational agency and an institution of higher education and if he determines that—

(1) the project is designed to provide a combined program of training and experience to prepare persons to serve as teacher aids in preschool and elementary and secondary education programs;

(2) the project is part of a comprehensive program for improved utilization of educational personnel in schools where the teacher aids are to serve;

(3) the project is designed to provide more individualized attention for students and to relieve teachers and other professional staff of functions which can be performed competently by teacher aids under the supervision of professional staff;

(4) the institution of higher education participating in the project will undertake to provide preservice training programs to prepare persons to become teacher aids and to provide, to the extent practicable, preservice programs bringing together teacher aids and the teachers and other educational personnel who will be supervising them;

(5) the institution of higher education and the local educational agency participating in each project have satisfactory plans for maintaining cooperative arrangements throughout the three-year duration of the project in order to relate inservice and summer training programs to the work experience of the teacher aids in the schools;

(6) the local educational agency participating in a project has, prior to the filing of an application under this Act, submitted its plans to the State educational agency for review and has taken into account its recommendations in developing the proposal for the project; and

(7) the project is of sufficient scope and quality to provide reasonable assurance of making substantial improvements in the educational programs of the schools participating in the project.

(b) A school which has participated for a total of three years in an approved project receiving Federal payments under this Act shall not be eligible to participate thereafter in any further project assisted under this Act.

FEDERAL PAYMENTS

SEC. 4. (a) The Commissioner shall (in advance or otherwise) pay to the local educational agency and the institution of higher education jointly carrying out each project approved under this Act such portion of the costs of the project as each of the joint applicants incurs under the terms of the grant.

(b) For purposes of this section, the costs of the project covered by the Federal grant include all of the costs of training programs for teacher aids and for teachers and other professional staff members supervising teacher aids, including appropriate stipends; and the Federal grant shall cover not to exceed 75 per centum of the costs of the project attributable to compensation to be paid to teacher aids while serving in the programs of the schools of the local educational agency participating in the project. Federal payments toward the costs of the project may not cover any compensation for any teacher or professional staff member employed by the local educational agency.

APPORTIONMENT AMONG STATES

SEC. 5. From the sums appropriated to carry out this Act for each fiscal year, the Commissioner shall apportion to each State an amount which bears the same ratio to such sums as the number of children aged three to seventeen, inclusive, in the State bears to the number of such children in all the States. To the extent that it is determined by the Commissioner that the amount apportioned to any State will not be required for grants in that State, such amount shall be available for grants in other States able to use additional grants pursuant to this Act. Such amounts for any year shall be apportioned among such other States on the same basis as the original apportionment for such year.

DEFINITIONS

SEC. 6. As used in this Act—

(a) The term "teacher aid" means assistant to teachers, library aids, school recreation aids and other ancillary educational personnel who are under the supervision of professional members of the school staff, but the term does not include persons who are primarily responsible for the instruction of pupils.

(b) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(c) The term "institution of higher education" means an educational institution in any State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate, (2) is legally authorized within such State to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association approved by the Commissioner for this purpose or, if not so accredited, (A) is an institution with respect to which the Commissioner has determined that there is satisfactory assurance, considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards, and the purpose for which this determination is being made, that the institution will meet the accreditation standards of such an agency or association within a reasonable time, or (B) is an institution whose credits are accepted on transfer by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited. If the Commissioner determines that a particular category of such schools does not meet the requirements of clause (5) because there is no nationally recognized accrediting agency or association qualified to accredit schools in such category, he shall, pending the establishment of such an accrediting agency or association, appoint an advisory committee, composed of persons specially qualified to evaluate training provided by schools in such category, which shall (i) prescribe the standards of content, scope, and quality which must be met in order to qualify schools in such category to participate in teacher aid programs under this Act, and (ii) determine whether particular schools not meeting the requirements of clause (5) meet those standards. For purposes of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

(d) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

(e) The term "State" includes, in addition to the several States of the Union, the District of Columbia, Puerto Rico, Wake Island, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

FEDERAL CONTROL OF EDUCATION PROHIBITED

SEC. 7. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.

RAIL-HIGHWAY SAFETY LEGISLATION

Mr. McGOVERN. Mr. President, I introduce, for appropriate reference, a bill to promote rail-highway safety by requiring light reflecting markings on railroad locomotives and cars.

This measure is identical to one which I introduced in the latter part of the 89th Congress.

I am firmly convinced that many lives would be saved by using reflective paint on unlit railroad cars to make this equipment more readily visible at night, thus elminating the hazards of motor vehicles striking the sides of freight cars moving over rail-highway grade crossings. I have discussed this idea with officials of the Interstate Commerce Commission and they believe it has merit.

In light of the increased concern of the Congress and the American public for safety on our highways, I very much hope that action will be taken at an early date on this bill designed to save lives.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 723) to promote rail-highway safety by requiring light-reflecting markings on railroad locomotives and cars, introduced by Mr. McGovern, was received, read twice by its title, and referred to the Committee on Commerce.

AMENDMENT OF FAIR LABOR STANDARDS ACT OF 1938

Mr. DOMINICK. Mr. President, I send to the desk, for appropriate reference, a bill to amend the Fair Labor Standards Act of 1938. The bill I have just introduced would exclude certain State employees from coverage under the act who were included for the first time under the Fair Labor Standards Amendments of 1966. This bill is a very narrow bill and would remove from coverage State employees only.

If I may have the attention of my colleagues, I want to make a few statements on this bill, because I have a feeling that it may be one of the most important bills we shall be asked to consider. What has developed is that, without any testimony, without any hearing on this specific matter, without any consideration of the problems involved at all, under the fair labor standards amendments which we passed last year, State employees in schools and in hospitals in each of the 50 respective States have been made subject to the Fair Labor Standards Act by the Federal Government.

Since the inception of the act in 1938, State employees have been specifically exempted from coverage. Under the Fair Labor Standards Amendments of 1966 the Federal Government, in what I believe to be a wholly unprecedented action, has presumed to dictate the wage scales of State employees in State hospitals and schools.

In my judgment this is a disturbing precedent which has broad constitutional ramifications.

Let me make my position crystal clear in this matter. I would hope that every State pays its employees equal to or greater than the minimum wage required under the existing law. The wages paid an individual State employee are not in issue here. The question of who has the right to establish the wage scale for State employees is the only issue.

The inclusion of State employees under the Fair Labor Standards Act is a direct challenge to our Federal form of government. To me, it is a fundamental issue totally overlooked by Congress when the Fair Labor Standards Amendments of 1966 was before us last year.

If we let the Fair Labor Standards Amendments of 1966 stand as enacted, the extension of the philosophy embodied in that law can be projected forward into new areas, limited only by the imagination of the advocates of Federal control over all State functions. Once we permit the Federal Government to set the pay scale of State employees in State hospitals and schools, we open the door for similar encroachments in other areas of State employment. For example, it can be just as logically argued that the Federal Government has the power to set the minimum salary of State and local police. Once this is accomplished, it seems just as logical for Congress to then set the conditions of employment for these same local police. It does not end there. Why, under this philosophy, cannot we in Congress set the salaries of the State attorney general, Lieutenant Governor, and the Governor? Carrying this philosophy to its logical extreme, it is apparent that we have attempted to undermine the very basis of our federal form of government and have removed all vestige of State sovereignty. I am absolutely convinced that the power of Congress does not and should not be allowed to extend this far.

We are not here talking about the relationship of an employee and his obligation to pay Federal taxes, nor are we talking about a proprietary profit-making function of the State government. Instead, we are dealing with the very fundamental relationship between the Federal and State Government. We are dealing with the right of the Federal Government to make basic policy decisions concerning the fiscal policies of our State governments which goes right to the heart of the States taxing power and appropriations process and, which, in some instances, may even conflict with State constitutions. I am convinced that we have transcended the guarantee of the 10th amendment and are dealing with an area constitutionally reserved to the States. I frankly do not believe that the Congress intended to go this far.

The issue simply was not raised in the hearings or to any depth in the committee or on the Senate floor. I did not bring up the question of the advisability of including hospital employees under this measure, but I was not thinking at that time in terms of hospitals in which State employees were working.

To my knowledge, no witnesses were called on this issue who represented our State governments. No testimony was taken concerning the effect of this measure on State fiscal matters. It is significant to me that the original administration bill did not envision the extension of the act to State employees. In fact, under the act, the Secretary of Labor is required to give annual reports to the Congress concerning the extension of coverage under the Fair Labor Standards Act. In making his annual report, the Secretary recommended the extension of coverage to many new areas covering millions of new employees, but nowhere did the Secretary recommend inclusion of State employees. When the bill came over from the House, no further hearings were held by the committee; and instead, the committee relied on the hearings conducted on the administration bill.

I am convinced of the necessity of correcting this unwarranted extension of the Fair Labor Standards Act into an area clearly reserved to the States. I urge that the Labor and Public Works Committee give this matter detailed attention at the earliest possible time.

It is my understanding that there are at least two States that have already initiated suits to prevent the Federal Government's imposing its will on the States. It is my understanding that my own State of Colorado may file a suit in this area shortly. Two or three others are also thinking of filing suit. This is a matter of tremendous concern to those States and to the Governors of our States and to the basic question of the division of authority between the Federal Government and the States.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 727) to exclude certain State employees from the application of the Fair Labor Standards Act of 1938, introduced by Mr. Dominick (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

EXPANSION OF BEVERLY NATIONAL CEMETERY, BEVERLY, N.J.

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, a bill to provide for the expansion of the Beverly National Cemetery, Beverly, N.J. In reintroducing this bill, my primary interest is that those who served their country so willingly and courageously, when their country called upon them, shall be honored with a final resting place which befits the dignity with which they served.

There are 98 national cemeteries on U.S. soil, most of which came into being in the course of, or as a result of, the Civil War. Eighty-one of these cemeteries were established between 1862 and 1899, two of which were in New Jersey. According to the latest statistics, 30 of these cemeteries are now closed and 36 more will be closed by 1985.

Under a policy decree of the executive branch the national cemetery system is to be gradually closed out. The first major effect of this policy was felt with the closing of Beverly National Cemetery in February 1966. Beverly was the only remaining open national cemetery in New Jersey. It was placed in commission in 1864 and over 34,000 grave sites out of approximately 40,000 are already taken within its 65 acres. The remaining 6,000 are reserved plots. Though technically closed, burials still take place in these plots. Approximately seven out of every eight funerals accommodated by this facility were from outside the State of New Jersey, coming from Maryland, Delaware, Pennsylvania, New York, and some even as far as Georgia. As a result of such intensive use of these facilities, this cemetery is now closed because no more room is available.

The effect of closing Beverly means that a veteran or serviceman dying today cannot be buried in Beverly unless a site was reserved by him prior to 1961 or unless a deceased wife or child of his is already buried in Beverly. This effectively rules out the burial in Beverly of members of the Armed Forces killed in Vietnam.

It is still possible for a New Jersey veteran, who would be buried in Beverly if space were available, to be buried in a national cemetery. It will be necessary, however, for the burial to be made some distance from his home and family. As an example, the New Jersey veteran barred from Beverly could be buried in Arlington National Cemetery or in Long Island National Cemetery. Several dozen Vietnam dead have been refused burial in Beverly and over 500 veterans have been refused burial at Beverly.

Action must be taken to alleviate this situation. We should not let our national cemeteries fade from existence. Either we must adopt a responsible attitude toward the obligation of a great nation to its veterans, to which we have already committed ourselves, and provide this necessary additional space, or we must accept the alternative and tell our veterans that the privilege of burial in a national cemetery has been abrogated. I did not want the latter situation to be the case for the veterans of New Jersey. I therefore urge that the proposal I am introducing today be afforded serious consideration.

I ask unanimous consent to have the text of the bill printed in the Record following this statement.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 728) to provide for the expansion of the Beverly National Cemetery, Beverly, N.J., introduced by Mr. Williams of New Jersey, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 728

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army shall expand the Beverly National Cemetery, Beverly, New Jersey, to provide adequate burial space to accommodate probable needs through the year 1985, and shall provide for the future care and maintenance thereof. Land necessary to provide for the expansion required by this Act shall be acquired by donation, purchase, condemnation, or otherwise, and shall be contiguous to or in the vicinity of such cemetery.

TOCKS ISLAND

Mr. **WILLIAMS** of New Jersey. Mr. President, I introduce, for appropriate reference, a bill to facilitate land acquisition in the Tocks Island Recreation Area, formally known as the Delaware Water Gap National Recreation Area. A similar bill was introduced during the last weeks of the 89th Congress, and I am again joined in offering this bill by my colleagues Senators Clark and Scott, of Pennsylvania; Senators Javits and Kennedy, of New York; and Senator Case, of New Jersey. These Senators have worked together on the initial legislation which authorized this magnificent and much needed recreation area. The fact that we are again introducing this bill together demonstrates the deep concern that we feel at the problems which have arisen since September 1, 1965, when the legislation creating this recreation area became law.

The original Tocks Island legislation proposes purchasing the recreation area property, a planned total of 46,000 acres, over a period of years, ending in 1972. In 1959, the Army Corps of Engineers estimated that it would cost $19 million to purchase the park area. By 1965, when President Johnson signed the legislation, the estimate had risen to $37.4 million and property values have been rising steadily.

The major cause for this meteoric rise in land values in this area is land speculation. Land speculators are taking advantage of both the Government and the public by buying up land now which will eventually be bought by the Government. The land rush of these speculators has had the obvious result of forcing up land prices to excessive levels.

Mr. President, I should like to bring to the attention of my colleagues one example of this blatant exploitation of the public purse which occurred only days after the introduction of this bill in the 89th Congress. The August 28, 1966, issue of the Newark Sunday News carried an advertisement which was captioned: "How You Can Make Money at Blue Mountain Lakes," and further explained that:

> All of Blue Mt. Lakes is within the established boundaries of the Delaware Water Gap National Recreation Area. The U.S. Government, in an Act already approved by Congress, will acquire all lots and land not later than 1969. Persons purchasing land now may expect to earn a profit between their purchase price and the Fair market value *which the Government must pay at the time of acquisition.* Land prices have been going up throughout Sussex County and are expected to continue this upward trend.

This incredible action by real estate developer to promote sales within this much needed recreation area at the expense of the Nation's taxpayers must not be simply ignored. In 1965 alone, over 550 lots were bought for the sole purpose of developing these lots at the expense of the American taxpayer.

Last year, $6.3 million was appropriated for the purchase of land within the recreation area, and a substantial portion of these funds was used to acquire land in areas where development has taken place, with a view to slowing down the pace of land speculation. But this form of speculation has continued unabated. Both administration and congressional spokesmen have warned that if the speculation does not stop, the size of the recreation area may have to be cut to keep the cost within reason.

Mr. President, almost 30 million people live within 100 miles of Tocks Island; almost 15 percent of our Nation's population live within easy driving distance of this natural wonderland. At a time when the size of our cities is gobbling up green land at a rapid pace and when urban pressures increase, it is crucial that we preserve and maintain areas of natural beauty for the rest and recreation of the harassed city dweller. This park will be a benefit to millions of people in the United States who are adjacent to it. It must be completed as planned—a large and beautiful place of nature. We simply cannot allow the thoughtless actions of the few harm the interests of so many Americans.

In addition, subdividers are bulldozing roads and rights-of-way through many previously undeveloped areas, destroying the beauty and the natural values. In one burgeoning development alone, 9 miles of roads have been ripped through the woodlands, irreparably damaging the natural beauty of the area. Real estate developers have already wiped out a unique hemlock swamp.

Perhaps the greatest burden imposed by the lengthy period of land acquisition at Tocks Island, however, can be stated in human terms. Many of the people living within the future limits of this recreation area are elderly citizens who do not have the financial resources to move out of the area until the Government purchases their land. The uncertainty of the annual appropriations process has caused great hardship to many residents of the areas.

For these weighty reasons, we are offering the following solution: We propose to allow the Secretary of the Interior to borrow up to $30 million from the Delaware River Basin Commission for accelerated purchases of land. Under the terms of the bill, the Secretary of the Interior would be bound to use this money for land purchases only. The Delaware River Basin Commission would use its bond issuing authority to raise the money. As the loan to the Interior would be backed by the full faith and credit of the Government, I am sure that such an issue would be readily accepted. The loan would be repaid in part each year. The Secretary of the Interior could repay up to 10 percent of the loan each year.

Mr. President, this approach to the problem is not without precedent. It has long been established Federal policy to support local housing authority projects in a manner similar to that proposed by this bill. Under the low-rent housing title, local housing authority bonds may be sold on the strength of a Government contract with a local authority for annual contributions. The full faith of the U.S. Government is pledged to the repayment of all annual contributions under these contracts.

We also feel that this method of financing will save the Federal Government and the public unnecessary expenditure of tax monies. There is no way of estimating what this land will cost if we wait 6 years to complete the purchases. The only workable method of protecting the taxpayers and the park site is the one embodied in this legislation.

I hope the House of Representatives will act quickly on the bill. When it comes to the Senate, the six Members from three States involved will certainly seek swift action.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 729) to provide additional authority to the Secretary of the Interior for land acquisition in the Delaware Water Gap National Recreational Area, introduced by Mr. Williams of New Jersey (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

PREMARKET TESTING OF CERTAIN DEVICES

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, a bill that would require premarket testing—for safety and for efficacy—of diagnostic, therapeutic, and prosthetic devices sold in interstate commerce.

It may seem strange that the people of the United States still are victims of medical quacks who use questionable, dangerous, or blatantly useless devices with which to bilk their victims. But that is still, in fact, the case.

It may seem incredible that prosthetic devices are not tested before use. Such devices include artificial hip joints, pins, or nails used to repair fractured bones and other plates, and other foreign bodies put into the human body. Usually, such insertions are satisfactory. But we have disheartening reports of problems caused by breakage or chemical reactions of the prostheses within the body.

A useful summary of the problems caused by faulty devices and prostheses appears in a report issued on January 31, 1965, by the Subcommittee on Frauds and Misrepresentations Affecting the Elderly, a unit of the Senate Special Committee on Aging.

I put major portions of that report into the RECORD on August 3, 1965, when I first introduced a bill to require premarket testing of devices. I will not now restate them. But I will insert an excerpt from testimony taken during subcommittee hearings. George Larrick, then Commissioner of the Food and Drug Administration, described the national problem and proposed a solution:

> Under present law a device may be sold with impunity until the Government is able to accumulate evidence to prove in court that the device is unsafe or will not do what is claimed in its labeling.
>
> To carry through one of these cases by the Government is a terrifically expensive deal. We have to have expert physicists to take those machines all apart and measure every circuit. We have to have very skilled physicians who will go on the witness stand and testify that the device will not do any good.

The Commissioner drew a parallel to another consumer protection law:

> The new device clearance system would operate in much the same manner as the new drug procedure now works. The sponsor of a new device would be required to furnish for the Government's evaluation and approval sound scientific evidence that the device is both safe and effective for its recommended uses before it can be marketed. This would enable the Government to give the consumer the protection he deserves by requiring uncleared devices to come off the market promptly.

President Kennedy and President Johnson strongly endorsed premarket testing of devices in consumer messages of 1963 and 1964. A spokesman for the National Better Business Bureau endorsed such action at the subcommittee hearings. Within recent months, President Johnson has instructed John W. Gardner, Secretary of Health, Education, and Welfare, to prepare a new report on the need for the legislative action. Supporters of this bill are, of course, awaiting that report with great interest.

It is clear, I think, that Federal agencies and the Congress will have to give very careful consideration to the possibility of overregulation under premarket testing procedures. This possibility was discussed at the subcommittee hearings.

> Senator WILLIAMS. The problem arises with thousands of noncomplicated therapeutic devices. As a matter of fact, the manufacturers of thousands of devices have expressed concern * * * the Band-Aid, for example—does this have to be tested before marketing? You see the simple device presents a problem, does it not?
>
> Mr. WINTON B. RANKIN, Assistant Commissioner of FDA. Yes; it does. Some of the manufacturers have spoken with us through their associations about the particular question. Now the way that we propose in the bill to deal with that problem is to classify as a device requiring testing only those products that are not generally recognized as safe and effective by the experts, so that a surgeon's scalpel made of ordinary steel that will cut would not have to be tested. It would be recognized as safe. And eyeglass frames made of nonflammable plastic would not have to be tested. They are recognized as safe.

A hearing on the bill would offer an admirable opportunity to determine reasonable exemptions and refinements, but every consumer should be thoroughly aware of the present gaps in our regulation of medical devices.

FDA WARNINGS AND ACTIONS

Consumers should be aware, too, that medical quackery is a boom industry, even in a rich and generally enlightened nation.

Dr. James L. Goddard, Commissioner of Food and Drugs, made a significant point on October 7 when he told a congress on medical quackery that the people of the United States are more vulnerable than ever to medical quackery. He gave the following reasons:

> They are exposed to more health articles and advertisements than ever before.
>
> They are more health conscious than ever before.
>
> They have seen science achieve goals that were once thought impossible for man ever to achieve.
>
> They are more aware of health developments and practices in other countries than ever before.

And I might add that our growing number of older Americans become prime targets for quacks because of the higher incidence of chronic disease in that age group and also because the quacks have selected them for special attention.

Some idea of the magnitude of trade in devices may be derived from a brief description of several seizure actions taken by the FDA in fiscal year 1966. And please remember that the seizures were made after use, not before use. If premarket testing had been in effect, the devices probably would never have been sold.

One device, for example, used electrical impulses supposedly to treat arthritis, hypertension, sinusitis, ear infections, TB, syphilis, toxemia, asthma, hepatitis, diabetes, gangrene, pneumonia, and other conditions.

An "ionics charger," also seized by the FDA, was said by its manufacturers to be effective in treating gout, rheumatism, insomnia, neuralgia, chronic diarrhea, chronic joint swelling, liver problems, and even chronic skin diseases.

The FDA also seized massages devices, vibrating hand units, and thermo pads because the company claimed they were effective against bursitis, falling hair, tired eyes, failing muscles, and misplaced kidneys.

Injunctive action was taken against "effortless reducing" devices which promised everything and lost nothing.

Practically every FDA report and enforcement and compliance has another tale to tell about false claims made for questionable devices. There was even one manufacturer who made enthusiastic claims for big health benefits from his product—a chin massager.

We often laugh when we read about such promoters, but I find it increasingly difficult to join in. I personally am angry and offended by exploitation of pain and suffering from illness, and I urge that we take all steps possible for reasonable control of device quackery.

The average consumer, after all, is not expert on electronics, metallurgy, or even human anatomy. He cannot be expected to judge every claim made for every device, and he probably has the half-formed impression that somehow he is protected against making a mistake when he tries to judge claims made for medical devices. Premarket testing would give him added assurance that he may buy wisely and well.

Mr. President, I respectfully request unanimous consent for the text of the bill to be printed at the close of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 730) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to assure the safety, efficacy, and reliability of therapeutic, diagnostic, and prosthetic devices, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 730

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Food, Drug, and Cosmetic Act Amendments of 1967".

SAFETY, EFFICACY, AND RELIABILITY OF DEVICES

REQUIREMENT OF ADEQUATE CONTROLS IN MANUFACTURE

SEC. 101 (a) Subclause (B) of clause (2) of section 501(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351(a)(2)(B)) is amended—

(1) by striking out the words "it is a drug and"; and

(2) by striking out the words "such drug" and inserting in lieu thereof the word "it".

(b) For effective date, see section 103.

PREMARKETING CLEARANCE OF NEW DEVICES

SEC. 102. (a) Paragraph (p) of section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321 (p)) is amended—

(1) by inserting "(1)" after "(p)" and redesignating the present subparagraphs "(1)" and "(2)" thereof as "(A)" and "(B)", respectively, and

(2) by adding at the end of paragraph (p) a new subparagraph "(2)" as follows:

"(2) The term 'new device' means—

"(A) Any device the composition, construction, or properties of which are such that such device is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety and effectiveness of devices, as having been adequately shown, through scientific investigations (or through experience based on common use of such device prior to January 1, 1965), to be safe and effective for use under the conditions prescribed, recommended, or suggested in the labeling thereof; or

"(B) Any device the composition, construction, or properties of which are such that such device, as a result of such investigations to determine its safety and effectiveness for use under such conditions, has become so recognized, but which has not, otherwise than in such investigations, been used to a material extent or for a material time under such conditions."

(b) Section 505 of such Act (21 U.S.C. 355) is amended as follows:

(1) The heading of such section is amended to read "NEW DRUGS AND NEW DEVICES".

(2) Subsection (a) of such section, the first sentence of subsection (b) of such section, clauses (1), (2), (4), (5), and (6) of the second sentence of such subsection, and subsections (d) and (e) of such section, are each amended by inserting "or device" after the word "drug" each time it appears therein.

(3) Clause (3) of subsection (b) of such section is amended to read: "(3) in the case of a drug, a full statement of the composition of such drug, or, in the case of a device, a full statement of its composition, properties, and construction and the principle or principles of its operation;".

(4) (A) The first sentence of subsection (i) of such section is amended by inserting before the period at the end thereof the following: ", and devices intended solely for investigational use by experts qualified by scientific training and experience to investigate the safety and effectiveness of devices".

(B) The second sentence of such subsection (i) is amended by inserting "or device" after the word "drug" each time it appears in clauses (1) and (3) of such sentence and the first and third times it appears in clause (2) thereof, and by inserting "or on whom the device is used" after "patients to whom the drug is administered".

(C) The third sentence of such subsection (i) is amended by inserting "or devices" after the word "drugs" the first and third times it appears therein, and by inserting "or on whom such devices or any controls in connection therewith are being used, after "administered,".

(D) The fourth sentence of such subsection (i) is amended by inserting "or devices" after "drugs".

(5) Subsection (j) of such section 505 is amended by inserting "or device" after the word "drug" each time it appears therein.

(6) Such section 505 is further amended by adding after subsection (j) the following new subsections:

"(k) The Secretary shall by regulation exempt from this section, or from one or more of the requirements imposed by or pursuant to this section, devices licensed by the Atomic Energy Commission under the Atomic Energy Act of 1954 to the extent he finds it to be appropriate to avoid duplication of regulatory controls or procedures and to be consistent with the purposes of this Act.

"(l) Whenever in the judgment of the Secretary the requirements of this section, or of any part thereof, with respect to any drug or class of drugs or with respect to any device or class of devices are not necessary in order to carry out the purposes of this section, the Secretary shall by regulation exempt, or provide for exempting, such drug or device or class thereof from such requirements, or from such part, upon such conditions as he may find to be appropriate."

(c) Section 501(a) of such Act (21 U.S.C. 351(a)) is amended by inserting before the period at the end thereof a semicolon and the following: "or (5) if it is a new drug or new device and there is not in effect an approval of an application under section 505 with respect thereto under the conditions prescribed, recommended, or suggested in its labeling or it fails to conform to such approved application, unless such drug or device (A) is for investigational use and conforms to the terms of an exemption in effect with respect thereto under section 505 (i) or (B) conforms to the terms of an exemption in effect with respect thereto under section 505 (k) or (l)".

(d) Paragraph (u) of section 201 of such Act (21 U.S.C. 321(u)) is amended to read as follows:

"(u) The term 'safe', except when used with respect to cosmetics, refers to the health of man or animal."

(e) Paragraph (1) of section 301 of such Act is amended by striking out the words "or cosmetic" each time they appear therein, and inserting in lieu thereof ", device, or cosmetic".

EFFECTIVE DATES AND TRANSITIONAL PROVISIONS

SEC. 103. (a) Except as otherwise provided in this section, the foregoing provisions of this title shall take effect on the date of the enactment of this Act.

(b) The amendments made by section 101 of this Act to section 501(a)(2)(B) of the Federal Food, Drug, and Cosmetic Act shall take effect on the first day of the seventh month following the month in which this Act is amended.

(c) Except as provided in subsection (d) of this section, the amendments made by section 102 of this Act to section 505(a) and section 501(a) of the Federal Food, Drug, and Cosmetic Act shall, with respect to any particular use of a device, take effect (1) on the first day of the seventh calendar month following the month in which this Act is enacted, or (2) if sooner, on the effective date of an order of the Secretary approving or denying approval of such use of the device under section 505 of such Act as amended by section 302(b) of this Act.

(d) (1) Where, on the day immediately prior to the date of enactment of this Act, a device was in use (other than investigational use) in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animal, or for the purpose of affecting the structure of any function of the body of man or animal, such amendments to section 505(a) and section 501(a) of the Federal Food, Drug, and Cosmetic Act shall become effective with respect to such preexisting use or uses of such device on the closing date (as defined in this subsection) or, if sooner, on the effective date of an order of the Secretary approving or denying approval of such use of the device under section 505 of such Act.

(2) For the purposes of this subsection, the term "closing date" means the first day of the nineteenth calendar month which begins after the month in which this Act is enacted, except that, if in the opinion of the Secretary it would not involve any undue risk to the public health, he may on application postpone such closing date with respect to any particular use or uses of a device until such later date (but in no event later than the first day of the thirty-first calendar month following such month of enactment) as he determines is necessary to permit completion, in good faith and as soon as reasonably practicable, of the scientific investigations necessary to establish the safety and efficacy of such use or uses. The Secretary may terminate any such postponement at any time if he finds that such postponement should not have been granted or that, by reason of a change in circumstances, the basis for such postponement no longer exists or that there has been a failure to comply with a requirement of the Secretary for submission of progress reports or with other conditions attached by him to such postponement.

PATENT PIRACY BILL

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, a bill which would prohibit the Federal Government from purchasing articles manufactured by foreign concerns using formulas gained through stolen, pirated, or copied American patents.

There is a pressing need for this legislation, due to certain procurement policies which are presently being followed by Federal Government agencies, particularly the Department of Defense. Under these policies American patents are being knowingly and deliberately infringed for whatever reason the particular procuring agency deems appropriate, which not only violates congressional intent but adversely affects the economy of our country both domestically and internationally.

These Federal agencies have attempted to justify their actions by giving a new twist to an old statute—28 U.S.C. 1498. The owner of a U.S. patent, as the law is now interpreted, cannot put a stop to the Federal Government's deliberate violation of his patent rights—he cannot obtain an injunction from the court against the Federal Government. There is no similar legal loophole for State and local patent rights.

It is imperative that it be made clear that Federal agencies have no authority to engage in the wanton and deliberate violation of American patents. When the statute mentioned previously was originally enacted, its sole purpose was to give an injured patent holder a right of action where he had none before. As the statute was amended in 1918, it contemplated at most the Government's having access to inventions during wartime emergency situations.

The problem is particularly acute in the drug-patent field. The attempted justification for the violation of U.S. drug patents by Government agencies has been made primarily on the ground that the prices quoted by foreign infringing suppliers are lower than those quoted by the U.S. patent owners and their licensees. But, patent infringers—foreign and domestic—have not had to bear research costs for discovering or developing drugs covered by the patents they are infringing. They are attempting to exploit readymade markets on which they have spent nothing to maintain. In addition, foreign producers usually pay wages that are a fraction of the prevailing rates in the United States, and they therefore have lower production costs. In brief, they are exploiting a market developed by American firms for drugs innovated and perfected by American firms at bargain basement costs and consequently comparative substantial profits.

Purchases of unlicensed drug products by the Federal Government are not in the public interest and may well be characterized as "pennywise and pound foolish." American drug research will be discouraged by such purchases, and this will eventually be detrimental to American health. Purchases of unlicensed foreign-made drugs, drug products, or unlicensed dosage forms prepared from foreign-made bulk drugs, can cause loss of jobs by American workers as a result of displacement by low-paid foreign workers. It encourages "dumping" of foreign-made products in the United States at prices lower than those charged in the regular foreign market. It hurts the unfavorable American balance of international payments. It reduces tax revenues for Federal, State, and municipal governments at a time they are most needed. When these facts are kept in mind, the claims of Federal agencies that money has been saved by the purchase of drugs which violate U.S. patents are illogical and ridiculous.

Returning briefly to the balance-of-payments problem, we are constantly reminded by our Government that this is certainly among the most critical problems facing the Nation, and our Government has asked individuals and business firms to cooperate in a maximum attempt to solve the problem. Yet, while our Government asks our citizens and the private sector of our economy to make sacrifices to bring a reduction in the dollar imbalance, we find our Government itself, not just willfully violating American property rights by purchasing foreign patent infringing materials, but doing so with American dollars that would help solve a critical current problem if they were spent at home.

I offered this bill in the last Congress, and the Subcommittee on Patents, Trademarks, and Copyrights of the Senate Judiciary Committee held hearings on this legislation during June 1965. I was encouraged by the broad support and numerous endorsements this piece of legislation received.

I have offered this bill to remedy the highly inequitable situation which I have outlined. This bill will not change the scope which I believe Congress always intended that section 1498 of title 18 of the United States Code should have. If my bill is enacted, an infringed patent-holder will still be restricted to suing for damages in the Court of Claims, and the right of the Government to take and use any patent when the national security interests require will be preserved. However, my bill, if enacted, will make it plain to the procuring agencies of the Federal Government that Congress will not countenance the use of section 1498 to sustain any policy of wanton disregard of U.S. patent right.

Mr. President, the New Jersey State AFL–CIO at its fourth annual convention passed a resolution endorsing this bill. I believe this is indicative of the broad support this measure has which is so necessary to correct existing inequities. I ask unanimous consent that this resolution be included in the Record.

Mr. President, I also request unanimous consent that the text of the bill be printed in the Record at the close of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and resolution will be printed in the Record.

The bill (S. 731) to amend section 1498 of title 28, United States Code, to authorize the use or manufacture, in certain cases, by or for the United States of any invention described in and covered by a patent of the United States, introduced by Mr. Williams of New Jersey, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 731

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1498 of title 28, United States Code, is amended by adding immediately after and underneath the last paragraph of such section the following new paragraph:

"Nothing in this section shall be construed to authorize the use or manufacture by or for the United States of any invention described in and covered by a patent of the United States, which has not previously been held invalid by an unappealed or unappealable judgment or decree of a court of competent jurisdiction, without license of the owner thereof, unless the Secretary of Defense, or his delegate, shall determine in the case of each such invention that the national security of the United States requires such use or manufacture."

The resolution, presented by Mr. Williams of New Jersey, is as follows:

Resolution in Support of Full Patent Protection to Save Jobs in American Industry

(Submitted by Thomas E. Boyle, international vice president, International Chemical Workers Union, AFL–CIO)

Whereas, 1965 marks the 175th Anniversary of the first patent law in the United States, and

Whereas, through a technicality in the statutes covering patent law protection, certain government agencies have assumed the right to by-pass patent laws in the purchase of products from foreign countries which do not respect American patent laws, and

Whereas, such loopholes in the law have resulted in the purchase of many millions of dollars of such foreign products, which are manufactured under cheap labor conditions and manufactured under formulas stolen, copied and otherwise infringing on American patents, and

Whereas, in the pharmaceutical, chemical and electronic industries such stolen patents and other infringements of American patents have resulted in the loss of thousands of American jobs and have adversely affected the livelihood of nearly five million workers in organized labor, and

Whereas, such practices threaten the very incentives for research and manufacture which have kept America in the forefront of industrial and medical developments, and

Whereas, U.S. Senator Harrison A. Williams of New Jersey and Congressman Peter W. Rodino, Jr., of New Jersey, have introduced identical Bills to Congress aimed at insuring full and adequate protection in safeguarding employment opportunities for American workers under our patent laws.

Be it hereby resolved, that the New Jersey State AFL–CIO in convention voice support for Senator Williams' Bill S–1047 and Congressman Rodino's Bill HR–5675, being identical measures designed to protect and strengthen the American patent system by insuring that no government agency be permitted to purchase products manufactured abroad through stolen or infringed American patents, and

Be it further resolved, that the New Jersey State AFL–CIO urge all other State AFL–CIO bodies to adopt identical resolutions in the interest of the American labor movement and in preservation of American jobs, and

Be it further resolved, that copies of this resolution be sent by the Secretary Treasurer of the New Jersey State AFL–CIO to the National AFL–CIO with a recommendation that the S–1047 and HR–5675 be made part of the legislative policy of the AFL–CIO for adoption by the Congress of the United States, and with the request that this resolution be submitted to the 1965 National Convention of the AFL–CIO for its support and adoption.

AUTHORIZATION OF PRINTING OF JOINT COMMITTEE PRINT ENTITLED "STATE AND LOCAL PUBLIC FACILITY NEEDS AND FINANCING"

Mr. PROXMIRE. Mr. President, on behalf of the Joint Economic Committee, I submit, for appropriate reference, a concurrent resolution authorizing the printing of 1,500 additional copies of volumes 1 and 2 of its joint committee print entitled "State and Local Public Facility Needs and Financing."

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, under the rule, the concurrent resolution will be printed in the Record.

The concurrent resolution (S. Con. Res. 7) was referred to the Committee on Rules and Administration, as follows:

S. Con. Res. 7

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Joint Economic Committee one thousand five hundred additional copies of volumes 1 and 2 of its joint committee print of the Eighty-ninth Congress, second session, entitled "State and Local Public Facility Needs and Financing."

INVESTIGATION BY COMMITTEE ON THE JUDICIARY OF ANY MATTER PERTAINING TO THE DISPLAY AND USE OF THE FLAG OF THE UNITED STATES

Mr. DIRKSEN. Mr. President, I submit a statement prepared by the Senator from Texas [Mr. Tower], relative to the submission of a resolution and his request that his statement and the resolution be printed in the Record and held at the desk for 10 days for additional cosponsors.

The PRESIDING OFFICER. Without objection, the statement will be printed in the Record, and the resolution will be printed in the Record and held at the desk, as requested.

The statement of Senator Tower is as follows:

Statement by Senator Tower

Mr. President, in order to guarantee that our Nation's flag is properly displayed and properly respected, Congress previously has adopted rules and regulations governing the display and use of this symbol of our great nation. In my opinion, however, I think that a review of these customs and rules is necessary now in order to insure continued respect for our flag, which represents our heritage of liberty and justice.

With this in mind, I am today introducing a resolution, which I also sponsored last year, authorizing a comprehensive study and investigation of any and all matters pertaining to the use and display of our flag, with a view to determining the need for, or the desirability of enacting new legislation with respect to such display and use.

Thus, Mr. President, I ask unanimous consent that the resolution be printed in the Record and lie on the table for 10 days so that others may join as co-sponsors.

The resolution (S. Res. 73) was referred to the Committee on the Judiciary as follows:

S. Res. 73

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a comprehensive study and investigation of any and all matters pertaining to the display and use of the flag of the United States with a view to determining the need for or the desirability of enacting new legislation with respect to the display and use of the flag of the United States.

Sec. 2. The committee shall report its findings upon the study and investigation authorized by this resolution, together with such recommendations as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1967.

Sec. 3. For the purposes of this resolution the committee, through January 31, 1967, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,100 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 4. Expenses of the committee, under this resolution, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

NOTICE OF MOTION TO AMEND THE RULES

AMENDMENT NO. 64

Mr. CLARK submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to repeal paragraph 6 of rule XVI, in the form of an amendment to the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes, the following amendment, namely: on page 30 after line 10 insert:

"On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"'Sec. 123. Standing Rules of the Senate.'

"On page 30, between lines 10 and 11, insert the following new section:

"'STANDING RULES OF THE SENATE

"'Sec. 123. Paragraph 6 of Rule XVI of the Standing Rules of the Senate is repealed'."

Mr. CLARK also submitted an amendment (No. 64) intended to be proposed by him to the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes, which was ordered to lie on the table and to be printed.

(For amendment referred to, see the foregoing notice.)

LEGISLATIVE REORGANIZATION ACT OF 1967—AMENDMENTS

AMENDMENTS 50 THROUGH 62

Mr. YARBOROUGH. Mr. President, as commendable as I believe the pending bill to be, I would regret to see the measure referred to another committee.

I think that certain weaknesses ought to be cured.

Mr. President, I submit certain amendments and ask unanimous consent that they be printed in the Record as well as being printed.

I hope that these matters will be cleared up on the floor.

The PRESIDING OFFICER. The amendments will be received and printed; and, without objection, the amendments will be printed in the Record.

The amendments are as follows:

AMENDMENT NO. 50

Beginning with line 5, page 6, strike out all to and including line 20, page 6.

On page 6, line 21, strike out the subsection designation "(c)", and insert in lieu thereof the subsection designation "(b)".

On page 7, line 9, strike out the subsection designation "(d)", and insert in lieu thereof the subsection designation "(c)".

On page 7, line 24, strike out the subsection designation "(e)", and insert in lieu thereof the subsection designation "(d)".

AMENDMENT NO. 51

Beginning with line 9, page 7, strike out all to and including line 23, page 7.

On page 7, line 24, strike out the subsection designation "(e)", and insert in lieu thereof the subsection designation "(d)".

Beginning with line 24, page 50, strike out all to and including line 9, page 51.

On page 51, line 10, strike out the subsection designation "(b)", and insert in lieu thereof the section designation "Sec. 233. (a)".

On page 51, line 25, strike out the subsection designation "(c)", and insert in lieu thereof the subsection designation "(b)".

AMENDMENT NO. 52

On page 8, line 10, immediately after the word "committee", insert the words "who has given such notice of intention at the time of such approval of that measure".

On page 8, line 17, immediately after the word "more", insert the word "such".

On page 8, line 24, immediately after the word "submitted", insert the words "by any such member of the committee".

AMENDMENT NO. 53

Beginning with line 7, page 12, strike out all to and including line 14, page 12.

One page 12, line 15, strike out the subsection designation "(b)", and insert in lieu thereof the section designation "Sec 133A. (a)".

On page 13, line 1, strike out the subsection designation "(c)", and insert in lieu thereof the subsection designation "(b)".

On page 13, line 13, strike out the subsection designation "(d)", and insert in lieu thereof the subsection designation "(e)".

On page 13, line 22, strike out the subsection designation "(e)", and insert in lieu thereof the subsection designation "(d)".

AMENDMENT NO. 54

Beginning with line 1, page 13, strike out all to and including line 12, page 13, and insert in lieu thereof the following:

"(c) Each such committee may require each witness who is to appear before the committee in any hearing to file with the clerk of the committee, at least two days before the date of the appearance of that witness, a written statement of his proposed testimony. Any witness may be excepted from any such requirement if the committee determines by a majority vote that there is good cause for the failure of the witness to file such a statement in compliance with this subsection. Each such committee may require the staff of the committee to prepare for the use of members of the committee before each day of hearing before such committee a digest of the statements which have been so filed by witnesses who are to appear before the committee on that day."

AMENDMENT NO 55

Beginning with line 13, page 13, strike out all to and including line 21, page 13, and insert in lieu thereof the following:

"(d) Each such committee may require the staff of the committee to prepare for the use of the committee, after the conclusion of each day of hearing before the committee, a summary of the testimony given before the committee on that day. If hearings upon any measure or matter before any such committee are ordered by the committee to be printed, any summaries of testimony given in such hearings which have been so prepared may be printed as a part of the committee hearings upon that measure or matter after approval of such summaries has been given by the chairman and the ranking minority member of the committee."

AMENDMENT NO. 56

Beginning with line 22, page 13, strike out all to and including line 3, page 14, and insert in lieu thereof the following:

"'(e) Whenever any hearing is conducted by any such committee upon any measure or matter, each member of the committee shall be entitled, upon request made to the chairman before the completion of such hearing, to reasonable opportunity to (1) call witnesses selected by him to testify with respect to that measure or matter, and (2) insert in the record of the hearing information relating to that measure or matter.'."

AMENDMENT NO. 57

Beginning with line 12, page 14, strike out all to and including line 10, page 15, and insert in lieu thereof the following:

"'(c) Except as hereinafter provided, no standing committee of the House of Representatives shall sit, without special leave, while the House is in session. The prohibition contained in the preceding sentence shall not apply to the following committees of the House of Representatives: the Committee on Appropriations, the Committee on Government Operations, the Committee on Rules, the Committee on Un-American Activities. Any other standing committee of the House of Representatives may conduct a hearing while the House is in session if consent therefor has been obtained from the Speaker and the minority leader of the House. In the event of the absence of any such officer or leader, the consent of such officer or leader may be given by a Member of the House designated by him for that purpose.'."

"(b) Paragraph 5 of Rule XXV of the Standing Rules of the Senate is amended to read as follows:

"'5. No standing committee shall sit without special leave while the Senate is in session at any time after the conclusion of the morning hour. Such special leave may be granted by unanimous consent or, in the absence of such consent, upon a motion agreed to by the affirmative vote of a majority of the Senators present and voting. No such motion shall be subject to debate.'."

AMENDMENT NO. 58

Beginning with line 13, page 20, strike out all to and including line 7, page 21, and insert in lieu thereof the following:

"(c) Each report of a committee of conference shall be printed as a report of each House of the Congress. As printed in each House, each such report shall be accompanied by an explanatory statement prepared by the conferees on the part of both Houses. Such statement shall be sufficiently detailed and eplicit to inform both Houses as to the effect which amendments or propositions contained in such report will have upon the measure to which it relates. If any conferee on the part of either House desires to submit to the House of which he is a member an additional explanatory statement with respect to any such report, such individual statement may be filed as an appendix to, and may be printed together with, the explanatory statement made by the conferees on the part of both Houses, if such individual statement is available at the time of the filing of the report of the committee of conference in the House of which that conferee is a Member."

AMENDMENT NO. 59

Beginning with the comma at the end of line 21, page 12, strike out all to and including the comma in line 23, page 12.

Beginning with the second comma in line 4, page 49, strike out all to and including the comma in line 6, page 49.

AMENDMENT NO. 60

On page 49, lines 10–12, strike out the words "shall, within thirty days after the transmittal of the Budget to the Congress each year,", and insert in lieu thereof the words "may in each year".

On page 49, line 21, strike out the word "shall", and insert in lieu thereof the word "may".

AMENDMENT NO. 61

Beginning with the word "In" in line 15, page 51, strike out all to and including the period in line 24, page 51.

AMENDMENT NO. 62

On page 55, line 2, strike out the period, and insert in lieu thereof a comma and the word "or".

On page 55, between lines 2 and 3, insert the following new paragraph:

"(3) a statement of the reasons why compliance by the committee with the requirements of paragraphs (1) and (2) is impracticable."

AMENDMENT NO. 63

Mr. SCOTT submitted an amendment (No. 63), intended to be proposed by him, to the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes, which was ordered to be printed and lie on the table, and to be printed in the RECORD, as follows:

AMENDMENT NO. 63

Beginning with line 20, page 75, strike out all to and including line 23, page 75, and insert in lieu thereof the following:

"'(j) In order to facilitate its performance of any function specified in this section, the Legislative Research Service may—

"'(1) prepare information for machine processing,

"'(2) process information by machine by performing mathematical or logical operations thereon, selective retrieval, integration, or other machine operations, and

"'(3) prepare for presentation or other use information processed by machine.

The Service may acquire automatic data processing equipment and retain personnel needed for any activity authorized by this subsection.

"'(k) To carry out the purposes of subsection (j), there are authorized to be appropriated to the Legislative Research Service for the fiscal year ending June 30, 1967, the sum of $1,250,000; for the fiscal year ending June 30, 1968, the sum of $1,250,000; and for fiscal years ending thereafter, such sums as may be necessary. There are hereby authorized to be appropriated to the Service for each fiscal year for other purposes such sums as may be necessary to carry on the work of the Service.'"

HOME RULE FOR THE DISTRICT OF COLUMBIA—AMENDMENTS

AMENDMENT NO. 49

Mr. SCOTT submitted amendments (No. 49) intended to be proposed by him to the bill (S. 315) to provide for the District of Columbia an elected mayor, city council, school board, and nonvoting Delegate to the House of Representatives, which was referred to the Committee on the District of Columbia, and ordered to be printed.

EXTENSION OF TIME TO FILE REPORT

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the Committee on Government Operations be given until April 30, 1967, to file certain reports of its Permanent Subcommittee on Investigations. These reports are entitled "Investigation into Small Business Investment Companies," "Investigation into FHA Multiple Dwelling Projects," and "Labor Racketeering Activities of Jack McCarthy and the National Consultants Associated, Ltd."

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF BILLS AND JOINT RESOLUTION

Mr. DIRKSEN. Mr. President, I ask unanimous consent that, at their next printing, the name of the Senator from Texas [Mr. TOWER] be added as a cosponsor of the following measures:

S. 9. A bill to authorize on-the-job training programs, on-the-farm training programs, and certain flight training under chapter 34 of title 38, United States Code, to increase the educational assistance allowances paid under such chapter, and for other purposes.

S. 119. A bill to reserve certain public lands for a national wild rivers system, to provide a procedure for adding additional public lands and other lands to the system, and for other purposes.

S. 218. A bill to extend to volunteer fire companies the rates of postage on second-class and third-class bulk mailings applicable to certain nonprofit organizations.

S. 236. A bill to amend the Government Employees' Training Act so as to extend certain benefits thereunder to officers and employees of the Senate and House of Representatives.

S. 628. A bill to amend the antitrust laws to provide that the refusal of nonprofit blood banks and of hospitals and physicians to obtain blood and blood plasma from other blood banks shall not be deemed to be acts in restraint of trade, and for other purposes.

S.J. Res. 22. Joint resolution proposing an amendment to the Constitution of the United States to provide that the voluntary admission or confession of the accused in a criminal prosecution shall be admissible against him in any court sitting anywhere in the United States, and that the ruling of a trial judge admitting an admission or confession as voluntarily made shall not be reversed or otherwise disturbed by the Supreme Court or any inferior court established by Congress or under its authority if such ruling is supported by competent evidence.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I also ask unanimous consent that at its next printing, the names of the Senator from Texas [Mr. TOWER] and the Senator from Connecticut [Mr. RIBICOFF] be added as cosponsors of the bill (S. 16) to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Pennsylvania [Mr. CLARK] be added as a cosponsor of the bill (S. 531) to amend the Land and Water Conservation Fund Act of 1965.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRUENING. Mr. President, I am pleased to announce that my distinguished colleague, the junior Senator from Oregon [Mr. HATFIELD], has joined me in cosponsoring S. 49, the Gold Mine Revitalization Act, which I introduced on January 11, 1967.

I ask unanimous consent that, at the next printing of the bill, Senator HATFIELD's name be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, at the request of the senior Senator from Washington [Mr. MAGNUSON], I ask unanimous consent that the name of the distinguished Senator from Maryland [Mr. TYDINGS] be added as a cosponsor of S. 508, a bill to promote the development of nuclear-powered merchant ships, at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HRUSKA. Mr. President, on behalf of the junior Senator from Kansas [Mr. PEARSON], I ask unanimous consent that on the next printing of S. 47, for the establishment of a commission to study and appraise the organization and operation of the executive branch of the Government, the name of the junior Senator from Massachusetts [Mr. BROOKE] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. Mr. President, I believe it was a parliamentary inadvertency, but when I introduced Senate Resolution 14, and requested that it be permitted to lie on the table, the names of three Senators were not included on the first printing. I ask unanimous consent that the names of Senators DODD, GRUENING, and KENNEDY of Massachusetts, be included as cosponsors on the next printing of the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. I also introduce for appropriate reference other bills, which require no unanimous consent.

PRESERVE OUR WILDLIFE REFUGES

Mr. HRUSKA. Mr. President, I rise for the purpose of joining the junior Senator from Montana [Mr. METCALF], my esteemed colleague on the Migratory Bird Conservation Commission, and the junior Senator from Maryland [Mr. TYDINGS], in sponsoring S. 322, to amend the

Migratory Bird Conservation Act to provide that no land contained in the national wildlife refuge system shall be sold, transferred for any other use, or otherwise disposed of without the approval of the Migratory Bird Conservation Commission. In my opinion, the provisions in this proposal are direly needed.

This bill was developed in response to a problem, or rather two problems. First, about 2 years ago a drive was instituted to close out several of the wildlife refuges, just as efforts were underway at the same time to close down certain military bases and veterans' hospitals without adequate consideration by Congress. Then, second, wildlife refuges have been "invaded" by highway construction when that use was deemed superior to expected damages to the wildlife resource. While these problems are of differing natures, the net effect is the same—additional losses of wildlife habitat at a time when the Bureau of Sport Fisheries and Wildlife is seeking desperately to acquire more suitable habitat.

It should be emphasized that when wildlife refuges are closed out, the results may be more permanently disastrous than when military installations are closed unwisely. Military bases and hospitals can at least be reactivated if necessary. However, wildlife areas seldom can be re-created successfully. Once altered, wildlife areas usually are lost forever. For this reason, we regard any disposal of wildlife lands as a serious action, one to be taken only after the utmost deliberation.

I am well aware that some units of the national wildlife refuge system, such as game ranges, are set aside to preserve species other than migratory birds. I also appreciate the fact that many lands in the system have been reserved from the public domain or were acquired from other Federal agencies. And, I recognize that some lands in the system still are under the primary control of other Federal agencies or are in joint control. However, this does not alter the fact that many refuge lands have been, and will be, acquired with duck stamp receipts contributed by sportsmen. Others have been purchased with private funds granted by interested donors. These investments must be protected and safeguarded. If the Migratory Bird Conservation Commission serves a useful purpose in passing on which lands should be acquired for addition to the system, then the Commission also should serve a useful purpose in passing on what lands are to come out of it. In all cases, I think we are reasonable and responsible men. If a need no longer exists for particular properties, we can appreciate this fact and would approve of appropriate disposals.

I am disturbed that the Department of the Interior feels such an authority or limitation would constitute an erosion of powers of the executive branch, contravening the doctrine of separation of powers. This proposal is not comparable to giving a committee of the legislative branch a "veto" over actions of the executive. The Migratory Bird Conservation Commission has membership from three sources: three Cabinet officers—from the executive branch itself—two from the Senate, and two from the House. The Chairman is the Secretary of the Interior himself.

I also fail to understand Interior's opposition to payment into the migratory bird conservation fund of the fair market value of any lands or rights-of-way lost to highway construction or other purposes. All too often in the past it has appeared obvious that wildlife areas were attractive to many construction people, particularly because they were in governmental ownership, and, therefore, free. I do not think it is fair to have lands purchased by funds from duck hunters and private donors to be diverted to other purposes and lost without proper restitution.

This bill, S. 322, highlights problem areas which should be resolved. If they can be handled by some other and more efficient manner, including improved legislation, this well can come out in the hearings which we hope the Committee on Commerce soon will conduct on S. 322.

The PRESIDING OFFICER. Without objection, the name of the Senator from Nebraska [Mr. Hruska] will be added as a cosponsor at the next printing of Senate bill 322.

ADDITIONAL COSPONSORS OF BILLS, JOINT RESOLUTIONS, AND RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors of the following bills, joint resolutions, and resolution:

Authority of January 11, 1967:

S. 5. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit: Mr. Bartlett, Mr. McGee, and Mr. Randolph.

S. 9. A bill to authorize on-the-job training programs, on-the-farm training programs, and certain flight training under chapter 34 of title 38, United States Code, to increase the educational assistance allowances paid under such chapter, and for other purposes: Mr. Allott, Mr. Bartlett, Mr. Bayh, Mr. Bible, Mr. Boggs, Mr. Burdick, Mr. Byrd of West Virginia, Mr. Cannon, Mr. Case, Mr. Church, Mr. Clark, Mr. Cooper, Mr. Dodd, Mr. Eastland, Mr. Fannin, Mr. Fong, Mr. Fulbright, Mr. Gruening, Mr. Hansen, Mr. Hart, Mr. Hartke, Mr. Hill, Mr. Inouye, Mr. Javits, Mr. Jordan of Idaho, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. Kuchel, Mr. Long of Missouri, Mr. Magnuson, Mr. McCarthy, Mr. McGee, Mr. McGovern, Mr. McIntyre, Mr. Metcalf, Mr. Mondale, Mr. Morse, Mr. Moss, Mr. Mundt, Mr. Pell, Mr. Prouty, Mr. Proxmire, Mr. Randolph, Mr. Ribicoff, Mr. Smathers, Mrs. Smith, Mr. Sparkman, Mr. Tydings, and Mr. Williams of New Jersey.

S. 18. A bill to establish a Small Tax Division within the Tax Court of the United States: Mr. Allott, Mr. Bartlett, Mr. Bennett, Mr. Bible, Mr. Boggs, Mr. Brewster, Mr. Burdick, Mr. Byrd of Virginia, Mr. Cannon, Mr. Case, Mr. Church, Mr. Clark, Mr. Cooper, Mr. Cotton, Mr. Dirksen, Mr. Dodd, Mr. Dominick, Mr. Eastland, Mr. Ervin, Mr. Gruening, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hatfield, Mr. Hickenlooper, Mr. Hollings, Mr. Hruska, Mr. Inouye, Mr. Jackson, Mr. Kennedy of New York, Mr. Kuchel, Mr. McCarthy, Mr. McGee, Mr. McGovern, Mr. McIntyre, Mr. Metcalf, Mr. Miller, Mr. Mondale, Mr. Morse, Mr. Moss, Mr. Mundt, Mr. Nelson, Mr. Pastore, Mr. Pearson, Mr. Pell, Mr. Prouty, Mr. Randolph, Mr. Scott, Mr. Smathers, Mr. Sparkman, Mr. Symington, Mr. Thurmond, Mr. Tower, Mr. Tydings, Mr. Williams of New Jersey, Mr. Yarborough, and Mr. Young of Ohio.

S. 35. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to unremarried widows and widowers, and individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more, who maintain their own households: Mr. Carlson, Mr. Cooper, Mr. Gruening, Mr. Hart, Mr. McGee, Mr. Mondale, Mr. Moss, Mr. Prouty, Mr. Randolph, Mrs. Smith, and Mr. Young of North Dakota.

S. 92. A bill to establish a National Commission on Federal Tax Sharing: Mr. Bayh, Mr. Clark, Mr. Hart, Mr. Mondale, and Mr. Proxmire.

S.J. Res. 2. Joint resolution to amend the Constitution to provide for the direct election of the President and the Vice President of the United States: Mr. Byrd of West Virginia, Mr. Church, Mr. Hartke, Mr. Hatfield, Mr. Magnuson, Mr. Tydings, and Mr. Yarborough.

Authority of January 12, 1967:

S. 217. A bill to authorize the Secretary of the Interior to designate within the Department of the Interior an officer to establish, coordinate, and administer programs authorized by this act, for the reclamation, acquisition, and conservation of lands and water adversely affected by coal mining operations, and for other purposes: Mr. Metcalf and Mr. Nelson.

S. 222. A bill to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped: Mr. Allott, Mr. Bible, Mr. Boggs, Mr. Brewster, Mr. Clark, Mr. Cotton, Mr. Fannin, Mr. Hart, Mr. Moss, and Mr. Pell.

S. 236. A bill to amend the Government Employees' Training Act so as to extend certain benefits thereunder to officers and employees of the Senate and House of Representatives: Mr. Dodd, Mr. Ervin, Mr. Fong, Mr. Gruening, Mr. Hart, Mr. Kuchel, Mr. Long of Missouri, Mr. Magnuson, Mr. McGee, Mr. Metcalf, Mr. Monroney, Mr. Moss, Mr. Randolph, Mr. Scott, and Mr. Sparkman.

S. 276. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps: Mr. Kuchel, Mr. Long of Missouri, Mr. Mondale, Mr. Ribicoff, and Mr. Yarborough.

S. 289. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes: Mr. Allott, Mr. Bartlett, Mr. Bennett, Mr. Bible, Mr. Cannon, Mr. Carlson, Mr. Church, Mr. Clark, Mr. Dirksen, Mr. Dominick, Mr. Fannin, Mr. Gruening, Mr. Harris, Mr. Hayden, Mr. Jordan of Idaho, Mr. Long of Missouri, Mr. Magnuson, Mr. Monroney, Mr. Montoya, Mr. Moss, Mr. Nelson, Mr. Pearson, Mr. Proxmire, Mr. Scott, and Mr. Symington.

Authority of January 16, 1967:

S. 369. A bill to amend title XVIII of the Social Security Act so as to eliminate, in certain cases, the requirement that an insured individual have first been admitted to a hospital in order to qualify under such title for the extended care services provided thereunder: Mr. Bartlett, Mr. Cooper, Mr. Hart, Mr. Jackson, Mr. Kennedy of Massachusetts, Mr. Long of Missouri, Mr. Morse, Mr. Morton, Mr. Tydings, Mr. Young of North Dakota, and Mr. Young of Ohio.

S.J. Res. 12. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President: Mr. Cotton, Mr. Curtis, Mr. Fong, Mr. Hruska, and Mr. Jordan of Idaho.

Authority of January 17, 1967:

S. 428. A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual American education programs, and to provide certain other assistance to promote such programs: Mr. Javits, Mr. Kennedy of New York, Mr. Kuchel, Mr. Montoya, Mr. Tower, and Mr. Williams of New Jersey.

S. 429. A bill to amend the Economic Opportunity Act of 1964 in order to establish a southwestern human development program: Mr. Montoya.

S. 451. A bill to amend the Clean Air Act in order to authorize an investigation and study to determine means of propelling vehicles so as not to contribute to air pollution: Mr. Gruening.

Authority of January 19, 1967:

S. 522. A bill to establish a national mining and minerals policy: Mr. Cannon, Mr. Curtis, and Mr. Scott.

S. 531. A bill to amend the Land and Water Conservation Fund Act of 1965: Mr. Brewster, Mr. Gruening, Mr. Long of Missouri, Mr. Morse, Mr. Moss, Mr. Nelson, Mr. Scott, Mr. Tydings, and Mr. Yarborough.

S. Res. 49. Resolution to express the sense of the Senate with respect to troop deployment in Europe: Mr. Cannon and Mr. Hansen.

NOTICE OF RECEIPT OF NOMINATIONS BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nominations:

William Matson Roth, of California, to be special representative for trade negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary.

Lucius D. Battle, of Florida, a Foreign Service officer of the class of career minister, to be an Assistant Secretary of State.

In accordance with the Committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. BARTLETT:

Statement by him entitled "To Another Frontier," relating to death of Leonhard Seppala, one of the great dog mushers and dog racers of all time.

IN THE BEST OF THE NEW ENGLAND TRADITION

Mr. MANSFIELD. Mr. President, in the New York Times Magazine of January 29, 1967, there appears an outstanding article by John Herbers about our beloved and esteemed colleague, the senior Senator from Vermont Mr. [Aiken]. There is no Member of this body for whom I hold greater affection and respect than I do for George Aiken. My feelings are, I know, shared by every other Member of the Senate and are given to a man who, on the basis of his independence, courage, understanding, and tolerance, has made a unique name for himself in the annals of the U.S. Senate.

There is nothing of the demagog about him, because his nature would not permit him to be anything but what he is. His honesty, sincerity, and friendliness shine like beacons and encompass all those who come in contact with him. He does not desire power and never has, because that, too, would be contrary to his nature. But he has exerted an influence on the Members of this body and the Nation which extends far beyond the meed accorded the rest of us in that respect.

Vermont is, indeed, fortunate to have him representing her; the Senate is fortunate in having him among its Members; and the Nation is better off because of the wisdom and statesmanship which George Aiken so fully possesses. When he attests his signature to legislation, you know there is merit in that particular proposal. When he speaks, he is listened to with respect because of his common sense and down-to-earth type of reasoning. Except for his red necktie, he is not inclined to flamboyance. He is a man of unquestioned integrity and probity; and he does the Senate honor by being one of us. He does the State of Vermont honor by representing it with vigor, vitality, and dignity. He does the Nation honor because of the wide breadth of his knowledge and his understanding of the problems which affect this country no less in the urban than in the rural areas, and he makes us proud before the world because of his keen grasp of international affairs and the depth of his understanding of the problems which confront us and our neighbors in this rapidly shrinking globe.

To George Aiken, friend, adviser, and constructive critic of Presidents and parties, I wish the best of everything in the years ahead.

If I may quote from the concluding paragraph in the article:

> What American old enough to be a Senator can distrust the aura of Yankee thrift, snowy woods, sugar maples, wildflowers and little red schoolhouses that hovers over the Senate chamber when George Aiken speaks?

Mr. President, I ask unanimous consent that the article referred to be incorporated at this point in the Record, but that before the excellent story by John Herbers, I ask that the Aikenisms, entitled "The Aiken View," be incorporated.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times Magazine]

THE AIKEN VIEW

On the living room wall of Senator George Aiken's Vermont home is a framed copy of Frost's "Stopping by Woods on a Snowy Evening." But a visitor gets the impression that the Senator does not often stop to contemplate the miles to go before he sleeps. He enjoys the journey too much. Along the way he leaves Aikenisms that express his own turn of mind. Here are some samples:

On formal education: *"Education is to get you where you can start to learn."*

On youth: *"We don't need to worry about our youth being demoralized or indifferent, if we give them something big to do. It is the natural temperament of youth to respond by overcoming a big task."*

On pruning trees and plants: *"Some say you shouldn't prune except at the right time of year. I generally do it when the saw is sharp."*

On democracy: "Lincoln's reference to *'government of the people, by the people, for the people' is a generally satisfactory definition of democracy. I say 'generally' because when it comes to fair and workable details, democracy fails to completely meet the criteria enunciated by Lincoln by a rather wide margin."*

On political pragmatism: *"Some people throw up their hands when they see a train bearing down on them. But I believe it is better to jump on the train and try to guide it than to be run over. That's why I vote as I do on a lot of things I never would have started in the first place."*

On 20th-century problems: *"Problems are like the large rock in a farmer's field. He may hire a derrick to have it removed only to find two larger ones underneath. But, after all, problems are what make life worth living."*

On containing Communist China: *"I don't know how you go about containing an idea. I also don't know how you go about containing 700 million people."*

On "me-tooism:" *"As Republicans, let us not be afraid of the 'me, too' charge which is sometimes leveled against us. If a Democrat says we need better health, I am not going to come out for poorer health just to disagree with him."*—J.H.

[From the New York Times Magazine, Jan. 29, 1967]

OCCUPATION: FARMER—AVOCATION: SENATOR

(By John Herbers)

Washington.—The pickets in front of the headmaster's home at Putney School could have been peace marchers anywhere. White, intent faces peered out from under long hair as they encircled the porch in the Vermont twilight, awaiting the arrival of a guest speaker, a United States Senator. George Aiken, who lives in a farmhouse several hills away, arrived a few minutes late by automobile, stepped out on the rock drive and walked toward the doorway. A rumpled hat of moss green suede covered his thatch of mussed white hair. A blue suit tried, but utterly failed, to hang properly on his short, stout frame. A puckish grin spread over his face and he chuckled on seeing that the pickets were endorsing his proposal for slowing the war in Vietnam, the proposal he himself called "far-fetched." President Johnson, he had said in October, should simply declare the United States the winner and begin de-escalation.

Inside, the Senator soon had 50 students of the private preparatory school at his feet as he discussed agriculture, conservation, Vermont lore and philosophy of government. "People say to me, 'Oh, we are going too far to the left,' or 'We are going too far to the right,' " he said, swinging his arms first one way and then the other. "Well, I say to them, 'The pendulum swings. You wouldn't want it to sit at dead center, would you? We would all stagnate.' " Even Bobby Kennedy would have envied the attention they paid him.

George David Aiken is, at 74, the ranking Republican in the Senate, the most articulate and influential member of his party on the Foreign Relations Committee, both persistent critic of, and adviser to, President Johnson, the ranking Republican and former chairman of the Agriculture and Forestry Committee, a leader of the moderate Republicans in Congress, an expert on wildflowers, fruits and berries, and a gentle wit who still lists his occupation as "farmer."

If Aiken is as valuable to the Senate as members on both sides of the aisle insist he is, they can credit his presence to the great compromise of the Founding Fathers which held that Senators should represent mountains, lakes and farms as well as people. Senator Aiken has fewer constituents, about 400,000, than many members of the House of Representatives.

Vermont remains a rural state and Aiken is still a spokesman, even an advocate, of the traditional Vermont way of life. But, according to his voting record, he is not insensitive to the many urban crises that have sprung upon us. For a quarter-century, off and on, he has been telling the Republican party, softly and without rancor, that it has lost touch with the people. Thus he brings to the Government a sense of continuity—a bridge between the old, simple life some Americans look back to with a fatal fixation and the explosive, uncertain world of the future.

Every day at 8 A.M. when Congress is in session, Aiken has breakfast in the Senate cafeteria with Mike Mansfield of Montana, the Democratic leader. Both are early risers who open their offices at 7 A.M., which in Washington is extraordinarily early. The two have other things in common. Both are from sparcely inhabited, inland states. Unlike Senators from populous states, they do not have millions of constituents with whom they must be constantly mending fences. Through personal contact with voters, they have built a reservoir of support that gives them a degree of independence. At a high school in Brattleboro the other day, Senator Aiken was greeted by a woman school teacher who said, "Remember me, Senator? I used to pick raspberries for you." Many others he met that day knew him, or had a relative or friend in the next town who did.

Since 1931, Aiken has been a state legislator, Speaker of the Vermont House of Representatives, Governor for two terms and U.S. Senator continuously since 1941. A symbol of his integrity as a public official is the unpaved road that runs by his house (he built the house 40 years ago for $1,500). He has always won by a wide margin. With a record like this, a Senator can, if he wishes, concentrate on being a statesman.

In his early years in the Senate, Aiken's preoccupation was agriculture and education. Now it is foreign affairs and, more specifically, preventing the conflict in Southeast Asia from spreading into a nuclear holocaust. In this role, Senator Mansfield has described him as neither a hawk nor a dove but a wise old owl. President Johnson, one Senator said, consults him far more than is generally known in Congress.

Senator Aiken's complaint is that the President, after asking his advice, seldom accepts it. On his 73d birthday in 1965, at a luncheon held in his honor and attended by the President, Aiken said only partly in jest that if Mr. Johnson would "do what I've told him to do time and again" he would be "the best President the United States ever had."

Some Senators gain power by maneuvering themselves into position in which they can dispense favors to other members of Congress, the White House or the bureaucracy. In this category, the late Senator Robert S. Kerr of Oklahoma, who held a key position on the Public Works Committee, comes to mind. Senator Aiken, on the other hand, has little power but considerable influence, and this seems to be based almost entirely on his personal characteristics.

Under the rules, members of the majority party are appointed to head subcommittees. But Aiken, a member of the minority, is chairman of the Foreign Relations subcommittee on Canada with no objection from Democrats. Although not a member of the minority leadership in the Senate, he is frequently consulted as if he were. And Senator Mansfield acknowledges that those daily breakfasts with Senator Aiken, which have been going on for almost a decade, have influenced his own thinking on foreign policy. "He is not what the State Department would call an expert on foreign affairs," said a staff member of the committee, "but his judgments are generally sound and uncluttered and show insight into the character of nations."

He uses his influence sparingly and selectively. "It is not generally known," said a committee source, "but Senator Aiken is responsible for the amendment in the foreign aid bill that investment loans guaranteed by the United States go only to underdeveloped countries. The Administration was inclined to let the guarantees apply in developed countries as well, but Senator Aiken insisted and insisted that guaranteed loans be concentrated on helping poor countries, and his proposal was accepted."

Aiken says his interest in foreign affairs is natural enough for a Vermonter who holds a key position on the Agriculture Committee (he is also a member of the Committee on Aeronautical and Space Sciences). But he is credited with giving up 13 years' seniority on the Labor and Public Welfare Committee in 1954 and moving to Foreign Relations at least partly to keep the vacancy from going to the late Senator Joe McCarthy of Wisconsin, who was then on his crusade against Communists in the State Department.

A few months ago, a woman visiting Aiken's office sighted a bronze head of the Senator (he won it by predicting rightly in a 1957 Congressional guessing game that Baltimore would beat Washington, 7 to 6, in the opening game of the American League).

"My," she exclaimed, "What a beautiful bust of Robert Frost."

George Aiken can be mistaken for a poet, but never for another Senator. His roughhewn face, white hair and whimsical expression set him apart. He usually wears a red necktie; occasionally he is seen with one that clashes with his suit. "I wear every tie that comes in the mail—once." His blue eyes gleam in good humor, except on rare occasions when he is angry. He cannot abide sham and he has been seen to brush off a colleague roughly for displaying evidence of it.

Like Robert Frost, the Senator has Vermont stamped all over him. There have been Aikens in southeast Vermont since 1780, when one of the Senator's forebears, Deacon Edward Aiken, settled on a farm high up in the hills in what is now the town of Windham. George Aiken was born at Dummerston on Aug. 20, 1892, in a house that has been replaced by Interstate Highway 91. "Best monument a man could have," he says. "It cost $7-million."

But the town of Putney, where the Senator grew up, retains its New England charm, even though it is now more a community of private schools than of farmers. It has rolling hills, a view of the Connecticut River, meadows framed by rock walls, babbling brooks and white birches. The little red schoolhouse the Senator atended is still there, down the road a way from the Aiken farm.

Aiken was raised on stories of Abe Lincoln, of Vermont's Green Mountain Boys and James Fenimore Cooper's Indian tales, and developed an early affinity for the wild things of the woods and fields. After completing high school, he borrowed $100 to plant a patch of raspberries. This grew to 500 acres and he added a nursery. One of his innovations was the commercial cultivation of wildflowers, about which little was known. He received so many letters asking questions on the subject that in 1933 he put all the answers in a book, "Pioneering With Wildflowers."

"In the farthest corner of my father's pasture was a small wood lot of sugar maples, birches, hop hornbeam and pignut hickory, growing on rocky, ledgy ground," he wrote. ". . . in this little grove of hardwoods there were quantities of Springbeauties, Hepaticas, Bloodroot, Violets, Squirrelcorn and Dutchmansbreeches . . . I always regarded the wildflowers of the woods as members of the family and rather felt it my duty to look after them as far as possible, while they in turn would impart many secrets which could never be learned inside the schoolhouse walls."

He dedicated the book to "Peter Rabbit in the hope that flattery will accomplish what traps and guns have failed to do and that the little rascal will let our plants alone from this time on."

Meanwhile, Aiken was rising in politics, skillfully avoiding the traps set for him by private utilities, which held a monopoly on electric power and, according to him, on Vermont's economy as well. As Governor late in the nineteen-thirties he succeeded in breaking the power monopoly and instituted a variety of cooperatives and self-help programs.

It was then he began fussing at the national party. At a Lincoln Day dinner he said, "The greatest praise I can give Lincoln on this anniversary is to say that he would be ashamed of his party today." Although he rejected many aspects of the New Deal as tyrannical, he urged the Republican National Committee to "accept in general the social aims which the opposing party has had the wisdom to adopt, but has lacked the ability to put into efficient operation"—an argument moderate Republicans are making even today.

He called for an end to the "hate Roosevelt" campaign. "I wish folks would stop hating," he wrote in "Speaking from Vermont," a book expounding his political views. "A lady in the South wrote me nine pages telling just why she could not stop hating the President; and yet I expect if he were nominated for reelection she would vote for him as usual."

Today Vermont has a fledging Democratic party and a popular, Democratic Governor, Philip H. Hoff, but this does not seem to have disturbed Aiken's political base. "He's made a career of being an independent thinker—a folksy fellow fighting public power interests and railroads," one of Vermont's political analysts said the other day. "Lots of Democrats vote for him and the Democratic party runs only token candidates against him. The real Aiken enemies are the very conservative Republicans, who say he is no Republican at all."

Senator Aiken returns to Vermont on the average of once a month while Congress is in session. He has sold most of his land holdings and his nursery, but the clapboard farmhouse remains as ever on the hillside surrounded by pear, apple and plum orchards. A pink dogwood blossoms at the front door in the spring, and when the snow is on the ground chickadees come and eat out of the Senator's hand.

His wife, the former Beatrice M. Howard, whom he married in 1914, died last year, and the house is now occupied by one of his three daughters and her husband, Mr. and Mrs. Harry Cleverly. His only son, Howard, was killed in a plane crash in 1959.

In Washington, he lives in a one-room, $156-a-month apartment across the street from the Senate Office Building. He gets much of his work done before official Washington has begun to stir, and in the afternoon is on the floor or conferring with other Senators. He tries to avoid night work. "You don't do your best work at night," he says. He does not participate much in the Washington social whirl, unless it is an occasion "that will cause an international crisis if I don't go." He prefers "supper with friends" or an official function, provided no more than half a dozen are present. "You don't get much accomplished if more than six are there," he says.

It is hard to put a label on Senator Aiken other than "independent" and "nondoctrinaire." None of the special-interest groups which rate members of Congress according to their liberal or conservative votes give him a particularly high mark. Americans for Democratic Action said he supported the

A.D.A.'s position 65 per cent of the time in the 89th Congress. By comparison, Senator Jacob K. Javits of New York was given a 100 per cent rating. On the conservative side, the National Associated Businessmen gave Senator Aiken a 50 per cent score and Senator Javits zero.

Yet last year Aiken voted with the Administration on rent supplements, fair packaging, demonstration cities, minimum wage and civil rights. In 1965, he introduced a bill to give grants to municipalities under 5,000 for water and sewer construction. The Administration opposed it for a number of reasons, but Aiken got it through the Senate anyway. By that time, the bill was so popular the White House, as President Johnson later admitted, "did a flip-flop" and endorsed it in the House. Now little towns across the country are receiving Federal grants for water and sewer projects. "John Sparkman [Democratic Senator of Alabama] told me he dedicated nine in one week," says Aiken.

Some Senate observers call Aiken often provincial in his support of Vermont interests. He has, for example, been a vigorous supporter of the proposed constitutional amendment that would override the Supreme Court's one-man-one-vote ruling by permitting state legislatures to have one house apportioned on geography rather than population. He says rural interests will suffer at the hands of big-city political machines. He sees nothing wrong with the Vermont legislature as it has been constituted and denies it was "hatched from dinosaur eggs."

As a freshman Senator in 1941, before America's entry into World War II, Aiken voted with the isolationists against Lend-Lease, the law by which the United States supplied arms and other assistance to the Allies. However, over the years, he has become increasingly more outward-looking, in both domestic and international affairs. Late in the Eisenhower Administration, he organized a liberal Republican rebellion against the Old Guard that resulted in the election of Senator Thomas H. Kuchel as assistant Republican leader and gave the liberals a larger voice in the Administration. "Because of his seniority, George Aiken could hold positions of greater power," Senator Mansfield says. "But he is always promoting somebody else."

Since Senator Aiken's appointment to the Foreign Relations Committee in 1954, he has traveled widely, served as a representative to the United Nations, headed study missions to Canada and Latin America and participated in the signing of the nuclear test-ban treaty in 1963. Late in 1965, he was one of five Senators who made a fact-finding journey for the committee to Vietnam and a number of other countries. "He was the oldest man on the trip, but the most vigorous," says Mansfield, who headed the mission. "At times our relations with foreign dignitaries would be a little strained, but George would go in and start talking trees and flowers and things and the ice would be broken."

On the committee, Aiken frequently supports the views of the chairman, J. William Fulbright of Arkansas, seldom those of the ranking Republican, Bourke B. Hickenlooper of Iowa. He frets about such things as the refusal of the wealthy ruling class of many countries to yield to social change and the United States' practice of supplying poor countries with more armaments than food.

On Oct. 21, 1965, the Vermonter delivered a rather remarkable Senate speech in which he said: "This big, sometimes blundering, but basically idealistic nation of ours, which had pinned it hopes on the peaceful settlement of disputes, the integrity of the written agreement, the potentiality of the United Nations, the concept of freedom of trade and information and expression, and, in short, the generous and humane instincts of man, is now turning into a nation of nationalists. Our foreign policies of the last 2 years reflect that disturbing fact. President Johnson has not led the nation into paths of toughness, he has rather reflected the growing cynicism of America."

Under a system of government in which the President is supposed to *lead* in foreign policy, this statement amounted to something more than the mild criticism that it sounded.

On Vietnam, Senator Aiken agrees with the Administration that the United States cannot withdraw. But he has consistently been against escalation and favored ending air attacks on North Vietnam and regrouping United States forces around strategic strong points.

The Administration's conduct of the war has offended the Senator's Yankee sensibilities on several occasions. One was President Johnson's peace-seeking trip to Asia just before the Nov. 8 elections, widely interpreted as a political move. It was while the President was in the South Pacific that Senator Aiken released his proposal that the United States declare itself a winner. Although his proposal was a serious one, it was intended as much as anything else to keep the situation in perspective. "It's a matter of face," he remarked later. "The trouble is we are saving two faces, ours and theirs."

Should President Johnson decide to de-escalate the war, he probably would lean heavily on Aiken to help sell the move to the hawks in the Senate. Unlike most doves, the Senator does not ruffle their feathers. After all, what American old enough to be a Senator can distrust the aura of Yankee thrift, snowy woods, sugar maples, wildflowers and little red schoolhouse that hovers over the Senate chamber when George Aiken speaks?

Mr. KUCHEL. Mr. President, I wish to associate myself with the remarks which have just been made by our friend, the able majority leader.

When the distinguished senior Senator from Vermont graces the Senate, he graces the Republican Party. I told the Senator from Vermont a little earlier today that in my judgment he has a little of Abraham Lincoln in him and a little of Will Rogers in him. When he speaks, Senators listen.

George Aiken has placed clearly on his official activities the stamp of honor and courage and valor in American Government, and I am proud to join the able Senator from Montana in the remarks he has made.

Mr. PROXMIRE. I, too, should like to join the Senator from Montana. I should like to go further and say that all of us are immensely influenced by our efforts and by people with whom we associate closely.

I understand that in the article in the New York Times, it is disclosed that our majority leader, Mike Mansfield, and the senior Republican in this body, George Aiken, have had breakfast together almost every workday morning for the last 10 years. One of the reasons why I believe our majority leader is an outstandingly fine majority leader is because of the benign and humorous and thoughtful and excellent influence of the Senator from Vermont. So I am very happy to join in this tribute.

I understand that one of the remarks also made by the distinguished Senator from Vermont was that if the President of the United States had followed his advice, he would have been the best President we have ever had. I think that may well be true; and I think that may explain why our majority leader is certainly the best majority leader, in my judgment, that the Senate has ever had—because of the fine influence of the distinguished senior Republican in this body, George Aiken.

Mr. MANSFIELD. Mr. President, I thank the distinguished Senator from California and the distinguished Senator from Wisconsin for their kind remarks about George Aiken.

When my wife read the story yesterday, she said, "Well, it is about time they started to write something about George Aiken"; I concur fully with what she had to say.

Mr. DIRKSEN. Mr. President, when one thinks of the State of Vermont, one almost immediately thinks of granite or marble, some of the durable things that nature has bestowed on this earth. When one speaks about George Aiken, one thinks of the granite and the marble, so durable and so imperishable, that has made the State rather famous.

He served his State as Governor, and he has served the Senate for a long, long time. He has brought to his public service such a high quality of character and competence that it is small wonder that he returned to the Senate with an outlay of campaign money so small that it makes one coming from another State just a little uneasy and gives him a sense of awkward embarrassment. I say that out of a wealth of experience in my own State.

He has been so kind and so patient. I think that patience is one of his really great virtues. He is never quite in a hurry in an age of hurry.

As I think of it, I think of a friend who dropped in on one of the celebrated ministers in the East a couple of years ago, and he saw him rush in and pace up and down in his study, with agitation written on his face. He said, "Doctor, what is the matter? You seem to be in an awful hurry."

He said, "I am, but the Lord isn't."

I guess that George Aiken has probably gotten some of that quality from the soil and vegetation, from the apple trees that he grows, and from the other fruits with which he has been identified in his native State. Surely he has been not merely a power of strength to the Senate, but also a comfort to the people of this country.

Mr. President, I salute George Aiken for the very timely article, which, in my opinion, was long, long overdue.

Mr. AIKEN. Mr. President, it goes without saying that I have appreciated very much the speeches to which I have listened on the floor of the Senate this morning.

As a matter of fact, who would not be appreciative?

However, not knowing that these speeches would be given this morning, I have no prepared response.

L.B.J. DECISION ON ANTIMISSILE THE RIGHT ONE

Mr. PROXMIRE. Mr. President, I support the highly controversial decision of President Johnson to negotiate with the Russians the deployment of an antimissile system before—and I stress "before"—we begin our own antimissile deployment.

This is the kind of rare but tough, painful decision on which human survival depends.

Many critics, including Members of Congress, argued that we should go ahead and deploy our missiles, rather than negotiating first.

It is most heartening that at least the initial response from Russia may be favorable.

Marshal Malinovsky has altered the tenor of his comments on the capacity of Soviet missile defense to knock out U.S. missiles. He may be acknowledging the McNamara argument that there is no defense against the kind of determined offensive missile attack this country can, if necessary, develop, and by doing so Malinovsky is setting up the basis for Russian acceptance of negotiations that would stop what otherwise could be a fantastically expensive project as well as another deadly escalation of the arms race.

Mr. President, I ask unanimous consent that an article in the Washington Evening Star of last Friday, entitled "Malinovsky Hints Shift to U.S. Missile Position," be printed in the RECORD at this point, as well as an editorial from the Washington Evening Star, entitled "Missile Defense," in which the Star among other things argues:

> Everything possible must be done to convince the Soviets that the deployment of an antimissile system would be a costly mistake. And certainly the United States should make no irrevocable counter-move until the Russians make it necessary, which perhaps they won't do.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

MALINOVSKY HINTS SHIFT TO U.S. MISSILE POSITION

(By Bernard Gwertzman)

A major policy statement by the Soviet defense minister stresses strategic offensive weapons in a way that fortifies the view of those who believe the Russians are backing a deterrent strategy similar to the nuclear policy pursued by the United States.

Defense Minister Rodion Ya. Malinovsky's statement, published in "Kommunist," the official journal of the Soviet Communist party, omits any mention of his country's widely publicized fledgling defensive missile system.

The net result of Malinovsky's article and other recent statements is that the Russians do not appear to be completely sold on the value of anti-ballistic missile system and seem to be stressing, at least for now, the value of an offensive system as the best defense—the general policy of the U.S.

In the past, Malinovsky and other top Soviet defense officials generally have claimed varying degrees of efficiency for their defense against ICBMs. Malinovsky's silence in the lengthy "Kommunist" article can be regarded as an effort by the Russians to keep the door open for future talks with U.S. officials on a mutual freeze on ABMs—as advocated by President Johnson.

Malinovsky's article was ostensibly to commemorate the 50th anniversary of the Bolshevik Revolution; in recounting the exploits of the Soviet military machine, he said the following:

"Paramount attention is being given to the development of strategic rocket forces and of nuclear-armed submarines which have the means to deter an aggressor and to decisively destroy him in war."

Later on, he said:

"The fighting capabilities of the air-defense systems have been raised. New, highly-effective anti-aircraft rocket systems and pursuit-aircraft complexes have been developed and implemented. The forces of the air-defense command have the means to protect the territory of the country from an aerial attack of the enemy."

There was no mention of means to defend against a missile attack.

This statement contrasted sharply with previous ones by Malinovsky and other top military leaders.

For instance, on last Feb. 18, Gen. P. F. Batitsky, then first deputy chief of the Soviet general staff, and now commander-in-chief of air defenses, boasted:

"We have everything necessary for successfully combatting enemy missiles at distant approaches to protected objects."

This was a carefully worded, ambiguous statement that suggested that certain Soviet sites could be protected if there was ample warning.

But in April, in his speech to the 23rd Communist Party Congress of the Soviet Union, Malinovsky made a significant departure from the usual rhetoric. He said:

"Soviet air defense have the means to reliably ensure the destruction of any aircraft and many rockets of the enemy."

The use of the word "many" was the first time Malinovsky had admitted publicly that in case of nuclear attack, the Soviet people could not count on complete protection against missiles.

Another restrained statement was made by Marshal of Aviation V. Sudets shortly before he was replaced by Batitsky. On April 19, he wrote:

"Models of our rockets . . . put on display at the 1964 and 1965 military parades (Galosh rockets) . . . are capable of destroying enemy means of air and space (missile) attack at any altitude and at great distances from the protected areas and objectives."

This could mean that the rockets had a destruction capability, but that the Galosh rockets still had not been integrated into a successful system.

The Russians are well aware of the discussion in the United States on whether to go ahead with an ABM system here. Ambassador Anatoly F. Dobryin has had discussions with Secretary of State Dean Rusk on Johnson's proposal for a mutual halt in new offensive and defensive systems.

MISSILE DEFENSE

The State Department claim that the Soviets are willing to discuss the possibility of calling off their plans for a missile defense system must rate as one of the happier revelations of the new year. The alternative to agreement in this crucial area is another fantastically costly round in the arms race and a return to the dark ages of United States-Soviet tension.

Even before the President, in his state of the Union message, proposed that the two nations should seek agreement not to deploy anti-missile systems, State Secretary Rusk and Soviet Ambassador Dobrynin were meeting. The State Department is typically—and properly—cautious about discussing the progress of those talks, but it has opened the shade just enough to let a ray of optimism shine through.

Everything possible must be done to convince the Soviets that the deployment of an anti-missile system would be a costly mistake. And certainly the United States should take no irrevocable counter move until the Russians make it necessary, which perhaps they won't do.

The fact is that a full deployment of defensive systems by both sides would not, in reality, provide any real protection for the population from nuclear annihilation. The Defense Department has claimed that we are now possessed of enough missiles of sufficient sophistication to penetrate any system the Soviets can devise. If we elect, at a cost of some $40 billion, to deploy a Nike-X system in this nation, the Soviets would have no alternative but to build up their own striking power enough to penetrate it.

But—even though there is, in truth, no hiding place in the nuclear age—if the Soviets go ahead with their present plan to deploy such a system, the administration will have no choice. It will have, at the very least, to provide missile defenses for our offensive missile sites, so that our power to retaliate will continue to be the major deterrent to aggressive war. And another costly, dangerous and unnecessary turn of the screw will have taken place.

SENATE'S FAILURE TO RATIFY HUMAN RIGHTS TREATIES—GRAVE DISSERVICE TO OUR U.N. DELEGATION

Mr. PROXMIRE. Mr. President, again today—as on every day of the 90th Congress on which the Senate has been in session—I rise to entreat the Senate to both admit and discharge our obligation to mankind by ratifying the human rights conventions on genocide, slavery, forced labor, and political rights of women. These four instruments concerned entirely with fundamental human rights—have been languishing in the Senate for an aggregate of 30 years. The United Nations Convention on Genocide alone has been in the Senate for 18 years—longer than four-fifths of the Senate's Members. Certainly the Senate has had time to deliberate all four of these conventions. But as of today there is still no action.

I will continue in my efforts until the U.S. Senate goes on record—one way or the other—on the questions of slavery, forced labor, political fights of women, and genocide.

By its failure to ratify a single one of the human rights conventions, the Senate has not only shown its indifference to the cause of human rights, it has gravely undermined the position and influence of our U.S. delegations to the United Nations.

Four Presidents have selected such distinguished and dedicated Americans as James F. Byrnes, George Marshall, Arthur Vandenberg, Christian Herter, Eleanor Roosevelt, and John Foster Dulles to represent the United States at the United Nations. These four Presidents obviously and wisely valued the work of the United Nations. They honored the United Nations by sending such outstanding representatives. The roster of our own United Nations' Ambassadors Warren Austin, Henry Cabot Lodge, Adlai Stevenson, and Arthur Goldberg—four exceptionally qualified and exceptionally dedicated men—attests to our Nation's commitment to the United Nations.

But we have left these men—Austin, Lodge, Stevenson, and now Ambassador Goldberg—without all their credentials at the United Nations. Our Ambassadors to the U.N. are free to sign a human rights treaty in behalf of the United States, but we have made their signing a hollow gesture—a cruel charade, because the Senate ignores their signatures and the documents to which they are affixed.

The Senate must affirm this Nation's commitment to human rights by ratifying without any further delay these human rights conventions. By so doing we will not merely ratify the treaty but we will restore our United Nations Ambassadors to the full authority every Ambassador of the United States deserves.

DYNAMITE BOMBINGS OF YUGOSLAVIAN EMBASSIES AND CONSULATES

Mr. MANSFIELD. Mr. President, the dynamite bombings of the Yugoslavian Embassies and consulates is a reprehensible attack on a nation with which we have proper diplomatic relations which places the United States in a most embarrassing and painful situation. It was evidently a carefully coordinated and long-planned act of sabotage which authorities in these matters believe has something to do with internal political or sectional rivalries in Yugoslavia. Whoever is involved or whatever is involved, I am sure the FBI and Canadian authorities will investigate, find the perpetrators, and see to it that they are brought to justice.

It appears to me that, all too often, immigrant refugees show more interest in events affecting the countries from which they came rather than the country—our own—which has given them a haven and offers them citizenship.

I do not criticize nationality groups and neighborly associations which seek to ease the adjustment of newly arrived immigrants into American life and to make certain that their welfare is not neglected.

But some organizations are trying to keep alive a double loyalty—which is impossible. It is one thing to try to retain a remembrance of the many distinct human roots which make up the great cultural heritage of the American people. As the first-born son of Irish immigrants, I can appreciate this. It is another thing to promote among more recent arrivals in this country as refugees or regular immigrants a double loyalty or a primary loyalty to a foreign government or, for that matter, its opposition. Organizations which concern themselves with national groupings are either Americans first and always and should so conduct themselves or, if they are not, they should be evaluated in their true light.

Mr. AIKEN. Mr. President, the bombings of several Yugoslavian diplomatic missions over the weekend are to be deplored by all law-abiding citizens. These acts of terror, which occurred almost simultaneously in Washington, Chicago, San Francisco, New York, and Toronto, have been attributed to Yugoslavian partisans who oppose that nation's current rulers.

This Nation has become a refuge for a great many persons who have found it expedient for one reason or another to leave their former homelands. Refugees are not expected to cast off their ties impersonally with their mother countries, nor are they enjoined from making their views on foreign affairs known through peaceable channels. But they are expected to obey the laws of their host country.

When individuals flout the law and take matters into their own hands, they do more than subject themselves to the full weight of U.S. authority. They do harm to the image of the United States as a haven, and they cast a cloud over the countless other immigrants who are decent, law-abiding citizens in the highest tradition of this country.

I am confident that the American and Canadian authorities will do their best to apprehend the culprits and that if they are successful, the bombers will receive full justice under the very system of law they have abused.

The people of Yugoslavia may rest assured that these acts of vandalism do not reflect the feelings of the American people.

ADDRESS BY ADMIRAL RICKOVER—FREEDOM AND THE KNOWLEDGE GAP

Mr. AIKEN. Mr. President, I ask unanimous consent to have printed in the RECORD a speech entitled "Freedom and the Knowledge Gap," which was delivered by Vice Adm. H. G. Rickover, U.S. Navy, upon accepting the Franklin Medal for Distinguished Service presented by the Printing Industries of Metropolitan New York, Inc., in New York, on January 16, 1967.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

FREEDOM AND THE KNOWLEDGE GAP

(By Vice Adm. H. G. Rickover, U.S. Navy, upon accepting the Franklin Medal for Distinguished Service, presented by the Printing Industries of Metropolitan New York, Inc., New York, N.Y., Jan. 16, 1967)

It is an honor to receive this award and a great pleasure to be here, especially since the occasion for our coming together is the 261st anniversary of the birth of Benjamin Franklin.

We could celebrate this event in a number of ways. The most satisfying would be to reconstruct Franklin's life. It has great appeal because it confirms our faith in America. Here is the success story we like to think of as typical: the poor boy who gets rich, who rises from humble beginnings to fame and to enjoyment of the company of the great—all of it through personal effort, with no outside help. So versatile a man was he that in Franklin's life each of us can find the success story that is his own particular American Dream. I myself like best his self-education through voracious reading. It vindicates my belief that anyone who is able to read and has access to books can acquire a liberal education. Conversely, that it is a matter of personal choice if he remains uneducated.

Franklin often said he could not remember a time when he did not read. Books were his teachers. Taking the best authors as his models, he worked hard at perfecting his writing, eventually achieving a simple, lucid style. His thirst for knowledge never ceased. He taught himself foreign languages so he could read foreign books; he taught himself science so he could understand the world of science that was just opening up. He read not only for instruction but for enjoyment as well.

All his life, men of learning and position who ordinarily would not bother with an artisan, sought his company. He thought it was because "reading had so improved my mind that my conversation was valued." America's first ambassador to a major power, Franklin's reputation in Europe as a practical scientist and political philosopher was a major factor in the success of his mission. Ultimately the force and charm of his personality won French financial and military support for the American Revolution, thus ensuring its eventual triumph. But Franklin's greatest achievement was the man he made of himself. He was a man, said Mark Van Doren, who "dignified and glorified his country."

Pleasant as it is to relive the life of a great American, and in the doing to feel uplifted oneself, I shall pursue this subject no further. I am no authority on Franklin. Most of you know more about him than I. In any event, I think commemorative observances should in a more general way involve a confrontation of the present with the past. They should be occasions when we contrast the actuality of our present way of life with the promise of our heritage; or, alternatively, when we re-examine our heritage in the hope of finding guidelines that may help up solve currently intractable problems.

I shall try to do this. But, given the dimension of the subject and the limited time at my disposal, my attempt must be brief and sketchy. Still, I believe this could be of some value since we tend to immerse ourselves in current problems without considering them in their historic perspective.

To an unusual degree, we are a people preoccupied with the present and indifferent to the past, convinced as we are that everything we do, everything we possess is the best the world has ever seen. We feel superior to those who lived before us; the past has little relevance for us.

George Bancroft, America's foremost 19th century historian, once remarked that "the people of the United States will by degrees learn that theirs is a history worth knowing." Since his time a vast amount of original documentation has been made available in readable form. We have first-rate historians and they write excellent books. Quite possibly, we know more now about American history than in Bancroft's time. But it remains something of an academic exercise because we have not made it part of our way of thinking, our way of looking at the world. We do not feel in our very bones that what Americans thought and created in the past has a value of its own, worth preserving even when it is not measurable by present day yardsticks of efficiency or profitability.

One can but hope that our habit of equating "old" with "obsolete" and "new" with "best" will in time disappear, responding to that sovereign remedy Oliver Wendell Holmes was so fond of prescribing for all the ills of the world. As you probably remember, it was "to grow a little more civilized."

Civilization is a word with many connotations. One is that it creates inheritable wealth in man-made things of lasting beauty and utility; another that it develops discrimination in judging the value of these things to modern man. If one were asked what chiefly distinguishes people in old countries from those living in countries we call "new" or "young," the answer, I think, would be their attitude toward the past. This difference in outlook—rather than technical backwardness, as we like to think—accounts for the different "look" of old countries and, incidentally, explains why the tourist traffic across the Atlantic runs mostly one way—a constant drain on our gold reserves.

I did not myself fully realize how much the present can be indebted to the past until I saw this demonstrated in simple, concrete form on a visit to Switzerland. Driving up a winding road, past terraced vineyards reaching to the very top of the mountain, it suddenly struck me that all the work of terracing had been done by hands long since turned to dust; that it was the labor of those hands that made the steep mountain slopes fruitful, thus, quite literally, "giving" the modern vine grower his means of livelihood.

Once this obvious phenomenon had revealed itself to me, I saw how everywhere abroad it forges a link between the generations, binding the present to the past and to the future as well. Along the Mediterranean you can see olive groves whose retaining walls were built in Roman times—2,000 years ago. You can also see endless columns of newly planted trees marching across the arid hillsides—in every size from seedling to full-grown oak, olive or cork tree—today's contribution to the future. Over most of Europe, centuries of cultivation have not impaired fertility of the soil. Every farmer is beneficiary of the careful husbandry practiced by his forebears. Though population growth and technology have left their scars, the greater part of the landscape still retains the attractive ancient pattern of family farms with alternating fields and woods. Aerial surveys reveal that the outlines of English farms at the time of Doomsday Book often coincide with those of the modern farms.

Europe is full of old houses, old villages, old towns that are pleasing to the eye and attract tourists by the millions. Many are now protected as national monuments. Not immaculate museums like Williamsburg but places that have been made habitable for modern man without altering their appearance; where people live surrounded by things of beauty that have come to them from the past. I should like to see this idea adopted here, before every vestige of an earlier America has fallen victim to that most destructive of modern contrivances, the bulldozer.

On my frequent flights across our country I see bigger gashes each year, deeper wounds in the good earth of America; more pits and slag heaps where the soil has been mined and desolation left behind; more trees, topsoil and buildings ripped out to make room for the steel and asphalt world of tomorrow. For us no vineyard, orange grove or family farm has value if more money can be made by putting up factories, housing developments, parking areas. The engineers, armed with their sacrosanct blueprints cannot be stopped. Wherever it has been decided—probably by a computer—that a highway must go, there it will be driven arrow straight across the land. No matter that it destroys a landmark dear to many people, or cuts through a charming old town where something of our past has been carefully preserved by the inhabitants, or despoils a park deeded to the public "in perpetuity."

It isn't fair, of course, to blame the engineers. They are merely doing their job. There is no public outcry against them. The only voices raised in protest are those of people who are personally hurt, and of a small minority of citizens who cannot bear to sit idly by watching God's own country being turned into "God's own junkyard." Until this minority grows into a majority, determined to preserve what is left of the beauty of our land, the destruction will not cease. Each year another million acres will disappear from our store of productive land, to go into suburbs and add a further dimension to megalopolis.

Indifference to the past breeds irresponsibility toward the future. We rarely consider the consequences of our actions for future generations of Americans. We certainly did not think of them when we proceeded to cover the countryside with these endless strips of formless urban masses we call conurbation. Whatever adults may think of them as places of human habitation, they are not good places for children to grow up in.

All children are, of course, born into a world they never made, and must manage to adjust to the physical environment and style of life created by adults pursuing adult objectives. But children will develop better if their basic needs are included in these adult objectives. In countries that have retained a tradition of fitting man-made structures into the natural landscape without marring it, children's eyes grow accustomed to seeing man and nature in harmony. Few of our children have that chance today. All too many grow up surrounded by man-made ugliness, with no terrain to romp on that has not been soiled by the sticky fingers of adults. Rarely, if ever, is it possible for them to be in intimate contact with nature. Does this not have adverse effects upon them? Will they not be even further alienated from nature than we are?

Our amazing capacity to change the contour of a continent is matched by the thoroughness and rapidity with which we have transformed our social geography. You doubtless remember Franklin's description of America in 1782. A country without extremes of poverty or wealth, but with "a general happy Mediocrity"; with "few great Proprietors of the Soil, and few Tenants"; where "most People cultivate their own lands, or follow some Handicraft or Merchandise," and few are "rich enough to live idly upon their Rents or Incomes." Where land is so abundant that a hundred acres can be bought for "eight or ten guineas," and men are so scarce and therefore needed and valued that this sum can be saved in a short time by any laborer, wages being higher here than anywhere else.

For one more century this description remained true. Millions of landless peasants and poor cityfolk came to America and found the ultimate goal of their dreams: a farm of their own, a business of their own. But nearly everything that made Franklin's America a Utopia for ordinary men, with courage and the will to work and not much else, has now turned into its opposite.

We are no longer a nation of independent farmers, artisans, merchants or small businessmen; 90 per cent of us are employed by others, more often than not by huge organizations in which we are tiny, interchangeable cogs. Paradoxically, there are now more family farms abroad than here; there are more landlords operating large farms with machines and migrant labor here than in Europe. Where once we had neither paupers nor very rich men, we now have both. The richest one per cent own 28 per cent of the national wealth, the poorest one tenth own one percent. We who once lived in wide open spaces, with only five per cent in towns of over 8,000 inhabitants, are now crowded into cities and suburbs—70 per cent of us, and the number keeps growing. What was once a wilderness hardly touched by man is now the most completely man-made land on earth. Access to unspoiled nature is so difficult that its simpler to fly to Switzerland if one craves to sit on a mountain top.

It is tempting to speculate whether Franklin or any of the Founding Fathers would have approved the changes we have wrought in the nation they helped to bring into being. That these changes have made us the wealthiest and most powerful state on earth would be of less interest to them, I think, than whether we had preserved intact our liberties.

Wealth and power were not aims of our Revolution. Unlike some later revolutions, ours was fought on the single issue of freedom to manage our own affairs as a nation and as individuals. No one imagined that the end of colonial rule would bring instant riches; nor did any of our leaders give thought to personal emolument or high office for himself should the war be won. Their passionate concern was national independence and individual liberty. They risked their lives and fortunes and gave the best that was in them to the building of an effective political framework for a truly free society.

We have been wise enough to hold on to this framework, despite our proclivity for throwing everything old overboard. The Declaration of Independence still proclaims the basic tenets of our political creed. The Constitution still provides the institutional mechanism which gives reality to these tenets. True, we have amended the Constitution. We have stretched many of its provisions to their utmost, in the process weakening the federal structure the Founders regarded as the very bedrock upon which our political system rests. But, though we have moved a long way toward a unitary state, with power centralized in Washington, this of itself has not impaired American democracy, a different matter altogether. Consider that Sweden, a unitary state, is as democratic as Switzerland, a federal union.

Democracy, to the Founders, meant a system combining maximum individual freedom with adequate provision for the proper governance of a civilized society. The Constitution they devised with such consummate skill represented in Hamilton's words, a happy mean between "the energy of government and the security of private rights." It is this "happy mean" which I fear has to some degree been lost in our phenomenal rise to power and wealth.

This rise is the result of two major revolutions in the technique of living: the industrial revolution which came to us from Europe in mid-19th century and the scientific revolution which arrived here a century later. Both revolutions have been of great benefit, but they have also caused much harm. Modern science-based technology, in particular, poses a serious threat unless it is kept under social control. In a democracy, such control can come only through laws demanded by the electorate. This presupposes a lay public which understands enough of technology to determine where it causes injury and how this can be prevented.

But science—so important to the comprehension of modern technology—is for the majority of citizens a closed book. There is a knowledge gap of vast dimension between the public and that small elite of highly intelligent, highly educated experts who understand science and have the use of technology. Disturbing as it is that people should differ so greatly in their grasp of a vital area of knowledge, the phenomenon is not unusual. It occurs with every major rise in civilization.

Men are the most unequal of all species on earth. They are more unequal in realms of the mind than in physical characteristics. The higher the level of civilization, the more important does mental power become for, as Gilbert Highet reminds us, "civilization is not chiefly concerned with money, or power, or possessions. It is concerned with the human mind."

But the opportunity to cultivate mind and spirit—the essence of civilization—is not seized with equal avidity by all men. Always and everywhere, civilization results in greater enlargement of the scope of human thought and action among a minority possessing high intelligence than among the majority. It follows that, although men become more equal in material possessions as civilization advances, in knowledge and in competence they become less equal.

For complete equality we must go to the animals. In their native habitat they are uniformly handsome and differ but slightly in physical prowess—just enough to vest leadership in the strongest, thus enhancing the group's capacity to survive. Some human societies at very early stages of development are almost as equal as are animal societies, no one having yet attained sufficient power to compel others to serve his purposes. There is peace within such egalitarian societies—a goal we still pursue in vain. Animals, in particular, rarely kill or even seriously wound members of their own species. There is peace and equality but nothing else except mere survival.

Much as we dislike the idea, it looks as though inequality has throughout history been inseparable from civilization. Perhaps this is why civilized men in all ages have longed for the "simple life," be it in a rural Arcadia, a South Sea island, a frontier settlement. But as we dream of equality it recedes ever further beyond the horizon. We come no closer than political and legal equality, for these can be prescribed regardless of differences in knowledge and competence.

When life is simple, it can be understood by nearly everyone, and the capacity to function effectively is within the grasp of all. With civilization, life grows complex, harder for ordinary people to understand, demanding skills many are unable to acquire. In understanding and in competence, the gifted forge swiftly ahead. What they achieve is beyond the capacity of the average. As a result, men grow apart, their interests diverge. Society then divides into segments according to superiority of competence or superiority of numbers. Each segment may be tempted to impose its own will on society. In the past, it was possible for either side to predominate. Today the advantage is decisively with the side that has superior knowledge and competence.

We are marching with giant strides into a future where the competent become indispensable to the very survival of society, while the incompetent become redundant. Large numbers of people will find themselves displaced by machines which can do their work better and cheaper. It will take all the moral resources we possess to keep ours a humane society based on respect for the worth of every human being. It will take all our intelligence and political acumen to keep ours a free society, preserving individual liberty and the moral and social values cherished by free men.

In our predicament, it may be wise to heed the Pennsylvania State Constitution of 1776 which declares that "a frequent recurrence to fundamental principles" is "absolutely necessary to preserve the blessings of liberty and keep government free."

We face a new version of an age-old problem which was of particular interest to the men of the Enlightenment. During that last phase of the Renaissance, political thinkers here and abroad were inspired by classical rationalism to mount an attack on every custom and institution that shackles the mind of man and arbitrarily restrains his actions—from superstition to class privilege, from tyranny by an established church to tyranny by a secular autocrat. The great achievement of our Founding Fathers was that they discovered a practical answer to the central question of the time: *How to limit power so men could be free?*

They saw clearly that the problem reflected an inherent conflict between civilization and liberty, for it was life in civilized society that generated the power which then suppressed the liberties of the individual. Civilization, of course, takes on different forms, constantly creating new centers of power. But the fundamental principles adopted by the Founders for the governance of this nation will continue to safeguard our liberties if we adapt them to altered circumstances. Two of these principles are particularly useful for dealing with problems caused by the knowledge gap between experts and lay public. They are *first*, that sovereignty is vested in the people, and *second*, that right and duty are correlative.

The first principle places public officials in the relation of agent to principal, thus making them accountable to the electorate. To make this principle fully effective, we must take steps to eliminate campaign costs as a factor in choosing candidates and electing men to public office. I hope everyone will take advantage of the recent law which permits taxpayers to assign one dollar of their taxes to a fund for presidential campaign expenses.

This novel and imaginative method of socializing the cost of election campaigns should be expanded to cover congressional elections as well. This would give us a wider choice of candidates. Those elected would not be beholden to any man or group for campaign contributions. I have never met a legislator who did not resent such obligations; who would not have preferred to be accountable solely to the people who elected him. By freeing our elected representatives, legislation demanded by the people for protection against injurious technologies and for preserving our heritage would have easier passage, as would laws providing for action to undo the enormous harm technology has already caused—such as pollution of air and water.

The second principle holds that the influence each citizen exercises over his government correlates with his duty to place the common good, the public interest above his own private interest and above the interests of groups with whom he identifies himself. It holds that the right to an equal vote correlates with the citizen's duty to make himself sufficiently competent to exercise this right responsibly.

The Founders saw more clearly than we that democracy cannot succeed unless a majority of the people possess what the ancients called the "public virtues." We sometimes forget how dangerous an experiment democracy appeared to the 18th century men. The framers of the Constitution thought and wrote extensively on the difficult art of self-government. They risked it only because of their certainty that Americans could be trusted to make a success of it since they were frugal, self-reliant people and—as independent entrepreneurs—had practical experience in managing affairs. They felt that Americans developed the "public virtues" so to speak automatically, because of the kind of life they led and the way they earned their livelihood.

This is no longer true. Work as "organization men," in particular, is not apt to promote the qualities the Founders had in mind. But even if we all still had our own farms or shops, the practical experience gained from managing one's own business would no longer suffice for the competence a citizen must have today. The issues we face have grown infinitely more complex since Franklin's day. To understand and cope with them calls for the application of informed intelligence—a skill that has to be learned at school or through systematic self-education.

A century ago, Robert Lowe addressing the House of Commons spoke of the "absolute necessity of educating our masters." Suffrage had just been expanded in England and he, like others, feared an ignorant electorate. The thought that democracy requires free public schooling was novel then, but everyone everywhere has absorbed it by now. The obverse, however, that citizens in a democracy have a *duty to become educated* is not yet understood, especially among the least educated who see schooling as something to be *demanded* but not necessarily *utilized*.

Yet it should be obvious that, at the American level of technology and civilization, our young people cannot become contributing members of their society—as breadwinners *or* as voters—unless they absorb a substantial mass of solid knowledge. Whether children *like* to learn the academic basics, or whether their background has given them an appreciation of the value of these subjects is irrelevant. The blunt truth is that unless they work as hard as they can to become as educated as their innate capacities allow, they will jeopardize the liberties of us all. These liberties are safe only as long as we have a viable democracy.

No one has a greater stake in democracy than the least competent of our citizens, for only in a democracy are individuals respected and granted rights whether their contributions are essential to society or not. An *affluent society* can bear the burden of supporting out of public funds those who lack the skills that will gain them a livelihood. But a *free society* cannot, in the long run, bear the burden of having a mass of voters who lack the education they need to make them responsible citizens. Education is the fundamental premise of a democratic society. Clearly then, it is not enough to provide the fullest educational opportunities for everyone; these opportunities must also be used by everyone.

Even the best education cannot give the public more than a key to specialized knowledge—enough background to read books dealing with specialized knowledge. The leisure that modern technology makes available to ever larger numbers of citizens could not be better spent than in this type of self-education—the way Franklin learned *his* science. It is not necessary to be able to follow scholars into the realms of higher mathematics or science in order to be able to judge the effects of technology on man and on society. There is a parallel in lay juries. Without training in law, they are able to determine the innocence or guilt of accused persons.

Permit me to offer a few thoughts on how laymen can deal with technology. I shall have to be didactic for time is running out.

Technology is not a force of nature with its own imperatives, its own momentum, which place it beyond human direction or restraint. It is a human creation, therefore subject to legal restraint if it injures man or society. Nothing could be sillier than to claim that "you cannot stop progress." You can, indeed, and you should if you feel it has adverse effects.

Though modern technology is based on science, the two must not be confounded. Science is a body of systematized knowledge; technology is the apparatus through which knowledge is put to practical use. Whatever the scientific community accepts as proven is not open to public debate. This is one lesson mankind has learned. No one disputes that the earth circles the sun, or that atomic fission produces energy. But *technology* cannot claim the authority of *science*. It is therefore properly a subject of debate, not alone by experts but by the public as well.

Science, being *pure thought*, harms no one. Technology, on the other hand, is *action*, often potentially dangerous action. How we use technology profoundly affects the shape of our society, the quality of our life. In the brief span of time—a century or so—that we have had a science-based technology, what use have we made of it? We have multiplied inordinately; we have wasted irreplaceable fuels and minerals; we have poisoned air and water; we have perpetrated incalculable and irreversible ecological damage. On the strength of our knowledge of nature, we have set ourselves above nature. We presume to change the natural environment for *all* the living creatures on this earth. Do we, who are transients on this earth and not overly wise, really believe we have the right to upset the order of nature, an order established by a power higher than man?

Experience shows that by itself the legal maxim of the "mutuality of liberty" will not prevent the use of harmful technologies. We need laws that proscribe technologies which may injure health or cause the death of human beings. The term health should not be limited to physical health but must include psychic health and protection of the human personality. New technologies based on the uncertain "science" of the social sciences involve snooping into the inner recesses of the human mind, personality testing and pseudo-scientific manipulation of human beings. When they are imposed as conditions of employment or otherwise partake of an element of compulsion, these technologies should be regulated or outlawed entirely.

Much more thought should be given to technological interference with the balance of nature and its consequences for man, present and future. There is need of wider recognition that government has as much a duty to protect the land, the air, the water, the natural environment against technological damage, as it has to protect the country against foreign enemies and the individual against criminals.

These are my suggestions. Others may have better ones to offer. What seems to me of utmost importance is that we never for a moment forget that *a free society centers on man.* It gives paramount consideration to human rights, interests and needs. Society ceases to be free if a pattern of life develops where technology, not man, becomes central to its purpose. We must not permit this to happen lest the human liberties for which mankind has fought, at so great a cost of effort and sacrifice, will be extinguished.

Mr. AIKEN. Mr. President, Admiral Rickover is known the world over as one of the greatest experts in the field of nuclear power. However, it is not so generally known that he is also a foremost student and exponent in the fields of science, history, education, the humanities, and government.

In this speech, his broad knowledge in these various fields will be apparent to those who read it.

AN ACTION WHICH DRAMATIZES NEED OF LEGISLATION TO RELIEVE ALASKA'S PLIGHT IN MARITIME TRANSPORATION

Mr. GRUENING. Mr. President, on January 12, immediately after the 90th Congress convened, I introduced a bill, S. 292, together with my distinguished colleague from Alaska [Mr. BARTLETT] as cosponsor, to produce a solution to an extremely vexing problem for the State of Alaska. That is the existing obstacle which confronts Alaskans to the use of a ferry system operated by British Columbia. This obstacle is due to prohibitions in the Merchant Marine Act of 1920 against the use of foreign carriers for shipments moving in interstate commerce.

At the time I introduced S. 292, I pointed out that a basic cause of the unreasonably high cost of water transportation to Alaska is the provision of the Jones Act, so named for Senator Wesley Jones, of the State of Washington, which effectively excludes the use of foreign carriers for cargo destined for Alaska from other States. The burden of this prohibition has been made even heavier by the fact that although the Jones Act allowed certain exceptions to the prohibition against the use of foreign carriers, these were specifically forbidden for Alaska until the enactment of the Statehood Act. The long history of the total dependency of Alaska on domestic carriers resulted in the development of a ruthless monopoly in the trade, now only partially dented by the introduction of new American carriers in the rail belt but not in southeastern and northwestern Alaska. The many years in which Alaska was wholly at the mercy of one carrier caused the entrenchment of transportation patterns which have resulted in relentless increases in freight costs, and consequently costs of living in Alaska.

In a dramatic attempt to call attention to the serious disadvantages under which Alaskans are forced to operate their businesses and carry on their affairs, a test case of the application of the Jones Act to Alaska will soon be before the Bureau of Customs for action.

On Friday, January 27, Gov. Walter J. Hickel, of Alaska, announced that he had ordered loaded aboard the Alaska State ferry *Matanuska* two trailer homes necessary for use at Sitka which had been shipped via the British Columbia ferry after leaving the point of origin at Caldwell, Idaho.

Presumably the use of the Canadian vessels for this purpose will cause the shipment to be found in violation of the cabotage laws. At point of arrival at Sitka, Alaskans will be watching with interest the action which may be taken by the Bureau of Customs.

Whatever the Federal authorities may do in this case, it is clear that the enactment of my bill to authorize shipments such as this is entirely necessary to the welfare of the people of Alaska. Alaskans, as other Americans, are law-abiding citizens and do not wish to violate laws enacted by Congress. However, desperate situations sometimes require desperate remedies. Our colonial forefathers recognized that by dumping tea into Boston Harbor. Alaskans, especially those living in southeast Alaska, are finding themselves in an ever more desperate situation insofar as water transportation is concerned. The case of the trailers bound for Sitka is a good example of the plight from which our people must be rescued.

I hope that the Committee on Commerce will act speedily on S. 292 and that the bill will be enacted as soon as possible. I know that it will because my colleague, BOB BARTLETT, chairman of the Subcommittee on Merchant Marine and Fisheries, has today assured me that he will hold hearings on this pressing issue just as soon as the reports from the Federal departments concerned, which he has requested, are received. Meanwhile, Governor Hickel has dramatized the issues in a manner demonstrating their serious importance to Alaska.

Today I sent a telegram to the Secretary of the Treasury expressing my hope that no adverse action will be taken by the Bureau of Customs in this case in view of the extenuating circumstances surrounding it and the pendency of legislation that would solve the problem. I ask unanimous consent that the text of my message be printed in the RECORD.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

JANUARY 30, 1967.

Hon. HENRY FOWLER,
Secretary of the Treasury,
Treasury Department,
Washington, D.C.:

Governor Walter J. Hickel, of Alaska, has advised me by telegram of a shipment of two trailer houses via the Alaska State ferry *"Matanuska"* bound for Sitka, Alaska which may be found in violation of provisions of the Merchant Marine Act of 1920 prohibiting shipment of cargo in interstate commerce via foreign carriers. In this case the trailer homes are vitally needed for housing by two families now living in a hotel at Sitka because of a severe housing shortage there. The shipper arranged for a transportation from point of origin at Caldwell, Idaho via highway to Vancouver, British Columbia, thence via British Columbia ferry to Prince Rupert where transfer was made to the Alaska State ferry *Matanuska.*

It is my hope the Bureau of Customs will take into careful consideration the extenuating circumstance of necessity for use of the Canadian vessel in determining action which may be taken in this case. Alaskans in the southeast part of my State are desperate for increased water transportation service to relieve dependency on a single monopoly carrier which fails to meet the obvious needs of the people. Also, I call to your attention my bill, S. 292, cosponsored by Senator BARTLETT, chairman of the Merchant Marine and Fisheries Subcommittee of the Senate Commerce Committee. This bill would amend the Merchant Marine Act of 1920 as necessary to remove obstacles to use of the British Columbia ferries by Alaskans. Senator BARTLETT intends to hold hearings on this measure as soon as submission of departmental reports permits this. Urge no adverse action be taken against shipment to Alaska via Canadian ferry pending action on this legislation.

Please keep me fully advised of procedures which will be followed and action taken on this case.

ERNEST GRUENING,
U.S. Senator.

PLANNING AND THE FEDERAL ESTABLISHMENT

Mr. SCOTT. Mr. President, it was my privilege to be the keynote speaker at the fourth biennial government relations and planning policy conference of the American Institute of Planners which was held on January 27, 28, and 29 at the Shoreham Hotel in Washington, D.C. More than 150 key members of the institute heard and discussed seven position papers centered around the conference theme of "Planning and the Federal Establishment." Later, I shall ask that some of these papers be printed. Meanwhile, I ask unanimous consent that the text of my keynote address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

PLANNING AND THE FEDERAL ESTABLISHMENT

(Keynote Address by U.S. Senator Hugh Scott, Republican, of Pennsylvania, before the fourth biennial government relations and planning policy conference of the American Institute of Planners, Shoreham Hotel, Washington, D.C., Jan. 27, 1967).

I am delighted and privileged to participate with you in your conference and to meet with such a distinguished cross-section of leaders in America's planning profession.

I am glad to be here for another good reason. Your President, Irving Hand, is the Planning Director for the Commonwealth of Pennsylvania. As a member of the Pennsylvania State Planning Board, I am, in a certain sense, Irv Hand's boss. You, as members of the American Institute of Planners, are, in a very real sense, Irv Hand's bosses, too. Since we both have the responsibility for keeping Mr. Hand in line, perhaps this is a good time for us to compare a few notes. I should add, however, that all of us really work for Irv, who is the cerebral center of our deliberations.

But the real reason why I am here today is the theme of your conference, "Planning and the Federal Establishment," and the circumstances that the country faces here and now.

"Planning and the Federal Establishment" is of great concern to me and indeed is a primary concern of the members of the 90th Congress on both sides of the aisle.

Planning is concerned with the forward or future use of resources, in order to achieve desired goals and explicit objectives.

Increasingly, more and more of these resources are coming from the Federal Government, through its vast array of loan and grant programs.

The 89th Congress alone considered almost 60 proposals for new Federal grant-in-aid programs.

While the role of the Federal establishment is continuing to expand, I have some misgivings about what we have done and how we are doing it.

I am especially concerned about the trend toward centralizing in Washington decisions concerning a wide range of domestic programs. This threatens further to tilt toward the Potomac the balance of political power between the national government and the states. Federalism to be creative must be balanced. I intend to direct my efforts in the 90th Congress toward restoring balance to our Federal system so as to enable the States effectively to meet the needs of their citizens. That is the underlying objective of a tax-sharing plan that I proposed this week. That bill would return to the states one percent of Federal income tax collections. This goal of strengthening our state governments will also be the objective of other bills I am drafting, including the measure I shall discuss with you in a few moments.

One of my areas of concern deals with the coordination of Federal grant-in-aid programs. I speak here of coordination at the Federal level and, importantly, at the State level; increasingly at the metropolitan level on an interjurisdictional basis; and of course, at the local level where the tradition of home rule is a strong political fact.

Congress has made some advances in seeking to achieve coordination, but they are pitifully few, and the number of programs seems to outrun our abilities effectively to coordinate them.

The bill which created the Department of Housing and Urban Development contained Congress' directives that the Secretary of that Department be responsible for the coordination of Federal programs affecting urban development.

While I supported this measure, I intend vigilantly to watch the results. I am not entirely convinced that one operating Department can, in a truly effective manner, coordinate the activities of other Departments that stand as equals in the President's Cabinet, particularly when some of these other Departments have programs that are actively in competition with each other and often with the Department of Housing and Urban Development itself.

I am inclined to the view that this type of inter-program coordination at the Federal level could best be performed within the Executive Office of the President. That is why I sponsored in the 88th and 89th Congresses a bill to create an Office of Community Development in the Executive Office of the President as an alternative to a new Cabinet post.

The Bureau of the Budget presently performs certain inter-program coordinative functions, and I am encouraged by some of the more recent Executive Orders and policy declarations of the President which have sought coordination, particularly the President's memorandum of September 2, 1966, which seeks to harmonize districts set up within States for the purposes of administration of certain Federal programs with districts established by the State for State planning and development purposes. The Pennsylvania State Planning Board has divided the Commonwealth into 13 planning regions, and it is our belief that development districts established in Pennsylvania to administer Federal programs should, to the maximum practical extent, coincide with our planning regions. This harmonization can best be accomplished by the Government of the Commonwealth.

We in Congress are going to be interested observers of the implementation of these programs and the degree to which the Johnson Administration is able effectively to integrate and to coordinate its own actions in these many fields.

There have been, indeed, some advances. The 89th Congress enacted the Comprehensive Health Planning and Public Health Services Act of 1966, Public Law 89–749, which authorizes formula grants and project grants to assist in financing comprehensive health planning at State, regional, metropolitan and local levels. Enactment of this legislation was an advance because it seeks to alter a process of funding public health services by substituting locally-drawn health objectives and goals for a complicated but somewhat sterile set of narrow categorical health aids that have developed over many years of time. In short, the provisions of this Act look to the States, the regions and localities to establish their own health needs rather than to rely upon specific programs enacted by the Congress. It is my belief that by enacting specific programs to deal directly with specific diseases or to assist in creation of specific facilities, Congress has, in the past, usurped the prerogatives of the States and the localities. Congress had in effect already established goals by the enactment of specific assistance programs.

The Comprehensive Health Planning Act, on the contrary, seeks to shift that goal setting responsibility more closely to the people where it belongs.

I believe that Washington should firmly adhere to the position that planning, programming and coordination belong at the State, regional and local levels as close as possible to where the action is, as close as possible to where needs are, and as close as possible to where these programs are going to be carried out.

While I endorse generally the provisions of the Comprehensive Health Planning Act, it, too, raises some serious questions in my mind.

We are proposing in this law comprehensively to plan for health needs and health facilities. The Land and Water Conservation Act of 1965 requires that there be a comprehensive outdoor recreation plan. The President, in his recent State of the Union message, called for a master plan of law enforcement. Federal law also calls for comprehensive basin-wide water planning.

Are we going to continue to develop comprehensive planning in specific functional areas? My question simply is this: If we are going to have comprehensive planning in every State health department and in every State recreation agency and in all the police departments across the country, who is going to do the overall comprehensive planning? Who is going to, in short, pull all of these comprehensive plans together and relate them specifically to the overall goals and objectives of State, metropolitan and local governments?

How do all of these activities get related one to the other, and how does the chief executive of the State or the region or the locality knit all of these governmental functions into a unified and cohesive whole?

These are some of my concerns.

The Demonstration Cities and Metropolitan Development Act of 1966 is another good example of a desirable trend toward coordination at the local level.

Title I of that Act deals with the demonstration cities and puts in the hands of the local people the responsibility for planning an all-out and integrated attack in social and economic, as well as physical terms, on the ills of our major cities and their residents.

Title II, dealing with metropolitan development, seeks to provide for coordination of certain Federal programs at the metropolitan scale through comprehensive area-wide planning and programming.

While there have been many advances and many worthwhile Federal programs placed on the books, I consider it to be the job of the 90th Congress to observe the effects of these programs, to consolidate gains already made, to speed up administrative processes, and above all, to eliminate overlap and confusion.

For all of these reasons and based upon the concerns that I have outlined to you in my remarks so far, I have been drafting what I am tentatively calling "The Comprehensive Development Planning, Programming and Coordination Act of 1967."

I believe this proposed legislation will be of great interest to members of the American Institute of Planners especially since I have benefited greatly from the expert advice of the Institute's President, Irving Hand, and its Washington staff as well as representatives of several public interest groups including the Council of State Governments, the U.S. Conference of Mayors, the National League of Cities, and the National Association of Counties.

Taking the urban planning assistance program—the "701 program" authorized by the Housing Act of 1954—as its point of departure, my bill seeks to strengthen broad, long-range, comprehensive planning, as distinguished from the narrower, shorter-range functional and project planning. Recently enacted Federal grants-in-aid to States and localities, as you well know, are conditioned upon comprehensive planning.

My bill would provide financial incentives of the States, metropolitan areas, and other regions to engage in comprehensive planning, programing, and coordination of their human, economic, and physical resource development programs. It would insure regular Federal planning assistance by authorizing minimum annual allotments to State, metropolitan, and regional planning agencies which submit annual work programs outlining their comprehensive planning, programing, and coordination activities for the coming fiscal year. Thus, an annual requisition for Federal planning assistance would replace the present project-by-project crisis-by-crisis procedure.

Let me quote briefly from Section 2 of this proposed legislation which sets forth Congressional findings and declares the purposes of the legislation:

"The Congress finds and declares that the economy of the Nation, the welfare of its people, and the efficient functioning of the federal system are directly dependent upon the cooperative action of the Federal, State and local levels of government in developing a coordinated and comprehensive system of forward planning for the development of the physical, economic and human resources of the nation.

"It further finds that development planning has tended to be too narrow, fragmented and inadequately coordinated; that to be fully effective, such planning must be truly comprehensive, embracing the full spectrum of resource development—human and economic resources as well as physical—that it must encompass rural and urban development; and that there is a vital need for the development of comprehensive, policy-based, action-oriented planning processes and systems that will provide the framework within which functional and project planning can be related for fully coordinated development."

In this legislation I am trying to strengthen inter-governmental relationships and the basis by which the coordination of Federal programs can best be accomplished at the State, regional and local levels. I also believe that the use of Federal programs can be most effectively integrated if the planning for them becomes a part of the process that looks to the establishment of governmental goals and objectives at these important and essential local levels.

I seek to strengthen the process of planning. I seek to make planning an integral part of the political decision-making process.

I seek to recognize the essential role of the elected public official and to give the Governors of our States a better chance to govern effectively.

I seek to develop an exchange of information based upon need and capacity and to strengthen the ability of local people to deal with local situations.

I seek to recognize the essential role of the Federal Government in assisting the financing of social, economic and physical development programs. But at the same time, I seek to utilize that Federal role in a way that would strengthen our Federal system rather than weaken it.

I seek to improve the excellence of planning in all functional fields, be they health, water resources, recreation, vocational rehabilitation, or what have you, in any or all of these fields, by making this type of very important functional planning a part of a truly comprehensive planning process.

Finally, I seek to regularize and to make more consistent the Federal Government's participation in the financing of planning programs at all levels of government.

I hope to introduce my bill in the Senate soon with bipartisan cosponsorship, and I expect that a companion measure will be introduced in the House of Representatives by members from both parties. I will press for early hearings on this legislation.

After its introduction, and as it is being considered by Congress, I would personally welcome any comments that you in this audience might have on my proposal.

We need to strive together to improve our processes of planning and thereby to use Federal dollars wisely at the State, regional and local levels.

While meeting our responsibilities abroad that are the inevitable result of our emergence as a world power, we must not shirk our domestic responsibilities of improving the quality of life and the range of available opportunities for our people. Scarcity of available resources for these purposes requires prudence, but we must nevertheless strive for their achievement within the limits imposed by fiscal responsibility.

As a member of Congress, I have these concerns.

As a member of the State Planning Board of the Commonwealth of Pennsylvania, I have these concerns.

And I am sure that you, as members of the planning profession, share them.

I congratulate you for meeting here in Washington, and in your determination, through this conference, to examine critically the role of the Federal Government in planning and carrying out development programs that touch the lives of every American.

I sometimes feel that in these dynamic times good ideas and good leadership are in shorter supply than dollars. If this is an idea and leadership clinic, and I am sure that it is, then the American Institute of Planners is to be highly commended. Your government needs a great investment in ideas and leadership.

Congratulations and the best of luck in your deliberations.

REA BANK BILL IS NEEDED AS A SUPPLEMENT, NOT A REPLACEMENT, FOR 2-PERCENT LOANS

Mr. YARBOROUGH. Mr. President, I am happy to join the distinguished Senator from Kentucky [Mr. Cooper] and the distinguished Senator from Minnesota [Mr. Mondale] in cosponsoring S. 696, the REA supplemental financing bill.

If REA cooperatives are to meet the growth needs of the future they must have this source of financing to supplement the 2-percent loan funds annually appropriated by Congress. Many REA cooperatives have arrived at a stage of development at which they can afford to finance their growth requirements with loans at interest rates greater than 2 percent. For these co-ops this bill would create a rural electric bank and a rural telephone bank, styled in the proven pattern of the farm credit system banks.

However, there are still many REA electric and telephone co-ops which service very few customers per mile of line. The revenues of these co-ops do not permit them to go above the 2-percent loan rate. It is in these rural areas of unusually low population density that the REA concept meets its greatest test, and here REA has proven itself when the chips were down, bringing light, power, and communication to the remotest areas of the land. For these co-ops 2-percent money is lifeblood. In establishing a supplemental financing program, Congress should make perfectly clear that its commitment to 2-percent money remains as strong as ever.

TRAITOR TRAVEL

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Texas [Mr. Tower], I ask unanimous consent that the text of a resolution passed by the Howard Henson Post No. 269 of the American Legion, Brownfield, Tex., be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution: Traitor Travel

Whereas, four women, American Citizens, in defiance of State Department Regulations and without required permission, went to North Vietnam for the sole purpose of impeding our war effort in the defense of South Vietnam, and to embarrass, humiliate, and slander the United States and discredit and humiliate our brave men who are fighting to defend a cause to which our nation and its people are firmly committed; and

Whereas, said women, while so acting in brazen defiance of our country and government, did so at the invitation and expense of our enemy, the Moscow and North Vietnam Communists; and

Whereas, said women while in Communist enemy territory released untrue and slanderous propaganda news stories for world wide circulation, which in fact and effect has among countries and people, including some of our own, cast a shadow of infamy upon our nation and its defense of South Vietnam; and

Whereas, these so-called American citizens in giving aid, encouragement, comfort and support to our Communist enemy with whom we are at war, and to Communism around the world, can not under our present laws be punished according to a recent decision of our Supreme Court; and

Whereas, most patriotic American citizens view with alarm and deplore our nation's inability to properly prevent and punish such traitors and infamous acts;

Now, therefore, be it resolved by The Howard-Henson Post No. 269 of The American Legion, Department of Texas, at Brownfield, Texas, that our duly elected congressional representatives without delay enact laws which will enable our State Department and Department of Justice to prohibit and prevent trips by American citizens to enemy countries or countries with whom we are engaged in combat, and to punish by severe penalty any and all unauthorized trips, even to cancellation of American citizenship and denial of re-entry to such persons.

Be it further resolved that a copy of this resolution be furnished to each U.S. Senator from Texas, all U.S. Representatives, Dept. Commander Jack L. Flynt, Department Adjutant, District and Division Commanders.

On motion of H. B. Virgil Crawford, seconded by J. B. Huckabee, the above resolution was duly passed and approved by The Howard Henson Post No. 269 of The American Legion, Department of Texas, at Brownfield, Texas, this 13th day of January, 1967.

H. D. Boston, *Adjutant.*

IMMIGRATION ISSUES BEFORE THE CONGRESS—ADDRESS BY SENATOR EDWARD M. KENNEDY

Mr. HART. Mr. President, one of the great achievements of the last Congress was the Immigration Act of 1965, which removed the national origins quota system from the statute books and put in its place a new formula based on equality and fair play for the people of all nations. The act resulted from a bill which I was privileged to introduce in the Senate, on behalf of myself and 26 other Senators, to carry out the legislative recommendations of President Kennedy and President Johnson.

At a recent immigration conference in Boston, sponsored by the International Institute of Boston and the American Immigration and Citizenship Conference, a very able and distinguished colleague, the senior Senator from Massachusetts, Senator Edward M. Kennedy, calls attention to the fact that the act of 1965 was not the end of the road in putting equity into our immigration laws. He cites four areas of concern to Congress.

The first relates to the labor clearance provision of the new law which has troubled many Members of the Senate. The second relates to the apparent failure of the new law to provide adequate opportunities for new seed immigration. The third relates to the kind of regulations which will govern immigration from the Western Hemisphere. Legislative recommendations are currently being studied by the Select Commission on Western Hemisphere Immigration by the act of 1965. The fourth area of concern relates to the need for legislation to update our laws on such things as deportation, exchange aliens and naturalization. Additionally, Senator Kennedy comments on an issue of growing concern: The so-called brain drain.

Mr. President, I believe our colleague's recent speech in Boston will be of considerable interest to Congress. I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address By Senator Edward M. Kennedy Before the New England Conference on Immigration, Sheraton-Plaza Hotel, Boston, December 9, 1966

I am delighted and grateful to be here. Few cities and states have benefited more from a continuing influx of immigrants and refugees than have Boston and the state of Massachusetts.

Few have the mosaic of races and nationalities represented here. Few have played out more fully the genius of the American experience.

From the pilgrims to the modern migrant, Massachusetts has absorbed the newcomers in heavy numbers. Even today over two million people, nearly 40 per cent of the state population, are of foreign stock. Boston alone claims half this number.

And so I congratulate the sponsoring groups for organizing this conference here in Boston.

Immigration and refugees have been a matter of deep concern to my family for many years. My grandfather the late Representative John Francis Fitzgerald carried his humane views on this issue to the Congress more than a half a century ago. President Kennedy championed the cause of just immigration policies throughout his years of public service, and his legislative recommendations of July 1963 led to the Immigration Act of 1965.

Because of my family's long association with immigration and refugee issues, and my own personal interest in these matters, and also because I know how much immigration has meant to the progress of Massachusetts, I was grateful for the opportunity to carry out my maiden legislative effort as the Senate Floor Manager of the Immigration Act of 1965.

Today we celebrate the first anniversary of this act, which finally eliminates the national origins quota system from the statute books and restores a measure of common sense and decency, of equity and fair play, to a significant area of public policy.

Substantial progress is being made in reunifying families long separated by the rigidities of the prior law. I know of many long standing cases involving residents of Massachusetts with close relatives abroad, which have been closed. I am sure the story is repeated in every state of New England, and across America.

The new law recognizes the importance of facilitating the entry of immigrants with skills and talents urgently needed in our developing society.

And for the first time in our history, asylum for refugees is fully integrated into our preference system and basic structure.

I strongly believe the new law is a sound basis on which our country can build a truly progressive and creative immigration policy—a policy which serves the national interest—which reflects our belief in the freedom of movement for all people—which renews our heritage as a democratic and humanitarian people.

We have come a long way on the road toward a more equitable immigration policy, but our task is not done. The new law has its problems and imperfections. And many areas of concern were not covered by the reform bill of last year. At least four major items are on the agenda.

There is first of all the problems associated with Section 212(a) (14) which requires special labor clearance for most potential immigrants other than relatives. Early this year I conveyed my belief to the Secretary of Labor that the Department's interpretation of this section was unduly restrictive, disruptive to the normal flow of immigration, and not in the spirit of the new law.

Cases were called to my attention in which nurses from England, teachers of French language from France, engineers from Canada, craftsmen and fishermen from Portugal and Greece, marble cutters and other artisans from Italy, chefs from Holland, skilled workers from Germany, and a host of others, were finding it difficult to enter the country.

The number of visas issued in Ireland, whose applicants for entry have traditionally fallen in the nonpreference category, dropped sharply—from a monthly average of nearly 500, to approximately 100. Immigration from other countries has followed a similar pattern.

This has been a deplorable situation which I do not believe the Congress anticipated. And if the present trend continues, Section 212(a) (14), as it has been administered in recent months, will diminish immigration below the levels authorized by law. I believe the function of the Secretary of Labor is to increase the *quality* of immigration—not to diminish it below the authorized level.

Steps have been taken by the Department of Labor to facilitate the processing of applications for labor clearance. But we are still waiting for definitive action on more substantive matters relating to the revision or addition of job schedules.

We are restless, but patient—and also hopeful. Officials indicate that an agreement has been reached on job schedules, and that we should anticipate a formal announcement within the near future. Those of us in the Congress concerned with this issue will continue to follow developments closely—and we look to all of you here for your expert counsel and advice.

A second matter of concern to me, and one closely related to the problem of labor clearance, is the apparent failure of the new law to provide adequate opportunities for new seed immigration—for the admission of those without a preference, but with the spirit of adventure—for the admission of those without close family ties in America, or without the specified skills and talents urgently needed in this country.

I am thinking of the nation builders this country has traditionally admitted—immigrants who started a new life at the lowest rung of the ladder, but through their ingenuity and initiative added zest to our society and rose to positions of great achievement or national leadership.

Have we come to the end of the American dream? Can we no longer admit an Andrew Carnegie, a Felix Frankfurter, a Phil Murray, an Irving Berlin, or a Spyros Skouras?

In providing for the admission of nonpreference immigrants in the new law, Congress anticipated a modest influx of new seed immigration. Experience under this law and what we can anticipate in the future would indicate, however, that nonpreference immigration will gradually be eliminated. The situation needs clarification. New seed immigration must continue to come to America.

A third area of concern is Western Hemisphere immigration. This immigration has never been subject to quota restriction. As all of you know, however, effective July 1, 1968, the new immigration law places a ceiling of 120,000, not including close relatives, on the number of annual admissions from Canada and our neighbors to the south—*unless* the Select Commission on Western Hemisphere Immigration established by the law, recommends otherwise, and the recommendations are adopted by the Congress.

I am a member of the Commission and my feelings on this issue are a matter of record. The special relationship which exists between the United States and the countries of the Western Hemisphere has always been recognized in our immigration policy. The weight of argument during the Congressional debate last year, I believe, rested on the side of this traditional attitude. And so I feel that, unless new evidence to the contrary is submitted to the Commission, our policy should retain non-quota status for the Western Hemisphere. This is the spirit of the Alliance for Progress.

Finally, there is need for new legislation. Our definition of refugees, still guided largely by a cold war framework, needs revision and reform.

Our policies toward exchange aliens, mainly students, are haphazard, contradictory, and often chaotic. They need a thorough review and action by the Congress.

Our laws governing deportation are outmoded, and remnants of a harsher period of our history. Long overdue is a statute of limitations on deportation.

Our laws should be amended to establish a Board of Visa Appeals, which stand ready to review the denial of immigrant visas whenever the interests of a United States citizen or a permanent resident alien is involved.

Our judicial process of naturalization needs to incorporate a greater concern for the rights of individuals, and a more generous spirit toward those who seek citizenship in our society.

Veterans of the Viet Nam War, who are not citizens, should be made eligible for speedy naturalization under the provisions of current law.

In recent months I have personally talked to the Attorney General about an omnibus immigration bill, and more recently I met in New York with the representatives of one of the sponsors of today's meeting—the American Immigration and Citizenship Conference. I conveyed the substance of this meeting to the Attorney General, and I am happy to report that a few days ago he assured me that the Department of Justice was actively pursuing legislative recommendations in several areas. I am extremely hopeful—as I know you are—that the President's proposals will be sent to the Congress early in 1967.

I believe the task ahead is clear, but I would be remiss in my comments if I were to ignore a problem of growing concern in this country and the world. I refer to the problem of the so-called "brain drain"—the international migration of skilled and intellectual talent.

There is alarm in many quarters that the United States, and Canada as well, is draining the best talent from Europe. Sharp criticism of the United States has come from many Europeans—the latest being Soviet Premier Kosygin on his recent visit to Paris.

There is even greater alarm over the lure of the United States and other advanced countries to a growing number of the skilled and talented from the underdeveloped areas of the world. The countries of emigration view this development as a peril to their progress. The countries of immigration, as a boon to their development.

The issue here is especially complicated and fluid—involving our own national belief in the freedom of movement, and the collective responsibility of the advanced nations to assist the progress of the underdeveloped areas.

While some would suggest agreement among governments to curb the flow of talent, I personally believe the issue is broader than this. It also involves such things as the level of technical and financial assistance given newer countries by various governments, international organizations, and private sources.

For too long the United States and the international community have swept the issue of "brain drain" under the rug. As a result far too little is known about its extent and significance.

I have expressed my concern in this matter to the Secretary of State, and I have requested the Chairman of the Senate Judiciary Committee for the permission to hold hearings on the immigration aspect of the issue. And I would like to suggest today that our government, which is bearing the brunt of criticism on this issue, take the initiative in calling for an international conference of interested governments to explore the matter in depth.

So we have work to do. Let it be a joint effort of informed citizens, towards continuing progress.

OUR PROBLEMS IN VIETNAM—ADDRESS BY HON. JOHN E. DAVIS, NATIONAL COMMANDER, AMERICAN LEGION

Mr. YOUNG of North Dakota. Mr. President, on January 24 the Honorable John E. Davis, national commander of the American Legion, appeared before the Women's Forum on National Security in Washington, D.C., and delivered what I thought was one of the most informative and well-reasoned speeches on the war in Vietnam that has ever come to my attention.

Commander Davis takes a very sensible approach to the many serious problems which face us in Vietnam. Because I feel that the speech contains much valuable information and many good recommendations and that it commends itself to reading by every Member of Congress and people all over the United States, I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

We in North Dakota are very proud that our former Governor, John E. Davis, is now the national commander of the American Legion. He has been an outstanding success in everything he has undertaken, including achieving an excellent record as an infantry officer in World War II. His leadership in government and business has given him a broad understanding and knowledge which enabled him to approach the most serious national problems with the confidence and understanding to the formulation of real workable solutions.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF JOHN E. DAVIS, NATIONAL COMMANDER, THE AMERICAN LEGION, BEFORE WOMEN'S FORUM ON NATIONAL SECURITY, JANUARY 24, 1967

Mrs. Ryan, distinguished leaders and ladies of the Women's Forum on National Security, Members of the United States Congress and other honored guests:

I was especially pleased by your invitation for me to attend and address this annual gathering of organizations whose concern for national security coincides with that of The American Legion. I think it is a most appropriate occasion to discuss with you my views on Vietnam today.

As many of you are aware, I recently toured the Far East and spent eight days in South Vietnam. In that short a time, of course, one does not become an expert on so involved and complex a matter as the Vietnamese situation.

Yet, it was time enough in which to gain some valuable insights into what is going on there, and to form some valid conclusions regarding what must continue to go on there—if our commitment and our sacrifices are to have any meaning in the long run.

The first and most important of these is: There is no alternative to victory. The United States has no course open except to see this conflict through to a successful conclusion.

By "victory," however, I do not necessarily mean a military triumph in the historical manner, for the Vietnamese struggle is not like any other war in which the United States has been engaged. In Vietnam, there will not take place an interrelated series of battlefield successes, culminating in one dramatic final assault on the enemy's last stronghold; we cannot anticipate an ultimate confrontation of opposing forces followed by the total collapse of the enemy's army on the field of battle. Also, I think it unlikely that this war will be followed by formal peace negotiations of the classical type.

On the other hand, there will not be a Dien Bien Phu for us as there was for the French in 1954. Ho Chi Minh already knows that he cannot throw us out and, therefore, that—as long as the United States honors its commitment to South Vietnam—he cannot take that country over by force.

What, then, do we mean by "victory" in the context of Vietnam? In answering this question, we must keep in mind that our military and political objective at present is not to crush North Vietnam as a people or as a government, though it may become necessary to do both, if Hanoi—aided and abetted by Peking and Moscow—continues its aggression indefinitely.

Thus, victory for our side will come when the communist side either is convinced that further military efforts would be fruitless, or it is hurt so badly that it cannot carry on. As to the first eventuality, I doubt if there would be any clear-cut signal from Hanoi that it has decided to quit. After all, North Vietnam officially refuses to admit that it is involved, and it certainly has nothing to gain by coming to the negotiating table, except an unnecessary confirmation of what was granted to it by the 1954 Geneva agreement.

As to the second eventuality, I regret to say that all I heard and observed while in Vietnam causes me to feel that we will have to step up the level and the nature of our punishment of North Vietnam and its forces before we will achieve even the limited victory which we must attain. In either case, our victory will be marked by a sharp but welcome reduction in casualties, by a gradual finding that infiltration appears to have ceased, and that North Vietnamese regulars have disappeared from the ranks of the Viet Cong. There still will remain, of course, the gigantic task of pacification and the rooting out of diehard guerrillas.

I will not take your time to describe the details of my itinerary while in South Vietnam. I was privileged, however, to visit many of our Army, Air Force, Navy, Marine Corps, and Coast Guard installations throughout that country. And, I did have the opportunity of talking with our military and civilian leaders there, of meeting with national and local Vietnamese officials, and of visiting with our troops in the field—the officers and men who bear the burden of day-to-day combat in Vietnam. Also, I spoke with wounded men in several of our hospitals. (And here I would digress to mention the sad fact that to the soldier who stops a bullet, be it a fatal injury or not, it makes no difference that this war is unlike any other which we have fought. To those serving there under combat conditions, this war is very real and very personal. It is being fought under the grimmest of circumstances, in harsh climate and hazardous terrain, and against a fierce, cunning, dedicated and desperate foe.)

I asked many questions wherever I visited. Constantly I asked, "Why does the Viet Cong fight? Why is he so motivated?" I found that there are many answers to this puzzle. For some, guerrilla warfare has simply become a way of life—to the second and third generation; for others, it is only because there is a gun at their backs or their loved ones are under threat of death.

I asked, too, that if Hanoi knows it can no longer hope for a military victory, why does it continue to support the aggression? The answers here were not so varied. It is to the communist world's advantage to continue to cause the United States to commit a substantial proportion of its conventional fighting force to what is essentially a limited war. Ho Chi Minh knows the cost to us is very high, and relatively much greater than it is for his government and its backers elsewhere. Meanwhile, he—and communists everywhere—can continue to hope for an ultimate collapse of the American will in the face of increasing U.S. casualties, rising costs, continued dissension and demonstrations at home, and constant diplomatic pressures from abroad. The Reds know that the collapse of our national resolve to see this commitment through would ultimately yield far more significant gains for them than the mere takeover of South Vietnam.

That is why I say there is no alternative to victory for us.

It is also why I say we must put increased pressure on Hanoi. We must destroy that government's ability to carry on its aggression in the South, and thereby force the victory we seek, regardless of whether or not the communists ever come to the peace table.

And, we must do this soon.

This leads to another important question I asked repeatedly: "How best can we win this war? What should we be doing that we aren't doing now?" This question, no matter how it is put, immediately brings one face to face with some of the limitations under which this war—our side of it at least—is being fought.

I do not mean to suggest that I found unanimity of opinion on this issue. But two points were raised over and over again by those who feel that military, rather than purely political, considerations should apply to a greater degree than is now the case.

These two points, and not necessarily in the order of their importance, are the facts: (1) the enemy makes massive use of Cambodian territory as sanctuary, and (2) our fliers are too severely restricted as to the targets they might strike in North Vietnam.

A substantial number of those who spoke on either of these two points did so with conviction and from a base of extensive military knowledge and experience. Some, unfortunately, did so with no small sense of frustration.

How, they ask, can we defeat an enemy—when badly hurt—is free to take refuge in so-called "neutral" territory; that is, in neighboring Cambodia, or for that matter back across the "demilitarized zone" into home base. And from those safe havens, these same units—regrouped, resupplied, and restored to strength with fresh troops—return to South Vietnamese territory in efforts to overrun our smaller outposts or to ambush our patrols. Following this pattern, such enemy units inflict far more American and allied casualties than would otherwise be the case. At a minimum, especially in the Central Highlands border area, they tie down far greater numbers of our troops than their size and potential would otherwise justify.

Even the layman must ask, how can we defeat an enemy who has ready access to privileged sanctuary? Are we facing an unending stalemate—another Korea. The answer has got to be—No!

As to the bombing in the North, I am not going to pretend that I know exactly what targets we should be hitting that are now "off limits." I could make some guesses, and so could most of you. (I suspect the enemy's airfields would be high on both our lists.) Neither am I going to attempt to suggest how best the port of Haiphong might be rendered useless to the enemy as far as war materials are concerned.

I am going to state, however, on the basis of my discussions in South Vietnam, as well as with knowledgeable individuals here at home, that if the military feels that its pilots need greater options—both to hurt the enemy more and to offset the tremendous risks they are taking every day—then it is time to reconsider the existing restrictions. And, if our best military minds agree that the continued traffic of strategic goods into Haiphong is costing us increased casualties and indefinitely prolonging the war, then I believe the military should be permitted to cut off that traffic by whatever method is deemed most practical and feasible.

Setting these problems aside for the moment, I am happy to be able to report that my findings with regard to the morale of the American fighting man in Vietnam coincide with what you have heard and read elsewhere. Despite great hazards and great handicaps, the morale of our troops there could not be better. All America can be tremendously proud of them, as individuals and as fighting units.

Our military leaders there—especially those who saw combat duty in World War II and Korea—volunteered time and again that this is the finest fighting force America has ever sent into battle, that these men are better trained, better equipped, better motivated, and that they have all the spirit necessary to see a tough job through. I would add that our military leadership there is truly superb, from General Westmoreland on down, in all commands and in all services that I observed. In addition, the cooperation between services is excellent and perhaps unparalleled in our previous wartime experience.

If my visit to Vietnam caused me to have reservations of any kind, it was in regard to the seeming lack of spirit and motivation on the part of the Vietnamese people themselves. As you walk about the streets of Saigon and other population centers, you cannot help but notice that the natives appear indifferent, sullen, and sometimes almost hostile. This appearance is not so pronounced in rural areas, and it was not true of the groups of children we saw at several schools both in and near Saigon.

But, if the smile has gone out of that land, one does not have to reflect too deeply to understand why. Our officials, who have worked with and even lived with the people there for any length of time, are quick to defend them and to point to the fact that most of them have known nothing but war their entire lives! Also, while many Vietnamese are tired of death and destruction to the point of discouragement and disinterest, the majority are not willing to give up to the Communists and its so-called National Liberation Front. This they proved last year, when despite Viet Cong threats, eighty percent of the electorate exercised their privilege of voting for representatives to the National Constituent Assembly—a clear rejection of the Front and what it stands for.

On the military side, I was assured that given good leadership the Vietnamese soldier is courageous and highly effective. While this leadership is not more than "average" in many units, there is continued improvement. It must be remembered, of course, that the Vietnamese Army has taken tremendous punishment for its relative size. It has suffered over 46,000 combat deaths in the past six years! Also, as one three-year veteran pointed out to me, the Vietnamese Army today compares very favorably with that of South Korea during the conflict there. Now, in Vietnam, the ROK troops are the object of high praise among all the allies, and the object of much fear among the Viet-Cong.

Proper training and the development of leadership in depth cannot come overnight. It takes skill, time, and patience on the part of our advisers. I saw young Vietnamese recruits in their training camps. The material is there, they seemed eager to learn and to learn right. After all, at stake are their individual lives, as well as the future of their country.

The number one question asked in Vietnam—just as here at home—is how long will the job take. To this question, I must admit that I received only opinions for answers. Nevertheless, many are willing to venture that the large scale military war—that is clashes of major units—may already be nearing an end, that 1967 may see the last of it.

I hope so, for clearly this would mean many less American casualties. But that still leaves three other "wars," the guerrilla war, the political war, and the economic war.

The first of these may well take the ten years that many have projected. It was about that long in the Philippines, and longer in Malaysia. And pockets of resistance still remain in both of these countries. But victory in Vietnam's guerrilla war is intimately related to progress in the other two. It depends in large part on the whole slow process of nation-building, restoring a ragged economy and developing a much larger corps of able civilian leaders down to the last hamlet.

Even without continuing conflict, assassinations of village chiefs, teachers and all representatives of law and order, the odds against quick success are great. Regional, ethnical, religious and other cultural differences are tremendous practical barriers to political unity in Vietnam.

Given all these problems—most of which have been aired repeatedly in the press here—and considering our more than 6,000 combat deaths, it is no wonder that I am frequently asked, "Is it worth the sacrifices we are making? Does the freedom of those faraway people really mean that much to us?"

My answer is "Yes," but not because I think that our national interest is intimately bound up with the collective welfare of the Vietnamese. My answer is based on the conviction that our involvement is essential in order to establish—even at great cost in lives and money—that armed aggression by the forces of communism cannot succeed. If this be the test case, and I'm certain that it is, we must convince the communist world that its stratagem of so-called "wars of national liberation" will not work. Herein, I think, lies our true national interest. If, while succeeding in this effort we help maintain the freedom and independence of another country, well and good. But that goal alone is not enough. It is our own long-range freedom and independence that we seek to maintain.

Meanwhile, let us bring about our victory in the least possible time, with the least possible casualties. Let us reexamine all of the limitations now placed on our military to make sure these do not stand in the way of our vital objectives.

Let us say to Prince Sihanouk of Cambodia—and to the world generally—we will no longer tolerate the use of his land by the Viet Cong and North Vietnamese regulars. Let us follow that warning, after reasonable notice, with positive action. And let us accept military judgment as to the need to lift the restrictions on bombing in the North, and with respect to closing the port of Haiphong.

But, regardless of targets or tactics, I say let us pile on the pressure until we have broken either the enemy's will or his ability to carry on the fight. When we hurt him hard enough long enough, we will have our victory. There is no other way.

KING FAISAL: SAUDI ARABIA'S MODERN MONARCH

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Texas [Mr. Tower], I ask unanimous consent that an article entitled "King Faisal: Saudi Arabia's Modern Monarch," published in the January 1967 issue of Reader's Digest, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

King Faisal: Saudi Arabia's Modern Monarch

(By Gordon Gaskill)

(*This man who became king without really trying has brought his primitive but oil-rich nation back from the verge of bankruptcy and, with prudence, patience and sensitivity, is leading it into the 20th century.*)

Having been a famous desert warrior in his youth, Saudi Arabia's King Faisal was mortified by an order he had to give after he became prime minister. "Imagine," Faisal said in disgust, "having to send armed men to open a girls' school!"

Yet that order led to a victory which has meant far more to the desert kingdom than most of Faisal's bygone battles. It symbolized a giant step forward in his campaign to lead his very rich, very proud but very primitive country out of the Dark Ages into the modern world.

The "battle of the girls' school" took place late in 1963 in Buraida, a town noted, even in a wildly conservative country, for its conservatism. Many of its notables believe firmly that the earth is flat. Education? Enough for a boy to learn the Koran. Girls? It might even be a black mark against a girl if she learned to write.

Thus, when the people of Buraida heard that Faisal planned a girls' school for their town, they exploded with indignation and sent a delegation 200 miles across the desert to protest. Faisal reasoned with them. Could they cite one word from the Koran which forbade schooling for girls? They could not. And surely it was better not to send girls to the same school as boys? (Murmurs of horror.) Of course, if a father didn't *want* his daughter in the school, he did not *have* to send her. Finally, the Buraida delegation left, seemingly convinced.

When the school was about to open, however, the townsfolk threatened to tear it down. Faisal sent guards to protect the school, but tactfully avoided a head-on clash with the villagers. Instead, he got in touch with several leading families who owed him favors. Unwilling to offend him, they reluctantly sent their daughters to the school. Weeks passed and, strangely, the schoolgirls weren't ruined; they remained as modest and demure as ever. Wives began nagging: "If Ayesha, our neighbor's girl, goes to the school and it doesn't hurt her, why can't our girl go?"

Not long ago, a second Buraida delegation laid another complaint before Faisal. The girls' school was too small; they wanted it enlarged.

A Foot in Two Worlds. No other man in the kingdom could fill Faisal's role today—leading his country with gentle insistence from medievalism into the Jet Age. "There are really two Faisals," a friend says. The first is the observant, intelligent man of the world, at ease in a London drawing room or a Washington conference. The second is pure Bedouin, able to ride bareback, squat by a desert fire, dig barehanded into roast meat and rice, and talk to the desert folk in their own dialect.

Although he looks back wistfully to the desert life that is disappearing forever, he says, "Like it or not, we must join the modern world and find an honorable place in it." A U.S. diplomat told me, "He is exactly the right man on the throne at exactly the right moment."

Yet for years it seemed highly unlikely that Faisal would ever sit there. Most of his life he deliberately took a back seat to his half-brother, Saud. They are amazingly different, both by inclination and training.

The divergencies go back to 1919, when Faisal's whole life was changed. At the Paris Peace Conference following World War I, the victors were redrawing maps of the

Middle East, and King Abdul-Aziz ibn-Saud, founder of the kingdom of Saudi Arabia, decided to send his first mission abroad. Normally, the king would have kept at his side his firstborn son, Turki, and sent Saud, the second son, to head the mission. But Turki died suddenly, Saud become heir, and Faisal, the third born, was sent abroad instead. To a teen-age boy who had never seen a railroad, a telephone or a typewriter, those three months in Britain and Western Europe were an overwhelming eye-opener.

Automatically, he became the country's expert on foreign affairs and, when the king created a ministry of foreign affairs, he named Faisal to head it. Faisal has held the post ever since, probably the longest tenure of any foreign minister in the world.

In the mid-1920's, King Abdul-Aziz decided to conquer a neighboring region, the Hejaz, with its holy cities of Mecca and Medina and valuable Red Sea port of Jidda. Faisal, not yet 20, was named to head part of the army. Abdul-Aziz soon won the Hejaz, and Faisal was made viceroy over the coastal area. Ruling the region almost by himself, he learned to make his own decisions. He also mixed freely with pilgrims and diplomats from countries far more culturally advanced than Saudi Arabia. While Faisal's horizons steadily widened, Saud was kept in the shadow of his dominant father in Riyadh, deep in the desert, with no real work or authority.

Fateful Promise. When a throne falls vacant, Arab tradition holds that the next ruler need not necessarily be the oldest son, but rather the best man in the royal family. The best man often turns out to be the one who cuts his way to the throne with the sharpest sword. To avoid this, King Abdul-Aziz in the early '30's called in his three dozen sons and made them promise solemnly that Saud would succeed him. When Abdul-Aziz died in November 1953, Saud mounted the throne without argument.

Free to squander the nation's huge oil revenues, Saud and the coterie around him went on a fantastic spending spree. The king often stunned bellboys with $100 tips; he once gave $600 to a servant who brought him a cup of tea. Above all, he loved palaces. Of the two dozen or so that he owned, the most lavish was the gaudy pink Nasiriyah palace, which covered two square miles and had traffic lights on its interior roads. Nasiriyah included a sort of drive-in mosque, and swimming pools laced with Chanel No. 5. The palace's vast air-conditioning system was the world's largest except for the Pentagon's. To run Nasiriyah required 2500 servants—at what cost, nobody knows.

Such mad spending did not sit well with the dirt-poor masses of the Middle East. And it provided a vulnerable target for the intrigues of Gamal Abdel Nasser, of Egypt. Radio Cairo described King Saud as "bloodsucking" and bluntly advised the Saudis, "Kill him." Prodded by Egyptian agents, the Saudis began stirring, and by late 1957 the monarchy seemed doomed, a solid-gold Cadillac rushing madly downhill with all brakes gone. Members of the royal family fearing for their position and their great fortunes, turned to Faisal for help. Even Saud, who was in poor health at the time, was glad to sign a decree in March 1958 permitting Faisal a free hand.

The riyal, once solid at about 27 cents, had slipped to 16. Incredibly, there was only $1500 in a treasury which the preceding year had taken in about $500 million. Within hours, Faisal removed the two ministers most blamed for the waste. He sought advice from the World Bank and the International Monetary Fund. The country's vast oil revenues were used to refund and repay all outstanding debts. In an astonishingly short time, Faisal had the financial house in order.

But when the king returned to health, he was encouraged by his sons and cronies to dismiss Faisal. Almost at once the country was in trouble again, and Faisal was called back—then dismissed and recalled again. In early 1964, the royal family, even some of Saud's own sons, decided to end this ridiculous farce.

This time King Saud did not retire gracefully. He ordered the royal guard to train its guns on Faisal's palace. When the guard refused to fire, Saud surrendered to the inevitable and named Faisal regent with full power. Some months later, the *ulema*, the nation's highest religious body, ruled formally that it was better to violate a pledge given long ago in far different circumstances than to let the kingdom be destroyed. So, Faisal and his brothers were absolved of their promise to Abdul-Aziz, and in November 1964 Saud with dignity took off the gold-threaded *agal* (the headband which serves as a crown) and Faisal became Saudi Arabia's third king. One Arab sighed: "Because he kept his promise, we have lost 11 years and a mountain of gold."

No Debts, Few Taxes. Under Faisal's prudent management, Saudi Arabia today has no debts, and citizens pay almost no taxes. The riyal, revalued at a realistic 22.2 cents, is rock-solid. Whereas 20 years ago the privy purse (*i.e.*, the royal family with its 5000 princes) took *all* the country's income, today it gets less than five percent. And in spite of huge spending to develop the country, there is a fat annual surplus—about $200 million.

Faisal then tackled education. After defense, it now gets the largest share of the national budget. For a long period, a new school was opened every third day. Illiteracy, estimated at 97 percent a few years ago, is now down to about 75 percent and dropping fast. Women have particularly benefited; in one year male students increased by 15 percent—but girls by nearly 62 percent! In addition to standard courses, girls are taught nutrition, child care and hygiene—all previously unknown to Saudi Arabian women.

Some of this trend toward enlightenment can be attributed to the remarkable woman whom Faisal married.

* * * * *

Emancipated, widely read and traveled, 'Iffat is both companion and counselor to Faisal. Except for an early marriage (his first wife died) and two short-lived political marriages that his father asked him to make, Faisal has lived for the past 30 years with 'Iffat alone, an example increasingly followed by the younger generation of princes.

CHANGE AND CHALLENGE

The list of Faisal's reforms is wide-ranging. Against the opposition of the nation's highest religious leader, he succeeded in abolishing slavery, long the shame of Saudi Arabia. He has almost, but not quite, eliminated his country's ancient punishments for convicted criminals. A thief's hand, for instance, may still be cut off—but not, as before, for his first offense; rather, for his sixth or seventh. Saudis find such punishments entirely reasonable. Only foreign visitors are horrified, and even they have to admit that the methods have made Saudi Arabia one of the world's most crime-free countries.

Medical services have been expanded, with new hospitals and even clinics on trucks to travel the desert. All medical care is free. If the country's doctors are unable to effect a cure, a patient may be flown anywhere in the world for treatment, at government expense. Air transport is mushrooming. Camels have largely given way to cars, jeeps, trucks, buses. Agriculture is blooming. The king has set up model farms, imported experts to teach new methods. Farmers get machinery, seeds and long-term loans at no interest.

Because the Saudi Arabian middle class is small and new, the state must still do many things which Faisal hopes it can later turn over to private enterprise. Recently, however, Faisal decided that a chemical-fertilizer project requiring $23 million in capital was ideal for bringing in small private investors. He ordered that 49 percent of its shares be made available to the public at prices so low that even a poor man could buy them. Results exceeded even the most optimistic hopes: the offer was oversubscribed, and a full 95 percent of the buyers were exactly the "little people" that Faisal wanted.

The government beneficence is a matter of sharing *present* wealth. But Faisal looks ahead to the day when the oil may run out. Geologists whom he invited in have already found several minerals in commercial quantities: gold, silver, lead, copper, chromite, titanium, zinc, mica, asbestos, among others. There are rumors of a great iron deposit, an estimated 1.5 billion tons, about 40-percent pure, lying on the surface. Faisal wants not merely to export these raw materials but to process them inside the country, with Saudis themselves running the plants.

The tradition of *majlis*, public meetings where any man may talk to the king, has been revived. Schedule permitting, Faisal holds two hour-long sessions a day. He says publicly: "If anyone feels wrongly treated, he has only himself to blame for not telling me. What higher democracy can there be?"

In foreign affairs, the country's chief problem is still Nasser. Faisal split violently with Nasser in 1962, when Egyptian troops went into Yemen, which Saudi Arabia has always considered its backyard. But Faisal kept his head.

For one thing, his country is no match for Egypt, a nation of almost 28 million people. (Saudi Arabia probably hasn't more than five million; no real census has ever been made.) And while Saudis pride themselves on being great warriors, they actually know nothing of modern warfare. Faisal follows the advice his father gave him some 30 years ago. "*No* outsider can dominate Yemen very long. Sooner or later, all who try will come to grief." The old king's prophecy has remained sound. Nasser has bogged down ever deeper in Yemen. Yet with the British withdrawing from Aden and South Arabia, the risk for Saudi Arabia is that Egypt may encircle her.

ABOVE ALL: "HADH"

So far, Faisal has managed to change the face of his country with amazing speed and without serious opposition from the old guard. His weapons have been his own prudence and sensitivity, and endless money. And he has had *hadh*, or luck.

In his youth, Faisal and a small body of troops, surrounded in a waterless mountain area, found refuge in a ruined tower. Both he and the enemy were short of water, and it became obvious that all depended on which side ran out of water first. Faisal was down to his last drop when, the story goes, a small, black cloud appeared and poured down saving rain *only on Faisal's tower!*

A man blessed with *hadh* like that, Arabs say, can never lose.

UNEMPLOYMENT AND TRAINING PROGRAMS

Mr. HART. Mr. President, the President's economic message outlines a realistic program for the coming year—a program which will promote continued growth and high employment while avoiding the danger of inflation.

We all share the President's satisfaction in the great gains we have made in increased employment and reduced unemployment. Last year saw a gain of 3 million nonfarm jobs and a reduction in unemployment to the lowest level in over a decade. A few years ago some people saw little prospect of reaching a

4-percent unemployment rate. Their doubts have been dispelled. But our employment problems are still not completely solved.

There are unfilled jobs in some fields. At the same time, there are men and women who can work, who need work, and who want to work, who cannot find a steady job. The President rightly describes this situation as a bitter human tragedy and an inexcusable waste.

We must redouble our efforts to retrain workers to meet critical shortages in our labor force. And we must take further measures to train unemployed workers for the job vacancies they can fill.

We have already made an impressive start in this direction. But we must press on. The task of bringing many of our disadvantaged citizens into useful employment will be long and difficult. Too many Americans lack education and basic work skills. Too many others live far from jobs and cannot readily move or afford to commute. Some have no way of finding the jobs available to them.

Many of our unemployment problems of a few year ago have been solved by prosperity. But the problems of our disadvantaged workers will not be solved that way.

The President has chosen the right course—a vigorous effort to train and find jobs for disadvantaged workers, an improvement in the effectiveness of our employment service, and a balanced fiscal program.

GUARANTEED ANNUAL INCOME

Mr. DIRKSEN. Mr. President, because the Senator from Texas [Mr. TOWER] is absent on official business, he has asked me to make the following statement, which he has prepared, concerning a guaranteed annual income.

STATEMENT BY SENATOR TOWER READ BY SENATOR DIRKSEN

Mr. TOWER. Mr. President, a publicity buildup has begun to try to sell to the American public the idea of a "guaranteed annual income" for all persons regardless of how little effort or contribution the recipient is inclined to make.

I hope such a radical proposal will remain just a proposal. In our analysis, we must remain ever mindful of the rights of those who would be made unwilling guarantors saddled with uncontracted obligations.

I shall have more to say on this problem at another time. My remarks today are a prelude to my asking unanimous consent that the text of an article which appeared in the January 6, 1967, edition of the Fort Worth Star-Telegram be printed in the RECORD.

The article is the work of Mr. William D. Pardridge, a writer whose talent is well known to my colleagues. I think other Senators will find his commentary on the "guaranteed income" proposal quite valuable.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PUBLIC DOLE WOULD DESTROY BALANCE OF MONEY SUPPLY AND ECONOMIC WEALTH

(By William D. Pardridge)

A guaranteed annual income or dole, as currently sponsored by some lionhearted do-gooders, will guarantee monetary chaos for any nation dumb enough to try it.

Once money is realized to be what it is, and all it is—simply a measuring device, a relative claim on total economic wealth—then the logical absurdity of mass handouts becomes apparent.

It sometimes takes a thief to catch a thief, but it always takes economic wealth to make more economic wealth.

Money is just a lubricating device, a sort of economic gyroscope.

Now somebody has to work to produce the economic wealth, not the illusory money, that is handed out to all the sundry in the form of guaranteed dole. And this somebody has to get paid wages to produce the economic wealth that is bandied around as if it were manufactured like handbills.

Unfortunately, handout money automatically becomes a part of all the money in the economy that represents all the wealth in the nation.

If total money supply goes up 10 per cent, the total economic wealth it represents stays the same. There is no increase or decrease in real wealth no matter what the money supply does.

When the proportions of money supply are redistributed through legislation instead of economic activity, then the same proportions of an absolute, finite amount of economic wealth—goods and needed services—also are redistributed.

The do-gooding pitfall is that the redistribution of finite economic wealth favors an increasing proportion of the population that does not work, that does not earn wages.

The much-touted increase in industrial productivity per man-hour is devoured many times over by the mush-rooming army of "paid" service workers who produce no goods.

Also, long before increased productivity can be put to use in any nutty scheme to make handouts universal, these industrial gains are sold time and again to provide higher wages for those workers who actually work.

It's like the same fellow voting several times in different precincts.

America is losing its marbles, as well as its economic growth, when this nation reduces the proportion of produced economic wealth that is earmarked to produce more economic wealth.

When total earned wages increase slower than do handout checks, then monetary chaos is inevitable.

In other words, when handout money grows faster than earned money, and productivity increases have been sold on the block for consumer price rises, then the entire monetary structure shifts upward.

Water seeks its own level, nobody can deny, and so does money. Soon the guaranteed annual income for everybody will be nothing more in real terms than is the case right now.

The monetary difference, however, will be stupendous. All prices in the whole monetary and fiscal spectrum will skyrocket.

When goods and needed services are artificially rearranged in the flow to consumers, through government giveaways, then the distribution of representative money also is rearranged—but by itself without help or hindrance from anybody, including the Federal Reserve Board's textbook instructions to interest rates that can't read or write.

The trick, and here economics is seen as an ordered art, is to maintain a gyroscopic money supply that doesn't overwork or coddle either partner—goods or money.

Like men and women, the two are not basically the same in nature—yet neither can exist without the other. Goods are absolute and finite. Money is strictly relative. Nevertheless, they always reflect each other.

But not in Washington, D.C., where recently the U.S. Chamber of Commerce went off its rocker by giving credibility to the guaranteed annual income. The chamber defoliated itself by hosting a symposium of "elite" economists who supported this new form of economic insanity.

All was not lost, however, for U.S. Rep. Thomas B. Curtis of Missouri, a member of the Congressional Joint Economic Committee, scared the professors by resorting to social and economic logic.

He said that society should provide a "guaranteed opportunity to EARN an equal income."

Congressman Curtis is supported by the history of economic thought and by American economic history, two fields of endeavor neglected by "new economists" and by business men running scared.

"I'M A TIRED AMERICAN"

Mr. LAUSCHE. Mr. President, the column of Esther Hamilton in the January 16, 1967, issue of the Youngstown Vindicator contains a part of an editorial entitled "I Am a Tired American," written by Alan C. McIntosh, publisher of the Star Herald, of Inverne, Minn. In my opinion, the thoughts expressed in the editorial reflect the true and honest thinking of Americans. Among other things, Mr. McIntosh said:

> I am a tired American. I am tired of being called "the Ugly American." I'm tired of having the world's panhandlers use my country as a whipping boy 365 days a year.

The columnist, Esther Hamilton, recognized the excellence of this editorial and made its reading available to the readers of the Youngstown Vindicator. I believe deeply that it is so replete with true thinking of the citizen of our country of the present day that it ought to be made available to the reading of Members of Congress and of those citizens who read the CONGRESSIONAL RECORD.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AROUND TOWN WITH ESTHER HAMILTON

Alan C. McIntosh, publisher of the Star Herald, Inverne, Minn., wrote a great editorial. "I Am a Tired American," I want to reprint as much of it as I can. He said, in part: "I am a tired American. I am tired of being called 'The Ugly American.' I'm tired of having the world's panhandlers use my country as a whipping boy 365 days a year."

MOBS

"I am weary of having American embassies and information centers stoned, burned and sacked by mobs operating under orders from dictators who preach peace and breed conflict. I am weary of being pictured by General de Gaulle who never won a battle, who poses as a second Jehovah in righteousness and wisdom. I am weary of Nasser and all the other blood-sucking leeches who bleed Uncle Sam white and who kick him on the shins and yank his beard if the cash flow falters.

"I am choked up to here on this business of trying to intimidate our government by placard, picket line and sit-in by hordes of the dirty unwashed who rush to man the barricades against the forces of law, order and decency. I am weary of the beatniks who say they should have the right to determine what laws of land they are willing to obey. I am fed up with the mobs of scabby faced, long haired youths who claim they represent the new wave of America and who sneer at the old-fashioned virtues of honesty, integrity, morality on which America grew to greatness.

"I am weary of some Negro leaders, who, for shock purposes scream four-letter words in church meetings. I am sickened by the slack-jawed bigots who wrap themselves in bed sheets in the dead of night and roam the countryside looking for innocent victims. I dislike clergymen who have made a career out of integration causes yet send their own children to private schools. I resent those who try to peddle the belief in schools and colleges that capitalism is a dirty word and that free enterprise and private initiative are synonymous with greed."

THEIR SHARE

"They say they hate capitalism but they are always right at the head of the line demanding their share of the American way of life. I get more than a little bit weary of the clique in the State Department who choose to regard a policy of timidity as prudent . . . the same group who subscribe to a 'no win' policy in Vietnam. I am real tired of those who try to sell me the belief that America is not the greatest nation in all the world—a generous hearted nation— a nation dedicated to the policy of trying to help those who 'have not' achieve some of the good things that our system of free enterprise brought about.

"I am an American who gets a lump in his throat when he hears 'The Star Spangled Banner' and who holds back his tears when he hears those chilling high notes of the brassy trumpets when Old Glory reaches the top of the flag pole."

AN AMERICAN

"I am an American who thanks a merciful Lord that he was born an American citizen, a nation under God, with truly mercy and justice for all. I am getting madder by the minute at the filth peddlers who have launched America in an obscenity race, who try to foist on us the belief that filth is an integral part of culture, in the arts, in movies, in literature, the stage and the mobs. I'm tired of these artists who scavenge in the cesspools for inspiration and refuse to look up at the stars.

"I'm weary unto death of having my tax dollars go to dictators who play both sides against the middle with threats of what will happen if we cut off the golden stream of dollars. I am nauseated by the lazy do-nothings who wouldn't take a job if you drove them to and from work in a Rolls-Royce. I'm tired of supporting families who haven't known any other source of income other than government relief checks for three generations."

CRITICS

"I am angered by the self-righteous 'breast beaters,' critics of America, at home and abroad, who set impossible yardsticks for the United States but never apply them to the French, British, Russians and Chinese. I resent the pimply faced beatniks who try to represent Americans as the bad guys on the black horses. I have lost all patience with that civil rights group which is showing propaganda movies on college campuses from coast to coast, movies denouncing the United States, movies made in Communist China."

McIntosh's editorial is being sent all over the country. Why don't you clip this and send it to our legislators? . . . I might add that locally I'm tired of little pressure groups who badger our public officials and make them think they can prevent their re-election. I'm tired of people who pressure our public schools into doing things no self-respecting educator can abide. I'm as tired as McIntosh of all these people.

ATTACK BY WILLIAM MANCHESTER ON ROBERT E. BASKIN, CHIEF, WASHINGTON BUREAU, DALLAS MORNING NEWS

Mr. DIRKSEN. Mr. President, because the Senator from Texas [Mr. Tower] is absent on official business, he has asked me to make the following statement, which he has prepared, concerning a personal attack by William Manchester upon the integrity and professionalism of Robert E. Baskin, chief of the Washington bureau of the Dallas Morning News.

STATEMENT BY SENATOR TOWER READ BY SENATOR DIRKSEN

Mr. TOWER. Mr. President, I already have had my say about the historical inaccuracies of the Manchester book. I have asked Americans to be wary of it as they would of any subjective, authorized account that sees only the history it has been advised to see. I do not see any point in belaboring the issue.

But I cannot remain silent when Manchester mounts a personal attack upon the integrity and professionalism of one of the finest newsmen in this Capitol. I refer to Robert E. Baskin, chief of the Washington bureau of the Dallas Morning News.

I know there is no need to defend Mr. Baskin among his colleagues, but the general public is entitled to the full story.

Mr. Manchester in the second published preview installment of his book had this to say of the events immediately after the assassination:

> Reporter Bob Baskin simply left (Parkland Hospital). He rode downtown to the city room of The Dallas News to talk to friends and find out what, if anything, was happening elsewhere in the world.

These are the facts as Mr. Baskin has noted them "without rancor" in a recent column:

> For the record, this reporter arrived at Parkland just behind the President's car, witnessed the removal of Gov. Connally and Mr. Kennedy from the presidential limousine, called in a report and waited in the emergency room for news of the President's condition, was present when President Johnson and Mrs. Johnson were hurriedly escorted out of the hospital, attended the briefing where Malcolm Kilduff announced the death of the President and then waited for instructions.
>
> When directed by editors to come into the office, this reporter did so. By that time, a half-dozen Dallas News reporters were at the hospital.

Again, I say, those are the facts. They join a voluminous and ever-growing company of facts omitted from what we may call Manchester history. At this rate, the overlooked facts may amount to a book bigger than Manchester's.

SUPPORT ALREADY BUILDING FOR BILINGUAL AMERICAN EDUCATION ACT

Mr. YARBOROUGH. Mr. President, in the short period since the introduction of S. 428, the Bilingual American Education Act, wide support for the bill has already become apparent.

Mr. Patrick O'Day, an enlightened teacher in the Rio Grande Valley writes that in his area the dropout problem among Mexican-American students is almost entirely due to the language barrier. It has taken most of his students 2 years to get through the first grade. Some of his students have spent 3 years in the first grade "trying to master a foreign language well enough to get promoted." He notes that once a student gets that far behind his age group, his chances of finishing high school are very remote.

The Bilingual American Education Act would provide financial assistance to schools for setting up and operating bilingual education courses, courses emphasizing the teaching of English as a foreign language and Spanish as a native language, and other courses designed to assist Mexican-American and Puerto Rican students in overcoming their special educational barriers. The goal is to enable the student to speak both good Spanish—his native language—and good English—a language which in actual fact is a foreign language to him.

I ask unanimous consent that Mr. Patrick O'Day's letter be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

> La Feria, Tex., *January 24, 1967.*
>
> Senator Ralph Yarborough,
> *U.S. Senate,*
> *Washington, D.C.*
>
> Dear Sir: I was most interested to read in the *San Antonio Express* recently about your proposed bill, The Bilingual American Education Act. You see, I am an elementary school teacher in the Rio Grande Valley, and I have noticed that the drop out problem among Latin students is due almost entirely to the language barrier.
>
> Although the school in which I teach in Pharr, Texas is primarily a sixth grade school, I teach two sections of students who were retarded enough to be retained in the fifth grade. Out of fifty-six students, only five are Anglo! It has taken most of them two years to get through the first grade, and some have even spent three years in the first grade trying to master a foreign language well enough to get promoted.
>
> The problem is that once a child gets that far behind his age group his chances of finishing high school are very remote. Those who are most acutely in need of help cannot be reached through Programs Headstart and Followthrough because they are migrants and cannot be followed around the country by Followthrough.
>
> Teaching the youngsters in their vernacular is the only answer. I have been agitating for this type of instruction in my district, but have not received any word of encouragement from school officials. Please send me an outline of what your bill proposes so that I may have more ammunition with which to storm the barricades of conservatism and indifference on the part of school authorities.
>
> Sincerely yours,
>
> Patrick O. Day.

ARE WE CRIPPLING OUR COPS?

Mr. McCLELLAN. Mr. President, on June 13, 1966, the Supreme Court, in a 5-to-4 opinion, formulated a new constitutional code of rules for police interrogation of criminal suspects—*Miranda* v. *Arizona*, 384 U.S. 436. This decision and the recent rulings that place sharp restrictions on how the police can obtain evidence through the traditional methods threaten a complete breakdown in law enforcement.

Everyone should agree that we must take action to combat the mounting increase of crime in this Nation. There is some disagreement as to how best approach this problem.

This Week, the national sunday magazine, asked four prominent Americans their opinions about the new rules covering interrogation and confessions. These experts were Orlando W. Wilson, superintendent of police, Chicago; Quinn Tamm, executive director, International Association of Police Chiefs; Frank G. Raichle, president, American College of Trial Lawyers; and Nicholas deB. Katzenbach, former Attorney General of the United States. I ask unanimous consent that this article "Are We Crippling Our Cops?" be inserted in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Are We Crippling Our Cops?

(Note.—On June 13, in a 5–4 decision the Supreme Court decreed that police could no longer interrogate suspects or accept a criminal's confession without—for all practical purposes—the presence of a defense attorney. This decision, coupled with recent rulings that place sharp restrictions on how the police can obtain evidence through traditional search and seizure practices, has led many Americans to voice fears for the morale and efficiency of our police. Here is what four prominent Americans who are close to the problem think about it.)

Orlando W. Wilson, *Superintendent of Police, Chicago, Ill.:*

"The administration of justice has always been and should remain a quest for the truth. There can be no other justification for it. The court prosecution arm of our system has the job of marshaling the facts presented to it and determining what should be done—should the accused be punished or should he be set free. The police or law enforcement arm, however, has the job of finding the truth so far as is possible through the process of investigation. This function is critical to the system, for, if the facts are not presented, the courts will have no proper basis upon which a proper determination can be made, and justice will not be served.

"In the past the courts have limited themselves to excluding from their consideration only those things which were irrelevant or were obtained in a manner not conducive to determining the truth—for example, the voluntary trustworthy rule with regard to confessions. However, in recent years the courts have taken upon themselves the additional function that I refer to as 'policing the police.' In the Mapp case in 1961, and in the long line of cases culminating for the time being in the recent Miranda case, the Supreme Court has held that evidence which is admittedly the truth must be excluded—if the police obtained it in a manner not approved by the court.

"The results of this attitude are two-fold. First, justice is not served in the individual case—many criminals go free. This is the obvious result. But a secondary, much more important, result has been for the most part completely overlooked. That is the effect upon the police officer and his conduct of future investigations. When the courts make these new rules—and they *are* new rules—we are notified by our legal advisers as to what we must or must not do. The officer is so advised by his department, and every conscientious officer tries to comply. But being conscientious, his sole purpose is and must be to ferret out the truth and lay it before the court. If he follows these new rules, this purpose is many times frustrated.

"Consider the Miranda decision, which severely limits the use of questioning. Questioning is often the best and even the only method available to the investigator. If he is precluded from using this method, the ends of justice will not be served, for the court will be denied the opportunity to consider the facts.

"Will the best men leave the service because their purpose and the ends of justice are continually being frustrated? Will those who stay develop an I-don't-care attitude and lose their incentive to apprehend criminals and, worse yet, their incentive to prevent crime? I cannot say.

"But one thing is clear. For law enforcement to even approach its past performance, it must have more and better trained men. This costs money, and society must be prepared to pay now."

Quinn Tamm, *Executive Director, Internal Association of Police Chief:*

"It is difficult to avoid concluding that it is the police who are on trial in the prisoner's dock. It is not within the purview of the police to question the legal soundness of the Court's decision. It is within their purview, however, to ask:

1. Why are we indicted for performing our duty to enforce the law?

2. Why are we, in effect, denied a vital tool of law enforcement—interrogation of suspects—when the crime rate is already increasing at five times the population increase?

3. With our departments already undermanned and underfinanced, how are we expected to cope with the increased demands for protection that can be expected to result from this Court decision?

"The police, who must face the guns and knives of unconvicted killers and the anguished mothers of victims, suggest to those whose concern appears to center on the rights of the probable lawbreaker that the time is long overdue for equal concern for society—and for its protectors, the police."

Frank G. Raichle, *President, American College of Trial Lawyers:*

"I do not believe that the recent Supreme Court rules have 'crippled' the effectiveness of our police. However, I do believe that with respect to certain crimes, difficult obstacles have been placed in the way of police officers investigating the same. It seems to me that reasonable inquiry and interrogation resulting in voluntary statements on the part of suspects should be available for use at a criminal trial. It seems incongruous to me that under the present state of the law, a police officer may stop one when driving, remove him from his automobile and then against his will take samples of his blood to see whether he has had a few beers, but yet may not ask him if he murdered his grandmother."

Nicholas deB. Katzenbach, *Former Attorney General of the United States:*

"Some critics feel that the recent Supreme Court decisions have weighted things too heavily in favor of the rights of the accused at the substantial expense of society's proper right to seek the prosecution and conviction of the accused. To their credit, police forces generally have taken steps to implement the decisions. A meaningful assessment of the criticisms of the Court can be made only after a period of time in which there have been sincere efforts to live with the rulings."

TERMINATION OF AEC CONTRACTS WITH ISOCHEM, INC.

Mr. PASTORE. Mr. President, the Atomic Energy Commission has submitted to the Joint Committee on Atomic Energy a proposed agreement to terminate, for mutual convenience of the parties, contracts which the Commission has entered into with Isochem, Inc. Under these contracts, Isochem—owned by Martin-Marietta Corp., and U.S. Rubber Co.—was to construct and operate a commercial facility at Richland, Wash., to process and package radioactive isotopes obtained from chemical processing wastes. The fundamental reasons for termination of the contracts are increased construction costs for the plant and diminished market prospects.

In accordance with section 107c. of the fiscal year 1965 AEC Authorization Act, the proposed termination agreement must lie before the Joint Committee for a statutory 45-day waiting period before becoming effective.

In keeping with the Joint Committee's customary practice of informing Congress concerning statutory submissions by the AEC, I ask unanimous consent to have printed at this point in the Record the AEC's letter to the committee, dated January 20, 1967, and the proposed termination agreement.

There being no objection, the letter and agreement were ordered to be printed in the Record, as follows:

U.S. Atomic Energy Commission,
January 20, 1967.

Hon. Chet Holifield,
Chairman, Joint Committee on Atomic Energy, Congress of the United States

Dear Mr. Holifield: We wish to advise you that we have reached an understanding on a proposed termination agreement with Isochem Inc., the Martin-Marietta Corporation and the U.S. Rubber Company terminating Contracts AT(45–1)–1849 and AT(45–1)–1850 and the Guarantee and Undertaking Argeements attached thereto for the mutual convenience of the parties. Contract 1849 is for the construction and commerical operation of a Fission Products Conversion and Encapsulation Plant (FPCE Plant) to process and package radioactive isotopes obtained from the Hanford nuclear wastes. Contract 1850 is the lease for the land on which the plant was to be built.

Isochem has determined that costs of designing and constructing the FPCE Plant originally estimated to cost between $8–9 million have increased materially and market prospects have diminished materially, to the point where construction of the plant on the basis and on the schedule provided in the contract is no longer economically justified; and, as a consequence, Isochem has proposed a modification of the basis for and a postponement of construction of the FPCE Plant.

The AEC has determined that such a course of action would not be in the best interest of AEC programs, including our objective of promoting diversification of the Richland community.

Isochem also has been performing chemical reprocessing services at the AEC's Richland facility since December 31, 1965, under a separate cost-type contract.

This latter contract for operation of the AEC's chemical plant is closely related to the contract for construction and operation of the FPCE Plant. Consequently, the AEC is obtaining expressions of interest from firms wishing to be considered as the operator of the chemical processing facility and willing to provide commitments for commercial diversification projects for the Richland area.

In accordance with Section 107c. of the Fiscal Year 1965 Authorization Act (Public Law 88–332) we are submitting copies of the proposed agreement terminating the FPCE Plant contracts. We will be pleased to provide whatever additional information you desire on this matter.

Sincerely yours,
R. E. Hollingsworth,
General Manager.

This termination agreement, entered into this ——— day of —, 1967, effective as of the 1st day of February, 1967, or such other date as the parties may agree upon, between the United States of America (hereinafter called the "Government"), Isochem, Inc. (hereinafter called the "Contractor"), a corporation organized and existing under the laws of the State of Washington with its principal place of business at Richland, Washington, the Martin-Marietta Corporation, a corporation organized and existing under the laws of the State of Maryland with its principal place of business at New York, New York and the United States Rubber Company, a corporation organized and existing under the laws of the State of New Jersey with its principal place of business at New York, New York,

Witnesseth that:

Whereas, the Government, acting by and through the Commission, undertook to obtain industrial participation in a large scale fission product recovery program at the Commission's Hanford Works Area designed to stimulate and increase the use of such products and to encourage the development of sources of supply of such products independent of the Commission; and

Whereas, the Commission, on October 6, 1965, entered into Contract No. AT(45-1)-1849 (hereinafter called the "Agreement") with the Contractor under which the Contractor undertook, among other matters, at its own expense, to design, construct, own and commercially operate in the Commission's Hanford Works Area a fission product conversion and encapsulation plant (hereinafter called the "FPCE Plant"), to develop and expand markets for the fission products Strontium 90, Cesium 137, Cerium 144 and Promethium 147 and to sell such products; and

Whereas, the Commission, pursuant to such Agreement, undertook to provide the Contractor with certain materials and services necessary to the performance of the foregoing undertaking of the Contractor; and

Whereas, the Commission on October 6, 1965, entered into Contract No. AT(45-1)-1850 (hereinafter called the "Lease") with the Contractor leasing to the Contractor land in the Hanford Works Area to be used as the site for the construction and operation of the FPCE Plant; and

Whereas, Martin-Marietta Corporation and United States Rubber Company executed on October 6, 1965 their respective Guarantee and Undertaking Agreements attached to the Agreement and Lease; and

Whereas, Isochem has determined that costs of designing and constructing the FPCE Plant have increased materially and market prospects have diminished materially to the point where construction of the plant on the schedule provided in the contract is no longer economically justified; and, as a consequence, Isochem has proposed a postponement of construction of the FPCE Plant; and

Whereas, the Commission has determined that such a postponement would not be in the best interest of the Commission's programs; particularly it would not serve in a timely manner the Commission's objective of promoting diversification of the Richland community; and

Whereas, the Commission, the Contractor, Martin-Marietta Corporation and United States Rubber Company now find it mutually convenient to terminate the Agreement, Lease and the Guarantee and Undertaking Agreements attached thereto and the respective obligations and undertakings thereunder of the Commission, the Contractor, Martin-Marietta Corporation and United States Rubber Company; and

Whereas, the Commission certifies that this negotiated Termination Agreement is authorized by and executed under the Atomic Energy Commission Authorization Act for Fiscal Year 1965, and the Atomic Energy Act of 1954, as amended, in the interest of the common defense and security;

Now therefore, the Parties hereto do agree as follows:

ARTICLE I. TERMINATION OF AGREEMENT AND LEASE

The Agreement, Lease and the Guarantee and Undertaking Agreements attached thereto and the respective rights, obligations and undertakings of the Commission, the Contractor, Martin-Marietta Corporation and United States Rubber Company thereunder are hereby terminated, it being understood and agreed that this termination is effected for the mutual convenience of the parties pursuant to the provisions of this Termination Agreement rather than for default or for the convenience of the Government pursuant to the provisions of the Agreement or the Lease.

ARTICLE II. FPCE PLANT DESIGN, SPECIFICATIONS, DATA, PATENTS AND INVENTIONS OR DISCOVERIES

A. All sketches, drawings, designs, design data, plans, specifications, technical notes and data, notebooks, photographs, negatives, reports, findings, recommendations, data, technical memoranda of every description and supporting documents relating to the foregoing, and the information contained therein, and prepared by the Contractor, Martin-Marietta Corporation, United States Rubber Company or their respective contractors in connection with the design, construction or operation of the FPCE Plant or equipment shall, without charge therefor, be the property of the Government, and, subject to the right of the Contractor, Martin-Marietta Corporation and United States Rubber Company to retain a copy of any such material for their own use, shall be promptly delivered to the Commission. The Government shall have the right to use all or any part of said material and information which is the property of the Government for any purpose whatsoever including but not limited to the right to reproduce said material and disseminate it to the public.

B. The Contractor, Martin-Marietta Corporation and United States Rubber Company hereby grant or shall cause to be granted to the Government:

1. an irrevocable, nonexclusive, paid-up license to the Government with the irrevocable right to grant to third parties, nonexclusive, royalty-free licenses in and to any inventions or discoveries which the Contractor, Martin-Marietta Corporation, United States Rubber Company or their respective contractors used, contemplated for use or developed for possible use in the design, construction or operation of the FPCE Plant or equipment, and which are owned or controlled (in the sense of having the right to grant such licenses and rights without accounting to others with respect to royalties) by the Contractor, Martin-Marietta Corporation or United States Rubber Company during the period commencing February 9, 1965 and ending as of the effective date of this Termination Agreement, to practice or have practiced such inventions or discoveries for the fabrication, processing, encapsulation, use or sale of fission products and other radioisotopes.

2. an irrevocable, paid-up license and right to the Government with the irrevocable right to grant to third parties nonexclusive paid-up licenses and rights in and to any secret process, technical information, or know-how owned, controlled (in the sense of having the right to grant such licenses and rights without accounting to others with respect to royalties) by the Contractor, Martin-Marietta Corporation or United States Rubber Company during the period commencing February 9, 1965 and ending as of the effective date of this Termination Agreement which the Contractor, Martin-Marietta Corporation, United States Rubber Company or their respective contractors used, contemplated for use or developed for possible use in the design, construction or operation of the FPCE Plant or equipment, to use or have used such secret processes, technical information of know-how for the fabrication, processing, encapsulation, use or sale of fission products and other radioisotopes.

C. With respect to the inventions or discoveries referred to in Paragraph B of this Article, the Contractor, Martin-Marietta Corporation and United States Rubber Company shall promptly furnish the Commission complete information thereon and advise the Commission at the time of reporting whether the Contractor, Martin-Marietta Corporation or United States Rubber Company have filed or will file at their own expense a United States Patent application. Unless a patent application has been filed, the Contractor, Martin-Marietta Corporation, or United States Rubber Company shall file such patent application within six (6) months of the furnishing of the information. If the Contractor, Martin-Marietta Corporation or United States Rubber Company does not file a patent application within six (6) months of the furnishing of such information to the Commission, the Commission shall have the right to file a patent application, in which event the Commission shall have the right to determine the title and rights in and to any such invention or discovery, subject to the Contractor, Martin-Marietta Corporation or United States Rubber Company retaining at least a nonexclusive irrevocable paid-up license. In addition to such prompt reporting of such inventions or discoveries, the Contractor, Martin-Marietta Corporation and United States Rubber Company shall furnish to the Commission through the Assistant General Counsel for Patents, or his representative, upon request, technical data to assist the Commission in the understanding of an invention or discovery and to support the preparation and prosecution of any patent application undertaken by the Commission.

D. No claim for pecuniary award or compensation under the provisions of the Atomic Energy Act of 1964, as amended, shall be asserted by the Contractor, Martin-Marietta Corporation and United States Rubber Company or their employees with respect to any invention or discovery made or conceived in the course of or under the Agreement.

ARTICLE III. COSTS AND EXPENSES

Costs and expenses incurred by the Commission, the Contractor, Martin-Marietta Corporation and United States Rubber Company in preparing to perform or in performing their respective obligations under the Agreement and Lease and the Guarantee and Undertaking Agreements attached thereto shall be borne by the party incurring them. The sum of $3,600.00 which has been paid by the Contractor to the Commission as rent for the premises subject to the Lease shall be retained by the Commission.

In witness whereof, the parties hereto have executed this contract as of the date and year first above written.

United States of America, U.S. Atomic Energy Commission.
——— ———,
Manager, Richland Operations Office.
——— ———, *Contracting Officer.*
Isochem, Inc.,
H. D. Gilbert, *Vice President.*
Martin-Marietta Corp.,
Malcolm A. MacIntyre, *Vice President.*
United States Rubber Co.,
G. W. Chane, *Vice President.*

I, Ross G. Macaulay, certify that I am the Secretary of Isochem Inc.; that H. D. Gilbert who signed this contract on behalf of the corporation was the Vice President of said corporation; that said contract was duly signed by and on behalf of said corporation by authority of its governing body; and is within the scope of its corporate powers.

In witness whereof, I am hereunto affixing my hand and the seal of said corporation this 18th day of January, 1967.

Ross G. Macaulay,
Secretary.

Corporate seal.

I. W. L. Lucas, certify that I am the Secretary and Treasurer of Martin-Marietta Corporation; that Malcolm A. MacIntyre who signed this contract on behalf of the corporation was the Vice President of said corporation; that said contract was duly signed by and on behalf of said corporation by authority of its governing body; and is within the scope of its corporate powers.

In witness whereof, I am hereunto affixing my hand and the seal of said corporation this 18th day of January, 1967.

I. W. L. Lucas,
Secretary and Treasurer.

Corporate seal.

I, Henry H. Both certify that I am the Asst. Secretary of United States Rubber Company; that I. W. Chane who signed this contract on behalf of the corporation was the Vice President of said corporation; that said contract was duly signed by and on behalf of said corporation by authority of its governing body; and is within the scope of its corporate powers.

In witness whereof, I am hereunto affixing my hand and the seal of said corporation this 18th day of January, 1967.

Henry H. Both.

Corporate seal.

PROTECTING OUR NATURAL HERITAGE

Mr. JACKSON. Mr. President, the President's message on "Protecting Our Natural Heritage," which was submitted to the Congress today, articulates once again his long-standing concern that beauty and nature shall retain their places as primary ingredients of the American outdoor scene.

The President's recommendations are matters of great importance to the vitality and well-being of our Nation. The proposals include an Air Quality Act for 1967; the establishment of a special highway safety and beauty trust fund; and an expanded program for the study and wise development of the Nation's mineral resources and technology. He has reaffirmed his commitment to the establishment of a National Water Commission and to continued efforts to find solutions to the Nation's water problems.

The President has renewed his proposal for last year for the establishment of a nationwide system of trails and a system of national scenic rivers. In addition, he has recommended the first addition to our wilderness areas since the wilderness system was authorized in 1964. One of the most significant measures recommended is an enlarged appropriation to the land and water conservation fund as a way to avoid escalating land costs and to speed up the acquisition of recreation lands.

I am pleased that the President has recommended a national park along with wilderness and recreation areas in the North Cascades. This is a place of magnificent scenic beauty which encompasses varied natural resources. Different management goals must be applied to different parts of the whole area in order to achieve the maximum public benefit. The unique scenic grandeur of the North Cascades requires that a significant area be accorded the status and recognition associated with a national park.

It is my understanding that proposed legislation defining specific boundaries will be transmitted to the Congress soon to implement the President's message. This legislation will be considered promptly by the Committee on Interior and Insular Affairs with public hearings both in Washington, D.C., and in the State, providing full opportunity for comment.

In spite of many statements to the contrary, the future recreational and esthetic needs of the American people can be adequately provided for if the Congress and the Nation will act to take advantage of our remaining national park opportunities.

The remaining opportunities include—in addition to the fabulous peaks and meadows of the North Cascades of my own State—the awe-inspiring redwoods of California; the green and lovely Potomac River Valley that runs through Virginia, West Virginia, and Maryland; and the superb string of Apostle Islands off the Wisconsin Lakeshore. I have already announced that a hearing will commence April 18 before the Interior and Insular Affairs Committee on the Redwood National Park proposal.

As chairman of the Senate Interior Committee, which will initially deal with many of these legislative recommendations, I assure the President and the Members of the Senate that I will move for early and well-considered congressional action on these proposals.

PRESENT CONDITIONS IN INDONESIA

Mr. McGEE. Mr. President, having recently visited Indonesia, I came away impressed with the adroit handling of that country's touchy internal problems by its leadership, headed by General Suharto. We find in Indonesia an entirely new ball game. The Government is sincere in its desire to move ahead, but is careful in its maneuverings, as well. It is good to see the United States being as careful and yet also moving ahead to assist that nation, the world's fifth largest.

Yesterday, the Washington Post editorially reviewed the situation in Indonesia in an excellent editorial entitled "The Sukarno Problem." I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Sukarno Problem

Step by step, the Indonesian regime of General Suharto appears to be preparing for a showdown attempt to redefine President Sukarno's position. Ten days ago, Foreign Minister Malik made a direct public appeal to Sukarno to resign and to appoint a successor to serve until the 1968 elections. This was accompanied by the allegation that a high officer who saw Sukarno on the day of the Communist coup attempt last fall, Brig. Gen. Supardjo, has given damaging testimony pointing to Sukarno's knowledge of the plot. A special session of the Indonesian Consultative Congress was subsequently set for late March to review Sukarno's role in the coup. Now comes news that the army has arrested the President's military aide and the chief of the palace guard, replacing them with trusted Suharto men.

The obvious tactical problem confronted by Suharto and Malik has been to establish Sukarno's complicity in the coup beyond a doubt and thus to gain public acceptance of his diminished status. In central Java, especially, Sukarno continues to enjoy the image of a beloved George Washington. The consequences of hasty and maladroit handling of his future could be quite as damaging to Indonesian stability as the present ambivalent situation if a consolidated opposition to the new regime were to pre-empt the Sukarno charisma. General Suharto has shown a keen awareness of this, and so his recent moves acquire added interest.

The United States has officially watched the long political convolutions since the coup attempt with a wary and appraising eye. Although limited aid moves were announced following the Washington visit of Foreign Minister Malik in September, the Agency for International Development did not assign a resident representative to Indonesia until this week. The appointee now slated to re-establish an American aid presence in Djakarta for the first time since 1963, Stokes Talbert, is an able aid professional with a substantial background of experience in Asia and is an excellent choice for this sensitive post.

EXTREMIST CRITICS COULD DELAY VIETNAM NEGOTIATIONS

Mr. DODD. Mr. President, one of the reasons why the war in Vietnam has not yet been concluded is that the Communist leaders in Hanoi, Moscow, and Peking remain unconvinced of our determination to see to it that aggression is not permitted to succeed.

While they hear of our commitment from the President and from congressional leaders, they also see mass demonstrations against this commitment and remain unconvinced that the administration really speaks for the majority of citizens.

Much of the criticism of our Vietnam effort is within the realm of honest disagreement. Such criticism is a part and parcel of our democratic process. It is essential for the operation of a free society. This kind of open and honest debate is the lifeblood of our system.

However, there is much criticism that simply provides additional ammunition for those who seek to advance their own interests through the use of force. Likewise, much of the criticism is simply untrue, based upon false assumptions, misinformation, and a clear effort to falsify.

A group of distinguished Americans, among them former President Eisenhower, former Secretary of State Dean Acheson, Dr. James Coles, president of Bowdoin College, Leo Cherne, executive director of the Research Institute of America, and James A. Farley, former Postmaster General, have pointed out a number of the irresponsible statements which have been made with some frequency by critics of the war.

The first of these is that this is "Lyndon Johnson's War" or "McNamara's War" or any other individual's war. In a statement sponsored by Freedom House this group of prominent Americans notes that the war in Vietnam is a commitment of the American people, sustained and reaffirmed by them many times in the past 12 years under three Presidents.

To the charge that the U.S. Government is committing war crimes or engaged in genocide this question is posed:

> Why do not responsible critics disassociate themselves emphatically from such wild charges?

After dealing with several other irresponsible points of criticism, this important statement reads as follows:

> Among the opponents of our Vietnam policy are men of stature in the intellectual, religious, and public service communities. A failure on their part to draw the line between their positions and the views expressed by irresponsible extremists could encourage our Communist adversaries to postpone serious negotiations, raise the cost in lives and delaying the peace we earnestly seek.

This statement is one which all critics of the war should carefully consider, and it is one which I would like to bring to the attention of my colleagues.

I ask unanimous consent to have the statement printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Leaders Warn That Extremists Could Delay Vietnam Negotiations

A CRUCIAL TURNING POINT

A Freedom House statement signed by 145 distinguished Americans urges responsible critics of the Vietnam war to dissociate themselves from wild charges being made against the nation and its leaders. The complete text follows:

The American military presence in South Vietnam has demonstrated that the Communists cannot win their "war of national liberation." The impact of this demonstration has been felt throughout Southeast Asia.

It provided a shield for the sharp reversal of Indonesia's drift toward Communism, which has removed the threats to Singapore and Malaysia. It has given new vigor to the Philippine Republic's allegiance to the free world. *It has brought the struggle in Vietnam to the point where the possibility of negotiations may become an actuality.*

Although negotiations would only mark the beginning of the end of the war and not the end itself, it would be a crucial turning point for which we must be prepared. Repeated experience has taught us that even when negotiations are started our antagonists will at first insist on terms which would hand them a victory disguised as a peace settlement. Simultaneously they are likely to intensify their military action in the field, as was the case in Korea. They may prolong the discussion interminably in the hope that serious divisions within the United States and its allies in the struggle will so weaken our resolve that we will allow them to wrest from the conference table what their soldiers and terrorists could not win by force.

We are confident that this hope will prove a delusion. Many leaders of the non-Communist nations of Asia have reepatedly endorsed the American role in Vietnam as a stabilizing force. The South Vietnamese cast their ballots for freedom from Communist domination in the September election. The American people have made a similar choice; in primary after primary they were offered the chance to vote for candidates who would lead them unilaterally out of the Vietnam commitment. In almost every case they rejected that chance.

This evidence of support for United States military aid to South Vietnam is convincing to those familiar with the American scene. It must be made equally convincing to the Communist leaders. It will not be easy. Familiar with the use of agitation, demonstration, and violent personal abuse as political tools in their own closed societies, they misunderstand the very different significance of such activities in the United States.

It is this fact that presents American critics of our Vietnam commitment with a sharp challenge to their sense of responsibility. We do not in any way suggest that these critics end their opposition, if that is their conviction. But if they want to see a just peace result from negotiations we urge that they renounce such fantasies as these:

—*That this is "Lyndon Johnson's War" or "McNamara's War" or any other individual's war.* It is a commitment of the American people, sustained and reaffirmed by them many times in the past twelve years under three Presidents.

—*That the American leaders are committing "war crimes" or indulging in "genocide."* These are the claims of a few extremists here and abroad. Why do not responsible critics disassociate themselves emphatically from such wild charges?

—*That military service in this country's armed forces is an option exercisable solely at the discretion of the individual.* No nation anywhere, now or in the past, has ever recognized that principle. Those who urge individual defiance on moral grounds merely betray the genuine tenets of conscientious objection which our people respect.

—*That this is a "race" war of white versus colored peoples.* This accusation distorts the true aims of the civil rights movement which most of our people support. The utter falsity of this notion has been demonstrated by the hundreds of thousands of Vietnamese and South Koreans who are fighting and dying in combat against the Communists, as well as by the magnificent conduct of American Negro soldiers in South Vietnam.

—*That this nation's leaders are obsessed with some compulsion to play "world policeman" or to conduct some "holy war" against the legitimate aspirations of underdeveloped people.* The long list of Communist-ruled countries with whom the United States has coexisted is ample refutation of the "gendarme" charge. Americans are also aware that the present administration, like those that preceded it, has a proud record of helping underdeveloped countries with the greatest outpouring of material aid in all of human history.

Among the opponents of our Vietnam policy are men of stature in the intellectual, religious and public service communities. A failure on their part to draw the line between their positions and the views expressed by irresponsible extremists could encourage our Communist adversaries to postpone serious negotiations, raising the cost in lives and delaying the peace we earnestly seek.

Let us hope that the distinction between responsible dissent and unfounded attacks upon our society and its leaders will be recognized by the dissenters themselves. Thus the Communists will not be misled into underestimating the determination of the American people to secure the independence of South Vietnam as the basis for peace with justice in that area of the world.

SIGNERS OF THE STATEMENT

(Affiliations for identification only)

Former President Dwight D. Eisenhower; Dean Acheson, *former Secretary of State;* William Agar, *Former member, U.N. Secretariat;* Hurst R. Anderson, *President, The American University;* Richard A. Armstrong, *Executive Director, Effective Citizens Organization;* Thurman Arnold, *former Justice U.S. Court of Appeals;* George Backer, *Author, former newspaper publisher;* Frank A. Barnett, *President, National Strategy Information Center;* Murray Baron, *President, Peace with Freedom;* Joseph A. Beirne, *President, Communications Workers of America;* W. Randolph Burgess, *former U.S. Ambassador to NATO;* Arthur F. Burns, *President, National Bureau of Economic Research;* Thomas D. Cabot, *civic and business leader, Boston;* D. W. Canham, Jr., *Southwest Center for Advanced Studies;* Leo Cherne, *Executive Director, Research Institute of America;* Robert A. Christie, *President, Millersville (Pennsylvania) State College;* and Dr. James S. Coles, *President, Bowdoin College.*

Also James B. Conant, *former U.S. High Commissioner to West Germany;* Marc Connelly, *playwright;* A. J. Coutu, *Director, North Carolina State Mission to Peru;* Carlton Culmsee, *Dean, College of Humanities and Arts, Utah State University;* Joseph Curran, *President National Maritime Union of America;* Thurston N. Davis, S.J., *Editor-in-Chief, America;* Michael V. DiSalle, *former Governor of Ohio;* John Dos Passos, *author;* Roscoe Drummond, *syndicated columnist;* Christopher T. Emmet, *President, American Friends of the Captive Nations;* James A. Farley, *former Postmaster General;* and George Field, *Executive Director Freedom House.*

Also Marion B. Folsom, *former Secretary of Health, Education, and Welfare;* George B. Ford, *Pastor Emeritus, Corpus Christi R. C. Church;* Harry D. Gideonse, *Chancellor, New School for Social Research;* Nathaniel L. Goldstein, *former Attorney General of New York;* David L. Guyer, *Vice President, Institute of International Education;* Arthur L. Harckham, *President, Joint Council, Building Service Employees International Union;* Will Herberg, *Department of Philosophy and Culture, Drew University;* George H. Hildebrand, *economist;* Sidney Hook, *Department of Philosophy, New York University;* R. Gordon Hoxie, *Chancellor, Long Island University;* Henry C. Huglin, *Brig. General USAF (Ret.), military analyst and commentator;* and Mrs. Andrew Jackson, *magazine editor.*

Also Jacob K. Javits, *United States Senator, New York;* Eugent I. Johnson, *Director, Adult Education Association of U.S.A.;* Amron H. Katz, *The Rand Corporation;* Vincent S. Kearney, S.J., *Associate Editor, America;* Maxwell A. Kriendler, *business executive;* Hyman Kublin, *Associate Dean, Graduate Center, City University of New York;* Harold Lamport, *Department of Physiology, Mount Sinai School of Medicine;* Aaron Levenstein, *College of the City of New York;* Ivan D. London, *Department of Psychology, Brooklyn College;* Mrs. Oswald B. Lord, *former U.S. Delegate to U.N. General Assembly;* Charles Wesley Lowry, *Foundation for Religious Action;* S. L. A. Marshall, *Brig. General, U.S. Army (Ret.), military critic and historian;* Carl McGuire, *Chairman, Department of Economics, University of Colorado;* Francis Pickens Miller, *former Special Assistant to the Secretary of State;* and Edgar Ansel Mowrer, *syndicated columnist.*

Also Robert D. Murphy, *former Under Secretary of State for International Affairs;* Gabriel G. Nahas, *College of Physicians and Surgeons, Columbia University, awarded Presidential Medal of Freedom, 1945;* John C. Neff, *National Strategy Information Center;* Benjamin Nispel, *Dean of Liberal Arts, Shippensburg (Pennsylvania) State College;* Dwayn Orton, *Educational Consultant, International Business Machines Corp.;* Lithgow Osborne, *Chairman, American-Scandinavian Foundation;* Mrs. Bonaro Overstreet, *author;* David Packard, *former President, Board of Trustees, Stanford University;* William Petersen, *Institute of Human Sciences, Boston College;* Christopher H. Phillips, *President, U.S. Council of the International Chamber of Commerce;* Paul A. Porter, *lawyer, former Administrator, O.P.A.;* Paul R. Porter, *corporation executive;* Lewis F. Powell, *lawyer and civic leader, Richmond;* R. Paul Ramsey, *Department of Religion, Princeton Univer-*

sity; and Rudolf Rathaus, *business consultant.*

Also Philip D. Reed, *former Chairman of the Board, General Electric Co.;* Whitelaw Reid, *former publisher and editor;* John Richardson, Jr., *President, Free Europe, Inc.* (*Radio Free Europe*); Stewart Richardson, *publishing executive;* Victor Riesel, *syndicated labor columnist;* Elizabeth M. Riley, *publishing executive;* Francis E. Rivers, *retired Judge, Civil Court of the City of New York;* Mrs. Kermit Roosevelt, *civic leader;* Elmo Roper, *public opinion analyst;* Samuel I. Rosenman, *advisor to President Truman;* Peter Sammartino, *President, Fairleigh Dickinson University;* and Whitney North Seymour, *past president, American Bar Association.*

Also Eustace Seligman, *lawyer, corporate director;* John T. Smithies, *business consultant on Latin America;* Charles M. Spofford, *attorney and civic leader, New York;* Gerald L. Steibel, *Foreign Affairs Editor, Research Institute of America;* Donald C. Stone, *Dean, Graduate School of Public and International Affairs, University of Pittsburgh;* Rex Stout, *author, President of Authors' League of America;* Louis Stulberg, *President, International Ladies' Garment Workers' Union,* David Sullivan, *General President, Building Service Employees' International Union;* Herbert Bayard Swope, Jr., *TV and Broadway producer;* Frank Tannenbaum, *Director, University Seminars, Columbia University;* Malcolm A. Tarlov, *National Commander Jewish War Veterans of the U.S.A.;* Ruth Van Auken, *Deputy Executive Director, Business Council for International Understanding;* Henry P. Van Dusen, *President Emeritus, Union Theological Seminary;* Ursula M. von Eckardt, *Department of Social Sciences, University of Puerto Rico;* Louis Waldman, *labor lawyer;* William L. White, *editor and author;* Mrs. Ruth D. Wilson, *sociologist and author;* Jacques D. Wimpfheimer, *corporation president;* and Richard Yarduminan, *composer.*

The following faculty members are associated with the History, International Affairs, Law, and Political Science Departments of leading universities: Charles C. Adler, Jr., *Hamilton College;* Charles R. Adrian, *University of California, Riverside;* Carl A. Auerbach, *University of Minnesota;* Lincoln P. Bloomfield, *Massachusetts Institute of Technology;* Imre Boba, *University of Washington;* Robert Braucher, *Harvard University;* Robert F. Byrnes, *Indiana University;* Francis J. Corley, S.J., *Saint Louis University;* Joseph Cropsey, *University of Chicago;* Aurie N. Dunlap, *Lehigh University;* Joseph Dunner, *Yeshiva University;* Rowland E. Egger, *Princeton University;* Brooks Emeny, *Princeton University;* William Fleming, *Ripon College;* and John O. Hall, *University of Pittsburgh.*

Also Loy W. Henderson, *American University;* Samuel P. Huntington, *Harvard University;* Dan N. Jacobs, *Miami University;* Walter Darnell Jacobs, *University of Maryland;* William K. Jones, *Columbia University;* Page Keeton, *University of Texas;* William R. Kintner, *University of Pennsylvania;* Reginald D. Lang, *Carleton College;* James E. Larson, *University of South Carolina;* George A. Lipsky, *Wabash College;* William W. Lockwood, *Princeton University;* Dayton D. McKean, *University of Colorado;* Thomas Payne, *University of Montana;* Paul F. Power, *University of Cincinnati;* and Willis L. M. Reese, *Columbia University.*

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THE "OVER 60" JOB BUREAU

Mr. WILLIAMS of New Jersey. Mr. President, many men and women past age 60 find that all employment doors are closed to them. Thus, this Nation loses the experience and abilities of great numbers of Americans who could make a major contribution to our Nation.

Fortunately, many private citizens are becoming increasingly alarmed about this loss of seasoned manpower. More than that, many are doing something about it. A description of one such effort was recently sent to me by Mrs. E. D. Pearce, president of the National Federation of Women's Clubs. She informed me about an "over-60 counseling and employment service" sponsored by the Montgomery County Federation in Maryland. This project is described in the November 1965 issue of the General Federation Clubwoman. I ask unanimous consent to have the article reprinted in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

MARYLAND CLUBWOMEN'S "OVER–60" JOB BUREAU

Many people call ours the "Age of Youth" —an era in which no one dares grow old. Never before has so much stress been placed on staying young, and in no other country in the world are people so age-conscious.

"Growing old gracefully" is a charming phrase, but it carries no comfort or encouragement to the millions of people in our population over age 60. To most of them, growing old presents only problems and barriers.

The Montgomery County Federation in Maryland became aware of the plight of some oldsters in their area and decided to do something about it. The result has been an overwhelming county success.

It began in 1960—the brain child of a few farsighted clubwomen—specifically Mrs. Joseph Gallagher, who became the first Chairman of the "Over-60 Counseling and Employment Service," Mrs. James H. Baxter, Jr., and Mrs. Frederick Carten.

These women were aware of the difficulties older people encounter when looking for jobs. Ads in the newspapers—almost without exception—ask for "mature women—25-45," for "elderly woman to care for small children, g.h.w., cooking, 5½ days, $50 per week." Any housewife knows the outrageousness of such an ad. Caring for small children, cooking three meals a day and doing up the dishes, and the g.h.w.—which means "general housework" is a job for a strong, vigorous, young woman.

When Mrs. Gallagher, as Community Affairs Chairman for the County Federation, attended a workshop meeting of the White House Conference on Aging, one of the recommendations stemming from that conclave made special impact on her. This was the creation of Clearing Houses to find employment for aging people. Mrs. Gallagher called together a group of cohorts, and together they discussed the possibilities of establishing a nonprofit employment service for those over 60, sponsored by the County Federation.

The Montgomery County Federation listened with interest and approved the idea, which meant that the project would be supported and financed by the Montgomery County clubwomen. They estimated that their initial expenses would amount to about $1500 because, fortunately, the Maryland-National Capital Park and Planning Commission had a red-brick cottage near the tennis courts of the North Bethesda-Chevy Chase Recreation Center which they could lend, gratis, to the women for their employment office.

However, research on other set-ups had convinced Mrs. Gallagher and her clubwomen friends that volunteer efforts should not be relied upon completely. Indeed, a paid Director was essential.

Luck was with the women,—Mrs. Arthur Romig, a member of the Kensington Women's Club, became the first Director. She was an excellent choice, because her experience in club work enabled her to work successfully with volunteers, and she was a keen judge of character, highly competent to handle the job applicants effectively.

One of the first steps after engaging Mrs. Romig was to mail 3,000 letters to business firms in the area, to churches, to recreation centers—every place the notices announcing the Over-60 Employment and Counseling Service might find a good reception.

Now the Montgomery County Federation decided to finance the Employment Office in a different manner. It is worth noting that this project marked the first time that all of the County's 22 clubs had financially cooperated on a joint project.

It was voted that each club member would pay $1 per year towards the Employment Office with no club's amount to exceed $200. Of course, if a club desired to contribute more, it was happily received.

Last year, the Montgomery County women joined the Thrift Shop as one of six contributing groups.

The Thrift Shop is supported by five groups: the Suburban Hospital, Planned Parenthood, Jewish Community Center, Montgomery County Hospital, Mental Health Association and now the Montgomery County Federation has been added to the list.

Each volunteer group must give one day a week to work in the shop and a great quantity of donations are needed to maintain the inventory—things such as clothing, jewelry, furniture, toys.

All funds derived from the Thrift Shop by the Montgomery County clubwomen go towards the Employment Office's operation. Also, if a clubmember wishes to contribute to the Thrift Shop instead of giving her $1 assessment to her club, she may do this. But, of course, articles must be worth $2 to sell for $1, so problems are involved in this.

Even so, each month the Thrift Shop turns over a percentage of monies collected from the sale of their articles to the Montgomery clubwomen and with these funds, plus the $1 donations from the clubs, the Over-60 project has burgeoned.

Combining efforts with the Thrift Shop was a fortunate move. For one thing, it has made possible the creation of a second Over-60 Employment and Counseling Service in Silver Spring, Maryland. Now in the final stages of planning.

The clubwomen will offer a Manpower and Training Course in conjunction with the Maryland State Employment Service.

Right now a survey is being made of all those over 45 in the area, who lack special skills, and who need employment.

Job areas which the women hope to develop as possibilities for their hundreds of applicants include:

1. Desk clerk in a hotel or motel.
2. Specialty work as a floral designer or gift wrapper.
3. Household manager.
4. Housemaking aid.

Mrs. Romig, the first Director, moved to California with her husband who is a minister, and her place now is held by Mrs. Evelyn Buchan Crook, an applicant at the office a few months earlier. She had taught sociology in the Universities of North Carolina, Maine, Ohio State and Smith College. Her affiliation with organizations are distinguished . . . but, of course she is over 60! While this is a deterrent in some positions, it makes her unusually qualified for Director of the Over-60 Employment Service.

The office is open three days a week for three hours each day, 10 to 1 p.m., but the increased business now has encouraged the women to maintain the office 5 days each week for 3 hours each day.

"The Staff"—once consisting of the Director, now includes, too, Mr. Merritt Smith, a retired engineer, who one day wandered into the office seeking employment. After talking with the Director he decided that she needed his help more than he needed hers.

He has become a faithful—and almost indispensable—addition to the set-up. His services are volunteered, not remunerated, because this allows him the freedom to travel abroad when the desire strikes him.

The applicants vary considerably, Mrs. Hugo Eskildson, now Chairman of the over 60 Office for the County Federation, says that many of the applicants are living on small retired incomes and need extra money. Rent is the big item and some find placement in homes or apartment houses which offer a place to live in return for services. But these situations are not so easy to fill as they may sound.

The majority of the applicants are considerably above average in intelligence, Mrs. Eskildson says. Many have their own homes and therefore do not wish to take live-in jobs. Some are physically unable to do more than part-time work. The most difficult to place are those who are unwilling to acknowledge their loss of efficiency in their former occupation and unable to adapt themselves to other work they could perform.

Men seem to be more serious about wanting a job than women. Women frequently lack confidence, some want jobs to amuse themselves, and others seek office work of the type employers give to young workers. Adapting and adjusting to the limitations of growing old are necessary, but difficult, yet those who do so find contentment and happiness.

So the Montgomery County clubwomen—Mrs. Eskildson, Employment Service Chairman, together with the founders, Mrs. Gallagher, Mrs. Baxter and Mrs. John Crippen, County President, are now embarked on a second Over-60 Employment office. Supported by the loyal and interested clubwomen of the County, the new project's success seems assured. The ingenuity and resourcefulness of these clubwomen might well inspire other clubwomen in other communities to emulate them. Surely the need is there!

Mr. WILLIAMS of New Jersey. Mr. President, in its closing hours last year, the Senate passed S. 2877, the older Americans community service program. This bill is intended to give Federal incentives to worthwhile public and private programs that provide opportunities for persons past 60 years of their communities and their neighbors in worthwhile ways. As the report on the bill emphasized, the Federal assistance would be available for ongoing programs that fulfill the purposes of the bill. It would seem to me that job referral projects, such as that sponsored by the Montgomery Federation and other organizations, would warrant special attention under any such program. More and more, we have come to realize that all Americans have a stake in assuring that so-called retirement years can offer challenging opportunities for service. For the sake of the present generations of older Americans and all those to come, we should continue to experiment and to progress.

WHY WE ARE IN VIETNAM

Mr. McGEE. Mr. President, Mr. William S. White, in his column published Saturday in the Washington Post, argues that at some point the United States may have to risk raising the hackles of Red China by entering upon what he calls "a real propaganda of truth" as to why we are in Vietnam and why we must stay there.

Mr. White makes the point, quite validly, that much of the criticism directed against our presence in Vietnam results from uninformed views of the importance of America's endeavor. We are not simply fighting to hold a small country for the free world. More importantly, he says, we are staying the expansionism of the Chinese version of communism. Refraining from making our case rest on this latter point is an act of sacrifice, for it brings down criticism from those who are not aware that Vietnam is, indeed, the transcendent test of the doctrine of collective security.

Mr. President, I ask unanimous consent that Mr. White's column be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, Jan. 28, 1967]

U.S. Restraint: Can It Last in Face of Criticism?

(By William S. White)

The United States Government is excercising far more than simply military restraint in Vietnam and a delicate but insistent question arises as to how much longer Washington should forego the most powerful and conclusive of all justifications for our posture there.

For the United States is not merely restricting military action against the Communist invaders of South Vietnam, in the face of unbroken attacks and provocations from the North and ceaseless howls from foreign and home-grown peaceniks who would withdraw from our troops even the inadequate bombing support with which they are now stoically making do.

What is not generally known is that the United States is with unexampled patience accepting uninformed criticism of our position in Vietnam, notably from some European Allies, which could be quite destroyed to logical minds if this Government opened a real propaganda of truth as to why we must stay there.

In truth, the rock-bottom obligation laid upon us by history is incomparably bigger than the immediate obligation to rescue a small and tortured part of the Free World's lodgment in Asia. It is the supreme necessity not to allow the Chinese version of Communist expansionism to prevail and so overturn all Southeast Asia.

And it is this supreme and overriding argument for our policy which this Government is deliberately playing down abroad in a spirit of self-sacrificing responsibility that has few parallels in warfare. Washington speaks only softly of the giant, ultimate reason for our position in Vietnam lest a wide trumpeting of that reason should inflame the Communist Chinese to join far more than they have yet done the assault of their North Vietnamese stooges upon South Vietnam.

But, ironically, this comparative silence causes the United States to take a beating from critics which it need not take. For these critics—that is, the kinds of minds abroad which are still open to some reason—could hardly continue to bite at us in the face of the whole and true story.

In the absence of a drumming out of that story they are able to believe that the war in Vietnam is essentially local and not in fact a transcendent test of the whole doctrine of collective security against Communist aggression.

They are able to see it, in short, rather as the neutralists and isolationists of half a lifetime ago saw Hitler's early moves upon little dots of land like Danzig as only parochial threats without general peril.

It required years of agony and thousands of lives for many to see how silly was the slogan-question of the isolationists: "Who wants to die for Danzig?"

Similarly, years of agony have not shown to some of our critics, and again notably in Europe, the puerility of today's equivalent slogan question: "Who wants to die for Saigon?"

In a word, it is an extraordinary fact that many sophisticated men, not excluding some Allied diplomats here of basic goodwill toward the United States, simply have not grasped the real name of the game in Vietnam. They have not been forced by this Government to understand it simply because we have adopted a spartan self-restraint in defending our own case in hope of keeping limited the action in Southeast Asia.

For this country's persistent gallantry—and gallant is truly the word for it—and its high sense of responsibility in its deep national sacrifice is unique in all the long story of the fight against totalitarianism.

But, in common fairness the question must arise: How long should the United States have to carry this frightful burden without help or even understanding from some of its European associates?

COMMEMORATION OF HENRIK ERLICH AND VICTOR ALTER

Mr. DODD. Mr. President, in the early weeks of 1942, Henrik Erlich and Victor Alter, the leaders of the Polish Jewish Socialist movement, were executed in Kuybishev on the orders of the Soviet Government. Erlich and Alter were among the many Polish leaders who had sought refuge in the Soviet Union after the Nazi occupation of Poland. That they had political differences with the Soviets is a matter of record. But there was not a Jew anywhere in the world or a Socialist in the Labor International who believed Moscow when it accused Erlich and Alter—men who were the acknowledged leaders of Polish Jewry and heroes of the first Battle of Warsaw—of being Nazi agents.

When the Left Social Revolutionaries were brought to trial after the attempt on Lenin's life by Dora Kaplan, Emile Vandevelde, the head of the Second International and a lawyer of outstanding ability, was given entry to Russia so that he could act as their counsel. But when

Erlich and Alter were executed on the most damning charge that one could possibly level against men who were both Jews and Socialists, there was no public trial, no neutral witness, no counsel for the defense—and apart from the mass meeting at Mecca Temple, New York, at which Mayor La Guardia spoke, and a few similar demonstrations in other American cities, the men who love liberty were silent.

The execution of Erlich and Alter was no small matter. The bell that tolled for them tolled for every progressive in every land.

On Sunday, January 8, there took place in town hall in New York a mass meeting commemorating the execution of Erlich and Alter 25 years ago. The speakers included Norman Thomas, and representatives of the International Ladies Garment Workers Union, the Jewish Labor Committee, and other groups. Speaking under a sign that said "Erlich and Alter, Victims of the Stalinist Terror," the speakers hailed Erlich and Alter as uncompromising enemies of Nazism and tireless leaders of the Jewish community in Poland in the struggle against Hitler.

Mr. President, I consider the meeting in New York on January 8 to be a highly significant one, and I therefore ask unanimous consent to have printed in the Record the article describing the meeting, which was published in the New York Times of January 9, 1967.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, Jan. 9, 1967]

Service Here Honors Two Jews Executed in Russia—Erlich and Alter Eulogized at Town Hall Ceremony—Tribute to Polish Intellectuals Led by Norman Thomas

(By Irving Spiegel)

Twenty-five years ago, Henryk Erlich and Victor Alter, leaders of Polish Jewish labor and of the world Socialist movement, were executed by the rulers in the Soviet Union for alleged treason.

Yesterday, Town Hall here echoed with nostalgic songs identified with the Socialist movement of that period and there were addresses that cited the contributions that Erlich and Alter had made toward social justice and the equality of man.

The solemn ceremonies, attended by a large audience that included the widow and the two sons of Erlich, were organized by the Jewish Labor Bund and sponsored by the International Ladies' Garment Workers' Union, the Jewish Labor Committee, the Workmen's Circle and other groups.

Before a background of wreaths of red and white carnations and under a sign that said "Erlich and Alter, Victims of the Stalinist Terror," speakers cited Erlich and Alter as uncompromising foes of Nazism "and tireless in arousing both Poles and Jews to the struggle against Hitler." The speakers were led by Norman Thomas, the Socialist leader.

AUDIENCE SILENT

For three hours, the audience sat in hushed silence. On stage was Mrs. Sophie Erlich, the widow, flanked by her two sons, Victor, professor of Russian literature at Yale University, and Alexander, professor of economics at Columbia University.

"The addresses express our feelings," Victor Erlich said. His brother nodded his head.

The widow sat with her head lowered, but there were no tears.

Erlich and Alter were arrested by the Russians when Poland was partitioned by the Soviet Union and Germany in 1939. Later they were released in the Soviet Union and convicted of alleged treason. It was not until 1943, after sharp outcries in Socialist and labor circles throughout the world, that the Soviet Union disclosed the fate of the two men.

Alter and Erlich were among a large group of intellectuals who were executed during the reign of Stalin.

Their executions, coming during World War II, were followed by mass protest meetings, particularly in this country. At the old Mecca Hall here, labor leaders and the late Mayor Fiorello H. LaGuardia, denounced the Soviet action. Congressmen and Senators joined in the protest.

Both Alter and Erlich were Jews. And yesterday, with the exception of an address by Mr. Thomas in English, all of the eulogies were in Yiddish, the language that was spoken not only by the Jews of Eastern Europe but was also used by Jewish intellectuals, writers and labor leaders.

Messages in Yiddish were read from Socialist groups from throughout the free world, as was one from George Meany, the president of the American Federation of Labor and Congress of Industrial Organizations.

The ceremonies, presided over by Dr. Emanuel Scherer, executive secretary of the world coordinating committee of the International Jewish Labor Bund, opened with the playing of the funeral march from Beethoven's A Flat Sonata by the pianist Lazar Weiner. Sidor Belarsky, the baritone sang.

THE PRESIDENT'S MESSAGE ON OLDER AMERICANS

Mr. WILLIAMS of New Jersey. Mr. President, Congress was given a challenging message by President Johnson last week. It was the first Presidential message on older Americans in 4 years, and it was a massive checklist of the work that must yet be done before we can say that we have dealt adequately with several of the most pressing problems facing the aging and aged people of this Nation.

President Johnson gave us some idea of the importance of his subject when he said:

> We should look upon the growing number of older citizens not as a problem or a burden for our democracy, but as an opportunity to enrich their lives and, through them, the lives of all of us.

There are now 19 million persons past 65 in the United States, and each day 3,900 persons reach that age. Sixteen percent of our adult population, in other words, has already reached the age so often designated for retirement. Their numbers continue to increase at a rapidly rising rate.

Obviously, we are interested in more than the numbers of older Americans. We are also interested in the quality of life they enjoy. The President's message made it quite clear that we are only beginning to understand some of the unprecedented forces now at work in an ever-changing society with an increasing number of persons concerned about problems associated with aging.

Mr. President, I was honored last week when I was appointed as chairman of the Special Committee on Aging. The committee and its subcommittees already have many studies underway or under consideration. The President's message certainly suggests several entirely new areas or refinements on work already begun. Given the responsibility to conduct such studies and make recommendations to appropriate congressional bodies, the committee has been given additional food for thought by that far-reaching message.

Editorials which appeared January 24 in the Washington Post, and January 25 in the New York Times, give some idea of the magnitude of considerations involved in any reflections on the President's message. I ask unanimous consent that they be reprinted along with my remarks in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the New York Times, Jan. 25, 1967]

Program for the Aging

For many elderly people in this land of prosperity, their last years are a harrowing time of want and worry.

Of the nineteen million persons over 65, more than five million have incomes below the poverty level, two million are on welfare, and nearly two out of every five have total assets of less than $1,000. As President Johnson observed in his message to Congress on this subject, "Too many of our senior citizens have been left behind by the progress they worked most of their lives to create."

Yet a nation as rich as the United States has it within its power to assure an adequate income, a decent home and a meaningful retirement for every older person. The program that Mr. Johnson has now proposed to Congress would bring those goals measurably nearer.

The increase in Social Security benefits is necessary and desirable, particularly the steep increase in the miserably inadequate minimum benefits. Since the ultimate goal of the Social Security System is to do away with the dole and the means test altogether, the other lesser changes that he proposes move in the right direction. These include coverage for severely disabled widows under the age of 62, more generous limits on the income that retired workers can earn while still qualifying for benefits, and coverage of additional farm employees and short-term civil service employees.

The larger Social Security benefits have to be paid for out of higher taxes. Mr. Johnson suggests a three-stage increase in both the earnings base to be taxed and the rate of tax itself, beginning next year. It would be wiser, economically and socially, to increase taxes and benefits at the same time.

For those old people still on the welfare rolls, Mr. Johnson requests Congress to require the states to raise their cash payments at least to the minimum standards set by the states themselves and to review those standards every year. It is yet another severe condemnation of state governments that more than half of them do not meet their own minimum standards.

The President pays deserved tribute to Medicare, which has already done much to reduce the burden of financial worry that elderly people bear. Among the several worthwhile recommendations for improving and extending Medicare, the most important is the inclusion of the cost of prescription drugs for a patient outside the hospital. We share his hope that John Gardner, the Secretary of Health, Education and Welfare, will be able to devise a workable plan to achieve this purpose.

Older Americans

The President's proposals for legislation to improve the lot of Americans over sixty-five reflect a national concern for the plight of the aged. The poverty of more than five million aging Americans is a reproach to our society that ought to be removed if it is within the capacity of government to remove it.

One may hope that education and training of the young will diminish poverty of the aged in decades hence. But the vast expansion of educational facilities, producing an increasing proportion of literate and trained youths cannot be made retroactive. The opportunity to lead rewarding and useful lives within the framework of our society declines rather than increases for those already in the older age brackets. They cannot be retrained, re-educated and reconditioned for successful competition in a world that so differs from the one for which their training prepared them.

The changes in the security payments recommended by the President are not extravagant or reckless. They will leave millions of aged still in difficulty. But they advance the national policy in the direction it ought to go. Perhaps, in another generation, poverty and aging will not so frequently be found together. But there seems to be no solution now for the problems of the aging poor but the largesse of government or the help of private charity. The President's proposals ought to receive the support of all thoughtful and compassionate people.

BEGINNINGS OF IMPROVEMENT IN EAST-WEST RELATIONS

Mr. McGEE. Mr. President, the end of the cold war is not in sight. The world has not recovered from the throes of World War II, but it is nevertheless true that it "is nearly impossible to overstate the radical and breathtaking change in East-West relations which is now occurring from Moscow to Bonn, Paris, London, and on to Washington."

As Roscoe Drummond points out in a column, "End of an Era," published in yesterday's Washington Post, only the regime in East Germany is battling against the tide of change which has the Bonn government of West Germany enjoying cordial response from other Eastern European nations as the result of its overtures. Mr. Drummond sees no end in sight, of course, from the frigidness between East and West, although a good beginning seems to be in the works. His analysis is worthy of attention. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

End of an Era

(By Roscoe Drummond)

It is nearly impossible to overstate the radical and breath-taking change in East-West relations which is now occurring from Moscow to Bonn, Paris, London and on to Washington.

It means that we are at the beginning of the end of the Cold War as we have known it during the past 21 years.

But there is more than detente between East and West in what is now taking place. We are witnessing a real effort on both sides, affecting every capital from the Volga to the Potomac, to finish making the peace which was hardly even begun in the aftermath of World War II.

It marks the end of an era during which only NATO (still needed) and the Marshall Plan saved Europe from being engulfed by the twin forces of Soviet communism and post-war exhaustion. The ingredients for settling some of the most difficult issues of the Cold War are now at hand.

The new Kiesinger-Brandt coalition government in Bonn has broken the static mold of West German foreign policy, frozen so many years under Chancellors Adenauer and Erhard. It is acting to establish friendly diplomatic relations with every Communist government in Eastern Europe.

To the dismay of the East German Communist chief, Walter Ulbricht, who wants none of this, the Eastern European Communist governments are responding cordially. High Hungarian and Rumanian officials will shortly be visiting Bonn. Others will follow.

The Soviet Union is either condoning this new and developing relationship between the East European Communist states and West Germany or there is little it can do to prevent it.

These developments reflect the hopes and wishes of Gen. de Gaulle. They also reflect the hopes and wishes of President Johnson who in the last few months has taken the lead to promote better relations with Russia despite the Vietnam war. Here Washington and Paris are pursuing parallel, not divergent, policies.

The U.S. and the U.S.S.R. have lately agreed to a treaty banning weapons from outer space. We are getting nearer to an agreement to prevent the spread of all nuclear weapons. The Johnson Administration is seeking to expand trade with Soviet Union and the East European nations.

For its part, Britain is making the strongest bid yet to join the political and economic councils of Western Europe.

Why, then of all the East European Communist regimes, is East Germany showing such frenzied opposition?

There are reasons. It is evident that Bonn is reversing a major thrust of its foreign policy. It is concluding that the only way to bring about German unification is to dissolve the legacy of World War II to accept now the frontiers it hoped to use as future bargaining cards and to remove the basis of East Europe's historic fears by rejecting any intention of getting a finger on nuclear weapons.

This is what every East European regime wants—except East Germany. Reason: If Bonn succeeds in dispelling the fear of a "German menace," it will remove almost the only remaining argument for the presence of Soviet troops in East Germany and Poland. Unlike the Poles, the East Germans fear for their regime if Soviet troops are withdrawn.

The end is not in sight—but the beginning is good.

SOVIET AID TO VIETNAM

Mr. DODD. Mr. President, it has been said that Soviet communism is mellowing, and that our major adversary is the Communist Chinese. Those who hold this position believe that the Soviets no longer seek to promote revolution, and that they are content to develop the Communist system within their own border and within the borders they have thus far come to dominate.

This viewpoint, though hopeful and optimistic, is at complete variance with the facts. In the one hot war on today's international scene—the war in Vietnam—it is the Soviet Union which is the most important source of funds, material, and trained personnel.

In an article published in the Reporter, Albert Parry, chairman of Russian studies at Colgate University has compiled from Communist and intelligence sources a picture of Soviet aid to Hanoi which, in the words of the magazine, "shows both Moscow's care to avoid a direct confrontation with U.S. forces and its need to step up its military contribution in order to best China in the struggle for paramountcy in world communism."

Professor Parry, a visiting lecturer in the U.S. Army War College, points out the enormity of the Soviet contribution:

> . . . it's estimated that the ten years through 1964 Soviet aid to North Vietnam totaled some $350 million. It faltered somewhat in 1963 and 1964 when Khrushchev apparently was resigned to seeing the country in China's orbit . . . But Khrushchev's successors have revived the Soviet interest in Ho Chi Minh. Moscow's—

Soviet aid to Vietnam—

> exports to North Vietnam rose from $47.6 million in 1964 to more than $74.8 million in 1965—this of course in addition to some $555 million worth of arms sent in 1965 alone. The figures for 1966 promise to be still higher.

Financial aid, however, is not the Soviet Union's only means of assistance to North Vietnam. It has taken a leading role in helping to provide the North Vietnamese with trained military personnel:

> The most significant case of training involves the North Vietnamese air cadets now being taught by Soviet Air Force veterans to fly supersonic MIG–21 jets. One group of cadets succeeds another at graduation ceremonies near Rostov-on-Don—at the Soviet Air Force School at Bataisk, in the comparatively mild climate directly north of the Sea of Avov.

Mr. Parry also points out the significant contributions which have been made to the war by the countries of Eastern Europe.

All those who believe that the Soviet Union and its satellites in Europe are not aiding the aggressive war being carried on by the North Vietnamese should ponder Professor Parry's article with great care.

I wish to share this article with my colleagues, and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Soviet Aid to Vietnam

(By Albert Parry)

Last summer, Ivan Shchedrov of *Pravda* accompanied a Vietcong unit as it made its way through the South Vietnamese jungle some thirty-five miles northwest of Saigon. He wrote in *Pravda* about his experiences, though without revealing many vital facts. More recently, two Soviet motion-picture cameramen, Oleg Artseulov and Vladimir Komarov, have returned from South Vietnam, where for weeks they lived and traveled with the guerrillas of the Mekong Delta's swamps and rice paddies. In September, *Komsomolskaya Pravda* ran four long articles on Artseulov's adventures. In late October and early November, Komarov wrote of his South Vietnam impressions in *Izvestia*. Judging from the sixteen accompanying photos in both papers, all interesting and some even forceful despite their murky reproduction, the two Russians brought back a notable pictorial haul.

It is from reports like these that we get an impression of the growing Russian presence in Vietnam. The picture can be filled out by bits and pieces of information, some casual and scattered yet significant, in the Soviet and other East European press; the monitored texts of the surprisingly frequent broadcasts on the subject emanating from sundry East European radio stations; and the reports on the topic reaching us from a wide range of non-Communist diplomats, soldiers, seamen, newsmen, travelers, and other observers in Southeast Asia. And one thing is clear: the Russians are stepping up their aid to Vietnam.

A problem for the Soviet Union is the sheer logistic one of getting aid and supplies into the country. Increasingly it is sending them via the 7,500-mile sea lanes from Eastern Europe instead of relying on dubious Chinese cooperation in allowing men and matériel to proceed overland.

Until recently, while the bulk of Soviet aid still arrived by rail and truck via China, each American raid on the Vietnamese roads leading south from the Chinese border gave Peking one more excuse to halt or slow down the Soviet shipments, then to blame the Soviets for the sluggish trickle. Chief among Peking's aims was to force Moscow to increase its seaborne aid and thus cause an American blockade of the Soviet sea traffic as well as American raids on the port of Haiphong. Such a development, the Chinese hoped, would lead to a break between Moscow and Washington.

In spite of some angry insistence in Congress and elsewhere in America, there is no blockade so far. But we did start bombing the outskirts of Haiphong and our shell and shot have fallen close to the Soviet ships; a few Soviet seamen have been wounded or injured. Also, American naval units insistently follow and query, by semaphore, Communist vessels en route to Vietnam. On a single day last September the Bulgarian ship *Stara Planina* bound for Haiphong counted a total of twenty-five American plane and helicopter passes over her decks.

Nevertheless, despite a few angry notes of diplomatic protest, the Russians are relieved that the United States has not resorted to anything like the stringent sea-and-air measures of the 1962 Cuba crisis, and they continue to send increasing supplies to North Vietnam by sea.

It is not so generally known that the Chinese, too, are in this sea commerce with North Vietnam. In mid-August of 1966, word from Hong Kong indicated that the so-called socialist traffic coming into Haiphong consisted in an average month of ten to fifteen Red Chinese ships in addition to six to eight Soviet vessels and five from other Eastern European nations, each ship bringing from six to ten thousand tons of cargo. The Soviet government, however, claims a larger share of this sea traffic to Haiphong. Last August, it declared that more than half of all the ships then entering Haiphong were of Soviet registry.

"Odessa-Mamma," as the Russians fondly call the port, is the foremost source of all this traffic. An English-language broadcast from Moscow to southern Asia on December 23, 1965, exulted: "Odessa is the biggest port on the Black Sea. Its busiest route is the one leading to Haiphong. A constant caravan of big merchant ships is plying this lane." Vasily Merinianin, the Soviet official in charge of the Black Sea traffic, was then introduced by the broadcaster and said: "Soviet seamen regard it as their solemn duty to load and deliver goods to Vietnam as quickly as possible. They understand perfectly well that the arrival in Haiphong of every Soviet cargo ship helps the Vietnamese in their struggle against the American aggressors."

At the empire's eastern end, Vladivostok plays a role, too. The local stevedores' morale is kept up by frequent rallies. At one of these, an unusual tape of a U.S. air raid on the North Vietnamese port of Hon Gai was played. Recorded by the sailors of the Soviet ship *Vaykhan*, it enthalled the auidence with the shrieks of the American jets, the explosions of the bombs, and the chorus of sirens of the ships at anchor off the port. Thus, said Radio Moscow speaking in Vietnamese to Vietnam last June 23, did the Soviet sailors "unmask U.S. crimes for the working people of Vladivostok."

Official Soviet statements praise Soviet sailors for helping North Vietnam's longshoremen unload their ships in record time. We may surmise, however, that part of the seamen's eagerness to help stems from a desire to cut short their own dangerous stay in North Vietnam's ports. Unofficial accounts from Soviet ports tend to confirm this. Not only reasons of security but also of the seamen's morale seem to be involved in the practice whereby some Soviet ships are announced as sailing for Latin-American destinations—until they reach the Mediterranean, where the crews are told that the course has been changed from Havana to Haiphong.

SINO-GAMESMANSHIP

The overland route across China is by no means abandoned, even if it no longer carries as much of the Soviet aid as before. The history of the dispute over Soviet arms has been colorful.

Early in 1965, Hanoi urgently asked Moscow to help with antiaircraft defenses. Ho Chi Minh wanted not only guns but also rockets, those famous SAMS or surface-to-air missiles. In February of that year the Russians agreed to send the first important shipments of weapons and groups of technicians, on condition that China clear their passage. China demanded the right of inspection. The Russians agreed but began to complain that China took its time about the job. China countered that it was sending the Soviet military loads and personnel across its soil with all possible dispatch but that the Russian matériel sent to Vietnam was either obsolete or so damaged that it was useless. The Soviets were accused of using this aid to Vietnam as a handy chance to clear damaged matériel from their warehouses. Moscow retorted that the Chinese often removed for themselves the best of the Soviet arms destined for Hanoi.

A contact in Washington tells me that much of the delay in Soviet shipments was due to the Chinese practice of copying (rather than keeping) certain pieces of Russian equipment. "In some cases the Soviet equipment was indeed damaged," he said, "but it was damaged by the Chinese experts, who weren't too expert. They didn't know how to reassemble the Soviet materiel after taking it apart for copying."

In March, 1966, in reply to Chinese charges that the Soviet help to Hanoi was all too scant, the Moscow leaders sent a confidential letter to all fraternal Communist parties. Carefully leaked out to the world at large via the East German Communists (who sent copies to their connections in Bonn), the letter stressed that in 1965 North Vietnam received from the Soviet Union arms and military equipment worth half a billion rubles ($555 million). The list included rocket installations and conventional anti-aircraft guns, MIGS and other planes, and tanks, coastal artillery, and small warships.

On April 21, 1966, Marshall Rodion Y. Malinovsky, the Soviet Defense Minister, delivered a public speech while on a visit to Budapest in which he again accused Communist China of seriously obstructing Soviet aid on its overland route to North Vietnam. In an indignant rejoinder of May 3, Peking's Foreign Ministry claimed that from February, 1965, when the Vietnam conflict was first seriously stepped up, to the end of that year, the Soviet Union shipped to Hanoi across China a total of forty-three thousand tons of war materiel—a pittance, in Peking's scornful opinion. Peking insisted that it was helping, not hindering, Russian aid. Furthermore, the Chinese claimed that in one period they provided 1,780 Chinese freight cars, of which the Russians used only 556.

The truth seems to be that the Chinese railroads and truck roads are generally inadequate to the sudden burden of Soviet shipments. The freight cars are poorly ballasted, the trains are small and slow. Furthermore, the changes from the broad Russian and Outer Mongolian gauge of five feet to China's four feet eight and a half inches and then to North Vietnam's even narrower roadbed involve a lot of lifting and shifting of the car bodies.

Nevertheless, the Chinese have made an attempt to cope with the problems: it is the well-disciplined and hard-working railroad troops they sent to Ho Chi Minh who keep the Vietnamese part of the supply route going in the face of the U.S. raids. These are regular soldier-builders, in uniform, organized in divisions but not armed. They repair tracks and bridges and build alternative routes. Some have been reported to be laying out small airstrips near the border. A very few man the anti-aircraft batteries guarding North Vietnam's main transport centers, but usually this task is a jealously guarded prerogative of the Vietnamese. Last July officials in Washington estimated the number of such Chinese roadbuilders at thirty to forty thousand, but in August the guess went up to fifty thousand and in December to a hundred thousand (while the native Vietnamese busy on road work number a quarter million).

There is of course a third way of sending help to Hanoi: by air. But this would mean flying Soviet cargo planes over China, and Peking does not like this at all. It insists on clearing each plane separately, rather than issuing a wholesale permit for overflight. And so the sea is more and more the answer. U.S. reconnaissance planes flying over Haiphong have photographed more and more supplies being unloaded from Soviet ships—not only peaceful machinery but also missiles and launching equipment as well as conventional anti-aircraft guns.

Since the fall of 1965, the number of conventional anti-aircraft guns in North Vietnam has risen from fifteen hundred to at least five thousand; one unofficial estimate in Washington puts the figure at seven thousand. In the fall of 1965 there were only four North Vietnamese batteries firing SAM's. By early October, 1966, this number had risen to twenty-five or thirty, each with six launchers. There were then some 130 sites from which the batteries could operate; twenty percent were occupied and active at any given time.

An interesting domestic radio-broadcast in Czech, devoted in part to the military problems in Vietnam, was monitored in the West as it came out of Prague last July 29. Czech officers were asked questions that showed dissatisfaction on the part of local Communists with the SAM performance in Vietnam. One question was: "Is there no more effective anti-aircraft defense in existence that would prevent U.S. aircraft from bombing North Vietnam, and have the socialist states [meaning Czechoslovakia, of course] such means?"

In reply, Lieutenant Colonel Vladimir Novak of the Czech Military Academy reassured the listeners that, naturally, Czech radar and missile defenses were better. "This is because," he explained, "our defense is handled by men who have had years of training and also because we have a perfect ground warning system of long standing. This does not exist in the Democratic Republic of Vietnam." He went on: "I would not say that the number of American planes brought down is low. Several dozen have been shot down. Many more have been shot down by artillery and some by aircraft. The reason is that rockets demand years of experience and training. Incidentally, it is wrong to assume that the introduction of missiles means the end of anti-aircraft artillery. Missiles are too expensive and costly to be used against just any aircraft. They are used against aircraft that are carrying particularly dangerous bombs or attacking very important targets. For this reason it cannot be expected even in the future that this would change substantially—that missiles would become the sole defense against air raids. They are rather the exception. . . ."

Thus, via Prague, we garner one more hint that the Russians do not want to escalate the Vietnam war if they can help it—and surely not by sending in a substantially greater number of SAMS than they already have there, nor by training far larger numbers of North Vietnamese officers and soldiers to operate those computers and launchers.

LONG-RANGE TRAINING PLANS

It is believed in Washington that some of the Soviet military assigned to SAM sites in North Vietnam may have been wounded or even killed, since they serve beside their native pupils in combat conditions. The Soviet experts train their students in or near Hanoi, then go with them to the actual battle stations to see how they do under fire. More coaching follows on the spot, so it is almost inevitable that the Soviet officers and soldiers actually man the radar screens and the missile-launching devices, at least in the initial stages of instruction.

According to *Krasnaya Zvezda*, the Soviet rocket men's working day in Vietnam officially lasts thirteen hours; unofficially, far longer. The extra time is devoted to "individual consultations" between the Soviet teachers and their charges. The trouble at first was that some of the young Vietnamese soldiers turned out to be deficient not only in technical knowledge needed for radar operation and missile firing but also in "general education," as the Russians gently put it. And so the spare hours were used to teach the Vietnamese their mathematics, chemistry, and elements of "electrotechnology." The group had native Vietnamese on the staff who spoke Russian, but many of the teachers and their pupils "worked out a language all their own—a wondrous mixture of Russian and Vietnamese words with technical terms." Both components of the group learned to understand one another very well, said the *Krasnaya Zvezda* correspondent in Hanoi.

Much of the Soviet training of the Vietnamese goes on amid safer circumstances—in the Soviet Union. The sheer numerical record is impressive. Speaking in Mandarin to China on March 15, 1966, Radio Moscow boasted that at the time nearly three thousand young Vietnamese men and women were studying in the Soviet Union, and that while a total of 2,300 Soviet experts worked in North Vietnam in the years 1955–1964, some 4,500 Vietnamese experts had been trained in the Soviet colleges and universities by the spring of 1966.

In the summer and fall of 1966, these Vietnamese included enrollees in Odessa's higher Maritime Engineering School, training to be captains and engineers of North Vietnam's fleet. Nor would the Soviet Union let China remain the sole patron of Vietnam's railroad construction: among recent arrivals in Moscow are a group of North Vietnamese young men and women studying at the Institute of Railroad Transport Engineers. The full course lasts six years, and one might suppose that this project represents long-range Soviet plans of aid to Hanoi. But Communist history is replete with cases of emergency graduation of experts long before the set dates. These young students may be flown back home any day.

The most significant case of training involves the North Vietnamese air cadets now being taught by Soviet Air Force veterans to fly supersonic MIG-21 jets. One group of cadets succeeds another at graduation ceremonies near Rostov-on-Don—at the Soviet Air Force school of Bataisk, in the comparatively mild climate directly north of the Sea of Azov.

Photos and motion pictures made public in the Soviet Union show well-fed and smartly uniformed North Vietnamese cadets as they march or listen to lectures. The faces and figures are youthful, but an official Soviet report reveals that at least a few of the trainees are seasoned jungle fighters in their thirties. As an expert in Washington commented on this: "They may have selected such older men precisely because they know the jungle—in case they are shot down and have to survive. Then again, it may mean that these men have a technical background that is in rather short supply among the Vietnamese."

The need for flying cadets is urgent, if we are to believe the western estimate of mid-October that Ho Chi Minh's air force then consisted of some fifty older MIG-15s, and -17s and twenty MIG-21s, but that the Soviets were about to increase the number of the later models. Indeed, in mid-December western intelligence raised its unofficial estimate of the number of MIGS in Vietnam to 180 or even 200, the latest being some delta-winged MIG-21Cs and -21Ds. (A still later report spoke of North Korean pilots manning MIGS in North Vietnam.)

Also great is the need for interpreters to accompany the Russian lecturers. A Soviet film recently released showed a Russian military instructor teaching North Vietnamese flying cadets without any visible aid from interpreters. This apparently meant that either at least one of the Soviet instructors speaks fluent Vietnamese or some of the students learn Russian quickly.

As Moscow sends its experts to Vietnam to help the natives in matters both military and peaceful, the gain is of course in the fact that such specialists return home with a vastly expanded knowledge of Vietnam. Of an older yet very valuable vintage are those Russians who learned Vietnam and its ways and language in the 1940's and 1950's, and who in fact are veterans of the jungle warfare of that remote time. Such a man is Platon Skrzhinsky, forty-four, a native of the Ukraine now residing in Moscow. After the Second World War he enlisted in the French Foreign Legion. But when the French shipped his unit to Saigon, Skrzhinsky made plans to desert. It took him a year to establish contacts with the guerrillas. In his new Vietminh ranks he found other deserters from the French: one Austrian, two Germans, and several Algerians. He received a Vietnamese name, Than, meaning "Loyal One." He married a native girl, and they had a baby. By 1950 he commanded a guerrilla artillery unit. He returned to Moscow in 1955, with his six-year-old Vietnamese daughter, Anya. For nearly ten years he has been employed as an editor with Radio Moscow, possibly helping with those broadcasts in Vietnamese to Southeast Asia. Present-day survivors of such desertions from the French Foreign Legion include a Pole, a Czech, and an East German. Most of this romantic group may still be used for whatever training, advising, or interpreting is required in their countries in connection with Vietnam.

A BILLION IN AID

Of the "people's democracies" contributing to Ho Chi Minh today, East Germany is probably the most active. Military aid from Walter Ulbricht's government includes arms and electronic equipment specially made to stand up in tropical weather; also motorcycles and bicycles, so important for messenger service on North Vietnam's war-torn roads where automobiles cannot get through easily. Last September the writers' union in East Germany launched a fund drive to buy a thousand bicycles as a gift to Hanoi. The money comes by setting aside a percentage of the writers' honoraria.

The major part of Ho Chi Minh's medical supplies seems to come from East Germany, and a hundred East German doctors are reported to be serving in North Vietnam. In addition to the eight hundred Russians reportedly already present in North Vietnam on air-defense missions, some East German officers and men are rumored to be employed in North Vietnam's missile training. In goods and capital aid not directly of the war-materiel kind, Ulbricht's government is thought to have delivered to Ho Chi Minh from June 1965, to October, 1966, a total of $4 million worth (calculated at the official East German rate of four marks to the dollar). Besides, regular commerce between East Germany and North Vietnam amounts to over a million dollars a year, consisting mostly of industrial wares going to North Vietnam and some food and consumer goods being sent to East Germany.

But the bloc's largest economic aid to and trade with Hanoi is of course extended by the Soviet Union. Gathered at a summit meeting in Moscow in mid-October, 1966, the Soviet Union and its eight allies agreed to give about $1 billion worth of additional help to Hanoi in materiel and money, of which $800 million is to come from the U.S.S.R. The others' contributions are typified by the Polish pledge of $30 million.

Ingenious Soviet deals to help North Vietnam began in the middle 1950's, right after the Geneva division of the country, with the celebrated "triangular" deal wherein Burma, to pay for Russian cement, delivered 150,000 tons of rice to Haiphong, thus (in Bernard Fall's opinion) saving North Vietnam from starvation. The first Soviet engineer came to the Haiphong cement plant in September, 1955; and it was he who showed the natives how to dig up the machines buried by the retreating French. In November of that year the first cement was produced, and by 1958 the output was twice as high as in the French era. In the summer of 1966, despite the American bombing raids, the Soviets claimed that production was three times as great.

Although precise figures are difficult to obtain, it is estimated that in the ten years through 1964, Soviet economic aid to North Vietnam totaled some $350 million. It faltered somewhat in 1963 and 1964 when Khrushchev apparently was resigned to seeing the country in China's orbit (in 1955–1964, China's economic aid to North Vietnam amounted to about $450 million). But Khrushchev's successors have revived the Soviet interest in Ho Chi Minh. Moscow's exports to North Vietnam rose from $47.6 million in 1964 to more than $74.8 million in 1965—this of course in addition to some $555 million worth of arms sent in 1965 alone. The figures for 1966 promise to be still higher.

In its German-language broadcast to Germany on June 21, 1965, Radio Moscow declared that of the funds that North Vietnam was then getting from socialist countries (including China), nearly half came from the Soviet Union. A third of this Soviet aid, the broadcast said, was given free of charge. Some fifty industrial enterprises had by then been built or rebuilt with Soviet technical aid. Such Soviet-assisted plants produced all of North Vietnam's apatite and superphosphates, about ninety per cent of its coal, and more than half of its machine tools. The country's power, mining, engineering, and technical industries were all helped or run by the Russian donors and advisers.

From other Soviet sources we learn that the economic division of the Soviet embassy in Hanoi is in charge of all this aid. Vladimir Lokteshov, an economist staff member, supervises Soviet engineers and other experts who serve in the expansion of the Haiphong port, at the Hanoi machine-tool works, in the construction of a large refrigerating plant, at an electrical-supply factory, and at the coffee and tea plantations. It is claimed that the machine-tool plant, covering fourteen acres, is entirely fitted out with Soviet equipment. Aleksei Goncharov, another staff member in the embassy's economic division, is in charge of other Soviet engineering crews busy in North Vietnam's mines, geological exploration for more minerals and metals, and projects aimed at the expansion of certain of the country's large industrial enterprises. Their work is dangerous. In one place, nearly a hundred Soviet miners had to seek shelter from American raids. At another mine, near Uong Bi, one of the thirty-four Soviet miners was slightly wounded during a U.S. attack in 1965.

Forty Soviet engineers and technicians are aiding in the erection of a hydroelectric plant at Tkhak Ba. Albert Belikov, one of these men, returning to Moscow on a leave, said to a Soviet interviewer recently: "In the last year of my work in Vietnam I lived through several bombing raids. Many of my Vietnamese friends died under the American bombs. The howl of falling bombs caught up with me several times." In keeping with the official line (but perhaps not without some factual basis to it), Belikov said that relations between the Soviet experts and the Vietnamese workers were of the best. "When the sky is calm, we play soccer and volleyball together, we sing songs together."

A DELICATE BALANCE

Whatever facts and figures the Russians officially reveal about their aid to North Vietnam are being made public not in order to taunt the United States but to impress Peking—and even more to refute to the rest of the Communist world the Chinese charges that Moscow is not helping Hanoi enough.

Wherever possible, Moscow cites high-minded generalities rather than hard details. And this not only for reasons of security but also, most definitely, so as not to anger the Americans too much.

Yet Moscow is not equivocal about its part in the conflict, even if it allots the quantities of arms it sends extremely gingerly. Obviously the Soviet Union wants neither the United States nor China to win. Still it wants no Third World War to result from the struggle in Vietnam. So its stream of arms is speeded up only after we escalate our involvement in one way or another, as we did in February, 1965, by striking at North Vietnam, and last summer by hitting Haiphong's and Hanoi's installations more directly.

The official word is that the Soviet Union and its East European allies have offered to send volunteers to fight in North Vietnam but that Hanoi has politely and gratefully declined the offer. The chances are that, fearing still another escalation of the war, Moscow has in fact refrained from such an offer, and that for reasons of propaganda and diplomacy it was agreed between Moscow and Hanoi that a fiction of offer and refusal would be maintained, although not too loudly or repeatedly. An American colonel conversant with the situation put it this way: "Hanoi would like to get all those volunteers but doesn't dare to ask for them. For were she to ask Russia and her allies, she would have to invite China, too, and this she wants to avoid. It's one thing to tolerate those Chinese railroad construction men with no guns, but quite another to have a whole army of Chinese with weapons. No, not in North Vietnam."

Informed U.S. officials feel that Hanoi does not fear the Russians even if they come armed. And perhaps this is so, because Hanoi knows that Moscow is not eager to send armed men so far away, to so many risks of greater conflicts. In fact, Moscow may yet return to its pre-October, 1964, attitude even in economic matters: its large and growing investment in North Vietnam may be curtailed if things calm down in Southeast Asia; if China, for instance, should relax in its post-Mao phase and an accommodation with Mao's more sensible successors became possible.

"If this happens," a Washington observer speculated, "Khrushchev's heirs may come to believe, as Khrushchev apparently did, that North Vietnam is after all too distant from Russia, and why not make a deal with Peking, exchanging, say, that wonderful machine-tool plant in Hanoi for some far more desirable properties closer to home—in Sinkiang, for instance?"

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

LEGISLATIVE REORGANIZATION ACT OF 1967

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which the clerk will state.

The LEGISLATIVE CLERK. A bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its consideration.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, when floor debate began last Wednesday on the Legislative Reorganization Act of 1967, I voiced the opinion that the public and press would be looking at us this week with a good deal of curiosity—and with some skepticism. Sure enough, three of our Nation's leading newspapers saw fit to comment editorially in their Saturday issues on congressional reorganization. I ask unanimous consent that the articles appearing in the January 28 issues of the Washington Post, the Washington Star, and the Christian Science Monitor be included at this place in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post]

THE MONRONEY REFORMS

Having failed in its great reform effort against the filibuster, the Senate has settled down to the pedestrian task of improving its organization, staffing and committee work. Whatever it may accomplish in these fields will seem trivial beside the fight for majority rule. Nevertheless, some of the tamer reforms sponsored by Senator Monroney on the basis of last year's report by a joint Senate-House committee are vital to a smoothly working Congress.

High on the list of nearly 100 proposed changes is the so-called "bill of rights" for committees. It would permit the majority of a committee to call a meeting instead of leaving the initiative entirely to the chairman. It would require most committee meetings to be open to the public and all committee votes to be reported. Although it does not go far enough to end the tyranny of committee chairmen, it would afford some relief from past abuses.

Another admirable provision would give each committee a "review specialist" whose task would be to inform the committee about how laws passed in the area of its jurisdiction are being administered. This is especially desirable in the period following the 89th Congress' great leap forward. Congress needs to know how programs it has inaugurated are working out in order to legislate intelligently for the future. Fortunately, this provision is also coupled with many other staff improvements and measures to keep Congress better informed on how money is being spent.

The Monroney bill also calls for a longer work week and a routine holiday for Congress during the month of August, except in wartime. Both recommendations are vital. It makes no sense for Congress to limp along with its current Tuesday-through-Thursday work week and then to take no break in the middle of the summer.

Senator Clark is pressing for far more sweeping reforms. He wants the Senate not only to substitute the House's "previous question" procedure for cloture by a two-thirds vote, but also to abolish the seniority rule in the designation of committee chairmen and to require chairmen to step down when they reach the age of 70. We hope the persistent reformer from Pennsylvania will succeed in making his colleagues vote on each of these long-neglected items.

It is clear, however, that the less spectacular Monroney reforms should not go down the drain because the Senate may not be ready to go all the way. A good deal of whittling has already been done on the Monroney bill, probably with some justification. Its defeat, whether from the opposition of its enemies or the overreach of its friends, would be a critical loss to the cause of good government.

[From the Washington Star]

OILING THE WHEELS OF CONGRESS

(By Gould Lincoln)

The Monroney congressional reorganization bill is finally having its day in the Senate. It is designed to get Congress to act more quickly and in a more orderly manner, with the work-load more evenly distributed among the members of the Senate and the House. It could, if passed by both houses, be of more far-reaching benefit than any tinkering with the two-thirds vote cloture rule of the Senate and with the Committee on Rules of the House.

Already an amendment offered by Senator Jacob Javits of New York has been adopted to place an amplifying system in the Senate. If retained, it will be a blessing to the press and the visitors in the Senate galleries—and probably to the senators themselves. For 150 years, the chamber has been a whispering gallery—except for those senators who are blessed with clear, resounding voices. The vote was 52-to-27. The House for years has had an amplifying system.

The reorganization bill has been two years in the drafting by a joint committee of both houses. The last reorganization was provided 21 years ago through a bill prepared by a similar committee. Monroney, then a member of the House, was co-author of the bill with the late Senator Robert M. La Follette Jr. of Wisconsin.

As written, the present bill stirs congressional committees to prompter action and also provides that a majority of a committee can call a meeting when desired on a bill that has been pocketed by a committee chairman. Under present procedure a chairman alone has the authority to call a meeting. It also seeks to eliminate foot-dragging by both Senate and House and to make five sessions a week the rule, instead of the two or three days per week that unfortunately has prevailed.

In recent times, nearly year-long sessions have been the order of the day. In considerable part this has been due to delays in the preparation of legislation. Influential members of both houses have at times asked that committee consideration be postponed while they were absent from Washington. At the outset of a session there have been inordinate delays before an important measure or issue was tackled.

When a new Congress—like the present 90th Congress—comes to Washington in January, organization work including the adoption of the rules and the assignment of members to the various committees necessarily takes time. All measures that were presented in the previous Congress must be introduced again, if action is desired, and as a rule referred to the proper committee. Too often it has been March or April before important bills are considered.

If the Senate can pass the reorganization bill, send it to the House, and get action there, the proposed changes might become effective early in the session. There are stumbling blocks ahead, however. Senator Joseph Clark of Pennsylvania, liberal Democrat, has offered 26 amendments, one of which would close Senate debate by a majority vote. This might bring a filibuster of untold length. A provision of the bill would divide the present House Committee on Education and Labor into two committees, a Committee on Education and a Committee on Labor and Public Welfare. The Democrats have thrown Adam Clayton Powell out of the chairmanship of the Education and Labor Committee. The proposal to split the committee came up in the last Congress and Powell at the time charged it was part of a plot to limit his powers.

The so-called "Bill of Rights" set up for the congressional committees in the Monroney bill would compel most of the committee hearings to be open to the press and public; permit proxy voting by members, except on final action; require all committee votes to be made public. Committees would be encouraged to schedule their business over the entire five-day week, so that the legislative process might move more smoothly.

One proposal that may appeal to many of the members calls for an automatic adjournment of Congress July 31 of each year—unless Congress fixes a later date. But even then, the measure says, Congress shall not meet during the month of August, unless a state of war exists. This would give members of Congress an opportunity to get a rest after six months' steady work in Washington, to go home to see the people of their districts and states and to be with their families for a vacation.

The bill would close loopholes in the law regulating lobbying activities on Capitol Hill. The need for such action becomes manifest when a look is taken at the activities of Bobby Baker—former secretary of the Senate Majority—and his clients. Through the use of added "specialists" on their staffs, the committees and individual members will be able to learn quickly how much money is being spent by the government, on what projects and how.

[From the Christian Science Monitor, Jan. 28, 1967]

Congressional Reorganization Struggles

(By Lyn Shepard)

Washington.—It seemed a modest proposal.

Sen. Jacob K. Javits (R) of New York had just offered an amendment to the omnibus legislative reorganization bill of 1967 now under Senate debate.

It directed Sens. Mike Mansfield and Everett McKinley Dirksen, the majority and minority leaders, respectively, to seek out means of installing tiny microphones at members' desks.

RELICS ADMIRED

For 10 years the New York reformer had fought for such a resolution—as he put it, "in order that debates of the Senate may be heard in all parts of the Senate chamber and in the galleries thereof. . . ."

But in past years, all his efforts failed.

Now tousle-haired Senator Dirksen took the floor to defend the motion. He was at his peak of eloquence.

The Senator stood by his desk, admiring all the precious relics of Congresses long past: a quill-pen holder, a snuffbox, a sand shaker once used to blot senatorial ink. He lifted the shaker high above his desk and let its sandy contents fall upon it surface for effect.

"Even a squeaky voice—even a piping treble—deserves to be heard," he said. And with microphones, that squeaky voice would resound in deep bass timbre.

"Let it thunder like a burst from Daniel Webster," he beseeched the Senate. "You can't do it very well now. But what you could do if you had one of those gadgets. . . .

"I say all hail the gentleman from New York!"

And, as so seldom happens, the GOP conservatives from the Great Plains and Western states—Senators Curtis, Fannin, Hansen, Hruska, Mundt, and Pearson—voted with the "yeas."

Equally shocking, the nucleus of the "young Turk" bloc—Senators Church, Edward M. Kennedy, McGee, Mondale, Pell, Proxmire, and Harrison Williams, Jr.—cast "nay" votes.

The Javits motion carried, 58–27. But the tally disclosed one more pitfall in the path of Sen. A. S. Mike Monroney (D) of Oklahoma.

MOTION CARRIED

Senator Monroney, floor leader for the massive Senate reorganization bill, knows full well that even the so-called liberals can resist change if it suits their fancy.

It was the late Vice-President Alben Barkley who, when he served as Senate majority leader, called that chamber's rules "the most archaic conglomeration of contradictory decisions that ever prevailed in any parliamentary or legislative body."

By reformist standards, they remain that way today. Yet Senate apologists view that fact approvingly, as Senator Dirksen will attest:

"The Senate is much like an old scow," he noted once. "It does not move fast; it does not move very far at one time; but it does not sink."

That unchanging nature, the conservative believes, is what keeps the Senate afloat and makes it indeed unsinkable.

LARGE PACKAGE

Senator Monroney's bill, cosponsored by Rep. Ray J. Madden (D) of Indiana in the House, takes all this into account. It seems a large package—roughly 100 proposals by the Joint Committee on the Organization of Congress. But the modest Javits amendment appears daredevil by contrast.

As Senator Monroney, the coauthor of the Reorganization Act of 1946, told the Monitor in late 1966: "We don't have what I would call a single spectacular thing in the bill."

The Senate's perennial champion of reform, Joseph S. Clark (D) of Pennsylvania, noted the matter ruefully in a colloquy with the bill's floor manager.

"I understand why the bill comes out of the joint committee in the form in which it does," he said, "and I have nothing but the deepest of sympathy for the Senator who, I think, has done a splendid job under the circumstances.

"However, the fact of the matter is that Congress does not want to reform itself."

AMENDMENTS FILED

The bill proposes among other things that Congress adjourn by Aug. 31 or recess during August to allow members a vacation. Senator Clark remarked acidly:

"We would rather sit around here until after Christmas in occasional years, until after the normal summer vacation period has gone by, than change these ways which have become ingrained as procedures by individual members of Congress who grew up in a day when the world was relatively simple."

The Pennsylvania lawmaker filed 26 amendments—many of them seeking drastic changes in Senate rules—for action next week.

The Clark amendments stand little likelihood of adoption, as their sponsor hinted earlier.

"We still go along in the same old routine, horse-and-buggy way," Senator Clark said, "and so able and so intelligent and so earnest a Senator as the distinguished Senator from Oklahoma faces that problem when any reforms are suggested which amount to more than the mere minimum.

"Immediately the status quo advocates arise and say: 'No. That has always been done this way. Let us not change it.' "

Mr. **MONRONEY**. Mr. President, these articles convey both differing philosophies and a unity of purpose. The Washington Post editorial states that the provisions of the bill are far less important than the recent efforts to amend rule XXII, but that they "are vital to a smoothly working Congress" and "defeat of the bill would be a critical loss to the cause of good government." The column by Gould Lincoln appearing in the Washington Star believes passage of the bill would "be of more far-reaching benefit than any tinkering with the two-thirds-vote cloture rule of the Senate." The Christian Science Monitor article frankly questions whether the Senate is willing to modernize and update its procedures.

So whether the Legislative Reorganization Act of 1967 is "modest" or "far reaching," those who observe the legislative process have come to a common conclusion—this bill should be passed. Last fall I placed several editorials from newspapers scattered over the Nation in the Congressional Record and each one voiced the same opinion—congressional reorganization was long overdue and this bill would help. Indeed, of the more than 100 editorials accumulated since the joint committee's final report and the introduction of this bill last fall, not one opposed its passage.

My colleagues on the special committee and I realize full well that this legislation must represent the compromise of conflicting viewpoints—that nobody gets everything he wants in a reform bill. We have already attempted to modify portions of the bill to meet the legitimate objections of our colleagues. We continue to solicit suggestions which would improve the quality of this legislation in its announced intent to make Congress a more creative, well-informed legislative body.

Now we must act. Those amendments which are acceptable should be included in the bill. Those amendments which cannot gain such favor must be set aside. And then the Senate should register its judgment on the bill itself.

Mr. President, I had the pleasure last evening of watching a television interview of the distinguished minority leader, the senior Senator from Illinois, on the program, "Men of the Senate." Senator Dirksen spoke of the meetings he had in the 1950's with the Majority Leader Lyndon B. Johnson, and their common desire to keep our Congress, "a viable and effective institution."

As Senator DIRKSEN termed it, "We cannot stand still." I share those sentiments and hope that this week the Senate will make clear to the American people that it is moving forward in its capacity to cope with the problems of this age.

CONTINUATION OF THE JOINT COMMITTEE ON THE ORGANIZATION OF THE CONGRESS

Mr. JORDAN of North Carolina. Mr. President, I wish to report, from the Committee on Rules and Administration, a concurrent resolution unanimously approved by the Committee on Rules and Administration to provide the money to continue to operate the Joint Committee on the Organization of Congress from February 1, 1967, to June 30, 1967.

The reason why I bring up this resolution out of order, ahead of some other business is that the money to operate this committee expires tomorrow, and the resolution must be agreed to today, and go to the House of Representatives, so that the House can act upon it also.

The PRESIDING OFFICER. Does the Senator from North Carolina ask for the immediate consideration of the concurrent resolution?

Mr. JORDAN of North Carolina. I ask for the immediate consideration of the concurrent resolution.

The PRESIDING OFFICER. Is there objection?

There being no objection, the concurrent resolution (S. Con. Res. 2) was considered and agreed to, as follows:

S. CON. RES. 2

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on the Organization of the Congress, established by Senate Concurrent Resolution 2, Eighty-ninth Congress, agreed to March 11, 1965, is hereby continued through June 30, 1967.

SEC. 2. The joint committee is hereby authorized to make expenditures from February 1, 1967, through June 30, 1967, not to exceed $60,000, to be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the joint committee.

NEBRASKANS DISAPPOINTED IN PRESIDENT'S MESSAGES

Mr. HRUSKA. Mr. President, since President Johnson's state of the Union, budget, and economic messages have been sent to the Congress, my mail from Nebraska has reflected a deep disappointment in his leadership in these three areas.

Similarly, expressions of editorial opinion in several Nebraska newspapers have mirrored this feeling that the President has declined to make the hard choices between guns and butter, that he insists on carrying on the ill-conceived "war on poverty," while acknowledging its many shortcomings, and that he not only finds nothing wrong with huge Government deficits but actually believes them necessary.

I ask unanimous consent, Mr. President, to have printed in the RECORD some of the editorial discussion on these points, together with my own comments on the state of the Union and budget messages.

There being no objection, the editorials and comments were ordered to be printed in the RECORD, as follows:

[From the Omaha (Nebr.) World-Herald, Jan. 12, 1967]

MORE OF THE SAME

Instead of clarifying the State of the Union, which is the obligation the Constitution imposes upon him, President Johnson let loose a torrent of words. It was as if he were trying to drown the nation's problems with verbosity.

What he had to say that was new could have been said in five minutes: He wants a tax raise, increased Social Security benefits, a budget eight billion dollars in the red.

What he had to say that was old rolled on for an hour: He wants to continue the present course of the war in Vietnam without slowing the course of the Great Society. As in '64, '65 and '66, he is still saying that both guns and butter are the way, provided, of course, that the guns are aimed so as not to hit Hanoi directly, and the butter is aimed where the votes are.

Mr. Johnson seems scarcely to have noticed that there was an election last November—except for a pleasantry directed at the increased Republican representation in Congress—or that the result was generally interpreted as expressing widespread disapproval of his social welfare programs in general and the War on Poverty in particular.

He did confess to "errors" of poverty war administration, presumably of a kind easily erased by a dedicated bureaucracy. But except for plugs for the model cities plan, the ever-popular Head Start program and a few other selected items, the rest was a vague reaffirmation of his blessing on all of the Great Society.

He limited his remarks on civil rights to one brief passage, possibly because Congress had already observed Adam Clayton Powell Day a few hours earlier. He bore down with unusual vigor on crime in the streets, as if he had discovered its existence only in recent days. Here he had the usual panacea: Federal money, this time for local cops. But not a word about Federal court decisions which many officers say make it almost impossible for them to do their jobs.

In short, it was the Great Society melody all over again, muted in some passages and with a discordant note or two, as in the recognition that crime exists, but essentially the same tune he always has sung.

But why now? Perhaps because the old Fox of the Pedernales well knows that Congress is in no mood to fatten Great Society budgets, and that he is in low esteem. Yet Mr. Johnson always has placed his blue chips on the liberal line at election time. He has won elections that way, and if he is right, he can do so again in 1968, lashing out in the Harry Truman tradition at an allegedly stingy Congress that doesn't love the people, whereas Lyndon Johnson is their champion. The plan has worked before, and it might work again.

As for substantive matters, the proposal for a 6 per cent surtax on corporate and individual incomes was presented as a sort of five-dollar-a-month plan that wouldn't really clip any one more than maybe one fourth of the tax cut he received in 1964. The Presidential juggling here was almost as casual as his announcement of an expected budget deficit of eight billion dollars plus, a figure which was made to appear almost miniscule because it would have been worse without the proposed tax hike.

But the redoubtable Everett Dirksen was not taken in by such monkey business. The Illinois Senator said straight out that the deficit figures were "much lower" than those presented to him and other Congressional leaders at "the ranch" in December. He couldn't understand them, and the Republican leader's capacity for understanding is substantial.

If Mr. Dirksen is confused, surely the country must be, and the Congress, to whom the President is supposed to provide guidance—general, as in a State of the Union Message, and specific, as in a budget message—must likewise be in a state of wonderment.

As for the average citizen, faced with the prospect of a fierce state and local tax jolt, as in Nebraska, and another sizable one from Washington, the State of the Union cannot appear very rosy.

He is likely to become more and more inquisitive about where all the money is going, and why his elected representatives seem to believe they can take from him and keep on taking while talking all the while about needs.

This may lead Joe Blow, Citizen, to a lack of enthusiasm for public officials who give him soft talk, take his hard dollars, and talk about more and more * * *.

[From the Norfolk Daily News, Jan. 12, 1967]

"MIDDLE GROUND" AS L.B.J. SEES IT

President Johnson has, in the fashion of most American Presidents, chosen what he believes to be the middle ground in his proposals for the coming year. The 6 per cent increase in income tax bills is modest in terms of what could have been expected in a wartime economy which finds federal domestic spending at high levels, too. The budget deficits he projects are also modest by his standards, though the frequency with which they occur and the total of $40 billion amassed since 1960 should be disturbing even to those who conclude that a deficit is no disaster if, over a longer period, some effort is made to achieve a balance.

These details of budgets and deficits, along with the tax measure, will be the subject of further Presidential remarks.

It was refreshing to obtain in Tuesday evening's address the admission from the President that "mistakes and setbacks" have occurred in some of the Great Society programs. With it was the suggestion that a tightening of administration of these antipoverty activities will occur. This is all to the good, of course.

But the State of the Union message made it plain that Mr. Johnson has decided there will be no sacrifices so far as domestic programs are concerned because of the war in Vietnam. This is unfortunate. It gives the impression to their fellow Americans that the leaders of the government regard other activities as having importance that is equal or near-equal to the conduct of the war in Vietnam. Nothing even comes close when America's young men are committed to fighting.

Mr. Johnson pointed out that this is a period of testing for Americans. The question, he observed, is "whether we will continue working for better opportunities for all Americans . . ." and at the same time "whether we have the staying power to fight a costly war . . ."

Thus far, by their actions, by their voting records and by their opinions, Americans have indicated that they have staying power and will continue to improve opportunities for themselves. What has not been indicated is whether the nation's leadership has the needed courage to give the commitment abroad the priority in resources that it has been given in words. Such a commitment would reduce deficits even further and could make tax increases unnecessary.

[From the Scottsbluff Star-Herald, Jan. 12, 1967]

"IMAGE" SUFFERS WHEN TAX HIKED

Beyond the fact that President Johnson asked for a 6 per cent increase in income taxes, which came as a surprise to some people, the principal conclusion to be gained from reflection on the chief executive's "state of the union message" Tuesday is that he is bound and determined to have his cake and eat it, too.

The theory that the United States can provide both "guns and butter" and that there is no need for belt-tightening in any project associated with the Great Society predominated the long and, at times, cold address.

This presumption will stir the great debate of 1967. The Washington dialog very probably will center itself around this question and, if we are to believe opinions offered by some observers, the President will encounter real difficulty in convincing the Congress that all he asked is vital to the welfare of the nation.

But, the plain fact is that the administration is Democratic, despite the Republican gains last November, and there's a probability that the President will gain approval for much of what he seeks, even though the lawmakers may display grudging reluctance to give carte blanche authority for more and heavier spending.

In the end, President Johnson's political image will suffer, we think. The proposal for increased personal and corporate income taxes will not be received with kindliness. Resistance, we think, will center around the domestic frills which more and more people are beginning to consider as oppressive in terms of cost. Whatever is needed for the support of our military forces in Vietnam will be accepted as a prime responsibility of the nation.

We should have known that higher taxes were inevitable. The "surprise" mentioned in wire stories should not have existed, although it is true that many of the so-called "insiders" on the Washington scene were saying confidentially during the last six weeks of 1966 that higher taxes might not be sought.

But, if we are going to dance we'll have to pay the fiddler, somehow or other. And, the President lit on the 6 per cent formula because it seemed easy to apply a surtax which, as he said, would expire in two years, depending on the conditions in Vietnam. However, we are skeptical enough to suppose that the President's own projections of exorbitant deficits will weigh so heavily on the economy two years hence that the "temporary tax," so-called, will have to be extended.

It would be unfair to say that the outlook is bleak because of all this. Personal and corporate income is running too high, and the gross national product is advancing too rapidly to permit this observation.

But, no promise of an end to all of these things can be seen. And, as the President fends for his domestic frosting, while dealing out a rather indigestible fare of military hard-tack disenchantment sets in and the credibility gap widens. A political stomach ache may be in the making.

[From the Nebraska City News Press, Jan. 12, 1967]

THE SPEECH

As Everett Dirksen remarked after President Johnson unloaded his State of the Union speech on the country for an hour and a quarter Tuesday night: It might have been shorter. The Senator pointed out to a TV questioner five minutes after the conclusion of the speech that it is difficult to make an intelligent comment immediately following such a big load.

Actually, there was little new in the speech except the six per cent tax increase. The first applause came when Mr. Johnson proposed social security payment increases, this was to be expected.

Mr. Johnson drew more applause when he reiterated his firmness in Viet Nam. There was some surprise that he did not recommend the start on an anti-missile defense program; instead he proposed an effort to talk Russia into some sort of an arms reduction.

As for the tax increase, the opposition in Congress said the budget is going to get a good hard look before there is an income tax hike. It should be possible to trim the $4 billion out of the Great Society and other federal programs; that would accomplish the same thing without draining the pockets of the taxpayers any more.

DEFICITS

Do you remember a couple of years ago when President Johnson made much of holding the budget for the federal government under $100 billion? It wasn't held there, because the budget figures were deceptive, but at least he talked about it.

In his State of the Union speech the other evening, Mr. Johnson was perfectly frank in estimating expenditures of $126,700,000,000 and a deficit of $9,700,000,000 on next June 30. The next year he estimated expenditures of $126,900,000,000 and a deficit on June 30, 1968, of $8,100,000,000.

Do you have any idea how much this total of $17,100,000,000, the amount our government is going to go in the red in less than a year and a half, is?

Is it any wonder that some of the more conservative members of Congress want to take a good look at spending for the Great Society and other domestic programs before voting a tax increase? The President didn't make it clear, but presumably the gigantic deficits he predicts will take place even if taxes are increased by the six per cent he requested.

The next two Johnson deficits will be the seventh and the eighth in succession. The federal government's accounts have been out of balance 37 out of the last 38 years, but presumably the folks in Washington don't worry about it. As FDR once said, we just owe it to ourselves!

But what a federal debt we are piling up in the so-called best time the country has ever known.

[From the Alliance Times Herald, Jan. 14, 1967]

AN INEVITABLE INCREASE

The inclusion of a 6 percent surtax increase in President Johnson's message to Congress this week should not be a surprise to anyone although there wasn't much advance notice of it.

It has been obvious for some time that we are engaged in a far greater struggle in Viet Nam than the administration has been willing to admit. It's equally obvious that the "Great Society" programs, which include Federal programs for almost everything, must eventually strain our resources. When Viet Nam and the programs at home are put together there are only three alternatives. more taxes, bigger deficits, or what the administration has apparently not considered, reduced spending.

We don't like the idea of more taxes any more than anyone else but the proposal has one virtue so far as we are concerned; if taxes are levied to keep the budget in balance then the public will know how much we are spending, and we predict, will keep a tighter rein on the spenders.

COMMENTS BY SENATOR HRUSKA ON STATE OF UNION MESSAGE

On balance, I found the message disappointing.

Many Americans were hoping for a clear and candid statement about our policy in Vietnam and an outline of how the Administration proposes to end that costly war. The President promised only to make "a detailed report" later.

Mr. Johnson's assessment of the future in Vietnam was the most somber one yet and will do little to close the so-called credibility gap. For several years now, Administration spokesmen have been saying that we are winning in Vietnam, or that we had stopped losing, or that the enemy has stopped winning. Now, the President says, "The enemy can no longer succeed on the battlefield."

If that is the case, why does this nation not push for a quick and decisive military victory?

And if the outlook in Vietnam is as gloomy as the President says, what possible justification can there be for increased spending on the Great Society welfare programs which he promised last night?

If I correctly judge the mood of this Congress, Mr. Johnson will have difficulty persuading us of the need for a tax increase in order to provide federal dollars for such deferrable items as his beautification program.

It is regrettable that the President rejected the earlier counsel of his party's Senate leader, Senator Mansfield, to make this a "stop, look and listen" session. I hope the Congress, reflecting the expression of the people in the November election, will take care of that task.

COMMENT BY SENATOR ROMAN L. HRUSKA ON THE PRESIDENT'S BUDGET MESSAGE

Regrettably, the President's Budget for the Fiscal Year 1968 bears out the indications previously given that the spending is to continue on a more lavish scale than ever.

We were prepared for the increased expenditures for military purposes. Every citizen is willing to do his share in carrying this burden.

But with respect to civilian spending, the extent of the increase—and the rate of increase—are simply appalling.

From 1960 to the President's requests for 1968, national defense spending has increased from $45 billion to $75 billion, about 66 percent. But during the same eight-year span, civilian spending has increased from $31 billion to $60 billion, practically one hundred percent. The rate of increase for the civilian part of the budget is a greater percentage than for the military part, notwithstanding the Vietnam War.

The increase would show up as an even greater figure if it were not for an unparalleled parade of budgetary gimmicks used to disguise the true magnitude of our expenditures. One of the most popular of such gimmicks is to sell off the government's good financial assets, and then report the proceeds, not as a receipt, but as a deduction from expenditures. During fiscal year 1968 the government's good financial assets of the extent of $5.3 billion will be sold off in this manner—just for the purpose of window-dressing the financial statement.

In other words, the true spending figure for the civilian part of the budget for 1968 will be $64.8 billion. But the President expects to realize $5.3 billion from the sale of loans, mortgages, participation certificates, and the like. He subtracts this $5.3 billion from the $64.8 billion of true civilian expenditures, and thereby is enable to report that civilian expenditures were under $60 billion—that is, $59.5 billion.

The President budgets an even larger deficit than during the Korean War. The budget calls for a combined deficit for 1967 and 1968 of $17.8 billion; during the two worst years of the Korean War, 1952 and 1953, the combined deficit for the two years was $13.5 billion.

The number of civilian employees continues to climb—even outside the military establishment. The increase (outside military) will amount to 44,000 during the fiscal year 1968, added to an increase of 53,000 during the current fiscal year.

The budget calls for our eighth straight year of budget deficits in 1968. The last balanced budget we have seen was in President Eisenhower's last year in 1960. I hope it will not turn out that that 1960 balanced budget was the last one seen in our lifetime.

RECOGNITION OF SENATOR PROXMIRE AT CONCLUSION OF MORNING HOUR TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that at the conclusion of routine morning business on tomorrow, Tuesday, January 31, 1967, the distinguished Senator from Wisconsin [Mr. Proxmire] be permitted to speak for 20 minutes on his truth-in-lending bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BENEFITS FROM THE CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL PROJECT

Mr. HOLLAND. Mr. President, the central and southern flood control project, covering an area of some 16,431 square miles, located generally within the southeasterly 18 counties in Florida, which I have the honor to represent, in part, was first authorized by the Flood Control Act of 1948, for flood relief and water conservation. More than 2¼ million residents of 40 percent of the total population of the State live in this area.

Total first cost of the flood control project is $390 million, with the Federal share being $269 million and the non-Federal share $121 million. Federal expenditures on the project through fiscal year 1966 reached nearly $136 million, or about 50 percent, and the non-Federal contributions by State and local interests totaled nearly $200 million for the same period, reflecting that nearly 60 percent of the total cost of the program to date has been borne by non-Federal interests.

Annual benefits measured by the Corps of Engineers in terms of flood damage expected to be prevented when this project is completed are estimated to average nearly $27 million, with total annual benefits to the region of over $70 million.

Mr. President, I bring this to the attention of the Senate today to point up the importance of this large project to the people of Florida and the Nation.

I also wish to insert into the Record the message of Mr. Riley Miles, chairman of the governing board of the Central and Southern Flood Control District, in the 1966 annual report of the district, written to the citizens of central and southern Florida, and which I believe is most timely. It points out that the benefit-cost ratio of the project is now 4.4 to 1 or more than twice as good a return as was forecast in 1948 when the project was first authorized. He further points out that construction is advancing efficiently, taxes have reached a new low, benefits have reached a new high, and there is far greater drought control and flood control than ever before.

Mr. President, it is heartening in times such as these that such an encouraging report can be made, and I ask unanimous consent to have Chairman Miles' message printed in the Record at this point.

There being no objection, the message was ordered to be printed in the Record, as follows:

The Chairman of the Governing Board's Message to the Citizens of Central and Southern Florida

Florida's fickle weather pendulum swung from drought to flood in the year ending June 30, 1966. The water management system being built within the 18-county Flood Control District had been sorely tested by four years of sub-normal rainfall, and in the past year, the system—now more than 50 per cent built—got its second major test with excessive rainfall. (The first was in 1960 when flood damages of $28,000,000 were prevented.)

In the first six months of 1966, weather conditions almost duplicated those of 1947 when a great flood inundated over five million acres. In June all-time rainfall records were shattered in southeastern Florida, but homes remained dry; and farmlands that would have been flooded were also in production.

Major new construction jobs marched toward completion in the five county Kissimmee River Basin in central Florida; also on the northeast shore of Lake Okeechobee where the final link of dike to complete the encirclement of the Lake is being erected; on the Caloosahatchee River, which is being widened and deepened, east of LaBelle; and on an extensive system of canals, levees, spillways, and dams south of Miami. In addition, the long-delayed Upper St. Johns River Basin project moved from drawing boards to reality with the award of a $2,800,000 contract in June to start excavation of the new Sebastian Canal. This is the first element in the project for the 90-mile long missile coast basin.

Taxes were dropped for the second year in a row to a level of 45/100 of one mill, and the Governing Board in late June was planning another significant tax cut for 1966–67.

Major criticism was leveled at the Flood Control Project during the year concerning the effects on wildlife of drought, then of flood. In January, 1966, a $3 million plan was announced by Governor Burns to dig conveyance channels through Conservation Area 3 to move water south to the Everglades National Park. Initial construction contracts were promptly awarded, and the digging of these channels was started under high priority assigned by the Army Corps of Engineers. A pumping plan was put into effect to help the Park by moving water south from Palm Beach County into Conservation Area 3 and by increasing discharges into the Park when water was available at spillways in the Tamiami Trail.

In April, 1966, the District shut down Pumping Station 8 to benefit fawning deer. This was done at request of the Florida Game and Fresh Water Fish Commission. Wildlife in Conservation Areas 2 and 3 is supervised and managed by the Game and Fish Commission. The District, the Corps of Engineers, and the Game Commission got together promptly to plan possible ways and means to protect deer from adverse effects of flooding. Nineteen inches of rain fell on Conservation Area 3 in June, 1966, and the 914-square-mile reservoir rose 18 inches, despite all efforts to reduce stages.

During the year, the Corps of Engineers reported an increase in the benefit-cost ratio of the Project—up from 4.2 to 4.4 in the past 12 months. This means that the system is returning $4.40 in benefits for every dollar invested to build it. This is more than twice as good a return as was forecast in 1948 when Congress authorized the federal project. It was predicted that if rainfall continued to fall in the latter half of 1966 parallel to that of 1947, that flood damages running into hundreds of millions of dollars would be prevented by the works already built.

In summation, the heartening news I have to report to you is that construction is advancing efficiently, taxes have reached a new low, benefits have reached a new high, and we have far greater drought and flood control than ever before—from a system tested and proved effective in the past year under the most extreme vicissitudes of rainfall ever recorded.

Riley S. Miles, *Chairman.*

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE ORDER FREEZING CIVILIAN EMPLOYMENT

Mr. WILLIAMS of Delaware. Mr. President, on September 20, 1966, President Johnson issued an Executive order stating that he would freeze civilian employment in the Federal Government at the July 1, 1966, level, but 35,777 employees had already been added to the public payroll in the 2 months prior to the order.

Mr. President, I find that the opposite result has been achieved. Since that day in September when the order went into effect freezing employment at the July 1 level, a total of 68,767 civilian employees were added to the public payroll. The increase in October was 24,488; in November 36,728; and in December, 7,551. All together, since July 1 there have been added a little over 100,000 employees. These 100,000 employees will cost between $700 million and $800 million a year in salaries. Remember these are extra employees which the President said he did not need.

Mr. President, I respectfully suggest that the President reexamine the freeze order to ascertain whether or not the "freeze" has thawed.

If the administration continues to save money in this manner we are going to end up in the poorhouse.

Mr. President, I ask unanimous consent to have printed in the Record a statement by Hon. George H. Mahon, chairman, Joint Committee on Reduction of Nonessential Federal Expenditures, in regard to the monthly report on Federal personnel and pay for December 1966, which itemizes these increases.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Hon. George H. Mahon, Democrat of Texas, Chairman, Joint Committee on Reduction of Nonessential Federal Expenditures, in re Monthly Report on Federal Personnel and Pay for December 1966

Executive agencies of the Federal Government reported civilian employment in the month of December totaling 2,842,491. This was a net increase of 7,551 as compared with employment reported in the preceding month of November.

Civilian employment reported by the executive agencies of the Federal Government, by months in fiscal year 1967, which begins July 1, 1966, follows:

Month	Employment	Increase	Decrease
1966			
July	2,788,097	50,050	
August	2,805,519	17,422	
September	2,773,724		31,795
October	2,798,212	24,488	
November	2,834,940	36,728	
December	2,842,491	7,551	

Total federal employment in civilian agencies for the month of December was 1,612,668, a decrease of 181 as compared with the November total of 1,612,849. Total civilian employment in the military agencies in December was 1,229,823, an increase of 7,732 as compared with 1,222,091 in November.

Civilian agencies reporting the larger decreases were Agriculture Department with 3,364, Interior Department with 1,345, Veterans' Administration with 742, and Treasury Department with 566. The largest increase was reported by the Post Office Department with 7,746. The decreases in Agriculture and Interior Departments were largely seasonal.

In the Department of Defense the larger increases in civilian employment were reported by the Army with 3,251, the Navy with 1,806, the Air Force with 1,756, and Defense Supply Agency with 871.

Total employment inside the United States in December was 2,624,345, an increase of 4,272 as compared with November. Total employment outside the United States in December was 218,146, an increase of 3,279 as compared with November. Industrial employment by federal agencies in December was 599,584, an increase of 1,398 as compared with November.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures.

FOREIGN NATIONALS

The total of 2,842,491 civilian employees certified to the Committee by federal agencies in their regular monthly personnel reports includes some foreign nationals employed in U.S. Government activities abroad, but in addition to these there were 130,822 foreign nationals working for U.S. agencies overseas during December who were not counted in the usual personnel reports. The number in November was 130,314.

SENATOR FULBRIGHT'S REASONABLE PROPOSAL FOR AN HONORABLE PEACE IN VIETNAM

Mr. GRUENING. Mr. President, the administration has repeatedly asserted that it desires peace in Vietnam, that it would like an honorable way of extracating itself from the war and that it was willing to talk to anyone anywhere any time in order to bring the principal combatants to the negotiating table.

The opportunity is here if the administration wishes to grasp it.

It is earnestly to be hoped that it will do so. The opportunity is furnished by Senator FULBRIGHT's specific eight-point plan which appears under the title "An Alternative for Vietnam," in one of the concluding chapters of his excellent and persuasive book just published, entitled "The Arrogance of Power." Senator FULBRIGHT's eight-point program may be summarized by the headings which precede the eight proposals, as follows:

First. The South Vietnamese Government should seek peace negotiations with the National Liberation Front.

Second. At the same time as the Saigon Government makes direct overtures to the National Liberation Front, the United States and South Vietnam together should propose negotiations for a cease-fire among military representatives of four separate negotiating parties: the United States and South Vietnam, North Vietnam and the National Liberation Front.

Third. The United States should terminate its bombing of North Vietnam, add no additional forces in South Vietnam, and reduce the scale of military operations to the maximum extent consistent with the security of American forces while peace initiatives are underway.

Fourth. The United States should pledge the eventual removal of American military forces from Vietnam.

Fifth. Negotiations among the four principal belligerents—the United States and South Vietnam, North Vietnam, and the National Liberation Front—should be directed toward a cease-fire and plans for self-determination in South Vietnam.

Sixth. After the principal belligerents have agreed on a cease-fire and plans for self-determination in South Vietnam, an international conference of all interested states should be convened to guarantee the arrangements made by the belligerents and to plan a future referendum on the reunification of North Vietnam and South Vietnam.

Seventh. In addition to guaranteeing arrangements for self-determination in South Vietnam and planning a referendum on the reunification of North and South Vietnam, the international conference should neutralize South Vietnam and undertake to negotiate a multilateral agreement for the general neutralization of southeast Asia.

Eighth. If for any reason an agreement ending the Vietnamese war cannot be reached, the United States should consolidate its forces in highly fortified defensible areas in South Vietnam and keep them there indefinitely.

It is my belief, as one who has unqualifiedly opposed our military intervention in Vietnam for nearly 3 years, who has repeatedly stated his view that our military intervention there was indefensible, inexcusable, illegal, immoral, and disastrous, that these proposals of Senator FULBRIGHT offer a real opportunity for our Nation to try and resolve the clashing and conflicting viewpoints on this subject and bring about an honorable peace.

By accepting Senator FULBRIGHT's proposals and by proclaiming them to be its program, the administration may be able to bring an end to the senseless and brutal killing both of our own young men and of tens of thousands of Vietnamese, including men, women, and children, and the erosion of our vital domestic programs. At least it will be departing from the unrealistic and obviously unacceptable proposals it has hitherto been making. Their nonacceptance by our adversaries in the war is proof of their failure.

I would register a minor dissent from the program and that is to the eighth proposal, because I believe that this article 8 contains the danger that those who do not wish peace could use this as an incentive for sabotaging the negotiations and thereby perpetuating our military occupation of Vietnam. That matter could be left to the negotiations which hopefully will follow if the administration sincerely and earnestly proceeds along the lines proposed by Senator FULBRIGHT.

In order that my colleagues may have the full text of these eight points—and I hope they will all read Senator FULBRIGHT's book for a reading of it is a desirable preliminary to his peace proposals—I ask unanimous consent that these proposals be printed at this point in the RECORD.

There being no objection, the proposals were ordered to be printed in the RECORD, as follows:

AN ALTERNATIVE FOR VIETNAM

I propose the following eight-point program for the eventual restoration of peace in Vietnam:

(1) *The South Vietnamese government should seek peace negotiations with the National Liberation Front.*

It is suggested that the Saigon government, the Buddhists, and other major groups be advised that the United States wishes the South Vietnamese government to take steps immediately to initiate peace negotiations with the National Liberation Front; it is further suggested that it be made clear that continued American support for the Saigon government will depend upon the energy and good faith with which it undertakes to negotiate a cease-fire with the National Liberation Front.

At present there is an apparent discrepancy between the attitudes of Washington and Saigon on peace negotiations. The United States is officially committed to unconditional negotiations whenever the other side is willing to negotiate but it is reported that in South Vietnam the mere advocacy of a negotiated peace is a criminal offense; indeed, in the election held in September 1966 in South Vietnam "neutralists" as well as communists were legally excluded from candidacy for the constituent assembly.

An effort should be made to bring the Saigon government's position on peace negotiations in line with that of President Johnson. To this end, it is recommended that the United States government remind the government in Saigon, clearly and forcefully, that the United States is committed to a policy of unconditional negotiations, and that this means that the United States is not now committed and does not intend to become committed to the objective of complete military victory for the present South Vietnamese government or any successor government. The South Vietnamese should be left in no doubt that the United States seeks and will continue to seek a negotiated peace and that it will not permit the Saigon government to exercise a veto on American policy.

(2) *At the same time as the Saigon government makes direct overtures to the National Liberation Front the United States and South Vietnam together should propose negotiations for a cease-fire among military representatives of four separate negotiating parties: the United States and South Vietnam, North Vietnam and the National Liberation Front.*

Such a negotiation would reflect the military realities. Whatever the degree of the National Liberation Front's dependence on

North Vietnam, there are four distinct principal belligerents in the Vietnamese war, and it seems reasonable that they should be the principal parties to negotiations for a cease-fire.

Despite the fact that the National Liberation Front is powerfully influenced if not actually dominated by the North Vietnamese government, it is recommended that it be accepted as a separate negotiating party and not merely as a part of a North Vietnamese delegation. This recommendation is made in the belief that it is in the interests of the United States to encourage the maximum degree of independence from North Vietnam on the part of the National Liberation Front and that this purpose is more likely to be advanced by offering to deal with the National Liberation Front as a separate party than by treating it as an instrument of Hanoi, which can have the effect of driving it to greater dependency on North Vietnam.

(3) *The United States should terminate its bombing of North Vietnam, add no additional forces in South Vietnam, and reduce the scale of military operations to the maximum extent consistent with the security of American forces while peace initiatives are under way.*

Peace initiatives would be more likely to be persuasive to the enemy, and more likely to enlist the support of nonbelligerents who have influence with the enemy such as the Soviet Union and France, if they were accompanied by a general and sustained reduction in the scale of hostilities. Conversely, the continuation of hostilities without abatement while initiatives for peace were being taken would permit Hanoi and the National Liberation Front to believe that American military actions rather than American proposals for peace represented the true intentions of the United States. This would seem all the more likely in light of the fact that North Vietnam and the National Liberation Front have repeatedly shown themselves to be deeply suspicious of American objectives in Southeast Asia.

(4) *The United States should pledge the eventual removal of American military forces from Vietnam.*

The date and conditions for the removal of American military forces from Vietnam could be determined only in connection with an international agreement defining the status of a neutralized South Vietnam and establishing certain international guarantees as proposed in Point 6 below. It is important nonetheless that the United States state, in advance of peace negotiations, that it is prepared, as part of a multilateral agreement on Vietnam, to pledge the removal of all American forces on a fixed date or upon the realization of certain specified conditions such as the reassertion of authority by a revived Innational Control Commission. A forthright pledge to remove American forces is of great importance for the persuasiveness of peace initiatives because of the well-known Chinese and North Vietnamese fear that, despite assurances to the contrary, the United States wishes to maintain permanent military bases in South Vietnam.

(5) *Negotiations among the four principal belligerents—the United States and South Vietnam, North Vietnam and the National Liberation Front—should be directed toward a cease-fire and plans for self-determination in South Vietnam.*

The primary purpose of negotiations among the principals would be the drawing up of plans for a national referendum acceptable both to the government of South Vietnam and to the National Liberation Front. The American negotiators would do well to stay somewhat in the background in these discussions and to indicate American willingness to support any arrangements for self-determination on which the Saigon government and the National Liberation Front could agree. It might be that the two South Vietnamese parties would wish international supervision of the projected referendum; or it might be that they would wish to conduct it entirely on their own or essentially on their own but with international observers. It might be that they would wish to elect a permanent national legislative body or it might be that they would wish to elect a constituent assembly to draw up a permanent constitution for South Vietnam. In any case, it is suggested that the United States should be prepared to accept and support any arrangements agreed upon by the Saigon government and the National Liberation Front.

It would seem reasonable and necessary to concede to the National Liberation Front an important role in the conduct of a national referendum. The nature and extent of that role would depend upon many factors to be taken up in the negotiations, such as whether the election was to be conducted under international or exclusively South Vietnamese auspices. In any case the role of the National Liberation Front in the conduct of an election would have to be great enough to assure it against fraud but circumscribed enough to deny it the opportunity itself to engage in fraud or terror. Whether these conditions might require the participation of the National Liberation Front in a preelection provisional government would be an appropriate subject of negotiation.

The United States should commit itself explicitly, and repeatedly if necessary, to accept and support the outcome of a national referendum in South Vietnam, whatever that outcome might be. Such a commitment will be more likely to allay suspicions deriving from the cancellation of the Vietnamese election scheduled for 1956 under the Geneva Agreements if it is forcefully stated at the highest level of the American government than if it is merely conceded in response to public or Congressional inquiry.

The outcome of a referendum in South Vietnam cannot be predicted. Qualified observers of Vietnamese affairs suggest that a free election would reveal the full diversity of South Vietnamese society, with the National Liberation Front emerging as a major political force in the country but with the Buddhists and Catholics, the Cao Dai and the Hoa Hao also showing themselves to be important forces in their respective zones of influence.

The belligerents might also wish to discuss plans for the reunification of North and South Vietnam. They might prefer to leave this to be negotiated between the Hanoi and Saigon governments or they might wish to make more specific plans, such as an internationally supervised referendum at an agreed time in the future as originally called for under the Geneva Agreements of 1954.

(6) *After the principal belligerents have agreed on a cease-fire and plans for self-determination in South Vietnam, an international conference of all interested states should be convened to guarantee the arrangements made by the belligerents and to plan a future referendum on the reunification of North Vietnam and South Vietnam.*

In addition to the Saigon and Hanoi governments and the National Liberation Front, all of whom should be represented at an international conference, it is suggested that the following countries should be invited to participate in the negotiations: the United States, China, the Soviet Union, France, Great Britain, Japan, India, Pakistan, and the countries of the Southeast Asian mainland: Cambodia, Laos, Thailand, Burma, and Malaysia. The larger nations—that is, the United States, China, the Soviet Union, France, Great Britain, Japan, India, and Pakistan—could be expected to act as guarantors of a final settlement.

Guaranteeing the arrangements for self-determination in South Vietnam already agreed upon by the belligerents would be the first and most essential business of the international conference. Unless certain problems relating to the projected referendum, such as possible arrangements for international supervision, had been referred to the international conference to be resolved, the work of the conference in this connection would consist mainly in the drawing up of an agreement for collective action, if requested by any of the Vietnamese parties, against any violation of the agreed conditions of the South Vietnamese referendum or any attempt to overthrow the government resulting from the referendum.

The second task of the international conference would be to make plans for a referendum at an agreed time for the possible reunification of North and South Vietnam. If the belligerents had already agreed on the time and conditions of a popular vote on reunification, the conference would have only to give its endorsement and collective guarantee to that agreement. If the belligerents had not settled the matter, the conference could devise a plan for an internationally supervised election and submit it to the Hanoi and Saigon governments and the National Liberation Front for their approval. Once the Vietnamese parties agreed on a plan, the conference could then give its collective guarantee. If the Vietnamese parties were unable to agree on a time and conditions for a referendum on reunification, the international conference would be well advised not to try to force a plan upon them but simply to give its collective guarantee in advance to any arrangement the North and South Vietnamese might work out later.

The oversight or, if desired by the Vietnamese parties, the execution of these arrangements for self-determination in South Vietnam and the possible reunification of North and South Vietnam should be vested in an appropriate international organ. The conference might find it desirable to revive and strengthen the existing International Control Commission composed of Canada, India, and Poland.

(7) *In addition to guaranteeing arrangements for self-determination in South Vietnam and planning a referendum on the reunification of North and South Vietnam, the international conference should neutralize South Vietnam and undertake to negotiate a multilateral agreement for the general neutralization of Southeast Asia.*

The neutralization of South Vietnam would seem to be essential; the neutralization of North Vietnam as well would be highly desirable. South Vietnam, or preferably the two Vietnamese states, should be prohibited from participation in military alliances with other powers, and foreign troops and military bases should be excluded from the territory of both North and South Vietnam. In addition the conference might specify that the conditions of neutrality applied to South Vietnam would be extended automatically to a reunified Vietnamese state. These conditions of neutrality should be collectively guaranteed by the states participating in the conference and overseen by the international organ referred to above in Point 6.

It would be highly desirable if an agreement on neutralization could be extended to cover all of Southeast Asia, making a Vietnamese settlement more viable by incorporating it into a general arrangement for the neutralization of all of Southeast Asia. The essential features of such an arrangement would be the exclusion of American, Chinese, and all other foreign troops and bases from the territory of the Southeast Asian countries, the formal commitment of these countries to abstain from military alliances, and the collective guarantee of these arrangements by the nations designated in Point 6 as prospective guarantors of a Vietnamese settlement.

A general neutralization agreement for Southeast Asia could be enforced in three ways. First, a degree of automatic enforcement would arise from the prospect that the introduction of Chinese military power would be followed by the reintroduction of American military power. Second, the United States, without stationing forces or establishing bases on the Asian mainland, could and should retain its sea and air power around the periphery of Asia. Third, a neutralization agreement could and should be placed under the collective guarantee of the major powers participating in the international conference, that is, the United States, China, the Soviet Union, France, Great Britain, Japan, India, and Pakistan.

Whether such far-reaching arrangements could be worked out at a Vietnamese peace conference is very doubtful. Certainly proposals for the general neutralization of Southeast Asia should not be allowed to jeopardize more limited arrangements for peace, neutrality, and self-determination in Vietnam. Nonetheless, nothing would be lost, and something might be gained, by introducing the idea of general neutralization in Southeast Asia at an international conference on Vietnam.

(8) *If for any reason an agreement ending the Vietnamese war cannot be reached, the United States should consolidate its forces in highly fortified defensible areas in South Vietnam and keep them there indefinitely.*

Such action, in the wake of an unsuccessful effort to end the war, would represent an accommodation to two fundamental realities: first, that the United States, as the nation with principal, though not exclusive, responsibility for world peace and stability, cannot accept defeat or a disorderly withdrawal from South Vietnam; second, that it now seems likely that a complete military victory can be accomplished only by sacrifices disproportionate to American security interests in South Vietnam and by raising the level of violence to a degree that would impose greatly increased suffering on South Vietnamese civilians and would also greatly increase the danger of war with China.

As long as the United States is expending increasing numbers of lives and increasing sums of money on the Vietnamese war, China, North Vietnam, and the National Liberation Front can logically, if erroneously, hope that the American people will sooner or later find the effort intolerable and force the withdrawal of United States forces from Southeast Asia. They may believe that the drain on American lives and resources in Southeast Asia will sap the will and ability of the United States successfully to oppose future wars of national liberation. Powerful evidence that the Chinese subscribe exactly to this view is contained in an editorial which appeared in the *People's Daily* of Peking on August 30, 1966, which stated:

> . . . To be quite frank, if United States imperialism kept its forces in Europe and America, the Asian people would have no way of wiping them out. Now, as it is so obliging as to deliver its goods to the customer's door, the Asian people cannot but express welcome. The more forces United States imperialism throws into Asia, the more will it be bogged down there and the deeper will be the grave it digs for itself.
>
> . . . The tying down of large numbers of United States troops by the Asian people creates a favorable condition for the further growth of the anti-United States struggle of the people in other parts of the world. With all the people rising to attack it, one hitting at its head and the other at its feet, United States imperialism can be nibbled up bit by bit.

If instead of committing more and more men and resources to the Vietnamese war, we were to reduce our commitment to a level which our enemies knew we could sustain indefinitely at moderate cost, we would then be confronting them with the perfectly credible prospect of permanent American military bases on their borders—a prospect which China has shown herself to fear greatly. Knowing that we could remain in these bases indefinitely, the National Liberation Front and the North Vietnamese would have a powerful inducement to negotiate peace and China would have a powerful inducement to enter an agreement for the neutralization of Southeast Asia. At the very least, such a policy would convert a situation in which our enemies believe themselves to be wearing us down to one in which we, at supportable cost, would be wearing them down.

NOTES ON A MONSTROUS WAR

Mr. GRUENING. Mr. President, the January 27, 1967, issue of Life magazine publishes a fine article written by Robert Sherrod, famous war correspondent, on the war in Vietnam entitled "Notes on a Monstrous War." Slowly but surely the true facts are beginning to come out about the kind of war we are fighting in Vietnam and which, thanks to articles like Mr. Sherrod's, are getting across to a wide readership.

To those of us who have been studying intensively the policies of the United States in Vietnam, it has been apparent for some time that the administration is seeking a solution in that country by means of a military victory. As we have poured additional hundreds of thousands of troops into Vietnam and steadily and sharply escalated the war, it has become obvious that President Johnson's declared purpose expressed in Honolulu last January "win the hearts and minds" of the Vietnamese people is not being attained. Indeed, in view of U.S. past and present performance it is unattainable. How unlikely its realization is shown graphically in Mr. Sherrod's report when he points out that:

> U.S. economic aid came to $600 million in 1966, which sounds like a lot of money, though it amounts only to $39 per South Vietnamese, compared to $1,400 for the military effort in behalf of each inhabitant of the country, counting those under Vietcong control.

In the 3 fiscal years 1966, 1967, and 1968, the United States will expend about $50 billion to fight against an opponent which the South Vietnamese themselves are neither willing nor able to fight. Mr. Sherrod writes:

> The performance of the South Vietnamese army provides the single greatest disappointment of the war. It was the hope we placed in this army which prompted President Johnson to declare honestly in 1964 that we would not "supply American boys to do the job that Asian boys should do." If our Asian boys had lived up to their American advisers estimates, we wouldn't be involved in South Vietnam, now, of course.

Well, we have made this our war and it does not much matter whether the South Vietnamese will fight for their country or not. But what chance do we have of achieving a solution through military means? Mr. Sherrod quotes the commander of the 1st Battalion, 173d Airborne:

> "This is not a military war; it's a political war," said Goad (the battalion commander). "If the villagers will tell us who the Vietcong are, things will get better."

But, of course, they do not tell us and we continue the vain and vastly costly attempt to subdue by military means an enemy whose main strength comes from his ability to identify the United States, in the minds of the villagers, with the colonialist powers that preceded us.

The amazing thing about Mr. Sherrod's account, however, is his inability to see any other course of action open to us. He notes that this is the most hateful war we have ever fought and that surely we would never have gotten into it if we had known how deep was the well. He concludes:

> Yet in all candor I see nothing to do except continue on the course we now pursue, hoping that a merciful Providence will show us a way out.

I would suggest to Mr. Sherrod that while waiting for divine guidance he might profitably employ his time in reading the large volume of available literature, including some of the many statements I have made on this issue over the last 3 years, which indicate that human rationality is not yet at the end of its rope. He might likewise read Senator FULBRIGHT's just published "The Arrogance of Power" and ponder the reasonable eight-point proposal for peace in Vietnam it contains and which I have inserted elsewhere in today's RECORD.

I might add that one additional reason for recording the utter failure of alleged attempts to "win the hearts and minds" of the Vietnamese people may be found in a news story in today's papers which records how, for the *n*th time, our bombing and strafing has again taken the lives of innocent, noncombatants including some of our own fighting men. It happens in war and has happened in previous wars in which the United States has been engaged. But in Vietnam it has occurred and reoccurred with a shocking and unprecedented frequency.

I ask unanimous consent that Mr. Sherrod's article in the January 27, 1967, issue of Life be printed in the RECORD, as well as the article from today's New York Times written by Lyton Buckley, entitled "Error in Vietnam Kills 31 Civilians."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

NOTES ON A MONSTROUS WAR

(By Robert Sherrod)

Why go to Vietnam? I asked myself that question a dozen times before starting my semicircumnavigation of the globe. (How many times had I crosesed the Pacific? Was it 31? Or 32?) After all, there were already 500 correspondents present, half of them Americans—surely enough to tell everything worth mentioning about the war in this Florida-sized corner of Southeast Asia. Despite the generally incredulous attitude of many Americans, one heard the same question asked in New York as in Chicago or San Francisco. "What's *really* going on out there?"—and I did not expect to discover anything new or astonishing about this war which started so small and grew into one of the most historic and traumatic episodes of our era. No censorship hid vast and overwhelming events, such as the deadly *kamikaze* attacks of World War II, which in 6 months sank or damaged more than 300 American naval vessels before a word about them was allowed to appear in the American press.

Nonetheless, out of a consuming curiosity I was glad to be going to Vietnam. I had seen the war almost from the beginning, just after the Viet Minh, as the Vietcong were then called, attacked Hanoi on Dec. 19, 1946, and I had seen it near the last, demoralized gasp of the French regime, just before Dien Bien Phu was overrun in 1954. At that time I had written an article speculating on the possibility that one day American blood might be spilled in Indochina, but in my wildest dreams I never imagined that within a dozen years half a million of us would be locked in a death struggle with an inferior force of little men who didn't even have any artillery. How could such a monstrous situation have come to pass? Why couldn't we win this war into which we had drifted, willy-nilly, and sunk deeper throughout the years? Why?

At the outset I heard the fear expressed which would arise in every conversation I had with the men who run the war. En route to Vietnam I stopped in Pearl Harbor to see Admiral U.S. Grant Sharp, commander-in-chief of the Pacific, eighth in line of succession to the late, great Chester Nimitz. Admiral Sharp said, "The only thing that can defeat us is for the American people to get tired of the war." This was not only known to the enemy; it formed the basis of his strategy. Ho Chi Minh has said he can hold out for 10 years because he knows very well the American people will not stand for another decade of war in Vietnam.

As my plane sailed in from Hong Kong, I looked once again upon the red tile roofs and the palm trees of Saigon. During the next two months I recorded some random impressions of this war we never expected to have to fight.

We moved inch by inch through the unspeakable traffic and the blue fumes of the five-mile, 45-minute drive from Tan Son Nhut, preposterously the busiest airport in the world, to Saigon, a city meant to hold 200,000 people which today festers with more than two million. "I had a dream the other night," said the colonel sitting beside me. "I dreamt the war here in Vietnam cost us more than World War II." That would be something over $350 billion.

Nothing I had read, no photographs I had seen prepared me for the immensity of the American effort. It is impressive enough to read that we have committed more troops to Vietnam than were necessary to fight the North Koreans and Chinese combined in 1950 and to realize that each American soldier carries six times the firepower he had in World War II. But the fantastic expense of Vietnam—$20 billion last year, $10 billion beyond the estimate—can only be comprehended in the viewing.

Literally everything is Texas-sized, from the new "Pentagon West" ($25 million), which will provide offices for most of the 68 American generals stationed in Saigon, to a cantonment for 60,000 troops under construction at Long Binh ($90 million). Both projects should be ready for occupancy this fall.

In World War II the engineers or Seabees would level a 3,000-foot strip of topsoil, lay some pierced steel plank and report the airfield ready to receive planes. With jet planes it's different. Jets need dust-free, 10,000-foot-long strips of aluminum or concrete—which cost $5 million or more. We have built nine new jet landing fields between Da Nang and Saigon. The total number of airfields in South Vietnam is now 282, one of the highest in the world. Will these become the Stonehenges—or, more appropriately, the Angkor Wats—of Vietnam, the relics of a civilization which passed that way? Or will the Vietnamese dig up the concrete so that rice can be planted here again?

In less than two years the number of American troops based on Vietnamese soil has leaped from 25,000 to more than 400,000. To support them 150 cargo vessels are always on the seas or at the docks. The trouble was the lack of docks, which often forced ships to wait a month to unload at Saigon. Okay, build deepwater piers. Saigon has three, and nearby New Port will have four. The big Marine Corps base at Da Nang had no piers; all supplies had to be unloaded by lighter. So we dredged channels and built three piers which, with attached facilities such as a four-lane concrete bridge, will cost $120 million. Development of the great natural harbor at Cam Ranh Bay, the site of President Johnson's visit last November, will come cheaper—only $110 million.

One evening I flew from the demilitarized zone down to Saigon, about three quarters of the length of this 900-mile string bean of a country. Much of the coast was lit up by flares; artillery shells twinkled in 40 or 50 different spots. No battles were being fought that night but the Vietcong, if present, presumably were being kept awake and the interdicting fire prevented them from traveling certain routes in case they intended going that way. This lavish use of firepower, whether effective or not, contributes to the cost of killing the enemy, which is calculated at $400,000 per soldier—including 75 bombs and 150 artillery shells for each corpse.

The diplomat was dressed all in blue—pale-blue suit, medium-blue shirt, dark-blue tie. He slumped in a leather chair, stretching his long legs halfway across his air-conditioned office.

"I pity the poor bastard who takes the 5:07 to Larchmont and tries to understand this war on the basis of his service in Europe," he said. "It's like the difference between the Middle Ages and World War II."

How long will the war last? Foremost Dairies has a contract (for $18 million) with the Navy to build and operate a plant at Chu Lai and one at Da Nang which will produce each day for the U.S. armed forces 9,000 gallons of reconstituted milk, 2,500 gallons of ice cream and 3,000 pounds of cottage cheese. The contract expires in 1971.

Things look more optimistic at the Saigon offices of the great consortium known as Raymond Morrison-Knudsen Brown & Root and J. A. Jones, whose $1 billion contract (the biggest in history) for airfields, piers and other heavy construction will be completed sometime in 1968.

The most striking aspect of the Vietnamese war is the professionalism of the whole operation. In spite of the arrival of many thousands of draftees in the past few months, one doesn't get the impression that this is yet a war of civilians in uniform. I did not meet a single battalion commander, Army or Marine, who wasn't a regular officer. Most of the Air Force, Navy and Marine Corps fliers are either regulars or reserves who intend to become regulars. The tenor of the war is as professional as the banana wars the Marines fought in the Nicaraguan and Haitian jungles in the 1920's, which were the nearest precedent—on a minuscule scale—we have had to Vietman.

One can hardly blame President Johnson and Secretary McNamara for resisting demands that the reserves be called up and the National Guard mobilized. What they have in Vietnam is a smoothly functioning machine that does its job with the detachment of a surgeon in an accident ward. It is a war without songs, slogans or humor.

Morale is unquestionably good, with less griping in a month than one used to hear in a day. For once the military psychiatrists are underemployed. Said one of them, "If you count the combat-fatigue factor in World War II as 25, the Korean war as five, then the Vietnamese war would be one."

What are the reasons for this phenomenal decline in crack-ups? Most important is a man's guarantee that he will be sent home after 12 months (13 in the case of the Marines); he receives a card with his return date on it even before he leaves the States for Vietnam. Every soldier I met could tell me precisely how many days he had left in Vietnam.

There are other factors. In Vietnam there is no such thing as spending long weeks "in the line." Most battles last only a few hours. Then, too, in this war the troops have no fear of enemy artillery or bombs or tanks. The hundred-a-week killed-in-action rate is militarily acceptable (though this is small consolation to those platoons which occasionally must take heavy casualties).

One finds few of the gung-ho glory hunters who turned up in great numbers in the war against Japan. The argument that this is a holy crusade against Communism is sometimes put forth by officers, but I observed that it usually fell flat. On the other hand, the deep doubts that affect some American college students do not seep into the ranks, possibly because so few of these soldiers ever got beyond high school.

There is little doubt that this is a poor boy's war, with a heavy percentage of Negroes (up to 30% in some extra-pay airborne units). The boys are taller, stronger and neater than their World War II counterparts, because the Army can pick and choose when it is only one-eighth the size it was a quarter century ago. What we have achieved in Vietnam is the equivalent of a half-million-man Foreign Legion.

As professionals our troops don't flinch from the unpleasant duty of killing a 90-pound underdog. One day I asked Marine Corporal Tony de Vargas from Espanola, New Mexico how he felt on this point. He replied, "Charlie may be little, but he carries a big gun."

Without a Pearl Harbor to remember, what motivates the men who must do the killing? The foremost incentive, I believe, is revenge on the cunning, ruthless enemy who kills a man's friends or blows their legs off with booby traps. This comradeship factor probably has been underestimated in previous wars and should be ranked above flag, honor, duty or mom's apple pie.

All good military units cultivate this one-for-all, all-for-one spirit, of course. In Vietnam a soldier can take pride in belonging to the finest outfits in American military history, such as the 1st Infantry Division ("the Big Red One"), the airmobile 1st Cavalry Division ("the First Team"), the 101st and the 173rd Airborne brigades. Nearly a third of the combat battalions in Vietnam belong to the Marines, who long ago claimed the patent on *esprit de corps*.

One finds many officers who are serving their second tour in Vietnam, usually in the advisory teams attached to the South Vietnamese army; I found a few who are in the country for a third time. A colonel with the Vietnamese IV Corps in the Mekong Delta said one day, "I was one of those who told McNamara in 1964 that the war would be over by the end of 1965; I swear I thought it would be. But don't you dare print my name."

From a helicopter I watched a sharp, two-hour fight in the Mekong Delta in which three battalions of South Vietnamese soldiers landed in a rice paddy and attacked a battalion of Vietcong just beyond the tree line. Our chopper arrived back at a division headquarters as other machines were hauling in our side's dead (23) and wounded (86), who were covered with a mixture of their own blood and the putrid slime of the paddy.

My companion, Colonel Charles Davis, USA, who has seen a lot of combat in his time—he won a Medal of Honor at Guadalcanal in 1943—looked upon the miserable pile of human cargo and said, "Whether it's a big war or a small war, when you're dead, you're very dead."

Other Vietnamese soldiers arrived with stretchers and lifted the casualties into Red

Cross-marked ambulances. I was startled to see that this transfer was accomplished without even a modicum of diagnosis—on one stretcher lay a stone-dead soldier; the man beside him, a big hole in his back, waved his arms weakly and tried to talk. Then I realized I was back in the Orient, where death is commonplace and Western niceties frequently go unobserved.

Nothing amazes me more than the smooth and swift integration of the U.S. armed forces. One day at Dong Ha, near the North Vietnam border, I talked to a group of Marines from the force reconnaissance company, an outfit that is qualified in both parachute jumping and submarine landings. Thirteen of them, including four Negroes, had just returned, their faces camouflaged green and black, from a three-day jungle patrol—a dangerous mission that by its nature requires every man to rely completely on every one of his comrades. All of them, it developed, came from different states except two of the white boys who were from Alabama—Kenneth Carlisle from Selma, Larry Smith from Montgomery.

Seventy-five years have passed since Rudyard Kipling penned his cynical lament about the white man's problems east of Suez:

"Now it is not good for the Christian's health
to hustle the Aryan brown.
For the Christian riles and the Aryan smiles
and he weareth the Christian down;
And the end of the fight is a tombstone white
with the name of the late deceased,
And the epitaph drear: 'A fool lies here
who tried to hustle the East'."

One day, while flying at 20,000 feet from Pleiku to Saigon, I found that General William Westmoreland, the trim, jut-jawed commander of U.S. forces in the country, knew the Kipling quote very well indeed.

General Westmoreland, an Episcopalian, would be less than human if he didn't get a bit riled occasionally. From Phan Thiet, a provincial capital on the South China Sea, he helicoptered not long ago to a nearby Special Forces camp on the edge of a village that had been frightened by the Vietcong. After the camp was established, the villagers began to trickle back, demonstrating their confidence in the change of command.

The captain in the green beret said, "The Catholics in the village have cooperated completely. But the Buddhists are still sitting on the fence. The chief *bonze* wants a bribe; he says dig him a well and give him 10,000 *piastres* [about $85]." The general frowned, but diplomatically said nothing.

At lunch in Saigon one day several old Asia hands were discussing the perennial subject: how could we have avoided this war? Is it really Lyndon Johnson's war? What would Kennedy have done? Suppose Eisenhower had tried to save Dien Bien Phu by American intervention in 1954, as advocated by Chairman of the Joint Chiefs of Staff Admiral Arthur Radford?

A Catholic priest with a quarter century's experience in Asia spoke up: "We had two chances. In 1946 if we had got tough with the French about colonialism, as we did with the Dutch and British, Ho Chi Minh would have come in on our side. Despite some evidence to the contrary, I believe Ho would have been a Tito even before Tito told off Stalin.

"Our last chance was 1949–1950, when we ought to have cut off all aid to the French; remember they were fighting this colonial war with American weapons. At that time Ho was still scared of the Chinese; he didn't take much comfort from the Communists taking over China. After 1950 the French defeat became inevitable and American involvement inevitably followed."

The President of the United States in 1946 and 1950 was Harry S. Truman. He had other things on his mind—such as rescuing France herself from chaos and possibly Communism. **Northing in 1966 caused more surprise than the collapse of the Buddhist** leaders' rebellion, which almost tore South Vietnam apart last spring. One evening Prime Minister Ky told a group of Americans that his success against the Buddhist dissidents was due to his grandmother-in-law. "She is a Buddhist nun and she told me. 'Now you can attack them,'" he said. "That's when I attacked."

Dr. Nguyen Huu Chi, one of two province chiefs among Vietnam's 45 who are civilians, holds a Ph. D. in political science from Michigan State University. Since the Quan Nam provincial capital, Hoi An, is only 15 miles from Da Nang, I arranged to visit Dr. Chi there one morning and set out with Marine Staff Sergeant Knight in a jeep.

Halfway between Da Nang and Hoi An we stopped at an American advisers' camp. "Godalmighty," said the Army sergeant stationed there, "you can't drive to Hoi An. The Vietcong killed three Vietnamese in a truck on this road last night and wounded the American driver. It happens all the time."

This put a different light on my proposed visit, so I decided to try to reach Dr. Chi on the radio-telephone. This proved about as easy as building a space capsule out of bailing wire, but I finally got through. "Nonsense, the road is perfectly safe—until four o'clock anyway," said Dr. Chi.

The adviser provided us with reinforcements in the person of a tiny Vietnamese rifleman, so Sergeant Knight and I proceeded to Hoi An and lunched with Dr. Chi (chicken and rice and the universal sauce called *nuoc mam*, which is made of rotten fish and tastes good). An AID official offered me a tour of the province in his white helicopter so I deserted Sergeant Knight, leaving him to go it alone with his elfin bodyguard. I was relieved to learn later that he made it back to Da Nang within the prescribed time limit.

Sure enough, at 4:30 p.m. that afternoon a Vietcong land mine blew up another American truck on the Hoi An-Da Nang road. I'll credit Dr. Chi with the gift of prophecy—but he was cutting it pretty fine, in my opinion.

Aboard carriers during World War II, aircraft which were badly damaged on landing were simply pushed over the side. "Jeezus!" we used to say, "there goes $40,000." One day on the carrier I was riding 40 miles off the North Vietnamese coast we lost an F–4 Phantom. Cost $2.5 million.

For every military operation that gets into the newspapers or on the home television screens, a dozen more never rate a mention because they turned out to be dry—or insignificant—runs. One morning I flew in an F–100F with a 26-year-old Air Force pilot, Captain Dave Anderson, the first combat mission I had undertaken in a jet and, to tell the truth, my first combat mission of any kind since 1945. Anderson, a stocky, phlegmatic young man, had already flown one mission a few hours earlier; he had also been shot down by enemy ground fire several weeks before but, since a helicopter had rescued him within minutes, he shrugged it off.

Our mission was to fly from the air base at Bien Hoa and help prepare a zone about 30 miles east of Saigon where a battalion of the 173rd Airborne Brigade could land. Our three-plane flight would drop bombs around the edges of the chosen zone in order to protect the helicopters as they hovered near the ground bringing in the infantrymen. Anderson and I donned 60 pounds of gear apiece—helmet with built-in microphone, parachute, G-suit, oxygen mask, survival vest containing drinking water, a pistol, a knife and a wonderful small radio which could be switched on to give off either an automatic beep or detailed instructions from ground to air.

The ground crew armed our plane by slinging two 250-pound bombs and two 750-pound napalm tanks under the wings. After I climbed into the jet's rear seat, Anderson showed me how to pull out the red pins which would detach me, along with my parachute, in case it became necessary to eject. He pointed to a red button which would fire the ejection charge. "Don't forget to slide back the canopy first," he said. "You don't have to pull a ripcord or anything. The parachute will open itself."

Our three planes, with Major Leslie Leavoy in the lead, hustled along the concrete and lifted smoothly into the air. To our left, beyond the snakelike Saigon River, lay Tan Son Nhut, its airfield cluttered with hundreds of planes and helicopters, its approaches choked with thousands of jeeps, cars, trucks, motorcycles and bicycles. Like a thousand mirrors, the paddies shimmered in the noonday sun. Here and there a peasant in a conical straw hat and hitched-up black trousers worked his tiny, water-logged plot, possibly conscious that all of our jets, our napalm and bombs and soldiers and Marines were only part of an effort to persuade him over to our side.

Our flight sailed easily, almost silently, at 460 knots between sky and paddy.

Our target was as sharply outlined as a bull's-eye, a patch of light green shaped like a baseball diamond, 500 yards between bases, set in the dark green of the surrounding jungle. We knew from intelligence reports that three battalions of Vietcong had been located within one to five miles of the landing zone.

The Forward Air Controller, a 34-year-old Texan named Eric Miller, was flying his little Bird Dog light plane far beneath us, just over the 75-foot-high jungle, marking the targets with white phosphorus. On his instructions our planes began their descent in single file. When our turn came, FAC Miller radioed to Anderson, "Put yours due east of the last one, in the heavy woods."

Half a mile from the designated area Anderson started our dive from 5,500 feet; the speedometer needle spun clockwise, up to 700 knots; the altimeter twirled in the other direction. When we reached 2,600 feet, a dull klunk under the right wing told us that Anderson had released a bomb. Going down was fun, like riding on a roller coaster, but the pull-out at 5½ Gs—five and one-half times gravity—was a new, unearthly sensation for me. The upsweep tied my stomach into a hard knot and my legs felt as if they had been transformed into iron. Then I understood what the gravity suit was for; it had automatically inflated to act as a tourniquet around my thighs, damming the flow of blood from its rush to my legs and thereby preventing a blackout.

The FAC gave us a "Good hit!" on our drop. But he added, "A little long."

In World War II we used to make one dive, drop our bombs and head for home. But I soon realized we were dropping our bombs one at a time, which meant that we would repeat the process until we had laid all four of our eggs. It was quite a morning for an overage war correspondent.

After the last bomb run, the artillery—105s and 175s—opened up, firing from five and 10 miles to the north. Then 10,000 feet beneath us the helicopters (Hueys) swam into view, like so many minnows in a tank. The first 10 choppers hovered over the landing area for about 60 seconds, until the 173rd's soldiers jumped out and started running toward the woods. Then 10 more Hueys arrived, and 10 more, until the full battalion had landed. Everything seemed to go off smoothly, so we headed back to Bien Hoa.

General Westmoreland's communique the next day gave one sentence to our landing and the newspapers didn't use a word of it.

It was two weeks before I had a chance to visit the 173rd Airborne to find out what had actually happened on the ground. By then the landing zone had lapsed back into Vietcong control and I couldn't visit the scene of our operation, but the 173rd's First Battalion commander, Lt. Colonel Lewis Goad, a weather-beaten professional, told me the story.

"We didn't have any opposition; only three snipers fired at us all day," said Goad. "We've been chasing that V.C. regiment for three or four weeks. These people aren't going to stand up and fight until they have an overwhelming advantage. I can't say I blame them. They know every inch of every trail; they can cover in 15 minutes what would take us four hours, so they just melt into the heavy woods."

The Vietcong had been in the vicinity all right, just as the captured maps indicate. On the second day Colonel Goad's men found a tunnel 200 yards long, 20 feet underground, that even contained a surgery room about 15x30 feet. The First Battalion blew it up with the V.C.'s own TNT, of which they captured about 300 pounds. The Americans also captured 400 Communist Chinese mortar rounds, about 5,000 rounds of rifle ammunition, a ton of rice and "one typewriter, one notebook, two gallons of kerosene, one pair of crimpers." The only casualty on either side in this unsung operation was Pfc. Tommy Traxler Jr., 18, of Crystal Springs, Miss., killed by a sniper on the fifth, and next-to-last, day.

"I don't doubt they have a dozen caches in this area for every one we have destroyed," said Colonel Goad gloomly. "The Vietnamese believe there may be underground factories around here."

Could we have surprised the enemy? Colonel Goad's soldiers found warm ashes around the landing zone. The fact that the enemy left so much equipment behind also indicated that he departed in a hurry.

"A couple of times we've gone into the landing zones without prep, and we got shot up badly," said Colonel Goad. "It's expensive to pave the way with artillery and bombs—we're sitting ducks if there's somebody waiting around to shoot at us."

Thus, as the Australian jungle fighters are quick to point out, we drive away the enemy while simultaneously trying to lure him into combat—a dilemma that never confronted U.S. troops in the more orthodox wars we fought on the Pacific islands and in Korea. We learned how to fight the Japanese in the islands, the North Koreans and Chinese on a peninsula. The Asian continent is something else again.

"This is not a military war; it's a political war," said Goad. "If the villagers will tell us who the Vietcong are, things will get better."

War in Vietnam wears many faces, and one of these belongs to Senior Captain Dang Doan, who commanded the 93rd Battalion of the 2nd Vietcong Regiment until he was captured in 1966. It is a haughty face, more expressive than most Orientals', exuding fanatical self-confidence. After he was wounded in a battle in Binh Dinh province early last year, Senior Captain Doan told his American captors, "Our men may die, but our children will carry on. We can take it."

A large color photograph of Doan adorns the office of Brig. General J. A. McChristian, chief intelligence officer to General Westmoreland. He keeps it simply as a reminder that he is up against a grimly determined enemy.

The Vietcong's resolution bewilders other American soldiers. A lieutenant in the 25th Division shook his head and said, "I just don't understand what motivates these people." I was to hear the same remark dozens of times throughout Vietnam.

Oddly enough, no special ideology appears to inspire the V.C. in the fashion, for example, that reverence for the emperor impelled the Japanese to fight to the last man. Most of the Vietnamese people couldn't care less about Communism. Rather, say the experts, the Vietcong's success against overwhelming odds stems from superb organization perfected over the last 25 years. American intelligence officers marvel at the ability of guerrillas to organize whole villages, convince the inhabitants that the Americans are no better than the French were and persuade them to hate the white men enough to join in the killing of them.

The American leaders believe that to win the war it will be necessary to root out the guerrilla "infrastructure" and expose its falsity. But that job isn't likely to be completed this year—or next.

"And then I stole all courtesy from heaven,
and drest myself in such humility
That I did pluck allegiance from men's
hearts."

—KING HENRY IV, Part One

When he first sets foot on Vietnamese soil, the American in uniform is handed a wallet-size card labeled "Nine Rules," exhorting him to be nice to the people. Rule No. 1: "Remember we are guests here: we make no demands and seek no special treatment." Rule No. 5: "Always give the Vietnamese the right of way."

General Westmoreland, who travels the length of his command frequently, tells a newly arrived battalion: "Your mission is to help the Vietnamese people and to defeat the enemy. Never before in history have soldiers been called upon to help build a nation while fighting."

The result is to make the soldiers fantastically native-conscious. Almost every man has a theory about what to do about the Vietnamese, which more often than not adds up to the words: "We've got to change these people's minds." Scratch a soldier and find an evangelist.

A Marine Corps civil affairs officer: "Most of the people in my area are pro-North Vietnamese. We have to find a way to change their attitudes."

A battalion commander: "How are you going to get democracy to these people? They have no sense of nationality, they think only of the village that they have always lived in."

A U.S. information officer: "Their education is still French-oriented. We've got to end the *lycée* system."

A private in Saigon: "The only thing to do is to kill everybody in the country over five years old.

A sergeant in Cu Chi: "We ought to take over the country—the hell with these Vietnamese generals and politicians—win the war, then give it back, like we did in Korea."

An AID man in Quang Nam province: "We can't even slow down the Vietnamese truck drivers. How can we expect to change the generals and province chiefs?"

A sailor in My Tho: "Pretty soon we'll have the country paved over. Then we won't have to worry about it any more."

A facetious reporter: "General Westmoreland, there are 15 million people in South Vietnam. We put that many people in uniform in World War II. Why not mobilize enough troops to give every South Vietnamese a personal American bodyguard?"

To change any Oriental's way of thinking—or, as Kipling put it, to hustle the East—is a major undertaking. Vietnam's complexities make it the most difficult task we have ever tackled in foreign relations.

The countrys' political instability left it without a father figure like Syngman Rhee in Korea or Chiang Kai-shek in Taiwan. Its political and religious divisiveness lead into a bewildering tangle of Buddhists of many stripes, Catholics, Montagnards, Hoa Hao, the Cham and such an outlandish, two-million-member sect as the Cao Dai (who worship God in the form of an eye). Their colonial legacy left most of the country's leaders speaking French in preference to their own tongue but, almost alone in the Far East, Vietnam is virtually without English. The South Vietnamese armed forces, notably excepting elite units like the marines, paratroopers and Rangers, have proved poor in performance and in motivation, so their army is being relegated to rural pacification (which is probably the worst place to put them; they systematically steal from the peasants).

The performance of the South Vietnamese army provides the single greatest disappointment of the war. It was the hope we placed in this army which prompted President Johnson to declare honestly in 1964 that we would not "supply American boys to do the job that Asian boys should do." If our Asian boys had lived up to their American advisers' estimates, we wouldn't be involved in South Vietnam now, of course.

One expert who began his first Vietnam tour 10 years ago estimates that the ARVN (Army of the Vietnamese Republic) operates at only 15% efficiency. Why? A question of leadership which would inspire grass-roots support of the army, he says.

"These are good soldiers," one hears on all sides, "when they are properly led." Alas, the leadership from lieutenants to generals is too often based on political favor instead of merit, and the Vietnamese are extremely touchy about American interference in their internal organization, political or military. General Westmoreland is ever conscious that he is not a supreme commander; his title still is Commander of the Military Assistance Command, Vietnam. He has managed to institute a few important reforms, such as setting up an officers' training school for the Vietnamese whereby 100 talented peasant soldiers might rise from the ranks.

"I wish we had the North Vietnamese on our side," said a civilian political officer one day. He had a point. The French always used to say that the northerners had more energy—when the French wanted laborers for their New Caledonia nickel mines, they chose Tonkinese from the Hanoi region—and more intelligence, too. It's not surprising that the northern refugees, like Prime Minister Ky, dominate the South Vietnamese government. The southerners, on the other hand, never had to work very hard in their bountiful, more tropical climate. They were dogged by absentee landlordism—only one eighth of the arable land was owned by smallholders—and American prodding has produced sluggish reaction to reform, which is necessary to gain support among the peasants. In postwar Japan the United States was in a favorable position to insist upon land reform; in Vietnam, no.

Nevertheless, the Americans wade firmly into this Augean stable with characteristic determination, working seven 10-hour days a week (Vietnamese government officials take the weekends off), dispensing love, good Western advice and dollars by the ton. U.S. economic aid came to $600 million in 1966, which sounds like a lot of money, though it amounts only to $39 per South Vietnamese, compared to $1,400 for the military effort in behalf of each inhabitant of the country, counting those under Vietcong control.

Those figures include only the amounts allocated by the U.S. AID mission, which imports rice for the Vietnamese, trains 5,000 of them at a time in trade schools, teaches them more modern farming methods and enlists the services of medical teams from 10 different countries.

Some of AID's projects work out better than others. It recruited U.S. police officers to train the national police force, which was being enlarged from 27,000 to 72,000 men. But the plan has been only half successful because the pay is so low ($20 per month) and the Vietnamese army refuses to exempt the police from the draft. AID printed 14 million schoolbooks, but many rural teachers believe that books diminish their authority over students, so a high percentage of the books remains stacked in closets.

U.S. Deputy Ambassador William Porter, who is in charge of civilian programs, says candidly, "Only the United States would undertake this thing. The diplomats here think we're nuts. But we had to start somewhere."

Every U.S. military outfit has its own private charities. The 25th Division's "Helping Hand" warehouse, filled by residents of the division's home base back in Hawaii, holds boxes of clothing, school supplies, sewing machines and soybean oil.

Marine Corps Reserves in the U.S. set up a CARE program last year and collected $286,000, which was passed out by Marines in Vietnam in the form of carpenters' tool kits ($8 each), children's school kits (50c) and similar items. One of the most touching sights in Vietnam is a makeshift hospital set up by two young doctors for treating emaciated children, whose beds are simply boxes nailed to the walls. Here children are wormed ("they all have worms") and introduced to soap. When they are not treating wounded Marines, doctors of "A" Medical Company in Phu Bai specialize in harelip operations, of which hundreds have been performed—to the delight of those Vietnamese otherwise condemned to a life of ugliness.

But charity in Vietnam, as elsewhere, badly needs supervising. Last year the Marines in Vietnam distributed nearly a million pounds of soap, but it had a way of reappearing on the black market. Now the Marines hand out smaller bars.

Once in a while one hears an American official say, "Maybe we're doing too much for these people; we're overwhelming them. We've got to do more toward helping them to help themselves." But I observed that American impatience too often prevails, and the Americans find themselves taking over, just as they have taken over most of the fighting.

One meets few doves in Vietnam. Nearly every man appears to believe in what he is doing, whether it is killing Vietcong or teaching a peasant how to use a better fertilizer. The most vociferous dove I encountered was a doctor from a British Commonwealth country who treated Vietnamese civilians in one of the provincial hospitals.

"I work in a 400-bed hospital," he said, "and it generally has 600 patients at a time, which means a lot of doubling up. Most of the patients have been wounded, and 90% of the wounds are caused by American and South Vietnamese artillery, bombs and naval gunfire.

"Pity the poor peasant. The villagers are supposed to be warned to get out before the bombing starts, but it is a lie to say that this is done even half of the time. Besides, what are they to do? If they leave their villages, they go to refugee camps where they're supposed to get enough money to live on, but the *piastres* disappear into someone's pocket. If they stay and miraculously survive the bombing and shelling, the infantry comes in and shoots them as V.C.

"One old woman in the hospital has been wounded three times in two years. One man came in last year with his right leg gone; he's back again with his left arm amputated.

"I've learned some Vietnamese and I speak French. I'd say 80% of my province sympathizes with the Vietcong. Even the contractor who is building a hospital annex says he wishes the Americans would go away because it's humiliating to have them here.

"I'm sick of the corruption I see everywhere, from the lowliest hospital workers to the Vietnamese doctors to the heads of the government. If a man comes in with his pants shot off, it's the Americans who furnish new pants. If he needs food, the Americans furnish it, though Vietnamese funds have been appropriated for the purpose. God knows where the money goes. Vietnam will never get well unless the Americans take over or the Vietcong take over."

After nearly two months in Vietnam I find this the most hateful war we have ever fought. Surely, we never would have got into it if we had known how deep was the well, but we are the victims of one tragic miscalculation after another. We find ourselves supporting a government of mandarins with little basis of popular support, fighting for an army that has little inclination to do its own fighting.

Yet in all candor I see nothing to do except continue on the course we now pursue, hoping that a merciful Providence will show us a way out. We have committed our national honor to defend our policy and our allies. The key question is the one asked so often by Lyndon Johnson, "What would *you* do?" At this point it makes no sense to say "Give up," or to ask "Why did *you* do what you did?"

Let us pray.

[From the New York Times, Jan. 30, 1967]

Error in Vietnam Kills 31 Civilians—Villagers, Seen in Sampans After Curfew, Die Under Fire From U.S. Units

(By Tom Buckley)

Saigon, South Vietnam, January 29.—Thirty-one Vietnamese civilians were killed and 38 wounded during an attack by American helicopters and patrol boats in the Mekong River delta, a military spokesman announced today.

More than 40 American servicemen gave blood to the wounded after they were evacuated to a hospital in Cantho.

The attack took place Friday night and early yesterday near the village of Phuhuu in Phongdinh Province, 7½ miles southeast of Cantho, which is 80 miles southwest of Saigon.

Military authorities, including Gen. William C. Westmoreland, commander of United States forces in Vietnam, have often expressed the fear that heavy civilian casualties would occur in the densely populated delta when American combat units were sent into action there. In recent weeks, such units have been sent into the delta for the first time.

Although details of the attack were still fragmentary, it appeared that a "firefly" flight of three helicopters observed about 200 sampans crossing the Bassac River at 11:45 p.m. Friday in violation of a curfew that is in effect from 11 p.m. to 5 a.m.

A firefly flight, used for night operations, is composed of one helicopter equipped with a powerful searchlight and two gunships.

The spokesman reported that the circling helicopters were fired on from the sampans and the river bank. They returned the fire with their machine guns until their ammunition was exhausted, then sped off to get more.

About the same time the patrol boats joined the attack with machine guns and rocket-launchers.

Shortly after the helicopters returned, the first wounded arrived at a nearby Vietnamese army outpost. The attack was called off and the patrol boats helped to evacuate the casualties.

FLED IN FEAR OF ATTACK

Questioning of the civilians indicated that they broke the curfew in an attempt to get away from the village when the helicopters appeared. They said they knew there were many Vietcong in the vicinity and feared being caught in the middle during an attack. They were trying to reach the army outpost when the firing began, they said.

The American spokesman said the area in which the incident took place was regarded as under the control of the guerrillas. Allied forces came under fire there most recently on Jan. 4 and 6.

The helicopters were flying in support of the 33d South Vietnamese Regiment, which is engaged in pacification efforts in the area, the spokesman said. Intelligence reports placed Vietcong main-force units in the same area, he added.

In other action, troops of the First Cavalry Division (Airmobile), supported by artillery, air strikes and armed helicopters, were said to have killed 16 enemy soldiers yesterday in an operation in Binhdinh Province, 300 miles northeast of Saigon.

Twenty-one guerrillas were reported killed in the same area Friday.

There was also ground action about three miles south of Saigon in Gia Dinh in which 12 Vietcong were reported slain. To the north, an operation southwest of Danang ended yesterday with a reported enemy toll of 79 killed.

The weather over North Vietnam improved slightly, permitting 86 attack and armed reconnaissance missions against lines of communication, anti-aircraft sites and storage areas in the southern part of the country.

A total of 535 sorties were flown in the South. In a predawn raid, B–52 bombers struck at suspected enemy headquarters and troop concentrations in Khanhhoa Province on the central coast.

ELECTORAL COLLEGE

Mr. BYRD of West Virginia. Mr. President, I am a cosponsor of Senate Joint Resolution 2, a joint resolution to amend the Constitution to provide for the direct election of the President and the Vice President of the United States. I was a cosponsor of a similar proposal in the 89th Congress, and I believe that the time is ripening for constructive action on this measure.

The merits of an elective process that exclude the present electoral college system have been debated in past Congresses, with strong arguments being advanced in retention of the present system. But the crux of the matter now is that time has brought tremendous changes in our national life. These, in turn, have already resulted in some changes in other levels of our political structure.

The column, "Washington Close-Up," authored by Dana Bullen, carried an article, "Kennedy on the Electoral College," in the Evening Star, Washington, D.C., January 13, pointing out that a major part of the arguments advanced in the past, in support of the retention of the present system, no longer exist.

The element of adjustment in political systems to the changing times, and probable effects of an electoral college abolition, is further explored by Lyle Denniston in his article, "A Suggestion That Could Strengthen National Parties," appearing in the January 15 issue of the same newspaper.

I ask unanimous consent that these newspaper articles be printed in the Record at this point.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Evening Star, Jan. 13, 1967]

Kennedy on the Electoral College

(By Dana Bullen)

The new proposal by the American Bar Association to abolish the Electoral College and substitute direct national election of the President brings to mind some views expressed a decade ago by then Senator John F. Kennedy.

As a junior senator from Massachusetts, Kennedy in 1956 was Senate floor leader of the opposition to efforts to reform the Electoral College system. Proponents of reform argue a system that gives all of a state's electoral votes to the popular vote winner in the state encourages domination of presidential campaigns by minority pressure groups in the big cities of large, pivotal states.

Kennedy did not deny it. After all, what major political party can ignore the possible margin of victory in a closely divided state like New York in which 43 crucial electoral votes are on one line?

He argued, in fact, that urban interests actually ought to have something going for them to balance the power given rural interests by, among other things, malapportionment of state legislatures.

"It is not only the unit vote for the presidency we are talking about," Kennedy said, "but a whole solar system of government. If it is proposed to change the balance of power of one of the elements of the solar system, it is necessary to consider the others."

The effort to reform the Electoral College was rebuffed, and Kennedy went on to become President in the razor-thin election of 1960.

More than one writer since has wondered whether the preservation of the Electoral College system helped defeat Republican Richard M. Nixon. Although less than a percentage point separated them in the national popular vote, the location of Kennedy's votes gave him an Electoral College vote of 303 compared to Nixon's 219.

That election shows some features of how the winner-take-all Electoral College system works.

In New York, for example, Nixon got 3,446,419 votes. However, he lost the state's 43 electoral votes to Kennedy because the Massachusetts Democrat polled a few hundred thousand more than Nixon. Under the winner-take-all system, Nixon's votes, in effect, went down the drain.

In Illinois, another close state, Kennedy garnered all 26 electoral votes although the popular vote was Kennedy 2,377,846; Nixon, 2,368,933. Again, Nixon's votes had no practical effect.

The Johnson-Goldwater election in 1964 similarly shows the differences that can develop between candidates' popular vote and their electoral vote under the existing system.

Although he won 61 percent of the popular vote, President Johnson wound up with a staggering 90 percent of the Electoral College tally.

It would be possible, says the American Bar Association commission on Electoral College reform, for a candidate to be named President although he received less than 25 percent of the total popular vote cast in the country.

The ABA group urged adoption of a constitutional amendment to clear up things. It already has been introduced in the Senate by Senator Birch Bayh, chairman of the subcommittee on constitutional amendments and a number of co-sponsors.

The amendment would provide that the President and Vice President would be elected directly by the people on the basis of the popular vote across the country. The winning candidate, however, would have to get at least 40 percent of the total vote cast in the election. If he did not, the two top contenders would have a runoff.

In addition to providing for a more direct role for the American voter in presidential elections, the amendment, if adopted, would end the present system of having Congress decide disputed campaigns.

As the new Congress wrestles with the ABA-Bayh measure, all of the old arguments for and against the Electoral College system will be trotted out—with one important exception. A major part of the argument of necessity advanced by John F. Kennedy a decade ago no longer exists.

Legislatures in almost all of the 50 states have been reshaped in the wake of the Supreme Court's historic reapportionment ruling. It cannot now be argued that urban pressure groups and minorities need an unfair advantage in the election of Presidents to offset the advantage rural interests possess in the election of legislators.

But do not think that Electoral College reform necessarily becomes inevitable now.

Although the proposals are picking up steam, they still threaten the political influence of groups that much of the Kennedy-Johnson program has been aimed at.

[From the Washington (D.C.) Sunday Star, Jan. 15, 1967]

A SUGGESTION THAT COULD STRENGTHEN NATIONAL PARTIES

(By Lyle Denniston)

Exactly 178 years ago, Americans acted to change their political system—their government—from a loose coalition of equals into a "more perfect Union."

Now, something of the same kind of conversion to a single national unit may be in prospect for each of the nation's two major political parties.

The parties, like the U.S. "government" before 1789, do reach all across the nation. But just as the former government was only the sum of individual states, today's national parties are a conclave of state parties. And that is what may change.

If the Democrats and Republicans each become, within themselves, a "more perfect union," they probably would take on more of the character of what Michigan Gov. Romney calls "citizen movements."

In short, they might be said to be the agents more of the voters than of the professional politicians and the organized "pressure groups" and political blocs.

And, if the further nationalizing does come, the two parties could gain a working influence over national policy—something that they, as parties, almost totally lack now.

FIRST ELECTORAL COLLEGE

In short, they could stand for more—nationally—than the every-four-year goal of electing a President and the every-other-year aim of winning a congressional majority.

The party outlook now and the political change of 1789 are related in common to an American peculiarity—the "Electoral College." The "college" was just beginning 178 years ago; it may now be approaching its end.

On Jan. 7, 1789, the voters in some states, the legislatures in others, acted together to choose the first Electoral College. They chose five dozen men who, less than a month later, would sit as the "college" and elect George Washington, president.

The Jan. 7 gatherings were the first, formal acts of the then-new American political "union" established by the Constitution. Symbolically if not actually, the old loose coalition—the "Articles of Confederation"—came to an end on that date.

What the passing of the Articles did to the U.S. government, the abolition of the Electoral College may do to U.S. political parties.

DIRECT ELECTION

The end of the often-criticized college seemed nearer last week than it ever has been, as several key Senators introduced bills to abolish the institution which—though often forgotten—still elects the President of the United States.

The Senators were taking the first congressional action toward amending the Constitution in a way suggested a week ago by a special study group named by the American Bar Association.

Basically, the new amendment would let the people of the nation, voting directly for candidates, elect the President.

Many citizens, of course, think that is what they do now. They do vote "for" candidates. But, in reality, their votes go to "electors"—the members of the Electoral College. Each state gets as many "electors" as it has Congressmen and Senators, and the District of Columbia gets three.

Under the new plan, there would be no more "electoral" votes. The people themselves would vote directly for a candidate, and each candidate would add up for his national total every single citizen's vote he got anywhere in the country.

PARALLEL 1789

It would no longer matter whether the District "went Democratic" or New York "went Republican." What would matter would be whether the entire nation went Democratic or Republican.

Professional politicians and political theorists have begun to ponder what the ABA plan would do to the major parties.

And that brings up the parallels between now and 1789.

Though there are, of course, differences, there are also similarities between the U.S. government as it operated under the pre-1789 Articles of Confederation and U.S. political parties as they now perform.

The states were dominant in the old government, and they dominate today's parties. The one-house Congress set up by the Articles was really a meeting of the states; each had one vote, no matter what its population. The Democratic and Republican parties each have a national committee, each with two members from every state, no matter what its population.

In 1789, after the electors had gotten the new national system going by electing Washington, the unifying Constitution gave the national government its own status and power, set up permanent institutions to stay on the job, and made it possible to raise money for purely national needs.

EFFECTS OF CHANGE

The Electoral College reform plan apparently could cause that conversion. The reason, presumably, is that it would turn the parties' emphasis to the nation as a whole, and away from the big states with the heavy "electoral" vote totals. The votes of all the people everywhere would be the prize sought, instead of only the big electoral blocs of states like New York, California, Pennsylvania, Ohio, Illinois.

It's likely that the opportunity to make this appeal to voters everywhere, with the demand for broader campaigning it suggests, would lead the national parties toward independent financing and sizable permanent staffs.

As centralized parties, the Republicans and Democrats would want their own sources of money. But, to an extent, that may have been provided for already, in the new law giving them access to tax funds that will be collected in the Presidential Election Campaign Fund.

PERMANENT STAFFS

And, as centralized parties, the two major groups might want to ease away from the state-dominated committee organization. In any case, they would want more of a continuing professional staff at the top.

A more "professional" national party organization also could develop into a policy-influencing body.

Truly national parties undoubtedly would not be—as today's parties are not—single-minded groups standing for distinct political dogmas. But they probably would be freer, with their national constituencies, to develop broad Republican and Democratic "principles" upon which recommended national policy were to be based.

OPPOSITION TO U.S. RHODESIAN POLICY

Mr. BYRD of West Virginia. Mr. President, I have previously expressed disapproval of the present course being followed by our Nation with relation to Rhodesia, believing that it is unfairly and unwisely representative of a double standard. British ships have maintained their trading relations with Communist North Vietnam, contrary to America's best interests. Great Britain has maintained its commercial trade with Communist Cuba, again contrary to the United States' best interests. Yet our Government has given wholehearted support to Great Britain in the Rhodesian issue, cooperating in economic sanctions against the present Rhodesian Government.

Now comes an announcement that an agreement has been negotiated between Great Britain and Communist Cuba to grant 5 years' credit to Cuba for construction of a $39 million fertilizer plant by a British firm, the largest deal, reputedly, between Britain and Castro since Fidel's access to power. I call attention to further details of the announcement of this deal as reported in the January 21 issue of the Washington, D.C., Post, in an article by Karl E. Meyer, "British Give Cuba Credit for Plant."

This British failure to support the United States in economic boycotting of Cuba appears to make the U.S. action in supporting Britain in economic sanctions against Rhodesia truly representative of a double standard of international relations.

After this latest action by the British, I believe that our own Government should revise its Rhodesian policy. I do not believe that the American people want to sanction double standard foreign policies which are clearly inconsistent with our own national best interest.

I ask unanimous consent that the newspaper article which I discussed be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BRITISH GIVE CUBA CREDIT FOR PLANT

(By Karl E. Meyer)

LONDON, January 20.—Britain today agreed to grant five years' credit to Cuba for construction of a $39 million fertilizer plant by a British firm. The deal is the biggest undertaken by Britain since Fidel Castro came to power.

A favorable decision had been expected for some time, but the announcement had the incidental effect of accenting British independence from America on the eve of Prime Minister Wilson's visit to Paris.

Wilson will discuss possible British entry into the Common Market in talks on Tuesday and Wednesday with President de Gaulle, who is critical of Britain's "special relationship" with Washington.

The Cuba deal was approved only a day after Wilson used notably sharp language in Parliament in protesting what he called "the predatory actions of certain American firms."

The Cuban transaction has caused some annoyance in Washington, where it has been noted that the United States has gone out of its way to enforce sanctions against the secessionist Rhodesia regime.

British sources point out that the embargo on Rhodesia has United Nations backing while the American boycott of Cuba does not.

In 1964, Britain permitted Leyland Motors to sell $22 million worth of buses to Cuba, a decision that caused pain to some American officials.

In approving credits for the fertilizer plant, the government's Export Credits Guarantee Department stressed that its five-year guarantee represented "normal insurance cover."

Unlike the United States, Britain has diplomatic relations with the Castro regime. But Cuban exports to Britain have tapered down from $25 million in 1964 to $12 million in the first 11 months of 1966.

British exports to Cuba amounted to $26 million in 1964, $70 million in 1965, and $22 million in the first 11 months of last year.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JUSTICE AND THE NEWS MEDIA

Mr. HART. Mr. President, last Saturday night at the National Lawyers Club in Washington, the organized bar of the Metropolitan Washington area was the host of the president-elect of the American Bar Association, the Honorable Earl F. Morris.

The banquet, which was the principal feature of the reception for Mr. Morris, was the occasion of a speech by him on a topic which I feel of such general interest as to make desirable the printing of that speech in full in the CONGRESSIONAL RECORD.

Mr. Morris discussed the topic, "Justice and the News Media." I believe he discussed it in a very rational and dispassionate fashion.

It is an admittedly complex problem that has proven to be not entirely unemotional in some of the responses that have occurred.

As Mr. Morris points out, the problem is the usual one of balancing competing principles, the right of an individual to a free trial, society's obligation to insure that the defendant has the right to eliminate from the atmosphere of the courtroom the events preceding the trial and statements which would prejudice the right of the defendant and, at the same time, to insist that the public know what its public officials, including those charged with law enforcement and the administration of justice, are doing.

President-elect Morris urges a general discussion—a dialog, as we now call it—between the bar and the press. He urges that that discussion continue, and this is good.

I felt as I listened to President-elect Morris that what has been accomplished thus far in the exchange between the organized bar and the press is encouraging. Admittedly, we are not at the point at which we can assert that we have the final answer.

Mr. President, as one who shared the pleasure of that evening with the Federal Bar Association, the National Lawyers Club, the District of Columbia Bar Association, and bar groups from Maryland and Virginia, I ask unanimous consent that the address of Mr. Morris be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

JUSTICE AND THE NEWS MEDIA

(Address by Earl F. Morris, President-elect, American Bar Association, at banquet of the Federal Bar Association, National Lawyers Club, District of Columbia Bar Association, and bar groups from Maryland and Virginia, January 28, 1967)

The efforts of our society to improve the quality of criminal justice have been intensified in recent years. In furtherance of these efforts the American Bar Association in late 1964 appointed its Committee on Minimum Standards for the Administration of Criminal Justice. One of the important questions faced by this committee was the impact of the news media on the criminal trial. For centuries, the function of the trier of fact in a criminal case has been to judge guilt or innocence on the basis of the evidence adduced in open court. It was in furtherance of this function that the Sixth Amendment—the guarantee of fair trial—was written into our Federal Constitution. There has long been wide-spread concern over the ability to provide a fair trial if the community has been exposed to opinion that is inflammatory or to information that may be inaccurate, incomplete or inadmissible in evidence. There has been like concern that news media be permitted to inform the public as to crime generally, the commission of crime and the criminal judicial process. The constitutional guarantee in this regard—free press—is, of course, found in the First Amendment to the Federal Constitution. It was against this background of concern for preserving the right of fair trial without infringing the right of free press that a sub-committee of the Committee on Minimum Standards, a sub-committee composed of a distinguished group of judges, lawyers and law professors, was appointed to study the issue of Fair Trial—Free Press.

This sub-committee issued its report and tentative draft of standards last October. Since its recommendations must be considered by the Committee on Minimum Standards, the Sections of Criminal Law and Judicial Administration and the House of Delegates, it asked for comment on the report from all possible sources. To date such comment by news media, lawyers and judges has been quite extensive. In addition, the Fair Trial Committee of the Association of the Bar of the City of New York plans to issue its report next month and a like committee of the United States Judicial Conference may make its report in March. While the study by bench and bar thus goes forward, the Free Press Committee of the American Newspaper Publishers Association on January 5 published its report.

The interest being shown in this subject is most healthy and is welcomed by the American Bar Association. It is likewise appropriate that the bar should react to the report of the media as they have to ours. Only thus is the dialogue kept current. May I today discuss with you briefly some of the conclusions set forth in the Publishers' report against the background of the report of the Association's sub-committee.

The basic premise of the report of the American Bar Association sub-committee was that those who participate in the administration of justice—lawyers and law enforcement officials—should put their own house in order and then rely upon the media to cooperate to the end that fair trial might be assured for all accused persons.

As to lawyers, the first recommendation is that the Canons of Professional Ethics be revised to contain definite standards relating to public discussion by lawyers of pending or imminent criminal litigation. Presently Canon 20 relates to this matter but its general language fails to give adequate guidance. The suggested revised canon would impose carefully limited restrictions on the release of information by lawyers—prosecutors and defense attorneys alike—from the time a suspect is arrested until his trial is completed. From the time of arrest until trial or disposition without trial, a lawyer would be prohibited from releasing information as to prior criminal record, confessions, examinations and tests or refusal to submit to such examinations and tests, the identity and expected testimony of prospective witnesses, the possibility of a plea of guilty and the accused's guilt or innocence. During the trial the lawyer is to refrain from making extrajudicial statements except that he may quote from or refer without comment to the record. After trial he is to refrain from any extrajudicial statement if there is a reasonable likelihood that it will affect the judgment or sentence or otherwise prejudice the due administration of justice.

As to law enforcement officials the recommended limitations are similar to those on lawyers. Since canons are not here available, it is recommended that the limitations be imposed by departmental regulations or court rules.

There has for years been editorial comment that the bar should clean its own house before it complained about loose press practices. But now, when a bar committee has undertaken to recommend such internal housecleaning, there have been cries from some media of "suppression of news". The protest, I suggest, should not cause the bar to retreat from adopting sound guidelines of professional responsibility, and, interestingly, this position finds support in the Publishers' report as it says:

"In respect to suggested restrictions by bar associations on their own members, this Committee feels that this is a matter of decision for the bar itself."

The Publishers, however, oppose similar restrictions on law enforcement officials, at least if imposed by court rules.

Laying aside for the moment the means of imposing the restrictions, I am at a loss to understand how the withholding of certain information by a prosecutor or defense counsel may be proper but the withholding of the same information becomes improper when withheld by law enforcement officials. The reason is exactly the same—such information is withheld because of its potentiality for depriving the accused of a fair trial. One of the conclusions in the Publishers' report is in part as follows:

"To fulfill its function, a free press requires * * * free and uninhibited access to information that should be public."

The last four words—"that should be public"—pose the crux of the statement. It is the position of the sub-committee—a position that I believe to be sound—that during the period of time from arrest to the completion of the trial or disposition without trial disclosures of prior criminal records, the existence or contents of a confession, the results of tests or the failure to submit to a test, and opinions on the merits of the case or the evidence to be presented is information that should *not* be made public. You will note that the proscribed disclosures are specific as to content and timing and go no further than is required in the interest of fair trial. The sub-committee's proposals, I might add, parallel very closely the guidelines established for the Department of Justice in 1965 and similar policies adopted by several state and local prosecuting attorneys and police departments. There is no indication that adoption of these guidelines and policies has impeded the media in the performance of their function.

The suggested restrictions should also be considered against the background of statements by some media that they are under no obligation to refrain from printing such information as I have been discussing regardless of its effect on fair trial. Thus, The New York Times has said:

"(T)he press cannot be expected to refrain from printing statements issued by public officials * * * even though such statements may be prejudicial to a fair trial. The only way to stop this abuse is to stop it at the source."

As long as the media urge an unfettered right to print anything that comes into their hands, they leave the bar, as guardians of fair trial, no alternative but to recommend limitations on the release of information by lawyers and law enforcement officials.

While considering the limitations imposed, it is vital to an understanding of the subcommittee's report to note that it underscored throughout the importance of certain disclosures. Its proposals expressly authorize release of information identifying the defendant, describing the circumstances of arrest and any physical evidence seized, explaining the offense charged, and quoting from or referring to public records, in addition to any further information needed to aid in apprehension, to warn the public of danger, or to assist in obtaining evidence. The Publishers' report in one of its conclusions says that "there are grave inherent dangers to the public in restriction or censorship at the source of the news, among them secret arrest * * *." Certainly there is nothing in the sub-committee's report that gives rise to any such danger. The bar would be in the forefront of opposition to any attempt to draw "a curtain of secrecy" over any part of the criminal process.

If it is assumed that restrictions on release of certain information by law enforcement officials is proper, apparently the Publishers would agree that such limitations may properly be imposed by departmental rules. They say, however:

"Rules of court and other orders which restrict the release of information by law enforcement officers are an unwarranted judicial invasion of the executive branch of government."

The sub-committee carefully considered this possible objection to such court rules and concluded that it is untenable. It pointed out that the concept of separation of powers is not one that necessitates rigid and simplistic categorization of every aspect of government but rather is one that reflects concern over the assumption by one arm of government over the whole function of another branch. Within the basic framework of checks and balances, areas of overlap and concurrent authority are permitted and the use of court rules limiting disclosure of information by law enforcement officials falls into such an area.

The second matter to which I would speak is the corrective measures that might be taken to prevent or reduce media practices that infringe on fair trial. The sub-committee considered three possibilities. The first and second, increased use of contempt power if the media go beyond certain limits and statutes that would specify the limits of news coverage, were rejected. Instead it recommended that the media be left to adopt its own guidelines or codes looking toward sound limitations on reporting and publishing practices. Speaking to this approach, one of the Publishers' conclusions is that:

"There can be no codes or covenants which compromise the principles of the Constitution."

Again, it is the final words of the statement—"which compromise the principles of the Constitution"—that are critical. I readily agree that codes or covenants which do this should not be adopted but, with all due deference to the media, I suggest that the adoption of the guidelines or codes which the sub-committee has suggested guarantee and further the principles of the Constitution and do not compromise them. Such a step, voluntarily taken, which makes a prejudicial news unlikely and thereby furthers the constitutional mandate of fair trial cannot, I respectfully submit, constitute a "compromise" of free press or of any other constitutional principle.

Finally, I turn to the Publishers' conclusion that:

"There is no real conflict between the 1st amendment—and the 6th amendment—."

Again with all due deference, I suggest that it might more appropriately be said that "there *need be* no real conflict" between these two amendments. If, however, it be insisted that freedom of press is absolute and that all other constitutional guarantees must yield to it, then conflict there is. If it be insisted that what the Supreme Court referred to as "virulent publicity" in the *Sheppard* case is subject to no control, then conflict there is. It is, however, the primary thesis of the sub-committee's report and has been the position of the bar generally that there is an accommodation possible which will give full force to the guarantees of the First and Sixth Amendments and avoid possible conflict. From the day that Andrew Hamilton courageously defended Peter Zenger and sounded the clarion call for freedom of press to this day, the bench and bar have been no less concerned with preserving this basic freedom than have the media. Likewise, I am confident that responsible media are as interested in preserving fair trial as is the legal profession. The Publishers' conclusion which it says is "central to all the others" is that "neither the press nor the bar has the right to sit down and bargain * * * away the people's right to a free press". I agree wholeheartedly but I suggest that when the bar says that we must read *all* of the constitutional guarantees into the Constitution and reconcile them where they impinge, we are not bargining them away but striking a blow for their preservation. This has been the genius of our Constitution. It is my fervent hope that out of this discussion among the media, the bench and the bar will emerge a concept of both First and Sixth Amendment rights that, taken in the broad view of our Constitution, does not impair such rights but strengthens them. It is to this end that the bar dedicates itself. It is to this end that I trust our continued dialogue with the media may go forward.

Mr. CLARK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDNG OFFICER. Without objection, it is so ordered.

THE PRESIDENT'S MESSAGE ON PROTECTING OUR NATURAL HERITAGE

Mr. MUSKIE. Mr. President, President Johnson's message to Congress on protecting our natural heritage is evidence of his continued commitment to the improvement our our environment and a challenge to Congress to implement that commitment.

I was particularly pleased with the President's strong recommendations for a comprehensive attack on air pollution. This is our most critical environmental problem, and it demands immediate action.

I wish to advise Senators that the Subcommittee on Air and Water Pollution will open hearings on the President's air pollution control and abatement recommendations next week. I expect to take testimony from Secretary of Health, Education, and Welfare Gardner and the President's Science Adviser, Dr. Donald F. Hornig, on Wednesday, February 8. Following their testimony and that of other expert witnesses, the subcommittee will conduct field hearings on the President's recommendations and related matters.

Mr. President, the legislative recommendations submitted by the President offer some imaginative and far-reaching opportunities for air pollution control and abatement. They include:

First. A national program of minimum emission levels for certain pollutants, coupled with regional applications of emission standards;

Second. A program to establish regional airsheds to provide more effective, coordinated attacks on the problem;

Third. A program of Federal matching grants for State inspection programs to insure maximum control of automotive exhausts;

Fourth. Improved enforcement procedures;

Fifth. Accelerated research on fuel additives; and

Sixth. A 50-percent increase in Federal research funds on the causes and control of air pollution problems, including such specifics as motor vehicle emissions, diesel exhaust, alternative methods of motor vehicle propulsion, and sulfur emissions.

The President has conveyed a sense of urgency and a plan of action. The next step is up to us. I invite my colleagues to join with us as we examine and implement the President's proposals.

Mr. RANDOLPH. Mr. President, I believe the comments of the able junior Senator from Maine, regarding the Presidential message on air and water pollution, are provocatively meaningful. My colleague is knowledgeable on this vital issue, and his leadership is noteworthy. As chairman of the Senate Public Works Committee and as a member of the Subcommittee on Air and Water Pollution, I expect to participate in the early and extensive consideration of the proposals contained in that message.

It is my conviction that we must be affirmative in our programs to control and abate pollution. This does not imply, however, that we be unreasonable or unrealistic. A workable partnership between industry and government is desirable and necessary. At the recent National Conference on Air Pollution the chairman of the Subcommittee on Air and Water Pollution delivered a significant address which directly relates to the proposals contained in the President's message.

I ask unanimous consent that that speech be included in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SETTING GOALS FOR CLEAN AIR

(An address by U.S. Senator Edmund S. Muskie, Democrat, of Maine, chairman, Senate Subcommittee on Air and Water Pollution, to the National Conference on Air Pollution, Sheraton-Park Hotel, Washington, D.C., Dec. 13, 1966)

I was honored to be asked to speak at tonight's banquet. This is an important conference on one of the most serious domestic crises we face. You represent the most important group concerned with the problem of air pollution. What politician—who has ideas and proposals on the subject—could ask for more in the way of a platform or an audience?

At the same time, I have some reservations about tonight's meeting. I'm not sure how much more air pollution you can take in one day.

The program of the conference is overwhelming.

Some of you, especially those who are the only representative of an organization, may have developed an advanced case of schizophrenia in attempting to decide which panel session to attend. On the other hand, we may ask: Who is minding the store for any organizations well enough represented to assign a delegate to each panel session?

I am inclined to compare today's program with having simultaneous Senate committee hearings on air pollution, demonstration cities, and intergovernmental relations. But for the fact that I chair two of those subcommittees, it would have happened to me last year.

The breadth and complexity of today's panel discussions are symptoms of our problem and the challenge to our society. We cannot—short of calling a halt to our modern, technological, industrial society—provide a simple, direct and complete answer to the problem of man-made pollution. In addition, we have not developed an adequate focus for our air pollution abatement goals, programs and institutions.

Today's meetings are a tribute to our concern and the organizational skills of the Department of Health, Education, and Welfare. The state of tomorrow's world will determine whether we deserve a tribute for our ability to apply what we learned here.

You do not need from me a technical analysis of air pollution and how to reduce it. My concern tonight is with our point of view, with the way we approach the problem.

The time has come for us to take a new look at our air pollution control policies.

We have the same relationship to air as a fish has to water. A fish in a stream cannot avoid the pollution in that stream—although we may. By the same token—unless we want to wear gas masks—we cannot avoid the air around us.

The next time you fly along the eastern seaboard, for example, notice the brown "smaze" which lies below you. Then remember that when you land you will have to breathe that contaminated air.

It is, quite simply, a case of survival. Whether we are hit by disastrous smogs or not, we are exposed day after day to the insidious threats of air pollution. We cannot escape them, and the increasing weight of medical evidence demonstrates the harmful effects of the air we breathe.

Air pollution control costs money—but so does air pollution.

Air pollution control may cost jobs—but so does air pollution.

Air pollution control may disrupt certain industries—but air pollution disrupts and destroys lives.

More and more Americans are willing to pay the cost of controlling pollution rather than suffering the penalty of inaction.

We must decide how best to pay the cost of control and how best to organize our efforts. And those decisions will depend on how we define our goals.

To date we have set limited goals for ourselves. We have focussed on individual pollutants, their weight, their amount, and their immediate and observable effect. We have considered specific emission standards to control individual sources of contamination. We have passed ordinances to reduce smoke; we have planned limitations on sulfur content in fuels used in certain cities; we have taken abatement action against specific polluters.

These were necessary first steps, but they are not adequate for an effective campaign to improve the quality of our air.

The American people are not really concerned about the source or the composition of dirty air. They want clean air.

The American people do not care about the statistical analyses describing health effects from specific pollutants. But they do not want to die or suffer from dirty air. The American people want to be assured an adequate supply of breathable, healthful air. And they have a right to it.

All of this suggests to me that those of us who deal with this problem as representatives of the people should direct our attention to a concept of air quality. We need to set a national clean air goal which says that—within our control—no emissions will be permitted which cause the quality of the air to deteriorate below acceptable health standards.

What this suggests is that we no longer limit our efforts by trying simply to set emission standards on a plant by plant basis, hoping that the net result will be reduced air pollution.

This will require a reorientation of our efforts. Frankly, I think one of the shortcomings of our air pollution control program to date has been our failure to move ahead on the development of ambient air quality criteria.

Such criteria need to go beyond questions of clinical injury or gross insults from specific pollutants. They need to include considerations of subtle, long-term effects of pollutants on our health and well-being.

Dr. Rene Dubos has defined health as "the extent to which the individual and the social body maintain in readiness the resources to meet the exigencies of the future."

In other words, it is not enough to consider pollution which may put us in the hospital today. We need to prevent pollution which may reduce our ability to resist disease or injury tomorrow.

Today's pollution control philosophy does not meet that test. The criteria I have suggested would meet the test but would be difficult to achieve.

However, I am sure that we are all well aware of the right of the American people to breath without concern for the effect of each breath on their life-span. Further, if we continue today's type of attack on pollution, I do not think that we can expect to slow down air pollution, much less to clean up air.

As an example of this, it is well accepted that—necessary as they are to halt the rise in automotive pollution—the standards for automobile emissions to go in effect nationally in 1968 will not effectively reduce automotive air pollution below its present levels because of the rapid expansion in the number of automobiles on American roads.

I want to say, here and now, that with the exception of moving sources of pollution—for example, automobiles—I do not favor fixed national emission standards for individual sources of pollution. We do need national ambient air quality criteria, applied as standards on a regional basis.

The Federal Government is the logical entity to develop the criteria, with the cooperation of public and private groups. Those criteria must take into account health, esthetics, conservation of natural resources and the protection of public and private property. The criteria must be modified, as our knowledge expands, to provide added protection against unforeseen pollution hazards. The ultimate goal should be to approach a level at which man will have to cope with little more than the "natural background level" of pollution.

But setting criteria will not be enough. They must be applied effectively, and implemented through the enforcement of emission standards.

This problem is not unlike the one we have faced in water pollution. In that instance we have established a policy of setting standards on river basins or watersheds. In the case of air pollution we need to apply air quality standards in meteorological airsheds.

Community or State jurisdictions bear little or no relationship to the geographic spread of air pollution. Metropolitan areas are not consistent with meteorological areas. The old institutional arrangements for air pollution control are not really adequate to the task.

In most cases air pollution problems involve more than one State.

Therefore, institutions capable of operating effectively across State lines must be developed.

The philosophy of the Clean Air Act of 1963 was designed to encourage State, regional and local programs to control and abate pollution, while spelling out the authority of the National Government to step into interstate situations with effective enforcement authority.

This approach was taken because:

(1) The Congress wished to help preserve the Federal system by supporting effective, viable action at all three levels of government; and

(2) The Congress recognized that the task of implementing and enforcing the clean air program was so enormous it would be helpful to have effective agencies at the State and local level to get the job done more quickly and thoroughly.

As I have noted, there are serious obstacles to effective programs when we rely on traditional jurisdictions. These obstacles are compounded in interstate situations. Therefore, we need to give serious thought to developing effective regional institutions which overcome the limitations of present arrangements.

For thirty years the federally authorized interstate compact has been proposed as the mechanism for dealing with interstate problems. It has been a successful tool in some cases, but it has some drawbacks.

First, it is based primarily on State-to-State and State-to-Federal relationships. It does not give adequate weight to local or metropolitan area participation in planning or the implementation of decisions.

Second, it does not usually develop an adequate enforcement mechanism, particularly when one or more States think their own narrow interests may be involved.

Third, the traditional Interstate Compact has not given sufficient attention to the changing requirements of a complex modern society. It has not been flexible enough to deal with changing concepts of pollution control or the inter-relationship of transportation planning, zoning and industrial development.

I believe these obstacles can be overcome. We are experimenting with new approaches to similar problems under the Water Quality Act of 1965 and the Water Pollution Control Act Amendments of 1966, and the Demonstration Cities and Metropolitan Development Act of 1966.

The real answer must come from state and local governments who must subordinate their own narrow prerogatives in the interest of improving the quality of the environment.

There will be a temptation in some areas to let narrow economic interests prevail—to steal industries from areas of vigorous air quality control, to go easy on existing plants, whatever the impact on the public health or welfare, to avoid short-term economic problems.

But if the state and local governments take this short-sighted view, if they fail to establish and implement effective regional programs, the Federal Government will have no alternative to enforcement action under the interstate abatement authority provided in the Clean Air Act.

No one who has studied the air pollution problem is unaware of the substantial costs of pollution control or the technological obstacles which still hamper effective control in some instances. By the same token, we recognize that there are costs in the failure to control which may affect the long-term economic vitality of an area or the nation.

William Bousefield, writing in 1882, noted the adverse effect of air pollution on the manufacturing districts of England, particularly on the textile industry:

"It is idle," he said, "to expect that designers and operatives who pass their lives in scenes of gloom and ugliness can acquire the purity of taste which is necessary to render their work eminent in the markets of the world . . . our life, physical and mental, we derive from our ancestors, from our surroundings, and from our education. What, if no change is made for the better, will be that of the descendants of the thousands of operatives who live and who bring up their children entirely in these depressing and sooty fumes? There can be no doubt that a further and general deterioration of their natures will take place, which cannot fail to weaken their energy, and thus impair the national prosperity."

Bousefield's predictions have been borne out in England, and the threat continues. Indeed, we know that the effects of air pollution are even more insidious than he had realized.

And the American people are aware of it. The recent Harris Poll confirms the impression our subcommittee has gained over the past few years that rank and file citizens are aware of pollution, they resent it, and they want something done about it.

There is, on the issue of pollution control and abatement, a "revolution of rising expectations." Citizens are no longer willing to accept the cliche that foul industrial odors represent "the smell of money."

This is a fact which public officials and business leaders must reckon with. If we do not make meaningful progress toward the improvement of air quality, public demands may impose on you more than you had bargained for.

It is easy to demagogue on the issue of air pollution. It is easy to cast stones at alleged polluters and office-holders.

The Congress has tried to avoid unreasonable demands. We have attempted, through our subcommittee on air and water pollution, to build a sound foundation for a national air quality program.

That program includes research on the causes and effects of pollution, development of air quality criteria and standards, research and development of improved techniques of solving specific pollution problems, support for state, regional and local control programs, and authority for federal enforcement in interstate pollution situations.

The suggestions I have made this evening represent a logical extension of our national program. We believe the program must be improved and extended.

To emphasize that belief, the subcommittee is planning hearings for February of next year to further explore the problems and progress in control of automobile exhaust emissions. It is the subcommittee's intention to begin in Los Angeles, where we will hear testimony on the results of the experience of the State of California on the automobile emission devices installed on 1966 model cars.

The subcommittee plans also to go to Denver where automobile emissions contribute greatly to a serious air pollution problem. We have not yet decided on other cities which the subcommittee will visit, but we do know that we will visit the automobile capital of the country, Detroit, to obtain progress reports from the major automobile companies.

We hope both in Los Angeles and Detroit to visit research and control facilities and to obtain, firsthand, such information as is available so that the Congress can gain some insights as to the probable results from nationwide application of automobile exhaust controls on 1968 model cars.

In addition, we shall explore alternative sources of energy for propulsion of motor vehicles, including the battery-driven electric car.

Another aspect of the hearings will be an attempt to ascertain what types of political institutions might be developed to achieve air quality goals in intrastate and interstate areas.

I take note of these hearings to underscore the intent of the subcommittee on air and water pollution to vigorously pursue its obligation in educating both itself and the public on the problems and progress in this area.

All of us—industrial representatives, pollution control officials, civic leaders, conservationists, Federal officials, and the general public—must remind ourselves of the need to move rapidly to improve the quality of our air. Further, we must all realize that no narrow personal or private motive can be allowed to outweigh the importance of the public health and welfare of the people of the United States.

The time has come to put aside the concept of air pollution control as an adversary proceeding. All of us, whether we are plant managers or workers, corporate officers or public officials, stockholders or consumers, engineers or conservationists, must breathe the air. All of us, in one way or another, pollute that air.

If we truly believe in the objectives of a democratic society and its emphasis on the worth of the individual and the right of every man to achieve his potential, we will assume our individual and collective responsibilities to reduce the threat of pollution.

Each of us may see only a part of the problem. For some it may mean harder work in researching the causes and effects of a specific pollutant. For others it may mean paying higher taxes for effective pollution control programs, for others it may mean giving up prerogatives in local or state governments to insure more effective controls, for others it may mean reduced dividends to help pay for pollution control equipment, and for all of us it may mean higher prices for products and services as part of the cost of an improved environment. But each cost will contribute to the goal of improving the general welfare.

You may remember the story of the three medieval hod carriers who were stopped by a passerby as they walked to Chartres. "What are you doing," he asked. "I am carrying stones," said the first. "I am building a wall," said the second. "I am building a Cathedral," said the third.

I think it is the attitude of the third hod carrier which should mark our air pollution control efforts. As Dr. Dubos has written:

"Concern for the future is the mark and the glory of the human condition. Men come and go, but however limited their individual strength, small their contribution, and short their lifespan, their efforts are never in vain because, like the runners in a race, they hand on the torch of life."

Mr. MUSKIE. Mr. President, the distinguished Senator from West Virginia has been one of the most active supporters in our efforts to control pollution of our environment. Both as a member of the committee and now as its chairman, he has indicated a desire and a willingness to promote strong and effective pollution-control legislation. His leadership is without question, and but for his cooperation and support, the landmark legislation enacted last year and in preceding years could not have been secured.

It is particularly significant, Mr. President, to quote the remarks made by Senator RANDOLPH during air pollution hearings which were coincidental to his becoming chairman of the committee. He said at that time, and I quote:

> Mr. Chairman, I want the record to reflect at this point, as Chairman of the Public Works Committee of the Senate, that increasingly membership of this Committee is going to give attention to air and water pollution abatement and control. This is a problem which is not only of major proportion—this is a problem which is of tragic importance.

The distinguished Senator from West Virginia committed himself and the committee to broadening the depth and scope of the involvement of this body in finding solutions to critical environmental problems. It is on the basis of this leadership and this support that the Subcommittee on Air and Water Pollution will continue to expand its efforts, and I hope also continue the unanimity with which it has acted up to now.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. CLARK. I am delighted to hear that the Senator from Maine, who has taken the lead for several years in this body in the search for a cure of the very serious problem of air pollution which confronts our country, will hold some field hearings. I have no doubt that he has excellent reason for selecting the particular cities which he has in mind.

I am becoming more and more concerned about the air pollution problem in my own Commonwealth of Pennsylvania. I do not know whether the Senator has determined that whatever hearings he has mentioned are the only ones he can really undertake to hold this year. I hope not. What is the Senator's view on that?

Mr. MUSKIE. The subject is of such urgency in such an increasing number of areas throughout the country, that we could profitably hold field hearings in a number of places, including the Senator's State.

We do have special reasons for holding field hearings that have been scheduled. In Los Angeles, for example, we expect to learn something of the experience that Los Angeles has had in applying controls to automobile vehicles.

California is the only State to develop that experience and we might benefit from their experience.

Denver has a special problem related to a city which, on its face, does not have the problem. We think that it is important to emphasize the point that air pollution is a problem that could trouble any city having 50,000 or more people. Denver is a good example of such a city. It feels a sense of urgency about the problem.

St. Louis has an interstate situation. It is not the only city having that problem, but we think that out of the St. Louis situation we can learn lessons that might be applicable elsewhere.

Detroit is the place where the automobile is manufactured. We need to probe the experience of the industry in California and the lesson learned there, which is being applied to motor vehicles in the 1968 models, all of which will have this device.

We could hold hearings throughout the country—2 years ago we held hearings in eight cities—but time does not permit the scheduling of more hearings this year.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. MUSKIE. I yield.

Mr. CLARK. I point out that the Commonwealth of Pennsylvania is to some extent unique in connection with this problem. We are all brought up to believe that Pittsburgh was the Smoky City. I can well remember, while I was the mayor of Philadelphia about 12 years ago, that I went to the top of one of Pittsburgh's fine, new skyscrapers and saw the Jones & Laughlin Steel Co. mill, which was located near the center of downtown Pittsburgh, emitting noxious fumes from the manufacture of steel. I called to the attention of some of my friends in what is sometimes referred to as the "Pittsburgh power structure" the desirability of doing something to eliminate that hazard. As a result of the splendid cooperation of mayor, later Governor, David Lawrence and members of the Mellon family with the many big corporations in which the Mellons have a working control, Pittsburgh has done a magnificent job in getting rid of the noxious smoke and fumes. And is today a relatively clean city in terms of smoke. Whether the same success has visited their efforts to deal with the automobile exhaust problem, I do not know. I believe it would be worthwhile to find out.

At the other end of the State, in Philadelphia, we had a determined drive while I was the mayor. Under a new charter, and under an air pollution control board consisting of eminent citizens who served without pay, and an air pollution control enforcement unit in the city health department, for a while we made rather substantial progress. The leading public utility, the Philadelphia Electric Co., which was burning soft coal and polluting the atmosphere, undertook to spend a good many million dollars to reduce that hazard by using the most modern methods of smokestack control.

Five oil refineries are located inside Philadelphia, downstream along the Delaware, and continue to some extent into the State of Delaware. Across the Delaware River, in Camden, N.J., are real problems of air pollution that are particularly disturbing to the residents of Pennsylvania when the wind is blowing from the east, as it does when it is raining and humid and the air stays below the clouds.

Last week we had an air pollution alert, and the Philadelphia newspapers carried the story. There was a dangerous amount of sulfur dioxide in the atmosphere due to the kinds of coal and oil which were being burned for the generation of electricity and for domestic heating purposes. The statement was made that the Philadelphia Electric Co., a fine corporation of extremely capable and modern executives, was contributing over 50 percent of the sulfur dioxide which was going into the atmosphere, and which was primarily the cause of the air pollution which required the alert.

In addition to the oil refineries and utilities, we have the same problems of interstate pollution control. Also, communities outside Philadelphia were contributing to air pollution without any effective local ordinances or processes to deal with the problem.

Moreover, in Philadelphia, as I have noticed in Washington, and in practically every other city I have been to recently when I have had occasion to go to the airport, there is a significant amount of air pollution created by the jet exhausts from the jet aircraft. I am conscious of this problem more in Washington because I live near the airport. The situation is obvious all day long.

I had occasion to have printed in the CONGRESSIONAL RECORD last week an account of one Mike Demchak, a fine citizen of Pennsylvania, who contracted silicosis during 44 years of working in the coal mines, beginning when he was quite a young boy. He lives in a rural area in Pennsylvania, between Osceola Mills and Philipsburg, in Centre County. That is about as rural a section as one can get in Pennsylvania.

He lives next to a coal-cleaning plant, and that plant throws black smoke into the miners' homes all day long. He went to Harrisburg to protest and made an extraordinary heart-rending plea to the State pollution control board to do something in the rural areas, as well as in the urban areas.

We have in Pennsylvania a profitable and fine cement industry, but the cement plants pollute the air with a gray dust and smoke which make living conditions difficult.

The same thing is true of a large Bethlehem Steel Co. plant at Steelton, just outside Harrisburg. The Bethlehem Steel Co. people are fine citizens and contribute substantially to the support of local government in direct taxes and modern management executives whom the company encourages to run for public office. This creates a conflict in the problem which is quite serious. The people who live in Steelton believe that stacks belching black smoke mean jobs. Only recently have they become concerned about what it is doing to their health.

I make this rather expansive statement because I feel that air pollution control is a critical matter in Pennsylvania. I would urge the Senator from Maine to take a second look to see if he could not take his committee into Pennsylvania for a day to see these widely varied kinds of air pollution. I believe that the conditions would be of interest to them.

In the meantime, to the extent that I can, I intend to support the efforts of the Senator from Maine and his committee to get effective and adequately funded air pollution control measures at the Federal Government level.

In closing, I wish to point out that the Senator from Maine is also the chairman of the subcommittee of the Committee on Government Operations, dealing with intergovernmental relations. To my way of thinking, a lot of hard work has to be done to determine the respective roles of the township commissioners, the county commissioners, interstate and regional authorities, the Commonwealth of Pennsylvania at its State level, and the Federal Government.

Despite the honest and sincere efforts of the Senator from Maine, I feel that we are just beginning to scratch the surface of this problem. I fear more that this generation will not do anything about it, but will turn over to our children and grandchildren an environment which is not the kind of environment we would like to have our children and grandchildren grow up in.

I am convinced, in terms of politics, that the young people of this country have as great a stake in air pollution control as any other group of citizens. In the Commonwealth of Pennsylvania there are now 2,200,000 voters 35 years of age and less, out of a total population of 5.5 million. I am confident that any politician who picks up this issue and runs with it, will never regret it.

Thus, I conclude as I began by asking the Senator from Maine to look again and see whether he cannot bring that committee into Pennsylvania.

Mr. MUSKIE. Let me say to the Senator from Pennsylvania, first, that I appreciate his useful comments, which have tended to highlight the problem. We need to highlight this problem. Second, we are interested in field hearings and will hold field hearings not only in connection with air pollution but also in connection with intergovernmental relations, the other subject which the Senator mentioned. The two sets of hearings now scheduled promise to occupy so much time that we may not be able to get into other areas, but we will certainly try.

Let me make this additional comment, which has been sparked by the Senator's observations. When the federal system was established, the Founding Fathers did not really envision, I do not believe, anything like the metropolitan areas of today. So that, really, the Federal structure, in its present form, provides no means for effectively governing metropolitan areas. I believe that the air pollution problem is perhaps the most dramatic demonstration of our inability to govern metropolitan areas. This, I think, is one of the reasons why I am struck by the President's recommendations in this field for the consideration of air pollution in terms of air sheds and for the establishment of regional commissions identified with air sheds so that we can effectively deal with the total air pollution problem under an institution which does not now exist in the federal system. The creation of such a commission will not eliminate the responsibility of local communities. It will not—and should not—eliminate the responsibility of the States. But, in order to tie them together, we do need to create another air pollution institution.

Mr. CLARK. I encourage the Senator from Maine to think along these lines, which, I am sure, are sound. I invite his attention to the rather unique interstate compact which was created not too many years ago by the States of New Jersey, Pennsylvania, Delaware, and New York, to deal with the all-purpose control of the waters of the Delaware River—known as the Delaware River Basin Compact. That unique compact created a board of five members—a representative from each of the four States and a representative from the Federal Government.

The Federal Government has only one vote. This was rather difficult to put across, but the fact is that the Federal Government became convinced, since it held the purse strings, that it would be able to say yea or nay with respect to any recommendation by a majority of the commission which would call for the expenditure of Federal funds. That was all the protection needed. It might well be that a similar agency would be applicable in the area of air pollution control, which has many aspects in common with water pollution control.

Finally, I point out to my friend—perhaps to push my argument a little further—that we are not going to hold hearings in any State along the Atlantic seaboard where the problem, really, is critical.

Of course, I speak for Pennsylvania. I notice with some pleasure that there are no Senators from Connecticut, New Jersey, or New York on the floor at the moment, or else they would be, I am sure, urging the Senator from Maine to come to their States, an area which is probably the most polluted in the United States—especially the greater metropolitan area of New York City.

Mr. MUSKIE. Let me strike a bargain with the Senator. We are going to hold some hearings in the New York area. Would the Senator consider that satisfactory, because it obviously involves, by the Senator's own definition, three States. I believe that it involves at least three States. We want to get an appreciation of those dimensions in terms of the three States involved, so perhaps 1, 2, or even 3 days of hearings in that area might give us a view of at least a piece of the Senator's problem in Pennsylvania—perhaps a very important piece.

Mr. CLARK. I regret, for reasons which will be obvious to the Senator from Maine, involving the aggressive representation of my own State, that we could not strike that kind of deal. If I were to sell out to New York, I would be very much afraid that my political usefulness in Pennsylvania would be severely damaged.

Mr. MUSKIE. I understand. If we can find more time, I would be happy to look into the problems of Pennsylvania.

I want to add my own commendation to the record of the city of Pittsburgh, under the leadership of former Mayor, later Governor, David Lawrence. I am aware of his interest in this field—indeed, he and the people of Pittsburgh in that part of Pennsylvania were the first to demonstrate that public policy can deal with this problem. There are many ways of dealing with and eliminating it. Thus, since Pennsylvania stands high on the list of pioneers in this field, it would be most appropriate if we could find time to hold hearings in the Senator's great State.

Mr. CLARK. I thank my friend the Senator from Maine.

HARVARD UNIVERSITY AND THE JOHN FITZGERALD KENNEDY SCHOOL OF GOVERNMENT

Mr. CLARK. Mr. President, on January 19, I inserted in the CONGRESSIONAL RECORD an article which was published on the front page of the Washington Post on January 15, written by Henry Fairlie, a British reporter, in which he made some rather sophisticated and—in my opinion—quite unsound attacks on the way Harvard University had handled the John Fitzgerald Kennedy Library and the School of Government at Harvard.

At the same time, I placed in the RECORD a communication written to the Washington Post, at a later date, signed by Don K. Price, dean of the John Fitzgerald Kennedy School of Government, replying to Mr. Fairlie's article.

I stated my own views at that time, that Mr. Fairlie's criticisms were entirely unfounded and that I thought Dean Price's rebuttal conclusively established that fact.

Mr. Fairlie evidently did not think so. In order that the record may be complete, I ask unanimous consent to have printed in the RECORD a communication from him responding to Dean Price's letter. Mr. Fairlie's second communication was published in the Washington Post on January 23.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Henry Fairlie is the author of an article which appeared in The Washington Post on Jan. 15. He replies here to a communication from Don K. Price, Dean of the John Fitzgerald Kennedy School of Government at Harvard University.

Dean Price's letter is a classic of its kind. In any source-book of primary documents about the working of "establishments," American or English, it would have its deserved pride of place.

First, it is interesting that he should have been chosen (would he dispute that verb?) to reply to my article, and not one of those in the Institute of Politics, especially its director, to whom I talked. He says that I did not bother to talk to him. The simple explanation is that no one within the Institute suggested that it would be worth my while to do so.

His letter persuades me that they were right. As I pointed out in my article, the really revealing fact about the whole operation is the discrepancy between the $3.5 million endowment of the former Graduate School of Administration (now the John Fitzgerald Kennedy School of Government) and the $10 million endowment of the Institute of Politics. I would have expected the dean of the school to be disturbed by this curious sense of priorities. I would have expected him also to know that some of the professors within the school are as suspicious as I of the whole operation.

Dean Price tries to make something of the fact that the letter in which the Kennedy Library Corporation laid down its terms to the Harvard Corporation is on public record at the Supreme Court of Massachusetts. Dean Price may not know that I was shown the letter by Professor Richard Neustadt, the director of the Institute, and that, when I asked if I might have a copy, his reply left me in no doubt that it was not the document on record at the Supreme Court, and was not publicly available.

These are minor points. Far more interesting is Dean Price's statement that it was by Harvard's initiative that the Graduate School of Administration was renamed after President Kennedy, and the Institute of Politics attached to it. Was it? Am I really to believe that what happened was as Dean Price is reported (in the Christian Science Monitor of 18 January 1967) to have said it happened: "Dr. Pusey approached Robert F. Kennedy and the Library Corporation with the idea. The Kennedys agreed." Was $13 million disposed of in this lackadaisical way?

Dean Price must let me, along with some professors within his school, remain skeptical. Was the first formal approach from President Pusey preceded by no other informal approaches (in both directions)? At this crucial stage, was no role played by those members of the Kennedy Library Corporation whom Professor Neustadt so neatly described to me as "Arthur Schlesinger Jr. and the family"?

One point in Dean Price's statement should be noticed. Why the separate approaches to Senator Robert F. Kennedy and the Kennedy Library Corporation? What special status did, and does, Senator Robert F. Kennedy hold? Except as "head of the family."

Dean Price then legitimately points out the one clear inaccuracy in my article: Namely, that Mr. McGeorge Bundy was not president of the Ford Foundation when it made its grant. This was a careless mistake on my part, but it does not alter my main point that the way in which the great foundations operate in the United States is near to a public scandal. They are bodies wielding irresponsible power, subject to no public control, whose power is large, is increasing, and ought to be diminished.

So we come to the key issue: the status and composition of the Advisory Committee of the Institute of Politics. Dean Price claims that it is no different from the visiting committees of any of Harvard's faculties and departments. In that case, he is saying precisely the opposite to what Professor Neustadt said to me. During my second lengthy interview with Professor Neustadt, I specifically asked him whether the Advisory Committee was the same as these visiting committees. He categorically denied that it was, in a number of lively phrases.

Professor Neustadt gave me four reasons—I wrote them down in my notebook as he spoke—for the existence and composition of the Advisory Committee. I now give those reasons because Dean Price seems unaware of what Professor Neustadt said to me, and I do not see why I should carry Professor Neustadt's can for him.

1. The Advisory Committee should be composed of people who would help in raising funds at a future date. Professor Neustadt was extremely lively in identifying the usefulness of specific individuals for this purpose.

2. The Advisory Committee should be composed of people who would help to overcome the impression that the Institute of Politics was simply a Kennedy family venture. Again, Professor Neustadt was quite specific in his references to individuals.

3. The Advisory Committee should be composed of people—and Professor Neustadt used the phrase—who would give the Institute an "establishment" appearance. Indeed, he used the phrase, the "Eastern establishment".

4. The Advisory Committee should be composed of people who would make it pleasant for Mrs. Jacqueline Kennedy, as one of its members, to spend a day with them. This outlandish reason was given quite seriously.

My tirelessly repeated question remains. If the Institute of Politics is as independent (within Harvard) as Dean Price suggests, why the existence and composition of the Advisory Committee? The simplest way of overcoming the impression that it is a Kennedy family venture would have been to endow it in the straightforward manner in which other endowments have been made in the past.

For the rest, Dean Price is merely able to show that there are others at the Institute of Politics beside "Kennedy hopefuls and Kennedy hoped-fors"—another phrase used to me by a professor within the School of Government. It is not an unsophisticated venture, and one would expect to find good Republicans associated with it, lending it an air of respectability. There are.

While I was conducting my interviews at Harvard, I expressed to everyone my suspicion of the whole operation. Each of them, in fact, had the strongest incentive, during my questioning, to offer me the most articulate defense of the institute in reply. I have no alternative, in view of Dean Price's letter, but to refer to some of their answers specifically.

1. Professor Neustadt told me that, although Mrs. Jacqueline Kennedy is the only member of the family who has any formal connection with the Institute, it is Senator Robert Kennedy, as "the head of the family", who maintains an active interest in its operation.

2. Professor Daniel P. Moynihan told me that "some of the more difficult problems are taken to Senator Robert Kennedy" although, again, he has no formal connection with the Institute.

3. Professor Neustadt told me that Senator Robert Kennedy frequently "drops in": and the secretariat of the Institute told me that Senator Edward Kennedy had twice been its guest at dinner. The interest of the family in the operations of the school is, as I said in my article, active and continuing.

4. Professor Adam Yarmolinsky coined the phrase, "in-and-outers," to describe those who move in and out of successive administrations in Washington. In explaining the function of the Institute to me, he said that there are no "safe seats" in America for these "in-and-outers," as there are in Britain. One of the purposes of the Institute, therefore, is to provide for them when they become restless in Washington. If this is not a euphemistic way of saying that the Institute has the opportunity to attract those who have become restless with one administration, and provide for them until they are prepared to return to another, then I am losing my sensitivity to the nuances of "establishments."

5. In discussing the future of Mr. Francis Bator, who is leaving the White House for the Institute, Professor Neustadt said that he would no doubt return to Washington again, in another capacity. When? About six years. It does not take the New Math to enable one to calculate that six years hence may see the inauguration of President Robert Kennedy.

So I could go on—there are more quotations which I am loath to repeat—but, if there is no smoke without a fire, all I can say is that the smoke at the Institute is thick.

Of course, as Dean Price suggests, there is a basic difference between him and me about the role of the academic, and his connection wih politics. It is, perhaps, only necessary to paraphrase some famous lines.

> *"You cannot hope to bribe or twist,*
> *The American political scientist*
> *But seeing what, un-bribed he'll do,*
> *There really is no reason to . . ."*
>
> —HENRY FAIRLIE.

Mr. CLARK. Mr. President, I also ask unanimous consent that a brief reply to Mr. Fairlie by Prof. Richard Neustadt, director of the Institute of Politics, John F. Kennedy School of Government, be printed in the RECORD.

The PRESIDING OFFICER (Mr. BAKER in the chair). Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PROF. NEUSTADT REPLIES

There is not a single accurate quotation in Mr. Fairlie's account of his conversation with me. Perhaps he fell victim to the difficulties of translating American into English and should have been accompanied by an interpreter. The other possibility is that he is deliberately distorting the substance of our conversation. I prefer to believe the more charitable explanation.

RICHARD NEUSTADT,
Director of the Institute of Politics, John F. Kennedy School of Government.

Mr. CLARK. Mr. President, it was my good fortune to spend part of last weekend at Harvard University—which I had the privilege of attending. I discussed this matter with President Pusey, and with a number of members of the governing board and prominent alumni who were gathered for a meeting of the committee on university resources, on which I have the honor to serve.

With unanimity, they were of the view that there is no substance whatever to Mr. Fairlie's criticisms; that Harvard University and its governing boards have complete control of the whole Kennedy Library and the Kennedy School of Government, which were established by the extreme generosity of members of the Kennedy family; and that there is not the slightest reason to believe or to fear that the independence of Harvard University is affected in any way whatever by the Kennedy gifts, nor is there the slightest reason to believe that Harvard University is being used, as Mr. Fairlie infers, as a place where intellectuals and able students and professors in the area of politics, government, and allied disciplines could be stashed away in order, at a later date, to appear back in public life to support the political ambitions of any member of the Kennedy family.

As a single graduate of Harvard College, I resent very much Mr. Fairlie's innuendos and I assure my colleagues that they have no substance.

VIETNAM—EXCERPTS FROM LETTER OF RHODES SCHOLARS

Mr. President, turning to another matter, the New York Times, on Friday, January 27, printed excerpts from a letter written to President Johnson by some 50 Rhodes scholars, presently attending Oxford University.

This letter raises some interesting questions with respect to our war aims in Vietnam, questions which I think should be answered, questions which I have every confidence the President will, in due course, answer.

I ask unanimous consent that excerpts from that letter may be printed in the RECORD at this point in my remarks. Mr. President, I would express the hope that the administration will undertake candidly to answer these questions, in short order.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Excerpts From Letter of the Rhodes Scholars

LONDON, *Jan 26.—Following are excerpts from a letter from American Rhodes Scholars to President Johnson asking questions about Vietnam, made public here today:*

As American college graduates studying abroad, we have found it increasingly difficult to justify our Government's policy in Vietnam both to ourselves and to foreign students. We question the clarity and persuasiveness of our stated goals. We found that our feelings of conscience and of national obligation counsel skepticism and concern, not active support of the Government's Vietnam policy. And we share the doubts of many in our generation, recently expressed in a letter from student leaders, about our strategy and tactics in the present war . . .

In Vietnam the costs are obvious: the fighting has caused devastation and great loss of life, especially among the civilians. In Europe, constructive initiatives, toward Russia, toward Eastern European nations, toward members of NATO seem to be frustrated. At home, the annual $20-billion expenditure has strained the economy and hindered the implementation of Great Society programs. Finally, the nation's preoccupation with the war seems to have dampened the restless and creative spirit generated by progress made in domestic and foreign affairs during the first half of this decade.

But the benefits from the achievements of our main, stated objective in Vietnam—stopping Communist aggression—are less easily perceived, precisely because the nature of that aggression is in question.

Although there is movement of men and materiel from North Vietnam to the South, we cannot equate Hanoi's power and aims with those of Hitler or Stalin. To us, the historical analogy makes sense only if North Vietnamese military activities are a manifestation of Red Chinese aggression. We cannot see the reason for building a theory of monolithic Communist aggression in Asia on the model of Hitler's Germany or Stalin's Russia. Nor can we understand the wisdom of predicating our policy on such a model.

Is there a precise analogy between China today and Hitler's Germany and Stalin's Russia?

Are the National Liberation Front and Hanoi controlled directly by Peking?

If not, how, specifically, can we justify the huge cost of the war? In other words, what is the model of aggression drawn from the Vietnamese war which, by its implications for peace in Southeast Asia and the world, demands our presence on so massive a scale?

We realize that there are no panaceas and that nothing could be gained by a sudden, unconsidered abandonment of our responsibilities in Vietnam. But it seems important at this time to consider the range of alternatives open to the United States.

First, the United States could attempt to achieve a military victory in the traditional sense . . . which might easily lead to that major war which our whole policy is designed to avoid.

Second, the United States might maintain its current military effort, thus keeping the Vietcong on the defensive while providing protection for Government-controlled communities.

This strategy seems to assums that in the long run the adversary will fade away in the face of American perseverance and that we will gain control of the South by default. Advocates of this policy admit that its success is likely to require more than a decade of further commitment at a continued high level of expenditure. But it is unclear to us how United States military forces could be withdrawn, even after 10 years, without encouraging renewed guerrilla activity by the Vietcong.

Third, the United States could adopt a policy committed to negotiations. Such a policy could envision the establishment of a nonaligned, democratic government under international supervision.

Are these alternatives, in broad terms, the ones facing the nation at this time?

If not, what other alternatives would you detail?

Which course is the United States following? If the United States is committed to the third alternative—negotiations—does it plan to pursue that end through increased military pressure or by other means?

Recent Administration estimates of the war's future duration have ranged from two to 15 years; can the American people be given a more exact estimate?

Although the Government has stated its readiness for unconditional negotiations, we are unsure how fully the Administration is committed to the pursuit of this objective.

But the increased military pressure which the Government hopes will contribute to an early settlement apparently has forced Hanoi no closer to peace talks.

If the military means for achieving peace talks have not had the desired effect, we wonder why the second route to negotiations has not been given priority.

U.S. INITIATIVE PROPOSED

If we wish to begin discussions with Hanoi, why specifically do we not take the initiative and cease our bombing North Vietnam before securing pledges of deescalation?

Secretary Rusk has said "there will be no difficulty in having the views of the Vietcong presented at any serious negotiation." Does this mean that we will grant the National Liberation Front status as an independent participant in negotiations?

Such recognition seems reasonable in light of the many press reports that in several important questions N.L.F. differs with Hanoi concerning the future of South Vietnam.

Lacking access to vital information, we have chosen to voice our doubts as questions rather than to make specific criticisms or recommendations. We wish, however, to finish with a basic thought.

In the State of the Union Message, you also called for a great deal of patience, declaring that the United States as well as the people of South Vietnam are being tested. We doubt, however, the wisdom of attempting to reduce this complicated war to such a contest. And we share the fears of many in our generation that this struggle has acquired a life of its own, that diplomatic positions on both sides have become frozen, and that we can expect only wider war in the months to come.

The test now is not just one of will between two adversaries, nor of the patience of the South Vietnamese and American people, but of the imagination flexibility and courage which the Government can command in seeking what seems to us the only humane and realistic alternative in Vietnam—a negotiated peace.

INTERNATIONAL CONFEDERATION FOR DISARMAMENT AND PEACE

Mr. CLARK. Finally, turning to another matter, during the adjournment of Congress the International Confederation for Disarmament and Peace issued a report on the "Status of Current Disarmament Negotiations and Recommendations for Progress."

This report was approved by a number of prominent citizens, a list of whom is attached to the first page of the report.

I ask unanimous consent that a copy of the list of the individuals who signed the report and the report itself may be printed at this point in my remarks.

There being no objection, the names and report were ordered to be printed in the RECORD, as follows:

We, the undersigned individuals, deeply desirous of greater progress in disarmament negotiations, associate ourselves with the attached report on the "Status of Current Disarmament Negotiations and Recommendations for Progress:"

Claude Bourdet, City Council, Paris, France

Prof. David F. Cavers, Harvard Law School, Harvard University, Cambridge, Mass., U.S.A.

Dr. Amiya Chakravarty, Boston University, Boston, Mass., U.S.A.

Mr. Stuart Chase, Georgetown, Conn., U.S.A.

Edwin T. Dahlberg, Past President, National Council of Churches, U.S.A.

Dr. William C. Davidon, Haverford College, Haverford, Pa., U.S.A.

Prof. Morton Deutsch, Teachers College, Columbia University, New York, N.Y., U.S.A.

Sri R. R. Diwakar, Chairman, Gandhi Peace Foundation, India

Dr. Jerome D. Frank, Johns Hopkins University, Baltimore, Md., U.S.A.

Prof. H. J. E. Hendrikx, Nijmegen, Netherlands

Rabbi Abraham J. Heschel, Jewish Theological Seminary, New York, N.Y., U.S.A.

Rabbi Isidor B. Hoffman, Columbia University, New York, N.Y., U.S.A.

Prof. H. Stuart Hughes, Harvard University, Cambridge, Mass., U.S.A.

Prof. Tadashi Kawata, University of Tokyo, Tokyo, Japan

Bishop John Wesley Lord, Washington, D.C., U.S.A.

Prof. Everett Mendelsohn, Harvard University, Cambridge, Mass., U.S.A.

Prof. Hans J. Morgenthau, University of Chicago, Chicago, Ill., U.S.A.

Dr. Gardner Murphy, The Menninger Foundation, Topeka, Kan., U.S.A.

Prof. Fred Warner Neal, Claremont Graduate School, Claremont, Cal., U.S.A.

Prof. M. L. Oliphant, Australian National University, Canberra, Australia

Prof. Charles E. Osgood, University of Illinois, Urbana, Ill., U.S.A.

Major W. H. Pope, M. C. Toronto, Canada.

Dr. Eugene Rabinowitch, Editor, Bulletin of Atomic Scientist, Urbana, Ill., U.S.A.

Prof. Anatol Rapoport, University of Michigan, Ann Arbor, Mich., U.S.A.

Prof. David Riesman, Harvard University, Cambridge, Mass., U.S.A.

Bert V. A. Roling, University of Groningen, Netherlands

Prof. J. Rotblat, University of London, London, England

Senator Owen Sheehy Skeffington, Dublin, Ireland

Rev. R. C. Spillane, S.J., Center for Peace Research, Creighton University, Omaha, Neb., U.S.A.

Dr. Benjamin Spock, Western Reserve University, Cleveland, Ohio, U.S.A.

Dr. Harold Taylor, National Research Council for Peace Strategy, New York, N.Y., U.S.A.

Mr. Norman Thomas, New York, N.Y., U.S.A.

Prof. H. A. Tolhoek, University of Groningen, Groningen, Netherlands

Prof. Quincy Wright, Rice University, Houston, Texas, U.S.A.

Bryant Wedge, Institute for the Study of National Behavior, Princeton, N.J., U.S.A.

Dr. H. R. Wyngaarden, Free University, Amsterdam, Netherlands

Prof. Gordon Zahn, Loyola University, Chicago, Ill., U.S.A.

Dr. Martin Niemoeller, West Germany

Prof. J. David Singer, Ann Arbor, Michigan, U.S.A.

The Status of Current Disarmament Negotiations and Recommendations for Progress

INTRODUCTION

The Conference of the Eighteen-Nation Committee on Disarmament (ENDC) has been meeting in Geneva since March 14, 1962. ENDC held 286 meetings before it recessed on August 25, 1966, in order for its delegates to prepare for the 21st U.N. General Assembly.

Optimists have acknowledged the useful role of ENDC in being the negotiating forum for necessary technical discussions, a few of which led to historic agreements such as the partial test-ban treaty. Cynics have pointed to the lack of specific achievement in ENDC itself—except the hot-line agreement—and have called it an exercise of political frustration. A balanced appraisal would lie somewhere between technical achievement and political frustration.

Now that ENDC is for the sixth time reporting to the General Assembly, it may be useful for an independent, non-governmental assessment to be made of ENDC: its role to date and its future potential. The first draft of this report was written by Dr. Homer A. Jack who has been a non-governmental observer of ENDC since its inception. This report has also benefited from suggestions from many other persons.

This report was first commissioned by the Second Congress of the International Confederation for Disarmament and Peace, meeting in Höchst im Odenwald, Germany, in August, 1966. The International Confederation encompasses more than 50 peace and related organizations on five continents. In the spirit of aiding the general debate on disarmament at the 21st U.N. General Assembly in furthering the cause of disarmament through ENDC and other forums, this report is released by the International Confederation for governmental and non-governmental use.

Kenneth Lee,
President, International Confederation for Disarmament and Peace.

1. EIGHTEEN-NATION DISARMAMENT COMMITTEE (ENDC)

On June 27, 1960, the Ten-Nation Disarmament Conference meeting in Geneva came to an end with the walkout of the Soviet Union and four of its allies. While the Conference on the Discontinuance of Nuclear Weapon Tests continued, efforts were made at the U.N and elsewhere to devise a new forum for disarmament negotiations. On September 20, 1961, the U.S. and the U.S.S.R. announced at the U.N that they had agreed on a Joint Statement of Agreed Principles for disarmament negotiations. On December 13, 1961, the U.S. and the U.S.S.R. announced that they had agreed on forming an Eighteen-Nation Committee on Disarmament. The 16th U.N. General Assembly on December 20, 1961, welcomed the agreed principles and endorsed the creation of the Eighteen-Nation Committee, urging the latter to undertake negotiations "as a matter of the utmost urgency." The General Assembly asked that a progress report be made by June 1, 1962.

The Conference convened in Geneva on March 14th in a hopeful atmosphere and on a foreign ministers' level. The atmosphere was hopeful because 1—the Joint Statement on Agreed Principles had been negotiated, 2—eight non-alined states were invited for the first time to participate in disarmament negotiations, and 3—the U.N. released in February, 1962, its unanimous experts' report on the economic and social consequences of disarmament asserting that there need be no major dislocation under complete disarmament if governments make advance plans. The Conference on the Discontinuance of Nuclear Weapons Tests ended in failure in January, 1962, after 353 separate sessions, but its work was to be taken up by ENDC.

Eighteen states were invited to participate in the Conference. The Western bloc consisted of the U.S., U.K., Italy, Canada, and France. The Socialist bloc consisted of the U.S.S.R., Poland, Czechoslovakia, Bulgaria, and Romania. The non-aligned states included Mexico, Brazil, Ethiopia, Nigeria, U.A.R., Sweden, India, and Burma. France did not attend the opening session and has continued to remain absent from the Conference.

ENDC was created by the U.S. and the U.S.S.R. and then by the U.N. The 16th U.N. General Assembly approved a resolution endorsing the Conference and ENDC reports to the U.N. Disarmament Commission (UNDC) and the General Assembly regularly. Meetings of ENDC have always been held in the Palais of Nations of the U.N. in Geneva and the Conference is staffed by U.N. personnel, including the Disarmament Affairs Division. This servicing involves funds appropriated from the regular U.N. budget, approximating $141,000 for each month the Conference is in session.

The permanent co-chairmen of the Conference are the heads of the U.S. and the U.S.S.R. delegations. They meet frequently. Many off-the-record negotiations occur under the rubric of a meeting of the co-chairmen. Also occasionally the plenary has held informal, off-the-record meetings.

The actual chairmanship of each meeting is rotated in alphabetic order amongst the heads of all delegations. There is no secretary or recorder, although a special representative of the Secretary-General and his deputy sit beside the chairman. The official languages are English, Russian, French, and Spanish. Verbatim transcripts are made of each session and published in each of the official languages. The provisional verbatim reports are available to delegates on the morning following each session, but the final verbatim records are not available to press and nongovernmental observers until at least three weeks after each meeting.

Since disarmament negotiations must lead to treaties and not resolutions, there is no voting. The unanimity rule must apply.

All the meetings are private. The press is not allowed to be present. Certain guests may be present if sponsored by member delegations.

In addition to the plenary meetings, a Subcommittee on a Treaty for the Discontinuance of Nuclear Weapons Tests was formed on March 21, 1962, as was a Committee of the Whole, the latter to negotiate conventions on collateral disarmament measures. After 50 meetings of the Subcommittee and nine meetings of the Committee, the plenary itself since 1963 has dealt with all matters. Although attempts were made by some delegations to form working committees, none were established. In the last several years the plenary met twice weekly while the Conference was in session.

It is necessary, if difficult, to evaluate the work of ENDC to date.

The achievements of ENDC include the following:

1. Much of the detailed negotiation leading to the achievement of a partial test-ban treaty was done by ENDC, although the final negotiations were held in Moscow.
2. The negotiations for the hot-line agreement were initiated in ENDC.
3. Some of the preliminary discussions for the joint declaration not to put weapons of mass destruction in outer space were begun within ENDC.
4. Detailed discussions were held on a non-proliferation treaty and a comprehensive test-ban treaty.
5. Some discussion was held on many other collateral disarmament measures.
6. Negotiations were begun on general and complete disarmament and some compromise positions were reached.
7. ENDC held together despite various international crises and indeed became a political sounding board for various international issues beyond the narrow field of disarmament.
8. The eight smaller, non-aligned member states not only attempted to break the frequent impasses in the negotiations, but they acquired expertise on many of the complex problems of disarmament in the process.
9. The very existence of ENDC added to incentives of both the U.S. and the U.S.S.R. to intensify their research and decision-making on various disarmament issues.

The disappointments of ENDC are several and they cannot be ignored:

1. France has continued to boycott the Conference.
2. China has not been invited to become a member of ENDC.
3. The U.S. and the U.S.S.R. by-passed the Conference for the final test-ban negotiations and those for the joint declaration not to put weapons of mass destruction in outer space.
4. The quality of diplomatic representation from member states to ENDC has tended to be uneven.
5. The non-aligned member states have not always taken sufficient initiatives in ENDC.
6. ENDC has not made much sustained impression on public opinion, perhaps in part due to its being closed to press, non-governmental observers, and the public.

Disarmament negotiations are complex and often slow because they involve the multiple interests of multiple states. The variations are almost infinite and the coincidences of interest can be rare. Thus while disarmament negotiations deal with what could be called technical matters—e.g., the ability to detect and identify underground occurrences—there is always a strong overlay of political and of military or strategic considerations. So-called political matters include both domestic interests as well as—with big powers—worldwide ideological concerns. It is only when sufficient factors affecting each nation coincide with those of other nations that agreement is possible. These factors are not only multiple, but they are constantly changing and being changed. One element making for change is public opinion, and the various peace organizations are but one factor in developing domestic and occasionally world opinion.

Thus while there may have been reasons for the slow progress in disarmament in the past half-decade (or in the decades since the end of World War II), the world does not remain still. Not only has ENDC not appreciably lessened the amount of armaments in the world (although the partial test-ban treaty did lessen the number of atmospheric tests and thus fallout), but during the protracted ENDC debates the negotiating nations (and others, such as France and China) were not idle. The stockpiles of arms, both nuclear and conventional, have risen considerably in this five-year period. The glacial progress in arms talks did not even freeze arms production, except for the April, 1964, announcement by the U.S.S.R., U.K., and U.S. on their parallel reduction of the production of fissionable material for nuclear weapons.

While continued disarmament negotiations are likely to remain within ENDC in the foreseeable future, there are several initiatives which fall outside ENDC. One is an effort, already far advanced in Latin America, toward creating regional denuclearized zones. Another is the proposal, made by the Committee on Arms Control and Disarmament of the White House Conference on International Cooperation, that the U.S. and China open bilateral disarmament talks similar to those being carried on in Warsaw over a broader agenda. A third proposal is that of U.N. Secretary-General U Thant in the introduction to the annual report of the work of the organization in September, 1966, recommending that an appropriate body of the U.N. "explore and weigh the impact and implications of all aspects of nuclear weapons, including problems of a military, political, economic, and social nature relating to the manufacture, acquisition, deployment, and development of these weapons and their possible use."

Another whole area of study and negotiation falling basically outside ENDC, yet integral to ultimate progress in disarmament, is that of peace-keeping. The U.N. has failed to date to establish any but the most improvised machinery for peace-keeping, often by-passing provisions in its own Charter. Unless new peace-keeping institutions evolve, it is difficult to feel that there will be sufficient confidence among nations for disarmament institutions likewise to evolve. While the negotiation for these peace-keeping institutions is not the task of ENDC, the encouragement of this parallel task is essential and there must be the closest liaison between these twin efforts of peace-keeping and disarmament.

Recommendations on ENDC

1. The People's Republic of China should be invited to become a member of ENDC.

2. France should be persuaded to take her seat in ENDC.

3. With the addition of China, perhaps the membership of ENDC should be slightly enlarged to include one more aligned power (e.g., Japan or Australia) and one or more additional non-aligned states (e.g., Yugoslavia, Ghana, or Indonesia).

4. The present non-aligned membership of ENDC should be reviewed; if some do not want to continue to serve, they should be promptly replaced. The non-aligned members should be encouraged to take even a more dynamic role in ENDC.

5. ENDC should open its plenary meetings to the press, accredited non-governmental observers, and the general public.

6. ENDC should be scheduled to meet on an annual basis, with fixed times for sessions.

7. ENDC should establish regular working committees so that the technical productivity of the Conference can be increased.

8. ENDC should explore new modes of operation, including the appointment of a rapporteur, a chairman for the month, or other devices used in similar international negotiating conferences to increase productivity and agreement.

2. GENERAL AND COMPLETE DISARMAMENT (GCD).

One of the prime purposes of ENDC has been to negotiate a treaty on general and complete disarmament (GCD). Within six weeks after the Conference opened, both the Soviet Union and the U.S. had submitted draft treaties. In the first years of ENDC more time was given to discussions on GCD than in later years. During these discussions both the U.S. and the U.S.S.R. made some modifications to their drafts, yet basic differences in approach remain.

In July 1962, ENDC agreed to examine the first stage of both draft treaties under 12 topics: 1—basic obligations and time-limits for their implementation, 2—nuclear weapons delivery vehicles, 3—conventional armaments, 4—nuclear disarmament, 5—military bases, 6—armed forces, 7—military expenditures, 8—use of outer space for peaceful uses only, 9—ensuring the security of states, 10—reducing the risks of war, 11—transition from first to second stage, and 12—the establishment and organization of the international disarmament organization.

Several governments submitted special working papers on aspects of GCD. The U.K. submitted papers on 1—elimination of rockets as nuclear delivery vehicles (ENDC/53), 2—verification of the destruction of certain nuclear delivery vehicles (ENDC/54), and 3—technical probability of international control of fissile material production (ENDC/60). Canada in May 1962, and again in August 1963, submitted a document comparing the modified U.S. and Soviet proposals (ENDC/36 and ENDC/36/Rev. 1).

After topics were discussed in the plenary, the co-chairmen were encouraged to give the matter further detailed consideration to bring the positions closer together and achieve agreement on the texts of appropriate articles. Draft sections of parts of the first stage were tentatively approved, often with alternate wording inserted. In this way tentative agreement was reached on the preamble of the treaty and on four articles, with reservations continuing to be made by both major governments.

The principal Soviet modifications of its original draft treaty included: 1—in the first and second stages, conventional armaments were reduced by 30 and 35 percent respectively (as proposed by the U.S.) instead of "all released conventional armaments" destroyed; 2—an additional article was introduced into the first stage consisting of four measures to reduce the danger of the outbreak of war; 3—there was a commitment to lengthen from four to five years the period to complete the process of GCD; 4—there was a commitment to lengthen from 21 to 24 months the period of the completion of the first stage of the treaty; 5—there was a new commitment to set the level of the armed forces in the first stage for both the U.S. and the U.S.S.R. to 1.9 million men each (instead of 1.7 million); 6—from the very beginning of the second stage, control would be instituted "over the remaining rockets as well as over their nuclear warheads"; and 7—the U.S. and the U.S.S.R. would retain through the third stage a minimum deterrent (nuclear umbrella) consisting of "a strictly limited and agreed number of global missiles, anti-missile missiles, and antiaircraft missiles of the ground-to-air type." This "Gromyko plan" was in many ways the biggest Soviet concession, made presumably to meet U.S. criticisms, since the original Soviet draft called for the complete elimination of all nuclear delivery vehicles in the first stage. The U.S., however, so far has not accepted the Gromyko plan.

The principal American modifications of its original draft treaty included: 1—new restrictions on the production of existing armaments and the prohibition of the production of new types in the first stage; 2—elimination of the role of the U.N. Security Council in deciding whether circumstances exist at the termination of each stage for transition to the next stage; and 3—left open for negotiation the exact amount of fissionable material each nuclear power would transfer for peaceful purposes.

Some features were obviously common to both revised draft GCD treaties. These included: 1—the goal was the complete elimination of all armaments at the end of the process; 2—the process consisted of three stages; 3—an international disarmament organization would be created within the framework of the U.N.; 4—there would be a strong peace-keeping function: to keep peace during and after the disarmament process; and 5—inspection and control would be integral, with the international disarmament organization inspecting the arms to be destroyed and maintaining control of the continuation of the production of arms.

Major differences between the two draft GCD treaties obviously remain. These included: 1—the timing of the whole process, with the U.S. desiring at least nine years and the Soviet Union five; 2—the timing of the removal of foreign bases, with the U.S. wanting them removed gradually in the second and third stages and the Soviet Union wanting them removed in the first stage; 3—inspection and control, with the U.S. wanting inspection to include those armaments retained while the U.S.S.R. so far agreed to such inspection only of the minimum deterrent retained; 4—the kind of peace force, with the U.S. wanting an international force, but with the U.S.S.R. suggesting national units available to the U.N. under the Charter (and thus with a big-power veto); and 5—the maintenance of military balance, with each side tending to want to upset the existing balance in its favor.

The discussions on GCD bogged down in 1964 over the creation of a working group to study means of reducing and eliminating nuclear delivery vehicles. The U.S.S.R. insisted that the group study only the Gromyko plan, while the U.S. and some other delegations wanted the group to be free to study all relevant proposals for a minimum deterrent during the disarmament process. Such a working group has not yet been formed.

Recommendations on GCD

9. Since the GCD draft treaties have still not been thoroughly discussed, efforts must persist to discuss in detail the many unexplored areas. Then a committee of non-aligned member states should be urged to draw up a third draft, based upon the present drafts and new approaches and developments since 1962, for serious study and negotiation. GCD is the single most important item on the disarmament agenda and an acceptable outline for GCD and indeed a treaty cannot wait forever. It must be negotiated with urgency.

10. The U.S. must constantly indicate its enthusiasm for this process of GCD and not vacillate toward GCD. The U.S.S.R. has been publicly consistent in advocating GCD, whatever private doubts it may also have had during this period.

3. COMPREHENSIVE TEST-BAN TREATY

The text of the partial test-ban treaty contained the explicit hope that a comprehensive treaty would be achieved: "Seeking to achieve the discontinuance of all test explosions of nuclear weapons for all time, determined to continue negotiations to this end . . ." Thus ENDC was again seized with this agenda item during its 1964 session.

The U.S. on January 21, 1964, indicated that any ban on all tests would have to involve "effective verification and control." The U.S.S.R. on January 28, 1964, in its memorandum on collateral measures indicated that "actual experience has confirmed that no special international control need be organized to detect underground tests any more than it is needed to detect tests in the atmosphere, outer space, and under water." Thus the U.S. still insisted on some on-site inspection while the U.S.S.R. insisted that no on-site inspection was needed. (Earlier it had withdrawn Chairman Khrushchev's reluctant argeement of December, 1962, to accept two or three on-site inspections a year.)

The eight non-aligned members played a role in trying to bring the two sides closer together even before the partial test-ban treaty was signed, first submitting a joint memorandum in April, 1962 (ENDC/28). The eight non-aligned states again on September 14, 1964, issued a joint memorandum (ENDC/145) regretting that no progress had been made during the session. Recognizing differences on the question of identification and need for verification of underground tests, the non-aligned states suggested that agreement "would be facilitated by the exchange of scientific and other information between the nuclear powers or by the improvement of detection and identification techniques, if necessary." The U.S. and some other member states urged the convening of a technical conference of seismic experts to discuss new developments in seismic inspection, but the Soviet Union refused to agree to such a meeting, indicating that the problem was chiefly political, not technical.

The U.K. in September, 1965, submitted a paper (ENDC/155) concluding that, despite new methods of detection and identification, a residual number of seismic events at or above magnitude 4.0 would be unidentifiable by remote seismological observations alone and could be suspected as possible violations of a comprehensive test-ban agreement unless eliminated by on-site inspection. The document concluded that the on-site inspection problem "is the problem that still confronts us" and that a "detailed, joint examination" is needed. Sweden also in September, 1965, circulated a document (ENDC/154), originally given to a Pugwash Conference, urging international cooperation, especially among the smaller, non-nuclear nations, to detect underground explosions. With slight adjustments of present national and international efforts through the formal establishment of a "detection club," Sweden suggested that the present national means of detection could be greatly expanded, although again "some identification and inspection problems remain." Sweden also suggested that if any on-site inspection should be necessary, a quota could be spread over several years; e.g., six inspections over a three-year period might be better than two or three inspections a year.

The U.S. indicated that certain technical advances would make it possible to determine the nature of a substantially greater proportion of seismic events than had been previously possible. In large degree these expectations would be the result of the establishment of a world-wide system of ten to 12 large-aperture seismic arrays, similar to its prototype 525-instrument array set up at huge cost by the U.S. Government in Montana. The U.S. still concluded that about 20 percent of underground events above a few kilotons could still not be identified by seismological means even after the establishment of such an array system. Thus some on-site inspection still would be required, although the U.S. was prepared to consider any scientific data leading to a different set of conclusions.

The U.A.R. in August, 1965, again proposed that the partial test-ban treaty be extended to cover underground tests above the seismic magnitude of 4.75 and that, as a complementary measure, the nuclear powers agree to a moratorium on all other underground testing until such time as agreement had been reached on a comprehensive test-ban treaty. The Soviet Union accepted part of the U.A.R. proposal, but the U.S. reiterated its readiness to conclude only an adequately-verified treaty and its refusal to accept a moratorium. India suggested the 4.75 threshold without any moratorium, but with the threshold lowered subsequently as the result of new data.

The eight non-aligned members on September 15, 1965, issued a joint memorandum (ENDC/159) which made three points: 1—ENDC debate showed that "there has been considerable improvement in the techniques of detection and identification of underground tests;" 2—agreement could be facilitated "by the exchange of scientific and other information between the nuclear powers or by the improvement of detection and identification techniques, if necessary;" and 3—underground tests should be suspended "forthwith." These suggestions were acceptable neither to the Soviet Union, which still did not want to exchange scientific information, nor to the U.S. which still did not want an unverified moratorium.

The eight non-aligned states issued another joint memorandum (ENDC/177) on August 17, 1966. They viewed "with utmost regret" that it had not yet been possible to reach agreement on a treaty. They summarized some of their individual suggestions to facilitate an agreement. Three new approaches were on their list: 1, "verification by challenge," implying a system whereby a party suspected of underground nuclear testing should find it in its interest to provide all available reassuring information, including possibly an invitation to inspection, the system to be related to rules for a possible withdrawal from the treaty if explanations, forthcoming after formal allegations have been made, are not found satisfactory; 2, in case on-site inspections were agreed upon, a list of impartial inspectors, deposited with the Secretary-General of the U.N., might constitute a useful instrument; and 3, an impartial body of scientists, recruited on a personal basis from neutral countries, should be asked to give their opinion on the general problem of identification of underground tests. The memorandum concluded with the same suggestion as that of the previous year: pending the conclusion of a treaty, the states testing underground should "take immediate steps for their discontinuance"—meaning a moratorium. The first proposal for "verification by challenge" was discussed at length at the International Assembly on Nuclear Weapons, held at Scarborough, Canada, in June, 1966, and attended by several ENDC delegates.

The U.S. on August 23, 1966, submitted a working paper (ENDC/182) on the determination of the location of seismic events. This indicated that the U.S. was continuing to conduct research on the detection and identification of underground events and that it planned further experiments in the autumn of 1966 off the Kurile Islands using a local network of ocean bottom seismometers.

Recommendations on a comprehensive test-ban treaty

11. ENDC should negotiate an agreement extending the partial test-ban treaty to cover underground tests above the seismic magnitude of 4.75, using only national means of inspection.

12. ENDC should sponsor a moratorium on the part of states now conducting underground nuclear tests during which these states would intensify negotiations to conclude a comprehensive treaty, such a moratorium to have a definite time limit.

13. ENDC should stimulate the holding of an international conference on seismic detection where scientists from all nations could exchange information on the improvement of detection and identification techniques.

14. The U.S. should, if possible, not insist in a comprehensive test-ban treaty upon any on-site inspections, weighing the risk of undetected underground explosions with the risk of continued underground tests by a greater number of nations if a comprehensive treaty is not soon signed.

15. The Soviet Union should, if possible, participate in an international conference on seismic detection and should agree in a comprehensive test-ban treaty upon a minimum of on-site inspections, weighing the risk of a minimum of on-site inspections with the risk of continued underground tests by a greater number of nations if a comprehensive treaty is not soon signed.

16. Both the U.S. and the U.S.S.R. should consider the compromise suggestion of "verification by challenge."

17. A comprehensive test-ban agreement would be valuable even if China and France initially were not signers. On the other hand, every international effort should be made to induce China and France to stop their current atmospheric tests and to sign both the partial test-ban treaty and any comprehensive one which is negotiated.

4. NONPROLIFERATION TREATY

ENDC from its inception has been concerned with negotiating a treaty to lessen the proliferation of nuclear weapons. While there was some discussion of this measure before the partial test-ban treaty was signed, the negotiations substantially increased on this measure after August, 1963.

The U.S. in 1963–64 advocated a four-point program for non-proliferation: 1, action of the military nuclear powers to indicate that they would accept over their peaceful nuclear activities the same international inspection that they recommended for civilian nuclear states; 2, all transfers of nuclear materials for peaceful purposes to take place under effective international safeguards; 3, a comprehensive test-ban treaty; and 4, an agreement precluding the transfer of nuclear weapons into the national control of states not possessing them. The first proposal included the unilateral invitation by the U.S. to the International Atomic Energy Agency to inspect its large power reactor at Rowe, Mass.

The Soviet Union expressed no interest on the first two proposals, but it early made vigorous attacks on the multilateral nuclear force (MLF) as a means of disseminating nuclear weapons.

The U.S. submitted a draft treaty on August 17, 1965. This called for the nuclear states party to to the treaty agreeing not to transfer any nuclear weapons and for the non-nuclear states agreeing not to manufacture, seek, or accept by transfer nuclear weapons. The treaty also provided that the nuclear states parties to the treaty agree "not to transfer any nuclear weapons into the national control of any non-nuclear state, either directly or indirectly through a military alliance." Yet a loop-hole was created by the following clause: "Each undertakes not to take any other action which would cause an increase in the total number of states and other organizations having independent power to use nuclear weapons." This opened the atom door, for under this clause an MLF could be created, if each member had a veto and thus if its creation did not increase the total number of states and other organizations having independent power to use nuclear weapons. Also an independent European nuclear force could be created under this treaty if Britain or France gave up its independent control of nuclear weapons, since there would still be no increase in the total number of nuclear entities. The U.S. treaty had an escape clause: "This treaty shall remain in force indefinitely subject to the right of any party to the treaty to withdraw from the treaty if it decided that extraordinary events related to the subject matter of the treaty have jeopardized the supreme interests of its country." Three months' notice was required, both to the signatories and to the U.N. Security Council.

The Soviet Union severely criticized this U.S. draft treaty. Perceiving the deadlock, Italy in September, 1965, submitted a draft of a unilateral non-acquisition declaration (ENDC/157). This would be an agreement by non-nuclear states 1—not to manufacture or otherwise acquire control of nuclear weapons, 2—not to seek or receive assistance from other states on the manufacture of such weapons, and 3—to accept International Atomic Energy Agency or equivalent international safeguards for its peaceful reactors. The signatory states would reserve freedom of action if a non-nuclear state in any way acquired within the time-span national control of nuclear weapons.

The Soviet Union on September 24, 1965, submitted to the 20th U.N. General Assembly a draft non-proliferation treaty. The text attempted to plug every loop-hole: "Parties to the treaty possessing nuclear weapons undertake not to transfer such weapons in any form—directly or indirectly, through third states or groups of states—to ownership or control of states or groups of states not possessing nuclear weapons and not to accord to such states or groups of states the right to participate in the ownership, control, or use of nuclear weapons." Otherwise, the text is not too dissimilar from that of the U.S. treaty, although there is no article undertaking "to cooperate in facilitating the application of International Atomic Energy Agency or equivalent international safeguards on all peaceful nuclear activities."

On the eve of the close of the 1965 session of ENDC, and before the Soviet Union submitted its draft, the eight non-aligned members submitted a joint memorandum (ENDC/158) on non-proliferation. They regretted that it was not yet possible to reconcile the various approaches to achieve a treaty. They urged that measures to prohibit the spread of nuclear weapons should be "coupled with or followed by tangible steps to halt the nuclear arms race and to limit, reduce, and eliminate the stocks of nuclear weapons and the means of their delivery."

The negotiations toward a non-proliferation treaty in ENDC were not unaffected by events outside the Conference. Great pressures were put on ENDC to complete a treaty, first by the 20th General Assembly. As the debate continued, some of the potential military nuclear powers apparently raised their price for signing any treaty. China criticized any treaty as creating a Soviet-American monopoly and, in addition, assailed the Soviet Union for wanting to do business with the U.S., especially during an escalating war in Vietnam. In the U.S. pressures increased in 1965 against the MLF and President Johnson put it on the shelf late in 1965. West Germany unexpectedly did not voice great objections, especially with the substitution of a "non-hardware" solution of the McNamara Committee within NATO. Senator Robert F. Kennedy and others in the U.S. Congress voiced strong pleas for Administration leadership in achieving a treaty; in May, 1966, the U.S. Senate by a vote of 84 to 0 passed a resolution urging the President to continue efforts to negotiate a treaty.

During the 1966 session of ENDC both sides made some modifications in their positions. The Soviet addition was a suggestion from Chairman Kosygin on February 1st that a clause be added prohibiting the use of nuclear weapons against non-nuclear states parties to the treaty having no atomic armaments on their territory. The U.S. amendments submitted on March 22nd (ENDC/152/Add. 1) were three-fold: 1—definitions were begun on control, nuclear weapons, a nuclear-weapon state, and a non-nuclear-weapon state, 2—Article I was rewritten to include prohibitions on manufacturing and testing of nuclear weapons and reflected some borrowings from the Soviet text, and 3—Article II reflected the same changes in the obligations of non-nuclear states.

Just before the 1966 session adjourned the eight non-aligned states submitted another joint memorandum on non-proliferation (ENDC/178). The memorandum was based on the resolution on non-proliferation passed by the 20th U.N. General Assembly. The eight nations drew attention to the "usefulness of clearly defined terms in order to prevent any misunderstanding or contradictory interpretation now or in the future." The eight nations wre again ambiguous on whether they advocated a simple or a complex treaty: "the treaty should be coupled with or followed by tangible steps to halt the nuclear arms race and to limit, reduce, and eliminate the stocks of nuclear weapons and the means of their delivery." Finally, they confirmed "their belief that it is possible and indeed urgent to negotiate a treaty."

Recommendations on a non-proliferation treaty

.18. ENDC should continue to give highest priority to negotiating a non-proliferation treaty as one of the most urgent collateral measures. The political and technical problems which prevent an agreement on a draft treaty may be lessening.

19. While the U.S.S.R. and, to a lesser extent, the U.S. both seem more concerned about the effect of a non-proliferation treaty in Europe than on other continents, the possibility of proliferation of nuclear weapons to new nations outside Europe is very great and this should add to the urgency of signing a Treaty.

20. The completion of a non-proliferation treaty would be highly desirable even if France and China did not immediately become signatories.

21. A non-proliferation treaty should contain the strongest and most precise language to prevent loopholes; i.e., to prevent individual nations or military alliances from acquiring any control of nuclear weapons. On the other hand, military planning committees on nuclear consultation and planning, as the McNamara Committee, need not be prohibited by treaty and need not fall within the definition of proliferation.

22. U.S. proposals to make mandatory International Atomic Energy Agency safeguards for the transfer of fissionable material between states for peaceful nuclear purposes and for peaceful research and power reactors are highly desirable and should be part of any non-proliferation treaty.

23. Guarantees accompanying any non-proliferation treaty are difficult to implement. The Soviet proposal for prohibiting the use of nuclear weapons against non-nuclear parties to the treaty having no atomic weapons on their territory is desirable. Additional proposals for guarantees against nuclear aggression or blackmail are both vague and difficult to implement and would only delay the completion of a treaty.

24. Additional measures tied to a non-proliferation treaty are psychologically desirable to make the present nuclear powers also pay a price to prevent further proliferation, but agreement would be delayed if the non-nuclear powers insist on an omnibus treaty. Thus a simple non-proliferation treaty should be easier to achieve than a complex one.

5. OTHER COLLATERAL DISARMAMENT MEASURES.

A number of collateral or partial disarmament measures—other than a comprehensive test-ban treaty and a non-proliferation treaty—have been put before ENDC. Some have received more attention than others.

The principal collateral measures suggested by the U.S. include the following:

1. *Verified freeze of the number and characteristics of strategic nuclear offensive and defensive vehicles.* First proposed by the U.S. in January, 1964, this measure has been intensively discussed. It would include strategic (long-range) missiles and bombers as well as ballistic missile systems. It would maintain the present quantities of strategic nuclear vehicles at present levels and prevent the development and deployment of strategic vehicles of a significantly new type. The verification requirements, the U.S. insists, would not be onerous. This measure has not been accepted by the Soviet Union.

2. *Verified halt of production of fissionable materials for weapons use and a transfer of such materials to peacetime uses.* Proposed in 1962 and modified in 1963, the U.S. also submitted a working paper on this measure in June, 1964 (ENDC/134). The U.S. proposal is flexible, entailing either a complete halt in the production of fissionable materials or on a reciprocal plant-by-plant shutdown. Also the U.S. proposal for the transfer to non-weapon uses of this material is flexible, either the same quantity of weapons-grade U–235 by both sides or 60,000 kilograms from the U.S. to 40,000 kilograms from the U.S.S.R. The U.S. in 1965 urged the demonstrated destruction of thousands of nuclear weapons by the U.S. and the U.S.S.R. to obtain fissionable material for transfer to peaceful purposes. The U.S. on March 8, 1966, submitted a working paper on the transfer of fissionable material obtained by the destruction of nuclear weapons (ENDC/172). Also the U.S. on June 25, 1964 (ENDC/134), on April 14, 1966 (ENDC/174), and on August 14, 1966 (ENDC/176) submitted working papers or memoranda on an inspection method for verifying the status of shutdown plutonium production reactors. This measure has not yet been accepted by the Soviet Union.

3. *Prohibition of the threat or use of force to change national boundaries.* This rudimentary proposal was introduced by the U.S. in January, 1964, and was clearly a U.S. response to a proposal first made outside ENDC by Chairman Khrushchev on December 31, 1963 (ENDC/119).

4. *The application of International Atomic Energy Agency (IAEA) or equivalent international safeguards over peaceful nuclear activities.* While the U.S. has incorporated a simple version of this measure into its draft non-proliferation treaty, it has also considered this as a separate measure. It has urged that existing bilateral transfer arrangements be rewritten to include IAEA safeguards. Also it has urged that the major nuclear powers themselves practice what they ask other nations to do and thus accept an increasing measure of IAEA inspection of their facilities.

5. *Regional limitations in non-nuclear arms.* The U.S. in January, 1966, proposed in a general way that states on a regional basis explore ways to limit competition among themselves for costly weapons. The initiative should come from the concerned regions. These states could agree not to acquire from any source, including their own production or importation, military equipment proscribed. The larger powers should be prepared to respect such an agreement.

The principal collateral measures suggested by the U.S.S.R. include the following:

6. *Withdrawal of foreign troops from the territories of other countries.* The U.S.S.R. proposed either that all foreign troops be withdrawn from all foreign territories or that agreement be reached on the number of troops reduced on a reciprocal basis until all troops are completely withdrawn. The Soviet Union wanted to begin this measure by the withdrawal of troops from East Germany and other Eastern European states and from West Germany and other Western European states. This proposal has not been accepted by the U.S.

7. *Reduction in the total numbers of the armed forces of states.* The U.S.S.R. for a time cut the number of her troops unilaterally, but it indicated a desire to make further cuts on a reciprocal basis. The U.S. has not reacted favorably.

8. *Reduction of military budgets.* In 1963–64 both the U.S.S.R. and the U.S. reduced their military budgets. The U.S.S.R. later proposed reciprocal reductions of ten to fifteen percent. The U.S. has always opposed this method of arms reduction as being deceptive, and not necessarily reducing tensions. Sweden and Canada urged preliminary work on budget reductions through the establishment of an experts' committee to study the matter, but the Soviet Union so far has not approved the appointment of such a group.

9. *Conclusion of a non-aggression pact between the NATO and Warsaw Treaty countries.* The Soviet Union presented a draft treaty in February, 1963 (ENDC/77). The U.S. has continued to be negative toward this measure, although the Committee on Arms Control and Disarmament of the White House Conference on International Cooperation in 1965 endorsed the general proposal.

10. *Establishment of denuclearized zones.* The Soviet Union has been more favorable to the creation of such zones than the U.S., although the latter is apparently becoming more receptive to denuclearized areas under certain conditions. While there have been proposals for denuclearized zones in the Mediterranean, Balkans, Central Europe, Northern Europe, Africa, and Alaska/Siberia, most technical progress has been made toward a denuclearized zone in Latin Amer-

ica. Yet there has been a postponement in August, 1966, in finishing the technical preparations even of this effort.

11. *Measures to prevent surprise attack through a network of observation posts.* The Soviet Union has tied this measure to the reduction in the number of foreign troops on the territories of Central European states. The U.S. in January, 1964, urged the negotiation of this measure without being tied to any reduction of troops. The U.S. plan provided for posts in North America as well as Europe. The U.K. in March, 1964, submitted a paper discussing this measure and concluding that it would "do much to ease international tension." (ENDC/130). Canada submitted in August, 1963, a memorandum comparing U.S. and U.S.S.R. proposals on reducing the risk of war through accident (ENDC/110).

12. *Renunciation of use of foreign territories for stationing strategic means of delivering nuclear weapons.* The U.S.S.R. submitted a draft declaration in February 1963 (ENDC/75). The U.S. has always been opposed to this measure as creating an imbalance of military forces.

13. *Elimination of all bomber aircraft.* The Soviet Union proposed in January, 1964, as a collateral measure that all bomber aircraft be eliminated. The U.S. counter proposal was to begin with the physical destruction of an equal number (20 per month on each side for 24 months) of American B–47 and Soviet TU–16 bombers. While both types of bombers were becoming obsolescent in the U.S. and U.S.S.R. military machines, they would be very usable in the arsenals of other states.

14. *The cessation of war propaganda.* This measure was proposed by the Soviet Union in 1962. It was considered by the Committee of the Whole in April and May, 1962. A compromise resolution on May 25th was agreed upon by member states (ENDC/C. 1/20), but then the U.S.S.R. rejected the agreed resolution by offering five amendments. No further debate has been held.

Other collateral measures proposed include the following:

15. *An agreement on the application of savings on military expenditures.* This was introduced by Brazil in February, 1964 (ENDC/126). It recommended that all governments reduce their military budgets and that a sum not below 20 percent of the value of their reductions be credited to an "Industrial Conversion and Economic Development Fund." Pope Paul VI made a similar proposal in Bombay.

16. *An agreement not to be the first nation to use nuclear weapons.* The Soviet Union has proposed this measure for future conflicts, provided that the other nuclear powers assume this obligation. The U.S. has never approved this measure.

17. A convention on the prohibition of the use of nuclear weapons. This measure is based on a resolution initially passed by the 16th U.N. General Assembly. It has been consistently opposed by the U.S. as being deceptive and unenforceable, and not establishing the conditions of confidence necessary for the universal renunication of these weapons.

18. *Freezing nuclear weapons in Central Europe.* A memorandum on this measure was submitted by Poland.

Further collateral measures have been proposed by states and private groups which merit further consideration even though they have not yet been officially placed before ENDC. These measures include the following:

19. *Controls over the traffic in conventional arms.* The Committee on Arms Control and Disarmament of the White House Conference on International Cooperation proposed the following controls: a—major power agreement to refrain from introducing sophisticated but conventional weapons to smaller powers, b—U.N. supervised agreements regarding sale and acquisition of arms by the smaller powers, and c—the establishment of a U.N. monitoring system to record the traffic in arms. The Committee also recommended regional non-acquisition agreements similar to those proposed by the U.S. (see No. 5 above). Malta in the 20th General Assembly also suggested that a system of publicity on the trade of arms be established through the U.N.

With the introduction of an increasing number of collateral measures—some of which were in the first stage of both draft GCD treaties—the obvious suggestion was made that certain measures should be put into a package for a pre-first-stage GCD. Another suggestion was that many of the collateral measures fall under two rubrics: nuclear disarmament and European disarmament/security. Perhaps efforts could be pursued to discuss these measures in two (or more) clusters. If it is difficult to have discussions and negotiations on the European measures without the presence of West and East Germany, perhaps these could be referred to a special conference on European disarmament/security with the participation of all relevant states.

Recommendations on other collateral disarmament members

25. While it is hard to select priorities—other than a non-proliferation treaty and a comprehensive test-ban—from among the pending collateral disarmament measures, ENDC should be encouraged to give further study and negotiate almost all of these measures.

26. ENDC should encourage the U.S. and the U.S.S.R. through "mutual example" or parellel initiatives to put into effect some of these collateral measures without the signing of bilateral or multilateral treaties.

27. ENDC should encourage the smaller nations to take disarmament initiatives whenever they can without waiting for agreement by the larger powers, but asking the larger powers to respect their agreements.

28. ENDC should, if possible, encourage the formation of working groups to explore further the technical and political aspects of most pending collateral measures.

29. While generally it is easier to negotiate on a single measure, ENDC might, where possible, put collateral measures into packages in an attempt to balance off the risks and gains of separate measures and make them more acceptable to participating states.

30. ENDC might encourage the convening of a special conference on European disarmament/security with the participation of all relevant states and considering the many collateral measures suggested.

6. WORLD DISARMAMENT CONFERENCE (WDC)

The first and second conferences of heads of non-aligned countries, held in Belgrade and Cairo in 1961 and 1964 respectively, proposed that necessary steps be taken to hold a world disarmament conference. The Cairo meeting suggested that it be held "under the auspices of the U.N. to which all countries would be invited." The U.N. Disarmament Commission, meeting in the spring of 1965, passed a resolution welcoming this proposal and recommended that the 20th General Assembly give it "urgent consideration." The General Assembly discussed this matter at length. The advantages of a conference appeared two-fold: 1—to bring militarily significant states, especially China, into the disarmament discussions and 2—to give the new impetus to the disarmament negotiations. The substantive debate centered largely on how Peking could be brought into the disarmament dialogue.

Also the General Assembly discussed the relationship of the Conference to ENDC. It was agreed generally that negotiations within ENDC should continue while a world conference was being prepared and such preparations should not in any way hinder ENDC. A distinction was made between disarmament discussions, such as those in the U.N. General Assembly, and disarmament negotiations, such as those in ENDC. A world disarmament conference would be a forum for disarmament discussions, but ultimately disarmament negotiations following a world conference would have to return to some forum such as ENDC, perhaps somewhat enlarged, and hopefully including China.

The resolution favoring the world conference was ultimately passed by the 20th General Assembly by a vote of 112 to none, with France abstaining and Nationalist China not voting. This called for "necessary consultations be conducted with all countries for the purpose of establishing a widely representative preparatory committee which will take appropriate steps for the convening of a world disarmament conference not later than 1967."

Consultations were begun principally by the non-aligned states which initially advocated the Conference, especially Yugoslavia, U.A.R., and Algeria. The Chinese newspaper, *Renmin Ribao,* on June 20, 1966, stated that "China will definitely not attend any world disarmament conference at the U.N. or outside it." Despite this statement, the non-aligned nations have not yet given up their efforts to convene a world conference.

Recommendations on a world disarmament conference

31. Efforts should be pursued vigorously to persuade the People's Republic of China to participate in a WDC.

32. Methods should be found to insure the participation of other militarily significant states—e.g., West Germany and East Germany—in a WDC.

33. A WDC should not be held if China and other militarily significant states will not attend.

34. A WDC, including especially its agenda and procedures, should be carefully prepared.

7. APPENDIX: ANNOTATED CHRONOLOGY OF ENDC

1962

March 14—Conference opened. (ENDC/PV. 1 and continuing).

March 15—U.S.S.R. introduced its draft treaty on GCD. (ENDC/2).

April 16—Joint memorandum, submitted from non-aligned states on a test-ban treaty (ENDC/28).

April 18—U.S. introduced its draft treaty on GCD. (ENDC/30).

(April—U.S. resumed atmospheric nuclear tests which U.S.S.R. had resumed in September, 1961).

May 31—First Interim Progress Report of ENDC (ENDC/42).

June 14—Recess began after 56th meeting.

July 16—Conference resumed with 57th meeting.

Aug. 27—U.S. and U.K. introduced two draft test-ban treaties (ENDC/58 and ENDC/59).

Sept. 7—Recess began with 82nd meeting, although Subcommittee on a test-ban treaty continued to meet.

Sept. 7—Second Interim Progress Report of ENDC (ENDC/62).

(Sept.—17th U.N. General Assembly convened, with disarmament debate in Political Committee.)

(Resolutions passed on suspension of nuclear tests, general and complete disarmament, convening a conference to sign a convention on prohibiting the use of nuclear weapons, and conversion to peaceful needs of the resources released by disarmament.)

(Oct.—Cuban missile crisis.)

Nov. 26—Conference resumed with 83rd meeting.

Dec. 7—Report of ENDC to General Assembly on test-ban negotiations (ENDC/68).

Dec. 20—Recess began after 95th meeting.

1963

Feb. 12—Conference resumed with 96th meeting.

April 10—Recess began after 120th meeting.

April 10—Third Interim Progress Report of ENDC (ENDC/83).

April 17—Conference resumed with 121st meeting.

June 10—Announcement made that the U.S. and U.S.S.R. had agreed to begin negotiations in Moscow in mid-July on a test-ban treaty.

June 10—Joint memorandum on test-ban treaty submitted by Ethiopia, Nigeria, and U.A.R. (ENDC/94).

June 20—Hot-line memorandum signed (ENDC/97) and began operating on August 30th.

June 21—Mexico submitted a draft treaty prohibiting the placing in orbit of nuclear weapons (ENDC/98).

June 21—Recess began after 147th meeting.

(July 15—Test-ban negotiations began in Moscow and partial test-ban treaty (ENDC/100) initialed on July 25).

July 30—Conference resumed with 148th meeting.

Aug. 2—Recess began with 149th meeting for some delegates to travel to Moscow.

Aug. 5—Partial test-ban treaty signed in Moscow.

Aug. 12—Conference resumed with 150th meeting

Aug. 29—Recess began after 156th meeting.

Aug. 29—Fourth Interim Progress Report of ENDC (ENDC/115).

(Sept.—18th U.N. General Assembly convened, with disarmament debate in Political Committee. Resolutions passed on general and complete disarmament, convening a conference to sign a convention on prohibiting the use of nuclear weapons, suspension of nuclear tests, denuclearization of Latin America, and conversion to peaceful needs of the resources released by disarmament.)

(Oct. 17—General Assembly passed resolution prohibiting the stationing of weapons of mass destruction in outer space.)

1964

Jan. 21—Conference resumed with 157th meeting.

April 21—U.S.S.R., U.S., and U.K. separately announced that they were reducing the production of fissionable material for nuclear weapons (ENDC/131 and ENDC/132).

April 28—Recess began after 187th meeting.

June 9—Conference resumed with 188th meeting.

Sept. 14—Eight non-aligned members submitted a joint memorandum on a comprehensive test-ban treaty (ENDC/145).

Sept. 17—Recess began with 217th meeting.

Sept. 17—Fifth Interim Progress Report of ENDC (ENDC/148).

(Sept.—19th U.N. General Assembly convened, but no disarmament debate was held in Political Committee.)

(Oct. 16—China exploded her first nuclear weapons.)

1965

(April 21—U.N. Disarmament Commission was reconvened for first time since 1960. Resolutions passed, before it recessed on June 16th, on a world disarmament conference and on reconvening ENDC to develop a treaty on general and complete disarmament and on collateral measures.)

July 27—Conference resumed with 218th meeting.

Aug. 17—U.S. submitted a draft non-proliferation treaty (ENDC/152).

Sept. 15—Eight non-aligned members submitted a joint memorandum on non-proliferation (ENDC/158).

Sept. 16—Recess began after 234th meeting.

Sept. 16—Sixth Interim Progress Report of ENDC (ENDC/160).

(Sept.—20th U. N. General Assembly, with disarmament debate in Political Committee. Resolutions passed on non-proliferation of nuclear weapons, general and complete disarmament, suspension of nuclear tests, question of convening a conference on prohibiting the use of nuclear weapons, and a world disarmament conference.)

(Sept. 24—U.S.S.R. submitted a draft non-proliferation treaty (ENDC/164).)

1966

Jan. 27—Conference resumed with 235th meeting.

May 10—Recess began after 263rd meeting.

June 14—Conference resumed with 264th meeting.

Aug. 17—Eight non-aligned states submitted a joint memorandum on a comprehensive test-ban treaty (ENDC/177).

Aug. 19—Eight non-aligned states submitted a joint memorandum on non-proliferation of nuclear weapons (ENDC/178).

Aug. 25—Recess began after 286th meeting.

Aug. 25—Seventh Interim Progress Report of ENDC (ENDC/184).

(Sept. 20—21st U.N. General Assembly, with disarmament debate in Political Committee.)

(Sept. 22—U.S.S.R. submitted to U.N. General Assembly a resolution on the renunciation by states of actions hampering the attainment of a non-proliferation agreement.)

CALL OF THE ROLL

Mr. CLARK. Mr. President, I suggest the absence of a quorum. I should like to advise that, at the suggestion of the Senator from West Virginia [Mr. BYRD] and the Senator from Oklahoma [Mr. MONRONEY], it is my intention to have a live quorum, so that attendants may advise Senators by telephone that this will be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 10 Leg.]

Aiken
Anderson
Baker
Bartlett
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Curtis
Dirksen
Dodd
Dominick
Ellender
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Metcalf
Mondale
Monroney
Montoya
Morse
Morton
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Russell
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from North Carolina [Mr. ERVIN], the Senator from Hawaii [Mr. INOUYE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Louisiana [Mr. LONG], the Senator from New Hampshire [Mr. MCINTYRE], and the Senator from Maryland [Mr. TYDINGS], are absent on official business.

I also announce that the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Indiana [Mr. HARTKE], the Senator from Utah [Mr. MOSS], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Florida [Mr. SMATHERS], and the Senator from Ohio [Mr. YOUNG], are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Hawaii [Mr. FONG], the Senator from New York [Mr. JAVITS], the Senator from Iowa [Mr. MILLER], the Senator from Illinois [Mr. PERCY], and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from New Hampshire [Mr. COTTON] and the Senator from Arizona [Mr. FANNIN] are necessarily absent.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). A quorum is present.

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

Mr. MONRONEY. Mr. President, the pending amendment relates to increasing the membership on the Appropriations Committee by appointing ex officio members from six additional standing committees of the Senate.

The pending amendment would provide for other ex officio membership on the Appropriations Committee in addition to the eight committees that are now represented by adding members from the Committees on Banking and Currency, Commerce, Finance, Foreign Relations, Interior and Insular Affairs, Judiciary, and Labor and Public Welfare.

Such an addition to the membership of the Appropriations Committee, which already has a total of 26 regular members and 27 ex officio members, would, I am afraid, move against the trend that everyone has urged. The Appropriations Committee in attempting to reduce its numbers has managed to reduce its numbers by one.

The author of the amendment, the distinguished senior Senator from Pennsylvania [Mr. CLARK], in his various statements on reorganization, particularly while the pending bill has been considered, has decried the excess number of committee assignments now carried.

All of us who work in the field of the reorganization of Congress have attempted—and I believe I am safe in saying that the prevailing trend of opinion is in that direction—to reduce the multiplicity of committee assignments that each Senator may carry because of the great workload that the standing committees now have.

The Senator from Pennsylvania has stressed that one of the ways to solve one of the most pressing problems is to have the committee memberships more limited than at present. Yet this proposal would fly in the face of that suggestion because it would make the Appropriations Committee more unwieldy by increasing its membership tremendously.

The present ex officio positions now total 27 so there are already 53 positions, including the full membership on the Appropriations Committee of 26.

The pending amendment would add a minimum of 21 positions—three from each of the committees mentioned. That would be a total of 74.

It is quite probable that the number could be increased from 74—which would be the minimum—to 89 as a maximum.

I cannot help thinking how lonely the 11 Senators who are not included in the list as proposed members of the Appropriations Committee would feel. Certainly, if we were inclined to agree to this amendment, it might be a good idea to make all Senators members of the Appropriations Committee so that we would not discriminate against any Senator.

I do not think that this would help the appropriations situation. There would be a considerable amount of difficulty, I am afraid, because some committees, such as the Committee on Banking and Currency, would have a minimum of three and could have a maximum of six ex officio members. This occurs if the committee is concerned with more than one appropriations bill.

Three members of the Committee on Banking and Currency would serve on the Subcommittee on Independent Offices Appropriations. Three additional members of the Banking and Currency Committee would be entitled to serve by reason of that committee's connection with the portion of the foreign aid bill which deals with the handling of appropriations for the Export-Import Bank.

The Committee on Commerce would have a minimum of three and a maximum of six members who would be entitled to serve on the Appropriations Committee. Three of these would be entitled to serve because of their work on the State, Commerce, and judiciary appropriations bill. The other three would be entitled to serve because of their work on the bill which contains appropriations for the Department of Transportation or for the individual independent agencies that deal with the transportation agencies and the Maritime Administration when those appropriations are being considered in the independent offices bill.

The distinguished chairman of the Subcommittee on Independent Offices of the Committee on Appropriations, the subcommittee which handles most of the transportation and aviation matters, the Civil Aeronautics Board, the Federal Aviation Agency, the Interstate Commerce Commission, and the Maritime Administration, is also chairman of the Committee on Commerce.

We already have a close interrelationship in which Senators who are actually in charge of legislative committees also serve as very important chairmen on appropriations subcommittees.

The Committee on Finance would have three ex officio members for the purpose of the Treasury and Post Office appropriation bill.

The Committee on Foreign Relations would add at least three members, consisting of those having to do with the foreign aid appropriations bill, in addition to its present membership of three who are entitled to consider the appropriations bill on the diplomatic and consular items, when that appropriation bill is being considered by the committee.

The Committee on Interior and Insular Affairs would have three members working on the public works appropriations bill having to do with the consideration of reclamation appropriations, the Southeastern and Southwestern Power Marketing Administrations, in addition to the Senators who now serve.

The Committee on the Judiciary would have three members on the State, Justice, and Commerce, the judiciary, and related agencies appropriations bill.

The Committee on Labor and Public Welfare would have a minimum of three members, but that number could be increased to as many as nine. Three of them would be on the subcommittee which handles the Foreign Aid Appropriations bill, for the consideration of the Cuban refugee program. Three of them would work on the Interior and Insular Affairs Appropriations bill having to do with a consideration of Indian and Public Health activities.

So the number could be anywhere from a minimum of 74—counting the 21 members to be provided by the pending amendment—to a total of 89 when we add the full 36 members that could be entitled to serve.

This certainly would not be helpful. The pending amendment would mean that Senators who now serve in important committee posts on legislative matters would be duplicating, as ex officio members, the work that they now perform.

For instance, two leading members of the Committee on Banking and Currency are now on the Committee on Appropriations. There are five members of the Committee on Commerce, which is to be given representation on the Committee on Appropriations. I stated that some of them are at the head of their committees. The Committee on Finance has no members on the Committee on Appropriations. But this is an historic matter; the members of the Committee on Finance have never been considered for the Committee on Appropriations, because it was an exclusive committee so far as they were concerned. They were not to be given seats on the two choice fiscal committees—the Committee on Appropriations and the Committee on Finance. For that reason, no members of the Committee on Finance are on the Committee on Appropriations, and no members of the Committee on Appropriations are on the Committee on Finance. It has been that way, and it has worked well.

The Committee on Interior and Insular Affairs is fortunate in having four members on the Committee on Appropriations, and members of the Committee on Interior and Insular Affairs have held extremely important positions. The distinguished chairman of the Committee on Appropriations is chairman of the Subcommittee on Department of the Interior Appropriations and is also a member of the Legislative Committee on Interior and Insular Affairs. So Senator Hayden, the President pro tempore of the Senate, is amply and ably representing that committee, as are three other members of the Legislative Committee on Interior and Insular Affairs.

The Committee on the Judiciary has the distinguished senior Senator from Arkansas as chairman of the State, Commerce, and Judiciary Subcommittee of the Committee on Appropriations and has two-member representation there.

The Committee on Labor and Public Welfare has three members on the Committee on Appropriations.

The Committee on Foreign Relations has three members on the Committee on Appropriations.

For this reason, I believe that the plea to give these legislative committees greater representation is not based upon an urgent need, would merely result in more members than could be handled, and would delay rather than help the passage of legislation.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CLARK. If the Senator has completed his statement, I should like to ask him to yield.

Mr. MONRONEY. I have not completed my remarks.

Mr. CLARK. I will wait.

Mr. MONRONEY. Under the language of the amendment, it would be necessary to examine each appropriation bill and determine which ex officio members would have to be invited. On some bills, this would mean ex officio members from more than one committee.

For example, the foreign aid bill would include ex officio members from the Committee on Banking and Currency on the Export-Import Bank, from the Committee on Finance on international banks funded through the Treasury Department, and from Foreign Relations on AID.

In other words, the amendment would open up the opportunity for unbalanced representation and much confusion as subcommittees may be realined for new departments such as the Department of Housing and Urban Development and the Department of Transportation.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. HOLLAND. I think the Senator is making a fine speech and is bringing out excellent points.

I wonder whether one other point should be mentioned, and that is that practically every Senator is overassigned now on committees. As a result, he does not have time to attend all hearings. If these new ex officio members were assigned to the Committee on Appropriations and to the appropriate subcommittee, it would simply add to their burdens, if they expect to attend the hearings of the Committee on Appropriations, which are exhaustive and consume a great deal of time.

Does not the Senator think that the Senators would be badly overburdened and probably would find it impossible to attend, which would mean that their addition to those subcommittees would not be good for them or for the subcommittee or for the full committee or for the Senate.

Mr. MONRONEY. I quite agree with the distinguished senior Senator from Florida. It would result in added duties that they could ill afford to carry, because many of the Senators who probably would be assigned to these committees are senior members of existing legislative committees.

As I said before, in the case of some Senators, such as Senator McClellan, Senator Hayden, Senator Hill, and Senator Magnuson, the committee would be given extra seats, and there would be added representation on the Committee on Appropriations, where there are already chairmen of these subcommittees of the Committee on Appropriations.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. MONRONEY. I yield.

Mr. HOLLAND. Would not the addition of these new ex officio members also add to the burdens of the subcommittees in obtaining a quorum for the transaction of business, and would this not add to the burden of the full committee in obtaining a quorum and knowing which quorum applied in each particular case? I say that because it would be, of course, a different quorum each time as the committee came to consider different subjects. Does the Senator think that would be burdensome?

Mr. MONRONEY. I think it would be burdensome and quite confusing.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. LAUSCHE. Did the committee give consideration to the thought of eliminating all the ex officio members and keeping the Committee on Appropriations operating under the number that exists without the ex officio members?

Mr. MONRONEY. The committee discussed both the addition to the committee and the subtraction of existing positions. Knowing the great resistance that would have occurred had we attempted to eliminate the historic membership on the committee now enjoyed and having been enjoyed since 1922, we chose to leave the membership of the Committee on Appropriations in status quo, rather than jeopardize the satisfactory condition that still exists in the Committee on Appropriations. We did not believe that the addition of new members would assist in any way to correct a situation that at some time the Senate may wish to correct.

Mr. LAUSCHE. The Senator from Oklahoma is deeply informed on this subject. He may not wish to answer this question; and if he does not wish to answer it, I will understand.

In the interest of efficiency in the management of the Committee on Appropriations, would it be better to reduce the number by eliminating the ex officio members rather than increasing the number as proposed by the Senator from Pennsylvania?

Mr. MONRONEY. I believe reduction would probably add to the efficiency to some degree. I am certain that the reduction, however, would meet with violent opposition on the floor.

Consequently, I feel that we should leave the present ex officio representation as it stands, but not compound additional membership simply to provide that these other committees should be represented. The committees are represented in a way, because the committee on which the distinguished Senator from Pennsylvania serves are represented on the Committee on Appropriations by three members of the Committee on Foreign Relations and by three members of the Committee on Labor and Public Welfare.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CLARK. Let me say to the Senator from Ohio that he has an absolutely valid point. There is no justification whatever for giving the Committee on Agriculture three ex officio members and not giving them to the Committee on Banking and Currency or the Committee on Commerce or the Committee on Interior and Insular Affairs or the other three committees which are denied this privilege.

I would be happy to join with the Senator from Ohio—I am sure he will be pleased to know—in the event my amendment is defeated, in proposing an amendment to strike out all these ex officio members from the eight favored committees which, through the accidents of history, without the slightest amount of logic, now have this privilege of three ex officio members when their bills have been considered. Either that arrangement is good for all committees or it is not good for any committee. I believe that it would be better to add these three ex officio members.

I wish to point out that this will not be a burden. They sit for one bill. Nor will there be any trouble in learning for what bill, because what bill is spelled out in my amendment. These arguments are just strawmen being raised to knock down the amendment.

If the Senator from Ohio or any other Senator can think of one good reason why the Committee on Commerce and the Committee on Banking and Currency should be denied the right of participating in the consideration of the appropriations which are of great interest to them, as members of the legislative committee, while the Committee on Post Office and Civil Service and the Committee on Agriculture and Forestry have this privilege, I wish he would get up and say so.

Mr. MONRONEY. There are five members of the Committee on Commerce, including the chairman, who represent that committee on the Appropriations Committee today.

Mr. PASTORE. Mr. President, does the Senator from Oklahoma yield the floor?

Mr. MONRONEY. I shall yield shortly, but first I wish to answer the question which was propounded.

I wish to point out that these are not frivolous assignments. In fact, two of the most recent additions include representation by very important committee jurisdictions, in specialties which are little known to the average Member of the Senate.

I refer to ex officio membership that was given the Committee on Atomic Energy; a Joint Committee was created and given three positions there; and also the Committee on Aeronautical and Space Sciences. These are two examples of specialties which are quite useful to the wisdom of the Committee on Appropriations.

Mr. CLARK. I am a little amused that the Senator picked out the Committee on Aeronautical and Space Sciences as the committee which should have three ex officio members, whereas he said that the Committee on Commerce should not have three ex officio members because the Committee on Commerce presently has five members on the Committee on Appropriations. I wish to point out that the Committee on Aeronautical and Space Sciences also has this situation. I cannot understand the logic of the Senator's position that the Committee on Commerce is not entitled to three ex officio members.

Mr. MONRONEY. The chairman of the Committee on Commerce is also the chairman of the Independent Offices Subcommittee that deals with most of the items in the new Department of Transportation. The Commerce Subcommittee is handled, of course, by another chairman, but most of the items come through the Independent Offices Subcommittee.

Mr. CLARK. The members who are already on the Committee on Appropriations and nontheless are entitled to three colleagues to join them in considering space matters are Senator Russell, Senator Stennis, Senator Holland, Senator Magnuson, and Senator Smith. It seems to me that they are able to take care of appropriations which might come before the Committee on Appropriations in aeronautical and space sciences.

I cannot understand the logic of the Senator from Oklahoma in saying that the Committee on Commerce or the Committee on Banking and Currency, which only has two members on the Committee on Appropriations—one of whom has just joined—are not entitled to these ex officio memberships.

If the Senator can make any sense of that, I wish he would try.

Mr. MONRONEY. I do not believe that Members go on these committees with the idea that without their membership the departments they represent would be at sea. They may be a little more expert in their knowledge of agriculture or armed services or some of these other items, but I do not believe that the individual Member, as a matter of right, should be considered, rather than the matter of getting appropriations properly considered, heard, and reported to the full Senate.

Mr. CLARK. I could not agree more. The Senator is absolutely right and the logic he presents would either result in all committees having the same privilege or no committees having the privilege.

It does not justify the fact that eight of these committees have the privilege and six of the committees do not.

Mr. MONRONEY. The amendment of the Senator would not eliminate ex officio members.

I yield to the Senator from Rhode Island [Mr. Pastore].

Mr. PASTORE. I wish to comment on this matter. I know that the Senator from Pennsylvania does not need the views of the senior Senator from Rhode Island.

Mr. CLARK. Yes, I do.

Mr. PASTORE. I think that the strategy of the Senator from Pennsylvania is wrong. His argument is logical and it makes a tremendous amount of sense. If there are to be advisers from any particular committee to the Committee on Appropriations they should all be recognized, or discard them all.

The Senator should move to eliminate first, and if that does not carry the move should be made to include the same number from all committees, and I think the Senator would have better luck.

Mr. DIRKSEN. Mr. President, prior to 1921 the practice was for the legislative committees to carry on the appropriation function that the Committee on Appropriations carries on now. That was an amazing situation, to say the least. First, legislative committees in the House of Representatives and the Senate would legislate and put all manner of substantive proposals on the statute books, and then, in the same breath, evaluate the cost and appropriate money. The net result was that 4 or 5 months after Congress adjourned there was not a soul in the country who could make heads or tails out of a Federal budget and determine how much was spent, or what for.

We had to assemble all of this material and put it together. It was confusion worse confounded. It got so bad that finally Congress, in both branches, had to take account of the situation. They did, and it was in 1921 that we enacted the Budget and Accounting Act. That is the year they set up the Office of the Comptroller General. They set up a Budget Bureau. They put up other devices and then they concentrated the appropriating power in one committee in the House and in one committee in the Senate and made it exclusive and protected their jurisdictions. So, today a bill cannot be presented in this Chamber that has an appropriation clause in the legislation but what it is ruled out of order, if the point is made.

That is the proper way to go about this business of budgeting. It has been kept pretty pure in its general and elementary aspects in all of these years.

Then the Senate began to tinker. In 1946, it began to tinker when it amended rule XVI because someone got the happy idea that the Appropriations Committee could not function effectively or effciently unless it had other legislators sitting in and listening to the process.

Well, I have a different interpretation of that. It looks to me as through what we did in 1946—and I was not in this body then—was actually to put some professional lobbying right in the middle of the Appropriations Committee. It is duck soup to serve on a legislative committee and have the privilege of going over new appropriations. Then, when an item dear to one's heart comes along, there we are, ready to pounce on anyone who puts up any opposition to it. We can go around with the glad hand and get them in the corner and give them an argument and "wow" them down and get our money. That is a business for you.

If the Senator from Pennsylvania is going to take the right approach he should offer an amendment to repeal paragraph 6 of rule XVI. That makes sense.

Mr. CLARK. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. CLARK. If I were to do that, would the Senator support me?

Mr. DIRKSEN. You bet I would.

Mr. CLARK. Then after this vote, why do we not——

Mr. DIRKSEN. I am going to table the Senator's amendment.

Mr. CLARK. The Senator has no doubt that——

Mr. DIRKSEN. Oh, the Senator will get another opportunity to offer it.

Mr. CLARK. The second time out. I would be happy to have the cosponsorship of the Senator from Illinois.

Mr. DIRKSEN. I have to have a proper regard for the resolution under which the special committee operates because, I am sure, reading the language, nothing in the resolution shall permit doing anything with the rules of procedure of the Senate. The interdiction was across the board, because we always run into that difficulty.

Back in my House days, when I was on the joint committee, with the distinguished Senator from Oklahoma, when we started in 1945 on the first joint committee, we worked like slaves for 2 years. That is when we really did some good. We had a pay increase in the bill. That should make everyone happy. That is the year we began the retirement fund for Congress. It took some doing, but it is similar to the one the civil service employees in the Federal Government have today. There were many other things, such as dealing with tort claims up to $1,000; also bridges over navigable streams; also the Antilobbying Act—and a good many more. Incidentally, I will get around to that one later.

The point I make is that that would have been the logical thing to do, to get this thing back on the track, to abandon rule XVI, paragraph 6, and not show any favoritism to the six committees there now.

Of course, the Senator's proposal is to add eight more. Well, I am informed by a member of the Appropriations Committee staff that it is possible at one time, on something like this huge supplemental bill which is in process of preparation, to have 89 Senators in the committee room at one and the same time.

Mr. CLARK. Mr. President, will the Senator from Illinois yield at that point?

Mr. DIRKSEN. If we kept that up long enough, we would have to dispense with any sessions of the Senate.

Oh, I am glad to yield to the Senator from Pennsylvania.

Mr. CLARK. Let me ask the Senator, who is so gracious and courteous, to read the proposed rule which he is attacking, because the rule is very clear.

Mr. DIRKSEN. It is clear.

Mr. CLARK. What I am proposing states nothing whatever about a supplemental appropriation bill. It has to do with the annual appropriation bill, and states that there be no more than three ex officio members in the committee at one time. It has nothing to do with a supplemental appropriation bill. Let me make that clear.

Mr. DIRKSEN. Let me say to my friend that when we get a supplemental appropriation bill the size of the one coming in here, which has got everything in it except the kitchen stove, why, in all decency, the distinguished chairman of the Appropriations Committee would invite them in, not because the rule insisted but to give everyone a fair shake. I can think of another bill, such as the foreign aid bill.

Mr. CLARK. If the Senator from Arizona wishes to invite Senators in without regard to the rules, that, of course, is his privilege; but there is nothing in my proposed rule which would direct him to do so. I am talking only about the annual appropriation bill.

Mr. DIRKSEN. Surely.

Mr. CLARK. Thus, the Senator's argument is really not to the point.

Mr. DIRKSEN. Just pick out one bill; and we will have two of those in the course of the year. There will be one now, because of the war situation in Vietnam, and one will come at the end of the session.

I could have picked out foreign aid, and that would have been the same thing, because it has already been explained as to how it cuts athwart the jurisdictions of ever so many subcommittees, all of which can then come in and take a look-see and give advice to the Appropriations Committee.

I discovered, after many, many years on Appropriations, that I do not believe I need that advice. My head has been so full of confusion, anyway, with all the stuff we had to look at, that any further advice would only perplex me more.

Mr. PASTORE. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. PASTORE. I agree with the Senator from Illinois that the proper approach to this would be to eliminate all ex officio members on appropriations subcommittees. But, coming back to the question of supplemental appropriations and foreign aid, I happen to be the manager of both. We have never had before our subcommittee any ex officio members. There is a supplemental going on now but the ex officio representation there is by invitation of the distinguished Senator from Georgia [Mr. RUSSELL]. I suppose that is because there is an element of authorization involved in the present bill now pending before that committee. That is the only reason that is happening now.

Mr. DIRKSEN. Surely.

Mr. PASTORE. I want to make it abundantly clear, in consideration by the Subcommittee on Foreign Aid, and on supplemental and deficiency appropriations, that we have never had the presence nor the cooperation, nor support, nor the need of any ex officio members.

Mr. DIRKSEN. I am glad that the Senator put in that last word "need," because there is so much information and material which is made available to the subcommittees that what they need rather than additional Senators sitting in the committee rooms, is a little time to look at the material which is supplied them.

Mr. President, in connection with the Budget and Accounting Act, today we have a Bureau of the Budget with over 500 persons working in it, preparing bills, preparing budget estimates, sitting with the President, and sitting with the budget officers of the various departments and agencies of the Government. There is also the General Accounting Office, with 4,000 people working in it, trying to keep abreast of the accounting of the country. And all the time this is happening in a country which is growing like mad.

Today, while making a comparative statement on radio, I was thinking that when I came to Washington, the population of the United States was 124 million persons. Today, it is 195 million persons. Thus, since my brief span of a third of a century in the House and Senate, we have gained 71 million persons.

Think of it.

All our people have needs. They have demands. They have new economic groups. We have all manner of modifications in the economy today which has pushed this Government upward and forward to its present astronomical dimensions.

I also remember that when I came here, there was an old Senator—not old let me say, but he was older than I was, certainly—and I used to like to talk to him because he was so wise and had so much commonsense.

I fussed with him one day.

"Oh," he said, "My boy, look. Be patient. Growth is inevitable. But later, when you go out campaigning, and somebody says, 'Well, you are too old to be reelected,' that is something about which you can do exactly nothing. You are not responsible for it except what you do to promote your own longevity." He said, "You will find this Government will move from one plateau to another plateau from year to year."

I have discovered that is true. Our real problem, when we are thinking of budget problems, is the rate of growth and our spending and our debt and the interest on the debt and other matters that give us that depressing feeling that we are not going to solve our problems by adding ex officio members to the Appropriations Committee, in the belief that we will have somebody who can cancel those projects, when, as a matter of fact, you put them in a beautiful position to look after pet projects of their own. If it were I, and I were invited in, not as a member of the committee, but as an ex officio member, I would watch everything, particularly when they brought in the public works bill, because that is where there is some "stuff" for everybody. I always have quite a few projects in Public Works. The trouble is they take them out and I have to go fishing to get them in. The authorization is there. I have to come back, I will say to the Senator from Arizona [Mr. Hayden], and lobby the committee. Incidentally, the clerks have been very kind and exceedingly helpful, for which I am grateful, because they make the job of getting a little money for certain projects a little easier for me.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. CLARK. I remind the Senator that the Public Works Committee already has the right of three ex officio members.

Mr. DIRKSEN. That is right.

Mr. PASTORE. But not for Illinois projects.

Mr. DIRKSEN. If I were not on the Appropriations Committee, but on the Public Works Committee, when those projects were considered and I were invited into the committee, I would have these pet projects—I would have a paper in my hand containing them—and I would try to make sure that a knife were not put into those projects that I wanted to go through. That is a laudable purpose. They call it a pork barrel bill. "Pork" may sound like a bad word, but it is not when one gets his part of it.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. CLARK. The speech which the Senator is making is very interesting, but is not relevant to the point of my amendment. The Public Works Committee has three ex officio members. Is that not correct?

Mr. DIRKSEN. Yes. I read what is in the amendment.

Mr. CLARK. Six times three is 18.

Mr. DIRKSEN. I have just shortchanged myself. It is even more defective.

Mr. CLARK. That is what we call "new math."

Mr. DIRKSEN. I guess so.

The point I make is that the spirit of the proposal is an absolute departure from what Congress tried to do in 1921, and make some sense out of the appropriation business. Goodness knows, it is difficult enough, what with annual appropriations, and this kind and that kind. I simply marvel at the clerks who serve that committee. How completely competent they are, and what background they have with respect to this variety of appropriations with which we deal.

So, trying to get sense out of it, we made a start in 1921. Now we reverse the field and go back all over again.

That is why this amendment should be voted down. I shall move to table after a while, but not until everybody gets in his 20 cents' worth. I could do it in three or four ways. My first impulse was to move to commit the bill to the Committee on Rules and Administration, but, for a diversity of reasons—meaning a diversity of activities which have detained Members so long this afternoon—I did not want to take unfair advantage, but I do want to give warning that that is what I propose to do before the bill gets away from the Senate.

Better, I think, would be to send it back to the Special Committee, and let the Special Committee take it, so it cannot be said that the bill is likely to get lost in the shuffle somewhere. Then it would still be in the bosom of the Senator from Oklahoma. I could follow that course. I could offer a substitute for the amendment of the Senator from Pennsylvania and, in place of what he has proposed, just propose to repeal paragraph 6 of rule XVI, which ought to do the job.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. CLARK. I should like to inform my friend that, if the motion to table carries, I shall make that proposal myself, and I hope I shall have the support of the Senator from Illinois.

Mr. DIRKSEN. The Senator will; no question about that.

One other thing I could do is move to commit the bill to the Committee on Rules and Administration, but I remember that the entire bill would have to be recommitted, and not merely the amendment. So, after every Senator has spoken, I shall arrogate to myself the privilege of offering a motion to table.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. CLARK. I wonder if we could get the yeas and nays while we have a sufficient number of Senators present.

Mr. HOLLAND. Mr. President, the motion has not been made.

Mr. CLARK. Will the Senator ask for the yeas and nays?

Mr. DIRKSEN. Yes. The Senator from South Dakota [Mr. Mundt] has said he wished to speak. Does the Senator from Pennsylvania wish to give us any more wisdom?

Mr. CLARK. I have very little further wisdom, if any, to give, but I should like to make an additional insertion in the Record on the subject, if I may. I ask, if it is agreeable, to read into the Record the names of Senators who presently serve as ex officio members on the eight committees.

From the Committee on Agriculture, Senators Ellender, Eastland, and Aiken.

From the Committee on Armed Services, on defense matters, Senators Symington, Jackson, and Thurmond.

From the Committee on the District of Columbia, Senators McIntyre, Tydings, and Prouty.

From the Committee on Independent Offices, Senators Anderson, Symington, and Hickenlooper.

From the Committee on Military Construction, Senators Symington, Jackson, and Thurmond.

From the Committee on Atomic Energy, Senators Anderson, Gore, and Hickenlooper.

From the Committee on Treasury and Post Office, Senators Randolph, Brewster, and Carlson.

On rivers and harbors items, from the Committee on Public Works, Senators Randolph, Young of Ohio, and Cooper.

Of course, that is now a part of the Public Works Committee. I want to clarify that the Public Works Committee does have a limited right, where rivers and harbors items are concerned, to have ex officio members there, but not on the great mass of public works legislation.

The gravamen of my argument is that either all legislative committees should have the right to have ex officio members on the Appropriation Committees, or none.

I have thought it is desirable, and still do, to give that consulting privilege to all legislative committees in order that the Appropriations Committee may be adequately advised as to the rationale of the authorizations which finally show up in the appropriation bills.

I suggest to the Senator from Illinois that if the Senate is not willing to extend to these six committees the privileges which it presently extends to eight, the only sound thing to do is to eliminate the privileges that have grown up with respect to the eight.

I thank my friend for yielding.

Mr. SCOTT. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. SCOTT. I inquire whether the Senator would consider appending to the motion to refer back to the Rules Committee a provision that the committee report within a time certain.

Mr. DIRKSEN. Oh, definitely. It would be committed with that instruction.

Mr. SCOTT. If the bill is referred to the Rules Committee, I believe that we might well be able to come back with some improvements, but I would personally rather see it referred to the Rules Committee than referred back to the committee which has reported it, because to my mind that appears to be, in some slight way, a derogation of the work of the committee, since we are saying to them, "You did a job, and we are not satisfied with it."

Actually, they were appointed for a given purpose. They have served that purpose, and I think served it well, even though we may not agree with all of their conclusions. But there has been no hearing on the bill itself. The hearings of that committee were for the purpose of determining what to recommend. No standing committee of the Senate has ever actually had a hearing on the bill, and it would occur to me that if there is to be a procedure, that that would be more in keeping with the normal procedures of the Senate.

Mr. DIRKSEN. Oh, it would not be in derogation of the special committee if it were committed to their keeping with an instruction to report back in 30 days. After all, they would now have the benefit of the floor discussion, the informal and casual discussion that has been taking place in the cloakrooms, and the work that has been done in recent days by the staffs of the various committees. That is all very beneficial.

But if the distinguished chairman of the special committee has any apprehension as to whether or not this was a destructive move, designed to bury this legislation, I want to reassure him on that point. There are good things in the bill. There are other things that need to be improved, and some of the defects removed. Having lived with it so long, I think the special committee would be best qualified to do that job.

Mr. SCOTT. If the Senator will yield further——

Mr. DIRKSEN. But it is a matter of choice whether it goes to one committee or the other.

Mr. SCOTT. It was my hope that it would be referred, if referred at all, to a standing committee, because that committee could have a fresh look at the bill, and would, therefore, not be bound by the predilections of any of the Senators who have already considered it. Two looks might be better than one look, or better than one look twice repeated.

Mr. DIRKSEN. I fully understand the Senator's position. On the other hand, I wish to be careful not to dismember this bill.

I have a conviction about title V, which deals with lobbying, because that is a criminal statute that has never come before the Senate Judiciary Committee; and that is our business, being a committee consisting entirely of lawyers, to deal with the criminal code, and that is where title V should go.

That action will have to be taken in due course, depending on what the will of the Senate is. But for the moment I will defer, and carry out my original intent with respect to this amendment.

I now yield the floor to the distinguished Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. MUNDT. Mr. President, I shall not detain the Senate long, because many of the things I expected to discuss have been very eloquently discussed by our minority leader; and I share his conviction about the unwisdom of adding all these ex officio members to the Appropriations Committee, so that finally we wind up virtually with a committee of the whole Senate, trying to wrestle with the problems of appropriations.

For example, one of the subcommittees on which I serve is that dealing with the Departments of State, Justice, and Commerce. That subcommittee crosses three legislative committees; so, with the addition of nine ex officio members, we would have that particular subcommittee voting with virtually as many additional members as there are on the whole subcommittee who have to conduct hearings on the bill.

The Appropriations Committee will celebrate its 100th birthday in March of this year. Even so, it is not the oldest, certainly, of the standing committees of the Senate. Since 1921, as the minority leader has pointed out, we have divorced the decisions of the legislative committees from the decisions of the Appropriations Committee. I, too, think we took a backward step in the Reorganization Act of 1946, when we started to reunite that which we had formally severed; because inevitably, the ex officio members, if they are loyal to their legislative committees and faithful to their own committee members, enter the Appropriations Committee room as special pleaders for the particular committee the legislation of which is being discussed by the Appropriations Committee. Thus we tend to turn back the wheels of reform, clear back to the original concept, where every legislative committee was its own appropriations committee.

I do not think that is wise, and certainly it is not in the interests of economy. We are presumed to be an economy-minded Congress. The President has urged us to so conduct ourselves. The majority leader has asked us to conduct ourselves in that fashion. The minority leader has echoed the viewpoint. Many of us have expressed similar convictions. Certainly by loading up the Appropriations Committee with special pleaders for actions of the legislative committees, we would accelerate our progress down the road to national bankruptcy, because their purpose and their fidelity both require them to become special pleaders for more and more appropriations, to finance the legislative programs which they have authored and espoused. Our minority leader is precisely right when he opposes the concept of bringing such lobbying activities into the same room with the cash registers.

I could never quite understand why, in the Reorganization Act of 1946, if we were going to have this transmigration of members from one committee to the other committee, they did not adopt the other side of the coin. That way would have made a lot more sense at that time—to say that members of the Appropriations Committee shall reciprocally be ex officio members of the legislative committees, in order that they can call to the attention of members of the legislative committees what their proposals are going to cost, and thus, by directing the attention of the legislative committees specifically to problems of finance, seek to answer the question Congressman Bob Rich, of Pennsylvania, made so famous around the country: "Where are we going to get the money?"

But that was not done. They gave us just half a loaf in that regard. I hope that the Senator from Pennsylvania will carry out what he has said he proposes to do if this particular amendment is defeated or laid on the table or disposed of in some other manner—introduce a measure to clean the slate, eliminate the ex officio appropriations committee members, and restore to the Appropriations Committee only the responsibility of making these appropriations. Already, the chairman of the committee has told us that the committee is uncommonly large. We took action, at his behest, when we made the assignments of new members this year, to hold down the membership and reduce it from 27 to 26, to make it a more workable and responsible group.

How long do Senators think it would take to get a quorum, if you had 50 or 60 Members across the board, involved in dealing with Appropriations Committee matters of this kind?

I would like, seriously, however, to recommend to the minority leader that he not throw the baby out with the bath water. I think this Reorganization Act has much to offer. It has a great deal of merit. If we follow his suggestion of recommitting the whole bill to the Rules Committee, I think we shall have killed reorganization for this session of Congress; because by the time they hold hearings, by the time they retrace the long steps which we have taken in 2 years of very assiduous effort on this work, the Senate will be busy with a lot of other urgent matters, and it will be gone with the wind as far as this session of Congress is concerned. Who knows, then, when we will ever achieve a reorganization of Congress?

There is no question that the Senate, in working its will on this package, will make some changes, as it has the right to do and as it should do.

I do not think that a single member of the joint committee, if he had his preference, would have the whole bill precisely as it is at present. However, it was a matter of reaching a consensus, with the committee equally divided between House and Senate Members and Republicans and Democrats.

The bill was reported unanimously. It has been referred back to the Committee on Rules and Administration once. Some discussions were held, some hearings were had, and some changes were made. However, I think if we were to send the bill back to that committee again, it would be sounding the death knell of the measure for this session.

It would mean that the House and Senate Members would have to get together. It would be another delaying tactic which would not be almost as bad as sending the measure back to a new committee which would have to refresh itself on all the ramifications and further delay action.

We must surely have some legislative tools for handling matters of this kind instead of saying, every time we oppose an amendment—and I oppose this amendment: "Send the whole package back to committee and start over."

We have other means of handling a matter of this kind.

Mr. President, I should like to address a parliamentary inquiry to the Chair.

Mr. LAUSCHE. Mr. President, will the Senator yield to me before he does that?

Mr. MUNDT. I yield.

Mr. LAUSCHE. The Senator has commended the Senator from Pennsylvania for his position.

Mr. MUNDT. For his second position—his fallback position.

Mr. LAUSCHE. The position I refer to is that the Senator from Pennsylvania said that, in the event his pending amendment is rejected, he will be serving the interest of efficiency by offering another amendment to cut the committee membership so that there would be no ex officio membership.

Mr. MUNDT. Both efficiency and economy.

Mr. LAUSCHE. The Senator from Oklahoma made the statement that if he had to make a choice in the interest of efficiency in the membership of the Appropriations Committee, he would recommend an elimination of the ex officio membership rather than an increase in committee membership to 74.

Mr. MUNDT. I share that opinion.

Mr. LAUSCHE. The Senator from Pennsylvania stated to me that he agreed with me that efficiency would require a reduction of membership rather than an increase.

We, therefore, have in issue the question: Shall there be consistency through raising the committee membership to 74, or shall there be efficiency through reducing the committee membership through the elimination of all ex officio members?

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LAUSCHE. I shall yield in a moment.

I am prepared to join the Senator from Pennsylvania in his proposal to reduce the number of committee members.

As between efficiency and consistency, I choose efficiency; and, if the Senator offers the amendment he spoke to me about, he will be not only achieving efficiency but also consistency.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. CLARK. Mr. President, I quite agree that if the other committees which do not now have the privilege of naming three ex officio committee members are going to be denied that privilege as a result of the tabling motion carrying, the right thing to do would be to withdraw that privilege from all other legislative committees.

No legislative committee should have privileges which are denied to other legislative committees.

I am not so sure that I go along with the thought of the Senator on efficiency, because in my opinion it is probably more efficient to have representatives of the legislative committees participate in the process in a minority position than to deny that right to any of them.

Nevertheless, I think there is a little injustice in the present situation. I therefore concur with the Senator from Ohio. As a result, let us let them all have the privilege or let us not let any of them have it.

Mr. MUNDT. Mr. President, the Senator from Pennsylvania has taken a fallback position that, to me, is a very persuasive and logical argument. I think he has the support of the minority leader, the Senator from Ohio, and the Senator from South Dakota. He already has four Senators supporting the amendment.

Mr. CLARK. How can we fail?

Mr. LAUSCHE. We fail on the basis of the words spoken by the Senator from Oklahoma that he favored a reduction but knew that we would be stepping on toes and causing pain to many Senators who would be eliminated from committee membership.

It will be interesting to see what the result of the vote will be.

Mr. MUNDT. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. MUNDT. Mr. President, would a motion to lay on the table the amendment of the distinguished Senator from Pennsylvania be in order?

The **PRESIDING OFFICER.** It definitely would.

Mr. MUNDT. Mr. President, if the motion to table were agreed to, would that open the legislative process so that he could introduce his fallback amendment?

The **PRESIDING OFFICER.** He would have that right, yes.

Mr. CLARK. Mr. President, I think the procedure would be that, once the motion to table has carried, I would then have the right to offer another amendment, which I would do.

The **PRESIDING OFFICER.** The statement of the Senator is correct.

Mr. MUNDT. Mr. President, I serve notice that at the conclusion of my remarks I am going to move to lay on the table the amendment of the Senator from Pennsylvania.

Mr. HOLLAND. Mr. President, will the Senator yield before he does so?

Mr. MUNDT. Mr. President, I am not going to do anything but serve notice at this time. At the conclusion of my remarks, I am going to move to lay on the table the amendment of the Senator from Pennsylvania.

I shall do that because I do not think we should be in the position of recommitting the entire bill on this contested issue at this time.

There are a lot of values and plusses contained in this Reorganization Act.

I quite agree with the minority leader on that point and so does the Senator from Texas [Mr. YARBOROUGH], who has submitted some amendments. However, this is the time and this is the hour.

After 20 years, we can reorganize the procedures of Congress. However, if we send the measure to committee, it will be lost for many years.

Mr. HOLLAND. Mr. President, I agree with the distinguished Senator from South Dakota that there is much good contained in the pending bill. There is much need in the Senate for many of the provisions contained in the bill.

I want to support the bill. I call the attention of the Senate to something that I know has already been in the mind of the distinguished Senator from Oklahoma who is ably leading the debate on the pending bill. The minute we get into the question of considering amendments to the Standing Rules of the Senate, we are in trouble.

I call the attention of the Senator to the fact that the Senate knew this when it adopted Senate Concurrent Resolution 2 in the last Congress.

The following words appear in that resolution:

> *Provided,* That nothing in this concurrent resolution shall be construed to authorize the committee to make any recommendations with respect to the rules, parliamentary procedure, practices, and/or precedents of either House, or the consideration of any matter on the floor of either House.

We are being invited here to violate our own mandate which stated to the chairman and the other able committee members from the Senate and House of Representatives that this subject was to be taboo and was not to be considered and was not to be contained in the reports to the two Houses of Congress.

The evils of abandoning that mandate are already clear here. The minute this amendment was offered by my friend, the distinguished Senator from Pennsylvania, to amend the Standing Rules of the Senate, we got into this hassle which has already lasted the better part of 2 days.

As I read the proposed amendments, it is apparent that a good many more amendments will be offered later. Some of them are even more argumentative than is this amendment addressed to the standing rules of the Senate. Therefore, my own position will be that I shall not only vote to lay the pending amendment on the table, but also vote to lay on the table any amendments to the bill which seek to change the standing rules of the Senate.

I say to my friend, the distinguished Senator from Pennsylvania, that I am willing to join him in offering his second resolution, to go to the Committee on Rules and Administration on the question of amending this particular rule so as to eliminate all ex officio members.

I think that would be a very fine thing to do. However, I am not willing to join in or support that proposal as an amendment to the pending bill, because the minute we get amendments to the standing rules of the Senate, or to the serious consideration of them in connection with the pending bill, I think the bill is doomed to defeat.

I want this bill to prevail in many of its features. I have already said that to the Senator from Oklahoma and the Senator from South Dakota and others who are very much interested in this matter. So I hope that there will be no serious efforts, following the laying on the table of the pending amendment, to offer another amendment to this standing rule; because I think that if we ever begin this process of amending the standing rules of the Senate in this discussion, the bill will be beaten, and too much good work has been spent by devoted people, including the two Senators now on their feet—the Senator from Oklahoma and the Senator from South Dakota—for us to waste all this effort.

Mr. MUNDT. May I say to the Senator that that is precisely why I have given notice that I shall move to lay this matter on the table when I relinquish the floor. And I will join the Senator from Florida in making the same motion and supporting the same motion on any other amendments proposing changes of the rules, no matter how commendable.

We operated in our joint committee exactly in the straitjacket that the Senate imposed upon us. I am sure that the distinguished cochairman of our joint committee will affirm the fact that we were tempted by many witnesses and urged by many witnesses to move in the direction of rule changes. We all had some ideas about rule changes, including the one I had to eliminate the appropriations committee's ex officio members; but we took a sort of collective oath of abstinence, and none of us offered such motions. I think that this is in keeping with the sense of the Senate, that this is not the bill on which to wage fights over various rules changes no matter how attractive they may appear to be. I believe that the way to do it is not to recommit the bill but to lay such motions on the table and get on with the work at hand.

We are in the fortunate position of a hunter with a double-barreled gun. If we move to lay on the table and fail, then the minority leader or any other Senator can move to recommit the whole package back to the committee. But I hope that that will not become necessary. I hope that we can eliminate the irrelevant material and get on with amendments which are necessary to improve the package, so that we can have the kind of reorganization program that we have in mind.

Mr. President, because the motion to lay on the table is not debatable, I do not wish to shut off any Senator's right to be heard. I am willing to yield to anyone who wishes to comment.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. CLARK. I should like to make a little legislative history, in view of what my good friend, the Senator from Florida, has just said. I am sure that the Senator from Oklahoma and the Senator from South Dakota will agree with me in this regard.

When the joint congressional committee began to take testimony with respect to the reorganization bill a couple of years ago, I was invited to come before it and propose the whole package of rule changes on which for 10 years I have been attempting to get adequate hearings before the Rules Committee and to get some report, favorable or unfavorable, on those rules to the floor.

Mr. MUNDT. The Senator from Pennsylvania was also advised at that time that we were bound by the resolution of the Senate, that we could not take any action, but that we were pleased to obtain his counsel and advice.

Mr. CLARK. The Senator is correct. Nevertheless, I was encouraged, and so were other Members of both Houses of Congress.

Mr. MUNDT. The Senator is correct.

Mr. CLARK. I presented that testimony, and I was subjected to friendly but nonetheless searching examination on what I proposed.

So there has been before the joint committee a comprehensive hearing on all the rules changes which I am now proposing on the floor. It would not have been necessary to propose them on the floor if the Rules Committee had not, in its infinite wisdom, for many a long year, felt that it did not wish to get into a serious consideration of rules changes. So that this is the first opportunity I have had in 10 years to bring this matter up for consideration by the Senate as a whole. It is for this reason that I am proposing these several different amendments at this time.

May I also say that nothing of a parliamentary nature—I have checked this matter carefully—would inhibit the Senate at this point from making any change it wishes to make in the standing rules. The prohibition against changing the rule was applicable to the report of the Monroney committee, but nothing in the bill prevents any Senator from proposing to amend it in any manner, if he can persuade the Senate to support him. So that that prohibition in the initial legislation creating the joint committee has no relevance to what is taking place before the Senate at this time.

Mr. MUNDT. Nobody is arguing that, except as it applies to the Senator's fetish for consistency. The Senator from Pennsylvania believes that there should be consistency about ex officio members, and we believe that there should be consistency in the procedures imposed upon the committee so that they also should become operative as a matter or convenience and encouragement at this time when the package proposal is before the Senate.

May I say that the Senator from Pennsylvania was one of the earlier eloquent Members in favor of the reorganization committee concept. He wrote a book about it and delivered many speeches about it and testified before our committee. I do not believe that the Senator wishes to become a party to sabotaging the entire matter by having it referred back to the committee.

Mr. CLARK. I am strongly opposed to recommittal.

Mr. MUNDT. I am sure that the Senator is opposed to recommittal.

The realities are, however, that enough opposition exists to the various kinds of rules changes, including this one, that if my motion to lay on the table is defeated, the minority leader says that he will then move to refer our proposals back to the committee as a package. If that motion is passed, we will have lost everything for which we have worked.

I may counsel with the Senator from Pennsylvania that he continue his crusade for these rules changes and do so as a separate activity before the Rules Committee. Not all the proposed amendments are of such a nature as to provoke a filibuster. This particular amendment is one on which reasonable men disagree, but they would argue it and come to a vote. But if our own package of reform proposals is cluttered up with matters that are extraneous to the jurisdiction of the committee, I am afraid that the whole package will be recommitted or killed by a filibuster and I am afraid that we will kill legislative reform.

Mr. CLARK. May I say to the Senator from South Dakota that my thought with respect to tactics would be slightly different from his. I would join him with all the vigor at my command in resisting any effort to recommit this bill. There has been much work done on it. I think we all should be prepared to support this bill—at least some version of it—and not send it back to the committee.

At the same time, if in its wisdom the Senate, by a majority vote, decides that it wishes to change any of its rules by way of amending this act, it seems to me that that is only normal democratic procedure, and I would favor that.

Mr. MONRONEY. I wish to say that, based on my experience in the first Reorganization Act and in this one, if everyone got the kind of bill he wanted, we would have 100 reorganization bills to work with; because everyone in this field is as much an expert as anyone else.

We have taken testimony. We have diligent committee members. We all live and get along with the rules of the Senate. We each would like them changed in one way, our seatmate in another, and one committee chairman would like ex officio membership eliminated; the committee chairman downstairs, holding the meetings of the Committee on Armed Services, would like to continue the ex officio situation we presently have.

I do not know any way in which we can please everybody. If we do not wish reorganization, let us say so, and kill the bill tonight, and not waste time. No one will get everything he wants. Not everything will remain exactly as it is and at the same time contain the changes that everyone knows are absolutely necessary and vital if these great institutions, the Senate of the United States and the House of Representatives, are to demonstrate that free men can legislate in an efficient way in the midst of the age in which we live, with budgets that run well beyond $135 billion.

Personally, I could not care less whether the eight committees that now have ex officio membership on the Committee on Appropriations will continue to be represented there or not.

Mr. President, this is a carryover from the time of the Budget and Accounting Act. This has been verified twice by the Legislative Reference Service and others. When the Budget Act was passed, the appropriating power of six of these eight committees was taken away from them. They were legislative and appropriating committees by nature.

The Committee on Agriculture, the Committee on the Army, and the Committee on the Navy appropriated their own funds as well as providing legislative authorization. When the great reform took place in 1922, a compromise was worked out to allow them to have this ex officio membership of three members when action on the bill was taken up in the Committee on Appropriations. That was practice that has lasted from 1922 to 1966. I do not say that because it is old it is good, or anything of that nature.

If Senators expect to help with reorganization and our solution is to be effective, we cannot accommodate these six other committees. I do not think we should because of the growing size of the Appropriations Committee. I am afraid we will run into trouble after we take this action today or tomorrow to kill the right of the eight committees to have ex officio members. There will be another, bigger fight, more dissatisfaction, and more ice on the wings of the airplane to pull it down, because finally there must be a majority of the Senate voting for any effective legislation that will provide a decent reorganization or we shall wind up watering this measure down so that it is not going to be worth a tinker's damn.

I think that Senators know the path that we are on and the difficulty that we are going to run into. It would be a great mistake to recommit the bill because of the pressure for watering it down or weakening it on one hand, or the attempt to amend rule XXII and to get a vote on that from the floor on the other.

Mr. President, I feel that the lesser of the two difficulties would be to vote down or table. I would prefer to vote down the proposal to further increase the Committee on Appropriations, and leave it as it has been since 1922. The 1946 addition came later—as did the provision for the Committee on Aeronautical and Space Sciences and the Joint Committee on Atomic Energy—to have ex officio membership on the Committee on Appropriations. Those were two additions.

The other rights to appropriate have been there since the beginning of time. The legislative committees, whose appropriating jurisdiction was revised and repealed in 1922—and as a matter of giving them something, and the feeling that they had a part in it—were given the right to have ex officio members.

I caution the Senate that we are heading down a road where we will have only an empty husk and window dressing. I would not want a bill that is watered down so much that there is nothing in it at all to make the House of Representatives and the Senate more effective.

The bill has not been sent to the House of Representatives. It will have to go there and be debated. If we take everything out of the bill that hurts us or causes a loss of prestige to a Senator or two, the House of Representatives will probably shelve it because of things that they do not like and we will have wasted 2 years in an attempt to streamline this body.

I hope that we will reject the amendment tonight; or perhaps we might sleep on it tonight and determine tomorrow how the leaders of these eight committees feel about having ex officio members, which they have had for so many years, withdrawn from them.

Mr. MUNDT. Mr. President, in conformity with the notice that I served and the desires of the joint committee, and so that we may get on with the proposed bill—I do not think that we should use an atomic bomb to kill a fly on the wallpaper—I move to lay the amendment of the Senator from Pennsylvania [Mr. Clark] on the table.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Maryland [Mr. Brewster], the Senator from North Carolina [Mr. Ervin], the Senator from Hawaii [Mr. Inouye], the Senator from Massachusetts [Mr. Kennedy], the Senator from New York [Mr. Kennedy], the Senator from Louisiana [Mr. Long], the Senator from New Hampshire [Mr. McIntyre], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I also announce that the Senator from Idaho [Mr. Church], the Senator from Mississippi [Mr. Eastland], the Senator from Indiana [Mr. Hartke], the Senator from Utah [Mr. Moss], the Senator from Connecticut [Mr. Ribicoff], the Senator from Florida [Mr. Smathers], and the Senator from Ohio [Mr. Young], are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster] and the Senator from Hawaii [Mr. Inouye] would each vote "yea."

On this vote, the Senator from Florida [Mr. Smathers] is paired with the Senator from Ohio [Mr. Young]. If present and voting, the Senator from Florida would vote "yea" and the Senator from Ohio would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott], the Senator from Hawaii [Mr. Fong], the Senator from New York [Mr. Javits], the Senator from Iowa [Mr. Miller], the Senator from Illinois [Mr. Percy], and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from New Hampshire [Mr. Cotton] and the Senator from Arizona [Mr. Fannin] are necessarily absent.

If present and voting, the Senator from Colorado [Mr. Allott], the Senator from Arizona [Mr. Fannin], the Senator from Iowa [Mr. Miller], and the Senator from Texas [Mr. Tower] would each vote "yea."

The result was announced—yeas 63, nays 13, as follows:

[No. 11 Leg.]

YEAS—63

Aiken
Anderson
Baker
Bartlett
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Cooper
Curtis
Dirksen
Dodd
Dominick
Ellender
Fulbright
Griffin
Gruening
Hansen
Harris
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, Mo.
Mansfield
McClellan
McGee
McGovern
Metcalf
Monroney
Montoya
Morton
Mundt
Murphy
Pastore
Pearson
Prouty
Randolph
Russell
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—13

Clark
Gore
Hart
Jackson
Magnuson
McCarthy
Mondale
Morse
Muskie
Nelson
Pell
Proxmire
Williams, N.J.

NOT VOTING—24

Allott
Bayh
Brewster
Church
Cotton
Eastland
Ervin
Fannin
Fong
Hartke
Inouye
Javits
Kennedy, Mass.
Kennedy, N.Y.
Long, La.
McIntyre
Miller
Moss
Percy
Ribicoff
Smathers
Tower
Tydings
Young, Ohio

So Mr. Mundt's motion to lay Mr. Clark's amendment on the table was agreed to.

AMENDMENT NO. 64

Mr. CLARK. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

"STANDING RULES OF THE SENATE

"Sec. 123. Paragraph 6 of rule XVI of the Standing Rules of the Senate is repealed."

Mr. MONRONEY. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. MONRONEY. Would the distinguished Senator allow us to bring up one or two other amendments, so that we can attempt to see some of the reaction to the pending amendment?

Mr. CLARK. If the Senator will yield to me briefly, I would be happy to do that.

Mr. DIRKSEN. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. DIRKSEN. Mr. President, I think that I should reserve the point of order.

Mr. CLARK. Very well.

Mr. President, the purpose of the previous amendment was to add six committees to the group of eight presently having the privilege of having three ex officio members on the Appropriations Committee when appropriations affecting these legislative committees are under consideration.

The purpose of the present amendment is exactly the reverse. The Senate having concluded that it does not wish to give equal justice to six committees presently denied ex officio representation on the Appropriations Committee, the present amendment would strike paragraph 6 of rule XVI so as to eliminate the ex officio privilege altogether.

I am aware that under rule XL, an amendment to change the rules must lie over for 1 day, unless unanimous consent is given to waive that requirement. It occurred to me it would suit the convenience of Senators to waive that requirement, so that we could vote on it at this time, because the debate on the motion to table has clearly developed the arguments in favor of the presently proposed amendment.

Therefore, I ask unanimous consent that rule XL may be waived so that this particular amendment may be voted on immediately.

Mr. MONRONEY. Mr. President, reserving the right to object—and I shall probably object—I do not think this would be at all fair to many Members of the Senate who have been in committees and subcommittees when this discussion was going on. I think the least we could do would be to give those Members, particularly the chairmen of those committees who have been entitled to representation with ex officio members since 1922, an opportunity to be heard.

For that reason, I believe it would be better to take up some other amendment, if we can. The distinguished Senator from Michigan has one. I am sure there are other Senators who have some. We could have this present amendment go over until tomorrow so that at least Members of the Senate affected by the change will be on notice of what is being proposed.

Mr. CLARK. Mr. President, in view of the comments of the Senator from Oklahoma, I now give notice, in accordance with rule XL—and I shall put the notice in writing immediately—that I shall propose tomorrow to move to change rule XVI of the Senate in accordance with the amendment which has just been read by the clerk.

Mr. HART. Mr. President, I call up my amendment No. 34, and ask for its immediate consideration.

The PRESIDING OFFICER. Does the Senator from Pennsylvania withdraw his amendment? The pending question at the present time is the amendment of the Senator from Pennsylvania.

Mr. HART. I ask unanimous consent, Mr. President, that the Senate may proceed to the consideration of amendment No. 34 without displacing the amendment of the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I should not object, but my understanding of the parliamentary situation is that my amendment has to lie over until tomorrow.

The PRESIDING OFFICER. If someone objects to its present consideration; that is correct.

Mr. MONRONEY. Mr. President, a point of order. Is it not a fact that the Senator offered his amendment, introduced it for reference, and had not called it up to ask for its consideration?

The PRESIDING OFFICER. It was read. He asked that it be read.

Without objection, the Senate will proceed to the consideration of the amendment of the Senator from Michigan.

Mr. CLARK. I should like to go to the amendment of the amendment of the Senator from Michigan, because my amendment is subject to a point of order today, and therefore I have given the notice in writing which is necessary in order to make it available to be called up tomorrow.

The PRESIDING OFFICER. Does the Senator withdraw it, then, until tomorrow?

Mr. CLARK. I ask that its consideration be deferred until tomorrow. I do not withdraw it.

The PRESIDING OFFICER. Yes. Without objection, the Senate will proceed to the consideration of the amendment of the Senator from Michigan.

Mr. HART. I ask, Mr. President, if there is no objection, that I may make a brief explanation of the amendment in lieu of having it read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. HART. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, and that I be permitted to make a brief explanation.

The PRESIDING OFFICER (Mr. SPONG in the chair). Without objection, it is so ordered.

The amendment of Mr. HART is as follows:

AMENDMENT No. 34

Beginning with line 13, page 20, strike out all to and including line 7, page 21, and insert in lieu thereof the following:

"(c) Each report of a committee of conference shall be printed as a report of each House of the Congress. As printed in each House, each such report shall be accompanied by an explanatory statement prepared by the conferees on the part of both Houses. Each such statement shall be sufficiently detailed and explicit to inform both Houses as to the effect which amendments or propositions contained in such report will have upon the measure to which it relates. If any conferee on the part of either House desires to submit to the House of which he is a Member an additional individual explanatory statement with respect to any such report, such individual statement may be filed as an appendix to, and may be printed together with, the explanatory statement made by the conferees on the part of both Houses, if such individual statement is available at the time of the filing of the report of the committee of conference in the House of which that conferee is a Member."

Mr. HART. Mr. President, the committee has recommended a reorganization bill which would require, on page 20, under the caption "Conference Reports," a written report from each committee of conference. Each of the Houses shall file a statement prepared by the conferees of each House.

As I understand it, Mr. President, under existing law there is no requirement for a written report from committees of conference. As we well know, the House conferees long have filed written reports. It has been the Senate tradition that the Senate conferees shall come in and make a verbal explanation of what the conferees have agreed upon, at which point we act.

I think the purpose and proposal by the Monroney committee which would require written reports and explanatory statements to be prepared by the conferees of each House is a desirable forward step. But what concerns me is this: Where do we stand if the House conferees make a written report and explanation, and then the Senate conferees make a written report and explanation which is different? Let us not delude ourselves: This is not the figment of somebody's imagination. This will happen on occasion. Then the matter is brought to the attention of a court, and the court must say, "Well, I do not know which of these versions really happened."

I think it would be very unwise to allow the Senate and House to file separate, and possibly conflicting, explanatory statements at this stage of the legislative process. We are all aware that the primary purpose of a conference is to resolve differences and to arrive at agreements during this final stage of the legislative process. Although I do not necessarily think this would happen in every case, if separate and conflicting or contradictory explanatory statements should accompany reports in each House, the whole concept of legislative intent might be eroded. It is well known that Members of Congress, administrators, the press, the general public and the courts look to reports and legislative history in order to determine congressional intent. Congressmen, for example, might be confused if they were to discover, in the final stage of the legislative process, that the Senate conferees explained what they had done one way while the House conferees had an entirely different explanation of the results.

Why can we not agree that there be a written statement to be filed by the conferees of both Houses? Then we will know exactly what has been done. That is the purpose of my amendment.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. HART. I yield to the Senator from Washington.

Mr. JACKSON. I agree completely with the Senator's objective. I think it would be helpful if we could get a joint statement which could be concurred in by both the House and the Senate conferees.

The thing that worries me is that we might tie up a conference for a long time in an effort to get that joint statement. My experience on the many conferences in which I have participated leads me to believe it will be well-nigh impossible, in some cases, at least, to obtain that kind of a joint, agreed-upon statement.

That would be my concern. I agree completely with the Senator's objective, and I think the Reorganization Subcommittee, headed by the able senior Senator from Oklahoma, has taken a long step forward. I do worry about the ability to carry out the objective of the Senator from Michigan, with which I am in wholehearted sympathy.

Mr. HART. Mr. President, I am grateful, of course, for the comment of the Senator from Washington. But I wonder, now that we have talked about it for a minute, and I have thought about it, if the Reorganization Committee is really proposing something that will be useful and constructive, if in fact we open the door to the possibility that we will have two versions of what the conference has done, it will be a "pay your money and take your choice" proposition. That would not be useful from the standpoint of litigants or courts, or really of ourselves.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. MONRONEY. In fact, we have two versions today. The version of the House generally takes greater precedence, because it is a carefuly written out explanatory statement on the bill the conferees bring in.

The only way the Senate conferees can explain their position, as they understood the decisions made on the legislation in conference, is by getting up on the floor and making a speech, or getting someone who is explaining the conference report to yield, and saying, "This is what the Senate conferees believe was agreed to."

Therefore, I think it will give the Senate at least a more coequal status, even though there is some variance in the interpretation that the Senate conferees have from the House conferees, as shown in the language of their statement, and that we will at least have an equal status by having an explanatory statement filed by our conferees.

The ideal thing, and I think it will develop in the conferences, is that the House and the Senate will begin, then, to submit to each House a statement in identical language, because it would be much more valuable and a much better conference report.

But the Senator knows the positions of House conferees as well as I do, and they are not going to give up to the Senate at this time the prerogative of their own explanatory statement and agree to join in a joint one, which would require the Senate conferees also to explain therein what they thought the conferees had agreed to.

It is a very difficult thing to obtain complete agreement on words and what the words mean, in these final statements.

Mr. HART. Mr. President, the Senator from Oklahoma has made the point that today, as a practical matter, we do have two reports, but the House report, being printed, as the Senator from Oklahoma says, gives it, when there is discussion as to what really happened in conference, a higher priority, a stronger claim that this is what was meant.

What is proposed by the committee would give us two written reports, which would have equal claim, I would sense—since they are both written—and the day will come when one report says it means this, and the other says—in writing, now—that it means that.

Are we serving the interests, really, of a court which will be confronted with two written versions, one of which says it means Tuesday and the other says it means Wednesday? Are we helping a community that subscribes to the rule of law, when we present to them two versions of the law?

Mr. President, I urge, now that we have confronted at least halfway this problem of getting to reports, that we go the whole distance and have a report of the committee of Congress in conference as to what happened.

That is the purpose of the amendment.

I recognize the difficulty of selling the idea to our colleagues in the House, but I think the logic is overwhelming.

Perhaps we have arrived at an afternoon in January when the Senate will do that which logic argues that we ought to do. That is what the amendment proposes. That is consistent with the logic of the situation.

I hope that the Senate will agree to the amendment.

Mr. MONRONEY. Mr. President, the reports are not the law. They are guidance to the administration. The language of the law is the thing that is important on the interpretation that the court must make of it.

I think, for that reason, and for the purpose of comity between the two Houses we should not require the House to join in any Senate report, or to ask the Senate to join in any language of a House report and its explanatory statement.

This is a matter that has developed through the years for the help of those who must administer the law and operate under what they feel the interpretation of Congress actually was.

I know of no possible way, for that reason, in which we could compel the two Houses to join in the same statement.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. CLARK. It occurs to me that the Senator from Michigan has an excellent point. Perhaps there would be a conference and the Senate conferees might persuade the House conferees to go along with their position.

I do not see any question of compulsion. It occurs to me that it would be better to have one conference report than two.

Having participated in a good many conferences in the past 10 years, it is clear to me that very often the conference reports made by the Members of the other body do not accurately portray the point of view of Senators who join in the conference report.

I should think if we could get over the difficulty of pride of authorship or point of view and suggest that the staff of the Senate should support the thinking of the Senate, the conferees might get together and work out one statement. We would be substantially better then.

I support the amendment of the Senator from Michigan. I do think that the committee chaired by the Senator from Oklahoma has made a significant improvement to the present procedure by calling for a report of the Senate conferees. However, if the Senate conferees say one thing and the House conferees say another thing, it is confusing.

Mr. MONRONEY. We have that situation to deal with now. When a report is considered, it receives less attention than did the bill. The bills mean what they say. The conference report is not the final law, but is merely a guide as to what the conferees thought the language was to mean.

Mr. CLARK. As a matter of fact, the conference report is an important part of the legislative history. I agree that we should not have that legislative history made solely by the other body. Nevertheless, I do think that the suggestion of the Senator from Michigan is very fine.

Mr. MONRONEY. I think it is a fine suggestion, but there is no way that either House can force the other to agree on identical language. It will be impossible to reach an agreement on statements many times.

I believe we ought to try the procedure reported by the committee to see what uniformity we will achieve.

I venture to guess that it will be quite uniform after we have convinced the House of Representatives that we are not trying to take its prerogatives away from it by interposing our decision on what has heretofore been the statement of its conferees.

I hope that the Senator understands our position on this.

Mr. HART. Mr. President, the Senator from Michigan does understand and sympathize with the position of the Senator from Oklahoma.

I would rather like, before debate on this amendment closes, to perhaps modify the earlier statement I made to the effect that I thought we might be better off to remain where we are now without the requirement of a written report from the Senate conferees, rather than to invite the very serious confusion which would result from receiving two different reports.

I perhaps went beyond the point which I could comfortably hold in saying that all of us are mindful of the confusion that attends the closing days of Congress when a matter of great importance has gone into conference and our conferees come back with recommendations on the eve of adjournment.

Unless one has been deeply immersed in such controversial legislation, it is likely that he will go home not understanding what we have done. Perhaps we would be better to require a written report from our Senate conferees which would reflect the understanding by our conferees.

I am nonetheless concerned that the conflict that is invited by the two conflicting reports should be avoided if at all possible.

I hope that the amendment will be agreed to and that we will have a report that is consistent and uniform.

The only way in which to do that is to have the conferees agree among themselves as to what they are doing and let the House decide in its wisdom whether this is proper.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. HOLLAND. Mr. President, I say to the distinguished Senator from Michigan that, while I recognize the fine spirit behind his suggestion, I agree with the Senator from Oklahoma and with the members of his committee that the other procedure is the more proper.

We already provide for a conference report which is signed by the conferees of both bodies. There cannot be any difference there. It is the same report, signed by a majority of each group, and generally by all the members of each group.

I think it will bring about a more careful consideration of the statement of conferees on the part of the other body if they know that we are going to have a similar statement in the Senate which, in effect, is our interpretation of what has been done.

I think it will bring the closest collaboration between the staffs of the two committees and will result in a better level of conference reports all the way around.

We will have the conference report signed by both groups of conferees. We will have the interpretation of the other body, which is what we already have, and we will have the interpretation of this body, which we do not have now, except in a very informal way, as it is reported by the statements on the floor of those who report the conference here.

The fact that we are going to have a written supplemental report in the nature of an interpretation, I think, will bring about a more careful handling of the matter in the other body, and it will certainly bring about a most careful handling of the matter here.

I think it will probably bring about a better understanding between the two Houses, and a clearer interpretation of the legislation in the legislative record for the court, which the Senator from Michigan has so properly stated will have to pass on as to what happened in the two bodies.

I believe that we will have a clearer picture all the way around with the matter in the form reported by the two committees.

Mr. HART. I thank the Senator.

Mr. MONRONEY. Mr. President, I agree. This is quite important. We do want the separate explanatory statement. We would like very much to have them the same. However, my experience with the House conferees would lead me to believe they would be more apt to make them the same if we were not trying to require them to do it. Otherwise, we would be here and could negotiate and perhaps get an agreement between the two Houses. Only by agreement can we have the same explanatory statement.

I am positive from my experience that we would get worse statements if the same statements were required to be made by the Senate and House conferees than we would under the method which the committee recommended in the bill.

I hope that the Senator will permit us to try it another year, to see whether we can get someplace, and to see how this works out.

Mr. HART. Mr. President, the Senator from Oklahoma has been very gracious.

I do not believe that the matter I raise in the amendment will be noted by history as one of the most critical aspects of this bill. In the few days that I have given thought to this matter, I have developed a strong conviction that we should, as of now, establish the proposition that we shall have a report prepared by the conferees on the part of both Houses, rather than a report from each, with what I think is likely to develop, perhaps in the most critical of areas, a conflict.

I sense from the debate that my point of view is not shared by a majority in the Chamber. However, Mr. President, feeling as I do, I should like the Senate to dispose of the amendment; and I shall abide, of course, by the decision of the majority. If the decision should be adverse to the amendment, I shall share the hope voiced by the Senator from Oklahoma, that in a year or two, experience may prove either that my alarm was groundless or, if conflict develops, that Congress then will move to this amendment.

Mr. MONRONEY. Does the Senator wish a voice vote at this time?

Mr. HART. I do.

Mr. MONRONEY. Mr. President, I ask for a vote on the Hart amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan [putting the question].

The Chair is in doubt.

Mr. MONRONEY. I ask for a division.

On a division, the amendment was rejected.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. MONRONEY. Mr. President, I move that the Senate stand in adjournment until noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 4 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, January 31, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 30, 1967:

DIPLOMATIC and FOREIGN SERVICE

Lucius D. Battle, of Florida, a Foreign Service officer of the class of career minister, to be an Assistant Secretary of State.

William Matson Roth, of California, to be special representative for trade negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 30, 1967:

U.S. AIR FORCE

Gen. John P. McConnell, FR611 (major general, Regular Air Force), U.S. Air Force, to be reappointed as Chief of Staff, U.S. Air Force, for a period of 2 years beginning February 1, 1967, under the provisions of section 8034, title 10, of the United States Code.

EXTENSIONS OF REMARKS

To Another Frontier

EXTENSION OF REMARKS
OF

HON. E. L. BARTLETT

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Monday, January 30, 1967

Mr. BARTLETT. Mr. President, Leonhard Seppala died in Seattle January 28. He was 89 years old. During a long residence in Alaska, Leonhard Seppala built one of the great sagas of that northern frontier. A man of adventurous spirit, of iron will, Leonhard Seppala will go down in history as one of the great dog mushers and dog racers of all times. Indeed, many believe that he had no equal.

"Sep," as he was called by his Alaska friends, broke many a trail in many a far-off place and now this master of the trails has set out on another and the greatest of them all. Diminutive in physical size, "Sep" was small in no other way. In addition to everything else and more important than anything else, he was a fine human being, gentle, kind, and loved by thousands who knew him in the land where he spent his active years. Of Viking stock, Leonhard Seppala came to Alaska from his native Norway. I do not know if he introduced the Siberian husky to Alaska. Probably not. What I do know is that he most likely was the first to use this breed of dog exclusively and all his great races were won with teams of Siberian huskies.

In those days, of course, the sled dog in Alaska was used only incidentally for racing. Primarily he was a work animal, as he still is in some parts of the 49th State.

But it was in racing that Leonhard Seppala gained his great reputation. It is true that he and others performed an heroic humanitarian task in delivering diphtheria serum to Nome during the 1925 epidemic. But "Sep" was inclined to scoff at this as being an easy job and one which he did not count as being among his top dog-mushing experiences. Leonhard Seppala won most of the great races of his time, races which in the early days were long and hard endurance contests which tried man and animal.

Upon retirement Leonhard Seppala and his wife moved to Seattle and they had been living there for several years.

As one who knew him for 40 years or more, I mourn his passing. He was a great man, a great Alaskan.

Happy 90th Birthday to Dr. Rudolph Ganz

EXTENSION OF REMARKS

OF

HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 1967

Mr. YATES. Mr. Speaker, one of the leading citizens of Chicago is Dr. Rudolph Ganz who will shortly celebrate his 90th birthday on February 24. Beloved by all who know him, he has been in the forefront of the musical world, both as a pianist himself and as a teacher.

In introducing works of new composers such as Ravel, Debussy, Webern, he consistently brought the best of Europe to U.S. audiences. When he appeared on the concert stage, whether with the New York Philharmonic, the Chicago Symphony or in the Hollywood Bowl, the music critics hailed him as a music great.

He always returned to his main love, the teaching of promising students. The result is that Ganz-trained men and women are now making their contributions as faculty members of university music schools across the Nation, as orchestra members and soloists, as conductors, as directors of civic music programs in cities and towns.

From his early days in this country, Dr. Ganz championed the right of Americans to hear good music. His innovation of children's concerts indicate his concern for the cultural development of young people. Many times he wrote compositions just for children, such as his famous "Animal Pictures" collections. For the past 10 years he has financed, organized, and developed the Rudolph Ganz Biennial Midwest Piano Competition for young students who either live or have studied in the Midwest.

He feels strongly that there is more musical talent being developed in the United States than in any other country, and that we are leaders in all phases of music creation and performance.

On the evening of February 24, this man with the magic in his fingers and the twinkle in his eye will don his broad cravat, place his rosette identifying him as an officer in the French Legion of Honor in his lapel, and go forth to his birthday party, given for him by Roosevelt University where he is president emeritus of Chicago Musical College.

Guests at the party will toast the 90-year-young gentleman and establish the Rudolph Ganz Scholarship fund in his name.

With a little encouragement, Dr. Ganz will regale those sitting near him with tales of Hofmann—Josef that is—Brahms, Paderewski, Rachmaninoff, Rubinstein, and other legendary greats of music who were his friends and associates over the years.

I am sure my colleagues in the Congress in both Houses will join me in saying "happy birthday" to Dr. Ganz—and may you have many more.

Extending the Vote to 18-Year-Olds

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 1967

Mr. ST. ONGE. Mr. Speaker, we are entering a great period of a youthful America, one in which over half of our citizens are under 25 years of age. This young generation is well educated, and deeply concerned with national and international events. The vital issues facing our Nation today have a profound influence upon their future, perhaps even more than those which any other generation has had to face. These problems are frustratingly complex, and yet cry out for some form of action.

I believe a symptom of this is seen in the widespread campus demonstrations, sit-ins, picketing, speechmaking, and all the other activities in which our young people are engaging. To their parents and the older generations such behavior is often looked upon with something akin to horror, or as proof that today's youth has gone wild. Rather, it seems to me a manifestation of the very real and perhaps justified frustration which an informed youth population feels when confronted with today's problems without any real means of effectively expressing themselves.

One excellent way to give young people a means of participating in the great issues of our times is to extend to our 18-, 19-, and 20-year-old citizens the right to vote in Federal elections. While this would allow practically all of our college age youths to exercise their right to vote, it would not automatically mean the end of student demonstrations. It will enable, however, this alert and informed segment of our population to become better infused into the body of our democracy. Instead of having to stand by the sidelines and vent their frustrations by carrying picket signs, they will have the opportunity to participate directly in the orderly processes of democratic government.

I believe that extending the vote to our youth will also have a very salutory effect upon our legislative and executive bodies. It will become necessary for them to be much more aware of, and responsive to, a new group of voters with fresh ideas and new approaches to our problems. In like manner, this vast reservoir of young people who are currently studying and discussing the great national and international issues would be more inclined to offer the fruits of their intellectual labors once given the opportunity to participate directly in national elections. As Adlai Stevenson remarked some years ago:

> The 18 year old of today is more aware of national and world events than ever before.

I believe that this is an increasing trend, and that our youths of 18, 19, and 20 are no less informed on the average than those between 21 and 25 years of age.

Carl E. Sanders, former Governor of Georgia, where 18-year-olds have been allowed to vote since 1943 has stated:

> During more than 20 years, these younger voters have repeatedly shown mature responsibility.

The Governor further remarked:

> I think that now, perhaps more than ever before, political life needs an infusion of idealism, and the largest single source of that idealism is our young people. It has often been said that our nation's youth are our greatest asset; if this is true, as I believe, then extending the franchise to them insures the maximum utilization of that asset. Besides, courts cease to recognize men as juveniles after their 18th birthday; federal relief for dependent children is suspended upon reaching the age of 18, and, of course, the minimum draft age is 18.

The chairman of the Democratic National Committee, the Honorable John M. Bailey, has said:

> Many of our young people have become involved in politics and are happy to perform any task from ringing doorbells to running campaigns. They are knowledgeable on issues, articulate in debate, and committed to our way of life. We should do everything we can to promote ratification of the Constitutional amendment that would grant all people over the age of 18 the right to vote.

It seems obvious to me that if we are willing to ask our young men to give up their lives on a foreign battlefield, the very least we can offer them in return is the opportunity to participate through enfranchisement in the selection of those who will make the crucial decisions for the nation. This is not to imply that the right to vote is to be considered a reward for military service. Rather, it should be recognized that in a democracy such as ours, where we consider that a citizen is mature enough to be given the responsibility to operate sophisticated modern weapons and he is called upon to risk his very life, then he should also be considered mature enough to participate directly in the processes of representative government. Modern communications are so rapid that even the serviceman far from home is kept well-informed and abreast of the criteria necessary for intelligent and responsible decisions as a voter. Indeed, because of his personal stake in the quality of his representatives in the Federal Government, the military man is probably able to make a more dispassionate decision than many citizens at home.

To tax our 18-, 19-, and 20-year-old citizens without giving them the right to vote ignores the great rallying cry of our War of Independence that there be "no taxation without representation." At the very least we should allow these young people a role in selecting those who will have the responsibility of determining how their tax dollars are to be spent.

Unfortunately, too large a portion of our young people still leave school at about the age of 18, just when their knowledge and interest in national affairs is at its highest. By the time they reach 21, most of them are preoccupied with family and work, their enthusiasm for public affairs has greatly diminished, and thereafter they usually follow a course of indifference toward their voting rights. Allowing this group to participate in national elections at the point when their political knowledge and enthusiasm is highest, would offer the best possible training in citizenship and would develop the habits necessary for a lifetime of civic responsibility.

Prior Congresses have seen the introduction of legislation to lower the voting age to 18, and yet no final action was ever taken. I believe this to be an issue of major importance, an idea that has ripened in our day, and one behind which both political parties can unite. Its adoption would add very real distinction to the achievements of the 90th Congress.

Sandy Hook National Seashore

EXTENSION OF REMARKS

OF

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 1967

Mr. HOWARD. Mr. Speaker, I rise today to speak in behalf of a bill I have just introduced which would create the Sandy Hook National Seashore in the great State of New Jersey.

This historic site must be preserved as a park, recreational and natural wildlife area. To use it for anything else would be unthinkable.

New Jersey presently leases a 754-acre tract from the Federal Government. That tract is used as the Sandy Hook State Park and is one of the most beautiful as well as the most overcrowded resorts in the State of New Jersey.

Mr. Speaker, earlier this month Secretary of Defense McNamara announced that some 400-odd acres of land which is now being used by Fort Hancock, is being declared surplus. The people of New Jersey would benefit if that additional acreage would be added to the present State park acreage. We would then have a 1,200-acre site for park and recreational purposes with the possibility of eventually expanding that by 400 more acres when Fort Hancock is eventually phased out.

The bill which I have drawn up also is to be introduced in the other body today by New Jersey's two U.S. Senators, HARRISON A. WILLIAMS, JR., and CLIFFORD P. CASE.

On a local level, elected officials from both the Democratic and Republican parties have joined together in a bipartisan effort to make sure this area is kept as a park and recreational area.

The importance of Sandy Hook is well outlined in a letter the late President John F. Kennedy wrote to Secretary of Defense McNamara on September 1, 1961. At this point in the RECORD, Mr. Speaker, I include a copy of that letter.

Last week, I had the opportunity and privilege of discussing the possibility of creating a Sandy Hook National Seashore with Secretary of the Interior Stewart Udall. All of us in the House, on both sides of the aisle, are well aware of the outstanding contribution Secretary Udall has made to this country and in particular to the people who love our beautiful outdoors. Secretary Udall expressed an interest in the proposal and agreed that this area must be preserved as a park, recreational, and wildlife area for the people of New Jersey, regardless of how it is done or by whom.

I urge all of my colleagues in the House to look over this bill with the thought in mind that New Jersey is one of the few States in the Nation that does not now have a national seashore or a national park. I also urge that hearings be scheduled on this bill as soon as possible.

Mr. Speaker, in closing, I place a copy of my bill in the RECORD:

THE WHITE HOUSE,
WASHINGTON, D.C.,
September 1, 1961.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense,
Washington, D.C.

DEAR SECRETARY MCNAMARA: In the program that you have undertaken to strengthen vital defense bases and inactivate establishments no longer justified as a result of changes in weapons systems and defense requirements, I am most anxious that real property not required for security purposes be made available on appropriate terms for urban and rural communities whose economies and other development can thereby be significantly encouraged.

Secretary Udall, under my direction, is already engaged in a determined search for land resources suitable for public recreational needs. This is especially important near congested urban centers where the need is urgent and little undeveloped acreage remains.

A prime example of land for which there is urgent nonmilitary need is Sandy Hook, New Jersey, on which Fort Hancock is located. This has one of the few undeveloped long shore lines in the New York metropolitan area.

Generations of Americans have accepted the importance of using this area as a military reservation in the interest of national security. Defense considerations must, of course, continue to take precedence over other potential utilization. But every effort should be made by the Department of Defense to provide long range plans for suitable public use of Sandy Hook or other parts of the peninsula if your present survey indicates that is possible as a result of changes in weapons and security requirements.

I will appreciate your keeping New Jersey state officials as well as the Department of the Interior advised on the opportunity for long-term use of this priceless natural resource.

Sincerely,

——— ———.

H.R. 4117

A bill to establish the Sandy Hook National Seashore in the State of New Jersey, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of preserving for the use and inspiration of present and future generations certain relatively unspoiled beaches and waters on the Atlantic coastline of New Jersey which possess great scenic, scientific, and recreational value, there is hereby established the Sandy Hook National Seashore. The seashore shall consist of the lands, waters, and interests therein and improvements thereon comprising the former Fort Hancock Military Reservation, together with the submerged land area adjacent to the reservation lying within a distance of one-quarter mile from the shoreline.

SEC. 2. Notwithstanding any other provision of law, Federal property located within the seashore is hereby transferred without consideration to the administrative jurisdiction of the Secretary of the Interior for use by him in carrying out the provisions of this Act. Within the seashore, the Secretary may acquire lands, submerged lands, and interests therein owned by the State of New Jersey or a political subdivision thereof only by donation.

SEC. 3. The Secretary of the Interior shall permit hunting and fishing on lands and waters under his administrative jurisdiction within the Sandy Hook National Seashore in accordance with the laws of New Jersey and of the United States, to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the Department of Conservation and Economic Development of the State of New Jersey.

SEC. 4. The Secretary shall administer the Sandy Hook National Seashore for the general purposes of public outdoor recreation, including conservation of natural features contributing to public enjoyment. In the administration of the seashore, the Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authorities otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

SEC. 5. The authority of the Chief of Engineers, Department of the Army, to undertake or contribute to shore erosion control or beach protection measures within the Sandy Hook National Seashore shall be exercised in accordance with a plan that is mutually acceptable to the Secretary of the Interior and the Secretary of the Army, and that is consistent with the purposes of this Act.

SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Streambank Erosion Control Action Needed

EXTENSION OF REMARKS

OF

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 1967

Mr. WRIGHT. Mr. Speaker, I am introducing today a bill with important provisions for putting a stop to soil erosion along the banks of our rivers and streams.

Our current efforts to halt this costly damage are not getting the needed job done. This is so for several reasons.

One reason is that there is not sufficient financial support. Another is lack of concerted action along the streambanks needing treatment.

Streambank erosion usually covers a large area and affects many landowners and communities. Yet the most damaging results of bank erosion may be felt downstream from the points where the erosion occurs. The eroded soil settles down in the stream channel and fills it up so that there is not enough channel left to carry the water. That is how a lot of floods happen. And this silt pollutes the water of the stream so that it has to be filtered and treated at great expense before it can be used.

In Texas, we have an estimated 31,200 miles of eroding stream channels. That is over a third of the 80,000 miles of stream channels in the State. Nationwide, streambank erosion along 300,000 miles of waterway each year destroys land along the channels valued at approximately $11 million.

But a much bigger cost is that of dredging streams and harbors so they can be used for navigation; and removing soil from reservoirs needed for water storage for cities and industry. The cost of doing this is estimated at $250 million a year.

Another price we pay for allowing streambanks to wash away is the damage done to the natural beauty of the landscape. It is a loss that cannot be measured only in dollars.

It will take more financial investment to restore our river and stream banks. And it will take group action, along the courses of the waterways.

State and local, public and private agencies must become more actively involved, and the Federal Government must be prepared to provide more help.

The individual landowner cannot do the job acting independently, even with such assistance as he and his neighbors may receive under the agricultural conservation program. Nor does the small watershed program, which provides for assistance to local units of government for community streambank erosion control projects, permit that broad attack on the problem, extending beyond the watershed project area, that often is required.

The River and Stream Erosion Control Act, which I propose here, aims to give the Secretary of Agriculture authority to:

Assist State and local governments and other local nonprofit public and private agencies in the preparation of plans for controlling bank erosion; and

Provide through cooperative agreements Federal technical assistance and financial aid up to 75 percent of the total cost for carrying out the bank erosion control plan.

Under this proposed legislation, a streambank protection plan would apply only to those areas that require protective measures. Moreover, all plans carried out under the act would be in keeping with the objectives of other resource conservation programs receiving Federal support.

The required attack on streambank erosion is possible only if we bring the organized group with taxing authority under the Federal assistance umbrella. It is possible only if the Federal contribution under cost-sharing arrangements is increased.

The general public interest is deeply involved. Consider that an estimated 500 million tons of soil are washed into our waterways every year from unprotected streambanks and fields. In Texas, an estimated 31 million tons of soil enter our waterways every year from streambank erosion. That is a fourth of the total annual silt load carried by Texas streams.

Control of streambank erosion is an essential part of the total effort to keep our waterways clean. I believe we can be successful in this total effort only if our approach is total.

Streambank erosion, as a major cause of stream pollution, must be controlled. I believe it can be controlled with present programs made more effective by the proposed River and Stream Erosion Control Act.

I ask my colleagues to consider this proposed legislation in light of the present urgent need for it. And I invite the support of those who wish to join with me in sponsoring this bill.

Rep. Claude Pepper's "Interama" and Its Economic Impact on Florida

EXTENSION OF REMARKS

OF

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 1967

Mr. ROYBAL. Mr. Speaker, I would like to take this opportunity to place in the Congressional Record the text of an inspiring and thought-provoking address—by our most distinguished and esteemed colleague from the State of Florida, the Honorable Claude Pepper—entitled "Interama and Its Economic Impact on Florida."

"Interama," the Inter-American Cultural and Trade Center to be opened in Miami on July 4, 1968, is the culmination and fulfillment of a unique 30-year-old dream of outstanding Florida leaders with the kind of imagination and vision and faith so well exemplified by Claude Pepper.

The dream was first turned into an idea with legislative form in 1941 when Mr. Pepper was representing the Sunshine State in the U.S. Senate—and he has been working on it ever since.

The Interama Center that will open next year will be just what its sponsors intended that it would be: an international meeting place for the business, industrial, cultural, and governmental leaders of the Americas, and a great and unique institution playing a growing and ever more important role in the development of closer Western Hemispheric relations.

As a member of the House Foreign Affairs Subcommittee on International Organizations which considered and approved the necessary congressional legislation to authorize essential Federal participation in this project, I am proud to have had a part in the realization of the Interama dream.

So, it is with a deep personal interest that I take pleasure in placing in the Congressional Record the following address by Representative Claude Pepper, of Florida:

Interama and Its Economic Impact on Florida

(Address by the Honorable Claude Pepper, Member of Congress, at the 50th Anniversary Convention of the Florida State Chamber of Commerce, Tuesday, November 22, 1966, Jack Tar Hotel, Clearwater, Fla.)

It is indeed a great pleasure for me to accept your gracious invitation to address you at this luncheon on the occasion of your 50th anniversary.

It is particularly gratifying to me to be here among so many friends who have been connected for so many, many years with the Florida State Chamber of Commerce. My memory of your State Chamber, you know, runs back to 1929–30, when I was in the Florida House of Representatives—a mere 28 years old during the 1929 session—and your present Executive Vice-President, my able and good friend Harold Colee, was President of this State Chamber.

And during my later years as a United States Senator and Representative, I have always been very pleased to have the most cordial cooperation of your Chamber and its members in projects affecting our state. We have always been in the forefront together in the fight to develop the great potential of this state. And I wish today—for both of us—another half-century of constructive work for the betterment of Florida and of our nation.

Your distinguished President and your Executive Vice-President extended to me the courtesy of selecting my own topic for these luncheon remarks. But they knew well that I would choose a subject close to your hearts and to mine. They knew I could not resist—especially now that we are on the threshold of success—talking to you about Interama and about the great impact this great project will have on the economic life of Florida, on the United States and our Latin American neighbors, and on the development of a fuller and more meaningful cooperation among the nations of the Western Hemisphere.

When I speak of Interama, of course, I am reminded of a famous proverb: "Failure is an orphan; success has many fathers."

Well, Interama is indeed on the verge of a fabulous success, and it indeed has many fathers.

This is partly in the nature of a project of vast scope and conception. Its concept has matured over many years, and has become one of striking originality and practicality. It is unlike anything we have known in the way of world's fairs and trade fairs, and the best economic experts tell us that—where most of these fairs have run large deficits—Interama will be assured of ample revenue to meet its initial obligations and to continue to grow into a greater and ever more exciting exposition.

This development of the Interama concept has been the function of the thinking of many men over the many years. The concept and the effort to realize it have depended upon the initiatives, the dreams, and the hard work and dedicated support of many persons, in private life as well as in positions of public responsibility.

My own interest in Interama goes back to the early 1930's when, at the height of the Great Depression, the City of Miami spent $10,000 to make a study—and to publicize the results of that study—showing that it was feasible to create a great international trade mart for the Western Hemisphere here in Florida. The concept of Interama has grown far beyond a mere trade mart today. But that was a beginning, and an ambitious beginning for those difficult times.

And then in 1939, right across the bay from here at Tampa, your delegates to the 23rd annual meeting of the Florida State Chamber of Commerce passed a resolution that a Pan-American trade mart should be established in Miami. You pointed out that Miami was the geographical and population center of the Western Hemisphere—and despite the population explosion, Miami is still the geographical center. It is still conventionally located for visitors from throughout the United States and the hemisphere. Its climate, as your Chamber noted then, is still attractive, and its hotels and its reputation for hospitality are still famous throughout the world.

Yours was the first state organization to envisage Miami as the center, the international meeting place, for the business, industrial, cultural and governmental leaders of the Americas.

Today, 27 years later, your vision—and mine—is close to being translated into a great cultural, economic and diplomatic institution of our hemisphere.

My faith in what Interama could become was expressed in legislative form as early as March 20, 1941, when as your Senator, I introduced S. 1150, a bill to provide for the establishment of a "Pan-American Center at Miami, Florida, for the coordination of commercial and cultural relations between the American Republics."

My bill would have directed the Secretary of State to establish such a center for Pan-American, or as we now style it Inter-American, cooperation in Miami. It would have authorized the appropriation of $10 million to make the creation of this center possible.

By this time, I was a member of the Senate Foreign Relations Committee and a member of its Subcommittee on Latin America. I felt then, as now, that we had not done enough to strengthen our relationships with our closest neighbors in the family of nations. I thought we were neglecting the opportunity to bring representatives of Latin American culture and trade to the United States to strengthen the understanding of the American people of the oneness of our hemispheric community—of the rich variety of western man's search for the good society, but of the essential oneness of the human impulse for well-being, for meaningful existence, for beauty and culture, and, most of all, for the dignity and freedom of the individual.

Unfortunately, soon after the introduction of my Pan-American Center bill, we became involved in World War II's great struggle between the forces of freedom and free men and the barbaric totalitarianism that exalted the "superman" and aimed at giving him a reign of 1,000 years in Europe and domination in the world.

This legislative forerunner of Interama had to be put aside. But it was not forgotten. At the end of the war, when we began to rebuild a devastated Western Europe, I felt again even more strongly the need to direct a greater part of our attention toward the strengthening of our relationships with our Latin neighbors. The Inter-American Center, quite apart from my special interest in it, offered a unique vehicle for focusing greater attention on our hemispheric relations, and Miami's claim for the center was strengthened in the post war era by Florida's rapid population growth and by the increasing popularity of the state as a vacation site for the American family.

We re-introduced the Inter-American Center idea and the Congress by a joint resolution approved on September 27, 1950, "expressed its endorsement of the establishment of the Inter-American Cultural and Trade Center in Miami as a permanent year-round nonprofit self-sustaining enterprise for the development of improved relations and increased trade with the republics of Latin-America."

The President was authorized by this resolution to invite the Latin American countries to participate and on January 30, 1952—after the 1951 Florida Legislature had created the Inter-American Center Authority to develop Interama—President Harry S. Truman issued a formal proclamation in which he did "hereby call upon officials and agencies of the Government to assist and cooperate with the Inter-American Cultural and Trade Center in Miami" and "invite the participation of all the nations of the Western Hemisphere."

This was to have launched an almost wholly, privately-built Interama, although under the auspices of a state agency. All of the funds for this development were to come from a large private bond issue and, we now know, it could not have given us the Interama of our dreams—an Interama in which the United States and the countries of Latin America meet officially on a common ground, with official government exhibitions of the respective countries' cultures and products, with official government representatives as well as private visitors from all over the hemisphere meeting on a permanent site of Inter-American cultural and commercial interchange.

But again a war intervened. This time it was the effort to resist a different totalitarianism on the opposite side of the world. Korea and its impact on the bond market destroyed this second of our efforts to bring Interama into being.

I have found in my public service that a truly new idea, an original concept or project, often takes a generation to mature and obtain the final approval of the Congress and the nation.

And Interama is such a unique project.

The unique character of the Interama concept has been both our glory and our greatest source of frustration in dealing with some of our Federal Government officials. We were constantly compared to the World's Fairs at Seattle and New York, and we, as constantly, had to fight against the widespread feeling that these large fairs that operate for six months or a year were going out of style—were being considered by industry and governments as a burdensome investment with too little return for their money.

We had to explain over and over again that Interama would be a permanent institution, that its pavilions would continue to attract large numbers of visitors year after year and would continue to benefit the exhibitors, including the Federal Government. This strangely enough impaled us upon another bureaucratic horn. The Federal departments and particularly the Bureau of the Budget kept reminding us that there would really be no trouble about an appropriation for Interama if it were only another of those one-shot deals, but that frankly they had just never had any experience with a permanent exposition.

I am sure many of you have encountered in other fields the same tendency to deplore the lack of new ideas, only to run from the first new ideas that come along.

You may wonder why, in the face of this resistance and lack of understanding, we continued to press so hard for Federal participation in Interama. Why did we not simply concentrate on getting a wholly-government institution built or moved to Miami? For example, the headquarters of the O.A.S.—the Organization of American States—which should be and we hope eventually will be located in Miami.

Or why not forget about the Federal Government altogether and aim for a privately financed Interama? After all, most of the more than $350 million which will be invested on the Interama site when the project is completed will come from private sources. All we are getting from the Federal Government is a $22 million loan from the Community Facilities Administration, which must be repaid with interest in Interama's first years, and up to $9.5 million initially for the construction and operation of the Federal exhibit.

But this question of Federal participation goes to the core of the Interama concept, and I think it is only faintly understood—even among many of our people in Miami—why Federal participation with an official United States Exhibit is so important that the Inter-American Center Authority felt it would have to abandon Interama if we could not get it this year.

The Federal appropriation of $5.87 million for the construction work on the United States Exhibit during this fiscal year—and the $22 million loan which it releases—constitute together the guarantee to U.S. industry, to the Latin American governments, to the Florida Road Board which must build the interior and access road, to the power company and telephone company which must put in the utilities at their own capital expense, to the City of North Miami which must put in the water and sewer lines—to all of these the Federal commitment serves as a guarantee that Interama will move ahead to completion with the support of the Government of the United States. This guarantee is especially important for industry because we are asking the major companies and industries of our country to build permanent pavilions, not temporary structures, built cheaply to be abandoned at the end of six months or a year.

We now have this Federal "reinsurance" of all the other investments to be made in Interama.

But we have something even more important: Official United States Participation has given us the means of assuring official participation by the governments of the Latin American countries. This is something that has never happened before in the history of U.S. international exhibitions.

Those of us who have seen Latin American pavilions at other world fairs have seldom been aware that these pavilions were built and furnished by private interests—in many cases by American business interests which operated an exhibit and sales concession under some country's name.

In past U.S. exhibitions, I understand, no more than three Latin American governments have installed official exhibitions of their countries' culture and trade. Interama already has the written agreement of 17 Latin governments to put in official exhibitions and two more countries are currently studying the question of participation.

How did this happen?

On the one hand, Interama decided not to try to get the Latin American governments—which are hard pressed for foreign exchange—to build expensive pavilions in the United States. The $22 million Community Facilities loan will make it possible for Interama to build the pavilions for the Latin governments and make the space available to them without charge. Interama will also build the United States pavilion—another first in exhibitions history.

Instead of the Federal Government building a pavilion and then giving it to the local community when the exhibition ends, Interama will pay back the money used to build the U.S. pavilion, with interest, and give the Federal Government permanent, free use of a $4.5 million building.

How will Interama be able to do it?

It will be able to repay $22 million to the Federal Government in 10 years or less, $21 million to private lenders for development of other Interama facilities, $10 million for a spectacular Tower of Freedom, and other indebtedness, from the receipts of 12 to 15 million visitors a year.

The leading exhibitions research firm in the nation, Economic Research Associates, Inc., of Los Angeles, has found that Interama can expect more than 12 million visitors a year. This, the firm estimates, will produce revenues five times what Interama will need to repay its first $43 million in indebtedness. Indeed, the firm's experts found that Interama will be able to cover its operating expenses and handle the repayment of these two loans—$21 million from private sources and $22 million from C.F.A.—from the gate receipts of only six million visitors a year. The Tower of Freedom, which will offer a sweeping view of Biscayne Bay and Florida's Gold Coast, will be financed separately from the revenues of the Tower and the revolving restaurant at its top.

Thus we will have in Interama a great public attraction which will harness the revenues of the nation's greatest flow of family tourists to the creation of a unique meeting place of the Americas—where the governments of the hemisphere will have official and permanent presences, continuing national displays of their cultures and economics, and a meeting of these governments and their citizens with the showcases of American industry and American culture.

I have no doubt in my mind that tourists from all over the United States and all over the hemisphere will stream into Interama by the millions year after year.

Interama will have something for everyone—but quality has been the key to its planning, and its variety of attractions will not have the cheapness of the bazaar.

There will be a recreation area—emphasizing the sports and leisure and amusement aspects of the American way of life. There will be a cultural area, where Interama and private investors will provide facilities for live theater, ballet, opera, and the other arts on a scale not before available in Florida.

In the industrial area, 25 to 30 major U.S. industries will have an opportunity to tell the story of their industries' role in making Progress with Freedom the American way of life. That is the theme of Interama: The American Way of Life—Progress with Freedom. And it is the way of life of all the free countries of the Americas, not only North America, which is meant in this context.

The U.S. Department of Commerce, which somewhat skeptically surveyed U.S. industry's attitude toward Interama, found to its surprise that more than 40 major U.S. companies were actively interested in putting permanent exhibitions in Interama. They recognize the unique opportunity it offers to present their story to receptive audiences of millions of visitors and to the business and government leaders of the Americas who will be drawn to Interama by its location in Miami and its multitude of attractions in the cultural, industrial and international areas.

The international area will be the soul of Interama. This will not be a dead collection of musty exhibits in warehouse exhibition halls that close tight at 10 o'clock each night. Six of the nation's leading architects have already designed six strikingly beautiful groups of buildings to house the U.S. and Latin exhibits. Edward Durell Stone, the brilliant architect of the U.S. Pavillion at the Brussels World Fair and the U.S. Embassy in India, has designed the U.S. Pavilion for Interama. Joining him in making the International Area an outstanding architectural achievement have been Dr. Luis Sert, dean of the Harvard University School of Architecture; Paul Rudolph, former dean of the School of Architecture at Yale; Marcel Breuer, Louis I. Kahn, and Harry M. Weese.

What these men have designed are not a row of pavilions, but groups of exhibition facilities around common area features such as an auditorium for international meetings with multilingual translation facilities, a ceremonial parade ground, and a theater for projecting motion pictures on a 360-degree screen.

In these buildings in the International Area are apartments for the Resident Commissioners of each nation, restaurants for the presentation of their native foods, and dormitory facilities for students from each country who will work with the exhibits and study in the United States. There will be national homes for these countries in Miami, and they will be occupied 24 hours a day—in the manner of a university campus rather than a world's fair.

It is one of my great dreams that Interama will become the focal point of a great University of the Americas. Only 680 acres of the 1700-acre Interama tract on upper Biscayne Bay will be used initially. This much has been drained and filled, the roadbeds and waterways have been prepared for the construction which is about to begin. There will be abundant room for the expansion of Interama (which will include in its United States pavilion a working Library of the Future with 40,000 to 50,000 volumes, films and tapes of Pan-Americana), for the development of a great university, for the construction of facilities for O.A.S. meetings in Miami, and for related purposes we have not yet conceived.

This is, to me, the key to the economic impact of Interama on Miami and Florida.

Interama will be a unique focal point for the development of Florida's potential as a great center of hemispheric trade and culture. It is the magnet which will attract, as well as create, facilities and enterprises of all types.

As the junctures of two rivers or two railroads formed the basis for the economic greatness of other cities, as the joining of Flagler's railroad with the unrivaled climate of South Florida gave us today's Miami and Miami Beach, as Tampa Bay and Cape Kennedy have served as magnets to attract economic activity, so Interama will be a great economic resource for Florida and for the nation.

This is why we set our sights increasingly higher as Interama's potential became clearer. This is why we were not willing to settle for another trade fair, another amusement park, another tourist attraction. This is why we were determined to enlist the interest of President Kennedy and then President Johnson in getting the kind of Federal commitment which would make Interama a great Florida institution, a great national institution, a great hemispheric institution.

We have been exceedingly fortunate in this most recent effort to realize this dream in having the right men in the right places at the right time. We have been very fortunate in having in Dr. Irving Muskat, the operating chairman of the Inter-American Center Authority, a man of great integrity, great determination, and unwavering belief in the importance of making Interama a quality project.

I will not try to recount for you the many times in which, I believe, we were saved from defeat in getting this essential Federal participation only by our ability to demonstrate that Interama was free from corruption, honest in its intentions, and capable of producing the kind of great institution which would warrant full support of our national government.

We were fortunate to have in President Kennedy both a man who valued excellence and a man whose imagination could be fired by a new concept in hemispheric relations. Through his encouragement we were able to find in the Community Facilities Administration a program which would enable us to build the pavilions for the Latin American countries. But this was a program which had been used previously for more prosaic construction of sewer and water lines, city halls, and other similar community facilities. And then the brilliant light of John F. Kennedy was so tragically snuffed out.

But we pressed ahead. I was then on the House Banking and Currency Committee, which handles housing loan programs, including community facilities. I undertook to demonstrate that congressional intent would support the Community Facilities Administration in a loan of $22 million to Interama. I initiated a petition urging C.F.A. to make the loan and we obtained 228 signatures in the House and 51 in the Senate—a majority of both Houses. We followed this up in the debate on the housing bill—Senator Holland brought out in the Senate and I in the House that the language of the community facilities section would permit a loan of this kind. We also obtained the public support of President Johnson and Vice President Humphrey.

President Johnson has stood with us—even when he was urged from within the Administration to veto my bill, H.R. 30, which authorized Federal participation with an appropriate exhibit, and when he was urged to withhold his recommendation of the appropriation required to implement that bill in the current fiscal year. I believe history will properly record Interama as one of the great achievements of his Administration.

In the passage of the exhibit bill, we had the full support of the Republican members of our Florida congressional delegation as well as the Democratic members. Interama has always been and I am confident it will remain a Florida project, rather than a partisan project.

It was our good fortune to have in our congressional delegation my distinguished colleague from Dade County, Dante Fascell, as chairman of the Subcommittee on International Organizations of the House Foreign Affairs Committee, which considered the Interama exhibition bill; our distinguished senior Senator, Spessard Holland, in a key position on the Senate Appropriations Committee, and the distinguished dean of our Florida delegation in the House, Bob Sikes, on the House Appropriations Committee. And I was fortunate enough in the last Congress to now be on the House Rules Committee where my cooperation in that closely divided committee could be valuable to the House leadership and to the White House.

Together we have made it possible for Interama to go to the Latin American governments with an invitation to join the Government of the United States in building a real meeting place of the governments and peoples of the Americas in Miami.

For the Miami economy and the economy of our state this has immediate consequences in terms of jobs, building materials, transportation, services of all kinds, and all the rest of the economic activity generated by a large building program.

The construction which must begin early next year in order to open Interama on July 4, 1968, will total $350 million on the actual site and an estimated $135 million additional in related investment in the Miami area.

It is estimated that nearly $300 million of this nearly $500 million total investment will be in labor costs for approximately 54,000 man-years of employment.

After Interama is open it will provide more than 5,000 permanent on-site jobs and generate approximately $27 million in additional annual income. This will almost be matched by the spending of the additional tourists Interama will draw to Florida.

The economic studies indicate that Interama will bring at least 600,000 additional visitors to Florida each year, generating an additional income of $21 million for our people.

The State of Florida and our local governments will benefit from additional tax revenue, and I believe the Federal Government will soon find that it is receiving more additional revenue each year from Interama's investment than the government's initial investment in its official exhibit.

This will be wonderful, but as I have indicated I think the real economic benefits of Interama will come from the power of Interama as a unique institution to give to all Florida business and industry, to our universities and our schools, the special quality of involvement with Latin America and a special understanding of its problems and the economic opportunities that exist in helping with the development of this vital area of the world.

I think our banks will be more knowledgeable in helping their business clients because Interama and the vibrant culture and commerce of the hemisphere will penetrate the atmosphere in which the officers and employees of the banks work and live. The same thing will be true of our law firms, of our builders, our technical laboratories, our advertising and public relations firms, our management, new product development and marketing survey concerns, our airlines and railways and port authorities, our manufacturers—large and small, our state government agencies and the field offices of our Federal agencies—all of these will be touched by the hemispheric spirit of Interama and will be better equipped than their counterparts in other areas to assist in the development of the economic, cultural and political life of the hemisphere.

I am leaving this weekend with your Chamber President and his lovely wife and a group of other Florida businessmen and women for a 13-day visit to four of our South American countries. I will try to convey to the friends we meet there in those governments and in their business communities something of the great hopes we have here in Florida for the development of Interama.

I am sure that, as Interama moves toward its formal opening, it will generate increasing excitement throughout the Americas and especially here in Florida.

I look forward to seeing all of you at the opening of this great Inter-American Cultural and Trade Center on the Fourth of July, 1968. Dr. Muskat has assured me that the opening ceremony will begin promptly at 10 A.M.

If you will put it on your calendar, I think you can count on both Interama and Claude Pepper being there on time.

I thank you for this wonderful opportunity to be with you.

The Fast Deployment Logistic Ship Program

EXTENSION OF REMARKS

OF

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 1967

Mr. BENNETT. Mr. Speaker, the Department of the Navy, the Department of the Army, and the Department of Defense are now presenting to Congress requests for the construction of a new type of ship to be built for rapid availability of war materiel wherever needed in the time frame of need.

Long ago, President Washington stated:

> The path to peace is through the preparation for war.

As times change, the needs of our country in being prepared, also change. For many years, our country has relied upon American-flag merchant marine vessels and the vessels of friendly countries to provide the necessary transportation of war materiel and personnel to places where wars must be fought or where strength must be shown to prevent war. We have found in the Vietnam war that these sources of shipping are not adequate for modern times. Our own maritime industry has shown a reluctance to make the ships available because of the world shipping losses which would occur to them and to our Nation. Our allies have not furnished the ships which we need.

Although our immediate needs have been met, the handwriting of warning is on the wall; and something must be done to prepare for a future that will give us overseas, prompt availability of the needed tools of war.

Two things have already been done. In the first place, we have already shipped and stored across the seas, in various localities, large quantities of military materiel to be available in general localities for ultimate shipping to specific spots where the need may arise.

Second, we have, in the last few years, greatly increased our combat airlift capacity. It is not, however, economically feasible to move by air the tremendous quantities of materiel needed in any large operation; for the cost of this procedure would be prohibitive; much greater than what the proposed new type of ship program would cost.

Therefore, there remains a need for speedy placement of the needed weapons in quantity, without the long leadtimes of advanced notice which would be required if merchant ships were to be used.

The Department of Defense has come up with the idea of the fast deployment logistic ship, a vessel specifically designed to carry all that would be needed in the way of weapons and to have these loaded ships placed around the world in a quickly movable manner. Of course, even with such vessels there would still be, in any great war, a need for calling upon the merchant marine for a reserve capacity.

It is planned to have perhaps 30 such FDL ships. The cost of the construction of each is estimated to be about $30 million apiece for construction. The cost of maintaining each of them through their life span, including the cost of the crews, maintenance men and communications personnel, would run another $30 or $40 million. Thus the cost of the program is about $70 million a ship times 30 ships or $2.1 billion.

A giant step forward occurred this week when the President in his annual budget message to Congress asked for five of these ships, to begin the program. When this group of five ships is added to the two experimental ships previously authorized and funded, the total package asked for is seven ships now, with 23 yet to come. And the request includes contract cancellation costs if all are not later approved.

The personnel aboard each ship would consist of Army personnel who would maintain the equipment; Navy personnel who would man the communications activities; and finally, civilian maritime personnel who would operate the ship itself.

Next week the contract definition stage will be completed by the three bidders on the FDLS project, Lockheed Corp., Litton Systems, and General Dynamics. These three companies have received during the last 6 months a total of $16 million to present their proposals. The total package contract for the ships will be awarded in June 1967, providing Congress approves.

Capt. Lloyd Sheldon, president of the International Organization of Masters, Mates & Pilots, said in an interview in the New York Times last Sunday that the program should not be approved and that—

> Both the unions and private business will be knocked out of the military end of the shipping business if this program is approved.

Some others in organized labor have taken a similar view.

But when all of the facts and data are presented in the coming hearings before the House Armed Services Committee, organized labor may find that this program will be in no way detrimental to them, but actually of assistance. The reason for this is that, as I have already indicated, there will be certain permanently employed civilian maritime personnel in this program which would be added to the job opportunities for those now employed in maritime activities. The number of such new jobs would be somewhere between 1,000 and 2,000. When this becomes clear, I would think that the maritime unions would support the program.

There is some opposition from parts of the maritime industry and that opposition can probably be best summarized by the statement of Congressman LEGGETT in his letter to the President dated January 9, in which he said:

> Far better it would be to build a fleet with a function, i.e., a true modern fast merchant fleet that would be available on priority call to the Department of Defense.

The weakness of this position is that no merchant fleet which is engaged in active maritime voyages can be readily available in the time frame that is needed and contemplated for these FDL ships, even if all of the difficulties of obtaining the ships for the military can be overcome in time of war.

Currently, the United States ranks only sixth among the world's active fleets—behind the United Kingdom, Liberia, Japan, Russia, and Norway.

At the present time, owners of the merchant fleet argue that they do not wish to furnish ships which have been financed with Federal assistance because to do so interferes with theirs, and the U.S. world trade.

So, what Congressman LEGGETT argues for is not likely to be a real solution to the problem confronting our country. Moreover, the presence of these FDL ships will, to an extent, allow the maritime industry to have a more solid and permanent base for their investments and operations on a continuous basis, regardless of whether war occurs or not.

There will, in all probability, be something written into the legislation which will protect the maritime industry against competition from these ships. The 30 FDL ships would, in any event, be but about 2 percent of the number of ships in the total U.S. merchant marine.

The decline of merchant marine shipbuilding in the United States has been well publicized. Russia is outbuilding us by a ratio of 12 to 1 on numbers of ships and 8 to 1 by tonnage.

In addition, Soviet shipyards are operating at near capacity; about half of the capacity of this country is today idle. Some shipbuilders feel that the increasing Russian fleet will be her principal economic weapon against the West; the Soviets having the power to control ocean freight rates.

What they overlook is that these ships in key positions throughout the world can position materiel where needed at a cheaper cost in time and money than having to airlift thousands of tons of equipment by air in time of crisis. The merchant fleet could not be depended on to have the capability, to be loaded and assembled in the positions needed to deliver, a division-worth of Army equipment with complete unit integrity in less than a few months.

America suffers a serious disadvantage in shipbuilding: We now rank 14th among the 15 chief shipbuilding nations in the world.

Some shipbuilders now have positive thoughts on this project because they feel the new assembly line type production of ships, similar to the well-known Arendal yard in Sweden, which has developed a standardization in design will help mold modern yards. Some individual shipyards may be hurt by the new concept; but, overall good will be felt by the industry.

There have been questions of the need for a new shipyard to build these ships. The program could be undertaken in several shipyards now in existence, but the cost would be much, much higher and at a reduced level of standardization. There is no single shipyard presently capable of delivering all of these ships at the requisite rate.

Greater economies in shipbuilding from this program will result in overall benefits to the merchant marine as well as to the Navy. The FDLS program will represent only 6 percent of the total U.S. shipbuilding effort on an annual basis for the next 6 years. It is difficult to see how this could create a monopoly.

What of the small shipbuilder? There will continue to be many ship programs involving relatively small numbers of ships and others involving larger numbers of small ships.

In view of the realities of the present situation in shipbuilding in the United States, there are now a goodly number of shipbuilding companies who are giving approval to the FDLS program. This is not to say that all are in agreement but the trend is in the direction of approval.

I did not approach this program and its implications with any prejudgment; and I sought out the facts in a quest only for what is best for our country. After this study it appears clear to me that the program is needed and that the benefits from it will be experienced not only in the added defense strength of our country, but in the upgrading of our shipbuilding and maritime industries, which greatly need any assistance they can get.

Address by the Honorable Wright Patman, of Texas, at Conference on "the Tight Money Crisis"

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 1967

Mrs. SULLIVAN. Mr. Speaker, on this anniversary of the birth of Franklin Delano Roosevelt, I think it is appropriate to call to the attention of the House a hard-hitting address in the Roosevelt tradition made last Friday by a colleague who came to Congress 4 years before F.D.R. was inaugurated, and who fought before, during and after the Roosevelt years—and is still fighting—for the freedom of the American people from the economic bondage of oppressive interest rates. I am referring, of course, to the Honorable Wright Patman, of the First District of Texas, chairman of the Committee on Banking and Currency, who believes that sound money is the kind of which the average family and the small businessman can afford to borrow and utilize economically, and which the Government can also borrow at reasonable rates.

Congressman Patman spoke at the final session—a luncheon meeting—of the 2-day conference on "The Tight Money Crisis" sponsored by the Consumers Information Committee on Resources and Energy, which represents millions of Americans who are members of consumer cooperatives, farm organizations, labor unions, and other consumers of credit for personal or business use. It was my pleasure and privilege to attend the luncheon and to hear the gentleman from Texas discuss, out of a unique and limitless storehouse of knowledge about our monetary system, the origins and dimensions and consequences of "tight money" and some of the solutions he believes will be most effective.

PROPOSAL FOR FEDERAL USURY STATUTE

A subject he raised of particular interest to me, and, I am sure, to other consumer-minded Members of Congress, was a provocative suggestion for a Federal usury statute which would set a limit on the rate of interest which could be charged on consumer loans or other credit transactions. As chairman of the Subcommittee on Consumers Affairs of the Committee on Banking and Currency, which has jurisdiction over consumer credit legislation, I will certainly be happy, as Mr. Patman indicated in his talk, to give consideration to the pros and cons of this idea when we hold hearings on consumer credit issues in this Congress.

There were many things in Mr. Patman's speech on Friday which could be considered controversial, because Congressman Patman is, undoubtedly, a controversial person. He has many enemies—and they are very powerful forces and interests in this country which have stood in fear of him for the 38 years he has been serving in Congress. But in addition to powerful enemies, which resent his efforts in behalf of the public, he also has vast legions of admirers and supporters, as demonstrated by the enthusiastic reception he received Friday from an organizational group primarily representing the people.

SPONSORS REPRESENT LARGE CROSS-SECTION OF PUBLIC

The Consumers Information Committee on Resources and Energy is sponsored by the following national organizations: Amalgamated Clothing Workers of America; American Public Power Association; Communications Workers of America; Cooperative League of the U.S.A.; Industrial Union Department of the AFL–CIO; International Ladies' Garment Workers Union; International Union of Electrical, Radio, and Machine Workers; National Farmers Union; National Rural Electric Cooperative Association; Oil, Chemical, and Atomic Workers International Union; Textile Workers Union of America; United Automobile Workers of America, and the United Papermakers and Paperworkers.

Under unanimous consent, Mr. Speaker, I submit herewith as part of my remarks the address delivered at the conference at the Statler-Hilton Hotel by Congressman Patman, as follows:

The Tight Money Crisis

(Remarks of the Honorable Wright Patman, chairman of the House Banking and Currency Committee)

I want to thank you for the opportunity to participate in this vital conference. Needless to say, I was delighted to learn that there was to be a conference in Washington entitled "Tight Money Crisis". I hope that this conference marks the end of a long drought in public concern about monetary policy.

For two days you have heard some very illustrious speakers and certainly some of the country's leading economists and monetary experts. You are to be congratulated on the tremendously fine program you have put together. If the thousands of words you have heard here are turned into meaningful action, this conference will go down as a major milestone in our progress towards sound monetary programs.

I have always been deeply appreciative of the support which your organizations have given me through the years in our fight against high interest rates. I well remember the great help which was provided by what was then "ECIC" in the late 1950's when we were fighting to hold the 4¼% interest rate on long-term Government bonds. We won that fight against great odds and the organizations and the leaders that made up ECIC had a great deal to do with this success.

As I remember, you people had a conference in 1959 during the height of this monetary crisis. This conference helped to pull together the maximum effort to hold the 4¼% rate. You did a great job.

Now, today, we return to another conference in a time of another monetary crisis. This illustrates a sad situation in which our economy is faced with a constant series of crises caused by special-interest monetary policy. We have these recurring crises because of a Federal Reserve Board which ignores national policy and which concerns itself only with the care and the feeding of the big banking community. As a result, the economy dangles like a dimestore yo-yo which is pulled up and down to accommodate the banking interests.

So long as this situation exists, we will be faced with crisis after crisis. And you will be called back, year after year, to discuss something akin to the "Tight Money Crisis." Yes, we were here in 1959 with a monetary crisis. And we are back here in 1967 with another moneary crisis.

We need to find some solutions and some keys to action between these crises and between these conferences. It is not enough to wait until we have a crisis to call a conference and to mobilize our forces. Monetary policy—and all of its ramifications—cannot be regarded as a part-time job. It cannot be successfully dealt with through an occasional conference. It cannot be handled through high-sounding resolutions, or even the most eloquent rhetoric.

Many of you people in this audience are sophisticated in legislative work. You know what it takes to push major legislation through the Congress. You know that it takes a hard-nosed, day-to-day, effort with strong support from the grass roots of your organizations. Words alone will not do the job.

Many of you come from the rural electric cooperatives. You are represented here by one of Washington's most capable organizations—the Natural Rural Electric Cooperative Association. I am sure that Clyde Ellis and your other legislative leaders can tell you that REA would have been out of business long ago if their lobbying efforts had been on a part-time basis. The same is true for programs of the American Public Power Association, the National Farmers Union, the Cooperative League, the AFL–CIO and other labor organizations. All of you know that you have to be on the job just about seven days a week to keep your place in our economy.

Yet, somehow the battle for sound monetary policy and low interest rates has been relegated to a part-time position. There really has not been a concrete full-fledged, full-time action program from the consumer side of this issue since I have been in Congress.

The special interests, unfortunately, have regarded monetary policy as a full-time problem and the success of their position is all too evident. The American Bankers Association is on the job full time and it has been perching on the doorsteps of the Congress for just about 100 years. This lobby works hand-in-glove, day-to-day, with the Federal Reserve Board; and between them they have compiled a fantastically high percentage of legislative successes. Too many times, these successes have been won by default. They have not had consistent, determined opposition from your side of the fence.

The ABA—let me assure you—is watching this conference carefully. They are watching to see if the conference ends in a simple adjournment this afternoon—or whether this is a forerunner of a full-time consumer effort.

Make no mistake about it, they are worried about your group. The ABA knows that you have a great weapon that they cannot match—and that is people. They are hoping—and so far their hopes have been fulfilled—that the people will never be unleashed in this battle.

But I am just optimistic enough to believe that we will see the day when the people who are represented by NRECA, by APPA, the National Farmers Union, the Co-Op League, and the AFL–CIO, will be brought into the front lines of this battle. Let me assure you that the Congress of the United States cannot resist the determined efforts of the millions of people your organizations represent. But, they must know beyond any doubt that the people in your organizations—that is, the grass roots—are solidly behind the fight for lower interest rates.

If you really want to do something about this problem, bring in the people from the local unions, from the rural electric systems, from the farmers' union chapters, from the municipal systems, from your cooperative organizations. They don't have to be sophisticated in every little detail of monetary policy. Just let them express their basic views—which I know they hold—that the people from the grassroots of this nation want lower and lower interest rates.

I don't plan to dwell on this problem. You know what has to be done in a fight like this. If you undertake it on a full-time basis, you are probably picking up the biggest fight of your legislative lives. Your enemy—the banking community—is loaded with cash and is quite willing to make use of the rawest kind of political pressure. So there are no easy solutions. No quick answers. No part-time remedies.

I would welcome a full-time effort from the consumer side of this question. But that is not a decision for me. It is a decision for you. You must determine just how fully you are committed to bringing sound monetary policy and low interest rates to this country and to your members.

I am sure there are many in this audience who feel that they have their own particular legislative problems. Some undoubtedly feel that a full-time effort on monetary policy is asking too much. But looking down the list of sponsoring organizations, I do not see a one that is not directly affected by high interest rates.

The pressure is on the rural electric cooperatives when interest rates, paid by the United States Government, skyrocket to around 6%. It makes it difficult to hold 2% money, or to institute any supplemental financing program at a reasonable interest rate. Six per cent money would drive most rural electric cooperatives out of business. And that is exactly where your systems are heading if the current high interest rates continue. High interest rates, more than anything else, will bury your hopes of getting a supplemental financing bill through the Congress.

The Farmers Union has done a brilliant job of protecting the family farmer and it is largely responsible for the success of many farm programs. But it is meaningless to raise the income of the family farmer only to have the increase turned over to the bankers in the form of higher interest rates. The members of the Farmers Union—and farmers everywhere—depend heavily on credit and as a result they are the early victims of every money squeeze.

Likewise the municipal systems which make up the bulk of the membership of the American Public Power Association have a direct stake. Much of the expansion needs of municipal power systems are met through the sale of bonds and, therefore, the conditions of the money markets bear heavily on your operations. Eventually, high money costs must be translated into the form of higher electric power rates. In too many cases, high interest rates will actually stop the sale of municipal bonds, and thereby slow the expansion and the improvement of local power systems.

I am sure that the labor representatives in this audience do not have to be reminded that high interest rates pick the pockets of their workers. A wage increase, which is wiped out by high interest charges to the worker, is an empty package. And, in 1966, there is little question that the increased interest charges for automobile loans, home loans, installment purchases, far outstripped any gains which labor may have made at the bargaining table.

In short, high interest rates are a full-time burden on the little people of this country—the people your type of organizations represent. For the homeowners, the small businessman, the farmer, the factory worker, the average consumer, the paying of interest is a constant and burdensome fact of life.

The Federal Reserve Board's December 6, 1965, interest rate increase unleashed new forces against this segment of our population. As a result, today, there are efforts throughout the nation to ratchet in high interest rates—usurious interest rates.

Right here in sight of the Capitol—there are major attempts being made to eliminate state usury laws. Both Virginia and Maryland legislatures are being bombarded with demands that the 6% usury laws be wiped out and that the consumer be left without even the most minimal protection. These usury laws are limited already and apply primarily to big loans like real estate. Nonetheless, these blatant efforts to destroy usury limits—weak though they may be—are strong indications of the public-be-damned attitude that has multiplied since the December 6, 1965, interest rate increase.

The truth is the country really has no effective usury laws. There is no national statute limiting interest rates and the state laws are shot through with loopholes. State usury limits range up to as high as an effective annual interest rate of 48%. In fact, a so-called uniform small loan law, which has made the rounds and has been adopted in many states, recommends a 36% limit.

To me, such laws do not limit usury; they simply legalize it.

The only meaningful usury limits imposed by the states are on large transactions, such as real estate. And even here, the usury laws are winked at through under-the-table discounts, points, and other devices.

In view of the states' failure to provide any meaningful limit on interest rates, I strongly feel that the Congress should consider its responsibility in this area. I would look with favor on some type of Federal statute that would provide a fair and reasonable limit on interest rates, including those imposed on small loans.

The consumer—and particularly the poor—are completely without protection on small loans. These are the people who often have to borrow $200 or $300 to keep their families together, to meet medical expenses, and to buy some of the basic necessities of life. Yet, these are the people who are left out in the cold by the so-called state usury laws and who have been ignored by the Congress.

In his State of the Union message, the President once again endorsed the concept of "truth-in-lending". As a result, there is renewed talk on Capitol Hill for this type of legislation in the 90th Congress. I think such public disclosures of the effective annual interest charges would be beneficial.

However, such a disclosure law, by itself, would have little meaning for the people who need protection the most. The poor, unfortunately, are regarded as bad credit risks, and they have little opportunity to shop around for credit. They have little chance to gain credit at the magnificent department stores; they are at the mercy of the facilities of the ghetto. So, for this group, disclosure by itself can be empty. I would hope that any such disclosure law would contain specific provisions limiting the amount of interest that could be charged on any loan or purchase.

The Distinguished Congresswoman from Missouri, Mrs. Leonor K. Sullivan, is one of the leading experts on this legislation and has already introduced a "truth-in-lending" bill. As Chairman of the Consumer Affairs Subcommittee, she will be conducting hearings on the legislation during this session of Congress.

The problems concerned with truth-in-lending are, of course, only symptoms and not the root cause of the monetary disease which afflicts the country. Behind the loan sharks and behind the sharp-practice finance company is the so-called "respectable" banking community. It is this banking community that feeds the loan sharks through direct loans, lines of credit, and by the purchase of all types of debt paper.

In turn, it is this banking community that walks in lock-step with the Federal Reserve Board. It is this banking community that sits inside the councils of the Federal Reserve System which, presumably, is an agency supervising the banks. It is a neat system that goes all the way from the fly-by-night loan shark to the Federal Reserve on Constitution Avenue in Washington, D.C.

Until we have the courage and the determination to reform this system, we will continue to have high interest rates at all levels of the economy. We will continue to have an uncertain economy, moving at the whim of the financial community and not at the will of the people.

Many of you here have worked hard to enact major parts of the Great Society. You should be proud of your accomplishments. However, it is regrettable that so many of the Great Society programs have been curtailed, or almost vetoed, by high interest rates and the restrictive policies of the Federal Reserve Board. The Congress has appropriated billions to build schools. The Federal Reserve has raised interest rates and has prevented hundreds of school districts from selling bond issues to finance new construction.

The Congress has appropriated billions to help build housing, in both rural and urban areas. The Federal Reserve has raised interest rates and, thereby, has wiped out 500,000 housing units in a single year.

The Congress has appropriated billions of dollars to fight poverty throughout our country. The Federal Reserve has raised interest rates and has taken more cash from the pockets of the poor. The Federal Reserve has created poverty while the Federal Government has declared war against poverty.

The list goes on and on. The people have moved in one direction and the Federal Reserve in another.

In the next fiscal year beginning July 1, the American taxpayers will shell out $14.2 billion in interest on the national debt. This sum is second only to the total defense budget. About $2 billion of this interest charge can be traced directly to the December, 1965 action of the Federal Reserve Board.

In fiscal years 1967 and 1968, interest charges in the Federal Budget will have gone up $2.1 billion. At the same time, the increase for Great Society programs will be only $1.9 billion. So, galloping interest rates are far outstripping our domestic programs. Interest rates are getting the priority.

To this audience I do not have to talk about what these billions spent for unnecessary interest charges would have done for the country if channeled into worthwhile, meaningful, and needed programs. It is a shame—a national shame—that we have allowed this money to be poured down the drain when so many needs have gone unmet.

Today we are in what might be called a "lull" in our monetary crisis. The Federal Reserve, with much fanfare, has attempted to indicate that it is loosening credit and seeking to nudge interest rates downward. We have seen much of this propaganda in recent weeks. But, this is only a lull. In many ways, it is simply a smokescreen behind which the Federal Reserve hopes to hide its grievous errors of December 6, 1965.

The errors of that infamous day have not been corrected and it is unlikely that they will be, so long as the Federal Reserve Board remains in the hands of its present policymakers. For those who trumpet so loudly about the minor changes in the money markets in recent days, I suggest a look at the interest rates being charged in November, 1965. Look at these rates and you will see how far we have to go to return to normalcy.

This is one of the tragic problems of these periodic high interest binges of the Federal Reserve. They jack rates up so high that even a microscopic nudge downward is greeted with great relief. In these high interest storms, we develop new floors and new benchmarks from which to measure what are high and what are low interest rates.

This constant ratchet-like effect on interest rates is disastrous to the long range hopes of this nation. The country cannot meet its goals if high interest rates become a permanent element in our economy. Full employment would be no more than an empty slogan if this should come to pass. The building of necessary public facilities and the rebuilding of our poverty-stricken areas would have to be forgotten if the United States joins the league of the high interest nations.

So, my friends, do not be deluded by any momentary lull in our monetary crises. This crisis remains with us and remains a constant danger so long as you—the people—are shut out from the consideration of policy-making in this area.

To accomplish a lasting solution will require that the Federal Reserve System be reformed from the ground up and returned to the control of the people and their elected representatives. The Federal Reserve must be required to join the American democracy.

Whenever this subject is brought up the apologists for the Federal Reserve come up with the old cliche that "monetary policy must be kept out of politics". This is a high-sounding slogan which translated means: "Let's leave the monetary policy to the banking community." This group does not trust the people. But strangely enough, they do trust the bankers.

Such a theory of policymaking by the economic elite has great appeal in totalitarian states. But it has no place in a democracy.

It is strange that these same people do not suggest that farm policy or labor policy or other governmental policy be relegated to some secret, unelected committee. No, for some strange reason, only monetary policy is accorded this special niche in the American system.

Every other segment of the government is subject to review and ultimate control by the people and their elected representatives. The special treatment accorded the Federal Reserve System sticks out like a sore thumb.

There is not a single member of the present Federal Reserve Board who can even remotely be described as a representative of the American consumer. There is not a single member of that Board that can be said to recognize, even slightly, the problems and the needs of the organizations gathered in this room today. As far as monetary policy is concerned the co-ops, the working man, and the farmer are the forgotten people.

You should demand—yes, demand—that you have representation on the Federal Reserve Board. You should demand that you have a voice in a monetary policy that affects you every single day. It is absurd that this policy is left only to the bankers.

As part of its special treatment, the Federal Reserve Board does not come to the United States Congress for appropriations. Instead, it has $42 billion worth of government bonds in the New York Federal Reserve Bank on which it draws $1.7 billion in interest every year. It finances its far-flung operations out of this slush fund. And among other things, it pays $90,000 in dues to various lobbying organizations—including the American Bankers Association.

The Federal Reserve System, along with its sister banking agencies—the Federal Deposit Insurance Corporation, and the Comptroller of the Currency—totally escape review by the appropriations committees of the Congress. They are the only agencies accorded this unusual favor.

To keep the use of its money secret, the Federal Reserve, through the efforts of the American Bankers Association, avoids audits. Its books are not audited by the General Accounting Office as are other agencies of the government.

Even more startling, are the tremendously long terms to which members of the Federal Reserve Board are appointed. These terms are for 14 years and they are staggered in such a manner as to prevent a President from appointing a majority of the Board until his very last year in office. As a result, the Board is never under effective direction of any President or of any Congress. It is therefore, far removed from any control or direction by the people of this country. No one in this country, except a handful of elite within the banking community, really knows what goes on in the Federal Reserve System on a day-to-day basis. The Federal Reserve's Open Market Committee—which sets the basic monetary policy—meets in total secrecy in Washington, D.C. This Open Market Committee—which is anything but open—is composed of the seven members of the Federal Reserve Board and five of the twelve presidents of the Federal Reserve Banks. In practice, the other seven Federal Reserve presidents participate in the meeting; therefore, we have a tight little group of 19 men setting monetary policy for a nation of 195 million people.

These meetings are super-secret—as tightly-guarded as any session of the National Security Council. No member of Congress and not even the President of the United States can gain access to these meetings. Only the banking community is allowed inside. The minutes of these meetings are locked up and are not released until six years later—long after the statute of limitations has run on any possible illegal acts.

How can anyone reconcile this type of secrecy with a democratic system?

These practices must be corrected if we are not to return to crisis after crisis on interest rates. I have introduced legislation—H.R. 11—which I believe would provide some of the basic reforms. This bill would reduce the terms of the members of the Board from 14 to 5 years and would make the term of the chairman co-terminous with that of the President of the United States.

The bill would require that the Federal Reserve System come to Congress for appropriations and that its books be audited.

H.R. 11 would also require that the policies of the Federal Reserve be fully coordinated with the programs and the policies of the other Federal agencies. This would require the Federal Reserve Board to comply with the Full Employment Act of 1946.

In December, 1965, the Federal Reserve, of course, ignored the Full Employment Act and failed to coordinate with even a single agency of the Federal Government. It was open and blatant defiance of the President, the Congress, and the people of the United States. The Board carried out this defiant act under what can only be described as its "seized independence." This "independence" has not been granted by law, but the Federal Reserve nonetheless operates as if it were a separate, autonomous branch of government.

Such a situation, in my opinion, has serious implications for our entire country. The Federal Reserve, in its powerful position, is actually able to negate the will of the people. In 1964, the country elected President Johnson by an overwhelming margin and, in effect, gave the Congress a mandate to go ahead with new programs.

Needless to say, the banking community and the big business corporations did not agree with the people's mandate. But this group still had one out—the Federal Reserve System. This system was not touched by the huge majorities recorded for the Democratic Party.

Since that 1964 election, the Federal Reserve has carried out monetary policy in such a manner as to block and diminish as many programs as possible. They have, through high interest rates and tight money, accomplished much of what Senator Goldwater promised in his campaign.

Today, President Johnson is faced with a serious problem regarding the Federal Reserve. It is becoming more and more difficult for the President of the United States to carry out programs in the face of the Federal Reserves' open defiance. This fact is heightened by the heavy financial requirements of the Vietnamese War.

In his State of the Union message, President Johnson called attention to the Federal Reserve's high interest policies. He pleaded for lower interest rates and pledged that he would do everything to accomplish this aim. But he is faced with this autocratic Federal Reserve Board that will not give in without a price.

Currently, the Federal Reserve is demanding a tax increase before it does anything meaningful about interest rates. The Board is holding a gun at the head of the President saying: "Raise taxes or else," Yes, the Federal Reserve wants taxes raised to hide the mistakes it has made since December 6, 1965. It wants a face-saving device.

We in the Congress should not give in to this kind of political blackmail by the Federal Reserve. I do not intend to vote for a tax increase just to please the Federal Reserve System.

Instead, the Congress should face up to its responsibility and do something about reforming the entire Federal Reserve. What we need is an immediate rollback of interest rates to at least the levels prevailing before December 6, 1965.

Again, I hope you jump into this battle with all of your people behind you. Now is the time to put an end to all monetary crises.

Thank you.

Chairman Rivers, Departments of State and Commerce, Give Response to Editorial on U.S. Trade With Communist Nations

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 1967

Mr. EVINS of Tennessee. Mr. Speaker, the Nashville Banner recently published an editorial entitled "U.S. Trade Shores Up Hanoi Military Machine." The thesis of the editorial was that trade with Soviet Russia and Communist nations of Eastern Europe is a funnel through which strategic goods are then shipped to North Vietnam to assist in the war against the United States.

Copies of this editorial were referred to my good friend, Chairman Mendel Rivers, of the Committee on Armed Services of the House, to Secretary of State Dean Rusk and Secretary of Commerce John Connor for study and comment. The response by Chairman Rivers and by spokesmen for the Secretaries—Douglas MacArthur II, Assistant Secretary of State, for Secretary Rusk and Director Rauer H. Meyer, of the Office of Export Control, for Secretary Connor—are most interesting.

In view of the interest of this most important question to my colleagues and to the Nation generally, I insert the editorial and the responses by Chairman Rivers, Mr. MacArthur, and Mr. Meyer to be reprinted in the Record.

The editorial and letters follow:

"Bridge Building" Has Its Limits: U.S. Trade Shores Up Hanoi Military Machine

The United States has figuratively kicked itself in the pants for supplying Japan with untold tons of scrap iron prior to World War II.

Officials responsible for okaying shipment of this war material potential fall back on the lame excuse that we weren't at war with Japan at the time and that they had no reason to suspect that we would cross swords with the Nipponese. Nevertheless, they now agree it was a stupid mistake.

However, if our Central Intelligence Agency reports are accurate, we're doing much the same thing with regard to North Vietnam—a nation with whom we ARE at war.

It all stems from a directive issued by President Johnson designed to "build bridges to Iron Curtain countries through increased trade."

It's now revealed that a big share of the precision instruments and hard goods included in this trade deal is winding up in North Vietnam to shore up military strikes against U.S. forces and strengthen Hanoi defenses.

Incredible as it may seem, we are in the position of fashioning the instruments of our own destruction.

Take Hungary for instance, a country LBJ is trying to woo through trade concessions.

That Red satellite is supplying the Viet Cong with U.S.-made vacuum gauges, radiation equipment, and airborne navigational devices over a round-about trade route through Russia.

At the same time we're shipping radio communication receivers and parts, refrigeration compressors, along with technical instructions as to their application, to Poland, which in turn, makes them available to Russia's military complex—thence to Hanoi to modernize weaponry used against our bombers and ground forces.

Much of the artillery and small arms which Russia is supplying in quantity to North Vietnam are fashioned in the famous Skoda works at Pilsen, Czechoslovakia—a country we are furnishing electronic computers, pyrotechnical rocket engines, and a super-duper hydrogen plant which, in this age of sophisticated weaponry, gives stature to the Soviet war machine.

The caravans of trucks, which in recent months have replaced coolie labor in transporting supplies to the North Vietnamese war front, come from Czechoslovakia and the Wartburg Automotive Works in East Germany where we are now shipping a cold steel rolling mill, a tandem temper mill, rotary combustion engines, data-processing systems, and a wide range of computer spare parts!

Can we be so naive as to believe we are "building bridges" to peace, that the technical know-how and hard goods with war potential we are delivering to Russia's satellites will cement a lasting bond of friendship with a combine of nations which has vowed one day to "bury us"?

The fact that our naval intelligence reports that from five to ten Soviet freighters, with concealed cargoes, are being unloaded each day at Haiphong should alert us to the dangers involved and the folly of peace bids based on the barter of machines, chemicals, and electronics destined for the enemy arsenal.

Such "bridges" can only lead to a longer, more costly war—and worse still, mounting U.S. casualties.

Since there is no evidence that such overtures are serving to thaw out our relations with the Reds the wonder is that LBJ's directive is still in force.

It's enough to make even strong men weep!

House of Representatives, Committee on Armed Services,
Washington, D.C., January 11, 1967.

Hon. Joe L. Evins,
House of Representatives,
Washington, D.C.

Dear Joe: This is to acknowledge receipt and thank you for your recent letter with which you enclosed an editorial "U.S. Trade Shores Up Hanoi Military Machine" which was published December 22 in *The Nashville Banner*.

This editorial expresses a concern which I, too, have felt for a considerable period of time. As you might guess, I have had occasion to make a number of inquiries concerning our trade with the Soviet Union and other Communist countries and I have been only moderately satisfied with the responses I have received. When Secretary of Defense McNamara appears before the Committee in the near future, it is my intention to go into this matter with him and see whether we are on sound and safe grounds in the trade we are carrying on with these countries.

As I understand the situation, the Government's policy toward trade with Communist-controlled countries varies, depending upon our relations with the particular country in question.

Trade with Communist China, North Korea, and North Viet Nam is embargoed. Similarly, all imports from Cuba have been embargoed since early 1962. Also, all exports to Cuba are prohibited, except medicines not available outside the United States and charity shipments for disaster relief.

The United States maintains certain trade relations with Communist-controlled countries in Eastern Europe. For reasons of national security, however the Government maintains control over U.S. exports to those countries to make sure that no strategic materials are shipped to them. Imports from these areas are not subject to special controls since there is no need to do so on security grounds.

An important consideration underlying the whole matter of trade with these nations is the availability to them of comparable or nearly comparable equipment from countries other than the United States. For example, take the manufacture of automobiles (and, of course, it could be any number of other items including those mentioned in the editorial); although some U.S. machinery is superior to any produced abroad, there are machines designed and built in Europe and Japan that are now being used to produce quality automobiles. If all U.S. machinery normally used in automobile production were denied to Eastern Europe, the Soviets or their satellites could still equip new plants with non-U.S. machinery. In such event, these countries might have a somewhat less efficient automobile plant, but the loss to the United States would be significant in terms of balance of payments and employment.

I think all of us, including those responsible for trade policies and their execution, fully appreciate the concern of people who are apprehensive that our policy of promoting trade with Eastern Europe at a time when we are engaged in a conflict with communism in Vietnam is contrary to our best interests. However, the explanation which I have made above is at least a partial answer to those who feel this concern and I hope it will be satisfactory to you until I have had an opportunity to examine this whole matter in detail with the civilian and military people in the Department of Defense during our hearings.

Thank you for bringing this important matter to my attention and I hope I have been of assistance to you.

Sincerely,

L. MENDEL RIVERS, *Chairman.*

DEPARTMENT OF STATE,
Washington, January 26, 1967.

Hon. JOE L. EVINS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN EVINS: The Secretary has asked me to reply to your letter of December 30.

This Government is most emphatically not "shoring up Hanoi's military machine" as charged in the editorial which you enclosed. You may also be assured that American production and scientific knowledge are not being used against American troops through trade with Communist nations. This Governments permits no exports at all to Communist China, North Viet-Nam, or North Korea.

The trade that is permitted, as a matter of policy, with the Soviet Union and the other countries of Eastern Europe, does not include strategic goods. In 1965, 94 percent of United States exports to Eastern Europe, which totalled only $139,000,000, consisted of food, feedstuffs, other agricultural products, and industrial raw materials. Only 6 percent of the goods exported fell in the general category of machinery or industrial equipment, all non-strategic.

These exports from the United States, moreover, must be paid for by Eastern European countries through transfers of gold, foreign exchange, or other resources of measurable value. Our imports from Eastern Europe (unlike our exports, which are largely agricultural goods in free supply) include goods directly useful to our own military and industrial potential.

For example, in 1965, the platinum group metals and chrome ore accounted for approximately two-thirds of United States imports from the Soviet Union, the total value of which was $43,000,000. Our exports to the Soviet Union during that year amounted to $44,000,000. The principal items were inedible tallow, soybeans and cattle hides.

A number of recent newspaper articles have drawn on the information regularly published by the Department of Commerce listing export licenses approved for sale to the Soviet Union and the countries of Eastern Europe. These articles suggest that such goods shipped to Eastern Europe are either sent on to North Viet-Nam or are used in Eastern European countries for the production of war materials for North Viet-Nam.

If there were evidence that this kind of indirect trade were taking place on any significant scale, this Government would cease approving the goods involved. In fact, however, the Department of Commerce watches American exports very closely to follow up on any evidence of unauthorized diversion. End use checks are made in certain cases prior to export license approval, and it is even possible in an increasing number of cases to make post-shipment checks on the use of United States equipment in some Eastern European countries.

Each export license approved is carefully evaluated by the Department of Commerce to be certain that it will not contribute significantly to the military or economic potential of the countries of Eastern Europe in a way that would be detrimental to the national security and welfare of the United States. In making this judgment, the Department of Commerce consults other executive departments, including the Department of State and the Department of Defense. The items licensed also are alternatively available from other Western countries that trade more extensively with the East than does the United States.

One further point deserves emphasis. Approvals of export licenses, particularly for exports of technology for plants and industrial processes, mean that an American company is being given an opportunity to compete for an order. The trade that actually takes place may be quite a different matter, because American companies face formidable competition from well established Western European and Japanese traders. As I indicated earlier in this letter, actual exports have been primarily agricultural products and raw materials.

I realize that some people feel that no trade at all with Eastern Europe, however harmless, should be permitted while we are fighting in Viet-Nam. We can understand this view, and we can answer it by explaining the reasons for our policy.

The President, the Secretary of State, the Under Secretary of State, and other high officials of this Department have repeatedly explained the bases of American policy on East-West trade.

The issue is very simply this: Should we reverse the policy that has prevailed for almost twenty years under four administrations and cut off all exports to the Soviet Union and Eastern Europe? Some of our citizens would clearly feel easier in their minds if we simply had no commercial dealings at all with Communist countries. This view is understandable. It is, however, largely personal, and it is not in itself a sufficient basis for a determination of public policy.

Many other American citizens and nongovernmental organizations do not agree with the simplistic view that all trade with Communist countries is bad. The United States Government must have good reason and a good answer for these groups, too, before placing normal commercial trade outside the law. The only adequate reason for imposing such a ban is the overriding requirement of national interest. That requirement does ban trade with Communist countries in the Far East and the Caribbean engaged in active military aggression or direct subversion. It points in exactly the opposite direction in the case of the Soviet Union and the other countries of Eastern Europe.

We are not at war with those countries and it does not advance our national objectives to treat them as though we are. As the President said on October 6, "the easiest thing we could do is get in a larger war with other nations." This is certainly not what we wish. We wish rather to engage the countries of Eastern Europe, including the Soviet Union, across as wide a range of normal, peaceful relationships as possible. In this way we hope that we can increase their realization of the stake which their governments and their peoples have in the peaceful settlement of international differences.

If there were any possible misunderstanding of American resolve to meet aggression with military resistance, the policy I have described might be a risky one. But there can be no such misunderstanding precisely because we are so deeply committed to fight in Viet-Nam to assure the people of South Viet-Nam the chance to decide their future for themselves by peaceful means.

Thus those who advocate the general rule of no trade or other normal civilian relationship with Eastern Europe until Viet-Nam is settled would destroy the whole point and purpose of United States policy for the last twenty years. They would have the United States act as though a state of permanent warfare, hot or cold, with Communist countries is all we can look forward to.

This would be a defeatist view of the future, given the capacity for mutual destruction in the nuclear age.

The American people surely expect their Government to have a more constructive plan of action. The President does have such a constructive plan, and he has done his best to make it clear, both at home and abroad. He believes it does lie within human capability to find a way to preserve the peace in the nuclear age and to stake out gradually enlarging common ground where all nations can work together on affairs of general benefit to mankind. The President spoke eloquently on these broad purposes of our policy at Idaho Falls last year on August 26. I would respectfully urge that you review that statement again, because I believe the President has made no more careful and succinct explanation of the broad policy considerations underlying his position on trade with Eastern Europe.

The President then defined our compelling task: "To search for every possible area of agreement that might conceivably enlarge, no matter how slightly or how slowly, the prospect for cooperation between the United States and the Soviet Union."

In summary, therefore, our policies on trade and other relations with the Soviet Union and the other countries of Eastern Europe are intended to keep open the prospects for continued peaceful relations and reduced tensions in the future. If we were to reverse the East-West trade policy that has prevailed under four administrations and cut off all exports to Eastern Europe, we would be acting on the assumption that peaceful settlements are not possible. This is not the policy which this Government wishes to follow in its relations with the Soviet Union and other Eastern European Communist countries.

I hope that this information will be helpful to you.

If I can be of further assistance to you, please do not hesitate to write me again.

Sincerely yours,

DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations.

U.S. DEPARTMENT OF COMMERCE,
BUREAU OF INTERNATIONAL COMMERCE,
Washington, D.C., January 19, 1967.

Hon. JOE L. EVINS,
House of Representatives,
Washington, D.C.

DEAR MR. EVINS: I am writing in reply to your letter of December 30, with which you enclosed an editorial from The Nashville Banner entitled "U.S. Trade Shores Up Hanoi Military Machine."

There are, of course, many considerations involved in determining and implementing our trade policies under the Export Control Act. The United States Government has, for some years past, authorized peaceful trade with the Soviet Union and other Eastern European Communist countries. To that end we permit commercial exports to them of a variety of non-strategic goods. We do not, however, authorize the export of any product that would contribute significantly to their military or economic build-up in such a way as to prove detrimental to U.S. national security and welfare.

Determinations as to the advisability of issuing a license to export goods such as the editorial referred to are reached only after careful deliberation by the Department of Commerce in consultation with all the interested United States Government agencies. The approval of such exports represents a governmental decision that the transaction would not adversely affect the security or welfare of the United States.

That foreign trade transactions conforming to our laws and regulations are clearly advantageous to our nation is widely accepted throughout our country. Nevertheless, we fully appreciate the concern of those citizens who are apprehensive that our policy of promoting trade in peaceful goods with Eastern Europe at a time when we are engaged in a conflict with Communists in Vietnam will undermine our position. Secretary of State Dean Rusk explained this policy when he sent the proposed East-West Trade Relations Act to Congress in May 1966. In his letter of transmittal he said:

"We are reaffirming in Vietnam—as we have on many earlier battlefields—our determination to aid free and independent nations to defend themselves from destruction by Communist aggression or subversion. But determined resistance to such force is only part of our strategy to maintain a peaceful world.

"It has equally been our purpose to demonstrate to the Communist countries that their best interests lie in seeking the well-being of their peoples through peaceful relations with the nations of the free world. We want the Soviet Union and the nations of Eastern Europe to understand that we will go step-by-step with them as far as they are willing to go in exploring every path toward enduring peace. We require only that our willingness and our actions be genuinely matched by theirs.

"We are confident that this policy is sound even when we are fighting against Communist weapons in Vietnam. Indeed, it is when we are resisting force with force that it is most important to hold open every avenue to peace. We need to make unmistakably clear to all the Communist nations in Eastern Europe that their best interests lie in economic development and peaceful trade, not in support of futile attempts to gain advantage through the use of force."

For additional background, I am enclosing the Report to the President of the Special Committee on U.S. Trade Relations with East European Countries and the Soviet Union, and a State Department publication that includes both the proposed East-West Trade Relations Act and the full letter of transmittal by Secretary Rusk.

If I can be of any further assistance, please let me know.

Sincerely yours,

RAUER H. MEYER,
Director, Office of Export Control.

SENATE

TUESDAY, JANUARY 31, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, as in reverence we hallow Thy name, so may we hallow our own, keeping our honor bright, our hearts pure, our ideals untarnished, and our devotion to the Nation's weal high and true. Amid the tensions of these terrific days we seek in Thy presence a saving experience of inner quiet and certainty. Unworthy though we are, Thou hast made us keepers of the holy flame of freedom the fathers kindled with their lives.

We would be Thy ministers of abiding peace. By the very opulence of Thy gifts, Thou art saying to us that of those to whom much has been given, much will be required—give us wisdom, give us courage, lest we miss Thy kingdom's goal. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 30, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

VIETNAM CONFLICT SERVICEMEN AND VETERANS ACT OF 1967—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 48)

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, relating to Vietnam conflict servicemen and veterans.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that a message from the President on servicemen and veterans be jointly referred to the Committee on Labor and Public Welfare and the Committee on Finance.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The message from the President was referred, jointly, to the Committees on Labor and Public Welfare, and Finance, as follows:

To the Congress of the United States:

On July 28, 1943, in a fireside chat on the progress of the war and plans for peace, President Franklin D. Roosevelt told the Nation:

> . . . the members of the armed forces have been compelled to make greater sacrifices than the rest of us . . . they are entitled to definite action to take care of their special problems.

America has taken that "definite action." It has responded to the needs of the men and women who have carried the banner of liberty in time of danger.

We have not forgotten the veterans of past wars. At Belleau Wood and Chateau Thierry, at Normandy and Midway and at Heartbreak Ridge, these brave men earned an honored place in history. Their sacrifices have brought greater justice and decency to the world.

Today, the members of our Armed Forces are again fighting and giving their lives in the defense of freedom. It is essential that we convey to them—and to all Americans—our full recognition and gratitude for their service in Vietnam and in other troubled areas of the world.

Never have we had more cause to be proud of our Armed Forces. When I visited Cam Ranh Bay last October, I could see that the morale of our men was high for they are determined to succeed. Gen. William Westmoreland, their commander, told me that our troops were the finest the United States had ever placed in the field. We must take "definite action" for them.

Many civilian employees of the Federal Government are also working in the villages of South Vietnam, providing the help that a young nation must have to grow and become strong. These employees are exposed to the hazards and dangers of a war which has no frontline. We must also extend special benefits to them.

I. SERVICEMEN AND VETERANS

In the past 2 years, you in the Congress have enacted and I have signed a series of measures to help honor our commitment to Americans now serving or recently separated from the Armed Forces:

Two military pay raises since August 1965, an average increase of 13.6 percent.

A new cold war GI bill to speed the readjustment of returning servicemen through new education, training, medical and home loan benefits.

An increase in hostile fire pay.

A comprehensive military medicare program.

A $10,000 servicemen's group life insurance program.

A 10-percent average increase in disability compensation and enlarged benefits for surviving children and dependent parents of those who died as a result of a service-connected injury.

We must now take additional steps to fulfill our obligations to those who have borne the cost of conflict in the cause of liberty.

I propose the Vietnam Conflict Servicemen and Veterans Act of 1967. This important legislation has six major objectives:

First. To remove the inequities in the treatment of veterans of the present conflict in Vietnam.

Second. To enlarge the opportunities for educationally disadvantaged veterans.

Third. To expand educational allowances under the GI bill.

Fourth. To increase the amount of servicemen's group life insurance.

Fifth. To increase the pensions now received by 1.4 million disabled veterans, widows, and dependents.

Sixth. To make certain that no veteran's pension will be reduced as a result of increases in Federal retirement benefits, such as social security.

EQUAL BENEFITS FOR VIETNAM VETERANS

Veterans of the Vietnam conflict should receive benefits comparable to those granted to their comrades of World War I, II, and Korea. Prior legislation has equalized many of the benefits. But, because of certain gaps in the law, today's veteran, his family, and his children are ineligible for a number of benefits other war veterans receive.

It is only right that these loopholes be closed. It is a matter of simple fairness that the veteran of the Mekong Delta and Chu Lai be placed on a par with the veteran of Pork Chop Hill and Iwo Jima. The Senate passed—and my administration supported—such a measure last year.

I recommend that the following benefits be extended to veterans who have served on or after August 5, 1964:

Disability compensation at full wartime rates for all veterans.

Disability pensions for veterans and death pensions for widows and children.

Special medical care benefits, including medicines and drugs for severely disabled veterans on the pension rolls.

Sixteen hundred dollars toward the purchase of an automobile by veterans with special disabilities.

EDUCATIONAL OPPORTUNITIES FOR THE VETERAN

Since last June, when the new GI bill went into effect, more than 500,000 veterans have applied for education and training benefits. Thousands more are signing up each week. Today, over one-quarter of a million returning servicemen and women are preparing for the future and learning new skills in universities, colleges, and technical and vocational schools across the Nation. By the end of fiscal year 1968, this number will increase to more than 500,000.

While the new GI bill is less than a year old—and an outstanding success—we can still work to extend and improve it.

Even today, some 20 percent of those separated from the Armed Forces each year—about 100,000 young men—have not completed high school. Many of these young veterans have the ability and desire to better themselves. All too often, they lack the financial means to complete their high school education and enter college.

As a nation, we cannot afford to neglect this valuable manpower resource.

The present GI bill makes no special provision for a returning serviceman who needs to finish high school or take a refresher course before he can enter college. In fact, it works in just the opposite way. For each month the veteran pursues a high school education under the GI bill, he loses a month of eligibility for college benefits under the law.

This situation must be changed. I recommend legislation to provide full GI bill payments to educationally disadvantaged veterans so that they can complete high school without losing their eligibility for follow-on college benefits.

We are taking a further step. In recent months, thousands of men who would have been rejected for military service because of insufficient educational achievement are being accepted; 40,000 men will enter the service in the first year of this new program, and 100,000 each year thereafter. Its purpose is to provide the intensive training needed to make these young men good soldiers. Upon the completion of their military service, they will be better educated and equipped to play productive and useful roles as citizens.

I am directing the Secretary of Defense to find new ways to improve this program.

The time has also come to increase the educational assistance allowance under the GI bill. A single veteran pursuing a full-time course receives $100 a month to help him finance his education. This amount is less than the $130 a month paid to the child of a deceased or disabled veteran who may be taking the same courses at the same school.

The veteran going to school is usually older and may bear heavier responsibilities. I recommend an increase in the monthly educational assistance allowance under the GI bill from $100 monthly to $130 for a veteran.

In accord with the present scale of benefits, a married veteran with children receives $150 monthly under the GI bill, regardless of the number of children he has. To help veterans with families who wish to continue a full-time educational program, I recommend that the monthly payment be increased by $10 a month for the second child and $10 a month for each additional child.

These increases in the educational assistance allowance will benefit the more than 250,000 veterans now enrolled in schools under the GI bill.

LIFE INSURANCE

There can never be adequate compensation for those who suffer the loss of a loved one on the field of battle. We can, however, help ease their financial burden in time of sorrow. Through a combination of social security, dependency and indemnity compensation, and other benefits they are being relieved of much of the economic hardship.

In addition, the 89th Congress enacted a group life insurance program for servicemen. Under this law, a member of the Armed Forces may purchase up to $10,000 in life insurance. The Government pays a large part of the cost.

With the outstanding cooperation of the Nation's insurance firms, this program has worked smoothly and effectively.

We should now raise the limits of coverage. This will provide a further career incentive for the men and women of the Armed Forces as well as added protection for their loved ones.

I recommend an increase in the amount of available serviceman's group life insurance, from a maximum of $10,000 to a minimum of $12,000—with higher amounts scaled to the pay of the serviceman—up to a maximum of $30,000.

This proposal would carry out a recommendation of the Cabinet Committee on Federal Retirement Systems. It is in line with the general principle that the amount of group life insurance should be geared to the amount of salary earned. It will provide a substantial amount of insurance for all members of the Armed Forces. And it will permit servicemen returning to civilian life to continue the insurance at prevailing commercial rates, without regard to their physical condition.

VETERANS OF PAST WARS

The legislation I have proposed above primarily reflects the public concern for the welfare of veterans of the Vietnam conflict. But this administration has not forgotten the veterans, dependents, and survivors of earlier wars.

Today, there are about 94 million Americans who fall into this category—almost one out of every two persons in the Nation.

The last several years have witnessed dramatic improvements in the range and quality of services and benefits available to our veterans and their families.

I have asked for and Congress has approved veterans' appropriation increases of $300 million each year for the past 3 years. Except for the 2 years immediately after World War II, my veterans budget for fiscal 1968 of $6.7 billion is the highest in history.

Those programs for veterans and their families which have been expanded include:

A 10-percent increase in pensions.

A 30-percent increase in subsistence allowance for veterans receiving vocational rehabilitation training.

We are also providing the best medical care a grateful and compassionate nation can offer.

Last year more than 740,000 sick and disabled veterans were patients at VA hospitals. Four new hospitals have been opened in the past 2 years. Five more are scheduled to be completed within the next 8 months. With the modernization of six additional hospitals, over 15,000 new beds will be added for disabled veterans during the coming year.

Special medical research is also being pursued in pioneering areas such as organ transplant, chronic lung disease, and dramatically new methods of fitting artificial limbs. This year I have asked for over $46 million to support this vital work.

Nor have we forgotten the veteran who because of disability and age may be in needy circumstances.

We are helping to meet their needs through wide-ranging improvements in the social security, senior citizens, education, health, and children's programs. I have already submitted a number of those recommendations to the 90th Congress. I will submit others shortly.

Although many of these new proposals will have an important relationship to programs for veterans and their survivors it is important that we do more.

To help meet today's cost of living, we should raise the standard of living for disabled veterans, and the widows and other dependents of deceased veterans receiving pensions.

I propose, effective July 1, 1967, a 5.4-percent increase in the pensions of 1.4 million veterans, widows, and dependents.

Last week I proposed to Congress a 20-percent overall increase in social security payments—representing the greatest increase in benefits since the act was passed in 1935. Although these increases will benefit millions of older Americans, we must make certain they do not adversely affect the pensions paid to those veterans and dependents who are eligible for both benefits.

Accordingly, I propose that the Congress enact the necessary safeguards to assure that no veteran will have his pension reduced as a result of increases in Federal retirement benefits such as social security.

A COMPREHENSIVE STUDY OF COMPENSATION, PENSION, AND OTHER VETERANS BENEFITS

The proposals I have outlined will, I believe, strengthen our veterans' programs. But we must assure the continuing soundness of these programs.

I am directing the Administrator of Veterans' Affairs, in consultation with leading veterans groups, to conduct a comprehensive study of the pension, compensation, and benefits system for veterans, their families, and their survivors. I have asked him to recommend to me by January 1968 proposals to assure that our tax dollars are being utilized most wisely and that our Government is meeting fully its responsibilities to all those to whom we owe so much.

II. CIVILIANS SERVING IN VIETNAM

Among those engaged in the effort to preserve freedom in southeast Asia are civilian employees of agencies such as the Department of Defense, Department of State, Agency for International Development, and U.S. Information Agency.

There are no front lines in Vietnam. These employees are frequently exposed to hazardous conditions. They have suffered terrorist attacks in hamlets, villages, and even in the larger cities. Despite their status as civilians, many have been killed, seriously wounded, or reported missing.

The laws now governing Federal civilian employment in overseas areas has not kept pace with the times. Civilians who risk their lives in the service of their country are entitled to special benefits.

I recommend that the Congress enact legislation to:

Increase the salary differential for service at hazardous duty posts.

Allow medical benefits to continue beyond the date of his separation for an employee who has been injured or become ill while serving in a hostile area.

Extend similar medical benefits to the employee's family after his separation or death.

Allow special travel expenses for employees after long service in hazardous areas, so they can be reunited with their families.

Authorize up to 1 year's absence without charge to leave as a result of injury or illness due to hostile action.

I have outlined a program shaped to meet the needs of America's servicemen and veterans.

No act of Government, and no legislative proposal can ever repay the Nation's debt to these brave men.

They are away from their families and loved ones, serving the cause of liberty. They serve us all silently and well. And this grateful Nation is in their hands. Whether in a patrol along the wall in Berlin, or walking the 38th parallel, or in the air on a SAC alert, or in a nuclear submarine beneath the seas or on a sweep through a rice paddy in South Vietnam their mission is freedom and their cause is just.

The measures I propose in some small way serve notice to these Americans—in and out of uniform—that we will never let them down. The Congress, the executive branch, and the American people have accepted that obligation of honor to those who have fought and continue to fight in the defense of freedom.

The Congress, I believe, will want to consider and promptly enact this legislation.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 31, 1967.*

PRESIDENT JOHNSON PROPOSES SIGNIFICANT STRENGTHENING IN VETERANS' BENEFITS, PROGRAMS—SENATOR RANDOLPH URGES PROMPT CONGRESSIONAL ACTION

Mr. RANDOLPH. Mr. President, today, as on so many occasions in our history, the United States has abundant cause to consider with gratitude the valor and vigilance of members of our armed services. In this time of international tensions and uncertainty it is appropriate that we pause to express a measure of our appreciation to the veteran of armed conflict, and to those men and women who are now bearing that burden on foreign soil.

It is gratifying that the Congress has just received a message from President Lyndon B. Johnson recommending prompt action to broaden and modernize veterans' legislation. As chairman of the Subcommittee on Veterans' Affairs, I look forward to participating in the congressional examination and consideration of these proposals, and am confident that significant advances in benefits can be achieved.

The President has suggested improvements in six general areas: to provide equal recognition and benefits for personnel now serving in Vietnam; to enlarge opportunities for educationally disadvantaged veterans; to expand GI bill educational allowances; to raise amounts for servicemen's group life insurance; to increase pensions for some 1.4 million disabled veterans, widows, and dependents; and, to insure that no veteran's pension is reduced as a result of increases in Federal retirement benefits, such as social security.

The passage of the Vietnam Servicemen and Veterans Act of 1967 will demonstrate that we are mindful of the tremendous achievements of veterans, our servicemen, and the civilians who are exposing themselves to daily hazards of war.

We yearn for a time when the battlefield will cease to be used to settle disputes among men—but until that day dawns, we must stand ready as we have throughout our history. And as we continue to search for world peace, the Armed Forces of our Nation constitute a vital source of strength. They must act as our shield from those who would destroy a way of life based on freedom and responsibility of the individual citizen.

We are engaged in another difficult struggle to insure that aggression will not be rewarded with success, and, as in all of our previous battles, this Nation gives full support for our fighting men. When these men return, we must endeavor to assist them as they once again seek to live normal lives.

I wholeheartedly support the principles of the Vietnam Servicemen and Veterans Act of 1967. The President's proposals are eminently just and responsive. I urge my colleagues to join in assuring that these measures are given prompt and affirmative consideration.

REPORT ON U.S. AERONAUTICS AND SPACE ACTIVITIES, 1966—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 49)

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was referred to the Committee on Aeronautical and Space Sciences, as follows:

To the Congress of the United States:

America's space and aeronautics programs made brilliant progress in 1966. We developed our equipment and refined our knowledge to bring travel and exploration beyond earth's atmosphere measurably closer. And we played a major part in preparing for the peaceful use of outer space.

In December, the United Nations, following this country's lead, reached agreement on the outer space treaty. At that time I said it had "historical significance for the new age of space exploration." It bars weapons of mass destruction from space. It restricts military activities on celestial bodies. It guarantees access to all areas by all nations.

Gemini-manned missions were completed with a final record of constructive and dramatic achievement. Our astronauts spent more than 1,900 pilot-hours in orbit. They performed pioneering rendezvous and docking experiments. They "walked" in space outside their vehicles for about 12 hours.

We orbited a total of 95 spacecraft around the earth and sent five others on escape flights, a record number of successful launches for the period. We launched weather satellites, communications satellites, and orbiting observatories. We performed solar experiments and took hundreds of pictures of the moon from lunar orbiters. Surveyor I landed gently on the moon and then returned over 11,000 pictures of its surroundings for scientific examination.

Major progress was made during the year on the Apollo-Saturn moon program and the manned orbiting laboratory.

These accomplishments—and the promise of more to come—are the fruits of the greatest concerted effort ever undertaken by any nation to advance human knowledge and activity. Space, so recently a mystery, now affects and benefits the lives of all Americans.

Our national investment in space has stimulated the invention and manufacture of a flood of new products. Our new knowledge has made us more secure as a nation and more effective as leaders in the search for peace. This knowledge is hastening the ultimate solution of social and economic problems that combined to obstruct peace.

It is with pride and pleasure that I transmit this record of achievement to you, the Members of Congress. Without your support, no achievement would be possible.

Lyndon B. Johnson.

The White House, *January 31, 1967*.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Committee on Foreign Relations was permitted to meet during the session of the Senate today.

On request of Mr. Byrd of West Virginia, and by unanimous consent, the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

RECOGNITION OF SENATOR PROXMIRE AT THE CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Senator Proxmire be permitted to speak for 20 minutes at the conclusion of routine morning business.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate proceeded to consider executive business.

CONVENTION ON SERVICE ABROAD OF JUDICIAL AND EXTRAJUDICIAL DOCUMENTS IN CIVIL OR COMMERCIAL MATTERS—REMOVAL OF INJUNCTION OF SECRECY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the injunction of secrecy be removed from Executive C, 90th Congress, first session, the convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters, transmitted to the Senate today by the President of the United States, and that the convention, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the Record.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters, unanimously approved at the 10th session of the Hague Conference on Private International Law, October 7 to 28, 1964, and signed on behalf of the United States of America at The Hague on November 15, 1965.

This convention represents the first tangible result of governmental participation by the United States in the Hague Conference on Private International Law, as authorized by Public Law 88-244 (77 Stat. 775), approved December 30, 1963.

The provisions of the convention are explained in the report of the Secretary of State transmitted herewith. In broad terms, the convention makes no basic changes in the new U.S. practice under Public Law 88-619 (78 Stat. 995), approved October 3, 1964; its ratification would require no amendments to that legislation. On the other hand, the convention makes important changes in the practices of many civil law countries, moving those practices in the direction of our generous system of international judicial assistance and our concept of due process in the service of documents. The convention also insures protection against default judgments which were entered without reasonable efforts to bring the action to the notice of the defendant. It should be noted that service pursuant to the convention does not require the recognition or enforcement in the state addressed of a foreign judgment, decree, or order.

This convention is a notable step in the field of international judicial cooperation and is supported by major legal organizations, including the American Bar Association, the National Conference of Commissioners on Uniform State Laws, and the Judicial Conference of the United States.

I recommend that the Senate of the United States advise and consent to the ratification of the convention as promptly as practicable.

Lyndon B. Johnson.

The White House, *January 31, 1967*.

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. RUSSELL, from the Committee on Armed Services:

Lt. Gen. Joseph J. Nazarro, major general, Regular Air Force, U.S. Air Force, to be assigned to positions of importance and responsibility designated by the President, to serve in the grade of general.

The PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

DEPARTMENT OF TRANSPORTATION

The legislative clerk proceeded to read sundry nominations in the Department of Transportation.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Agreements With Owners and Lessees of Land Inside or Adjoining Naval Petroleum Reserves

A letter from the Acting Secretary of the Navy, reporting, pursuant to law, on agreements with owners and lessees of land inside or adjoining naval petroleum reserves for conservation in the ground of oil and gas in the reserves, for the calendar year 1966 (with accompanying papers); to the Committee on Armed Services.

Report on Flight Pay

A letter from the Under Secretary of the Navy, reporting, pursuant to law, on flight pay, for the 6-month period ended December 31, 1966; to the Committee on Armed Services.

Extension of Authority To Pay Basic Allowances for Quarters and Dislocation Allowances to Certain Members of the Uniformed Services

A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 37, United States Code, to extend the authority to pay basic allowances for quarters and dislocation allowances to members of the uniformed services, without dependents (with an accompanying paper); to the Committee on Armed Services.

Report on Department of Defense Procurement From Small and Other Business Firms

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on defense procurement from small and other business firms, for the period July-November 1966 (with an accompanying report); to the Committee on Banking and Currency.

District of Columbia Licensing Procedures Act

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to revise and modernize procedures relating to the licensing by the District of Columbia of persons engaged in certain occupations, professions, businesses, trade, and callings, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

Report of Potomac Electric Power Co.

A letter from the President, Potomac Electric Power Co., Washington, D.C., transmitting, pursuant to law, a balance sheet of that company, as of December 31, 1966 (with accompanying papers); to the Committee on the District of Columbia.

Report of the Chesapeake & Potomac Telephone Co.

A letter from the vice president, the Chesapeake & Potomac Telephone Co., Washington, D.C., transmitting, pursuant to law, a statement of receipts and expenditures and a comparative general balance sheet, for the year 1966 (with accompanying papers); to the Committee on the District of Columbia.

AMENDMENT OF SECTION 1011 OF U.S. INFORMATION AND EDUCATIONAL EXCHANGE ACT OF 1948

A letter from the Director, U.S. Information Agency, Washington, D.C., transmitting a draft of proposed legislation to amend further section 1011 of the U.S. Information and Educational Exchange Act of 1948, as amended (with accompanying papers); to the Committee on Foreign Relations.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of geodetic surveying activities within the Federal Government, dated January 1967 (with any accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on examination of financial statements, fiscal year 1966, Federal Crop Insurance Corporation, Department of Agriculture, dated January 1967 (with an accompanying report); to the Committee on Government Operations.

REPORT OF ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

A letter from the Executive Director, Advisory Commission on Intergovernmental Relations, Washington, D.C., transmitting, pursuant to law, a report of that Commission, dated January 31, 1967 (with an accompanying report); to the Committee on Government Operations.

AMENDMENT OF BANKRUPTCY ACT TO GIVE THE COURT SUPERVISOR POWER OVER ALL FEES PAID FROM WHATEVER SOURCE

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to amend chapter XI of the Bankruptcy Act to give the court supervisory power over all fees paid from whatever source (with any accompanying paper); to the Committee on the Judiciary.

REPORT ON POSITIONS IN GRADES GS-16, GS-17, AND GS-18

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on positions in grades GS-16, GS-17, and GS-18, for the calendar year 1966 (with an accompanying report); to the Committee on Post Office and Civil Service.

A letter from the Director, Federal Bureau of Investigation, Department of Justice, transmitting, pursuant to law, a report on positions in grades GS-16, GS-17, and GS-18, for the calendar year 1966 (with an accompanying report); to the Committee on Post Office and Civil Service.

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., reporting, pursuant to law, on positions in grades GS-16, GS-17, and GS-18, for the calendar year 1966 (with an accompanying paper); to the Committee on Post Office and Civil Service.

SETTLEMENT OF CLAIMS AGAINST RETIRED CIVIL SERVICE EMPLOYEES

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend section 8346 of title 5, United States Code, to permit the recovery by the Government of amounts due the Government in the settlement of claims against retired civil service employees, and for other purposes (with an accompanying paper); to the Committee on Post Office and Civil Service.

JOINT RESOLUTION OF MONTANA LEGISLATURE

The PRESIDENT pro tempore laid before the Senate a joint resolution of the Legislature of the State of Montana, which was referred to the Committee on Public Works, as follows:

SENATE JOINT RESOLUTION NO. 20

A joint resolution of the Senate and House of Representatives of the State of Montana requesting and urging that the Congress of the United States take effective action to restore to the State of Montana the full amount of the funds which were apportioned to the State under the provisions of the Federal Highway Acts of 1964 and 1966

Whereas a presidential order of November, 1966 reduced the amount of federal money available for highway construction purposes in the state of Montana; and

Whereas that order has resulted in a reduction of available federal money to the extent of about eight million dollars ($8,000,000.00) for fiscal year 1967; and

Whereas further reductions in federal monies may be authorized; and

Whereas this reduction seriously curtails the highway construction program in the state of Montana, as well as in the nation, thereby seriously affecting employment and the production and sale of supplies, materials and equipment used for highway construction purposes; and

Whereas any reduction in federal highway construction funds will result in an equivalent reduction of the current Highway Safety Program for eliminating unsafe and hazardous sections of highway, thereby contributing to accidents involving serious injury, loss of life and property damage; and

Whereas the state of Montana has developed long-range highway construction programs based on utilization of the full apportionment of federal funds to the states; and

Whereas a reduction in federal funds for highway improvement has a serious effect on the morale of present engineering employees who are in short supply and further detracts from the recruitment program for obtaining new engineering employees; and

Whereas a reduction in federal funds for interstate highway construction has an especially serious effect on the state of Montana since this state is faced with a major construction program to complete all interstate highways to four-lane standards.

Now, therefore, be it resolved by the Senate and House of Representatives of the State of Montana:

That the congress of the United States is hereby respectfully requested and urged to take effective action to restore to the state of Montana for expenditure the full amount of federal funds authorized by congress in the Federal Aid Highway Acts of 1964 and 1966.

Be it further resolved, that the secretary of state forward a duly certified copy of this resolution to the secretary of the United States Senate and the speaker of the House of Representatives of the United States and to each United States senator and to each member of congress from the state of Montana.

Approved January 28, 1967.

Attest:

FRANK MURRAY,
Secretary of State.

CONCURRENT RESOLUTION OF SOUTH CAROLINA LEGISLATURE

Mr. HOLLINGS. Mr. President, on behalf of myself and my colleague [Mr. THURMOND], I send to the desk a concurrent resolution adopted by the General Assembly of the State of South Carolina expressing their concern over the increase of wool and woolen imports.

I ask that the concurrent resolution be printed in the RECORD, and appropriately referred.

There being no objection, the concurrent resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

A CONCURRENT RESOLUTION REQUESTING THE MEMBERS OF THE SOUTH CAROLINA CONGRESSIONAL DELEGATION TO INVESTIGATE WOOLEN IMPORTS

Whereas, during the period from 1947 to 1966, the various types of woolen imports have tripled and from reports available it appears that the increase of such imports is continuing; and

Whereas, between 1947 and 1966, some three hundred United States woolen textile establishments went out of business and employment in the industry dropped from one hundred sixty-nine thousand to about sixty-five thousand employees; and

Whereas, in South Carolina, as an example, one organization has ceased to operate a complete shift, resulting in a reduction of approximately one hundred fifty employees; and

Whereas, the adverse effects on the woolen industry in this country will also adversely affect other industries much to the detriment to the people of the United States and in particular to those in South Carolina and to the general economy. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the General Assembly of South Carolina go on record as favoring an investigation of the increase in imported wool and urge the members of the Congressional Delegation from South Carolina to take such steps as may be necessary to decrease the importation of wool and wool products.

Be it further resolved that a copy of this resolution be forwarded to each member of the Congressional Delegation from South Carolina and the President of the United States.

STATE OF SOUTH CAROLINA IN THE HOUSE OF REPRESENTATIVES, COLUMBIA, S.C.

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the South Carolina House of Representatives and concurred in by the Senate.

[SEAL] INEZ WATSON,
Clerk of the House.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. SMATHERS, from the Committee on Finance, with amendments:

S. 16. A bill to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes (Rept. No. 7).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CARLSON (for himself, Mr. ALLOTT, Mr. COTTON, Mr. CURTIS, Mr. DOMINICK, Mr. FANNIN, Mr. HICKENLOOPER, Mr. HRUSKA, Mr. LAUSCHE, Mr. MUNDT, Mr. PEARSON, Mrs. SMITH, Mr. SCOTT, Mr. SPARKMAN, Mr. THURMOND, and Mr. BOGGS):

S. 734. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of facilities to control water and air pollution by allowing a tax credit for expenditures incurred in constructing such facilities and by permitting the deduction, or amortization over a period of 1 to 5 years, of such expenditures; to the Committee on Finance.

(See the remarks of Mr. CARLSON when he introduced the above bill, which appear under a separate heading.)

(NOTE.—The above bill was ordered to be held at the desk until February 10, 1967, for additional cosponsors.)

By Mr. SCOTT:

S. 735. A bill to provide for periodic review of Federal programs of grant-in-aid assistance to the States; to the Committee on Government Operations.

(See the remarks of Mr. SCOTT when he introduced the above bill, which appear under a separate heading.)

(NOTE.—The above bill was ordered to be held at the desk until February 10, 1967, for additional cosponsors.)

By Mr. LONG of Missouri (for himself and Mr. SYMINGTON):

S. 736. A bill to amend the act of April 22, 1960, providing for the establishment of the Wilson's Creek Battlefield National Park; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. LONG of Missouri when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY of Massachusetts:

S. 737. A bill for the relief of Georgios I. Psichogios;

S. 738. A bill for the relief of Jose Soares Figueiredo;

S. 739. A bill for the relief of Pablo Cordero;

S. 740. A bill for the relief of Maria Asuncion Pernas Fanego; and

S. 741. A bill for the relief of Rumiko Samanski; to the Committee on the Judiciary.

By Mr. MONDALE:

S. 742. A bill for the relief of Anthony N. Nicklow;

S. 743. A bill for the relief of Helen Dress;

S. 744. A bill for the relief of Sang-Aroon Choopunta;

S. 745. A bill for the relief of Georgia Papademetriou;

S. 746. A bill for the relief of Augusto Donadel;

S. 747. A bill for the relief of Dr. Earl C. Chamberlayne; and

S. 748. A bill for the relief of William D. Noun; to the Committee on the Judiciary.

By Mr. DOMINICK:

S. 749. A bill to amend the Universal Military Training and Service Act, as amended, in order to provide for the deferment of police officers and firemen from training and service under such act; to the Committee on Armed Services.

(See the remarks of Mr. DOMINICK when he introduced the above bill, which appear under a separate heading.)

(NOTE.—The above bill was ordered to be held at the desk until February 6, 1967, for additional cosponsors.)

By Mr. BAYH:

S. 750. A bill for the relief of Dr. Adriano A. Agana and Consuelo R. Agana; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself and Mr. LAUSCHE) (by request):

S. 751. A bill to authorize the Interstate Commerce Commission, after investigation and hearing, to require the establishment of through routes and joint rates between motor common carriers of property, and between such carriers and common carriers by rail, express, and water, and for other purposes;

S. 752. A bill to amend section 203(b)(5) of the Interstate Commerce Act to clarify this exemption with respect to transportation performed by agricultural cooperative association for nonmembers;

S. 753. A bill to amend section 212(a) of the Interstate Commerce Act, as amended, and for other purposes;

S. 754. A bill to amend section 22 of the Interstate Commerce Act;

S. 755. A bill to amend section 5(1) of the Interstate Commerce Act to eliminate the requirement for approval of pooling arrangements between motor common carriers of household goods, and for other purposes;

S. 756. A bill to amend part II of the Interstate Commerce Act, as amended, so as to authorize exemption from the provisions of such part, services and transportation of such nature, character, or quantity as to not substantially impair effective regulation by the Commission, be unjustly discriminatory, or be detrimental to commerce;

S. 757. A bill to amend section 19a of the Interstate Commerce Act to eliminate certain valuation requirements, and for other purposes; and

S. 758. A bill to amend the Interstate Commerce Act to enable the Interstate Commerce Commission to utilize its employees more effectively and to improve administrative efficiency; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 759. A bill to amend title 5, United States Code, to provide for lump-sum payments for accumulated and accrued sick leave where employees die in service and for such payments or, at the option of the employees, credit for retirement purposes upon separation or retirement; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. COOPER (for himself Mr. RANDOLPH, and Mr. MORTON):

S. 760. A bill to increase the investment credit allowable with respect to facilities to control water and air pollution; to the Committee on Finance.

(See the remarks of Mr. COOPER when he introduced the above bill, which appear under a separate heading.)

(NOTE.—The above bill was ordered to be held at the desk until February 15, 1967, for additional cosponsors.)

By Mr. BIBLE (by request):

S. 761. A bill to amend the act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia," approved February 18, 1938, as amended;

S. 762. A bill to amend the District of Columbia Traffic Act, 1925, as amended;

S. 763. A bill to amend the act approved August 17, 1937, so as to facilitate the addition to the District of Columbia registration of a motor vehicle or trailer of the name of the spouse of the owner of any such motor vehicle or trailer;

S. 764. A bill to amend section 6 of the District of Columbia Traffic Act, 1925, as amended, and to amend section 6 of the act approved July 2, 1940, as amended, to eliminate requirements that applications for motor vehicle title certificates and certain lien information related thereto be submitted under oath;

S. 765. A bill to amend the District of Columbia Traffic Act, 1925, as amended, and the Motor Vehicle Safety Responsibility Act of the District of Columbia, as amended, so as to bring within the provisions of such Acts any person operating a motor vehicle while under the influence of a drug rendering such person incapable to operating the motor vehicle safely;

S. 766. A bill to amend the District of Columbia Traffic Act, 1925, as amended;

S. 767. A bill to amend the Healing Arts Practice Act, District of Columbia, 1928, as amended, and the act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto, approved June 6, 1892, as amended, to exempt from licensing thereunder physicians and dentists employed by the District of Columbia;

S. 768. A bill to amend the act entitled "An act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes," approved February 4, 1925;

S. 769. A bill to provide for the registration of names assumed for the purposes of trade or business in the District of Columbia;

S. 770. A bill to amend an act to provide for the establishment of a public crematorium in the District of Columbia; and

S. 771. A bill to amend the act entitled "An act to regulate the practice of podiatry in the District of Columbia," approved May 23, 1918, as amended; to the Committee on the District of Columbia.

By Mr. PEARSON:

S. 772. A bill for the relief of Violeta V. Ortega Brown; to the Committee on the Judiciary.

(See the remarks of Mr. PEARSON when he introduced the above bill, which appear under a separate heading.)

By Mr. TALMADGE:

S. 773. A bill for the relief of certain individuals; to the Committee on the Judiciary.

By Mr. CURTIS (for himself and Mr. HRUSKA):

S. 774. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska midstate division, Missouri River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARTLETT:

S. 775. A bill to permit certain service-connected disabled veterans to use commissary stores operated for military personnel; to the Committee on Armed Services.

(See the remarks of Mr. BARTLETT when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 776. A bill for the relief of Ilias Stilianidis; and

S. 777. A bill for the relief of Nunzio Germanotta; to the Committee on the Judiciary.

S. 778. A bill to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. NELSON when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. HOLLINGS:

S. 779. A bill to assist the States to meet their needs for increased revenues by sharing with them a portion of the revenues derived from the Federal individual income tax; to the Committee on Finance.

(See the remarks of Mr. HOLLINGS when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE (for himself, Mr. RANDOLPH, Mr. MOSS, Mr. MORSE, and Mr. YARBOROUGH):

S. 780. A bill to amend the Clean Air Act to improve and expand the authority to conduct or assist research relating to air pollutants, to assist in the establishment of regional air quality commissions, to authorize establishment of standards applicable to emissions from establishments engaged in certain types of industry, to assist in establishment and maintenance of State programs for annual inspections of automobile emission control devices, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. MUSKIE when he introduced the above bill, which appear under a separate heading.)

(NOTE.—The above bill was ordered to be held at the desk until February 3, 1967, for additional cosponsors.)

By Mr. ANDERSON (for himself and Mrs. SMITH) (by request):

S. 781. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes; to the Committee on Aeronautical and Space Sciences.

(See the remarks of Mr. Anderson when he introduced the above bill, which appear under a separate heading.)

POLLUTION ABATEMENT INCENTIVE ACT OF 1967

Mr. CARLSON. Mr. President, pollution of air and water resources has been increasing to dangerous levels. Pollution problems are of grave concern to Members of the Senate.

Last July 11, 1966, I introduced S. 3598, the Pollution Abatement Incentive Act of 1966. That measure had 25 sponsors. Mr. President, I send to the desk a bill which is essentially the same as S. 3598 of the 89th Congress. Because of the interest shown by Senators then, and now, I request unanimous consent that this bill be held at the desk of the Vice President for 10 days so that those Senators who desire may add their names to the legislation as cosponsors.

Yesterday, the President of the United States sent Congress a message primarily concerned with problems of air pollution. He indicated the scope of problems facing industry in certain of these areas. He has asked industry to cooperate with government agencies in the abatement of pollution. The President said:

> Out of personal interest, as out of public duty, industry has a stake in making the air fit to breathe. An enlightened government will not only encourage private work toward that goal, but join and assist where it can.

One of the most important means of assistance to industry is contained in my bill, which provides a 20-percent tax credit for expenditures in connection with air and water pollution control facilities. Also, under provisions of the legislation, the taxpayer is given an election to take the remaining costs and apply rapid tax amortization, or to take a deduction of the remaining costs of the pollution control facility over a period of time, from 1 to 5 years. These provisions of the bill would become effective upon enactment.

It is my considered opinion that industry must have an incentive to undertake construction of these vitally needed installations.

Last year, the 89th Congress retained in the law the 7-percent investment tax credit for air and water pollution control facilities. The present rate of investment tax credit is insufficient to do the job. Therefore, it is imperative that the rate be increased to provide the necessary impetus to get industry to move ahead on these projects. Without some modest incentive such as an increase in the tax credit rate, pollution control facilities may not be built as rapidly as required by the public's need for clean air, pure water, and restored natural resources.

To my mind, the provisions of my bill will greatly assist industry to take the initiative and build the necessary facilities to control both air and water pollution. Quite simply, the problems in this area have existed for some time, but there has never been sufficient incentive for industry to undertake the needed construction of the facilities to do the job. In most heavy industries faced with pollution problems, the facilities for control or abatement of pollution are high cost charges against corporate earnings and contribute very little to profitmaking. In addition, operating costs of the installation continue for the life of the facility. The equipment for pollution control is available and industry has the technical know-how. Now is the time to get this work underway.

Further neglect of pollution problems will only lead to increased contamination levels of the air we breathe and of water used for domestic purposes. Our future citizens are entitled to enjoy the healthful benefits of pollution-free air and water along with recreational opportunities made possible by conserving our natural resources.

Mr. President, I am hopeful that this legislation will receive prompt consideration by the Finance Committee. Because of the importance of pollution problems, adequate solutions must be found. I believe that the necessary plant facilities will be built if industry can be stimulated to do the necessary construction. This legislation provides the means to achieve a lasting solution of these vexatious pollution problems. The benefits will be cleaner water and air for future generations.

The PRESIDING OFFICER (Mr. Byrd of West Virginia in the chair). The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk for 10 days, as requested.

The bill (S. 734) to amend the Internal Revenue Code of 1954 to encourage the construction of facilities to control water and air pollution by allowing a tax credit for expenditures incurred in constructing such facilities and by permitting the deduction, or amortization over a period of 1 to 5 years, of such expenditures, introduced by Mr. Carlson (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

FEDERAL GRANT-IN-AID REVIEW ACT OF 1967

Mr. SCOTT. Mr. President, I introduce for appropriate reference a bill to provide for periodic congressional review of Federal programs of grant-in-aid assistance to the States. My bill is designed to bring order out of the chaos resulting from the proliferation in number, variety, and complexity of Federal grants-in-aid enacted by Congress in recent years.

My bill would:

First. Limit the life of grant-in-aid programs enacted by the 90th or subsequent Congresses to 5 years unless (a), another termination date is specified; or (b), the legislation authorizing such grant-in-aid programs specifically waives the application of this provision to such programs.

Second. Direct each standing committee of Congress, which exercises jurisdiction and oversight over grant-in-aid programs, to review and study each program with a view to ascertaining: (a), the extent to which the purposes for which such grants-in-aid are authorized have been met; (b), the extent to which the purposes for which such program can be carried on without additional Federal financial assistance; (c), the adequacy of such program in meeting the growing and changing needs which it was originally designed to meet; and (d) whether or not any changes in purpose, direction, or administration of the original program should be made.

In the case of grant-in-aid programs enacted by the 90th Congress and subsequent Congresses, the congressional committees exercising legislative oversight over these programs are to undertake their studies at least 1 year before their expiration dates and are to report the results of their studies together with appropriate legislative recommendations no less than 120 days before the termination date.

In the case of existing grants-in-aid, each standing committee exercising legislative jurisdiction and oversight over them is authorized to employ on its professional staff a review specialist appointed by the chairman with prior approval of the ranking monority member. The review specialist is to be responsible for carrying out the review of existing grants-in-aid. Each committee is to submit an annual report on the results of its review of existing grants-in-aid together with any legislative recommendations for improving or terminating such grants-in-aid.

My bill is similar to title III of S. 561, the Intergovernmental Cooperation Act of 1965, which I cosponsored and which passed the Senate unanimously, only to die later in a House subcommittee. It differs in one important respect, however.

Whereas title III of S. 561 dealt with future grants-in-aid only, my bill establishes a procedure for a continuing review of existing grants-in-aid. I believe that this procedure is necessary to end the administrative difficulties resulting from the proliferation of Federal grants-in-aid. As has been pointed out on many occasions over the past several months, there are now more than 170 Federal grants-in-aid to States and local governments; these programs are administered by more than 20 Federal departments and agencies. The one distinguishing feature of all of these grants is that they are narrow, highly specific, categorical grants.

As they now stand, Federal grants-in-aid are amalgams of bits and pieces of an approach to broad problem areas. These fragmentary pieces promote fragmentation at the State and local levels of our federal system through administration on a project-by-project basis. While sharing the common characteristic of narrowness, existing Federal grants-in-aid have different grant or loan formulae, different statutory or administrative requirements, and variable, often unstable funding.

The national objectives which existing grants-in-aid seek to achieve have no overall rationale, either within or between broad, functional problem areas. As a result, the State and local programs supported in part by Federal grants-in-aid are poorly balanced, ill planned, and uncoordinated.

If my bill becomes law, I hope that the congressional committees reviewing existing grants-in-aid will seriously consider departing from the present narrow and piecemeal approach and ponder instead a broader block grant approach. Under this approach, Washington would extend financial assistance to the States in broad, functional areas—such as health, education, highways, and so forth—without pinpointing the precise programs through which these funds would be spent. Each State would then have considerably more flexibility and freedom to solve problems of national importance within the framework of unique local conditions.

The bill I introduce today is one of a series of measures I am proposing to restore balance to our federal system of government and thereby to strengthen the independence of the States and their capacity to meet the needs of their citizens.

I ask unanimous consent that my bill be printed at the end of my remarks and that it remain at the desk for 10 days for cosponsors, should other Senators favor this approach, as, indeed, I hope they will.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and will lie at the desk for 10 days, as requested.

The bill (S. 735) to provide for periodic review of Federal programs of grant-in-aid assistance to the States introduced by Mr. SCOTT, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 735

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Grant-in-Aid Review Act of 1967".

STATEMENT OF PURPOSE

SEC. 2. (a) It is the purpose and intent of this Act to establish a uniform policy and procedure whereby programs, which may be enacted hereafter by the Congress, for grant-in-aid assistance from the Federal Government to the States or to their political subdivisions shall be made the subject of sufficient subsequent review by the Congress to insure that (1) the effectiveness of grant-in-aid programs as instruments of Federal-State-local cooperation is improved and enhanced; (2) grant-in-aid programs are revised and redirected as necessary to meet new conditions arising subsequent to their original enactment; and (3) grant-in-aid programs are terminated when they have substantially achieved their purpose.

(b) It is further the purpose and intent of this Act to provide for a continuing review by Congress of existing Federal programs for grant-in-aid assistance to the States or their political subdivisions with a view to developing legislation terminating those grant-in-aid programs whose purposes clearly have been achieved and revising or redirecting all other existing grant-in-aid programs to improve and enhance their effectiveness as instruments of Federal-State-local cooperation or to meet new conditions arising subsequent to their original enactment.

EXPIRATION OF GRANT-IN-AID PROGRAMS

SEC. 3. Whenever any Act of Congress enacted in the Ninetieth or any subsequent Congress authorizes any program for grant-in-aid assistance to two or more States or to political subdivisions of two or more States and there is no termination date otherwise specified for such authority, the authority to make any grant-in-aid under such Act to any State, political subdivision, or other beneficiary from funds not theretofore obligated shall, unless the provisions of this section are specifically excepted from application to such program, expire not later than June 30 of the fifth calendar year which begins after the calendar year in which the effective date of such Act occurs.

COMMITTEE STUDIES OF GRANT-IN-AID

SEC. 4. (a) Whenever any Act of Congress enacted in the Ninetieth or any subsequent Congress authorizes the establishment of any program for grant-in-aid assistance over a period of three or more years to two or more States or to political subdivisions of two or more States, each standing committee of the Senate and House of Representatives which exercises legislative jurisdiction and oversight with respect to such program shall, during the period beginning not later than twelve months immediately preceding the date on which the authority by such program is to expire, separately or jointly, conduct studies and appraisals of such program. Each such committee shall report the results of its study and appraisal to its respective House, together with recommendations for such legislation as it deems appropriate, not later than one hundred and twenty days before the authority for such program is due to expire.

(b)(1) In the case of any existing statute authorizing the establishment of any program for grant-in-aid assistance over a period of three or more years to two or more States or to political subdivisions of two or more States, each standing committee of the Senate and House of Representatives which exercises legislative jurisdiction and oversight over such program shall review and study, on a continuing basis the application, operation, administration, and execution of such program.

(2) to assist it in carrying out this review and study function, each standing committee of the Senate and House of Representatives is entitled to employ a review specialist as a member of the professional staff of such committee in addition to the number of members of such professional staff to which such committee otherwise is entitled. Such review specialist shall be selected and appointed by the chairman of such committee, with the prior approval of the ranking minority member, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the duties of the position.

(3) Each standing committee of the Senate and House of Representatives shall submit, not later than March 31 of each year, to the Senate and House of Representatives, respectively, a report on its activities under this subsection during the immediately preceding calendar year.

(c) The studies referred to in subsections (a) and (b) with respect to any program of grant-in-aid assistance shall be conducted by each standing committee of the Senate and House of Representatives involved with a view to ascertaining, among other matters of concern, the following:

(1) The extent to which the purposes for which such grants-in-aid are authorized have been met;

(2) The extent to which the purposes for which such program can be carried on without additional financial assistance from the United States;

(3) The extent to which such program is adequate to meet any growing and changing needs related to the purposes for which it was originally designed; and

(4) Whether or not any changes in purpose, direction, or administration of the original program, or in procedures and requirements applicable thereto, should be made.

DEFINITIONS

SEC. 4. As used in this Act—

(a) the term "State" means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, or any agency or instrumentality of a State, but does not include any political subdivision of a State;

(b) the term "political subdivision of a State" means any local unit of government of a State, including, but not limited to, a county, parish, municipality, city, town, township, village, or school or other special district created by or pursuant to State law; and

(c) the term "grant-in-aid" means money, or property provided in lieu of money, paid or furnished by the United States under a fixed annual or aggregate authorization—

(1) to a State; or

(2) to a political subdivision of a State; or

(3) to a beneficiary under a State-administered plan or program which is subject to approval by a Federal agency if such authorization (A) requires such State or political subdivision to expend non-Federal funds as a condition for the receipt of money or property from the United States; or (B) specifies directly, or establishes by means of a formula, the amounts which may be paid or furnished to such State or political subdivision, or the amounts to be allotted for use in such State by such State or political subdivision; but such term does not include (i) shared revenues, (ii) payments of taxes, (iii) payments in lieu of taxes, (iv) loans or repayable advances, (v) surplus property or surplus agricultural commodities furnished as such, (vi) payments under research and development contracts or grants which are awarded directly and on similar terms to all qualifying organizations, whether public or private, or (vii) payments to States or political subdivisions as full reimbursement for the costs incurred in paying benefits or furnishing services to persons entitled thereto under Federal laws.

DEVELOPMENT OF WILSONS CREEK NATIONAL BATTLEFIELD NEAR SPRINGFIELD, MO.

Mr. LONG of Missouri. Mr. President, on behalf of myself and the senior Senator from Missouri [Mr. SYMINGTON], I introduce, for appropriate reference, proposed legislation which would increase the authorization for the development of the Wilsons Creek National Battlefield near Springfield, Mo. It is my hope that congressional action on this bill will be possible in the near future.

The Wilsons Creek Park was established by Public Law 86-434, approved April 22, 1960. The State of Missouri has recognized the historical significance of the battlefield and has undertaken the acquisition and donation of the land as its part in this project.

The original act authorized the expenditure of $120,000 of Federal funds. However, this will not be sufficient for the planned permanent development which will include a battlefield tour road, restoration of the historic scene, and construction of a series of exhibits. It is estimated that the overall costs of these improvements will now run about $3 million and the bill establishes this ceiling.

Without proper development, the park will not serve its purpose. As the second great battlefield of the Civil War, Wilsons Creek merits the fullest development.

Congressman DURWARD HALL, who represents the congressional district in which the battlefield is situated, is introducing an identical bill today in the House of Representatives.

The PRESIDING OFFICER (Mr. BURDICK in the chair). The bill will be received and appropriately referred.

The bill (S. 736) to amend the act of April 22, 1960, providing for the establishment of the Wilsons Creek Battlefield National Park, introduced by Mr. Long of Missouri (for himself and Mr. SYMINGTON), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

EXCLUSION FROM MILITARY DRAFT OF CERTAIN POLICEMEN AND FIREMEN

Mr. DOMINICK. Mr. President, the United States is now engaged in several wars. These wars take different forms and some are fought abroad while others are fought at home. I am concerned today with our war on crime at home and a proposal which may help to fight this war. We read in the papers, constantly, information which shows a steadily increasing crime rate within our cities. Varying techniques have been employed as a means of cutting this rate, but few have met with significant success.

No less important than our Asian war is the war we must wage at home. Our efforts to secure peace in foreign lands must not be put above our effort to secure peace at home. The endeavor to make Asians secure in their homes cannot be greater than the endeavor to make our citizens safe.

The bill I will send to the desk would defer from the military draft policemen and firemen who are employed on a regular full-time basis or are engaged in pursuing a course of education or training which leads to this full-time employment.

The bill would allow the retention of experienced, qualified, and competent young men on the police and fire forces of our cities. The cities, therefore, could maintain a high quality of performance in these occupations.

The bill would reduce the turnover of men and the resulting cost of hiring and training new replacements. This would allow a reduction in expenses to the cities in these training costs.

The bill would allow young men of draft age to pursue these occupations and fill vacancies as they exist. Therefore, the police and fire forces could maintain adequate manpower to do their job.

The bill would help us to more adequately wage this war at home, which, like the struggle abroad, we do not want to lose.

I ask unanimous consent that the text of the bill may be printed in the RECORD, and I ask that the bill may lie at the desk until next Monday for additional cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Colorado.

The bill (S. 749) to amend the Universal Military Training and Service Act, as amended, in order to provide for the deferment of police officers and firemen from training and service under such act, introduced by Mr. DOMINICK, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

S. 749

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (f) of section 6 of the Universal Military Training and Service Act, as amended (50 App. 456(f)), is amended by striking out "The Vice President" at the beginning of such subsection and inserting in lieu thereof "(1) The Vice President"; and by adding at the end thereof a new paragraph as follows:

"(2) Police officers and firemen of the States, territories, possessions, and the District of Columbia, and the subdivisions of the States, shall, while employed in such positions on a regular full-time basis, or while pursuing a course of education or training in law enforcement or firefighting conducted by the United States or by a State, territory, possession, or the District of Columbia, or a subdivision of a State, be deferred from training and service under this title in the Armed Forces of the United States."

INTERSTATE COMMERCE COMMISSION LEGISLATIVE PROPOSALS

Mr. MAGNUSON. Mr. President, I introduce, by request, for myself and the Senator from Ohio [Mr. LAUSCHE] eight Interstate Commerce Commission proposed bills.

The first bill would authorize the Commission, after investigation and hearing, when necessary and desirable in the public interest, to require the establishment of through routes and joint rates between motor common carriers, and between those carriers and common carriers by rail, express, and water. The Commission recommends enactment of this measure as a major contribution to a more coordinated transportation system, and to provide vastly improved service for the shipping public. The Commission points out that if it were granted the authority to require through routes and joint rates it could then require carriers to establish such interline service to small shippers. The Commission believes enactment of this bill would provide a significant contribution to the solution of the small shipment problem.

The second bill would amend section 203(b)(5) of the Interstate Commerce Act to provide that for-hire transportation by agricultural cooperatives for nonmembers is exempt only when the commodities transported consist of farm products, farm supplies, or other farm-related traffic. The Commission recommends enactment of this measure as a significant and necessary step toward arresting the relative decline of the Nation's common carrier industry which can be attributed in part to the growth of exempt carriage, including the rapidly increasing transportation activities of agricultural cooperatives. The Department of Defense, for example, recently announced that it intended to route freight in farm cooperative trucks. The Commission proposes this bill to eliminate the competition by agricultural cooperatives with common carriers for commercial traffic.

I will briefly summarize the remaining six bills. The third bill provides that the Commission may suspend and revoke motor carrier operating authority for noncompliance with Commission rules, regulations, or orders. The fourth bill would amend section 22 of the Interstate Commerce Act to limit transportation of Government traffic at free or reduced rates to: First, time of war or national emergency, and second, to bulk or agricultural commodities. The fifth bill would amend section 5(1) of the Interstate Commerce Act to eliminate the requirement for approval of pooling arrangements between household goods carriers. The sixth bill would authorize the Commission to exempt from economic regulation types of motor carrier transportation which the Commission determines to be not of national transportation significance. The seventh bill would eliminate or make optional with the Commission certain valuation and reporting requirements. The eighth and last bill would authorize the Commission to delegate to qualified employees the handling of numerous matters of relatively routine and specialized nature.

The members of the Interstate Commerce Commission are to be commended for promptly submitting these recommendations for legislative changes to improve our national transportation system and the administration of the Interstate Commerce Act. The committee welcomes the comments and views of shippers, users, industry, and others interested in these legislative proposals.

I ask unanimous consent that Chairman Tucker's letter of transmittal, the text of the bills, and the statements in support of each of these bills be printed in the RECORD.

The PRESIDING OFFICER. The bills will be received, and appropriately referred; and, without objection, the letter, bills, and statements accompanying the bills will be printed in the RECORD.

The letter of transmittal presented by Mr. MAGNUSON is as follows:

INTERSTATE COMMERCE COMMISSION,
Washington, D.C., January 23, 1967.

Hon. WARREN G. MAGNUSON,
Chairman, Senate Commerce Committee,
U.S. Senate,
Washington, D.C.

DEAR CHAIRMAN MAGNUSON: I am submitting herewith for your consideration the Commission's legislative recommendations (with draft bills attached) on the following subjects:

1. Through Routes and Joint Rates
2. Clarification of Agricultural Cooperative Exemption
3. Suspension and Revocation of Motor Carrier Operating Authority For Noncompliance With Commission's Rules, Regulations or Orders
4. Section 22 Rates
5. Pooling Agreements of Household Goods Carriers
6. Elimination of Unnecessary Motor Carrier Regulation

7. Elimination of Unnecessary Valuation and Reporting Requirements

8. Delegation of Authority to Qualified Individual Employees

We would very much appreciate your assistance in having these bills introduced and scheduling hearings thereon.

The Commission is considering recommendations on other subjects, which we will transmit to Congress when they are adopted.

Sincerely yours,

WILLIAM H. TUCKER, *Chairman.*

The bills, introduced by Mr. MAGNUSON, by request, were received, read twice by their titles, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 751. A bill to authorize the Interstate Commerce Commission, after investigation and hearing, to require the establishment of through routes and joint rates between motor common carriers of property, and between such carriers and common carriers by rail, express, and water, and for other purposes:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 1(4) of the Interstate Commerce Act (49 U.S.C., sec. 1(4)) is amended to read as follows: "It shall be the duty of every common carrier subject to this part to provide and furnish transportation upon reasonable request therefor, and to establish reasonable through routes with other such carriers, and just and reasonable rates, fares, charges, and classifications applicable thereto; and it shall be the duty of common carriers by railroad and/or express subject to this part to establish reasonable through routes with common carriers of property by motor vehicle subject to part II and/or common carriers by water subject to part III, and just and reasonable rates, fares, charges, and classifications applicable thereto.".

SEC. 2. The first sentence of section 15(3) of the Interstate Commerce Act (49 U.S.C., sec. 15(3)) is amended to read as follows: "The Commission may, and it shall whenever deemed by it to be necessary or desirable in the public interest, after full hearing, upon complaint or upon its own initiative without complaint, establish through routes, joint classifications, and joint rates, fares, or charges, applicable to the transportation of passengers or property by carriers subject to this part, or by carriers by railroad subject to this part and common carriers by water subject to part III, or applicable to the transportation of property by common carriers by railroad and/or express subject to this part, and/or common carriers of property by motor vehicle subject to part II, and/or common carriers by water subject to part III, or the maxima or minima, or maxima and minima, to be charged, and the divisions of such rates, fares, or charges as hereinafter provided, and the terms and conditions under which such through routes shall be operated".

SEC. 3. Section 216(c) of the Interstate Commerce Act (49 U.S.C., sec. 316(c)) is amended by striking out the first sentence and inserting in lieu thereof the following: "It shall be the duty of common carriers of property by motor vehicle to establish reasonable through routes and joint rates, charges, and classifications with other such carriers and/or common carriers by railroad and/or express and/or water. Common carriers of passengers by motor vehicle may establish reasonable through routes and joint rates, fares, or charges with common carriers by railroad and/or water."

SEC. 4. Section 216(e) of the Interstate Commerce Act (49 U.S.C., sec. 316(e)) is amended—

(a) by amending that portion of the second sentence preceding the proviso to read as follows: "Whenever, after hearing, upon complaint or in an investigation on its own initiative, the Commission shall be of the opinion that any individual or joint rate, fare, or charge, demanded, charged, or collected by any common carrier or carriers by motor vehicle or by any common carrier or carriers by motor vehicle in conjunction with any common carrier or carriers by railroad and/or express and/or water for transportation in interstate or foreign commerce, or any classification, rule, regulation, or practice whatsoever of such carrier or carriers affecting such rate, fare, or charge or the value of the service thereunder, is or will be unjust or unreasonable, or unjustly discriminatory or unduly preferential or unduly prejudicial, it shall determine and prescribe the lawful rate, fare, or charge or the maximum or minimum, or maximum and minimum rate, fare, or charge thereafter to be observed, or the lawful classification, rule, regulation, or practice thereafter to be made effective and the Commission shall, whenever deemed by it to be necessary or desirable in the public interest, after hearing, upon complaint or upon its own initiative without a complaint, establish through routes and joint rates, fares, charges, regulations, or practices, applicable to the transportation of passengers by common carriers by motor vehicle, or to the transportation of property by common carriers of property by motor vehicle, or by such carriers and/or common carriers by railroad and/or express and/or water, or the maxima or minima, or the maxima and minima, to be charged, and the divisions of such rates, fares, or charges as hereinafter provided, and the terms and conditions under which such through routes shall be operated", and

(b) by adding at the end of such section 216(e) the following new sentence: "If any tariff or schedule canceling any through route or joint rate, fare charge, or classification, without the consent of all carriers parties thereto or authorization by the Commission, is suspended by the Commission for investigation, the burden of proof shall be upon the carrier or carriers proposing such cancellation to show that it is consistent with the public interest.".

SEC. 5. The first two sentences of section 305(b) of the Interstate Commerce Act, as amended (49 U.S.C., sec. 905(b)), are amended to read as follows: "It shall be the duty of common carriers by water to establish reasonable through routes with other such carriers and/or common carriers by railroad and/or express and/or common carriers of property by motor vehicle, and just and reasonable rates, fares, charges, and classifications applicable thereto, and to provide reasonable facilities for operating such through routes, and to make reasonable rules and regulations with respect to their operation and providing for reasonable compensation to those entitled thereto. Common carriers by water may establish reasonable through routes and rates, fares, and charges applicable thereto with common carriers of passengers by motor vehicle.".

SEC. 6. The first two sentences of section 307(d) of the Interstate Commerce Act (49 U.S.C. sec. 907(d)) are amended to read as follows: "The Commission may, and it shall whenever deemed by it to be necessary or desirable in the public interest, after full hearing upon complaint or upon its own initiative without a complaint, establish through routes, joint classifications, and joint rates, fares, or charges applicable to the transportation of passengers by common carriers by water, or by such carriers and carriers by railroad, or applicable to the transportation of property by common carriers by water, or by such carriers and/or carriers by railroad and/or express and/or common carriers of property by motor vehicle, or the maxima or minima, or the maxima and minima, to be charged, and the divisions of such rates, fares, or charges as hereinafter provided, and the terms and conditions under which such through routes shall be operated. In the case of a through route, where one of the carriers is a common carrier by water, the Commission shall prescribe such reasonable differentials as it may find to be justified between all-rail or all-motor rates, as the case may be, and the joint rates in connection with such common carrier by water.".

The recommendation accompanying S. 751 is as follows:

THROUGH ROUTES AND JOINT RATES

We recommend that parts I, II, and III be amended to authorize the Commission, after investigation and hearing, when necessary and desirable in the public interest, to require the establishment of through routes and joint rates between motor common carriers of property and between those carriers and common carriers by rail, express, and water.

With the growth of the nation's economy, the expansion of the motor carrier industry, and technological improvements in the transportation field, greater stress has been placed upon the importance of having a more coordinated national transportation system. Of fundamental importance to the accomplishment of this end is the establishment of through routes and joint rates within and between the various modes of carriage. It follows, therefore, that in many instances the failure or refusal of carriers to enter into such arrangements is contrary to the public interest in the furtherance of a more coordinated national transportation system.

The availability of through routes and joint rates inures to the benefit of the shipping public in numerous ways. It enables a shipper to make one contract with the originating carrier on behalf of all carriers participating in the arrangement. In addition, the shipper may ascertain the rate for a through movement by consulting a single tariff instead of many. Both shipper and consignee also have the advantages provided by section 20(11) and similar provisions in other parts of the act of recovering from either the originating or delivering carrier for loss or damage caused by any carrier participating in the through movement. Moreover, experience has shown that because of the economy of established channels of commerce through which substantial amounts of traffic may flow, and reduced freight rate calculation costs, joint rates are generally lower than a combination of local rates of connecting carrier not participating in such through service arrangements.

At present, the only common carriers of different modes which may be required by the Commission to establish through routes and joint rates with each other are railroads, pipelines, and express companies subject to part I of the act, and railroads subject to part I and common carriers by water subject to part III. The only intramodal joint-rate arrangements that may be required by the Commission are between railroads, pipelines, and express companies, respectively, subject to part I, common carriers of passengers by motor vehicle subject to part II, and common carriers by water subject to part III. Common carriers of property by motor vehicle subject to part II are permitted, but may not be required to enter into joint-rate arrangements with other such carriers or with common carriers of other modes, nor, on the other hand, may common carriers of other modes be required to establish through routes and joint rates with motor carriers.

In the case of through routes among motor common carriers of property, most of the regular-route, general-commodity motor carriers participate in agency tariffs and are parties to the joint rates published therein. Such arrangements are, however, entered into on a permissive basis and are subject to termination at any time, a situation which is not conducive to the maintenance of dependable joint-line service. In addition, the tariffs filed under such voluntary joint-rate arrangements contain many restrictions as to individual carriers, thereby limiting the through routes and joint rates as to carriers and to points of interchange.

In the absence of such voluntary joint-rate arrangements among motor common carriers of property, the only way in which the Commission may provide for through motor carrier service is by granting extensions of operating rights to existing carriers or by approving consolidations and mergers of connecting carriers. The granting of such extensions is not always desirable, however, since it may result in a surplusage of carriers over certain routes. Many shippers have demonstrated their reluctance to rely on voluntary arrangements by prevailing upon motor carriers to file applications to extend their operating authority to include every point to which the shipper's traffic moves. Shippers justify their position, in many instances, by claiming that they are entitled to hold one carrier responsible for the safe and efficient transportation of their freight.

Although a need for expeditious service is also frequently asserted, instances are relatively few in which it is successfully established that the use of multiple-line service results in delays of material consequences. Most of these applications are denied, but in many cases, the Commission finds it necessary to grant authority because of the failure of connecting carriers to adduce evidence of their willingness and ability to participate in joint-line service.

For many years railroads and motor carriers were reluctant to enter into through route and joint-rate arrangements. While, in recent years, there has been some relaxation of this attitude on the part of the carriers, especially with the growth of "piggyback" service, such arrangements are, as in the case of those between motor common carriers of property, entered into on a permissive and voluntary basis subject to termination at any time. Here again the lack of any obligation on the part of the carriers to continue in effect such joint through route arrangements is not conducive to the maintenance of dependable joint-line service.

Although no serious problems appear to have arisen in connection with the establishment of through routes and joint rates between common carriers by water and motor common carriers of property, the fear of collapse of such arrangements because of their permissive and voluntary nature is, of course, always present. Our recommendation would give the Commission authority to require the establishment and maintenance of such arrangements when required by the public interest.

One of the major problems facing the transportation industry today is the problem of small shipments. At present the Commission does not have the authority to require motor carriers to establish through routes and joint rates. As a result, motor carriers may restrict the establishment of through routes and joint rates to selected commodities. Thus, motor carriers may exclude small shipments from feeder lines which service small communities. Some motor carriers who try to provide small shipment service often are precluded from doing so by the refusal of other carriers from participating in the movement. If the Commission were granted the authority to require through routes and joint rates it could then require carriers to establish such interline service to small shippers. This would provide a significant contribution to the solution of the small shipment problem.

Enactment of this proposed measure would permit the Commission, in proper cases, to compel the establishment and maintenance of dependable joint-line service responsive to the needs of the shipping public, and, at the same time, protect the carriers from unfair or unreasonable demands to provide through service. It would also have the effect of according greater equality of treatment in the regulation of the carriers of the various modes. We feel strongly that this recommenation would be a major contribution to a more coordinated transportation system, and would provide vastly improved service for the shipping public.

S. 752. A bill to amend section 203(b)(5) of the Interstate Commerce Act to clarify this exemption with respect to transportation performed by agricultural cooperative associations for nonmembers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That at the end of section 203(b)(5) of the Interstate Commerce Act delete the semicolon and add the following language: ", but, in transportation for non-members for compensation, only when those vehicles are being used in the transportation of farm products, farm supplies, or other farm related traffic;".

The recommendation accompanying S. 752 is as follows:

CLARIFICATION OF AGRICULTURAL COOPERATIVE EXEMPTION

The Interstate Commerce Commission recommends that section 203(b)(5) of the Interstate Commerce Act be amended to clarify this exemption with respect to transportation performed by agricultural cooperative associations for nonmembers.

Under section 203(b)(5) of the Interstate Commerce Act motor vehicles controlled and operated by agricultural cooperatives, or by a federation of such cooperatives are exempt from the Commission's economic regulation provided the cooperatives meet certain qualifying criteria as defined in the Agricultural Marketing Act of 1929 (12 U.S.C. 1141). The original exemption for agricultural cooperatives was included in the Motor Carrier Act of 1935. In 1940 this exemption was expanded to include a federation of such cooperative associations, if such federation possesses no greater powers or purposes than cooperative associations so defined.

The number of groups and organizations claiming exemptions as agricultural cooperatives has grown considerably in the last 10 to 15 years. Also the transportation activities of agricultural cooperatives have changed greatly since the original exemption was adopted in 1935. As far back as the early 1960's we were receiving complaints from carriers and shippers from almost every section of the country concerning the expanding operations of allegedly bona fide agricultural co-ops. It was a very tedious process to investigate and bring to a conclusion all of these complaints. Necessarily we attempted to deal with the problem by laying down broad guidelines. In a lead case in 1961, the Commission held in the *Machinery Haulers Assn.* v. *Agricultural Commodity Serv.*, 86 M.C.C. 5, that a co-op to enjoy the benefits of section 203(b)(5) of the Interstate Commerce Act must meet the following tests:

(1) It must be operated and controlled by and for the benefit of its farmer members through its duly elected officers and directors.

(2) It must either own or control, under long-term lease, the vehicles which it uses to perform transportation.

(3) Its membership must be limited to those who were in fact producers of agricultural commodities.

(4) It may not perform transportation services functionally unrelated to its members' farming activities.

The guide lines established in this case were left undisturbed by the courts until a decision was handed down by the United States Court of Appeals for the Ninth Circuit, in the *Northwest Agricultural Cooperative Association* v. *Interstate Commerce Commission* 350 F. 2d. 252 (1965), *cert. denied* 382 U.S. 1011 (1966). In the *Northwest Case* the circuit court reversed the lower court and held:

"On the uncontradicted facts Northwest's transportation of non-farm products and supplies was incidental and necessary to its farm-related transportation both in character and in amount—incidental because limited to otherwise empty trucks returning from hauling member farm products to market, and producing a small return in proportion to Northwest's income from trucking farm products and farm supplies; necessary because it is not economically feasible to operate the trucks empty on return trips and because the additional income obtained is no more than that required to render performance of the cooperative's primary farm transportation service financially practicable."

As a result of this apparently established law it is expected that the transportation activities of agricultural cooperatives will include an increasing amount of non-farm traffic for non-members. A clear indication that this will occur is evidenced by the recent policy of the Department of Defense whereby they have solicited the transportation services of agricultural cooperatives.

We feel that the exemption in section 203(b)(5) has been extended far beyond the intent of Congress. A review of the legislative history reveals that Congress did not intend for agricultural co-ops to compete with common carriers for commercial traffic.

When Congressman Jones offered the amendment to exempt agricultural co-ops from economic regulation he stated:

"I want to assure the members of the committee as well as the Members of the House that there is no desire on the part of those who are interested in this amendment to open the floodgates. . . ." (79 Cong. Rec. 12220 (1935))

Congressman Terry, a member of the House Interstate and Foreign Commerce Committee, made these statements during the consideration of the amendment:

"The committee feels that to the extent the cooperatives are carrying and trucking their own property that they should be exempt, and they are exempt under the terms of the exception on page 9; that is, the casual, occasional, or reciprocal tranporstation of property in interstate commerce by any person not engaged in transportation by motor vehicle as a regular occupation or business. All farmers are exempt under this provision, and also under subsection 8.

"* * * * *

"The farmer's operations are included in the exemptions that are in the bill. Every bit of trucking they do in transporting their own property is exempt; and the committee, after full consideration, felt that where the cooperatives go into the regular trucking business as such, that they should come within the provisions of the bill as to reasonable regulation." (79 Cong. Rec. 12221)

Congressman Whittington then stated:

"If the bill covers the matters that are intended to be covered by the proposed amendment, then the acceptance of the amendment would be merely a clarification of the bill, because many commissions are rather hesitant as to the meaning of the word 'casual.'" (79 Cong. Rec. 12221)

After this debate the Jones amendment was adopted by the House, and subsequently adopted by the Senate without further debate.

In view of the debate on the agricultural co-op exemption at the time it was adopted, and in view of no subsequent action by Congress expressing a different intent, we believe "that Congress should reexamine section 203(b)(5) in light of the Court decision in the *Northwest* case, *supra*."

For sometime the Commission has been concerned with the relative decline of the nation's common carrier industry. Several traffic studies clearly reveal that common carriers have lost considerable traffic which they formerly handled and, at the same time, have been unable to share proportionately in the additional traffic generated by the nation's expanding economy. This decline can be attributed in part to the growth of exempt carriage, including the rapidly increasing transportation activities of agricultural cooperatives. As a significant and necessary step toward arresting this decline, we believe that agricultural cooperatives should not be allowed to compete with common carriers for commercial traffic. Accordingly, we here urge a limited amendment to section 203(b)(5) which would expressly state that in providing for-hire transportation to non-members the exemption applies only when the commodities transported consist of farm products, farm supplies, or other farm-related traffic.

S. 753. A bill to amend section 212(a) of the Interstate Commerce Act, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 212 of the Interstate Commerce Act (49 U.S.C. 312(a)), is amended as follows:

(1) The second sentence is amended by inserting after the phrase "promulgated thereunder," the words "or under sections 831–835 of title 18, United States Code, as amended."

(2) The first proviso is amended—

(A) by striking out "willfully", and

(B) by inserting immediately after the phrase "or to the rule or regulation thereunder," the words "or under sections 831–835 of title 18, United States Code, as amended."

(3) The second proviso is amended by inserting "215", immediately after "211(c)."

The recommendation accompanying S. 753 is as follows:

Suspension and Revocation of Motor Carrier Operating Authority for Noncompliance With Rules, Regulations or Orders

The Interstate Commerce Commission recommends that section 212(a) of the Interstate Commerce Act be amended in the following respect: (1) to make motor carrier operating authorities subject to suspension, change, or revocation for willful failure to comply with any provision of Part II or Chapter 39, title 18 United States Code, Explosives and Other Dangerous Articles; (2) to make the revocation procedures therein prescribed conform to the procedure provided in section 312(a) and 410(f) of the act by eliminating the term "willfully" in the first proviso; and (3) to provide that the Commission may, upon reasonable notice, suspend motor carrier operating authorities for failure to comply with insurance regulations issued by it pursuant to section 215 thereof.

The purpose of this recommendation is to subject motor carrier operating authorities to suspension, change, or revocation for willful failure to comply with any provision of Part II of the Explosives Act, and to provide uniformity between Parts II, III and IV of the Interstate Commerce Act with respect to revocation procedure. It is also designed to permit suspension of motor carrier operating rights, upon notice, for failure to comply with the Commission's insurance regulations.

Section 6(e)(4) of the Department of Transportation Act transfers the Commission's authority relating to explosives and other dangerous articles to the new Department of Transportation. Neither the Department of Transportation nor the Commission has the authority to suspend or revoke a certificate of any carrier for violation of the Explosives Act. However, we believe that to effect compliance with the Explosives Act it is essential that the Commission be given the authority to suspend and revoke certificates for serious violations of such Act. Consequently, we request that section 212(a) be amended to give the Commission this authority.

The Commission's authority to prescribe rules and regulations respecting safety of motor carrier operations and equipment also has been transferred to the Department of Transportation. However, under section 212(a) the Commission may suspend or revoke a carrier's certificate or permit for failure to comply with a rule or regulation of the Department issued pursuant to the safety provisions of part II of the act. Accordingly, it will be essential that the Commission and the Department of Transportation act in close coordination in implementing their respective responsibilities, and particularly in this vital area of motor carrier safety.

Under the first proviso of sections 312(a) and 410(f) of the act, a carrier or a freight forwarder's certificate or permit may be revoked if the holder thereof fails to comply with a rule, regulation or order of the Commission commanding compliance with the provisions of part III or part IV of the Interstate Commerce Act. Section 312(a) was added as a new section during the 89th Congress, and upon our request the word "willful" was not included in the first proviso. Also it was not included in the original enactment of section 410(f) of the act. Under the corresponding provisions in section 212(a), however, the failure of a motor carrier to obey a similar compliance must be shown to have been *willful* before the carrier's certificate or permit may be revoked. Once disobedience of a compliance order is established, an additional showing of willfulness should not be required. Proof of disobedience should be sufficient. The proposed change in the quantum of proof would make motor carrier operating rights revocable in the same manner as water carrier and freight forwarder operating rights.

The second proviso in section 212(a) provides for the suspension, upon notice, but without hearing, of motor carriers' and brokers' operating authorities for failure to comply with brokerage bond regulations and tariff publishing rules. It does not, however, provide for suspension on short notice for failure to maintain proof of cargo, public liability, and property-damage insurance under section 215. Section 410(f) is a counterpart of section 212(a) and contains a provision similar to the second proviso of section 212(a). The second proviso in section 410(f), however, provides for suspension on short notice of freight forwarder permits for failure to comply with the cargo insurance provisions under section 403(c) and the public-liability and property-damage insurance provisions under section 403(d). Our recommendation would bring section 212(a) into further conformity with section 410(f) by removing this distinction.

From the standpoint of the traveling and shipping public there is as much reason to require motor carriers to keep their cargo and public-liability and property-damage insurance in force as there is to require freight forwarders to keep their insurance in effect. It is therefore desirable in the public interest that the Commission have the authority to suspend motor carrier rights, on short notice, when insurance lapses, or is canceled without replacement, until compliance is effected. The prospect of such action by the Commission should act as a deterrent to violations of this nature. An investigation under section 204(c) is not a satisfactory answer to the problem since such proceedings are sometimes necessarily lengthy and the public may be adversely affected should losses occur while it is pending.

The amendments proposed in this recommendation would enable the Commission to administer the enforcement provisions of part II of the act more effectively.

Attached is a draft bill which would implement the above recommendation.

S. 754. A bill to amend section 22 of the Interstate Commerce Act:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 22 of the Interstate Commerce Act, is hereby amended:

By striking the first clause of the first sentence in subsection (1) and inserting in lieu thereof the following:

"That nothing in this part shall prevent the carriage, storage, or handling of property free or at reduced rates for the United States, State, or municipal governments either during time of war or national emergency as declared by Congress or the President or when such property consists of (a) ordinary livestock, fish (including shellfish) or agricultural (including horticultural) commodities (not including manufactured products thereof), as such property is defined in section 203(b)(6) of part II, or (b) commodities in bulk which are loaded and carried without wrappers or containers and received and delivered by the carrier without transportation mark or count; nothing in this part shall prevent the carriage, storage, or handling of property free or at reduced rates for charitable purposes, or to or from fairs and expositions for exhibition thereat, or the free carriage of destitute and homeless persons transported by charitable societies, and the necessary agents employed in such transportation, or the transportation of persons for the United States Government free or at reduced rates during time of war or national emergency as declared by Congress or the President, or the issuance of mileage, excursion, or commutation passenger tickets;".

The recommendation accompanying S. 754 is as follows:

Section 22 Rates

We recommend that section 22 be amended so as to permit the performance of transportation services for governmental bodies free or at reduced rates only to the extent such services: (a) are performed during war or national emergency or (b) involve transportation which remains exempt from economic regulation under Parts II and III of the Act.

Section 22 of the Interstate Commerce Act now permits, among other things, "the carriage, storage, and handling of property free or at reduced rates for the United States, State, or municipal governments" and "the transportation of persons for the United States Government at free or reduced rates". These provisions which apply to railroads and other common carriers subject to Part I of the Act, are also made applicable to motor common carriers by section 217(b), to water common carriers by section 306(c), and to freight forwarders as to transportation or service in the case of property by section 405(c).

Except for the enactment in 1957 of subsection (2) which requires carriers to file certain rates with the Commission, the provisions of section 22 relating to Government traffic have remained essentially the same since passage of the original act to regulate commerce in 1887. At that time the Government was a comparatively small user of freight or passenger services of the carriers. Today, however, it is the largest single purchaser of transportation services. According to a study prepared by the General Accounting Office dated August 15, 1961, during fiscal year 1959 the government paid line-haul transportation charges totaling $184 million for shipments of 8 million tons of freight at reduced rates under section 22. This is indicative of the volume of freight moving under section 22 quotations and tenders.

The Commission has for many years been of the view that, except during time of war or national emergency, the Government should pay full tariff rates and charges for transportation services performed on its behalf, the same as any other shipper or user of common carrier services. A large percentage of Government traffic now moves at reduced rates under section 22 which, of course, are not available to the commercial shipper. This preferential treatment has a strong tendency to increase the cost of regulated transportation services to commercial users who, when their rates become too high, resort to private carriage. Such diversions of traffic are clearly detrimental to the maintenance of a sound common carrier system.

Our recommendation would not, however, completely eliminate Government reduced rate privileges under section 22. During time of war or national emergency, these privileges would still apply. In such times, it is required that commodities be moved, often secretly, over routes and between points as to which the applicable tariff rates may be considered to be unreasonable under the circumstances, or with respect to which there are no existing published rates, there being little likelihood in many instances of any commercial demand developing for the use of such routes or for other services. Accordingly, we feel that, in the interest of national defense, governmental bodies should retain section 22 privileges during time of war or national emergency.

In addition, our recommendation contains a specific provision retaining reduced rate privileges in situations involving the transportation of bulk or agricultural commodities for governmental bodies. This provision is necessary in order not to aggravate existing competitive inequalities between carriers of different modes arising from the exemption in sections 203(b)(6) and 303 of the Act. However, we recognize that any change in the law respecting these inequalities may require a corresponding change in the proposed amendment to section 22.

We believe that this recommendation is especially timely. Recently the Department of Defense announced that it intended to route freight on farm cooperative trucks. This new policy of the Defense Department was made possible by a recent decision by the U.S. Court of Appeals for the Ninth Circuit in *Northwest Agricultural Cooperative Association, Inc.* v. *Interstate Commerce Commission,* 350 F 2d 252 (1965), cert. denied, 382 U.S. 1011 (1966). This decision established the right of agricultural cooperatives to backhaul non-farm commodities for non-members, such as the Department of Defense. This means that the Department can take advantage of free and reduced rates under section 22 as well as use farm cooperative trucks, both at the expense of the authorized for-hire motor carriers.

We believe that the adoption of this recommendation would foster sound economic conditions in transportation and would encourage the establishment and maintenance of reasonable charges for transportation services without unjust discriminations, undue preferences or advantages, or unfair or destructive competitive practices.

Attached is a draft bill to implement the above recommendation.

S. 755. A bill to amend section 5(1) of the Interstate Commerce Act to eliminate the requirement for approval of pooling arrangements between motor common carriers of household goods, and for other purposes:

S. 755

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5(1) of the Interstate Commerce Act (49 U.S.C. 5(1)) is amended by striking out the period at the end and inserting in lieu thereof a colon and the following: "*Provided further,* That nothing herein shall be construed as declaring unlawful or as empowering the Commission to approve and authorize any contract, agreement, or combination relating to the pooling or division of traffic, service, or earnings, or any portion thereof in the transportation of household goods to which any common carrier subject to part II may be a party with any other such carrier or carriers."

The recommendation accompanying S. 755 is as follows:

POOLING AGREEMENTS OF HOUSEHOLD GOODS CARRIERS

We recommend that section 5(1) be amended so as to exempt contracts, agreements, or combinations affecting the transportation of household goods to which any common carrier by motor vehicle may be a party with other such carrier or carriers for the pooling or division of traffic, service, or earnings.

Cooperative practices of household goods carriers were described by the Commission in *Practices of Property Brokers,* 53 M.C.C. 633, 636–637, as follows:

The transportation of small shipments at reasonable rates and the relatively high ratio of empty to loaded mileage are persistent economic problems with which the household goods carriers have always been faced and which they have had to overcome. This has required constant efforts within the industry for cooperative handling of shipments. Extremes in light and heavy traffic of individual carriers are frequent and are met by arrangements whereby inactive vans and trained personnel are diverted to those carriers who are experiencing above-normal demands for service. The carriers are unable to predict in advance the amount of equipment and personnel they will need to meet demands for service. They are especially confronted with the problem of maintaining employment for personnel who have to be trained for several years before being assigned to vehicles which operate for extended periods away from their home terminals. The drivers' character and their skill in handling valuable and fragile shipments are said to be more important than their ability to drive and, since the number of qualified drivers is limited, the carriers are interested in keeping them in gainful employment.

The practice of diverting small shipments from one carrier to other carriers has long been an inherent part of, and essential to, the economy and efficiency of the Nation's household-goods moving service. In many instances, economy and expeditious handling require the services of two carriers, although but seldom is joint carriage physically performed by both carriers over the highway. The services of one of the carriers may consist only of the use of its established terminal for the preparation of shipping documents, packing, and the performance of other services necessary to prepare the shipment for loading onto the line-haul vehicle. Whether or not two carriers are used is determined by the size of the shipment and the desired time of movement, and the relating of these factors to economy of operation by the booking carrier. For instance, a small shipment may be diverted, under a joint agency tariff, to a carrier satisfactory to the booking carrier which at the moment is in a position to provide immediate transportation and the use of which will save the shipper the cost of storage or the weight penalty assessed for so-called expeditious handling and obivate the operation by the booking carrier of empty return mileage. The compensation of commissions received in such cases by the booking carrier from the line-haul carrier are described as a division of the revenue based upon the performance by it of the terminal portion of the "joint carriage." Most shippers have but infrequent need for the services of a household-goods carriers and are unversed in how the carriers operate and the laws and regulations governing them. Accordingly, when a shipper requires service, he usually consults and obtains the service of a local carrier with which he is acquainted and to which he will look for redress in case the shipment is not handled satisfactorily, the local booking carrier accepting with the line-haul carrier joint responsibility under the bill of lading for the safe delivery of the shipment.

These practices provide the public with a more expeditious and economical service than would otherwise be possible, and the carriers are enabled to utilize their equipment more fully, maintain a more reasonable level of rates, hold down empty mileage, and otherwise bring stability to their operations. In short, the requirements for approval under the pooling provisions of section 5(1) of being "in the interest of better service to the public or of economy in operation" would seem to have been met generally by present cooperative practices among groups of household goods carriers.

The pooling provisions of the Act require a hearing and approval by the Commission before agreements may lawfully be entered into. Strict enforcement of this provision as to household goods carriers has not been practicable. Combinations whereby they divert, surrender, or exchange shipments, allocate or control solicitation, use service facilities and instrumentalities or employees cooperatively, and divide proceeds of diverted traffic, are so flexible that before agreements can be filed and approved, many are terminated or changed and new arrangements entered into involving new or different participating carriers.

Under arrangements with noncarriers, and compliance with the leasing rules of the Commission, carriers may obtain most or all of the advantages of pooling arrangements with carriers, without the disadvantages incident to filing applications for approval under section 5(1). The proposed exemption would place carriers on an equal basis with noncarriers in making arrangements with other carriers essential to their economical and efficient operations.

Recently, in Ex Parte No. MC–51, the Commission re-examined its authority under section 5(1) to determine the feasibility of promulgating general regulations whereby carriers would be permitted to file their pooling agreements with the Commission; and, if found to conform to the general regulations such agreements would be considered approved unless subsequently determined to be unlawful.

While this proceeding was pending we requested that Congress defer action on legislative proposals (S. 1146 and H.R. 5240 of the 89th Congress) previously recommended by the Commission. However, we have now determined that the rulemaking proceeding was not an appropriate vehicle for alleviating the household pooling agreement problem. For this reason the Commission now renews its recommendation for legislation in this area.

Attached is a draft bill which would implement the above recommendation.

S. 756. A bill to amend part II of the Interstate Commerce Act, as amended, so as to authorize exemption from the provisions of such part, services and transportation of such nature, character, or quantity as to not substantially impair effective regulation by the Commission, be unjustly discriminatory, or be detrimental to commerce:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 204 of the Interstate Commerce Act (49 U.S.C. 304) is amended by adding thereto the following new subsection:

"(g) Notwithstanding any other provision of this part, the Commission, upon application or on its own motion, may by order or rule exempt for the future from the requirements of this part or any provision thereof, or any rule, regulation, term, condition, or limitation prescribed thereunder, any services or transportation to which this part applies, where it finds that such exemption will not substantially impair effective regulation by the Commission, be unjustly discriminatory, or be detrimental to commerce. The Commission may attach conditions to any such exemptions and may, by order, revoke any such exemption. No order or rule of exemption of revocation of exemption shall be issued unless opportunity for hearing has been afforded interested persons. Upon revocation of any such order or rule of exemption, in whole or in part, the Commission shall restore to the carrier or carriers affected thereby, without further proceedings, the authority, if any, held by such carrier or carriers at the time the order or rule of exemption affecting such carrier or carriers became effective."

The recommendation accompanying S. 756 is as follows:

Elimination of Unnecessary Motor Carrier Regulation

The Interstate Commerce Commission recommends that part II be amended so as to authorize the Commission to exempt from the requirements of that part, or any provision thereof, such service and transportation as may be determined by the Commission to be of such nature, character, or quantity as to not substantially impair effective regulation by the Commission, be unjustly discriminatory, or be detrimental to commerce.

At present, the for-hire motor transportation of passengers and property in interstate or foreign commerce is, with a number of exceptions specified in the statute, subject to full economic regulation under part II of the Interstate Commerce Act. The current statutory exemptions vary in purpose, scope, and applicability, but plainly do not embrace all transportation functions which seem worthy of regulatory exemption. As a consequence, the Commission regularly is called upon to apply and enforce the requirements of part II with respect to certain motor carrier operations and activities which contribute but slightly to the national transportation system and which cannot be said to be of significance in the overall design of regulation contemplated by the Act. For example, the interstate motor movement of such commodities as homing pigeons or trash and garbage would appear to be of such nature, character, or quantity as not substantially to affect or impair effective regulation, and exemption of such transportation from regulation would in no way hinder the effectuation of the national transportation policy or affect materially the welfare of regulated transportation. Likewise, the exclusion from interstate regulation of local mass transit motorbus operations conducted within precisely defined territorial limits would in certain circumstances appear to have little or no effect upon regulation of this segment of the for-hire industry.

While individual and specific legislative recommendations could be submitted from time to time with respect to each commodity or transportation service found by the Commission to be susceptible of statutory exemption, enactment of the proposed general exempting power is believed to be in the best interests of all concerned. Not only would such authority relieve the Commission and the affected carriers of what seems to be an undue regulatory burden, but also would tend to free the Congress of much of the legislative workload that would be encountered by a piecemeal approach. As an example, such authority probably would have eliminated the need for Public Law 88–208 (H.R. 2906) partially exempting from regulation the emergency transportation of accidentally wrecked or disabled motor vehicles. Additionally, the recommended authority would result in increased flexibility, since any exemption created thereunder would be subject to continuous administrative review and to repeal or modification upon a finding of changed circumstances.

The approach taken in this recommendation does not represent a marked departure from previous legislative techniques. Comparable exempting authority is conferred upon the Commission by section 204(a)(4a) of the Act with respect to motor carriers lawfully engaged in operation solely within a single State, and the Civil Aeronautics Board is empowered by 49 U.S.C. 1386 to establish similar exemption from air carrier economic regulation. Further, through Public Law 89–778 enacted November 6, 1966, the Federal Maritime Commission received authority from the Congress to establish similar exemptions for certain agreements under the Shipping Act, 1916 (46 U.S.C. 801 et seq.) We believe that the recommendation made herein is in harmony with the form and substantive provisions of Public Law 89–778.

Finally, to safeguard against possible abuse of the powers and privileges to be conferred upon the Commission, the draft bill imposes important limitations and conditions upon the exercise of the authority to exempt. Thus, an order of exemption may be issued or revoked only after all interested persons have been accorded a reasonable opportunity to be heard and only upon definitive Commission findings, based upon a thorough analysis of the nature, character, and quantity of the involved transportation, as to the effect which such action may have upon the transportation industry. These findings will, of course, be subject to appropriate judicial review, while still other safeguards in the bill would, upon revocation of an exemption, restore affected carriers to the status quo enjoyed by them prior to the creation of the exemption.

A primary goal of the proposed measure is to relieve both this Commission and the affected carriers of the burdens of regulation in those situations in which continued economic regulation is neither necessary nor desirable. So long as the limitations and safeguards are retained, we believe that the proposed measure would benefit the public as well as affected individuals and carriers.

Attached is a draft bill which would implement the above recommendation.

S. 757. A bill to amend section 19a of the Interstate Commerce Act to eliminate certain valuation requirements, and for other purposes:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (b) of section 19a of part I of the Interstate Commerce Act (49 U.S.C. 19a(b)) is amended as follows:

(1) In the paragraph which begins "Second", strike out ", and the present value of the same".

(3) Strike out the paragraph which begins "Third" and the paragraph which begins "Fifth".

(3) In the paragraph which begins "Fourth", strike out "Fourth" and insert in lieu thereof "Third".

(b) Subsection (f) of such section 19a (49 U.S.C. 19a(f)) is amended to read as follows:

"(f) Upon completion of the original valuations herein provided for, the Commission shall thereafter keep itself informed of the cost of all new construction, extensions, improvements, retirements, or other changes in the condition, use, and classification of the property of all common carriers as to which original valuations have been made, and may keep itself informed of current changes in quantities, costs and values of such properties, in order that it may have available at all times the information deemed by it to be necessary to enable it to revise and correct its previous inventories, classifications, and values of the properties; and when deemed necessary, may revise, correct, and supplement any of its inventories and valuations."

The recommendation accompanying S. 757 is as follows:

Elimination of Unnecessary Valuation and Reporting Requirements

We recommend that section 19a be amended in the following respects: (1) to eliminate the requirement that the Commission determine the present value of land; (2) to eliminate the requirement that the Commission determine the valuation of property held by carriers for purposes other than for use in common carrier service; (3) to eliminate the requirement that the Commission ascertain and report the amount, value, and disposition of aids, gifts, grants, and donations and the amount and value of concessions and allowances made by carriers in consideration thereof; and (4) to make optional the requirement that the Commission keep itself informed of changes in the quantity of the property of carriers, following the completion of the original valuation of such property.

The purpose of this recommendation is to eliminate or make optional certain mandatory valuation requirements which are no longer considered necessary or appropriate to the proper performance of the regulatory functions of the Interstate Commerce Commission. Foremost among these are the requirements (1) that the Commission determine the present value of carrier land holdings, and (2) that the Commission keep itself informed of changes in the quantity of the property of carriers following the completion of the original valuation of such property.

The requirement that the Commission determine the present value of land was appropriate in finding original property valuations under an earlier concept which also gave consideration to the reproduction cost of property other than land. Accounting methods have changed, however, and today the concept of "reproduction cost" generally is in disuse by this Commission for rail rate making purposes. In this respect, it is significant that the Commission, in establishing a base for measuring rate of return for railroads, now uses the *original cost* of property other than land less depreciation thereon as shown on the books of the carrier, and to this sum is added an allowance for working capital and the estimated *present value* of land. Clearly, this formula would be more logical and consistent if the original cost of land were substituted for a determination of present value.

There has been considerable latitude for a number of years with respect to what might properly be considered in arriving at a rate base, and the wide choice available to regulatory agencies in this connection has been recognized by the Supreme Court. In *Federal Power Commission* v. *Natural Gas Pipeline Co.,* 315 U.S. 586 (1942), the Court held that "The Constitution does not bind ratemaking bodies to the service of any single formula or combination of formulas. * * *," and in *Federal Power Commission* v. *Hope Natural Gas Co.,* 320 U.S. 602 (1944), the Court amplified its opinion in the Natural Gas Pipeline Co. case by holding that "it is not the theory but the impact of the rate order which counts. If the total effect of the rate order cannot be said to be unjust and unreasonable, judicial inquiry under the Act is at an end. The fact that the method employed to reach that result may contain infirmities is not then important. * * *"

In the absence of a continuous need for present value of land data by the Commission, it is not in the public interest to spend large sums of money to develop the information and keep it reasonably current as contemplated by the present statutory requirement.

At the present time, by virtue of regulations issued by the Commission pursuant to the mandatory requirement in section 19a(f) of the Interstate Commerce Act, railroads and pipeline companies must report annually the number of units of property acquired or retired during the year. This information is utilized in determining the cost of reproduction of such property. As indicated above, however, the concept of reproduction value is no longer the dominant consideration in the determination of a rate base for railroads; and, in this circumstance, we believe that this reporting requirement represents an unnecessary burden upon rail carriers.

The situation with respect to the reporting of units of property changes by pipeline carriers, however, is unlike that of the railroads. The Commission finds property valuations for pipeline carriers each year; and, in this process, property units are used in the development of the cost of reproduction—new, an element which is considered by the Commission in arriving at rate bases for pipelines. For this reason, we recommend that, in lieu of repeal, the mandatory requirement in section 19a(f) be made optional as the needs of the Commission dictate.

The Commission has made adequate provision for the proper accounting and financial reporting of noncarrier property, and the value of such property is not considered for valuation or rate-making purposes. Therefore, we see no need to value noncarrier property as is presently required by the third subparagraph of section 19a(b) of the Act.

Insofar as aids, gifts, grants, and donations are concerned, practically all property in this category is of record in the original valuations found by the Commission for railroads. The significance of this information has diminished over the years, and carriers have long since discontinued the granting of concessions in the form of land-grant rates in consideration of such gratuities. Accordingly, the draft bill would also repeal subparagraph "Fifth" of section 19a(b) of the Act.

Enactment of this recommendation would, in our opinion, relieve the Commission of unnecessary valuation and reporting requirements, and, in principal effect, would eliminate a statutory requirement no longer necessary nor feasible because of the magnitude of the undertaking necessary to keep reasonable current.

S. 758. A bill to amend the Interstate Commerce Act to enable the Interstate Commerce Commission to utilize its employees more effectively and to improve administrative efficiency:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 17(2) of the Interstate Commerce Act (49 U.S.C. 17(2)), is amended—

(1) by inserting immediately after the second parenthetical expression therein the following: ", and the Commission may also assign or refer those matters which have not involved the taking of testimony at a public hearing or the submission of evidence by opposing parties in the form of affidavits to eligible individual employees of the Commission,"

(2) by striking the second sentence and substituting in lieu thereof the following: "The following classes of employees shall be eligible for designation by the Commission to serve on such boards, or to receive individual delegations: directors or assistant directors of bureaus, examiners, chiefs and assistant chief of sections, chiefs and assistant chiefs of branches, attorneys, accountants, transportation economists and specialists, and such other qualified persons as the Commission may designate."

The recommendation accompanying S. 758 is as follows:

DELEGATION OF AUTHORITY TO QUALIFIED INDIVIDUAL EMPLOYEES

We recommend that section 17(2) be amended so as to authorize the Commission to delegate to qualified individual employees, including transportation economists and specialists, those matters which have not involved the taking of testimony at a public hearing or the submission of evidence by opposing parties in the form of affidavits.

In addition to a voluminous number of formal cases, the Commission's responsibilities under the Act extend to numerous matters of relatively routine and specialized nature. For example, matters relating to extensions of time for filing annual, periodical, or special reports; rejection of tariff publications for failure to give lawful notice or failure to comply with the Commission's regulations; and orders assigning cases for hearing, extending dates for the filing of pleadings and postponing compliance dates. Except with respect to assignments to a Division or an individual Commissioner, under the present provisions of section 17(2), the Commission may delegate such functions only to three-man boards, and the only employees eligible to serve on these boards are "examiners, directors or assistant directors of bureaus, chiefs of sections, and attorneys."

When applied to matters of the type described above, we believe that the mandatory requirements of section 17(2) are unnecessary and unduly limit our authority in what essentially is an administrative area.

The proposed recommendation has been narrowly drawn so as to affect only the processing of matters which have not involved the taking of testimony at a public hearing or the submission of evidence by opposing parties in the form of affidavits.[1] In this limited area the draft bill (1) would authorize the Commission to refer such matters to eligible individual employees, and (2) would expand the list of "eligible" employees, to include assistant chiefs of sections, chiefs and assistant chiefs of branches, accountants, transportation economists and specialists, and other qualified persons designated by the Commission.

In our judgment, enactment of the proposed legislation would enable us to utilize key employees more effectively and would contribute significantly to improved overall administrative efficiency. In this respect, a preliminary estimate indicates that as many as 22,000 matters of a routine or specialized nature could be handled each year by qualified Commission employees.

APPENDIX—EXAMPLES OF COMMISSION WORK, BUSINESS AND FUNCTIONS WHICH COULD BE DELEGATED TO INDIVIDUAL EMPLOYEES

Office of proceedings

1. Areas where orders now are entered in the name of a single Commissioner or Division I, such as orders assigning cases for hearing, orders extending dates for the filing of pleadings, orders, postponing compliance dates, effective dates, and orders authorizing the changing of name of a carrier, etc.

2. Non-contested motor, water and freight forwarder application cases of the type now handled by Operating Rights Board No. 1.

Item No. 1 would relieve Commissioners of the possibility of dealing personally with up to 10,000 items a year. Item No. 2 appears desirable since actions of Board No. 1, about 1200 a year are seldom questioned by the filing of petitions for reconsideration, and it is believed that the nature of the cases is such that delegations to an individual would be just as effective.

Bureau of Accounts

1. Authority to permit the use of prescribed accounts which by provisions of their own texts require special authority.

2. Authority to permit departures from general rules prescribing uniform systems of accounts.

3. Authority to prescribe by orders, rates of depreciation to be used by individual carriers by railroad, water, and pipe line.

4. Authority to issue special authorizations permitted by the prescribed regulations governing the destruction of records of carriers.

5. Annual valuation of pipe lines.

6. Approval of protective service contracts.

It is apparent that matters arising under items 1 through 6 (about 125 a year) are of a highly technical nature; and in this circumstance, we believe that the professional judgment of the bureau director or qualified members of his staff could be relied upon for their disposition.

7. Matters relating to annual, periodical or special reports of carriers, lessors, brokers, freight forwarders, and other persons under Parts I, II, III and IV, presently assigned to Division 2. For example, approval of changes in the reporting forms and other requirements which often are made to conform them to corresponding changes in the Commission's accounting rules governing the respective types of carriers.

8. Extensions of time for filing annual, periodical, or special reports; exemption of individual carriers and others from reporting requirements now assigned to the Vice Chairman. Item 7 and 8 are routine in nature. For example, the extension of filing dates is essentially an administrative matter. These delegations would relieve Division 2 of the necessity of passing upon some 25 report matters each year, and the Vice Chairman of acting on 200 applications per year in matters currently assigned to him.

Bureau of Economics

Matters of access to waybills or photostat copies thereof.

Bureau of Operations and Compliance

Authority for District Supervisors to approve one-time shipment motor carrier temporary authorities, in bona fide emergencies, in the field.

In about 100 cases annually, authorization is given for one-time shipments in severe emergencies; e.g., replacement parts for a transformer which has interrupted electrical power in a community; a bridge span portion to repair a bridge closed to traffic until repaired.

Bureau of Traffic

Approval of special permission applications, now handled by the Special Permission Board, consisting of three members.

There are about 10,000 of these items coming before the Special Permission Board each year. If this work is delegated to individuals, it probably would be divided among as many as three persons because of the volume. However, rather than have two or three board members look at each request for special permission (e.g., each board member now reviews about 6,700 a year), each of three individual delegates would look at one-third of the total number or about 3,300.

FEDERAL EMPLOYEES' ACCRUED SICK LEAVE PAYMENT BILL

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill which would amend the Civil Service Retirement Act to provide that accumulated sick leave of Federal employees can be either credited to the individual's retirement fund for the purpose of computing his annuity or paid in cash for one-half its value at the time of retirement. This bill is similar to two earlier legislative proposals which I have submitted—S. 1661 of the 88th Congress and S. 326 of the 89th Congress.

The purpose of this bill, Mr. President, is to encourage Federal employees to accumulate sick leave until retirement. Under the existing law a Federal employee receives no remuneration for accrued sick leave at the time of his retirement. The majority of Federal employees, who consider earned sick leave like an earned fringe benefit, are not encouraged under the present system to accumulate sick leave, because they know that unused accrued sick leave has no financial value to them at the time of their retirement.

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[1] Matters of a type included in this category, together with brief comments pertaining thereto, are listed in an attached appendix.

This bill would give the employee two options with respect to unused sick leave at the time of his retirement. The employee might elect to take a cash payment for one-half of the accumulated sick leave or he might have the entire number of accumulated days of sick leave credited to his service time for the purpose of computing his annuity.

Equity and sound management practices offer compelling reasons for passing this legislation. The present sick leave policy provides no incentive for accumulating sick leave. There is considerable evidence that the present policy is encouraging larger numbers of Federal employees to use sick leave in situations where it is not absolutely necessary. A recent survey has indicated that employees in their final year of Government service use three times as much sick leave as other employees.

The dedicated and responsible civil servant who does not use his accrued sick leave is the unsung hero and the real loser. For example, there are many individual employees who have foregone as much as $25,000 worth of accumulated sick leave at retirement time. In 1966 Postmaster General Lawrence F. O'Brien reported that nearly $37 million worth of unused sick leave was turned back to the Postal Service by 1,007 employees who retired in late 1965. I have been advised that 11,000 employees who retired in 1965 under a retirement incentive plan lost an average of 885 hours or 110 days of accumulated sick leave. These are the faithful employees who use sick leave most prudently and who have watched their equity in thousands of hours of unused leave disappear at the time of their retirement.

The present practice, encouraging absenteeism as it does, contributes to inefficiency and a waste of talent. An employee on sick leave falls behind in his work. The temporary employee who attempts to perform the absentee's duties is frequently less knowledgeable or skilled and consequently does a less effective job.

It is clear, therefore, that both the Federal employees and the Government will be well served by this bill. The employee who has earned sick leave and has not used it will be remunerated at the time of his retirement. The Government, which seeks less absenteeism and higher efficiency among its employees, will be able to look forward to thousands of hours of increased productivity.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 759) to amend title 5, United States Code, to provide for lump-sum payments for accumulated and accrued sick leave where employees die in service and for such payments or, at the option of the employees, credit for retirement purposes upon separation or retirement, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

INVESTMENT CREDIT FOR PRIVATE INDUSTRY COMBATING WATER AND AIR POLLUTION

Mr. COOPER. Mr. President, on behalf of the distinguished Senators from West Virginia [Mr. RANDOLPH] and from Kentucky [Mr. MORTON] and myself, I send to the desk a bill to increase investment credit allowable with respect to facilities to control water and air pollution. I ask that the bill be printed in the RECORD following my remarks and that it lie on the desk until 2 weeks from tomorrow for additional cosponsors.

Mr. President, this bill would increase the present investment credit from 7 to 14 percent for those industries purchasing and installing facilities and equipment controls that would combat or eliminate water or air pollution.

The bill, with the exception of several technical changes, is similar to S. 2857 which I introduced on February 1 of last year. I should further point out that a proposal or a similar investment credit increase was offered by Senator RIBICOFF on the floor of the Senate in 1964 as an amendment to the Revenue Act of 1964 and was cosponsored by some 25 Senators. Although the Senate agreed to the amendment, the provision was later dropped in conference with the House when the House conferees objected to the fact that no hearings had been held on it.

It has been my view that we must do more to increase the participation of private industry to combat and control water and air pollution. Conservative estimates of the total cost for controlling industrial pollution have been placed at $75 billion over the next 15 years, or the large sum of $5 billion per year. At the base of this estimate rests the progressively increased use of water by industry. In 1900, the average daily use of water for industrial purposes was 15 billion gallons, but by 1960 industry was employing some 160 billion gallons per day. The amount of money required for installations to control pollution in just two industries alone—the paper and chemical industries—is indeed staggering.

One way of increasing the participation of private industry is to give industry a financial incentive to purchase and install facilities for the abatement of water and air pollution. It is only proper where companies purchase expensive equipment and facilities to reduce pollution—which facilities bring no financial return on their investment but are devoted to the greater public purpose and benefit—that some tax incentives should be provided.

I think it helpful to review at this point some of the actions that the Senate took in the last session in meeting this problem.

When the Air and Water Pollution Subcommittee of the Public Works Committee announced that it would hold hearings in April and May of last year to consider amendments to the Federal Water Pollution Control Act, I wrote representatives of private industry who were scheduled to testify and pointed out that although the Public Works Committee is without jurisdiction in fiscal legislation, I thought it would be helpful to the committee to have industry comments and viewpoints on how to meet the economic costs of pollution. As a result of their testimony and the substantial interest created among the committee members, the Public Works Committee, in reporting out its bill, included a strong recommendation to the Finance Committee to consider tax legislation applicable to the acquisition and installation of pollution control facilities. The pertinent section of the committee's report reads, as follows:

> INCENTIVE ASSISTANCE FOR INDUSTRIES
>
> A number of witnesses testified on the need for tax incentives as a means of reducing the cost of noneconomic pollution control facilities. This is not a matter over which the Senate Public Works Committee has jurisdiction but it affects the overall effort to meet water pollution control and abatement needs. This committee strongly recommends that the appropriate congressional committees give consideration to tax relief proposals for industrial pollution control activities.
>
> For the most part, pollution control does not provide a return on an investment to an industry. Installation of pollution control devices is costly and, in many cases, nonremunerative. The billion dollars of capital investment which will have to be made by the industrial sector for the benefit of the entire society will place a substantial burden on corporate resources, and ultimately on the general public. The committee suggests that there are several alternative methods of aiding industry in meeting its pollution control obligations.
>
> Investment tax credits as proposed by Senator John Sherman Cooper of Kentucky, in legislation cosponsored by the Chairman of the Senate Public Works Committee, Senator Jennings Randolph of West Virginia is one method whereby industry could recoup the cost of control and abatement of pollution. Senator Abraham Ribicoff of Connecticut, in legislation cosponsored by, among others, the chairman of the subcommittee, Senator Edmund S. Muskie of Maine, provides for accelerated amortization of the cost of pollution control facilities. This may also provide a means of offsetting industry's cost of pollution control. However, both of these methods do not consider the problem confronting those industries with plants having great pollution problems and marginal economic efficiency.
>
> The committee has recommended greater emphasis on joint municipal-industrial treatment systems operated by public agencies. Such systems are eligible for assistance under the sewage treatment grant program.
>
> The proposal by the American Paper Institute for specific Federal grants to municipalities to construct industrial waste treatment facilities would provide an effective means of meeting the needs of both the marginal industries as well as the profitable industries. Such a Federal grant approach would not be inconsistent with public policy because the grant would, in effect, be made to a unit of government. This approach differs from that proposed by Senators Cooper and Ribicoff and is a matter which can and will be considered by this committee. However, realizing that there is no final answer to the problem of financing industrial pollution control, the committee reiterates its strong recommendation that the appropriate committees consider tax relief legislation.

When the Senate Finance Committee held hearings on H.R. 17607, a bill that would temporarily suspend investment credit and accelerated depreciation, I urged the committee to continue the availability of the present 7-percent investment credit for the acquisition of air and water pollution control facilities. This provision had been included in the House bill as a floor amendment. In my testimony I said:

> I am hopeful that when the present inflationary pressures in our economy have subsided this Committee will consider increasing the present investment credit or provide additional tax incentives to industry to assist in the acquisition and installation of pollution controls. But for the present, however, I believe it would be a backward step for the Congress not to continue at least the present investment credit as provided in the House bill.

The continuation of this investment credit was recommended by the Finance Committee and contained in the bill passed by the Senate, which became Public Law 89–800. The Finance Committee report comments on this provision in the following language:

> 5. Exemption of water and air pollution control facilities.
>
> An amendment adopted on the floor of the House specifies that water and air pollution control facilities are, under certain conditions, not to be considered suspension period property even though constructed or ordered during the suspension period. Thus, facilities of this nature will continue to remain eligible, for the investment credit.
>
> The exception is provided in recognition of the importance of stimulating private industry to undertake expenditures for facilities which will help to abate water and air pollution. There is a clear need to step up efforts to purify the air we breathe and the water in our streams and lakes.
>
> Suspension of the credit, even for a short time, would discourage private efforts to abate water and air pollution and would simply impose a larger direct burden on the government.

I note that on January 25 Secretary Udall announced that proposed regulations implementing this legislation have been prepared by the Water Pollution Control Administration of the Department of the Interior setting forth the conditions that industry must meet for the construction of water pollution control facilities in order to be eligible for the investment tax credit. Industry representatives have 30 days in which to comment on these proposed regulations.

In closing, I would like to point out that Members of this body—Senators RIBICOFF, MUSKIE, RANDOLPH, and many others—in the last session introduced or cosponsored bills which would amend the Internal Revenue Code in various ways so as to give some form of tax incentive to assist industry in the construction of air and water pollution control facilities. While many of these bills differ as to method or approach, each has the purpose of providing industry with an incentive for acquiring and installing necessary equipment. I cannot predict which method the Congress may prefer—increased investment credit, accelerated depreciation, a combination of these two methods, or some other method of financial assistance. I do know that some form of incentive is necessary.

In this connection, Mr. C. H. Gebhardt, manager of the tax department of the Mead Corp., at my suggestion, has prepared a useful chart analyzing current tax proposals relative to water and air pollution controls, so as to determine the measure of financial assistance that would actually be given to business if a particular proposal should be adopted. For each $100 outlay for pollution control facilities, Mr. Gebhardt concludes that the bill that I and Senator RANDOLPH introduce would provide an incentive equal to 6.7 percent of the cost of pollution control facilities. Other methods provide for incentives of 1.1 percent, 6.1 percent, 7.8 percent, and 14.5 percent of the cost of these facilities.

Legislative proposals of this type serve as another example of the determined efforts of Congress to advance a solution to one of the most challenging domestic problems facing our country today—pollution in the air and in the water. I am hopeful that the Senate Finance Committee will hold hearings on the bill I have introduced and related bills in the near future.

Mr. President, I ask unanimous consent that the chart analyzing these tax proposals be included at the end of my remarks, following the text of the bill, as exhibit A, and that the press release of the Department of the Interior be included as exhibit B.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie at the desk, as requested by the Senator, and, without objection, the bill, chart, and press release will be printed in the RECORD.

The bill (S. 760) to increase the investment credit allowable with respect to facilities to control water and air pollution, introduced by Mr. COOPER (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 760

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 46(c) of the Internal Revenue Code of 1954 (relating to definition of qualified investment for purposes of determining the credit for investment in certain depreciable property) is amended by adding after paragraph (4) thereof the following new paragraph:

"(5) Facilities to control water and air pollution.—In the case of section 38 property which is a water pollution control facility (as defined in section 48(h)(12)(B)) or an air pollution control facility (as defined in section 48(h)(12)(C)), the amount of the qualified investment shall be twice the amount determined under paragraph (1)."

(b) The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 1966.

The exhibits presented by Mr. COOPER are as follows:

EXHIBIT A

Comparison of various approaches to water and air pollution control incentives via changes in the Federal income tax law (using a $100 outlay for pollution control facilities as an example)

	Alternative approaches to incentives					
	Existing tax treatment [1] (for comparison purpose)	1-year writeoff and 7-percent investment credit	1-year writeoff and 14-percent investment credit	3-year writeoff and 7-percent investment credit	Existing writeoff [1] and 14-percent investment credit	1-year writeoff and no investment credit [2]
Cost of facility	$100.00	$100.00	$100.00	$100.00	$100.00	$100.00
Tax benefits:						
48 percent (present top rate on corporations)	48.00	48.00	48.00	48.00	48.00	48.00
7-percent investment credit [3]	7.00	7.00	7.00	7.00	7.00	None
Additional 7-percent investment credit proposed [3]			7.00		7.00	
Total tax benefits	55.00	55.00	62.00	55.00	62.00	48.00
(a) Net cost of facility before considering the time value of money	45.00	45.00	38.00	45.00	38.00	52.00
(b) Net cost of facility considering the time value of money [4]	54.90	47.10	40.40	48.80	48.20	53.80
(c) Advantage of each alternative compared to existing tax treatment		7.80	14.50	6.10	6.70	1.10
(d) Amount of incentive as a percent of the cost of the facility [5]		7.8	14.5	6.1	6.7	1.1

[1] Depreciation writeoff over 16 years using 1 of the accelerated methods permitted for tax purposes (sum-of-years-digits) has been used.

[2] A 1-year writeoff with no investment credit is shown only for comparative purposes. It illustrates the importance of full investment credit, otherwise a quick writeoff, whether in 1, 3, or 5 years is ineffective if this results in a loss of the investment credit.

[3] Investment credit has been applied to the total outlay although under present law it applies only to equipment; not to land and buildings. It is hoped that any incentive legislation would extend the credit to all outlays, if it is to be an effective, even though modest, incentive.

[4] It is obvious from line (a) above that there is no difference in net cost of a facility, after tax benefits, under the various alternatives other than for those which obviously allow an additional 7-percent investment credit. The timing of a company's recovery of tax benefits is most important, however, and this is reflected in lines (b), (c), and (d) where the dollars involved have all been stated in terms of present worth (i.e., their value today). (A 4-percent after-tax discount rate, with tax benefits realized commencing 1 year after the date of investment is the technique used.)

[5] These incentives should be compared with the 30-percent Federal grants available (with certain qualifications) to municipalities for construction of facilities. There have also been a number of recommendations to increase such grants as the full environmental improvement program is implemented. Note that in appropriate situations industrial plants will (and do) utilize such public facilities, thus deriving some benefit from Federal grants. The incentives outlined above would serve, in some degree, to treat equitably those industrial plants which for technical and other reasons must install and pay for their own facilities.

Exhibit B

Rules for Obtaining Tax Credit on Industrial Waste Treatment Facilities

Proposed regulations governing tax credit for construction of industrial water pollution control facilities have been prepared by the Department of the Interior, Secretary of the Interior Stewart L. Udall announced today.

Public Law 89–800 (November 8, 1966) suspended the investment tax credit for the period October 10, 1966, through December 31, 1967. However, water pollution control facilities are exempt from the suspension if certain conditions are satisfied. This means that if all the required conditions are satisfied, an industry can deduct up to 7 percent of the cost of new waste treatment construction from its income tax liability notwithstanding the general suspension of the investment credit.

One of the required conditions is that the water pollution control facility be certified by the Secretary of the Interior. The proposed Interior Department regulations, which were drafted after consultation with the Treasury Department, prescribe the procedures which industries seeking the certification of the Secretary of the Interior are to follow.

Under the new regulations, which are being published in the Federal Register, applicants for this tax credit must first obtain certification from the State water pollution control agency that the proposed facility will meet the requirements of the State program. The request for Federal certification is then sent to the appropriate regional office of the Interior Department's Water Pollution Control Administration for preliminary approval.

Final certification will not be granted, however, until the facility is in operation and a determination has been made by the Secretary of the Interior that it meets the general Federal objectives of preventing and reducing water pollution.

Interested persons may submit written comments on the proposed regulations within 30 days after publication of these regulations in the Federal Register.

Mr. RANDOLPH. Mr. President, I am pleased to join again with the distinguished senior Senator from Kentucky in support of legislation to accelerate industrial investment in air and water pollution control facilities.

This legislation recognizes the success of last year when at the time Congress was suspending existing investment credit provisions, the consensus of the Congress prevailed and that credit was not suspended as it related to air and water pollution control facilities. We knew then, as we know now, that 7 percent would not be a sufficient credit, but it was indeed a beginning. Last year's legislation was the first real recognition by the Congress that in order to effectively control industrial pollution some Federal assistance would be required.

The Subcommittee on Air and Water Pollution of our Public Works Committee long has recognized this need for assistance, and year after year in reports accompanying legislation the subcommittee has strongly urged consideration of pending incentive legislation.

Mr. President, I will include at the end of my remarks the text of the Senate report which accompanied S. 2947, the Federal Water Pollution Control Act Amendments and Clean Rivers Restoration Act of 1966. This language more than adequately summarizes the position which I have taken and will continue to take with regard to tax incentive legislation. If we are to effectively and quickly begin to achieve the kind of environment which all of us desire, this legislation must be of the highest priority.

A number of witnesses testified on the need for tax incentives as a means of reducing the cost of noneconomic pollution control facilities. This is not a matter over which the Senate Public Works Committee has jurisdiction but it affects the overall effort to meet water pollution control and abatement needs. This committee strongly recommends that the appropriate congressional committees give consideration to tax relief proposals for industrial pollution control activities.

For the most part, pollution control does not provide a return on an investment to an industry. Installation of pollution control devices is costly and, in many cases, nonremunerative. The billion dollars of capital investment which will have to be made by the industrial sector for the benefit of the entire society will place a substantial burden on corporate resources, and ultimately on the general public. The Committee suggests that there are several alternative methods of aiding industry in meeting its pollution control obligations.

Investment tax credits as proposed by Senator John Sherman Cooper, of Kentucky, in legislation cosponsored by the chairman of the Senate Public Works Committee, Senator Jennings Randolph, of West Virginia, is one method whereby industry could recoup the cost of control and abatement of pollution. Senator Abraham Ribicoff, of Connecticut, in legislation cosponsored by, among others the chairman of the subcommittee, Senator Edmund S. Muskie, of Maine, provides for accelerated amortization of the cost of pollution control facilities. This may also provide a means of offsetting industry's cost of pollution control. However, both of these methods do not consider the problem confronting those industries with plants having great pollution problems and marginal economic efficiency.

The committee has recommended greater emphasis on joint municipal-industrial treatment systems operated by public agencies. Such systems are eligible for assistance under the sewage treatment grant program.

The proposal by the American Paper Institute for specific Federal grants to municipalities to construct industrial waste treatment facilities would provide an effective means of meeting the needs of both the marginal industries as well as the profitable industries. Such a Federal grant approach would not be inconsistent with public policy because the grant would, in effect, be made to a unit of Government. This approach differs from that proposed by Senators Cooper and Ribicoff and is a matter which can and will be considered by this committee. However, realizing that there is no final answer to the problem of financing industrial pollution control, the committee reiterates its strong recommendation that the appropriate committees consider tax relief legislation.

VIOLETA V. ORTEGA BROWN

Mr. PEARSON. Mr. President, I introduce, for appropriate reference, a bill for the relief of Violeta V. Ortega Brown, M.D. This is the same bill as I introduced in the 89th Congress for the relief of Violeta D. Ortega. Dr. Ortega has, however, since June of 1966, been married to an American citizen, Robert J. Brown, an attorney of Overland Park, Kans. Although Dr. Brown's status has changed somewhat there still needs to be some definitive action on her status at this time and I trust the Committee on the Judiciary will give this bill every consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 772) for the relief of Violeta V. Ortega Brown, introduced by Mr. Pearson, was received, read twice by its title, and referred to the Committee on the Judiciary.

COMMISSARY PRIVILEGES FOR DISABLED VETERANS

Mr. BARTLETT. Mr. President, I introduce, for appropriate reference, a bill to permit certain service-connected disabled veterans to use commissary stores operated for military personnel.

Last year the Eielson Area Post of the Veterans of Foreign Wars, Alaska, suggested to me that veterans with disability ratings of 50 percent or more were in dire need of commissary privileges in order to make the best use of their monthly compensation checks. Upon discussing this proposal with the director of the national legislative service of the Veterans of Foreign Wars here in Washington, I found enthusiastic support for the proposal.

In addition, the Alaska State Legislature, on April 14 of last year, passed Senate Joint Resolution 107 in support of commissary privileges for service-connected disabled veterans with disability of 50 percent or more. I ask unanimous consent that Senate Joint Resolution 107 of the Alaska State Legislature be printed in the Record following my remarks.

I am pleased to sponsor this measure because I think it has considerable merit and I am sure it will attract the support of other Senators.

Mr. President, I ask unanimous consent that the text of the bill also be printed in the Record following my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and joint resolution will be printed in the Record.

The bill (S. 775) to permit certain service-connected disabled veterans to use commissary stores operated for military personnel, introduced by Mr. Bartlett, was received, read twice by its title, referred to the Committee on Armed

Services, and ordered to be printed in the RECORD, as follows:

S. 775

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 147 of title 10, United States Code, is amended by adding at the end thereof a new section as follows:

"§ 2483. COMMISSARY STORE: DISABLED VETERANS

"Under such regulations as may be prescribed by the Secretary of Defense, any veteran (as defined in section 101(2) of title 38, United States Code) who has a service-connected disability of 50 per centum or more, as determined by the Administrator of Veterans' Affairs, shall be granted the privilege of using the services and facilities of commissary stores operated for the benefit of military personnel."

SEC. 2. The section analysis at the beginning of chapter 147 of title 10, United States Code, is amended by adding at the end thereof the following:

"2483. Commissary stores: disabled veterans."

The joint resolution presented by Mr. BARTLETT is as follows:

JOINT RESOLUTION RELATING TO COMMISSARY PRIVILEGES FOR THE SERVICE-CONNECTED DISABLED VETERAN

Be it resolved by the Legislature of the State of Alaska:

Whereas veterans that have a service-connected disability rating of 50 per cent or more are forced to the lower end of our economic and social scale, because 50 per cent or more of their ability to earn a living has been forfeited; and

Whereas commissary privileges would allow the service-connected disabled veteran to utilize his compensation check to the fullest extent and help to ensure such veterans an adequate standard of living; and

Whereas our moral obligation to the service-connected disabled veteran is no different than to a medically discharged or retired veteran;

Be it resolved that members of the Alaska delegation to the Congress of the United States introduce legislation granting commissary privileges to veterans having a service-connected disability rating of 50 per cent or more, or otherwise take appropriate action.

Copies of this resolution shall be sent to the Honorable Lyndon B. Johnson, President of the United States; the Honorable William Driver, Administrator of Veterans' Affairs; the Honorable E. L. Bartlett and the Honorable Ernest Gruening, U.S. Senators, and the Honorable Ralph J. Rivers, U.S. Representative, members of the Alaska delegation in Congress.

AUTHENTICATION

The following officers of the Legislature certify that the attached enrolled resolution, SJR 107, was passed in conformity with the requirements of the constitution and laws of the State of Alaska and the Uniform Rules of the Legislature.

Passed by the Senate, April 14, 1966.

ROBERT J. MCNEALY,
President of the Senate.

Attest:

EVELYN K. STEVENSON,
Secretary of the Senate.

Passed by the House, April 16, 1966.

MIKE GRAVEL,
Speaker of the House.

Attest:

NADINE WILLIAMS,
Chief Clerk of the House.
WILLIAM A. EGAN,
Governor of Alaska.

THE APOSTLE ISLANDS NATIONAL LAKESHORE

Mr. NELSON. Mr. President, I introduce, for appropriate reference, a bill to create an Apostle Islands National Lakeshore in northern Wisconsin. This is the same bill that I introduced in the 89th Congress.

The bill is the result of extensive study which has been carried on over a 5-year period by various interested individuals and groups, including a task force of the Department of the Interior and officials of the State of Wisconsin.

The proposed lakeshore represents an important link in the chain of national parks and scenic riverways being created in the Great Lakes area. The cries of our urban population for quality recreation areas have become deafening. Our surfeit of natural resources—part of our great national heritage—is gone. We must act now to preserve those few precious resources which remain.

The establishment of a national park or national recreation area in the Apostle Islands region of northern Wisconsin has been a dream of conservationists for some 30 years. It has been one of my major legislative goals, both as Governor and as Senator.

In 1962, I was able to interest the Secretary of the Interior in the area, and we made a very interesting tour of its beautiful beaches and its clear, fresh waters.

In September 1963, I was able to persuade our late President Kennedy to visit the area. He toured the islands with the Secretary of the Interior and me in a helicopter and then gave a wonderful speech at Ashland. President Kennedy said at that time:

> Lake Superior, the Apostle Islands, the Bad River area, are all unique. They are worth improving for the benefit of sportsmen and tourists. . . . In fact, the entire northern Great Lakes area, with its vast inland seas, its 27,000 lakes, and its thousands of streams, is a central and significant part of the fresh water assets of this country, and we must act to preserve these assets.

The Secretary of the Interior was kind enough to appoint a special task force to make a comprehensive study of the Apostle Islands region and provide assistance in the drafting of legislation which would make this 30-year-old dream a reality.

This task force, headed by Harold C. Jordahl, of Madison, our former State director of resource development and now a regional representative of the Department of the Interior, did an outstanding job.

This long effort was climaxed in September 1965, when I introduced legislation for the first time to establish an Apostle Islands National Lakeshore. It was the greatest recreational project ever proposed for Wisconsin, and the study by the experts concluded that it would be an outstanding recreational resource for millions of Americans throughout much of the Nation.

The proposal attracted tremendous attention. It was the subject of extensive newspaper articles, photographs, maps, and editorials in Chicago, Milwaukee, Minneapolis, St. Paul, Duluth, and in many other cities. National magazines carried articles on the Apostle Islands region.

The proposal was quickly endorsed by many organizations including the Red Cliff Indian Council; Ashland and Bayfield, Wis., Chambers of Commerce; Bayfield Harbor Commission; Lucky Highway 13 Association; Wisconsin Indian Head Country, Inc.; South Shore Scenic Drive Association; Bayfield Electric Cooperative—REA; Bayfield Common Council; and Wisconsin Federation of Women's Clubs.

Some of the individuals endorsing the project included Mayor Howard Peters, of Mellen, Wis.; Father G. F. Mahon, of Most Precious Blood Catholic Church at Glidden, Wis.; Stephan Borhegyi, director of the Milwaukee Public Museum; Joseph F. Walsh, president of the Catholic Knights Insurance Society of Wisconsin; Assemblyman Bernard Gehrmann of Ashland; Prof. Walter Rowlands, a University of Wisconsin expert on land use; George A. Corrigan, Hurley, Wis., president of the Five County Development Group; and Kenneth Todd, chairman of the Ashland County Board of Supervisors.

At the national level, President Johnson mentioned the Apostle Islands project in his conservation message to Congress in February 1966. At that time, he did not list the project among the top priority projects for the Nation, but he did urge early completion of studies and planning for the Apostle Islands National Lakeshore.

Yesterday, on January 30, President Johnson sent a new message to the Congress on the steps needed to preserve our national heritage.

In this address, the President listed the Apostle Islands project in his top four priorities for national park acquisitions in this session of Congress. Along with a Redwoods National Park, a North Cascades area park in Washington State, and a Potomac Valley park, the President recommended that the Congress—

> Establish the Apostle Islands National Lakeshore in Wisconsin, to add a superb string of islands to our national seashore system.

Our splendid Apostle Islands proposal, after years of work and waiting, now stands in the top four priority projects which are urgently needed to protect our bank of natural resources and to provide recreation for our growing population. This carefully developed Apostle Islands plan has now been endorsed by a blue ribbon task force and by the President himself. It now represents an urgent necessity not just for Wisconsin but for the Nation.

Few projects offer so many benefits to so many people at such reasonable cost. This bill would provide a tremendous economic shot in the arm to northern Wisconsin and to the Red Cliff and Bad River Indian tribes.

It would provide one outstanding recreational resource, identified on the map of every traveler, around which the North could build a great new future in recreation.

It would preserve for posterity some of the most outstanding unspoiled scenery in the Midwest. And it would be a great new addition to the national bank of recreational resources on which this country will draw for generations to come.

Endorsement by the President and his special task force which developed priorities for park acquisition provides the spark needed to move the Apostle Islands project forward to accomplishment.

Prof. I. V. Fine, an economist from the University of Wisconsin, did a study of the economic implications of the proposed lakeshore. He estimated that once it was fully developed, the area would attract 920,000 visits per year. This, in turn, would generate an estimated $7 million in new consumer spending in the area. The project would require an estimated 21 full-time and 50 part-time employees with an annual payroll of $350,000. It was estimated that the project would result in 363 new jobs in the area.

The proposed park is a 57,500-acre project made up of three separate components. The diversity of recreational opportunities available in these three areas make this park unique.

One part of the park would be 21 islands, which make up an archipelago off the Bayfield Peninsula. These islands are uninhabited rock outliers which are covered with glacial drift and canopied with a beautiful mixed hardwood and conifer forest. The windward sides of these islands are rock cliffs which are continually pummelled by the wind and waves of Lake Superior; on the leeward sides there are beautiful sand beaches where the water is calm and warm enough for swimming. Each of these islands is a paradise for the rock collector, the photographer, the ornithologist, and hiker—for that matter, each is paradise for anyone who loves the out of doors.

New hiking trails would be laid out on these islands; existing ones would be improved. Minimum docking facilities would be installed at selected deepwater locations. Simple campsites, fireplaces, and toilet facilities would be established on certain islands to accommodate campers.

Also included in the park would be a strip of land along the Bayfield Peninsula shoreline one-fourth to one-half mile wide and 30 miles long known as the Red Cliff unit. This shoreline is a series of cliffs, caves, arches, and caverns which have been faceted from rock by the wind and waves of Lake Superior. Secluded sand and pebble beaches and calm, peaceful bays are interspersed among these rock bulwarks. Along parts of the shore, thick accumulations of bog plants and their remains fill shallow water areas. The area is covered by a dense second growth forest of spruce, fir, pine, and northern hardwoods; wildlife is abundant in these woods.

A scenic 30-mile drive would be built along this shoreline. This drive will afford a spectacular view both of the shoreline and of the Apostle Islands. Pulloff parking areas with interpretive devices and trails leading to points of interest would be established along the drive; a hiking trail would parallel the entire drive. Seven areas along the drive would be developed for camping, boating, fishing, swimming, and hiking.

The third unit of the park is a 10,370-acre tract known as the Bad River-Kakagon Sloughs. The area is a vast marsh covered with wild rice, alder thickets, heath, and numerous aquatic plants. These sloughs represent a most unique wildlife habitat. Here, the ecosystem of the marsh has not been disturbed by man. It is imperative that this area be preserved in this undisturbed state. Many interesting and exotic species of fish and wildlife inhabit these sloughs.

Parking areas, nature trails, observation towers, and some primitive camping sites would be developed in the marsh area. Development of this area must be done very cautiously, as any drastic changes would disrupt the delicate ecological balance of the marsh and would endanger the fish and wildlife.

The benefits from the Apostle Islands National Lakeshore would be many. There are about 50 million Americans within 1 day's drive of the area. The members of the Bad River and Red Cliff Indian Bands who live in the area will find jobs within the project as well as many opportunities for commercial development outside its boundaries. The economic rehabilitation of the upper Great Lakes area, which has been ravaged over the years by the ruthless squandering of its natural resources, must center around recreational development.

Mr. President, I ask unanimous consent that the text of the bill to establish the Apostle Islands National Lakeshore be printed in the RECORD at this point in my remarks.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 778) to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 778

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) (1) for the purpose of conserving and developing for the benefit, inspiration, and use of the public certain islands, shorelines, beaches, sand spits, and other natural and historical features within Ashland and Bayfield Counties, Wisconsin, which make up a significant portion of the diminishing shoreline and archipelago environments of the Great Lakes region and which possess high values to the Nation as examples of unspoiled areas of great natural beauty; and

(2) for the purpose of encouraging and enhancing the development and utilization of this region as an important center of public recreation activities, and particularly to encourage participation in the accomplishment of such purposes by the Bad River Band and the Red Cliff Band of the Lake Superior Chippewa Indians of Wisconsin (hereinafter referred to as the "Bad River Band" and the "Red Cliff Band"), there is hereby established the Apostle Islands National Lakeshore (hereinafter referred to as the "lakeshore").

(b) The lakeshore shall comprise those islands, waters, and portions of mainland within Ashland and Bayfield Counties, Wisconsin, as generally depicted on a map identified as "Boundary Maps—Proposed Apostle Islands National Lakeshore, NL–A1–7100, sheets 1, 2, and 3," dated May 1965. Said map shall be on file and available for public inspection in the offices of the Department of the Interior.

SEC. 2. (a) Within the boundaries of the lakeshore, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, or any interest therein, by donation, purchase with donated or appropriated funds, or exchange. Any property or interests therein owned by the State of Wisconsin, or any political subdivision thereof, may be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within the boundaries of the lakeshore may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of the lakeshore.

(b) In exercising his authority to acquire property within the boundaries of the lakeshore by exchange, the Secretary may accept title to any non-Federal property therein, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which he classifies as suitable for exchange or other disposal and which is of approximately equal value. If the properties are not of approximately equal value, the Secretary may accept cash from, or pay cash to, the grantor in order to equalize the values of the properties exchanged.

SEC. 3. (a) With the exception of not more than eighty acres of land in the Red Cliff Creek area that the Secretary determines are necessary for an administrative site, visitor center, and related facilities, any owner or owners, including beneficial owners (hereinafter in this section referred to as "owner") of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years, or, in lieu thereof, for a term ending at the death of the owner, or the death of his spouse, or the death of either of them. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

(b) A right of use and occupancy retained pursuant to this section shall be subject to termination by the Secretary upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of this Act, and upon tender to the holder of the right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

(c) The term "improved property," as used in this section, shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1967 (hereinafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

SEC. 4. The authorities granted by this Act shall be subject to the following exceptions and qualifications:

(a) Lands or interests therein within the boundaries of the lakeshore that are held by the United States in trust for the Bad River Band or the Red Cliff Band may be acquired by the Secretary only with the concurrence of the beneficial owner;

(b) Any leasehold interest acquired in lands beneficially owned by the Bad River Band or the Red Cliff Band shall not exceed a term of ninety-nine years, but shall grant the Secretary the option of renewing the lease for as long as the lands are used as part of the lakeshore;

(c) In order to facilitate the acquisition by exchange of the lands within the boundaries of the lakeshore that are held by the United States in trust for the Bad River Band or the Red Cliff Band or held in trust or in a restricted status for individual Indians of said bands, the Secretary may acquire by negotiated purchase any lands, or interests therein, outside of the lakeshore boundaries. Lands so acquired may be exchanged for such Indian lands on an approximately equal-value basis, but if the properties are not of approximately equal value the Secretary may accept cash from, or pay cash to, the grantor in order to equalize values;

(d) In order to provide substitute lands for the Bad River Band and the Red Cliff Band or for individual Indians of said bands in cases where their lands are acquired for the lakeshore, the Secretary may, from funds made available to him by such band or Indian, acquire by negotiated purchase any lands or interests therein outside of the boundaries of the lakeshore: *Provided*, That title to such lands shall be held by the United States in trust for the band or the individual Indians involved;

(e) With respect to any lands acquired by the Secretary under this Act that are within the boundaries of the lakeshore and within the boundaries of the Bad River or Red Cliff Indian Reservations, the Secretary may sell such lands to the respective Indian band at fair market value if he finds the sale will consolidate the Indian holdings and will facilitate the administration of the lakeshore: *Provided*, That as a condition of the sale the Secretary may acquire from the vendee as leasehold interest in order to use the land as part of the lakeshore; and

(f) In exercising his authority to acquire by negotiated purchase any land within the boundaries of the lakeshore that is held in trust or in a restricted status for individual Indians, the Secretary may, in cases where a particular tract of land is so held for more than one Indian, acquire such land without the consent of all of the beneficial owners if the acquisition is agreed to by the owners of not less than a 50 per centum interest in any land where ten or fewer persons own undivided interests or by the owners of not less than a 25 per centum interest in any land where eleven or more persons own undivided interests. The Secretary may represent for the purpose of this subsection any Indian owner who is a minor or who is non compos mentis, and, after giving such notice of the proposed acquisition as he deems sufficient to inform interested parties, the Secretary may represent any Indian owner who cannot be located, and he may execute any title documents necessary to convey a marketable and recordable title to the land.

SEC. 5. Within the portions of the Bad River and Red Cliff Indian Reservations that are included in the lakeshore, recognized members of the Bad River and Red Cliff Bands shall be—

(a) permitted to traverse such areas in order to hunt, fish, boat, or gather wild rice or to obtain access to their homes or businesses: *Provided*, That in order to preserve and interpret the historic, scenic, cultural and other outdoor features and attractions within the lakeshore the Secretary may prescribe regulations under which the area can be traversed;

(b) granted the first right of refusal to purchase any timber if the Secretary determines that the harvesting or removal of timber is necessary or desirable;

(c) granted, to the extent practicable, a preferential privilege of providing such visitor accommodations and services, including guide services, as the Secretary deems are desirable: *Provided*, That such a preferential privilege will not be granted unless the visitor accommodations and services meet such standards as the Secretary may prescribe;

(d) granted employment preference for construction or maintenance work or for other work in connection with the lakeshore for which they are qualified; and

(e) encouraged to produce and sell handicraft objects under the supervision of the Secretary.

SEC. 6. The Secretary shall, to the extent that appropriated funds and personnel are available, provide consultative or advisory assistance to the Bad River and Red Cliff Bands with respect to planning facilities or developments upon their tribal lands which are outside of the boundaries of the lakeshore.

SEC. 7. Subject to such regulations as the Secretary may prescribe, the recognized members of the Bad River and Red Cliff Bands may use without charge any docking facilities within the lakeshore that are operated by the Secretary.

SEC. 8. (a) The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the lakeshore in accordance with the appropriate laws of Wisconsin to the extent applicable, except that he may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations prescribing any such restrictions shall be put into effect only after consultation with the appropriate State agency responsible for hunting and fishing activities.

(b) Except for such regulations as the Secretary may issue under authority of this Act, nothing in this Act shall affect the existing rights of members of the Bad River Band or Red Cliff Band to hunt, fish, trap, or to gather wild rice.

SEC. 9. The lakeshore shall be administered, protected, and developed in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented; except that any other statutory authority available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of the Act.

SEC. 10. (a) In the administration, protection, and development of the lakeshore, the Secretary shall adopt and implement, and may from time to time revise, a land and water use management plan which shall include specific provision for—

(1) protection of scenic, scientific, historic, geological, and archeological features contributing to public education, inspiration, and enjoyment;

(2) development of facilities to provide the benefits of public recreation and a scenic shoreline drive on the Bayfield Peninsula;

(3) preservation of the unique flora and fauna and the physiographic and geologic conditions now prevailing on the Apostle Islands within the lakeshore: *Provided*, That the Secretary may provide for the public enjoyment and understanding of the unique natural, historic, scientific, and archeological features of the Apostle Islands through the establishment of such trails, observation points, exhibits, services as he may deem desirable; and

(4) preservation and enhancement of the unique characteristics of the Kakagon River and Bad River Sloughs.

(b) With respect to the portion of the lakeshore located within the boundaries of the Bad River Indian Reservation such land and water use management plan shall provide for—

(1) public enjoyment and understanding of the unique natural, historic, and scientific features through the establishment of such roads, trails, observation points, exhibits, and services as the Secretary may deem desirable; and

(2) public use and enjoyment areas that the Secretary considers especially adaptable for viewing wildlife: *Provided*, That no development or plan for the convenience of visitors shall be undertaken in such portion of the lakeshore if it would be incompatible with the preservation of the unique flora and fauna or the present physiographic conditions.

SEC. 11. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

FEDERAL TAX-SHARING ACT OF 1967

Mr. HOLLINGS. Mr. President, prior to coming to the Senate, I worked for 14 years with the problems confronted daily by those who direct our State governments. I viewed these problems both as a legislator and as Governor.

Constantly, through these years, the realization has persisted that State governments must not only enjoy the privileges that accompany the assumption of authority, but must bear the burdens of responsibility as well.

In 1951 as a legislator I chaired the committee that proposed the existing sales tax program for my State. As Governor I recommended an additional revenue plan that took South Carolina out of the red and put it in the black.

So, Mr. President, I speak not only as one who believes the States must share responsibility for solving their problems, but as one who has worked toward that end.

State efforts, however, have not been sufficient, not because they lack a recognition of the problems, but because they lack the resources to solve them.

It is not that the States have not tried. In the past 10 years alone they have increased their budgets by some $46 billion. Still they find themselves—in comparison with the Federal Government—with too little, too late in the way of available resources.

Former President Eisenhower first threw the challenge to the States in 1955 at the Williamsburg Conference, stating expressly his concern that they assume the responsibility for various programs in an attempt to promote greater effectiveness in these programs.

The States have not yet answered this challenge through assumption of significant initiative in the urban or regional development fields, or in many of those areas deemed necessary by the last several Congresses.

I submit again, Mr. President, that a large degree of responsibility for failure to answer this challenge stems not from a lack of desire, but from a lack of the wherewithal to do it with.

I have discussed this failure—this problem, with other Governors—several of whom now serve in this distinguished body—and State legislators, along with a cross section of Federal and congressional representatives, while serving for 4 years as a member of the Intergovernmental Relations Advisory Commission. Because of this failure, the strongest link in our federal system, a link which must survive if the system itself is to survive, is now threatened with extinction and with replacement by metropolitan and other urban substitutes.

Various commission studies emphasize this threat. The answer to these problems—to countering this growing threat to the very system of government in which we believe, is in a word—money.

And so it is, Mr. President, that I offer today my first bill for consideration by the Senate. A bill that would return to the States—under a prescribed formula—a percentage of the income tax revenues collected by the Federal Government for expenditure, by the States, on an unrestricted basis.

I recognize that my bill is certainly not the first of its kind to be introduced, nor certainly will it be the last. And I welcome this, Mr. President, because this trend—this turning back toward local responsibility and local control—is a healthy one.

I see this entire concept of returning additional resources to the States as the most significant development in the restoration of their rightful role in the Union that this Nation has taken in my lifetime.

It is not a new concept, Mr. President. It is an idea that has smoldered now for many, many years.

I can remember, from my own personal experience, as far back as the mid-1950's, recommending a similar plan to the South Carolina delegation during their annual hearings in our statehouse in Columbia.

And even then, though I would certainly like to take credit for it, the idea was not an original one. Rather, it is one that has been bouncing around in the minds of States rightists—and I use this term in the genuine, respected sense of the word—for a long time.

The reason for it is an obvious one.

The existing approach—the Federal approach is no longer workable.

While I would not for a minute question the motives of those who have led the fight to provide help and services for various segments of our citizenry, and would not imply that a great deal of good has not been done, I would argue that we are rapidly reaching, if not already there, the point of diminishing returns.

The Federal, bureaucratic monolith has grown too large. The real purpose of the principle—to help those individuals who cannot, for one reason or another, help themselves, has been lost in the maze of building corridors, and nameless, faceless legions of personnel that occupy the ever-expanding marble complex that is our Federal structure.

In short, Mr. President our country has become too big for us—sitting here in Washington—to look after the needs of the Joneses on Calhoun Street, or the Smiths on Rutledge Avenue.

But, Mr. President, our States are not so large that they cannot do it. They are equipped—through the use of the various subdivisions—to accomplish exactly that.

As our States have developed, so too have the problems that they face. So complex have these become, within each State, that when you multiply them by 50 the result is so large that it precludes any solution by one all powerful entity—no matter how well meaning, how well disposed, or how well financed.

We cannot escape the one basic fact, Mr. President, that the place to solve local problems is at the local level.

There is ample proof available that the States are better able to administer many of the fine programs deemed necessary by this Congress than is the Federal bureaucracy.

For example, we in South Carolina instituted a program of technical training. It is being praised by State and Federal authorities all over this Nation for its efficiency and its effectiveness. As a result, a $20 million grant is being considered for our State for retraining purposes. My experts at the State level tell me though that there is no question but that the State, with its present program, could train and produce the same number of trainees with a $1,750,000 budget than with the $20 million one.

Second, we would arrest the trend toward ever-growing centralized government by reducing its involvement at every local level.

Third, and most important, we would strengthen the original concept of our Federal Republic by reviving once again the role of the States, as the framers of our Constitution conceived it to be, equal partners with the Central Government, working for the good of the Nation as a whole.

As a result, I herewith introduce for appropriate reference this bill.

I ask unanimous consent that the bill be printed in the Record, together with a table showing the estimated distribution by States of $1,663 million under the Federal Tax Sharing Act of 1967.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and table will be printed in the Record.

The bill (S. 779) to assist the States to meet their needs for increased revenues by sharing with them a portion of the revenues derived from the Federal individual income tax, introduced by Mr. Hollings, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 779

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

Section 1. This Act may be cited as the "Federal Tax Sharing Act of 1967."

DEFINITIONS

Sec. 2. For purposes of this Act—

(1) The term "Fund" means the Tax Sharing Fund established by Section 3 of this Act.

(2) The term "Secretary" means the Secretary of the Treasury.

(3) The term "State" means the several States and the District of Columbia.

TAX SHARING FUND

Sec. 3. (a) There is hereby established in the Treasury of the United States a special fund to be known as the "Tax Sharing Fund". The Fund shall consist of the amounts appropriated to it by subsection (b).

(b) There is hereby appropriated to the Fund, out of any money in the Treasury not otherwise appropriated, for each fiscal year, commencing with the fiscal year beginning July 1, 1968, the amount specified in paragraph (1), (2), (3), (4), or (5), or the amount specified in paragraph (6), whichever amount is the greater:

(1) For the fiscal year beginning July 1, 1968, an amount equal to 3 percent of the net individual income tax revenues received in the Treasury during the fiscal year beginning July 1, 1967.

(2) For the fiscal year beginning July 1, 1969, amount equal to 3½ percent of the net individual income tax revenues received in the Treasury during the fiscal year beginning July 1, 1968.

(3) For the fiscal year beginning July 1, 1970, an amount equal to 4 percent of the net individual income tax revenues received in the Treasury during the fiscal year beginning July 1, 1969.

(4) For the fiscal year beginning July 1, 1971, an amount equal to 4½ percent of the net individual income tax revenues received in the Treasury during the fiscal year beginning July 1, 1970.

(5) For the fiscal year beginning July 1, 1972, and for each fiscal year thereafter, an amount equal to 5 percent of the net individual income tax revenues received in the Treasury during the preceding fiscal year.

(6) For the fiscal year beginning July 1, 1969, and for each fiscal year thereafter, an amount equal to the amount appropriated to the Fund for the preceding fiscal year, but only if such amount is greater than the amount specified for the fiscal year in paragraph (2), (3), (4), or (5).

(c) The Secretary shall, on July 1 of each fiscal year, commencing with the fiscal year beginning July 1, 1968, determine the amount appropriated to the Fund by subsection (b) for such fiscal year, and shall transfer the amount so determined from the general fund of the Treasury to the Fund. Such determination may be made on the basis of estimates made by the Secretary. Proper adjustment shall be made as soon as possible thereafter, to the extent such determination was in excess of or less than the amount which should have been transferred, by the transfer of additional amounts from the general fund to the Fund or by the transfer of amounts from the Fund to the general fund.

(d) For purposes of subsection (b), the term "net individual income tax revenues" means, with respect to any fiscal year—

(1) the total amount of payments of the tax imposed on individuals by chapter 1 of the Internal Revenue Code of 1954 received in the Treasury during the fiscal year (including amounts deducted and withheld from wages under chapter 24 of such Code), minus

(2) the total amount of refunds of overpayments of the tax imposed on individuals by such chapter disbursed from the Treasury during the fiscal year.

PAYMENTS TO STATES

Sec. 4. (a) Each State shall be entitled to payments out of the Fund during the fiscal year beginning July 1, 1968, and during each fiscal year thereafter, as provided in this section. Payments shall be made by the Secretary quarterly. Payments to any State made during the first and second quarters of any fiscal year may, to the extent necessary, be made on the basis of estimates by the Secretary in determining the amounts under subsections (b) and (c). Proper adjustment shall be made in the payments to any State during the third and fourth quarters of any fiscal year to the extent that payments in the first and second quarters were in excess of or less than the amounts which should have been paid. The Secretary shall, at least 90 days before the beginning of each fiscal year, notify each State of the total amount of payments which he estimates will be made to such State during such fiscal year under this section.

(b) The Secretary shall allot and pay during each fiscal year to each State an amount equal to the product obtained by multiplying—

(1) an amount which bears the same ratio to 80 percent of the amount appropriated to the Fund for such fiscal year as the popula-

tion of such State bears to the total population of all the States, by

(2) the percentage which the revenue effort ratio of such State for such fiscal year is of the national revenue effort ratio for such fiscal year.

(c) The Secretary shall allot and pay during each fiscal year to each State whose residents have a per capita annual income below the average per capita annual income of residents of all the States an amount which bears the same ratio to 20 percent of the amount appropriated to the Fund for such fiscal year as the weighted population of such State bears to the weighted population of all such States.

(d) For purposes of this section—

(1) The population of any State shall be determined by the Secretary on the basis of the most recent data available from the Department of Commerce, except that the same period of time shall be used in determining the population of each State.

(2) The revenue effort ratio of any State for any fiscal year is the ratio which the total revenues derived by such State from its own resources (including revenues derived by political subdivisions of such State) during the calendar year preceding the beginning of such fiscal year bears to the total adjusted gross income of individuals residing in such State for their taxable years ending with or within such calendar year as reported on returns of the tax imposed by chapter 1 of the Internal Revenue Code of 1954. If the necessary data for such calendar year for such State is not available, the Secretary may determine the revenue effort ratio for such State on the basis of the latest calendar year for which the necessary data is available.

(3) The national revenue effort ratio for any fiscal year is the ratio which the sum of the revenues derived by all States from their own resources during the calendar year preceding the beginning of such fiscal year (as determined under paragraph (2)) bears to the total adjusted gross income of individuals residing in all the States for their taxable years ending with or within such calendar year (as determined under paragraph (2)).

(4) The weighted population of any State is the population of such State (as determined under paragraph (1)) multiplied by a fraction the numerator of which is the per capita annual income of individuals residing in all the States and the denominator of which is the per capita annual income of individuals residing in such State. For purposes of the preceding sentence, the per capita annual income of individuals residing in any State shall be determined by the Secretary on the basis of the most recent data available from the various departments and agencies of the Government, except that the same period of time shall be used in determining the per capita annual income of individuals residing in each State.

USE OF FUNDS BY STATES

SEC. 5. Each State may use the funds received by it under section 4 for such purposes as it deems advisable.

AUDIT REPORTS BY STATES

SEC. 6. (a) Each State shall at least 30 days before the beginning of each fiscal year, report to the Secretary its plans for the use of the funds which it expects to receive under section 4 during such fiscal year. The Secretary shall have no power either to approve or to disapprove the plans of any State.

(b) Each State shall, on or before such date after the close of each fiscal year as may be prescribed by the Secretary, report to the Secretary on the expenditures of the funds received by it under section 4 during such fiscal year.

(c) The reports required under subsections (a) and (b) shall be submitted by the Governor of each State or by such State officer as he may designate. Such reports shall be in such form and in such detail as the Secretary may prescribe.

REPORTS TO CONGRESS

SEC. 7. The Secretary shall, within sixty days after the close of each fiscal year, report to the Senate and the House of Representatives the payments made by him to the States under section 4 during such fiscal year. Each such report shall include a summary of the reports received by him under section 6(a) from the States of their plans for the use of the funds so paid. The Secretary shall also, as soon as practicable after the close of each fiscal year, submit to the Senate and the House of Representatives a summary of the reports received by him under section 6(b) from the States on their use of the funds received by them under section 4 during such fiscal year.

JOINT COMMITTEE ON TAX SHARING

SEC. 8. (a) Effective January 3, 1969, there is established a joint congressional committee to be known as the "Joint Committee on Tax Sharing" (hereinafter referred to as the "joint committee"), to be composed of eight Members of the Senate to be appointed by the President of the Senate and eight Members of the House of Representatives to be appointed by the Speaker of the House. The members of the joint committee appointed from each House shall include four members of the majority party and four members of the minority party.

(b) It shall be the duty and function of the joint committee to conduct a continuous study and review of the operation of this Act and its effect in assisting the States to meet their needs for increased revenues.

(c) A vacancy in the membership of the joint committee shall not affect the powers of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as the original appointment was made. The joint committee shall select a chairman and a vice chairman from among its members.

(d) The joint committee shall from time to time report to the Senate and the House of Representatives the results of its studies and reviews, together with its recommendations, including recommendations for such legislation as it may deem desirable. The first such report shall be made as soon as practicable after June 30, 1970.

(e) In carrying out its duties, the joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such places and times, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems necessary. Subpenas may be issued over the signature of the chairman of the joint committee, or by any member designated by him or by the joint committee, and may be served by such person or persons as may be designated by such chairman or member. The chairman of the joint committee or any member thereof may administer oaths to witnesses. Members of the joint committee, and its employees and consultants, while traveling on official business for the joint committee, may receive either the per diem allowance authorized to be paid to Members of Congress or its employees, or their actual and necessary expenses provided an itemized statement of such expenses is attached to the voucher.

(f) The joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and staff employees as it deems necessary and advisable. The joint committee is authorized to utilize the services, information, facilities, and personnel of the departments and establishments of the Government.

(g) The expenses of the joint committee shall be paid from the contingent fund of the Senate from funds appropriated for the joint committee, upon vouchers signed by the chairman of the joint committee or by any member of the joint committee duly authorized by the chairman.

The table presented by Mr. HOLLINGS is as follows:

Estimated distribution, by State, of $1,663,000,000 under the Federal Tax Sharing Act of 1967

State (1)	State and local revenues from own sources, fiscal year 1965 (millions) (2)	Adjusted gross income, calendar year 1964 (millions) (3)	Revenue effort ratio (col. 2÷ col. 3) (4)	Relative State effort ratio (col. 4÷ 16.0) (5)	Total resident population July 1, 1965 (thousands) (6)	State population as a percent of total population (7)	Allotment of 80 percent of fund [1] ($1,331,-000,000) (thousands) (8)	Per capita personal income, calendar year 1965 (9)	Per capita income deficiency factor ($2.746÷ col. 9) (10)	Weighted population of income deficient States (col. 6× col. 10) (thousands) (11)	State percentage of weighted population total (12)	Allotment of 20 percent of fund ($332,-000,000× col. 12) (thousands) (13)	Total allotment (col. 8+ col. 13) (thousands) (14)
1. Alabama	$768.3	$4,668.9	16.5	103.1	3,486	1.80	$24,459	$1,910	1.4377	5,012	4.87	$16,168	$40,627
2. Alaska	101.6	514.4	19.8	123.8	267	.14	2,283	3,187					2,283
3. Arizona	538.8	2,779.3	19.4	121.3	1,575	.81	12,949	2,370	1.1586	1,825	1.77	5,876	18,825
4. Arkansas	393.3	2,305.2	17.1	106.9	1,941	1.00	14,089	1,845	1.4883	2,889	2.81	9,329	23,418
5. California	8,439.8	45,599.3	18.5	115.6	18,403	9.50	144,741	3,258					144,741
6. Colorado	728.8	3,952.2	18.4	115.0	1,949	1.01	15,308	2,710	1,0133	1,975	1.92	6,374	21,682
7. Connecticut	966.5	7,486.9	12.9	80.6	2,830	1.46	15,510	3,401					15,510
8. Delaware	201.4	1,312.4	15.3	95.6	503	.26	3,277	3,392					3,277
9. District of Columbia	270.0	1,936.7	13.9	86.9	802	.41	4,696	3,708					4,696
10. Florida	1,766.0	10,012.1	17.6	110.0	5,796	2.99	43,349	2,423	1.1333	6,569	6.38	21,182	64,531
11. Georgia	1,086.5	6,759.8	16.1	100.6	4,391	2.27	30,099	2,159	1.2719	5,585	5.43	18,028	48,127
12. Hawaii	268.0	1,473.1	18.2	113.8	710	.37	5,550	2,879					5,550
13. Idaho	214.5	1,101.8	19.5	121.9	693	.36	5,784	2,395	1.1466	795	.77	2,556	8,340
14. Illinois	3,332.9	26,235.7	12.7	79.4	10,641	5.49	57,452	3,280					57,452
15. Indiana	1,554.5	9,908.1	15.7	98.1	4,893	2.52	32,582	2,846					32,582
16. Iowa	929.1	5,078.7	18.3	114.4	2,758	1.42	21,410	2,676	1.0262	2,830	2.75	9,130	30,540

See footnote at end of table.

Estimated distribution, by State, of $1,663,000,000 under the Federal Tax Sharing Act of 1967—Continued

State (1)	State and local revenues from own sources, fiscal year 1965 (millions) (2)	Adjusted gross income, calendar year 1964 (millions) (3)	Revenue effort ratio (col. 2÷ col. 3) (4)	Relative State effort ratio (col. 4÷ 16.0) (5)	Total resident population July 1, 1965 (thousands) (6)	State population as a percent of total population (7)	Allotment of 80 percent of fund [1] ($1,331,000,000) (thousands) (8)	Per capita personal income, calendar year 1965 (9)	Per capita income deficiency factor ($2.746÷ col. 9) (10)	Weighted population of income deficient States (col. 6× col. 10) (thousands) (11)	State percentage of weighted population total (12)	Allotment of 20 percent of fund ($332,000,000× col. 12) (thousands) (13)	Total allotment (col. 8+ col. 13) (thousands) (14)
17. Kansas	$749.8	$4,106.4	18.3	114.4	2,248	1.16	$17,490	$2,639	1.0405	2,339	2.27	$7,536	$25,026
18. Kentucky	705.7	4,507.6	15.7	98.1	3,173	1.64	21,203	2,045	1.3428	4,261	4.14	13,745	34,948
19. Louisiana	1,053.2	4,921.3	21.4	133.8	3,560	1.84	32,447	2,067	1.3285	4,729	4.60	15,272	47,719
20. Maine	270.7	1,710.4	15.8	98.8	986	.50	6,511	2,277	1.2060	1,189	1.16	3,851	10,362
21. Maryland	1,111.7	8,906.3	12.5	78.1	3,534	1.82	18,734	3,001	----------	----------	----------	----------	18,734
22. Massachusetts	1,844.9	12,542.5	14.7	91.9	5,361	2.77	33,551	3,050	----------	----------	----------	----------	33,551
23. Michigan	2,944.1	18,921.6	15.6	97.5	8,317	4.29	55,130	3,010	----------	----------	----------	----------	55,130
24. Minnesota	1,326.9	6,805.2	19.5	121.9	3,562	1.84	29,560	2,666	1.0300	3,669	3.57	11,852	41,412
25. Mississippi	514.6	2,260.7	22.8	142.5	2,309	1.19	22,350	1,608	1.7077	3,943	3.83	12,716	35,066
26. Missouri	1,220.8	8,659.7	14.1	88.1	4,492	2.32	26,938	2,663	1.0312	4,632	4.50	14,940	41,878
27. Montana	237.9	1,165.0	20.4	127.5	703	.36	6,050	2,438	1.1263	792	.77	2,556	8,606
28. Nebraska	418.8	2,661.6	15.7	98.1	1,459	.75	9,697	2,629	1.0445	1,524	1.48	4,914	14,611
29. Nevada	182.6	1,095.3	16.7	104.4	434	.22	3,027	3,311	----------	----------	----------	----------	3,027
30. New Hampshire	181.4	1,337.5	13.6	85.0	673	.35	3,921	2,547	1.0781	726	.71	2,357	6,278
31. New Jersey	2,163.6	16,728.5	12.9	80.6	6,781	3.50	37,181	3,237	----------	----------	----------	----------	37,181
32. New Mexico	359.6	1,548.2	23.2	145.0	1,014	.52	9,937	2,193	1.2522	1,270	1.23	4,084	14,021
33. New York	7,951.4	46,327.5	17.2	107.5	18,106	9.35	132,475	3,278	----------	----------	----------	----------	132,475
34. North Carolina	1,145.9	7,055.7	16.2	101.3	4,935	2.55	34,046	2,041	1.3454	6,640	6.45	21,414	55,460
35. North Dakota	242.4	984.7	24.6	153.8	652	.34	6,891	2,279	1.2049	786	.76	2,523	9,414
36. Ohio	2,892.1	22,098.9	13.1	81.9	10,241	5.28	56,995	2,829	----------	----------	----------	----------	56,995
37. Oklahoma	705.9	4,037.9	17.5	109.4	2,448	1.26	18,167	2,289	1.1997	2,937	2.85	9,462	27,629
38. Oregon	686.7	4,126.7	16.6	103.8	1,938	1.00	13,681	2,761	----------	----------	----------	----------	13,681
39. Pennsylvania	3,381.8	24,559.5	13.8	86.3	11,583	5.98	68,018	2,747	----------	----------	----------	----------	68,018
40. Rhode Island	263.7	1,899.2	13.9	86.9	891	.46	5,269	2,823	----------	----------	----------	----------	5,269
41. South Carolina	518.5	3,240.7	16.0	100.0	2,550	1.32	17,397	1,846	1.4875	3,793	3.69	12,251	29,648
42. South Dakota	214.3	966.9	22.2	138.8	686	.35	6,404	2,213	1.2408	851	.83	2,756	9,160
43. Tennessee	856.5	5,661.8	15.1	94.4	3,850	1.99	24,759	2,013	1.3641	5,252	5.10	16,932	41,691
44. Texas	2,889.8	17,435.3	16.6	103.8	10,591	5.47	74,835	2,338	1.1745	12,439	12.09	40,139	114,974
45. Utah	307.4	887.0	16.3	101.9	994	.51	6,849	2,355	1.1660	1,159	1.13	3,752	10,601
46. Vermont	128.5	692.4	18.6	116.3	404	.20	3,066	2,312	1.1877	479	.47	1,560	4,626
47. Virginia	1,059.4	7,763.7	13.6	85.0	4,420	2.28	25,542	2,419	1.1352	5,018	4.88	16,202	41,744
48. Washington	1,152.8	6,462.2	17.8	111.3	2,973	1.53	22,443	2,906	----------	----------	----------	----------	22,443
49. West Virginia	427.5	2,774.8	15.4	96.3	1,815	.94	11,930	2,027	1.3547	2,459	2.39	7,935	19,865
50. Wisconsin	1,510.2	8,309.2	18.2	113.8	4,140	2.14	32,097	2,724	1.0081	4,174	4.06	13,479	45,576
51. Wyoming	131.0	639.9	20.5	128.1	330	.17	2,871	2,558	1.0735	354	.34	1,129	4,000
Total	63,312.3	395,926.6	[2] 16.0	100.0	193,795	100.00	1,331,000	[2] 2,746	----------	102,895	100.00	332,000	1,663,000

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[1] A number of steps were involved in arriving at this distribution which are not shown in the table. First, we multiplied col. 7 by $1,331,000,000 by col. 5. By multiplying these various factors, it was impossible to arrive at a total distribution which coincided with the ($1,331,000,000 available for allotment. In this case, the total unadjusted State distribution amounted to $1,344,142,000, or $13,142,000 more than the $1,331,000,000 available for allocation. This $13,142,000 represented nearly 1 percent, or 0.97772 percent, of the $1,344,142,000 derived. We then multiplied this factor (9.97772 percent) by each State's unadjusted allotment and subtracted the result from the individual State allotments and arrived at the State distribution given in col. 8.

[2] Average.

Sources: U.S. Department of Commerce. Bureau of the Census, Governmental Finances in 1964-65, GF No. 6, Washington, U.S. Government Printing Office, 1966, pp. 31-33; Population Estimates, series P-25, No. 350, Oct. 5, 1966, p. 2. U.S. Department of Commerce, Office of Business Economics, Survey of Current Business, August 1966, p. 13. U.S. Treasury Department, Internal Revenue Service, Statistics of Income, 1964, Individual Income Tax Returns, preliminary report, Washington, U.S. Government Printing Office, 1966, p. 30.

AMENDMENT OF CLEAN AIR ACT

Mr. MUSKIE. Mr. President, on behalf of myself and Senators RANDOLPH, MOSS, MORSE, and YARBOROUGH, I introduce, for appropriate reference, legislation to implement the proposals made on air pollution yesterday in the Presidential message entitled "Protecting Our Natural Heritage." I ask unanimous consent that this bill remain at the desk for 3 additional days in order that other Members of the Senate may join as cosponsors.

This legislation is broad in scope and constitutes a major commitment to abate and preserve the quality of our air environment. The Subcommittee on Air and Water Pollution will give the legislation early and comprehensive scrutiny. Extensive hearings will be held on this matter beginning February 8 when the subcommittee will hear Secretary of Health, Education, and Welfare John W. Gardner and the President's science adviser, Mr. Donald F. Hornig. At that time the subcommittee will also hear representatives of the Environmental Science Service Administration and the National Center for Air Pollution in order to obtain technical information regarding the relationship of weather and air pollution.

Public hearings to hear all those from the public and private sector will be announced at an early date.

Mr. President, I ask unanimous consent that the text of this proposed legislation be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Maine.

The bill (S. 780) to amend the Clean Air Act to improve and expand the authority to conduct or assist research relating to air pollutants, to assist in the establishment of regional air quality commissions, to authorize establishment of standards applicable to emissions from establishments engaged in certain types of industry, to assist in establishment and maintenance of State programs for annual inspections of automobile emission control devices, and for other purposes, introduced by Mr. MUSKIE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 780

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Air Quality Act of 1967".

RESEARCH RELATING TO FUELS AND VEHICLES

SEC. 2. (a) So much of subsection (a) of section 103 of the Clean Air Act (42 U.S.C. 1857b(a)) as follows paragraph (3) is amended to read as follows:

"(4) conduct and accelerate research programs directed toward development of improved, low-cost techniques for control of combustion by-products of fuels, for removal of potential pollutants from fuels, and for control of emissions from evaporation of fuels;

"(5) provide for Federal payments to public or private agencies, institutions, or persons of part or all of the cost of acquiring, constructing, or otherwise securing devices, methods, or other means of preventing or controlling discharges into the air of various types of pollutants."

(b) Section 102(b) of such Act is amended to read as follows:

"(b) The Secretary shall cooperate with and encourage cooperative activities by all Federal departments and agencies having functions relating to the prevention and control of air pollution, and shall, to the maximum extent practicable, utilize the services, facilities, and resources of other Federal agencies in carrying out his responsibilities under this Act."

REGISTRATION OF FUEL ADDITIVES

SEC. 3. Section 103 of the Clean Air Act is further amended by adding at the end thereof the following new subsection:

"(f) (1) The Secretary may by regulation designate any fuel or fuels, or any classes or uses thereof, and, after such date or dates as may be prescribed by him, no manufacturer or processor of any fuel may deliver any such fuel for introduction into interstate commerce or to another person who, it can reasonably be expected, will deliver such fuel for such introduction unless any additive contained in such fuel has been registered with the Secretary.

"(2) Upon filing of an application, containing or accompanied by such information as to the characteristics and composition of any additive for any fuel as the Secretary finds necessary, and including assurances that such additional information as the Secretary may reasonably require will upon request be provided, the Secretary shall register such additive.

"(3) The Secretary shall make such provision, with respect to any additive, or any class or use thereof, or any information furnished in connection therewith, as in his judgment is necessary to protect any trade secret or is necessary in the interest of national security.

"(4) Any person who violates paragraph (1) shall forfeit and pay to the United States a civil penalty of $1,000 for each and every day of the continuance of such violation, which shall accrue to the United States and be recovered in a civil suit in the name of the United States, brought in the district where such person has his principal office or in any district in which he does business. The Secretary may, upon application therefor, remit or mitigate any forfeiture provided for in this subsection, and he shall have authority to determine the facts upon all such applications.

"(5) It shall be the duty of the various United States Attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of such forfeitures."

STATE MOTOR VEHICLE POLLUTION CONTROL INSPECTION PROGRAMS

SEC. 4. Title II of the Clean Air Act (42 U.S.C. 1857, et seq.) is amended by redesignating section 208 as section 209 and by inserting after section 207 the following new section:

"ASSISTANCE FOR STATE INSPECTION PROGRAMS

"SEC. 208. (a) The Secretary of Transportation is authorized to impose, as a condition to approval under 23 U.S.C. section 402 of the highway safety program of any State, a requirement that such program include, as part of vehicle inspection thereunder, procedures to assure the adequacy of performance of systems or devices in motor vehicles for control of emissions from them.

"(b) In establishing standards to be applicable in carrying out subsection (a), the Secretary of Transportation shall be subject to pollution emission standards established by the Secretary of Health, Education, and Welfare with respect to model years after 1967 and such earlier model years as the Secretary of Health, Education, and Welfare may prescribe; shall require that State vehicle inspection agencies consult from time to time with the air pollution control agencies in the States as to the administration of their respective inspection programs; and shall require that such State vehicle inspection agencies make such reports in such form and containing such information as he, after consultation with the Secretary of Health, Education, and Welfare, may from time to time reasonably require."

INDUSTRIAL EMISSION STANDARDS

SEC. 5. Title I of the Clean Air Act is further amended by redesignating section 107 (42 U.S.C. 1857f) as section 109 and by inserting after section 106 the following new section:

"EMISSION STANDARDS FOR CERTAIN INDUSTRIES

"SEC. 107. (a) The Secretary shall from time to time by regulation, giving appropriate consideration to technological and economic feasibility, establish emission standards for all or designated emissions which (1) are from designated industries which, because of their nature, are sources of substantial amounts of pollutants and (2) can, with reasonable efforts and expenditures, be prevented or substantially reduced. Such standards may be established only after reasonable notice and opportunity for interested parties to present their views. Any regulations hereunder, and amendments thereof, shall become effective on a date specified therein, which date shall be determined by the Secretary after consideration of the period reasonably necessary for industry compliance. The Secretary may exempt any industry or establishment, or any class thereof, from this section upon such terms and conditions as he may find necessary to protect the public health or welfare, for the purpose of research, investigations, studies, demonstrations, or training, or for reasons of national security.

"(b) (1) If the governor of a State or a State air pollution control agency files, prior to the effective date of standards under subsection (a), a certification that it has adopted, or a letter of intent that such State will before the close of the sixth calendar month which begins after such effective date adopt, (A) emission standards applicable in the State to the emissions and industries specified by the Secretary, which standards he determines are substantially equivalent to or more stringent than the standards prescribed by the Secretary pursuant to subsection (a), and (B) a plan for the enforcement of the standards so adopted, and if such standards and plan are established in accordance with the letter of intent, the standards prescribed pursuant to subsection (a) shall thereafter not be applicable to such emissions and industries in such State.

"(2) If, at any time after standards prescribed under subsection (a) become applicable in a State, a State adopts standards and a plan for enforcement which meet the requirements of paragraph (1) of this subsection, such standards shall become applicable, instead of standards prescribed under subsection (a), in such State until the Secretary again makes the determination referred to in paragraph (3) with respect to such State.

"(3) (A) If a State does not file a letter of intent as provided in paragraph (1) or does not, within six months after the effective date of the standards with respect to which it was filed, establish standards in accordance with such letter which meet the requirements of clause (A) of paragraph (1), or if, on the basis of evidence furnished to him or secured by him, the Secretary determines either that the standards so established have been changed so that they no longer meet the requirements of such clause (A) or that there is a substantial failure to enforce them adequately, the standards prescribed pursuant to subsection (a) shall apply within such State to any factory, warehouse, office, or other business or service establishment in such industry which introduces or delivers for introduction into or receives in interstate commerce any materials.

"(B) If the Secretary, after reasonable notice and opportunity for a hearing, determines that any such establishment is violating such standards, he shall issue an order requiring the establishment to cease and desist from continued violation of such standards within such time as may be specified in the order, but in no event less than sixty days from the date of receipt of such notice.

"(4) (A) Any person required by an order of the Secretary to cease and desist from violation of any such standards may obtain judicial review of such order by filing a petition for review, within sixty days after service of such order, in the United States court of appeals either for the circuit in which such person resides or has his principal place of business or for any circuit in which the violation is found to have occurred, or in the United States Court of Appeals for the District of Columbia circuit. A copy of the petition shall forthwith be transmitted by the clerk of the court to the Secretary or to any officer designated by him for that purpose and to the Attorney General, and thereupon the Secretary shall certify and file in the court through the Attorney General the record of the proceedings upon which the order is based, as provided in section 2112 of title 28, United States Code.

"(B) Upon the filing of such petition, such court shall have jurisdiction of the proceeding (which jurisdiction shall upon the filing of the record be exclusive) and shall have power to affirm the order of the Secretary, or to set it aside in whole or in part, temporarily or permanently, and to enforce such order to the extent that it is affirmed, and to issue such orders pendente lite as in its judgment are necessary to prevent injury to the public. The commencement of proceedings under this paragraph shall not, unless specifically ordered by the court, operate as a stay of the Secretary's order.

"(C) No objection to the order of the Secretary shall be considered by the court unless such objection was urged before the Secretary or unless there were reasonable grounds for failure so to do. The findings of the Secretary as to the facts, if supported by substantial evidence on the record considered as a whole, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary for the taking of additional evidence in such manner and upon such terms and conditions as the court may deem proper, in which event the Secretary may make new or modified findings and shall file such findings (which, if supported by substantial evidence on the record considered as a whole, shall be conclusive) and his recommendation, if any, for the modification or setting aside of his original order, with the return of such additional evidence.

"(D) The judgment of the court affirming or setting aside, in whole or in part, any order under this subsection shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"(E) (i) Any person who fails to file with the Secretary, in conformity with regulations issued under this subsection, any report, or who violates a cease and desist order of the Secretary after it has become final and while such order is in effect, shall forfeit and pay to the United States a civil penalty of $1,000 for each violation, which shall accrue to the United States and may be recovered in a civil suit in the name of the United States brought in the district where such person has his principal office or in any district in which he does business. Each separate violation of such an order or failure to file such a report shall be a separate offense, except that in the case of a violation through continuing failure to obey a final order of the Secretary each day of continuance of such failure shall be deemed a separate offense. The Secretary may, upon application therefor, remit or mitigate any forfeiture provided for in this subparagraph, and he shall have authority to determine the facts upon all such applications.

"(ii) It shall be the duty of the various United States Attorneys, under the direction of the Attorney General of the United States, to persecute for the recovery of such forfeitures.

"(F) (i) For the purposes of this subsection, the Secretary shall have the power to require by subpoena the attendance and testimony of witnesses, and the production of all books, papers, and documents relating to any matter which is the subject of a hearing authorized by this section. Witnesses summoned by the Secretary shall be paid the same fees and mileage that are paid witnesses in courts of the United States.

"(ii) The attendance of witnesses, and the production of books, papers, and documents, may be required from any place in the United States at any designated place of hearing. In case of disobedience to a subpoena, the Secretary or any party to a proceeding before the Secretary may invoke the aid of any court of the United States in requiring attendance and testimony of witnesses and the production of such books, papers, and documents under the provisions of this section.

"(iii) Any court of the United States within the jurisdiction of which an inquiry under this subsection is carried on may, in case of contumacy or refusal to obey a subpoena issued to any person, issue an order requiring such person to appear before the Secretary (and produce books, papers, or documents if so ordered) and give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"(G) For purposes of enforcement of this section, officers or employees duly designated by the Secretary, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, are authorized (i) to enter, at reasonable times, any factory, warehouse, office, or other business or service establishment with respect to which there is reasonable ground to believe that it is causing, permitting, or otherwise responsible for discharges into air within the purview of this subsection, or that it is engaging in any act or practice which threatens a discharge in violation of any regulation under this section, and (ii) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, office, or other establishment and all pertinent equipment, finished and unfinished materials, containers, and labeling therein, and all other things therein (including records, files, papers, and processes, controls, and facilities) bearing on such discharges or on such act or practice. A separate notice shall be given for each such inspection, but a notice shall not be required for each entry made during the period covered by the inspection. Each such inspection shall be commenced and completed with reasonable promptness.

"(H) The Secretary may upon request review and approve (subject to such conditions as the Secretary deems appropriate) facilities or devices, or designs therefor, for preventing discharges into the air in violation of this subsection."

REGIONAL AIR QUALITY COMMISSIONS

SEC. 6. Title I of the Clean Air Act is further amended by adding after section 107 (added by section 5 of this Act) the following new section:

"REGIONAL AIR QUALITY COMMISSIONS

"SEC. 108. (a) (1) Whenever so requested by the Governors of two or more contiguous States who allege that existing or threatened pollution of the air in any State or States is endangering, or is likely to endanger, the health or welfare of persons in one or more other States, the Secretary may, if he determines (A) that there does not exist an adequate air pollution control program or programs to control, abate, and prevent such pollution, and (B) that action under this section is necessary to protect the health or welfare of persons in the area, establish, after consultation with the States affected, an air quality region which shall encompass the area or areas involved in each of such States and any other areas which in his judgment have such characteristics as to warrant treatment as a unit for air pollution control purposes.

"(2) The Secretary may, after consultation with State officials of all affected States, also establish such an area whenever on the basis of reports, surveys, or studies he has reason to believe that such action is necessary to protect the health or welfare of persons therein.

"(b) Upon establishment of such an area the Secretary shall appoint a Regional Air Quality Commission consisting of an officer or employee of the Department of Health, Education, and Welfare, who shall serve as chairman, and, if the Secretary determines it to be appropriate, of another officer or employee of the Department or, with the consent of the head thereof, of any other Federal department or agency, and of two residents of each of the States any part of which is included in the air quality region. The appointments from each State shall be made only after consultation with the Governor of the State. A vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made. A majority of the members of a Commission shall constitute a quorum for the transaction of business. Appointees from any State shall serve, and the Commission shall exist, for such time as may be determined by the Secretary to be necessary or appropriate for purposes of this Act.

"(c) (1) The Secretary shall, within available funds, provide such staff for such Commission as may be necessary to enable it to carry out its functions effectively, and shall pay the other expenses of the Commission.

"(2) The Secretary may also accept for use by such Commission funds, property, or services contributed by the States involved or political subdivisions thereof.

"(d) Each appointee from a State, other than an official or employee thereof or of any political subdivision thereof, shall, while engaged in work of the Commission, receive compensation at a rate fixed by the Secretary, but not in excess of $100 per diem, including travel time, and, while away from his home or regular place of business he may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. § 3109) for persons in the Government service employed intermittently.

"(e) A Commission appointed under this section shall, as soon as practicable, after reasonable notice and opportunity for interested parties to present their views, establish air quality standards for its air quality region, taking into consideration the various relevant aspects thereof, such as the concentration of industry, other commercial establishments, and population and the technological and economic feasibility of achieving such quality, as well as standards for pollutant emissions in order to achieve or preserve such air quality. Such air quality standards and emission standards shall be no less stringent than such standards precribed or recommended by the Secretary under other sections of this Act and such standards of the Commission shall apply in its air quality region in lieu of State or Federal standards insofar as they are inconsistent wtih such standards of the Commission. The Secretary may, after reasonable notice and opportunity for interested parties to present their views, modify the standards of a Commission, and may exempt any industry or establishment, or any class thereof, from standards of a Commission upon such terms and conditions as he may determine, to the extent he finds such action necessary to protect the public health or welfare, for the purpose of research, investigations, studies, demonstrations, or training, or for reasons of national security.

"(f) Any such Commission shall prepare a system of alerts to avert situations in which there may be imminent and serious danger to the public health or welfare from air pollutants. The Commission shall notify the Governors of the States involved of any such situation or potential situation and of recommended actions by the States, political subdivisions thereof, and businesses and residents therein.

"(g) (1) If the Secretary, after reasonable notice and opportunity for a hearing, determines that any person in an air quality region is violating standards of the Regional Air Quality Commission for such region, he shall, subject to such limitations as the Secretary may prescribe, issue an order requiring such person to cease and desist from continued violation of such standards within such time as may be specified in the order, but in no event less than 60 days from the date of receipt of such notice.

"(2) Any person required by such an order of the Secretary to cease and desist from violation of any such standards may obtain judicial review of such order by filing a petition for review, within 60 days after service of such order, in the United States court of appeals either for the circuit in which such person resides or has his principal place of business or for any circuit in which the violation is found to have occurred, or in the United States Court of Appeals for the District of Columbia circuit. A copy of the petition shall forthwith be transmitted by the clerk of the court to the Secretary or to any officer designated by him for that purpose and to the Attorney General, and thereupon the Secretary shall certify and file in the court through the Attorney General the record of the proceedings upon which the order is based, as provided in section 2112 of title 28, United States Code.

"(B) Upon the filing of such petition, such court shall have jurisdiction of the proceeding (which jurisdiction shall upon the filing of the record be exclusive) and shall have power to affirm the order of the Secretary, or to set it aside in whole or in part, temporarily or permanently, and to enforce such order to the extent that it is affirmed, and to issue such orders pendente lite as in its judgment are necessary to prevent injury to the public. The commencement of proceedings under this paragraph shall not, unless specifically ordered by the court, operate as a stay of the Secretary's order.

"(C) No objection to the order of the Secretary shall be considered by the court unless such objection was urged before the Secretary or unless there were reasonable grounds for failure so to do. The findings of the Secretary as to the facts, if supported by substantial evidence on the record considered as a whole, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary for the taking of additional evidence in such manner and upon such terms and conditions as the court may deem proper, in which event the Secretary may make new or modified findings and shall file such findings (which, if supported by substantial evidence on the record considered as a whole, shall be conclusive) and his recommendation, if any, for the modification or setting aside of his original order, with the return of such additional evidence.

"(D) The judgment of the court affirming or setting aside, in whole or in part, any order under this subsection shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"(E) (i) Any person who violates a cease and desist order after it has become final and while such order is in effect, shall forfeit and pay to the United States a civil penalty of $1,000 for each violation, which shall accrue to the United States and may be recovered in a civil suit in the name of the United States brought in the district where such person has his principal office or in any district in which he does business. Each separate violation of such an order shall be a separate offense, except that in the case of a violation through continuing failure to obey a final order of the Secretary each day of continuance of such failure shall be deemed a separate offense. The Secretary may, upon application therefor, remit or mitigate any forfeiture provided for in this subparagraph, and it shall have authority to determine the facts upon all such applications.

"(ii) It shall be the duty of the various United States Attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of such forfeitures.

"(F)(i) For the purposes of this subsection, the Secretary shall have the power to require by subpoena the attendance and testimony of witnesses, and the production of all books, papers, and documents relating to any matter which is the subject of a hearing authorized by this section. Witnesses summoned by the Secretary shall be paid the same fees and mileage that are paid witnesses in courts of the United States.

"(ii) The attendance of witnesses, and the production of books, papers, and documents, may be required from any place in the United States at any designated place of hearing. In case of disobedience to a subpoena, the Secretary or any party to a proceeding before the Secretary may invoke the aid of any court of the United States in requiring attendance and testimony of witnesses and the production of such books, papers, and documents under the provisions of this section.

"(iii) Any court of the United States within the jurisdiction of which an inquiry under this subsection is carred on may, in case of contumacy or refusal to obey a subpoena issued to any person, issue an order requiring such person to appear before the Secretary (and produce books, papers, or documents if so ordered) and give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"(G) For purposes of enforcement of this section, officers or employees duly designated by the Secretary, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, are authorized (i) to enter, at reasonable times, any factory, warehouse, office, or other business or service establishment with respect to which there is reasonable ground to believe that it is causing, permitting, or otherwise responsible for discharges into air within the purview of this subsection, or that it is engaging in any act or practice which threatens a discharge in violation of any regulation under this section, and (ii) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, office, or other establishment, and all pertinent equipment, finished and unfinished materials, containers, and labeling therein, and all other things therein (including records, files, papers, and processes, controls, and facilities) bearing on such discharges or on such act or practice. A separate notice shall be given for each such inspection, but a notice shall not be required for each entry made during the period covered by the inspection. Each such inspection shall be commenced and completed with reasonable promptness.

"(h) Nothing in this section shall be construed as superseding or limiting the authority and responsibility of the Secretary under any other provisions of this or any other law."

APPROPRIATIONS

Sec. 7. Section 306 of the Clean Air Act is amended by inserting, ", other than section 103(d)," after "this Act". Such section is further amended by striking out "$66,000,000 for the fiscal year ending June 30, 1968, and $74,000,000 for the fiscal year ending June 30, 1969" and inserting in lieu thereof "$84,000,000 for the fiscal year ending June 30, 1968, and such sums as may be necessary for the next 4 fiscal years."

AUTHORIZATION OF APPROPRIATIONS TO NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. ANDERSON. Mr. President, on behalf of myself, and the senior Senator from Maine [Mrs. Smith], by request, I introduce for appropriate reference a bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes. I ask unanimous consent that the bill be printed in the Record together with a letter from the Administrator, National Aeronautics and Space Administration, requesting the proposed legislation and a sectional analysis of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, letter, and analysis will be printed in the Record.

The bill (S. 781) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, introduced by Mr. Anderson (for himself and Mrs. Smith), by request, was received, read twice by its title, referred to the Committee on Aeronautical and Space Sciences, and ordered to be printed in the Record, as follows:

S. 781

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration the sum of $5,050,000,000, as follows:

(a) For "Research and development," for the following programs:

(1) Apollo, $2,546,500,000;

(2) Apollo applications, $454,700,000;

(3) Advanced missions, $8,000,000;

(4) Physics and Astronomy, $147,500,000;

(5) Lunar and planetary exploration, $142,000,000;

(6) Voyager, $71,500,000;

(7) Bioscience, $44,300,000;

(8) Space applications, $104,200,000;

(9) Launch vehicle procurement, $165,100,000;

(10) Space vehicle systems, $37,000,000;

(11) Electronics systems, $40,200,000;

(12) Human factor systems, $21,000,000;

(13) Basic research, $23,500,000;

(14) Space power and electric propulsion systems, $45,000,000;

(15) Nuclear rockets, $46,500,000;

(16) Chemical propulsion, $38,000,000;

(17) Aeronautics, $66,800,000;

(18) Tracking and data acquisition, $297,700,000;

(19) Sustaining university program, $20,000,000;

(20) Technology utilization, $5,000,000.

(b) For "Construction of facilities," including land acquisitions, as follows:

(1) Ames Research Center, Moffet Field, California, $5,365,000;

(2) Electronics Research Center, Cambridge, Massachusetts, $6,220,000;

(3) Goddard Space Flight Center, Greenbelt, Maryland, $565,000;

(4) Jet Propulsion Laboratory, Pasadena, California, $3,125,000;

(5) John F. Kennedy Space Center, NASA Kennedy Space Center, Florida, $24,885,000;

(6) Lewis Research Center, Cleveland and Sandusky, Ohio, $2,115,000;

(7) Manned Spacecraft Center, Houston, Texas, $2,425,000;

(8) George C. Marshall Space Flight Center, Huntsville, Alabama, $870,000;

(9) Michoud Assembly Facility, New Orleans and Slidell, Louisiana, $2,010,000;

(10) Wallops Station, Wallops Island, Virginia, $740,000;

(11) Various locations, $2,880,000;

(12) Facility planning and design not otherwise provided for, $3,000,000.

(c) For "Administrative operations," $671,300,000.

(d) Appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including collateral equipment, exceeds $250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

(e) When so specified in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the "Administrative operations" appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed $35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

(g) No part of the funds appropriated pursuant to subsection 1(c) for maintenance, repairs, alterations, and minor construction shall be used for the construction of any new facility the estimated cost of which, including collateral equipment, exceeds $100,000.

Sec. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), and (11) of subsection 1(b) may, in the discretion of the Administrator of the National Aeronautics and Space Administration, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

Sec. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with $10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (12) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

Sec. 4. Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences,

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(c), and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee.

unless (A) a period of thirty days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

Sec. 5. It is the sense of Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

Sec. 6. This Act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1968."

The letter and analysis presented by Mr. Anderson are as follows:

National Aeronautics and
Space Administration,
Washington, D.C., January 24, 1967.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: Herewith submitted is a draft of a bill "To authorize appropriations to the National Aeronautics and Space Administration for reearch and development, construction of facilities, and administrative operations, and for other purposes," together with a sectional analysis. It is submitted to the President of the Senate pursuant to Rule VII of the standing rules of the Senate.

The President is recommending a total program of $5,110,000,000 for the National Aeronautics and Space Administration for fiscal year 1968. Of that total $60 million is already available and will be applied to the fiscal year 1968 "Apollo" program as the result of the carry-over of such an amount from the overall fiscal year 1967 program which was reduced to that extent as part of the anti-inflation effort. It is the purpose of the bill, therefore, to provide the authorization required by law for the appropriation to NASA of the remaining funds recommended by the President. To that end the bill would authorize the appropriation of $5,050,000,000. Appropriations, which would be authorized by the bill, would fall under three appropriation headings as follows: (1) for "Research and development," a total of twenty program line items aggregating the sum of $4,324,500,000; (2) for "Construction of facilities," a total of ten locational line items, together with one for various locations and one for facility planning and design, aggregating the sum of $54,200,000; and (3) for "Administrative operations," $671,300,000. The bill is identical to the National Aeronautics and Space Administration Authorization Act, 1967 (Public Law 89–528, 80 Stat. 336), except for the obviously necessary changes in dollar amounts and the substantive and editorial changes hereinafter discussed.

The "Research and development" program line items in the proposed bill differ in several respects from those enacted as part of the NASA Authorization Act, 1967. First, the Gemini program line item has been eliminated following the successful completion of that program. Second, the Apollo line item has been separated into two line items: the one denominated "Apollo" continues funding for the development of large man-rated launch and space vehicles, the first use for which is in the lunar landing program; the other denominated "Apollo applications" which authorizes appropriations for the program of utilizing "Apollo" program-developed hardware for manned space exploration. Third, the authorization for appropriations for the Voyager program which was previously included within the line item "Lunar and planetary exploration," has now been segregated into a separate line item denominated "Voyager." This action has been undertaken pursuant to a Congressional request expressed in Senate Report 188, 89th Congress, First Session, at page 32. Fourth, the previous line items for "Meteorological satellites" and "Communication and applications technology satellites" have been combined into a single line item denominated "Space applications." This action has been taken in recognition of the fact that distinctions between the two former line items are becoming more arbitrary and artificial as the nature of the effort changes, making it more realistic to combine them into one program with a more appropriate title. And finally, the previous line item for "Launch vehicle development" has been deleted in view of the fact that the Centaur development is scheduled to end in fiscal year 1967 and there are no new stage or vehicle development activities planned for the fiscal year 1968.

The "Construction of facilities" locational line items also differ in three respects from those enacted as part of the fiscal year 1967 Authorization Act. The Ames Research Center and the George C. Marshall Space Flight Center have been reinserted as locational line items in view of the fact that authorization for appropriations is being requested for these locations. Conversely, the locational line item for the Langley Research Center has been omitted since no funds are being requested for that location.

Subsection 1(h) of the National Aeronautics and Space Administration Authorization Act, 1967, relating to the authority to initially use any appropriation to finance work or activities for which funds have been provided in any other appropriation available to the Administration and subsequently to make adjustments between such appropriations, has been omitted from this bill. The enactment of Public Law 89–473 (80 Stat. 221), providing similar authority on a Government-wide basis, has made unnecessary the continued inclusion of a provision such as the subsection 1(h) referred to above.

Section 2, generally permitting a 5% upward variation to meet unusual cost variations in connection with the line items under the "Construction of facilities" appropriation, has undergone some editorial changes intended merely to make it unnecessary to state the total amount authorized in such line items. There is no intention to change the substance of this provision.

Section 6 has been changed to reflect that this act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1968" rather than "1967."

Further than this, two editorial changes of a non-substantive nature have been made at the request of the Chairman of the Committee on Science and Astronautics of the House of Representatives. These two changes involve the deletion of the cumulative total of each of the line items under the "Research and development" and "Construction of facilities" headings in subsections 1(a) and 1(b).

The National Aeronautics and Space Administration recommends that the enclosed draft bill be enacted. The Bureau of the Budget has advised that its enactment would be in accordance with the program of the President.

Sincerely yours,

James E. Webb.

Sectional Analysis of a Bill To Authorize Appropriations to the National Aeronautics and Space Administration for Research and Development, Construction of Facilities, and Administrative Operations, and for Other Purposes

SECTION 1

Subsections (*a*), (*b*), and (*c*) would authorize to be appropriated to the National Aeronautics and Space Administration the sum of $5,050,000,000, as follows: (a) for "Research and development," a total of twenty program line items aggregating the sum of $4,324,500,000; (b) for "Construction of facilities," a total of ten locational line items, together with one for various locations and one for facility planning and design, aggregating the sum of $54,200,000; and, (c) for "Administrative operations," $671,300,000.

Subsection 1(*d*) would authorize the use of appropriations for "Research and development" for: (1) items of a capital nature (other than the acquisition of land) required for the performance of research and development contracts; and (ii) grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities. Title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution. Moreover, each such grant shall be made under such conditions as the Administrator shall find necessary to insure that the United States will receive therefrom benefit adequate to justify the making of that grant.

In either case no funds may be used for the construction of a facility the estimated cost of which, including collateral equipment, exceeds $250,000 unless the Administrator notifies the Speaker of the House, the President of the Senate and the specified committees of the Congress of the nature, location, and estimated cost of such facility.

Subsection 1(e) would provide that, when so specified in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) contracts for maintenance and operation of facilities and support services may be entered into under the "Administrative operations" appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

Subsection 1(f) would authorize the use of not to exceed $35,000 of "Administrative operations" appropriation funds for scientific consultations or extraordinary expenses, including representation and official entertainment expenses, upon the authority of the Administrator, whose determination shall be final and conclusive.

Subsection 1(g) would provide that no funds appropriated pursuant to subsection 1(c) for maintenance, repair, alteration and minor construction may be used to construct any new facility the estimated cost of which, including collateral equipment, exceeds $100,000.

SECTION 2

Section 2 would authorize the 5% upward variation of any of the sums authorized for the "Construction of facilities" line items (other than facility planning and design) when, in the discretion of the Administrator, this is needed to meet unusual cost variations. However, the total cost of all work authorized under these line items may not exceed the total sum authorized for "Construction of facilities" under subsection 1 (b), paragraphs (1) through (11).

SECTION 3

Section 3 would provide that not more than ½% of the funds appropriated for "Research and development" may be transferred to the "Construction of facilities" appropriation and, when so transferred, together with $10,000,000 of the funds appropriated for "Construction of facilities," shall be available for the construction of facilities and land acquisition at any location if (1) the Administrator determines that such action is necessary because of changes in the space program or new scientific or engineering developments, and (2) that deferral of such action until the next authorization Act is enacted would be inconsistent with the interest of the Nation in aeronautical and space activities. However, no such funds may be obligated until 30 days have passed after the Administrator or his designee has transmitted to the Speaker of the House, the President of the Senate and the specified committees of Congress a written report containing a description of the project, its cost, and the reason why such project is necessary in the national interest, or each such committee before the expiration of such 30-day period has notified the Administrator that no objection to the proposed action will be made.

SECTION 4

Section 4 would provide that, notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences;

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by subsections 1(a) and 1(c); and,

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee.

unless (A) a period of 30 days has passed after the receipt by the Speaker of the House, the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SECTION 5

Section 5 would express the sense of the Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

SECTION 6

Section 6 would provide that the Act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1968."

LEGISLATIVE REORGANIZATION ACT OF 1967—AMENDMENTS

AMENDMENT NO. 65

Mr. CANNON submitted amendments, intended to be proposed by him, to the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes, which were ordered to lie on the table and to be printed.

EXTENSION OF TIME FOR FILING REPORT BY SENATE SPECIAL COMMITTEE ON AGING

Mr. LONG of Missouri. Mr. President, I ask unanimous consent that the time for filing the report of the Senate Special Committee on Aging be extended from January 31, 1967, the deadline set by Senate Resolution 189, to March 15, 1967.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILL AND RESOLUTION

Mr. MORTON. Mr. President, on behalf of the junior Senator from Vermont [Mr. PROUTY] I ask unanimous consent that the name of the Senator from Michigan [Mr. HART] be added as a cosponsor at the next printing of Resolution 30, giving legislative authority to the Select Committee on Small Business, which the Senator from Vermont [Mr. PROUTY] submitted on January 17, 1967.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCOTT. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 467) to provide for a study with respect to the utilization of systems analysis and management techniques in dealing with problems relating to unemployment, public welfare, education, and similar problems, the names of the distinguished Senator from Kentucky [Mr. COOPER] and the distinguished Senator from Illinois [Mr. PERCY] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of January 18, 1967, the name of Mr. ALLOTT was added as an additional cosponsor of the bill (S. 459) to designate the comprehensive Missouri River Basin development program as the Pick-Sloan Missouri Basin program, introduced by Mr. MUNDT (for himself and other Senators) on January 18, 1967.

NOTICE OF HEARING—AUTHORIZATION OF FUNDS FOR TRUST TERRITORY OF PACIFIC ISLANDS

Mr. JACKSON. Mr. President, I wish to announce that the Subcommittee on Territories of the Committee on Interior and Insular Affairs will hold a hearing on S. 303, a bill to provide for the continuance of civil government for the Trust Territory of the Pacific Islands, on Thursday, February 2.

Generally speaking, the purpose of the bill is to substantially increase the authorization of funds for the territory to carry out an accelerated capital improvements and public works program.

The hearing is scheduled to begin at 2 p.m., in room 3110, New Senate Office Building.

OIL SHALE HEARING

Mr. JACKSON. Mr. President, for the information of Members of Congress and other interested persons, I announce that the Senate Committee on Interior and Insular Affairs, which has initial legislative responsibility for development of the mineral resources of the public lands of the United States and for mineral production generally, has scheduled a public hearing on oil shale for Tuesday, February 21. Last Friday the Secretary of the Interior, Stewart L. Udall, made public a proposed five-point action program for economic development of the vast deposits of shale oil and associated minerals in the fabulously rich Green River Formation which underlies millions of acres and thousands of square miles in parts of Colorado, Wyoming, and Utah.

It is on this proposed program that the Interior Committee's February 21 hearing will center, but at the same time we will welcome new, additional ideas and suggestions, as well as be glad to receive information and views with respect to development of this truly tremendous potential source of energy within our country that the Nation will need for its security and economic growth during the next few years.

Some idea of the extent of the Green River Formation reserves may be gathered from the statement by the then Under Secretary of the Interior at our committee's informational hearing on oil shale held May 12, 1965, that high-grade oil shale deposits there are computed at 600 billion barrels. Known world recoverable reserve of petroleum from conventional sources are only about 300 billion barrels. Much of these latter sources are beyond our borders, available to us only at the will and by the grace of other nations, and over perilous ocean routes. But more than twice the known conventional reserves of petroleum of the entire world are in the shales of a single area in the heart of our own country. The former Under Secretary, John A. Carver, who is now a member of the Federal Power Commission, described the Green River Formation as "the world's largest known resource of hydrocarbons."

By far the richest and most extensive of these oil shale deposits are in federally owned lands. The problems of developing these publicly owned resources have been greatly complicated by the relatively recent realization that the oil shale is associated with dawsonite, an alumina-producing ore, and other minerals.

The five-point program of the Secretary of the Interior faces up to the difficulties, legal, technical, and political, of the situation. It would permit development in the time-tested, historic American tradition of free, private enterprise with careful controls and oversight to protect the public interest.

Mr. President, this matter is of such interest and importance that I ask unanimous consent that the text of Secretary Udall's announcement of last Friday be printed in full at this point in the RECORD, and on behalf of all of the members of the Committee on Interior and Insular Affairs, I invite any interested Members of the Congress or the public to attend and to participate in our February 21 hearings.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

FIVE-POINT OIL SHALE DEVELOPMENT ANNOUNCED

Secretary of the Interior Stewart L. Udall today announced a five-point action program to promote economic recovery of shale oil and associated minerals from the rich oil shale resources of the Green River formation in Colorado, Wyoming, and Utah. It is estimated that known oil shales of the area contain the equivalent of about 70 times the present domestic proved reserves of crude petroleum.

Steps leading to the program announced by the Secretary began in 1964 with the appointment of a distinguished group of private citizens to the Oil Shale Advisory Board. The Board's interim report, presented to the Secretary in February 1965, has been the subject of intensive and detailed review within the Interior Department during the past 2 years.

The Secretary pointed out that mounting energy demands in the United States made it increasingly important to develop oil shale to the point where it can begin to make a contribution to meeting U.S. energy needs.

The Secretary explained that the five-point program will involve the following:

"Action to clear title to public oil shale bearing lands of the three-state area. This will involve withdrawal of oil shale lands from all mineral entry other than for oil and gas leases, the initiation of examinations and contests to remove clouds on title arising from oil shale and other mineral claims, and restoration of sodium to withdrawn status except where the Secretary specifically finds that particular sodium deposits can be extracted without damage to the oil shale resource. Pending sodium preference right lease applications will be promptly considered on their merits.

"A 'blocking-up program' in which the Secretary will give consideration to applications from private owners of scattered oil shale lands to exchange part of them for Federal lands of similar quality as to mineral and other physical characteristics. The purpose of these exchanges would be to permit some consolidation of private holdings which are at present too scattered for efficient mining operations. Under this program the Secretary will consider applications for blocking only where the applicant agrees to a time schedule and investment commitments for the development of economic mining and recovery operations. Applicants will also be required to agree to develop the blocked up lands in accordance with the best conservation principles, both with regard to maximizing the mineral values to be recovered and to minimizing damage to the environment.

"As the third point of the Department's oil shale program the Secretary will announce procedures which will permit the Department to consider applications from individual firms and combinations of firms for provisional developmental leases of oil shale lands. Under this part of the program, it is contemplated that the Department will contract with interested parties for a variety of approaches to the development of economic processes for the recovery of oil and associated minerals from shale. Applications for contracts would describe the process sought to be developed, a commitment of research and development expenditures, a time schedule within which these expenditures would be made, and the approximate volume and location of oil shale and associated minerals required to support operation of a commercial plant if the research and development project is successful. Parties to such contracts will be permitted access to the necessary acreage of oil shale lands for testing purposes, but leases for larger tracts for commercial development will not be issued until the research and development contract has been successfully performed. Leases will contain firm assurances that a commercial scale plant will be constructed, and that good conservation practices will be observed in the commercial operation.

"A fourth program will seek to enlist the Atomic Energy Commission and private capital with the Department of the Interior to find ways to retort the oil from the shale *in situ*. Underground atomic explosions will be researched as a means of fracturing deep deposits of shale, and making possible the retorting of the shale without ever bringing it to the surface. Such a program, if found technically and commercially feasible, would go far toward solving the difficult problems of protecting the landscape of the Green River Formation area from the scars of traditional mining and processing of minerals. The organic matter (kerogen) present in the rock formation known as oil shale is a solid that is converted to a liquid by heating. The concept of underground retorting is that the shale first should be broken into small pieces by a massive explosion. Thereafter heat would be applied to the broken shale, and the liquid oil pumped to the surface.

"Finally, the Department will request funds for a broad program of research and investigation by the Geological Survey, Bureau of Mines, and Bureau of Land Management. Some of these research projects will involve close cooperation and joint participation with other Federal agencies, industry and public and private research facilities. Objectives of this part of the program will include the development of more information on the location, characteristics, and values of the oil shale and other mineral resources of the Green River Formation, and of better technology for resource development consistent with sound principles of conservation and environmental control."

"A major concern in developing the oil shale program," the Secretary said, "has been to enunciate policies and procedures that will protect the public interest fully, and at the same time will offer reasonable incentives to private capital to participate in an accelerated research and development program.

"The public interest requires," he said, "that in our efforts to develop the technology of extracting oil from shale, we write into every rule, regulation, contract, and permit affecting the public lands those terms and conditions that will:

"Encourage competition in development and use of oil shale and related mineral resources;

"Prevent speculation and windfall profits;

"Promote mining operation and production practices that are consistent with good conservation management of overall resources in the region;

"Encourage fullest use of all known mineral resources;

"Provide reasonable revenues to the Federal and State Governments."

"We intend," the Secretary said, "to seek the broadest possible participation in the development of our oil shale resources. The public lands in the region, representing the largest untapped source of hydrocarbon energy known to the world, belong to all of the people and must be used for the benefit of all the people."

The Secretary emphasized that the contracts involved in Point 3 of the oil shale program will involve two distinct phases. The first phase, in which the contractor expends research and development funds, will require only small acreages of public lands necessary for research and development operations. The second phase, reached only when the research and development work has proved successful, will require acreages large enough to assure an adequate supply of oil shale and other minerals for a commercial operation of specified capacity over an agreed term of years.

Total Federal holdings of oil shale lands approximate seven million acres, but these holdings vary widely as to the richness and thickness of the shale.

"I do not underestimate the difficulties that will attend all five parts of our program," the Secretary said. "For at least 50 years legal, economic, and technical difficulties have stood in the way of efforts to develop the Nation's oil shale resource. To bring this program to fruition may take more than a decade, but if we are to realize the potential of our vast oil shale resources we must undertake intensive efforts now."

Although oil shale deposits are found in several States, the richest deposits are found in the Green River Formation of Colorado, Utah and Wyoming. It is in this area where the Department anticipates the greatest interest under Point 3 of its program.

The amount of oil that can be recovered will depend upon technology and economics. The Green River deposits extend over about 16,000 square miles and include several geologic basins. The total thickness ranges from a few hundred feet to more than 2,000 feet and the potential oil yield ranges from a few gallons to more than 65 gallons per ton of shale. The Federal Government has title to about 72 percent of the total oil shale acreage with potential yield of at least 15 gallons per ton; this amounts to about 79 percent of the estimated equivalent oil in place. Some of this acreage, however, is the subject of mining claims not yet adjudicated. The remaining acreage is owned by the States or private individuals or companies.

The Bureau of Land Management will today submit an application for a withdrawal order and the Department will begin to take the other steps necessary to clear title to the Federal oil shale lands. Proposed regulations setting forth the terms and conditions under which the Department will administer the oil shale program should be promulgated within sixty to ninety days.

NOTICE OF HEARING

Mr. LAUSCHE. Mr. President, as chairman of the ad hoc subcommittee of the Committee on Foreign Relations appointed to consider various customs, maritime, and fishery conventions, I wish to announce that there will be a public hearing by the subcommittee on Tuesday, February 7, 1967, at 9 a.m. to consider the following treaties:

Customs Convention on Containers—Executive J, 89–2.

Customs Convention on the Temporary Importation of Professional Equipment—Executive K, 89–2.

Customs Convention on the A.T.A. Carnet for the Temporary Admission of Goods—Executive L, 89–2.

Customs Convention Regarding E.C.S. Carnets for Commercial Samples—Executive M, 89–2.

Customs Convention on the International Transport of Goods Under Cover of T.I.R. Carnets—Executive N, 89–2.

Convention for the International Council for the Exploration of the Sea—Executive H, 89–2.

Convention of Mar del Plata—Executive Q, 89–2.

Convention on Facilitation of International Maritime Traffic—Executive R, 89–2.

Amendment of the Convention on Great Lakes Fisheries—Executive T, 89–2.

Convention for the Conservation of Atlantic Tunas—Executive U, 89–2.

Persons wishing to testify are requested to get in touch with the chief clerk of the committee, Mr. Arthur Kuhl, as soon as possible.

The members of the subcommittee are Senator DODD, Senator MCCARTHY, Senator CARLSON, and Senator CASE.

NOTICE OF HEARING ON KENNEWICK DIVISION EXTENSION, WASHINGTON

Mr. JACKSON. Mr. President, for the information of the Congress and other interested persons, the Senate Interior and Insular Affairs Committee has scheduled a public hearing to consider S. 370 which provides for the construction, operation, and maintenance of the Kennewick division extension, a multipurpose reclamation project in the State of Washington. S. 605, a bill to authorize the Secretary of the Interior to determine that certain costs of operating and maintaining Banks Lake on the Columbia Basin project for recreational purposes are nonreimbursable, will also be considered at the same time. The hearing will be held at 10 a.m., Thursday, February 23, 1967, in room 3110 of the New Senate Office Building.

NOTICE OF CHANGE OF HEARING DATE—S. 307, AMENDING INDIAN CLAIMS COMMISSION ACT

Mr. JACKSON. Mr. President, on January 19, I announced that the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs had scheduled a hearing for February 6 on S. 307, a bill to amend the Indian Claims Commission Act. It has now been necessary to reschedule that hearing, and it has been set for Wednesday, February 15, beginning at 10 a.m., in room 3110 New Senate Office Building.

POPULAR ELECTION OF GOVERNOR OF GUAM AND GOVERNOR OF VIRGIN ISLANDS—NOTICE OF HEARINGS

Mr. JACKSON. Mr. President, I wish to announce that the Subcommittee on Territories of the Committee on Interior and Insular Affairs will conduct a hearing on Monday, February 20, on S. 449 and S. 450, to provide for the popular election of the Governor of Guam and the Governor of the Virgin Islands, respectively.

The hearing will be held in room 3110, New Senate Office Building, beginning at 10 a.m. All interested parties who may wish to testify or submit statements on these measures should contact Mr. James Gamble, of the committee staff.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 2 (a), Public Law 89–617, the Speaker had appointed Mr. OLSEN of Montana, and Mr. NELSEN of Minnesota, as members, on the part of the House; and Mr. Robert Ramspeck, of Maryland, and Mr. Charles O. Jones, of Arizona, from private life, as members of the Commission on Political Activity of Government Personnel.

The message also informed the Senate that, pursuant to the provisions of section 6, Public Law 754, 81st Congress, the Speaker had appointed Mr. MILLER of California as a member of the National Historical Publications Commission, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of section 301, Public Law 89–81, the Speaker had appointed Mr. EDMONDSON, of Oklahoma, Mr. GIAIMO, of Connecticut, Mr. CONTE, of Massachusetts, and Mr. BATTIN, of Montana, as members of the Joint Commission on Coinage, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 2(a), Public Law 89–790, the Speaker had appointed Mr. GRAY, of Illinois, Mr. KLUCZYNSKI, of Illinois, Mr. PICKLE, of Texas, Mr. CRAMER, of Florida, Mr. HANSEN of Idaho, and Mr. SCHWENGEL, of Iowa as members of the Study Commission To Investigate Facilities and Services To Be Furnished Visitors and Students Coming to the Nation's Capital, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of 16 United States Code 513, the Speaker had appointed Mr. COLMER, of Mississippi, and Mr. SAYLOR, of Pennsylvania as members of the National Forest Reservation Commission, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of 10 United States Code 4355(a), the Speaker had appointed Mr. TEAGUE, of Texas, Mr. NATCHER, of Kentucky, Mr. LIPSCOMB, of California, and Mr. PIRNIE, of New York as members of the Board of Visitors to the U.S. Military Academy, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of 10 United States Code 6968(a), the Speaker had appointed Mr. FLOOD, of Pennsylvania, Mr. MACHEN, of Maryland, Mr. LAIRD, of Wisconsin, and Mr. MORTON, of Maryland as members of the Board of Visitors to the U.S. Naval Academy, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 3, Public Law 88–630, the Speaker had appointed Mr. HUNGATE, of Missouri, Mr. REUSS, of Wisconsin, Mr. BERRY, of South Dakota, and Mr. SKUBITZ, of Kansas as members of the Lewis and Clark Trail Commission, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of 10 United States Code 9355(a), the Speaker had appointed Mr. ROGERS of Colorado, Mr. FLYNT, of Georgia, Mr. MINSHALL, of Ohio, and Mr. BROTZMAN, of Colorado, as members of the Board of Visitors to the U.S. Air Force Academy, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 5(a), Public Law 87–758, the Speaker had appointed Mr. KIRWAN, of Ohio, and Mr. EDWARDS, of Alabama, as members of the National Fisheries Center and Aquarium Advisory Board, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of section 2(b), Public Law 89–491, the Speaker had appointed Mr. DONOHUE, of Massachusetts, Mr. MARSH, of Virginia, Mr. SAYLOR, of Pennsylvania, and Mr. POFF, of Virginia, as members of the American Revolution Bicentennial Commission on the part of the House.

The message also informed the Senate that, pursuant to the provisions of 14 United States Code 194(a), the Speaker had appointed Mr. ST. ONGE, of Connecticut, and Mr. WYATT, of Oregon, as members of the Board of Visitors to the U.S. Coast Guard Academy, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of section 21(a), Public Law 89–236, the Speaker had appointed Mr. CELLER, of New York, Mr. FEIGHAN, of Ohio, Mr. RODINO, of New Jersey, Mr. MCCULLOCH, of Ohio, and Mr. MOORE, of West Virginia, as members of the Select Commission on Western Hemisphere Immigration, on the part of the House.

This message also informed the Senate that, pursuant to the provisions of 46 United States Code 1126c, the Speaker had appointed Mr. CAREY, of New York, and Mr. BURKE of Florida, as members of the Board of Visitors to the U.S. Merchant Marine Academy, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of 16 United States Code 715a, the Speaker had appointed Mr. KARSTEN, of Missouri, and Mr. CONTE, of Massachusetts, as members of the Migratory Bird Conservation Commission, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 2(a), Public Law 89–801, the Speaker had appointed Mr. KASTENMEIER, of Wisconsin, Mr. EDWARDS, of California, and Mr. POFF, of Virginia, as members of the National Commission on the Reform of Federal Criminal Laws, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of section 3, Public Law 86–380, the Speaker had appointed Mr. FOUNTAIN, of North Carolina, Mr. ULLMAN, of Oregon, and Mrs. DWYER, of New Jersey, as members of the Advisory Commission on Inter-Governmental Relations, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 1, Public Law 89–187, the Speaker had appointed Mr. ZABLOCKI, of Wisconsin, Mr. GRAY, of Illinois, Mr. BYRNES, of Wisconsin, and Mr. RUPPE, of Michigan, as members of the Father Marquette Tercentenary Commission, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of 20 United States Code 42 and 43, the Speaker had appointed Mr. MAHON, of Texas, Mr. KIRWAN, of Ohio, and Mr. Bow, of Ohio, as members of the Board of Regents of the Smithsonian Institution, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 1, Public Law 86–420, the Speaker had appointed Mr. NIX, of Pennsylvania, Mr. WRIGHT, of Texas, Mr. JOHNSON, of California, Mr. GONZALEZ, of Texas, Mr. DE LA GARZA, of Texas, Mr. SELDEN, of Alabama, Mr. FRASER, of Minnesota, Mr. SPRINGER, of Illinois, Mr. MORSE, of Massachusetts, Mr. REIFEL, of South Dakota, Mr. HARVEY, of Michigan, and Mr. WHALLEY, of Pennsylvania, as members of the U.S. delegation of the Mexico-United States Interparliamentary Group for the meeting to be held in Oaxaca, Mexico, February 8 to 15, 1967, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of section 10(a), Public Law 474, 81st Congress, the Speaker had appointed Mr. HALEY, of Florida, Mr. UDALL, of Arizona, and Mr. BERRY, of South Dakota, as members of the Joint Committee on Navajo-Hopi Indian Administration, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 6, Public Law 754, 81st Congress, the Speaker had appointed Mr. STAGGERS, of West Virginia, and Mr. GROVER, of New York, as members of the Federal Records Council, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of section 1, Public Resolution 32, 73d Congress, the Speaker had appointed Mr. KARSTEN, of Missouri, Mr. HAYS, of Ohio, and Mr. CUNNINGHAM, of Nebraska, as members of the U.S. Territorial Expansion Memorial Commission, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 601, title 6, Public Law 250, 77th Congress, the Speaker had appointed Mr. MILLS, of Arkansas, Mr. KING, of California, Mr. BYRNES, of Wisconsin, Mr. MAHON, of Texas, Mr. KIRWAN, of Ohio, and Mr. BOW, of Ohio, as members of the Committee To Investigate Nonessential Federal Expenditures, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of section 2(a), Public Law 85–874, the Speaker had appointed Mr. WRIGHT, of Texas, Mr. THOMPSON, of New Jersey, and Mr. FRELINGHUYSEN, of New Jersey, as members ex officio of the Board of Trustees of the John F. Kennedy Center for the Performing Acts, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 1, Public Law 689, 84th Congress, the Speaker had appointed Mr. HAYS, of Ohio, Mr. RODINO, of New Jersey, Mr. RIVERS, of South Carolina, Mr. CLARK, of Pennsylvania, Mr. BROOKS, of Texas, Mr. ARENDS, of Illinois, Mr. CHAMBERLAIN, of Michigan, Mr. BATES, of Massachusetts, and Mr. FINDLEY, of Illinois, as members of the U.S. group of the North Atlantic Treaty Parliamentary Conference, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of section 1, Public Law 372, 84th Congress, as amended, the Speaker had appointed Mr. THOMPSON, of New Jersey, Mr. MURPHY, of New York, Mr. HALPERN, of New York, and Mr. KUPFERMAN, of New York, as members of the Franklin Delano Roosevelt Memorial Commission, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 3, Public Law 88–606, the Speaker had appointed Mr. BARING, of Nevada, Mr. TAYLOR, of North Carolina, Mr. UDALL, of Arizona, Mr. SAYLOR, of Pennsylvania, Mr. BURTON, of Utah, and Mr. KYL, of Iowa as members of the Public Land Law Review Commission, on the part of the House.

The message announced that the House had agreed to the concurrent resolution (S. Con. Res. 2) continuing the Joint Committee on the Organization of the Congress.

FOOD FOR A STARVING WORLD

Mr. CARLSON. Mr. President, it is obvious to anyone concerned that we must develop a new approach to the problem of a food-short, starving world. We cannot continue to be the world's breadbasket. We can no longer be the storehouse of nations. We do not have the food with which to do it, and therefore, we must develop a new approach to this problem.

The Honorable GEORGE McGOVERN, speaking at the annual meeting of the National Limestone Institute in Washington, D.C., on January 18, stated:

> One of the most difficult and frustrating problems that we face in speeding the adoption of modern agricultural practices in the developing countries of Asia, and Africa and Latin America, where most of the people of this world live, is to find a way to carry knowledge to the individual farm operator. We have the knowledge and the techniques. The missing ingredient is how to get that knowledge and techniques accepted and put into practice by the millions of people who are still trying to scratch out an existence with methods that aren't much different from the days of Moses.

I know of no one more qualified to discuss this subject than the distinguished Senator from South Dakota, who in 1961 was appointed by the late President Kennedy to take charge of the newly created White House Office on Food for Peace.

Speaking before the National Limestone Institute, Senator McGOVERN stressed not only the importance of food in supplying nutrition to hungry people all over the world, but also stressed the importance of food as a part of a world peace program.

I ask unanimous consent that his address before the National Limestone Institute be made a part of these remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF SENATOR GEORGE McGOVERN BEFORE THE NATIONAL LIMESTONE INSTITUTE

Chairman Nettels, President Bob Koch, my distinguished colleagues in the Congress, ladies and gentlemen. It is true as the Chairman has just said that my theme tonight is a broad bipartisan one in character, and I am especially grateful to be introduced so kindly by the State Chairman of the Kansas Republican Party. I am just hopeful that I can work out some way to persuade the Republican Chairman in my own State to be equally kind when he introduces me in South Dakota.

I have come to feel almost a part of the National Limestone Institute, and I am very proud of the relationship that I have had with this organization in the few years I have been privileged to serve in Washington. I am grateful for the opportunity that you have given me to stand in this place tonight. This honor has been given over the years to some of the men in public life that I most admire; men from both of our great political parties who have been an inspiration to me.

I have especially appreciated working with you in recent years to arouse our fellow-citizens to the absolute necessity of facing up to the Food and Population Crisis that confronts the world today. I am grateful for the tireless and the highly capable man who represents you here in Washington, your President Bob Koch. I have come to the conclusion that there is only one thing that Bob is really incapable of doing, that is turning down a job that he feels is important and worth doing. As a consequence of that quality, he is both greatly appreciated and I am afraid he is greatly overworked. As all of you in the NLI know, he agreed to accept the responsibility of the position as Executive Director of the Committee on the World Food Crisis a little over a year ago and it has been a very arduous addition to his efforts, which he has discharged wonderfully well, as he always does in any undertaking. I might say, Bob, that I needed your organizational genius on my side in the U.S. Senate this afternoon when I made an effort as a comparatively new member of that body to try to do something about limiting debate. I learned that the filibuster is still a more powerful institution than the forces a Junior Senator from South Dakota can rally in opposition to it, at least at the moment.

My admiration for the National Limestone Institute runs beyond your President, as distinguished as he is. You have given our country outstanding service down through the years both individually and collectively. Not the least of these services has been to defend and to promote successfully a Soil Conservation Program which, now when we most need it, assures this country the capacity to meet our own food demands and also to lead the world in a tremendously important effort—the battle against hunger.

That battle in my judgment is the most important one, with the most urgent priority, that confronts the people of the United States. It is more important than a race to the moon, as important as it may be. The moon may very well be made of green cheese, but we can't bring it back to earth to eat by any means yet found and it is the empty stomachs here on this earth that ought to be our primary concern.

I was traveling with a small group of other Congressmen in Egypt some ten years ago when the Soviet Union launched its first sputnik into outer space. That was a very important scientific achievement. We were in a rather primitive part of that country, and it was two or three days before we learned of what had happened. In spite of the sensational way in which that event was announced, and in spite of its significance, we quickly learned that there were far more people in Egypt concerned about who could put food on their table than who had launched the first sputnik into outer space. This is true in all of the less developed, uncommitted nations. So, we are talking tonight about the most urgent priority of our time—the battle against hunger.

We are concerned about World Communism, which is a challenge to all of the things that we hold worthwhile in this country. We have demonstrated our willingness, if a single Viet Cong sticks his head up in the jungle, to expend hundreds of thousands, if not, millions of dollars and risk the lives of some of our best men, to try to dispose of him and the threat he represents. Yet the best single defense that we have been able to find in the last twenty years against the appeal of Communism is a full stomach and a hopeful heart, but we respond to that opportunity timidly and hesitantly although the costs are relatively small and no loss of American lives is involved.

Senator George Aiken once made the statement to a group of visiting farm people here in Washington that in the years since World War II American food has prevented more countries from sliding down the hill into Communism, than all of the sophisticated military hardware that we have shipped to our friends around the world, and that is true. Our food has done more to spread and strengthen freedom and democracy than military might.

One of the basic strengths of the American system is the partnership in many areas of our national life between important public purposes and private enterprise. For example, the seed corn industry and its salesmen had a major role in the almost universal adoption a few years ago of new hybrid varieties of corn which set off a great surge in our productivity. In the same manner your Industry has transmitted to hundreds of thousands of farms across this country the materials and the soil building practices essential to the basic soil resource of our country and to the well being of the American people.

One of the most difficult and frustrating problems that we face in speeding the adoption of modern agricultural practices in the developing countries of Asia, and Africa and Latin America, where most of the people of this world live, is to find a way to carry knowledge to the individual farm operator. We have the knowledge, and the techniques. The missing ingredient is how to get that knowledge and techniques accepted and put into practice by the millions of people who are still trying to scratch out an existence with methods that aren't much different from the days of Moses.

It is not too difficult to train a few dozen or even a hundred technicians for a developing country. But it is very hard to reach all the people and to secure the acceptance and the practice of new knowledge and of new techniques by large numbers of individual producers, particularly when most of them are illiterate. Congress Bob Dole of Kansas and others, including myself, have suggested a farmer-to-farmer corps as one practical device that we might use to reach out onto the farms of the emerging countries. That authority is incorporated in the new Food for Peace or Food for Freedom legislation passed by the Congress just before we adjourned last year. *But we are also going to have to stimulate the appearance of your private counterparts, fertilizer and other agricultural supply businesses with their promotion and sales techniques—actually educational techniques—to get necessary results as measured by the crucial statistics of production in the race between food supplies on one hand and hungry stomachs on the other.*

One American feed company that I happen to know about was able to put several hundred salesmen promoting poultry and egg production into the field in Colombia the third year after it had opened a plant in that country. That was done at no cost to the American taxpayer as a part of their private business operation. I don't know how any government could duplicate that task so quickly even at great public expense. But we know that our task is great, and that success depends on reaching and getting the acceptance by millions of producers of new agricultural methods.

The Indian food crisis of the last few months has dramatized the food crisis. Congressman W. R. Poage, the Chairman of the House Agricultural Committee, and some of his colleagues have just come back from taking a close look at that potentially tragic situation which is in the minds of all of us tonight. But what we are really confronted with is an even larger problem of world-wide chronic hunger. Half of all the human beings on this planet are suffering from undernourishment in one form or another. Either they don't have enough to eat or they have the wrong kinds of things to eat, lacking in protein, vitamins and minerals essential to health. Furthermore, the increase of food production in the world is now moving only half as fast as the increase in the number of stomachs to feed. Unless we can find some way to do a better job of balancing food supplies and food productivity in the world with population growth then cataclysmic famines as deadly as a nuclear war can face us within 20 or 25 years and that means within the lives of most of the people in this room. There will be no peace in that kind of a world.

Nikita Khrushchev warned the Red Chinese some years ago that if there were a nuclear war the survivors would envy the dead. Famines of the kind that are projected when we look at the food and population curves, can be just as devastating as the nuclear prospect. The United States cannot escape the responsibility, either morally or from the standpoint of naked self-interest, of leading a worldwide war against hunger. Ultimately we must mesh our domestic farm policy into a world food policy that takes recognition of the stark facts of hunger and want. Even the most callous individuals cannot contemplate lightly the prospect of living on an island of plenty in a world wracked by massive famine. There will be no security—no peace—in that kind of a world.

We have been moving toward a constructive world food policy for more than 20 years. We have made some very significant strides in that direction, but we have been moving far too slowly if a crisis is to be averted.

The first World Food Congress was held 23 years ago, in 1944, at Hot Springs, Virginia. Out of that came the Food and Agricultural Organization of the United Nations. Its first Director General, Lord John Boyd Orr, who has since been awarded the Nobel Peace Prize, worked unsuccessfully but courageously, and I think brilliantly, for a World Food Board. It would have been a great multi-lateral world agency that pooled the excess production of the developed countries, beyond their normal trade requirements, in an international effort to achieve Freedom From Want. Some 10 years later in 1954, as Mr. Nettels reminded us, during the administration of President Eisenhower, the Congress authorized the use of our unwanted surplus commodities to help food deficit countries. That was a landmark step, although it was limited largely to the use of surpluses that had accumulated in spite of very strenous efforts to prevent their accumulation. In 1961, the late President Kennedy created the first full-time White House Office on Food For Peace and gave me the privilege of heading up an effort to expand and more effectively use our Food For Peace program.

In 1962, I was privileged as a U. S. delegate, to propose the Food for Freedom program which the U. N. Food and Agriculture Organization adopted and now conducts. It is relatively small, compared to need, but it is a beginning at multi-lateral participation in a War Against Hunger.

In 1966 this Nation made another landmark decision on the road to an intelligent, common sense world food policy when the Congress removed the limitations which heretofore had confined our Food For Peace efforts to surplus disposal and authorized for the first time the deliberate production of food to help meet the needs of the food deficit countries of the world. We also very substantially increased the dollar authorizations in the new Food For Peace Act of 1966. The importance of those actions, of course, will now depend on the skill and the wisdom, with which they are implemented.

President Johnson has recently underlined, and I think on good grounds, the need for other Nations with a surplus food capacity to join with us in assisting the hunger areas of the world. If a nation cannot donate food, perhaps it can provide some other aid to help meet the food needs of less developed parts of the world. As the President said in his Food For Freedom message to Congress early last year, we must go beyond dealing with spectacular emergencies and deal with the invisible, silent hunger, the chronic malnutrition, which claims the lives of some 3 million children every year, cripples other millions of children both mentally and physically, and so saps the energy of whole nations that hunger is the chief barrier to economic and social development, and perhaps to political stability in the world.

We are going to have to do what we can within the limit of our resources, within reason, to eliminate the causes of malnutrition. Those causes can be eliminated in a world which has both the resources and the know-how to balance food production and population growth.

Dealing with the causes, and with the rising food and population crisis, requires 4 steps.

First of all, we and other advanced nations must gear our food production to mounting world food needs to prevent starvation and to assist the developing countries to increase their own food producing capacity.

Secondly, we must encourage the food deficit countries to strengthen their own food handling and food distribution facilities, including their ports, their storage capacity, their processing and distribution facilities so that additional food coming in from outside or accumulations of food in certain parts of their own countries can be moved efficiently and protected for proper use in areas of need.

Thirdly, we must stimulate in every reasonable way greater attention and investment in rural development and food production in the emerging countries. That is a high priority item in the Food For Peace Act of 1966.

Fourth, we must encourage and assist as best we can more effective population control measures in the developing world. Here again, that is one of the high priority purposes embodied in the Food For Peace Act of 1966.

The War Against Hunger will not be won, of course, by giving arbitrary orders in any of those areas and abandoning people who have difficulty complying immediately with the criteria that we seek to lay down. Social change comes very slowly in any society and it is especially difficult to impose from the outside. We are discovering that in our own country. For example, even a great, enlightened country such as the United States might have great difficulty meeting a requirement that we end crime in our own streets as a condition of qualifying for membership in the world community. It might take a little time to accomplish that desirable purpose. The South Vietnamese, with over 100,000 army desertions annually, have not been able to meet the original criteria that we laid down as a condition for substantial American military support in their effort. Nonetheless, we have not terminated our aid to them, and we cannot expect countries that are faced with 90 percent or more illiteracy, with religious taboos, with land tenure problems, with a primitive tax structure and underdeveloped economy to transform their agriculture in four or five years. We can't expect less developed countries to be able to respond as rapidly as we do to new technology. Even in this relatively enlightened country of ours, it sometimes takes public incentives and a good many years to accomplish reforms that we recognize are needed. Forty years after Hugh Bennett's first eye-opening report on soil erosion, for instance, we still have only about one-third of our farmland under permanent conservation practices.

The War On Hunger is going to take patience and persistence. It cannot be won in a year or in a few years. We are not going to get immediate acceptance of all of the desirable criteria that we seek. But if it is won, and I am convinced it can be, this war will return big dividends to the people of the United States, even in terms of dollar resources for this country, as well as in terms of peace and security.

The State University of South Dakota at Brookings has conducted a preliminary study to determine what would be the impact on the economy of our State if we could bring diverted farmland back into cultivation—land which has been taken out under various crop control programs in recent years—and then find a useful outlet at a fair price for the producers. It was concluded that in our State alone the full use of our productive capacity would increase income $240 million each year. That study did not take into account the increased transportation, machinery, gasoline and other business that would flow beyond our state boundaries. That kind of impact from a War Against Hunger will be felt across the whole American economy as we move to meet the challenge.

The provision of know-how to the less developed countries is a task of government, of our agricultural education institutions and of private business. It must be done if hunger is finally to be eliminated, for the United States cannot feed the world. Every productive acre on the planet will be needed in production before food and population can be brought into balance. I join with those who hope that we will be able to find more effective ways to enlist private American business in this effort. These businesses can provide not only the salesmen-educators, capital, and agribusiness know-how, but they can demonstrate the effectiveness of our system of freedom to the emerging countries which have yet to determine the kind of political arrangements under which they are finally going to live.

Our great concern, it seems to me, must be with doing a better job of marshalling our resources and our know-how to meet this greatest challenge of our times.

I look forward, as I know my colleagues in the Congress do, to working with you to meet both domestic and world challenges. Victory in the War Against Hunger is, in my judgment, the most important enterprise of our time.

AT ARLINGTON TODAY

Mr. HARTKE. Mr. President, we have buried "Gus" Grissom today.

He lies in Arlington with our men of many wars.

Beside him, and all about this first astronaut, are the men who know him best; those who have died before him in the service of his country.

They will know him as a youngster in Mitchell, Ind., who gazed at the stars and became one with them.

They will know him as Lt. Col. Virgil I. Grissom, U.S. Air Force, space age pioneer, who has died in his country's service.

Lieutenant Colonel Grissom was one of the seven Mercury astronauts selected by NASA in April 1959. He piloted the Liberty Bell 7 spacecraft—the second and final suborbital Mercury test flight—on July 21, 1961. This flight lasted 15 minutes and 37 seconds, attained an altitude of 118 statute miles, and traveled 302 miles downrange from the launch pad at Cape Kennedy.

On March 23, 1965, he served as command pilot on the first manned Gemini flight, a three-orbit mission during which the crew accomplished the first orbital trajectory modifications and the first lifting reentry of a manned spacecraft. Subsequent to this assignment, he served as backup command pilot for Gemini 6.

He died as command pilot for the first three-man Apollo flight—Apollo I.

We, the living, have known him for his courage and his leadership in circumstances unprecedented in man's exploration of the unknown. Our State of Indiana joins in saluting a man among us who has served his country well.

UNITED STATES-SOVIET CONSULAR CONVENTION

Mr. SCOTT. Mr. President, I speak in behalf of the United States-Soviet Consular Convention. I do so in the firm belief that the Senate should advise and consent to the ratification of this important agreement.

I am not unaware of the opposition to this convention. In my own office, some 100 letters and telegrams have been received. Many, citing publications of the Liberty Lobby and other groups, express fears of Communist subversion and infiltration.

Now I do not, for one moment, question that these are legitimate areas for concern, but I do question whether their relevance to the ratification of this convention is properly understood. I cannot escape the conclusion that much of the opposition to ratification stems simply from misunderstanding of the question we are being asked to decide. For the record, it seems relevant, once more, to review what this convention will and will not do.

The Consular Convention does not require, authorize, or propose the opening of a single Soviet consulate in the United States, or a single U.S. consulate in the Soviet Union.

Should a consulate be opened in the United States and one opened at, say, Leningrad, the opening of such a consulate would not extend the security burdens of the FBI to cover more than an additional 15 persons, which hardly seems enough to justify the current ruckus surrounding this controversy.

This convention does not, by itself, permit the Soviets to send a single additional person to this country, nor does it permit us to send anyone to the U.S.S.R. Since, under the Constitution, the President can agree to the reciprocal opening of consulates in the United States and a foreign country at any time, approval of the convention has no bearing on this question.

What this convention does do, however, is to say to the Soviets that if additional consulates are to be opened—and this could be done only on a reciprocal basis and as the result of specific negotiations for this purpose—then this convention says to the Soviets that certain ground rules will be followed. What these ground rules represent is a legal framework to make possible important forward steps in the field of consular protection and services.

First, the convention guarantees immediate notification by the receiving state to the consular offices of the sending state in the event that one of the citizens of the sending state is arrested. The term, "immediate" is defined in the convention to mean from 1 to 3 days.

Secondly, the convention provides for access to any arrested citizen without delay. The convention specifies that "without delay" is to be within 2 to 4 days. Furthermore, it is provided that this access is to be granted on a continuing basis.

Finally, the convention differs from earlier consular conventions in that it provides full immunity for all consular officers and employees from the criminal jurisdiction of the receiving state. Without such immunity for our consular personnel in the Soviet Union, they would serve there under a constant threat of being the victims of false charges in reprisal for action taken by this country when Soviet personnel are, in fact, found to be engaged in espionage activities. The temptation to act against American consular personnel serving in the Soviet Union without diplomatic immunity would be eliminated.

The case for ratification would not be complete if it did not take cognizance of the estimated 18,000 Americans who travel annually in the Soviet Union.

I might add that this number has grown from 5,000 to 18,000 in the last few years. The number of Soviets traveling in this country is estimated as being between 700 and 900 persons. In the Consular Convention, for those accused of crimes, we have an opportunity to afford protections of access to American consular personnel never before possible in the Soviet Union. Even the Soviet citizens in their own country enjoy no such right. They are held incommunicado until the investigation of a criminal is completed, and this can take many months. Yet, with this Convention, Americans would be guaranteed notification and access rights not previously allowed. For myself, I would not want to feel that I had not taken every step possible to guarantee the safety of these Americans assigned or traveling abroad.

We come then to the real issue before us—have we an obligation to provide better tools for the protection of Americans in the U.S.S.R.? My intended vote for ratification indicates my belief that the answer clearly is "Yes."

Mr. President, there is another point. The Office of the Legal Adviser of the Department of State on July 7, 1964, wrote a letter to me. I ask unanimous consent that the letter from Robert E. Lee, Acting Assistant Secretary for Congressional Relations, Department of State, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, D.C., July 7, 1964.

Hon. HUGH SCOTT,
U.S. Senate.

DEAR SENATOR SCOTT: Thank you for your letter of June 26, in which you asked for a statement from the office of the Department's Legal Adviser on what legal effect, if any, the U.S.-U.S.S.R. Consular Convention, which was signed on June 1, 1964, would have on the United States' nonrecognition of the Soviet takeover of the Baltic States of Latvia, Estonia and Lithuania, and on our recognition of the representatives of the last free governments of these countries.

The office of the Legal Adviser confirms that the Consular Convention, if it is ratified and enters into force, would have no effect on our consistent and emphatic refusal to recognize the illegal annexation of Latvia, Estonia and Lithuania by the Soviet Government, or on our continued recognition of the diplomatic and consular representatives of the last free governments of those countries.

A copy of the Convention is enclosed. If the Department can be of further assistance, please do not hesitate to let me know.

Sincerely yours,

ROBERT E. LEE,
Acting Assistant Secretary for Congressional Relations.

Enclosure:
Consular Convention Text.

Mr. SCOTT. Mr. President, the legal adviser of the Department of State in the letter addressed to me on July 7, 1964, assured me that if the convention is ratified it "would have no effect on our consistent and emphatic refusal to recognize the illegal annexation of Latvia, Estonia, and Lithuania by the Soviet Government, or on our continued recognition of the diplomatic and consular representatives of the last free governments of those countries."

Mr. President, I also ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the text of the consular convention.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SCOTT. Mr. President, I would like to point out something here. What has been lost sight of is the fact that 18,000 Americans go to the Soviet Union each year. Nine hundred Russians come here. The addition of a consulate adds 15 people, which does not, to my mind, greatly increase the security risk, but we have constituents traveling in Russia all the time. We also have constituents who are employees of the Foreign Service. Immunity presently extends to the people who work for the embassies. The consul, the minister, all have immunity. The stenographer has no immunity at all unless we have such a convention. The security aspects are worse now than if we were to ratify the convention because that stenographer or a file clerk could be blackmailed, held incommunicado, and sent to Siberia for 9 months, while the boss could not. Moreover, a traveler over there, a constituent of mine, could be held there for 9 months.

Under this convention he would have more rights than Soviet citizens. He would be entitled to a lawyer, and entitled to be sprung from the pokey in 3 days. Who is more likely to be stuck in the pokey: 18,000 Americans traveling over there or 900 Russians over here?

Mr. President, a Soviet citizen who is stuck in the pokey in this country has the benefit of all of the protection of the laws of the United States. Here he has the sanctuary which our laws provide and which our courts guarantee. He has the right of a trial by jury, he has the right to demand an attorney, he has the right to be confronted by his accusers, and he has the right of indictment. In other words, he has the right of every American in this country.

Americans in the Soviet Union have none of those rights. It will be recalled that Newcomb Mott, who allegedly committed suicide, may well have gone to his end out of the frustrations of being held incommunicado in a Soviet prison which prevented our Embassy people from having the opportunity to secure for him the rights which this convention would guarantee.

Mr. President, I am not going to be moved by the Liberty Lobby, and I am not going to be moved by the nervous Nellies or hysterical people who yell, "Communist danger" every time we try to do something which reasonably enables us to protect our own people. For this reason I am concerned about my constituents. I do not want them in a Russian pokey, and I want them to have every right that this treaty would guarantee. The odds are 20-to-1 that we are more likely to need this convention than they are, and those are pretty good odds, even in Las Vegas. Certainly they are pretty good odds when a treaty is being written.

EXHIBIT 1

CONSULAR CONVENTION BETWEEN THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA

The Government of the Union of Soviet Socialist Republics and the Government of the United States of America,

Desiring to cooperate in strengthening friendly relations and to regulate consular relations between both states,

Have decided to conclude a consular convention and for this purpose have agreed on the following:

DEFINITIONS

Article 1

For the purpose of the present Convention, the terms introduced hereunder have the following meaning:

1) "Consular establishment"—means any consulate general, consulate, vice consulate or consular agency;

2) "Consular District"—means the area assigned to a consular establishment for the exercise of consular functions;

3) "Head of consular establishment"—means a consul general, consul, vice consul, or consular agent directing the consular establishment;

4) "Consular officer"—means any person, including the head of the consular establishment, entrusted with the exercise of consular functions. Also included in the definition of "consular officer" are persons assigned to the consular establishment for training in the consular service.

5) "Employee of the consular establishment"—means any person performing administrative, technical, or service functions in a consular establishment.

OPENING OF CONSULAR ESTABLISHMENTS, APPOINTMENT OF CONSULAR OFFICERS AND EMPLOYEES

Article 2

1. A consular establishment may be opened in the territory of the receiving state only with that state's consent.

2. The location of a consular establishment and the limits of its consular district will be determined by agreement between the sending and receiving states.

3. Prior to the appointment of a head of a consular establishment, the sending state shall obtain the approval of the receiving state to such an appointment through diplomatic channels.

4. The diplomatic mission of the sending state shall transmit to the Foreign Affairs Ministry of the receiving state a consular commission which shall contain the full name of the head of the consular establishment his citizenship, his class, the consular district assigned to him, and the seat of the consular establishment.

5. A head of a consular establishment may enter upon the exercises of his duties only after having been recognized in this capacity

by the receiving state. Such recognition after the presentation of the commission shall be in the form of an exequatur or in another form and shall be free of charge.

6. The full name, function and class of all consular officers other than the head of a consular establishment, and the full name and function of employees of the consular establishment shall be notified in advance by the sending state to the receiving state.

The receiving state shall issue to each consular officer an appropriate document confirming his right to carry out consular functions in the territory of the receiving state.

7. The receiving state may at any time, and without having to explain its decision, notify the sending state through diplomatic channels that any consular officer is persona non grata or that any employee of the consular establishment is unacceptable. In such a case the sending state shall accordingly recall such officer or employee of the consular establishment. If the sending state refuses or fails within a reasonable time to carry out its obligations under the present paragraph, the receiving state may refuse to recognize the officer or employee concerned as a member of the consular establishment.

8. With the exception of members of the staff of the diplomatic mission of the sending state, as defined in Paragraph c of Article 1 of the Vienna Convention on Diplomatic Relations, no national of the sending state already present in the receiving state or in transit thereto may be appointed as a consular officer or employee of the consular establishment.

Article 3

Consular officers may be nationals only of the sending state.

Article 4

The receiving state shall take the necessary measures in order that a consular officer may carry out his duties and enjoy the rights, privileges, and immunities provided for in the present Convention and by the laws of the receiving state.

Article 5

1. The receiving state shall either facilitate the acquisition on its territory, in accordance with its laws and regulations, by the sending state of premises necessary for its consular establishment or assist the latter in obtaining accommodation in some other way.

2. It shall also, where necessary, assist the sending state in obtaining suitable accommodation for the personnel of its consular establishment.

Article 6

1. If the head of the consular establishment cannot carry out his functions or if the position of head of a consular establishment is vacant, the sending state may empower a consular officer of the same or another consular establishment, or one of the members of the diplomatic staff of its diplomatic mission in the receiving state, to act temporarily as head of the consular establishment. The full name of this person must be transmitted in advance to the Ministry of Foreign Affairs of the receiving state.

2. A person empowered to act as temporary head of the consular establishment shall enjoy the rights, privileges and immunities of the head of the consular establishment.

3. When, in accordance with the provisions of paragraph 1 of the present Article, a member of the diplomatic staff of the diplomatic mission of the sending state in the receiving state is designated by the sending state as an acting head of the consular establishment, he shall continue to enjoy diplomatic privileges and immunities.

CONSULAR FUNCTIONS

Article 7

A consular officer shall be entitled within his consular district to perform the following functions, and for this purpose may apply orally or in writing to the competent authorities of the consular district:

1. To protect the rights and interests of the sending state and its nationals, both individuals and bodies corporate;

2. To further the development of commercial, economic, cultural and scientific relations between the sending state and the receiving state and otherwise promote the development of friendly relations between them;

3. To register nationals of the sending state, to issue or amend passports and other certificates of identity, and also to issue entry, exit, and transit visas;

4. To draw up and record certificates of birth and death of citizens of the sending state taking place in the receiving state, to record marriages and divorces, if both persons entering into marriage or divorce are citizens of the sending state, and also to receive such declarations pertaining to family relationships of a national of the sending state as may be required under the law of the sending state, unless prohibited by the laws of the receiving state;

5. To draw up, certify, attest, authenticate, legalize and take other actions which might be necessary to validate any act or document of a legal character, as well as copies thereof, including commercial documents, declarations, registrations, testamentary dispositions, and contracts, upon the application of a national of the sending state, when such document is intended for use outside the territory of the receiving state, and also for any person, when such document is intended for use in the territory of the sending state;

6. To translate any acts and documents into the Russian and English languages and to certify to the accuracy of the translations;

7. To perform other official consular functions entrusted to him by the sending state if they are not contrary to the laws of the receiving state.

Article 8

1. The acts and documents specified in Paragraph 5 of Article 7 of the present Convention which are drawn up or certified by the consular officer with his official seal affixed, as well as copies, extracts, and translations of such acts and documents certified by him with his official seal affixed, shall be receivable in evidence in the receiving state as official or officially certified acts, documents, copies, translations, or extracts, and shall have the same force and effect as though they were drawn up or certified by the competent authorities or officials of the receiving state; provided that such documents shall have been drawn and executed in conformity with the laws and regulations of the country where they are designed to take effect.

2. The acts, documents, copies, translations, or extracts, enumerated in paragraph 1 of the present Article shall be authenticated if required by the laws of the receiving state when they are presented to the authorities of the receiving state.

Article 9

If the relevant information is available to the competent authorities of the receiving state, such authorities shall inform the consular establishment of the death of a national of the sending state.

Article 10

1. In the case of the death of a national of the sending state in the territory of the receiving state, without leaving in the territory of his decease any known heir or testamentary executor, the appropriate local authorities of the receiving state shall as promptly as possible inform a consular officer of the sending state.

2. A consular officer of the sending state may, within the discretion of the appropriate judicial authorities and if permissible under then existing applicable local law in the receiving state:

a) take provisional custody of the personal property left by a deceased national of the sending state, provided that the decedent shall have left in the receiving state no heir or testamentary executor appointed by the decedent to take care of his personal estate; provided that such provisional custody shall be relinquished to a duly appointed administrator;

b) administer the estate of a deceased national of the sending state who is not a resident of the receiving state at the time of his death, who leaves no testamentary executor, and who leaves in the receiving state no heir, provided that if authorized to administer the estate, the consular officer shall relinquish such administration upon the appointment of another administrator;

c) represent the interests of a national of the sending state in an estate in the receiving state, provided that such national is not a resident of the receiving state, unless or until such national is otherwise represented: provided, however, that nothing herein shall authorize a consular officer to act as an attorney at law.

3. Unless prohibited by law, a consular officer may, within the discretion of the court, agency, or person making distribution, receive for transmission to a national of the sending state who is not a resident of the receiving state any money or property to which such national is entitled as a consequence of the death of another person, including shares in an estate, payments made pursuant to workmen's compensation laws, pension and social-benefits systems in general, and proceeds of insurance policies.

The court, agency, or person making distribution may require that a consular officer comply with conditions laid down with regard to: (a) presenting a power of attorney or other authorization from such non-resident national, (b) furnishing reasonable evidence of the receipt of such money or property by such national, and (c) returning the money or property in the event he is unable to furnish such evidence.

4. Whenever a consular officer shall perform the functions referred to in paragraph 2 and 3 of this Article, he shall be subject, with respect to the exercise of such functions, to the laws of the receiving state and to the civil jurisdiction of the judicial and administrative authorities of the receiving state in the same manner and to the same extent as a national of the receiving state.

Article 11

A consular officer may recommend to the courts or to other competent authorities of the receiving state appropriate persons to act in the capacity of guardians or trustees for citizens of the sending state or for the property of such citizens when this property is left without supervision.

In the event that the court or competent authorities consider that the recommended candidate is for some reason unacceptable, the consular officer may propose a new candidate.

Article 12

1. A consular officer shall have the right within his district to meet with, communicate with, assist, and advise any national of the sending state and, where necessary, arrange for legal assistance for him. The receiving state shall in no way restrict the access of nationals of the sending state to its Consular establishments.

2. The appropriate authorities of the receiving state shall immediately inform a consular officer of the sending state about the arrest or detention in other form of a national of the sending state.

3. A consular officer of the sending state shall have the right without delay to visit and communicate with a national of the sending state who is under arrest or otherwise detained in custody or is serving a sentence of imprisonment. The rights referred to in this paragraph shall be exercised in conformity with the laws and regulations of

the receiving state, subject to the proviso, however, that the said laws and regulations must not nullify these rights.

Article 13

1. A consular officer may provide aid and assistance to vessels registered under the flag of the sending state which have entered a port in his consular district.

2. Without prejudice to the powers of the receiving state, a consular officer may conduct investigations into any incidents which occurred during the voyage on vessels registered under the flag of the sending state, and may settle disputes of any kind between the master, the officers and the seamen insofar as this may be authorized by the laws of the sending state. A consular officer may request the assistance of the competent authorities of the receiving state in the performance of such duties.

3. In the event that the courts or other competent authorities of the receiving state intend to take any coercive action on vessels registered under the flag of the sending state while they are located in the waters of the receiving state, the competent authorities of the receiving state shall, unless it is impractical to do so in view of the urgency of the matter, inform a consular officer of the sending state prior to initiating such action so that the consular officer may be present when the action is taken. Whenever it is impractical to notify a consular officer in advance, the competent authorities of the receiving state shall inform him as soon as possible thereafter of the action taken.

4. Paragraph 3 of this Article shall not apply to customs, passport, and sanitary inspections, or to action taken at the request or with the approval of the master of the vessel.

5. The term "vessel", as used in the present Convention, does not include warships.

Article 14

If a vessel registered under the flag of the sending state suffers shipwreck, runs aground, is swept ashore, or suffers any other accident whatever within the territorial limits of the receiving state, the competent authorities of the receiving state shall immediately inform a consular officer and advise him of the measures which they have taken to rescue persons, vessel, and cargo.

The consular officer may provide all kinds of assistance to such a vessel, the members of its crew, and its passengers, as well as take measures in connection with the preservation of the cargo and repair of the ship, or he may request the authorities of the receiving state to take such measures.

The competent authorities of the receiving state shall render the necessary assistance to the consular officer in measures taken by him in connection with the accident to the vessel.

No customs duties shall be levied against a wrecked vessel, its cargo or stores, in the territory of the receiving state, unless they are delivered for use in that state.

If the owner or anyone authorized to act for him is unable to make necessary arrangements in connection with the vessel or its cargo, the consular officer may make such arrangements. The consular officer may under similar circumstances make arrangements in connection with cargo owned by the sending state or any of its nationals and found or brought into port from a wrecked vessel registered under the flag of any state except a vessel of the receiving state.

Article 15

Articles 13 and 14, respectively, shall also apply to aircraft.

RIGHTS, PRIVILEGES, AND IMMUNITIES

Article 16

The national flag of the sending state and the consular flag may be flown at the consular establishment, at the residence of the head of the consular establishment, and on his means of transport used by him in the performance of his official duties. The shield with the national coat-of-arms of the sending state and the name of the establishment may also be affixed on the building in which the consular establishment is located.

Article 17

The consular archives shall be inviolable at all times and wherever they may be. Unofficial papers shall not be kept in the consular archives.

The buildings or parts of buildings and the land ancillary thereto, used for the purposes of the consular establishment and the residence of the head of the consular establishment, shall be inviolable.

The police and other authorities of the receiving state may not enter the building or that part of the building which is used for the purposes of the consular establishment or the residence of the head of the consular establishment without the consent of the head thereof, persons appointed by him, or the head of the diplomatic mission of the sending state.

Article 18

1. The consular establishment shall have the right to communicate with its Government, with the diplomatic mission and the consular establishments of the sending state in the receiving state, or with other diplomatic missions and consular establishments of the sending state, making use of all ordinary means of communication. In such communications, the consular establishment shall have the right to use code, diplomatic couriers, and the diplomatic pouch. The same fees shall apply to consular establishments in the use of ordinary means of communication as apply to the diplomatic mission of the sending state.

2. The official correspondence of a consular establishment, regardless of what means of communication are used, and the sealed diplomatic pouch bearing visible external marks of its official character, shall be inviolable and not subject to examination or detention by the authorities of the receiving state.

Article 19

1. Consular officers shall not be subject to the jurisdiction of the receiving state in matters relating to their official activity. The same applies to employees of the consular establishment, if they are nationals of the sending state.

2. Consular officers and employees of the consular establishment who are nationals of the sending state shall enjoy immunity from the criminal jurisdiction of the receiving state.

3. This immunity from the criminal jurisdiction of the receiving state of consular officers and employees of the consular establishment of the sending state may be waived by the sending state. Waiver must always be expressed.

Article 20

1. Consular officers and employees of the consular establishment, on the invitation of a court of the receiving state, shall appear in court for witness testimony. Taking measures to compel a consular officer or an employee of the consular establishment who is a national of the sending state to appear in court as a witness and to give witness testimony is not permissible.

2. If a consular officer or an employee of the consular establishment who is a national of the sending state for official reasons or for reasons considered valid according to the laws of the receiving state cannot appear in court, he shall inform the court thereof and give witness testimony on the premises of the consular establishment or in his own abode.

3. Whenever under the laws of the receiving state an oath is required to be taken in court by consular officers and employees of the consular establishment, an affirmation shall be accepted in lieu thereof.

4. Consular officers and employees of the consular establishment may refuse to give witness testimony on facts relating to their official activity.

5. The provisions of paragraphs 1, 2, 3, & 4 shall also apply to proceedings conducted by administrative authorities.

Article 21

1. Immovable property, situated in the territory of the receiving state, of which the sending state or one or more persons acting in its behalf is the owner or lessee and which is used for diplomatic or consular purposes, including residences for personnel attached to the diplomatic and consular establishments, shall be exempt from taxation of any kind imposed by the receiving state or any of its states or local governments other than such as represent payments for specific services rendered.

2. The exemption from taxation referred to in paragraph 1 of this Article shall not apply to such charges, duties, and taxes if, under the law of the receiving states, they are payable by the person who contracted with the sending state or with the person acting on its behalf.

Article 22

A consular officer or employee of a consular establishment, who is not a national of the receiving state and who does not have the status in the receiving state of an alien lawfully admitted for permanent residence, shall be exempt from the payment of all taxes or similar charges of any kind imposed by the receiving state or any of its states or local governments on official emoluments, salaries, wages, or allowances received by such officer or employee from the sending state in connection with the discharge of his official functions.

Article 23

1. A consular officer or employee of a consular establishment who is not a national of the receiving state and who does not have the status in the receiving state of an alien lawfully admitted for permanent residence, shall, except as provided in paragraph 2 of this Article, be exempt from the payment of all taxes or similar charges of any kind imposed by the receiving state or any of its states or local governments, for the payment of which the officer or employee of the consular establishment would otherwise be legally liable.

2. The exemption from taxes or charges provided in paragraph 1 of this Article does not apply in respect to taxes or charges upon:

a) The acquisition or possession of private immovable property located in the receiving state if the persons referred to in paragraph 1 of this Article do not own or lease this property on the behalf of the sending state for the purposes of the consular establishment;

b) Income received from sources in the receiving state other than as described in Article 22 of the present Convention;

c) The transfer by gift of property in the receiving state;

d) The transfer at death, including by inheritance, of property in the receiving state.

3. However, the exemption from taxes or similar charges provided in paragraph 1 of this Article, applies in respect to movable inherited property left after the death of a consular officer or employee of the consular establishment or a member of his family residing with him if they are not nationals of the receiving state or aliens lawfully admitted for permanent residence, and if the property was located in the receiving state exclusively in connection with the sojourn in this state of the deceased as a consular officer or employee of the consular establishment or member of his family residing with him.

Article 24

A consular officer or employee of a consular establishment and members of his family residing with him, who are not nationals of the receiving state and who do not have the status in the receiving state of aliens lawfully admitted for permanent residence, shall be exempt in the receiving state from service in the armed forces and from all other types of compulsory service.

Article 25

A consular officer or employee of a consular establishment and members of his family residing with him who do not have the status in the receiving state of aliens lawfully admitted for permanent residence, shall be exempt from all obligations under the laws and regulations of the receiving state with regard to the registration of aliens, and obtaining permission to reside, and from compliance with other similar requirements applicable to aliens.

Article 26

1. The same full exemption from customs duties and internal revenue or other taxes imposed upon or by reason of importation shall apply in the receiving state to all articles, including motor vehicles, imported exclusively for the official use of a consular establishment, as apply to articles imported for the official use of the diplomatic mission of the sending state.

2. Consular officers, and employees of the consular establishment, and members of their families residing with them, who are not nationals of the receiving state, and who do not have the status in the receiving state of aliens lawfully admitted for permanent residence, shall be granted, on the basis of reciprocity, the same exemptions from customs duties and internal revenue or other taxes imposed upon or by reason of importation, as are granted to corresponding personnel of the diplomatic mission of the sending state.

3. For the purpose of paragraph two of this Article the term "corresponding personnel of the diplomatic mission" refers to members of the diplomatic staff in the case of consular officers, and to members of the administrative and technical staff in the case of employees of a consular establishment.

Article 27

Subject to the laws and regulations of the receiving state concerning zones entry into which is prohibited or regulated for reasons of national security, a consular officer shall be permitted to travel freely within the limits of his consular district to carry out his official duties.

Article 28

Without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving state, including traffic regulations.

Article 29

1. The rights and obligations of consular officers provided for in the present Convention also apply to members of the diplomatic staff of the diplomatic mission of the Contracting Parties charged with the performance of consular functions in the diplomatic mission and who have been notified in a consular capacity to the Ministry of Foreign Affairs of the receiving state by the diplomatic mission.

2. Except as provided in paragraph 4 of Article 10 of the present Convention, the performance of consular functions by the persons referred to in paragraph 1 of this Article shall not affect the diplomatic privileges and immunities granted to them as members of the diplomatic mission.

FINAL PROVISIONS

Article 30

1. The present Convention shall be subject to ratification and shall enter into force on the thirtieth day following the exchange of instruments of ratification, which shall take place in Washington as soon as possible.

2. The Convention shall remain in force until six months from the date on which one of the Contracting Parties informs the other Contracting Party of its desire to terminate its validity.

In witness whereof the Plenipotentiaries of the two Contracting Parties have signed the present Convention and affixed their seals thereto.

Done in Moscow on June 1, 1964, in two copies, each in the Russian and the English language, both texts being equally authentic.

For the Government of the Union of Soviet Socialist Republic.

For the Government of the United States of America.

PROTOCOL TO THE CONSULAR CONVENTION BETWEEN THE GOVERNMENT OF THE UNION OF THE SOVIET SOCIALIST REPUBLICS AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA

1. It is agreed between the Contracting Parties that the notification of a consular officer of the arrest or detention in other form of a national of the sending state specified in paragraph 2 of Article 12 of the Consular Convention between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America of June 1, 1964, shall take place within one to three days from the time of arrest or detention depending on conditions of communication.

2. It is agreed between the Contracting Parties that the rights specified in paragraph 3 of Article 12 of the Consular Convention of a consular officer to visit and communicate with a national of the sending state who is under arrest or otherwise detained in custody shall be accorded within two to four days of the arrest or detention of such national depending upon his location.

3. It is agreed between the Contracting Parties that the rights specified in paragraph 3 of Article 12 of the Consular Convention of a consular officer to visit and communicate with a national of the sending state who is under arrest or otherwise detained in custody or is serving a sentence of imprisonment shall be accorded on a continuing basis.

The present Protocol constitutes an integral part of the Consular Convention between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America of June 1, 1964.

Done at Moscow on June 1, 1964, in two copies, each in the Russian and the English language, both texts being equally authentic.

For the Government of the Union of Soviet Socialist Republics.

For the Government of the United States of America.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SCOTT. I yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, I am delighted that the distinguished Senator from Pennsylvania [Mr. SCOTT] has taken the floor this morning to expound his views on the proposed consular treaty and to indicate the reasons why he supports it.

I would point out that this treaty was initiated by the United States in the latter years of the Eisenhower administration. I would point out furthermore that what we get out of this treaty is equal protection for our citizens in the Soviet Union and we give them a chance to be protected; whereas, now Soviet citizens here get such protection automatically under American law. Actually this treaty would place American citizens attached to the embassies in the Soviet Union on a better footing than Soviet citizens themselves. As the Senator stated it might be that had this treaty been in effect at the time of Newcomb Mott, Newcomb Mott might still be alive today.

Mr. President, there is one other thing that should be brought up. Great Britain and Japan have entered into consular agreements with the Soviet Union, which apply not only to consular staffs but also to their families. Those agreements go far beyond this proposal which I think is overwhelmingly in our favor, because, as the Senator from Pennsylvania noted succinctly and pointedly there are 20 times as many U.S. citizens visiting in the Soviet Union as there are Soviet citizens visiting in this Nation. Why should we place our citizens under a handicap? Why should we not give our people some degree of diplomatic protection so they will not be put in the "pokey," as the Senator from Pennsylvania stated, with no recourse under Soviet law, and where they could be held for 9 months without anybody knowing about it.

Mr. President, I thoroughly support the Senator from Pennsylvania in what he had to say and I hope this proposal will be considered on the basis of its merits and not on the basis of pressure groups, whether they are domestic or tied to foreign countries. This is a matter in the national interest which affects American citizens, and they are entitled to the protection which is sought in the treaty. I hope that the Senate, on the basis of logic, reason, and national interest alone will see that they get that protection as the Senator indicated.

Mr. SCOTT. I want to thank the Senator and point out how often those who are extremists on either end defeat their own cause——

Mr. MANSFIELD. And hurt our country.

Mr. SCOTT. Yes—the extremists on the far right who deliberately lobby in this country with what I call their tunnel vision are actually serving the cause of the left, which they do not intend to do, but that is what happens when they get too far on the edge and forget that the world is round and end up on the other side of the argument.

Mr. AIKEN. Mr. President, I think it is about time someone made the statement which has just been made by the Senator from Pennsylvania.

I will have to say that a month ago I had not given too serious consideration to the proposal for a consular treaty between the United States and Russia. However, during the past few days, I have been deluged by professionally inspired hate mail. Obviously, this is organization mail which has been promoted by what I believe to be well-paid agitators who may have collected money from those who came to America from other countries to seek freedom. Perhaps not. Perhaps they got it from other sources. But, certainly, this is a professional job that is being done on Congress at this time. So far as I am concerned, it is ineffective.

I have made up my mind that I will support this consular treaty if for no other reason than to tell these professional agitators that they are not going to run this country if I can help it.

Perhaps these people help out at election time by rounding up votes. I do not know about that for sure. Maybe they contribute more or less to certainly what they consider to be meritorious organizations. But, I do believe that when they come to this country, it is up to them to accept the rules and regulations of America and not spend their time agitating hate against the countries from which they came.

I realize that this consular treaty is a treaty with Russia and Russia at this time is certainly not entitled to special consideration on our part. I expect there are people from old world countries who are very much interested in thwarting this treaty, for one purpose or another.

I want to thank the Senator from Pennsylvania [Mr. Scott] for putting this subject in its proper light. It is time those folks find out that they cannot come to America and flout our regulations and our traditions, or break our laws and agitate continually for war and violence in other parts of the world and have their actions endorsed by the U.S. Senate.

Mr. SCOTT. I am glad the majority leader has pointed out the fact that the British and the Japanese have more favorable agreements with Russia than the one we are proposing. This finds us lagging in that regard.

I have also been somewhat concerned over the argument which, on its face, would seem to have merit, that we cannot trust the Russians to keep a treaty.

On this point, I inquired of those in whom I have confidence, and the answer is that there are various remedies the United States can take if it finds any violation of the consular convention, as with any other treaty.

One, the United States can declare the person in violation to be persona non grata and can kick him out of the country.

Two, we can kick their consulate out, as happened when the Russians had a consulate in New York, and they then withdrew their consulates in San Francisco and New Orleans.

Three, we can denounce the convention if they have not lived up to it.

Thus, there are at least three methods to protect the security of the United States.

I therefore am not convinced by the argument that the Russians will not keep this convention. It is to their interests to keep it.

Finally, I belong to the organization known as the Committee of One Million Against the Admission of Communist China to the United Nations. None of us in the Senate has to establish his anti-Communist credentials. None of us has to establish the fact that he is security conscious in the Senate. But, I see nothing wrong in doing something which will mutually benefit the United States and the Government of the Soviet Union at a time when the Government of China is only semiexistent. That would be a reason to be glad we have done something in our own interest, even though it requires us to deal with the second largest nation in the world at a time when the first largest nation in the world is in one heck of a state. Thus, I am not too much concerned. Communism has plenty of problems of its own. I am concerned only with the security of the United States and that is why I support this consular convention.

Mr. MANSFIELD. Mr. President, I agree fully with what the distinguished Senator from Vermont [Mr. Aiken], the ranking Republican Member in this body, has just said. There is no room for a double loyalty in this country. You are either a citizen or you are not; you either aspire to American citizenship or you do not. I think that should be kept in mind at all times.

I also point out that there seems to be an impression going around that a number of consulates in both countries will be opened. The fact is, only one is even under consideration, as to the time to set it up, if the protocol agreement is ratified. Even if the agreement is not ratified, the President has the power to allow a consulate to be set up in this country or to arrange to open one abroad. If he did it under a reciprocal basis, without this treaty, our consulates in the Soviet Union would have to operate under Soviet law and would be denied the diplomatic protection to which any American operating in that category should get. I hope that the Senate will see to it that this is done and Americans working in the Soviet Union get the protection to which they are entitled.

Mr. SCOTT. Would not the Senator agree that we cannot stand for a double standard where an employer in the Foreign Service, rather than the Soviet Union, has certain immunities which his secretary and his file clerk do not possess.

Mr. MANSFIELD. Exactly.

Mr. SCOTT. I thank the Senator.

AGRICULTURE DEPARTMENT PAYMENTS TO FARMERS

Mr. HOLLAND. Mr. President, I have just noticed on the ticker, on the Associated Press, outside the Senate Chamber, a release from the Department of Agriculture showing the amounts of payments made by that Department to farmers in 1966 for complying with its programs.

The amount of the payments totaled a record high of $3.27 billion compared to $2.45 billion in 1965.

The contents of this release are a matter of great importance and one for grave consideration by the Senate. I therefore ask unanimous consent to have the item from the Associated Press ticker printed in the Record.

There being no objection, the news dispatch was ordered to be printed in the Record, as follows:

Farm Payments

Washington (AP).—The Agriculture Department today reported Government payments made to farmers in 1966 for complying with its programs totaled a record $3.27 billion compared to $2.45 billion in 1965.

The payments included $1.29 billion for the feed grain program compared with $1.39 billion in 1965; $786 million compared with $70 million for the cotton program; $683 million compared with $525 million for the wheat program; $224 million compared with $215 million for the conservation payment program; $135 million compared with $160 million for the soil bank land retirement program; $61 million compared with $64 million for the sugar program; $34 million compared with $18 million for wool incentive payments; and $44 million compared with none for the new cropland adjustment program.

The department also reported farm prices in 1966 averaged 80 per cent of the parity price goal of farm programs compared with 77 per cent in 1965.

Mr. LAUSCHE. Mr. President, will the Senator from Florida yield for a question?

Mr. HOLLAND. I yield.

Mr. LAUSCHE. Can the Senator explain why the amount has increased by almost 33⅓ percent?

Mr. HOLLAND. Yes, I think I can. Perhaps it would tend to explain my answer if I read the amounts in the various programs.

The release from the Department of Agriculture shows that for the feed grains program, the amount for 1966 went down from the year before only slightly—that is, from $1.39 billion to $1.29 billion.

For the cotton program, it went up exceedingly high, to $786 million compared with only $70 million the year before, showing an increase of over $700 million.

Mr. LAUSCHE. Under the cotton program, is the subsidy we are paying to processors included in that amount, or not?

Mr. HOLLAND. Yes; but it is an indirect subsidy now. The subsidy under the new law is somewhat camouflaged. It is paid to the farmers but it really goes to the textile industry in the largest part. The reason for much of this total increase is in the figures which I have just read which are applicable to the cotton program.

In the wheat program, it went up to $683 million compared with $525 million for 1965.

In the conservation payment program it was almost identical, $224 million for 1966, compared with $215 million for 1965.

In the soil bank program—which is on the way out, as the distinguished Senator knows—it was $135 million, compared with $160 million for 1965.

In the sugar program it was $61 million compared with $64 million in 1965.

In the wool incentive program, it was $34 million compared with $18 million for 1965.

So the principal increases would appear to be the ones that I have mentioned for cotton and wool, plus, of course, the brand new program for the cropland adjustment program, which was $44 million. There was no such program in 1965.

Mr. LAUSCHE. Mr. President, will the Senator read the figure for cotton payments?

Mr. HOLLAND. The cotton payments for 1966 were $786 million, compared with $70 million in 1965.

Mr. LAUSCHE. That is the greatest increase.

Mr. HOLLAND. That is the largest amount. There are two other sizable increases, one being for the wool incentive program and the other of the new cropland adjustment program, which was $44 million, and which was not in operation in 1965.

Mr. LAUSCHE. And the cotton program, according to the Senator from Florida, embraces money that goes not to the cotton farmer, but to the manufacturer of textile goods?

Mr. HOLLAND. It is largely an indirect subsidy to the textile manufacturers.

Mr. TALMADGE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the Senator from Georgia.

Mr. TALMADGE. Does the Senator have the figure of the reduction of money from Commodity Credit loans?

Mr. HOLLAND. I have that information at my office; I do not have it here. The items I have placed in the RECORD do not cover that item. The Commodity Credit situation is a troublesome one to the Senator from Florida, because whereas the Department of Agriculture and the Bureau of the Budget have been working with me for the last 2 or 3 years, as the Senator knows, to restore the deficits in the Commodity Credit Corporation capital structure to bring about a sound current condition, this year they have run back in the other direction and have put in by way of restoration less than half of the established deficit they had allowed for 1966, besides not going back to the deficit for 1961, which they had assured us they would restore.

I am sorry I do not have that figure. I will be glad to have the Senator from Georgia put it in the RECORD.

Mr. TALMADGE. I do not have the figures at hand. The able Senator from Florida serves as able chairman of the Subcommittee on Agricultural Appropriations. I think the committee will determine that there is less money going for loans for the Commodity Credit Corporation, and more money going directly to the farmers. The purpose is to try to divert cotton from going into storehouses and attempt to get the money to go to the cotton farmers.

Mr. HOLLAND. I realize that is the purpose of the legislation which was so ably handled by the Senator from Georgia. I am sorry I cannot supply the figures, but I am certain those figures will come out in detail when we have hearings on the agricultural appropriation bill. I shall be happy to have them supplied by the Senator from Georgia, or I shall be glad to do so.

Mr. TALMADGE. I thank the Senator. I am sure that, as has been his custom, the Senator will proceed very thoroughly into these matters, as he always has.

Mr. HOLLAND. The sole purpose of my putting these items in the RECORD at this time is that the official report of the Department of Agriculture shows the immense sums, not of loans, but of direct payments, made by the Department of Agriculture under legislation we passed here—and the Department is not responsible for that—in the last reporting year, 1966.

I think in these days when we are trying to learn where these funds are being spent, we need the reporting of such immense expenditures, funds which have been spent by all departments, whether it be the Department of Agriculture or other departments.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. TALMADGE. I certainly share the feeling of the Senator from Florida that the Congress of the United States should look into every expenditure of the Government, but I do not think we should select the farmers who earn the lowest income of any citizens to be the first victims of an economy wave.

Mr. HOLLAND. The Senator from Florida serves not only on the Agriculture Legislative Committee but also, as the Senator from Georgia has said, as chairman of the Appropriations Subcommittee on Agricultural Appropriations. He shares sympathy with the agricultural producers expressed by the Senator from Georgia. At the same time he thinks this immense amount of over $3 billion should be investigated carefully by the Senate and House committees, because the public will be looking at it as one place where there may be a possibility for economy.

JOHN CONNOR PROVIDED SOUND LEADERSHIP AS SECRETARY OF COMMERCE

Mr. RANDOLPH. Mr. President, John Connor's resignation as Secretary of Commerce represents a loss to President Johnson's administration and to the people of our Nation.

Secretary Connor has been one of the most dedicated and effective spokesmen American business has had in government in this century. He is a man of strong personal convictions and great vision. He brought to his post within the administration an extraordinary ability to communicate the views of his associates in business and industry. He has done a magnificient job of carrying to his own contacts in the business world the complexity of the challenges confronting both business and Government.

Secretary Connor has worked closely with the Congress and its committees. And I know that the Members of this Chamber have found him among the most responsive and cooperative of witnesses, a man with the breadth of mind, the background, and the understanding to place the most complex issues in perspective.

As chairman of the Committee on Public Works it has been my privilege to work closely with Secretary Connor on such legislation as the Appalachian Regional Development Act, the Public Works and Economic Development Act of 1965 and Federal aid highway legislation. The Secretary has been helpful in these matters and the committee and the Senate have profited from his counsel on this legislation and on many other occasions.

Thanks, in large part, to the groundwork done by the Department of Commerce under Secretary Connor's leadership, the 89th Congress was able to write into law a remarkably comprehensive and enlightened program to strengthen the private economy.

The broad range of this program includes the most extensive mutual cooperation between private business and Government in our history.

We are well acquainted with the balance-of-payments problems which have chronically plagued our economy for years. Today we stand a better chance of overcoming those deficits because Secretary Connor and President Johnson, working with other members of the administration, succeeded in driving home to business interests the absolute necessity for a workable voluntary program.

The improvements we have experienced through the voluntary program are encouraging. And we have every reason to feel encouraged by the steady increase in the value of exports, the sales of U.S. goods through exhibits and trade centers abroad and by the continued attraction of foreign visitors to our country this past 2 years.

In each of these successful efforts, Secretary Connor has performed a decisive role.

He has had the intelligence and determination to pursue the goals established for his Department by the Congress and by the President. He has done so with selflessness and devotion.

I recall, as do many West Virginians, the visit of the Secretary when he gave a significant address at the Morgantown, W. Va., showcase.

I wish John Connor well on his return to private business. I am sure the President will call on him many times in the future for his continued assistance and guidance.

PRESIDENT JOHNSON'S AIR POLLUTION MESSAGE

Mr. BAYH. Mr. President, as a member of the Senate Subcommittee on Air and Water Pollution, I have learned firsthand the dangers we face from an environment that grows more polluted with every passing year. Under the Clean Air Act and its amendments, we have begun to attack the problem of pollution of our air resource. I say "begun" because the surface of this problem has been barely scratched. As President Johnson pointed out in his message, we have a long way to go.

The people of my State have learned the dangers of air pollution and the difficulties involved in controlling it. Recently, Indiana and Illinois agreed on an interstate air pollution compact designed to prevent sources in one State from polluting the air of the other. With the cosponsorship of Senator DIRKSEN, Senator HARTKE, and Senator PERCY, I have introduced S. 470 to grant the consent and approval of Congress to this compact. Our State legislatures adopted this agreement because they realized that in order for one State to battle air pollution successfully, the other State must also be making a concerted effort to reduce the emissions from stationary sources.

This compact is not yet all that we might wish it to be and it has taken perhaps too long to achieve this much control. Nevertheless, when we have achieved our goal, Indiana and Illinois will have the first effective interstate compact in the Nation, despite the fact that there are more than 70 areas in this country with serious interstate air pollution problems.

It is evident that a great deal remains to be done in regard to the problem of facilities in one State polluting another. The basic elements of the situation in my State are applicable to many other interstate industrial centers. We as a Nation are beginning to learn that there is no point in expecting one State or locality to clean up its air, when it will still be polluted by the emissions from another area. Similarly, we would be foolish to expect an industry to install control devices when its competitor in another community does not have to bear the cost of controls.

For these reasons I am in agreement with the President's proposal to establish minimum emission control levels on a national basis for those industries which engage in interstate commerce, and which contribute significantly to the problem of air pollution. Similarly, I endorse his proposal that regional air quality commissions be established in those areas where the air pollution problem is interstate in nature.

In addition to providing expanded authority to deal with stationary sources of air pollution, the President's proposed legislation would logically extend the 1955 legislation for regulating motor vehicles. Under the 1965 Amendments to the Clean Air Act, Secretary Gardner has set emission standards that will bring all new automobiles under control beginning with model year 1968. Under the proposed new legislation the Secretary would be authorized to grant funds to the States to assist in establishing inspection programs for motor vehicle emission controls. Such inspection programs will insure that the pollution control devices on our new automobiles will continue to work efficiently, and the proposed authority has my full support.

It seems to me that the administration has proposed an effective instrument which would help wage and win the battle against air pollution problems. I recommend that serious consideration be given this measure in the near future.

PROPOSED REVISION OF THE SOCIAL SECURITY PROGRAM

Mr. YOUNG of North Dakota. Mr. President, a great deal has been said recently regarding the necessity to revise our social security program and update the benefits provided under it. Before long, we will be considering legislation aimed at accomplishing this very goal.

On January 18, 1967, the Fargo Forum, North Dakota's largest newspaper, carried an editorial headlined "Congressmen Should Take Really Good Look at Whole Social Security Program." Since I believe the alternatives proposed in this editorial offer some excellent food for thought for each of us as we proceed with consideration of this legislation, I ask unanimous consent that this editorial be included in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. YOUNG of North Dakota. Mr. President, I do not profess to be fully knowledgeable regarding the feasibility of all the proposals presented in this editorial, but certainly we must be alert to the ever-rising cost of the social security program and the burden this is placing on young working people who must bear this load for many years before they can become eligible for any benefits whatsoever. If this matter is not squarely faced soon, it will be the major problem confronting us in social security legislation in future years. It may be more equitable, as the editorial suggests, to pay some of the cost of the present program out of Treasury funds.

EXHIBIT 1

CONGRESSMEN SHOULD TAKE REALLY GOOD LOOK AT WHOLE SOCIAL SECURITY PROGRAM

One of the major conflicts coming up in this session of Congress will center around the desire of both parties to boost Social Security payments.

President Johnson, in his State of the Union message asked for a 20 per cent across the board increase.

Rep. Gerald R. Ford, of Michigan, House Republican leader, has already taken issue with this approach.

"The 20 per cent overall average increase in benefits suggested by the President would mean a sharp increase in Social Security taxes—taxes which already rose .4 per cent this month to an all time high of 8.8 per cent, divided equally between employers and employes," Rep. Ford declared.

The Republican approach calls for an immediate increase in benefits of 8 per cent, and, in the future, automatic increases whenever the Consumer Price Index rises 3 per cent or more. Mr. Ford claims this solution would require no tax increase.

With both parties on record for an increase, there will be no avoiding it. It is a good bet that the increase will be less than the President's 20 per cent and more than the Republicans' 8 per cent. To keep the system financially sound, undoubtedly Congress will raise the tax by one device or another.

Neither party apparently wants to examine the Social Security program in detail or examine the charges that it is unsound and inequitable.

Two economists, Prof. James M. Buchanan of the University of Virginia and Prof. Colin D. Campbell of Dartmouth College, have come up with proposals to convert Social Security from a system that is "compulsory, costly and commercially unsound" into one that they described as voluntary, less costly to contributors and actuarially sound.

They propose to accomplish this by removing the inequities through which the younger payrollers who will pay the maximum Social Security tax throughout their working life are compelled to finance the retirement of a great many persons whose contributions fell far short of the amount needed to pay for the pensions they receive or will receive.

To remove these inequities, they propose that the net debt of Social Security (obligations above and beyond fund balances) be transferred to the Treasury Department through issuance of special, non-interest bonds which would be held in the Social Security trust fund and redeemed from time to time by cash from the Treasury. This would transfer to the general taxpayer the obligation which is now charged against those payroll taxpayers who will pay for more Social Security than they can ever hope to receive.

The professors contend that once this were accomplished, a voluntary withdrawal option could be introduced. Then, they contend, nobody would be compelled to contribute more than the cost of his own retirement insurance.

According to their calculations after such a change had been accomplished, the same Social Security benefits which in 1966 cost 7.7 per cent of the pay roll could be purchased for 4.5 per cent.

Certainly, with the politicians always ready to increase the benefits whenever an election year rolls around, it would be a good idea for Congress to take a really good look at the whole Social Security program. Perhaps those young payrollers who will be contributing for the next 30 to 40 years should let their representatives know they aren't too happy with their costs balanced against their prospective returns.

MEDAL OF HONOR—1ST LT. FRANK S. REASONER

Mr. JORDAN of Idaho. Mr. President, the final measure of the greatness of our Nation is in the quality of the men it produces.

1st Lt. Frank S. Reasoner, USMC, of Kellogg, Idaho, was an American having the qualities of greatness.

I was deeply honored today to observe ceremonies in the Pentagon conferring posthumous honors on this man who represented the very best in our traditions of honor, sacrifice, and courage.

The Secretary of the Navy awarded the Medal of Honor to Lieutenant Reasoner for his action on July 12, 1965, when he gave up his life to save one of his men in action against the Vietcong in Vietnam.

His medal was received by his wife, Mrs. Sally Reasoner, who, since the tragic loss of her husband, has proven an extremely courageous person in her own right.

Lieutenant Reasoner was the kind of man who has given the U.S. Marine Corps its superb reputation of service to our country. According to reports, his last words were:

> Get those wounded men out of here.

He was a dedicated marine. His aspiration was to serve well. This aspiration was more than fulfilled.

Vietnam was Lieutenant Reasoner's only combat experience. But he had worked hard to earn the position of commanding officer, Company A, 3d Reconnaissance Battalion which he occupied in July of 1965.

After graduation from Kellogg High School in 1955, he enlisted in the Marines. He entered the U.S. Military Academy from the ranks in 1958 on the appointment of my distinguished predecessor, the late Senator Henry Dworshak. He distinguished himself at the Academy, gaining recognition as the school's outstanding boxer after winning an unprecedented four straight brigade championships in four different weight classes.

Prior to graduation, he wrote to Senator Dworshak thanking him for his appointment and saying he realized that his entry into the Academy "was the beginning of an opportunity that comes to very few young men."

He wrote:

> I shall try to make you proud of my accomplishments in the future.

Senator Dworshak would, indeed, have been proud of Frank Reasoner, as am I and all other Idahoans.

Lieutenant Reasoner, who has now been honored with the highest military award for bravery that can be given to any citizen of this country, was admired and respected by those who served with him. Lt. William Henderson, who was with him before he was shot, spoke for many when he said:

> He wanted to be where the troops were. He was as good an officer as I've ever met. He didn't have to be out there.

He did not have to be out there, but he was. And his fellow marines of 3d Reconnaissance Battalion of the 3d Marine Division paid tribute to him by naming their camp in Vietnam Camp Reasoner.

Men such as Frank Reasoner are rare men. Today he joined the company of eight other Idahoans who have been awarded the Medal of Honor: Pvt. Thomas C. Neibaur, of Sugar City, World War I; Pfc. Leonard C. Brostrom of Preston, World War II; Pvt. Junior Van Noy, of Preston, World War II; Sgt. David B. Bleak, of Shelley, Korea; Capt. Dan D. Schoonover, of Boise, Korea; Sgt. James E. Johnson, of Pocatello, Korea; Lt. Col. Reginald R. Myers, of Twin Falls, Korea; Maj. Bernard F. Fisher, of Kuna, Vietnam. Of these nine Medals of Honor awarded to Idahoans, five have been awarded posthumously.

For men who have sacrificed their lives in extraordinary valor no award, even the Medal of Honor, can adequately fulfill the debt of the Nation. We can never really repay for what they have given for their country. But we can remember. And our gratitude is profound.

Lt. Frank S. Reasoner's devotion is now made a permanent memory to this Nation. May it always serve as an inspiration to those who serve—of unselfish dedication beyond duty, the highest quality a man can exhibit.

I ask unanimous consent that the citation be printed at this point in the RECORD.

There being no objection, the citation was ordered to be printed in the RECORD, as follows:

> The President of the United States in the name of The Congress takes pride in presenting the Medal of Honor posthumously to First Lieutenant Frank S. Reasoner, United States Marine Corps, for service as set forth in the following citation:
>
> "For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as Commanding Officer, Company A, 3d Reconnaissance Battalion, 3d Marine Division in action against hostile Viet Cong forces near Danang, Vietnam on 12 July 1965. The reconnaissance patrol led by Lieutenant Reasoner had deeply penetrated heavily controlled enemy territory when it came under extremely heavy fire from an estimated 50 to 100 Viet Cong insurgents. Accompanying the advance party and the point that consisted of five men, he immediately deployed his men for an assault after the Viet Cong had opened fire from numerous concealed positions. Boldly shouting encouragement, and virtually isolated from the main body, he organized a base of fire for an assault on the enemy positions. The slashing fury of the Viet Cong machine gun and automatic weapons fire made it impossible for the main body to move forward. Repeatedly exposing himself to the devastating attack he skillfully provided covering fire, killing at least two Viet Cong and effectively silencing an automatic weapons position in a valiant attempt to effect evacuation of a wounded man. As casualties began to mount his radio operator was wounded and Lieutenant Reasoner immediately moved to his side and tended his wounds. When the radio operator was hit a second time while attempting to reach a covered position, Lieutenant Reasoner courageously running to his aid through the brazing machine gun fire fell mortally wounded. His indomitable fighting spirit, valiant leadership and unflinching devotion to duty provided the inspiration that was to enable the patrol to complete its mission without further casualties. In the face of almost certain death he gallantly gave his life in the service of his country. His actions upheld the highest traditions of the Marine Corps and the United States Naval Service."

POLITICAL EDUCATION ACTIVITIES OF JOHN BIRCH SOCIETY

Mr. McGEE. Mr. President, a time-tested Biblical quotation admonishes: "Physician, heal thyself."

That quotation seemed aptly appropriate to me as I read in the January 29, 1967, Washington Post, the article describing a film produced by the John Birch Society and apparently designed to convince viewers that the civil rights movement in America is a step on "the vicious road to tyranny."

The film, entitled "Anarchy U.S.A.," attempts to equate and link the tactics of Communists in China and Cuba with tactics supposedly now being copied by civil rights groups in America.

As one studies the various "tactics" which are examined and deplored by the Birch sponsors of the film, however, one cannot help noticing not merely a similarity, but an identical course of action as that espoused by Birchers themselves.

In the movie we are told that the civil rights movement uses as one tactic the creation of the appearance of popular support. Yet, Birch founder Robert Welch has continually admonished his followers to "establish front groups—little fronts, big fronts, temporary fronts, permanent fronts, all kinds of fronts."

In the movie we are told that another "tactic" of the civil rights movement is to "divide the people." One might ask, "How?" By demanding the impeachment of Chief Justice Earl Warren? By demanding that we get the United Nations out of the United States and the United States out of the U.N.? By attempting to link a large percentage of the Protestant ministry to communism? By getting people to listen to the "dial-a-smear" telephonic device which parades under the patriotic name of "Let Freedom Ring"? By "going to work and taking over the PTA"? All of these and many other courses of action are advocated by Mr. Welch and his Birch Society devotees, and all are designed to "divide the people."

Also in the Birch-produced movie against the civil rights movement we are told that another "tactic" of the movement is to "neutralize the opposition." Again, one is prompted to ask, "How?" Perhaps, as Mr. Welch suggests, a "stable of speakers" should be made available to propagandize unsuspecting audiences. Or magazine articles should be run "using the question technique which is mean and dirty but very effective." This, too, is advocated by Mr. Welch. And in Welch's organizational Blue Book, he recommends other courses of action designed to "neutralize the opposition." These include the establishment of bookstores which, naturally, carry books espousing the Birch line; the sending of hecklers to meetings to ask embarrassing questions of speakers whose views differ form the Birch Society; the promotion of right-wing radio and TV programs.

Another technique attributed to the civil rights groups in the Birch movie is that of "creating the semblance of revolution." Here again, let us look at what Robert Welch advocates to the Birch followers. He asks for the "establishment and coordination of a powerful letterwriting organization"—letters to Congress, letters to the editors, postcards, bumper stickers, billboards.

The film also alleges, it is reported in the press, that the Communist civil rights leaders are coached to slander any group "that gets in your way." Labels such as Nazi, Fascist, controversial, and extremist are flashed on the screen. Need one be reminded of the oft-quoted instruction from Robert Welch to those who work in his vineyards to practice "mean and dirty tactics" as legitimate devices toward their predetermined goals? Is this not the same Robert Welch who in his mean and dirty tactics called President Eisenhower the dupe of the Communists; and his Secretary of State, John Foster Dulles, a Communist; and his brother Milton Eisenhower an outright Communist?

A final technique apparently employed by the distributors of the film is a fall-back to secrecy. The Communists perfected the techniques of secrecy in the organization of their cells in the 1930's, a practice which the John Birch Society updated and perfected for their own organizational methods. In fact, it was very difficult to identify the origin of the film "Anarchy U.S.A." It took a good bit of digging on the part of a resourceful newspaper writer, William E. Burrows, to unearth the simple fact that this is a film prepared by the John Birch Society, for the John Birch Society, and that it was, in fact, owned by a McLean dentist, Dr. Jack Messner, who admitted under questioning that he is, indeed, a member of the John Birch Society.

What all this suggests, Mr. President, is that in this film the John Birch Society deplores and downgrades the very "Communist" techniques which they themselves not only have copied but have apparently expanded upon. In short, this extremist group of the right wing has stolen the Communist Party's textbook on tactics and is throwing it back at them with a vengeance. It illustrates why some of us so strongly object to some of the current extremist groups in this country. What they profess to believe is disturbing enough, but they have a right to believe it. How they propose to achieve their goals, however, is something else again. It is their techniques, their methods, which we believe have no place in a free society. In this sense, the extremism of the far left or the extremism of the far right violate the decency of free dialog. They are to be equally condemned.

Mr. President, I ask unanimous consent that the Washington Post article concerning the Birch Society film on the civil rights movement be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BIRCH MOVIE ON RIGHTS LINKS NEGROES TO REDS

(By William E. Burrows)

A room full of Fairfax County residents watched a film Thursday night that told them the civil rights movement is a step on the "vicious road to tyranny." They were not told, however, that the movie was made by the John Birch Society.

The film, entitled "Anarchy USA," was shown free by the Support Your Local Police Committee of the 800-member Fairfax County Taxpayers Alliance, a conservative group.

The Fairfax showing follows by two weeks a similar presentation, also without production and distribution credits, in Stamford, Conn.

The 65 persons who came to see it in the Fairfax Main County Library basement were told it was "a fully documented film expose of the reasons behind the organized rioting, general lawlessness throughout the country, and the truth behind the false charges of 'police brutality.' "

Actually, the one-and-a-quarter-hour film hardly mentions police, brutal or otherwise. It's first half deals with Marxist-Leninist plans for world conquest. Its second translates the master plan into one being practiced by American civil rights leaders.

RULES FOR "TAKEOVER"

It uses newsreel clips to depict Communist takeovers on the China mainland and in Cuba, supposedly according to five rules which later are seen to be used by the civil rights movement in the United States.

Rules for a gradual Communist takeover, according to the film, are (respectively), divide the people, create the appearance of popular support, neutralize the opposition, precipitate mob violence and create the semblance of revolution.

If "the Communist-backed civil rights movement" successfully implements these rules, the film concludes, the United States eventually will be divided into Soviet America and Soviet Negro America. The latter would stretch across what the narrator calls the Southern "Black Belt" as far north as the Potomac.

The film also alleges that Communistic civil rights leaders are taught to slander "any group that gets in your way." Labels such as Nazi, Fascist, controversial and extremist are flashed on the screen. The last is "Birchite," the only reference to the Society in the film.

SOURCE OF FILM

When Taxpayers Alliance President Joseph G. Muenzer Jr., a 48-year-old salesman, was asked where the film came from, he said, "I borrowed it from a gentleman." He then suggested the question be directed to John Hemperley, the group's chairman of publicity.

Hemperley had addressed the audience briefly before the movie. Now he stood next to a table filled with paperbacks and pamphlets published by the American Opinion Library while a woman nearby counted dollar bills that had been dropped into a passing plate during intermission.

"We got the film from Dr. Jack Messner, a McLean dentist. I think it's his film," Hemperly said before adding that Messner is a member of the Taxpayers Alliance and that the film "might have been produced by the John Birch Society." He suggested the question be put to Messner.

"I believe it's compiled by the John Birch Society," Messner said later. "We have many films in many areas and I happen to have one of them. They're showing all over the country."

Did that "we" mean he is a member of the Society?

"Yes," Messner said, "I've belonged to the Arlington chapter for a couple of years."

Did he know why the film was not credited to the Birch group?

He said he did not, but suggested the question be asked of someone else, and supplied the name.

"I also have film strips," Messner said. "One is called 'Civil Rights—Red Reconstruction.' The other is 'Show Biz in the Street.' There's also one on the United Nations," he said.

Messner's political education activities include "Let Freedom Ring," which he operates from his home at 1340 Kirby rd. When a certain telephone number is dialed, the caller is treated to a three-minute recorded message, changed weekly.

The thrust of this week's recording is that American troops in Vietnam are commanded by a Russian general.

THE OIL INDUSTRY IN KANSAS

Mr. PEARSON. Mr. President, although my State of Kansas ranks sixth in the production of crude oil by latest figures, this significant advantage may be destroyed if domestic oil production continues to falter.

When we look at the figures for 1966, they tell another story than that which is told in any superficial first reading. Even though revenues were up over the previous year, the industry itself is slowly starving. A recent report gives a clear picture of this situation in Kansas. I ask unanimous consent to have printed in the RECORD an article published in the Wichita Eagle of January 1, 1967. The article was written by the newspaper's oil editor, Ted Brooks. Mr. Brooks developed this story as a yearend report on the status of the oil industry in Kansas.

Also, I ask unanimous consent that a general news story published in the same edition of the Wichita Eagle be printed at this point in the RECORD. It explains the position of individual independent oil operators and how they feel about the deepening depression within the State's oil industry.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wichita Eagle & Beacon, Jan. 1, 1967]

OIL, GAS GAINS DISGUISE LOSS

(By Ted Brooks)

In a numerical contradiction fed by a modest bit of inflation and some paper work, but mostly by the fat of former years, Kansas' petroleum industry in 1966 piled up gross revenues of an estimated $457.8 million.

That topped the previous two years by approximately $20 million. It was scored on the production of—

104.6 million barrels of oil worth $308.3 million;

829.7 billion cubic feet of gas worth $99.6 million;

25 million barrels of natural gas liquids—LP-gas and natural gasoline—worth $50 million.

Oil production held virtually steady with the previous year, but gained in dollar value through an effective price increase of five cents per barrel.

Natural gas had a volumetric gain of 21 billion cubic feet and an inflationary boost in average prices from 11 cents to 12 cents per thousand cubic feet.

Natural gas liquids, extracted at a rate of 68,000 barrels daily, mostly in conjunction with helium production, promised to someday rival oil.

Behind the glitter was an out-of-pocket, immediate loss to the state's petroleum economy of $18 million in business as 600 fewer wells were started than in the previous year. About 3,914 locations were staked, as compared to 4,514 in 1965.

The wells that weren't drilled left in their vacuum a trail of idle rigs, geologists, landmen and field workers, silent machine shops, empty supply houses and slowly fading oil field communities—and a frustrated minority of tax assessors who have failed to understand what is happening.

Added to that out-of-pocket loss was the future production of approximately 300 producers that weren't drilled. They would have produced during their flush period about 2.2 million barrels annually worth $6 million.

Of even greater long-term concern to the state's petroleum economy and the dwindling tax base, was the effect on reserves.

At the first of the year, crude reserves were estimated at approximately 825 million barrels. Allowing five million replacement barrels from discoveries during the year and another 40 million from new development and extension wells, the state's reservoirs showed a 59-million-barrel loss after 104.6-million-barrel sales.

Natural gas reserves are estimated to have held relatively steady.

Estimated at a conservative 16.6 trillion cubic feet at the beginning of the year, one might set them at 16 trillion today.

Recent studies of the Kansas Hugoton field area indicate that 25 trillion cubic feet would be closer to a true reserve figure.

A way out of the drilling depression, if there is a nonpolitical course outside the path of cost-price economics, was indicated by the state's wildcatters.

They punched down approximately 825 holes to net 200 oil and gas discovery wells, details of which are recorded elsewhere in these columns. That compares with 800 wells netting 168 discoveries in 1965.

Exploiting the rising demand for Kansas crude in the face of dwindling supplies were 22 individuals and companies whose enterprise resulted in nearly half (96) of the year's discoveries.

Their aggression, for the most part, was liberally rewarded under the 10-well discovery allowable policy of the state corporation commission that permits extremely rapid pay-out.

The outlook for 1967 is not reassuring for Kansas' bread and butter oil producing industry.

Unless there is a drastic change in the petroleum economy, the only direction is down. Kansas operators have been kidding themselves for five years that the bottom had been reached.

Elsewhere in these columns there is evidence that they have come to the realization that they must move politically and with single purpose if they want to establish an economy they can live in. A few dedicated men could do it—but it will take more than three.

There are other opinions arrayed against them, some of them to be found in these columns.

One contends that Kansas has seen its petroleum day and should be content to die gracefully, or at least without protest.

That is a legitimate thought, but it becomes involved on further thought. When is a state that has produced four billion barrels and has at least four more billion to go ready to die? Not for some time.

[From the Wichita Eagle & Beacon, Jan. 1, 1967]

Independents Would End State Drilling Depression

Looking back on a year that has pushed drilling activity down by 600 wells and a 15 year period in which drilling has been halved, Kansas independent oil men and their allies were unanimous in their year end opinions that positive, remedial action is long over due.

And something is about to be done, according to John Knightley, president of the Kansas Independent Oil & Gas Association, the 1,000-member organization which serves as the spark plug for the state's producing industry.

Knightley said that the primary objective of KIOGA is to raise crude oil prices. There are dozens of contributing causes for low prices, he pointed out, "but we feel that we would be wasting our efforts attempting to solve the price problem outside of the present import structure.

"With the cooperation with other independents in other associations we hope to get an effective raise—not merely restoration—in crude oil prices. And I'm convinced that the so-called KIOGA plan, under which import quotas are assigned directly to independent producers, is the only method through which this is feasible."

First there must be unity, Knightley said. "Too often members within a single association such as ours waste their time quarreling over details that have no significance in reaching the main goal. This gets worse when we meet with representatives of other associations."

KIOGA members, a recent poll showed, are overwhelmingly in favor of pushing the import participation plan to a showdown, Knightley said, and "we hope to sell the idea to others."

The substance of the Kansas slump, and the need for action as urged by Knightley, was spelled out in a Wichita Eagle & Beacon poll of operators.

Without exception, replying oil operators and associated business men, agreed that their difficulties are fundamentally based on low crude oil prices.

George H. Bruce, president of Aladdin Petroleum Corp., Wichita, and head of the National Stripper Well Association, said the price of domestic crude oil produced must be at least $4.00 a barrel if the independent-producing segment of the industry is to survive the mounting ecnomic squeeze—one of producing and selling oil at below replacement costs.

Suggesting a solution, Bruce said "a price of $4.00 per barrel for crude oil to independent producers can be accomplished by allocating import quotas to independent producers. Quotas would be determined by daily production, and applied on all production up to 1,000 barrels per day, with the specific provision that quotas are not calculated on the production of present holders of import quotas."

Herman G. Kaiser, Tulsa, whose Kansas operations are mostly under the Kaiser-Francis banner, said the price structure and oil imports are the major causes of the economic squeeze in which the independent finds himself.

"During the past 10 years the price of domestic crude oil has receded by at least 20 cents per barrel while prices the independent pays for material, labor and services have increased.

"A further adverse factor in Kansas is the newly established ad valorem tax structure. In quite a number of counties these taxes amount to over 10 per cent of the average net income to the oeprator from the sale of oil," Kaiser said.

"A tax of this size is the first step to expropriation," he contended.

H. A. Mayor, president of Southwest Grease & Oil Co., Wichita, said "the importation of foreign crude oil is breaking the back of the domestic oil industry."

Mayor, whose company is a worldwide exporter of lubricating oils and grease products, hit the federal government's policy in the area of imports and exports.

Mayor said his company had lost long-standing accounts with distributors in Mexico when that country closed its borders to importation of lubricating greases three years ago. At about the same time Southwest Grease lost all its business in Canada because of increased duties and exchange rates, Mayor said.

Canada now exports to the U.S. 300,000 barrels daily of tax-free and duty-free oil and Mexico continues to import 30,000 barrels of crude daily, plus a considerable quantity of gas, Mayor said.

B. J. Kellenberger, president of Shenandoah Oil Corp., Fort Worth, opposes Federal Power Commission control of gas and the price to producers. Kellenberger, whose company currently is involved in an extensive search for oil and gas in Kansas, said "the only action that will help the gas business is the removal of FPC regulations or at least an understanding by the FPC for the problems confronting exploration for and the production of natural gas," Kellenberger said.

Kellenberger said "an increase in the price of crude of from 25 cents to 50 cents a barrel is certain to be forthcoming within the next five years, but it is needed urgently at this time."

John S. Stevens, Wichita independent oil operator, agreed government regulations are putting too many restrictions on the domestic producing industry.

"At the same time," Stevens said, "unprorated production of foreign oil has driven world prices down and importation of it into the U.S. has been a major cause of the decline in drilling."

Charles G. Chauncey, president of Western Drilling Tool & Supply Co., Chanute, presented a view of an allied industry.

"The oil field supply business is dependent upon a healthy oil industry. For such 'good times' in the oil industry we have never seen it so deplorable.

"Our people have simplified and cut corners to the point where it is not feasible to operate, much less expand, their operations. The supplies we sell to them have many times increased in cost.

"If something is not done shortly then the U.S. will have to be more dependent on the cheap foreign crude which is helping depress our industry now," Chauncey said.

Ralfe D. Reber, who heads operations of Wichita-based Petroleum Management Inc. would like to see some more incentives for exploratory drilling.

"We have something to be pleased about in the 35 barrel allowable and the discovery bonus. These are extremely helpful in times of tight money, and we hope that they will be continued indefinitely."

Reber said all possibilities to assist the wildcatter should be explored, except for "out and out subsidies," which he vigorously opposes.

Legislation is needed to implement a more equitable ad valorem tax situation and to give Kansas a badly needed water-flood unitization law, Reber said.

Raymond Plank, president of Apache Corp., agrees with the rest of the independent segment of the producing industry that prices are inadequate to support the level of exploration essential to replace reserves in the mid-continent and other areas.

"Refiners, crude oil purchasers, regulatory bodies should be called upon to recognize that current benefits of low crude prices will result to the long-range detriment of their respective interests," Plank said.

His company, based in Minneapolis, Minn., drills approximately 100 wells yearly.

Herbert A. Harms, president of Harms Petroleum Co., Great Bend, said "the answer to the industry's problem is a substantial increase in the price of crude oil. We have inflationary prices on everything we use and in the cost of labor."

GUARDIAN IN THE SENATE

Mr. MAGNUSON. Mr. President, Flight magazine, in its January issue, pays well-deserved editorial tribute to Senator Mike Monroney, of Oklahoma, chairman of the Subcommittee on Aviation of the Committee on Commerce.

As the editorial, entitled "Guardian in the Senate," indicates, aviation has no more steadfast a friend and champion in the U.S. Senate than Senator Monroney.

It is further true, as the editorial states, that one of the Senator's busiest years lies ahead with the Federal Aviation Administration and the safety functions of the Civil Aeronautics Board now within the Department of Transportation.

I quite agree that 1967 will, indeed, be a busy year in aviation and that, whatever the legislative and oversight problems that confront the Committee on Commerce concerning the vital and growing field of transportation, Senator Monroney will apply his tremendous energy and knowledge toward wise and sound solutions in the public interest.

Mr. President, I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Guardian in the Senate

We were glad to see Senator Mike Monroney honored in his own home state last month when Oklahoma City dedicated its ultra modern, multi-million dollar supersonic airport and leaders from government and industry gathered there to pay tribute to aviation's most ardent supporter in the U.S. Senate.

Many came from near and far to testify to the Senator's accomplishments for aviation and for his state and nation. Typical of the kudos given Monroney were those delivered by the Hon. G. Joseph Minetti of the Civil Aeronautics Board, including the following excerpts:

"Who does not know that he is the author of the Federal Aviation Act of 1958, now the nation's basic aviation law?

"And who, in or out of aviation, is not familiar with one facet or another of the work he has done in the federal aid-to-airports program which opened the air age to cities large and small? In Oklahoma alone, since the program started, some 73 airports have been built, modernized or enlarged with government assistance.

"Mike Monroney's life has been one of looking ahead, of using today's know-how made possible by yesterday's forethought to prepare for tomorrow.

"His has been one of the dominant voices in aviation matters in the Congress. The foresight and leadership shown by him among like men of vision has shrunken our world and made it more comfortable.

"He has been a guardian, a hand-holder, so to speak, of all of us—the private pilot, the commercial aviation businessman, the government worker. He has been an innovator and many of his ideas have had a dramatic impact upon the growth of aviation, not only in the United States but throughout the world. Senator Mike's role of a giant in aviation has been established not only because of his years of experience and contact with us all but mainly because of the respect he has earned, working daily in our behalf—yours, mine and every other American's."

As the new year dawns, a year that's destined to be marked by many key decisions in high government circles to affect aviation progress for at least the next decade, we wish Senator Mike Monroney good health and all the necessary vigor required to fight off those who would stymie airplane, airport and air traffic systems development. As aviation's guardian in the Senate, Mike Monroney is going to need a lot of help in 1967, not only from competent industry leaders but from his fellow congressmen.

The present administration will not become famous for constructive aviation policy. Already it suggests a cut in the Federal airport program, seeks exorbitant user charges from general aviation and is working on a plan that would curtail defense contractors' use of business aircraft by disallowing costs over and above airline ticket costs for each passenger carried between any two points in the corporate aircraft.

Also, it is not inconceivable that the new behemoth Department of Transportation will have to be carefully watched as it spreads out and enfolds every agency in the government having anything to do with transportation, except for the Maritime Commission, which the labor unions got exempted.

So, when counting our blessings for the New Year, let's list "Mr. Aviation" in the U.S. Senate way up in the top spot. One of his busiest years lies ahead.

CRIMINAL VANDALISM AT YUGOSLAV EMBASSY AND CONSULATES

Mr. FULBRIGHT. Mr. President, the recent dynamiting at the Yugoslav Embassy in Washington and at Yugoslav consulates elsewhere in the United States is an outrage which must make all patriotic Americans feel angry and ashamed. I associate myself fully with the Department of State in deploring this criminal vandalism and in expressing my sincere apologies to the Government and people of Yugoslavia.

I am hopeful and confident that appropriate Government agencies will take effective measures to prevent the recurrence of criminal violence of this kind and will also take prompt and effective action to apprehend and bring to justice those responsible. Like all patriotic Americans, I am, of course, relieved and grateful that no one was killed or injured in these attacks on the Yugoslav Embassy and consulate.

REV. HIRO HIGUCHI, CHAPLAIN, 442D REGIMENTAL COMBAT TEAM

Mr. INOUYE. Mr. President, this country has been richly blessed through the services of that small band of men who served their country in the Army Chaplain Corps. Their deeds of sacrifice and love have been an inspiration to millions of our fighting men throughout the history of this country. Of these men none can exceed the valor, the deep devotion to the principles for which their whole life has been devoted, the love of Rev. Hiro Higuchi, who served with the 442d Regimental Combat Team in those cruel years of bloody conflict during World War II.

Although Reverend Mr. Higuchi was a pacifist, he saw the great need and the hunger of those lonely men of Japanese extraction who were willing to sacrifice their lives if need be to prove their loyalty and devotion to their country. He shunned the safety of the rear echelon and made as a protector his faith in the God he strove to make these men aware of in their hours of trial.

Because of his exemplary faith and dedication to the men for whom he volunteered to risk his life, Reverend Mr. Higuchi—a man who became a symbol for the Nation's Nisei fighting men—was honored at a banquet held on January 29, 1967, at the Reef Hotel by members of the Army Reserves in Hawaii.

I ask unanimous consent that Advertiser staff writer Bruce Cook's article on Reverend Mr. Higuchi be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AND THE 442D'S BRAVE CHAPLAIN HIGUCHI

(By Bruce Cook)

On a Sunday morning in the fall of 1944 a war correspondent sent a dispatch from a little valley in Northern France.

It told of an Army chaplain conducting services as artillery crashed around the GIs who had crawled from their foxholes and squatted on their field packs to listen.

The men were with the 442nd Regimental Combat Team. They had been through some bloody battles and still were fighting in France.

The chaplain said prayers with the men and then delivered his sermon.

"Remember that you are fighting not for yourselves alone, but for all of mankind," he told them. "That from out of this bloodshed and strife will come a new and better world because of your sacrifices * * *"

The dispatch said the soldiers were so inspired by the chaplain's words they marched into combat singing "The Battle Hymn of the Republic."

Some of those same GIs will be at the Reef Hotel tonight to honor that chaplain, a man who became a symbol for the nation's Nisei fighting men.

The Rev. Hiro Higuchi, who will be 60 Tuesday, is retiring as a colonel after 20 years in the Army Reserve, and his friends are seeing him out in style with a banquet.

Higuchi, best known today as Hawaii's do-it-yourself church builder, was splattered with paint and hard at work on his new Manoa Valley Community Church when he took time out for an interview.

"Before we sit down, come, I want to show you the progress we have made on our new church," he said.

We started on a tour of the two-acre site, located a half-block off East Manoa Road.

"This is going to be a beauty spot for all of the people of the valley to enjoy," he said.

As he walked through the complex, wearing a hard hat with the inscription "Colonel Superintendent," Higuchi reminisced about World War II.

HE WAS A PACIFIST

"When the war began I was at the Waipahu Community Church. I was against war, a pacifist. I wanted no part of it.

"But I was the YMCA leader in the district and 1,200 boys were members. I remember how 135 of them volunteered to go, and I thought to myself I couldn't stay back. Pacifist or no pacifist I had to go and do my part."

He volunteered to go overseas and found himself in Italy.

"We were getting barraged all the time. The guys would call me and say: 'Chaplain, we need services. If you're not scared come on up' (to where the bullets were flying).

"Scared? I'll tell you I was really scared. But I'd get me a foxhole, read to the men—then I'd take off as fast as I could."

Higuchi didn't mention the times he took off in the other direction—toward the enemy.

Once, a patrol reported it had sighted the body of a missing sergeant. Higuchi set out with a team of engineers through areas heavily mined and booby-trapped and returned with the body after four hours behind enemy lines.

Another time he stayed at a forward aid station to help medics with wounded and dying men through a five-hour enemy barrage.

Higuchi recalled some of his saddest days in the war—once when 800 men of the 442nd went into combat and only 200 returned, another time when 205 went out and just five came back.

SOUGHT THE LIVING

And the many times he picked his way through piles of American bodies.

"I would always check because there was always a chance one of the men would still be alive."

One day in France he found a soldier still breathing, so he put him with the wounded.

"I visited him later in a hospital, and thought he was going to die," Higuchi said.

"Then, just a few years ago, a man from Boston came to see me, to thank me for saving his life.

"It was the surprise of my life. It was the man I had pulled from that pile of bodies. I had no idea he was still living."

Higuchi said it bothers him when he reads that the 442nd soldiers fought so well mainly because they were trying to prove they were good Americans.

"That is not true. We fought because we didn't like Nazism. We didn't like the evil and horror it brought to the world. We were fighting, like all Americans, for a principle—for freedom and democracy. We were not trying to prove ourselves.

"I remember my second sermon. I told the men if they were there only to prove they were good Americans they might as well go home. But I didn't have to say it because they realized the issue was much bigger than that."

When the war was over, Higuchi had the Legion of Merit, Purple Heart and Italian Cross of Military Valor. You have to dig back in the records to learn about the medals; he doesn't mention them.

Higuchi said the war gave him the inspiration to build churches.

"It was amazing what men could do in the war. Why, they could build anything with almost nothing to start with and with the odds stacked against them.

"I thought that man can do anything if he sets his mind to it. So we decided to build a church in Waipahu.

"We started the church, but we ran out of money and I was scared. We held a meeting and a guy said: 'This is a church we are building. Let's go ahead and build it on faith.'

"The next day I went to the post office and found checks for $5,000 from two estates. That convinced me that faith can build anything."

OTHER PROJECTS

Higuchi has spearheaded other building projects besides churches. During two years in Waimea, Kauai, he helped the people there build a community swimming pool. Later, he helped in the construction of a pavilion at Waimano Home, a project of the Lions Clubs.

As chaplain for the IX Corps in the Army Reserve he has made trips to Thailand, where the unit has periodic exercises, and in 1963, he started projects to help an orphanage and school there. His church also is helping support a reform school on Okinawa.

Higuchi served on the Mayor's Advisory Committee on Ethics and now is the only holdover member on the new Ethics Commission.

He also was on the Mayor's Conflict of Interest Investigation Committee; led the Disabled American Veterans' fund-raising campaign for their Keehi Lagoon Memorial project; served on the State Board of Paroles and Pardons and on the Governor's committee to select a site for a new State prison. (He was the only committee member who voted against moving the prison from Oahu to Maui.)

In 1961, he was named Hawaii's Father of the Year for Religion.

He and his wife, Hisako, have a son, Peter, 30, an electrical engineer in Los Angeles, and a daughter, Jane, 23, the wife of engineer Ray Fukinaga of Honolulu.

Higuchi paused to reflect again on the part of his life he gives up tonight.

"I will miss the fellows. We had a lot of fun together and I made many good friends in the Army.

"Every time I've been ready to build a church they've been ready to help me with money and with hard work.

"They have given me so much and now this. I'm kind of embarrassed," he said.

TASK FORCE STUDY OF GOVERNMENT OF CITY OF FARGO, N. DAK.

Mr. MONDALE. Mr. President, the 1960's have become a decade of unprecedented activity and change in the government of our urban areas. The challenges they face are often unprecedented in form and in magnitude. And the governmental structures which they have inherited from earlier days are frequently not adequate to do the job.

Therefore, I am happy to invite the attention of the Senate to the recent study of the government of Fargo, N. Dak., written by a task force composed of experts from North Dakota and Minnesota colleges and universities. This report recommends sweeping reforms in the structure of that government.

I feel that this analysis and its conclusions will be of interest to people throughout the Nation who are concerned with city government. I therefore ask unanimous consent that the report and a summary of its findings be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

FINAL REPORT OF THE FARGO MAYOR'S TASK FORCE ON CITY GOVERNMENT

LETTER OF TRANSMITTAL

JUNE 9, 1966.

Mayor HERSCHEL LASHKOWITZ,
City of Fargo, City Hall,
Fargo, N. Dak.

DEAR MAYOR LASHKOWITZ: We have the honor to submit the Final Report of the Task Force which you have appointed to study the city government of Fargo. This report represents the collective efforts of five political scientists from the three institutions of higher learning in the Fargo-Moorhead area and is the product of many hours spent between teaching and research directly observing the city commission plan at work, attending various meetings of various citizens advisory bodies organized to study special municipal problems, interviewing city officials and influential citizens in the community, and going through the voluminous file of minutes of city commission proceedings from 1954 to date. At times our experience has been unpleasant, especially for one of us who personally attended every evening meeting of the city commission but in the end this experience has enabled us to look at the commission plan more closely than we did before.

It has been a pleasure for all of us to work for the citizens of Fargo without any expectation of some future reward. Although we had no research fund to finance our study, coupled with the fact that we had practically no staff to help us to do even minor secretarial tasks, we worked with "all the energy," as one of our mentors used to advise us, "all the wisdom, all the scientific sophistication, and all the regard for human well-being that we can muster,"[1] in order to help the citizens of Fargo, through the use of social science methods and techniques, to understand their form of government in a systematic way and to probe into the causes of problems in City Hall.

We believe that given the proper political structure, appropriate governmental framework, and dynamic executive leadership, the city government of Fargo can rise to meet the realities of metropolitan problems in the Red River Valley and the challenge of urban growth in the second half of the 20th century.

Sincerely yours,

JOHN A. BOND, Ph. D.,
Chairman of the Task Force and Associate Professor of Political Science, North Dakota State University.

A. B. VILLANUEVA, Ph. D.,
Cochairman, Associate Professor of Political Science, Moorhead State College.

CURTIS AMLUND, Ph. D.,
Associate Professor of Political Science, North Dakota State University.

HARDING NOBLITT, Ph. D.,
Professor of Political Science, Concordia College.

FRANK J. KENDRICK, Ph. D.,
Associate Professor of Political Science, Moorhead State College.

SUMMARY OF RECOMMENDATIONS

1. We recommend that the present commission form of government be abandoned in favor of a mayor-council form of government.

2. We recommend the establishment of a position of an administrative assistant to the mayor and the appointment of a competent and qualified municipal administrator to that position to assist the municipal executive in performing his administrative tasks.

3. We recommend that the election of members of the local governing body be based on wards in order to give more representation to various elements in the community.

4. We recommend that a management study of city operations be undertaken by the proposed administrative assistant to the mayor. Such a study should look into all phases of city management including staff-line relations, fiscal problems and politics and personnel practices of the city government.

5. We recommend that the city budget be prepared by the city executive with the help of his administrative assistant on the basis of programs, functions and activities instead of on the basis of objects-of-expenditures.

6. We recommend the establishment of a central purchasing agency to buy all supplies and equipments for the city departments for the sake of economy.

7. We recommend that meetings of the city commission be held in the evening to allow more citizens to observe the proceedings of their local governing body.

8. We recommend that the Park Board, the Library Board, and the Urban Renewal Agency should cease to be independent administrative bodies. They should be integrated with the city government and transformed into city departments under executive direction and control. The members of the said boards should perform advisory functions only.

9. We recommend that a committee of leading citizens in the community be appointed to formulate a code of ethics to be used as a yardstick by which the people can judge the conduct of their city officials.

10. We recommend that steps be taken to publish an annual city report describing what the city government is doing and thinking.

11. We recommend the adoption in the coming November, 1966, election of an amendment to the state constitution granting home rule powers to cities in North Dakota.

FINAL REPORT OF THE FARGO MAYOR'S TASK FORCE ON CITY GOVERNMENT

I. INTRODUCTION

The present report is a study of Fargo's commission form of government. Those who are looking for a management efficiency study of all phases of city operations, similar to the study made by the Public Administration Service on the subject of a city motor pool, will not find it here because that is beyond the scope of our assignment. Our main concern was to determine whether the present form of city government is adequate enough to respond to the demands of the citizenry and whether it provides a framework in which the voters can elect an able municipal executive who can be held politically accountable to the voters for the whole conduct of city affairs. With these thoughts in mind, we submit the following findings, conclusions, and recommendations:

II. THE COMMISSION PLAN

The commission plan in Fargo has failed to provide for an integrated administrative framework which allows the exercise of a strong, vigorous executive leadership in urban affairs. The commission plan has had the effect of restricting the mayor's leadership potential. However, in spite of the limitations of this form of government, some progress has been made in such areas as urban renewal, in the rehabilitation of the city from tornado disaster, and in the bus transportation problem. But such problems could have been solved more expeditiously were it not for the commission plan.

City commissioners, rather than concerning themselves with policy-making only, attempt as individuals to deal with problems that are in the domain of executive management. These commissioners have developed their own separate empires in the city hall merely as a result of their election to office. Administrative responsibility in city government is fragmented and diffused among the four commissioners, thereby making it almost impossible to coordinate the operations of the various departments and agencies, and to integrate their operations into a meaningful, unified whole.

The history of the commission plan in Fargo is replete with political side-shows and personality clashes. Commissioners have been unable to rise above their personal jealousies, ambitions and vendettas for the sake of good government. The commission chamber has been the scene of numerous walk-outs, verbal bombasts, dissensions, bickerings, antagonisms, and malice among all members of the commission. *We believe that the city's municipal structure has intensified these personality clashes, and that the commission form promotes bitter factionalism.*

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[1] William Anderson, "Municipal Government—No Lost World," *American Political Science Review,* 51:776–783 (1957).

The politics of the commission plan is a politics of conflict and disharmony. To operate smoothly such a five-headed commission form of city government requires more mutual forbearance among the commissioners than human nature usually provides. In Fargo the conflict situation has now reached such an impasse that issues are no longer decided upon their merits but instead issues are frequently voted upon in terms of factional commission alignments.

The election of commissioners on the basis of an "at-large" system of representation has failed to produce commissioners with a citywide point of view. Some commissioners have their own special economic interest groups to look after, while others have their own neighborhoods to think of. Due to the enormous expense of financing an election campaign in a city election where candidates for the city commission run at large, only those candidates with support from pressure groups with large financial resources have a good chance of winning. As a result, special interest groups which support the winning candidates can exert too much influence on commissioners. Recognizing these political realities, *we believe that the election of members of the local governing body should be based upon wards in order to give better representation to various elements in the community.*

The commission form of city government lacks separation of powers and checks and balances. Since the commission form lacks the usual American system of separation of powers, the commissioners who collectively make the laws and appropriate the money are the same officials who individually as department heads execute the laws and spend the money. There are no internal checks and balances. For instance, there is no possibility of a mayor's vetoing an ill-conceived city ordinance or an extravagant appropriation passed by the legislative body. Nor is there provision for the legislative body approving, modifying, or rejecting the mayor's executive budget because under the commission form of city government there is no executive budget.

The commission form of city government results in government by amateurs. Probably the most significant feature of the commission form is the "portfolio" system by which individual commissioners are placed in charge of specific city departments. Administration is placed in the hands of five elected commissioners who divide the departments among themselves after each election, and, transient amateurs though they are, try to run the departments personally. When amateurs serve as department heads, the result is frequently poor administration.

In electing commissioners, voters seldom have an opportunity to elect qualified administrators. Qualified administrators are more often obtained through appointment than through election. A superintendent of schools is a good example of an appointed administrator.

We believe that city administrators should be appointed for the following reasons:

1. The personal characteristics necessary to win elections are quite different from the personal characteristics of an effective administrator.

2. The assignment of portfolios is frequently arranged among the majority faction of the commission on the basis of political considerations rather than on the basis of expertise and experience.

3. A commission might include three men competent to run the law department but none fitted to run either the finance department or the street department. A commission might be so restricted in making departmental assignments that it would be forced to appoint an undertaker as commissioner of health! If the data in Table I has significance, it is that usually amateurs only direct the city departments.

TABLE I.—*Occupational background and portfolios held by Fargo City commissioners (1954–66)*

Commissioners	Occupation	Portfolios held
Lashkowitz	Lawyer	Finance, revenue, administration, and airport.
Zube	Housewife	Buildings, landfill, and health.
Hagen	Salesman	Water, sewage, finance, revenue, and administration.
Lewis	Engineer	Airport, streets, sewers, and engineering.
McCannel	Projectionist	Buildings, garbage, landfill, and health.
Yoder	Ambulance operator	Police and fire.
Markey	Telephone installer	Police, fire, water, sewage, landfill, preventive maintenance, and garbage.
Korsmo	Assistant manager of Abstract Co.	Finance, revenue, administration, and buildings.
Johnson	Architect	Police, fire, and airport.
Oakey	Professor of engineering	Health, engineering, inspections, streets, and sewers.

From the experience of other American cities, it is notable that in 1943, 25% of all such cities over 25,000 population had the commission form of city government. But in 1965 only 10.4% of cities over 25,000 had the commission form of city government.[1] Since the 1965 percentage is only about two-fifths of the 1943 percentage, it is apparent that among cities in Fargo's population category there has been a strong movement away from the commission form of city government. Even Galveston, Texas, and Des Moines, Iowa, the originators of the commission form of city government, abandoned it in 1960 and 1945 respectively.

III. INTER-GOVERNMENTAL RELATIONS

The people of Fargo are governed by five local governments instead of one. Their schools are run by a school board the members of which are elected by the voters. Their parks are managed by the Park Board the members of which are also elected. Their public library is run by the Library Board whose members are appointed by the School Board. Their urban renewal projects have been directed by a Board of Commissioners of the Urban Renewal Agency appointed by the mayor with the consent of the city commission. Their city government is administered by five city commissioners popularly elected at large. Generally speaking, these five local governments are virtually autonomous in their operations. There is practically no coordination of their functions nor adequate liaison among these agencies.

We believe that the Park Board, the Library Board, and the Urban Renewal Agency should cease to be independent administrative bodies. They should be integrated with the city government and transformed into city departments under executive direction and control. The members of the said boards should merely give advice and recommendations rather than exercise decision-making powers.

IV. ADMINISTRATIVE MANAGEMENT

Although we did not undertake to make an efficiency study of all departmental operations of the city because it was beyond the scope of our assignment, four important areas of administrative management have been observed which require some improvements:

The city government has become complex and unwieldy as shown by the organization chart on the next page. [Chart not printed in RECORD.] A close examination of the chart shows that there is no central point where all departmental activities are coordinated. There are no clear-cut powers vested in the mayor to coordinate these activities. (The mayor was designated as inter- and intra-governmental coordinator in 1964 for two years and allegedly redesignated to serve for two more years starting in 1966 without formal commission approval.) Nor has the mayor a staff (or even a part-time office clerk) to assist him in his task of relating one departmental activity to another in the hope of preventing any duplication. There is practically no way of knowing whether or not municipal functions overlap one another. Citizens are unable to fix responsibility with a five-headed or plural executive. In the mayor-council plan, an integrated form of city government, all administrative authority is vested in the mayor as chief executive; consequently, the citizens can hold the mayor responsible for whatever happens in the city's administration. In the interest of efficiency and economy, *we recommend that a management study be undertaken by a qualified municipal administrator appointed by and responsible to the mayor who in turn is politically accountable to the people.*

We found no central purchasing agency responsible for buying supplies and equipment for all the city departments, including those of the Park Board, School Board, Library Board, and the Urban Renewal Agency. Such a system of centralized purchasing could have made tremendous amounts of savings for the city. Experience has shown that quantity buying for all departments can be made at lower costs. Equipment and supplies used by the various city departments can be standardized to realize the savings resulting from quantity purchasing. Also, employing a purchasing expert would insure good quality in equipment and supplies so that the city would receive its money's worth for every tax dollar spent thereon. We *believe that important benefits can be gained from a centralized purchasing agency under executive direction and control.*

The city budget is a meaningless lump-sum appropriation. There is no budget message which explains the major highlights of the budget, what the city is doing, what work programs are being proposed, what accomplishments have been made in recent years, what results are anticipated, and how these results compare with past performance data. The reason is simply that the present system of budgeting under the Municipal Budget Law is nothing more than an accounting exercise instead of imaginative fiscal planning, an accounting document consisting of a conglomeration of figures instead of a bold financial plan. *We believe that a budget prepared by the executive (with the help of a competent municipal administrator) on the basis of programs, functions and activities should be given serious consideration as a replacement for the present system of budgeting on the basis of objects-of-expenditures.*

The costs of public services have been increasing over the years. If citizen-taxpayers are going to pay for these services, they are entitled to a full explanation of the use to which their tax dollars will be put. There is no device at all in the city hall for informing the citizens of what is going on in their city government. *We believe that the citizens have a right to be informed on local affairs. We therefore recommend that steps be taken to publish an annual city report describing to the citizens what their city government is thinking and doing.* An administrative assistant to the mayor would prepare such an annual city report for the information of citizens.

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[1] Preliminary data for the 1966 Municipal Yearbook as reported in *Public Management*, 48:83 (March, 1966).

V. THE OFFICE OF THE MAYOR

The mayorship of Fargo is an institution that is here to stay. The president of the Board of City Commissioners personifies that institution and the law has vested in him the powers of law-enforcement and appointment over some citizen advisory bodies such as the Planning Commission and the Urban Renewal Agency. North Dakota law makes the mayor (President of the City Commission) the executive officer, but in practice he has no executive power to appoint or to remove department heads and other city officials. The Fargo City Commission has turned down the mayor's nominations to advisory commissions, such as the Planning Commission and the Zoning Commission. As the executive, state law requires that the mayor enforce the laws, but he is given no authority over the police department. One of the few powers remaining to the mayor is the power to preside over Commission meetings.

Regardless of the fact that some individuals consider the mayor's office as merely honorific and ceremonial, the office and title of the mayor occupy a unique place in municipal affairs and are held in high esteem by students of urban politics. The mayor will continue to play a positive leadership role because he is expected to do so by various segments in the community who look to him for municipal leadership, and there is no other place and no other person to look to.

We believe that the mayor, if he is to play a large executive role expected by those who have elected him to office, should play that role within a framework of government where there is administrative integration, not fragmentation of authority and responsibility. *To this end we recommend that the present commission form of government be abandoned in favor of a mayor-council form of government with an administrative assistant appointed by and responsible to the mayor.*

VI. THE MAYOR-COUNCIL-ADMINISTRATIVE ASSISTANT PLAN

This form of government unifies administrative management under the direction of the mayor. The city council devotes its time to policy-making, leaving the administration of policies to the mayor and providing "checks and balances" to the exercise of administrative powers by the mayor (see proposed organization chart in the next page). [Chart not printed in RECORD.]

We recommend the establishment of the position of administrative assistant to the mayor to assist the local chief executive in performing his administrative tasks. Such position can be established by ordinance adopted by the city council pursuant to the provisions of Chapter 40-14-04 of the North Dakota Century Code. The ordinance shall fix the administrative assistant's salary and shall provide that he shall be appointed by the mayor with the consent of the council under a one year renewable contractual arrangement, mutually binding upon the city and the administrative assistant. This contract should be in the form of or authorized by an ordinance and shall specify the terms and conditions of the employment.

We recommend that the administrative assistant be appointed solely on the basis of the following qualifications:

1. He must hold a graduate degree in public administration.

2. He must have had at least two years prior experience in an executive and/or administrative capacity in city government.

3. He need not be a resident at the time of his appointment, but during his tenure of office he must reside inside the city.

We recommend that the administrative assistant shall have the following duties and responsibilities:

1. To supervise and coordinate the work of all city departments and agencies.

2. To prepare the annual city budget in accordance with the Municipal Budget Law and supervise the execution of the budget.

3. To develop and administer a sound personnel system consistent with merit principles.

4. To study and evaluate the organization, procedures and effectiveness of the various city departments, boards, and commissions and to formulate and report to the mayor plans and recommendations for improving the administrative organization and operational efficiency of the several departments and agencies of the city government as a whole.

5. To serve as the chief purchasing agent of the city.

6. To review the fiscal affairs of the city including an analysis of the revenue and expenditure trends and periodically to submit to the mayor suggestions and recommendations concerning the same.

7. To analyse and report to the mayor concerning impending policy decisions affecting the management of the city and its agencies.

8. To convene periodically the heads of departments and agencies singly or collectively for the purpose of conference, discussion and report.

9. To conduct research and prepare reports which give continuing attention to problems involving the effective and economical organization and administration of city services.

10. To prepare an annual report of all activities, accomplishments, problems and needs of the city and to make this report available to the mayor, the city council and the public.

11. To install a system of records management and to use statistical techniques in the collection and analysis of performance data as may from time to time become necessary or desirable.

12. To develop and prepare materials on management practices to use for in-service training programs for city employees and to provide technical assistance and guidance in the conduct of such programs.

13. To maintain liaison with civic and community groups on matters of governmental management.

14. To attend meetings of the city council, if requested by the council, and to make available such information as the council may require and submit recommendations on such matters as it may specify.

15. To attend meetings of any board, commission, or committee of which the mayor is a member, when requested by the mayor, with the privilege of participating in the discussion and deliberations of such boards or committees as the mayor's proxy.

16. To assist the city administration in the planning and drafting of legislation found necessary and desirable to effectuate recommendations concerning the same.

We believe that the adoption of the mayor-council plan plus the appointment of an administrative assistant to the mayor strictly on the basis of ability and merit will give the City of Fargo all the advantages of the mayor-council system and the council-manager form:

1. It separates politics from administration in the executive branch of the city government.

2. It preserves the office of the mayor as the center of political leadership and responsibility.

3. It captures the advantages of the council-manager plan without the risk of abandoning the value of an elected chief executive.

4. It emphasizes the merits of administrative integration and professional management.

5. It strengthens executive leadership.

6. It preserves representative government by replacing five commissioners elected at large with fourteen aldermen—two elected from each of seven wards.

7. It frees the mayor from his administrative duties so that he can concentrate on program formulation, while it gives the council time to evaluate and adopt such programs.

8. It fixes responsibility by enabling the public to see who is formulating the programs of the city and who is executing these programs.

9. It provides a framework within which effective and genuine leadership can mobilize community-wide support for these programs and arouse intensified citizen interest in government.

10. It is the only form of local government prescribed by the North Dakota Century Code, which is in closest harmony with America's doctrine of separation of powers between the executive and legislative branches of government.

The Mayor-Council-Administrative Assistant Plan proposed herein is not new in the United States. Many cities have been using this form of government since the end of the Second World War. Among these cities are New York, Los Angeles, Louisville, Newark, New Orleans, Philadelphia, San Francisco, Duluth, and St. Cloud. The titles of such officer (administrative assistant) vary widely from city to city: in New York City, City Administrator; in Newark, Business Administrator; in Philadelphia, Managing Director; in Los Angeles, New Orleans, and San Francisco, Chief Administrative Officer; in Louisville, City Consultant; and in Duluth and St. Cloud, Administrative Assistant. The title of administrative assistant is proposed here in order to emphasize the subordination of this official to the mayor.

VII. CODE OF ETHICS

It is our conviction that high ethical and moral standards are essential to good government. In view of what has happened in the City Hall in recent years, a careful examination of the whole area of ethics and morality in city government is in order. *We recommend that a committee of leading citizens in the community be appointed to formulate a code of ethics to be used as a yardstick by which the people can judge the conduct of their city officials.*

VIII. CITIZEN PARTICIPATION IN MUNICIPAL AFFAIRS

Citizen participation in local government is essential and crucial in a democracy. Such participation requires more than going to the polls and voting for the candidate of one's choice. It also involves running for a public office, serving voluntarily on citizen advisory committees, laboring for love in task forces and attending city commission meetings. Every effort should be made to give the citizens the opportunity to take part in municipal affairs if they are to be expected to make intelligent decisions on public issues.

We believe that the change of the meeting time of the city commission from evening sessions to morning sessions does not provide the citizens with that opportunity. We cannot understand how those who favor the holding of morning sessions can consistently support increased citizen participation and interest as prerequisite for intelligent resolution of public questions and then at the same time make it inconvenient and difficult for these citizens to attend, observe and be heard in the meetings of their own local governing body. *We believe that morning meetings of the city commission discourage citizen participation in the political process,* *decrease their interest in politics, and force these citizens to lose their faith and confidence in their city government.* Let us remember that in a democracy the people are sovereign, that the city government belongs to them, and that the right of citizens to attend meetings of their local governing body is inviolate and protected by law.

X. HOME RULE CHARTER FOR FARGO

Municipal reform should be a continuing effort aimed at modernization of the structure of local government. There is nothing better than a home rule charter as a tool with which citizens can adapt their local governmental structure to new problems, new conditions, new challenges and new procedures. If Fargo has a charter framed and drawn by its own citizen-taxpayers, it can have more discretion in choosing the kind of political framework it wishes without going through the state legislature in Bismarck for legislative permission.

We therefore recommend the adoption in the coming November, 1966, election of an amendment to the state constitution granting home rule powers to cities in North Dakota.

We believe, as one of us has written, that "home rule is one of the best institutions of local democracy" and therefore "it merits the support of the electorate and the endorsement of all civic groups."[2]

APPENDIX A

Statement of Mayor Lashkowitz regarding task force report—June 9, 1966

I am pleased to announce the official release of the Mayor's Task Force Report on Fargo's city government.

This report represents nearly eight months of research, study and analysis by an outstanding team of highly recognized and respected political scientists.

This report is unique in many respects because:

(1) It is the first significant study in recent years of the city commission form of government conducted in this area and perhaps nationally.

(2) It represents the combined effort of outstanding political scientists and scholars from three institutions of higher learning who worked as a team.

(3) The political scientists gave of their time and talents without one cent of tax money being expended. (Such a study would ordinarily cost the City somewhere between $10,000 and $15,000 as a conservative estimate.)

(4) The scholars concerned expended in addition to their own time and talents, their own personal resources involving considerable expenditures in order to accomplish this study.

(5) The study report will have countless value in the days ahead, not only to scholars but to the citizenry generally in helping to place city government in proper perspective.

I want to thank publicly the members of the Task Force and specifically Dr. John Bond of North Dakota State University, Task Force Chairman, Dr. A. B. Villanueva, Moorhead State College, Task Force Vice-chairman, Dr. Curtis Amlund, North Dakota State University, Dr. Harding Noblitt, Concordia College, and Dr. Frank Kendrick, Moorhead State College. These men individually and collectively gave generously their time, energies and talents in the accomplishment of this study and are entitled to the gratitude of the people of the City of Fargo. These scholars and eminent political scientists were willing to subject themselves not only to great inconvenience but on occasion to personal abuse and misunderstanding in order to see this project through. I commend the Task Force as a team and individually. I would also commend Drs. John Bond and A. B. Villaneuva for the leadership and direction that they brought to this study and for the tireless efforts that they expended in its accomplishment.

I not only commend the Task Force but I hail its product. I sincerely hope that the people of our community will read and study its contents carefully and familiarize themselves with its recommendations.

I, as a personal reference, want to acknowledge not only the scholarship of these gentlemen but the remarkable and tenacious character of each of them as individuals. In the face of great discouragement they faced up to their task and saw the job through successfully.

I know that the vast majority of the people of our City respect, admire and appreciate the efforts of these good men and the contribution that they have made to our City. It had taken genuine courage to undertake this assignment and even greater courage to complete it.

I endorse the findings of the Task Force completely and I hope that we as a City can take the necessary steps to achieve long overdue modernization of Fargo's city government. Fargo is a great City with a respected record of accomplishment in many areas and should break loose from the restraints of our outmoded and archaic form of government and consider very seriously the positive recommendations of the Task Force which point the way toward greater responsibility, efficiency, and positive achievement and implementation of goals at a saving to the taxpayer in terms of dollars and efforts.

I herewith submit the Task Force report to the people of Fargo and I hope that these gentlemen will continue their time schedule permitting to be available for consultation in the months ahead.

NEW LOOK AT FEDERAL HIGHWAY PROGRAM NEEDED

Mr. FANNIN. Mr. President, I take this opportunity to join with other Members of Congress—Republicans and Democrats alike—in urging that a new look be taken at the Federal highway program. Inadequate financing and a concomitant cutback in highway construction, ordered last November by the administration, have greatly increased the likelihood that the 41,000-mile Interstate Highway System will not be completed by the 1972 target date.

Should this occur, it will be a substantial setback for the Nation's defense network, of which the Federal highway system has been and is a vital link. Surely the Nation's defense requirements are no less important today than they were in 1956, the year Congress voted to include the highway construction program within the national defense system. But other considerations, very important considerations, also are involved.

The cutback in the Federal highway program comes at a time when highway deaths are at an alltime high and are still mounting; when more motorists use the streets and highways than ever before; when motor vehicle travel stands at a record 900 billion miles a year; and when the Nation's great urban centers are strangulating from traffic congestion.

In 1966 alone, more than 54,000 Americans—nine times the total number of Americans killed to date in Vietnam—lost their lives on the Nation's highways. How many of them might have been saved had the Interstate Highway System been further advanced is, of course, impossible to determine. But authorities agree that the number would have been considerable.

One agency of government is busily engaged in a program to encourage Americans to "See America First." But how can they? Unless and until Americans have access to modern, high-speed highways spanning the Nation, the agency's efforts, laudable though they are, largely will be in vain. Vacationers have no desire to spend the largest part of their holiday fighting the dangerous and frustrating traffic conditions they hoped in the first place to leave behind, if only temporarily.

Another consideration is that the delay in the Federal highway program is costing the Nation dearly in financial terms. Construction costs and prices for land along rights-of-way are skyrocketing, thereby making it even less likely that the highway trust fund, which by law is on a pay-as-you-go basis, will be sufficient to finance construction at the level necessary to complete Interstate Highway System in 1972. Already the estimated expense of the freeway system has risen to $47 billion—or $6 billion more than was estimated just a few years ago. And each time the cost of the program increases for the Federal Government, so does it increase for the States, which must pay approximately 10 percent of the cost of highway construction within their borders. Naturally, most States, already hard pressed to meet other necessary demands, cannot afford the added expense brought on by these delays.

Additionally, the ordered 17½-percent cutback in the highway program, which in Arizona alone amounts to a loss of approximately $15 million annually, has created great problems within and outside State highway departments. These departments in all 50 States are geared and staffed for maximum efficiency and economy at the previous levels of construction, which, as I previously indicated, also are the minimum necessary levels. Now, with most of the previously contracted work coming to a conclusion, the departments face the difficult decision of releasing upward to 15 percent of their highly qualified and trained personnel—personnel whom they would have difficulty rehiring should the full scale highway program be resumed.

But State highway department personnel are not the only ones affected by this slowdown in construction. Thousands of construction workers face the loss of their jobs and their income; many highway contractors face bankruptcy; States' economies will be affected; and governments—local, State, and Federal—face the loss of countless thousands of tax dollars.

When the administration ordered the cutback in highway work last November, it did so, ostensibly, in order to cool down the inflated economy. But the indications now are that the economy has cooled, and construction therefore should be resumed at the former level.

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[2] A. B. Villanueva, "Towards Home Rule For North Dakota Cities," *North Dakota Law Review*, 42:167 (January, 1966), Reprinted in the *Bulletin* of the League of North Dakota Municipalities, 34:10–11 (May, 1966).

There can be no justification, moral or economic, for using moneys from the highway trust fund to finance other governmental programs, short of national defense, however worthy they might be. This fund—which has been built up through taxes on gasoline, tire, oil, and other automotive accessories—was established for the explicit purpose of building needed highways throughout the Nation; and until that important mission is accomplished to the satisfaction of taxpayers—those who use our highways—the funds should not be diverted for other purposes.

The Interstate Highway System is too important, from the standpoint of national defense and highway safety, to be delegated a low or even secondary priority. It must move ahead with all deliberate speed.

PROJECT HOPE: "AMERICA'S GREATEST GOOD-WILL AMBASSADOR"

Mr. BAYH. Mr. President, at a time when our foreign assistance programs are being evaluated carefully both at home and abroad, it is gratifying to know that there are a number of private American organizations which quietly and effectively are going about the business of helping others to help themselves.

Probably the most successful of these has been Project Hope. Since launched as the world's first peacetime hospital ship in 1960, the SS *Hope* has brought the best in medical teaching, facilities, and treatment to millions of people on three continents. In each country which *Hope* has visited she has left behind a lasting legacy of medical knowledge, international understanding, and good will.

Recently Project Hope received the 1967 Institute of International Education—Reader's Digest Foundation award to a private organization for distinguished service in international education. The citation, read by Ambassador Eugenie M. Anderson of the U.S. mission to the United Nations, saluted *Hope* as "America's greatest good-will ambassador abroad."

Mr. President, because Project Hope's achievements deserve the attention of each Member of the Senate, I request unanimous consent that the full text of the citation be printed in the RECORD at this point in my remarks.

There being no objection, the citation was ordered to be printed in the RECORD, as follows:

CITATION TO A PRIVATE ORGANIZATION FOR DISTINGUISHED SERVICE IN INTERNATIONAL EDUCATION

To Project HOPE, an independent, nonprofit organization, for its valuable humanitarian contribution to international understanding, the Institute of International Education and the Reader's Digest Foundation present their award for distinguished service.

During its five medical missions, Project HOPE, a 15,000-ton former Navy hospital ship that stands for Health Opportunity for People Everywhere, has brought good will and understanding, as well as modern medical techniques, to Indonesia and South Viet-Nam, Peru, Ecuador, Guinea and Nicaragua.

Founded in 1958 by Dr. William B. Walsh, in order to teach self help to developing countries, the S.S. HOPE has become "America's greatest good will ambassador abroad." Its purposes are: to share American medical knowledge and practice with medical personnel in other nations, and to treat needy patients. In six years, HOPE teams have trained more than 3,000 physicians, dentists, and paramedical personnel; treated more than 100,000 persons; conducted some 8,000 major operations; and vaccinated more than one million people.

HOPE maintains activities in all areas that it has visited. The permanent medical staff of the S.S. HOPE serves for token compensation and is supplemented by volunteer physicians, surgeons and dentists who serve for two-month periods on a rotating basis. In addition to classroom instruction and on-the-job training aboard the ship, HOPE teams work in shore-based clinics, hospitals and medical schools, all with the cooperation of local medical organizations.

For its compassionate dedication to mankind, for literally bringing hope to thousands of needy people, and for having become a symbol of American international good will, IIE and the Reader's Digest Foundation are proud to salute PROJECT HOPE.

(Accepted by Dr. William B. Walsh, Founder and President)

OPPORTUNITIES FOR PEACE IN VIETNAM

Mr. FULBRIGHT. Mr. President, the Arkansas Gazette of January 25, 1967, contained an editorial entitled "Finding Opportunities for Peace in Vietnam." The editorial discussed proposals I have made for negotiating a settlement of the war in Vietnam, and I am grateful for the Gazette's endorsement of my views. I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FINDING OPPORTUNITIES FOR PEACE IN VIETNAM

Senator Fulbright has effectively answered the critics who say that he has no alternatives to the policy that the national administration is pursuing in Vietnam. In his book *The Arrogance of Power* he has outlined anew in the clearest and most orderly fashion an eight-point plan for reaching toward peace and a settlement of the Vietnam conflict.

The senator argues that, to begin with, the United States should compel the Saigon government to seek negotiations with the National Liberation Front (Viet Cong). In support of such a peace move, the United States would halt its air attacks on the North and curtail its military operations in the South to the extent compatible with security. Immediately, the goal would be a cease-fire and the beginning of negotiations, with four district belligerents recognized—North Vietnam and the Viet Cong, South Vietnam and the United States. At the conference table the goal would be agreement for elections to bring about self-determination, with all parties committed to honor the outcome, whatever it proved to be. In a broader context, an agreement would be sought among all interested states in Southeast Asia for neutralizing the region. Finally, if the whole program fell through, the United States would consolidate its forces in positions of strength, as advocated in the "Gavin plan," and remain in South Vietnam indefinitely.

This is a condensed version of what Fulbright proposes, but we hope it conveys the essence of what he has in mind. In his own presentation he argues his case powerfully and bases his policy design on two "fundamental realities:"

". . . first, that the United States, as the nation with principle, though not exclusive responsibility for world peace and stability, cannot accept defeat or a disorderly withdrawal from Vietnam; second, that it now seems likely that a complete military victory can be accomplished only by sacrifices disproportionate to American security interests in South Vietnam and by raising the level of violence to a degree that would impose greatly increased suffering on South Vietnamese civilians and would also greatly increase the danger of war with China."

Senator Fulbright's statement of the realities we find wholly convincing. His outline of proposals to accommodate these realities, for its part, is subject to several imponderables and uncertainties (as the administration's policy, in turn, bears its own imponderables and uncertainties). Fulbright himself has recognized explicitly the absence of any certain remedy by incorporating, at the end, the "Gavin plan" prescribing what to do if the campaign for peace failed.

It is necessary to recognize, we think, that the Fulbright plan sounds much more feasible now than it would have sounded 18 months or a year ago, and partly because of the very improvement in the American military position that derives from the expansion of American forces. But in any event Fulbright does have his own definitive ideas about what to do and where to go in Vietnam, and we would hope that the President, in spite of the severe strain on the Johnson-Fulbright relationship, will become disposed to give Fulbright's approach a re-examination.

Considerable evidence indicates that the situation in Vietnam is becoming more fluid, the adversary's attitude more flexible. In these circumstances the United States has particular reason to review and re-appraise policy continuously, to see if the measures previously rejected may have become tenable, or even promising, as political and military conditions change. The best of Fulbright's proposals, we believe, lies in suspending the air attacks on the North. The essential point, however, is that from one or more of the concessions Fulbright proposes an opportunity for peace might spring full-blown.

TIMELY MESSAGE ON AIR POLLUTION

Mr. BOGGS. Mr. President, in our cities, in the public press and here in Congress, there is increased emphasis on the rapid rise of the air pollution problem.

Yesterday the President sent to the Congress a message which included his recommendations for specific steps to reverse the rising trend of air pollution. It is a needed and timely message. My special interest in this field is based on nearly 4 years service on the Subcommittee on Air and Water Pollution of the Public Works Committee. During that time we have considered landmark legislation dealing with air pollution. Undoubtedly, this blight on our Nation will require more legislation in the future.

We will learn later how the President proposes to carry out his recommendations to step up the fight on air pollution. For now, I would like to compliment the President on the urgent tone of his message. I am sure his recommended bills will be given speedy and careful consideration by the Congress.

Our subcommittee will also continue to develop its own proposals for bringing to bear the concerted efforts of Government, industry and private citizens.

Last December 13 I was privileged to participate in the National Conference on Air Pollution here in Washington. In my remarks at that time, I said:

> We must encourage a sense of urgency. We are all affected—industry, government and private citizens alike—and we must all cooperate in cleaning up the air upon which we depend for our very lives.

At that time I also mentioned, in commenting on the role of industry and research:

> Based on this research and the improved techniques developed and with the assistance of the businesses themselves, the Federal government should also help devise and suggest reasonable standards for industrial processes.

I note with great interest that the President proposes "emission control levels should be set for those industries that contribute heavily to air pollution."

Mr. President, I ask unanimous consent that the text of my remarks at the National Conference of Air Pollution be inserted at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

A CONGRESSIONAL VIEW OF THE PROBLEM

It is a pleasure to be able to participate today in this significant conference and I appreciate having the opportunity to listen to experts in the field of air pollution.

This conference represents a great deal of work by the Department of Health, Education, and Welfare as well as a cooperative and helpful spirit on the part of those who are contributing to it. You are all to be congratulated.

My own interest in the problem of air pollution is long standing. Nearly 10 years ago, when it was my privilege to be Governor of the State of Delaware, we enacted an air pollution control law. It was needed then, but the urgency today, of course, is much greater.

Three and a half years ago the Senate Committee on Public Works created a Subcommittee on Air and Water Pollution and I have been a member since then. It has been a pleasure to work with the subcommittee chairman, Senator Muskie of Maine, and the experience has given me the opportunity to hear and learn a great deal about air pollution from government officials, leaders of business and industry, scientists, and interested citizens.

Our first major accomplishment as a subcommittee was passage of the Clean Air Act of 1963. It has since been amended, and I am encouraged by the progress which has been made under this legislation.

It was intended to provide significant new opportunities for government and industry to join in a concerted attack on the very serious threat of air pollution.

Those opportunities are being met. But there is much more to be done. This explains, at least in part, our presence here today.

Any consideration of the air pollution problem and legislation must be made in the context of the concern of the general public.

I don't have to tell you that the concern is great, and is growing.

That "smog alert" along the East Coast recently called special attention to the problem.

Also, newspapers, magazines, and radio and television have given increasingly intense coverage to air pollution and its smothering impact on health, property values, and the simple enjoyment of our homes and communities.

Today we have a public alarmed over air pollution in its many forms. And government—at all levels—is responsive to the need to take action.

Although this public interest, coupled with action by government and industry, is resulting in progress, it would be a mistake to assume that the problem is receding. Air pollution rises along with our population growth and the growth of our economy. We can make progress in attacking pollution and yet only mark time because of these forces which constantly add to the problem.

This situation is illustrated by the fact that at the present time more than one half of the nation's nearly 200 million people live on about one-tenth of the land area. By 1975 we can expect that three-fourths of some 235 million people will be living on this same land area.

In brief, more needs to be done. We must encourage a sense of urgency. We are all affected—industry, government and private citizens alike—and we must all cooperate in cleaning up the air upon which we depend for our very lives.

My intent today is to comment briefly on what this air pollution problem means to industry in terms of responsibility, costs, government action and opportunity.

Everyone in the nation contributes to air pollution to some degree, but industry is naturally singled out because it is often a conspicuous contributor. A smokestack belching pollutants is a beacon hard to miss.

An article in the Harvard Business Review of past September-October makes the observation that "industry, in the broad sense, is directly or indirectly responsible for well over half of all the air and water pollution now taking place."

Whatever the exact contribution, industry obviously is vitally concerned with both causing and correcting the problems.

It is understandable that in the past spokesmen for industry were not alarmed about air pollution. Neither was the public. And government was also not very active in the field.

But times have changed, and so should the attitudes of all concerned with air pollution.

Today is not the time to hear the suggestion that air polution is, after all, only a small price to pay for continued economic growth and technical progress.

It is not the time to suggest that the wheels of industry will grind to a halt if we continue to insist upon cleaner air.

It is not the time to say that control of air pollution comes pretty far down on any list of priorities by public and private agencies.

What makes such suggestions unreasonable is the fact of $11 billion in economic losses every year from air pollution.

And who can put a price on the irreparable injury to human health in the form of such diseases as emphysema and lung cancer?

It is unthinkable that a nation as wealthy and as technologically advanced as ours will continue to pay the heavy price of air pollution.

I know that industry is aware of its part in pollution cause and control and wants to meet its responsibilities.

What of costs? After all, control of air pollution is an added expense in the manufacturing process.

A minute ago I used the figure of $11 billion in annual economic losses from air pollution.

This could be drastically reduced—perhaps by two-thirds—with the expenditure of $3 billion a year in air pollution control. The techniques are available to do the job.

Admittedly this is expressing a complicated problem in simplified terms, but the two figures indicate that an effective air pollution control program would pay for itself.

A bonus would be both healthier and more pleasant living conditions for our citizens.

Although there are many technical problems to be overcome, it is also worth noting that industry itself can collect a bonus from air pollution control if it can devise ways to capture and use again the waste products involved in air pollution.

For example, burning coal and fuel oil releases some 23 million tons of sulfur dioxide every year.

On the assumption that roughly half of the total amount can be recovered, about five million tons of elemental sulfur can be produced. At current prices, this would be worth about $125 million.

Capturing waste products, or simply controlling pollution more effectively, takes research.

Better ways must be found to stop odors from pulp mills, dust from cement mills, plumes of iron oxides from steel mills, and other sources of pollution from our varied manufacturing processes.

Industry has stepped up its activities in the research field and will undoubtedly expand its efforts in the years ahead.

And the Federal government must also exercise greater responsibility in the research field.

Based on this research and the improved techniques developed and with the assistance of the businesses themselves, the Federal government should also help devise and suggest reasonable standards for industrial processes. This would be a valuable service to local and state air pollution control agencies.

As you know, the Clean Air Act basically provides increased federal support for state and local control programs.

I support this concept. After all pollution begins as a local problem and the best place to stop it is at the source. Pollution from motor vehicles is a significant exception, of course, because cars and trucks cross state lines so easily.

It is a safe generalization, I believe, that industry also supports the concept of local and state action. And industry can strengthen this approach by seeking and backing adoption of equitable and effective control regulations in our cities and states.

There is another level of government which will likely be increasingly concerned with air pollution control, and that is groups of states united in compacts.

Such an arrangement has recently been suggested for the greater Philadelphia area, which would include the northern part of Delaware.

Whether or not this particular compact will come about I don't know, but it is apparent that air pollution is no respecter of state boundaries and what one state does has a definite effect on its neighbors.

While the emphasis is now on action by local and state governments, with the federal government supplementing their efforts, the public could demand a shift to more direct federal action if the results are not satisfactory.

Industry and private citizens can help local and state governments and I am sure they will.

But if this support is not sufficient, if it appears that the air pollution problem is overwhelming local and state efforts, the role of the federal government will necessarily expand greatly. I know our subcommittee will continue to watch developments closely.

We have a problem. We also have an opportunity to do something about it. All of us share the opportunity. The means either exist or can be found to lick air pollution. What is needed for success in this effort is a matching determination by government and industry, backed by private citizens, to make and keep our air clean.

We have all been a little late in recognizing the extent of the problem but now that we do there is no excuse for not doing something about it. This conference itself is evidence of our resolve and will undoubtedly spur action in a battle we cannot afford to lose.

Thank you.

TRIBUTE TO THE THREE APOLLO ASTRONAUTS

Mr. DODD. Mr. President, the Nation was stunned by the accident that claimed the lives of the three Apollo astronauts—Lt. Col. Virgil I. Grissom, Lt. Col. Edward White, and Lt. Comdr. Roger B. Chaffee.

These were no ordinary young men. They were men of extraordinary background, character, and ability.

It takes a particular kind of courage to explore the unknown reaches of space. Just as it took bold men to blaze a trail across the wilderness to establish this Nation, it takes bold men to push back the frontiers of space.

Gus Grissom, Ed White, and Roger Chaffee served their Nation well and in doing so they served the cause of mankind by widening our knowledge of the universe. Their sense of adventure combined with their courageous dedication stirred our imaginations to the realization that man could overcome his earthbound limitations. And now they will take their place in history alongside the great explorers and heroes of this country and of the world.

The memory of these men will be revered, and their pioneering work and their sacrifice will serve as inspiration to those who will follow them and carry on to expand the horizons of our universe.

There is no better way for us to pay tribute to the memory of these brave young men than to carry forth the work which they so ably began. I hope their great sacrifice will strengthen our determination to continue our explorations of space.

We had come to know Colonel Grissom and Colonel White because of previous flights in which they participated, and we had looked forward to learning more about young Commander Chaffee.

As we extend our deepest sympathy to their bereaved young families, we realize that we too have suffered a grave national loss.

THE VIETNAM SERVICEMEN AND VETERANS ACT OF 1967

Mr. INOUYE. Mr. President, I am most anxious to add my voice and support for the President's proposed Vietnam Servicemen and Veterans Act of 1957.

The American people can be proud of their generosity toward veterans. Countless laws and the various GI bills have attested to the gratitude of the American public toward the men and women who have fought this Nation's battles.

America has erected a structure of veterans' benefits and programs unparalleled in the history of the world. GI home loans, schooling, job training, farm training, medical treatment and care, war orphans educational assistance, disability compensation, pensions, widows' benefits, rehabilitation for the disabled, nursing home care, restoration homes, guardianship attention for dependents—all of these worthwhile benefits and programs are for veterans—and deservedly so.

Now, it comes time to fill the gaps in the benefits and programs for veterans of the present conflict in Vietnam.

Now it comes time to increase the amount of servicemens' group life insurance for those men fighting in the jungles of Vietnam.

Now it comes time to look closely at the pension and compensation system for older veterans.

Without a doubt, the Presidential proposals fill a need and are shaped to meet the needs of servicemen and veterans.

Veterans in the past have made wise use of their benefits. They have not frittered them away; they have not used them as a "gravy train." They have utilized them soundly—in every walk of life, GI bill-trained veterans are filling manpower reservoirs and they have helped to raise the educational level of our entire Nation.

The President has my support.

CONSERVATION OF NATURAL RESOURCES

Mr. NELSON. Mr. President, the President has just sent to Congress an outstanding conservation message which continues the great Presidential leadership for conservation of natural resources which we have seen over the last few years.

There are many fine things in this Presidential message, but I am particularly delighted at the recommendations regarding the control of air pollution and the creation of new parks, a scenic rivers system, and hiking trails.

In my first speech in the Senate in 1963, I stated that I considered the preservation of our natural resources and the defense of our natural environment the most urgent domestic crises facing our Nation. I said that unless the Nation prepared for battle immediately, its people would not have clean water to drink, clean air to breathe, decent soil in which to grow their food, and a green outdoors in which to live a few decades from now.

Fortunately, since that time we have received strong Presidential leadership for the conservation of natural resources, a matter which had been somewhat neglected in the past. We have made great strides but the threat to our environment has continued to develop so rapidly that we have been hard pressed just to hold our own. In his conservation message today, the President recognizes again the need to look to the future and work with a great sense of urgency to meet this threat.

He proposes significant additions to our national park system, and I am deeply grateful that he has chosen to include my Apostle Islands National Lakeshore project in northern Wisconsin as one of his four priority recommendations. Spectacular areas such as the Apostle Islands, rich in scenery and history and offering tremendous recreational opportunities for the entire Midwest, must be set aside, protected, and tastefully developed for posterity if we are to meet the soaring demand for recreation in the years ahead. This project will be a great asset to Wisconsin and the Nation.

The President also recommends the enactment of legislation, such as I introduced last year, to establish a nationwide system of hiking trails, including the famed Appalachian Trail which winds through the mountains from Maine to Georgia. A national system of hiking trails, coordinated with trail systems developed by State and local governments can provide high quality recreation at extremely low cost for all of our citizens throughout the country.

The President also recommends a national scenic rivers system, in which I am deeply interested. It is our hope that this proposal will enable us to preserve rivers such as the Wolf and the St. Croix, in Wisconsin, for the enjoyment of all our citizens for generations to come.

The President's recommendations in the field of air pollution represent a major step forward in meeting one of the most serious threats to public health and to our natural environment. As I told the National Conference on Air Pollution here in Washington last month, the great need in the fight against air pollution is to establish regional control commissions to meet the air pollution problem as it actually exists, without regard to local political boundaries. I also said at that time that the Federal Government should establish air quality standards and regulate the level of emissions to be tolerated by industries which pollute the air. I am greatly pleased that the President has made all of these recommendations in this outstanding message which he has sent to the Congress.

SIGNIFICANT ACTIONS ON BEHALF OF MEMBERS OF ARMED FORCES, VETERANS, AND DEPENDENTS

Mr. SMATHERS. Mr. President, two significant actions were taken today in behalf of our men in the Armed Forces, veterans of prior wars, and their dependents.

One was the message received today from our President proposing broader scale benefits for them.

Second, the swift action taken by the Committee on Finance in concluding its consideration and favorably reporting to the Senate the first proposal of the President—namely, that we provide wartime benefits for veterans of the Vietnam era and their survivors and dependents.

The bill was sponsored in the Senate by me, by the Senator from New Mexico [Mr. MONTOYA], and 70 other Senators.

This legislation was very nearly enacted by Congress last October, but the House adjourned before it could take final action on the Senate bill. This year, I am confident, the bill will be speedily approved. The men fighting in Vietnam today will gain new strength and new confidence in those of us at home when they hear of President Johnson's message to the 90th Congress in their behalf.

I know that this administration and Congress can be proud of the things they have done for our servicemen, but the President has said we must do more. His message has a broadness of purpose and a recognition of need never before equaled by a prior administration. It covers almost every aspect of existing veterans' programs and recommends new ones. It asks our help to give more to the youngsters now fighting for freedom in the Far East. It asks us to give more recognition, including higher education benefits, to those who have fought there and have been discharged from service.

It does not stop there. The message also requests that we raise the amount of pensions for those veterans who have served in prior wars or who have passed away and have left behind them widows in need. My constituents have been asking me for a new and positive approach to their problem. The President's message has helped me to crystallize my thinking in all these areas of great concern to me since I began my service in this body.

This is a positive veterans' legislative package. It is not reactionary to the pressures. It is a response based on careful analysis of the essential ingredients of our existing programs and what should be done to make them fair and right. I assure the President and all Senators that I will endorse these measures. I am further gratified to see that the administration will continue its research in depth to see to it that all programs are fair and equitable.

CRIME-STOP STOPS CRIME

Mr. BAYH. Mr. President, we can all recall the tragic events that occurred in New York some months ago when a woman was murdered in full view of a number of citizens who refused to come to her aid or to phone the police. The significance of this lies not in the mere location of the crime because it could have happened anywhere in the United States. The important point is the total lack of involvement exhibited by more than a score of American citizens who witnessed this coldblooded murder.

It is precisely this type of public indifference that permits crime to flourish. To counteract the rising crime rate in the United States, many experts agree that there must be a great increase in public awareness and involvement. An article which appeared in the October 1966 issue of Reader's Digest dramatically relates how important a concerned public can be in this battle. It tells the story of a woman who exercised her civic responsibility—something many of us have not been doing—and thereby prevented a crime.

Mr. President, I ask unanimous consent that this article, entitled "Crime-Stop Stops Crime," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Reader's Digest, October 1966]

CRIME-STOP STOPS CRIME

(Condensed From the Chicago Tribune Magazine)

(By Karl Detzer)

(NOTE.—Chicago is waging the most successful war on lawlessness any city has fought in years—thanks to an incorruptible police chief and inspired citizens.)

Mrs. Clara Cronin neither looks nor talks like a crime fighter, but she's a good one and has an official citation signed by Mayor Richard J. Daley to prove it. She is one of the many responsible citizens of Chicago who have given the police a courageous helping hand when they needed it. With her aid they halted a serious crime-in-progress and sent two dangerous felons to prison. Superintendent O. W. Wilson, Chicago's erudite but tough-minded police chief, says of Mrs. Cronin: "If all our cities had men and women who take their responsibility as seriously as she does, they'd be safer places to live."

A widow of 70, Mrs. Cronin resides in a pleasant apartment in a middle-class neighborhood on Chicago's southwest side. Returning home at 8:50 p.m. last March 20, she was reaching into her handbag for her key when she happened to glance at the lighted window of her neighbors, the Montaltos. Just then a man in the Montalto apartment jerked down the window shade. But she had seen him clearly. He wore a mask.

Swallowing a scream, Mrs. Cronin hurried into her apartment. "I had to do something fast," she says, "and I remembered Crime-Stop."

The blue and white card beside Mrs. Cronin's telephone read: "Operation Crime-Stop—Phone PO 5-1313." She dialed carefully. At police headquarters a light flashed on the desk of Dispatcher Jim Stone who answered promptly.

It usually takes only four seconds for a citizen calling PO 5-1313 to hear a dispatcher's voice. There is no switchboard to waste precious moments for someone needing help. Every call is channeled automatically to the dispatcher responsible for all police cars in the area where the call originates. To save seconds, Chicago police divided the city into eight zones, each with its own dispatch desk and radio frequency. In front of each desk is a large map of the area it is responsible for, showing every street and alley. An electric light marks the location of every available patrol car in the zone.

That March evening, Mrs. Cronin spoke calmly and clearly to the dispatcher, as her Crime-Stop card directed. Stone asked some rapid questions. Mrs. Cronin answered them quickly—the apartment number, what floor, how to reach it by front or back stairs, the nearest fire escape. Placing Mrs. Cronin on hold, Dispatcher Stone pressed the switch under his desk with his foot. It opened the radio transmitter, and Stone gave out the information. He immediately notified Mrs. Cronin that the cars had been dispatched.

Of 15 patrol cars in the district, 12 were free. Silently, these took off. On his car radio the area sergeant assigned specific spots, front or rear door, main or back stairs, or fire escape. Forty seconds after Mrs. Cronin had dialed, the first two policemen ran into her building. (Only a few years ago it might have taken 40 minutes for the first car to arrive.)

A policeman, gun in hand, rang the Montalto's front doorbell and waited, out of line of fire. The door opened. A tall, neatly dressed man, looking startled, asked, "What's wrong, officer? There's been a mistake."

"Put 'em up and keep 'em up," the policeman ordered. He was taking the gun and mask from the robber's pocket as three more police appeared. In the kitchen a second hoodlum surrendered. The policemen released the Montaltos and their two guests who had been locked up and robbed. It was just four and a quarter minutes from the time Mrs. Cronin had dialed her call.

Operation Crime-Stop was introduced at a time when Chicagoans had good reason to consider their responsibilities as citizens. In early 1960, a series of police scandals had rocked the city and made headlines all over the world. To clean up the department, Mayor Daley named a committee of law-enforcement experts headed by O. W. Wilson, then dean of the University of California School of Criminology. Wilson had served other cities from patrolman to chief; he had been a consultant in eight states, Puerto Rico and Canada, and was famous for his zeal to take policemen out of politics and give them professional status.

Wilson was nominated for the job of Chicago's police superintendent, over many applicants, by his fellow committeemen. He accepted in May 1960, when Daley agreed to let him run the department as he saw fit. Wilson now heads 10,250 officers, and politicians are carefully kept off his back.

A New York tragedy sparked the Chicago Crime-Stop campaign in Wilson's mind. A young woman was brutally assaulted and stabbed to death while dozens of neighbors watched from their apartment windows. She cried for help, but no one even called police during the assault. Neighbors later explained that they had not "wanted to be involved."

"I am sure that Chicagoans will not look on while any killer tortures any woman to death," Wilson said grimly in announcing the inauguration of Crime-Stop. "Every American is involved whether or not he tries to prevent any crime. Not one of us can escape our individual responsibility. We all must pay the costs of crime, directly or indirectly, and they are high."

Crime-Stop has paid rich dividends. Since its introduction two and a half years ago, 6,433 convictions have been obtained. The response to Wilson's request that all citizens report everything suspicious that they see or hear was slow at first. But as Crime-Stop merit citations to individuals of every type and age were announced with rising frequency, several hundred more Chicagoans joined. Today, more than 750,000 Chicagoans keep the emergency instructions and telephone number in billfolds or beside their telephones. Thirty thousand employes of gas, electric and telephone companies, 79,000 Boy Scouts and 32,000 postal workers carry the card. Taxi drivers are especially cooperative.

The fact that some tips prove groundless and cause unnecessary alarms does not discourage the police. If one such call in 500 leads them to a felony in-progress and an actual arrest, then it is worth all the mistaken runs. Long ago police learned that an innocent action often looks like a crime. No day passes that some motorist, changing a tire on his car at the curb, does not find himself surrounded by patrolmen summoned by an onlooker suspecting theft.

Public enthusiasm for Crime-Stop has created another problem: too many persons, witnessing crimes, try to catch the offenders themselves without waiting for the patrol car. Despite police warnings to citizens not to attempt arrests, one elderly gentleman, shopping in a Dorchester Avenue store, saw a shoplifter at work. Instead of reaching for a telephone, he shouted, "Stop thief!" and as the startled fellow fled, took after him. Enthusiastic men, women and boys joined the chase. The thief, cornered, tried to fight his way out, and he and the elderly gentleman both were bruised before police arrived. The policemen thanked the captor, but scolded him for his splendid recklessness.

Fortunately, most citizens are content to use the telephone instead of trying to make their own arrests.

As Circuit Judge Joseph Butler started to bed last February 10, in his West Jackson Boulevard home, his 19-year-old daughter Janice heard a scream. Looking out her bedroom winder, she saw a man attacking a woman near the house. Judge Butler ran to look, too.

"Call Crime-Stop!" he directed, and wearing only his shorts, the judge charged into the cold. Janice dialed PO 5-1313, then raced to her father's assistance.

The attacker tried to flee. It was too late. Judge Butler says, "Seven police cars were there in 30 seconds. Half a minute! You had to see it happen to believe it. It was as if they had been waiting around the corner for this particular call."

Chicago's fleet of fast new police cars—the nation's largest—has been a powerful weapon in Chicago's war on crime. An average of six and a half cars for every square mile of the city, compared with about three and a half in New York and two and a half in Los Angeles, makes a criminal getaway extremely difficult. And the knowledge that some 20 patrol cars are within a mile or so of any one point is a strong deterrent to lawbreakers.

So is another Wilson innovation, an elite corps of specially trained officers, both men and women, known as the "Task Force." This group, numbering 623, operates where computers, digesting criminal statistics, predict what kind of crime may be looked for. Task Force members may work unshaven and dirty along Skid Row, or in white-tie-and-tails to protect bibulous conventioneers from thugs and their molls in crowded night spots.

As a result of these innovations, FBI records show that Chicago's rate for major crimes in 1965 dropped 12 percent under 1964, whereas the average for all the 22 cities of more than half a million rose four percent.

Taxpayers, businessmen, parents and teachers are enthusiastic about the new regime. Scores of cities, watching Wilson's Crime-Stop in operation, have sent officials to investigate. In 1965, the Chicago Press Club, as skeptical a group as will be found beside Lake Michigan, named Superintendent Wilson "Chicago's Man of the Year."

PRESIDENT JOHNSON TAKES ACTION TO IMPROVE SURPLUS PROPERTY DISPOSAL PROGRAMS

Mr. GRUENING. Mr. President, on September 16, 1966, President Johnson issued a directive to the heads of all departments and agencies which should have a major impact on the Government's efforts to achieve greater cost reduction in procurement and in supply management. The emphasis given in the directive to the savings which can and should be obtained through the greater utilization and better management of excess property is particularly gratifying and should go a long way in correcting the serious deficiencies disclosed by the studies and hearings conducted by the Subcommittee on Foreign Aid Expenditures, of which I am chairman.

Pursuant to a request of Senator JOHN L. MCCLELLAN, chairman, Senate Government Operations Committee, the Subcommittee on Foreign Aid Expenditures undertook an extensive study of the property disposal policies and practices of the Federal Government. One part of this study involved a detailed investigation at numerous installations of the Department of Defense in the Far East and in Europe in February, March, and April 1966. Hearings were held in May and June 1966 during which the findings of the staff investigators were presented and the testimony of top officials of the Department of Defense obtained.

The hearings brought out that very large quantities of useful equipment were being disposed of at a time when critical shortages existed in Vietnam for the very same type of equipment. This resulted from the inadequate screening by the Department of Defense of items moving into disposal channels and because the procedures of the military services provided for the disposal of needed equipment long before the end of its useful life.

A key factor brought out by the hearings was that the military services were "washing out" equipment by overstating estimates of repair costs and thereby arriving at the erroneous decision that such equipment was uneconomically reparable. The investigation also showed that the Army, which is a major user of construction and automotive equipment on which the subcommittee investigation focused, had issued instructions in March 1966, permitting local overseas commanders to dispose of equipment in their theater of operations without reporting such equipment to the national inventory control points in the United States.

This procedure precluded any screening of excess equipment in one theater of operations against the requirements of our military forces in other theaters. During the course of this investigation, I personally visited a number of military installations overseas where I observed some of the considerable quantities of new material which were being disposed of.

President Johnson's September 16, 1966, directive takes note of this situation in the following paragraphs:

> I know that progress is being made in your efforts to reduce costs in this area as in others. But we can do better.
>
> For example, last year the Government declared excess property which cost $4.6 billion. The average volume of excess property generated during the last five years was $4.4 billion per year. Some of this property was redistributed for further use within the Government but most of it was sold and the average selling price was slightly more than 6 percent of the amount we paid for it. Much of this property had never been used. Costs can be reduced by eliminating unnecessary purchases which cause these excesses. When excesses cannot be avoided, costs can be reduced by redistributing them to avoid procurement.

I am pleased to be able to report to you that, as a result of the subcommittee hearings, the Department of Defense has initiated aggressive action to correct the situation disclosed by the investigation. Revised regulations have been issued by the Department of Defense which require that all excess property overseas is to be reported to inventory control points in the United States to insure maximum utilization of needed property. In addition, the Department of Defense has issued instructions requiring the preparation of realistic estimates of repair costs. Other studies are now underway in the Office of the Secretary of Defense to insure uniformity among the military services as to when, and under what conditions, equipment shall be disposed of.

If these new regulations and instructions are adhered to, I firmly believe that many millions of dollars will be saved through increased utilization of equipment which would otherwise have been sold or scrapped. The September 16, 1966, directive singles out this matter for special emphasis when it states that—

> . . . the Secretary of Defense and the Administrator of General Services will—
>
> Develop an effective system for redistributing Government property to the places where it is needed most. I am aware of the excellent work along this line which has been accomplished through use of electronic data processing systems at the Defense Supply Center in Battle Creek, Michigan. This work should be accelerated and should provide a means not only for redistributing excess property but also for improved utilization of inventories which have not been reported excess and which should not be disposed of as surplus.

It now remains to insure that the directive is carried out and that the shortcomings in the property disposal programs disclosed by the subcommittee hearings are corrected. The subcommittee will continue its study of these programs to that end.

I want to express my pleasure at the prompt action President Johnson has taken after the conclusion of the subcommittee's hearings in issuing a directive to the heads of all departments and agencies which leaves no doubt as to the importance he places on achieving greater effectiveness and efficiency in the multibillion-dollar property disposal programs of the Federal Government. I ask unanimous consent to the inclusion of President Johnson's directive of September 16, 1966, in the CONGRESSIONAL RECORD.

There being no objection, the directive was ordered to be printed in the RECORD, as follows:

MEMORANDUM TO THE HEADS OF DEPARTMENTS AND AGENCIES

THE WHITE HOUSE,
Washington, September 16, 1966.

The Federal Government spends more than $40 billion per year for procurement of supplies, materials, and equipment. More than three-fourths of this property is used by the Department of Defense, most of which is military equipment and supplies. In addition, the Government spends more than $25 billion for procurement of services and there are substantial expenditures for purposes directly related to procurement, such as for transportation, warehousing, and distribution of property.

I know that progress is being made in your efforts to reduce costs in this area as in others. But we can do better.

For example, last year the Government declared excess property which cost $4.6 billion. The average volume of excess property generated during the last five years was $4.4 billion per year. Some of this property was redistributed for further use within the Government but most of it was sold and the average selling price was slightly more than 6 percent of the amount we paid for it. Much of this property had never been used. Costs can be reduced by eliminating unnecessary purchases which cause these excesses. When excesses cannot be avoided, costs can be reduced by redistributing them to avoid procurement.

I want a special sustained Government-wide effort started immediately to improve the procurement and management of property. Each of you is requested to—

Establish effective controls over proposed procurement actions to prevent purchases of items that are not actually required. Eliminate procurement of excessive quantities or of items being requested only to satisfy a desire for latest styles or designs. The entire organization must be instilled with a "make do" attitude.

Review pending procurement orders which have not been delivered. If delivery will result in inventory levels higher than necessary, take action to cancel orders or reduce quantities where this can be done without incurring penalty charges.

Review inventory levels of all supplies and equipment on hand in your agency. Whenever the quantity of an item is larger than necessary, take action to correct the condition by (1) stopping procurement until inventories are brought down to the proper level, or (2) transferring a portion of the inventory to an office or agency which needs it and can use it effectively, or (3) returning a portion to the wholesale manager, or (4) reporting it excess.

Eliminate slow-moving items from your supply inventories which can be obtained readily when needed from the wholesale supply activities of the Department of Defense or the General Services Administration, or from commercial sources.

Initiate a review of equipment which has been assigned to individuals or to organizations within your agency. If any items are not being used effectively, require that they be returned to stock or placed in pools from which they can be assigned as needed. If this "house-cleaning" effort results in an accumulation of items which are not needed, transfer them to a place in your organization where they will be used effectively or report them excess.

Review the handling of excess property lists in your agency to assure that (1) such lists are carefully examined and excess or rehabilitated property is used in lieu of new procurement whenever possible, and (2) property is not claimed from excess lists unless it actually is needed for known programs.

Review the procurement and property management programs of your contractors which purchase supplies and equipment for which the Government must pay or which have Government-owned supplies and equipment in their custody. Such contractors should observe the same policies prescribed for Government agencies for avoiding unnecessary procurement, eliminating frills, curtailing inventories, using excess property, and insisting upon full utilization of assigned equipment.

In furtherance of this effort, the Secretary of Defense and the Administrator of General Services will—

Develop an effective system for redistributing Government property to the places where it is needed most. I am aware of the excellent work along this line which has been accomplished through use of electronic data processing systems at the Defense Logistics Supply Center in Battle Creek, Michigan. This work should be accelerated and should provide a means not only for redistributing excess property but also for improved utilization of inventories which have not been reported excess and which should not be disposed of as surplus.

Accelerate actions which are currently underway to eliminate avoidable duplication and overlapping in management of supplies among inventory managers.

Initiate effective procurement and inventory reporting systems which will enable the military services and civilian agencies to identify problems and to take corrective actions more promptly. Unneeded or unduly burdensome reporting requirements should be avoided but it is necessary to have reliable information concerning inventories, procurement volume, usage rates and expected requirements if property is to be managed economically.

Accelerate efforts to reduce the number of items in the Government's supply systems by (1) establishing effective controls to prevent new items from entering the supply system unless they are essential, and (2) by developing standards and requiring that standard items be used and that items which have unnecessary nonstandard features are eliminated from the system.

Develop a system which will assure that components and spare parts are adequately identified to assure maximum competition on subsequent replacement procurements and that such components and spare parts are provided to prime end item contractors when available from inventory.

Reexamine existing replacement standards for equipment and make any necessary adjustments to avoid procurement of replacements unless they are necessary to avoid safety hazards or avoid excessive maintenance and operating costs.

Report results of these efforts to me on February 1, 1967, and from time to time thereafter, as appropriate. The reports should cover procurement and supply management in the Department of Defense and the civilian agencies and should include facts concerning progress in (1) reduction of inventories, (2) utilization of excess property and redistribution of other stocks in lieu of new procurement, (3) reduction in the number of items in supply systems, (4) changes in equipment replacement standards, (5) recovery or pooling of any assigned equipment found to be inadequately utilized, (6) improvement in property management by Government contractors, and (7) any other pertinent information.

Lyndon B. Johnson.

HON. DAVID PRYOR, NEW REPRESENTATIVE FROM FOURTH CONGRESSIONAL DISTRICT OF ARKANSAS

Mr. FULBRIGHT. Mr. President, the new Representative from the Fourth Congressional District of Arkansas, my good friend, David Pryor, has been assigned to serve on the Appropriations Committee in the House of Representatives. The people of Arkansas are proud of Representative Pryor and are confident that he will discharge his committee assignment diligently and faithfully. I ask unanimous consent that an editorial published in the Arkansas Gazette for January 25, 1967, be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Pryor to Appropriations

Seldom is a brand new member of Congress as fortunate in drawing a committee assignment as David H. Pryor was last week in landing on the powerful and select House Appropriations Committee. Seats on Appropriations generally are reserved for men of more age and much longer service; even longtime House members sometimes maneuver unsuccessfully to join the committee.

Mr. Pryor went to Washington with his aim on Appropriations, but evidently had not expected the prize so quickly. The death earlier this month of Rhode Island's Jim E. Fogarty, however, left one place open for Democrats to fill this session and it went to the new man from Arkansas's fourth District on the nomination of Wilbur D. Mills, who is chairman of the Democrats' Committee on Committees.

Appropriations recommends—and to a great extent determines—how the federal government will spend its money. Arkansas has been without a voice on the committee since the death in 1961 of another Fourth District congressman, W. F. Norrell. Arkansas, however, depends heavily on federal spending to help build up its economic base. In the last six years other members of the delegation have had to prevail upon firends from other states sitting on Appropriations to watch over pending legislation vitally affecting Arkansas.

So Mr. Pryor gets the assignment now. His position will add prestige and power to an already substantial delegation but one that was weakened in the general election by the loss of Jim Trimble in the state's Third District.

By assigning Mr. Pryor to Appropriations, the House Democratic leadership simply recognizes that he is one of the most promising members to reach Congress since the November election. It will not take long, we imagine, for the House leadership to be reassured that it exercised good judgment in its choice.

DIRECT ELECTION OF THE PRESIDENT

Mr. BAYH. Mr. President, in 1797 Representative Smith, of South Carolina, introduced the first constitutional amendment proposing a reform of the electoral system. Since then, more constitutional amendments have been introduced on the subject of electoral reform than on any other single provision in the Constitution. Electoral college reform appears to be the perennial legislative bridesmaid of Congress.

It is time the American people had the right to elect their President by direct popular vote. Actually, Mr. President, a great many citizens mistakenly believe that they now enjoy this right. The survival of our archaic electoral system is due, at least in part, to a lack of public information. Millions of Americans simply do not know enough about the present system to be sufficiently interested in perfecting it.

This attitude, I am happy to report, is changing. The public is becoming more conscious of the marked inequalities in the present electoral vote system. The American people are beginning to demand that their President be chosen by a system of direct election. In 1966, for example, the U.S. Chamber of Commerce conducted a referendum of its members, revealing that the majority favored direct election. A Gallup poll, also taken last year, gives further evidence that a substantial majority of Americans now endorse direct popular election.

A survey of State legislators, conducted by Senator Burdick, a longtime supporter of direct election, revealed recently that almost 60 percent of the 2,500 legislators who responded favored this method of of selecting the Chief Executive. The most recent endorsement of direct popular election has come from the prestigious Special Commission on Electoral Reform established by the American Bar Association.

These tests of opinion offer convincing evidence of widespread support for direct election, especially among professional groups and those whose work leads to a special interest in public affairs. This is a good start—an important one.

Additional grassroots support for popular election is being aroused by editorial opinion throughout the country. An example of this, which appeared in the Cleveland Plain Dealer on January 22, came to my attention recently. I ask unanimous consent that this editorial which advocates change in the present electoral vote system, be printed in the Record at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Cleveland Plain Dealer, Jan. 22, 1967]

CHANGE PRESIDENTIAL VOTE SYSTEM

That rickety old electoral college system, by which the United States chooses its presidents, should either be eliminated or drastically reformed.

The electoral college is out of step with a nation which has just reaffirmed its belief in the one-man, one-vote principle.

It can thwart the will of the people in half a dozen ways. For example—

Maverick electors can and do defy majorities. They cast their electoral votes for nobodies, or for the minority's choice.

The man getting the largest popular vote can lose, due to the uncertainties of the electoral votes.

In case no candidate wins a majority of electoral votes, each state's delegation to the House of Representatives has an equal voice in choosing the winner. Alaska's 67,000 votes would equal New York's 7,166,000 in that showdown.

A new method of direct election has been proposed by the American Bar Association's Commission on Electoral College Reform.

This ABA plan would have all popular votes counted nationwide. Winning 40% or more of the popular vote, the top vote-getter would be elected. If no one got 40%, the top two would run again in a final runoff.

U.S. Sen. Birch Bayh, D-Ind., is introducing this plan as a Senate Joint Resolution in the present Congress.

Direct popular election of presidents has been gaining new backers from all over the political map. Walter Reuther, president of the United Automobile Workers; the U.S. Chamber of Commerce; a majority of state legislators polled by U.S. Sen. Quentin N. Burdick, D-N.D.; Republican and Democratic officeholders; law and politics professors, and a good part of the lay public are for some such plan.

Another possible reform is the one Sen. Bayh favored last year. In that plan, backed by the Johnson Administration, each state's whole electoral vote still would go to the candidate getting the largest popular vote within its borders. But electors would be abolished, so there could be no maverick voting.

In case no man won a majority of electoral votes, the matter would go to Congress. There each member of both houses would cast one vote, a fairer method than one vote per state.

There always was foolishness and fakery in the office of presidential elector. An elector who did his duty as his state desired him to was always an unnecessary fellow. If he did anything else, he usually did something mischievous and petty.

It is best to get rid of this anachronism, and some of the other faults of this undemocratic old machinery.

There is a brighter prospect of reform now that state legislatures have been reapportioned to reflect more accurately the public's real thinking.

TRIBUTE TO ASTRONAUT ROGER B. CHAFFEE

Mr. GRIFFIN. Mr. President, the entire Nation mourns today the tragic death of Lt. Comdr. Roger B. Chaffee and his fellow Apollo astronauts, Virgil Grissom and Edward White.

Next month Commander Chaffee—a native son of Michigan of whom all of us were proud—would have been making his first trip into space. Like his two veteran teammates, he was eagerly looking forward to the mission. And like them, he was realistic about the potential dangers involved, but not the least bit afraid. Only last month, when the three were interviewed on the possibility they might be killed, Commander Chaffee had this to say:

> There's a lot of unknowns, of course, and a lot of problems that could develop or might develop and they'll have to be solved, and that's what we're there for.
>
> This is our business—to find out if this thing will work for us.

When Commander Chaffee met his tragic death he was only 31 years old. He would have been 32 on February 15, 6 days before the date of the planned liftoff of the first Apollo spacecraft. Commander Chaffee was the second youngest astronaut, and the Apollo mission was to be his first journey into space.

No man relished his role as an astronaut more than Roger Chaffee. At his funeral service held on Sunday, January 29, he was eulogized by the Reverend Ernest Dimaline as a man who felt his purpose in life was to subdue all challenges and questions.

Before his selection last March for the first manned Apollo mission, he had been spending most of his time working on flight control communications and instrument projects for the Apollo program. He was a member of the third group of astronauts, having been selected in October 1963.

He was a native of Grand Rapids, Mich., and graduated from Central High School there; he went on to earn a bachelor of science degree in aeronautical engineering from Purdue University in 1957, and was working on a master of science degree in reliability engineering at the Air Force Institute of Technology, Wright-Patterson Air Force Base, when he was selected as an astronaut.

He was a member of Tau Beta Pi, national engineering society; Sigma Gamma Tau; and Phi Kappa Sigma.

He entered the Navy in 1957, and was awarded a Naval Air Medal. Like his father, he was an aircraft test pilot, and logged more than 2,100 hours flying time, more than 1,800 hours of which was in jet craft.

To all the sorrowing members of Commander Chaffee's family. I extend my profound sympathy. To some extent, those he loved will be sustained at this time of terrible grief by their pride in his courage, in his dedication to the Navy, in his enthusiasm for the space program, and in his devotion to his country.

SCHOOL DESEGREGATION GUIDELINES

Mr. TALMADGE. Mr. President, the so-called school desegregation guidelines, which were issued in March of last year and recently reissued by the Office of Education, continue to be the cause of considerable consternation and confusion in the schools of the South.

It is my view that this situation exists because these regulations are arbitrarily conceived and capriciously administered. It is further my feeling that they far exceed both the spirit and the letter of the law as enunciated in the Civil Rights Act of 1964. In fact they go far beyond anything the Supreme Court or Federal statutes have ever required. The Georgia School Boards Association, which is composed of educators of high caliber and sincerity of purpose, recently met in Washington with their representatives and with officials of the Office of Education in an attempt to find its way out of this bureaucratic wilderness. Georgia school officials have made it exceedingly clear that they will abide by the law. They ask only that the Office of Education does the same, especially in the fair and equitable administration of the law.

Meeting recently in convention in Atlanta, the Georgia School Boards Association adopted resolutions concerning the guidelines which I call to the attention of the Senate at this time. I ask unanimous consent that the resolutions and a statement by Attorney E. Freeman Leverett be printed in the RECORD.

There being no objection, the resolutions and statement were ordered to be printed in the RECORD, as follows:

RESOLUTIONS CONCERNING HEW GUIDELINE PROBLEM AREA, UNANIMOUSLY ADOPTED BY DELEGATE ASSEMBLY DURING 15TH ANNUAL GSBA CONVENTION IN ATLANTA ON JANUARY 22–24, 1967

Whereas there has been and continues to be widespread misunderstanding and confusion concerning the school desegregation guidelines promulgated by the Department of Health, Education and Welfare, and

Whereas it is an established fact that these guidelines have been applied only to school systems in the 17 Southeastern states. Also, there is abundant evidence to support the fact that the administration of the guidelines in these 17 states has been most inconsistent, confusing and detrimental, and

Therefore be it resolved, that the Southeastern States respectfully request that the National School Boards Association take the initiative in securing such supplementary Congressional action as is necessary to insure that all policy and guideline statements be strictly in keeping with the intent of the Civil Rights Law.

Be it further resolved that the National School Boards Association be and is hereby requested to support necessary action to make all policy and guideline statements uniformly applicable throughout the nation and not on a sectional or regional basis, and

Be it further resolved, that the National School Boards Association be requested to strongly support and actively work for the continuation of the Freedom of Choice Plan for school desegregation as a means of preserving local control of educational systems throughout the nation.

Whereas the interpretation and administration of guidelines for school desegregation by representatives from the Office of HEW have been most ambiguous, confusing and detrimental and

Whereas the Georgia School Boards Association has made a concerted effort to clarify this problem area, demanding that the interpretation and administration of all guideline statements be executed by highly qualified people capable of working with local school systems and

Whereas appreciable progress has been realized in this area as a result of the cooperation of the Georgia Congressional Delegation, other Southeastern School Boards Associations and school officials of the State in general, Therefore be it resolved that the Georgia School Boards Association and its Executive Secretary be commended for their efforts in this problem area and that they be urged to continue their efforts in a positive and constructive manner so that a program of quality education for all of the boys and girls of Georgia will be insured.

SUMMARY STATEMENT PRESENTED BY HON. E. FREEMAN LEVERETT,[1] AT CONCLUSION OF THE HEW GUIDELINES SESSION OF THE 15TH ANNUAL GSBA CONVENTION ON MONDAY AFTERNOON, JANUARY 23, 1967

It would be less than candid to deny here today that a majority of the white citizens and public officials in our area personally do not like the Court decisions and laws requiring integration of the public schools. All the idealistic rationalizing about the Declaration of Independence, universal brotherhood, and religious precepts cannot obscure the hard fact that in the North as well as in the South, when we get to this lick log, people prefer to associate with their own kind.

But, because we in the South may disagree with the law, does not detract from the proposition that we, as good citizens, recognize that we are bound by this law and must comply, if this, the most noble experiment yet devised by the mind of man, is to endure. The Brown decision is a *fait accompli.* The Civil Rights Act of 1964 is National Policy. Any approach which fails to take this fact into account is bound to end in despair and frustration. Comply we must, but in the process, we feel that those who administer the law must do so subject always to two paramount imperatives: (1) Administration must be reasonable, and (2) It must be fair.

From the standpoint of reasonableness, we submit that sight must not be lost of the fact that the primary purpose of schools is education, not enforced association or social experimentation. Failure to recognize this proposition can result only in the destruction or weakening of public education. We are not unaware of the flight to the suburbs in the North, and the progressively increasing incidence of newly-formed private schools, both in the North and South.

The most difficult part of the Guidelines to reconcile with the reasonableness requisite is the quotas or percentages. We fully recognize that the percentages have been labelled as rule of thumb for measuring progress rather than a firm requirement, but we are also aware that, in many individual instances, the percentages (§ 1 81.54) have been treated as a *conclusive* test of adequacy, which leads inescapably to the conclusion that they *are* being applied as a hard and fast requirement, official disclaimers to the contrary notwithstanding. To be specific, suppose that in a system the percentages are not satisfied, yet in all other respects that system appears to be in compliance, and in fact, its plan, both in form as well as in administration, goes further than the plan of other systems where the percentages are met. Will the former still be compelled to do more so that the quota will be satisfied? Does the Department deny that many Negroes, as well as whites, prefer to attend school with members of their own race?

We are not unmindful that the organizations spear-heading litigation in this area seek to compel systems in the North to abandon the neighborhood school plan and bus children out of their attendance areas involuntarily, while the same organizations in the South demand that Freedom of Choice Plans be abandoned in favor of the same neighborhood school plan deemed inadequate in the North. In both instances, the objective plainly is to force Negro students into a compulsory association which they do not desire and would not choose if given a free choice. Scientific evidence is being widely used to attack the neighborhood school plan, in support of the thesis that lack of interracial association is harmful to personality development, whereas conversely, the relevance of similar evidence to show the deleterious effects of affirmative, enforced association in the South is denied, when sought to be adduced by the defense.

It seems to us that no concrete answer can be given in this problem area until the Supreme Court comes to grips with the fundamental proposition: Does the Constitution compel integration, or only prohibit state-enforced segregation? Admittedly, there is language in the original *Brown Case* and the recent *Fairfield* opinion which tends toward the former, but I cannot help but believe that this is wrong. To so hold, it seems, would brand the Negro as an inferior whose lot can be improved only by associating with his superiors.

Secondly, from the standpoint of fairness, we in the South have the distinct feeling that Titles IV and VI are being applied with a vengeance here, while shortcomings elsewhere are blissfully ignored. In this, we may be mistaken. We hope that we are, but we do ask that those in authority take time to explain and demonstrate where we are wrong.

For example, the percentage figures apply only to free choice plans, and not the neighborhood school plan fashionable in other parts of the Country. And, to a greater extent, there seems to be an increasing tendency to treat the Southern states differently on the reasoning that here, the present situation was shaped by years of officially-sanctioned discrimination—a fact which requires different measures than those utilized in other areas where ostensibly racial discrimination was never a governmental policy. But this is a slender reed upon which to lean. To begin with, where is the cut-off date in determining the existence of a previous state policy? In the very first case to uphold separate but equal, the Supreme Court of the United States relied upon an 1849 Massachusetts case upholding segregation in public education in that State. And, even more pertinent, one has only to read between the lines in recent decisions affecting states supposedly having no background of school segregation. It is plain as plain can be that school authorities all over the country have in many instances endeavored to follow racial lines. The only difference is that in the South we admitted it and flaunted it before all the world, whereas in other areas it was a more subtle undertaking, accompanied by pious disavowals of the very thing being done. If governmental policy is to be the test, how can any part of the country be singled out for special treatment? Until the Civil War Amendment, white supremacy was the law of the Nation as a whole. If the *Dred Scott* case did not serve to establish it before, it cannot be gainsaid that even after the Reconstruction Amendments, the numerous Acts of Congress establishing separate schools in the District of Columbia and recognizing the validity of segregation in countless other manifestations did not formerly implant it as a National Policy that was not clearly repudiated until 1954.

In summation, the assurances given here today that inquiries will be promptly answered in writing by HEW are most encouraging. Telephone replies are woefully unsatisfactory, and differences in recollection and interpretation are bound to produce misunderstandings.

We do feel, however, that no satisfactory answer has been given to our complaint that our area is being singled out for unfavorable treatment. The holding in the Fairfield decision that Congress intended certain concessions in the 1964 Civil Rights Act to apply only to areas of the Nation other than the Southern States, is startling. It is made more so by reason of the fact that it gives tacit approval to policies already being pursued by HEW.

Also, no satisfactory answer has been given to questions seeking to elicit HEW's position as to whether their interpretation of their function under title VI is to compel integration or to prevent enforced segregation. In this, HEW is not completely to blame, for this issue ultimately must be settled by the Supreme Court.

Lastly, the pressing problem of placing teachers in desegregated situations has not been sufficiently clarified. The policy of HEW seems to require that school boards assign teachers against their will if necessary to bring about desegregated faculties. However, school officials were not advised as to what course of action they would be expected to follow in the event all teachers resigned rather than accepting such an assignment. Teachers are extremely difficult to secure at this time, even under ideal circumstances; forcing them into a situation which they do not desire will make it even more difficult, if not impossible.

(SPECIAL NOTATION.—Representing the Office of HEW during the informational session referred to above were David Seeley, Deputy U.S. Commissioner of Education, John R. Hodgdon, Director of Area 2, equal educational opportunities program, Dr. Hugh Brimm, Field Representative, Equal Educational Opportunity, and Dr. Jack Martin, Regional Assistant Commissioner, U.S. Office of Education.)

TIME IS RUNNING OUT—DEFICITS IN OUR FOREIGN ACCOUNTS

Mr. SYMINGTON. Mr. President, a thought-provoking editorial in the Wall Street Journal of yesterday reemphasizes the view of Robert Roosa, former Under Secretary of the Treasury, that—

> We must take into account the possibility that rapidly mounting deficits in our foreign accounts, if ignored, could make 1967 a crucial year for the dollar, and even for the standing and leadership of the United States in world affairs.

Mr. Roosa's concern about the persistent payments deficits should be the concern of all and his suggestions outlined in this editorial should receive careful consideration, particularly in view of the fact that recently released figures show that our foreign-trade surplus, which can be an important plus in the balance of payments, shrank again in 1966 with imports increasing twice as fast as exports.

I ask unanimous consent that the editorial entitled "Time Is Running Out," be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TIME IS RUNNING OUT

In last week's Economic Report, President Johnson disclosed that the deficit in the country's international accounts increased "only slightly" during 1966, a development that he appeared to regard as encouraging.

One citizen who is not at all happy about the outlook is Robert V. Roosa, who tussled with the unbalanced balance of payments for several years as Under Secretary of the Treasury. For reasons he cogently sets forth, "only" a small rise in the deficit is by no means reassuring.

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[1] The author of the above statement is one of Georgia's most able and dedicated constitutional lawyers and a practicing attorney from Elberton, Georgia.

Why not? Well, it happens that rising interest rates in the U.S. last year pulled in a lot of speculative money from abroad, close to $3 billion to be more precise. Without this happy windfall, the deficit for 1966 probably would be a gigantic $4.5 billion, instead of the more modest expected total of $1.5 billion.

The way things are going now, moreover, the nation cannot expect to be bailed out this year by another big inflow of foreign funds. Switching signals, the Federal Reserve System already is easing money and President Johnson is pressing for quite a bit more of the same; the upshot is that interest rates for some time have been sinking. If the rate downtrend continues, in fact, many foreigners are likely to yank their funds right out of the U.S., thus throwing the payments figures even further out of whack.

In the circumstances the Government's attitude toward the balance of payments would appear something less than astute. The Administration blandly blames the deficits on the Vietnam war, sighs, and says little more can be done until peace prevails.

In the meantime, the peculiar collection of so-called voluntary controls not only will be retained but, if the Administration gets its way, the screws wil be turned somewhat tighter. Private loans and investments will be even more strongly discouraged, for instance, since in the short run they take money out of the U.S.

Of course, in the not very long run these loans and investments earn a great deal of money for Americans and build a basis for expanded exports. The longer the controls stay on, the weaker the U.S. business standing becomes overseas; exports already are shrinking sharply.

The U.S., in Mr. Roosa's view, cannot afford to let this self-destructive process drag on indefinitely: "We must take into account the possibility that rapidly mounting deficits in our foreign accounts, if ignored, could make 1967 a crucial year for the dollar, and even for the standing and leadership of the United States in world affairs."

In international councils the nation that seems bent on bankruptcy is, to put it mildly, not likely to generate a great deal of respect. Whenever statesmen meet, says Mr. Roosa, "deficits mean weakness, while surpluses or the capacity for surplus means strength."

What should be done? The former Treasury official has no miracle cures up his sleeve; in reality, no miracles are needed.

One helpful step, Mr. Roosa suggests, would be a thorough reappraisal of U.S. troop levels in Europe, which pull a lot of money out of this country. Prosperous Europe long has been capable of absorbing more of its own defense costs, and if the U.S. still wants to show the flag over there it certainly could do it with less than six divisions.

Whatever is done abroad, Mr. Roosa warns, won't relieve the U.S. of the need for discipline in its economic and financial affairs at home. Conveniently enough, this discipline not only could do a lot for the balance of payments but might help keep the current economic boom from exploding—or collapsing.

The measures he has in mind are hardly complicated. One involves bringing Federal spending at least within hailing distance of income. Another is restraint in supplying the banks with funds, even if this means keeping interest rates fairly high. Both steps would promote stable prices, keep U.S. goods competitive in export markets and permit sound, balanced expansion of the economy.

Mr. Roosa is far from the first to call for such reasonable moves, but so far the advice appears to fall mainly on deaf ears. Meanwhile, time—and a great deal of the nation's money—is running out.

THE NEW LEFT

Mr. DODD. Mr. President, the "new left" is not content simply to oppose the war in Vietnam and preach social, political, and economic revolution at home. It is not content to organize the unemployed, those who receive welfare payments, and others who feel a sense of futility with their problems. They seek to go beyond mere irritation and occasional public display. Their goal is to organize everyone who can be organized, for whatever reason, and put them to work in whatever way they are willing to be used, for one major goal. That goal: the destruction of the fabric of our society.

While other revolutionaries at least give lipservice to the use of peaceful means, those who lead the "new left" consider this hypocrisy. Any and all means, they tell us, will be used on fomenting the revolution which they see on our horizon.

A pamphlet currently being distributed by the Students for a Democratic Society is aimed especially at high school students. It is entitled: "High School Reform: Toward a Student Movement." What kind of reform does the pamphlet call for? In an excellent study of the "new left's" current approach to high school students, the distinguished columnist, Mrs. Alice Widener, explains it this way:

> Literally, the pamphlet is inflammatory. It condones, admits and appears to incite arson by setting school trash can fires. It condones, admits and appears to incite the pulling of false fire alarms in schools.

On page 1, Mark Kleiman writes:

> Even such seemingly destructive actions as starting trash can fires and pulling fire alarms are actually forms of protest directed at the school as it is now constituted . . . There is one primary reason why we set trash can fires, why we cannot communicate with one another on campus, and are forced to make use of off-campus publications, and to (sic) why they have to build fences around us. High school is not worth the time we spend there . . .

Thus, the "new left," which has already declared war on the university, the social structure, the Nation's commitment in Vietnam, and the idea of respect for law and order, now has found a new enemy: the high school.

Mrs. Widener calls this pamphlet and this approach "a program for creating anarchy in American high schools so that SDS can gain political control over them." They have initiated the use, she states, of a fourth and criminal "R"—arson.

I believe that my colleagues should be aware of the program of the "new left," and I ask unanimous consent for the insertion of this article into the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From U.S.A., vol. XIII, Sept. 30–Oct. 14, 1966]

NEW LEFTISTS' FOURTH "R"—ARSON

(An analysis of the radical pamphlet "High School Reform: Towards a Student Movement," currently distributed by Students for a Democratic Society)

"One of the most militant organizations now engaged in activities protesting U.S. foreign policy is a student youth group called Students for a Democratic Society. Communists are actively promoting and participating in the activities of this organization, which is self-described as a group of liberals and radicals," testimony of John Edgar Hoover, Director, Federal Bureau of Investigation, United States Department of Justice, Before the House Subcommittee on Appropriation on February 10, 1966.

TEEN AGE TARGETS

Creation of a radical Leftist student movement in American high schools is a pivotal project of Students for a Democratic Society (SDS), an organization claiming member groups at more than 200 universities and colleges in our nation.

As part of a "radical education project," Students for a Democratic Society is distributing throughout our country a pamphlet with the deceptively innocuous title "High School Reform: Towards a Student Movement." The author, Mark Kleiman, is alleged to have written the pamphlet in December 1965 while "a student at a Southern California high school." Issued in a first printing of 5,000 copies at the SDS Printing Office, Lawrence, Kansas, the pamphlet bears the notice "Distributed by Students for a Democratic Society, 1103 East 63rd Street, Chicago, Illinois, 60637."

Hundreds of copies of "High School Reform: Towards a Student Movement" were peddled by SDS at the Second Annual Conference of Socialist Scholars, New York City, September 1966. Simultaneously, SDS distributed a detailed report on its radical education project, which urges members to exploit the tensions and potentialities existing in the educational system "by building on discontents and marginal rebellions . . ." SDS openly states, "The movement organizes on the basis of discontents." SDS then asks, "Is it possible to create a radical generation by gaining power in the educational system?"

Clearly, SDS seeks to gain such power. To help get it, SDS distributes the pamphlet "High School Reform: Towards a Student Movement," one of the most dangerous documents ever printed in the United States. Literally, the pamphlet is inflammatory. It condones, admits and appears to incite arson by setting school trash can fires. It condones, admits and appears to incite the pulling of false fire alarms in schools.

GENTLE ART OF ARSON

On page one, Mark Kleiman writes, "Even such seemingly destructive actions as starting trash can fires and pulling fire alarms are actually forms of protest directed at the school as it is now constituted."

On page two, Mark Kleiman writes, "There is one primary reason why we set trash can fires, why we cannot communicate with one another on campus, and are forced to make use of off-campus publications, and to why they have to build fences around us. *High school is not worth the time we spend there. . . .*"

Is starting a trash can fire at a school a "seemingly" destructive action?

Is there any reason—"primary" or secondary or tertiary—that can justify Kleiman's flat admission in print "we set trash can fires" in schools?

In every state of the United States, arson in any form is a crime. So is the pulling of false fire alarms. Furthermore, it is a crime to aid, abet or incite arson in any form.

It is imperative for parents wishing to save their children from possible death in school by arson or false fire alarms to insist that local law enforcement agencies take prompt legal action against any distributor of the SDS pamphlet "High School Reform: Towards a Student Movement" by Mark Kleiman. It is imperative that the public write immediately to Congressmen and Senators to demand legal action against Students for a Democratic Society to enjoin their interstate distribution of the pamphlet by Mark Kleiman. Moreover, every local PTA group and all school administrators should be alerted immediately to the existence and contents of the Kleiman-SDS pamphlet.

Arson in schools and the pulling of false fire alarms are not controversial political matters. They are criminal. There should be no politics involved in parents' demand for action against the Kleiman-SDS pamphlet. All city, state and federal authorities are charged with the responsibility of dealing with criminal activities. There is no community in the United States that is not protected by law from the crime of arson in any form and from false fire alarms.

It does not require writers' imagination to depict the possible consequences of arson or panic in schools. Every fire department in every community conducts fire prevention education. Every school is compelled by law to conduct fire drills. Every sane adult knows it is impossible to guarantee that arson in a school can exist without danger to human life, despite the excellence of fire-fighting equipment, the heroism of firemen, the modern "fire safe" construction of many schools. Every sane adult knows it is impossible to guarantee human safety if panic were to occur as a result of a false fire alarm. Every fireman knows that each false fire alarm can endanger somebody's life.

A FEW STATISTICS

Recently, national crime statistics showed such an alarming increase in false fire alarms that New York City instituted a police campaign to try to catch offenders. On October 12, 1966, the *World Journal Tribune* reported that in a first citywide dragnet only seven suspects were caught—five of them juvenile delinquents. "A total of 91 false alarms were turned in despite a 400-man special detail assigned to watch the fire boxes," reported the WJT. "False alarms are becoming an increasingly serious problem. Firemen (in New York City) expect to answer about 38,000 this year."

What will be the nationwide statistics on arson and false fire alarms if such crimes are to be looked on as excusable forms of "protest" by school discontents?

There can be only one answer and it will eventually be evident in the charred or trampled bodies of pupil and teacher victims.

UNREST, DISCONTENT

To find out what goes on in the minds of "students" condoning crime as a means of attaining political control over our school system, it is necessary to study carefully the pamphlet "High School Reform: Towards a Student Movement." For the most part, the language is studiously contrived to lure the unsuspecting into support of radicalism. "Those responsible for our education have done their utmost to create an artificial community on the high school campus," writes Mark Kleiman, "a community which will demonstrate to us that it is better to 'adjust' to an unsuitable society than to change the society into something in which we can live with honor and dignity." He goes on to say:

"There is already a considerable degree of unrest on the high school campus. At Palisades High School (Los Angeles) an 'underground' paper has been started. Similar papers have begun at Arcadia and Westchester. At Westchester, 30 students destroyed their Student Activity Cards and 'sat in' for the first ten minutes of fifth period . . . At University High School there has been a storm of protest over the suspension of a student for wearing his hair too long and an administration threat to take away nutrition unless we had a clean campus. . . .

"All schools spend a great deal of money on staffing and supplying an Attendance Office . . . The very existence of such a system would indicate a belief on the part of the administration that we are unwilling to play by their rules that were made by them, and must be coerced into doing so. It is clear that the motivating factor behind acceptable behavior is not understanding but force. . . ."

Mark Kleiman strongly objects to "health" classes that warn students "about drugs proven to be physically harmless . . ." He does not name the drugs. The press, however, has been full of articles and reports about widespread, dangerous use of marijuana, LSD and other drugs in high schools.

The October 1, 1966 issue of the FBI Law Enforcement Bulletin carries a definitive article about psychedelic drugs by John F. Kerrigan, Inspector of Police, San Francisco, California. After calling attention to use of such drugs in high schools and even in junior high schools, Inspector Kerrigan says:

"The students in our nation's educational institutions must be made aware of the dangers of certain drugs and the folly of their use. They must be reminded that their place in society involves responsibility as well as privilege. In many cases their drug use is fostered by a misconception of academic freedom and under the guise of art and progressive thinking. They must be made to realize that there is no enlightenment or lasting benefit in the illegal use of drugs. This phase of the educational effort can only be implemented as a regular program in our educational institutions."

It seems the main tactic of the Leftist radicals is to break down authority at high schools. The SDS-Kleiman pamphlet evidently seeks to accomplish this by pitting a teacher-student alliance against the school administration. Mark Kleiman writes:

"Let us consider briefly the roles taken by students and teachers in our schools. It is the function of a teacher in our system to feed us material data designed to help us fit into a ready-made life in society. We, as students, undergo this change, and "help" our peers change through social pressure. Who dictates the nature of this change? Who tells teachers what to teach and how to teach it? Who tells students under what conditions they may learn in this Great and Free society? Both student and teacher are tool *and* product of administrative totalitarianism. The student comes out of high school a finished product to be consumed by either the agro-business or the war machine. He is by then also a tool, to be used to make others conform. . . .

". . . . The administrator, whose real function is nothing greater than the maintenance of the campus (a task which could be easily performed by a simple-minded computer) has become the lord and master of our schools, commanding unbounded fealty."

MORE BERKELEYS

The Kleiman-SDS pamphlet lists three levels of anti-administration sentiment to be organized and exploited by a mass student organization: (1) "dress regulations;" (2) "attendance;" and (3) "the education itself." Mark Kleiman writes, "We have much to learn from SLATE, the Berkeley campus political movement."

After Berkeley-type agitation by high school students has become fairly strong—explains Kleiman—the agitators should become candidates for student body offices. "Where we win control of any office," he states, "we force the administration to either give in on major points, or continually override our actions, which makes the administration look silly to the students, our parents, and our principal's bosses downtown."

The conspiratorial means advocated in the Kleiman-SDS pamphlet for capturing control of high schools are illustrated in the directions (page 7) for organizing an "underground" school newspaper. Almost to the letter, these directions are similar to those set down in standard Communist Party literature on dissemination of CP literature and on organization of propaganda activities. Mark Kleiman writes:

"'Underground' newspapers have proven to be highly successful at two schools already. The first few issues should be written and produced by four or five people (to distribute reprisals, as well as the workload). These students should continue to take responsibility for the production of the paper, but most of the material should come from other segments of the student population as soon as possible, so that it is a true reflection of student opinion. The first issue should be sent to the leadership of as many social cliques as possible (so the paper is in), and should be mailed to them. Mailing is emphasized because any attempt to distribute such a paper on campus would result in those responsible for it being crushed by the administration. . . ."

The Kleiman-SDS pamphlet calls for creation of "Freedom Schools" during students' lunch time, and for an inter-school and inter-community organization linked with the high school protest movement. "We should get in touch with the American Federation of Teachers and the American Civil Liberties Union, and request their formal organizational support. We should make . . . a concerted effort to get PTA support. . . . We are asking them for support because we feel that in many areas our interests are mutual. . . ." The Kleiman-SDS pamphlet stresses, nevertheless, "this is a *student* movement, and we have no intention whatsoever of giving up any of our power to adults."

TEEN AGE POWER

Among the specific "rights" that the SDS-promoted "protest" movement is fighting for at high schools are "freedom of advocacy on the high school and junior college campus," and "an end to student police squads and oppressive Attendance Offices, replacing them with a voluntary honor system," and "the right of students to take or not take courses as they see fit."

Obviously, Students for a Democratic Society is ready to rob the cradle for radicalism. The Kleiman-SDS pamphlet "High School Reform: Towards a Student Movement" is a program for creating anarchy in American high schools so that SDS can gain political control over them. To accomplish their aims, it seems the Leftist radical agitators are ready to use any means, even that of adding to the 'teenagers' academic three "R's" a fourth and criminal "R"—arson.

ITT'S EXTENSIVE FOREIGN SUBSIDIARIES AND PARTNERSHIP WITH AT LEAST ONE FOREIGN COUNTRY PRESENT A SITUATION WHICH THE FCC SHOULD EXAMINE MORE CAREFULLY BEFORE REACHING A FINAL DECISION ON ITT MERGER WITH A MAJOR PUBLIC INFORMATION MEDIUM

Mr. YARBOROUGH. Mr. President, objective, careful, and thorough news collection and analysis are so vital to a free society that every precaution should be taken to shield the mass media from any possibility of undesirable influence from external economic interests. This is the principal reason why

I am disturbed about the ITT–ABC merger.

The International Telephone & Telegraph Corp. is a vast, conglomerate enterprise having diverse industrial interests, here and abroad. ITT's president, Harold Geneen, admitted before the House Ways and Means Committee that his company is a unique corporation, that 80 percent of its total profits comes from its overseas subsidiaries, and that it is dependent on its foreign investments for financing its domestic operations. Although the nature and extent of its overseas operations have not been examined with any reasonable particularity and detail, we already know that it is in partnership with Chile in the ownership of a telephone company and will soon have a similar relationship with Peru. On the board of directors of many of its foreign subsidiaries sit high officials of foreign governments. It was to guard against this sort of situation that the Federal Communications Act was enacted.

To acquaint Senators with ITT and its extensive interests, I ask unanimous consent that a list of the principal subsidiaries of ITT be placed at the end of my remarks. I hope that this list will be scrutinized very carefully, for, in my opinion, control of an important communications medium within the United States by such a corporation should be of great concern to all of us. It is essential that a careful and searching assessment of ITT's complex and frequently obscure relationships with foreign governments and other foreign entities be made as soon as possible either by the FCC or, in default of appropriate action by that agency, by the U.S. Senate itself.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. YARBOROUGH. Mr. President, in further connection with the proposed ITT–ABC merger, I ask unanimous consent that an article entitled "Will a 'Zaibatsu' Control Our Economy" be printed in the RECORD. This article, which appeared in the summer 1966 issue of the Federal Bar Journal, was written by Mr. James Henderson, the General Counsel of the Federal Trade Commission, and Mr. William H. Henderson, an attorney with the same agency. Their conclusion is that—

> The merger trend is pressing our competitive system on two fronts, one, ever increasing conglomeration of industry, two, oligopoly with the ramifications of vertical integration. Conglomerate enterprises are perhaps the most dangerous depredators of a competitive system. Vertical integration penetrates deeply but narrowly. The conglomerate enterprise is a wedge that massively intrudes competitive advantages in our competitive system that are difficult to isolate and combat.

A classic example of the conglomerate enterprise discussed in the article is the International Telephone & Telegraph Co., a holding company for innumerable and greatly diverse foreign and domestic economic interests.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WILL A "ZAIBATSU" CONTROL OUR ECONOMY?

(By James McI. Henderson* and William H. Henderson**)

INTRODUCTION

In the period preceding Japan's ambitious embarkation on World War II, a Japanese Zaibatsu controlled directly or indirectly all of Japan's finances, commerce and industry.

"Zaibatsu" can be literally translated as "the money clique." It is a generic term used to describe the large vertically integrated and conglomerate family holding companies that, monopolized and dominated the Japanese economy before the second World War. Five of the largest Zaibatsu were, in the order of their size, Mitsui, Mitsubishi, Sumitomo, Yasuda and Okura.

The Japanese Zaibatsu was a monopolist's dream. Its gargantuan, conglomerate holding's constituted Exhibit A of a capitalistic monopoly. Some 15 of such financial interests controlled 70% of the entire Japanese trade and industry. Some eight controlled 50% of the entire Japanese trade and industry. Mitsui, Mitsubishi, and Sumitomo controlled about 25% of such trade and industry. Zaibatsu control created a western type oligopoly in nearly every Japanese industry.

Mitsui's holdings illustrate the scope and depth of the Japanese Zaibatsu financial empire.[1] Its Oji Paper (with subsidiaries including lumber and pulp companies and the Osaka Mainichi Newspaper) controlled 78% of that industry. Mitsui banks did over 5% of the Japanese commercial banking. The Mitsui Trust Company controlled over 17% of the trust business and the Mitsui Life Insurance Company handled approximately 2% of Japan's insurance business. Mitsui's trading company handled more than 40% of Japanese imports and exports. Mitsui warehoused 19% of Japan's warehousing. Mitsui Mitsukoshi Department Store accounted for some 32% of department store retailing. Its average direct ownership holdings among its conglomerate enterprises were over 63%. Mitsui could realistically say: "If you don't see what you want, ask for it."

The other Japanese family holding companies that comprised Japan's Zaibatsu were similarly conglomerate.

Although each Zaibatsu family holding company was fantastically conglomerate in its reach, Mitsui was more concentrated in finances, trading, cotton, rayon, mining, and paper. Mitsubishi's concentration was in heavy industry, shipping, marine fire insurance, and mining. Sumitomo's financial empire was centered directly on munitions and heavy enterprises, and the Yasuda interests on banking.

The drive and ability of the original creators of the Japanese Zaibatsu financial empires (with one exception) did not pass to descendants. While the Baron Takakimi Mitsui devoted his time to golf (of which he was extraordinarily fond) a Harvard-trained executive ran Mitsui. The young Baron Sumitomo gratified his passions for poetry and history while his executive director made the Baron Japan's biggest income tax payer. Executive directors also managed Yasuda and Okura. Mitsubishi was the exception to hired executive director management of the principal Zaibatsu holding companies. Koyata Iwasaki, the family Baron, himself ran the vast Mitsubishi interests.

The basic forces that created the Japanese Zaibatsu were: government concessions, access to capital, and use of capital for vertical, horizontal and conglomerate expansion. Zaibatsu political influence over the two leading Japanese political parties also played some part in Japanese Zaibatsu control of Japanese industry.

We examine these forces which created the Japanese Zaibatsu and explore similar forces that are playing a similar role in founding American industrial empires that are exercising increasing dominance over ou economy.

FORCES RESPONSIBLE FOR CREATION OF THE JAPANESE ZAIBATSU

A. Government concessions

The story of the beginnings and rise of the largest of the Japanese Zaibatsu illustrate the part played by Japanese Government concessions in founding the Japanese Zaibatsu.

These great capitalistic interests of modern Japan arose primarily from the merchant families. Their rise to control may be likened to vertical integration in reverse. The merchant class was the lowest order on the Japanese social ladder. In order of importance were the Samurai (the warrior class), the farmers, the artisans; and, as mentioned, the merchants stood on the bottom rung. The Japanese Zaibatsu had its beginnings in the Tokugawa period which ended in 1867, when the Emperor was "restored" and imperial rule governed Japan under the Meiji restoration. A brief summary of the development of the larger members of the Japanese Zaibatsu is illustrative.

The Mitsuis were financiers and traders in the Tokugawa times. Before the restoration they operated an enterprise which was the beginning of the modern Mitsukoshi Department Store. In the political strife that preceded the Emperor's restoration, Mitsui shrewdly estimated the outcome of the struggle. It supported the Emperor's party, and after the Emperor's party overthrew the Shogun, Mitsui handled the new government's financial business. The government sold Mitsui (at low prices) state properties the government had acquired from the preceding Shogun rule. These properties founded such modern Mitsui industrial interests as the Mitsuike Coal Mine.

Mitsubishi began as a trading enterprise. Its chief assets consisted of eleven ships. After the Emperor's restoration, the government granted Mitsubishi financial assistance to buy more ships. The government also leased it the Nagasaki dockyard which founded Mitsubishi's shipbuilding empire. Conglomerate expansion commenced with development of mining business and purchase of banks. From the purchase of government lands near the Imperial Palace, arose Mitsubishi's huge real estate enterprises.

Sumitomo's activities in feudal days consisted of copper mining and refining and trading in rice. The copper mining developed into its great holdings in the nonferrous metal trades, steel production and coal mining. Its rice trading expanded into banking. It was a supplier of Japanese Government departments and semi-official government enterprises.

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[1] Mitsui controlled industries comparable to such enterprises as Westinghouse, Youngstown Sheet & Tube, Allied Chemical & Dye, Anaconda Copper, American Woolen, Celanese International Paper, American Sugar Refining, Anheuser-Busch, and United States Rubber with innumerable subsidiaries.

The Yasuda was a "money lender" in Tokugawa times. This developed into its banking interests. It made loans to the government and obtained substantial interests in colonies.

B. Access to capital

The Japanese Zaibatsu had direct access to capital—the seed of expansion and the vehicle for the absorption of competitors. The Japanese Zaibatsu had outright control of financial institutions. The four top Zaibatsu each controlled one of Japan's ordinary commercial banks. These four banks held over one-third of the total deposits of such banks. The Zaibatsu controlled trust companies which possessed nearly 70% of all trust deposits. They controlled insurance companies which held 20% of life insurance. They controlled most of the marine and fire insurance companies. The Zaibatsu's direct control over the larger financial institutions enabled them to exercise indirect control over smaller banks not directly under Zaibatsu control.

The Japanese Zaibatsu direct control over financial institutions was a vital dominating influence over Japanese industry. If competing enterprises needed financial aid from financial institutions they had to seek assistance from their Zaibatsu competitors.

Japanese Government banks yielded considerable weight in providing access to capital for private industry. The various government banks (the Bank of Japan for management of treasury funds and foreign exchange, banks for agricultural and industrial loans) were not limited to short time loans; they had loose discount policies and directly promoted such industries as railways, steel and ship building.

Access to capital from financial institutions was not the Zaibatsu's only means of financing expansions. Monopoly control generates profits which are available for acquisitions of existing enterprises or independent entry into other areas of economic activity. Profits from Zaibatsu enterprises were used for vertical, horizontal and conglomerate expansion either by independent entry into the field, by the acquisition of established companies in the field, or by the purchase of substantial stock holdings that permitted the exercise of indirect, but nonetheless dominant control over "independent" corporations.

C. Use of capital for vertical, horizontal and conglomerate expansion

The Zaibatsu's use of capital for expansion in every direction (vertical, reverse vertical, horizontal, and conglomerate) is demonstrated by the vast and diversified holdings of the Zaibatsu which we have already referred to. These Zabatsu holdings made Japan the prize example of private monopoly control of a modern society.

D. Political influence

Japanese Zaibatsu influence over Japan's two leading political parties was very real but (as later mentioned) was not of great consequence in creating the Zaibatsu's monopolistic grip on Japanese industry.

Mitsui was closely associated and influential with Seiyukai, one of the two major Japanese political parties. Mitsui officials held government posts and handled important government business.

Mitsubishi was similarly connected and had similar influence with the Minseito political party, the second important Japanese political party.

Yasuda exercised its political influence through military societies.

Control or influence over a Japanese political party was of far less importance than such control or influences might be in the United States. The Japanese Constitution and Diet were not obtained "by the people" and "for the people" as were our Constitution and our Congress. Japan's Constitution and Diet were gracious gifts to the people by the Emperor. The Diet had little authority. It was eventually reduced to a timorous, meaningless debating society. The Zaibatsu influences with the political parties were mainly helpful to still troubled waters, quiet subterranean rumblings against the Zaibatsu, and to keep ever bright the divine light of the Emperor.

When Japan was girding for World War II, the political parties were dissolved, and the militarists established a single party system under an Imperial Rule Assistance Association.

FORCES IN AMERICA ANALOGOUS TO THOSE IN JAPAN

A. In general

The same economic forces that produced the Japanese Zaibatsu may well be creating concentrations of economic power in America that spell disaster to a competitive system.

The parallel is not exact. In Japan, private monopoly was nurtured by the Japanese Government. The Japanese people were conditioned, as far as a people may be, to unquestioning obedience to the Emperor. Hence, there existed what may be described as uncontrolled "free" enterprise.

Private monopoly control of the Japanese economy could be accomplished directly and without the deterrent of antitrust laws. But even so (as we mention later), there existed forces in Japan that opposed the Japanese Zaibatsu and decried the abuses that inevitably attend private monopolistic privilege.

Americans, on the other hand, are indoctrinated with the philosophies of equal opportunity and that Government should serve its people. Hence private monopoly is combated and Government policy is dedicated to competition (not monopoly) as our rule of trade, to providing a shelter for small business and an open door to individual enterprise.[2] Nevertheless, under the guise of free enterprise, concentrations of economic power that enjoy monopolistic advantages in our markets are increasing in the United States. The forces that build such economic empires do not operate with the same bluntness as they did in Japan. But they press with the same compelling power. And our particular forms of monopolistic empires are generally not "family trusts," although we do have our du Ponts, Fords, and Rockefellers.

We now examine the forces that created the Japanese Zaibatsu as such forces exist in the United States. We attempt to evaluate the progress these forces have made in creating an American counterpart with the anticompetitive effects that attend such forces. We also are so venturesome as to suggest a path to the solution of increasing concentrations of economic power in America.

B. Government concessions

Present day Government concessions to private interests are not so crass as were those of the Japanese Government. But one can recall askance our Government's past freewheeling concessions to private industry. Most well remembered were to railroads. The Federal Government made land grants to States to aid in the construction of railroads and land grants directly to privately owned and controlled railroad companies. For example, acts of Congress in 1862 gave direct land grants to the Union Pacific Railroad Company, the Central Pacific Railroad Company—and to other railroads up to 1871. These grants were usually the odd sections of land within six to ten miles on either side of the road. In some cases, the grants were 20 miles in width on either side. The railroads were authorized to select indemnity lands where other portions of the main grant had been otherwise disposed of. These land grants amounted to over 85 million acres of land. Railroads in addition were financially aided by the Government. The Government issued United States 6% bonds in aid of the construction of Pacific and Central Pacific Railroad beds. These concessions founded transportation monopolies and many private fortunes.

The leases in 1922 by the Department of Interior of the government's Teapot Dome Oil Reserves to private interests were calculated to found oil industries. But these concessions aroused public and congressional wrath because the oil reserves transferred were naval reserves (hence touching national security) and were obtained by bribes to the then Secretary of the Interior. This culminated in setting aside the transfers.[3] Without the factor of bribery, these concessions might not have incited such a storm of controversy and might have stood unchallenged.

Government is playing a heavy role today in building and firmly entrenching economic giants. These "concessions" (if we may use the term) basically, take the form of Government contracts (including defense contracts) with all of their ramifications. The roster of the Defense Supply Association includes many companies. But the great expenditures go to America's capitalistic giants. For example in fiscal year 1965, 100 companies received 68.9% in dollar volume of military prime contract awards over $10,000 or more. Thirty-nine of these companies were, in 1964, the 100 largest manufacturing concerns in the United States, and they received 45.3% of the total volume of such contracts.

"Grants" to private industry of the use of Government weapons and personnel for commercial purposes (with their connotations of government endorsement) are somewhat questionable concessions to industry.

The sensitiveness of the stockmarket to "peace scares" speaks eloquently of our Government's part in industry's profits for expansion of economic domains.

C. Access to capital

Capital is as readily accessible to vast American enterprises as it was to the Japanese Zaibatsu. As was the situation in Japan, our commercial banks, insurance companies, building and loan associations, all hold open house for industry's giants. The insurance companies and building and loan associations play somewhat heavier roles in supplying capital for expansion because of less strict loan requirements.

The accessibility of capital to large enterprises conforms to sound lending principles. It is "safe" to loan to the high profit making company that wishes to expand its size and profits. But for the same solid reasons the financial institution may turn its back on the plight of the company in straitened circumstances that requires a loan for survival. Hence the latter company may necessarily seek a merger to salvage what it can. But more likely it will help mount the statistics of business failures. For acquiring companies and lending institutions are more interested in the use of capital for the acquisition of successful enterprises that have broken the ground, conquered by headaches, and thus proved that they are "worth their salt" to the acquiring companies.

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[2] Fashion Originators' Guild of America v. FTC, 312 U.S. 457 (1941); National Cotton Oil Co. v. Texas, 197 U.S. 115, 129 (1905); Klor's v. Broadway-Hale Stores, 359 U.S. 207 (1959).

[3] Pan American Petroleum and Transport Co. v. United States, 273 U.S. 456 (1927); Mammouth Oil Co. v. United States, 275 U.S. 13 (1927); United States v. Pan-American Petroleum Co., 55 F. 2d 753 (9th Cir. 1932), *cert. denied,* 287 U.S. 612 (1932).

A good loan risk is not the only door opener to financial institutions. There is easy entry through control. There is not outright ownership of financial institutions by American industry as there was by the Japanese Zaibatsu. The American analogue is quasi-direct control by way of interlocking directors and management personnel.

A staff report[4] reveals not only a maize of interlocks between financial institutions themselves (Commercial Banks, Life and Fire and Casualty Insurance Companies, Mutual Savings Banks) but multiple and multifarious interlocks between financial institutions and industrial and commercial interests. The interlocks of the 15 top commercial banks (which, as of December 28, 1962, had combined deposits of more than $71.8 billion or about 27.3% of total deposits in commercial banks in the United States) were examined. These 15 commercial banks had a total of 373 directors. One hundred and fifty of these 373 directors held interlock positions (primarily directorships) in other banking and financial institutions; 174 held such positions in insurance companies. Further, 131 officers of these top 15 banks had 32 interlock positions with other banking and financial institutions and 39 with insurance companies. These 373 directors and 131 officers had a total of 1385 interlocks with industrial and commercial interests. These commercial banks also had numerous interlocks with mutual savings bank institutions. The interlocks of these commercial banks with insurance companies included such companies as the Metropolitan Life Insurance Company and Equitable Life Assurance Society, the first and third largest life insurance companies in the United States.

The Bank of America management interlocks with industrial and commercial corporations are typical of the national commercial banks. Bank of America had 108 management interlocks with industrial and commercial corporations, including such well-known companies as the Union Oil Company of California, Kaiser Steel Corporation, Douglas Aircraft Company, United Air Lines, Levi Strauss, Carnation Company, and American Pipe and Construction Company.

There were many instances of multi-interlocks between commercial banks and industrial and commercial companies. For example, the Chase Manhattan Bank had two direct ties each with American Express, Otis Elevator, and American Telephone and Telegraph.

The interlocks between the giant commercial banks of the nation and the giant industries of the nation are emphasized by the following examples: Mellon National Bank and Trust Company of Pittsburgh had four direct interlocks with Westinghouse Electric, Aluminum Company of America, Gulf Oil, and Jones & Laughlin Steel, among others.

The following industrial and commercial corporations had direct interlocks with two or more of the five leading New York commercial banks as of December 31, 1962: General Motors, Ford, Chrysler, AT&T, B. F. Goodrich, and Phelps-Dodge.

The insurance industry shows similar interlocks with industry. And the investment decisions of insurance companies substantially influence merger activity. Increased growth of insurance companies has resulted in its increased dominance of industry. As of December 31, 1962, assets of United States life insurance companies reached $133.3 billion, and the assets of the fire and casualty industry reached $33.3 billion. The life insurance companies' assets have nearly doubled during each decade since 1890 and the assets of fire and casualty companies have more than doubled in each decade since 1940. The holdings of life insurance companies in common and preferred stocks of industrial enterprises have skyrocketed in recent years more than any other type of investment. By the end of 1962 they held such securities of the value of $6.3 billion.

The Committee's survey of the ten largest life insurance companies (holding 61.4% of the total assets of the life insurance industry) and of the ten largest fire and casualty insurance companies (holding 23.1% of the aggregate assets of their industry) showed the extent of their interlocking relationship with industrial and commercial institutions. Two hundred and forty directors and 44 officers of these life insurance companies held a total of 803 directorships or other management positions in other companies. The 194 directors and 64 officers of the ten fire and casualty insurance companies held a total of 709 directorships or other management positions in other companies. All told, the officers and directors of these 20 companies held 1512 directorships or other management offices in other corporations. The majority of the insurance company interlocks were with industrial and commercial corporations. The life insurance companies had 550 such ties and the fire and casualty companies had 501 such ties. Metropolitan, the largest life insurance company, had interlocks with more than 50 commercial and industrial companies, including two interlocks with American Express, Pan American World Airways, Commercial Solvents Corp., Otis Elevator Co., and Southern Railroad. Prudential Insurance Company of America, the second largest life insurance company, was interlocked with more than 35 commercial and industrial companies, including AT&T, United States Steel, National Biscuit Co., American Sugar Refinery Co., and Graniteville Co.

Equitable Life Assurance Society of the United States, the third largest life insurance company, was interlocked with more than 70 commercial and industrial companies, including two interlocks with B. F. Goodrich, United States Steel, South Pacific Company, and American Airlines.

Interlocks of mutual savings banks were not so extensive as were those of commercial banks and insurance companies. The Committee surveyed ten mutual savings banks. A total of their 179 trustees held management positions in ten or more other corporations.

The conclusion of the staff report was that the antitrust laws (including Section 8 of the Clayton Act)[5] had proved ineffective and had resulted in failure to touch interlocks where there was a certainty that competition was adversely affected; that in the regulated industries the prohibitions have been dependent upon the policy of the particular agency involved which have approved more interlocks than they have forbidden, many of which, but for the agency's approval, would have been unlawful; that the limitations on interlocks contained in the different regulatory statutes vary; and that the agencies apply different standards with philosophies as discrepant as frequently as similar.[6]

The net result of these interlocks between the financial institutions and with industry, stated in its mildest terms is: The financial institution as a lender of money to merging companies may well be in a position to influence or dominate both sides of the negotiations.

Access to capital from financial institutions is not the only capital available to industry giants for expansion. As it was in Japan with the Japanese Zaibatsu so it is in the United States with American industry: Profits are a source of capital for expansion by acquisition of existing companies or independent expansions by the profit making company. The profits of the large industrial and commercial enterprises have been and now are on the increase.

The Federal Trade Commission—Securities and Exchange Commission Quarterly Financial Reports for Manufacturing Corporations show that giant corporations with assets of $1 billion or more have sustained high profits. The rates of profit by percent by such corporations on stockholders' equity before federal income taxes for the period from the fourth quarter 1959 to the fourth quarter 1965 were: 15.9% (4th qtr. 1959), 17.4% (4th qtr. 1960), 21.4% (4th qtr. 1961), 21.5% (4th qtr. 1962), 24.1% (4th qtr. 1963), 21.6% (4th qtr. 1964), and 23.7% (4th qtr. 1965).

The profits per dollar of sales of those largest corporations likewise show a sustained high profit. Their profits per dollar of sales by cents for the same periods were as follows: 12.2 (4th qtr. 1959), 12.7 (4th qtr. 1960), 15.2 (4th qtr. 1961), 14.4 (4th qtr. 1962), 15.5 (4th qtr. 1963), 13.7 (4th qtr. 1964) and 14.3 (4th qtr. 1965).

Furthermore, mergers may be accomplished without capital by exchange of stock. The relative stock earnings of the acquiring and acquired companies may invite such mergers. If the acquiring company has a stock earnings ratio of say 40 to 1 and the acquired company has a ratio of say 10 to 1, other things being equal, the acquiring company would have an incentive to acquire the acquired company because it would improve the acquiring company's stock earning ratio.

D. Use of capital for vertical, horizontal and conglomerate expansion

As was the case of the Japanese Zaibatsu, American businesses use of capital for vertical, horizontal and conglomerate expansion is demonstrated by the increased mergers in American industry resulting in the disappearance from it of major companies.

Public awareness of our trend to capitalistic concentration of industry is, perhaps, minimum. However, increasing economic concentrations of power by merger is newspaper columnists' and news periodical gossip. Drew Pearson remarked upon Columbia Broadcasting Station's ownership of the New York Yankees and Liggett & Myer's Tobacco Company's acquisition of Alpo Dog Food.[7] Richard Harwood's discussion of the Federal Trade Commission mentions the conglomerate nature of great corporations that diversify from nipples to missiles.[8] Shirley Povich referred to the anti-trust implications of the "merger" of the two major professional football teams, the American Football League and the National Football League in his column.[9] Newsweek[10] recited the Federal Trade Commission's count of 1,893 mergers in 1965 and their increase of 30% in two years. Time[11] claims 2,100 mergers in 1965, 70% conglomerate and less than 1% challenged.

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[4] Staff of Antitrust Subcomm. No. 5, House Comm. on the Judiciary, 89th Cong., 1st Sess., *Interlocks in Corporate Management* (March 12, 1965).

[5] 15 U.S.C. 19.

[6] As a result of the hearings H.R. 11572, 89th Cong., 1st Sess., was introduced to reach the anticompetitive consequences of interlocks by broadening the statutory prohibitions against industrial and commercial interlocks and providing a uniform policy with respect to interlocks for both regulated and unregulated industry.

[7] Washington Post, Feb. 28 and Mar. 3, 1966.

[8] *Once in a While the FTC Snorts, and Then Sleeps On*, Washington Post, Mar. 27, 1966.

[9] *This Morning*, Washington Post, June 9, 1966.

[10] June 13, 1966 issue.

[11] June 24, 1965 issue.

Art Buchwald's frolicsome column[12] prognosticates the end result: Two companies finally merging with the blessings of the Attorney General and the surviving company negotiating with the President for purchase of the United States. Mr. Buchwald's delightful essay won the unusual distinction of becoming (by appendix) part of a Supreme Court concurring opinion.[13]

Dr. Willard F. Mueller, Director of the FTC Bureau of Economics, in a statement before the Senate Subcommittee on Antitrust and Monopoly[14] provided statistics on mergers of manufacturing and mining companies with assets of $10 million or more. There are about 2,000 manufacturing companies with such assets which together control over 80% of all such manufacturing assets. An explosive accelerating merger trend of these big companies has been under way since 1948. From 1948 to 1964 there have been a total of 720 such mergers. In 1948 there were four. In 1964 there were 90. The assets of the acquired companies in 1948 were $64.6 million. In 1964 it had climbed to $2,784.3 million. Conglomerate acquisitions (excluding the market extension type) were 30 for the period 1948–1953, 173 for the period 1954–1959, and 223 for the period 1960–1964.

The greater number of acquisitions and the greater volume of assets acquired were made by the larger companies. For the period 1948–1964 acquiring companies with assets of $250 million and over accounted for 33.6% of the total number of acquisitions and for 45.4% of the volume of the acquired assets.

The end result is that during the period 1948 to 1964, 720 mining and manufacturing corporations with assets of $10 million or more and accounting for about one-fourth of such corporations and with a total of $23 billion in assets disappeared from industry. In the larger companies mergers did not take such a heavy toll. But they were the principal acquiring corporations.

Dr. Mueller mentions that mergers of manufacturing and mining corporations do not at all reflect all mergers in industry. Many mergers, particularly in the dairy industry, are not reported in financial manuals and journals and perhaps never reported in any source. And in the dairy industry reported mergers have accomplished an extreme concentration of economic power. Between 1948 and 1964 there were 670 acquisitions by the eight largest dairy processors and distributors in the industry.

The canning industry provides another example of increased concentrations within an industry and depletions by conglomerate acquisitions.

A Federal Trade Commission staff report[15] indicates that "During the period 1960 through 1963, a minimum of 42 canning firms disappeared via merger. In 1959 these 42 companies had total canning sales of $211.8 million, assets of $203.4 million, and accounted for about 7.3 percent of the total industry sales." During this period canned fruit and vegetable producers and consumption had greatly increased. Fifteen of the 42 acquisitions were conglomerate including acquisitions by such well known companies as Reynolds Tobacco, Nestle, R. T. Trench and Coca-Cola, Pet Milk Company, Carnation Company and Borden Company. Dairy firms made such acquisitions that by the end of 1963 four of the six largest dairy firms were counted among America's 20 largest canners of fruits and vegetables.

Conglomerate acquisition and expansion have resulted in extreme increase in the conglomeration of products marketed by the giant enterprises. The diversity of their products may be likened to the ramifications of Mitsui: "If you don't see what you want, ask for it."

Harris F. Houghton, Assistant Director of the FTC Bureau of Economics, in a statement before a Senate Subcommittee[16] illustrated the diversity of product marketing by large enterprises by use of what is known as 5-digit S.I.C. (Standard Industrial Classification) products. A 5-digit product class represents a detailed class of products. For example, in the steel industry, one 5-digit class is hot-rolled sheets and strip, including tin mill products. These different products in the class have separate markets. The number of 5-digit categories that a company markets indicates the scope of its product diversification. In 1964, for example, the United States Steel Corporation marketed seventy three 5-digit product categories which products ranged from cement to wheelbarrows.

The number of 5-digit products distributed by the 1,000 largest industrials from 1950 to 1962 has skyrocketed: The number of companies producing 1-digit products increased from 49 to 78; the number of companies producing from two to five 5-digit products increased from 223 to 354; the number of companies producing from six to fifteen 5-digit products increased from 432 to 477; the number of companies producing from sixteen to fifty 5-digit products increased from 128 to 236; and the number of companies producing over fifty 5-digit products increased from 8 to 15.

An examination of the conglomerate products marketed by five leading conglomerate enterprises and some of their acquisitions aid in comprehension of the conglomerate empires being established in the United States.

Minnesota Mining Company, founded in 1902 to mine corundum, early departed from mining operations. After obtaining leadership in the cellophane tape market, it diversified to products which include duplicating products, printing products, reflective products (such as highway signs) microfilm products, paper products, national advertising, thermofax sales, camera and tape recording equipment, electrical products, building products, stone, sand and concrete, electronic products, plastic products, chemicals, and a television broadcasting company. Minnesota's acquisitions have included such well-known companies as Revere Camera Co., Wollensak Optical Co., Bing Crosby Enterprises (electronics), Big Rock Stone & Material Co., Hartford City Paper Co. and Mutual Broadcasting System, Inc., with 458 affiliated radio stations.

General Dynamics and its predecessors had been in the munitions business for more than 60 years. It now markets military and commercial aircraft, missiles and space-related systems, submarines, electronics, building materials, concrete, brick and tile, to mention a few of its products. Between 1952 and 1964 it acquired such prominent companies as Stromberg-Carlson, O'Laughlin Material, Liquid Carbonic Corporation, Consolidated Vultee Aircraft Corporation, Bethlehem Steel's Quincy (Mass.) shipyard and Darlington Brick.

The Olin-Mathieson Company was a product of a merger in 1954 between Mathieson Chemical Corporation (a large producer of organic and inorganic chemicals) and the Olin Chemicals Industry (producing military and sporting arms, ammunition, metals, specialty papers, cellophane, polyethylene film, lumber and tools). Other products now marketed by these companies include drugs and cosmetics, industrial equipment, natural gas, coal mining equipment, and paper products. Between 1949 and 1964, the Olin Industries and Mathieson Chemical Corporation (and the merged company) acquired such companies as Squibb & Sons, Interstate Natural Gas, Ramset Fasteners, Inc., Blockson Chemical Company, West Monroe Corporations, Mississippi Aluminum Company and Southern Electric Corp.

The FMC Corporation's conglomerate enterprise is the end result of a long series of acquisitions extending back more than 30 years. Between 1950 and 1964 its products extended to chemicals, agricultural, machinery, pumps, rayon, cellophane, agricultural water systems, canning and frozen food equipment, ordnance equipment, and packing and paper box equipment to mention a few. Its acquired companies included a Baltimore plant of the National Distillers Corporation, American Viscose Corporation, Ohio-Apex, Inc., Propulsion Engine Corporation, Hudson-Sharp Machine Company, Shur-Rane Irrigation Company, Chicago Pump Company and Simplex Packaging Machinery.

Textron is a textbook example of a vast conglomerate enterprise which arose from the post-World War II period. Originally a small textile enterprise, it is no longer in the textile business. It now markets such products as helicopters, chicken feed, chain saws, fiberglass boats, portable space heaters, men's dress shoes, lawn mowers, outboard motors, aluminum foil mills, optical machinery, electric golf carts, and scores of other items. Its acquisitions between 1943 and 1964 included Sun Cook Mills, Lonsdale Company, Nashua Manufacturing, The Esmond Mills, Inc., MB Manufacturing, Dalmo Victor, Shuron Optical, Kordite Corporation, Durham Manufacturing, Totox Pharmacal, Albert H. Winebrenner, Speidel Corporation, Pittsburgh Steel Foundry Corporation, and numerous others.

E. Political influence

Political influence in Japan (as we have mentioned) had small part in the progress of private monopoly control of Japanese industry. For Japanese political parties had no controlling force in the Japanese Government. In contrast, control and policy of the United States is basically that of the political party in power. Basically, both the Republican and Democratic parties seek to keep industry free. But they wage their respective battles by different philosophies and in a sense on conflicting fronts. Large corporations are quite naturally sensitive to Government prohibitions of anticompetitive conduct that might limit the corporations market advantages. They perhaps "confuse" monopoly control with free enterprise. Although Republican party leaders may feel their battle is to prevent "unreasonable" Government control of industry, they would feel deeply maligned if such efforts were construed as opposed to free enterprise. When the stakes are down, responsible Republican leaders do not renounce Government controls they feel necessary to prevent private monopolistic control of industry. (Teddy Roosevelt gave force to our antitrust law, for example.) On the other hand, the Democratic party's approach to preservation of a free economy leans more to statutes proscribing anticompetitive conduct in order to halt private monopolization and consequently prevent retrogression to socialistic control of industry. And our Democratic leaders would feel equally maligned if such efforts were considered harmful to our competitive enterprise system.

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[12] Washington Post, June 2, 1966.

[13] United States v. Pabst Brewing Co., 384 U.S. 546, 553 (1966) (Concurring opinion of Mr. Justice Douglas).

[14] *Hearings Before the Subcommittee on Antitrust and Monopoly of the Senate Committee on the Judiciary,* 89th Cong., 1st Sess., Economic Concentration, *Part 2 Mergers and other Factors Affecting Industry Concentration* (1965).

[15] *Economics Inquiry into Food Marketing, Part III, the Canned Fruit, Juice and Vegetable Industry,* June 1965, reported in BNA *Antitrust and Trade Regulation Report No.* 234, January 4, 1966, and in FTC *News Summary,* December 29, 1965.

[16] *Hearings Before the Subcommittee on Antitrust and Monopoly of the Senate Committee on the Judiciary,* 88th Cong., 2d Sess., *Economic Concentration, Part 1, Overall and Conglomerate Aspects* (1964).

ANTICOMPETITIVE CONSEQUENCES OF CONCENTRATIONS OF ECONOMIC POWER

Concentration of economic power inevitably results in restraints of trade. For there is use and abuse of such power. Power breeds selfishness. This was so in Japan where capitalistic acquisition and use of monopoly was uncontrolled. The Japanese "gentlemen's" habits were much the same as anywhere: Drinking French wines and Scotch whiskey, playing golf and retiring to the 19th hole chromium Tokyo golf club, watching baseball. But these were the privileges of the 15 members of Japan's Zaibatsu that controlled almost three-quarters of Japan's economy. Ninety-three percent of the remaining families lived on less than $350 a year with an average annual income of $160.00 a year. The fortunate farmers' daughters worked 12 or 13 hours a day, ate in a factory, and occupied a 15′ x 18′ dormitory room with ten other girls. Zaibatsu industry lived on the half-starved stomach of the factory girl, half of the employees being women. Small merchants and manufacturers, to survive, were forced within the financial orbit of the Zaibatsu. Private monopoly (which still substantially rules Japanese economy) currently paints the same figure. As reported by Arthur J. Dommen [17] the "real" average income of the Japanese family fell in 1965 by reason of spiraling prices.

In Japan, the Emperor's government smiled benevolently on private monopoly despite such abuses so that Japan might find a place in the sun. Nevertheless, Japanese Zaibatsu abuses incited explosive resentments as we mention later. Such use and abuse of monopoly power would not be tolerated in the United States. Our Government realistically is the people. Antitrust laws have been demanded and enacted to prevent private monopoly control of our industry.

Be that as it may, mammoth American enterprises, enjoy unfair competitive advantages in our markets. If the present trend of concentrations of economic power is unchecked, such concentrations could exercise monopoly control over American industry similar to that exerted by the Japanese Zaibatsu.

The merger trend is pressing our competitive system on two fronts, one, ever increasing conglomeration of industry, two, oligopoly with the ramifications of vertical integration. Conglomerate enterprises are perhaps the most dangerous depredators of a competitive system. Vertical integration penetrates deeply but narrowly. The conglomerate enterprise is a wedge that massively intrudes competitive advantages in our competitive system that are difficult to isolate and combat.

Reciprocity is one example of trade advantages enjoyed by the conglomerate enterprise. Reciprocity is a businessman's application of the golden rule. Simply stated: You deal with me and I will deal with you. The *Consolidated Foods* case [18] is illustrative. Consolidated owned food processing plants and a network of wholesale and retail food stores. It acquired Gentry, Inc., which manufactured and sold dehydrated onions and garlic. Consolidated with a substantial purchaser from food processors who purchased dehydrated onions and garlic. Such acquisition gave Consolidated and Gentry the understandable and persuasive sales appeal that it would be "cooperative" if Consolidated's suppliers would purchase their dehydrated onions and garlic supplies from Gentry.

Oligopoly with its structures of vertical integration is less subtle and more direct in its destruction of small business.

Vertically integrated enterprises directly eliminate small business by usurping its retail or wholesaling functions. When vertical integration is accomplished by dual distribution, the small businessman who must depend upon such an enterprise for supplies survives only by its tolerance. For example, the integrated enterprise that sells both the wholesaler and the retailer may eliminate the retailer or wholesaler by either increasing its wholesale prices or decreasing its retail prices or visa versa.

The problem of dual distribution received the attention of the 88th Congress [19] with hearings held between May 8 and December 10, 1963. The hearings covered such industries as clothing, electrical supplies, glass, shoes, groceries, petroleum, drugs, steel, appliances, automotive parts and accessories, phonograph records, plumbing contractors, television repairs and air conditioning, to name a few. Legislation was introduced [20] providing that companies engaged in dual distribution must maintain "adequate and fair" differentials between the prices they charged the suppliers of purchasers and prices they charged the competitors of such purchasers. But such price control is not compatible with a free competitive system.

A vertically integrated economic empire can be founded by franchise contracts as well as by ownership. Such device has become increasingly popular and has exploded into service sponsor franchising such as, for example, the Holiday Motel Restaurants and the Dairy Queen Drive-ins.

Price discrimination favoring giant enterprises has been to a great extent blocked by section 2 of the Clayton Act, as amended by the Robinson-Patman Act.[21] The Supreme Court has been liberal in applying section 2 to prevent injury to primary line competition, secondary line competition or tertiary competition.[22] And price cuts below cost or lower than exacted elsewhere for the purpose of destroying competition may be attacked under the Robinson-Patman Act.[23] The Supreme Court has also banned price discriminations between brand name products and the customers private brands of like grade and quality.[24]

THE BATTLE OF THE AGENCIES

The Federal Trade Commission and the Department of Justice, the principal governmental agencies charged with antitrust enforcement, are valiantly combating the pressures on our competitive system of increasing centralization of capitalistic power.

The Federal Trade Commission is battling acquisitions by such dominant companies as the Procter & Gamble Co.,[25] the General Foods Corporation,[26] the Dean Foods Co.,[27] and the National Tea Co.[28]

Paul Rand Dixon, Chairman of the Federal Trade Commission, speaking before the Section on Antitrust Law of the American Bar Association, April 14, 1966, asserted:

". . . as long as I am with the Commission I shall press for the continued pragmatic application of the Act [§ 7, Clayton Act] to the current merger movement. To do anything less is to invite the indictment of future historians that we stood by wringing our hands in anguished uncertainty the day free enterprise died in America."

The Department of Justice, besides taking on such private heavyweights as the Pabst Brewing Co.[29] has successfully attacked mergers in the regulated industries.[30]

Donald F. Turner, head of the Department of Justice's Antitrust Division, in a conference with staff members of U.S. News & World Report made it clear that his department "will attack any merger between substantial and healthy competitors in almost any industry." [31]

Efforts of Government agencies to prevent anticompetitive practices are oft hampered by hardcore opposition to regulation designed to keep our economy competitive. Such oppositionists are joined by idealists who do not realize the dangers to private enterprise of concentrations of economic power. When court decisions outlaw or threaten anticompetitive control these oppositionists storm the Halls of Congress seeking legislation granting antitrust immunity.

When the Supreme Court in *White Motor Co.*[32] withheld deciding the question of whether franchise agreements containing vertical territorial restrictions were per se violations of the Sherman Act, there was espoused a bill (H.R. 8108, 89th Congress, 1st Session) to amend the Sherman Act prohibiting a per se ruling on such agreements. Following the Supreme Court decision in the *El Paso* case, legislation was proposed to deprive the Supreme Court of jurisdiction over the power industry. After the Supreme Court's decision in the *Philadelphia National Bank* case, the pressures were strong enough to push Congress into enacting Public Law 89–356, February 21, 1966, limiting the Courts jurisdiction in the banking industry and providing congressional clemency to bank mergers consummated prior to June 17, 1963.

The automobile manufacturing industry, facing impending safety legislation, proposed that Congress let the industry do its own regulating—*with antitrust immunity.*

Exemptions to antitrust laws breed abuse. Congress, in 1922 (in sympathy with the farmers' economic plight), enacted the Capper-Volstead Act [33] permitting farmers to join together in associations to market and process their products. Under the guise of the protection of this act, associations have engaged in predatory practices in violation of the Sherman Act which the Supreme Court would not countenance.[34]

The success the agencies have experienced in attempting to hold a "competitive" line of defense have been possible only by a Supreme Court that remains alert and sophisticated in the jungle of anticompetitive growth nourished by large enterprises.

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[17] Washington Post, Apr. 25, 1966.

[18] FTC v. Consolidated Foods Corp., 380 U.S. 592 (1965).

[19] *Hearings Before Subcommittee No. 4, House Select Committee on Small Business,* 88th Cong., 1st Sess., *The Impact Upon Small Business of Dual Distribution and Related Vertical Integration* (1963).

[20] H.R. 7706, 89th Cong., 1st Sess.

[21] 15 USC 13.

[22] FTC v. Anheuser-Busch, Inc., 363 U.S. 536 (1960); FTC v. Morton Salt Co., 334 U.S. 37 (1948).

[23] United States v. National Dairy Products Corp., 372 U.S. 29 (1963); Moore v. Mead's Fine Bread Co., 348 U.S. 115 (1954).

[24] FTC v. The Borden Co., 383 U.S. 637 (1966).

[25] Doc No. 6091, decided Nov. 26, 1963, *rev'd,* The Procter and Gamble Co. v. FTC, 358 F.2d 74 (6th Cir., 1966).

[26] Doc. no. 8600, decided Dec. 18, 1964.

[27] FTC v. Dean Foods Co., 384 U.S. 597 (1966).

[28] Doc No. 7453, decided Mar. 4, 1966.

[29] *Supra,* note 13.

[30] United States v. El Paso Natural Gas Co., 376 U.S. 651 (1961); United States v. Philadelphia National Bank, 374 U.S. 321 (1963).

[31] Feb. 21, 1966 issue.

[32] White Motor Co. v. United States, 372 U.S. 253 (1963).

[33] 7 USC 291-92.

[34] Maryland and Virginia Milk Producers Ass'n v. United States, 362 U.S. 458 (1960); United States v. Borden Co., 308 U.S. 188 (1939).

The Supreme Court has shown an increasing awareness of the philosophy of our antitrust laws to attempt to prevent economic concentration "and to preserve competition among a large number of sellers"[35]

It has armed the Federal Trade Commission with power to apply to a court of appeals to halt a proposed merger upon a showing that if the merger was completed it would result in "rendering the enforcement of any final decree of divestiture futile."[36]

Before 1950, mergers could only be attacked under the Sherman Act.[37] Now, by reason of the Anti-Merger Act of 1950,[38] mergers may be halted in their incipency.

The Supreme Court, quick to discern that mergers are ravaging our competitive system, has ruled that acquisitions that have continued at a rapid rate in the relevant market, acquisitions with probable anticompetitive effect, acquisitions where concentration is gaining momentum, fall under section 7 of the Clayton Act.[39]

In the *Consolidated Foods case*[40] the Court had no problem in detecting the unfair trade advantages generated by reciprocity and condemned it as "one of the conjuries of anticompetitive practices at which the antitrust laws are aimed."

In *FTC v. Brown Shoe Co.*[41] the Court outlawed vertical integrated franchise agreements that restrained dealers from buying competing lines of products from the franchiser's competitors. And in *United States* v. *General Motors Corp.*[42] the court found "a classic conspiracy in restraint of trade" between General Motors and its franchised dealers when they collaborated to "disenfranchise" certain dealers that chose to deal with "discounters."

But the Supreme Court will not be baited. In *United States* v. *Grinnell Corp.*,[43] Judge Charles Edward Wyzanski, Jr. appears vexed at the "enormous, nearly cancerous, growth of exhibits, depositions, and *ore tenus* testimony" in monopoly cases to the injustice "to other litigation." He deliberately invited a ruling by the Supreme Court that a *prima facie* monopoly case is established when plaintiff shows that a defendant has such a predominant role in a market as to enable it to eliminate competitors. He stated that although the presumption was rebuttable, "dozens of court records" made it clear that the presumption is untrustworthy only in "the highly exceptional case, a *rara avis* more often found in academic groves than in the thickness of business."[44] The Supreme Court "dodged" this issue stating: "Since the record clearly shows that this monopoly power was consciously acquired, we have no reason to reach the further position of the District Court that once monopoly power is shown to exist, the burden is on the defendants to show that its eminence is due to skill, acumen, and the like.[45]

Regulated industries have to a large extent found escape from the antitrust laws by having the anticompetitive effects of their mergers "adjudicated" by their regulatory agencies. These agencies more often than not have not applied antitrust standards in their rulings. They have approved mergers that violate the antitrust laws.[46]

The Supreme Court has determined that there is room for competition within regulated industries and that the public would benefit from such competition.[47] It has tenaciously clung to jurisdiction to apply the antitrust laws to mergers within regulated industries.

Only when the regulatory act specifically provides for antitrust immunity (such as the provision of the Interstate Commerce Act in 49 U.S.C. 5(11) will the Supreme Court relinquish antitrust jurisdiction.[48]

We yield to the temptation to compare the Supreme Court's conception of the scope of our antitrust laws in *United States* v. *E. C. Knight Co.*,[49] (the first decision of the Supreme Court under the Sherman Act) with the Supreme Court's 1959 decision in *Klor's Inc.* v. *Broadway-Hale Stores, Inc.*[50]

In the *E. C. Knight Co.* case, as is stated in "Equal Justice Under Law,"[51]

"When the Court decided its first antitrust case, the Government lost its suit against a company controlling some 98 percent of all sugar refined in the United States. The Court conceded that the trust had a monopoly on making 'a necessary of life' but denied that it had a direct effect on interstate commerce. This ruling left the Sherman Act weak, the trusts as strong as ever."

In the *Klor's* case, where the object of an alleged boycott was a single retailer, the court declaimed that the boycott "interferes with the natural flow of interstate commerce" and "as such it is not to be tolerated merely because the victim is just one merchant whose business is so small that his destruction makes little difference to the economy."[52] This vigorous denouncement of monopolistic conduct that might eliminate "just one merchant" won the attention of *Time* Magazine,[53] under a heading particularly *apropos:* "Every Man's Sherman Act."

THE CROSSROADS

The agencies are waging a losing battle against concentration of industry—not dramatically but insidiously, continuously. Large enterprises, ever larger in size, ever less in number, eliminate small business or bring it within their orbits of control. And as stated by the Supreme Court in *Klor's Inc.* v. *Broadway-Hale Stores, Inc.*, "Monopoly can as surely thrive by the elimination of such small businessmen, one at a time, as it can by driving them out in large groups."[54]

Despite all that has been done and is being done under our antitrust laws, the forces creating monopoly of industry are continuing. The news summary of the Federal Trade Commission, March 2, 1966, advises that in 1965 both the number and assets of large mining and manufacturing companies acquired reached the highest levels on record, and that the share of acquisitions by companies of assets in excess of 100 million has increased steadily, accounting in 1965 for 27% of the mergers compared with only 17% in 1961.

There are fractures in our competitive system in our most mammoth industries. The steel industry is so concentrated and so dominated by U. S. Steel that steel prices must be dealt with on a presidential level. One American automobile manufacturer so dominates the industry that the remaining American manufacturers might be said to survive only on its benevolence; that if so willed it could "compete" them out of the business. Other major industries have likewise become so oligopolistic that raw price fixing has been supplanted by price conformance which is equally destructive to competition and difficult to combat.

Private monopoly control once entrenched is hard to dislodge as Japan's experience teaches. After the Japanese surrender and American occupation of Japan, the dissolution of Japan's Zaibatsu was one of the chief policies of the occupation forces.

As early as September 2, 1945, Washington laid down a directive providing for the dissolution of the Japanese Zaibatsu. The four great powers' Allied Control Council (Great Britain, China the Soviet Union and the United States) was set up in Tokyo in 1946 to advise the Supreme Command in carrying out this policy. On September 30, 1946, the shares of the five largest of the Zaibatsu (Mitsui, Mitsubishi, Sumitomo, Yasuda, and Fuji Industrial) were turned over to the Japanese Government's Liquidation Commission for sale to the public. But when the occupation forces moved out, very little of these policies and directives were effectuated. A few months after the occupation Deconcentration Review Board was dissolved, its final report indicated that action had been taken on only 18 of the larger of the 325 trusts which had originally been slated for dissolution. By and large the same Zaibatsu which controlled Japan before the occupation regained control after departure of the occupation forces.

General MacArthur also transplanted antitrust laws in Japan. But they did not take root. Although the law has survived (with sweeping amendments) it has virtually stood dormant against the growing volume of merger activities in Japan.

Government policies, public demands remain the same: A competitive economy providing room and shelter for small business.

President Lyndon B. Johnson in his Economic Report transmitted to the Congress, January 1966, emphasized that our economy in this time of high prosperity is still guided by the basic principle, "to maintain and enhance healthy competition" and that other peoples "see with renewed interest that free markets and free economic choices can be a mighty engine of progress."

The 89th Congress, in its joint economic report,[55] stated that "antitrust enforcement must show greater vigor" in dealing with the problems of mergers, conglomerate horizontal or vertical. The report particularly emphasized that "conglomerate mergers can be just as anticompetitive as horizontal or vertical mergers . . . enabling the combined firms to engage in reciprocity" which "tend to stifle potential competition."

Congressman Wright Patman, Chairman of the Joint Economic Committee, speaking before the House of Representatives, March 17, 1966, on the President's report and his committee's report, and after referring to the increased concentration of economic power in

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[35] United States v. Von's Grocery Co., 384 U.S. 270 (1966).

[36] *Supra*, note 27.

[37] See United States v. Union Pacific Ry. Co., 226 U.S. 470 (1913); United States v. Reading Co., 253 U.S. 26 (1920); Continental Insurance Co. v. United States, 259 U.S. 156 (1922).

[38] Sec. 7, Clayton Act. 15 USC 18.

[39] United States v. Von's Grocery Co., *supra* note 35; United States v. Pabst Brewing Co., *supra* note 13; United States v. El Paso Natural Gas Co., *supra* note 30; United States v. Philadelphia National Bank, *supra* note 30; California v. Federal Power Commission, 369 U.S. 482 (1962); United States v. E. I. du Pont de Nemours & Co., 336 U.S. 316 (1961).

[40] *Supra*, note 18.

[41] 384 U.S. 316 (1966).

[42] 384 U.S. 127 (1966).

[43] 236 F.Supp. 244 (D. R.I. 1964).

[44] *Id.*, at 248.

[45] United States v. Grinnell Corp. 384 U.S. 563, 576n.7 (1966).

[46] United States v. El Paso Natural Gas Co.; United States v. Philadelphia National Bank, *supra*, note 30.

[47] *Ibid.*

[48] *Supra* notes 34 and 46. See also 67 HARV. L. REV. 926 (1964); 59 NW. U. L. REV. 49.

[49] 156 U.S. 1 (1895).

[50] 359 U.S. 207 (1959).

[51] A recent publication of the Foundation of the Federal Bar Association.

[52] 359 U.S. at 213.

[53] April 20, 1959 issue.

[54] 349 U.S. at 213.

[55] Joint Economic Report, 89th Cong., 2d Sess. (March 17, 1966).

the United States, emphasized that we must not lose sight of the necessity of avoiding the pitfalls of monopoly, that monopolists always seek to justify economic concentration in the name of increased economic efficiency, and that "*we have reached a crossroad in antitrust enforcement.*" (Italics supplied.)[56]

There is of course appositive philosophy. Mr. Glen McDaniel, Senior Vice President, Litton Industries, on March 23, 1966, at the Annual Businessmen's Day Luncheon, School of Business Administration, Southern Methodist University protested that "most mergers are beneficial to the economy and to the public" and conglomerate mergers the most beneficial.[57]

How may we halt the trend to economic centralization that threatens our competitive system? Our system is unique, the wonder of the world, the miracle that is America, the system that meets the demands of an enlightened society. Our system provides security in health and livelihood so that all may share in America's bountifulness; it provides opportunity to rise to recognition, wealth and prominence; in short, ours is a system that provides all needs for the welfare of a people and one that races ahead of all other systems whenever put to the test.

The challenge must be met. The American people would never tolerate Zaibatsu control of industry of the Japanese proportions. Even in Japan, where the divine light of the Empire smiled on private monopoly, Zaibatsu control had to weather storms of public disapproval—reaching such high peaks that Takuma Dan, the Chief Banto of Mitsui, was murdered. It would be easy to presage that Americans, rather than tolerating Zaibatsu control, would pile regulation upon regulation until there could emerge a political stronghold espousing policies of the British Labor Party; viz, regulated industries have all the bad elements of both unregulated business and socialistic controlled business—and none of the good elements of either.

What antitrust solution, in lieu of such regulation, will stop the inroads that monopolization is making in American industry?

It would appear impractical to attempt to isolate and legislatively proscribe each and every unfair competitive advantage a large enterprise enjoys; such an approach could congest competition with multifarious statutes and make competitive activity extremely hazardous.

Must size itself be the necessary target if private monopoly control of our industry is to be thwarted and competition retained?

The magic of America's private enterprise system has been its dispersion of economic power and competition in our markets. Size was the factor that prompted the Supreme Court to take another look at the antitrust laws when confronted with the sweep of the Standard Oil empire.[58] Size propagates vertical, horizontal and conglomerate enterprises which fasten an octopus grip on industry and is the root of most restraints of trade. The unfair advantages of size and unlimited capital over small business are myriad. A giant corporation can spend and lose money more complacently, advertise more intensely, experiment more widely, enter new markets more casually, and defend legal attacks more expertly. It can exercise ingenuity in eliminating competitors—such as buying ("trade-ins") and destroying a competitor's secondhand product so that there will be none on the market.

Courts have stated that size alone is not wrongful. That may not be realistic. Justice Cardoza in 1932 in *United States v. Swift and Co.*[59] observed that size itself is not wrongful "unless magnified to the point at which it amounts to a monopoly." And in 1948 the Supreme Court in *United States v. Griffith*[60] emphasized that great size is an earmark of monopoly. It challenges credulity to protest that large dominating aggregations of economic power do not necessarily intrude unfair anticompetitive advantages in competitive markets.

Size alone does not increase efficiency. There is an optimum, an end point, in the savings of mass production. When that point is reached, labor productivity declines. Although larger firms are more likely to have research departments than small ones, the smaller firms that do research work tend to spend proportionally as much on research as the larger ones and contribute proportionally as many innovations. And, of course, conglomerate enterprises offer no mass production savings. To the contrary, they add headaches and perhaps inefficiencies.

Even with size limitations, American industry could continue to amaze the world with the superiority of capitalistic competition as against private monopoly or socialistic control. Our economy is expanding at an even higher rate than our population. Only the most doubting of Thomases would argue that there is not room in each economic field for competing industries of such size as to assure both the savings of mass production and the benefits of competition.

The problem of size must not be tackled lightly. It must be approached with serious regard for consequences.

It is the responsibility of both government and industry to keep our economy free. Industry's responsibility and interest in a free economy is particularly great. Nearly all economic activity, buying and spending, (including our huge government expenditures) is in private hands. Industry must combine with government to halt the trend to monopolization. It must view the problems of size objectively rather than subjectively. For the problems of size must be dealt with if we are to enjoy a competitive economy.

Exhibit 1

Principal Subsidiaries of ITT, January 31, 1967

Compania de Telefonas de Chile.
Compania Peruana de Telefonos, Limitada.
Companhia Telefonica Nacional, Curitiba, Brazil.
U.S. Telephone & Telegraph Corp.
American Cable & Radio Corp.
All American Cables & Radio, Inc.
Central America Cables & Radio Inc.
The Commercial Cable Co.
ITT All America Communications Caribbean, Inc.
ITT Communications, Inc.
ITT World Communications, Inc.
Globe-Mackay Cable & Radio Corp. (Philippines).
ITT Cable and Radio, Inc.
Barton Instrument Corp.
Barton Instruments, Ltd. (Canada).
Barton Sales, Co. of Calif.
Snyder Company Inc.
Cannon Electric (Great Britain) Ltd. (England).
Cannon Electric (Canada) Ltd.
Cannon Electric International, Inc. (Panama).
Cannon Electric S.A. (Belgium).
Cannon Electric (Italiana) S.p.A.
Cannon Electric France S.A.
Cannon Electric G.m.b.H. (Germany).
Cia. Radio Internacional do Brazil.
Cia. Internacional de Radio S.A. (Argentina).
Cia. Internacional de Radio Boliviana (Bolivia).
Documat, Inc.
Docustat Corp. of Cal. Inc.
Docustat Corp. of Ill, Inc.
Docustat Corp of Mich. Inc.
Docustat Corp. of N.Y., Inc.
Docustat Corp of Pa., Inc.
Henze Instrument & Valve, Inc.
Henze Instrument & Valve, Inc. (Ala.).
Southern Valve Corp.
Atlas Welding & Machine Co.
Valco Engineering Inc.
ITT Avis, Inc.
Avis Rent A Car System, Inc.
Avis Leasing Corp.
Narco Parking Systems, Inc.
National Auto Renting Co., Inc.
National Truck Renting Corp.
Webrook Enterprises, Inc.
ITT Industries, Inc.
Deutsche ITT Industries G.m.b.H.
Draeger G.C. Regelungstechnik G.m.b.H.
ITT Industries (Belgium) S.A.
ITT Industries International S.A.
ITT Industries Ltd. (England).
Bell & Gossett Ltd. (England).
Designed Heating & Supplies Ltd. (Eng).
General Controls Ltd. (England).
Maclaren Controls Ltd. (Scotland).
Thermocontrol Installations Co., Ltd.
ITT Prodotti Industriali S.p.A. (Italy).
Societe des Produits Industrielles ITT (France).
Centre Francais de Recherche Operationnelle, Societe d'Etudes pour le Development et la Rationalisation des Enterprises.
ITT Management & Research Co., Inc.
Hamilton Management Corp., 777 Corp.
Hamilton Services Corp.
Materiales de Telecommunication S.A.
McClellan S.A. (Mexico).
Industries Ocelco de Mexico, S.A.
Wyatt de Mexico, S.A. de C.V.
Press Wireless, Inc.
Societe Oceanic Radio (France).
ITT Microwave, Inc.
Equipos Hydraulicos (Venezuela).
ITT Hellas S.A. (Greece).
ITT Norden AB (Sweden).
Cia. International de Radio, S.A. (Chile).
Fallwest Corp.
Servicio Telex de Puerto Rico, Inc.
Federal Electric Corp.
Base Services, Inc.
Int. Standard Engineering, Inc.
ITT Technical Services, Inc.
General Controls Co. (Canadian) Ltd.
ITT Canada, Ltd.
ITT Electronics Service Co. of Canada Ltd.
Royal Electric Co. (Quebec) Ltd.
ITT Caribbean Mfg. Inc.
ITT Caribbean Sales & Service P.R. Inc.
ITT Standard Electric de Colombia S.A.
ITT Standard Electric of Panama S.A.
ITT Standard Electric of Jamaica Ltd.
ITT Caribbean S&S, Inc.
ITT Export Corp.
ITT Farnsworth Research Corp.
ITT Far East & Pacific, Inc.
ITT Gilfillan, Inc.
ITT Mobile Telephone, Inc.
ITT Systems Constructors, Inc.
ITT Terryphone Corp.
Intel. S.A. (Switzerland).
Cia. Internacional de Telecommunicacion y Electronia S.A. Madrid (Spain).
ITT Domel Italiana S.p.A. (Italy).
ITT Prodotti Industriali (Italy).
ITT Standard S.A. (Switzerland).
Intelex Systems, Inc.
International Electric Corp.
Internatl. Standard Elec. Corp.
Bell Telephone Mfg. Co. (Belgium).

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[56] Congressional Record, vol. 112, pt. 5, pp. 6159–6160.

[57] Mr. McDaniel's remarks were included in the Congressional Record at the request of Congressman J. Arthur Younger, Congressional Record, vol. 112, pt. 10, pp. 12957–12959.

[58] Standard Oil Co. of New Jersey v. United States, 221 U.S. 1 (1911)· see also, United States v. Aluminum Co. of America, 148 F. 2d 416 (2d Cir. 1945).

[59] 286 U.S. 106, 116 (1932).

[60] 334 U.S. 100 (1963).

Laboratoire Central de Telecommunications.

Nederlandsche Standard Electric, Maatschappij, N.V.

Internationale Luchtvaart Radio Service N.V.

Radio Rediffusion S.A. (Belgium).

Cie. Generale de Constructions Telephoniques (France).

Compagnie Generale de Metrologie S.A.

Laboratoire Central de Telecommunications.

Le Materiel Technique Industriel (France).

Les Teleimprimeurs (France).

Societe Algerienne de Constructions Telephoniques (Algeria).

Societe Industrielle de Composants pour L'Electronique (France).

Compagnie Generale de Metrologie, S.A. (France).

Societe Civile Immobiliere La Savoyarde (France).

Societe Francaise de Cadrans.

Cia. Standard Electric Argentina S.A. Industrial y Commercial.

Cia. Stand. Electric S.A.C. (Chile).

Corporacion Financiera Standard Elec. S.A.C. (Argentina).

Creed & Co. Ltd. (England).

Creed (Rentals) Ltd. (Eng).

Les Teleimprimeurs (France).

Fabbrica Apparecchiature per Communicazioni Elettriche Standard S.p.A. (Italy).

Laboratoire Central de Telecommunications.

Societa Impianti Elettrici Telefonici Telegrafici e Construzoni S.p.A. (Italy).

ITT Domel Italiana S.p.A. (Italy).

ITT Europe, Inc. (U.S.A.).

ITT Far East Ltd. (Hong Kong).

Transelectronics Ltd. Hong Kong.

Itt Philippines, Inc. (Philippines).

Industrie de Telecommunicacion, S.A. de C.V. (Mexico).

Laboratoire Central de Telecommunications.

Le Materiel Telephonique (France).

Laboratoire Central de Telecommunications.

Societe Industrielle de Composants pour L'Electronique.

OY Suomalainen ITT AB (Finland).

Standard Electric A/s (Denm.).

Standard Telefon og Kabelfabrik A/S (Norway).

Standard Electrica de Mexico, S.A.

Standard Electrica, S. A. R. L. (Portugal).

Standard Electrica, S.A. (Brazil).

E.I. Eletronica Industrial S.A.

Standard Electrica, S.A. (Spain).

Cia. Radio Aerea Maritima Espanola (Spain).

Cia. Internacional de Telecommunicacion y Electronica, S.A. Madrid (Spain).

Standard Elektrik Lorenz A.G. (Germany).

Dethloff-Electronic G.m.b.H.

Graetz G.m.b.H.

Graetz K.G.

Graetz Holzwerk G.m.b.H.

Graetz Nederland, N.V.

Graetz Vertriebs G.m.b.H.

Graetz-Raytronik G.m.b.H.

Petromax Vertriebs G.m.b.H. Aida Vertriebs G.m.b.H.

Laboratoire Central de Telecommunications.

O & K Geissler G.m.b.H.

Schaub-Lorenz Vertriebs G.m.b.H. (Germany).

SEL Versicherungdienst G.m.b.H. (Germany).

Standard Electric Puhelinteollisuus OY.

Standard Telephon und Telegraphen A.G. Czeija, Nissl & Co.

Stereotronic Vertriebs G.m.b.H.

Standard Radio & Telefon AB. (Sweden).

Standard Telecommunications C.A. (Venezuela).

ITT Standard Electric de Venezuela C. A.

SEL Feinmechanik G.m.b.H.

SEL Kontakt-Bauelemente G.m.b.H.

Standard Telephon und Telegraphen, A. G. Czeija, Nisal & Co. (Austria).

Standard Telephon Anlagenvermietung G.m.b.H. (Austria).

Standard Telephone et Radio S. A. Steiner AG Bern.

Standard Telephones & Cables, Ltd., Ace Radio Ltd. (England).

Commercial Cable Co. Ltd.

International Marine Radio Co. Ltd. (England).

P. X. Fox. Ltd. (England).

Gardners Telemeters Ltd.

Hudson Electronic Ltd. (England).

ITT Nigeria Ltd.

Kolster-Brandes Ltd. (England).

Kolster-Brandes (Northern Ireland). Ltd. (England).

Pearl Radio (Button) Ltd.

J. Arnold (Electronics) Ltd.

Walker Reynolds & Co. Ltd.

Private Telephone & Electric Co. Ltd.

Regentone Products Ltd. (England).

Argosy Radiovision Ltd.

Comb. Radio & Tel. Ser. Ltd.

Radio Gramophone Devel. Co. Ltd.

Regentone Radio & Tel. Ltd.

Rental Services Ltd.

United Components Limited.

Standard Telecommunication Laboratories, Ltd.

Standard Telephones and Cables (Nthn. Ire) Ltd.

Standard Telephones & Cables (South Africa) (Pty) Ltd.

Standard Telephones & Cables (Transistors) Ltd. (England).

Standard Telephones (Rentals) Ltd.

Stanelco Industrial Services Ltd. (Eng).

Supersonic Africa (Pty) Ltd.

Supersonic Radio Mfg. Co. Ltd.

Supersonic Radio Zambia Ltd.

Standard Telephones & Cables Pty. Ltd.

ITT Australia Pty. Ltd.

S.T.C. Investments Ltd.

International Standard Electric of New York Ltd. (U.S.A.)

International Telephone & Telegraph Co. Ltd. (England).

International Telephone & Telegraph Corp. (Espana).

Compania Radio Aerea Maritima Espanola S.A.

Standard Electrica S.A. (Spain).

International Telephone and Telegraph Corp. Sud. America (U.S.A.).

Cia. Telefonica Nacional (Brazil).

Cia. de Telefonos de Chile (Chile).

Cia. Peruana de Telefonos Lta. (Peru).

Jennings Radio Mfg. Corp.

Puerto Rico Telephone Co.

Systems Installations, Inc.

Virgin Islands Telephone Corp.

ITT Financial Services Inc.

ITT Aetna Finance Co. and its subsidiaries.

ITT Credit Corp.

Kellogg Credit Corp.

Intel Finance S.A.

Standard Telephones & Cables (Finance Ltd. England).

Standard Finance (Belgium).

Sel Finanz G.m.b.H. (Germany).

Bell & Grossett International (Nederland) N.V.

Cannon Electric (Australia) Pty. Ltd.

Cuban American Tel. & Tel. Co.

Great International Life Ins. Co.

Radio Corp. of Cuba.

International Standard Electric Corp. directly held sub.

Internationale Gas Apparaten N.V.

Le Materiel Telehonique subs.

Graetz-France.

Groupement d'Etudes Techniques de Telecommunications et d'Electronique.

Standard Elektrik ve Telekomunikasyon Ltd. Sirketi.

Standard Elektrik Lorenz AG subs.

Mix & Genest Hansawerke, G.m.b.H.

Standard Telephones & Cables Ltd.

Standard Electric Iran A.G.

Standard Telephones & Cables (Properties) Ltd.

Thermocontrol Installations Co. Ltd. sub.

Hussey Taylor Ltd.

Avis Rent A Car System, Inc. subs.

Avis Alquile un Coche. S.A. (Spain).

Avis Autonoleggio, S.p.A. (Italy).

Avis Autovermietung G.m.b.H.

Avis de Mexico, S.A. de C.V.

Avis (France) S.A.

Avis Location de Voitures, S.A.

Avis Management Services Ltd.

Caribbean Car Rental System, Inc.

Utility Leasing Corp. Inc.

Compania Radio Aerea y Maritima Espanola S.A. sub.

Avis Alquile un Coche, S.A. Intel S.A. subs.

Avis Autovermietung A.G.-Zurich.

Spycher Tours A.G.

Swissways Tours, Inc.

Press Wireless, Inc. subs.

Philippines Press Wireless, Inc.

Press Wireless Uruguaya, Ltda.

Teleradio Brasileira, Ltda.

Standard Telephone et Radio S.A. sub.

Mueller-Barbieri A.G.

Standard Telephones & Cables Ltd. subs.

Avis Rent A Car Ltd. (England).

Barcelsure Ltd. (England).

Standard Telephones & Cables Pty. Ltd. sub.

STC Finance Ltd. (Australia).

Source: *Moody's Public Utility Manual, 1966.*

ORDER OF BUSINESS

Mr. MORTON. Mr. President, is my understanding correct that the Senator from Wisconsin is to be recognized at the conclusion of morning business?

The PRESIDING OFFICER. The Senator is correct.

Mr. MORTON. Mr. President, I ask unanimous consent that, at the conclusion of his speech and any colloquy that may follow, I may be recognized.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under a previous order, the Senator from Wisconsin is recognized for 20 minutes.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the germaneness rule be waived on the matters about which I shall talk.

The PRESIDING OFFICER. Without objection, it is so ordered.

NEW YORK TIMES WANTS SPENDING CUT, RESTORATION OF WAGE-PRICE GUIDEPOSTS, AND NO TAX HIKE

Mr. PROXMIRE. Mr. President, on Sunday the New York Times offered a particularly perceptive and thoughtful analysis of the President's Economic Report.

The Times praised the President's objectives: to maintain and extend our prosperity and to use that prosperity to build a better America and a better world.

But the Times differs with the President on two crucial points, and I emphatically agree. First, the Times questions the wisdom of walking off and leaving the wage-price guideposts at the very time when inflation seems to be threatening and in the year in which so many vital labor contracts come up for renewal.

As the Times says:

> The guideposts have been imperfect weapons, but the principle that real economic gains can only be made if wage increases are matched by gains in productivity is a sound one. It should have been strengthened rather than weakened.

Second, the Times questions the wisdom and especially the timing of the President's proposed tax increase. As it says:

> If restraint is needed, it would be much more appropriate to postpone or eliminate Government spending on nonessential programs and on wasteful subsidies that are irreconcilable with a nation at war.

To which I say "Amen." Because the President can keep within his grasp control over spending. To a considerable extent he can start it and stop it without a long and uncertain congressional fight. And because so many programs should be held up and postponed or canceled, this policy of no tax increase but a sharp spending reduction makes good economic sense.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial, entitled "The Economy on the Brink," published in the New York Times of Sunday, January 29, 1967.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE ECONOMY ON THE BRINK

President Johnson's economic objectives, as outlined in his new budget and his economic report, are audacious and far-reaching. In the year ahead, he is determined to score new advances in the war on poverty as well as in Vietnam while defending the dollar abroad, extending the economy's expansion at home, combating inflation and undertaking reforms in banking, taxation, health and other areas.

These are admirable objectives for the world's richest nation. Growing prosperity, as Mr. Johnson rightly points out, provides the means to take on added responsibilities. But, in view of the Administration's past mistakes in economic and fiscal management, the critical question is whether it has formulated the right mix of spending and taxing to attain its goals.

Mr. Johnson and, even more, his budget indicate an awareness of the miscalculations that have proved so damaging to the economy over the last 12 months. Spending is slated to increase, but estimates of new outlays, including funds for Vietnam, are more reliable. This means that they are less likely to throw the budget as much off course—or to create as much inflationary pressure—as last year's gross underestimates. Also the President is lessening the stimulative impact that this spending will generate by calling for new taxes and other measures to increase revenues.

In essence, he is now doing most of the things that should have been done a year ago. The trouble is that the economy is not in the same ebullient shape as at the beginning of 1966. It has been weakened and distorted by the crosspull of too much fiscal expansiveness on one side and too much credit stringency on the other. The result is a mixed and confusing picture—a slackening in the private sector while the public sector continues to advance, a depression in the housing market, swelling inventories, shrinking profits and the threat of still further increases in wages and prices.

With so many crosscurrents at work the economy is delicately poised between inflation and deflation. The wrong policy mix could tip it over the edge in either direction. Mr. Johnson acknowledged as much in observing that the economy and the national interest "would be jeopardized by either a larger tax increase or by large slashes in military or civilian programs." Yet, in his anxiety to avoid last year's glaring mistakes, he may be making new ones.

His abandonment of fixed guideposts for wages and prices at a time when labor is openly seeking overfat wage increases makes it much more difficult to restore balance to the economy. The guideposts may have been an imperfect weapon, and unquestionably they were handled maladroitly. But the principle that real economic gains can only be made if wage increases are matched by gains in productivity is a sound one. It should have been strengthened rather than weakened.

Mr. Johnson is also risking further imbalance in requesting tax increases that can only weaken the most vulnerable sector of the economy. If restraint is needed, it would be much more appropriate to postpone or eliminate Government spending on nonessential programs and on wasteful subsidies that are irreconcilable with a nation at war.

Because the outlook is so uncertain, priority must be given to maintaining full employment in the economy. For prosperity alone is the key to all the other aims set forth by Mr. Johnson. It will take a flexible yet balanced program to repair the damage that has been done without harm to the economy as a whole. The President's blueprint requires considerable revision if it is to meet that test.

WASHINGTON POST PRAISES L.B.J. FOR MOVE TO NIA BUDGET

Mr. PROXMIRE. Mr. President, the form of budgets is not the kind of material out of which headlines are made or emotions are stirred, and yet the President's decision to move from the administrative to the national income accounts budget this year in his budget presentation may have the most profound effect on our spending and taxing programs in the future.

Most important, the new budget—while far from perfect—will give the American public a far clearer view of the most important function of the budget—the impact on the Nation's economy.

The administrative budget is highly deceptive because it eliminates about a fourth of the Government's spending and taxing and because it includes purely financial transactions which have a far different effect than spending and taxing programs.

This morning's Washington Post's lead editorial discusses the progress represented by the decision of Johnson to move into the more rational method of budget reporting. I ask unanimous consent to have printed in the RECORD the editorial entitled "Budgetary Reform," published in the Washington Post of Tuesday, January 31, 1967.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BUDGETARY REFORM

President Johnson deserves much credit for boldly extolling the virtues of the national income budget in his recent Budget Message. If the budget document is to become an effective instrument of national policy, it must faithfully reflect the impact of the Federal Government upon the economy. The administrative budget, which the President would replace, takes no account of such growing Federal trust fund activities as the social security system which alone will make payments of nearly $27 billion in the fiscal year 1968. But genuine budgetary reform of the sort which the President called for at the end of his Message involves much more than a change in the system of accounting.

While the national income budget is by far preferable to the administrative budget, its weaknesses ought not to be overlooked. Because it is derived as a segment of the national income accounting system, the national income budget Accounts Government purchases of goods as of the time of delivery rather than the time of payment. The reason is that undelivered goods are counted as part of private inventory investment; and when delivery is made, inventory investment is diminished and there is an offsetting increase in Federal expenditures. To treat these transactions differently would involve double counting in the national income and product accounts.

But the delivery-time recording of Federal purchases can be a handicap in measuring economic impacts. Consider the case of defense activities where there is good reason to believe that Government cash payments lag behind production. Expenditures for defense in fiscal 1967 are estimated at $68.3 billion in the national income budget and at $70.2 billion in the cash accounts. The difference of $1.9 billion is largely accounted for by Government progress payments on defense work in process which are eliminated from the national income accounts to put them on a delivery-time basis. But expenditures reflecting delivery times lag even farther behind production than cash payments. Therefore, in defense work or wherever there are long lead times between orders and deliveries, the national income estimates of expenditures can mislead as to the actual timing of economic impacts.

President Johnson was quite right in criticizing both the administrative and the consolidated cash budgets for treating the extension of credits by Federal agencies as the equivalent of spending. Surely a clear distinction must be drawn between the financial and other transactions of the Federal Government, and the break is cleanly made by the national income budget. But Federal financial transactions exert a profound impact on levels of interest rates and flows of funds, and therefore cannot be ignored. What is required is a separate financial supplement to the budget in which the financial transactions of the Federal Government, the extensions of credit, the sales of assets and borrowing from the public are treated along with the transactions of banks, insurance companies and other private financial institutions. The information required for such a statement is already available.

One of the great weaknesses of the present budgetary procedure is that it pins the Government down to a single, 18-month economic forecast from which estimates of revenues are derived. If the budget is to become an effective tool of policy, semi-annual or more frequent public reviews are essential. They would permit the Government to alter its economic forecast, its revenue estimates and expenditure plans in light of changing conditions.

Finally, the discussion of individual Federal programs ought to be couched in terms of costs and benefits conferred upon the public. Instead of beginning the discussion of agricultural programs with the remark that "Rising domestic and foreign demands have highlighted the importance of maintaining a healthy and productive agriculture economy," the President should discuss the costs of the programs and make some judgment as to whether progress is being made toward achieving stated goals.

The budget for 1968 with its innovative emphasis on the national income accounts will long be remembered. President Johnson's next step, which he outlined in his Message, is to undertake "an objective review of budgetary concepts" by appointing a bipartisan group of experts.

SEVENTY-FIVE PERCENT OF PARITY AN INSULT TO AMERICAN FARMERS

Mr. PROXMIRE. Mr. President, the No. 1 economic shame in this country for the past 10 years has been low farm income. A flurry in farm prices last spring that seemed to promise a better day for the farmer has deceived many who should know better into the illusion that farmers are now doing well.

But consider the latest revelations in this morning's papers: Farm prices dropped last month and the prices farmers pay rose once again.

As a result farm parity, the best available—although imperfect measure of farm income, sank to 75 percent, the lowest level it has been at in many years.

Parity measures the level of farm income in relation to what the farmer has to pay.

Only the most massive exodus in American economic history of low-income farmers off the farm, combined with an effort to automate and increase efficiency that can only be classified as heroic has kept farmers' heads above water. Think of it: Efficiency on the farm has increased three times as rapidly as off the farm in the past 15 years. The typical American farmer is making by far the biggest investment in history—on the average in my State of Wisconsin, for example, he is investing over $50,000 per farm, and yet his income per hour, based on Department of Agriculture figures, is an insulting fraction of the minimum wage.

The 1967 Economic Report of the Council of Economic Advisers in an appendix that explains the big increase in personal compensation in 1966 points to the vast exodus of farmers out of farming and into industry where factory wages greatly surpass farm income as a principal reason.

What an injustice. These highly skilled, most productive people in our economy who are producing the food and fiber that represents the real necessity of life are earning a grossly inadequate, unjustly low income. How ironic that the farmers, who have increased their efficiency far more rapidly than others, and who have big investments, take big risks, and work far longer hours, should have an income so pitifully low that an exodus from farming to factory jobs—and unskilled factory jobs in most cases—is the element, more than any other, which has increased personal compensation in this country for the last several years.

I ask unanimous consent to have printed in the Record an article entitled "Farm-Price Decline of 1 Percent Led by Cotton and Milk," published in this morning's New York Times, which spells out the ratio of prices of farm products and the prices farmers are now required to pay.

There being no objection, the article was ordered to be printed in the Record, as follows:

Farm-Price Decline of 1 Percent Led by Cotton and Milk

Washington, January 30.—Farm product prices declined 1 per cent between mid-December and mid-January. Reporting this today, the Agriculture Department said lower prices for cotton, milk, and eggs contributed most to the decline. Increases in prices for cattle, broilers and potatoes were offsetting factors.

Prices in mid-January were down 6.25 per cent from the peak reached in August, 1966. They also were down 3 per cent from January last year.

Prices paid by farmers for goods and services used in production and in family living also increased 1 per cent during the month, to a new record.

Farm prices as a whole in mid-January reflected 75 per cent of the parity goal of Federal farm programs. This compared with 77 per cent in December and 80 per cent in January last year.

The department said prices received by farmers in mid-January reflected 255 per cent of the 1910–14 base average, compared with 258 per cent in mid-December, 262 per cent in mid-January last year and a record 313 per cent in February, 1951.

Prices paid by farmers in mid-January average 340 per cent of the 1910–14 average compared with 337 per cent in mid-December, and 327 per cent set in mid-January last year.

The department said cotton prices declined 10 per cent between mid-December and mid-January, dairy prices 3 per cent, fruit prices 8 per cent and poultry product prices 4 per cent.

U.S. HISTORY OBLIGES SENATE RATIFICATION OF SLAVERY CONVENTION

Mr. PROXMIRE. Mr. President, just a little more than a century ago, the United States was embroiled in a great national debate: arguing the morality, necessity, and legality of slavery. Today nations, far less developed and far less sophisticated than 19th century America, are struggling to find their own answers to the slavery question. We can hope that these nations will find the same answers that the United States found 100 years ago. We can also hope that their answers will be reached without killing, bloodshed, and destruction.

But the Senate can do much more than collectively playing the unlikely roles of 100 Pollyannas. No new Federal legislation is required. No major revamping of our domestic life is necessary. By the relatively simple act of ratifying the human rights convention on slavery, we can offer to these new nations both the value of our national experience and the wisdom of our national decision.

Slavery is a totally dehumanizing and destructive institution. The slave belongs to society, but is not a part of it. He is a being—but not human—stripped of the basic consolations of family, friends, or faith. Prevented from establishing even the most primitive identity for himself, he can impart to his descendants only the same alienation and aloneness.

It took much of the Western World almost 2,000 years after the teaching of Christ to recognize and eliminate the basic inhumanity of slavery. Is it now the mission of the United States to withdraw from the forum where this basic question of human dignity is being decided? No; we have an obligation to all mankind to participate, to contribute, and to advocate.

I believe this American commitment to the continuing crusade for human rights is far more profound than either narrow nationalism or noisy chauvinism. Our former Ambassador to the United Nations, the late Adlai Stevenson articulated this commitment for all of us:

> When an American says that he loves his country, he means not only that he loves the New England hills, the prairies glistening in the sun, the wide and rising plains, the great mountains, and the sea. He means that he loves an inner air, an inner light in which freedom lives and in which a man can draw the breath of self-respect.

This is the meaning of America. This is the mission of America to the world. Let the Senate not impede that mission any longer. Let the Senate ratify the human rights conventions on slavery, forced labor, political rights of women, and genocide.

WHY NOT PHASE INVESTMENT CREDIT IN 1 PERCENT EACH MONTH BEGINNING JUNE 1?

Mr. PROXMIRE. Mr. President, a constituent of mine, Mr. John S. Randall, the executive vice president of the Kearney Treaker Corp., of Milwaukee, has made a most ingenious suggestion for meeting the serious economic problem involved in the suspension of the investment credit.

The action of the Congress last year in suspending the investment credit created a potential shutdown in the machine tool and other industries producing equipment for American industry.

This is because in the latter half of the next year, firms contemplating the purchase of equipment will be very reluctant to do so until January 1. Why is this? Because the postponement of the decision to buy for a few months could result in a handsome difference in profits.

A firm buying $100 million in jetplanes for example, would lose $7 million in net profits by buying on October 1, compared to waiting until January 1 to buy.

The result in the view of many economists is that the many equipment industries in this country—representing a great deal of employment and industrial activity—might as well close up shop next fall with a big increase in unemployment. Conceivably such a development could kick off a recession which would not be stemmed by the resumption of the investment credit on January 1. If business conditions are not good at the first of the year, the postponed purchase might never be made.

To meet this problem, Mr. Randall has suggested that the investment credit should be phased in at the rate of 1 percent per month over a period of 7 months.

If this process should begin on June 1, it would mean that the 7-percent credit would be back in full force on January 1, 1968. There would be no disruption of production, and the purpose of the investment credit suspension—to hold down, but not to kill the investment in plant and equipment—would have been adequately served—but without the overkill that is sure to result without some adjustment such as Mr. Randall has suggested.

I hope the Ways and Means Committee in the House, the Finance Committee in the Senate, and the Treasury Department will all give this ingenious suggestion their careful attention. It makes excellent sense.

THE TRUTH-IN-LENDING BILL

Mr. PROXMIRE. Mr. President, on January 11, I introduced S. 5, the truth-in-lending bill. I am pleased that 22 Senators have joined with me in sponsoring this much needed measure to protect the interest of the American consumer. My appreciation is extended to Senators BARTLETT, BREWSTER, CASE, CLARK, DODD, GRUENING, HART, INOUYE, KENNEDY of Massachusetts, KENNEDY of New York, LAUSCHE, MAGNUSON, MCGEE, MONDALE, MORSE, MOSS, NELSON, PELL, RANDOLPH, TYDINGS, YARBOROUGH, and YOUNG of Ohio for cosponsoring this important bill. Today, I want to discuss the basic features of the truth-in-lending bill and to outline the reasons why I believe the bill is in the public interest.

Mr. President, the truth-in-lending bill was originally introduced by our great former colleague, Senator Paul H. Douglas, of Illinois. Paul Douglas fought long and hard for truth in lending as he did for many other causes throughout his distinguished career. We in the Senate owe him a great debt of gratitude for his leadership and efforts on behalf of issues and ideas which many lesser men would have long since abandoned.

And so it is with truth in lending. Paul Douglas saw the need for the full disclosure of consumer credit charges long before any of us. He educated us and the American public and paved the way, not only for truth in lending, but for a heightened awareness of the need for legislation to protect the American consumer on a variety of points. This awareness resulted in many constructive accomplishments by the Congress, including the truth-in-packaging bill on which our able colleague from Michigan [Mr. HART] has exerted such magnificent leadership.

Paul Douglas is a great economist and a great American. He was a great Senator. In all three roles, he truly believed in our free enterprise system and in the ability of the market to insure a more abundant life for all. He did not believe in governmental regulation or control, but rather saw the role of government as removing obstacles to free and open competition.

The truth-in-lending bill is a case in point. The market system requires information in order to function—information on the part of both buyers and sellers. When information channels become clogged, competition breaks down. The essence of the truth-in-lending bill is to restore full information in the consumer credit field—to insure a full disclosure of the cost of credit—and thus to permit the market system to function more effectively.

And so I predict the 90th Congress will enact a truth-in-lending bill, not only as a tribute to our dear former colleague, Paul H. Douglas, but also as a tribute to the American people and to our democratic system where it is possible for good ideas to live on and ultimately realize success.

PRINCIPLES OF TRUTH IN LENDING

Mr. President, a truth-in-lending bill has been before this body since January 7, 1960. Most Senators have an accurate understanding of the objectives and principles of this legislation. Nevertheless, as is frequently true in the case of strongly contested legislation, fictions and myths arise from the contest. Let me first, therefore, enumerate the bill's basic purpose and the principles on which this legislation is based.

The first principle of the bill is to insure that the American consumer is given the whole truth about the price he is asked to pay for credit. The bill would not regulate interest charges, but would rather aim at a full disclosure of the cost of credit so that the consumer can make an intelligent choice in the marketplace. I emphasize that it would not regulate interest charges. It would not set ceilings.

A crucial provision of the bill deals with expressing credit charges as an annual percentage rate. Without the knowledge of an annual rate it is virtually impossible for the ordinary person to shop for the best credit buy. However, in an effort to remove objections to earlier truth-in-lending bills, my new version makes it abundantly clear that lenders need only state an approximate annual rate and would not be held to absolute accuracy down to the last decimal point.

The second principle is that the whole truth about the cost of credit really is not meaningfully available unless it is stated in terms that consumers in our society can understand. Just as the consumer is told the price of milk per quart and the price of gasoline per gallon, so must the buyer of credit be told the "unit price." Historically in our society that unit price for credit has been the annual rate of interest or finance charge applied to the unpaid balance of the debt. Without easy knowledge of this unit price for credit, it is virtually impossible for the ordinary person to shop for the best credit buy. This is true, of course, because different offerings of credit may vary with respect to the amount of debt, the number of payment periods under which it is to be repaid, and the amount to be paid per period.

A third principle is that the definition of finance charge, upon which an annual percentage rate is calculated, needs to be comprehensive and uniform. It needs to be uniform in order to permit a meaningful comparison between alternative sources of credit. Two 12-percent loans are not identical in cost if one requires additional charges for credit investigation, processing fees, and the like. The definition of finance charge also needs to be comprehensive in order to convey the true cost of credit. A 6-percent loan which requires a lot of additional charges is really not 6 percent, but is something higher.

The bill, therefore, states that in calculating the annual percentage rate for a loan all charges incident to the extension of credit are to be included.

The fourth principle of the truth-in-lending bill is that its advocates believe in our modified free enterprise system; that we believe in the benefits of a free market in which people may make their own choices knowledgeably and freely as an enduring and efficient basis for our economy. If we think that the market should be governed by the choices made by people, with a minimum of interference, obstruction, or monopoly, then we must support the right of the consumer to know the full facts so that he can make wise choices.

This principle of the truth-in-lending bill means, therefore, that prices set by American businessmen for interest or credit should not be set arbitrarily by the Federal Government but rather should be determined by the forces of free and open competition. I want to emphasize this point, because I have heard suggestions that the truth in lending bill is the foot in the door to eventual Federal Government determination of allowable rates of interest or finance charge which businessmen may levy on consumer credit.

Nothing could be further from the truth. I repeat again that a basic principle of this bill is that disclosure—just disclosure—of the full cost of credit effectively will protect consumers and businessmen. Full disclosure will restore a more free operation of individual choices in the marketplace.

I state unequivocally that this Senator does not prejudge any reasonable rate of finance charge. I do not argue that 18 percent is too high a rate for revolving credit accounts, nor that 20 percent is too high for some kinds of short-term cash loans of small amount. I merely say that what is a fair and allowable finance charge should be openly determined in the marketplace by informed consumers.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Ohio, who is a cosponsor of the bill.

Mr. LAUSCHE. Mr. President, the Senator from Wisconsin has just stated that on a short-term loan he does not feel that everyone ought to be condemned if the loan carries with it a rate of interest of 18 or 20 percent.

Mr. PROXMIRE. The Senator is correct.

Mr. LAUSCHE. How does the Senator reach that conclusion? The very fact that a rate of 18 or 20 percent interest is charged is shocking and revolting to me.

Mr. PROXMIRE. I understand that. I think, if we look at the total credit charged as containing the elements of interest, investigation for credit risk, the paper work involved in setting up the account we can understand that if the loan is for a short period, for a few weeks, then in order to reclaim the charges incident to providing this credit, it is necessary for the lender to secure more than the 6 or 7 percent which may be the cost of money to him.

The lender has to get more than 6 or 7 percent to cover these other costs. That is the reason why it may be necessary under some circumstances to charge as much as 18 or 20 percent, although it would be possible under this bill for the borrower to shop around and see if he can get money for that short a period of time at more reasonable terms. Or he can go to his own savings account and draw the money down at a cost of 4½ or 5 percent, or extend his mortgage, or use some other means of getting the money.

Mr. LAUSCHE. Mr. President, the Senator has stated that I am a cosponsor of the bill, and I gladly join in supporting it.

I believe that the person who is willing to pay 18 percent interest is a dead duck. He never would agree to pay it if he had any other chance of escaping his economic distress.

When I was serving on the court in Cleveland, I saw individuals who borrowed money on the basis of 3 percent a month. This would mean that in the event of a loan of $300, $9 a month interest would be charged. They never became freed from the chain that was around their neck. The only time they became freed was when they went through bankruptcy.

I merely wish to restate that I join with the Senator from Wisconsin in the proposal that there shall be a complete revelation of all charges involved in making a loan—hidden and open charges involved in making a loan—hidden and open charges—so that the borrower will know exactly how heavy the burden is that he assumes when he borrows the money.

Mr. PROXMIRE. Mr. President, there is no Member of the Senate I would rather have as a cosponsor of this bill than the Senator from Ohio. As everyone knows, the Senator from Ohio is the firmest kind of friend of the free enterprise system, that he is a strong foe of unnecessary Government regulation or unnecessary Government control. He has fought hard to keep the Government as limited as possible.

The Senator from Ohio recognizes, as do I, that this is not a bill to regulate or limit or determine the rate of interest, but simply to provide information to the consumer, so that the consumer, himself, will be in a position to evaluate a loan, to evaluate a financing charge, to know whether or not it is reasonable, and to be in a position to shop around.

I believe that this bill would improve and strengthen the free competitive system that the Senator from Ohio and I support.

Mr. LAUSCHE. I should like to make another comment. I have had the personal experience of going to a bank and borrowing a sum of money. Let us say that I borrowed a thousand dollars. The interest was 6 percent. They gave me $940. The ordinary individual would assume that the interest was 6 percent a year. But when they gave me only $940 on a thousand-dollar promised loan, the interest was much higher, of course.

Mr. PROXMIRE. The Senator is correct. Under some circumstances, the requirement is that the repayment be made at regular intervals, in which case the rate of interest could be double.

Mr. LAUSCHE. I have a bill pending and I respectfully suggest to the Senator from Wisconsin that I should receive some aid from persons who are attempting to protect distressed individuals in economic situations.

A shocking and woeful practice has developed of lenders on a mortgage charging a premium of 10 percent for making the loan. A poor individual borrows $20,000 to buy a house. Instead of receiving the $20,000, he receives $20,000 less 10 percent, which is $18,000. The $2,000 becomes an immediate paper profit to the lender. The borrower also promises to pay a rate of interest of 6 percent—not on the $18,000, but on the $20,000.

Now, what is the gimmick? The Government guarantees that the lender will receive not only the $18,000 which he has laid out, but also the $2,000 that he has charged to make the loan.

I investigated a bankruptcy case in the Federal court of Cleveland. Loans were made to poor Negroes who wanted to buy a house, and they agreed to pay the 10 percent premium, plus the 6 percent interest. The lender made the loan, and he made it in the hope that the poor colored man would not be able to pay in the first year; for, if the borrower did not pay in the first year, the loan would be foreclosed, and the lender would have earned a 10 percent premium and 6 percent interest.

It is a shocking situation, Mr. President, that the bill I have introduced is pending in the Senate, and I cannot get any cosponsorship of it.

These lending practices constitute robbery, and we tolerate them. The Federal Government is daily paying out guarantees not only on the actual money loaned, but also on the exorbitant charge of 10 percent premium. In Chicago, the premium is 15 and 20 percent.

Mr. PROXMIRE. I say to the distinguished Senator from Ohio that he has performed a great service in introducing that bill. As I understand, the bill is pending before the Committee on Banking and Currency, and it will receive my most careful and sympathetic consideration. I have spoken to members of the staff, and I have requested them to give us a report on it.

Mr. LAUSCHE. I commend the Senator from Wisconsin for his assistance.

Mr. PROXMIRE. Mr. President, the fourth principle of truth in lending is that ethical businessmen, those who believe in a competitive free enterprise system, and who work to achieve their profits by offering quality and service—and not deception or confusion—will be aided by full disclosure. Obviously, however, the truth-in-lending bill does not help the unethical businessman who engages in deceiving or confusing or fooling or cheating the credit customer.

I have great respect for and faith in American businessmen. I have, for a number of years, been the chairman of the Small Business Subcommittee in the Senate. I know that the overwhelming body of businessmen want to be competitive. I hope deeply that on reflection they will see that enactment of the truth-in-lending bill is the best way to avoid legislation which would actually have the Government set allowable interest and finance charge rates.

We want to avoid that kind of regulative legislation, and this disclosure legislation would do so. Full disclosure of the cost of credit will also protect the ethical businessman from unfair competition on the part of a few unscrupulous lenders who profit by providing deceptive information to consumers.

The fifth principle of the truth-in-lending bill is that consumer credit, unencumbered by deception and confusion can be a force for stability in our economy. If consumers understand the price of credit as they understand the price of other articles and services, their choices can help to combat inflation or a recession. When finance charges go up in a period when inflation threatens, the consumers—if they know the cost of credit is going up—will be encouraged to postpone credit purchases; or when recession threatens, the knowledge that finance charges are lower can encourage consumers to buy. Thus, this knowledgeable action by consumers can help to keep the economy on an even keel. But of course, where finance rates are concealed, this mechanism of the marketplace is not permitted to work.

THE GROWTH OF CONSUMER CREDIT

Consumer credit has become a major element of American business and economic activity. I say this in commendation, not in criticism. The development of consumer credit has helped more people enjoy sooner the benefits of our magnificent productive capacity. Millions of people use consumer credit, and I am delighted that they do. I am not at all motivated by an effort to hurt the consumer credit segment of our economy. Quite the contrary. I want it to work better and to help more people to enjoy a better life.

The growth of consumer credit, from any point of view, has been spectacular. Short and intermediate term consumer credit now amount to $92 billion, or 2.2 times the total only 10 years ago.

If we consider also the mortgage debt outstanding on nonfarm homes, which now amounts to $220 billion, then the total of consumer debt has reached $312 billion, only $18 billion less than the entire national debt of the U.S. Government.

It is interesting to note that consumers pay approximately $22 billion in interest or finance charges on their debt, while the Federal Government paid approximately $12 billion in 1966 on the national debt. On short and intermediate term consumer debt, consumers pay about $11 billion in finance charges, or nearly as much as the Federal Government pays in interest on the $330 billion national debt.

The really significant development with respect to consumer credit is not only that it has increased so rapidly and now has attained a huge total, but also in particular, that installment credit has grown so rapidly. According to the Economic Indicators for December 1966, by October of 1966 the total $91.899 billion of consumer credit outstanding was made up of $73.073 billion in installment credit and $18.826 billion in noninstallment credit, consisting of single payment loans, charge accounts, and service credit. Of the installment credit, the largest chunk is $35.82 billion in automobile paper and $19.737 billion in personal loans.

Of course, mainly the widespread use of installment credit has led to the confusion in the minds of consumers about the actual cost of credit. In the case of simple loans—that is, where the principal is paid back in its entirety at the end of the loan period—the rate of interest or finance charge is relatively easy to calculate. The grade school formula, that interest equals principal times the rate times the time, is relatively clear to many people. Thus, a loan of $1,000 for a year at 6 percent requires the borrower to pay a finance charge of $60.

The use of the installment repayment plan, however—in which the borrower immediately begins to repay a portion of the loan at the end of each payment period—brings about difficulties in easily determining the annual rate of interest. In the example of $1,000 borrowed for a year at a finance charge of $60 but repaid in 12 equal monthly installments, the actual rate of interest is not 6 percent, but slightly less than 12 percent—providing the borrower received the full $1,000 and not a "discounted" loan of $940. This difference in the finance charge expressed as an annual rate, of course, is due to the fact that the borrower has had the use, on the average over the course of the year, of only one-half the amount borrowed.

The intricacies of installment credit are explained in many publications, but recently an excellent publication of the National Shawmut Bank of Boston, Mass., has come to my attention, which succinctly and very helpfully explains the peculiarities of installment loans and the resulting actual interest rate.

Mr. President, I ask unanimous consent that this statement by the National Shawmut Bank be printed as an appendix to my remarks.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. PROXMIRE. Mr. President, I point out two things in connection with this brochure. First, note that this is a publication of a large commercial bank, one of the 70 largest banks in the country. The bank's publication of this brochure may be related to the fact that the legislature and Governor of the Commonwealth of Massachusetts have enacted two truth-in-lending laws requiring the full disclosure of the cost of consumer credit both in dollars and as an annual rate, but the brochure implies no criticism whatsoever of this requirement. Second, I point out that the formula which the brochure explains for determining the "simple annual interest rate" is only one of the possible formulas; namely, the constant ratio formula which the Massachusetts law requires be used. The bill I introduced today assumes the use of the actuarial method which is more precise, though easily implemented through the use of tables issued by financial publishing houses.

NEED FOR TRUTH IN LENDING

Mr. President, I am sure every Senator is aware of many of the abuses of the consumer which take place, whether or not they agree that this legislation is the best way to deal with them. The hearings held by subcommittees of the Senate Committee on Banking and Currency—in 1960, 1961, 1962, 1963, and 1964—the record of which numbers a total of 5,078 printed pages, contains testimony citing numerous examples of confusing and deceptive practices. I point out that these are examples relating only to deception and confusion in connection with disclosing the actual cost of credit. There are many other kinds of abuses in the field, but we have confined ourselves to this area.

In addition, subcommittees of the House Committee on Banking and Currency have also conducted investigations in this field and the records of those hearings contain many additional examples. I dare say, in addition, that every Senator has received letters of complaint from constituents who have felt cheated or deceived in a credit transaction. Also, the records of the bankruptcy courts and of the State courts which handle credit litigation are packed with examples of deceptive and confusing practices. Hardly a month goes by that some personal tragedy directly related to deceptive credit practices is not reported. To move into a singularly shocking area of abuse, Senators have been made aware, by revelations before the McClellan committee and other bodies, of the criminal "juice" racket which illustrates in the extreme the gouging of people desperately in need of funds, through exorbitant rates of finance charges.

There are numerous examples of consumers paying unusually high rates of interest as a result of not disclosing the full cost of credit. One witness before a Senate committee cited installment payments which involved interest computed at the rate of 168 percent a year. Many other examples are contained in the record of hearings conducted by the Senate Banking and Currency Committee. These hearings reveal a bewildering variety of methods for stating financial charges in today's consumer credit industry, so that an informed choice among different credit plans is all but impossible except for a trained mathematician.

Although there are many examples of these practices, I do not charge that even the majority of businessmen willingly engage in these practices. Clearly, most do not, but many are victims of their unethical competitors who force them to use questionable practices if they wish to compete successfully.

All these sources disclose five basic methods of presenting a credit offering to a customer which may conceal the cost of credit or misrepresent it. Let me briefly describe these five practices.

First. Frequently no rate of finance charge or of interest at all is quoted to the consumer. This is the easiest method of obscuring the cost of credit. A customer is told, for example, only that he will pay so much down and so much a month. Thus, neither the total amount of the finance charge in dollars nor the rate of the finance charge is disclosed. Frequently, the number of periodic payments is also left untold, leading to an open-ended series of payments which are continued until the customer finally realizes what has happened and protests. But even if he is told the number of monthly payments he still will not know the real cost of the credit in terms he can understand and compare with other offerings unless he is a skillful mathematician. Not many of us are.

Second. A second frequent method is that the customer is told the finance charge in "dollars per $100," with the debt repayable in equal monthly installments. If, for example, he is told that the charge on a $100 loan is $6, the loan may be represented as a "6-percent loan." But, of course, since he is repaying in installments, the actual rate is almost 12 percent or nearly double the stated rate. Thus, when the interest rate is quoted on the original amount of the debt, and not on the declining or unpaid balance, the true cost of the credit is concealed. This practice has been called the add-on rate.

Third. A third method, a variation of the add-on rate, is the discount rate. Under this method the borrower receives not the full amount of the loan, but that amount minus the finance charge. Using the example just mentioned, under the add-on rate the borrower receives $100 in cash and pays back $106. Under the discount method, he borrows $100 but only receives $94. Again, the finance charge of $6 per $100 may be represented as "6 percent." And again, the actual rate is about 12 percent, actually slightly more than 12 percent, or twice the quoted rate.

Fourth. In the fourth method, small loan companies and retailers frequently state only a simple monthly rate. The customer is told that the finance rate is, for example, 1½ percent per month, or 3 percent per month. The actual annual rate under this circumstance is 12 times the quoted figure, or 18 percent in the first example and 36 percent in the second, if the interest is based on the unpaid balance at the end of each monthly period. But if it is based on the entire original amount of the loan which is gradually being repaid, the approximate annual rate is about 24 times the quoted figure, or in these examples 36 percent and 72 percent. This is so, of course, again because the borrower has only the use of one-half the amount loaned on the average.

Fifth. A fifth method is well documented. In this method lenders confuse customers' understanding of the actual cost of credit—and frequently evade State laws regulating credit—by loading on all sorts of extra charges. These may include wholly extraneous charges, for services not actually performed or for alleged expenses not actually incurred by the lender, such as credit investigation, processing and handling fees, and finders fees. Or they may include excessive charges for such services as credit life insurance or credit investigation.

If these charges are a cost to the borrower incident to the extension of the credit, they should rightfully be included in the finance charge. But by excluding them in a separate list the finance charge can be made to appear to be lower. If these charges incident to the extension of credit are not included in the list of the finance charges, then it is impossible for the borrower to compare the cost of one credit offering with another credit offering.

Examples disclosed by the sources I have mentioned have been frequently cited. Mr. President, I ask unanimous consent to have printed as an appendix to my remarks a statement of such examples.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 2.)

Mr. **PROXMIRE.** Mr. President, recently, the office of the chief judge of the circuit court of Cook County, Ill., issued a remarkable report on an investigation of credit practices which it conducted. Some of the results of this study were reported in the Chicago Tribune for December 16, 1966, but I have obtained a copy of the report of the study written by Mr. Jerome Schur, special assistant to the Honorable John S. Boyle, chief judge of the circuit court of Cook County.

In this study, Mr. Schur examined every confession of judgment complaint filed in the municipal or the circuit court of Cook County for the 2-week period from June 20, 1966, through July 1, 1966, inclusive. This period was chosen at random and was an average period. The total number of suits studied was 1,305.

There are many shocking disclosures in this report, but I will comment here only on what it shows about the finance charges involved in these cases. Finance charges as high as 283.9 percent were found in the case of used car contracts. In the case of radio, television and hi-fi sets, finance charges of 235 percent per year were found. In the case of clothing, rates of 199.6 percent, and for furniture, rates of 105.2 percent were found.

In all the suits studied—and remember that many of them arise out of other difficulties than high or concealed finance charges—the average rate of finance charge seems so exceptional that it would be difficult to explain how anyone would have accepted them if they had realized how high the charges were. In the case of used cars, the average finance rate for all cases studied was 30.7 percent, in the case of radio, television, and hi-fi sets 37.1 percent, for furniture 36 percent, for furniture covers 31.2 percent, and for other appliances 26 percent. I emphasize that these were the averages from all the cases studied.

WHAT THE BILL DOES

The truth-in-lending bill is written, not to regulate interest or finance charges, but to require simply that people be told what they are. Its provisions are intended to eliminate substantially the methods of deceiving or confusing customers which I have cited.

Mr. President, rather than take the time of the Senate now for a technical discussion, I ask unanimous consent that a commentary and digest of the bill be printed as an appendix to my remarks. For those who wish to read it, this will help to clarify the details of the disclosure requirement.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 3.)

Mr. **PROXMIRE.** Mr. President, the bill would cover all forms of consumer credit transactions including installment purchases, home mortgages, small loans, and department store revolving charge accounts. Those who lend or extend credit would be required to reveal the total finance charge, both in dollars and cents and as an annual percentage rate. Consumer debt now totals $312 billion and the annual interest payments alone amount to $22 billion.

Basically, this bill makes three important requirements. The first is that the seller or lender must disclose and itemize all the components of the debt so that the borrower will know how the total debt is arrived at and whether the contract represents the verbal explanation.

Second. The bill requires the seller or lender to give the total of the finance charges in dollars and cents, and this total of the finance charge must include all the charges incurred by the borrower for the extension or use of credit. The total finance charge must include loan fees, service and carrying charges, discounts, interest, time price differentials, investigators' fees, and all other charges incident to the use of credit. However, with respect to real estate transactions the definition of finance charges would not include such charges as title examination and insurance, preparation of deed and settlement statement, recording of deed, taxes and assessments, fire and casualty insurance, local transfer or ad valorem taxes, notarizing deed, and revenue stamps as such charges are clearly not incident to the extension of credit. Those charges are paid whether one borrows or not.

Third. This finance charge must be stated as an annual percentage rate.

There are other related requirements, and, of course, the necessary authority for the responsible administrative agency to carry out the act, allowance for certain exceptions, definitions, and provisions for civil and criminal penalties. But these disclosure requirements are the heart of the truth-in-lending bill and they constitute protection for the consumer and the ethical businessman against the deceptive practices I have cited.

PREVIOUS OBJECTIONS TO TRUTH-IN-LENDING LEGISLATION

Mr. President, I should mention some of the criticisms that have been made of this legislation in the past.

It was charged that an annual interest rate is too difficult to compute. In the many years—I should say several years, but it seems as if it has been many years—that I have been sitting on the Committee on Banking and Currency, and attending hearings in connection with this bill, the complaint has been that it is impractical and that it is too hard to compute.

This may have been true years ago, but the development of computers has made it possible for interest or finance charges to be stated as an annual percentage rate simply and quickly by computer written tables. Financial publishing houses are able to publish simple tables giving all the information required by the Truth in Lending Act and which can be used for nearly every conceivable lending situation.

The complaint that disclosure of the annual rate would be a burden on the sales clerk has been set to rest by the testimony given to our subcommittee by Under Secretary of Commerce Edward Gudeman. Mr. Gudeman, who had years of experience as a retailing executive with Sears, Roebuck said:

> We must realize that consumer credit extenders begin by setting all their charges individually and in total on an annual rate basis. This means that the businessman in setting his charges works backward from an annual rate determined in light of his own financing costs and the behavior of his competitors. This being so it is difficult to understand why the average businessman cannot easily state the annual rate implicit in his total rate charges.

So the point is that most businessmen already start with rate tables which tell them the terms which will yield the return they desire.

I also point out in this connection that this bill does not require an exact statement of the annual rate accurate to several decimal places. We changed the bill in this respect from the bill last year and the year before. We seek a statement of the approximate rate. The bill explicitly provides in section 5 that the administering agency may "prescribe reasonable tolerances of accuracy."

Second. The complaint was sometimes made that the annual percentage rate requirement cannot "be anticipated." Last March, for example, in the CBS report program on consumer credit, a spokesman for the opposition to the bill made the following argument:

> It is difficult to comply with the law by reason of the fact that the transactions are not as simple as the law anticipates they would be. For example, if you were to come in and borrow a thousand dollars and tell me that you were going to repay it over a period of twelve months and that you wanted to make your payment on the 15th

> of each month and that the rate was six dollars per one hundred dollars face amount of loan, I could very easily compute what the simple interest equivalent would be.
>
> However, suppose the first month you were late five days. I can't anticipate that in advance. The second month you're early three days. The third month you're late eleven days. You can see how impossible it would be for me to tell you at that very first instance when you were signing the note what the simple interest equivalent would be.

Mr. President, the truth-in-lending bill does not require disclosure of the annual rate in the circumstances this spokesman described. Nonthreshold questions, that is those applying to circumstances not anticipated in the contract, would be left to the State law under my bill, although I do include a requirement that the borrower be told the penalties for prepayment or late payment or other violations of the contract. In other words, this frequently cited objection to truth in lending is wholly irrelevant. The bill's requirements apply to the agreement made in circumstances like that of which the spokesman said:

> I could very easily compute what the simple interest equivalent would be.

Third. It has been argued that sellers, if they are required to state the annual percentage rate, will conceal the finance charge by increasing the cost of the product or services. Of course, the first thing to be said about this is that it is no argument against truth in lending with respect to cash loans. But even with respect to the sale of products and services, this would be a self-defeating practice. The seller who tries to do this will simply price his goods out of the market.

A witness before our subcommittee, when pressed with this objection—and he was a businessman—retorted that the businessman who resorts to this tactic is "precisely the man against whom I want to compete." In other words, the ethical competitors could advertise and offer a lower price for merchandise and the consumer who wants to shop for the best buy will give the seller his business. Of course, this bill is not intended to protect the consumer against his will. The consumer who is not interested in making his money go further will retain his "right" to be fooled by the unethical businessman.

I point out also, that the present system penalizes the ethical businessman. If the unethical seller can advertise rediculously low prices but make huge profits through hidden finance charges, then his ethical brother either must adopt his tactics or lose business. As I have often said, the truth-in-lending bill is intended to help the businessman as well as the consumer.

Fourth. Some have objected to the bill on the ground that consumers "do not care what they pay in finance charges." The evidence overwhelmingly refutes this absurd charge. I know very few people who do not want to make their money go as far as possible and who do not try to shop for at least a "good buy."

Moreover, I point out that the truth-in-lending bill will be an important educational tool as well as a protective tool. Once the confusion with respect to finance charges is dispelled, people will not find it so forbidding a task to ask and determine what they are being asked to pay for credit. I have never claimed that the truth-in-lending bill will solve this problem for the poor and uneducated. But it will be an important foundation for consumer education and will at least afford an opportunity to help those of limited education to understand finance charges. Obviously, they are prevented from understanding them now.

Moreover, these arguments of disinterest in truth in lending on the part of consumers have finally been put to rest. Whenever the principle of truth in lending has been submitted to the people, it has been endorsed by an overwhelming margin. Polls have been conducted by eight Congressmen from all parts of the United States in which support for truth in lending varied from 88 to 95 percent.

These polls were conducted in Republican districts, Democratic districts and in well-to-do districts, as well as in districts in which income was low. The American consumer needs truth in lending—the American consumer wants truth in lending, and I intend to do all in my power to see that this bill passes the Congress.

Some of the congressional districts previously mentioned were predominantly lower income and Democratic, but several were relatively wealthy and predominantly Republican districts. Let me just give the percentage in each case indicating the proportion that approved enactment of truth in lending, along with the name of the Congressman whose district was polled.

In Congressman DONALD RUMSFELD's Illinois district, 91 percent were in favor of truth in lending; Congresswoman FLORENCE P. DWYER's New Jersey district, 92.5 percent; Congressman DONALD M. FRASER's Minnesota district, 86 percent; Congressman RICHARD L. OTTINGER's New York district, 95 percent; Congressman JEFFERY COHELAN's California district, 89.5 percent; Congressman LEE H. HAMILTON's Indiana district, 88 percent; Congressman JOHN CONYER's Michigan district, 89 percent, and Congressman Ken W. Dyal's California district, 92.4 percent. The facts seem to show that this is the most popular proposal pending in the Congress.

Fifth. It has been charged that disclosure of the annual percentage rate will retard sales. Absolutely no evidence has been given to support this allegation. In fact, I think it much more logical that the bill will stimulate even greater use of consumer credit because people will no longer be frightened by its mysteries. Moreover, many consumers are likely to shift their borrowing from high cost rates to low cost rates. Thus, they will have additional purchasing power with which to buy more. It is certainly my intent—and I am confident that it will be the effect of the truth-in-lending bill—that businessmen will be helped by its provisions.

Sixth. There have been objections to including revolving charge accounts under the annual rate requirement. My revised formulation of this requirement, in my opinion, has solved these objections very simply. All my bill will require is that the contract and the periodic statements must indicate an annual percentage rate determined simply by multiplying the periodic rate—for example, a monthly rate—by the number of periods per year. In other words, for revolving credit, the disclosure is not of the precise annual rate which was applied, but of the annual rate which forms the basis for the periodic rate which is to be applied. If the finance charge is 1½ percent per month, the bill simply requires that the statement indicate the annual percentage rate as 18 percent. This is a sufficiently close approximation to protect the consumer.

ADMINISTRATION SUPPORT

President Lyndon B. Johnson most succinctly stated the case for the truth-in-lending bill in his 1964 consumer message in which he said:

> The antiquated legal doctrine, "let the buyer beware," should be superseded by the doctrine, "let the seller make full disclosure."

In that message President Johnson recommended enactment of the truth-in-lending bill, just as had President John F. Kennedy in his March 1962 consumer message.

In 1966, President Johnson urged the Congress to pass truth-in-lending legislation in three messages: namely, in his state of the Union address, in his Economic Report to the Congress, and in his message on consumer interests. In the latter message he said:

> I, therefore, renew my recommendation for legislation requiring retailers to state the full cost of credit, simply and clearly, and to state it before any credit contract is signed.

Mr. President, President Johnson's message so well states the need for and the intent of this legislation, that I ask unanimous consent that the relevant portions of this message be printed as an appendix to my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

Mr. PROXMIRE. Mr. President, President Johnson once again reaffirmed his endorsement of truth in lending in his 1967 state of the Union message. The President said:

> We should do more to protect the consumer. We should demand that the cost of credit be clearly and honestly expressed.

RECENT DEVELOPMENTS

Mr. President, there have been a number of very hopeful developments with respect to truth in lending in recent months.

A significant advance in protecting consumers occurred last July 1, when the Department of Defense put into effect their truth-in-lending directive. This directive, in essence, provides truth-in-lending protection for servicemen and their families. It does so by saying to lenders and credit sellers that if they expect to use military channels to collect debts owed to them by servicemen and their families, they must make truth-in-lending disclosure. This full disclosure would include both the total dollars charge for credit and a statement of this charge as an annual rate.

The establishment of this protection for servicemen was a needed and just step. The subcommittee of the House Banking and Currency Committee has revealed devastating evidence that our servicemen are among the chief victims of unscrupulous lenders. Moreover, the implementation of this directive has shown that the annual rate requirement is not all that difficult to meet. The method for determining the approximate annual rate under this directive is the same as I have postulated as a basis for the truth-in-lending bill. The Department of Defense directive includes a table for determining the annual rate which has been constructed by the actuarial method. No undue difficulties have been reported in the implementation of this directive or in the use of these tables.

Mr. President, one of the most encouraging developments in the last year has been the action of the State of Massachusetts to enact and to put into effect the full protections of truth in lending for the people of that State. The Legislature of the State of Massachusetts passed and the Governor signed into law two truth-in-lending bills.

I might add that the distinguished junior Senator from Massachusetts [Mr. BROOKE] was a leading force in securing the enactment of these bills and he has been a great champion of truth in lending. The first, an "act requiring the disclosure of finance charges in connection with extensions of credit" requires, among other things, the disclosure of the cost of consumer loans both in dollars and as an annual rate. The second act, the Retail Installment Sales Act, gives similar protection to retail installment sales.

These bills were overwhelmingly passed by the Legislature of the State of Massachusetts and the country owes them a great debt for their magnificent leadership.

A very interesting and precedent setting development occurred only last December 18. On that date, the four Government agencies that regulate banks and savings and loan associations announced a new standard to be followed by banks and other lending agencies. This standard, intended to outlaw misleading claims about the rates of interest paid to depositors, has as a principal requirement that the interest rate paid to borrowers or shareholders must be stated in terms of the simple annual rate of interest. That is precisely the point behind my assertion that the consumer has the right to know the cost of credit as an annual rate. When we lend money to a financial institution there is usually no complaint about telling us the annual rate. They do not say such a requirement is unworkable. But when we borrow money, then we are denied this simple statement of fact.

I ask this question: Why is it workable to tell the annual rate to depositors, but unworkable to tell the annual rate to borrowers?

Mr. President, in conclusion, I cite again as a hopeful development the new evidence of extremely hot pursuit by the American public of this legislation. The congressional polls which I have cited show that this is one of the most highly desired, if not the most highly desired, reforms before the American Congress. I do not believe that Congress can keep faith with the American people and at the same time refuse to explore thoroughly this question in the coming weeks.

I wish to make it very clear that I make no across-the-board charges against American businessmen and that I am not seeking regulation of interest rates. My motivation is quite the contrary in both cases as I have already disclosed. I ask now that hearings on my bill be authorized to be held as soon as it is feasible. The evidence is overwhelming, but I think all members of the Banking and Currency Committee will be willing to look anew at all evidence that may be presented to us. I think the members of the committee will want exhaustive testimony and staff investigation. We do not intend to act hastily, but we do intend to act promptly, equipped with the facts.

In conclusion, I wish to call to the attention of the Senate, the new report to the President from the Consumer Advisory Council entitled "Consumer Issues, 1966." Mr. President, I ask unanimous consent that the following portions of this report to the President dated June 12, 1966, be printed in the RECORD at the close of my remarks. First, the list of members of the Consumer Advisory Council; and second, the statement of credit which appears on pages 29 through 32.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 5.)

Mr. **PROXMIRE.** Mr. President, in their summary of resolutions and recommendations, the Consumer Advisory Council "again emphasizes the necessity of legislation to require truth in lending as a part of any effort to correct the Nation's credit ills."

I join with the Consumer Advisory Council in this emphasis. I believe enactment of this legislation is clearly a necessity. I hope that its introduction today by my colleagues and me will prove to be the beginning of the final effort to provide this necessary protection to consumers which was so nobly initiated by our dear former colleague, Paul H. Douglas.

EXHIBIT 1

HOW MUCH DO YOU PAY FOR THE MONEY YOU BORROW?

FOREWORD

In the days ahead the term "Simple Annual Interest Rate" will come into common use in connection with installment loans and credit transactions of various types. This booklet has been designed to provide a better understanding of the term and what it means to you as a borrower. While simple annual interest rate in many instances reflects a change in the manner of expressing a price for a loan it does not follow that you will be paying more in dollars and cents than you have been accustomed to paying in the past. We hope you find the explanations in the booklet informative and helpful.

INTEREST AND THE COST OF A LOAN

When you borrow money there are two factors in the cost that are important to you. One is the simple annual rate of interest and the other is the cost of the loan in terms of dollars and cents. Many people believe that the simple annual rate of interest and the charge expressed in terms of dollars per $100 per year are identical, and in certain instances they are, but in many more they are not and have to be considered separately.

Whether you borrow from a bank or finance company, or arrange financing with a retailer of goods or services, find out both the simple annual interest rate and the dollar cost of the loan. A bank must make many kinds of loans to serve widely differing needs. Charges are commensurate with the kind of loan you need and should have.

EXAMPLES

If the finance or credit charge is added to the beginning amount owed and is included in the 12 equal monthly payments, commonly referred to as the "add on" method, the simple annual interest rate is:

If charged:	*Percent*
$4.50 per $100	8.31
$5 per $100	9.23
$5.50 per $100	10.15
$6 per $100	11.08

If charged only on the unpaid amount owed: ¾% per month, 9%; 1% per month, 12%; 1½% per month, 18%; 2% per month, 24%.

Let's take three types of bank loans and see how this works out:

SINGLE PAYMENT LOAN

This type of loan is generally written for large amounts and is usually identified with business loans, but it is the one type loan where the simple annual rate of interest and the annual dollars and cents charge for each $100 borrowed are identical so we use it for comparison purposes.

Let's suppose you could borrow $1,200 for a year at 6% interest to be paid in a single payment at year's end: Amount of loan, $1,200.00; term of loan, 1 year; charge for loan, $72.00; simple annual interest rate, 6%; dollars per $100 per year, $6.00.

INSTALLMENT LOAN

Here we take a $1,200 loan at a charge of $6.00 per $100 per year, but instead of a single payment at year end, the loan is to be paid off in 12 equal monthly instalments. Now we find, that although the dollars and cents charge for the loan is the same, namely $72.00, the simple annual interest rate is not 6% but figures out to 11.08% based on the premise that you have had the use of approximately only half the original amount for the full year: Amount of loan, $1,200.00; term of loan, 1 year; charge for loan, $72.00; simple annual interest rate, 11.08%; dollars per $100 per year, $6.00; monthly payments 12 at $106.00.

FORMULA FOR SIMPLE ANNUAL INTEREST RATE

The formula for calculating the simple annual interest rate is defined by state law and is as follows:

$$\text{Rate} = \frac{2\ PC}{A(N+1)}$$

Legend:
P=Payment periods in one year
C=Finance Charges
A=Loan Principal
N=Number of Instalments

Using the previous instalment loan example of $1,200 borrowed for one year at $6.00 per $100, the loan to be paid off in 12 equal monthly instalments, the annual rate of interest as determined by the formula would be:

$$\text{Annual interest rate} = \frac{2\times12\times72}{1{,}200\,(12+1)} = \frac{24\times72}{1{,}200\times13} = \frac{1{,}728}{15{,}600} = 11.08\%$$

REVOLVING CREDIT OR CASH RESERVE LOAN

Of course you know about revolving credit. You can get it at some banks and it is popular at some of the stores. Briefly, a line of credit is agreed upon and you can borrow money or buy things as needed without applying for the credit each time. The interest or carrying charges on accounts like these are usually stated as a monthly percentage on the unpaid balance. So, if the rate is 1% per month it means that you pay a simple annual interest rate of 12% for the service. A nice thing about these accounts is the reserve feature which makes credit available without charge, and their flexibility. You can pay the whole thing off whenever you like. This cuts down your interest cost. For example: If you used $100 worth of credit for one week, the charge would be 23¢; one month $1.00—six months $3.50—but, as previously stated, the simple annual interest rate is 12%.

WHY DO INTEREST RATES VARY?

At this point it is certainly fair to ask why there are different charges for different kinds of loans.

To start with a very simple definition of interest:—"The rent one pays for hiring someone else's money." In the first place, the bank as the lender has to rent the money it lends and pays a price in the form of service or interest or both. In addition to the rental charge paid by the bank, the principal factors affecting the different loan charges to the borrower are: the size of the loan; the type of loan—secured, unsecured, partially secured, and the risk involved; the amount of employee time and paper work.

THE SIZE OF THE LOAN

Small loans command a higher interest rate than large ones, just as you must pay a higher price for anything you buy in small quantities. It is particularly true in lending money. One borrower may negotiate a loan for $100,000 and the transaction may not require as much handling expense or risk as another borrower who might want $1000. Obviously, processing one hundred loans of $1000 each is far more costly for the bank.

THE RISK INVOLVED

In general, installment loans fall into two classifications—unsecured and secured. The latter are sometimes referred to as collateral loans. In unsecured loans the lender's risk depends upon the character, earning ability and financial condition of the borrower; in collateral loans the marketable assets the borrower assigns reduce the lender's risk. Single payment loans may be unsecured or secured by such highly liquid assets as life insurance cash value and readily marketable securities. Installment loans may be unsecured or secured. When the loan is secured with an asset such as a chattel mortgage—frequent in the case of auto loans—the loan is more costly to handle than one secured with readily marketable securities. Revolving credit loans are usually unsecured.

EMPLOYEE TIME AND PAPER WORK

The amount of administrative work entailed also has an influence on the charge. A single payment loan represents a minimum of administrative work for the bank. An installment loan, requiring monthly notification of payments due, keeping a running balance of the payments, more comprehensive audit controls, issuing coupon books or other convenient payment forms, and posting payments—separating interest and principal—each month, is obviously more expensive. Also, installment loan borrowers usually like to have life insurance covering their unpaid loan balance (a feature not included in single payment loans).

The revolving credit loan is even more expensive to administer because of its flexibility. It can be paid in monthly installments or in a lump sum at any time at borrower's option. It can be paid in part and then at the borrower's option can be increased to the full extent of borrower's reserve. It would be possible to have daily transactions involving small amounts of money which obviously are very expensive to administer.

USE YOUR CREDIT WISELY

For many years people have made wise use of their credit to borrow money and to buy goods and services. Installment credit has proven to be a sound and sensible way to meet these needs.

One thing you can be sure of if you are going to borrow money is that it will pay you to shop. Any kind of installment buying involves borrowing money, and in most cases the important information is how much is the loan costing you. The simple annual interest rate will help you determine this cost when you are shopping.

In the final analysis, your best protection on any kind of loan is to do business with people you know and trust.

Exhibit 2

Cases From the Hearings on the Truth-in-Lending Bill

1. A woman with four children to support on $44 a week, was persuaded through appeal to parental pride to purchase, on time, a $600 accordion for her daughter, whom the local "conservatory" of music insisted had great talent. Within months, the conservatory reported the daughter had "such exceptional talent" an $1,800 instrument would be necessary. The carrying charges alone came to $400, *a simple interest rate of 20 percent per year.* When finally the poor woman reached the edge of bankruptcy, she discovered she could have bought the $1,800 instrument elsewhere for only $400, and at half the rate of interest. She finally settled for a loss of $383.

2. A typist in the Justice Department, Washington, D.C., who became deeply involved with personal loans from bank and finance companies because of family illness, ultimately reached the end of her ability to pay. In reviewing all the special loan charges, the refinancing costs, the required insurance, and the original high—but unstated—finance charges, the young lady found she had been paying more than *40 percent per year in simple interest.*

3. A credit union manager recounted the case of an experienced FBI agent in Washington, D.C., who was certain the proposed financing of his automobile would cost him 4 percent. On carefully rechecking the figures, he was amazed to find the true interest rate was *more than 20 percent* per year.

4. Still another documented case was presented to the subcommittee in which a customer had purchased a television set for $285.55, to be paid at the rate of "about $14 per month." No mention of the interest or finance charge was made, either verbally or in writing, and even the number of months the customer would have to pay was not mentioned in the contract. After faithfully paying, on time, a total of $147.30, the customer discovered that to pay off the balance would cost him $206.22. So he actually paid $67.97 in credit charges, or more than 33 percent per annum simple interest.

5. In New York one witness testified that he bought furniture from a local furniture store for $389. Later he received in the mail a statement showing that he owed $588, to be repaid in monthly installments over 24 months. In other words, he was charged $199 for credit for 24 months.

We were shocked to learn *that this amounted to an interest rate of 49 percent* per year. If this witness had known that an *interest rate of 49 percent* was being charged him, I doubt that he would have purchased the furniture from this store.

6. Another witness in New York bought a bed for $200 from a furniture store. He was told that he would be charged an additional $76 for interest. However, his contract required him to pay back $23 per month for 2 years. We figured the true interest in *this case was 168 percent* per year.

7. A third witness in New York bought a television set on credit for 30 months. We figured out the interest rate on this transaction, and it turned *out to be 143 percent* per year. We asked the witness whether, had she known the interest rate which she was being charged, she would have signed the contract. The witness replied: "Never in my life."

8. In Pittsburgh a witness testified that he borrowed $900 from a small loan company and was told that his monthly payments would be $58.10 for 24 months. We figured the interest rate in this case, and it turned out *to be 52 percent* per year. Would you have signed this contract if you had known that you were being charged 52 percent interest?

Exhibit 3

Commentary on Proxmire Truth-in-Lending Bill

TITLE

Section 1 provides that the Act shall be cited as the "Truth in Lending Act."

PURPOSE

Section 2 declares the purpose of the bill as follows:

"The Congress finds and declares that economic stabilization would be enhanced and that competition among the various financial institutions and other firms engaged in lending or the extension of credit would be strengthened by the informed use of credit for the acquisition of property and services. The informed use of credit results from an awareness of the cost thereof to the user. It is the purpose of this Act to assure a full disclosure of such cost with a view to promoting the informed use of credit to the benefit of the national economy."

DEFINITIONS

Section 3 defines the necessary words and terms. The important definitions are as follows:

"Credit." Note that section 8 of the bill excludes two categories of credit transactions from coverage, namely, the extension of credit to business firms as such, governments, governmental agencies or instrumentalities; and secondly, transactions in securities or commodities in accounts by a broker-dealer registered with the Securities and Exchange Commission. Otherwise, "credit" is defined so as to include all forms of consumer credit including loans of cash and the time sale of goods and services, under both installment and noninstallment repayment plans. Automobile sales and revolving credit accounts are covered.

"Finance charge," which means the sum of all the charegs incurred by the borrower for the extension or use of credit and shall include, but not by way of limitation, loan fees, service and carrying charges, discounts, interest, time price differentials, and investigators' fees.

"Total amount to be financed," which means the total credit extended excluding the finance charge.

"Annual percentage rate," which means the percentage rate per period expressed as a percent per annum. It shall be equal to the percentage rate per period multiplied by the number of periods per year.

"Percentage rate per period," which means the percentage ratio of the finance charge for the period for which the charge is made to the unpaid balance of the total amount to be financed.

"Period," which means the time interval between the payments specified in the credit agreement for repayment of the total amount to be financed.

"Creditor." This definition is broadly inclusive like that of "credit." It is intended to include any person engaged in the business of extending credit to consumers regardless of the form of the credit, i.e., the bill applies to consumer loans as well as to the sale or rental of goods or services on a time, credit or installment basis.

"Person." Note again the exceptions in section 8. The definitions of "finance charge," "total amount to be financed," "annual percentage rate" "percentage rate per

period," and "period," are (in conjunction with the requirement of section 4) a new formulation of the annual rate requirement. This memorandum will discuss this requirement under its treatment of section 4.

DISCLOSURE REQUIREMENTS

Section 4 is the heart of the bill. Subsection (a) states the disclosure requirements for cash loans and for installment sales other than revolving or open-end credit plans. Subsection (b) states the disclosure requirements for revolving credit plans. Subsection (c) makes it clear that the disclosure requirements apply only to the terms of the contract as written (i.e., only to "threshold" disclosure). If the annual percentage rate disclosed under the Act is subsequently rendered inaccurate as the result of a prepayment, late payment, or other adjustment in the agreement mutually agreed upon by the parties, the inaccuracy is not a violation under section 4.

Lender must itemize all components of the debt

Subsection (a) basically makes three important requirements. First, the person extending credit must disclose all the separate components of the debt being incurred by the borrower. In other words, he must itemize: the cash price or delivered price of the property or service; any amounts to be credited as downpayment or trade-in; each of the charges to be paid by the borrower which are *not* incident to the extension of credit (for example, the cost of "extras" such as snow tires or a wax job on an automobile); and the total of the cash price minus any credits plus other charges, in other words the total amount to be financed. Second, he must clearly state the amount of the finance charge in dollars and cents. Third, he must clearly state the finance charge expressed as an annual percentage rate which shall not be less than the annual percentage rate computed by the actuarial method. He must also disclose the time and amount of payments scheduled to repay the indebtedness and the terms (penalties) applicable in event of payments advanced or delayed from those specified in the contract. (Disclosures of the time and amount of payments, and of the penalties for early or late payment, were not explicitly covered by earlier bills.)

Section 4 substitutes the term "annual percentage rate" for the term "simple annual rate" used in S. 2275. The annual percentage rate is arrived at by multiplying the "percentage rate per period" times the number of periods in a year. The percentage rate per period thus becomes the basic building block from which the annual rate is determined. This annual percentage rate is the rate to be applied to the unpaid balance of the total amount to be financed.

The use of a percentage rate per period to arrive at the annual percentage rate follows the formula of the acturial method and eliminates the need to describe the percentage rate of finance charge as a "simple," "effective," "true," "compound," or "nominal" rate. Each of these terms has a slightly different meaning to experts in finance. It also eliminates the need to refer to "actual," "add-on," "discount" and other rate expressions. Avoiding the use of the term "simple" or any other descriptive term avoids semantic disputes and possible difficulties in the administration of the law. The use of such a descriptive term as "simple" also might lead to widespread practices of avoidance by lenders and vendors.

Nevertheless, there is no change in concept and the "annual percentage rate" follows the two basic characteristics of the "simple annual rate": (1) use of the year as the common time unit denominator, and (2) expression as a percentage rate per period of the ratio that the finance charge bears to the money actually used during the period.

In the course of the hearings held in earlier years on the truth in lending bill, experts of various kinds proposed several formulas either to support disclosure of the "simple annual rate" or to show that such a requirement is "unworkable." The constant ratio, direct ratio, simple-discount, actuarial, simple-loan, residuary, and Merchants' Rule formulas have been considered as methods to disclose an annual rate of finance charge. The basic differences among these formulas are in the assumptions made: (1) regarding the amount to be financed as against the amount to be repaid as the base upon which interest is figured, and (2) regarding the assignment of periodic payments to principal or to interest.

The use of the term "annual percentage rate," based on the periodic rate, will result in the kind of disclosure that the sponsors of the bill have always intended by the term "simple annual rate." The language used in the Proxmire draft of the bill will: (1) permit fairly simple calculations by lenders and vendors, (2) allow the administering agency (or financial publishing houses) to issue easy-to-follow rate tables, and (3) enable consumers to check the charges quoted. This formulation of the annual rate conforms to the rate actually used when finance companies compute their yield on various forms of installment contracts and loans. Instead of asking "How do you figure the rate, given the finance charge and a set of payments?" both the lender and the borrower will ask and easily determine "What are the amounts of the finance charge and payments, given the rate?"

The administrative agency can establish procedures for handling irregularly scheduled payments.

The lender or borrower will easily be able to read out the percentage rate of finance charge from actuarial tables, given the amount of the finance charges in dollars and the number of payments scheduled, running out to any loan duration. And just as easily, the tables can be consulted to read out the amount of the periodic payments, given the percentage rate, the time and the principal.

Even the most complicated payment scheme can be handled. For instance, tables can be worked out for the following type of situation: A buyer of consumer goods wishes to delay payments for 30 days, avoid payments around income tax and vacation time and wishes to enlarge payments when dividends or bonus compensations are expected. In such a chaotic situation a daily rate may be selected, and a schedule of payments developed applying the rate to the outstanding balances for the days between payments. With the assistance of the consumer finance industry, the Board can develop uniform methods to provide for unusual situations and to establish tolerances of accuracy in stating the information required to be disclosed.

It should also be noted that both the term "annual percentage rate," based on a periodic rate, and tables using the actuarial method are consistent with the Instant Rate Converter Wheel put out by CUNA, and with the Household Finance Corporation's "Consumer Credit Cost Calculator." The actuarial method, which the sponsor and finance experts consider to be the best method of calculating annual percentage rates of finance charges, is itself grounded in the so-called "United States Rule." This rule requires that each periodic payment is to be applied first to the interest for the period, with the remainder of the payment applied to reduce the principal outstanding. (See *Story* v. *Livingston*, 38 U.S. 359 (1839).)

Revolving credit accounts

Section 4(b) provides a simplified way to handle revolving or open-end credit accounts (in which commonly a department store permits a customer to charge purchases up to a specified maximum amount, repaying an agreed upon minimum each billing period—usually a month—with a "service charge" applied periodically to the amount owed). Persons extending such credit would be required to disclose the periodic percentage rate of finance or service charge, the periodic date when a finance charge will be imposed, and the annual percentage rate of the finance charge. The complaints voiced earlier about the unworkability of requiring such disclosure for revolving credit are eliminated by providing that the annual percentage rate for the purpose of this requirement is determined simply by multiplying the periodic rate by the number of periods per year. "Period" is used rather than "month" to give maximum flexibility to businessmen in their determination of the way they construct their revolving credit plans. This manner of determining what is called the "annual percentage rate" in connection with revolving credit avoids the difficulties which would arise in determining an exact rate of finance charge under varying amounts of debt, varying payments schedules, and varying methods of applying the charge to the debt.

This subsection also requires the creditor to furnish to the borrower, as of the end of each period: a clear statement in writing of the outstanding balance; any additions to the debt; the total received in payments; the outstanding unpaid balance of the account as of the end of the period; the annual percentage rate used to compute the finance charge for such period; the balance on which the periodic finance charge was computed; and the finance charge, stated in dollars and cents, imposed for the period.

While many stores provide a periodic and itemized statement of some of this information, it is clear from testimony and information received that none disclose an annual percentage rate of finance charge and some fail to make clear what balance the finance charge is applied to and even what periodic rate of finance charge is used.

Only threshold disclosure is covered

Section 4(c) is important and should be read in connection with the penalties in section 7. Section 7 provides that no person shall be entitled to recover civil penalties "solely as a result of the erroneous computation" of the annual percentage rate if the percentage disclosed "was in fact greater than the percentage required" by section 4 or the regulations prescribed by the Board.

In a CBS television documentary program on consumer interest last year, a spokesman for opponents of the bill said the truth in lending bill was unworkable because of the impossibility of stating an accurate annual percentage rate when the borrower repays earlier than scheduled or misses payments, etc. But this is a wholly inapplicable criticism, because S. 2275 and this bill specifically provide that the disclosure of an annual rate applies to the agreed upon terms of the contract, not to violations or irregular payments not anticipated by the contract.

FEDERAL RESERVE BOARD REGULATIONS

Section 5(a) provides that the Federal Reserve Board, as the administering agency, shall prescribe the rules and regulations necessary to carry out the Act. Among these would be the methods which may be used in determining the annual percentage rate in ordinary cases and in irregular payment situations. It would have been possible, of course, to establish in the Act the formulae or methods which are to be used. The Massachusetts' Legislature did this in their truth in lending bills by specifying that the "constant ratio" formula, which the State Act specifically spells out, be used.

But, as discussed above under section 4, the sponsor believes that the actuarial method is the best method for computing the annual percentage rate. This method is commonly recognized in the home mortgage, service and investment fields where the actually expressed rate is applied to the unpaid balance. Since it is now possible to rapidly develop and reproduce tables to cover any given set of credit terms, it is expected that the Board will publish or authorize the financial publishing houses to publish official tables which would be used by lenders to conform with the Act. The Board would prescribe reasonable tolerance of accuracy with respect to disclosing information under section 4. Despite charges made against the bill, it clearly is intended to require only a fair and *approximate* statement of the annual rate. It does not require the statement of an annual rate exact to several decimal places.

The Board also is to establish rules to insure that the information disclosed under the Act is prominently disclosed so that it will not be overlooked.

Section 5(b) would have the Board request the views of other agencies and (c) authorizes the establishment of an advisory committee.

STATE LAWS

Section 6 provides that the Act shall not be construed to annul or to exempt any creditor from complying with the laws of any State relating to the disclosure of credit information, "except to the extent that such laws are thoroughly inconsistent with the provisions of this Act in regulations issued thereunder." Under subparagraph (b) the Board may exempt credit transactions or classes of credit transactions which it determines "are effectively regulated under the laws of any State so as to require the disclosure by the creditor of the same information as is required under section 4 of this Act.

CIVIL AND CRIMINAL PENALTIES

Section 7(a) provides for civil penalties and (b) for criminal penalties for violations of the Act. The sponsor expects that once instituted the Act will be "self enforcing," mainly, under the civil penalties section.

EXEMPTIONS

Section 8 exempts from the provisions of the Act credit extended to business firms and governments, and securities transactions. The exemption of coverage for business credit raises some difficulties. How shall a farmer be treated, for example? It would be possible to: (1.) exclude protection for him completely; (2.) identify the classes of credit which are "consumer credit" and to be covered (for example, a passenger automobile, even though used partially for business purposes, would be covered, while a milking machine would not); or (3.) attempt to determine on an item by item basis if the loan, article or service is a consumer item and therefore covered. Also, there are those who believe that the owner-operator of a small business ought to have this protection and that, therefore, businesses with a gross income or investment under a specified amount should be covered.

EFFECTIVE DATE

Section 9 provides that the Act shall take effect 180 days after enactment (6 months), except that the Board would prescribe the rules, request the views of other agencies and establish the advisory committee immediately under section 5.

EXHIBIT 4

EXCERPT FROM THE PRESIDENT'S 1966 MESSAGE ON CONSUMER INTERESTS

TRUTH IN LENDING

Every consumer and every business in America benefits from our system of consumer credit. Credit and the economy have grown together. Last year merchants, lending companies, and financial institutions extended about $75 billion in new installment credit to consumers.

Consumer credit:

Permits purchase of many of the goods and services which enrich the quality of American life—the homes, the automobiles, and household appliances we buy.

Finances the costs of higher education, travel, and other activities which broaden and develop the human spirit.

Relieves suffering and distress by spreading major medical expenses over a period of time.

Enables our young families to acquire and furnish homes early in life when good housing is most needed and best enjoyed.

Over the years, this system has worked well. Lenders charge reasonable rates. Borrowers repay their debts promptly. But a minority of unscrupulous operators charge all that the traffic will bear. They wring from the unwary purchaser a price far higher than the credit market requires.

The right of the consumer to know the actual cost of his credit has been ignored for too long. Credit is a commodity. The consumer has just as much right to know the cost of borrowing money as to know the price of any other article he buys.

Credit charges are a key item in the consumer budget. They totaled $25 billion last year. It is important that consumers be able to plan their budgets wisely—and prudently—in this important area.

Yet, many consumers had no information on how these credit costs relate to the cost of the article being financed.

They were confused by statements of credit rates described in unusual or even misleading terms.

They unknowingly paid higher prices for credit than reputable lenders were charging.

We must protect and inform the consumer in his use of the consumer credit system. Our credit structure will be sounder when the consumer has this information.

I therefore renew my recommendation for legislation requiring lenders to state the full cost of credit, simply and clearly, and to state it before any credit contract is signed.

This legislation will help consumers:

Budget their incomes more intelligently, because they will know the price of credit in the same clear terms as the price of milk or gasoline.

Compare credit costs so they shop for the best combination of quality and price including *all* of the charges involved.

Avoid unscrupulous lenders who use excessive credit charges and other sharp practices.

This legislation will also help the legitimate lender by offering protection against any competitor who seeks to gain business by misrepresenting credit costs. It will insure the fair and effective competition that legitimate lenders desire.

It will *not* regulate the cost of credit itself, or interfere with existing laws.

It will *not* reduce the volume of credit.

It will *not* dampen the vigor of consumer buying.

This legislation will right the balance of legal protection between lenders and borrowers.

I urge the Congress to act to insure that the American consumer is given a clear price tag when he shops for credit.

EXHIBIT 5

MEMBERS OF THE CONSUMER ADVISORY COUNCIL

Chairman: Richard H. Holton, Professor of Business Administration, University of California, Berkeley, California.

Mr. David W. Angevine, Public Relations Director, Cooperative League of the U.S.A., Washington, D.C.

Miss Genevieve Blatt, Secretary of Internal Affairs, State of Pennsylvania, Harrisburg, Pennsylvania.

Dr. Dorothy Brady, Professor of Economics, University of Pennsylvania, Philadelphia, Pennsylvania.

Dr. W. Palmer Dearing, Executive Director, Group Health Association of America, Washington, D.C.

Honorable Bronson C. La Follette, Attorney General, State of Wisconsin, Madison, Wisconsin.

Mrs. Florence Low, Assistant Director for Extension Home Economics, Texas A&M University, College Station, Texas.

Mr. Sidney Margolius, Columnist, Port Washington, New York.

Mr. Kenneth J. Marin, Chairman, Department of Economics and Business, Aquinas College, Grand Rapids, Michigan.

Rev. Robert J. McEwen, S.J., Chairman, Department of Economics, Boston College, Boston, Massachusetts.

Mrs. Helen Nelson, Consumer Counsel, State of California, Sacramento, California.

Miss Mattie Waymer, Chairman, Department of Home Economics, Morris Brown College, Atlanta, Georgia.

CREDIT

In 1945 consumer debt was less than $6 billion, one-fortieth the size of the Federal debt. High incomes during the war years, combined with shortages of consumer goods, had led consumers to reduce their debt to a very low level. Last year, consumer debt stood at $86 billion [17] and one-third the size of the Federal debt. As a share of disposable income, consumer credit rose from 10 percent in 1950 to 18 percent in 1965.

While many families use credit wisely, too many must wage a continuous, uphill battle to keep on top of their debts. While most of them do not go bankrupt, last year, nine of 10 bankruptcies—170,000—were incurred by families and individuals. The number of persons who are overextended cannot be accurately measured, but the bankruptcy statistics suggest a problem that cannot be ignored.

For the wary and well-to-do as well as the unsophisticated and economically despairing, present-day practices make it almost impossible to make intelligent decisions about credit. Various methods of stating consumer credit costs confuse, confound, and often mask the true financing cost. In an ideal credit transaction, the debtor is told the accurate price of credit and the charges are stated as an annual rate. More frequently, instead of the ideal, the following practices are employed:

The price of credit is given as a simple monthly rate which on a true annual basis amounts to 12 times the monthly rate.

The borrower is quoted an add-on or discount percentage rate. That is, he is quoted a rate on the original amount of credit rather than on the periodic declining balance. The true interest rate is approximately twice the so-called add-on or discount rate.

The consumer is quoted an add-on or discount rate plus numerous extra fees. In this case, the true annual rate is considerably more than twice the quoted rate.

No rate is quoted; the borrower is only told the amount down and the amount due each month.

TRUTH IN LENDING

The Truth-in-Lending Bill (S. 2275) reintroduced by Senator Paul H. Douglas (D-Ill.) on July 12, 1965, would require creditors to state the total finance charge both in dollars and cents and as a true annual percentage rate due on the outstanding unpaid balance.

S. 2275 protects the businessman as well as the consumer. Certainly, the public benefits when public policy provides rules which enhance vigorous price competition. The disclosure of true costs of credit will give the ethical lender a strong competitive position against sharp operators who make misleading claims. Under the Douglas bill, lenders would have to compete on the basis of fully disclosed rates.[18]

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[17] Excluding mortgage debt for 1- to 4-family houses of $213 billion.

Recognizing that consumers are beset with many problems in the credit area, in addition to those covered by the Truth-in-Lending Bill, the Council adopted the following resolution:

Whereas, Every Consumer Advisory Council since 1962 has strongly endorsed truth-in-lending legislation; and

Whereas, Widespread misrepresentation of interest rates, vaguely worded credit contracts, unscrupulous repossession methods, trick balloon payment clauses, high pressure door-to-door selling tactics, unconscionably high rates for credit, unregulated services by debt consolidation companies, and severe garnishment laws, to name but a few, all can and do work severe hardships on consumers;

Therefore, be it resolved that, the Consumer Advisory Council again emphasize the necessity of legislation to require Truth in Lending as a part of any effort to correct the Nation's credit ills;

Be it further resolved that, The Consumer Advisory Council recommend that each State review its existing laws in these areas to determine their adequacy in protecting consumers;

Be it further resolved, That the Administration and the Congress begin concurrently with the States to explore the feasibility of regulating these activities.

The National Conference of Commissioners on Uniform State Laws is studying and developing a uniform code governing consumer credit transactions. The Council awaits the results with great interest, for this presents an opportunity to cure many serious ills in consumer credit.

LOOKING AHEAD

The credit situation in America today demands a study in depth of all problems, and on the broadest scale practicable, from the viewpoint of the consumer. It should cover the following:

Examination and evaluation of the work of the National Conference of Commissioners on Uniform State Laws regarding consumer credit;

Attitudes towards credit, such as consumer concepts of usury; credit for the poor; the "6 percent myth" and its implication; and, the position of the cash buyer in the credit market;

Problems surrounding the extension of credit, with a comprehensive review of the relations between creditor and prospective debtor prior to execution of the contract; ways of improving the tone and appeals of inducements to borrow—advisability of minimum standards for advertising which solicits the use of consumer credit; considerations involved in permitting the financing of the whole debt vis-a-vis establishing minimum down payments.

The special credit problems of the poor;

The degree and method of regulation by Government (Federal, State or local), whether there is need for a universal (Federal) approach or for differing regulations by States.

Whether licensing is necessary for all credit and lending; what standards would be most meaningful and how to enforce them, especially disenfranchisement of firms that fail to comply with the standards; the degree to which the lending rates and charges should be controlled, including ceilings, if any, to be established.

The need for and feasibility of local credit bureaus where the consumer can get information helpful to him in choosing a creditor;

Development of a model credit contract and the drafting of general rules governing its use, including recordation;

Methods to improve debtor remedies and defenses against sellers and creditors; the creation of uniform penalty provisions with consideration to punitive damages for intentional fraud; the feasibility of class suits and the group practice of law;

Enforcement posture of the government in all of the above relationships as an effective third party, including remedies as well as sanctions;

Credit counseling, debt pooling, debt adjustment, and safeguards necessary to eliminate conflict of interest in these areas.

BANKER'S SUPPORT FOR TRUTH IN LENDING

Mr. PROXMIRE. Mr. President, since I have introduced the truth in lending bill, the response on the part of the general public has been overwhelmingly in favor of the bill. However, I have also received a letter from Mr. Fortney H. Stark, Jr., president of the Security National Bank of Walnut Creek, Calif. Mr. Stark supports the truth in lending bill and believes that banks will benefit from the enactment of this bill.

I agree with Mr. Stark and would commend his position to the American Bankers Association. Certainly the full disclosure of the cost of credit would enable the vast majority of banks to compete more effectively with high-cost lenders, who, through one device or another, manage to conceal the true cost of their credit.

Mr. President, I ask unanimous consent to have inserted in the RECORD, Mr. Stark's letter together with an excellent pamphlet published by the Security National Bank entitled "What Every Customer Should Know About Borrowing."

There being no objection, the letter and pamphlet were ordered to be printed in the RECORD, as follows:

SECURITY NATIONAL BANK,
Walnut Creek, Calif., January 23, 1967.

Hon. WILLIAM PROXMIRE,
Senate of the United States, Senate Office Building, Washington, D.C.

DEAR BILL: I hope you won't think it presumptuous of a former constituent and present admirer to submit that the enclosed brochure comes close to what you and Mr. Douglas have in mind.

While I am not sure any of my peers would elect me president of the ABA on this platform, I think banks are in a position to get a positive benefit from your truth-in-lending legislation, and you have my support and encouragement in your efforts. If there is anything I can do in my small way, let me know.

Sincerely,

FORTNEY H. STARK, Jr.

WHAT EVERY CUSTOMER SHOULD KNOW ABOUT BORROWING!

INTEREST OR FINANCE CHARGE?

How much do you know about interest, which of course is the "rent" you pay for borrowing money? Did you know that the exact amount you pay depends not only on the rate but also on the way the interest is figured? Often the cost of handling a transaction far exceeds any reasonable interest rate. This is true in our charge card system. Here the account is for your convenience and the merchant makes no charge if you pay promptly. If you wish to extend payments a "fee" is charged—usually 1½% per month. This is 18% per year. However, when you realize that the cost of bookkeeping and postage on a $5 item can exceed the entire value of the item, the charge of 7½c for 60 days shouldn't seem too much for the convenience involved. On an auto loan of $3,000, however, $45 per month interest would be staggering!

The purpose of this brochure is to explain the manner in which interest is figured in your dealings with Security National Bank.

INSTALLMENT LOANS

This is the most common type of bank loan and is used for personal needs, purchases of automobiles, home improvements, vacations, etc. Here interest is added to the amount of the loan and the total figure is divided by the number of months in your repayment schedule. The result is your monthly payment. You should realize this "add-on" interest is about double the simple interest rate. Interest is figured on the total amount of the loan despite the fact you are periodically reducing it by making monthly payments. Therefore, you do not have the full use of the money for the entire term of the loan.

What do you, the customer, get for this added cost? First, the convenience of making a monthly payment even on relatively small amounts. Next, the right to pay off the loan in advance without penalty, plus the ability to adjust payments, increase the loan, skip a payment, have it automatically deducted from your checking account, as well as having a "line of credit" waiting for your use at a moment's notice! The accounting, billing, credit reviews and personal services necessary to offer these loans is costly—therefore, we charge more than for "commercial" loans.

SIMPLE INTEREST

This is the way the interest is figured on real estate, business (commercial) and some personal loans secured by stocks, life insurance or savings accounts. Typically, these are large loans and, with the exception of real estate loans, must be repaid in less than one year. The usual period is 90 days which is suited to the requirements of our business customers. Businesses use this type of loan to buy inventory, finance seasonal cash needs, and usually the "net worth" of the borrower is many times the amount of the loan—often the cash in the business account is equal to the loan amount. The rate on this type of loan averages about 3% over the current savings rate or 7% to 8% on an annual basis.

COST OF CREDIT

You should be aware of the true cost of credit and shop for it just as you would for any major item. Lenders sometimes disguise costs by stating them as "pennies a day" or "2½% a month" or "low terms."

Here is the true story—if finance charges are "added-on" to the purchase price and the total is repaid in twelve equal monthly payments:

When they say 4 percent per year you pay 7.4 percent per year; when they say 6 percent per year you pay 11.1 percent per year; when they say 8 percent per year you pay 14.8 percent per year; when they say 10 percent per year you pay 18.5 percent per year; when they say 12 percent per year you pay 22.5 percent per year.

If charges are made "only on the unpaid balance":

When they say three-fourths of 1 percent per month you pay 9 percent per year; when

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[18] With a bill enacted in the spring of 1966 and due to become effective November 1, 1966, Massachusetts took the lead among the States in effective credit legislation. The bill requires full disclosure in all installment transactions, and dollars-and-cents disclosure in revolving credit sales. In addition, it limits interest rates, gives buyers a full business day to change their minds about purchases from door-to-door salesmen, requires buyers' rights to be spelled out on the credit contract, tightens repossession procedures, prohibits advertising of percentage finance charges in other than true annual interest and establishes enforcement procedures (Acts 1966, Ch. 284).

> they say five-sixths of 1 percent per month you pay 10 percent per year; when they say 1 percent per month you pay 12 percent per year; when they say 1¼ percent per month you pay 15 percent per year; when they say 1½ percent per month you pay 18 percent per year; when they say 2½ percent per month you pay 30 percent per year.
>
> By making a large down payment and paying off the balance as quickly as you can, you keep interest charges to a minimum. The best basis of comparison between alternate financing methods is to compare the actual dollar and cents cost of financing your purchase. It goes without saying, never sign a contract until you know what the exact interest and extra charges will be!
>
> Whenever you are in doubt, get the agreement in writing and then stop by the bank to get a comparison with a Security National Bank loan. Remember, our officers are always available for financial counseling.

Mr. YARBOROUGH. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Texas.

Mr. YARBOROUGH. I thank the distinguished Senator from Wisconsin for yielding to me. I want to commend him on his very fine statement concerning truth in lending.

I was a cosponsor of the bill introduced by the former Senator from Illinois, Mr. Douglas, when he was the principal sponsor of this legislation. Of course, it was cosponsored by the Senator from Wisconsin. I wish to commend the Senator for his leadership.

Mr. PROXMIRE. I thank the distinguished Senator from Texas. I certainly welcome him as a cosponsor of this bill. I do not know of anyone in the Senate who has worked harder for the workingman, the farmer, the small businessman, and all the other people who are, in many cases, debtors and would be greatly benefited by the opportunity to have the full facts of any loans disclosed to them before they make them.

The Senator from Texas has always been in the forefront of the fight for full disclosure and full information to be made available to the American consumer.

Mr. YARBOROUGH. I thank the distinguished Senator from Wisconsin for his remarks, which are more generous by far than I deserve. I am grateful that he has made them.

Mr. CLARK. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. CLARK. I should like to commend the Senator from Wisconsin for the splendid speech he completed a few moments ago on his truth-in-lending legislation.

I am happy to be a cosponsor of that legislation and to have been a cosponsor for a good many years of prior legislation introduced by our great colleague, whom we all miss so much, Senator Paul Douglas, of Illinois.

For a good many years I served on the Banking and Currency Committee and was delighted to have the opportunity to support Senator Douglas in his sponsorship of this legislation at a time when there were not many Senators who agreed with it.

It was like a breath of fresh air when the Senator from Wisconsin came on the Banking and Currency Committee, picked up the torch, and supported Senator Douglas as strongly as several of us had. I am delighted that he has taken over his mantle with, I hope, a substantially better chance of success than was the case in the earlier years when we were trying to develop strong public opinion in favor of this much-needed legislation.

It is always interesting to me that for so many years there was not a feeling of strong popular support for this legislation, because so many millions of people did not realize they were, in a real sense, being defrauded. I think it was largely as a result of the public's education by the Senator from Wisconsin and Senator Douglas which resulted in so many people supporting this kind of legislation.

Mr. PROXMIRE. I am very flattered that the Senator has put it that way. However, I am convinced that it was the then Senator from Illinois, Senator Douglas, who really popularized this bill. He was chairman of the subcommittee which held hearings in many cities throughout the country, and brought the matter to the attention of the American people, and secured overwhelming support for it, as shown by every poll taken. Eight Members of Congress took polls showing that somewhere between 88 to 95 percent of the people were for it, in Democratic and Republican districts. It is because of Senator Douglas' wonderful, bulldog tenacity, with the aid of the Senator from Pennsylvania and others on the committee, that it is possible this year to pass it.

Mr. CLARK. I think the Senator from Wisconsin is entirely correct. I join him in his commendation of Senator Douglas for his years of effort, at a time when the bill was not very popular.

It is interesting to me, as I am sure it is to the Senator from Wisconsin as his service in this body grows year by year, that a proposal like that of Senator Douglas took so many years to receive support. It is now supported by the President, who for a long time did not support it. I commend President Johnson for his support of it both in his state of the Union message and in the Economic Report.

I think the Senator from Wisconsin is to be congratulated on the amendments in this particular bill, which make it far less complicated than it might have been to determine the interest rate. The Senator can remember the roadblocks which were thrown in our way for many years by those who insisted the bill was quite impractical because one could not figure out the various complicated methods which showed what the real interest rate was. The Senator from Wisconsin has cut through those arguments and has given us a feasible, practical definition of what a proper interest rate is, which is going to be difficult for anybody to controvert.

Again let me say I am happy to cosponsor the legislation. Again I want to commend the past efforts of Senator Douglas, and to commend the Senator from Wisconsin [Mr. PROXMIRE] for the splendid leadership he is showing, which will bring this cause to fruition after almost, if not more than, 10 years from the time when Senator Douglas first undertook to sponsor the legislation.

Mr. PROXMIRE. I certainly thank the Senator from Pennsylvania, who is as doughty and hearty a battler for liberal causes as there is in the Senate.

I should like to make one concluding statement, and then I shall yield the floor; and that is to say that I have talked with a number of members of the Banking and Currency Committee and I am now convinced that a strong and practicable bill will be reported this spring by the committee. The President supports it. It has been tried out by the Department of Defense and found to be workable. It has been tried out by the State of Massachusetts. There is a growing awareness of the desirability and need for this legislation throughout America.

Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

THE UNITED STATES-SOVIET CONSULAR CONVENTION

Mr. MORTON. Mr. President, in the coming days, the Senate will consider ratification of a Consular Convention between the United States and the Soviet Union. Two years ago, the same consular agreement was favorably reported out of committee only to die of fear and misgiving.

It is open to question whether the responsibility for killing this forward-looking proposal in the 89th Congress rests with the administration which had misgivings about securing the necessary two-thirds vote—or with the extremist fringe groups in our society who fear Polish hams as much as they fear any new gesture toward world peace.

Unfortunately, Mr. President, the same fears and misgivings today threaten to frustrate this historic first attempt at a bilateral United States-Soviet agreement. Unfortunately, timidity of purpose on one hand, and hysterical opposition on the other, may once again thwart the efforts of those who see in this Consular Convention a safe and sound approach toward better relations between the world's two mightiest powers.

It is interesting and significant to note that a start toward improved United States-Soviet relations was urged by President Eisenhower on April 16, 1953. With America committed in Korea to the defense of freedom, the President declared:

> Every gun that is fired, every warship launched, every rocket fired signifies a *theft* from those who hunger and are not fed, those who are cold and are not clothed . . .
>
> The cost of one heavy bomber is this: a modern brick school in more than thirty cities . . . We pay for a single fighter plane with a half million bushels of wheat. We pay for a single destroyer with new homes

> that would have housed more than eight thousand people . . .
>
> This is not a way of life at all, in any true sense. Under the cloud of threatening war, it is humanity hanging from a cross of iron . . .
>
> A world that begins to witness the rebirth of trust among nations *can* find its way to a peace that is neither partial nor punitive. The fruits of success would present the world with the greatest task, and the greatest opportunity of all—a declared total war, not upon any human enemy, but upon the brute forces of poverty and need.

I might interject, Mr. President, that I think that is when the war on poverty was declared.

President Eisenhower concluded:

> We are ready to dedicate our strength to serving the *needs*, rather than the *fears*, of the world.

Then as now, Mr. President, the hysterical voices of fear and hatred, of false witness and self-deceit, rose up in wrath against those groping cautiously and unconditionally toward a relaxation of tensions.

Then as now, armed Asian conflict caused many well-intentioned leaders to stress the need for total security at the expense of total freedom.

Then as now, those who voiced the strongest opposition to the closed societies of the Communist world, faltered in their faith in our open society here at home.

The years in between have witnessed a continuing effort, by Democrats and Republicans alike, to expand diplomatic relations with the Soviet Union. I speak with particular pride of the initiatives taken by my own party in support of the very principles embodied in the present Consular Convention.

At the Geneva Conference in 1955, President Eisenhower urged that "concrete steps" be taken to lower "the barriers which now impede the opportunities of people to travel anywhere in the world, so that all will have a chance to know each other face to face."

In 1959 Vice President Nixon suggested to Soviet officials that the interest of peace and the interests of both the United States and the Soviet Union would be well served if consulates were established in New York and in Leningrad.

That same year, the Secretary of State, the late and revered Christian Herter, stressed the desirability of additional consulates, and strongly proposed that negotiations begin as soon as possible for a consular convention.

As an Assistant Secretary of State, I believed 10 years ago that a consular agreement and broadened diplomatic relations with the Soviet Union were unquestionably in our national interest. I believed then, as I believe now, that we would advance the cause of peace, and the cause of the free world—if we could make the first gesture toward widening the channels of communications between East and West.

The Consular Convention is such a gesture and I am convinced that it can lead toward the resolution of many problems over which the United States and the Soviet Union face each other around the world. This agreement is also a symbol, at home as well as abroad, that our Nation's political leaders will not permit themselves to be mesmerized by the tragedy in Vietnam at the expense of opportunities elsewhere to bring the world closer to peace.

The sound and fury of the unenlightened have distorted the substance of the proposed Consular Convention. They have also shown that the pen can be mightier than the sword. The testimony for and against the convention has all the characteristics of a chain letter. My mail is running 100 to 1 against ratification. While many correspondents express honest if misinformed opinions, there can be no doubt that this avalanche is largely the result of a carefully planned and well financed "big lie" operation designed by the paranoids and fearmongers.

Let me explain this treaty, not in heat, but in the light of day. It will permit our Government to assist and protect more effectively the 18,000 American citizens who annually travel in the Soviet Union. Without the protection of such an agreement, Americans have frequently been isolated in Soviet prisons for long periods and kept from contact with American Embassy consular officers.

The treaty does not provide for the opening of consulates. Approval of the convention has no bearing on this question, since under the Constitution the President can agree to reciprocal opening of consulates in the United States and the U.S.S.R. at any time.

There are no formal proposals or plans pending for the opening of separate consular offices in either country. If at a later date it is appropriate to open a consulate outside the respective capitals, it would be the subject of careful negotiation on a strict quid-pro-quo basis. Such an office would probably involve 10 to 15 Americans in the Soviet Union, with the Soviets permitted to send the same number here. Secretary Rusk has stated that state and local officials of the community to be affected would be consulted before concluding such an agreement.

This convention gives full immunity from criminal jurisdiction to consular officers and employees of both countries. We would not send American officials or clerical employees to serve in the U.S.S.R. without this protection. Since 1946, 31 Americans at our Embassy in Moscow have been expelled by the Soviets, most often on allegations of espionage. Without immunity consular employees could be jailed or suffer even harsher punishment on similar trumped up charges.

Furthermore, action against American consular personnel serving in the Soviet Union without diplomatic immunity could be a temptation to Soviet authorities whenever a Soviet citizen was arrested in this country for espionage. Other governments similarly protect their officials and clerical employees in the U.S.S.R.; the British and the Japanese recently negotiated consular conventions with the Soviet Union containing immunity provisions modeled after those in the treaty we will soon consider.

I must say, Mr. President, I would hate to go to Leningrad as consul for the United States without diplomatic immunity. We have heard much about this question of immunity. Immunity is in this agreement because we insisted upon it, not the Russians. We are not arbitrarily going to throw some fellow in jail. If we did, it would be in the papers and they would know it. Ours is an open society. But they will do so, and they have.

The opening of one Soviet consulate in the United States would not materially affect our internal security. The number of Soviet citizens now enjoying immunity, 452, would be increased by only 10 to 15 persons. In addition, we have the right under the treaty to screen the personnel of such an office before agreeing to their assignment. We are also authorized by the treaty to prevent them from traveling to sensitive areas in the United States and to expel them if they prove to be undesirable. We could close a Soviet consulate whenever we wished, and we could cancel the Consular Convention on 6 months' notice.

By any realistic yardstick, the advantages to be gained by ratification of the Consular Convention favor the United States. Far more Americans traveling in the Soviet Union require the protection this treaty will offer than the nominal number of Russians traveling here. Furthermore, by the very nature of our society, the Soviet Union can gather as much intelligence from the "yellow pages" as from a few additional consular officials.

But the real issue here is not a meaningless numbers game involving tourists and spies—the real issue is whether the Government of the United States will be authorized by the Senate to explore a dim light at the end of the dark tunnel that is the "cold war."

The task before the Senate and the administration is clear. We must educate—not placate.

Let us not placate those who would creep out from darkness to bomb embassies and legations. We had an example of that the other day.

Let us not placate those who would use patriotism as a shield for twisted conspiracy. Indeed, those who bombed the Yugoslav Embassies and consulates did so under the shield of patriotism.

Let us not placate those who frozen in the past would freeze out the future.

Rather we must educate many who harbor unfounded suspicions of anything new, and who place rigid and unfounded faith in anything old.

The administration has indicated it favors ratification of the Consular Convention. But experience in the last Congress, and the campaign in opposition to the treaty today, convince me that something more is required.

Therefore, I urge the President to declare to the American people, and the world, his determination to achieve a victory in the Senate for the Consular Convention. Only the most forceful and persuasive testimony will result in ratification, and justify the hopes of those, like myself, who believe in this first cautious step toward new East-West understanding.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. COOPER. Mr. President, I compliment my colleague, the Senator from Kentucky, on his very eloquent speech and his forceful support of the Consular Convention.

I believe that the provisions of the treaty have been deliberately misrepresented by some. Yet it is fair to say that there is a great deal of honest misunderstanding about its provisions, and opinions honestly held.

My colleague has done a great deal today to explain correctly and factually the provisions of the convention.

As the Senator has said, there is no provision in the convention which orders any particular number of consulates to be opened. There is no provision which would mean that our country would be flooded with an avalanche of consular employees and officers.

One of the fears held by the people of our country—and this is apparent from the mail that I receive and the Senator receives and it is normal—is that the consulates established would be seats of espionage. The idea has been fostered by several organizations who quote the letter of the distinguished Director of the Federal Bureau of Investigation, Mr. Hoover.

I think, however, upon reading his letters that one cannot say that he has fostered this idea. He has simply stated a fact, that the additional number of officers and employees here will, of course, be possible sources of espionage. However, I think that no one would be more sure that he could control those possible sources of espionage than Mr. Hoover.

As the Senator has said, 10 to 15 employees and officers would be added to the 452 now in this country.

The Senator has correctly pointed out that this convention would insure important protections and advantages for the citizens of our country who may be in the Soviet Union. Today they enjoy no procedural rights if they are held in detention. But, under this treaty they would be assured procedural rights greater than those accorded to the citizens of the Soviet Union.

The Soviet Union would be required to notify the consular offices at once of the detention of an American citizen and to provide continuing communication and access to any of our citizens detained by consular officers.

In a larger sense the Senator has called attention to a most significant value of the convention. It is that it would be a step—although it may be a small step—toward the reduction of tensions between the United States and the Soviet Union. It could be a little step which might lead to a nonproliferation treaty regarding nuclear weapons.

It could be a step—a small step, but nevertheless a step—toward better communications with the Soviet Union and the settlement of some of the problems which, as long as they last, threaten war and world peace.

I happen to be the newest member of the Committee on Foreign Relations, but I shall vote for the convention and for this small step toward peace.

I congratulate my colleague.

He has given an accurate description of the convention. As a known leader of our Republican Party, or who has held official posts in the Republican Party, he has the light toward advanced positions of our party so that it might not become retrograde.

He has called attention to the fact that the convention could be a step toward better relations with the Soviet Union, the reduction of tensions, and we hope toward true peace someday in the future.

Mr. MORTON. I thank my senior colleague for his very generous comments.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. AIKEN. Mr. President, as I have stated earlier today, I hope the Senate can consider this consular treaty in a sane and rational manner and not be overly influenced by agitators who have special axes to grind.

I do not think Russia has behaved for the last 2 years as a first-class nation should. Certainly Russia should assume much responsibility for the continuation of the war in southeast Asia, and I am not in a forgiving mood as far as that goes. However, this consular treaty is another matter. I do not believe we should let people who originally came to this country seeking freedom dictate our course in world affairs or agitate war and violence in other countries, particularly in countries from which they came.

If people come to America, they should accept the traditions and the rules of our country.

It is said that this convention will open the way to more spying on the part of the Russians. As far as I know, every embassy and consulate in every country in the world learns what it can about what is going on in the country in which it happens to be located. I expect that is true of the Russians, but I fear there is not much that the Russians can learn about this country that is not already freely offered to them.

As an example, I had a request from constituents the other day for a certain map. I called the Defense Department to get a copy of the map. I was told: "It is classified. They cannot have that map." So they had to go to the Government Printing Office and pay 20 cents for the map. I am sure that the Russians could do the same thing.

I did not give away a classified map. I do not want the Senator from Kentucky to think that I was trying to do that.

Mr. MORTON. I know that the New England frugality of the Senator would have prevented him from paying the 20 cents.

Mr. AIKEN. They had to pay 20 cents for the map. I am sorry in a way that the proposed Consular Treaty—to which perhaps I had not given enough attention up to a month ago—has now become a symbol of hate and is being exploited by agitators to encourage violence and even war in other parts of the world.

Mr. MORTON. I thank the Senator.

Mr. AIKEN. The Senator from Kentucky has done a good job.

Mr. MORTON. In commenting on what the Senator from Vermont has so well pointed out, I may say that it will be pointed out by those who object to this treaty—they are men of sincerity and dedication and patriotism—that the record is replete with Russian violations of agreements. This is true. I admit it.

LEGISLATIVE REORGANIZATION ACT OF 1967

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which the clerk will read.

The LEGISLATIVE CLERK. A bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

THE UNITED STATES-SOVIET CONSULAR TREATY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Kentucky may continue with his address.

The PRESIDING OFFICER. The Senator from Kentucky has the floor.

Mr. SCOTT. Mr. President, I withdraw my request.

Mr. MORTON. My point is that the monolithic structure still exists, to a degree, but not to the degree that it existed at the time of Stalin. Indications are that things are getting better. In the so-called satellite countries, we see now the profit motive being reinjected into the society, because the profit motive works, rather than the planned motive.

I believe that progress is being made, and merely because agreements have been violated is no sign that we must stop. The test ban treaty, which the Senator from Vermont and I supported, has not been violated, to my knowledge, and I believe that we have adequate surveillance. I believe that this proposal presents an opportunity to take another step forward.

Mr. HATFIELD. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. HATFIELD. Mr. President, I should like to commend the Senator from Kentucky for a very eloquent and succinct statement on this important treaty.

My mail is running about 100 to 1 against the treaty, as the Senator from Kentucky has indicated that his mail is running also. I consider that I am an authority on "kook" mail, because I have received a goodly amount of it during my political life. However, in the mail that I have received during the last few days from my constituents in the State of Oregon and from people in other States are letters from many sincere and dedicated Americans who are deeply concerned about the meaning of this treaty. In letter after letter I find quotations from a so-called letter written by J. Edgar Hoover, a man whom, I am sure, we all deeply admire and respect for his great skill and for his patriotism. They say that Mr. Hoover has called this treaty "a cherished goal for the Soviet intelligence services." Because of this quotation and because I have not seen the letter, I should like to know whether the junior Senator from Kentucky wishes to comment on the statement by Mr. J. Edgar Hoover and its relationship to the question that will be before the Senate when we consider the treaty.

Mr. MORTON. I shall be happy to comment.

I believe that three letters from the distinguished Director of the FBI on this subject are public and a matter of record—two to the committee and one to the senior Senator from South Dakota [Mr. MUNDT]. I believe that these letters should be read in their entirety.

It is obvious—we all grant this—that the burdens on Mr. Hoover's office, on the FBI, would be increased should consulates be established. Should 15 more Russian nationals with consular training be in this country, more surveillance would be required. However, I point out that today 452 such Russian nationals are in this country; and in all his communications, the distinguished Director of the Federal Bureau of Investigation has said repeatedly that he could cope with the problem. He may have to ask Congress for 5, 10, 15, or 20 additional agents, but he has never indicated that he could not adequately cope with this problem.

I suggest to the Senator from Oregon that the full content of these letters be made available to his constituents, who are rightfully expressing some apprehension because of quotations out of context that may have been sent to them through some medium.

Mr. HATFIELD. Mr. President, will the Senator yield for an additional question?

Mr. MORTON. I yield.

Mr. HATFIELD. Is it possible to obtain the full text of these letters?

Mr. MORTON. It is possible.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. SCOTT. Mr. President, I read the statement of the distinguished Senator from Kentucky before he made it. I found the statement very cogent, and I certainly entirely agree with it.

I believe that it is worth remembering that the negotiations for consular interchange had their inception under the Eisenhower administration; that the distinguished former Vice President of the United States, Mr. Nixon, took part and proposed this interchange, I believe, in 1959, as the Senator pointed out; that the business of seeking to find some method of protecting our people in negotiation with the Russians has been bipartisan and has been supported by at least three successive administrations.

Therefore, it seems to me that there is strong and expert background behind this proposal, in addition to the Senator's own distinguished and great experience in the foreign policy field, when he was an Assistant Secretary of State in the Eisenhower administration.

I should like to ask the Senator from Kentucky whether it is not also a fact that with respect to other treaties we have had with the Russians, we have had no difficulty whatever—for example, the Antarctica Treaty; and prior to the negotiation of that convention, many nations were claiming wedges of Antarctica. The question of sovereignty—particularly the question of mutual exploration and development—was in a very hazy condition.

I have spoken with an American scientist in New Zealand who was en route to work with the Russians in Antarctica, to cooperate with them, by direction of the U.S. Government. The United States, in turn, has shared in scientific investigation in Antarctica.

Since that convention was concluded, so far as I know, no serious territorial conflicts or lack of cooperation have occurred.

I call attention, also, to the recently negotiated Space Treaty, with which we are all familiar, and the importance of having a reasonable and cautious—and I hope justified—optimism, that by agreeing between great powers that the use of space shall not include military ventures on the part of any nation, we have progressed in seeking to advance the possibilities of peace in this world.

I believe that as we secure our personnel in dealing with the Russians, we eliminate, or hope to eliminate, or should eliminate, another possible cause of friction—that is that every time the Russians grab an American citizen and stick him in the "pokey," as I said before, American public opinion is inflamed. The reverse can also be true.

We are a nation of law and order, a government of laws and not of men; and, as a government of laws, we extend the privilege of our laws to the Soviet citizens on condition that they extend to our citizens privileges which the Russians do not extend to the Soviet citizens.

It seems to me that such a convention might itself have some impact on Russian public opinion, which is more important now than it was 10 years ago; and the Russians may seek to extend to American nationals, British nationals, and Japanese nationals some of the benefits of the American system of law and order which are presently denied the Soviet citizens—presently denied to us but permitted to the British and the Japanese.

In my opinion, the advantages inherent in this proposal weigh heavily on our side, although the question of mutual trust and confidence is always involved in the working out of a convention or treaty.

I thank the Senator from Kentucky for his great contribution.

Mr. MORTON. I thank the Senator from Pennsylvania.

The question about an open society is of some interest. Obviously, we are an open society. One can read some of our great newspapers or magazines and find out as much about this country as one can probably find out about Russia through consulates for that matter.

I recall that in the days of World War II, I was in command of a vessel in the Pacific. We had received some ammunition, with instructions that we could not do anything about examining it, taking it apart, or anything else. We had to fire it once a week. It contained a proximity fuze. If it blew up before it hit the water, it was all right; if it did not, we threw the whole lot overboard. We argued at great length in the wardroom as to how that fuze worked. Some thought it was a magnetic device and some thought that it was a radar device. We made a bet one day. We decided to meet 5 years after the war and pay off the bet. We came ashore several days later and picked up the overseas edition of Time magazine and found the entire fuze explained and we were able to settle the bet before the war was over.

We are an open society and I do not believe that two or three Russians in Chicago are going to find out more than I can find out in the New York Times or in Time magazine.

Mr. SCOTT. I might add a footnote to the statement of the Senator. I was the second-ranking intelligence officer in the 3d Amphibious Force. The fuze about which the Senator spoke was so secret that the information was not available to me as the No. 2 man. The Senator is correct in stating that the explanation could be found in Time magazine but I did not know it aboard ship, and I was the second-ranking intelligence officer in a major force.

Mr. MORTON. This is one of the prices that we pay for having an open society. I hope that we will always have an open society. I believe that the price is well worth the reward.

THE PRESIDENT'S VETERANS' MESSAGE

Mr. YARBOROUGH. Mr. President, today, the President has sent to Congress a fine message proposing additional veterans' benefits, both for the veterans of our present conflict in Vietnam and for the veterans of prior wars. I feel sure that Congress will look most favorably on these proposals to insure fully adequate recognition and benefits for the veterans who have made sacrifices and are making sacrifices to insure our freedom and security. I am sure that Congress will act speedily to look at every veterans program and make needed improvements. Pensions, disability compensation, hospitalization, and readjustment educational benefits will all get our attention.

I am pleased that the administration has become an enthusiastic supporter of the cold war GI bill which was passed last year through congressional initiative. The President's message points out that today over 250,000 young veterans are taking training under the bill, and they will become 500,000 before the end of the next fiscal year.

The message expresses concern with the situation of the 100,000 young men leaving the service every year who have not finished high schools. I certainly share their concern. Last year the Senate bill provided for high school education but when the cold war GI bill was returned to the Senate with the House amendments, it was discovered that language in the House bill defended by the Veterans' Administration would have barred any GI educational benefits to veterans needing high school training. At my insistence, after much argument with the Veterans' Administration, they agreed not to oppose a further Senate amendment insuring the right of a veteran to finish his high school education with GI bill benefits. So I am gratified that this year, at last, the Veterans' Administration has "gotten religion" and supports a plan to even more fully encourage high school completion by veterans. They are late to the fold, but I welcome them for making their meritorious proposal.

A further improvement proposed to the cold war GI bill by the administration is in raising the amounts of monthly educational allowances payable. The administration proposed increase to $130 for a single veteran is the same as that proposed by my bill S. 9, but the further increases suggested would not meet the needs of the veterans with families.

The 52 cosponsors of S. 9, the bill providing educational benefits to Vietnam veterans equivalent to those of the Korean GI bill, will want to study the details of the administration proposal carefully, in comparison with the more generous provisions of S. 9 now pending. I feel that there is a great need to restore flight training, on-the-job, and on-the-farm training to the options available under the cold war GI bill, and to improve both the amounts and duration of the benefits none of which are mentioned in the President's message. This number of cosponsors indicates that a majority of the Senate shares my desire to make really meaningful improvements in the cold war GI bill.

Mr. President, under the Korean GI bill, a veteran could take flight training, on-the-job, and on-the-farm training. The House of Representatives cut that out of the GI bill last year. We had to accept the deletion of flight training, on-the-job, and on-the-farm training or lose the bill entirely. Thus, we took the bill with those items cut out, but they are in the Senate bill now pending, S. 9, cosponsored by 52 Senators.

I regret these subjects are not specifically mentioned in the President's message but I hope that when this bill passes the Senate, our veterans will be given the opportunity to take flight training, on-the-job, and on-the-farm training, as the veterans of World War II and the Korean conflict did. There is a great necessity for this training at this time. Every estimate is that we will be short 12,000 commercial pilots in this country by the year 1970. Many pilots—flying other commercial planes today are flying on temporary certificates, I am told. These cold war and Vietnam veterans should have the opportunity to take flight training and my bill will be one way to meet the shortage.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Hollings in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

AMENDMENT NO. 64

Mr. CLARK. Mr. President, I call up my amendment No. 64 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment, as follows:

> On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:
>
> "Sec. 123. Standing Rules of the Senate."
>
> On page 30, between lines 10 and 11, insert the following new section:
>
> "STANDING RULES OF THE SENATE
>
> "Sec. 123. Paragraph 6 of rule XVI of the Standing Rules of the Senate is repealed.

Mr. CLARK. Mr. President, Senators will recall that, after rather substantial debate yesterday, the Senate by a very substantial majority, tabled an amendment which I had offered to give to six legislative committees of the Senate; namely, the Committees on Commerce, Finance, Interior and Insular Affairs, Judiciary, Labor and Public Welfare, and Banking and Currency, the same privilege of having three of their members serve ex officio on the Committee on Appropriations when bills coming within the legislative competence of those committees were before the Committee on Appropriations for funding, as has been given for some time to eight other committees; namely, the Committee on Agriculture and Forestry, Post Office and Civil Service, Armed Services, District of Columbia, Public Works, Foreign Relations, Atomic Energy, and Aeronautical and Space Sciences.

During the course of that debate several Senators suggested that they thought it was indeed inequitable and unfair to give this special privilege, largely on an historical basis, to certain legislative committees while denying it to others, but that they would prefer to remove the privilege from the eight committees rather than to grant it to the six additional committees.

Mr. President, I indicated at that time that I would propose the pending amendment in the event that my earlier amendment was tabled, which it was.

In the interest of consistency and, indeed, of poetic justice, I cannot see the slightest justification for favoring the eight committees over the other six legislative committees.

Therefore, I am adopting the suggestion made to me by the minority leader [Mr. Dirksen], the ranking minority member, Senator Mundt, on the committee of the Senator from Oklahoma [Mr. Monroney], and one or two others. I would like to give Senators the opportunity to remove this inequity in the present procedure and thus eliminate all ex officio members on the Committee on Appropriations.

If I may have the attention of the Senator from Oklahoma, I do not know whether I care to say anything more than I have already. I hope to get a rollcall vote on this matter. If the Senator from Oklahoma [Mr. Monroney] would be interested, I would be happy to propound a unanimous consent request to limit the time on this amendment, after we have a quorum call, and after we have gotten enough Senators to raise the yeas and nays, and determine whether there is any objection to a limitation of time.

Mr. MONRONEY. I agree with the Senator from Pennsylvania [Mr. Clark] that there is no useful purpose to be served in using an extraordinary amount of time on the pending amendment. All Senators are familiar with the operation of the Committee on Appropriations, and the proposal made in the amendment of the additional six committees and the eight committees which have come down to us from the setting up of the Budget and Accounting Act of 1922.

Would the Senator feel that 15 minutes would be a sufficient time for discussion? I do have one thing with which I am concerned. Many Senators are not in the Chamber, unfortunately, although they are fully advised as to the pending amendment.

Many of them who are in the Armed Services and Appropriations joint meeting downstairs have expressed strong opposition to the proposal of the distinguished Senator from Pennsylvania, as the Senator would perhaps expect. I do not know whether they wish to be heard on this subject or not.

Mr. CLARK. I would be guided entirely by the desire of the Senator from Oklahoma.

Mr. MONRONEY. I would say that I should like to have some time reserved, if possible, for them, if they wish to make use of it. Therefore, if the Senator from Pennsylvania would care to proceed for a few moments, I will try to ascertain from these Members whether they have a desire for time or not.

Mr. CLARK. I have nothing further to say and therefore suggest the absence of a quorum in order to permit the Senator from Oklahoma to make the inquiry he has in mind.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 12 Leg.]

Anderson
Baker
Bartlett
Bayh
Bible
Boggs
Brooke
Burdick
Byrd, W. Va.
Clark
Cooper
Cotton
Curtis
Dominick
Ervin
Gore
Gruening
Hansen
Harris
Hart
Hayden
Hill
Holland
Hollings
Hruska
Kuchel
Long, Mo.
Magnuson
McGee
McGovern
Metcalf
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Pastore
Pell
Smathers
Sparkman
Spong
Stennis
Symington
Talmadge
Yarborough
Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from Maryland [Mr. Brewster], the Senator from New York [Mr. Kennedy], the Senator from Louisiana [Mr. Long], the Senator from New Hampshire [Mr. McIntyre], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I also announce that the Senator from Idaho [Mr. Church], the Senator from Mississippi [Mr. Eastland], the Senator from Minnesota [Mr. McCarthy], and the Senator from Connecticut [Mr. Ribicoff] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Hawaii [Mr. FONG], the Senator from New York [Mr. JAVITS], the Senator from Iowa [Mr. MILLER], the Senator from Illinois [Mr. PERCY], and the Senator from Texas [Mr. TOWER] are absent on official business.

The PRESIDING OFFICER. A quorum is not present.

Mr. BYRD of West Virginia. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Aiken
Bennett
Byrd, Va.
Cannon
Carlson
Case
Dirksen
Dodd
Ellender
Fannin
Fulbright
Griffin
Hartke
Hatfield
Hickenlooper
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Lausche
Mansfield
McClellan
Mondale
Muskie
Nelson
Pearson
Prouty
Proxmire
Randolph
Russell
Scott
Smith
Thurmond
Williams, N.J.
Williams, Del.
Young, N. Dak.

The PRESIDING OFFICER. A quorum is present.

The Chair recognizes the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, I apologize for the delay, but I felt that since this matter concerned the ex officio seats of some 27 ex officio members of the Appropriations Committee that it would be best to have a live quorum so that these members would be on notice that this amendment to eliminate ex officio membership from all committees was being proposed.

It would provide only for the 26 regular members of the Appropriations Committee that we have at the present time.

UNANIMOUS CONSENT AGREEMENT

Mr. President, I should like to propound a unanimous-consent request for time at the conclusion of my brief remarks, hoping to close debate in 10 to 15 minutes, with the time to be equally divided.

I do feel that we should have some of the Members who serve as ex officio members of the committee present to explain the duties they perform.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CLARK. Mr. President, I wonder if we could have the yeas and nays.

Mr. MONRONEY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MONRONEY. Mr. President, I also ask unanimous consent that the time on the amendment be limited to 15 minutes, with the time to be controlled and equally divided by me and the distinguished assistant minority leader.

Mr. SYMINGTON. Mr. President, reserving the right to object, and I shall not object, would the distinguished senior Senator from Oklahoma be agreeable to 20 minutes?

Mr. MONRONEY. That would be agreeable.

Mr. CLARK. Ten minutes to a side?

Mr. MONRONEY. That would be 10 minutes to a side.

Mr. CLARK. That is agreeable.

The PRESIDING OFFICER. The request of the Senator from Oklahoma is that 20 minutes be allowed on the amendment, the time to be equally divided. Is there objection? The Chair hears none, and it is so ordered.

Mr. MONRONEY. Mr. President, the Committee on Reorganization carefully considered both of the recommendations of the distinguished Senator from Pennsylvania. His first recommendation was that we add three representatives from each of the six standing committees of the Senate which had heretofore not been represented in ex officio membership.

Yesterday during the discussion of this question, it was suggested that if we cannot have ex officio membership for all committees, we should not have it for any.

It was decided not to extend the privilege of ex officio membership. Then the Senator from Pennsylvania offered the present amendment to eliminate the present ex officio membership on the eight committees that have enjoyed this privilege.

I point out one important reason why I feel the adoption of the amendment would be unwise. As I say, the committee carefully considered both the amendment proposed on yesterday and, in substance, the amendment proposed today.

We feel that the members who presently serve in an ex officio capacity have a certain degree of expertise and experience that go along with the position, and that that adds greatly to the information that the Appropriations Committee has.

I call attention to the fact that the Committee on Agriculture now has three members. A bill pertaining to financing required for the various activities of the Department of Agriculture is one of the most difficult to understand.

I believe that everyone can appreciate the need for expertise and experience from the Armed Services Committee in the writing up and marking up of the $76 billion total Defense appropriations bills which will be facing us in a few weeks.

With its $500 million budget, I believe we can understand why the Committee on the District of Columbia needs people on the Committee on Appropriations who understand that work; because very few of the regular members concern themselves with the District of Columbia appropriations with the exception of our distinguished chairman of the Subcommittee on District of Columbia, the Senator from West Virginia [Mr. BYRD].

The Committee on Public Works is a highly technical committee, involving thousands of public works projects throughout the Nation. Its members too, have a special degree of information.

With respect to Atomic Energy and Space, I think it needless to say that special knowledge is required of what is going on in the complicated and often secret authorizations and needs for the development of this scientific research and new weapons.

I yield 3 minutes to the distinguished senior Senator from Missouri.

Mr. SYMINGTON. Mr. President, I appreciate the position taken by the distinguished senior Senator from Oklahoma.

At this time, as a result of the very able and distinguished chairman of the Committee on Armed Services also being chairman of the Department of Defense Subcommittee of the Committee on Appropriations, we are now having joint hearings on the $12 billion supplemental and the $73 billion budget for fiscal 1968. In effect, this means that the various leading members—civilian and military—of the Department of Defense only appear once in order to defend the position of the administration with respect to this $73 billion budget.

Mr. President, especially considering the fact that for the first time the distinguished senior Senator from Georgia is conducting joint hearings on the appropriations bill, I would hope that the Senate would not decide to eliminate the Armed Services Committee members from their ex officio representation on the Defense Subcommittee of Appropriations.

Mr. MONRONEY. Mr. President, I am informed that the minority has no request for time, so this would leave additional time for Senators who wish to speak, and also for the distinguished Senator from Pennsylvania [Mr. CLARK] if he wishes additional time.

Mr. CLARK. If the Senator from Oklahoma has no further time he would yield, I yield my time.

Mr. MONRONEY. I yield 5 minutes to the Senator from Washington.

Mr. JACKSON. Mr. President, I would like to associate myself with the remarks of the able senior Senator from Oklahoma and the able senior Senator from Missouri.

It seems to me that the bill that is now before the Senate involves the legislative efficiency of this body, and we should consider seriously what would result if the amendment were adopted.

It has been pointed out that when one becomes involved in the defense budget, he is speaking of $85 billion. More important than the amount of money is the complicated nature of the budget. The members of the Committee on Armed Services have the responsibility of authorizing all the procurement to support the Defense Establishment. One cannot disassociate that authority from the responsibility that exists within the Appropriations Subcommittee to pass on the appropriations to implement the Department of Defense program.

It has been my experience—and I know that it has been the experience of those of us who serve as ex officio members of the Subcommittee on Department of Defense—that this association is extremely helpful to the Committee on Armed Services and to the members of the Subcommittee on Department of Defense.

I cannot think of an area more important than that of national security. It would be a mistake, indeed, to break up this fine working relationship that has played such an important part, in my judgment, in making for a more efficient conduct of the problem within the Department of Defense. As the able Senator from Oklahoma and the able Senator from Missouri have pointed out, we hold concurrent hearings. This not only saves the time of the representatives of the Department of Defense, but it also saves the time of Members of the Senate. Of even greater importance is the fact that we have demonstrated that we do a much better job with this kind of working relationship than we would do without that arrangement.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. MONRONEY. Is it not a fact, also, that the Committee on Armed Services, of which the distinguished Senator from Washington is a member, fixes in every instance the top authorization limit not only of weapons and space programs and material programs, including aviation and Navy supplies and things of that kind, but also determines the total public works of the Military Establishment, both in the United States and abroad; and that it would be impossible, in the limited time that the Committee on Appropriations has the bills before it, to ascertain fully the needs for the appropriations for our far-flung military forces around the world, both in material and in the building of necessary installations?

In addition, there are both the military applications of space and the military applications of atomic energy, are there not?

Mr. JACKSON. The Senator is correct. The Joint Committee on Atomic Energy is intimately involved because it has the responsibility, through the Committee on Armed Services and the Subcommittee on Defense Appropriations, of implementing the nuclear test ban safeguard, for example. The budget contains a sizable amount of money that covers those items. Then, of course, all the weapons programs that relate to the application of atomic weapons are contained in the budget.

In addition, the Committee on Appropriations gets the benefit of the experience of the members of the Committee on Armed Services, who are working the year around on national defense matters. Obviously, the members of the Subcommittee on Defense Appropriations are necessarily limited as to time because they serve also on other subcommittees on appropriations.

In my opinion, this working relationship has inured to the benefit of both committees and, more important, I think, to the country as a whole. It enables us to do a far better job.

Mr. MONRONEY. It brings to the Committee on Appropriations the talents, the knowledge, and the experience of Senators who devote almost all of their time to highly technical programs that are so vital to the Nation's security. The ex officio membership on the Committee on Appropriations of members of the Joint Committee on Atomic Energy would be abolished by the amendment, as would the ex officio membership of Senators who are members of the Committee on Aeronautical and Space Sciences. They would lose their membership on the Committee on Appropriations.

Mr. JACKSON. The Senator is correct.

Mr. MONRONEY. I am not saying that they would not continue to be members of the Joint Committee on Atomic Energy, but on the Subcommittee on Defense Appropriations at least three of them would have to give up their seats.

Mr. JACKSON. The Senator is correct.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. MONRONEY. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Oklahoma has 1 minute left.

Mr. CLARK. Mr. President, I ask unanimous consent that the Senator from Oklahoma may have 5 additional minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MONRONEY. Mr. President, I yield 3 minutes to the distinguished senior Senator from Washington.

Mr. MAGNUSON. Mr. President, the Senator from Oklahoma put his finger on the problem when he said, among other things, as the junior Senator from Washington has mentioned, that many of the members of the Subcommittee on Defense Appropriations are also chairmen of other subcommittees to whose work they must devote a great deal of time. The senior Senator from Washington is one of them. He serves on the Subcommittees on Independent Offices Appropriations and Defense Appropriations. Without the aid of the ex officio members, particularly with respect to the huge Department of Defense budget, on some of the line items and details, we would not have enough time to examine into every item. That is why it is so important that, at least in this field, we retain those Senators. If the activities of the Subcommittee on Defense Appropriations were the only work that its members had to attend to, that would be one thing. But almost all of them are also deeply involved in other committees, some of them as chairmen, and they rely on the advice they receive from the ex officio members from other committees.

The Senator from Oklahoma has put his finger on the real, practical problem of the workings of the Committee on Appropriations, especially as it relates to defense appropriations, which have always been 50 percent or more of the total budget.

Mr. MONRONEY. I thank the Senator from Washington.

Mr. CLARK. Mr. President, I yield 2 minutes to the senior Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. Mr. President, yesterday it was conceded by several of the debaters that consistency in the application of principle in constituting the membership of the committee would require representation on the Committee on Appropriations by all of the committees except a certain designated number, as the rule now requires.

I put the question yesterday to the Senator from Oklahoma [Mr. MONRONEY] as to whether there would be greater efficiency in the management of the Committee on Appropriations if the committee membership were stripped of the ex officio members, or whether there would be greater efficiency if the number of ex officio members were enlarged.

The answer of the Senator from Oklahoma was that greater efficiency would be achieved with the reduction rather than an expansion of the members.

Mr. President, yesterday I voted against the proposal of the Senator from Pennsylvania [Mr. CLARK]. Inasmuch as we were told that if we wanted efficiency in the management of the committee we should reduce the number, I said yesterday that if the Senator from Pennsylvania would offer an amendment to reduce the number of the members I would support him. That is what I do today. I support the proposal of the Senator from Pennsylvania because it was rather generally conceded that with the large number of members there was difficulty in getting quorums and also there was confusion.

The Senator from Pennsylvania is consistent. He said we should have each of the standing committees represented, or none of them. When he asked yesterday that each committee be represented, his proposal was rejected. Today he asks that none of the standing committees be represented. He argues that greater efficiency will be achieved.

Mr. President, I support the proposal of the Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. President, I yield myself such time as I may require.

I am faintly amused at the course the debate has taken yesterday and today. Having exhausted the arguments in support of giving to six standing committees the same privileges of ex officio members on the Committee on Appropriations as have been given for purely historical reasons to eight other committees; yesterday a motion to table was made and the amendment was tabled by a vote of 63 to 13. I wish to commend the Senator from Washington [Mr. JACKSON] for his consistency in this regard. He was one of the 13. He would like to see all committees have the same privileges to which only some committees are presently entitled.

However, I ask the other 63 Senators who voted differently yesterday—most of whom, I ask that the RECORD show, are not now in the Chamber—what their justification would be if they should now decide they want to have their cake and eat it too and perpetuate the present inequitable situation.

Mr. President, I am also faintly amused at the strenuous arguments made in support of having ex officio members from the Committee on Armed Services. I wish to point out that there are presently four members of the Committee on Armed Services who are also on the Committee on Appropriations. They are Senators RUSSELL, STENNIS, BYRD of Virginia, and SMITH. So there can be no doubt that within the confines of the Committee on Appropriations there are sufficient Senators who know what the Committee on Armed Services is up to when it is dealing with authorizations.

Mr. President, I would hope in due course that we could get away from what I believe to be the overemphasis of the military-industrial complex way of life, and get back to supporting adequately some of the Great Society programs which were cut substantially last year and, in essence, will be cut further this year. It never occurs to anybody, except a few of us, to suggest that the Committee on Labor and Public Welfare, which does not have the privilege of ex officio members, should be given that privilege because of the enormous sums which it authorizes every year in the area of education, the war against poverty, health, and a score of other measures.

Whenever anybody suggests that the Committee on Armed Services, which votes for preparations for war, should be placed in the same category as the Committee on Labor and Public Welfare, which votes for programs in the interest of peace and prosperity, the analogy does not seem to be appealing to certain Members of this body.

Mr. President, I have little doubt as to the outcome of the vote, but I will be amused to see the rationale by which Senators who voted against my amendment yesterday justify their vote against my amendment today.

Mr. President, I am prepared to yield back the remainder of my time if the Senator from Oklahoma [Mr. Monroney] is willing to yield back the remainder of his time.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

Mr. CLARK. Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time on the amendment having expired, the question is on agreeing to amendment No. 64 of the Senator from Pennsylvania [Mr. Clark].

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Maryland [Mr. Brewster], the Senator from New York [Mr. Kennedy], the Senator from Louisiana [Mr. Long], the Senator from New Hampshire [Mr. McIntyre], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I also announce that the Senator from Idaho [Mr. Church], the Senator from Mississippi [Mr. Eastland], the Senator from Minnesota [Mr. McCarthy], the Senator from Connecticut [Mr. Ribicoff], and the Senator from Florida [Mr. Smathers], are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster], the Senator from Mississippi [Mr. Eastland], the Senator from Louisiana [Mr. Long], the Senator from Florida [Mr. Smathers], and the Senator from New Hampshire [Mr. McIntyre], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott], the Senator from Hawaii [Mr. Fong], the Senator from Oregon [Mr. Hatfield], the Senator from New York [Mr. Javits], the Senator from Iowa [Mr. Miller], the Senator from Illinois [Mr. Percy], and the Senator from Texas [Mr. Tower] are absent on official business.

If present and voting, the Senator from Colorado [Mr. Allott], the Senator from Oregon [Mr. Hatfield], the Senator from Iowa [Mr. Miller], and the Senator from Texas [Mr. Tower] would each vote "nay."

The result was announced—yeas 17, nays 66, as follows:

[No. 13 Leg.]

YEAS—17

Baker
Bartlett
Brooke
Clark
Dirksen
Dodd
Griffin
Lausche
McGovern
Morse
Moss
Mundt
Pastore
Pell
Proxmire
Smith
Williams, N.J.

NAYS—66

Aiken
Anderson
Bayh
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Cooper
Cotton
Curtis
Dominick
Ellender
Ervin
Fannin
Fulbright
Gore
Gruening
Hansen
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Long, Mo.
Magnuson
Mansfield
McClellan
McGee
Metcalf
Mondale
Monroney
Montoya
Morton
Murphy
Muskie
Nelson
Pearson
Prouty
Randolph
Russell
Scott
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—17

Allott
Brewster
Church
Eastland
Fong
Hatfield
Javits
Kennedy, N.Y.
Long, La.
McCarthy
McIntyre
Miller
Percy
Ribicoff
Smathers
Tower
Tydings

So Mr. Clark's amendment No. 64 was rejected.

Mr. MONRONEY. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HOLLAND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 8

Mr. CLARK. Mr. President, I call up my amendment No. 8, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The Assistant Legislative Clerk. The Senator from Pennsylvania [Mr. Clark] proposes an amendment as follows:

> Beginning with line 12, page 14, strike out all to and including line 8, page 15, and insert in lieu thereof the following:
>
> "(c) No standing committee of the Senate or the House shall sit, without special leave, while the Senate or the House, as the case may be, is in session. A motion for leave for a standing committee to sit while the Senate or the House is in session shall be a privileged motion and shall not be debatable.".

Mr. CLARK. Mr. President, does the Senator from Oklahoma wish to propose a unanimous-consent request?

Mr. MONRONEY. I do. I thank the Senator from Pennsylvania.

Mr. President, I ask unanimous consent that debate on this amendment be limited to 30 minutes on each side, 30 minutes to be controlled by the Senator from Oklahoma, and 30 minutes by the distinguished senior Senator from Pennsylvania.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, I yield myself such time as I may require.

Mr. MONRONEY. Would the Senator like a record vote on this amendment?

Mr. CLARK. Yes.

Mr. MONRONEY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CLARK. Mr. President, for a number of years—since 1946, when the Legislative Reorganization Act was passed—it has been possible for a single Senator to prevent any committee of the Senate from sitting while the Senate is in session. This has crippled and handicapped the work of our overloaded legislative committees.

I think the Senator from Oklahoma will agree with me—and I ask him whether this is not the fact—that it was never the intention of the authors of the Reorganization Act of 1946, which the Senator, then a Representative, so skillfully guided through the other body, to permit a single Senator to prevent committees from sitting while the Senate is in session, but that this practice was established by a ruling of the Parliamentarian somewhat different from what the Senator from Oklahoma had in mind at the time?

Mr. MONRONEY. The Senator is absolutely correct. We felt it should require special permission for committees to sit during a session of the Senate, but we never had anticipated that a unanimous-consent rule would be applied. For that reason, we sought in our report, as the distinguished Senator from Pennsylvania seeks in his amendment, to make it easier for committees to sit while the Senate is in session, and particularly with reference to a prolonged debate, when the Senate is meeting for long hours and the ordinary meeting times of the committees cannot possibly be observed.

Mr. CLARK. I should like to note some of the testimony given by the Senator from Oklahoma at a hearing held before the Committeee on Rules and Administration back in 1963, which confirms the understanding we have both reached.

At that time the Senator from Oklahoma said:

> In the Reorganization Act we did not intend absolutely to prohibit the committees from sitting during Senate sessions except with unanimous consent only. We meant that they should not sit during Senate sessions without special leave. This leave could even be by a majority vote, without debate, or it could be by permission of the majority and minority leaders.

Now, what actually happens, as all Senators know, is that, whether or not for purposes of delay—and sometimes it is only for purposes of personal convenience—a Senator will either refuse unanimous consent for permitting committees to sit while the Senate is in session, or, even more frequently, he will advise the majority or the minority leader that if such a request is made, he wishes the majority or the minority leader, as the case may be, to register an objection on his behalf.

The end result is that while committees, during all of the sessions I have been a Member of the Senate, have been refused permission, time after time, to sit while the Senate is in session, on most occasions the matter never comes to a record vote on the floor. This is because the chairman of the committee or of the subcommittee, harassed and overworked, and desiring to get legislation out onto the floor, goes to the leader of his party and requests the leader to ask or permit him to ask unanimous consent that the committee may sit that afternoon or the next afternoon, and he gets word back, "Well, there is no use making that request, because Senator X has already indicated that he will not grant unanimous consent." So the request is never made.

This delaying tactic, never intended by the Reorganization Act, in my considered opinion each year holds up adjournment by anywhere from 2 weeks to a month, and I speak, I think, with some authority—at least the same authority which any other Senator would have—because this has happened time after time with committees on which I serve, with a consequent delay in the marking up of bills.

Two or three years ago, when the Senator from Idaho [Mr. CHURCH] was concerned about this matter, the Senate did adopt a modification of the present practice, which permitted committees to sit while the Senate was in session, but only during the morning hour.

This is a somewhat dubious blessing, since on some days the morning hour lasts 5 minutes or even less, and on some other days it lasts a good deal more than an hour; and nobody knows ahead of time how long it will last. So it is rather difficult to plan for a committee session.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield to my friend from South Dakota.

Mr. MUNDT. I was somewhat fearful that the Clark-Mundt axis, which was defeated in the rollcall vote a little while ago, would not last forever, but I am disappointed that its demise occurred so soon.

Mr. CLARK. I am as disappointed as the Senator from South Dakota, but I am not surprised.

Mr. MUNDT. I point out to the Senator from Pennsylvania that this package from the report of the joint committee does move substantially in the direction for which the Senator from Pennsylvania has been pleading. It is quite a different thing, may I say, to permit any one of a hundred Senators to get up and, with not much thought or consideration, object to the sitting of a committee, as against what we propose. It provides that all we need to do in order to have a committee sit while Congress is in session is to have both the majority leader and the minority leader concur.

I know what is in the mind of the Senator. He is going to say, "Well, that means that instead of each individual coming up and objecting, he will go to his respective leader and say, 'Please object in my behalf.'"

Granted that that might be an inclination, it is also true that we all recognize it takes leadership on both sides of the aisle to make the U.S. Senate operative, and the leaders are pretty effective people. If you go to them and say, "EVERETT or MIKE, I wish you would object on my behalf," and there is a real need to move forward with the business of the Senate, our leaders are going to say, "Well, now, just a minute. What is bothering you?"

The Senator would say: "Well, I cannot be there for this reason, or for some other reason." The leader will then try to argue with him and talk him out of it.

I think it will accomplish 50 percent of what the Senator desires if he permits it to stand as it is, whereas, if the Senator insists on having a rollcall vote each time, it would deprive those meritorious cases in which individual Members feel there is a real significant reason why the committee should not meet while the Senate is in session.

I spent about a half hour this afternoon discussing the bill with the respective members of our policy committee. There is serious objection to any change whatsoever because it would deprive an individual Senator, we felt, of the right to be sure that he is representing his State adequately on the Senate floor in a case in which he might have a dual responsibility.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. CLARK. Mr. President, since we are operating on rather limited time, I wonder if the Senator would be willing to have the time he is using on the colloquy be charged against the time of the Senator from Oklahoma?

Mr. MONRONEY. Mr. President, I shall yield back whatever time is not consumed, because I do not intend to use the full time allotted.

Mr. MUNDT. Mr. President, I think we have made substantial progress. I think it would be better to accept this progress and be sure that it is not something which is going to irritate a lot of Senators to the point that we lose everything we have gained in other areas, rather than to try to obtain this all at one fell swoop.

Mr. CLARK. Mr. President, if the Senator will change the word "substantial" to "some," I will agree with him. The rule brought in by the committee on which the Senator from South Dakota serves with such distinction as the ranking minority member does indeed make progress.

Without wishing to be unduly lyrical:

> Tomorrow, and tomorrow, and tomorrow,
> Creeps in this petty pace from day to day,
> To the last syllable of recorded time.

I doubt if that progress is much more than barely perceptible for the reasons which the Senator from South Dakota has just stated.

I point out that there is no feeling on my part that we would have very many, if any, rollcall votes.

The text of my amendment provides that a motion for leave for a standing committee to sit while the Senate or House is in session shall be a privileged motion and shall not be debatable.

I should think that 5 out of 10 of these cases would be decided on voice vote.

Mr. MUNDT. However, if we have some obstinate brother who is against having a meeting, the easiest thing to do on the Senate floor is to get a rollcall vote.

Mr. CLARK. The Senator is correct. It might take 20 or 30 minutes, and at the end of that time, in all likelihood, the committee would be given permission to sit.

The principal reason why the present rule has been advocated through the years is that if committees sit while the Senate is in session, then nobody will come to the floor to hear that deliberative debate for which this body is perhaps so justly noted through the ringing corridors of time.

I would think that perhaps the results of the debate in the last 2 or 3 days—which I think are typical of the Senate—might lay that ghost.

The Senator knows better than I how many committees are meeting at the present moment, with or without unanimous consent, but it took us the better part of an hour to get a live quorum today. And when we had a live quorum—if I may say so sardonically—and the Presiding Officer announced, as he is required to do, that a quorum was present, there were not enough Senators on the floor to get the yeas and nays. While the Presiding Officer was stating that there were 51 Senators present, in effect, there were not 11 Senators on the floor—another sardonic implication of our mores.

Mr. MUNDT. Is the Senator not arguing against himself when he says that, because if we have 51 Senators present on the floor, we are slowing down the committee work.

Progress is progress, and maybe we ought to try this for a year or two and see how it works before we try to change the rules. Otherwise, people who are really concerned about what might develop would be inclined to vote against the whole package, most of which I know the Senator from Pennsylvania supports, and much of which is certainly of a substantial nature.

Mr. CLARK. As the Senator from South Dakota has earlier said, the South Dakota-Pennsylvania axis is shattering. Perhaps we had better agree to disagree on this.

I must indicate before I close that this technique of one Senator being able to prevent committees from sitting has been used on a good many occasions as the adjunct of a filibuster, because when a little group of determined men desire to keep a piece of legislation favored by a majority of the Senate from coming to a vote, one of the screws to use—if I may borrow from the vocabulary of the torture chamber—is to deny permission to all committees to sit while the Senate is in session, with the end result that the whole legislative process come to a halt.

For myself, having watched with both amusement and sometimes dismay, I am well aware of the fact that there is hardly ever anybody on the floor to participate in debate in the Senate except at the time just before a bill is about to come to a vote.

Knowing, as I and I think most of my colleagues do, that the most important work of the Senate is done in committee and not on the floor, I would rather allow more time for work in committee, even if the results somewhat curtail floor attendance. We do not have the kind of debate which I suspect went out with Webster, Clay, and Calhoun. At least, we do not engage in it very often on the floor of the Senate.

I am happy to yield to my genial friend, the senior Senator from Florida.

Mr. HOLLAND. Mr. President, I thank the Senator for yielding.

I appreciate the eagerness of the Senator from Pennsylvania to offer amendments to the bill.

I wonder if the Senator realizes that the amendment he has just offered would afford one of the handiest tools for the filibusterers, whom I know he generally does not sympathize with, that he could possibly suggest.

Every Senator is a member of a committee or the chairman of a committee or of a subcommittee, and to make a motion for committees to be allowed to meet during the proceedings of the Senate, followed by an immediate request for a live quorum, would take up a tremendous amount of time.

If there were four or five Senators banded together, each of whom, one after the other, could make a motion—as they could, if this were a privileged matter—for the Senate to give consent for the meeting of their committee or subcommittee, followed by an immediate call for a live quorum I cannot think of anything which would be a more ready handmaiden to so-called filibusterers, which would not count as one of their two speeches on the pending business.

As the Senator knows, I have never been averse to filibusters under the rules, but I never expected my distinguished friend to suggest an amendment which is of such ready assistance to those who believe in unlimited debate and sometimes engage in filibusters.

I think this is exactly what this would result in being.

I wonder if the Senator has given consideration to that aspect of his amendment?

Mr. CLARK. I have. With all due respect to my good friend, the Senator from Florida, his logic completely escapes me. In the first place, no committee that desired leave to sit would ask for leave to sit unless a majority of its members, including in almost every instance the chairman of the committee or subcommittee, felt it was important for the committee to sit while the Senate was in session.

Therefore, in my judgment, the tactic which the Senator from Florida suggests, as a practical matter, would never arise.

On the contrary, when a few filibusters undertake to keep all committees from sitting, across the board, this does grind the legislative process to a halt.

I see that the Senator from Florida has gone to the desk to obtain the text of my amendment, and I will relieve him of the necessity of reading it by reading it myself:

> (c) No standing committee of the Senate or the House shall sit, without special leave, while the Senate or the House, as the case may be, is in session. A motion for leave for a standing committee to sit while the Senate or the House is in session shall be a privileged motion and shall not be debatable.

For many decades, the procedures and practices of the Senate have been that committee meetings are called by the chairmen. If the Senator thinks that my amendment is slightly obscure—I do not believe it is—and if I could be assured of his support if I were to amend it, I would be happy to interject into the language an amendment which would make it read like this:

> A motion for leave for a standing committee to sit while the Senate is in session may be made only by the chairman of the committee in question and shall be a privileged motion.

I believe that that language is quite unnecessary, because the clear implication, in the light of the practices of the Senate for many a long generation, is that no committee asks leave to sit unless its chairman and/or a majority of its members have voted, formally or informally, that they wish to sit because they have a heavy weight of legislative business they would like to dispose of.

Mr. HOLLAND. Mr. President, I appreciate the willingness of the Senator to effect a modification of his amendment. I would not expect him to do that, and that would not change my view.

I call the attention of the Senator to the fact that, as stated, his amendment would be applicable both to the Senate and to the House; that a provision of this kind, difficult as it would be to carry out in the House, where a rollcall to determine a quorum much less a rollcall to pass on the measure, takes so much time and is so time consuming, would, I think, be completely unacceptable to the other body, just as the amendment in its present form is unacceptable to the Senator from Florida.

I am stating my position very frankly and earnestly when I say that I think that this would be the best tool that the Senator could possibly offer for one interested in delay. For that reason and others, I oppose the amendment.

I stated yesterday that I would be against all amendments that would affect the Standing Rules of the Senate; and I believe that this amendment would in a way affect the standing rules, though it is not proposed as an amendment of a standing rule, now stated. It would amend the whole procedure of the Senate and would set up a privileged motion not now set up in that rule of the Senate which does name the privileged motions. So, it is an amendment of the standing rules.

I hope that the Senator will not insist upon his amendment.

I thank the Senator for yielding. He is always courteous.

Mr. CLARK. I thank the Senator from Florida for his unfailing courtesy.

May I say that insofar as the provision including the House is concerned, that language was inserted because a reference to the House is contained in the Monroney proposal. I thought it only courteous to include the other body in my amendment. I would not have any objection, if I thought it would result in more votes for my amendment—I am sure it will not—to eliminate all reference to the House in this regard.

The issue is very clear and very simple. The Senator from Florida was candid enough to state that he had other reasons than the one he advanced for voting against this amendment. I think he would also be candid enough to admit that those other reasons are perhaps of greater weight than the one he has just suggested.

The issue is very clear, and although this debate is taking place with practically no Senators on the floor, I should like to state the issue for the RECORD. The issue is whether one Senator shall be permitted to tie up the legislative business of the Senate for an indefinite period by the simple device of refusing unanimous consent to permit committees to sit while the Senate is in session. To me, this procedure is very difficult to justify.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. CLARK. I shall be happy to yield to the Senator from Texas, and I wonder whether he would like some time on his own.

Mr. President, how much time do I have remaining? I assume that the time taken by the Senator from Florida will be charged to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Pennsylvania has 10 minutes remaining.

Mr. MONRONEY. May I say that I am happy to yield some of the time reserved for us, if additional time is required for the Senator from Texas.

Mr. YARBOROUGH. My question will be friendly.

Mr. CLARK. Does the Senator wish time of his own, or does he wish to ask a question?

Mr. YARBOROUGH. If the Senator from Oklahoma says that he will yield some time, if we are using up the time of the Senator from Pennsylvania, I will ask him to yield some time for clarification.

My first interrogatory to the Senator from Pennsylvania is this: Under section 5 of rule XXV, as it now exists, a standing committee can sit during the morning hour, without special leave, while the Senate is in session. Is that statement correct?

Mr. CLARK. The Senator is correct. That is a recent amendment.

Mr. YARBOROUGH. That is the present law.

Under the amendment as proposed by the distinguished Senator from Oklahoma—the bill reported by the committee—that would no longer be the law. I refer the Senator to page 14, line 20 of S. 355, which reads:

> Any other standing committee of the Senate may conduct a hearing while the Senate is in session if consent therefor has been obtained from the majority leader and the minority leader of the Senate.

In other words, for a hearing. It could not be an executive session. Is not the proposed rule far more restrictive than the present rule?

Mr. CLARK. It certainly is more restrictive than the present rule.

Mr. YARBOROUGH. The proposed amendment of the distinguished Senator from Pennsylvania would relax slightly this great restriction on committee hearings while the Senate is in session, as proposed by S. 355.

Mr. CLARK. The proposed amendment would relax the restriction rather substantially, because it would apply not only to committee hearings but also to executive markups, and it would provide a procedure by which the will of the Senate could be promptly determined, as to whether a majority of those present and voting wished to accord the privilege of sitting to a committee while the Senate was in session. In other words, sitting while the Senate was in session would not be automatic. The request would have to be made, in the form of a nondebatable motion. But if—as I assume in almost every case—a majority of the Senate would wish to give that courtesy to a committee whose chairman asks for a committee to sit, I would think that the business of the Senate would be vastly expedited.

I say again that I believe we could adjourn every year anywhere from 2 weeks to a month quicker.

Mr. YARBOROUGH. I have a question which I do not think improper at this time for the senior Senator from Oklahoma to clarify. I should like to ask the senior Senator from Oklahoma whether the proposed amendment is not an amendment to the Standing Rules of the Senate.

Mr. MONRONEY. It is such a change. However, it deals with the organization of the committees off the floor of the Senate and is within the jurisdiction of our committee for that reason.

Mr. YARBOROUGH. Lines 9 and 10 of page 15 read:

> Paragraph 5 of Rule XXV of the Standing Rules of the Senate is repealed.

Is that not an amendment of the Standing Rules of the Senate?

Mr. MONRONEY. It is an amendment, but it does not deal with floor procedures. It merely provides that the work of the committees may be carried on with the consent of the majority leader and the minority leader.

We do not believe that this is a matter that comes under the prohibition clause of the resolution by which the joint committee was created, nor do we feel that the amendment of the distinguished Senator does, nor amendment No. 57 of the distinguished Senator from Texas, which almost parallels in its entirety the amendment that has been offered by the Senator from Pennsylvania.

Mr. YARBOROUGH. What the Senator has said is true. But my amendment was offered only to relax the stringent rule that is proposed.

It seems clear to me that the proposed amendment is a proposed amendment to the Standing Rules of the Senate which would repeal paragraph 5, and in lieu of that you have substituted in the preceding lines other procedures, in lieu of paragraph 5 of rule XXV.

Mr. MONRONEY. We feel that——

Mr. YARBOROUGH. That is not an amendment of the Standing Rules of the Senate when a rule is repealed and something else is substituted for it.

Mr. CLARK. What is the rationale of the Senator from Oklahoma [Mr. MONRONEY] in taking a step backward by refusing committees the right to sit during the morning hour?

Mr. MONRONEY. We are trying to permit them to sit for hearing purposes beyond the morning hour. In instances, such as where a witness has been brought in from out of town, the bells may ring after he has testified for 30 or 40 minutes. We feel that the morning hour amendment has been a slight degree of help, but we are seeking to open up the privilege of committees not being denied the opportunity to take testimony and hear witnesses after the morning hour.

No one is more keenly concerned with the entire program of the Senate to finish its agenda and to pass bills than the majority members and minority members working in agreement, because it is the proper thing to do.

Mr. CLARK. The Senator overlooks the fact that his purpose is defeated. The committees can sit in the afternoon while the Senate is in session, if not to hold hearings, to mark up bills. Now we have the right to mark up bills during the morning hour.

If one wished to resort to subterfuge one could send a member of the committee over to keep the morning hour going while other members are sitting there marking up bills. To my knowledge that has not been done, but it could be done.

Now, the pending bill would deny the right of the committee to sit during the morning hour, and I do not know why the Senator takes that position.

Mr. MONRONEY. The hearings consume 80 percent of the time of the average committee. We tried to push it up to allow the greatest amount of time for committees to bring forward the bills for final passage. We think that by allowing committees to conduct hearings in the afternoon, the consideration of bills will be expedited.

Mr. CLARK. Mr. President, I wish to say to the Senator from Oklahoma, that this provision refusing to allow committees to sit is usually invoked toward the end of the session for the purpose of delaying controversial bills from coming to the floor which are in the process of being marked up in committee. Sometimes hearings have been completed for weeks.

The proposal of the Senator is quite significant. Perhaps it is a step backward by denying the committees the Church amendment which was adopted several years ago. Even if my amendment is defeated I think that the Senator from Oklahoma should amend his own amendment so that we would not lose the benefit of the Church amendment which the Senate adopted after an overwhelming vote 2 or 3 years ago.

Mr. MONRONEY. That was in lieu of permitting committees to have longer sessions. I was in on that committee, as was the Senator from Pennsylvania, I believe. We discussed it a great deal and we found that the best way available to us to accommodate the committees to get their work done during a filibuster, or when committees were denied unanimous consent to meet, was to permit it during the morning hour. That was not what we wished. We wished to open up the whole day to them unless there was a valid objection to them sitting while the Senate was discussing something of such great importance that the leadership or the majority of the Senate determined the committee should be present to hear.

Mr. CLARK. I believe that we are at cross purposes. My plea to the Senator from Oklahoma is that it is quite unnecessary for him to repeal the present provision in section 5 which permits committees to sit without restriction during the morning hour.

The Senator could very easily amend his own section, if he will. If the Senator will look at page 15, lines 9 and 10, we would have a situation where the Senator would give slightly greater authority to committees to sit while the Senate is in session for the purpose of taking testimony, without repealing the present provision which allows them to sit, not only for the purpose of taking testimony but also for marking up bills, during the morning hour.

I wonder if I have made myself clear to the Senator from Oklahoma. I think that what the Senator is doing is inadvertent and he did not intend it.

Mr. MONRONEY. We are not trying to restrict the right of the committee to meet and take action in reporting a bill. The morning hour seemed unnecessary to us for that purpose since we had expanded the available time for hearings. The leadership would not deny the right of a committee to conduct hearings while the Senate is in session unless there was something of overriding importance on the floor of the Senate.

Therefore, although the morning hour is used to mark up a bill, the period of time between 9 o'clock and 12 o'clock usually exceeds by three or four times the length of the morning hour. Certainly in that period committees would have more time for markups than if they were limited to the morning hour.

Mr. CLARK. I am afraid that the Senator misunderstands me.

My plea to the Senator from Oklahoma [Mr. MONRONEY], assuming my amendment is defeated, is that he not repeal the privilege that is already existing. I have had experience after experience, and I expect that the Senator from Oklahoma has also, where a legislative committee comes in near the end of the session and attempts to mark up a controversial bill.

They come in at 10 o'clock and by the time that 12 o'clock arrives they are pretty close to coming to an agreement, or they might dispose of three or four amendments, vote on them, and come back the next day. Then, the bell rings, the chairman raps his gavel, and says that the committee has to be adjourned because the refusal of permission for committees to sit while the Senate is in session has been announced. Then, we get the morning hour and sometimes it lasts an hour. I have had instance after instance where that extra 20 minutes, 30 minutes, or 1 hour would have enabled us to report a bill or to dispose of amendments.

I wish to say again to the Senator from Oklahoma that my plea is simply to strike from his amendment lines 9 and 10 on page 15, which will leave the rules of the Senate as they are now, and add to that the salutary change which the Senator has recommended.

Mr. MONRONEY. As I understand the Senator from Pennsylvania, he would be agreeable to the language, providing lines 9 and 10, which do strike the morning hour, would be eliminated.

Mr. CLARK. I cannot say that I would agree to it. I have proposed my amendment; we have ordered the yeas and nays, and I am not permitted to modify it.

Mr. MONRONEY. The Senator would say that the two proposals are pretty much in line if the morning hour provision were restored; is that right?

Mr. CLARK. No.

Mr. MONRONEY. The Senator has given us persuasive reasons why, when near the ringing of the bell at 12 o'clock the committee may be nearing completion of the markup, it is only logical for any committee, knowing the exigencies of time and the will of the committee, to reach an agreement wherever possible.

Mr. CLARK. The Senator from Oklahoma [Mr. MONRONEY] may not be willing to do it, but I would like to have a rollcall vote on my amendment—and I know it will be rejected because there is no one here to hear the argument—and then I would like the Senator, in his good will and grace, to strike those two lines.

Mr. MONRONEY. Would the Senator proceed with his use of time while I confer with my ranking minority member on the committee?

Mr. CLARK. Yes, indeed. Perhaps we can have some more interesting debate.

Mr. YARBOROUGH. Mr. President, will the Senator from Pennsylvania yield to me for a moment?

Mr. CLARK. Why do I not yield on my time and the Senator from Oklahoma can have his conference?

Mr. YARBOROUGH. I should like to ask the distinguished Senator in charge of the bill if he would strike those two lines. If he does not, I have an amendment to offer although not exactly like that of the Senator from Pennsylvania; but if the Senator from Oklahoma does not strike those two lines, I shall wish to amend them in order to preserve the right of committees to meet during the morning hour. If lines 9 and 10, inserted in paragraph 5 of rule XXV, were to be deleted, I think the right of committees to meet during the morning hour would be preserved.

Mr. MONRONEY. Would that be satisfactory to the Senator from Texas?

Mr. YARBOROUGH. Then I would forgo offering my amendment.

Mr. MONRONEY. The Senator's proposal would be agreeable to me.

Mr. YARBOROUGH. Is that agreeable to the distinguished Senator from Oklahoma?

Mr. MONRONEY. As I understand it, the Senator from Texas would like to propose an amendment——

Mr. YARBOROUGH. I would propose an amendment to delete lines 9 and 10 on page 15.

Mr. MONRONEY. Certainly. I wish my distinguished colleague would delete it, but I should like to confer with the ranking minority member, because this is nonpartisan.

Mr. YARBOROUGH. I am trying to preserve the right of committees to meet during the morning hour. Otherwise, it would cripple some committees from meeting during the morning hour.

Mr. MONRONEY. The Senator has raised an important point, in that we oftentimes get close to agreements just as the bell rings and then we have to begin all over again. I think this is a matter which should be given careful consideration. I will therefore ask that the distinguished Senator from Pennsylvania continue to speak while I confer with the ranking minority Member.

Mr. CLARK. Mr. President, I would suggest, instead of that procedure, that the absence of a quorum be suggested and that the time not be charged to either side; and if the Senator from Oklahoma can come back with some such agreement, and if we could perhaps make some legislative history with respect to the majority and minority leaders' attitude of mind when these requests are made, then I might be willing to ask unanimous consent to withdraw my amendment.

Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, as a result of the discussions between the Senator from Oklahoma [Mr. MONRONEY], the Senator from Texas, the Senator from South Dakota [Mr. MUNDT], and myself, I am going to ask unanimous consent to withdraw my amendment, even though the yeas and nays have been ordered, in order to state an agreement modifying the amendment of the Senator from Oklahoma which we have reached.

I therefore ask unanimous consent to withdraw my amendment.

The PRESIDING OFFICER (Mr. BAYH in the chair). Is there objection? Without objection, it is so ordered.

Mr. CLARK. Mr. President, I ask for the attention of the Senator from Texas [Mr. YARBOROUGH] and the Senator from Oklahoma [Mr. MONRONEY].

We have agreed, I take it, that draftsmen shall rework the proposal of the Senator from Oklahoma which appears on pages 14 and 15 of S. 355 so as to provide that the present privilege for committees to sit during the morning hour shall be continued as requested by the Senator from Texas [Mr. YARBOROUGH] and myself.

It is further agreed that——

Mr. MONRONEY. And as it exists under the present rule of the Senate.

Mr. CLARK. The Senator is correct. Since that requires a degree of sophisticated draftsmanship, we will not agree to it today, but we hope to present a proposal which perhaps can be adopted by voice vote tomorrow.

Mr. MONRONEY. That is my understanding of the agreement we have reached.

Mr. CLARK. We also agreed, did we not, that, with respect to the provisions in the proposal of the Senator from Oklahoma, which reads as follows:

> Any other standing committee of the Senate may conduct a hearing while the Senate is in session if consent therefor has been obtained from the majority leader and the minority leader of the Senate

In giving that consent the majority leader and the minority leader will not be governed by the request of a single Senator to deny permission to sit, but will be governed by their independent appraisal of whether the expeditious conduct of the business of the Senate would be advanced by granting such permission?

Mr. MONRONEY. Of course, we cannot tell the majority leader or minority leader what they must do. That is within their capability. But I certainly am happy to join the distinguished Senator from Pennsylvania and the distinguished Senator from Texas in stating that it is the purpose of the language and the changes being made in the bill to eliminate the ability of one man, by denying unanimous consent properly made, to prevent a committee from sitting; that this possibility will be removed and we are acting for that purpose; and that in the representation of both the minority and majority parties we wish the leadership to speak for both parties and not agree to any suggestion made by a single Member that he would be better accommodated if leave to sit were denied.

I am sure the majority leader, charged with the task of getting the Senate out at a reasonable time at the end of the summer, would like to have this right. That is the reason we wrote into the bill reference to the majority leader and minority leader.

Mr. CLARK. I thank the Senator. I think we are all agreed.

Mr. YARBOROUGH. It is intended to accomplish in its effect the provision in paragraph 5 of rule XXV of the Standing Rules of the Senate as now in force. Is that correct?

Mr. MONRONEY. That is correct; to work it in the redrafting as it is in the rules now, as the distinguished Senator from Texas has himself proposed, quite correctly. I had overlooked the situation that oftentimes, when we were near to getting action in committee, Members have been able to prevent action. This will take care of the amendment that has been proposed already to the Senate by the distinguished Senator from Texas.

Mr. YARBOROUGH. I invite the attention of the draftsman, in the rewriting, to my amendment which appears on page 1895 of the RECORD of January 30, 1967.

I thank the distinguished Senator from Oklahoma for the attention he has given these proposed amendments.

Mr. MONRONEY. I thank the Senator for his observations.

AN EVENING WITH WADE WILLIAMS

Mr. MORSE. Mr. President, an article concerning an outstanding coach in my home State appeared in the Oregon Journal on January 20, 1967. Mr. George Pasero, Journal sports editor, described the reunion held to honor Mr. Wade Williams, former teacher and coach at Lincoln High School in Portland.

A large crowd of his former students turned out to spend an "Evening with Wade Williams" and, as Mr. Pasero noted:

> It's astounding, when you think of it, really, what influence one man can have on so many people. It's a tribute to the teaching profession, because Wade prides himself on having been a teacher—in the class room, in counsel and on the athletic fields.

I was pleased to note that my friend Bruce Fleetwood, former Senate subway car operator, was mentioned in the article. Mr. Fleetwood, who is now residing in Klamath Falls, Oreg., since his retirement from the U.S. Capitol Building, was a star 4-year quarterback at Baker High School under Wade Williams. He also lettered in track, baseball, and basketball. Both Bruce Fleetwood and his wife were students in Mr. Williams' classes in Baker, Oreg. I am sure my colleagues in the Senate remember Mr. Fleetwood and his friendly and courteous manner in performing his duties here at this building. His son, Mr. Wade B. Fleetwood, former executive secretary to Senator FRANK CHURCH and now associate director of the Partners of the Alliance Programs, Agency for International Development, in Washington, D.C., was named after Mr. Wade Williams.

Mr. President, I ask unanimous consent that the article from the Oregon Journal, together with one from the Oregonian for January 8, 1967, be printed at the conclusion of my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Oregon Journal, Jan. 20, 1967]

PASERO SAYS

(By George Pasero)

Bill Carney hates to admit how long ago it happened, but Wade Williams hasn't forgotten.

Williams' Lincolns were playing Grant in baseball and Wade had instructed his players to "take" the first pitch until he told 'em differently.

So what did Carney do? Oh, he just pasted the first pitch out onto 18th street for a homer.

"Ask him what happened when he came back to the bench after circling the bases," needled Williams. "He was all smiles and he had his hand out, but not one of us would shake it . . . Remember, Bill?"

Carney was quite a hitter for Lincoln, rapping the ball at an amazing .591 clip (still a PIL record) in 1938 . . . And then, of course, he went on to star at U-Oregon with Dick Whitman and John Bubalo as outfield teammates, at times . . . and later played some for the Portland Bevos.

Wade sometimes used girls as scorekeepers and someone suggested that was the reason for Carney's big average, but Williams says no, that the gals were tougher than boys in awarding base hits.

That first-pitch homer helped, anyway. But Bill still has to try to "explain" to Williams . . . "Aw," he grins at his old coach, "it looked like a basketball coming in there . . . really, Wade."

"An Evening With Wade" at Mrs. Murphy's Chowder House the other night was strictly A–1 . . . and the place was jammed not just by former gridders and baseball players coached by Wade but by women who recalled that Wade "taught them something, too" . . . good, sound values in life.

It's astounding, when you think of it, really, what influence one man can have on so many people. It's a tribute to the teaching profession, because Wade prides himself on having been a teacher—in the classroom, in counsel and on the athletic fields.

WADE REMEMBERS ALL

Now 74, Wade amazes his old students with his memory. He recalls the "little things" in his relationship with the boys and girls he guided at Lincoln . . . the oddities, the bits of humor that are part and parcel of athletics . . . and, yes, the tongue-lashings he gave the wrong-doers, who learned a lesson they never forgot. Oh, his athletes will tell you, Wade could be stern.

Good coaches are good teachers, of course. Bill Bowerman at Oregon makes the point as does Williams. The great Webfoot track coach has always considered himself a teacher, and, for many years carried a heavy class load as well as coaching.

It was strictly informal at Herman DeVault's place, and perhaps this is the best way to handle these tribute affairs . . . Williams had plenty of time to mix with "the Williams crowd" and thoroughly enjoyed himself before he got on his feet for some laugh-provoking reminiscenses.

There were people like Moe Jubitz ("If he wasn't my greatest pitcher at Lincoln, I'd say he was my smartest"), Bill Patrick of the famous Patrick twin combination (Bob and Bill), John Leovich, Chet Patton . . . Carl Lehrer, Len Linde, Jack Dunn, Milo Meskel, Philo Grimes, Bill Lowery, Vince Pesky, Tom Becic, Dr. William Acker, Bob Polich . . . and Arden X. Pangborn, all-city for Wade at Commerce High.

There were others from rival schools . . . saying hello . . . Vern Smith, Gene Tanselli (now OSU baseball coach), Andy Pienovi, Joe Huston, Fred Wilson of Lewis and Clark, where, said Huston, "Wade came up for a year to help out and won the only baseball title we've ever had."

And Charlie Orr, who coached at Grant against Wade . . . Len Gehrke. Doug Lowell, Maurie Smead, Dick Montgomery, Mrs. Jerry Margulis, Russ Allemang, John Maylie, John Granato, ex-Grant pitcher John Linde, Chapple King, Vere Windagle, ex-sports writer Al Gould, "Punch" Green, Wayne Strohecker . . . Al Lehrer, who is with Toronto as an infield hopeful for the Boston Red Sox . . . and Mrs. Lindsey Campbell, widow of the Jeff baseball coach who was Wade's counterpart for the Demos . . . and a couple dozen more, at least.

WHAT'S SO NEW ABOUT THE 'I'?

From Wade's old Baker teams . . . were Dr. Lynn Whipple, fullback in 1914, and Bruce Fleetwood, QB . . . who was on the original I-formation team . . . Yes, USC's Johnny McKay can't claim invention of the I, since the Baker men insist Wade used it way back when.

There were telegrams from Jim Partlow at Oregon Tech (. . . he was Wade's partner in late Legion coaching) and from Johnny Pesky, who now lives in Lynn, Mass., and is a Pittsburgh coach . . . It was L. H. Gregory, also in attendance, who influenced John to shorten his name from Paveskovich . . . for box score purposes . . . John and Wade have kept in close touch over the years.

It was a "loose group" and a fun evening, and, as Carney grinned, "Yeah, that's what he'd remember about me . . . that hitting a 'take' pitch."

[From the Sunday Oregonian, Jan. 8, 1967]

FETE SLATED FOR WILLIAMS

An informal evening and dinner to honor Wade Williams, former teacher and coach at Lincoln High School, has been scheduled for Tuesday, Jan. 17.

The "Evening With Wade Williams" will be held at Mrs. Murphy's Chowder House, 8130 SW Barbur Blvd., and those interested can call the restaurant for reservations.

Attendance will be restricted.

Williams, a long-time Portland resident who began his extensive coaching career in Baker in 1913, was a baseball and football coach at the old Commerce High and then at Lincoln.

The number falling under Williams' influence is great and many are business and prominent people in the metropolitan area.

PARK NAMED AFTER HIM

Mrs. Williams, the former Thelma Hollingsworth, was Portland's first Rose Festival queen in 1914.

For his work with Little League in the Baker area, Williams was honored in 1961 when the Little League park was named for him.

Among those receiving the benefits of Wiliams' talents have been pro baseball players Johnny and Vince Pesky, Eddie and Joe Erautt, Johnny Leovich, Dick Sinovic and current Chicago White Sox player Pete Ward.

Following his 1951 retirement from active high school and American Legion coaching, Williams was hired as a scout for the Portland Beavers.

SPEECH OF SENATOR MORSE READ AT ANNUAL MEETING OF EASTERN NATIONAL LIVESTOCK SHOW

Mr. MORSE. Mr. President, I ask unanimous consent that a speech on "Government and Agriculture: A Hard Look at the Political Future," which I was scheduled to deliver this noon at the annual meeting of the Eastern National Livestock Show at the Baltimore Holiday Inn be printed at this point in my remarks. The speech was read for me at the meeting because my duties in the Senate made it necessary for me to stay here.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

GOVERNMENT AND AGRICULTURE: A HARD LOOK AT THE POLITICAL FUTURE

(Remarks of Senator WAYNE MORSE (Democrat, Oregon) at the annual meeting of Eastern National Livestock Show, Inc., Tuesday, January 31, 1967, 12:30 p.m., Baltimore Holiday Inn, Downtown)

President Allen and friends: I am very honored that you have asked me to meet with you today to contribute whatever I can to your sessions.

To begin with, let me confess to you my biases in favor of agriculture. The popular word is convictions but as a part-time farmer in my own right, a small scale cattle rancher, in fact, I think that the correct word is bias. It is such a basic and emotionally held system of values that I question whether, in honesty, I could claim it as a purely rational set of convictions.

The tenets are these:

One: Agriculture is the indispensable base of our economy and our society. Unless most people can have enough to eat and decent clothes to wear, progress in other areas is irrelevant.

Two: Although rural life as a way of life is satisfying, in and of itself, the producer of food and fiber is, and should be, entitled to receive that fair return upon his investment of capital, labor and knowledge which is equivalent to the return that is received by other segments of our society who are engaged in such economic functions as the distribution of goods, the extraction and transformation of natural resources, manufacturing, or the purveyance of personal services.

Three: I have an appreciation of the interrelationship which exists between the farmer as the primary producer and merchants on the main street of our towns and cities which can be summed up by saying that when farm income falls at the farm gate, the cash registers stop ringing in Baltimore and Washington. When farm machinery sales stop, production can back up with job layoffs all along the line. Detroit today is acutely aware of decisions to postpone the purchase of automobiles.

Four: Greater than these material considerations, however, is my deeply rooted belief that it is truly immoral and a derogation of every ethical canon to misuse our resources, both natural and human, in such a manner that in this day and age we can knowingly let people anywhere in the world starve when we can—if we have the will to do it—apply our skills to raise the food and fiber that can help to alleviate these conditions at least until such time as we can bring to those peoples the knowledge that we have gained, which, if applied, can provide them with the capabilities of feeding and clothing themselves.

I have taken this time at the outset to give you my credo, because of my conviction that politics in a democracy is the method whereby the goals people establish for themselves can be achieved.

Let me make it clear at the outset that one of the major benefits of this discussion today, as I see it, is what I can learn from you during the question period and from the informal discussions I have had and will have with many of you. I sense that each of you has concerns about the livestock industry that is shared by Oregon cattlemen.

For years, I have preached to my colleagues my belief that Washington, D.C. has no monopoly on policy formation nor is it the sole repository of wisdom. As a Senator, one of my major responsibilities is to act as an advocate for the policies and programs that farmers and cattlemen feel will best provide solutions to the problems which affect them. As an advocate of such recommendations, I am only as effective as the briefing you, your colleagues and competitors give me. I have found that my colleagues in the Senate are more than willing to listen to, and be guided by factually based, rational considerations. More so than is generally recognized.

So it is my hope that you will individually and collectively provide me with your positions on the many issues affecting agriculture which will be raised in the coming year. I cannot give you an assurance that if you provide me with the facts that I will be able to win acceptance every time for your views, but I can assure you that the points you raise will be given a careful hearing by the Senators on the committee dealing with the problem and that, for the most part, consideration of your points will be a sympathetic one if you can make your case.

However, with respect to the agricultural policies which we adopt nationally, there are a few points that I should like to raise with you because I think they are important enough for you to want to take them under consideration. You have heard to the point of weariness that politics is the art of the possible. The considerations I raise are designed to sketch for you the boundaries and limitations as I see them, as to what can be achieved in the 90th Congress and thereafter.

The first is a demographic consideration. While I find it difficult to believe, I have it on the authority of the Republican Policy Committee study recently published that soon teachers will outnumber farmers as voters. What are the implications of this? Not the least is that, in terms of political strength in Congress, farmers and cattlemen need now, as never before to win support from political allies. Areas of agreement with other groups, such as labor and small business need to be widened. Common support given by farm groups to the specific legislative remedies sought by other groups to solve their problems can yield dividends in voting behavior on matters of primary concern to the cattleman. Farmers and cattlemen cannot go it alone. So the remedy lies in courting unity of action. It is easy to say that the consumer ought to pay more for the commodity he receives. I am tempted to agree, or better, I would be so tempted if I were not aware of the reaction in the supermarkets by the suburban housewife, and if I did not know how grievously this would curtail the food intake that can be bought by a welfare check or a social security annuity.

But I can see the benefits to both the beef farmer and the school child, especially the city central slum area school child, whose school lunch is enriched by a government program financing the distribution of meat from where it is produced to where it is consumed.

Food stamps and an increase in our productive acreage to produce a greater variety of high energy protein foods for our school children, the patients in our hospitals and our local, State and Federal institutions can and should be thought of as essentially an investment in a better America instead of being dismissed as great society frills.

We know, too, that the abundance which characterizes our American scene is localized, insofar as the world is concerned, and with the population growth all over the world rising as rapidly as it is, the prospect of famine over large areas of the globe come frighteningly close. In our own true national interest, I say we cannot afford to tolerate this prospect.

Our agricultural pre-eminence, based as it is on the work of the scientists who study in the federal laboratory at Beltsville, Maryland or at the great land-grant universities, those who labor on the demonstration farms or who man the laboratories of our agribusiness corporations, cannot continue if we shut off the funding of institutions such as these. Research feeds upon itself. It would be pennywise and pound foolish to make claims of budgetary savings by curtailment of these operations. It would be as foolish as an effort to end crime by closing our schools and applying teachers' salaries to the building of jails.

The point is that all of the problems we face are interrelated. Solutions in some of these areas will help to solve the problems of other areas. For cattlemen at this time, the problem is not how to grow more beef. That can be licked. The problem is how to finance the distribution of meat so that it appears on the tables of the hungry, here at home and elsewhere. That is a harder problem, but it can be met if measures which can command your support can also command the support of your allies in labor, our churches and small business.

Let me give you one area of federal financial expenditures which I believe deserves your support, in your own self-interest. In this session, when the federal budget estimates are debated in the Congress, I am sure there will be voices raised saying "we must cut—so let us cut down even more than the President on college construction assistance."

Your boys and girls, and those of your neighbors, want—and are better qualified for—higher education than any previous generation of American children.

If we curtail expenditures for the building of physical facilities of our colleges, we must realize that we are actually lowering the potential lifetime earnings of those young people who will be turned from the door of educational opportunity by the chilling verdict of "no more room at the inn." This means that the skills you need in your own communities will not be available, either because there was no opportunity to learn them here, or because the young men and women have gone elsewhere to gain their skills and will not come back. In either case your communities are impoverished in every sense of the word.

The pity of it is, doomsayers to the contrary, that America *is* rich enough, and confident enough of the future, to be able to fund all of these programs and many more. If we decide that is what we want to do, we can do it. The cost of a tax increase to raise the revenues to provide these services is far less than the hidden cost of self-impoverishment which will follow surely on the cutback in such programs. These are programs which, in the long run, not only pay for themselves but yield great dividends amounting to many times the original investment. Federal college construction grants are as seed corn planted on the loam of the campus.

The money we invest in the education of our young people through a program such as the work-study payments under Title IV of the Morse-Green Higher Education Act of 1965 is money wisely invested.

Ask yourselves if a budget cut which would eliminate scholastic opportunities to 25 or 30 students at this institution would be in your best interests as a community, or would it in the long run be a very expensive type of pseudosaving?

Let us look at another area.

I know of only one route to expand total agricultural capacity: research that opens opportunities for greater efficiency in the production, marketing, and utilization of farm products. Providing solutions for unexpected problems as they arise, and further improving procedures and products now used in providing the Nation's food, will be a part of this effort. But, in addition, we must extend research frontiers by findings ways of doing things that now are only theoretically possible.

One of the areas in which we must build upon the framework of theory with firm knowledge is in meat animal production. By the end of this century, we will have market demands for 70 to 80 per cent more meat than our farms are turning out; and even now, domestic output is not quite supplying current requirements. Neither land nor manpower may be available for raising these numbers of livestock if farmers must depend on present knowledge. Consequently, research must find ways of increasing the number of young raised per breeding animal, and ways of bringing livestock to marketable size with less food.

Improvements in livestock production have lagged behind those in crops. Livestock husbandry research *support* has lagged behind that for crop production. The closing of these gaps in support and technology is essential. And it is essential that we start moving faster, now.

Additional research is needed to improve reproduction rates of meat animals. In the Nation's breeding herds, 20 per cent of the beef cows and 15 per cent of the sows fail to produce offspring each year.

We must find ways to increase efficiency of feed conversion and carcass quality. Meat animals are receiving more and better feed now than they were 20 years ago, but the efficiency of feed conversion has not been materially improved. Livestock scientists can well be challenged by the phenomenal efficiency reached by the broiler industry. A pound of broiler meat can be produced with as little as 2½ pounds of feed but it takes 10 pounds of feed for each pound of beef marketed. Ruminants probably cannot be made to convert feed as efficiently as poultry, but whatever progress we can make will stretch the supply of feed grains and allow us to use more land to grow food. In addition, there is a need for research on meat-type animals that carry less fat and yield meat cuts that more nearly suit consumer preferences.

In order to intensify research efforts to solve some of these problems, the U.S. Department of Agriculture is establishing a National Meat Animal Research Station near Clay Center, Nebraska. Eventually the station will maintain about 5,000 cattle, 10,000 sheep, and 3,500 hogs. The Congress has already provided funds for initial construction, staffing, and development of land and farm operations. These activities have been started, and approximately 1,000 sheep and 1,500 head of beef cattle have been assembled.

The Department has been conducting beef cattle research at Front Royal, Virginia since 1949. Emphasis of the work is being continued on breeding to improve characteristics of economic importance, such as growth rate and conformation. This research is developing knowledge and improved stock that especially benefit Eastern producers.

In addition, the Department's scientists are carrying out approximately 300 research projects on livestock and poultry production and related problems at the Beltsville Agricultural Research Center and at various locations throughout the country.

A number of these projects are in basic research. Much of the technology needed to solve the problems facing the livestock industry depends upon a better understanding of fundamental animal biology and other physical aspects of livestock production. Part of the investment in basic research can be applied immediately in the solution of today's important livestock problems, but full return may not come for 10, 20, or even 30 years. However, without constantly pushing forward the frontiers of knowledge in animal sciences, we cannot hope to make today's theory a reality in the future.

For these reasons, USDA is conducting basic research in such fields as animal cell metabolism and reproduction, enzymes, blood antigens, physiological bases for heredity, and microbiology of the rumen and intestines.

In addition to these pioneering studies and the research to cut costs of production, the Department is continuing research on better ways to protect livestock from diseases, parasites, insect pests, and toxic plants and materials. In utilization research, Department scientists are concerned with developing new and improved meat products and improving the efficiency of processing these products.

To show what can be accomplished when a responsive and concerned democracy wants to help people, let me review some of the progress Farmers Home Administration, a government lending agency, has made in helping to recapitalize and revitalize rural America:

In fiscal year 1960, the Farmers Home Administration made less than 300 farm ownership loans totaling $43 million to help small farmers purchase farms or to enlarge their land holdings to more efficient size. Six years later the same agency was able to make more than 14,000 such loans for a total of more than $233 million.

And mark this: a recent survey of FHA borrowers shows that over a five-year period the average farm ownership loan borrower has increased his gross farm income from $9,000 to more than $17,000. This shows you what a combination of credit and wise and sympathetic supervision can accomplish in strengthening the economic position of our family farmers.

Many people do not know this—but nearly half of all the substandard and dilapidated housing in America is to be found in rural areas where less than one-third of our population resides. With the help of new housing programs passed by Congress the Farmers Home Administration is doing something about this. Since January 1, 1961 through June 30, 1966, the Farmers Home Administration has made over $850 million in loans to improve rural housing compared to $180 million loaned in the previous six years.

Under current authorities, FHA can now maintain an annual loan rate of about $400 million for rural housing and this is the equivalent of nearly 40,000 new homes each year, benefiting nearly two million rural people during the next decade. This also means providing some 30,000 man-years of on-site employment in rural areas—areas where unemployment and underemployment is usually high.

One more item of progress: Prior to 1961, the Farmers Home Administration loaned less than a million dollars a year to assist small rural communities to construct needed central water supply systems. In this day and age, most people take water and sewer services in their homes for granted. It is considered a basic necessity for minimum standard of living. But did you know that there are more than 30,000 rural communities in America that do not have these basic facilities? Is it any wonder, then, that we have a massive migration of rural people to our congested cities—crowding already overcrowded ghettos and creating Watts-like areas in nearly every major city?

To attack this problem, the 89th Congress passed the Rural Communities Facilities Act which authorizes the Farmers Home Administration to make loans and grants to rural communities up to 5,500 population to construct or improve their water and waste disposal systems. By helping to rebuild our rural communities, we can, at a minimum, halt or at least slow down the migration of rural people to cities. By providing these facilities and by improving rural housing we can make these communities attractive places for people to live and attractive to new business and services.

Some day, very soon, we must give the people of this Nation a right to choose where they want to live. A generation from now we will have twice as many people in this country than we had in 1960—something like 350 million. We can't pack or stack them all in our cities without explosive and disastrous results. We must find places for these additional millions of people to live—places that have the same quality of environment and economic opportunity that our cities afford.

And herein lies the challenge before us. While we have made measurable and encouraging progress in the past six years to strengthen our agriculture—to improve our rural communities and alleviate rural poverty, we still have so very, very far to go.

Let me cite a few facts and figures that are dismaying and discouraging. In the 1954 Agricultural Census, Oregon had over 54,000 farms. Ten years later, according to the most recent agricultural census, Oregon has a little over 39,000 farms, and, of these, only 21,500 can be classified as operating "commercial" farms—meaning those with annual cash marketings of $50 or more. Somewhere—somehow—in one decade—this State has lost more than half its farms. Nationally, we lost more than a million family farms.

And while it is ironic to note that while we are permitting—perhaps even encouraging—the elimination of farm family agriculture in this country which has been the envy of all the world for its miraculous efficiency, Soviet Russia, according to a recent article in the Washington Post, is now thinking seriously of abandoning its collective-type agriculture and is now experimenting seriously with a family-type agriculture. A Russian newspaper says "the land is no longer an orphan but responds to its master"—the family farmer, in other words.

The loss of our family farms in this nation will continue if something isn't done about it. And good farm prices—as important as they are—won't stop the trend. And our farmers have never received real parity of income. This is true not only in this country but in the underdeveloped nations. Only a combination of good prices and adequate sources of credit at reasonable terms can save our magnificant farm family agriculture.

Farmers cannot keep going in a tight money situation when they have to pay interest rates that approach the usury level and face the prospect of paying an extra three per cent if their payment is delayed. The burden is too great. This type of credit policy in our democracy cannot be tolerated.

In this day and age farmers need an enormous amount of operating credit to stay in business. Since 1960, the need for short term and intermediate operating credit has doubled.

As farmers go into the 1967 crop year, they face two serious major problems. One: they are being asked to put an additional 26 million acres back into production so we can replenish our stockpile of food reserves and to meet our increasing food commitments abroad—to famine-ridden countries like India. Just to finance the production costs of these 26 million additional acres will require an additional $2.5 billion in operating capital.

The second problem is this: where are the farmers going to get the needed operating credit? Already, operating credit is tight because of current money policies. Local banks are running low on funds. Dealer and local supplier credit is tight and very selective. Only the best risks can get the money. The general lending policy, whether banks or local dealers, is: if you fit, you are in—if not, you are out.

I was informed by the Farmers Home Administration that its operating funds for the State of Oregon were exhausted as of January 1st of this year; it is not able to process any more applications for operating loans. And farmers in my State have not even begun to start putting in their crops.

Last year, Congress increased the operating loan authorization of the Farmers Home Administration to $350 million. But the Bureau of the Budget has reduced this by $75 million.

Rather than cutting it back, circumstances warrant that operating loan funds for the Farmers Home Administration should actually be in the neighborhood of $700 million—and this would only represent about five per cent of the total operating credit farmers will need in 1967.

To deny a farmer a source of adequate operating capital these days is to deny him the right to farm and the right to make a living. If this credit isn't made available, then you will see a continued massive exodus of family farmers out of Oregon and in every other State in this nation. Further, this lack of credit can seriously endanger this nation's capacity to produce sufficient food and fiber. I say it is a risk we cannot afford to take.

Tight money and high interest rates are seriously hampering progress in improving rural housing. In my State of Oregon alone, we have over 55,000 rural homes in either serious deteriorating condition or so dilapidated they are unfit to live in. At the rate of $10,000 per home, it would take $150 million just to replace the 15,000 dilapidated rural homes in Oregon. It would take another $300 to $400 million to improve, remodel or replace the other 40,000 substandard homes in rural Oregon. This would require more loan funds than the Farmers Home Administration has available for the whole United States.

I could go on. But this gives you some idea of the staggering problems that face rural America. I say that if we can afford to spend $2 billion a month to fight an undeclared war in Vietnam, we can afford to invest a few billion a year to provide decent housing, attractive communities, adequate health and education opportunities and jobs for our rural people.

Does it makes sense to you to cut back in the name of the budget on programs such as these? These are programs of investment in our most precious national resource, the human beings who make up this country.

If you share the point of view I have expressed here tonight, what can you do? You can let your representatives in Congress know how you, as voters, feel. Your letters and telegrams, your interviews with them when they visit with you, both here at home and in Washington, can be very helpful to all concerned. In my judgment, by expressing your convictions to your elected representatives you are fulfilling the primary duty of citizen-statesmanship.

I have touched upon only a few points. There are a great many areas equally worthy of detailed discussion. Policies regarding curtailment of services provided by the Rural Electrification Administration, the Soil Conservation Service, the Bureau of Land Management, the Bonneville Power Administration and the Forest Service, to name a few, are under review.

But if I am right in my premise that under our system of government the political process is the engine to be directed by the people to do collectively the work they wish done that cannot be done or done as well individually—this is the political doctrine that Lincoln, among others, has preached—then the decisions that you and other concerned citizens take, and the actions you follow up by taking, in sessions such as this all over the country, can result in the ends you want being accomplished.

Government is choice, it is said. Make sure that you have a voice in determining that choice so that your ends are served. Count the long range costs of your choices among the alternatives that are offered. If you do, it is my belief that the hard common sense which informs your decisions with respect to your individual operations will incline your decisions on the national issues to select the alternatives designed to assure relative abundance in your lifetime, and for the lifetime of your children and grandchildren.

I thank you.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT TO DEMOCRATIC SENATORIAL CAMPAIGN COMMITTEE

Mr. MANSFIELD. Mr. President, for the information of the Senate, and especially the Democratic Members of the Senate, I wish to announce that, after consultation with the senior Senator from Washington [Mr. MAGNUSON] and the distinguished junior Senator from Hawaii [Mr. INOUYE], and with their concurrence, the leadership announces the appointment of the distinguished junior Senator from Maine [Mr. MUSKIE] as chairman of the Democratic Senatorial Campaign Committee, and the distinguished junior Senator from Maryland [Mr. TYDINGS] as the vice chairman of that committee.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PARADOXES OF SOUTHEAST ASIA

Mr. DOMINICK. Mr. President, the recent speech by my distinguished colleague, the Senator from Missouri [Mr. SYMINGTON], commenting on the need to redirect the use of our airpower in North Vietnam and the ensuing colloquy between the Senator, Senator TOWER, Senator PEARSON, Senator BYRD, and myself hit some responsive chords throughout the country. More and more of the American public are expressing their impatience with the way this war continues to drag on, despite the fact that we are dealing with a relatively small country and despite the fact that we have numerical superiority on the ground and overwhelming superiority in the air and on the sea.

Each day brings new casualties to our men, to our allies, to our enemy and to noncombatants. Each day the war continues will bring still more casualties and perhaps at an accelerated rate. It is only natural that people should question our apparent lack of success and that the Lorelei cries of "Get out of Vietnam," "Ban the Bombing," "Vietcong Si—Yankee No" should beguile ears tired of hearing from the highest level that we are making great strides in southeast Asia but seeing no visible evidence to back such a conclusion.

We are told that this is a political war. We are told that it is a limited war. We are told that we are reacting to Communist aggression. We are told that we are proving that aggression does not pay.

We are told that the war is supported, supplied, and led by North Vietnam. Then we are told that we cannot knock out North Vietnam and have no hostile intentions toward that government.

We declared a quarantine of Cuba in 1962 when not a single American soldier was in that country and enforced it against all nations. With over 400,000 Americans committed in Vietnam we permit external supplying of North Vietnam, the stated key to the puzzle.

We are told that the Red Chinese are supplying the North Vietnamese and then we find that the Soviet Union and its European allies are, in fact, supplying the vast majority of supplies and equipment to North Vietnam.

We are told that North Vietnam produces very little of its own war supplies and equipment, but we are prohibited from blockading the country to prevent those war supplies from being shipped in by the Soviets.

While the Soviets supply the North Vietnamese with the equipment used to kill our own people, we are told to approve a policy enlarging our own trade with the Soviets and to approve a treaty adding to our security problems.

While our flyers attack empty trucks on a lonely dirt road in North Vietnam, they are prohibited from attacking the ships bringing in these supplies.

While we have more men committed in the Vietnam conflict than we have had in any other overseas conflict in our Nation's history except for World War I and World War II, we are told that we are not at war.

We are told that this is a fight for the future of freedom in Asia, but there are remarkably few Asians fighting on our side.

We are told by the "Ban the Bombing Boys" that we are hurting North Vietnamese noncombatants, but we are not told of the thousands of noncombatants in South Vietnam who have been mutilated and murdered by the Vietcong.

We are told by the "Get out of Vietnam Gang" that we have no business in Asia, but we are not reminded that without the strength and ideals of the United States, there would be no free Philippines, no free South Korea, no free Taiwan.

We are told by the "Vietcong si—Yankee No Nuts" that this is a peoples revolution in the cause of peace, but we are not told that the Vietcong recruit by hacking off the arms and legs of a villager, hanging him on a hook, disemboweling him, leaving the carcass to dry in the sun.

We use B–52 strategic bombers on tactical targets in South Vietnam and tactical bombers on supposedly strategic targets in North Vietnam.

Mr. President, the paradoxes of this struggle could be listed endlessly.

But there is one point on which the vast majority of Americans are agreed. If we are to commit the cream of our young men to hostile fire in foreign territory, let us use maximum effort to make their period of service as short as possible.

If cutting off North Vietnam is the key to success, let us get on with the job

Let us use our superior air and sea power to prevent external supplying of the enemy by the most feasible methods. Let us use our air power to hit strategic targets in North Vietnam; let us prevent a long drawn out ground war in Asia; let us affirm for America and the world, that a war for freedom, whether our own or for people of another country, cannot be half won on the battlefield or at the negotiating table. Freedom and independence are not divisible, Mr. President.

WEST VIRGINIA MINERAL OUTPUT INCREASES

Mr. BYRD of West Virginia. Mr. President, for the fifth consecutive year West Virginia minerals output has increased, with a valuation for 1966 of an estimated $868.5 million, an increase of $9 million over the total for 1965. Coal accounted for about 85 percent of the 1966 total.

We of the Mountain State are proud of the sustained productivity of our State, and I wish to call attention to the report entitled "Mineral Output" which was carried in the January 26 issue of the Roane County Reporter, Spencer, W. Va.

I ask unanimous consent that this newspaper article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Roane County Reporter, Spencer, W. Va., Jan. 26, 1967, 40th Annual Oil and Gas Edition]

MINERAL OUTPUT

MORGANTOWN, January 10.—West Virginia minerals output for 1966 was valued at an estimated $868,511,000 by the U.S. Bureau of Mines and the West Virginia Geological Survey. This is the fifth straight year an increase was recorded over the previous year, and the value is the highest since 1957. The value of mineral production for 1966 was $9 million higher than that of 1965. Coal accounted for about 85 per cent of the total value.

Coal production increased to an estimated 149,400,000 tons, about 200 thousand tons higher than in 1965. Most of the increase was used for electric power generation. Coal prices increased somewhat during the year.

Increased production also was reported for natural gas, petroleum, and natural gasoline. Natural gas output was over 212 billion cubic feet and petroleum production exceeded 3½ million barrels.

Output of liquefied petroleum gas was somewhat less than in 1965.

Materials for the construction industry—cement, sand and gravel, and crushed stone—all reported small increases in production over 1965. Limestone was used in great quantities as crushed stone for building purposes and as flux by the steel industry. Lime production increased sharply.

Clay production increased slightly and its markets remained firm. Salt production decreased a small amount, but salt brine reversed its downward trend with output about double that of 1965.

CRIME VICTIMS

Mr. BYRD of West Virginia. Mr. President, newspaper headlines reporting on the rising crime rate in the United States occur so frequently that the general public perhaps no longer really thinks in terms of the dreadful effects of these crimes upon the lives of the victims and their families. Yet, these effects often continue long past the actual time of the criminal act.

Two years ago a major crime was committed in the metropolitan area of Washington, D.C., which involved a young girl from West Virginia who was living and working in a suburban area of our Nation's Capital City. On January 22 of this year, an article in the Evening Star, Washington, D.C., entitled "Brenda Sue Still Can't Talk," pointed out the tragic condition—2 years later—of this victim of an unknown assailant who brutally beat and robbed her in January 1965. The victim's continued helplessness is costing her family heavily in heartbreak and dollars.

So that the details of this terrible crime may be related to the report on the lingering effects, I have secured a copy of the Evening Star article which originally reported the crime on January 26, 1965.

I ask unanimous consent that these newspaper articles be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington, (D.C.) Evening Star, Jan. 26, 1965]

POLICE SEEK CLUES IN BEATING OF GIRL

Brenda Sue Pennington, 19, found unconscious in her Arlington apartment yesterday from a severe beating, remained in critical condition today under police guard at Arlington Hospital.

She has not regained consciousness, hospital authorities said.

Police said they would continue questioning the girl's friends and acquaintances today.

Miss Pennington, unclothed from the waist down, was found by D. R. Davis, an owner of the apartment building in the 1600 block of North Oak Street, after her employer said she failed to report for work.

Her telephone—off the hook—lay beside her. "I feel sure she tried to use the phone," said Det. Sgt. Walter Kadel. "That she tried to call for help."

WINDOW UNLOCKED

Commonwealth's attorney William J. Hassan added that, this definitely was not accidental.

The door to the one-bedroom apartment was slightly ajar and one window was unlocked. Splotches of blood were on the bed and around the girl's neck.

Miss Pennington, a native of Quinwood, W. Va., moved to the Washington area about 11 months ago and worked at the Howard Research Corp. in Rosslyn as a keypunch operator, a trade she also taught evenings at the Temple Secretarial School.

She had been struck a number of times on the head on Sunday between 9 p.m. and midnight, police say.

Her parents, Mr. and Mrs. D. S. Pennington, arrived here last night and spent the night near her bedside.

Detectives said a girl friend of the victim is the last person who talked with her—at 7:30 and again at 7:45 Saturday night.

The victim was planning to have a small party that night, according to police, and invited the girl friend and four other young men and girls. But those invited were unable to arrange transportation and the party was called off.

The persons invited were among several whom police questioned yesterday.

A co-worker who lives in the same apartment building as Miss Pennington told police the girl's door was ajar at 6 p.m. Sunday and again yesterday morning, but that she did not investigate.

TOLD HER BOSS

The woman, Mrs. Edward Hampson, became concerned, however, when the Pennington girl failed to show up at work by 10 a.m., and mentioned the open door to her boss.

When he failed to reach the girl by phone, he went to the apartment building, found Davis, and entered the apartment with him.

A cousin of the victim, Melvin Pennington, 24, who also lives in the building, said she had a rule of never opening the door without finding out who was calling or securing the night latch.

Police have not been able to account for a television set missing from the apartment. An antenna attachment to the set was found in the front yard.

[From the Washington, (D.C.) Sunday Star, Jan. 22, 1967]

TWO YEARS AFTER BEATING: BRENDA SUE STILL CAN'T TALK

(By Brian Kelly)

During the night two years ago Tuesday, someone slipped into Brenda Sue Pennington's Arlington apartment. When that person left, a heavy glass decanter, her purse and a portable television set had disappeared.

And Brenda Sue, 19, pretty, blonde, typical in many ways of Washington's single working girls, was left apparently for dead on the bedroom floor next to a telephone with the receiver off the hook.

In a brutal beating, possibly with the missing decanter Brenda Sue suffered severe brain damage that has changed her life and that of her parents, Mr. and Mrs. Dennie S. Pennington of East Rainelle, W. Va.

GAIN AND THEN A LOSS

You call Mrs. Pennington and find out how it is.

"Well, she's doing fairly well," says the mother.

"She doesn't talk, she doesn't help herself in any way, she stays in bed mostly, sometimes she watches TV.

"You can hold something up, and she looks at it, but you don't know . . ."

A year ago, Brenda Sue had learned to say "Mama" again. But a common cold last summer set her back. "She lost all she had gained," says the mother, who stays home all day now to tend her only child.

Pennington still runs a small trucking business. His daughter of 21 years hasn't learned to call him "Daddy" again. The mother is the only one she can call, and that's sometimes with a sound rather than a word.

"I can be anywhere in the house and hear her."

How about Brenda Sue's friends? Does Mrs. Pennington hear from them?

"No, not really. Brenda Sue's friends have forgotten that she's a friend."

Once in a while the Arlington residents who established a bank fund to pay for Brenda Sue's medical costs write the family. A nurse at Arlington Hospital, where the girl was a closely guarded patient for weeks, keeps in touch.

Russell Runyon, the detective assigned to the case two years ago, offered a $500 reward of his own for information leading to the girl's assailant. Now retired, he is another correspondent who hasn't forgotten.

"It's worse than murder," said Runyon a year ago. "They took that life from her at 19."

WE'LL MAKE OUT

How about the bank fund? How much is left of the $10,000 for Brenda Sue?

"We had enough to cover the doctor's bills," Mrs. Pennington says. "I'm not sure how much is left. Almost all of it's gone, I just keep writing the checks . . .

"We're not much worried about the money. If that runs out, we'll make out somehow."

And you talk to the Arlington police and ask them if their investigation of the beating has progressed.

"We have nothing new on it. We haven't had anything new to go on.

"It's still an open case."

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INVESTIGATION OF THE APOLLO TRAGEDY

Mr. ANDERSON. Mr. President, last Friday evening we had a tragic accident at Cape Kennedy in which three astronauts lost their lives. This is the first fatal accident involving Apollo hardware, although three astronauts had been killed previously in jet aircraft while assigned to the program.

The National Aeronautics and Space Administration has established a formal board of inquiry to review this accident in accordance with its established procedures. This investigation is now under way under the direction of Dr. Floyd Thompson, Director of the NASA Langley Research Center. Dr. Thompson is supported by technical experts from NASA headquarters and field installations as well as by experts from other Government agencies, the industrial community, and the President's Science Advisory Committee.

In view of the nature of this tragedy and its potential impact on the national space program, as chairman of the Committee on Aeronautical and Space Sciences, and with complete agreement with the ranking minority member, the senior Senator from Maine, we have decided it is essential that the committee undertake a full review of this accident.

Our purpose will be to examine the facts surrounding the accident. We will, of course, be especially interested in the recommendations and action taken to prevent a reoccurrence. The committee will review other related aspects of NASA's stewardship of the Apollo program as may be necessary to accomplish the above objectives. Mr. Webb, Administrator of the National Aeronautics and Space Administration, has been advised of the committee's intentions in this area.

I have directed the committee staff to undertake such background study as may be appropriate at this time and to keep currently informed on the progress of the NASA inquiry, with the full understanding that these actions will not in any way impede the NASA formal inquiry. It is our judgment at this time that committee hearings and other subsequent action by the committee on this matter will be dependent on the findings of the NASA Board of Inquiry and committee staff studies that I mentioned.

It is our purpose in undertaking this course of action that all aspects of this tragedy be assessed in an objective framework both with respect to its cause and to how it relates to the national space program and our effort to establish the preeminence of this Nation in space.

In taking these actions, the committee will fulfill its responsibilities to the U.S. Senate and to the American people.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 56 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, February 1, 1967, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 31, 1967:

DEPARTMENT OF TRANSPORTATION

Everett Hutchinson, of Texas, to be Under Secretary of the Department of Transportation.

John E. Robson, of Illinois, to be General Counsel of the Department of Transportation.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 31, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Trust in the Lord with all thine heart; and lean not unto thine own understanding.—Proverbs 3: 5.

Dear Lord and Father of mankind, our spirit's unseen friend, make Thy way known to us as we bow in Thy presence. May this moment of prayer be an open door to the reality of Thy spirit and as we look up to Thee may we find our strength renewed, our souls restored and be given courage and wisdom for the living of these days.

Endow us with one mind to do justly, to love mercy, and to walk humbly with Thee, and in so doing to promote the welfare of all our people. Give to us and to all our citizens a love for truth, a passion for doing our duty, and a dedication to Thee which will hold us steady amid difficult times. In the name of Christ, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 2. Concurrent resolution continuing the Joint Committee on the Organization of the Congress.

APPOINTMENT TO COMMITTEE TO INVESTIGATE NONESSENTIAL FEDERAL EXPENDITURES

The SPEAKER. Pursuant to the provisions of section 601, title 6, Public Law 250, 77th Congress, the Chair appoints as members of the Committee To Investigate Nonessential Federal Expenditures the following members of the Committee on Ways and Means: Mr. MILLS, of Arkansas; Mr. KING of California; Mr. BYRNES of Wisconsin; and the following members of the Committee on Appropriations: Mr. MAHON, of Texas; Mr. KIRWAN, of Ohio; Mr. BOW, of Ohio.

APPOINTMENT OF MEMBERS OF U.S. GROUP OF NORTH ATLANTIC TREATY PARLIAMENTARY CONFERENCE

The SPEAKER. Pursuant to the provisions of section 1, Public Law 689, 84th Congress, the Chair appoints as members of the U.S. group of the North Atlantic Treaty Parliamentary Conference the following members on the part of the House: Mr. HAYS, of Ohio, chairman; Mr. RODINO, of New Jersey; Mr. RIVERS, of South Carolina; Mr. CLARK, of Pennsylvania; Mr. BROOKS, of Texas; Mr. ARENDS, of Illinois; Mr. CHAMBERLAIN, of Michigan; Mr. BATES, of Massachusetts; Mr. FINDLEY, of Illinois.

APPOINTMENT OF MEMBERS OF FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Law 372, 84th Congress, as amended, the Chair appoints as members of the Franklin Delano Roosevelt Memorial Commission the following members on the part of the House: Mr. THOMPSON of New Jersey; Mr. MURPHY of New York; Mr. HALPERN, of New York; Mr. KUPFERMAN, of New York.

APPOINTMENT OF MEMBERS OF PUBLIC LAND LAW REVIEW COMMISSION

The SPEAKER. Pursuant to the provisions of section 3, Public Law 88-606, the Chair appoints as members of the Public Land Law Review Commission the following members on the part of the House: Mr. BARING, of Nevada; Mr. TAYLOR, of North Carolina; Mr. UDALL, of Arizona; Mr. SAYLOR, of Pennsylvania; Mr. BURTON of Utah; Mr. KYL, of Iowa.

APPOINTMENT OF MEMBERS EX OFFICIO OF BOARD OF TRUSTEES OF JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

The **SPEAKER**. Pursuant to the provisions of section 2(a), Public Law 85-874, as amended, the Chair appoints as members ex officio of the Board of Trustees of the John F. Kennedy Center for the Performing Arts the following members on the part of the House: Mr. WRIGHT, of Texas; Mr. THOMPSON of New Jersey; Mr. FRELINGHUYSEN, of New Jersey.

APPOINTMENT OF MEMBERS OF U.S. TERRITORIAL EXPANSION MEMORIAL COMMISSION

The **SPEAKER**. Pursuant to the provisions of section 1, Public Resolution 32, 73d Congress, the Chair appoints as members of the U.S. Territorial Expansion Memorial Commission the following members on the part of the House: Mr. KARSTEN, of Missouri; Mr. HAYS, of Ohio; Mr. CUNNINGHAM, of Nebraska.

THE LATE HONORABLE JAMES J. HEFFERNAN

Mrs. **KELLY**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. **KELLY**. Mr. Speaker, I regret to announce the death of a former Member of the House of Representatives, James J. Heffernan.

Mr. Speaker, to Mrs. Adrian Driggs—Patricia Heffernan—the daughter of a great gentleman, I extend my sympathy on the death of her dear father, James J. Heffernan.

James J. Heffernan served as a Member of Congress for 12 years. He was an able Member of this august body and one who was held in great respect and esteem by his colleagues. He was a reserved, quiet man, possessing great dignity. This dignity was carried into every phase of his life. It was a reflection of his rearing, of which there was none better. It reflected his loyalty to all men. It reflected his kindness, his love of his neighbors and friends.

James Heffernan, for many reasons, possessed keen insight into the needs of the people and was always sought for his views on problems, projects, and issues of the day. His judgment was sound and his actions just. This body and his constituents lost a noble Representative when he retired.

I was proud to know him. I was happy to have him for a friend—not only of mine but for a long time of the Kelly family.

One can truly say of Jim Heffernan, "You devoted your life to the good."

Mr. **ROONEY** of New York. Mr. Speaker, I was deeply saddened to learn of the passing of my longtime friend and colleague the Honorable James J. Heffernan. For 12 years Jim Heffernan represented the people of the old 11th Congressional District in Brooklyn and they were indeed well represented. He was a quiet, highly intelligent and gentle man who brought to this body a vast store of knowledge. Jim Heffernan was no newcomer to Brooklyn when he was elected to the House of Representatives. His family settled in Brooklyn before the War of 1812 and he himself had been a district leader in the Park Slope area of Brooklyn for 17 years before coming to Washington.

Mr. Speaker, 15 years ago on the sad occasion of his departure from the House of Representatives, I said of Jim Heffernan:

> Jim has always been a quiet, unassuming, kindly, capable gentleman, respected here in the House by all of his colleagues and in the Borough of Brooklyn by all its citizens.

This was true to the end of his days. To his daughter, Patricia, and her family, I extend my deepest sympathy and prayers.

GENERAL LEAVE TO EXTEND

Mrs. **KELLY**. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the life and public service of James J. Heffernan.

The **SPEAKER**. Is there objection to the request of the gentlewoman from New York?

There was no objection.

THE PRESIDENT'S AIR POLLUTION MESSAGE

Mr. **ADAMS**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. **ADAMS**. Mr. Speaker, I wish to address myself to a subject which has become a plague on our land—the pollution of our atmosphere.

Air pollution is of major concern to all Americans. We in the great Northwest who cherish our fertile fields and forests are becoming more and more aware of the grime and filth of polluted air.

Air pollution is partially a natural phenomenon, but today its true danger is caused by man—by people driving automobiles—by factories and powerplants burning sulfur-bearing fuels—yes, even by our good neighbors burning their trash or leaves.

Part of the pollution in the atmosphere is contributed by industry. One of the industries at which the finger is often pointed is the pulp and paper business, and my State, Washington, is one of the many States which manufacture pulp and paper. Many of these industries are now spending substantial amounts of money to correct this situation. Much more needs to be done, and because of this I welcome and support the President's recommendations for methods of improving the quality of our air.

There has been considerable resistance by some segments of industry to the installation of air pollution control equipment. The resistance that I am talking about is based on reasonable economic grounds. Why, says the industrialist, should my State require that I install expensive air pollution control equipment when my competitor in the next State is not required to? The piecemeal institutions of such controls could not only sadly affect one company's business, it could tip the scales in a corporation's decision about which State it chooses to build a new plant in. Under the provisions of the Air Quality Act of 1967, minimum emission control levels would be established for the entire country, and the necessary burden of the expense of controlling air pollution would put no industrialist at an economic disadvantage with his competition.

I also welcome the financial support which the act gives to research in the field of air pollution. While it is true that we could control the pollution from, say, our pulp and paper mills, it is also true that our control techniques are in their infancy and that a great deal of research and development is needed before they reach the level of efficiency and economy we hope for.

In Washington we recently passed a Seattle-King County air pollution control resolution which was reported on November 10, 1966, and I applaud the enabling legislation which was passed in the last legislature authorizing this, but it must go further. It does not cover automobiles, yet we know and national studies confirm that of the approximately 133 million tons of material being dumped into the U.S. atmosphere each year, transportation—basically the auto—accounts for 85 million tons, manufacturing, 22 million tons; electric, coal, and power generation, 15 million tons; space heating, 8 million tons; and burning of refuse, 3 million tons.

Industrial air and water pollution must be controlled, but the basic megalopolis air and water polution must be also. As we found with controlling our pollution of Lake Washington, this takes areawide jurisdiction and execution. Seattle receives approximately 33 to 35 tons of dustfall per square mile per month. On 50 to 100 days per year, atmospheric stagnation occurs in the Puget Sound region. In our State we should have new legislation such as suggested by Professor Rossano to deal with the problems of the whole "airshed."

Nationally we have some areas such as New York where the problem is multi-State. In those areas we will have to have either State compacts or national legislation. Earlier this month several of us introduced legislation to accomplish this, and we support the President's position as outlined in his message.

Let no one imagine, however, that we can afford to wait until we know everything before we do anything. The menace is real, and it must be countered with our best effort now. We must see that the Air Quality Act of 1967 is made an effective tool, if we are to avoid disaster.

PERSONAL INCOME TAX EXEMPTION SHOULD BE INCREASED

Mr. RHODES of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, today I am introducing legislation which would increase the personal income tax exemption for each member of a family from the present $600 to $1,000. It has been 20 years since the $600 individual exemption was set by Congress. I believe it is time that we take steps to liberalize the exemption to keep pace with the cost-of-living increases which have occurred since 1947.

In my judgment, the $600 exemption should be increased before Congress considers the 6-percent surtax which the administration has proposed. I believe a $400 increase would provide equitable relief for middle- and low-income families. Following is a detailed analysis of this proposal in an editorial from The Machinist written by one of our Nation's most able union leaders Ray Siemiller, the President of the International Association of Machinists and Aerospace Workers:

In All Fairness

Washington, D.C. is buzzing about an increase in income taxes. The President called for a six percent surtax—meaning an increase of six percent of the tax you now pay. Business editors and conservative economists are talking about a five percent across-the-board increase in the tax rates.

They say a tax increase will kill two birds at once: it will drain off purchasing power and prevent prices from rising still higher; and, it will help to finance the war in Southeast Asia.

Trade union members know that every citizen should pay his fair share of the tax burden. We support the effort to stop Communist aggression in Southeast Asia. Also, we would rather pay taxes than suffer a depression or a runaway inflation.

But the tax law should be fair. For the past 30 years, the burden of taxation has been steadily shifted from the rich to the middle and lower income families.

Shifting of the tax burden has been accomplished by clever loopholes written into the law. Loopholes enable millionaires to cut their average tax payments to 24 percent of their gross income, instead of the 90 percent which they claim.

The shift of the tax burden has been accomplished by freezing the individual exemption at $600 per person. That exemption means practically nothing to wealthy families. As the cost of living climbs—and your wages rise to meet it—the frozen exemption means higher and higher taxes to wage earning families.

CAN YOU RAISE A CHILD ON $600 A YEAR?

Back in 1947, twenty years ago, Congress set the personal exemption at $600 for each member of the family. In theory, this was the minimum amount needed for a decent standard of living and should not be taxed.

In 1947, this $600 exemption gave a tax free income of $2,400 to the average family of four.

At that time, the trade union movement protested that the $600 exemption was too low. But, if it was right in 1947 it is outrageously outmoded today. The cost of living has risen nearly 50 percent in the past 20 years.

The IAM believes that in the field of taxation, the first order of business for Congress should be to increase personal income tax exemption from $600 to $1,000. This simple act would provide a tax-free base of $4,000 for a family of four.

In 1939, before World War II, the personal exemption for income tax purposes was $2,500 for a man and wife and $400 for each child. This gave the average wage-earning family $3,300 in tax free income—in 1939 dollars. To equal that level at today's cost of living the exemption would have to be raised to $2,000 per person or a total of $8,000 in 1967 dollars.

If the exemption were $1,000 now, a family of four making $8,000 per year would pay $500 instead of $866. You could pay a surtax and still give a break to a family with young children.

INCOME TAXES FOR THE WEALTHY HAVE BEEN REDUCED

The tax law is now riddled with loopholes through which the wealthy have reduced their tax burden, while yours was going up. For example:

1. Before World War II, the "community property" privilege which allowed income to be divided between husband and wife was restricted to a few states. Since 1947 it has been made universal. It saves a working man only a few dollars. But, it gives thousands of dollars in tax reduction to someone with a $100,000 income.

2. Many corporations give stock in their company to executives instead of cash bonuses. If the executive holds the stock for six months he can sell it and pay only a capital gains tax of 25 percent instead of his normal income tax rate of two or three times that.

3. Corporations also supplement the salaries of executives by providing many nontaxable fringes including expense accounts, company-paid cruises, free daily luncheons, use of company cars, etc.

4. Oil millionaires for years have been able to salt away 27½ percent of their income tax free, before they begin to calculate their tax liability. Other industries have secured "depletion allowances" since 1947.

5. Family trusts enable the very wealthy to evade legally the progressive features of the income tax law. They put stocks and bonds in their children's names enabling the children to get the dividends or interest and thus dividing the family income five or six ways so the income tax rate is only a fraction of what it should be.

When the wealthy do not pay their share, the working people are stuck with the bill. You can't hide wages. They take your taxes out of your pay before you see your money.

FIRST THINGS FIRST

In simple justice, the long frozen personal exemption should be brought up to date before wage earners are asked for additional taxes. We have been patient and patriotic for 20 long years. We have seen the wealthy win concession after concession while they shift the burden onto working people. A young man today with two or three children is already carrying more of the load than he should. We are asking Congress to raise that personal exemption to $1,000 for each person in the family before they add any surtax.

Let your Congressmen know that you want the personal exemption raised to $1,000 before any tax increase is levied.

NO STATEMENT

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, critics outraged by civilian casualties caused by U.S. bombing in North Vietnam have little to say of similar events in South Vietnam.

The Baltimore News American wonders why. It quotes South Vietnamese Premier Ky:

> "What," he asked, "of the 7,277 South Vietnamese civilians that have been murdered and the 35,218 persons who have been kidnaped by the Communist Vietcong there during the past 5 years?"

The Hearst newspaper asks when the war critics, in America and abroad, will protest these atrocities.

So do I.

I offer the entire editorial for the Record:

[From the News American, Jan. 23, 1967]

Tell-Tale Silence

During his trip to Australia, South Vietnam's Premier Nguyen Cao Ky indignantly replied to those who have been criticizing the U.S. Vietnam war effort because some civilians have been unavoidably killed in our bombing of North Vietnam military targets.

"What," he asked, "of the 7,277 South Vietnamese civilians that have been murdered and the 35,218 persons who have been kidnaped by the Communist Vietcong there during the past five years?

"Doctors, priests, monks, welfare workers and nurses are slaughtered in cold blood. Bus loads of small children going to school and housewives going to market are blown up. Village elders are mutilated, farmers knifed to death."

Premier Ky asked a good question. What about it indeed? We are still waiting for our vociferous war critics—both at home and abroad—to make some statement or protest on the unspeakable atrocities being committed daily by the Vietcong on their own people.

Our bet is we will have a long, long wait.

THE PRESIDENT'S PROPOSED AIR QUALITY ACT OF 1967

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, it is indeed a pleasure to present this statement in support of the President's proposed Air Quality Act of 1967.

Not long ago I toured the New York area by helicopter, approaching the city from the east, from Suffolk County where the air is comparatively clean and clear. On the western horizon hangs a strip of dirty brown haze made up of industrial smoke, gases, chemicals, auto exhausts, dust and soot. That is what we are breathing and have been breathing for years.

Must we wait for another national disaster before action is taken? A short journey back in time recalls the poisonous and deadly stench that settled over Donora, Pa., in 1948.

As a Congressman from Staten Island and Brooklyn, which is affected by air pollution traveling on the prevailing winds from industrialized New Jersey, I have been in the forefront of the fight for clean air for 4 years. During this time I have introduced and supported the Clean Air Act of 1963 as well as the amendments of 1965 and 1966.

Because air pollution is free to cross State and other political boundaries, we must develop the machinery to control air pollution as it really exists today. Regional air quality commissions to regulate and control air quality must be established. These commissions would have the responsibility of establishing and enforcing regional air quality levels no less stringent than the minimum levels published by the Secretary of Health, Education, and Welfare. The development of such levels will enable industry to know to what extent they must control their sources of pollution. Experience has shown that it is not realistic to expect industry and the public to support strong State and local emission levels without assurance that similar action be enforced elsewhere.

Passage of President Johnson's air quality legislation will provide the necessary assurance. With it, we can get on with the job of clearing the air in every region of the country.

COMMENDING THE GOVERNMENT OF GREECE FOR ACTION AGAINST CAPTAINS AND OWNERS OF SHIPS TRADING WITH COMMUNIST CUBA

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I would like to take this time to commend the Government of Greece for action against captains and owners of ships trading with Communist Cuba.

Last week the Greek Government initiated legal action against captains and owners of 12 Greek vessels who have continued to trade with Cuba despite the directives of their Government.

I am sure that the American people are gratified that we have such an ally as Greece. At the same time I would like to commend the Greek Government for their action in backing our request that no free world nation trade with North Vietnam. There has not been a single ship under Greek registry enter a North Vietnam port since June of 1966.

I only wish that England, who is supposedly our closest ally, would take similar action in barring her ships from the ports of Cuba and North Vietnam.

Greece is equally dependent upon trading as is England. But the Government of Greece has put the moral issue of communism versus democracy above the dollar.

It would appear that England listens to the talk of the dollar, rather than the call of the freedom-loving nations of the world.

Again, I commend the Government of Greece in cooperating with the United States and the Organization of American States in enforcing the policy of economic isolation against Communist Cuba.

BIRTHDAY OF ROBERT E. LEE QUIETLY PASSED IN THE CONGRESS OF THE UNITED STATES WITH NO RECOGNITION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, I noticed in open session of the House on January 19, 1967, that the routine business was carried on but that no remarks were made from this Chamber on the birthday of a great American. Yes, the birthday of Robert E. Lee quietly passed in the Congress of the United States with no recognition. Some historians have written that Robert E. Lee was the greatest American that had ever lived. Dr. Frank Rose, president of the University of Alabama, stated there is no doubt Robert E. Lee had more feeling, more qualities than any other American.

One other outstanding Confederate general has a birthday in the month of January. I speak of Gen. Stonewall Jackson, whose birthday was on January 21. I mention these Confederate generals, Robert E. Lee and Stonewall Jackson, not to reopen the wounds of the War Between the States but to pay tribute to these men who had a cause and stood for their cause.

Mr. Speaker, under leave to extend my remarks, I include the following commemoration of the birthday of Robert E. Lee on January 19, 1967, with excerpts from Dr. Frank Rose, president of the University of Alabama, and Mr. Benjamin H. Hill:

ADDRESS OF DR. FRANK ROSE, KAPPA ALPHA-TRANSYLVANIA, PRESIDENT OF THE UNIVERSITY OF ALABAMA, AT THE KAPPA ALPHA CONVENTION IN MEMPHIS

Robert E. Lee was born the son of one of America's most distinguished Revolutionary heroes, "Light-Horse Harry" Lee, a gentleman of impeccable manners and flashing conversation, often mentioned as Washington's successor and as a member of the Continental Congress was the one who eulogized George Washington as "First in war, first in peace, and first in the hearts of his countrymen." His first wife had died early and he had married the lovely Ann Hill Carter, age twenty, and the daughter of one of the richest men in Virginia. This lovely lady was to become the mother of our spiritual founder, Robert E. Lee.

Henry Lee did not have the capacity to retire to the quiet and prosperous life, and soon after his marriage to Ann Hill Carter, he became involved in highly speculative land deals that lost all of the family resources and brought embarrassment to many of his old friends, among them Washington, Monroe and Jefferson. In the summer of 1813, he left his young wife and young son to take a chosen exile in the Barbados, never to see his family again.

Young Robert gave his every attention to his mother and the Episcopal Church and grew into a fine young man. By the end of 1823, he had completed the course at Alexander Academy and enrolled at West Point. He was an outstanding cadet, without demerits and with outstanding marks in all subjects taken. His service in peacetime was excellent and on September 1, 1852, he returned to West Point to become the ninth superintendent of the United States Military Academy. He rebuilt the Academy and inaugurated new courses and instituted new disciplines. In 1855, Lee was ordered to Texas, and it was six years later that he had to declare his faith to the Union or to Virginia. On April 18, 1861, Colonel Robert E. Lee was summoned to Washington and offered the Command of the Northern Army which he declined with a fervent appeal that all differences between North and South be settled without troops. General Scott asked for his immediate resignation, and a few days later, Lee reluctantly assumed command of the Northern Virginia troops.

The War took its heavy toll of Lee's men and his vitality, and following his surrender, he was offered many opportunities to reclaim fortune, but chose instead to become president of Washington College. He was so respected by both faculty and students that they would pause outside his home in the morning in the hope of speaking to him or to see him on his way to his office. Life was not to be kind in the aftermath, as extremists on both sides were to attack him until his death. He accepted his punishment with courage and won many strong friends and the praise of outstanding men on both sides. The New York Herald, in an editorial, submitted Robert E. Lee's name as the Democratic nominee for presidency of the United States on July 1, 1868.

What was it our founders saw in Robert E. Lee? One cannot read the volumes that have been written on his life without being greatly moved.

He was a man of great discipline. This is seen in his life even at an early age—in his care for the wishes of his parents, his attendance and attention to his Episcopal Church, his excellent mastery of subjects taken in school and at West Point, his devotion to duty as a soldier in the Mexican War and later as Superintendent of the Academy. He fought successfully for four years, outnumbered four to one, and with few of the instruments of war. He accepted defeat in honor, and refused great financial fortune to return to his native Virginia to begin rebuilding the lives of those who would become the leaders of tomorrow. His sorrows, he would not allow to become rancor; his defeat, not bitterness; his losses, not helplessness. For Robert E. Lee and his native South there were no Marshall Plans or Reconstruction Finance Corporation. There was no Point Four Program.

He returned home to teach his boys the manhood out of which reason prevails and intelligence conquers. With courage and wisdom and perseverance, he started rebuilding. The South was the frontier and he led the way. This is what our founders saw in Robert E. Lee and this is why they gave us our heritage.

He was a man of great character. Embarrassed by the conduct of his father in early life, poor in the midst of relatives that were rich, left with the care of a mother ill in health, and tempted by the frivolous ridicule of those his own age, he set his mind on higher goals and achieved most of them. He did not want to be a party to those who would destroy the Union, neither would he be made a party to those who would destroy the South. But he would defend his State of Virginia. He surrendered his slaves before the War. Grant did not free his until after the War. Our founders saw justice, goodness and Godliness in Robert E. Lee, and this is our heritage.

Further comments were made by Benjamin H. Hill commemorating the birthday of Robert E. Lee:

> "He was a foe without hate; a friend without treachery; a soldier without cruelty; and a victim without murmuring. He was a public officer without vices, a private citizen without wrong, a neighbor without reproach, a Christian without hypocrisy, and a man without guilt. He was a Caesar without his ambition, Frederick without his tyranny, Napoleon without his selfishness, and Washington without his reward."

WILSONS CREEK NATIONAL BATTLEFIELD

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, today I am introducing a bill whereby the authorized funds for development of the Wilsons Creek National Battlefield Park, near Springfield, Mo., would be increased. Identical bills to increase this authorization to $3 million are being introduced in the Senate by my two Missouri colleagues, Senators SYMINGTON and LONG.

These funds would be "earmarked" for further development of the park. This development would help establish facilities to accommodate the increasing number of park visitors, and would supplement the land acquisition policies of the State of Missouri which has been its part of this joint Federal-State project.

The second section of this bill would change the name of the park from Wilsons Creek Battlefield National Park, to Wilsons Creek National Battlefield. The purpose of this change is to conform with uniform nomenclature for all national parks, and it is requested by the Department of Interior.

In conclusion, Mr. Speaker, as one of the major engagements west of the Mississippi during the so-called Civil War, Wilsons Creek merits the fullest development. However, I think we are all aware of the budget problems this year. It is important to recognize that this bill is an "authorization," and that the appropriation for any single year will of course depend on the capabilities of the National Park Service, and their master development plan. With this in mind, I sincerely hope we can have hearings in both the House and Senate at an early date.

AGRICULTURAL EMPLOYEES UNDER THE FAIR LABOR STANDARDS ACT

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS of Mississippi. Mr. Speaker, there is some confusion among farmers relative to the coverage of agricultural employees in the amendments to the Fair Labor Standards Act adopted by Congress last year. The effective date of the amendments is February 1, 1967.

Whether a farm will be covered is generally determined by the test of whether 500 man-days of agricultural labor was employed in any calendar quarter during the previous calendar year. There are certain employees exempted from the man-day count as noted in the explanation I will place in the RECORD at the conclusion of my remarks.

The definition of employee as applied to sharecroppers or tenants has created misunderstanding. Generally, sharecroppers and tenants are covered under the law if their activities are closely guided by the landowner; and they are not covered if the landowner in no way guides, directs, or aids in management of the farming operation. The latter are independent-contractor sharecroppers. However, there is no single rule or test for making such a determination.

Mr. Speaker, many of us were fearful that the inclusion of agriculture in minimum wage legislation would be unduly burdensome by subjecting farmers to unnecessary regulation. I, therefore, voted against the bill in the House. Nevertheless, the majority of the House and Senate favored the principle of covering farmworkers and such is now the law. Because this is a total new experience to farmers, I would hope the Department of Labor would be sympathetic and understanding in administering this provision.

I include at this point excerpts from House Report 1366, 89th Congress, which explains the intent of Congress in regard to agricultural employees in the Fair Labor Standards Amendments of 1966:

> The bill amends section 13(a)(6) of the Act so as to extend minimum wage protection to 485,000 agricultural workers. They will remain exempt from the overtime provisions of the law. The minimum wage for covered agricultural workers will be $1 an hour beginning February 1, 1967; $1.15 an hour beginning February 1, 1968; and $1.30 an hour beginning February 1, 1969. Room, board, and other facilities customarily furnished employees by employers are "wages" according to their fair value or reasonable cost as provided for in section 3(m) of the Act.
>
> The committee is fully cognizant of its action in entering the area of agricultural employment. Opponents of this coverage constantly assert that agriculture is an area to which the minimum wage cannot be applied. By limiting the wage increase to $1.30 an hour, the committee is affirming its intention to follow closely the effect of minimum wages in agriculture. It is not, however, subordinating its belief in a minimum wage as a wage below which no employee should be paid. Likewise it is in no way implying that the wage floor for agricultural employees should lag permanently behind that of other protected employees.
>
> Of the agricultural workers to be covered, some 213,000 (44 percent), presently earn less than $1 an hour. Given the initial coverage of such workers at $1 an hour, the wage bill increase for agriculture will be $52 million.
>
> The method of covering agricultural workers received considerable attention. A dollar-volume test, such as that applied to enterprises, is inapplicable in an industry so subject to seasonal variation. The committee decided an equitable and administerable formula would be a test considering the quantity of labor used by an individual farm. This accounting procedure would reflect the variations of farm activity.
>
> Generally, only the employees of large farms will be covered. To be covered, an employee must be employed by an employer who used more than 500 man-days of agricultural labor in any calendar quarter of the preceding year. "Man-day" means any day during any portion of which an employee performs any agricultural labor. If the employer used more than 500 man-days of agricultural labor as specified, all of the employees on that farm are covered by the minimum wage. This is intended to provide protection to the employees of large agri-business enterprises. Five-hundred man-days is approximately the equivalent of seven employees full time in a calendar quarter. Therefore, it would generally require that a farm have seven or more full-time employees, a considerable enterprise in farming, before the employees receive minimum wage protection. The parent, spouse, child, or other member of an agricultural employer's immediate family are not covered.
>
> The calculation of man-days is not a simple count of all workers on a farm. The bill provides that certain agricultural employees not be included in the general count; that is, the labor of certain employees will not be recognized as increasing the man-day count. The employees who will not be included in determining whether or not an individual farm exceeds the 500 man-day criteria are—
>
> (1) the parent, spouse, child, or other member of an agricultural employer's immediate family; or
>
> (2) an employee who (*a*) is employed as a hand harvest laborer and is paid on a piece-rate basis in an operation which has been, and is customarily and generally recognized as having been, paid on a piece-rate basis in the region of employment, (*b*) commutes daily from his permanent residence to the farm on which he is so employed, and (*c*) has been employed in agriculture less than 13 weeks during the preceding calendar year.
>
> The latter category generally defines local, temporary employees, who work during a crop harvest. The committee did not intend to have the limited labor of these employees raise the man-day count above 500. The committee further believes that an individual employed in agriculture for fewer than 13 weeks should not be considered as an agricultural employee. The effect of including these employees in the man-day count would be to cover the employees of small farms which may utilize extensive local and temporary labor during a harvest season.
>
> It is intended that the minimum wage provisions of the Act be extended to certain sharecroppers and tenant farmers. The test of coverage for these persons will be the same test that is applied to determine whether any other person is an employee or not. Employer, employee, and employ, are all defined terms in the Act. Coverage is intended in the case of certain so-called sharecroppers or tenants whose work activities are closely guided by the landowner or his agent. These individuals, called sharecroppers and tenants, are employees by another name. Their work is closely directed; discretion is nonexistent. True independent-contractor sharecroppers or tenant farmers will not be covered; they are not employees.
>
> The Supreme Court (in *Rutherford Food Corp.* v. *McComb*, 331 U.S. 722 (1947) has made it clear that there is no single rule or test for determining whether an individual

is an employee or an independent contractor, but that the "total situation controls." In general an employee, as distinguished from a person who is engaged in a business of his own, is one who "follows the usual path of an employee" and is dependent on the business which he serves. As an aid in assessing the total situation, the Court mentioned some of the characteristics of the two classifications which should be considered. Among those are:

(1) The extent to which the services rendered are an integral part of the principal's business;

(2) The permanency of the relationship;

(3) The opportunities for profit or loss;

(4) The initiative, judgment, or foresight exercised by the one who performs the services;

(5) The amount of investments; and

(6) The degree of control which the principal has in the situation.

The committee fully subscribes to these criteria.

Testimony indicates that there are large numbers of so-called sharecroppers who are not allowed to make a single economic decision regarding the land upon which they live and work. For example, they do not decide what to plant, when to plant, when to harvest, where to purchase seed, or where to sell the product of their labor. For these people, the term "sharecropping" only denotes a means of compensation; it conveys no connotation of independence, individualism, or self-determination. On the other hand, there are true tenant farmers, who make basic economic decisions upon which rest the productivity of the farm and consequently the amount of their compensation. Generally these tenants operate farms owned by absentee landlords. They are unsupervised, make day-to-day decisions necessary to the running of the farm, and share in the profits related to the productivity, for which they are greatly responsible. Such persons are not intended to be covered by the Act.

Average hourly earnings in agriculture were 90 cents in 1964 in the United States. In some States the average falls below 60 cents an hour, and there are reports of wages of 30 cents an hour. Migrant agricultural workers had average annual earnings of only $868 in 1963, and this includes $211 earned during an average of 17 days of nonfarm work. In 1961, in households with three or more farm wage workers, the total year's farm and nonfarm earnings of these family members together averaged only $1,432. This is less than half of the $3,000 income level below which families are considered to be living in poverty.

The two top classes of farms (class I equals $40,000-plus and class II equals $20,000 to $39,999, total value of farm products sold commercially) include only 9 percent of all farms, but they produce 50 percent of all farm output. These two top classes of farms pay out more than 70 percent of the total annual farm wage bill. In fact, class I farms alone pay out more than half of the annual commercial farm wage bill. Very recent sample studies indicate that this concentration of agricultural production and hired labor on large farms has been increasing. Such cost increases, focused primarily upon the largest agri-business enterprises who tend to be the price leaders, would tend to create a more favorable competitive situation for family farm operators. The imputed wage for the family farm operator and his family would no longer be so drastically undermined by the tragic wages of workers on the largest farms. There were 2.6 million households in the United States that contained at least one person who did farmwork for wages in 1962. The total population of these households is 11.2 million persons. Forty percent of these households had an annual income of less than $2,000 and 56 percent of such households had annual income below $3,000.

Between 1950 and 1960 output per agricultural man-hour increased 69 percent compared with 23 percent in nonagricultural employment. From 1960 to 1964, the output per man-hour in agriculture increased 23 percent compared with 13 percent in nonagricultural industries. The labor of 1 farmworker supplied the farm products needs of 11 persons in 1940, 15 persons in 1950, 26 persons in 1960, and 33 persons in 1964. This has been accomplished through the use of improving farming techniques. Mechanical harvesting has made enormous strides and use of fertilizers and other chemical agents has grown rapidly. Despite this gain in productivity, wages of farmworkers have lagged far behind those of workers in nonagricultural industries. Not only have farm labor wages lagged behind those of other workers, but a widening of the gap between agricultural and nonagricultural wages has, in fact, occurred despite the fact that output per man-hour in agriculture was 2.7 times as great in 1964 as in 1947, while in nonagricultural industries it was 1.6 times as great.

The policy of the Fair Labor Standards Act is to provide a wage which will enable a worker to maintain a decent standard of living. If prices were to rise equally or faster than the rise in wages, the real earnings of workers would remain stable or decline. If the price of farm products were to rise more than wages as a result of the coverage of farmworkers, the intent of the legislation would be negated. Thus, the committee looked at the relation of the cost of field labor to the price of farm products to the consumer. The conclusion is clear. Field labor is a very small percentage of costs to the consumer. The cost of bringing seasonal agricultural wages up to the level of about $1.25 an hour is approximately equal to 1 cent per unit for most vegetables and fruits—per pound or per dozen or per head or whatever the ordinary unit may be. If retail prices go up more than that and if the increase is blamed on rising labor costs in the field, the American housewife should demand a complete and immediate congressional inquiry.

CONGRESSMAN ANNUNZIO OPPOSES RELIGIOUS PERSECUTION IN THE SOVIET UNION

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, I am reintroducing in the new Congress the resolution which I proposed last year to express the intent of Congress in support of freedom of religion for all people and particularly calling upon the Soviet Union to fully permit the free exercise of religion by Jews and all others within its borders.

The compelling need for introduction and enactment of this resolution is obvious. We need only to review the many harassments of the Jewish people which have occurred, the impediments that have been placed in the way of their religious observances, the opposition to the religious education of their children, and the restrictions which have been placed on the training of candidates for the rabbinate, to become aware of the oppressive religious persecution which exists in the Soviet Union.

The closing of places of worship, the prevention of religious education of children, and the severe restrictions on activities of rabbis and clergymen, together constitute a serious impairment of religious freedom which has always been regarded as a natural and inalienable right of man. Denial of freedom to worship, wherever and whenever it occurs, is a crime against our common humanity and a violation of the noblest aspirations of the spirit of man.

Last year the House of Representatives passed legislation similar to my own bill and referred it to the other body. Unfortunately, the Congress adjourned before further action could be taken. It is my hope that this year prompt consideration can be given to my resolution in order that its early enactment may be insured.

Mr. Speaker, I urge my colleagues to join together in their support of this resolution in order that we may reaffirm to the Soviets and to all nations our belief that mankind the world over has the inherent and inalienable right to be free from oppression and religious persecution.

PRESIDENT'S MESSAGE ON OUR ENVIRONMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. MILLER] may address the House for 1 minute and revise and extend his remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MILLER of California. Mr. Speaker, in today's special message on our environment, the President spoke of new steps to explore the oceans and develop their resources. I commend the President for his emphasis on the oceans, and I look forward to receiving his further recommendations for new directions in our marine sciences activities. For 7 years, the Congress wrestled with the problems of intensifying our oceanographic activities in harmony with our national goals and of mobilizing the efforts of some 11 Federal agencies with different but related missions in the seas.

Last year the Congress and the President agreed on a new statutory base of policy and purpose, on ways and means to develop a comprehensive and cohesive program of marine sciences. Of special importance was the establishment of a Cabinet-level Council to advise and assist the President in translating the many recommendations of the past for strengthening our ocean activities into action programs. Having introduced the original bill in 1960 to establish such a body, I am particularly pleased with the initiatives of the President and Vice President in imparting momentum and unity to our programs.

Our efforts in the oceans have unusual promise for international cooperation—cooperation that contributes to world order, to economic growth here and abroad, and to social benefit. We are well on our way to exploring space and the stars, and we have established an international framework for promoting the peaceful and cooperative exploration of space. Now as we unravel the secrets of the ocean depths, I am pleased to see that the President is taking the lead in similarly developing an international framework for promoting cooperation in the seas.

SUPREME COURT NULLIFIES LOYALTY OATH

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, the Supreme Court, like the Communist Party, is increasingly involving itself in the use of subtleties to prepare the unsuspecting citizen for the coup de grace. It would appear that on some occasions the High Court and the Communist Party are running a parallel course toward the eventual death of this Nation by a slow and deliberate process. Only Monday of last week a decisive boost along this fatal path was made possible by the Court in a 5-to-4 decision nullifying State laws designed to curtail subversives in the teaching profession.

The irony of the Court's decision is that it failed to go all the way in voiding individual State loyalty oaths and procedures. This is comparable to the avowed current American Communist Party line; that is, to make a foothold through gradual infiltration. Neither the Court's decision regarding loyalty oaths nor the Communist Party's infiltration is overt, but this bathos is more dangerous to our security than a full-scale revolution, because it goes on without a great deal of fanfare.

As incredible as it may seem the Court based its decision this week on the great misnomer, "academic freedom."

Mr. Speaker, I would ask just whose academic freedom the Court is speaking of? The Communist Party recognizes no such theoretical concept as "academic freedom." Communist dogma, by its very nature, is opposed to academic freedom. Such a term in Communist states has been relegated to oblivion, along with such concepts as freedom of belief and freedom of the press. Of course, the Court has to write a majority opinion, but it does seem that some reason other than "academic freedom" should have been used. The Court, in striking down these loyalty oaths on the basis of academic freedom, is sowing the seeds for the eventual destruction of all freedom, including that of academic freedom.

I do not profess to be a clairvoyant, but I do feel that unless the Warren Court is restricted in its legislative activity by judicial interpretation, this Nation will lose its ability to protect itself from internal subversion. After all, it was best expressed by a member of the Court himself, Justice Clark, who said in the minority opinion that:

> The majority has by its broadside, swept away one of our most precious rights; namely, the right of self-preservation.

Mr. Speaker, only this past week the largest newspaper in South Carolina had a very excellent editorial regarding the Supreme Court's decision. At this point I would like to include this editorial as a part of my remarks.

[From The State, Columbia, S.C., Jan. 25, 1967]

ACADEMIC LICENSE

The U.S. Supreme Court has ruled (another 5–4 decision!) that New York state may not fire or refuse to hire public school teachers—or any other civil servants—solely because they are members of the Communist Party.

Thus, New York's entire teacher-loyalty program and the state's 1939 civil service law provision which made membership in the Communist Party sufficient grounds to fire or not to hire public employes goes out the window.

"Our nation is deeply committed to safeguarding academic freedom," said Justice William J. Brennan, Jr., for the majority. "That freedom is therefore a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom."

Evidently, Justice Brennan hasn't had much chance, lately, to read up on Communism, academic freedom, or the First Amendment to the U.S. Constitution.

Well-meaning liberals long have argued that Communists have an abstract right to teach, on the theory that patriotic American boys and girls will rise to refute untruths uttered in the classroom.

But Communist teachers rarely are professors of political science (as one might expect); more often, they are English instructors, teachers of physics, mathematics, and so on. They seldom shout or preach, but row with muffled oars. The eddies they stir are beneath the surface.

Because Communist professors work to destroy academic freedom for everyone else, they are not entitled to academic freedom's prerogatives. We are not morally obliged to tolerate those who would not tolerate us, if they had power. And if academic freedom becomes academic license, it cannot long endure.

Truly, we seem headed into an era of what William L. Roper has called judicial oligarchy. When one justice can cast a decisive vote that will change the law of the land, it is time to devise some tougher checks.

Now, more than ever, the suggestion made last year by Samuel L. Devine (R–Ohio) to the effect that whenever the court is called upon to rule on Constitutional questions, "it should be required that at least two-thirds, or six of the nine justices must agree," appears both reasonable and necessary.

We urge that the proposal be given serious and immediate consideration.

LIBERALIZED TAX TREATMENT FOR WATER AND AIR POLLUTION ABATEMENT

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I am pleased to reintroduce today a bill to amend the Internal Revenue Code of 1954 to liberalize the tax treatment accorded facilities for water and air pollution abatement.

While there was not sufficient time for consideration of this legislation in the House Ways and Means Committee before adjournment last year, it did get rather significant bipartisan support from 56 Senators and Representatives who introduced the same or similar bills.

Other bills similar in approach but slightly different in specific details were also introduced by other Members of the House and Senate during the 89th Congress.

Twenty Members of the House join me today in introducing this measure. They are Roger H. Zion, of Indiana; J. Irving Whalley, of Pennsylvania; Richard S. Schweiker, of Pennsylvania; Seymour Halpern, of New York; Herman Schneebeli, of Pennsylvania; Mark Andrews, of North Dakota; William A. Steiger, of Wisconsin; Elford A. Cederberg, of Michigan; Theodore R. Kupferman, of New York; Hastings Keith, of Massachusetts; Durward G. Hall, of Missouri; Clark MacGregor, of Minnesota; Chester L. Mize, of Kansas; Thomas J. Meskill, of Connecticut, Henry Smith, of New York; Charles Teague, of California; Jack McDonald, of Michigan; John Buchanan, of Alabama; Edward Biester, of Pennsylvania; Robert Taft, Jr., of Ohio.

In addition, several other Members of the House have indicated to me their intention of introducing similar legislation, and a few have already thrown the same bill or similar bills in the hopper. I also understand the same bill is being introduced in the Senate.

My measure provides an incentive tax credit for the taxpayer who undertakes a construction program for air and water pollution treatment facilities in cooperating with the Federal and State Governments on pollution control programs.

The 20-percent incentive tax credit is applied to all costs of the facility—buildings, improvements, machinery, equipment, and includes total costs of land. Under this legislation the 7-percent investment tax credit, which was not suspended last year in the case of pollution control facilities, would not be allowed in respect to these facilities.

In addition, the taxpayer is permitted at his election to amortize these expenditures during the tax year or over the next 4 years after the year in which the expenditures were made.

For the taxpayer to qualify for the benefits of the incentive tax credit and the rapid tax amortization provisions of this proposal, he must obtain approval from the appropriate State agency that the facility is to be constructed in accordance with the State's program for abatement of air or water pollution.

The provisions of the legislation are relatively simple, but they are essential to accelerate pollution control construction on the part of business. Industry must have these incentives to undertake programs of the scope necessary to solve the Nation's pollution problems today.

The money expended by private enterprise for the construction of these costly facilities is an investment in nonproductive facilities, primarily in the public interest, requiring high, nonproductive operating costs which will be continuing charges against future earnings. The most efficient way to encourage this kind of investment is by means of tax credit, rather than Federal grant.

The necessary legislation to require pollution abatement facilities to meet local, State, and Federal standards is already on the books, and many industries have indicated their eagerness to tackle this problem. A tax credit arrangement would enable them to do so promptly without having to wait for the availability of funds from Government grants. Such an arrangement would also eliminate costly administrative redtape, implicit in any Federal grant program.

Pollution of our air and water resources is continuing at an alarming rate. Through cooperation of Federal, State, and local government bodies with private business and industrial enterprises, air and water pollution control facilities can be constructed to prevent further pollution of these resources.

The President sent us a sobering message on this subject yesterday. In it, he proposed the tightening of punitive restrictions against those in private industry who offend the public by polluting the environment.

But we have had restrictive and punitive legislation on the books for some time, and progress has remained painfully slow. This is due to the fact that Government itself has been reluctant to put an industry out of business or force it into costly revisions of plant facilities which might raise prices of consumer goods even higher.

My bill provides the "carrot" to go with the "stick" already available to Government—the stick which the President hopes to make stronger.

My bill does not speak to municipal pollution and is not intended to; but it will encourage action to control industrial pollution. It provides for a partnership between Government and industry to resolve a problem which both Government and industry have let get out of hand in the past.

It is designed to encourage action in the field of pollution control, rather than more laws and more talk; for action is what the problem of air and water pollution in this country needs.

The Congress has already accepted the basic principle embodied in this bill. It did so during the last session when it allowed the 7-percent investment tax credit to continue for air and water pollution control facilities when the 7-percent tax credit was being suspended for all other kinds of manufacturing investments.

It is my hope that hearings can be held on this bill in the near future, and I urge my fellow colleagues to examine this bill carefully.

BILL BAGGS—PART VIII AND IX

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, today I would like to call the attention of my colleagues to the final articles in the exclusive series written in North Vietnam by Bill Baggs, editor, Miami News. I have had the pleasure of inserting each of the preceding articles in the Congressional Record.

In today's articles Mr. Baggs discusses first the relationship between the North Vietnam Government of Ho Chi Minh and the "portable" government of the Vietcong, in the south. Is there a formal relationship between these two organizations, or is it merely a variable factor of influence? The critical factor is—as Mr. Baggs defines it—would an agreement between the Ho government and the United States to initiate talks be equally binding on the Vietcong?

And finally, Mr. Baggs analyzes the false morale of the North Vietnam population, based on assumptions that the balance of world opinion rests with North Vietnam's position, and that the dissension in the United States is substantially greater than, in reality, it is.

In the following articles, as in each of the previous, Mr. Baggs exhibits his ability to extract salient factors concerning the war, and formerly unemphasized:

[From the Miami News, Jan. 25, 1967]

Two Foes in Viet—The North, the Cong

(By Bill Baggs)

Hanoi.—There are two Vietnam "governments" shooting and shooting back at the Americans.

One is the Democratic Republic of Vietnam, the country here in the North, whose leader is Ho Chi Minh.

The other, of course, is the National Liberation Front, whose soldiers, known as the Viet Cong, are in the steady and violent engagements in the fighting down South.

The Viet Cong is not a government recognized by the United States.

What very few persons know, for a certainty, is whether the Democratic Republic of Vietnam, the government here in the North country, actually rules the rather portable government down South.

A visiting reporter is inclined to doubt that Hanoi governs the National Liberation Front, or the Viet Cong.

Surely, Ho Chi Minh, because of his immense prestige, and other leaders of the North have long influences with the National Liberation Front down South. Indeed, Gen. Vo Nguyen Giap, respected in American military circles as a most accomplished commander probably has as much to do with strategy of the troops in the South as anyone, and he is formerly of the government here in the North.

American charges that the Democratic Republic of Vietnam, or the Ho government, are shipping men and supplies south to the Viet Cong, are dismissed here by the Asian equivalent of shrugging the shoulders.

The persons you converse with here are strong in expressing sympathy and admiration for the Vietnamese who are fighting the Americans and the Ky troops down South.

One minister of the government here told this reporter that the National Liberation Front, or Viet Cong, consulted the Ho government on important decisions. Otherwise, the sentiments you hear are that North Viet Nam cannot make decisions for the South.

The difference could be critical. If, for instance, the United States and the Ho government decide to initiate peace talks one day, what about the Viet Cong . . . if it is independent? Indeed, if it is independent, the only solution might be the personal influence of Ho Chi Minh to urge the Viet Cong to end fighting.

Often, there is a peek visible to an American newspaperman suggesting a growing mood of independence in the National Liberation Front, or Viet Cong. Not long ago, the National Liberation Front suggested, in a paper here, that in time, after the war, the National Liberation Front will establish a government in the South, and it will begin talks with the Ho government on reunification of the entire country. The National Liberation Front statement emphasized that reunification would take a long, long time.

Of course, the National Liberation Front statement is made on the presumption the National Liberation Front is going to win the war down South, and victory for either side down South, the Ky government or the Viet Cong, is not in the sight of this reporter based on the conversations and reports from both sides.

[From the Miami News, Jan. 26, 1967]

How the North Viets View United States and the War

(By Bill Baggs)

Hanoi.—From Ho Chi Minh, in the worn elegance of the old governor's palace, to a shy farmer, standing on the edge of a rice field, a visiting American is told time and again that the world is on the side of North Vietnam in this war.

The opinion, obviously, nourishes the determination of these people.

Just as obviously, their hopes are raised by the belief that millions of Americans disagree with the presence of American troops in Vietnam, and that the ranks of the protesters grow all the while.

The belief is understandable. The few Americans who have visited Hanoi have been, almost without exception, persons in harsh disagreement with American policy in southeast Asia. And you gather, from conversations, that these Americans have indicated a mushrooming sentiment against the war back in the United States.

The people here are courteous but unconvinced when you suggest that such a sentiment has been exaggerated, and that while many Americans do protest the war, they are most frequently persons with not much influence to change American policy.

You do not find anywhere a lack of respect for America's economy and military competence. However, persons of rank in the Hanoi government, and military people, point out that America's great technology cannot be used with much efficiency in such a war as this.

The point is fairly clear. North Vietnam is not a country of cities. It is a country of more than 400 villages, and hamlets which "belong" to the villages. Most of the people do not live in the cities. In the air war over Europe during World War II, the German factories were rather easy to locate and bomb. Not so here. And a reporter acquires the conviction you could bomb out all the cities, and force a surrender, because these people do not depend very much on their cities.

Of the American bombing, there is no question that it has hurt North Viet Nam, and you can easily believe the flow of materials to the south, to the Viet Cong, has been slowed. The roads have taken a beating, you can observe that, although the North Vietnamese are quick on repairs.

However, the bombings at the present level, damaging as they are, do not appear sufficient to encourage the leaders of the government to suggest peace talks. A great escalation of the bombings would be necessary to even raise such a prospect, and, as other observers have said, such a greater bombing program might bomb the U.S. into a war with China.

One of the questions which accompanies an American reporter to Hanoi is why haven't the North Viets accepted volunteers from other countries. The answer you get is prompt. They do not need volunteers yet. In conversation with a visitor from France, printed in a government paper here a couple of months ago, Ho Chi Minh said:

"Hundreds of thousands of volunteers from the socialist countries and other countries have declared their readiness to fight the U.S. imperialists by our side. . . . When necessary we shall ask them."

Almost completely absent here is any sense of Chinese presence. The leaders do not mention China, or the Soviet Union, in talking . . . they mention "socialist countries" instead. In the art museum and in the historical museum, the exhibits and the lectures you hear are strongly laced with nationalism, and even a steady but gentle insistence that the culture of Vietnam is distinct and different from the culture of China, and has been for centuries. It seems fair to say that nationalism is the strongest political sentiment you find in North Viet Nam.

Indeed, for a country squatting in the enormous shadow of China, you are most surprised by such sights as you find in a bookstore. The pictures of Lenin are large, and so are the pictures of Ho Chi Minh. But the face of Mao Tse-tung is quite small. And the writings of Mao are not at all prominent in the bookstore.

FEDERAL LEGISLATION AGAINST CIVIL DISORDER

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, I am today introducing legislation to establish Federal penalties for traveling interstate or for using any facilities in interstate commerce with intent to incite people to riot, or with intent to commit any kind of violence or to damage property by arson or bombing in furtherance of violent civil disorder.

I introduced this legislation in the second session of the 89th Congress, on September 22, 1966. I spoke on the floor in justification of the bill at that time, and again before Subcommittee No. 5 of the Judiciary Committee on October 6.

Mr. Speaker, the need for Federal antiriot legislation is urgent. At no time in our history have the rights of person and property—the most essential of all civil rights—been so endangered by civil disorder as they are today. At no time in our history has civil violence reached such a degree as it has today.

The States and their subdivisions have primary responsibility for guarding persons and property by suppressing civil disorder. And in this connection I should like to point out that section 3 of the bill I am introducing provides that nothing in the act shall be interpreted by the courts as preempting the field of legislation to the exclusion of State laws against rioting and mob violence.

But several factors compel us to recognize the need for Federal antiriot legislation.

First, rioting mobs have comprised such great numbers of people, and have exercised such destructive force, that in city after city the police alone could not restore order, and the National Guard had to be called in.

Second, rioting has swept the entire country, from coast to coast. Let me cite some of our major cities that have been rocked by incredible violence—Los Angeles, San Francisco, Chicago, Cleveland, Dayton, New York, Philadelphia, Omaha, St. Louis, Atlanta.

Third, the weapons and tactics utilized by rioters in different cities have been markedly similar and suggest similarity in guerrilla training. Rioters have thrown the same kind of bombs—bottles filled with gasoline and fitted with a wick—in Los Angeles and Chicago and Atlanta, to name three cities far distant from each other. And snipers in different, riot-torn cities have hidden in buildings and shot at firemen trying to put out fires ignited by gasoline bombs.

These three factors—the proportions of violence, the nationwide extent of violence, and the similarity of weapons and tactics—give us reason to believe that there are leaders and agitators whose operations extend from State to State.

We know that there are leaders calling for racial unity as the basis for exercising racial power, and for the exercise of racial power as an alternative to seeking equality of opportunity in American society and as an alternative to preparing for new opportunities in our productive system.

And we should be well aware of the strong appeal to great numbers of people in our urban ghettos of racial unity for mass action to make government and society responsive to themselves.

This appeal is intensified when the individual feels that he can alienate moral responsibility to the mob for violent, mass action, and when he is relieved of fear of legal penalties by becoming part of the mob.

And the drawing power of the appeal to racial unity and violent, mass action must encourage agitators and demagogs who seek their own glory instead of the advancement of their race.

The antiriot legislation which I am introducing today will give the Federal Government authority to apprehend and prosecute those who move from State to State in order to foment civil violence. Effective guarantee of the rights of person and property requires nothing less today than the intervention of the United States.

AUTHORIZING COMMITTEE ON WAYS AND MEANS TO SIT DURING SESSIONS OF THE HOUSE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means be authorized to sit during the sessions of the House in the 90th Congress.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, may we have an explanation of this request?

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. ALBERT. This is the usual request that we get from the Committee on Ways and Means at the beginning of all sessions of the Congress.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. CURTIS. Let me reemphasize what the majority leader has said. Indeed, this is so and perhaps this ought to be made a part of the permanent rules because it is done every year. And there is a reason for it. I might say that many times I have said that we ought not to sit while we have an important bill being considered and we have never had any problem in our committee and we do not sit at the request of Members who have to be on the floor. So I am in accord with this and would simply say that this is routine and it is a request from the Committee on Ways and Means as a full committee.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CONTINUING JOINT COMMITTEE ON THE ORGANIZATION OF THE CONGRESS

Mr. MADDEN, from the Committee on Rules, reported the following privileged resolution (H. Con. Res. 51, Rept. No. 3) which was referred to the House Calendar and ordered to be printed:

H. CON. RES. 51

Resolved by the House of Representatives (the Senate concurring), That the Joint Committee on the Organization of the Congress, established by S. Con. Res. 2, Eighty-ninth Congress, agreed to March 11, 1965, is hereby continued through June 30, 1967.

SEC. 2. The joint committee is hereby authorized to make expenditures from February 1, 1967, through June 30, 1967, not to exceed $60,000, to be paid from the contingent fund of the House of Representatives upon vouchers approved by the chairman of the joint committee.

TO CONDUCT A STUDY AND INVESTIGATION OF THE PROBLEMS OF SMALL BUSINESS

Mr. MADDEN, from the Committee on Rules, reported the following privileged resolution (H. Res. 53, Rept. No. 2) which was referred to the House Calendar and ordered to be printed:

H. RES. 53

Resolved, That, effective January 3, 1967, there is hereby created a select committee to be composed of fifteen Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

SEC. 2. It shall be the duty of such committee to conduct studies and investigations of the problems of all types of small business, existing, arising, or that may arise, with particular reference to (1) the factors which have impeded or may impede the normal operations, growth, and development of small business; (2) the administration of Federal laws relating specifically to small business to determine whether such laws and their administration adequately serve the needs of small business; (3) whether Government agencies adequately serve and give due consideration to the problems of small business; and (4) to study and investigate problems of small business enterprises generally, and to obtain all facts possible in relation thereto which would not only be of public interest but which would aid the Congress in enacting remedial legislation: *Provided*, That the committee shall not invade any subject matter under active investigation by any standing committee of the House.

SEC. 3. The committee may from time to time submit to the House such reports as it deems advisable and prior to the close of the present Congress shall submit to the House its final report on the results of its study and investigation, together with such recommendations as it deems advisable. Any report submitted when the House is not in session may be filed with the Clerk of the House.

SEC. 4. For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House has recessed or adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as the committee deems necessary. Subpenas may be issued under the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

SEC. 5. The majority of the members of the committee shall constitute a quorum for the transaction of business, except two or more shall constitute a quorum for the purpose of taking of evidence including sworn testimony.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754(b) of title 22, United States Code, or any other provisionn of law, local currencies owned by the United States in foreign countries shall not be made available to the committee for expenses of its members or other Members or employees traveling abroad.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 9]

Abbitt
Ashbrook
Ashmore
Ayres
Baring
Battin
Bow
Brademas
Bray
Brinkley
Burton, Utah
Cabell
Cederberg
Celler
Clancy
Clark
Conyers
Corman
Derwinski
Diggs
Dingell
Donohue
Eckhardt
Edwards, Calif.
Esch
Flood
Fraser
Fuqua
Gallagher
Gibbons
Gurney
Halleck
Hansen, Wash.
Harvey
Hawkins
Henderson
Holland
Horton
Jacobs
Jarman
Jones, N.C.
Kornegay
Landrum
Lennon
Mailliard
Martin
Mathias, Md.
Miller, Calif.
Nix
O'Hara, Mich.
O'Konski
Ottinger
Pepper
Philbin
Pike
Quie
Railsback
Resnick
Rivers
Ronan
Rostenkowski
Rumsfeld
Scheuer
Schneebell
Sisk
Smith, Calif.
Springer
Steiger, Ariz.
Talcott
Taylor
Thompson, Ga.
Thompson, N.J.
Tunney
Udall
Vigorito
Watkins
Whalen
Whalley
Whitener
Willis
Wilson, Bob

The SPEAKER. On this rollcall 351 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

WHAT THE "NEW LEFT" DID TO ME

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I include in the RECORD an article from the current issue of the Reader's Digest entitled "What the 'New Left' Did to Me." The author of this article is Phillip Abbott Luce, a former leader of the most left of all the so-called "new left" organizations now operating in this country—the Progressive Labor Party, an ultraradical and revolutionary Communist organization which alines itself with Peking.

The article carries an important message for all Americans, young and old. It is a warning and eye opener to the youth of our country, telling them bluntly, realistically, and dramatically what communism really stands for, its role in the "new left" and how involvement with it leads to "wasted years" in their lives.

It also makes it clear to us of the older generation that by no means all of those in the "new left" are Communists. Many are merely what Luce was when he started out—youth in rebellion against authority. We will not effectively handle the problem they create by erroneously branding them all as "Reds," but only by taking steps to cure the evil which, Luce believes, goes to the root of their problem—their ignorance of communism. He himself finds it incredible that he was able to acquire a graduate degree in political science without ever having been encouraged to read any of the outstanding books on communism that have been published in the last few decades.

Many Members will recall that 3 years ago this young man was a hostile witness before the Committee on Un-American Activities. They will also recall that last summer he again appeared before the committee in a completely different role to give the Congress and the American people the benefit of the knowledge about the aims of revolutionary Communist groups in the United States which he had obtained from firsthand experience.

The committee has since placed this young man under contract to write a study of ultrarevolutionary Communist organizations. Questions have been raised about its doing so simply because Luce has been a witness before the committee. Based on the excellence of his Reader's Digest article and the general quality of the studies released by the committee over the years, I want to take this opportunity to express the view that the committee made a wise move in employing Luce for the project and that his study, when it is released, will be of great benefit to Congress and the country.

The Reader's Digest article follows:

WHAT THE "NEW LEFT" DID TO ME

(An angry young man discloses the full cycle of his thinking—from rebellion against all authority, to communist "activism," to disillusionment with communist demands, to defection. And he sees a way to avoid such "wasted years".)

(By Phillip Abbott Luce)

A Communist must be prepared to act upon command. Once he begins to develop scruples, he's on his way out. How and when the break comes depends on the man and the circumstances.

I began dabbling in "revolution" in 1958, when I was 20. I became a free-wheeling "activist" of the New Left in 1960 and a secret member of the Chinese-oriented Progressive Labor Party in 1963. By the winter of 1964 I was trusted enough to be selected to join a special group to go underground.

The plan was discussed for weeks in quiet restaurants and coffee-houses in New York City. We would be trained in the techniques of disguise, forgery, wiretapping, karate, evasion of surveillance. Later, this education would be rounded out abroad, in Cuba or China. Then we would change our names and trades, drop all open contacts with communists and blend into the submerged world of secret operatives.

As a start, I was instructed to give up my friends, my relatives, my girl, my job, my apartment. Since I was at the time awaiting trial under federal indictments for my connection with trips to Cuba, I would become a fugitive from justice. There would be no turning back.

I chose *not* to go underground. A few months later, I decided to break away. It was not a sudden thing. The underground project was only the climax. For months I had been worried by scruples, but I was kept too busy with meetings, picketings, sit-ins and editorial writing to think things through. Now I was forced to reappraise communism and my own relationship to it—not the abstract ideas, but the grim facts.

I defected because, when the chips were down, I couldn't accept total obedience. Sucked into the movement by hunger for absolute freedom and rebellion against all authority, I finally recognized that there were no margins for personal freedom among hard-core communist revolutionary organizations.

I defected because I saw young people being deceived and possibly destroyed by lies which we, as leaders, were telling them; by actions in which they were just expendable pawns. Some were my friends, drawn into the movement in part by my example.

I defected not because I was reconciled to the injustices of American society as I saw them, but because I realized that communism would bring more and infinitely worse injustice.

The Inner Frustrations. My story is not unique. Thousands of young people through nearly half a century have believed that revolutionary radicalism held the answers to their own grievances and the world's problems. Few joined the movement for bad reasons. Mostly we were naive, romantic, misinformed—above all, angry and impatient.

I was born in Ohio of middle-class, Republican parents. I graduated from Mississippi State University in 1958, then earned a master's degree in political science from Ohio State University in 1960. By the time I got to Ohio State, I had begun to flirt with communism. My inner frustrations led me to the illogical conclusion that only the overthrow of the whole political and economic structure of the country could cure its ills.

These inner frustrations are difficult to explain, being more emotional than reasoned. I was in rebellion against parents, school, society—any authority. I wanted things changed and changed *now*. The normal democratic tempos seemed to me too slow, the "establishment" too entrenched to yield to anything but violent pressures.

My rebellion was fed by the reading of communist hate propaganda and sustained by the itch to "do something." The civil-rights struggle seemed made-to-order for my mood—not only a thrilling cause in itself, but an outlet for protest generally. I was expelled from the staff of the Mississippi State newspaper for my attacks on the state legislature and the White Citizens Councils. I found the experience of "struggle" with "reaction" intensely intoxicating. As a graduate student, I joined picket groups, sit-ins, boycotts. I was becoming an "activist," quite sure what I was *against*, but pretty hazy about what I was *for*.

Upon finishing at Ohio State, I went to New York. I wrote for the communist *Worker* under several pseudonyms, and I fellow-traveled with a variety of communist organizations, coming to know the whole spectrum of ultra-left groupings, some of them communist creations, some infiltrated, some independently radical. I was searching for a "home" in the frenzied world of revolution. It was not until the summer of 1963, however, that I became fully involved.

Action, Color, Power. By then the so-called New Left was in loud and violent eruption, an outgrowth of the stage of romantic anarchy called the Beat Generation. The movement was "new"—or so we told ourselves—because it rejected the conventional Marxist jargon and working-class mystique. We had only contempt for the Old Left, with its patience and restraints. We relished stirring up trouble for trouble's sake. We were for police baiting, riots, undergrounds. *Ours was an attitude rather than an ideology.*

Ironically, today only a few New Left groups remain financially and ideologically out of communist clutches. Some of these, such as the Students for a Democratic Society and Student Non-Violent Coordinating Committee (SNCC), are being rapidly penetrated.

Consider the noise it makes, the New Left is surprisingly small—perhaps 5000, with another 5000 at the fringes. Most are social anarchists, with no more than 2000 communists of all stripe in their midst. These self-willed utopians and most other Americans find it virtually impossible to believe that a tiny handful of communist professionals, using glittering slogans like "peace," "freedom now," "equal rights," or "academic freedom," can manipulate thousands of innocent young rebels into violent street demonstrations and explosive confrontations with police. On the surface, it *is* incredible. But having studied the arts of mass manipulation and hate propaganda, and having practiced them myself, I know the power of a few expert hidden persuaders.

In the late spring of 1963, I was approached by a leader of the Maoist Progressive Labor Party to join an expedition to Cuba. No one can overstate the influence of Red Cuba upon immature, alienated minds. Fidel Castro and Che Guevara were to us what Lenin and Trotsky had been to others in their time. Here was action, color, our own kind in power—and all of it only 90 miles from the mighty Yankees. Here was David defying Goliath. I jumped at the chance to go. The fact that it might be in violation of federal law added spice to the adventure.

When I returned, I plunged into Progressive Labor activities. I helped organize, in 1964, a second trip to Cuba. I was arrested while trying to kindle a riot in Times Square—forcing a "confrontation with the cops," we called it grandly. I helped secrete guns in New York City for future "self-defense." I drafted the original declaration calling on young men to refuse to fight in Vietnam, took part in a violent fracas before the House Committee on Un-American Activities, marched and sat and shouted slogans as directed.

"True Truth." It was a frenetic life I led, as thoroughly "involved" as any of the communist string-pullers could wish. The change in me was evidenced in a new willingness to lie and deceive others in pursuit of our goals. Looking back, I recognize how utterly self-righteous and intolerant we were, not only of the "enemy"—meaning everyone from conservatives to "bourgeois radicals"—but of all other elements in the New Left. *It was the totalitarian mentality in action.* We were toddling totalitarians, and uncarded communists demanding instant idealism and "Millennium Now!" We alone had the "true truth" from which dissent was heresy.

By August 1964 I had begun editing the magazine *Progressive Labor*, but without being "identified." This deception was based on the hope that a secret party member would be more successful in recruiting. Not until December, only three months before I defected, was my name listed as editor.

Meanwhile, the riots broke out in New York's Harlem. We were not the immediate spark, but we did everything possible to provoke them and to harvest the credit. For weeks we had been preparing the requisite explosive climate, calling for a "long, hot summer" in Harlem.

One hour before the rioting actually began, Bill Epton, a vice-chairman of Progressive Labor, told a street rally: "In the process of smashing this state, we're going to have to kill a lot of cops, a lot of these judges, and we'll have to go up against their army. We'll organize our own militia and our own army." (Epton was in due time arrested and convicted of criminal anarchy.)

The 25-year-old editor of our party's newspaper, *Challenge*, proclaimed: "I advocate precisely that the people disturb the peace. There is no lawful government in this country today. Only a revolution will establish one." We prepared the infamous posters, "Wanted for Murder—Gilligan the Cop," which helped to spark the mobs.

By dint of sheer activity I was becoming more and more entrapped within the narrow communist world. If you are a good communist, your time—including evenings and weekends—is not your own. You sell party literature, do volunteer mailings and office work, paint signs, picket, demonstrate, attend endless meetings.

Yet some part of my mind was uneasy, questioning. The caches of arms left a bitter taste. It bothered me to see our individual members time and again become patsies in plans and plots outside their knowledge or consent, so that they often were jailed or injured for reasons beyond their control.

The Break. Finally, all my doubts and grievances seemed to crystalize when the scheme for going underground was sprung on us. Making the conscious decision to join the communists had taken a certain kind of guts. Now, defection proved even more difficult. The temptation is to slink away in silence; if you decide to break away publicly and try to save others from the morass, you have to be prepared for slander, harassment, even physical attack.

I chose the latter alternative. Then I walked into the FBI office in New York to clinch it. At this, the wrath of my former "comrades" knew no bounds. They accused me of every crime in the book, contended that I was always a "police agent." I was in the outside world but not yet part of it. It took some time before I discovered not only that I was indeed free but that others had gone through the same ordeal of disenchantment and that, like them, I could ultimately readjust myself to a rational society.

The Wasted Years. I've thought a lot about my involvement, and its meaning. It is not enough to condemn impatient, rebellious youth as communists or dupes. The public must distinguish between young communists and young rebels. Youth has always been rebellious. The problem is to understand and channel their zeal for a more just world, and to keep them out of the clutches of communists and other messianic extremists.

I think often that I might have been spared the wasted years if my schooling had included the study of communism—not as a beguiling doctrine through its sacred texts, but as living history on view in Soviet Russia and Red China and in the story of its many mass deceptions and manipulations in the Free World. It seems incredible that I could have acquired a graduate degree in political science without having been encouraged to read *Witness* by Whittaker Chambers, *The God That Failed* by Arthur Koestler and others, *Child of the Revolution* by Wolfgang Leonhard, *The Red Decade* by Eugene Lyons. There is a rich literature on communism. Surely our colleges have an obligation to use it effectively.

Most of the young rebels in and around the New Left are not, in their hearts, communists. In most cases, their actions are more dangerous to themselves than to the country. But we must win them over to the side of democracy before they get themselves and others into serious trouble.

FOR VALIANT AND NEEDED SERVICE

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, it is proposed by the Secretary of Defense that six Air National Guard units and eight Air Force Reserve units be deactivated by the end of fiscal year 1967. All of these units are actively engaged in the support of the Vietnamese war. Needless to say, that war is not over, nor is there any indication that it will be over at the end of fiscal year 1967. This is not the time to reduce our air lift capability and to dismiss highly trained pilots and crews. America has farflung involvements which require their support.

It is significant that the eight Air Force Reserve units each have 16 C–119 aircraft. The Air National Guard groups each have eight C–121 or C–97 aircraft. Approximately 100 officers and 600 enlisted personnel are assigned to each group. The Air Force Reserve groups to be affected comprise 20 percent of the Air Force Reserve airlift forces. The Air National Guard groups which are included in the deactivation list have almost 25 percent of the current Air National Guard force. These are major forces indeed.

A recent statement by the distinguished chairman of the House Committee on Armed Services, the Honorable L. Mendel Rivers, says:

> I am greatly concerned about the planned phase-out of an extremely valuable military capability at a time when we are engaged in a war in Southeast Asia. The report of the Special Subcommittee on Military Airlift took note of the significant contribution to our Defense Posture which has been and is still being made by the airlift

units of the Guard and Reserve through their augmentation of the Military Airlift Command. It states, "In view of present world tension, the military and political crisis in Southeast Asia, and increasing requirements for airlift, plans to deactivate Air National Guard and Air Force Reserve units should be deferred until the Southeast Asia conflict is successfully resolved and until a thorough study of tactical airlift requirements for limited war is completed and approved by the Air Force and the Department of Defense." To my knowledge, such a study has not been completed within the Air Force or within the Department of Defense. In view of the lack of a detailed study to support the deactivation, I am at a loss to understand the reasoning of the Secretary of Defense in the action he proposes.

I think it highly important that we carefully consider the actual workload carried by these units which the Department of Defense now wishes to deactivate.

The six Air National Guard units scheduled for inactivation accomplished during calendar year 1966, 616 productive overseas missions for the Military Airlift Command. Included were 202 missions flown in direct support of southeast Asia. Flying hours generated totaled over 28,000 hours in providing this support. The payload accomplishments reflected over 5,800 tons of cargo moved and more than 6,600 passengers transported. Ton-miles flown was an impressive 25 million.

The eight Air Force Reserve units scheduled for inactivation performed, during calendar year 1966, over 4,900 productive missions, generating some 17,900 flying hours. The payload accomplishments totaled over 4,100 tons of cargo hauled and more than 23,800 passengers transported. Miles flown amounted to over 3,300,000. In addition, these units airdropped over 87 tons of equipment and 53,183 airborne troops in support of field exercises.

It is most important to remember that we have in these units over 9,800 highly skilled and motivated personnel whose collective experience represents a national asset that would take years to replace and cost millions of dollars. This is a personnel asset which when properly equipped will equal any productivity standards in the Air Force under wartime conditions.

It would be most unfortunate if these units were deactivated; yet let me remind my colleagues that if they are to be retained in service, immediate steps are required. It should be noted that they are scheduled for inactivation by the end of fiscal year 1967, which is June 30. Simply to provide for the continuation of these units in fiscal year 1968, would be to lock the barn after the horse has been stolen. Action must be taken now to express the will of the Congress that these units be continued in full force throughout the remainder of fiscal year 1967 and continued in fiscal year 1968. Last year the proposal was made that three Air National Guard units be dropped. The Congress interceded to assure that existing resources were maintained through fiscal year 1967 by retention of these three organizations. This has proven to be a wise step.

I submit that the determination of the national defense posture is the prerogative of Congress and that our Reserve Forces are considered in our total requirements. Further, that this determination is not based upon any element of productivity of our Reserve Forces during peacetime although this is an important byproduct. Our investment in training and equipment must preclude any reduction in our total force requirements. The Congress should not willingly permit any action to depreciate our national defense posture. In view of our ever-expanding worldwide commitments I strongly urge that Congress act immediately to insure the longevity of our Reserve Forces posture.

Units affected and their home stations are:

Air National Guard units: 195th Airlift Group, Van Nuys, Calif.; 171st Airlift Group, Pittsburgh, Pa.; 105th Airlift Group, White Plains, N.Y.; 16th Airlift Group, Olmstead, Pa.; 109th Airlift Group, Schenectady, N.Y.; 167th Airlift Group, Martinsburg, W. Va.

Air Force Reserve units: 403d Wing, Selfridge Air Force Base, Mich.; 927th Group, Selfridge Air Force Base, Mich.; 434th Wing, Bakalar Air Force Base, Ind.; 930th Group, Bakalar Air Force Base, Ind.; 931st Group, Bakalar Air Force Base, Ind.; 446th Wing, Ellington Air Force Base, Tex.; 924th Group, Ellington Air Force Base, Tex.; 910th Group, Youngstown MAP, Ohio; 906th Group, Clinton City Air Force Base, Ohio; 944th Group, March Air Force Base, Calif.

EDGAR G. CROSSMAN

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, last Saturday New York City lost a prominent attorney, Edgar G. Crossman, who was a senior partner in Davis, Polk, Wardwell, Sunderland & Kiendl, one of our city's leading law firms.

A veteran of both World War I and World War II, Edgar G. Crossman had also served as legal adviser to Henry L. Stimson when he was Governor General of the Philippines. During World War II he served as a colonel on the staff of General of the Army Douglas MacArthur. He received the Legion of Merit and the Philippine Distinguished Service Star.

In 1947, President Truman appointed him as Minister to the Philippines and U.S. Chairman of the Joint American-Philippines Finance Commission.

Mr. Crossman was active in civic affairs in New York City and had served as a member of the executive committee of the Association of the Bar of the City of New York.

Mr. Speaker, I regret the passing of this distinguished citizen and extend my deepest sympathy to his family. It has been my privilege to be a neighbor of his son, Patrick, who is a distinguished attorney and community leader in his own right.

Mr. Speaker, I include at this point in the Record the obituary which appeared in the New York Times on January 30:

EDGAR CROSSMAN, A LAWYER, WAS 71—DAVIS POLK PARTNER DIES—SERVED U.S. IN PHILIPPINES

Edgar Crossman, a senior partner in Davis Polk Wardwell Sunderland & Kiendl, lawyers at 1 Chase Manhattan Plaza, died Saturday in St. Luke's Hospital. He was 71 years old and lived at 1088 Park Avenue.

Mr. Crossman, a veteran of both World Wars, also served the Government twice as a civilian in the Philippines.

He was born in Lisbon, N.H., attended the Phillips Academy in Andover, Mass., and was graduated from Yale College in 1917 and from the Harvard Law School in 1922.

He joined the law firm in 1925 and became a partner in 1934, specializing in corporate financing and reorganization and railroad law.

After the outbreak of World War I, he entered the Army and became a lieutenant and later a captain and battery commander in the Fourth Field Artillery.

In World War II, he was commissioned a lieutenant colonel in 1944 and later served as a colonel on the staff of General of the Army Douglas MacArthur.

During the war, he held military government assignments in Australia, New Guinea and the Philippines. He was at the landing at Leyte and did civil-affairs work in the liberation of the Philippines. He received the Legion of Merit and the Philippine Distinguished Service Star.

REPRESENTED TRUMAN

Mr. Crossman's first experience in the Philippines was in 1928–29, when he served as legal adviser to Henry L. Stimson, Governor General of the Philippines, in whose office Mr. Crossman had his first law training.

In 1947, he went back to Manila as personal representative for President Harry S. Truman, with the rank of minister and as American chairman of the Joint American-Philippine Finance Commission.

Mr. Crossman had represented the Guaranty Trust Company of New York and bondholders committees of the Paramount Public Corporation and the United Cigar Stores Company of America.

He had served as chairman of the membership committee and as a member of the executive committee of the Association of the Bar of the City of New York. He had also been president of the board of trustees of St. Bernard's School.

His clubs included the Century, Knickerbocker, Yale and Anglers in New York.

Surviving are his widow, the former Helen Farrell; three sons, Edgar, Patrick and John, and nine grandchildren.

A funeral service will be held Wednesday at 10 A.M. in the Madison Avenue Presbyterian Church, at 73d Street. Burial will be in Arlington Cemetery.

SOME SOUND COMMENTS ON EDUCATIONAL POLICY BY THE NEW CHANCELLOR OF EISENHOWER COLLEGE, DR. EARL J. McGRATH

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, I know we are all concerned with education, and with the desirability of making a good education available to all of our children capable of absorbing it—higher education as well as elementary and secondary education.

In that connection I believe Members may be interested in reading a thoughtful book review which appeared in the Saturday Review for December 17, 1966. It is a review of a new book by a recognized educational expert, Dr. Earl J. McGrath, former U.S. Commissioner of Education and now chancellor of the new Eisenhower College which is emerging in my district of upstate New York at Seneca Falls.

Dr. McGrath's book deals primarily with a subject which I am sure has been of concern to all of us; namely, the tendency for college education to be limited to a comparatively few young men and women and denied, for academic no less than financial reasons, to thousands of others who could well profit from it. He is disturbed about what he feels may be a trend toward an "elitocracy" in America, and his views along these lines have had an important bearing on the operating philosophy of Eisenhower College.

Under leave to extend my remarks, I enclose the article from the Saturday Review:

THE EDITOR'S BOOKSHELF

(By Paul Woodring)

"The Liberal Arts College and the Emergent Caste System," by Earl J. McGrath (Institute for Higher Education, Teachers College Press, Columbia University), is a reprint of three speeches delivered at Hendrix College. Mr. McGrath, who is chancellor of the new Eisenhower College, expresses alarm over a trend in higher education that should be of deep concern to all Americans and especially to the governing boards of colleges—the effort to strengthen a few prestigious institutions at the expense of all the others. McGrath observes that until recently, although our colleges educated many of the leaders of our society, they did not produce a dominant social class because educational quality was not highly concentrated. The nation's leaders emerged from a wide variety of institutions. Today, however, a few prestigious colleges and universities, aided and abetted by the federal government, are making a vigorous effort to monopolize the research grants and the funds for buildings and laboratory equipment and are then using these facilities to attract the best faculties and the most academically talented students.

And they are succeeding. The top ten institutions of higher learning (one-half of 1 per cent of the total number) are said to get nearly 40 per cent of the federal research and development funds while the top 100 get about 90 per cent of the available money. "The vast majority of institutions," says McGrath, "including even the old and reputable independent liberal arts colleges, receive only a trifling share of these grants. Yet this aid to institutions, and the fellowships and scholarships provided to students through government funds, come from taxes resting broadly on the people, and, if the general public knew the facts, they would doubtless consider it a matter of utmost national significance that many respectable colleges outside the gigantic centers of learning become more equitable beneficiaries of the grants-in-aid of the United States Government."

The concentration of both facilities and research talent in a few institutions is producing what McGrath calls "The Rising Academic Elitocracy"—a social club made up of those who make high grades in school and college and who score high on college entrance examinations. "Some of our élitists do not seem to realize," says McGrath, "that high grades at one level of education guarantee little other than high grades at succeeding levels. The fact is . . . that those who have made the most careful and objective investigations of the relationship between academic success and any other aspect of personal, professional, or social achievement find that test scores and grades at present bear little relation to any measures of adult accomplishment. Consequently, some informed and thoughtful observers are questioning whether a broader 'mix' of students in terms of ability, attitudes, values, and life goals might not be better than a more homogeneous academic community."

The big state universities and some of the stronger state colleges are answering the challenge by competing for federal research funds—with the result that they are sacrificing undergraduate liberal education to research in their expanding graduate schools. The real victims of the current trend are the 800 private or church-related liberal arts colleges which now enroll only about 800,000 of the 6,000,000 students now in college. These colleges cannot hope to flourish if all their best student and faculty talent is drained away into a few prestigious larger institutions. And status-seeking students seem unable to discriminate between the two kinds of institutional prestige. Many freshmen select an institution famous for the research scholars on its graduate faculty and then complain about the faculty's indifference to undergraduate teaching.

McGrath believes that the best chance for survival of the smaller independent and church-related colleges lies in doing what they can do best: providing a common core of intellectual experiences. "But, if they attempt to substitute advanced specialized instruction for genuine liberal learning, they will not only fail in the consequent competition with the universities, but they will fail in their performance of an indispensable public service. With proper planning they can offer liberal education at high levels of quality and at a cost their students can afford to pay." But he warns, "The bloated college curriculum is, I believe, the major impediment to increased effectiveness of most American colleges. One need not deprecate the hundreds of specialized courses of professional or graduate schools to point out that the liberal arts college ought not to offer such instruction. Able undergraduates who have had sound teaching in a selected but limited number of courses in their major fields rarely encounter academic difficulties in their advanced education, and if they do not have the ability and the desire to learn, no amount of premature and specialized forced feeding will give them any lasting advantage over their classmates who seize the opportunity to get a broader liberal education."

Although he fears a decline in quality in the independent colleges, McGrath does not predict that such institutions will disappear from the academic scene. "Contrary to the prophets of doom," he says, "most independent colleges are not about to sink into oblivion or disesteem . . ., the liberal arts colleges are neither dead nor dying." It seems clear, however, that if small private colleges are to compete with other institutions for faculty members—as they must because all professors come from the same graduate schools—it will be necessary for them to raise faculty salaries substantially.

Where the money will come from is not at all clear. Perhaps if all congressmen will read McGrath's book, the federal government will decide that good undergraduate instruction in the liberal arts college is no less important than research in the graduate school and is, indeed, an essential prelude to it. But if the decline of the small independent colleges is to be stopped the decision must be made soon.

JOHN E. FOGARTY

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, I rise to voice my shock and sorrow at the sudden and untimely passing of our colleague and friend John E. Fogarty, of Rhode Island.

John Fogarty was one of the giants of this House, yet he was always a modest, friendly, kindly, and unassuming man. In his quiet but very effective way he helped to build a pattern of legislation in the field of health that cannot be matched in any other period of our history.

His friends and his family can be proud of the fantastic legislative achievements which he brought about. Children not yet born will owe John Fogarty more than they will ever realize. No man could have done more in his term of service in this House.

We salute him as a legislative leader. We shall long mourn him as a friend and companion.

CONTINUING THE JOINT COMMITTEE ON THE ORGANIZATION OF THE CONGRESS

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk Senate Concurrent Resolution 2, and concur in the resolution.

S. CON. RES. 2

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on the Organization of the Congress, established by Senate Concurrent Resolution 2, Eighty-ninth Congress, agreed to March 11, 1965, is hereby continued through June 30, 1967.

SEC. 2. The joint committee is hereby authorized to make expenditures from February 1, 1967, through June 30, 1967, not to exceed $60,000, to be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the joint committee.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. GROSS. Mr. Speaker, further reserving the right to object.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. CURTIS. Mr. Speaker, I was going to reserve the right to object, and I shall not object, for that very purpose. I was going to reserve the right to object, I might say to the gentleman from Iowa, to propound some questions mainly for the purpose of making legislative history. Permit me to do that if I may, and then to ask some questions.

Mr. Speaker, to lay a foundation for the questions I wish to propound to the gentleman from Indiana, I insert at this point in the RECORD the chronological history of House consideration of S. 2177 in the 79th Congress, the bill which eventually became the Legislative Reorganization Act of 1946:

CHRONOLOGICAL HISTORY OF HOUSE CONSIDERATION OF S. 2177 IN THE 79TH CONGRESS

June 10, 1946: Senate passes S. 2177, with amendments.

June 11, 1946: House receives S. 2177, held on Speaker's table.

July 19, 1946: Committee print on agreed changes in Legislative Reorganization Act of 1946, page 9496, Congressional Record.

July 20, 1946: House Rules Committee reports H. Res. 717 for consideration of S. 2177 (Report No. 2614).

July 22, 1946: Committee Print, Legislative Reorganization Act of 1946 Statement and Explanation of the House Substitute for S. 2177 (45 pp.).

July 25, 1946: House considers and passes S. 2177, with amendments.

July 26, 1946: Senate accepts House amendments.

August 2, 1946: President Truman signs S. 2177 into law (P. L. 601, 79th 2nd Legislative Reorganization Act of 1946).

Mr. Speaker, I have furnished a copy of this chronological summary to the gentleman from Indiana and desire to call his attention to the fact that the bill was messaged over to the House after passing the Senate on June 10, 1946; that upon its receipt by the House of Representatives, it was held on the Speaker's table and not referred to any standing committee of the House of Representatives. It is my further understanding that informal discussions were held between the House members of the Joint Committee on the Organization of Congress and the leadership, as a result of which certain changes in the Senate bill were agreed upon. These changes were incorporated in a committee print, and this draft was inserted in the CONGRESSIONAL RECORD of July 19, 1946, on page 9496.

July 20, 1946, the Rules Committee of the House of Representatives reported House Resolution 717—Report No. 2614—which provided for taking S. 2177 from the Speaker's table, referring it to the Committee of the Whole, and making in order the offering of the so-called committee print, printed on page 9496 of the CONGRESSIONAL RECORD of the previous day, as a substitute, subject to debate and amendment as an original bill. The rule also provided 2 hours of general debate, with the time divided equally between the vice chairman of the Joint Committee on the Organization of the Congress, Mr. MONRONEY, of Oklahoma, and the ranking Republican House member of the joint committee, Mr. Michener, of Michigan. July 22, 1946, the committee print of the legislative reorganization bill and a statement of explanation of the House substitute for S. 2177 were available to Members and July 25, 1946, the House debated and amended S. 2177 in the Committee of the Whole and passed S. 2177 as amended. July 26, 1946, the Senate accepted the House amendments and August 2, 1946, President Truman signed S. 2177 which became Public Law 601 of the 79th Congress, the Legislative Reorganization Act of 1946.

Fully realizing that the procedure for considering the Senate-passed Legislative Reorganization Act of 1967 cannot be determined with finality at this time and, of course, that such procedure is within the discretion of the Speaker, I would like to ask the gentleman from Indiana whether he has any knowledge of the probable procedure for considering any Senate-passed bill on legislative reorganization when it reaches the House of Representatives in this Congress.

Mr. MADDEN. Mr. Speaker, I will state that the gentleman has correctly outlined the procedure of the Joint Committee on the Organization of the Congress of 20 years ago.

It is my desire and my intention with the consent of the Members of the Congress to ask that the same procedure be followed as was followed 20 years ago when the bill was passed by the Senate, to be referred by the Speaker to the Committee on Rules and that the Committee on Rules act upon it and then it will be considered on the floor of the House as an open rule and open to any amendment that the House may see fit to adopt.

Mr. CURTIS. I thank the gentleman. I want to assure the gentleman of my support and urge that the procedures as outlined here be followed.

Mr. Speaker, I withdraw any reservations that I might have had.

Mr. GROSS. I understand there were only 2 hours of general debate 20 years ago when the reorganization bill was considered, and I would hope that the rule when it is submitted to the House would provide for considerably more than 2 hours because of the scope of this omnibus bill.

Mr. MADDEN. In answer to the gentleman's request, as far as the gentleman now speaking is concerned, he will recommend to the Rules Committee that the time for debate be extended.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. CURTIS. I would concur in that. I certainly feel that this is so. I would emphasize that the committee has been trying to make its recommendations available to Members of both the House and the Senate as it has gone along, and most of the material that will be up for debate should be within the knowledge of the membership at this time. But I certainly concur that possibly longer than 2 hours would be desirable, and that certainly if any Members felt that way, I would urge that we do provide more time to meet their requests.

Mr. MADDEN. I agree, in accordance with the request of the gentleman from Iowa, that the time should be extended.

Mr. GROSS. The gentleman is saying that the rule would be a completely open rule, and all provisions of the proposed legislation would be open to amendment.

Mr. MADDEN. That is my intention.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I thank the gentleman for yielding. So that we can better understand with what we shall be faced, I should like to ask a question of the gentleman from Indiana. Am I to understand that our concurrence in the resolution would embody an agreement which would allow or require the House of Representatives to consider the reorganization bill which is finally passed by the Senate, and that when that bill does come from the Senate to the House, it will go to the Rules Committee; that it will come from the Rules Committee under a completely open rule, and the gentleman will make every effort to see that an extended period of time over and above the 2 hours granted during the 1946 Reorganization Act debate will be provided under the rule for considering this legislation?

Mr. MADDEN. The gentleman is correct.

Mr. WAGGONNER. I thank the gentleman.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The resolution was concurred in.

A motion to reconsider was laid on the table.

A similar House concurrent resolution (H. Con. Res. 51) was laid on the table.

VIETNAM CONFLICT SERVICEMEN AND VETERANS ACT OF 1967—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 48)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on Veterans' Affairs and ordered to be printed:

To the Congress of the United States:

On July 28, 1943, in a fireside chat on the progress of the war and plans for peace, President Franklin D. Roosevelt told the Nation:

> The members of the armed forces have been compelled to make greater sacrifices than the rest of us . . . they are entitled to definite action to take care of their special problems.

America has taken that "definite action." It has responded to the needs of the men and women who have carried the banner of liberty in time of danger.

We have not forgotten the veterans of past wars. At Belleau Wood and Chateau Thierry, at Normandy and Midway and at Heartbreak Ridge, these brave men earned an honored place in history. Their sacrifices have brought greater justice and decency to the world.

Today, the members of our Armed Forces are again fighting and giving their lives in the defense of freedom. It is essential that we convey to them—and to all Americans—our full recognition and gratitude for their services in Vietnam and in other troubled areas of the world.

Never have we had more cause to be proud of our Armed Forces. When I visited Camranh Bay last October, I could see that the morale of our men was high for they are determined to succeed. Gen. William Westmoreland, their commander, told me that our troops were the finest the United States had ever placed in the field. We must take "definite action" for them.

Many civilian employees of the Federal Government are also working in the villages of South Vietnam, providing the help that a young nation must have to grow and become strong. These employees are exposed to the hazards and dangers of a war which has no frontline. We must also extend special benefits to them.

I. SERVICEMEN AND VETERANS

In the past 2 years, you in the Congress have enacted and I have signed a series of measures to help honor our commitment to Americans now serving or recently separated from the Armed Forces:

Two military pay raises since August 1965, an average increase of 13.6 percent.

A new cold war "GI bill" to speed the readjustment of returning servicemen through new education, training, medical and home loan benefits.

An increase in hostile fire pay.

A comprehensive "military medicare" program.

A $10,000 servicemen's group life insurance program.

A 10-percent average increase in disability compensation and enlarged benefits for surviving children and dependent parents of those who died as a result of a service-connected injury.

We must now take additional steps to fulfill our obligations to those who have borne the cost of conflict in the cause of liberty.

I propose the Vietnam Conflict Servicemen and Veterans Act of 1967. This important legislation has six major objectives:

First, to remove the inequities in the treatment of veterans of the present conflict in Vietnam.

Second, to enlarge the opportunities for educationally disadvantaged veterans.

Third, to expand educational allowances under the GI bill.

Fourth, to increase the amount of servicemen's group life insurance.

Fifth, to increase the pensions now received by 1.4 million disabled veterans, widows and dependents.

Sixth, to make certain that no veteran's pension will be reduced as a result of increases in Federal retirement benefits, such as social security.

EQUAL BENEFITS FOR VIETNAM VETERANS

Veterans of the Vietnam conflict should receive benefits comparable to those granted to their comrades of World War I, II, and Korea. Prior legislation has equalized many of the benefits. But, because of certain gaps in the law, today's veteran, his family and his children are ineligible for a number of benefits other war veterans receive.

It is only right that these loopholes be closed. It is a matter of simple fairness that the veteran of the Mekong Delta and Chu Lai be placed on a par with the veteran of Pork Chop Hill and Iwo Jima. The Senate passed—and my administration supported—such a measure last year.

I recommend that the following benefits be extended to veterans who have served on or after August 5, 1964:

Disability compensation at full wartime rates for all veterans.

Disability pensions for veterans and death pensions for widows and children.

Special medical care benefits, including medicines and drugs for severely disabled veterans on the pension rolls.

One thousand six hundred dollars toward the purchase of an automobile by veterans with special disabilities.

EDUCATIONAL OPPORTUNITIES FOR THE VETERAN

Since last June, when the new GI bill went into effect, more than 500,000 veterans have applied for education and training benefits. Thousands more are signing up each week. Today, over one-quarter of a million returning service men and women are preparing for the future and learning new skills in universities, colleges, and technical and vocational schools across the Nation. By the end of fiscal 1968, this number will increase to more than 500,000.

While the new GI bill is less than a year old—and an outstanding success—we can still work to extend and improve it.

Even today, some 20 percent of those separated from the Armed Forces each year—about 100,000 young men—have not completed high school. Many of these young veterans have the ability and desire to better themselves. All too often, they lack the financial means to complete their high school education and enter college.

As a nation, we cannot afford to neglect this valuable manpower resource.

The present GI bill makes no special provision for a returning serviceman who needs to finish high school or take a "refresher course" before he can enter college. In fact, it works in just the opposite way. For each month the veteran pursues a high school education under the GI bill, he loses a month of eligibility for college benefits under the law.

This situation must be changed. I recommend legislation to provide full GI bill payments to educationally disadvantaged veterans so that they can complete high school without losing their eligibility for follow-on college benefits.

We are taking a further step. In recent months, thousands of men who would have been rejected for military service because of insufficient educational achievement are being accepted. Forty thousand men will enter the service in the first year of this new program, and 100,000 each year thereafter. Its purpose is to provide the intensive training needed to make these young men good soldiers. Upon the completion of their military service, they will be better educated and equipped to play productive and useful roles as citizens.

I am directing the Secretary of Defense to find new ways to improve this program.

The time has also come to increase the educational assistance allowance under the GI bill. A single veteran pursuing a full-time course receives $100 a month to help him finance his education. This amount is less than the $130 a month paid to the child of a deceased or disabled veteran who may be taking the same courses at the same school.

The veteran going to school is usually older and many bear heavier responsibilities. I recommend an increase in the monthly educational assistance allowance under the GI bill from $100 monthly to $130 for a veteran.

In accord with the present scale of benefits, a married veteran with children receives $150 monthly under the GI bill, regardless of the number of children he has. To help veterans with families who wish to continue a full-time educational program, I recommend that the monthly payment be increased by $10 a month for the second child and $10 a month for each additional child.

These increases in the educational assistance allowance will benefit the more than 250,000 veterans now enrolled in schools under the GI bill.

LIFE INSURANCE

There can never be adequate compensation for those who suffer the loss of a loved one on the field of battle. We can, however, help ease their financial burden in time of sorrow. Through a combination of social security, dependency and indemnity compensation, and other benefits they are being relieved of much of the economic hardship.

In addition, the 89th Congress enacted a group life insurance program for servicemen. Under this law, a member of the Armed Forces may purchase up to $10,000 in life insurance. The Government pays a large part of the cost.

With the outstanding cooperation of the Nation's insurance firms, this program has worked smoothly and effectively.

We should now raise the limits of coverage. This will provide a further career incentive for the men and women of the Armed Forces as well as added protection for their loved ones.

I recommend an increase in the amount of available serviceman's group life insurance, from a maximum of $10,000 to a minimum of $12,000—with higher amounts scaled to the pay of the serviceman—up to a maximum of $30,000.

This proposal would carry out a recommendation of the Cabinet Committee on Federal Retirement Systems. It is in line with the general principle that the amount of group life insurance should be geared to the amount of salary earned. It will provide a substantial amount of insurance for all members of the Armed Forces. And it will permit servicemen returning to civilian life to continue the insurance at prevailing commercial rates, without regard to their physical condition.

VETERANS OF PAST WARS

The legislation I have proposed above primarily reflects the public concern for the welfare of veterans of the Vietnam conflict. But this administration has not in the 79th Congress, the bill which eventually became the Legislative Reorganization Act of 1946:

CHRONOLOGICAL HISTORY OF HOUSE CONSIDERATION OF S. 2177 IN THE 79TH CONGRESS

June 10, 1946: Senate passes S. 2177, with amendments.

June 11, 1946: House receives S. 2177, held on Speaker's table.

July 19, 1946: Committee print on agreed changes in Legislative Reorganization Act of 1946, page 9496, Congressional Record.

July 20, 1946: House Rules Committee reports H. Res. 717 for consideration of S. 2177 (Report No. 2614).

July 22, 1946: Committee Print, Legislative Reorganization Act of 1946 Statement and Explanation of the House Substitute for S. 2177 (45 pp.).

July 25, 1946: House considers and passes S. 2177, with amendments.

July 26, 1946: Senate accepts House amendments.

August 2, 1946: President Truman signs S. 2177 into law (P. L. 601, 79th 2nd Legislative Reorganization Act of 1946).

Mr. Speaker, I have furnished a copy of this chronological summary to the gentleman from Indiana and desire to call his attention to the fact that the bill was messaged over to the House after passing the Senate on June 10, 1946; that upon its receipt by the House of Representatives, it was held on the Speaker's table and not referred to any standing committee of the House of Representatives. It is my further understanding that informal discussions were held between the House members of the Joint Committee on the Organization of Congress and the leadership, as a result of which certain changes in the Senate bill were agreed upon. These changes were incorporated in a committee print, and this draft was inserted in the CONGRESSIONAL RECORD of July 19, 1946, on page 9496.

July 20, 1946, the Rules Committee of the House of Representatives reported House Resolution 717—Report No. 2614—which provided for taking S. 2177 from the Speaker's table, referring it to the Committee of the Whole, and making in order the offering of the so-called committee print, printed on page 9496 of the CONGRESSIONAL RECORD of the previous day, as a substitute, subject to debate and amendment as an original bill. The rule also provided 2 hours of general debate, with the time divided equally between the vice chairman of the Joint Committee on the Organization of the Congress, Mr. MONRONEY, of Oklahoma, and the ranking Republican House member of the joint committee, Mr. Michener, of Michigan. July 22, 1946, the committee print of the legislative reorganization bill and a statement of explanation of the House substitute for S. 2177 were available to Members and July 25, 1946, the House debated and amended S. 2177 in the Committee of the Whole and passed S. 2177 as amended. July 26, 1946, the Senate accepted the House amendments and August 2, 1946, President Truman signed S. 2177 which became Public Law 601 of the 79th Congress, the Legislative Reorganization Act of 1946.

Fully realizing that the procedure for considering the Senate-passed Legislative Reorganization Act of 1967 cannot be determined with finality at this time and, of course, that such procedure is within the discretion of the Speaker, I would like to ask the gentleman from Indiana whether he has any knowledge of the probable procedure for considering any Senate-passed bill on legislative reorganization when it reaches the House of Representatives in this Congress.

Mr. MADDEN. Mr. Speaker, I will state that the gentleman has correctly outlined the procedure of the Joint Committee on the Organization of the Congress of 20 years ago.

It is my desire and my intention with the consent of the Members of the Congress to ask that the same procedure be followed as was followed 20 years ago when the bill was passed by the Senate, to be referred by the Speaker to the Committee on Rules and that the Committee on Rules act upon it and then it will be considered on the floor of the House as an open rule and open to any amendment that the House may see fit to adopt.

Mr. CURTIS. I thank the gentleman. I want to assure the gentleman of my support and urge that the procedures as outlined here be followed.

Mr. Speaker, I withdraw any reservations that I might have had.

Mr. GROSS. I understand there were only 2 hours of general debate 20 years ago when the reorganization bill was considered, and I would hope that the rule when it is submitted to the House would provide for considerably more than 2 hours because of the scope of this omnibus bill.

Mr. MADDEN. In answer to the gentleman's request, as far as the gentleman now speaking is concerned, he will recommend to the Rules Committee that the time for debate be extended.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. CURTIS. I would concur in that. I certainly feel that this is so. I would emphasize that the committee has been trying to make its recommendations available to Members of both the House and the Senate as it has gone along, and most of the material that will be up for debate should be within the knowledge of the membership at this time. But I certainly concur that possibly longer than 2 hours would be desirable, and that certainly if any Members felt that way, I would urge that we do provide more time to meet their requests.

Mr. MADDEN. I agree, in accordance with the request of the gentleman from Iowa, that the time should be extended.

Mr. GROSS. The gentleman is saying that the rule would be a completely open rule, and all provisions of the proposed legislation would be open to amendment.

Mr. MADDEN. That is my intention.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I thank the gentleman for yielding. So that we can better understand with what we shall be faced, I should like to ask a question of the gentleman from Indiana. Am I to understand that our concurrence in the resolution would embody an agreement which would allow or require the House of Representatives to consider the reorganization bill which is finally passed by the Senate, and that when that bill does come from the Senate to the House, it will go to the Rules Committee; that it will come from the Rules Committee under a completely open rule, and the gentleman will make every effort to see that an extended period of time over and above the 2 hours granted during the 1946 Reorganization Act debate will be provided under the rule for considering this legislation?

Mr. MADDEN. The gentleman is correct.

Mr. WAGGONNER. I thank the gentleman.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The resolution was concurred in.

A motion to reconsider was laid on the table.

A similar House concurrent resolution (H. Con. Res. 51) was laid on the table.

VIETNAM CONFLICT SERVICEMEN AND VETERANS ACT OF 1967—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 48)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on Veterans' Affairs and ordered to be printed:

To the Congress of the United States:

On July 28, 1943, in a fireside chat on the progress of the war and plans for peace, President Franklin D. Roosevelt told the Nation:

> The members of the armed forces have been compelled to make greater sacrifices than the rest of us . . . they are entitled to definite action to take care of their special problems.

America has taken that "definite action." It has responded to the needs of the men and women who have carried the banner of liberty in time of danger.

We have not forgotten the veterans of past wars. At Belleau Wood and Chateau Thierry, at Normandy and Midway and at Heartbreak Ridge, these brave men earned an honored place in history. Their sacrifices have brought greater justice and decency to the world.

Today, the members of our Armed Forces are again fighting and giving their lives in the defense of freedom. It is essential that we convey to them—and to all Americans—our full recognition and gratitude for their services in Vietnam and in other troubled areas of the world.

Never have we had more cause to be proud of our Armed Forces. When I visited Camranh Bay last October, I could see that the morale of our men was high for they are determined to succeed. Gen. William Westmoreland, their commander, told me that our troops were the finest the United States had ever placed in the field. We must take "definite action" for them.

Many civilian employees of the Federal Government are also working in the villages of South Vietnam, providing the help that a young nation must have to grow and become strong. These employees are exposed to the hazards and dangers of a war which has no frontline. We must also extend special benefits to them.

I. SERVICEMEN AND VETERANS

In the past 2 years, you in the Congress have enacted and I have signed a series of measures to help honor our commitment to Americans now serving or recently separated from the Armed Forces:

Two military pay raises since August 1965, an average increase of 13.6 percent.

A new cold war "GI bill" to speed the readjustment of returning servicemen through new education, training, medical and home loan benefits.

An increase in hostile fire pay.

A comprehensive "military medicare" program.

A $10,000 servicemen's group life insurance program.

A 10-percent average increase in disability compensation and enlarged benefits for surviving children and dependent parents of those who died as a result of a service-connected injury.

We must now take additional steps to fulfill our obligations to those who have borne the cost of conflict in the cause of liberty.

I propose the Vietnam Conflict Servicemen and Veterans Act of 1967. This important legislation has six major objectives:

First, to remove the inequities in the treatment of veterans of the present conflict in Vietnam.

Second, to enlarge the opportunities for educationally disadvantaged veterans.

Third, to expand educational allowances under the GI bill.

Fourth, to increase the amount of servicemen's group life insurance.

Fifth, to increase the pensions now received by 1.4 million disabled veterans, widows and dependents.

Sixth, to make certain that no veteran's pension will be reduced as a result of increases in Federal retirement benefits, such as social security.

EQUAL BENEFITS FOR VIETNAM VETERANS

Veterans of the Vietnam conflict should receive benefits comparable to those granted to their comrades of World War I, II, and Korea. Prior legislation has equalized many of the benefits. But, because of certain gaps in the law, today's veteran, his family and his children are ineligible for a number of benefits other war veterans receive.

It is only right that these loopholes be closed. It is a matter of simple fairness that the veteran of the Mekong Delta and Chu Lai be placed on a par with the veteran of Pork Chop Hill and Iwo Jima. The Senate passed—and my administration supported—such a measure last year.

I recommend that the following benefits be extended to veterans who have served on or after August 5, 1964:

Disability compensation at full wartime rates for all veterans.

Disability pensions for veterans and death pensions for widows and children.

Special medical care benefits, including medicines and drugs for severely disabled veterans on the pension rolls.

One thousand six hundred dollars toward the purchase of an automobile by veterans with special disabilities.

EDUCATIONAL OPPORTUNITIES FOR THE VETERAN

Since last June, when the new GI bill went into effect, more than 500,000 veterans have applied for education and training benefits. Thousands more are signing up each week. Today, over one-quarter of a million returning service men and women are preparing for the future and learning new skills in universities, colleges, and technical and vocational schools across the Nation. By the end of fiscal 1968, this number will increase to more than 500,000.

While the new GI bill is less than a year old—and an outstanding success—we can still work to extend and improve it.

Even today, some 20 percent of those separated from the Armed Forces each year—about 100,000 young men—have not completed high school. Many of these young veterans have the ability and desire to better themselves. All too often, they lack the financial means to complete their high school education and enter college.

As a nation, we cannot afford to neglect this valuable manpower resource.

The present GI bill makes no special provision for a returning serviceman who needs to finish high school or take a "refresher course" before he can enter college. In fact, it works in just the opposite way. For each month the veteran pursues a high school education under the GI bill, he loses a month of eligibility for college benefits under the law.

This situation must be changed. I recommend legislation to provide full GI bill payments to educationally disadvantaged veterans so that they can complete high school without losing their eligibility for follow-on college benefits.

We are taking a further step. In recent months, thousands of men who would have been rejected for military service because of insufficient educational achievement are being accepted. Forty thousand men will enter the service in the first year of this new program, and 100,000 each year thereafter. Its purpose is to provide the intensive training needed to make these young men good soldiers. Upon the completion of their military service, they will be better educated and equipped to play productive and useful roles as citizens.

I am directing the Secretary of Defense to find new ways to improve this program.

The time has also come to increase the educational assistance allowance under the GI bill. A single veteran pursuing a full-time course receives $100 a month to help him finance his education. This amount is less than the $130 a month paid to the child of a deceased or disabled veteran who may be taking the same courses at the same school.

The veteran going to school is usually older and many bear heavier responsibilities. I recommend an increase in the monthly educational assistance allowance under the GI bill from $100 monthly to $130 for a veteran.

In accord with the present scale of benefits, a married veteran with children receives $150 monthly under the GI bill, regardless of the number of children he has. To help veterans with families who wish to continue a full-time educational program, I recommend that the monthly payment be increased by $10 a month for the second child and $10 a month for each additional child.

These increases in the educational assistance allowance will benefit the more than 250,000 veterans now enrolled in schools under the GI bill.

LIFE INSURANCE

There can never be adequate compensation for those who suffer the loss of a loved one on the field of battle. We can, however, help ease their financial burden in time of sorrow. Through a combination of social security, dependency and indemnity compensation, and other benefits they are being relieved of much of the economic hardship.

In addition, the 89th Congress enacted a group life insurance program for servicemen. Under this law, a member of the Armed Forces may purchase up to $10,000 in life insurance. The Government pays a large part of the cost.

With the outstanding cooperation of the Nation's insurance firms, this program has worked smoothly and effectively.

We should now raise the limits of coverage. This will provide a further career incentive for the men and women of the Armed Forces as well as added protection for their loved ones.

I recommend an increase in the amount of available serviceman's group life insurance, from a maximum of $10,000 to a minimum of $12,000—with higher amounts scaled to the pay of the serviceman—up to a maximum of $30,000.

This proposal would carry out a recommendation of the Cabinet Committee on Federal Retirement Systems. It is in line with the general principle that the amount of group life insurance should be geared to the amount of salary earned. It will provide a substantial amount of insurance for all members of the Armed Forces. And it will permit servicemen returning to civilian life to continue the insurance at prevailing commercial rates, without regard to their physical condition.

VETERANS OF PAST WARS

The legislation I have proposed above primarily reflects the public concern for the welfare of veterans of the Vietnam conflict. But this administration has not forgotten the veterans, dependents, and survivors of earlier wars.

Today, there are about 94 million Americans who fall into this category—almost one out of every two persons in the Nation.

The last several years have witnessed dramatic improvements in the range and quality of services and benefits available to our veterans and their families.

I have asked for and Congress has approved veterans' appropriation increases of $300 million each year for the past 3 years. Except for the 2 years immediately after World War II, my veterans budget for fiscal 1968 of $6.7 billion is the highest in history.

Those programs for veterans and their families which have been expanded include a 10-percent increase in pensions; a 30-percent increase in subsistence allowance for veterans receiving vocational rehabilitation training.

We are also providing the best medical care a grateful and compassionate nation can offer.

Last year more than 740,000 sick and disabled veterans were patients at VA hospitals. Four new hospitals have been opened in the past 2 years. Five more are scheduled to be completed within the next 8 months. With the modernization of six additional hospitals, over 15,000 new beds will be added for disabled veterans during the coming year.

Special medical research is also being pursued in pioneering areas such as organ transplant, chronic lung disease and dramatically new methods of fitting artificial limbs. This year I have asked for over $46 million to support this vital work.

Nor have we forgotten the veteran who because of disability and age may be in needy circumstances.

We are helping to meet their needs through wide-ranging improvements in the social security, senior citizens, education, health, and children's programs. I have already submitted a number of those recommendations to the 90th Congress. I will submit others shortly.

Although many of these new proposals will have an important relationship to programs for veterans and their survivors it is important that we do more.

To help meet today's cost of living, we should raise the standard of living for disabled veterans, and the widows and other dependents of deceased veterans receiving pensions.

I propose, effective July 1, 1967, a 5.4-percent increase in the pensions of 1.4 million veterans, widows and dependents.

Last week I proposed to Congress a 20-percent overall increase in social security payments—representing the greatest increase in benefits since the act was passed in 1935. Although these increases will benefit millions of older Americans, we must make certain they do not adversely affect the pensions paid to those veterans and dependents who are eligible for both benefits.

Accordingly, I propose that the Congress enact the necessary safeguards to assure that no veteran will have his pension reduced as a result of increases in Federal retirement benefits such as social security.

A COMPREHENSIVE STUDY OF COMPENSATION, PENSION, AND OTHER VETERANS' BENEFITS

The proposals I have outlined will, I believe, strengthen our veterans' programs. But we must assure the continuing soundness of these programs.

I am directing the Administrator of Veterans' Affairs, in consultation with leading veterans' groups, to conduct a comprehensive study of the pension, compensation and benefits system for veterans, their families and their survivors. I have asked them to recommend to me by January 1968 proposals to assure that our tax dollars are being utilized most wisely and that our Government is meeting fully its responsibilities to all those to whom we owe so much.

II. CIVILIANS SERVING IN VIETNAM

Among those engaged in the effort to preserve freedom in southeast Asia are civilian employees of agencies such as the Department of Defense, Department of State, Agency for International Development, and U.S. Information Agency.

There are no front lines in Vietnam. These employees are frequently exposed to hazardous conditions. They have suffered terrorist attacks in hamlets, villages, and even in the larger cities. Despite their status as civilians, many have been killed, seriously wounded, or reported missing.

The laws now governing Federal civilian employment in overseas areas have not kept pace with the times. Civilians who risk their lives in the service of their country are entitled to special benefits.

I recommend that the Congress enact legislation to—

Increase the salary differential for service at hazardous duty posts.

Allow medical benefits to continue beyond the date of his separation for an employee who has been injured, or became ill while serving in a hostile area.

Extend similar medical benefits to the employee's family after his separation or death.

Allow special travel expenses for employees after long service in hazardous areas, so they can be reunited with their families.

Authorize up to 1 year's absence without charge to leave as a result of injury or illness due to hostile action.

I have outlined a program shaped to meet the needs of America's servicemen and veterans.

No act of Government, and no legislative proposal can ever repay the Nation's debt to these brave men.

They are away from their families and loved ones, serving the cause of liberty. They serve us all silently and well. And this grateful Nation is in their hands. Whether in a patrol along the wall in Berlin, or walking the 38th parallel, or in the air on a SAC alert, or in a nuclear submarine beneath the seas, or on a sweep through a rice paddy in South Vietnam their mission is freedom and their cause is just.

The measures I propose in some small way serve notice to these Americans—in and out of uniform—that we will never let them down. The Congress, the executive branch, and the American people have accepted that obligation of honor to those who have fought and continue to fight in the defense of freedom.

The Congress, I believe, will want to consider and promptly enact this legislation.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 31, 1967.*

AMERICA'S SPACE AND AERONAUTICS PROGRAMS — MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 49)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with accompanying papers, referred to the Committee on Science and Astronautics and ordered to be printed with illustrations.

To the Congress of the United States:

America's space and aeronautics programs made brilliant progress in 1966. We developed our equipment and refined our knowledge to bring travel and exploration beyond earth's atmosphere measurably closer. And we played a major part in preparing for the peaceful use of outer space.

In December the United Nations, following this country's lead, reached agreement on the Outer Space Treaty. At that time I said it had "historical significance for the new age of space exploration." It bars weapons of mass destruction from space. It restricts military activities on celestial bodies. It guarantees access to all areas by all nations.

Gemini manned missions were completed with a final record of constructive and dramatic achievement. Our astronauts spent more than 1,900 pilot hours in orbit. They performed pioneering rendezvous and docking experiments. They "walked" in space outside their vehicles for about 12 hours.

We orbited a total of 95 spacecraft around the earth and sent five others on escape flights, a record number of successful launches for the period. We launched weather satellites, communications satellites, and orbiting observatories. We performed solar experiments and took hundreds of pictures of the moon from lunar orbiters. Surveyor I landed gently on the moon and then returned over 11,000 pictures of its surroundings for scientific examination.

Major progress was made during the year on the Apollo-Saturn moon program and the manned orbiting laboratory.

These accomplishments—and the promise of more to come—are the fruits of the greatest concerted effort ever undertaken by any nation to advance human knowledge and activity. Space, so recently a mystery, now affects and benefits the lives of all Americans.

Our national investment in space has stimulated the invention and manufacture of a flood of new products. Our new knowledge has made us more secure as a nation and more effective as leaders in the search for peace. This knowledge is hastening the ultimate solution of social and economic problems that combined to obstruct peace.

It is with pride and pleasure that I transmit this record of achievement to you the Members of Congress. Without your support, no achievement would be possible.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 31, 1967.*

PRESIDENT'S MESSAGE ON VETERANS' BENEFITS

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the President's message concerning veterans' benefits.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, I met yesterday with President Johnson to discuss the President's proposals to Congress on veterans' matters. I have just concluded a meeting of the House Veterans' Affairs Committee, and on the basis of the response of its Members, I predict quick congressional approval of the President's proposals.

At the meeting Monday, the President expressed his strong feelings that those who are bearing the burden of battle in Vietnam, and those who have served this country in uniform, should receive fullest consideration of their Government. I could not agree with him more.

I take this time to commend the President. This is a very fine program. It is a program that I feel everybody on both sides of the floor can support. I believe this program will be referred to subcommittees soon. We expect to bring this legislation back to the floor quickly.

I believe this is the first time in the 20 years that I have been in Congress, and I believe the first time in history, that the President has sent a special message to Congress proposing extensive legislation on veterans' matters. The President's message embraces recommendations covering needed legislation in many areas. I commend him for this.

I think this emphasis by the President on this legislation reflects his great concern and compassion for the men carrying our burden in Vietnam. He has said in the past that we should do all possible to smooth the path of return to civilian life for our men serving there. He has already approved extensive veterans legislation in his administration—a GI bill, raises in compensation for disabled veterans, expansion of benefits for widows and orphans, and broad health benefits.

The President has proposed, in his comprehensive Vietnam Servicemen and Veterans Act of 1967, the following:

First. Removing the inequities in treatment of veterans of the present conflict in Vietnam, extending full wartime benefits to them.

Second. Enlarging the opportunities for educationally disadvantaged veterans of this conflict, and expanding educational allowances under the GI bill by increasing payments to veterans in school.

Third. A cost-of-living increase for aged veterans and their survivors who are receiving pensions, plus safeguards in the pension law to assure that no pensioner will receive less in combined Federal payments as a result of the social security increases.

Fourth. A study group to include leaders in the field of veterans activities, to conduct a comprehensive survey of the broad spectrum of veterans matters to make sure that those who most deserve them are beneficiaries of veterans programs, and to make sure our tax dollars spent in this field are utilized most effectively.

I want to say that I am in full agreement with these matters I have listed and which are being proposed by the President. I have scheduled immediate hearings on this legislation, and I think we are going to see all the major proposals in the President's recommendations approved by this committee and passed by this Congress.

I want to add that I am pleased, very pleased, with the President's position. I consider this action very timely, and very fair, and the benefits very deserved. We all know the continuing contributions to our society by veterans who are healthier, better educated, and who are better citizens as the result of earlier laws. The Veterans' Administration continues to provide deserving veterans the finest medical care in the world, and not so incidentally has been responsible for some of this country's most significant medical advances beneficial to all our citizens.

With the expansion of various benefits to Americans—social security, antipoverty, education, and other programs—the veteran of this country who has served so faithfully should share in these benefits. I am particularly impressed by the President's evident compassion for the elderly veterans and widows, and his special concern to specifically propose the cost-of-living increase to those who need it so badly.

The veterans of this country can take great comfort in knowing that they have a real friend, a friend who understands their problems and needs, in President Johnson. I have been in this Congress for more than 20 years and never has there been as much sincere understanding, and as much concern for the veteran, as that shown in President Johnson's special message.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Speaker, I agree with the gentleman from Texas that there are certainly a great many worthwhile proposals here.

I must remark, however, that this certainly does represent a change in attitude on the part of the White House. Members will recall that most of the proposals contained in this message have been sought by Members of the Congress and of the Committee on Veterans' Affairs in past years. A number of those proposals which we thought were necessary and not too costly, were looked upon with disfavor by the Bureau of the Budget.

For example, just last year the Committee on Veterans' Affairs reported and the House of Representatives passed H.R. 17488, a veterans pension bill designed to provide sorely needed increases in monthly payments for the Nation's aging veteran pensioner. The administration opposed this measure and the Senate failed to act upon it prior to adjournment. I am sure that had the administration supported this proposal last year, instead of waiting until the present time, needy veterans would now be enjoying this modest increase in monthly income.

Also, had the administration been willing to support a GI bill in the last Congress that truly reflected today's cost of living and the higher cost of tuition, the President's request today for an increase in the educational allowances authorized by the GI bill would have been unnecessary.

I believe a message of this sort is long past due as indicating a recognition on the part of the Executive that there are some changes necessary in veterans' laws. I certainly hope, Mr. Speaker, that the White House will look with favor upon the proposals which we will bring out pursuant to this message today.

There is one matter which bothers me a little, and I should like to ask the gentleman from Texas if any estimate of the costs involved in the proposals here have been transmitted to us?

Mr. TEAGUE of Texas. Yes, there is an estimate of the major costs.

Probably the cost of the cost-of-living increase for pensions would be about $100 million. The increase in the educational benefits under the GI bill would cost about $75 million. And the equalization of benefits for men in Vietnam and our other wars would cost $20 million to $30 million.

Mr. ADAIR. So we are talking here of proposals in the range of $200 million?

Mr. TEAGUE of Texas. That is correct.

Mr. ADAIR. I should like to ask the gentleman further, how much of that $200 million was budgeted in the budget message which came up only a few days ago?

Mr. TEAGUE of Texas. Unless I am mistaken the pension increase was not in the budget message.

Mr. ADAIR. So, as matters now stand, there is before us a group of proposals which may add as much as $200 million to the budget which just came up.

Mr. TEAGUE of Texas. I would assume that the President will ask for a supplemental appropriation for the pension program.

In further answer to the gentleman from Indiana, all of us on the Veterans' Affairs Committee have for years felt that the Bureau of the Budget had too much influence on our veterans' programs. I met with the President yesterday, and I can say to the gentleman from Indiana that this, in my opinion, certainly shows a very commendable position, in the work and personal attention the President himself has given to this situation.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, this Hall has rung with the eloquence of hundreds of speeches proclaiming the patriotism and devotion of the men and women of this Nation who have put aside their civilian responsibilities to answer the call of their country to bear arms. There is no sacrifice that the members of our Armed Forces have not made in order that America could obtain its position as the greatest nation on earth. These men and women have asked nothing more in return than that their country be secure and that they be allowed to return to their homes, their families, and their jobs.

But a grateful nation has done more than to grant only this small request. For the people of this Nation have also asked that they be allowed to show their gratitude to their sons and daughters, husbands and wives who have protected and preserved freedom.

We of this 90th Congress have the opportunity again to express this Nation's gratitude by continuing to provide the benefits that a free and grateful people owe to its fighting men.

President Johnson has today proposed an encompassing piece of legislation—the Vietnam Servicemen and Veterans Act of 1967. It is but a continuation of the firm belief of our country that to serve is deserving of recognition.

We have made some progress already in providing benefits to those men who are today protecting the free men of Vietnam from aggressors from the north—aggressors who would deprive an independent nation of its identity and enslave and murder the populace.

We have called upon the young men of America to bear arms—to lay down their lives if necessary, to thwart this enemy. For this is not the enemy of the South Vietnamese alone—it is the enemy of all free men. It is, indeed, our enemy—an encircling foe whose designs do not stop with Vietnam but view the whole world for conquest.

We remember the battles of World War I—and then the worldwide quest that ensued in World War II when Americans again bore the brunt of battle. The Korean conflict again called upon Americans to stand forth as champions of freedom—as champions of a cause that defeated aggression once more.

When these men returned to their homeland they found a grateful people, extending open arms, ready to proclaim them not only victors but extending the bounty of this Nation.

We have only partially extended this same reception to our fighting men of today. Yet today, our fighting men have answered the same call to duty—they have risked their lives—and some have died, and still others will bear the scars of battle forever. We have an unfinished job—we must provide the means to a happy and fruitful life when they return from battle, just as we have in the past. We must provide for the widows and orphans of those men who are killed in battle—a battle which is no less yours and mine than any battle in which American fighting men have engaged.

The President has asked that we amend and extend our present laws in order that these men will be recognized as men sharing the same place in the hearts of their countrymen as all other veterans.

His recommendations in this legislation are fair, are just, are truly deserved, and certainly needed by those who will benefit therefrom. I do not believe we can hesitate to enact this legislation with haste. I urge speedy approval of this legislation.

PRESIDENTIAL MESSAGE ON SERVICEMEN AND VETERANS

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, I should like to say to my colleagues that I commend not only the President for this message but also our distinguished, able, and beloved chairman of our committee, who so persistently over the years not only has championed the cause of the veterans but also has advocated at the White House and on this floor some of the very measures the President has recommended to the Congress today.

I commend my distinguished chairman for his persistence and tenacity over the years in championing the cause of the veteran. I believe at this session of Congress a lot of his recommendations, which really have been embodied in the President's message today, will be enacted.

I commend my chairman and the committee and my distinguished and beloved friend, the gentleman from Indiana [Mr. ADAIR]. Our committee is a great, nonpartisan committee. We have advocated this on both sides of the aisle in the committee for many years.

I might say, Mr. Speaker, several of the things which General Westmoreland and his staff and our men in Vietnam have recommended to our chairman and to some of the others of us who visited Vietnam last year—such as increased pay for men serving overseas, the GI bill, and so on—are measures which improve and help the morale of our fighting men all over the world. This Congress can stand up and be proud of what we are doing and what we have done for our servicemen deployed throughout the world.

I believe Congress will pass this pension bill so that it will become effective in July and provide for a 5.4-percent increase for 1.4 million veterans, widows, and dependents.

I believe that Congress will enact legislation which will prevent any veterans receiving a pension from having his pension reduced because of an increase in social security.

I believe the Veterans' Affairs Committee will soon act and Congress will pass legislation which will increase from $100 to $130 a month educational benefits for single veterans and also a similar increase for married veterans studying under the new GI bill of rights. This would benefit more than 250,000 veterans now enrolled under the GI educational program.

The Presidential message today urging the passage of this and other veterans' legislation will pave the way for final enactment this year.

Mr. Speaker, I am glad to see the President advocate legislation long proposed by our Veterans' Affairs Committee. This legislation, like the GI bill last year, will boost the morale of our fighting men in Vietnam and those standing guard on the ramparts of freedom throughout the world.

Mr. HELSTOSKI. Mr. Speaker, I wish to add my support to the recommendation made by the President that the Congress enact the Vietnam Servicemen and Veterans Act of 1967.

I would like to explain why I think such legislation is needed and urge quick passage of this most meritorious legislation.

It recognizes the achievements of our men fighting in the jungles of Vietnam.

It takes into account the need for remedial attention for veterans, dependents, and survivors of earlier wars.

It provides far-reaching benefits, programs, and services for veterans, even though budgets for veterans affairs have been the largest since the immediate post-World War II years of 1947 and 1948.

It expands the schooling opportunities for educationally disadvantaged veterans.

It fills the gaps in present measures for the Vietnam veterans.

The educational benefits provided in this Presidential recommendation will give strength to our democratic way of life. For an educated populace always makes for a stronger democracy than one which is uneducated.

Benefits that we may provide for our new veterans are really an investment in America. Expenditures for GI bill benefits should not be considered merely as an expenditure of Federal funds; instead, they should be seen in their true light—as an investment in human beings, our veterans—an investment that already has paid handsome dividends to all America.

Mr. EDMONDSON. Mr. Speaker, I am highly pleased by the President's message recognizing the need for action on veterans pensions.

This action is certainly overdue, and there should be no further delay in legislation to correct the matter.

Our veterans and their widows and orphans should be the first to have adjustments in payments to recognize increases in the cost of living, and not among the last.

I congratulate the gentleman from Texas, the Honorable Olin Teague, for his success in the fight to secure administration recognition of the need for action.

I congratulate the President on the message we have received to speed the day of action in the Congress.

Let us move quickly and generously to end the inequity now present.

Mr. HALEY. Mr. Speaker, the call to duty has always been accepted by the highest quality of men this Nation could produce. Today, our finest young men have answered this call and are giving their full energy to winning a dirty and bloody war in Vietnam. These men are carrying on in the traditions set by our approximately 25 million other men who now carry the proud title of veteran. They are the finest—they are the best fighting men ever to bear arms in defense of freedom.

Therefore, it gives me great pleasure to add my name to the others of this body who endorse—without reservation—the proposals of President Johnson for the Vietnam Servicemen and Veterans Act of 1967.

It is also with pride that I notice that the provisions, those largely concerned with making the benefits available to the Vietnam veteran, have not forgotten the other veterans who have served this Nation in similar wars before.

We have made great strides in providing some of the benefits during the last session to these gallant young men; however, there is no question that there are still loopholes—and loopholes that will be filled by this new proposed legislation. The increase in educational benefits, the enlargement of opportunities for educationally disadvantaged veterans, plus putting our present servicemen in line for full compensation and pensions—definitely meet with my approval.

I urge the speedy passage of this group of legislation.

Mr. ZABLOCKI. Mr. Speaker, I am pleased to join my colleagues in commending the President for his message on behalf of America's servicemen and veterans.

It is my understanding that it is the first time—at least in recent history—that a Presidential message to Congress has concerned welfare legislation for servicemen and veterans.

The President, indeed, deserves praise for giving the interests of these groups such emphasis.

The proposals which he has recommended to the Congress deserve speedy consideration.

Among the proposals are many which deserve specific comment. Of those I shall single out only two:

First, the increase in the educational allowance is badly needed. A single veteran pursuing a full-time course of studies now receives $100 per month to help him finance his education.

The President has requested that the amount be increased to $130—a more realistic figure in these days of rising living costs.

Second, the President has suggested that legislation be enacted to provide full GI bill payments to educationally disadvantaged veterans so that they can complete high school without losing their eligibility for follow-on college benefits.

This, too, is a wise and practical improvement of the GI program. It will give a helping hand to those veterans with the maturity and energy to want to help themselves by getting an education.

In the process they will be helping our country by reducing the numbers of the potential unemployed and by contributing their skills to 20th century America.

Despite the many worthy recommendations in the President's message, Mr. Speaker, it contained one shortcoming.

No mention was made of correcting the serious inequity which exists with respect to training those young veterans who wish to engage in apprenticeship or on-the-job vocational training.

Although provisions were made for such training in the World War II and Korean war GI bills, they were omitted from the cold war GI bill passed in the 89th Congress.

As I said in a recent press statement, a Vietnam veteran who wants to be a welder or a sheet metal worker has just as much right to Federal training benefits as one who wants to be an accountant or an engineer.

Although the President's message makes no mention of restoring this form of training to the GI program, it is my hope that the very competent House Veterans' Affairs Committee, under the able leadership of our esteemed colleague, the gentleman from Texas, Chairman Teague, will give full and favorable consideration to providing veterans' education benefits for apprenticeship training.

Pending before that committee at the present time, Mr. Speaker, is H.R. 2383, a bill which I introduced in order to give fair treatment to veterans who seek apprenticeship and on-the-job vocational training.

In order to acquaint my colleagues further with this proposal, I include at this point my recent press release on the bill, a fact sheet, and the text of the legislation:

Zablocki Seeks To Aid Vietnam Vets Who Wish Vocational Training by Amending "Cold War" GI Bill of Rights

A Vietnam veteran who wants to be a welder has just as much right to federal training aid as one who wants to be an accountant, Rep. Clement J. Zablocki (Dem., Wis.) firmly believes.

For that reason, Zablocki will introduce into the 90th Congress this week a bill providing benefits to returned veterans who participate in on-the-job or apprenticeship training programs.

His bill, the Veterans Apprenticeship Assistance Act, would amend the "Cold War" G.I. Bill of educational and other veterans' assistance passed early in the second session of the 89th Congress.

Unlike the World War II and Korean Conflict G.I. Bills, Zablocki pointed out, the "Cold War" G.I. Bill does not provide benefits to returned members of the armed forces who wish vocational rather than academic training. The deletion was caused by past abuses of that aspect of the program, he added.

"I am convinced that abuses can be kept to a minimum through legislative safeguards," Zablocki said. "More than that, I am convinced that our Nation must provide equitable treatment to those who seek vocational training outside a college or university.

"In the world of tomorrow, we will have great need for these men and their skills."

The congressman noted that in his home state of Wisconsin more than 43,000 veterans had obtained apprenticeship training under the two initial G.I. Bills. "Those men today are an essential part of our trained work force," he asserted.

"According to the Wisconsin State Apprenticeship Council, about 20 young state men a month are entering the armed forces, either through enlistment or the draft, from their registered apprenticeship programs. If, when they return, they choose to take up vocational training once again, not one nickel of veterans' educational assistance will be available to them as things now stand," Zablocki said.

The congressman's bill, first introduced last year, would provide the trainee a monthly federal allowance up to a maximum of $105 for a man with more than one dependent. In addition, the veteran could take wages from the firm to which he was apprenticed as long as the total did not exceed $410 monthly.

Zablocki said he was hopeful that the House Veterans Affairs Committee would schedule hearings early in the 90th Congress on his proposal. He said that business, labor and educational groups throughout the nation are supporting remedial legislation.

Fact Sheet on H.R. 2383, Veterans' Apprenticeship Assistance Act

HISTORY OF THE BILL

As a co-sponsor of the "Cold War" G.I. Bill of educational and other benefits, Rep. Zablocki believed that similar aid should be given to Vietnam veterans as had been extended to World War II and Korean Conflict vets. The bill which was finally enacted by the 89th Congress, however, excluded those veterans who wished to obtain on-the-job or vocational training. The reason given by the House Veterans Affairs Committee was that abuses had occurred in those programs in the past.

Believing that a boy who wants to be a welder deserves federal help as much as one who aspires to be an accountant, Congressman Zablocki introduced remedial legislation in July, 1966. He then distributed the bill to vocational specialists throughout the United States, asking for comments. As the result of several suggestions, he has introduced a slightly revised version in the 90th Congress.

WHAT THE BILL PROVIDES

The bill would allow returned veterans to undertake on-the-job or apprenticeship training in a craft or skill while receiving a modest federal allowance, in addition to any salary which might be paid him by the firm training him, up to a maximum of $410 per month. The measure spells out safeguards against abuses, including these: The training content of the course must be adequate to qualify the eligible veteran for appointment to the job for which he is to be trained, there must be a reasonable certainty that a job will be available to the veteran in the skill field, the training establishment must be adequately equipped, and it must keep detailed records on the progress in training.

THE EFFECT OF THE BILL

The bill would remedy a deficiency in the present Cold War G.I. Bill which, if left unchanged, might result in a tragic shortage of trained workers at some future time. Under the World War II G.I. Bill and Korean Conflict G.I. Bill more than 43,000 veterans were trained in the State of Wisconsin alone. Those veterans now make up the backbone of the State's skilled work force.

The bill would also make clear that boys who seek vocational training have just as much right to aid as boys who wish to attend college. Their skills will be just as needed in the world of tomorrow as those of the academically trained.

RELATED MATTERS

According to the Wisconsin State Apprenticeship Council about 300 young men in the state left their apprenticeship programs to enter military service in 1966 either by enlistment or through the draft. Believing that these young men deserve some help if they choose to return to their apprenticeships, labor, business and educational leaders in Wisconsin have contacted Rep. Zablocki, supporting his proposal.

For further information see Rep. Clement J. Zablocki, "The Veterans' Apprenticeship Assistance Act of 1966" CONGRESSIONAL RECORD, volume 112, part 12, pages 16310–16313.

H.R. 2383

A bill to authorize on-the-job training and apprenticeship programs under the veterans' educational assistance program embodied in title 38 of the United States Code

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Veterans' Apprenticeship Assistance Act".

SEC. 2. Section 1673 of title 38, United States Code, is amended by striking out in subsection (c) "any course of apprenticeship or other training on the job."

SEC. 3. Section 1682 of title 38, United States Code, is amended by adding at the end thereof the following new subsections:

"(d) Any eligible veteran may receive the benefits of this chapter while pursuing a full-time program of apprenticeship or other training on the job approved under the provisions of section 1777 of this title. The training assistance allowance of an eligible veteran pursuing such an approved program shall be computed at the rate of (1) $70 per month, if he has no dependent, or (2) $85 per month, if he has one dependent, or (3) $105 per month, if he has more than one dependent; except that his training assistance allowance shall be reduced at the end of each four-month period as his program progresses by an amount which bears the same ratio to the basic training assistance allowance as four months bears to the total duration of his apprentice or other training on the job; but in no case shall the Administrator pay a training assistance allowance under this subsection in an amount which, when added to the compensation to be paid to the veteran, in accordance with his approved training program, for productive labor performed as a part of his course, would exceed the rate of $410 per month. For the purpose of computing allowances under this subsection, the duration of the training of an eligible veteran shall be the period specified in the approved application as the period during which he may receive a training assistance allowance for such training, plus such additional period, if any, as is necessary to make the number of months of such training a multiple of four. The terms 'program of apprenticeship' and 'training assistance allowance' used in this subsection and section 1777 shall, for the purposes of the other provisions of this chapter and chapter 36, have the same meaning as 'program of education' and 'educational assistance allowance', respectively."

SEC. 4. (a) Subchapter I of chapter 36 is amended by redesignating sections 1777 and 1778 as sections 1778 and 1779, respectively, and by inserting immediately after section 1776 thereof the following new section:

"§ 1777. APPRENTICESHIP OR OTHER TRAINING ON THE JOB

"(a) Any recognized state apprenticeship agency, or where such state agency does not exist, the Secretary of Labor may approve a course of apprenticeship or other training on the job if the training establishment offering such training is found upon investigation to have met the following criteria:

"(1) The training content of the course is adequate to qualify the eligible veteran for appointment to the job for which he is to be trained.

"(2) There is reasonable certainty that the job for which the eligible veteran is to be trained will be available to him at the end of the training period.

"(3) The job is one in which progression and appointment to the next higher classification are based upon skills learned through organized training on the job and not on such factors as length of service and normal turnover.

"(4) The wages to be paid the eligible veteran for each successive period of training are not less than those customarily paid in the training establishment and in the community to a learner in the same job who is not a veteran.

"(5) The job customarily requires a period of training of not less than three months and not more than two years of full-time training, except that this provision shall not apply to apprentice training.

"(6) The length of the training period is no longer than that customarily requested by the training establishment and other training establishments in the community to provide an eligible veteran with the required skills, arrange for the acquiring of job knowledge, technical information, and other facts which the eligible veteran will need to learn in order to become competent on the job for which he is being trained.

"(7) Provision is made for related instruction for the individual eligible veteran who may need it.

"(8) There is in the training establishment adequate space, equipment, instructional material, and instructor personnel to provide satisfactory training on the job.

"(9) Adequate records are kept to show the progress made by each eligible veteran toward his job objective.

"(10) Appropriate credit is given the eligible veteran for previous training and job experience, whether in the military service or elsewhere, his beginning wage adjusted to the level to which such credit advances him, and his training period shortened accordingly, and provision is made for certification by the training establishment that such credit has been granted and the beginning wage adjusted accordingly. No course of training will be considered bona fide if given to an eligible veteran who is already qualified by training and experience for the job objective.

"(11) A signed copy of the training agreement for each eligible veteran, including the training program and wage scale as approved by the State approving agency, is provided to the veteran and to the Administrator and the State approving agency by the employer.

"(12) Upon completion of the course of training furnished by the training establishment the eligible veteran is given a certificate by the employer indicating the length and type of training provided and that the eligible veteran has completed the course of training on the job satisfactorily.

"(13) That the course meets such other criteria as may be established by the State approving agency.

"(b) For the purposes of this section, the term 'training establishment' means any business or other establishment providing apprentice or other training on the job, including those under the supervision of a college or university or any State department of education, or any State apprenticeship agency, or any State board of vocational education, or any joint apprentice committee, or the Bureau of Apprenticeship established in accordance with chapter 4C of title 29, or any agency of the Federal Government authorized to supervise such training."

(b) The analysis of subchapter I of chapter 36 is amended by striking out "1777" and all that follows down through "courses." and inserting in lieu thereof the following:

"1777. Apprenticeship or other training on the job.
"1778. Notice of approval of courses.
"1779. Disapproval of courses."

SEC. 5. Subsection (c) of section 1662 of title 38, United States Code, is amended by adding at the end thereof the following new sentence: "In the case of any eligible veteran who was discharged or released from active duty before the date of enactment of the Veterans' Educational Assistance Program Amendments of 1966 and who pursues a course of apprentice or other training on the job, within the provisions of section 1682(f) of this chapter, the eight-year delimiting period shall run from the date of enactment of such amendments, if it is later than the date which would otherwise be applicable."

Mr. BROWN of California. Mr. Speaker, I feel that the President's endorsement today of the benefits we sought to give last year to the veterans of the Vietnam conflict, as well as to veterans of past wars and their dependents, will insure that we are providing those men who have risked their lives in strange lands with an opportunity to carve a better place for themselves in civilian life.

The President went even further in proposing an increase in the amount of servicemen's group life insurance and recommending that no veteran have his pension reduced as a result of increases in social security benefits.

I was particularly pleased by the concern which the President showed for the need for cxpanded educational benefits. I have already introduced a bill that is designed to provide many of the same benefits. This is a proposal to place Vietnam era veterans on an equal footing with other veterans and to increase allowances under the GI education bill.

The President's recommendations, and my own bill, would give these veterans of the Vietnam conflict the right to disability compensation at full wartime rates, disability pensions and death pensions for widows and children, special medical care benefits, and a $1,600 allowance toward the purchase of an automobile for veterans with special disabilities such as paraplegics.

It would also raise the monthly stipend for veterans attending school under the GI bill from $100 to $130 a month. Students with dependents would receive correspondingly larger amounts.

A new proposal, which I wholeheartedly approve of, is one that would allow a veteran who needs to complete high school to do so, and to receive full benefits during this period without losing any of his eligibility for college benefits afterward.

Equally important, of course, was the President's endorsement of the increase of 5.4 percent for disabled veterans' pensions, as well as increased benefits for widows and dependents of deceased veterans. We passed a similar proposal near the end of the 89th Congress in the House of Representatives that was not acted on by the Senate because of the rush of legislation during the closing days. I was gratified, as well, by his reassurance on a position I have been taking in my contact with veterans for some time—that no veteran should have his pension reduced as a result of increases in social security benefits.

ANNOUNCEMENT CONCERNING PROGRAM FOR TOMORROW

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, I take this time to advise the House of action taken by the Committee on Rules. House Resolution 53 was ordered reported. It is a resolution to create a Select Committee on Small Business. It will be programed for tomorrow.

H.R. 4082—TAX-SHARING PROPOSAL

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. BROOMFIELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BROOMFIELD. Mr. Speaker, despite massive Federal programs over the years, our State and local governments remain pockets of fiscal poverty.

The Federal Government has given them urban renewal programs that too often are wasteful, cause needless human suffering, and succeed sometimes in hiding rather than eliminating urban blight.

It has given them cash to erect Government buildings, then required local and State governments to build more and spend more than was needed.

It has established programs to curb water and air pollution. But while local government waits for us to provide the funds to implement those programs, their rivers get dirtier, their air more difficult to breathe.

And we are spending billions for the war on poverty—more, according to the President, than we are spending on the other war in Vietnam—to duplicate many of the programs the States and local communities already offer.

All of these examples, and there are more, illustrate the need for a new approach.

That new approach must be aimed at strengthening local government's ability to work out solutions to local problems and to pay for those solutions without compromising principle.

To do this, the Federal Government must offer something other than competition for the taxpayer's dollar.

Most State and local governments already are using traditional revenue-producing taxes, such as property, income, and sales taxes, to the maximum and are searching desperately for new sources of revenue.

Many city governments and school districts are asking voter approval to increase the limits on those traditional taxes or to authorize new taxes in addition to those imposed by the States.

Local governments must compete with each other for the taxpayer's dollar and with the prospect of a Federal income tax increase.

While voters have no direct control over Federal taxes, they can in most cases display their general dissatisfaction by voting down local tax increases.

They are doing so all over the country.

So, the Federal Government often does very little directly to assist the fiscal problems of State and local government and indirectly compounds those problems with its own free-spending policies.

Federal spending policy can hurt local government in another way.

Large-scale Federal spending tends to encourage inflation and inflation means the taxpayer pays more Federal income tax because Federal taxes, tied to a sliding income scale, rise in proportion with the inflationary spiral.

But the taxpayer, faced with a dollar that is worth less and a higher Federal income tax bill over which he has no direct control, will be less inclined to vote for new local taxes.

Local government is caught in the pinch. On the one hand, its income is proportionately less as inflation soars; on the other, its chances of getting voter approval for additional funds diminishes.

I believe the Federal Government must indicate it recognizes these problems and then do something to help.

That is why I am joining with several other Republicans in introducing H.R. 4082 to return 3 percent of the Federal personal income tax collection to the States beginning in 1968.

Half of the money would be for use by the States as they see fit. The remainder would be redistributed by the States to local units of government without Federal controls.

This proposal, I believe, will be a first step toward returning perspective to State and Federal Government relationships.

FIRST LIEUTENANT FRANK S. REASONER, U.S. MARINE CORPS

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. McCLURE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. McCLURE. Mr. Speaker, I am constantly reminded of the sacrifices being made by citizens of my State in the Vietnam war. Two weeks ago, one of my constituents, Maj. Bernard F. Fisher, U.S. Air Force, was awarded the Congressional Medal of Honor.

This morning I was a guest at the Pentagon to watch the presentation of the Congressional Medal of Honor to another resident of the First District of Idaho. Regrettably, this time the award was made posthumously.

First Lieutenant Frank S. Reasoner, U.S. Marine Corps was born in Spokane, Wash. The family moved to Kellogg, Idaho, when Reasoner was 11. After graduating from Kellogg High School, he enlisted in the Marine Corps. Three years later our late, revered Senator Henry C. Dworshak appointed young Reasoner to West Point. Following his graduation from the Academy, he returned to the Marine Corps as a second lieutenant and embarked on a 3-year tour of duty in the Pacific area from which he was not to return. During his entire time overseas, he served as a reconnaissance platoon leader with the 3d Reconnaissance Battalion.

On the day he died, Lieutenant Reasoner was leading an advance patrol of his company deep in Vietcong territory. Spotting an enemy rifleman, he signaled for his men to open fire. Vietcong snipers and an enemy machinegun then pinned down the patrol. In the ensuing battle Lieutenant Reasoner killed two of the enemy.

Seeing that his radioman was wounded and unable to move, the lieutenant raced toward the wounded man to effect a rescue. As he ran, Reasoner was hit with a fatal burst of machinegun fire.

A Marine Corps installation in Vietnam was subsequently named "Camp Reasoner" and dedicated to his memory. They tell me that a hand-scrawled sign near the gates of the camp reads:

> First Lieutenant Reasoner sacrificed his life to save one of his wounded Marines. "Greater Love Hath No Man."

Gallantry such as Lieutenant Reasoner's is irreplaceable, for in this one act of natural courage, he has joined the ranks of 3,181 other Congressional Medal of Honor holders—men whose devotion to their fellow man and whose love of country was greater than life itself.

I would not want to sound partisan on an occasion such as this, but Lieutenant Reasoner's story reminds me again of the sacrifices young Idaho men are making in a strange, far-off land. Sometime soon we must have the assurance that their valor has not been in vain, that victory is in sight, and that when the struggle in Vietnam is over, we will find ourselves in a world at peace.

The citizens of Idaho join me in extending to Lieutenant Reasoner's family—his wife, Sally, and his son, Michael Lawrence, of Kingston, Idaho; and his parents, Mr. and Mrs. James C. Curry, of Kellogg, Idaho—our deep gratitude for his service and our sorrow at his death. We also share their pride knowing that the Nation has paid him its highest tribute.

In order that generations to come will remember the full story of 1st Lt. Frank Reasoner, I include as part of my remarks the text of the official citation:

> For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as Commanding Officer, Company A, 3d Reconnaissance Battalion, 3d Marine Division in action against hostile Viet Cong forces near Danang, Vietnam on 12 July 1965. The reconnaissance patrol led by Lieutenant Reasoner had deeply penetrated heavily controlled enemy territory when it came under extremely heavy fire from an estimated 50 to 100 Viet Cong insurgents. Accompanying the advance party and the point that consisted of five men, he immediately deployed his men for an assault

after the Viet Cong had opened fire from numerous concealed positions. Boldly shouting encouragement, and virtually isolated from the main body, he organized a base of fire for an assault on the enemy positions. The slashing fury of the Viet Cong machine gun and automatic weapons fire made it impossible for the main body to move forward. Repeatedly exposing himself to the devastating attack he skillfully provided covering fire, killing at least two Viet Cong and effectively silencing an automatic weapons position in a valiant attempt to effect evacuation of a wounded man. As casualties began to mount his radio operator was wounded and Lieutenant Reasoner immediately moved to his side and tended his wounds. When the radio operator was hit a second time while attempting to reach a covered position, Lieutenant Reasoner courageously running to his aid through the grazing machine gun fire fell mortally wounded. His indomitable fighting spirit, valiant leadership and unflinching devotion to duty provided the inspiration that was to enable the patrol to complete its mission without further casualties. In the face of almost certain death he gallantly gave his life in the service of his country. His actions upheld the highest traditions of the Marine Corps and the United States Naval Service.

FOR HUMANE TREATMENT OF LABORATORY ANIMALS

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I have reintroduced legislation today to provide for humane treatment of laboratory animals.

This bill, which as H.R. 5647 in the 89th Congress had extended public hearings before the Interstate and Foreign Commerce Subcommittee on Health, sets standards of humane care for animals used in federally supported scientific research.

As I told my colleagues on March 2, 1965, prior to my introduction of this bill, I studied many proposals and am convinced my bill will provide standards of humane treatment without impairing legitimate research.

It follows closely the guidelines established in England in 1876. That law is still in force today and has the approval of the overwhelming majority of responsible British scientists.

The bill creates standards for the handling of animals and bars all Federal grants for research to institutions or persons not having a certificate from the Secretary of Health, Education, and Welfare showing that they meet these standards.

Fair treatment of animals should be the mark of every civilized society. My bill will provide for decent care of experimental animals which can be provided without impairing the progress of scientific research. It would eliminate much duplication of painful experiments which are run in areas where the answers sought have already been discovered.

I was heartened by the passage in the 89th Congress of one piece of legislation to provide for humane treatment of animals, H.R. 13881, which I supported.

But that new law, Public Law 89-554, while a step in the right direction, does not go far enough. It deals only with animal dealers and the handling of animals being procured for laboratory use. But it stops short of the laboratory door.

My bill would take the next step and provide proper care for animals in the laboratory itself. Every year, since this measure has been before the public, support for it has grown.

I hope this is the year in which it will finally be enacted into law.

SECOND- AND THIRD-CLASS MAIL FOR FIRE COMPANIES

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I have introduced a bill which would extend to volunteer fire companies the rates of postage on second- and third-class bulk mailings which are now applicable to certain nonprofit associations and organizations.

In much of rural and suburban America, our volunteer fire companies are not only the only protective agency in the town, but they form the backbone of much of the charitable and organizational work performed.

The history of volunteer fire departments and companies is long and illustrious.

Our Nation's first President, George Washington, was a volunteer. As a matter of fact, in 1764, he purchased a fire engine in Philadelphia for 80 pounds, 10 shillings—about $400—and gave it to the Alexandria, Va., Volunteer Fire Company.

The first "mutual fire society" was started in 1718. Its main job was to save furniture and personal property while the paid fire department was fighting the fire. Similar societies began to flourish. Then a gentleman we have all heard of, suggested that the companies do more—that they do both salvage work and firefighting. His name was Benjamin Franklin and the volunteer company he organized in Philadelphia set the pattern for the Nation. From that time on, the development of a volunteer fire company was often the first real community action taken, as the rest of our continent was settled and the boundaries pushed westward.

Today, many of these volunteer fire companies still exist and perform their vital duties in an age of rapidly advancing technology. Very often they must reach their membership for drills concerning improvement in modern firefighting technique; to call them together for meetings; or, in areas where they also serve charitable needs, for meetings for those purposes.

Figures for recent years show that nearly 12,000 men, women, and children lose their lives annually as a result of the Nation's fires. Property damage alone comes to more than $1½ billion a year. In much of the Second Congressional District of New Hampshire and other rural areas, the only force standing between these ravages of fire and the people are the volunteer fire companies and departments.

If these volunteer companies, which have done such a remarkable job in New Hampshire, are to be able to continue their fine work, the least we can do is allow them the same postal privileges we now allow other similarly oriented charitable and nonprofit organizations and associations.

LET'S CLEAN UP OUR AIR AND WATERS

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHWEIKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, I am pleased to join many of my colleagues today in introducing legislation which would provide a tax credit against the cost of constructing air and water pollution control facilities.

This 20-percent credit would apply to the taxpayer's cost for necessary land, buildings, and equipment provided for pollution treatment facilities in cooperating with Federal and State Governments on their pollution programs.

Recent articles appearing in national magazines have vividly documented, through alarming color photographs, the unbelievable poisoning of two of our most important natural resources—our air and water. The people who live in our crowded urban areas know all too well that their air is unfit to breathe. They know all too well that nearby waterways are clogged with waste of all kinds.

Even what may, by comparison, be thought of as rural areas have not escaped the effects of such pollution. Air currents move discharged gases and solids many miles from the cities before depositing them in open areas. Streams and rivers flow many miles before purifying themselves.

The pollution of our air and water has continued at an alarming rate, and it is essential that Federal, State, and local governments work in close cooperation with private business to prevent the further poisoning of these resources.

The legislation necessary to require pollution control facilities to meet local, State, and Federal standards has already been enacted. What is needed now is a means of enabling them to proceed as rapidly as possible, without having to wait for the availability of Government grants.

The longer we delay in attacking and solving these problems, the more danger there is to our health and that of future generations. The problems cannot be solved by one company, or one county, or one State, or even by the Federal Government alone.

It will require the greatest coordination and cooperation at all business and governmental levels if the citizens of this country are to enjoy the benefits of clean air and fresh water. This legislation would provide one of the steps to insure those benefits.

Mr. Speaker, I join with the distinguished gentleman from Ohio [Mr. BROWN] and my other colleagues in urging this legislation's prompt consideration by the committee and early passage by this body.

CRIME ON CAPITOL HILL

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MINSHALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MINSHALL. Mr. Speaker, the crime wave on Capitol Hill is beginning to look like a page from a police blotter.

According to FBI figures, nationwide crime rose by 10 percent during the first 9 months of 1966 compared to the same period in 1965.

Crime in the District of Columbia increased by approximately 9 percent during that time.

But the U.S. Capitol set the record.

Crime on Capitol Hill—and that includes only the Capitol Building, the five office buildings, and the grounds—hit 51 percent last year over 1965.

Half again as many crimes were committed on Capitol premises in 1966 as in the year previous.

We view with alarm the national crime crisis and enact such legislation as we can to combat it, but we scarcely can point with pride at the sloppy and dangerous lack of security we permit on the Hill.

Early in January 1965 I took this floor to warn the House that the security situation here is serious and demands immediate attention. The House had just had the shattering experience of an invasion by a member of the American Nazi Party, in blackface and minstrel costume, during a session. That same day, just before the President delivered his state of the Union message, a known crackpot gained admission to the floor and was removed by police only when pointed out by a colleague of ours.

This prompted me to introduce a resolution calling for a special House committee to investigate the Capitol's security measures. My resolution languished and died in the 89th Congress. I reintroduced it on the opening day of the session, House Resolution 74, now before the Committee on Rules.

Since I first introduced this legislation more than 2 years ago, we have had a total of 131 serious crimes of all types, 52 of them occurring during 1965 and 79 of them last year.

Several of these were so outrageous as to encourage my hope that the House would surely adopt my resolution and correct a situation which not only jeopardizes the safety of every one of the 7,000 employees who work on Capitol Hill but the millions of constituents who visit us yearly.

Let me call to mind the brutal attack on our colleague, the gentleman from New Hampshire [Mr. CLEVELAND], in the spring of 1965, while he was working one evening in his office in the Longworth Building. He might well have been killed by his knife-wielding assailant.

Many of us shared the concern of another colleague, the gentlewoman from Washington [Mrs. MAY], when her automobile was stolen from its parking space in the Cannon Building garage shortly before Congress adjourned last fall.

The House beauty shop was robbed in broad daylight on December 19, 1966, the holdup man taking hundreds of dollars in cash, despite the fact that the police guardhouse is only a few doors away. I am told that employees in the shop have had to rearrange their working schedules so that they can leave before dark.

Inestimable damage was done late last fall to the paintings which hang in the House side of the Capitol.

And, just before Christmas, while working alone in the office of our colleague, the gentleman from New Mexico [Mr. WALKER] a young secretary tried by herself to capture a thief who had calmly walked in and stolen her wallet. Ironically, the young lady's husband is a Capitol policeman stationed on the Senate side.

These are only a very few of the cases which come to mind.

I think, if we are not to improve our security enforcement, we would do well to warn our visiting constituents to be prepared for any contingency when they wander through the historic corridors of their Capitol and through the labyrinths of the subways and office buildings. They are not now safe from assault or robbery.

I am reliably informed that the Chief of the Capitol Police, James M. Powell, testified last year in closed hearings before the House Administration Committee that he was fearful that we might have a murder in the Rayburn Building and the body not be found for days under the present security system.

Let me pause to express my unreserved admiration for Chief Powell, who comes to us from the District of Columbia Metropolitan Police with an outstanding record, and to our great Sergeant at Arms, Zeake Johnson. They are doing a splendid job under terrific handicaps and with a minimum of cooperation from Members of Congress. If tragedy should strike, if the crime wave on Capitol Hill continues to rise, it will not be the fault of these two dedicated gentlemen. It will be the fault of those of us who have consistently ignored the urgent need for a modern, well-trained, well-equipped, professional police force. I understand that the present problem is not a numerical lack of policemen, but, rather, a deficiency of trained men with solid police backgrounds. It calls for a long, hard look at our present system of making police appointments and our methods of training the men to do their jobs.

It is no secret that the Capitol lies under a constant threat of violence. With the crime situation what it is throughout the District of Columbia, it is not always possible to summon hundreds of metropolitan police to Capitol Hill in a moment's notice in time of emergency. And when we hear tales of Capitol Police rookies leaving their posts because they want to "go get a soft drink," we are given pause for thought.

Chief Powell has provided me with a breakdown of crime on Capitol premises for the years 1965 and 1966 which I shall include at the conclusion of my remarks. Not listed, of course, are the many incidents which never reached the police desk but of which we all have heard: the cases of peeping toms, the traceless vandalism which has marked the walls of the new elevators in the Rayburn Building, the escapades of teenage youngsters who roam the halls and ride the escalators hours on end.

It has been suggested that after a certain hour each evening, those entering and leaving the buildings be required to sign a register and identify themselves. The Rayburn Building alone poses a massive security problem with its many entrances and virtually unguarded access to the Capitol Building and other office buildings.

I urge the Rules Committee to give its earliest consideration to my resolution and the House to act promptly thereafter. We have a situation here which cannot be ignored and which augurs real tragedy if not corrected.

The breakdown referred to follows:

Crime breakdown for the U.S. Capitol for the period from Jan. 1, 1965, through Dec. 31, 1965

	Cases
Robbery (includes attempts)	2
Stolen autos	3
Miscellaneous larcenies	32
Larceny from autos	9
Indecent exposure	1
Vandalism	3
Assaults	2
Grand total (all types)	52

Crime breakdown for the U.S. Capitol for the period from Jan. 1, 1966, through Dec. 31, 1966

	Cases
Robbery (includes attempts)	4
Stolen autos	11
Miscellaneous larcenies	41
Larceny from autos	11
Indecent exposure	1
Vandalism	5
Assaults	6
Grand total (all types)	79

TAX SHARING TO STATES FOR HEALTH, EDUCATION, AND WELFARE

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, I am today introducing legislation that would return a fixed portion of Federal tax revenues to the States to health, education, and welfare purposes. This particular bill has the support of the distinguished Senator Javits, from New York, and of my esteemed colleague, the gentleman from New York [Mr. Reid].

While there are a number of so-called tax-sharing proposals now under consideration, I am convinced that the legislation I introduce today strikes the best balance between needed flexibility at the State and local level and essential Federal accounting for the moneys returned to the States.

Under the bill 1 percent of the aggregate taxable income reported would be returned in the first year, 1½ percent in the second year, and 2 percent each year thereafter. Eighty-five percent of the fund, estimated at $3 billion in the first year, would go to the States on the basis of population and tax effort; the remaining 15 percent would be distributed among the States with the lowest per capita figures for the country as a whole.

The trust fund, composed of this fixed percentage of revenue income, would be administered by the Treasury Department. No State could receive more than 12 percent of the fund in any one year.

Wide flexibility would be accorded to the States. The areas of health, education, and welfare are purposely broad and the restrictions are few. States could not use the fund for administrative expenses, highway programs, State payments in lieu of property taxes, debt service or disaster relief.

To insure that the States are using the funds wisely within these broad guidelines, each Governor would be required to develop a distribution plan for sharing the returned revenues with local communities. Frequent reports to the Secretary of the Treasury, the Comptroller General, and the appropriate committees of the Congress would provide a further estimate of the degree to which the operation of the program was in accord with the congressional intent.

Mr. Speaker, I am convinced that legislation to improve the financial situation in our States is critical. We are all familiar with the problem faced by so many of our States which necessarily are restricted to a property or sales tax base. Exceptionally high property taxes only weaken a State's competitive position in attracting new industry and new residents; while high sales taxes have a regressive impact on those elements in the economy least able to afford them. Certainly the burden on State and local programs in my own State of Massachusetts would be much eased by the return of $63.5 million as contemplated in my bill.

Tax sharing would also help us break our present dependence to the grant-in-aid approach. There are serious questions as to whether this method is efficient, and to what extent Federal restrictions impose unnecessary limitations on the decisionmaking process at the State and local level.

The tax-sharing concept has gained such wide support and interest that I think it deserves our careful consideration during this Congress.

LEGISLATION TO ENCOURAGE EXPENDITURES FOR MUNICIPAL BONDS, PURE RESEARCH, CHARITIES, IN SEARCH OF INVESTMENT, AND FOR POLLUTION CONTROL FACILITIES

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am introducing today several bills designed to remove the tax deterrents to the expenditure of funds held by individuals and organizations in our society for purposes we have long agreed to be beneficial. Indeed, we have held these purposes to be so beneficial and important that great sums have been expended directly by our Federal Government in pursuance of these same goals. My objective today is to encourage private initiative by removing barriers imposed by our tax laws and bring them into conformity with our social and economic objectives.

The basic theory behind these proposals is that of the "tax neutralists" who hold that the economic impact of taxation should be as minimal as possible, thus, correspondingly, tax policy should be in accord, not in discord, with governmental expenditure policies. Put another way, we should not tax expenditures by the private sector, which, if not made by the private sector, would have to be made by the public sector.

One of the bills which I am introducing today clears away some of the remaining tax barriers to investment in local and municipal bonds used to finance schools, sewers, and hundreds of other local needs. Another removes the tax barriers to contributions in foreign charities, attempting to do much the same job as our massive foreign aid program. A third bill is designed to stimulate investment in new business ventures to keep us at the forefront of technological advances. A fourth bill encourages basic research by allowing a tax credit for contributions and other expenditures for basic research in science. A fifth bill, which I am cosponsoring today, was originally introduced in the last Congress by my very able colleague, the gentleman from Ohio [Mr. Brown], and is being reintroduced today by him and several other Members on both sides of the aisle. I am very pleased to join them in introducing this measure, which provides a tax credit to encourage expenditures for a construction program for air and water pollution treatment facilities in accord with the Federal and State Government's pollution control programs.

A discussion of each bill follows:

A BILL TO IMPROVE THE BOND MARKET FOR MUNICIPALS

Mr. Speaker, as a recognition of the importance of bond financing for State and local governmental bodies, our present Internal Revenue Code provides that interest on these obligations shall be free from Federal income taxation. This exemption from taxation is effective in making State and local government obligations attractive to investors and permits their sale at lower interest than would be possible otherwise.

The role of bond financing is not difficult to trace. School bond issues, sewer bond issues, and hundreds of others are commonplace in financial circles. The need for adequate debt financing capital to our State and local governmental bodies cannot be overemphasized, and the availability of this capital at advantageous interest rates, made possible by the tax-exempt nature of their interest, depends upon a ready market for these bonds.

I have today reintroduced a bill which would help expand and improve the market for municipals. While individual bondholders may receive the interest from municipals tax free, when this interest is channeled to them through a corporate investing mechanism the investors fail to get the full benefit of tax exemption. The interest comes to the investment corporation tax free, just as it does to individuals, but there is no carry-through provision. Thus, the entire income of the corporation, from tax-free and taxable sources, is merged and divided and the entire amount received by each shareholder in the investment corporation is fully taxed. What my bill suggests is that there be allowed exclusion on the part of the individual taxpayer of his pro rata share of the tax-exempt interest received by the corporation, thereby giving the taxpayer the direct benefit of the tax-exempt status of these securities.

By making municipal bonds more attractive to investment corporations, which control a very large amount of capital, a better market will be created for these securities and the problem of financing State and local government will be eased.

A BILL TO AMEND THE INTERNAL REVENUE CODE TO PROVIDE THAT CONTRIBUTIONS TO FOREIGN CHARITIES BE DEDUCTIBLE FROM GROSS INCOME

Mr. Speaker, I am introducing today a bill to amend section 170(c)(2) of the Internal Revenue Code of 1954 to permit a charitable contribution made to a foreign charity by a U.S. taxpayer to be deductible for income tax purposes.

The nondeductibility of such contributions was brought to my attention by a constituent and his wife who during the past several years have made contributions to Protestant religious groups in Japan. The constituent's father established a mission in Japan in 1895 and this mission today is known as the "Church of Christ in Japan." A college classmate of his wife built a settlement house in Japan and both of these worthwhile organizations have received financial and moral support over the years from these two Americans. These

Americans are quite interested in the progress and work of these Japanese organizations and have generated a great deal of good will and friendship for our people. Deductions of gifts to these two religious charities and similar organizations have been disallowed by the Internal Revenue Service for the reason that under the present law they do not qualify for such treatment.

Section 170(c) of the 1954 code provides in part that for the purposes of this section, the term "charitable contributions" means a contribution or gift to or for the use of:

> 2. A corporation, trust, or community chest, fund, or foundation—
>
> (A) created or organized in the United States or in any possession thereof, or under the law of the United States, any State or territory, the District of Columbia, or any possession of the United States.

After I looked into this matter I wrote Mortimer M. Caplin, then Commissioner of Internal Revenue, and he replied stating that the legislative background of section 170(c)(2) of the 1954 code indicates the intent of Congress that only contributions made to "domestic" charities be deductible. He said this restriction which was first enacted into the law as section 23(c) of the Revenue Act of 1938 limits the deduction for contributions to those made to or for the use of a domestic charity. In his letter he quoted from the report of the House Ways and Means Committee on section 23(o) of the Revenue Act of 1938, H.R. 1860, 75th Congress, third session—1938—pages 19 and 20, as follows, to wit:

> Under the 1936 act, the deductions of charitable contributions by corporations is limited to contributions made to domestic institutions (sec. 23(q)). The bill provides that the deduction allowed to taxpayers other than corporations be also restricted to contributions made to domestic institutions. The exemption from taxation of money or property devoted to charitable and other purposes is based upon the theory that the Government is compensated for the loss of revenue by its relief from financial burden which would otherwise have to be met by appropriations from public funds, and by the benefits resulting from the promotion of the general welfare. The United States derives no such benefit from gifts to foreign institutions and the proposed limitation is consistent with the above theory. If the recipient, however, is a domestic organization, the fact that some portion of its funds is used in other countries for charitable and other purposes (such as missionary and educational purposes) will not affect the deductibility of the gift.
>
> The policy reasons cited for limiting the deduction to domestic organizations might have had some validity in 1938, but it sounds almost strange in 1963, particularly when we think in terms of our mutual security programs, the purposes of point 4, Peace Corps, student exchanges, and so forth. It seems to me that the time has come for the Ways and Means Committee to again consider these basic policy reasons established back in 1938 to determine whether or not they are still valid or whether or not some changes should be made to more accurately reflect our present policies and attitudes.

When I introduced this bill during the last session, I received a report from Mr. Stanley S. Surrey, Assistant Secretary of the Treasury, giving me the Treasury's views on this bill. I include that report in the Record at this point:

> Treasury Department,
> *Washington, D.C., December 23, 1963.*
>
> Hon. Wilbur D. Mills,
> *Chairman, Committee on Ways and Means, House of Representatives, Washington, D.C.*
>
> Dear Mr. Chairman: This is in reply to your request for the views and recommendations of this Department on H.R. 8367 (88th Cong., 1st sess.), entitled "A bill to amend the Internal Revenue Code of 1954 to provide that contributions and gifts to foreign charities shall be deductible from gross income."
>
> The bill, if enacted, would make two changes in the present provisions dealing with income tax deductions for gifts to foreign charities. The first change would be to eliminate the present requirement contained in the last sentence of section 170(c)(2) of the Code which requires that contributions made by corporations to a "trust, chest, fund, or foundation" shall be deductible only if "the contribution is to be used within the United States or any of its possessions;" the so-called domestic use requirement. The second change would eliminate the present language contained in section 170(c)(2)(A) which requires that all deductible contributions must be made to a charitable organization "created or organized in the United States or in any possession thereof, or under the law of the United States, any State or Territory, the District of Columbia, or any possession of the United States;" the so-called domestic organization requirement.

ELIMINATION OF THE DOMESTIC USE REQUIREMENT

> As noted above, a corporation, under present law, may only deduct a contribution to unincorporated donees if the gift is to be used exclusively within the United States or any of its possessions. However, since the code does not specifically require gifts by a corporation to a charitable corporation to be used exclusively within the United States or any of its possessions, the Service has taken the position that a gift by a corporation to a domestically organized charitable corporation is not subject to the domestic use requirement. Because of the presence of a domestic organization through which the Internal Revenue Service can monitor the activities of the donee organization so as to determine whether such activities are in accord with the congressional grant of an income tax deduction to the donor, the absence of a domestic use requirement with respect to gifts made by noncorporate donors has not led to any serious abuses or administrative problems. Therefore, we would have no objection to treating charitable contributions made by corporate donors in a manner similar to that presently accorded in the case of contributions by noncorporate donors. Accordingly, this Department would have no objection to the removal of the last sentence of section 170(c)(2) (the domestic use requirement).

ELIMINATION OF THE DOMESTIC ORGANIZATION REQUIREMENT

> The second change which would be made by the bill would be to broaden the provisions allowing deductions for charitable contributions so as to permit the deduction of gifts made by both corporate and noncorporate donors without regard to whether the donee institution is a domestic or a foreign charity. Such was the scope of the law with respect to charitable contributions made by noncorporate donors prior to the enactment of the Revenue Act of 1938. The expressed intent of the present restriction upon income tax deductions for charitable contributions to domestic charities, which was enacted in that year with respect to gifts made by noncorporate donors, was to insure that the United States would obtain an offsetting benefit for the revenue loss resulting from the deductibility of such contributions. At that time the Ways and Means Committee took the position that the United States derives no benefit from gifts to foreign institutions and that, therefore, only contributions to domestic organizations should be deductible under the income tax law. Thus, the report of the Ways and Means Committee states that: "Under the 1936 act the deduction of charitable contributions by corporations is limited to contributions made to domestic institutions. The bill provides that the deduction allowed to taxpayers other than corporations be also restricted to contributions made to domestic institutions. The exemption from taxation of money or property devoted to charitable and other purposes is based upon the theory that the Government is compensated for the loss of revenue by its relief from financial burdens which would otherwise have to be met by appropriations from public funds, and by the benefits resulting from the promotion of the general welfare. The United States derived no such benefit from gifts from foreign institutions, and the proposed limitation is consistent with the above theory. If the recipient, however, is a domestic organization the fact that some portion of its funds is used in other countries for charitable and other purposes (such as missionaries and educational purposes) will not affect the deductibility of the gift."
>
> Irrespective of the validity at the present time of the reasoning which led Congress to limit the deduction to contributions made to domestic organizations in 1936 and 1938, the Treasury Department believes that the limitation should now be maintained for strong administrative reasons. We feel that the elimination of the domestic organization requirement, which would allow tax deductible gifts to be made directly to foreign charitable organizations without providing a domestic entity through which the Internal Revenue Service could insure that the provision of the income tax law allowing deductions for charitable organizations are followed, would prevent the effective supervision over charitable funds expended abroad. Such lack of an effective policing power to insure that the funds were in fact expended for religious, charitable, etc., purposes, that no part of the net earnings of the foreign entity inure to the benefit of any individual and that no substantial part of the recipient organization activities consisted of carrying on propaganda or otherwise attempting to influence legislation would lead to widespread abuses in this area. Such action might, in effect, place foreign philanthropic activities, which could not be adequately policed, in a preferred position as compared with domestic activities.
>
> In addition, the ability to make contributions directly to foreign organizations might permit payments with respect to which an income tax deduction has been granted to be used by Communist organizations and thus would circumvent the purpose of section 11 of the Internal Security Act of 1950 (64 Stat. 996; 50 U.S.C. 790) which denies an income tax deduction for contributions to domestic Communist-action or Communist-infiltrated organizations.
>
> For the above reasons, this Department is opposed to the provisions of lines 6 through 9, inclusive, of H.R. 8367 which would, in effect, remove the domestic organization requirement.
>
> The Bureau of the Budget has advised the Treasury Department that there is no objection from the standpoint of the administration's program to the presentation of this report.
>
> Sincerely yours,
>
> Stanley S. Surrey,
> *Assistant Secretary.*

Mr. Speaker, in reading through this report it appears that Secretary Surrey's primary objection for permitting deductions for charitable contributions to foreign charities is the difficulty of administering the program. I think Mr. Surrey is correct and I think he has put his finger on what appears to be the most difficult problem. It seems to me that we can put the burden of qualification upon the foreign country. It would certainly be in that country's best interest to see that its domestic charities qualify for private foreign aid. Why not by regulation determine what criteria must be satisfied before foreign charity can qualify and then have the foreign government process the applications of their domestic charities. This data could be submitted to the local embassy for checking in the doubtful cases and the foreign charity would be obliged to recertify its qualifications each year or from time to time as the Commissioner feels appropriate.

It is certainly possible that some of these contributions will be diverted to other than charitable purposes, but this probably happens in our own country; and if it does, then the recipient should be disqualified. If we err, it should be on the side of the open door as opposed to the closed door. If our original premise is valid then we should be thinking in terms of ways to implement it rather than limit it.

Another collateral aspect of this problem involves the tax exemption status of foreign charities. The Commissioner has outlined the procedures for establishing this tax-exempt status of foreign charities by various separate tax treaties. In fact, all organizations which enjoy a tax-exempt status must qualify under the Internal Revenue regulations and such organizations have been listed by the U.S. Treasury Department in IRS Publication No. 78. It does not seem to me to be an insuperable task to establish guidelines consistent with the policy behind the deduction.

There are a good many of us in Congress who believe that the people-to-people approach is extremely important if we are to achieve better understanding and closer friendships between our people and the peoples abroad. It is my feeling that such relationships should be encouraged rather than discouraged. We have written a great many tax incentives into our Internal Revenue Code to encourage the development of certain policies. This could well be an area where the Congress should take a long look to determine whether or not this impediment to contributions to foreign charities should be changed or eliminated. It may be time to replace the impediment by a policy of equality with other charitable gifts. I hope that my colleagues will give some thought to this suggestion and give the members of the Ways and Means Committee the benefit of their thinking on this matter.

A BILL TO STIMULATE INVESTMENT INTO NEW ENTERPRISE

Mr. Speaker, at the present time, under section 212 of the Internal Revenue Code a loss is deductible for amounts spent in searching out and investigating a potential business or investment only where the taxpayer has entered into the transaction under contemplation and the loss has resulted from the abandonment of the project. This interpretation of the section came into prominence in 1957 in the Internal Revenue Service's Revenue Ruling 57-418.

Prior to 1957, the expenditures for preliminary investigations of business or investment opportunities were allowed as deductions even though the taxpayer did not, eventually, enter the transaction. I have today offered a bill which would in effect overrule Revenue Ruling 57-418 and reinstate the earlier rule as set out above.

The basis of this amendment is to encourage taxpayers to investigate new ventures and investments. Requiring that a taxpayer materially commit himself to the development of a particular undertaking before the expenses of investigating it in order to weigh its possibilities are allowed as a tax deduction limits the scope of ventures into which careful and responsible taxpayers will look for possible development and this, in turn, limits the development potential of our economy.

Living as we do in a period of rapid technological change and innovation, I feel it is wiser for us to stimulate the activities of those who would move us into new fields by exploring their economic possibilities than to hobble their efforts to help America move forward.

A BILL TO ENCOURAGE BASIC RESEARCH

Progress in the modern world is intimately linked to the efforts of basic research and to maintain America's scientific and industrial preeminence we must encourage basic scientific research in this country.

To this end, I have today reintroduced legislation which would permit tax credits to individuals and corporations for their contributions to basic research. For individuals, contributions to universities or nonprofit organizations for basic research would be treated as a credit against taxes. By the provisions of the bill, the individual taxpayer could claim 90 percent of his contribution as a credit against his tax liability, up to a total of 5 percent of that liability. For business which undertakes basic research, there would be a credit of 75 percent of the contribution made up to a total of 3 percent of the tax liability.

The control of the incidence of the tax burden has proven to be an effective way to encourage certain activities and discourage others. What it does, in effect, is tell the individual or corporate taxpayer, "We will not order you to make certain expenditures and not others, for this is the legitimate area of personal choice; the disposition of your funds is in your hands alone. We will, however, recognize expenditures which contribute to the general welfare, we will encourage better exercise of your right to do with your funds as you see fit, and we will do this by making the amounts so spent or some part of them free from taxation." The legitimate right of choice remains with the taxpayer, both in the question of how to spend his money and its exact distribution among the competing areas of basic research.

Such a system would be, in my estimation, far preferable to a program by which the Federal Government would underwrite these costs. Guarantees of the good faith of the research expenditures would be left in the hands of the universities and nonprofit organizations where they are involved and in the hands of a certifying board of scientists where corporations are concerned. This bill would foster our national progress in the context of individual freedom which has been so important to our growth in the past.

A BILL TO PROVIDE A TAX CREDIT FOR EXPENSES FOR CONSTRUCTION OF POLLUTION CONTROL FACILITIES

Mr. Speaker, in my judgment a tax credit is an excellent method to encourage business and industry to tackle the air and water pollution problem which is becoming more serious every day. It must be remembered that facilities for pollution control are nonproductive essentially, and that the appropriate facility must be constructed specifically for the needs of the particular industry. Thus, a tax credit allowing for great flexibility, is most appropriate.

This bill provides for a 20-percent credit for all costs of the facility—buildings, land, improvements, machinery, and equipment. If the taxpayer chooses to apply for the 20-percent credit, he would, of course, not be additionally eligible for the 7-percent tax credit which Republicans salvaged from the administration's efforts to suspend the investment tax credit on machinery during the last Congress.

The taxpayer may elect to amortize these expenditures during the tax year or over the next 4 years after the year in which the expenditures were made. In order for the taxpayer to qualify for the benefits of the tax credit and the rapid tax amortization provisions the taxpayer must have the appropriate State agency approve the facility to be sure that it is in accordance with the State's program for air and water pollution abatement.

THE GUARANTEED OPPORTUNITY TO EARN AN ANNUAL INCOME

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CURTIS. Mr. Speaker, President Johnson in his 1967 Economic Report stated his intention to establish a Commission to examine the merits and disadvantages of the many proposals for guaranteeing minimum incomes. In December, I participated in a symposium on guaranteed annual income held by the U.S. Chamber of Commerce and presented my approach to aiding the poor and alleviating poverty. My proposal is to guarantee each of our citizens not an annual income, but the opportunity to earn an annual income. This program would strike at the deep cultural, emotional, and political roots of poverty without weakening individual dignity or discouraging individual incentive. I would like at this point to insert in the Record the speech which I gave to the

symposium with the hope that the approach it makes will receive serious consideration from the Commission the President intends to establish:

THE GUARANTEED OPPORTUNITY TO EARN AN ANNUAL INCOME

The guaranteed annual income, like a guarantee of happiness, has a direct and simple appeal. The proponents imply that poverty can be wiped out in a single stroke by giving a subsidy to the poor. If poverty is a lack of income, then the solution is obvious; provide the income necessary to raise the poor family or individual above the poverty level. The beguiling simplicity of the idea is its most attractive—and dangerous—feature. The writers of the United States Constitution resisted this simplicity and spoke of government providing for the pursuit of happiness, not happiness itself. So I think we must resist the present day simplicity and speak of providing for the opportunity to earn an income, not providing the income itself.

The trouble with this seemingly new theory is that the more we learn about poverty, particularly hardcore poverty, the more we realize that it is not just an economic problem. It is a problem with deep cultural, emotional, and political roots. In truth, hardcore poverty in the United States is as much a state of mind as a lack of money. Merely providing direct money payments to the poor will not solve the poverty problem. In fact, I believe that providing a guaranteed annual income would perpetuate poverty and might even make it worse.

As a matter of fact, the term "poverty" must be more clearly understood. In the United States today, it is definitely *not* subsistence-poverty which is the term developed in the Western world over the past seventeen decades as a scientific word of art, which is used in the United Nations and applied with a real and practical meaning to most societies in the world today. The term "poverty" as used in the United States today can only mean comparative-poverty—an entirely new concept and one which has little relationship to subsistence-poverty, albeit it is descriptive of a very real and important bundle of social and economic problems.

In my opinion, the guaranteed income would harden the poverty subcultures in our society. It would make millions of individuals wholly dependent upon some new form of welfare check and give them the feeling that they had no chance to obtain more. This is why I am opposed to the guaranteed income and why I believe it would be a cruel mistake to adopt it as public policy.

There is a better, more realistic and more enlightened way to fight comparative-poverty. It is by guaranteeing opportunity. Or as Abraham Lincoln put it, by affording every man "an unfettered start in the race of life." But before explaining how I think we can do a better job of guaranteeing opportunity, I want to discuss why I think adoption of the guaranteed annual income would be a major mistake.

A complete evaluation of the guaranteed income requires the skills and insights of an economist, sociologist, philosopher, and psychologist. For some reason, the economists seem to have made the subject their own special province. Admittedly, economists can provide a part of the answer. They can tell us something of the cost and of the alternative uses to which we might put our resources. But economists can tell us very little about the social, cultural, and psychological effects of the guaranteed income. And in my opinion, these are critical.

I suppose that is part of the reason why I am here. Just as I feel that war is too serious to be left to the generals, so do I believe that the outcome of the guaranteed income debate is too important to be left to the economists. As a lawyer-politician by profession and an economist by avocation, perhaps I can contribute a different and, I hope, useful point of view to the discussion.

Before examining the concept of the guaranteed income, I think it would be helpful if I stated the basic assumptions upon which I am proceeding.

First, one of the major objectives of our society should be the rapid reduction of comparative-poverty with the ultimate goal of its virtual elimination within a reasonably short time, so that standards of living are truly free choices of living, differences not superiorities or inferiorities, and what measures less in dollars may well measure more in terms of human happiness.

Second, our economic and social system has produced unprecedented successes in eliminating subsistance-poverty and in reducing comparative-poverty over the years. In the postwar period alone, the number of persons in comparative-poverty has been reduced by an average of 700,000 a year. This is hardly a record of failure that justifies basic and far-reaching changes in our social and economic system. In fact, such changes might destroy the sources of our success and impede further progress.

Third, in spite of our successes, substantial numbers of Americans continue to live in comparative-poverty. As yet we have found no answer to the problem of the passing of poverty from generation to generation, nor have we found the proper approach to attacking the intractable islands of comparative-poverty and stagnation that exist in our otherwise prosperous and advancing society.

Fourth, as presently being developed, our welfare system is incapable of eliminating poverty and actually helps to perpetuate it. It not only falls short of providing adequate relief to those while they are in need, but it fails to provide the opportunities to make self-supporting citizens of welfare recipients.

If we can agree on these basic assumptions, then we are faced with deciding what is the best way to eliminate chronic hard-core comparative-poverty. Basically, I think we have only two choices. We can guarantee income to the impoverished, or we can guarantee them opportunity.

For my part, I choose opportunity. Guaranteeing opportunity is better for the country, and it is better for the individual. There possibly will always be some people for whom subsidization is the only way out. The chronically sick or disabled and certain mental defectives are cases in point. But for the vast majority of the poor, habilitation (largely education) and rehabilitation are attainable goals. What are the advantages of this approach over the guaranteed annual income?

Guaranteeing opportunity promotes individual dignity; guaranteeing income weakens it.

Guaranteeing opportunity recognizes that a man grows with responsibility; guaranteeing income denies his capacity for growth and self-sufficiency.

Guaranteeing opportunity is the humane approach to defeating poverty; guaranteeing income in effect says to millions of the poor: "We can't use you, we don't want you, but we won't let you starve."

Guaranteeing opportunity helps to eliminate poverty; guaranteeing income simply helps to alleviate it.

The idea of a guaranteed annual income for all citizens as a matter of right is not new. The expression itself has a daring, modern ring, but the concept was discussed by utopian thinkers as far back as Edward Bellamy in the late nineteenth century. Thirty years ago, Francis Townsend proposed a guaranteed income of $200 a month for the aged. His plan was not adopted, but it influenced the passage of social security and was a major factor in making the aged a powerful political force in American life.

What is new is that the idea for a guaranteed annual income is now receiving powerful support from eminent scholars and social thinkers as a solution to the problem of poverty in the midst of plenty. Advocates include liberals of both the modern and classical schools. Any plan having the support of such a disparate and growing body of intellectuals demands the attention of those of us who operate in the area of public policy.

How has the idea gained such momentum? You will recall that it was only a few years ago that the notion that America was an "affluent society" entered the conventional wisdom. We admitted to our affluence almost with a sense of shame or guilt, rather than with justifiable pride in the achievements of our system. The public sector, it was said, was starving, while most individuals were glutted with goods.

The picture was undoubtedly overdrawn but it left its impact. Professors, pundits, and publicists began to dramatize—and sometimes overdramatize—the fact that a sizable minority of our fellow citizens were living in comparative-poverty in spite of the general affluence. The Conference on Economic Progress claimed that over 40 percent of our people were poor or deprived, notably without any clear definition of the words "poor" and "deprived."

While the extent and nature of poverty often was exaggerated, the point was driven home forcefully that millions of Americans live under substandard conditions and—even more important—many feel little hope (or is it desire) of ever bettering their lot. Their consensus that something was wrong with the present programs, many of which they had helped design, was really a remarkable admission. They who had supported ever-expanding social welfare programs over the years were admitting that these programs largely bypassed the poor and were arguing that specific measures aimed at poverty were required. Thus the poverty war was declared.

I believe that it is fair to say that thus far the war on poverty has been a great disappointment. Most of the programs are not new and still have potential, but they were pushed too fast and without coordination with each other in a desire to produce quick and dramatic results. Even more to the point, the war on poverty was launched before anyone knew how to fight it or had studied carefully the techniques of those who had been fighting it for years. Those responsible for conducting the "war" acted on the basis of beliefs and dogmatic assumptions rather than tested facts arrived at from hard research. This is perhaps the most important reason for the failure of the program.

Now we are threatening to make the same mistake with regard to the guaranteed annual income. My suggestion is that before we undertake what would be a major social revolution, we investigate thoroughly and with open minds what the consequences would be. I think we are likely to find that undesirable side effects of the plan would far outweigh any benefits that we might hope to realize.

Those who propose a guaranteed annual income, or—what is simply another approach to the same goal, the negative income tax—do so for a variety of reasons. All advocates of such a plan would, I suppose, base their support to some degree on humanitarian grounds. Poor people should be helped by society. I, of course, would agree. The question is how best to do it.

Some proponents of the plan believe that machines soon will do most of men's work and that unless the link between jobs and income is broken, mass unemployment and human suffering will result. An interesting thought perhaps, but it is one which elicits little professional support and no verification either from history or recent experience.

Let's study and debate these crucial questions, not beg them or bury them in dogma. Does automation create more jobs than it destroys? Do the jobs automation create require more brains and less brawn? Are sufficient jobs left (and created) to employ all the people in the lower i.q. percentiles? There seems to be ample evidence to support an affirmative answer to all three of these questions.

Others propose the plan because it seems to offer a simpler and less costly way of helping the poor. The complex array of public and private programs, which comprise the welfare-poverty establishment, could be dismantled, they argue, once the poor directly got what they are alleged to need most, i.e., money. Even if this goal were desirable, I doubt whether it could be achieved. Somehow the most minor Washington agency, after having long outlived its original purpose, manages to survive. How much more difficult it would be to substitute direct money payments for the welfare-poverty power structure.

No, I believe the guaranteed income or the negative income tax would be superimposed upon already existing welfare and poverty programs. Interestingly enough, there is a plan which proposes just this: a guaranteed annual income along with an array of welfare and poverty-fighting measures. The trouble with this scheme is that it fails to take into account the human and political realities. To the extent society devoted resources to guarantee income, its commitment to the costly and slow-acting structural correctives would weaken.

Whatever the differences in detail or in justification among the various plans, they are essentially the same in their implications. Each plan is revolutionary because it would break the link between income and work. Each would enshrine in law the concept that society owes every citizen a living regardless of his willingness or ability to work. The lazy and shiftless would benefit as much as the deserving.

We all know individuals who secretly believe that society owes them a living. But, fortunately, society has not yet been willing to concede it. In our culture one generally receives income in relation to his contribution to the production of goods and services. For those unable to work, our public assistance programs have stood as a basic income guarantee, however inadequate. But the guaranteed income scheme omits the test of need and gives income as a matter of right alone. I think the right to public support, to the extent the public is able, exists, but only where the need has been established with reasonable certainty. When the need has not been established, there can be no intelligent program designed to eliminate the reasons for the need.

In my view, the guaranteed income approach would create deep social divisions in society; it would tend to perpetuate poverty and might even worsen it by its impact on economic growth; and it would create a host of administrative problems whose solution would require greater social control of the individual. Furthermore, it would require a new and radically different federal constitution which should be of concern even to academic political scientists.

To treat abnormalities, one must first be able to understand normality. Today in America we are beginning to look at a person's full life—his tender years, his years of education, his productive years and his years of retirement. We have been developing the mechanisms and the programs for spreading a person's lifetime income from his productive and earning years to the non-productive years. The first mechanisms developed were in the nature of savings from the productive years to provide for retirement pensions, annuities and retirement systems. At the same time, we were developing the mechanisms whereby people could pool their common risks against an untimely diminution of earning capacity from (a) death, (b) disability through accident or sickness, (c) interrupted earnings resulting from e.g. military service and economic downturn, (d) and now obsolescence of skills. So since World War II we have been developing the mechanisms to spread income forward in anticipation of earnings from the more productive years to the less productive years through consumer credit to buy homes, consumer durables and now wisely to provide the capital investment for education. A great deal of today's consumer credit constitutes real savings inasmuch as the expenditures do relate to increased wealth and increased earning capacity, not to mention increased standard of living of the debtor. It is indicative of this understanding of lifetime income that income averaging techniques, crude as they are, were introduced into the federal personal income tax laws in 1964.

The emphasis needed for further development lies in phasing-in individuals and phasing them out of the labor market. One does not abruptly—or should not abruptly—enter the labor market or retire from it. The better retirement systems we are developing permit a phrasing-out utilizing in different ways the talent perfected by experience of the older citizens. The better educational systems use a variety of phasing-in mechanisms.

Above all we are beginning to understand that people are not committed full time in the labor market. The eight hour day and the forty hour week attest this. Hopefully we will begin to move more broadly into the eleven month year and possibly to the concept of the fallow seventh year—the sabbatical leave. However, the women in our society are increasingly developing work patterns of great interest entering the labor market prenuptially only to retire for the period of raising children, and then to reenter later on planned, part time basis which frequently develops into full time employment again.

As rapid technological change continues, skills change and become obsolete. No longer can a skill learned in the formative years assure lifetime employment. Training and retraining on or off the job are increasingly a part of the work pattern. The hard realities of training the unemployables are that they will not be capable of learning the higher skills demanded in the jobs newly created by automation, but those with jobs must be trained and willing to do so, to take the new jobs thus leaving their old but needed jobs available to those below them in the ladder of skills if they too will train. The unskilled and semi-skilled with training will fit into the jobs left vacant by those upgrading their skills.

This process requires understanding, study and constant research to identify the jobs going begging and the skills and training needed to fill them. Just as the rehabilitation program for the physically handicapped requires cooperation by employers to identify the jobs they may have which a one-armed man, for example, might productively fill, so the rehabilitation program for the comparative poor will require similar cooperation and understanding.

Let us consider for a moment the major objections to the guaranteed income.

First, to what extent will common agreement be possible in the support and implementation of a guaranteed income? Assuming both the economic and political feasibility of some plan of guaranteed income, would this assure sufficient and broad enough support to avoid disruptive conflict and social disorganization?

The value system of Western Man has for centuries associated work with income. It is a Judea-Christian ethic with special emphasis incorporated in the Protestant norm in American society.

Specifically, can a right to income without work be adopted without creating deep cleavages and conflicts in our society? Is it possible to have a dual set of values and norms; one predicated on income for work and one on income without work? Isn't it possible that the existing gulf between the middle-class culture and the sub-culture of poverty will be deepened and problems of national cohesiveness and accommodation be aggravated?

Any social system is composed of many interrelated units and functions. Any drastic change in one part of the social system will affect the total in many unforeseen and unpredictable ways. We have never been able to predict the total impact of change. Increasingly and frequently we have learned that the treatment of a social problem may produce additional problems and, in the final analysis, the treatment may be worse than the disease. The "side effects" may leave the patient worse off than before.

Second, the plan would help to perpetuate welfare as a way of life by sacrificing social services designed to eliminate the causes of need for an income guarantee. Proponents of guaranteed income plans fail to distinguish between those families and individuals who could and would make good use of an interim guaranteed income grant and those who would not. They also fail to distinguish between those in poverty and those who lead decent lives, although having no margin for waste or luxury. They would create a costly program that would spread our resources over both groups without regard to social priorities or the likelihood of productive use of those resources.

The provision of this "soical conscience money" would lull us into a sense of complacency about the poverty problem and divert our attention from the critical need to provide remedial services to the hard-core poor.

In order to solve the problem of comparative-poverty, we must be concerned with much more than providing income. For many of the comparative-poor, providing income would not mean a better diet for the children, improved medical care, more adequate housing, or a move into self-sufficiency. There is evidence that prolonged chronic relief is a factor in the acceptance of a dependency state.

Any real remedy to this chronic poverty must be concerned with cultural change, with an alteration of attitudes toward life and work. This change is particularly required in the urban slums where apathy, social inadequacy, and an inability to cope with the environment are breeding grounds for a form of self-perpetuating poverty that could infect the rest of the population with a host of social ills.

Our resources are ample. However, they must be spent efficiently, that is where they are needed and in an amount sufficient to do the job. This means a deeper commitment and a more intelligent strategy. It means that individuals must not be encouraged to remain in the poverty cycle. Conversely, they must be given specific assistance and direction and not just left to drift for themselves subsisting on a new form of dole.

Even at that, it will be a long and difficult job marked by many setbacks. But I believe our goal can be reached if we concentrate our resources on the areas of need and if we move ahead at a pace consistent with our growing knowledge and understanding of the problem. In this way progress replaces promise in the war on poverty.

We should constantly strive to strengthen our public and private retirement systems and provide basic protections against financial hazards and hardships, including catastrophic illness and unemployment, against which the individual has no control. But it would be a great mistake to direct our attention and resources from the real poverty problem in this country and put millions of self-respecting and self-sufficient citizens on a new dole that in many cases is neither needed nor wanted. This, I fear, would be one result of the guaranteed income proposal.

Third, the guaranteed annual income would slow down the rate of economic growth by reducing incentives to work and save. Automatically providing an adequate minimum standard of living to any citizen would be sufficient to eliminate incentives to work for most of those unemployed or those earning less than the minimum standard level. Those who earn only slightly more than the minimum might also decide not to work at all. Admittedly, the adverse incentive effect differs among plans, but in every instance there is at least some negative incentive effect. The result would be a lower gross national product and a lower rate of economic growth than would otherwise exist.

A recent empirical study by Professor Lowell E. Gallaway of the Wharton School of Finance and Commerce on the "Negative Income Tax Rates and the Elimination of Poverty" is helpful in this area. It throws some interesting light on the individual's labor market response to the receipt of transfer payment income. Professor Gallaway thinks the evidence of his study establishes a basis for a skeptical view of the contribution which the negative income tax can make to improving the income position of poverty groups with a relatively high degree of labor force participation.

Economic growth also would suffer to the extent that a guaranteed annual income weakened incentives to save. With an annual income assured, the future for many individuals would become more certain. Families would be less likely on the whole to save for emergencies, retirement, death, and disability. The pressure on business to make substantial contributions to employee pension funds would also be less urgent, and this source of capital accumulation could decline sharply as well. The likely result would be a higher rate of current consumption, less saving, and a slowdown in the modernization and expansion of plant and equipment.

This is a direct threat to employment opportunities for all those able and willing to work. Such opportunities directly depend upon a high level of investment in the future. The creation of new jobs for our rapidly growing labor force requires substantial growth of investment spending. Moreover, increasing technological progress raises the amount of capital equipment per worker and thus the investment costs of keeping a worker employed and providing the new jobs. The amount of investment required to create a new job in manufacturing has been rising steadily and now is $19,600 compared to $14,300 only ten years ago. If we guarantee income, it seems to me that we also would have to devise some scheme to guarantee saving.

The fact that the guaranteed income would have an adverse impact on economic growth grossly understates the real costs of the plan. The proponents have said that it would cost about two percent of GNP. This is misleading in itself, since a more accurate measure of cost to the society's producing element would be a percentage of personal income, after deducting transfer payments and other non-taxable items. But even this cost would be higher if the guaranteed income resulted in a lower level of personal income than would exist in its absence.

Finally, discussions of some form of income guarantee have exhibited a marked indisposition to consider the administrative problems of such a program. Finding workable solutions would require an intensive research effort. Even at that, no income guarantee program, contrary to the hopes of some advocates, could be run without a large-scale administrative organization and an increased degree of social control of the individual.

The first problem is that of defining income. Certain income as defined in the Tax Code would be unacceptable. It is for this reason that any simple negative income tax is not feasible. Two computations of income would be required. First, a person would reckon income for regular income tax purposes. If this computation yielded a net income figure which was low enough to entitle the person to a tentative refund, he would then have to make another computation which in effect added back into his income items excluded in the regular tax computation. The one-half of capital gains excluded from taxable income is one example of income which would have to be added back before a person could claim a "refund." Tax exempt interest is another example.

The second problem is that of fluctuating income. Would we want to permit people to concentrate income in one year and claim a refund in the next year because their income in that year was low? Not everyone is in a position to reallocate income between years, but some people are able to do so. A person could, for example, realize capital gains in one year and capital losses in the next year, claiming a refund in the second year because net income is so low. Business profits and losses often can be shifted between years.

The third problem is that of the weight to be given to wealth in determining entitlement to a payment from the Federal Government. Presently, under public assistance programs, savings as a source of funds for family support is taken into account. But the regular income tax computation takes no account of wealth. However rich a person may be, he might show a negative income in a year and pay no positive tax. The loss might make him eligible for a refund under a negative income tax unless wealth were taken into account in determining eligibility.

The fourth problem arises from the definition of the filing unit. Thus, under the regular income tax a husband and wife may elect to file joint or separate returns. Suppose the husband earns all of the family's income. Should the wife be permitted to file a separate return and claim a negative income tax refund?

If, in the light of these objections, we do not take the guaranteed income route, then how do we eliminate comparative-poverty? First we should take stock of what we are already doing. The fact is that we are doing a great deal. Between 1950 and 1965, the total public and private effort to reduce poverty and human suffering increased 97 percent, measured by constant dollar per capita annual expenditures for health, education, and welfare. During the same 15-year period, the share of the total output of the U.S. economy devoted to these purposes rose from about 13 percent of GNP to over 16 percent. And if we compared this more properly with personal income, these percentages would be even greater. This would be an impressive performance under any circumstances. It is particularly significant in the light of the other heavy and increasing drafts on the economy for defense and space.

One of our first jobs is to make certain that we are spending health, education and welfare funds with the greatest efficiency possible. This is not the case today. Much of our anti-poverty effort is wasteful, redundant, and ineffective. Before even considering vast new outlays on programs such as the guaranteed annual income, we should be certain that we are making the best possible use of the funds now being spent.

In this connection, I think it is essential to review existing policies and programs to determine the extent to which they actually impede the war on poverty. For example, our urban renewal programs have primarily benefited the middle third of the Nation, while many of the poor made homeless by these programs have been pressed into other slum areas or areas about to become slums. Our farm programs have poured out hundreds of millions of dollars, but rural poverty persists, and there is evidence to indicate that the distribution of income has actually been worsened because of our agricultural programs. Certainly they have done little or nothing to improve the quality of education or to update the skills of our rural citizens who are particularly handicapped in the urban environment.

We also ought to determine whether the application of our child labor laws may contribute to the unemployment of young people. At the same time, we need to know more about how the minimum wage laws contribute to unemployment among less skilled workers and how our tax laws impede geographical mobility. Another field for study is the tax treatment of individual educational expenses and its impact on upward job mobility. Our unemployment compensation program also could be improved to assist in the reduction of poverty. For example, under the encouragement of the Manpower Training Act of 1962, all states now permit an individual to take training without loss of unemployment benefits. However, we still do not relate improvement of the unemploymnt insurance system to improvement of our training, rehabilitation and retirement programs and correlate these programs.

We should also determine the poverty-creating effect of the present income limitations applied to those aged persons receiving social security retirement or survivor's payments. We need to know more about whether the aid-to-dependent-children program actually encourages illegitimacy by discouraging remarriage of an AFDC mother, and whether the so-called "man-in-the-house" rule, in effect, contributes to the break up of families and the perpetuation of poverty. We also need to review the extent to which public assistance programs create an incentive for beneficiaries to withdraw from the labor force because of the deduction of earnings from benefits received.

In addition to taking a hard look at present programs and policies, we must remember that economic policy has an important contribution to make toward eliminating poverty. This means that we must strive to maximize economic growth which results in increased wealth both to provide jobs for our rapidly increasing labor force and to have resources available for the fight against poverty.

We have been entirely too much concerned about increasing economic activity (GNP) and too little concerned about being certain that that activity is increasing the true wealth of the society of which the physical wealth is the lesser part. There is not sufficient realization that the greatest wealth a society can possess constitutes the skills of the people and the accumulated knowledge with its ready availability within the society. Our tax laws for example, do not treat employer or personal expenditures for education and training as capital expenditures—which I believe should receive specific tax treatment.

It also means that we must avoid inflation. The constant erosion of the purchasing power of the dollar since the end of World War II has pushed millions of individuals living on fixed incomes below the poverty level and made life even more difficult for those already impoverished. Because of inflation, the purchasing power of social security benefits, even after several increases, has barely kept pace with the rising cost of living.

Finally, general economic policy can make a contribution to the elimination of poverty by promoting occupational and geographical mobility. In an age of rapid technological change and adjustment it is important that government and private business policies help to promote the maximum of flexible response to changing conditions among our labor force.

There is another precondition to the success of specific and selective anti-poverty measures. That is, the abolition of all unjustifiable discrimination in employment and education based upon race, creed, age, sex, physically handicapped or whatever. In the opinion of many, we have made great strides toward this goal. However, in the opinion of others, we may have gone backwards by failing to distinguish between discrimination based upon real differences which properly require differential economic treatment, from discrimination based upon unreasoned prejudice. Whatever the present movement may be, a sizable amount of unjustifiable discrimination exists as a structural barrier . . . discrimination as a barrier to equal opportunities for all of our citizens.

It would be very helpful in this connection if labor unions, particularly those which use the sanction of government to bind minorities through union shop provisions opened their doors to equal membership opportunities to all persons, particularly to members of minority groups. In many places and in many jobs, union membership is a condition of apprenticeship or employment from a practical if not a legal standpoint. Where this is true, business efforts to find job opportunities for minority Americans can be successful only to the extent that labor unions, with the cooperation of management, not its behind scenes condonation or encouragement which frequently exists, abolish discriminatory practices in their own membership and training programs. Today the values which occur from passing skills from father to son as it were must be realized within a structure which does not exclude others from learning and following these occupations.

Aside from these general considerations, our specific policies to combat poverty must emphasize alleviation, rehabilitation, and prevention.

Alleviating poverty means that every person in need, which means a person facing a basic economic problem the solution of which is beyond his own or his family's capabilities, should have relief from the Community as a whole—to the extent it can afford it. I emphasize the requirement of need. This is what divides me from those who advocate a guaranteed income given to all as a matter of right. I see nothing intrinsically wrong with the requirement of tests to determine need. Whether a means test is acceptable or not is usually a question of how it is administratively determined. The means test obviously should be given so that it infringes upon the rights and dignity of the individual receiving the assistance, in the most minimal way. And I have already indicated that technical problems connected with the guaranteed annual income would require the government to find out a great deal about the individual in order to insure that the intent of the guaranteed income law is carried out in practice.

One of the shortcomings of our present public assistance programs is that benefits are unrelated to specific needs and so are frequently too low to meet even minimum needs established by the states themselves. In other instances, states continue payments after the specific needs have actually disappeared or are within the ability of the individual to make them disappear. Rehabilitative social services are the essence of good welfare programs. The purpose of welfare is to provide income during the period a person is getting onto his own feet again, or getting onto his feet in the first instance.

Our public assistance programs also bypass many of the poor. The federal government today shares the cost of aid to the blind, aged, permanently disabled, and families with dependent children. Persons not fitting neatly into one of these categories are dependent on state and local general assistance. In 1964, such general assistance provided an average of $7 a week in support for about 800,000 persons. I can see no justification either for providing assistance by categories or for the federal government participating in one group over another. The problems of determining eligibility for a particular category of assistance is costly in terms of funds and precious professional time which could be better spent in improving social services. I would favor abolishing all categories of assistance and providing aid on the basis of demonstrated and specific need to the unemployed or underemployed poor whose income falls below the minimum standards established by the state itself, geared to programs designed wherever possible to getting them onto or back onto their own feet.

Rehabilitation—our second goal—involves making an all-out effort to make productive and self-sustaining citizens out of all those unable to find or keep a job. This means that everyone of labor force age who is on public welfare—a money income to which our laws give them a right—should have a responsibility under these same laws in return for this right. This responsibility is to take any necessary training or basic education needed to equip themselves to be self-supporting. In order to provide a positive incentive to train or work, I would reduce public assistance benefits substantially less than the added income arising from wages or the training allowance.

The importance of education is illustrated with respect to the aid to dependent children program. The higher the educational attainment of the mother, the less the period of dependence on public assistance. I think this points to another area where rehabilitative services could be critical in getting families off the relief rolls and into the ranks of job holders.

Mothers on aid to dependent children should be encouraged to take basic education and training in job skills. This requires that they receive training allowances and access to day-care facilities for the children. Not only would such centers free the mothers for education and training, but they could provide a creative and enriching experience for the children themselves.

The gloomy predictions about the job-destroying effects of cybernation are unjustifiable. Much of the work of society is not being done today. I think our rehabilitative programs should strive to get these jobs done through working with the job-creation process of private enterprise, even to the extent of providing incentives if this proves to be necessary.

Reforestation, stream clearance, urban beautification, slum cleanups, various educational work-study jobs and even simple maintenance jobs in public buildings are examples of the kind of interim work that could be usefully done by the unskilled and poorly trained. These tasks could be undertaken by private firms under contract to the government with a guarantee that at least the minimum wage would be paid. Not only would this get needed work done, but it would give the former welfare recipient personal satisfaction plus skills and work attitudes that would stand him in good stead in his future employment.

Obviously this covers only a part of the rehabilitative action that is need. A wide range of social services is needed, and to a large degree is presently available, to advise the poor on legal problems, family budgeting, simple health care, and the like. We should also remember the physically and mentally handicapped. They pose special problems but in most cases rehabilitation is possible and, in some ways, simpler than for those who suffer serious cultural and educational handicaps. Indeed, by studying the techniques that have proved successful in rehabilitating and habilitating the physically handicapped people, we can learn a great deal in properly structuring the programs for the culturally or educationally handicapped.

Our final goal is the prevention of new poverty. Here the focus should be on all children, not just those of the poor, with the objective of minimizing school dropouts who later become the unemployable adults. It has been said many times before, but it bears repeating, that the key is high-quality education and training, all along the rungs of the ladder of skills. Also needed is a better understanding among the self-styled intelligencia in our society, that technical training is just as socially important and accordingly should be as socially dignified as liberal arts training. By this statement I do not mean to minimize the importance of liberal arts training which in the past—and still in the minds of all too many in the present—has suffered from both envy and misunderstanding. I do mean to say that in many important educational and social circles there has been an unfortunate downgrading of vocational and technical training which has been a deterrent to getting both the number and quality of persons needed into these fields.

I would hope that by this time our society has reached the intellectual maturity to realize that differences in human beings do not per se spell out superiorities or inferiorities. Differences provide the variety which renders the total society rich, productive, variable, and capable of continuing understanding and innovation. In a society of nightingales with any crow-like voice, I would be discriminated against and justifiably so, and not as a result of bigotry. However, in a society which recognizes its needs for variety in talents and skills hopefully I could identify some talent I truly have, with hard work develop it, and become a citizen self-satisfied from doing a job well and socially satisfied doing a job that needed doing.

The schools for both urban and rural disadvantaged children should be among the best in the country. Who needs good schools more than the children of the poor? Although the situation is improving today, schools in poverty neighborhoods are very often among the worst the country has to offer.

A clean, attractive, well equipped and well-staffed school in a deteriorating neighborhood could serve as an example and an inspiration for many of our disadvantaged children. Both public and private educational groups should direct their attention to improving the quality of schools in poverty neighborhoods.

The states should update the school-grant formulaes in their equalization laws which take into account the costs involved in educating children in school districts with low tax bases. Many counties in the United States need to develop equalization laws because within counties just as within municipalities or states there are school districts of low wealth and districts of high wealth. The differentials in these tax bases need to be equalized. Let me say along this line, however, I know of no poor state, with the possible exception of Alaska, that needs federal equalization of tax bases. The common misunderstanding on this point arises from the failure to understand that education, as well as community facilities, are financed from tax systems using wealth as a tax base not income. The per capita income of a state is not the test of whether it can support schools but rather the per capita wealth. Absentee ownership or a poorly structured real estate tax permits many of the lower per capita income states which are reasonably wealthy to talk poor-mouth. If the children of the poor are to get a better education, there will need to be recognition and action on the proposition that expenditures per pupil will need to be higher in these districts than in those more fortunately endowed.

Breaking the poverty cycle often requires preschool training. The accomplishments of the local and private Head Start Program, which the federal program properly emphasized, indicates that the states are correct in developing these remedial preschool programs on a large scale in poverty areas.

Perhaps the highest priority for the prevention of poverty should be given to providing birth control information to public assistance recipients on a voluntary basis. A broad program to make available birth control information would encourage family planning and reduce the incidence of unsupportable children among the poor. I believe that helping the poor control the size of their families offers our most promising opportunity for halting the growth of poverty.

We should also do something for young people who are of working age but who are neither in school nor in a job, those for whom the educational and welfare reforms have come too late. I think we should consider a pilot plan which might mean some subsidization to their employment by private business based upon a comprehensive study of what is already being done in this area. This could involve a program under which business would provide work at less than minimum wages for young people who would not otherwise be employed. The actual wage could be based on an estimate of their productivity and their value to the firm in relation to other employees. In addition, a direct government supplement would be paid to such employees in order to bring them up, if necessary, to a minimum wage. Obviously such a plan would involve administrative problems, but I think it is worth considering. It might well speed the movement of people needed in occupations paying low wages and thus increase the demand for labor in such areas. Perhaps the Human Investment tax credit, which I have proposed, would be sufficient. This is a 7% tax credit comparable to the investment tax credit for capital costs invested in machinery and capital cost invested in training and retraining manpower.

These, then, are some of the possible approaches to guaranteeing opportunity. Obviously there are many others which time has prevented me from mentioning. One thing is clear, the magnitude of the task is immense and requires a continuing effort by the private sector and understanding by all levels of government so that their programs work in conformity with and not against the operation of the private sector.

Guaranteeing opportunity has many advantages. It is positive and assumes that every individual should, and will if the climate is right, make a contribution of his own. It challenges our ingenuity to find ways and means for maximum utilization of our human resources. It is consistent with our value system and what we think we know about human behavior. It would be supported with a greater public consensus. And it would tend to protect the balanced mechanism of freedom with responsibility, calling for less social control of the individual.

In his 1962 State of the Union Message, President Kennedy proposed that amendments to the public welfare program stress "services instead of support, rehabilitation instead of relief, and training for useful work rather than prolonged dependency."

We are far from the mark. Indeed programs going in the opposite direction have been sold under this fine label.

The guaranteed income, the negative income tax and other well meaning programs would take us further afield. We need to develop our society so we can truthfully guarantee opportunities to all who gain satisfaction from doing a meaningful job well; and in this development we will find that we probably have attained a society where all have ample incomes.

AIR AND WATER POLLUTION

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, yesterday the President sent to Congress his message on protecting our natural heritage. He spoke at great length about the growing problem of air and water pollution. He pointed out the seriousness of this problem and offered some suggestions for meeting the challenge of air and water pollution.

I fully agree with the President when he says that pollution is an urgent problem. Private citizens as well as Federal, State and local governmental units have come to recognize the increasing dangers presented by air and water pollution. We in the Congress have enacted legislation in this area. During the 88th Congress, I was pleased to assist in drafting legislation which culminated in the enactment of the Clean Air Act. And, during the last Congress, the Federal Water Pollution Control Act was was passed.

Perhaps, Mr. Speaker, we in Colorado have been more fortunate than many of our more industrialized sister States. We have not had the same experiences as California, or New York, or New Jersey. But, Mr. Speaker, pollution is coming to Colorado, and it is coming fast. In a recent issue of Time magazine, the air pollution problem in Denver was summarized in one sentence. Time said:

> Rapidly industrializing Denver, which for many years boasted of its crystalline air, is now often smogbound.

We have a similar situation with regard to water pollution. The once sparkling waters of Colorado's many rivers and streams increasingly are becoming clogged with industrial refuse.

There are many persons who share our great concern. Industry itself is concerned. However, it is difficult for private industry and even State and local governments to meet the full challenge of air and water pollution. Pollution abatement is expensive. And, because it is expensive, it often goes unheeded.

Mr. Speaker, it is important that we find a means to encourage those who are willing to help meet the challenge of pollution, but who simply cannot because of the tremendous expense involved.

Accordingly, Mr. Speaker, I have introduced legislation today that will provide a 20-percent incentive tax credit for an industry that undertakes the construction of air or water pollution treatment facilities in cooperation with Federal and State governments on pollution programs. This legislation would enable industries to write off nearly 30 percent of the cost of constructing such facilities over a 5-year period.

The purpose of this legislation is to encourage the immediate construction of pollution abatement facilities so that no time will be wasted in getting to the heart of the problem. Legislation to require pollution abatement facilities to meet Federal, State, and local standards already has been enacted, and many industries have expressed a willingness to tackle this problem.

A tax credit arrangement would enable them to immediately undertake the construction of the costly facilities without having to wait for the availability of funds from Government grants.

AIR AND WATER POLLUTION

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, for many years the Congress has been attempting to deal with the problem of air and water pollution. As a member of the Public Works Committee for 10 years, I have heard hours of testimony on the problem of water pollution and have heard a multitude of suggestions offered on how to deal with the problem.

In 1961 I supported the water pollution abatement legislation passed during the 87th Congress. However, I pointed out at that time that it seemed to me that more research was needed on how to deal with the problem more effectively and efficiently. I believe that this is still a major problem in control. However, some techniques have been developed and we can start on the awesome task of trying to keep our air clean and to free our rivers and streams from pollution.

For this reason I am joining today with a number of my colleagues in the House in introducing legislation aimed at creating a favorable atmosphere for those who want to join the fight against pollution. Under the legislation I am introducing, a taxpayer would receive a tax credit for undertaking a construction program for air and water pollution abatement facilities. To qualify for the 20-percent tax credit allowable under the provisions of the bill, the facilities to be constructed would have to meet the standards set by appropriate State agencies. This would insure that quality control facilities would be constructed.

The legislation being introduced today will give business and industry an incentive to get into the fight against water and air pollution. The program presented here today, if adopted, would mean that pollution control could take place without a massive program of Federal grants, and therefore could eliminate the costly administration of yet another Federal program.

As I stated earlier, more research in the field of water and air pollution control is needed. New standards must be developed. More efficient methods of pollution control must be found, and with the cooperation of government at all levels and industry, they can be found. I am exploring this possibility and hope to introduce legislation of this kind to provide for this kind of cooperative effort.

MEDICAL HISTORY MADE AT THE ST. BARNABAS MEDICAL CENTER

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. Dwyer] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mrs. DWYER. Mr. Speaker, it is a matter of considerable pride to me that one of the most advanced medical centers in the world is situated in the congressional district which I represent. The St. Barnabas Medical Center in Livingston, N.J., is a monument to progress, to humanity, and to the healing arts, and it was a deeply impressive experience for me to visit this great institution for the first time less than 2 weeks ago.

Only a few days before my visit, doctors at the center made medical history by using two of the latest medical techniques in conjunction—cryosurgery and hyperbaric medicine—to perform a prostate operation on an 80-year-old patient who might not have survived conventional surgery.

A description of this event was published in the January 19 issue of the West Essex Tribune of Livingston and I include the article at the end of my remarks for the information of our colleagues.

To a great extent, Mr. Speaker, the St. Barnabas Medical Center is a product of the vision and tireless effort of one of this House's most distinguished former Members, the Honorable Robert W. Kean, of Livingston, who served so long and so brilliantly on the Committee on Ways and Means.

As a result of last year's realinement of New Jersey's congressional districts, it is now my privilege to represent Congressman Kean. And it was in his capacity as chairman of the board of St. Barnabas that my notable constituent escorted me throughout this remarkable facility together with his associate, Mr. Anthony Scala, president of the medical center and also a guiding force in bringing it into reality.

As the following news story will illustrate in one particular area, the St. Barnabas Medical Center is unsurpassed in the breadth and scope of its medical and research services, its superior facilities and equipment, and in the significance of the work being done by its staff on the frontiers of medical science.

The article follows:

First Operation in Hyperbaric Chamber at St. Barnabas Combined With Cryosurgery; Operation Successful

> Physicians at Saint Barnabas Medical Center made medical history on Friday when they combined the two latest medical techniques to perform a prostate operation on an eighty year old patient who they felt would not survive conventional surgery. The procedure marked the first time anywhere that cryosurgery had been used in conjunction with hyperbaric medicine.
>
> The patient, a resident of Freehold, was suffering from an enlarged prostate, but because of his age and past medical history, physicians were skeptical about using conventional surgical means to remove the gland. It was decided that by using cryosurgery, which is the removal of body tissue by freezing rather than by cutting, the risk could be greatly reduced.
>
> However, physicians also were skeptical about how the operation might affect the cardiovascular system of the patient in view of the fact that he had recently suffered four heart attacks. Because of this it was decided that the operation would take place in the new Hyperbaric Medicine and Research Facility at Saint Barnabas. Hyperbaric medicine is the use of high pressure oxygen either to treat a patient or to aid in a procedure. In this case it was used to decrease the risk involved in the surgery. By performing the operation in the chamber no effort was placed on the cardiovascular and neuromuscular systems which were fully nourished with oxygen at all times. It marked the first time that the newly completed surgical chamber at Saint Barnabas had been used, although the medical chamber, which is a twin to the one used for surgery, is being used extensively.
>
> By combining these two procedures, the risk involved in performing the operation on Frank Krystoff, Jr. of Freehold was greatly reduced. The team of physicians involved in the procedure included Dr. Ward A. Soanes of Buffalo, a consultant in urology at Saint Barnabas, Dr. Robert Lieb, attending physician in urology at Saint Barnabas, Dr. Joseph A. Cox, chief of anesthesiology at the Medical Center, Dr. Charles Abbott, director of Hyperbaric Medicine Department at Saint Barnabas, and Dr. Thomas Libby, coordinator of the Hyperbaric Medicine Team. The entire procedure, which took place under 30 pounds per square inch of pressure, or two atmospheres more than sea level, lasted only 23 minutes and the patient's condition is now listed as "good" by Medical Center officials.
>
> In announcing the procedure Anthony Scala, president of the Medical Center, who assisted in the chamber by handling the technical equipment used for cryosurgery, said, "We at Saint Barnabas are justly proud of what has been accomplished here. It represents a breakthrough in medicine and the public can be assured that we will continue our work both in hyperbaric medicine and cryosurgery."

A MEANS TO HALT WATER AND AIR POLLUTION

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Steiger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, it is my pleasure today to join with a number of my colleagues in introducing legislation designed to help combat air and water pollution.

We are all aware that the pollution of our air and water is not a new problem. In the 1940's and early 1950's, people laughed and joked about the smoke in Pittsburgh and smog in Los Angeles. Mr. Speaker, no one laughs anymore.

And during that same period, there were claims that we should not worry about the silt and waste being pumped into our waters because nature would take care of it, after all, streams are self-cleaning in the sense that bacteria in them break down wastes. Nature used to be able to do its job, Mr. Speaker. Fifty years ago the system worked well. A recent presentation by the League of Women Voters, called "It's Your Decision—Clean Water," explained the reasons this system no longer works. The presentation noted:

> Now if the laws of nature worked so well in 1900 why don't they work today? The answer is: they do. Nature hasn't changed, but we have.
>
> Our answer number one is people—three times as many people.
>
> We have given up the simple life for higher standards of prosperity. Instead of the 1900 average of five gallons of water used in the home per person per day, it is now estimated we use an average of 50 gallons of water per person per day and 150 gallons if we include both domestic and municipal services from 1500 to 2000 gallons per person per day to supply us with the products of agriculture and industry.
>
> Which brings us to answer Number 3—products. Few people realize the amount of water required for all the products of this highly complex society.
>
> During the last 20 years we have created six times as much pollution for each individual in the nation. Raw sewage, industrial wastes, drainage from farmlands, all the side effects of more people, more prosperity and more products.

Mr. Speaker, I think this clearly points out the problem we face. Nature can no longer do the job for us. We must provide a better answer in order to insure both clean air and clean water. In some areas this problem is reaching crisis proportions.

The State of Wisconsin today has one of the most farsighted and toughest water pollution laws in the United States. Wisconsin has been a leader in the fight for clean water. We must, however, as a nation, increase our efforts to arrest environmental contamination.

The bill my colleagues and I have introduced today is designed to aid nature. It is designed to provide incentive to the genius of private enterprise to do the job. This legislation will encourage industry to act promptly in building facilities to control water and air pollution by providing a 20-percent investment tax credit for the installation of control equipment. I trust this Congress will consider very carefully this much-needed legislation.

HOUSE SELECT COMMITTEE ON EXPORT CONTROL

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Edwards] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, I am introducing today a House resolution providing for the reestablishment of the House Select Committee on Export Control.

The function of this select committee would be to conduct a full investigation of the operations of the Export Control Act of 1949.

A study of this kind is essential in view of the complex issues which face us with regard to U.S. trade with Communist countries. It is needed because of the proposals which have been made by the President and because of actions already taken by the executive branch in the direction of expanded trade with these Communist nations.

Article I, section 8, of the Constitution states:

> The Congress shall have power . . . to regulate commerce with foreign nations.

In 1949 the Congress passed the Export Control Act on the basis of its constitutional authority. The objective was to help "regulate" U.S. commerce with nations in cases where our national interests might be adversely affected.

But today Congress has no effective committee with the responsibility and equipment needed to ascertain whether provisions of the Export Control Act are actually in force, or whether new legislation is now needed.

My resolution would fill the gap, and would give us the tool we need to handle our responsibility in this important issue.

Mr. Speaker, I recognize that in some circles the Constitution is considered as an outdated document which is not adequate for a changing world. Further than that, there are those who feel that Congress itself is only a quaint and interesting institution, valued more as a tourist attraction than as one of the three coequal branches of the Federal Government.

Of course I do not subscribe to these notions. But I do believe that we had better heed the Constitution until we devise something better, or prepare to give up the whole idea of representative government.

And I believe that Congress has an obligation to accept and to fulfill its consitutional responsibility in vital matters of national policy.

The question of East-West trade is one of these matters of national policy. The President has proposed that we expand this trade. Actions of the executive branch have already been taken to expand U.S. trade with Communist nations.

It may be that these actions, those taken and those proposed, are indeed in our national interest. I rather doubt it; but at any rate, Congress has not informed itself adequately on the issue. It is time that we learn more about it.

Observations of recent events indicate serious contradictions in any U.S. eagerness to expand East-West trade. These contradictions cry out for explanation.

For example, our Government has imposed a blockade on trade with Cuba. We ask other nations to refrain from trading with Cuba because Cuba's Communist government is unfriendly to us.

Just a few days ago the United Kingdom agreed to grant 5 years' credit to Cuba to be used for the construction of a $39 million fertilizer plant by a British firm.

In 1964 a British firm was allowed by its Government to sell $22 million worth of buses to Cuba. In 1965 British exports to Cuba amounted to $70 million. In the first 9 months of 1966 they totalled nearly $19 million.

Our State Department apparently has raised objections, publicly or privately, with the United Kingdom regarding this trade.

But how can we do this when we ourselves are now evidently engaged in expanding trade with Russia and other Communist countries?

An even more basic contradiction presents itself when we ascertain the positions of the U.S.S.R. and this country with respect to each other.

President Johnson speaks of "building bridges" and we continually hear of the need for additional U.S. gestures of good will as a means of breaking down the deep and longstanding suspicion which the Kremlin is said to harbor against the United States.

For more than 20 years now, ever since the American armies of World War II took deliberate action to allow the Russian army to capture Berlin ahead of us, we have been told of the need for gestures of good will.

In October of last year our Government decided to drop restrictions on the export of many kinds of goods to Russia. And while the official announcement stressed that the goods included things like food and medicine, the list also included jet airplane engines, diesel engines, machine tools, and various chemical and scientific instruments.

At the same time it was announced that the Export-Import Bank, supported primarily by the United States, would finance exports of U.S. automobile machinery with which to equip a huge automobile plant in Russia.

And while this is going on the whole world knows that Russia and other Communist nations are supplying military equipment to North Vietnam for use against American soldiers in South Vietnam.

The Communists make no secret of this. In fact they boast of it in their newspapers and on their worldwide radio broadcasts. They vow to support Hanoi against the "American imperialists."

We are even persuaded that we must not make trouble for the Communists in the Haiphong Harbor, through which North Vietnam imports much of its material, because if we do we might damage some of the Russian ships unloading military supplies there.

It is well known by every schoolboy that international communism has long been able to use world commerce as a major weapon in its arsenal.

If there is any evidence that the U.S.S.R. has changed its course, has modified its objectives centered around the triumph of communism over capitalism, then let us hear about it.

If there is any evidence that Russia has abandoned its trade offensive, including a very significant buildup of her merchant shipping strength, then let us hear of it.

The evidence most of us have, shows the opposite: that Russia is stepping up her emphasis on international trade as a means of "burying us".

Many of us feel that for every "bridge" we try to build with the Communist world, Russia will ask for and get two more agreements giving her favorable trade with the United States. History shows that this is what has happened.

The need for congressional study in this matter is further highlighted by what apparently is evasiveness of the executive branch in letting the country know what is going on.

As others have pointed out, the Commerce Department said in October that in deciding to relax export restrictions to Communist countries consultation had been made with the intelligence community. But investigation has shown that no such consultation had in fact been undertaken.

These are all matters that need clarification. They need congressional attention at an early date. A Select Committee on Export Control did function in the House during the 87th Congress.

I urge the Congress to give full consideration to the need for reestablishment of the House Select Committee on Export Control as a means of accepting the congressional responsibility as provided expressly in the Constitution.

The time is late, and must not be allowed to become too late.

THE 1968 BUDGET

The SPEAKER pro tempore (Mr. ZABLOCKI). Under previous order of the House, the gentleman from North Carolina [Mr. JONAS] is recognized for 60 minutes.

Mr. JONAS. Mr. Speaker, the President's current budget now under consideration, which came up to the House a week ago yesterday, projects a deficit in fiscal year 1968 of $8.1 billion; but the distinguished gentleman from Texas [Mr. MAHON], the chairman of the House Committee on Appropriations, in a speech here a week ago today, said that this low projection is based upon a number of assumptions and contingencies, all of which will have to be met if the deficit is to remain under $18 billion next year.

Among those assumptions is that the level of economic activity will continue high in order to produce substantially higher funds from individual income taxes. Right at this point I might remind the House today that the projection of receipts from corporate income taxes next year is substantially lower than this year. This result follows by reason of the gimmick brought into play last year by the Administration in requiring the acceleration of corporate income tax payments. That was a one-shot proposition, as many of us pointed out at the time, and the results will be felt next year when receipts from corporate income taxes will be lower than they are this year.

There are several other contingencies involved. Many of them require legislative action which Congress on previous occasions has declined to approve. Another contingency is that Congress will raise first-class postal rates by 20 percent. It is also contingent on the imposition of a 6 percent surcharge on corporate and income taxes as the President recommends. It is also contingent on the Government being able to dispose of around $5 billion in participation certificates.

This use of participation certificates is a real interesting little device by which the level of expenditures by Government agencies is pretended to be held down. The amount of funds received by an agency as a result of the sale of PC's can be counted as a reduction of expenditures rather than a receipt by virtue of the peculiar way in which the books are kept around here. Of course, these certificates cannot be sold on the open market for their face value, because the interest return is less than an investor can get on his investments elsewhere.

So, Mr. Speaker, in order to induce an investor to buy one of these certificates, the Government has to subsidize the interest. Therefore, Congress, this year, will be requested to provide, out of the General Treasury, a subsidy of x number of dollars, depending upon how many of the certificates are disposed of in order to bring the level of return on these certificates up to the level at which an investor would invest his money therein.

Of course, Mr. Speaker, this is alleged to be a sale. But, it is not a sale. It is simply a clever way of borrowing money without having it added to the national debt. The title to the mortgages will be retained by the Government; the Government will continue to service the loans and will guarantee the repayment of the sums advanced by the purchasers of the participating certificates.

Mr. Speaker, the Attorney General has ruled that these obligations are similar to general obligations of the Federal Government. Therefore, the $5 billion, if we sell that many next year, should be added to the national debt, but will not be. This is just a convenient way of borrowing money for additional spending without having it reflected in the national debt. But, Mr. Speaker, that is one of the contingencies, and there are some others.

Mr. Speaker, unless all these contingencies are met and unless all of the assumptions stand up, as the gentleman from Texas pointed out, the deficit next year might well be $18 billion.

Now, Mr. Speaker, a man from Mars who might be visiting this continent would think we are all off—if he should examine this budget. As a matter of fact, it takes a magician to figure out what the budget contemplates in the way of spending next year, because there are five separate sets of figures in the budget showing different levels of spending.

One set of figures is used in the administrative budget. It covers only estimated receipts and proposed expenditures of funds owned by the Government. It is shown on table 1 of page 41 of the budget and lists estimated receipts for 1968 at $126.9 billion and expenditures at $135 billion—for a deficit of $8.1 billion.

Another set of figures is used in the consolidated cash budget. It is shown on table 2 of page 41 of the budget and records the flow of money between the Government and the public on a cash basis, including trust fund transactions. It lists estimated receipts from the public at $168.1 billion during 1968 and projected payments to the public at $272.4 billion—for a deficit of $4.3 billion.

The third set of figures is used in the national income accounts budget. It is shown on table 3 of page 43 of the budget and includes actual cash receipts and expenditures plus accruals but excludes loans and receipts from the sale of loans. Estimated receipts for 1968 are listed in this table at $167.1 billion and expenditures at $169.2 billion—for a deficit of $2.1 billion.

The fourth set of figures is used to show gross expenditures of Government-administered funds. It appears on table B–9 on page 413 of the budget, and shows that gross expenditures on a checks-issued basis will in 1968 reach the fantastic total of $210.2 billion.

The fifth set of figures is used to show new obligational authority requested of Congress. The amount requested is shown on tables 4 and 5 on pages 44 and 45 of the budget. These tables show that the President is requesting $144 billion in new obligational authority. This means that he is requesting Congress to appropriate that much additional money for fiscal year 1968. The request this year is for $17.5 billion more than was requested in the original budget submission for fiscal year 1966.

It is this $144 billion in new obligational authority which the House Committee on Appropriations will be considering in hearings this spring. What Congress appropriates for fiscal year 1968 will not control the level of spending in 1968 or even thereafter because while some of whatever is appropriated will be spent in 1968 some will be retained for spending in subsequent years. But of one thing we all can be sure, the President does not have a dime to spend that Congress does not first authorize and later appropriate—so whatever amount of the $144 billion in requested new obligational authority is denied—can never be spent because it will not be available.

It must not be forgotten that, while the President is only asking Congress to appropriate new money in the amount of $144 billion next year, expenditures are projected at $210 billion in the gross expenditures budget, at $172.4 billion in the cash budget, at $169.2 billion in the national income accounts budget, and at $135 billion in the administrative budget.

The funds that will be spent next year, in addition to those appropriated in new obligational authority, will come out of a backlog of $125 billion in previously appropriated but unspent funds. The budget estimates that, at the end of fiscal year 1968, this pool of unspent funds will amount to $132.8 billion, and this money, of course, will be available for expenditures in 1969 and beyond.

But some of the money in this pool, while unspent, will already have been obligated by the time we come to the end of 1968, but not all of it. The balances of obligated authority by agency are shown in table 10 of page 51 of the budget and show, for example, that $9.5 billion will remain unobligated at the end of 1968 in funds appropriated to the President, that $2.5 billion will remain unobligated in the Department of Agriculture, and that $8.6 billion will remain unobligated in other independent agencies not listed in the table. The total of unobligated funds to be on hand in the executive branch of the Government at the end of 1968 will be $49.5 billion as will be shown in table 10.

While it is understood that some leadtime is necessary, particularly in areas such as construction, research and development, and the procurement of material requiring manufacture, it seems to me that the Committee on Appropriations has a clear duty to make a close and searching examination of the need to maintain these huge unobligated sums of money. It is possible that this examination will disclose a clear necessity to carry over this $50 billion into 1969 but at the same time it is possible that a close and careful examination will disclose that all of it is not so required. And for any part of these unobligated funds that we can pry loose for use in 1968, we can reduce the request for new obligational authority by that same amount. The job of making this examination will fall on each subcommittee and for whatever it may be worth I strongly recommend aggressive action in this area because I believe an extra effort will bear fruit and enhance our opportunity to make substantial cuts in the requests for new obligational authority—new appropriations.

Mr. RHODES of Arizona. Mr. Speaker, will the gentleman yield?

Mr. JONAS. I yield to the gentleman.

Mr. RHODES of Arizona. I thank the gentleman from North Carolina for the very fine and thorough statement that he is making concerning this budget.

I would like to ask the gentleman this question apropos of the subject he has just dealt with, the subject of unobligated balances.

Is it not a rather strange phenomenon that the House of Representatives and the Senate, that is the Congress of the United States, cannot under the rules of the House at least repeal an appropriation or unappropriate funds that have been appropriated? It has always seemed to me to be singularly unwise for such a situation to exist.

We know that in past years funds have been appropriated for purposes that are no longer valid and I, for one, have suggested, and I know that other Members have, that when we consider revising the rules of the House and reorganizing the House as we sometimes do, that we ought to deal with this situation and make it possible for the House today to repeal or to rescind an unwise appropriation, which appropriation had been made in years past; or perhaps in the case of an appropriation which was wise when it was made but as to which the purpose originally existing is no longer in existence or may be invalid as of today.

Mr. JONAS. I agree with the gentleman. About the only way we can attack that problem is to take into consideration, in granting new obligational authority for specific agencies, if there are any strings tied to the funds they wish to carry over.

While we are on the subject of unobligated balances, just to give you an idea where some of this money will be: $9½ billion is in funds appropriated to the President—not to the Department of Defense and not to any other Department—but foreign aid and other funds appropriated to the President. That is $9½ billion; $2,500 million will be in the Department of Agriculture; $8.6 billion will remain in other independent agencies lumped together in the table and not identified by the specific agency.

I think the job of examining these unobligated balances is one that should come to the attention of the subcommittee members who will be considering this budget.

CIVILIAN EMPLOYMENT IN THE EXECUTIVE BRANCH

There are several other areas in which substantial savings can be made. One is in the field of civilian employment in the executive branch, which has been growing by leaps and bounds under this administration. Table 4 on page 53 of the budget document shows this growth trend in jobs:

1966	2,366,317
1967	2,546,500
1968 (budget estimate)	2,615,000

As recently as a year ago last December, the President announced at the Texas White House an administration plan to eliminate at least 25,000 Government jobs. The record shows that the results did not live up to the advance billing.

At the time this plan was announced there were 1,947,066 permanent civilian employees of the Government, of which number 791,292 were engaged in defense work. But by June 30, 1966, civilian employment had climbed to 2,366,317 of which 1,052,998 were in the Defense Department. While this substantial increase was taking place in the Defense Department, no doubt attributable to escalation of the war in Vietnam, you would think civilian agencies would be redoubling their efforts to comply with the President's directive to reduce employment by 1 percent. But that was not the case. Instead of showing any decrease, nondefense employment increased by 157,545 employees or 13.6 percent.

The President currently anticipates that permanent civilian employment will total 2,546,500 at the end of June, of which nondefense jobs will total 1,366,000 or a further increase of 52,681 jobs in nondefense activities.

And the budget projects a full-time employment total of 2,615,000 at June 30, 1968, of which 1,410,000 will be in nondefense areas. This is a further increase of 44,100 nondefense employees planned for fiscal year 1968.

To recapitulate, notwithstanding the President's announcement of December 1, 1965, of his plan to reduce civilian employment by 25,000, here is what has happened:

	Increases in employment		
	Total	Defense	Nondefense
Dec. 1, 1965, to June 30, 1966	419,251	261,706	157,545
June 30, 1966, to June 30, 1967	180,183	127,502	52,681
June 30, 1967, to June 30, 1968	68,500	24,400	44,100
Total	667,934	413,608	254,326

As of June 30 last, the Civil Service Commission estimated the average Federal civilian employee's salary at $7,904. And this does not count the cost of fringe benefits, space and supplies necessary to keep one employee on board. On an annual basis, the salary cost alone for the 667,934 new employees added to the rolls since December 1, 1965—through June 30, 1968, as projected—will be $5.3 billion, and this does not even include collateral costs of providing work space, supplies, and for fringe benefits, and so forth. And this is a recurring cost as long as the jobs are filled.

The following table will show full-time jobs by agency for the years 1966, 1967, and 1968:

Full-time permanent civilian employment in the executive branch as of June

	1966 actual	1967 estimate	1968 estimate	Comparison	
				1967 with 1966	1968 with 1966
Agriculture	84,070	84,400	85,800	+330	+1,730
Commerce	25,133	25,100	26,800	−33	+1,667
Defense, civil	30,290	32,300	33,000	+2,010	+2,710
Health, Education, and Welfare	91,650	95,900	99,800	+4,250	+8,150
Housing and Urban Development	14,009	14,200	15,400	+191	+1,391
Interior	59,432	60,200	62,100	+768	+2,668
Justice	33,067	33,100	33,700	+33	+633
Labor	9,208	9,250	9,800	+42	+592
Post Office	489,898	525,000	539,300	+35,102	+49,402
State	24,572	25,000	25,400	+428	+828
Agency for International Development	14,892	16,800	17,500	+1,908	+2,608
Peace Corps	1,158	1,240	1,600	+82	+442
Transportation	52,924	53,850	55,800	+926	+2,876
Treasury	80,176	80,900	83,200	+724	+3,024
Atomic Energy Commission	6,974	7,010	7,200	+36	+226
General Services Administration	35,955	36,600	37,500	+645	+1,545
NASA	33,526	33,600	34,000	+74	+474
Veterans' Administration	147,634	149,300	154,200	+1,666	+6,566
Selective Service System	6,969	6,300	6,300	−660	−669
Small Business Administration	3,862	4,050	4,800	+188	+938
Tennessee Valley Authority	11,486	11,800	12,300	+314	+814
Panama Canal	14,129	14,600	14,900	+471	+771
U.S. Information Agency	11,516	11,900	12,000	+384	+484
Miscellaneous agencies	30,789	31,700	32,900	+911	+2,111
Allowance for contingencies	----------	1,900	4,800	+1,900	+4,800
Subtotal	1,313,319	1,366,000	1 410,100	+52,682	+96,781
Department of Defense, military and military assistance	1,052,998	1,180,500	1,204,900	+127,502	+151,902
Total	2,366,317	2,546,500	2,615,000	+180,183	+248,683

The foregoing comments and the table refer only to full-time employment. The budget projects a total of 266,500 part-time employees in 1968 which, of course, will have to be added to the full-time employment shown above so the total number on the payroll in 1968 will be above 2,800,000.

I would invite your attention to a report and statement released to the press yesterday by the distinguished gentleman from Texas [Mr. MAHON], who is chairman of our House Committee on Appropriations, but who issued the statement in his capacity as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures. His report shows that civilian employment by the executive agencies of the Federal Government increased by 104,444 persons during the first 6 months of the current fiscal year.

Now some of these new jobs may be justified in agencies such as the Department of Defense, the Post Office Department, and perhaps the Internal Revenue Service; but I submit that when a President announces that he is going to reduce civilian employment by 1 percent and instead of a reduction there is the substantial increase noted above, I think the heads of the civilian agencies of the Government ought to be brought to task and made to justify in detail the need for these increases. I frankly doubt if a good case can be made to increase personnel in the Department of Agriculture and in some of the other purely civilian departments and agencies. So I recommend to the committee that here is a big field in which to explore for reductions. Remember that in 1968 we will be dealing with a total payroll of $23.3 billion. For every job we cut out there will be a corresponding saving of approximately $7,904 in salary alone. If we could eliminate 100,000 of the 254,000 jobs that have been created in nondefense areas since 1965, the saving would amount to nearly a billion dollars a year, and remember that this saving will be on an annual basis and recur every year.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. JONAS. I am glad to yield to the gentleman from Iowa.

Mr. KYL. Mr. Speaker, if the gentleman would permit, I would like to study for a moment another aspect of this budget-spending proposition in relation to the highway trust funds. The Secretary is directed to invest in short-term loans the money which is in the trust fund, and it is my understanding that at the present time about $1.1 billion has been borrowed from that fund.

Now, the President—and we would not want to doubt his intention—has asked for a rollback in the highway construction program as an economy coolant.

But is it not a fact that this $1.1 billion from the highway trust fund has been spent in reality, and that to replenish it, so the highway program can proceed at a normal speed, we would have to have an additional source of revenue for that $1.1 billion which has been borrowed, or else raise the debt ceiling to get to it? Is that not correct?

Mr. JONAS. I do not know any other way to do it, unless we just turn on the printing presses, which is about what we have been doing.

Mr. KYL. While the intention in collecting the highway construction program funds may be a perfectly legitimate motive, this does in fact hide some Government spending, does it not?

Mr. JONAS. That is quite correct.

I thought the gentleman was going to refer to another proposal of the President to divert out of the administration's budget the highway beautification and safety money and transfer that to the trust fund in 1968, but I would be glad to yield to the gentleman further if he wishes me to.

Mr. KYL. No, I thank the gentleman.

Mr. JONAS. Mr. Speaker, let me hurry along and move now to one other area which is deserving of very careful consideration. This is a broad area and not a specific project. Then I will have a recommendation to make about how I believe we can proceed through reductions in these specific areas to accomplish the objective of reducing the request for new obligational authority by a sufficient amount to obviate a tax increase.

OTHER OBJECTS

The next area is one we refer to in the budget hearings as "Other objects." In every agency justification there will be a table giving a breakdown of obligations by objects, including travel, transportation of things, printing, supplies, utilities, and so forth. There is no summary of these objects in the budget. For the last several years I have asked for such a summary and always receive it, but usually it comes in a month or two after the budget document has been submitted. I have asked for such a summary this year, but it will be delayed again. Based on the summary supplied last year, I predict that it will contain some shocking information and will open up another area for substantial budget cutting. For example, here are a few items taken from the summary provided last year:

	Billion
Personnel travel (civilian, $442 million)	$1.7
Transportation of things	3.8
Printing and reproductions	.305
Supplies and materials	28.5
Grants, subsidies, and contributions	20.9
Rents, communications, and utilities	2.4

Obviously cuts proposed in the area of "other objects" cannot be pinpointed until the individual justifications are received, but I believe the committee should give close and careful attention to these "other objects" because I believe that these large sums can be reduced substantially without damage.

GROWTH IN FEDERAL SPENDING

The last year we had a balanced budget and paid anything on the national debt—$1.2 billion—was 1960. Since then there has been a succession of deficits—red ink on the Government's books continuously. The impression is sought to be left that these deficits have been caused solely by the escalating war in Vietnam. That is not true as the following figures will show:

In fiscal year 1966 spending was up to $107 billion from the $76.5 billion level registered in 1960. The 1966 total was up to $10.5 billion over 1965 and of that total $7.5 billion was for defense while $3 billion was for nondefense purposes.

In fiscal year 1967 the latest spending estimate is $126.7 billion or $19.7 billion over 1966, of which $12.5 billion is attributable to defense and $7.2 billion to nondefense.

Proposed spending in fiscal year 1968 is estimated to increase still further to $135 billion—$8.3 billion for defense and $3 billion for nondefense.

Thus, unless Congress practices restraint and refuses to follow the administration's unsound fiscal policies, nondefense spending will have increased during the brief period of 3 years—1966, 1967, and 1968—by $13.2 billion—3 years in which we have seen a vast acceleration of the war in Vietnam.

Never before in the history of this great Nation when we were at war have we attempted to operate the Government on a "business as usual" basis. In World War II and in the Korean conflict, Presidents Roosevelt and Truman recognized the absolute necessity of curtailing nondefense spending and took prompt action to accomplish that goal.

Instead of following examples that served our country well, this administration continued full steam ahead and has increased nondefense spending substantially ever since the decision was made to escalate the war.

Instead of slowing down the rate of nondefense spending to balance the increasing costs of the war, the administration has adopted and is sponsoring a number of restrictive, unsound, and, in some cases, unfair policies designed to increase revenues to make it appear that the deficit is smaller than it really is:

First. It caused the suspension of the investment tax credit and accelerated depreciation provisions.

Second. It forced corporations to speed up their income tax payments and proposes another speedup this year to increase revenues $800 million this year.

Third. It inaugurated a policy of deliberate overwithholding of individual income taxes and forced taxpayers to be unwilling lenders of money to the Government and collect only by claiming and winning refunds.

Fourth. It now proposes to superimpose a 6-percent tax surcharge on corporate and individual income taxes.

Fifth. It proposes a 20-percent increase in first-class postage.

Sixth. It is cashing in on capital assets by selling participating certificates—pools of Government-owned mortgages and, instead of applying the proceeds to a reduction of the national debt as it should do, is using those proceeds for general operating expenses in order to hold down appropriations. And to add insult to injury, the administration is paying the purchasers of those participating certificates a cash subsidy to bring the yield up to a level to attract purchasers.

Seventh. And it is engaging in other questionable practices all designed to make it appear that we are spending less than is the case.

Despite the use of all these, and other gimmicks, and one-shot in the arm tactics, the deficits continue to mount and the more money that rolls in the higher the spending goes in both defense and nondefense activities.

Thus we have an administrative budget for 1968 which, although receipts in 1968 are estimated to be substantially higher than for 1967, the 1968 deficit is projected to be $8.3 billion which will be added to the national debt to take it up to $335 billion.

REDUCTIONS CAN BE MADE

In the light of the foregoing, it is imperative that the administration and the Congress tighten their nondefense spending belts to avoid the necessity for further tax increases and the chance of a recession. What then should be done? One very valid suggestion would be for the administration and Congress to immediately exert every effort to roll 1967 and 1968 nondefense spending, exclusive of interest, back to the $37,763 million level of fiscal 1966, which ended just 7 months ago. If such an effort were undertaken, it is reasonable to expect that one-half of the $6 billion spending increase in 1967 over 1966, or $3 billion, could be saved in the remaining months of the current year and all of the $7.3 billion increase in 1968 over 1966 could be saved. This effort could reduce planned and proposed spending in the 1967 and 1968 fiscal years by as much as $10 billion. And the only dislocation would be that resulting from rolling back nondefense spending levels to those in effect 7 months ago.

Despite repeated statements by the President, his advisers, and others that so very small a part of the budget is controllable, every dollar and cent which the Federal Establishment spends can be controlled by the administration and the Congress, acting in concert to set ceilings on spending and to suspend or stretch out civilian programs which providence dictates we should do until the war is over.

The table which follows details in a broad functional outline Federal spending in fiscals 1960, 1966, 1967, and 1968. It is broken down to show expenditures for national defense, for interest, and for nondefense purposes:

Expenditures

[In millions of dollars]

	1960 actual	1966 actual	1967 estimate	1968 estimate
National defense:				
Military	41, 215	54, 409	66, 950	72, 300
Military assistance	1, 609	968	1, 000	800
Atomic energy and defense related activities	2, 867	2, 341	2, 271	2, 387
Total, national defense	45, 691	57, 718	70, 222	75, 487
Nondefense:				
International affairs and finance	3, 195	4, 191	4, 608	4, 797
Space research and technology	401	5, 933	5, 600	5, 300
Agriculture and agricultural resources	3, 475	3, 307	3, 035	3, 173
Natural resources	1, 798	3, 120	3, 226	3, 518
Commerce and transportation	1, 963	2, 969	3, 495	3, 089
Housing and community development	122	347	890	1, 023
Health, labor, and welfare	3, 650	7, 574	10, 389	11, 304
Education	866	2, 834	3, 304	2, 816
Veterans benefits	5, 266	5, 023	6, 394	6, 124
General government	1, 542	2, 464	2, 725	2, 781
Total, nondefense	22, 277	37, 762	43, 666	43, 925
Interest	9, 266	12, 132	13, 508	14, 152
Civilian and military pay increase				1, 000
Possible shortfall in asset sales				750
Contingencies			100	400
Interfund transactions	−694	−635	−766	−682
Total	76, 539	106, 978	126, 729	135, 033

CONTINUOUS DEFICITS AND MOUNTING DEBT MUST STOP

The budget estimates that the Government will wind up the current fiscal year on June 30, 1967, showing a deficit of $9.7 billion.

The budget projects the deficit next year at $8.1 billion.

This means that, at the end of fiscal year 1968, we will have permitted the U.S. Government for 8 successive years to spend more than it has taken in; that we have been operating in the red for 96 successive months; and that the accumulated deficit during that period will reach $48.3 billion.

The following table will show the annual deficit since 1960, which was the last year we balanced the Government's books and paid anything on the national debt:

[In billions]

	Deficit
1961	$3. 9
1962	6. 4
1963	6. 3
1964	8. 2
1965	3. 4
1966	2. 3
1967	9. 7
1968	8. 1
Total	48. 3

Is it not ridiculous that during these years since 1960, which are alleged to have been the most prosperous in our country's history, the Government has run up a deficit in every single one of them?

Now, faced with a national debt of $330 billion, a record of six successive budget deficits, and the continuation of a costly war in Vietnam, what kind of fiscal discipline does the President propose? Does he issue a call to arms for economy? Does he urge harder work and more sacrifice? Does he ask that the country agree to defer some of the things it might want or even need but which can be postponed until our financial house is in order?

No, he does none of these things. He proposes to continue to spend and spend; to increase taxes and raise postage rates; and to borrow and borrow, thus adding to the already badly swollen national debt.

This would not be so bad if we had a modest debt, but it is quite serious when considered in the light of the fact that at present this debt is larger than the combined debts of the other countries of the world put together. We have already borrowed the money to make up the deficits accumulated in the last 6 years and now it is proposed to borrow more to make up the deficits projected for this year and next, so that at the end of 1968 it is estimated that the national debt will be $335.4 billion.

The carrying charges on this fantastic debt have gone up also from $9 billion a year in 1960 to $14 billion projected for 1968. Here we are paying out $14 billion a year just for the privilege of refusing to curtail this enormous debt, and adding to the debt each year and thereby increasing the interest charges.

Let me give you something to think about with respect to this interest. In just 23½ years we will pay out, in interest alone, an amount equal to the national debt but will still owe every dime of the principal. It has been figured out that if we would just begin to reduce the debt by 1 percent a year, in less than 30 years we would have paid the principal down to a sufficient point that we could continue to pay interest and curtail principal at 1 percent a year without paying out any more than we are now paying in interest alone.

Administration spokesmen like to relate the interest on the national debt to the gross national product. I do not think that is a realistic relationship and believe that interest should more properly be related to income. If you relate interest to income, you will find it is taking 11 cents out of every dollar received by the Government in individual, corporate, estate, and excise taxes, plus custom receipts, just to pay the interest on the national debt. This leaves only 89 cents out of each dollar to pay for national security and the various other programs of the Federal Government. You have to go all the way back to 1950 before this high ratio is exceeded, and it has been exceeded only 10 times during the last 46 years.

I believe it is time to call a halt to deficit financing. Let us refuse to increase this burden of debt. Let us demand that the Government begin to live within its means and stop borrowing more money to pay current bills. We owe this to our constituents and to future generations. Every generation should pay for its own mistakes and for its own benefits. Let us not leave our children a heritage of burdensome debt. We can do our part by reducing this current budget by a sufficient amount to bring it in balance and leave a surplus which can be used to reduce the national debt.

Mr. Speaker, it is not going to be easy to cut $4 or $5 billion out of this budget. It is never easy to do so. That is why service on the Committee on Appropriations is really a very frustrating experience. That is why I always wonder that so many of our newly elected Members want to serve on this committee. I said to one new Member just the other day, after he was placed on the committee, "We are mighty glad to have you on the committee and I look forward to working with you." But, I added, "If you got on this committee hoping to win friends to increase your popularity, you got on the wrong committee." He replied, "I did not come to Congress to increase my popularity." I said, "More power to you; congratulations."

Mr. Speaker, if all of us adopt that attitude and go to work on this budget in a realistic way, with the idea of striking a blow to preserve the fiscal integrity of our country and to protect it against the inflationary assaults that continually buffet it, and if we mean what we say when we say we are for economy, we can guide those who are not members of the Committee on Appropriations to areas in which we believe budget cuts can be made, cuts which can be made without sacrificing the security of this country to any degree whatsoever or without curtailing any essential services.

Mr. Speaker, the clerks of the Committee on Appropriations made a calculation which shows that during the last 14 years the House Committee on Appropriations has cut the budgets submitted by four Presidents by a total of more than $50 billion. All of it did not stand up, because the House did not follow the recommendations of its committee in every instance, and there is another body across the Capitol which has a right to have its say in the appropriations process. However, if the Congress of the United States had followed the recommendations of the House Committee on Appropriations over the years, the national debt would be $50 billion lower than it is today and we would not be in the serious fiscal situation in which our country finds itself today.

Mr. Speaker, I shall insert into the RECORD as a part of my remarks tables that will contain some helpful information for those who take this issue to heart and who are concerned over our country's drift toward financial ruin. We can avoid that if we act now but it will demand a special and determined effort by all who believe in fiscal responsibility, sound money, and the payment of debts.

Cash budget

[In billions]

1966	
Receipts from public	$134.5
Payments to the public	137.8
Deficit	3.3
1967	
Receipts from public	154.7
Payments to the public	160.9
Deficit	6.2
1968	
Receipts from public	168.1
Payments to the public	172.4
Deficit	4.3
1966	
Defense	58.5
Nondefense	79.3
1967	
Defense	71.3
Nondefense	89.6
1968	
Defense	76.8
Nondefense	95.6

Defense up in 1968 over 1966: $18.3 billion.

Nondefense up in 1968 over 1966: $16.3 billion.

Defense up in 1968 over 1967: $5.5 billion.

Nondefense up in 1968 over 1967: $6 billion.

Administrative budget

[In billions]

1966	
Receipts	$104.7
Expenditures	107.0
Deficit	2.3
1967	
Receipts	117.0
Expenditures	126.7
Deficit	9.7
1968	
Receipts	126.9
Expenditures	135.0
Deficit	8.1
EXPENDITURES	
Defense (1966)	57.7
Nondefense (1966)	49.3
Defense (1967)	70.2
Nondefense (1967)	56.5
Defense (1968)	75.5
Nondefense (1968)	59.5

Defense expenditures up in 1968 over 1966: $17.8 billion.

Nondefense expenditures up in 1968 over 1966: $10.2 billion.

Defense up in 1968 over 1967: $5.3 billion.

Nondefense expenditures up in 1968 over 1967: $3.0 billion.

National income accounts budget

[In billions]

1966	
Receipts	$132.6
Expenditures	132.3
Surplus	.3
1967	
Receipts	149.8
Expenditures	153.6
Deficit	3.8
1968	
Receipts	167.1
Expenditures	169.2
Deficit	2.1
EXPENDITURES	
Defense (1966)	56.5
Nondefense (1966)	75.8
Defense (1967)	68.3
Nondefense (1967)	85.3
Defense (1968)	74.1
Nondefense (1968)	95.1

Defense up in 1968 over 1966: $17.6 billion.

Nondefense up in 1968 over 1966: $19.3 billion.

Defense up in 1968 over 1967: $5.8 billion.

Nondefense up in 1968 over 1967: $9.8 billion.

Gross expenditures of Government-administered funds

[In billions]

1966	$164.6
1967	192.1
1968	210.2
EXPENDITURES	
Defense (1966)	60.6
Nondefense (1966)	104.1
Defense (1967)	73.6
Nondefense (1967)	118.6
Defense (1968)	79.1
Nondefense (1968)	131.1

Defense up in 1968 over 1966: $18.5 billion.

Nondefense up in 1968 over 1966: $27 billion.

Defense up in 1968 over 1967: $5.5 billion.

Nondefense up in 1968 over 1967: $12.5 billion.

Mr. SHRIVER. Mr. Speaker, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Kansas.

Mr. SHRIVER. Mr. Speaker, I want to commend the gentleman from North Carolina [Mr. JONAS] and my other distinguished colleagues who have worked so diligently on this initial study of the administration's budget for fiscal year 1968.

Two years ago Members of the minority, headed by my colleague from North Carolina, made a similar report on the budget which had been submitted to Congress by the President. At that time guidelines were recommended by the minority which are even more pertinent this year. They included the following evaluations:

First, is the request essential and should it be approved even though it must be financed out of borrowed money?

Second, is the request for something we can postpone until the budget is balanced and the national debt is reduced?

Mr. Speaker, this year we have been presented a record budget calling for $135 billion in Federal spending in 1968. Of that amount, over $75 billion is projected for defense expenditures.

The administration proposes to spend over $8 billion more in 1968 than in the current fiscal year, and coincidentally, the red-ink deficit is projected at the same amount as the increase in Government spending.

We soon will be asked to increase the Federal debt limit from the present $330 billion temporary ceiling. The American taxpayers will be putting up $14 billion next year just to pay the interest on the debt.

Since 1961 we have seen Federal deficits pile up in the amount of $40 billion.

If my mail is any indicator I believe the American people want to see prudence and economy practiced by the Federal Government, especially at a time when we are spending $2 billion a month to fight the war in Vietnam.

Each of us has a responsibility to support economies in Federal spending following the guidelines which I mentioned earlier. As the various subcommittees of the Committee on Appropriations begin their intensive examination of the budget proposals, we should look for the sacrifices and economies which seem to be dictated during these times of mounting defense costs.

We should ask the administration for justification and then make objective determinations of such requests as the following:

First. A $450 million increase in spending by the Office of Economic Opportunity.

Second. Increasing civilian employment by 68,500 with approximately 44,000 jobs in the nondefense areas.

Third. Extension and expansion of the Federal Teachers Corps.

Fourth. Continuing increase in welfare assistance payments.

We have in the past been successful in reducing the administration's budget requests without damaging the operations of the Federal Government. This budget can and should be cut.

Mr. JONAS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LIPSCOMB] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, year in and year out, in peacetime and in wartime, the defense budget is the largest and most complex departmental or agency budget before the Congress. The Defense Subcommittee holds extensive hearings because of the magnitude of the estimates involved. Fortunately, the Congress has had the wisdom to support defense authorizations and appropriations which have kept the United States militarily strong throughout the period of the cold war.

It is always difficult to cut funds which are said to provide the sustenance for our Nation's defenses. It is difficult in periods of cold war and it is extremely difficult when we are fighting a hot war as we are today.

Nevertheless, the Department of Defense is the biggest business on earth and its sheer size would indicate that there are many areas in which savings can be made. We have found such areas in defense budgets in the past, and I am sure that we will find such areas in the fiscal year 1968 budget.

The regular annual defense estimates for fiscal year 1967, last year, were $57,664,353,000. The appropriation for fiscal year 1967 totaled $58,067,472,000, an increase of $403,119,000 which I will further discuss later. Obviously, the budget did not include adequate funding for the then escalating war in Vietnam. We are now confronted with a supplemental estimate of $12,275,870,000—including military construction items of $624,500,000—for southeast Asia, and will shortly have supplemental requests for pay increases and other items all together totaling about $590 million.

The regular annual estimates for 1968 are $71,554 million, an increase of about $1.245 billion above the appropriations for 1967, assuming Congress grants all of the proposed supplemental funds. Disregarding pending supplementals, we are asked to appropriate for 1968 about $13.487 billion above the appropriations to date for 1967.

Last year, the House Appropriations Committee recommended and the House voted a net increase of $947 million in the budget. We made some cuts which were offset by the increases. As I previously mentioned, the defense appropriations bill as ultimately enacted after Senate and conference action provided $403 million more than was requested.

This was due in part to the fact that the fiscal year 1967 budget submitted to the Congress was inadequate to properly fund the requirements of the war in Vietnam. For instance, there were 108,000 military personnel on active duty at the time the bill was reported to the House for whom no funds for pay and allowances had been requested. In order to keep faith with our colleagues and with our country, we recommended provision of an additional $569 million for their pay and allowances.

Other areas in which we felt that the budget was inadequate included airlift, the anti-ballistic-missile program, the size of the B-52 bomber force, and nuclear power for naval ships. We searched for and found areas in which reductions could be made and readjusted allocations between programs, but our revisions were more than offset by the budget's inadequacies.

This year, the fiscal year 1968 estimates before the Defense Subcommittee total $71.5 billion and ostensibly provide the funds required to fight the war in Vietnam and keep our Military Establishment strong otherwise. We cannot be certain at this time that this is entirely the case. At least the 1968 defense budget request appears to be more realistic and the "planned supplemental" approach which was followed last year appears to be less obvious.

The appropriations hearings will look into this carefully, as there were programs which the Congress recommended and funded last year, such as the more rapid development of an advanced manned strategic bomber, which were not fully implemented by the Defense Department and which may require additional congressional support in fiscal year 1968 if the country is to maintain a modern strategic bomber force.

One of the most significant military decisions to be made in this decade is whether or not to proceed with the deployment of an anti-ballistic-missile system. The Soviet Union is deploying such a system. The Congress provided funds in the amount of $168 million more than was requested last year for this program and these funds have not been used. The fiscal year 1968 budget carries $375 million for maintaining the option of initiating deployment of the system without making a commitment for deployment. We will have to look at this program closely and determine just what the real needs are in fiscal year 1968.

In the field of airlift, last year, the Congress resisted efforts of the administration to cut back the all-important military airlift. We insisted on keeping certain Air National Guard squadrons functioning in the belief that, in this day and time, the need for military airlift can arrive suddenly and overwhelmingly. This year, the budget proposes that the squadrons which we tried to keep active will be phased out and that other Reserve airlift squadrons will also be phased out. We may need to take very positive action in this area.

The Defense Appropriations Subcommittee has had investigators in the field this fall. We have every hope of finding, and will make every effort to find, areas in which budget requests for the Department of Defense can be reduced without hurting the war effort or the Nation's security.

The making of the budget in the executive branch and the appropriation process in the legislative branch are, in effect, a matter of allocating priorities to various programs. The Defense Subcommittee may discover and have to fund programs this year which we consider to be of high priority but which are not funded. We will make every effort to find any fat or any programs of low priority that the administration has budgeted, and the funds can be reallocated by the committee to higher priority programs. We did this last year and have done so in previous years.

Of course, we will have to examine the requirement for Vietnam very carefully and see that all the funds needed are provided. This is our first priority, but our second priority is economy and efficiency and saving of taxpayers' dollars.

I feel that we can do a good job in both of these areas and will do everything possible to cooperate with other members of the committee in seeing this come about.

PRESIDENTIAL PRAYER BREAKFAST

Mr. POLLOCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

Mr. POLLOCK. Mr. Speaker, on February 2 of this year President Lyndon B. Johnson will host the annual Presidential prayer breakfast.

It is my distinct privilege to advise the Congress that the first order of business of the Alaska Legislature after organization this year was to unanimously pass House Concurrent Resolution 1 requesting the distinguished Governor of Alaska, Walter J. Hickel, to appoint State Representative Jack R. Simpson as Alaska's first official ambassador of good will to the Presidental prayer breakfast to be held on February 2, 1967, in Washington, D.C.

Accordingly, Governor Hickel has so appointed Mr. Simpson as the first ambassador of good will to the Presidental prayer breakfast.

I have had the good fortune of being acquainted with Representative Simpson for many years and to know his outstanding qualifications. He has been active in organizing many layman conferences of Christian leaders in Alaska, and has faithfully traveled to Washington for a number of years to attend the Presidential prayer breakfast.

It is my hope that other States may follow this new tradition adopted in Alaska by sending an official ambassador of good will to the Presidential prayer breakfast in future years.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the CONGRESSIONAL RECORD, together with extraneous matter including the provisions of Alaska House Resolution No. 1.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

ALASKA HOUSE CONCURRENT RESOLUTION NO. 1

(Relating to the appointment of an ambassador of good will from Alaska to the presidential prayer breakfast)

Be it resolved by the Legislature of the State of Alaska:

Whereas on February 2, 1967, President Lyndon B. Johnson will host the annual Presidential Prayer Breakfast in Washington, D.C.; and

Whereas representative dignitaries from all areas of the United States and the world as well as representative persons from government and industry will be in attendance; and

Whereas it would be most appropriate to have an official representative from the State of Alaska; and

Whereas Mr. Jack R. Simpson, a member of the Fifth State Legislature has attended the last several Presidential Prayer Breakfasts; and

Whereas Mr. Simpson is uniquely qualified to represent the State of Alaska in that he organized the weekly Anchorage Mayor's Breakfast and was the founder and first president of the United Churchmen Laymen's Conference; and

Whereas Mr. Simpson, as an executive of the International Christian Leadership will play a key role in hosting the world convention of the International Christian Leadership in Anchorage during 1967 which numerous international celebrities and distinguished international Christian leaders will attend;

Be it resolved, That the governor is respectfully requested to appoint Jack R. Simpson as Alaska's first official Ambassador of Good Will to the Presidential Prayer Breakfast to be held February 2, 1967 in Washington, D.C.

LEAVE TO EXTEND REMARKS

Mr. JONAS. Mr. Speaker, I ask unanimous consent that all Members who engaged in the colloquy on my special order today may revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

POLAND: THE MYTH OF THE INDEPENDENT SATELLITE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. FINDLEY] is recognized for 60 minutes.

Mr. FINDLEY. Mr. Speaker, the U.S. proposal to relieve Poland of the need to pay in dollars an $18 million debt to this country brings into focus our relationship with Communist bloc countries. It raises disturbing questions over the trend of individual freedom and national independence in that area, and the influence U.S. foreign aid has had on that trend.

The current effort to ease Poland's monetary problems suggests that present U.S. policy is rooted in nothing more substantial than hopes for Polish liberalism which should have been set aside years ago as forlorn.

The time has come to face reality. Poland is more dependent on the Soviet Union and the Polish people have less individual freedom today than was true a decade ago.

Independence and liberalism in Soviet satellites—if Poland is typical of them—are myths. U.S. policies should be adjusted accordingly, and the adjustment should include an abrupt halt to financial aid which is not fully and clearly balanced by our own national interest.

During the upheavals of 1956—the Poznan riots in Poland in June, the Hungarian Revolution in October–November, and similar unrest throughout the East-European bloc—the West looked upon the seeming disintegration of the Communist alliance with renewed interest. Stalin was dead and Nikita Khrushchev's so-called secret speech denouncing the tyrannies of the one-time undisputed leader of all Communists unleashed a Pandora's box. No one was quite sure of the new direction that communism would take. It was argued that the unity of the bloc would never be the same—that each satellite country would go its own way, much as Yugoslavia's Tito seemed to be doing.

In Poland, Wladyslaw Gomulka, a man who spent over 5 years in various prisons on orders from Stalin, was elected the first secretary of the Communist Party—an evident anti-Stalinist move. Almost immediately he set out to "change" Poland and purge it of Stalin's era. He freed the jailed Polish church primate, Stefan Cardinal Wyszynski; amnestied most of the political prisoners; got rid of Soviet Marshal Rokossovsky, Poland's Defense Minister, and announced his willingness to discuss economic aid with the United States. In the agricultural sector, Gomulka also decollectivized the farms into private holdings. Press restrictions were eased and Poland was seen to move by leaps and bounds out of the Communist "orbit."

The Soviet area specialists of various foreign ministries and in our own State Department were quite pleased with these events. There was a movement afoot to give expression to this pleasure in a real and practical way with "aid." The U.S. Congress and the Executive were quite willing to offer significant assistance to the budding flower of Poland's independence from Soviet Union and the hegemony of international communism.

Believing that communism based on national aspirations, rather than visionary international Communist goals would move Gomulka closer to the West without threatening the basic American policy, we undertook a series of steps to help Poland from its serious economic, cumulative failures of the past. Our tacit quid quo pro understanding for such aid was, what we thought, continuation of Gomulka's apparent quest for decentralization of the political, economic, and social life in Poland—a move certainly in tune with our traditions. After all, it was the West that possesses the formula for human, dignified progress which would be to the benefit of all who sought to emulate our achievements—which every Communist leader envied.

For almost a year and a half, events in Poland were progressing toward that hoped-for ideal. Freedom of the press and assembly were partly restored. The ideas of liberalism and "Western image of freedom" was seen slowly emerging. American aid was gradually being increased and the boldness of the Polish populace appeared evermore natural.

Suddenly, the Gomulka regime was seen taking that one step back about which Lenin had written. All the decentralizing elements ceased progress. Stalinism, so it appeared to some, was lurking once again. And the trend is seen as continuing along the similar path—away from liberal, decentralizing direction toward "democratic centralism" as the political pundits describe.

In Poland freedom is in retreat, and Gomulka is still in power—more secure than before despite American aid amounting to over a half a billion dollars. Could it be that American aid worked in reverse, financing regression instead of advance?

Today the substantial gains made following Polish October have been mostly dissipated. The Government continually seeks to restrict the role of the Catholic Church in Polish society. Polish freedoms have been eroding rapidly. The intellectuals are under constant pressure by the state to conform to the original doctrines of the party.

The plain fact is that Poland is veering off from the West. Fearing a new Germany, and economically dependent on the Soviet Union, the Poles have found their unique kind of independence a luxury they can ill afford.

On one hand, Poland is engaged in a war by proxy with the United States as it subsidizes the National Liberation Front of South Vietnam and the Hanoi government at the expense of its own failing economy. On the other, Poland is periodically seeking more U.S. aid and hard currency credits. The more the United States aids and subsidizes the Gomulka regime in Poland, the stronger and more determined it becomes, and the more able to assist our enemies in Vietnam and generally work against our foreign policy objectives.

The basic premise under which the administration is willing to permit Poland to repay her current debt in zlotys rather than dollars is difficult to fathom. I believe that our foreign policy regarding Poland should be reconsidered. We should make it quite plain to the Poles that full payments will be expected in dollars. In this way we may provide the incentive for reforms through which the long-suppressed Polish freedoms will eventually be restored.

At a minimum, we will thus give them substantial reason to reconsider their policy of aiding our enemies in Vietnam.

THE POLISH MYTH

Vice President HUBERT HUMPHREY has said:

> There is a tendency in our country to get into a rather fixed and immobile position on policies even after they have ceased to serve the national interest. What we are really talking about, in other words, is what strategy, policy or tactics we should pursue in any country, or in any area of the world to promote our national interest.[1]

No words could more aptly describe our policy toward Poland. We have reached the point where the myth about Poland has become a dogma. Secretary Rusk declared:

> A good deal of the national autonomy and domestic liberalization which the Poles won in 1965 persist.[2]

Yet, statements and actions of the Polish government do not support the second statement. If anything they tend to buttress the sober estimate of former United States Ambassador to Poland, Joseph Beam, given just 2 years ago upon his departure from Warsaw. Said Ambassador Beam:

> The American policy of helping the Gomulka regime surmount its economic difficulties has not led to a more liberalizing evolution in Poland which could have been expected.

Present U.S. policy seems to say that since the Communists are here to stay, the local regime should. First, be made more independent of the Soviet Union; second, their rule should be made as truly democratic and dignified as possible; and, third, closer contacts with the West should be encouraged.[3]

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[1] Hubert Humphrey, CONGRESSIONAL RECORD, vol. 108, pt. 8, p. 10662.

[2] "Why We Treat Different Communist Governments Differently," March 16, 1964.

[3] *Current History*, March, 1965, Pg. 131.

Secretary of State Rusk has periodically articulated this policy by saying:

> It is our policy to do what we can to encourage evolution in the Communist world toward national independence and open societies.[4]

I agree that it is in the best interests of the United States to contribute toward the further loosening of the ties linking Communist-ruled countries. The rebirth of national sentiment presents one of the most powerful threats to the uneasy balance of Communist rule in Eastern Europe.

However, it would appear from a practical point of view that Poland cannot be made more independent of the Soviet Union under Gomulka's leadership.

Throughout the long, drawn-out negotiations with Poland conducted in the new spirit of rapprochement since 1956, the only tangible evidence we have secured to date is an agreement signed in Washington in 1959 after 16½ months of negotiations. Under this Poland has agreed to compensate American citizens whose property was confiscated by the Communist regime. It provides for the sum of $40 million, less than 10 percent of the original value of confiscated property, over a period of 20 years. In return, the United States agreed to release all the assets of Polish nationals blocked since World War II.

The Poles are by nature strongly anti-Communist. Most Western commentators agree that Poland is one of the Eastern European countries most likely to cast off Communist Party domination were free elections held. For a brief time in October 1956 it even appeared that such an action might actually occur. That it did not is due to the political adroitness of Party Secretary Gomulka, who continues to rule Poland. The United States, I believe, is partly responsible for this situation by aiding his vacillating regime. We have not sought to exert enough influence on the Polish Reds to make them realize that a continuation of the liberalizing trend begun in 1956 was in their best interest. It would appear that our economic assistance has prevented, rather than promoted, a situation analogous to that which brought Gomulka to power in 1956.

Although it was made clear that the Communist form of government was to be the only one acceptable, it seemed that a significant change could have been forthcoming through the activity of the quasi-independent parties permitted after 1956. After Stephen Cardinal Wyszynski was released from prison, the Catholics were granted limited representation in the Sejm, and apparently a workable agreement was reached between the church and the state. Attempts by the regime to control the literary works of art were unsuccessful. The appearance of Morsek's highly political and impertinent book, "The Elephant," chastising the system, as well as plays and novels by Gombrowicz, an existentialist author, were viewed with curiosity—both in and out of Poland.

Censorship of the press was scant. The journal, Po Prostu, went so far as to walk boldly along the brink of direct criticism of the Soviet Union.[5]

October 1956 also meant curbs on the secret police, the almost omnipotent arm of totalitarian regimes. But, that era seems to have taken a turn for the worse. Where before the principal policy issue was to see how many concessions might be extracted from Gomulka and Moscow, now the whittling process of those previous concessions has definitely become evident. At best, the confused and impatient Poles are hoping, and marking time. The liberal minds and the youth believe they are moving backward to keep pace with the Soviets. Poland has lost her old lead in hoping to liberalize the rest of satellite Europe. The enthusiasm of 1956–57 is dead. As the London Times of December 3, 1965, said:

> What was once the hatchery of new ideas has turned into a graveyard of lost dreams.

The Times speculated that the saddest puzzle of East Europe is how Poland slipped away from her position as a pacemaker in political, cultural, and economic affairs. The main reason is perhaps our lack of concern when the centralist, Bolshevik tendencies were again reappearing.

The New York Times reported in April 1964:

> There is an atmosphere of discontent that envelopes the country, compounded by annoyance of the rising prices, shortages of real wages, unemployment and increasing restrictions. An incident could generate a spark to set off a major explosion.[6]

These were the very conditions that brought a change in 1956. But because of Gomulka's retrenchment and an absence of U.S. pressure, no "incident" has generated a spark that could lead to disengagement. The present government representing itself as "heir" to the 1956 uprising has in fact been the opponent, and of late the outspoken foe of the progressive Polish faction within the Communist Party itself.[7]

Today life in Poland is difficult, drab, and without any evident prospect that it is about to improve substantially.[8]

The influence of the liberal group within the Communist Party, who held most of the top positions after 1956, has decreased considerably.[9]

The Communist guerrilla—partisans of World War II fame led by Strzelecki and Klizsko and their kind—are now very prominent in the Polish Ministeries of the Interior, Defense, Culture, Foreign Affairs, and Foreign Trade. The partisans, who were cooperating directly with the Red Army and always represented the hard line, have even managed to build up the secret police again. It now keeps tabs on interparty rivalry.[10] The degree to which the Gomulka faction and the partisans have increased their influence can best be demonstrated by the increasing membership on the Central Committee of the Communist Party. The following chart details the status of the major groups on the committee in 1959 and 1964.

	1959	*1964*
Gomulka faction	25	57
Pulewska faction	25	5
Former Socialists	11	8
Natolin faction	10	0
Revisionist faction	6	2
Partisan	0	14

The Gomulka faction and the partisans have more than doubled their ranks. In 1956, Gomulka and the revisionists supported each other but it was only a limited affair. Gomulka, an old revolutionary, had strong views about the controls he would exercise. The result has been a steady increase in the influence of the hardliners.[11]

While the 1956 changes were not interpreted as a Polish auschluss out of the Communist camp, the West did expect more from the strong-willed, practical Gomulka. His past record reveals that he was as liberal as he had to be to maintain his power. It is also evident that his leadership has continued to lose popular support since 1959. It was then that Gomulka returned to key positions individuals prominent as adherents of Stalinism.

POLAND'S UNAVAILABILITY TO THE WEST—TIES TO THE SOVIET UNION

It is an old axiom today that in the longrun the foreign policy of any country is determined less by ideological forces than by its geography and history. The striking feature of the current political scene in Poland is that while Communist ideology has failed to take firm roots among the Polish people, the Government's foreign policy on particular issues is endorsed by an increasing number of Poles.[12]

Poland's foreign policy has always been sensitive to her geographic position; sandwiched between an aggressive Germany and historically hostile Russia. Because of the superiority of German technology and organization, Germanization usually presents a far greater threat to Poland than Russification.[13] It is Germany which in the eyes of the Poles represents the arch enemy.[14] The memory of German occupation of Poland during World War II, when the Poles were literally threatened with national extermination at the hands of the Nazis, only intensifies their inclination.[15] Nor have the Poles forgotten that the West, France and Great Britain did not come to their aid during the Nazi invasion of 1939.[16]

Because Soviet policy regarding West Germany meets with the approval of virtually all Poles, and because the Polish regime has been able to obtain a modicum of independence of action, some degree of reconciliation between the Government and the society has occurred. But friction between the two continues.

Poland's main concerns have been in: West Germany's reemergence as an independent state, revival of the German military force, persistent refusal on the part of the Bonn government to accept the Oder-Neisse border, and Germany's prominent role in the anti-Communist alliance. These make the Poles once again fearful of their Western neighbor. The indefinite postponement of recognition of the Oder-Neisse frontier by the Western Powers, made the Soviet support of crucial importance to Poland. Included in this area is the second greatest industrial region of East Europe. Its retention is needed if Poland is to be the industrial power she desires to become. The problem of holding these pre-German provinces overshadows the Polish-Soviet territorial disputes which, for practical political reasons, have gradually faded into the background.[17]

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[4] "Why We Treat Different Communist Countries Differently," March 16, 1964.

[5] *New Leader*, May 11, 1964, Pg. 5.

[6] New York Times, April 18, 1964.

[7] *New Leader*, May 11, 1964, Pg. 4.

[8] New York Times, Feb. 6, 1966.

[9] *Swiss Review of World Affairs*, June, 1964.

[10] *Swiss Review of World Affairs*, June, 1964.

[11] New York Times, Feb. 6, 1966.

[12] Foreign Affairs, July, 1962, Pg. 635.

[13] Foreign Affairs, July, 1962, Pg. 640.

[14] Foreign Affairs, July, 1962, Pg. 640.

[15] Foreign Affairs, July, 1962, Pg. 640.

[16] Foreign Affairs, July, 1962, Pg. 641.

Poland's best national interest is seen as protecting herself from Germany, and retaining her Western provinces. Soviet Union has identical interests. Consequently, both benefit from continued present relationship. And, American national interest, it would appear, lies in maintaining the strength of West Germany.

Our attitude with regard to possible disengagement in Central Europe has been influenced—and wisely—by consideration for West Germany, our strongest and possibly the most faithful ally in Europe. For obvious reasons, West Germany is opposed to any relaxation in East-West relations. They fear that any "deal" between the United States and the Soviet Union would, in practice, mean the acceptance of the status quo, implying not only the acceptance of the division of Germany, but also recognition of the Oder-Neisse line. This is difficult for any German politician to accept. If the United States attempts a disengagement policy alone, it will alienate its strongest ally. And, there is no assurance that the various East European regimes would succeed in achieving independence from Moscow.

The Poles so far have little choice other than to cherish the present Soviet guarantee of their territorial interests.

U.S. abandonment of NATO's controversial MLF concept did not significantly improve our relations with Poland as had been anticipated.[18]

The United States should not relinquish its legitimate interests in West Germany for a limited degree of internal autonomy in Poland. The condition Poles ask, disengagement from central Europe, is too high a price. That the Polish myth, nevertheless persists may be attributed in large part to our national desire to see in Poland a weakening of Russian influence. Under present conditions, however, it is questionable whether Poland will go any further without direct American influence.

Economic dependence on the Soviet Union, fear of West Germany and her own military weakness make Poland very much a part of the Communist bloc.[19]

POLAND'S ECONOMIC DEPENDENCE ON THE SOVIET UNION

Poland's dependency on the Soviet Union would be hard to exaggerate. "A turn of two valves and a flip of a railway switch would halt the flow of vital oil, gas, and iron ore from Russia to Poland."[20]

Although direct political interference by the Soviet Union is not blatantly exposed, the Soviet ability to mold Polish policy remains. Based on the economic and strategic interests of the Poles, rigid conformity to Soviet dicta has disappeared. However, indirect control through economic pressures may well be a more efficacious technique for maintaining Soviet ascendancy.

The Soviets have been clever in seeking to influence the Poles. In 1965, Soviet Union canceled a $525 million Polish debt to ease Poland's losses stemming from shipments of coal. Any Polish flexibility must contend with two decades of Soviet economic dominance, and the extent to which that could be altered without considerable damage to Polish interest. The breadth and depth of Soviet economic impact might well be the major feature which, for the time being, offsets some of the recent political concessions and precludes substantially greater Polish economic independence.[21]

Several crucial factors militate against the possibility of Poland's greater economic self-assertion in the immediate future, ignoring for the moment Soviet political and strategic considerations. The Soviet economic involvement of the past has been profound. An obviously limiting factor upon Polish maneuverability is the nature of its industrialization. This has revolved around Soviet blueprints, equipment, and methods, completion of projects, and flow of replacements in accordance with initial technical specifications which depend upon continued Soviet cooperation. Of equal influence is the degree to which the Polish economy has been coordinated in CEMA among bloc countries.

Poland's largest trading partner was and is the Soviet Union. Last year the Soviets bought 32 percent of the goods exported from Poland and supplied it with 29 percent of all imported goods. Soviet Union is Poland's main supplier of industrial equipment. This is especially important, because, like most European Communist-ruled countries, Poland is spending a substantial part of her national income every year in a headlong rush to industrialize. In 1963, Poland ruled out any change in plans to alter the concentration on heavy industry in favor of consumer oriented economy. Without Soviet aid Poland would be helpless.

Since the creation of Polish Peoples Republic the U.S.S.R. has been and remains its biggest trade partner. For several years the share of trade with the Soviets has been about 30 percent, while trade with other Communist countries was 40 percent. During the period from 1950–55, Soviets were Poland's main suppliers of capital equipment, contributing to its 6-year plan. The Russians have also become the principal supplier of basic raw materials; iron ore, crude oil, nonferrous metals, and so forth. Between 1956 and 1960, trade with the Soviet Union increased by 44 percent, with imports raised by 48 percent and exports to 39 percent. In 1960 the U.S.S.R. exported 100 percent of Poland's crude oil need, 90 percent of its nickel minerals, 78 percent of iron ore, 74 percent of chromium ore, 75 percent of petroleum products, 73 percent of lumber, 65 percent of cotton, 68 percent of tin, 45 percent of zinc concentrates, and 47 percent of grain. In turn, Poland was able to substantially increase its exports of finished industrial goods, machinery, capital equipment, and transportation equipment, to the Soviets. A 5-year trade agreement for 1961–65 signed in March 1960 insured exports of raw materials and capital equipment to assure Poland a steady market for its export commodities.

An agreement on Soviet technical assistance to the Poles, to build large-scale industrial enterprises, was also signed. The Soviet Government newspaper, Izvestia, on March 11, 1960, stated:

> The agreements signed a further contribution to the deepening and expanding of economic cooperation between the USSR and Poland. They will facilitate better fulfillment of the national economic plans of both countries and hence will promote the strengthening of the economic power of the world socialist system.[22]

According to the long-term agreement, the volume of goods exchanged between the U.S.S.R. and Poland was to amount to approximately 22 million rubles between 1961 and 1965. This volume increased approximately 60 percent over the levels reached in the preceding 5 years. During that period, Soviets continued to deliver equipment for industrial enterprises already under construction and offered technical assistance in building certain other industrial enterprises. Poland in turn delivered to the Soviet Union 120 seagoing ships, 15,000 railroad tank cars, 1,750 railroad passenger coaches, equipment for sugar refineries, used factories, and certain other industrial enterprises, machine tools and cables, 23 million tons of coal, and 3 million tons of coke.

In 1962 Poland and the Soviet Union signed another trade protocol which represented an increase in growth of trade between the two countries. The Polish Foreign Trade Minister, Mr. Trampczynski, said that the Polish-Soviet agreement "will be of greater importance for Polish economic development."[23] This increase in the trade exchange of 1962 was a result of the further strengthening and widening of economic cooperation between Soviet Union and Poland.

In 1963, the trade protocol of the Soviet Union constituted a considerable increase in comparison with the trade turnover established by the protocol for 1962.[24]

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[17] Foreign Affairs, July, 1964, Pg. 64.

[18] Current History, March, 1965, Pg. 182.

[19] Washington Star, July 15, 1966.

[20] Washington Star, July 15, 1966.

[21] The American Slavic and East European Review, article entitled "Soviet Economic Impact on Poland," by Stanley J. Zyzniewski, #2, Vol. 17, 1959, Pg. 5.

[22] The Current Digest of Soviet Press, Vol. 12, No. 10, April 4, 1960, Pg. 26.

[23] USSR International Affairs, Section of the daily foreign broadcast, March 21, 1962.

An announcement on January 8, 1965, on the signing of the Polish-Soviet Trade Protocol provided for a substantial increase in trade and for greater specialization of production in related industries.[25]

The trend in Soviet-Polish relations since the creation of the Polish Peoples Republic clearly indicates that Poland is economically dependent on the Soviet Union. Without the assistance of the U.S.S.R. Poland's goal as an industrial nation cannot be achieved unless it receives substantial assistance from the Western World. For obvious reasons this assistance to Communist countries would not be in our best national interest.

POLISH FOREIGN POLICY

Poland's foreign policy is not significantly different from that of the Soviet Union.[26]

Gomulka's foreign policy has followed Moscow's cues for many years. In June 1958 Gomulka strongly denounced Marshal Tito's cooperation with the West and expressed his approval of the execution of the Hungarian Premier Imre Nagy during the days of the revolt. From 1960, his accord with Russian policy has found an even more positive expression. By 1962, Gomulka could say that "never in history have relations between Poland and the U.S.S.R. been as close as now."

Information furnished the CIA in 1963 by important defectors from the Polish secret service revealed the alarming extent of Polish spying activities. The full scope of his testimony still has not been released, but it is known that five State Department officials and marines as signed to guard the U.S. Embassy in Warsaw were compromised by Polish women, agents of the Polish secret police.[27]

At the U.N. with the exception of the isolated case of Hungary where Poland voted to condemn Soviet suppression of the revolt, Gomulka's representative has not deviated from the position of the Soviets. There have been only a few occasions where the Polish delegates abstained from voting with the bloc. In the main Poland has not taken a public position opposite that taken by the Soviet Union.

POLAND AND VIETNAM

Nowhere is Polish adherence to the Soviet line more pronounced than on the issue of Vietnam. Poland is engaged in a war by proxy against the United States. It is giving moral and economic support to our enemies in Vietnam. Gomulka's reaction to U.S. activities in Vietnam is both vehement and vilifying. American action is daily portrayed in the Polish press and in other communication media. The government has openly accused the United States of genocide.[28]

Poland extends credit to North Vietnam for the enlargement of its railroad fabricating plants, building material plants, and gives expert advice in coal mining. On October 2, 1966, the North Vietnamese delegation in Warsaw signed an agreement providing new aid and additional credits for Hanoi. Among the Polish delegation negotiating for this aid was Gen. Marian Granewski, Deputy Chief of the General Staff. Since October 1958, Granewski has been a member of the State Council for Peaceful Uses of Atomic Energy, since late 1960 a member of the Committee on Technology, and since late 1963, Chief (Armed Forces) Inspector for Technology and Planning. Granewski's presence may have been indicative of the sort of aid North Vietnam is after from Poland.[29]

According to the New York Times of October 28, 1966, it was announced that Poland would give $30 million in credits to North Vietnam.

On October 18, 1966, Gomulka sent a letter to all Communist parties of the Soviet bloc calling for a joint conference on aid to North Vietnam. On October 5, 1966, Radio Warsaw announced that Poland was going to establish a permanent representative of the Nationalist Liberation Front of South Vietnam to cooperate with the All-Polish Front of National Unity.

On October 17, 1966, two Polish agreements were made to aid North Vietnam. The Deputy Premier of Poland Jaroszewics said "both civil and defense deliveries which contributed to repelling aggression in Vietnam." The North Vietnam press agency from Moscow reported on October 19, 1966, that the Polish agreements included the following:

First. Long-term, interest-free loans for 1967 from Poland to Vietnam;

Second. Nonrefundable economic assistance for 1967 from Poland to Vietnam;

Third. Polish training of North Vietnamese technicians and technical workers in Poland, and

Fourth. Goods exchange and payments in 1967.

Similar agreements as outlined above were made between Poland and North Vietnam on January 10, 1965, and June 12, 1965.

In addition, Polish ships regularly make runs to the Haiphong Harbor carrying supplies to sustain the economy of North Vietnam and to support the war machine of the Vietcong.

From all this one could conclude that Poland has significantly contributed to the American casualty list on the battlegrounds of Vietnam. Polish economic assistance only prolongs this conflict. American aid to Poland would seem to be offering the very vehicle through which Gomulka can offer his aid to the enemy we seek to stop. It is sheer folly to continue buttressing this type of self-defeat.

We should demand not only the full payment, in dollars, for credits we extended to Gomulka since 1957, but also a halt to any aid whatsoever unless and until Poland ceases its support of the Vietcong. After all, the $26 million due this year on the first installment is significant enough so that Mr. Gomulka would feel quite a pinch where it hurts him most—his need of hard currency.

POLAND EXPORTS COMMUNISM

A basic premise underlying U.S. policy toward Poland is that while it is a Communist country it is not engaged in subversive activity and accordingly is not a threat to the security of this country. In brief, Poland does not seek to export communism. However, Poland has extended economic credit totalling about $200 million to various underdeveloped countries of the free world since 1954. Most of this total consists of commitments made since 1958. Although Polish credits account for a small percentage of the economic credits and grants extended to the underdeveloped countries by the Sino-Soviet bloc, nevertheless, Poland is an instrument of Communist foreign policy.

Recipients of Polish credits for economic purposes were: Yugoslavia, Brazil, Iran, Indonesia, India, Tunisia, Guinea, and Ghana.

In addition, Poland has provided some military assistance in the past to Indonesia. Economic credits have generally been used to finance purchases and installations of Polish industrial and transport equipment. In a number of cases Polish technical assistance and services are a part of the grant. This means the presence of Polish citizens in these foreign countries. That foreign aid activity of Communist countries constitutes an excellent cover for subversive activities is well known. In India in 1960 Polish technical services were employed in connection with the establishment of $30 million dollars worth of industrial projects. Under the terms of the agreement, Indian specialists will undergo training in Polish industries preparatory to operating the plan.

These examples, occurring under the regime of Mr. Gomulka, are an evidence of Poland's willingness to use economic grants and credits to serve the Communist cause.

POLAND BARS U.S. RELATIONS

Credit sales agreement from June, 1957 to the present total over one-half billion dollars. These include surplus agricultural commodities, equipment and materials and medical supplies. It represents a substantial U.S. investment in Poland, but it is not the only one. In 1965, for instance, the U.S. bought $65 million worth of Polish products while selling Poland only $35 million, thus providing Poland with a $30 million favorable balance of trade.[30]

In addition, we spent over $15 million for a children's hospital in Cracow. In 1964, the U.S. supported Poland's application to participate in the "Kennedy round" negotiations at Geneva.[31]

One wonders whether our policy has served the cause of freedom or simply helped entrench authoritarian and inefficient regime. The answer appears to be directed toward the latter. Gomulka has indicated that Poland's trade was at a higher level with the West than he personally would like.[32] It is evident that he fears his country's involvement with the West, although his need for hard currency is growing all the time.

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[24] Daily Foreign Broadcasts Digest, February 21, 1963.

[25] New York Times, January 9, 1965.

[26] East West Trade, The Background of U.S. Policy, by Nathaniel McKitterick, 20th Century Fund, 1966, Pg. 33.

[27] New Leader, May 11, 1964, Pg. 6.

[28] Poland, Czechoslovakia, Austria and Italy, by Rep. Clement Zablocki of the Committee on Foreign Affairs, 89th Congress, First Session, Pg. 15.

[29] RFE—Situation Report, October 6, 1966.

[30] Washington Post, July 15, 1966.

[31] New York Times, May 6, 1964.

[32] New York Times, November 27, 1962.

The chief Polish advocate of rapprochement between East and West, Hochfeld, was removed from political power by Gomulka. The United States finds itself the largest foreign holder of zlotys, over $11 billion in all. Despite our lavish assistance, Gomulka has on more than one occasion said that Polish economic troubles could in part be ascribed to the Western World. Mr. Gomulka said in 1962:

> We turn our face too much toward the West, toward the highly developed capitalist countries. Almost thirty percent of our total trade turnover is done in capitalist markets. Experience shows how dangerous such a proportion is to our economy.

There are other indications of how the Polish Government has reacted against the United States—in April 1965, the Government-owned newspaper, Zycie Warsaw, accused the Warsaw correspondent of the New York Times, David Halderstam, of a "malicious presentation of Poland to readers."

LOSS OF POLITICAL FREEDOM IN POLAND

Party Secretary Gomulka looks at Poland from the eyes of a Communist conservative. While he may object to the terror associated with Stalinism, he believes thoroughly in centralized control of Poland and in top-down economic procedures.

Though the Poles today still enjoy a small measure of personal and cultural liberty, perhaps greater than any other inhabitants of the Communist world, recently even those have been seen eroding. This plus evidence of a tightening of policy in agriculture, education, military scrutiny, and economic planning indicates that at the time when some liberalization is being permitted by certain other Communist regimes, Gomulka pushes toward greater conformity.[33]

One indication of the loss of political freedom in Poland is that while, officially, strikes are allowed, they are promoted by the state trade unions subservient more and more to Gomulka's decrees.

Following an example set by the Soviets, Gomulka's courts carried out the first execution for "economic crimes" since Stalin's days, in March 1965.

Criticism of the regime can once again lead to a loss of job. After the protest letter from a group of Poland's most prominent intellectuals in 1964, 12 of the country's best-known writers and teachers were suspended from their posts.[34]

Another indication of the loss of political freedom in Poland has been an enlargement of the Communist Party candidates in the balloting for the parliament. In each election since Gomulka has returned to power the percentage of seats in the parliament held by the Communists has increased at the expense of the other members of the coalition.

The Communists have made substantial gains in local governing bodies. Today it is estimated that more than 50 percent of the local governing bodies' membership are held by Communists. The Communist Party runs Poland, but except for the top level of the government, it has been a minority rule, heavily dependent for local administration on the subservient United Peasants and Democratic Party, and on cooperating independent politicians. In many villages there are no Communist Party organizations at all. But the situation is changing. The shortage of Communist activities at the bottom of the pyramid became acute after the 1956 Poznan uprising. A 1958 purge of dissident members ordered by Gomulka cut more than 200,000 from the rolls. The party level in 1959, for example, was 300,000 below the 1956 level. In the 1958 provincial elections, the party was able to find only enough trustworthy Communists to fill an average of one seat in four on the local councils. A major rebuilding drive, not yet completed, was started in 1960 when a total of 167,000 new admissions into the party were granted. Since 1958, worker membership has been raised from 37 percent to near 40 percent, and peasant membership has risen to 12 percent. This indicates that Communist Party membership is on the rise in Poland, at the expense of the independent and non-Communist members of the coalition. The entire political situation in Poland seems to indicate that the Communist Party is moving in giant strides, back to the position of influence and power it had prior to October 1956.

LOSS OF RELIGIOUS FREEDOM IN POLAND

There is only one organization in Poland which can successfully compete with the regime for the allegiance of the population. This is the Roman Catholic Church. In order to eliminate any such potential threat, Gomulka has been employing a variety of means to destroy the prestige of the church and to transform it into a government-directed group.

For the past several years, gestures of accommodation toward the church have ceased. In 1958, the government interposed itself to collect "duty" on several million dollars worth of food stock given to the church for relief by Roman Catholic charity groups in the United States. Newsprint paper has been withheld from church-connected papers and journals. Instances of church censorship occurred with growing frequency. A policy of church taxation was instituted in the Catholic University of Lublin, subjected to crippling retroactive action. In 1960, permission to build a new Roman Catholic Church in the newly built industrial complex of Nova Huta was suddenly withdrawn, though it was previously granted.

Building permits for other new churches were similarly denied or withdrawn in what appeared to be a general policy of harassment. In 1961, religious instruction in schools, without state supervision, was prohibited. The new minister of religious education was formerly the director of the Polish Association of Atheists. There have been a number of assaults by the militia on church demonstrations and religious pilgrimages. Church-operated schools have been again closed down and school property seized. Following the trend, students in four important seminaries received orders to report for military duty. Pope Paul's special service in the Slavic Rite in November 1963 for the "church in silence" was a reminder to East European regimes that the situation was getting out of hand.[35]

It is inconceivable for Gomulka and the Cardinal to find a long-lasting area of cooperation—one or the other must eventually yield. Many of the party stalwarts are also good Catholics in Poland—which makes the situation that much more complicated. But Gomulka is determined to alienate the clergy from the masses by placing obstacles for training of new clerics and closing various religious institutions. As of now most of the parochial schools and minor seminaries have been closed. Similar fate has been met by most of the nurseries, private schools, nursing schools, and other institutions operated by religious orders. The government imposed exorbitant taxation and unreasonable limitations on the enrollment of students to maintain the opposing force at a minimum. Employees of religious institutions are dropped from social security rolls, deprived of medical and hospital benefits, retirement and disability pensions, and related privileges.

While the Catholic Church still possess sufficient following to be reckoned with, the Government is obviously endeavoring to change that situation.[36]

Thus the Communist regime church policy is one of unremitting attack in an attempt to remove its strongest competitor for the allegiance of the Polish people. The Government has even gone so far as to misrepresent the position of the church on the German question, inciting Polish Catholics against their German counterparts.[37]

Last year Poland celebrated its millennium as a Christian nation. Pope Paul VI was denied entry by the Polish Government to attend an open mass in Jasna Gora. The regime went to all extremes to cut attendance at this historic affair—sponsoring soccer matches nearby, warning taxicab drivers not to take fares to Czestochowa, and the like.[38]

The state travel agency, Orbis, refused to grant passports for travelers at the Polish border for the pilgrimage even at Polish Embassies in Western countries.

LOSS OF INTELLECTUAL FREEDOM

In one other major area the government has moved to impose its will over the years. It is quite evident that the Gomulka government has a distinctly anti-intellectual bias, which is to continue indefinitely.[39]

Freedom of the press that flowered briefly after 1956 has receded to dark corners once again. The ugly head of censorship is quite evident. Writer's commissions have been reduced and many papers forced to cease publication. There is a lot to write—but very little that would pass the censor's scissors.

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[33] Current History, March 1965, pg. 154.

[34] New York Times, April 16, 1964.

[35] New Leader, May 11, 1964, pg. 5.

[36] Report on Poland, Czechoslovakia, Austria and Italy made by the Honorable Clement Zablocki on the House Foreign Affairs Committee, June, 1965.

[37] For full background on the Polish Bishop's letter to the German Bishop and the government's misrepresentation see World Today, May, 1966, pg. 177.

[38] East Europe, June 1966, pg. 42.

[39] Progressive, May, 1964, pg. 29.

Defeatism and apathy of the past are again submerging the isolated intellectuals. Open revolt seems out of the question.

To attempt to control this dissatisfied generation the Government is adroitly attempting to buy the support of the intellectual with rewards for works that comply with the cultural policy of the party. Payments ranging from 100 percent up to 250 percent of the honorarium are made to authors whose works are of "high ideological, artistic value." Special literary fellowships are offered to writers who have been previously published. Planning of awards is left to the Minister of Culture and Arts, which indicates that those who refuse to toe the line may not benefit.[40]

A dramatic demonstration against the suppression and press censorship occurred on March 14, 1964, when 34 of Poland's most prominent progressives signed a letter of protest to Premier Cyrankiewicz. Their letter said:

> Restrictions on the allocations of paper for the publication of books and periodicals and the tightening of censorship create a situation that threatens the development of our national culture. In recognition of the existence of public opinion, the right to criticism, the right of free discussion and honest information as a necessary element of progress, the undersigned, motivated by civic concern, demand that the Polish cultural policy be altered so as to conform to the rights guaranteed by the Constitution of the Polish state and conducive to national welfare.[41]

Among the signers, were: first, Leopold Infeld, Poland's most noted theoretical physicist, who worked with Albert Einstein; second, Prof. Todd Katarbinski, one of the country's leading philosophers and until 1963 head of the Polish Academy of Sciences; third, Antonio Slanimski, the nation's most noted poet; fourth, Adam Wazyk, author of the world-famous "Poems for Adults"; fifth, Maria Dabrawska, winner of the Polish state literary prize. The regime's reaction was swift. Almost half were banned from writing for the press or television and lost their passports for traveling abroad. Others had their works in print halted. The only national circulation Catholic newspaper had its allocation of paper permanently cut by 10,000 copies. A 72-year-old naturalized American citizen who returned to Poland to retire was convicted and sentenced to 3 years in prison for distributing false and slanderous material against the regime. He wrote a speech which criticized restrictions on cultural life then mailed a copy to his daughter in the United States.

Gomulka's security police exerted pressures on signators to induce them to withdraw their names. Most stood firm, accepting reprisals rather than yield. Gomulka's managed press noted afterward:

> We do not see a place for books and plays whose ideological and moral sense is directed against socialism.[42]

In February 1966, Polish writers Badowski, Gass, Smecho, Miller, Grezenszziski, Mackiewicz, Czemley, and others were sentenced by the state court for anti-Communist views. Czemley was given a 3-year imprisonment with the loss of public and civil rights.

In December 1966, 13 intellectuals were expelled from the party after writing a letter to the Central Committee, criticizing it.

Six students critical of Poland's Communist government were suspended from classes and faced possible expulsion from Warsaw University.[43] Two cultural weeklies, Przeglad Kulturalny and Nasza Kultura, were discontinued.

The New York Times for December 21, 1966, reported that the Communist Party was considering sterner measures against its own dissatisfied intellectuals. Among the steps under consideration is the expulsion of some members, which in a state-controlled Poland is next to the poor house.

Typical of the restrictions gradually placed upon writers and journalists can be seen in the case of the literary journal, Po Prostu. First, the entire editorial board was dismissed. Then the journal was dissolved altogether. Another popular Warsaw intellectual and literary magazine of similar persuasion, the Crooked Circle was also closed as was a similar publication in Cracow, the Flaming Tomato. In succeeding months, Gomulka's censorship and dismissals affected numerous other journals. Party control of the writers' union prevented publication of controversial manuscripts. The size of the editions has been cut and republication of certain post-1956 books refused. Novels and plays of progressive Witold Gombrowitz have now been banned from publication and stage.

The effect of communism on the individuals, particularly the intellectual, has already been dramatically discussed in such books as Adam Cshass' "Marxism and the Individual" and "Capital of Mind" by Czeslaw Milosz. These books have concentrated on the individual's feelings of alienation, the bewilderment of the peasant working in heavy industry, the anxiety of the citizen who cannot make his voice heard, and the isolation of a writer who cannot publish what he writes in the Polish state.

The party is fearful of the liberal thought. It recognizes that it is a danger to its hold on the people, but it would threaten party authority to offer people a sense of involvement by permitting party differences to be published and by giving a freedom of reporting in the newspapers.

In the final analysis, political, intellectual, and religious freedom are incompatible with the Communist government. This is true whether the government has its seat in Warsaw or Moscow. The lesson is a brutal one and one difficult for us to comprehend.

It is nevertheless compelling. No amount of U.S. aid, credits, or willingness to foreign debt is going to persuade Gomulka into making significant concessions on the political, religious, and intellectual front unless pressure is applied.

Mr. Speaker, here is the text of a letter I sent over the weekend to President Johnson:

Hon. LYNDON B. JOHNSON,
President of the United States,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The United States Ambassador to Poland has made a proposal to the Polish Government whereby certain Polish debts incurred under P.L. 480 (Food for Peace Act) would be payable in zlotys to be spent for mutually agreed upon projects in Poland. If this proposal is accepted by the Polish government, the dollar loss to the United States Treasury between now and January 2, 1968 would be about $18,000,000.

A thorough study of Poland and its outside relationships brings me to conclude that the proposal is clearly against our national interest. I strongly urge that the United States withdraw it and demand instead full payment in dollars.

My reasons are set out in a "white paper" I have prepared entitled, "Poland: The Myth of the Independent Satellite," a copy of which is attached. In it I question the validity of the theory which underlies our policy toward Poland, and which obviously led to the present proposal. The basic points:

1. In Poland, individual liberty is receding, not advancing.

The moderate progress made toward greater personal, political and religious freedom following the October 1956 election of Mr. Gomulka as Community Party Secretary has receded. The Polish government has progressively and forcefully reasserted the fundamental theory which holds that religious and intellectual freedom are incompatible with Communism.

2. Polish national independence is a myth.

Because of the Oder-Neisse boundary dispute, West Germany's international position and Poland's economic and military dependence on the Soviet Union, Poland is simply unavailable to the West.

3. Poland is heavily engaged in a war-by-proxy against the United States.

This is being accomplished through economic, military, political and moral support for our enemies in Vietnam.

Specific evidence is offered to support each of these contentions..

In addition to policy questions, I believe the proposal is subject to legal challenge under the language and legislative history of five applicable statutes:

1. The Foreign Assistance Act of 1961, as amended.
2. The Battle Act.
3. Public Law 480, as amended.
4. The "Findley Amendment" to the Agriculture Appropriation Act of 1967.
5. The Foreign Assistance Appropriation Act of 1966.

"Accordingly, I respectfully urge that the proposal be withdrawn and the Polish government notified that the United States will, until further notice, expect full payment in dollars for all obligations as they come due. At the same time it would be helpful to inform the Polish government of our concern over the recession of individual liberty and national independence in Poland, and our outrage over Poland's war-by-proxy against us.

"This would offer a crucial test of the Polish myth. By dropping the war-by-proxy and reversing the tide against individual liberty, the Gomulka government could demonstrate Polish independence—if such is possible—and thus strengthen its application for United States' aid in the future.

"Heretofore our aid has been one of the most important stabilizing forces for the Gomulka regime, helping to maintain an economic level above that which would produce mass dissatisfaction. In effect our aid has helped to provide the government's margin of safety during the same period in which individual liberty has suffered setbacks and war-by-proxy undertaken.

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[40] Current History, April 10, 1964.

[41] New York Times, April 18, 1964.

[42] New York Times, April 18, 1964.

[43] Washington Post, November 10, 1966.

"At this point common sense dictates that we withhold further aid, and let Mr. Gomulka contemplate the consequences.

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

Mr. Speaker, here are two letters on the same subjects I have sent recently to the Comptroller General:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 14, 1967.

Hon. ELMER STAATS,
Comptroller General of the United States, General Accounting Office, Washington, D.C.

DEAR MR. STAATS: At the present time the Executive has directed our ambassador to Poland to enter into negotiations with the Polish government regarding payment this year of about $18,000,000. This is an obligation that Poland incurred under our PL 480 program. On January 2, 1967, Poland paid $3,700,000 in dollars, and our government is considering proposals which would allow Poland to pay off this dollar debt with zloties which would be spent for mutually agreed upon purposes in Poland.

As a member of the House Committee on Agriculture, which deals with PL 480, it is my opinion that the legislative history on acts relating to Poland since 1960 clearly demonstrates that Congress intended a restrictive policy in matters of foreign aid, trade and PL 480 funds. I am concerned that the proposals of the executive permitting payment in zloties violates this legislative intent and ask for clarification from your office.

In his 1961 State of the Union message, President Kennedy asked the Congress to enact legislation which would amend the Battle Act to permit the United States to extend aid to Poland when such action might be in the nation's best interest. The Congress did not do so. The proposal passed the Senate, but the House failed to act. Congress' failure to relax a rather stiff ban regarding Poland under the Battle Act is just one indication among many that Congress intended to be restrictive in its policy of aid to Poland.

In the same State of the Union message, President Kennedy asked the Congress to enact legislation which would permit the use of U.S.-owned Polish currency on projects of peace. Congress responded by passing only one such authorization, and it was carefully limited. The Congress authorized the President to use $100,000 in U.S. owned foreign currencies for construction of a U.S. sponsored trade school in Poland.

In 1962, the Congress again dealt with the question of Poland in the foreign aid appropriations. The House sustained the principle that aid should not be extended to nations "whose government is based upon that theory of government known as Communism" except for funds for construction of a Children's Hospital in Krakow, Poland. The bill as finally enacted prohibited such economic aid to Communist countries except when the President determined that the national interest so required. Thus the Congress again showed general objection to aid to Poland.

In 1964 the Congress removed Poland's status as a "most favored nation" under our tariffs. In 1966 the Congress declined to take up the President's East-West Trade Bill which would have reinstituted this provision.

Aside from questions of aid and trade arrangements, Congress has treated Poland as a special case under PL 480.

From the beginning all PL 480 agreements with Poland have carefully specified that all currency proceeds of the transaction be reserved exclusvely for U.S. purposes—and none for economic development loans and other forms of assistance provided in most PL 480 agreements with other countries. All agreements have, furthermore, specified that the local currencies accruing to the U.S. ultimately be convertible into dollars.

Thus the whole record of Congressional intent shows that the Congress has carefully avoided foreign aid to Poland except in very limited situations where exact Congressional authorization and appropriation were given.

The effect of the President's proposal on Poland, as I understand it, would circumvent the route of specific Congressional authorization and would violate the long and consistent record of Congressional intent. The whole basis of these negotiations is that Poland has financial problems which would place a great burden on them to liquidate this debt in dollars. This is established by the President's speech in New York City on October 7 to the National Conference of Editorial Writers in which he said, "The Secretary of State is reviewing the possibility of easing the burden of Polish debts to the U.S. through expenditures of our Polish currency holdings which would be mutually beneficial to both countries." Therefore, to the extent that we ease this burden our proposals constitute economic aid to Poland.

The policy of restricting economic aid to Poland was reaffirmed by the 88th Congress when it enacted my amendment which eliminated Poland from any further soft-currency transactions under PL 480. It was reaffirmed in at least three instances by the 89th Congress; first, in the Findley Amendment to the Appropriation Bill for Agriculture and Related Agencies, under which subsidized credit under PL 480 was denied to any nation like Poland which trades with North Vietnam; second, in a similar provision in the legislative history on the same bill as printed in the CONGRESSIONAL RECORD, volume 112, part 18, page 25308.

Thus in all three instances the Congress clearly demonstrated its opposition to PL 480 being used as foreign economic aid to Poland. The proposals submitted to the Polish government by the executive constitute economc aid in that their principal purpose would be to alleviate Poland's scarcity of dollar resources.

I request the General Accounting Office to investigate the nature of the proposal offered and the terms of payment to determine whether or not they conform with the intent of Congress as expressed in recent years.

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 18, 1967.

Hon. ELMER STAATS,
Comptroller General of the United States,
General Accounting Office,
Washington, D.C.

DEAR MR. STAATS: On January 13, 1967 I wrote your office requesting a report on the legality of our proposal to the Polish government in which we would permit the debts incurred by Poland under Public Law 480 to be repaid in zlotys. These zlotys would then be used for "mutually beneficial" projects in Poland.

The factual circumstances appear to be as follows:

FACTS

Pursuant to agreements under Public Law 480 between the U.S. and Polish governments, during the period 1956–64 large quantities of U.S. farm commodities have been sold to Poland for their local currency (zlotys). These currencies (worth approximately one-half billion dollars) are accumulated in Poland and cannot be used for any "country uses" there. Only limited "U.S. uses" are permitted. Poland has agreed to repay the proceeds of these sales in U.S. dollars, rather than in local currency. According to recent press accounts the Administration has offered the Polish government the option of repaying in zlotys a substantial portion of the dollar payments due the United States during 1967. These zlotys would then be used for "mutually beneficial" projects in Poland, which is currently reported to be actively assisting the North Vietnamese government.

If these facts are correct, it would seem that very serious legal and policy questions are raised.

LEGAL VALIDITY DOUBTFUL

The legality of the reported Administration proposal is subject to legal challenge under the language and legislative history of five applicable statutes: The Foreign Assistance Act of 1961, as amended; the Battle Act; Public Law 480, as amended; the "Findley rider" to the Agricultural Appropriations Act of 1967; and the Foreign Assistance Appropriations Act of 1966.

FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

The proposed agreement would seem to be in conflict with Section 620 (f) and (i) of that Act. Section 620(f) specifically defines Poland as a "Communist country"[1] and Section 620(i) prohibits any assistance to countries which are "engaging in or preparing for aggressive military efforts against" the United States, a nation receiving U.S. assistance, or a nation with which the United States has a P.L. 480 sales agreement unless there is a Presidential finding that such efforts have ceased and he reports the same to Congress.[2]

In the present situation, if Poland is providing military assistance to North Vietnam, a sister Communist state that is engaged in open warfare against the United States and South Vietnam, a beneficiary of both U.S. foreign aid and P.L. 480 sales, the term "aggressive military efforts" should be construed to include the shipment of military equipment to a nation actively engaged in armed conflict against American troops. As of this date, Congress has not been informed of a Presidential finding that these efforts have ceased. Therefore, the extension of aid to Poland by converting a dollar obligation into foreign currencies for use by that nation for its internal welfare would appear to be contrary to this provision of law.

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[1] Section 620 (f) reads as follows:

"(f) No assistance shall be furnished under this Act, as amended (except section 214(b)), to any Communist country. This restriction may not be waived pursuant to any authority contained in this Act unless the President finds and promptly reports to Congress that: (1) such assistance is vital to the security of the United States; (2) that the recipient country is not controlled by the International Communist conspiracy; and (3) such assistance will further promote the independence of the recipient country from international communism. For the purposes of this subsection, the phrase "Communist country" shall include specifically, but not be limited to, the following countries:

"Peoples Republic of Albania, Peoples Republic of Bulgaria, Peoples Republic of China, Czechoslovak Socialist Republic, German Democratic Republic (East Germany), Estonia, Hungarian Peoples Republic, Latvia, Lithuania, North Korean Peoples Republic, North Vietnam, Outer Mongolia-Mongolian Peoples Republic, Polish Peoples Republic, Rumanian Peoples Republic, Tibet, Federal Peoples Republic of Yugoslavia, Cuba, and Union of Soviet Socialist Republics (including its captive constitutent republics)."

[2] Section 620(i) reads as follows:

"(i) No assistance shall be provided under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, to any country which the President determines is engaging in or preparing for aggressive military efforts directed against (1) the United States, (2) any country receiving assistance under this or any other Act, or (3) any country to which sales are made under the Agricultural Trade Development and Assistance Act of 1954, until the President determines that such military efforts or preparations have ceased and he reports to the Congress that he has received assurances satisfactory to him that such military efforts or preparations will not be renewed. This restriction may not be waived pursuant to any authority contained in this Act."

BATTLE ACT

Section 101 of the Mutual Defense Assistance Control Act of 1951 (the Battle Act) declares the policy of the United States to be that no military, economic or financial assistance shall be supplied to any nation unless it applies an embargo on certain military and strategic shipments to any nation or combination of nations threatening the security of the United States.[3]

Again in the present situation, the conversion of dollar repayment obligations into foreign currency grants is certainly a form of "economic or financial assistance" and the shipment by Poland of any "Battle Act" materials to North Vietnam is certainly "threatening the security of the United States." The Presidential waiver authority in other parts of the Battle Act has apparently not been exercised in this particular instance.[4]

PUBLIC LAW 480 AND FINDLEY RIDER

Sales of U.S. farm commodities for zlotys were prohibited by the 1964 amendments to Public Law 480.[5]

The 1964 amendments were adopted by Congress in recognition of the fact that excessive amounts of foreign currency were being accumulated in Poland and that any future problems of repayment in hard currency would only be aggravated by future soft currency sales. In rewriting the provisions dealing with Communist countries in 1964, Poland was treated differently from Yugoslavia, the only other Communist nation receiving concessional sales from the United States under P.L. 480. Both countries were permitted to have dollar credit sales under P.L. 480, but sales to Poland, because of her participation in the Warsaw Pact, were limited to repayment within five years. Yugoslavia was permitted repayment terms to run as long as 20 years.

In the 1966 amendments to P.L. 480,[6] local currency sales were again prohibited but both Poland and Yugoslavia were treated the same as far as eligibility for long-term dollar credit sales running up to 20 years for repayment.

Both nations, however, were affected by the North Vietnam-Cuba clause in the new law[7] and by the "Findley rider" to the Agricultural Appropriations Act for FY 1967.[8] The Findley rider, as far as North Vietnam is concerned, is identical to the language of the new P.L. 480 statute.[9]

Under the language of this law, Poland is obviously ineligible for any P.L. 480 sales agreements at this time. This is true not only because of Poland's supplying of military equipment to North Vietnam, but also because of the presence of Polish ships in the Haiphong Harbor. (The Polish government has reportedly asked for compensation for damage to a Polish ship that was unloading in North Vietnam).

In other words, P.L. 480 as now written prohibits any concessional sales agreements with Poland. It is difficult to see how Congressional intent could be construed toward permitting what is in substance, if not in form a dollar *gift* to a nation with which concessional dollar *trade* is banned. Put another way, nothing in the language or legislative history of P.L. 480 in any way directly or indirectly authorizes, directs, or encourages the Administration to convert dollar debts into local currency grants to nations which are ineligible for concessional sales.

FOREIGN ASSISTANCE APPROPRIATIONS ACT OF 1966

Section 109(b) of that Act states that there shall be no economic assistance to any nation whose government is based on the theory of Communism unless there is a Presidential determination of national interest and notification to the House and Senate Foreign Affairs Committees and publication of the same in the Federal Register.[10]

In the present case there has not been such a finding in regard to Poland and there has been no notice in the Federal Register. Thus, the furnishing of this form of economic assistance to Poland without an appropriate Presidential finding would not be lawful.

In summary of the legal question, it is clear that there is no specific authority or legislative directive for the Administration to convert Poland's dollar obligations incurred under agreements executed pursuant to P.L. 480 into soft currency grants. On the other hand, there is ample evidence that Congress does not intend for a nation which is at this time legally ineligible to receive concessional sales of farm commodities to be relieved of the obligation of paying her earlier-incurred hard currency debts.

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

WHAT A B C's ARE OUR CHILDREN LEARNING?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Tennessee [Mr. QUILLEN] is recognized for 10 minutes.

Mr. QUILLEN. Mr. Speaker, I take this opportunity to congratulate a great American, the Honorable J. Edgar Hoover, Director of the Federal Bureau of Investigation, on the outstanding article which he has written for the February 1967 issue of the VFW magazine.

The views that Mr. Hoover expresses have too long been left unrecorded. They should have been stated long ago.

Mr. Hoover places the roots for a revitalization of our spirit where they belong—with the upbringing of our children. Yes, that is where we must again instill the principles of our Founding Fathers in order to halt the growing chaos of crime and immorality. This is where we must commence our actions, individual actions, not the way the administration proposes which is increasing Federal involvement with local police and law-enforcement authorities.

I commend Mr. Hoover, and I include his article in full at this point in my remarks:

A Primer for Today

(By John Edgar Hoover, Director, Federal Bureau of Investigation, U.S. Department of Justice)

For more than a century the children of Colonial America learned to read from a little book of moral texts in which the alphabet was illustrated with woodcuts. Few youthful Americans were unfamiliar with the New England Primer and almost all of them began their memory work with one of its couplets:

"In Adam's fall
We sinned all."

The effect of the New England Primer was twofold. Children learned to read. At the same time they absorbed a beginning of the religious foundation responsible for the kind of conscience which has been termed by visitors to these shores as the key to American independence.

But the moral text no longer stands. To a growing degree, the morality embodied in the famous children's school book is being discarded. Today we appear to be in the process of adopting a new kind of text—one less tangible than the New England Primer. This primer which we are increasingly placing before our young might well be termed a mental handbook for disorder. Its ABCs are to be found in changing Attitudes, in Boredom and Confusion on the part of growing numbers of the American people.

My opinion regarding these current ABCs is derived from observation. One cannot have served for nearly half a century in the field of law enforcement without becoming cognizant, to some degree, of a frightening change in American thinking and American behavior. It is this change I have in mind when I refer to Attitudes.

Let me explain by repeating what I have said on many earlier occasions. Today there is a departure by growing numbers of adults from the recognition of an objective, or absolute, norm of morality. The teaching of "moral behavior" based on a clear-cut right and wrong stemming from an absolute norm of morality has made way, to a growing extent, for what is called "socially acceptable" behavior. In the course of this displacement we have, in my opinion, lost sight of two vital elements—the nature of God and the nature of man. Indeed, we tend to ignore the fact that the very foundations of this Republic rest on the belief that man is a rational creature subject to a rational Creator.

Theologians may describe that which flows from this basic belief as the Natural Law, the Great Plan or the Grand Design. In effect, they have reference to the body of relationship between God and Creation and among His creatures. Generations of men and women who preceded us simply absorbed the fact and lived by it. They knew that when individual man placed himself in opposition to God's immutable laws, his acts did violence to the nature of the Plan and were, therefore, immoral. Thus, the line between right and wrong cut sharp and clear, and few

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[3] The second paragraph of Section 101 of the Battle Act reads as follows:

"It is further declared to be the policy of the United States that no military, economic, or financial assistance shall be supplied to any nation unless it applies an embargo on such shipments to any nation or combination of nations threatening the security of the United States, including the Union of Soviet Socialist Republics and all countries under its domination."

[4] See Section 103(b) of the Battle Act (22 U.S.C. 1611b).

[5] See Section 107 of Public Law 83–480, as amended (7 U.S.C. 1707).

[6] See Section 103(d) of Public Law 83–480, as amended by Public Law 89–808 approved November 11, 1966.

[7] Ibid Section 103(d) (3).

[8] Public Law 89–556 approved September 7, 1966.

[9] Ibid [7] and [8].

[10] Section 109(b) of the Foreign Assistance Appropriations Act of 1966 reads as follows:

"(b) No economic assistance shall be furnished to any nation whose government is based upon that theory of government known as communism under the Foreign Assistance Act of 1961, as amended (except section 214 (b)), unless the President determines that the withholding of such assistance would be contrary to the national interest and reports such determination to the Foreign Affairs and Appropriations Committees of the House of Representatives and Foreign Relations and Appropriations Committees of the Senate. Reports made pursuant to this subsection shall be published in the Federal Register within seven days of submission to the committees and shall contain a statement by the President of the reasons for such determination."

Americans reached adulthood without an equally clear knowledge of the behavior fitting either category.

For centuries the vast majority of Americans ranged themselves forthrightly on the side of right. The moral obligation which average citizens felt was clearly manifest in their demand for law and order, in their automatic support of legal authority, and in their contempt for those who lacked personal integrity. Respect for law and order was implanted in children and standards of youth discipline were extraordinarily high. That fact is pointed up sharply in editorial comment more than a hundred years ago when, under the heading "Rude Boys," a prominent newspaper in the nation's capital rebuked a group of youths for misbehaving. What constituted delinquent behavior sufficiently reprehensible to evoke press comment in 1858? Two country boys wearing newly purchased shawls were harassed by city youths who followed them about executing a mock war dance and shouting "Indians!"

Today, news items of robbery, brutal assault and even murder committed by youthful Americans are commonplace.

I repeat, the standards of behavior adhered to by our predecessors were remarkably high. Charles Dickens, whose visit to America in 1842 left him extremely critical of practically all things American, nevertheless stated positively that never once, on any occasion, anywhere, during his travels in America, did he see a woman exposed to the slightest act of rudeness, incivility, or even inattention. The police blotters of almost any American city will attest to the fact that times have indeed changed and that few streets today can be deemed truly safe for anyone.

The crimes of theft which were committed in an earlier day, with few exceptions, were perpetrated by a relatively small fringe of known irresponsibles, who, in a very real sense, were outcasts. Such persons were thought of as a criminal class for the average citizen simply refused to tolerate those who lacked personal integrity. In that day, loss of personal honor meant total disgrace. Today, unfortunately, an atmosphere of "it's all right if you can get by with it" appears to be growing, with more and more citizens closing their eyes to flagrant activities which at an earlier date would have earned scorn and ostracism. In that earlier day, too, poverty was no excuse for breaking a law and it was unthinkable that any citizen might decide which laws he would obey and which, if he happened to disagree with them, he might ignore.

Reverence for God, love of country, respect for womankind, acceptance of responsibility—these, for long years, were the hallmarks of Americans. Are we erasing these clear-cut stamps of a great, independent and stable people and substituting for them symbols of weakness and cynicism? Let us ask ourselves: What attitudes are being recorded in our primer for today's children to absorb?

Unfortunately, growing numbers of citizens care nothing about American attitudes. Boredom, therefore, must be inscribed in stark black letters on many pages. Boredom, or apathy, reaches its unattractive height in the phenomenon summed up in the words: "I didn't want to get involved."

This is the excuse projected by citizens who refuse to accept the responsibilities of citizenship. It is the shamed apologia of those who can watch a killer stalk his victim without lifting a finger to dial the police or of those who, in the depths of the night, hear a cry for help without responding in any way. Truly, it is a haunting echo down the long centuries of the guilt-ridden cry, "Am I my brother's keeper?"

To changing Attitudes and to Boredom must be added still another item on the pages of today's primer. This is Confusion on the part of the public.

Currently, a great many good Americans appear to be afflicted with a kind of confusion which I can describe only as sentimental myopia. This is the muddled shortsightedness which enables citizens to afford the perpetrator of a crime infinitely greater consideration than the victim of his criminal act. It is the shortsightedness which, in the face of an increasing deluge of crime, permits the fostering of hostility against law enforcement through the use of vicious epithets and false charges. It is the shortsightedness which, through abuses of probation and parole, results in misguided leniences. It is the shortsightedness, in instance after instance, which permits turnstile justice and judicial technicalities to nullify the most proficient police work. It is the shortsightedness which requires impossible procedures tending to handcuff law enforcement and to release the guilty. It is the shortsightedness which usurps the authority of the police commander by placing his executive responsibilities for the performance, discipline and control of his officers in the hands of civilians who are generally inexperienced and uninformed in law enforcement and police administration. It is the shortsightedness of those who advocate breaking any law which an individual conceives to be "morally unjust."

There are many additional forces adding to the climate of confusion which surrounds all efforts to achieve justice. For example, one of these is the supervisory control which courts exercise over law enforcement through the exclusionary theory whereby evidence obtained in violation of certain complex and indecisive rules cannot be used in a criminal trial. Lack of public support also results in low morale. This adds to the confused situation by raising roadblocks to the recruitment of desperately needed personnel.

These ABCs in the current primer from which our young people absorb so much that will shape their future do not have to be permanent. They can be expunged. But it will take Alert citizens, Better citizens, more Conscientious citizens to effect essential changes and reverse those trends which seem to be moving us almost inexorably toward the edge of chaos.

Unless those changes are made and those trends reversed, the next generation of Americans will learn from a new primer—and its ABCs will read Anarchy, Brutality, and Crime.

Mr. Speaker, I urge my colleagues and all Americans to give Mr. Hoover's words very careful consideration.

NEED TO REVISE SELECTIVE SERVICE SYSTEM—XI

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Kastenmeier] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, in its publication entitled "Channeling," the selective service stresses the importance of its role in procuring the manpower necessary to provide maximum effort in the fields of scientific research and development and the fullest possible utilization of the Nation's technological, scientific, and other critical manpower resources. All of this is accomplished, according to the Selective Service System, by the deferment policy.

I do not disagree with the selective service that the technological and scientific areas are crucial to the development and future of this Nation. Ever since the orbiting of the first sputnik in 1957 the concern has been expressed that American education must focus greater attention in fostering and strengthening the academic disciplines in the sciences. Furthermore, when nearly all draftable age men saw service, the deferment system may have been a valid way of assuring that certain jobs in the national interest were performed.

Today, however, this type of deferment system can no longer be tolerated. Only 46 percent of the 26-year-olds had seen military service in 1966. The tremendous increase in available manpower has given the draft, through the system of deferments, unanticipated and undesirable authority to designate what civilian jobs are in the national interest for deferment purposes. This deferment system results in the draft regulating the civilian careers of more than 50 percent of our draft-age men who never see military service.

The selective service denies compelling people "by edict as in foreign systems to enter pursuits having to do with essentiality and progress." What it does, however, is to threaten the draftable age man with the loss or denial of a deferment, so that in actuality, the individual "is impelled to pursue his skill rather than embark upon some less important enterprise." This process, as described by the selective service, is "the American or indirect way of achieving what is done by direction in foreign countries where choice is not permitted."

The strength and greatness of our Nation is measured as much in the quality of our teachers, scholars, administrators, statesmen, social workers, writers and artists as it is in the numbers of technologists we produce. I resent the insinuation by the selective service that certain professions and pursuits "lead to various forms of recognized, patriotic service to the Nation" while others do not and I am appalled to learn that—

> The club of induction has been used to drive out of areas considered to be less important to the areas af greater importance in which deferments were given, the individuals who did not or could not participate in activities which were considered essential to the defense of the Nation.

The bureaucratic intervention by the selective service in "how to control effectively the service of individuals who are not in the Armed Forces" emphasizes an ominous trend toward central control not only of individuals but of our society itself. We have already been alerted to the dangers that the military-industrial complex poses to our democratic institutions. The indiscriminate continuation of the draft represents but an extension of this concentration of power. The selective service law must be changed.

ENCOURAGING TRAVEL AT HOME

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Hanna] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. **HANNA**. Mr. Speaker, last week the President sent to Congress his annual Economic Report. The report covered a wide range of issues, and I am certain each proposal in the report will be given the most careful and closest of scrutiny.

One section of the President's report was of particular interest to me. The President emphasized the necessity to "seek further improvement" in our balance-of-payments posture. He indicated that—

> Our goal in the coming year is to continue to move toward balance of payments equilibrium. This goal will be supported through measures and policies consistent with healthy growth at home and our responsibilities abroad.

Mr. Speaker, I commend the President for emphasizing as one of his major goals creating a more positive structure in our balance-of-payments pictures. Particularly encouraging was one of the specific proposals the President suggested. An increasingly perplexing situation has been the flow of American tourist dollars from the country, and the President addressed himself to this issue by saying:

> The most satisfactory way to arrest the increasing gap between American travel abroad and foreign travel here is not to limit the former but to stimulate and encourage the latter.

I believe this proposal is especially enlightened, and I commend the President for his leadership in this area. In 1964 I was privileged to serve on a Special Select Committee on Tourism. After an extensive investigation a number of specific recommendations were considered.

Today Mr. Speaker, I am introducing legislation that I believe will be effective in dealing with this important issue. The bill I am introducing amends the International Travel Act of 1961 in order to promote travel in the United States. The bill strongly sets forth its purpose as "strengthening the domestic and foreign commerce of the United States, and promote friendly understanding and appreciation of the United States by encouraging foreign residents to visit the United States and by facilitating international travel generally, and by otherwise encouraging and facilitating travel within the United States."

The legislation places initial responsibility for the act's administration in the hands of the Department of Commerce. The Secretary of Commerce is asked to:

First, formulate for the United States a comprehensive policy with respect to domestic travel;

Second, develop, plan, and carry out a comprehensive program designed to stimulate and encourage travel to and within the United States for the purpose of study, culture, recreation, business, and other activities and as a means of promoting friendly understanding and good will among peoples of foreign countries and the United States;

Third, encourage the development of tourist facilities, low cost unit tours, and other arrangements within the United States for meeting the requirements of all travelers;

Fourth, foster and encourage the widest possible distribution of the benefits of travel at the cheapest rates between foreign countries and the United States and within the United States consistent with sound economic principles;

Fifth, encourage the simplification, reduction, or elimination of barriers to travel, and facilitation of travel to and within the United States;

Sixth, collect, publish, and provide for all the exchange of statistics and technical information, including schedules of matters of interest to tourists;

Seventh, create the Office of Travel Program Coordination to carry out the provisions of the act;

Eighth, create a National Tourism Resources Review Commission composed of knowledgable people in the field to make a 2-year investigation designed to deal with the present and future needs of the tourist in America.

The President has said he intends to shortly appoint a task force to report to him by May 1, 1967, recommendations that he can propose to Congress. I earnestly suggest that this task force-to-be begin its work with the material prepared by the Select House Committee on Tourism. I am certain they will find much useful and valuable information that will assist in the preparation of their final recommendations to the President.

I am also hopeful, Mr. Speaker, that the task force will give serious consideration to the approach outlined in my bill. The steps suggested in the bill are based on the results of the Tourism Committee's work, and I believe are worthy of a full hearing.

Let me stress that I am very encouraged by the President's reference to this matter of promoting travel in the United States. I am optimistic that the 90th Congress will be the one that will pass the required legislation that will institute the necessary programs.

A well reasoned and carefully considered approach in encouraging travel at home will not only eventually result in improving the balance of payments situation, but will also facilitate a better understanding of America by Americans as well as the people of other nations. Such compelling goals are worth our active pursuit.

A CONSTRUCTIVE APPROACH TO THE BUDGET

Mr. **EILBERG**. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HANNA] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. **HANNA**. Mr. Speaker, we have been presented with a budget that, unlike budgets of the past, is candid and direct. It represents an honest effort to carry forward Great Society programs, while fighting a war. Such a forthright presentation must be welcomed by Members as a constructive step away from the gimmickry and obfuscation that have all too frequently been typical of the budget document.

Past budgets have hardly earned a reputation as pristine documents, exemplifying directness and clarity. In fact, as a budget watcher of some long standing, I must confess an honest inability to cope with the voluminous detail, the technicalities of accounting and the ponderous columns of numbers and cryptic titles attached thereto which have become part and parcel of the budget process. I suspect—no, I know—that there must be awards given downtown at the Bureau of the Budget for devising new and more intricate devices to make the budget document more inscrutable.

Along with the increasing complexity of the budget, there has been a concommitant growth in the tendency to adopt a few oversimplifications, sacred cows, which have become an integral part of budget discussions. Among these hallowed but little valued habits is the concentration on the administrative budget, the budget which understates Federal expenditures and obligations by ignoring the activities of the trust funds.

THE NATIONAL INCOME ACCOUNTS BUDGET

I was pleased and encouraged to find in the budget message a concentration on the national income accounts budget. A measure which has long been used by economists and fiscal experts to analyze the flow of income and production in the economy. Its measures of total Federal receipts and expenditures are identical to those used by corporations and individuals in identifying and recording their receipts and expenditures of business firms and individuals. The national income accounts budget along with a similar data on businesses and individuals goes to make up the measures of gross national product and national income.

The frank and open discussion of the budget on this basis was long overdue. Leaders in public affairs have long called for a more candid and direct disclosure of public finance. In his remarks at Yale University in 1962, President Kennedy said:

> In fiscal policy . . . myths are legion and truth is hard to find. But let me take as a prime example the Federal budget. We persist in measuring our Federal fiscal integrity today by the conventional administrative budget—with results which would be regarded as absurd in any business firm—in any country of Europe—or in any careful assessment of the reality of our national finance. The administrative budget has sound administrative uses. But for wider purposes it is less helpful. It omits our special trust funds; it neglects changes in assets or inventories. It cannot tell a loan from a straight expenditure—and worst of all it cannot distinguish between operating expenditures and long-term investments.

The national income accounts budget's most significant advantage is that it does not confuse lending with spending. This is proper and appropriate. Business firms and individuals do not record loans as expenditures, they recognize that for every loan there is an asset acquired of equivalent value. It is proper that the

Federal budget recognizes that loans are offset by tangible assets, assets which add to the Nation's total wealth and the recipient communities resources. It can be shown, historically, that the value added by such investments far exceeds in economic value, to say nothing of social value, the face amount of the loans.

To exclude such loan transaction from Federal budget calculations is also appropriate since it is consistent with what you and I know to be the objective of Federal participation. The aim is not one of a permanent, long-term spending support. It is a limited yet catalytic role—one of restricted involvement—intended to spur activity in areas where the economy has demonstrated an inability or unwillingness to act. In some areas this has meant guaranteeing loans as in the case of FHA and VA insurance; in others it has required a Federal Secondary Market operations role to facilitate the flow of mortgage funds from areas of surplus to areas of need; more recently it has meant a program of participation sales whereby loans made by Federal agencies are packaged and sold to private investors. But in all cases the motion has been made in the direction of temporary or limited activity. To include any of the loan transactions in the budget would both overstate and misstate the Federal role and commitment.

PITFALLS IN THE ADMINISTRATIVE BUDGET

It is clear to me that to concentrate on other than the national income accounts budget, in relation to the great problems of Federal fiscal policy, is not simply irrelevant; it can be actively misleading. And yet there is a mythology that measures all of our national soundness or unsoundness on the single basis of this same annual administrative budget. If our Federal budget is to serve not the debate but the country, we must avoid this dialog.

There are those who would try to take steps to focus attention on the administrative budget and through budget devices endeavor to misconstrue the size of the budget deficit. This represents a retreat from constructive and effective effort that has been made to clearly and fairly disclose the impact of Federal activity.

The only logically consistent alternative to national income accounts budget is a calculation which would include all Government liabilities. Such an approach would identify all Federal obligations as debts to be paid and fix the Federal debt ceiling accordingly. Such a proposal is more reasonable than the administrative budget. At least it counts all loan obligations consistently and makes no artificial or arbitrary distinctions.

Although more desirable than the administrative budget office, this method shares the absurdity of the administrative budget. It is absurd because, like the administrative budget, it would count the beneficial interest in assets, represented for example by college housing, small businesses, and home mortgages as liabilities. Absurd because it would require the increase of the national debt by some $100 million to cover the total extent of the Government's exposure not covered in the public debt.

I would submit, however, that the opponents of the approach of the present budget should, if they desire to be consistent, propose an increase in the debt of not an additional $5 billion but of an amount sufficient to cover the entirety of the contingent liability of the Federal Government, some $100 billion.

Let us not bog down in the complexities of the administrative budget or derivations there of with all their traps and misconstructions. Instead, let disagreement over the budget be carried on the same frank and open basis as has characterized our deliberations this session. Let us also resolve to carry on this discussion on the basis which is recognized to the most accurate, available measure of Federal fiscal activity—the national income accounts budget.

THE ISSUE OF RURAL DEVELOPMENT: COMMUNITIES OF TOMORROW

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RESNICK. Mr. Speaker, yesterday, Secretary Freeman made the second in a series of policy speeches concerning the six major operational areas of the U.S. Department of Agriculture. The first address, on "Programs and Commodities," was delivered January 20 at the Southwest Agricultural Forum in Tulsa, Okla. The Secretary spoke yesterday on the subject of rural development at a conference on rural poverty sponsored by the National Association for Community Development.

I commend this speech—entitled "The Issue of Rural Development: Communities of Tomorrow"—to the attention of everyone interested in development and jobs and opportunity in both city and country, since the various problems in this field are inseparably intertwined.

The Secretary's speech follows:

THE ISSUE OF RURAL DEVELOPMENT: COMMUNITIES OF TOMORROW

We are now seven years into the seventh decade of the Twentieth Century, poised at a point in time when fundamental, widespread and irreversible change in the fabric of the United States is occurring daily.

Thirty-three years ahead of us lies the dawn of a new century. And if that date has the ring of the far-distant future, it might be well to recall just how short a period three decades really is.

We are equidistant in time today from the year 2000 and the year 1934, the second year of the New Deal. Rural America then, as now, was in crisis, but of a different order—a crisis highly visible, affecting almost the total rural population, and part of a larger economic crisis affecting the entire Nation.

The Nation responded to this crisis, creating agencies and programs to conserve the soil, to bring electricity to the countryside, to bring agricultural supply and demand in balance, and a host of other measures which fundamentally altered the condition of American life.

What we did then profoundly affected what we are today.

Now, 33 years later, we face crisis of another order—just as acute, just as widespread as the crisis in the thirties, but with this fundamental difference: Today's crisis in rural America is a hidden crisis, largely invisible, and largely overshadowed by other, more spectacular problems at home and abroad.

DIMENSIONS OF THE CRISIS

The dimensions of the crisis are well known to all of you who are deeply involved in rural development. They consist of too little of everything—jobs, income, education, and services—in rural America, and a continuing one-way flow of people from country to city, damaging to country and city alike.

The crisis is neither simple nor easy of solution. It is complex, multi-faceted, and feeds upon itself. Less economic opportunity in rural America means fewer jobs; underemployment means a lower tax base; a lower tax base means poorer community facilities and education; crippled education and facilities bring the problem full circle by discouraging industry from locating in rural areas.

The result has been a rural America with space to spare, but starved for opportunity—and paradoxically an urban America with opportunity for the many, but starved for space for her residents to move in, to enjoy, to breathe.

Rural residents have roughly half the number of doctors per 100,000 people as city people; a third of the number of dentists. The amount of underemployment in rural America is equivalent to 2.5 million unemployed. 6.8 million rural homes are in need of repairs and 30,000 rural communities need improved water and sewer systems. The educational achievement rate is some two years behind that of urban America and the dropout rate is 7 percent higher than in urban areas.

THE CITY TODAY

An unplanned policy of exporting rural problems to the city has drawn urban America into the rural crisis. For the affluent of the city, the unchecked migration means more crowding, higher taxes, more hours consumed in commuting as urban sprawl continues unabated. For migrants already in the teeming ghettos, further immigration means less opportunity and rising despair.

One urban observer put it this way:

"Our cities exact too much from those who live in them. They are not only increasingly expensive places in which to live or work; more and more, the price of city living is being paid by a sacrifice of fundamental personal freedoms:" The author of these words is no agrarian fundamentalist; he is Mayor John V. Lindsay of New York City.

THE CITY TOMORROW

By the turn of the century, if present trends continue unchecked, Mayor Lindsay's New York will have become part of a super megalopolis stretching from present-day Boston south to Washington, D.C., and containing 56 million people. This strip city, and 4 other strips like it, will house 174 million Americans on urbanized land ranging in density from 660 to 2,600 people per square mile.

Residents of these 5 super strip cities and other urbanized areas will get up earlier, spend more time breathing their neighbors' car exhaust and return home later. Superhighways and mass transit systems will soak up increasing amounts of urban land in a frantic race to keep the city mobile. If past trends are an indication, crimes of violence will increase as urban life becomes increasingly more depersonalized and hopeless for the disadvantaged.

Nor can we count with any certainty on being rescued by technology from such a reckless concentration of people, vehicles and industry. The number of automobiles is increasing at a rate twice that of U.S. population. By the year 2000 we will have an estimated 200 million cars in the U.S.—nearly 3 times as many as today. With this many mobile pollution sources crowded into 9 percent of the land area, even the most stringent anti-pollution ordinances will do little more than preserve the status quo, if that. Pollutants produced by industry, sewage plants and land development, will increase apace.

This is the world we're building, simply by allowing present trends to continue to their logical conclusion—for powerful, yet unplanned, forces are tending in the direction of even further imbalance.

CENTRALIZATION FACTORS

1. One of these is tradition. The farm-to-city migration has been under way for a hundred years or more. Cities have traditionally offered better wages, education, community facilities, and cultural activities than rural areas. Both the city and the countryside have undergone tremendous change in recent years, and now many rural communities offer as much as the central city . . . and a great deal more that the urban complex cannot offer. Yet the tug of traditional thinking is strong, both on the average citizen and on those who make the plant-location decisions.

2. A second factor encouraging centralization can be summed up as, "them as has, gits." Those areas which already have industry attract more, and this in turn attracts even more. The sprawling electronics complex in Southern California is an example. Although overcrowding, increased taxation and snarled transportation in urban areas are making rural locations increasingly attractive, the lure of established commerce still is a powerful force.

3. A third factor is negative, but quite possibly more important than the other two combined: *We lack any accepted national goal in rural/urban balance*. We have never seriously asked—let alone answered—questions like these: "What is a desirable maximum size for any one metropolitan area?" "How much weight should be given to rural/urban balance in the location of government facilities and awarding of contracts?" "Are more Federal incentives desirable to encourage rural development? If so, how much?" "What are the social costs involved in this unplanned population shift?"

In the absence of a national policy in this matter, decisions in industrial location, government installations, contract awards, and government program expenditures all tend to favor urban areas.

A continued unplanned stacking up of more people in urban areas, at the expense of rural areas, is a national drift that bodes ill for the future. No one planned it this way; like Topsy, "It just grew." Nobody really wants an America of super strip cities, dotted with explosive and squalid ghettos. It is not too much to call such a drift "national idiocy," and it does no good to offer palliatives and pills to cure a disease which has literally assumed epidemic proportions.

THE NEW AWARENESS

Working against this centralizing drift, fortunately, is the flickering beginning of a national awareness of the relationship between urban and rural problems, and a growing commitment to meeting the problems in rural America, rather than exporting them.

Author J. P. Lyford, in his book on the New York slums, "The Airtight Cage," articulates this new awareness by asking:

"Why, for instance, must huge concentrations of unemployed and untrained human beings continue to pile up in financially unstable cities that no longer have the jobs, the housing, the educational opportunities, or any of the other prerequisites for a healthy and productive life? Why do we treat the consequences and ignore the causes of massive and purposeless migration to the city? Why are we not developing new uses for those rural areas that are rapidly becoming depopulated? Why do we still instinctively deal with urban and rural America as if they were separate, conflicting interests when in fact neither interest can be served independently of the other?"

The President, speaking last September in Dallastown, Pennsylvania, said:

"Not just sentiment demands that we do more to help our farms and rural communities. . . . The welfare of this Nation demands it . . . Must we export our youth to the cities faster than we export our crops and our livestock to market? I believe we can do something about this."

We can:

Urban America, according to its spokesmen, can easily absorb one trillion dollars to make existing cities livable. Certainly we should bend every effort to make them livable. But at the same time we should devote much more to building rural America than we have done in the past, to head off even more virulent attacks of urban decay occasioned by uncontrolled growth in the future. Doing this will cost less and get better results.

AGRICULTURE AND RURAL DEVELOPMENT

Basic to any discussion of this rural development is agriculture—because a healthy agricultural plant provides an underpinning to support the rural economy. This basic resource is in a very different position today than it was 5 years ago, or even 12 months ago:

1. Food surpluses have disappeared, and an end to surpluses in cotton and tobacco is within grasp. Our reliance now is on stored acres and improved technology to produce for need, rather than on stored commodities.

2. Farm income, both gross and net, has increased markedly. Last year gross income was the highest in history and net income was the second highest. In the 6 years since 1960, $31.8 billion more in gross income has been pumped into the rural economy, over and above what would have been earned had 1960 levels continued.

3. Demand for agricultural products is strong and will remain so for the foreseeable future. Exports during 1966 totaled some $6.9 billion and should surpass $7 billion this year.

4. The free market, much praised but little used during the fifties, is now freer of government controls than it has been in decades.

5. Our commodities are moving in the world market at world prices, because of an aggressive public and private market development program and because of pricing policies designed to meet competition.

6. Of great significance is the accelerated graduation into "adequate size" class by family farms in recent years. One measure of "adequate size" is gross sales of $10,000 a year or more. Since 1959, nearly 200,000 farm families have moved into that class.

But let me be emphatically clear at this point: Despite steady progress the last 6 years, the farmer's income *still lags far behind that of other Americans*.

On a per capita basis, the farmer's income is $1,700. Other Americans average $2,610 per capita.

Farm prices, though up last year, have been down the last few months, and today are *less* than the 1947–49 average. At the same time, food costs are 35 percent *higher*.

This the farmer bitterly resents—and properly so.

This discrepancy *must be corrected*. It must be corrected because it is unfair to the farmer and therefore wrong. It must be corrected because if farmers don't get a fair return commensurate with the other segments of society, we will lose our best farmers. If that happens the entire Nation, not just the farmer, will be hurt.

In addition, more financing and technical assistance, both public and private, should be extended to farmers presently in the "less-than-adequate" size, to allow those farmers to expand operations and to take advantage of modern technology. In other words, we should continue to keep the door open for those who wish to remain in commercial agriculture.

Yet there are many operators who do not wish to expand, or lack the capacity to, because of age, physical disability, grossly inadequate resources, or other limitations. It is critically important that there be a place for these farmers in rural America also—for urban America has no place for him.

Take the case of a man 45 years old whose farm has failed. The small town where he's done his modest shopping has no job for him, nor are there any within commuting range. And so, in a desperate search for work, he moves to the city.

He has no money, so he doesn't have much of a choice in housing . . . he settles in the decayed heart of the city. His limited education puts him out of the running for a job. His limited skills are useless in the city . . . for who needs a man to plow a straight furrow in an asphalt field?

He is one of thousands . . . all disenchanted, all strangers in a strange land. Families break asunder; children are infected with the virus of the ghetto and yet another generation is crippled. This is the human cost we're talking about.

It is true that our farm commodity programs have helped the less-than-adequate farmer—to an extent. From 1959 through 1965 the class of farmers with gross incomes below $10,000 yearly increased their per farm net income by some 19 percent. Their off-farm income, with greater job opportunities in recent years, increased some 30 percent. Yet their earnings are far from adequate, and it is unrealistic to expect the farmer with "40 acres and a mule" to enter the mainstream of commercial agriculture.

Commodity programs are not welfare programs; they do not provide the whole answer.

Certainly programs are necessary, and certainly they should be improved. Yet those who stake *all* their hopes on just one set of solutions for rural America perpetuate a cruel and dangerous illusion. Rural development must proceed on more than one track.

We *can* offer a place in the countryside to those who, for one reason or another, do not find a rewarding place in commercial farming, or who wish to farm part time and supplement their incomes with outside employment.

NEW TOOLS

The need for such a second track has called forth an array of Federal programs to help rural America. A partial list includes the Food and Agriculture Act of 1965, the Rural Water Systems and Sanitation Act, the Housing and Urban Development Act, the Appalachian Regional Development Act, the Manpower Training and Development Act; Elementary and Secondary Education, and the Public Works and Economic Development Act. Local rural development committees, local Resource and Conservation Districts and local leadership give us an apparatus to use these tools.

So far, we have accomplished a great deal. USDA made more rural housing loans during the past 3 years than in all the prior years since the program began in 1949. In the first 6 months of 1966 alone, grants and loans for rural sewer systems totaled $13 million and helped 46 communities. Today, nearly 30,000 farmers are engaged in marketing recreation for profit. Since 1963, construction has begun on 256 small watershed projects—the largest number of any similar period in the 12-year history of the program.

Measured against what had gone before, accomplishment has been great. But measured against what *needs* to be done, it is apparent that we have only scratched the surface.

But we are making the attempt:

In my Department, the old county-by-county and agency-by-agency approach is giving way to State and county Technical Action Panels, made up of experts in many disciplines, and keyed to multi-county development. Where local leadership is aggressive and strong, the panels provide a ready source of technical aid; where it is lacking, Technical Action Panels seek to stimulate and involve local leaders in finding answers to local problems.

This new approach points up a basic change in Department thinking. Since its founding, and until very recently, the Department has been almost exclusively concerned with agriculture—keeping its records, researching its problems, conserving its soil, and educating its constituency in scientific farming. All of these functions are still necessary and are still being performed. But in the past 6 years the Department has begun to address itself to the problems of the *other* rural America—an America where poverty is ingrained, opportunity is lacking, and basic community growth facilities are sometimes nonexistent.

These problems, which are essentially human and economic, have been approached within the existing agency framework, and it has taken some basic reorientation on the part of all of us. In 1961, for instance, nearly all Farmers Home Administration loans went to farmers. During fiscal 1967, farmers will receive about 50 percent of the FHA loans, and nonfarm rural residents 50 percent. This doesn't mean farmers are being shortchanged, since the total dollar amount loaned to farmers is higher this year than in 1961. It *does* mean more resources and a new priority for the problems of the small farm and nonfarm people in the countryside.

Another important ingredient in rural development is a re-evaluation of the administrative machinery we need to accomplish the job.

President Johnson pointed up the problem in his State of the Union address when he said:

". . . (we) are making and breaking new ground. Some (of our programs) do not yet have the capacity to absorb well or wisely all the money that could be put into them. Administrative skills and trained manpower are just as vital to their success as dollars, and I believe these skills will come. But it will take time and patience and hard work. Success cannot be forced at a single stroke. So we must continue to strengthen the administration of every program if that success is to come—as we know it must . . . Every program will be thoroughly evaluated . . . where there have been mistakes, we will try very hard to correct them."

Such an evaluation is taking place today in the Department of Agriculture, in other Federal agencies, and in many of the States.

A RISING TIDE OF INTEREST

President Johnson has a deep and abiding interest in rural development. In recent Executive Orders, including Number 11307, issued last fall, the President made this interest unmistakably clear:

1. He directed Federal agencies to coordinate their boundaries for Federally-assisted planning and development districts with existing State planning boundaries, to eliminate confusion and overlap,

2. He directed the Secretary of Agriculture and the Director of the Budget Bureau to review *all* existing programs with Cabinet and other Federal officials to insure that rural areas receive an equitable share of existing Federal program benefits, and to submit proposals for administrative or legislative changes needed to obtain such equity,

3. And he gave the Secretary of Agriculture responsibility within the Federal establishment for identifying agricultural and rural development problems which require the cooperation of various Federal departments, so that these programs may be better coordinated, and duplication eliminated.

These are a few of the recent Federal actions that bear directly on the problems of rural America.

But this is a big, diverse country and Federal actions alone won't solve rural America's problems. This is a point which cannot be stated too strongly. Nobody in Washington can pre-package a cure for the ills of rural America, ship it out to the country, and expect it to work. The Federal Government has literally hundreds of programs which *can* work, but making them effective takes local initiative, local leadership and local planning.

We have learned that where this local leadership exists, a pipeline through which to channel our development efforts also exists. Without it, development efforts are ineffective.

We have also learned the lesson of planning on a multi-county basis. It is difficult for every single rural community to offer a full set of community services of the calibre needed for sustained growth.

But a group of counties, usually with a small or medium-sized city at its center within easy commuting range, *can* provide the framework needed to make Federal and State programs effective. When united for planning purposes, the people and governments of such a functional community can assess the area's needs and determine the combinations of internal and outside resources essential to spark growth.

The multi-county approach is being taken by a number of States, including Kentucky, Iowa and Georgia, among others. The Appalachian Regional Commission and other regional groups are exploring this approach. Its effectiveness is becoming increasingly apparent.

Achievement of our development objectives will take planning, dedication, hard work, and some basic re-thinking of long-cherished folkways.

Planning is paramount. Building bigger and more sprawling strip cities can proceed without real planning; but upgrading the communities we have now—and building new communities—demands it.

Finally, of course, we have learned that we need to know a great deal more about rural America and its problems than we do now. To find answers to these questions, and to come up with effective solutions, President Johnson has established a Committee on Rural Poverty, which I am privileged to chair, and a National Advisory Commission on Rural Poverty, chaired by Governor Breathitt of Kentucky.

And while the Commission and Committee are seeking answers, the Department, in cooperation with other Federal Departments, the States, local government, and volunteer groups, will be pushing its own rural development programs at an ever-increasing tempo. In 1967, among other actions, we will:

1. Provide $33 million in Economic Opportunity loans to help 13,000 low-income families and some 390 cooperatives composed of low-income families.

2. Provide $435 million in rural housing loans for 48,000 families.

3. Help finance about 200 community recreation centers in rural areas.

4. Finance $304 million in loans and grants for construction or improvement of some 1,700 central water and waste disposal systems in rural areas.

5. Assist 10 additional local groups with Resource Conservation and Development projects.

6. Approve construction of another 63 multiple purpose small watershed projects with 45 reservoirs.

7. Help 8,500 additional rural land owners with income-producing recreational developments involving 150,000 acres of land.

8. Supervise harvest of another 12½ billion board feet of National Forest timber, providing 700,000 man years of employment, sharing $40 million of revenue with local governments for roads and schools.

9. Reforest 280,000 acres of timber lands, improve timber stands on another 440,000 acres, and build another 295 recreation sites in the National Forests.

THE MATTER OF CHOICE

What we in rural development are all fundamentally concerned with, it seems to me, is the matter of choice—of offering alternatives to ever-larger cities in the future. President Johnson put it this way:

"History records a long hard struggle to establish man's right to go where he pleases and live where he chooses. It took many centuries—and many bloody revolutions—to break the chains that bound him to a particular plot of land, or confined him within the walls of a particular community.

"We lost that freedom when our children are obliged to live someplace else . . . if they want a job or if they want a decent education.

"Not just sentiment demands that we do more to help our farms and rural communities . . . the welfare of this Nation demands it."

I believe that we *can* choose what kind of America our children will inherit 33 years from now, for we are not the blind pawns of Fate, but rather the shapers of our own destiny.

I believe that we as a nation *should* grasp this chance to shape our destiny—grasp it here and now, without further delay—before the chance for choice eludes us.

Thank you.

PAT HALL: A "DIFFERENT" INDUSTRIALIST

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. WHITENER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WHITENER. Mr. Speaker, the domestic textile industry is vital to our economy and to our national security. In peace and war the textile plants of the United States furnish the many textile items required for the use of the Armed Forces and the civilian population. The industry employs hundreds of thousands of Americans and contributes many millions of dollars in local, State, and Federal taxes.

The greatest concentration of textile plants in the Nation is located in the district I am privileged to represent in the Congress. Nearly 230,000 North Carolinians are employed in textile plants. My congressional district has over 63,000 textile employees. The future of the textile industry and the problems of the people who earn their livelihoods in textile plants are of great interest and concern to me.

The textile industry has been characterized by outstanding leadership. The fact that the industry has been able to survive and prosper in the face of mounting textile imports and other free trade policies of our Government attests to the high type of industrial leadership we find in the textile industry.

One of the men who plays an important role in keeping the textile mills operating at peak efficiency in the South is E. Pat Hall, of Charlotte, N.C. This dynamic industrialist furnishes to textile manufacturers nearly every item of machinery, supplies, and other materials necessary for the operation of textile plants.

E. Pat Hall is known throughout the textile industry for his keen business acumen, his forceful personality, and his tremendous ability to get things done. The Southern Textile News of January 30, 1967, carried a very interesting article concerning Pat Hall's personality and contribution to the textile industry. I include the article as a part of my remarks:

PAT HALL: A "DIFFERENT" INDUSTRIALIST

CHARLOTTE.—One of the exciting announcements originating at the Southern Textile Exposition at Greenville in 1966 was a new concept in textile complexes—a super market for the textile industry—where the mill buyer could make one visit and buy almost anything he needed in the way of machinery, materials or supplies.

The idea was advanced by E. Pat Hall, a well-known figure in the textile machinery field. Mr. Hall, a visitor at textile machinery exhibitions for more than ten years, felt that the industry had a need for such a shopping complex.

And he felt that he had the location for it. Charlotte.

And the name. Texland.

At Southern Textile News, we felt that it might be well to do a story about Mr. Hall—not on Texland itself, for we've already done that—but on what kind of man this is who's going to build the textile shopping center.

So—we checked around with everyone we could find who knew Mr. Hall. With his friends, employes, customers . . . and others.

We found first that practically everyone in textiles knows Pat Hall. That there are dozens of little human-interest stories making the rounds about him.

His personality seems to be filled with the type of flamboyance that makes people want to talk about him.

For instance, there's the story about his getting one of the first automobile telephones in the state, which he had wired to his automobile horn so that everytime the phone would ring, the horn would blow.

Now telephones just weren't to be found in automobiles in those days so it attracted quite a lot of attention when Mr. Hall's car would suddenly begin blowing its horn all by itself, and particularly so when he walked over and answered the phone.

One day while parked on one of Charlotte's main streets the auto horn abruptly began to honk frantically, even though unattended. Mr. Hall dashed out from a store and answered the telephone.

Noting that another car had pulled up alongside with the driver all agog and staring unbelievingly, Mr. Hall paused and extended the telephone receiver toward the other driver.

"It's for you!" he said.

The other driver drove off hurriedly.

Most of the employes with the Hall Textile Machinery Organization have been with the firm for many years. And we found that all these employes have an unusual personal loyalty to Mr. Hall. They're willing to work long, abnormal hours if there's a need. They're willing to perform tasks which don't fall under their job description.

One of the stories chortled over by the employes is about the only time Pat Hall was at a loss for words.

It seems that one of the men had to make a delivery of machinery. And that he took his own good time about bringing his truck back and reporting for work. As a matter of fact, he was a whole day late in coming back.

And when he did report in Mr. Hall lit into him with both feet, chewing up one side and down the other.

Finally he ran out of expletives and recriminations.

"What in the world am I going to do with you, Sandy?" he asked plaintively.

"Mr. Hall," he mumbled after a period of thought, "Ef I was as smart as you, you'd be working for me instead of the other way 'round."

The workers at the plant swear that Pat Hall just stood there for a moment, then turned his back and stalked off, without another word.

Mr. Hall believes that entertainment is important to his business. And he keeps his own private railroad car for that reason. Whenever he attends a show or exposition such as Greenville's STE, he carries the railroad car down and parks it near the exposition center.

There are textile machinery salesmen who declare that there are as many sales concluded on Pat Hall's railroad car as there are in the exhibition halls. And not necessarily Pat Hall deals, either. Salesmen say that the railroad car has just the right atmosphere for making deals.

Others claim that Mr. Hall should use the railroad car as his trademark.

"It's what you think of first whenever you think of Pat," they say.

Loyalty is a personal trait which most people attribute to Pat Hall.

There's a story that many years ago when Mr. Hall was first beginning to rise in the business world he developed a sudden urgent need for money. And that a certain bank advanced him the money.

Since then, people say, he's never done business with any other bank because he's never forgotten. It's said that he's the same in all his business dealings—he never forgets a favor done him.

But the stories one hears the most are the stories which have to do with kids.

Pat Hall was one of ten children, himself, and he loves youngsters. He has four of his own.

Every year at Christmas time, Mr. Hall invites all his acquaintances and their kids to come out to his place in the country and chop down their own Christmas Tree. They make an outing of it.

He has a picnic spread for the children and grownups in his railroad car. And after the Trees are carefully chosen and cut, there are antique cars and Chinese rickshaws for the youngsters to ride and play in.

Each year Mr. Hall rents the front convention hall at the local Barringer Hotel and invites his friends to bring their children to watch the annual Carrousel Parade.

One learns a little about Pat Hall by just having lunch with him, or dinner, or even breakfast—One thing is that Pat says grace before every meal. Without fail. Not too many do that anymore.

And another thing. He doesn't like to discuss business while he eats. Politics, religion, the weather, anything else—but no business while you eat.

He's an enthusiastic, energetic man.

Each day he spends part of his time at Texland. At the site of his new building which will house his textile machinery operations. Completion date for the new structure is slated to be in the latter part of March and Mr. Hall wants to make sure it's on time.

That's the kind of guy Pat Hall is.

AIR POLLUTION

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, I am happy to lend my wholehearted support to the administration bill on air pollution.

There are many useful and needed improvements contained in this legislation. Among them is a provision calling for new research programs by the Department of Health, Education, and Welfare to overcome the technological obstacles standing in the way of full control of air pollution.

Sulfur compounds—a serious source of irritating and damaging air pollution in virtually every city and town in this country—will be the target of an important part of this effort.

In addition, a special research program will be inaugurated to find ways of controlling the noxious and obnoxious odors which come from diesel exhausts. These, too, are an affront to the senses and a threat to the health of all our citizens.

I feel that every American will benefit from these research programs—and I urge their establishment without undue delay.

RICKOVER DESERVES MUCH CREDIT

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. ANDERSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ANDERSON of Tennessee. Mr. Speaker, as one who had a passing acquaintance with the early stages of nuclear power in ship propulsion, I should, perhaps, be among the last to be surprised at the developments this has led to. I am, however, not merely surprised but astonished at the extremely rapid progress that is taking place in this country in the development and construction of nuclear power for commercial use. What is taking place today exceeds the most optimistic expectations of those who forecast the future just 2 or 3 short years ago.

It is a characteristic of this country, and perhaps a healthy one, that we say a great deal more about our problems than our successes. Today I want to take note of a remarkable success. In particular, I want to pay tribute to a man who had the foresight and wisdom and drive to get us started down a vital road.

We should not forget that our first central power station at Shippingport, Pa., was Admiral Rickover's project and one which in large measure stemmed from the bold early progress he made in the field of naval nuclear propulsion. He set not only the pace but also the standards of engineering and manufacturing excellence so essential to safety and success in this new field.

Recently I noticed that a new nuclear core is being developed for the carrier *Enterprise* which will last 13 years or more and that cores are now being installed in submarines which will last over 400,000 miles, at a cost of $3 million each. The first core for the atomic submarine *Nautilus* cost $4 million and lasted 62,000 miles.

Last year an avalanche of orders for atomic generating plants went out to builders. By last month, investor-owned utilities in the United States had 13 plants in operation, 26 being designed or under construction, and 7 in the planning or contract negotiation stages.

Just a few years ago we expected that it would take at least two decades for nuclear power to become cost competitive. The Tennessee Valley Authority now plans to build a nuclear generating plant which it believes will produce electricity more cheaply than its coal-fired plants. This is happening in coal country. Northeastern utilities paying up to 7 mills will be able to cut that to less than 5 mills for atomic power, a reduction of about 30 percent. Plans for the world's largest dual purpose desalting power project—a 150 million gallon per day and 1,800 megawatt prototype plant in southern California are moving forward.

Revolutionary steel mills powered by the atom are seen possible. Construction of a nuclear reactor on the ocean floor to produce electricity for protein farming is being talked about.

All of these things constitute a story of amazing and unexpected progress, having the strongest of national and international implications. Let us not forget the man who gave us the giant shove forward, Vice Adm. H. G. Rickover.

THE ANTIPOVERTY PROGRAM AND THE OPENING OF A COMMUNITY ACTION CENTER IN WOONSOCKET, R.I.

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, far too often we dwell upon the negative aspects of Federal programs. One program which has been the recipient of considerable criticism has been the antipoverty program.

There are many reasons why so much criticism has been directed toward this program, but perhaps that which is foremost in causing so much negative talk is the loss of sight of the goal for which we are striving through the antipoverty program.

During a recent ceremony at the opening of a community action facility, the citizens of Woonsocket, R.I., were reminded of the purpose of community action: To help those who need help.

This help is what I think the poverty program is all about. This is the purpose for which the antipoverty program was established: To make productive members of society out of those who cannot help themselves.

I think it would do well for all my colleagues to dwell upon the words spoken at the opening of the Fairmount Neighborhood Council—Social Progress Action Corp.

Therefore, Mr. Speaker, I include the following declaration presented to the Honorable A. Edgar Lussier, mayor of Woonsocket, to be inserted in the RECORD at this point:

COPY OF DECLARATION PRESENTED TO HIS HONOR, MAYOR E. LUSSIER, ON THE OCCASION OF THE OFFICIAL OPENING OF THE FAIRMOUNT NEIGHBORHOOD COUNCIL—SPAC—NOVEMBER 11, 1966

Your honor: With the cutting of the ribbon, the Fairmount Neighborhood Council-Social Progress Action Corporation is officially open for the benefit of Fairmount citizens regardless of age, color, or creed.

The formal opening of this center is perhaps one of the answers to the question "What Am I Doing To Build A Better World?"

Hardened and calloused indeed is the man or woman who, in a world grown secular and materialistic, refuses to frankly face the above question, and earnestly seek a satisfactory reply. Such wilful neglect is a distinct threat to our great Heritage. While there is an insistent call upon us to contribute as individuals in this respect, it is as law abiding citizens that a double responsibility is laid upon us. The hope of the nation, this city, this neighborhood, rests squarely upon our shoulders, and upon our hearts, demanding that we do our own part in helping those who need help and also that we so train and guide the youth entrusted to our care that even greater accomplishments can be had through them.

There is a Christian way of living and an American way of living that are in large measure inseparable. More than that, what we are pleased to call our "American way of life" came about primarily because it was founded by God-fearing men. How so? Because the founders of our Nation, for the greater part, prudently and willingly centered their lives in God and accepted their responsibilities as citizens of a great country.

It is very difficult for us, in this richest nation in the world, to realize at times the appalling fact that there are more hungry and miserable people today than there have ever been before, even within our own country. With all our luxuries, we know that there are expanding areas of blight—in the centers of our cities—where chronic unemployment produces poverty, disorganization of families, neglect of education, unfitness for the jobs that are available, a vicious spiral downward that shows no signs of being checked and that will destroy the very fabric of our society through rot or riot if we do not find the solutions.

The only reason we are bogged down is that often we do not have the imagination, the gumption, the boldness of spirit to get started. With the cutting of this ribbon, we the people of this council believe it is a start in the right direction. It is perhaps the answer to some of our problems.

We must never forget that with programs like this one, we are in effect trying to make a better world for all of us to live in. We must not lose sight of our children and responsibilities towards them. If we can bring up our children with a greater concern and respect for others, through our example, they will be happier people, they will have marriages that are more stable, they will live more harmoniously in their neighborhoods, in addition to having a much better chance of saving the world through the humanity which we have left them as a most precious legacy.

Therefore, your honor, this council wishes to declare and affirm its backing of our city fathers and hereby proclaim its faith in the city of Woonsocket through this community action.

Any grievance and/or suggestions which might occur will be done in the true democratic tradition of law, order, and justice.

May God bless these humble surroundings and may He grant this council the courage of its convictions to help those who are in need so that all can enjoy the fruits of this great American Nation.

All council members affixed their signatures.

——— ———,
Chairman.

REDUCTION OF FEDERAL FUNDS FOR THE INTERSTATE HIGHWAY SYSTEM

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, the rationale of much of our legislation today is to stimulate and support activity in a given area by the States.

One such program is that of interstate highway construction in which the Federal Government repays 90 percent of the cost of construction carried out by the individual States.

Those of us who must travel a great deal are well aware of the importance of the Interstate Highway System in meeting the demands of modern travel. I need not dwell upon the overcrowded and inadequate highways that pose such a problem to our modern way of life and the very apparent need for further expansion and improvement of our highways.

The State of Rhode Island in grasping the need for divided highway construction took up the lead provided by the Federal Government and engaged itself in an accelerated construction program for the Interstate Highway System. Through bond issues voted by the people, the State of Rhode Island was able to finance this accelerated construction program with the intent of collecting its due share from the Federal Government at a later date.

Well, a cutback in Federal funds for highway construction has virtually made Rhode Island an island of uncompleted highways and interrupted support from the Federal Government.

In the Sunday, January 29 edition of the Sun published in Westerly, R.I., an excellent editorial was printed on this subject and was appropriately entitled "Rhode Island Penalized for Progress."

I would like to have this editorial inserted into the CONGRESSIONAL RECORD so that my colleagues may become aware of the significance of the "big freeze" on highway construction.

Through such means I hope to gain sufficient support in having these funds restored so that we can get on with the vitally needed program of providing our citizens with adequate and safe roads on which to travel.

The article follows:

Rhode Island Penalized for Progress

Rhode Island's accelerated construction program for the Interstate Highway System has come to a screeching halt. In fact, Rhode Island finds itself being penalized for working rapidly to produce safe motoring on divided highways within its borders.

A cut-back of $400,000,000 was announced late last year in the Federal funds allocated for highway construction. The Interstate system is constructed by the individual states with the Federal government repaying ninety percent of the costs to the states. States were permitted to accelerate their construction programs, issue bonds to cover the cost of construction, and receive ninety percent of the cost figure from the Federal government at certain times each year.

Rhode Island elected to work fast, build the roads, create safe driving, permit the nearby land to be developed, pay for the work with bond issues, and collect later from the Federal government.

Today Rhode Island finds almost all of its highway work stopped! The only work being permitted by the Federal government is the completion of the parallel Washington Bridge in Providence and approaches. But no Interstate highway may be built to the bridge approaches!

The $400,000,000 "big freeze" from Washington meant that each state would be cut approximately 17 percent in government support. But, since Rhode Island has already spent part of the Federal funds allocated for 1968, the smallest state in the Union gets a cutback in funds of 125 percent! This means Rhode Island owes the Federal government 1.8 million dollars!

The Federal money to support interstate construction comes from a special Highway Trust Fund, which is constantly replenished from automotive tax dollars collected from the motoring public through the sale of gasoline, oil and automotive services. This is a trust fund to be used solely for highway purposes. But the Federal government is tapping this money for use in the Viet Nam war, just as the Social Security account was diverted during World War II.

While Rhode Island has money available for highway construction—realized through bond issues voted by the people—the state has been notified that if this money is used for Interstate highway construction, it will not be replaced by the Federal government on the 90-10 percent sharing schedule.

It is easy to say "Better sit back and wait for your money." But what happens to the Rhode Island labor force—both state employed and privately contracted—while the road work is halted? What happens to the trained machine operators, draftsmen, engineers, and supervisors? What happens to the contractors, who have invested in heavy equipment to make the roads?

Only 17 states in the nation are actually hurt by the Federal highway cutback. Rhode Island is one! Only nine states have constructed roads in advance of schedule. Rhode Island is one!

Rhode Island, with 15 percent of the 1968 fund already expended, is exceeded only by Maine—which has spent half of the 1968 allotment. The average throughout the nation is an expenditure of 82 percent of the 1967 allotment!

What can we do? Right now a quick letter or telegram to our Senators in Washington will help make them aware of the plight in Rhode Island.

We are being penalized for progress!

HOW TO FINANCE NONCOMMERCIAL TELEVISION

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Joelson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. JOELSON. Mr. Speaker, I have read the recommendations of the Carnegie Commission on Educational Television to develop public noncommercial television facilities. Although I am delighted that there is movement toward utilizing television for high quality cultural, educational, and entertainment programing, I am appalled at the recommendation of the Carnegie Commission for financing the new development.

The commission has endorsed an excise tax on the sale of new television sets which would eventually amount to 5 percent on the sale of each set. I urge that we consider as an alternative the obtaining of the necessary finances through meaningful fees to be paid annually by radio and television stations for licenses granted to them by the Federal Communications Commission. I consider the failure of the Federal Government to charge such fees the big giveaway of the 20th century, and I might add that since four of the 15 members of the Carnegie Commission on Educational Television have or had strong connections with the commercial television industry it is hardly surprising that the commission did not recommend this type of financing.

The airwaves are a natural resource owned by the people of the United States, and I think it shocking that our Government literally gives away these valuable assets. One can imagine the outcry that would result if the Federal Government gave away other natural resources it might own, and then told the fortunate donee to charge for these resources what the traffic will bear.

Most enterprises which are licensed and regulated by governmental bodies, whether State or local, pay fees for their privileges even though they are merely given the right to operate and, unlike the broadcasting industry, are not given virtual monopolies. Even barbers and liquor sellers are thus charged. Public utilities such as electric companies, telephone companies, and transportation companies at least have their rates regulated. Only the broadcasting companies escape the payment of meaningful license fees as well as the regulation of their rates.

In 1962, I introduced a bill which would have charged broadcasters annual fees which would have produced annual revenues of over $20 million a year, but my proposal never even received hearings by the House Committee on Interstate and Foreign Commerce to which it was referred. Subsequently, the Federal Communications Commission did decide to charge radio stations $50 and television stations $100. These sums are so small as to be laughable, and do not even approach the cost of the Federal Communications Commission in licensing and regulating the industry.

Broadcasters can be expected to oppose my proposal. Naturally, they would like to continue to enjoy the present system. However, I am sure that if at the outset they had been required by legislation to pay an initial fee and annual renewal fees to the Government, they would still have sought their licenses vigorously.

I have noticed that one major network has announced that it will make a voluntary gift to sustain the proposed educational television system. This is laudable indeed, but I believe that the financial needs will be such that voluntary contributions will constitute an adequate and dependable basis on which to proceed.

I believe that the consumers of this Nation will be most grateful if the proposals I have made are ultimately adopted.

LEGISLATION TO IMPROVE MAIL SERVICE FOR MEMBERS OF THE U.S. ARMED FORCES

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Dulski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DULSKI. Mr. Speaker, providing our servicemen overseas with the best possible mail service is of continuing concern and a matter of high priority to me and to the members of the Post Office and Civil Service Committee. General Westmoreland has given good mail service a priority ranking only behind "bullets, beans, and bandages," and we certainly have given support to his judgment. In the last Congress we were responsible for the enactment of two laws, Public Law 315 and Public Law 725, that together are now operating to achieve this high priority for good mail service to our Armed Forces.

Nevertheless, certain inequities and problem areas do remain and I am therefore today introducing new legislation that is designed to completely round out our efforts to see that all servicemen serving in remote overseas areas have the benefits of fast, efficient, and less expensive mail service. The ranking minority member of our committee, the Honorable Robert J. Corbett, of Pennsylvania, who was a cosponsor of our earlier efforts, is today also introducing a bill identical to mine.

The new bill contains three significant and important provisions:

First. We would extend the free mailing privilege for letters and sound-recorded communications to all servicemen in overseas areas and to all who are hospitalized in a facility under the jurisdiction of the Armed Forces as a result of disease or injury incurred while on active duty.

Under Public Law 89–315, only servicemen in combat areas as designated by the President, and those who are hospitalized as a result of disease or injury incurred as a result of service in an overseas combat area, can qualify for the free mailing privilege.

Extending this privilege to all servicemen overseas, and to all servicemen hospitalized by reason of disease or injury incurred while on active duty, is simply a matter of equity and fair treatment. In addition, it would remove several problems associated with the earlier law, such as where a serviceman loses his free mail privilege whenever he is rotated out of a combat zone for rest and relaxation, and where we now have arbitrary distinctions between forces serving in Vietnam and those serving in adjacent Thailand and other noncombat areas.

Essentially we would give the free mailing privilege primarily in recognition of the fact that the serviceman is serving in an overseas area vast distances from home, rather than in recognition of the fact that he may be in combat.

Second. The bill would create a new category of airlift mail for parcels weighing up to 30 pounds that are mailed at or addressed to any Armed Forces post office. The parcels would be transported by air on a space-available basis upon payment of the regular surface rate of postage plus a special uniform airlift fee to be fixed by the Postmaster General, which is expected to be not more than $1.

The most persistent and widespread complaint we receive from servicemen and from their families and friends is directed at the high cost of sending parcels by air parcel post. While our earlier legislation did provide an airlift at surface rates for parcels up to five pounds, under existing law parcels over that weight, if sent by air, must be paid for at the high air parcel post zone rates.

For example, a constituent of mine in Buffalo must now pay $8.08 to mail a 10-pound package to Vietnam by preferred air parcel post service. Under the new provision in my bill, the same 10-pound package would be mailed for approximately $3, and it would be transported by airlift on a less preferred service basis all the way from the point of mailing in Buffalo to the point of delivery in Vietnam.

Third. In last year's military mail law, Public Law 725, the Congress provided, among other things, an airlift from the United States to designated combat areas for certain news value publications, particularly news magazines and hometown newspapers. The third important provision of my bill would extend the airlift to this category of mail matter to all Armed Forces post offices in any overseas areas. Servicemen separated from their homes by an ocean of distance in Europe and elsewhere deserve to receive their hometown newspapers as quickly as those who are fighting in combat areas. The fact that a man is or is not in combat should not determine the speed by which news from his hometown reaches him.

Mr. Speaker, the American people are going to put up over $72 billion next year for our defense effort, a substantial part of which will go to pay for the "bullets, beans, and bandages" needed by our servicemen. I am confident the American people will want us to maintain the same high priority for improved communications with our servicemen through enactment of this legislation.

COMBATING AIR POLLUTION

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Van Deerlin] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, the President yesterday outlined a bold, new program for combating air pollution. I agree with his proposals for a national effort to come to grips with this growing menace, for the atmospheric poison that now plagues so many areas is no respecter of State boundaries.

I have witnessed the effects of air pollution too often to feel that we can ignore this problem in the hope that it will go away. I have heard too much talk and seen too little action on this matter. We must act now, while we can, to defeat this menace before it overwhelms us. That is what the President is now asking us to do.

We must stop talking in general terms and get down to specifics.

We must deal swiftly with the problem of poisoned air moving from sources in one jurisdiction to threaten the lives of people in another. The air and all that it carries with it will not respect manmade boundaries, and accusations between jurisdictions will not solve the problems for which the people are paying.

We must induce industries to control the emissions from their plants and to cooperate with the air pollution laws. For an industry to invest large sums of money to clean up the air in its locality, only to be faced with the fact that a competitor has made no such investment is unfair and self-defeating.

The proposed national emission standards would solve this problem. They will give industry a sound basis for their air pollution control programs and allow them to plan for the future.

I believe that the enactment of this legislation is absolutely necessary if we are to breathe easy once again in this Nation.

DEMOCRACY—WHAT IT MEANS TO ME

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Hanley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HANLEY. Mr. Speaker, on this past Saturday evening, January 28, it was my great pleasure to join with a great number of people from my community at the Stanley Pennock Post No. 2893 of the Veterans of Foreign Wars, Solvay, N.Y., to tender honor to an outstanding member of both our community and the Veterans of Foreign Wars, the retiring fifth district commander, and my good friend, Francis A. O'Connell. Commander O'Connell has long been active in the arena of veterans affairs, consistently exerting his energy in the direction of aiding the veteran and his or her dependents, thus it was most fitting that he be recognized in this very deserving manner.

One of the highlights of the program was a speech presented by the winner of the Veterans of Foreign Wars Voice of Democracy Oratorical Contest. In this day when we hear so much about delinquency, it is so refreshing to observe a young man, just 17 years of age, whose philosophy, in my judgment, typifies that of the vast majority of American youngsters. Unfortunately, we read and hear so little about young Americans in this category, as opposed to the massive public information associated with the small minority of young Americans classified as delinquents.

The young man to whom I refer is Mr. Kevin Quinn, of 106 Rutledge Street, Syracuse, N.Y., the son of Mr. and Mrs. William M. Quinn. Kevin is a student at Christian Brothers Academy, in Syracuse, and has enjoyed previous oratorical successes in having been a winner of an Optimist Club oratorical contest as well as one sponsored by the National Catholic Forensic League.

In Kevin, I believe that we have a truly outstanding citizen in the making, and I am confident that every community in this Nation is blessed with a fair share of young Americans who embrace the ideals and philosophy of Kevin Quinn.

The topic of Kevin's address was "Democracy—What It Means to Me." I was most impressed with its content and would like to share it with my colleagues, as follows:

DEMOCRACY—WHAT IT MEANS TO ME

(By Kevin Quinn, Christian Brothers Academy)

Arthur Wellesley, later the Duke of Wellington, once remarked that, "The battle of Waterloo was won on the playing fields of Eton." Some have disputed this observation, especially since it was found that Eton had no formal playing fields in 1815. But of course, that wasn't what Wellesley meant. He was simply saying that the schoolboys of one decade must often become the defenders of freedom in the next, and that the preparation they receive in their youth is the foundation of their adult endeavors.

Every generation has its own particular challenge. In 1815, it was Waterloo. In our century, two world wars have been fought to safeguard freedom. The challenge of our generation is coming. It will be larger perhaps than any before it; for now, having obtained democracy, we are charged with preserving it.

The battles will be fought on many fronts: the battles of space and medicine, the battle for individual liberty and national purpose, for equal rights in an unequal world, for freedom from poverty, disease and despair. For self-determination in Asia and determination of self in America, for progress while retaining tradition, for a world in which men disagree yet still discuss, for *life* salvaged from slums, *liberty* unsnared from the trap of socialism, and *happiness* realized as well as pursued, for all these—for democracy—we will fight. These are the Waterloos and the Normandies of tomorrow, and it is now that we must prepare.

When President Kennedy was alive, he often spoke to youth groups throughout the country. Occasionally his listeners would ask, in response to the challenge posed in his inaugural address, what they could do for their country. And he always answered the same: "Read history." John Kennedy himself had a great sense of history. After his death, his wife said of him, "You must think of him as this little boy, sick so much of the time, reading in bed, reading history, reading the Knights of the Round Table, reading Marlborough. For Jack, history was full of heroes. And if it made him this way—if it made him see the heroes—maybe other little boys will see." ". . . Maybe other little boys will see."

We, the youth of America, certainly have much to be proud of in our history, and knowing the price at which democracy was purchased by our forefathers ought to make it more dear to us. So perhaps this is *our* part in preserving democracy, to become the best of what we already are—students, because "the battle of Waterloo was won on the playing fields of Eton."

ABC AND I.T. & T. MERGER

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. O'NEILL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I wish to call the attention of my colleagues to the following editorial concerning the approved merger of the American Broadcasting Co. and the International Telephone & Telegraph Corp. The editorial appeared in the Washington Evening Star on Saturday, January 28. This late action by the Department of Justice has further complicated matters for the Federal Communications Commission which had last month sanctioned the merger of these two companies.

The editorial follows:

DELAY ON THE ABC-ITT MERGER

The Justice Department has put on a baffling performance in its recent effort to block a proposed merger of American Broadcasting Company and International and Telegraph Corporation.

As Senator Morton of Kentucky pointed out in a floor speech, Justice remained aloof while the Federal Communications Commission held public hearings on the case. Although given the opportunity to testify, it elected to remain silent. As recently as last month, Senator Morton noted, Justice wrote the FCC it did not have sufficient grounds to stay the merger, although it belatedly did question the move.

But 48 hours before the merger was scheduled for a green light this month, Justice asked the FCC for a delay. In doing so, the department suggested the merger might be harmful to competition in the broadcasting industry.

This line of reasoning is puzzling. As anyone in the broadcasting industry knows, ABC is not only the smallest of the three television networks but is up against competition with formidable diversification. The National Broadcasting Company is owned by Radio Corporation of America and has enjoyed a huge advantage because of this, particularly in development of color programming.

Senator Long of Louisiana, who served for many years as chairman of the Senate Small Business panel's subcommittee on monopoly, is in a good position to judge the matter. In supporting the FCC's approval of the merger, he notes that ABC "up to now has had difficulty in competing with the other two giants," and that combining it with ITT's resources in electronics would make its capital structure "parallel to that of the other two networks."

Perhaps the oddest statement put forth by Justice was the suggestion that the merger "threatens the independence and objectivity of ABC's news and public affairs reporting." If the department really wants to raise that gratuitous question, what about ABC's corporate competitors, who are embroiled in everything from book publishing to defense and space electronics, phonograph records, computers, and the New York Yankees? Does every broadcasting company's news integrity automatically come under a cloud of suspicion when it merges with an unrelated business? To believe this is absurd.

Senator Morton terms the Justice Department's move ill-conceived. At the least, it strikes us as displaying a superficial, poorly-reasoned and badly-timed approach.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HOSMER, for February 1 and 2, on account of official business in district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FINDLEY (at the request of Mr. DICKINSON), for 60 minutes, today; and to revise and extend his remarks, and to include extraneous matter.

Mr. QUILLEN (at the request of Mr. DICKINSON), for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. HOSMER (at the request of Mr. DICKINSON), for 20 minutes, February 2; and to revise and extend his remarks and include extraneous matter.

Mr. KUPFERMAN (at the request of Mr. DICKINSON), for 30 minutes, February 6; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. CORMAN.

(The following Members (at the request of Mr. DICKINSON) and to include extraneous matter:)

Mr. BERRY.

Mr. JONAS to revise and extend his remarks and to include tables during his special order of today.

Mr. FINO.

(The following Members (at the request of Mr. EILBERG) and to include extraneous matter:)

Mr. HANNA.

Mr. WALKER.

Mr. BRINKLEY.

Mr. MINISH.

ADJOURNMENT

Mr. EILBERG. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 58 minutes p.m.) the House adjourned until tomorrow, Wednesday, February 1, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

298. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other business firms for July to November 1966, pursuant to the provisions of section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

299. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to revise and modernize procedures relating to the licensing by the District of Columbia of persons engaged in certain occupations, professions, businesses, trades, and callings, and for other purposes; to the Committee on the District of Columbia.

300. A letter from the Chairman, District of Columbia Armory Board, transmitting the ninth annual report and financial statements of the Board's operation of the District of Columbia Stadium, and the 19th annual report and financial statements of the Board's operation of the District of Columbia National Guard Armory for the fiscal year ended June 30, 1966, pursuant to the provisions of section 10, Public Law 80-605, as amended, and section 10 of Public Law 85-300, as amended; to the Committee on the District of Columbia.

301. A letter from the president, Potomac Electric Power Co., Washington, D.C., transmitting a copy of a balance sheet as of December 31, 1966, pursuant to 37 Stat. 979; to the Committee on the District of Columbia.

302. A letter from the Director, U.S. Information Agency, transmitting a draft of proposed legislation, to amend further section 1011 of the U.S. Information and Educational Exchange Act of 1948, as amended; to the Committee on Foreign Affairs.

303. A letter from the Administrator, Federal Aviation Agency, transmitting the 21st annual report of the Agency's operations under the Federal Airport Act, as amended, for the fiscal year ending June 30, 1966, pursuant to section 18 of the act; to the Committee on Interstate and Foreign Commerce.

304. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to amend the Bankruptcy Act to permit a husband and wife to file a joint petition in ordinary bankruptcy and chapter XIII (wage earner) proceedings; to the Committee on the Judiciary.

305. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to amend the Bankruptcy Act to authorize courts of bankruptcy to determine the dischargeability or nondischargeability of provable debts; to the Committee on the Judiciary.

306. A letter from the Assistant Attorney General for Administration, U.S. Department of Justice, transmitting the report on positions in grades GS-16, 17, and 18 as of December 31, 1966, pursuant to 5 U.S.C. 5114(a); to the Committee on Post Office and Civil Service.

307. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend section 8346 of title 5, United States Code, to permit the recovery by the Government of amounts due the Government in the settlement of claims against retired civil service employees, and for other purposes; to the Committee on Post Office and Civil Service.

308. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated December 16, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Burwells Bay, Isle of Wight County, Va., requested by a resolution of the Committee on Public Works, House of Representatives, adopted April 9, 1957; no authorization by Congress is recommended as the desired improvement has been adopted for accomplishment by the Chief of Engineers under the provisions of section 107 of the 1960 River and Harbor Act; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SISK: Committee on Rules. House Resolution 53. Resolution creating a select committee to conduct studies and investigations of the problems of small business (Rept. No. 2). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Concurrent Resolution 51. Concurrent resolution to continue the Joint Committee on the Organization of the Congress (Rept. No. 3). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 4206. A bill to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of community programs for patients with kidney disease and for conduct of training related to such programs, and other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BELL:

H.R. 4207. A bill to authorize the Legislative Reference Service to make use of automatic data processing techniques and equipment in the performance of its functions; to the Committee on House Administration.

By Mr. BERRY:

H.R. 4208. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such costs within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 4209. A bill to amend the Internal Revenue Code of 1954 to provide that certain income derived from manufacturing plants established on Indian reservations shall not be subject to tax, and for other purposes; to the Committee on Ways and Means.

By Mr. BRASCO:

H.R. 4210. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROWN of California:

H.R. 4211. A bill making a supplemental appropriation to carry out the Economic Opportunity Act of 1964 during the fiscal year ending June 30, 1967; to the Committee on Appropriations.

By Mr. CASEY:

H.R. 4212. A bill prohibiting the use in the District of Columbia of firearms in the commission of certain crimes; to the Committee on the District of Columbia.

H.R. 4213. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. CLEVELAND:

H.R. 4214. A bill to provide for the humane treatment of vertebrate animals used in experiments and tests by recipients of grants from the United States and by agencies and instrumentalities of the U.S. Government and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CONTE:

H.R. 4215. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

H.R. 4216. A bill to amend the act of October 4, 1961, relating to the acquisition of wetlands for conservation of migratory waterfowl, to extend for an additional 8 years the period during which funds may be appropriated under that act, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CURTIS:

H.R. 4217. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of dividends paid by certain corporations which hold obligations of States and local governments; to the Committee on Ways and Means.

H.R. 4218. A bill to amend the Internal Revenue Code of 1954 to provide that contributions and gifts to foreign charities shall be deductible from gross income; to the Committee on Ways and Means.

H.R. 4219. A bill to amend section 212 of the Internal Revenue Code of 1954 to provide for the deduction of certain expenses paid or incurred in a search for a business or investment; to the Committee on Ways and Means.

H.R. 4220. A bill to amend the Internal Revenue Code of 1954 to encourage basic research in science by the allowance of a tax credit for contributions and other expenditures for basic research in science; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 4221. A bill relative to age discrimination in employment; to the Committee on Education and Labor.

By Mr. DOWNING:

H.R. 4222. A bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration; to the Committee on Merchant Marine and Fisheries.

H.R. 4223. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. DULSKI:

H.R. 4224. A bill to amend title 39, United States Code, to provide additional free letter-mail and air transportation mailing privileges for certain members of the U.S. Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. DWYER:

H.R. 4225. A bill to establish a National Commission on Older Workers; to the Committee on Education and Labor.

By Mr. ERLENBORN:

H.R. 4226. A bill to provide for sharing of Federal taxes with States and their political subdivisions; to the Committee on Ways and Means.

By Mr. ESHLEMAN:

H.R. 4227. A bill to provide for sharing of Federal taxes with States and their political subdivisions; to the Committee on Ways and Means.

By Mr. FASCELL:

H.R. 4228. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 4229. A bill to amend section 620 of the Foreign Assistance Act of 1961 to provide for the suspension of assistance to any country which does not protect American property and the rights of American citizens; to the Committee on Foreign Affairs.

H.R. 4230. A bill to authorize the erection of a statue of Queen Isabella of Spain in the rotunda of the U.S. Capitol; to the Committee on House Administration.

By Mr. GARMATZ:

H.R. 4231. A bill to amend section 27 of the Shipping Act, 1916; to the Committee on Merchant Marine and Fisheries.

By Mr. GONZALEZ:

H.R. 4232. A bill to amend the Social Security Act to provide for expansion and development of social work manpower training; to the Committee on Ways and Means.

By Mr. GROSS:

H.R. 4233. A bill to clarify the authority of the Secretary of Agriculture to require reasonable bonds from packers in connection with their livestock purchasing operations; to the Committee on Agriculture.

By Mr. GUBSER:

H.R. 4234. A bill to amend the Internal Revenue Code of 1954 to provide that the Secretary of the Treasury or his delegate shall be bound by decisions of certain Federal courts; to the Committee on Ways and Means.

H.R. 4235. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. HAGAN:

H.R. 4236. A bill to establish certain qualifications for persons appointed to the Supreme Court of the United States; to the Committee on the Judiciary.

H.R. 4237. A bill to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. HANNA:

H.R. 4238. A bill to provide for the establishment of an International Home Loan Bank, and for other purposes; to the Committee on Banking and Currency.

H.R. 4239. A bill to amend the International Travel Act of 1961 in order to promote travel in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. HÉBERT:

H.R. 4240. A bill to establish an Armed Forces Medical, Dental, and Allied Sciences Academy; to the Committee on Armed Services.

By Mr. HOLIFIELD:

H.R. 4241. A bill to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; to the Committee on Government Operations.

By Mr. HOSMER:

H.R. 4242. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate and foreign commerce with intent to incite a riot or other civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. HULL:

H.R. 4243. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. JACOBS:

H.R. 4244. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. JARMAN:

H.R. 4245. A bill to extend the fourth-class mail rate for books and educational materials to photographic prints mailed to and from amateur photographers and nonprofit photographic exhibitions, photographic societies, and photographic print study groups; to the Committee on Post Office and Civil Service.

By Mr. JOELSON:

H.R. 4246. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. KING of New York:

H.R. 4247. A bill to amend the Internal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months; to the Committee on Ways and Means.

By Mr. KUYKENDALL:

H.R. 4248. A bill to strengthen State and local governments, to provide the States with additional financial resources to improve public elementary and secondary education by returning a portion of the Federal revenue to the States; to the Committee on Ways and Means.

By Mr. KYL:

H.R. 4249. A bill to clarify the authority of the Secretary of Agriculture to require reasonable bonds from packers in connection with their livestock purchasing operations; to the Committee on Agriculture.

By Mr. LEGGETT:

H.R. 4250. A bill to preserve the domestic gold mining industry and to increase the domestic production of gold; to the Committee on Interior and Insular Affairs.

H.R. 4251. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. LLOYD:

H.R. 4252. A bill to provide appropriations for sharing of Federal taxes, with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. LONG of Maryland:

H.R. 4253. A bill to amend title 39, United States Code, to provide for the transportation of mail at no cost to the sender to and from the United States and combat areas overseas as designated by the President, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McCARTHY:

H.R. 4254. A bill to authorize a program of research, development, and demonstration of electrically powered vehicles; to the Committee on Interstate and Foreign Commerce.

By Mr. MATSUNAGA:

H.R. 4255. A bill to amend the Federal Credit Union Act to modify the loan provisions relating to directors, members of the supervisory committee, and members of the credit committee of Federal credit unions; to increase the unsecured loan limit that a member can borrow from a Federal credit union; to require each Federal credit union to establish an education committee; and for other purposes; to the Committee on Banking and Currency.

H.R. 4256. A bill to permit Federal employees to purchase shares of Federal- or State-chartered credit unions through voluntary payroll allotment; to the Committee on Banking and Currency.

H.R. 4257. A bill for the establishment of a Civilian Aviation Academy; to the Committee on Interstate and Foreign Commerce.

By Mr. MAYNE:

H.R. 4258. A bill to clarify the authority of the Secretary of Agriculture to require reasonable bonds from packers in connection with their livestock purchasing operations; to the Committee on Agriculture.

By Mr. MONAGAN:

H.R. 4259. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. MORSE of Massachusetts:

H.R. 4260. A bill to establish a system for the sharing of certain Federal revenues with the States; to the Committee on Ways and Means.

By Mr. PERKINS:

H.R. 4261. A bill to amend the Older American Act of 1965 so as to extend its provisions; to the Committee on Education and Labor.

By Mrs. REID of Illinois:

H.R. 4262. A bill to amend the Internal Revenue Code of 1954 to exempt servicemen from the excise tax on transportation by air; to the Committee on Ways and Means.

H.R. 4263. A bill to amend title II of the Social Security Act to provide an 8-percent across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. REUSS:

H.R. 4264. A bill to amend the Internal Revenue Code of 1954 to provide that the reduction in the manufacturers excise tax on automobiles from 7 percent to 2 percent shall take effect on April 1, 1967, instead of on April 1, 1968; to the Committee on Ways and Means.

By Mr. RHODES of Pennsylvania:

H.R. 4265. A bill to amend section 118 of title 28, United States Code, to provide that the U.S. District Court for the Eastern District of Pennsylvania shall be held at Easton, Philadelphia, and Reading; to the Committee on the Judiciary.

H.R. 4266. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. ROUDEBUSH:

H.R. 4267. A bill to amend the Internal Revenue Code of 1954 to exempt servicemen from the excise tax on transportation by air; to the Committee on Ways and Means.

By Mr. ROYBAL:

H.R. 4268. A bill to amend the Internal Revenue Code of 1954 to increase the maximum amount of retirement income which may be taken into account in computing the retirement income credit; to the Committee on Ways and Means.

By Mr. ST GERMAIN:

H.R. 4269. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. SAYLOR:

H.R. 4270. A bill to amend the Fair Labor Standards Act of 1938 to establish procedures to relieve domestic industries and workers injured by increased imports from low-wage areas; to the Committee on Education and Labor.

H.R. 4271. A bill to strengthen intergovernmental relations by improving cooperation and the coordination of federally aided activities between the Federal, State, and local levels of government, and for other purposes; to the Committee on Government Operations.

H.R. 4272. A bill to amend section 110 of title 38, United States Code, to provide for the preservation of total disability ratings under laws administered by the Veterans' Administration where such ratings have been in force for 15 years or more; to the Committee on Veterans' Affairs.

H.R. 4273. A bill to prescribe the size of flags furnished by the Administrator of Veterans' Affairs to drape the caskets of deceased veterans; to the Committee on Veterans' Affairs.

By Mr. SCHERLE:

H.R. 4274. A bill to clarify the authority of the Secretary of Agriculture to require reasonable bonds from packers in connection with their livestock purchasing operations; to the Committee on Agriculture.

By Mr. SCHEUER:

H.R. 4275. A bill to amend the Public Works and Economic Development Act of 1965 to make certain metropolitan areas eligible as redevelopment areas; to the Committee on Public Works.

By Mr. SCHWENGEL:

H.R. 4276. A bill to clarify the authority of the Secretary of Agriculture to require reasonable bonds from packers in connection with their livestock purchasing operations; to the Committee on Agriculture.

By Mr. SHRIVER:

H.R. 4277. A bill to provide for sharing of Federal taxes with States and their political subdivisions; to the Committee on Ways and Means.

By Mr. SLACK:

H.R. 4278. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 4279. A bill to amend the Clean Air Act to improve and expand the authority to conduct or assist research relating to air pollutants, to assist in the establishment of regional air quality commissions, to authorize establishment of standards applicable to emissions from establishments engaged in certain types of industry, to assist in establishment and maintenance of State programs for annual inspections of automobile emission control devices, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEIGER of Arizona:

H.R. 4280. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

H.R. 4281. A bill to provide that chief judges of circuits and chief judges of district courts shall cease to serve as such upon reaching the age of 66; to the Committee on the Judiciary.

By Mr. VIGORITO:

H.R. 4282. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to eliminate certain requirements with respect to effectuating marketing orders for cherries; to the Committee on Agriculture.

By Mr. WALDIE:

H.R. 4283. A bill to amend title II of the Social Security Act to permit a woman to become entitled to full wife's insurance benefits after attaining age 65 even though she became entitled to reduced old-age insurance benefits (or disability insurance benefits) before attaining that age; to the Committee on Ways and Means.

By Mr. WALKER:

H.R. 4284. A bill to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WATTS:

H.R. 4285. A bill to amend title 18, United States Code, to provide penalties with respect to the maintenance of lists of Government employees in connection with fund solicitations, and for other purposes; to the Committee on the Judiciary.

By Mr. WILLIAMS of Pennsylvania:

H.R. 4286. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. BROWN of Ohio:

H.R. 4287. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. ZION:

H.R. 4288. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 4289. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. SCHWEIKER:

H.R. 4290. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 4291. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. SCHNEEBELI:

H.R. 4292. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. ANDREWS of North Dakota:

H.R. 4293. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. STEIGER of Wisconsin:

H.R. 4294. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 4295. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. KUPFERMAN:

H.R. 4296. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. KEITH:

H.R. 4297. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. HALL:

H.R. 4298. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. MacGREGOR:

H.R. 4299. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. MIZE:

H.R. 4300. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. MESKILL:

H.R. 4301. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. SMITH of New York:

H.R. 4302. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. TEAGUE of California:

H.R. 4303. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. McDONALD of Michigan:

H.R. 4304. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. BUCHANAN:

H.R. 4305. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. BIESTER:

H.R. 4306. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. TAFT:

H.R. 4307. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. BROTZMAN:

H.R. 4308. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. CURTIS:

H.R. 4309. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mrs. DWYER:

H.R. 4310. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 4311. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. SCOTT:

H.R. 4312. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 4313. A bill to permit the transfer of 100 acres of feed grain base from Yankton County, S. Dak., to Hughes County, S. Dak.; to the Committee on Agriculture.

By Mr. BROOMFIELD:

H.R. 4314. A bill to authorize the release of certain quantities of nickel from the national stockpile; to the Committee on Armed Services.

By Mr. BROYHILL of Virginia:

H.R. 4315. A bill to provide for the popular election of one member of the Board of Commissioners of the District of Columbia; to the Committee on the District of Columbia.

H.R. 4316. A bill to create an independent school board in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BURKE of Massachusetts:

H.R. 4317. A bill to extend the U.S. Fishing Fleet Improvement Act and to increase the annual authorization for such act; to the Committee on Merchant Marine and Fisheries.

H.R. 4318. A bill to amend the Internal Revenue Code of 1954 with respect to expenses of plastic surgery and hypertrichology; to the Committee on Ways and Means.

By Mr. BUTTON:

H.R. 4319. A bill to amend the Internal Revenue Code of 1954 to exempt State-conducted lotteries from the taxes on wagering; to the Committee on Ways and Means.

By Mr. CORBETT:

H.R. 4320. A bill to amend title 39, United States Code, to provide additional free lettermail and air transportation mailing privileges for certain members of the U.S. Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CUNNINGHAM:

H.R. 4321. A bill to adjust the rates of basic compensation of certain employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DELANEY:

H.R. 4322. A bill to amend the Clean Air Act to provide for more effective prevention, control, and abatement of air pollution through the establishment of air regions and standards applicable thereto; to the Committee on Interstate and Foreign Commerce.

By Mr. EDWARDS of Alabama:

H.R. 4323. A bill concerning a Federal Tax Fairness Act; to the Committee on Ways and Means.

By Mr. ERLENBORN:

H.R. 4324. A bill to establish a Commission on Goverment Procurement; to the Committee on Government Operations.

By Mr. FINO:

H.R. 4325. A bill to permit the transmission in the mails of lottery tickets and other matter mailed in a State where lotteries are legal, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 4326. A bill to amend the Internal Revenue Code of 1954 to exempt State-conducted lotteries from the taxes on wagering; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 4327. A bill to provide assistance to students pursuing programs of higher education in the fields of law enforcement and of correctional treatment of law violators; to the Committee on Education and Labor.

H.R. 4328. A bill to create a U.S. Academy of Foreign Service; to the Committee on Foreign Affairs.

By Mr. GARMATZ:

H.R. 4329. A bill to amend the Intercoastal Shipping Act of 1933 to provide for accounting at the expiration of a rate suspension; to the Committee on Merchant Marine and Fisheries.

By Mr. GILBERT:

H.R. 4330. A bill to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

H.R. 4331. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 4332. A bill to amend the Clean Air Act to provide for more effective prevention, control, and abatement of air pollution through the establishment of air regions and standards applicable thereto; to the Committee on Interstate and Foreign Commerce.

H.R. 4333. A bill authorizing the President of the United States to award posthumously a Congressional Medal of Honor to John Fitzgerald Kennedy; to the Committee on the Judiciary.

H.R. 4334. A bill to amend section 2401 of title 28 of the United States Code to toll the running of the statute of limitations against tort claims of persons under legal disability or beyond the seas at the time their claims accrue; to the Committee on the Judiciary.

H.R. 4335. A bill to amend title 39, United States Code, in order to prevent the use of work measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. HALL:

H.R. 4336. A bill to amend the act of April 22, 1960, providing for the establishment of the Wilson's Creek Battlefield National Park; to the Committee on Interior and Insular Affairs.

By Mr. HOLLAND:

H.R. 4337. A bill to amend the Internal Revenue Code of 1954 to eliminate the percentage depletion method for determining the deduction for depletion of oil and gas wells; to the Committee on Ways and Means.

By Mrs. KELLY:

H.R. 4338. A bill to amend the Economic Opportunity Act of 1964 to make permanent the present matching requirement applicable to the college work-study program; to the Committee on Education and Labor.

By Mr. MATSUNAGA:

H.R. 4339. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. MURPHY of New York:

H.R. 4340. A bill to amend the Clean Air Act to improve and expand the authority to conduct or assist research relating to air pollutants, to assist in the establishment of regional air quality commissions, to authorize establishment of standards applicable to emissions from establishments engaged in certain types of industry, to assist in establishment and maintenance of State programs for annual inspections of automobile emission control devices, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR:

H.R. 4341. A bill to amend title 38 of the United States Code to provide increases in the rates of disability compensation; to the Committee on Veterans' Affairs.

H.R. 4342. A bill to amend section 503 of title 38, United States Code, to provide that payments to an individual under a public or private retirement, annuity, endowment, or similar plans or programs shall not be counted as income for pension until the amount of payments received equals the contributions thereto; to the Committee on Veterans' Affairs.

H.R. 4343. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

H.R. 4344. A bill to amend the Internal Revenue Code of 1954 to increase the depletion allowance to the present maximum (27½ percent) for all minerals produced in the United States; to the Committee on Ways and Means.

By Mr. THOMPSON of New Jersey:

H.R. 4345. A bill to enable the Commissioner of Education to assist States to carry on education and training programs to strengthen public administration in the States; to the Committee on Education and Labor.

By Mr. UTT:

H.R. 4346. A bill to amend the act of August 27, 1954, relative to the unlawful seizure of fishing vessels of the United States by foreign countries; to the Committee on Merchant Marine and Fisheries.

By Mr. WATSON:

H.R. 4347. A bill to amend the Fair Labor Standards Act of 1938 to exclude from that act's minimum wage coverage persons employed in agriculture; to the Committee on Education and Labor.

H.R. 4348. A bill to amend the Fair Labor Standards Act of 1938 to exclude agricultural employees from the minimum wage provisions of that act for 2 years; to the Committee on Education and Labor.

By Mr. WIDNALL:

H.R. 4349. A bill to amend the Housing and Urban Development Act of 1965 to increase from $200 to $500 million the amount of the annual appropriations authorized thereunder for grants for basic water and sewer facilities; to the Committee on Banking and Currency.

By Mr. BOB WILSON:

H.R. 4350. A bill to amend the act of August 27, 1954, relative to the unlawful seizure of fishing vessels of the United States by foreign countries; to the Committee on Merchant Marine and Fisheries.

By Mr. BROYHILL of Virginia:

H.J. Res. 235. Joint resolution proposing an amendment to the Constitution of the United States granting representation in the Congress to the District of Columbia; to the Committee on the Judiciary.

By Mr. CASEY:

H.J. Res. 236. Joint resolution to create a delegation to a convention of North Atlantic nations; to the Committee on Foreign Affairs.

By Mr. CLEVELAND:

H.J. Res. 237. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ERLENBORN:

H.J. Res. 238. Joint resolution to authorize the President to proclaim the last week in October of each year as National Water Awareness Week; to the Committee on the Judiciary.

By Mr. GILBERT:

H.J. Res. 239. Joint resolution declaring the first Tuesday after the first Monday of November in each even-numbered year to be a legal public holiday; to the Committee on the Judiciary.

By Mr. HAGAN:

H.J. Res. 240. Joint resolution proposing an amendment of the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools or other public bodies in the United States; to the Committee on the Judiciary.

By Mr. HANNA:

H.J. Res. 241. Joint resolution to request the President to negotiate with the Mexican Government for the purpose of setting up a joint United States-Mexican commission to investigate the flow of marihuana, narcotic drugs, and dangerous drugs between the United States and Mexico; to the Committee on Foreign Affairs.

By Mr. JARMAN:

H.J. Res. 242. Joint resolution authorizing the President to proclaim National CARIH Asthma Week; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H. Con. Res. 114. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

By Mr. SAYLOR:

H. Con. Res. 115. Concurrent resolution expressing the sense of the Congress with respect to invoking the rights of article XXVIII of the General Agreement on Tariffs and Trade; to the Committee on Ways and Means.

By Mr. SCHEUER:

H. Con. Res. 116. Concurrent resolution establishing a Congressional Commission on the Role of Congress in Foreign Policy and Intelligence Activities; to the Committee on Rules.

H. Con. Res. 117. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

By Mr. WALDIE:

H. Con. Res. 118. Concurrent resolution to provide early appropriations for Federal educational programs; to the Committee on Rules.

By Mr. DELANEY:

H. Res. 193. Resolution creating a select committee to conduct an investigation and study of air pollution in the United States; to the Committee on Rules.

By Mr. EDWARDS of Alabama:

H. Res. 194. Resolution creating a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949, and related acts; to the Committee on Rules.

By Mr. ESHLEMAN:

H. Res. 195. Resolution amending the Rules of the House of Representatives to permit the presentation and recognition in the Hall of the House of holders of the Congressional Medal of Honor, and for other purposes; to the Committee on Rules.

By Mr. GILBERT:

H. Res. 196. Resolution amending the Rules of the House; to the Committee on Rules.

By Mr. HAGAN:

H. Res. 197. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. MACHEN:

H. Res. 198. Resolution relative to the Interstate and Foreign Commerce Committee making an investigation and study of certain policies of the Federal Communications Commission; to the Committee on Rules.

H. Res. 199. Resolution authorizing Members of the House of Representatives to employ during each summer one student congressional intern; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII,

5. The SPEAKER presented a memorial of the Legislature of the State of Montana, relative to requesting Congress to restore to the State of Montana for expenditure the full amount of Federal funds authorized in the Federal Aid Highway Acts of 1964 and 1966, which was referred to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 4351. A bill to provide for the free entry of a pipe organ for the use of St. Mark's Cathedral, Seattle, Wash., to the Committee on Ways and Means.

By Mr. ADAMS (by request):

H.R. 4352. A bill for the relief of Mrs. Sonia Pinto Querub and her minor son, Isaac Albert Pinto; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 4353. A bill for the relief of Lidia Di Bartolomeo; to the Committee on the Judiciary.

By Mr. BOLLING:

H.R. 4354. A bill for the relief of Antonio Escobedo-Romo; to the Committee on the Judiciary.

By Mr. BRADEMAS (by request):

H.R. 4355. A bill for the relief of Milena D. Ristanovic; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 4356. A bill for the relief of Marco Ferraro; to the Committee on the Judiciary.

H.R. 4357. A bill for the relief of Gioacchino Cutaia; to the Committee on the Judiciary.

H.R. 4358. A bill for the relief of Bennedetto Di Maggio; to the Committee on the Judiciary.

H.R. 4359. A bill for the relief of Raffaelo Di Maggio; to the Committee on the Judiciary.

H.R. 4360. A bill for the relief of Guarino Zanotti; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 4361. A bill for the relief of Yung Ja Chun; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 4362. A bill for the relief of Earl J. Krotzer; to the Committee on the Judiciary.

By Mr. CASEY:

H.R. 4363. A bill for the relief of George W. Payne and Jo Nam Payne; to the Committee on the Judiciary.

H.R. 4364. A bill for the relief of Markos P. Keloudis; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 4365. A bill for the relief of Sema Bronstein; to the Committee on the Judiciary.

H.R. 4366. A bill for the relief of Bernard L. Gomberg; to the Committee on the Judiciary.

H.R. 4367. A bill for the relief of Nachman Bench; to the Committee on the Judiciary.

By Mr. DEL CLAWSON:

H.R. 4368. A bill for the relief of John Barbarich; to the Committee on the Judiciary.

H.R. 4369. A bill for the relief of Kyung Hee Park Grady; to the Committee on the Judiciary.

H.R. 4370. A bill for the relief of Sandy Kyriacoula Georgopoulos and Anthony Georgopoulos; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 4371. A bill for the relief of Mrs. Josephine C. Aquino Heindel; to the Committee on the Judiciary.

H.R. 4372. A bill for the relief of Mrs. Maria Curatolo; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 4373. A bill for the relief of Filippo Badalamenti; to the Committee on the Judiciary.

By Mr. DELLENBACK:

H.R. 4374. A bill to remove a cloud on the title of certain real property in the State of Oregon owned by John Johnson; to the Committee on Interior and Insular Affairs.

By Mr. DOWNING:

H.R. 4375. A bill for the relief of Hampton Hardwood Corp. of Newport News, Va.; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 4376. A bill for the relief of Hamid Mowlana; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 4377. A bill for the relief of Vincenzo Armetta; to the Committee on the Judiciary.

H.R. 4378. A bill for the relief of Antonio d'Angelo; to the Committee on the Judiciary.

H.R. 4379. A bill for the relief of Konstantinos Angelou; to the Committee on the Judiciary.

H.R. 4380. A bill for the relief of George Georgiadis; to the Committee on the Judiciary.

H.R. 4381. A bill for the relief of John Marinis; to the Committee on the Judiciary.

H.R. 4382. A bill for the relief of Domenico Calderone; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 4383. A bill for the relief of Rosa Kelly; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 4384. A bill for the relief of Lidia Maria Asencion; to the Committee on the Judiciary.

H.R. 4385. A bill for the relief of Sheng Tong and Sheng Mee; to the Committee on the Judiciary.

H.R. 4386. A bill for the relief of Visitacion Enriquez Maypa; to the Committee on the Judiciary.

H.R. 4387. A bill for the relief of Mrs. Kyung Nam Cho; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 4388. A bill for the relief of Dr. Mirjam Mathe; to the Committee on the Judiciary.

H.R. 4389. A bill for the relief of Mrs. Bronislava Zbrozek; to the Committee on the Judiciary.

H.R. 4390. A bill for the relief of Mrs. Aniela Musial; to the Committee on the Judiciary.

H.R. 4391. A bill for the relief of Maria Mysliewicz; to the Committee on the Judiciary.

H.R. 4392. A bill for the relief of Antonio Mario Russo and Mauro Giuseppe Russo; to the Committee on the Judiciary.

H.R. 4393. A bill for the relief of Mrs. Stefania Scislowicz; to the Committee on the Judiciary.

H.R. 4394. A bill for the relief of Miss Lola Williams; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 4395. A bill for the relief of Mrs. Josphine Giron; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 4396. A bill for the relief of Nicholas Rizos; to the Committee on the Judiciary.

H.R. 4397. A bill for the relief of Dr. Sadashiv V. Phansalkar; to the Committee on the Judiciary.

H.R. 4398. A bill for the relief of Enni Rosa-Tezza; to the Committee on the Judiciary.

By Mr. KUPFERMAN (by request):

H.R. 4399. A bill for the relief of Chieh Yen; to the Committee on the Judiciary.

H.R. 4400. A bill for the relief of Natalie Ann Doloris Mary Sergenti (also known as Lee Carry, Ligeia Caravias, and Lygia Panagiotis Karavias); to the Committee on the Judiciary.

H.R. 4401. A bill for the relief of Alfredo I. Sison; to the Committee on the Judiciary.

H.R. 4402. A bill for the relief of Emmanuel Nartey; to the Committee on the Judiciary.

H.R. 4403. A bill for the relief of Gaetano Porcello and Gaetana Porcello; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 4404. A bill for the relief of Hubert Ashe; to the Committee on the Judiciary.

By Mr. MESKILL:

H.R. 4405. A bill for the relief of Albert C. Arduini; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 4406. A bill for the relief of Mr. Lothar A. Koeberer, his wife, Mrs. Agnes Koeberer, and his minor child, Agnes Koeberer; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 4407. A bill for the relief of Dr. Mohammed Nasir Shaikh; to the Committee on the Judiciary.

By Mr. NELSEN:

H.R. 4408. A bill for the relief of Dr. Orn Arnar; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 4409. A bill for the relief of Gianfranco Magro; to the Committee on the Judiciary

H.R. 4410. A bill for the relief of Vedat Fahreddin Arkay and Mohadder Arkay; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 4411. A bill for the relief of Pierr Bolos; to the Committee on the Judiciary.

H.R. 4412. A bill for the relief of Mrs. Laura Pizzitola; to the Committee on the Judiciary.

H.R. 4413. A bill for the relief of Dr. Carmelita Teves Carriaga; to the Committee on the Judiciary.

H.R. 4414. A bill for the relief of Nikolaos Saindaris; to the Committee on the Judicary.

H.R. 4415. A bill for the relief of Evangelos Shismenos; to the Committee on the Judiciary.

H.R. 4416. A bill for the relief of Francisco Petrungaro; to the Committee on the Judiciary.

By Mr. REES:

H.R. 4417. A bill for the relief of James Yu-Wan Sun; to the Committee on the Judiciary.

By Mr. RIEGLE:

H.R. 4418. A bill for the relief of Dr. Francisco Bankuti and his wife, Ana Marta Esther Silbersdorff de Bankuti; to the Committee on the Judiciary.

By Mr. RONAN:

H.R. 4419. A bill for the relief of Barbara Zakrzewska; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 4420. A bill for the relief of Thomas M. Gilmore; to the Committee on the Judiciary.

H.R. 4421. A bill for the relief of Mrs. Marcella Bean; to the Committee on the Judiciary.

H.R. 4422. A bill for the relief of Giuseppe Patti; to the Committee on the Judiciary.

H.R. 4423. A bill for the relief of Mrs. Sara Darvish and her daughters, Frida, Zoya, and Violet; to the Committee on the Judiciary.

H.R. 4424. A bill for the relief of Mr. and Mrs. Shimon Beatus; to the Committee on the Judiciary.

H.R. 4425. A bill for the relief of Farid Selim Tawfik; to the Committee on the Judiciary.

H.R. 4426. A bill for the relief of Mr. and Mrs. Edward Namur and their two children, Joseph and Marie; to the Committee on the Judiciary.

H.R. 4427. A bill for the relief of Mrs. Ferdows Maddahi, her daughter, Ruth (Fahimeh), and her son, Fred (Faramars); to the Committee on the Judiciary.

H.R. 4428. A bill for the relief of Dr. Iluminada L. Stantos; to the Committee on the Judiciary.

H.R. 4429. A bill for the relief of Domenico Perrotta; to the Committee on the Judiciary.

H.R. 4430. A bill for the relief of Mr. Antonino Baiardi; to the Committee on the Judiciary.

H.R. 4431. A bill for the relief of Mrs. Ruth Garma Alony; to the Committee on the Judiciary.

H.R. 4432. A bill for the relief of Mr. and Mrs. Antonio Davi; to the Committee on the Judiciary.

H.R. 4433. A bill for the relief of Roger Stanley, and the successor partnership, Roger Stanley and Hal Irwin, doing business as the Roger Stanley Orchestra; to the Committee on the Judiciary.

H.R. 4434. A bill for the relief of Philip Antoun Morcos; to the Committee on the Judiciary.

By Mr. RUPPE:

H.R. 4435. A bill for the relief of Nazih Moussa Berri; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 4436. A bill for the relief of Adelaide Laura Roncati; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 4437. A bill for the relief of Carmine A. Barletta; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 4438. A bill for the relief of Dr. Jinks Einstein Walter; to the Committee on the Judiciary.

H.R. 4439. A bill for the relief of Angel Saghbazarian; to the Committee on the Judiciary.

H.R. 4440. A bill for the relief of Viviane Rubin; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.R. 4441. A bill for the relief of Deward E. Quarles; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 4442. A bill for the relief of Southwest Hospital Foundation; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 4443. A bill authorizing the President of the United States to award posthumously Congressional Medals of Honor to Lt. Col. Virgil I. (Gus) Grissom, Lt. Col. Edward H. White II, and Lt. Cmdr. Roger B. Chaffee; to the Committee on Armed Services.

By Mr. WOLFF (by request):

H.R. 4444. A bill for the relief of Elena Affo; to the Committee on the Judiciary.

By Mr. YATES (by request):

H.R. 4445. A bill for the relief of Aurex Corp.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

20. By the SPEAKER: Petition of We, the People, Phoenix, Ariz., relative to supporting legislation which asks the President to withdraw from the United Nations' embargo of Rhodesia; to the Committee on Foreign Affairs.

21. Also, petition of the city of Buffalo, N.Y., relative to tax relief for homeowners; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Fino Introduces Legislation To Pave Way for New York Lottery

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 1967

Mr. FINO. Mr. Speaker, today I am introducing legislation to first, permit lottery tickets to be mailed in the U.S. mails in States where they can be legally sold; and, second, exempt bets placed in State-run lotteries from the Federal wagering tax.

As things now stand, the imminent New York State lottery will be hindered by two aspects of Federal law. In the first place, while State-run sweepstakes are exempt from the Federal tax on wagering, State-run numbers lotteries are not. The first of my bills would exempt bets placed in State-run lotteries from the Federal tax on wagering.

My second bill would deal with another absurd situation. It is presently illegal to mail lottery tickets. This is stupid, because as the Post Office well knows, thousands are being mailed out of New Hampshire—where they can be legally sold—each year. And then there are the Irish sweepstakes. My second bill would allow lottery tickets to be mailed from States where they can be legally sold. This will avoid the situation whereby a substantial volume of mail from New York and New Hampshire is outlaw mail.

I have asked my 40 colleagues in the House of Representatives from New York, and also our two distinguished Senators, to join me in sponsoring this legislation.

Pacoima Memorial Lutheran Hospital Emerges From Tragedy

EXTENSION OF REMARKS

OF

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 1967

Mr. CORMAN. Mr. Speaker, 10 years ago today a junior high school graduation exercise was brought to an abrupt halt by a bewildering boom and blackout.

Today, January 31, 1967, marks the 10th anniversary of the air crash over the Pacoima Junior High School playground, in my district in the San Fernando Valley. This tragic mid-air collision brought sudden death to three youngsters, Ronnie Brawn, Yvonne Eleanor, and Robert Callan, who only moments before were enjoying a class recess outdoors.

Out of the shadow of this tragedy has emerged the triumph that is Pacoima Memorial Lutheran Hospital. This great community health center serves as a memorial to those youngsters who died that day and further honors their broken bodies by embracing a concern for the whole of man—physical, mental, social, and spiritual.

In its 6 years, the hospital has met the around-the-clock emergency needs of the 32,466 persons in its area. It has developed special medical service departments, including a pulmonary function disease laboratory, a nuclear medicine department, inhalation therapy department, and a physical therapy department.

Pacoima Lutheran Memorial Hospital has focused government and community resources on all aspects of mental health care. Prevention and education, as well as treatment are major activities in its new mental health center.

The hospital has been serving the spiritual needs of its patients and personnel with its chaplain, O. W. Mieger, and, under a mental health staffing grant, is developing a program to educate and train the spiritual leaders of the community in mental health.

The staff of Pacoima Memorial Lutheran Hospital recognizes that the problem of sickness, disease, and accident is not self-contained. It has sought to understand the needs of the people of the community. This past summer the hospital had three health care students surveying the Pacoima community to determine the availability, accessibility, and acceptability of its services to the persons who need them.

The dark tragedy of a decade ago has brought the light of a great community health center to the people of the San Fernando Valley, and its future looks even brighter.

Tax-Sharing Legislation

EXTENSION OF REMARKS
OF

HON. E. Y. BERRY

OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 31, 1967

Mr. BERRY. Mr. Speaker, I have introduced legislation which would provide for the sharing of Federal taxes with the States and their local political subdivisions. I am hopeful that the House can take favorable action on this proposal in the near future as it represents a new direction for America which was mandated by the voters last November 8.

The proposal would return 2.2 billion Federal dollars directly to State and local governments without Federal earmarking or control. The President's budget proposes an increase of more than $2 billion in existing Federal grant-in-aid programs for the next fiscal year and a major cutback in these proposed expansions could be the start for an effective tax-sharing plan.

The bill would allocate 3 percent of Federal personal income tax revenue for tax sharing. The 17 poorest States would first receive 10 percent of the total funds as a form of equalization. The other 90 percent would then be divided among all States on the basis of population and a simple tax-effort ratio. Forty-five percent of the funds allocated to a State would have to be passed on to local subdivisions. The other 55 percent would be spent in any way the State desired. States reducing taxes would continue to receive tax-sharing funds, but in a comparably reduced amount.

There are two unique features of this tax-sharing proposal. First, at least 45 percent of the money would go to the local level for education and other municipal expenditures. Second, a new Council on Tax Sharing, with State representation, would administer the program to insure simplified distribution procedures and to preclude any Federal controls. The 10-man bipartisan Council would be appointed by the President and five of them would be State Governors.

As a further explanation, I would like to insert at this point in the RECORD a detailed discussion of the bill's provisions which has been prepared by the initiator of this approach, the gentleman from New York [Mr. GOODELL], who, in my opinion, has come up with the finest new tax-sharing approach to meet the growing public problems of our State and local governments:

COUNCIL ON TAX SHARING

To avoid any possibility of Federal administrators imposing conditions, controls or excessive administrative paper work, the tax sharing program would be administered by a Council on Tax Sharing appointed by the President. Five members of the Council would be State Governors, with no more than three from the same political party. The Governors would be permitted to appoint alternates to represent them on the Council. No more than three of the other five members of the Council could be members of the same political party. The Council would determine forms and procedures with a requirement that they be kept as simple as possible. Only the Council could withhold funds for failure of State and local officials to comply with established procedures. Any decision to withhold funds would be subject to judicial review in a Federal Circuit Court of Appeals. The Council would also be charged with responsibility for assessing the impact of the tax sharing program and making recommendations to Congress for changes.

EQUALIZATION

Ten percent of the total tax sharing fund would first be distributed to the 17 States with the lowest per capita income. Distribution within the 17 States would be based on population and total personal income in such States.

TAX EFFORT RATIO

The other 90% of the tax sharing funds would be distributed to all States on the basis of population and a simple "tax effort ratio" for each State. The "tax effort ratio" is total taxes collected by the State and its political subdivisions (real, income, sales, etc.) divided by total personal income in the State.

DISTRIBUTION OF TAX SHARING TO STATE AND LOCAL GOVERNMENTS

A. 50% of the funds would go to the States for whatever purpose they wished, including State aid to political subdivisions. Another 5% could be used by the State to strengthen administration or could be added to the general fund at the State's sole discretion.

B. 45% of the tax sharing payment received by a State would be allocated by the State to its political subdivisions. The State would have sole authority to determine the proportion to go to educational subdivisions as distinct from political subdivisions.

The Tragedy on Launch Pad 34

EXTENSION OF REMARKS
OF

HON. JACK BRINKLEY

OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 31, 1967

Mr. BRINKLEY. Mr. Speaker, an artist looks into the heavens and sees beauty; an astronaut looks skyward and sees mystery. The tragedy January 27 on launch pad 34 must redefine our purpose and confirm our intention of fully appreciating the beauty of the heavens and full exploration of their mysteries.

For the children and wives of Roger Chaffee, Virgil Grissom, and Edward White to do less would leave their tragic death without purpose. Their search for knowledge, thirst for achievement, devotion to duty and dedication to their country requires us to continue the search they started and win the goal they prized so highly—insight on the birth of our solar system.

National Student Council Week

EXTENSION OF REMARKS
OF

HON. JOSEPH G. MINISH

OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 31, 1967

Mr. MINISH. Mr. Speaker, we are living in an age where the teenager has come to dominate our civilization. The American teenager represents one of the largest consumer markets and quite a sizable proportion of our population. American fashions have come to revolve around the teenage image and the adolescent has become a major target of news coverage.

Recently the press stories concerning the American teenager have been deprecating. One often reads how rebellious the American adolescent has become and how eager he is to express his nonconventionality. This is particularly emphasized in regard to a lessening of patriotism and a fadishness which seems to condone un-Americanism.

Whether or not it is true that our younger generation is trying to grow up too quickly and asserting themselves too strongly, they are, nevertheless, a force to be reckoned with. They are making their protests known and are demanding to be heard. I believe that they should be listened to, but I also believe that the worthwhile voices of the teenager are often muffled. Adolescents are of an age when they are coming into their independence and must display responsible leadership.

I can think of no better organization that attests to their maturity and dependability than the student councils in our schools. Today, almost every American secondary school has some form of student organization which is usually designated as the student council. Since the student council is a school organization elected by students to represent them, speak for them, and act for them, I believe that this is an excellent introduction to our American form of government by the people.

An effective student council is based on the democratic philosophy in which cooperation is encouraged. A high school student council body cannot succeed in an autocratic school in which the faculty and administration maintain a restricting control of the school. On the other hand, the student council will not be successful under a laissez faire policy, in which the students are allowed complete freedom without any adult help or supervision. A productive student council understands and respects the value of both faculty and student participation in school management.

I believe that we must encourage this understanding of the democratic philosophy so that these high school students will become effective citizens of the future. The student councils of our American high schools need the recognition that they are contributing to the enlightenment of our society and this can best be accomplished by declaring that a week be established to honor them.

The students of South Orange Junior High School, South Orange, N.J., have undertaken a vigorous campaign to win this rightly deserved recognition of National Student Council Week and have enlisted the cooperation of their parents and such fine organizations as the South Orange Woman's Club, who has kindly written me in support of the project.

To any of our colleagues, Mr. Speaker, who may be pessimistic about today's youth and the future of our beloved country, I offer as antidotes the following commendable letters written to me last fall by students at South Orange Junior High School:

From Robert Freda:

I am president of the ninth grade at South Orange Junior High School. Our school president attended the Leadership Camp at Blairstown this summer and while he was there he learned about National Student Council Week. When he told me about this, I explained to him that I thought it was an excellent idea. I then asked him to bring this idea up in our school congress and have a committee formed with me as head to help this program become a reality.

My committee, the National Student Council Week Committee, has done a great deal to get the adults of our community to support the program. However, in another letter I will send you just what my committee has accomplished but since it has not finished its work yet, I will wait a while. This letter that you are reading now is just a message telling you that I think that N.S.C.W. is an excellent idea as an individual and also as a representative of my fellow classmates.

I realize that it will not be able to be brought up in Congress until next year, but I feel if enough people write to you now and express their support it may help in the passing of the bill. This is why I am writing you now.

I truly hope that Congress will pass this bill because it will be a great aid in the changing of the image of the teen-agers of today if the nation will recognize them as hard-working and conscientious students.

I thank you very much.

From Bernard Hellring, Jr.:

I am writing this as the president of South Orange Junior High School, which is the only junior high in South Orange, with an enrollment of over one thousand students. We would like you to support the request for a proclamation of a National Student Council Week. We would like you to help get this bill passed in Congress. You are probably bothered by many people who ask for all sorts of special days and weeks, but we really feel that ours has a worthwhile purpose, and we have received widespread adult support.

The purpose of the Week would be to further the effort of today's teenager to change his image and to show that the conscientious, hard-working students are the ones in the majority, not the hoodlums. The Week would do this by honoring that faction among the students. It would especially honor the school student councils, which are often responsible for healthy student attitudes, and it would promote the student council idea in schools which do not have one.

Recently we have contacted many clubs and organizations in South Orange, such as The Businessmen's Association, The Holy Name Society, Seton Hall University, The League of Women Voters, B'nai Brith and many others, and have already received the support of most of them.

The National Association of Student Councils adopted the program of support for the Week at a convention last year, a program which was started by the New Jersey Association of Student Councils. This year our school joined the rest of the New Jersey schools in working for the Week. Each year, Governor Hughes proclaims the last week in November New Jersey Student Council Week, and we would replace this statewide Week with the national one.

From Eileen Constantin:

I am in the ninth grade at South Orange Junior High School and as president of my homeroom I know how well our school government is run. Our school officers are working very hard to have a week set aside as National Student Week. The entire school is working together trying to get the support of our community and we would really like to get a law passed sometime this year while we (the ninth grade) are still in Junior High. We need your approval and influence to help us and if you possibly could get the law passed I know our school and many others would appreciate it very much. Students today work very hard and I believe there should be one week set aside recognizing the students of America. We are the future businessmen, doctors, lawyers, scientists, and presidents. Everyone talks about how important it is not to drop out of school and to get a college education. This is so true in the progressing world today, but these students that work all year and train for a profession should be acknowledged and praised for their efforts. If the importance of this act could be explained to Congress and they realized how much it means to us all maybe action could be taken to pass it quicker. Thank you very much for taking the time to read this.

From Linda Gittlin:

I am writing you as a representative of my homeroom, as you represent us. I feel that it is our privilege to ask a favor of you, and that is for your support for National Student Council Week. As you might already have heard, this event should take place in Essex County, in the last week of October.

National Student Council week is set aside to recognize all the students of our County, not only as hoodlums and vandals, but as the hard-working students most of them are. These are boys and girls working towards the time when they may enter college so that they may learn how to become good citizens, and be worthy of that title.

We would appreciate your support to promote this to a national basis.

I believe these fine young constituents are representative of the vast majority of American teenagers who are developing into responsible, enlightened adults. A National Student Council Week would focus attention upon the admirable qualities of our young citizens and would encourage an effective student government. It gave me great pleasure to introduce on the opening day of this Congress House Joint Resolution 5, requesting the President to proclaim the last week in October of every year as National Student Council Week. I am delighted to be joined in this cause by my distinguished colleague from the 10th District of New Jersey, the Honorable PETER W. RODINO, JR., who is the sponsor of an identical measure, House Joint Resolution 6. It is my earnest hope that other Members will interest themselves in this proposal and will lend their wholehearted support to House Joint Resolution 5 and House Joint Resolution 6, the text of which follows:

H.J. RES. 5

Joint resolution requesting the President to proclaim the last week in October of every year as National Student Council Week

Whereas the several States have had statewide student council weeks; and

Whereas the National Association of Student Councils in convention at Ann Arbor, Michigan, in June of 1963 approved the student council week project; and

Whereas the student council more than coordinates student activities and contributes to orderly administration of our secondary schools, but also fosters a sense of citizenship and provides a training ground for youngsters interested in participating in democratic government; and

Whereas the values acquired within the student council have great significance when carried over into adult life; and

Whereas the need for efficient and responsible government is even more urgent in these days of strife, it is especially fitting that student councils receive recognition: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the last week in October of every year is designated as National Student Council Week, and the President of the United States is authorized and directed to issue annually a proclamation setting aside that week as a public occasion and inviting the people of the United States to observe that week with appropriate ceremonies.

Let Them Help You

EXTENSION OF REMARKS

OF

HON. E. S. JOHNNY WALKER

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 1967

Mr. WALKER. Mr. Speaker, on January 24 my distinguished colleague and Senator from New Mexico, JOSEPH M. MONTOYA, addressed the plans for progress meeting in this city. The accent of the gathering was placed upon civil rights. Many of those in attendance were industrial and business leaders from all over the Nation.

Because of their presence, Senator MONTOYA sought in his address to accent practical methods of getting potentially frustrated young people from minority groups into the mainstream of American life.

The main pathways to follow, he emphasized, were technical and vocational education for those not continuing on to college, and cooperative education for the bright but economically underprivileged youth.

Because he stressed practical methods of self-help, I feel that he was able to further enlighten these men who make our society move. Rather than stand and shout into the wind, he quietly has put forth practical steps whereby a business or industry may hold out full opportunity and enhance its own profit picture as a result.

As you know, Mr. Speaker, the distinguished junior Senator from New Mexico was my predecessor in this body. During his years in Congress, he has devoted himself to the study of the problems which confront our underprivileged across this Nation. He has established himself as the champion of so-called minority groups and has an intimate knowledge of the perplexity of their dilemma. I do not think his knowledge has been more conclusively or constructively shown than in his speech before this plan for progress meeting. Therefore, Mr. Speaker, I recommend it to my colleagues' reading, and I hope that not only they, but also the business and industrial leaders across this Nation, will give his thoughts the consideration I think they deserve. I hope these realistic steps may be of assistance to others who seek down-to-earth ways of aiding those who wish to share fully in the American dream.

Mr. Speaker, I insert the speech to be printed in the RECORD.

The speech follows:

LET THEM HELP YOU

Ladies and gentlemen: I have come here today not to speak in platitudes nor to say complimentary things. That is not the best way in the world to win an audience, I know. Of course, I do not mean to offend you. Rather I say that what we must consider here is a problem that goes to the roots of American life as deeply as the aspirations of any American minority group.

The American Negro was brought here against his will, enslaved, treated like a beast and finally ushered into a state of twilight freedom from which he is now graduating. The strictures and pains of that emergence are enormous and will continue to be so for a long time to come. Nevertheless, he shall emerge faster and faster until he obtains his full share of the wherewithal of the nation he has helped to build, defend and believes in.

But now I wish to spotlight another group of Americans, now numbering 6 to 9 million, which is on the verge of bursting upon our national scene with a full realization of what has been denied them in the past. I am proud to say they are my own people. The Spanish-speaking Americans of this country were here before the eastern part of this continent was settled. Their history, culture and heritage are proud, gracious and meaningful. Yet they have been ground into the dust and back alleys of this nation for hundreds of years. Now this is at an end! I say this once more! It is at an end!

I have called them "The Silent People." Why? Because they have labored silently in a million fields . . . have stood silently at a hundred thousand counters . . . have waited silently and patiently at a million back doors. Their hats are no longer in their hands. Their faces no longer contemplate the ground. They no longer are content to await what the fates or an established power structure decree for them. They look up . . . at life . . . at their fellows . . . at our tomorrows.

All are ablaze with new realizations. All have seen with their own eyes the struggle of others to be free. All have seen through our mass media a society they have helped to build, but in which they have not fully shared. They have seen their sweat . . . their strength . . . their agony . . . go to others, and have had to settle for scraps from our national table. They are no longer content with their previous status quo.

Now most are astir. They want. They need. They must have, and will not settle for less. How shameful that while I speak some of these people can do stoop labor (Have any of you gentlemen ever done a day's work of stoop labor in a field under a roasting sun?) in some areas of this nation and when they ask politely for a minimum wage of $1.25 per hour . . . are treated as if they have asked to use the family toothbrush.

I say these things to you in the fervent hope that you will see coming what I have foreseen for several years. Many of our boys have served in our armed forces . . . have gone overseas and returned to form G.I. Forum groups all over areas where the Spanish-speaking live. They have carried their message back to every town and village . . . each small and large slum. They have seen the wonders of this world in our nation and overseas. They have risen in a hundred meetings I have attended to ask questions never heard a few years ago.

Why do we not have better schools? Why do we not have higher wages? How come we live as we do? Why are we good enough to fight America's wars, yet come home to be denied equal opportunity?

These are embarrassing questions, gentlement. They go on and on. Why do we have to take some of the social insults that have been the order of the day for our elders? Why are there not more of our people in better paying jobs in industry and business? How can we better ourselves? Where are the schools? Roads? Medical facilities?

Our American dream dances before their eyes, enticing them on. It is their dream too, no? They have fought for it . . . worked for it . . . died for it. They have believed in it. It is the same dream you all believe in. Are they to be denied it?

Do any of you remember a few headlines that struck with such bitter force a few days before last Christmas? They concerned an Army sergeant by the name of Richard F. Campos, who died in Vietnam in action, and whose body lay unclaimed in the Oakland Army Terminal.

Or does the name of Danny Fernandez ring a bell? He came from Los Lunas, New Mexico, and died at the ripe old age of 21 because he chose to fall on an enemy hand grenade in order to preserve the lives of his comrades. I know his parents. They are very proud of the fact that he is to receive the Congressional Medal of Honor. Their awful loss is a shade more bearable because they believe as he did, in the principles this nation was founded upon, and for which he was serving.

Both were Spanish-Americans. Both died for all of us. Both sacrificed so we can sit here today. Neither would be able to earn $1.25 per hour doing stoop labor. Neither really had a chance to live. Would either of them have had any real opportunity had they lived? Would they have been discriminated against in any way?

I speak to you as an enlightened, understanding group of Americans who lead. I ask you to understand their desires and empathize with them. I ask you to understand hopes so many of these young people have that are so similar to those you undoubtedly had not so many years ago . . . dreams that motivate them as they do any young man and woman.

No one can deny that the doors of many an American industry and business have been closed to Spanish-speaking people in this nation. This has been changing for a number of years, but it must change still more and faster in the near future if mounting pressures are to be eased.

But before I make any suggestions to industry and business, let me dwell for a moment on civil rights.

Not only have Spanish-speaking people been deprived of equal opportunity, but the very guarantees due them under the Constitution have sometimes been adjourned, just as has been the case with Negroes and other groups who have suffered injustice. Names they have been called are already added to the too long list of our negative slang expressions. They have in some areas been beaten, clubbed, shot, imprisoned and deprived of their liberties. In a few areas of the country these overt deprivations are still all too frequent. It almost goes without saying that this will come to an end wherever it raises its ugly head.

But now let us get down to realities of everyday business and industrial life, for that is where so much will be decided. If American business and industry, that incredible team that works wonders every day, will extend a hand of opportunity, it will be clasped with eagerness and a will to work and succeed by young Spanish-speaking people who are emerging.

They want to be with you . . . not against you. They want to have a chance to enter the mainstream of our free enterprise system, earning their promotions or riches along with the rest of American youth. They want to be your skilled and semiskilled workers as well as your managers and executives. Many a bright young mind growing up in Spanish-speaking communities can and will make money for your enterprises and stockholders if given a chance.

I have seen and talked with them . . . bright, eager and quick to learn. Ideas of work, education and self-help are infecting them in ever-increasing numbers. My personal crusade among my people is built around those words. Others are saying the same to uncounted thousands of them.

Let American business and industry take a deeper interest in programs that will enable them to contribute. Make it your business to understand the concept of cooperative education. This, as I am sure you are aware, is the concept allowing youngsters to alternate between off-campus work and on-campus study, thereby enabling many a young man and woman from economically underprivileged circumstances to earn a higher education while preparing for our world of work at the same time. Last year I cosponsored the first statewide conference on this subject at the University of New Mexico. The Ford and Kettering Foundations are assisting in this. When industry and business join us, our battle is more than half won. Think of the contribution these educated young people can make within and to your enterprises, rather than the thought of them sitting in festering frustration outside your gates.

The other half of this total effort is technical and vocational education that takes potential dropouts, dropouts, underemployed and persons with outdated skills, and reeducates or trains them in technical and vocational fields modern business and industry must utilize in order to function today.

Wherever I go among them I speak of these twin pathways to a full share of America's fruits. If this drive meets with cooperation from men and women like you, then we can open the safety valve wide, releasing pent up frustrations before they erupt in their ugliest forms.

American business and industry has grown to be the wonder and envy of our world on the principles of free enterprise and equal opportunity. Many pay lip service to them. But for a moment reflect upon these enormous enterprises owing their genesis, development and success to immigrants and poor young men who were given a chance and took it. I am sure many of these operations are represented in this audience now.

United States Steel, although put together by J. P. Morgan, had as its major segment Andrew Carnegie's organization. He was a penniless Scotch immigrant boy. Bank of America and the name of Gianinni are synonymous. Weyerhauser Lumber speaks for itself.

A certain department store in Tucson, Arizona, was started by a Jewish merchant whose name for the moment escapes me.

But think for a moment about how this nation was really built. Think of the 29 million immigrants who found here what had been denied them in their countries of origin. Ponder the fact that we have built the greatest nation on earth with people who were, as Emma Lazarus said in her poem . . . "The wretched refuse of your teeming shore."

America gave them all a chance. Where would the free world be today had this opportunity not been extended? We have built it upon the finest expression of man's spirit yet given voice. The words of our basic national documents surely must have meaning and vitality. Surely we have not become so blase as to yawn politely behind our hands when they are referred to. I, for one, believe in them passionately.

When we deny the meaning of those words, and with them all they imply, are we not denying the very essence of this republic? Give these young people a chance! Let this new generation of Spanish-speaking Americans earn what others have earned in our past . . . what your own people have earned. They will not let you down.

Give our free enterprise system a chance to show its vitality. Take them into your ranks and let them be exactly what they want to be . . . Americans who take pride in what they are and what they form an integral part of.

I have as much faith in you as I have in them. Otherwise, I would not be here.

The Right to Breathe

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 1967

Mr. HANNA. Mr. Speaker, "Los Angeles at 3:30 p.m.," is the caption of the picture on the cover of the January 27, issue of Time magazine. The picture, or lack of it, tells the story. The new Los Angeles Federal Building is the only structure that one can make out with any reasonable surety. From the picture you would never know that only two short blocks from the Federal Building stands the famous Los Angeles City Hall. At 3:30 p.m., on almost any given day in Los Angeles, the range of visibility is rarely greater than two city blocks.

If you live on the seacoast, or have a home in the mountains you can see a faint brown haze begin to etch itself against the blue sky that usually greets each southern California morning. By the end of the morning rush hour the faint haze has taken on the hue of a rich dense brown and has seeped into every crack and corner of the greater Los Angeles basin. Unless it rains, and as the city chamber of commerce boasts rain is rare, or unless a wind sweeps in from the ocean or desert, the 7 million residents of the area are treated to another day of breathing large portions of nitrogen dioxide, hydrocarbons, ozone, peroxyacyl nitrate, and a little oxygen.

The "right to breathe" in Los Angeles, and every other urban area in the Nation is becoming an increasingly perilous right to exercise. In their January 27, edition the editors of Time magazine devoted the lead article to the increasingly menacing specter of air pollution. The article was singularly impressive, and I would encourage every Member of Congress to take the necessary time to read it.

The article of course is part of a larger dialog on air pollution. Yesterday the President joined in the discussion, and while his proposals are not as hard hitting as I had hoped, they are significant.

The President's recommendation to Congress asking for the passage of the Air Quality Control Act of 1967 is a step forward, but only a small step. The act places its emphasis on establishing and enforcing maximum levels of industrial pollutant emissions. Regional air quality commissions would be established where they do not already exist and charged with enforcing the standards that control the emission of pollutants.

I would remind the President and the Congress that this proposal is not new. Some years ago the Los Angeles County Air Pollution Control District was established and given the needed strength to enforce its responsibilities. Today, Los Angeles' Air Pollution Control District runs the strictest and most extensive control program in the United States. The control board battled business and industrial leaders eventually overcoming their objections to regulations limiting the amount of pollutants released into the atmosphere. The control board banned the use of high pollutant fuels, the burning of junked cars, and burning household and industrial garbage. Thousands of violators of pollutant regulations were hailed into court by the control board.

Oil refineries in Los Angeles have developed new techniques in reducing the emission of sulfur pollutants and recycling other wasteful materials that would have ordinarily been dumped into the atmosphere. Los Angeles located power companies are required by statute to use low sulfur natural gas when available and fuels containing a minimum amount of sulfur when the natural gas is not available. Los Angeles industry, especially the oil refineries are considered to be the cleanest in the world.

Since 1964 cars sold in California have been required to be equipped with various types of smog control devices. The 1966 cars sold in California had to have equipment that reduced carbon monoxide by 50 percent and hydrocarbons by 65 percent. In 1970 stricter measures controlling car tailpipe emissions will go into effect.

All in all the Los Angeles County Air Pollution Control District spent close to $4 million in 1965 trying to win the battle against air pollution. This represents an expenditure equal to almost one-sixth of the present total Federal expenditure.

With the great financial investment made by Los Angeles, and with the most comprehensive air pollution control program in the Nation, Los Angeles is steadily losing the battle against smog. Some 13,730 tons of noxious waste are released daily into the Los Angeles sky to contaminate an already overburdened atmosphere. The 3.75 million area cars alone are responsible for 12,500 tons of the daily pollutants. Despite strict enforcement and periodic checks of smog control devices, the level of pollutants released from the exhaust of cars is continually rising. With 2 million more cars expected on Los Angeles highways by 1980, and more than 100 million cars on America's roads by 1975, President Johnson's warning that at the present rate of increased contamination, America can expect to be overwhelmed by a poisonous atmosphere in 10 years is startlingly vivid.

What the above suggests, Mr. Speaker, is that the President's approach, while encouraging, is too modest. Americans are choking their atmosphere with contaminants at the horrendous rate of 370,000 tons of pollutants daily. By 1975 we will be polluting the atmosphere at the incomprehensible rate of more than 1,500,000 tons annually.

Proposing measures for the rest of the Nation that Los Angeles has been using for years while the smog problem has become steadily more acute seems almost futile. Certainly the President's recommendations will meet part of the problem, but only a very small part.

There are two critical areas that should have been given more emphasis in President Johnson's message. First, he did not strike home hard enough the very critical roles that must be played at the local and State levels. While the Air Quality Act provides a framework for meaningful participation by the local levels of government, it seemingly allows little flexibility or room for initiative. Granted, the proposal is primarily designed to affect those areas where little or nothing is now being done, but what about the many local programs that have already been initiated?

The National Association of Counties has produced an excellent series of community action guides on air pollution designed to help its membership. The guides are very specific and provide a wide range of alternatives that would allow the local jurisdiction some flexibility in experimenting in order to determine the most effective programs.

Air pollution is not, and nor can we allow it to be an issue of concern only to the various levels of government. It is imperative that industry be one of the leading elements in meeting this problem. We should make it clear whenever we have the opportunity that success in cleaning our air can only be expected if all segments of the society cooperate and recognize their particular obligations.

The other area in which the President's message was weak was in what it offered, or more accurately, what it did not offer in the way of providing leadership for developing new and imaginative programs. The President made a curt reference to the fact that he intended increasing research funds by 50 percent. Nowhere was there an estimate of the kind of research program we will need. Even a 50-percent increase in research appears woefully inadequate in light of the increasing enormity of the problem. It is in this area of ingenuity where leadership is most needed and appears most lacking.

Let me make perfectly clear, Mr. Speaker, that I am one of the many who welcomes what the President is proposing. These proposals are overdue. And it is precisely because this Nation has waited so long in focusing its full attention on the problem that the question of our pollution is now so critical. The problem requires infinitely more than the President has suggested.

Experts have estimated that anyone born in New York City since 1945 has breathed enough contaminated air to have smoked the equivalent of nine cigarettes a day during every day of his life. The richest, most technically advanced Nation in man's history must offer its citizens something better than that.

I see no room for compromise or delay on this issue. Each day of inaction brings us one day closer to a poisoned earth. Our resolve must be equal to the task, and the task that now confronts us deals with our very survival.

There can be no compromise or delay on our right to breathe. Without this right all other rights are rather meaningless.

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 1, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

I will lift up mine eyes unto the hills, from whence cometh my help.—Psalm 121: 1.

Almighty God, our Heavenly Father, who are ever present in our world and with us always all our lives, grant unto us Thy spirit which will enable us to live this day with dignity, do our work with patience, and serve our country with complete devotion. Lift up before our eyes the standards of truth and love. May they lighten our path and may we be given courage to walk in that way for the good of our spirits, for the well-being of our country, and for the welfare of all mankind.

We commend to Thy wise and loving care those who walk in sorrow, those who have given their lives for our country. May we match their devotion with our dedication, their willingness to sacrifice with our readiness to serve our great Republic. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

VICTOR L. ANFUSO

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, Victor L. Anfuso's life might be said to personify the American dream. Born in Sicily, this son of an Italian shoemaker became a distinguished leader of our American democracy.

The death of our former colleague from New York last December brought to a close a distinguished record of service, not only to the constituents whom he represented, but to the entire Nation as well. His life and career began simply. After coming to this country at the age of 9, he worked as a shoeshine boy after school in order to help support his family. After graduating from Commercial High School in Brooklyn, he peddled fruit and vegetables from a pushcart and worked in his brother's furniture store. But he determined to pursue his education. After preparatory courses at Columbia University, he began attending Brooklyn Law School at night. He received his LL.B. in 1927, and was admitted to the New York bar in 1928.

The concern for the plight of his fellow man which was to characterize the record of his public service came to the fore in the early years of the depression. He was instrumental in organizing a Citizen's Welfare Association in Brooklyn, in order to help those that had been hit the hardest by our Nation's economic crisis. But he was not provincial; his concern enveloped all of mankind. He was the founder of the Italian Board of Guardians, an organization which concerns itself with children who are foreign born, children who are delinquent, or children who come from broken homes.

During the war, Victor Anfuso served his country in several capacities. From 1943–45 he served under Gen. William J. Donovan with the Office of Strategic Services in the Mediterranean theater. In recognition of his service during this period, he was later awarded the Distinguished Service Medal of the Veterans Association. Upon his return to the United States, he was appointed a special assistant to the Commissioner of Immigration and Naturalization. In that post he made an extensive study of this Nation's immigration policies and laws, particularly as they pertained to southern Europe. And in 1946, he was knighted by Pope Pius XII for his humanitarianism.

His congressional career began in 1950, with his election to the House of Representatives for the 82d Congress. He served on the Civil Service Committee, and was influential in obtaining a salary increase for postal workers in 1951.

He did not seek renomination in 1952, but turned his attention to his law practice, and his service to municipal affairs. One of the first acts of Mayor Robert Wagner was to appoint Mr. Anfuso as a magistrate in 1953. In 1954 he returned to Congress to represent the Eighth District in New York.

In 1955, he was appointed a member of the House Agriculture Committee, posts usually reserved for members from rural districts. Victor Anfuso saw in his assignment an opportunity to further the understanding between farmer and consumer and approached his work with enthusiasm.

At his instigation a consumers study subcommittee was set up in 1957 to study one of the major problems facing us today—the high cost of living. He was a member of the delegation that the United States sent to the United Nations Food and Agriculture Organization Conference in Rome in 1956. This Congressman whose district was trainyards, factories, and public housing tended well to the needs of the agricultural community and the consumer.

He was also a member of the Committee on Science and Astronautics, and chairman of the Subcommittee on International Cooperation and Security.

He was a congressional adviser to the U.S. Representatives on the United Nations Committee on Peaceful Uses of Outer Space, and also a member of the American delegation to the North Atlantic Treaty Organization Parliamentary Conferences in Paris.

It was my pleasure to serve with Representative Anfuso in the 87th Congress, which was to be his last. I enjoyed being a member of the same committee also. After the redistricting in 1962, when most of his district was combined with another, he stepped aside. In spite of the fact that shortly thereafter he was elected to the Supreme Court of the State of New York, a position he held until his death, he confided to a friend that he would always be a Congressman at heart.

Mr. Speaker, Victor Anfuso made it a point to always be available and responsive to his constituents. But his interests superseded the geographical limits of his district and encompassed all of this Nation. His contributions have been great, and we feel a loss in his absence. But the record he left behind him speaks eloquently of a public figure dedicated to justice, honor, and service, in the best traditions of America.

Mr. Speaker, I include at this point in the RECORD the obituary from the New York Times of December 30, 1966:

JUSTICE VICTOR L. ANFUSO DEAD; SERVED FIVE TERMS IN CONGRESS—AGRICULTURE SPECIALIST FROM BROOKLYN WAS ELECTED IN 1962 TO STATE SUPREME COURT

State Supreme Court Justice Victor L. Anfuso, an Italian immigrant who shined the shoes of some of the people he later represented in Congress, died of a heart attack late Wednesday night. He was 61 years old and lived at 25 Clark Street in Brooklyn.

Justice Anfuso, who served in the House of Representatives for five terms before his election to the Supreme Court in 1962, became ill while attending a private meeting at the Warwick Hotel.

The police of the West 54th Street station administered oxygen, but Justice Anfuso was pronounced dead about 35 minutes after he was stricken at 11:15 P.M.

Justice Anfuso, a baldish, heavyset man with a thin black mustache, was a Democrat who had been backed by the Liberal party in each of his Congressional campaigns.

VICTIM OF REDISTRICTING

In 1962, when the State Legislature's Congressional redistricting law combined most of his Eighth District with the 14th District, he agreed to step down in favor of another Democrat, John J. Rooney. But he left the House with a heavy heart.

"I'll always be a Congressman," he told a friend recently.

Even while no longer in the Congress, he continued to appear at civic and social functions in his old constituency. For both old friends and new he always had a supply of ballpoint pens inscribed: "A gift from your Congressman, Victor L. Anfuso."

As a Congressman, he always made it a point to be available to his constituents from the Greenpoint, Williamsburg and Ridgewood sections of Brooklyn. Although he always stressed in his political speeches that he considered himself the spokesman of all the citizens in his district—Jews, Italians and Poles—his popularity among the large Italian electorate made him unbeatable during his campaigns for Congress.

Mr. Anfuso was first elected to Congress in 1950, when he upset Representative Joseph L. Pfeifer in what had been a safely Republican district. He served on the House Post Office and Civil Service Committees and was instrumental in obtaining a salary increase for postal workers in 1951.

But his first stint in the House was short-lived. He was forced to withdraw after serving only one term because a reapportionment of Congress eliminated his Brooklyn district in 1952.

A LIBERAL VOTING RECORD

In one of his first acts as Mayor, Robert F. Wagner named him a magistrate in 1953. Mr. Anfuso served on the bench for less than a year, however, resigning to run again for Congress. He defeated Eugene L. Renne, a Republican, and captured the Eighth Congressional District seat that he was to occupy for three more terms. During his tenure, Mr. Anfuso voted regularly along liberal Democratic lines.

In 1955, this Congressman from a district criss-crossed by sprawling factories, freight terminals, lumber yards and low-rent public housing, was appointed as a member of the House Agriculture Committee—a post usually reserved for members from agricultural communities.

Mr. Anfuso was eager about the appointment, however, because he believed that farmers and city consumers knew too little about one another. At his instigation, a consumer study subcommittee was set up in 1957 to study the high cost of living and seek ways to prevent further rises.

While in Congress, he also served on the Committee on Science and Astronautics and on the Committee on Merchant Marine and Fisheries. He was chairman of the subcommittee on International Cooperation and Security and was a Congressional adviser to the United States Representative on the United Nations Committee on Peaceful Uses of Outer Space.

STUDIED FOOD SURPLUSES

Mr. Anfuso was also a member of delegations to North Atlantic Treaty Organization parliamentary conferences in Paris and served as a member of the United States delegation to the United Nations' Food and Agriculture Organization Conference in Rome in 1956. The following year he was sent on a special mission by the House Agriculture Committee to study stockpiling and disposal of American food surpluses in Europe and the Middle East.

He was one of the first members of Congress to say that he thought that Fidel Castro was under Communist influence. He advocated an open foreign policy so that the world could know where the United States stood and thus make no miscalculations leading to war. He was an opponent of colonialism and favored improved United States relations with Latin America.

Victor L'Episcopo Anfuso was born on March 10, 1905, in Gagliano Castelferrato, Sicily, the youngest of five children. When he was 9, his father, a shoemaker, died, and the family immigrated to the United States. The Anfusos found an apartment above a saloon at Flushing Avenue and Morrell Street in Williamsburg. Mr. Anfuso was to live in this neighborhood for most of his life and to represent it in Congress.

Young Victor began to shine shoes to help his family make ends meet, but he was soon stopped by a truant officer. "The officer explained that here kids have to go to school." Mr. Anfuso recalled many years later. "So I worked after school."

Despite the long hours he devoted to earning money, young Victor was graduated from Commercial High School with the highest average in his class. He then peddled fruit and vegetables from a pushcart and was a salesman in his brother's furniture store while attending Brooklyn Law School at night.

Rejected by the draft in World War II, he was specially trained by the Office of Strategic Services and sent on a mission to Italy for which he later received the Distinguished Service Medal of the Veterans Association. After the war, he served as special assistant commissioner of immigration and naturalization for the Justice Department.

Surviving are his widow, the former Frances Stallone; three sons, Francis, Joseph and Victor L., Jr., and two daughters, Miss Diana Anfuso and Mrs. Marianina Vaughan.

A funeral service will be held on Saturday at 10 A.M. at St. Joseph's Roman Catholic Patron Church, 185 Suydam Street, Brooklyn.

THE LATE HONORABLE GRAHAM BARDEN

Mr. FOUNTAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, I would like to state that I was absent yesterday attending the funeral of our former colleague, Hon. Graham Barden.

Also attending the funeral were our colleagues, Hon. Basil L. Whitener, Hon. David N. Henderson, Hon. Roy A. Taylor, Hon. Alton Lennon, Hon. Walter B. Jones, Hon. Phil Landrum, and Hon. Charles Halleck.

THE NATIONAL DEBT: ASSET OR LIABILITY

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record in one instance and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, one of the reasons it is a privilege to represent west central Missouri is because of the location of Central Missouri State College in our district at Warrensburg, Mo. In the 8 years it has been our pleasure to represent the students and faculty of this college, the school has doubled and almost tripled in size until today it has thousands of students on two campuses, one at Warrensburg and another at Independence, Mo.

This college has a very able faculty. One of these excellent teachers is Prof. Harry L. Wilkey. He recently authored an article on the national debt which appeared in the winter 1966 issue of the magazine, Per Se, published quarterly at Stanford, Calif., with Midwest editorial offices at Warrensburg, Mo.

The article is most timely because of the President's budget message and because the Congress will consider in a short time the debt ceiling limitation. By raising the question: "National Debt: Asset or Liability?" I am convinced our friend has made a significant contribution to the discussion of an important topic of national interest.

My request for this article to be included in the Record should not necessarily be construed as a personal endorsement of or of my complete concurrence with every thought and statistic contained in the article. I do believe Mr. Wilkey's effort puts our debt in clear perspective. His work should stimulate every reader to serious thinking on this important matter. The article as it appeared in the winter 1966 issue of Per Se magazine is as follows:

The National Debt: Asset or Liability?

(by Harry L. Wilkey)

The commonly-used term, National Debt, has a rather negative sound and is somewhat of a misnomer. Each individual federal instrument will be retired when due, as always, but the debt will not be retired in the foreseeable future.

If $3 billion per year were retired, it would be 1 per cent of the approximate $300 billion total, and it would take a century. And if the debt were eliminated, we would have to devise another technique in order to have securities backed by the federal government, since these play an indispensible part in the nation's investment picture.

A credit instrument may be viewed from either of two positions. A given transaction is to the seller an Account Receivable, and to the buyer an Account Payable. Likewise, a federal security is an Account Payable (National Debt) when viewed from the Treasury, but from the position of the holder this is an Account Receivable (National Investment).[1] When we attach a name to this situation, isn't it just as reasonable to call it the National Investment as the National Debt?

Alexander Hamilton, first Secretary of the Treasury, asked Congress in 1790 to accept responsibility for state and federal debts resulting from the Revolutionary War. He considered that this original National Debt would be a useful thing for the country. In Andrew Jackson's administration the Treasury had funds available to pay off all outstanding bonds. In 1835 and 1836 there was no federal debt, and the Treasury accumulated a surplus.

In the decades after the Civil War the National Debt might have been extinguished, but Treasury bonds were used as deposits with the Treasury by the national banks as security for their national bank notes. Had the bonds been eliminated, it would have been difficult in those days to have found a substitute, since the gold supply was limited. So the debt was not paid off. The Treasury has had obligations outstanding for every year from 1790, except for 1835 and 1836. Huge debts have accumulated from the financing of war; and as the country has grown, the national debt, and its interest cost, has been less significant in terms of national income.

Suppose for the moment that the National Debt were to be paid off entirely and at once.

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[1] *See* The Two Faces of Debt, *Federal Reserve Bank of Chicago, October, 1963, for an excellent discussion of this idea.*

citizens would somehow have to find about $320 billion to turn over to the Treasury, and with this all federal securities could be retired. Since 95 per cent of these securities are domestically owned, the citizens and their institutions would receive nearly all of the $320 billion. The nation would be no richer and no poorer.

With no federal bills, notes or bonds in existence, what would banks substitute for their Treasury securities, sometimes known as "secondary reserves"? What would government pension funds, state and local governments, veterans insurance and other government-related funds do for investment outlets? (Could we risk the cry of favoritism if over $20 billion of Social Security trust funds were invested in corporate stocks and bonds?) What would the Federal Reserve banks use in place of government securities for Open Market operations designed for monetary control of the economic system? What would be available to replace the short-term Treasury bills, so essential in modern finance? And would the general public be willing to give up government bonds as an investment representing maximum security? If this imagined national debt retirement did take place, some instruments of federal credit would have to be devised immediately.

The fact that the national debt will not soon be eliminated does not mean that it creates no problems. It creates several.

It has been established that the debt is unlike a personal debt in that the total of it will not be paid off and retired at once. In the light of this, are there no limits to its size? What measures can be applied to give it perspective?

One measure of the size of the debt is the ratio of the debt to the Gross National Product, since this is the economic base from which the annual interest payments must be made. At present the GNP is about $650 billion, while the national debt is about $320 billion. An indebtedness equal to six months of goods and services produced would hardly be alarming whether it was in the public or the private sector.

At the close of World War II, as a matter of contrast, the federal debt was 121 per cent of Gross National Product. We do not include a sum for debt reduction in the federal budget, and the budget surpluses that are applied to debt reduction have been few and insignificant since the late 1920's. In 1964 a GNP of $628.7 billion and a national debt of $317.9 billion meant that the latter was 51.6 per cent of the former. The change between the 1945 ratio and that of 1964 was due to a 75 per cent growth of real output and a 60 per cent rise in the price level.

Another criterion of the size of the national debt is to compare it with total private debt. In 1950 the federal and the private debt stood at about $250 billion each. In 1964 the federal debt total was about $320 billion, and the private debt was slightly over $800 billion. There has been little notice of this growth of private debt, and there would seem to be no reason for concern about the much slower rate of growth of the federal debt when both rest on the same economic base.

One other criterion of the size of the debt is annual interest cost. Factors involved here are the size of the debt and the rate of interest. Because of a rising rate, interest payments in the decade 1955–1965 rose from over $6 billion to over $11 billion—but as a per cent of GNP it has remained at about 1.7 per cent, which is nearly the same as it was in 1930. Using this yardstick to measure the debt, a carrying charge of 1.7 per cent would not seem excessive.

Are there limits, either minimal or maximal, to the national debt? Professor Abba Lerner says ". . . the size of the national debt (when held by the citizens of the country) is a matter of almost no significance beside the importance of maintaining full employment." [3]

What is the maximum limit? The approach to this question is to find the limit of the market for federal securities. Important financial groups presently purchasing these are: Federal Reserve banks, commercial banks, mutual savings banks, personal trust accounts, life insurance companies, fire and casualty insurance companies, mutual funds, investment companies, savings and loan associations, private uninsured pensions, government pension funds, real estate corporations, and government-related groups.

Estimated ownership of Federal securities, Dec. 31, 1964

[Dollar amounts in billions]

	Amount	Percent
Commercial banks	$63.7	20.0
Federal Reserve banks	37.0	11.6
U.S. Government investment accounts	60.6	19.0
Private nonbank	157.4	49.4
Total	318.7	100.0
Individuals	68.2	21.4
Insurance companies	11.1	3.5
Mutual savings banks	5.7	1.8
Corporations	19.7	6.2
State and local governments	21.6	6.8
Foreign and international	16.7	5.2
Other (savings and loan associations, nonprofit institutions, corporation pension and trust funds, etc.)	14.5	4.6
Total	157.5	49.5

Source: Statistical Abstract of the United States, 1965.

Securities available to these groups are corporation stocks and bonds, U.S., state and local government securities, and mortgages and consumer loans. Federal securities must compete with these other types for investor funds. The interest rate is the price of the money and is determined in a competitive market. What amount of these securities can be sold in this market without unduly pushing interest rates upward? An analysis of these buyers gives some insight into this problem.

In 1964 nongovernmental and nonbank buyers held 50 per cent of the debt. These federal bonds and treasury bills serve a certain purpose in their portfolio of investments and yield less than municipal bonds or most other conservative investments after taxes. As these institutions grow, this per cent will represent more dollars of sales.

If the debt growth is faster than the expansion of the market for federal securities, the Treasury will be able to sell this additional amount only by setting a higher interest rate. If all rates rise because of this, the effect on investment would be adverse and the economic effect would be contractionary.

After the nonbank and commercial bank buyers had bought their limit at these higher yields, it would be necessary to turn to the Federal Reserve banks. Here sales could be without limit, but it would cause a constantly growing money supply and inflation. Inflation would be a lesser evil only if the nation was faced with a major war or a severe depression and widespread unemployment.

Nineteen per cent of the 1964 debt was held by the following government accounts: *Pension Funds*—Old Age and Survivor Insurance, Railroad Retirement, Civil Service, State and local government pension funds, Federal Disability Insurance; *Government-related, Federal*—Veterans Administration Life Insurance, Federal Home Loan Bank, Federal Savings and Loan Insurance Corporation, Federal Deposit Insurance Corporation, Federal Housing Administration, Federal National Mortgage Administration, Postal Savings, Federal Land Banks, Federal Intermediate Credit Banks, Bank for Co-operatives, Export-Import Bank; *Government-related, State*—State Employment Security Funds, State Insurance Funds (Workman's Compensation).

Purchases of securities by these buyers are determined by circumstances other than market conditions. For instance, the Social Security Trust Fund account must by law be invested in government bonds; and as the system grows, the fund grows. The long-range intermediate-cost estimate of the balance in the fund is as follows:

	Billion
1965	$21.9
1970	40.0
1975	61.2

About $40 billion more of federal securities will be purchased by the Trust Fund in the next decade. Only an error in forecasting will change this demand in either direction.

Individuals held 22 per cent of the debt in 1964. This 1964 percentage is only 1 per cent less than 1946. Corporations account for 6 per cent of the holders at present, which is also 1 per cent less than in 1946. Excepting an emergency such as war, only an interest rate higher than guaranteed time deposits could be expected to change these much.

In 1964, 31.6 per cent of the national debt was in banks, 20 per cent was in commercial banks, and 11.6 per cent was in the Federal Reserve System. Federal securities play a certain role in the commercial bank's investment portfolio, chiefly because of the securities' liquidity, or easy convertibility to cash. An established bond market makes it possible to convert these securities to cash immediately and thus improve the bank's ratio of reserves to deposits. Because of this feature, the bank does not give the interest yield first consideration when purchasing treasury issues. As banking grows, this same percentage of holdings will mean more dollars of securities sold to this market. For the government to sell banks more bonds than this would require a higher interest rate so that these bonds could complete with other types of investments. Any other alternative would be some arrangement such as occurred during World War II when banks were allowed to place Treasury issues in the same category as cash in determining their reserve ratio to deposits. This practice is called "monetizing" the debt because it increases the volume of demand deposits. It may easily lead to inflation. So the commercial bank market is geared to the bank's need for "secondary reserves" and has both minimal and maximal boundaries.

Only the Federal Reserve Banks remain to be considered. As fiscal agents of the government, they can accept these securities as assets and create corresponding demand deposits. Since demand deposits are our chief form of money today, this is no different than the printing presses of another day. The problem now becomes one of the extent of the money supply and the risk of inflation. This is likely to be an unacceptable price except for some emergency such as war.

The maximum size of the debt under normal conditions is a growth that would rather closely follow the growth of the economy. Acceptance of Professor Lerner's statement that the size of the national debt, internally held, is a matter of almost no significance beside the importance of maintaining full employment would depend upon the definition of full employment. If extensive debt increase is to be at the price of forcing a high interest rate or severe inflation, the decision should be political rather than economic.

Little is heard of the minimum limit of the debt, but the uses of government securities today mean that such a minimum exists. It has been demonstrated that private nonbank holders, United States government investment accounts, and commercial banks will have a given demand for federal securities. In most cases, any substitution of Treasury securities for any other type of investment would call for controversial legislative action. An illustration is the Social Security Trust Fund. The act provides that funds accumulated from excess of income over expenditure must be invested in U.S. Treasury bonds. This is also true of Railway Retirement and other government-related agencies. In 1964, this group held $60.6 billion, or 19 per cent, of the total debt. As in the case of the banks, this means a given market for Federal bonds that will grow as these various funds grow and that this will call for a certain minimum supply of these securities.

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[3] *Abba Lerner*, The Economics of Control, (*New York: Macmillan, 1944*), *p. 302*.

If the debt were reduced by a planned program, or even if it remained stationary over a period of time while the economy grew at its normal rate, we might find ourselves at this minimum and hear demands for an increase in the debt.

The marketable debt is made up of Treasury bills, certificates, notes, and bonds. All of these credit instruments command an interest rate determined for the most part by the supply and demand forces that determine the cost of money. It has not been government policy for many years to budget for debt retirement, but it is policy to include annual interest costs in the administrative budget. The estimate for this interest for 1965 is $11.2 billion, which is 11½ per cent of the President's budget total. Who receives these funds? Does this represent a redistribution of income? If so, to what extent?

In 1962, $105.9 billion, or 38.9 per cent of federal debt was held by government agencies. The rate of interest on these is the same as any other, and so two-fifths of the interest cost paid out by the Treasury is returned to government agencies.

Federal funds held $55.6 billion of this amount. These included the Social Security trust funds, veterans insurance, and similar accounts. Another $30.8 billion was held by the Federal Reserve banks. The federal government, therefore, pays interest to itself on $86.4 billion of the debt. Since this is income, taxes are that much less.

Annual interest earnings on $21.5 billion of federal bonds held by the Social Security system is one of its two sources of income, the much larger source being payroll taxes.

State and local governments in 1964 held $21.6 billion of the debt and the interest on this constituted income for those governments. Taxes paid to the federal government for interest cost on the national debt relieved the taxpayer of some part of his state and local taxes, for if the money from interest earnings had not been received, taxes would have to be greater by that sum.

As to the question of how much do interest payments on the national debt redistribute personnal income, we may answer that the two-fifths of these payments that go to governments and their agencies would not have any significant effect.

Nongovernmental holders (1964)

	Billion
Commercial banks	$63.7
Insurance companies	11.1
Mutual Savings banks	5.7
Corporations	19.7
Total	100.2

Who can say to what extent a redistribution of income occurred by the interest payments on this sum? Earnings by all of these agencies benefit the individuals who are their owners or their customers. Are only the rich involved in savings accounts, insurance policies, and corporation and bank shares? We know that this is not the case.

In 1964, individuals held $68.2 billion of federal securities. Interest earnings would be about $2.7 billion with the average rate now about 4 per cent. The National Income in 1964 was $510.1 billion, so $2.7 billion of interest payments would be about ½ of 1 per cent of the total. Since savings bonds are very widely held, and since persons with incomes are taxed at progressive rates, reallocation of income, by interest payments to individuals holding the debt, would be very minor indeed.

Federal securities vary in length to maturity from 30 days for some Treasury bills to bonds running to the year 1999. The average length of the debt was about five years in 1964. This means that the Treasury must enter the securities market periodically and compete with nongovernment borrowers for the investors' funds. In terms of economic theory, interest rates will be determined by the interaction of the supply of funds and the demand for them. The $220 billion of the debt held by the public will certainly have an effect on the demand for investment funds and, therefore, will influence interest rates.

Whether federal securities are long- or short-term is important. Bonds maturing in a year or less may be called the floating debt. Their short life means that they have a high degree of liquidity. This is important to buyers such as commercial banks and large enterprises. Short-term securities generally carry a lower rate of interest than their long-term counterparts. The total volume of short-term securities, chiefly Treasury bills, held by the public is a measure which approximates the contribution of Treasury debt management to liquidity in the economy.

Treasury debt operations may also affect interest rates in another way. An exchange of long-term bonds for short-term bonds presumably will tend to force up long-term rates and lower short-term rates. An increased supply of long-term securities, with unchanging demand, will lower price and thereby increase yields. A resulting reduction in the supply of short-term securities will result in a bidding up of prices of those remaining outstanding, thereby lowering their yields.

It must be conceded that assessment of the impact of debt operations on the interest rate structure is difficult to make, or it is complicated by other influences such as supply and demand or nongovernmental funds, and also by the actions of monetary authorities. Though the precise effect is difficult to measure, most will agree that management of the national debt is a significant factor in the determination of interest rates.

The placing of government securities may have a significant effect on the money supply. There may be no effect on the price level, or there may be inflationary effects.

Assume that an individual buys a $1000 government bond, paying for it in currency or check. He has refrained from spending, but the government will presumably buy goods and services with the $1000. No new money is created, and there is nothing inflationary in this process.

Nonbank buyers of government bonds do not materially affect the money supply by their action. The same cannot always be said, however, of commercial banks and Federal Reserve Banks.

If commercial banks are allowed to buy government securities and then count them as primary reserves, this will generate new demand deposits, which is the chief kind of money today. This practice has not been allowed since the "Treasury Accord" of 1951. If Federal Reserve banks are allowed to regard government bonds as assets and set up checking accounts for the government, new demand deposits are created, having the same effect as if the Treasury had printed currency. It increases the money supply; under certain conditions, this could be inflationary. When the bonds enter commercial banks or central banks in a manner that brings about new government checking accounts, we say that the debt has been monetized. It has created additional money in demand deposit form.

When the size of the debt is growing very slowly or not at all, this monetizing from the public sector is not occurring. The Federal Reserve is the agency for marketing Treasury securities which in its ordinary operations has no significant effect on the money supply.

The national debt is like a debt in that all federal obligations will be paid off when due. Federal obligations in the form of bills, notes, certificates, and bonds play a role in the economy for which there could be no substitute. They represent the minimum of risk because they are a prime responsibility of the federal government, with its monopoly control over the nation's money. They are a neutral medium for all governmental investment, which absorbs about one-third of the total outstanding obligations. Their place in the portfolio of the nation's commercial banks could not easily be filled by any other type of investment. Federal credit instruments make possible the Open Market Operations by which monetary control is exercised by the Federal Reserve Open Market Committee. Short-term securities provide liquidity for large-scale nonbank investors.

The national debt has several aspects that need understanding. First is how large the debt may become, although its size, by any measure, is now no problem. Second is the effect that its interest payments have on the national budget and on taxation. These payments are like transfer payments in national income accounting and make the nation no richer and no poorer. But at present they increase the tax bill by more than 11 per cent, and there is always some loss in shuttling these funds from taxpayer to government to bond-holders. Third, the debt plays a subtle role in the determination of interest rates, difficult as this is to determine. They may not always be beneficial to an economy where pricing, including interest costs, is presumed to be determined by the free interplay of economic forces. Fourth, if the debt is monetized by converting debt instruments into demand deposits, there will be an increase in the money supply. Carried to an excess, this could cause an undesirable level of inflation.

The national debt exists, and has existed throughout the nation's history. It will continue to exist because government securities play the role that they do in the investment field. Not only will the debt not be extinguished, but it can not be allowed to fall below the minimum necessary to provide the volume of Treasury issues required by the market. It cannot be allowed to grow to the point where it may threaten inflation, except where such would be the lesser of other evils. Its management is one of the chief duties of Treasury officials.

Congress should repeal the present debt limit law passed in 1917, since a half-century of experience has proved it to be meaningless. Misleading talk about burdening future generations with a large debt should be condemned. Rather, the debt should be presented in its proper perspective—a Treasury debt and a public investment to be properly managed and kept within its tolerable minimal and maximal boundaries by the Executive branch of the Federal government and the Congress.

TRIBUTE TO HON. EDWIN E. WILLIS

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HÉBERT. Mr. Speaker, I have asked for this minute to call to the attention of the House an event which is a great event in the life of one of our most distinguished and honored Members.

The Third Congressional District of the State of Louisiana which was immortalized as we all know by Henry Wadsworth Longfellow in his poem "Evangeline" in Teche country is one of the most romantic districts perhaps in the whole world.

For 18 long years it was represented by one of the most beloved Members of the Congress, Robert Foligny Broussard, affectionately known as "Broussy" or "Cousin Bob," who later went to the Senate and became legendary in those times.

Bob Broussard represented Louisiana with distinction, and he was followed by many others whom you remember, including Whit Martin, Bob Mouton, and Jim Domengeaux.

But a few days more than 18 years ago there came to this body the present incumbent, ED WILLIS, of St. Martinville. In the better than 18 years that he has been here he has endeared himself to this House. He has established himself as an outstanding legislator and certainly a constitutional authority.

So I direct your attention, in behalf of the Louisiana delegation today, to the presence again on the floor, after a long illness, of our colleague who now holds the record of having served the Third Congressional District of Louisiana longer than anyone in the history of the State—a well deserved and well merited distinction for our colleague, EDWIN E. WILLIS.

GENERAL LEAVE

Mr. Speaker, I ask unanimous consent that all Members may be allowed 5 legislative days to extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I, too, want to join with the Louisiana delegation and, indeed, with the membership of this House in paying tribute to our colleague ED WILLIS of Louisiana on this occasion. ED WILLIS has not only represented the Third Congressional District of Louisiana for a long time; ED WILLIS has represented the Third Congressional District of Louisiana and Louisiana well indeed. It is a privilege to serve with a man of his integrity and his ability, and I am pleased to count this great man as a friend. The good people of the Third Congressional District of Louisiana are fortunate to have him as their Representative in Congress.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, I would like to join in the tributes which have been paid to our distinguished colleague from the Third Congressional District of Louisiana. ED WILLIS has been one of the most diligent, dedicated Members of this body for the last two decades. The respect that he enjoys here is shared by the people that he has represented so well, faithfully and efficiently for so many years. I am happy to say that he has rapidly recovered his vigor and his health, and is carrying on his full duties as a member of the Judiciary Committee and as chairman of one of the great committees of the Congress. He is ably and efficiently representing the people of the State of Louisiana.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I am happy to yield to our distinguished majority leader.

Mr. ALBERT. I join the distinguished whip and his colleagues, and I thoroughly concur in what the gentleman from Louisiana [Mr. HÉBERT] has said. I have been in that part of Louisiana about which the gentleman has spoken. I agree with what he has said about it. Everyone who knows ED WILLIS concurs in what has been said about him.

Mr. MATHIAS of Maryland. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I am happy to yield to the gentleman from Maryland.

Mr. MATHIAS of Maryland. I thank the gentleman from Louisiana. I would like to say a few words on this side of the aisle about the distinguished gentleman from Louisiana. It has been my great privilege to serve with him on the Judiciary Committee and to work under his leadership in several of the subcommittees over which he has presided. He has been a model of fairness. He has been a model of lawyerlike approach to the difficult problems that come to his subcommittees. He has not only exerted leadership in the consideration of constructive proposals, but he has offered encouragement and help to those of us who came untried to the committee and new to the work of the Congress.

So we are very proud to have the chance to serve with ED WILLIS and we look forward to many more years under his guidance.

Mr. LONG of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Louisiana [Mr. LONG].

Mr. LONG of Louisiana. Mr. Speaker, I wish to join in the remarks address to our colleague, ED WILLIS, of Louisiana. I have known Congressman WILLIS for many years. I have had the privilege of following him in the Louisiana State Senate, where he had served with distinction and honor in that body. Upon my election to Congress and my coming here, I have found that he has gained the love and affection of the Members of this body, as he had in Louisiana.

I have known him to be both a loyal citizen of Louisiana and a loyal American.

My first impression of him here was that he had acquired the distinction of being a lawyer's lawyer in this august body.

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. EDWARDS of Louisiana. Mr. Speaker, the Third District of Louisiana stretches down the Atchafalaya River Basin to the balmy waters of the Gulf of Mexico. Many of its residents are direct descendants of the famed Acadians who came to Louisiana seeking a new land of opportunity and the opportunity to provide for themselves and their families without oppression. But the district has prospered much since those years, and a great change has come there. It is a tribute to Congressman EDWIN WILLIS that he has represented the Third District and its various ethnic groups and political philosophies for so long and so well. Much of the progress and prosperity they enjoy today is directly attributable to him and his efforts in the Congress of the United States. Our Nation and the Third District has benefited from his tenure in this body.

It is a great honor for me to serve in the Congress with Congressman WILLIS, as Congressman from the adjoining Seventh District where we have such a great community of interests, from the standpoint of economics and the philosophy of our people.

ED, as we say in the French country, "Ne lâchez-pas et restez avec."

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. EDWARDS of Louisiana. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I am glad to join in saying a few things that should have been said about EDWIN WILLIS a long time ago. Both ED and I first came to the House of Representatives in the 81st Congress. We had offices adjoining one another for many, many years. We also had adjoining apartments for a number of years. As a consequence, my wife and Mrs. Willis became very close and very good friends. ED and I have had a close friendship for the more than 18 years that we have both served in the House of Representatives.

We were all sad while ED was quite ill over the past year or so, but we are all pleased and happy that his health is improved and we are delighted to see him on the floor today.

Mr. RARICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RARICK. Mr. Speaker, fellow colleagues from Louisiana, and Members of Congress, I rise as the junior member of the Louisiana delegation to join in the tribute to our distinguished fellow colleague, the Honorable EDWIN WILLIS.

I know Congressman WILLIS as an able attorney representing the fine folks of our Third District. I wish him and his house well and join with him in the representation of the citizens of Louisiana.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, ED WILLIS is one of the finest men I have known. He represents his district well as a wonderful Congressman. Our Nation is blessed to have his services here in the House of Representatives.

We, his colleagues, and all Americans owe him a debt of gratitude for his able representation of and dedication to his people and our Nation.

Mr. ZABLOCKI. Mr. Speaker, I wish to join my colleagues in the House of Representatives in paying tribute to our colleague, the gentleman from Louisiana, EDWIN E. WILLIS. I am pleased and happy to know that his health is improved. It is gratifying to have him return to active participation on legislative matters which so typify his dedication to the deliberations of this body.

Congressman WILLIS and I first came to the House in the 81st Congress and I deem it a privilege to serve with a man of his integrity and ability, demonstrated by his leadership in the consideration of important and difficult proposals. Mr. WILLIS represents his district and the Nation ably and with great distinction and I look forward to our continued friendship and counsel.

PRESIDENTIAL MESSAGE ON BENEFITS TO VETERANS AND SERVICEMEN

Mr. RESNICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, yesterday morning the President of the United States sent us a message of vast importance. He spoke of the need to increase the benefits of our veterans and servicemen to an extent never before equaled. These recommendations, of course, speak of the growing and constant concern for those men dying in Vietnam and improves their rights for education, for compensation in the event of their being disabled, and in all other areas where veterans of prior wars have been recognized. But he asked more—he asked that our older veterans and their widows who are in need receive more pension. He asked for a cost-of-living increase for those in need who subsist on so little.

In this connection, we have heard much in the past where social security has been increased and the pension benefit has been reduced because more social security counts as income in that program. What a contradiction this has been where a benevolent Congress acts to increase one Federal benefit and thus reduce another to the point where the pensioner takes home less money. The President tells us of his concern for this cause. He recognizes that his recent social security recommendations could create this situation and he has asked this Congress to see that this will not penalize the veteran. He has asked that a partial waiver of the increase in social security be permitted and thereby protect every pensioner from being reduced in their veterans' pension rights.

I am for the program submitted by the President. I am gratified that he has asked our help in this effort. As a member of the Veterans' Affairs Committee. I will be proud to support the measures he proposes.

COMMUNITY COLLEGES FOR THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, near the end of the last Congress, the House and the Senate passed and the President approved a bill introduced by our colleague, the gentleman from Minnesota [Mr. NELSEN], and favorably reported by the House Committee on the District of Columbia; namely, H.R. 16958, Public Law 89–791, which authorized the establishment in the District of Columbia of, first, the Federal City College—a 4-year public liberal arts college, including courses in teacher education, and a junior college program—and, second, the Washington Technical Institute—a vocational and technical school to equip students for useful employment in recognized occupations, and also to provide courses on an individual, noncredit basis.

These institutions, anticipated to enroll 6,500 students—2,500 arts and science program, 1,500 junior college program, 2,500 vocational, technical, and occupational programs—are estimated to cost $40 million. The legislation authorizes $50 million for planning, construction, and equipment, $40 million of which would be borrowed by the District.

The House District Committee reported this bill after I and Congressman NELSEN held extensive hearings during the last Congress on various proposals leading up to this legislation. I, as chairman, appointed a consultant, Dr. Duane R. Lund, a highly recommended and outstanding educator in the State of Minnesota, to make a very comprehensive study of the vocational education programs and needs of the District of Columbia. After his investigations, I requested the full committee to hold hearings and received his report and reviewed his recommendations for the District.

Also, Mr. Speaker, I, as chairman of the full committee, requested and received testimony and recommendations of the Superintendent of District of Columbia Schools, Dr. Carl F. Hansen, who contributed so measurably to the overall legislation, and without whose help and support such legislation would not have been adopted.

The gentleman from Texas [Mr. DOWDY] and Subcommittee No. 4 of the District Committee, of which he is chairman, held extensive hearings on eight various education bills referred to the committee to authorize public community and vocational colleges and a public college of arts and sciences. Thereafter in executive session, he and the subcommittee, including Mr. NELSEN, hammered out the provisions of the bill referred to. It was favorably reported to the full committee and by the full committee to the House without a dissenting vote and became law with the President's signature on November 7, 1966.

We are keenly interested in seeing that the programs in these two colleges are inaugurated at the earliest possible date.

We were pleased last week to find that the President had included a provision of funds for the initial financing of the Board of Higher Education and the Board of Vocational Education in his recommended budget for the District of Columbia for fiscal year 1968.

There remains, of course, the appointment of the members of the Boards to administer these two institutions; namely, the Board of Higher Education to be appointed by the Commissioners of the District of Columbia to supervise and direct the Federal City College, and the Board of Vocational Education to be appointed by the President to supervise and direct the Washington Technical Institute.

Congressman NELSEN and I have sent a joint communication to both the President and to the Board of Commissioners.

Mr. NELSEN, Mr. DOWDY, and myself, in fact the full District Committee, are very much concerned that these programs be commenced, and anxious to do everything possible to help expedite the building and opening of these two colleges.

DISTRICT OF COLUMBIA SCHOOL PROJECTS HAVE HIGHEST PRIORITY

Mr. NELSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. NELSEN. Mr. Speaker, I am happy today to join with our distinguished chairman of the House District Committee, the gentleman from South Carolina [Mr. McMILLAN], in calling the attention of our colleagues to our determination to see that the doors of the Federal City College and the Washington Technical Institute are opened as soon as possible to the thousands of youngsters in our Nation's Capital needing further education.

We have joined in writing both the President and the President of the Board of Commissioners. In our letter to the President, we have expressed our gratification at the inclusion of funds for the initial financing of the Board of Higher Education and the Board of Vocational Education. These Boards must be activated as soon as possible. As we wrote the President:

> We know you agree with us that the two new colleges are most vital to the educational program of the District of Columbia and that their early development should be of the highest priority.

For that reason, we also mentioned to the President our keen interest in his appointment of the members to the Board of Vocational Education.

In a similar letter to the Hon. Walter N. Tobriner, President of the Board of Commissioners, we inquired what actions the Commissioners have taken thus far, such as the screening of possible appointees to the Board of Trustees of the Federal City College.

Certainly, we are all aware that solution of some of the problems of Washington, D.C., rest in better educational opportunities for those who live here. As ranking Republican on our committee, I am happy to join with our chairman in seeking to utilize our District Committee to the fullest in getting these worthwhile educational institutions rolling.

ANOTHER ADMISSION

Mr. NELSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. NELSEN. Mr. Speaker, once again the Council of Economic Advisers has admitted to deliberately depressing farm income. Even our food-for-peace program is being used in such a manner. The Economic Report submitted to Congress reveals that the Government has "sought to smooth out irregularities in the supply of farm products by appropriate sales of farm commodities from Government stocks; through judicious programing of the timing of Public Law 480 exports; and through the adjustment of the timing of purchases by Government agencies."

What this means, for all practical purposes, is that through dumping, price rigging, and market manipulation the Government has continued its attempts to control domestic farm prices and income.

This is contrary to the intent of all agricultural law on the books. In my judgment, it is a serious blow to agriculture since all major indexes indicate farm prices and income are well below other segments of the economy. Such Government actions have kept farm income at the lowest parity level in years—currently 75 percent.

Moreover, this policy is equally tragic when applied to our food-for-peace program. The objectives of this worthy program are to supply some of our surplus food to hungry people in the world and to stimulate a desire for our products which will develop into cash sales markets.

Public Law 480 was never intended to be used to depress domestic farm prices and, though so yoking the American farmer, to regiment the amount of food we can supply to starving peoples.

I wish to bring this matter to the attention of my colleagues and the American public because of the obvious damage on two fronts—to the hungry people of the world and to American agriculture.

CHANGE OF FOOD AND DRUG ADMINISTRATION POSITION ON WHOLE FISHMEAL

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, I noticed in the morning press that the FDA has ruled that whole fishmeal, as they call it, can be sold for human consumption. What they really mean is what is left over from fish fillet factories after they have taken the fillet off, which, of course, is the eyeballs, scales, fins, bile, body waste, entrails, and all of that kind of stuff. Fishmeal from byproducts has been manufactured in Des Moines for several years and sold as a protein additive for hog feed. Now FDA has ruled that it can be sold for human consumption. This means that wholesomeness is no longer a requirement for food in the United States. If they can do this, there is no reason why the rendering plants should not sell meat from animals that die of old age and diseased animals for human food rather than limiting its use to dog and cat food. As long as they bring it to a high enough temperature like they will fishmeal, it will meet the same tests. They say fish byproduct meal is high in protein, but so is cow manure, so are chicken feathers and rats. They say it will be less offensive in odor than dead fish are usually. That means the odor will be somewhere between the odor of a skunk and a sewage disposal plant.

If this order is allowed to stand, it will in effect repeal the requirement of wholesomeness in food and I believe this would be a serious mistake in a country that can produce plenty of wholesome food.

INTRODUCTION OF GREAT LAKES BASIN COMPACT BILL

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, today, I introduce a bill which would grant the consent of Congress to the Great Lakes Basin compact. This is not a new compact among the eight States bordering on the Great Lakes but one which has brought the Great Lakes States together for a meaningful purpose over the past 10 years. It would seem that a commission such as this one which has been recognized over the past 10 years as an active and intelligent body in matters concerning maximal use and conservation of the Great Lakes waters would not raise a question in justifying congressional consent. Yet, over the past 10 years this bill has been debated in the Foreign Affairs Committee and was reported out once and has even passed the Senate. Its passage has been hampered by a few self-protectionist interests who have feared that the commission would possibly become an encroachment on their activities in harnessing the waters of the Great Lakes for independent business purposes.

This commission has established a respected reputation for carrying out its purpose to promote "orderly, integrated, and comprehensive development, use, and conservation of the water resources of the Great Lakes Basin." A regional approach to the management of water resources has been accomplished by this State-supported commission in having provided an invaluable forum for study and exchange of opinion among the eight States.

There can be no dispute as to the effectiveness of the Great Lakes Commission, but its future potential to be useful is jeopardized by withholding congressional consent. As former Attorney General, Nicholas deB. Katzenbach, had stated in a letter directed to the House Committee on Foreign Affairs during the hearings on this bill last session, the possibility of legal complications is present without the formal recognition of the Great Lakes Basin compact in the eyes of Congress. The commission has been further refused membership in a council established under the 1965 Water Resources Planning Act because all members of an interstate nature must have congressional consent. Use of the Great Lakes waters involves a constant working cooperation of the Federal Government and the States, and membership on the planning commission set up under this 1965 act is to the mutual advantage of all eight States.

I request that the Members of Congress give serious consideration to recognition of this Great Lakes Basin compact. With the advent of the St. Lawrence Seaway and the continued expansion of the Nation's second megalopolis on the southern tip of Lake Michigan, the necessity for immediate and continued efforts to preserve not only this section of the Great Lakes but all of the Great Lakes is apparent.

GROUNDHOG DAY: AN AMERICAN TRADITION

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, all Members of Congress will want to be reminded that tomorrow is Groundhog Day. Soon after the break of dawn at Gobbler's Knob near Punxsutawney, Pa., the celebrated weather prognosticator will emerge from his underground home to determine what the elements have in store for us in the coming 6 weeks. If he sees his shadow, beware cold wintry weather; if there is no shadow, then spring is just around the corner.

To many people all over the world, February 2 will be just another Tuesday, significant only in that it heralds the end of another long week. But here in the United States, and particularly in Punxsutawney, Pa., this date has come to have a special meaning.

I am sure that few of you need to be reminded of the ritual that surrounds the 2d of February, Groundhog Day, but it is a tradition that has its roots in European folklore. This particular date, which is also the feast of Candlemas, has been associated with weather prediction since the Middle Ages. Medieval people believed that this day was chosen by hibernating animals to come to the surface to observe the weather. If the German badger came to the outside and was frightened by his shadow on a sunny day, the animal returned to its burrow for more hibernation. This eventually came to mean that 6 more weeks of cold, wintery weather was in store—but a cloudy day minus the shadow meant that spring and pleasant weather were just around the corner. Such a sign would be welcome news to the farmer, who saw in it a good omen for the entire year.

The badger gave way to the groundhog, as the belief was brought to America by early German settlers. And since that time, Punxsutawney, Pa., came to be the "groundhog capital of the world."

The celebration of Groundhog Day is an important festival in all our country, and many societies and organizations all over the State and Nation are dedicated to the preservation of this longstanding tradition. The oldest was founded in 1880 in Punxsutawney.

Tomorrow, Mr. Speaker, the groundhog will reassume his place in the sun—or hopefully, not in the sun. America enthusiastically awaits the news. And so it would seem appropriate that as we await the prognostication from the Punxsutawney groundhog, I take this opportunity to wish for all of us a cloudy Groundhog Day, an early spring, and a bountiful year.

As part of my remarks, I include a "History of the Punxsutawney Groundhog" which sets forth some interesting facts on this great American legend.

HISTORY OF THE PUNXSUTAWNEY GROUNDHOG

The origin of the Groundhog Legend is based on an old Scotch couplet: If Candlemas Day is bright and clear, there'll be twa (two) winters in the year.

The Roman legions during the conquering of the northern country brought this tradition to the Teutons, or Germans who picked it up and concluded that if the sun made an appearance on February 2nd, which is known as Candlemas Day, an animal would cast a shadow, thus six more weeks of bad weather known as two (twa) winters.

Pennsylvania's earliest settlers were Germans and they found groundhogs in profusion in many parts of the state. They determined that the Groundhog was the most intelligent and sensible animal and therefore decided that if the sun did appear on February 2nd, so wise an animal as the groundhog would see its shadow and hurry back into his underground home for another six weeks of winter, which the Germans interpreted as the length of the "Second Winter."

Records show that in the early 1880's a few Punxsutawneyites began to celebrate each year by hieing themselves into the woods to honor and celebrate the Punxsutawney Groundhog as the only true weather prognosticator.

In 1886 the editor of the Punxsutawney Spirit, then a weekly newspaper, named this group as the "Punxsutawney Groundhog Club", which proved to be the nucleus and beginning of the present Punxsutawney Groundhog Club with its membership now in the thousands.

This group, headed by Clymer H. Freas, placed the original Weather Works in "Gobblers Knob" in Punxsutawney, Pennsylvania, proclaiming that only the Punxsutawney Groundhog (The Great Seer of Seers of Gobblers Knob) could properly and accurately interpret a shadow and that all others were imposters and pretenders. Thus, on February 2nd, 1887 the first official trek to "Gobblers Knob," the official home of the Great Seer of Seers and the Weather Capitol of the World," was made and the first official weather forecast divulged to the public by the Punxsutawney Groundhog. From these beginnings the Punxsutawney Groundhog, the Fearless Forecaster and unparalled Weather Man rose to fame throughout the nation and world.

Each year, on February 2nd, since 1887, the weather scouts from the Punxsutawney Groundhog Club and faithful followers make their trek to "Gobblers Knob" in the early morning hours, to hold an interview with "His Majesty" and record the Shadowcast." (the past several years finds television and radio coverage and newspaper writers on the spot recording the official forecast). The great "Seer of Seers" has yet to make an inaccurate reading of his "Shadowcast."

For many years February 2nd has been a day of festivities in Punxsutawney. Starting with the annual trek to "Gobbler's Knob" in the early hours of the morning, followed immediately by a delicious pancake and sausage breakfast, which is open to all, the day builds to a climax at the Groundhog Day Banquet. Officials of the Club and Chamber of Commerce are kept busy all day with a continuous flow of telegrams, direct telephone requests from radio and television stations throughout the nation, and preparing for the banquet held at 6:30 in the evening. This banquet is always a "sold out" affair with hundreds having to be turned away. Celebrities are everywhere. Man of the Year and Woman of the Year are named. Punx'y Ambassadors named, and a fast moving and delightful program keeps everyone happy. The program is toastmastered by a top famed person from the tri-state area. High School students take part in the affair by electing a Groundhog King and Queen who are crowned at a special school assembly, are honored guests at the banquet and reign supreme at a special Teener Groundhog Hop. An added attraction the last few years has been Foreign Exchange students representing many countries. In 1961 the Foreign Exchange students elected to visit Punxsutawney on Groundhog Day as one of the interesting places to see during their stay in the United States. The Foreign Exchange Students are honored guests at all the activities and are housed in private homes for their two day visit. Each year the word spreads among these students and the number increases. All in all, Punxsy is humming February 2nd.

The annual Groundhog Hunt and Outing is held each year at the Punxsutawney Groundhog Club Park in early July. Members from far and near gather to participate in a day-of-fun and outing honoring the great Prognosticator. This event has been an annual affair ever since the first few Punxsutawneyites began to hie themselves into the woods in the early 1880's to feast on groundhog and celebrate in his honor.

The Punxsutawney Groundhog has grown in scope to the extent that there are chapters in Ohio, California, Washington, D.C., New York, etc. The Pittsburgh Chapter is now holding an annual banquet in Pittsburgh and has become quite an affair. Members include officials, dignitaries and people from throughout the nation and world.

A continuous demand for souvenirs from Punxsutawney has grown to the extent that special items such as; antenna flags, thermometers, salt and pepper shakers, etc. are now standard souvenir merchandise.

Officers and directors of the Punxsutawney Groundhog Club are; Sam Light, President; Jay H. Freas, Vice President; Heath Clark, Vice President; Jack L. Rishell, Secretary; Dr. K. G. Lenhart, Treasurer; Robert Ellenberger, Chief Huntsman; Jay H. Freas, Chief Mixologist; Blaine Bell, Jr., Assistant Mixologist, and Directors, August Dereume, Heath Clark, Grant Gick, Phil Freas, Jo Barkley, Charles Erhard, Jr., Robert Ellenberger, Blaine Bell, Jr., Bob Richardson, W. O. Carlton, John Ashenfelter, John Hinderliter, Clark Barr, Al Anibaldi, B. O. Bowser, I. Ray Bowers and Bill Rose.

A BILL TO SUSPEND FOREIGN AID TO NATIONS WHO ILLEGALLY SEIZE AMERICAN FISHING VESSELS

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, in 1954 the House passed a bill which was subsequently enacted into Public Law 83-680, providing for the reimbursement of fines paid by American fishing vessel owners owing to the seizure of their vessels upon the high seas by nations making extraordinary claims of sovereignty over such waters which are not recognized by the United States. This law has come to be known as the U.S. Vessel Protective Act.

Unfortunately, the name by which this former law has come to be known—U.S. Vessel Protective Act—is a misnomer, since the problem which the law sought to solve has not abated. To the contrary, certain Latin American countries appear bent upon "fencing in" the oceans with extraordinary claims of exclusive sovereignty and jurisdiction over ocean areas traditionally and internationally recognized as being on the high seas. Such actions have served only to disrupt recognized principles of international comity and to hamper the development of vast resources of the oceans. Yet it is under the guise of such national claims that numerous American fishing vessel owners peacefully engaged in the pursuit of their chosen profession have had their vessels boarded on the high seas, been unlawfully detained in foreign ports, subjected to fines and, yes, even imprisoned.

In the last 15 years, Latin American nations have seized and detained more than 80 tuna vessels of the United States. Last year alone, 14 of our fishing vessels were seized and subjected to fines imposed by Colombia, Ecuador, and Peru. Three other American fishing vessels were seized in a similar manner by Mexico and Panama. In 1966, the U.S. Government reimbursed owners of

American vessels seized upon the high seas more than $83,000 in fines levied by these Latin American nations. The additional economic loss incurred by our fishermen detained in Latin American ports for which there is presently no reimbursement has been even greater.

Section 5 of the U.S. Vessel Protective Act does provide, however, that:

> The Secretary of State shall take such action as he may deem appropriate to make and collect on claims against a foreign country for amounts expended by the United States . . . because of the seizure of a United States vessel by such country.

It is my understanding that the Secretary of State has filed in each vessel seizure involving reimbursement to an American owner a claim against the offending nation. None of these claims have been honored, however, by the Latin American nation involved. Thus, in the final analysis, the net effect of the failure of these nations to honor our legitimate claims is that the American taxpayer by indirection is being required to pay tribute to these nations in the form of reimbursed fines. It is a tribute no less onerous than that which the Barbary pirates tried to assess against American shipping in the 19th century and which a rightfully indignant United States then refused to pay. We should be no less indignant today over the tribute currently being exacted through the harassment of our fishermen.

In the first month of the current year alone, Ecuador and Peru already have seized and detained six American fishing vessels. It is perfectly clear, therefore, that the offending Latin American nations have no intention whatsoever of refraining from these unlawful seizures of our fishing vessels. The irony of the situation is that in many instances we have made these seizures possible by supplying the offending nation through our aid programs with former U.S. Navy vessels, which are now being employed to board and seize our own fishing vessels. These same aid programs of the United States have bestowed upon these 20th century Barbary pirates more than $2 billion over the last 20 years.

Mr. Speaker, I feel that we have been exceedingly patient with these offending nations who would "fence in" the oceans of the world and harass our fishermen upon the high seas. However, in light of these latest seizures, I feel constrained to act. American citizens lawfully pursuing their profession upon internationally recognized high seas have a right to expect their Government to provide them with appropriate relief from such harassment. Therefore, today the gentleman from California [Mr. REINECKE] and I are introducing bills to amend the U.S. Vessel Protective Act so as, first, to extend reimbursement by the Government to owners of seized vessels for economic loss, including compensation paid as a result of death or injury to a crew member, second to make it mandatory for the Secretary of State to take all "necessary" action to collect on claims for such reimbursement paid; and third, if not paid within 120 days, then to advise the President when such claims are not paid and thereupon the President must suspend all assistance to such offending country under the Foreign Assistance Act of 1961 until the claims are paid.

I sincerely regret that the persistence of certain Latin American nations in enforcing extraordinary claims of national jurisdiction upon the high seas makes it necessary for me to introduce this legislation. However, as the President himself is aware, from his frequently referred to childhood in Texas, fences precipitated sharp conflict in our western territories. No less troublesome and a potential source of conflict are attempts to "fence in" the international seas leaving ocean resources lying fallow and hampering their development.

EXEMPTION OF THE AUTO FERRY SYSTEM FROM THE JONES ACT

Mr. POLLOCK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alaska?

There was no objection.

Mr. POLLOCK. Mr. Speaker, as is well known, the State of Alaska is in a peculiar geographic situation not faced by her sister States. Separation by thousands of miles of land and water from the continental United States has caused severe transportation problems that have hampered her development. New techniques have lowered costs and shipment time to western Alaska, but so far improvement has been slow in coming to the southeastern part of the State. In addition to the problems imposed by population and geography, there has been imposed upon the people of southeastern Alaska a very serious artificial barrier to vital transportation—the Merchant Marine Act of 1920, more commonly known as the Jones Act. This act prohibits the transportation of merchandise between points in the United States on foreign ships. While this may make sense for the contiguous States, it makes no sense whatever for a State separated from its sisters by a foreign nation, particularly when transportation facilities and techniques are otherwise sorely lacking, also.

Trucks from the Pacific Northwest carrying merchandise destined for southeast Alaska must now take a long land route through British Columbia to Prince Rupert to connect with the Alaska State ferry system. The quickest and most direct route would be to drive the truck onto the new British Columbia ferry north of Vancouver. This ferry connects with the Alaska ferries at Prince Rupert, British Columbia. Last week, a Mr. Sol Cucchiari, in ignorance of the law, put two house trailers manufactured in Caldwell, Idaho, on the British Columbia ferry, destined for Sitka, Alaska. This was the sensible thing to do in economic terms, but once these trailers sailed on that foreign vessel, the British Columbia ferry system, they could not be sent anywhere in the United States without violating Federal law. Advised of this situation by customs officials, Mr. Cucchiari appealed for help to Alaska Gov. Walter J. Hickel.

In view of the desperate need for the trailers in Sitka, the Governor ordered them placed on the Alaska ferries and transported to their destination. Alaskans are law-abiding citizens. We have no wish to violate any law, but where a a situation has existed for years to the detriment of thousands of our citizens and no corrective action has been taken, a dramatization is needed to spur the passage of legislation. Governor Hickel has just taken this courageous step.

I have today introduced a bill to correct the inequity that leads to the Governor's drastic but necessary order. This bill would exempt the British Columbia auto ferry system from the operation of the Jones Act. It is limited to this one specific problem and does not affect any other portion of the act or segment of the country. I submit, for the consideration of the House, the telegram sent to me from Governor Hickel and the bill:

JUNEAU, ALASKA,
January 27, 1967.

Hon. HOWARD POLLOCK,
House of Representatives,
Washington, D.C.:

I have ordered two trailer homes in transit from Idaho to be put on the Alaska State ferry *Matanuska* at Prince Rupert, B.C., Saturday for shipment to Sitka. This is in violation of certain provisions of the "Jones Act". The trailers were transported from Vancouver, B.C., to Prince Rupert via the British Columbia ferry system so that between American points they were transported in part by "foreign bottoms." These twelve by fifty foot house trailers will be used in Sitka to help relieve a critical housing shortage there. The families that will use them are presently living in a hotel. Mr. Sol Cucchiari, an Alaskan resident for seventeen years had the trailers transported from Caldwell, Idaho, their point of manufacture to Vancouver, B.C. He then flew to Sitka only to be told by telephone that there had been a delay in loading the homes aboard one of our State ferries until he could be advised that they could be subject to constructive seizure in Sitka by U.S. customs officials for violation of the Jones Act. Under constructive seizure he would remain in possession of the trailers until customs determined the penalty for his violation of the Jones Act. The penalty could include seizure and forfeiture of the trailers. Mr. Cucchiari personally appealed to me for help in this situation. There is no other way to get those trailers from Prince Rupert to Sitka. I ordered the trailers put aboard the ferry for delivery there. We do not want to defy Federal law arbitrarily but the need for such action in this case is obvious. There is only one shipping route and there is a housing shortage in Sitka. The Jones Act prohibits the transportation of goods from one American point to another when a foreign bottom is used for any part of the transportation. It is our firm opinion that the act should not apply in this situation since we are not in competition with private carriers. Alaska's situation is unique since we are separated from the main body of the United States by another nation and portions of the Jones Act simply do not apply. Where that is the case rather than stifle the needed and healthy economic growth of our State I say junk the Jones Act. We hope by our action today to emphasize the fact that certain provisions of this act should be modified or taken off the books. I hope that Congress will act with speed to modify the Jones Act.

WALTER J. HICKEL.

H.R. 4512

A bill to permit the transportation of merchandise between the continental United States and Alaska to be carried aboard vessels of the British Columbia Ferry System for part of such transportation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 27 of the Merchant Marine Act of 1920 (46 U.S.C. 883) is amended by adding the following proviso at the end thereof: "*Provided further,* That this section shall not apply to the transportation of merchandise on vessels owned and operated by the British Columbia Ferry System when the transportation aboard such vessels is a part of through transportation between points in the continental United States and Alaska.

DAIRY IMPORT ACT OF 1967

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DUNCAN. Mr. Speaker, for some time I have been aware of the hardships placed on our dairy farmers by lax import regulations of section 22 of the Agricultural Adjustment Act of 1935. Today I am introducing legislation that will establish effective controls on imports of all milk and dairy products.

The gist of the situation lies in the fact that imports are controlled on a certain defined list of dairy products, but there is no limitation on variations of these items.

The total allowable imports of the prescribed products is 11 million pounds of butterfat—the equivalent of 292 million pounds of milk—per year. However, the total imports in 1966 were equivalent to 2.8 billion pounds of milk.

Here is one of the best examples of how lax the present agricultural regulations are. The total import of Colby cheese last year was about 38 million pounds or 10 times the amount of cheddar permitted. Colby cheese is nothing more than a slight variation of cheddar, yet there is no restriction on it.

Neither is frozen cream restricted by present controls, and thus large amounts are shipped into the United States for the manufacture of ice cream. This frozen cream displaces sales of domestic cream, forces our own cream into butter, and harms our market price for butter.

Therefore, I think it is time we put all dairy imports under restriction.

The Secretary of Agriculture, under the legislation I am proposing, would be given control on the amounts of imports, using as a base the average annual quantity imported during the 5 years of 1961 to 1965. He could adjust the quantity of imports up or down according to our needs and domestic production. This would prevent foreign countries' exports from displacing our own products.

This legislation would greatly help our dairymen in my home State of Tennessee, and indeed, dairymen throughout this country. Effective controls are necessary in order that our producers here at home earn a decent price for their products. We cannot afford to drive our own dairymen out of business by allowing foreign imports to flood our dairy counters.

Finally, it seems ridiculous that our Federal Government should try to subsidize the dairy industry, and at the same time allow unlimited amounts of dairy imports to hit our market and cut down on our own dairymen's prices.

PERSONAL EXPLANATION

Mr. GURNEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GURNEY. Mr. Speaker, as a member of the Science and Astronautics Committee, I attended the funerals yesterday of two of the three astronauts who were killed in last Friday evening's tragedy. I was therefore not present to answer when my name was read for the quorum call here in the House of Representatives. I would like the RECORD of these proceedings to show the reason for my failure to answer.

SUPREME COURT DECISIONS HARMING AMERICA

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, as a former chairman of the American Bar Association's Standing Committee on Jurisprudence and Law Reform, I have watched with growing dismay the disarray within American jurisprudence caused by wilder and wilder decisions from a reckless majority on the U.S. Supreme Court. Our Constitution says legislation shall be by the Congress, not by the courts. Yet when a determined few on our highest Court legislate judicially by repeatedly rewriting the Constitution to their personal taste, there is no appeal under our system except to Congress.

In the field of protective law enforcement and in the struggle against subversion, the latest decisions of the Supreme Court on January 16 and 23 are among the most demoralizing. These deny to police the right to discipline their members; deny to bar associations the right to disbar for serious ethical breaches; and deny to the separate school systems of the land the right to provide that knowing members of the Communist Party shall not be teachers within that system.

The American people are at long last becoming awakened to the true danger to them from this judicial license. Congress is aroused. So is the organized bar.

What to do is on the highest priority list of pressing concerns in a sorely pressed House and Senate. The line between what can be remedied by legislation and what will now require a constitutional amendment or some different faces on our High Court is uncertain, because so much of the Supreme Court's judicial legislation has been imposed by constitutional requirements as distinct from interpretation and intent of some prior Congress. It would be helpful to know from the Judiciary Committee in tabular form which decisions since 1953 are capable of resolution by an act of Congress and which require constitutional amendment.

That the situation is serious may be observed from reading almost any daily newspaper. In fields vital to American internal security and domestic tranquillity, High Court decisions from a bare majority have brought or have invited conflict and domestic unrest. Pornography has been encouraged, extremism licensed, voluntary prayer rejected, narcotics peddling bypassed, society's right to the deterrence of firm and fair law enforcement repeatedly denied, proper balance between the States and the Federal Government in political matters set aside by invasion of the political thicket, activities and even foreign travel of Communists repeatedly encouraged apparently on the patently unsound theory that the Communist Party, considered from the first amendment vantage point, is some kind of legitimate political party when it is not. It is a matter of public record that the Communist Party is an international movement directed by a foreign power aimed at the destruction of freedom everywhere, including the United States. The High Court itself has said this when differently composed.

This list of grievances is but partial. Full documentation of the chaos and conflict within the United States that has demonstrably resulted from High Court decisions since 1953 would take volumes. It is a continuing and urgent problem.

Some answer must be found short of the laborious process of constitutional amendment, for the Nation can ill afford a continuation of such encouragements to Communists, criminals, and perverts. Let us hope that the Judiciary Committees of this Congress will recognize the urgency of this problem.

The distinguished columnist, James J. Kilpatrick, writing in the Washington Star of January 31, 1967, has described these latest decisions.

I insert Mr. Kilpatrick's remarks in the RECORD at this point:

HIGH COURT'S LIBERAL BLOC BACK IN BUSINESS

(By James J. Kilpatrick)

In three recent decisions, the Supreme Court has applied its powerful stretchers once again to the U.S. Constitution. As one result, the First and Fifth Amendments have been pulled and yanked still further out of shape. As a second result, the police, the bar and the universities have lost a little more of their power to be master of their own houses.

The three cases are Garrity v. New Jersey and Spevack v. Klein, both decided 6–3 on Jan. 16, and Keyishian v. Board of Regents, decided 5–4 on Jan. 23. In each of them, a majority of the court bent over backward to protect accused persons at the expense of other values. In the Keyishian case, the majority provided a reckless demonstration of the unrestrained judicial activism that has aroused much criticism within the bar in recent years.

The Garrity case involved a group of police officers in Bellmawr and Barrington, N.J., who were suspected in 1961 of engaging in a conspiracy to fix traffic tickets. Each of the suspects was called in for questioning. Each of them was told that he could stand mute if he pleased, but that if he refused to answer he would be subject to removal from office. The officers made statements. Later on, these statements were introduced in evidence against them at their trial on criminal conspiracy charges.

In reversing their convictions, the court majority held that the choice given to the officers, between self-incrimination or job forfeiture, was "the antithesis of free choice to speak out or to remain silent." Their confessions were "infected by the coercion inherent in this scheme of questioning," and use of the confessions at trial thus violated the Fifth Amendment.

A disgusted minority of the court, speaking through Justice John Marshall Harlan, strongly protested. The police officers, it was said, were represented by counsel; they were not bullied or mistreated; at their trials, they themselves took the stand "and gave evidence essentially consistent with the statements taken from them." Plainly the confessions were not "involuntary" as a matter of fact—and neither were they involuntary as a matter of law.

As Justice Holmes once observed in a somewhat similar case, a police officer "may have a constitutional right (to take the Fifth Amendment), but he has no constitutional right to be a policeman." If an officer, under these circumstances, elects to make a statement, he has made his own choice. Such a statement ought to be admissible in court.

The Spevack case involved a Brooklyn lawyer, charged by the New York Bar with unprofessional conduct, who stood on his Fifth Amendment rights against self-incrimination and refused to produce certain records demanded by the investigating committee. He was disbarred, but a majority of the Supreme Court ordered him reinstated. The majority's theory was that the Fifth Amendment's protection extends to lawyers as well as to other individuals "and that it should not be watered down by imposing the dishonor of disbarment as a price for asserting it."

Yet those of us who stand by strict construction would observe that the Fifth Amendment says in plain words that no person shall be compelled "in any criminal case" to be a witness against himself. This was no criminal case. It was a civil and professional proceeding, within the New York Bar, intended to maintain the standards of legal practice. The majority's curious ruling permits an accused lawyer to have his cake and eat it too—to refuse to respond to professional charges against him, and still to remain within his profession.

The Keyishian case cannot be explained simply. It involved a group of faculty members at the University of Buffalo who four years ago refused to accept certain loyalty requirements demanded by the State of New York as a part of the terms of their employment. Subsequently, these requirements were completely revised. By the time the high court decided the case last week, every substantive issue was moot. Nevertheless, the court's five-man liberal bloc sailed off to the wild blue yonder, in order to declare these non-existent requirements unconstitutional in instances to which they never had been applicable.

"No court has ever reached out so far to destroy so much with so little," said Justice Tom Clark in his stinging dissent. The effect of the majority's sweeping and needless pronouncements, utterly reversing a long line of decisions, will be to make it infinitely more difficult for colleges and universities to protect themselves, and their students, from teachers who willfully advocate anarchy and violence. In one broadside of rhetoric, said Clark, "the majority has swept away one of our most precious rights, the right of self-preservation."

Until these three cases came along, it had been a dull term of court. With Garrity, Spevack and Keyishian, the liberal bloc returns to business as usual.

"THERE IS ANOTHER SIDE TO THE GUN QUESTION"

Mr. TALCOTT .Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TALCOTT. Mr. Speaker, there are usually several sides to most Federal issues. One of our functions in the House of Representatives is to guarantee that all sides are at least heard before conclusions are reached and judgments made.

A great deal has been said about the so-called gun problem. Antigun legislation has been introduced again in this Congress. Some church and religious-oriented periodicals have featured antigun articles recently.

"There is Another Side to the Gun Question," by Gary L. Anderson, is worth reading. Mr. Anderson is a practicing Christian, a sensitive human being deeply concerned about the safety and welfare of other human beings.

He is one of the best small bore rifle shooters in the world. The competition in which Mr. Anderson has excelled requires the ultimate training and discipline of both mind and body. He is a champion in many respects. His gun law proposals warrant our consideration.

I include with my remarks the article entitled "There Is Another Side to the Gun Question," by Mr. Anderson, from the February 1967 issue of Presbyterian Life, published by the United Presbyterian Church in the United States:

There Is Another Side to the Gun Question

(By Gary L. Anderson)

It is because of guns that I am studying to become a minister. I never would have made this decision if it were not for my experiences in competitive target shooting. If this is what "an inordinate interest in guns" means, then I thank God that I have this interest.

When I speak about firearms, I make no attempt to conceal the fact that guns are used in crimes and that people are killed in shooting accidents. Because God is concerned with lives that are lost by accident or damaged by crime, the use and misuse of guns is the proper concern of Christianity. As a Christian, a gun-owner, and a competitive shooter, I welcome and encourage such concern. My hope in writing this article is to demonstrate that there is more than one side to this issue.

Because I love the sport of shooting and have gained so much from it, it disturbs me when I read magazine articles that feature the so-called "gun problem." Their attempt to link the shooter with the likes of Oswald, Whitman, and the Minutemen causes me to surmise that the articles' authors did not know the real sport of shooting.

Guns are usually publicized only when they appear in crime or accidents. When I think of the people whom I have known in shooting, I become concerned that their story, which represents the overwhelming majority of shooting activities, is seldom if ever heard. The variety of occupations of the people I have competed with illustrates how ordinary the typical gun-owner is. Former Olympic shooting-team captain Emmett Swanson is a dentist in Minnesota. Women's national rifle champion Mrs. Inez Sargent is a Texas housewife. Former women's national champion Mrs. Lenore Lemanski was a college homecoming queen and now teaches English in Michigan.

World pistol champion Makhmoud Umarov of Russia is a physician. American Olympic gold medalist Lones Wigger comes from a wheat ranch in Montana. Another Olympic teammate and medal winner, Martin Gunnarsson, was an immigrant from Sweden. These are the people who I feel represent the real gun-owner.

Guns have been described as "murderous" or "lethal" weapons whose purpose is to kill. This description completely overlooks the existence of shooting as a sport. A gun is a weapon when it is used by a policeman or soldier. For the sportsman, the gun is an item of equipment just as a bat is used for baseball and a helmet for football.

Accounts of firearms accidents often characterize horseplay with guns as "target shooting." Various reports told how Lee Harvey Oswald and Charles Whitman practiced "target shooting." The attempt to associate the criminal or negligent use of guns with sport shooting cannot be made so easily. Target shooting is target shooting only when it is adequately controlled and is conducted on a safe range.

Rifle, pistol, and shotgun shooting events are included in the Olympic program. The worldwide popularity of shooting is demonstrated by the fact that of all the twenty Olympic sports only track and boxing had more participating nations in the 1964 Olympics at Tokyo. The 39th World Shooting Championships, held in West Germany this past summer, had more than one thousand competitors from fifty nations. Victories by the American teams in the last World Championships and Olympics have established us as the world's top nation in shooting.

In our own country target shooting is a popular participation sport with an unimpeachable safety record. There are more than 100,000 rifle and pistol competitors, 30,000 trap shooters, and 15,000 skeet shooters registered with their respective national associations. In my nine years of target shooting I have attended hundreds of competitions, but not one shooting accident has occurred. Trap shooting began in 1890 and has never had a single shooting fatality in official competition. Skeet shooting has recorded no fatalities and only one gun-inflicted injury since it began in 1929. How many other sports can point to such a safety record?

As a shooting sport, hunting is even more popular. In 1965, there were fourteen million hunting licenses sold and an estimated twenty million hunters. The rapid growth of hunting is confirmed by the 80 percent increase in these numbers since 1942.

The attempt to label the hunting gun a "killer" is equally unsuccessful. The hunter is no more a killer than the man who has hamburger for lunch. If anything, I believe the average hunters' contact with wildlife gives him greater respect for life and God's creation. If man has been given dominion over creation, then this obligation to preserve and enjoy nature must include sound hunting and conservation practices. The hunter has always been among the leaders in the conservation movement.

The hunter is also deeply concerned over hunting accidents and the abuses of the small percentage of hunters who have no regard for the rights of farmers and property owners. The efforts of sportsmen to enact hunter-safety legislation shows that he, more than anyone else, is trying to do something about this problem.

Another important shooting program is the National Rifle Association's junior rifle club program. Under qualified adult supervision, young people are taught firearms safety and are introduced to shooting competition. The value of this instruction in terms of accident prevention and the personal development which comes from competition is considerable.

In contrast to these legitimate and beneficial uses of firearms, several recent articles have been trying to show that guns are bad, that they should be feared, and that the only answer to this problem is restrictive legislation. These articles submit an imposing array of statistics, but they are statistics selected to tell only part of the story.

For instance, it is stated that 17,000 people are shot each year. It is not disclosed that this figure includes 9,500 who shot themselves as suicides. Blaming guns for suicides would be like blaming the Golden Gate Bridge for the deaths of people who have jumped from it.

The assumption is made that New York City's tight gun controls prevent murder since only 27 percent of that city's homicides are committed with firearms. No direct correlation between murder rates and firearms control emerges from homicide statistics, however. The San Francisco Bay area and Dallas both have less rigid firearms controls than New York, but the murder rate in San Francisco is much lower than New York's, while it is higher in Dallas. In New York the criminal has used other weapons. Forty-two percent of the murders were committed with knives and another 20 percent with plain physical force. Throughout the country, sharp instruments, blunt objects, and parts of the body all outrank guns as weapons used in aggravated assaults; yet we hear no outcry against knives, clubs, or fists. The real causes of crime lie much deeper than these considerations.

The big effort to establish a fear of guns is done by emphasizing accident figures, but the assertion that firearms accidents are commonplace is not borne out by all statistics. Twenty-four hundred people were killed in firearms accidents in 1965, but National Safety Council figures show that this was just two percent of all fatal accidents. Motor vehicles (46 percent), falls (18 percent), fires and burns (8 percent), drowning (7 percent), and railroad accidents (2.5 percent) annually kill more people in accidents than firearms, yet we hear no impassioned calls for greater legislative controls against cars, ladders, or boats. Significantly, the firearms accident death rate per 100,000 people has fallen from 2.3 to 1.3 in the last sixty years.

My purpose in quoting these figures has been to show two things. First, the case for the "menace of firearms" is overstated in order to evoke an irrational emotional response against guns. Second, firearms are only one of the tools used in crime and only one of many factors involved in accidents.

Nevertheless, no legitimate gunowner wants to divert attention from the accidents and crime which do involve firearms. There is a problem here, but it is not a "gun problem." There is a crime problem and an accident problem, both of which may involve the misuse of firearms.

Unfortunately, the solutions to these problems which have been most publicized are the ones which have already proven themselves ineffective. The desire to ban all firearms is invalidated by our experiences with prohibition in the 1920's. Requirements for gun registration and licenses to purchase or carry guns have been unsuccessful. In March of 1965, Philadelphia passed an extremely restrictive firearms-control law. Yet FBI statistics indicate both the crime rate and the murder rate went up during its first year of operation. One city councilman who voted for this law now calls it "a joke." He says, "The answer to this crime problem is not to attack the gun; it's to attack the causes of crime."

Articles about Charles Whitman's murders in Austin, often cited as evidence of the need for increased control, do not mention that he was violating the National Firearms Act of 1934 by possessing a sawed-off shotgun. This already existing statute did not stop him, nor would any other existing or proposed firearms-control law in America have saved his victims.

The access which minors and criminals have to guns through the mail is one area where proper control could be successful. But the unreasonably restrictive Dodd Bill introduced in the 89th Congress is not the answer. The compromise Hruska Bill would have achieved the same objective without restricting the individual citizen. It required that a notarized statement attesting to the person's age and qualifications accompany the order for a gun and that this application be reviewed by a local or state law-enforcement officer. Persons under twenty-one would be prohibited from ordering a pistol. Destructive weapons such as mortars, bazookas, grenades, bombs, and mines would be included in the prohibitions.

When I prepare my rifles for competition, I often send them through the mail to have them repaired or altered. Under the Hruska Bill I could continue this, but under the Dodd Bill it would be stopped. Many legitimate shooting activities like this would be penalized by the Dodd Bill.

The vast majority of gun-owners support reasonable legislation and would willingly accept more stringent controls if they would actually reduce crime or accidents. But gun control does not reduce crime, and other measures have been more effective in preventing accidents.

The opposition of sportsmen to unreasonable gun controls has been substantial because there are so many people in America who are genuinely interested in guns. There has been a determined effort to discredit this opposition. This endeavor was characterized by one writer who described the National Rifle Association as having "lavish headquarters—within gunshot of the White House."

This play on emotion also focuses on the assistance which Congress provides NRA-affiliated clubs through the National Board for the Promotion of Rifle Practice. The allegations that this agency passes out "free guns" to NRA members is not true. The anti-gun articles also do not mention a study of the civilian marksmanship program which the Department of Defense commissioned Arthur D. Little, Inc., the largest management consultant firm in the country, to do in 1965. The conclusions of this study completely upheld the program as beneficial to the youths involved and to the national defense effort. It found no valid instance of the misuse of rifles and ammunition provided by the NBPRP and recommended that the program be expanded.

If one in very two American households owns at least one gun and 42 percent of our male high-school students own a rifle or shotgun, this does not say that something is wrong. This is not a "gun craze" but rather the demonstration of a massive fundamental interest. The most sensible thing we can do is to encourage a healthy interest instead of a dangerous negative curiosity.

Sportsmen and the NRA have accepted this obligation by initiating and conducting firearms-safety and hunter-safety courses. Thirty-eight states now have hunter-safety programs. Most of these programs are directed towards minors, but New York requires anyone getting his first hunting license to pass the course. A study made in New York compared the accident statistics of the twelve years prior to the start of the state's hunter-safety program with the twelve years the program has been in effect. Although there were 30 percent more hunters during the latter period, there was a 10 percent reduction in accidents and a decrease of 351 in fatalities. Utah began hunter-safety training in 1956 and consequently reduced hunting accidents from 128 in 1956 to 27 in 1963. The percentage of accidents caused by minors was decreased from 79 percent to 12.8 percent. Since making hunter-safety training mandatory for hunters under twenty-one, New Jersey has cut its hunting fatalities in half. This is the kind of effective gun legislation that the NRA and gun-owners support. Teaching a person gun safety reduces accidents. Teaching a person to fear guns increases the chance he will be involved in an accident.

The relevance of the shooting sport for the church arises because recreation and safety are two areas where Christianity can demonstrate its concern for all phases of life. Many churches have become involved in teaching young people how to shoot by sponsoring junior rifle clubs. If your church has one or two target shooters among its members, this may be one way to utilize their talents and at the same time promote sports participation and safety among the young people of your community.

There are other ways that churches and Christians can do something about these concerns. There were 115 church camps which sponsored rifle-shooting activities in 1965. Communities where hunting is done should zealously encourage hunter safety. When large numbers of young people receive guns for Christmas, for instance, there should be some kind of firearms-safety instruction for them. Housewives and people who never do any shooting should be encouraged to learn how to handle a gun safely, even if they never intend to shoot or own a gun. Home safety, which includes firearms safety, should be a concern of every community.

Very recently, a man was holding a pistol which he thought was unloaded. His seven-year-old daughter playfully ran up to him and said, "Shoot me, daddy." A few hours later she was dead. What makes this so-called accident so tragic is that anyone who has been taught gun safety learns that a gun is never loaded except on the range or in the field and that *a gun is never pointed at anyone under any circumstances.* An accident involving a recklessly driven automobile would not be the fault of the car. This accident was not the fault of the gun.

Accidents like this would never happen if people were taught to use guns safely. The impressive safety record of shooting competition and firearms-safety instruction verifies that shooting can be among the safest of sports.

SEIZURE OF AMERICAN-FLAG SHIPPING

Mr. REINECKE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. REINECKE. Mr. Speaker, the seizure of American fishing vessels by certain Latin American nations has, I believe, been permitted to go much too far. Since 1964, certain of our so-called neighbors to the south have taken it upon themselves to claim sovereignty over vast expanses of ocean which have traditionally and historically been recognized as being the high seas upon which all nations are supposed to be free to pursue legitimate and gainful occupations.

Countless of our fishing vessels have been boarded on the high seas in a manner reminiscent of "Terry and the Pirates" and seized by these Latin American nations. The vessel owners have then been subjected to severe fines amounting to approximately $250,000 over the last 3 years. In addition to these burdensome fines and license fees which have been assessed under the false colors of questionable claims of national sovereignty, American fishing vessels have been subjected to accompanying severe economic loss. Operating expenses have increased substantially owing to unlawful periods of detention in the ports of these Latin American nations following seizure upon the high seas. In addition, there have been instances where catches of these American fishing vessels have been confiscated as well as the vessel's fishing equipment and gear.

These piratelike seizures upon the high seas are not new. We have patiently endured them for several years in the hope that the several Latin American nations would ultimately see the light of day and act in accord with the principles of the family of nations. However, it has become blatantly apparent as a result of the seizure of six American fishing vessels in the month of January alone by these nations that our State Department either cannot or will not take effective remedial action to cease this costly harassment of American fishermen. American citizens everywhere, and no less the American fisherman peacefully pursuing his chosen profession upon international waters, have a right to look to our Government for protection, and if the executive branch fails to be responsive to this need, then it behooves the Congress to act.

Accordingly, my distinguished colleague from the State of Washington, the Honorable THOMAS M. PELLY, and I today are introducing identical bills to compensate American fishing vessel owners for economic losses sustained as a result of these illegal seizures and to make it mandatory for the President to suspend foreign aid to offending Latin American nations unless and until such nations honor our Government's claims for reimbursement paid to American fishing operators for such losses.

Mr. Speaker, I feel that we have exercised admirable restraint in the face of harassment of our fishing vessels by these Latin American nations over these many years, and while I regret the necessity to resort to such strong measures, I sincerely believe that neither as a nation nor as individuals can we continue to condone what is tantamount to piracy upon the high seas. The situation dictates the use of stern measures to resolve this problem once and for all before it is allowed to spill over into an area of possible open conflict between American fishermen and the patrol vessels of these several Latin American nations. It is to this end that I earnestly urge all my colleagues in the House to join with me and our distinguished colleague from Washington, Congressman PELLY, in supporting this measure so as to enable American fishermen once more to sail forth from their home ports without fear of being set upon by naval craft of other nations making extraordinary claims upon the high seas which must remain free and open to the use of all nations.

THE CREDIBILITY GAP

Mr. LATTA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to to the request of the gentleman from Ohio?

There was no objection.

Mr. LATTA. Mr. Speaker, the so-called credibility gap more aptly referred to as the truth gap—continues to plague this administration. It has, in my opinion, done more to cause the people of this country to lose faith in it—and in turn in our Government—than any other single factor.

Yet, this administration continues with its policy of news management even on matters that cannot long be kept from a people in search of the truth.

The news management by this administration was at its worst last Friday when our beloved astronauts gave their lives for their country.

Following this terrible tragedy, NASA in customary administration fashion, attempted to manage the news concerning the time lapse inside that capsule after fire was first discovered and the last sound was heard—and did a horrible job of it.

What has now been reported by the New York Times and the Washington Star—and not denied by NASA—is at complete variance with the official word put out by the Space Agency that these gallant men died instantaneously.

Why?

Will such reports lead to ways of preventing such accidents in the future? They will not.

Mr. Speaker, the American people are an adult people—deserving of and waiting for the truth—the plain, unadulterated truth—and I call on this agency to reveal it. In so doing, it can possibly aid in restoring some of the confidence of the American people in these so-called official statements.

COMMITTEE ON THE DISPOSITION OF EXECUTIVE PAPERS

Mr. BURLESON. Mr. Speaker, I call up House Resolution 200 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 200

Resolved, That the Committee on the Disposition of Executive Papers provided for by section 5 of Public Law 115, Seventy-eighth Congress, shall consist of two members of the Committee on House Administration, to be appointed by the Speaker.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBERS TO THE COMMITTEE ON THE DISPOSITION OF EXECUTIVE PAPERS

The SPEAKER. Pursuant to the provisions of section 5, Public Law 115, 78th Congress, and House Resolution 200, 90th Congress, the Chair appoints as members of the Committee on the Disposition of Executive Papers the gentleman from New Jersey, Mr. THOMPSON; and the gentleman from New Hampshire, Mr. CLEVELAND.

CREATING A SELECT COMMITTEE TO CONDUCT STUDIES AND INVESTIGATIONS OF THE PROBLEMS OF SMALL BUSINESS

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 53 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 53

Resolved, That, effective January 3, 1967, there is hereby created a select committee to be composed of fifteen Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

SEC. 2. It shall be the duty of such committee to conduct studies and investigations of the problems of all types of small business, existing, arising, or that may arise, with particular reference to (1) the factors which have impeded or may impede the normal operations, growth, and development of small business; (2) the administration of Federal laws relating specifically to small business to determine whether such laws and their administration adequately serve the needs of small business; (3) whether Government agencies adequately serve and give due consideration to the problems of small business; and (4) to study and investigate problems of small business enterprises generally, and to obtain all facts possible in relation thereto which would not only be of public interest but which would aid the Congress in enacting remedial legislation: *Provided*, That the committee shall not invade any subject matter under active investigation by any standing committee of the House.

SEC. 3. The committee may from time to time submit to the House such reports as it deems advisable and prior to the close of the present Congress shall submit to the House its final report on the results of its study and investigation, together with such recommendations as it deems advisable. Any report submitted when the House is not in session may be filed with the Clerk of the House.

SEC. 4. For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House has recessed or adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books, papers, and documents, and to take such testimony, as the committee deems necessary. Subpenas may be issued under the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

SEC. 5. The majority of the members of the committee shall constitute a quorum for the transaction of business, except two or more shall constitute a quorum for the purpose of taking of evidence including sworn testimony.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754(b) of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the committee for expenses of its members or other members or employees traveling abroad.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee [Mr. QUILLEN] and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 53, is the normal resolution, and I understand identical to the resolution which was introduced in the opening days of the 89th Congress providing for the creation of the Select Committee on Small Business.

This committee has been doing an outstanding job in assisting Members with a variety of problems in connection with set-asides, and other matters with which the Members are concerned, from time to time.

There are a number of us—and I might say I personally am one—in favor of making this a permanent committee. However, this resolution does not so create the committee, but it is my understanding that it is a matter which is under consideration by the reorganization program, and that in all probability when we come to the point of considering legislation for the reorganization of Congress in line with the hearings that have been held by the Madden-Mahoney committee, this will be one of the subjects under consideration and under discussion—the creation of a permanent standing Committee on Small Business.

But, Mr. Speaker, as I say, this resolution is in line with what has been done for a great number of years, and I would urge the adoption of the resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SISK. I will be glad to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

I have had a bill pending for a number of years to make this a permanent committee of the House of Representatives, and I am delighted to hear the gentleman from California say that he is in favor of a permanent Committee on Small Business. I will appreciate his support if and when I can obtain a hearing in the Committee on Rules on my bill.

Mr. SISK. Mr. Speaker, I thank the gentleman for his comments, and I assure him that I am in support of making this a permanent committee.

The SPEAKER. The gentleman from Tennessee [Mr. QUILLEN] is recognized for 30 minutes.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from California has stated, this is the regular resolution, adopted at the beginning of each Congress, which provides for the Select Committee on Small Business. The resolution—House Resolution 53—was unanimously approved yesterday by the Committee on Rules.

Mr. Speaker, I think that it is significant that the first investigative resolution concerning a committee should be for the Small Business Committee. I say this because yesterday several members of the Committee on Rules, in commending the splendid work done by the committee, cited examples recently called to their attention by constituents of the serious problems the small businessman faces today.

One member knew of a foreign firm making machetes for the Vietcong who was about to receive a contract to make the same item for the DOD. A small American company had been the contract holder.

Another member of our committee knew of a case in which a large firm had requested a small one to bid on work which the large one was intending to subcontract out. After the big company had received the bid and studied the specifications it decided to do the job itself—all it had wanted to do was to pick the brains of the small company's staff.

Problems like this require a Committee on Small Business that is vigorous in its efforts. We are fortunate to have such a committee. Speaking for all Members of the House, I want to congratulate the gentleman from Tennessee, Chairman JOE EVINS; and the gentleman from West Virginia, ARCH MOORE, the ranking minority member; and the other members of the committee for their fine work in the past. Their efforts have done and will continue to do much for American small business.

Mr. Speaker, I urge the adoption of the resolution and reserve the balance of my time.

Mr. EVINS of Tennessee. Mr. Speaker, the Select Committee on Small Business was created initially in 1941 as as result of the problems and perils faced by the Nation's small businessmen during a wartime emergency period.

Small business in a wartime economy was faced with the threat of being absorbed and consumed by the giants of business and industry.

Mr. Speaker, we are again faced with similar pressures and pitfalls in a period of war and massive Federal defense spending.

With the Vietnam war continuing, America's 5 million small businessmen continue to be confronted with difficult problems.

The need for a committee of the House to act as the protector, defender and champion of small business in this age of giantism and supercharged merchandising is just as urgent today as it was in World War II and even more.

Much progress has been made in the intervening years since 1941 in strengthening the small business sector in providing small business with needed financial assistance, in assisting small business in obtaining its share of Government contracts, in providing management assistance, and in improving the position of small business generally in our economy.

But economic pressures, pitfalls and perils continue to threaten the small businessman in this supermodern, superspeed, supersophisticated business and industrial world.

The small businessmen must compete against giants, against highly perfected techniques in merchandising, and distribution, against great vertical and horizontal integration and mergers, against big business shopping centers, and against shifting and exploding populations.

We need a Small Business Committee in the House to protect the interests of small business for many reasons: To conduct studies, to conduct hearings, to make investigations, to make recommendations, and to make reports on legislation to the Congress.

The Small Business Committee over the years has performed a necessary and essential oversight function in regard to the Small Business Administration which was created as a one-stop shop in the Federal Government for a small businessman in need of assistance.

This agency is, of course, the source of the small businessman's financial, management, procurement, and other assistance in Government.

Our committee oversees this agency and recommends more effective programs and policies. Many of our recommendations have been adopted.

These recommendations include these, which were adopted: increased tax benefits for small businessmen, increased advantages in Federal procurement policies, increased assistance to small businessmen forced to move because of urban renewal and Federal highway construction, increased financial assistance for the smaller small businessmen, and a broadening of the economic opportunity loan program to include all sections of our Nation.

Our committee is constantly working to find ways to assist the small businessman in surviving against the growth of giant monopolies.

A larger share of Government contracts—Government procurement—for small business is a constant source of study and concern by our committee.

Since the Small Business Committee was formed, the small business share of Federal defense procurement has risen dramatically—from approximately 8 percent in 1941 to 21.8 percent last fiscal year.

Our goal is 25 percent of Federal defense procurement for small business. There must be no slackening in this effort—no relaxation of our efforts and our vigil. We must continue to focus the spotlight of congressional inquiry and concern on all Federal agencies and their procurement policies and programs to assure the small businessman his share of contracts.

Small business continues to face problems in obtaining loans to finance the improvements and expansions it requires to meet the test of today's highly competitive merchandising. Our committee is constantly studying this problem and making recommendations in regard to general economic policy—and to the SBA in regard to their loan policies and programs.

Urban problems have resulted in dislocation and displacement of many small businessmen. Our committee has made a continuing study and analysis of these problems—and there have been improvements in laws and regulations relating to assisting the small businessman in relocating and renewing his business. In this Congress our committee hopes to make a special study of the problems of the small businessman in rural and small-town America.

Our committee is constantly studying the tax structure and making recommendations in an effort to ease the pressures on the small businessman and give him every break possible. The Small Business Committee has played an important role in easing the tax structures that were impeding the growth of the small businessman.

This committee, for example, recommended that the repeal of the percent investment credit include a provision to give the small businessman a break—and such a provision was adopted.

Our committee is constantly probing and pressing to assist the small businessman faced with a variety of problems, depending upon the nature of his business. For example, in the 89th Congress, these special studies included hearings and recommendations on small businesses in the tool and die industry, in the communications field, in transportation, in corn marketing, in plywood, in dairying—and the list is longer.

The Small Business Committee is a service committee. We serve the small businessmen who are your constituents. We assist them with special problems at SBA—in procurement and in varied other areas throughout Government.

All of the major segments of our economy are represented in the Congress by committees and in the Federal Government by departments. Agriculture has a committee and a department; labor has a committee and a department. Some say big business has a department—the Department of Commerce.

Small business deserves the same representation—and our committee provides the representation in the Congress.

Our committee through the years has carried out the declared policy of the Congress—a policy reaffirmed time and again—that the Congress aid, assist, and counsel the small businessmen of America.

The need for our committee is continuing—and intensifying—as our economy grows more complex, particularly in wartime.

Our committee must assist the small businessman in adjusting to the world of the computers and converting them to his own use as a weapon against giantism and bit merchandising; in coping with the growing world of franchising; in holding his own against increasing economic concentration; in competing in today's highly competitive business and industrial world against these giants; and in solving his problems in urban, small town, and rural areas.

We will continue to study these problems and to recommend action.

We will continue to champion the cause of small business.

We will continue to work in behalf of small business.

This committee is needed—and I strongly urge the adoption of this resolution.

Mr. KLUCZYNSKI. Mr. Speaker, on the occasion of the passage by the House of the resolution re-creating the Select Committee on Small Business, many kind and glowing tributes to the work of the committee were voiced by Members of the House.

In my opinion all of these were deserved. Chairman JOE L. EVINS has done an outstanding job. As a result of his leadership and the cooperation of our distinguished ranking minority member ARCH A. MOORE, JR., the committee is a model of bipartisan harmony. Speaker MCCORMACK has continued to appoint Members of outstanding ability to the committee. The chairman has assembled a staff whose diligence and competence mirror his own concern for the complex problems confronting today's small businessman.

The service aspects of the committee are well known. Hundreds of Members each year secure valuable assistance for their small business constituents by referring problems to the committee for investigation.

Perhaps the aspect of the committee's work which is not sufficiently known is the extreme scope of its operations. Small business problems occur in virtually every sector of our Nation's economy. It is hard to imagine an aspect of business or industry, finance or international trade, which does not include small businessmen as a vital force. Consequently the committee's activities extend to an impressive number of areas.

Illustrative of the scope of the committee's activities are the almost 10,000 pages of printed hearings and reports resulting from the committee's work during the 89th Congress. The subject matter covered within these pages ranges from small business problems resulting from urban renewal in the Nation's largest metropolitan areas to small business problems arising from the marketing and storage of corn, vital to so many midwestern towns and farming communities. Also included are small business problems of the tool and die industry—the wellspring of the Nation's industrial might—together with small business problems in communications, transportation, and distribution. The committee has updated a most comprehensive compilation of antitrust legislation important to small business as well as the most comprehensive study of petroleum marketing and its effect on small business ever published.

Certain of the activities of the Small Business Administration, the Antitrust Division of the Department of Jutice, the Federal Trade Commission, the Federal Communications Commission, the Department of Justice, the Civil Aeronautics Board, the Interstate Commerce Commission, the Department of Housing and Urban Development, the Department of Agriculture, the Department of Labor, the General Services Administration, the Veterans' Administration, the Bureau of the Budget, the National Aeronautics and Space Administration, the Department of the Interior, the Treasury Department, the Department of Health, Education, and Welfare, and the Department of Commerce, including its Bureau of Public Roads, have all been studied by the committee for their effect upon small businesses.

Nor were these merely superficial expeditions. As a result of the hearings of the committee and its subcommittees a number of industries have changed their policies and Federal agencies have undertaken new programs, adopted new policies helpful to small business, and corrected activities detrimental to smaller firms.

Measured by any yardstick the work of the committee under the chairmanship of JOE EVINS was outstanding. I am proud to be a member of the Select Committee on Small Business. I look forward to participating in what, I am sure, will be a continuation of its enormous assistance to the Nation's small businessmen.

Mr. SISK. Mr. Speaker, does the gentleman from Tennessee have further requests for time?

Mr. QUILLEN. Mr. Speaker, I have no further requests for time.

Mr. SISK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. SISK. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks regarding the Committee on Small Business, which has been the subject under discussion.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MEMBERS OF SELECT COMMITTEE TO CONDUCT STUDIES AND INVESTIGATIONS OF PROBLEMS OF SMALL BUSINESS

The SPEAKER. Pursuant to the provisions of House Resolution 53, 90th Congress, the Chair appoints as members of the Select Committee To Conduct Studies and Investigations of the Problems of Small Business the following Members of the House: Mr. EVINS of Tennessee, chairman; Mr. PATMAN, of Texas; Mr. MULTER, of New York; Mr. STEED, of Oklahoma; Mr. KLUCZYNSKI, of Illinois; Mr. DINGELL, of Michigan; Mr. SMITH of Iowa; Mr. CORMAN, of California; Mr. IRWIN, of Connecticut; Mr. MOORE, of West Virginia; Mr. CONTE, of Massachusetts; Mr. BROYHILL, of North Carolina; Mr. HORTON, of New York; Mr. MORTON, of Maryland; Mr. BURTON, of Utah.

FOR THE RELIEF OF DR. JOHN E. YANNAKAKIS

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. **CURTIS.** Mr. Speaker, I am today introducing a private bill for the relief of Dr. John E. Yannakakis, who has been employed in the department of obstetrics and gynecology at DePaul Hospital in St. Louis, Mo., since April 8, 1966.

After completing medical school in Greece, Dr. Yannakakis served for 30 months as a medical officer in the Greek Army. He entered the United States on January 2, 1960, as an exchange visitor and was here until July 8, 1965, when he and his American wife and two children returned to Greece. He received a waiver for the 2-year residency requirement because of hardship and returned here with his family on a permanent immigrant visa on February 18, 1966.

Because of the requirements of the medical profession in the State of Missouri, Dr. Yannakakis needs to become an American citizen in order to practice medicine there. From the information I have on hand, he would be a credit to his profession and I am therefore introducing this legislation to enable him to become a naturalized citizen as soon as possible.

FOR THE RELIEF OF DR. NARAYANAN AND HIS FAMILY

Mr. **DICKINSON.** Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. **CURTIS.** Mr. Speaker, today I am introducing a private bill for the relief of Dr. C. H. Narayanan and his family. Formerly a professor of zoology at Christian College in Madras, India, in 1961 Dr. Narayanan received a Fulbright travel grant for study in the United States. In 1964, he received his Ph. D. from the University of Kansas, and returned to India to continue his teaching and research. Dr. Narayanan's field of special interest is concerned with the growth and physiology of the nervous system in embryos. The doctor's research has involved microsurgery on chick embryos; this sort of experimentation deals with fundamental issues of the relation of the nervous system to behavior. It is hoped that such research can be eventually useful for an understanding of human normal and pathological nerve function.

It is obvious that Dr. Narayanan's field is a very sophisticated one; and upon his return to India, he found that there were virtually no opportunities for him to employ his technical knowledge and skills in neurobiology within his own country. Consequently, he began to explore opportunities for productive work in his field outside India. Washington University in St. Louis anticipated a key vacancy in its department of biology in the summer of 1966, and it seemed that Dr. Narayanan was one of the few men in the world who could fill this vacancy with competence. Dr. Narayanan accepted the appointment from Washington University, and planned to come to the United States in 1966, 2 years after he had returned to India. However, the doctor's reentry to the United States was hastened a year when he accepted, at the urgent request of the University of Kansas, an appointment as a visiting professor there during the academic year 1965–66. Evidently an unexpected vacancy had arisen in the doctor's special area of competence; and Dr. Narayanan felt that to refuse the University of Kansas at that time would have been sheer disloyalty on his part. The doctor planned to return to the United States a year early, and did so in August 1965. To finance his family's trip over here, he had to sell all his property, and quite effectively cut his ties with India. He anticipated permanent residence in the United States, since he had accepted a permanent position with Washington University after his two semesters at the University of Kansas.

Now, Mr. Speaker, this is where the problems started. Since Dr. Narayanan had not resided in his native country for 2 years after leaving the United States in 1964, he was not legally eligible for a permanent resident visa. However, he was unaware of this restriction, and his communication with the U.S. consulate did not reveal this difficulty. The doctor and his family came over here, and he had spent the last year at the University of Kansas. He is now residing in St. Louis and working at Washington University. His wife is also a scientist, and is working on a research assistantship in biochemical genetics toward her Ph. D. People who have worked with the doctor and who know him and his family attest to his fine character and to the significant contribution which he is making in a vital field of research. Yet, because he spent only 14 months in India before returning to the United States, he and his family are now scheduled for deportation on August 13, 1967.

It seems to me, Mr. Speaker, that this action is causing undue hardship to Dr. Narayanan. His competence in a highly specialized field is not in demand in India. While he could resume his teaching career there, as he attempted to do, he would remain frustrated and would undoubtedly continue his efforts to leave the country for a place where he could practice his specialty. India would undoubtedly gain little by his forced return. On the other hand, his technical skills are in demand in this country, and could be put to good use. Washington University houses a laboratory which is both a pioneer and a major world center for this type of research; it is one of three such laboratories in the country, and is providing leadership in this area. The importance of its work is attested by major support from the National Institutes of Health over a long period of years. There is substantial reason to believe that these embryological studies of the nervous system and motility in prenatal stages will shed light on congenital failures of the human nervous system in spastic dysfunction and on disorders of the muscles and joints such as in muscular dystrophy. Since the benefits deriving from such research are applicable worldwide, Dr. Narayanan can make no greater contribution than to apply his competence at this strategic center. His continued research there would be of undoubted benefit to this country. Therefore, Mr. Speaker, I am introducing a bill which would grant to Dr. Narayanan and his family permanent residence in the United States. I am certain that they could make a very fine and worthwhile contribution; my bill would allow the doctor to continue to employ his talents in a field of research which is vital to us all.

FROM CHAOS TO COSMOS

Mr. **DICKINSON.** Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. **DERWINSKI.** Mr. Speaker, Mr. Donald Rotunda, a student at Georgetown University, who is a resident of Blue Island, Ill., has concentrated his research on the problems in the Far East. He has contributed a most timely article to the winter 1967 issue of Viewpoint, published by the Georgetown University Press. Mr. Rotunda was a delegate to both the Harvard University and McGill University Conference on China in 1966. I believe his essay on oriental thought would be fascinating to many of the Members.

The essay follows:

From Chaos to Cosmos: The Philosophy of History of Chu Hsi

(By Donald Rotunda)

Does history give us any information about our own prospects? And if it does, what is the burden of it? Does it spell out for us an inexorable doom, which we can merely await with folded hands—resigning ourselves, as best we may, to a fate that we cannot avert or even modify by our own efforts? Or does it inform us, not of certainties, but of probabilities, or bare possibilities, in our own future? The above questions,[1] all asked by Arnold Toynbee, converge in the larger, single question: Is there meaning in history?

Some historians deny any meaning in the totality of history by their conviction of history being an unique experience. However, all philosophers say that if something is unique we cannot know it, cannot communicate it or even be aware of it, for we are aware, we communicate and we know by placing things in categories. We therefore cannot go along with the viewpoint that history is an unique experience simply because we categorize historical events and because of this we know, we are aware, and we communicate history. In answer to our original question of is there any meaning in history, we can now give a definite "yes."

From these observations we can arrive at a definition of what we specifically mean when we use the term, "philosophy of history." By this we mean "a systematic interpretation of universal history in accordance with a principle by which historical events and successions are unified and directed towards an ultimate meaning."[2] Such a definition raises the ultimate question concerning the first and the last of things, and obviously, there is no ultimate answer to a question of this nature. Hence, there are many philosophies of history just as there are many philosophies. Their value lies not in the answers they give but in the questions they raise.

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[1] Arnold Toynbee, ***Civilization on Trial and The World and the West.*** Meridian, 1962. p. 37.

This paper is concerned with one philosophy of history from the many that are available. This is the philosophy of history of Chu Hsi, a Chinese philosopher who lived from 1130 to 1200 A.D.

In order to understand Chu Hsi's philosophy of history we need to consider his Eastern viewpoint and realize its difference from our traditional Western values.

The problem of Chu Hsi's historicism (and also his methistoricism which is the primary concern of this paper) is that history does not necessitate man and it takes place without man. Man is the recorder, not the actor of history. Indeed, history acts upon him. History is not only what happened but also what will happen. It is the totality of the activity of the universe.

History, in this Eastern sense, does not mean "the activities of man" as it is normally understood in the Western tradition. History to Chu Hsi concerns the events of the universe—how the universe came to be, its continuing evolution, and what it will be eventually. We must remember then, that the basis of Chu Hsi's philosophy is the unity of nature. The nature of man and the wide cosmic outlook are one. It is this perspective which is necessary for a proper understanding of Chinese philosophy in general and Chu Hsi's philosophy in particular.

Finally, among those characteristics of Chu Hsi which are necessary to know in a proper approach to his philosophy, we should realize his concept of time. In the eyes of Westerners, Chu Hsi's philosophy of history is actually a philosophy of non-history for the traditional concept of history in the West is a succession of events progressing along a linear path. This is due mainly to the Christian influence which sees history starting at a particular event (the creation) and then progressing (through the fall, the crucifixion, and eventually to salvation) along a straight line. For Chu Hsi, time never was present to begin with. The events of the cosmos do not take place on a linear progression but rather the route is circular with history (cosmic activity) constantly and endlessly repeating itself. The Western notion of time must be erased before Chu Hsi can be understood.[3]

Chu Hsi's philosophy of history is a metahistoricism; that is, he tries to see order in chaos. His philosophy of history looks beyond the historical and tries to give and explain a theory of the universe. Chu Hsi had no specific philosophy of history, however. That is to say, he wrote no book which could properly be titled a philosophy of history. But he did have a physics, a metaphysics, a cosmology, and an ethics among his sixty-six volumes, from which could be located and extracted a philosophy of history. The reason for this is quite evident when we remember that metaphysics is that which lies beyond the physical and tries to explain the physical; in a broader sense, metaphysics is an explanation of the visible, and philosophy of history is consequently a branch of metaphysics. That is, it is an enterprise of metaphysical analysis examining those aspects of existent things that are said to be "historical."[4] Philosophy of history can be extracted also from a cosmology which is itself a branch of metaphysics and concerns itself with order and harmony in a systematic universe. Finally, from ethics, which is a discipline concerned with the proper activity and direction of individuals and groups, we can completely form the philosophy of history of Chu Hsi.

The value of any paper studying the past lies in its aid to an understanding of the present. Our obvious need for such an understanding is evident by the intellectual poverty of the West about the whole East, both past and present. There is another reason for considering the philosophy of history of Chu Hsi in our present age. Eliade stated the situation exactly when he commented that "With us, it is an old conviction that Western Philosophy is dangerously close to 'provincializing' itself (if the expression be permitted): first by jealously isolating itself in its own tradition and ignoring, for example, the problems and solution of Oriental thoughts; second by its obstinate refusal to recognize any 'situations' except those of the man in the historical civilizations, in defiance of the experience of 'primitive' societies."[5]

The development of the philosophy that reached its epitome with Chu Hsi can be traced as far back as the Tang dynasty (A. D. 618–907). However, it was with the successor Sung dynasty (960–1279), that Neo-Confucianism flowered with the five great Neo-Confucian philosophers whose ideas, taken together, form the basis of Chu Hsi's system. It is irrelevant within the scope of this paper to go into the particular ideas of these Sung scholars preceding Chu Hsi, but it is relevant to remember that after the varied ideas presented by the Tang and Sung Neo-Confucianists, the time became ripe for a summation of what had gone before. Someone was needed to organize and unify what had been said into one great system. That person was Chu Hsi, "the most influential single Chinese philosopher in the last thousand years."[6] Chu Hsi's philosophy is the summation and syntheses of Neo-Confucian thought before his time.

We must consider Chu Hsi's metaphysics (and hence, necessarily, his physics) as an introduction to his philosophy of history for this is the basis upon which his whole system is founded.

What Westerners commonly call "metaphysics" Chu Hsi calls "above form" (*hsing erh shang*). The physical is referred by Chu Hsi as "below form" (*hsing erh hsia*). What is "below form" lies within the bounds of time and space and exists; what is "above form" is whatever transcends time and space and subsists.[7]

Considering first of all what is "above form" we find that the first principle which transcends all ordinary human distinctions is described as the "Supreme Ultimate" (*t'ai Chi*).[8] The Supreme Ultimate is not a physical something then, but rather a metaphysical entity used to explain the physical.

The Supreme Ultimate consists of what is called the "Law" or "*li*." *Li* is the law which governs all things. Every object, to exist, to be an object, has a *li* which makes that object what it is. Furthermore, within each object the Supreme Ultimate is contained in its entirety. In order to better understand this and before we go directly into *li*, we will now mention some of the characteristics of the Supreme Ultimate.

The Supreme Ultimate exists externally; it holds no fixed position in space, and yet all laws (*li*) are completely within it.[9] Everything that exists must have its own governing law and at the same time contain the Supreme Ultimate, which is composed of all the individual laws taken together.

Li is probably the most central conception in Chu Hsi's philosophical system, for "*li*" is "without birth and is indestructible." *Li* composes a kind of world of its own that is "pure, empty, vast, without form . . . and unable to create anything."[10] *Li* meaning "Law" comes from the fact that everything that exists has its own rule of existence and this rule is its law. *Li* is part of the Supreme Ultimate and therefore is a metaphysical concept. The very nature of *li* is that it explains the nature of the world and things in the world: *Li* makes things what they are.

Everything in the universe, natural or man-made, has a law which causes it to be what it is.[11] Moreover, before the thing exists, the law of it exists. Indeed, just as the Supreme Ultimate, law always existed. Chu Hsi says that "If we are to pin down the word Law, neither 'existence' nor 'non-existence' may be attributed to it. For before Heaven and Earth 'existed' it already was as it is."[12]

The most important characteristic of law is that it applies "to the individual and also to the universe, to the Many and to the one."[13] From this we can perhaps better understand what we said about each object having its own law and yet within each object the Supreme Ultimate is contained in its entirety; for the universe as a whole there is only one law.

Having considered the "above form" of Chu Hsi's metaphysics, we now shall turn to the "below form"—the physical. The "below form" has shape and actuality and is called "*ch'i*" which means "matter" or "ether." *Ch'i* is the medium which enables *li* to produce. It explains change.

In order for things to exist, *li* and *ch'i* combine with each other to form individual things; without *li* there could be no differentiation of *ch'i* into separate objects. Chu Hsi himself writes: "Men or things at the moment of their production, must receive this *li* in order that they have a particular Nature (*hsing*) of their own; they must receive this *ch'i* in order that they may have form."[14] *Ch'i* constitutes the substance of our physical existence, but is not limited to concrete, tangible matter.

From this account of Chu Hsi's metaphysical conceptions there are some important conclusions that we can draw. First of all we note that Chu Hsi's metaphysics is dualistic between the immaterial and the material, the *li* and the *ch'i*. Secondly, we should also note that this dualism is not antagonistic. As Bruce points out, "*li* and *ch'i* are interdependent and complementary to each other. Law pervades matter in its directing principle and matter furnishes Law with its means of manifestation."[15] Remembering that above we explained that Chu Hsi considered Law in metaphysical priority over Matter (although in practicality there is no precedence) since there is an eternal generation of Matter by Law, we can easily see that the dualism of Chu Hsi transforms itself into a monism. This is because the ultimate source of Matter is law and hence the Supreme Ultimate. Understood in this sense, the Supreme Ultimate has theistic implications. The Supreme Ultimate is not God, however, (as Leibniz incorrectly believed) since God implies a linear progress and Chu Hsi did not believe in such an idea of progress. Considering yet another possibility of categorizing Chu Hsi's philosophy, we can note Bruce who emphasizes that this monism "whatever it is, is not Materialism . . . . For again, it must be emphasized that the law which we are discussing is ethical; it is Love, Righteousness, Reverence, and Wisdom. This according to Chu Hsi is the ultimate element in the universe. Moral Law pervades all matter as the ruling and directing principle. Such a conception in itself, is far removed from materialism."[16] Thus we find, following the traditional complications of Chinese philosophy, that Chu Hsi's system is at once dualistic, monistic, pantheistic, and even something of materialistic, although it is wrong to say that it is any one of these. Rather, it is all of them—at once.

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[2] Karl Lowith, *Meaning in History*. Phoenix, 1964. p. 1.

[3] This opposition to time is characteristic of archaic societies and is one of the basic concepts considered by Mircea Eliade in *Cosmos and History*, Harper, 1964. See p. XI in which he says: "In studying these traditional societies, one characteristic has especially struck us; it is their revolt against concrete, historical time, their nostalgia for a periodical return to the mythical time of the beginning of things, to the "Great Time."

[4] John Herman Randall, Jr., *Nature and Historical Experience*. Columbia, 1958. p. 29.

[5] Eliade, *Cosmos and History*. p. xii.

[6] Creel, H. G. *Chinese Thought*. New York: Mentor, 1953. p. 168.

[7] Fung Yu-lan. "The Philosophy of Chu Hsi," tr. and introduction by Derk Bodde, *Harvard Journal of Asiatic Studies*, Vol 7, No. 1 (April 1942), p. II.

[8] Derk Bodde, translator's introduction to: "The Philosophy of Chu Hsi" by Fung Yulan. p. 6–7.

[9] Fung, "The Philosophy of Chu Hsi." p. 15–16.

[10] Creel, *Chinese Thought*. p. 169.

[11] Fung, "The Philosophy of Chu Hsi." p. 12.

[12] Ibid. p. 15–16.

[13] Bruce, J. Percy. *Chu Hsi and His Masters*. London: Probsthain & Co., 1923 p. 118.

[14] Fung, "The Philosophy of Chu Hsi." p. 19.

[15] Bruce, *Chu Hsi and His Masters* p. 122.

We now can examine Chu Hsi's philosophical explanation of the origin and continuation of the universe.

Although Chu Hsi's system can be regarded in some sense as dualistic, this dualism in the ultimate is an impossible conception. *Li* and *ch'i* must have a larger and more fundamental unity in which they can unite as the Final Cause of all things.[17] This Supreme Ultimate in Chinese is called *"t'ai chi"* and comes from the Confucian *Book of Changes* which, when interpreted by the Sung philosophers, results in the conclusion that there is a Final Cause. The Infinite and Supreme Ultimate are two names for the same concept. The Supreme Ultimate consists of law, indeed, is the greatest or highest law, and thus is immaterial and is not bound by time or space. Since the Supreme Ultimate in the form of *li* combines with *ch'i* to form the things of the universe, the final cause in the form of the Supreme Ultimate is inherent in *ch'i* (Matter or Ether). Ether and the Supreme Ultimate are apparently co-existent, or else they are so close that the name of Supreme Ultimate is also applied to Ether. Here then is another illustration that the dualism of Chu Hsi is not antagonistic. Finally, since the Supreme Ultimate is *Li* and is inherent in everything that *ch'i* is in, the Supreme Ultimate is therefore inherent in everything and the ultimate of all things—the final cause. It is the apex and source of creation, the pivot from which the cosmos turns and the center of the universe.

The *li* of the Supreme Ultimate governs the two states of Movement (*tung*) and Quiescence (*ching*) which are found existing within the physical world. Ether, which in this sense is also the Supreme Ultimate, passes through alternate phases of the law of Movement and the law of Quiescence. From this alternation appear the *yin* (passivity) and the *yang* (activity). From the *yin,* negative Ether is generated (*yin ch'i*) and from the *yang*, positive Ether is generated (*yang ch'i*). The concrete representation of both of these are the Two Forms (sometimes called the Two Modes). The Two Forms are Earth (the ground itself) and Heaven (the atmosphere, sky). Earth is formed mostly from *yin;* Heaven is formed mostly from *yang.* These combine to form the Five Elements (or Five Five Agents); the Five Elements are corporeal Ether or *"chih"* and they are fire, water, earth, wood and metal.[18] These Five Agents combine eternally in different proportions to produce the infinite number of separate objects in the world. It is in this way that our physical universe (Heaven and Earth) came into being. The origin of the universe comes therefore, from the First Cause (Supreme Ultimate) and from the activity of those things subordinate to the Supreme Ultimate. To sum up, the Supreme Ultimate possesses all the Laws governing the Five Elements and the *yin* and the *yang*. If we look for priority in this system, we see that Chu Hsi considered the immaterial Supreme Ultimate and the material Two Forms as co-existent, but the Two Forms are subordinate to, and derive their existence from, the Supreme Ultimate.[19] Also, we find that the First Cause (Supreme Ultimate) of the universe if identical with what Chu Hsi calls *Tao* or Moral Law and those principles which constitute the Moral Law (Love, Righteousness, Reverence, Wisdom) are really attributes of the Supreme Ultimate.[20]

The two most characteristic and fundamental qualities of the *Yang* and *Yin* are energy and inertia.[21] Energy and inertia are produced from the rotation of matter (*ch'i*) and this matter is constantly moving. The first stage in the evolution of the material universe is the rotation of the *ch'i*.[22] Energy and Inertia are therefore two modes of the one fundamental Ether. This process goes on continually and provides for the continuation and evolution of the universe. *Yin* and *Yang* are not only derived from the Supreme Ultimate but, taken together, they are the Supreme Ultimate.

In the evolution of the cosmos, according to this system, the first to appear out of chaos is Heaven and the second is Earth. Then the cosmic cycle allows the appearance of Man, the offspring of Heaven and Earth. Their evolution is by the union of the Infinite with, and by the interaction of, the Two Forms and Five Elements.[23] Thus we see that the activities that cause cosmos to come from chaos also bring about the continued evolution of the ordered cosmos.

Now we are able to draw several important conclusions concerning Chu Hsi's conception of history. These conclusions fall in four main areas.

The first is Chu Hsi's conception of time. Chu Hsi's philosophy of history is circular rather than linear. By this is meant that there is a continuous regeneration of time in the events of the universe. From the preceding section we have seen that all events pivot around the Supreme Ultimate which, as the first cause, is the origin of creation and of the events surrounding the continuation of cosmic evolution. Time, in the Western sense, does not exist, for Chu Hsi. There is no first event, second event, third event, and so on as there is in a linear progression. There is a first cause, the Supreme Ultimate, but this is at the center rather than at the beginning of creation. And as one universe goes asunder, another will regenerate just as before the present one, there was yet another universe. This is the eternal cycle from chaos to cosmos to yet another chaos to cosmos.

The idea of *li* or law enters in here as perhaps the most important concept of Chu Hsi's philosophy. The particular law is the prototype of a universal law much as the platonic ideal of a celestial and transcendent model. Hence, all important acts of life were revealed in the Supreme Ultimate and the new act or events are in reality only a repetition of these exemplary and paradigmatic laws ad infinitum. As Eliade describes it, the act of creation realizes the passage from the non-manifest to the manifest or, to speak cosmologically, from chaos to cosmos.[24]

According to Chu Hsi, reality exists because of law and only through law. Hence there is an abolition of time as understood in the Western sense. To put it in a word, there is no history. There is only the continuous repetition of the idea as expressed in *li*.

This concept is understood more fully when we examine the cosmic cycle, our second area of consideration. All of the universe is divided into four periods, much like the four seasons of the year. And this cycle (for it is a cycle) is the four ultimate principles of the universe. They are attributes of the Two Forms and are names *"Yuan," "Heng," "Li,"* and *"Cheng"* and come from a Sung interpretation of the "Book of Changes."[25] As Bruce explains it:

"*Yuan* in the cosmic cycle represents the origin of all things. . . . Energy gives place to inertia, and all nature is on the decline. So all things return to chaos until *Yuan* again returns and a new cosmos begins."[26]

Thus we see that there is an apex and nadir in the cosmic cycle. Construction is followed by destruction and construction takes over again. Chu Hsi himself said that, "Before the Supreme Ultimate, there must have been another world, just as the night of yesterday passes into the day of today. In the same way (the ceaseless alternation of) the *yin* and the *yang* constitute a great 'closing and opening.'"[27] As this was the case before the Supreme Ultimate, so is it true for the future. The whole universe is created and then destroyed, and in the same manner is re-created. Thus we see another example of the cosmic cycle and the abolition of time.

Our third area of consideration is Chu Hsi's political theory. Again the concept of Law is predominant. Just as there is a law for objects and persons, so is there a law for the state and society, and when this law is conformed to there will result good government. On the other hand, venturing outside the narrow road of the law will result in poor government and disorder; thus the political law becomes an ethical and moral concept. Another important aspect of Chu Hsi's political theory is his belief that government has been imperfect since the time of Confucius and he continually looks back to this golden age of Chinese history.

Chu Hsi has said that government to be good must conform to the law of government. He also said that this had not happened since the time of Confucius, although the law itself has existed and always will exist. He continues to say that the agreement of the practical situation with the law can never be wholly perfect. This is because, more often than not, the "bravo" or "hero" rules instead of the Sage or Worthy. Rule by the former can at best be only a pseudo-peace.

This philosophy of history looks to its past as good and worthy of imitation and to the extent that only in repeating the past can the present be of any worth. In the past lies the great and good society and for Chu Hsi, this good past ended with Confucius.

Our final and fourth area of consideration is Chu Hsi's conception of the place of man in history. Chu Hsi's philosophy of history actually does consider man, but as the recorder of history, not the actor of it. As we already explained, Chu Hsi regards history as the activity of the cosmos; man is mentioned only because he is there.

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[16] Ibid. p. 124.

[17] Ibid. p. 126.

[18] Fung, "The Philosophy of Chu Hsi." p. 24.

[19] Bruce. *Chu Hsi and His Masters.* p. 139.

[20] Ibid. p. 141.

[21] Ibid. Quoted on p. 144. Bodde says Bruce confuses the Two Forms with the Yin and the Yang. This he says in his introductory remarks in Fung's "The Philosophy of Chu Hsi." However, when Fung's *"A History of Chinese Philosophy* Vol. 2 was published with this same article in it, the index of the book under the reference "Two Forms" refers to them as "Heaven and Earth." In this paper, Heaven and Earth are regarded as the concrete representation of Yin and Yang and the Two Forms are regarded as Heaven and Earth.

[22] Ibid. p. 105.

[23] Ibid. p. 156.

[24] Eliade, *Cosmos and History*. p. 18.

[25] Bruce, *Chu Hsi and His Masters*. p. 158.

[26] Ibid. p. 158–9.

[27] Fung, "The Philosophy of Chu Hsi." p. 27.

Chu Hsi felt the first member of each species of living creatures was originally produced through spontaneous generation, and so man, being nothing special, originated in the same way. Because man does have a place in the cosmos, he does have a certain historical destiny. If he conforms to the law, a golden age will result for the age of the time of Confucius is always regarded as re-attainable.

Man, like other objects, is a product of *li* united with *ch'i*. Law which exists within the Ether in this way is known as the Nature. Man's purpose then is the same as the purpose of the state or anything else desiring perfection and that is to conform to its own law or nature. Thus man in history is tolerated and considered by Chu Hsi not because he has some especial meaning but because he is there.[28]

Chu Hsi actually sets himself in opposition to history for he regards history as a succession of events that are inevitable, unchangeable and possessed of autonomous value. Chu Hsi refused to accept history and grant it significance, however, unless it was organized into one total concept. Thus it would be of value to know how Chu Hsi explained the calamities, the accidents, and the suffering of history that each individual and group have at some time to endure. Respecting and conforming to the law explains only the ordered universe; what Chu Hsi had to explain was suffering in history. In this sense, suffering is equivalent to the Western notion of history. The problem then, is the problem of evil: why do men suffer, or why are some men good, others evil? Chu Hsi explains this problem through *li* and *ch'i*. The *li* is the same for all men, says Chu Hsi; but the *ch'i* is different and it is because of the *ch'i* that some men are evil, others good. Law loses its perfect goodness when it becomes actualized in the *ch'i* which has impediments. This also explains the evil of groups of imperfection in objects for as the above is true for man in his particular *ch'i*, so it is true for *ch'i* in group objects. Hence, being the perfect synthesizer, Chu Hsi actually maintains that there are two natures; one is the good nature of *li* and the other is the imperfect nature of *ch'i*. Thus we can see that the peculiar nature of man, his *ch'i*, is the cause of inequality, and evil.

Chu Hsi's primary significance lies in his remarkable eclectic ability.[29] He provided the great synthesis and summation of all Neo-Confucianists before his time in both the Sung and the T'ang dynasties by collecting the best from his predecessors and adapting their thoughts in one great system. The durability of his philosophy is attested by the fact that it was prescribed as the basis of the examination system and there it remained to dominate the intellectual life of China until 1905.

The influence of Chu Hsi's thoughts upon subsequent Chinese history is attested by the predominance of his Neo-Confucian interpretation to even in the early twentieth century. And this predominance existed in all phases of Chinese life, influencing the mental outlook of the most ignorant peasant no less than that of the erudite scholar.[30] This is because Chu Hsi's philosophy was not a detached theoretical speculation but an integral part of the definition of a right way of life.[31] Leibniz attested to this when he said that the Chinese in general, and Chu Hsi in particular, are better than Western philosophies "so far as the principles of moral life and practical philosophy are concerned."[32] When Chu Hsi died his followers numbered in the thousands and were found in all parts of the empire.

Chu Hsi is a significant philosopher for he formulated answers to the most profound problems of human life, problems for which generations of Chinese, including many Confucian scholar-officials themselves, had been turning to Taoism or Buddhism to find an answer. Chu Hsi brought Chinese history into its own once again. The Neo-Confucianists looked to their own Classics to form a Chinese answer to questions raised by Buddhism. In the political troubles of foreign intervention in the Sung period, the Chinese turned inward and arrived at answers from their own cultural heritage.

Concerning particularly the significance of Chu Hsi in philosophy of history, we find that although he did not have a philosophy of history *per se*, one is contained within the totality of his philosophical system, and this system, when rearranged in terms of a philosophy of history, does present a total view of history which was extremely influential in the whole course of Chinese historigraphy.

From all this, we can arrive at certain important conclusions concerning Chu Hsi's philosophy of history. Chu Hsi's conception of history is one that is almost exclusively concerned with the origin and continuation of the cosmos. Man is mentioned but only as the recorder of history, not the actor: history acts on man. The order and meaning that Chu Hsi seeks is found on the broad plain of the universe, and man, contained within the universe, is almost totally ignored.

This ties in with Chu Hsi's concept of time. Time, as normally understood, is continually being abolished by Chu Hsi. Novelty and the 'new' in history is shunned and there is a continual desire to look back to the past ages as golden and glorious days. Therefore any historical event is modified after several centuries in such a way that it enters into the mold of the ever-forming tradition. History falls into a pattern and historical events are shunned as having no significance. Only the pattern has meaning.

This is a conservative, circular philosophy of history. Longing for the past prevents any linear future to exist and constant construction and destruction of the universe results in the constant repetition of time. There is progress in the cycles but progress in the sense of movement, not improvement, for what happens is regarded as bad and what has happened (if it happened far enough away in time) is regarded as good. Man cannot influence events of the cosmos but within cosmic cycle the events are different.

Any irregularity in this cosmic cycle is explained away as not conforming to the law. Suffering, which actually would mean history, and the imperfections and inequality of men, are explained away in this fashion. Man's destiny is to conform to the law and not to disturb the continuous and ordered cycle of the cosmos. The paradox is that man can satisfy his destiny only by ceasing free activity and by constantly imitating the activities of what has gone before. In this sense there is an abolition of 'history' as it is normally understood, and it is replaced by all the meaning contained in the word "cosmos;" the "cosmos" becomes "cosmos" only by conforming to the Law which directs it to the mythical universe of the "Great Age."

WORLD FOOD NEEDS AND THE U.S. FARMER

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. DOLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DOLE. Mr. Speaker, the January 8, 1967, "Doane's Agricultural Report," included an excellent article by its publisher, Forest L. Goetsch, entitled "World Food Needs and the U.S. Farmer." The article highlights the significant changes made in the Food for Peace Act of 1966 and should be of interest to every Member of Congress.

In the past few months there has been a recognition of the need to offer basic solutions if world food needs are to be met in the next decade. There has also been a recognition that the United States cannot possibly feed the world and that perhaps our greatest contribution in the years ahead will be through technical assistance programs.

The article specifically mentions the "farmer to farmer" program, an amendment to the Food for Peace Act of 1966, which I offered. Thirty-three million dollars has been authorized to implement the "farmer to farmer" program, and it is hoped that funds will be made available early this year. In the war against hunger, every resource must be utilized and every developed country must be willing to lend a hand. Providing American "know how" to less developed countries is a task of government, agricultural education institutions and private enterprise.

The article follows:

WORLD FOOD NEEDS AND THE U.S. FARMER

(By Forest L. Goetsch, Publisher)

(Aid to the hungry nations of the world (shaded areas in the map above) will have a new look in 1967. We will concentrate on technical programs designed to help needy people feed themselves. Food shipments will not be increased from last year.)

"Direct food aid is the most popular solution to the problem of hungry people. Farmers like to produce, agribusiness likes to process, and Americans like to give away food. So we 'wrap it in the flag,' send it overseas and expect the Indians to wait on the dock to applaud our actions, and vote with us in the U.N."

In a jesting way, this is how Professor Don Paarlberg, Purdue University economist, described the attitude most of us have toward the world food problem. However, the Food For Peace program, as extended in the final hours of the last Congress, includes some new additions that will change the nature of our help to needy nations.

Our P.L. 480 program started in 1954, and by the end of 1966 we had shipped $19 billion in food aid overseas. However, this has been primarily a surplus disposal program. As one congressman advised, "Get rid of the stuff, any way you can."

A big change in our Food For Peace program is that a farm product does not have to be in surplus to be used for famine relief. The administration may now approve any food for this purpose.

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[28] See: Eliade, *Cosmos and History*. p. 132.

[29] Fung Yu-lan, *A History of Chinese Philosophy*. Vol. II. tr. by Derk Bodde, Princeton. 1953. p. 532. Professor Fung states that Chu Hsi "is probably the greatest synthesizer in the history of Chinese thought."

[30] Bruce, *Chu Hsi and His Masters*. p. 6–7

[31] Hocking, William Ernest, "Chu Hsi's Theory of Knowledge," *Harvard Journal of Asiatic Studies*, Vol I, No. 1 (April 1936), p. 116.

[32] Bernard, S. J. Henri, "Chu Hsi's Philosophy and Its Interpretation by Leibniz," *T'ien Hsi Monthly*, Vol. V, No. I, p. 14.

The other vital change, effective January 1, was the requirement that nations do something themselves to increase their agricultural output. Too often in the past they spent their capital to develop a steel industry or something more "glamorous" than agriculture.

U.S. Government action to interrupt wheat shipments to India was a sign that we mean business. The U.S. cannot "feed the world" indefinitely.

The Food For Peace extension authorizes up to $2.5 billion for food shipments each year for two years. However, with most U.S. surpluses gone, it is no longer just a matter of shipping foreign nations something from CCC stocks.

ALL LAND IN USE

The worldwide food shortage developed during the 1960's. Assistant Secretary of Agriculture Dorothy Jacobson explains that during the 1950's food production per capita seemed to be rising. In many important areas of the developing world, new land was being brought into cultivation, increasing the production of food substantially. Now in some of the hungriest and most heavily populated countries most of the available agricultural land is already under cultivation.

For six consecutive years world food consumption has exceeded production. Total world food output did not rise between 1965 and 1966; however, there were 65 million more people to be fed. Two-thirds of the world's population is in the diet-deficit areas shown on the map.

Why has this happened so quickly? The big reason has been a record drop in death rates in several parts of the world due to scientific and medical advances, and preventive public health measures taken since World War II. The use of DDT in Ceylon dropped the death rate 40 percent in one year!

In the less developed sections of the world, annual population growth rates of 2½ to 3 percent are common. El Salvador in Central America has a 3.6 percent rate, and Mexico is even higher. Food production in the developing nations only grew 2.6 percent per year during the favorable 1950's.

Another unusual cause has brought higher grain use—per capita income has gone up in many parts of the world. Russia and various Eastern European nations are in this group.

Poor people have to eat grain directly as food. However, they never seem to eat more than 400 pounds per year in cereal form. As their income goes up they consume more animal protein in the form of meat, milk and eggs. It takes more grain to provide a pound of food from animal sources.

Americans don't like to see hunger. There has been little hesitancy about shipping surplus food anywhere it was needed. However, economists at the recent World Food Production Conference at Iowa State University were quite critical of what this has done to agriculture in the receiving nations.

An official of the El Salvador Government told Doane's that he was glad to read in our editorial page last August the U.S. surpluses of dried milk were gone. While he was trying to develop a dairy industry in his country, over 700,000 pounds of this dried milk was being sent in from the U.S.

WHAT IS THE SOLUTION?

There seem to be only two basic solutions to the world food crisis: one is to increase food production and the other is to slow population growth. Both appear possible.

Most of the startling projections of famine in the future are based on an estimated world population increase of a billion by 1980.

A "medium" world population estimate published by the United Nations shows a total of roughly 3.3 billion in 1965, 4.3 billion in 1980 and 6 billion in the year 2000.

However, Donald J. Bogue, sociologist from the University of Chicago, who has worked on birth control problems in foreign countries, recently told the meeting at Iowa State that recent population trends have not continued, nor will they be likely to do so. In his estimation, the rate of world population growth is already declining and by the year 2000 will have leveled off. He believes it is possible to have a world population of only five billion at the end of this century.

Bogue, and others at the World Food Production Conference, clearly made the point that new, effective, low-cost birth control methods are available; the information on how to use them is being freely distributed and acceptance is far greater than most people realize.

Outstanding examples of reductions in birth rate can be found in several countries. Taiwan had a crude birth rate of 42 per thousand people in 1958 and only 35 in 1964. Singapore dropped from 44 in 1956 to 30 in 1965.

Economists, sociologists and other experts studying the overall problem of feeding the world are clearly in agreement that money spent in achieving fertility control can contribute greatly to the solutions that must be found. One pair of economists state that birth control "will return more on the investment than will agricultural development."

Food production can definitely be increased in many parts of the world besides the U.S. South Korea has succeeded in upping its farm production by 9 percent per year and that nation has moved from being a charity ward of Uncle Sam to where it is practically self-sufficient.

Mexican wheat yields averaged 11 bushels per acre in 1943 and have moved up to 39 bushels in recent years, primarily because of new varieties developed through research by the Rockefeller Foundation. Now the Ford Foundation is working with West Pakistan to boost their wheat yields by use of the Mexican varieties.

In the Philippines, the Rockefeller Foundation has made real progress with new, more productive varieties of rice. The newest strain, IR8, has averaged 5 to 8 tons per hectare compared to 2 to 4 tons for local varieties.

Agricultural production in Thailand went up 6.4 percent per year from 1954–64. The many new developments in Mexico brought a 10.1 percent annual increase in that nation during the same period. With U.S. firms and our government taking a major interest in moving American input items into backward nations, the chances of improved output are very good.

THE U.S. FARMER

Much of the impact of the world food situation has already been felt in American agriculture. The shrinking of our wheat stocks from 1.4 billion bushels to 536 million and the drop in corn carry-over from a high of 2 billion bushels to a recent figure of 866 million have already resulted in larger wheat allotments and government actions to increase feed grain acreage in 1967 by 12 to 15 million acres. Rice carry-over in exporting nations is less than one-sixth as large as it once was.

This changed situation has resulted in an active commodity market. It means that CCC stocks no longer can be used to set prices for many of our farm products.

Movement of food overseas can be expected to continue at the same rate as in the past year. Total money used under the Food For Peace program amounted to $1.6 billion for the year ending last June 30. The USDA will cut about $150 million from foreign food aid as part of cost reduction.

Advocates of heavy food shipments abroad have been critical of the administration for dragging its feet in Food For Peace activities. Actually, the government has very few CCC supplies to use. At a time when American housewives are grumbling about rising food prices an active government purchasing program could push these consumer costs even higher. USDA planners are walking a tight rope.

Certainly U.S. farmers have additional capacity to produce food. This will be called on in the near future as we continue to ship food to needy countries as a stopgap measure.

Erven J. Long, an official of the Agency for International Development, puts it this way:

"In the short range, it will be necessary for us to provide food at concessional rates, probably in magnitudes greater than we have been providing in the past. But as we all recognize, this is an extremely expensive and, in the long range, self-defeating form for our assistance to take."

KNOW-HOW NEEDED

Our new food aid program provides for giving technical assistance to those countries that show willingness to give a high priority to food production improvement.

The need for "good, old American know-how" in boosting food production in needy countries is so great that it cannot be filled. In a recent report, Iowa State economists Earl Heady and John Timmons noted that our intellectual resources constitute our most potent assets in helping the developing countries and are much more important than our surplus foods or our food production potential.

"Conceivably, one-third of U.S. agricultural workers in extension, vocational agriculture and research would be needed for this effort," according to the ag economists.

You, as an American farmer, may get a chance to help in this world project. One of the amendments to P.L. 480 authorizes the Secretary of Agriculture—

". . . to establish and administer through existing agencies of the Department of Agriculture a program of farmer-to-farmer assistance between the U.S. and such countries to help farmers in the practical aspects of increasing food production. . . ."

As we ponder the total problem of feeding the world, it is well to remember that similar situations have come up many times before, and just when things looked blackest a new development changed the outlook. There are many new food products on the horizon which may again do this.

One of these is the new group of textured foods which several U.S. firms are now making from soybeans and a variety of other protein oilseeds that can be grown in many parts of the world. These may provide a high protein food at a low cost.

Indicative of this type of thing is the CCC purchase of over 57 million pounds of "Formula No. 2 blended food product" for donation overseas. It contains gelatinized corn meal, soy flour, nonfat dry milk, and necessary vitamins and minerals.

The World Food Conference at Iowa State heard the head of MIT's Department of Food Science and Nutrition talk of petroleum synthetics in the form of single-cell protein as an effective source of nutrients. He expected the early clearance of fish flour for export.

As the pressure for food develops and prejudices are wiped out, he expects use of the new foods in this order: oilseed meal, fish protein meal, and then synthetics, including finally single-cell protein derived from petroleum.

SELF-HELP REQUIRED TO GET FOOD

When signing a two-year extension of the Food For Peace program, President Johnson made this significant statement:

"I am instructing the appropriate officials to make sales agreements only after carefully considering what practical self-help measures are being taken by the recipient country to improve their own capacity to provide food for their people.

"We must be certain that our grants are consistent with our program to encourage the sound and rapid expansion of food production in the receiving countries. Food For Freedom grants will be made only where the country receiving the grant demonstrates its own willingness to help win its own war on hunger."

The criteria for concessional sales, which are sales made for foreign currency or long-term loans, are contained in the law. The President is to determine if the country is making an effort to increase per capita food production by applying these criteria:

1. Devoting land resources to food crops rather than nonfood crops.
2. Developing agricultural chemical, equipment and other necessary agricultural industries using private investment.
3. Training and instructing farmers.
4. Constructing adequate storage.
5. Improving marketing and distribution systems.
6. Creating a favorable environment for domestic and foreign investment.
7. Establishing policies that provide incentives for farmers.
8. Expanding research.
9. Giving agriculture priority in allocation of funds.

TAX-SHARING BILL

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, in the tax-sharing bill, H.R. 4448, that I have introduced today, every effort has been made to set up a system whereby substantial amounts of federally collected tax revenue will be returned to the States without strings attached and with a minimum of Federal administrative oversight. The States and their political subdivisions will have an opportunity to initiate and implement essential programs which they determine have a high priority in their particular State or locality. These programs will be directed and controlled by State and local officials. The deadening hand of Federal bureaucracy will not be permitted to follow the Federal money and thereby control the local program.

Under this bill, the tax-sharing program will be directed by a bipartisan Council on Tax Sharing. This Council will be composed of 10 members, five of whom shall be governors. It shall be the duty of the Council to prescribe the rules and regulations under which the tax-sharing payments shall be made to the individual States. Forms and administrative duties are to be kept to a minimum and it is anticipated that the governors named to the Council will insure that this is, in fact, the case.

The Secretary of the Treasury and the administrator of tax sharing are technicians who will implement the tax-sharing program and distribute the funds in accordance with the instructions and regulations of the Council on Tax Sharing. The rulemaking role has been totally divorced from the technical administration of the program. Rules and regulations, data to be furnished, reports that will be required are in the hands of the Council on Tax Sharing.

Each year, the Council shall make a report to the President and to the Congress with respect to the operation of the tax-sharing program. It is anticipated that this report will include not only a statement with respect to the funds distributed but also any recommendations for improving or streamlining the program. The Council will have intimate and complete knowledge regarding the operation of the program and its views and suggestions should be most helpful. During the fourth year of the operation of the tax-sharing program, it is the intention of Congress to conduct a full and complete study and review. In order to assist Congress in making such study, the President and the Council on Tax Sharing, each shall submit a comprehensive report on the program prior to the end of the third year. Again, these reports should contain not only statistical data which will be of assistance in improving the distribution formula but shall contain information that will improve the overall operation of the program.

Under the Great Society, the States and localities have been plagued by an avalanche of reports, regulations and Federal supervision. A recent example of how bad these reporting requirements can be is illustrated by the demonstration cities bill. In order to implement this act, the Department of Housing and Urban Development has issued a 57-page set of "guidelines" for the experimental program. And with this bureaucratic triumph, the program has only been placed underway.

Also, all too often, the hallmark of the Great Society program has been the total absence of a review or an appeal procedure from the arbitrary rulings of the Federal administrator. Projects have been suspended, modified or even terminated at the complete discretion of the Federal official who has been placed in charge or who has assumed control of the program. In many cases, an effective appeal or even the right to a meaningful review has been denied the affected agency or political subdivision.

This tax-sharing bill, on the other hand, provides a meaningful court review in the event a State is dissatisfied with the Tax Sharing Council's action in cutting off funds, and even before the judicial review is provided, a State is given the opportunity to appear before the Tax Sharing Council to defend its actions. Also, under the provisions of this bill, the Council has been instructed to reduce to a minimum the administrative burden on the States and political subdivisions.

Thus, every effort has been made to avoid the major pitfalls of the Great Society programs. Arbitrary and oftentimes highhanded actions by Federal administrators as well as needless form-filing exercises cannot be a part of this tax-sharing program. For, in each critical step of this program, a decision is either made by a Council that has adequate State representation or the acts of such Council are appealable to a Federal court.

It is my intention that this tax-sharing program shall be used to phase out and replace many of the overlapping and conflicting Federal grant-in-aid programs that are presently in existence. State and local governments are now buried under a mass of such programs. There are over 400 Federal aid appropriations for 170 separate aid programs administered by a total of 21 Federal departments and agencies, 150 Washington bureaus, and 400 regional offices. This type of Federal domination and control can be eliminated if a Federal tax-sharing program is adopted.

Tax sharing can provide the needed revenue for problem solving at the local level without rigid and wasteful Federal forms and control. The measure that I have introduced today is an important first step in the new direction for America that was mandated by the voters last November 8, 1966. I urge its immediate consideration.

Mr. Speaker, I insert at this point in the RECORD a copy of the tax-sharing bill that I have introduced:

H.R. 4448

A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Tax-Sharing Act".

APPROPRIATIONS

SEC. 2. (a) In order to provide for a sharing with the States and their political subdivisions of receipts from Federal income taxes, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to the Secretary of the Treasury (hereinafter referred to as the "Secretary") for making tax-sharing payments under this Act an amount for the fiscal year ending June 30, 1968, and the succeeding fiscal year, equal to 3 per centum of the total receipts from individual income taxes during the preceding fiscal year, an amount for the fiscal year ending June 30, 1970, equal to 4 per centum of such receipts, and an amount for the fiscal year ending June 30, 1971, equal to 5 per centum of such receipts; except that the amount so appropriated for any year shall not be less than the amount so appropriated for the preceding year.

(b) For purposes of this Act, the term "individual income taxes" means the proceeds of taxes collected from individuals under subtitle A and the taxes collected under chapter 24 of the Internal Revenue Code of 1954. Determinations under this section shall be made pursuant to regulations prescribed by the Secretary, and his determinations shall be final.

TAX-SHARING PAYMENTS

SEC. 3. The tax-sharing under this Act shall be carried out by the Secretary through payments under section 4 to all qualified States, and through payments under section 5 to low-income States (as defined in section 5(c)). The aggregate of such payments to a State shall be the "tax-sharing payment" for that State.

BASIC TAX-SHARING PAYMENTS

SEC. 4. (a) The Secretary shall each year make a payment to each State which, under section 6, is qualified for a tax-sharing payment in an amount which bears the same ratio to ninety per centum of the amount appropriated for that year under section 2 as the product of—

(1) the population of the State, and

(2) the State's tax-effort ratio (as determined under subsection (b)) bears to the sum of the corresponding products for all the States which are qualified for a tax-sharing payment.

(b) The "tax-effort ratio" for a State shall be the ratio between the sum of all taxes collected in the State by the State and its political subdivisions and the total personal income for the State. Determinations under section 4 and section 5 of this Act shall be made by the Secretary on the basis of population estimates for the preceding calendar year and, in the case of other determinations, for the most recent fiscal year for which satisfactory data are available. His determination shall be final.

EQUALIZATION TAX-SHARING PAYMENTS

SEC. 5. (a) The Secretary shall each year make a payment to each low-income State which, under section 6, is qualified for a tax-sharing payment which bears the same ratio to ten per centum of the amount appropriated for that year under section 2 as the product of—

(1) the population of the State, and

(2) the State's income index (as determined under subsection (b)), bears to the sum of corresponding products for all the low-income States which are qualified for a tax-sharing payment.

(b) The "income index" for a State shall be the population of the State divided by the aggregate personal income for the State.

(c) For purposes of this section, a State shall be deemed to be a low-income State if it is one of the seventeen States which had the lowest personal income per capita during the most recent fiscal year for which satisfactory data are available.

STATE UNDERTAKINGS

SEC. 6. In order to be qualified for a tax-sharing payment under this Act a State shall undertake—

(1) to assume the same responsibility for the fiscal control of and accountability for tax-sharing payments as it has with respect to State funds derived from its own tax resources;

(2) to distribute forty-five per centum of the amount granted to it each fiscal year under sections 4 and 5 to its political subdivisions on the basis of whatever criteria it may select, but with no restrictions imposed on the use thereof which are not applicable to the use of funds which such political subdivision derive from its own tax resources, except that the State may specify the portions thereof which shall be used for educational purposes; but this provision shall not apply to the District of Columbia;

(3) to use 5 per centum of the funds granted it under section 4 for executive management improvement to meet the particular needs of the State for (A) well-staffed State budget offices, (B) qualified executive planning personnel, and (C) salary increases for top-level management personnel; but the State may use such funds for other purposes if it determines, in its sole discretion, that there are areas of greater or more urgent need;

(4) to furnish information and data to the Secretary in accordance with the rules and regulations of the Council on Tax Sharing.

COUNCIL ON TAX SHARING

SEC. 7. (a) There is hereby established a council to be known as the Council on Tax Sharing (hereinafter referred to as the "Council") which shall be composed of ten members appointed by the President without regard to the provisions of title 5, United States Code, governing appointments in the competitive service. Of the members of the Council, five shall be persons who are Governors of their respective States, not more than three of whom are from the same political party, and, of the remainder, not more than three shall be of the same political party. The Secretary shall designate a member of the Council as its chairman. Six members of the Council shall constitute a quorum. Each member of the Council who is a Governor may appoint another person to act as his delegate in carrying out any of his functions under this Act.

(b) (1) It shall be the duty of the Council to prescribe by rule or regulation the information and data to be furnished by the States to the Secretary, and the manner and form in which such information and data shall be provided. In carrying out this duty the Council shall give emphasis to reducing to a minimum the administrative burden on States and their political subdivisions, consistent with the need of the Secretary and the Council for information and data to carry out their duties, and of the Congress to carry out periodic reviews of the general aid grant program. Reports and forms required under this Act shall be kept at an absolute minimum, and in as simplified a form as is practicable.

(2) It shall also be the duty of the Council to prescribe, by rule or regulation, the manner in which computations under section 4 and 5 shall be made by the Secretary.

(3) It shall also be the duty of the Council to make determinations under Section 8 on withholding tax-sharing payments from States.

(c) The Council may appoint and fix the compensation of a Director and such other employees as it may find necessary to carry out its duties. Members of the Council while serving away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code for persons in Government service employed intermittently.

WITHHOLDING TAX-SHARING PAYMENTS

SEC. 8. Whenever the Council, upon complaint of the Secretary, finds, after reasonable notice and opportunity for hearing to the Governor of a State, that there is a failure to comply substantially with any undertaking required by section 6, the Council shall notify such Governor that further payments under this Act will be withheld until it is satisfied that there will no longer be any failure to comply. Until the Council informs him that it is so satisfied, the Secretary shall make no further payments to such State under this title.

JUDICIAL REVIEW

SEC. 9. (a) If any State is dissatisfied with the Council's final action under section 8, such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Council. The Council thereupon shall file in the court the record of the proceedings on which it based its action as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the Council, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Council to take further evidence, and the Council may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) The court shall have jurisdiction to affirm the action of the Council or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

ADMINISTRATION

SEC. 10. (a) There shall be in the Department of the Treasury an Administrator of Tax-Sharing who shall be appointed by the President. The Administrator of Tax-Sharing shall have such duties as may be prescribed by the Secretary.

(b) The Council shall make an annual report to the President and to the Congress with respect to the operation of the tax-sharing program provided for in this Act.

REVIEW OF TAX-SHARING PROGRAM

SEC. 11. It is the intention of the Congress to conduct a full and complete study and review of the tax-sharing program during the fourth year of its operation with a view to determining the need for revision therein. To assist the Congress in making such a study and review, the President and the Council shall each submit to the Congress a comprehensive report on the program before the end of the third fiscal year during which the program is carried on.

DEFINITION

SEC. 11. For purposes of this Act, the term "State" includes the District of Columbia.

TAX SHARING FOR LAW ENFORCEMENT

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GURNEY. Mr. Speaker, the rise in the crime rate over the past several years is frightening. A burglary occurs every 28 seconds, a car theft every minute, a robbery every 5 minutes, a forcible rape every 26 minutes. Local law enforcement agencies are not equipped to handle the many crimes they are called upon to solve. Help is long overdue.

I am today introducing legislation to return a portion of the tax money collected by the Treasury Department to the States for use in law enforcement. The money would be returned on the basis of State effort and concentration of population, helping those who are most in need and encouraging the States to allocate more of their own funds to this use. The money could be used freely by the State and city law enforcement agencies, without the endless strings which are attached to the ordinary Federal grant. In this way, the States and cities could adapt these added resources to their own particular needs.

During the past year public attention has been drawn to several glaring and particular brutal crimes: Eight nurses were murdered by one man in Chicago; 13 people were killed by a raving madman shooting insanely from a university tower in Austin; in Tucson a young man abducted and murdered three young girls. While these cases are especially unusual and bizarre, they are nonetheless indicative of a lawlessness which seems more prevalent in our society today than ever before. Right here in Washington, the wife of the chief of police was robbed on the street only last week.

More than 2,780,000 serious crimes were reported during 1965—a 6-percent increase over the previous year. Crimes committed by persons under 18 have risen nearly 50 percent. Also alarming is the fact that over 48 percent of the offenders repeat within 2 years after being released.

The cost of fighting this sharp increase has risen proportionately. Unfortunately, many cities do not have the funds necessary to cope with the problem.

The Federal Government has preempted so much of the national income through the Federal income tax, that local and State governments are hard pressed to meet and pay for their basic costs of government, such as law enforcement.

My bill would help State and local governments meet their problem of law enforcement, and yet safeguard local control where it ought to be.

Badly needed aid will be brought to the States through the legislation I am introducing, for those who are most in need of help will receive the most. The money can be used as the local agency sees fit—for offering higher salaries and benefits to attract better men, for better training programs to prepare men for their dangerous assignments, for the hiring of clerical help to free more policemen for on-the-beat service, for the hiring of more policemen to bolster their force, for purchasing better detection equipment.

It is a sad commentary, but a well-documented fact of life, that the best deterrent to crime is the presence of more and better law enforcement techniques.

As the percentage of criminals apprehended increases, others take warning.

Similarly, few crimes are committed when there is a patrolman in sight. New York demonstrated this last year by adding 800 men to their subway police. Subway crime dropped by 60 percent. The experiences of other cities bear out the same findings.

Electronic computers have resulted in a significant increase in arrests in several cities, but these, like hiring new policemen, cost more money than many cities can afford.

The concept of tax sharing, as opposed to grants for every little project, is an attractive one to anyone who values the concept of our federal system and who believes that local problems are better understood locally than here in Washington. The field of law enforcement is one area which must be kept in the hands of the cities and States. With the tax-sharing system, this local control can be retained while we help the States with funds that they could not otherwise obtain.

The amount of money to be set aside each year for division among the States is equal to approximately 1 percent of the total taxes collected by the Internal Revenue Service this year, or over $1 billion. As the taxable income and the tax collections increase each year, the amount available for the State allotments will also increase.

I am confident that the legislation I propose will be welcomed and supported by the countless Americans who long for a return of the good old days when we could walk on the streets at night without fear of attack.

FORGO TAX INCREASE AND CUT NONDEFENSE SPENDING

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, with current proposals for a tax increase very much in evidence these days a hard look at future Federal spending programs is certainly in order at this time. The observations of Henry Hazlitt, a reputable economist of long standing, provide cogent reasons why a tax increase is not advisable. I include the column, "Tax Hike Unwise, Unnecessary," which appeared in the Plain Dealer of January 22, 1967, in the RECORD at this point:

TAX HIKE UNWISE, UNNECESSARY

(By Henry Hazlitt)

Most of the economic proposals in the President's State of the Union message were unsound, and several were in direct conflict.

The proposed tax increase could be justified only on the assumption that all of the proposed expenditures of $135 billion for the next fiscal year (plus some $40 billion more of trust fund expenditures) are necessary and unpostponable. Does anybody really believe they are?

The increased taxes are being urged on the argument that they are necessary to pay for the increased costs of the war in Vietnam. But of the $175 billion of cash expenditures planned for the fiscal year 1968, the greater part, some $100 billion, are for nondefense-purposes.

Johnson's tax increase proposals, it is estimated, would bring in $4.5 billion in the first year. Now total nondefense cash expenditures in the last Eisenhower fiscal year, 1961, were $52 billion. It is these that will have increased $50 billion by 1968, compared with an increase in the same period of only $25 billion in defense expenditures, including Vietnam. Could not the $4.5 billion—less than 10%—be cut out of this $50 billion nondefense increase?

Johnson is proposing a sudden increase averaging 20% in Social Security payments. This alone would increase yearly expenditures about $4.1 billion. The added revenues from the increased taxes, assuming they were realized, would just about pay for this additional spending.

So almost the same fiscal result as the President envisages could be realized if Congress simply refrained both from the tax increase and the Social Security increase.

But if Congress cannot forego the Social Security boost, there are plenty of other programs—foreign aid, farm subsidies, space, demonstration cities—from which a total of more than $5.7 billion a year could easily be cut.

A tax increase at this time would be as unwise as it is unnecessary. An increased tax on corporations is especially questionable.

In sum, there is nothing that a tax increase could achieve at this time that could not be much more effectively, simply and promptly achieved by an equal or greater slash in nondefense expenditures.

It is also being argued that a tax increase would at least be better than a giant budget deficit. This argument poses a false alternative. It makes the tacit assumption that the huge expenditures that are causing the deficit are all necessary and should not be cut.

But the President in making his tax increase proposal not only said nothing about reducing the huge hodgepodge of domestic welfare programs, but he proposed to increase and extend them as well as to make an astonishingly big increase in Social Security payments.

This was not the only inconsistency in the President's message. While proposing a tax increase to prevent inflation, he promises to do everything he can to lower interest rates. But interest rates can be lowered only by increasing the money supply.

This can only mean more inflation and less confidence in the dollar.

THE AMERICAN MOTORS-YAF STORY

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, ever since the Bolshevik revolution in Russia, the internal economy of that huge nation has suffered from the application of the principles of communism. This economic trouble has not prevented the Communist dictators from pursuing their design for international conquest. This design can now be seen in the continuing war in Vietnam in which Americans are fighting and dying even now.

It has been a hallmark of communism to accommodate tactics to meet the current needs of the policy of eventual world domination. This traditional Communist response can now be seen in the continuing buildup of pressure for more "East-West trade." The incredible response of the U.S. Government and President Johnson has been to encourage such trade, in spite of the war in Vietnam.

One of the more heartening instances of citizen action in opposition to trade with the Communist enemy occurred during recent weeks when the national conservative youth group, Young Americans for Freedom, protested a planned auto sale deal with the Soviet Government. I endorse this action by Young Americans for Freedom and am proud to serve on their national advisory board.

Under leave to extend my remarks in the RECORD, I include a news story from the Milwaukee Journal of Sunday, January 22, 1967, which gives a full description of the American Motors-YAF story:

AM AIDE'S MUSING IGNITED FUROR ON SALES TO REDS

(By Mark W. Hopkins of the Journal Staff)

DETROIT, MICH.—American Motors' whimsical flirtation with Russia began at the Casbah on Nov. 25 with a wink of an idea and is ending here in bitterness and frustration.

In these last trouble filled weeks:

An offhand remark by an AM executive—"I'm going to Russia and I'm going to sell cars there"—burgeoned into a national news story that startled and bewildered AM officials.

A conservative political group cranked up a high pressure campaign against American Motors and local Rambler dealers, while a handful of perplexed and disturbed individuals voiced doubts about AM's course.

The fourth largest American auto manufacturer, worried about falling domestic sales and profits, took an uncertain step forward, wondered about the use of going on, and then tried to slip out of the hot spotlight of the east-west trade controversy.

The state and commerce departments, which actively encourage American trade with European Communist nations, stood off out of prudence and ignorance while American Motors took its lickings.

And AM officials wish they had it to do all over again. The case study, detail by detail, of what happened is one of grief for AM. It is also illustrative of what other American firms and businesses have experienced when they engaged in commerce with European Communist countries.

On the day after Thanksgiving, two American Motors executives met for lunch with a Detroit News reporter at the Casbah, a businessmen's restaurant-cocktail lounge two blocks up Plymouth rd. from AM's main offices here.

Tom Hewitt, an AM public relations man for 12 years, had been pushing for a personality profile on William Pickett, a much traveled, accomplished vice-president for AM's international sales. Robert Irvin, the Detroit News' 33 year old auto writer, had agreed to do a feature article.

Conversation at lunch roamed through Pickett's world travels and around to European Communists countries. Was American Motors interested in that market, Irvin wondered? A few months before, Italy's Fiat had revealed a multi-million-dollar contract for a Soviet auto plant; France's Renault, which has loose connections with American Motors, had been hired to refurbish a second.

American Motors was interested, Pickett said. Not only that, according to Irvin's notes and his Detroit News story two days later:

"I'm going to Russia and I'm going to sell cars there," Pickett said. "I'm going to take a team there."

Ideas that had been running through Picketts' mind, but which had not been discussed officially among AM executives, poured out. Perhaps a barter deal could be arranged. The Soviet Union had little hard currency to spend on cars. Pickett had once accomplished a trade of Belgian built American Motors cars for Colombia coffee, then sold the coffee.

Maybe, Pickett mused to Irvin, AM could ship Argentine manufactured Ramblers to east Europe or the Soviet Union, take steel for them, and market that. It was all indefinite and vague. But Pickett said he hoped to go to Moscow sometime in 1967 and explore possibilities.

Pickett's remarks were later described in official AM letters to irate and distressed protesters as a "misstatement of company policy." Actually, there was no company policy, for or against, on trading with the Soviet Union.

DONE WELL SINCE 1960

Pickett's general guide was simply to develop international sales. He had done so well since he arrived at AM in 1960. Overseas sales of AM's domestic and foreign assembled cars zoomed from 15,764 in that model year to 74,420 in 1966. In Latin America, the Pacific, middle east and Europe, 10 agreements had been struck with local firms to assemble American Motors cars. An AM subsidiary had been acquired in Canada.

But when he roamed into eastern Europe, Pickett stumbled over a hornets' nest. Even before Irvin's story appeared in the Detroit News on Sunday, Nov. 27, the Associated Press had put it on the AP national wire with the lead:

"American Motors Corp. officials said Saturday that they plan a drive aimed at selling automobiles behind the iron curtain."

BEGAN TO SENSE TROUBLE

By then, AM began to sense that there would be trouble. At home that Saturday, Hewitt began drafting an official clarification. It was cleared higher up, then issued three days later on Nov. 29. What was first one mans' remarks became a corporate policy statement—not thought out fully, perhaps, intended more to back off than to go forward—but a policy statement.

It began: "American Motors intends to look into the possibility of selling automobiles to eastern European countries . . ." It said any action would be "fully under the sanction of the federal government which now is encouraging this type of trade."

It noted that "many US companies are engaged in this type of trade" and that exchange of goods was one of the "most effective means of achieving better understanding among nations."

STATEMENT REPEATED

Speaking in Kenosha, Wis., that Tuesday night, Nov. 29, the then Board Chairman Robert B. Evans repeated that any business arrangements with the Soviet Union would have to be in accord with government policy.

Meanwhile, AM sent a letter to Secretary of State Rusk asking for a precise statement of American policy on trade with Communist nations.

Anthony Solomon, one of Rusk's assistants, answered Dec. 16. He reaffirmed the government's desire for greater trade with these nations, and referred to a joint statement of the secretaries of state, commerce and defense on Oct. 11, 1965, that deplored "economic intimidation" by "certain organized pressure groups" of American cigaret companies that had been importing Yugoslav tobacco.

That was AM's first and last contact with the state department. By then, American Motors was feeling pressure, and it was looking for a way to get out. It wanted the whole matter of cars to Russia to die quietly. But it would not.

The first reaction American Motors had to marketing autos in the Soviet Union, was bad, and thereafter it got worse.

In response to the AP story that appeared across the country, letters began dribbling in at AM offices in Detroit. By Dec. 6, the firm had received 17 against and 7 for. By Jan. 18, it had 88 critical letters and 18 favorable.

The latter were from individuals or business firms looking for jobs or contracts, and obviously approving AM. A 47 year old Maryland business executive offered his services. A Russian born Chicagoan, experienced in trade in China, wanted work. An American eastern steel corporation had connections in east Europe. A London firm specialized in trade there.

ANTI-COMMUNIST PROTESTS

Among the critical letters were the virulent anti-Communist. A New Yorker scrawled "TRAITOR" on the back of a postcard and then rubber stamped "USSR the Deadliest Enemy to Freedom."

From Florida: "The decision of your company to even explore the feasibility of doing business with communism at the behest of 'Lilliputian minds' in LBJ's state department (I disown it) smacks of treason!"

A letter to the then AM President Roy Abernethy began: "Perhaps I should address you as 'Comrade' Abernathy (sic). . . ."

Other letters came from anguished and distressed people, some AM customers, who when they thought of Russia thought of Russian weapons in North Vietnam.

A "long time follower and admirer" of American Motors in Pittsburgh said it was "no time to trade with Russia, when Russian made guns and missiles are killing Americans in Vietnam."

ANSWERS FORMULATED

A stock answer had been formulated on Dec. 9 at AM: "We are not planning to sell cars to Russia. The report involved a misstatement of our policy . . . our concentration is entirely on customers in friendly nations."

This was true, AM never had *plans* to sell cars to any east European Communist country. There was only the budding policy in the Nov. 29 statement, but it was picked and crushed by AM before it bloomed.

Had there been no adverse publicity, it might have been otherwise. AM executives are not philosophically opposed to trading with European Communist nations, no more than Dow Chemical, General Motors, IBM, Honeywell and 3M—all of which, Business International magazine reported last December, have offices in Vienna from which their representatives travel into eastern Europe.

But there was bad publicity, and more.

The Young Americans for Freedom is a conservative political organization that claims 400 chapters and 10,000 active members on college campuses across the United States.

It takes some credit for pressuring the Firestone Tire & Rubber Co. to pull back in 1965 on the 50 million dollar sale of a synthetic rubber plant to Rumania. In first revealing the incident and accusing the state department of inaction, Sen. J. William Fulbright (D.-Ark.) had said in July, 1965, that the YAF circulated literature against Firestone.

On Dec. 9, 1966, Ron Pearson, chairman of Valparaiso university's YAF chapter, notified the Valparaiso Rambler dealer that he would be picketed the next day unless—as the dealer telegraphed to AM in Detroit—the "company denies that it is sending a team to the Soviet Union."

AGREED TO ISSUE DENIAL

After talking with Pearson by phone, Hewitt agreed to issue a denial through the United Press International office in Detroit, as Pearson demanded. UPI refused to put the story on its wires because, as Pearson was told when he phoned UPI, it was considered only a placating statement.

The next afternoon, four YAF members picketed the Valparaiso Rambler agency. One sign read: "Don't Help Russian Economy."

David R. Jones, YAF executive director in Washington, D.C., says this was the start of a "nation-wide movement" to prevent AM from selling cars to the Soviet Union.

MORE DEMONSTRATIONS

There were more YAF demonstrations—on Dec. 17 at the Rambler agency in Indianapolis; Dec. 15 at the AM plant in Milwaukee. In January, YAF pickets marched in front of Rambler agencies in Mount Pleasant, Mich., Eugene, Ore., Brooklyn, Manhattan, Queens, Long Beach and Albany, N.Y. A demonstration was threatened in Boise, Idaho.

The University of Alabama YAF chapter got the local Rambler dealer to wire AM in Detroit on Jan. 2. He was opposed to "selling cars to Russia as are all other dealers because of the adverse effect on domestic sales." The dealer pleaded for an AM statement "to prevent other dealers from going through the same ordeal."

Meanwhile, at YAF headquarters, a board of directors meeting was planned. YAF had something going. Jones whisked off a five question, 331 word telegram to Pickett on Jan. 6 and announced that unless YAF received answers a nation-wide protest would begin.

Was AM "at any time in the future" going to trade with Russia? Were trade talks planned? "Regardless of the policy of the United States government," did AM favor trade with Communist countries? Was the Nov. 26 Associated Press story accurate? Had AM been pressured by the state department?

AM already had denied intention to sell cars to the Soviet Union in numerous private letters. But it issued another statement, which unlike the one to UPI early in December, went out on the news wires and was widely reported.

"Our official corporate policy categorically is and always has been," AM said in part, "to develop our business exclusively in friendly countries abroad."

YAF NOT SATISFIED

YAF was not at all satisfied with American Motors' response. On Jan. 18, Jones dispatched a second long telegram to AM. He declared that YAF would go ahead with its "planned course of action" unless AM announced a "refusal to deal with Communists in plain language."

Discussing YAF's attitude Jones says: "We're not going to be calling people Communist. This (the AM case) is a business venture. This is a case of businessmen placing the buck before loyalty to the country."

And on YAF' approach to discouraging trade with European Communist countries: "We can't run around like vigilantes. We try to look for vulnerable targets—last year Firestone."

American Motors was a "venerable target." Rambler dealers who have been picketed are anxious about already declining sales. Aware of a 12.5 million dollar loss in 1966, AM executives feel that they cannot risk a single sale through bad publicity. They have not the time, men or desire to press the issue of east-west trade, in which AM has become enmeshed.

"The house is on fire," says one AM executive, referring to the company's domestic sales situation. "And we've all got to be firemen now."

Ironically, AM stumbled into the emotion charged issue of east-west trade, unprepared, unthinkingly, and at a time when the controversy was mounting. The Johnson administration is battling for passage this year of a stalled east-west trade bill, as part of a policy of "building bridges" to east Europe and the Soviet Union.

ADDITIONAL WEAPON

The administration faces strong opposition of conservative and right wing groups, who have the matter of Soviet military aid to North Vietnam as a new, additional weapon. The old political fight has been warming up again these last months.

And American Motors walked right into it. The turmoil has not basically been over whether AM would sell cars to the Soviet Union. Even the state department admits of only a "limited possibility" to do so. The Soviet Union has shown interest only in building auto plants.

The issue with AM, as with Firestone, has been American trade generally with Communist countries. Pickett and then American Motors itself was the first major United States corporation to openly declare an unqualified intent to do commerce with the Soviet Union and east European countries.

QUESTION GLAMORIZED

The American fascination with the automobile conspired to glamorize and focus popular attention on the AM ponderings, factors absent in American machine manufacturers' and others' sales to the Soviet Union.

And once it recognized the stark imbalance between possible sales and the growing adverse publicity, AM wanted nothing more than to see the matter disappear quietly and quickly. AM asked for no help, as American tobacco companies did in unison when they were under fire in 1965. Nor did anyone help AM.

In Washington, the state and commerce departments were only vaguely aware of the controversy and pressure that arose from AM's statements on sales of cars to Russia.

The state department had answered AM's one query. Officers in both state and commerce say that they knew of no pressure from YAF until Jan. 6, when AM's statement was reported in newspapers across the country.

It seemed in Washington, from just press reports, that a spark of an idea had been snuffed quickly. And in any case, neither the state nor commerce departments were optimistic about sales of American cars to the Soviet Union. Many American companies ask for trade information on Communist countries. Often nothing more develops. And both state and commerce are apprehensive of seeming to pressure American businesses to trade with European Communist nations.

DIDN'T PURSUE ISSUE

Hence, neither department followed up with American Motors, as they had with the cigaret companies in 1965. Nor did any American auto manufacturers come to AM with public moral support.

In 1965, six major American tobacco firms had united in a public statement asserting their right to use Yugoslav imported tobacco, after considerable pressure had been put on them.

They sought and got a joint endorsement of the state, defense and commerce departments which denounced an attempted intimidation, boycott, black list or economic reprisals against American companies carrying out lawful trade with east European countries.

COMPANY PREOCCUPIED

Why did not American Motors choose this path? Mainly because AM was preoccupied with a major management reorganization and an attempt to keep its head above water. AM executives take a half serious, half joking view of YAF, but not of distressed AM customers. The 88 critical letters might represent 880 people or 8,800 or 88,000. But even 88 is too many for American Motors.

Why was there no help from the state and commerce departments? Partly because they were not asked. AM did not want to fuel the controversy. And partly because the departments did not know what was happening, although even then they might not have interceded.

American Motors is now in limbo on the controversy. AM executives feel frustrated in trying to convey to the car buying public that AM is a loyal, American company that had no great scheme to sell cars to the Soviet Union. They are not prepared to say that they never will at any time in the future, which is one of YAF's demands for calling off the pressure.

They express bitterness over the turmoil, the protests, caustic letters, crank telephone calls. They had no intention to be trail blazers in east-west trade, nor at this time of AM domestic troubles, a fighter for mutual international understanding through commerce.

Reviewing the uproar and trouble AM has gone through, one AM executive wonders: "And for what?"

The truth is that American Motors' chance and brief excursion into the embattled arena of east-west trade politics brought nothing but punishment and never did offer much reward.

FAIR TAX TREATMENT FOR OWNERS OF MUTUAL FUND SHARES

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I have today reintroduced my bill to correct an inequity in the laws interpreting the value of mutual fund shares which are quoted over the counter.

As I said on the floor of the House March 9, 1965, when I introduced this bill as H.R. 5921 in the 89th Congress, present laws are unfair to the holder of mutual fund shares which are traded over the counter.

As you know, prices quoted in the newspapers for these shares include a "bid" price and an "asked" price. Naturally, the "asked" price is always higher than the "bid" price. And a shareholder who sells his holdings never realizes the "asked" price.

Yet, under present laws, when the shareholder dies, the Internal Revenue Service uses the "asked" price as the basis for its valuation and tax computation.

The shareholder's estate is thus taxed in part on property which it, in fact, does not possess and cannot realize.

Since he cannot get the "asked" price the IRS uses, the taxpayer is overtaxed, as a result, in proportion to the difference between the two prices.

This unfairness would be corrected by my bill, which would require that, for purposes of estate and gift taxes, the bid price be used. This would furnish the true value of the holdings.

TRAGIC LOSS OF SPACE PIONEERS

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, pioneers in thought and action have faced peril throughout civilized history. With their dedication to new ideas and goals, they have realized that charting strange territory is dangerous. Often the cost has been life itself; but inevitably society has been the beneficiary.

Our Nation is shocked and saddened by the loss of three outstanding space pioneers—Virgil Grissom, Edward White, and Roger Chaffee. Their dedication to space exploration is well known. They knew the perils of the awesome territory they were charting and faced them with courage.

While the tragic fire on Apollo 1 was still smoldering around the world and on the very day that final services were held at Arlington and West Point, Airmen William Bartley, Jr., and Richard Harmon added the sacrifice of their lives to our space goals. A routine aerospace experiment turned into a second flaming disaster.

Five pioneers are dead. Let us forever avoid the same fatal territory, pay honor to these brave Americans for their contributions, and extend our heartfelt sympathies to their families.

ADDITIONAL INCOME TAX EXEMPTION FOR A MENTALLY RETARDED DEPENDENT

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. **LANGEN.** Mr. Speaker, mental retardation today affects more than 6 million Americans. Approximately 125,000 babies born each year are or will be considered as mentally retarded some time in their lives. The families to which these infants are born must face not only the heartbreak associated with any handicapped child, but also a great financial burden which may continue throughout the life of the retardate.

I am today introducing a bill that will allow an additional income tax exemption for those taxpayers who support a mentally retarded dependent. My bill will permit the taxpayer to take an additional $600 personal exemption for each mentally retarded dependent. The tax relief offered in my bill will encourage the rehabilitation of mentally retarded individuals. Parents can use the new tax savings to initiate or continue a rehabilitation program for the afflicted child. Thus, many retarded children will benefit in terms of increased treatment and care.

The family of a retarded child faces many additional costs in trying to care for that child and provide him with the opportunity to develop to his full potential. There may be additional medical expenses, so that the condition may be properly diagnosed and treated. Often the retarded child suffers from other physical and emotional handicaps which require treatment and therapy. The education of mentally retarded children is necessarily more costly than that of normal children. Usually their needs cannot be met in the regular classroom. Teachers of the retarded require specialized training to enable them to meet the educational needs of those with mental handicaps.

Closely related to education is the area of rehabilitation and training. It has been found that properly trained retarded adults can become reliable, conscientious employees. These persons can learn tasks involving limited skills, thus enabling them to become wage earners. Such programs may be expensive at the time, but are much more economical in the long run than the alternative of institutional or custodial care. For those not so fortunate as to be trainable or educable, the question of lifetime care must be faced. Whether the retardate is cared for in an institution or in his own home, the family must pay the costs of providing constant custodial attention.

It is difficult to estimate an exact dollar figure for all of these additional costs, since they differ from case to case. The tax relief which would result from the enactment of my proposal would encourage the family of a retarded individual to take the steps necessary to provide the necessary treatment, education, and training to prepare that individual for a productive and useful life.

About 3 percent of the American population are retarded. Clearly this is a problem of national significance. Many Federal, State, and local programs have been established in recent years which will begin to meet the needs of the retarded. However, these provide services to the retarded, and not financial help to individual families.

There is Federal precedence for the enactment of tax relief for particular groups. The aged and blind are allowed additional personal tax exemptions. Just as our current tax laws recognize as socially desirable the need for special consideration toward our senior citizens and the blind, so it is similarly appropriate that tax relief be extended to the mentally retarded.

Passage of my bill would be an important step in the effort to insure social and economic benefits to this special group. Accordingly, the Ways and Means Committee should schedule consideration and action on this bill at the earliest feasible time.

ELECTORAL COLLEGE REFORM

Mr. **DICKINSON.** Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Mathias] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. **MATHIAS** of Maryland. Mr. Speaker, this year many people are expressing new interest in an old question: revision of our system of electing a President. Spurred by the report of a special commission of the American Bar Association, a number of commentators recently have reviewed the pitfalls in our present electoral college system, and the relative merits of direct popular election of the American Chief Executive.

In a thoughtful column in the Baltimore Sun on January 18, Thomas O'Neill summarized very well the problems which the present constitutional system can cause, especially in a close election. Mr. O'Neill's observations deserve consideration, and I include his column in the Record:

Voting Blind

(By Thomas O'Neill)

Washington.—Hopeful signs here and there point to a spreading congressional readiness to contemplate earnestly an overhaul of the archaic method of electing the President of the United States to make it by direct popular vote, and so get rid of the middleman.

Always in the past the proposal has been given short shrift.

Instead, Congress has frequently devoted itself to long wrangles over schemes for variations on the existing Electoral College system which were patently to benefit one political element and to disadvantage another. The consequence was that nothing was done.

Although it appears to be poorly understood even in an era of compulsory public education, no American has ever marked a ballot for a President of the United States while performing his civic duty in the polling place. The vote is only indirectly for a candidate for President, and carries no warrant that it will be counted as intended.

Indeed, the voter has acted to authorize a small group, almost surely unknown to him, to act on his behalf in choosing the President. In most states these faceless deputies appear nowhere on the ballot.

They are the presidential electors who, if they belong to the winning side within a state, graduate to a non-existent institution called the Electoral College. Six weeks after the election these groups, ranging in size from a permanent three to a present maximum of 43 decided by the population of the state, gather in the state capital and make their own choices for President. The Constitution imposes no obligation upon them to obey the wishes of those who elected them.

Individual presidential electors on eight occasions have violated the trust, most recently in 1960 when there was an attempt by a faithless elector to enlist others to abandon both candidates the voters had supported, Kennedy and Nixon.

No presidential election has ever been thrown in such fashion, although popular winners have been converted into Electoral College losers by other faults in the system. The danger remains ever present, particularly in close elections. With the stake the great prize of the presidency, only the uncommonly pure at heart are unable to foresee a time when money and corrupt electors could meet.

President Johnson sought to allay this peril by proposing that the individual electors be eliminated, and that the popular vote within the states automatically be translated into electoral votes.

It was a commendable idea, but Congress did nothing. Changes in the Constitution come slowly.

Accordingly, it is on the unexpected side that a change more far-reaching, the wiping out of the old system, now gets an impressive degree of sympathetic consideration. The altered atmosphere results in part from a popular vote recommendation by a talent studded commission acting for the American Bar Association, which is expected to ratify it next month, and from the backing of the United States Chamber of Commerce.

Of greater moment, probably, is the dawning discovery that the popular vote system holds the solution to a quandary of growing agony to national election losers. It is the power, implicit in the Electoral College method, granted relatively small but politically like-minded minorities in big, closely contested states to determine the direction of large electoral blocs.

The currently favored horrible example is the voting in New York at the 1960 election. In the two-party vote Mr. Nixon held a small advantage over Mr. Kennedy, each with an excess of 3,000,000, but the small Liberal party backing Mr. Kennedy gave him enough additional popular votes and New York's biggest-of-all bundle of electoral votes, then 45. Kennedy likewise won Illinois, and its 27 electoral votes, by an infinitesimal 8,858 out of a total of 5 million.

Those electoral votes sewed up the election for Kennedy. Had the popular votes been thrown into a single national pool, as is now proposed for direct elections, the meager popular margins would have been of lesser influence.

That consideration may now sap the resistance to a popular vote system which the small states maintain because it would require them to yield up two Electoral College votes each gets without relation to population as equivalents to their two United States Senators, an item of scant importance to the populous states.

AIR POLLUTION

Mr. **DICKINSON.** Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Saylor] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. **SAYLOR.** Mr. Speaker, I wish to commend to the reading of my colleagues the article which appeared in today's issue of the Washington Post, by the columnist, William Raspberry, entitled "Air Pollution Here Is Just Shrugged Off."

It is inconsistent and extremely difficult for the Members of Congress to encourage private industry and local and State authorities to take steps in eliminating air pollution in our own communities, while at the same time the Federal Government, as the prime industry in the Nation's Capital, has permitted the city of Washington to rate the title of fourth dirtiest city in the Nation.

Just 2 days ago, the President submitted a message to the Congress that "we—the administration—are now ready to launch a wide-ranging research effort, involving government, private industry, universities, and independent research groups" with an immediate research target on motor vehicle emissions, sulfur dioxide emissions, and low sulfur or sulfur-free fuels, in its effort to find a solution to increased air pollution.

The Federal Government has already invested over $16 million in research grants, $5 million in training, and approximately $5 million for surveys and pilot projects on air pollution control. The President now recommends an increase of 50 percent in funds to expand our research efforts.

Research has already established that the prime pollutants of our air are motor vehicle emissions and the use of high-sulfur heating fuels. I would suggest that the administration establish itself as a model project here in the city of Washington, implementing the knowledge already gained from research in air-abatement control, before designating additional millions for continuation of research.

The Federal Government has jurisdiction over the District of Columbia, yet it has condoned the expansion of freeways in the city of Washington thereby bringing more cars into the area, rather than expediting the construction of mass transit facilities. It has also permitted the continual use, even by Government buildings of high sulfur content, imported waste products as heating fuels.

As Mr. Raspberry has stated in his column, we have the know-how to lick the air pollution problem in the Washington area, before it becomes a major hazard.

I include as a part of my remarks the article which appeared today in the Washington Post:

AIR POLLUTION HERE IS JUST SHRUGGED OFF

(By William Raspberry)

Night moisture condenses on the family car, and next morning it's covered with grit, soot and grime. The housewife opens the living room window to let in some fresh air. Before long the draperies start to turn black. Windows become grimy so quickly that it's hardly worth bothering to wash them.

All this is happening in Washington. Yet no one seems to be getting very worked up about it.

Los Angelenos make mirthless jokes about their smog, and New Yorkers find themselves entrapped in a lingering haze.

Washingtonians cluck their tongues in sympathy, and tell themselves how lucky they are that they don't have any air pollution to speak of. They're kidding themselves.

One Federal expert, S. Smith Griswold of the Public Health Service, knows better.

"Air pollution here is a very real problem," he says, "and a very unnecessary one. As far as dirt pollution is concerned, we're fourth in the Nation behind New York, Chicago and Philadelphia."

It doesn't have to be that way. According to Griswold, who for 11 years was air pollution control officer in Los Angeles, "If we did what Los Angeles has done, we'd have the cleanest air of any major city in the country, quite possibly in the world."

We've done hardly anything at all.

For years the city's air-pollution control and abatement program consisted of an occasional study and a small air-monitoring station at 1st and L Street nw.

Washingtonians, to be sure, are not facing any immediate threat of choking to death. There are few factories here, the prevailing winds help to dissipate air pollutants and there are no surface features comparable to the mountains that ring Los Angeles to trap foul air in the city.

Washington's big problem is not industrial oxidants but auto exhaust fumes and pollutants from the heating plants of office and apartment buildings. This is what Griswold means when he calls the local problem "very unnecessary."

California is far ahead of Washington in requiring anti-pollution devices on all new cars, for example, although Washington has more cars per square mile even than Los Angeles. Meanwhile, we're building freeways like mad to bring in still more cars.

While the Kenilworth dump remains the biggest single source of local pollution, an incredible amount of sludge is dumped into the air by heating plants—including many in Government buildings—that burn a low grade of oil.

Most large buildings burn No. 6 oil, a very dirty fuel, rather than the somewhat more expensive No. 2 oil, which produces very little pollution. No one is pushing hard for legislation to ban the dirtier fuels, partly because of local inertia and partly because much of the oil we burn is a high-sulfur Venezuelan import. (We save our domestic oil for refinement into gasoline and other more profitable products.) Some very powerful petroleum interests would like to keep it that way.

Even so, there are devices that could take up to 97 per cent of the pollutants out of smoke from heating plants. But these devices—scrubbers and electrostatic precipitators, for example—are costly, and few building managers are likely to install them in the absence of official pressure.

The Kenilworth dump is easier; the city already plans to close it and replace it with an incinerator. But according to Griswold and other abatement experts, even this is bad.

Even the best incinerators spew a fair amount of contaminants into the air. Griswold would prefer to see the city go the way of Los Angeles and abandon its incinerators in favor of sanitary land fills.

As President Johnson observed in his recent message to the Congress, foul air respects no political boundaries. Pollution originating in Washington can set eyes smarting in Bethesda or Alexandria.

It is in recognition of the regional nature of the problem that the Metropolitan Council of Governments is trying to come up with a model ordinance to provide uniform standards and enforcement throughout the area.

This also is the idea behind the Federal move that during January has augmented the L Street monitoring station with five major stations ringing the area (Alexandria, Seven Corners, Bethesda, Hyattsville and Suitland). An additional 25 smaller units are being deployed farther out.

But all this expensive equipment will do nothing more than tell us what specific gases are killing us. We have the know-how to lick the air pollution problem in the Washington area before it becomes a really major hazard. What we need now is the will to do it—or enough public indignation to demand that it gets done.

A EULOGY FOR ROGER CHAFFEE

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, Roger Chaffee used to glance down at his short, rugged frame and say as he flashed a boyish grin: "It takes a strong, little man to be an astronaut."

Whatever yardstick is used to measure a man, Lt. Comdr. Roger B. Chaffee was 10 feet tall.

He was only 31 years old when he met flaming death in an Apollo spacecraft on a launch pad at Cape Kennedy, but he had lived swiftly and intensely in those three decades plus.

Now Commander Chaffee is bigger than life. He is part of the great mystery he had yearned to explore.

Roger Chaffee would have been 32 years old on February 15. He had planned to postpone his birthday celebration for nearly a week and mark it on the first Apollo flight into space on February 21. That will never be.

Commander Chaffee died a hero's death. That must be said, trite as it may sound. He was a hero just as surely as if he had given his life for his country on a battlefield of war. But he was a hero of peace, for that is really what the exploration of space is all about.

Roger Chaffee grew up in my hometown of Grand Rapids. Like many other boys who went to Central High School, he tried out for the football and track teams. He played trumpet in a high school dance band, too, and earned enough to buy his first car.

Roger cast himself in a mold that shapes good men. He was an Eagle Scout, an Explorer Scout, a swimming instructor and lifeguard at summer camps, and an assistant Scoutmaster.

He studied at Purdue University under a Navy ROTC scholarship and proved to be as brainy as he was handsome.

He made high marks despite working at part-time jobs to raise money for flying lessons. The flying bug may have bit him because his father, Donald Chaffee, was a barnstorming stunt flyer in the 1930's. But it was not until his sophomore year at Purdue that Roger soared off into the blue.

Roger taught mechanical drawing during his junior and senior years at Purdue, headed his fraternity, did research in the rocket laboratory, and received his bachelor's degree in aeronautical engineering in 1957. He joined the Navy and won his wings in February 1959, when the seven Mercury astronauts were chosen. It was then he decided he wanted to be a space explorer.

Commander Chaffee joined the select company of U.S. astronauts by invitation in October 1963.

Now he is numbered as one of the first men to sacrifice their lives so that their earthbound brothers may learn the secrets of the mysterious universe about them.

Who knows the depths of the bravery in Roger Chaffee's heart, the "strong, little man" who dared to be an astronaut? Certainly his name will shine brightly in the annals of space. It will illumine the pages of all tales of human courage. For here was a "strong, little man" who gave his life so that other men might grow.

TO REMOVE THE LIMITATION UPON THE AMOUNT OF OUTSIDE INCOME AN INDIVIDUAL MAY EARN WHILE RECEIVING SOCIAL SECURITY BENEFITS

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Kupferman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, today I have introduced a bill to eliminate entirely the limitation upon the amount of outside income that an individual may earn while receiving benefits under the Social Security Act.

Under the present standard a person cannot earn more than $2,700 per year and still receive his share of benefits under the program. And if a beneficiary exceeds $1,500 per year, but earns less than $2,700, his benefits will be cut in half. The inequities created by this arbitrary plateau have a detrimental effect not only on the specific individual receiving the benefits, but it also hampers our society's productive output.

The President asked Congress on January 23, 1967, in addition to an overall 20-percent increase in social security benefits, for other needed improvements in the Social Security Act. The President's proposal included an extension of the earnings by 12 percent, from $125 per month to $140 per month, and from $1,500 per year to $1,680 per year. In addition, the President suggested the amount above $1,680 per year up to which a beneficiary can obtain $1 in payments for each $2 of earnings, be increased from $2,700 to $2,880. In other words, half the benefits would be lost for everything earned over $1,680 and less than $2,880.

Despite the suggestion by the President in his annual state of the Union message that he would want the country to be more helpful to our senior citizens, the proposed raise in the limitation of outside earnings per year from $1,500 to $1,680 at the minimum and from $2,700 to $2,880 at the maximum is illusory, and serves no really useful purpose. Having said that the poverty level in the United States is $3,000 per year, how can the President allow only $2,880 on outside income as a maximum without any social security benefits?

The present law under which an individual cannot earn more than $2,700 per year and still receive social security benefits is unrealistic. Unfortunately, the President's increase of $180 per year on the ceiling does not solve the problem. It cannot even be dignified as a "cost of living increase." To put a limit on the amount of earnings our senior citizens can earn, and thus discriminate against them because they are receiving social security benefits, is just not the American way.

According to a 1963 survey published in the June 1964 Social Security Bulletin the total wages earned by persons aged 65 and over amounted to at least $10 billion. The survey specifically points out the self-evident fact that these earnings are important both to the aged themselves and to the total economy. The report proceeds to analyze the trend in employment of people aged 65 and over and reaches the conclusion that—

> If the present trends toward less work and less earnings among the aged were to continue, by the end of this century there would be virtually no earnings or work experience of the aged left to analyze.

The motivating force behind these current trends can be attributed to the current retirement test.

In fact, the Advisory Council on Social Security in their 1965 report stated that they recognize "that the present test does discourage some people who are retired from their regular jobs from earning as much as they could, or would like to, in part-time or irregular employment." The retention of this retirement test will continue to keep many older persons from working, with a resultant loss to the country of valuable skills and productivity.

When the social security system was first inaugurated, there was good reason for the limitation on outside earnings. We were in a depression, jobs were scarce, and it was desirable to remove from the labor rolls those receiving social security benefits.

As economic conditions in our country changed, the retirement test became less necessary. Today's high employment economy does not need such restrictive measures. Realization of the need to do away with the retirement test is not new to this body. It has been manifested by the fact that Congress has changed the age at which the retirement test applies so that it no longer applies to those over 72.

In a 1965 survey conducted by the National Federation of Independent Business, the Nation's independent business proprietors voted by a majority of 65 percent in favor of removing all restrictions on the earnings an aged person may receive without being penalized on social security benefits. The Federation defined the significance of their survey by the sentence, "There should be no penalty on honest sweat." C. Wilson Harder, Federation president, commented:

> There are many aged millionaires now receiving the full social security benefits. However, those who must eke out the benefits by toil are penalized. It is high time there be a complete exposure of the inequities involved in many aspects of the social security system.

Psychologists tell us it is better for a senior citizen to occupy his time if he so chooses in a gainful way. In the light of our present economy, with the cost of living steadily increasing and with inflationary propensities, the best way to help the senior citizens of our society who may not have investments in savings to supplement their social security benefits, and who want to work, is to eliminate this arbitrary limitation on outside earnings.

The bill I have introduced today, similar to H.R. 14408 which I introduced in the second session of the 89th Congress—Congressional Record, volume 112, part 6, page 8014—will insure access to the means needed to provide these people with the ordinary decent needs of living characterized by our American society.

There follows a sampling of the editorial and newspaper comments on my similar legislation in the last session:

[From the Indianapolis Star, July 5, 1966]

Life Begins at 40: Social Security Law Ceiling on Elders' Earnings Outdated

(By Robert Peterson)

An important new bill has been introduced in the U.S. House of Representatives by Rep. Theodore R. Kupferman, R.-N.Y. The bill proposes to remove the limitation on the amount of outside income an individual may earn while receiving benefits under the Social Security Act.

Under the law at present, a beneficiary cannot earn more than $1,500 per year, and no more than $125 in any month. If he earns more than that amount he must reimburse Uncle Sam one dollar for each two dollars earned, up to $2,700. If he earns more than $2,700 per year, he forfeits all his Social Security.

The current law is unsound in many respects, and obviously needs to be changed. As Rep. Kupferman points out, "When the Social Security system was first inaugurated there was good reason for the limitation on outside earnings.

"We were in a depression, jobs were scarce and it was desirable to remove from the labor rolls those receiving Social Security benefits. But economic conditions in our nation have changed. Today's high employment economy does not need such restrictive measures."

For years this column tried to support Uncle Sam's contention that elders should forfeit some of their Social Security if they were strong and healthy enough to be out working. We took this unpopular stand after going to Washington, digging into the situation and making an honest effort to understand the reasoning behind the Social Security law restricting the earnings of beneficiaries between the ages of 62 and 72.

The lawmakers with whom we talked declared that the Social Security program was not intended to serve those elders lucky and healthy enough to continue working. Instead, it was devised primarily to help those seniors who could no longer work.

Looking at it from this point of view, there seemed to be merit in the requirement that those healthy enough to earn a fair income should relinquish a bit of their Social Security. But we've changed our mind for the following reasons:

First, the reasoning behind the law is not easy to understand.

Second, it violates our traditions to be told a man who retires can receive a pension, while a man who has the spunk and will to continue working must forfeit all or part of such a pension.

Third, it is discriminatory because the restriction applies only to earnings from employment rather than to income received from such sources as dividends or rentals.

Fourth, it is geriatrically unsound to do anything which discourages—rather than encourages—older people from working as long and as enthusiastically as they possibly can.

Let's hope Rep. Kupferman's bill wins the support it deserves, and that those elders still willing and able to work may be able to do so without sacrificing any of their Social Security benefits.

If you would like a booklet "Financing Your Coming Retirement" write to Robert Peterson, "Life Begins at Forty," care of The News-Sentinel, enclosing a stamped, self-addressed envelope and ten cents to cover handling costs.

[From the Richmond (Ind.) Palladium-Item & Sun-Telegram, Sept. 12, 1966]

PROBLEM OF THE ELDERLY

One of the problems Congress faces is what to do about the inadequacy of Social Security benefits for the nation's older persons in the light of steadily rising living costs.

It has been pointed out that even though benefits recently were increased, their advantage largely already has been wiped out through advancing inflation.

The National Federation of Independent Business, Inc., which represents 219,386 independent business proprietors, sought to get a "grass roots" opinion on the problem of Social Security benefits from its membership.

Its survey reflects a viewpoint which is gaining support from many sources: That is that those on Social Security who still find they must do at least some work to make a decent living should not be restricted in the amounts they can earn.

As the Social Security law now stands, anyone 65 or older, up to the age of 72, can earn in employment up to $1,500 per year without being penalized by deductions for Social Security checks.

If earnings in employment exceed $1,500, one dollar is deducted from Social Security checks for every $2 in private earnings up to $2,700 per year. After that point is reached, $1 is deducted for every dollar earned. In the majority of cases, this stops Social Security payments.

What many consider inconsistent, if not unfair, is that any oldster who has income from rents, investments and interest, can draw full Social Security benefits without any penalty.

Those reaching 72 also have no limit on any earnings they can make in employment and still receive full Social Security benefits.

A disturbing factor of the whole program is that Social Security is not a guaranteed insurance program and Congress, while it is extremely unlikely that it ever would do so, could end the program if it so desired.

One of the original objectives of Social Security was to encourage older employees to retire and thus open jobs for younger unemployed. But living costs have climbed so steadily that despite a series of benefit increases, few can retire with any degree of comfort without supplemental income.

Congress has before it a bill by Rep. Theodore Kupferman, R-N.Y., which would take all limits off the amount a person on Social Security may earn without forfeiting any Social Security benefits.

The national independent businessmen's group found through its survey that 68 per cent support the measure, 29 per cent are opposed and 3 per cent undecided. Indiana and Ohio members followed that ratio quite closely.

One point in favor of the New York congressman's proposal is that it would encourage, rather than discourage, an able person to continue gainful employment rather than be forced into an inactive retirement.

[From the Amarillo (Tex.) Globe-Times, Sept. 9, 1966]

SOCIAL SECURITY NEITHER INSURANCE NOR APPARENTLY A BONA FIDE PROMISE

The Social Security system should be a bona fide insurance program. That is the apparent majority opinion of the nation's independent business proprietors.

This seems evidenced by the outcome of a vote on a bill now before the Congress by Rep. Theodore Kupferman, New York, which will eliminate the restrictions now placed on the amount that elderly people can earn without having deductions made in their Social Security checks.

The nationwide poll conducted by the National Federation of Independent Business shows 68 per cent of the independent business proprietors favor this measure, with 29 per cent opposed, and 3 per cent undecided.

In Texas the legislation is supported by 73 per cent, opposed by 23 per cent, with 2 per cent undecided.

As the law now stands, since amendment last year, anyone 65 years of age or older up to the age of 72, can earn in employment up to $1500 per year without being penalized by deductions for Social Security checks. If the earnings go over this, 1 dollar is deducted from the Social Security check for every two dollars of private earnings up to $2700 per year. After that point is reached, $1 is deducted for every dollar earned which in the majority of the cases stops any Social Security payments.

On the other hand, any oldster who has income from rents, investment and interest, can draw full Social Security benefits without any penalty.

Those reaching the age of 72 also have no limit on the earnings they can make in employment and still receive their full Social Security benefit check.

This quirk in the understanding of Social Security in operation has long created confusion. In the minds of many people, the deductions made from their pay checks and from their employers is considered Social Security insurance, due largely to the fact that when the program was initiated the sponsors of the legislation talked in terms of insurance.

This was clarified before the United States Supreme Court when Social Security officials testified that Social Security is not a bona fide insurance contract and that under the law the Congress can end the program, both payroll deductions and payments of benefits at any time it may choose to do so.

The Social Security Act was passed in the midst of the depression with the then belief that by encouraging older employees to retire, more jobs would be opened up for the younger unemployed. Since that time, however, the living costs have soared so that benefits paid do not enable most oldsters to retire with any degree of comfort without a supplemental income.

The only people penalized by the present restrictions are those who must work to maintain an adequate scale of living. More affluent elders who can supplement their incomes through rentals, dividends, or other means, continue to draw the full Social Security benefit.

In addition, those over 65 still working continue to pay the Social Security deducted from their pay checks, while those in better circumstances, if they desire, can retire at 62 years of age and draw the full amount of a slightly reduced Social Security benefit and pay no more into the program, even while enjoying extensive outside income.

Commenting on the vote, Federation president C. Wilson Harder says, "It is about time that the truth is known about Social Security. The plain fact is that no one, without an investment income, who wishes to maintain an adequate scale of living, can look forward to receiving any benefit from the Social Security system until reaching the age of 72, regardless of how much, or how many years, he or she has paid into the fund."

[From the bulletin of the New York State Association of Retail Meat Merchants, September 1966]

SOCIAL SECURITY CHANGES DESIRED

Even though there has been some adjustments in the amount that a Social Security pensioner can earn and still receive benefits, apparently the nation's independent business proprietors, who supported these adjustments, feel there should be no strings attached on the payment of benefits. There is before Congress a bill by Representative Theodore Kupferman, New York, known as H.R. 14408 which would take all limits off the amount a senior citizen can earn without forfeiting any Social Security benefits. Submitted to a nationwide poll by the National Federation of Independent Business, 68 per cent of the independent proprietors are in favor of the measure, 29 per cent opposed, with 3 per cent undecided.

The Social Security system should be a bona fide insurance program. That is the apparent majority opinion of the nation's independent business proprietors.

This seems evidenced by the outcome of a vote on a bill now before the Congress by Representative Theodore Kupferman, New York, which will eliminate the restrictions now placed on the amount that elderly people can earn without having deductions made in their Social Security checks.

The nationwide poll conducted by the National Federation of Independent Business shows 68 per cent of the independent business proprietors favor this measure, with 29 per cent opposed, and 3 per cent undecided.

In New York the legislation is supported by 72 per cent, opposed by 26 per cent, with 2 per cent undecided.

As the law now stands, since amendment last year, anyone 65 years of age or older up to the age of 72, can earn in employment up to $1500 per year without being penalized by deductions for Social Security checks. If the earnings go over this, 1 dollar is deducted from the Social Security check for every two dollars of private earnings up to $2700 per year. After that point is reached, 1 dollar is deducted for every dollar earned which in the majority of the cases stops any Social Security payments.

On the other hand, any oldster who has income from rents, investment and interest, can draw full Social Security benefits without any penalty.

Those reaching the age of 72 also have no limit on the earnings they can make in employment and still receive their full Social Security benefit check.

This quirk in the understanding of Social Security in operation has long created confusion. In the minds of many people, the deduction made from their pay checks and from their employers' is considered Social Security insurance, due largely to the fact that when the program was initiated the sponsors of the legislation talked in terms of insurance.

This was clarified before the United States Supreme Court when Social Security officials testified that Social Security is not a bona fide insurance contract and that under the law the Congress can end the program, both payroll deductions and payments of benefits, at any time it may choose to do so.

The Social Security Act was passed in the midst of the depression with the then belief that by encouraging older employees to retire, more jobs would be opened up for the younger unemployed. Since that time, however, the living costs have soared so that benefits paid do not enable most oldsters to retire with any degree of comfort without a supplemental income.

The only people penalized by the present restrictions are those who must work to maintain an adequate scale of living. More affluent elders who can supplement their incomes through rentals, dividends, or other means, continued to draw the full Social Security benefit.

In addition, those over 65 still working continue to pay the Social Security deducted from their pay checks, while those in better circumstances, if they desire, can retire at 62 years of age and draw the full amount of a slightly reduced Social Security benefit and pay no more into the program, even while enjoying extensive outside income.

Commenting on the vote, Federation president C. Wilson Harder says, "It is about time that the truth is known about Social Security. The plain fact is that no one without an investment income who wishes to maintain an adequate scale of living, can look forward to receiving any benefit from the Social Security system until reaching the age of 72, regardless of how much or how many years, he or she has paid into the fund."

[From the Pittsburgh Post-Gazette, Aug. 18, 1966]

YEARS ALTER VIEWS ON SOCIAL SECURITY

(By Andrew Bernhard)

It has been my observation that when people get on in middle age—say about 50—they begin to take a sharper interest in the Social Security system. In the twenties and thirties old age and retirement seem infinitely far ahead, and Social Security is just something that is deducted from your pay check, like the Federal income tax.

Once you get over the hill and begin to slide down toward the sixties your attitude changes. You begin to wonder whether you should retire at 62 and take a somewhat reduced Social Security payment or should continue on the job as long as the boss will keep you on the payroll.

You begin to wonder, too, about the justice of paying full Social Security to a man of 65 who has a million-dollar income from investments and withholding such payments to a salaried man who earns more than $1,500 a year.

There is now before Congress a bill introduced by Rep. Theodore Kupferman, New York, known as H.R. 14408, which would change this.

This bill would eliminate the restrictions now placed on the amount that elderly citizens can earn without deductions in their Social Security checks.

I have no doubt that all Americans over 60 will favor the bill, but how the general voting public feels about it is something else again. One straw in the wind may be a poll of the nation's independent business operators, taken by the National Federation of Independent Business, Inc. This poll, nationwide, shows 68 per cent of its members in favor of the measure, with 29 per cent opposed, and three per cent undecided.

In Pennsylvania the legislation was supported by 66 per cent, opposed by 31 per cent and three per cent were undecided.

As the law now stands, since amendment last year, anyone 65 years or older up to the age of 72 can earn in employment up to $1,500 a year without being penalized by deductions from Social Security checks. If the earnings go over this, one dollar is deducted from the Social Security check for every two dollars of private earnings up to $2,700 a year. After that point is reached one dollar is deducted for every dollar earned, which in the majority of the cases stops any Social Security payments.

On the other hand, any oldtimer who has income from rents, investments and interest can draw full Social Security benefits without any penalty, no matter how large his income.

When you reach the age of 72 there is no limit on your earnings in employment. You still receive your full Social Security benefit check.

The Social Security Act was passed in the Depression, with the belief that, by encouraging older employees to retire, more jobs would be opened up for the younger unemployed. Since that time, however, living costs have soared so that benefits paid do not enable most older citizens to retire with any degree of comfort without a supplemental income.

The only persons penalized by the present restrictions are those who must work to maintain a comfortable standard of living. Their more affluent compatriots can supplement their incomes through dividends, rentals, or other sources and continue to draw the full Social Security benefit.

And, you know something? I find myself at an age at which I look with favor on Mr. Kupferman's bill.

[From the Erie (Pa.) Times, Aug. 24, 1966]

BUSINESSMEN FAVOR BILL TO CHANGE SOCIAL SECURITY

(By Les Lowman)

Sixty-six per cent of independent business proprietors of Pennsylvania favor a congressional bill by Rep. Theodore Kupferman, New York, which would eliminate the restrictions now placed on the amount that elderly persons can earn without having deductions made in their Social Security checks.

Thirty-one per cent are opposed to the measure, now before Congress, while three per cent are undecided, according to the survey made recently by the National Federation of Independent Business, Inc.

Under the current law, anyone sixty-five years of age or older up to the age of seventy-two, can earn up to $1,500 per year without being penalized by deductions for Social Security checks. If the earnings go over $1500, a dollar is deducted for every $2 of private earnings up to $2700 per year. After that point is reached, $1 is deducted for every dollar earned which, in the majority of cases, stops any Social Security payments.

On the other hand, any oldster who has income from rents, investment and interest, can draw full Social Security benefits without any penalty. Those reaching the age of seventy-two also have no limits on the earnings they can make in employment and still receive the full Social Security benefit check.

In the minds of many people, Social Security is considered insurance, the way in which the sponsors of the legislation talked when it was first introduced during the days of the depression in the 30's.

The U.S. Supreme Court clarified this when Social Security officials testified that Social Security is not a bona fide insurance contract and that under the law the Congress can end the program, both payroll deductions and payments of benefits, at any time it may choose to do so.

Those who must work to maintain an adequate scale of living are the only ones penalized by the present restrictions in the Social Security setup. More affluent elders who can supplement their incomes through rentals, dividends, or other means, continue to draw the full Social Security benefits.

In addition, those over sixty-five still working continue to pay the Social Security deducted from their pay checks, while those in better circumstances, if they desire, can retire at sixty-two years of age and draw the full amount of a slightly reduced Social Security benefit and pay no more into the programs, even while enjoying extensive outside income.

C. Wilson Harder, president of the Federation, says "It is about time that the truth is known about Social Security. The plain fact is that no one without an investment income, who wishes to maintain an adequate scale of living under today's prices, can look forward to receiving any benefit from the Social Security system until reaching the age of seventy-two, regardless of how much, or how many years, he or she had paid into the fund."

[From the Battle Creek (Mich.) Enquirer-News, Aug. 28, 1966]

POLL FAVORS REMOVING LID ON EARNINGS OF ELDERLY

The Social Security system should be a bona fide insurance program. That is the apparent majority opinion of the nation's independent business proprietors.

This seems evidenced by the outcome of a vote on a bill now before the Congress by Rep. THEODORE KUPFERMAN, New York which will eliminate the restrictions now placed on the amount that elderly people can earn without having deductions made in their Social Security checks.

MICHIGAN'S FEELINGS

The nationwide poll conducted by the National Federation of Independent Business shows 68 per cent of the independent business proprietors favor this measure, with 29 per cent opposed, and 3 per cent undecided.

In Michigan the legislation is supported by 65 per cent, opposed by 31 per cent, with 4 per cent undecided.

As the law now stands, since amendment last year, anyone 65 years of age or older up to the age of 72, can earn in employment up to $1500 per year without being penalized by deductions from Social Security checks. If the earnings go over this, one dollar is deducted from the Social Security check for every two dollars of private earnings up to $2700 per year. After that point is reached, $1 is deducted for every dollar earned which in the majority of the cases stops any Social Security payments.

CITE EXCEPTIONS

On the other hand, any oldster who has income from rents, investment and interest, can draw full Social Security benefits without any penalty.

Those reaching the age of 72 also have no limit on the earnings they can make in employment and still receive their full Social Security benefit check.

This quirk in the understanding of Social Security in operation has long created confusion. In the minds of many people, the deductions made from their pay checks and from their employers is considered Social Security insurance, due largely to the fact that when the program was initiated the sponsors of the legislation talked in terms of insurance.

This was clarified before the United States Supreme Court when Social Security officials testified that Social Security is not a bona fide insurance contract and that under the law the Congress can end the program, both payroll deductions and payments of benefits at any time it may choose to do so.

DEPRESSION ACT

The Social Security act was passed in the midst of the depression with the then belief that by encouraging older employees to retire, more jobs would be opened up for the younger unemployed. Since that time, however, the living costs have soared so that benefits paid do not enable most oldsters to retire with any degree of comfort without a supplemental income.

The only people penalized by the present restrictions are those who must work to maintain an adequate scale of living. More affluent elders who can supplement their incomes through rentals, dividends, or other means, continue to draw the full Social Security benefit.

In addition, those over 65 still working continue to pay the Social Security deducted from their pay checks, while those in better circumstances, if they desire, can retire at 62 years of age and draw the full amount of a slightly reduced Social Security benefit and pay no more into the program, even while enjoying extensive outside income.

Commenting on the vote, Federation president C. Wilson Harder says, "It is about time that the truth is known about Social Security. The plain fact is that no one, without an investment income, who wishes to maintain an adequate scale of living, can look forward to receiving any benefit from the Social Security system until reaching the age of 72, regardless of how much, or how many years, he or she has paid into the fund."

A TAX CREDIT INCENTIVE FOR INDUSTRY TO STOP AIR AND WATER POLLUTION

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SHRIVER. Mr. Speaker, early this week the President submitted to the Congress a message dealing with the problems of air pollution. I have today introduced a bill designed to effect a partnership between business, industry, and government in carrying out a program of water and air pollution abatement.

President Johnson in his message on January 30, 1967, stated:

> Federal action alone cannot master pollution. The States, the cities, and private industry must commit themselves more fully, more effectively, and with a new sense of urgency, to America's struggle against poisoned air.

Under this legislation, an incentive tax credit would be provided for the taxpayer who undertakes a construction program for air and water pollution treatment facilities in cooperating with the Federal and State Governments on pollution control programs.

A 20-percent incentive tax credit would be applied to all costs of the facility including buildings, improvements, machinery, equipment, and including total costs of land.

Participating industries also would have another incentive. In lieu of the depreciation deduction now allowed, the firms could amortize the costs on a 1- to 5-year basis.

Mr. Speaker, the administration in its proposals sent to Congress this week advocated tightening of punitive restrictions against those in private industry who offend the public by polluting the environment.

Restrictive and punitive legislation is already on the books. Despite these measures, progress has been very slow.

This bill does not relate to municipal pollution and is not intended to. It will encourage action to control industrial pollution. It provides for the partnership which is so badly needed between Government and industry to resolve which affects the welfare and health of all Americans.

I join in urging the Committee on Ways and Means to give prompt and serious consideration to this legislation.

TRIBUTE TO BAYOU LA BATRE

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, with the help of the Congress and the U.S. Army Corps of Engineers, the good people of Bayou La Batre, Ala., have been able to make an improvement which is important to the welfare of their community.

The Bayou La Batre Channel, essential to the commercial fishing activity of the area, connecting the community with the Gulf of Mexico, has been deepened to 12 feet in order to permit the free passage of larger craft.

Almost from the moment the channel project was announced things started happening to this wonderful city. New enthusiasm is appearing, new industry is arriving, and the people go about their business with renewed pride.

For you see, Bayou La Batre for generations earned its livelihood from fishing, but as boats became larger they were unable to pass into the bayou, and things were not going so well.

Now with the improved channel new boat yards are springing up, a new textile mill is coming to town, larger boats are bringing in greater loads of shrimp, oysters, fish, and other seafood.

This is truly a success story showing the results of a really legitimate Federal program. No handouts, no welfare, just honest-to-goodness Federal participation that is lasting because it enables industrious citizens to work more effectively for their own welfare and for the good of their community.

On January 27, 1967, brief ceremonies were held to commemorate the opening of the new channel. Very appropriately, one of the truly great citizens of Bayou La Batre, Miss Alma Bryant, was called upon to make some remarks.

"Miss Alma" is a fourth generation descendant of the early settlers of Bayou La Batre. She was born in Bayou La Batre and attended school there.

After graduating from the University of Alabama she spent 47 years teaching in the Bayou La Batre area, 35 of these as principal of Alba High School in Bayou La Batre.

She has been retired for about 10 years now, but there are very few citizens of Bayou La Batre who didn't get some early training from this gracious lady.

She remains active today in church and community services, in filling speaking engagements, and in writing.

Miss Alma's comments, presented at the January 27 ceremony, entitled, "The Bayou De La Batre—Then and Now," were so beautiful and so well said that I would like to share them today with the Members of the House.

I have permission to have them included in the CONGRESSIONAL RECORD immediately following my remarks:

THE BAYOU DE LA BATRE—THEN AND NOW

Bayou La Batre! What a strange-sounding name to those who first hear it! How beloved by those of us who learned to slur its syllables in early childhood!

It is not often that a stream of water gives its name to the land areas that border its shoreline, but in this case it is true. Our forefathers found along this bayou a battery that was possibly built by earlier explorers. They named the stream Bayou de la Batre, the bayou of the battery, and soon the surrounding land area became known as Bayou La Batre. However, when I call this name today, I shall be referring to the stream and not to the town.

Centuries before Joseph Bosarge led French Canadians to this region, nature had provided this stream which separated two land areas, but also brought together these land areas in a common effort to use the stream in obtaining a livelihood.

Bayou La Batre, with its network of tributaries has also afforded a guide for directions. Older inhabitants spoke of going up the bayou, down the bayou, out the bayou, over the bayou and across the bayou. We who live on the north side no longer speak of going across the bayou to the post office. Now we have become sophisticated enough to say that we are going over town.

Over the years Bayou La Batre has exerted a strange power over those who are familiar with its moods—deep and reverent awe when boatsmen without benefit of light or beacon, through darkness, fog, rain, sleet, and storm, sounded its depths with long poles as they attempted to enter its channel or maneuver their boats around its hazards; stark realism when they faced up to the elements that tore their sails, rusted their equipment, and rotted their boats and nets; unexplainable mystery of eerie sounds and unidentified lights and especially the strange phenomenon related to the dead calm that always deflated their sails as they rounded that spit of land known as Devil's Bend; unmitigated fear when storms and hurricanes changed the lazy stream into a furious torrent that destroyed their property and industry; gay romanticism when graceful, full-rigged schooners spread their sails and started out to participate in the annual boat races, picnic parties loaded for a frolic on Dauphin Island, a whole flotilla of skiffs prepared to row out to Parasol Coast for a fish fry, and a young man invited his lady love for an afternoon of rowing and kodaking up and down the main bayou and in and out of the smaller bayous. A freeway and a high-powered car can be quite exciting but can never match the pure romance of two lovers dipping their oars into the dark water of the bayou.

About a hundred years ago the great Alfred Tennyson wrote:

> "The old order changeth, yielding place to
> new
> And God fulfills himself in many ways
> Lest one good custom corrupt the world."

The old way has indeed changed so far as our bayou is concerned and much that is new and highly useful has come in.

My great uncle loaded his pirogue with charcoal and paddled and pushed his cargo to Mobile. How startled he would have been if on a return trip to Bayou La Batre he should have met one of the large deep-sea boats that now ply the bayou. Uncle Nat would have thought that he had missed his port, for many of his old landmarks would have disappeared and the bayou itself would have taken on a new look.

The first and certainly one of the most needful changes was the deepening and extending of the outer end of the bayou into the Mississippi Sound, thus providing access to the Intercoastal Canal. How I wish that my father could have lived long enough to see this great achievement, for well do I remember the long, anxious hours he stayed grounded on sand bars at the mouth of the bayou. Often he had his schooner loaded with oysters and could do nothing but hope that a high tide would come in before his oysters spoiled or the bottom of his boat was ruined by the constant dragging over shells, barnacles, and dangerous debris.

The deepening and widening and straightening of the channel of the bayou itself, the removal of a picturesque little island perched midway of the channel, and the completion of a basin for loading purposes have greatly increased the activities of the water front. The new improvements around the marina bid fair to provide docking and industrial area of untold value.

Private enterprise has done a big part in dredging and constructing docking facilities in the smaller bayous. And, by the way, I am told that dredging in our bayous was complicated by the great number of logs that lay on the bottom of the bayous. Those logs were remnants of great rafts of logs that were floated down Bayou du Douce, Snake Bayou, and the upper part of the main bayou to the large sawmills that once stood on the banks of the bayou and represented the first early commercial activity of this area, even predating the fishing industry.

And so Bayou de la Batre continues on its way, mingling the fresh, clear spring water of Bayou du Douce and the dark swamp water of Snake Bayou and Bayou Cateaux with the salt water of Mississippi Sound. Through the process of giving and receiving, with rising and ebbing tides, with calm and ruffled surfaces, it ever lends itself to the direction and use of man. What a heritage!

How grateful we are to those outside of our area who have pleaded our cause and secured funds to improve our main asset. To the Honorable Jack Edwards and the Corps of Engineers and many others who have worked faithfully for improvements we express deep appreciation. If it could, the bayou itself would salute its benefactors for setting it free from its hazards and obstacles to be a friend to mankind.

THE FEDERAL TAX FAIRNESS BILL

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the body of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, millions of Americans every year find themselves involved in disputes with the Internal Revenue Service over amounts due in Federal income taxes.

In many, or most, of these cases the amount of money involved is not large enough for the taxpayer to go to the existing Tax Court of the United States.

The taxpayer does have an opportunity to present his case, but he must do so at the same office which issued the original claim. If, upon receiving a negative response from the Internal Revenue Service to his defense, he still believes his case has merit, his only recourse then is to a long and expensive litigation.

In undertaking a project of that kind he must face the enormous resources of the gigantic bureaucracy, and the expenses of such a task may well exceed the amount of money involved in the claim.

Many Americans every year, faced with this situation, have no real alternative, then, but to pay the $100, or $800, or $1,500 which the Internal Revenue Service says is owed to the Government. They pay feeling that their side of the case has not had a fair and impartial hearing.

To help alleviate this problem I have introduced a bill, H.R. 4323, to establish a Small Tax Division within the existing Tax Court of the United States.

Under this bill the taxpayer who is claimed by Internal Revenue Service to owe up to $2,500 in taxation can appeal to the small tax court and receive there an impartial judgment on the claim.

Perhaps the language incorporated in the bill is not perfect. There may be room for improvement.

But it is clear that the overburdened American taxpayer needs relief on this point, and this relief should be provided soon.

The Internal Revenue Service should not be asked to function both as a collector of taxes and a judge of the tax laws.

Forty years ago this was not a problem because income taxes were not assessed against persons earning less than $5,000. But today it is often the lower income wage earner, already hard pressed to meet his bills for necessities, who is most damaged by a claim brought against him for back taxes due.

In these cases the taxpayer is overwhelmed by the governmental machinery brought to bear against him. He deserves to know that his position receives a fair inspection.

I urge early consideration of this legislation.

MANDATORY SANCTIONS AGAINST RHODESIA

The SPEAKER pro tempore (Mr. FOLEY). Under previous order of the House, the gentleman from California [Mr. YOUNGER] is recognized for 60 minutes.

Mr. YOUNGER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. YOUNGER. Mr. Speaker, for the first time in my 14 years in Congress I have taken a special order, and I do so now only because I feel so sincerely and deeply that our country made a colossal mistake in voting to impose mandatory sanctions on Rhodesia.

Mrs. Younger and I selected Africa for our vacation this past December, not because of the Rhodesia situation, for the compulsory sanctions had not been imposed then, but because it was about the only part of the world we had not visited. We spent 4 weeks in Africa, three of which were spent in South Africa. We were on our own and not at Government expense. The South African Government did put a car and driver at our disposal while in Cape Town.

First, let me say, we were tremendously impressed with South Africa, a country which is self-sufficient in almost all essentials except oil, for which American companies are drilling now on the Indian Ocean coast. Fifteen percent of their oil requirements are now met by a large plant at Sasol which converts coal into oil. The country is well governed and there is little evidence of poverty as judged by the absence of cardboard and sheet-iron shacks. Employment is high and living is very reasonable—the cheapest of any country we have ever visited. Beautiful cities, modern buildings, and a most impressive system of highways. A country well farmed and with a tremendous variety of products. We did not visit Rhodesia.

When we returned I directed a letter to Secretary Rusk, dated January 3, which was answered on January 24. I shall repeat the questions, then give the Department of State's answer, followed in each case by my own comments:

QUESTION NO. 1

Was the Department of State action in supporting England's demand for compulsory sanction against Rhodesia consistent with the reports from the Department's various offices in South Africa?

ANSWER

Our support for the resolution adopted by the United Nations Security Council on December 16, 1966, imposing selective mandatory economic sanctions against Southern Rhodesia was consistent with reports from the various U.S. offices in South Africa as well as other neighboring areas. Our offices are agreed that the situation in Rhodesia constitutes a basic threat to stability in Africa.

COMMENT

While in South Africa I visited with consular offices in Johannesburg, Cape Town, Port Elizabeth, and the Embassy in Pretoria. The Ambassador was on home leave. I found only one employee of our Government who was in sympathy with the action taken by the United States against Rhodesia. Also, I was told that reports had been filed with Washington giving the reasons why utter chaos would result in both Rhodesia and South Africa if the government were turned over to the natives who constitute the overwhelming majority. Further, I could not find one person in my travels who believed that the stability of Africa was involved in the Rhodesian affair, especially if the Rhodesian Government was allowed to work out its own internal problems unhampered by outside interference, as has been the case with all the other new nations in Africa which do not now, nor have they recognized majority rule, but change governments at will by a coup and without interference.

QUESTION NO. 2

Do you realize that the U.N. action against Rhodesia is only a first step toward the same action against South Africa?

ANSWER

The steps to which we have agreed in the United Nations are serious but limited. They are designed for one purpose only—to exert effective pressures on the Rhodesian regime to bring about a peaceful, negotiated solution. We do not view them as committing the United States to automatic application of similar measures against South Africa.

COMMENT

The United States would have to do some fancy footwork to avoid voting sanctions against South Africa when requested by the new African members of the U.N. who together with the communistic bloc members and sympathizing members hold an effective majority in the U.N. General Assembly. The principal argument against Rhodesia is the lack of majority rule which applies with equal force against South Africa. In my travels in Africa I found no one who did not concur that the Rhodesian sanctions were just a first operation toward final action against South Africa, which would be taken now except that England is afraid to go that far now to satisfy the emerging African nations. Surely the people of South Africa so consider this action and we are rapidly losing the goodwill of one of the few remaining friendly anti-Communist nations which are on our side. As Ian Smith has said:

> If we have to get out of our country, then we would rather go out fighting than crawling on our hands and knees.

Actually, the sanctions have consolidated opinion back of the Smith government. The only effect of the sanctions is to weaken the economy of the country but since there is a 16-to-1 ratio of native population to whites you hurt 16 natives in order to get at one white. Also, there is no negotiation table left, for Prime Minister Wilson withdrew all items of negotiation.

QUESTION NO. 3

Do not your field reports from South Africa emphasize what that country is doing and has done for their native population, which is far more enlightened than what we have done for our Indians?

ANSWER

We have had full reports from U.S. offices in South Africa. They emphasize the economic and industrial progress of the country while noting that not all the citizens are free to participate in the social, political, and economic benefits because of the policy of apartheid.

COMMENT

This answer points out the very reasons why the United States will have to take action against South Africa because we have already taken the first step down that road in an effort to pull England out of her troubles without any agreement from her to stop helping our enemies. I cannot conceive that anyone who has traveled in South Africa would advocate turning the country over to the seven tribes of native Africans, called Bantus. It is a well-governed, economically sound, extraordinarily developed country. But in substance that is what our Government is bent on doing with her majority rule decision because there are only 3 million Europeans to 10 million Bantus in South Africa with another 3 million colored. As Dean Acheson said:

> Rhodesia is doing what the U.N. has no jurisdiction to forbid.

His full statement is attached as exhibit A.

QUESTION NO. 4

With our record of rather shoddy treatment of our Indians, who are we to set up ourselves as judge of other nations in the treatment of their native population?

ANSWER

I believe we must admit our past mistakes in the treatment of the American Indian. President Johnson noted in his January 10 state of the Union speech that we should "embark upon a major effort to provide self-help assistance to the forgotten in our midst—the American Indians and the migratory farmworkers."

COMMENT

I should think our native Indians would resent being classified with the migratory farmworkers. It was the Indian tribes who originally owned all of the United States and we took it away from them and developed it, but I do not hear anyone in our Government advocating turning the country back to the natives as we are asking the developers of Rhodesia and South Africa to do. It is all well and good for us to philosophize about the right of natives now that we are in the majority, but what was the situation when the Indians were in the majority? We did not even consider them as a part of the population for creating congressional districts, but we did count slaves as three-fifths of a person. And may I add that today South Africa is doing a more constructive job for their natives in the way of education, housing, and medical care than we are doing for our Indians. So, who gives us the right to point our finger at Rhodesia and South Africa?

QUESTION NO. 5

Do you believe that the U.N. action against Rhodesia supported and encouraged by our administration has potentially more seeds for creating a third World War than the South Vietnam war?

ANSWER

There were many demands in the United Nations and elsewhere for the use of force to bring down the Smith regime. As I have mentioned above, the action taken by the Security Council is designed rather to lead to a peaceful negotiated solution. The problem posed by the attempt of a racial minority in Southern Rhodesia to seize power illegally and perpetuate its domination over the vast majority of Rhodesians constitutes a basic threat to stability in Africa. The issues involved are particularly important to Africans, who are understandably aroused at colonial or racial repression. A failure to try to solve this problem would surely sharpen tensions throughout the southern half of the African continent. It might well lead to civil strife which would extend across international boundaries and involve other parties, including extremist elements.

I am sure you recognize the strategic importance of this vast continent, with the serious political and security implications for the United States if Africa were to come under the domination of hostile elements. We therefore have a major stake in retaining our political influence in the area, in strengthening the forces of moderation, in assisting African states to maintain their independence, and in helping to create conditions of reasonable stability which will minimize the risks for subversion and penetration. Our policy regarding Southern Rhodesia supports these ends.

COMMENT

It is inconceivable to me that the action taken by the U.N. can possibly be designed to lead to a "peaceful negotiated solution." The South African Government has repeatedly said they will not honor the sanctions and will give the present Government of Rhodesia all the aid they can. As exhibit B I am attaching letters from Portugal to the U.N. which remain unanswered. As exhibit C, I am attaching an article from the South African magazine News Check of January 13 relative to the possible illegal action of the Security Council in voting the sanctions because both Russia and France abstained, and it was the original idea that all five of the permanent members of the Council had to affirmatively agree to legalize their action.

It must be understood that there was no seizure of power in Rhodesia. That country has been self-governed for over 40 years and the Smith government had been in power for some 3 years before they declared their independence after their inability to reach an agreement with Great Britain. Certainly no nation should have more sympathy or understanding with such an action than ours. I agree that the sanctions themselves will not cause any strife as they will fail unless the U.N. or England and the United States decide to use force, then the fat will be in the fire and a war will be in the making which could well lead to the third world war. Both the First and Second World Wars started on less provocation, with England at the heart of the controversy.

It is interesting to note the comment about Africa coming under the domination of hostile elements when, at the same time, we are acting against the only non-Communist friendly nations on that continent and Russia is just sitting back to pick up the pieces, having abstained from voting the sanctions.

QUESTION NO. 6

Why does our government continually support England in the handling of her Dominion when she continues to support our enemies in North Vietnam and Cuba with her trade?

ANSWER

For the reasons I have mentioned, we believe that the Security Council's action best protects our own interests and those of the international community in attempting to bring about the orderly solution of a controversy that threatens the peace of southern Africa. It is true that the United Kingdom as well as other countries have not agreed with our economic denial policy with regard to Cuba and continue to trade with that country. The British Government has, nevertheless, banned the export of strategic items to Cuba.

With respect to North Vietnam, British trade is quite small and does not include any strategic items. British shipping to North Vietnam has been drastically reduced and now consists of only a few ships that are registered in Hong Kong and fly the British flag. The British Government has given valuable political support to our position in Vietnam. We naturally continue to be concerned that British policy does not fully accord with all aspects of U.S. policy with regard both to Cuba and Vietnam. We have made and will continue to make representations to the United Kingdom on the various problems involved.

COMMENT

This answer is not very reassuring. The promise to "continue to make representations to the United Kingdom" will give little solace to the parents of our servicemen who have been killed by an enemy which the United Kingdom continues to supply. It is most unfortunate that our Government continues to misunderstand or misinterpret the will of our people toward England on this question of trade. I recall that England was a signatory to the SEATO Treaty but where are her troops now? Attached are a long list of newspaper comments on this subject, as exhibit D.

QUESTION NO. 7

If it is the continuing policy of our administration to interfere in the domestic problems of other nations, why not take action against Australia which refuses to admit members of colored races to their country?

ANSWER

The Security Council's decision to impose mandatory sanctions on Southern Rhodesia cannot rightly be described as interference in the internal affairs of a state. Southern Rhodesia is not recognized as a state by a single country. The sovereign authority over Southern Rhodesia resides with the United Kingdom. It was the UK which recognized in the first instance the threat to the peace inherent in the situation and turned to the Security Council for help in securing international assistance that would assure to the population of Southern Rhodesia its fundamental right of self-determination. The Security Council's action, then, was not an intervention in the affairs of a state. It was action taken in response to a request for assistance by the legitimate authority having sovereignty over and responsibility for the territory concerned.

COMMENT

I am informed on good authority that the history of Southern Rhodesia will show that the United Kingdom has only had residual authority in Rhodesia. The Declaration of Independence did not in any way alter the Constitution of 1961 which Great Britain had approved. It seems to me that we are messing in the internal affairs of a country and whether that country has been recognized by any other country is beside the question. Where is there a country in Africa which has majority rule? Why pick on our friends Rhodesia and South Africa to impose a philosophy observed only in but a few spots in the world?

QUESTION NO. 8

If the question in Rhodesia and South Africa is one of majority rule, why submit the question to the U.N., which is the world's worst example of majority rule as related to the rule of one-man, one-vote?

ANSWER

Under the Charter of the United Nations, each member state has one vote in the General Assembly. The decision to impose selective mandatory sanctions against Southern Rhodesia, however, was taken by the Security Council, which under the UN Charter has primary responsibility for the maintenance of international peace and security. Under the UN Charter the United States and other permanent members of the Security Council enjoy special voting procedures which protect their interests.

COMMENT

I agree thoroughly that the United States enjoys special voting procedures which should protect our interests and it is most unfortunate that this voting right is used to protect England—not the United States. You do not see France or Russia using this special voting procedure except for the protection and interest of their own country. It is most interesting that the State Department completely ignores the question of the undemocratic representation of the General Assembly where the problems originate which the Security Council has to settle.

QUESTION NO. 9

Under what authority did the President issue his Executive Order denying the right of our citizens to import certain minerals, raw materials, and manufactured goods from Rhodesia?

ANSWER

The President on January 5 signed Executive Order No. 11322, implementing the Security Council's resolution of December 16. His action was taken under the authority of Section 5 of the UN Participation Act of 1945, as amended, which empowers the President to promulgate orders carrying out mandatory decisions of the Security Council taken under Article 41 of the UN Charter. The Council's decision to apply selective sanctions against Southern Rhodesia was based on that Article.

COMMENT

This answer seems to admit that we have abdicated our sovereignty to the U.N. because the President must do what the Council dictates whether the action is in the public interest or meets with popular approval. Of course we have the veto, but the President can circumvent the public will by having our Ambassador to the U.N. vote for a measure in the Council, then the President can hide behind section 5 of the U.N. Participation Act of 1945. So far as article 41 is concerned it can only be employed in case of the existence of any threat "to the peace, breach of the peace or act of aggression" as provided in article 39. By no stretch of the truth was there any such cause in the case of Rhodesia or in South Africa. As exhibit "E" I am attaching the President's Executive order which seems to overlook article 1, section 8, paragraph 3, of our Constitution, which defines the powers of Congress as follows: "To regulate Commerce with foreign nations and among the several States and with the Indian Tribes." Please note the separate treatment of the Indians.

QUESTION NO. 10

Since South Africa has made it known that they have no intention of observing the sanctions against Rhodesia, and with West Germany and Switzerland not members of the U.N., and thus free to trade with whom they wish, and with Portugal opposed to the sanctions—how are the sanctions to be enforced?

ANSWER

Both South Africa and Portugal are members of the United Nations and, as such, are obligated to accept and carry out decisions taken by the Security Council. Neither has stated formally to the UN Secretary-General that it intends to violate the provisions of the Security Council resolution on Southern Rhodesia. Should it become known in time that a member state is not fulfilling its obligations in this regard, its non-compliance would become subject to renewed consideration by the Security Council. West Germany has indicated it will comply with the Council's decision and Switzerland has expressed its intention to cooperate.

COMMENT

I am sure that the Department of State is not naive enough to believe that Portugal or South Africa will observe the sanctions regardless of the consequence. That is why I have concluded that force will be used to save face for the U.N., England and the United States which action will precipitate a shooting war, the extent of which cannot be measured. South Africa has already increased their draft quotas. I recall the League of Nations imposed sanctions on Italy, which failed, and perhaps was one of the reasons the League disappeared. Is history repeating itself?

EXHIBIT A

[From the Washington Post, Dec. 11, 1966]

ACHESON ON RHODESIA

It would be a mistake to cavil at a sound conclusion because of persnickety trouble with some of the preceding reasoning. You are certainly right in the first and last sentence of your editorial on Dec. 9 on sanctions against Rhodesia: "The central fact of the Rhodesian situation is that there does not seem to be much to do about it. . . . It is not a time for posturing and empty gestures." You are also right that whatever the Rhodesians have done has been wholly within their own country and contains no element of aggression. But you bother me when you speak of "the white minority's transgressions." Transgressions against what? What international obligations have they violated?

International law does not proclaim the sanctity of British dominion over palm and pine. Certainly we Americans are in no position to declare it—we who conspired to instigate French aggression against British power in America and not only threatened but shattered international peace to achieve our independence. Furthermore, the British government has conceded since 1923 that Rhodesia is not only self-governing but responsible for its own defense and security. Therefore, to assert *de jure* as well as *de facto* independence is not a transgression.

Certainly Rhodesia's voting laws and system of popular representation in its legislature are not contrary to any international obligation. The one man, one vote deduction from the Fourteenth Amendment is not recognized in international law, as our friend King Faisal of Saudi Arabia can testify. Indeed, the present system in Rhodesia, broadly speaking, has been in effect and regarded with complacency in Great Britain for nearly half a century.

You quite rightly observed that this system operates entirely within the boundaries of Rhodesia and affects no one else. In such a situation the U.N. Charter is plain. Chapter I, Article 2 paragraph 7 provides unequivocally that the United Nations shall not intervene in matters which are within the internal jurisdiction of any state. The United Nations evades this simple command by reasoning worthy of the Red Queen in *Through The Looking Glass*. One has to follow it closely. Rhodesia, in doing what the U.N. has no jurisdiction to forbid, annoys African members to the point where they may transgress against the First Commandment of the U.N. (Chapter I, Article 4):

"All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state."

Since Rhodesia by doing what it has always done and with which the United Nations cannot constitutionally interfere, incites less law-abiding members to violate their solemn obligation not to use force or the threat of force in their international relations, Rhodesia becomes a threat to the peace and must be coerced.

If this reasoning leads the reader to ask with Mr. Chanler, "Who's loony now?", don't blame Rhodesia, blame the Security Council and Harold Wilson.

DEAN ACHESON.

WASHINGTON.

EXHIBIT B

LETTER DATED JULY 29, 1966, FROM THE MINISTER FOR FOREIGN AFFAIRS OF PORTUGAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL OF THE UNITED NATIONS

1. I have the honour to inform you that, by a letter dated 27 April 1966, the Portuguese Government submitted to the Secretary-General of the United Nations certain reservations and asked certain questions

with reference to resolution 221 (1966), concerning Rhodesia, which was adopted by the Security Council on 9 April 1966. The letter of 27 April was reproduced in official document S. 7271 and Corr. 1, which was circulated to the Security Council and which is attached hereto.

2. On 21 June 1966 the Secretary-General of the United Nations was good enough to reply to the above-mentioned communication. In substance, the Secretary-General informed the Portuguese Government that in his opinion it was not appropriate for the Secretariat, through its Office of Legal Affairs, to respond to a request from a Member State for clarification regarding the validity and interpretation of decisions of principal organs of the United Nations; and he indicated that only those organs could and should address such requests to the Secretariat. The Secretary-General also stated that a detailed study prepared under his instructions did not support any of the reservations advanced by the Portuguese Government with regard to the above-mentioned resolution 221 (1966). However, the fact that that study has been treated as confidential by the Secretary-General means that the Portuguese Government and all other Member Governments are deprived of information which would undoubtedly be of the greatest value in shedding light on the problems at issue. A copy of this letter from the Secretary-General is also annexed hereto.

3. Since the Secretary-General states that it is for the organs of the United Nations to consult him and to refer to him questions of a legal nature regarding the validity and interpretation of decisions of such organs, and since in addition it has unfortunately not been possible to examine the private study prepared at the Secretary-General's request, I have the honour to address to you a formal request that the Security Council, as one of the principal organs of the United Nations, should submit to the Secretary-General the reservations made and the problems raised in the Portuguese Government's letter of 27 April 1966, which appears in documents S. 7271 and Corr. 1, and that the Council should ask the Secretary-General to express his views on the matter through the Office of Legal Affairs. For all necessary purposes, the considerations set forth in the letter of 27 April 1966 should be understood to be reproduced here in their entirety.

4. However, as a result of the Portuguese Government's continued study of resolution 221 (1966) of 9 April and the reflections prompted thereby, it now wishes to mention, in addition to the reservations made and questions raised in the letter of 27 April, a number of other doubts which are discussed below.

5. From an analysis of the Security Council debate of April 1966 on the Rhodesian problem it may be concluded that the Council has resolved to deal with the matter in the light of Chapter VII and has decided—although the resolution approved is not explicit on this point—to act under the provisions of Article 42 of the Charter. It appears that Article 42 of the Charter may be interpreted as authorizing the Security Council to take a number of measures, which are indicated; it does not, however, appear to give authority for entrusting to the forces of any Member State, in their capacity as such and on a national basis, the adoption and execution of those measures. It is recognized that the Security Council may employ the forces of one or more Member States; it is clear from Article 43, however, that such forces are not permitted to act in their capacity as national forces but only as forces in the service of the Council. A clear and fundamental distinction must therefore be made between action taken by the United Nations and action taken by a State; since the latter is not being provided for in the Charter, it must be regarded as not permissible. Since the Security Council, in its resolution of 9 April, entrusted the execution of certain measures to United Kingdom forces without relinquishment by those forces of their national status, the Portuguese Government has doubts as to whether Articles 42 and 43 of the Charter were correctly applied; in the light of the above considerations, those Articles appear to have been violated by the Security Council's decision.

6. The fact that the United Kingdom forces retain unimpaired their national status and only that status, and that they are neither in the service of the United Nations, nor subordinate to the United Nations, nor integrated into a chain of command emanating from it, gives rise or may give rise to consequences of the utmost gravity. The position is that the United Kingdom forces in question consider themselves authorized to take enforcement measures and consequently to apply sanctions against those who, in the sole judgment of the United Kingdom Command, violate or disregard the orders issued by that Command. It is possible that the country or countries which are the target of such measures and sanctions, or their nationals, may hold a different view from that of the United Kingdom Command and may not agree with the application of the said measures and sanctions or with the said Command's interpretation of the Charter and the Security Council resolution. If and when such a situation presents itself, this problem arises: to what authority can recourse be had by the victim or victims of such enforcement measures as the United Kingdom Command may decide to apply or institute? No purpose will be served by appealing to the United Kingdom Government because the Command in question is acting on its behalf; and it will not be feasible or practical to appeal to the Security Council which, lacking its own means of investigation and action, will have to judge the matter on the basis of information furnished by the United Kingdom delegation.

Furthermore, if the aggrieved party should not be a member of the Security Council and, if the Council should by any chance decide not to authorize that party to participate in a debate on the specific problem arising, the aggrieved party would be given no hearing and would be defenceless, quite apart from the fact that, in any case, the United Kingdom delegation always has a vote in the Council and the aggrieved or injured party does not. In the circumstances, it must be concluded that the Security Council, in a dispute which it has described as grave within the meaning of Chapter VII of the Charter, has entrusted the adoption of enforcement measures to national elements of one country, which are not subordinate to the Council and against which those subjected to such enforcement measures have no defence or legal recourse, being left with no alternative but to try and defend themselves by whatever means are available to them. Furthermore, in the case under consideration, the forces belong to a country which is a directly and deeply interested party to the dispute. This situation would appear to constitute a glaring denial of equity, and the Portuguese Government therefore asks whether it is the understanding of the Security Council that the Charter authorizes national forces involved in a dispute to take enforcement measures against third parties who have no means of recourse to or legal defence before independent bodies.

7. Lastly, I wish to inform you that, as a result of the measures adopted by the Security Council and applied by the United Kingdom forces, grave damage is being done to the economy of the province of Mozambique. The Portuguese Government is in a position, if the Council so requests, to furnish specific and documented information on such damage, its causes and the amounts involved. For the time being, however, the Portuguese Government seeks only to ascertain whether the application of Article 50 of the Charter is contemplated; this Article grants the injured country the right to consult the Security Council with regard to the solution of special economic problems arising from the carrying out of the enforcement measures adopted by that organ of the United Nations.

8. In the circumstances I should be very grateful if the Security Council would ask the Secretariat for a legal opinion on the questions and doubts raised in the letter of 27 April 1966 and in this letter, and if it would in due course inform the Portuguese Government of the reply received.

9. I should also be grateful if you would arrange for this letter to be circulated immediately to all members of the Security Council as a Council document under the usual conditions.

Accept, Sir, etc.,

A. FRANCO NOGUEIRA,
Minister for Foreign Affairs of Portugal.

LETTER FROM THE FOREIGN MINISTER OF PORTUGAL TO THE PRESIDENT OF THE U.N. SECURITY COUNCIL

[English translation]

SEPTEMBER 20, 1966.

Mr. President: On a letter dated April 27, 1966, the Portuguese Government submitted to the U.N. Secretary-General some reserves and raised some doubts in regard to Resolution 221 (1966), which was approved by the Security Council on April 9, 1966. On May 14, 1966, the Portuguese Permanent Mission to the United Nations insisted for an answer to our letter. On June 21, 1966, the U.N. Secretary-General was kind enough to reply to the first communication mentioned above. In his answer, the Secretary-General indicated that he was not in a position to clarify the Portuguese Government, that the U.N. Secretariat could only provide clarifications when requested by a body of the United Nations. Consequently, the Portuguese Government addressed itself on June 29, 1966, to the President of the Security Council, explaining again the doubts already mentioned, and raising others which originated from a more detailed study of Resolution 221 (1966). On August 8, 1966, the President of the Security Council acknowledged the receipt of our letter of July 29, and advised us that the text of said letter had been distributed among the members of the Security Council.

2. I am recalling the previous correspondence in order to note and stress the fact that the Portuguese Government has not obtained so far any answer to the questions it posed, nor has it received any clarification about the doubts raised. the relevance and pertinence of which have not been challenged. Thus, the Portuguese Government wishes to be advised whether the Security Council intends to consider and answer the above mentioned letters, indicating its views on the substance of the matter. Indeed, the Portuguese Government has the right to insist for an answer and for the definition of a clear and unequivocal attitude of the Council on this matter. Otherwise, the Portuguese Government will be compelled to draw its own conclusions, reserving the right to eventually take recourse to other organs in order to obtain satisfaction.

3. While reiterating the previous requests formulated in our letter of July 29, 1966, the Portuguese Government is looking forward to an urgent answer.

I avail myself of this opportunity to present to Your Excellency the protests of my consideration.

A. Franco Nogueira,
Minister of Foreign Affairs of Portugal.

(Note from the Embassy: To this date, January 18, 1967, the Portuguese Government has not received any answer to the letter transcribed above.)

Exhibit C

[From News/Check, Jan. 13, 1967]

New Facts About Sanctions

There were a few protests and some people expressed their doubts; but for the rest the world generally regarded the United Nations' resolution for sanctions against Rhodesia as legally in order. It was as though the politics behind the resolutions gave them an automatic legal blessing. Yet fine politics do not necessarily make good law—as the Afro-Asians discovered to their cost in last year's South West Africa case. And in the instance of the UN's two resolutions against Rhodesia—the first on April 9, forbidding oil to go through Beira, the second on December 16, imposing mandatory sanctions—there was an omission more obvious than the intricacies of the South West case ever revealed: the UN's basic requirement of Great Power unanimity for substantive resolutions by the Security Council had not been observed. Two permanent members of the Security Council, Russia and France, had abstained. Still, little was done to question the legality of the SC's decisions. The country against whom the sanctions were aimed—Rhodesia—had as an unrecognised state no recourse to the International Court at the Hague. Portugal, the only country directly affected by the mandatory provisions of the April 9 resolution, questioned its validity, but has since continually been fobbed off by the UN Secretary-General, U Thant, who has refused to publish the legal arguments on which his standpoint is based. Portugal's clear recourse is to the World Court, but it has so far made no move in that direction. Observers feel that the Portuguese are reluctant to take steps which may offend the Western powers. Meanwhile, South Africa, as a member of the UN, had shrewdly reserved its position as well.

The fact is that both Security Council resolutions have very dubious legal underpinnings, but in the absence of sanctions having any bite, none of the parties involved has as yet deemed it necessary to take the matter to the Hague.

Another factor has been the question of legal research. In such a matter an immense amount of work is involved—checking on old UN documents to ascertain the intention of the Charter's framers, combing records to find supporting contentions, looking into previous World Court judgments, and investigating statements by international law authorities. Aided by colleagues overseas, several South African lawyers have now completed this research, and NEWS/CHECK has in turn consulted with them.

Their findings, presented here for the first time, put a completely new light on the UN's sanctions resolutions and by extension on the whole political situation in Southern Africa.

The pivot around which the whole question turns is Article 27 of the UN Charter, the article providing how the SC should vote. Its second paragraph reads:

"Decisions of the Security Council on procedural matters shall be made by an affirmative vote of nine members."

Its third paragraph stipulates:

"Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members."

(The five permanent members of the SC thus holding a veto are China, France, Russia, the UK and the US.)

Now it is true that, despite this article, the Security Council has on many occasions deemed that resolutions have been passed even though one or more permanent members have not concurred and have abstained. Hence, when doubts were cast on the legality of the December 16 sanctions resolution because Russia and France had abstained, Arthur Goldberg, the American ambassador to the UN, retorted that acceptance of such voting was "practice" and hence in order. Last week, New Zealand's Sir Leslie Munro, former President of the UN's General Assembly and the Security Council, backed this view. He said that it had been long established as a matter of convention that an abstention was not a veto. "Accordingly, Mr. Ian Smith's claim that the resolution had been defeated because there were two abstentions, is not in accord with established practice."

Such proponents represent the "dynamic" or "affirmative" school of interpretation of international law. As Goldberg put it a fortnight ago: "It must foster in the international realm the same creative and positive values which nations, at their best, have fulfilled in their own domestic life." This view of international law, however, comes very close to pure international politics and is deeply at odds with the essential contractual nature of international law—a law of states mutually agreeing on certain things. The UN Charter for one, is after all only a multilateral contract between nations. Moreover, the "dynamic" or "creative" interpretation of international law has never been accepted by an international court.

AGAINST WHOM WILL THEY BOOMERANG?

Those who would interpret the Charter as Goldberg does, hit at the very basis of the UN—a coming-together of nations in terms of specific rights and obligations, no more, no less. Members of the UN cannot be found to have agreed to something which was not included in their joint contract, the Charter.

Where doubts as to the meaning of an international treaty arise, recourse may be had to the preparatory documents, to ascertain more clearly the intentions of contracting nations. Regarding Article 27 of the Charter, a number of criticisms were expressed during the preliminary negotiations leading to the establishment of the UN. The key here was the "Yalta Formula" which provided that the UN's Security Council should not be able to act in any non-procedural matter unless all the Great Powers were agreed. This came to form the substance of Article 27. The Canadian government, however, wanted clarity, and its delegate proposed an amendment to the effect that substantive decisions of the SC should be made "by an affirmative vote of at least two-thirds of the members present and voting, including the concurring votes of the permanent members present and voting."

Explaining his amendment, the Canadian delegate stated that since the Yalta Formula required an affirmative vote of seven out of eleven members * of the SC, "absence or abstention would be equivalent to a negative vote. . . ." He went on to say that "the Canadian amendment did not touch the fundamental issue of the voting formula, for it merely provides that absence from the Council will not be equivalent to a negative vote." At the same meeting the Australian delegate stated that he believed that "concurring meant that each permanent member must be present and vote."

After the Russian delegate had appealed to Canada not to press its amendment, its delegate withdrew the amendment.

This early attempt to prevent an abstention being counted as a negative vote was thus frustrated. Here then is clear evidence that the founder members of the UN intended that concurrence of the Great Powers in nonprocedural matters be a basic requirement of Security Council voting.

There are other indications that this was the framers' intention. In June 1945 the Big Five issued a statement on voting procedure in the SC and in it they reaffirmed that the concurring votes of all five permanent members were required to carry a valid decision on non-procedural matters. And at the San Francisco Conference it was emphasized time and again that the reason for granting the veto power was that there should be complete unanimity among the Great Powers before any decisions were taken involving such serious matters as enforcement action. As the delegate of Peru put it when the enlargement of the SC was debated in 1963: "At the San Francisco Conference my country's delegation interpreted the veto right as an obligation on the part of the Great Powers to seek unanimity. . . . That interpretation has subsequently been endorsed by many representatives."

Despite the clear wording of Article 27(3), the fact remains that a practice has developed in the SC according to which abstention from voting is not regarded as involving the veto. This arose because of the alleged necessity to relax the strictness of the voting requirements. The legal effects of the growth of this practice are, however, open to question, and a great amount of authority exists which deals with the matter.

On the one hand there are those in favour of acceptance of the practice. Thus at the 173rd meeting of the SC, the President (the Syrian delegate) declared: "I think it is now jurisprudence in the Security Council—and the interpretation accepted for a long time—that an abstention is not considered a veto, and the concurrent votes of the permanent members means the votes of the permanent members who participate in the voting." Yet for at least two years from the beginning of the UN it seems as though the need to secure the concurring votes of all the permanent members was always in the minds of the Big Five.

Gradually though, the permanent members came to regard the practice of abstention as consistent with Article 27, and no longer questioned the custom's legality. On the other hand, a number of smaller states did raise objections. Thus:

At the 230th meeting of the SC, Russia abstained on a substantive issue (touching the Indo-Pakistan dispute) and Argentina declared that it regarded this decision as unconstitutional.

Again, when Britain abstained over the admission of Israel to the UN, Argentina expressed doubt. "I do not believe that the Security Council can establish principles to modify the Charter whenever it thinks fit," its delegate declared.

No less a person than Sir Mohammed Zafrullah Khan of Pakistan (now a judge of the World Court) put the view that the SC's practice was illegal when he spoke in a UN debate in 1949. Article 27 did not mention the veto, he said. "It merely stipulated that the concurring votes of the permanent members must be included in the seven or more affirmative votes . . ."

Replying to Sir Mohammed's argument the UK representative admitted by implication that the legal basis of the practice might not be adequate. He said: "Irrespective of the strictly legal position it was unwise to abandon a practice whereby the permanent members of the Council were attempting to

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* In 1965 an amendment to the Charter came into force whereby the SC was enlarged to 15 members.

avoid hampering decisions by exercising their veto."

Commenting on the SC practice, Norman J. Padelford, Professor of International Law at MIT (who was also a US delegate at San Francisco) has said: "The danger in the present usage is the uncertainty it creates for the future. At any time a Great Power may maintain that abstention deprives a decision of the concurrence of all the permanent members . . ."

Professor Leo Gross of the Fletcher School of Law and Diplomacy (not to be confused with Ernest Gross who fought the South West Africa case against the Republic) has written: "The soundness of this practice has been questioned. And it has not always been accepted without reservation." He further said: "No mere practice could change the strict requirement of Article 27(3)." Gross suggests that the practice of abstention rests on sufferance rather than on a rule of the Charter or a binding precedent.

That the US adhered to the Charter on the basis of the concurrence of the Big Five in substantive SC decisions is clear from a statement by Edward R. Stettinius, sometime US Secretary of State, before the Senate Foreign Relations Committee, and from one by its Chairman at the time, Senator Tom Connally.

So too did the British government of the time declare.

In a book on international organisation, Dr. V. K. Wellington Koo (at present Judge of the International Court) has this to say: ". . . the failure or refusal of a permanent member to vote, either from absence or from deliberate abstention, constitutes a failure to concur . . . and therefore would serve to block any action by that body . . ."

Perhaps the most noted legal authority on the UN is Prof. Hans Kelsen. In an article in the *Harvard Law Review* in 1946 he supported the strict view. However, in his 1951 treaties, *The Law of the United Nations,* he admitted that the wording of Article 27(3) allowed two different interpretations. But then having subsequently noted that the French, Chinese, Spanish and Russian texts of Article 27(3) all contain the word "all" before the words "the permanent members" (whereas the English text does not, see above) he reverted to his original standpoint in a supplement to the book.

In the *Certain Expenses of the UN Advisory Opinion* of the World Court in 1962, Judge Bustamente said in regard to abstention: "It is already well known that an unwritten amendment to the Charter has taken place in the practice of the Security Council . . . No doubt this type of amendment may be legally repudiated in a given case by invoking the text of the Charter (Art 27, para 3) since no permanent member has undertaken to apply it without reservations . . ."

There is thus a great and significant body of authority in support of the view that a Security Council decision is invalid unless all the Great Powers have concurred in it. And besides those quoted, there are many others.

The proponents of the "creative" method of constitutional interpretation, however, have further points to make. In supporting the Security Council practice they base their arguments largely on its desirability in order to enable the Council to function "smoothly" or to avoid "paralysis" of the UN. This technique of interpretation is so wide-ranging that it is hardly distinguishable from outright amendment which is not allowed under traditional rules of interpretation. So, in the early years of the UN did the British delegate defend the SC's practice: "Every written constitution is always developed by the practice of the institutional organs." And it is true that international law can be created through international custom and practice—but not in the way the UK representative suggested.

Briefly, the elements which must be present before a rule of international customary law can be said to be established, are as follows:

There must be concordant practice by a number of states.

There must be continuation or repetition of the practice over a considerable period of time.

The practice must be required by or be consistent with prevailing international law.

There must be general acquiescence in the practice by other states.

It is clear that the practice of the SC will not survive a test based on a detailed analysis of these principles. And besides that, it appears that an amendment of the Charter cannot in any case take place through the practice of states. For as Sir Percy Spender, President of the World Court, put it in his separate opinion in the *Expenses* case: "No amendment of the Charter may occur except pursuant to Article 108 of the Charter." This is the article which provides that the Charter may be amended by two-thirds of the UN's members, including all the permanent members.

It is moreover of the greatest significance that when the UN did amend its Charter in 1965—and exactly with regard to the composition of the Security Council—it left the phrase "concurring votes of the permanent members" intact. The fact that there was no change affords the strongest evidence that the requirement in question is as much in force now as it was in 1945.

In any event, the traditional rules of interpretation give little support to those who say that the Security Council decisions of last year are legally valid. On a number of occasions the International Court has made pronouncements which are relevant to this issue:

In 1951 it declared: None of the contracting parties is entitled to frustrate or impair by means of unilateral decisions or particular agreements, the purpose or raison d'être of a treaty.

In 1950: Reasonableness and good faith are required in the interpretation of treaties, *inter alia,* to exclude contradiction, arbitrariness and absurdity. Parties to a multilateral treaty, regardless of their number or importance, cannot prejudice the legal rights of other states.

In 1950: It is the duty of the International Court to interpret treaties, not to revise them.

These principles are in turn supported by much else in the body of international law. And most striking is the statement of Sir Percy Spender in the *Expenses* case. He said: ". . . subsequent conduct (of the parties to a treaty) may only provide a criterion of interpretation when the text is obscure, and even then it is necessary to consider whether that conduct itself permits of only one inference." He added: "(The Charter) cannot be altered at the will of the majority of the member states, no matter how often that will is expressed or asserted against a protesting minority . . ."

As is well known, the Court's advisory opinion in this case did not solve the controversial issue concerning responsibility for the expenses of the UN's peace-keeping operations. Eventually a special UN committee was set up to find a way out of the crisis which followed—a crisis which well-nigh paralysed the organisation. And in this committee delegates made it very clear that what had caused the crisis was the departures from the Charter by so-called processes of interpretation which in effect imposed new obligations on parties who had not agreed with them. Examples:

Wyzner for Poland: "The present difficulties . . . are a direct result of errors, mispractices and violations of the Charter that were committed against the will and warning of some states."

Seydoux for France: "There is only one common denominator . . .: it is the United Nations Charter . . . which, until it has been amended or revised . . . remains binding on us all."

Fedorenko for Russia: ". . . attacks are being made on the rule of unanimity of the permanent members of the Security Council . . . The Soviet Union, along with other states, became a member of the UN under certain specific conditions . . . Any attempts to force upon the Soviet Union essentially new conditions . . . are not going to succeed."

Both the dicta of international tribunals and the views of many UN members therefore clearly support the view that the Charter cannot be amended or "developed by the practice of the institutional organs" of the UN.

While it is accepted that the application of Article 27(3) may often cause deadlock in the Security Council, that result was however foreseen when the Charter was drawn up. It can also be said that it was the intention that deadlock should flow from disagreement among the Great Powers. As Prof. Gross has written with a touch of sarcasm: "Those who so grandiloquently proclaimed the virtues of the Charter and who urged upon a sceptical conference the acceptance of the Yalta Voting Formula, now invoke the unworkability of that formula as an excuse for departing from it . . ."

And however much the "practice" may have sufficed so far, acceptance where it has suited the parties is one thing; where parties choose to take action because the practice has derogated from their rights is another.

The case against last year's sanctions resolutions does not stand solely on the fact that the SC's voting requirements were not adhered to. It stands on another completely independent leg as well. This is the requirement of international law and the UN Charter that parties act in good faith. Article 2(2) of the Charter declares:

"All members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with the present Charter."

Hence the question arises: Did Britain and other members of the Security Council act in good faith when they declared that the Rhodesian situation constituted a threat to the peace? It is moreover only in terms of Article 39 of the Charter and by determining that a threat to the peace existed in such an instance that the Security Council would have been entitled to act.

It is important here to look back to what the attitude of the Security Council as well as individual UN members was when similar situations arose in the past.

Thus in 1948, when heavy fighting between Israelis and Arabs had already broken out in Palestine, the British Labour government stated in the UN that because there were as yet no recognised Arab and Israeli states in the territory, there could be no instance of a threat to international peace.

After the war, when Indonesia, then still a Dutch colony, revolted, the Netherlands government declared that Article 39 did not apply because there was no conflict between sovereign states. It was solely a matter of domestic jurisdiction, said the Dutch. "In what countries outside Netherlands territory are there any signs of danger to peace caused by this action?" they asked.

In 1946 the world, for the most part, regarded the Spanish regime as an international outcast, and many countries wished to impose sanctions against it and so to oust Franco. Yet in the Security Council the Dutch delegate said: "I cannot say that on the basis of the evidence that has been placed before us, much of which is purely conjectural, a case has been made out justifying a verdict that the Franco regime is endangering international peace and security." The British delegate in the same vein: "My government has no more liking for the Franco regime than has any other government represented at this table, but . . . it is the

Council's duty . . . to investigate (the case) dispassionately and impartially."

The US took the same view: "On the basis of our own information and the information so far developed here . . . we cannot agree . . . that there is a situation in Spain requiring action . . ." The fact is that Spain at that time, like Rhodesia today, was completely at peace.

The Australian delegate had a further point. He said: "The Australian viewpoint has been consistent throughout. We have demanded investigation and evidence and proved facts before reaching decisions." The Spanish question was then duly investigated by a Security Council sub-committee and it found that: "No breach of the peace has yet occurred. No act of aggression has been proved. No threat to the peace has been established." The subcommittee forthwith declared that the SC had no jurisdiction to direct or authorise any enforcement measures against the Spanish government.

Last year the Rhodesians got no such change out of the Security Council: the situation was not investigated, still less was any "threat" proven. The SC merely "determined" that a threat to the peace existed. Where, then, were the *bona fides?* The truth is that the only threat present in the Rhodesian situation has been a threat to British interests and to British prestige.

In the absence of a Rhodesian threat to the peace, it is worth noting the terms on which France abstained at the time of the April resolution. Its delegate then stated: ". . . at the present time the only genuinely international problem (in the case) does not constitute a threat to the peace." France saw the underlying cause in an internal British problem, and this is still its view. Its representative said further: "In these circumstances, my delegation cannot associate itself with any text that seeks to affirm that there exists a threat to the peace".

Looking back to the legal question of abstention in the Security Council, can it be said at all that France's abstention in these terms should be accepted as concurrence?

Beyond the practical implications for the Rhodesian dispute, the strong case against accepting last year's sanctions resolutions as legally valid also raises points which the world at large should consider. The irony is that those two pillars of the Rule of Law, America and Britain, are here acting to bypass it, thereby subverting the structure of international order. By elevating practice—decided purely among themselves—to a point where they deem it legal, they are merely legislating to suit themselves: and this is the law of the jungle. So fond of accusing the Russians of ignoring law when it suits them, the U.S. and Britain are now themselves doing the same. Moreover, as the Great Powers become a law unto themselves, the protection of small powers within the UN vanishes. The small Afro-Asian countries who in the hurly-burly of their own politics now vociferously support the sanctions resolutions should take note: it may be their turn next.

As proponents of the Rule of Law, the U.S. and Britain could find that their deeds of last year will boomerang against them. As has been the case previously, illegal action may once more boomerang against the UN itself. And in the long run the small nations of the world will be the hardest hit.

EXHIBIT D

PRESS COMMENT ON RHODESIA

Comment in the American press on the Rhodesian situation has been very heavy in the past few weeks. It has been overwhelmingly critical of U.N. involvement in Rhodesian affairs either on the grounds of unjust victimisation of Rhodesia, scepticism about the practical effects of U.N. intervention or apprehension about the dangers of escalation into a full-scale conflict in Southern Africa. Some examples of newspaper comment are quoted below.

The Spokane Spokesman-Review December 6 describes Mr. Wilson's appeal to the Security Council as a pathetic request. It concludes that the Rhodesian Government is not an enemy of the United States and has done us no harm. There is no reason for this country to endorse or participate in any programme for U.N. economic warfare against the Smith Government or the Rhodesian people.

The Washington Star December 7 views U.N. involvement with apprehension, suggesting that, once embarked on that course, it will be very difficult to turn back. Yet the risks of plunging on will be very great. With a little statesmanship, it should be possible, before the last bridge has been burned, for the United States to search out an alternative to what is beginning to look suspiciously like an act of folly.

The Milwaukee Sentinel December 7 says "keep out of Rhodesia!" It will be extremely ridiculous if the United States, while it is attempting to build trade bridges to Soviet Russia and its satellites, joins in barricading the trade bridge to Rhodesia. If the U.N., with the United States tagging along, can't keep itself out, the most it should do is to urge Wilson and Smith to renew their negotiations. That's the way to keep the peace. Imposition of trade sanctions is the way to war.

The St. Louis Globe-Democrat notes December 6 that the British "negotiations" with Rhodesia were really a cloak for a demand for virtual surrender by the Rhodesians. Rhodesians were willing to grant a new Constitution which would meet Britain's six basic principles to guarantee African progress towards majority rule. Understandably, Smith rejected the harsh surrender terms demanded by Wilson. In regard to the U.N. involvement, the newspaper asks what the U.N. will do for white majorities held in bondage by white Communist minorities?

The Chicago News December 7 sees the United States caught in an uncomfortable crossfire, not so much on the issue of majority rule as on the question of how far to go. It is surely clear that the United States cannot support the armed invasion of Rhodesia which some African states demand. The United States has no business being drawn deeper and deeper into the African tunnel as we were in Southeast Asia.

The Philadelphia Bulletin December 8 comments on the fact that it was the legal conditions Mr. Wilson insisted upon that the Rhodesian Government turned down and not the principal issue at stake, which was the treatment of the country's overwhelmingly black population. In the light of all that was involved, it would seem that a little more imagination could have been used to find a formula that would not have required Rhodesia to backtrack on its Declaration of Independence for the sake of having Independence granted legally.

The Minneapolis Star December 8 finds history and reality opposed to Britain's efforts to bring Rhodesia to her knees by economic means. The failure of the sanctions applied by the League of Nations against Italy in 1935 is recalled.

The Shreveport Times December 9 is concerned that, once the United Nations gets into the act, the bloodthirsty African nations will try to break Rhodesia with force. The possibility of a U.N. attack on Rhodesia, a nation that only wants to be left alone in peace, is not so remote. It is hard to see how public opinion could, or would, support the armed destruction of Rhodesia in this way. If the U.N. mounts what would be a war of aggression against the white government there, it could be sealing its own doom as well as that of Rhodesia.

The Youngstown (Ohio) Vindicator December 10 describes Britain's request for selective sanctions against Rhodesia as further evidence, if any is needed, of Wilson's incapability in dealing with the matter. It concludes that President Johnson should avoid allowing this country to become irretrievably involved in the Rhodesian crisis. Americans do not want any part of a war in Central Africa.

The Phoenix Republic December 11 believes that neither London nor Washington has any right to call on the United Nations for help against a government which in no circumstances threatens the peace of the world and whose racial policy is an internal matter. A number of leftists in Britain and America are eager to wage war on Southern Africa, but international law and commonsense dictate that they pull back from such a dangerous course, no matter how much it angers the Afro-Asian bloc in the United Nations.

The Chicago American December 12 considers that the British position makes sense only if Rhodesia is considered as a colony which still has legal obligations to the British Crown. But if Rhodesia is a colony, the dispute is not an international one and so has no business before the U.N. Merely by bringing the case before the world body, Britain seems to have undermined its own claims.

The Washington Star December 12 shares former Secretary of State Dean Acheson's view that the Rhodesian proceedings before the Security Council are a foolhardy business that can benefit only those powers that thrive on actions that stir up trouble. Our Government has been much too quick in supporting the British proposal.

The Buffalo News December 13 says the idea that Rhodesia threatens international peace and security is absurd. The U.S. has more legitimate, urgent and costly obligations to fulfill. Its action in support of the British request only helped push the U.N. toward a misadventure probably doomed to fail, but in any case one based on dangerous legal foundations.

The Richmond News-Leader December 14 says that in its lynch-mob scramble to impose sanctions upon Rhodesia, the United Nations is wallowing in hypocrisy so deep that even friends of the U.N. must be concerned. But it will come as no surprise to learn that the delegation from the United States supported this resolution also. When it comes to buying hypocrisy within the U.N., our Government does not buy it by the pint; it buys it by the barrel.

The Shreveport Times December 14 notes that whilst Mr. Wilson has tried to paint himself as the patient broker in the negotiations with Rhodesia, he has in fact been arrogant and adamant. Most impartial observers in London agree that Rhodesia has been the party willing to make concessions. American support of Mr. Wilson in this issue is pure hypocrisy—and very dangerous.

The Portland Oregonian December 14 says U.S. support of Great Britain's proposal for mandatory economic sanctions against secessionist Rhodesia puts this country squarely into a family fight on the side of a Government—Britain's—which has given only nagging criticism rather than support to the U.S. effort to stop communist aggression in Vietnam.

The St. Paul (Minnesota) Pioneer Press says the United States should not let itself be drawn too deeply into the tangled quarrel between Britain and Rhodesia. The newspaper notes that Britain has not co-operated with the United States on the matter of sanctions and embargoes: not when its economic self-interest had been involved.

The Nashville Banner December 15 notes that Rhodesia is not an enemy of the United States. She is not at war with anyone. She has no record of ransacking American libraries, stoning embassies, insulting the

Stars and Stripes nor of molesting U.S. nationals. All she has done is to issue a declaration of independence. Uncle Sam is doing business with lands of the Communist Bloc catering to the Vietcong side in the war in Vietnam, where American sons are dying; but at England's insistence, blocking imports from Rhodesia which has never shaken a fist at us.

The Cincinnati Enquirer December 15 notes that although all the utterances of British Prime Minister Wilson try to place the onus upon Rhodesian Premier Ian Smith, the British seem to be determined to handle Rhodesia's attempted independence with just as much skill as Lord North, in an admittedly different age, who would brook no nonsense from the upstart American colonists. The newspaper discusses the double standards involved in the U.N. intervention and suggests that Prime Minister Wilson should be left to attend to his own political pot.

The Sioux City Journal December 17 remarks on similarities between the plight of President Johnson in Vietnam and Prime Minister Wilson in Rhodesia. It also notes an important difference. Mr. Johnson, to a certain extent, was forced into his problem; Mr. Wilson, at least at the beginning, voluntarily walked into his. He had a chance for what many thought was a reasonable compromise that ultimately would have achieved his goals; Mr. Johnson had no chance for a reasonable compromise at all. The big loser is Mr. Johnson. Without the help of the United States Mr. Wilson has little chance for success. Mr. Johnson never had a chance for help from Mr. Wilson.

The Portland (Maine) Press Herald December 16 suggests that the first move the new Congress makes should be a probe of our U.N. policy which is designed to pick on Rhodesia and ignore the real aggressors.

The Salt Lake City Deseret News notes that Britain and the members of the Commonwealth have tried for more than a year to bring Rhodesia to its knees through economic sanctions without success. Their failure has made them look ineffectual. Certainly the U.N. has more urgent problems that need its attention.

The Charleston News and Courier December 17 considers that U.S. friendship for Britain does not require that the U.S. Republic commit itself to a procedure at the U.N. which is illegal in terms of the U.N. Charter and to a policy which could have hurtful consequences for the free world.

The Worcester (Mass.) Telegram says that in its decision to plunge ahead on the Rhodesian question, the Security Council may well have damaged the U.N.'s future. The United States should be very careful not to get too involved in saving these dangerous chestnuts for Harold Wilson.

An article in the San Diego Union December 18 notes that foreseeable casualties from this almost incredibly inept action include—and not necessarily in the order of their importance—the already dwindling prestige of the United Nations, the British Commonwealth, the British pound, the U.S. dollar, and what little public confidence still remains in the sincerity and wisdom of the African policy being followed by the Washington Administration.

The El Paso Times December 18 feels that the people of the United States are opposed to our participation in trying to enforce any embargo against Rhodesia. But it is clear that the people of the United States are given no say as to what their representative to the United Nations does or says.

The Chicago Tribune December 18 says that for a year, at Britain's behest, we have led the Africans to think that we are willing to do whatever is necessary to knock out the white government of Rhodesia and replace it with the usual chaos. It is time to draw the line. The longer we postpone doing so, the more inevitably we will have to choose between an embarrassing retreat and a ridiculous war.

The Chattanooga News comments December 19 on the implications of the Presidential Order under the U.N. Participation Act and says that the Senate of the United States needs to be heard from. The House of Representatives should rise in defence of liberty. The American people should repudiate this sort of dictation. The U.N./L.B.J. action is not just a threat to Rhodesia; it is a threat to American freedom.

The Spokane Spokesman notes December 19 that the Government, in their participation in any overthrow in Rhodesia, invites rebellious elements to seize power and to drive out those who were lawfully chosen under Rhodesian laws to govern that nation.

The St. Louis Globe-Democrat suggests December 20 that the United Nations in voting these unsupported sanctions seems to be expressing its own death wish. This decision could result in slitting the U.N.'s already attenuated throat by its own hand.

The Albuquerque Journal December 21 believes that the U.S. has its hands more than full in Vietnam and other explosive areas around the world. We can't stand another such major involvement as Africa would saddle upon us. Before we become further committed in messy African affairs, citizens all over America should tell Washington we must keep out.

The La Crosse (Wisconsin) Tribune December 21 finds it incredible that the United States, with plenty of problems in Vietnam, should encourage the United Nations in its folly in Rhodesia.

An article in the Washington Evening Star on December 22 describes the British reaction to Rhodesia's declaration of independence as a curious blend of morality and expediency. It suggests that the combination of strong-arm tactics, moralistic cant, buck passing and plain old-fashioned bungling that has marked the British performance from the beginning will take a lot of living down. The upshot of it is that Ian Smith in all probability will survive Harold Wilson, who now faces a bitterly divided Parliament. In the end, the worth of any country's diplomacy must be judged by the results that are achieved. On the basis of this performance, the usually astute British have little to be proud of.

The Dallas News suggests December 22 that U.S. policy on Rhodesia is disgusting. The time to reverse it and hand this petty Commonwealth squabble back to the British is now, before somebody calls out the 'advisers', then a few helicopters, then a few G.I.'s . . .

The San Diego Union says December 23 that by helping to crush one of the few viable and pro-Western states in Africa, we can only hope to sow the seeds of Communism.

The Washington Evening Star comments December 24 on Mr. Wilson's withdrawal of all past proposals for a compromise settlement of the Rhodesian question. It says that it is difficult to see what Prime Minister Wilson hopes to accomplish with his latest maneuver against rebellious Rhodesia. The toughened British position makes very little sense. What must be hoped for is that Wilson has not slammed the door completely shut. If he has, then the folly of present policy toward Rhodesia will be compounded in a way likely to worsen the situation and hurt Britain more than it may now anticipate.

The Montreal Star December 27 also regards Mr. Wilsons' slamming of the door as "a stupid performance".

The Burlington (Vermont) Free Press referring December 27 to the Security Council resolution on Rhodesia says this bizarre and unconscionable action has shocked and disgusted most students of international affairs.

The Charleston News and Courier December 29 suggests that although Mr. Wilson has withdrawn his offer of a settlement with Rhodesia, the U.S. can and should support reasonable discussions instead of U.N. adventures. It is essential that the U.S. Government develop greater understanding of Rhodesian realities. Otherwise the American people may find themselves dragged into a ruinous and tragically unnecessary conflict in Africa.

The Shreveport Times comments January 1 that British Prime Minister Harold Wilson only made a bad situation worse when he withdrew all past proposals for a compromise settlement with breakaway Rhodesia.

The Richmond Times says January 3 that a lot of Americans are likely to begin asking ere long whether any such dire prospect (of a blockade of southern Africa) does, in fact, lie ahead for this country. And they are going to be demanding to know from their senators and congressmen (1) just how we let ourselves be sucked into this mess and (2) how we are going to get out before it is too late.

James J. Kilpatrick replies in the Washington Evening Star January 3 to Ambassador Goldberg's defence of U.S. support for U.N. action against Rhodesia, delivered in an address to the Association of American Law Schools. Mr. Kilpatrick says that the Ambassador did little to sell his case, which has been flimsy from the beginning; and the more he attempts to shore it up, the more glaringly its weaknesses lie exposed. Mr. Kilpatrick then proceeds to a point by point refutation of the Ambassador's argument.

The Pittsburgh Press notes January 4 that the U.S. has supported the sanctions to show support for the African nations and for Britain. Mr. Goldberg's cloaking that plain fact in fine phrases about international law and ethics is not convincing.

Walter Trohan comments in the Chicago Tribune January 9 on British trade with America's enemies. Obviously, he says, American foreign policy isn't built on the premise that what's sauce for the goose is sauce for the gander. It would seem that loyalty to Britain comes before loyalty to America. An editorial in the Tribune January 10 says that the President has already gone further than he should in embroiling us in the Rhodesian dispute. From now on the Senate should exert the power which belongs to it by right and which backers of the United Nations once assured it that it would retain under the U.N.

(This material is filed with the Department of Justice where the required registration statement in terms of the Foreign Agents Registration Act of the Rhodesian Information Office, 2852 McGill Terrace, N.W., Washington, D.C., as an agency of the Rhodesian Ministry of Information is available for inspection. Registration does not indicate approval by the United States Government.)

EXHIBIT E

[From the Office of the White House Press Secretary, Jan. 5, 1967]

EXECUTIVE ORDER RELATING TO TRADE AND OTHER TRANSACTIONS INVOLVING SOUTHERN RHODESIA

By virtue of the authority vested in me by the Constitution and laws of the United States, including section 5 of the United Nations Participation Act of 1945 (59 Stat. 620), as amended (22 U.S.C. 287c), and section 301 of Title 3 of the United States Code, and as President of the United States, and considering the measures which the Security Council of the United Nations, by Security Council Resolution No. 232 adopted December 16, 1966, has decided upon pursuant to article 41 of the Charter of the United Nations, and which it has called upon all members of the United Nations, including the United States, to apply, it is hereby ordered:

Section 1. The following are prohibited effective immediately, notwithstanding any contracts entered into or licenses granted before the date of this Order:

(a) The importation into the United States of asbestos, iron ore, chrome, pig-iron, sugar, tobacco, copper, meat and meat products, and hides, skins and leather originating in Southern Rhodesia and exported therefrom after December 16, 1966, or products made therefrom in Southern Rhodesia or elsewhere.

(b) Any activities by any person subject to the jurisdiction of the United States, which promote or are calculated to promote the export from Southern Rhodesia after December 16, 1966, of any of the commodities specified in subsection (a) of this section originating in Southern Rhodesia, and any dealings by any such person in any such commodities or in products made therefrom in Southern Rhodesia or elsewhere, including in particular any transfer of funds to Southern Rhodesia for the purposes of such activities or dealings: Provided, however, that the prohibition against the dealing in commodities exported from Southern Rhodesia or products made therefrom shall not apply to any such commodities or products which, prior to the date of this Order, had been imported into the United States.

(c) Shipment in vessels or aircraft of United States registration of any of the commodities specified in subsection (a) of this section originating in Southern Rhodesia and exported therefrom after December 16, 1966, or products made therefrom in Southern Rhodesia or elsewhere.

(d) Any activities by any person subject to the jurisdiction of the United States, which promote or are calculated to promote the sale or shipment to Southern Rhodesia of arms, ammunition of all types, military aircraft, military vehicles and equipment and materials for the manufacture and maintenance of arms and ammunition in Southern Rhodesia.

(e) Any activities by any person subject to the jurisdiction of the United States, which promote or are calculated to promote the supply to Southern Rhodesia of all other aircraft and motor vehicles, and of equipment and materials for the manufacture, assembly, or maintenance of aircraft or motor vehicles in Southern Rhodesia; the shipment in vessels or aircraft of United States registration of any such goods destined for Southern Rhodesia; and any activities by any person subject to the jurisdiction of the United States, which promote or are calculated to promote the manufacture or assembly of aircraft or motor vehicles in Southern Rhodesia.

(f) Any participation in the supply of oil or oil products to Southern Rhodesia (i) by any person subject to the jurisdiction of the United States, or (ii) by vessels or aircraft of United States registration, or (iii) by the use of any land or air transport facility located in the United States.

Section 2. The functions and responsibilities for the enforcement of the foregoing prohibitions are delegated as follows:

(a) To the Secretary of State, the function and responsibility of enforcement relating to the importation into, or exportation from the United States of articles, including technical data, the control of the importation or exportation of which is provided for in section 414 of the Mutual Security Act of 1954 (68 Stat. 848), as amended (22 U.S.C. 1934), and has been delegated to the Secretary of State by section 101 of Executive Order No. 10973 of September 30, 1961.

(b) To the Secretary of Commerce, the function and responsibility of enforcement relating to—

(i) the exportation from the United States of articles other than the articles, including technical data, referred to in subsection (a) of this section; and

(ii) the transportation in vessels or aircraft of United States registration of any commodities the transportation of which is prohibited by section 1 of this Order.

(c) To the Secretary of the Treasury, the function and responsibility of enforcement to the extent not delegated under subsections (a) or (b) of this section.

Section 3. The Secretary of State, the Secretary of the Treasury, and the Secretary of Commerce shall exercise any authority which such officer may have apart from the United Nations Participation Act of 1945 or this Order so as to give full effect to this Order and Security Council Resolution No. 232.

Section 4. (a) In carrying out their respective functions and responsibilities under this Order, the Secretary of the Treasury and the Secretary of Commerce shall consult with the Secretary of State. Each such Secretary shall consult, as appropriate, with other government agencies and private persons.

(b) Each such Secretary shall issue such regulations, licenses or other authorizations as he considers necessary to carry out the purposes of this Order and Security Council Resolution No. 232.

Section 5. (a) The term "United States," as used in this Order in a geographical sense, means all territory subject to the jurisdiction of the United States.

(b) The term "person" means an individual, partnership, association, or other corporation.

/s/ LYNDON B. JOHNSON.

Mr. UTT. Mr. Speaker, will the gentleman yield?

Mr. YOUNGER. Mr. Speaker, I am glad to yield to the gentleman from California.

Mr. UTT. Mr. Speaker, I wish to compliment my colleague from California on bringing this matter to the attention of the House. I think the country as a whole is greatly concerned about the course the administration has taken in possibly committing us to a war in the African countries.

Mr. Speaker, I want to bring to the attention of the House of Representatives the manner in which Great Britain is abiding by the very sanctions which it requested.

They are the buyers of practically all the chrome which is produced in Rhodesia. They are buying the copper which is produced in Rhodesia. And they are buying all the tobacco crop. But, Mr. Speaker, they do it with a little fancy touch—they create a proper corporation in some other country which becomes the intermediary.

Mr. Speaker, the products are so desired in Great Britain they are coming out of Rhodesia without any holdup whatever.

Secondly, Mr. Speaker, the State Department has said that Rhodesia was not considered a state, as such, or an independent country.

Mr. Speaker, I would like to place in the RECORD Great Britain's own position on this matter as recently as October 1963, which was made clear by Mr. Cecil King, who was the British representative on the U.N. Fourth Committee when he informed the Committee on October 1, 1963:

> We do not accept that Southern Rhodesia is a non-self-governing territory, despite the repeated assertions to that effect which have been made in the United Nations. * * * The plain fact is that Southern Rhodesia is self-governing, in relation to the parent country, and has all the attributes of a self-governing territory. * * * That, quite shortly, has always been and remains the attitude of my delegation—

Referring to Great Britain's delegation to the United Nations.

> For that reason, my delegation has always denied and continues to deny the competence of this organization to concern itself with the affairs of Southern Rhodesia. No resolution of the Committee of Twenty-four or of this Committee or of the Security Council or of the General Assembly can make the status of Southern Rhodesia what it is not.

Mr. Speaker, Great Britain apparently changed its tune as soon as a problem arose. But as late as 1963 their position was that Rhodesia was a separate and independent entity, and that the U.N. had no right to interfere with the internal affairs or the domestic affairs of Southern Rhodesia.

Mr. Speaker, I am glad to see the gentleman from California bringing this matter up, because I do believe that it is one of the most important problems facing the country at the present time.

Mr. Speaker, I have introduced House Joint Resolution 111, which has for its purpose the position that the United States will not abide by the request of the Security Council on the sanctions, and that the Executive Order No. 11322 dated January 5, 1967, will stand repealed by an act of Congress.

Mr. DICKINSON. Mr. Speaker, will the gentleman yield?

Mr. YOUNGER. I yield to the gentleman.

Mr. DICKINSON. Mr. Speaker, I would like to take this opportunity to commend the gentleman for the scholarly and the impressive address he has just made. I subscribe to the sentiments voiced by the gentleman and have spoken on the floor of this House and shall do so again in the near future.

I submit our present policy toward Rhodesia shows a lot less wisdom than did our foreign policy on Vietnam 7 years ago and we can readily see where that policy led. We are legally wrong, we are politically wrong, and we are morally wrong in enforcing the boycott and sanctions against Rhodesia.

We are embarked on a foolish course, which if we persist and are consistent, will inevitably lead us to consequences more dire than the situation in which we presently find ourselves in southeast Asia.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. YOUNGER. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I would certainly like to compliment the gentleman from California on the studious way in which he has presented not only for this body but for the entire Nation the points, with complete fairness, equity, and justice, that he has discussed here today.

I am sure that there will be people who will not agree with his comments, but certainly the way the gentleman has portrayed it to the public in the form of questions and answers by yourself to the Secretary of the Department of State and then commenting thereon on this vital question is one that anyone with erudition would appreciate. I predict it will become a study base for those interested in foreign affairs, in our foreign policy, or, indeed, our lack of foreign policy in this Nation.

I compliment the gentleman and would simply like to say, if the gentleman will yield further, that a number of us became concerned with the possibility of our President signing the Executive order which later became Executive Order 11322 on January 6. So I dispatched a telegram to him on the evening of January 5, as did others from this body, and Mr. Speaker, I ask unanimous consent that that telegram be included in my remarks in proper order following the remarks of the gentleman from California now in the well, along with a reply from the Secretary of State to whom the President referred my telegram for acknowledgment.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HALL. Mr. Speaker, if the gentleman will yield further.

Mr. YOUNGER. I yield to the gentleman.

Mr. HALL. The acknowledgment dated January 31, by the Secretary of the Department of State and his congressional liaison officer, specifically, of course, acknowledges the program. It acknowledges that the action of the United Nations supported by our sovereign Nation with regard to Rhodesia's problems are serious but limited ones.

Then they go ahead to explain and to rationalize the action of the Security Council, admittedly with the support of the United States and per instruction to the Chairman of the U.S. Committee to the United Nations, was designed to bring about a peaceful negotiated solution.

Of course, the unanswered question there is whether it was won with honor or not.

One could go on down through this message that I received only this morning and see that they emphasize and question this as to whether or not this is legal.

I presume that the International World Court, if it is to be determined there, could certainly examine as to whether it is precedential in its import to the rest of the world.

They say, for example, that Southern Rhodesia is not recognized as an independent state by a single country.

I submit that the obvious answer to that was that the United States of America was not recognized when we were 13 Colonies and had just signed the Declaration of Independence.

I understand there is an article of independence by the official Government of Rhodesia and I understand furthermore from this reply that they support the Security Council's decision as not being an intervention into their own affairs to the action taken in response to a request for assistance by a legitimate authority having sovereignty over the territory concerned.

I am sure, as has been brought out by the other gentleman from California [Mr. Utt], that the United Kingdom, just as it shipped the 8,000 tons of chromite ore during its first implication, they will continue through some device or other to obtain that which is necessary for their own economy.

As far as the question of other nations supporting the effort of those who oppose us as we try to defy aggression in South Vietnam and to support freedom around the world, I have heard so much of statements, such as I quote in an extract from the Secretary's letter:

> British trade is quite small and does not include any strategic items.

That I am about fed up to here with it.

As a member of the Armed Services Committee, I know that many of the items do come back to haunt, if not to destroy our troops over there. Furthermore, they say that they continue to be concerned that British policy does not fully accord with all aspects of U.S. policy with regard to both Cuba and to Vietnam, but they want to make continuing representations to the United Kingdom in these involved problems. What reward are we furnishing for the right to make representations to that sovereign nation whose pound sterling we support with the Treasury of our own Nation in order to keep an international balance?

Finally, in their penultimate paragraph this letter recognizes the true problem, the question of racial minority, and I wonder in answer to that paragraph, with the others whom I commend to reading it, if we are not still letting our foreign policy be developed on a basis of fear rather than what is equity and justice, and what is right and basically correct, as we have done perhaps since the time of the Wilson administration.

Certainly we are not emphasizing that nations should have proved responsibility in the way our fellow men must be so evaluated before we put trust in them, and I think this is a wholly unsatisfactory letter of rationalization. I certainly commend the gentleman for the additional points that he has brought out in this discussion, which affects the entire world and the community of nations and their international friendship and understanding. I thank the gentleman for yielding.

Mr. Speaker, I include the text of the letters and telegram to which I referred earlier:

Department of State,
Washington, January 31, 1967.

Hon. Durward G. Hall,
House of Representatives,
Washington, D.C.

Dear Congressman Hall: The President has asked me to reply to your telegram of January 5, 1967 in which you urged that he not sign the executive order on mandatory economic sanctions against Southern Rhodesia.

The steps which we have agreed that the United Nations should take to deal with the Rhodesian problem are serious but limited ones. There were many demands in the UN and elsewhere for the use of force to bring down the Smith regime. The action taken by the Security Council with our support is designed, rather, to exercise effective pressures on the Rhodesian regime to bring about a peaceful negotiated solution.

I know there is concern both about the legal and precedential aspects of the Security Council's decision. Let me emphasize first that we are not dealing here with a case of interference in the internal affairs of a state. Southern Rhodesia is not recognized as an independent state by a single country. The sovereign authority over Southern Rhodesia resides with the United Kingdom. It was the UK which recognized in the first instance the threat to the peace and turned to the Security Council for help in securing international assistance that would assure to the population of Southern Rhodesia its fundamental rights of self-determination. The Security Council's decision, then, was not an intervention in the affairs of a state, but action taken in response to a request for assistance by the legitimate authority having sovereignty over the territory concerned.

For the reasons I have mentioned, we believe that the Security Council's action best protects our own interests and those of the international community in attempting to bring about the orderly solution of a controversy that threatens the peace of southern Africa. It is true that the United Kingdom as well as other countries have not agreed with our economic denial policy with regard to Cuba and continue to trade with that country. The British Government has, nevertheless, banned the export of strategic items to Cuba.

With respect to North Viet-Nam, British trade is quite small and does not include any strategic items. British shipping to North Viet-Nam has been drastically reduced and now consists of only a few ships that are registered in Hong Kong and fly the British flag. The British government has given valuable political support to our position in Viet-Nam. We naturally continue to be concerned that British policy does not fully accord with all aspects of U.S. policy with regard both to Cuba and Viet-Nam. We have made and will continue to make representations to the United Kingdom on the various problems involved.

The problem posed by the attempt by a racial minority in Southern Rhodesia to seize power illegally and perpetuate its domination over the vast majority of Rhodesians constitutes a basic threat to stability in Africa. The issues involved are particularly important to Africans, who are understandably aroused at colonial or racial repression. A failure to try to solve this problem would surely sharpen tensions throughout the southern half of the African continent. It might well lead to civil strife which would extend across international boundaries and involve other parties, including extremist elements.

If there is additional information which you believe we can furnish, please do not hesitate to let me know.

Sincerely yours,
Douglas MacArthur II,
Assistant Secretary for
Congressional Relations.

January 5, 1967.

Hon. Lyndon B. Johnson,
President of the United States,
The White House,
Washington, D.C.

Understand an order awaits your signature directing U.S. compliance with U.N. boycott of Rhodesia. I strongly urge such an order not be issued.

Rhodesia has engaged in no hostile action toward the U.S., and constitutes no threat to world peace which would be the only justification under U.N. charter.

How can such sanctions be imposed by U.S. against a non-aggressor nation while no such sanctions are imposed against North Vietnam whose attacks upon its neighbor have resulted in the loss of more than 6,600 American lives. Are you prepared to order a similar boycott against all Communist nations with whom we now trade and who directly aid North Vietnam?

Should you not be more concerned with American opinion than with some ill-defined illusory world opinion? No British sanctions were imposed against Red China during Korean war, nor against Cuba, nor are any now imposed against our enemy, North Vietnam, yet we pump billions out to support the pound sterling.

Imposition of sanctions against Rhodesia would be a tragic mistake. Suggest instead that you help focus world attention on "fair weather friends" whose aid or trade sustains Communist aggression in Vietnam.

DURWARD G. HALL,
Member of Congress.

Mr. YOUNGER. I thank the gentleman from Missouri.

Mr. EDWARDS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. YOUNGER. I yield to the gentleman from Alabama.

Mr. EDWARDS of Alabama. I wish to compliment the gentleman for bringing these facts to us here today. I think not only will this body reap great benefits from what the gentleman has said but the American people should also, and I would think that it would be required reading for all Members of Congress, and, I would hope, all the people in this country who are concerned about this situation in Rhodesia and in South Africa.

If the gentleman will yield further, I wonder if I might just ask the gentleman from Missouri, who immediately preceded me, what is a nonstrategic item? The State Department or the Commerce Department, as I understand, has authorized shipments from our country of such things as jet engines to Communist countries. Is that a nonstrategic item? If it is, are we then to assume that Britain is free to ship similar items into Cuba or into North Vietnam?

Mr. HALL. Mr. Speaker, if the gentleman will yield, I will be delighted to answer the question of the gentleman from Alabama.

Mr. YOUNGER. I yield to the gentleman from Missouri.

Mr. HALL. To the best of my knowledge, after serving on the Research and Development Subcommittee including test and evaluation, of the Armed Services Committee for 6 years now, I would think that we had learned that lesson in the days that we were shipping scrap to Japan immediately before Pearl Harbor. But obviously we have not. We continue to do business as usual for the sake of doing business with neutralized, nonalined Troica and, indeed, even Communist countries. Many years ago I pointed out on this floor that we not only sent trucks and ships to Cuba through the U.N. and its special fund and its technical assistance programs, but we have in fact constituted a reactor in Poland and Yugoslavia, which certainly can come back to haunt us insofar as protection and defense areas are concerned.

I agree with the gentleman thoroughly and with what he implied in his question. There is no such thing as nonstrategic material. Even the grain we are giving to, or selling to, another nation, whether by barter or exchange, can be distilled into diethylene glycol alcohol and many other chemicals which are essential to their space effort, if not to other efforts.

Mr. EDWARDS of Alabama. Mr. Speaker, will the gentleman yield further?

Mr. YOUNGER. I am pleased to yield to the gentleman from Alabama.

Mr. EDWARDS of Alabama. Mr. Speaker, we may assume then that England is not limited in any degree by what we say they may send to North Vietnam or to Cuba. We just recently released some 400 items that we may now use in trade with Communist countries. Many of these items approach what might be considered as implements of war or certainly indirectly as implements of war. If we impose these somewhat limited restrictions on ourselves, then I believe it is fair to assume that in deciding whether England is, in fact, sending nonstrategic items to Communist nations, the door is wide open and there is no question whatsoever.

Again I thank the gentleman for his comments in bringing this to the floor of the House. I hope all Members will read these comments.

Mr. YOUNGER. I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. YOUNGER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, of course there are no nonstrategic items if they are in short supply in any country that is waging a war. For instance, rice is very important to North Vietnam. I do not know whether alcohol or other byproducts can be made from rice, but it is necessary to sustain the troops of North Vietnam and the Vietcong in carrying on their war against American troops and the South Vietnamese.

Anything is strategic that is necessary to keep a country moving and fighting a war. The State Department begs the question in trying to differentiate between strategic and nonstrategic items.

I believe the gentleman also said the State Department claims the charter of the United Nations is binding upon all members. If that is true, where are the other members of the United Nations who should be in Vietnam today? Why are we getting almost no help, for this is aggression out of North Vietnam, and the charter specifically provides for joint action in the event of aggression? So if the charter is binding in connection with Rhodesia, let us see some evidence of it with respect to Vietnam.

Meanwhile, Britain is going into Cuba and investing $38 million in the construction of a fertilizer plant. I can think of nothing that will make a bigger contribution to the buildup of Castro and to the sustenance of his Cuban Communist Government than the building of a fertilizer plant.

We are also aware that a byproduct of a fertilizer plant can be explosives. So here we are joining the perfidious British in trying to strangle Rhodesia, a foe of communism, up to this time a friend of the United States, and which is causing no one externally any trouble. If a war comes, will it be the Rhodesians who start it? Of course not. The question answers itself. It will be others invading Rhodesia and, eventually, South Africa. President Johnson has primed this country on the way to getting another war started, this time on the continent of Africa.

I might add that only a few days ago the British Government destroyed 250 baby chicks which had been shipped from Des Moines, Iowa, on order to a firm in Rhodesia. The shipment was halted at a London airport and the chicks destroyed because the British are boycotting Rhodesia.

I could go on, but I do not want to take all the gentleman's time. I plan to obtain a special order in the near future to speak further on this situation, about which I feel very strongly.

I commend the gentleman from California, as have others here today, for taking this time to state his views, and in which I concur.

Mr. YOUNGER. I thank the gentleman.

There was another interesting thing I found out. The State Department says that we are not interfering in the internal affairs of another country.

General Smuts, who was the delegate to the Conference in San Francisco which created the United Nations, when he returned to South Africa and appeared before the Parliament, in order to get the Parliament to agree to the charter, in substance said words to this effect, "Of course, the big nations have the veto power." He said, "I am not pleased with that, but, on the other hand, we have the specific assurance in the charter that the U.N. will not interfere in any way in the internal affairs of any of its members or in any country." And he said, "On that basis, I ask Parliament to go along and approve the U.N. Charter."

Thank you very much.

THE COST-BENEFIT RATIO: WHY WE SHOULD STOP BOMBING NORTH VIETNAM

The SPEAKER pro tempore (Mr. FOLEY). Under a previous order of the House, the gentleman from Wisconsin [Mr. REUSS] is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, there is really only one issue of fundamental importance before the American people today. That is the war in Vietnam. There are other great issues before the people and upon which the people differ, but all other issues relate, at once or at a distance, to the fighting of American troops in a small country on the other side of the world.

There is, for instance, little difference among Americans on the desirability of providing better education for all, or of rebuilding our cities, or of wiping out those bitter remnants of poverty that still plague our society. The points of difference arise chiefly on whether we can afford such advances. And that question in turn arises from knowledge of the great and growing costs of the war in Vietnam.

That war has been debated and will continue to be debated in this Chamber, in the other body, in the press, the universities, and the homes of this Nation. It is to a relatively small point of that debate that I address myself today, Mr. Speaker. I wish to look not at the propriety of our being in Vietnam at all, although very legitimate questions can be raised on that score, not at the possibility of our ever winning in Vietnam, although questions even more serious can be raised there. I ask the House only to consider the wisdom of our continuing in our costly, widely misunderstood, and so far ineffective program of aerial bombing in North Vietnam.

Thus, for the purposes of my remarks today, I assume, along with probably the majority of our citizens, that somehow we are in Vietnam for reasons not entirely clear, and there seems open no easy way to get out of there right away. I assume that the war serves some purpose, relates somehow to the larger goals of American foreign policy, and to the overriding aim of peace in the world. It is becoming increasingly difficult for many Americans to accept those assumptions, but let them stand for the moment. I ask this House only to consider, within those assumptions of purpose and power, the question of our bombing in the North.

I am against that bombing. I think it should be stopped and I think this new month of February is an excellent time to stop it. For February marks the second anniversary of our Government's current escalation of the war, including the bombing of the north. The escalation has continued to a point where almost 400,000 American troops are now in Vietnam with more to come. The escalation has continued to a degree of bombing without historical precedent for a military action on such a small scale. Yet, whatever effects the escalation in general has had upon our military situation, it does seem clear that the bombing of the north has had only marginal beneficial effects, and plenty of bad effects.

We undertook the bombing program with two aims in view. By bombing the north, it was explained at the time, now 2 years ago, we could slow and perhaps stop altogether for military effectiveness the stream of military supplies which we knew was flowing like the Mekong River from the north to the south, from the Communist government of North Vietnam to the Communist Vietcong guerrilla force, the so-called National Liberation Front, our enemies in the south. Clearly, we felt, if the supplies and the troop infiltration could be cut off, the Vietcong would very rapidly lose its power.

The principle of interdiction is a bedrock fundamental of classic military doctrine. But the Vietnam war has never been an example of classical warfare.

The second purpose of the bombing was simply to punish Hanoi, to show the north that we were a formidable foe and that it was no longer possible to construct a "privileged sanctuary," for supplies and even manpower. If the north continued to support our foes in the south, then the north itself would know the pain of war. By such knowledge, it seemed reasonable to assume, the north and its allies in the south could be led to the conference table, to negotiations and to a just and lasting peace for the entire country.

This punishment doctrine, curiously, has very little historical evidence to back it up. From the appearance of those first lumbering dirigibles over London in World War I, through the blitz of London and Coventry and the fire bombing of Dresden in World War II, the actual effect of bombing on a people's morale seems to have been the opposite from that intended: instead of breaking a people's spirit and bringing them to surrender or at least to negotiation, bombing seems rather to stiffen morale, to increase the determination to resist. Such was the effect on both sides in World War II. The apparent exception, the surrender of Japan following the atom bombing of Hiroshima and Nagasaki, had exceptional circumstances to account for it and to remove it from any real relevance to the situation in North Vietnam, either at the present time or 2 years ago when we began our bombing there.

In the first place, Hiroshima was no ordinary bombing. It was nuclear bombing. No American voice of reason, I pray to God, is asking for nuclear attack on North Vietnam.

Second, the devastation of Hiroshima and Nagasaki did persuade the Emperor of Japan to seek peace even at the price of surrender. It did not, as far as we can tell, so persuade the people themselves. The first reaction to the news of peace following the bombing was disappointment that the struggle was being given up, and this despite the great deprivations wrought upon Japan by the war and despite, too, the incredible threat contained in the ruins of the two cities.

In the event, it is now clear beyond doubt, the bombing of North Vietnam has not worked.

Members of this House have learned from Secretary McNamara to apply a reasoned formula to measures of war called a cost-benefit analysis. Some of us, to be sure, have employed a cost-benefit analysis to most major decisions and to many minor ones, all our lives, extending down even to asking whether the benefits of a couple of more drinks a night will outweigh the costs in the morning.

Nevertheless, instructed by the Secretary of Defense, let us apply to our supposed "defense" in the skies over North Vietnam, the cost-benefit analysis that figures so largely in the present style of the Department of Defense.

The primary hard aim of the bombing program is to stop the infiltration of men and supplies from the north to the south. The results are these: When the bombing began there were some 400 North Vietnamese soldiers fighting in South Vietnam. Today there are said to be 90,000. If this kind of infiltration stopping continues, we shall soon have the entire northern military-age population fighting in the south.

The same is true of the supply situation. We may ask ourselves how these relatively underdeveloped people are able to stand up against the air might of the United States. The answer, Mr. Speaker, is not only simple; it is one we ourselves teach and are taught in elementary military tactics.

I learned it myself at Fort Benning Infantry Officers' Candidate School in World War II. When the infantryman finds himself operating under skies controlled by the enemy, his first and constant concern is to stay off the roads. This is fundamental. In the art of war it is the A B C's. The man, the squad, the platoon, the battalion, the regiment, the whole Army, all simply fade away from the roads into the brush and the forest. This is what Americans did in Africa, Italy, Europe, and the Pacific. It is what the North Vietnamese are doing in their own country against our bombing.

The reason this elementary tactic works so unfailingly against our air power, of course, is that we have deliberately chosen the course of restraint in our bombing. We have not, in the chilling phrase of the "hawks," "taken out" Hanoi or Haiphong. Nor shall we. Our bombing is beamed at roads and bridges. We blow up bridges and we attack traffic moving on the roads. This does not interdict the traffic. It merely shifts it from the roads into the countryside. The countryside of southeast Asia being what it is, more than ample cover is provided for the vastly increased flow of men and materials that has been swelling since we began to bomb.

One response to this frustration, obviously, is to increase the bombload and to increase the bombing scope. From advocates of air power in military and other places the cry is heard, "Take out the cities, take out the ports." President Johnson, to his credit, has resisted those pressures.

We are already bombing at a rate in excess of anything in past history. The Air Force dropped just over half a million tons of bombs in the Pacific area during all of World War II. The Air Force is now bombing both North and South Vietnam at the rate of half a million tons a year. If the North Vietnamese can stand up to that, it is not necessarily pure logic to conclude that more of the same will succeed in interdiction. It is more like wishful thinking.

The reason our bombing has been limited is our firm desire not to spread the war. To bomb airfields in China, to bomb Haiphong harbor and inevitably destroy Russian ships, will do exactly that. We are therefore stuck with limited bombing. We would do better to scrap the program before it makes the war much worse than it is now.

The results in terms of the second aim of the bombing program are well implied in those of the first. Bombing has no more broken the will of the people in Hanoi than it did the will of the people in London or Coventry. As in those classic cases, bombing has united the people behind their leaders in a determination to resist the bringers of death from the sky. There is every reason to suppose that continued bombing will merely solidify that national purpose of resistance.

Another "benefit" of the bombing program is sometimes alleged to be the boosting of morale it gives to Premier Ky or to his predecessors and successors as momentary governors of South Vietnam. If one thing should be clear by now about the governments in South Vietnam ever since the Diem family, it is that they really need no encouragement, no boosting of their morale. They all occupy and have occupied a special place, that of ruling by virtue of the favor of the United States. There is now some hope of bringing into existence a truly representative government. But in the meantime, most of the changing governments have had their morale well-boosted merely by the act of governing.

Such, then, are the "benefits" we have derived from our enormous program of bombing in the north. I submit that as benefits these are illusory. They have simply not taken place. Costs, on the other hand, have been all too real. Moreover, they mount steadily as the bombing continues.

The first cost is the sheer inhumanity, the needless killing of human beings that the bombing obviously accomplishes. We have now lost some 500 planes over Vietnam, representing a staggering amount of money plus the incalculable value of the lives of the crews. Two-thirds of these losses have been over North Vietnam, where the bombing achieves little, and where the cities are defended by complex and sophisticated antiaircraft systems given and maintained—though not, apparently, operated—by Soviet Russia. Bombing in the south makes as much sense as anything in the war does. At least it is related to the prosecution of the war. Bombing in the north has become a futile and frustrating gesture of great cost.

The second cost to be reckoned is in the effects the bombing has upon China and upon Russia. These two great Communist powers have their differences. China watchers and Kremlin watchers for some years now have been underlining the differences. Commonsense dictates that the United States should be aware of those differences and stand ready to act upon them. It is also commonsense that nothing will solidify those two powers more effectively than our continued bombing of North Vietnam, a new Communist nation toward which both the great Communist powers feel a special responsibility.

The third great cost is that the continued bombing of the north dims any hope of deescalation or negotiation.

If the war is to be ended, it will be ended by the reverse of the process we and the north have been following. It will be ended by deescalation. The most hopeful force on the other side to look to for deescalation is Soviet Russia. Russia supplies about 80 percent of the military and other materials coming into North Vietnam from its supporters. North Vietnam is not the puppet of Russia, but Russia can obviously exercise great influence upon the progress of the war through her control of needed materials.

But bombing in the north is a direct attack on Russia's own support. Indeed that bombing has brought that support to the higher levels called for to resist that attack. We are thus cutting ourselves off from the quite possible offices of Russia as a mediator for deescalation and peace.

At the same time, the bombing also deprives us of the opportunity to use the good offices of U Thant and the United Nations, or of the Pope and the world Christian community, as mediators for peace. The neutral nations of the world are at heart more on our side than often appears. There has spread, especially throughout Asia, the realization that we are engaged in protecting the independence of a small nation under attack. But our bombing of the north paralyzes that realization. It also renders utterly ineffective any possible pressure from neutrals upon Hanoi.

In May or in June there will be a new Government in South Vietnam, the first government with a measure of true representation of the people in a very long time. That Government will be in a much better position to try to open negotiations with its enemies in the south and with their supporters in the north if we are no longer bombing in the north. In a fluid situation that new Government can negotiate, and we and that Government can perhaps begin the process of deescalation that will lead to peace.

Even if there is no possibility of a negotiated peace, even if the unyielding intention of Hanoi is to take over the entire country, even then our cause will be better served by a cessation of the bombing. As we have seen, it does not accomplish its aims. Its cessation would demonstrate to the world that it is Hanoi, not the United States, that keeps the conflict going; and that it was the United States, not Hanoi, which was willing to take the first step toward peace that U Thant and many others have advocated.

One final cost of the bombing is the most subtle and quite possibly the most hurtful of all. The bombing deprives us of the opportunity to negotiate with the National Liberation Front, the organization that is actually doing most of the fighting in the war. The bombing supports the myth in our minds that there is no such thing, that the Vietcong is really just the puppet of the north. Until we open our eyes to the reality of our enemy, we cannot make peace with him. The bombing of Hanoi reinforces our delusion that it is Hanoi we fight. We are indeed confronted with the active opposition of Hanoi, but as the figures show, most of that opposition has been generated since our own attacks on the north began. Above all, we confront a native, southern, Vietnamese movement in the National Liberation Front. And at last we shall have to negotiate with the front to bring about peace. We cannot afford to think that it is only Hanoi that stands against us.

Mr. Speaker, we have added up the two columns of costs and benefits. It is clear to any eye that the costs far outweigh the benefits. Indeed, there are few benefits as yet derived from our bombing of the north, while the costs, on all counts, mount depressingly, month by month. Logic dictates that we should end the bombing as soon as we possibly can, which is at once. It should stop and not be resumed until a truly national decision has been reached that the ratio of cost to benefit is different from what it is now.

It is human to hate to admit that we have made a mistake. But we have made a monumental mistake in bombing North Vietnam. Let us undo it as best we can.

Again, this is not a plea against our proper involvement in South Vietnam. It is a plea, rather, for peace there, a peace based upon an American presence and an American protection as long as that may be needed. But it is also a plea to put an end to a costly failure in strategy.

AGAINST EXPANDING EAST-WEST TRADE WITH THE SOVIET UNION AND ITS SATELLITES

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. SNYDER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SNYDER. Mr. Speaker, the idea of expanding East-West trade with the Soviet Union and its satellites at a moment when the Soviet Union is supplying those fighting our troops in Vietnam is repugnant to the American people.

Soviet spokesmen have promised publicly to double this year the flow of rifles, machineguns, mortars, artillery and ammunition, the Mig 21 fighters and the ground-to-air aircraft missiles being supplied the Vietcong and North Vietnam.

It would have a destructive effect on the world attitude toward the United States if, at this moment—and while Soviet troops are still in Cuba off our coast—we should expand our trade with the Soviet empire.

From our own viewpoint, are we to supply the very people having our men killed and maimed in Vietnam and costing the American taxpayer a fortune? If this de facto war were a declared war, such trade would be punishable under the law as giving aid and comfort to the enemy.

Yet there is a strong drive, not only by the administration but by those who would make a profit at the expense of our fighting men to increase our shipments of goods to our active enemies. So eager are the would-be profiteers that the House has been informed by my colleague, the gentleman from California [Mr. LIPSCOMB], that the security community was not even consulted before the official bars against such shipments were relaxed.

Mr. Speaker, the highest court in this country is the "court of public opinion." The American people will view with contempt and odium those seeking to increase such trade. As for the officials involved, the American people will vote them out of office.

INAUGURAL ADDRESS OF GOV. SPIRO T. AGNEW OF MARYLAND

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Maryland [Mr. MATHIAS] is recognized for 30 minutes.

Mr. MATHIAS of Maryland. Mr. Speaker, a new and promising period in the history of Maryland opened on January 25, when the Honorable Spiro T. Agnew took the oath of office as Governor of the Free State.

In his inaugural address, Governor Agnew set the tone for his administration when he declared,

> This is a time of vast and ever-accelerating change . . . a time probably representing the most difficult period in our growth since this country moved out of its totally rural years and into the incredibly complex areas of mass production and urbanization. This change, if order is to prevail, cannot go unguided.
>
> That is why today we welcome new challenge and invite new opportunity, and resolve to bring a new and abundant energy to Maryland affairs.

To meet a demanding decade, he pledged his administration to the "pursuit of excellence," a difficult course which, he declared, "provides a discipline and a direction" for all branches of the State government.

Governor Agnew's thoughtful and challenging address summarized the problems which confront so many of our States today, and summarized too the spirit and commitment required if those great problems are to be resolved. His remarks merit attention beyond the borders of Maryland, and I include his address in the RECORD at this point:

My fellow Marylanders:

You have done me great honor, and I accept the challenge and responsibility of leadership mindful of your trust and my duty to it.

To be a Governor . . . of *any* state in this great union of states . . . at *any* time in history . . . is a rare privilege. But to be the Governor of *this* burgeoning state . . . in *this* mercuric age, with so much at issue and so much in prospect, is a singular tribute to any man.

And I am filled with pride . . . not with the frail and vulnerable pride of political victory, but with a pride that each of you shares with me . . . with pride in our fine state and pride in the concern of her citizens for the advancement of human dignity.

I assume this office with gratitude to you, my fellow Marylanders, for the trust you have placed in me . . . for it is your faith that will fortify and sustain my own . . . and I fervently pray for the divine help and guidance which will make me worthy of your confidence.

Today is a day of resolution, a day for setting courses, for establishing goals. Our purpose is not just to keep Maryland abreast of our national life but to lead her in the vanguard of human progress.

Today we look ahead to new horizons with the constant awareness that what suggests the future is the past; that what reveals the need is the lack; that what inspires the perfect state is the imperfect one.

And if this day brings special promise, it is because we refuse to accept as inevitable things as they are or things as they have been. While indeed it is true that poverty *does exist* in times of prosperity, that ignorance *does persist* in an age of enlightenment; it is in the minds of men to deplore these imperfections and in the will of men to pursue the ideal.

This is a time of vast and ever-accelerating change . . . a time probably representing the most difficult period in our growth since this country moved out of its totally rural years and into the incredibly complex areas of mass production and urbanization. This change, if order is to prevail, cannot go unguided.

That is why today we welcome new challenge and invite new opportunity, and resolve to bring a new and abundant energy to Maryland affairs. We will *never* acknowledge that the inequities of life are the facts of life, nor allow the defeats of the past to predetermine what lies ahead.

Exactly one century ago, the people of Maryland, the General Assembly and the Governor met together as we do today. They saw, as we do, changing times; and a need to keep pace with a new wave of social, political and economic life. The year 1867 saw Maryland recovering from the moral turbulence of the Civil War and, at the same time, facing the impact and challenge of the Industrial Revolution.

The need for a new State Constitution was self-evident, and the writing of a worthy one was imperative. To the lasting credit of their generation, a new constitution *was* written and ratified . . . a model of enlightened democracy under which Maryland grew and prospered for 100 years. Listen to Article 6 of that Declaration of Rights:

". . . Whenever the ends of government are perverted and public liberty manifestly endangered and all other means of redress are ineffectual, the people may, and of right ought to reform the old or establish a new government; the doctrine of nonresistance against arbitrary power and oppression is absurd, slavish and destructive of the good and happiness of mankind."

Over the past four decades, Maryland and the rest of the nation have undergone transition so enormous that the Constitution which served our forebears is no longer appropriate to serve us.

And in the sense of the portion of the Declaration of Rights just quoted, we shall return to that mandate to "reform the old" in accordance with the judgment of the voters in the last General Election.

In the overwhelming mandate calling for a Constitutional Convention, Marylanders have again demonstrated an awareness of the need to advance with an advancing age. We ask now for a new and efficient design to direct our course through the twentieth century and into the twenty-first. In so doing, we not only recognize the vitality of the future but we recapture and reaffirm the spirit of change and progress which has been a credit to the Maryland past.

We must recognize the Constitutional Convention as the catalyst needed to quicken the transition of governmental structure from obsolescence to efficiency. For we have lived with old laws too long and resisted new ideas too easily. Without change, immediate and positive change, we will become merely custodians of a static state; drifting from a state of indifference to a state of emergency . . . searching for direction and pleading for purpose.

A Constitutional Convention and a newly reapportioned legislature provide us with the *ability* to create a better Maryland. The real challenge and the great opportunity that lies ahead is to capitalize upon this mandate for improvement by establishing the foundation for continuing progress.

It is within our power today to create a working, imaginative State government. Our role is vital and immediate. We must recognize that the benefits of legislative and administrative reform are dependent on a searching examination and a dynamic revision of our total fiscal structure.

States are things of economic as well as political being. Imbalances which place a disproportionate tax burden on certain groups of taxpayers retard economic growth and tend to stifle political action. A fair and realistic sharing of the costs of governmental services, a sharing that increases the taxpayer's economic equity in his state and in his community, promotes a productive atmosphere for progressive legislation and effective programs.

There is little question that Maryland needs fiscal reform. There is little question that the executive branch of Maryland's state government needs to reevaluate, revise and reform many of its administrative functions and programs. There is *no* question that such reevaluation, revision and reform will make our government more efficient and economical. We must encourage this procedure by employing the soundest thinking of our most creative minds. And, above all, we must generate an atmosphere in which that creativity can flourish. For it is the *attitude* that we bring to our labors that will determine the quality of our accomplishments. It is the way we think that must always determine the way we act. Once we are successful in improving the state of mind, we will surely be successful in improving the State of Maryland.

I speak of a *new* state of mind, my fellow citizens, and if it should be given a name—let us call it the pursuit of excellence. The pursuit of excellence does not promise the achievement of perfection—but does pledge the pursuit of it. It provides a discipline and a direction.

It shall be the resolve of this administration to pursue a course of excellence in its exercise of the duties of government. Each program, each statute, each appropriation will be measured to see that it achieves high standards of excellence. It shall be the hallmark of the new administration to exact excellence in program and service . . . through leadership and direction.

But the pursuit of excellence cannot be the goal of the Governor and not the legislature, nor can it be limited to the considerations of the General Assembly and exclude the private conscience of the individual citizen.

We have seen great decisions of state become mired in the struggles of men to preserve personal power. And we are paying the price. Our cities, our air and our waters reflect the price. And what tax paying citizen will not willingly acknowledge that he, too, is paying the price.

We pay for crime when we pay too little attention to its cures. We pay for pollution when we pay too little attention to its prevention. We pay for overcrowded schools when we fail to build new ones; for slums when we choose to ignore the onset of blight; for desperate and disillusioned human beings when we fail to encourage, educate, house and employ them.

It has become all too obvious that the cost of failure far exceeds the price of progress. It is evident that we can no longer tolerate from any elected official an attitude of how much can he promise, how little can he perform. It has become painfully clear that the reason we sometimes failed was that we were not, at all times, sincerely determined to succeed.

We elected officials must not say, as was once said by an important figure in the French Revolution. "There go the people: I am their leader; I must follow them." But neither can we sit idly in the path of their movements, lest we be engulfed in confusion rather than enlightened by the demands of our times. Nor can we stand aside from the parade of that which is, or which passes for, progress . . . lest we be left like fossils of the past in the wake of civilization's advance.

We who have been entrusted with offices of leadership must *exercise* that leadership to guide the rising and often healthful discontent away from the morasses of chaos and into the channels of constructive change.

I call for a new spirit of leadership which will consciously and continually dedicate itself to the pursuit of excellence. I call on every State Delegate to put the good of the State first and the votes of his constituents second. I challenge every State Senator to put pride in his State first and the patronage of his district second. I ask every committee and every commission to value most highly the *worth* of its work and not the recognition which might follow.

All that I ask of others I will demand of myself. For a people, not just a party, has elected me Governor. A people, not just a party, sits in judgment. A people, not just a party, is waiting to be served!

We are each of us Marylanders first and partisans second and what divides us by party is less than that which unites us in duty. Our state has a new unity . . . no longer imprisoned by old alliances and outmoded convention. A new day has come, bringing with it a *new alliance* which rejects tradition that fails to serve or inspire.

This *new alliance* is not labeled conservative or liberal, rich or poor, white or black, Christian or Jew, Republican or Democrat. This new alliance should be called *people . . . principle . . . progress!*

I ask you to welcome . . . as I welcome . . . the opportunities which are ours . . . to serve our state, its political subdivisions—and its people. Let us look at these challenging times of ours, with the incisive realism that Christopher Fry looked at his . . . when he wrote:

> "Dark and cold we may be, but this
> Is no winter now. The frozen misery
> Of centuries breaks, cracks, begins to move;
> The thunder is the thunder of the floes,
> The thaw, the flood, the upstart Spring.
> Thank God our time is now when wrong
> Comes up to face us everywhere,
> Never to leave us 'til we take
> The longest stride of soul men ever took . . ."

And I, as the new governor, of this new alliance of people-principle-progress, greet this new and promising day, with the hope that when we convene again, we will have pursued the path to excellence together and will have traveled a good part of the way.

INTERNATIONAL TRADE NEGOTIATIONS AND THE PRESIDENT'S NOMINATION OF NEW SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. King] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. KING of California. Mr. Speaker, the progress of the International Trade Negotiations under the General Agreement on Tariffs and Trade in Geneva is of great concern to all the Members of this body who participated in the formulation and passage of the 1962 Trade Expansion Act. The authority to negotiate given the President by the Congress in that act expires on June 30, this year. For 4 years, the representatives of this Nation have sought, through patient and tedious day-by-day negotiation with unyielding partners, notably the European Economic Community, to carry out the mandate of that act. The time for lengthy deliberation and for careful ploy has passed. Now is the time for decision.

In charge of these difficult negotiations, in the place of the late Gov. Christian A. Herter, is Ambassador William M. Roth, who has served as Governor Herter's deputy since 1963. Nominated by the President to replace Governor Herter on January 26, he assumes a very demanding and a very important post at a crucial time.

My colleague, the gentleman from Missouri [Mr. Curtis], and I, as congressional delegates for trade negotiations appointed to represent this House by the Speaker, have followed the negotiations carefully and, now, with increasing concern. We have issued the following statment to the press in demonstration of this concern which, with unanimous consent, is printed below:

STATEMENT ON HOUSE CONGRESSIONAL DELEGATES FOR TRADE NEGOTIATIONS ON THE NOMINATION OF AMBASSADOR WILLIAM ROTH TO THE POST OF PRESIDENT'S SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

On January 26 the President announced his nomination of Ambassador William Matson Roth as Special Representative for Trade Negotiations. As Congressional Delegates for Trade Negotiations appointed under Section 243 of the Trade Expansion Act we offer our support to Ambassador Roth in assuming direction of the difficult international negotiations now taking place at Geneva under the General Agreement on Tariffs and Trade.

The Trade Expansion Act gave Congress a special part in the trade negotiations. As the representatives of Congress we have kept ourselves informed of the progress of these negotiations. Now, at a time when our best information indicates that this progress is most unsatisfactory, we strongly urge that all parties consider again their potentiality for great mutual benefit, and that they assemble in Geneva willing to complete negotiations that are truly meaningful in trade terms. The extension of the Trade Expansion Act beyond June 30, 1967, is an impossibility.

Ambassador Roth, if confirmed after Senate hearings, will assume full control of U.S. participation in the negotiations at a time that will demand great concentration and dedication by himself and his staff to achieving fully reciprocal, mutually advantageous tariff and trade bargains. This will require determination and forceful representation of views both in Europe and the United States.

We have full confidence that as the President's Special Representative Ambassador Roth will succeed during the coming months in the tasks at hand, and that he will carry on this work in the tradition of honesty and responsible representation of the national interest established by his predecessor, Governor Herter. We assure him of our full support.

(NOTE.—The post of Special Representative to the President for Trade Negotiations, established by Congress in Section 241 of the Trade Expansion Act of 1962, became vacant at the recent death of former Governor Christian A. Herter. Ambassador Roth has served as a Deputy Special Representative since August 1, 1963. The Special Representative is charged with responsibility for all trade negotiations and with a central role in U.S. trade policy.)

THE BOYS SCOUTS OF AMERICA ARE RESPONSIBLE YOUNG CITIZENS

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. Natcher] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. NATCHER. Mr. Speaker, during the week of February 7 to February 13 the Boy Scouts of America will observe their national week. Scheduled for that week of celebration is the national report to the Nation which will be made to the White House and to other national leaders; Scout Rededication Day, Scout Sabbath and Scout Sunday, and numerous displays and demonstrations which will be open to the public.

It would be interesting and highly significant I should think, if one could, in some way, learn the exact number of lives that have been influenced by the Scout movement since it was first established in this country. I am not thinking of the number of our young boys who have been members of Scout troops, dens or patrols, nor of those responsible men and women in our communities who have given so much of their time and energies as Scout Leaders. Nor am I considering those who have gone into Scouting as a profession. Rather, I am thinking about those of us who are not directly involved in the Scouting program but whose lives, because of the example set by the Boy Scouts of America, have been made a little better, whose dreams, past and present, a little richer, and our precious heritage of citizenship made far more meaningful.

The stated purpose of the Boy Scouts is to show young boys how to do for themselves and for others; to train them in scoutcraft; to teach them patriotism, courage, self-reliance and other like virtues. But Scouting is also fun and adventure. I, for one, cannot deny a twinge of nostalgia when a lad tells me of his experiences at Scout camp. I laugh with him at his tale of hijinks and nonsense, and I share with him the wonder of the moment when he lives the discovery of his relationship to God in His own environment.

Scouting is growth. How fortunate is the man who has been a Scout, for growth means maturity and maturity cannot be attained without discipline. In the process of their training, Scouts learn to face all kinds of situations and to discipline themselves into making a wise and considered decision. These young men approach the threshold of manhood with a sound sense of values. We see in them respect for their homes and communities, their elders, and their country. They respect their God. By so doing, they respect themselves and the men they are to become. They are imbued with a sense of purpose and enthusiasm and it is this combination—respect, purpose, enthusiasm — that throughout history has made the impossible become possible.

Much has been accomplished by the Boy Scouts of America in their 57 years of existence in this country. Much more lies ahead. The mantle of maturity can weigh heavily. The responsibilities of citizenship, obligations toward family and friends, duties to neighbors and fellow men, can and do present conflicts and tensions.

Fifty-seven years hence, much will have happened to our world as we know it today. Many changes will have occurred, but some things will remain steadfast. The Boy Scouts of America will be serving the youth of our Nation and, with pride, can look back over their record knowing that they have done their best toward God and toward their country.

FDA APPROVAL OF FISH FLOUR IS A STEP FORWARD

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Hanna] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HANNA. Mr. Speaker, I was pleased to learn that the Food and Drug Administration has finally given its approval to the domestic distribution of fish protein concentrate. This approval is a significant step forward in meeting the immense problem of world hunger.

During the last Congress I joined many of my colleagues in urging expeditious FDA consideration of the concentrate. While I cannot honestly say that I am entirely pleased with the length of time the Food and Drug Administration has taken in its deliberations, the important thing is that approval has been given.

The FDA decision will be important in the psychological impact it will have. Without approval for domestic distribution and consumption it would have been difficult to convince the nations where hunger is the most critical problem that fish protein concentrate should be added to the diet. The psychological block of "why won't you allow fish protein concentrate to be distributed in the United States" could well have negated the real value of the food additive.

Providing sufficient protein to the meager diets of 2 billion people is probably, next to the question of peace, the most critical issue of the day. The question of peace and stability itself is directly tied to the question of hunger.

Fish flour will not solve the problem of world hunger, but it will help. The concentrate offers an inexpensive source of protein that can be easily produced and added to the diet. The oceans of the world are largely an untapped resource making fish flour an abundant and readily available commodity.

Particularly encouraging was Secretary Udall's reaction to the FDA's approval of fish flour. The Secretary made clear that he intended to proceed vigorously in putting in operation a demonstration pilot plant authorized by the 89th Congress. The Secretary also indicated that he intends to enter into immediate arrangements to lease an additional plant.

I also want to make reference to the President's statement of purpose on this matter that appeared in his environment message sent to Congress on Monday. The President provided Congress with the first indication of the administration's resolve to pursue immediate production on a mass scale.

Now that the Food and Drug Administration has given approval to FPC, and the administration has offered leadership in this area, our attention must now be focused on how this food additive is going to be incorporated into a worldwide program of distribution and production.

I am hopeful that in the days to come the administration will make clear their plans to encourage foreign development and use of fish flour.

WOODROW WILSON MEMORIAL

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Monagan] may extend his remarks in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MONAGAN. Mr. Speaker, yesterday I introduced a bill, H.R. 4259, intended to implement the recommendations made by the Woodrow Wilson Memorial Commission in its report of September 29, 1966.

That report offered a proposal which in the words of the Commission "reflects both appreciation of the great President in whose honor a suitable remembrance is to be made, and perception of the social and political needs of succeeding generations to which his heritage is bequeathed."

My bill authorizes the preparation of plans for the construction of a suitable memorial to Woodrow Wilson within the area of the Northwest section of the District of Columbia bounded on the north by E Street, on the south by Pennsylvania Avenue, on the east by Sixth Street, and on the west by Ninth Street.

I am confident that such a memorial will enhance the beauty of our Capital City and preserve the memory of a great and noble American.

THE SYRACUSE HERALD-JOURNAL

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Hanley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HANLEY. Mr. Speaker, 1967 is the 90th anniversary of one of the great newspaper traditions in the United States. It was in 1877 that Arthur Jenkins first opened the doors of the old Syracuse Herald, whose proud successor, the Syracuse Herald-Journal, is today one of the most outstanding and influential papers in the Nation.

It is not just hometown pride that moves me to this gesture today. It is a firm conviction that American journalism would be wise to examine the tradition and the policies of the Syracuse Herald-Journal. Alexander F. "Casey" Jones, long a prominent figure on the national newspaper scene, held forth as executive editor of the Herald-Journal for 16 years. During his tenure, he molded an already going concern into a truly great newspaper.

The Herald-Journal has cut across party lines in its quest for the truth and has not hesitated to scold when a good scolding was due any public official. As a member of the Newhouse chain of papers, the Herald-Journal has maintained a consistently independent course.

Mr. Speaker, a great newspaper, like a truly representatives legislative body, must involve itself heavily in the issues of the day, and those of you here today will agree that the issues facing us are neither simple nor easily resolved. I submit that the Herald-Journal fits into that tradition of great newspapers with amazing facility.

Over the years no problem was too large or too small to escape the wary eye of the Herald-Journal's reporting or editorial staff. This commitment to a frank discussion of all the issues is one of the principal reasons the Herald-Journal is a flourishing enterprise in an era when many of the journalistic mainstays of the Nation are falling by the wayside.

Under the professional hands of Publisher Stephen Rogers and Editor William Cotter, the Herald-Journal will continue to flourish and influence the public.

I commend the Herald-Journal and wish them at least another 90 years of success.

TWO-YEAR FOREIGN RESIDENCE REQUIREMENT TOO STRINGENT

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Brown] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BROWN of California. Mr. Speaker, I have recently introduced legislation to amend section 212(e) of the Immigration and Nationality Act. That section of the act pertains to exchange visitors who come here under the Mutual Exchange Act of 1961. By definition of law, "exchange visitors" include such people as students, trainees, teachers, instructors, professors, leaders, experts in fields of specialized knowledge or skills, and other influential or distinguished individuals, performing artists and athletes. The law now requires that such exchange visitors leave the United States for a period of at least 2 years before they may be eligible to apply for an immigrant visa or apply for permanent residence in the United States.

There are only two ways in which this foreign residency requirement may be overcome. One of these permits the Attorney General of the United States to waive the requirement if the Secretary of State recommends such action upon the request of an interested U.S. Government agency. Waivers granted under this provision are extremely rare.

The second method whereby an exchange visitor can obtain a waiver of the residency requirement is if the Commissioner of the Immigration and Naturalization Service finds that the departure of the visitor from the United States will result in exceptional hardship to the visitor's spouse or child. Here again, the tendency is to grant such waivers only in rare cases.

I am sure that many of my colleagues have encountered the problems occasioned by the strict interpretation of the waiver provisions and have found that it is almost impossible to gain any type of administrative relief for those mutual exchange visitors and their families when it comes time for the foreign residency requirement to be fulfilled.

If I understand the legislative history of section 212(e) correctly, the residency requirement was imposed because many of the participating countries found that their citizens, who had come here under the exchange program, were reluctant to return and were attempting to become residents of this country. As a means of protecting the integrity of the program, the 2-year residence requirement was enacted.

I certainly do not question the wisdom of preserving the basic goals of the exchange program—to make our institutions of learning available to young citizens of other nations so that they may acquire the skills and knowledge necessary to aid in their own country's growth and development. The amendment I am sponsoring is not intended to interfere in any way with the aims of the program. It simply provides an additional ground for the waiver of the residency requirement if the visitor's country of origin furnishes the Attorney General a written statement that it has no objection to the visitor remaining in the United States.

I believe very strongly that this added type of relief will not only help immensely in keeping families together that are now faced with forced separation and hardship, but it will also provide our country with skilled and trained individuals who can contribute to our own national interest by remaining here. I have followed the lead of the distinguished chairman of the Subcommittee on Immigration of the Judiciary Committee in introducing this legislation. I earnestly hope my colleagues will join in supporting this moderate amendment to the Immigration and Nationality Act.

NEED TO REVISE THE SELECTIVE SERVICE SYSTEM—XII

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, on Monday, January 30, 1967, the U.S. Court of Appeals in New York held that local draft boards could not reclassify registrants 1–A as a punishment for publicly protesting the war in Vietnam.

Selective service officials have been claiming that it was within their power to reclassify as "delinquent" those University of Michigan student demonstrators who conducted a sit-in at the Ann Arbor, Mich., selective service headquarters in October 1965. The grounds for reclassification were that the students were unlawfully interfering with the draft process.

The court of appeals, however, unanimously ruled that the draft boards had acted without jurisdiction and in violation of first amendment rights of free speech. Judge Harold R. Medina wrote:

> The record shows, that attempts to secure relief within the Selective Service System would be futile, and the threat to First Amendment rights is of such immediate and irreparable consequence to not simply these students but to others as to require prompt action by the courts to avoid an erosion of these precious constitutional rights. What we hold in this case is that it is not the function of local boards in the Selective Service System to punish these registrants by reclassifying them 1–A because they protested as they did over the Government's involvement in Vietnam.

In arguing the Government's case, the Justice Department contended that the students should have taken their appeals through the Selective Service System before coming to court. The court, however, noted that formal administrative appeals appeared to be especially unavailing in view of frequent statements by General Hershey condemning demonstrators and upholding local boards. Judge Medina added:

> Only the most weighty consideration could induce us to depart from this long standing policy. But of all constitutional rights, the freedoms of speech and of assembly are the most perishable, yet the most vital to the preservation of American democracy.
>
> Historically, these preferred and paramount rights have continually come under attack from the best intentioned sources. And once the erosion of these rights is permitted to begin, it is exceedingly difficult to halt, and the intervening damage may be irreparable.
>
> Here is the free expression of views on issues of critical current national importance that is jeopardized. On such topics perhaps more than any other, it is imperative that the public debate be full and that each segment of our society be permitted freely to express its views.
>
> Thus the allegations of the complaint in this case that the draft boards have unlawfully suppressed criticism must take precedence over the policy of nonintervention in the affairs of the Selective Service.

It should have been clear to the draft boards that it is not within their power to deny registrants the full protection of the Bill of Rights. The decision to reclassify as 1–A those students who staged a sit-in at the local board in Ann Arbor, Mich., was nothing more than blatantly using the threat of the draft as a device for deterrence and punishment.

I applaud the decision by the court to intervene when draft boards seek to use their powers to stifle the peaceful exercise of the first amendment right of free speech.

The abuse of power by the selective service is another reason why the present law must be changed.

LONGER LICENSING TERM NEEDED FOR COMMERCIAL BROADCASTING

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. VAN DEERLIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, our law for licensing commercial broadcasters is still in the horse and buggy stage. As they have been since 1927, radio and television stations are still required to renew their licenses every 3 years. Because this regulation has failed to change with the times, the broadcasting industry and the Federal Communications Commission are today struggling under a mounting—and needless—burden of administrative expenses and paperwork.

Legislation that I am introducing today would increase the licensing period from 3 to 5 years. My proposal has been endorsed by two of my district's leading broadcasters, Clayton H. Brace and August C. Meyer, and by the National Association of Broadcasters.

Mr. Meyer, president of Midwest Television, Inc., states in a telegram sent to my office today that the time now consumed by executives such as himself in preparing renewal applications "could well be used to produce better programing and operations." Mr. Meyer's corporate family includes KFMB AM–FM–TV in San Diego.

Mr. Brace, vice president and general manager of KOGO TV–AM–FM in San Diego, believes that the Federal Communications Commission could reduce its own paperwork by at least 50 percent if the licensing term is extended to 5 years. He says, "the amount of work now required to both submit and to process applications is almost unbelievable, and involves days and even months of expense and personnel time."

Mr. Meyer points out that the 3-year requirement was established when the art of broadcasting was new and its future uncertain.

> Now—

He says—

> with the responsibility of broadcasters well established, there is no further need for a short term with its provisional implications.

Both Mr. Brace and Mr. Meyer emphasize that the longer maximum licensing period would in no way relieve or absolve commercial broadcasters of their traditional responsibilities to the public.

As Mr. Meyer puts it:

> Sanctions, including revocation, are now available if a licensee is found to be unqualified or irresponsible.

I fully concur with the sentiments of these two outstanding leaders of the broadcasting industry.

The practice in the earliest days of radio broadcasting was to grant licenses for a very short period. The length of the license term was extended first to 6 months, then to a year and finally to 3 years under authority of the Radio Act of 1927.

In imposing the 3-year limit 40 years ago, Congress was at that time dealing realistically with an industry whose vast potential was still relatively unknown.

But today, when this country boasts the finest system of radio and television in the world, the 3-year term is truly an anachronism. We should act now to provide a more reasonable regulation.

CHICAGO MAYOR'S COMMITTEE BACKS STRONG CONSUMER PROTECTION LEGISLATION

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, recently legislation was introduced in the Illinois House of Representatives to afford the customer better protection in the marketplace, particularly with regard to credit transactions.

The legislation was the direct result of the work of the mayor's committee on new residents, a division of the Chicago Commission on Human Relations. For the past 6 years the mayor's committee on new residents has led a campaign for credit reforms, culminating in the recent introduction of the legislation which would attack the credit problem on a 12-front basis.

Enactment of the proposal suggested by the mayor's committee would go a long way toward giving the consumer a better break as far as credit—its meaning, and its use—is concerned.

I am certain that the Members of this body are aware of the stand that the Department of Defense has taken with regard to credit transactions involving military personnel. During my first term of Congress, I spent a great many hours working on the credit problems of our servicemen and traveled to many of our military installations throughout the world to gather information firsthand. I was shocked at what I uncovered. In many cases it was discovered that the serviceman had been totally victimized by unscrupulous operators whose only thought was to grab as much of the serviceman's pay check as possible.

But the practices of some credit extenders which are used against servicemen are also being used against other segments of our population. In this light, I am happy to see that the State of Illinois is moving toward better consumer protection.

The problems that the mayor's committee seeks to correct through legislation are not strictly Illinois problems, but problems that arise in every area, town and city of our country. Credit extension is a big business and a nationwide and worldwide business. In some ways it has outgrown the effective control that State laws can provide. It is time, then, that the Federal Government steps into the picture to provide additional protection for the consumer. I am enclosing in my remarks a copy of the mayor's committee credit proposals, along with some background information on the need for each proposal. I am in full agreement with all of the credit proposals except for one: ceilings on finance charges. The proposal would establish interest rate ceilings on finance charges and retail installment sales contracts. I heartily endorse such ceilings, because they are a step in the right direction, but feel that those outlined in the mayor's committee proposal are entirely too high when reduced to the true annual interest rate.

I look forward to the day when the consumer no longer has to worry about being victimized when he seeks credit. I sincerely hope that this body takes the lead in establishing such protection on a national scale.

The proposal follows:

PROPOSALS OF THE MAYOR'S COMMITTEE ON NEW RESIDENTS

1. THE BUYER'S DAY IN COURT

Most retail sales contracts include the "confession clause". The buyer who signs such a contract often does not understand the legal effects of what he is signing. Actually, he surrenders his right to defend himself in court.

Proposal: To abolish the confession clause in all retail installment sales contracts, thus giving the buyer "his day in court".

2. NO FURTHER PAYMENT ON REPOSSESSED ARTICLES

A merchant can repossess an automobile or other merchandise, then resell it at auction. The difference between what is realized on the auction and the original contract balance is called "the deficiency" and can be assessed against the original buyer. In effect the buyer keeps paying for the car he no longer has.

Proposal: To provide seller, in case of default, with an option either to repossess the merchandise, or to sue for the balance, but not both, in all retail installment sales transactions.

3. CEILINGS ON FINANCE CHARGES

Illinois is one of the few states that has no ceilings on finance charges in retail installment sales. Merchants can charge whatever they want. Actual interest rates sometimes exceed 100%.

Proposal: To establish ceilings on finance charges for:

a. Automobiles—from $7 per $100 per year for new cars to $11 per 100 per year for cars older than two years.

b. Revolving charge accounts—1½% per month on the unpaid balance.

c. Other retail merchandise—$12 per $100 per year for sales up to $750; $10 per $100 per year for sales over $750.

4. EXEMPTING PERSONAL PROPERTY FROM SEIZURE

In Illinois $400 worth of personal goods is exempt from seizure for debt in the case of family heads. This figure has not been changed since 1933. It is no longer adequate in view of present day living costs.

Proposal: To increase the amount of personal property exempt from seizure for debt to $1,000 for single persons and $1,400 for married persons.

5. BLANKS IN SIGNED CONTRACTS

Often unsuspecting buyers are asked to sign contracts, confession notes, and wage assignments that are not properly filled in, and in some cases, blank. Correction of such contract defects is a responsibility which should be properly placed on the seller.

Proposal: To make the seller responsible by criminal penalties for violations of the Retail Installment Sales Act, e.g. failure to fill out contract which buyer signs.

6. PROTECTING THE CO-SIGNER

A co-signer generally is not made fully aware of his obligations. Often he does not know that he may be sued in court for payment of the amount due, even though the buyer may be working or have funds to pay the balance due under the contract.

Proposal: To make clear the liability of a co-signer by requiring that a co-signer sign a separate instrument fully informing him of all obligations.

7. NO PAYMENT ON UNFAIR DEBT

Many retail installment sales contracts are immediately sold to banks, finance companies, or acceptance corporations. The contract purchaser may sue the buyer for money under the original sales contract. The buyer, however, has no effective way to make the finance company fulfill the contract. If the goods are defective, the buyer must pay the finance company and try to sue the original seller. No buyer should have to pay an unfair debt.

Proposal: To establish a 15-day notice period before the bank or finance company or other purchaser of a retail installment sales contract becomes a "holder in due course" and thus immune from some defenses raised by the buyer. The purchaser of the contract would be required immediately to notify the buyer, thus giving him the opportunity to make a complaint about the merchandise.

8. LICENSING FINANCE COMPANIES

A number of companies engage in the business of purchasing contracts, promissory notes, or other "paper" from retail sellers. Many such companies are entirely legitimate but significant abuses have occurred. Frequently the finance company is a dummy corporation set up by the dealer to claim the shelter of the "holder in due course" doctrine. The State of Illinois regulates banks and small loan companies but has no regulations for such finance companies.

Proposal: To license by the State of Illinois finance companies and other transferees of such commercial notes to set ethical standards of practice and bar persons of questionable character from engaging in the finance business.

9. LICENSING AUTO SALESMEN

Many complaints are received about auto salesmen who make misrepresentations and defraud purchasers. Some salesmen skip from used car lot to use car lot, changing their names or the names of their businesses with great frequency. They cannot be located to correct a wrong or sue them.

Proposal: To require licensing of all automobile salesmen by the State of Illinois.

10. SAFETY VALVE FOR HIGH PRESSURE SELLING

Many door-to-door salesmen prey on the unsophisticated. The buyer signs complicated contracts, confession notes and wage assignments that he does not understand. High pressure sales techniques and lavish promises of "free" gifts are often the stock-in-trade of the door-to-door salesman.

Proposal: To establish a five-day cooling off period in door-to-door sales after execution of the contract or delivery of the merchandise, whichever is later, during which time the contracts can be cancelled; to make liable only the spouse who signs the contract.

11. INCREASED EXEMPTION FROM WAGE ATTACHMENTS

Consumer credit is often given by merchants to persons who are poor credit risks. The employee whose wages are attached often faces economic deprivation, the break-up of his family, and a place on the relief rolls. In addition, the reduction of his income prevents him from paying other creditors who also rush to file additional wage assignments. Present laws do not guarantee the worker enough money on which to live.

Proposal: To raise the minimum exemption from $45 per week to $75 per week in the case of wage assignments and wage deduction orders. In other words, the first $75 of the weekly wage cannot be touched.

12. PROTECTION AGAINST LOSS OF JOB

Illinois collection agencies have found an involuntary ally in the employer. Employers resent the legal and bookkeeping expenses brought about by wage assignments and wage deduction orders. To avoid paperwork, the employer may pressure the worker to settle the debt whether or not it is a fair one. Some employers promptly discharge an employee whose wages have been attached. This results in undue economic hardship and the swelling of relief rolls.

Proposal: To limit the right of an employer to discharge or suspend an employee on account of wage attachments. An employee could exercise such discharge or suspension only after the employee in question has had five or more wage attachments in one calendar year.

FEDERAL MOTOR VEHICLE INSURANCE GUARANTY CORPORATION

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Eilberg] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EILBERG. Mr. Speaker, following the introduction of a bill last Thursday by several distinguished Members of both Houses, and myself, the insurance commissioner of the Commonwealth of Pennsylvania saw fit to call for an investigation by his department of some of the ways in which insurance companies set automobile premium rates.

Little and late as that call may be, it at least and at last recognizes that inequities exist and cannot forever be ignored openly or swept under the rug. If that move is not just lipservice, it is heartening because it could be a small step in the right direction.

As was pointed out in statistics offered last week in the other House by the gentleman from Connecticut, Pennsylvania's recent insurance record may be among the worst in the Nation but it does not stand alone. Policyholders and innocent third parties in almost every State need protection. And that need is urgent.

While there is much that needs to be done in this field, there must be a starting place. I maintain that the most logical beginning is in the area of greatest need, protection for those consumers who could be left utterly without recourse should their insurers become insolvent. Indeed, the urgency is because the number of those falling into this category already is large and growing at an alarming rate.

In Pennsylvania, the failure rate of insurance companies writing high-risk insurance business now exceeds 40 percent. At least 14 companies have been declared insolvent in the last 2 years. Since 1950, 30 such companies have gone out of business in Pennsylvania alone. In each case, policyholders were left without coverage although they already had paid highest rates for it. Policyholders with legitimate claims and innocent parties with claims against insureds supposedly covered by these companies were left with huge deficits to their personal resources. In Gettysburg right now, another such insurer charged with underfinancing and with almost total lack of State supervision or examination is becoming another statistic.

Information received by me shows that as of the end of 1965 the Bankers Allied Mutual Insurance Co., of Gettysburg, Pa., listed assets of $6.7 million. But as of June of 1966 this had dwindled to little more than $3 million.

I would like to point out that this company, as only one example, wrote $9 million worth of business during 1965, more than 90 percent of that in automobile insurance. But all of the time this company has a policyholder surplus of only $655,000. That represents a ratio of roughly 14 to 1. Good casualty insurance practice dictates that such insurance companies usually will not write business for more than two times the amount of their surplus.

Also as part of this story the Pennsylvania Insurance Department sought an order to place this company in liquidation. It was reported to me that the company deficit stood at $6.9 million. And even more dreadful is the fact that Bankers Allied of Gettysburg has nearly $6 million additional in incurred and unpaid liability claims.

Now let us look at another fact involving this one company. Last December 29, its operations were suspended by the State insurance department while 23,000 policyholders were on its books. Since this company was "broke" as of June it seems inconceivable to me that it should be allowed to keep that many policyholders.

Mr. Speaker, an examination report by the Pennsylvania Insurance Department will be available in a matter of days. I would like to see a thorough investigation conducted, based on the figures I have just given you and also on the following.

It has come to my attention that certain individuals bought their way into this company's control in July 1965, then sold their interest in March of 1966. I have learned that these same individuals also were involved in similar dealings with insurance companies writing similar business in Maryland and in Florida. I have learned also that the same individuals may have been involved in an attempt to take over control of another intrastate insurance company. Now it seems obvious that these kind of dealings could not be controlled by State insurance departments even if they were so inclined. The interrelationship of a number of these companies clearly crosses State lines into the realm of interstate commerce.

That part of the business that could conceivably be intrastate also bears investigation when—referring to this same Pennsylvania company—it writes three times as much business in 1 year over the next part with practically no additional surplus.

With variations, the story is repeated in other States throughout our Nation. I am sure other Members can relate similar figures. I happen to know those about Pennsylvania because a special legislative committee of that State cooperated closely with factfinding efforts of the Antitrust and Monopoly Subcommittee of the other House. Nationally, some 300,000 policyholders and other accident victims already have lost more than $600 million in claims, for which, sometime in the future, they will have to settle for only small reimbursements. Referring to Pennsylvania again, those settlements have been close to only 1 cent for every dollar lost.

Mr. Speaker, the creation of a Federal Motor Vehicle Insurance Guaranty Corporation, such as would be done by the bill to which I refer, is a must. The same basic idea has worked well for banks and their depositors and for savings and loan institutions and their shareholders. We must protect these policyholders as well against mounting insolvencies.

VETERANS' PENSION AND READJUSTMENT ACT OF 1967

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. Olsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. OLSEN. Mr. Speaker, all American citizens are grateful to our young men who are now fighting in the cause of peace in Vietnam and to all veterans who have served in their Nation's defense in years gone by. I think the 89th Congress expressed the sense of our citizens when it enacted the GI bill last year.

Unfortunately, there are a number of veterans' benefits for which veterans of the Vietnam conflict are not currently eligible. The bill I am introducing today—the Veterans' Pension and Readjustment Act of 1967—is an effort to end this inequity.

You perhaps recall a similar bill which came before the Congress last year. This bill, passed by the Senate, was intended to extend veterans benefits to our Vietnam veterans, but it would have fallen short of its goal. Last year's legislation would have extended benefits only to veterans who had served in the Armed Forces since August 5, 1964, the Gulf of Tonkin incident, and we all know that our Nation suffered hundreds of casualties in Vietnam before that date.

Rather than attempt to select an arbitrary date between the end of the Korean conflict and the present, this legislation which I am introducing today would extend veterans benefits to all veterans who have served this country since January 31, 1955. Benefits would be provided to all veterans who have served during periods of compulsory military service.

Men who have served during periods of compulsory military service placed no restrictions on their service to their country. They were subject to service in combat situations in places like Berlin, Lebanon, Quemoy, Taiwan Strait, the Congo, Laos, Cuba, and the Dominican Republic. Can we, in fairness, place restrictions on the benefits these veterans are entitled to receive?

I urge my colleagues in the House to act favorably on this important legislation. In summary, it provides disability compensation at wartime rates under all circumstances; pensions for non-service-connected disability and deaths; burial allowance for expenses of burial; certain medical care benefits such as drugs and therapeutic devices; and automobile allowances for the seriously disabled veteran.

Finally, I want to join with my colleagues who spoke to you yesterday commending the President for his message to the Congress entitled "America's Servicemen and Veterans." The President's message included six recommendations to the Congress. The first, the removal of inequities in the treatment of veterans of the present conflict in Vietnam, is included in the legislation I am introducing today.

I am hopeful this will be the first step in answering the recommendations made by the President yesterday. Let us act in this session to enlarge the opportunities for educationally disadvantaged veterans:

To expand educational allowances under the GI bill;

To increase the amount of servicemen's group life insurance;

To increase the pensions now received by 1.4 million disabled veterans, widows, and dependents; and

To make certain that no veteran's pension will be reduced as a result of increases in Federal retirement benefits, such as social security.

We cannot act sooner than now to bring an end to the inequities which have been tolerated too long.

THE LATE HEADLEY COX

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Henderson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HENDERSON. Mr. Speaker, occasionally a citizen dies whose contributions to his community, State, and Nation deserve recognition. Such a man was Headley Morris Cox, of Mount Olive, N.C., in my congressional district, who died this past October. I know of no better words with which to describe his contribution to a better life than those used by an equally distinguished newspaper editor in my district, Henry Belk of the Goldsboro, N.C., News-Argus. Mr. Belk's editorial is as follows:

Remembering Headley Cox, Great Builder of Mount Olive

Death as it must to us all, has come to that great gentleman Headley M. Cox of Mount Olive. He was a man of mind and spirit and his leadership, ability and imagination contributed much to making progressive and attractive Mount Olive what it is today and what it will be many years from now.

Mr. Cox was born in Horry County, South Carolina, just across the line from Columbus county. He was educated at Wofford College, Spartanburg, S.C., and came as a young man entering the banking business to Mount Olive.

The program of North Carolina Bankers Association for the development and expansion of scientific agriculture engaged his attention and support. For four terms he helped carry this statewide farm improvement program to all the state as chairman of the Bankers Association committee on agriculture.

Mr. Cox also was the leader in the establishment of the Mount Olive Savings and Loan Association. This institution has aided with home financing and its service helped make Mount Olive one of the loveliest of towns.

The greatest economic service, probably, from this gentle man was in his leadership in the establishment of the Mount Olive Pickle Company. Today Mount Olive pickles are known the world round and utilization of a locally grown product in making the town's biggest industry has been cited as a splendid example of processing, a field in which great opportunity lies. Mr. Cox realized this fact long before it was generally recognized and promoted in this part of the state.

But Headley Cox was not all business. He is credited with having established the first organized Boy Scout troop in the state, and for the youth of the town he loved so well.

The Methodist church for all of his years was precious to his way of living. Every Sunday found him at his church and he gave it the full measure of service in its official boards and classes as officer and member.

Mr. Cox was a charter member of Mt. Olive Rotary and made an astonishing record of never missing a meeting in 11 years. He was not far from his 80th year when he attended a Rotary International convention in Europe and toured the continent after the session. He gave this trip the enthusiasm and attention which many a younger man could not do.

Few men had the variety of interests of this pioneer developer and leader. He loved the outdoors and he loved the plants and flowers and shrubs which grow in the area. If you came across a flower which was a stranger to you you had only to ask him what it was. And if he didn't know his gracious and charming wife, Mrs. Frank English Cox, did.

The summer cottage which the Coxes built some distance from Mount Olive was a favorite retreat. About this quiet spot Mr. and Mrs. Cox planted scores of specimens of wild flowers, trees and shrubs. Many a garden in Mount Olive, a city of beautiful gardens, probably was suggested by the experience of visiting the Cox summer place.

Horseback riding was a great sport for Headley Cox and for his brother Bob Cox. The two could be seen often riding spirited horses along the country roads around Mount Olive. Headley continued to enjoy this sport until he was 80 years old and gave it up only after members of his family begged him to do so.

"He continued to ride until he could mount the saddle only with difficulty," said a Mount Olive friend who used to ride with him.

The good works of body and spirit which characterized the long life of Headley M. Cox will go on serving for years to come. Sleep well, good man, you have earned your rest.

NEW DORMITORY FOR EAST CAROLINA COLLEGE

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Henderson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HENDERSON. Mr. Speaker, on November 6, 1966, a ceremony was held in Greenville, N.C., to dedicate a newly constructed dormitory on the campus of East Carolina College. It was eminently appropriate that this dormitory was named for Henry Belk, the longtime, distinguished editor of the Goldsboro, N.C., News-Argus. I could expound at considerable length about Henry Belk, but I doubt if I could improve upon the remarks made at the time of the ceremonies by one of his colleagues, Sam Ragan, editor of the Raleigh, N.C., News and Observer. Mr. Ragan's remarks follow:

Dedication of Henry Belk Dorm, East Carolina College, Greenville, N.C., November 6, 1966

(By Sam Ragan)

It has been my privilege to be a part of the newspaper scene in North Carolina for more than 30 years. I have been an observer and a participant in a number of newspaper conclaves. Newspapermen in North Carolina are a diverse and delightful group. But I have rarely seen them agree on anything, with one exception. That exception is Henry Belk.

When President Leo Jenkins announced that this new $1,300,000 dormitory would be named for Henry Belk, there was unanimous applause from the State's newspapers, with public reaction matching the editorial approval of the name.

It is splendid and appropriate tribute to an outstanding leader in North Carolina.

When the announcement was made, President Jenkins said:

"Henry Belk's name will serve as a constant reminder to the men students who are residents of Belk Dormitory that they owe an obligation to excel as citizens of our society in return for the opportunity that has been made available to them in keeping with Henry Belk's ideas."

All here today will agree with that charge to the young, who now, and in the future, will pass this way.

I would like to talk briefly on some of the ideas of Henry Belk, ideas which have stirred imagination and action in this region which he adopted as his own 40 years ago. Eastern Carolina long ago succeeded his native "Sweet Union" in his affections, and because he loves it, he sees both its faults and its virtues. And because he loves it, he wants this land and its people to be the best; its aims and aspirations not to be tarnished by the mean, the small, the less than excellent. He loves it for what it is and what it may become.

Henry Belk has been aptly called a "champion of educational opportunity for all." His beliefs are those of Ayock, who had as his goal for North Carolina a program of education that would enable every boy and girl to burgeon forth with all that was in them. With his voice and his talents as a writer he has sought to bring that goal to a place of proudful achievement.

It was no small tribute that Henry Fairlie, foreign correspondent for English newspapers, wrote in the British magazine "Encounter" of a visit with Henry Belk. There were few American editors singled out for praise by this foreign observer of the American scene. But he wrote of Henry Belk: "He has edited his paper for forty years. Goldsboro, the past decade, has followed as sensible and successful a course in race relations as any town in the South, even in North Carolina, and the leaders of the community, white and Negro, give a large part of the credit to Belk and the News-Argus."

Henry Belk has been honored by his fellows in North Carolina and American journalism, but he has brought great honor to the profession, craft, and art of journalism. He has been a champion of the cause of free speech and a free press, and there is no cause more vital to the freedom of all people.

The right to know is a most precious right. It is not a publisher's right, a newspaper's right, but a people's right. And those today who would seek to shroud the public's business in secrecy are enemies of the people and their freedoms.

It is an axiom of our democratic society that an informed people can be depended upon to make the right decisions. That must continue. Let the people know. That is the purpose of a newspaper. That is the purpose of such an institution as East Carolina College.

That has been his philosophy as a newspaperman, and as a spokesman for all those who hunger for knowledge, and the good way of life.

The good way to Henry Belk is more than the large tangible manifestations of a people's progress. It also includes the many small and intangible things that give a graciousness to living.

The things that make living worthwhile are often the things brought again to our consciousness by this editor who, with the poet's true feeling, writes of bird song at morning, on the lonely cry of the whip-poor-will at night, of the season's changing, and the miracle of each day.

Sometimes, though, I get the feeling that the inner physical man has prevailed over the things of the soul. Those are the times when he writes mouth-wateringly of Goldsboro barbecue, the taste of wild honey, hot biscuits, fresh vegetables, and country cooking. It is here that I say, in reading his pieces, that collards have triumphed over culture.

But the very next day he is back on those things that lift the spirit and the soul of man, the championing of libraries and good books, of music, and paintings, and all the things that mark the civilized man.

It would be most difficult to recite the accomplishments of Henry Belk. His long career has been marked by devotion to his State, his region, his profession, his friends, and family. And I would be remiss in my remarks if I did not say here that I agree with Cletus Brock of Mount Olive when he said that somewhere on the foundation of this dormitory there should be inscribed the "Lucille Belk support upon which the Henry Belk depends." I would like personally to give a salute now to the General Manager.

In reading editorial endorsement of the naming of this building for Henry Belk, I was struck by the aptness of so much that was said. One editor wrote that he is "a prophet in his own country, which is Eastern Carolina. Henry Belk not only knows what the people eat and drink down there, but what the people are, what they think, their strengths and aspirations. He foresaw and proclaimed an emerging Eastern North Carolina for years before the fact, recognized his region's great potential, and has never stopped working for its realization."

What is true of the region is especially true for this college. As the senior member of its board of trustees, he has helped lead East Carolina College to its finest flowering. We share his pride in the remarkable growth of this college. We share his hopes for its greatness. But physical growth is not the only thing we should point to at East Carolina College. We can point to achievements in the mind and spirit that are not limited to the campus. For what has been performed here under the dynamic leadership of President Jenkins is an intellectual ferment and a stirring of the imagination, a motivation to go forward, that has pushed outward to influence an entire region. In this remarkable growth of the College, Henry Belk has served as trusted confidante and advisor to the President.

Henry Belk as prophet saw this important role for the college, and for that alone this honor today is most appropriate.

One of my newspaper friends recently said that in his devotion to the causes of education, for making better the lot of the poor and disadvantaged, for the general welfare of North Carolina's people, that no one "stands taller or speaks with a clearer voice than Henry Belk."

His writings, marked by wit and wisdom, have truly helped mold the history of North Carolina. His example of courage and triumph over adversity has given great courage to others.

There was the time a couple of years ago when Henry Belk was to receive the annual award to North Carolina's most outstanding handicapped person. Governor Terry Sanford was to present the award at a dinner in Raleigh. When Henry Belk's name was called and he came forward to receive the award, Sanford shook his head, and said: "Henry, I didn't know you were handicapped."

That, too, was a tribute to the man I am proud to call friend and tutor.

In summing up, I can do no better than repeat the words of a News and Observer editorial on the announcement of the naming of this building.

"Henry Belk," the editorial said, "deserved this honor not because he is the able and effective editor of the Goldsboro News-Argus—not even because as a long-time trustee of the college he has contributed to its flourishnig growth. Henry Belk is worthy of this distinction because he is Henry Belk. He is a man who has stood tall not only in his stature but in his understanding of and his contributions to the needs of his neighbors of every sort and kind. Despite his blindness he has been a man able to see more clearly than most men. He has brought the gifts of goodness, wisdom, and grace to our land."

THE PANAMA CANAL: STRATEGIC WATERWAY OF THE AMERICAS

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. FLOOD. Mr. Speaker, in a statement to the House on April 19, 1966, I quoted chapter 6 on the "Leading Figures of Panama Canal Construction" by Capt. Miles P. DuVal, Jr., U.S. Navy, retired, in a volume of keepsakes on "The Panama Canal: The Evolution of the Isthmian Crossing," published in 1965 by the Book Club of California.

Chapter 9 of this volume under the title of "Panama Canal: Strategic Waterway of the Americas," also by Captain DuVal, supplies some significant features of its history, advantageous geographical location, and problems, and is quoted as part of my remarks:

[From chapter 6: The Panama Canal; the Book Club of California, 1965]

PANAMA CANAL: STRATEGIC WATERWAY OF THE AMERICAS

(By Miles P. DuVal, Jr.)

The advantageous geographical location of the American Isthmus, understood since the Age of Discovery, long ago caused the Caribbean Basin to be called the "Mediterranean of the Americas." The opening of the Suez Canal in 1869 increased the volume of shipping using the Mediterranean Sea. Opening the Panama Canal in 1914 had a like effect in the Caribbean; and the Isthmian waterway has become one of the focal marine transportation arteries of the world. Its traffic volume has been featured by a steady growth, diminished temporarily during depression and major war.

Comprehending the crucial importance of the trans-Isthmian Canal, far-visioned statesmen and officials of our government, subsequent to the Spanish American War, recognized the necessity not only for defending the Canal itself from lawlessness and disorder through obtaining the grant of indispensable and exclusive sovereignty over the Canal Zone in perpetuity but also for safeguarding its approaches, especially through the strategic Caribbean. Their measures included the construction of the Guantanamo Naval Base, acquisition of the Virgin Islands, building of naval facilities in Puerto Rico and Trinidad, and elaborate measures in the Canal Zone for protection of the Panama Canal.

The successful operation of this interoceanic link through three wars without injury, from either sabotage or enemy aggression, is the highest tribute to the vision and wisdom of our statesmen and officers who formulated United States Isthmian and Caribbean policies and bore the burden of responsibility for operating the Canal and protecting it and its approaches.

The voyage distance from New York to San Francisco via the Panama route is 5,262 nautical miles and by the Strait of Magellan is 13,135 nautical miles, a saving of 7,873. This reduction in cruising distance, for an average cargo vessel from one of these ports to the other, saves about 20 days in voyage time and an operating cost of some $50,000.

Originally constructed for the transit of the largest vessels of commerce and war then in existence or contemplated for all nations on terms of equality with charges that are just and equitable, the growth of traffic volume has enabled continuation of low tolls despite higher operating costs. The transit since 1914 through Fiscal Year 1964, in both peace and war, of 346,891 vessels of various types is the greatest satisfaction for all those contributing to this result.

With the passage of the years the nature of the vessels transiting the Canal has gradually changed, with a trend toward larger sizes. In Fiscal Year 1958, out of a total of 9,162 transits of commercial vessels, 94 were over 18,000 gross registered tons; in 1963 out of 10,876 such transits, 411 vessels.

In recent years, some oceangoing commercial vessels have been built with dimensions too large to transit the present locks or of draft too deep when fully loaded to pass over lock sills. As to the usefulness of the Canal for naval purposes this has been reduced by the number of war vessels constructed without regard to transit of the Panama Canal as a design characteristic—the large aircraft carriers that cannot pass through the present locks. Other naval units, including nuclear submarines, missile cruisers, frigates, amphibious ships and anti-submarine vessels can transit, thereby providing for quick shifting of such units between the oceans.

These facts show that the value of the Isthmian Canal is greater than ever but that the time is approaching when, because of saturation, greater capacity will have to be provided; and this can be accomplished with least cost and difficulties by the major improvement of the existing Panama Canal.

Over a period of years, because of failure to define terms such as "strategic" or superficial consideration of basic problems, there have developed loose modes of evaluating interoceanic canal problems. If Western civilization is to defend itself against communist terroristic aggression, the United States must, of necessity, continue its maintenance, operation and protection of the Isthmian Canal as an indispensable agency for such purpose. Unless the United States remains in the Canal Zone with full sovereignty, all of Latin America will inevitably and swiftly fall under communistic revolutionary control. This is the truth, the whole truth, and nothing but the truth.

The Panama Canal, shortening the distances of the world and strengthening the commercial ties of all continents, is the most strategic waterway of the Western Hemisphere and it will so remain.

INTEROCEANIC CANAL PROBLEM: CHOCO DEVELOPMENT PROJECT IN COLOMBIA

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. FLOOD. Mr. Speaker, as one of the two most strategic regions in the world, the Central American Isthmus has always been, and probably will ever be, an area that fires the imagination. Recent information from Colombia concerns what has been described as the Choco development project, a multiple-purpose proposal announced on September 20, 1966, in a television address by President Carlos Lleras Restrepo and publicized in the New York Times on November 3, 1966.

As students of interoceanic canal problems know, some 30 canal routes, extending from Tehuantepec in Mexico into northwest Colombia, have at various times been offered as possible locations. The Panama route was adopted by the United States in 1902, after prolonged and careful consideration of all sites, including those via the Atrato River.

At Panama, situated in one of the heavier rainfall areas of the world, with 130 inches annually at Cristobal at the Atlantic end of the Canal Zone, and 70 inches annually at Balboa at the Pacific end, the isthmian terrain is featured by two rivers subject to floods, through valleys suitable for the formation of lakes. On the Atlantic side of the isthmus is the Obispo-Chagres emptying into the Atlantic; and on the Pacific slope, the Rio Grande discharging into the Pacific. Their headwaters are close to each other near the Continental Divide.

To take advantage of the unique configuration and forces of nature, the French engineer, Godin de Lépinay, clearly saw the solution of the problem of the Panama Canal—building dams across each of the rivers near the oceans to form two lakes about 80 feet high, joining the lakes thus formed by cutting a channel through the central highland, and connecting the lakes with the ocean levels by locks. Described by De Lépinay as being not only best for engineering but also for navigation, that was essentially the plan later recommended by leading U.S. engineers and under which, with the exception of its Pacific end, the Panama Canal was constructed and has been subsequently operated.

In Colombia, the proposed Choco Canal lies in one of the heaviest rainfall areas of the world, with 400 inches annually. Two rivers have their headwaters close to each other, the Atrato flowing northward into the Atlantic Ocean and the San Juan southward into the Pacific.

Undoubtedly inspired by the brilliant conception of De Lépinay of the plan for the Panama Canal, Colombian engineers have applied its principles in formulating the Choco Valley project. The plan calls for constructing dams across the Atrato and San Juan Rivers as near the oceans as the contours of the land permit to form two lakes about 100 feet high, connecting the lakes thus created by a channel cut through the higher ground separating them, and joining the lakes with the two ocean levels by locks. Apparently timed for publication in the United States on November 3, 1966, the 63d anniversary of the Panama Revolution of 1903, this fact, together with the application of the De Lépinay concept, suggests that Colombian statesmen are keenly aware of Panama Canal history. Moreover, the Colombian Government has been collecting publications in the United States on the Panama Canal.

The Choco development projects would lie entirely in a part of Colombian territory that is sparsely settled and undeveloped industrially. The natural resources for development are reported to include coffee, lead, zinc, gold, platinum, bauxite, and oil; also timber and pulpwood. The population of the Choco Department in 1962 was 149,100. Located between 4° and 8° north latitude in one of the most oppressive climates, the Choco-San Juan Valleys would not provide a satisfactory interoceanic link for world shipping.

As to the volume of Colombian shipping, which it is claimed would use it, for the fiscal year 1964 there were a total of 11,808 transits of commercial vessels of over 300 net tons through the Panama Canal. Of these, only 287 were of Colombian registry, which is insignificant as regards the total volume required to justify an undertaking of the magnitude of the Choco project. To enable a comparison with the Panama Canal, in the operation and management of which there has been a vast experience, the following facts are revealing:

	Modernized Panama terminal lake design	Choco development project terminal lake design
Principal characteristics:		
Total length	51.2 miles	260 miles.
Summit level length	33.3 miles	195 miles.
Pacific sea-level length	8.5 miles	13 miles.
Atlantic sea-level length	7.4 miles	62 miles.
Minimum channel width	500 feet	300 feet.
Connecting cut length	8 miles	34 miles.
Summit height	92 feet optimum	100 feet.
Locks	2 groups	2 groups.
Arrival anchorages	2 existing	2 required to be constructed.
Port facilities	do	Do.
Operations:		
Transit time	6 to 8 hours	30 to 40 hours or more.
Grounding, collision machinery, and steering gear failure hazardous areas.	8 miles in Gaillard Cut	Would be much extended.
Pilots required	1 each transit	3 each transit.
Climate:		
Rainfall	130 inches annually at Atlantic and decreasing progressively to 70 inches at Pacific end.	400 inches annually.
Additional:		
Railroad	Modern railroad now operating	None exists.
Highway	Trans Isthmian Road exists	No highway exists.

Even though the engineering problems involved in the construction of the Choco project may be surmountable, if money therefor is available, the proposal is still in the dream stage and it remains to be established whether it can be justified economically. Meantime, from available information it must be assumed that it is not a project in which the money of U.S. taxpayers should be channeled, especially so under the current policies of our Government to give away the Panama Canal.

The most interesting aspect of the Choco plan was its publication in the New York Times on the anniversary of Panama's independence, November 3. Because this date for publication of the official news of the subject in the United States is historically significant, such coincidence may or may not have sinister design.

Whatever the underlying purpose of Colombian authorities may have been in the premises, the Choco proposal does show that our weak and vacillating policies in Panama are expanding the whole Isthmian Canal subject and inviting the study of competitive Isthmian routes to be financed by other countries than our own and thus measurably controlled by those countries. The most constructive result of the Choco project has been to give wide publicity to the lake lock plan as the obvious solution of the problem for interoceanic transit and the ignoring of "security" as a controlling feature in the design of works for navigation.

All which, Mr. Speaker, serves again to emphasize and confirm the need for an independent, broadly based, and objective Interoceanic Canal Commission to make the necessary studies touching the entire subject. How stupid it is at this critical junction in world affairs for elements in our Government to embark on a policy of giving away and surrender of the Panama Canal.

In order that the Congress and the Nation may be informed on published information as regards the Choco proposal, I quote as part of my remarks the initial news story and a subsequent one, on both of which my comments are largely based:

[From the New York Times, Nov. 3, 1966]

COLOMBIA WILL BEGIN A SEAWAY LINKING PACIFIC AND CARIBBEAN

(By Cleve Mathews)

The Government of Colombia has decided to begin construction of an interoceanic seaway. It will run for 260 miles from the Gulf of Urabá on the Caribbean through the jungled Choco Valley in the northwestern part of the country to the Bay of Málaga on the Pacific Ocean.

The decision was disclosed yesterday by Robert B. Panero, director of economic development studies for Hudson Institute, the policy research center in Harmon-on-Hudson, N.Y.

The institute was retained by Colombia's Ministry of Public Works to direct the preliminary studies of the economic and engineering feasibility of the Choco development project.

Plans for the project call for the construction of two hydroelectric plants as part of the seaway. Mr. Panero, who helped to conceive the project, said in an interview that the sale of electricity could pay off the seaway's estimated cost of $743-million in a few years.

The project has received enthusiastic support from Colombians since President Carlos Lleras Restrepo disclosed plans for it in a television address Sept. 20. Both he and former President Alberto Lleras Camargo have hailed the venture as one that could vitalize the nation.

The plan was presented in detail to the Colombian Society of Engineers in Bogota Oct. 10. The next day the newspaper El Espectador described the project as "exciting" and said it could become the "principal focus of attention and national fervor for several years."

Since the preliminary studies for the seaway were conducted without publicity, a mission headed by Mr. Lleras Camargo visited the Presidents of Panama and the United States in September to inform them about the project.

The purpose of the mission was to assure Panama and the United States that the waterway would not compete for interoceanic traffic with the Panama Canal or the projected sea-level canal now being studied by the United States. The main purpose of the Choco project is to spur the economic development of Colombia.

Mr. Panero indicated that the seaway would clearly not be competitive with the Panama Canal or any of the routes being considered for the projected canal because "it is long and out of the way, going far to the south."

Mr. Lleras Camargo said at the Colombian engineers' meeting that the seaway would at most draw away 5 to 10 percent of the Panama Canal's traffic.

The Colombian mission also met with George D. Woods, president of the International Bank for Reconstruction and Development, for preliminary discussions about the project's financing.

However, a Canadian investment group is reported seeking a three-month option during which it would try to raise private and other funds for the project. France has financed hydrological studies for the seaway and has offered continued financing.

Mr. Panero said the only transoceanic shipping the seaway would attract would be ships traveling to and from ports on the west coast of South America. Most vessels using the seaway will be Colombian ships carrying products from Colombia's industrial Cauca Valley, which runs parallel to the Choco Valley about 50 miles away.

The Choco seaway would permit a significant reduction in shipping rates for Colombian traders, Mr. Panero said. A major port will almost certainly grow up on the waterway, connected by highway to the Cauca Valley, he added.

Construction of the seaway will be simple and economical because of the unusual features of the Choco Valley, Mr. Panero said.

The valley, with rainfall up to 400 inches a year, serves as the basin for two rivers, the San Juan and the Atrato. The headwaters of the two rivers rise within a few feet of each other, but the Atrato turns north to flow into the Caribbean and the San Juan turns south to flow into the Pacific.

Studies by engineering concerns associated with Hudson Institute established that the two rivers could be dammed by building earth dikes to create two large lakes about 100 feet above sea level. The two lakes will stretch a combined distance of 195 miles through the valley. A 30-mile-long canal will be dug to connect the lakes.

At the two dikes locks will be installed and short canals dug to link them to the sea. Hydroelectric plants will be built at each dike, producing ultimately a combined electrical output of 3,300,000 kilowatts.

The Colombian Government has given the go-ahead for the construction of the San Juan dike and power plant, Mr. Panero said. Work can begin, he added, even though a final decision has not yet been made on the size of the locks and the depth of the canals.

The $743-million cost estimate is for a seaway that could handle ships up to 20,000 tons, the largest in the Colombian merchant fleet. A project of this size is envisioned as one that Colombia could finance and construct on her own over a 20-year period, Mr. Panero declared.

If outside government or private financial help is obtained, he added, the seaway could be built to handle larger vessels and the time to construct it could be reduced. With sufficient financing, he estimated, it could be completed in five to 10 years.

Mr. Panero noted that the seaway would bring other benefits than transportation and power. It will make the Choco Valley more accessible for economic exploitation. Gold and platinum have been mined there, but the mining of known deposits of copper, lead, zinc and aluminum minerals has not been feasible because of the lack of transportation.

The Choco rain forest is rich in timber and the new lakes would support a fishing industry.

[From the Washington Sunday Star, Nov. 6, 1966]

Colombia Plans Project Linking Two Oceans

(By Jeremiah O'Leary)

Colombia has begun to seek international financing for a dramatic new engineering project that would not only create a freshwater canal connecting the Atlantic and Pacific Oceans but generate 3.3 million kilowatts of electricity to develop the central region of the country.

Focal point of the project is the Choco Valley, a tropical rain forest with percipitation that reaches as high as 400 inches a year. It is one of the world's wettest regions. Washington averages around 40 inches a year.

Keys to the plan would be construction of earth dams near the mouths of two rivers, the Atrato on the north end flowing into the Atlantic Gulf of Uraba and the Rio San Juan on the south flowing into the Pacific's Bay of Malaga.

The plan has been pronounced feasible by a research firm, the Hudson Institute, which made a study of the region for the Colombian Ministry of Public Works. The estimated cost of the total project, including locks, dams, canal works and power installations, would be about $734 million.

JOHNSON INFORMED

Former Colombian President Alberto Lleras Camargo, perhaps Latin America's greatest living statesman, has sent copies of the preliminary studies to President Johnson and to President Marco Robles of Panama. But the Choco project is not considered a potential rival of the Panama Canal nor in any sense a substitute for the sea-level canal the U.S. intends to start building somewhere along the isthmus in the next few years.

The Atrato-San Juan inter-oceanic route, which would be 270 miles long is designed for ships in the 20,000-ton category. It might draw off some traffic from the Panama Canal but the tolls would hardly justify the building of the waterway unless there were added benefits.

In fact, Colombia is deeply interested in having the U.S. select the Atrato-Truando river site for the proposed sea-level canal. On October 25 Colombia and the U.S. signed a site survey agreement permitting American specialists to make a detailed study of the Atrato-Truando route, one of four Washington is considering. The two most likely sites for the sea-level canal are in Panama and the fourth site, through Nicaragua and Costa Rica, is hardly considered to be under serious consideration.

BASIC ELEMENTS

The plan submitted by Bogota by the Hudson Institute for the Choco project has 10 basic elements.

1. To dam the Atrato and San Juan rivers to form two large lakes more than 90 feet above sea level, connect the lakes with a navigation canal through the Isthmus of San Pablo and add locks and approach canals to connect the lakes with the Atlantic and Pacific Oceans.

2. To develop hydroelectric resources by constructing two major power plants at the dam sites to link with the planned Bogota-Medellin-Cali central electrical system.

3. Stimulate industry by constructing a seaport on the passage to serve the cities of Medellin and Manizales and the rich Cauca Valley over a high-speed highway.

4. Develop the Choco Valley, which is all government-owned and not subject to real estate speculation, in light of its new lake coast and access to the two oceans.

DEVELOP DEPOSITS

5. Develop the commercial deposits of copper, lead, zinc, gold, platinum and bauxite in the Choco.

6. Develop petroleum on the statistical probability that oil exists in the valley.

7. Draw income from timber and pulp products to be removed from the area to be flooded over.

8. Turn the two lakes into large-scale freshwater breeding grounds for fish.

9. Develop a tourist program to the now-deserted Choco Pacific coast.

10. Attract immigration from overcrowded areas of Colombia and abroad.

Hudson engineers estimate the program can be financed and executed over a period of 10 years and be amortized by the electrical benefits of the project. The work of exploratory core borings, partially complete ground surveys and other studies has proceeded far enough for the engineers to speculate that the work can be done in no less than eight years or over a 20-year period depending on the number of dredges used.

The engineers estimate the northern dam on the Atrato would have to be about 20 miles long and would be located between Domingodo and Loma del Cuchillo, about 62 miles inland. The cost for this dam was estimated at $100 million.

The southern dam on the San Juan would be at Malaguita, 12 miles from the sea, and would only have to span a gorge between river bluffs of about 4,300 feet. This would cost $18 million.

These two dams, acting as corks at either end of the central trough of the Choco valley, would create two lakes running roughly north and south over the present river basins. The Atrato lake would be 125 miles long and the San Juan Lake about 71 miles long. The average depth would be about 50 feet, mostly covering land that is unusable and partly flooded today.

COST OF CANALS

The population of the Choco is estimated to be about 160,000, of which 145,000 persons live on the high ground in the center where the Isthmus of San Pablo would remain. The engineers propose to connect the two lakes over the isthmus with a canal 34 miles long, 330 feet wide and with the same water level as the lakes. Estimated cost of the central canal is $150 million.

Further requirements would exist for maritime canals from the dam sites and the sea and locks to raise and lower shipping from the ocean and lake elevations. The northern canal would cost $20 million and the southern would cost $15 million, the latter located close to the existing Pacific port of Buenaventura. The lock system for 20,000-ton ships would cost about $40 million each, and have a capacity of three ships an hour.

The Atrato power plant at Cuchillo would cost about $250 million and the San Juan plant near Malaguita about $80 million. Transmission lines to Medellin and Cali would cost $30 million. Since demand for electricity in central Colombia doubles every seven years, the engineers believe the entire capacity of the Choco plants can be used in 20 years. They estimate electrical potential will pay for itself and the interoceanic passage.

Incidentally, the Pan American Highway is expected to pass through the Isthmus of San Pablo when completed.

PROVIDING GAINFUL EMPLOYMENT INCENTIVE FOR FAMILIES ON AID TO DEPENDENT CHILDREN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Feighan] is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, today I introduced H.R. 4467, a bill to provide incentive for families on aid to dependent children to seek gainful employment.

If we are ever to succeed in reducing the welfare assistance rolls, we should reward efforts to achieve self-support rather than penalize them. The President's Economic Report to the Congress on January 26, 1967, urged that assistance recipients be given an incentive to work. However, the net effect of our current AFDC program is to discourage a great many of these recipients from seeking employment.

Under existing law, the earnings of those who work to supplement their family's income are deducted from their monthly AFDC payment. There are exceptions. The law does permit the exemption of some earnings of the needy aged, blind and disabled and of AFDC mothers who work in programs under the Economic Opportunity Act and the Elementary and Secondary Education Amendments of 1966. But for members of families who work for private employers, the current AFDC program places an obstacle in the way of achieving self-support and personal independence.

We know that many of these families receiving assistance are at the poverty level or below it. They are in need of encouragement and help in improving their circumstances.

There are presently about 10,000 parents in Cuyahoga County, Ohio, under the AFDC program. Seven hundred of these parents are working, in spite of the fact that they lose dollar for dollar on any earnings they now make.

To provide some measure of help, I propose to amend title IV of the Social Security Act so as to exempt $75 per month of the earned income of the mother or other adult relative caring for the children, and $75 per month of each working child's earnings up to a maximum of $225 per month for the family.

The AFDC program provides financial assistance to families with dependent children so that family life may be maintained and strengthened. However, there are many needs of these families that are not met by States' assistance standards and additional earnings would help meet some of these needs.

Present provisions in the law discourage recipients from seeking employment. Offering them some hope of financial independence would aid these people to become responsible and productive citizens in their communities.

This would provide incentive for these people to seek gainful employment and also set an example for their children to want to work.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Reuss, for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Mathias of Maryland (at the request of Mr. Dickinson), for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Feighan (at the request of Mr. Nichols), for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. Dickinson) and to include extraneous matter:)

Mr. Duncan.

Mr. Berry.

(The following Members (at the request of Mr. Nichols) and to include extraneous matter:)

Mr. Natcher.

Mr. Tenzer.

Mr. Edmondson.

ADJOURNMENT

Mr. NICHOLS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 47 minutes p.m.), the House adjourned until tomorrow, Thursday, February 2, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

309. A letter from the Commissioners, U.S. Atomic Energy Commission, transmitting the annual report for 1966, pursuant to the provisions of the Atomic Energy Act of 1954; to the Joint Committee on Atomic Energy.

310. A letter from the vice president, Chesapeake & Potomac Telephone Co., a statement of receipts and expenditures for the year 1966, pursuant to the provisions of chapter 1628, acts of Congress, 1904, and a comparative general balance sheet, pursuant to the provisions of paragraph 14 of the act of March 4, 1913; to the Committee on the District of Columbia.

311. A letter from the Comptroller General of the United States, transmitting a legislative proposal to discontinue the specific authority requirement that the Comptroller General shall make an annual audit of the general supply fund, pursuant to 42 Stat. 25 and 31 U.S.C. 53; to the Committee on Government Operations.

312. A letter from the Secretary of Commerce, transmitting the first annual report of the activities of the Office of State Technical Services, pursuant to the provisions of section 14(b), Public Law 89-182; to the Committee on Interstate and Foreign Commerce.

313. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation, Air Quality Act of 1967; to the Committee on Interstate and Foreign Commerce.

314. A letter from the Acting Attorney General, transmitting a report on the activities of the Community Relations Service for fiscal year 1966, pursuant to the provisions of section 1004, Public Law 88-352, and of Reorganization Plan No. 1 of 1966; to the Committee on the Judiciary.

315. A letter from the Secretary of the Army, transmitting a report of the Chief of Engineers setting forth the results of a study relating to water resources development projects, pursuant to the provisions of section 314, River and Harbor Act of 1965, Public Law 89-298; to the Committee on Public Works.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FALLON:

H.R. 4446. A bill to revise and extend the Appalachian Regional Development Act of 1965; to the Committee on Public Works.

By Mr. KEE:

H.R. 4447. A bill to revise and extend the Appalachian Regional Development Act of 1965; to the Committee on Public Works.

By Mr. RHODES of Arizona:

H.R. 4448. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. ANNUNZIO:

H.R. 4449. A bill to repeal the prohibition against mint marks on coins of the United States; to the Committee on Banking and Currency.

By Mr. MILLER of California:

H.R. 4450. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes; to the Committee on Science and Astronautics.

By Mr. PELLY:

H.R. 4451. A bill to reimburse owners of vessels of the United States for losses and costs incurred incident to the seizure of such vessels by foreign countries, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. REINECKE:

H.R. 4452. A bill to reimburse owners of vessels of the United States for losses and costs incurred incident to the seizure of such vessels by foreign countries, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BLATNIK:

H.R. 4453. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. BRASCO:

H.R. 4454. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. BROOMFIELD:

H.R. 4455. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. DON H. CLAUSEN:

H.R. 4456. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

H.R. 4457. A bill to amend title II of the Social Security Act to provide an 8-percent, across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. CLEVELAND:

H.R. 4458. A bill to amend the Internal Revenue Code of 1954 to provide that for estate and gift tax purposes the value of stock in an open-end investment company shall be its redemption price; to the Committee on Ways and Means.

By Mr. COWGER:

H.R. 4459. A bill to postpone the application of daylight saving provisions of the Uniform Time Act of 1966 in certain States; to the Committee on Interstate and Foreign Commerce.

By Mr. DICKINSON:

H.R. 4460. A bill for the relief of the living descendants of the Creek Nation of 1814; to the Committee on Interior and Insular Affairs.

By Mr. DINGELL:

H.R. 4461. A bill to amend the Internal Revenue Code of 1954 to provide a credit against the Federal income tax for State and local income taxes paid by an individual during the taxable year; to the Committee on Ways and Means.

H.R. 4462. A bill to amend the Internal Revenue Code of 1954 and the Social Security Act to assist in providing means for portability of credits under certain private pension plans, and for other purposes; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 4463. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. EDWARDS of Alabama:

H.R. 4464. A bill for the relief of the living descendants of the Creek Nation of 1814; to the Committee on Interior and Insular Affairs.

H.R. 4465. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. EILBERG:

H.R. 4466. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 4467. A bill to amend title IV of the Social Security Act to require States, beginning July 1, 1969, to disregard specified earnings of persons receiving aid to families with dependent children, as an incentive to such persons to find and continue in gainful employment; to the Committee on Ways and Means.

By Mr. FINO:

H.R. 4468. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strikes at the sites of construction projects; to the Committee on Education and Labor.

H.R. 4469. A bill to amend the Railroad Retirement Act of 1937 to provide that the existing prohibition against payment of an annuity to an individual who continues to work for his last nonrailroad employer shall not apply in the case of a spouse's annuity; to the Committee on Interstate and Foreign Commerce.

H.R. 4470. A bill to amend section 610 of title 38, United States Code, to authorize the furnishing of hospital care at Veterans' Administration facilities for Gold Star Mothers; to the Committee on Veterans' Affairs.

H.R. 4471. A bill to extend the period within which certain requests may be filed under the Tariff Schedules Technical Amendments Act of 1965; to the Committee on Ways and Means.

H.R. 4472. A bill to amend the tariff schedules of the United States to provide more equitable tariff treatment for parts of ball bearings with integral shafts; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 4473. A bill to establish in the National Aeronautics and Space Administration an Inspector of Programs and Operations; to the Committee on Science and Astronautics.

By Mr. GARMATZ:

H.R. 4474. A bill to require the expenditure of 35 percent of the funds expended for the conversion, alteration, and repair of naval vessels to be expended with private ship repair yards; to the Committee on Armed Services.

H.R. 4475. A bill to amend title III of the act of March 3, 1933, commonly referred to as the Buy American Act, to require the construction, alteration, and repair of U.S. naval vessels in shipyards in the United States; to the Committee on Public Works.

By Mr. GROVER:

H.R. 4476. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 4477. A bill to permit the transmission in the mails of lottery tickets and other matter mailed in a State where lotteries are legal, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 4478. A bill to amend the Internal Revenue Code of 1954 to exempt State-conducted lotteries from the taxes on wagering; to the Committee on Ways and Means.

By Mr. GURNEY:

H.R. 4479. A bill to provide a system for the return of Federal income tax revenues to the States to be used exclusively for law enforcement purposes; to the Committee on Ways and Means.

By Mr. HATHAWAY:

H.R. 4480. A bill to coordinate and consolidate the major civilian marine and atmospheric functions of the Federal Government through the establishment of a Department of Marine and Atmospheric Affairs, to enunciate national policies pertinent to the marine and atmospheric interests of the United States, to further the expanded exploration of marine environs and the use of marine resources, to encourage research and development in the marine and atmospheric sciences and technologies, and for other purposes; to the Committee on Government Operations.

H.R. 4481. A bill to promote the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. HOLLAND:

H.R. 4482. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

By Mr. IRWIN:

H.R. 4483. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JONES of Alabama:

H.R. 4484. A bill to provide for the conveyance of certain real property of the United States to the Alabama Space Science Exhibit Commission; to the Committee on Armed Services.

By Mrs. KELLY:

H.R. 4485. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

H.R. 4486. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act so as to amend certain labeling provisions of the food, drug, and cosmetic chapters to assure adequate information for consumers, including cautionary labeling of articles where needed to prevent accidental injury; prohibit worthless ingredients in special dietary foods; require new therapeutic devices to be shown safe and efficacious before they are marketed commercially; require all antibiotics to be certified; provide for the certification of certain other drugs; require records and reports bearing on drug safety; limit the distribution of sample drugs; require cosmetics to be shown safe before they are marketed commercially; clarify and strengthen existing inspection authority; make additional provisions of the act applicable to carriers; provide for administrative subpenas; provide for strengthening and facilitating mutual cooperation and assistance, including training of personnel, in the administration of that act and of related State and local laws; prohibit the use of carcinogenic color additives in animal feeds; safeguard the health of children by banning sweetened or flavored aspirin from commerce; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KING of California:

H.R. 4487. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. KLUCZYNSKI:

H.R. 4488. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. KUPFERMAN:

H.R. 4489. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. LANGEN:

H.R. 4490. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 4491. A bill to amend the Internal Revenue Code of 1954 so as to allow an additional income tax exemption for a dependent who is mentally retarded; to the Committee on Ways and Means.

By Mr. LLOYD:

H.R. 4492. A bill to authorize and direct the acquisition of certain lands within the boundaries of the Wasatch National Forest in the State of Utah by the Secretary of Agriculture; to the Committee on Agriculture.

By Mr. LONG of Maryland:

H.R. 4493. A bill to transfer certain administrative responsibility for the operation of Washington National Airport and Dulles International Airport from the Secretary of Transportation to a Washington Airports Board, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McCARTHY:

H.R. 4494. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. MacGREGOR:

H.R. 4495. A bill to provide for the prototype construction of a commercial supersonic transport airplane, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 4496. A bill for the relief of the village of Brooklyn Center, Minn.; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 4497. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mrs. MINK:

H.R. 4498. A bill to extend the temporary provisions of Public Law 815, 81st Congress, relating to school construction in federally impacted areas; to the Committee on Education and Labor.

H.R. 4499. A bill to authorize the Secretary of the Interior to make a loan and grant to the State of Hawaii for the construction of the Kokee Water project, Hawaii, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MIZE:

H.R. 4500. A bill to provide that where the entitlement of a veteran, widow, or child to a pension from the Veterans' Administration is based upon the veteran's having served in World War I, the beneficiary shall if otherwise eligible have the right to elect payment of pension under either the provisions of title 38 as in effect on June 30, 1960, or as amended by the Veterans' Pension Act of 1959, whichever provides the greater benefit; to the Committee on Veterans' Affairs.

By Mr. MORTON:

H.R. 4501. A bill to amend the Land and Water Conservation Fund Act of 1965; to the Committee on Interior and Insular Affairs.

H.R. 4502. A bill to prevent vessels built or rebuilt outside of the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 4503. A bill to amend section 209 of the Merchant Marine Act, 1936, so as to require authorization of funds for certain programs of the Maritime Administration; to the Committee on Merchant Marine and Fisheries.

H.R. 4504. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 4505. A bill to authorize the Secretary of the Interior, in cooperation with the States, to preserve, protect, develop, restore, and make accessible estuarine areas of the Nation which are valuable for sport and commercial fishing, wildlife conservation, recreation, and scenic beauty, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 4506. A bill to require the Secretary of the Army to remove certain abandoned ships from the Potomac River; to the Committee on Public Works.

H.R. 4507. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. MOSHER:

H.R. 4508. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. NELSEN:

H.R. 4509. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. NIX:

H.R. 4510. A bill to amend title 5, United States Code, to eliminate the reduction in annuity when the potential survivor-annuitant predeceases the retired employee, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. OLSEN:

H.R. 4511. A bill to amend title 38 of the United States Code in order to increase the rates of pension payable to certain veterans and their widows, to provide additional readjustment assistance for veterans of service after January 31, 1955, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. POLLOCK:

H.R. 4512. A bill to permit the transportation of merchandise between the continental United States and Alaska to be carried aboard vessels of the British Columbia ferry system for part of such transportation; to the Committee on Merchant Marine and Fisheries.

By Mr. RANDALL:

H.R. 4513. A bill to amend the antitrust laws to provide that the refusal of nonprofit blood banks and of hospitals and physicians to obtain blood and blood plasma from other blood banks shall not be deemed to be acts in restraint of trade, and for other purposes; to the Committee on the Judiciary.

By Mr. RHODES of Arizona:

H.R. 4514. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. RIVERS:

H.R. 4515. A bill to authorize appropriations during the fiscal year 1967 for procurement of aircraft, missiles, and tracked combat vehicles, and research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes; to the Committee on Armed Services.

H.R. 4516. A bill to incorporate the Fleet Reserve Association; to the Committee on the Judiciary.

By Mr. ROUDEBUSH:

H.R. 4517. A bill to amend title 38, United States Code, to provide that service of a veteran of the Armed Forces of the United States involving armed conflict shall be considered wartime service for the purposes of granting benefits to veterans and their dependents under that title; to the Committee on Veterans' Affairs.

By Mr. ROUSH:

H.R. 4518. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ROYBAL:

H.R. 4519. A bill to provide for the establishment of a U.S. Foreign Service Academy; to the Committee on Foreign Affairs.

By Mr. SHRIVER:

H.R. 4520. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 4521. A bill to amend title 38 of the United States Code to provide a special pension for veterans of World War I and their widows; to the Committee on Veterans' Affairs.

By Mr. SPRINGER:

H.R. 4522. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 4523. A bill to amend section 1035 of title 10 of the United States Code so as to permit spouses of members of the Armed Forces who are missing in action or the captives of hostile or enemy forces to make deposits in accounts established under that section; to the Committee on Armed Services.

By Mr. TENZER:

H.R. 4524. A bill for the education and training of the handicapped; to the Committee on Education and Labor.

By Mr. THOMSON of Wisconsin:

H.R. 4525. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. VAN DEERLIN:

H.R. 4526. A bill to increase to 5 years the maximum term for which broadcasting station licenses may be granted; to the Committee on Interstate and Foreign Commerce.

H.R. 4527. A bill to amend the Clean Air Act to improve and expand the authority to conduct or assist research relating to air pollutants, to assist in the establishment of regional air quality commissions, to authorize establishment of standards applicable to emissions from establishments engaged in certain types of industry, to assist in establishment and maintenance of State programs for annual inspections of automobile emission control devices, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WALKER:

H.R. 4528. A bill to amend the Clean Air Act to provide for more effective prevention, control, and abatement of air pollution through the establishment of air regions and standards applicable thereto; to the Committee on Interstate and Foreign Commerce.

By Mr. WHALLEY:

H.R. 4529. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. WILLIS:

H.R. 4530. A bill to amend the act of December 22, 1928, relating to the issuance of patents for lands held under color of title, to liberalize the requirements for the conveyance of the mineral estate, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CHARLES H. WILSON:

H.R. 4531. A bill to reclassify certain key positions and increase salaries in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BERRY:

H.J. Res. 243. Joint resolution proposing an amendment to the Constitution to authorize Congress to limit the power of the courts of the United States to determine that statutes of the United States or of any State are repugnant to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. DEL CLAWSON:

H.J. Res. 244. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. DENT:

H.J. Res. 245. Joint resolution concerning a national education policy; to the Committee on Education and Labor.

By Mr. FARBSTEIN:

H.J. Res. 246. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.J. Res. 247. Joint resolution requesting the President to instruct the Permanent Representative of the United States to the United Nations to request the Security Council without delay to convene the Arab States and the State of Israel and other interested nations in a peace conference; to the Committee on Foreign Affairs.

By Mr. GARMATZ:

H.J. Res. 248. Joint resolution authorizing and requesting the President of the United States to issue annually a proclamation designating June as Amyotrophic Lateral Sclerosis Month; to the Committee on the Judiciary.

By Mr. MATHIAS of Maryland:

H.J. Res. 249. Joint resolution concerning a national education policy; to the Committee on Education and Labor.

By Mr. NIX:

H.J. Res. 250. Joint resolution to authorize the President to designate Philadelphia, Pa., as the site of a world's fair commemorating the 200th anniversary of the signing of the Declaration of Independence; to the Committee on Foreign Affairs.

H.J. Res. 251. Joint resolution designating the third Sunday of June as Father's Day; to the Committee on the Judiciary.

By Mr. PETTIS:

H.J. Res. 252. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. SCHWEIKER:

H.J. Res. 253. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H. Con. Res. 119. Concurrent resolution relating to U.S. military personnel held captive in Vietnam; to the Committee on Foreign Affairs.

By Mr. WYATT:

H. Con. Res. 120. Concurrent resolution to provide early appropriations for Federal educational programs; to the Committee on Rules.

By Mr. ABBITT:

H. Res. 201. Resolution expressing the sense of the House with respect to the resignation of the present Commissioner of Education; to the Committee on Education and Labor.

By Mr. EVINS of Tennessee:

H. Res. 202. Resolution to provide funds for the study and investigation authorized by House Resolution 53; to the Committee on House Administration.

By Mr. FALLON:

H. Res. 203. Resolution authorizing the Committee on Public Works to conduct studies and investigations within the jurisdiction of such committee; to the Committee on Rules.

By Mr. MATHIAS of Maryland:

H. Res. 204. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. ROYBAL:

H. Res. 205. Resolution relating to nonproliferation of nuclear weapons; to the Committee on Foreign Affairs.

My Mr. SCHWENGEL:

H. Res. 206. Resolution to provide for an additional intern for congressional offices; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT:

H.R. 4532. A bill for the relief of Jacob Wagner; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 4533. A bill for the relief of Miss Carmelina Colabello; to the Committee on the Judiciary.

H.R. 4534. A bill for the relief of Mary Bernadette Linehan; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 4535. A bill for the relief of Mrs. Calogera Carollo and Raffaela Carollo; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 4536. A bill for the relief of Mrs. Jadwiga (Ita) Lapides; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 4537. A bill for the relief of Dr. Chandrasekarapuram Narayanan; his wife, Yamuna Narayanan; and their three children, Manoj Narayanan, Vinodh Narayanan, and Pramilla Narayanan; to the Committee on the Judiciary.

H.R. 4538. A bill for the relief of Dr. John E. Yannakakis; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 4539. A bill for the relief of Dr. David de Jesus Castaneda; to the Committee on the Judiciary.

H.R. 4540. A bill for the relief of Dr. Frank Pedroso; to the Committee on the Judiciary.

H.R. 4541. A bill for the relief of Dr. Francisco Guillermo Tudela; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 4542. A bill for the relief of Rachel Ben-Shalom and Judith Ben-Shalom; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 4543. A bill to confer jurisdiction on the U.S. District Court for the Southern District of New York to hear, determine, and render judgment on the claims of Lawrence Nestor against the United States; to the Committee on the Judiciary.

H.R. 4544. A bill for the relief of Giovanna Ingui Dallara; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 4545. A bill for the relief of Drs. Cyrus and Zahra Ilkanipour; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 4546. A bill for the relief of Mrs. Taeko (Natale Anthony) Lauritano; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H.R. 4547. A bill for the relief of Amelia S. Landas; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 4548. A bill for the relief of Mrs. Mannig Keshkekian and Miss Shoushig Keshkekian; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.R. 4549. A bill for the relief of Nam Sook Park and Mee Soo Kim Park; to the Committee on the Judiciary.

By Mr. MATHIAS of Maryland:

H.R. 4550. A bill for the relief of Kazuo Ochi; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 4551. A bill for the relief of Raquel Fainsztein; to the Committee on the Judiciary.

H.R. 4552. A bill for the relief of B. Matusow & Son; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 4553. A bill for the relief of Gilan Tehranchi; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 4554. A bill for the relief of Miss Vinelda Anderson; to the Committee on the Judiciary.

H.R. 4555. A bill for the relief of Giovanni Bizzarro; to the Committee on the Judiciary.

H.R. 4556. A bill for the relief of Giuseppe Croce; to the Committeee on the Judiciary.

H.R. 4557. A bill for the relief of Rocco Croce; to the Committee on the Judiciary.

H.R. 4558. A bill for the relief of Joseph Paul Lucien Fontaine; to the Committee on the Judiciary.

H.R. 4559. A bill for the relief of Nobuyoshi Higashi; to the Committee on the Judiciary.

H.R. 4560. A bill for the relief of Norris Nosworthy; to the Committee on the Judiciary.

H.R. 4561. A bill for the relief of Miss Alda Paternoster; to the Committee on the Judiciary.

H.R. 4562. A bill for the relief of Victor Manuel Valverde-Bracamonte, his wife, Carmen T. Rodriquez de Valverde, and their children, Victor Eddie Valverde Rodriquez and Angel Fernando Valverde Rodriquez; to the Committee on the Judiciary.

H.R. 4563. A bill for the relief of Ng Hung Shing (also known as Ng See Pan); to the Committee on the Judiciary.

H.R. 4564. A bill for the relief of Enrico Solari and his wife, Maria Solari, and their children, Enrica Grazia and Mirella Solari; to the Committee on the Judiciary.

H.R. 4565. A bill for the relief of Dr. Raphael J. Ho Tai; to the Committee on the Judiciary.

H.R. 4566. A bill for the relief of Mary F. Thomas; to the Committee on the Judiciary.

H.R. 4567. A bill for the relief of Janis Zalcmanis, Gertrude Jansons, Lorena Jansons Murphy, and Asja Jansons Liders; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 4568. A bill for the relief of Nicholas Nikolopoulos; to the Committee on the Judiciary.

H.R. 4569. A bill for the relief of Stefanos Papadopoulos; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 4570. A bill for the relief of Zroubavel Beth Yacob; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 4571. A bill for the relief of Pham Thi Ly (also known as Mrs. Hai-Linh Tran); to the Committee on the Judiciary.

By Mr. THOMSON of Wisconsin:

H.R. 4572. A bill for the relief of Dr. Marciano C. Visaya; to the Committee on the Judiciary.

SENATE

WEDNESDAY, FEBRUARY 1, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rev. Arthur E. Paterson, Connecticut Conference of Congregational Ministers, Middletown, Conn., offered the following prayer:

O God in whom we live and move and have our being, at this beginning of a legislative day we thank Thee for the abiding sense of Thy reality.

We thank Thee that Thou art ever ready to reveal to us the way that is right, in Thine eyes, day by day, though we be faced by a confusion of responsibilities in human affairs.

We know Thou art ready to show us Thy way. Yet we know that we must ask Thee, in all humility, for that guidance. This we do now ask, on behalf of the President of the United States, on behalf of the executive department, the legislative branch, and the judiciary. We ask this humbly and individually, each one.

We thank Thee for the duty of making decisions upon this floor and in committee and hearing room. Yet, in our decisions, even in our differences, help us to remember that we must be charitable.

Inspire us to base our legislative duties here upon genuine love for fellow man, rather than upon force and might. Grant that in doing so we show forth Thy sovereignty.

We now turn to the specific problems of the hour.

May all that is said and done accord with Thy purpose and plan.

"Thy kingdom come, Thy will be done."

Through Christ our Lord. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the

Journal of the proceedings of Tuesday, January 31, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Byrd of West Virginia, and by unanimous consent, the following committee and subcommittee were authorized to meet during the session of the Senate today.

The Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary.

The Special Committee on Economic Development of the Committee on Public Works.

RECOGNITION OF SENATOR MANSFIELD AT CONCLUSION OF THE MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may be permitted to proceed for 20 minutes at the conclusion of the morning hour.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDENT pro tempore. If there be no reports of committees, the nomination on the Executive Calendar will be stated.

U.S. AIR FORCE

The Chief Clerk read the nomination of Lt. Gen. Joseph J. Nazzaro to be a general.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed; and, without objection, the President will be immediately notified of the confirmation.

LEGISLATIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate resumed the consideration of legislative business.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. Con. Res. 6. Concurrent resolution authorizing the printing of additional copies of a Committee on Government Operations print entitled "The Federal System as Seen by Federal Aid Officials" (Rept. No. 8);

S. Res. 21. Resolution to provide additional funds for the Committee on Finance (Rept. No. 11);

S. Res. 27. Resolution to consider matters pertaining to Federal charters, holidays, and celebrations (Rept. No. 12);

S. Res. 31. Resolution to investigate criminal laws and procedures (Rept. No. 13);

S. Res. 32. Resolution to study matters pertaining to immigration and naturalization (Rept. No. 14);

S. Res. 36. Resolution to investigate national penitentiaries (Rept. No. 18);

S. Res. 37. Resolution to examine and review the administration of the Patent Office (Rept. No. 15);

S. Res. 39. Resolution to study revision and codification of the statutes of the United States (Rept. No. 19);

S. Res. 51. Resolution to provide additional funds for the Committee on Aeronautical and Space Sciences (Rept. No. 16);

S. Res. 52. Resolution authorizing the printing of the report of the President's Commission on the Patent System as a Senate document (Rept. No. 9);

S. Res. 54. Resolution to study certain aspects of national security and international operations (Rept. No. 20);

S. Res. 56. Resolution authorizing the Select Committee on Small Business to make a complete study of the problems of small and independent businesses (Rept. No. 21);

S. Res. 70. Resolution authorizing the printing of the report of the highway beautification program as a Senate document (Rept. No. 10); and

S. Res. 71. Resolution to provide additional funds for the Committee on Armed Services for making certain studies (Rept. No. 17).

AUTHORIZATION OF STUDY OF FEDERAL ELECTION LAWS AND RELATED MATTER—REPORT OF A COMMITTEE (S. REPT. NO. 22)

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 77) authorizing a study of Federal election laws and related matters, and submitted a report thereon; which resolution was ordered to be placed on the calendar, as follows:

S. Res. 77

Resolved, That the Committee on Rules and Administration, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) the election of the President, Vice President, or Members of Congress;

(2) corrupt practices;

(3) contested elections;

(4) credentials and qualifications;

(5) Federal elections generally, and

(6) Presidential succession.

Sec. 2. For the purpose of this resolution, the committee, from February 1, 1967, and January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $105,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AUTHORIZATION FOR A STUDY OF THE STANDING RULES OF THE SENATE—REPORT OF A COMMITTEE (S. REPT. NO. 23)

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 78) authorizing a study of the Standing Rules of the U.S. Senate, and submitted a report thereon; which resolution was ordered to be placed on the calendar, as follows:

S. Res. 78

Resolved, That the Committee on Rules and Administration, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the Standing Rules of the United States Senate.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That if more than one counsel is employed, the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $67,-

000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

REPORT ENTITLED "ACTIVITIES OF THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS"—REPORT OF A COMMITTEE (S. REPT. NO. 24)

Mr. McCLELLAN, from the Committee on Government Operations, submitted a report entitled "Activities of the Senate Committee on Government Operations," which was ordered to be printed.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 782. A bill for the incorporation of the Merchant Marine War Veterans Association; to the Committee on the Judiciary.

By Mr. FANNIN:

S. 783. A bill for the relief of certain claimants; to the Committee on the Judiciary.

By Mr. BYRD of West Virginia:

S. 784. A bill for the relief of Dr. Reynaldo C. Soriano; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 785. A bill to amend title 18 of the United States Code so as to prohibit the transportation and shipment in interstate or foreign commerce of alligators and alligator hides taken in violation of Federal or State laws; to the Committee on the Judiciary.

(See the remarks of Mr. Smathers when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 786. A bill to amend the Internal Revenue Code of 1954 to allow an income tax credit for contributions made by individuals to the National and State committees of political parties, and to repeal the Presidential Election Campaign Fund Act of 1966; to the Committee on Finance.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

By Mr. PROUTY (for himself and Mr. Cotton):

S. 787. A bill to amend the Social Security Act and related provisions of law to extend hospital insurance benefits to persons presently not insured therefor, to increase old-age, survivors, and disability insurance benefits payable under title II of such act, to provide minimum benefits to persons who, at age 65, are not insured for benefits under such title, to increase the amount of income individuals may earn without suffering deductions from benefits payable under such title, and otherwise to improve the social security program; to the Committee on Finance.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. Murphy, and Mr. Prouty):

S. 788. A bill to prohibit arbitrary discrimination in employment on account of age, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 8, 1967, for additional cosponsors.)

By Mr. SPARKMAN:

S. 789. A bill for the relief of Ernest R. Robinson; to the Committee on the Judiciary.

By Mr. BAYH (for himself, Mr. Bartlett, Mr. Carlson, Mr. Griffin, Mr. Gruening, Mr. Hart, and Mr. Holland):

S. 790. A bill to amend the Uniform Time Act in order to allow an option in the adoption of advanced time in certain cases; to the Committee on Commerce.

(See the remarks of Mr. Bayh when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG:

S. 791. A bill to amend the Classification Act of 1949, as amended, to provide that an employee covered by such section shall be entitled to pay differential authorized thereunder for any period in which he performs duty in a combat zone; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Fong when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG (for himself, Mr. Inouye, Mr. Bartlett, and Mr. Gruening):

S. 792. A bill to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska, Hawaii, or the Philippines; to the Committee on Labor and Public Welfare.

By Mr. SPARKMAN:

S. 793. A bill to provide for the conveyance of certain real property of the United States to the Alabama Space Science Exhibit Commission; to the Committee on Armed Services.

By Mr. BOGGS (for himself, Mr. Allott, Mr. Brewster, Mr. Brooke, Mr. Byrd of West Virginia, Mr. Carlson, Mr. Case, Mr. Clark, Mr. Cooper, Mr. Dominick, Mr. Fong, Mr. Inouye, Mr. Javits, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. McCarthy, Mr. McGee, Mr. Metcalf, Mr. Montoya, Mr. Muskie, Mr. Nelson, Mr. Pastore, Mr. Pell, Mr. Prouty, Mr. Randolph, Mr. Ribicoff, Mr. Scott, Mr. Smathers, Mr. Tower, Mr. Tydings, Mr. Williams of Delaware, Mr. Young of North Dakota, and Mr. Dirksen):

S. 794. A bill making Columbus Day a legal holiday; to the Committee on the Judiciary.

(See the remarks of Mr. Boggs when he introduced the above bill, which appear under a separate heading.)

By Mr. HANSEN (for himself, Mr. Hruska, Mr. Curtis, and Mr. McGee):

S. 795. A bill to consent to the Upper Niobrara River compact between the States of Wyoming and Nebraska; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Hansen when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 18, 1967, for additional cosponsors.)

By Mr. McGEE (for himself, Mr. Metcalf, Mr. Young of North Dakota, Mr. Burdick, Mr. Mundt, Mr. McGovern, Mr. Hansen, and Mr. McCarthy):

S. 796. A bill to clarify the tax status of American Indians; to the Committee on Finance.

(See the remarks of Mr. McGee when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 8, 1967, for additional cosponsors.)

By Mr. McCARTHY:

S. 797. A bill to provide for payment of survivor annuities to the widows of certain former Members of Congress; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. McCarthy when he introduced the above bill, which appear under a separate heading.)

By Mr. McCLELLAN (for himself and Mr. Scott):

S. 798. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

RESOLUTIONS

STUDY OF EFFECTIVENESS OF PRESENT LAW RELATING TO RESTRICTIVE TRADE PRACTICES IMPOSED BY FOREIGN COUNTRIES

Mr. JAVITS (for himself and Mr. Williams of New Jersey) submitted a resolution (S. Res. 75) to authorize a study by the Committee on Banking and Currency with respect to the effectiveness of present law in protecting U.S. trade and business against restrictive trade practices or boycotts fostered or imposed by foreign countries against other countries friendly to the United States, which was referred to the Committee on Banking and Currency.

(See the above resolution printed in full when submitted by Mr. Javits, which appears under a separate heading.)

AUTHORIZATION TO PRINT AS A SENATE DOCUMENT THE 10TH ANNUAL REPORT ON THE STATUS OF THE COLORADO RIVER STORAGE PROJECT AND PARTICIPATING PROJECTS

Mr. ANDERSON submitted a resolution (S. Res. 76) authorizing the printing as a Senate document of the 10th Annual Report on the Status of the Colorado River Storage Project and Participating Projects, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Anderson, which appears under a separate heading.)

AUTHORIZATION FOR A STUDY OF FEDERAL ELECTION LAWS AND RELATED MATTERS

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 77) authorizing a study of Federal election laws and related matters, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan of North Carolina, which appears under a separate heading.)

AUTHORIZATION FOR A STUDY OF STANDING RULES OF THE SENATE

Mr. JORDAN, from the Committee on Rules and Administration, reported an original resolution (S. Res. 78) authorizing a study of the Standing Rules of the U.S. Senate, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. JORDAN of North Carolina, which appears under a separate heading.)

PROHIBITION OF TRANSPORTATION AND SHIPMENT IN INTERSTATE OR FOREIGN COMMERCE OF ALLIGATORS AND ALLIGATOR HIDES TAKEN IN VIOLATION OF FEDERAL OR STATE LAWS

Mr. SMATHERS. Mr. President, I introduce, for appropriate reference, a bill to amend title 18 of the United States Code to provide protection for the American alligator. This unusual specimen of wildlife is in serious danger of becoming extinct. My bill would make it illegal to transport raw or treated alligator hides across State lines and prohibit interstate transportation of consumer goods manufactured from hides or parts of hides which were taken in violation of existing State or Federal statutes. Transportation of live alligators across State lines would also be barred except by special permit.

Mr. President, another sad tale of wanton destruction of our American wildlife is unfolding. This time it deals with the American alligator. As was done 100 years ago with the American bison and again when egrets were being slaughtered by the thousands for their plumage, indiscriminate and greedy hunters are destroying a rare form of wildlife without regard to the preservation of the species.

Once prevalent in the Southern United States from North Carolina to the Rio Grande and from Arkansas to my own State of Florida, the American alligator is disappearing from its habitat. The threat to the alligator is double barreled. Expanding civilization, with its drainage and development projects, is crowding the alligator out and destroying his swampland home. But by far the greatest threat is the poacher who pursues the alligator into his few remaining refuges. Spurred on by personal greed and the lure of quick profits, these hunters are slaughtering thousands of alligators each year, in violation of State and Federal laws. Trade in illegal skins is estimated at $1 million a year in the Miami markets alone, and prime alligator hides bring up to $6 a linear foot from dealers who do not question their origin. A finished alligator suitcase will sell for amounts as high as $1,000, and men's alligator shoes retail at $70 and up. Thus, we see the vogue for products made from alligator hide has made the slaughtering of these reptiles a lucrative business.

The National Park Service informs me that despite enforcement efforts, poachers using the most modern mechanized equipment, last year managed to kill over 1,000 gators in the Everglades National Park alone. Not even the sanctuary of a national park is able to stop the ever-dollar-hungry poacher. The number of alligators taken from Louisiana swamps and rivers is estimated at between 15,000 and 30,000 per year. Only a few years ago, hunters were taking up to 10,000 a year from the Shark River area in Florida. Recent surveys by rangers show that in less than a decade the population of known "gator pools" has been reduced by as much as three-fourths in the areas I have mentioned.

The American alligator, along with the crocodile, cayman, and Old World gavial, is one of the few remaining links with the prehistoric world. A survivor of the age of reptiles, the alligator is a "living fossil" and presents a rare opportunity to our citizens to see life as it existed 200 million years ago. A museum for fossils and stuffed animals is a poor substitute for the chance to observe these prehistoric reptiles in their natural environment.

Besides historic significance, the alligator, unlike those who would exterminate him for personal profit, is valuable as a "conservationist." Alligators considerably affect the areas in which they live. Gator pools provide a source of water for rabbits, deer, fish, and turtles during droughts, thus insuring survival of these species in the area. Mounds of earth dredged up around these same pools provide areas for new vegetation, as well as nesting and breeding places for other swamp wildlife. The movement of alligators through swamp areas opens channels in the vegetation and he devours predators such as rattlesnakes and garfish. Thus, the daily activities of the alligator help to maintain the balance of nature, making him a conservationist in his own environment.

Mr. President, at this time I ask unanimous consent to have printed in the RECORD an article published in the National Geographic magazine, issue of January 1967, entitled "Alligators—Dragons in Distress." The article was written by Dr. Archie Carr, a professor at the University of Florida, and a recognized authority on reptiles.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ALLIGATORS: DRAGONS IN DISTRESS

(By Archie Carr, Ph. D.)

I first heard the voice of the alligator long ago in a cypress swamp at the edge of the "Big Scrub," a sand-pine area near the St. Johns River in Florida. Suddenly, above the clamor of the frogs, a heavy, rhythmic rumbling sounded in the distant dark. I was newly arrived in Florida and had never heard a sound like that before.

The night was clear, so it couldn't be thunder, and for a moment I thought it might be somebody dynamiting fish. But then the sound rumbled in again, and I realized it was an alligator bellowing. Two others joined the first, and the ponderous, pulsing chorus, half sound, half shaking of the earth, seemed to rock the whole swamp.

Today no alligators bellow in that tract of swampland. The frogs are quiet there too, and the cypresses are long since lumber. However, a few places remain where the old song can still be heard, and I, for one, seek them out at every opportunity.

The roar of the alligator rolling out of the mist of April marshes, is one of the great animal sounds of the world. It is a song 200 million years old, an echo of the Age of Reptiles, when cold-blooded creatures ruled the earth. But now the incredible voice is falling silent, and the needless loss will not sit well with our descendants.

Two things have happened to accelerate the alligator's decline. One is the recent fantastic rise in the price of hides and resulting increase in illegal hunting. The other is the destruction of habitat by drainage and development projects.

FAMILY GATOR COMES OF AGE

The plight of alligators, and of people who live in alligator country, is epitomized by my own family's experiences with the alligator in our pond near Micanopy, Florida.

The family alligator is going on ten years old. She measures about eight feet, and we have known her since she was two feet long. We have watched her grow up and drive off the other alligators, start catching turtles, and half choke to death on six mallards we had hopefully put on the pond.

One day at dawn she made us proud when she bellowed for the first time. Soon another big alligator turned up, and for a while the two of them circled and dashed about, making waves and throwing foam and scaring the gallinules into worried flight. Later we found her nest on the far shore of the pond. Forty-two little gators came out of it.

The pond was only eight acres in wet periods, and during every dry spell it shrank. In those times the fauna was concentrated, and the alligator ate furiously. We could hear her cracking turtles from clear up in our living room.

Then the pond would flood again and dilute the already reduced remnants of the turtle, bullfrog, and marsh-rabbit populations. The sulphur-bellied frogs that live out in the pond and the big bullfrogs that bellow under the button-bushes around the edge became few and quiet.

By this time the alligator was so hungry that she broke into the strong cage we had built for a new flock of mallards and ate two of them. Even the little alligators disappeared. My wife charitably suggested that they went away through the woods, but I can't help thinking their mother ate them.

So living with our alligator has become a problem. She is still out there in the pond and she is a nuisance—but a very exciting one.

In fact, the alligator is a pretty exciting kind of animal. It and its relatives—the crocodiles, the tropical American caymans, and the Old World gavials—are the only surviving members of the Ruling Reptiles, the main stem of the reptile tree that produced the dinosaurs and the flying pterosaurs.

There are two species of alligators: the familiar *Alligator mississippiensis,* ranging from North Carolina to the Rio Grande and up the Mississippi Valley to Arkansas (map, page 136), and *Alligator sinensis,* which lives in China, confined to the inhospitable marshes of the Yangtze Delta.

A great many features set the alligator and its relatives apart from other reptiles. One is the spectacular voice. Another is the care the female bestows on the nest and young. Most reptiles are pretty casual about parental obligations; instead of guarding their eggs, they lay them and leave them.

I personally fell afoul of the maternal instinct of the alligator one June day when I blundered into a den pool while hunting nests of the round-tailed muskrat in northern Florida. The old alligator came foaming over from out of the grass at the far side. I fell over backward in the mud trying to retreat up the bank. Fortunately she made no move to follow me out of the pool.

TOBACCO CAN BECOMES "GRIZZLED STONE"

Alligators grow a litle more than a foot a year. Both sexes reach maturity when they are five years old and about six feet long. From there on, the growth rate of the male is greater than that of the female. The resulting disparity in size gives the only visible clue as to which is which. In the old days alligators reached lengths of 19 feet. Today males rarely exceed 12 feet, females 8.

The food of the alligator is anything it can outswim or ambush and overpower, pieced out by dead animals it finds. I once cut open a big gator that had been pointlessly shot by a duck hunter near my home in Florida. In its stomach I found, besides some garfish scales and a few feathers, three smoothly rounded pieces of pine wood, a fishing sinker, and a crumbled Prince Albert tobacco can.

Such odd objects are not proof of foolish feeding by the alligator. They are taken in as "gizzard stones," to help grind the coarse food the gator eats. Where duck hunting is heavy, alligators are often found with shotgun shell casings in their stomachs.

Because of their great size, heavy armor, and frightful biting power, mature alligators are immune to attack by any predator in their geographic range except man. The eight-inch babies, on the other hand, are relished by many other creatures. Otters, raccoons, herons, snapping turtles, fish, water snakes—all are avid eaters of little alligators. If it were not for the asylum of the den pool and their mothers' vigilance, little alligators could not possibly survive in numbers great enough to keep the race alive.

Adult alligators have a strong sense of territory. Zoologist Robert H. Chabreck of the Louisiana Wildlife and Fisheries Department analyzed movements based upon studies of 2,024 alligators that were tagged and released between 1959 and 1965. He found that, after spending the first 18 months of their lives in or near the mother's den pool, the young leave home and start traveling. They retain their wanderlust until they mature.

Once the young are grown, they make dens of their own and presumably defend their territory from encroachment by fellow alligators of either sex. The territory of the bulls is greater than that of the females, especially in the spring months, when they wander in search of mates or strike out to join females that have answered their amorous bellowing. It is then that alligators show up on Florida highways or in the yards of suburban homes.

Besides their regular seasonal movements, alligators travel about to avoid drought, abnormally high water levels, or other drastic changes in their habitat. They also congregate wherever any unusual feeding opportunity presents itself. It is this tendency that makes it dangerous to feed alligators regularly in public places. The feeding draws unnaturally heavy numbers of alligators, and at the same time gives them the idea that anything that falls into the water—pets and people included—is meant for them to eat.

Only four months ago I saw a dramatic example of the bad effects of feeding big alligators when one ate a dachshund while we watched helplessly from the living room of my brother's home on a northern Florida lake. In this case the alligator was almost certainly one of several big ones that had been regularly fed at a lakeside cocktail lounge.

UNKNOWN INSTINCT GUIDES GATORS HOME

One of the most surprising results of Robert Chabreck's tagging study was the revelation of a strong homing urge and capability in the alligators he worked with. One made a homing trip of eight miles in three weeks, from a point to which it had been transported in a closed box. Another was found back in its home lake four years after having been released in a place 12 miles away. Still another made a homing return of 20 miles. This may not seem impressive when compared with the long-distance homing of pigeons, but it is an extraordinary performance for a creature that normally stays within half a mile of its den. The guidance mechanisms used in its homing feats are wholly unknown.

All animals to some degree affect the landscape they live in. The alligator does so to a greater extent than most. Its habit of controlling its environment is part of the special resilience which has allowed the species to live through the ages. To an alligator, home is a nest, a "gator hole" or pool, a cavelike den, and a system of trails. All affect the look of the landscape.

Individual alligators live a long time in one place, and because some dens pass from one generation to the next, the effect on marsh topography can be considerable. Some gator holes come to be flanked by spoil banks of material dredged from the pool or excavated from the den. On these piles, plants different from those of the surrounding area take root. Little islands with sedges, grasses, and even trees often stand beside old gator holes. These islands have been made by the alligator and its ancestors by heaping up of nest piles and dredging of the den pool with mouth and tail.

Flying over northern Florida recently, I saw a patch of white in the middle of a marsh. A closer look revealed dozens of white herons nesting in a small clump of willows.

"Bound to be a gator nest there," said the pilot, and a moment later we saw the alligator in a pool just beneath the birds. Those herons were the only ones nesting on the whole wide marsh. They were there because willows had found foothold on the spoil pile left by generations of industrious alligators.

The nest of the alligator is unique. Most crocodilians bury their eggs in sand, soil, or trash—as other reptiles do. But the alligator nest is a mound of vegetation and debris, a solid and sizable structure (page 135).

When the nest mound has been heaped to a height that suits the alligator—usually three or four feet—she digs a cavity with her hind legs and lays 30 to 70 eggs. She covers them with vegetation which she pulls up with her mouth, and after further crawling back and forth and fussing with the mound, she finally returns to the water. She may spend much of the nine-week incubation period close by the nest, repairing the mound if storms damage it, and finally helping the young to get out of the nest when she hears their croaking.

GATOR HOLES SAVE SWAMP CREATURES

An alligator in a pond is an influential member of the pond community. His droppings fertilize the water and contribute to its productivity. His comings and goings open channels in the vegetation and slow the processes by which the pond gives way to marsh.

In much of the territory alligators live in, the normal regimen is an alternation of wet times and dry times. During droughts the alligator holes may keep the fauna from being wiped out completely. When a marsh goes suddenly dry, most of the fish, amphibians, turtles, and invertebrates suffocate in the hot mud. But each time some are saved in the water-filled alligator holes. Like a Noah in reverse, the alligator provides a place where a few aquatic creatures of every kind can survive until the water returns.

Another way alligators mold the lives of their fellow creatures is by providing islands of well-drained material in which other species can nest. Last June, walking along the shore of a lake near Gainesville, Florida, I came upon an old alligator nest. I scratched into the top and found a clutch of 16 eggs of the big black, red-bellied Nelson's turtle.

Although wild alligators serve as saviors to the swamp population, they themselves are becoming alarmingly few. Last summer my neighbor Joe Hare, who has a small airplane, flew me around Orange Lake, once the best alligator lake in northern Florida, to make a census of alligator nests. We failed to locate a single one.

This was a melancholy change in the big lake, and I asked my old friend Ross Allen, head of the Reptile Institute in Silver Springs, Florida, what he thought had caused it.

"Illegal hunting," Ross said. "With hides bringing six dollars a foot, gators are big business. Thieves even stole the breeding stock out of my alligator farm.

"Nearly all poaching used to be done at night with a jacklight and rifle," Ross said, "or by locating dens and dragging the alligator out with a long pole with a hook at the end. Both methods are still favored in big tracts of marsh like the Everglades, where visibility is good and a warden can be seen coming.

"But in the more densely settled parts of Florida the setline is a major technique nowadays. It's quiet and deadly, and the poacher can stay out of sight. He just hangs a big hook on a pole stuck in the bottom of the lake and baits it with a beef heart or a chicken. The alligator hooks himself, and the poacher can go after him when he is sure the law is nowhere around."

In the early days fantastic numbers of gators were killed in the Everglades. For the ten-year period before 1891 an estimated 2½ million were taken in the State of Florida. In the 1890's, 800 were killed in a single lake in a year.

It is hard to get accurate figures on the volume of illegal traffic in hides today, but educated guesses on the profits from bootleg hides marketed in Miami alone run close to a million dollars annually.

The illegal hunters cruise in airboats and glades buggies. Some, in airplanes, search out gator holes and communicate by radio with hunters below.

One of the biggest remaining reservoirs of wild alligators is Everglades National Park,[1] but even there many fall victim to poachers, despite the best efforts of hardworking rangers (page 137). Poachers in motorboats steal across the park boundaries by night, shoot or hook the alligators, skin them on the spot, and stuff the carcasses down the dens. If park rangers catch up with their boat, the poachers quickly dump the weighted hides overboard.

FASHION CHANGE MIGHT SAVE THE SPECIES

If the alligator is to be saved, its reprieve may come from a change in fashion.

At the turn of the century our beautiful filmy-plumaged egrets were brought close to extinction by plume hunters. Then, largely as a result of a campaign by the National Audubon Society, concerned groups began to urge measures to save the birds. By 1910 the wearing of plumes had virtually stopped. In 1918, mere possession of the feathers became a Federal offense. Plume hunting ended.

The same thing could happen to alligator poaching. If the vogue for alligator bags, belts, and shoes should pass, the profit would go out of poaching, and it would stop.

Some conservationists feel that the answer is Federal legislation. They seek to amend the *Lacey Act*—which forbids taking certain illegally caught game across state lines—to include a ban on transporting alligator hides.

RANGERS HELP DIG LIFESAVING POOLS

When the works of man interfere with the natural rise and fall of water levels, real disaster can result. This has happened often in the Everglades in recent years. At times the water level fell so low that many of the gator holes disappeared, and the alligators that crowded together in those that remained started eating each other.

Last year, in contrast, heavy flooding plagued the Everglades. I spent a morning with Ranger Erwin Winte on an airboat cruise of the Shark River Valley, seeing for myself the effects of the sudden return of water to dried-out glade land. Ranger Winte located the gator holes for us. In fact, he showed us two kinds of holes. One kind was made by proper alligators. Park rangers had made the other kind the year before, when the water was so low that holes had to be dynamited down to the water table in order to keep the alligators and other swamp creatures alive.

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[1] Daniel B. Beard described "Wildlife of Everglades National Park" in the January, 1949, Geographic.

Now the trouble was too much water. The alligators in the area had nested a month or six weeks before, when the level was still low. We found that the crest of the flood was just high enough to have swamped the smaller nests, made by the younger alligators, killing their eggs. Nests of the bigger females stood safely above the water.

If normal water levels can be maintained, and the poachers kept out, Everglades National Park is one place where the alligator seems sure to live on. But the alligator population need not be reduced to the point where it can survive only in pens and preserves. We have no reason to fear these animals, yet we are mindlessly pushing them toward oblivion, simply because they are big and muddy and fit awkwardly into our world.

It may not be all easy, living on into the future with the alligator. But by protecting him, we will show that we have the sense and soul to cherish a wild creature that was here before any warm-blooded animal walked the earth, and that, given only a little room, would live on with us and help keep up the fading color of our land.

Mr. SMATHERS. Mr. President, past experience has shown that often we react too late with too little, when it comes to preserving wildlife.

In my view, Mr. President, we should act now to preserve the American alligator. For in so doing, we will assure not only the continuance of a rare form of life but we will also make it possible for future generations to know more about their land and its denizens.

The PRESIDING OFFICER (Mr. Hollings in the chair). The bill will be received and appropriately referred.

The bill (S. 785) to amend title 18 of the United States Code so as to prohibit the transportation and shipment in interstate or foreign commerce of alligators and alligator hides taken in violation of Federal or State laws, introduced by Mr. Smathers, was received, read twice by its title, and referred to the Committee on the Judiciary.

INCOME TAX CREDIT FOR POLITICAL CONTRIBUTIONS

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to allow an income tax credit for political contributions.

My bill would permit a taxpayer to take one-half of the total contribution to a political campaign as a credit on his Federal income tax up to a maximum credit of $100 per year. Contributions could be made to the National or State committee of a political party whose candidates for President and Vice President get on the ballot in at least 10 States.

My bill also would repeal the Presidential Election Campaign Fund Act of 1966. That measure was attached to the foreign investors tax bill in the closing days of the 89th Congress after hasty and superficial consideration by the Senate Finance Committee. Under it, each taxpayer, beginning in the 1967 tax year, may divert $1 of his Federal income tax to a special fund in the Treasury. That fund will be evenly divided between the two major political parties to finance their presidential election campaigns.

I voted against the 1966 act for several reasons.

First, I believe that the taxpayer should have the option of deciding which political party should benefit from his contribution. The 1966 act requires that half of his contribution must go to the party which does not have his allegiance.

Second, the 1966 act addresses itself to a nonexistent problem, that of financing presidential elections. Neither major candidate for President in 1964 was starved for funds. Yet, as Jerry Landauer pointed out in the Wall Street Journal of November 17, 1966, the $60 million that could be made available to and evenly divided between both major parties in the 1968 presidential elections "far exceeds the reported expenditure of $17.2 million by 18 GOP committees in 1964, and it is almost thrice the sum spent by 32 Democratic committees operating on the national level." Meanwhile, the 1966 act offers no relief for financially hard-pressed candidates for Congress or for State and local offices. These candidates, incidentally, are more susceptible to pressures from large campaign donors than are presidential candidates.

Finally, and perhaps most significantly, the 1966 act has potentially far-reaching implications for the American system of political parties. Our parties do not adhere to the doctrine of party responsibility that is the hallmark of the British parliamentary political system. Our parties are looser, more decentralized groups, that accurately reflect the regional and ethnic diversity that is uniquely American.

While each party adheres to basic principles, and while both differ over the fundamental nature of our federal system of government, particularly over the role of the States therein, neither of our two major parties are doctrinaire. We know what happens when a party tries to bind itself rigidly to an all-encompassing and, by its nature, a self-limiting, narrow ideology.

The 1966 act could transform our political system into one of centralized and disciplined parties that are alien to our political traditions. It opens the way to centralizing campaign fundraising by the national committees which would give them strong controls over State and local party organizations. I do not believe this is a desirable development.

For these reasons, I would like to see the Presidential Election Campaign Fund Act of 1966 repealed, or, at least, substantially revised.

The task of reforming our laws governing political finance is too important to be undertaken lightly. One of our objectives is to broaden the base of financial support of our political parties so that they can more readily meet the high cost of campaigning, but not become unduly dependent upon a few large contributors or special interests. That is what my bill seeks to accomplish. Another and equally important objective is to guarantee public trust and confidence in our political system by assuring the American people that their elections are conducted and financed cleanly and fairly. That is the purpose of a comprehensive reform of our political finance reporting and disclosure laws which I introduced earlier.

I would welcome broad support for the objectives contemplated in my bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 786) to amend the Internal Revenue Code of 1954 to allow an income tax credit for contributions made by individuals to the National and State committees of political parties, and to repeal the Presidential Election Campaign Fund Act of 1966, introduced by Mr. Scott, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF SOCIAL SECURITY ACT

Mr. PROUTY. Mr. President, I introduce, for appropriate reference, for myself and the senior Senator from New Hampshire [Mr. Cotton], a bill to amend the Social Security Act. This is identical to the omnibus bill which I introduced during the last Congress, as S. 3902.

I am very much pleased to note that the administration has now made some recommendations for extension of social security benefits. Specifically, the President's recommendation of a $70 minimum benefit is one which I have been suggesting for years. I do feel, however, that the President's overall proposals do not go far enough to meet the needs of our elderly persons and I have serious reservations with respect to the drastic increases in the social security tax which the administration proposal requires.

Mr. President, I shall not detain the Senate long today. I shall speak at some length on my proposals to amend the Social Security Act at a later date. I do want to advise the Senate, however, that in addition to this omnibus bill, I intend to offer its provisions individually in the near future. I shall do this to demonstrate that each of my proposals is of sufficient merit that it can stand on its own feet, as it were, and will therefore be singularly beneficial to our older people.

Mr. President, I ask unanimous consent to have printed in the Record, immediately following my remarks, a brief explanation of each of the provisions in this omnibus bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the explanation will be printed in the Record.

The bill (S. 787) to amend the Social Security Act and related provisions of law to extend hospital insurance benefits to persons presently not insured therefor, to increase old-age, survivors, and disability insurance benefits payable under title II of such act, to provide minimum benefits to persons who, at age 65, are not insured for benefits under such title, to increase the amount of income individuals may earn without suffering deductions from benefits payable under such title, and otherwise to improve the social security program, introduced by Mr. Prouty (for himself and Mr. Cotton), was received, read twice by its title, and referred to the Committee on Finance.

The explanation presented by Mr. Prouty is as follows:

Briefly this proposal will:

1. Raise the minimum social security benefit to $70 and provide for scaled increases at all levels as indicated under column IV of the table appearing in the bill;

2. Blanket-in at age 65 all persons not now eligible for social security at the minimum rate and authorize a means test for such receipts where their incomes are above the poverty level;

3. Increase of widow's benefit rate to 100% of the husband's primary rate;

4. Permit any employed person attaining age 65 to elect to make no further contributions to social security and accordingly waive readjustments for benefits paid because of the additional earnings;

5. Reduce from age 72 to age 70 the time after which earnings will not be considered as a limitation of benefits;

6. Raise the annual earnings limitations to $2,400, eliminate any stepped reductions for the first $2,400 and a dollar-for-dollar reduction above that figure;

7. Amend those portions of the Medicare Act which require persons attaining age 65 in later years to have quarters of coverage, i.e., permit anyone now age 65, or becoming age 65, to participate in medicare without regard to quarters of coverage.

PROHIBITION OF ARBITRARY AGE DISCRIMINATION IN EMPLOYMENT

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, on behalf of myself, the Senator from California [Mr. Murphy], and the Senator from Vermont [Mr. Prouty], a bill to prohibit arbitrary discrimination in employment on account of age.

Last Wednesday, the Congress received from the Secretary of Labor a bill dealing with arbitrary discrimination in employment on account of age. The Secretary's bill, which was introduced in the House by Mr. Perkins, chairman of the House Labor Committee, as H.R. 3651, was actually submitted under a requirement set forth in last year's minimum wage bill—a requirement which was inserted in the law at my request after the Senate-House conference deleted the age discrimination amendment to the bill which I had offered and which the Senate had adopted. The bill I submit today is substantially the same as the amendment I proposed last year, which was adopted by the Senate.

I introduce this bill because I find certain serious defects in the administration bill, and because I think it is essential for the Congress to have before it an alternative measure which cures those defects.

These bills have much in common: they both bar age discrimination against those over the age of 45; they both allow an exemption for cases involving a "bona fide occupational qualification"; they both provide for conciliation, and, if necessary, enforcement by court order.

But there are at least three major differences between the two bills—differences which I think are of critical significance.

First, the administration bill, while it grants jurisdiction to the Secretary of Labor, specifies no particular enforcement agency within the Labor Department. My bill operates by way of an amendment to the Fair Labor Standards Act, thereby putting jurisdiction in the Wage and Hour Division of the Labor Department, an agency which already has the staff, the attorneys, and the experience to deal with this problem without the necessity of creating a whole new bureaucracy for this single statute. The Wage and Hour Division, in fact, already enforces the age provisions concerning child labor.

Second, the administration bill provides for an administrative hearing to be followed by enforcement in the court of appeals, while my bill allows the Secretary of Labor to proceed directly in the U.S. district courts, as is the case in minimum wage violations. I think the existing procedure under the Fair Labor Standards Act has worked well, and ought to be used as a model.

Third—and perhaps most important—the administration bill provides not only a civil remedy but a criminal one as well, for it makes it a crime to willfully commit any practice made unlawful by the bill, while my bill provides only civil remedies. While the criminal provision may have a certain emotional appeal, it is not only unnecessary but self-defeating, for it may well carry with it the much higher burden of proof inherent in criminal cases as well as the unhappy prospect of witnesses in age discrimination cases refusing to testify, claiming their privilege under the fifth amendment to the Constitution. I would rather stick with the civil remedy, as we do under the minimum wage law.

Both of these bills deal with a problem of growing importance which, in my judgment, is ripe for congressional action. In a nation which is more and more oriented toward meeting the needs of the young, we must not neglect the ever-expanding population of older workers who have the capacity to be productive, valuable members of the national economy, but who, too often, cannot find a job.

Momentum for positive action on discrimination because of age has been steadily growing. Executive Order 11141 issued on February 12, 1964, has made it public policy to ban discrimination because of age in employment under Federal contract, except upon the basis of a bona fide employment qualification, retirement plan, or statutory requirement. Twenty States and Puerto Rico have adopted laws prohibiting this kind of discrimination. Over half of these laws have been passed since 1960; all but three since 1955. Under these measures, the States have had broad success in reducing age discrimination and expanding job opportunities for older workers. The major hindrance to further progress has been limitation on staff and funds. My own State of New York has had such a law since 1958, and substantial progress has already been made. But despite the existence of State laws and the 1964 Executive order, much more needs to be done. The steps already taken must be extended to cover the entire Nation, so that age discrimination can be fought universally and effectively.

It is my hope and expectation that, from consideration of these two alternative approaches to a common goal, we may produce a bill embodying the best features of each, on a bipartisan basis, and thereby provide an opportunity for our older workers to make full use of their skills and experience.

Mr. President, I ask unanimous consent that the bill be held at the desk for 1 week for additional cosponsors, and that the text of the bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, and held at the desk, as requested by the Senator from New York.

The bill (S. 788) to prohibit arbitrary discrimination in employment on account of age, and for other purposes, introduced by Mr. Javits (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 788

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6(d)(4) of the Fair Labor Standards Act of 1938 is amended by inserting after the word "subsection" the words "or subsection (f)".

Sec. 2. Section 6 of such Act is amended by adding at the end thereof a new subsection as follows:

"(f)(1) No employer having fifty or more employees subject to any of the provisions of this section shall, within any establishment in which such employees are employed—

"(A) refuse to hire, discharge, or otherwise discriminate against any person forty-five years of age or older with respect to the terms, conditions, or privileges of such person's lawful employment, because of such person's age, when such an age distinction is not a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise; or

"(B) utilize in the hiring or recruitment of individuals for employment otherwise lawful any employment agency, placement service, training school or center, labor organization, or any other source which so discriminates gainst persons forty-five years of age or older because of their age.

"(2) No labor organization having fifty or more members subject to any of the provisions of this section shall so discriminate against any person forty-five years of age or older or limit, segregate, or classifiy its membership in any way which would deprive or tend to deprive such person of otherwise lawful employment opportunities, or would limit such employment opportunities or otherwise adversely affect his status as an employee or as such an applicant for employment, or would affect adversely his wages, hours, or employment conditions, because of such person's age.

"(3) No employer subject to paragraph (1) or labor organization subject to paragraph (2) shall discharge, expel, or otherwise discriminate against any person, because he has opposed any practice prohibited by either such paragraph or has filed a charge, testified, participated, or assisted in any proceeding under this Act arising out of any such practice.

"(4) For purposes of administration and enforcement, any amounts owing to any employee which have been withheld from such employee in violation of this subsection shall be deemed to be unpaid minimum wages or unpaid overtime compensation under this Act.

"(5) Before instituting any action under section 16 or section 17 with respect to any practice by any employer or labor organization in violation of this subsection, the Secretary shall endeavor to eliminate such practice by informal methods of conference, conciliation, and persuasion.

"(6) Upon the request of any employer, whose employees or some of them refuse or threaten to refuse to cooperate in effectuating the provisions of this subsection, the Secretary is authorized to assist in such effectuation by conciliation or other remedial action.

"(7) The Secretary is authorized to make such technical studies as are appropriate to effectuate the purposes, and policies of this subsection and to make the results of such studies available to interested governmental and nongovernmental agencies.

"(8) The Secretary is authorized to create such local, State, or regional advisory and conciliation councils as in his judgment will aid in effectuating the purpose of this Act, and to empower them to study the problem or specific instances of discrimination in employment because of age and to foster through community effort or otherwise means to fully utilize the skills of workers over forty-five, and make recommendations to the Secretary for the development of policies and procedures in general and in specific instances. Such advisory and conciliation councils shall be composed of representative citizens, residents of the area for which they are appointed, serving without pay, but with reimbursement for actual and necessary traveling expenses; and the Secretary may make provision for technical and clerical assistance to such councils and for the expenses of such assistance.

"(9) Notwithstanding the provisions of paragraph (1) of section 13(a), this subsection shall not be inapplicable to employees described in such paragraph."

THE TIME ACT OF 1967

Mr. BAYH. Mr. President, on behalf of myself and the senior Senator from Alaska [Mr. BARTLETT], the senior Senator from Kansas [Mr. CARLSON], the junior Senator from Michigan [Mr. GRIFFIN], the junior Senator from Alaska [Mr. GRUENING], the senior Senator from Michigan [Mr. HART], and the senior Senator from Florida [Mr. HOLLAND], I introduce, for appropriate reference, a bill to amend the Uniform Time Act of 1966. This measure is identical to S. 3616, which I introduced on July 14, 1966. It would allow those States which are divided into two or more time zones to exempt one or more such parts from the advanced time provisions of the act.

This bill would not detract in any major way from the basic principle of uniformity established by the recent Time Act. Its only purpose would be to eliminate the difficult and unfair circumstances which result from applying the act to States bisected by time zone lines.

There are 13 States which are cut into parts by time zone lines. For example, at the present time the boundary line between central time and eastern time runs almost through the center of the States of Indiana, Kentucky, and Tennessee; it also separates Michigan's Upper Peninsula from the rest of the State, and goes through the western tip of Florida.

Furthermore, the line between mountain and central time bisects South Dakota and Nebraska, and slices across the southwest corner of North Dakota and the western part of Kansas. The boundary line between Pacific time and mountain time separates portions of Idaho, Oregon, and Utah; even Salt Lake City and the Great Salt Lake are in different time zones. The most extreme case is that of Alaska which is in four time zones: Pacific, Yukon, Alaska, and Bering.

All of these time lines, which were established by the Interstate Commerce Commission after investigation, hearings and negotiations, have been designed to minimize the problems resulting from time differentials. The line through my own State of Indiana had to be drawn carefully to avoid splitting metropolitan areas.

The bill which I am introducing today will make it much more feasible for bisected States to operate under the new Time Act. Under present provisions of the Time Act of 1966, the decision to adopt daylight saving time or to remain on standard time must be made for an entire State. This will in some cases result in great hardship and confusion, especially in those sections of a State which are part of a large metropolitan area centered in an adjoining State. Under my amendment, that decision could be made separately for each portion of a State bisected by a time line.

Let me emphasize that other States would not be affected and that bisected States would not be exempted from any other provision of the Time Act. It would require bisected States to commence and end daylight time on the same dates as all other States. It would not authorize any form of local political option for a city, a county, or any other subdivision.

To the contrary, the phrase "including all political subdivisions thereof," which makes the Time Act applicable to an entire State, would remain in the act.

The bill is not designed to exempt political or governmental subdivisions of any kind; rather, it would permit removal of the time zones as such from only one of the act's many requirements. Its scope is much narrower than those amendments which were presented to Congress during consideration of the Time Act. It will apply in only a few instances, and will not detract from national time uniformity.

The difficulties which will face Indiana and other States under the present provisions of the Time Act are not products of isolation. They will be caused by their unavoidable and significant economic and social ties to sister States. An amendment recognizing the indivisible relations between one part of a bisected State and its neighbors would allow choices which can only increase joint, interstate time coordination.

Mr. President, the diversity of our Nation often requires that we take different paths to reach common goals. A coordinated national time system is indeed a worthy goal, but to ignore the different ways in which time zones affect individual States could produce a stifling uniformity that might prevent further development of a coordinated national time system. Recognition of the specialized problems presented by that group of States divided by time zone lines is but one more recognition of the diversity of our States. It is also a recognition of the principle that true national policy comes best from coordinating the Nation's diversity, not stifling it.

Mr. President, it is very urgent that this bill receive prompt consideration. Under the law all States must soon decide whether time in their jurisdictions should be advanced 1 hour on the last Sunday of April or whether the State is to be exempt from this provision. Several State legislatures, including that in my own State of Indiana, are now in session and must make this determination in the next month or two. Unless some relief should be provided by Congress, it seems quite likely that at least some of those States which have divided time zones may resort to a subterfuge in an attempt to evade this dilemma. I hope that this issue will be looked into very carefully by the Committee on Commerce so that necessary relief can be provided those States now confronted by this confusing and difficult situation.

I ask unanimous consent, Mr. President, that this bill be printed in full at the end of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 790) to amend the Uniform Time Act in order to allow an option in the adoption of advanced time in certain cases, introduced by Mr. BAYH (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 790

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(a) of the Uniform Time Act of 1966 is amended by inserting after "including all political subdivisions thereof" the following: "other than in the case of a State with parts thereof in different time zones which State may so exempt one or more such parts".

PAY DIFFERENTIAL FOR TEMPORARY DUTY IN COMBAT ZONES

Mr. FONG. Mr. President, I introduce, for appropriate reference, a bill to provide that Federal employees assigned to temporary duty in combat zones shall receive hazardous duty pay during the period of such assignments.

Presently, Federal civilian employees assigned to duty in foreign areas, including combat zones such as Vietnam, receive a post differential in addition to their base pay. However, in order to receive this post differential, the employees must serve a minimum of 42 consecutive days in such areas.

Many Federal civilian employees have been assigned to duty in Vietnam for periods less than 42 days. Consequently, they are not eligible for the post differential.

Last year, the Congress passed Public Law 89-512 which authorized the establishment of hazardous duty pay schedules for Federal employees assigned to duty exposing the individual to physical hardships or hazards not usually involved in carrying out the duties of his position. However, regulations promulgated pursuant to Public Law 89-512 preclude the payment of hazardous duty pay to employees assigned to temporary duty in war zones such as Vietnam.

I cannot think of any duty more hazardous than that caused by the type of warfare conducted in Vietnam by the Vietcong. Federal civilian employees assigned to temporary duty there certainly are exposed to many hazards not usually involved in carrying out the duties of their positions. They are exposed to personal injury and loss of life due to gunfire and bomb explosions.

My bill would authorize the payment of hazardous duty pay not to exceed 25 percent of the employee's base pay when assigned to temporary duty in combat areas. The actual rate of pay would be set by the Civil Service Commission as spelled out in Public Law 89-512. A combat zone means any area which the President, by Executive order, designates as an area in which Armed Forces of the United States are engaged in combat.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 791) to amend the Classification Act of 1949, as amended, to provide that an employee covered by such section shall be entitled to pay differential authorized thereunder for any period in which he performs duty in a combat zone, introduced by Mr. Fong, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

MAKE COLUMBUS DAY A FEDERAL HOLIDAY

Mr. BOGGS. Mr. President, on behalf of myself and 32 other Senators, I introduce, for appropriate reference, a bill to make Columbus Day a legal public holiday in the same manner as the eight other Federal holidays.

This bill seeks to add honor to the memory of Christopher Columbus by making a holiday of October 12, the date of his discovery of the New World.

It would carry out what already is a popular idea in the country, as evidenced by the fact that nearly four-fifths of the States already designate Columbus Day as a State holiday.

Passage of this bill would immediately affect the District of Columbia and the Federal Government. But it would not establish October 12 as an automatic nationwide holiday since legal holidays binding on States are established by action of State legislatures.

Generally, however, the permanent Federal holidays have also been designated as State holidays by State legislatures, making such days "national holidays" in the general meaning of the term.

In the 88th Congress a similar bill which I introduced was passed by the Senate. In the last Congress the same bill was not acted upon. It is my earnest hope that the present Congress will see fit to make this longstanding wish of a great number of Americans come to pass.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 794) making Columbus Day a legal holiday, introduced by Mr. Boggs (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

UPPER NIOBRARA RIVER COMPACT

Mr. HANSEN. Mr. President, I introduce, for appropriate reference, a bill to consent to the Upper Niobrara River compact between the States of Wyoming and Nebraska.

Similar legislation was passed by the Senate in the 89th Congress, but unfortunately received no action in the House. To my knowledge all parties from the States of Wyoming and Nebraska, as well as the Department of Interior, the Department of Justice, and the Bureau of the Budget, are in favor of congressional consent to this compact.

The purpose of the Upper Niobrara River compact between the States of Wyoming and Nebraska is to provide for an equitable division or apportionment of the available surface water supply of the Upper Niobrara River Basin between these two neighbor States.

This compact was negotiated pursuant to consent granted by the act of August 5, 1953, as amended, and has been signed by duly appointed representatives of the affected States and ratified by State legislatures. Federal participation in its negotiation was provided by a Presidentially appointed representative.

The compact deals with the apportionment of surface waters of the Upper Niobrara River and its interstate tributaries west of range 55 in western Nebraska. This localizes the area of compact application to the stream system west of a point approximately 10 miles downstream from the Wyoming-Nebraska border. There are no existing or potential Federal water resource development projects in the area which would be covered by this instrument. A representative of the Department of the Interior has testified that the language protects the rights and powers of the United States, its agents and instrumentalities, including rights owned or held by or for Indians or Indian tribes; the Federal interest appears to have been simply protected and safeguarded.

I am hopeful that speedy action will be taken by the Senate on this matter, and I ask that this bill lie on the desk until February 18 for the additional sponsorship of my colleague, the senior Senator from Wyoming, and the two Senators from Nebraska.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk until February 18, as requested.

The bill (S. 795) to consent to the Upper Niobrara River compact between the States of Wyoming and Nebraska, introduced by Mr. Hansen (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CLARIFICATION OF TAX STATUS OF AMERICAN INDIANS

Mr. McGEE. Mr. President, I introduce, and send to the desk for appropriate reference, a bill to clarify the tax status of American Indians. I am introducing this bill for myself, the Senator from Wyoming [Mr. Hansen], the Senator from Montana [Mr. Metcalf], the Senator from South Dakota [Mr. Mundt], the Senator from South Dakota [Mr. McGovern], the Senator from North Dakota [Mr. Young], and the Senator from North Dakota [Mr. Burdick].

During the last session of Congress I introduced a bill with a similar purpose which, unfortunately, was not acted upon during the 89th Congress. Following the introduction of that bill, however, several of us conferred with officials of the Internal Revenue Service in reference to the subject matter of that bill, and certain suggestions were made at that time. Those suggestions were incorporated into a later bill introduced in the House of Representatives by Congressman Battin. The bill which I have introduced today is a duplicate of H.R. 16851 of the 89th Congress as introduced by Mr. Battin on August 4, 1966.

This is a matter of some significance to our Indian people throughout the entire country, and I am sure it would be of interest to many Members of the Senate.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 796) to clarify the tax status of American Indians, introduced by Mr. McGee (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

Mr. McGEE subsequently said: Mr. President, I introduced a bill (S. 796) earlier today, with cosponsors. I ask unanimous consent that the bill lay at the desk for 7 days for the addition of other cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

PAYMENT OF SURVIVOR ANNUITIES TO THE WIDOWS OF CERTAIN FORMER MEMBERS OF CONGRESS

Mr. McCARTHY. Mr. President, I send to the desk a bill for appropriate reference and ask unanimous consent that it be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, as requested by the Senator from Minnesota.

The bill (S. 797) to provide for payment of survivor annuities to the widows of certain former Members of Congress, introduced by Mr. McCarthy, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the Record, as follows:

S. 797

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the Civil Service Retirement Act is amended by adding the following new subsection:

"(f) Notwithstanding any other provision of this Act, there shall be paid to the unremarried widow of any former Member of

Congress (1) who served as a Member of Congress for an aggregate of at least twelve years, and (2) whose service as a Member of Congress terminated on or before January 3, 1947, an annuity equal to 50 per centum of an annuity computed in accordance with section 9(c) on the basis of the salary and years of service of such Member. An annuity payable to a surviving widow under this subsection shall commence on the date application therefor is received by the Commision or upon attainment by such widow of age sixty-five, whichever is later, but no annuity shall become payable by reason of the enactment of this subsection for any period prior to the date of such enactment. Any such annuity shall terminate upon the death or remarriage of the recipient."

Sec. 2. Notwithstanding any other provision of law, benefits resulting from the enactment of this Act shall be paid from the civil service retirement and disability fund.

FOREIGN BOYCOTT STUDY RESOLUTION TO DETERMINE IF U.S. FIRMS ARE ADEQUATELY PROTECTED

Mr. JAVITS. Mr. President, for myself and the Senator from New Jersey [Mr. Williams], I submit a resolution to authorize a study by the Committee on Banking and Currency with respect to the effectiveness of present law in protecting U.S. trade and business against restrictive trade practices or boycotts fostered or imposed by foreign countries against other nations friendly to the United States.

Since the Congress in June 1965 enacted the Williams-Javits antiboycott amendment to the Export Control Act, there has been increasing evidence that large as well as small American businesses are still being adversely affected by these restrictive trade practices or boycotts. Secretary of Commerce John Connor reinforced this concern as to the effectiveness of the law in a report to me on the Williams-Javits amendment in which he stated:

> To be fully responsive to your inquiry, I should state that an underlying purpose of the amendment—that of eliminating or markedly reducing the effect on United States firms of certain restrictive practices and boycotts—has not been achieved to any appreciable degree.

Secretary Connor's report underlines the need for a congressional study on the effectiveness of the present law with a view toward determining what further is needed to protect U.S. businesses and trade against the adverse effects of these boycotts and restrictive trade practices.

Particularly affected are American companies threatened by the Arab boycott against Israel. This includes not only such industrial giants as Ford, Coca-Cola, RCA, Zenith, and Sears, but small businesses as well seeking to carry American trade and commerce to all corners of the world. In a detailed report last October, the New York Times indicated that "the Arab boycott of Israel, in effect 15 years, is posing its most striking challenge to American industry." American industry must be bolstered in its resistance to this or any similar such boycott or trade restriction. Successful intimidation of U.S. industry by the Arab nations could well encourage others to undertake a similar challenge.

I ask unanimous consent to have printed in the Record the letter of October 3, 1966, addressed to me from Secretary of Commerce John Connor, concerning the Williams-Javits antiboycott amendment to the Export Control Act, and the New York Times article of October 17, 1966, entitled "Arab Boycott Challenging Major U.S. Corporations."

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the letter and article will be printed in the Record.

The resolution (S. Res. 75) was referred to the Committee on Banking and Currency, as follows:

S. Res. 75

Whereas the Congress enacted through Public Law 89–63 legislation designed to minimize the effect on United States business and trade of restrictive trade practices or boycotts fostered or imposed by foreign countries against other countries friendly to the United States; and

Whereas since the enactment of Public Law 89–63 on June 30, 1965 the Department of Commerce has had opportunity to develop experience with respect to the administration of the law and data on its effectiveness; and

Whereas there is evidence that major as well as small American businesses are still being adversely affected by such restrictive trade practices or boycotts: Therefore be it

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, shall study the effectiveness of present law in protecting United States trade and businesses against adverse effects from restrictive trade practices or boycotts fostered or imposed by foreign countries against other countries friendly to the United States and shall make such recommendations as it may deem necessary to protect United States businesses and trade against the adverse effects of such boycotts or restrictive trade practices.

Sec. 2. The Committee shall report its findings upon the study and investigation authorized by this resolution, together with such recommendations as it deems advisable, to the Senate at the earliest practicable date but not later than June 30, 1968.

The Secretary of Commerce,
Washington, D.C., October 3, 1966.

Hon. Jacob K. Javits,
U.S. Senate,
Washington, D.C.

Dear Senator Javits: This is in further reply to your August 19 letter concerning the antiboycott amendment to the Export Control Act.

The provisions of this amendment continue to be widely publicized. I am satisfied that generally the trading community is aware of the legal requirement to report boycott-type approaches and is reporting such approaches under the existing regulations. The legal requirements established by the legislation therefore appear to be met, and their administration is posing no special difficulties for us.

We have found that there is considerable compliance with U.S. policy by U.S. firms in not acceding to boycott-type requests for information regarding their business and financial relations with firms in third countries as indicated in the Secretary's Quarterly Report to Congress. I feel that the present amendment probably has provided a useful basis for U.S. firms to refuse to cooperate with these aspects of restrictive trade practices and boycotts. To the extent that the considered judgments of these firms is strengthened by U.S. policy, the amendment has been effective.

We have been conducting a continuing review of the reports and implementing regulations which now have been in effect for almost a year. As a result of this review we have already changed the reporting requirement to permit firms to submit reports on a quarterly basis when they have multiple transactions with the same foreign importer. This change has served to reduce the administrative burden of those firms which conduct a large amount of overseas business. In addition, based on our experience, we have decided that shipping regulations designed to insure safe delivery of goods are not restrictive trade practices or boycotts and therefore are not appropriate to the reporting requirement or to the intent of the legislation. Accordingly, I am having the reporting regulations altered to reflect this view. These changes do not detract from the purpose of U.S. policy but do clarify its application. Beyond these revisions, I do not see the need for any additional changes at this time.

To be fully responsive to your inquiry, I should state that an underlying purpose of the amendment—that of eliminating or markedly reducing the effect on U.S. firms of certain restrictive trade practices and boycotts—has not been achieved to any appreciable degree. Together with the Department of State, we have continued to make representations to appropriate government officials in boycotting countries toward achieving the elimination of these practices. However, the more notable cases of boycotts have a long history and deep roots in protracted political problems and deeply held national sentiments, neither of which can be expected to yield easily. Our best hope, I believe, is that the boycotting countries will ultimately recognize that restrictive trade practices and boycotts are in conflict with their own economic self interest. Although I believe it would be premature at this point to draw any final conclusions about the effectiveness of this aspect of the present amendment, it remains my conviction that amending the regulation to impose a prohibition on American businessmen would not work toward this end but on the contrary would be highly detrimental to our overall national and commercial interests.

Sincerely yours,

John T. Connor,
Secretary of Commerce.

The letter and article presented by Mr. Javits are as follows:

[From the New York Times, Oct. 17, 1966]

Arab Boycott Challenging Major U.S. Corporations—Companies Work Behind Scene to Offset Effect of 13 Nations' Anti-Israel Policy—Ford, Coca-Cola and R.C.A. Periled

(By Hedrick Smith)

Cairo, October 16.—The Arab boycott of Israel, in effect 15 years, is posing its most striking challenge to American industry.

Such industrial giants as the Ford Motor Company, its subsidiary, the Philco Corporation, Coca-Cola International Corporation, the Radio Corporation of America, the Zenith Radio Corporation and Sears, Roebuck & Co., have either felt the bite of the boycott or are working to avoid a threatened embargo by the Arab states.

Action or impending action against these major American companies has set off extensive behind-the-scenes politicking and bargaining in the silent, largely hidden, pressure game that arises from the Arab's economic cold war with Israel.

The Ford and Coca-Cola cases are particularly tricky because of potential repercussions of a boycott on their widespread operations in the Arab world, mostly owned and operated by Arab businessmen.

Both companies have discreetly approached

Arab officials with offers to increase their operations in Arab countries to offset planned expansions in Israel, which got them in trouble in the first place. Their argument is that boycott action against them would work against Arab economic self-interest in the long run.

The League of Arab States, formed in 1945, consists of the United Arab Republic, Iraq, Jordan, Lebanon, Saudi Arabia, Syria, Yemen, Algeria, Kuwait, Libya, Morocco, the Sudan and Tunisia.

The situation is rapidly approaching a showdown. The Arab Boycott Committee, composed of the 13 Arab countries and several small states from the Persian Gulf region, will hold its semi-annual meeting in Kuwait on Nov. 16 to decide whether to blacklist Ford and its subsidiary, Philco, the Coca-Cola Export Corporation and R.C.A. All have been placed on the agenda for the session and have been warned against dealing with Israel. General Motors may also be discussed.

Zenith and Sears, Roebuck have already been blacklisted, Zenith for its decision to forsake Arab markets and produce television sets in Jerusalem and Sears out of apparent confusion with an unrelated British company named Sears. The American Sears has nettled boycott officials by declining even to explain its innocence.

To some ardent Arab nationalists, this fall, the culmination of a steady build-up in boycott activities, represents a make-or-break test. Others see the situation in reverse: a deliberate attempt by Israel to "up the ante" by soliciting offers from important American manufacturers to pose a direct challenge to the boycott.

Still others, most notably the United States Government, would like to avert a head-on economic clash with its inevitable political overtones. But Washington's hands are technically tied by a Congressional resolution approved in June, 1965, which asserts that it is against United States policy to recognize a foreign boycot against a friendly nation.

Even to complain about the Arab boycott or to help negotiate a solution to the present impasse would be to recognize the boycott, American diplomats feel.

Furthermore, while the United States presses its own embargoes against Cuba and North Vietnam, among others, it is in an awkward position to protest to the Arabs about the impropriety of their anti-Israel boycott or to the Israelis about their counterboycott of the Arabs.

For businessmen, walking an economic tightrope in the Middle East is an old problem. For years they have faced a dilemma: whether to do business with Israel, a nation of 2½ million people, and run the risk of having their products banned by 13 Arab countries with 100 million people; or whether to cater to the Arab market, ignore Israel and risk pressures from Zionists and Jewish groups in the United States, Europe and elsewhere.

Now, American companies have an additional problem—Congress has encouraged them to refuse to answer Arab boycott questionnaire, though such refusal can lead to blacklisting in some cases. Instead, the companies are supposed to report to the Commerce Department any approach from Arab or Israeli boycott offices.

The Arab boycott began in earnest in 1951 as a campaign to weaken Israel's economy and armed forces by limiting her access to foreign markets, sources of arms and supplies, and foreign capital and technical know-how.

Arab officials assert that though the boycott has not crippled Israel it has nonetheless achieved considerable success. Mohammed Mahgoub, the Egyptian commissioner-general of the boycott, says that since 1951 the organization has taken action against 8,000 to 9,000 companies.

Of these, he says roughly 90 per cent eventually complied with boycott regulations. The other 10 per cent, or about 800 companies, refused because, according to Mr. Mahgoub, they are "Zionist controlled."

ARMS STILL DELIVERED

Israeli officials are said to consider the boycott more of a nuisance than a serious deterrent to economic development or military security. Arms deliveries from France, West Germany and others have not been significantly affected.

Israeli officials also maintain that each time important companies, such as major airlines, stand firm, action against them is dropped not because they have complied with regulations but because the Arab states have found they cannot enforce the boycott.

Independent observers also note important boycott loopholes. Japanese industry, for example, which does 25 times as much business with the Arabs as with Israel, has segregated its foreign trading companies into those that deal with Israel and those that deal with the Arabs.

Communist countries adopt the same approach, setting up special companies to deal only with Israel. In the West, such concerns as Revlon, Inc., the Chemstrand Corporation and Zenith have written off the Arab market and concentrated on Israel.

Others trade with Israel through middlemen, or relabel the products they sell in Israel or handle their trade through third countries.

According to an assessment by the United States Commerce Department last May, there is "a general pattern of refusal by American firms" to comply with boycott warnings about their over-all business relations with Israel. The study, added, however, that exporters were "more inclined to cooperate" with boycott rules on shipping, which affect roughly two-thirds of the Arab boycott cases involving American companies.

Some analysts report that Arab countries have had to pay a considerable price for boycott regulations on international shipping. The reason is that shippers eventually pass on to Arab customers the costs of delays or blocked cargos caused by enforcement of the boycott.

Although the most sensational boycott cases often involves the United States, Britain, West Germany and France, the boycott's effect is worldwide. The most recent group of additions to the Arab blacklist included Israeli ventures in four African countries—Sierra Leone, the Congo, Ethiopia and Nigeria.

India, one of the Egyptians' most important trade and payments partners, has 21 concerns on the blacklist, including the Government-owner Praha Machine Tools Co., Ltd. Ships from Bulgaria, Poland and other Communist countries are periodically barred from Arab ports because of blacklisting.

Arab spokesmen, asserting that the boycott is not based on religious or racial descrimination, note that Arab countries deal with some Jewish companies, whereas Moslem-owned companies in Turkey, Iran and Cyprus have been blacklisted by the Israelis.

Inconsistency in applying the recommendations of the boycott headquarters in Damascus, Syria, or the decisions of the Arab League Boycott Committee, has made it exceedingly difficult for businessmen to know the ground rules, Major oil companies have clerical workers constantly keeping track of which ships are blacklisted.

Technically, the boycott is not applied, as one Arab League document explains, against companies with "pure normal trade dealings with Israel" in which Israeli customers pay hard currency for finished imported products, unless they are "helpful to the war effort of Israel."

Officially, the boycott is imposed against companies that have factories or assembly plants in Israel either run by the parent concern of its agent companies that import Israeli products; companies that help Israel prospect for oil or other natural resources that will strengthen the economy; companies that provide consultant or technical services to Israeli industry or grant Israeli companies manufacturing licenses or the right to use brand names; and the parent concerns or subsidiaries of blacklisted companies.

HOTELS IN BOTH AREAS

Generally, service industries have not been affected, even though they may provide jobs and hard currency earnings for Israel. Hilton International Company, for example, has hotels in Cairo and Tunis, is opening a new one in Morocco, and has one in Tel Aviv. The Sheraton Corporation of America, which has a hotel in Israel, signed a contract this summer to run a hotel in Cairo.

Trans World Airlines, Pan American World Airways and other international carriers serve Israel as well as the Arab states. Some banks have acted as financial agents for Israel while handling Arab accounts and loans. A ripple of anxiety went through the New York financial community two years ago when the Arabs threatened to boycott the Chase Manhattan Bank on grounds that it had handled an Israeli bond issue. But the boycott was never imposed.

Ships are blacklisted if they try to stop at an Israeli and an Arab port on the same roundtrip, if they transport Jewish immigrants or articles of war into Israel, or if they carry Israeli industrial, commercial or agricultural exports.

Some Arab officials insist that the current cases involving major American companies fall under these rules. Ford is in hot water for having licensed its Israeli dealer, Palestine Automobile Corp., Ltd., to assemble knocked-down British and American Ford trucks and tractors. Coca-Cola is in trouble for having granted a franchise for a bottling plant in Israel to Abraham Feinberg, a New York banker.

The Israeli agent of General Motors, Leo Goldberg, announced in late September a "concrete offer" by the giant American car manufacturer to invest in an automobile assembly plant in Israel. Five days later the boycott director of Lebanon warned that if this were true he would move to put General Motors on the agenda for the boycott meeting in Kuwait. Press reports from Kuwait said General Motors issued a statement there last Wednesday denying plans to invest in an assembly plant in Israel.

No Arab official has yet publicly disclosed the alleged offense by R.C.A., but other sources suggest that it may involve the pressing of phonograph records in Israel.

The Ford case has potentially the widest implications of any so far affected by the boycott. If carried out to the letter against Ford, the boycott not only would affect the parent company but also 30 subsidiaries, including Philco, which has sizable television and radio sales in Lebanon, Libya, and Saudi Arabia and reported military communications contracts in Jordan, Libya, Morocco, Saudi Arabia and Tunisia.

John Andrews, Ford's vice president for foreign operations, is said to have pointed out to Arab officials that there were about 60,000 Ford vehicles in Arab countries that would continue to need spare parts. To this, Mr. Mahgoub, the Boycott chief, replies that Ford parts are made by three independent American companies and if Ford is boycotted, Arab customers will buy directly from these concerns.

In addition to a network of Arab-owned dealerships in Arab countries, Ford has two assembly plants, one in Morocco and one in Alexandria. The Egyptian plant, with 300 employes, has been idle except for spare-parts business for 18 months because Cario did not allocate the foreign exchange to buy assembly kits abroad.

Egyptian authorities have repeatedly urged Ford to manufacture trucks and cars for reexport to offset import costs and to help Cairo earn hard currency. Not long after the first boycott warning, Ford is reported to have made "an attractive offer" to comply with this request to make trucks and other vehicles for export.

NEW COLA-COLA ARRANGEMENTS

Like Ford, Coca-Cola has been doing business in Israel for years but the boycott office maintains that new arrangements for a local bottling plant there, to replace direct sales of bottled soft drinks to Israel, "violates permissible activities."

But as in the Ford case, boycotting Coca-Cola, could have a boomerang effect in the Arab world. According to Arab statistics, Coca-Cola has 29 bottling plants in Arab countries with 5,000 local employes.

When Americans observe that these plants would close and people be thrown out of work, Arab boycott enthusiasts reply that the plants could be nationalized and converted to production of local soft drinks. The United Arab Republic has started promoting a new Coke-colored drink called Randa, but it has failed to gain wide acceptance.

Coca-Cola has recently taken large advertisements in Egyptian newspapers to emphasize its contribution to the economy and to disclose plans for building a concentrate plant, its first in the Middle East, at Port Said. This is a new development since the boycott warnings to Coca-Cola.

A number of boycott administrators privately take a pragmatic approach to blacklisting foreign concerns. One high official in Alexandria confided to a foreign friend that "if it's in our interest, we should continue to import a product" even if it technically should be boycotted.

"The problem," one businessman explained, "is to get this off a question of principle and onto the level of practicality. What is needed is a new recognition of what is in the Arab self-interest and what is not. We hope for a rational turn in this direction."

Legalistic application of boycott rules in the past has occasionally led to bewildering results. Several years ago an American ship arrived in Beirut to unload some wheat after a stop at Haifa. She was forced to go to Cyprus and unload there to purge herself, then take on the wheat again and deliver it to Beirut.

More recently, American vessels have been able to clear themselves of the blacklist when they delivered American food shipments to Cairo by declaring they would not return to Israel again.

ACTOR A VICTIM

Sal Mineo, the American movie actor, was once blacklisted for having played a Zionist fanatic in the movie "Exodus" but the ban was lifted after he portrayed an Arab nationalist in another film, "Escape From Zahrein."

Two years ago, the Lebanese boycott office refused to permit the showing of Walt Disney's "Sleeping Beauty" because the horse in the movie had an Old Testament name—Samson. The Lebanese boycott director wanted it changed to Simson, but that would have required a new soundtrack.

Even athletic teams are supposed to "keep clean." Three years ago, however, the Tottenham Hotspurs, one of Britain's leading soccer teams, played an exhibition in Cairo shortly after appearing in Tel Aviv. There was not a word of protest.

"When it suits them, they stew about it," one Britain said. "And when it doesn't, they ignore it."

Implementation of the boycott is left to each country or its boycott director. Recommendations from the central boycott office or decisions of the twice-a-year boycott meetings, attended by the 13 Arab League states plus five Trucial States, are not binding. Each country applies them as it sees fit, or can initiate action on its own.

In Lebanon, censors carefully clip out newspaper and magazine advertisements of El Al, the Israeli airline, from foreign publications. In the United Arab Republic, these pass without notice.

EGYPTIANS MOST PRAGMATIC

In the past, Syria and Lebanon have been among the most aggressive in raising boycott cases. Kuwait, Libya and Saudi Arabia also have reputations for harsh enforcement.

One theory is that the oil producing countries are rich enough to buy substitutes for the products they embargo. Another is that private businessmen who do most of the trading have less influence than state-owned companies in the socialist Arab states with the public officials who run boycott offices, and are less able to get concessions for their favorite products.

Ironically, the United Arab Republic, though it is the self-proclaimed leader of Arab nationalism, is considered the most pragmatic in its approach, often overlooking violations of companies with which it feels it must deal.

Algeria, Morocco and Tunisia, the western Arab countries, reportedly ignore the boycott more than they observe it, snce they are generally less involved in the Israeli issue than eastern Arabs.

AUTHORIZATION TO PRINT AS A SENATE DOCUMENT THE 10TH ANNUAL REPORT ON THE STATUS OF THE COLORADO RIVER STORAGE PROJECT AND PARTICIPATING PROJECTS

Mr. ANDERSON. Mr. President, the 84th Congress, in 1956, enacted a constructive and forward-looking law known as the Colorado River storage project. I was a sponsor of S. 500, which resulted in Public Law 485, of the 84th Congress.

Section 6 of that law requires the Secretary of the Interior to report to the Congress each year "upon the status of revenues from, and the cost of, constructing, operating, and maintaining" this project.

This report has proved to be of such widespread interest that it deserves to be printed to keep the Nation and the millions of people dependent on this project informed of the status of this great work.

Mr. President, the 10th annual report was received on December 10, 1966. Therefore, I send forward a resolution calling for the printing, as a Senate document, of this most interesting report.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 76) was referred to the Committee on Rules and Administration, as follows:

S. Res. 76

Resolved, That there shall be printed as a Senate document the Tenth Annual Report on the Status of the Colorado River Storage Project and Participating Projects, prepared by the Department of the Interior, and an introductory statement by Senator Anderson, and that five hundred extra copies be printed for the use of the Senate Interior and Insular Affairs Committee.

LEGISLATIVE REORGANIZATION ACT OF 1967—AMENDMENT

AMENDMENT NO. 66

Mr. MAGNUSON. Mr. President, I submit an amendment to S. 355 and send it to the desk, which will be known as title VI, a separate title to be added to the bill, and ask unanimous consent that it be printed in the Record.

The PRESIDING OFFICER. The amendment will be received, and printed, and will lie on the table; and without objection, it will be printed in the Record.

The amendment (No. 66) was ordered to lie on the table and to be printed in the Record, as follows:

At the end of the bill, add a new title, title VI, as follows:

"FISCAL SESSIONS OF THE CONGRESS

"Sec. —. The meeting of the Congress which begins on the third day of January of each year (or on such day as they shall appoint pursuant to section 2 of article XX of the articles of amendment to the Constitution) shall terminate on the first Monday in November of such year unless the Congress has adjourned such meeting sine die prior to such first Monday. Each such meeting, and every other meeting, of the Congress, other than a meeting pursuant to section 102 of this title, shall be known as a 'legislative session'. The legislative sessions of each Congress shall be numbered serially.

"Sec. —. The Congress shall assemble on the second Monday of November of each year for the purpose of considering bills and resolutions making appropriations for the support of the Government. Such meeting shall terminate on December 31 of such year unless the Congress has adjourned such meeting sine die prior to such day. Each such meeting shall be known as a 'fiscal session'. The fiscal sessions of each Congress shall be numbered serially.

"Sec. —. (a) Except as provided in this section, no matters shall be considered by the House of Representatives or the Senate during a fiscal session other than bills or resolutions making appropriations for the support of the Government.

"(b) The provisions of subsection (a) shall not preclude any committee of the House of Representatives or the Senate or any joint committee of the two Houses from meeting during a fiscal session for the consideration of any matter over which such committee or joint committee has jurisdiction, or from holding hearings or conducting studies and investigations with respect to any such matter, but, except as provided in this section, no committee of either House, other than the Committees on Appropriations, shall, during a fiscal session, report any bill or resolution or take any other legislative action, and no committee of the Senate shall report any treaty or nomination.

"(c) Notwithstanding the provisions of subsections (a) and (b), the appropriate committees of the House of Representatives and the Senate may report, and the two Houses may consider, during a fiscal session, any bill or resolution if the President notifies the Congress that the consideration of such bill or resolution during such fiscal session is necessary in the national interest.

"(d) Notwithstanding the provisions of subsections (a) and (b), the appropriate committee of the Senate may report, and the Senate may consider, during a fiscal session, any treaty or nomination if the President notifies the Senate that the consideration of such treaty or nomination is necessary in the national interest.

"(e) For purposes of this section, in the case of a joint committee which has legislative jurisdiction, the members of the joint committee who are Members of the Senate shall be considered as a committee of the Senate, and the members of the joint committee who are Members of the House shall be considered as a committee of the House.

"Sec. —. (a) Except as provided in this section, the House of Representatives and the Senate shall not consider any bill making appropriations for the support of the Government during a legislative session.

"(b) The provisions of subsection (a) shall not preclude the Committees on Appropriations of the House and Senate from meeting during a legislative session for the consideration of any matter over which such committees have jurisdiction, or from holding hearings or conducting studies and investigations with respect to any such matter, but except as provided in this section, neither of such committees shall, during a legislative session, report any appropriation bill or resolution.

"(c) Notwithstanding the provisions of subsection (a) and (b), the Committees on Appropriations of the House and Senate may report, and the two Houses may consider, during a legislative session, bills or resolutions making supplemental or deficiency appropriations for the fiscal year which is current during such legislative session.

"Sec. —. The provisions of sections 103 and 104 shall not preclude the reconsideration by the House of Representatives and the Senate, during any session, of any bill or of any order, resolution, or vote returned by the President to either House pursuant to the second or third paragraph of section 7 of article I of the Constitution.

"Sec. —. For purposes of this title, the term "appropriations" has the meaning assigned to it by section 2 of the Budget and Accounting Act, 1921 (31 U.S.C. 2).

"Sec. —. (a) Sections 101 and 102 of this title shall become effective at noon on the day on which the Congress assembles, pursuant to section 2 of article XX of the articles of amendment to the Constitution, in the year 1963.

"(b) Sections 103, 104, 105, and 106 of this title shall become effective upon the adjournment sine die of the meeting of the Congress which begins pursuant to section 2 of article XX of the articles of amendment to the Constitution in the year 1963.

"CHANGE OF FISCAL YEAR

"Sec. —. Section 237 of the Revised Statutes (5 U.S.C. 256) is amended to read as follows:

" 'Sec. 237. (a) Except as provided in subsection (b), the fiscal year of the Treasury of the United States in all matters of accounts, receipts, expenditures, estimates, and appropriations shall commence on July 1 of each year and end on June 30 of the following year.

" '(b) The fiscal year of the Treasury of the United States which commences on July 1, 1967, shall end on December 31, 1967. The next succeeding fiscal year shall commence on January 1, 1968, and end on December 31, 1968, and thereafter the fiscal year of the Treasury of the United States shall commence on January 1 and end on December 31 of each year.

" '(c) All accounts of receipts and expenditures required by law to be published annually shall be prepared and published for the fiscal year, as established by subsections (a) and (b).'

"Sec. —. The following provisions of law are repealed:

"(1) The ninth paragraph under the headings 'Legislative Establishment', 'Senate', of the Deficiency Appropriation Act, fiscal year 1934 (48 Stat. 1022; 2 U.S.C. 66); and

"(2) The proviso to the second paragraph under the headings 'House of Representatives', 'Salaries, Mileage, and Expenses of Members' of the Legislative Appropriation Act, 1955 (68 Stat. 400; 2 U.S.C. 81).

"Sec. —. (a) Appropriations for the fiscal year which begins on July 1, 1965, shall be made at the legislative session of the Eighty-eighth Congress which begins on January 3, 1965 (or on such day as may be appointed pursuant to section 2 of article XX of the articles of amendment to the Constitution). Appropriations for the fiscal year which begins on January 1, 1968, shall be made at the fiscal session of the Eighty-eighth Congress which begins on the second Monday of November 1967. Appropriations for each fiscal year thereafter shall be made at the fiscal session of the Congress which immediately precedes the commencement of such fiscal year.

"(b) Nothing contained in subsection (a) shall preclude the making of deficiency or supplemental appropriations for any fiscal year—

"(1) at any session of the Congress prior to the fiscal session of the 90th Congress which begins on the second Monday of November 1967; or

"(2) at any fiscal session of the Congress.

"AMENDMENTS TO THE BUDGET AND ACCOUNTING ACT, 1921

"Sec. —. (a) Section 201 of the Budget and Accounting Act, 1921 (31 U.S.C. 11), is amended—

"(1) by striking out in subsection (a) 'during the first fifteen days of each regular session' and inserting in lieu thereof ', at the time specified in subsection (d)'; and

"(2) by adding at the end thereof three new subsections as follows:

" '(b) With respect to expenditures and estimated expenditures referred to in subsection (a), the Budget shall show the amount (if any) of each expenditures and estimated expenditure which will be reimbursed or repaid to the United States under laws existing at the time the Budget is transmitted. With respect to appropriations and proposed appropriations referred to in subsection (a), the Budget shall show the amount (if any) of each appropriation and proposed appropriation which will be reimbursed or repaid to the United States under laws existing at the time the Budget is submitted. With respect to receipts and estimated receipts referred to in subsection (a), the Budget shall show the amounts received or expected to be received as reimbursement or repayment of amounts appropriated and expended under any law.

" '(c) In addition to the information required by subsection (a), the Budget shall contain a statement, in such form and detail as the President may determine, of the capital assets of the Government, and their value, as of the end of the last completed fiscal year.

"'(d) The President shall transmit the Budget to the Congress as follows:

" '(1) for any fiscal year prior to the fiscal year which begins on January 1, 1968, during the first fifteen days of the session which begins on the day prescribed, or appointed pursuant to, section 2 of article XX of the articles of amendment to the Constitution preceding the commencement of the fiscal year, and

" '(2) for the fiscal year which begins on January 1, 1968, and for each fiscal year thereafter, on or before July 15 of the year preceding the commencement of the fiscal year.

If the Congress is not in session on the day on which the President submits the budget for the fiscal year which begins on January 1, 1968, or for any fiscal year thereafter, such budget shall be transmitted to the Clerk of the House of Representatives and shall be printed as a document of the House of Representatives.'

"(b) This section shall become effective on July 1, 1967.

"Sec. —. (a) Section 201(a)(5) of such Act is amended by striking out 'October 15' and inserting in lieu thereof 'May 15'.

"(b) This title shall become effective on May 1, 1967."

Mr. MAGNUSON. Mr. President, the Senator from Pennsylvania [Mr. Clark] is a cosponsor of this amendment. He and I hope that we can have some discussion on it, because it is quite important and is a new title. Perhaps debate will be had today or tomorrow—probably tomorrow.

Mr. President, I ask unanimous consent to have printed in the Record a statement I made before the Joint Committee on Organization of the Congress.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT OF SENATOR WARREN G. MAGNUSON BEFORE THE JOINT COMMITTEE ON ORGANIZATION OF THE CONGRESS

It gives me considerable pleasure to appear before this Joint Committee on Organization of the Congress. While my purpose here today is that of urging full support to a bill which I have introduced in several previous sessions of Congress, I would like to first congratulate this fine committee for the task it has taken upon itself to accomplish. As our country and its society changes, its institutions must constantly examine themselves in order to ascertain whether they are continuing to fulfill their functions in the most expeditious manner. The United States Congress is such an institution. It is an institution for governing a great people and as the needs, habits, and customs of those people change, so should the modes of government. I have long felt the need for certain alterations in the established pattern by which Congress operates. That is why I have long advocated S. 2501, a bill to provide for two distinct sessions of Congress each year, a calendar fiscal year, and certain changes in Federal accounting procedures.

It is appropriate for us to consider possible reforms in the legislative process at this time. We are nearing the completion of what has been called the most productive Congressional session in history. Yet many of our accomplishments this year were in fact proposals that have been before us for several years and were long overdue. That this session of Congress saw their birth was due to several factors which I leave to the political writers and political scientists to ascertain, but it is quite clear that in most cases the period of gestation for most of the major accomplishments of this session was just too prolonged. Now that we have cleared away some of the most pressing and long-needed bills, it is time to consider how we can avoid these long delays in the future. We cannot just sit back and expect to have the same political factors present in the future as we have had this year.

The need for a current evaluation of the present Congressional operation can be seen when it is recalled that the last major reorganization of Congress was accomplished by the Congressional Reorganization Act of 1946. At that time the activities of Congress reflected a wartime budget and consequently the suggested reforms would not be based on the full experience of a peacetime Congress. Today a major share of our budget is headed for social programs and this means a different type of budgetary control and examination is needed by Congress now. It is with this in mind that my proposal is being put before your committee.

As this committee has indicated by its hearings on the Bureau of the Budget, no inquiry into Congressional reorganization would be complete without consideration of the Congressional role in our national fiscal policies. We have all come to realize the impact of federal taxation and spending upon our national economy. How much we tax and how much we spend can directly arrest a recession or maintain a prosperity boom such as the one we are now enjoying. Thus, it not only becomes important, but also necessary that Congress be in the best possible position to judge these national fiscal policies, to eliminate waste, and to provide for necessary spending on the most economic basis.

With an improved overview of national fiscal policies as an objective, I have introduced

Senate Bill 2501. Under the present system, Congress must deal with such measures as aid to education and then an appropriation bill in the very same week. This situation makes it impossible for us to accomplish our tasks adequately. In addition, as a session nears it conclusion, Congress is pressured by the administrative departments to get "something passed" so that salaries and Government obligations can be met.

Mine is a three-fold bill which will: (1) provide for a regular annual fiscal session to be separate from the session on all legislative matters; (2) establish the calendar year as Government's fiscal year; and (3) provide Federal accounting procedures which would insure a business-like appraisal of the Government's fiscal position in the light of the President's annual budget.

In the "fiscal session" of Congress, beginning annually on the second Monday of November and extending until December 31, committees other than Appropriations in either House might still meet, hold hearings or conduct studies and investigations of matters under their respective jurisdictions, but ordinarily, the only measures which would be introduced, reported upon, or enacted would be money bills.

On the other hand, the present regular session of Congress beginning on January 3rd, and any special sessions, would originally be confined to consideration of all other, non-fiscal measures. These would be known as "legislative sessions."

Treaties, nominations, or other measures whose consideration during a fiscal session is requested by the President as being in the national interest would provide certain necessary exceptions to the division of Congressional business between legislative and fiscal sessions. Also action migh be taken on required deficiency appropriations during the legislative session.

I view inauguration of "fiscal sessions" the logical and most practical solution to the ever-increasing problem of thorough and timely action by Congress on appropriation bills. We in Congress are as responsible as the executive branch to the nation for the wise and prudent disposition of public funds.

Sandwiching work on money bills into ordinary legislative business makes it almost impossible to meet that national responsibility. By contrast, the "fiscal session" plan will permit Congress periodically to devote its entire energies to these important matters without the pressure, haste, and confusion which has become too often associated with the consideration of money measures.

Title I of the bill sets up the "fiscal session" and establishes the difference between this and the "legislative session."

The proposed plan would mean that we would have all of our very important fiscal problems in one package. We would know what Congress had already authorized for the coming fiscal year, and we would thus be able to ascertain whether additional appropriations or taxes were necessary. Thus, the whole problem of fiscal policy would be in better perspective, not only for us in Congress but also for the President and the people of the country. This is in contrast to our present practice of appropriating in the dark.

Members of executive departments could study the activities of Congress during its legislative session and tailor the budget accordingly. The Budget Bureau's problem of anticipating the cost of possible new legislation and of rushing supplemental estimates to Congress in late spring or early summer to cover such legislation would be eliminated.

The period between the legislative and fiscal session would provide an intervening time in which Members of Congress can return to our home States and report to constituents. It would be a time that the full effect of the just completed legislative session could be discussed and the constituent's feelings about the upcoming fiscal session could be ascertained. This intervening period would be during the summer and early fall, a time much more adaptable to communicating with the people than our present system. It is the time of year when the weather permits outdoor gatherings and traveling between the smaller towns.

The existence of divided sessions of Congress can also have a direct affect on the health and well-being of the Members of Congress. There are many cases where long and tedious sessions of Congress such as the one we are now experiencing have undermined the health of many fine men. My proposal should establish a definite intervening time that can be used by the Congressman to get away from the pressures of Congress. The present situation where one does not know just when adjournment will come is exhausting, both physically and mentally.

Title II of the bill amends Title 5, Sec. 256 of the U. S. Code, and other related statutes, to establish the calendar year as the government's fiscal year—thus putting the federal accounting cycle in step with universal business practices. The bill provides the first calendar year will be 1967, commencing immediately after the first fiscal session, in November and December of 1966. Appropriations only for the period July 1 to December 31, 1966 would be made during the session of Congress beginning January 3, 1966.

This provision allows the fiscal session of Congress to take place prior to the beginning of a new fiscal year.

It is interesting to note that while the budget of the Federal Government is based on a fiscal year beginning on the first of July, all of the income from taxes are reported to the Federal Government on a calendar year.

The concept of a fiscal year beginning on July 1st was adopted early in our Nation's history when Congressional sessions were short. Since the overall operation of the Federal Government was small, Congress by convening in January could still accomplish both its appropriations and legislative functions before July. Now with the need for longer sessions and as I feel, legislative and fiscal sessions, we should set the fiscal year to coincide with the calendar year.

Title III affects changes in the time of submission and content of the President's budget, amends section 201 of the Budget and Accounting Act of 1921. Beginning in 1966, the budget for the succeeding fiscal year would be required to be submitted on or before July 15, or approximately four months prior to the beginning of the fiscal session during which it will be passed upon. The benefits of having the budget published and on record well in advance of its consideration by Congress are obvious.

In order that the fiscal position of the government be reflected in a more businesslike manner, this title requires the annual budget to incorporate two features not now required by law: (1) a showing of the amount of proposed appropriations and expenditures which are reimbursable to the Treasury, and (2) a report on the total capital assets of the government, and their value, as of the end of the last completed fiscal year.

These items are essential to give Congress and the American people a true picture of the federal financial position. The effect of the size of the budget as a whole cannot be properly analyzed unless some over-all differentiation is made between absolute and reimbursable expenses. Even more important is the long-overdue requirement that some accounting be kept of our Government's capital assets.

It is almost impossible to make an intelligent appraisal of the Nation's solvency in terms of debt alone for the same reason that the idebtedness of a business or of an individual means nothing unless we also know something of their assets. The Federal Government today has the ownership of billions upon billions of dollars of lands, minerals, buildings, capital goods, supplies, and equipment. Inconceivable as it may seem to an outsider, no official accounting has ever been required to show the current value of this property, against which to measure the amount of our national debt. Surely this reform is now, more than ever, demanded.

The Government keeps books in a manner which no one else would attempt. We consider what comes in, and what is appropriated for the year, and the difference is a deficit, with no indication to the American people of the capital assets which the Government holds. No record of capital assets, such as are compiled by any well-operated private concern, is promulgated by the Federal Government.

The present Budget document, now running several pounds of figures each year, has become an object of public ridicule because of its complexity. This has been a complete failure as far as governmental public relations is concerned. It does not provide a balance sheet of assets and liabilities of the Federal Government nor does it provide a realistic operating expense statement. It fails to even present the standard information which every stockholder expects in a corporation's annual report. Those Americans who know how to read a business financial statement could read and understand the Federal budget if it were put together on a capital budget as well as an operating budget basis. The American people have a right to know and communication with them should be made in terms and language which they can understand.

The present Federal budgetary practice cannot be justified or rationalized. The system is internally inconsistent because it handles corporate accounts and trust funds as exceptions. It is no longer a unitary budget, yet it is not a truly dual budget. Revolving funds, Treasury advances, Commodity Credit Corporation loans, guarantees, contingent liabilities, TVA revenue bonds, earmarked revenues as for highway and duck refuges, failure to charge depreciation, are some of the many confusing elements.

I strongly recommend the adoption of a Federal capital budget as one of the most important procedural reforms for improving the conduct of the business of the Federal Government, and for casting off the blinders of the single fiscal year point of view in favor of longer range financial planning.

The adoption of the capital budget principle was recommended by the Hoover Commission on two occasions. The Commission stated in 1949, "We recommend that the budget estimates of all operating departments and agencies of the government should be divided into two primary categories—current operating expenditures and capital outlays."

The argument against such a proposal for a capital assets budget is often based on the contention that since the Federal Government is not going to close business it does not make any difference what capital assets are in existence. However, I do not suppose American Telephone and Telegraph Company will cease business, yet this company lists its capital assets.

The proposal that the amount of proposed appropriations and expenditures which are reimbursable to the Treasury be shown in the Budget is made in order to give the American people a clearer picture of the Federal Budget operation. While it has been explained to the public that some of the money which we appropriate is not only reimbursable to the Treasury but also often returns with interest, many people still misunderstand this operation.

The proposals urged by me today may involve resolving some problems and complications, but we must make a start somewhere to bring more order into our fiscal policy approach. One problem with the concept of a fiscal and legislative session of Congress has been noted. This is the existence of a possible "lameduck" Congressman during the fiscal session. I believe, however, that this is something which could be handled without too much trouble, since it is only the Finance and Appropriations Committees which might be affected. One solution for this whole matter might be to swear in the newly elected Member of Congress on December 1 so that they will be able to participate in the formation of the new Budget, bringing with them the fresh new ideas of the electorate.

There may be many changes in my proposals which this Committee finds necessary. However, I have offered these ideas as considerations for your Committee to make in its study of Congressional reorganization. S. 2501 can provide a very good starting place and I recommend it for your approval.

Thank you.

ADDITIONAL COSPONSORS OF BILLS

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Alabama [Mr. Hill], I ask unanimous consent that, at the next printing of the bill (S. 326), the Community Services Act of 1967, the name of the Senator from Massachusetts [Mr. Kennedy] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAYH. Mr. President, I ask unanimous consent that the names of Senators Cotton, Gruening, Hart, and Inouye be added to S. 369, to amend title XVIII of the Social Security Act so as to eliminate, in certain cases, the requirement that an insured individual have first been admitted to a hospital in order to qualify under such title for the extended care services provided thereunder, at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the names of Senators Metcalf and Tydings be added to S. 451, a bill to amend the Clean Air Act in order to authorize an investigation and study to determine means of propelling vehicles so as not to contribute to air pollution, at the time of the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARINGS BY DISARMAMENT SUBCOMMITTEE

Mr. GORE. Mr. President, as chairman of the Subcommittee on Disarmament of the Committee on Foreign Relations I wish to announce that the subcommittee will begin hearings this week on current disarmament questions. Mr. Richard Helms, Director of the Central Intelligence Agency, will be the first witness in an executive session in room S-116 of the Capitol, at 2:30 p.m. on Friday, February 3, 1967.

The subcommittee will hear testimony on a range of issues, including conventional arms sales, the antiballistic missile issue, and the prospects for negotiating a nonproliferation treaty.

NOTICE OF HEARINGS ON CONSTITUTIONAL IMPLICATION OF MIRANDA AGAINST ARIZONA

Mr. BAYH. Mr. President, as chairman of the Senate Judiciary Subcommittee on Constitutional Amendments, I wish to announce forthcoming hearings on the effects of the Supreme Court decision of Miranda against Arizona on law enforcement agencies. Hearings will be conducted on February 6 and 7, 1967, in the Federal District Court room No. 1 in Houston, Tex. Any persons interested in these hearings should contact the subcommittee staff in room 419 of the Senate Office Building.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 5, Public Law 115, 78th Congress, and House Resolution 200, 90th Congress, the Speaker had appointed Mr. Thompson of New Jersey, and Mr. Cleveland of New Hampshire as members of the Committee on the Disposition of Executive Papers, on the part of the House.

NEW CHALLENGES IN INTERNATIONAL RELATIONS

Mr. CARLSON. Mr. President, Kansas State University is holding a series of lectures on our international problems. They will be known as the Alfred M. Landon Lectures on Public Issues.

The Honorable Alfred M. Landon is a most distinguished Kansan and elder statesman of the Nation. Governor Landon has brought honor to his State, not only as a Governor of Kansas and candidate for the Presidency of the United States, but also as a spokesman of unusual spirit and dedication on public issues. His political personality is a harmonious blend of conservative and liberal strains within the American tradition of politics.

It is appropriate, therefore, that the Nation's oldest land-grant institution—Kansas State University—inaugurate a lecture series in his name, directed to filling a need for public information and objective discussion of public issues. Outstanding political figures of both major political parties will be selected as lecturers to discuss matters of national and international interest.

Among those who have accepted and will participate in this lecture series are Robert F. Kennedy, Arthur M. Schlesinger, Jr., George W. Romney, Ronald W. Reagan, and Ralph E. McGill.

Governor Landon spoke first on this series of lectures and delivered an outstanding address at Kansas State University on December 18, 1966. In his excellent address he stated:

> The world is truly in an era of greatest change. World peace and stability depend on harmonious relations between China—the Soviet Union—and the United States. The time has come for each to completely reappraise its foreign policies. Each major power must ask itself whether it correctly perceives new realities—whether momentous world changes have evoked commensurate policy responses. Specifically, each must introspectively assess whether continuing confrontation with its military strength is the most effective means to assure world peace and stability—and hence its own security.
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> What are these new realities? They include—the Soviet modernizing of Communist dogma—the Sino-Soviet split—European self-determination and independence from Soviet and American domination—the advent of Chinese nuclear power—the growing nonalignment of developing nations—the recession of the Communist tide—and worldwide acceptance of the concept of the welfare state. In a nut shell—these are the new challenges wrought by the new nationalism.

Governor Landon further stated:

> While I staunchly believe in and support President Johnson's policies of new contacts with both the Soviet Union and China as the basis for better international understanding, I believe Senator Fulbright's announced plan for a full and comprehensive review by the Senate Foreign Relations Committee in both public and closed hearings is both timely and essential.

Mr. President, hearings as suggested by Governor Landon are now being held by the Senate Foreign Relations Committee under the able leadership of its chairman, the Honorable J. W. Fulbright, of Arkansas.

Governor Landon early in December not only suggested these hearings, but also urged that they be held in order that our people may be informed of the trend of our international affairs. These hearings, in my opinion, should do much to allay the fears of our citizens that we are becoming overcommitted as a nation in every section of the globe.

It is my hope that at the conclusion of these hearings, the American people will have a better understanding not only of our international problems, but that they will also be informed of the direction in which we are headed.

I ask unanimous consent that Governor Landon's address be made a part of these remarks.

There being no objection, the text of the lecture was ordered to be printed in the Record, as follows:

New Challenges in International Relations

(By Alfred M. Landon)

We must face the challenges of new realities of international life today.

The world is an armed camp. An uneasy peace is maintained—while a power struggle continues to build up between the Soviet Union and China—with the United States neutral between them. On the other hand, we support South Vietnam's opposition to Communist aggression.

India—the second largest nation—wrecked by Socialistic leadership—is racked by internal dissension and menaced by external threats.

The potential colossus of China—the world's most populous nation—is experiencing a severe internal revolution.

The end of the Vietnam war is not in sight. And the vital questions of barring the use and spread of nuclear weapons and the military use of space remain unanswered.

Everywhere, a new nationalism—having recently vanquished European empires—is now transcending ideologies—old alliances—and is paradoxically supporting world peace—based on fear—not trust. World Communism—the United Nations—NATO—and the Atlantic Alliance—are fragmenting on the rocks of this new nationalism.

This new nationalism is one of independence and self-determination. It is not the old dynasty nationalism with its ancestral roots in medieval feudalism. Nor is it the aggressive nationalism of modern dictators built on the doctrine of force.

World War One wiped out the last of the monarchs representing the centuries-old dynasty nationalism. And World War Two eliminated two megalomaniac dictators—Hitler and Mussolini—and their Japanese brethren. The policies of two more aggressors—Stalin and Sukarno—have been thrown by their people on the scrap heap of history. Only one of the five megalomaniacs of our time is left—China's troubled Mao. The ruthless Red guards turned loose by him on his unhappy countrymen are a sad recreation of Hitler's Jackboots and Mussolini's Blackshirts.

Meanwhile, China's world influence has suffered severe reversals—in Latin America—Africa—India—and Indonesia—and also in the United Nations, which—by the greatest majority vote in some years—recently refused to seat Communist China.

This new nationalism is transcending Communism. Both outside—as well as inside China—the theories of Marx and Lenin for the establishment and maintenance of worldwide Communism are being revised. The turmoil in China is essentially concerned with a struggle between the fundamentalists and revisionists.

The Soviet Union is departing so far from the original concepts of Marx and Lenin as to render them almost unrecognizable. Soviet Communism is moving slowly and subtly—but surely—toward incorporation of certain capitalistic principles of reward for individual talent and incentive.

Behind the thinning and now porous Iron Curtain—Communism has failed to meet the hopes and aspirations of its people. Its hierarchy is changed. Developing public opinion has eroded and loosened its monolithic structure.

The heretofore captive East European Satellites are no longer captive nor satellites. They are pushing away from economic and political control and domination by Moscow. And it must be admitted that—by the same token—Western Europe is also pushing away from economic and political domination by the United States of America.

This new nationalism has wrought momentous changes. It is changing the postwar alliances within both the Communist and non-Communist world. It presents great difficulties for the United Nations and the ideas of world federation—or Atlantic Union.

By fostering national barriers—the new nationalism in one sense obstructs international cooperation. Paradoxically—by reducing ideological barriers—this new nationalism in another sense permits greater international cooperation based on the principle of equality of nations.

In October, 1961, when the White House was divided on whether to support the fledgling European Economic Community—or whether to request a year's extension of the Reciprocal Trade Agreements Act—I urged support of the E.E.C. as the most realistic step toward economic and political stability—and hence world peace. Why? Because the E.E.C. was founded on the simple principle of removing nationalist barriers to international trade.

The principle of a high protective tariff is basic to a government protected—or owned—or managed—economy. High tariffs inhibit cross-cultural relations. Freer trade, on the other hand, enables the peoples of different nations to become better acquainted with the customs, beliefs, ways of life, and government policies of one another. With the greater expansion and ease of communication today, freer trade induces mutual international understanding.

When international understanding is thus achieved—political tensions are reduced and voices of reason are easier heard and understood. The way is then prepared to move toward world stability—increased prosperity—higher standards of living and education—and peaceful competitive existence in international markets. These conditions, in turn, form the foundation for cooperative political policies among nations.

Two and one-half years of bargaining within the European Economic Community are coming to a close with expectation of the most substantial tariff reductions in history. The effects of this action will spread all over the world—from Europe to Latin America, Africa and Asia. I quote from a recent statement by the Japanese Ambassador:

"We Japanese believe that contacts through trade tend to facilitate mutual understanding among nations of differing ideologies and social structures."

This development is not as dramatic and grandiose as a League of Nations—a United Nations—or world law based on a world court. However, international trade is the only proven method for initiating a workable peace with international security and understanding—security and understanding that might save the United Nations organization—which is now bankrupt financially—politically—and structurally. The world needs the United Nations as a forum to discuss and expose international grievances and concerns.

Early this year, our President requested Congress to repeal legislation obstructing United States trade with Communist countries. Congress adjourned without acting on the President's trade recommendations. Meanwhile, the English—French—West Germans and Japanese are filling the orders of China—the Soviet Union—and Eastern Europe. Our allies are trading with Communist countries. We are not.

The defensive "white elephant" military structures of SEATO and CENTO existed only on paper. Despite our rebuilding efforts, NATO's days are numbered. They were not designed to provide the common ground for better acquaintance with—and understanding of—the communist world. Nevertheless, our own nationalism persists to inhibit the expansion of America's world trade. The American Congress has not learned a prime lesson of history—that economic isolationism leads to political isolationism as well as the converse—and that either is counter-productive in this day and age—as even the Soviet Union is reluctantly learning.

The world is truly in an era of greatest change. World peace and stability depend on harmonious relations between China—the Soviet Union—and the United States. The time has come for each to completely reappraise its foreign policies. Each major power must ask itself whether it correctly perceives new realities—whether momentous world changes have evoked commensurate policy responses. Specifically, each must introspectively assess whether continuing confrontation with its military strength is the most effective means to assure world peace and stability—and hence its own security.

What are these new realities? They include—the Soviet modernizing of Communist dogma—the Sino-Soviet split—European self-determination and independence from Soviet and American domination—the advent of Chinese nuclear power—the growing non-alignment of developing nations—the recession of the Communist tide—and worldwide acceptance of the concept of the welfare state. In a nut shell—these are the new challenges wrought by the new nationalism.

The potential colossus of China—weakened internally and externally by Mao's unrealistic fanatic militancy—bitterly attacks both the Soviet Union and the United States. The irony is that these attacks help to induce better relations between these super powers—exactly what China fears.

The Soviet Union faces hostility from China on her eastern front—the closest and most obvious mark for its new nuclear bomb—with the longest border line in the world—and territorial disputes and memories of bloody invasions centuries old. The passage of time has not eliminated from the folklore of Russian memories the ravages of Genghis Khan's hordes—or Napoleon's French—or German armies twice in the last fifty years. It was Mao's leadership that chased Russia out of Manchuria.

On her western front—the Soviet Union fears a united Germany as the devil fears holy water. In all of Russian history, there has been one basic foreign policy and that is to avoid facing a war at the same time on two fronts.

By the same token, China faces the Soviet Union on her land front and the United States of America on her Pacific front without a navy.

Both the Soviet Union and China face the United States of America uncertain as to the international policies of the greatest economic power—welfare state—and military power in the world. The Soviet lately links together both China and the United States of America in formal public attacks. The corollary of such attacks is what the Soviet fears.

We have this definition that the Soviet Union needs the pressure of America on China in the Pacific—despite Premier Kosygin's continued assertions that ". . . if the war (in Vietnam) were ended, relations (with America) would certainly improve." China, in turn, needs the pressure of America in Europe on the Soviet Union—despite Mao's attacks on both. The peace of the world is in suspense while this jockeying goes on.

Hence, America is presented with an unusual opportunity to initiate a "live-and-let-live" policy of competitive economic existence with the Soviet Union—or China—or preferably both. Such American initiatives are necessary to reduce tensions—violence—war and threats of war; in other words—to normalize international relations. Encouragingly, these policies seem to be developing.

In recent months, President Johnson has made three highly significant foreign policy moves that have generally escaped the public attention and discussion they deserve—and have yet to be explained to the American people. Foremost among the foreign policies of the Truman, Eisenhower, Kennedy and Johnson administrations were the reunification of Germany and the political and economic isolation of Communist China. These two policies together with the implications of the President's commitments at the Manila Conference, signify possible momentous changes in our foreign policy.

The first of these three significant moves by President Johnson occurred last July when he proposed at least a tentative reappraisal of our China policy with his offer of reconciliation with China. I quote President Johnson:

"Lasting peace can never come to Asia as long as the 700 million people of mainland China are isolated by their rulers from the outside world.

"We persist (in efforts to improve relations) because we believe that cooperation, not hostility, is the way of the future. That day is not here yet. It may be long in coming, but it is clearly on the way, and come it must."

In September, Vice President Humphrey followed President Johnson's incipient design by speaking of "building bridges to China." I have been urging such a policy for a long time, but without success. Recently, spokesmen for the United States Chamber of Commerce are on record as stating that increased communication with the Peking government is in order. And, according to a recent report of the American Friends Service Committee, our present policy of non-intercourse with China is leading to disaster. Said the Committee, and I quote:

"Two of the largest and most powerful nations of the world have since 1950 lived largely in isolated ignorance of one another and in an atmosphere of mutual fear and hate. . . . Some attempt to break the present deadlock is long and dangerously overdue."

The point to be emphasized here is not that our China policy is soon to be reversed. China has replied to the President with more lies and abuse. Rather, the question of great interest to both the United States and the Soviet Union is—After Mao, what? It is in anticipation of answering this important question that the pending reappraisal of our China policy acquires added significance.

The second of the three meaningful moves was inherent in Mr. Johnson's assertion of last August that better relations with the Soviet Union "must be our first concern." By implication, the President thereby signaled our intention to abandon the priority of the reunification of Germany. I quote from Joseph C. Harsch in the *Christian Science Monitor:*

". . . . the President has formally stated that reunification of Germany can come about only within the reunification of Europe. Germany's cause is no longer Step One in healing the split in Europe caused by the cold war. The unity of Germany is a hoped-for result of closer East-West ties. It is no longer the pre-condition."

Two recent developments in Germany might possibly be related. They are: (1) the downfall of the Erhard government replaced by an uncertain coalition of the Christian Democrats and the Social Democrats; and (2) a resurgence of German nationalism as evidenced in two state legislative elections.

A quid pro quo for this momentous change in our European policy could be for the Soviet Union to use its good offices in bringing about a settlement in Vietnam that would be worthy of our sacrifice of blood and money. An end to the Vietnam war—according to Premier Kosygin—would pave the way to improved relations. Recently he said, "We want a relaxation of tension, we want an understanding with the United States."

The Soviet Union would have much to gain. She would be free of a threat on her western front which would allow her to concentrate on the growing Chinese military threat on her long Eastern front.

The third and last move fraught with momentous consequences for all the world concerns President Johnson's pre-election Manila Conference. I quote from a recent report by the Research Institute.

"First the Conference left untouched the one crucial issue: Where does the Vietcong figure in the war's final settlement?

"South Viet Premier Ky made clear where he figures the Vietcong: destroyed as an organization, its members abiding by the law, as enforced by the government headed by Ky.

"It is inconceivable that Hanoi or the Vietcong will negotiate on any such terms, unless Ky should retract his words publicly. It is equally inconceivable that he will yield on any of them.

"The stage is set, hence, for a long drawn-out tug-of-war among the Manila conferees—with no end to the fighting itself. The allied stalemate may be harder to break than the field impasse."

And concluding from this report:

"If Ky were alone, he might be brought to heel fairly soon. But he has real support from the South Koreans, Thais and Australians. They do not want to see the Vietcong in a peacetime Saigon government either; they are in this to stop Red expansion, no matter what it takes.

"This is different from what the Filipinos, New Zealand—and the United States—are ready to accept: (Namely) Let the Vietcong into the government. Philippine President Marcos is ambitious to become Asia's peacemaker, even at the cost of including the VC.

"This is the United States position, as well, although President Johnson did not press it openly at Manila." (end of quote)

The Manila Conference was a complete failure as far as agreement on any Vietnam peace settlement is concerned. Before the ink was dry, Premier Ky of South Vietnam emphatically dissented from President Johnson's interpretation of the Manila Conference proceedings, just as he did with President Johnson's interpretation of the so-called Honolulu Pact. Again I quote from the Research Institute report:

"After Manila . . . Ky has only one clear course left: Keep the U.S. fighting until the Vietcong has been totally smashed. This means more men and arms, more escalation, a much wider war."

It should also be noted that the much heralded free election law in that unhappy country gives Premier Ky and his military junta a veto over any measure the civilian assembly adopts.

One result of the Manila Conference was the dramatic pronouncement by our President that the United States is a major Asian power and is assuming guardianship in its name over all of Asia. This appears to be an assertion of national responsibility of appalling proportions. Should Congress implement Johnson's Asian Manifesto, it would seem that America would become permanently and deeply involved—politically—militarily—economically—in all Asia.

Is this what our President intends? I raise this question: Are we—or are we not—now so committed? Did our President intend to permanently commit us to raise the standards of living, of health, of education, and of democracy throughout Asia under an American military umbrella?

Nearly two months have passed without any explanation by our President of his sweeping pronouncement. Why is the President silent? Americans are kept in the dark as to just what was said at Manila by our President—and what his intentions are.

Of equal present and future importance is how other governments interpret President Johnson's Manila manifesto. Do they consider it as a definite projection of U.S. foreign policy? Or do they consider his expansive statement as merely a gesture of good intentions designed to obscure the utter failure of the Conference to agree on peace in Vietnam? Have they learned that American presidents' words do not "always weigh a ton"—as Mr. Coolidge said?

Perhaps, when interpreting our President's Manila statement, other governments might recall previous American international commitments which we did not honor—as, for example, the Open Door for China—which we ignored when Japan invaded Manchuria in 1931. Or they might recall the Buffalo speech of John Foster Dulles during the 1952 presidential election campaign pledging the new administration—if elected—to liberation of the captive nations of eastern Europe—a pledge that was to contribute to the East German and Hungarian revolt of 1956 in expectation of American support that was never forthcoming.

Or, our President's Manila pronouncement might be explained as "speaking softly but carrying a big stick." If this is the correct interpretation, then then the question must be asked—just how big a stick does America intend to carry in Asia in the light of spreading nuclear power. Do we really need such paramountcy in Asia?

In October, 1964, China formally proposed a conference of the five nuclear powers preliminary to a conference of all nations to abolish nuclear weapons. I immediately urged American acceptance—at least for the purpose of discussion. Secretary General U Thant somewhat unprecedently publicly endorsed my statement the next morning. But the Johnson administration dismissed offhand China's overture on the ground that it was mere propaganda and that China's nuclear bomb was obsolete and that it would be 20 or more years before China would perfect the means of delivering it. But in less than two years, China has demonstrated that it has already achieved the capacity to develop an on-target missile delivery system and a bomb with thermonuclear characteristics.

Finally, there is the question—if President Johnson meant what he seemed to say at Manila—where is he going to get the money to bring his Great Society to all of Asia. And this in addition to the pressing question of where is he going to get the money to finance both a big war and yet continue his Great Society for the home folks.

If our President's new Asian policy is undertaken, the greater question must be asked: What responsibility—moral or otherwise—do we Americans actually have to bankrupt ourselves for President Johnson's unrealistic policy for world salvation?

If it is described as a part of the program to contain Communism—let us observe how Communism is containing itself by its unworkable theories—as can be seen in Communist dominated countries everywhere. Indonesia is the latest example—plus the African states that have kicked out both Chinese and Russian attempts at Communist domination.

It will be the responsibility of our Congress to implement President Johnson's Manila manifesto, or to refuse to assume its frightful consequences, when and if the President requests the necessary appropriations to implement it. Even a token Congressional appropriation would be tantamount to the assumption of responsibility that would lead to various future complications.

While the President's astounding Manila manifesto does not require treaty ratification by the United States Senate, it is so vital to American interests that I believe that the Senate Foreign Relations Committee ought to probe all its facets and to expose all its implications and our obligations under it for the attention of the American people as well as people elsewhere.

There must be a clear and complete understanding not only between the American people and their government, but also among the governments that participated at Manila—as to what exactly are we Americans expected to do for our Asian wards—what specific commitments and limitations were made by President Johnson—and how lasting will they be. For some unknown reason, President Johnson has chosen not to discuss these great concerns with the American people. Meanwhile, other governments should clearly understand that President Johnson's exuberant Asian commitments require Congressional action under our system to become operative.

The simplest way to clear this all up is to get the complete transcript of the Manila Conference before the Senate Foreign Relations Committee for introduction in the CONGRESSIONAL RECORD.

There remains one other critical development that threatens to enlarge even further the stretching world commitments of the United States. I speak of the growing pressures to impose economic embargoes through the United Nations on Rhodesia and the Republic of South Africa. To enforce its decision to end the South African mandate over Southwest Africa, the United Nations may soon impose economic sanctions on South Africa, as well as Rhodesia.

When Britain attempted to bring Rhodesia to heel by imposing sanctions, President Johnson promptly concurred. But these sanctions have failed. Now Prime Minister Wilson is apparently caught bluffing again. When his bold words in his report to the British Parliament of his conference with the Prime Minister of Rhodesia are boiled down—they are nothing but the same old appeal for "special sanctions" by the United Nations on purchases of key Rhodesian products.

From the beginning, it is evident that Prime Minister Wilson is trying to bluff Rhodesia back into line by threats.

If the United Nations adopts a more forcible policy, who is going to enforce it?

I quote from John Knight's "Editor's Scrapbook":

> "Mr. Wilson would like nothing more than to have the United States pull his chestnuts out of the fire. As the *Economist* of London has said: 'To pretend that Britain alone can resolve this problem is just as stupid as to think it can be handed over to the U.N. That duty (sanctions) does not rest with the British government alone. The cloud in Mr. Ian Smith's sky may seem no bigger than a man's hand; but the real question is whether the hand is President Johnson's.'
>
> "And the *London Sunday Observer* comments that it must be up to the United States to make effective the sanctions on Rhodesia, the Republic of South Africa and Southwest Africa."

The only effective means of enforcing economic embargoes is by naval blockade—not to mention air cover. To effectively blockade the coast of South and Southwest Africa would be a prodigious and very expensive undertaking. Our navy is already fully committed. Our First Fleet is patrolling the California coast and the Second Fleet the Atlantic coast. Our Sixth Fleet operates in the Mediterranean area and Our Seventh Fleet in the straits between Taiwan and China and the rest of the Pacific area, including South Vietnam.

Moreover, any effective embargo of Rhodesia would require a blockade of South Africa. The volume of South African trade alone with Great Britain might well involve the solvency of the British pound.

How can we support the solvency of the British pound and yet enforce such economic embargoes on Rhodesia or South Africa—or both—and yet fight a major war in South Vietnam, not to mention all the other American commitments at home and abroad?

This African affair will not be settled in one week or one month. It can be as long as the engagement in Vietnam.

From every side then there is a pressing need for the Senate Foreign Relations Committee to review and assess the position America occupies as the result of its exuberant evangelical world leadership in Europe, in Asia, in Africa and in this hemisphere.

While I staunchly believe in and support President Johnson's policies of new contacts with both the Soviet Union and China as the basis for better international understanding, I believe Senator Fulbright's announced plan for a full and comprehensive review by the Senate Foreign Relations Committee in both public and closed hearings is both timely and essential.

Long ago, when the United Nations was being organized, I said it could not succeed in its objectives when it left out Communist China.

President Johnson has taken the first steps with both China and the Soviet Union. So far, there has been no commensurate response from either.

Our President is leading from strength, both economically and militarily. There is as much need—perhaps more—for our national administration's intelligent concentration on strengthening our economic foundations and backlogs as on strengthening our military.

It is now up to the Soviet Union to demonstrate a change of front—that Premier Kosygin desires—by performance rather than by words. After all, creditability is as essential in political relations as it is in trade.

Let me conclude by saying simply this: We should respond to the new nationalism and other new challenges in international relations in our continuing search for world peace. I believe we are on the threshold of abandoning our foolish and unrealistic China policy. At the same time, we are hopefully making progress toward improving relations with East European nations.

Now, at last, a realistic basis exists for discussions between the Soviet Union and the United States of a new policy for both countries.

Should China recover from her present insanity and join in responsible interaction with the Soviet Union and the United States—a new era in international relations would commence that would shape the destiny of this world by creating stability on which peace with security is ultimately based. This must be our hope. This must be our aim.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. Hollings in the chair). Does the Senator yield?

Mr. CARLSON. I yield.

Mr. FULBRIGHT. I had the privilege of reading the speech to which the Senator has referred. I wish to congratulate Governor Landon on having made a very perceptive statement at that time. I particularly like the progressive attitude of the Governor toward changes which have taken place in the world in recent years. His discussion of our China policy was especially appropriate, in my opinion, and it was one of the most enlightening and useful speeches that I have read by any prominent public figure.

I may add that I have spoken to the Senator from Kansas about this. I, personally, should like to invite Governor Landon to appear as a witness before our committee. We have difficulty in finding public figures of his stature who take an interest in the subject of our foreign relations; and if Governor Landon is willing and able to appear, I should like to suggest that he be approached. I am perfectly willing to approach him, though perhaps the Senator from Kansas, who is the senior member of our committee, might like to do it. I believe that Governor Landon would make a great contribution to our reevaluation of our foreign policy.

Mr. CARLSON. Mr. President, I appreciate the statement that has just been made by the distinguished chairman of the Committee on Foreign Relations in regard to Governor Landon's statement, and also his suggestion that he would be most pleased to have Governor Landon appear before the committee some time during these hearings.

I assure you, Mr. President, that I shall convey that information to Governor Landon. Of course, it would please me greatly, also, if he should decide to respond. He has written an excellent statement, and I am not certain that he would feel that he should appear before the committee to add anything to it.

I urge those who will be reading the Record to read Governor Landon's statement, because I believe that it is a very meritorious statement, in view of these times.

Mr. FULBRIGHT. I wish to add that I was very pleased that the Governor, who has been in public life for a long time and is not among the youngest of us, has exhibited such a fresh point of view on this subject, through his speech.

I thought he abandoned so many of the old myths that have afflicted our foreign policy so long, and he does it in a gracious way.

Mr. CARLSON. I appreciate the comments of the chairman of the Committee on Foreign Relations.

Mr. AIKEN. Mr. President, I am privileged to have the opportunity to see an advance copy of the speech delivered by Governor Landon. It is a fine speech and should be widely read.

I have known Alf Landon for a long time. He was a great Governor of Kansas. He is a great Republican. Best of all, he is a great citizen of the United States.

I am delighted that he has not let his retirement from public life wane but still maintains a keen interest in the welfare of his State and country.

Mr. CARLSON. Mr. President, I should like to state that I appreciate very much the splendid statement just made by my good friend, the Senator from Vermont, in regard to the statement which I placed in the Record from Gov. Alf Landon, of Kansas, regarding our international problems.

As the distinguished Senator has stated, it is an excellent statement and worthy of reading by all our citizens, because it invites attention not only to some of our international problems but also to our international commitments, which it is wise for us to review.

I appreciate very much the statement just made by the Senator from Vermont.

INSURANCE ANTITRUST MORATORIUM ACT: STATES HAVE DEFAULTED IN THEIR OBLIGATION TO THE PUBLIC—OUR FEDERAL GOVERNMENT MUST ASSUME AUTHORITY AND RESPONSIBILITY

Mr. YOUNG of Ohio. Mr. President, the Insurance Antitrust Moratorium Act, the so-called McCarran-Ferguson Act, was passed March 9, 1945. It followed a decision of the U.S. Supreme Court in *U.S.* v. *South-eastern Underwriters Assn.*, 322 U.S. 533 (1943), holding that insurance transactions constituted commerce among the several States and that, therefore, the business was subject to Federal laws regulating interstate commerce, including the Sherman Antitrust Act. However, in the McCarran-Ferguson Act Congress declared that the continued regulation and taxation by the States of the insurance industry was in the public interest and that congressional acts should not be permitted to invalidate or impair such State regulation. The act specifically states:

> No act of Congress shall be construed to invalidate, impair, or supersede any law enacted by any state for the purpose of regulating the business of insurance.

In 1945 there appeared to be merit for Congress to provide broad support for continued regulation and taxation of the insurance industry by the States. Today, in 1967, however, it has become clear that the States have not adequately performed their responsibility to regulate insurance companies in the best interests of the public. Insurance companies in the 22 years that have elapsed have taken advantage of State officials in Ohio and elsewhere and of the general public. The Cleveland Press of January 25, 1967, contains an article citing specific instances of apparent default in this obligation by the States. The article states that automobile liability insurance rates in Ohio have risen three times since July 1964. The 1964 hike averaged 10 percent. A similar increase came in 1965. Last November there was still another boost which amounted to a 25-percent increase against automobilists in some areas of Ohio. The article goes on to state:

> Last year the State Department of insurance received, processed and acted upon nearly 8,000 insurance company requests for rate and rule changes, always to the advantage of insurance companies and not in the public interest.
>
> Practically all of these requests were granted. And Ohio insurance rates keep going up, up, up.
>
> In the percentage of income spent to maintain an insurance industry watchdog, Ohio stands 49th among the 50 States. Yet Ohio is:
>
> fourth among the states in revenues produced by taxes and fees;
>
> sixth in premium volume (over two-and-half billion dollars last year);
>
> eighth in number of companies licensed to do business in the state (1000 companies);
>
> eleventh in dollars spent for operation of the state insurance department ($700,000).

The article further states:

> Insurance rates in Ohio are fixed under a "file and use" system. This means a company merely files a new rate structure and immediately puts it into effect.
>
> If, upon investigation, the department finds the proposed rates inadequate, excessive or discriminatory, then it can attempt to set them aside by administrative order. In practice, this is practically never done.
>
> For all practical purposes, the insurance companies doing business in Ohio—including all of those who cover automobile liabilities and other forms of protection to automobile owners set their own rates.

Mr. President, the Federal Government must assume authority and responsibility for the regulation of the insurance business because the States have defaulted in their obligation to the general public. I propose that the McCarran-Ferguson Act be repealed. This would immediately subject State regulations and action to the scrutiny of the Federal Government. In addition, I propose that the Federal Government regulate the business of insurance, including such areas as rates, contracts, advertising, and that a Division of Insurance be established as an important division of the Department of Commerce for the purpose of administering such a statute.

THE UNITED STATES-SOVIET UNION CONSULAR CONVENTION

Mr. JAVITS. Mr. President, I wish to add my voice to those of my colleagues who spoke yesterday on behalf of the United States-Soviet Union Consular Convention. I believe this convention is of vital importance, and I believe that the Senate should advise and consent to its ratification.

While its prime value is the protection it will afford to U.S. citizens traveling in the Soviet Union, its significance goes well beyond that. It represents along with the Partial Nuclear Test Ban Treaty, Civil Air Agreement, and Outer Space Treaty, another step in laying a real foundation for United States-Soviet relations. An East-West detente based on nothing more than words and friendly gestures is not enough. This consular convention along with the other treaties which will be before us in this session of Congress, especially matters dealing with East-West trade, represent the real substance of detente. The cumulative effect of all of these agreements will be to extend the rule of law between nations.

As far back as the Geneva Conference of 1955 President Eisenhower urged that "concrete steps" be taken to lower the "barriers which now impede the opportunities of people to travel anywhere in the world, so that all will have a chance to know each other face to face." The details of negotiations on this initiative were completed almost 3 years ago. The Senate Committee on Foreign Relations favorably reported the convention during the 89th Congress. The convention was put on the calendar, but no action was taken. What is the explanation for this failure to take action? I am inclined to go along with the explanation offered by my distinguished colleague, Senator MORTON, when he said that it is open to question whether the responsibility for killing this forward-looking proposal in the 89th Congress rests with the administration which had misgivings about securing the necessary two-thirds vote—or with those in our society "who fear Polish hams as much as they fear any new gesture toward world peace."

The hysteria and misgivings which have surrounded this convention are groundless. The Consular Convention does not authorize, propose, suggest, provide for, or require the opening of a single U.S. consulate in the Soviet Union or a single Soviet consulate in the United States. It does not even permit the Soviets to send a single extra person to this country. In legal terms, it does nothing more and nothing less than provide ground rules for the protection of American citizens in the Soviet Union and Soviet citizens in the United States. Under our Constitution, the President has the authority to agree to the reciprocal opening of consulates and the convention before us has no bearing on this matter. If the President and the Soviet Union agree to a reciprocal opening of consulates, then the convention before us will represent the ground rules and legal framework for the protection and services envisaged.

Like other agreements of its kind, this convention guarantees immediate notification of arrests of citizens of the sending state, and provides for consulate access to the arrested citizen without delay. The convention differs from earlier consular conventions in that it provides full immunity for all consular officers and employees from criminal jurisdiction in the receiving state. The purpose of this provision is to remove the constant threat of false charges and reprisals and to allow consular personnel to do their job.

About 18,000 Americans annually travel to the Soviet Union. This compares with about 900 Soviet citizens traveling in the United States. Past experience demonstrates that our citizens need protection. This treaty will give it to them.

In closing, I reiterate that the meaning and significance of this convention go beyond its specific terms and provisions. This treaty and others like it are the very stuff of peace, the very foundation of the rule of law.

GENOCIDE: NOT MERELY A THREAT TO JEWS, BUT TO ALL HUMANITY

Mr. PROXMIRE. Mr. President, one of the most widely held misconceptions concerning Hitler's 12-year reign of terror is the gross error that the Third Reich's program of planned genocide had as its exclusive victims Jewish people alone.

We could make no more serious historical blunder. The mass murder of almost 6 million Jews by Hitler's henchmen is almost universal knowledge. Civilized man condemns these acts of murderous barbarism and mourns the tortured victims. But how many people realize that during these same years, Hitler murdered 7 million Christians as well.

The Nazi jargon classified these victims as "Christian subhumans." Russians, Poles, Hungarians, Rumanians, Yugoslavians, and Czechs—7 million of them, whose veins did not flow with "pure Aryan blood," were systematically and sadistically put to death.

The Senate and all people must grasp this fundamental fact: Genocide was not then and is not now an anti-Semitic problem, it is antihuman.

The roots of genocide are obvious: When one group or people make the fatal presumption of judging any other group as mentally, morally, or culturally inferior, is the isolation, subjugation, and ultimately the elimination of the latter group by the former not predictable? This progression, simply stated, is genocide.

This horrendous policy is not merely anti-Semitic and anti-Christian, it is both antihuman and anti-American. We in the Senate have the means of affirming this belief, of strengthening the international antidote against genocide. The Senate can ratify the United Nations convention on genocide.

This convention on genocide has been before this Senate for 18 years. An entire generation of Americans has been born and come of age in that time.

The Senate and the Senate, alone, must accept full blame for its inaction. We must answer the damning indictment of Thoreau:

"As if you could kill time without injuring eternity."

We have already killed too much time and dishonored the memory of almost 13 million fellow human beings. Let the Senate now, in 1967, ratify the United Nations convention on genocide.

A WELCOME ANNOUNCEMENT

Mr. BARTLETT. Mr. President, Henry Wadsworth Longfellow advised man to "learn to labor and to wait."

Today, a group of scientists at the Bureau of Commercial Fisheries can better appreciate the advice. For a number of years, these persons have labored and waited for the Food and Drug Administration to approve fish protein concentrate. These scientists have labored because they have a dream, a dream of developing a product which conceivably could alleviate conditions of malnutrition afflicting a depressingly large percentage of young children—and adults—throughout the world.

Yesterday, their labors and patience were rewarded. The FDA approved certain types of fish protein concentrate as a food additive.

Mr. President, I speak here not to rebuke anyone but to welcome the FDA announcement and to praise the persons of foresight who have pursued this project with dedication.

I also want to state a recommendation, a hope, and a warning.

I recommend that Congress support President Johnson's wish to proceed on an urgent basis in the development of fish protein concentrate. The President is painfully aware that the war against world hunger and malnutrition is not being won and that a cheap source of protein such as FPC could help turn the tide in that grim conflict. The President has shown his support for FPC by requesting $1.7 million in the next budget to carry out the provisions of my bill to construct a pilot plant to manufacture FPC. The appropriations request also includes funds to finance research in development of FPC from several types of fish using different production methods.

My hope is that industry quickly and enthusiastically will join in the effort to develop methods to mass produce the concentrate. The FDA yesterday also approved a concentrate produced by a private firm. That is good, but to meet world demands, the world needs many more plants and the technical knowledge to use many types of fish so that this underdeveloped resource can be exploited to its full potential. Industry can help speed up the next step in the development of this product by launching production studies of its own.

My warning is a word of caution. The FDA has approved FPC as made from one type of fish using one type of process. In this country, FPC made from different types of fish using the same or different processes will have to be approved by the FDA. This same control may not exist in other nations. I urge that great care be taken in all countries to insure that sanitary, safe fish, and production methods be used. The FPC announcement should not be interpreted in other nations as a blanket approval of any kind of FPC.

To conclude, Mr. President, I would like to borrow a concept but not the words of a closing by George M. Cohan. I, who have labored long for acceptance of the product, welcome the FDA announcement; the Bureau of Commercial Fisheries personnel who have labored long on this project, welcome the announcement, and all the starving children of the world who will probably never read of it welcome the announcement.

I ask unanimous consent to have printed in the RECORD the release issued today by the Food and Drug Administration on this matter, together with an FDA fact sheet.

There being no objection, the release and fact sheet are ordered to be printed in the RECORD, as follows:

The use of Whole Fish Protein Concentrate as a food additive was approved by the Government today.

The high-protein powder, manufactured from hake or hake-like fish, may be distributed for domestic household use in packages up to one pound in weight under the provisions of a regulation issued by the Food and Drug Administration.

Approval of the fish concentrate as an additive to food was requested in separate petitions submitted to the FDA last year by the Department of the Interior and the VioBin Corporation, of Monticello, Illinois.

"The agency has evaluated all available data, including information from the National Academy of Sciences-National Research Council and the National Institute of Dental Research," said James L. Goddard, M.D., Commissioner of Food and Drugs. "On the basis of this evaluation, I have concluded that the concentrate is safe for use, as prescribed in the regulation.

"This is a completely new kind of product, of course, and the individual consumer should be free to decide for himself whether to use this source of protein in his diet," Dr. Goddard added. "This is why the regulation provides for distribution directly to the domestic consumer in packages of one pound or less."

Bulk sales of the fish concentrate for use as an additive by food processors will not be authorized unless data is provided demonstrating that the proposed use will not be deceptive to the consumer, he said.

Under the regulation, the product may be manufactured from whole hake or hake-like fish, including heads, fins, tails, viscera, and intestinal contents.

Part of the bone is to be removed in processing, however, in order to reduce residues of fluorides to a level well below that which could cause discoloration of the teeth of children.

In addition to establishing a maximum level for fluoride residues, the regulation stipulates that children up to 8 years of age should not be given more than 20 grams (about 1½ tablespoons) a day if they use the additive regularly. This limitation must be included on the label.

The label also must identify the product as "Whole Fish Protein Concentrate." The powder must be at least 75 per cent protein, equivalent in quality to the protein in milk.

The regulation will be published in the Federal Register on Thursday, February 2.

It will become effective immediately, but anyone who is adversely affected may file objections within 30 days. A hearing also may be requested. If legally sufficient grounds are offered, a hearing would be granted.

WHOLE FISH PROTEIN CONCENTRATE

Whole Fish Protein Concentrate is a powder prepared from whole hake or hake-like fish. The Food and Drug Administration has issued a food additive regulation providing for the safe use of the product as a source of protein in food.

THE BACKGROUND

In 1961, FDA was petitioned to establish a food standard for fish protein concentrate and whole fish flour prepared from fish of any wholesome species. There were objections filed protesting the proposed use of viscera and other portions of fish not normally used as food. In January, 1962, FDA approved a standard for fish flour requiring that it be made from eviscerated and deheaded fish.

A public hearing on the standard was requested and scheduled, but the hearing was cancelled and the effective date of the standard postponed indefinitely when the Secretary of the Interior asked that the National Academy of Sciences-National Research Council appoint a committee to review the safety of fish flour prepared from whole fish.

This committee reported in October, 1962, that an acceptable commercial method for producing whole fish flour had not been developed, but said that from a scientific standpoint an acceptable product could be made and urged steps to devise a suitable process.

The Bureau of Commercial Fisheries of the Department of the Interior thereafter developed a process using whole hake to make a fish protein concentrate. In September, 1965, the NAS–NRC committee reported its belief that the product was "wholesome, highly nutritious, stable, safe, and capable of economic production and marketing."

In February, 1966, the Department of the Interior petitioned the FDA to issue a food additive regulation for fish protein concentrate made from whole hake or hake-like fish. A similar petition was submitted in April, 1966, by the VioBin Corporation, of Monticello, Illinois.

FDA APPROVAL

The food additive regulation issued by FDA, effective February 2, 1967, provides for the safe use of the Whole Fish Protein Concentrate proposed in the two petitions. Wholesome hake or hake-like fish are to be used in making the additive. The fish must be handled expeditiously and under the same sanitary conditions required when fish are processed for food in other forms.

Whole fish may be used, including heads, fins, tails, viscera, and intestinal contents. Isopropyl alcohol, or ethylene dichloride followed by isopropyl alchohol, are to be used to extract fat and moisture from the ground fish. Solvent residues are then reduced by conventional heat drying, microwave radiation, or a combination of both. Part of the bone also is to be removed in processing.

The final product must be at least 75 per cent protein, equivalent in quality to the protein in milk.

To assure that individual consumers have free choice in deciding whether to use this source of protein in their diet, the regulation permits domestic distribution only for household use in packages weighing one pound or less.

Bulk use of the additive by food processors will not be authorized unless data is presented demonstrating that the proposed use would not be deceptive to consumers.

The regulation also establishes maximum levels for fat and moisture content and residues of the solvents used in processing and the fluorides found naturally in fish.

SAFE RESIDUE LEVELS

In evaluating the petitions, the FDA requested additional data from both sponsors that would demonstrate the safety of solvent and fluoride residues in the final product.

It was found that solvent residues could be lowered by the use of microwave radiation, in addition to heat drying. The regulation authorizes that process.

Residues of fluorides, which in excessive amounts can cause tooth discoloration in children, were reduced to a safe level by removing part of the bone during processing of the fish.

In addition, the regulation stipulates that children up to 8 years of age who use the additive regularly should not be given more than 20 grams a day. This is approximately 1½ tablespoons. This limitation must be included on the product label.

The label also must identify the product as "Whole Fish Protein Concentrate."

FDA APPROVAL OF FISH PROTEIN CONCENTRATE IMPORTANT TO WORLD HEALTH AND ECONOMY

Mr. GRUENING. Mr. President, today's announcement that the Commissioner of the Food and Drug Administration, Dr. James L. Goddard, has approved the use of whole fish protein concentrate as a food additive may ultimately be regarded as one of the most important of this century. It certainly marks the end of a successful battle by many men and women to make it possible for Americans as well as residents of other nations to benefit from the use of protein which all too often is lacking in the human diet.

As we confront the struggle to aline the world's food supply and the world's population, we are infinitely better prepared as a result of this FDA action. It takes courage to reverse a ruling of earlier years. Commissioner Goddard has shown that an agency of our Federal Government can review, revise, and restore our confidence in the fact that man can rule fairly, given the facts.

The health of the young people of this world will be improved as a result of this FDA action. Hopefully, the percentage of people who are suffering from hunger or malnutrition or both can be reduced.

We can now make a beginning to insure that every person in every country has an adequate diet, one which includes proteins, the so-called building blocks of our body. We know that without a sufficient diet of proteins, the human body cannot function, even if the body is fed an overabundance of carbohydrates and fat calories. Without protein the human body can starve.

More than 3 years ago a bulletin published by the Fish and Wildlife Service of the Department of the Interior stated:

> If we converted in FPC (fish protein concentrate) just the unused fish found in waters adjacent to the United States—fish that could be harvested annually—we would have enough FPC to supplement the deficient diets of one billion people for 30 days at a cost of less than one-half cent per person, per day.

We know that fish protein concentrate added to bread dough or sprinkled over potatoes or rice provides the cheapest and easiest way of getting a high protein product quickly and in large volume to the malnourished millions who need it.

Our former colleague from Illinois, Mr. Douglas, taught many of us to know better the value of fish protein concentrate. His work in this area truly cannot be overestimated.

My friend and colleague from Alaska [Mr. BARTLETT] is the author of the public law which will enable us to find the better ways to produce fish protein concentrate.

The industrious and far-sighted chairman of the Commerce Committee [Mr. MAGNUSON] has been a leader in this fight. Many others deserve commendation.

Dr. Goddard's approval of fish protein concentrate is, I understand, effective immediately. I congratulate him and his agency, and I welcome the fact that this regulation will mean not only healthier children, but also a healthier domestic fishing industry and, I cannot forbear saying, promise of an improved economy for my State of Alaska.

AMERICA IS DETERMINED TO DEFEND THE FREEDOM OF THE SEAS

Mr. KUCHEL. Mr. President, harassments of American-flag tunaboats off the west coast of Latin America continue. Last year there were 11 incidents of seizures by the maritime nations on the Pacific coast of Latin America of American tuna vessels engaged in peaceful fishing activities well beyond the limits of any reasonable national jurisdiction. Since the first of this year, I regret to say, there have been six additional seizures—four by Ecuador and two by Peru.

The United States must under no circumstances accept the outrageous claim by Latin American governments to a seaward boundary 200 miles offshore. Already, around the world the great traditional fisheries are being seized and exploited by Soviet factory fleets and by others, whose indiscriminate fishing practices may soon exhaust these valuable resources of the sea. Indeed, the Pacific tuna fishery itself may in time be exhausted—unless some rational arrangement can be made for its proper exploitation.

In 1965, along with many of my colleagues of both parties, I submitted an amendment to the Foreign Assistance Act to make it mandatory that no American aid be given to nations which harass, seize, or interfere with tuna fishing activities in international waters. My proposal was a mandate to act. I regret that in conference with the House of Representatives this provision was weakened to leave discretion with the administration.

The time has come to make it clear to the nations of Latin America that seizing and harassing of peaceful fishermen will not be tolerated and that its cost to Latin America will be far greater than the small fillip to national pride which these incidents may give them. On January 20, 1967, I wrote to the Department of State urging our Government to communicate officially with the nations of Latin America making it indelibly clear that the United States will use my amendment to protect the freedom of the seas.

Yesterday, I received from the Honorable Under Secretary of State, Eugene B. Rostow, a response stating that while the Department of State continues to seek a peaceful solution to this problem, it has at last officially brought the freedom of the seas amendment to the attention of these governments. While I wish these representations had left no doubt in the minds of the leaders of Ecuador and Peru that America will act without reservation to invoke my amendment, I am gratified that the administration has at last seen the need to make it clear to Latin American governments that there are limits beyond which Americans cannot go and there are severe penalties which can and will be invoked.

Mr. President, I ask unanimous consent to have this exchange of letters printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JANUARY 20, 1967.

Hon. DEAN RUSK,
Secretary, Department of State,
Washington, D.C.

DEAR MR. SECRETARY: The recent seizure of three American tunaboats off the coast of Ecuador in international waters points up once again the critical need for a solution in the continuing problem of harassment of American flag vessels engaged in peaceful fishing activities off the coast of Latin America. Last year there were 11 seizures of American vessels by Latin American nations in international waters. The recent incidents involving Ecuador indicate that there will be no let up in this trend.

To all reasonable men the peaceful regulation of the fisheries of Latin America would seem to be a matter for solution by negotiation among men of good will. I believe the United States must encourage any steps which may be taken in that direction. But the behavior of Latin American nations concerned with this problem reveals a great political sensitivity to what ought to be treated as a technical, commercial and legal problem.

My amendment to the Foreign Assistance Act of 1965 gave the President discretionary power to withhold aid from nations interfering with the peaceful activities of American fishing vessels on the high seas. This provision gave him a powerful deterrent to use against Latin American nations who continue to harass American vessels. I believe it must be made indelibly clear to the nations of Latin America that the United States cannot tolerate high-handed interference with the legal, peaceful and, moreover, traditional fishing activities of its citizens.

I therefore call upon you to inform Pacific Coast nations of Latin America that my amendment will be invoked in the next fiscal year if harassments continue. The government should commit itself to this course of action as a means of once and for all bringing to an end this nagging problem which has not only gravely affected the $300 million American tuna fishing industry, but has prejudiced, as you are well aware, other vital aspects of our policy in Latin America.

With kindest regards.

Sincerely yours,

THOMAS H. KUCHEL,
U.S. Senator.

UNDER SECRETARY OF STATE,
FOR POLITICAL AFFAIRS,
Washington, January 31, 1967.
Hon. THOMAS H. KUCHEL,
U.S. Senate.

DEAR SENATOR KUCHEL: Thank you for your letter of January 20 expressing your concern about the continued harassment of our tuna fleet off the West Coast of Latin America. I want to assure you that the Department of State fully shares your concern and is making every effort to find a reasonable solution to this problem.

We have filed formal written protests with the Ecuadorian Government objecting to its illegal seizure of U.S. tuna vessels on the high seas. We have registered our objections to the Ecuadorian Government in their recent action claiming a 200-mile territorial sea. And we have continuously asserted that we cannot accept a nation's claim to a 200-mile jurisdiction.

We are anxious to find a reasonable solution to this problem through negotiation. And we agree wholeheartedly with you that the peaceful regulation of fisheries should be resolved in a friendly fashion. We have also indicated our willingness to settle this question either through arbitration or by a suit in the International Court of Justice.

In the meantime, we have informed the responsible governments that continued harassment of our tuna fleet is causing us grave concern, and we have again drawn their attention to the implications of the Kuchel Amendment to the Foreign Assistance Act of 1965.

I appreciate your interest in this problem, and look forward to discussing it at length with you.

Yours sincerely,
EUGENE V. ROSTOW.

Mr. BARTLETT. Mr. President, will the Senator from California yield?

Mr. KUCHEL. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. I am happy, indeed, to yield to my good friend the Senator from Alaska, who coauthored the amendment and fought for it on the floor of the Senate at the time the Senate overwhelmingly adopted it.

Mr. BARTLETT. The Senator from California has been a leader in this cause over too long a span of time. I say over too long a span of time because the situation which he has so correctly described has been continuing almost beyond the point of tolerance.

The Senator is again correct when he states that some Latin American countries have unilaterally asserted a fishing zone extending 200 miles out to sea, have seized many American fishing vessels far beyond any zone recognized by other nations, and have on occasion fired upon our ships, boarded them, taken them into port and levied heavy fines against them.

The rules change down there. The rules change so rapidly that our tuna fishermen cannot keep up with them. Especially, they are not told about them. For example, not long ago, some tuna fishermen set out from San Diego, as I recall, and once out to sea sought and were granted a license by radio. They began to fish. They were promptly arrested and their boat was taken into port. They were told that they had begun their fishing less than 24 hours after the license had been granted. It seems that regulation was something new, but no one had ever heard of it before. As the Senator from California so well knows, late yesterday afternoon a most constructive meeting was held with Under Secretary Rostow and Ambassador McKernan, who represents the United States at international fishery negotiations. The chairman of the Senate Commerce Committee, the senior Senator from Washington [Mr. MAGNUSON], the committee having legislative jurisdiction over fisheries, was present.

All of us there—certainly I did—were greatly encouraged because we were convinced that the State Department will make vigorous representations to those countries. While we do not know what the conclusion may be, we are persuaded that the effort in behalf of the American tuna fishermen will be continuing, persistent, vocal, and emphatic.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KUCHEL. Mr. President, I ask unanimous consent for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARTLETT. Heretofore the problem has been that a boat, two boats, three boats, however many, have been seized and negotiations would be undertaken soon after, and the whole matter would be dropped. During the meeting I became absolutely convinced that will not be the case in 1967, but that our representatives through the State Department are going to see this thing through and do whatever they can—and that is a great deal, in the last analysis—to protect American fishermen.

The time may come when some of the mandatory provisions of the Senator's amendment and bills which have been introduced in the Congress on this same subject will have to be applied.

I hope the countries of South America will realize that we are serious about this; that we can stand this no longer.

Once again I want to say that the leadership that the senior Senator from California has taken in this matter throughout the years has been constructive, helpful, and always on the side of the American people.

Mr. KUCHEL. I thank my able friend from Alaska. The leadership has been supplied by many, including his own leadership, as indicated by the meeting which was held yesterday.

Mr. President, we who have participated in this fight in years gone by are men who have supported the theory of the Alliance for Progress. U.S. Senators who sit on your side of the aisle, Mr. President, and on this side of the aisle have done what we can, by our votes, to indicate that we want hemispheric solidarity, friendship, and cooperation. It bodes no good for that theory of cooperation for some of our neighbors in South America to say, "We are going to control the seas 200 miles off our borders and we are not going to allow citizens from the United States or any other country to fish in those waters."

That is not right. That does not represent a good basis for cooperation. I speak as an American when I say I want friendship between our country and all countries south of the border, but I am not going to stand for their abuse of American fishermen who are trying to fish in open waters.

I thank the Senator from Alaska for his views.

THE 90TH CONGRESS AND THE ISSUES OF REPUBLICAN GOVERNMENT

Mr. KUCHEL. Mr. President, I prepared a statement on the 90th Congress and the issues that confront us for publication in California earlier this month. I ask unanimous consent that it be incorporated in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE 90TH CONGRESS AND THE ISSUES OF REPUBLICAN GOVERNMENT

The great hopes for world security which shone brightly in the first decades after World War II under the inspired leadership of men like Winston Churchill, Arthur Vandenberg, Dwight Eisenhower, and John F. Kennedy, seem now to be shattered by the indifference and limited horizons of many of today's world figures. France's De Gaulle, Egypt's Nasser and Rhodesia's Ian Smith all seem to fail to understand that today one nation's freedom is in pawn to another's security. In this nuclear age no nation can stand alone against all comers, and thus the foreign policy of our republic assume a transcendant importance in our national life.

American foreign policy must be based on two essential principles: the independence of the United States and the interdependence of all free nations. Acting together the free peoples of the world must insure that no nation will be allowed to impose its will, its regime or its social rules on any other independent nation.

The cost of freedom is high. Since 1965 the budget of the Federal Government has increased from $96 billion per year to an estimated $120 billion for the current fiscal year. It may run as high as $140 billion in the coming year. If the latest estimates prove correct, the cost of the Federal Government will increase by nearly 50% in the course of a few short years.

Most of the increase in cost results from the expanded defense budget necessitated by the American effort in Viet Nam. There can be no question of the need to supply American men in the field with all necessary sinews of war to aid and protect them in battle. As a member of the Senate Subcommittee on Defense Appropriations, I have consistently supported every valid request for support of our men in the field. At the same time, I have joined my Republican colleagues in a concerted effort to determine the true costs of this war. As the struggle in Southeast Asia continues, the monthly cost estimates continue to increase. The Administration has admitted that in this year it may have been as much as $10 billion in error in its earlier projections.

The most important task of the 90th Congress in the fiscal field will be to establish the necessary priority for spending the limited resources available to the Federal Government in these critical times and to assure that the limits imposed are not exceeded.

I am convinced that there continue to be areas in which spending can be effectively reduced. In the 89th Congress I joined the Republican leadership in a move to grant the President the power to withhold public works expenditures in the interest of bringing Federal expenditures in line with income. I also secured the passage of an amendment to the Poverty Program to provide that wherever possible preference would be given to the instruments of private enterprise in meeting its objectives. There are major activities, such as job training, which can be effectively administered and financed by the private sector. These reductions can be made, it seems to me, without curtailing some of the essential programs in education and health required by our people as a whole.

In our own State of California, property taxes have already reached and perhaps exceeded economic limits. Local demands for necessary police protection, school construction and administration and other necessary services continue to grow. The same pinch is felt at the state level. I continue to believe that those revenue measures historically employed by the states, but invaded by the federal government, should, as soon as possible, be left to the states exclusively. Excise taxes are a good example of what I have in mind.

The question has also risen whether there should be an increase in federal income taxes in the coming year. Many economists now argue that for the purposes of reducing inflation it may already be too late to raise taxes without slowing down domestic economic growth. Last year, in order to provide an additional $5.9 billion in revenue for the Federal Government, the President sought and achieved an increase in excise levies, an increase in corporate and individual withholding rates, and a suspension of the tax credit on investments. Before any consideration of a general tax increase, there must be a most careful review of federal expenditures. I repeat, this is the first task of the next Congress.

The rapid rise in federal spending indicates that a deficit in the national budget is inevitable in the coming year. In these circumstances, I believe that proposals to share federal revenues with the states are not feasible at this time. As a former State Controller I well remember that California is the second largest contributor to the national treasury, and that in return the state benefitted from major federal programs. As a member of the Republican Coordinating Committee, I have participated in studies of various revenue sharing proposals. In my opinion, it will be extremely difficult to strike a formula for distribution that accurately reflects the entitlement as well as the federal obligation to each of the states. This is particularly the case in our state where large scale defense and scientific programs require continued federal support in such activities as aid to local school districts. I, therefore, believe that consideration of revenue sharing proposals should be deferred until a surplus is clearly in sight. At that time, they should be taken into consideration along with a necessary restructuring and possible reduction in federal taxes.

A second area in which the Administration has gone astray, in my opinion, is in matching the American commitments abroad with the reasonable needs of our national security and of our proper share in the joint defense of freedom. I have long taken the position that the United States cannot go it alone in world affairs. The principle of collective security once brilliantly supported in the Eisenhower Administration by the great John Foster Dulles has all too often been subordinated to an illusion that every struggle abroad must somehow require the involvement of the United States.

Enormous burdens have been heaped on the shoulders of the American people by events of the last few years. At the end of 1966 nearly 400,000 troops were committed to the defense of freedom in South Viet Nam. The United States and her allies in Asia carry on this costly struggle without substantial help from our allies in Europe who, nevertheless, continue to benefit from the protection of the American nuclear umbrella.

Our efforts overseas require both money and manpower. An essential requirement for American society is an effective system of distributing equitably the burden of military service. A major issue for the 90th Congress will be the re-examination, and if necessary, the reconstitution of our Selective Service System.

With the Soviet announcement of the prospective deployment of anti-ballistic missiles another costly round in the nuclear arms race is threatened. I have urged the President to use every diplomatic means at his disposal to prevent this escalation of the arms race if at all possible. If these attempts fail, the United States will have no alternative but to insure her own defense by responding with her own anti-ballistic missile system, whatever the cost.

Nations, such as Communist China, which continue to violate the canons of decent behavior in world society must continue to be sternly contained. We must have no illusions about the Soviet Union. We must continue to maintain vigilance to deter potential Communist aggression. We have reached a point in world history when no nation of rational people can hope to profit from a major war which would threaten to destroy the planet on which we live.

Our nation was founded on the principle of the sovereignty of the people and of responsive government. I continue to believe that these principles are sound in a modern world and can be adopted by other independent nations. But these principles cannot be imposed from outside. Neither the principles of democracy, nor the principles of Communism, nor any other political idea can be imposed by aliens. The nations of the earth must be permitted to develop in peace and harmony in keeping with their own desires. This is as true of Viet Nam as it is of the Dominican Republic or Brazil.

The strength of each nation lies in its people and in their willingness to join together to grow and to preserve their liberty. This has been the abiding faith of the American people. In it we must continue to put our trust.

PRISONER WORK RELEASE FOR THE STATES

Mr. HRUSKA. Mr. President, one of the most promising efforts in the difficult and frustrating area of treatment and rehabilitation of convicted criminal offenders is the Prisoner Rehabilitation Act of 1965, Public Law 89–176. As a principal cosponsor of this legislation in the Senate with the distinguished Senator from Missouri [Mr. LONG], I have maintained a continuing interest in it. The experience to date convinces me that the programs established by the act offer great hope for the future of returning more wrongdoers to useful and constructive roles in society after they have paid for their transgressions.

Already, the impact of this law on the Federal correctional system has been great. In December of 1966, a fundamental reorganization of the Bureau of Prisons was announced. This reorganization was to improve the efficiency and effectiveness of the Bureau, to be sure. But it was made primarily to adjust to the effect of the Prisoner Rehabilitation Act and to take advantage of its potential.

What has this act meant for the Federal system? Perhaps no one is more qualified to comment on this question than Warden Larry Carpenter of the Federal correctional institution at Seagoville, Tex. In his former capacity as the Assistant to the Director of the Bureau of Prisons, Mr. Carpenter worked closely with the members and staff of the Senate National Penitentiaries Subcommittee in developing and fashioning the legislation which became the "Work Release Act." The act is a tribute to his dedication and perseverance as well as his skill and expertise in the field of corrections.

How fortunate that a man who was so intimately involved in the formulation of this legislation was placed in a position where he could play a direct role in its implementation. About the time the act was signed into law, Mr. Carpenter became warden at the Federal correctional institute at Texarkana, Tex. He began immediately to use the tools which were made available.

The results of his work with the Prisoner Rehabilitation Act were well summarized in an article he recently wrote for the Nebraska Law Review. This article describes most vividly the potential for the rebuilding of broken and wasted lives which the Prisoner Rehabilitation Act offers. The article demonstrates by example what can be done.

In the article, Warden Carpenter asserts that the act and its implications "are producing great changes in correctional work." He observes:

> All through the federal prison system educational and vocational training programs are being restudied and geared to meet actual community employment opportunities and the actual capacities of prisoners. The basic missions of institutions are being re-evaluated and in some instances changed. The new programs are also bringing about significant alterations in personnel recruitment and development programs, organizational patterns, and budgetary planning.

Chief Justice Earl Warren is cited as calling for "daring imagination in the exploration of cures for crime and other social blights." Then Warden Carpenter concludes:

> The Prisoner Rehabilitation Act provides the federal system with about as much statutory authority as it needs for the exercise of this "daring imagination." *The walls of the old-line prison have finally been broken down.* (Emphasis supplied.)

However, a note of caution is interjected when the warden suggests that the new procedures are not shortcut formulas for changing human behavior and that the correction of individual offenders will always be a difficult process.

I strongly recommend the article to my colleagues, especially those who are concerned about the mounting tidal wave of crime and lawlessness in this country. For the tools described offer real hope to break up the vicious circle of human deterioration that results in the so-called careers in crime.

Mr. President, I shall ask unanimous consent that the article be placed in the RECORD at the conclusion of my remarks.

Mr. President, if the programs encompassed by the work release legislation show such promise at the Federal level, should not they also be equally applicable to the correctional systems of the several States? After all, Federal prisoners account for only 10 percent of the total prison population of more than 200,000. It is my firm conviction that there is real promise for State systems offered in the work release, halfway house and emergency furlough programs of the Federal act.

None of these programs are new to

State correctional experience. All have been tried in one form or another in the various States over the years. Wisconsin's work release law, the Huber Act, has been on the books for more than 50 years.

But rarely at the State level are all these programs authorized for a single State nor are they as broadly applicable as is the case with the Federal act. For example, in only three of the 19 States which have one form or another of work release are felons eligible to participate. And only four States have State operated half-way house systems.

There is, then, a fertile bed at the State level for legislative action to establish or expand this effort. My own State of Nebraska is no exception. Already there is evidence of strong support for reform legislation to bring the potential of these programs to the Nebraska State system.

An excellent series of articles on Federal and State experience with work release was recently written for the Omaha World-Herald by its distinguished veteran crime reporter, Bill Billotte. Mr. President, I shall ask unanimous consent that the articles be placed in the RECORD at the conclusion of my remarks.

Mr. President, this series has stimulated favorable editorial and other comment from several Nebraska newspapers. I shall ask unanimous consent that a sampling of this comment be inserted also.

State Senator Terry Carpenter has announced that he will introduce in the Nebraska Legislature a bill to authorize work release and related programs for that State.

The measure was drafted by my former administrative assistant, Robert J. Kutak, who helped to draw the Federal legislation. Now a practicing attorney in Omaha, he is a member of the Governor's crime commission and together with leading Nebraska citizens is working to improve the administration of criminal justice in Nebraska by supporting this pioneering legislation.

Mr. President, I ask unanimous consent that the text of the article to which I referred earlier, together with editorials and articles on it and a commentary of one of the reporters who followed the progress of the bill, be printed at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Nebraska Law Review, July 1966]

THE FEDERAL WORK RELEASE PROGRAM

(By Lawrence A. Carpenter) *

The Prisoner Rehabilitation Act of 1965 [1] authorized furloughs, a system of work release [2] and the use of community residential treatment centers for adult federal prisoners.

None of these ideas were really new. Home furloughs are in common use in Europe, and furloughs for various purposes are granted regularly in many states and the armed forces. Work release systems, subject to various restrictions, have been adopted by at least twenty-four states. The residential treatment center is a refinement of the European hostel.

The Prisoner Rehabilitation Act was significant in that it related all of these ideas in a single piece of legislation and authorized their adoption for federal prisoners in broad, permissive language. The way in which the new procedures would be applied was left almost entirely to the professional competence of federal corrections personnel.

The new Director of the Bureau of Prisons, Myrl E. Alexander, began using the new authority almost immediately. Regulations were issued for emergency furloughs, and the matter of home and training furloughs was referred to a task force of professionals, for careful study and the development of appropriate regulations. Work release programs were promptly put into being; ten institutions were initially designated for pilot programs, and they were soon joined by a number of others. The residential center program was planned and budgeted for future years when the needed facilities could be established.

At this writing, mid-summer 1966, about 1,400 federal prisoners have been given the benefits of the various provisions of the Prisoner Rehabilitation Act. About 200 men have been given unescorted furloughs for emergency purposes, 700 prisoners are currently in work release, and 500 more have participated. Only about five per cent of the men have failed to return from work or from a furlough at the time stipulated. Up to this time the work releasees from all the federal prisons, save one, have earned a total of about 725,000 dollars. Among the uses of this income were the following items: about 134,000 dollars was sent by the releasees to their dependents; 254,000 dollars was put into savings; 178,000 dollars was spent in the surrounding communities; 73,000 dollars was spent for taxes; and around 12,000 dollars was paid to the federal prisons in reimbursement of expenditures for transportation to and from work and other work-related expenses.

Also at this writing the Bureau of Prisons has set up a small task force to evaluate the application of the Prisoner Rehabilitation Act during the past year, particularly the work release provisions, and to recommend appropriate changes and improvements in operation, criteria, and institutional roles.

Viewed from the warden's or the professional correctionary's eyes, the work release program has a number of advantages. It enables prisoners to contribute to the support of their families, retain a greater measure of self-respect, and become contributing members of society even while serving their sentences. It also gives prisoners trained in institutions a practical means of demonstrating their ability, earning community acceptance, and proving their readiness for parole. The furloughs help the men to maintain ties with their families, obtain occupational or educational training, search for work in preparing for their release, and attend funerals or visit critically ill members of their families. The residential centers—like the existing "halfway houses" for federal juvenile and youth offenders—will some day provide a means of easing adult prisoners back into the community with the degrees of control and assistance varying, as needed, from one case to another.

Community reaction to the new programs has been more receptive than might once have been the case. Partly this may be attributed to the fact that they were introduced at the same time as a great number of other "Great Society" programs newly authorized by the Congress. In any event the newspapers, radio and TV, and other communication media treated the new work release and furlough systems sympathetically. Representatives of all media were invited into the institutions for an intimate view of the correctional treatment process. Wardens and staff members addressed service clubs and other influential community groups and organizations. Very importantly, the prisoners chosen for work release and emergency furlough were in no small way very effective salesmen. At Texarkana we also formed a citizens' advisory group, composed of a small cross-section of the community. We reviewed our guidelines for the new programs with them, cleared the cases of individual inmates selected for work release, and obtained some helpful suggestions as to the best way of getting work release started in the local community.

The attitude of prospective employers was crucial to the initial success of work release. Here we were fortunate. The introduction of the program at Texarkana, as elsewhere, corresponded with a general upturn in the economy. With manpower in short supply, employers hired almost anyone who was recommended to them. When employers in Los Angeles, Detroit, and Dallas, learned of the work release programs at the federal institutions near those cities, they pleaded with the wardens for far more prisoner workers than could be made available. Seagoville, near Dallas, could have placed fifty inmates in a single skill, carpentry, at the immediate outset of the work release program, but the institution did not have fifty men trained in this trade. The jobs found for the inmates approved for work release were marked by their variety: dental laboratories, commercial art establishments, factories and the building trades, and service occupations. While most of the jobs did not pay high wages, some of them were unexpectedly good. At Milan, Michigan, a prisoner serving a sentence for bootlegging was put to work at $4.49 per hour as a journeyman carpenter.

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* Warden, Seagoville Federal Correctional Institution, Dallas, Texas; recently Warden, Federal Correctional Institution, Texarkana, Texas. The views expressed represent those of the author and not necessarily those of the Department of Justice or the Bureau of Prisons.

[1] 18 U.S.C.A. 4082 (1965). The act's provisions pertinent to work release and emergency furlough read as follows:

"(c) The Attorney General may extend the limits of the place of confinement of a prisoner as to whom there is reasonable cause to believe he will honor his trust, by authorizing him, under prescribed conditions, to—

"(1) visit a specifically designated place or places for a period not to exceed thirty days and return to the same or another institution or facility. An extension of limits may be granted only to permit a visit to a dying relative, attendance at the funeral of a relative, the obtaining of medical services not otherwise available, the contacting of prospective employers, or for any other compelling reason consistent with the public interest; or

"(2) work at paid employment or participate in a training program in the community on a voluntary basis while continuing as a prisoner of the institution or facility to which he is committed, provided that—

"(i) representatives of local union central bodies or similar labor union organizations are consulted;

"(ii) such paid employment will not result in the displacement of employed workers, or be applied in skills, crafts, or trades in which there is a surplus of available gainful labor in the locality, or impair existing contracts for services; and

"(iii) the rates of pay and other conditions of employment will not be less than those paid or provided for work of similar nature in the locality in which the work is to be performed.

"A prisoner authorized to work at paid employment in the community under this subsection may be required to pay, and the Attorney General is authorized to collect, such costs incident to the prisoner's confinement as the Attorney General deems appropriate and reasonable. Collections shall be deposited in the Treasury of the United States as miscellaneous receipts."

[2] Work release allows an individual to participate in unsupervised employment in the community while residing in the institution during his leisure hours.

In Los Angeles, a prisoner trained in warehouse work was employed at $4.00 an hour at a van line warehouse.

One employer who now employes four of our work releasees told us recently that he had been flatly opposed to work release when he had first heard of it. At that time he could get all the workers he wanted from the free community. But with the economic upturn, help became hard to recruit. He finally accepted a work releasee because he could not find men anywhere else. Then he took on more. Now, he said, he would just as soon have prisoner workers. One of the men was being paroled, and he asked for another prisoner as a replacement.

We suspect that this employer's attitude was rather typical. He bought the work release program out of hard-headed business reasons—in this instance, because of the lack of manpower in the community. We would not have it any other way, except that we would prefer that employers hire work releasees primarily because they represent a source of manpower with high training and skills.

The meaning of the new programs to the prisoners themselves is extremely difficult to put into words that are not maudlin. But anyone who has talked to a prisoner on work release can get some idea of the profound impact it has on his thinking and attitudes. By coincidence, on the morning we began writing this article a prisoner on work release departed from our institution on parole, and on his way out handed us a note. It read:

"I feel that the Work Release program is now a growing and going organization as part of the Federal Rehabilitation Program—It never ceases to amaze me to be able to walk up to that steel gate, walk outside, put a suit on and go out and do an honest days work.

"I personally find that the Public's acceptance of this Program is overwhelming—many, many times my co-workers have invited me to go fishing, go to their home for supper and meet their families—I felt mighty proud when I was asked for technical advice from my co-workers for it showed I was looked up to, not down on—to them I was a Mr. not an inmate.

"Completely trusted as I was I still felt humble for I never forgot where I slept at night.

"Work release has been a means of supporting my family, Support which made the difference of a new pair of shoes or make the old ones last awhile longer.

"It has given me an opportunity to prove to the government and myself that I could 'make' it on Parole—I was trusted in keeping Books, which incidentally is what I'm incarcerated for—Embezzlement from a set of Books, I handled money, drove and participated in Business transactions.

"All in all I'd like to say thanks to all who were so kind as to trust me enough to put me out on this program and say it meant the world to me and my family."

It happened that way, and he meant what he wrote. When he left we felt a great deal surer than we do with so many of the men who leave Texarkana, that he would not be back.

Work release is not, however, lacking in problems for the man on the program. While one of the purposes of the program is to help him adjust to the free community by the time of his release on parole, the actual fact is that a man on work release has to make a rather difficult adjustment twice each day. In the morning he has to make a quick adjustment from prison life to freedom, and in the evening he has to make the reverse adjustment. For several hours each day he is a citizen just like anyone else. The rest of the time he must live in a highly regimented, controlled and impersonal environment. Work release is therefore an exercise in adjustment. The prisoner has to adjust to free society every day instead of just once.

Work release also tests and retests a prisoner's sense of principle. There are the many temptations in the community—the opportunity of fleeing, stealing, drinking, taking drugs, and so on. There are the pressures brought to bear on him from other inmates who cannot get out on work release. He is asked to take messages in or out, to bring in contraband, and to run a variety of illicit errands in the outside world. As the prisoners' free agent in the community, he can do a lot of things for them, and get paid rather well for it.

All of these temptations and pressures are part of the risk in the work release program. But they are also part of the value, for they give the prisoner on work release the opportunity to develop in a very practical way the habit of resisting the kind of temptations and pressures that got him into trouble in the past.

Work release for federal prisoners was made possible just in time to help the institutions mesh their programs with other community programs established under "Great Society" legislation. The act provides the authority to extend the limits of a prisoner's confinement anywhere that he can obtain training helpful to his rehabilitation. A number of institutions, including Texarkana and Seagoville, have this year placed inmates in trade training programs in community facilities established and operated with funds authorized by the Manpower Development and Training Act. One of the advantages of this act, particularly to a federal prisoner, is an allowance for the support of his family. The Manpower Development and Training Program, now starting to admit federal prisoners, has tremendous potential for the entire corrections field.

The federally-financed, state-administered programs authorized by the Economic Opportunity Act also have provisions that are helpful to the corrections effort. Inmates can attend adult basic education courses operated by the local school systems either in institution or in community facilities. Also, under the federally-financed, state-administered programs of the Vocational Rehabilitation Act, funds can be allotted to the training of individual inmates either inside or outside the institution. The Vocational Rehabilitation Act in its potential application can open up the training resources of the entire community to the correction of offenders—colleges, business schools, commercial schools of all kinds.

The Civil Service Commission contributed its share to the implementation of the Prisoner Rehabilitation Act by issuing new regulations making it possible for federal agencies to employ work releasees. One of the first to be hired was a young man who had been living in Washington, D.C., at the time of his offense, and after his conviction had been transferred to one of the open camps of the federal prison system. He was assigned to a clerical post in the immediate office of the Director of the Bureau of Prisons. Federal agencies in the vicinity of a number of federal institutions have hired other prisoners.

The new legislation has helped to bring about a more tolerant social climate for the corrections process. For several decades of this century the emphasis was on the humanization of the prison, as illustrated by the history of the federal prison system itself from the time it was created by the Congress in 1930. In more recent years the trend has been toward increasing the involvement of the community in the corrections process. Work release, furloughs and community centers of various kinds have been around a long time, but they are only now coming into their own under more favorable social conditions.

Texarkana had a recent case which illustrates the formal and informal resources that can be brought to bear on the rehabilitation of the individual offender in a way that was not possible even two or three years ago. The man was a Mexican-American serving eight years for a narcotics violation. He was an extremely ambitious person who had acquired an unsavory past in a misdirected effort to improve the economic level of his family. Over the years at Leavenworth that ambition remained high, but it changed in character. The man still wanted a better life for his family than a Mexican-American could expect in South Texas, but he also wanted a respectable life for them. He signed up for college courses and earned an Associate of Arts degree. About a year before his sentence was up he was transferred to Texarkana, in a routine move to get him closer to home as the time for his release neared.

But after we had observed him a while at Texarkana and became convinced of his sincerity, we hesitated to send him back to his home community where all the old associations were waiting for him. We learned that his father had resettled in Detroit, Michigan, and was ready to assist his son and family in getting situated in the same area. We developed and our central office approved a plan for the prisoner's transfer to the Milan, Michigan, institution. He had seen his wife only once in the five years he had been serving his sentence, and we gave him a two-day home furlough before his transfer. The expenses of his furlough were paid by the Junior Chamber of Commerce of Texarkana. He then travelled by himself on a Greyhound bus to the Milan institution and soon after he arrived there, enrolled in the University of Michigan at Ann Arbor to finish his education. He travels from the institution to college every day, and when his sentence is served his family will join him in Detroit.

So far the new procedures seem to hold much promise for the correction of the offender, but they have already raised a number of issues that are being studied in the development of long-range policy. One of these has to do with criteria for work release. Under the initial guidelines a prisoner has to be considered trustworthy, have about six months left to serve, and be relatively free of a history of violence and notoriety. But what determines whether a man is trustworthy? Is a parole violator automatically to be barred? Should anyone with a fairly recent record of misconduct in the institution be barred, and if so, how recent and how serious must the misconduct be to disqualify him? Is a man with a record of prior convictions to be considered ineligible, and if so, how many prior convictions establish disqualification?

Can any specific criteria be developed, or must the decision of institutional officials depend on the entire constellation of factors present in every case and on the intelligence, experience and training of officials? The latter is not a very scientific guideline, but perhaps it is the best we can do with the knowledge currently available to us.

At a regional corrections institute at the University of Georgia attended by a group of wardens from the Southern states in July of this year, the conferees were in almost unanimous agreement that the criteria for work release and home furloughs could not be very specific. Each case would have to be decided on its own merits.

In the federal system the majority of the men who have absconded from work release or failed to return from home furloughs have had histories of alcoholism or heavy drinking. With this experience in mind the institutional wardens are extending the new privileges to very few men with this type of history. But are there not differences between alcoholics? Some are dangerous when they have been drinking, and some are harmless.

The criteria eventually to be established may depend very largely on what conclusions are reached as to the degree of risk that work release, furlough and guidance center programs warrant. Obviously there is some risk involved in almost every case; otherwise these programs would not be needed in the rehabilitation of the individual offender. But how far can a correctional administrator go in risking the community? If he goes too far, he might lose his job. If he fails to go far enough, his program will not amount to much as a rehabilitative tool.

Is the "six months left to serve" requirement too rigid for a practicable work release program? The wardens at the Southern Regional Corrections Institute voted in favor of more flexibility. They could see no reason why a man with a year or two or more could not be put on work release, if he was otherwise ready for this type of program.

The answer in the long run may lie in the adoption of an entirely indeterminate sentencing system in the federal jurisdiction. Both the Federal Juvenile Delinquency Act and the Federal Youth Corrections Act permit complete flexibility and the release on parole of the individual at any time during the course of his commitment. But for adult offenders, most federal judges (in 8,253 cases last year) use the old "regular" procedure under which the prisoner does not become eligible for parole until he has served one-third of his sentence. Gradually more of the judges are using the newer indeterminate procedure, authorized by the Congress in 1958, which leave it entirely to the parole board to set the parole eligibility date (some 1,700 cases last year). Only a very few judges choose to use the procedure which allows them to fix the parole eligibility date themselves (60 cases last year).

The result of course is inconsistency. The prisoners with the indeterminate sentences can be placed on work release and paroled at any time. The prisoners with the "regular" sentences must wait until they are nearing their parole eligibility dates. There are also other inequities in the procedures imposed by differences in the type of sentence.

Now that we have the Prisoner Rehabilitation Act to provide invaluable testing procedures, the adoption of an entirely indeterminate sentencing system would help to provide needed flexibility in program planning and parole consideration. Institutional officials would then be able to put adult offenders on work release when the offenders are considered ready, not when they have served a given amount of their sentences. Similarly, the parole board would be able to release them from custody when a sufficient period on work release demonstrated that this action would be timely.

Should prisoners on work release be required to pay the costs of their confinement? A provision of the legislation authorizes the Attorney General to make such collections when he deems it appropriate and reasonable, and a regulation requiring each work releasee to pay two dollars a day has been put into effect. Exemptions from this requirement are made only in those individual cases where excessive heardship would be imposed. The report of the Senate Judiciary Committee on the legislation commented concerning this provision: "The committee understands that this authority would be used conservatively and that such collections, when made, would not create inequities due to differences in confinement costs from one institution or facility to another, and the wage rates and economic resources of individual prisoners." [3]

The real issue in the committee's desire that this authority be used "conservatively" is the moral one of whether a convicted offender should be forced to pay the costs of his own imprisonment. Given a choice, the prisoner would undoubtedly prefer to expend his personal earnings on somewhat different living arrangements than those provided by a prison.

What will be the impact of work release on institutional training programs? Ideally, inmates should be placed in employment for which they have been trained in the institution. But are institutional programs realistic in this respect? In our work release program at Texarkana we found that we could obtain better jobs for men in unskilled occupations than in such trades as laundry operation and cooking for which they had been trained in the institution. As a result we did away with our laundry and kitchen vocational training courses, and now assign men for training in skills for which they can hope to obtain better wages when they re-enter the community. This kind of re-evaluation is currently going on throughout the federal prison system.

Under the Vocational Rehabilitation Act custodially suitable prisoners may be placed in appropriate training situations in private enterprise. When the training is completed the men may then be shifted to the work release program under the Prisoner Rehabilitation Act. Some businessmen have offered to provide training and employment within the institution for men considered unsuitable, at least initially, for community programs. Their offers have been accepted in some instances as far as training is concerned. The IBM corporation, for example, is preparing men at the Atlanta penitentiary for data processing work. But so far no private organization has been permitted to establish employment situations within federal institutions. The day may come, but it will have to be under circumstances which will safely avoid the abuses of the old lease system.

What will be the effect of changing economic conditions on work release? The new program's initial success with employers was unquestionably due in large part to boom times and labor shortages. The Texarkana area, for example, is economically dependent on an army depot and ammunition plant; it experienced heavy unemployment rates and was listed as a distressed area for many years between wars. When the Viet-Nam affair brought about heavy hiring at the two plants, the economy of the city and the area improved dramatically. Shortly after the work release program started, Texarkana was taken off the distressed area list and joined the communities which had developed labor shortages.

When the Viet-Nam war ends and the plants at Texarkana again reduce operations, the unemployment rate in the area will rise significantly. Under the very terms of the Prisoner Rehabilitation Act, work release cannot be used in communities with labor surpluses, and under such conditions it would also be impracticable from a public relations standpoint. Hopefully national policy will insure that periods of recession and undue unemployment will be brief. But the problem of a temporary set-back in work release programs will undoubtedly have to be faced from time to time at Texarkana and several other federal institutions.

Or should a prisoner be considered as entitled to private employment, and permitted to compete for it, as a free citizen? Whose need is greatest? Where do the community's vital interests lie? In the new era of corrections it would seem anachronistic to continue to regard as a second-class citizen or less a person who has been convicted of a crime but has used his prison time to earn, and prove that he is ready for, another chance in the community.

There is also the issue of farming out work release programs. Many correctional institutions, perhaps most of them, are located fairly distant from the home communities of the prisoners. Ideally a work release program should put the man on a job in the community where he will actually live when his imprisonment ends. In California the state department of corrections solved the problem by contracting with the counties to operate work release programs in their own jails for prisoners transferred from San Quentin and other state institutions. The federal government also has contracts with county jails throughout the country for the confinement of prisoners awaiting trial or transportation to a federal institution; conceivably such contracts could embrace work release programs. But the Prisoner Rehabilitation Act also authorized the use of community residential centers for adult prisoners, and the program backbone of such centers is work release. The centers would of course be superior to the jails for community programs of this kind. Yet just how soon funds can be obtained to establish a sufficient number of residential centers is anyone's guess. Should the jails be used in the meantime? They are not an ideal means of getting men back into the community, but in conjunction with work release and community programs, they may present a more hopeful situation than a round-the-clock existence in a penal institution. The eventual solution may lie in some combination of facilities, depending on local and individual circumstances.

The Prisoner Rehabilitation Act and its implications are producing great changes in correctional work. All through the federal prison system educational and vocational training programs are being re-studied and geared to meet actual community employment opportunities and the actual capacities of prisoners. The basic missions of institutions are being re-evaluated and in some instances changed. The new programs are also bringing about significant alterations in personnel recruitment and development programs, organizational patterns, and budgetary planning.

In a recent speech Chief Justice Earl Warren called for "daring imagination in the exploration of cures for crime and other social blights." The Prisoner Rehabilitation Act provides the federal system with about as much statutory authority as it needs for the exercise of this "daring imagination." The walls of the old-line prison have finally been broken down.

Nevertheless, the new procedures are not short-cut formulas for changing human behavior. The correction of the individual offender will always be a difficult process, and perhaps we should not have it any other way. If by chance someone did discover a sure and quick method of changing human behavior, it would represent more of a threat to mankind than a boon.

The very difficulty of modifying human behavior dictates that we commit to the corrections process more resources than we have been willing to commit in the past. The emerging role of the correctionary is to muster the potentially vast resources of society. If research has shown anything by this time, it has shown that the correctional worker is not equipped to do the job alone. He needs all the help he can get, and spurred by significant new federal legislation, that helps seems finally to be arriving.

[From the Omaha World-Herald, Nov. 27, 1966]

North Carolina Plan, I: Convict Tries Work Outside—Gets Confidence, Money, Before His Release

(By Bill Billotte)

Raleigh, N.C.—It started one day in 1959 in this city of more than 100 thousand.

A bus painted the prison gray of the North Carolina Central Penitentiary pulled up to the curb and a convict in civilian clothes got out.

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[3] S. Rep. No. 613, 89th Cong., 1st Sess. 5 (1965).

He was carrying a lunch packed for him in the prison.

He had been let out a block away from where he was to be employed so other employees would not see him alight.

There was fear in his heart as he walked toward the place he was to work.

What would his fellow workers say when they found they were associating with a man who would return to prison at the end of the day?

Would they walk out in protest or would they give him the silent treatment?

OFFICIALS WORRIED

North Carolina prison officials were worried, too. They knew they were putting their reputations as penologists on the line. If one of the carefully screened prisoners "fouled up" during the early stages of this revolutionary concept of rehabilitation, it could be discredited before it had a chance to prove its worth.

But they knew that for better or for worse the much debated North Carolina Work Release Program had been launched.

Among the most anxious for the plan to succeed was a lean, bespectacled law professor from the University of North Carolina who, along with W. F. Bailey, director of prisons at the time, had done the preliminary work in preparing reports for the North Carolina Legislature. The law professor was V. Lee Bounds.

They journeyed to Wisconsin to study a modified version called the Huber Plan, but they knew they were going much further in their efforts to give convicts a new start in life.

REVOLUTIONARY

Today the North Carolina plan is being hailed as the most revolutionary change in prison operation in 30 years.

And it was done with a saving to the taxpayers.

Today Mr. Bounds is the new director of prisons, still hard at work improving the work release system.

Last week Warden Maurice Sigler of the Nebraska Penal Complex spent three days in Raleigh studying the plan. This writer accompanied him.

Briefly, the work release plan has three objectives:

—Making a convict self-supporting before he leaves prison and giving him the self-confidence that a substantial amount of release money and a waiting job can give him.

—Giving the family substantial support money while the breadwinner is serving his time.

—Easing the burden of the taxpayer in the operation of the prison and lowering costs in the welfare field from which the family gets aid.

In North Carolina the convict pays $2.75 a day from his earnings to the prison, one dollar a day for transportation and a substantial sum to those dependent upon him. The rest of the money, except five to 10 dollars a week for spending money, is put aside for the day of the convict's release.

OLD WAY FAILED

All the prison officials interviewed, including K. B. Bailey, warden 12 years before becoming assistant to Mr. Bounds, said they thought old methods had contributed to the failure of ex-convicts to make it on the outside.

They agreed that the system of giving a convict a 10-dollar bill, a suit of clothes and a pat on the back on his release only aggravated his problems.

"It just wasn't enough," said Mr. Bailey. "Here you had a man who had been spending his time behind walls, uncertain of his future and almost certain of a cool reception when he applied for a job. Many of them were beaten before they started."

Warden Sigler, who had worked in prisons in Florida, Texas, Louisiana and Kansas before coming to Nebraska as warden in 1959, studied every aspect of the plan with hopes it may be instituted at the Penal Complex here.

How much money can a state save by using the work release plan? Do the convicts like it? What is the reaction of the employers of the convicts? Do fellow workers object?

These questions and others will be answered in the articles that follow.

[From the Omaha World-Herald, Nov. 28, 1966]

NORTH CAROLINA PLAN, NO. 2: CONVICT WORKS ON OUTSIDE AT NIGHT DURING JAIL TERM

(By Bill Billotte)

RALEIGH, N.C.—"Did you ever hear of a convict working nights on the outside while serving his term in prison?"

The man who asked the question was Louis E. Poole, superintendent of the honor grade section of the North Carolina Central Penitentiary.

"Well, that fellow resting over there on the bed is doing just that," Mr. Poole said. "He's a machinist in a firm that manufactures heavy equipment."

The 32-year-old man, whose first name is Richard, smiled when asked if he would tell his prison story.

"Why not?" he asked. "If it will help make it better for some guy some place else who messed up his life as bad as I did—I'm all for it."

Richard was sentenced to four years on a charge of embezzling while he was the manager of six restaurants. He has four children, two boys and two girls, between the ages of 3 and 14.

"I was working in South Carolina and my wife and I weren't getting along," Richard said. "I suppose we both could have tried harder but we just weren't cutting it. When the people I worked for decided to transfer me to North Carolina she decided not to go with me.

"Living alone away from my family, my habits got worse and I became depressed. One day I walked out on my job, taking three thousand dollars of the firm's money with me."

HELPS FAMILY

Richard found that he was not the running kind and couldn't get used to looking over his shoulder every time he saw a policeman. A few weeks later he turned himself in at Greensboro, N.C.

"I turned back 22 hundred dollars of the money I had taken, and here I am," he said.

He said his wife is working in a doll factory and, with help from a welfare agency, has been keeping the family together.

Of Richard's monthly wage, two hundred dollars is sent to the welfare agency contributing to the family support. If the money the convict is contributing is more than that being sent by the agency, the family receives the additional amount.

The prison system is paid $2.75 a day for room and board, with the money going into the state's general fund. The prison also receives a dollar a day for transportation. Richard gets between five and 10 dollars spending money each week. The remaining money is credited to his prison account, to be given to him when he gets out.

Whether his wages are received by check or in cash, the convict turns it over to prison authorities immediately on his return to prison that day. In return he receives a receipt.

A record of all disbursements and credits to the inmate is kept and each month he receives a form telling him the status of his savings.

Deductions for Social Security and taxes are made by the employer.

INCREASING

The money handled was in the thousands just five years ago. Now it amounts to millions.

Here are the figures for three months of this year—July, August and September.

The total earnings of the inmates for that period were $998,279.56. The prison system receives $348,422.50 for board and room and transportation of the inmates.

Welfare agencies helping families of the inmates got $229,447.93 and the accounts of the prisoners were credited with $228,908.24. The inmates got $110,059.66 for personal expenses.

To illustrate the rate of rise in the prisoners' earnings, September earnings at $370,803.13 were 66 thousand dollars higher than the total for July.

The work release prisoners live in work units across the state.

In the Central Penitentiary at Raleigh they are quartered in comparatively new barracks away from the maximum security cell blocks. They sleep on beds in dormitory double-deckers and have their own dining room.

DIM VIEW

"We believe that for security reasons as well as for rehabilitation of those who have won the right to be in the work release program, they should not mingle with those in the cell blocks," Director of Prisons V. Lee Bounds said.

A rigid set of rules of conduct has been set up, but the convicts are permitted to wear civilian garb on the job and after they return to their quarters in the prison.

Prison officials said those in the work release plan also take a dim view of the fellow inmate who "fouls up."

[From the Omaha World-Herald, Nov. 29, 1966]

NORTH CAROLINA PLAN, NO. 3: SKEPTICS NOW HAPPY BOSSES

(By Bill Billotte)

RALEIGH, N.C.—"You mean we don't have enough burglars trying to break into our places of business—you want us to put them on the inside? You have to be kidding!"

That was the general attitude in the business community of this bustling state capital when prison officials put out the first cautious feelers on the North Carolina Work Release Program.

After the passage of an enabling law by the Legislature, prison officials were trying to place convicts in industry while they still were serving time.

At that time the program included only those convicted of misdemeanors. In North Carolina a man can serve a sentence as short as 30 days in the penitentiary.

Those working on the plan screened each applicant seeking to be permitted to work on the outside.

The program later was enlarged to include those convicted of more serious crimes.

A few business men finally agreed to give the experiment a try.

Soon the prison officials no longer had to canvass the city to place convicts. The business men came to them.

W. H. Hocutt, manager of an automobile business in Raleigh, is one of those who admittedly was dubious.

But since 1963 he has hired 26 convicts and has four working for him now. He said he started to employ them as the result of a conversation with another business man.

"We were hurting for help and were discouraged at the caliber of people we were getting," Mr. Hocutt said. "Some wouldn't show up after a couple of days. Others took tools home with them and some were half loaded on Monday mornings."

Mr. Hocutt said he took his friend's advice and applied at the prison for a couple of men.

His business was investigated by prison officials. One day the prison bus stopped outside his place and two inmates came in carrying their lunches.

"We have never had a bad experience with any of them," he said. "And right now if we did have one unfortunate incident with one of their men I would not hold it against the program. We have more bad experiences with help we get in the normal manner."

Mr. Hocutt was asked what he particularly liked about his convict help.

"For one thing, Monday morning you can be sure they are going to be standing there sober, ready to put in a full day's work," he replied.

"They are people who you can be sure, are happier while working than they will be in the place they must return to at night. And they work harder than the average employe because they want to prove you made a good decision when you gave them a chance.

"We have never had them steal a tool from us," Mr. Hocutt said. "Where could they take it—back to the prison, where they are searched before they go in?"

He went into a cement block building where 20-year-old Robert was working on a car.

"Robert's been with us just three months," Mr. Hocutt said. "We have already told him we would like to keep him on when he gets out."

Robert said he was serving a six-month term for grand larceny.

Was he grateful for the opportunity to be in the work release plan?

"You better believe it," he replied. "I had had it. I was beginning to feel so mean I didn't even like myself."

Prisoners must serve 15 per cent of their sentence before they are eligible for work release consideration, said Louis E. Poole, superintendent of the honor grade section of the prison.

He and Guard Lieut. Russell Bailey often drop in unexpectedly at the places where inmates are employed.

Mr. Poole said the convict workers are paid the going rate the job calls for.

"Their pay must equal that of the employee they are working beside," he said. "Of course, some of our inmates start at the bottom, but we insist that their pay increase as they become more skilled. Most employers take care of this without prodding. But we will remove an inmate from any job where we feel the environment is bad or that some one is taking advantage of him."

[From the Omaha World-Herald,
Nov. 30, 1966]

North Carolina Plan No. 4: U.S. Prison Board Adopts Release Idea

(By Bill Billotte)

RALEIGH, N.C.—How has the North Carolina work release plan been received over the country?

The list of those praising it reads like a Whos Who in law enforcement.

When the Federal Rehabilitation Act of 1965 was passed, putting a copy of the North Carolina plan in Federal prisons, George W. Randall, then director of prisons in the state, was called to Washington to testify.

Nebraska's Senator Roman Hruska, long a member of the subcommittee on Federal penitentiaries, and Senator Edward V. Long of Missouri co-sponsored the Federal bill.

James V. Bennett, former director of the Bureau of Prisons, appeared to support the act under the auspices of the American Bar Association. He had been connected with Federal prisons for 35 years.

His successor, Myrl E. Alexander, spoke for the bill, asserting that he considered it the most important legislation affecting the Federal prison system in the last 30 years and that he considered its "enactment the primary objective of my first year in office."

In urging passage Senator Hruska said:

"The result too often is that when a prisoner has finished his sentence or is paroled, his abrupt release to the community immediately confronts him with an array of problems that often come as a severe shock and tend to overwhelm him.

"The problems of a released inmate are many. He needs to find a job. He needs a place to live. He needs clothing and he needs food. In many instances he needs to find a way to become reassimilated as a member of a family that has closed ranks while he was gone.

"He also faces the plight imposed upon him by his status as an ex-convict. These are all basic and crucial problems that really must be resolved in the community. The authority provided by this bill would give the Federal prison system some means to deal directly with them."

"REMARKABLE"

Representative Basil L. Whitener (Dem., N.C.) had this to say:

"I feel it is remarkable that today we have more than one thousand work release prisoners in North Carolina supporting themselves who otherwise would be a complete burden to the taxpayers of the state.

"We have had 6,080 participants in the program since its commencement in 1957 through July 1, 1965. They have earned a total of $4,400,000. The prison department has deducted $1,500,000 for their keep and 370 thousand dollars for their transportation.

"Of course, they have paid taxes to the Federal and state governments upon their earnings.

"People forget that 97 per cent of our prisoners are going to be released. We simply ask is it better for them to come out with a job and self-respect and contribute to society or to come out with nothing?"

It was pointed out that while every other state had shown an increase in its prison population, North Carolina's has decreased by about two thousand.

FIRST LAW

Various adaptations of the work release program, have been authorized in 24 states. But only in North Carolina, Maryland and South Carolina have efficient over-all systems been put into practice.

When North Carolina's first law was enacted in 1957 it applied only to those convicted of misdemeanors. But officials said that not until the program was enlarged to include felons did the plan begin to move.

Director of Prisons V. Lee Bounds said the work release plan first worked effectively in 1959.

The vote in Congress was 323 to 0 for the bill.

[From the Omaha World-Herald, Dec. 1, 1966]

North Carolina Plan, No. 5: Rules Rigid, Punishment Fast, Sure in Work Plan

(By Bill Billotte)

RALEIGH, N.C.—As Warden Maurice Sigler drove toward the grim-looking structure that is the largest prison in North Carolina he wondered what he would find as he started his research on the state's work release plan.

"I'm betting they started slow, have rigid rules of conduct for those granted the privilege of working on the outside and that punishment for violations is sure and quick," he said.

Warden Sigler was right.

No one, from V. Lee Bounds, director of prisons, down to the guards who search the convicts as they return after their day's work, have any doubts about the rules.

The same holds for inmates who have earned a chance to work at the side of law abiding citizens.

In the opinion of those directing the work-release program in North Carolina, screening of emotional problems, attitudes of inmates and their records are of the utmost importance in granting work release permits.

They believe that those who work daily with the inmates while they serve the first 15 per cent of their sentences know best when it is time to take a chance on a prisoner's succeeding in the use of his part-time freedom.

APPROVAL

So the final decision rests with North Carolina prison officials.

A sentencing judge can recommend that a man convicted of a crime be placed in the work-release program and the same is true of the Parole Board.

But before any inmate walks out to the prison bus with his lunch under his arm he must have the approval of the director of the Bureau of Prisons.

The inmate can be removed from the program for returning with liquor on his breath, attempting to smuggle contraband into the prison, profanity on the job, fighting with a fellow employe, cashing his own check, wandering off the job or violation of several more rules of which he is fully aware.

"Softness in the administration of this program cannot be tolerated," said Martin R. Peterson, director of rehabilitation.

What are some of the fringe benefits of the work-release plan besides rehabilitation of the convict and the saving of tax money?

HELPS

R. L. Turner, warden of the North Carolina Central Prison, said the plan has improved the behavior of 90 per cent of the prison population.

"Very few aren't conscious of the fact they will eventually be considered as work-release prisoners if they show by their attitude they warrant the trust," Warden Turner said.

"They can learn enough at prison industry jobs to qualify as workmen on similar industries outside," he said. "Many have no skills when they come here and the work-release plan gives them something to shoot at."

A. L. McLemore, supervisor of job placement and work release, said the program is an invaluable responsibility indicator to the Parole Board on how good a parole risk an inmate will be.

"If they can't make it on work release they certainly won't be able to make it on parole," said Mr. McLemore.

He pointed out that work release prisoners get more flexible visiting privileges—a week end at home every five or six weeks, permission to go home unescorted for a funeral or other serious family crisis.

He said that of the 95 hundred convicts in North Carolina, 15 hundred are on the work release plan.

"We have one hundred working here in Raleigh," Mr. McLemore added. "And we have at least four hundred more requests for the right kind of inmates."

The 14 hundred others work out of units across the state with officials attempting to place the inmates in jobs in or near their home towns.

"We have found that the average convict wants to go home almost immediately after his release," said Prison Director Bounds. "It makes sense to place him in a job near home."

[From the Omaha World-Herald, Dec. 2,
1966]

North Carolina Plan, No. 6—Pilot Program of Prerelease Succeeds, 2 to 1

(By Billy Billotte)

RALEIGH, N.C.—One of the outskirts of this city is a neat red brick building that looks like a dormitory on a university campus.

It is called the Pre-release Center and has been in operation six months.

Inside, the "college dormitory" impression persists. The shower and restroom are immaculate, the kitchen is a complete unit of stainless steel and there is a living room with television.

The furniture in the dining room is simple and sturdy, and the pastel walls, pictures and potted ferns give it a cheery appearance.

This is where some convicts come for 30 days to six weeks before they are released from prison. It came into existence because of the success of the work-release program in this state.

HALF AND HALF

Supervising the 35 to 40 prisoners from North Carolina Central Prison each month is John Shearin, who is conducting an experiment for the Bureau of Prisons.

Mr. Shearin is the first to admit that he and other prison officials will not be able to make any conclusions as to the success of this pilot program for another six months.

So far the prison officials each month have been sending half of those being released into community life without spending time at the Pre-release Center.

The other half are spending from a month to six weeks at the center and on a job.

"Thus far we have found that those who go into the outside world from here are succeeding 2 to 1 on staying out of trouble as compared to those who go out without preparation," Mr. Shearin said.

"Of course, our figures will mean much more after more time has elapsed and those who have left have faced longer and sterner tests," he added.

HEAR ADVICE

Mr. Shearin said that while the prisoners are spending the final days of their sentence at the building, they work out during the day, hear speakers virtually every night and have access to counselors who advise them on individual problems.

"This program must have the participation of various groups in the community," Mr. Shearin explained. "We have speakers from lawyer groups, the domestic courts, the Red Cross, successful business men, employers who explain what they expect from their workers, and any one else these men will have to depend on for guidance on the outside.

"We have found that many men drift into trouble because their home life seems to them unbearable," Mr. Shearin said. "That is why we have speakers on marital relations."

WEEKENDS

Those who stay at the center are permitted week-end passes, checking out at 8 a.m Saturday and returning Sunday at 6 p.m. They must let the authorities know where they are going and how they will be spending their time.

Those on the pre-release program must make their own beds and take care of their personal chores in addition to working on jobs in the community. But regular inmates from the prison do the cooking, janitor work and other full-time jobs at the center.

One of these was a tall, distinguished looking man of 65 who broke into smiles when he saw K. B. Bailey, the assistant director of prisons—who formerly was warden of the prison for 12 years.

"I want to introduce you to Eddie ———," Mr. Bailey said to the reporter. "He was one of the smoothest safecrackers ever to hit North Carolina. He hasn't reformed any—these modern safes are just too complicated for him to crack."

"That's about it, Mr. Bailey," Eddie acknowledged, "but none of us is getting any younger."

He went back to doing his chores.

HOPE IN YOUTH

"Maybe a program like this could have helped Eddie when he was younger," Mr. Bailey said. "Outside of being a chronic law breaker, he was a likeable man. He never gave me one minute's trouble in all the time he served under me in prison. Now all you can do is let him do a job around here as a trusty."

Mr. Shearin said that if the center proves to be as effective as early experimentation indicates it might be, similar projects will be tried in other sections of the state.

"This works in which what we now know—that a convict wants to go home to family and friends when he finishes his stretch," he said.

"This is particularly true of the younger ones, and the real hope of effective prison reform is in this group. They are the ones who have not become hardened criminals—the ones who have the best chance of becoming once again law-abiding citizens."

[From the Omaha World-Herald, Dec. 3, 1966]

NORTH CAROLINA PLAN, NO. 7: BOSS "TEMPTED" TO STUMP FOR WORK PROGRAM

(Last of a series)

(By Bill Billotte)

RALEIGH, N.C.—The first employer to hire a convict under the North Carolina Work Release Program leaned back in his chair at the Atlas Steel Products Company here and gave his estimate of its effectiveness.

"It has only one fault," he said. "I can't get enough of them."

The man is Bruce Jennings, office manager and personnel man for the steel company.

"We have employed at least 15 men since the start of the program," Mr. Jennings said, "and they have done everything around here from welding to sweeping floors. At one time we had five inmates working for us. Right now we have but one."

He turned to Louis E. Poole, superintendent of the honor grade section of the prison where 110 work release prisoners are quartered, and to his guard lieutenant, Russell Bailey.

"You both know that I will accept more men tomorrow if you can arrange it. Once we could get all we were willing to employ—that was in the early days. But now we are competing with other employers who have found out that they gain as much as the inmates they are helping.

"Most of the men who have worked here became welders and they were paid the same wages as those who worked with them. Other employes have gone out of their way to show them they are being fully accepted.

"They are here on time, never walk off with tools," Mr. Jennings said. "We try to keep all of them when they finish their terms but a good many of them return to their own hometowns. But they go with money in their pockets, confidence and a skill to offer another employer."

Mr. Jennings told of one of his regular employes who was sent to the prison for nonsupport.

"He applied for work release and came back to work for us. He has finished his sentence and is out there working now—a better man than when they came after him."

Mr. Jennings summoned the inmate then working for him and asked him how he was getting along.

James —— said that he was getting along well, that he had come to the job as a sweeper but was now becoming a welder's helper.

"If you need any help back there in Nebraska in convincing them this work release program is one of the best prison rehabilitation programs in years I would almost be tempted to fly back and tell them about our experience out here," he said to Warden Maurice Sigler.

Those who know the program best said it was primarily to help those who are paying the penalty for having committed crimes and to attempt to keep them from making the same mistakes again.

After studying the North Carolina work release operation, Warden Sigler said he is more convinced than ever that if Nebraska puts in a similar operation it must start slow and be kept simple.

He pointed out that North Carolina is working with a total prison population of 95 hundred, with about 15 hundred on the work release plan.

Warden Sigler said that approximately 150 of the 11 hundred inmates of the Nebraska Penal Complex would qualify for the plan.

"And it would be quite some time before even that number would be outside the walls working," he said. "The careful screening we have in mind could not be done in a hurry."

Warden Sigler said he is particularly interested in placing inmates in jobs in their own sections of the state so they will be encouraged to keep them when they are released from prison.

"Although we do not have prison buildings scattered across the state as they do in North Carolina, we do have state institutions where the honor grade convicts could be quartered at night under skeleton guard crews from our prison," he said.

Warden Sigler said that in the past inmates from the complex have successfully been sent out as work crews to perform jobs at other state institutions and that few have violated the trust imposed in them.

[From the Norfolk Daily News, Dec. 1, 1966]

PRISON "FURLOUGH" BILL IS PREPARED

LINCOLN (AP).—A member of the Governor's Commission on Crime and Delinquency said Wednesday he is preparing legislation to authorize a conditional release program for Penal Complex inmates.

Attorney Robert Kutak of Omaha said the proposed program would permit the warden to conditionally release selected inmates on furloughs, for work in the community and to so-called halfway houses.

"These are pretty well recognized methods of prisoner rehabilitation," said Kutak. "We think the institutions director and warden should have broad authority in this area."

Warden Maurice Sigler said a work-release program under which inmates would engage in private employment during the day and return to prison at night has his support.

Sigler, who recently returned from North Carolina where he studied that state's pioneering work-release program, said more than one Nebraska business concern has already told him it is interested in participating in such a program at the Penal Complex.

NO ADDED COSTS

There would be no added costs, and our program would not be nearly as complicated as the one in North Carolina because our prison population is only one tenth the size of their's," said the warden.

Kutak said the legislation he is preparing will be modeled generally after the 1965 Federal Prisoner Rehabilitation Act.

Aside from a work-release program, the legislation would also authorize the warden to release inmates on furloughs for emergencies, sickness or death in the family or perhaps to attend public educational institutions.

[From the Lincoln Journal, Nov. 21, 1966]

PRISON PLAN IS STUDIED—SIGLER VISITS RALEIGH, N.C.

Penal Complex Warden Maurice Sigler is spending several days this week in Raleigh, N.C., studying the first state prisoner work-release program in the country.

The program, in operation now about 10 years, allows selected prisoners to engage in private employment during the day and return to prison at night.

Other states besides North Carolina have adopted the plan, and the federal Prison bureau began releasing some prisoners for outside jobs a year ago, Sigler said.

Officials consider work-release a successful extension of a prison's rehabilitation program he noted.

The warden said he plans to confer first with North Carolina Director of Prisons V. L. Bounds and Assistant Director and former Warden K. B. Bailey, then visit prisoners and their employers on the job to find the "weaknesses and strengths and problems involved in implementing the program elsewhere."

Sigler expects to return to Lincoln Wednesday.

[From the Lincoln Journal, Dec. 1, 1966]

Inmate Release: Jobs Will Be Given—Law Must Be Passed

Penal complex warden Maurice Sigler, who just returned from viewing the work-release prison program in North Carolina, said Nebraska firms have indicated they would hire inmate-employes if the 1967 Legislature approves a work-release law.

"I have no doubts that it could work in this state," Sigler said, after viewing the state-wide program in North Carolina.

Sigler said the North Carolina prison inmates are bussed to their outside jobs in the morning and returned to the prison at night.

Paid and treated the same as regular employes, the inmates have won a unanimous endorsement from their employers, he said.

The warden said some 1,500 of the 9,500 North Carolina inmates are involved in the five-year-old program and estimated about 10% of Nebraska's 1,015 inmates could qualify for the program.

"The important thing is the rehabilitation of the man, and North Carolina has shown it can work," Sigler said.

[From the Lincoln Journal, Nov. 24, 1966]

"Work Release" Plan for Prisoners Eyed

(By Marj Marlette)

He's a prisoner—but he works for a private employer, pays the state for his keep and care, and contributes support to his family.

He spends only his nights and weekends in prison. By days, he's one of a specially selected group of inmates allowed to engage in work outside the institution as part of an important new program designed to improve the chances of rehabilitating offenders . . .

He's not yet an inmate of any Nebraska prison—but he soon may be.

Legislation to implement the "work-release" plan, as the program is called, is expected to be introduced at the next legislature.

And "we're very optimistic about it as a suitable program for Nebraska," declared Omaha Atty. Robert Kutak, who is heading up preparation of a study and recommendations for work-release here.

Kutak, a member of the Nebraska Committee on Crime and Delinquency and former aide to Sen. Roman Hruska in national crime investigations, said he planned to confer with Penal Complex Warden Maurice Sigler this week.

After details are worked out, a report on the plan will be presented to the Legislative Council, the attorney explained.

"It is our intention to pattern it after the federal work release program," he explained, adding that "we believe it will be received with favor."

Work release for state prisoners started in North Carolina in 1957. Maryland adopted it later, and other states have added or are in the process of adding it to their rehabilitation programs. (The earlier Huber law allows jail inmates to work outside while serving time in Wisconsin.)

Generally, it's considered extremely successful.

A year ago, the U.S. Bureau of Prisons adopted a work release program for inmates of federal institutions.

Though the primary purpose of work release is to help the individual law-breaker make a successful transition from prisoner to free man, it also has obvious economic advantages for the states using it. It would save not only the costs of supporting the man in the institution, but whatever tax funds might have had to be used to help his family through welfare or relief grants.

It is contemplated that any program started here would apply only to a few carefully chosen prisoners—maybe 25 or 30—who would most benefit from the outside work and contacts without danger either to themselves or to society.

To learn firsthand the weaknesses and strengths of the plan, and the problems involved in implementing it, Warden Sigler spent several days studying North Carolina's program this week.

He said he'll have a report on his trip ready next Monday.

[From the Omaha World-Herald, Dec. 1, 1966]

State May Try Release Plans—Legislation Is Prepared for Halfway House

Lincoln (AP).—A member of the Governor's Commission on Crime and Delinquency said Wednesday he is preparing legislation to authorize a conditional release program for Penal Complex inmates.

Attorney Robert Kutak of Omaha said the program would permit the warden to release selected inmates on furloughs, for work in the communtiy and so-called halfway houses.

"These are pretty well recognized methods of prisoner rehabilitation," said Mr. Kutak. "We think the institutions director and warden should have broad authority in this area."

Warden Maurice Sigler said a work-release program under which inmates would engage in private employment during the day and return to prison at night has his support.

Mr. Sigler, who recently returned from North Carolina where he studied the state's pioneering work release program, said more than one Nebraska business concern has already told him it is interested in participating in such a program.

"I think a work release program could be used to advantage in this state," said the warden. "There would be no added costs, and our program would not be nearly as complicated as the one in North Carolina because our prison population is only one tenth the size of theirs."

Mr. Kutak said the legislation will be modeled after the 1965 Federal Prisoner Rehabilitation Act.

Aside from a work release program, the legislation would authorize the warden to release inmates on furloughs for emergencies, sickness or death in the family or perhaps to attend school.

The legislation would authorize establishment of halfway houses or pre-release guidance centers at which inmates could "adjust in a decompression atmosphere to society before being turned loose," Mr. Kutak said.

[From the Omaha World-Herald, Dec. 4, 1966]

From Jail to Job

The work release program—letting prisoners out of the penitentiary to work during the day, and returning them to confinement at night—has achieved notable success in North Carolina, as Bill Billotte's reports have revealed to readers of this newspaper. News of the North Carolina success naturally has stimulated interest in whether such a program might succeed in Nebraska.

For the public, the economic benefits appear considerable. Prisoner employment eases the welfare burden and helps pay penal costs.

For the prisoners, the program seems to offer rehabilitation, an opportunity to acquire constructive habits, a chance to develop self-respect, plus a financial stake and a job with which to resume life beyond prison walls.

Mr. Billotte's observations, and those of Nebraska Penal Complex Warden Sigler, indicate that the program works in North Carolina because of definite controls. It applies not to all prisoners but to a carefully selected 16 per cent of them. It requires rigid rules of conduct for the prisoners who are granted working privileges, and it requires strict punishment of violators.

Along with its benefits, the program imposes responsibilities upon prisoners. Lawrence A. Carpenter, warden of the Federal Correctional Institution of Texarkana, Tex., discusses that in an article prepared for the Nebraska Law Review. The Texarkana institution served as a pilot plant for implementing the Prisoner Rehabilitation Act of 1965.

A man on work release, Mr. Carpenter points out, "has to make a rather difficult adjustment twice each day. In the morning, he has to make a quick adjustment from prison life to freedom, and in the evening, he has to make the reverse adjustment." He becomes subject to outside temptations—alcohol, drugs, opportunities to steal or flee—as well as inside pressures from fellow prisoners who ask him to carry messages or contraband.

Mr. Carpenter adds:

"All of these temptations and pressures are part of the risk in the work release program. But they are also part of the value, for they give the prisoner on work release the opportunity to develop in a very practical way the habit of resisting the kind of temptations and pressures that got him into trouble in the past."

Omaha attorney Robert J. Kutak, a former member of Senator Hruska's staff who long has been interested in penology and who serves on the Governor's Commission on Crime and Delinquency, is preparing legislation involving a work release plan for inmates of the Nebraska Penal Complex.

Warden Sigler estimates that 150 of the 1,010 prisoners in the Complex might qualify for such a program. He believes it would be worth while to make a start. Practically all prisoners ultimately return to the outside, and even if only 15 per cent of them participate in a work release arrangement, and thus better prepare themselves for that adjustment, they—and the public—will be that much ahead.

We believe the Nebraska Legislature will want to consider legislation which could install this system. With a carefully drafted law, cautious screening of the prisoners to be involved, rigid rules and strict enforcement of them, and with clear public understanding of the risks as well as the potential benefits, we see no reason why the North Carolina success could not be repeated in Nebraska.

[From the Lincoln Journal, Nov. 26, 1966]

Work Release for Nebraska

One of the most promising innovations in the field of penology in recent years is called the "work-release" plan.

Under this arrangement, certain carefully selected prisoners spend their nights and weekends behind locked doors but work during the day at regular jobs outside the penitentiary.

The benefits of the program are obvious. The prisoner not only contributes to his own keep in the prison, but is able to support his family while paying his debt to society. In the case of a single man, he can put away a nest egg to stake him to a better future when he is released.

Aside from the financial benefits to the public and the prisoner, the plan should assist in the smooth transition to life on the outside once the prisoner has served his time.

In view of all this, it is encouraging that plans are being laid to introduce enabling legislation for a work-release program in the coming session of the Nebraska Legislature.

Omaha attorney Robert Kutak, who is preparing recommendations for the program, expresses optimism that such a program can work to good advantage in Nebraska, as it has in other states which have inaugurated it.

Kutak formerly was administrative assistant to Nebraska Sen. Roman Hruska who has been instrumental in establishing work-release programs at the federal level.

Warden Maurice Sigler of the Nebraska Penal Complex has just returned from an examination of the work-release program in North Carolina. Results of his findings there can be most beneficial in helping Nebraska's legislators decide whether to embark on a program of this nature.

Naturally, a few problems might be expected in setting up such a program and Nebraska will be wise to gain from the experience of others. Also the program would require cooperation from private employers in Lincoln—although it is conceivable that they would find work-a-day prisoners more dependable and more eager to tackle their jobs than some workers enjoying freedom.

Certainly there is sufficient promise in the program to warrant a close look by Nebraskans. The state is fortunate it has citizens and officials willing to gather the information necessary to make an informed judgment on the idea.

POLLUTION ABATEMENT INCENTIVE ACT OF 1967

Mr. HRUSKA. Mr. President, I am pleased to cosponsor the proposed Pollution Abatement Incentive Act of 1967, which the senior Senator from Kansas has introduced. Senator CARLSON is to be commended for the development of this important proposal.

Two of the greatest threats to our civilization are the pollution of the air which we breathe and the water which we drink. The question is not whether we should eliminate the impurities in our atmosphere and in our streams, but how it will be done. Our industry pours great benefits into the economy and society, but in doing so, great amounts of pollutants are formed. We must help meet these challenges.

This bill provides one of the most enlightened approaches to this growing public problem which I have seen. It would provide the incentive to install the equipment and develop the methods to clean up our surroundings. Solutions are costly and in providing them, industry can now meet the cost only by adding to the prices charged for products.

This bill would provide a 20-percent investment tax credit for facilities designed to abate air and water pollution. Optional methods would be to apply rapid amortization to the remaining costs or to deduct the total cost over from 1 to 5 years. These steps would reflect the public interest in this area.

In light of the rapidly expanding need for pollution protection, it is my hope that favorable action will be taken on this bill soon.

CONSTITUTIONAL AMENDMENT TO REMEDY SITUATION RELATING TO VOLUNTARY CONFESSIONS

Mr. TALMADGE. Mr. President, there has been considerable public outcry against decisions of the U.S. Supreme Court which seem to give aid and comfort to criminal elements in our society, with scant reward for the safety and security of our law-abiding citizens.

At a time when crime and lawlessness increase year after year at a very high rate, it is shocking indeed that the Supreme Court would hamper and hamstring our law enforcement agencies. But we have seen this happen in a series of decisions dealing with voluntary confessions, search and seizure, and the detainment and interrogation of criminal suspects. One result has been that numerous perpetrators of heinous crimes have been turned loose to plague society.

It was my privilege and pleasure to join the Senator from North Carolina [Mr. ERVIN] and other Senators in cosponsoring a constitutional amendment to remedy the situation relating to voluntary confessions that was created by the Supreme Court in Miranda against Arizona. It is my feeling that one of the first duties of Government is to provide for the safety and security of its citizens and their property, and in my opinion this amendment will be a step in the right direction.

This problem was discussed yesterday in the Washington Evening Star by the well-known columnist James J. Kilpatrick. To bring his comments to the attention of the Senate, I ask unanimous consent that they be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD as follows:

HIGH COURT'S LIBERAL BLOC BACK IN BUSINESS

(By James J. Kilpatrick)

In three recent decisions, the Supreme Court has applied its powerful stretchers once again to the U.S. Constitution. As one result, the First and Fifth Amendments have been pulled and yanked still further out of shape. As a second result, the police, the bar and the universities have lost a little more of their power to be master of their own houses.

The three cases are Garrity v. New Jersey and Spevack v. Klein, both decided 6–3 on Jan. 16, and Keyishian v. Board of Regents, decided 5–4 on Jan. 23. In each of them, a majority of the court bent over backward to protect accused persons at the expense of other values. In the Keyishian case, the majority provided a reckless demonstration of the unrestrained judicial activism that has aroused much criticism within the bar in recent years.

The Garrity case involved a group of police officers in Bellmawr and Barrington, N.J., who were suspected in 1961 of engaging in a conspiracy to fix traffic tickets. Each of the suspects was called in for questioning. Each of them was told that he could stand mute if he pleased, but that if he refused to answer he would be subject to removal from office. The officers made statements. Later on, these statements were introduced in evidence against them at their trial on criminal conspiracy charges.

In reversing their convictions, the court majority held that the choice given to the officers, between self-incrimination or job forfeiture, was "the antithesis of free choice to speak out or to remain silent." Their confessions were "infected by the coercion inherent in this scheme of questioning," and use of the confessions at trial thus violated the Fifth Amendment.

A disgusted minority of the court, speaking through Justice John Marshall Harlan, strongly protested. The police officers, it was said, were represented by counsel; they were not bullied or mistreated; at their trials, they themselves took the stand "and gave evidence essentially consistent with the statements taken from them." Plainly the confessions were not "involuntary" as a matter of fact—and neither were they involuntary as a matter of law.

As Justice Holmes once observed, in a somewhat similar case, a police officer "may have a constitutional right (to take the Fifth Amendment), but he has no constitutional right to be a policeman." If an officer, under these circumstances, elects to make a statement, he has made his own choice. Such a statement ought to be admissible in court.

The Spevack case involved a Brooklyn lawyer, charged by the New York Bar, with unprofessional conduct, who stood on his Fifth Amendment rights against self-incrimination and refused to produce certain records demanded by the investigating committee. He was disbarred, but a majority of the Supreme Court ordered him reinstated. The majority's theory was that the Fifth Amendment's protection extends to lawyers as well as to other individuals "and that it should not be watered down by imposing the dishonor of disbarment as a price for asserting it."

Yet those of us who stand by strict construction would observe that the Fifth Amendment says in plain words that no person shall be compelled "in any criminal case" to be a witness against himself. This was no criminal case. It was a civil and professional proceeding, within the New York Bar, intended to maintain the standards of legal practice. The majority's curious ruling permits an accused lawyer to have his cake and eat it too—to refuse to respond to professional charges against him, and still to remain within his profession.

The Keyishian case cannot be explained simply. It involved a group of faculty members at the University of Buffalo who four years ago refused to accept certain loyalty requirements demanded by the State of New York as a part of the terms of their employment. Subsequently these requirements were completely revised. By the time the high court decided the case last week, every substantive issue was moot. Nevertheless, the court's five-man liberal bloc sailed off to the wild blue yonder, in order to declare these non-existent requirements unconstitutional in instances to which they never had been applicable.

"No court has ever reached out so far to destroy so much with so little," said Justice Tom Clark in his stinging dissent. The effect of the majority's sweeping and needless pronouncements, utterly reversing a long line of decisions, will be to make it infinitely more difficult for colleges and universities to protect themselves, and their students, from teachers who willfully advocate anarchy and violence. In one broadside of rhetoric, said Clark, "the majority has swept away one of our most precious rights, the right of self-preservation."

Until these three cases came along, it had been a dull term of court. With Garrity, Spevack and Keyishian, the liberal bloc returns to business as usual.

VALUE OF VOCATIONAL EDUCATION

Mr. TALMADGE. Mr. President, in recent years increased emphasis has been placed upon vocational-technical education by the States and the Federal Government. This is certainly as it should be, for I know of nothing more important than providing our citizens with the skills with which to secure gainful employment.

It becomes even more critical when we consider how rapidly our society is changing. This is particularly true of the South, where industrialization is taking place at a very fast pace. In fact the technological advancement of industry and the advent of automation make skilled labor more in demand than ever before.

I am very proud to say that Georgia's system of vocational-technical education has become a model for the Nation and over the years has attained a remarkable degree of accomplishment. I hear numerous reports of the success of graduates of these training centers, and very often they are hired by industries at good salaries even before completing their courses. Of course, the long-range benefits to the individual, to the State, and to the overall general economy are incalculable.

Mr. President, the Atlanta, Ga., Constitution of January 30 contains a very fine editorial relating to the value of vocational education and also noting that this year marks the 50th anniversary of the first vocational education act. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Atlanta Constitution, Jan. 30, 1967]

VOCATIONAL EDUCATION'S VALUE

This year marks the golden anniversary of the first vocational education act. During the year the federal government will distribute more than a quarter billion dollars to strengthen state vocational education programs. Georgia has benefited immensely as a result of taking advantage of federal aid.

The $265.4 million in allocations as announced by the U.S. Office of Education will help 6.5 million students obtain vocational and technical training during the current year. This is $23.5 million more than was available for the same program last year. Georgia's share adds up to $5,810,089.

A number of states are planning special observances on Feb. 23, the 50th anniversary of the signing of the Vocational Education Act of 1917 (the Smith-Hughes Act), which carries a permanent annual appropriation of $7.2 million. Over the 50-year period, approximately $1.7 billion has been made available to the states for vocational and technical training under various federal vocational educational laws. Georgia's share of Smith-Hughes funds this year $172,436.

In all cases except the work-study program under the Vocational Education Act of 1963, the state and territories are required to match federal money dollar for dollar. The ratio for work-study is three federal dollars for each dollar spent by the states.

There is no way of measuring the value of vocational education programs during the 50 years. That they have contributed immeasurably to the national economy as well as social progress cannot be disputed.

REEVALUATION OF REASONS AND PURPOSES FOR U.S. PARTICIPATION IN VIETNAM WAR

Mr. FULBRIGHT. Mr. President, the House of Representatives of the 66th General Assembly of the State of Arkansas, by House Resolution 12, has requested the Congress of the United States to reevaluate the reasons and the purposes for the U.S. participation in the Vietnam war and in making such reevaluation that the Congress weigh carefully the cost in lives of America's young men and the cost in dollars expended annually on said war.

Mr. President, I ask unanimous consent that the text of House Resolution 12 be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

H.R. No. 12

(By Murphy)

House resolution asking Congress to reevaluate the reasons for the United States' participation in the Vietnam war and urging the Congress of the United States to make every effort to bring such war to a peaceful conclusion as rapidly as possible with the least loss of lives and with the least expenditure of money

Whereas, many thousands of Americans are sacrificing their lives annually on the battlefields of Vietnam; and

Whereas, billions of dollars of money, goods, materials and war supplies are being expended annually in this War, Now, therefore

Be it resolved by the House of Representatives of the Sixty-Sixth General Assembly of the State of Arkansas:

That the House of Representatives of the Sixty-Sixth General Assembly of the State of Arkansas hereby respectfully requests the Congress of the United States to reevaluate the reasons and the purposes for the United States participation in the Vietnam War and in making such reevaluation that the Congress weigh carefully the cost in lives of America's young men and the cost in dollars expended annually on said war.

Be it resolved further that Congress be urged to make every effort to bring the war to a successful and honorable conclusion as soon as possible with the least loss of lives and expenditure of money.

Be it further resolved that the Clerk of the House of Representatives of the State of Arkansas shall furnish a copy of this Resolution to the President of the United States, the Secretary of State, the Presiding Officer of the Senate and House of Representatives of the United States, and to each Congressman from the State of Arkansas.

Mr. FULBRIGHT. Mr. President, I interpret this resolution to be an expression by the representatives of the people of Arkansas of grave doubts about the wisdom of present U.S. policy in Vietnam. These representatives question the reasons and purposes for our participation in this war. They are not sure that the achievement of our purposes, whatever they may be, is worth the ever-rising cost in lives and dollars. The representatives of the people of Arkansas respectfully request Congress to reevaluate our purposes in terms of the loss of life and the expenditure of funds.

Mr. President, I am proud of the Arkansas House of Representatives and of the people represented by them and by me. House Resolution 12 is a courageous expression of alarm and concern, and it should receive careful and urgent consideration by Congress.

The resolution does not attempt to make a judgment that our policy in Vietnam is right or wrong. Rather, in keeping with the highest traditions of our democracy, the resolution calls for a reevaluation of this policy. It calls for a thorough examination of our policy, and it contemplates thoughtful debate on the issues in the Congress of the United States. This resolution does not pose the untenable alternatives of win or get out. Rather, it recognizes the reality of our involvement in Vietnam and asks for a sober reconsideration of this involvement.

As chairman of the Committee on Foreign Relations, I shall continue to examine our purposes and our policies, and the premises and assumptions upon which they are based. I urge Senators who are members of other committees to reevaluate our participation in this war in terms of its value to our national defense, its effects upon our society, and its costs in lives and treasure. The Nation is aroused, and many of our citizens are deeply distressed. Let us be true patriots and faithful servants of the people by responding to their petition.

Mr. President, I urge every Member of the Senate to give careful thought to House Resolution 12 and to the public sentiment which it expresses.

COORDINATION OF FEDERAL AID PROGRAMS

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed in the RECORD an interesting paper presented by John R. Joyner, chief of State planning of the Department of Industry and Trade of the State of Georgia, at the fourth biennial government relations and planning policy conference of the American Institute of Planners, which was held in Washington, D.C., on January 27, 28, and 29. Mr. Joyner's paper deals with the problem of coordinating Federal aid programs as seen from the vantage point of State governments.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

THE COORDINATION OF FEDERALLY REQUIRED FUNCTIONAL PLANS PREPARED BY COUNTERPART STATE AGENCIES

(By John R. Joyner, AIP, Chief of State Planning, Department of Industry and Trade, State of Georgia)

THE QUEST FOR COORDINATION

Almost daily, in national magazines, in newspapers, in the Congressional Record and over TV, we are hearing such phrases as "creative federalism", "management muddle", "intergovernmental coordination", "states responsibility", "information crisis", "regional statemanship", and "grantsmanship". Harold Seidman, Assistant Director of the U.S. Bureau of the Budget, in addressing the National Legislative Conference last year stated:

"The quest for coordination is in many respects the twentieth century equivalent of the medieval search for the philosopher's stone. If only we can find the right formula for coordination, we can reconcile the irreconcilable, harmonize competing and wholly divergent interests, overcome the irrationalities in our government structures, and make the hard policy decisions."

United States Senator Edmund Muskie has long recognized the need for "coordination", and has emerged as one of the strongest leaders in seeking the "right formula":

"The two areas—better program coordination and better interlevel cooperation—should be the major concern today of top domestic policymakers in the executive branch."

The quest for coordination has taken many legislative forms. The Intergovernmental Cooperation Act (S. 561), which bogged down last year in the House, proposed coordination of federal grant-in-aid programs as its major theme. The Demonstration Cities and Metropolitan Development Act of 1966 seeks coordination as a major vehicle for program implementation.

The Land and Water Conservation Fund Act of 1965, in effect, requires program coordination in the development and implementation of a comprehensive plan. Congressman Henry Reuss of Wisconsin is seeking block grants to states with Regional Coordinating Committees to serve as the modern equivalent of the "philosopher's stone". The Appalachian Regional Development Act was hailed by President Johnson as the greatest example of creative federalism and has successfully provided the means for coordinating programs in a specific region for specific purposes.

The reasons for this quest are well known and documented. The sheer volume and growing complexity of federal grant-in-aid programs have made almost impossible a concerted attack on the Nation's domestic needs. They have created confusion and frustration at the local level, established semi-autonomous bureaucracies at both the state and federal level and have given rise to a new profession, a group of men who sit at the right hand of both the politicians and the bureaucrats—"the grantsmen".

The often quoted 170 separate federal aid programs, or 250 as some people count, is the cause of confusion. The "grantsmen" have taken this confusion as the spring board to become experts on grant applications and funding. It implies that it is not what or how you plan that is really important, but who you know and "can you get us that grant".

Federal aid to state and local governments has grown to such proportions, particularly in the past two decades, that we are now talking about $15 billion annually. Not only is the number of these programs making coordination nearly impossible, but they are also creating critical problems of fiscal and administrative management. The allocation formulas for these grants-in-aid are usually unrelated and vary widely. Allocations often bear no relation to state government's budgetary process, making fiscal management at the State level difficult to impossible.

Administrative management problems are often as much a matter of attitudes as it is machinery and capabilities. The Senate Intergovernmental Relations Subcommittee found after a three year survey that federal aid officials were frequently hostile to coordinating programs between departments and that they were reluctant to encourage states or local governments in planning and coordination. At the same time these officials complain about the inability of state and local officials to adequately administer programs and assert that the state's requirements to meet its own local needs were impediments to the application of federal programs.

The interprogram rivalries, jealousies and duplications have often been cited. Ralph Widner, Executive Director of the Appalachian Regional Commission staff relates the following story which is similar to hundreds of other experiences.

"Last year, I watched an audience of several hundred local officials stare in disbelief as federal spokesmen from *five* different agencies explained how they could help a community build a sewage treatment plant. When one part-time mayor of a small town asked 'Which one of you fellows do I need to see to find out which program to apply for?'—the County Agricultural Agent said he would be happy to advise."

We have had similar experiences in Georgia. One federal aid official administering a new water and sewer program stated, when asked how his agency proposed to coordinate with a similar program in another agency—"Why coordinate? They have their program and we have ours."

The examples of duplications, conflicts, confusions and frustrations are well known and well documented. However, they form a background for our specific subject and ultimately the full solution to the problem implied by our subject depends on the next stage of development of the federal system.

FEDERALLY REQUIRED FUNCTIONAL PLANS

As we have noted, there are some 170, or 250, federal aid programs to state and local government (at least 53 aid programs were considered by the 89th Congress alone). A great majority of these programs, possibly as many as 70%, are administered by or through state agencies. In certain cases, such as "701" urban planning assistance funds, the state primarily serves as an administrative funnel. In other cases, such as in many of the health, education and welfare programs, the state receives allocations, develops programs and sets priorities. It is surprising, however, how many federal aid programs require the state agencies to prepare some type of "state plan." It is apparent that Congress and federal agencies are learning to use the word "planning" and occasionally the word "comprehensive".

The term "state plan" in this context takes on many meanings. Sometimes the federal requirement is for the state to prepare a multiyear program plan, or in a few cases, a comprehensive plan. More often the plan is no more than one year requisition of funds based on a limited program statement.

With these inconsistencies of definition in mind, the Georgia State Planning Agency, in cooperation with the State Budget Bureau and the Office of the Governor, sent out questionnaires to all state agencies to survey their extent of involvement in federal programs. Fiscal data was requested by the Budget Bureau to be compared with agency budget requests. This data included federal funds received for the current and preceding two fiscal years, state funds used as matching, allocation formulas, and anticipated federal funds for the next two fiscal years. We found, for example, that the state received at least $300 million in fiscal year 1966, from federal programs and used at least $80 million in state funds for matching. Although the federal funds could have been determined in part by the State Audit Department or from the Annual Report of the U.S. Secretary of the Treasury when published, there had been no effective way by which the state matching funds could be estimated. Obviously, these nearly $400 million had a significant impact on state policies and program priorities.

We also asked whether or not a "state plan" was required by the federal agency and if so whether it was a one year plan based on budget requests, a five year program plan or some other variation. Most of us are familiar with the newer comprehensive planning requirements in federal programs such as the Land and Water Conservation Fund Act, the Water Resources Planning Act, and the Comprehensive Health Planning Act. However, the dozens of other required state plans may not be quite as well known.

Out of the 120 program questionnaires returned to our State Planning Agency, over 80 indicated that some type of "state plan" was required and 25 indicated that the plan had to be for a longer time period than one fiscal year. These plans ranged from Cooperative Fire Control to Outdoor Recreation; from Higher Education Facilities to Vocational Rehabilitation; from child welfare to wildlife restoration to civil defense to hospitals. The plans deal with both facilities and assistance programs.

With this magnitude, both in programs and in money, the need for coordination becomes vital. These state plans by their very nature set for the state, at a minimum, certain program objectives and priorities. Some of the plans do, in fact, establish state policies in given functional areas.

There does not presently exist at the state level, machinery for the review of state functional plans required by federal aid agencies to determine their consistancy with overall state policies and plans or the duplication of programs or the identification of program gaps. There does not exist adequate reporting to the Governor of federal funds received or available to the state. More significantly we found that certain state agencies did not have effective review machinery at the departmental level of program plans and applications.

Many state departments of education, utilizing the largest number of federal programs, are described as loose confederations of semi-independent divisions. Many of these divisions prepare state plans in their program area for submission to federal agencies. These departments often have no effective administrative management, no review of all state plans prepared by divisions within the department and no departmental planning, program development or research operation. Each division has its own research personnel who often develop similar research projects to be funded out of 100% grants by different agencies within the same federal department. This situation in education is changing in Georgia under the strong and capable leadership of new departmental administration. They are now developing administrative management machinery and they have asked the State Planning Agency to assist them in designing a departmental planning and programming operation.

State welfare and education agencies, for example, have often been so involved in getting the maximum federal aid for their programs that they are only now beginning to realize the lack of and the need for interprogram review and coordination. They are recognizing that the difficulties in doing an effective job have been caused in part by the very structure of the aid programs they have sought.

One of our agencies in Georgia was charged by the state legislature with full responsibility for providing assistance in one specific functional area of welfare. It has available both state and federal funds and must prepare a state plan to be eligible for the federal grants. Yet, another state department receives more federal dollars than the primary agency in this same functional area. Program development and planning is required by the federal agencies but their program requirements often make it difficult to consolidate functionally related programs into single agencies at the state level.

THE RIGHT FORMULA

There have been many proposals to achieve the coordination of federal programs, many of which have never been drafted into legislation. A complete listing of these would not be possible and would serve no purpose here. We must seek, as a professional organization and as practicing planners, two types of solutions. We must work toward and help define the next stage of development in our federal system which will place planning and program coordination on an intergovernmental basis. At the same time, we must define and help develop machinery or processes at the state level which can tackle coordination *now* rather than just waiting for federal action. First, what must the states do?

THE STATE'S OWN HOUSE

Generally, state planning has not been responsive to the kinds of problems identified here. Most often it has not been in a position where it could, or even be asked, to respond. There are many inadequacies in state government—cumbersome, outmoded constitutions; weak, understaffed legislatures; weak executive departments; provincialism; and lack of responsiveness to the needs of urban America just to name a few. As professionals we should seek solutions to these problems in our states and, where practical, nationally. More importantly we should work in whatever way possible to strengthening our federal system and to make states a full and creative partner in this system. Critics such as Roscoe Martin doubt whether this is possible. To them states have failed to respond for so long that they have lost the ability and initiative to do so. With the growing needs for governmental action and the growing complexity of these needs, there is no effective choice but for states to come through as full partners.

States need to start now, and some have already started, to find coordinative processes to deal with all federal aid programs and to relate the multitude of state plans required for federal programs to overall state policies. This is not easy, because of ingrown bureaucracies and the complexity and inconsistency of program funding requirements.

Comprehensive state planning, in cooperation with the decision making process, the administrative planning and the budgetary processes, can provide state government with the means to do the job. The state planning process should:

1. Be a staff function to the state's chief executive;

2. Engage in comprehensive state development policies planning for and with the chief executive which will provide a politically feasible frame of reference for both broad functional plans and program plans;

3. Building on work done and in process, develop a meaningful process of state development programming which will enable the chief executive to relate program plans to functional plans and comprehensive policies and to the budgetary process. Developmental programming must become the bridge between comprehensive planning, goals and objectives and the action programs of state government.

4. Help develop and promote legislation, at both the state and federal level, which will consolidate or coordinate federal grant-in-aid programs, and which will relate programming to planning (the need for federal action will be discussed later).

5. Develop the type of intelligence system which will be responsive to the needs of decision makers, particularly the Governor, and which will include full information on federal and state programs and their impact on the state. An intelligence function responsive to the Governor's needs can be his most useful tool in dealing with intergovernmental as well as internal problems.

6. Be responsive to the planning needs of other state agencies and provide assistance and training in program planning by departments. The effectuation of the planning process at the state level is no better than the program plans which are actually put into operation.

The states can begin more effective coordination of individual state plans through the comprehensive planning process, by actively reviewing plans and applications prepared by state agencies, by instituting programming along with its budgetary process and by improved program planning at the departmental level. The full answer to a coordinated attack on our domestic needs can only come with improvements to the basic system.

THE FEDERAL SYSTEM

No one today doubts that the need for federal funding will continually grow. Many doubt, however that this growth can continue in the same narrow grant-in-aid fashion. The numerous proposals for various types of "block grants", or at least broader functional groupings of the present grant system, seem to be getting more and more attention. At least one prominent Democratic Governor has stated that he would be most reluctant to support any new federal program that did not provide for direct state allocations with adequate state control for the flexibility needed to adapt the program to the needs of his state. Many Governors have gone on record in supporting the Heller Plan or some variation. They see effective administration and coordination only with broad functional or supplemental grants on a state allocation basis where the states have the flexibility to establish their own needed priorities.

In an over-simplified statement, the states need to have three basic changes or reforms to take place. With these, the federal system can be reactivated with the states in full partnership, the quest for coordination will be nearer its end and the attack on the nations' domestic problems can for the first time be a more concerted effort. These three include a modernization of state government itself, a more effective method of funding, and a mechanism for the states to actively participate in basic decisions.

The states must first of all "set their own house in order". As we have stated this includes constitutional reform, legislative and executive modernization, and effective, responsive planning and programming for state government. Other reforms and changes will have little, or less than full, impact if this is not done. The P.P.B.S. (Planning, Programming, Budgeting System) "5–5–5 Project" can hopefully provide sound experience for the states to build upon. Comprehensive planning must be related to programming and budgeting and it will be interesting to see the degree to which the "5–5–5 Project" will actually relate the three. ("5–5–5" is an experimental project testing Planning, Programming and Budgeting Systems in five states, five counties and five cities.)

It has often been said that "nothing coordinates like money". This philosophy probably runs through many reform proposals and is certainly at the heart of programs using supplemental grants. The ability of the states in the Appalachian program to plan for and use the supplemental grants under Section 214 of the Act has been one of the reasons for the success of the program. The allocations received by the states under this section have enabled them to plan for the development of their Appalachian area knowing that they had "seed" money which could supplement a variety of public investments thereby reducing the local or state share of an existing federal program. A variety of state and federal agencies have willingly and successfully cooperated in this program.

The realignment of federal aid programs into broader functional "block grants" to the states, as in the case of S. 3008, Comprehensive State Health Planning, for their reallocation according to state developed programs, plans and priorities, would in the long run make more effective use of all resources and place real coordinative responsibility on the state. However, such a major realignment may be long in coming.

The proposal by Congressman Reuss and others for "block grants" to the states based on an approved "Modern Governments Program" for each state could provide an effective interim approach to coordination. If his concept includes, or could be defined to include, the use of these "block grants" by the states to supplement existing programs, both federal and state, the states could have an effective tool.

These grants should be used by the states in a variety of ways and should include at least the ability to:

1. Supplement federal aid programs in certain cases, to not only reduce the non-federal share but to re-establish priorities to meet certain identified objectives,

2. Supplement strictly state programs in order to accelerate the fulfillment of identified needs, and

3. Initially fund entirely new programs to attack problems which have gone unmet and for which there is a growing demand, such as stimulating metropolitan wide solutions to urban problems.

With the ability to use "block grants" both as a supplement to existing programs and as a stimulant to new and innovative programs, the states will then have a tool for both coordination and active initiation. When this tool is coupled with an effective state-wide planning, programming and budgeting process the states can more efficiently and with greater assurance program public investments for the maximum benefit of the state and the nation.

In terms of positive coordination and the real effectiveness of this approach within each state, we can go one step further. With the advent of federal legislation and programs utilizing at least, in part, multi-jurisdictional development districts, and with the Presidential Executive Order of September 2, 1966 directing the coordination of these districts with each other and with existing state districts, a process could emerge, with the use of supplemental "block grants," whereby a whole new approach to statewide planning and development could take place.

State development programming must be done annually to relate programs of state government to the budgetary process and the availability of all resources (at least biennially where the budget, as in Georgia, is prepared every two years). The states, working with local government, could structure their multi-jurisdictional districts in such a way as to be responsive to local officials, such as councils of local government. With these regional organizations, annual developmental programming could be inaugurated in each district which would identify regional program needs and priorities.

Regional development programs could provide program information and regional priority inputs into the state program. The supplemental "block grants" could become a vehicle for not only further implementing state programming but could provide the tool for effectuating approved district programs. While this concept is not new, it could become workable when coupled with a responsive Governor and state planning process, with state programming, and with the "carrot" of supplemental grants.

Finally, is the matter of a more effective role, or voice, for the states in the decision making process of the federal system. Another reason for the success of the Appalachian program has been the way in which the Commission itself has operated. The Governors of the twelve states involved sit with the federal co-chairman to make basic policy decisions on the allocation of resources and direction of the program. Several people familiar with the Appalachian program have stated that it could serve as a model to enhance the "creativity" of federalism and to reverse the present trend toward a one-way system in which most of the initiative comes from Washington.

Without getting into the details of how the Appalachian Commission operates, a few observations should be made. The Commission was given responsibility to develop a strategy which would help the region to achieve its full potential. It was given significant power over the use of funds which they allocate to states not only on the basis of population and area but also on the basis of need. The states are not only given an equal voice with the federal representative but are also given the responsibility to prepare investment plans for their allocated resources for the approval of the Commission. By discussing and coming to agreement on hard policy questions, a position or point of view is taken which often is neither federal nor state, but joint and which is mutually binding.

Congressman Reuss has proposed the formation of multi-state Regional Coordinating Committee to review, make recommendations on and transmit the "Modern Governments Programs" to the President and Congress. The Committees are to designate each state's program to qualify it for "block grants."

Various people have recommended that the President designate Regional Coordinators or chairmen for the Federal Executive Boards. Some have suggested that the Bureau of the Budget re-establish regional offices to provide a point of program coordination at the regional level. Others feel that the Director of the Office of Emergency Planning is the appropriate arm of the executive department to perform this function. The demand for such coordinators stems from both the multitude of aid programs and the complexity and inconsistency in program requirements and the project basis for administration.

The provision of broad functional "block grants" would reduce these coordination problems because federal requirements would then be related to state development programs rather than on the narrow program or project basis.

Without broad function "block grants", the problems would still be prevalent, but when the federal coordinator or co-chairman concept is combined with supplemental "block grants" and with multi-state groupings of the Appalachian or Reuss type, the problems could be simplified. The federal co-chairman or coordinator sitting with the Governors of a region can mutually agree on basic policies of resource allocations and can approve not only a "Modern Governments Program" but also a state investment or development program to serve as a basis for utilizing supplemental grants.

Some of the effects of such an organization would be to allow the states to creatively participate with the federal representative on approaches to the basic problems of their region; it would give the states the "money coordinator" in the form of supplemental grants to existing programs and for innovation in needed program areas; it would make an input into federal budgeting and allocation processes by having state development programs as an indicator of state and regional needs; it would provide a basis for attacking multi-state metropolitan area problems by having the states involved and the federal representative sitting together on basic decisions related to resource allocations affecting that area; and it would help tie the needs of substate regions into an overall process designed to meet the needs not only of the nation and states but the local areas as well.

ENVIRONMENTAL POLLUTION—A LEGISLATIVE VIEW

Mr. BOGGS. Mr. President, members of the National Limestone Institute meeting last month here in Washington heard a perceptive speech by Donald E. Nicoll, administrative assistant to Senator Edmund S. Muskie, of Maine, on legislation affecting air and water pollution.

Mr. Nicoll is one of the most knowledgeable staff men in Congress on pollution problems and, in the interest of bringing his remarks to the attention of my colleagues, I ask unanimous consent that his speech be printed at this point in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Environmental Pollution—A Legislative View

(Remarks by Donald E. Nicoll, Administrative Assistant to Senator Edmund S. Muskie, of Maine, to the National Limestone Institute, Statler Hilton Hotel, Washington, D.C., January 18, 1967)

Mr. Chairman and Members of the Institute—

Pollution is a people problem, and because the number of people in our country and around the world is increasing, our pollution problem is bound to increase.

That elemental fact is the root of man's dilemma as he attempts to improve the quality of his life. We have found, much to our dismay, that our affluence has actually contributed to our discomfort rather than making our environment more attractive and livable. Our demand for land, goods and services—which accelerates every day—inevitably results in the creation of wastes and imbalances in nature. These wastes and imbalances in turn represent threats to man and his society.

This afternoon, I want to explore with you some of the conclusions Senator Muskie and his colleagues have reached on the problems of environmental pollution and some of the projected solutions we have offered.

Some observations made by the Distinguished Microbiologist, Dr. Rene Dubos are pertinent to our discussion:

"The solution to environmental problems cannot be found . . . in a return to an imaginary arcadia or in the search for a static utopia. As man continues to modify nature and to create new civilizations, unexpected dangers will continuously arise. The most man can do is on the one hand to make sure that the environmental changes that he brings about do not outstrip his adaptive potentialities and furthermore, to govern his adaptive responses in such a manner that they do not decrease the qualities of his life".

Contamination of the environment is a social problem. Up to a point we can reduce the problem by individual action, but in a society as complex as ours, where practically everything we do to maintain life and to produce goods and services results in contamination of the environment, public decisions and public actions are needed to improve the environment.

I want to stress the importance of viewing the environmental pollution problem as a whole. There is a substantial interrelationship of air, water, and soil pollution which must be reflected in public policies.

Today, however, I shall concentrate on two facets of the problem: Water and Air Pollution.

WATER POLLUTION

The Water Quality Act of 1965—adopted after a two and one-half year struggle—represented one of the major steps in a national effort to grapple with the fact that water is not an unlimited resource.

Prior to the enactment of this legislation, our primary concern was with repairing past damage and slowing the advance of pollution. Now, we have turned the corner, to focus on tomorrow's needs as well as today's crises.

The Water Quality Act was not the final answer to our problem. But it was designed to provide us with two important instruments for the establishment and implementation of a national water policy: (1) The new Federal Water Pollution Control Administration, directly responsible to a cabinet level secretary—now the Secretary of the Interior—and armed with a mandate to consider all aspects of water pollution control and abatement; and (2) the Water Quality Standards Section, designed to stimulate cooperative Federal-State-Local water resource planning, and aimed at improvement as well as repair of those water resources.

I want to emphasize that Congress did not authorize or intend a national standard. Its objective was to establish a national policy of water quality improvement, based on regional and local water use policy decisions implemented through the application of scientifically established criteria.

To beef up Federal participation in the Pollution Abatement Program and to stimulate our states and cities, the Congress last year enacted legislation which will greatly expand the federal commitment to water pollution control.

That legislation, which received unanimous approval by both Houses, authorizes the Federal Government to provide $3.4 Billion over the next four years to assist municipalities in the construction of needed sewage treatment facilities. While the amount does not reach the level of $6 Billion originally approved by the Senate, it is a beginning, and it is a manifestation of the complete commitment of the Federal Government to water pollution control.

It is realistic to assume that before this authorization expires in 1971, more money will have to be made available to help communities offset their sewage treatment costs.

While we did not achieve the desired level of authorization, a much more important goal was reached. There will be no more discrimination against major cities in the Construction Grant Program. Under these amendments, if funds are made available, every municipality, regardless of the total cost of the project, will be eligible to receive a full 30 percent federal grant. This means that the big cities which have the worst problems will have an equitable share of the federal water pollution control dollar. We anticipate the new provisions will encourage more industrial-municipal systems.

The legislation provides that if the states are willing to provide 30 percent of the project's cost, the Federal share will increase to 40 percent. In addition, if the State agrees to provide 25 percent of the project's cost and have established enforceable water quality standards for the waters into which the project discharges, the Federal Government will provide 50 percent of the project's cost.

There was no change in the provision in existing law which provides the incentive of 10 percent of the federal grant in those metropolitan areas practicing regional planning. This means that in such cases the total Federal-State share will rise to 80 percent.

The legislation accomplished a number of other desirable goals which I would like to summarize.

The Secretary of the Interior is authorized to carry out a study of the Nation's estuarine areas: $3 million is authorized for this purpose. It requires an accurate analysis of the costs of pollution control, including industrial waste treatment.

The Act provides for a study of the problems of water pollution caused by recreational water craft and a study of incentives to assist industry in controlling pollution. A $305 million, 3 year authorization for demonstration of industrial waste treatment methods, advanced waste treatment, joint municipal-industrial treatment, and other pollution control techniques was authorized.

Finally, the Act provides for several modifications of the enforcement procedure. For the first time, the Chairman of a conference may provide alleged pollutors and persons affected by pollution an opportunity to make a statement to the conference. Second, a majority of the conferees may request the secretary to require reports based on existing data as to the quality and quantity of discharges from alleged pollutors. The hearing stage of the enforcement proceeding is also expanded to include an opportunity for alleged pollutors and persons affected by that pollution to appear. In connection with any hearing, the Secretary may require reports similar to those required at the conference stage.

The Act extends pollution enforcement authority to cover international pollution and improves enforcement authority as it relates to oil and other waste discharges from vessels.

The second part of the Act relates to the President's request for a river basin program. Congress agreed that the basic purpose and intent of the President's proposal could be carried out by using the Water Quality Standards Program as the foundation of pollution control and abatement planning. In addition, the new Act authorizes states in a basin to join together for the purpose of planning for pollution control and provides for Federal matching grants to support river basin planning.

The Subcommittee is convinced that no one river basin system will work in all parts of the country. Therefore, it has encouraged an experimental, pragmatic approach to the problem.

There are two areas of continuing concern for the Subcommittee in connection with the Program.

The first is the coordination of the Program. through a simplification of the various Federal Grant-in-Aid Programs and more effective planning and coordination at the state and local level.

Such coordination should be geared to resource rather than jurisdictional boundaries. It will also involve more effective zoning, land use, and highway construction planning in the context of environmental pollution.

The second concern is with financial incentives and their relationship to effective and efficient investment in plant and equipment.

The latter problem is the more difficult, since it involves the relationship of the technology of in-process treatment, the relative merits of enforcement versus effluent fees or other "disincentives" and the amount and kind of public contributions considered desirable for private enterprise.

Present policies tend to reduce the attractiveness of the tax incentives. There is a growing interest in public ownership and management of all waste treatment plants—that is, treatment plants concerned with municipal waste and end-of-process treatment of industrial wastes—coupled with incentives for in-process changes to reduce pollution loads in the treatment systems.

On these points, we hope there will be extensive discussion and debate, for the issue is no longer whether we should control and abate pollution, but how.

AIR POLLUTION

We have the same relationship to air that a fish has to water. A fish in a stream cannot avoid the pollution in that stream—although we may. By the same token—unless we want to wear gas masks—we cannot avoid the air around us.

The next time you fly along the Eastern Seaboard, or over any large metropolitan area, notice the brown "smaze" which lies below you. Then remember that when you land you will have to breathe that contaminated air.

It is, quite simply, a case of survival. Whether we are hit by disastrous smogs or not, we are exposed day after day to the insidious threats of air pollution. We cannot escape them, and the increasing weight of medical evidence demonstrates the harmful effects of the air we breathe.

Air pollution controls costs money—but so does air pollution.

Air pollution control may cost jobs—but so does air pollution.

Air pollution control may disrupt certain industries—but air pollution disrupts and destroys lives.

More and more Americans are willing to pay the cost of controlling pollution rather than suffering the penalty of inaction.

We must decide how best to pay the cost of control and how best to organize our efforts. And those decisions will depend on how we define our goals.

To date, we have set limited goals for ourselves. We have focussed on individual pollutants, their weight, their amount, and their immediate and observable effect. We have considered specific emission standards to control individual sources of contamination. We have passed ordinances to reduce smoke; we have planned limitations on sulfur content in fuels used in certain cities; we have taken abatement action against specific pollutors.

These were necessary first steps, but they are not adequate for an effective campaign to improve the quality of our air.

All of this suggests that we should direct our attention to a concept of air quality. We need to set a national clean air goal which says that—within our control—no emissions will be permitted which cause the quality of the air to deteriorate below acceptable health standards.

We can no longer limit our efforts by trying simply to set emission standards on a plant by plant basis, hoping that the net result will be reduced air pollution.

This will require a reorientation of our efforts. One of the shortcomings of our air pollution control program to date has been our failure to move ahead on the development of ambient air quality criteria.

Such criteria need to go beyond questions of clinical injury or gross insults from specific pollutants. They need to include considerations of subtle, long-term effects of pollutants on our health and well-being.

Dr. Dubos has defined health as "the extent to which the individual and the social body maintain in readiness the resources to meet the exigencies of the future."

In other words, it is not enough to consider pollution which may put us in the hospital today. We need to prevent pollution which may reduce our ability to resist disease or injurv tomorrow.

Today's pollution control philosophy does not meet that test. I recognize, of course, that the criteria I have suggested would meet the test but would be difficult to achieve.

However, I am sure that we are all well aware of the right of the American people to breathe without concern for the effect of each breath on their life-span. But, if we continue today's type of attack on pollution, I do not think that we can expect to slow down air pollution, much less to clean up air.

As an example of this, it is well accepted that—necessary as they are to halt the rise in automotive pollution—the standards for automobile emissions to go in effect nationally in 1968 will not effectively reduce automotive air pollution below its present levels because of the rapid expansion in the number of automobiles on American roads.

The Federal Government is the logical entity to develop the criteria, with the cooperation of public and private groups. Those criteria must take into account health, esthetics, conservation of natural resources and the protection of public and private property. The criteria must be modified, as our knowledge expands, to provide added protection against unforeseen pollution hazards. The ultimate goal should be to approach a level at which man will have to cope with little more than the "natural background level" of pollution.

But setting criteria will not be enough. They must be applied effectively, and implemented through the enforcement of emission standards.

This problem is not unlike the one we have faced in water pollution. In that instance we have established a policy of setting standards on river basins or watersheds. In the case of air pollution, we need to apply air quality standards in meteorological airsheds. The Senate Subcommittee urged such an approach in its 1964 report "Steps Toward Clean Air". This year President Johnson has made this part of his legislative program.

Community or state jurisdictions bear little or no relationship to the geographic spread of air pollution. Metropolitan areas are not consistent with meteorological areas. The old institutional arrangements for air pollution control are not really adequate to the task.

In most cases air pollution problems involve more than one state. Therefore, institutions capable of operating effectively across state lines must be developed. The philosophy of the Clean Air Act of 1963 was designed to encourage State, regional and local programs to control and abate pollution, while spelling out the authority of the National Government to step into interstate situations with effective enforcement authority.

This approach was taken because:

(1) The Congress wished to help preserve the federal system by supporting effective, viable action at all three levels of government; and

(2) The Congress recognized that the task of implementing and enforcing the clean air program was so enormous that it would be helpful to have effective agencies at the state and local level to get the job done more quickly and thoroughly.

The real answer must come from State and local governments who must subordinate their own prerogatives in the interest of improving the quality of their environment.

There will be a temptation in some areas to let narrow economic interests prevail—to steal industries from areas of vigorous air quality control, to go easy on existing plants, whatever the impact on the public health or welfare, to avoid short-term economic problems.

But if the State and local governments take this short-sighted view, if they fail to establish and implement effective regional programs, the Federal Government will have no alternative to enforcement action under the Interstate Abatement Authority provided in the Clean Air Act.

CONCLUSION

No one who has studied the pollution program is unaware of the substantial costs of pollution control or the technological obstacles which still hamper effective control in some instances. By the same token, we recognize that there are costs in the failure to control which may affect the long-term economic vitality of an area or the Nation.

And the American people are aware of this fact. The recent Harris Poll confirms the impression Senator MUSKIE's Subcommittee has gained over the past few years that rank and file citizens are aware of pollution, they resent it, and they want something done about it.

There is, on the issue of pollution control and abatement, a "revolution of rising expectations." Citizens are no longer willing to accept the cliche that gross pollution or insidious threats to health are part of the price they must pay for "progress."

This is a fact which public officials and business leaders must reckon with. If we do not make meaningful progress toward the improvement of environmental quality, public demands may impose on you and other industries more than you had bargained for.

All of us—industrial or business representatives, public officials, civic leaders, and the general public—need to move rapidly to improve the quality of our environment.

The time has come to put aside the concept of pollution control as an adversary proceeding. All of us, whether we are plant managers or workers, corporate officers or public officials, stockholders or consumers, engineers or conservationists, must use water and breathe the air. All of us, in one way or another, pollute those resources.

If we truly believe in the objectives of a democratic society and its emphasis on the worth of the individual and the right of every man to achieve his potential, we will assume our individual and collective responsibilities to reduce the threat of pollution.

PARK CITY, UTAH

Mr. MOSS. Mr. President, I have just returned from a brief visit to my home State. On the airplane, I happened to pick up an airline publication which extolled the wonders of what is quickly becoming one of the Nation's most interesting and popular ski resorts.

The publication, in well-written text and with beautiful color pictures, described the development of Park City's Treasure Mountains resort only 30 minutes from Salt Lake City. Students of the early history of the West will recall that Park City was once the center of a tremendous mining boom. Silver was discovered in Park City by soldiers under the command of Col. Patrick E. Conner, who had been assigned to Fort Douglas in Salt Lake City in the 1860's to keep a watchful eye on the mail routes which passed through Utah Territory.

Following the discovery of silver, mining operations began which produced a half billion dollars in precious metals, lead, and zinc.

Today, with the help of an Area Redevelopment Administration loan by the Federal Government, this historic mining community has been transformed from a dying mining camp, which is all too familiar in the West, to a four-seasons outdoor recreation area.

The foresight of the Federal Government in approving a sizable loan for the recreation development will pay handsome rewards. Much of Utah's industrial growth will come from the development and expansion of our many recreation opportunities. By friendly cooperation with capable Federal agencies, we can grow together to develop strong, stable economies in areas which were at one time wholly dependent on mining enterprises which declined as minerals ran out.

Mr. President, so that Senators may read the unique story of Park City, I ask unanimous consent that an article published in the Mainliner be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

In less than an hour from step-down at Salt Lake City's municipal airport you can be skiing at Park City, Utah's high-spirited newcomer to the "Greatest Snow on Earth." Few other ski areas are as close to major airports. Park City, cradled in the towering Wasatch Mountains 27 miles east of Salt Lake City, is an authentic western mining town just four years away from escaping a long line of ghost towns.

It is becoming one of America's most charming family ski resorts with good accommodations, a broad selection of food from simple sandwiches to gourmet delights, and a wide variety of recreational activities. And all priced for family fun.

From mid-November to May more than 23 miles of carefully groomed and expertly maintained trails await you and your family at Treasure Mountains, Park City's $2½ million ski resort. Some of the unlimited runs for beginners, intermediate and expert skiers are the longest in America. And don't worry, each is clearly marked as to degree of difficulty. The names of the runs echo to the sound of mining days past—Claim Jumper, Bonanza, Miners Mile, Silver Queen, Lost Prospector, Pat Day, The Drift, Double Jack and Single Jack to name a few.

And what if you are looking for that something to tell the folks about back home? Then, you'll thrill to the longest gondola tramway ride in America. The brightly painted 4-passenger "bubbles" lift you nearly 2½ miles in about 22 minutes to the Summit House at an altitude of 9,400 feet where Utah's famous powder snow comes early and stays late.

Or possibly it will be a ride on the most unique ski lift in the world—America's first and only underground ski lift. That's right It's a train ride that takes you nearly three miles into the heart of the mountain through historic Spiro Mine Tunnel. You'll load your skis on the electric-powered little mining train and climb aboard one of four fully-protected cars and for the next 20 minutes find yourself in an authentic tunnel formerly used to bring ore out from the rich veins. Three miles deep in the mountain you step inside a four-level mine cage and are hoisted up the Thaynes Shaft for 1,770 feet to the surface and the Thaynes double chairlift that carries you to the Summit House. Thaynes is only one of two double chairlifts that have a total capacity of 1,800 skiers per hour. The other, the Prospector, is the longest in Utah.

Park City sprang to life in 1869 when a trio of soldiers from Col. Patrick E. Conner's company struck silver in the area. Col. Conner and his federal troopers had been ordered West to guard the overland mail route from Indian attack and "to keep an eye on Brigham," Brigham being Brigham Young, the dynamic and unpredictable leader of the Mormons who had settled the area twenty years before. However, Conner's troops found duty dull at Camp Douglas near Salt Lake City. They occupied their time prospecting in the surrounding mountains.

Park City was destined to become one of the world's richest mining areas. It has given up more than a half billion dollars in precious silver, gold, copper, zinc and lead. At the turn of the century more than 30 mines were producing in Park City. Today, for practical purposes, there is one.

Down through the years hardfisted miners, shrewd gamblers, daring gunmen and the town's "soiled doves" always outlasted the many vigorous reform movements that periodically fanned the righteous wrath of many citizens. Park City was a wild community. The turbulent mining town took most things in its stride including the great John L. Sullivan. The famous heavyweight made an appearance at a local playhouse. The comment was that "he made a better fighter than an actor." Park City today radiates much of the charm and appeal of those raucous years.

At night two old-fashioned "mellerdramas" capture the crowds at the Silver Wheel Theater and the Barbary Coast Opera House, where such favorites as "The Drunkard" still pack them in. You might find the action at the bars along Main Street, notably the Silver Palace, Gold Diggers Bar, Swedes Alley, Murphy's "Alamo" or The Bucket.

The ladies love the antique shops and art galleries, and the kids like to visit the historic old jailhouse where outlaws were held. A night of "tubing" under the lights at Snow Park in nearby Deer Valley may be what the family is looking for. Even after a full day of skiing, skittin' the slopes in tire tubes at Otto Carpenter's place can be different. Or possibly a horse-drawn sleigh ride from the Rafter H. Ranch under the winter sky.

If you're lucky you may be in Park City in late January and February when the cutter and dog sled races are run at Flinder's Ranch north of town. And speaking of luck, you might run into a growing number of notables who are visiting the town, such as Jose Ferrer and his children, Lowell Thomas, Hugh O'Brien, Lynda Bird Johnson, Jack Palance, Robert Preston and Laraine Day. All these have savored the atmosphere of Park City.

But neither fame nor fortune are requirements for enjoying a stay in the old mining town. Even luxury lodges like Treasure Mountains Inn have low family rates and there are plenty of smaller hotels. In a town that hasn't forgotten its working past, you don't have to spend a lot of money.

Four years ago Park City was approaching ghost town status. It was a town whose life and wealth had flowed through veins of precious ore deep beneath the surface. Today the town has a new lease on life and those same mountains that contributed so heavily to its economic health are once again being utilized. Only now the wealth is coming from above ground.

ADDRESS BY SENATOR HOLLAND BEFORE UNITED FRUIT & VEGETABLE ASSOCIATION

Mr. MURPHY. Mr. President, this morning I had the honor of appearing at the convention of the United Fruit & Vegetable Association, following my good friend the distinguished senior Senator from Florida, Spessard Holland.

Senator Holland's remarks on this occasion were, as always, thought provoking and informative. They show well why he is rightly considered a champion of the great agriculture industry, not only in his home State of Florida, but indeed across our entire country and certainly in my own State of California.

Believing as I do that Senators and many other citizens would benefit from reading Senator Holland's speech, I ask unanimous consent that it be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address of U.S. Senator Spessard L. Holland, Democrat, of Florida, Before 63d Annual Convention of the United Fruit & Vegetable Association in Washington, D.C., on Wednesday, February 1, 1967

President McCabe, members of the United Fruit and Vegetable Association, it is a pleasure to be a guest speaker at this your 63rd annual convention. To be here, I have broken a long-standing rule that my wife, Mary, and I have, to decline breakfast invitations. But I have a longtime interest in agriculture as indicated by my committee assignments as second ranking member of the Agriculture Legislative Committee and chairman of the Subcommittee on Agriculture Appropriations, and I also know that your organization is a highly important one to agriculture and is an excellent forum before which I can express my views on some of the many current problems of agriculture.

It is also a pleasure for me, coming from the Sunshine State of Florida, as does your President, to appear on the same program with my good friend, the junior Senator from the Golden State of California, the Honorable George Murphy, who has been in recent years in the forefront of many of the battles we have waged in the Congress in behalf of Agriculture. I know of no one in the Congress who more strongly supports the agricultural interests of his State and the Nation than does Senator Murphy. And so I am glad to be here, with you and with him.

I am becoming increasingly more concerned over proposed moves, some by the President, many by Members of Congress, which would adversely affect Agriculture.

The new proposal, as outlined in the President's state of the Union message, to merge the Department of Labor with the Department of Commerce into a single Cabinet agency, to me would be most hurtful to agricultural interests. I was most concerned when I noted in a recent dispatch in the Washington Post (January 19) that when Secretary Connor recently resigned as Secretary of Commerce, it was reported—"White House sources made it clear that the President hopes Congress will approve his proposal, made last week in his state of the Union address, for a merger of the Commerce and Labor Departments and that he will not be required to name a new Secretary of Commerce." Could this mean that the President is looking toward the appointment of the present Secretary of Labor, a man who, throughout his tenure of office, has been anti-agriculture in all his dealings with agricultural labor problems, to become the Secretary of the new Department of Labor and Commerce? Let us hope not—for to have Mr. Wirtz responsible for both commerce and labor, or in my terms—for both management and labor, would be disastrous. I shall oppose such a plan vigorously.

If you followed the Senate action on the farm bill in 1965, you know that during the debate I strongly supported an amendment which I offered in committee and which was adopted by the committee, to place the responsibility for farm labor upon the Secretary of Agriculture. I was attempting, by my amendment to place responsibility for agricultural labor in the Department familiar with agriculture and take responsibility away from a department—purely statistical—insofar as agricultural labor is concerned. This amendment was defeated on the floor of the Senate after a tie vote of 45 to 45, by the Vice President casting his dissenting vote to break the tie. This indicated, of course, that the administration itself assumed responsibility for Mr. Wirtz's unfriendly actions, which was not an encouraging sign.

There are other hurtful proposals that have been introduced in the Congress recently and I may as well mention two of them to you now.

There is a proposal, S. 8, to amend the National Labor Relations Act to make it applicable to agricultural labor—to provide for collective bargaining. This type of legislation has been introduced before without success, and I will certainly vigorously oppose its passage again should it come to the Senate floor. It would not be helpful to farm people to have NLRB handling farm labor problems.

Another proposal, S. 195, would provide for the establishment of a council to be known as the "Advisory Council on Migratory Labor." It is not hard to imagine that such a council would be filled with impractical reformers and troublemakers. Agriculture is now already overburdened with such nonproductive types of activities and I do not see any necessity whatsoever for the continued enlargement of governmental management in the agriculture field. Therefore, I shall also strongly oppose such a move.

These are but two of the several measures that could have such a hurtful effect on the grower, farmer, wholesaler, retailer, broker and merchandiser that I believe your organization will want to oppose these, and in fact to watch closely all proposed legislation affecting you.

Now let me comment with a word or two about the budget submitted by the administration as it relates to agriculture. The budget estimate for fiscal year 1968 for appropriations, exclusive of forest service, totals $5,006,361,400, as compared to appropriations for fiscal year 1967 of $7,009,167,450, a net decrease of $2,002,806,050.

While I have not had an opportunity to examine in detail the budget as presented, I already know of several areas that should be examined most critically. One is the proposal to expand the use of section 32 funds for activities other than for the reduction of surpluses for which the funds were intended. The budget proposes to divert about $300 million from this fund to the food stamp program and the special school milk program. The section 32 legislation provides that 30 percent of all customs receipts be directly appropriated to the Secretary of Agriculture for the purpose of lending assistance principally to perishable commodities which have no price supports and have unmanageable surpluses. These funds have proved particularly effective in helping many groups of fruit and vegetable producers, as well as the beef, pork, and poultry industries, and others.

I can well recall their effective use in the immediate postwar years in providing export subsidies to the citrus industry in its effort to recapture and expand export markets. In a period of 9 years subsidy was provided to permit the exportation of 23 million boxes of fresh oranges and grapefruit and 4 million gallons of citrus juice concentrate. Export programs were also conducted for raisins, prunes, apples and other fruit products during this period. In the intervening years purchase programs for domestic use have been effectively conducted for a large number of fruit and vegetable products. These include canned grapefruit, concentrated orange juice, peaches, pears, plums, raisins, prunes, onions, sweet potatoes, cabbage, apples and cranberries. Not only have producers benefited from these programs, but school children and needy persons have enjoyed more nutritious meals.

A very recent classical example of the value of section 32 resources being readily available to the Secretary of Agriculture was his announcement of intention to purchase a significant quantity of concentrated orange juice to help stabilize orange prices this winter. Bids for these purchases came in last week. Orange producers need help—they will get it—and our Nation's school children will enjoy a more nutritious diet as a result.

In the last decade $1.6 billion of section 32 funds have been used by the Secretary to aid in the removal of surplus commodities. In each of these years the fruits and vegetable industry has benefited through their use. I am and have been through the years a strong defender of section 32 funds as an essential tool in the department's efforts to stabilize income to producers of hazardous and perishable crops. Particularly fruits and vegetables. I think it would be a great mistake to allow 300 million dollars to be diverted from this fund to such social objectives as the food stamp and school milk programs.

Secondly, a most significant reduction in the fiscal year 1968 budget estimate is the failure to request funds for the Commodity Credit Corporation to clean up the unreimbursed loss of fiscal 1961 for CCC in the amount of $1,057,000,000, and, further, to reimburse it for the full losses that occurred in fiscal 1966 of $2,984,856,389 as required by law. The budget only requests reimbursement appropriations of $1,400,000,000, or a reduction of $2,155,855,000 under the current fiscal year. To me, this is an attempt by the budget bureau to play a "shell game" by not, in its budget, presenting a true picture of the cost of the CCC program to the Congress and the people. Further, the restoration to the capital of the corporation of the deficit is a paper transaction, it will not expend money, but it will obey the law.

I feel it is only fair at this time to comment that there are some favorable items in the budget. For instance, whereas last year the budget recommended serious cuts crippling the Agricultural Research Service, the Federal-State research program and the Agriculture Extension Service, which cuts, incidentally, were restored by the Congress, this year's budget provides much more adequately for these three vital activities.

We all know of another problem we are confronted with in regard to the agriculture industry. In an effort to obtain some relief, I introduced S.J. Res. 13, which, if passed, would require the removal of certain agricultural products from negotiation of tariff reductions under the Trade Expansion Act of 1962—during the so-called Kennedy round of negotiation at Geneva.

Growers and consumers and all other agricultural interests in my State of Florida and throughout the Nation have a vital stake in these international trade discussions. Labor shortages, increasingly higher labor turnover and costs, and other rising production costs which have plagued our fruit and vegetable producers in recent years have stimulated the importation of these products from outside the United States. They have also resulted in increased acreage being devoted to these crops in the Bahamas and other Caribbean Islands, Mexico, and Central America, and the consumers have paid more for citrus and other fruits and vegetables than they should. I believe that need for affirmative action on my resolution is evident when it is realized that the tariff on fruits and vegetables under the Kennedy round might be reduced a full 50 percent across the board, with a bare minimum of exceptions.

We hear many criticisms these days concerning food prices, and necessarily so, when you consider that the food bill in the United States amounts to some $92 billion annually. But let's take a look at the facts. On the whole the food industry is doing a splendid job. America is the best fed nation on earth and yet only a modest fraction of our income is spent for food. The fruit and vegetable industry should be proud of the job they do in feeding our people and other nations of the world.

When we speak of fruits and vegetables I believe it significant to point out that nearly 25 percent of retail grocery store sales of food are accounted for by fresh and processed fruits and vegetables. Each person in the United States, on the average, consumes about 500 pounds of fruits and vegetables each year.

Recent data indicates that the U.S. farmer obtains a modest 41% of the consumer dollar and that the farm-to-retail spread amounted to 59%. For fruits and vegetables the farmer received 27%, while the remaining 73% of the consumers fruit and vegetable dollar covered all marketing and processing costs, which reflects the high amount of processing, packaging, refrigeration, special handling and skills required in the marketing of fruits and vegetables.

Production methods have changed to meet the demands of our increasing population and urbanization. Farmers have become fewer and more specialized—as an example, a fraction of one percent of our farms produce between 30 and 50 percent of our fruits and vegetables. Modern equipment, mechanization—research and know-how, have enabled the farmer to double the output per man-hour in a little over ten years. This has resulted in more food production on fewer acres with less labor each year. And the phenomenal abundance of foodstuffs has meant that the average American family today spends about 18% of its spendable income for food—less than ever before, and far less than in any other nation in the world.

We've had a yield explosion in fruits and vegetables in the U.S. resulting from many causes. New varieties, better cultural methods, and increased use of fertilizer and chemicals—such as insecticides, fungicides, and herbicides—are but some of the factors influencing yields.

The increasing concentration of population in urban centers has changed the marketing situation substantially from that which prevailed early in the history of our country. Then, it was the usual and common thing for the producer to deal directly with the consumer. Now, of course, this is the exception. The marketing system now includes many services.

The market itself is a changing market. Our ways of doing business are changing. So are our consumption habits. Consumers are demanding more and more in the way of convenience foods.

Today's mass merchandising of foods provides the housewife with a wide choice of products—about 7,100 different items in the average supermarket. Each item must bid for the housewife's favor on an impersonal basis, largely through its appearance, convenience and price. Your fresh fruits and vegetables face stiff competition from a host of other items. Your items have an edge here where commodities must sell on appearance.

The retail food industry today has centralized procurement operations. The USDA estimates that the corporate chains, voluntaries, and cooperative chains now handle approximately 91% of the total U.S. retail food sales. These organizations operate on huge volume sales and rapid turnover. They require regular supplies—week in and week out—good quality, and attractive packaging. And they have tremendous bargaining power.

Today the national school lunch program represents a food market in excess of $1.0 billion annually. Eighty percent of that food is purchased in your hometown market—the balance represents donations by the Department of Agriculture.

Each day the 19 million children consuming a complete lunch in this program are developing stronger bodies, better food habits and are being educated to better nutrition.

I have been a strong supporter of this program—as it combines all that is good in terms of our children's welfare, our community ambitions and our Nation's proper responsibility.

Beyond that and of direct benefit to your organization, it is expanding the market for the products you produce and distribute. This year from the funds made available under section 6 of the school lunch program some $17–$18 million is being spent by the Department of Agriculture to assure that a variety of processed fruits and vegetables will be used in the program to improve nutrition. Yet this is but a small percentage of the quantities purchased locally.

I am proud of the job being done—nationwide—by the food industry under severe handicaps. I congratulate you on being part of that industry and on doing your fair share of that job. Continued improvement in our home market practices and our ability to assist in the feeding of other nations of the world unable to feed their ever expanding populations is a challenging task, but the ingenuity of your organization together with the other segments of American agriculture I know will master the situation—it has made great advances in the past—it will continue the good work in the future that lies ahead—I am proud to have a small part in its development.

One word of caution before I close, which is that the first word of your corporation's name "United", expresses a concept which you must keep in mind at all time and in all matters. There is not a single fruit or vegetable industry which, by itself, commands sufficient strength in the national councils and in the Congress to make sure that it can have vital protection which it needs. But working together, through your great organization, the National Fruit Export Council, or otherwise, fruit and vegetable industries producing nearly 9% of the money value of our national agricultural production and having sympathetic friends in the production of other perishable foods—particularly beef, pork, lambs, poultry and milk, can accomplish anything that is reasonable and which is of vital importance to the food industry. It is only by obtaining and continuing close unity among yourselves that you can expect to accomplish the vital public objectives of your varied groups. I hope you will remember always that only in unity of the food producers of America is there sufficient strength to protect yourselves and the food sources of this great Nation against all unreasonable attacks.

THE PRESIDENT'S MESSAGE ON AIR POLLUTION CONTROL

Mr. SYMINGTON. Mr. President, in his message to Congress on "Protecting Our Natural Heritage," the President has placed emphasis on the urgent need to bring air pollution under control. He has offered constructive recommendations which should receive the fullest consideration by this Congress and the American people.

As elsewhere throughout the Nation, in my State of Missouri, air pollution has been a growing problem. In St. Louis, our proud new arch is often obscured by the filth in the air. Acting alone, neither the State of Missouri nor the city of St. Louis can solve its air pollution problem. Interstate pollution is also a serious problem in Metropolitan Kansas City, where the airports are all too often plagued with dangerously poor visibility, caused by the pollution in the air. These areas are prime examples of the interstate and national character of the air pollution problem.

Two of the President's recommendations have an important bearing on this problem of interstate pollution.

It has long been evident that one of the obstacles to the passage of laws and regulations limiting the emission of pollutants by our industries—and even to their effective enforcement after passage—has been economic. Industry has rightly feared that the expense of the necessary control systems will put industry in any State which demands these controls at a competitive disadvantage with the same industry in another State which does not.

To deal with this economic barrier to effective action, the President has proposed establishing uniform minimum emission control levels for the whole country. He has also recommended the establishment of regional air quality commissions where effective regional air pollution control programs are needed but do not exist.

I look forward to the considered and prompt examination of these and other proposals by Congress.

THE CONSULAR CONVENTION

Mr. LONG of Missouri. Mr. President, one of the more important questions facing the Senate this year is whether it should ratify the United States-Soviet Union Consular Convention. The Christian Science Monitor, a very respected newspaper, recently added more support for the treaty.

There are hurdles in the paths of this and other cooperative gestures; the Monitor comments, but the fact that they are being made is both reassuring and hopeful.

The newspaper urges as vitally important "every step, no matter how little, no matter how big, which can create better relations and deeper understanding between the United States and the Soviet Union."

Mr. President, I ask unanimous consent that the entire text of the editorial, which was published in the Monitor on January 25, be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FURTHER AMERICAN-SOVIET STEPS

The heads of the American and Russian states are again making friendly gestures in the other's direction. Soviet President Podgorny is described as responding pleasantly when American Ambassador Llewellyn Thompson handed him a letter from President Johnson asking for greater Soviet-American cooperation. Meanwhile, President Johnson is making strong effort to push through the Senate a treaty calling for the establishment of more American consulates in the Soviet Union and more Soviet consulates in the United States.

There are hurdles in the paths of these cooperative gestures, but the fact that they are being made is both reassuring and hopeful.

In his letter to President Podgorny, President Johnson suggested that America and Russia strive more closely to bring about international armament control, to extend aid to backward nations, and to meet the challenge of world population control. The Soviet head of state is said to have answered encouragingly. While he did mention that the war in Vietnam raised barriers to Soviet-American cooperation, his words on this were described as mild.

The consular treaty has been hung up for several years on American concern lest more Soviet consulates be used for more Soviet spying. This is, unquestionably, a real issue, although it is hoped that the Federal Bureau of Investigation could counter this effectively.

Yet the concern is not all one-sided. Moscow has never wanted American contact points spread about its territory. Thus Moscow must feel that it is running as great a risk (although a somewhat different one) as many opponents of the treaty feel that Washington would run.

But it is vitally important that every step, no matter how little, no matter how big, which can create better relations and deeper understanding between the United States and the Soviet Union be taken. We believe that this willingness of Washington and Moscow to make reciprocally friendly gestures at this trying moment is one of the reasons why tension over Vietnam is not higher than it is.

International relations are a give-and-take game. America hopes for Soviet cooperation on arms control, food for the hungry, and population limitation. In turn America must be ready to give quae pro quo. One of the handiest to give at the moment is the consular treaty. The White House and the State Department support it. We believe that its advantages will outweigh its disadvantages and hope that the Senate will ratify this treaty.

TERROR IN THE SOUTH

Mr. LONG of Missouri. Mr. President, the loss of civilian life in modern warfare is as predictable as it is regrettable.

But the distinction must be made between calamity caused by miscalculation and calamity inflicted in cold deliberation, such as massacres of South Vietnamese civilians by the Communists.

This distinction is made with clarity by the Kansas City Star in a cogent editorial that I shall offer for inclusion in the RECORD. The newspaper points out:

> More than 11,000 civilians, mainly village leaders thought to be loyal to the South Vietnamese government have been butchered by the Viet Cong since 1957.

Yet these atrocities have often escaped the public notice of those who protest casualties of U.S. bombing.

Those protesters, the newspaper says, will be guilty of willful blindness if their sympathies are not at least as deeply stirred by the intentional suffering dealt by the enemy.

Mr. President, I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AN ENEMY WHO DEALS IN CIVILIAN TERROR

The accidents of war are cruel, and the suffering of the victims sears the consciences of compassionate men. Villages napalmed by mistake, residential neighborhoods torn by bombs that miss their military targets—such errors have been and, sadly, will continue to be reported from Vietnam. That they *are* accidents in no way lessens the tragedy or eases the resulting agony. It is, at best, only a slight extenuation.

Critics of America's role in the war, both in this country and abroad, have deplored the inadvertent killing and wounding of civilians in a war they never made. And rightly so, for however just the cause or unavoidable the confrontation, no war is good. But largely overlooked in these protests, it strikes us, has been the concurrent suffering—and on a far greater scale—of the civilian victims of this enemy whose aggression the U.S. is seeking to repulse.

This week, the Viet Cong added to their long list of atrocities by murdering 41 unarmed men, women and children at a prison compound in the Mekong delta. The helpless civilians were shot down as the Viet Cong prepared to evacuate the camp in advance of its capture by approaching Vietnamese troops. The inhumanity of such an action is monstrous. Yet it is only an extension—logical, perhaps, from the Viet Cong viewpoint—of the campaign of terror that has been waged unceasingly in Vietnam for the last decade.

More than 11,000 civilians, mainly village leaders thought to be loyal to the South Vietnamese government, have been butchered by the Viet Cong since 1957. In the last five years alone, some 77,000 other civilians have been killed or maimed by random acts of terrorism. Now, apparently, the deliberate massacre of innocent civilian hostages has been added to the Communists' bag of horrors. Even in the frantic extremity of a hasty retreat it is impossible to believe that any American commander would give—or even for an instant think to give—such a command.

In another war 25 years ago, the Nazi slaughter of political prisoners was universally viewed as an outrage against human decency. This latest Viet Cong action differs not in kind but only in numbers.

We say this not to excuse the heartbreaking errors of our own military effort. And there is, we repeat, no such thing as a good war. But that conceded, it is nevertheless possible to distinguish between calamity caused by miscalculation and calamity inflicted in cold deliberation. The accidental casualties from U.S. bombs and shellfire have raised storms of sympathetic protest. These protesters will be guilty of willful blindness if their sympathies are not at least as deeply stirred by this new evidence of the intentional suffering dealt by the enemy.

IRRATIONAL QUALITY OF CRITICISM OF PRESIDENT

Mr. LONG of Missouri. Mr. President, an excellent editorial entitled "He Is Our President," was published in a recent edition of the Nevada Daily Mail of Nevada, Mo.

The writer, Mr. Ben F. Weir, points out the irrational quality of much of the criticism leveled at the President, and reminds us that the President, rather than ignoring the present problems of our times, has tried to do something about them.

Mr. President, I ask unanimous consent to have the editorial printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HE IS OUR PRESIDENT

President Lyndon B. Johnson has come in for more than his share of criticism and ridicule during the past few months. The November elections did not help his image any and, in fact, gave additional courage to his critics and political opponents to launch an even more severe attack.

There are some, however, who feel a certain amount of sympathy for a man who was thrust into the most important job in the world by an assassin's bullet. President Johnson inherited a war not of his making and which had not been stopped by two Presidents before him. God bless him, he has tried. Give him credit for that.

President Johnson inherited a tense nation as far as civil rights were concerned. Whether it had been Johnson or Goldwater in the Presidency, civil rights would have been the same as they were in 1965 and 1966. President Johnson helped resolve the legal aspects.

President Johnson also inherited a nation on the road to great prosperity and it seems nothing short of a severe recession will curtail the inflationary spiral. President Johnson is credited with much of the blame for this but we recall that every time President Johnson has asked for caution, labor has demanded greater wages than the President's guidelines. At the same time, business has continued to expand at a much faster rate than normal and has paid little attention to any guidelines. No one wants to listen; just blame. If bad times come, it will probably be billed, "Johnson's Depression."

Housewives protest the high cost of food, but continue to fill their refrigerators with fancy frozen foods and the highest price meat cuts. President Johnson gets much of the blame for high food prices but very little credit for an improved situation among the farmers and producers of foodstuffs.

Much criticism is heaped upon President Johnson's Great Society programs. Obviously, some have not worked out well. Obviously, also, politics have wrecked some of the programs but local indignation throughout the nation will eventually wreck all the programs. It is quite all right to discuss poverty, famine, ghettos and sub-standard literacy in India, Vietnam or Timbuktu, but don't mention these things about our home town or the United States. After all, this is a great country, if you want to make something out of yourself, all you have to do is get out and go to work. After all, a poor Texas farm boy is now President. (Check the records, the country helped educate him.)

For those who also may feel a little sympathy for a man who is trying to do his best for his country, we want to pass on something a Clinton newspaperwoman passed on to us. It touched us. Maybe it will touch you.

For Lyndon Baines Johnson . . .

"IF

"(By Rudyard Kipling)

"If you can keep your head when others all about you are losing theirs and blaming it on you:
If you can trust yourself when all men doubt you, but make allowance for their doubting too;
If you can wait and not be tired by waiting, or being lied about, don't deal in lies,
Or being hated, don't give way to hating, you'll be the man your mother thought so wise."

Happy new year, Chief . . . God bless you . . . and our country.

(EDITOR'S NOTE.—The above was sent to us by Kay White Miles, daughter of Mr. and Mrs. M. N. White, publishers of the Clinton Daily Democrat. Kay is a recognized newspaperwoman and author in her own right. She has written a book on the area which will be flooded by the Kaysinger Reservoir. Kay also is a working newspaperwoman in Washington, D.C. where she writes editorials, designs the front page and writes a column on Maryland politics. Kay's husband is Dan Miles, administrative assistant to Senator Edward V. Long of Missouri.)

SUPPORT OF NORTH VIETNAM BY SOVIET RUSSIA

Mr. FANNIN. Mr. President, it is a matter of growing concern to Americans that while the administration is busily engaged in expanding friendly relations with the Soviet Union, the Soviet Union is busily engaged in expanding military, technical, and economic support against us in the war in Vietnam.

Personally, I know of no responsible American who does not fervently pray for better relations among all nations, in the hope that men everywhere someday can live in a peaceful world. But a meaningful peace requires more than words, more than diplomatic agreements; it requires application of the principle of "live and let live," and that principle the Soviet Union has neither applied nor practiced, and nowhere less than in Vietnam.

As a January 29, 1967, editorial in the Arizona Republic points out so well, the Soviet Union, while pursuing peace on the diplomatic and rhetorical fronts, is underwriting an increasingly larger share of the Vietnam war and is by far the single biggest supplier of war goods and materials to the north. In fact, were it not for Russian assistance, North Vietnam's war machine would be impotent and incapable of carrying out its aggression in the south, an aggression which daily takes the lives of countless Vietnamese and of many young Americans.

The editorial questions, quite validly I think, the reluctance of the administration to admit the full extent of the Soviet's support of North Vietnam. Could the administration's hesitancy in part be due to the fact that it is presently negotiating with the Soviets a liberalized East-West trade agreement, a consulate treaty, and a disarmament treaty, among others? Of course it could, and it is.

The editorial implies that if the Soviet Union is serious in its desire for peace, let it begin by withholding support from the war which its assistance alone makes possible. That is good advice for the administration to follow during the course of the present negotiations.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Arizona Republic, Jan. 29, 1967]

OUR ENEMY IN VIETNAM

Ask any American what foreign government is supporting North Vietnam's war machine and almost without exception the answer will be Red China.

But that answer is wrong. Soviet Russia is providing the military and economic muscle to the enemy in Vietnam for what has become the second costliest war in U.S. history.

The administration has deliberately played down Russia's role in Vietnam. While pressing for liberalized East-West trade, a Moscow-to-New York airline pact, disarmament treaties, and increased consulates, it has portrayed Red China as the main—indeed, the only—villian. But an illuminating article in the current U.S. News & World Report makes it clear that the Vietnam war would be only a minor skirmish were it not for Russian assistance.

Red China is supplying light weapons, ammunition, and rice to the North Vietnamese. Hanoi's original system of conventional anti-aircraft was installed by Peking. And Peking supplied about 25 per cent of North Vietnam's total tonnage by sea in 1966.

But compared with Russian assistance, the Red Chinese effort is insignificant.

Most trucks that move supplies from North to South Vietnam come from Russia or her satellites. Many of the automatic weapons captured from North Vietnamese troops are of Russian manufacture. The rockets and guns which are shooting U.S. planes out of the skies over North Vietnam were provided by Russia, and launched by Russian-trained crews. The North Vietnamese Air Force consists of planes and light bombers supplied by the U.S.S.R., and its pilots are trained in Russia and supervised by Soviet pilots when they return to Hanoi.

Soviet advisers help operate North Vietnam's industry, its coal mines, and the port of Haiphong. They are helping to construct and rebuild hydroelectric plants. The North Vietnamese war machine runs almost entirely on Russian oil. And Russian ships brought one-half of North Vietnam's tonnage by sea from all sources—twice the amount brought by Red China.

Official Washington, which has worked overtime to portray the Russians as benevolent despots who have foresaken world conquest, seeks to justify the Soviet role by saying Moscow is forced to help, otherwise it would lose its influence in Hanoi.

But what sort of consolation can Americans derive from that explanation? It is equivalent to saying that the Purple Gang had to continue warring against the Chicago police, otherwise it would have lost influence in underworld circles to the Capone mob. Should Chicago's law-abiding citizens have applauded the Purple Gang as statesmen?

In Rome, during his recent state visit to Italy, Soviet President Podgorny pledged that Russia will send "ever increasing aid" to North Vietnam until Hanoi triumphs. All of which means that the U.S. is just as directly at war with Soviet Russia in North Vietnam as it was during the Korean war from 1950–1953.

TAX-SHARING PROPOSALS

Mr. MOSS. Mr. President, I am alarmed at the proliferation of proposals being submitted for the retention of Federal revenues in the States where collected. These tax-sharing plans are often ill conceived and show little promise of helping to solve the crucial domestic problems that we face.

The chief attraction of these plans is that they will help to shore up the shaky financial positions of many State governments. But often these State governments have not increased their State taxes to meet their responsibilities and could use the tax rebate merely to reduce State taxes further. I think there are higher priorities for Federal tax moneys than this.

The tax-sharing plans seem to have started with the proposal of Walter Heller to return surplus Federal revenues to the States. However, this was before the Elementary and Secondary Education Act, before medicare, and before we really faced up to the truly herculean tasks of curbing air and water pollution through Federal grants. When you assess the needs under these new programs, it is apparent that far from a Federal revenue surplus, we are faced with a real shortage of funds for State grant-in-aid programs.

Federal grants-in-aid have made it possible to retain the advantages of performing essential civilian services through the State governments while retaining national objectives of equalization and nationwide improvement through these programs. The distribution of these grants has maintained programs in which there is a national interest and significance. Highways are an example. While the responsibility for roads belongs to the States, the performance of the State affects the interstate commerce throughout the entire Nation. Our matching fund program has worked admirably to maintain national standards while providing for local control.

There is another important fact to consider. The State boundaries are becoming less important in economic terms. The strength of this country lies in our free market for goods and labor. Often this results in migration, such as the migration of Negroes from the South to the cities of the North. The Northern States are then faced with increased social welfare costs.

The lack of educational and social opportunities in one State will inevitably affect the budget of another State. Thus, some needs of the States must be attacked on a nationwide basis. If one State uses the tax-sharing proposal to cut taxes while another uses it to increase welfare benefits, the result will be a migration of the poorer classes to the second State. This will increase pressure on the budget of the very State that is trying to meet its responsibilities.

The President in his state of the Union message stated that during the past 3 years we have returned to State and local governments about $40 billion in grants-in-aid. He stated:

> This year alone about 70% of our federal expenditures for domestic programs will be distributed through State and local governments. With Federal assistance, State and local governments, by 1970, will be spending close to $110 billion annually.

The amounts involved in tax sharing are far below these figures. Therefore, even under a tax-sharing plan, the various Federal departments would still have to administer many grants-in-aid. Thus, there appears to be little that would be saved in administrative expense.

There have been a variety of approaches taken in the tax-sharing proposals. At least one of the bills proposes leaving part of the collected Federal tax revenues behind in the State of origin. This would allow the rich States, which are having the least difficult time providing services, to get a lions' share of the money. It would further penalize the child growing up in West Virginia or Utah as opposed to the child growing up in California. The Federal grants-in-aid are helping to minimize these differences in opportunity. The proposal to leave Federal taxes in the State of origin would accentuate a division of this country into the "haves" and the "have-nots." This would be harmful both socially and economically.

A bill that I think makes somewhat better sense proposes that the tax sharing be based on population, but weighted for fiscal effort by the States and adjusted for supplemental grants to the poorest States. The funds would also be earmarked for health, education, and welfare. But, after putting all these restrictions on the funds, you really have a product that is so little different from the present grants-in-aid as to render it not worth the effort.

It might be interesting to see how some of these plans work out. In the proposed Tydings bill, for example, the tax sharing is weighted to aid the big cities. The plan would give the States with metropolitan areas of over 1.5 million people, a 40-percent greater tax rebate for that portion of their citizenry living in the metropolitan area.

I find this proposal curious. First, the size of 1.5 million is quite arbitrary, as any size cutoff must be. The cities just below this size may have greater financial problems than some of the larger cities. I think an appropriate comment was made by Jerome Cavanaugh, president of the U.S. Conference of Mayors and the National League of Cities. He recently stated:

> I believe we sometimes become overconscious of the tragedy of the ghetto and forget the crucial problems of the small cities and rural areas. . . . Like the big cities, the small towns are engaged in huge efforts to catch up with modern standards.

The second problem I have with the division of aid on size is that it fails to recognize the different intergovernmental arrangements in the various States. Some cities have a responsibility for a wide variety of services, while others have little responsibility and corresponding need for funds, since their State or county government provides these services.

But my main fear in a tax-sharing proposal such as this, is that it would operate inequitably. Taking Senator Tydings' own figures, the division would work this way: In Massachusetts, the bill would return $37,695,000 based on 1966 figures. In North Carolina the return would have been only $21,802,000. Yet North Carolina has only a slightly smaller population than Massachusetts, and Massachusetts is already a far richer State than North Carolina, with a per capita income of approximately $3,050 compared to North Carolina's $2,041.

Tydings' bill sets up a commission which will have the difficult job of determining the revenue raising capacity of the several States. The Commission also will have to approve the plans of the States to spend the money. This will cause the States to have to file detailed plans on spending the funds just as they do now for grants-in-aid. But the Commission will have no power to disapprove the plans, which may lead the States to find the paperwork more unnecessary and burdensome than they now find it under our present system.

The demonstration cities approach seems a more practical way to attack the problems of our cities. The planning that would be required under the demonstration cities program would be much more likely to produce some meaningful results.

I do not disagree with the need to cut redtape in the administration of the grants-in-aid program, and to give the greatest possible flexibility in local administration to adapt to local conditions. The Bureau of the Budget has given the Committee on Government Operations an account of Federal actions to improve administration programs. The departments are now reviewing ways to simplify Federal administration.

We have begun in the last few years to express a national interest in problems that are so widespread as to require the financial resources of the entire Nation to solve them. This has had the beneficial effect of developing a national policy on improving our schools, protecting our elderly citizens, and helping depressed areas to develop economically. I do not think we would have progressed as far in these fields if we had not attacked these problems on a national basis. We are now faced with a nationwide problem of deteriorating cities, ghetto riots, and polluted air and water. In the face of this we are asked to reduce Federal funds by retaining part of them in the States. If there are any advantages to this, I have not seen them in the bills introduced thus far.

I have no objection to the proposal of Senator Nelson to study the situation so that we can have more meaningful facts and figures than we now have. Then, we could better compare the distribution and benefits of the differing tax-sharing plans.

But I think any study will come to the conclusion that the present system of grants-in-aid is the best system for aiding the individual States. Regulations may need to be rewritten to grant more flexibility to the States in utilizing the funds. The allocations of priorities among federally aided projects may need to be reviewed. But the best public policy is for the unit of government that imposes taxes to exercise control over the spending of these taxes. If the States are "given" unearmarked moneys to spend which they bear no responsibility for raising in taxes, we have an unhealthy spending syndrome.

If the States do need additional revenue to meet their expenses, the States should have the responsibility of collecting it. If the Federal tax burden is too large to permit an increase in State taxes, then the Federal Government can reduce taxes. The Federal Government withdrew some of its taxing power in 1963 by cutting income taxes. More recently it cut excise taxes. This reduced the Federal tax bite by billions of dollars. I think this is the best way to increase State revenue. Then the States can impose whatever taxes are needed to provide the services the local people desire.

Mr. President, I have found quite a bit of skepticism among editorial writers about these tax-sharing plans. I ask unanimous consent to place several editorials in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Jan. 29, 1967]

New Kind of Tax Sharing

So much is being said about tax sharing these days that the discussion tends to center, not on "whether," but on "how." Advocates of the various plans assume that Congress will do something because the states are urgently in need of more revenue and because the income tax is the fairest and best method yet devised of raising revenue. Both of these points do indeed seem to be irrefutable, but it does not necessarily follow that the states should look to Washington hereafter for collection of a large share of their revenue.

The objective to be sought is more revenue for the states to be raised with less reliance upon regressive property and sales taxes. But there is no special virtue in having the new flow of income-tax revenue routed through Federal channels. Probably the basic principle of all taxation is that the taxes should be laid by the governments which spend the money so that the ultimate control will rest in the people who choose the governments.

Some exceptions to this principle may be made in cases where the Federal Government wishes to aid special functions, such as education or highway building and to even the disparities in tax-paying ability. This is the purpose of Federal grants. It would be a very different matter for Congress to levy a national tax to be turned over to the states for miscellaneous purposes with no strings attached.

Many of the tax-sharing plans that are being offered do have strings attached, and these are open to the grave objection of shifting control over local functions to the Federal bureaucracy. And if bureaucratic controls were to be relaxed under such a system, there would be danger of inviting careless spending by the broad separation of the taxing and spending powers.

Instead of having the increased tax funds flow to Washington and back to state capitals, therefore, it would be better for the states to collect their own incomes taxes. The tax sharers reply that about one third of the states have no income taxes. In some other states the income taxes are quite inadequate or are not properly graduated on the basis of ability to pay. But these weaknesses can be corrected without a wholesale transfer of responsibility for state taxes to Congress.

We suggest that the best approach is to give the states an incentive to the enactment of sound and progressive income taxes of their own. This could be accomplished by an act of Congress turning over to each state 1 per cent of the receipts from the Federal income tax in its area on condition that the state enact an income tax of its own which would bear on each individual and corporation in the state as a fixed percentage of the Federal tax.

Each state would be free to collect, 1, 5 or 10 per cent (or more if necessary) of the Federal tax from its own residents. The arrangement would have the enormous advantage of abolishing complicated state income-tax returns. The taxpayer could make his state return by simply taking the appropriate percentage of his Federal tax. Many millions of hours of labor would be saved and vast quantities of paper.

In addition the states would have new sources of revenue equitably distributed among their own taxpayers. Taxing and spending authority would remain largely in the same hands. And since the incentive would doubtless draw all the states into the plan, the present pull of non-income-tax states upon people and industry would be minimized. If we are to have tax sharing, these major advantages should not be overlooked.

[From the Washington (D.C.) Post, Jan. 29, 1967]

The Heller-Pechman Plan Challenged

Of all the proposed legislation before the new session of Congress, none seems to have a rosier future than the tax-sharing bill, whereby part of the income tax receipts of the Federal Government would be siphoned off to the states. Based on the so-called Heller-Pechman plan, versions of this bill have been viewed with wondrous admiration by some leading members of both major parties. Republican members of the House Ways and Means Committee have already prepared legislation incorporating its salient features. In time, as things are going, some version of the legislation, with a Democratic stamp of approval, seems a shoo-in.

Why the warm, enthusiastic—and above all, nonpartisan—reception? The answer is that the Heller-Pechman plan seems to have something for everyone. It would turn back to the 50 states about 5 per cent of the total personal income tax payments collected by the Federal Government—a percentage that could easily be inrceased later. It would systematically give a larger share of these refunds to the poorer states than to the richer ones. It would tend to reduce the activities of our great, sprawling, and growing Federal Government in favor of the state and local governments, which are presumably "closer to the people." In a spectacular twist, the bill provides support for the "statesrights" biases of many conservatives as well as for the help-the-poor propensities of liberals.

Underlying the bill's provisions is the basic assumption that the 50 states in general have more or less exhausted the sources of tax revenue available to them. Furthermore, by providing a greater than proportional refund to the poorer states, the bill promises to help smooth out the distressing differences in standards of education and social services that now prevail among the states. In addition to its persuasive logic, the plan enjoys distinguished authorship as well as the prestige of having reposed in the J. F. Kennedy pipeline.

Its authors are Walter Heller, former chairman of Kennedy's Council of Economic Advisers, and Joseph A. Pechman, chief economist of the famed Brookings Institution The glamor of the bill along with its preponderant support make criticism difficult, although, I hope, not impossible. For a closer examination of the plan, I believe, will disclose that criticism is urgently and powerfully warranted.

Unfortunately, and despite some worthy objectives, both the basic assumption of the bill as well as its technique are seriously questionable. For example, it is simply not true that "in general" the 50 states have exhausted the sources of tax revenue available to them. Thus, approximately one out of every three of our 50 states levies no income tax at all upon its citizens. Even among those that do have income taxes, the differences in levies are enormous. The tax rate on individuals for income receipts in excess of $15,000 is 5 per cent or less in Alabama, Arizona, Arkansas, Indiana, Iowa, Louisiana, Maryland, Mississippi, New Hampshire, Utah, Virginia and the District of Columbia; the corresponding rate is as high as 10 per cent or more in Wisconsin, North Dakota, New York, New Jersey, Minnesota, Idaho and Hawaii.

Quite clearly, the various states are not making equal efforts to exploit the sources of revenue available to them. And this means, of course, that families in the *same* income bracket are taxed very differently in the various states. Instead of encouraging uniformity, which might appear justifiable morally and economically, the Heller-Pechman plan does the opposite. By returning more funds to those that contribute the least, it tends to freeze, or even accentuate, existing differences. It would penalize those that conscientiously try the hardest (like Wisconsin and New York) and reward those that shirk their social obligations (like Tennessee and Virginia).

Of course, the bill would succeed in getting more revenue into areas that are poorer *on the average* than others. But it does so by discriminating unfairly in favor of some (middle-class taxpayers in the "poor" states) and against others (middle-class taxpayers in the "rich" states). Surely, there must be better ways. The most sensitive tool for redistributing income, if that is our intention, is the progressive income tax; no economist to my knowledge disputes this. The most effective tool for aiding backward states in improving educational and social services is the familiar one of grants-in-aid by the Federal Government. Both tools are readily available and can be used as vigorously and as purposefully as we, as a nation, may wish.

It is the crowning failure, on the other hand, of the Heller-Pechman plan that it provides no guarantee, or even assurance, that its avowed objectives would be accomplished. For under this plan, and under the bill now prepared for introduction in the House, the states are free to use their tax refunds as they wish. They may devote the funds to meeting ordinary expenses of government, for building roads, monuments, golf courses, or even, as so often happens in underdeveloped areas, for raising the living standards of local politicians. Although legislative safeguards may be tried, there is no practical way of preventing the state and local government from using the refunds for reducing their own taxes.

There is no doubt whatever that it is desirable and even urgent, as the authors of the bill would hope, to elevate educational and welfare standards in the backward states—and in the backward areas of the rich states too, let us add. But the only way to insure this is for the Federal Government to exercise positive and imaginative leadership. The Heller-Pechman plan provides an attractive loophole for avoiding this obligation.

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[From the Salt Lake City (Utah) Tribune, Jan. 29, 1967]

EVERYONE'S ON STATE TAX RETURN BANDWAGON

It is one of the ironies of the political scene to discover that what was conceived some years ago as a radical plan put forward by President Kennedy's chief economic adviser may be well on its way toward becoming a major plank in the Republican 1968 platform. Even more amazing, two Republicans of such widely disparate views as Barry Goldwater and George Romney have embraced the idea—which is, simply stated, a no-strings-attached return of federal tax monies to the states.

Dr. Walter W. Heller, chairman of the Council of Economic Advisers, first proposed the idea in 1960. It was dismissed as being too far out.

But in the 1964 campaign President Johnson admitted he was giving the matter "intensive study" and Senator Goldwater called on the federal government to "give back to the states a share of the taxes collected from them." Since then the plan has found increasing favor in many areas. Romney of Michigan headed a governors committee which recently urged some form of federal revenue sharing with the states, the Republican Governors Association has endorsed the idea, and Republican leaders in the House of Representatives announced plans to push it as an official party program.

Considering all this support it may be wasted ink to raise editorial doubts about the plan. Yet it still seems cockeyed to us.

In the first place, we think that if the federal government has more tax money than it needs, the taxpayers ought to get the benefit of any handout. Maybe the taxpayer could then afford to provide himself with some of the Great Society benefits; or he would be better able to pay higher taxes to state and local governments so they could provide the needed services.

The idea of no strings on a federal "handback" is also suspect. It is still basically true that he who pays the piper calls the tune—it is unlikely Washington will send money back to the states very long before issuing directives as to show how it shall be spent. Perhaps they should! Local politicians have also been known to spend money rather foolishly.

Moreover, we do not believe it to be sound public policy for one unit of government to tax so another unit can spend. The closer the taxation is to the spending, the tighter and better is apt to be the supervision and control.

HANOI MANAGES OUR NEWS

Mrs. SMITH. Mr. President, in the February 1967 issue of Air Force and Space Digest there is a brilliantly incisive article entitled "Hanoi Manages Our News." It is the product of the razor-sharp mind of the senior editor of that publication, Claude Witze.

It is a biting revelation of the "news behind the news" and it provides a rewarding education to any reader, who follows the debates and the news analyses and interpretations of that issue which is uppermost in the minds of Americans.

Because it is so brilliantly incisive and revealing, I invite the attention of every Member of this body to it and I ask unanimous consent that it be placed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HANOI MANAGES OUR NEWS

(By Claude Witze)

WASHINGTON, D.C., January 10.—The most important matter before the nation as the 90th Congress convenes today is the war in Vietnam. And the most important aspect of that war is our utilization of airpower.

Most recent reports from the theater reiterate that it is airpower—USAF, Navy, Army, and Marine Corps—that provides the margin against defeat and probably will provide the victory. This is known in Hanoi as well as it is in Saigon and Washington.

Let there be no doubt about it. The recent wave of Communist-inspired propaganda, misrepresenting the true nature of our use of airpower in North Vietnam, grows out of our success. Hanoi, said a diplomat on duty at the United Nations, knows "that your bombing program is severely restricted. They must be asking themselves what it will be like if you really let go and attack forbidden targets like Haiphong."

Hanoi has other problems. There is growing turmoil in China. A new American offensive is underway in South Vietnam. Combined, these events mean that North Vietnam must reassess its entire role in the war. More troops sent south face almost certain defeat, even if it is possible to keep them armed, clothed, and fed. The threat of Chinese intervention, if it ever appeared real, no longer can be used as a deterrent or even an argument before the Senate Foreign Relations Committee.

There is a tendency to date the Hanoi propaganda effort from the Christmas dispatches to the New York *Times* of Harrison E. Salisbury, a *Times* assistant managing editor. The truth is that Mr. Salisbury was more than a month late in recounting the statistics and descriptions as given out by the Communists.

The *Times* editor is the first American journalist admitted to North Vietnam. His newspaper has been a constant critic of American policy in this war, and it seems clear that he was selected by Hanoi because he provided an excellent channel of communication. The columnist Walter Lippmann has said Mr. Salisbury's reports are news only because they were published in the *Times*.

Mr. Salisbury's first account, dated December 25, went into detail about the air raids on Namdinh, fifty miles southeast of the North Vietnamese capital. He had been taken on a conducted tour of the city and shown what the Communists said was damage to civilian areas, caused by American bombs. If the reporter harbored any skepticism about what he was shown and told, that was not made clear in the dispatch.

The first *Times* report carried statements and statistics obviously provided by the Communists, but included in the story without attribution. Some of the material was clearly in error, such as the blunt assertion that the United States never had named Namdinh as the site of military targets. Strikes on the area had been announced last spring. Also included was the statement that a dike on the Dao River had been a target. It had not been a target. What Mr.

Salisbury had not been shown were the military targets adjoining the dike.

This account, followed by numerous other Salisbury dispatches, caused great discomfort in Washington. The Pentagon, the State Department, the White House, and even the sparsely populated areas of Capitol Hill soon were reverberating. The Administration was accused of hiding the fact that it is possible the Communists were right and that eighty-nine civilians were killed in the course of more than fifty raids on military targets in the area of Namdinh, a city of 90,000 inhabitants.

The fact that reporter Salisbury was not shown the military targets and the city's heavy antiaircraft installations was beside the point. In reacting, the Defense Department did not distinguish itself. It released no pictures, as it did of the missile sites in Cuba when its credibility was challenged in 1962. It reiterated the truth that the air war against North Vietnam is restrained, that only military targets are selected—with four major ones in Namdinh—that the pilots have obeyed their orders, and that it is impossible to avoid all damage to civilian areas.

One of the things the Defense Department did not openly announce is that the essential ingredients of the Salisbury report from Namdinh were part of a Communist press release handed out in Moscow in early November. This Hanoi version of what happened at Namdinh, complete with the exact figures, street names, dates, aircraft, and bomb types recited by Mr. Salisbury, was distributed at a press conference by the North Vietnamese ambassador to Russia.

The document is a twelve-page "Report on U.S. War Crimes in Nam-Dinh City." It carries the imprint of the "Committee for the Investigation of U.S. Imperialists' War Crimes in Viet Nam of Nam Ha Province" and is dated October 1966. It appears to have been accepted by US reporters in Moscow—including those of the New York *Times*—for exactly what it is: Communist propaganda.

This is not surprising, but the Defense Department's reaction when it obtained a copy of the report on "war crimes" is not easily explained. The Hanoi paper, freely distributed in Moscow, was marked "classified" by the Pentagon.

A couple of examples will suffice to show that the October report, prepared in Hanoi and distributed in Moscow, contains startling parallels with the Salisbury account from Namdinh.

He wrote of a raid that damaged buildings on Hang Thao or Silk Street:

"Almost every house on the street was blasted down on April 14 at about 6:30 a.m. just as the factory shifts were changing. Forty-nine people were killed, 135 were wounded on Hang Thao, and 240 houses collapsed. Eight bombs—MK-84s—accomplished this."

The October report from Hanoi also speaks of Hang Thao, but points out that seven reconnaissance flights were carried out over the area in previous months. Then it covers the April 14 raid:

"At 6:30 a.m., when those who had just come back from a night shift were still sleeping, those who were about to work were having breakfast . . . two US planes . . . furtively intruded . . . dropped eight MK-84 bombs killing forty-nine people . . . wounding 135 people, and destroying 240 houses. . . ."

In another account, Mr. Salisbury told of a raid that hit Hoang Van Thu Street, formerly the Chinese quarter, on May 18:

"This attack they say was carried out by two F-4Hs from an altitude of about 1,800 feet at 11:04 a.m. in heavy rain, which had flooded many raid shelters. Casualties were put at thirteen dead, including a number drowned, and eleven wounded, and 372 houses were listed as destroyed. Only 230 of the normal population of 7,858 remained in the street, the others having been evacuated."

From the October version prepared by Hanoi:

"A month after the air raid on Hang Thao Street, on May 18, 1965, US aircraft attacked Hoang Van Thu, populous street next to it [sic]. Hoang Van Thu Street was formerly called the Chinese quarter . . . with 7,856 [sic] persons. . . . On May 18, there remained in the street only 230 persons. At 11:04 a.m., when the population was either lunching or resting and when it was raining heavily, the street was flooded and water filled up all air raid shelters. . . . Two F-4Hs flying at a 600-meter altitude sneaked in and dropped eight thin-shelled bombs . . . thirteen persons killed and eleven wounded."

The Hanoi version gave the names of a Mr. Duc and a Mr. Hung, who were among the drowning victims mentioned by Mr. Salisbury.

Of greater real import than the Salisbury account of what he saw and heard on his conducted tour of Hanoi and its environs is an interview he had on January 2. The *Times* reporter was welcomed by Premier Pham Van Dong. The meeting created a flurry in Washington, because it included a discussion by the Premier of the four points Hanoi has laid down for ending the war. Mr. Salisbury listed them for his readers:

"Recognition of the independence, sovereignty, unity, and territorial integrity of Vietnam, and the withdrawal of United States forces from the area; pending reunification of Vietnam, respect for the military provisions of the Geneva agreements barring foreign forces; settlement of South Vietnam's internal affairs by the South Vietnamese under the guidance of the national liberation front, and peaceful reunification of Vietnam by the peoples of North and South without foreign interference."

Then, he continued:

"The Premier stressed that the four points were not to be considered as 'conditions' for peace talks. He described them as providing a 'basis of settlement of the Vietnam problem.'"

There was immediate speculation in the U.S. capital that Premier Dong was trying to deliver a message. Washington already had rejected his four points. Was he saying he would not insist on them as a prelude to negotiation? Some Washington officials were ready to hail a "significant change" in Hanoi's approach. The Administration remained cool; it would welcome a change, but Hanoi now must clarify its position.

Two days later, on January 6, the Johnson Administration let it be known that the hopes stirred by Mr. Salisbury were not warranted. By this time officials recognized that Premier Dong's words were what the *Times* called "part of a concerted campaign to get the United States to halt its air attacks on North Vietnam unconditionally without any substantive concessions from the enemy." It added that officials in Washington "do not discern any signals that Hanoi wants to begin serious peace talks."

Certainly this was supported by the facts that could not be seen by an escorted reporter in Hanoi. The infiltration of North Vietnamese into the South continued at a good pace and there was no slackening of the war.

To the credit of the *Times,* it must be added that the newspaper's competent military editor, Hanson W. Baldwin, was given space in the midst of the Salisbury imbroglio to voice a dissenting opinion. Mr. Baldwin summarized the military facts. He pointed out that the bombing in the North is both effective and restrained. A minimum of civilian damage and death is inevitable, and the bombings have saved the lives of many soldiers and marines on the ground. If Hanoi can portray the war as an unlimited assault on innocent civilians, "the Administration and the Pentagon have only themselves to blame."

He added this pertinent point:

"Distorted, confusing, or contradictory statements in Washington, inflated claims and undue secrecy in the Pentagon, having aided enemy propaganda. Many uniformed officers in Washington, in Hawaii, and in Saigon have advocated policies of far greater frankness about details of the bombing.

"Weeks and months ago some urged the issuance of explanations about civilian casualties and residential damage, but they were overruled by their civilian superiors."

There are a number of other observations that cannot be omitted:

1. Hanoi alone decides which American journalists will be admitted to North Vietnam. Many have applied. The ones who go will be those most likely to express the Hanoi story, least likely to ask questions about North Vietnam's outrages and its responsibility for terrorism and war in South Vietnam.

2. The Administration in Washington is helping Ho Chi Minh's regime manage the news in a way that will be envied in many capitals. The simple classification of the Hanoi report on Namdinh after it was distributed in Moscow was an error of first magnitude. If it had been promulgated as Communist propaganda at least one of Mr. Salisbury's stories would never have been in print.

3. If other American reporters are admitted after passing the strict Hanoi standards that it requires of its visitors with typewriters, what they write will continue to harass the Administration. It is significant that both the doves and the hawks of our domestic debate have utilized the Salisbury material. The doves, of course, accept his implication that the United States is carrying on a ruthless war against innocent women and children. The hawks are capitalizing on the opportunity to attack the Administration's credibility, its management of the war, the failure to set victory as a goal, and the bad effect of all these things on the American image abroad.

4. The mania for secrecy goes far beyond the example of the Hanoi press release that was classified. There are many other details of the war in Vietnam, and other parts of Southeast Asia, that are not being openly discussed, all to the disparagement of our entire effort. The very charge of indiscriminate bombing can be offset by disclosing more facts about the techniques used in the selection and crushing of targets. There has never been a war in which precision was more important and more insistently pursued. One local paper has broken the story of Big Eye, the Constellation used as a flying control tower in the sky over North Vietnam. This has been a secret. It is there to track our aircraft, make sure they stay on course, that they do not violate borders—particularly with China—and help in the precise delivery of the bombs. The actual bombing techniques used in North Vietnam are highly hazardous—far more so than necessary—because the less dangerous ways to home on a target are less accurate. In the actual choice of targets, one of the most important considerations is the proximity of civilian installations.

Certainly the Congress that meets today in Washington has read the election results, as well as the *Times* dispatches from Hanoi. If there is anything we can say about public opinion in the United States, it is that the idea of winning the war and having it over has great appeal, but only if the war can be ended without serious compromise with the Communists.

Airpower remains a key tool to bring about the kind of peace the American people are entitled to.

FISH PROTEIN CONCENTRATE

Mr. MAGNUSON. Mr. President, in more than 20 years on Capitol Hill, I cannot remember an occasion that has given me more gratification than yesterday's announcement by the Food and Drug Administration approving the use of fish protein concentrate for human consumption.

This is an historic action, a genuine breakthrough in meeting the world's food and nutrition problem. It is also a tribute to President Johnson's deep concern for human suffering—wherever it occurs.

This action will permit, as soon as funds are made available, construction of an experimental pilot plant authorized by the Fish Protein Concentrate Act, signed by the President on November 2, 1966.

The ultimate possibilities of this development can hardly be overstated.

Animal protein deficiency is blighting the lives of hundreds of millions of people. It strikes especially hard at children, stunting their physical growth, life expectancy, and mental acuity.

In experiments with schoolchildren, there appears to be a strong connection between protein deficiency and the ability to learn.

The use of fish protein concentrates—tasteless, odorless, and acceptable to all ethnic groups and faiths—as a diet supplement, may one day correct this deficiency at a cost of half a cent per person per day.

Beyond that basic fact, we have here the beginning of a new and major industry utilizing resources that formerly had little or no economic value.

Most of the fish used for this flour have been considered unpalatable or otherwise unfit for human consumption. They either have been thrown back into the sea or used as a fertilizer base.

There are uncounted millions of tons of this kind of fish in the sea, presumably able to reproduce themselves as fast as they can be harvested.

Harvesting this crop will give a major stimulus to America's long moribund fishing industry. It will enable many of our fishermen to work full time, rather than seasonally. And it will improve our performance against foreign competition, which now supplies 50 percent of our domestic consumption.

Similarly, in those developing nations that have access to oceans, the local manufacture of fish protein concentrate will mean a new industry and new prosperity for local fishing fleets.

Early appropriation by the Congress of funds for the programs authorized by the act should enable us to have a plant in operation in the summer of 1968. In this plant, the technical problems of mass producing fish protein concentrate will be studied, leading to the design of large, efficient plants to be built by private industry.

The act also authorizes the leasing of a second plant from private industry.

In view of the desperate urgency of the crisis with widespread famine threatening the world within the next decade—and of the great economic opportunity implicit in this development—I strongly commend it to the early attention of the Senate and the House.

This presents us with one of those rare and felicitous opportunities for "doing well by doing good."

FURTHER DEVELOPMENT AND USE OF FISH PROTEIN CONCENTRATE

Mr. KENNEDY of Massachusetts. Mr. President, the approval by the Federal Food and Drug Administration of fish protein concentrate as fit for human consumption removes the last barrier in a long struggle to win recognition of the vital role FPC can play in the battle against world hunger. And it heralds the dawn of a day when malnutrition no longer kills 50 percent of all children under 5 years of age, as it does today.

In a world where hunger daily strikes more than two billion people, the underutilization of the oceans as a source of food is astonishing. The annual world harvest from the oceans presently totals about 38 million tons. Yet marine biologists estimate that these oceans should sustain an annual catch of 250 million tons without endangering the supply of any single species.

There are, of course, many reasons why the oceans have in the past been underutilized. The primary among these has been the difficulty for fisherman and fish processors to preserve fish against rapid deterioration. Over the years, they have salted fish, iced it, smoked it, dried it, canned it, and frozen it. The purpose of each of these processes, however, was to preserve the fish in a form similar to its original state, instead of distilling food value from it.

The developing countries, where the need for food is greatest, have the most inadequate facilities for storing fish or other sources of protein, such as meats and dairy products, in their traditional forms. The reduction of whole fish to FPC, however, and market acceptance of FPC, can bring a radical alteration in the previous pattern. FPC is light in weight, does not need refrigeration, and lasts indefinitely. It can bring the untapped food wealth of the oceans to the hungry people of the world.

We are all familiar with the pictures of children in developing countries with distorted limbs and distended stomachs. They are suffering from the diseases of rickets and kwashiorkor. Children whose diets do not contain enough protein are especially susceptible to these diseases. But malnutrition strikes at the people of the developing nations in another and no less cruel way. Those who survive the early years and reach maturity are often physically and mentally stunted, weakening the whole society for years to come. The great benefits which FPC can bring to these nations is readily apparent.

But merely because the United States is an advanced economy does not mean that we are entirely safe from the ravages of malnutrition. In fact, nearly 13 percent of all households in the United States meet less than two-thirds of the food nutrient allowances recommended for their diets. Although there is a dearth of clinical information indicating any definite and specific animal protein deficiency in the United States today, it is clear that even small protein deficiencies impede full development, leading to listlessness and lack of energy. With 30 million Americans living at or below the poverty level, it is a virtual certainty that the diets of many are deficient in protein. The availability of low-cost FPC can, as a supplement to normal diets, markedly raise the health of these Americans.

It is important to note at this point that FPC will not be a substitute for any foods we now consume. It will, rather, be used as supplement to processed foods to improve their nutritive value. Such processed foods might include bread, cookies, crackers, breakfast foods, cake and pancake mixes, macaroni products, baby foods, dietetic foods, soups, gravies, and stews. The introduction of FPC into the domestic market should have no adverse effects upon products already on the market. It should likewise have no effect on products presently shipped abroad under the food-for-peace or similar programs, since it is best used only as a supplement to them.

The cost of producing FPC is strikingly low. It ranges from 14 cents to 29 cents per pound, depending upon the size of the production facility and the cost of the fish to be processed. Studies of the Bureau of Commercial Fisheries indicate that FPC is lower priced than any presently produced animal protein when the price is calculated on the basis of nutritionally equivalent protein. Expressed on this basis, the price of protein per gram of FPC is 7 cents, of dried milk solids 9 cents, of hamburger 65 cents, of frying chicken 68 cents, of eggs 73 cents, and of cheese 74 cents. FPC, consequently, is a highly potent, low-cost additive. A mixture of 10 percent FPC—90 percent cereal—such as rice or corn—has a total nutritional value equal to a serving of milk or meat.

The FPC which has been approved by the FDA is produced by the solvent extraction process. Under this process, whole fish are first washed with water, then ground up, and then washed again with water. The product is then washed with 10 successive washes of a boiling solvent—isopropyl alcohol—to remove the water, fat, odor, oil, and nonprotein nitrogen. The fish used by the Bureau of Commercial Fisheries for its tests is the hake, a lean, bony fish. The hake is found plentifully on both the east and west coast of the United States. Red hake and silver hake, presently used in small part as food for humans and more widely as animal food, are caught in quantity south of No Mans Land, which lies close to Martha's Vineyard in Massachusetts. In fact, much of the fish used in the Bureau of Commercial Fisheries' tests was hake caught in the No Mans Land grounds.

Species other than hake, however, abound in U.S. coastal waters, are presently not commercially exploited and are readily susceptible to use in FPC. Fisheries specialists have estimated that the annual U.S. catch could be 28.5 billion pounds of fish—over five times 1959–63 average of 5.1 billion pounds. Of this 23.4-billion-pound increase, Atlantic and gulf waters would supply over 50 percent; Pacific waters about 38 percent, and lakes, streams, et cetera, 12 percent. Nearly 40 percent of the additional catch will come from waters within 3 miles of our coastline and from interior waters, while about 25 percent would be taken within 3 to 12 miles of the coast-line.

The importance of FDA's approval of fish protein concentrate to the commercial fishing industry of the United States cannot be overestimated. This industry has been plagued with obsolescent equipment, rising processing costs, declining markets and strong foreign competition. While the United States consumes 12 billion pounds of fish a year, for example, only 5 billion pounds is U.S. catch; the rest is imported. And the percentage of U.S. consumption which is imported is steadily rising.

Senator BARTLETT introduced a bill in the last session of Congress which became law when signed on November 2, 1966, by the President—in Senator BARTLETT's home State of Alaska. This is fitting tribute to his leadership in the fight to win approval for FPC.

Under the provisions of that bill, the Secretary of the Interior is authorized to construct one FPC production plant, and to lease another, to demonstrate the feasibility of production of FPC by the commercial fishing industry. The Secretary was, in addition, given authority to undertake research into the technology and feasibility of FPC products. The Secretary could not begin construction or leasing, however, until after approval by the FDA of FPC under the Food, Drug, and Cosmetic Act.

Consequently, no funds were appropriated in the last session of Congress to carry out the construction or leasing activities authorized by the act. We are fortunate, however, that $429,000 was authorized for the research activities contemplated by the act, and I have been assured by the Department of the Interior that they are proceeding with the research activities.

The administration's budget for fiscal year 1968 requests the funds for the construction of one plant, but does not include a request for funds to lease another plant. It is of critical importance that the funds be appropriated for the construction of the one demonstration plant. It is equally as important, if we are to produce FPC in any meaningful quantity, that the funds for the leased plant be appropriated as authorized by the Congress.

It is my belief, Mr. President, that the provisions of the bill which passed last year, though they are, indeed, a first step, do not go far enough toward providing the hungry people of the world and of the United States with the benefits of FPC.

We know FPC is safe and wholesome. We know it is wonderfully rich in protein but very low in cost. We have the technology to produce it. We have an industry in need of the market. And we have needs to fill—the needs of hungry millions. I am reminded of the words of President Kennedy's inaugural address:

> To those peoples in the huts and villages of half the globe struggling to break the bonds of mass misery, we pledge our best efforts to help them help themselves . . . not because the Communists are doing it, not because we seek their votes, but because it is right.

I therefore propose:

First, the Secretary of Interior be authorized to construct at least two additional plants for the production of FPC. The plants should utilize other processes than the solvent extraction process. If leasing should prove more desirable than construction, then the Secretary should be authorized to lease the plants instead of constructing them. The testimony of Mr. Donald McKernon, former Director of the Bureau of Commercial Fisheries, indicates that the enzymatic digestion or cellular disruption processes may be better suited than the solvent extraction process where fatty or oily fish are involved.

Second, coincident with the construction of these plants must be a continued research program into the processes best suited to the reduction of fish to FPC. This research program should continue to be directed by the Secretary of the Interior, but his authority should be expanded and the amount of funds available to him for these research purposes should be increased. The test sample approved by the FDA was not produced in a large-scale plant, but in a model plant of small capacity.

Third, an extensive program of research, demonstration and field testing should be instituted to determine the best uses of FPC in the preparation of the supplemented food products. This research and demonstration program will, of course, be largely the responsibility of private industry, but the Bureau of Commercial Fisheries can continue to play its vital stimulant role.

Fourth, information on nutritional needs and deficiencies should be gathered and compiled to assure that appropriate priorities are established both at home and abroad for the rapid distribution of FPC. This informational function should be the responsibility of the Public Health Service and the Office of Economic Opportunity, at home, and of the State Department, working with the United Nations, abroad.

Fifth, the Department of State, the Department of Agriculture, and the Office of Economic Opportunity should be kept advised of the progress made in production and development of FPC. They should begin planning at an early date to assure that no unnecessary delays will be caused in the distribution of FPC.

Sixth, the Department of the Interior should undertake an immediate survey of our commercial fishing capabilities and recommend to the Congress the means by which these capabilities can be quickly and thoroughly modernized. Our commercial fishing fleet has not had the benefit of modern technological advances, and this is an opportune time to remedy this untenable situation.

Seventh, the Secretary of the Interior, in cooperation with the Department of Housing and Urban Development and the Economic Development Administration, should give technical assistance to towns and cities which desire to modernize their port facilities to take part in an FPC enterprise.

The regulations as issued by the FDA do not permit bulk sales of FPC to food processors unless data is provided demonstrating that the proposed use will not be deceptive to the consumer. This presents yet another opportunity for the FDA to delay before permitting the full force of the benefits of FPC to be felt by those who most need them. For if food processors cannot buy FPC in bulk until after a showing that their proposed uses will not be deceptive, it may well be years before processed foods containing FPC are marketed. I intend to follow this very closely, Mr. President, to be certain that the FDA does not delay unreasonably.

I also intend to work closely with my colleagues interested in making FPC available to a hungry world in implementing these seven recommendations. Just this week we have had a pledge from President Johnson to use the resources of the sea in carrying out the provisions of the food-for-peace program. FPC cannot in and of itself meet the food needs of the world. But, with FDA approval, the pledge of the President, and the leadership and guidance of Senators BARTLETT and MAGNUSON, I am sure that FPC can play a large role in providing nutrition for those who have too little.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

Under the previous order, the Chair recognizes the distinguished majority leader.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CONSULAR CONVENTION—EAST-WEST TRADE ACT

Mr. MANSFIELD. Mr. President, as I noted in remarks several days ago, there will be before the Senate, at some future date, the question of a consular treaty between the United States and the Soviet Union. Sometime later in the session we may also be called upon to consider an East-West trade bill.

Both measures are sought by the administration. Both are foreshadowed in the President's state of the Union message. Both are elements in a continuing policy of improving relations with Eastern Europe.

This policy began during the Eisenhower administration. It reached a critical milestone in the ratification of the Nuclear Test Ban Treaty in the Kennedy administration. The two measures which are now projected—the Consular Convention and the East-West Trade

Act—are additional blocks which will enable President Johnson to continue to build that policy.

Although the measures are limited in purpose and readily understandable, the air, I regret to say, is beginning to fill with fearful rumors which seriously distend and distort their intent. The sooner certain misapprehensions are corrected, the sooner the facts are put straight, therefore, the better.

In this respect, I wish to take occasion to commend the Director of the Federal Bureau of Investigation, Mr. J. Edgar Hoover, for the three letters which he wrote, covering the proposed consular pact. I think that Mr. Hoover should not have been asked to appear before the Committee on Foreign Relations. Had I been present when that motion was made, I would have spoken against it and voted against it.

Mr. Hoover is not a policymaker. He is one who carries out policy. In his letters, he has, to the best of his ability, answered questions raised, but he has tried to steer clear, in my opinion, of becoming involved in any way in the consideration of the Consular Convention which will be before the Senate sometime in the future.

I think that those who tend to use Mr. Hoover's letters one way or another do him a disservice, because he has only been carrying out the functions of his office and has been trying to keep within the confines of his responsibilities. I, for one, think he has done a good job in observing and putting down on paper just what those responsibilities are in the carrying out of policy, not in the making of policy in this matter.

Let us be clear at the outset that the President is not asking for authority in either the proposed consular treaty or the East-West Trade Act to make any one-sided bestowal of anything on any nation. On that point, his messages and those of his Secretary of State are emphatic and unequivocal. Where a quid emerges from these measures, there will be a quo.

What is sought in an East-West Trade Act, for example, is a measure of discretion for the President to negotiate commercial agreements with nations of Eastern Europe. Any such agreements would have to be judged by the President to be in the national interest—in the interest of the United States. That means that they would have to embody a reasonable matching of benefits received for benefits extended.

It may be said that the United States-Soviet Consular Convention is, in some ways, more one-sided in its approach. But if it is, it is one-sided on the side of the interests of the United States. I do not see how it can be regarded as otherwise when it is noted that more and more American citizens have been traveling in the Soviet Union in recent years. In 1966, for example, the number was over 18,000, an increase of several thousand over the previous year. This number and trend contrasts with the flow of Soviet visitors to this Nation, which was less than 1,000 in all of 1966, a more or less stationary total, as compared with the previous year.

With an 18-to-1 ratio of visitors, bear in mind that the legal systems of the two nations vary in their concepts of the rights of the individual. Bear in mind, too, that U.S. laws apply to Soviet citizens when they are in this country, just as Soviet laws apply to Americans when they are in the Soviet Union. Then note, Mr. President, that the primary purpose of the proposed convention is not to open consulates—the President can do that without this convention—rather the primary purpose is to assure the right of prompt diplomatic access and support to nationals of one nation when they run afoul of the law while traveling in the territory of the other. Is there any need to ask ourselves the questions: Who has the greater requirement for the legal protection which this treaty would make possible, Americans traveling in the Soviet Union or Soviet citizens traveling in the United States?

In view of the disparity in the number of travelers as between the two nations, is it not readily apparent which has the greater need to expand its diplomatic and consular facilities in the territory of the other?

It is true, of course, that the Consular Convention will not produce an automatic mushrooming of U.S. consulates in the Soviet Union or vice versa. Indeed, it is not at all certain that it will have the effect of adding even one at this time. For here, too, with or without the convention, as I have noted, the responsibility in this Nation rests with the President to negotiate the terms on which Soviet consulates will be permitted to operate here and U.S. consulates in the Soviet Union. We have it from the Secretary of State that what is envisioned in the way of new consulates at this time is likely to be something on the order of one for one, rather than any great overall number or a lopsided ratio.

The word of the Secretary of State in this connection should set to rest some of the fear of espionage which has been associated with the proposed Consular Convention. Yet the question of espionage, since it has been raised, should be discussed openly and frankly. It is mathematically obvious that the more the sources and number of foreign representatives, the greater the prospect of improper activity of this kind. The reasoning is sound but its relevance in this situation is doubtful. On the basis of that reasoning, the only logical course would be not only to reject this proposed consular exchange but to reverse all previous consular and diplomatic exchanges. At the end of that trail is not only the demise of the proposed Consular Treaty or East-West Trade Act but the severance of every kind of existing contact with the Soviet Union and Eastern Europe and all foreign nations. After all, it is not unprecedented to discover on occasion an employee in the embassy of a third nation selling information to a first or second country, if not, indeed, to both.

I carry the logic of this argument against the Consular Convention to an extremity only to make clear that no matter how high the walls may be built for the exclusion of contact with certain nations, there is no absolute insulation of this Nation or any nation from the possibility of espionage. Of course, there are risks of espionage for this Nation, for all nations, in new consulates, as there are in old embassies, as there are in any exchanges of persons with any nation, and in this era of advanced technology, there are risks of espionage even without exchanges of persons. That there will be risks is not the question. To the extent that there is a question here, it lies in the adequacy of the safeguards which we have established against them.

The United States has its agencies for dealing with these questionable activities, as does every other nation, including the Soviet Union. It would be my judgment that the FBI is at least as competent to control the risks in the United States as is the K.B.G. in the Soviet Union. And if there should be an increase in the responsibilities of the FBI in this respect, can there be doubt that the FBI would be supplied with what it needs to meet these additional responsibilities?

Turning to the East-West Trade Act, I would note again that there will be no automatic agreements with anyone as a result of its enactment. The application of the act will be strictly internal, involving only the authority of the President of the United States in the field of international commercial relations. The measure will merely open the door for him to enter into useful discussion and bargaining with Eastern European countries. His position for this purpose would be stronger to some degree but not to the same degree as it is for dealing with other nations. Insofar as Eastern Europe is concerned, the East-West Trade Act would not remove the prohibitions on trade in strategic goods. Agreements with the nations of that region would still have to be based on conditional rather than unconditional most-favored-nation treatment.

The most that is involved in the East-West trade bill, therefore, is a hope for a most modest rise in beneficial, nonstrategic commerce with Eastern Europe from the insignificant levels at which it has remained for many years. Rather than reject this prospect out of hand, it seems to me that the time is long past due to examine certain factors which are largely of our own making and which have acted to keep these levels so low.

The assumption which underlies many of the restrictions has been the belief that the Soviet Union and Eastern Europe have everything to gain from trade with the United States and this country has everything to lose. Some years back, it was even argued with great vigor that the cutting off of this trade would have the effect of causing the downfall of governments in Eastern Europe. Largely, on that basis, therefore, restrictions of all kinds have been loaded onto this trade by legislation or otherwise until it has been reduced to a trickle.

Whatever plausibility the assumption may have had in the years following World War II, its persistence into this day and age raises the question of whose nose is being cut off to spite whose face? The commercial reality of Eastern Europe, today, is that a multination trading system orbits around the Soviet Union and that the individual nations also have important and growing trade links with Western Europe and other regions of the world. To be sure, that trading system may have much to gain from trade with the United States. But there is no basis for believing that it has any desperate dependence on trade with the United States any more than we have a desperate dependence on trade with that system. It is delusive to believe that continued restrictions on trade with that region, even to the point of boycott, will have any significant impact on the shaping of its economic structure.

Whatever goods the nations of Eastern Europe may seek avidly abroad, they usually find in ready supply in Western Europe, Japan, or elsewhere, other than in the United States. And even when they have had a specific preference for U.S.-type products, the truth is that they have often been able to buy them through nations in Western Europe and elsewhere in the world where U.S. subsidiaries are located.

In the light of these realities, if an East-West trade bill is adopted, it is evident that our own commerce will profit from this change as much as anyone else's. We stand to gain as much as we give.

Let me emphasize, Mr. President, that I am not suggesting that a trade bonanza will follow the passage of an East-West Trade Act. As I have already stated, at most, there is likely to be a small increase in the current trickle of commerce. The main point of the act, however, is no less valid. It is no less valid because present anachronistic policies not only curb volume and damage our own commerce, they also restrict the President's bargaining power with Eastern Europe on such subjects as patent rights, arbitration of commercial disputes, and tourist promotion.

I should like to add a final consideration which I believe should be weighed by the Senate in deliberation of these impending measures. The United States has signed a communique with its NATO allies. It calls for "the removal of barriers to freer and more friendly reciprocal exchanges between countries of different social and economic systems." We have also pledged this Nation to work with other members of NATO for better political, economic, social, scientific, and cultural relations with the Soviet Union and Eastern Europe.

It is obvious, as I pointed out some days ago in discussions of U.S. troop reductions in Europe, that our European allies have moved far on their own in these directions. Whether or not, we are prepared to recognize it, the Western Europeans know that times have changed in Europe and for Europe and that the progress of reconciling a divided continent is already well advanced. Their trade policies reflect this recognition. The great increase in travel, communications, and other intra-European contacts and relations reflect it. The limited and declining contributions of men and resources which the Western Europeans are prepared to make to NATO reflect it.

I would note, in particular, the attitude of West Germany. Here is a country that is presumed to have more reason than others to fear for its security, that is presumed to have more reason than others to look to Eastern Europe with suspicion and fear. Here also is a country that is presumed to be predisposed to distrust all contacts with Eastern Europe.

Yet, here is a great trading nation that leads all the others in the West in the volume and value of its trade with Eastern Europe. And here also is a courageous nation with a new government whose first major act of foreign policy is to make it clear that it is prepared to go far in seeking by diplomacy to close the breach with Eastern Europe.

If the United States is to retain a semblance of a relevant common policy with Western Europe for the security of the North Atlantic region, changes in our policies on East-West relations are in order. If the resistance to a return to isolationism is to mean something more than merely remaining in Europe in military isolation, we will have to face up to the process of reconciliation which is proceeding, today, between Eastern and Western Europe and we will have to adjust policies in accordance therewith.

The tragedy of Vietnam, as I noted the other day, acts as a severe deterrent on the rational consideration of the consular treaty, the East-West Trade Act, or any other matter involving the Eastern European nations. But the tragedy will be compounded if it forestalls a sensible consideration of measures which have validity in themselves, measures, which in themselves, are of direct advantage to this Nation.

Finally, the Consular Convention and the East-West Trade Act are relevant elements in the continuance of the step-by-step policy of seeking to replace a dangerous rivalry and a fearful hostility with a more durable basis for the survival of world civilization in a nuclear age.

That policy is even now probing for common international ground upon which to control nuclear weapons, to negate the deployment of anti-ballistic-missile systems—as was brought out so well on yesterday by the distinguished senior Senator from Wisconsin [Mr. PROXMIRE]—and to banish war from the seas of outer space. So I repeat, Mr. President, the tragedy of Vietnam will be compounded if it causes us to shrink from the rational consideration of these two measures—from these faint but authentic lights of peace.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SYMINGTON. Mr. President, I commend and congratulate the majority leader for this most constructive speech with respect to two questions that require the unimpassioned analysis and serious consideration of every Senator.

It is unfortunate that, due to other senatorial responsibilities, more Senators were not present to listen to the fundamental logic of the position of the Senator from Montana on the matter of the Consular Treaty and East-West trade.

I have a copy of his address and have read it. I would like to study it further as I know other Senators will when it appears in the RECORD.

In the remarks he has made this morning, the distinguished majority leader has once again made a major contribution to clear thinking on problems vital to the security and well-being of his country.

Mr. MANSFIELD. Mr. President, I thank the distinguished senior Senator from Missouri for his kind remarks, and I know that he will give rational consideration to this proposal which could mean so much for the future of this country in the difficult months, years, and decades which lie ahead.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, a letter dated January 27, 1967, from Assistant Secretary for Congressional Relations, Douglas MacArthur II, in response to a query from me; also, a statement on the U.S.-U.S.S.R. Consular Convention and the United States-Soviet Consular Convention—all of which was furnished me at my request.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, January 27, 1967.

DEAR SENATOR: There has been a good deal of misunderstanding about the US-Soviet Consular Convention which is now pending before the Senate Foreign Relations Committee. To clear up such misunderstandings, we have issued a statement which I am enclcsing in view of the general interest in this important matter.

The statement makes clear that the Consular Convention does not authorize, propose, suggest, provide for, or require the opening of a single United States Consulate in the Soviet Union, or a single Soviet Consulate in the United States. It does not permit the Soviets to send a single extra person to this country, nor does it let us send anyone to the Soviet Union.

What it does do is to provide that we will be notified of arrests of American citizens within one to three days, and allowed to see them within two to four days. As matters now stand, arrested persons can be held incommunicado until the investigation by the Soviet authorities is completed and this can take up to nine months or more. Last year we had 18,000 U.S. citizens visiting the Soviet Union and the number will increase. The Soviets, on the other hand, had only about 900 of their citizens visiting our country. We earnestly believe, therefore, that the balance of advantage in this Convention lies heavily with us and that it will give us the tools we need to protect American citizens traveling in the Soviet Union.

I also attach a more comprehensive but still brief statement on the purposes and effects of the Convention which I hope you will find useful. If you have any further questions about the Consular Convention please don't hesitate to let me know as I would be glad to arrange a briefing on this matter for you.

Sincerely,

DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations.

STATEMENT ON THE UNITED STATES U.S.S.R. CONSULAR CONVENTION

(Excerpt from State Department Press Briefing, Jan. 25, 1967)

Following up on Secretary Rusk's testimony on the US-USSR Consular Convention before the Senate Foreign Relations Committee on January 23, I would like to try to clear up a persistent misunderstanding about this agreement. And I might add that this misunderstanding is common among both opponents and supporters of ratification.

The Consular Convention does not authorize, propose, suggest, provide for, or require the opening of a single United States Consulate in the Soviet Union, or a single Soviet Consulate in the United States. It does not permit the Soviets to send a single extra person to this country, nor does it let us send anyone to the Soviet Union.

What it does do is to provide ground rules for the protection of American citizens in the Soviet Union, and Soviet citizens in the United States.

These ground rules, which represent major concessions by the Soviet Government, specify that we will be notified of the arrest of an American citizen within one to three days, and allowed to see him within two to four days. As a matter of routine, we grant these rights not only to Americans, but to all foreigners arrested in the United States. But, in the Soviet Union, even the Soviet citizens enjoy no such rights. They are held incommunicado until the investigation of the crime is completed; and this investigation can take nine months, or more.

These ground rules go into effect the minute the Treaty is ratified, without regard to the separate question of opening consulates. The officers attached to the Consular Section of our Embassy in Moscow will enjoy notification and access rights under this Treaty the moment both parties ratify it. Thus, tying the idea of opening consulates to the idea of approving this Convention confuses the issue. The issue is do we need better tools to help us protect Americans who get into trouble in the USSR. The answer is clearly yes.

THE UNITED STATES-SOVIET CONSULAR CONVENTION

We believe that the ratification of the US-USSR Consular Convention is clearly in the national interest and, on balance, more valuable to the United States than to the Soviet Union. This Convention is part of our balanced strategy for peace, aimed at limiting the areas of disagreement in our relations with the USSR while we are resisting communist aggression wherever it occurs.

During the Eisenhower Administration, Secretary of State Christian Herter suggested to Soviet Foreign Minister Gromyko that a bilateral Consular Convention be negotiated and first drafts were exchanged. Negotiations were completed in 1964. President Johnson called for prompt Senate approval of this agreement in both his October 7, 1966 speech in New York and his January 10, 1967 State of the Union message.

This Convention will permit this Government to assist and protect more effectively the 18,000 or more American citizens who annually travel in the USSR. If a citizen of either country is detained or arrested, the Convention requires that the embassy or consulate of that citizen's country be notified within three days and that access to the prisoner by a consular official be granted within four days. These provisions will come into force when the treaty is ratified.

Without the protection of such an agreement, Americans have frequently been isolated in Soviet prisons for long periods and kept from contact with American Embassy consular officers. One, Newcomb Mott, died in Soviet hands under these circumstances.

The treaty does not provide for the opening of consulates. Approval of the Convention has no bearing on this question, since under the Constitution the President can agree to reciprocal opening of consulates in the U.S. and USSR at any time.

There are no formal proposals or plans pending for the opening of separate consular offices of either country in the other. If at a later date it was decided to be appropriate to open one outside the respective capitals, it would be the subject of careful negotiation on a strict quid-pro-quo basis. Such an office would probably involve 10 to 15 Americans in the Soviet Union, with the Soviets permitted to send the same number here. In accordance with Secretary Rusk's statement before the Senate Foreign Relations Committee, we would plan to consult that body and the state and local officials of the community to be affected, before concluding such an agreement. While, as noted, such an arrangement would be reciprocal, the fact that the Soviet Society is a closed one while the United States is open, and that the U.S. citizens needing service and protection while traveling in the Soviet Union far outnumber Soviet citizens with like needs in the U.S., indicate that the balance of advantage would be on our side.

This Convention gives full immunity from criminal jurisdiction to consular officers and employees of both countries. We would not send American officials or clerical employees to serve in the USSR without this protection. Since 1946, 31 Americans at our Embassy in Moscow have been expelled by the Soviets, most often on allegations of espionage. Without immunity consular employees could be jailed or suffer even harsher punishment on similar trumped-up charges. Furthermore, action against American consular personnel serving in the Soviet Union without diplomatic immunity could be a temptation to Soviet authorities whenever a Soviet citizen was arrested in this country for espionage. Other governments similarly protect their officials and clerical employees in the USSR; the British and the Japanese recently negotiated consular conventions with the Soviet Union containing immunity provisions modeled after those in the US-USSR agreement.

The opening of one Soviet consulate in the U.S. would not materially affect our internal security. The number of Soviet citizens now enjoying immunity, 452, would be increased by only 10 or 15 persons. We have the right under the treaty to screen the personnel of such an office before agreeing to their assignment. We are also authorized by the treaty to prevent them from traveling to sensitive areas in the country and to expel them if they prove to be undesirable. We could close a Soviet consulate in the U.S. whenever we wished, and we could cancel the Consular Convention on six months' notice.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. AIKEN. Mr. President, I wish to express my appreciation of the statement just made by the Senator from Montana. It is an effort toward acquainting the people of this country with the facts, and we have perhaps been negligent and too reticent in this respect.

As an example, I received a letter this morning complaining about and objecting to our giving wheat to Russia. Well, this is the first time I knew that we had ever given any wheat to Russia. As I remember, Russia bought some wheat from us 1 or 2 years ago and paid cash on the barrelhead for it. So far as I know, they have never asked credit from us in any way.

But, in another sense, it appears to me that some of the countries of Eastern Europe present a better field for understanding and for expansion of trade than does Russia. We produce in this country, and have to sell, much of the same items that Russia does.

However, so far as Eastern Europe countries are concerned, for several years they have been very anxious to get much closer to the West economically, and it would be a step toward getting nearer to us politically when we once trade with them. But in this country are people who say, "No, we must have nothing to do with them." If they try to loosen their ties with Russia, they say, "We won't help you. We will even punish you, if you try to get looser from the ties that bind you to the Russian Government."

Three or four months ago, a large group of American businessmen, who certainly could not be called communistic in any sense of the word, visited Eastern Europe—I believe they also went into Russia—for the purpose of laying the groundwork for expanded trade with that part of the world. Unquestionably, Eastern Europe feels much closer to the Near West than it does to the Far East. I believe that a wonderful opportunity exists to create better feeling between us.

For example, even Yugoslavia—which, with guns and ammunition obtained from us, held the Communists back from going down and overrunning Greece—Yugoslavia does about 70 percent of its business with the West—largely, West Germany, if I recall correctly—although they would prefer to do more business with the United States if we did not discourage it. Poland does as much business with the West as it does with Russia.

Further, I was interested to see that West Germany—which cannot be called communistic in any sense of the word, as Senator **MANSFIELD** has pointed out—has recently adopted a program of exchanging Ambassadors with Rumania. Certainly, Rumania is in many respects very Western-minded.

Why do we force them to continue to be tied to Russia in every way? People say that these countries are tied to communism. They mean that these countries are tied to the Russian Government. Why do we force these countries to do that, when they hope to become closer to us? I believe that what the Senator from Montana has said could well be repeated.

Yesterday, I referred to the fact that I receive much hate mail—and I receive some that is not hate mail—from people who actually believe what they are writing. You can recognize the organization mail, the agitators' mail, because it all starts out about the same and winds up the same. But a lot of good people in the United States are misinformed, and for that reason they take positions which, I believe, they would not take if they were well advised as to the facts.

Mr. MANSFIELD. Mr. President, as always, I am indebted to my distinguished colleague and friend, the senior Senator from Vermont.

The Senator mentioned receiving a letter from a constituent asking about the amount of wheat we had "given" Russia. Strangely enough, I have received the same sort of mail, and I have written back and told them that we had not given the Russians any wheat, that we did enter into commercial contracts with the Russians, which were repayable in gold over an 18-month period.

Do I state the situation correctly?

Mr. AIKEN. The Senator is correct. They paid full price and paid it in gold, as I recall. They paid the regular market price for the wheat they bought.

Mr. MANSFIELD. And they entered into the regular commercial 18-month contract.

Mr. AIKEN. No; I think they paid cash. The regular terms are 18 months. They may have entered into that agreement. They did with Canada, I know. But, certainly, they paid what in effect was cash—so much at the beginning and so much on certain periods thereafter.

Mr. MANSFIELD. As a matter of fact, if I recall correctly, they made a rather large downpayment at the very beginning.

Mr. AIKEN. Yes, they did. I cannot remember now what percentage it was, but they paid a goodly percentage at the very beginning, when the deal was made.

Mr. MANSFIELD. Mr. President, I wonder sometimes just what we are thinking about in this country when we do not take advantage of situations and make moves which would react to our benefit. As the distinguished Senator from Vermont has brought out, Eastern Europe countries would like to move closer to the near West rather than in the direction of the Far East, and that is true, in part, because culturally they are more inclined toward the West. If we can sell goods in those countries, if demands are created for our goods, I think it is quite possible on that basis, as well as others, that modifications of the economic system there might result.

It is disturbing to note, therefore, that despite the attitude of the U.S. Government in supporting moves by one of the large rubber companies to enter into a contract with an Eastern European country and by a large American motor company which is encountering difficulties in endeavoring to enter into a major contract having to do with the Soviet Union, I believe, pressures have been created in the United States which have forced these companies to back out of these moves which they thought would be in their own best interests and which would not have been detrimental to the interests of the United States. In the case of the American motorcar company, it has had some hard times and this was an opportunity to pick up some of the slack, to expand production and employment and perhaps to increase what little profits, if any, it had.

Here we have these proposals which are small steps along the road which we would hope leads to peaceful solution, to the diminution of the fear and the distrust and the frustration which confront our people. Here we have proposals, and especially the consular convention, which are clearly and unequivocally in the interest of the United States, being distorted, being made the subject of dishonest propaganda, being used by activists and lobbying groups, to create a situation which, in my mind, has placed the consular convention in unwarranted danger.

I am sure that the Members of the Senate, however, will look at this matter purely on the basis of the facts, and I would hope that they ask themselves one question: If there is to be a consulate in the Soviet Union, do we want to give the Americans who are employed in that consulate the full protection which diplomatic immunity will allow them to have?

Or if a consulate is established—and it can be established without any action being taken by the Senate—do we want to send Americans there to a consulate to take their chances and if picked up, for some reason or no reason, to be subject to 9 months in jail, as Soviet citizens are, without having the right of any protective immunity which should be theirs, if for no other reason than that they are employees of the American Government.

I cannot understand people who are opposed to this proposal and who are not willing to give our own people the maximum possible diplomatic protection in the Soviet Union. If we had had this convention before, maybe Mr. Newcomb Mott might be alive today.

I yield to the Senator from Vermont.

Mr. AIKEN. I think that the American people have been not only uninformed but misinformed. As the Senator from Montana undoubtedly knows, we are getting large amounts of mail now saying that the Soviets will establish four consulates in this country and that will give them great opportunity for spying. Of course, every consulate in every country, every embassy from every country is supposed to learn all that it can about what is going on in other countries. The Soviets have a much easier time in learning what is going on in the United States than we do in learning what is going on in the Soviet Union.

Mr. MANSFIELD. Exactly.

Mr. AIKEN. If there is a new machine invented they go to a trade convention and get the information with respect to it there. If they want maps and other documents which might be called semiclassified they can buy them from the Government Printing Office here. It is not difficult for them to get information because we are proud to tell the rest of the world what we are doing and the progress we are making. But we have difficulty in getting information from over there. I think it is perhaps more difficult to find out what is going on in the interior of Russia than any other place in the world, unless it is China.

Mr. MANSFIELD. The Senator is correct.

Mr. AIKEN. As I said yesterday, I had not given too much consideration to this consular treaty until I began to realize that it was for our protection, rather than giving added advantages to the Russians, that our Government was so anxious to have it agreed to. It would not give us advantages over them; it would give us equal advantages with them for the protection of our people stationed overseas.

Mr. MANSFIELD. I have received literally hundreds of letters in connection with this treaty. I have not received one letter in favor of it, not a single letter, because most of them come from groups; a good many of them are organized, and a great many of them start out, "I am disturbed," or "We are disturbed," and one can see that it is the same letter that comes in by the bushel.

Mr. AIKEN. I have received the same type letters. They start out, "I am disturbed."

Mr. MANSFIELD. The Senator is correct.

Mr. AIKEN. All of the letters start out in that manner. Two-thirds of them start out in that manner. The body of the letter is almost exactly the same until we get to the signature.

I am sure those people are not accurately informed. Perhaps some of them are. Those people who write the original suggested letters know what they are doing. They are doing very well. They are trying to get revenge on the country from which they were, perhaps, expelled at one time or another. But when they come here they should abide by the laws and the rules of the United States, and they should not be continually trying to stir up hatred and violence, even against——

Mr. MANSFIELD. Anybody.

Mr. AIKEN. Countries which perhaps we do not like. But our difficulties with them are not going to be settled by invasion, by wars, by nuclear warfare, or by anything of that type.

Mr. MANSFIELD. The Senator is correct. As always, the distinguished Senator from Vermont [Mr. AIKEN] gets to the point quickly.

Mr. President, I wish to emphasize that this convention is not necessary for the setting up of consulates. If the President wants to establish an American consulate in the Soviet Union he has that authority right now and has only to negotiate with the Soviet authorities. The same applies in reverse.

If the President entered into an agreement and allowed the Soviet Union to establish a consulate here they would have the full protection of the laws of this country. But if a consulate, in return, was established in Archangel, Leningrad, or some other place outside the consulate itself, all of the people on that staff would be under Soviet law and they would not have the protection which a Soviet citizen would have here in this situation. An American in the Soviet Union would have only the same kind of protection, without this convention, that a Soviet citizen has there.

If there are going to be 10 to 15 more Soviet personnel here—as has been estimated—attached to a consulate, and they are too much for us to handle, what would we say if the United Nations Soviet delegation or the Embassy delegations in Washington added 10 or 15 more to their staffs? Would we not be up against the same proposition?

I think we ought to understand the facts involved here. I wish to repeat that this convention is not necessary if the President wants to arrange with the Soviet Union to establish consulates in this country. But unless this convention is ratified by two-thirds of the Senate, any Americans who are attached to an American consulate in the Soviet Union will not receive diplomatic protection, but will be subject to the laws to which the ordinary Soviet citizen is subject. That means he can be held for up to 9 months without any notification being given to anyone. Therefore, this convention, as I look at it from every angle, is overwhelmingly in favor of the United States, and I hope it will be supported in the Senate when the time comes for its consideration.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair.) Without objection, it is so ordered.

LEGISLATIVE REORGANIZATION ACT OF 1967

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of S. 355.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 355), to improve the operation of the legislative branch of the Federal Government, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, I ask unanimous consent that I may call up amendment No. 37, which is at the clerk's desk.

The PRESIDING OFFICER. The clerk will state the amendment.

The assistant legislative clerk read the amendment (No. 37) as follows:

AMENDMENT NO. 37

Beginning with line 15, page 26, strike out all to and including line 8, page 27, and insert in lieu thereof the following:

"(b) Each Senator who on the day preceding the effective date of title I of the Legislative Reorganization Act of 1967 was serving as a member of any standing committee shall be entitled to continue to serve on each such committee of which he was a member on that day as long as his service as a member of such committee remains continuous after that day. Each Senator who on the day preceding the effective date of title I of the Legislative Reorganization Act of 1967 was a member of more than one committee of the classes described in the second sentence of subparagraph (a) shall be entitled to serve on each such committee of which he was a member on that day as long as his service as a member of that committee remains continuous after that day. Notwithstanding the provisions of paragraphs 2 and 3, each committee of the Senate shall be temporarily increased in membership by such number as may be required to carry into effect the provisions of this subparagraph".

Beginning with the word "carry" in line 14, page 27, strike out all to and including the words "or to" in line 15, page 27.

On page 27, line 23, immediately after the word "committees", insert the words "under this subparagraph or subparagraph (a)".

On page 28, line 1, immediately after the word "paragraph", insert the words "or subparagraph (a)".

Mr. MONRONEY. Mr. President, this amendment is offered because several Senators were fearful that the original language on this matter might be ambiguous with reference to the extent that the grandfather clause allows Senators to serve on their three present major committees where they now serve, but limiting their service, if they leave one of those three committees, to only two following that time. It also protects Senators presently serving on two committees from losing their positions because of the reduction in committee size, provided for in the bill.

This amendment is an effort, I think long overdue, to limit the assignment of various Senators to two major committees and one minor, joint, select, or special committee. However, in order not to impinge on those Senators who have three major committee assignments today, largely because of the upgrading of the Government Operations Committee and the Aeronautical and Space Sciences Committee, this amendment will make certain that they may keep the three assignments they have as long as they continue to serve on those three standing committees. But if they leave one of those three committees, then their assignments shall be limited to two major committees, and they cannot be given a third assignment on a major committee.

The amendment makes crystal clear their entitlement to keep their present major committee assignments as long as they serve on them, but to make certain that if they discontinue membership on one of the three, they shall not be entitled to pick out a third major committee and serve on it.

I am happy to offer the amendment. I think it clarifies the language and will clarify the intent of the language.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I am glad to yield.

Mr. CLARK. I think the language proposed by the Senator from Oklahoma is quite useful. I should like to ask the Senator whether I correctly understand its scope. The present rule XXV of the Senate provides, in subsection 4, that—

> Each Senator shall serve on two and no more of—

A series of committees, mostly major committees—

> *Provided, however*, That those Senators who, as of January 9, 1963, were members of the Committee on Aeronautical and Space Sciences or the Committee on Government Operations—

Omitting some irrelevant matter—

> shall be entitled to serve on three—

Of these committees.

As I understand the Senator's present proposal, it makes no essential change in the present rule; does it?

Mr. MONRONEY. Only to make certain that Senators can keep present assignments and that, if a Senator gives up one of the three assignments, he would not then be entitled to choose a third major committee, of which he is not at present a member.

This makes the grandfather clause feature work, but when they leave that third major committee, they reduce their committee membership to two.

That would affect primarily those who have taken the three major committees because of the addition of Aeronautical and Space Sciences and the addition of the Committee on Government Operations as a major committee.

Mr. CLARK. As I understand it, the Senator provides in his bill——

Mr. MONRONEY. This is a joint committee effort. I am honored to have it referred to as my bill, but so many gentlemen have worked on it so long——

Mr. CLARK. I amend my comment: The bill which he has so ably floor managed on behalf of the joint committee.

Another section of the bill provides for the reduction in number of members on various committees. As I recall, for example, the Foreign Relations Committee is reduced from 19 to 15. As I understand, there is now or will be, a similar grandfather clause on that provision, so that, to use the same example, present members of the Foreign Relations Committee will hold their seats but as vacancies occur they will not be filled. Is that correct?

Mr. MONRONEY. That is the intent of the language in the bill, and this language will also make it clear that they will also be entitled to just two major committees.

Mr. CLARK. So does the language presently under consideration cover the problem of the size of the committees as well as the part of rule XXV which I have just stated?

Mr. MONRONEY. That is my understanding, and the language is drawn to bring that about. Further language in the bill specifies the size of the committees.

The grandfather clause has been historically used so as not to eliminate the rights of members who are on the committee, but it is only fair that when they leave that committee, they not be entitled to another committee assignment to bring them up to three or, in the case of Foreign Relations and these other committees we seek to reduce, that they will not add new members to that committee to bring themselves up to the number of assignments to which they are entitled.

Mr. CLARK. As the Senator knows, there are presently several Senators who serve on four major committees, if we include, as I think we must, the Joint Committee on Atomic Energy—a very important committee, indeed—as a major committee.

Mr. MONRONEY. It is not so considered, but certainly its work is major.

Mr. CLARK. I do not know who does not consider it such. Perhaps the Senator would elaborate on that.

Mr. MONRONEY. It is not one of the listed major committees of the Senate.

Mr. CLARK. But does the Senator agree that it should be, because of its workload?

Mr. MONRONEY. Its work is major. But it is not a standing committee because its membership is not limited to the Senate and its chairman every other session is from the other body.

Mr. CLARK. But let us take—and there is no need to be anything other than anonymous in this regard—a Senator, as I note here, who serves on five committees: Aeronautical and Space Sciences, Finance, Government Operations, Rules and Administration, and the Joint Committee on Atomic Energy.

I see the name of another Senator who serves on Armed Services, Aeronautical and Space Sciences, Appropriations, and the Joint Committee on Atomic Energy.

As I understand it, those Senators will continue to serve, in one case on five committees and in the other case on four, but if they should, for one reason or another—let us hope it will not happen for a long time—leave the Senate or one of these committees, they would not be able to get another major committee—either major or minor, for that matter, because they can only serve on one of the minor committees; such as, Post Office and Civil Service, Rules and Administration, or the District of Columbia.

So what the Senator proposes—and I wish it to be clear—is that over a period of years, and probably many years, the membership of Senators on committees will gradually be reduced, until no Senator can serve on more than two major committees and one minor committee. Is that correct?

Mr. MONRONEY. That is correct. There will be some difference. I must, in all candor, state that as to joint committees, which have never been judged, for membership purposes, as major committee assignments, because of their joint nature, membership would not necessarily be precluded. They could have the Joint Economic Committee, or two or three other permanent joint committees as their third assignment.

Mr. CLARK. That is so.

Mr. MONRONEY. But that does not affect the temporary committees, which last for only one session.

Mr. CLARK. The Joint Committee on the Library, of which I am a member, I think has met once in the last 7 or 8 years. But what concerns me is that the Joint Committee on Atomic Energy is, I believe, the only legislative joint committee; is that not correct?

Mr. MONRONEY. That is correct. I might add, to clarify this, that the same paragraph that effects these limitations provides that they may serve on two major committees and one minor or select or joint committee. That means one of the three. They cannot have a minor committee and a joint committee of an important nature.

Mr. CLARK. Since the Senator and I agree that the Joint Committee on Atomic Energy is a very important committee indeed, and that it is the only joint committee which has legislative jurisdiction, what would be the objection to including the Joint Committee on Atomic Energy as one of the two major committees, so long as we have a grandfather clause?

Mr. MONRONEY. We have never considered, in the structure of the Senate committees nor the House committees, a joint committee to be a major committee of the Senate. The work is major, certainly, and it is of very great importance.

Mr. CLARK. It occurs to me that there has to be a first time for everything. Perhaps an amendment to the Senate rules would be appropriate.

Mr. MONRONEY. It occurs to me that the Policy Committee, on which the distinguished Senator serves——

Mr. CLARK. No; I do not. On the Steering Committee. I do not believe the Steering Committee would be able to change any rule established as part of this legislation with relation to assignment of Members to committees, would it?

Mr. MONRONEY. I think they could deny to Senators who have a heavy load of work on other committees assignments that would build up an unnecessarily heavy line of duty. For that reason, I think the Senate is itself in charge, through that committee, of those who go on any joint committee.

Many people would consider the work of the Joint Economic Committee to be vitally important. I so consider it to be. It is going to increase in importance. While some of the other joint committees will be of strictly a minor nature, I think we have rather wisely provided that the major committees—and we have designated two previously minor committees as major committees—the Space Committee and the Government Operations Committee—that these other joint committees would still remain so that a Member could serve on one of those committees as his one additional assignment to the two major committee assignments.

Mr. CLARK. I have no objection whatever to the present amendment of the Senator from Oklahoma, but I should like the Record to show that in my judgment this amendment does not go nearly far enough, in view of the present heavy workload of all Senators.

In my judgment—and I speak only for myself—it is impossible for a Senator to consciously perform his duties as a member of two major committees. This is all the more true if, with respect to either or both of those committees, he is also a chairman of a subcommittee. And while I have no doubt that what the Senator from Oklahoma has in mind is as far as the Senate would be willing to go at this session, I should like to point out that the workload of all of us is so heavy, our mornings are so preoccupied with jumping around from one committee session to another, with frequently three committees meeting at the same time, often with very important business, not only hearings but markups and the like, I would think that in due course—and I hope pretty soon—the Senate would have to face up to a much more radical extent than it is doing in this bill, to the workload of its Members.

I do not think, to be perfectly candid with my friend, that the pending bill really faces up to this problem at all. However, I am quite sure that, as a pragmatic politician, the Senator is quite correct that this is as far as he can push the matter at this time.

Mr. President, I support the amendment.

Mr. MONRONEY. Mr. President, I appreciate the remarks of my colleague. I appreciate that the workload, which is divided among 100 Senators, grows and grows. It is difficult to keep this in line.

Some committee may have minor work to handle in one year and then have a heavy workload 2 or 3 years hence.

Unless we wish to increase the membership of the Senate drastically—and I do not think that any Senator wants to do that—we will have a tremendous overload which is why we will have to add staffing to keep up with the problem.

Mr. CLARK. I am afraid that I cannot quite agree with what the Senator has just said. I am afraid that if we drastically revise the committee structure of the Senate so as to make the committees a good deal smaller and assign Senators to only one major and one minor committee, we would vastly increase the efficiency of the operation because we would eliminate this very disturbing overlap of committee meetings which goes on all the time.

Senators would become real experts in the field of their one committee. Many would be disappointed, of course, but if we have a grandfather clause we will not hurt the sensibilities of any present Senator. I believe the Senate would operate in a much more effective way in the carrying on of its constitutional duties.

I thank the Senator for his patience.

Mr. MONRONEY. Mr. President, I thank the distinguished Senator from Pennsylvania.

Mr. DIRKSEN. Mr. President, I wonder if the distinguished chairman of the subcommittee has now made the record very clear with respect to anyone who gets bumped and with respect to anyone who may or may not have grandfather rights, depending on what happens if we bump him from the committee and say to him: "You are through." His grandfather rights come to an end.

We have a second situation which exists. We might have a change in ratio. One sentence in the amendment provides that we would temporarily increase the membership. For example, let us take Atomic Energy. If we had to add five Senators, we would have some very unwieldy committees before we finished.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. CLARK. Mr. President, I think the Senator from Oklahoma can very properly speak for himself, and perhaps he should. However, what we were discussing before the Senator from Illinois came into the Chamber was that under no circumstances will the committees be increased. In fact, the bill provides for a substantial decrease. The Committee on Foreign Relations now has 19 members, and it would go to 15. However, the present members would be protected by a grandfather clause, change of ratio or not.

This is perhaps tough medicine for some. There will be no further increase in the size of committees.

Mr. MONRONEY. The Senator is correct.

Mr. DIRKSEN. How long are those grandfather rights reserved?

Mr. CLARK. Until granddaddy dies.

Mr. DIRKSEN. It could become a very embarrassing situation when we have a very considerable change in ratio and have all these Senators with grandfather rights. What would we do?

Mr. CLARK. I would fire them off the committee.

Mr. DIRKSEN. But that would not solve the problem.

Mr. MONRONEY. They would not be given an extra committee assignment such as they now enjoy because of grandfather rights. Our bill would decrease the number of assignments which practically all Senators have—two major and one minor or special or joint committee. Eventually, as those members leave, we would arrive at a committee membership which is a reasonable number. However, in the meantime, we have three memberships for very few Senators. That is because the Committee on Aeronautical and Space Sciences and the Committee on Government Operations, which were minor committees, became major committees.

Those members were obviously not bumped because of the committee change from minor to major. We are not bumping them off now. However, we have no way of protecting the members of the Committee on Appropriations and the Committee on Finance or any committee if the ratio changes. The last one on the list would be the victim of this attrition.

We would not give him a third committee. However, after those Senators have lost membership on the extra committees, there is provision for a membership of two committee assignments for each Senator.

Mr. DIRKSEN. The House has no comparable problem. As a result, if this language is approved and we do not protect our rights, then, of course, we are out of court, so to speak, for the Senate would have spoken.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. CLARK. Mr. President, the Senator has on frequent occasions pointed out how different the House is from the Senate with respect to measures such as filibusters. So, in this connection, perhaps it is dreadful for the Senate to be a little different from the House.

I call to the attention of my friend, the Senator from Illinois, the heart of the problem—which he has perhaps wisely raised. The Senator is aware that 2 years ago, because the ratio changed, a very prominent and articulate member of the minority was dropped from the Appropriations Committee.

The Senator will recall that one of our able Democrats was dropped from the Committee on Foreign Relations this year because of a ratio change.

If God, in His infinite wisdom—as I hope He will—will bring forth a smashing Democratic victory in 1968, so that the ratio changes, the horrible possibility will arise that the Senator from Illinois will be dropped from the Finance Committee.

Mr. DIRKSEN. Mr. President, I can only say to my friend that each side will importune the Deity that victory will perch on its shield.

Mr. CLARK. And, of course, none of us are thinking of what is good for our own selves, but only for the Senate.

Mr. DIRKSEN. It is written in the Book of John:

> The effectual fervent prayer of a righteous man availeth much.

We trust there will be much righteousness on our side on that occasion.

I hope that the language is the correct language.

Mr. MONRONEY. It has been discussed very carefully. The new language is in the bill. It was questioned by Senators and it was made clear that they would be entitled to present assignments.

We feel that two major committees and one minor or joint committee should be the limit that a Senator should ordinarily hold.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma. [Putting the question.]

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. CLARK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. McGovern in the chair). Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I submit a unanimous-consent agreement and ask for its immediate consideration.

The PRESIDING OFFICER. The unanimous-consent agreement will be read by the clerk.

The legislative clerk read the unanimous-consent agreement, as follows:

Unanimous-Consent Agreement

Ordered, That, effective on Thursday, February 2, 1967, at the conclusion of routine morning business, during the further consideration of the bill, S. 355, a bill to improve the operation of the Legislative Branch of the Federal Government, and for other purposes, debate on any amendment except amendments dealing with Senate Floor Procedure, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the senior Senator from Oklahoma [Mr. Monroney]: *Provided*, That in the event the senior Senator from Oklahoma [Mr. Monroney] is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until 12 o'clock noon, tomorrow.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE NATIONAL INCOME BUDGET METHOD OF ACCOUNTING

Mr. WILLIAMS of Delaware. Mr. President, I wish to discuss the President's most recent method of accounting under the so-called national income budget and to call the attention of the Senate to certain discrepancies and questions which will arise if we adopt this form of budgetary accounting.

In the national income budget, this new method of accounting now being adopted by this Great Society, the President has projected fiscal 1968 expenditures at $169.2 billion and an income of $167.1 billion, or a deficit of only $2.1 billion. This result is being hailed in many quarters throughout the Great Society as an indication that the administration is living reasonably well within its income.

I think that we should point out certain discrepancies in this reporting system. I might say that for the past couple of weeks I have been discussing this new formula with officials of the Budget Bureau, and they have confirmed the points that I am about to make.

For example, in order to arrive at this $2.1 billion claimed deficit for fiscal 1968 the administration is including in its computation, as though it were its own income, all the surplus that may be generated in the numerous trust funds which it is now administering.

For example, it is estimated that in fiscal 1968 the railroad retirement fund will take in $1.613 billion with expenditures of $1.511 billion, or a $102 million surplus. By no stretch of the imagination does the railroad retirement fund belong to the U.S. Government. Yet, for accounting purposes under this national income budget procedure of reporting, this $102 million surplus in the railroad retirement fund is being used to reduce the reported deficit of the Government.

With respect to the unemployment fund, unemployment taxes are paid by employers; there is no Government money whatsoever in this fund. The Government estimates that in 1968 we will collect and put into that fund $4.235 billion, and as a result of the low unemployment record today the expenditures will be $2.534 billion, creating a surplus during 1968 of $1.701 billion. However, this $1.701 billion expected surplus in 1968 under this Great Society method of accounting is being considered as income belonging to the U.S. Government and is used to reduce the deficit by that much.

The proceeds of old age and survivors' insurance trust fund is likewise included as Government revenue. By the health insurance trust fund alone we pick up an $895 million surplus. We project an expected revenue of $5.066 billion and expenditures of $4.171 billion, or $895 million surplus in fiscal 1968. That $895 million is being counted by the administration, for bookkeeping purposes, as though it were income of the Government, and the administration is reducing its deficit by the same basis when reporting to the taxpayers.

Mr. President, $791 million is picked up from the highway trust fund.

Under the veterans' national mortgage insurance fund they pick up another $167 million. Our Government sells life insurance policies to the veterans. Naturally, since these war veterans of World War II and the Korean war are of a younger age this fund builds up over a period of years in anticipation of the time when a large percentage of those men will be elderly citizens and will be dying more rapidly. Reserves are, and must be, built up.

Under this new accounting practice the reserve being built up under this veterans' insurance fund is being counted by this administration as though it belonged to the Government for normal expenditures and is being used to reduce the amount of the reported deficit.

Altogether in the budget the administration is counting $4.617 billion in trust fund receipts as though they were general revenue. This $4.617 billion is used to reduce the deficit which will be reported to the taxpayers.

Mr. President, this is just as misleading and crooked, if one wants to call it that, as for a bank administering trust funds for some of its customers to report in its financial statement to the stockholders at the end of the year not only income of the bank but also income from these funds of which they are the trustees. Mr. President, this money does not belong to the Government any more than those trust funds to which I have referred would belong to the bank.

The Government is the trustee of these funds, and it has no right to use the proceeds of these trust funds for regular expenditures.

Mr. President, I ask unanimous consent that a list of these trust fund receipts that are being counted in this national income budget for the purpose of deceiving the American taxpayer as to the cost of this Great Society be printed at this point in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

National income trust funds

	1967		1968	
OASI	23,043 19,994	3,049	24,399 24,442	–(23M)
FDI	2,308 1,982	326	2,407 2,389	18
Health insurance	4,328 3,526	802	5,066 4,171	895
Unemployment	4,146 2,655	1,491	4,235 2,534	1,701
Railroad retirement	1,580 1,366	214	1,613 1,511	102
Federal employees fund	3,000 2,004	996	3,069 2,063	1,006
Highway trust	4,523 3,938	585	4,607 3,816	791
Beautification			402 256	146
Veterans' National Mortgage Association trust fund	750 773	(23)	754 587	167
Other trust funds	1,954 2,082	(128)	2,320 2,506	(186)
Total		7,312		4,617

Mr. WILLIAMS of Delaware. Mr. President, there are other gimmicks under this new accounting proposal. A purchase is counted as an expenditure only when the item is delivered, and it is not counted when the expenditure is made or when the Treasury checks are written.

I shall use a specific example. Suppose we are building a nuclear battleship costing $300 million. It will take 3½ years to build the battleship. Suppose we are paying over the years, as it progresses, $95 million in 1966, another $95 million in the fiscal year 1967, another $95 million in 1968, and in 1969 we take title to the ship by paying the remaining $15 million. Under all budget procedures heretofore we would appropriate this $95 million in each year as the accounts were paid. As each payment was made it would be counted as an expenditure, but under the national income budget as these items are paid they are not counted as expenditures until the final payment is made and the Government takes delivery of the ship. The full impact on the budget would be counted in 1969 when we took delivery of the battleship.

This has the effect of delaying the recording of expenditures in an expansion of the Vietnam war with the full impact of such expenditures being shown in later years.

Simply stated, under this new accounting system the administration can make a good report to the taxpayers prior to the 1968 election, with the real truth as to the expenditures not showing up in the budget until 1969 or 1970.

Mr. President, the same results are true of the Apollo program or our plans to go to the moon. It is estimated that the cost of this program will be in the billions of dollars; however, under this new accounting system the cost to the taxpayers will not be shown for reporting purposes in the budget until after the capsule has been delivered at the installation at Cape Kennedy or wherever it is to be used. These items run into hundreds of millions, even billions of dollars, yet the impact of these expenditures will not show up until some future date.

Government expenditures on the so-called supersonic transport—that is, the money we put up on behalf of the Federal Government—are affected. To the extent such expenditures are to be recovered as the planes are produced, they will be deferred. These Government expenditures would not show up in the reporting as expenditures until the planes were actually delivered.

Mr. President, this is contrary to all accounting systems that have been used by the Federal Government for 175 years.

Under Public Law 480 we sell American agriculture products for foreign currencies. Those foreign currencies are soft currencies and are nearly always earmarked in such a manner that we not only cannot convert them into gold or dollars, but also cannot use them for expenditures in the country in which they are generated without the consent of that country and then only for the improvement of that country. Heretofore those expenditures, under such circumstances, have been charged off as expenditures in the year in which they were made. It is recognized that these sales represent losses as far as the taxpayers are concerned.

Under the new fancy style of bookkeeping those expenditures would be counted as though those currencies are worth their weight in gold, and they will not show up as expenditures or losses, for accounting purposes, until the year we get rid of them. We have been holding some of them for years.

These are losses that will be deferred until later years in order to let this Administration deceive the American people with its more favorable reports.

Why not tell the American taxpayers the truth? These are losses. There will be no recovery.

Yet these expenditures are not being recorded in the years they are made. This has the effect of giving the administration an opportunity to report surpluses in the next year or two as it builds up its increased operation in Vietnam. The administration can report surpluses, and the full impact of these expenditures will not hit our taxpayers until after the Vietnam war is over. When we go into the period of declining purchases there will be exaggerated deficits. Then I suppose they will change back to the administrative budget.

Mr. President, there is another item. Under this National Income they will use the accrual basis to account for income taxes. Under the present system we count the taxes we actually receive, but there is a lag. For instance, corporations report 70 percent in estimated tax returns, which leaves an unpaid item at the end of the year. The same situation is true of individuals who are on an estimated basis in excess of withheld taxes. Under this new accrual method such taxes are counted by the Federal Government as though they were in their pocket. This would be all right if they counted accrued liabilities, but they do not count accrued liabilities. They are moving only those items into the budget which will give them an exaggerated figure so far as income is concerned, and they are postponing from that budget the items representing expenditures.

If the officers of any American corporation tried to change its bookkeeping system overnight and deceive stockholders in any such manner they would end up in a Federal penitentiary and be prosecuted by the same government which is following that practice here.

I will grant this fact. If projected over a period of 20 years and we had an even and stable economy perhaps these items would level out, but we get a big notch when there is a sudden change from a cash basis over to an accrual basis, as the administration is doing here. Under the existing law it is recognized that changing from an accrual basis to a cash basis of reporting income does encompass a notch, and for that reason no taxpayer is permitted to make such a change in reporting his income without the advance consent of the Treasury Department. That is required because it is recognized that a change from one system to the other can cause a lot of the income or expenditures never to be reported. The Treasury Department insists on being notified and that its consent be extended in advance.

When they give consent it is given only on the basis that they will audit the books of the taxpayer and eliminate the advantage of the notch when changed over. My argument is that the Government should abide by its own rules. That notch is not eliminated here.

Mr. President, I say it is a deceitful method to conceal from the American taxpayer the cost of these Great Society programs to indicate, as this budget indicates, that we are operating in the fiscal year 1968 with a $2.1 billion deficit, or that we will operate in the fiscal year 1967 with around a $2.5 billion or $3 billion deficit. That is erroneous as evidenced by the fact that the Secretary is testifying today over on the other side of the Capitol asking for a $7 billion increase in the ceiling on our national debt.

He is coming back in June to ask for another $6 billion, or perhaps a $10 billion increase to cover the fiscal 1968 deficit. If it is only a $2.1 billion deficit what does he need such an increase for? Their own actions indicate that they do not believe the new reporting system. I think it is time that we get more truth in government.

I repeat what I have said so many times, that we have a policy of the administration requesting legislation to provide for truth in lending and truth in packaging. There is much merit in those requests, of course, but I most respectfully suggest that what is needed more than anything else today is more truth in government.

For the past 4 years this Government has been trying to deceive the American people as to the extent of its deficits.

When we consider the administrative budget, we find even more misleading figures. Under the administrative budget the Treasury Department projects that in 1968 there will be a $8.1-billion deficit. That is misleading because it is arrived at only by virtue of the fact that they will sell assets at $5 billion and use the proceeds of this sale as though it were normal income.

The acceleration of the corporate tax rate, which they are asking for in fiscal 1968 will bring in an extra $800 million. By reducing the silver content of our coins there will be $519 million in nonrecurring income. Altogether a total of $6,319 million of nonrecurring income is used in fiscal 1968 in order to arrive at the reported $8.1 billion deficit. This means that our deficit—if it were reported, as it should be, and as it would be if we used the same bookkeeping system which has been in effect for 175 years and which has been used by all Presidents prior to the one in the White House now—would be presented to the taxpayers as being $14,419 million in fiscal 1968.

Even that deficit, by their own bookkeeping system, is arrived at only after taking into consideration that Congress will enact the 6-percent tax increase requested by the President. This tax increase will bring in $4.5 billion. Our true deficit for 1968 will be $18,869 million without this tax increase. These figures are based on their own figures submitted to Congress a week or 10 days ago.

The American people are entitled to know the cost of these programs. It is because of this misleading information which is being distributed by the administration that we are asked by so many of our constituents as to why we may have to raise taxes if the deficit is as small as it is being reported by the administration.

Much has been said about reducing the cost of government in 1968 on domestic programs before Congress considers such a tax increase.

Expenditures for 1968 as requested by the administration will total $135 billion. This is 8½ billion more than the expenditures for fiscal 1967.

In his budget message the President stated that $5 billion represents the increased cost of the war in Vietnam. But that leaves three and a half billion extra in the budget which was submitted to Congress this year, and this three-and-a-half-billion increase is to take care of the expanded costs of the Great Society's programs on the domestic front.

If the budget were to be enacted as presented, spending under the Great Society programs in fiscal 1968 will be increased by $3.5 billion. The increased taxes being asked for are $4.5 billion; $3.5 billion of that increase in taxes would go to offset increases in spending by the Johnson administration.

I think that before the administration asks for a tax increase, it owes it to the American people to take some constructive steps toward holding the cost of Government back, at least to the level it was in fiscal 1967. Yes, and let us even roll it back some from that.

As I pointed out yesterday in the RECORD, this administration has added 68,000 employees to the public payroll in the last 90 days. This number has been added since President Johnson issued his September 20, 1966, Executive order freezing Federal Government employment. Yet every month since that Executive order has been in effect more employees have been added. I repeat, 68,000 more employees have been added since the President's Executive order of September 20, 1966, freezing employment in the Federal Government. These extra employees will cost the taxpayers around $400 million in fiscal 1968.

Furthermore, in the fiscal 1968 budget the President wants to add another 60,000 employees.

That is an added $400 million in the fiscal 1968 budget.

We get an awful lot of lip service from the White House about cutting expenditures. It seems that every time the President makes a speech about reducing expenditures, the very next day more money is being asked for.

If we keep on "saving" money as they are "saving" it here we will end up in the poorhouse.

I have never seen an administration that could say so much about cutting down on expenditures and doing so little about it.

Mr. President, I yield the floor.

[Applause from the galleries.]

The PRESIDING OFFICER. The galleries will be in order.

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

Mr. CLARK. Mr. President, on behalf of the Senator from Texas [Mr. YARBOROUGH] and myself, I send to the desk amendments and ask that they be read.

The PRESIDING OFFICER. The amendments offered by the Senator from Pennsylvania, for himself and the Senator from Texas, will be stated.

The legislative clerk read the amendments, as follows:

On page 25, line 5, strike out "2, 3, and 4", and insert in lieu thereof "2, 3, 4, and 5".

On page 25, lines 6 and 7, strike out "4, 5, and 6", and insert in lieu thereof "4, 5, 6, and 7".

On page 15, strike out all in lines 9 and 10.

On page 14, line 9, strike out the subsection designation "(a)".

On page 15, line 8, immediately after the word "purpose.", insert the following new sentence: "Notwithstanding the provisions of this subsection, any standing committee of the Senate may sit without special leave for any purpose as authorized by paragraph 7 (paragraph 5 as redesignated by section 122 (b) of this Act) of Rule XXV of the Standing Rules of the Senate.".

Mr. CLARK. Mr. President, the purpose of this amendment, which has been discussed with the Senator from Oklahoma—and I believe he will shortly state his approval of it—is to assure that the so-called Church amendment, adopted a few years ago, which permits committees of the Senate to meet during morning business while the Senate is in session, will be preserved.

I ask the Senator from Oklahoma if this amendment is not acceptable to him and whether it could be agreed on.

Mr. MONRONEY. Mr. President, the Senator from Pennsylvania and the Senator from Texas have worked out a fine compromise, on the basis of discussion we had yesterday, of the original Clark amendment. This provision will still preserve the right of the majority and the minority leaders to give their consent to Senate committees to meet for the purpose of hearings any time it is requested and they desire to do so, while the Senate is in session, and will also preserve the morning hour for writing up and marking up bills, which is so essential in many situations. Often times, votes do not occur at the hour of 12 o'clock, although they are near a vote, and unless a committee could continue its deliberations during the morning hour, it would lose the benefit of the work that had been done during the morning session of the committee.

Therefore, I believe it is a happy compromise and one we are happy to accept.

Mr. YARBOROUGH. Mr. President, I desire to express my appreciation to my colleagues, the distinguished senior Senator from Oklahoma, floor manager of the bill, and the distinguished senior Senator from Pennsylvania. This amendment expresses the purpose of my amendment, or a large part of it, to preserve the right of committees not to be denied meeting during Senate sessions in the morning hour. It will preserve the right to meet during the morning hour in order to have a committee do its vital work.

Mr. MONRONEY. The Senator is correct, and we will also preserve the right of the majority and minority leaders to make requests for Senate committees to meet. I believe the amendment improves the language.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. HOLLAND. I think the distinguished Senator has covered the matter I was interested in. Do I correctly understand the situation now to be this with the amendment: The bill as reported by the committee on this subject, giving the right and responsibility to the two leaders to excuse committees while the Senate is operating, remains in the bill except as to the morning hour?

Mr. MONRONEY. That is correct.

Mr. HOLLAND. During the morning hour, as a matter of right, committees may continue to sit?

Mr. MONRONEY. That is correct, until the morning hour is completed.

Mr. HOLLAND. I thank the Senator.

Mr. MONRONEY. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Pennsylvania for himself and the Senator from Texas.

The amendments were agreed to.

Mr. CLARK. Mr. President, I call up my amendment No. 9, and ask that it be read by the clerk.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment No. 9, as follows:

On page 5, line 13, strike out the words "new sentences".

On page 6, line 4, strike out "meeting.'.", and insert in lieu thereof "meeting.".

On page 6, between lines 4 and 5, insert the following new paragraphs:

"The business to be considered at any meeting of a standing committee shall be determined in accordance with its rules. Any measure, motion, or matter within the jurisdiction of the committee which a majority of the members of the committee indicate their desire to consider by votes or by presentation of written notice filed with the committee clerk, shall be considered at such meeting.

"Action for the initiation, conduct, and termination of hearings by a standing committee upon any measure or matter within its jurisdiction shall be determined by majority vote of the members of the committee.

"Whenever any measure, motion, or other matter pending before a standing committee has received consideration in executive session or sessions of the committee for a total of not less than five hours, any Senator may move the previous question with respect thereto. When such a motion is made and seconded, or a petition signed by a majority of the committee is presented to the chairman, and a quorum as prescribed by committee rules pursuant to paragraph 3 of rule XXX is present, it shall be submitted immediately to the committee by the chairman, and shall be determined without debate by yea-and-nay vote. A motion for the previous question shall be decided by a majority vote of the Senators voting. A previous question may be asked and ordered with respect to one or more pending measures, motions, or matters, and may embrace one or more pending amendments to any pending measure, motion, or matter described therein and final action by the committee on the pending bill or resolution. If the previous question is so ordered as to any measure, motion, or matter, that measure, motion, or matter shall be presented immediately to the committee for determination. Each member of the committee desiring to be heard on one or more of the measures, motions, or other matters on which the previous question has been ordered shall be allowed to speak thereon for a total of thirty minutes.

"These provisions shall be applicable to meetings and procedure thereat at any meeting of any subcommittee of any standing committee."

Mr. CLARK. Mr. President, this amendment deals with provisions in S. 355 establishing what has been called colloquially the "committee bill of rights."

I believe we ought to be able to have adequate debate on this proposal in no more than an hour. I wonder if the Senator will be receptive to a request for a unanimous consent agreement limiting discussion on this matter, which does not deal with floor procedures, to 1 hour, to be equally divided between himself and myself?

Mr. MONRONEY. I agree to limiting debate. I assumed that unanimous consent was granted as to all amendments.

Mr. CLARK. I believe that does not go into effect until tomorrow.

Mr. MONRONEY. Mr. President, I join in the suggestion that the debate be limited to 1 hour, to be divided equally between the Senator from Pennsylvania and myself.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CLARK. Mr. President, I yield myself as much time as I may require.

The pending measure, S. 355, provides new procedures for the conduct of committee hearings, and establishes the principle of majority rule for certain aspects of committee operations. The Monroney bill provides that a majority of any committee can convene a meeting and direct that a measure be reported. However, it does not deal with certain other committee functions, which, in my judgment, must be covered if this committee bill of rights is to be effective.

For example, the majority is given no right to fix the agenda, nor is it given the right to terminate debate within the committee after a reasonable time, by majority vote; nor is the committee, by a majority vote, given the authority to direct the initiation, conduct, and termination of hearings. The proposed amendment would deal with all of those matters.

A very similar proposal was offered by me back in 1961, in the form of Senate Resolution 14 of the first session of the 87th Congress. At that time, I appeared before the Rules Committee of the Senate and pointed out that the various standing committees of the Senate had quite varied rules. Some of them had no rules at all. In some instances, it is still very difficult to find out what the rules are. In other cases, committees have rules adopted 100 years or so ago, which are no longer suited to modern conditions. In one or two instances, committees have first-class, up-to-date rules.

The purpose of this suggested amendment would be to authorize a majority of the committee to fix the agenda; to terminate debate after a reasonable time; and to direct the initiation, conduct and termination of hearings.

A hearing was held on Senate Resolution 14, in 1961, before the Rules Committee, but the proposal was given an unfavorable report. One reason was that the Senator from Oklahoma was at that time not in favor of the proposed rule—although I think the provisions in the pending bill indicate that he has, to some extent at least, changed his mind.

At that time, the Senator from Oklahoma commented on the proposed amendment by stating that the Reorganization Act, which he was so instrumental in having passed when he was a Member of the House in 1946, endeavored to correct many of the abuses at which my amendment is directed by specifying that each standing committee of the Senate and the House should fix regular weekly, biweekly, or monthly meeting days for the transaction of business, and that additional meetings may be called by the chairman as he deems necessary.

Of course, that reasoning did not go to the gravamen of the committee bill of rights in either the Monroney bill or the pending amendment. The thrust of my amendment, as the Senator from Oklahoma has stated, was to put into full effect the rule of a majority within a committee. The pending Monroney bill contains a partial bill of rights dealing, as I have said, only with the majority right to convene meetings and to direct that a measure be reported. All the intermediate stages are not covered by this bill. I wonder, if I could have the attention of the Senator from Oklahoma, whether he would not perhaps look with some favor on amending his present provision so as—taking one thing at a time—first, to permit the majority to fix the agenda for a committee meeting.

Mr. MONRONEY. Does the Senator wish to yield to me on that point?

Mr. CLARK. I was addressing the question to the Senator from Oklahoma.

Mr. MONRONEY. As a matter of fact, in $99\frac{44}{100}$ percent of the time the assembling of the committee in a committee meeting, whether by regular meeting date, by call of the chairman, or by the membership calling the meeting where the chairman opposes it; the committee, with a quorum, can, I feel sure, call up the legislation and motion up consideration of any bill that is currently before the committee.

We tried not to go down on the committee level, to determine all of their activities. Having given the membership the right, where the committee chairman has not followed the wishes of the committee, to have regular sessions—since historically, the stalling has been done, over a long period of time, by not calling meetings or not appearing at meetings on the dates that they are supposed to be held, by committee chairmen—the joint committee saw no reason for confining every committee to a full set of rules to observe or to enact as their own committee procedures.

Mr. CLARK. I call the Senator's attention to page 5 of S. 355, section 102(a), at line 13, at the very end. I quote the new provision——

Mr. MONRONEY. Will the Senator yield? This adds to the regular meeting days provisions in the Reorganization Act of 1946.

Mr. CLARK. Yes. And the new provision reads:

> If the chairman of any such committee—

Meaning a legislative committee—

> after three days' consideration, refuses or fails, upon the request of at least three members of the committee, to call a special meeting of the committee within seven calendar days from the date of said request, then upon the filing with the clerk of the committee of the written and signed request of a majority of the committee for a called special meeting of the committee, the committee shall meet on the day and hour specified in said written request. It shall be the duty of the clerk of the committee to notify all members of the committee in the usual way of such called special meeting. If the chairman of the committee is not present at any committee meeting, the senior member of the majority party who is present shall preside at that meeting.

That does not call for any statement of purpose for the meeting, does it?

Mr. MONRONEY. No, sir.

Mr. CLARK. But presumably if a majority of the committee members wanted to call a meeting over the objection of the chairman, they would have agreed in advance as to what was the subject matter they wished to discuss; would the Senator not think that a reasonable conclusion?

Mr. MONRONEY. That is correct.

Mr. CLARK. Therefore, does the Senator believe, as a matter of legislative history, that there is implicit in this text of his bill, the portion of the joint committee bill just read, the power of the majority to fix the agenda for the meeting?

Mr. MONRONEY. I feel that the majority now has the right to take up the order of business that is laid before them in such a meeting. Otherwise, it would be futile to look to history. This language was taken from the House of Representatives, which has long had a similar rule for the members to call a meeting of a committee. History has definitely proved that they have been able to secure a vote on whatever reform they were seeking in the House of Representatives, after securing a legally constituted meeting.

Mr. CLARK. The Senator, I think inadvertently, said: "The members of the committee now have." What I think he meant is that the majority of the committee would have, if this provision were adopted. Is that correct?

Mr. MONRONEY. The Senator is correct.

Mr. CLARK. They do not have it now except in those cases in which the rules of a particular committee so provide.

Mr. MONRONEY. Let me clarify that. Any committee has a right to motion up the business that they wish to consider. Certainly I have never sat on a committee in the Senate when the members could not move a bill, be recognized by the chairman, call it up for discussion, and later have a vote on the matter if they had a majority which was willing to do so.

In all of my Senate experience, once the committee has convened, the majority is in control if there is a majority which wishes to do something.

Mr. CLARK. Without regard to that, I say with all due deference to the Senator from Oklahoma, he is under no doubt, is he, that if this provision in the bill he is managing is adopted, then there is a right in the majority of the committee to determine what matters should be brought before the committee for action.

Mr. MONRONEY. I feel that they have that right under the inherent right of a committee to work its will in committee.

Mr. CLARK. Whether they have that now or not, they would have it if this provision were adopted.

Mr. MONRONEY. They would have it either way.

Mr. CLARK. So they would have it if this provision were agreed to.

Mr. MONRONEY. The important thing is whether we can get a meeting, and that is what we guarantee in this provision.

Mr. CLARK. If the Senator is in accord with me—I do not wish to try to press him, but I do wish to make legislative history—if the provision in section 102(a), which I have just read, is approved—the Senator may say whether it is or not—the majority of the committee could fix an agenda.

Mr. MONRONEY. I would say that under the existence of the section in the Reorganization Act which we considered in 1946 with regard to regular meeting days, they have that right if they are able to assemble themselves.

I know of no prohibition in any of the Senate rules. There may be some prohibition in the committee rules, with which I am not familiar, which would deny the right of a majority to work its will once the committee is in session.

The trick has been not to let the committee get in session, and thus prevent the hearing or consideration or the marking up of a bill.

Mr. CLARK. If the Senator were correct, then he would think it would be surplusage to add the provision contained in my amendment which specifically authorizes the majority to fix the agenda, because the Senator states that that right exists anyway.

Mr. MONRONEY. That is my interpretation. I see no reason to cast it into law along with other requirements requiring additions to other committee rules.

Mr. CLARK. I call the attention of the Senator to the language which appears on page 2, lines 3, 4, 5, and 6 of my amendment No. 9.

It reads:

> Action for the initiation, conduct, and termination of hearings by a standing committee upon any measure or matter within its jurisdiction shall be determined by a majority vote of the members of the committee.

I ask the Senator whether in his view the provisions in the bill he is managing would give those rights to a majority of the membership of the committee which has called a meeting over the objection of the chairman or of the minority members.

Mr. MONRONEY. I would not say it would give them that right. I would say they have always had that right.

Mr. CLARK. It is the view of the Senator that, without regard to the provisions of the bill, a majority of a Senate committee can now initiate, conduct, and terminate hearings upon any measure or matter within its jurisdiction by majority vote.

Mr. MONRONEY. I would say they can and that they have always had that right. Does the Senator disagree with that?

Mr. CLARK. I had intended to disagree, and that is why I propose my amendment. However, the Senator from Oklahoma has been so positive—and has indicated, I think, as a matter of legislative history—that the provisions in my amendment are unnecessary, that I am considering possibly withdrawing my amendment on his assurance that the rights which my amendment was intended to protect already exist.

Mr. MONRONEY. Would we not have been engaging in the exercise of futility in the Legislative Reorganization Act of 1946 when our thrust was to have a regular meeting day on which the committees were to meet and thus eliminate the opportunity to forestall majority action by the committee by not calling the committee together?

That was the whole thrust, the whole argument, and the basis on which we offered, and succeeded in passing, that amendment.

We sometimes find chairmen in the other body, or perhaps even in the Senate, who do or have historically ignored the meeting date. Since that has apparently had a few failures—very few, I might say—this provision gives the committee membership the right to assemble and then be in session. Once assembled, it is the committee membership that has the power base in the committee. The chairman is only the presiding officer.

Mr. CLARK. I think the Senator from Oklahoma and I are in some disagreement as to what committees could do before the pending measure is enacted and what additional rights the majority of a committee will have as the result of the enactment of S. 355. However, it occurs to me that is not particularly important.

I ask if the Senator from Oklahoma, as a matter of legislative history, is prepared to agree with me that after this bill is passed—and I do not care whether it was the case before the bill is passed, or not—a majority of the committee can start a hearing, conduct the hearing, and terminate a hearing by a majority vote, whether the chairman of the committee likes it or not.

Mr. MONRONEY. I would certainly say so because I have never, as I have said, in all my years in the Senate and in the House seen otherwise. When the committee is together, the committee acts. They can find a way to act, if necessary. I have seen the time when we met outside the Capitol in order to act. That was in the days of price control.

Mr. CLARK. Let me remind the Senator from Oklahoma that in the course of a long 100 years, no civil rights bill has ever come out of the Senate Committee on the Judiciary, even though for the last number of years a majority of the members of the Committee on the Judiciary have favored civil rights bills.

Mr. MONRONEY. Has not that been, generally, because for a long period of time the Committee on the Judiciary did not meet? It is my understanding that one of the main bases for the failure of the committee to report a bill was that meetings of the full Committee on the Judiciary were not held.

Mr. CLARK. No; I think there is another very important reason; that is, that the Committee on the Judiciary—since we are talking about that committee—has never had a procedure by which debate on a measure within the committee or hearings being conducted by the committee coud be terminated by a majority vote—and that is the last point I want to raise with the Senator from Oklahoma.

Is it his view that since the bill provides for a majority to have the right to call a meeting of a committee and for a majority to have the right to report a bill, it is inherent, therefore, that in due course, and after reasonable debate, a majority can call for a vote on the question whether a measure is to be approved?

Mr. MONRONEY. The experience that I have had in the various committees has always been that a majority can call for a vote on an amendment or on the reporting of a bill. In many cases, as the Senator from Pennsylvania well knows, the trouble has been that when a bill is reported by a committee or is voted to be reported by a committee, the report is not filed with the Senate, so that the vote in the committee has not been carried forward to action on the floor.

A provision in another section of the bill also requires that the committee chairman must report the bill, and that upon his failure to do so, a majority of the committee may do so.

Mr. CLARK. I am sure the Senator will not think me petulant—I do not intend to be——

Mr. MONRONEY. I fully appreciate the opportunity to discuss this subject with the Senator, because the committee is the base of formation for almost all the legislation passed by Congress.

Mr. CLARK. When I say that, important though the experience of the Senator from Oklahoma is, what we are interested in is what the law provides or will provide. I do not wish to push the Senator any further than he cares to go, but I believe we are making a legislative history which will make it possible for me to withdraw my amendment, because all the purposes of the amendment are, in the opinion of the Senator from Oklahoma, set forth in section 102 of his proposal; namely, that a majority of a committee could, if section 102 were adopted—and perhaps could do so today—call a meeting to determine what should be discussed, determine what hearings should be held, determine when hearings should be terminated, and determine by majority vote and after reasonable debate whether a bill or a measure should be reported to the Senate.

Mr. MONRONEY. In all my experience, that has been the custom of all the committees upon which I have served. I believe it to be the principle of our committee structure. I cannot say that it is completely, totally, or fully observed in all cases; but in all my experience, I have never known a case in which it has not been the practice.

Mr. CLARK. Perhaps one of the difficulties between the Senator from Oklahoma and myself is that I have either the good fortune or the bad fortune to be a lawyer, and the Senator from Oklahoma does not.

Will the Senator turn his mind once more, not to the question of his experience, but to the question of whether I have correctly stated, in his opinion, what the bill does?

Mr. MONRONEY. Our bill permits the members of a committee, regardless of the feeling of the chairman, to call a meeting under certain procedures, to assemble, to transact the business of that committee that the majority wishes to transact, to hear testimony, to provide for reporting the bill, and to insure that that report reaches the floor of the Senate—all under majority rule. I do not know how it can be made any plainer.

Mr. CLARK. Including a termination of hearings?

Mr. MONRONEY. Including a termination of hearings. But, of course, the distinguished Senator knows and I know that oftentimes when my side has completed its hearings, I am very anxious to see the hearings terminated. I desire to get on with the bill. I do yield to the standpoint that those of a differing opinion must have a reasonable length of time—and sometimes this will take longer than I believe necessary—in order to be accorded their right of freedom of speech on the bill.

Mr. CLARK. But in the end, the majority should prevail, after a reasonable opportunity for discussion.

Mr. MONRONEY. In the end, the majority will rule.

Something may be hidden away in some of the rules of committees on which I have not served, or in rules that I have not seen, but I know of no provision for any other procedure for the consideration of a bill and for the holding of the hearings. The full committee, with the majority voting, may conduct hearings, take up the bill for markup, including the amendment procedure by a markup of the bill, have adequate discussion, and then a final vote on the reporting of the bill.

Mr. CLARK. Mr. President, in view of the legislative history which has been made by the floor manager of the bill, which legislative history really does no more than point out that all the rights which would have been given to a majority of the committee by my amendment are contained in the present legislation, I withdraw my amendment.

Mr. MONRONEY. I thank the distinguished Senator.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. HOLLAND. There is no previous question rule in the Senator's——

Mr. MONRONEY. No, there is no previous question rule.

Mr. HOLLAND. Is the Senator from Pennsylvania insisting that that rule is contained in this change?

Mr. CLARK. I do not wish to get into a semantic discussion with my friend, the Senator from Florida; and I would therefore state that there has been no discussion of the previous question rule during this colloquy, which is making legislative history. I believe that the colloquy stands on its own feet.

Mr. HOLLAND. I think so, too, except for one thing, and that was the statement a moment ago that everything that is in the amendment of the Senator from Pennsylvania is in the committee bill, under the statement of the manager of the bill, and I have not so understood it at all. I have not understood that anything operative as a previous question vote in the committee is in the amendment as reported by the distinguished Senator from Oklahoma.

Mr. CLARK. I wish to say to the Senator from Florida that there is no question that the words "previous question" and the procedure which goes back many years with respect to previous question are not mentioned in the amendments of the Senator from Oklahoma, nor have I referred to them in the course of this colloquy.

Mr. HOLLAND. But that feature was embraced specifically in the amendment which the Senator has now withdrawn.

Mr. CLARK. It made specific what was more general in the amendment of the Senator from Oklahoma.

Mr. MONRONEY. With a limitation of 5 hours and other things which I could not possibly agree to, because I believe it would be definitely stating a time limit, which I believe falls within the rights of the majority of the committee. I still am of the opinion that only by majority rule in the committee can we succeed in reporting legislation and still preserve the integrity of the committee system.

Mr. HOLLAND. I thank the Senator for clarifying that matter.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. MONRONEY. I yield.

Mr. MURPHY. Do I correctly understand, then, that the answer of the Senator from Pennsylvania or the answer of the Senator from Oklahoma to the question of the Senator from Florida is "No"?

Mr. MONRONEY. That it does not contain any agreement on a method of cloture or on a motion to take up the previous question.

Mr. MURPHY. I thank the Senator.

Mr. MONRONEY. My position is that the chairman is the servant of the committee. If the majority of the committee is legally able to assemble, it is the master of its destiny and can determine the course of the hearings; and after adequate time, I am sure that, in good fellowship, both sides will report the bill.

Mr. MURPHY. I thank the Senator.

Mr. MONRONEY. The amendment has been withdrawn by the distinguished Senator from Pennsylvania. I believe that the Senator has another amendment he wishes to call up.

Mr. CLARK. Mr. President, I call up my amendment No. 10, and ask that it be stated.

The **PRESIDING OFFICER.** The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item: "Sec. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"STANDING RULES OF THE SENATE

"SEC. 123. Rule XXVII of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

" '4. A majority of the Senate members of a committee of conference shall have indicated by their votes their sympathy with the bill as passed and their concurrence in the prevailing opinion of the Senate on the matters in disagreement with the House of Representatives which occasion the appointment of the committee.' "

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. MONRONEY. Would the Senator care to agree on the same time limitation?

Mr. CLARK. If the Senator will propose the suggestion, I will concur.

Mr. MONRONEY. Would the distinguished Senator from Florida be willing to agree to a time limitation on this amendment?

Mr. HOLLAND. I have no objection at all.

Mr. MONRONEY. Mr. President, I ask unanimous consent that debate on this amendment be limited to 1 hour, 30 minutes to be allotted to the Senator from Oklahoma and 30 minutes to the distinguished senior Senator from Pennsylvania.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

Mr. CLARK. Mr. President, I yield myself such time as I may require.

The purpose of this amendment is to assure, in the rules of the Senate itself, that a procedure which presently exists, but only under parliamentary rulings, should prevail. In effect, the amendment calls for a majority of the Senate conferees to indicate, by their votes, their sympathy with the bill as passed and their concurrence in the prevailing opinion of the Senate on the matters of disagreement with the House which occasion the appointment of the committee.

I have proposed this change from time to time in the past. The last time we had a hearing on it was in 1961.

Mr. President, Cleaves' Manual, which is an early book of parliamentary rules, and which is incorporated in the Senate Manual, states in section 17:

> In the selection of the managers * * *. Of course the majority party and the prevailing opinion have the majority of the managers. * * *
>
> It is also almost the invariable practice to select managers—

We now call them conferees—

> from the members of the committee which considered the bill. * * * But sometimes in order to give representation to a strong or prevailing sentiment—

Referring to the House of Representatives but equally applicable to the Senate—

> the Speaker goes outside of the ranks of the committee. * * *

The current House Manual rules contain even stronger language on this point.

In 1892 when Senator Hill of New York objected to the Chair going outside the committee in considering a bill, naming conferees, the Presiding Officer stated:

> No new precedent has been established by the Chair. It has been the custom of the Senate for a great many years to appoint other than members of the committee to report a bill on the conference committee.

Mr. President, I ask unanimous consent that a detailed memorandum giving the various precedents in support of the amendment which I am presently proposing may be printed in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM IN SUPPORT OF PROPOSED RULE RELATING TO SELECTION OF SENATE MEMBERS OF CONFERENCE COMMITTEES

This memorandum summarizes the arguments in support of a resolution to add the following paragraph at the conclusion of rule XXIV of the Standing Rules of the Senate:

"3. A majority of the Senate members of a committee of conference shall have indicated by their votes their sympathy with the bill as passed and their concurrence in the prevailing opinion of the Senate on the matters of disagreement with the House of Representatives which occasion the appointment of the committee."

A RULE IS NEEDED

The standing rules of the Senate are virtually silent on the subject of appointment of the Senate members of committees of conference, the applicable rule (rule XXIV) merely stating:

"All other committees shall be appointed by ballot, unless otherwise ordered, and a plurality of votes shall appoint."

In practice, the members have been elected only once in modern times (on the Muscle Shoals bill in 1925). In all other instances, the Chair has been authorized to make the appointments, and it is the practice for the Presiding Officer to have the Senators suggested to him by the chairman of the appropriate committee or other member in charge of the bill.

Since before the time of Jefferson, the principle has been acknowledged that the majority of conferees should represent the prevailing view of the body on the bill to be considered. The current manuals state that this is Senate practice. Yet in the routine handling of bills, the alternate practice has grown up of appointing the senior members of either the committee or the subcommittee which considered the legislation.

Necessarily, the prevailing-view principle and the seniority practice come into conflict on some bills, and at such times either the principle or the practice must give way. If on such an occasion no Senator makes an issue of the appointment of conferees—as is usually the case—the seniority practice is routinely followed, resulting in the appointment of conferees unsympathetic to the prevailing view of the Senate.

The most recent such instance occurred on March 25 of this year, when four of the five Senate conferees on H.R. 5640, the temporary unemployment compensation bill, had voted against the Senate version, and in favor of the House version, of the bill to be considered by the conference.

When, on the other hand, an issue has been made of the conflict between principle and practice, the prevailing-view principle has usually been adhered to, but often only after cumbersome and embarrassing maneuvers. Ordinarily, the maneuvering has taken place behind the scenes, but sometimes it has broken out into acrimonious controversy on the Senate floor. Friends of the measure have found themselves in the embarrassing position of appearing to challenge the integrity of senior Senators. The senior Senators have found themselves in the equally embarrassing position of having to choose between resigning under protest or subjecting themselves to criticism for insisting upon representing a Senate position with which they were out of sympathy.

To write into rule the recognized prevailing-view principle would provide an orderly procedure for the future and obviate further controversy on the question.

THE PREVAILING-VIEW PRINCIPLE HAS LONG BEEN ACKNOWLEDGED

1. The manuals recognize the principle:

Cleaves' Manual, which was reported to the Senate pursuant to a Senate resolution in 1900, and which is incorporated in the Senate Manual, states in section 17:

"In the selection of the managers * * *. Of course the majority party and the prevailing opinion have the majority of the managers. It is also almost the invariable practice to select managers from the members of the committee which considered the bill. But sometimes in order to give representation to a strong or prevailing sentiment in the House the Speaker goes outside the ranks of the committee.

This section of Cleaves' Manual is taken from section 1383 of Hinds' "Parliamentary Precedents of the House of Representatives of the U.S.", published by authority of a joint resolution of the Congress approved in 1898.

The current House Manual and Rules contains even stronger language on this point (sec. 536).

2. Presiding officers have asserted the principle:

In 1896, when Senator Hill, of New York, objected to the Chair's going outside the ranks of the committee which had considered the bill in naming a conferee, the Presiding Officer stated that "no new precedent has been established by the Chair. It has been the custom of the Senate for a great many years to appoint other than a member of the committee reporting a bill on the conference committee" (54th Cong., 2d sess., CONGRESSIONAL RECORD, p. 3857).

In 1935, Vice President Garner announced that "hereafter the present occupant of the chair expects to exercise some discretion in the matter of selecting conferees when the Senate authorizes him to make the appointments." The minority leader said his understanding of the rule was that "the majority, at least, of the conferees must be sympathetic with the prevailing opinion, which must be the majority of the Senate who support the measure." Vice President Garner replied, "That will certainly be the policy of the present occupant of the chair" (73d Cong., 1st sess., CONGRESSIONAL RECORD, p. 5296).

3. Many individual Senators have cited and supported the principle:

During consideration of the Oklahoma statehood bill, in 1905 and 1906, Senator Teller said:

"The rule has been in parliamentary bodies, not only in this country, but in others, particularly in Great Britain, that when a measure comes from another body, the friends of the measure as it passed the body [and it is true in the other House as well as this] take charge of it from that time on. When we shall have reached the point that there is to be a conference, they are entitled to a majority in the conference" (58th Cong., 3d sess., CONGRESSIONAL RECORD, p. 2815).

"Whenever a conference committee is created, it is created to bring the mind of the other body to that of this body, and to bring them together. It is not to represent the view of the minority, but to represent, if possible, the majority. Upon that theory the majority of the proposition that passes this body is entitled by custom and usage and on principle to name the committee. A majority only of this body can pass a bill, this body then is entitled to have a friendly committee.

"So far have the English authorities gone on this subject in Parliament that they have declared that it was the duty, when a man was put on a conference committee or on any other committee to deal with a subject to which he was hostile, to refuse to become a member of the conference committee or any other committee. As was said by a distinguished English writer on parliamentary law, and as is quoted approvingly in Jefferson's manual, 'the child is not to be put to a nurse that cares not for it.' It is only in modern times—that the custom has grown up to allow the chairman of the committee, however hostile he may be to the bill as it passes the Senate, to designate who shall deal with the House in the effort by a conference to bring the House to the sentiments of the Senate. Everyone can see that logically the friends of the measure are the proper ones to represent the matter to the conferees on the part of the House and win them to the senatorial mind" (59th Cong., 2d sess., CONGRESSIONAL RECORD, p. 4155).

During the 1906 debate on the same question, Senator Foraker, of Ohio said:

"The rule of the Senate which I evoke in this instance would but give us the benefit of the general rule that obtains, laid down by all parliamentary writers, that those who are the friends of a proposition should go to the conference to represent it" only (59th Cong., 2d sess., CONGRESSIONAL RECORD, p. 4155).

During consideration of the Army appropriation bill in 1888, Senator Hawley of Connecticut, asserted that the rules required "that two of the conferees shall be Senators friendly to the action of the Senate." The Chair thereupon stated that, in practice, conferees "are designated by the friends of the measure" (50th Cong., 1st sess., CONGRESSIONAL RECORD, p. 7223).

During consideration of the Cuban intervention resolution in 1898, Senator Stewart, of Nevada, said:

"I remember that until quite recently in making selection of conferees, the Chair always has in view the idea of representing the majority of the Senate upon that particular question where there is a difference, and those constituting the majority in favor of the measure, are entitled to have a majority of the committee to represent their views. That has been the rule; and I have never known an exception to it until 1890. It was stated frequently by the older members 30 years ago that that was binding in all cases" (55th Cong., 2d sess., CONGRESSIONAL RECORD, pp. 4027–4028).

On the same occasion, Senator Frye of Maine, said:

"In my judgment, in my place as conferee there should be appointed some Senator on the committee who holds views diametrically opposite to mine. The Senator from Ohio, Mr. Foraker, is the real father of the proposition to recognize the Cuban republic now. He was persistent in committee, has been persistent since, and if I were presiding officer of the Senate, I would appoint Senator Foraker as one of the conferees on that committee" (55th Cong., 2d sess., CONGRESSIONAL RECORD, p. 4030).

During consideration of the Muscle Shoals bill in 1925 (68th Cong., 2d sess., CONGRESSIONAL RECORD, pp. 2552–2563), Senator Underwood, of Alabama, moved for election of conferees in order to avert the appointment of the senior members of the Committee on Agriculture and Forestry, saying:

"According to the rules and the precedents I think we are entitled to conferees who reflect the last vote of the Senate in passing the bill" (id., p. 2552).

And Senator Norris of Nebraska, who was the chairman of the Committee on Agriculture and Forestry who would be bypassed, said:

"We ought to appoint conferees who believe in the action the Senate has taken and are in sympathy with it. This bill that was passed by the Senate—the Coolidge-Underwood bill—was opposed by me almost in its entirety. If we follow what I think we should follow—the right kind of an honest rule—then when the conferees are appointed I should not be on the conference committee from the Senate. I had determined, even before any suggestions had been made, that I would not accept appointment on the conference committee, because, to my mind, I would almost have to stultify myself. I did not believe in the bill; I had no faith in the action taken by the Senate; I was sincerely bitterly opposed to it, and it seemed to me that I should eliminate myself and ought to stay off the committee. I think the fundamental proposition that those friendly to legislation should be appointed on conference committees is correct" (id., p. 2555).

On the same occasion, Senator Smith, of South Carolina, said:

"I agree with the Senator from Nebraska that when the majority have expressed themselves touching the principle of any legislation, those in sympathy with it ought, if possible, to go on the conference committee to meet the objections of that principle which come from the other House" (id., p. 2559).

On the same occasion, Senator Edge, of New Jersey, said:

"Speaking entirely apart from the legislation at issue, it appears to me that the rule of seniority, so far as it applies to the naming of conferees, is a very unfortunate one. I believe conferees appointed on any measure should be Senators convinced that the measure they are to consider in conference is correct and is right. They should go into conference with the enthusiasm of believing the measure should become a law" (id., p. 2560).

On the same occasion, Senator Heflin, of Alabama, said:

"There is no doubt that the dominant thought of the Senate is entitled to be represented on the conference committee, and when we seek to get Senators who represent that thought and have to disregard Senators who are bitterly antagonistic to the view of the Senate we make no reflection upon those latter Senators" (id., p. 2561).

SENIORITY PRACTICES HAVE FREQUENTLY BEEN ABANDONED IN ORDER TO REFLECT THE PREVAILING VIEW

Ada Chenoweth McCown, whose study of conference practice in the first 70 Congresses (the congressional conference committee, Columbia University Press, 1927) is the authoritative work on this subject, wrote that seniority and committee membership had little to do with the selection of managers for conferences during the first 30 Congresses. By 1848, she noted that seniority standing on committees appeared to have some influence on choice of managers by the House, but was still not the general practice of that Chamber. In the Senate there was no evidence of a seniority practice by that date (pp. 61–63).

During the last half of the 19th century and during the 20th century, the seniority practice grew, but on occasions when the issue was raised that the "prevailing view" principle was being violated the seniority practice was repeatedly abandoned to permit the majority of the Senate to have the majority of the Senate conferees.

In some such cases the original appointments were made without strict adherence to seniority. In others, the original appointments were made according to seniority but were followed by resignations—sometimes promised in advance—to permit substitution of Senators favorable to the Senate view.

Examples of both procedures follow:

1. Departure from seniority in original appointments:

Federal Reserve Act (1913: Every Democratic member of the Banking and Currency Committee was appointed except Senator Hitchcock, of Nebraska, second-ranking Democrat (CONGRESSIONAL RECORD, Dec, 13, 1913, p. 1230).

Chinese Exclusion Act (1902): Senator Reed, of Pennsylvania, was passed over in favor of more junior committee members (57th Cong., 1st sess., CONGRESSIONAL RECORD, p. 4424).

Cuban Intervention (1898): After a protest had been voiced by Senator Foraker, of Ohio, that a majority of the prospective conferees did not support the Senate position, Senator Frye, of Maine, who would have been a conferee had the seniority rule been followed suggested that the Chair appoint Senator Foraker in his place. The Chair adopted this suggestion (55th Cong., 2d sess., CONGRESSIONAL RECORD, pp. 4027–32).

Displaced Persons Act Amendment (1950): An objection was voiced to the original slate of seven conferees proposed by Senator McCarran, of Nevada, on the ground that four of them had opposed a substitute amendment which was adopted by the Senate. Senator McCarran thereupon withdrew his proposed names and moved that the Chair appoint conferees. The Vice President then appointed five conferees, including only three of the original group proposed by Senator McCarran, giving a majority of 4 to 1 in favor of the majority view of the Senate (81st Cong., 2d sess., CONGRESSIONAL RECORD, pp. 4802–03).

2. Resignations of senior members to permit substitutions:

Muscle Shoals (1925): All three of the Senators elected by the Senate to the conference committee (Norris of Nebraska, McNary of Oregon, and Smith of South Carolina) resigned following their election because they were opposed to the measure which passed the Senate. Following their resignation, other appointments were made in order from the committee and three other Senators (Keyes of New Hampshire, Capper of Kansas, and Ransdell of Louisiana) resigned for the same reason, thus making possible a majority of conferees favorable to the measure.

Federal Revenue Act (1936): Senators Couzens, of Michigan, and Keyes, of New Hampshire, resigned immediately after appointment, insisting they were out of sympathy with the bill (74th Cong., 2d sess., CONGRESSIONAL RECORD, p. 10266).

Agricultural Adjustment Act (1938): Senators Norris, of Nebraska, and McNary, of Oregon, resigned after appointment, the latter explaining that it had been "an unbroken rule of mine that when I oppose a bill I refuse to act as a conferee" (75th Con., 2d sess., CONGRESSIONAL RECORD, p. 1768). They were replaced by Senators Frazier, of North Dakota, and Capper, of Kansas.

Submerged Lands Act (1952): After conferees were appointed on the submerged lands act bill, Senator Long, of Louisiana, protested that three of the five had voted against the so-called Holland-Connally substitute which had been approved by the Senate. Senator Long contended the provision of Cleaves' Manual, quoted above, had been violated. He entered a motion that the Senate reconsider the appointment of conferees (CONGRESSIONAL RECORD, vol. 98, pt. 3, p. 3580).

On the following day, Senator O'Mahoney, of Wyoming, announced that one of the conferees, Senator McFarland, of Arizona, had asked to be excused from service on the committee and that the next two senior men on the committee, Senators Anderson, of New Mexico, and Lehman, of New York, had made like requests because they too had opposed the substitute amendment which had prevailed. The next Senator in order, Senator Long, accepted appointment and withdrew his motion to reconsider (CONGRESSIONAL RECORD, vol. 98, pt. 3, p. 3678).

On other occasions, protests at the appointment of conferees not in sympathy with the prevailing Senate opinion have been registered, but withdrawn upon assurance by the conferees that they would faithfully support the Senate position despite their own divergent views. Yet the necessity for such demeaning public assurances would not arise were it not for the doubt that inevitably exists when "the child is put to a nurse that cares not for it."

Whenever the question of abandoning the seniority system is raised on a particular bill, the issue becomes one of personalities. As was so notably the case in the lengthy and harsh debate on appointment of conferees on the Muscle Shoals bill, Senators seeking to assert the right of the majority to select the Senate managers are accused of impugning the integrity and honor of the senior Senators. At the same time, the senior Senators who would be bypassed are placed in a bad light if in other cases other committee chairmen and ranking Members have been trusted to handle bills with which they were not in agreement.

If the proposed rule is adopted, then the selection of conferees in sympathy with the bill in question will be automatic. The issue will not have to be raised on the Senate floor, as in the past, giving rise to divisive debate and recriminations. And the principle of the prevailing view, which has been so often violated, will be regularly honored.

Mr. CLARK. Mr. President, those precedents establish clearly that when those who would ordinarily be conferees find themselves in the embarrassing position of having been overruled on the floor, and the Senate has adopted important provisions which are not in accord with their views, a majority of such Senators should not be appointed to the conference committee because when that is done they have a very real conflict of interest and are forced by their duty to the Senate to support provisions with which they are not in accord.

Mr. President, this amendment would change that and require that a majority of the conferees should have supported the Senate version where it is not in accord with the version of the House.

Objection has been raised on the ground that this proposal could not be worked out where we have important complicated legislation and many votes, on some of which the majority of the committee might find themselves outvoted by the Senate. To me this is a specious objection, because where any Senator or member of a committee feels strongly enough about differences of opinion between the members who would ordinarily be conferees and the Senate majority he will raise it with respect to those specific problems.

In the ordinary course of events this objection would not be raised and should not be raised, but there have been times in my experience over the last 10 years where the senior members who would normally be conferees to a bill have been beaten on important questions. They go to conference with the House, and they abandon the position of the Senate in a short amount of time, without making any real effort to stand up for the Senate version.

This is not as true today as it was a few years ago, because of changes in the composition of the Senate. But it could occur today and it might occur frequently in the future.

Therefore, I have felt it desirable to give those who are in the majority in the Senate the right to determine who the conferees should be, at least to the extent of requiring that enough members who feel as they do should be appointed to the conference committee to assure that the point of view of the Senate would be properly represented by people who believe in it. This, of course, does not mean that these conferees have to bleed and die for the Senate version.

In the natural give and take of a conference it will often occur that the Senate will have to yield to the House, even though a majority of the conferees do not agree with the House position. This is essential to the compromise procedures which are the heart of House-Senate conferences.

Mr. President, the memorandum I have had printed in the RECORD makes it clear that if there is a showdown, a majority of the conferees must represent the prevailing view of the Senate.

I believe that the last time there was a real fight on this issue was when the present majority whip, the Senator from Louisiana [Mr. LONG], who had taken a strong position which had prevailed in the Senate over the objection of the senior members of the committee which reported the bill, insisted that additional new, or different conferees be appointed who would represent the prevailing view of the Senate. The Senator from Louisiana [Mr. LONG] made a hard fight in that case and his views prevailed. Certain senior Members announced they did not care to serve on the conference committee and they were replaced by other Senators.

Within the last year or two, there have been situations when measures coming out of the Committee on Finance were overruled on the floor and other provisions supported by a minority of the Committee on Finance prevailed on the floor. In those cases the conferees have been changed, after some discussion and debate, so that the point of view of the majority of the Senate could be adequately represented in conference.

Mr. President, that is the purport of my amendment. I would hope that the Senator from Oklahoma [Mr. MONRONEY] would feel inclined to accept the amendment.

Mr. President, I reserve the remainder of my time.

Mr. MONRONEY. Mr. President, I, too, have observed, as has the Senator from Pennsylvania, some disappointments in that at times crusaders for certain legislation on the floor of the Senate have not been the ones chosen to represent this august body in the conference with Representatives from the House.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CLARK. Even though their views prevailed and the conferees were chosen from those whose views did not prevail.

Mr. MONRONEY. The Senator is correct.

The custom, of course, as the distinguished Senator knows, and it is a custom in appointing conferees, is to apportion the conferees between the party membership as reflected in the committee apportionment and not in regard to exactly how Members voted on the legislation that is going to be sent to the committee.

Mr. CLARK. Unless the question was raised on the floor.

Mr. MONRONEY. Then it only has the moral effect of someone withdrawing himself from being a conferee or being happy to get out of the onerous duty, which it sometimes is.

Bear in mind that we are writing Standing Rules of the Senate in this amendment. Rules, generally, in my opinion, have to be subject to precise interpretation.

On this basis I must call to the attention of the Senate the fact that the amendment before us provides that—

> 4. A majority of the Senate members of a committee of conference shall have indicated by their votes their sympathy with the bill as passed and their concurrence in the prevailing opinion of the Senate on the matters in disagreement with the House of Representatives which occasion the appointment of the committee.

We all know that the complexity of legislation which the Senate considers, whether it be a bill from the Finance Committee, or may have as many as 1,000 subjects in an appropriation bill or a Commerce Committee bill, dealing with a variety of matters such as traffic rates, there is no definite way to ascertain whether a member of the committee would qualify by his vote as being in sympathy with the bill, because of the wide differences of opinion on the various sections as the bill goes through. I do not think it would be appropriate to say to a Member who votes for final passage or who voted against final passage that he is in sympathy with the bill, because he may take it as the lesser of two evils and is voting for or against the bill and still could have disagreed somewhat strongly in the course of consideration of the bill on various amendments which, when taken with the House version, would present a peculiar, particular, and important focal point and where his vote for it or against it would be crucial.

I do not see how it is possible to make an adequate, definite, and firm determination of his sympathetic feeling for the bill, or the point of disagreement with the House in which he is asked to participate.

Mr. CLARK. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. CLARK. If a Senator votes against a piece of important legislation and is then appointed a conferee, and a majority of the conferees are Members who also voted against the bill, how can they possibly fairly represent the Senate?

Mr. MONRONEY. Is the Senator talking about final passage only of a bill, or his sympathy with a bill? My observance of the passage of legislation tells me that many key votes occur long before a bill gets to final passage. Memberships on both sides of the aisle are divided. Perhaps the key issue in the bill is something which occurred in the first session or two of legislation. The Member could have been against many of the things and still could have voted for final passage. The Senator knows that. He does that himself, as I do, many times.

Mr. CLARK. If the Senator would bear with me, I should like to take this step by step in the hope of persuading the Senator from Oklahoma of the logic of my position.

The first step is this question: How is it possible for a Senator who votes against a bill, properly to represent the Senate as a conferee when the Senate has passed the bill?

Mr. MONRONEY. Does the Senator wish me to answer that now?

Mr. CLARK. Please let me finish first. Let me say that that requires refinement because one would expect, in many instances, that conferees representing the minority party would have voted against the bill, but if the senior Members who would normally be appointed as conferees from the majority party also voted against the bill, and the Senate sends to conference a majority of conferees who do not believe in the bill at all, and are against it, I again ask the Senator: How can they be expected properly to represent the prevailing view of the Senate?

Mr. MONRONEY. The clarification I should like on that point is, one, the Senator is assuming that all minority members voted against the bill. Suppose that they do—although it is rare they all would—is the minority party in this body, then, to be denied any representation on the conference committee, and will a proportion of those sent to the Senate conference with the House be heavily overloaded with the majority party?

Mr. CLARK. Of course not. I think the Senator quite misunderstands my point.

My point is clear, but let me restate it so that it may be abundantly clear.

My point is that a majority of all the Senate conferees, minority and majority party alike, should always be in favor of a bill—let us not talk about amendments yet—which the Senate has passed. The specific answer to what the Senator from Oklahoma has just said is, of course, that we would expect to have among the conferees members of the minority party who had voted against the bill. Perhaps you would have among the conferees members of the majority party who had voted against the bill; but among the conferees, taken as a whole, without regard to whether they are Democratic or Republican, there should be a majority which supported the action of the Senate.

To me, this is very clear and I cannot understand the argument against it.

Mr. MONRONEY. In the first place, I have served many times on conference committees on legislation of which I did not approve, or for which I did not vote. I go to the conference as a representative of the Senate. It is my duty, and I think it is largely the duty of all members of the conference committee of the Senate, to support the Senate's position as long as that position offers hope of attaining the viewpoint of the Senate.

Mr. CLARK. Now the Senator has put his finger on what to me, is the vice of the arrangement: that a Senator, when he does that, in my judgment—and I do not attempt to be a guardian of the Senator's conscience—puts himself in the position in which he has a clear conflict of interest, because he is required by his duty to the Senate to stand up in conference for a measure—and remember, we are just talking about a bill, now, not amendments—of which he does not approve and against which he voted. I would think that, under the circumstances, the Senator would decline to be a conferee.

Mr. MONRONEY. The Senator is now talking about final passage of the bill?

Mr. CLARK. That is all I am talking about.

Mr. MONRONEY. I am saying that there is rarely a bill which passes this body which does not find Members all over the lot in disagreement with each other, with their seat mates, with party members, with the minority, with the leadership, or the Presiding Officer of the Senate. Yet, how one gets that "heavenly mix" that the distinguished Senator is asking for in time to appoint the conferees, once they have passed the "blood test" of loyalty in the 51-percent portion of the bill, I do not know.

Yet, the Senator would write it solidly into the rules. I am not a lawyer, but I venture to say that the advocates of many pieces of legislation in the course of determination will allege that the conferees were not loyal to the bill or in sympathy with the bill.

I do not think it is possible of enforcement. Yet the Senator would be pouring it in concrete. If the Senator would suggest a sense of the Senate resolution, or something like that, I think he would probably do more good, and I think he could achieve proper ends by making a speech and argument, before the conferees are appointed.

But then we run into a conference where the conferees are going to be appointed. They are appointed usually by the President of the Senate, but the Senator knows as well as I do that it is generally the chairman and the ranking minority member of the committee that had the bill in tow who sends up the list of names for the committee, and that that list of names, in order not to be charged with packing, is formed by taking minority and majority members in accordance with their ratio on the committee.

The distinguished Senator has observed the progress of youth in this body, the larger number of Senators who are reaching a senior position in the various committees. He has already said that these situations change from year to year. We see today that many of the key members who were at the bottom of the seniority list only a few years ago now have the seniority which the distinguished Senator from Pennsylvania enjoys.

Mr. CLARK. The Senator has, I am sure quite inadvertently, moved away from the point I wish to discuss with him, which has nothing to do with complicated amendments. The sole question is whether the Senator does not agree, where the issue is clear on a bill with no amendments. I will cite this example: there will be one up here pretty soon, and it will be a bill to increase the debt limit.

That is going to be just a simple bill, but it is as controversial as any measure that comes before the Senate. I have no doubt that the Senate will pass a bill increasing the debt limit in pretty much the form the administration seeks, but I am also sure that a number of Members of the minority will vote against raising the debt limit. I am reasonably certain that a number of senior Members of the majority will vote against it.

Does the Senator believe that the best solution is to send into that conference, on a bill in which the Senate may have approved a higher limit than the House, a majority of conferees who voted against the bill?

Mr. MONRONEY. Let us face it. The Senator is dealing with a situation where we could deny the minority party any right to go to conference——

Mr. CLARK. The Senator is quite wrong, if he will excuse me from being so blunt. I said twice, and I say it for the third time—and the Senator will excuse me if I seem to be petulant—that of course the minority will be represented. Of course those who voted against increasing the debt ceiling would be on the conference committee. But a majority of those conferees should be those who were in favor of the position taken by the Senate.

Mr. MONRONEY. I do not see how

the Senator is going to get the balance he wants. I do not think it would be possible, in the light of the representation which the minority has customarily been allowed, to give representation to those on this side of the aisle. Suppose most of them on this side of the aisle opposed it. Are not those from the Democratic side entitled to some representation on the conference committee? If we went clearly by party lines, it would be a different matter to follow the Senator's suggestion, because we would assume that all in the opposition party were in opposition, and all those in the majority party were voting with the majority; but it does not work that way.

The key to this question is that about 80 percent of the legislation that goes to conference has gone to both Houses and we are fighting over a percentage of amendments. Members of the conference may have voted for or against amendments to any or many portions of the bill not in conference. A member of the conference could be in favor of or opposed to amendments passed by a large majority when the bill was finally being put through the floor of the Senate——

Mr. CLARK. If I may use an analogy in fishing, which I am sure will not be objected to by the Senator from Oklahoma, I think the Senator slid off the hook.

Mr. MONRONEY. I did not slide off the hook. I am trying to grasp the procedure by which it would be possible to put on conferences those Senators who voted with the majority.

Mr. CLARK. I shall be glad to show the Senator the way it can be done. Let us take first, as an example, the debt limit bill, which embodies a clean vote. That bill will come out of the Finance Committee. Let us assume—whether I am right or not—that a number of the senior members of the majority party of the Finance Committee vote against increasing the debt limit. Let us assume further that some, if not all, of the minority members of the committee will also vote against it. If the rule of seniority applies, we will have as members of the Senate conference a majority of members who are opposed to the debt ceiling increase, and therefore have a conflict of interest with respect to the position of a majority of the Senate.

How do we fix that? Very simple. Take the senior member on the majority side and see whether he voted for or against increasing the debt limit.

Mr. MONRONEY. Who is going to make the choice?

Mr. CLARK. The Senate itself. The manager of the bill who sends up the names of the conferees would have to be guided by the membership. It has been done again and again, in accordance with the precedents.

Let us make it a simple case. Let us suppose there will be seven conferees. Let us suppose there will be four from the majority and three from the minority. Let us suppose the minority party, making up three members of the conference committee, have voted against the bill. Then say the majority puts up four members, all of whom have voted for it. If some of the minority voted for the bill, then there would not have to be so many members of the majority party who voted for the bill on the conference. Then those who voted against the bill would have a guideline as a matter of a Senate rule, instead of as a matter of common decency, in making a choice of a conferee who might have a conflict of interest and would be put on a conference to support a position with which he disagreed.

So it is no problem in a simple bill, such as the bill to increase the debt limit.

It would not take very long to find a majority, by moving down the seniority list, to ascertain those who did support the position of the Senate, in order to obtain a majority of conferees who supported the position of the Senate.

If, however, it were found that the list of the membership of the committee had been exhausted and no one could be found to speak for the bill because the committee had repudiated the whole bill—which I do not think would happen—then the Senate could go outside the committee, as has been done in accordance with the precedents. There would be 51 Senators who would qualify, because the Senate would have passed the bill by at least that much of a majority.

Mr. MONRONEY. I am still trying to find the easy, quick way to do it. I do not know what happens to the ranking minority member if he voted for the bill. Would he be in left field?

Mr. CLARK. No; he would be a conferee.

Mr. MONRONEY. Maybe he would be in right field.

Mr. CLARK. He may be in right field. At least he is going to have his glove on, because he will be there in conference.

Let me say to the Senator from Oklahoma that there is no real complication when there is a simple bill. Now, when we get to the question of amendments——

Mr. MONRONEY. Before the Senator leaves the subject of a simple bill, does he think it is impossible—the Senator is a lawyer, and I am not—for one to represent the Senate position in a conference even though he voted against the position of the Senate?

I have always felt, in attending to the Senate business, that it was my duty to make whatever contribution I could to support the position of the Senate in conference as long as that position was tenable. I have never gone to conference and said, "The Senate gives in to the House position." The Senator is ranging from a whole quantity of disagreements to a small number——

Mr. CLARK. No; we are talking about a separate bill, not amendments. We will get to amendments later.

Mr. MONRONEY. But a simple bill has had amendments added by the Senate or the House. We are talking about Members who have voted for it or against it as a measure of loyalty.

Mr. CLARK. No; we are not talking about bills with a whole lot of amendments. We will talk about that later. I am talking about a simple bill like the debt limit bill. That is the easiest way to apply the rule.

The Senator asked me as a lawyer to answer a question. I will say to him, speaking as a client, rather than as a lawyer, I certainly would not want a lawyer representing me who did not believe in my case.

That is what you do when you send conferees to a conference committee, a majority of whom do not believe in the case of their client. Their client is the U.S. Senate. That is why I have proposed this rule.

Now may we go, unless the Senator wishes to continue the discussion of this simple question, to the question of amendments?

Mr. MONRONEY. It does not appear as simple to me as it does to the distinguished Senator from Pennsylvania, because I have seen these things happen over a period of time, and they are very complicated indeed, when you try to work out the proper representation of the minority and the majority.

Mr. CLARK. The precedents which I put into the RECORD earlier, and which I did not wish to bother the Senator by reading, show that time after time, going back to the 19th century, whenever this question has been raised on the floor, there has been a ruling that a majority of the Senate conferees must have supported, by their votes, the action taken by the Senate. This is nothing new, it is nothing difficult, it is nothing complicated. It is merely putting into terms of a rule what are the precedents which I am sure would be applied if we had to raise the question again in the embarrassing way it has been raised from time to time—because it is embarrassing, particularly for a junior Senator, to rise on the floor and suggest that Senator X, who has been here 45 years, is not qualified to be a conferee because he cannot conscientiously represent the views of the Senate, and he and those who feel like him would represent the views of a majority of the conferees.

Let me say again, of course, the minority should be represented. The minority view of the Senate should be represented. The view of the minority party should be represented. There is nothing difficult about it. It is a very easy thing to work out. It has been worked out year after year and time after time, whenever the question has been raised.

When we come to the question of amendments, I agree it is a little more complicated, but it is not all that complicated, because in one or two instances there are very critical amendments about which the Senate feels very strongly, and where there is a division by a rollcall vote. In those instances, it ought to be the rule that the majority of the conferees on the major matters in disagreement with the House should represent the prevailing view of the Senate.

I quite agree that if you get an Internal Revenue Act, and you have 150 amendments or something of that sort, this rule cannot practically be applied. But on the average piece of legislation that comes before the Senate, there are no more than two or three controversial matters, and there it is perfectly simple to do this. In the other cases, with this rule on the book, I would think the commonsense of the manager of the bill or the presiding officer would be adequate to assure the equitable solution of a problem which might conceivably get complicated; but I do not think such problems grow complicated more than two or three times in the course of a session.

Mr. MONRONEY. I think it can get more complicated and more heated than almost anything else I have observed, because we would be asking someone to interpret a matter that is impossible of interpretation—where a man's sympathy lies, and how the ratio of his votes on the bill entitles him or does not entitle him to membership on a conference committee.

As presently provided, it would fall in a regular groove, where no one can challenge the Presiding Officer's selection of those who shall go to conference.

The Senator from Florida is a very distinguished legislator, who has served on many committees and is the chairman of one of the appropriations subcommittees. I am happy to yield to him on this issue.

Mr. HOLLAND. Mr. President, I should like to know what the time is. I do not wish to consume all the distinguished Senator's time.

The PRESIDING OFFICER. The Senator from Oklahoma has 3 minutes remaining. The Senator from Pennsylvania has 21 minutes remaining.

Mr. CLARK. Mr. President, I am happy to yield the Senator from Florida 5 minutes of my time, even though I know he opposes me on this issue.

Mr. HOLLAND. Mr. President, I thank the Senator from Pennsylvania for his customarily gracious conduct.

I say to the Senator from Oklahoma that I think he is completely correct in the position he is taking. In the first place, as the Senator from Florida has commented from time to time in this debate, when we get into the matter of amending the standing rules of the Senate, we are in trouble on this bill.

The proposed amendment is not really an amendment to rule XXVII of the Senate, but it is an addition to it, and constitutes a separate rule. Senate rule XXVII covers the subject of reports of conference committees under three headings, and has nothing at all to do with the composition of conference committees. Here we have an amendment proposed to this particular standing rule, which would be a new standing rule, if adopted, and at variance with the practice of the Senate. I hope we will realize that that is what this is—an effort to write a new standing rule of the Senate, which I think is not supported by the experience of the Senate.

The second point I wish to make is that the Senator from Oklahoma is so right in calling attention to the fact that most bills passed here which go to conference have many points of difference. I have served most often on conference committees on appropriation bills and on agricultural bills. I recall an appropriation bill just 2 or 3 years ago, where we had 150 points of difference between the Senate and the House—many of them differences which had been hard fought here on the floor of the Senate. How in the world to even begin to apply the proposed new standing rule of the Senate to that kind of situation I do not see.

The Senator from Florida, in his sitting in conference committees on agricultural bills—and he mentions just two, one of them the Agricultural Act of 1965 and the other the cotton bill so ably handled by the Senator from Georgia last year—voted against both those bills, served as a conference committee member on both of them, and in both instances was told afterward by the Senator from Louisiana [Mr. ELLENDER] and in the latter instance by the Senator from Georgia [Mr. TALMADGE] that he had rendered good service in the suggestions that he had made in the course of the conference.

Any Senator will feel that as a conferee he is a trustee for the Senate, and if he feels that he cannot be, he will ask to be excluded from serving as a conferee. I have been here now nearly 21 years, and I know that that is the rule. If a Senator feels so deeply opposed to some particular matter in a bill, or, if it is a simple bill, as mentioned by the Senator from Pennsylvania, where he is deeply opposed to what the Senate has done, he will ask to be relieved. But if he sits in conference, he will represent the Senate, because he knows he is sitting as a trustee of the Senate; and this kind of argument, this kind of proposed standing rule, is an attack on the probity and the character of Senators, and that is all it is. I want it to be understood as such.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. MONRONEY. I have seen many a committee chairman who has fought bitterly against an amendment that has been written in on the floor go to conference and make a heroic fight—and generally a successful one—to maintain in the bill that which the Senate in its wisdom had enacted, overriding his position for which he may have fought for hours or for days. The Senator from Florida, I know, has seen the same thing.

Certainly there is no surrender that I know of that is justified simply because of your position on the floor, eliminating your responsibilities as a member of a conference committee representing the Senate.

Mr. HOLLAND. I thank the Senator from Oklahoma.

The third point I make is that the only illustration offered by the Senator from Pennsylvania is almost a reductio ad absurdum, if I may use that phrase, because the resolution to extend the debt limit is a little, one-paragraph resolution with one figure in it which is voted either up or down; there is no other issue in connection with it. It is a rarity among the measures on which we act.

If the Senator from Pennsylvania had included in his rule something to the effect that "This rule shall be applicable only if there is one matter in difference between the Senate and the House," he might have a case. But when he makes the offer to establish a new standing rule varying from the practice of the Senate during all the years of its existence, a rule which would apply to all the complicated questions which the Senate handles, and on which there are sometimes well over a hundred differences with the other body, I think the proposal becomes absurd.

I hope the Senator from Oklahoma will prevail in his opposition to this particular amendment.

Mr. CLARK. Mr. President, I yield myself as much time as I may require. Do I correctly understand that I have 16 minutes remaining?

The PRESIDING OFFICER. The Senator from Pennsylvania is correct.

Mr. CLARK. I do not intend to respond at length to the Senator from Florida. It is entirely clear that the procedures I am advocating are not new; they are as old as the Senate itself. The record I have made establishes that clearly.

There are modern instances when the rule I am now advocating has been applied as a matter of Senate custom and procedure; therefore, there is nothing radical or new or, indeed, difficult about the proposed amendment, and I think that in the prior discussion I have made as much of a record in support of it as is desirable.

The Senator from Florida said something about my attacking the probity of the Senate or of individual Senators. Nothing is further from my mind. I merely attempt to apply to the Senate that wise rule that you do not hire a lawyer who does not believe in your case. It is just as simple as that. Or that if we hire a committee of lawyers, we want to be sure that a majority of the committee believes in our case. That is all the amendment provides.

If I may have the attention of the Senator from Oklahoma, I am under no illusions as to what will happen to the amendment on a yea-and-nay vote. I suggest that we yield back the remainder of our time and dispose of the amendment on a voice vote.

Mr. MONRONEY. Is the Senator prepared to yield back the remainder of his time?

Mr. CLARK. I am.

Mr. MONRONEY. It is satisfactory to the Senator from Oklahoma to have a voice vote, unless some Senator desires to have a yea-and-nay vote. I yield back the remainder of my time.

Mr. CLARK. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 11

Mr. CLARK. Mr. President, I call up my amendment No. 11 and ask that it be stated.

The **PRESIDING OFFICER.** The amendment will be stated.

The assistant legislative clerk read as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"Sec. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"STANDING RULES OF THE SENATE"

"SEC. 123. (a) Rule III of the Standing Rules of the Senate is amended to read as follows:

" 'RULE III

" 'COMMENCEMENT OF DAILY SESSIONS

" '1. The Presiding Officer having taken the chair, and a quorum being present, motions to correct any mistakes made in the entries of the Senate Journal of the preceding day shall be in order and proceeded with until disposed of, unless objected to. If objection is made, the Senator moving to correct the Senate Journal and the Senator objecting may file at the clerk's desk briefs in support of their positions. Such briefs shall be printed in the Senate Journal for the calendar day on which the motion to correct was made, together with a notice that a vote on the motion will take place on the following calendar day on which the Senate is in session at a time certain to be set by the Presiding Officer. At the designated time, the motion to correct shall be submitted to the Senate and decided without debate.

" '2. Unless a motion to read the Senate Journal of the preceding day, which shall be nondebatable, is made and passed by majority vote, the Senate Journal shall be deemed to have been read without actual recitation and approved.

" '3. A quorum shall consist of a majority of the Senators duly chosen and sworn.'

"(b) Rule IV of the Standing Rules of the Senate is amended to read as follows:

" 'RULE IV

" 'SENATE JOURNAL

" '1. The proceedings of the Senate shall be accurately stated in the Senate Journal which shall be the Senate section of the Congressional Record. Messages of the President in full; titles of bills and joint resolutions, and such parts as shall be affected by proposed amendments; every vote and a brief statement of the contents of each petition, memorial or paper presented to the Senate; the legislative proceedings; and, the executive proceedings in open executive sessions, shall be entered.

" '2. The executive proceedings in closed session, the confidential legislative proceedings, and the proceedings when sitting as a Court of Impeachment, shall each be recorded by the Journal clerk in a separate book.' "

UNANIMOUS-CONSENT AGREEMENT

Mr. MONRONEY. Mr. President, I ask unanimous consent that the time on the pending amendment be limited to 1 hour—30 minutes to be controlled by the manager of the bill and 30 minutes by the distinguished senior Senator from Pennsylvania.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

Mr. CLARK. Mr. President, I yield myself as much time as I may require.

The purpose of the pending amendment is to eliminate a device which has been used on occasion to promote delay and, indeed, to aid filibusters.

However, so many tools are available to Members of the Senate, in the light of the present form of rule XXII, to enable them to filibuster any measure, that I would hope that the anachronism of requiring the reading aloud of the Senate Journal need not be continued for the sole purpose of making a filibuster a little easier than it is already; and, goodness knows, in view of what occurred in the Senate a couple of weeks ago with respect to rule XXII, it is easy enough.

The Senate Journal is nothing more than a quaint anachronism, which is never looked at by anybody and is read only for the purpose of delay. Its place has been taken, for practical purposes, by the CONGRESSIONAL RECORD. The proposed amendment recognizes this obvious fact and satisfies article I, section 5, clause 3, of the Constitution, which requires each House to keep a journal of its proceedings, by stating that the Senate section of the CONGRESSIONAL RECORD shall be the Senate Journal.

Since the CONGRESSIONAL RECORD is printed and available to Senators each morning following a session, there is no need to have it read aloud. The right to require the reading aloud of the Senate Journal, unless unanimous consent to the contrary is given, would be abolished by the proposed amendment.

Presumably, any errors in the CONGRESSIONAL RECORD would be corrected informally, as is done today, or by unanimous consent. But a procedure for correcting mistakes by motion, without debate, is provided as a safeguard for those cases in which unanimous consent cannot be obtained. Under this procedure, a Senator seeking to make the correction and the Senator objecting to the correction may file written briefs in support of their positions, for publication in the CONGRESSIONAL RECORD in advance of the vote.

I requested the Legislative Reference Service of the Library of Congress to provide me with information as to how many times in the past 10 years the Journal of the Senate for the previous day had been read. I have a memorandum to that effect which I should like to discuss briefly. However, I should like to reassure my good friends, the Journal clerks, that if this amendment is passed, their employment will not be terminated forthwith. There is no such intention on my part. I would think that these able public servants might be well employed in preparing each day, for insertion in the Senate section of the CONGRESSIONAL RECORD, a summary of the proceedings, not too different—except that it would be printed instead of typewritten—from the one which they presently prepare at the end of every Senate session.

So, this is not a proposal to increase unemployment among the able and dedicated and quite senior employees of the Senate. The real purpose of the amendment is to remove a kind of silly provision which has been used for the purposes of delay for many a long year, and to provide, by Senate rule, what is actually the fact: that, as a practical matter, the CONGRESSIONAL RECORD has taken the place of the Senate Journal and did so many years ago.

I should like to turn to the report which was furnished to me by the American Law Division. They find that, on August 31, 1959—which embraced the calendar days of Thursday, September 3, Friday, September 4, and Saturday, September 5—Senator Johnson, of Texas, now our President, asked unanimous consent that the reading of the Journal be dispensed with; and our able friend, the Senator from Oregon [Mr. MORSE], objected. Under consideration at that time was the Federal Highway Act of 1959. The Senate had adjourned on September 5, 1959, at 12:48 p.m., and convened on September 5, 1959, 12:51 p.m., thus creating a new legislative day.

If the Senator from Oregon were on the floor—he is not—I am sure that he would agree with me that his only reason for refusing unanimous consent to dispense with the reading of the Journal was to delay temporarily further consideration of a piece of legislation to which he was opposed. And he succeeded in that regard, probably to the irritation of many Senators.

The next occasion, during the past 10 years, on which the Senate Journal was required to be read was on March 8, 1960, a Tuesday. Again, a situation existed in which a legislative day consisted of many calendar days, and therefore the Journal was considerably more voluminous than normally would have been the case. Again, at that time, the then majority leader, Senator Johnson, of Texas, asked that the reading be dispensed with, and Senator LONG of Louisiana objected; and so the Journal for the calendar days of February 27, 29, March 1, 2, 3, 4, 5, 7, and 8 was read at length.

At that point, the Senate was considering a bill relating to Fort Crowder, Mo., to which a civil rights amendment has been attached. Obviously, the purpose behind the refusal of Senator LONG to yield unanimous consent was—I am sure we will agree—delay in aid of a filibuster.

The Senate did much the same thing on that occasion as it had done on the occasion the year before, to which I have just referred. The Senate adjourned on March 8, 1960, at 4:04 a.m., and convened on March 8, 1960, at 4:05 a.m. This brought on a new legislative day, and the Journal for all the calendar days during which the Senate had been in recess was read.

After a Senate recess, as opposed to an adjournment, the procedure is not to call for the reading of the Journal. The reading of the Journal is called for only when the Senate has adjourned on the previous day.

Note the fact that those were the good old days, when we attempted to break filibusters by sitting around the clock. It was 4 o'clock in the morning when Senator LONG rose to request the reading of the Journal. My recollection is, having been summoned from my own cot in my office, that Senator LONG's motion resulted in making it unnecessary for any Senators who were filibustering against the civil rights bill to take the floor until a reasonable hour after breakfast the next morning. Perhaps breakfast was early.

The next occasion was August 21, 1961. On that occasion the Senator from Pennsylvania was the guilty party. I was trying to call to the attention of Senators the absurdity of reading the Journal. Somewhat to the annoyance of Senators I insisted that it be read, to give them an object lesson on how foolish this practice was, in the hope—which turned out to be a vain hope—that this procedure would result in an amendment of the rules. I objected to the unanimous-consent request made by the majority leader, the Senator from Montana [Mr. MANSFIELD], that the reading of the Journal for the previous Friday, August 18, 1961, be dispensed with.

However, having made my point, and the Journal having been fairly voluminous that day, during the reading I moved to dispense with further reading of the Journal. That motion prevailed. I subsequently explained that my objection had been made to demonstrate the cumbersome procedures of the Senate under the existing rules.

There were similar occasions in 1962, 1963, 1964, and 1966, when unanimous consent was denied to dispense with the reading of the Journal.

On one occasion the objector was the Senator from Oregon [Mr. MORSE] who was engaged with a small but valiant group of Senators filibustering against the communications satellite bill.

On another occasion the Senator from Georgia [Mr. TALMADGE] refused unanimous consent to the reading of the Journal. We were dealing then with a civil rights bill. Again, I am sure that my congenial friend, the Senator from Georgia [Mr. TALMADGE], would agree that he and the senior Senator from Georgia [Mr. RUSSELL] who was also involved on that occasion, called for a reading of the Journal purely for purposes of delay.

Actually it is rather entertaining to recall on that occasion that the Senate recessed in order to hear an address by the Emperor of Ethiopia, Haile Selassie. A parliamentary question arose as to whether the morning hour existed thereafter. Accordingly, the Journal was required to be read in order to give opponents of the pending bill which, as I say, had to do with civil rights, an opportunity to delay consideration of the bill.

The Senator from Georgia [Mr. RUSSELL] was again the objecting Senator in 1964. The Senator from North Carolina [Mr. ERVIN] was the objecting Senator on January 25, 1966.

So, we have a long history of occasional—not often, not frequent, but occasional—efforts to use the Journal reading as a tool in filibusters.

This is not an earth shaking amendment, but I believe it is worthy and I would hope that my friend, the Senator from Oklahoma [Mr. MONRONEY] would be willing to accept the amendment, and if he is not willing to accept the amendment to advise me what he has been able to conjure up by way of objection to it.

Mr. President, I reserve the remainder of my time.

Mr. MONRONEY. Mr. President, I yield myself 5 minutes.

Mr. President, the amendment of the distinguished Senator from Pennsylvania [Mr. CLARK] is one that is, of course, outside the jurisdiction of the Joint Committee on the Organization of Congress, since we were prohibited from recommending any amendments or changes in the practices, precedents, or procedures on the floor, and we held fast to this prohibition that the committee was given in the resolution creating the committee.

This does not prohibit the distinguished Senator from Pennsylvania from offering amendments to the bill affecting floor procedure. However, I wish to call attention to the fact that it is an area in which the Senate traditionally and historically has been very cautious. I am sorry that I cannot accept the amendment.

I feel that I would be less than frank if I did not say to the distinguished Senator that I feel he is tinkering with very necessary mechanisms to the Senate. It is true it becomes obnoxious to many Members when the reading of the Journal becomes a part of the filibuster. However, I wish to call attention to the fact that if the Journal were not being read, there would not be a cessation of vocal sounds in the Chamber, nor would we have quiet on the Potomac during that period. Someone would be reading or speaking, as the late Senator Huey Long read the recipe for sazerac cocktails, or as Aunt Minnie's cookbook has been read, or other material has been read to fill the RECORD, and this is done instead of having the official Journal of the Senate read.

Mr. President, I cannot remember more than one time a year, and I doubt if there has been one time in every 2 years, that calling for the Journal to be read has been a part of the filibuster.

I am glad to hear the Journal read once in awhile, although I do not always sit through it, because I think it goes back to a very historic part of the business of the Senate.

The Journal is neither "quaint" nor an "anachronism." It is required by the Constitution in article I, section 5, clause 3, as the distinguished Senator from Pennsylvania admits. When the framers of the Constitution used the word "Journal" they clearly did not envisage a verbatim record of proceedings but rather a brief and concise statement of proposals made, reports and petitions received, and action taken. This was the general usage in 1787, and it is the general usage today. Almost every parliamentary authority agrees upon that definition or something very similar to it, whether in regard to the journals of legislative bodies or the minutes of other organizations.

Because the Senator objects to its use in a filibuster would be, I believe, a poor excuse. We would have records which I am certain would be less accurate and less satisfactory and which would offer less evidence of proof of accuracy than the Journal does for the all important actions taken in connection with the passage of legislation and other matters which take place during the course of the legislative day in our body. I do not see why we should take our spite out on the Journal because we get bored with the long intonation of words offered in this Chamber during a filibuster.

The Senator knows that progress has been made in great strides for shortening filibusters in recent years. In fact, all civil rights legislation that this body has passed has come about through the use of the Senate rules and bringing these matters to a vote. Senators have been disturbed from time to time in filibusters in other years, but I cannot remember the Journal as having been the villain or the seedbed for fostering the filibuster.

We have a clear indication as to how the word Journal was understood by the Founding Fathers and their contemporaries from an important incident in the early history of the Senate. Until 1795, all Senate sessions were held behind closed doors. This displeased many people and many of the State legislatures, who wished to keep tabs on their Senators. There were complaints that the Senate Journal did not give enough information for that purpose. The remedy proposed, however, was not that the Journal be expanded into a verbatim report, but rather that the Senate open its doors to the public. Clearly it was understood then, as it is now, that a Journal should be an official, brief, concise record.

Furthermore, the Journal is an important legal document. As Robert Luce points out in his authoritative work, "Legislative Procedure," the Journal "is a matter of grave importance when the validity of legislation is questioned in the courts"—page 532. The Journal is, and was meant to be, the official record of proceedings, while the CONGRESSIONAL RECORD is designed for general and supplementary use.

In view of the legal and constitutional significance of the Journal, it is incumbent upon the Senate to insure that this official record of its proceedings be absolutely correct and accurate.

Mr. CLARK. What is the Senator reading from?

Mr. MONRONEY. I am looking at a brief prepared at my request by the Legislative Reference Service.

Mr. CLARK. What is the Senator quoting from?

Mr. MONRONEY. The book written by Robert Luce entitled "Legislative Procedure." I repeat, that the Journal "is a matter of grave importance when the validity of legislation is questioned in the courts."

Contentions that the Journal is inaccurate in any respect deserve full and detailed attention by the Senate. Such attention would be impossible under the procedure suggested in amendment No. 11. The argument for and against correction would be limited by that proposal to pro and con briefs that would have to be submitted on the same day the request for correction was made. It is unlikely that a sufficiently detailed brief could be drawn up in so short a time, especially if the correction is a significant one. Nor is it reasonable to expect that the brief objecting to the request for correction could be drawn up so quickly. Furthermore, if the correction demanded is of any importance, it is unreasonable to expect Senators to make up their minds in 1 day, as demanded by the amendment.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. MONRONEY. Mr. President, I yield myself 5 additional minutes.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 5 additional minutes.

Mr. MONRONEY. Mr. President, how much time have I used up?

The PRESIDING OFFICER. Seven minutes have been used so far.

Mr. MONRONEY. I thank the Chair.

Mr. President, finally, under the terms of the proposal there would be no debate when the vote is taken on the day following the filing of briefs, so that Senators would not even have the opportunity to question the Senator who wishes to correct and the Senator who objects. There would be no opportunity to explain and clarify. Again, the Journal is too significant a document to be dealt with in such a summary fashion.

It is true, of course, that the present procedure is open to abuse, and that it has in fact been abused on occasion. But if every right were abolished merely because it is occasionally abused, we would soon have no rights at all. It is in the nature of freedom and of democratic government that its methods may be misused. Free speech and freedom of the press are often abused, much more often than is the present procedure for dealing with the Senate's Journal. Yet we would not think of restricting those freedoms and rights on that account. It is a fact, moreover, that the incidence of abuse of the present procedure is very small.

Mr. President, that is the point I am making, that it would be hard to find, if one goes back and reads the debates which have taken place during filibusters, where the Journal is the devil in this instance. Certainly, I do not believe the Senator has made any case for the substitution of the Congressional Record which is matter set in type and subject to typographical errors, to misplaced paragraphs, to dropped quotations, to other names, and which was never designed to be a legal document containing the basis of final actions taken by the Senate.

Mr. CLARK. Would the Senator advise me when that book by Mr. Luce was written from which he was quoting?

Mr. MONRONEY. I am sorry, I cannot say; but I still feel from what I learn of the Journal, that it is a document which may be used to ascertain the final validity of actions taken by the Senate. Does the Senator question that?

Mr. CLARK. Yes, I do. In my experience as a practicing lawyer, I have never heard of the Senate Journal ever being referred to. I have heard many cases during debate on the floor of the Senate where it was referred to as a matter of legislative history.

Mr. MONRONEY. Of course, the Journal makes no pretense to cover debates. It merely covers actions taken on legislation which the Senate has actually passed, whether petitions were submitted, and other items. Certainly, I do not believe, with the pending amendment, that I am prepared to repeal the use of the Journal as a method of listing proceedings and actions taken by the Senate, or on votes with which legislation is passed. I think it is an important document, even though it can be—as the Senator feels, and quite properly so—misused, as can any other item.

I think that the pattern of filibustering has changed. It certainly has during the years I have been a Member of the Senate when, instead of going all out for extraneous matter to dump into a filibuster, merely because it is handy, Members now use better staffs, with better abilities to research material.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. MONRONEY. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from Oklahoma may proceed for 2 additional minutes.

Mr. MONRONEY. Members are now better equipped to research the subject in question. Then, they generally speak germanely by to the bill. The Senator knows that as well as I do. Nongermane debates have passed out. They are "passe." They irritate the public. They do not like them.

I can think of no conceivable reason to do away with the Journal merely because of occasional irritation on the part of those who would like to get on with the passage of legislation. We find it being used rarely as a tool of the filibusterer, instead of being necessary to read it.

Hardly a day goes by when there are not a number of errors in the Congressional Record; therefore it would be an inadequate record to turn back to as a final check on the validity of the various actions taken by this body.

For that reason, I hope and I urge that the amendment not be favorably considered by the Senate.

Mr. HOLLAND. Mr. President, will the Senator from Oklahoma yield?

Mr. CLARK. Mr. President, I wonder whether the Senator from Florida would be willing to suspend for just a moment, in order that I may suggest a very brief quorum call, because the Senator from Delaware [Mr. Boggs] has a procedural problem, and I should like to take it up with the Senator from Oklahoma.

Mr. HOLLAND. That is perfectly all right.

Mr. CLARK. Mr. President, I suggest the absence of a quorum.

Mr. MONRONEY. Mr. President, I ask that the time for the absence of a quorum not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, I should like to have the attention of the Senator from Florida, as well as the Senator from Oklahoma and the Senator from Delaware. Representing the minority and myself, we are of the view that if we can get a short rollcall vote within the next 10 minutes, we should do so. If not, perhaps we should go over until tomorrow.

I am prepared to yield back the remainder of my time, and when we get 11 Senators in the Chamber, we can ask for the yeas and nays.

If the Senator from Florida desires to prolong debate, that is entirely satisfactory to me.

Mr. HOLLAND. Mr. President, I should like to be heard for 3 or 4 minutes, but I have no desire to prolong debate.

I am strongly in accord with the first statement made by the Senator from Oklahoma, that this committee was prevented by the Senate itself from considering any such sweeping amendments, this being an amendment to the Standing Rules of the Senate—Standing Rules of the Senate III and IV. On that ground alone, I think we should summarily reject the proposed amendment.

Of course, there are many additional reasons. If we try to substitute the Congressional Record for the record of the accomplishments, procedures, and actions taken by the Senate what we would be doing would be to substitute the effusions of single Senators as they appear in the Congressional Record for actions taken by the Senate.

The Senator knows perfectly well that a large part of the Record of the Senate as printed each day consists of the reporting of nongermane speeches which have nothing in the world to do with the business of the Senate that is then pending. There is certainly no justification for calling that kind of procedure a part of the record of performance of the Senate when it is no such thing.

The Senator from Oklahoma has already mentioned one point which I think is of tremendous importance. We do not have time to read on the next day everything we have said. We have the right to ask for corrections as needed as long as the session is running. Sometimes we ask to make corrections days, or even weeks, later.

To the suggestion that on the next day, to be passed upon in the summary fashion as provided in the proposed rule, the Record becomes not only the permanent Record, but a journal, a record of the accomplishments of the Senate—which, in most instances, are imprints simply of speeches on subjects we are not interested in, like many recent speeches that have been made on Vietnam, when there was no business on Vietnam before the Senate, and that that Record shall become the official record of the accomplishments of the effective work of the Senate, and to have nongermane speeches set out in it as a part of the records of the Senate and as a part of the permanent Record—of course there could be only one answer to that. We, of course, would not consent to that.

I would hope that the Senator from

Oklahoma would move to lay the amendment on the table, since it is a clear departure from the assigned work of his committee, since it is a clear departure from the traditions of the Senate, and since it is a clear departure from what is provided by the constitutional reference to the Journal of the Senate which is required to be made.

My own judgment is that by adopting a provision of this kind we would be doing nothing but reflecting discredit on the Senate.

I agree wholeheartedly with what the Senator from Oklahoma has said.

Mr. MONRONEY. I thank the Senator from Florida. I think it would be a disservice to those who must have factual data as to the proceedings of the Senate which the Senator from Florida has described.

Mr. President, I ask that we——

Mr. CLARK. Mr. President, will the Senator withhold for 1 minute so that I may make a brief reply?

With every good nature, I would have to say, for all the reasons which I have hitherto stated in the debate, that I profoundly disagree with every statement made by the Senator from Florida. There is no constitutional question involved. The Journal would be incorporated in the full CONGRESSIONAL RECORD. My only purpose is to elminate a filibuster device. There is nothing sacred involved, nothing being called back from the Founding Fathers in this proposal whatsoever.

A few days ago the Senate agreed to permit the installation of electronic equipment in the Senate in order that Senators might be better heard. This was a worthwhile bow in the direction of the modern world. I should like to see us make another bow in the direction of the modern world by agreeing to this effort to do away with this anachronism.

The PRESIDING OFFICER. The 1 additional minute yielded to himself by the Senator from Pennsylvania has expired.

Mr. CLARK. Mr. President, I am prepared to yield back my time, if the Senator from Oklahoma is prepared to yield back his time, to ask for a quorum call, to get the yeas and nays on the amendment, if the Senator so wishes, or——

Mr. MONRONEY. Mr. President, I believe, since this proposal goes beyond what the Senate committee did, that a motion to table would be more appropriate.

Mr. CLARK. Perhaps we should have the yeas and nays first.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. What is the parliamentary device by which the yeas and nays can be obtained on a motion to table before termination of debate is had?

The PRESIDING OFFICER. The unanimous-consent device would be open to the Senator.

Mr. HOLLAND. Mr. President, I should like to call attention briefly to the fact that when we get the Senators here on a quorum call we can quickly get the yeas and nays. Either the distinguished Senator from Oklahoma can ask for the yeas and nays or the distinguished Senator from Pennsylvania can. There will be no trouble about it.

I dislike to see a practice grow up whereby, by unanimous consent, with three or four Senators present, the Senate can agree to the yeas and nays. I do not think that is in accordance with the constitutional provision as to how the yeas and nays can be obtained. While I suspect it has been done in the remote past, I remember the distinguished majority leader [Mr. MANSFIELD], on a prior occasion, objected to that device for getting the yeas and nays.

Mr. MONRONEY. Mr. President, I agree that we ought not to get the yeas and nays under those circumstances.

I observe the absence of a quorum. I ask unanimous consent to have——

Mr. CLARK. Mr. President, I ask unanimous consent that the time for the quorum call not be charged to either side.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. Has not all time been yielded by both parties in this debate?

The PRESIDING OFFICER. The Chair did not so understand.

Mr. CLARK. We undertook to do that if a procedure could have been worked out for getting the yeas and nays.

The PRESIDING OFFICER. Without objection, the time for the quorum call will not be charged to either side, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, I yield back my time on the amendment.

Mr. CLARK. Mr. President, I yield back my time on the amendment.

Mr. MONRONEY. Mr. President, I move to table the amendment of the distinguished Senator from Pennsylvania, and ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the motion to table. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Michigan [Mr. HART], the Senator from New York [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from New Mexico [Mr. MONTOYA], the Senator from Rhode Island [Mr. PELL], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Connecticut [Mr. RIBICOFF] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER], the Senator from Mississippi [Mr. EASTLAND], the Senator from New Mexico [Mr. MONTOYA], the Senator from Rhode Island [Mr. PASTORE], the Senator from West Virginia [Mr. RANDOLPH], the Senator from New Hampshire [Mr. MCINTYRE], and the Senator from Rhode Island [Mr. PELL] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Texas [Mr. TOWER] is absent on official business.

The Senator from New Jersey [Mr. CASE], the Senator from Colorado [Mr. DOMINICK], the Senator from Kentucky [Mr. MORTON], and the Senator from South Dakota [Mr. MUNDT] are necessarily absent.

The Senator from Michigan [Mr. GRIFFIN], the Senator from Vermont [Mr. PROUTY], and the Senator from North Dakota [Mr. YOUNG] are detained on official business.

If present and voting, the Senator from Colorado [Mr. DOMINICK], the Senator from Michigan [Mr. GRIFFIN], the Senator from South Dakota [Mr. MUNDT], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 71, nays 8, as follows:

[No. 14 Leg.]

YEAS—71

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Cooper
Cotton
Curtis
Dirksen
Dodd
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Gruening
Hansen
Harris
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Metcalf
Miller
Mondale
Monroney
Moss
Murphy
Muskie
Pearson
Percy
Russell
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Williams, Del.
Young, Ohio

NAYS—8

Clark
Hartke
Javits
Morse
Nelson
Proxmire
Williams, N.J.
Yarborough

NOT VOTING—21

Brewster
Case
Church
Dominick
Eastland
Griffin
Hart
Kennedy, N.Y.
Lausche
McIntyre
Montoya
Morton
Mundt
Pastore
Pell
Prouty
Randolph
Ribicoff
Tower
Tydings
Young, N. Dak.

So the motion to lay on the table was agreed to.

FOREIGN POLICY AND THE CRISIS MENTALITY

Mr. McCARTHY. Mr. President, the January issue of the Atlantic includes an article by Senator GEORGE MCGOVERN expressing his concern about the disturbing tendency of some citizens to view foreign policy issues with a "crisis outlook." The article also reflects his judgment about the need for a reasonable and critical look at our foreign policy assumptions.

Members of the Senate are familiar with the extensive and conscientious ef-

forts of Senator McGOVERN, both in the Senate and previously as director of the food-for-peace program, to develop constructive foreign policy programs and policies. I believe his article, "Foreign Policy and the Crisis Mentality," raises questions and contains recommendations of interest to all and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Atlantic, January 1967]

FOREIGN POLICY AND THE CRISIS MENTALITY

(By George McGovern)

In his *Crisis* papers of the American Revolution, Thomas Paine observed: "'Tis surprising to see how rapidly a panic will sometimes run through a country."

Yet Paine was so fearful of the tendency of men to become indifferent or weary in times of crisis and conflict that he believed even panics produce "as much good as hurt."

If he were permitted to review our own time, he would doubtless conclude that the problem of maintaining a proper course between panic and complacency has taken on new dimensions, for the thirteen colonies which leveled their muskets against the established order have evolved into the world's mightiest power in a highly dangerous nuclear age. This is a responsibility which demands a rare capacity to distinguish between fundamental forces at work around the globe and localized crises of uncertain significance.

But there is a disturbing American tendency to overreact to certain ideological and military factors while overlooking issues of vastly greater relevance to our safety and well-being. A civil insurrection in Santo Domingo or Vietnam is dramatic, but what is its significance compared with such quiet challenges as the proliferation of nuclear weapons, the surging of nationalism and social upheavals in the developing world, or the mounting crisis of hunger and population? What, too, is the relationship of the quality and strength of our own society to our position in the world? How will the world see us if we succeed in pacifying Vietnam but fail to pacify Chicago?

Many Americans, having grown impatient with the frustrations of the cold war, see each international tension as an urgent crisis calling for a direct and decisive attack on the enemy. Moreover, there must be no halfway measures: "Either get in or get out!" Those who suggest that there may be a proper limit to American power are branded as "neo-isolationists." A preference for the peacekeeping actions of the United Nations over a freewheeling unilateral interventionism is, for example, a sure sign of "neo-isolationism."

I believe that, in fact, we are in danger of seeing the isolationists of the 1920s and 1930s replaced by the neo-imperialists, who somehow imagine that the United States has a mandate to impose an American solution the world around. Those who see the United States in this role not only want U.S. police action in each trouble spot, but with decisive speed. The old isolationists and the new imperialists may be cut from the same cloth in that both look with disdain on the claims of the international community in contrast with the American way.

For example, the neo-imperialists' solution to the long, inconclusive struggle in Vietnam is a crushing military onslaught. They reject the outlook expressed not so long ago by General Maxwell Taylor when, as ambassador to Saigon, he said that the issue there is "very largely a political, economic, and psychological problem." They would prefer the approach of former Senator Goldwater, who said of Vietnam: "I would turn to my Joint Chiefs of Staff and say: 'Fellows, we made the decision to win. Now it's your problem.'"

In this scheme of things, the Soviet Union and Mainland China are viewed not as major world powers with which we must live, but as diabolical conspiracies that sooner or later we must face in battle. The answer to other lesser threats, such as Fidel Castro, is the U.S. Marine Corps. If a political rebellion occurs in the Dominican Republic, send in American troops and worry about such international niceties as the UN and the OAS later. The answer to the Berlin problem is simple: "Tear down the wall."

There are doubtless many explanations for the crisis outlook.

For one thing, America is a comparatively new country that has been largely separated from the turmoil of world politics for most of our history. During the nineteenth century, we relied on the British to put out the fires that flared from time to time in out-of-the-way places. We were free to concentrate on the development of our own economy and institutions. Pulled into World War I by the course of events, we swung back to an even more ardent isolationist course in the 1920s and 1930s. It is thus not surprising that faced with a vastly greater international involvement after World War II, we have frequently overreacted to incidents that an older, more mature society would have regarded as "business as usual."

Second, many Americans have not assimilated a sense of the world's diversity, nor do we look at events from an international vantage point. The older nations of Europe, steeped in the maelstrom of continental politics and with a century or more of colonial experience in every corner of the globe, have acquired a cosmopolitan view of the world. But when a political coup is attempted against an unpopular government in the Dominican Republic, or student rioting changes government policies in Japan, or De Gaulle seeks the leadership of Europe after liquidating hopeless French ventures in Asia and Africa, or a guerrilla movement threatens to bring down a much more generously armed American-backed regime in Saigon, we are unable to equate these events with our own experience. The revolution in mass communications instantly brings such developments into our living rooms, but there has been no corresponding increase in our capacity to evaluate the swift changes of our convulsive age.

COMMUNIST DEVILS

A third explanation of our tendency to react strongly to events is the unique power of Communism (as a general menace) and of the Soviet Union or China or Cuba or North Vietnam (as the precise devil) to challenge a variety of deeply felt American dreams and values at their core. For the democratically oriented American public, these are evil forces which deny open political discussion, religious freedom, bona fide elections, and a framework of law and legal process. For those businessmen to whom a large portion of the world represents an essential area for expansion, Communism presents a dangerous challenge to capitalist ground rules. For Americans who dream of the United States exercising a dominant role in potentially unlimited areas of world development, to whom Theodore Roosevelt, and later, Henry Luce and others, have spoken, Moscow, Peking, Havana, and Hanoi are challenges to the American Century. And finally, for that sizable and vociferous minority whose views are premised on the assumption that conspiracies and dark alien powers sway world affairs—to whom the late Senator Joseph McCarthy was the Angel Gabriel—Communist propaganda is tailor-made.

Thus, the American consensus against Communism—no matter the variety—is rooted in a very real set of challenges and denials. It is not easily dismissed as "hysteria." Its deep traditional sources lead to an almost irresistible identification of any event related to Communism as a crisis, a dire and fundamental threat to basic values.

Our crisis tendency has been given additional force by the nature of our political leadership and our two-party political dialogue, especially since 1950.

In the years immediately following World War II, thanks to the leadership of men such as the late Senator Vandenberg, our foreign policy was conducted in a bipartisan manner largely free from political rancor and partisan duels. This was the period which launched the United Nations, the Marshall Plan, Point IV, and the North Atlantic Treaty Organization.

But with the triumph of Communism in China in 1949, the North Korean attack of 1950, and the breaking of our nuclear monopoly by the Soviet Union, the comparative confidence and calm of post-war American foreign policy were shattered. The first strains of the post-war world were beginning to wear on the American public even before the Korean conflict.

It was these cold-war tensions which set the stage for the poisoning of American political life by the late Senator McCarthy in the early 1950s. Many government officials and politicians still find it expedient to demonstrate their "Americanism" by frequent outbursts of rhetoric directed at the Communist enemy. The two political parties, having generally agreed on basic foreign policy objectives, wage a recurring battle over which party is taking the harder line against the Communists.

FUEL ON THE FIRE

Foreign policy, more mysterious and remote than domestic issues, is ideal grist for the political mill. The average citizen knows enough about social security to be somewhat invulnerable to loose charges against the program. But a prediction of disaster in the Caribbean based on alleged evil in high places is beyond the capacity of our citizens to evaluate.

This kind of exercise has been a major cause of the crisis mentality. Having agreed for years on basic foreign policy assumptions and especially the containment of Communism, our political party leaders have found it necessary to devise other areas of combat. Each side knows that it must capitalize quickly on even inconsequential events lest the opposition do so first with telling political results. Politicians out of power have found it expedient to interpret each international incident as a mortal danger to the republic. Politicians in power must demonstrate that they are taking swift and forceful steps to save the nation from disaster.

No doubt the late President Kennedy benefited in the 1960 presidential campaign from the fact that Castro had come to power during a Republican Administration while at the same time the Russians were moving ahead of us in the missile race. Once in power, the new President was under pressure to take a hard, activist line on Cuba. Even after the nuclear showdown of October, 1962, when the Russian missiles were withdrawn from Cuba—a sensational cold-war victory for the United States—some politicians worked overtime to keep the crisis boiling. Any step to ease tensions was quickly branded as a softening of resolve.

American domestic political considerations have probably motivated our deepening involvement in Vietnam since the 1950s as much as any other factor. The Republicans accused the Democrats of "losing" China to the Communists in the 1940s; Secretary of State Dulles did not want to "lose" Southeast Asia in the 1950s and see the tables reversed. Whatever else was prudent, it was safest in terms of domestic politics to take a tough militaristic stance toward revolutionary Asian leaders while embracing the comfortable old despotisms.

Looking back on the Bay of Tonkin incidents of August, 1964, one wonders if a crisis was manufactured by the Administration to justify a politically popular aerial reprisal against Hanoi backed by a strongly worded congressional resolution—all of this at the beginning of a national election when Administration firmness was being questioned by the political challenger.

Again in February, 1965, American planes began bombing in both North and South Vietnam in response to a nighttime Viet Cong attack which killed several Americans in one of our barracks near Pleiku. Senator Goldwater had earned a "trigger-happy" label in 1964 for recommending the use of American bombers in Vietnam, but Administration spokesmen rationalized the bombing in 1965 by dramatic references to the Viet Cong's dastardly "sneak attack"—implying that enemy troops should attack only in broad daylight after a fair warning. Apparently our spokesmen had forgotten our schoolboy pride in George Washington's "sneak attack" on the British after he and his rebel forces stole across the Delaware River.

AN AMERICAN ILLUSION

The meagerness of genuine discussion about fundamental issues and our tendency to magnify minor incidents have caused us to miss many opportunities for constructive new initiatives both at home and abroad. We have, for example, concentrated too heavily and too long on an all-out military response to the international challenge while neglecting the economic, political, and moral sources of our strength. Frequently we have confused means with ends and then argued about those means with all the passion ordinarily reserved for sacred principles. The crisis mentality and the emphasis on means always call for more and bigger weapons. The crisis addict becomes impatient when it is suggested that a nation's strength is measured as much by the quality of its schools, the health of its citizens, the vigor of its economy, and the treatment of minorities as by the size of its weapons. He lacks the perspective to realize that the steady, peaceful development of Asia, Africa, and Latin America is of far greater significance to American security than the political color of future regimes in Vietnam or in the Dominican Republic.

Foreign aid for underdeveloped countries is a favorite target of crisis-oriented citizens and legislators, who are much more comfortable appropriating $50 billion annually for arms than $2 billion for economic development. The results of foreign aid are too slow to satisfy the mind dominated by a sense of crisis. Indeed, even an economic boycott (Cuba) or limited military action (Korea and Vietnam) is frustrating and unsatisfying to the crisis-prone individual, who would prefer to "clean up the mess" overnight.

Foreign aid bills have been presented to Congress year after year as a stopgap against the spread of Communism rather than as an investment in social and economic development. Poverty-stricken countries have been encouraged by shipment of American arms to build military machines as part of "the free world" defense against Communist aggression. But in the summer of 1965, Pakistan threw its American-supplied Patton tanks into war with India's American-supplied Sherman tanks. The final irony came when the Soviet Union, theoretically a potential target of the tanks, mediated an end to the war. This was scarcely a convincing demonstration of U.S. wisdom in determining other countries' needs.

While recognizing our responsibility to influence world affairs in the direction of peaceful development as best we can, we will do well to heed D. W. Brogan's warning of "the illusion of American omnipotence." There is a tendency for some Americans to assume that every distressing situation, no matter how remote, is the result of a failure on our part. During the late 1940s and early 1950s, we talked about "losing China," as though we had somehow been in command of China's destiny. But as Professor Brogan has reminded us, "A great many things happen in the world regardless of whether the American people wish them or not." For example, we ought to take every reasonable step to ensure the success of the Alliance for Progress and the defeat of Castroism in Latin America, but we must also recognize that the success of these efforts depends more on decisions that are made in Latin-American capitals than in Washington.

Furthermore, we must be willing to look at our own view of the world with at least as critical an eye as we apply to the views of others. Those who have suggested that college students protesting our Vietnam policy should be automatically drafted are, in effect, calling for a moratorium on conscience and freedom. It would be ironic indeed to surrender liberty in America in the name of its advancement in Vietnam. Instead of intimidating the public dissenter, we ought to welcome his independence and give his views a careful hearing. Instead of promoting the government official who plays it safe by avoiding thoughts that might irritate his superiors, we ought to encourage intellectual integrity and moral courage as the most precious qualities of the public servant.

STOP, LOOK, AND LISTEN

If we are to strengthen our position in the world, we must be willing to look carefully and critcally at all foreign policy assumptions, including our present course in Southeast Asia and our insistence that the world's largest nation be excluded from the United Nations.

We can well afford to listen thoughtfully to the views of experienced leaders abroad, including General de Gaulle, despite his peculiar faculty for irritating Washington. The French successfully and gracefully terminated self-defeating campaigns in Southeast Asia and North Africa; in the process they might have gained certain insights that are worth our evaluation.

America has achieved a position of power and influence in the world that is unprecedented. We have often used that power generously and courageously, perhaps more than any other nation of our age. I have no doubt of our capacity to respond effectively to a genuine crisis that calls for vigorous and decisive action. I should like to believe that we will also develop a talent for discovering and responding rationally to the underlying forces at work in our time. But to those innumerable tensions, struggles, and incidents of the future that we neither can nor should control, I hope we will manifest a measure of Ralph Waldo Emerson's wisdom: "Let him not quit his belief that a popgun is a popgun, though the ancient and honorable of the earth affirm it to be the crack of doom."

ADJOURNMENT

Mr. MONRONEY. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 56 minutes p.m.) the Senate adjourned until tomorrow, Thursday, February 2, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 1, 1967:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Thomas C. McGrath, Jr., of New Jersey, to be General Counsel of the Department of Housing and Urban Development (new position).

CALIFORNIA DEBRIS COMMISSION

Brig. Gen. John A. B. Dillard, Jr., U.S. Army, to be a member of the California Debris Commission, under the provisions of section 1 of the act of Congress approved March 1, 1893 (27 Stat. 507; 33 U.S.C. 661), vice Brig. Gen. Ellis E. Wilhoyt, retired.

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination as required by law:

LINE OF THE AIR FORCE

Captain to major

Abney, Kenneth L., FR28633.
Acton, John C., Jr., FR53249.
Adams, Bob R., FR44971.
Adams, Harry C., FR46202.
Adams, Jarvis M., III, FR46826.
Adams, William T., FR30756.
Aiken, Donald W., FR25395.
Aitken, Edward D., FR30971.
Akers, Harry R., Jr., FR46961.
Albright, Howard W., FR53307.
Albritton, Bobby G., FR31297.
Alder, John J., FR31162.
Alderete, Edward M., FR30957.
Aldrich, John P., FR30662.
Alexander, Edwin A., FR53351.
Alexander, Fernando, FR28666.
Alexander, Gerald F., FR30727.
Alexander, Joh R., Jr., FR31191.
Alford, James A., FR45989.
Alisouskas, Vincent F., FR46367.
Alldredge, Gordon D., FR47027.
Allen, Clifford H., Jr., FR74131.
Allen, Dan C., FR30809.
Allen, David E., FR24977.
Allen, Neyland F., Jr., FR31136.
Allison, Alan H., FR31034.
Allison, Cecil L., FR31244.
Amos, Louie W., FR31084.
Amos, William H., FR30862.
Anderegg, Charles R., FR53255.
Anderson, Gerald W., FR28763.
Anderson, Howard H., FR30605.
Anderson, Hugh P., FR46295.
Anderson, Jack K., FR30820.
Anderson, Phillip E., FR46164.
Anderson, Richard S., FR30863.
Anderson, Robert L., FR30981.
Anderson, William E., FR31088.
Andrada, Thiophilos, FR27911.
Andrews, Lewis S., III, FR24980.
Anthony, James I., FR53348.
Apel, Frank J., Jr., FR31141.
Appleby, Ivan D., FR46689.
Arbuckle, Robert V., FR30715.
Archer, Robert G., FR31046.
Arkle, Elmer D., FR31170.
Armstrong, Donald C., Jr., FR45841.
Armstrong, Elmer L., FR45813.
Armstrong, Larry O., FR46119.
Armstrong, Wallace D., FR53405.
Arndt, Robert F., FR45846.
Arnold, Ned D., FR46058.
Artean, Donald K., FR28760.
Arthur, James R., FR31228.
Arthurs, Raymond W., FR46545.
Ascher, Wolf D., FR46570.
Ash, Rolland S., FR45800.
Assalone, Thomas E., FR30832.
Austin, Hugh S., FR53325.
Autry, Robert C., Jr., FR31231.
Axley, John H., FR24981.
Azim, Kaleem, FR65023.
Babinski, John D., FR47057.

Bacchieri, Leo R., FR46779.
Backus, George N., FR30728.
Bagwell, James R., FR65002.
Bailey, Clentis W., FR46223.
Bailey, Robert W., FR29533.
Bain, Wilfred C., FR30755.
Baird, Leslie G., FR30864.
Baisden, James K., FR28682.
Baker, Charles C., FR30821.
Baker, Jack L., FR46309.
Baker, James D., FR28708.
Baker, Paul R., FR46485.
Bakies, Vincent P., FR46270.
Balcom, Paul R., FR30928.
Bales, John E., FR46955.
Balfe, Paul J., FR28817.
Baliles, Roy K., FR31064.
Ball, Daniel A., FR28782.
Ball, Robert, FR28743.
Ballantyne, James I., FR27871.
Ballard, William T., FR30729
Ballinger, Walter A., FR30812.
Balok, Michael W., FR65003.
Baltz, Frederick M., FR46760.
Barbero, Charles J., FR46815.
Barchiesi, Chester A., FR24987.
Barker, Charles D., Sr., FR46078.
Barker, Robert R., FR27949.
Barker, Thomas H., Jr., FR30778.
Barkley, Richard F., FR74143.
Barlow, Earl C., FR53267.
Barnes, Jerome R., Jr., FR53356.
Barnes, Kyle D., Jr., FR28983.
Barnes, Richard E., FR45996.
Barnett, Robert W., FR31021.
Baron, John C., FR30608.
Barr, John R., FR74146.
Barrett, John O., FR46377.
Barrett, Lis S., Jr., FR30790.
Barrett, Sam B., FR24988.
Barrow, Floyd P., Jr., FR24989.
Bartalo, Anthony J., FR53409.
Barthello, Marc S., Jr., FR28775.
Barton, Robert B., FR30639.
Base, Robert L., FR46571.
Basinet, David J., FR30625.
Bass, Seymour R., FR30833.
Bateman, Thomas S., FR28664.
Bath, Jack, Jr., FR28742.
Battle, Benjamin R., FR24991.
Bauer, Kenneth G., FR60106.
Baxter, Charles L., FR59992.
Beall, Jack L., FR60117.
Beardsley, William H., FR30974.
Bearman, Richard S., FR24992.
Beason, James L., FR30632.
Beaucond, Robert T., FR24993.
Beaudoin, Jean P., FR30817.
Beaumont, Warren E., FR27965.
Becker, Thomas T., Jr., FR46114.
Becklin, Lynn H., FR46550.
Beiderbecke, Henr A., FR24994.
Bell, Tommy I., FR30690.
Bell, William R., FR24996.
Below, Howard D., FR46870.
Benbow, Donald N., FR28780.
Bendel, Eugene W., FR31301.
Beneze, Charles L., Jr., FR65033.
Bennett, Allen, Jr., FR65043.
Bennett, Carmi I., FR46452.
Bennett, Charles L., Jr., FR65028.
Bennett, James R., FR27150.
Bennett, Jeff D., FR30925.
Bennett, Rex W., FR27958.
Bennett, Robert B., FR28674.
Bennett, Robert F., FR60166.
Bennett, Walter R., FR31126.
Bennington, James H., FR46825.
Bergeron, George L., Jr., FR74149.
Bergquist, George E., Jr., FR30691.
Bergschneider, Ethan A., FR25406.
Bergstrom, Vernon M., FR30749.
Berry, Bobby J., FR30951.
Berte, Allen E., FR31275.
Berthelot, Joseph A., FR27136.
Besley, Richard D., FR46895.
Best, Charles A., FR24998.
Betts, Richard L., FR53328.
Beveridge, Robert B., FR24999.
Bevier, Richard, FR53354.
Bevivino, Thomas R., FR31278.
Biancardi, Andrew P., FR31039.
Bigelow, Dwight E., Jr., FR28783.
Bigwood, Thomas P., FR46252.
Bingaman, Harold W., FR30779.
Birdsell, Ted P., FR53344.
Birnkammer, Jack A., FR64973.
Bishop, Charles E., FR25001.
Bishop, Joe D., FR30952.
Bissell, Schuyler, FR46079.
Bissinger, Fred A., FR46711.
Black, Byron E., FR46376.
Black, Doyce R., FR46753.
Black, Harley S., FR28627.
Black, James A., FR27867.
Black, Odell S., FR46375.
Black, Robert B., FR31375.
Blair, Jacky C., FR31302.
Blake, John M., FR28777.
Blake, Marlin R., FR46148.
Blake, Thomas A., FR28634.
Blakeman, Helen J., FR46224.
Blanchard, Russell H., FR30712.
Blankenship, Henry J., FR46039.
Bleier, Robert W., FR28746.
Blessing, James J., FR53394.
Blinn, Donald P., FR59726.
Block, Burwell M., FR65021.
Blocker, Clarence B., FR46572.
Blomquist, Paul S., FR44785.
Blount, John E., Jr., FR45981.
Blout, Harry D., FR46781.
Blue, Patrick H., FR45982.
Bofenkamp, Richard L., FR46706.
Boggie, Edwin D., FR30865.
Bogoslofski, Bernard J,. FR46616.
Bohannon, Charles L., FR31303.
Bohn, Lowell F., FR28623.
Bohrer, Leroy P., FR31204.
Bonar, Vernon G., FR46008.
Bonfiglio, Eugene A., FR47053.
Bonham, Larry D., FR46622.
Bonifer, Arthur J., Sr., FR30866.
Boothby, Lloyd W., FR25003.
Borgersen, Carl I., FR46009.
Bornkessel, Donald A., FR53265.
Boss, Luther D., FR62136.
Boston, Hollis B., Jr., FR64986.
Boswell, James A., Jr., FR74155.
Boswell, Richard D., FR28800.
Boudreau, Carlton F., FR46697.
Boughton, Alain G., FR27933.
Bouley, Richard C., FR31220.
Bourland, William C., FR30963.
Bowdish, Charles G., FR25007.
Bower, Richard J., FR60146.
Bowersox, Ralph H., FR30831.
Bowles, Ben D., FR46265.
Bowles, William B., FR45742.
Bowling, Charles M., FR25008.
Bowling, George K., FR31144.
Bowman, George P., Jr., FR45759.
Boyd, Willis A., FR53390.
Boykin, Luke H., Jr., FR46495.
Boyle, Charles A., FR30946.
Brachtenbach, Leo, FR25009.
Bradley, Philip O., FR53291.
Bradley, Preston E., FR46177.
Bradley, William C., FR44814.
Brage, Carl W., FR31189.
Brake, James L., FR53374.
Brammer, Robert L., FR46962.
Branch, Harold P., FR45888.
Brandeberry, James R., FR46532.
Breedon, Joseph H., FR45942.
Brehm, Fred E., FR46963.
Breitinger, Frederick L., FR30767.
Brennan, Philip A., FR65019.
Brennan, Richard S., FR74156.
Brennecke, Harold J., FR30947.
Brentnall, Burden, FR25452.
Brewer, Donald W., FR48889.
Brewer, Harry L., FR46296.
Briggs, James P., FR53251.
Brill, Anthony J., FR46173.
Brinsfield, Earl E., FR30843.
Briscoe, Henry B., FR64987.
Brisendine, Clinton R., FR65039.
Brock, Price W., FR53268.
Brockman, William F., FR46964.
Brong, Gene E., FR64983.
Brooks, John R., FR45955.
Brooks, Rodger L., FR31298.
Brooks, Vern H., FR30771.
Brooksher, William R., FR60149.
Brotbeck, William F., FR65004.
Brown, Charles L., FR27863.
Brown, Charles W., FR60193.
Brown, Donald E., FR47014.
Brown, Duane R., FR31036.
Brown, Frank M., FR25010.
Brown, French C., Jr., FR30930.
Brown, George D., FR29526.
Brown, James M., Jr., FR60227.
Brown, James R., FR46798.
Brown, Jerrold C., FR30774.
Brown, Joseph K., FR25011.
Brown, Kirk A., FR65040.
Brown, Lawrence L., FR29381.
Brown, Lawton C., FR30978.
Brown, Peter W., FR30702.
Brown, Ray L., FR31294.
Brown, Stanford E., FR46946.
Brown, Thomas B., FR30647.
Brown, Thomas D., FR30867.
Brown, Thomas E., FR46792.
Brownlee, Charles R., FR46856.
Bruder, Richard H., FR53306.
Brunson, Clarence E., III, FR25014.
Brunson, Ted, FR29530.
Bryan, William G., FR46297.
Budd, Curtis E., Jr., FR46310.
Bulka, Edward G., FR29375.
Bull, George M., FR46523.
Bullock, James, FR53262.
Bulmer, Lyle L., FR74161.
Bunce, Robert D., FR47039.
Burd, Boyd G., FR64970.
Burden, Weldon L., FR29368.
Burdett, Richard F., FR46565.
Burg, Gerald G., FR31087.
Burgdorf, William, FR28659.
Burgeson, Harold E., FR83972.
Burgess, Ray M., FR45943.
Burke, Thomas F., FR59727.
Burke, William E., FR46891.
Burkett, William M., FR65000.
Burkitt, William B., FR31305.
Burks, Albert E., FR30994.
Burleson, Forrest H., FR46533.
Burns, Robert J., FR46671.
Busbee, Roderick M., FR60169.
Busch, Richard J., FR46936.
Buschmann, Eugene F., FR30795.
Butch, Myron M., FR46704.
Butler, Donald R., FR46409.
Butler, Leroi H., FR65034.
Butner, Oliver L., Jr., FR46088.
Butt, Charles E., FR46739.
Butt, James D., FR28771.
Buttrick, Lewis E., FR31053.
Buttyan, Eugene C., FR46137.
Buxton, Mark K., Jr., FR46573.
Bynum, John P., FR46546.
Byrkit, Robert A., FR28706.
Byrnes, Donn A., FR27868.
Caceres, Jose, FR46626.
Cadena, Richard R., FR47055.
Caffery, William J., FR46167.
Caldwell, Homer H., FR53316.
Calhoun, Harry P., FR30650.
Callcott, Willis D., FR45952.
Callero, Monti D., FR29364.
Calton, Aubrey L., Jr., FR60143.
Camealy, John B., FR30819.
Cameron, Robert J., FR25020.
Campbell, Billy C., FR45765.
Campbell, Charles C., FR46574.
Campbell, Charles F., FR25407.
Campbell, Duane D., FR29392.
Campbell, Jesse W., FR27851.
Campbell, William J., FR25021.
Camstra, Frank A., Jr., FR25022.
Cappadona, Nunzio, FR46996.
Carbaugh, Clifford C., FR53297.
Carlson, Charles A., FR30955.
Carlson, Ray W., FR45851.
Carlson, Walter G., FR46236.
Carnahan, Jerald D., FR27935.
Carnahan, William H., FR63399.
Carpenter, Donald G., FR27127.
Carpenter, Raymond E., Jr., FR46723.
Carrington, John D., FR30612.
Carrington, Mayo, Jr., FR64962.
Carroll, David J., FR25025.
Carry, Theodore J., FR30703.

Carson, James M., FR31288.
Carter, Buddy V., FR46124.
Carter, Donald L., FR25026.
Carter, Francis W., Jr., FR30959.
Carter, George B., FR31090.
Carter, Lorne E., FR47050.
Carter, Swede, FR53272.
Cary, John F., FR30859.
Catron, Walter L., Jr., FR45945.
Caudry, Robert D., FR46210.
Cavanaugh, Robert T., FR46472.
Chadwick, Ralph O., 74165.
Chaffee, Court B., FR45801.
Chamberlen, Robert E., FA30698.
Chambers, Billie L., FR46132.
Chambers, William C., FR25027.
Chancellor, Billy J., FR46427.
Chapin, George P., FR31014.
Chapman, James N., Jr., FR46228.
Chappell, Richard G., FR30759.
Chapple, Richard L., FR53331.
Chatman, James I., FR53388.
Cheney, Joseph H., FR74168.
Chiodo, Joseph B., Jr., FR46271.
Chisholm, Richard K., FR46680.
Chiu, Henry D., FR46215.
Choromokos, James, Jr., FR60178.
Christensen, Walter I., Jr., FR65024.
Christman, William C., FR28628.
Cicchini, Michael J., FR75544.
Cihak, Edward J., FR45752.
Cinotto, James V., Jr., FR30657.
Clairmont, Gary D., FR46734.
Clark, Peter J., FR60132.
Clark, William J., III, FR46121.
Clarke, William S., Jr., FR29365.
Clements, Henry E., FR25030.
Clendenen, James D., FR64980.
Clerihew, Walter M., FR53338.
Closs, Morgan G., Jr., FR31363.
Cobb, Darrel, W., FR31360.
Cobb, Richard L., FR46272.
Coburn, Robert B., FR30719.
Coder, Ronald T., FR53309.
Coggins, Edward V., Jr., FR25032.
Cohen, Marvin I., FR60228.
Cohn, Jerome S., FR55317.
Colangelo, Ralph K., FR53275.
Colasuonno, Vincent, FR30667.
Colclazier, Robert D., FR31373.
Cole, Charles O., Jr., FR28637.
Cole, Charles W., FR25033.
Collins, James Q., Jr., FR27908.
Collins, Jeremiah J., FR46181.
Collins, John D., FR29382.
Collins, Richard B., FR25034.
Coloney, Robert A., FR31072.
Colvin, Thomas E., FR46634.
Combies, Philip P., FR74176.
Conaway, Richard E., FR31306.
Conk, Arvil G., FR27879.
Conley, John T., FR25035.
Conner, Hendsley R., FR53371.
Connor, Arthur H., FR45924.
Connor, Robert O., FR25037.
Conway, Don R., FR74177.
Coogan, Daniel F., FR65047.
Cook, Fletcher M., Jr., FR53326.
Cook, Mark D., FR30626.
Cooke, Charles M., Jr., FR25038.
Cool, Brent A., FR31307.
Cooper, Billy R., FR31308.
Cooper, Edwin B., FR30868.
Cooper, Kenneth M., FR53259.
Cooper, Larry T., FR31203.
Cooper, Melvin G., FR46220.
Copeland, Robert N., FR46095.
Copperthite, Harry S., Jr., FR46292.
Coraine, Richard W., FR45757.
Corbett, Richard J., FR51230.
Corbisiero, John V., FR45826.
Corcoran, Joseph V., FR46311.
Corcoran, Lawrence A., Jr., FR46843.
Corder, Lloyd C., FR31246.
Corey, Leonard F., FR74178.
Cornell, Donald M., Jr., FR31091.
Cornellier, Joseph R., FR46943.
Cosper, Clifton G., FR45847.
Cossman, Donald R., FR28616.
Couch, Gerald C., FR30775.
Couchigian, Donald E., FR45922.
Councill, James W., FR53244.
Cowan, James E., FR31059.
Cox, Dennis J., FR30801.
Cox, Malcolm A., FR46092.
Cox, Norman G., FR64965.
Cox, Robert G., FR25039.
Cox, Thomas W., FR83973.
Cox, William R., FR30813.
Cozine, Ellis L., FR45770.
Craft, Roby R., FR27915.
Cragin, John D., FR46956.
Cramer, Charles S., FR30447.
Craver, Joseph W., Jr., FR31045.
Crawford, Lowell L., FR27962.
Creedon, James S., FR31124.
Crimp, Edward A., FR45842.
Crist, Jerry A., FR31277.
Crooke, William J., FR30950.
Crooks, Kenneth E., FR46730.
Cross, Roger W., FR30999.
Crowder, Calle G., FR27936.
Crowder, Roscoe E., FR46802.
Crowley, Claude L., FR46010.
Crutchfield, Don F., FR60220.
Culbreth, Winton W., FR30969.
Cullen, William J., Jr., FR28784.
Culp, Kenneth C., FR28714.
Cummings, George L., FR30763.
Cummings, Jack, FR25444.
Cummings, Welling J., FR64981.
Cunningham, John A., FR46662.
Cureton, Earl E., FR31155.
Curran, John D., FR31273.
Curry, Robert W., FR27947.
Curtis, Douglas L., FR46312.
Curtis, Fred G., FR30665.
Curtis, Richard L., FR74185.
Custer, Brice C., FR27121.
Cutler, Dale E., FR45802.
Czarnecki, Leonard S., FR28757.
Dade, James L., FR25044.
Daily, James M., FR30620.
Daluto, Ronald J., FR65027.
Dalzell, Leonard J., FR65050.
Damewood, Logan A., FR60140.
Damon, Richard E., FR46161.
Dancer, Charles T., FR28603.
Daneu, Joseph E., FR29369.
Dangelo, Anthony P., FR31250.
Daniel, James E., Jr., FR30849.
Danies, Lionel A., FR46803.
Dannacher, Robert J., FR46919.
Darby, Harry L., FR46199.
Darby, Larry K., FR74187.
Dardeau, Oscar M., Jr., FR25045.
Darden, Jerry J., FR30730.
Darden, Robert F., Jr., FR46122.
Dashney, George W., FR53199.
Daubs, Charles E., FR31173.
Davies, Albert D., FR45975.
Davies, Owen M., FR25046.
Davis, Ed D., FR25047.
Davis, Frederick E., FR28669.
Davis, Glenn R., FR46287.
Davis, Grady E., Jr., FR46575.
Davis, Jack R., 53334.
Davis, John H., FR60241.
Davis, John S., FR46947.
Davis, Norman B., FR28735.
Davis, Owen C., Jr., FR27140.
Davis, Paul E., FR28678.
Davis, Richard N., FR74189.
Davis, William R., FR25049.
Davitt, Mitchell C., FR78419.
Day, Jay H., FR30644.
Day, Robert F., FR46941.
Dayhoff, George W., Jr., FR46468.
Deale, William W., FR25051.
Dean, George G., Jr., FR76661.
Dean Kenneth S., FR46370.
Dean, Robert V., FR46380.
Dease, Hilton J., FR53293.
Deatherage, Robert L., FR65018.
Deavies, Emmett G., III, FR45928.
Deboe, William C., FR46952.
Decker, Wilson S., FR69717.
Deex, Arthur J., FR25053.
Degeneres, Frederick S., Jr., FR25054.
DeGroote, Albert J., FR28799.
Dehmer, Paul A., Jr., FR44809.
DeHoogh, John C., FR29522.
Delvecchio, Vincent E., FR28670.
Demedicis, Jack., FR30731.
DeMint, William M., FR30604.
DeMoor, James F., FR31000.
Densmore, Peter K., FR60215.
Dent, Troy J., FR46188.
Dermen, Armen, FR28744
Deschamps, Melvin T., FA64995.
Desosa, Michael A., FR46716.
Despain, Charles R., Jr., FR43026.
Detweiler, Robert M., FR25055.
Detwiler, Barry N., FR46273.
Devall, Larry S., FR46510.
Dewey, Robert G., FR53317.
Dewing, Donald R., FR31054.
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Tebo, Jack, FR46991.
Templin, Max L., III, FR46796.
Terrell, Bryce H., FR31060.
Terrell, Lester R., FR46509.
Terry, Eugene M., FR46033.
Tesch, John R., FR46682.
Tevebaugh, Kenneth P., FR46090.
Thiel, Donald R., FR46269.
Thimm, Fred W., FR46749.
Thoburn, Russell E., FR28685.
Thomas, Cornelius A., FR28649.
Thomas, Douglas L., FR46660.
Thomas, Harry G., FR46647.
Thomas, James C., FR28646.
Thomas, James D., FR47035.
Thomas, James H., FR28709.
Thomas, Jerry H., FR46457.
Thomas, John R., FR45906.
Thomas, Joseph G., FR46858.
Thomas, Lloyd E., FR25450.
Thompson, Alastair W., FR31350.
Thompson, Hadley N., FR46832.
Thompson, Kenneth L., FR46927.
Thompson, Norman A., FR45791.
Thompson, Paul D., FR28613.
Thompson, Preston R., FR46775.
Thompson, Robert H., FR29518.
Thompson, Roy L., FR64968.
Thompson, Stanley L., FR31166.
Thompson, Theodore R., Jr., FR65030.
Thompson, Thomas H., FR27143.
Thornber, Hubert E., Jr., FR25915.
Thornton, William, FR45836.
Thorpe, Thomas, J. V., FR25298.
Thrush, Edward H., FR46992.
Thuemmel, John P., FR60163.
Thulin, John H., FR28626.
Thurman, James A., FR45837.
Tibbetts, Douglas R., FR46120.
Ticknor, Eugene F., FR31332.
Tiernan, John F., FR29355.
Tietge, Jerry W., FR46672.
Till, Arthur N., Jr., FR25400.
Tillman, Thomas N., FR45034.
Tilmans, Henry M., FR60177.
Tilson, Philip A., FR27857.
Timm, Robert H., FR27923.
Timmons, Noble S., Jr., FR53402.
Timpe, Martin F., FR46850.
Tingelstad, Myron O., FR46566.
Tinsley, Henry G., Jr., FR31071.
Tissaw, George H., FR46096.
Tixier, Edward L., FR24645.
Tobey, Chester M., FR31111.
Todd, Robert A., Jr., FR31364.
Todd, Robert E., FR25393.
Tollefson, Joseph R., FR30726.
Tomaseski, John H., FR46606.
Tomoyasu, Kazuto, FR60164.
Toner, John E., FR46440.
Toomey, James E., FR30777.
Toth, Joseph S., FR46081.
Townsend, Richard A., FR25300.
Townsley, William H., FR28647.
Tracy, John W., FR46806.
Tracy, William K., FR25301.
Trentman, Donald F., FR31370.
Treska, Milo, FR53278.
Trimeloni, Bianca D., FR60162.
Trombly, Claude A., FR31359.
Troop, Richard W., FR46727.
Trott, Allen L., Jr., FR24641.
Trott, William R., FR46394.
Troutman, Clarence W., FR28618.
Troxel, Edwin N., FR46534.
Truskett, Willard G., FR31276.
Truxal, Everett W., FR46489.
Tsirimokos, George X., FR46733.
Tucker, Joseph E., FR31333.
Tucker, Lester W., FR28703.
Tucker, Roger D., FR46855.
Tulberg, Ellsworth E., FR45807.
Tullett, Jack E., FR27135.
Turek, Edward H., FR28683.
Turke, Charles W., FR53298.
Turnbaugh, Robert E., FR31153.
Turner, Alex, Jr., FR46407.
Turner, Charles J., FR46166.

Turner, Charles M., Jr., FR45966.
Turner, Gerald L., FR31196.
Turner, Gregory A., FR46001.
Turner, Jack H., FR27885.
Turner, James A., Jr., FR31041.
Turner, Leland E., Jr., FR46350.
Turner, Russell A., II, FR60108.
Turner, William L., FR46607.
Turpen, James R., FR30762.
Turpin, William D., FR46787.
Twinting, William T., FR27119.
Tyler, George E., FR25303:
Uhalt, Alfred H., Jr., FR25436.
Ullerich, Julius C., Jr., FR56435.
Underwood, Donald J., Jr., FR29532.
Ungerott, Donald C., FR27853.
Unrath, Richard A., FR60234.
Uppstrom, Richard L., FR46539.
Vaicunas, Lawrence F., FR46419.
Valenti, Joseph M., FR31289.
Vanbuskirk, Vern F., FR27146.
Vandegriff, Howe L., FR46413.
Vandegrift, James R., FR46511.
Vanderpyl, Ellis C., Jr., FR53384.
Vanduren, Chares E. A., FR30641.
Vaneerden, Thomas, Jr., FR64999.
Vanpelt, Charles B., FR31112.
VanSickel, Daniel P., FR46411.
Vanyo, David J., FR28764.
Varnadoe, James E., FR30982.
Varnedoe, Zack, Jr., FR46237.
Varvi, Charles J., Jr., FR60204.
Vasina, Howard R., FR30991.
Vaughn, George M., FR46878.
Vaughn, Glede W., FR31075.
Vaughn, Maurice F., FR74299.
Vavra, Donald A., FR46470.
Vayda, Robert S., FR46458.
Vehling, David R., FR28653.
Vehrs, George J., FR31255.
Velez, Louis E., FR46813.
Vellines, Charles H., FR60113.
Ventimiglia, Charles N., FR60212.
Vernia, Thomas J., Jr., FR25306.
Vest, Daurice C., FR47047.
Vesta, Don O., FR45967.
Vigee, Edward E., FR25307.
Villaret, Albert L., FR25308.
Vincent, Lewis J., FR46608.
Violette, Ronald L., FR47034.
Vitale, Anthony M., FR31024.
Vitton, John J., Jr., FR53282.
Vivacqua, Alexander P., FR45921.
Voegtli, William Y., FR31086.
Vogel, Stephen J., FR25309.
Vogt, Donald A., FR25310.
Vonhausen, William W., FR25311.
Vontersch, George L., FR28781.
Vorhies, James W., FR30781.
Vosper, Frederick J., FR46527.
Vredenburgh, Michael S., FR30949.
Wackym, Fred N., Jr., FR53345.
Waddle, Dannie T., Jr., FR46641.
Wadley, James L., Jr., FR46225.
Wagner, Frank H., FR46111.
Wakham, Elvin J., FR46548.
Wakitsch, Harold E., FR25312.
Walborn, Chetser A., FR27154.
Walbrecht, Donald A., FR30954.
Walden, Aaron O., FR31269.
Waldron, David L., FR25313.
Walker, Fenton G., FR60157.
Walker, John T., FR46903.
Walker, Raymond B., FR60183.
Walker, Robert E., FR31338.
Walker, William K., FR45951.
Wallace, Charles B, FR46227.
Wallace, James L., FR29367.
Walter, Keneth L., FR46239.
Walters, James R., Sr., FR31270.
Walters, Neil I., FR28684.
Waltman, Gerald, FR28766.
Ward, Glen C., FR45971.
Ward, James W., FR53396.
Ward, Jarvis D., FR46041.
Ward, Kenneth A., FR24640.
Ward, Robert C., FR29529.
Ware, Joseph M., FR31070.
Warner, Milton J., Jr., FR45822.
Warton, Gerald B., FR30904.
Washington, Alvin W., FR64975.
Waterfield, Jack D., FR74301.
Waters, George G., FR60235.
Watkins, Gardner M., FR30710.
Watkins, Jack L., FR30643.
Watnee, Lloyd H., Jr., FR46821.
Watson, Everett B., FR28648.
Watson, James F., FR46441.
Watson, Robert B., FR60205.
Watts, Robert E., FR46818.
Waynick, Thomas A., FR46766.
Ways, Robert K., FR46859.
Weaver, Joseph B., FR45792.
Webb, Marion S., Jr., FR30607.
Webb, Richard G., FR65007.
Weber, Kenneth L., FR28725.
Weber, Robert R., FR45957.
Webster, James B., FR46053.
Webster, Robert R., FR45968.
Weeks, Allen R., FR46283.
Weeks, Roger M., FR31123.
Weers, Douglas L., FR46352.
Weickhardt, Arthur F., FR31337.
Weidel, Eugene L., FR45941.
Weidlich, William M., FR46993.
Weidner, Charles H., FR28690.
Weidner, Robert C., FR60139.
Weight, Donald E., FR76676.
Weinstein, Gerald E., FR25317.
Weissler, Edwin M., FR30789.
Welch, Henry O., Jr., FR27918.
Welch, William J., Jr., FR46529.
Wells, David S., FR60236.
Wells, James P., FR28619.
Wells, John A., FR31216.
Wendt, Donald R., FR46549.
Wendt, Fredrick W., FR27945.
Wenning, Jack H., FR30966.
Wenzel, Donald F., FR46034.
Wesbrook, Richard L., FR45833.
Wesley, Clare J., FR60153.
Wessen, Donald E., FR53261.
West, Bobby P., FR31038.
West, Herman G., FR30683.
West, Thomas F., FR60191.
Westberg, John W., FR31225.
Westberry, James H., FR27901.
Wester, Ruric H., Jr., FR28795.
Westerfield, Lut, Jr., FR31334.
Westermeier, James T., FR25319.
Westfall, Bernard L., FR46405.
Westling, Laverne A., FR29391.
Weston, Elton L., FR47018.
Westphal, Curtis D., FR30688.
Wetesnik, Charles W., FR46494.
Wahley, John R., FR46780.
Wheeler, George H., FR46035.
Wheeler, Harold P., Jr., FR25320.
Whipple, Alvin G., FR27887.
Whitaker, Hubert M., Jr., FR64985.
White, Harold R., FR 46459.
White, Philip J., FR30689.
White, William R., FR27145.
Whitely, Ronald E., FR46430.
Whitlach, Wayne E., FR25383.
Whitlow, Homer F., FR46880.
Whitmore, James R., FR45793.
Whitson, Arthur E., FR46524.
Whittemore, Albert B., FR25321.
Wickersham, Alan R., FR46525.
Wicklund, Robert A., FR30932.
Wiegand, Karl L., FR28704.
Wieland, Paul L., FR28610.
Wight, Frank R., FR29520.
Wilcoxson, Billy J., FR31132.
Wilkins, Claud A., FR46042.
Wilkinson, James A., Jr., FR30920.
Wilkinson, Joseph E., III, FR53239.
Williams, Charles O., FR47026.
Williams, Fred E., IV, FR60144.
Williams, Gordon R., FR27961.
Williams, Jewell A., FR53342.
Williams, Joe C., FR25323.
Williams, Leslie B., FR31335.
Williams, Robert Q., FR30944.
Williams, Roy D., FR64967.
Williams, Stuart J., FR25451.
Williams, Thomas H., Jr., FR46500.
Williams, Wayne E., FR30747.
Williams, William P., FR30905.
Williamson, Don I., FR46788.
Williamson, Howard L., FR60180.
Williford, G. B., Jr., FR28617.
Willis, James R., FR31354.
Wilson, Andrew F., FR46036.
Wilson, Artman H., FR46353.
Wilson, Deleon, Jr., FR46860.
Wilson, Harold, E., FR46614.
Wilson, James R., FR53362.
Wilson, Noel E., Jr., FR24644.
Windom, Robert W., Jr., FR60245.
Windt, James H., FR65012.
Winemiller, William E., FR27137.
Winkels, Dennis W., FR53308.
Winn, Charles B., II, FR45808.
Winner, Richard L., FR31256.
Winter, Charles T., FR60154.
Wipperman, Donald R., FR64978.
Witt, Raymond J., FR27943.
Woika, Robert C., FR46514.
Wold, James W., FR28717.
Wolf, Anthony E., FR60129.
Wolfe, Edward R., FR31361.
Wolfe, Robert K., FR46438.
Wolters, Thomas E., FR60189.
Womack, Jack G., FR46609.
Wondrack, Walter M., FR24691.
Wood, Horace E., Jr., FR46746.
Wood, Milton B., FR28720.
Wood, Patrick H., FR60158.
Woodard, Wales L., FR65029.
Wooddy, George W., FR31243.
Woods, James W., FR46101.
Woolverton, Buel W., FR46679.
Worobetz, Nestor, FR45916.
Worsham, George M., FR31253.
Woytych, John D., FR74307.
Wren, James L., FR46354.
Wright, Charles R., FR31197.
Wright, Dwayne P., FR31198.
Wright, Marvin M., FR46610.
Wright, Merle L., FR31114.
Wright, Robert S., FR46431.
Wynne, Harry J., FR45923.
Yale, John W., FR25324.
Yanke, Alvin L., FR31272.
Yasuhara, Thomas H., FR46307.
Yates, Elmer L., Jr., FR30636.
Yeschek, Robert L., FR45760.
Yirka, Robert C., FR46631.
Yoder, Ira L., Jr., FR29379.
Yoder, Tommy J., FR31158.
York, Robert L., Jr., FR31115.
Young, Allan L., FR46264.
Young, Gerould A., FR46995.
Young, James F., FR30654.
Young, James F., FR46611.
Young, Keith R., FR45993.
Young, Pearce H., Jr., FR53321.
Young, Robbie V., FR45294.
Young, Robert G., FR74308.
Zdunczyk, Richard J., FR46612.
Zeitner, Charles M., FR46226.
Zellmer, Milton E. L., FR25327.
Ziff, Irwin R., FR31069.
Zimmerman, Dale H., FR46136.
Zoerlein, Ralph W., FR28671.
Zuhars, Raymond H., Jr., FR53341.
Zumstein, Donald G., FR28758.

CHAPLAINS

Arinder, Robert N., FR48694.
Baker, Charles A., FR48701.
Ballantine, John O., FR64329.
Bellingham, John C., FR64336.
Bergeron, Robert E., FR55186.
Berry, John F., FR55188.
Boggs, William G., FR56419.
Bowers, George P., FR59999.
Brethauer, Herbert A., FR64330.
Campbell, William W., FR55187.
Castellani, John J., FR55194.
Caudill, Charles C., FR64337.
Chambers, Floyd A., FR64331.
Colson, Zack, FR55190.
Cortese, Patrick S., FR55196.
Cox, Porter B., FR55195.
Davis, Paul D., FR55191.
Drumheller, Clarence E., FR76631.
Edwards, Oakley E., FR48706.
Eves, Arthur L., FR56418.
Franks, William D., FR56420.
Guthrie, Wiley C., FR48690.
Hampe, Philip R., FR55184.
Hannemann, Eugene E., FR64344.
Harlow, James D., FR55193.

Hendricks, Robert E., FR48704.
Hermanson, Sheldon E., FR48703.
Johnshoy, Norman C., FR48699.
Jordan, David P., FR64334.
Kelley, Leonard D., FR48695.
Larche, Lucien E., Jr., FR64341.
Ledoux, Louis V., FR55199.
Lesko, John P., FR55185.
Lyngdal, Lloyd W., FR70895.
Lyons, Leo J., FR56422.
Mattison, Walter H., FR64345.
McElyea, Lemuel D., FR64332.
Meskenas, Vincent A., FR56421.
Moore, Jack T., FR76634.
Naughton, John T., FR55198.
Nordstrand, Henry A., FR59998.
Norsworthy, George C., FR64339.
Paulson, Wayne E., FR48702.
Richards, John F., FR64338.
Smith, Jasper J., FR48707.
Stewart, Dale F., FR64335.
Styles, James R., FR78408.
Tang, Theodore M., FR48692.
Townsend, James E., FR64343.
Vaughn, William J., FR56423.
Wasinger, Francis R., FR55197.
Wurst, Rodney C., FR64333.
Zellers, Lawrence A., FR48698.

DENTAL CORPS

Akerly, William B., FR61154.
Andrus, Clair W., FR29298.
Backhaus, Duane D., FR61156.
Bales, David J., FR63020.
Barad, Leonard R., FR49711.
Blackman, Ronald B., FR32388.
Bottom, James G., FR55219.
Campbell, William H., FR76732.
Cox, Charles M., FR59959.
Cruce, Raymond A., FR32384.
Debello, Anthony N., FR71124.
Doyle, Bernard J., FR59604.
Fillinger, Carl N., FR56166.
Ford, James E., FR55218.
Geracci, James P., FR64232.
Greco, George W., FR32380.
Halliday, Donald G., FR32376.
Hamrick, Joseph E., FR32372.
Harris, Bernard C., FR82098.
Harris, Wayne T., Jr., FR56394.
Hastings, Jack G., FR3044954.
Jordan, Jack E., FR32396.
Kamish, Phillip, FR56164.
Kampsen, Thomas R., FR32383.
Krolls, Sigurds O., FR59721.
Mello, Arthur F., FR56393.
Muth, Eugene R., FR51581.
Nassif N. J., FR70374.
Richey, Jerry D., FR32367.
Risk, Donald L., FR76440.
Rymarz, Frank P. R., FR32371.
Simonton, James H., FR73471.
Smith, Ralph H., Jr., FR3075165.
Spires, Richard E., FR69809.
Titterington, Wesley P., FR32391.
Titus, Harry W., FR82268.
Todaro, Michael J., FR81239.
Torchik, George P., FR69620.
Wooten, James W., FR56165.
Young, John M., FR63556.

MEDICAL CORPS

Adamson, Godfrey D., Jr., FR51335.
Allman, Robert M., FR76527.
Altman, Arthur A., FR77288.
Andrews, Philip W., FR59476.
Barnes, Walter C., Jr., FR66021.
Brown, William K., FR59587.
Burkhart, Fred L., FR62494.
Carlson, Elmer C., FR51343.
Christopher, Alfred W., Jr., FR78103.
Cowan, William R., FR51337.
Dannemiller, Francis J., FR56050.
Davis, Jefferson C., FR64213.
Davison, Richard A., FR59711.
Debruin, John A., Jr., FR55912.
Demouy, Edward H., FR59948.
Dennis, Lebaron W., FR54944.
Early, Warren L., FR69731.
Earp, William L., FR51349.
Fenske, Herbert D., FR59949.
Ferrari, Victor J., Jr., FR64215.
Gaines, John W., Jr., FR63011.
Gambrell, Richard D., Jr., FR76504.
Gorman, George N., FR63012.
Guillebeau, James G., FR49692.
Gustavson, Warner H., FR49697.
Halsell, John T., III, FR49685.
Harris, James B., FR62916.
Hayes, Frank W., FR62497.
Hernandez, Cruz M., FR64210.
Hinds, Manuel J. A., FR49689.
Holliday, William B., FR76600.
Houck, Richard J., FR59592.
Houglum, Oris B., FR49694.
Howard, Leonard R., FR62917.
Hutson, Harold G., FR59477.
Irving, Stanley D., FR63403.
Johnson, Leonard W., Jr., FR3079060.
Keller, Donald H., FR61145.
Kitching, Gilbert E., FR3045956.
Larsen, Gordon L., FR78077.
Lecuyer, Robert L., FR59707.
Lind, Frederick E., Jr., FR76508.
Lucas, Richard N., FR51341.
Masters, Richard L., FR59709.
Mattson, Richard H., FR51336.
Mohr, George C., FR59588.
Morgan, Harold C., FR82180.
Nelson, Maynard, FR49695.
Nielsen, Andrew A., FR63060.
Oi, Richard H., FR59585.
Oliver, James H., Jr., FR63059.
Onkey, Richard G., FR51345.
O'Toole, Robert V., Jr., FR51339.
Pappin, James D., FR63404.
Peterson, Carlton J., FR55913.
Petrauskas, Raymond R., FR79619.
Pevey, Willard J., FR63013.
Rubel, Harold R., FR76431.
Sanders, James G., FR62495.
Sawyer, Charles H., FR63058.
Schmitt, Henry J., Jr., FR56395.
Schoettler, James A., FR64214.
Schorlemer, Wendell C., FR69805.
Schwamm, Harry A., FR59552.
Singleton, William P., FR55214.
Skogland, Herbert L., Jr., FR62496.
Smith, Lawrence R., FR51334.
Stern, Louis H., FR49686.
Threadgill, Joseph M., FR63405.
Weikers, Norbert J., FR62918.
Wildin, Robert E., FR56550.
Wiley, John R., FR59474.
Wittmer, James F., FR55916.
Wolfe, David C., FR59591.
Wright, John H., Jr., FR63015.
Youngman, Delyle R., Jr., FR63016.

NURSE CORPS

Adams, Ruth E., FR56055.
Anderson, Irene E., FR76382.
Ball, Lola M., FR59966.
Bardeen, Ruth E., FR82293.
Brunner, Mary A., FR76460.
Collins, Ann M., FR82301.
Corrigan, Jean A., FR26670.
Crawford, Patricia, FR64251.
Davis, Betty M., FR32467.
Destefano, Ann C., FR63482.
Eby, Billie B., FR59499.
Fertig, Mary L., FR66030.
Fleming, Dorothy I., FR64249.
Flenner, Mary A., FR59563.
France, Maybelle V., FR82317.
Gajan, Thressa L., FR82320.
Gray, Geraldine J., FR59969.
Gregory, Ellen L., FR59500.
Higgins, Margaret T., FR82332.
Hines, Anne T., FR56562.
Hunt, Marilyn, FR55386.
Jones, Mary L., FR49728.
Kehoe, Mary T., FR56563.
Knox, Barbara E., FR76383.
Ladner, Goldie M., FR49727.
Lose, Gertrude E., FR82399.
Mace, Laura I., FR51380.
Migliorino, Jean M., FR32465.
Monroe, Beverly W., FR32603.
Moore, Johnena K., FR62928.
Morris, Isabella S., FR61214.
Nelson, Alberta P., FR70388.
Norris, Lois J., FR61213.
Parker, Fay D., FR54956.
Sanders, Barbara B., FR82365.
Schneiter, Theda, FR70387.
Schoepke, Luella M., FR59970.
Sever, Caroline E., FR59967.
Shealy, Katherine I., FR29350.
Sullivan, Rosemary, FR51382.
Toth, Beatrice N., FR29351.
Truitt, Ernestine S., FR32468.
Vickers, Cassandra C., FR59968.
Walsh, Virginia M., FR55877.
Warren, Juanita, FR63413.
Wellman, Crescentia C., FR55824.
Winfield, Zerline, FR64250.

MEDICAL SERVICE CORPS

Anthony, Leonard S., FR49054.
Baddour, Robert A., FR49070.
Baird, Joseph A., Jr., FR28005.
Blakely, Robert A., FR49063.
Brown, Larry E., Jr., FR59495.
Brown, Norris S., FR49055.
Carden, John C., FR49065.
Crews, James M., Jr., FR29511.
Edwards, Robert M., FR32486.
Flocca, George L., FR55348.
Hames, Eugene F., FR49069.
Hazel, James H., FR49068.
Hoffman, John E., Jr., FR49062.
Holder, William L., FR49056.
Hunt, Joe E., Jr., FR49061.
Jeffries, James M., Jr., FR76597.
Kamrass, Eugene J., FR49057.
Olson, Loren K., FR76446.
Parsons, Frank R., Jr., FR27539.
Roach, Donald V., FR27538.
Suchenski, Richard C., FR32489.
Thomas, Russell J., FR32487.
Volkenant, John J., FR32483.
Winney, Charles W., FR49066.

VETERINARY CORPS

Fuller, Charles E., FR56484.
Welbourn, Jerry L., FR61202.
Ziegler, Ralph F., FR51132.

BIOMEDICAL SCIENCES CORPS

Bobo, Carolyn E., FR29353.
Buchwald, Frank C., FR49064.
Darling, Charles L., FR32484.
Hall, Giles W., FR49059.
Lykins, Wheeler, FR49060.
McNey, Thomas J., FR55349.
Neuhardt, Ernestine, FR29516.
Seefelt, Edward R., FR49067.
Taylor, Philip A., FR59496.

LINE OF THE AIR FORCE

Second lieutenant to first lieutenant

Aars, Rallin, J., FR78180.
Aasheim, Gary L., FR79258.
Abbott, Douglas A., FR79259.
Abbott, James E., FR79647.
Abbott, Robert L., Jr., FR78501.
Achter, Gilbert J., Jr., FR78502.
Ackerman, Robert W., FR36261.
Addison, Jon R., FR80760.
Adkins, Ben F., FR80761.
Ahern, William R., Jr., FR78503.
Alberts, Donald J., FR78504.
Alderman, James H., FR80762.
Aldrich, Jeffrey B., FR79995.
Alexander, Ronald R., FR80763.
Alfred, Gerald D., Jr., FR78505.
Allen, Kent R., FR79013.
Allen, Robert F., FR79978.
Allocca, Thomas R., FR36426.
Almassy, Robert J., FR79014.
Aman, Alroy A., FR79261.
Ammerman, David E., FR78506.
Andersen, Ernest F., FR79264.
Anderson, Fred R., FR80764.
Anderson, Gary L., FR78507.
Anderson, George W., FR78508.
Anderson, James N., FR79257.
Anderson, Kenneth A., FR78509.
Anderson, Stanley L., Jr., FR79262.
Anderson, Trygve E., FR79265.
Andrews, Roland D., FR78510.
Angelos, Nicholas L., FR80766.
Anspaugh, Charles C., FR28692.
App, Frank J., FR79997.
Arey, Laird C., FR79268.
Armitage, Thomas L., FR76547.
Armstrong, Jacob C., Jr., FR79015.
Aronoff, Joel S., FR78511.
Arshinkoff, Nicholas T., FR78512.

Ashdown, Floyd A., FR78181.
Austin, James A., FR80767.
Austin, John T., FR79270.
Ayres, John D., FR80768.
Badenell, Edward H., FR78513.
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Merrill, Richard H., FR76209.
Meschter, Charles A., FR79466.
Meyer, Charles L., FR79237.
Middleton, Robert B., FR80082.
Midnight, Francis B., FR78810.
Mietz, Lee A., FR77307.
Miheve, Gregory J., FR78811.
Mikels, John R., FR78812.
Miller, David E., FR78813.
Miller, Ernest E., FR78814.
Miller, Eugene P., FR80084.
Miller, Jeffrey M., FR79082.
Miller, Michael I., FR78815.
Miller, Roger H., FR80867.
Mills, Leroy, FR79048.
Mills, Ronald A., FR79752.
Mineau, Kristian M., FR78816.
Mink, Lawrence J., FR78817.
Mitchell, Charles L., FR80868.
Mitchell, Robert J., FR76523.
Mixer, Kenneth D., FR80085.
Montgomery, Dennis W., FR78818.
Montgomery, George M., Jr., FR39086.
Moore, Larry A., FR78819.
Moore, Roy E., FR78820.
Moreland, Earl L., Jr., FR78821.
Morilak, John H., FR80869.
Morris, Richard T., FR78822.
Morris, Thomas H., FR78823.
Morrison, James P., FR78824.
Mosier, Clyde R., FR79758.
Mount, Michael H., FR80871.
Mueh, David C., FR78825.
Muehe, Lawrence W., Jr., FR79478.
Mueller, David N., FR79479.
Muller, Stephen P., FR78826.
Mulvaney, John Q., FR79049.
Mummert, Thomas C., FR78827.
Murphy, Michael B., FR80870.
Murphy, Michael J., FR80872.
Murphy, Vincent P., Jr., FR38358.
Murphy, William T., FR79050.
Murray, John E., Jr., FR78828.
Myers, Glenn L., III, FR80873.
Nauton, Leroy C., Jr., FR78829.
Nawrocki, Dennis L., FR79900.
Neeland, Roger P., FR78830.
Nelson, Curtis V., FR80089.
Neuens, Martin J., FR78831.
Newton, David G., FR80874.
Nibler, Gerald J., FR79759.
Nicholson, Tom E., FR79902.
Nickerson, David E., Jr., FR80875.
Noonan, Michael W., FR80132.
Noy, Thomas W., FR80876.
Noyes, Charles E., FR78832.
Oates, Fred D., FR81260.
O'Brien, David F., FR78833.
O'Bryan, Carey L., III, FR78834.
O'Garr, Richard J., FR79766.
O'Keefe, Timothy F., Jr., FR78835.
Olin, Gary S., FR78836.
Olivier, Michael G., FR76345.
Olmsted, Fred S., Jr., FR78837.
Olsen, Stephen R., FR78838.
Olson, Gregory M., FR79052.
Olson, Merrill H., FR80877.
O'Neill, Richard E., FR78386.
Ordway, Kenneth K., FR79053.
Osborn, John F., FR78839.
Oswald, Louis, FR79905.
Ott, Gunter E., FR80878.
Palamaro, John M., FR80879.
Palky, Donald L., FR78842.
Paterno, Jack C., Jr., FR78843.
Patterson, Freddi R., FR78844.
Patterson, Robert A., II, FR79770.
Patterson, Thomas J., FR38798.
Patton, David B., FR79491.
Pauer, Kurt B., FR78845.
Pavich, Michael D., FR78846.
Pazdan, Dennis S., FR78847.
Pearce, Harry J., FR78848.
Pearson, Jack T., FR80880.
Pegg, Edward T., FR78849.
Perala, Donald A., FR79494.
Perez, Guillermo, FR78850.
Perkins, David R., FR79054.
Pesut, Martin S., FR78851.
Peters, Martin H., FR80881.
Peterson, John E., FR80882.
Peterson, Richard E., FR79055.
Pettit, Alan L., FR79497.
Pierce, David P., FR78852.
Pierce, James B., FR78853.
Pierce, James W., FR79498.
Pike, Robert L., FR80095.
Pippin, Ernest H., Jr., FR80883.
Pitt, Ronald E., FR80884.
Pizzorno, James J., FR38413.
Platt, Alfred G., FR79501.
Plummer, James T., FR77308.
Plymale, Richard E., FR79056.
Porter, Richard E., FR78854.
Porter, William J., FR80886.
Porterfield, Jerry L., FR38821.
Post, David M., FR80097.
Pottenger, Eugene W., FR78855.
Povich, Michael J., FR78856.
Powell, Donald L., FR80887.
Powers, Duane P., FR80888.
Prahm, Richard L., FR79777.
Prater, Gladstone J., Jr., FR80889.
Pratt, David J., FR79778.
Prenez, Jon E., FR78857.
Priest, Larry L., FR78858.
Procopio, James T., FR79186.
Prust, Allan E., FR80890.
Pryal, Alfred N., FR79781.
Puckett, Richard A., FR79057.
Purcel, Alex H., III, FR78859.
Quigley, John M., FR78860.
Rae, Richard P., FR79507.
Rainwater, Elbert L., FR80891.
Ramsay, David L., FR79058.
Rankin, William A., FR76151.
Rapp, Charles G., FR79509.
Rasinski, John E., FR80892.
Rassier, Patrick J., FR79510.
Rauch, Donald E., FR79913.
Rauch, Francis A., Jr., FR79511.
Rauk, Thomas T., FR78861.
Raver, James M., FR78862.
Rawlins, Add C., III, FR78863.
Ray, James E., FR80893.
Raymond, John W., FR79059.
Redden, Joseph J., FR78864.
Reed, Dorman R., Jr., FR78865.
Reeder, Richard A., FR79782.
Register, Charles R., FR78867.
Reinking, Richard D., FR78868.
Reis, Alvaro A., FR79917.
Renschen, James H., FR78869.
Revell, William R., FR80894.
Reynolds, Ronald J., FR79513.
Rich, Lloyd L., FR80895.
Richardson, Jere M., FR79060.
Richmond, James A., FR78871.
Richter, Karl W., FR78872.
Rickel, David J., FR78873,
Rigoli, Daniel, FR79516.
Ringleb, Robert J., FR37812.
Ringley, Thomas L., FR38840.
Risher, David H., FR78875.
Ritchie, Richard S., FR78876.
Rively, Joseph C., FR80896.
Robbins, Colin K., FR78877.
Robbins, Michael R., FR78878.
Roberts, Philip A., FR78879.
Robertson, Michael G., FR80897.
Robinson, David A., FR76625.
Robinson, Lawrence R., III, FR78880.
Robishaw, Howard C., FR80898.
Rodgers, Raymond E., Jr., FR78881.
Rodwell, Joseph E., FR78882.
Rogers, Alan V., FR78883.
Rogers, John R., FR79061.
Rogers, Judith R., FR79521.
Rogers, Lloyd B., Jr., FR79523.
Romines, Jackie A., FR80899.
Rooch, Melvin R., FR79522.
Roohms, John W., FR78388.
Rook, Robert D., FR80900.
Rooker, Lester W., FR76347.
Rose, Donald M., FR80103.
Rosenzweig, Edward M., FR79924.
Rospars, Eugene H., FR79526.
Rossnagel, Edmund, FR78885.
Rotman, Douglas A., FR78886.
Routt, William S., FR80901.
Rubenstein, Larry J., FR80902.
Ruddell, Richard L., FR76554.
Rudgis, Robert, FR80104.
Running, Ronald N., FR78887.
Ruona, Clifford J., FR80105.
Russell, Charles T., FR76348.
Russell, Robert H., II, FR80106.
Rutter, Milton R., FR78888.
Ryser, Gary C., FR78889.
Saffle, John C., FR80903.
Sahler, Paul R., FR79929.
Saito, Theodore T., FR78890.
Sakahara, William T., FR78891.
Salas, Robert L., FR78892.
Salzarulo, Raymond P., Jr., FR78893.
Sampson, Kenneth B., FR78894.
Samuel, David B., FR78895.

Samuels, Jon M., FR80998.
Sanders, Donald E., FR79529.
Sanders, Emmett W., Jr., FR80904.
Sanderson, Gary F., FR78896.
Sandstrum, Cary V., FR78897.
Sansom, Robert L., FR78898.
Sassman, Louis D., Jr., FR37300.
Savage, Leliand J., FR79531.
Scammon, Richard J., FR79532.
Schaefer, Laird W., FR78899.
Scheele, John T., FR79790.
Schell, Daniel P., FR80906.
Scherer, Charles L., Jr., FR76555.
Schlegel, Gerald K., FR78900.
Schloemer, Ronald F., FR76350.
Schneider, Bernard G., Jr., FR80905.
Schneider, John A., FR80907.
Schneider, Roger W., FR 80909.
Schroeder, David C., FR79931.
Schue, Howard K., FR79063.
Schuhmacher, John E., FR78902.
Schuley, Richard S., FR79064.
Schulz, Usto F. E., FR78903.
Schumack, Thomas A., FR80908.
Schwinkendorf, William E., FR80910.
Scott, Kenneth L., Jr., FR79065.
Search, David E., FR79932.
Sears, Carver L., FR7904.
Sears, James F., FR8905.
Seeger, John R., FR80911.
Selheimer, Howard E., FR79539.
Shadle, Philip L., Jr., FR78907.
Shelton, Jerry L., FR79066.
Sheridan, Robert P., FR79933.
Sheward, Clarence W., FR78908.
Shive, Jon H., FR3138514.
Shively, James R., FR78909.
Shriner, John N., FR78910.
Shumaker, Frank A., Jr., FR37822.
Shure, Stephen W., FR79934.
Sicks, David F., FA78911.
Sieg, William D., FR78912.
Siegel, Murray H., FR78189.
Silva, Joseph, FR79935.
Simmons, Richard G., FR79974.
Simpson, Merlin C., Jr.. FR79544.
Simpson, Raymond, FR79546.
Skaer, William K., Jr., FR78913.
Skalicky, James R., FR77310.
Skey, Anthony F. M., FR80913.
Skinner, Robert R., FR78914.
Skinner, Toby L., FR80914.
Slattery, James M., FR78190.
Slye, Richard H., FR37340.
Smith, Donald B., FR78916.
Smith, Gary M., FR78917.
Smith, George G., FR78918.
Smith, Gordon C., FR78919.
Smith, Hallie W., FR79545.
Smith, Henry J., FR78920.
Smith, J. D., FR78922.
Smith, Larry N., FR78923.
Smith, Ronald H., FR79067.
Smyth, Charles H., FR78924.
Snapp, Kenneth O., Jr., FR78925.
Sobieski, Bernard M., FR79937.
Solem, Richard H., FR79547.
Sowers, John C., FR78926.
Spelius, Wayne C., FR78928.
Spellman, Arthur N.. FR79549.
Spinelli, Leo V., FR79068.
Spoon, Donald R., FR78929.
Stackhouse, Will, III, FR78930.
Stanforth, David H., FR50519.
Stenger, Douglas R., FR76563.
Stephens, Collins C., FR79556.
Stephenson, Thomas W., III, FR79557.
Stetson, Craig L., FR79248.
Stevens, Henry A., III, FR78931.
Stevenson, George M., IV, FR78932.
Stewart, James W., FR78933.
Steyer, Harold C., Jr., FR80915.
Stierman, Tyrone M., FR80916.
Stiles, Dennis, FR78934.
Still, Kenneth E., FR79559.
Strickland, Charl L., FR80918.
Strickland, Henry L., FR79069.
Struve, Roger L.. FR80919.
Stumm, Richard L., FR80118.
Stutz, Leroy W., FR78935.
Sudmalis, Laimons, FR78936.
Sue, James E., FR78937.
Sullivan, John L., Jr., FR78938.
Sultany, Dennis J., FR78939.
Summers, William H., FR33068.
Sutherland, Jeffrey V., FR79070.
Swaney, Robert W., FR79800.
Sweeney, John J., Jr., FR78940.
Sweetay, William P., FR78941.
Swenson, John A., FR78390.
Sykora, Charles J., FR31991.
Sylvester, Delano J., FR80920.
Taormina, Vincent, FR79564.
Taylor, Anthony H., FR78942.
Taylor, George W., FR79801.
Taylor, Michael A., FR80921.
Taylor, Thomas E., FR79802.
Tedesco, Frederic P., FR78943.
Thies, Mack, FR78945.
Thomas, Arnold R., Jr., FR78946.
Thomas, Raymond M., FR78947.
Thompson, Douglas L., FR78948.
Thompson, Robert A., FR80922.
Titenberg, Thomas H., FR78949.
Till, Thomas A., FR78950.
Tiplady, Richard J., FR79071.
Tisdale, Thomas B., Jr., FR80120.
Toffel, Randall K., FR78951.
Tomasovic, Richard P., FR79143.
Tomlinson, Kenneth J., FR80923.
Topor, Edward S., FR79072.
Tornow, Robin G., FR78952.
Tourino, Ralph G., FR80924.
Tracy, William D., FR78953.
Trbovich, Daniel E., FR79944.
Trent, Alan R., FR78954.
Trial, Daniel S., FR78955.
Truax, John F., FR79574.
Trujillo, Joe E., FR78956.
Tuck, Alan D., Jr., FR78957.
Tucker, George L., FR80925.
Tudor, Ray G., FR80926.
Tuffey, Patrick J., FR78958.
Turner, Franklin H., Jr., FR80123.
Tyre, William W., Jr., FR19950.
Underwood, Maurice E., Jr., FR78959.
Vaeth, Randall W., FR78960.
Valuska, David L., FR79576.
Vanbennekum, Jan G., FR78961.
Vanbuskirk, William C., FR79073.
Vanderbeke, Donald A., FR79949.
Vandette, Michael A., Jr., FR78962.
Vandomelen, John F., FR78251.
Vansickle, Paul S., FR78963.
Vargas, Douglas J., FR79578.
Vargas, Santiago, Jr., FR80927.
Vergho, Gary L., FR80928.
Verkest, William A., FR38924.
Verstreate, James P., FR78964.
Vickerman, Bruce E., FR80929.
Vycital, Mark A., FR76156.
Wadsley, Victor J., FR19738.
Wagner, Frederick H., IV, FR78965.
Walker, Fred W., FR78966.
Wall, Stephen H., FR80930.
Wallace, Arthur M., FR80931.
Wallace, David M., FR79585.
Wallace, Gary H., FR80932.
Wallace, James R., FR78967.
Wallace, Thomas G., FR76626.
Walsh, Richard C., FR78968.
Walsh, Thomas H., Jr., FR78969.
Walter, Richard C., FR80125.
Walters, Charles M., FR80933.
Wampler, Howard W., FR79815.
Wankerl, Max W., FR80934.
Ward, Alan A., FR80935.
Ward, Daniel E., FR78970.
Ware, William J., FR78971.
Watson, Frank C., FR79074.
Watson, Harold E., FR78972.
Watts, James G., FR39076.
Watts, Peter M., FR37431.
Weatherly, Stephen G., FR79587.
Webster, Thomas L., FR78973.
Wecker, James C., FR80127.
Weiner, Sigmund T., FR79075.
Wells, Rodney A., FR78974.
Wells, Roger G., FR37841.
Welter, Clarence J., Jr., FR78975.
Wenger, John C., FR37438.
Wentzel, Kenneth O., FR78976.
Werth, Eldon J., FR79819.
West, Wesley L., FR38618.
Westover, Timothy O., FR78977.
Whatley, Hugh C., FR78978.
Wheeler, James F., FR78979.
White, Donald F., Jr., FR79954.
White, Frank R., FR80128.
White, James B., FR78981.
White, Kenneth N., FR80936.
White, Raymon M., Jr., FR79597.
White, Robert A. M., FR76211.
White, William C., FR78982.
Whitman, Horace T., II, FR78983.
Whitney, Donald K., FR79955.
Whitney, Raymond J., Jr., FR80938.
Wicks, Kenneth P., FR78984.
Widger, James L., FR78985.
Widmayer, Karl C., III, FR78986.
Wieck, Gary M., FR76564.
Wiedemeier, Dennis W., FR78987.
Wiegard, Don W., FR76157.
Wiener, Dale O., FR80939.
Wilcox, Joel G., FR80940.
Wiles, John A., FR78988.
Williams, Clifford E., FR79076.
Williams, Harris E., FR79251.
Williams, James L., FR79083.
Williams, John J., FR78990.
Williams, Jonathan D., FR78191.
Williamson, Hugh H., III, FR78991.
Willis, Larry A., FR78992.
Wilson, James D., FR80195.
Wilson, John F., FR78993.
Wilson, Karl R., FR79078.
Wilson, Kelly T., FR78994.
Wilson, Michael S., FR79823.
Winborn, Edwin G., FR79079.
Winegar, Rodger A., FR80942.
Winters, Henry, Jr., FR37453.
Wishart, Ronald K., FR78995.
Wiswell, Robert A., FR78392.
Withrow, Robert E., FR79604.
Wittress, William M., Jr., FR78996.
Wojnaroski, John W., FR78997.
Wold, Hal W., FR80943.
Wolfe, Thad A., FR78998.
Wollstadt, David C., FR80944.
Wolniewicz, Richard, FR78999.
Wood, James M., FR79000.
Woodrow, Robert A., FR80129.
Woods, Robert V., FR79001.
Woody, James P., FR30004.
Workman, Allen L., FR79002.
Worley, Gary G., FR80945.
Wozniak, Frederick J., FR76158.
Wray, John C., II, FR30536.
Wright, Dwain C., FR79609.
Wright, Thomas P., Jr., FR79003.
Wrigley, Miles N., FR80130.
Wyatt, James A., FR80131.
Yax, Thomas J., FR79610.
York, Ernest D., FR80946.
Young, James R., II, FR79005.
Young, Truman R., Jr., FR79006.
Young, Willie F., FR79826.
Zaiser, Alan R., FR79007.
Zalar, Joseph H., FR79956.
Zaniboni, Robert J., FR79827.
Zeigler, Gary S., FR80947.
Zella, Kenneth B., FR79009.
Zimer, Milan, FR78192.
Zimmer, Albert L., FR79612.
Zimmerman, Richard L., FR31359.
Zimmermann, Frank S., FR38965.
Zimmermann, Hanspeter, FR79828.
Zionic, Gerald A., FR79010.
Zurbay, Dennis J., FR76352.

MEDICAL SERVICE CORPS

Second lieutenant to first lieutenant

Clist, Todd, FR77299.
Gates, George F., III, FR78658.
Hauth, John C., FR78692.
Hromyak, George F., Jr., FR79034.
Ingram, James C., Jr., FR78727.
O'Connell, Leo P., FR79051.
Risch, Edward D., FR78874.
Rogers, Woods W., III, FR79062.
Satterfield, Glenn T., FR76415.
Smith, Hugh N., FR78921.

BIOMEDICAL SCIENCES CORPS

Second lieutenant to first lieutenant

Zabezensky, M., FR80948.

IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3305.

To be colonels

Abrino, Francis E., O79721.
Adair, George W., O79722.
Adie, John R., O47634.
Agee, Henry T., O45709.
Agnew, John P., O52985.
Ahern, William F., O36187.
Aileo, Edward J., O25000.
Albright, Charles R., O36502.
Albright, Jack A., O40870.
Allen, Richard J., O46952.
Allin, George R., Jr., O24760.
Anders, Charles T., O36679.
Anders, James D., O33475.
Anderson, Andrew C., O36146.
Anderson, Charles J., O25376.
Anderson, Charles L., O35797.
Anderson, Edward G., O36391.
Anderson, John V., O36984.
Andrews, John T., Jr., O33908.
Antonelli, Theodore, O46189.
Aquilina, Raymond F., O36782.
Armstrong, Dewitt C., O25441.
Arnold, Walter F., O46714.
Arnold, William E., O36388.
Aronson, Richard W., O39073.
Askey, Robert F., O47707.
Atkins, Robert M., O52916.
Austin, Benton M., O35161.
Austin, George A., Jr., O25420.
Austin, John D., O46516.
Autrey, Paul, O46504.
Bachtel, Charles L., O79729.
Baden, Clyde H., Jr., O36333.
Bagg, James C., O24132.
Bailey, Jack L., O35552.
Baird, Cud T., III, O46804.
Baldwin, James L., O36864.
Baltes, Paul A., O39285.
Bammer, Wyndham H., O36903.
Bane, Frank P., O36121.
Bankson, Rodger R., O79731.
Barber, Robert K., O36728.
Barclay, John R., O46727.
Barlow, Lester E., O35544.
Barner, John H., O36700.
Barnes, John W., O24663.
Barnes, Roger A., O24694.
Barnhart, Frank H., O36516.
Barrow, Thomas A., O35686.
Bartholomees, James, O24839.
Basile, Daniel, O40900.
Bass, Glenn L., O40818.
Bates, Frank A. Jr., O53290.
Bates, James M., O36565.
Beachler, William C., O36099.
Beard, William D., O47010.
Beauchamp, Robert J., O44907.
Beaumont, Harry C., O35059.
Beebe, John E., Jr., O79736.
Bell, Theodore S., O36122.
Bennett, Robert J., O46832.
Bennett, Warren K., O35691.
Benton, D. L., Jr., O35022.
Berglund, Arnold A., O35599.
Beyer, Donald A., O40751.
Bieber, Russell S., O35424.
Bigart, Robert J., O35831.
Biggio, Charles P., O36821.
Billingsley, Max E., O44631.
Bischoff, Lawrence, O25571.
Bisset, David A., Jr., O47274.
Black, Don W., O36126.
Blackwell, John L., O36378.
Blakely, Larry A., O36426.
Blossom, Charles C., O45451.
Blue, Douglas K., O25453.
Blum, Charles K., O36898.
Boardman, Dumas H., O34963.
Bogen, Paul L., O79747.
Boles, Fletcher W., O46985.
Bolton, Donnelly P., O24982.
Bonasso, Russell P., O24714.
Bond, William R., O36618.
Bonifas, Arsene P., O45437.
Boston, Joffre H., O35537.
Boudman, Arthur B., O79751.
Bowden, Henry C., Jr., O47536.
Bowen, James D., O46668.
Bowen, Ralph H., O25069.
Boyd, Hugh K., Jr., O36658.
Brabson, Kimberly, O35465.
Bradshaw, John F., O44846.
Braxton, Joseph C., O36703.
Bremkamp, Louis E., O79755.
Bringham, Robert M., O24925.
Brown, Jack M., O39120.
Brown, Thomas W., O25769.
Brownfield, Lee B., O36135.
Browning, Earl S., Jr., O35536.
Bruce, Edward C., O25404.
Bryant, Robert E., O54484.
Bryson, Ernest D., O47161.
Buchanan, Stephen C., O39182.
Buck, Charles A., O34641.
Buehler, Vernon M., O53373.
Buelow, Wallace R., O36319.
Buford, Lanier D., O39046.
Bull, Richard T., O53984.
Burdick, James R., O36760.
Burgher, Frank E., O36180.
Burke, William A., O46646.
Burkhart, James R., O25018.
Burt, William A., O36940.
Burton, Jonathan R., O36198.
Burton, Lewis R., O34567.
Butler, James W., O54157.
Byrne, Robert G., O36854.
Bzdek, Beverly M., O39269.
Cage, Lee E., O24909.
Calder, Henry L., Jr., O34671.
Calvert, George M., O36061.
Cameron, Ernest V., O40876.
Camm, Frank A., O25448.
Camp, Marlin W., O35999.
Campbell, Gay, O35586.
Campbell, James E., O47367.
Campbell, William A., O25400.
Capshaw, Benjamin D., O36345.
Carleton, Linwood A., O36260.
Carpenter, Irvin F., O39112.
Caruthers, Lawrence, O24896.
Casart, William M., O35848.
Case, Scott M., O23121.
Cavanaugh, Stephen, O36485.
Cavender, James W., O46443.
Cawthra, James H., O36981.
Cerar, Paul R., O24674.
Chambers, John S., Jr., O25357.
Chance, Francis A., O36784.
Chapin, Richard H., O47651.
Chapman, James R., O40711.
Charbonneau, Cecil, O24817.
Chase, James E., O47642.
Chavis, Thomas N., O39193.
Chesebro, John S., O47284.
Chester, Michael C., O88247.
Chrysler, Edward J., O53809.
Ciraldo, Robert I., O36117.
Clagett, Robert H., O24803.
Clark, Robert E., O23911.
Clay, Frank B., O24937.
Clay, William L., O23059.
Clinton, Roy J., O23774.
Coffey, Charles F., O44998.
Coker, Sears Y., O23697.
Coleman, William S., O35710.
Coley, Fred A., O40851.
Colladay, Edgar B., O24968.
Connolly, Donald H., O24783.
Connolly, George I., O36666.
Conover, Charles M., O33685.
Conover, Thomas M., O33029.
Conrad, Eugene B., O34204.
Cook, Charles W., O35737.
Cooper, George T., O35983.
Cooperhouse, Jacob, O24840.
Corley, William E., O24746.
Cornutt, Howard L., O45992.
Corrado, Vincent L., O54417.
Coulter, John A., O33541.
Cowan, Bryan, O40850.
Cowles, Donald H., O35735.
Cox, Junior N., O46561.
Cox, William H., O33751.
Coyne, John C., O46506.
Cranston, Robert, O88034.
Cravens, Gerald M., O35188.
Crawford, Kenneth C., O35784.
Crisson, Robert C., O36520.
Crittenberger, Willis D., Jr., O24893.
Crosson, William H., O24880.
Crouch, Horace J., Jr., O46131.
Crowley, John D., O25016.
Curran, Charles E., O36163.
Curtis, Claire S., O33394.
Curtis, Elbert R., O36547.
Daems, Leonard R., Jr., O47270.
Dailey, Howard M., O34702.
Dakin, Hollis, O40780.
Daley, Edward J., O36418.
Daly, William J., O25061.
Daniel, Emile W., Jr., O34871.
Darnell, Richard J., O24159.
Datnoff, Arthur R., O35053.
Datres, Eugene B., O35166.
Davenport, Clarence, O25656.
Davis, Ernest H., O34740.
Davis, John F., Jr., O24948.
Davis, Paul W., O36375.
Davison, Frederic E., O45682.
DeMund, Robert J., O80271.
Deadwyler, William, O36298.
Deane, John R., Jr., O24835.
Deason, Robert H., O35323.
Delaney, Donald J., O34852.
Dellinger, William, O53658.
Denlinger, Martin L., O33519.
Dennison, Richard F., O34040.
Des Jarlais, Robert, O47377.
Dey, Edward H., O87730.
Dillard, John A. B., O53930.
Divers, Walter A., O24945.
Dooley, Richard L., O24456.
Dorn, William C., O36316.
Dornacker, Charles, O36370.
Doupe, Robert L., O35562.
Dreiss, Edward, O35589.
Ducey, Donald L., O35811.
Dudley, Eldridge C., O54260.
Duffy, David A., O34662.
Duke, Robert C., O36697.
Duke, Russell A., O40873.
Duncan, Herbert L., O39230.
Dunlap, Robert E., O40862.
Duren, Elton W., O35087.
Duty, Clifton O., O35981.
Eastlake, Donald E., O34879.
Eckert, George L., O24976.
Edmunds, James M., O35174.
Eggleton, Richard E., O52844.
Eichnor, John T., O53927.
Ellis, Clarence H., O34762.
Ellis, Vincent H., O53814.
Ellison, Charles J., O40846.
Emery, John C., O23153.
Erickson, James L., O33597.
Ervin, John W., O39216.
Evans, Frank J., O53630.
Evans-Smith, William, O53988.
Falls, Bruce T., O47145.
Fansler, Reginald K., O40608.
Farley, Jack H., O53889.
Farrington, Edmond, O24698.
Fazio, Vincent F., O46947.
Fellows, John L., Jr., O79810.
Felter, Joseph H., O53216.
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Fergusson, Charles, O24709.
Ferrell, Robert M., O53808.
Fickessen, Jack W., O35973.
Finneran, Thomas C., O36643.
Fish, Rue D., Jr., O46559.
Flanagan, Edward M., O25710.
Flanders, Walter C., O81897.
Florcruz, Pedro R., O47122.
Ford, John H., Jr., O33411.
Foster, Randolph V., O45728.
Foster, Virgil P., Jr., O36229.
Foulk, John D., O35629.
Fox, Clifton C., O47142.
Fox, Ogden R., O47943.
Frassrand, John M., O40621.
Fritz, Robert W., O24744.
Froeschle, Helmuth, O35070.
Fulbruge, Charles R., O34190.
Fulmer, John M., O47846.
Fulton, William B., O25385.
Fuson, Jack C., O36184.

Gage, Nathaniel A., O47155.
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Gates, Mahlon E., O24685.
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Gay, John F., O40804.
Geery, Billy B., O34877.
Geiger, Roy S., Jr., O24845.
Geist, Russell C., Jr., O46585.
Gelling, Louis, O36353.
Gettings, James J., O46600.
Gibney, Raymond F., O36068.
Gilbert, Stanley K., O47926.
Gill, William E., O79824.
Gilman, James W., O25394.
Gleason, Frank A., Jr., O35882.
Godding, George A., O40790.
Goff, Kenneth J., O79828.
Goldblum, Kirby D., O79830.
Golladay, William C., O40897.
Goodman, Glenn W., O54171.
Goodsell, Vincent F., O33483.
Goodwin, Frederick, O34335.
Goodwin, James W., Jr., O53694.
Gordon, Herschell G., O46942.
Grant, Joseph H., Jr., O25384.
Gray, Thomas E., O47851.
Green, George E., O40983.
Greenberg, Norman D., O25695.
Greenlief, Dale R., O36476.
Grissom, Thomas C., O46263.
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Haley, Joseph K., Jr., O79836.
Haley, Norman R., O36911.
Hall, Chester A., Jr., O48018.
Hall, Frederick W., O47574.
Hamel, George F., O46167.
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Hamilton, Robert K., O45425.
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Hampton, Rex H., O47211.
Hanifen, Thomas J., O40926.
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Hard, William H., O36120.
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Harding, William B., O53958.
Harper, Earl L., O35272.
Harris, William J., O47105.
Harvey, Ben, Jr., O40688.
Hastie, William L., O54089.
Hatch, Robert F., O54234.
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Hays, Claude A., O47134.
Hays, Samuel H., O24797.
Healy, Frank C., O24412.
Healy, Richard D., O36033.
Heard, John W., O24953.
Heimer, Gerard, O33907.
Hemingway, Jack W., O35854.
Henderson, David S., O25412.
Hendren, Ed V., Jr., O46682.
Henne, Charles A., O46253.
Henshaw, Philip B., O34856.
Herrod, Ralph, O79634.
Hertzog, Jack M., O40856.
Hickman, Don R., O35996.
Hickok, James N., O36096.
Hicks, Raymond L., O52535.
Hiett, Joseph C., O34657.
Higgins, Hugh R., O36183.
Higgins, James L., O36306.
Hill, Charles R., O24940.
Hill, James H., Jr., O39191.
Hillman, Robert G., O25477.
Hilton, Corson L., Jr., O24438.
Hinton, Reginald J., O79853.
Hobrecht, Alfred P., O34968.
Hodges, John, O34353.
Hodgson, John A., O83584.
Hogrefe, Walter W., O25518.
Holland, Earl H., O87795.
Hollis, Harris W., O53724.
Hollis, Jesse B., Jr., O25651.
Hollstein, Jean W., O35559.
Holman, Jefferson T., O36987.
Holmes, Eugene J., O33317.
Holt, Harvey S., Jr., O79859.
Homann, Gerald W., O25382.
Honea, John C., Jr., O36175.
Hoplin, Herman P., O36975.
Horn, Robert L., Jr., O53717.
Horne, Richard C., O40863.
Horton, Paul N., O36254.
Hottenroth, James H., O24645.
Howell, Dewitt C., O45937.
Hoye, John H., O46570.
Hudak, Edward M., O47803.
Huggins, Lloyd G., O36139.
Hughes, John P. M., O47232.
Hunnicutt, John O., O36380.
Hunter, Albert E., O24898.
Hurst, Hudson R., O53242.
Hyde, John F., O36905.
Irby, Pierce B., Jr., O34282.
Ivey, Robert H., O24849.
Jackson, Burwell B., O34840.
Jackson, Fred O., O47577.
Jackson, Harry R., O53997.
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Jackson, Kenneth E., O36349.
James, Joyce B., O53547.
Jennings, John W., Jr., O24522.
Johnson, Charles C., O34950.
Johnson, Gerald, Jr., O25035.
Johnson, Glen R., O87803.
Johnson, James M., O54002.
Johnson, Kenneth L., O36285.
Johnson, Vern E., O44959.
Johnston, William F., O35987.
Johnston, William R., O47363.
Jones, Albert W., O33488.
Jones, Kenneth M., O40829.
Jones, Raymond G., O24576.
Jones, Ulysses G., Jr., O24882.
Jones, Wyly K., O46743.
Josephson, Stanton, O24745.
Joyner, Archie B., Jr., O54001.
Kane, Robert W., O33492.
Kasler, Charles L., O34599.
Kasserman, Harold W., O48070.
Kates, Robert C., O24787.
Kauffman, Eldeen H., O39257.
Kaufman, William F., O81907.
Kean, Marshall P., Jr., O40927.
Keating, William J., O36503.
Keene, Leonard L., O36529.
Keiser, Carl P., Jr., O36066.
Keitt, Thomas W., OF104464.
Kelleher, James E., O25611.
Kelly, Francis J., O37505.
Kelly, Randall, O47876.
Kendrick, Robert C., O46545.
Kennedy, Cary A., Jr., O40779.
Kennedy, Clarence N., O53230.
Kennedy, Harold R., O46534.
Kennedy, Richard J., O80935.
Kennedy, William D., O35444.
Kennon, William U., O79876.
Kidd, William T., O48216.
King, Ernest S., O35147.
Kinkead, William W., O40838.
Kinnes, Ralph, O36800.
Kitchens, Edward B., O40791.
Kleysteuber, William, O53062.
Kline, Earl G., O46466.
Klingenhagen, John, O39223.
Knowlton, William A., O25436.
Kogstad, Arthur W., O36176.
Koisch, Francis P., O24669.
Kolb, James T., O47708.
Kolesar, Armand M., O36783.
Koster, Samuel W., O24873.
Kraft, William R., Jr., O24726.
Kranc, Robert T., O36667.
Kressin, Harold R., O45387.
Krueger, Philip G., O24677.
Kruger, Carl W., O35845.
Kudrna, James F., O81909.
Kuhn, George W. S., Jr., O44862.
Laird, Paul G., O45698.
Lanen, William J., O36907.
Langston, Joe V., O24182.
Lathrop, Alba B., O36492.
Lau, Ernest V., O79886.
Lee, Richard M., O35551.
Leech, Lloyd L., Jr., O25386.
Leeper, Michael E., O46552.
Lekson, John S., O35837.
Leonard, Richard M., O53957.
Levin, William B., O53865.
Levy, Gilbert P., O79892.
Lewis, Charles A., O53421.
Lewis, Keith L., O79893.
Lewis, William D., O79894.
Lilly, Grady F., O36990.
Lisk, Percy F., Jr., O53540.
Lochrie, Wilmer R., O36936.
Loesing, Vernon T., O36090.
Logan, Edward O., O36610.
Lord, Nicholas A., O46045.
Lovelace, Richard M., O39079.
Lowe, Henry A., O34748.
Lowe, Herbert S., O35561.
Lukens, Howard I., O53619.
Lynch, William J., O53175.
Lyon, David R., O53594.
Lyons, Thomas L., O35997.
Mabry, Ned B., O53148.
MacDonald, Robert, O39172.
MacIndoe, John W., O25407.
MacQueen, Lawrence, O35614.
Macek, Kenneth T., O46866.
Madsen, Archie T., O45806.
Maertens, George K., O25698.
Magruder, Samuel B., O23874.
Maguire, Robert F., O37528.
Mahone, Thomas B., Jr., O46521.
Male, Clinton E., O24078.
Marks, Edwin H., Jr., O24935.
Marks, Sidney M., O36977.
Marks, William G., Jr., O45395.
Marr, John W., O36567.
Marshall, Robert C., O25467.
Martin, Harold V., O79637.
Martin, Lawrence E., O47622.
Matheson, Salve H., O36253.
Mathews, William R., O47934.
Matthews, Milton A., O56906.
Matthews, Robert A., O46599.
Mattice, Edson R., O79911.
Mattina, John C., O24683.
Maynard, John B., Jr., O79915.
Mazzucchi, Reno A., O36208.
McAdams, Samuel C., O39177.
McBride, George H., O47172.
McCabe, William J., O39167.
McCain, Paul B., O48072.
McCarthy, Max R., O36249.
McCaughey, Mack J., O36196.
McClure, Paul J., Jr., O35640.
McCoy, Richard L., O36950.
McElree, Hall B., O36252.
McElwee, Frank D., O25409.
McEvoy, Robert W., O35570.
McFadden, David B., O54083.
McFalls, Carroll, O47800.
McGovern, Donald H., O36851.
McGuigan, William, O36993.
McKay, Robert J., O79923.
McKean, William A., O35958.
McKemie, Edward B., O46573.
McKenna, John J., O33704.
McLaughlin, John D., O46520.
McLeod, William E., O36374.
McMullin, William, O79925.
McNamara, Harry, Jr., O35795.
Meads, John A., Jr., O36108.
Meara, William D., O35823.
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Mehlinger, Walter E., O36149.
Meier, Arthur C., O35560.
Meis, Emil F., Jr., O80454.
Merritt, Bruce, O46220.
Mewshaw, Charles T., O40832.
Meyer, Stewart C., O25560.
Milberg, Arthur W., O35842.
Miller, Harold R., O53967.
Milligan, Jack A., O54586.
Milloy, Albert E., O35289.
Mills, Eric R., Jr., O47272.
Milotta, David E., O35989.
Mitcham, Gene L., O33622.
Mitchell, Arthur F., O36489.
Mitchell, George R., O79932.
Mizell, Charles M., O24728.

Molesky, Walter F., O23857.
Mollen, Irving R., O79933.
Monsarrat, George F., O36698.
Moon, Gordon A., II, O25214.
Moore, James D., O25760.
Moore, Joseph W., O53733.
Moore, Philip J., III, O23135.
Moran, John, O53964.
Morgan, Bernie F., O44899.
Morgan, Reuben T., O36154.
Morrell, John R., O79938.
Morrison, Allen L., O32837.
Morrow, Jesse L., Jr., O36564.
Moseley, Woodford T., O35858.
Mueller, George H., O23196.
Mulheron, William, O47283.
Murphy, Raymond P., O24729.
Murray, Paul, Jr., O36982.
Myers, Woodrow H., O53888.
Neff, R. Wilson, O53439.
Nelson, Alex N., O33528.
Nemethy, Frank J., O36332.
Neubauer, William C., O35572.
Neumann, James D., O35956.
Neve, Jack C., O40893.
Newby, Gilbert U., O40858.
Newman, James B., III, O24654.
Nielsen, Edward L., O40868.
Niland, William H., O45456.
Nispel, Richard L., O53810.
Nobles, Lloyd E., O36865.
Nolan, Martin E., O53275.
Nottingham, Allen H., O36157.
Nungesser, William, O53150.
Obenchain, Irving R., O24658.
O'Connell, William H., O35575.
O'Connor, Joseph P., O40648.
O'Connor, Joseph F., O36411.
O'Connor, William S., O54316.
O'Donnell, James J., O47982.
O'Donovan, William E., O79639.
Offley, Robert H., Jr., O24871.
O'Leary, Joseph E., O37002.
O'Leary, Robert J., O36344.
Olsen, Charles I., O47541.
Olson, Arthur A., O36174.
Olson, Gust E., O46079.
O'Neal, Beverly F., Jr., O46929.
O'Neal, George R., O24772.
Orme, Eric C., O24673.
Owen, Edwin B., O47079.
Owens, Elmer G., O39181.
Panell, Marion R., O80471.
Pardue, Wallace D., O36413.
Parr, Stanley F., O35524.
Parson, Merlin H., O36084.
Pashley, Walter A., O40942.
Pasta, Melvin J., O36713.
Patten, Clarence W., O35859.
Patterson, James A., O36549.
Pearsall, Raymond D., O33548.
Peeples, Russell C., O36558.
Penuel, Victor B., Jr., O48015.
Perley, Robert L., O46454.
Peters, Gus S., O79949.
Peters, Ralph D., O46228.
Peterson, Eugene I., O36085.
Peterson, Paul L., O36496.
Peterson, Theodore, O47644.
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Petrie, Glen E., O36827.
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Pezdirtz, Joseph W., O36779.
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Pieklik, Joseph E., O36942.
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Pike, Edwin G., O40720.
Pilliod, Dallas A., O36257.
Pinson, William C., O36408.
Pister, Carl E., O53390.
Poole, Edgar R., O35959.
Pope, Cornell, O79955.
Potts, William E., O54461.
Prather, Herb D., O36258.
Prescott, Dana S., O79959.
Prugh, George S., Jr., O54092.
Ptak, Lloyd J., O25216.
Puetz, William M., O34654.
Putman, George W., Jr., O39206.
Raichlen, Richard A., O54419.
Ramberg, Vernon C., O53063.
Ramsey, James D., O36228.
Rankin, Walter J., O24455.
Raudstein, Knut H., O53611.
Raymond, Daniel A., O24670.
Rebh, George A., O25444.
Reed, John P., O35839.
Regner, William J., O25395.
Rehkopf, George D., O25004.
Restani, Raymond, O36568.
Rey, John F., O47633.
Reynolds, Emmett R., O25489.
Reynolds, Harold K., O39218.
Rice, Harold W., O24800.
Richards, Darrie H., O25458.
Richards, Ralph J., O37485.
Richardson, Hugh F., O36193.
Riedel, Philip H., Jr., O24756.
Rienzi, Thomas M., O24715.
Riley, James A., O79968.
Robens, Robert F., O36665.
Roberts, Clifford E., O46969.
Roberts, Elvy B., O25781.
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Roecker, Frederick, O24681.
Rogers, William T., O81859.
Romans, Warren L., O39150.
Roop, William B., O54199.
Roquemore, Frank U., O36712.
Ross, James T., Jr., O36931.
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Rowe, Gerald W., O35810.
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Ruhsam, Harry E., O47135.
Runte, Walter G., O36525.
Rush, Donald L., O39076.
Rush, Roger S., O47718.
Russell, Peter T., O24947.
Ryder, Charles W., Jr., O24951.
Saari, Albert E., O25470.
Sadler, Robert E., O36522.
Sammet, George, Jr., O35624.
Samusson, Lewis F., O36147.
Samz, Robert W., O23750.
Sanders, Joe M., O79983.
Sandlin, William B., O36406.
Sauter, Louis F., Jr., O79986.
Savage, David B., O46184.
Sawyer, George F., O25033.
Schofield, Carl H., O24505.
Schofield, James H., O25754.
Schrader, Henry C., O40820.
Schudt, Charles W., O53939.
Schwalje, John M., O36430.
Schweitzer, Theodore F., O52875.
Seab, James A., O46598.
Seignious, George M., O47226.
Seitzer, Francis A., O46818.
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Shanahan, James G., O36322.
Sharp, Hunter L., O36523.
Sharp, Paul E., O35046.
Shaw, Charles R., O47789.
Shaw, Clayton A., O35451.
Shedd, William E., O24971.
Sheldon, George C., O48236.
Shiflet, Kenneth E., O47394.
Shoemaker, John O., O54351.
Short, Walter D., O24789.
Shoultz, James C., Jr., O46792.
Silvestri, Armand J., O79996.
Simmons, Wesley J., O35713.
Simpson, Leonard D., O46128.
Singlaub, John K., O37040.
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Small, Eugene J., O47190.
Smith, Anderson Q., O34187.
Smith, Bowen N., O53523.
Smith, Bradford L., O25086.
Smith, Carroll B., O45178.
Smith, Edward L., O34746.
Smith, Norvin E., Jr., 034694.
Smith, William E., O34859.
Snow, Jerrold D., O24671.
Snyder, Neil N., Jr., O34319.
Sobke, Llewellyn, O33529.
Spears, James H., O33815.
Spears, John H., O46027.
Spilman, Robert B., O24955.
Stanley, Leroy S., O36112.
Stansberry, Conrad, O85802.
Starnes, William L., O25475.
Steiner, Fred G., O35860.
Stevens, Donald K., O36118.
Stevens, Garth, O24735.
Stevens, George R., O39215.
Stewart, Claude C., O47006.
Stewart, Claude H., O33441.
Stewart, Willard C., O53438.
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Strickland, James M., O35184.
Strnad, Joseph J., O37497.
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Sullivan, Richard C., O84808.
Sutton, Arthur J., O36816.
Swaim, Jack, O46685.
Swears, Clayton C., O80011.
Sweeney, Arthur H., O40865.
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Thomson, Arington C., O54322.
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Timmons, Max E., O53965.
Timothy, James S., O24992.
Tisdale, Tyron E., O46953.
Tooley, Jack W., O46860.
Townsend, Lester B., O53798.
Townshend, Charles, O40833.
Trigg, Thomas K., O80019.
Tringali, Joseph A., O39152.
Troup, Paul A., Jr., O33306.
Trussell, John B. B., O39190.
Tufts, Harry N., O40679.
Tufts, Henry H., O54270.
Turrou, Edward A., O48222.
Ugalde, Jesse G., O36354.
Ulsaker, Carl C., O24815.
Underwood, Charles, O34337.
Urquhart, Edmond R., O40831.
Urrutia, Henry W., O24966.
Van Orne, Ronald W., O40725.
Varhol, Michael C., O80022.
Vestal, Elvin V., O40828.
Vivian, James A., O24751.
Voegeli, Albert H., O56909.
Vogel, Lawrence W., O24661.
Volk, Karl W., Jr., O54596.
Wachendorf, Miles L., O24679.
Waddell, Edward L., O25371.
Wagner, Paul R., O53850.
Wagstaff, Jack J., O35585.
Waldie, James R., O36347.
Walker, Berrisford, O36195.
Walker, Frank E., Jr., O34691.
Walters, John W. B., O35840.
Waple, Louis A., O24584.
Ward, William D., O24208.
Warner, Edgar B., Jr., O53206.
Waters, Robert L., O34720.
Watkin, William W., Jr., O24664.
Watkins, George W., O34638.
Watson, Douglas H., O45908.
Watson, John R., O24748.
Watts, James H., O36348.
Wear, James H., O47014.
Webb, Hugh W., O47228.
Webber, John D., Jr., O36393.
Webster, Raymond S., O36621.
Wechsler, Ben L., O54528.
Weeks, Eugene L., O24700.
Weigley, Alton J., O45241.
Wells, Forest O., O46515.
Wells, Sidney L., O36810.
Westbrook, Clyde H., O47007.
Westmoreland, Raymond M., O36607.
Weston, Henry D., O25186.
Whall, Winston G., O34970.
Wheeler, Robert F., O40872.

Wheelock, John G., O25572.
White, Hoyt E., O33889.
Whitenton, Robert M., O36114.
Whitley, Arthur N., O47359.
Whitmire, Charles G., O25257.
Wilbourn, Donald E., O25606.
Wilder, Alvin D., Jr., O24676.
Wiley, James A., O47130.
Wiley, William S., Jr., O45927.
Wilhm, Jack F., O47170.
Williams, Albert C., O33974.
Williams, Artha D., O40871.
Williams, Daniel B., O35669.
Williams, Louis A., O36161.
Williamson, Robert, O34560.
Willoughby, Glen, O85284.
Wilson, Ernest W., O41141.
Wilson, Victor O., O25387.
Wing, Albert G., Jr., O46100.
Wiselogle, Candler, O39271.
Woelfer, Carlyle P., O25350.
Wofford, Ralph W., O79641.
Woods, James R., O35812.
Woodworth, George B., O35995.
Wright, Raymond J., O36780.
Wyman, Philip A., O24854.
Yantis, Ray J., O47002.
Young, Charles M., Jr., O47107.
Young, George H., Jr., O36242.
Young, Hugh F., O36327.
Young, Robert P., O24652.
Young, Willard, O36350.
Younger, Douglas G., O36945.
Zeigler, Robert P., O34726.
Zimmermann, William, O53738.
Zornig, Karl H., O25089.

To be colonel, Chaplain

Frain, Joseph E. X., O76787.
Hunt, Frederick O., O76792.
Lam, Alfred P., O76794.
Luettgen, Edward M., O31046.
Read, Charles E., O83542.

To be colonel, Medical Corps

Bradley, John L., O56869.
Browning, Louis E., O56875.
Butz, William C., O56852.
Chapman, Ralph R., O43217.
Cox, William W., O43178.
Martin, George W., O43210.
Schoepflin, Adolphe, O43207.

To be colonel, Dental Corps

Anderson, Ned H., O31219.
Blanchard, George, O31269.
Emory, Louis, O31274.
Jordan, John E., O38859.
Sondergaard, Nils E., O52041.

To be colonel, Veterinary Corps

Bishop, Vincil C., O38870.
Gould, Clinton L., O40116.
Rubin, Harvey L., O52006.

To be colonel, Medical Service Corps

Adams, Edward S., O56230.
Alexander, Eugene S., O37488.
Arnold, Ralph D., O49947.
Bates, Elvis E., O37577.
Breyfogle, William, O37534.
Britt, Arthur E., O37551.
Brown, Eugene T., O37398.
Butler, Jesse N., O26983.
Calto, Thomas P., O37478.
Clegg, William J., Jr., O37542.
Coleman, Tyler S., O84821.
Collier, George T., O30898.
Conrad, George F., O37473.
Dempsey, Richard W., O37529.
Edwards, Thomas R., O37499.
Egense, Stanley W., O37475.
Evans, Robert D., O37568.
Ford, Walter E., O37424.
Funston, Howard J., O41136.
Gaines, Sidney, O39344.
Gans, Harry L., O37536.
Gelby, Walter H., O37560.
Hallahan, John M., O37479.
Hazelrigs, James A., O39345.
Hooker, Claude L., O37482.
Hrdlicka, Otto G., O37512.
Keegan, Hugh L., O49928.
Kistler, Grover C., O49958.
La Manche, Philip L., O37501.
Larson, Harold P., O49936.
Luehrs, William C., O37521.
Maher, Dale R., O37559.
Mikuluk, John A., O81867.
Myers, Paul H., O41133.
Nashold, Donald K., O37500.
Peters, George M., O37533.
Plemmons, Sam A., O37517.
Reich, Norman, O37516.
Rivenbark, R. V., O49956.
Sandman, Otto H., Jr., O37476.
Snelling, James H., O49927.
Specht, Murval F., O37558.
Stacey, Richard M., O41153.
Thompson, Willard E., O37495.
Van Sickle, Floyd E., O41145.
Wagnon, Glen B., O56201.
Wells, Floyd B., O37575.
Whitaker, Harry T., O37539.
Wisser, Nathan R., O37522.

To be colonel, Army Nurse Corps

Newell, Nelly, N885.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be major

Anderson, Norman R., O66657.
Carter, Robert O., O65794.
Perry, Richard A., O77153.
Rush, Robert P., O94497.
Slocum, Robert D., O88940.

To be major, Army Nurse Corps

Stephenson, Elizabeth J., N3266.

To be captain

McKee, Elmo J., O89555.
Wollard, Clifford L., OF101093.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 1, 1967:

U.S. AIR FORCE

Lt. Gen. Joseph J. Nazzaro, FR1241 (major general, Regular Air Force), U.S. Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of general, under the provisions of section 8066, title 10, of the United States Code.

EXTENSIONS OF REMARKS

Address by Secretary of Agriculture Orville L. Freeman

EXTENSION OF REMARKS
OF
HON. WILLIAM H. NATCHER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 1, 1967

Mr. NATCHER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

ADDRESS BY SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN

It's been nearly two years since I've had the pleasure of taking part in your Governor's Conference on Agriculture, and I welcomed the opportunity to return today to review with you what's happened since . . . and to share with you some speculations about the future.

Back in the 16th century, Michel de Montaigne wrote: "'Tis one and the same Nature that rolls on her course, and whoever has sufficiently considered the present state of things might certainly conclude as to both the future and the past."

If we heed his advice, then we should properly consider the present before we make any conclusions about the future or the past. I intend to do just that.

Today's agriculture certainly is *not* what it was two years ago. And just as certainly tomorrow's agriculture will not be what it is today.

Considering the "present state of things," I think I can conclude that American agriculture has laid some important foundations for today and tomorrow in the two short years since I visited with you last.

Here in Kentucky—as a result of Governor Breathitt's creative, hard hitting leadership, through the work of your Commission on Agriculture, and, I would hope, partly as a result of the efforts of the USDA—you are well on your way toward the billion dollar farm income goal which has been your State's dream for many years.

The last time I met with you, I reported that an increase of between $300 and $400 million would bring you to your goal . . . and I remember describing this as a "big jump" indeed.

Yet already today, you're within a hair's breadth of completing that jump.

Economists are now estimating that Kentucky's gross farm income may reach the $920 million mark for 1966, or 8 percent greater than the 1965 total. And realized net farm income in Kentucky may be as high as $395 million.

With your continued efforts, and with the new help provided by the Food and Agriculture Act of 1965 and the Food for Freedom program, I'm confident you'll break the billion dollar barrier this year or next.

Governor Breathitt, members of the Kentucky Commission on Agriculture, and citizens of Kentucky—President Johnson has asked me to bring you his congratulations on this record of progress and accomplishment.

Today, Kentucky is a different, and, I believe, better place in which to farm and to live than it was when I visited you just two short years ago.

The same holds true on the national level.

We began to turn a dramatic corner in agriculture two years ago, and we completed the turn last year. Now we have moved into a *New Era in Agriculture*—an era of change, challenge, and hope, an era in which we'll complete the foundations we're building for the agriculture of the future.

To appreciate the significance of that turn into tomorrow, let's spin the clock back for just a moment to 1960 . . . to that point in time when a decade and a half of overproduction had piled up costly, price-smothering, income-stifling surpluses and cast a pall of gloom over the future of the American farmer.

Think back. What would you have thought had the Secretary of Agriculture appeared before you in 1960 and made these predictions?

1. By January 1, 1967, surpluses of corn, wheat, milk, vegetable oil, and rice will be gone, and tobacco and cotton surpluses greatly reduced.

2. By 1966, total net farm income will rise from the 1960 level of $12.7 billion to $16.3 billion, the second highest mark in history and gross farm income at $49.5 billion and

net per farm income at $5,024 will set all-time records.

3. By 1967, agricultural exports will climb from $4½ billion to $7 billion.

4. By 1967, the Government for all practical purposes will be out of the marketplace. Agriculture will be freer of controls than at any time in decades.

Had you heard those predictions, I'm sure you would have suspicioned that the Secretary of Argiculture had harvested a bumper crop of Kentucky bourbon before he stepped to the podium.

Well, I didn't make those predictions, and if someone else had I'm afraid I would have been sniffing his breath suspiciously, too.

But . . . if bourbon sharpens the visionary focus that well . . . then Kentucky's got a new testimonial for one of its best known products.

For *all* of these things did happen!

Because our farm programs have worked . . . and because we put our vaunted abundance to work feeding hungry people . . . surpluses *are* gone.

With the suffocating surplus mantle thrown off, farm prices grew and farm income blossomed. Nationally, net farm income in 1966 *was* the second highest in history, and gross and net per farm income *did* set all-time records. The 1966 income figures I've quoted are brand new . . . released for the first time today.

And agriculture *is* freer than it has been for many years. The feed grains, wheat, and, in part, cotton programs are now voluntary. Only rice, peanuts and tobacco are still under mandatory programs and these have been approved in farmer referenda by majorities of 98 to 99 percent.

Similarly, the Government, in the form of the Commodity Credit Corporation, has largely removed itself from the marketplace.

Farm commodities are now our leading single export . . . and the biggest positive contribution to our balance of payments position. Farm exports set new records in seven of the past eight years and in 1967 will surpass $7 billion.

Again, as in the progress made in the State of Kentucky, this national advance of agriculture didn't "just happen."

It took six years of tough fights in the Congress; it took two great Presidents, both committed to bringing prosperity to rural America; and it took close cooperation between the United States Department of Agriculture and groups such as your Governor's Commission on Agriculture to arrive where we are.

Now let me make it emphatically clear that not all of agriculture's problems of today—or tomorrow—have been solved.

Let me point out as strongly as I can that—despite steady progress all along the agricultural front the last six years—the farmer's income *still lags far behind that of other Americans.*

On a per capita basis, the average farmer's income in 1966 was only $1,700, whereas the average nonfarmer's income was $2,610.

And farm prices, though up last year, have been down the last few months, and today are *less* than they averaged between 1947 and 1949.

But at the same time, food costs are 35 percent *higher.*

This discrepancy the farmer bitterly resents—and properly so. *It must be corrected.* It must be corrected because it is unfair to the farmer—and therefore wrong. It must be corrected because if farmers don't get a fair return commensurate with other segments of the society, *we will lose our best farmers.* And if that happens, the entire nation—not just the farmer—will be hurt.

Let me turn now from the farm price problem of today to a potential production problem of tomorrow.

Today, surpluses are gone and agriculture is more in balance than it has been for half a century. But no sooner have we dug ourself out of the "no farm program mess" of the 50's than certain elements are calling for the abolition of all farm programs and a quick return to totally unrestricted production.

They ignore two facts. First, the farm programs they want to see abolished are the very programs that adjusted farm output expansion in the Sixties until the surpluses of the Fifties were reduced and relative balance restored. At the same time, these programs, largely voluntary, strengthened the market . . . and helped boost farm income through commodity supports and direct payments.

Second, even with large increases in plantings this year, these same programs will continue to help farmers hold 30 to 35 million acres out of production.

If this acreage, coupled with rapidly accelerating yield per acre potential, were unleashed all at once, we'd be plunged right back into the gloom of 1960 . . . inundated by new surpluses, and the price and income structure crushed again.

Technological breakthroughs in production potential will make it infinitely more difficult than it has ever been before to adjust farm output expansion to effective demand in the years immediately ahead. Yet it must be done.

It *can* be done, for now in the Food and Agriculture Act of 1965 and the Food for Freedom Program of 1966, we have the tools to do it. With cooperation among producers, the trade, agribusiness and government, we *can* hold a workable balance between supply and demand, strengthen the agricultural economy, and encourage the advances we will need as demand grows in the years ahead.

Now let me bring this overproduction problem down to specifics—down to nuts and bolts as it were—with an appropriate example—Kentucky tobacco.

Tobacco accounted for an estimated 32.8 percent of Kentucky farmers' receipts from all agricultural commodities—including your great livestock industry—last year.

Your acreage allotment and price support program for burley tobacco have been an outstanding success story . . . but in recent years some problems have developed.

The problems, we all know, are due primarily to substantial increases in per acre yields. Not only have these yield increases resulted in a surplus . . . but, as farmers strive for quantity, quality is deteriorating.

In the five years from 1956 through 1960, the average burley yield per year was 1,620 pounds. In 1966, the estimated average yield per acre reached an all-time high of 2,284 pounds—an increase of more than 40 percent. And, I'm told, many farmers have already produced 3,000–3,500 and even 4,000 pounds per acre.

In 1966 we saw the result of the yield per acre increases. It was necessary to reduce acreage allotments by 15 percent . . . but—and here is the problem—total production was reduced by only 6 percent.

This poses the question: Can controlling acreage alone regulate tobacco supplies to keep them in line with effective demand? If it can't be done that way, we must find some other method or face disaster.

The 89th Congress, upon recommendations from tobacco industry leaders and the Administration, authorized a new program to regulate output. Actually this program—called acreage-poundage—had its origin in the burley area some 10 years ago.

In 1965 a referendum of growers of flue-cured tobacco was held. The flue-cured growers voted to adopt the acreage-poundage method of regulating supplies. The program became operational in 1965 and was followed in 1966. Here's what's happened since:

1. The surplus supply has been reduced 233 million pounds in two years.

2. Tobacco taken under Government loan dropped from 20 percent to 6.8 percent.

3. Loan stocks have been reduced 27 percent, or a total of 262 million pounds.

4. Quality has greatly improved.

5. Exports have increased, and may go up as much as 20 percent during the current year.

6. Growers received an estimated 67 cents a pound in 1966 . . . 8.5 cents more per pound than they received before the acreage-poundage method was adopted . . . and a new record high. Growers received an average of 58.5 cents per pound for the 1964 crop and 64.6 cents a pound for the 1965 crop.

This is a mighty impressive record.

What, then, do we do about burley? Taking into consideration the burley tobacco leadership's support of the acreage-poundage method . . . the steadily increasing yields per acre . . . the need for quality tobacco production . . . and the mandate in the law which states that the Secretary of Agriculture must give growers an opportunity to vote in a referendum if he determines that acreage-poundage may be a more effective means of administering the quota program—I have today signed a proclamation announcing a referendum on acreage-poundage for burley tobacco.

This referendum will permit growers to decide which program—the present acreage allotment system or an acreage-poundage method—will best serve their interests in maintaining a sound tobacco industry in the years ahead.

Now—in the time remaining—I'd like to discuss with you another matter of major importance . . . importance to city people as well as to country people.

On September 8, 1966, President Johnson announced two wise and important decisions.

He established a National Advisory Commission on Rural Poverty—which I am confident will make history—and he appointed your own Governor Breathitt to chair it.

It is appropriate, I think, to examine two questions which come immediately to mind in connection with the President's action. (1) Why did he establish such a Commission? (2) Why did he select Governor Breathitt to chair it?

Let me direct attention to the first question.

No problem is as severe, nor threatens the future of this country more, than the two-horned dilemma of too little opportunity in the country and too little space in the city.

Sometimes this threat to our national well-being is called, simply, the poverty problem.

Sometimes it is referred to as the displaced farmer problem. Frequently the words slums, ghettoes and human degradation are used to describe it . . . for it embraces all of these and more.

Let me describe it with statistics and examples.

First let's look at the countryside.

Though only one-third of our people live in the country today . . . we find half of our poor there. And ten million of the sixteen million rural poor are *not* farmers.

In a word, the country is job-starved. There are enough underemployed in rural America to equal 2.5 million unemployed.

From 1950 to 1965, 13.6 million new jobs were added to the country's economy. Yet, in a sense, not one was created outside urban America!

This is not precisely true, of course. But let me put it this way: Neither the total rural population, nor the total rural labor force, varied significantly in that 15-year period. Yet during those years we did, indeed, add 13.6 million more jobs to the economy.

Job starvation is only one problem in rural America. Rural communities are short doctors, dentists, clinics, hospitals, classrooms, meeting halls, libraries, theatres, swimming pools, golf courses, and many other things that make a place better to work in, play in . . . live in.

Rural communities face a housing shortage. By 1972, it is estimated, between a million and two-and-a-third million more rural homes must be built—and millions more repaired and improved.

Rural communities need modern facilities. At least 30,000 need improved water systems, and an even greater number better sewer systems.

At the time of the last census, some 7 percent of city school children were behind in school . . . but 11 percent were behind in the country. City elementary schools had an average of 11 to 18 teachers per school. Rural counties had an average of less than 4 teachers per elementary school.

The percent of school dropouts averages about 33 percent among rural school children . . . but only 26 percent among city children.

Sixty-three percent of the children of white collar workers who complete high school go on to college. But only 27 percent of farm children do.

Opportunity-hunger in the countryside is compounded by each of these problems. A shortage of jobs means a shortage of taxes. A shortage of taxes means a shortage of classrooms and public services and facilities. A shortage of services and facilities discourages those businessmen and industrialists who *could* bring jobs to the countryside from locating there. And so the endless circle continues . . . breeding more and more despair and discontent.

And what do the despairing and the discontented do? They move to the cities.

The migration from countryside to city has been going on for many, many years, but in recent times the exodus has accelerated. Now what we have is an old set of problems, transported to a new set of troublesome circumstances.

Thus the slums of our big cities today are people largely by rural immigrants, or the descendants of rural immigrants, who migrated to the city in hopes of a better life . . . and found instead the ghetto.

Let's consider the hypothetical example of a man whose small farm no longer can provide himself and his family with a decent standard of living . . . and he is unable, or, for other compelling reasons, unwilling to increase his farming operation to viable size.

It is unrealistic to expect—and cruel to hold out hope—that farm commodity programs can bring salvation to the farmer whose inadequate-size farm no longer can sustain him. Commodity programs are not designed to do that. They are not welfare programs. They are designed to make possible a tolerable balance between supply and demand in the market so that the adequate-size commercial family farm can earn a fair price for its products and a decent standard of living for its owner-operator.

Now suppose this farmer we're talking about is 45 years old. What is he to do when his farm fails him and his family? There are no jobs in the small town where he's done his modest shopping . . . and no nearby opportunities for job training.

Without choice, he packs his belongings and moves to the city . . . there to become the Biblical "stranger in a strange land."

His limited means limits his choice of housing . . . and he settles in a tenement in the decayed heart of the city. His limited education—perhaps no more than eighth grade—limits his job perspective and potential. His limited occupational skills are useless in the city . . . for who needs a man to plow a straight furrow up an asphalt field . . . or mend a harness for a mechanical mule?

Soon he finds there are thousands like him . . . all disillusioned, all disenchanted, all weary of scrambling for the menial jobs that fall to their lot in piecemeal fashion.

Left behind in a world that had passed him by, trapped in a life that was not his making, crushed by the death of misbegotten hope, his pride expires and his spirit flees. As his pride dies, his authority withers, and as his authority withers, his children lose respect. Sooner or later they wander off to take up blighted lives of their own.

Though I've used a hypothetical case, I know and you know that living counterparts of this human tragedy are taking place every hour of the day in every big city in America.

And they will continue to take place—in ever growing numbers—as long as the out-migration from the country goes on.

Given our present demographic and migration patterns, by the year 2000 three of every five Americans will live in five "strip cities" with nearly twice the population density of present-day Japan.

These cities, and other urban complexes, will contain 70 percent of our population on some 9 percent of the land. The other 30 percent of our people will live on the remaining 91 percent of the land.

Now certainly, the present problems of the cities—congestion, soot, smog, human disillusion and frustration, crime, delinquency, riots, inner decay and outward ugliness—won't be eased by millions more jammed into less and less space.

Yet if this is what we want, we can surely have it. All we have to do is . . . *nothing.* If, on the other hand, we want an America tailored to human size, an America where human values and human resources are given more consideration and invested with greater worth, we can have it . . . by doing *something.*

Happily, this Nation is coming to realize that one of our greatest assets in this increasingly crowded world is space . . . the one commodity in great abundance in Countryside U.S.A.

We are coming to understand that we can make *another* place in the countryside for those who, for one reason or another, cannot find a rewarding place in commercial agriculture. More than that, we are coming to believe we can help relieve the strain on our crowded, troubled cities by building new opportunity into the countryside for those city dwellers who *want* to live and to work in rural America. And—the Gallup Poll revealed last spring—half of our people *do* want to live there.

And rural America boasts more than space. It has fresh air and sun and sky and water. It has proximity to nature. It has uncrowded streets and sidewalks. It has power and communications and transportation. It has a built-in labor pool of people who are eager to work. And it has real profit potential for the businessman and the industrialist who can appreciate the benefits of a healthy, happy work force and relatively low overhead.

Some rural communities already have almost everything people and industry could want. Others need help. *And help is on its way.*

New legislative tools to do the rural development job, tools enacted for the most part by the 89th Congress, are covering the whole range of rural needs, from water and sewer systems to job retraining to loans for better housing to many other services and facilities, and providing the means to attack and solve problems at the local level.

Tools, however, are useless without a skilled work force to utilize them, and a plan to follow. But here, too, we are making progress. I don't intend to minimize the difficulties on the local level which these new programs have presented to local leaders. I know they exist, and I know that coordination has sometimes been a frustrating, difficult task.

Nevertheless, progress is being made, and new ideas and new approaches are helping to close the coordination gap.

And here is where I intend to offer an answer to the second question of why President Johnson took the action he did last September.

Why did the President name Governor Breathitt to chair the National Advisory Commission on Rural Poverty? Because Governor Breathitt and the State of Kentucky had already shown the President and the Nation that they were attuned to both the problems of rural America and to the ideas and approaches to solutions.

Here in Kentucky, you have pioneered the multi-county approach, keyed to growth centers within each multi-county unit, and allowing concentration of manpower and resources within a logical framework.

Your State has also been a leader in the multi-State regional approach to common problems, providing much of the leadership and drive for the Appalachian Regional Commission—a new approach now being used in the Upper Great Lakes and the Ozarks—and your Statewide Kentucky Development Council can well provide a model for other States determined to achieve coordinated, Statewide human and economic development.

And now your Governor Breathitt has a new charge—a direct assignment by the President of the United States to put his insight and experience to work on the whole range of rural need—from border to border and coast to coast.

He and other members of the National Advisory Commission on Rural Poverty—all outstanding private citizens—will study the problems of low income, retraining, unemployment, rural economic development, sources of additional rural employment, housing, health and cultural opportunities, the adequacy of rural community facilities and services and the present state of our rural development program.

Governor Breathitt's commission will then present recommendations for action to the President's Committee on Rural Poverty, a group of Cabinet-rank officers which I have the honor of chairing, and next September will report to the President.

Study and planning are the keys to success in the massive effort now getting underway to bring parity of opportunity to rural America . . . and breathing room to our cities. I am confident that Governor Breathitt's Commission will achieve the big breakthrough we need in this effort.

Many years ago, Henrik Ibsen wrote: "I hold that man is in the right who is most closely in league with the future."

Governor Breathitt and the great State of Kentucky are in the right, because they have proved that they are, indeed, in league with the future.

I am confident you will stay that way.

Thank you.

Secretary Freeman Speaks at Tulsa

EXTENSION OF REMARKS

OF

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1967

Mr. EDMONDSON. Mr. Speaker, it was my pleasure last week to attend a luncheon at the Southwest Agricultural Forum in Tulsa, Okla., where the Honorable Orville Freeman, Secretary of Agriculture, took the guests on a fascinating excursion into the future of farming.

The future Secretary Freeman sees as farmers using computers to select crops and acreages and seed types. It has automation and applied genetics. But it also has people, more people than ever before, living in the countryside, enjoying the outdoors and the proximity to the soil, because the Secretary envisions industry scattered across the Nation in the rural areas, rather than clustered around overwhelmingly large cities.

The Secretary's vision, as expressed in his speech in Tulsa, tells us much about the reasons farming is turning into a more prosperous, sounder industry today, with increases in net income and exports and decreases in surpluses during the years he has served.

Mr. Speaker, I believe many Members of this body might find the Secretary's Tulsa speech interesting and informative. I would like to have it appear in the RECORD.

The speech follows:

AGRICULTURE, 2000

(Address by Secretary of Agriculture Orville L. Freeman at the Southwest Agricultural Forum, Tulsa Civic Assembly Center, Tulsa, Okla., January 20, 1967)

You may have noticed by the title that my talk today will go beyond the boundaries of this conference's prime concern—the decade immediately ahead. It will. But in doing so I hope to expand the dimension in a manner that enhances the importance of the next ten years—rather than diminishes it.

Man's fascination with Tomorrow is as old as man himself.

From the dawn of his imagination, he has tried to peer behind the "curtain's magic fold" to where Bret Harte said "the glowing future lies unrolled."

He has speculated about the future for profit, for amusement, out of simple curiosity . . . and sometimes for reasons bigger than himself.

And sometimes, he has, indeed, looked into Tomorrow.

Tennyson said he "dipt into the future, far as human eye could see" and "saw the Vision of the world, and all the wonder that would be."

Tennyson was a romantic. A more pragmatic poet turned his inner eye upon Tomorrow and declared that the future has never been . . . that it remains for man to make it.

The towers of Tomorrow, he said, are built upon the foundations of Today.

We're gathered here in Tulsa to try to turn back a corner of the "curtain's magic fold" . . . to peer into the future of American agriculture . . . to determine whether the glowing prospects many foresee will, indeed, materialize . . . to decide whether we have built the foundations for the towers of Tomorrow . . . and to anticipate, if we can, the problems we may be called upon to solve.

In just 33 years we'll turn the corner into the 21st Century. What will it be like, American agriculture in the Year 2000?

No one really knows, of course. There are too many intangibles . . . too many uncertainties. But predictions are being made, and perhaps we should examine them.

As I stand here—about to tell this group what may or may not happen in their own chosen field—I'm reminded of the story of the Army sergeant who had made an excellent reputation lecturing to enlisted men on a certain subject. His captain called him in, complimented him, and said he had been chosen to lecture to a special group.

The sergeant walked into the lecture room and gazed out over the biggest collection of brass hats he had ever seen gathered in one place. Every man in the room outranked him.

Embarrassed, he tried to think of a modest beginning. "There are thousands of men in the Army who know more about this subject than I do," he began. Then, realizing he was destroying his reputation as an expert, he blurted out, "But I don't see any of them in this room!"

Well, I make no pretense of being an expert prognosticator. All I can do is tell you what some experts foresee for agriculture in the year 2000.

So, let's jump to the turn of the new century and take a look at what they predict we'll find.

Some envisage the Year 2000 as the time when the American farmer finally is freed from the arduous and time-consuming demands of planting and harvesting . . . a time when he, too, enjoys leisure for the pursuit of recreation, entertainment, advanced learning, and he and the world he inhabits can provide true parity of education and opportunity for his children.

Some see him sitting in an air-conditioned farm office . . . scanning a print-out from a computer center . . . typing out an inquiry on a keyboard which relays the question to the computer.

The computer center, which he may own in partnership with other farmers, perhaps through his cooperative, helps him to decide how many acres to plant to what crop, what kind of seeds to sow, what kind and how much fertilizer to apply, exactly what his soil condition is, and what day to harvest what crop.

The experts say the fields on this hypothetical farm will bear a surface similarity to the fields of today . . . but a surface similarity only. They see a land carefully graded and contoured to control erosion and the use of precious water. They see a soil bearing nutrients to meet the specific needs of each crop, and treated to control harmful organisms, weeds and plant diseases.

They foresee virus-free plants, bred by geneticists to give higher yields in a much-shorter growing period and to mature at the same time. The stalks on these plants, they say, will lend themselves to mechanical harvesting, and new uses will be made of the parts of the plant once discarded at harvest.

The experts envision all the field work on this farm carried out by automated machinery, directed by tape-controlled programs, and supervised by television scanners mounted on towers.

They predict that weather will no longer be the incalculable threat it remains in our time, for satellites will provide long-range forecasting—providing time to prepare for, divert or dissipate damaging storms.

They say robot harvesters will complete the farming operation with high-speed picking, grading, packaging and freezing . . . and will then transport the produce to transportation depots for distribution to retail warehouses.

While many find this picture of the future exciting, others find it depressing. Some contend that automation and the computer will excise the soul from farming . . . will destroy its joy, dull its satisfactions, and chill the ageless intimacy between man and his land.

But others say No. They say the farmer of the 21st Century will be more deeply, intricately, and learnedly involved with the land than ever before. They point out that no computer can give a learned answer until it is asked a learned question . . . that no robot tractor can operate until a skilled human being programs it to operate.

And they contend that the joy and satisfaction of farming will come—as it always has—from the successful interplay between the farmer and his soil.

By the year 2000, optimistic visionaries say, this interplay will have become so successful that yields of today will be doubled or tripled . . . that corn yields, for instance, could run from 300 to 500 bushels to the acre.

Ah yes, the critics counter, but what good automation, what good maximum efficiency, what good bigness, what good record yields . . . if the producer cannot *own* the land he works? How much joy, how much satisfaction, how much ageless intimacy with the soil can a farmer reap from land that is not his?

For how, they ask, could one farmer ever hope to own a farm that big, that automated . . . that incredibly expensive?

If there is one troublesome nettle in agriculture's garden of tomorrow, this is it. Financing the farm of the future through the methods of today would be impossible, for the farms of the Year 2000 will require investments of millions—not thousands—of dollars.

The inexorable nature of the technological revolution dictates that the farms of the future will be bigger, will be better, and will be far more costly to own and to operate.

The issue then is this: If nothing is done now to insure the creation of a dynamic, new, creatively flexible system of financing farms and farming, the farms of tomorrow will *not* be owned by the farmers who work them. If this is what we want . . . we do nothing.

If this is what we do *not* want . . . if we agree that farming is, indeed, a way of life, and not just a means to make a living . . . if we agree that it is important that the family farm system continues to make a key contribution to the strength and health of this nation . . . then we will adjust our credit systems for tomorrow.

This we have done before. This we can do again.

And now, let me turn my attention to the consumer of tomorrow. What will Agriculture/2000 mean to the housewives of America?

It will mean better foods, more nutritious foods, better tasting foods, a bigger variety of foods . . . and still at a reasonable cost, thanks to an efficiency of operation which continues to hold unit production costs to a minimum.

By the year 2000, the consumer should be able to buy her whole milk according to whatever butterfat content she desires. She'll choose meat cuts with hardly any fat. She'll receive more protein per portion of cereal. And all of these changes will come about through the miracle of genetics . . . by breeding cows and meat animals and cereal grains to meet specific dietary and taste requirements.

And how will she shop?

Most likely, she'll go to a pushbutton supermarket. There she'll drop a coded card into a slot beside the commodity she selects and punch a button. Impulses travel two ways—to a cash register where her bill is totaled, and to a central warehouse where the order is assembled. The completed order will await the customer at her car.

I said this was a speculative sketch. In a few moments I'll point out some of the pitfalls which lie before this optimistic concept of tomorrow's agriculture. But in the meantime, bear in mind that this sketch scarcely touches the surface of the wonders of the future.

As I think of the other fantastic advances predicted for the years ahead—advances I haven't mentioned—I'm reminded of the story about the two soldiers from an inland State who one day found themselves on a transport ship going overseas.

Standing on the deck, one of them gazed out over the vast expanse of ocean and said, "That's the most water I've ever seen in all my life. I never thought there was that much water in the world."

To which the other soldier replied, "Heck, you ain't seen nothin' yet. That's just the top of it!"

And that's the way it is in agriculture. We "ain't" seen nothin' yet.

But the question is . . . are we ready for it? Have we laid those foundations of Today to build those towers of Tomorrow? If we haven't, there'll be no towers of Tomorrow, for as Marcus Aurelius observed many centuries ago, "That which comes ever after conforms to that which has gone before."

So now let's take a quick look at "what has gone before."

In the brief history of our young nation, we've seen the prestige, the influence, and the prosperity of agriculture wax and wane time and time again. Farmers built this nation. They pushed back its frontiers. They won its independence. And they created its government.

In Colonial Days, 90 percent of the working Americans were engaged in agriculture, 90 percent lived on the land, and an overwhelming percentage of the national income came from farm production.

Then came the cyclical changes in the farmer's fortune. When demand outstripped farm production, the farmer gained in income and importance. When production outstripped demand, his income and his influence declined.

In the past quarter century, the cycle has come full circle once again. Throughout World War II and the Korean conflict, farmers produced to intense demand. Their importance was acknowledged and their efforts were rewarded. But the technological advances which had enabled the farmer to meet wartime production demands were to do him in when the Korean conflict ended.

By the middle of the 1950's, the genius of the American farmer had produced the supreme irony. He had become an object of derision and the target of epithets. He was accused of feeding at the public trough, of contributing to high taxes, federal deficits, strained family budgets, and inflation. For a time flogging the farmer threatened to eclipse baseball as the nation's favorite pastime.

By 1960, overproduction had robbed the farmer not only of prestige but had cost him dearly in earnings. By the close of that year, we had a stockpile of 1.4 billion bushels of wheat and 85 million tons of feed grains, and net farm income had plummeted $2.4 billion in just eight short years. In the meantime costs were rising steadily and the cost-price squeeze tightened.

The outlook was so grim that some observers held out little hope. They foresaw political abandonment of the farmer, punitive farm legislation, continued price and income depressing surpluses, little social and economic leigslative concern for his unique conditions, further loss of prestige, a decline in farm living standards and farm production and a resulting loss of natural resources as a product of human neglect.

None of these things happened.

Instead, in six event-filled years, American agriculture turned the corner from gloom to promise.

We began to look on agriculture not as an isolated problem segment of the American economy but in terms of its contribution to the whole economy. We began to view abundance not as a liability but as an opportunity. We focused attention on agriculture as a success story.

Politicians did *not* abandon the farmer. Despite the fact that his representation in the Halls of Congress has diminished in the face of population shifts and redistricting, recognition by urban Congressman of the farmer's new importance was such that five major pieces of farm legislation were passed in the first six years of this decade. Many in this banquet hall helped to pass this legislation.

Each of these was designed to meet specific needs and solve specific problems. The record since their passage is evidence of their effectiveness.

The surpluses of the Fifties are gone—replaced by sensible reserves. By the end of November, the Commodity Credit Corporation investment in farm commodities was down to $4.55 billion, a reduction of $1.9 billion from the previous year, and about $4 billion less than the peak investment years of 1956 and 1959.

Government is reverting to the role of referee in the marketplace—an insurer of equity instead of a participant—and, except for a brief period during the Forties, the market is freer today than it has been for 30 years.

In place of the "little concern" predicted in 1960 for rural America, social and economic measures have been enacted since that time which concentrate on the countryside's special problems and special needs. I speak now of the struggle to build a viable, balanced economy in rural America, of which farming per se is an integral part.

Rural development programs, better community facilities, new homes, improved schools, medical services, expanded electric and telephone service, water and sewer installations, and a resulting variety of new off-farm jobs are helping to bring to an ever-increasing number of rural nonfarm and small farm Americans parity of opportunity.

Let me digress here for a moment. Gradually this nation has come to realize that one of our greatest assets in an increasingly crowded world is space. We are coming to understand that we can make *another* place in the countryside for those who, for one reason or another, cannot find a rewarding place in commercial agriculture. We don't *have* to dump these people into our already-crowded, problem-beset cities.

More than that . . . perhaps we can help relieve the strain on our cities. There are many frustrated urban dwellers who are eager to return to a new countryside—a countryside with opportunity.

Space, fresh air, sun, sky, and water can be "packaged and sold" . . . sold to the industries that can bring jobs to rural America . . . sold to city people who seek outdoor recreation—a chance to get back to Nature—and are willing to pay for it.

So . . . as we look ahead to the Year 2000, we can see a new kind of America—an America where the giant arms of industry extend into the countryside, there to profit by adequate space, adequate power, water and communications, adequate and eager manpower; an America where more and more Americans can live happier, healthier lives where they *want* to live—*in Countryside, U.S.A.*

And now let me turn once again to those gloomy predictions made back in 1960, the predictions that luckily went awry.

Farm living standards were supposed to decline. They did not. They improved because farm income increased . . . and farm income increased because surpluses diminished, the number of consumers grew, the amount of consumer income climbed, farm exports skyrocketed, and Government price support and incentive payment programs moved ahead with the times.

From the 1960 level of $11.7 billion, net farm income jumped to more than $16.1 billion in 1966 . . . the second highest mark in history . . . and gross farm income at $49.2 billion and net income per farm at $4,900 set all-time records.

Of even greater significance was the accelerated graduation into "adequate size" class by family farms in recent years. One measure of "adequate size" is gross sales of $10,000 a year or more. Since 1959, nearly 200,000 farm families have moved into that class. Studies indicate that at that level they are gaining on city workers and approaching parity of income.

But let me make is emphatically clear at this point that, despite steady progress the last six years, the farmer's income ***still lags far behind that of other Americans.***

On a per capita basis, the farmer's income is $1,700. Other Americans earn $2,610 on an average per capita basis.

Farm prices, though up last year, have been down the last few months, and today are *less* than they averaged between 1947 and 1949. At the same time, food costs are 35 percent *higher*.

This the farmer bitterly resents—and properly so.

This discrepancy *must be corrected*. It must be corrected because it is unfair to the farmer and therefore wrong. It must be corrected because if farmers don't get a fair return commensurate with the other segments of society, we will lose our best farmers. If that happens the entire nation, not just the farmer, will be hurt.

And now let's look at the final gloomy prediction made in 1960—that farm mechanization and production efficiency would stage a ruinous retreat in the face of continued economic decline and political rebuff.

Once again the prediction was wrong.

From 1960 to 1965, investment in farm machinery *increased* by more than $5 billion.

In the past ten years, farm production per man-hour has doubled. Today, a third fewer people on farms, harvesting one-ninth fewer acres, produced one-fifth more than a decade ago. The average farm worker now supplies food and fiber for 37 persons, 22 more than he could less than a generation ago. In comparison, a farm worker in Russian feeds only seven, and a farm worker in France only fourteen.

In four and a half decades, U.S. productivity per acre has increased 82 percent and output per breeding animal has almost doubled. One hour's farm labor now produces five times more than it did in 1921.

The productive capacity of the American farm has provided this nation's consumers with the best diet in the world—at the lowest cost in terms of percentage of take-home pay—the only realistic measure.

Moreover, the exploding technological revolution in American agriculture has been of vital importance to the poorer nations of the world, for the resulting abundance has often meant the difference between life and death for millions of people overseas. Last year, our country shipped a fifth of its total wheat production to India, alone, and exported two-fifths more to other nations. Yet American consumers suffered no shortage of bread.

I hope this remarkable record of accomplishment in the Sixties is convincing enough proof that American agriculture has, indeed, built its foundations of Today for the towers of Tomorrow.

In this year of 1967, we are embarked on a New Era in Agriculture . . . and we've set sail in a sound ship.

But there are reefs and shoals ahead.

Earlier, I said that historically the fortunes of agriculture in America have been tied to the production-demand ratio. When demand moved ahead of production, farmers prospered for prices were strong. When production moved ahead of demand, the reverse was true.

In recent years, government has used a number of management tools and programs to slow agricultural output expansion, move toward fair income for producers, and make better use of our abundance.

First, the rate of output expansion has been held down by a system of largely voluntary government programs, which strengthened the market and also helped farmer income by means of commodity price supports and direct payments.

Second, our Government joined with

private groups to develop new and expanded commercial markets—bringing successive new records in dollar exports in seven of the past eight years.

Third, we have carried on one of history's great humanitarian efforts under Food for Peace—a continuous stream of life-saving food and fiber that since 1955 has averaged about $1.5 billion a year. In addition, in the last six fiscal years we have distributed commodities valued at $2,439,000,000 to needy families, schools, and institutions in the United States. In the same period, our cash donations to the school lunch and special milk programs totaled $1,253,000,000, and Food Stamps given to needy American families were valued at $158,000,000.

Fourth, commodities produced beyond the limits of what the commercial market could absorb at support price levels—and beyond Food for Peace needs—moved into government-held stocks.

In the past six years, these stocks have declined. In fact, the combination of efforts I have just listed—bolstered by new legislation and the support of the farm and business communities—has brought an end to the mountainous surpluses of the Fifties. Prices have been strengthened, and farm income has been sharply boosted.

I only wish I could tell you that all our problems are solved—that the balance in agriculture we are enjoying for the first time in half a century will continue—and that future farm production will keep steady pace with demand.

I can't do that. We must all accept the fact—here and now—that the technological revolution in agriculture is really just beginning . . . and that the production potential it promises for tomorrow staggers today's imagination.

Bear in mind that in 1966—with relative supply-demand balance in the marketplace—your government in effect "bought" about 60 million acres out of production. Even with large increases in plantings to meet world demand and build reserves of wheat and feed grains to safer levels, our programs will continue to help farmers hold 30 to 35 million acres out of production in 1967.

If all that acreage, plus the steadily accelerating production per acre, were turned loose . . . the result would be chaos.

If we ignore the lessons of history, and let supply outrace demand again, we could plunge ourselves right back into the predicament of 1960, a predicament it has taken us six years to overcome.

We can only avoid this predicament by the disciplined use of judgment, reason and vision, for we know that adjusting farm output expansion to effective demand in the years immediately ahead will be infinitely more difficult than it has ever been before.

Yet adjust it we must.

This we can do in the New Era of American Agriculture. For by trial and error, and in the traditional pragmatic American way, we have developed the necessary tools. With cooperation among producers, the trade, agribusiness and government—we can hold a workable balance between supply and demand, maintain economic strength in agriculture, and encourage continued scientific and technological breakthroughs . . . and do it with accelerating efficiency.

For many years now, I have been talking about a National Food Budget. This implies a careful advance determination of what demand will be—how much must be provided for commercial use at home and abroad, and how much must be produced for needy, hungry people at home and overseas.

With the inducements of voluntary programs, our farmers can then set the stage to produce it. Thus they will produce for use . . . real use . . . and not for storage.

Farmers will be able to move acreage in and out of production as it is needed . . . and the market will return fair parity income to the family farm of adequate size.

Admittedly, we can't be precise about this. Weather variations, for example, can make an enormous difference in production. With 70 million acres growing feed grains, a 10-bushel-per-acre variation means 700,000,000 bushels difference in available feed grains. Nevertheless, we can make allowance for such variations, and the free market and the farmers' holding power can carry most of our reserve.

The next few years are both crucial . . . and promising. I say crucial because it is so important that the farmer and his government use the new farm programs wisely and efficiently. If they do—and get good results—then Congress undoubtedly will improve and extend these programs in 1969. I say promising, because the population and income explosions taking place around the world almost certainly will continue to stimulate a strong demand for food.

Prices, then, should be good . . . and income should grow for both the farmer and for the agribusiness which serves him and the consumer.

In such fashion—and with the balance that comes from mature judgment based on experience—we can look forward to a future of abundance for America . . . and prosperity for the farmer and for those who fashion and move his produce to the tables of the world.

I conclude, then, on a note of positive optimism.

I envision the income of farm operators as commensurate with their contribution to American society—income fully comparable with that earned by other business owners, executives, and managers.

I envision a vast flow of the products of American farms to Africa and Latin America, as well as to Europe and Asia—sales for dollars through regular commercial channels.

I envision the continued contribution of American food aid, technical and capital assistance to the developing nations of the world until that time when they are able to sustain themselves.

I envision an American countryside rich in beauty—with the doors wide open to economic opportunity—a countryside which once again will exemplify the good life.

Agriculture's journey to the Year 2000 can be a useful . . . and a pleasant one. I think it will.

The Unlimited Supreme Court

EXTENSION OF REMARKS

OF

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1967

Mr. BERRY. Mr. Speaker, nearly 100 years ago Alexis de Tocqueville said that the power of the American Supreme Court was the power of public opinion but that it should last only as long as the people respect the law and that it would be impotent against popular neglect or contempt of the law.

This is a double-edged warning, applying equally to judges and to the people, and it has lost none of its timeliness with the passing of years. Recent Supreme Court decisions, in fact, bring these prophetic remarks into clearer focus. The question now is: What to do with the unlimited power of the Supreme Court?

The three divisions of our Government, to wit, the legislature, the executive, and the judicial were unquestionably intended as a balance, one against the other. Yet, speaking from a frank and realistic standpoint, the Supreme Court is presently vested with powers, based upon precedent, that actually could constitute it a dictatorial tribunal from which there is no appeal.

The President is checked by the Legislature and the Court.

The Legislature is checked by the Court and the President.

The Court, however, is responsible to no one.

The American people have no appeal from the dictatorial decisions of the Supreme Court despite the fact that recent decisions protecting the rights of avowed Communists, guaranteeing them free speech, and banning prayer in the public schools are all decisions which are overwhelmingly opposed by the American people.

The only solution to the unlimited and abusive power of the Court is to spell out the intent of the framers of the Constitution and deny the judicial branch its current power to make its own laws, execute its own law and violate our traditional balance of power in Government.

A definite move to grant the Congress judiciary reviewing power was narrowly defeated four times in the Constitutional Convention.

Today, I am introducing a House joint resolution which would provide a constitutional amendment which would allow Congress to limit the power of the Supreme Court by permitting it the right to override a Supreme Court decision by a two-thirds majority vote in both the House and Senate.

The congressional veto would check the power of the Supreme Court just as the President can check Congress by the use of the veto. The American people would then be the final seat of authority because they would have the power of the ballot to reverse any actions of the Congress at the polls at the next election.

No Federal court has the authority to rule out or alter laws unless the law violates the Constitution. Now, however, the Court is exercising final power over not only what the law means, but how it is to be written and how it is to be carried out.

It is my hope that Congress can take action on this legislation in the near future. It is my feeling that establishment of the limiting procedure will provide a true voice of the people and slow down the trend toward concentration of power in Washington.

Preservation of Wet Lands

EXTENSION OF REMARKS

OF

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1967

Mr. TENZER. Mr. Speaker, on January 10, 1967, I introduced H.R. 1397, a bill to preserve the Nation's valuable estuarine areas. The importance of legislative action to establish procedures for Federal, State, and local cooperation in protecting our natural resources was illustrated at public hearings conducted by the House Merchant Marine and Fisheries Subcommittee on Fish and Wildlife Conservation last year.

H.R. 1397 sets forth a plan for preservation of valuable estuarine areas. The basic provisions of the bill are:

First. To preserve, protect, develop, restore, and make accessible selected parts of the Nation's diminishing estuarine areas which are valuable for sport and commercial fishing, wildlife conservation, outdoor recreation, and scenic beauty.

Second. To authorize the Secretary of the Interior to enter into agreements with States and local communities for the permanent management and preservation of publicly owned estuarine and wetland areas; to designate national estuarine areas; and to pay all development costs, except development for recreational uses other than hunting and fishing in which case the Secretary would pay 50 percent of development costs.

Third. To authorize the Secretary to acquire privately owned estuarine areas provided such acquisition is approved by Congress.

Fourth. To authorize the Secretary to conduct a 5-year nationwide study of estuaries of the United States and to report annually to Congress the results of the study. Maximum cost, $4.5 million.

Fifth. To prohibit anyone from dredging, filling, or excavating any estuary of the United States, or the Great Lakes and connecting waterways unless the Secretary issues a permit for such purposes—in addition to Corps of Engineers.

Sixth. The bill provides that State hunting and fishing laws relative to fish and wildlife will apply within any national estuarine area and that the bill shall not affect any authority of the States and local communities to regulate and permit shellfishing.

My original interest in establishing national estuarine areas stems from my efforts to preserve the remaining 16,000 acres of wet lands located on the south shore of Long Island. This area was the subject of my bill, H.R. 11236, introduced in the first session of the 89th Congress. During the past 20 years, the valuable wetlands area of the south shore of Long Island, N.Y., has diminished from 30,000 acres to the present 16,000 acres.

The history of the "rape of Long Island's wet lands" by indiscriminate dredging of bay bottom for commercial development, is set forth in the public hearings on estuarine and wetlands areas referred to above. It is a record of destruction which signals the need for immediate congressional action.

A major change in the legislation which I am sponsoring in the 90th Congress—H.R. 1397—relates to the respective jurisdictions of the Army Corps of Engineers and the Department of the Interior in connection with dredging or filling permits. At the present time the Corps of Engineers has exclusive jurisdiction over applications for permits to dredge, excavate, or fill estuarine areas.

Under H.R. 1397 the Secretary of the Interior is given a voice in deciding whether these valuable estuarine areas shall be altered for the commercial benefit of builders and real estate developers. The Department of the Interior is given a veto power over activities in estuarine areas which could destroy valuable wet lands.

A dual permit system is established under section 12 of H.R. 1397 which for the first time places an agency with conservation responsibilities on an equal footing with the Corps of Engineers whose primary responsibility relates to navigation.

I believe this section will place our public policy of preserving natural resources in proper perspective and have a beneficial impact on our sport and commercial fishing industries and our efforts to promote wildlife conservation, recreation, and scenic beauty.

Mr. Speaker, the protection of valuable estuarine areas from the threat of the bulldozer which buries natural resources under concrete foundations is a national problem.

In the November 1966 edition of the Conservation Bulletin published by the Natural Resources Council of Maine, Robert L. Dow has written an interesting and informative article on the "Economic Yield of Some Main Coastal Wet Lands."

I insert the article at this point:

Economic Yield of Some Maine Coastal Wet Lands

(By Robert L. Dow)

We may discuss the value of estuaries in terms of nutrient generation or as spawning and nursery areas for various commercially important marine animals, but in trying to communicate with those who eventually determine the disposition of estuaries, it may be more appropriate to report specific monetary values. Locally, municipal government finds the argument to broaden the tax base a compelling appeal. Biological reports are ignored because frequently they are concerned with intangibles.

I believe the only effective method of assuring protection and intelligent utilization of estuaries and associated wetlands is to use the same techniques that exploiters of these areas have been employing for years—the appeal of economic return.

In 1962 and 1963 I made some preliminary appraisals of the cash value of wetlands. Since then, further study of these source data indicates that my early estimates had been extremely conservative. Studies of shellfish growth and survival in Maine estuarine areas have shown that growth is a continuous process except during the winter months. The length of the non-growing period varies somewhat from year to year, but does not appear to exceed three months. Contrasting with this cessation in growth, shellfish in similar areas to the south frequently decline in metabolic activity during the summer.

From observations made during the past 20 years, it is assumed that the productivity of wetlands in Maine is at least 9/12 of the calorie production of southern marshes reported by Odum, or approximately 24 million calories per acre per year. According to the Maine Department of Agriculture, the best agricultural land in Maine produces about twelve to fifteen million calories (ensilage corn) per acre per year or roughly, one-half the nutrient yield of wetlands. Gross income from the best, market garden farms in Maine runs as high as $2,000 per acre per year. On a comparative basis the major marshlands of Maine are producing $4,000 worth of nutrients per acre per year.

Since the yield of shellfish growing areas within the optimum range of environmental conditions has often exceeded this figure, it is assumed that with more sophisticated management methods, coastal wetlands should produce in shellfish alone average yields considerably in excess of $4,000 per acre per year.

The Scarboro River, for example, produced 1.4 million pounds of clam meats worth one-quarter of a million dollars in 1946 from what is believed to have been the 1941 year-class. Yield was estimated to have been between 500 and 700 bushels per acre, at current landed values worth from $6,000 to $8,400 per acre. The 1947 set in the three to four acres of Brigham's Cove, West Bath-Phippsburg, yielded more than 18,000 bushels or 198,000 pounds of quahog meats, with a landed value of $81,000, currently worth $161,370, or approximately $46,100 per acre. The 1947 set near Bunganuc Point, Brunswick, produced 2,087 bushels of quahogs per acre, or an average value of $9,392 per acre; at current prices, $18,687 per acre. In 1959, a twenty-acre portion of the Wells Marsh flats produced 91,350 pounds of clam meats having a landed value of $42,637, or $2,131 per acre.

The 1952 year class of quahogs in Middle Bay by 1955 had been reduced by natural mortality to 89 million individuals averaging one inch in diameter and occupying 22 acres. Had it been possible to utilize this crop fully, the primary wholesale value at today's prices would have meant a yield of $64,470 per acre for the crop, or approximately $16,117 per acre per year. In 1965, an eight-acre portion of the Scarboro Marsh flats produced 43,035 pounds of clam meats with a landed value of $22,952, or $2,869 per acre. For the past 20 years, a 20-acre portion of Cod Cove, Edgecomb, has produced an annual average landed value of marine worms of $75,000 or $3,750 per acre.

It will be observed that these values are for one species only in each area and suggest that reasonably optimum conditions existed prior to the time when the crop was harvested. Studies of seawater temperature, precipitation, surface water runoff, and other environmental factors in relation to abundance and availability have indicated that total landed value for the more important commercial species has remained fairly stable. Only at the extremes of the historic temperature range have there been significant declines in relative value. Wide fluctuations in the population of individual species have occurred, but generally when some species have declined in abundance because of unfavorable environmental conditions, other species have increased in population and served to equalize the total value of all landings.

Across the Scarboro River from Pine Point is Western Beach, a shellfish area with an entirely different aggregation of problems. The population of this 136 acre flat was estimated from sampling done during the winter of 1947–1948 to be 11,293 bushels of clams averaging one-half inch in diameter, and consisting of one billion, one hundred and thirty-eight million individual animals. Quantitative measurements of clams surviving in the area over the four-year period from 1947 to 1950 indicated that total survival from the time they were one-half inch in diameter until they reached two and one-half inches ranged from .003 percent under the most favorable conditions to .0004 percent under the most unfavorable conditions. Had it been possible to stabilize the sediments, the yield of the resource might very well have been more than 1300 bushels per acre, with a current value of $15,600 per acre for the four-year period.

Efforts to improve the efficiency of estuary yields have not been entirely successful nor completely lacking in promise. Experiments to improve water circulation, thus reducing hydrogen sulphide have been carried out on a small scale. Efforts to reduce scour have likewise been made on a modest experimental basis. Results were encouraging but produced only short term benefits. It is believed that a complete hydrographic study would develop information on the location and construction of baffles, deflectors, stabilizers, or other devices which would make possible an increase in the efficient use of calories and the production of food materials commensurate with the capability of the area.

The Maine Department of Sea and Shore Fisheries has been carrying on commercial-scale shellfish management experiments since 1947. In addition to these projects, various experimental-scale operations have been carried on in many other coastal areas. Management has consisted of area and population surveys, protection of natural sets from predation and premature harvesting, rotation of growing areas, controlled harvesting, in terms of area and amounts, and transplanting of seed stock. Total cost between 1947 and 1954 amounted to $20,489.44. The total landed value of shellfish resulting from these experiments was $238,617.50. Commercial fishermen themselves estimated that the total value of landings would not have been more than the cost of the experiments had no management controls been established. Even without sophisticated management of estuaries, resource productivity directly usable by man has been noteworthy. The crop yields described were from five managed and three unmanaged areas. Average acre yield of the managed areas was $26,851; of the unmanaged areas, $12,600.

Marine worms are generally three years of age when they are harvested. Soft shell clams in the better growing areas first enter the fishery at three years of age; the median for the State is five years. Hard shell clams also first enter the fishery at three years of age, but may remain fishable for as long as ten years. On the assumption that the average inshore crop of shellfish or annelids will be four years of age, the average annual yield per acre for managed resources has been $6,712; for unmanaged stocks, $3,150; or an average of $5,377 per acre per year for all areas.

Since harvesting methods are extremely primitive, inefficient, and resource destructive, the actual productivity of these areas is far greater than the fishery yield. Without mangement, soft shell clam harvesting efficiency, for example, is equivalent to about 34 percent of the total supply.

Mr. Speaker, last year a similar bill was reported favorably by the House Merchant Marine and Fisheries Committee and on October 3, 1966, the vote in the House was 208 for, to 108 against. However, despite this overwhelming support the bill failed because a two-thirds vote was required for a suspension of the rules, to permit other legislation to be considered out of their regular order.

Mr. Speaker, I know that many of my colleagues in the House are concerned with the preservation of our valuable natural resources located in their own congressional districts. I believe the new concept and the procedures established by H.R. 1397 provide a unique opportunity for the Federal Government, the States and political subdivisions to work together under an agreement drawn by them to preserve and protect our natural resources.

I urge my colleagues to review the provisions of H.R. 1397 and to support this needed legislation.

Address by Senator Howard W. Pollock, Republican Candidate for U.S. Congress, Noon Luncheon—League of Women Voters—World Affairs Council Discovery Room, Captain Cook Hotel, Anchorage, Alaska, October 29, 1966

EXTENSION OF REMARKS

OF

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1967

Mr. DUNCAN. Mr. Speaker, our able colleague, the Honorable HOWARD W. POLLOCK of Alaska, presented a very noteworthy address last fall on membership in the United Nations. Since few of us have had occasion to hear or read this timely statement, I would like to call attention to it by placing it in the RECORD today.

The address follows:

ADDRESS BY SENATOR HOWARD W. POLLOCK, REPUBLICAN CANDIDATE FOR U.S. CONGRESS, NOON LUNCHEON—LEAGUE OF WOMEN VOTERS—WORLD AFFAIRS COUNCIL DISCOVERY ROOM, CAPTAIN COOK HOTEL, ANCHORAGE, ALASKA, OCTOBER 29, 1966

Madame Chairman, Senator Bartlett, General Leonard, Mrs. Suhrke, Distinguished members of the League of Women Voters and of the Anchorage World Affairs Council:

It is my sincere pleasure and privilege to have this opportunity of appearing before you to discuss an aspect of the purpose and meaning of membership in the United Nations, and have chosen the specific issue of admission of Red China to the UN.

Although there is substantial internal strife in the International Communist movement, we must understand that Communist governments and their fronts are waging war against free peoples worldwide. At the moment the hot spot, the test case for us, is Vietnam—as at other times it has been Greece, Berlin, Korea, Quemoy, Lebanon, Cuba. In my view the stake is not Vietnam; it is Asia—and ourselves and the world. The problem is not Vietnam; it is aggressive, militant Communist expansionism—this time from North Vietnam, backed up by the Soviet Union and Communist China, who are fortunately bickering among themselves.

No great expansionist movement has ever stopped until it was checked. Our choice with Red China—just as it was with Japan and with Hitler—is not between checking or not checking—It is whether to check early, while we can, and with Allies—or try to check the aggression later, when it is stronger, closer, and we have fewer and weaker friends and allies. The question really is *how* to check it . . . with unwavering determination, but with least risk and cost.

Since the beginning of the Korean War in 1950, America's policy toward Communist China under the Truman, Eisenhower, Kennedy and Johnson Administrations has been a hardheaded realistic attempt to protect the security interests of the United States by resisting any steps that would further increase Chinese Communist influence and power. An indispensible part of the policy has been to support and strengthen all non-Communist governments that are trying to preserve their independence and thereby to keep their manpower, territory, bases and resources out of Communist control.

I sense a changing Administration attitude concerning admission of Red China to the UN, talk about "reappraisal" of our China policy, statements by Vice President Humphrey and UN Ambassador Goldberg and Senator Fulbright and *others*, calling for "containment without isolation." It seems to me the Administration is softly and slowly but firmly and surely trying to soften the American attitude and condition the American will to accept Red China as a partner in the United Nations Security Council. I oppose this change and feel we should continue to exert every effort to keep Red China out of the UN.

To those who suggest official diplomatic recognition by the U.S. and expansion of trade relations and admission of Communist China to the UN, let me briefly refresh your memory on certain points.

It is said that to admit Red China to the UN would bring the Chinese *people* into the World community. The only thing it would bring in is a tyrannical regime that holds the Chinese people in bondage. Do we show friendliness toward a people by accepting and strengthening the regime that is oppressing them? Was our opposition and resistance to Quisling when he was in control of every foot of Norway equivalent to hostility toward the Norwegian people? Of course not!

I do not believe all of the people of China have accepted Communism, nor that they are better under it; and I am not at all convinced that the Communist regime is in complete and secure control of the country. The internal purges and terror in China in recent months attest to serious problems within that country.

It is said the UN ought to be a universal organization with *all* existing governments in it. But the Charter makes perfectly clear that the UN was never intended to be a universal organization. The concept was discussed at San Francisco and rejected. Article 6 provides for expelling "A member which has consistently violated the principles contained in the present Charter." Article 4 reads: "Membership in the United Nations is open to all other peace-loving nations which accept the obligations contained in the present Charter, and in the judgment of the organization, are able and willing to carry out these obligations."

What obligations? Article 2 reads in part: "All members shall settle their international disputes by peaceful means" and "All members shall refrain in their international relations from the threat or use of force against the territorial or political independence of any state, or in any other matter inconsistent with the purposes of the United Nations."

We have tried to get Red China to accept the membership obligations prescribed in the UN Charter and agree to refrain from the threat or use of force in their relations with their neighbors, but they have refused. Red China is stubbornly keeping *itself* out. It simply refuses to qualify. Mao Tse-tung responds by saying, "Political power comes out of a barrel of a gun."

"But what's the difference between Communist China and the Soviet Union?" you ask. The Soviet Union doesn't refrain from the threat or use of force either. The answer is that the Soviet Union got into the UN at the time of the founding when it pretended to be peace-loving and willing to cooperate for peace in international affairs. Red China does not even pretend—in fact, the essence of its quarrel with Moscow is over its unwavering insistence on the use of force.

It is said that if the United Nations does not admit Communist China, then it ought to expel the Soviet Union. This is a good logical argument, but a useless one. The Soviet Union can veto its own expulsion. If Red China were admitted, it could not be expelled, no matter what its conduct. The step is irreversible. Ambassador Adlai Stevenson, who can hardly be called a blind reactionary, stressed before the UN General Assembly that ". . . . A power given to such bitter words and ruthless actions as those of the Peking regime . . . would be encouraged by its success in gaining admission to exert, all the more forcefully, by threats and maneuvers, a most disruptive and demoralizing influence on the organization at this critical moment in its history—its admission, in circumstances in which it continues to violate and defy the principles of the Charter, could seriously shake public confidence in the United Nations . . ."

If we do not amend the Charter to admit lawless aggressors then our only alternative in allowing the entry of Red China is to ignore the Charter, nullify it, and we must never advocate that course.

Seating of Red China in the UN would be illegal, for it would require violation of the organization's Charter. It would be immoral, for it would almost certainly mean removal of a member that abides by the Charter to seat a non-member that brazenly refuses to abide by the Charter. It would tell the 700 million people on the China Mainland that we are accepting their subjugation, that we think there is more hope for peace for ourselves in deals with their oppressors than in standing steadfastly with them, the oppressed. It would properly be regarded as an attempt to buy peace for ourselves by sacrificing our principles and the freedom of other peoples.

It would pull the rug out from under our loyal Allies on Taiwan, 12 million strong who represent Free China, but who could hardly maintain indefinitely the will or the capacity to resist the alleged representative government of 700 million, with the World Organization for Peace itself rejecting the 12 million and accepting the oppressors of 700 million.

Free Asia has been gaining in strength and determination because of our presence and resistence to Communist transgressions. But let's be realistic. Free Asia will crumble once it believes the Communists are winning, and that Communism might be the wave of the future. Admission of Red China to the UN would mean to much of Asia that the Communists have all but won.

Admission would represent for Red China the greatest possible diplomatic victory. It would give the Mao regime the stamp of legitimacy and add immeasurably to its prestige and power all over the world.

Having spent more than $100 billion to strengthen the will and capacity of free nations and peoples to resist Communism, does it now make sense to strengthen Communism? The whole Communist movement worldwide is in serious trouble today. Why change the policies that have contributed to its difficulties both abroad and at home?

Admission of Red China is, within the meaning of the UN rules, an "important" question, which must therefore be settled by a two-thirds rather than a majority vote. A year ago the member nations again considered the perennial question of admission of Red China, and it again failed but then with a tie vote, 47 to 47. Interestingly, several countries that voted for Red China have now broken relations with it. Does it make sense to accept Red China's representatives into our country and into the United Nations just when its representatives are being exposed and expelled from countries in Africa, Latin America and Asia, countries that followed the very policies toward Red China we are now being urged to adopt? The 15 million or so Chinese living in Southeast Asia would be as shaken as the 12 million on Taiwan. They occupy key positions of power and influence in Vietnam, Malaysia, Thailand, Burma, Indonesia, the Philippines. The Governments of those countries could not refuse Communist China once we did. Can anyone reasonably expect the Governments of these smaller and weaker countries to be stronger and firmer vis-vis Red China than the great United States is? What would happen to the whole system of collective security we have been building at such cost and effort and which is absolutely indispensable to our own survival as a free nation?

Admission of Red China would mean every Chinese Embassy and Consulate in Southeast Asia, and in the world for that matter, would become a protected center of Communist espionage, propaganda, sabotage and subversion of the host government—as recently exposed in Indonesia and Ghana. Through these "Embassies and Consulates" the Chinese minorities would be under direct and almost irresistible pressure to support the aggressive policies of the Mao regime. The stability of strategic countries of Southeast Asia would inevitably be weakened. If the strong accept the Communist overlords, how long can the weak continue to resist them?

It is clear that Communist governments do not join the United Nations with the same purpose in mind as we and other governments do, namely, to help make it an effective instrument for resolving disputes. Obviously the Soviet Union joined in order to make sure the UN does *not* work effectively. It has a world organization of its own, the Communist party with organized, disciplined, efficient units in every country. The Communists have openly sworn over and over again to the destruction of our way of life. They intend to win for *their* world organization. What could be more advantageous than to have seats in the other world organization also, particularly the Security Council, where perfectly legally under the Charter they can keep the rival organization crippled and ineffective whenever they wish to. Almost all of the more than 100 Soviet vetoes have been against measures that were favored by the overwhelming majority of UN members and were in the direction of peace.

Incidentally, it is not necessary to have Red China in the UN in order to negotiate with her. We've had over 130 negotiations with Red China in the last eleven years—almost one a month—and more than any other non-Communist government has had.

There is no course that does not involve serious risk; we are dealing with a ruthless and resourceful enemy. But we must not aid them to our detriment. If some member of an organization breaks its rules and standards, that is not fatal to the organization. *But* if the organization itself votes to scrap its own rules and standards in a vain effort to appease some lawless members, that is starting down the road to its own destruction. I do not want to see the United Nations destroyed by its own action, as happened to the League of Nations nearly fifty years ago.

In these closing moments I wish to very briefly touch on two other points. The UN has a 1967 Budget of $128,227,800, about 7 million above this year and 50 million above five years ago. The UN "hopes" that donations, voluntary contributions, will overcome this deficit—and you can have one guess as to what nation will be expected to volunteer the most generously. Right! The U.S.A.! In my view, before we give any more contributions, the nations which are more than 2 years behind on their dues and debts to the UN should have their voting rights jerked until they pay up—as Article 19 provides. Why the Administration has been reluctant to more vigorously push the enforcement of this Article I cannot understand.

The final point is that in my humble opinion we are fighting in Vietnam in the just cause of freedom against Communist aggression. I heartily disagree with the views of our junior U.S. Senator on the subject, and am firmly persuaded that but for our resistance to the Communist transgressions all of Southeast Asia today would be in Communist hands; Malaysia would not have survived as a federation; Indonesia would not have toppled the Communist regime of Sukarno; Red China would likely have been admitted to the UN by now; the new atmosphere of hope and confidence and courage throughout Asia's southern crescent of nations would not exist to shore up and strengthen Red China's fearful neighbors from Pakistan and India to Japan and Korea. Because we met our commitment to a nation desiring freedom over Communist domination, a rather astonishing series of transformations has taken place. There has been a quickening of national pride, a new solidity of national spirit, a sense of autonomy and freedom. The nations of the crescent have stood up and gone their own way with a new assurance that Chinese Communism need not be the battering wave of the future, and we must have a determination to insure that it is not.

SENATE

THURSDAY, FEBRUARY 2, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rev. Dilwyn Morgan Davies, rector of Rugby, England, offered the following prayer:

O Sovereign Lord God, who alone canst order the unruly wills and affections of sinful men and by whose providence the course of this world is peaceably ordered.

Pour down the abundance of Thy grace upon the Senate of this great Republic, that its servants and ministers of state may faithfully fulfill Thy will and obediently discharge the duties of their high calling, to the honor and glory of Thy name, through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, February 1, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

THE WAR ON HUNGER—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 51)

The PRESIDENT pro tempore. The Chair lays before the Senate a message from the President on food for India and other countries. Without objection, it will be printed in the RECORD, without being read, and appropriately referred.

The message from the President was referred to the Committee on Agriculture and Forestry, as follows:

To the Congress of the United States:

I

Last February I proposed that all mankind join in a war against man's oldest enemy: hunger.

Last March I proposed that the United States take part in an urgent international effort to help the Government of India stave off the threat of famine.

I address you today to report progress in organizing the war against hunger and to seek your counsel on steps still to be taken. For again this year, drought in India—as in other nations—underlines the cruel mathematics of hunger and calls for action.

The problem is immense. It cannot be solved unless each country reaches a considered judgment on the course to be pursued. The greatest power on earth is the will of free peoples, expressed through the deliberative processes of their national assemblies. I ask you today to take the lead in a vital act of democratic affirmation.

India is not alone in facing the specter of near famine. One-half of the world's people confront this same problem.

India's plight reminds us that our generation can no longer evade the growing imbalance between food production and population growth. India's experience teaches that something more must be done about it.

From our own experience and that of other countries, we know that something can be done. We know that an agricultural revolution is within the capacity of modern science.

We know that land can be made to produce much more food—enough food for the world's population, if reasonable population policies are pursued. Without some type of voluntary population program, however, the nations of the world—no matter how generous—will not be able to keep up with the food problem.

We know, too, that failure to act—and to act now—will multiply the human suffering and political unrest, not only in our generation but in that of our children and their children.

The aim of the war against hunger is to help developing nations meet this challenge. It is the indispensable first step on the road to progress.

If we are to succeed, all nations—rich and poor alike—must join together and press the agricultural revolution with the same spirit, the same energy, and the same sense of urgency that they apply to their own national defense. Nothing less is consistent with the human values at stake.

Last year, many responded to India's emergency. Canada was particularly generous in sending food aid. Each member of the India Aid Consortium made a special effort to meet India's need. Nonmembers, Australia among others, also helped. The private contributions of the Italian and Dutch people were especially heartwarming. But the bleak facts require a sustained international effort on a greater scale. Today I propose that all nations make the new Indian emergency the occasion to start a continuing worldwide campaign against hunger.

II

The first obligation of the community of man is to provide food for all of its members. This obligation overrides political differences and differences in social systems.

No single nation or people can fulfill this common obligation. No nation should be expected to do so. Every country must participate to insure the future of all. Every country that makes a determined effort to achieve sufficiency in food will find our Government, our technical experts, and our people its enthusiastic partners. The United States is prepared to do its share.

In pursuing the war on hunger, the world must face up to stark new facts about food in our times.

Food is scarce. Nowhere is there a real surplus. Food aid must be allocated according to the same priorities that govern other development assistance.

Per capita food production in many parts of the less-developed world is not increasing. In some cases, it is even declining. This grim fact reflects both a rising curve of population and a lagging curve of agricultural production.

There is no substitute for self-help. The first responsibility of each nation is to supply the food its people needs. The war against hunger can only be won by the efforts of the developing nations themselves.

Food aid is a stopgap, not a permanent cure. It must be viewed as part of a nation's effort to achieve sufficiency in food, not as a substitute for it.

Agriculture must receive a much higher priority in development plans and programs. The developing nations can no longer take food supplies for granted while they concentrate on industrial development alone, or spend vitally needed resources on unnecessary military equipment.

Agricultural development must be planned as part of a nation's overall economic and social program. Achieving a balance between population and resources is as important as achieving a balance between industrial and agricultural growth.

Fertilizer, seed, and pesticides must be provided in much greater quantities than ever before. Their use increases food production and permanently changes the productive capability of farmers. A ton of fertilizer properly used this year can mean several tons of grain next year.

All advanced nations—including those which import food—must share the burden of feeding the hungry and building their capacity to feed themselves.

The war on hunger is too big for governments alone. Victory cannot come unless businessmen, universities, foundations, voluntary agencies, and cooperatives join the battle.

Developing nations with food deficits must put more of their resources into voluntary family planning programs.

These are the facts your Government has been stressing throughout the world. Many of them are unpleasant. But our lives are pledged to the conviction that free people meet their responsibilities when they face the truth.

These facts draw into bold relief the two main thrusts in the offensive against hunger:

First, the hungry nations of the world must be helped to achieve the capacity to grow the food their people need or to buy what they cannot grow.

Second, until they can achieve this goal, the developed nations must help meet their needs by food shipments on generous terms.

The level of food aid will decline as self-help measures take hold. Until that point is reached, food aid is an inescapable duty of the world community.

III

During the past year, the advanced nations have made progress in preparing the ground for the international war on hunger.

First, the pattern of international cooperation has steadily improved.

Last July we were pleased to act as host to a high-level meeting of the Development Assistance Committee of the Organization for Economic Cooperation and Development which focused primarily on the world food problem.

We encouraged greater contributions to the world food program by increasing our pledge to that program and by offering to match with commodities contributions in both cash and commodities from other countries.

We cosponsored a resolution in the United Nations that launched a U.N.-Food and Agriculture Organization study of whether and how to organize a multilateral food aid program of vastly larger proportions.

In the Kennedy round of trade negotiations, we have advanced a proposal to make available from all sources 10 million tons of food grains annually for food aid, to be supported by grain exporters and importers alike. This proposal is now being discussed in Geneva as part of an international cereals arrangement.

We are now participating in a study initiated by the Food and Agriculture Organization—in cooperation with the World Bank, the U.N. and the OECD—to examine how multilateral action might increase the availability and effective use of fertilizers and other materials needed to speed up agricultural production.

At the OECD ministerial meeting this fall, we advanced a proposal to develop an Agricultural Food Fund to encourage private investment in the basic agricultural industries of the developing countries.

Second, the United States encouraged a multilateral response to last year's emergency in India.

The worst drought of the century threatened millions with starvation and countless more with disease born of malnutrition. As a result, I recommended, and you in the Congress, approved a program to send over 8 million tons of food grain to India. In an unprecedented display of common concern, governments, private organizations, and individuals in 42 other nations joined in providing $180 million in food and other commodities to meet the needs of that country. Overall, India imported almost 11 million tons of grain and used several million tons from its own emergency food reserves.

The fact that India did not experience famine ranks among the proudest chapters in the history of international cooperation. But last year's effort—heartening as it was—was hasty and improvised. The world must organize its response to famine—both today and for the years ahead.

Third, this year's economic aid program makes agricultural development a primary objective.

The AID program, which I will shortly send to the Congress, includes funds to finance imports of fertilizer, irrigation pumps, and other American equipment and know-how necessary to improve agriculture in the developing countries.

Fourth, I proposed and the Congress enacted far-reaching legislation which provides the strong foundation for the new food-for-freedom program.

The central theme of the program is self-help. The legislation authorized concessional sales of food to countries which prove their determination to expand their own food production.

IV

All of us know where the real battle is fought. Whatever the efforts in world capitals, the real tale is told on the land. It is the man behind the mule—or the bullock—or the water buffalo—who must be reached. Only his own government and his own people can reach him.

Thus, the most important progress of the past year has occurred in the developing countries themselves. And there is progress to report.

India—the largest consumer of food aid—perhaps provides the best example.

This has been a year of innovation in Indian agriculture. Agricultural development now has top priority in India's economic plan. Much remains to be done. But the evidence is unmistakable. India has started on the right path. India has:

Imposed a food rationing system to make efficient use of existing supplies.

Streamlined its transportation system to improve distribution.

Increased prices paid to the farmer, thus providing new incentives to use fertilizer, improved seeds and other modern materials.

Begun large-scale operations with new varieties of rice introduced from Taiwan and with large quantities of high-yielding wheat seed imported from Mexico.

Approved plans to increase public investment in agriculture by more than 100 percent during the new 5-year plan.

Started to expand rural credit, improve water supply and accelerate the distribution of fertilizer to remote areas.

Stepped up family planning.

Negotiated an agreement for the first of several externally financed fertilizer plants to expand India's supply of home-produced fertilizers.

India if off to a good start. But it is only a start. As Indian officials have warned, hard work remains in reaching targets they have set and in improving cooperation among state governments. India's economic problems are enormous. But they can be solved.

What India has begun to do represents the growing realization in the developing world that long-term economic growth is dependent on growth in agriculture. Not every country has made an effort as great as India's. But in some countries, production has improved more rapidly.

Everywhere there is an air of change. No longer does industrial development alone attract the best minds and talents. Agriculture is now attracting the young and more enterprising economists, administrators and entrepreneurs in the developing world.

This is the best measure of progress in the war on hunger and the best assurance of success.

V

India's food problem requires a major commitment of our resources and those of other advanced countries. India's population is equal to that of 66 members of the United Nations.

Broad authority exists under our legislation for national action by Executive decision alone. But the issues presented here are of such moment, and on such a scale, as to make it important that we act together, as we do on other great issues, on the firm foundation of a joint resolution of Congress.

I ask you to support the broad approach we have proposed to the international community as a basic strategy for the war on hunger. That strategy rests on three essential principles:

1. Self-help. The war on hunger can be won only by the determined efforts of the developing nations themselves. International aid can help them. But it can only help if they pursue well-conceived and well-executed long-range plans of their own.

2. Multilateral participation. The assistance of the international community must be organized in a coalition of the advanced and the developing nations.

3. Comprehensive planning. The international community must develop a comprehensive plan to assist India to fulfill its program of achieving food sufficiency, not only during this year, but for the next few years as well.

Most of you are familiar with the events of the past year. Drought limited India's food grain production to 72 million tons in the 1965–66 crop year, compared with a record 88 million tons the previous year. A massive international emergency program met the immediate crisis. But India had to use precious food reserves—that are thus not available to meet the shortages created by a second successive bad crop.

The weather since then has brought little relief. The general outlook is slightly improved, and overall production may reach 79 million tons this year. But late last summer a severe drought hit heavily populated areas in north-central India. Unless Indian production is supplemented by substantial imports—perhaps 10 million tons by present estimates for calendar 1967—more than 70 million people will experience near famine.

The Government of India has already taken internal measures to move grain from its more fortunate areas to the drought areas. Imports of 2.3 million tons of grain are now in the pipeline to meet India's needs for the first 2 or 3 months of 1967. India has purchased some 200,000 tons of this grain with her own scarce foreign exchange. Canada with 185,000 tons, Australia with 150,000 tons, and the Soviet Union with 200,000 tons have already joined the United States with its 1.6 million tons, in an impressive multilateral effort to help.

India's immediate problem—and the world's problem—is to fill the remaining gap for the balance of this year.

Because these facts bear heavily on the extent of U.S. food shipments, I have requested and received careful verification from our Ambassador in New Delhi, from the Secretary of Agriculture, and from Members of Congress, who have recently been in India, including Senator McGEE and Senator MOSS.

I am particularly grateful to Representative POAGE and Representative DOLE and Senator MILLER, who at my request made a special trip to India in December to assess the situation on the ground. Their careful and thorough analysis of the situation in India and their recommendations to me have been of great value.

During the last 2 weeks, the Under Secretary of State for Political Affairs and the Under Secretary of Agriculture have consulted in New Delhi and with most members of the World Bank's India Consortium.

The work of all these men and the diplomatic efforts of the Government of India have laid the foundation for the steps we must now take.

The United States cannot—and should not—approach this problem alone or on an improvised basis. We must support the Indian Government's efforts to enlist the aid of other nations in developing a systematic and international approach to the problems of Indian agriculture. Our long-term objective is to help India achieve its goal of virtual self-sufficiency in grain by the early 1970's. Meanwhile, as part of that effort, we must help India meet its immediate food needs.

VI

In line with policies established by the Congress, and after promising consultations with the Government of India and other governments involved, I recommend the following steps to achieve these objectives:

First. Our basic policy is to approach the problem of Indian food through the India Aid Consortium organized under the chairmanship of the World Bank. That Consortium has already developed a multilateral approach to economic assistance for India. Now, we propose to make food aid a part of that multilateral assistance program. We seek effective multilateral arrangements to integrate Indian food aid with broader programs of economic assistance and with capital and technical assistance for agricultural development.

In a preliminary way, we have consulted with the Government of India and with other members of the Consortium. There is substantial agreement among Consortium members on the major points of our proposal:

Meeting food needs of India during this emergency should be accepted as an international responsibility in which each nation should share;

Emergency food and food-related aid should be coordinated through the World Bank Consortium;

This aid should not diminish the flow of resources for other development programs. It should be in addition to the targets for each country suggested by the World Bank.

Adding food aid to the responsibilities

of the Consortium is sound economics and fair burden-sharing. The Consortium provides a proper channel for the food and food-related aid of donors who have not previously been involved in the food field. It will make clear that food provided from outside is as much a real contribution to Indian development as capital for specific projects or foreign exchange assistance for import programs.

Second. Should this program be established, we will support the Indian Consortium as it—

Undertakes a detailed projection of Indian food production and food aid requirements;

Prepares a program for nonfood imports required to meet food production targets, as the basis for determining the equitable share of each donor;

Reviews India's self-help efforts, reports regularly on progress and identifies areas for future concentration of energies.

Third. We must take prompt action to help India meet its emergency food needs. Our best present estimate is that India needs deliveries of 10 million tons of food grains this year or roughly $725 million worth of food; 2.3 million tons, worth roughly $185 million, are already in the pipeline from a number of countries, including our own. To keep food in the pipeline, I am making an immediate allocation of 2 million tons, worth nearly $150 million, to tide India over while the Congress acts.

I recommend that Congress approve a commitment to share fully in the international effort to meet India's remaining food grain deficit of 5.7 million tons—worth about $400 million. To that end, I recommend a U.S. allocation of an additional amount of food grain, not to exceed 3 million tons, provided it is appropriately matched by other countries. I recommend that approximately $190 million available to the Commodity Credit Corporation in calendar 1967 be used for this purpose. These funds, if allotted, will have to be replenished by appropriation in fiscal 1968.

Fourth. I recommend your approval of an allocation of $25 million in food commodities for distribution by CARE and other American voluntary agencies, to assist the Government of India in an emergency feeding program in the drought areas of Bihar and Uttar Pradesh.

Fifth. We hope other donors will accelerate their exports of fertilizers to India.

Unless the application of chemical fertilizers rises sharply in India, she will not be able to meet her food grain targets. Those fertilizer targets are ambitious, yet they must be met and if possible, exceeded. Marshaling more fertilizer imports is as important to meeting India's emergency as gathering additional grain. India herself must take prompt steps to increase her fertilizer investment and production and improve its distribution.

Sixth. I propose for the longer run to continue encouraging U.S. private investors to participate in India's program to expand production of chemical fertilizers. We will urge other governments to encourage their own producers.

Seventh. We intend to pursue other initiatives in the broader context of world agricultural development:

We shall continue to press for multilateral efforts in every international forum in which we participate, including the current negotiations to establish a food aid program as part of an International Cereals Arrangement.

We shall continue our policy of encouraging private capital and technology to join the war on hunger.

We shall press for the creation of an investment guarantee fund by the OECD to encourage private investment in the agricultural industries of developing countries.

We shall make available to food deficit nations the technology our scientists have now developed for producing fish protein concentrate.

We shall look to the study by the President's Science Advisory Committee on the problems of food production to supply further and more definitive guidelines for near-term action and for long-range planning.

None of these steps can be as important as Indian resolve and Indian performance. The Indian Government is committed to a bold program of agricultural modernization. That program is the foundation for the entire international effort to help India. We believe that a self-reinforcing process of improvement is underway in India, affecting both agricultural techniques and government administration. On the basis of that conviction, we can move forward to do our share under the food-for-freedom program of 1966.

VII

I believe these proposals are in our national interest. I believe that they reflect the deepest purposes of our national spirit.

I am asking the Congress, and the American people, to join with me in this effort and in an appeal to all the nations of the world that can help. I am asking the Congress to consider thoroughly my recommendations and to render its judgment. The executive branch, this Nation and other nations will give full attention to the contributions that congressional debate may produce.

There are many legitimate claims on our resources. Some may question why we devote a substantial portion to a distant country.

The history of this century is ample reply. We have never stood idly by while famine or pestilence raged among any part of the human family. America would cease to be America if we walked by on the other side when confronted by such catastrophe.

The great lesson of our time is the interdependence of man. My predecessors and I have recognized this fact. All that we and other nations have sought to accomplish in behalf of world peace and economic growth would be for naught if the advanced countries failed to help feed the hungry in their day of need.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 2, 1967.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Post Office and Civil Service.

(For nominations this day received, see the end of Senate proceedings.)

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Foreign Relations was authorized to meet during the session of the Senate today.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

RECOGNITION OF SENATOR HANSEN AT CONCLUSION OF THE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the morning business, which will comprise 3-minute statements, the distinguished junior Senator from Wyoming [Mr. HANSEN] be recognized for 40 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

Designation of San Rafael Wilderness, Los Padres National Forest, Calif.

A communication from the President of the United States, transmitting a draft of proposed legislation to designate the San Rafael Wilderness, Los Padres National Forest, in the State of California (with accompanying papers); to the Committee on Interior and Insular Affairs.

Report on Additional Facilities Projects Proposed for the Air National Guard

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on certain additional facilities projects proposed to be undertaken for the Air National Guard, at Jacksonville, Fla., and Great Falls, Mont.; to the Committee on Armed Services.

Report on Reserve Officer Training Corps Flight Training Program

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on the Reserve Officer Training Corps Flight Training Program, for the calendar year 1966 (with an accompanying report); to the Committee on Armed Services.

Report on Insurance Premiums Collected Under Mortgage Insurance for Land Development

A letter from the Secretary of Housing and Urban Development, Washington, D.C., reporting, pursuant to law, on the insurance premiums and other charges which that Department collects under mortgage insurance for land development; to the Committee on Banking and Currency.

REPORT OF OFFICE OF STATE TECHNICAL SERVICES

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the Office of State Technical Services, for the fiscal year 1966 (with an accompanying report); to the Committee on Commerce.

REPORT OF INTERSTATE COMMERCE COMMISSION

A letter from the Chairman, Interstate Commerce Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year 1966 (with an accompanying report); to the Committee on Commerce.

REPORTS OF DISTRICT OF COLUMBIA NATIONAL GUARD ARMORY AND DISTRICT OF COLUMBIA STADIUM

A letter from the Chairman, District of Columbia Armory Board, Washington, D.C., transmitting, pursuant to law, reports for the District of Columbia National Guard Armory and the District of Columbia Stadium, for the fiscal year ended June 30, 1966 (with accompanying reports); to the Committee on the District of Columbia.

REPORT OF ADMINISTRATOR OF VETERANS' AFFAIRS

A letter from the Administrator of Veterans' Affairs, Washington, D.C., transmitting, pursuant to law, his report for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Finance.

VIETNAM CONFLICT SERVICEMEN AND VETERANS ACT OF 1967

A letter from the Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to extend to persons who served in the Armed Forces of the United States on or after August 5, 1964, the date of the Gulf of Tonkin incident, the same range of veterans' benefits heretofore provided veterans of other wars; to improve the pension and certain other benefits now available to these servicemen and veterans; and for other purposes (with accompanying papers); to the Committee on Finance.

PROPOSED DISCONTINUANCE OF REQUIREMENT THAT THE COMPTROLLER GENERAL MAKE AN ANNUAL AUDIT OF THE GENERAL SUPPLY FUND

A letter from the Comptroller General of the United States, proposing the discontinuance of the specific statutory requirement that the Comptroller General shall make an annual audit of the general supply fund (with an accompanying paper); to the Committee on Government Operations.

LAWS ENACTED BY LEGISLATURE OF GUAM

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, copies of laws enacted by the Eighth Guam Legislature, 1966 (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT OF COMMUNITY RELATIONS SERVICE

A letter from the Acting Attorney General, transmitting, pursuant to law, a report of the Community Relations Service, Department of Justice, for the fiscal year 1966 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON MILITARY PERSONNEL AND CIVILIAN EMPLOYEES' CLAIMS

A letter from the Assistant Attorney General for Administration, Department of Justice, transmitting, pursant to law, a report on claims paid under the Military Personnel and Civilian Employees' Claims Act of 1964, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on the Judiciary.

REPORTS RELATING TO THIRD PREFERENCE AND SIXTH PREFERENCE FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference for certain aliens (with accompanying papers); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

REQUEST FOR EXTENSION OF TIME TO FILE REPORT

A letter from the Secretary of Labor, requesting permission to delay the filing of a report covering the administration of the Fair Labor Standards Act; to the Committee on Labor and Public Welfare.

REPORTS ON POSITIONS IN GRADES GS-16, GS-17, AND GS-18

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., reporting, pursuant to law, on positions in grades GS-16, GS-17, and GS-18, for the calendar year 1966 (with accompanying papers); to the Committee on Post Office and Civil Service.

A letter from the Assistant Attorney General for Administration, Department of Justice, transmitting, pursuant to law, a report on positions in grades GS-16, GS-17, and GS-18, for the calendar year 1966 (with accompanying papers); to the Committee on Post Office and Civil Service.

REPORT ON AIR POLLUTION BY FEDERAL ACTIVITIES

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on air pollution by Federal activities, dated January 1967 (with an accompanying report); to the Committee on Public Works.

REPORT ON STUDY OF FEDERAL REIMBURSEMENT POLICY FOR WORK BY STATES ON AUTHORIZED WATER RESOURCES PROJECTS

A letter from the Secretary of the Army, transmitting, pursuant to law, a report of the Chief of Engineers on a study of Federal Reimbursement Policy for Work by States and Other Non-Federal Entities on Authorized Water Resources Projects (with accompanying papers); to the Committee on Public Works.

AIR QUALITY ACT OF 1967

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Clean Air Act to improve and expand the authority to conduct or assist research relating to air pollutants, to assist in the establishment of regional air quality commissions, to authorize establishment of standards applicable to emissions from establishments engaged in certain types of industry, to assist in establishment and maintenance of State programs for annual inspections of automobile emission control devices, and for other purposes (with accompanying papers); to the Committee on Public Works.

REPORT OF ATOMIC ENERGY COMMISSION

A letter from the Chairman and Members, U.S. Atomic Energy Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the year 1966 (with an accompanying report); to the Joint Committee on Atomic Energy.

NATIONAL WATER COMMISSION—REPORT OF A COMMITTEE—ADDITIONAL VIEWS (S. REPT. NO. 25)

Mr. JACKSON. Mr. President, from the Committee on Interior and Insular Affairs, I report favorably, without amendment, the bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and for other purposes, and I submit a report thereon. I ask unanimous consent that the Senator from Colorado [Mr. ALLOTT] be permitted to file a statement of additional views on the bill, and that they be printed with the report.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Washington.

Mr. JACKSON. Mr. President, I ask unanimous consent that at the next printing of the bill, S. 20, the name of the Senator from Nebraska [Mr. CURTIS] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with an amendment:

S. Res. 20. Resolution extending the Special Committee on Aging (Rept. No. 26);

S. Res. 23. Resolution to examine, investigate, and make a study of any and all matters pertaining to flood control, navigation, rivers and harbors, roads and highways, water pollution, air pollution, public buildings, and all features of water resource development, and economic growth (Rept. No. 27);

S. Res. 25. Resolution to study administrative practice and procedure, and for other purposes (Rept. No. 28);

S. Res. 26. Resolution to investigate antitrust and monopoly laws of the United States (Rept. No. 29);

S. Res. 28. Resolution authorizing a study of matters pertaining to constitutional amendments (Rept. No. 30);

S. Res. 29. Resolution to investigate matters pertaining to constitutional rights (Rept. No. 31);

S. Res. 33. Resolution to investigate the administration, operation, and enforcement of the Internal Security Act (Rept. No. 32);

S. Res. 34. Resolution to study and examine the Federal judicial system (Rept. No. 33);

S. Res. 35. Resolution to investigate juvenile delinquency (Rept. No. 34);

S. Res. 38. Resolution to investigate problems created by the flow of refugees and escapees from communistic tyranny (S. Rept. No. 35);

S. Res. 40. Resolution to make a full and complete study of the separation of powers under the Constitution (Rept. No. 36);

S. Res. 41. Resolution to investigate the Trading With the Enemy Act (Rept. No. 37);

S. Res. 42. Resolution to authorize certain activities and studies by the Committee on Interior and Insular Affairs (Rept. No. 38);

S. Res. 43. Resolution authorizing the Committee on Post Office and Civil Service to make certain investigations (Rept. No. 39);

S. Res. 45. Resolution authorizing the Committee on Banking and Currency to make certain investigations, and to provide additional funds therefor (Rept. No. 40);

S. Res. 46. Resolution authorizing the Committee on Banking and Currency to investigate matters pertaining to public and private housing and urban affairs, including urban mass transportation (Rept. No. 41);

S. Res. 53. Resolution authorizing the Committee on Government Operations to make investigations into the efficiency and economy of operations of all branches of Government (Rept. No. 42);

S. Res. 55. Resolution authorizing a study of intergovernmental relationships between the United States and the States and municipalities (Rept. No. 43);

S. Res. 57. Resolution authorizing the Committee on Government Operations to examine, investigate, and make a complete study of all matters pertaining to foreign assistance operations by the Federal Government (Rept. No. 44);

S. Res. 58. Resolution authorizing the Committee on Government Operations to study the origin of research and development programs financed by the departments and agencies of the Federal Government (Rept. No. 45);

S. Res. 59. Resolution to provide funds to study and evaluate the effects of laws pertaining to proposed reorganizations in the executive branch of the Government (Rept. No. 46);

S. Res. 67. Resolution to provide additional funds for the Committee on Foreign Relations for making certain studies (Rept. No. 47); and

S. Res. 72. Resolution to authorize the Committee on Commerce to make certain studies (Rept. No. 48).

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

James J. Reynolds, of New York, to be Under Secretary of Labor.

By Mr. YARBOROUGH from the Committee on Labor and Public Welfare:

Thomas R. Donahue, of Maryland, to be an Assistant Secretary of Labor.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SCOTT:

S. 799. A bill to provide more economic, efficient, and effective implementation of the various Federal loan and grant-in-aid programs to improve the quality of urban and rural life through improved comprehensive development planning, programing, and coordination among and between Federal agencies, States, regions, metropolitan areas, and local governments, and to encourage greater coordination between States and their political subdivisions in the planning and programing of Federal loan and grant-in-aid programs, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 13, 1967, for additional cosponsors.)

By Mr. ERVIN:

S. 800 A bill to authorize the Secretary of the Interior to accept donations of land for, and to construct, administer, and maintain an extension of the Blue Ridge Parkway in the States of North Carolina and Georgia, and for other purposes; to the Commitee on Interior and Insular Affairs.

(See the remarks of Mr. Ervin when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 801. A bill for the relief of Dr. Duck Sang Cheung;

S. 802. A bill for the relief of Arlene W. Chang; and

S. 803. A bill for the relief of Mrs. Sabastiana Fazzino; to the Committee on the Judiciary.

By Mr. RIBICOFF (for himself and Mr. Hollings):

S. 804. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Finance.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 13, 1967, for additional cosponsors.)

By Mr. McCLELLAN (by request):

S. 805. A bill to amend section 202(b) of the Federal Property and Administrative Services Act of 1949; to the Committee on Government Operations.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

By Mr. BROOKE:

S. 806. A bill for the relief of Nieves Pintos Montes; and

S. 807. A bill for the relief of Konstantine Anagnostopoulos; to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 808. A bill for the relief of Dr. Menelio Segundo Diaz Padron; and

S. 809. A bill for the relief of Dr. Youssef (Joseph) Selim Hasbani; to the Committee on the Judiciary.

By Mr. HARRIS (for himself, Mr. Bartlett, Mr. Burdick, Mr. Cannon, Mr. Ervin, Mr. Fannin, Mr. Gruening, Mr. Inouye, Mr. Jordan of North Carolina, Mr. Mansfield, Mr. McGee, Mr. McGovern, Mr. Mondale, Mr. Monroney, Mr. Nelson, Mr. Morse, and Mr. Young of North Dakota):

S. 810. A bill to provide for a White House Conference on Indian Affairs; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Harris when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 811. A bill for the relief of Valentina Sidorova Parkevich; to the Committee on the Judiciary.

By Mr. PROUTY (for himself, Mr. Allott, Mr. Baker, Mr. Boggs, Mr. Carlson, Mr. Case, Mr. Cooper, Mr. Cotton, Mr. Dirksen, Mr. Dominick, Mr. Fannin, Mr. Fong, Mr. Griffin, Mr. Hansen, Mr. Hickenlooper, Mr. Hruska, Mr. Javits, Mr. Jordan of Idaho, Mr. Kuchel, Mr. Miller, Mr. Morton, Mr. Mundt, Mr. Murphy, Mr. Pearson, Mr. Percy, Mr. Scott, Mrs. Smith, Mr. Thurmond, and Mr. Tower):

S. 812. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Finance.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 9, 1967, for additional cosponsors.)

By Mr. SCOTT:

S. 813. A bill for the relief of certain individuals; to the Committee on the Judiciary.

By Mr. BIBLE (for himself, Mr. Jackson, and Mr. Kuchel):

S. 814. A bill to establish the National Park Foundation; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bible when he introduced the above bill, which appear under a separate heading.)

By Mr. ELLENDER:

S. 815. A bill for the relief of Ante Cibilic; to the Committee on the Judiciary.

By Mr. GORE:

S. 816. A bill for the relief of Bonnie Ann Lowrie, Mark Wayne Lowrie, and Paul Cameron Lowrie; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 817. A bill to amend title II of the Social Security Act and related provisions of the Internal Revenue Code of 1954 to permit elective exemption from future social security coverage by individuals age 65 or over who have at least 100 quarters of social security coverage; to the Committee on Finance.

(See the remarks of Mr. Smathers when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 818. A bill for the relief of Gamal Hassan Eid and his wife, Ekbaal Gouda Soliman Eid; to the Committee on the Judiciary.

By Mr. TALMADGE:

S. 819. A bill for the relief of Charles H. Thurston;

S. 820. A bill for the relief of certain employees at Robins Air Force Base, Ga.; and

S. 821. A bill for the relief of Dr. Julio Domingo Hernandez; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 822. A bill for the relief of Hye Suk Paeng and Mi Kung Paeng (Patricia Ann); to the Committee on the Judiciary.

By Mr. ANDERSON (by request):

S. 823. A bill for the relief of Elwyn C. Hale; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 824. A bill to provide assistance for the improvement of State and local law enforcement agencies through acquisition of equipment for those agencies and provision of educational opportunities to their personnel, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 13, 1967, for additional cosponsors.)

By Mr. SCOTT:

S.J. Res. 25. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President; to the Committee on the Judiciary.

(See the remarks of Mr. Scott when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. COOPER (for himself and Mr. Hruska):

S.J. Res. 26. Joint resolution designating February of each year as American History Month; to the Committee on the Judiciary.

(See the remarks of Mr. Cooper when he

introduced the above joint resolution, which appear under a separate heading.)

(NOTE.—The above joint resolution was ordered to be held at the desk until February 13, 1967, for additional cosponsors.)

CONCURRENT RESOLUTION

CREATION OF THE ROANOKE ISLAND MEMORIAL COMMISSION

Mr. ERVIN (for himself and Mr. JORDAN of North Carolina) submitted the following concurrent resolution (S. Con. Res. 9) to create the Roanoke Island Memorial Commission, which was referred to the Committee on Interior and Insular Affairs:

S. CON. RES. 9

Whereas the origin of this Nation was inspired by the timeless quest of man for a destiny commensurate with his potentialities; and

Whereas it was the grandeur of the Renaissance at high noon in England, immortalized by Shakespeare, Bacon, and Raleigh, which gave birth to the American dream; and

Whereas freedom sustained the vision and nourished the faith of those who dedicated themselves to England's greatness beyond the seas; and

Whereas this Nation began its trek across the centuries, founded upon the eternal principles of religious and political liberty, and derived its cultural heritage from a people imbued with the creative spirit of man; and

Whereas at Roanoke Island, North Carolina, in 1585, the first colonizing efforts of our Founding Fathers crystallized into prophetic achievement and made this spot the spiritual birthplace of the United States; and

Whereas it is appropriate that a nation should mark with honor the cradle of its nativity: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be requested to appoint a commission of five persons, to be known as the Roanoke Island Memorial Commission, whose duty it shall be to formulate a proposal which will enable this country to commemorate in a fitting manner the episode of its spiritual birth.

SEC. 2. That the Roanoke Island Memorial Commission be invited especially to study in what manner the religious, political, cultural, social, and economic life of Tudor England, which initiated the drama of English colonization on American soil, can be portrayed in its true historical significance and natal splendor for the instruction and inspiration of generations to come.

SEC. 3. That the Roanoke Island Memorial Commission be asked to report its findings and recommendations to the Congress of the United States in order that this body may take appropriate action to establish at Roanoke Island a memorial worthy of the enduring importance of this event, which led to the founding of the United States.

RESOLUTIONS

AUTHORIZATIONS OF A STUDY OF REVENUE SHARING

Mr. MONDALE (for himself and Mr. MUSKIE) submitted a resolution (S. Res. 79) to authorize a study of revenue sharing, which was referred to the Committee on Government Operations.

(See the above resolution printed in full when submitted by Mr. MONDALE, which appears under a separate heading.)

AUTHORIZATION TO PRINT A REPORT BY SECRETARY OF HEALTH, EDUCATION, AND WELFARE ON AIR POLLUTION CAUSED BY MOTOR VEHICLES AS A SENATE DOCUMENT

Mr. RANDOLPH submitted the following resolution (S. Res. 80); which was referred to the Committee on Rules and Administration:

S. RES. 80

Resolved, That there be printed as a Senate document the fifth semiannual report of the Secretary of Health, Education, and Welfare, on the problem of air pollution caused by motor vehicles and measures taken toward its alleviation, dated December, 1966, in compliance with Public Law 88-206, the Clean Air Act, as amended by Public Law 89-272.

SEC. 2. There shall be printed two thousand five hundred additional copies of such document for the use of the Committee on Public Works.

THE COMPREHENSIVE PLANNING AND COORDINATION ACT OF 1967

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, the Comprehensive Planning and Coordination Act of 1967.

I ask unanimous consent that there be printed at the end of my remarks: First, the text of my bill; second, a section-by-section analysis of the bill; and third, a background statement on my bill.

I also ask unanimous consent that the bill remain at the desk for 10 days to permit other Senators to add their names as cosponsors.

The Comprehensive Planning and Coordination Act of 1967 seeks to make the myriad of Federal programs work in concert at the Federal level and through methods of coordination which recognize the individual and differing needs of the States, regions, and metropolitan areas. Under my bill, the large number of new Federal programs of grants-in-aid to the States and local governments is to be coordinated through a comprehensive planning process. Planning assistance programs are to be adjusted and strengthened to support the Federal system on a more dependable and regular basis.

My bill would provide financial incentives to the States, metropolitan areas, and other multijurisdictional areas to engage in comprehensive planning, programing, and coordination of their human, economic, and physical resource development programs. It would insure regular Federal planning assistance by authorizing minimum annual allotments to State, metropolitan, and regional planning agencies which submit annual work programs outlining their comprehensive planning, programing, and coordination activities for the coming Federal fiscal year.

In this legislation I am trying to strengthen intergovernmental relationships and the basis by which the coordination of Federal programs can best be accomplished at the State, regional, and local levels. I also believe that the use of Federal programs can be most effectively integrated if the planning for them becomes a part of the process that looks to the establishment of governmental goals and objectives at these important and essential local levels.

I seek to strengthen the process of planning. I seek to make planning an integral part of the political decisionmaking process.

I seek to recognize the essential role of the elected public official and to give the Governors of our States a better chance to govern effectively.

I seek to develop an exchange of information based upon need and capacity and to strengthen the ability of local people to deal with local situations.

I seek to recognize the essential role of the Federal Government in assisting the financing of social, economic, and physical development programs. But at the same time, I seek to utilize that Federal role in a way that would strengthen our Federal system rather than weaken it.

I seek to improve the excellence of planning in all functional fields, be they health, water resources, recreation, or vocational rehabilitation, in any or all of these fields, by making this type of very important functional planning a part of a truly comprehensive planning process.

Finally, I seek to regularize and to make more consistent the Federal Government's participation in the financing of planning programs at all levels of government.

Mr. President, I welcome as cosponsors Senators from both sides of the aisle. Coordination and consolidation of existing Federal grants-in-aid should be a primary mission of the 90th Congress. The continued resilience of our federal system demands this.

I heartily agree with the distinguished junior Senator from Maine [Mr. MUSKIE] when he declared in this Chamber on October 13 of last year that American federalism faces "real dangers—if we do not bring some order out of the chaos of proliferating public programs, haphazard planning, and governmental authorities."

Mr. President, I urge early and favorable consideration of the Comprehensive Planning and Coordination Act of 1967.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, section-by-section analysis, and background statement will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from Pennsylvania.

The bill (S. 799) to provide more economic, efficient, and effective implementation of the various Federal loan and grant-in-aid programs to improve the quality of urban and rural life through improved comprehensive development planning, programing, and coordination among and between Federal agencies, States, regions, metropolitan areas, and local governments, and to encourage greater coordination between States and their political subdivisions in the planning and programing of Federal loan and grant-in-aid programs, and for other purposes introduced by Mr. SCOTT, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 799

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Comprehensive Planning and Coordination Act of 1967".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress finds and declares that—

(1) The economy of the Nation, the welfare of its people, and the efficient functioning of the Federal system are directly dependent upon the cooperative action of the Federal, State, and local levels of government in developing a coordinated and comprehensive system of forward planning for the development of the physical, economic, and human resources of the Nation.

(2) Development planning has tended to be too narrow, fragmented, and inadequately coordinated; to be fully effective, such planning must be truly comprehensive, embracing the full spectrum of resource development (human and economic as well as physical resources); it must encompass rural and urban development; and there is a vital need for the development of comprehensive, policy-based, action-oriented planning processes and systems that will provide the framework within which functional and project planning can be related for fully coordinated development.

(3) Action to meet national urban and rural development needs can be coordinated most efficiently and economically at the State and local government level, based on the capability of States and local governments to develop comprehensive, policy-based planning and programing processes which can serve as a framework and guide for functional and project planning and provide a systematic base for effective coordination of Federal, State, and local development programs.

(4) Improved coordination of programs of Federal assistance which involve the narrower, functional aspects of development planning and which are administered by the various departments and agencies can best be achieved at the Federal level through the Executive Office of the President which can provide an effective focal point necessary for the formulation of consistent development planning policies, standards, and procedures among such programs.

(b) It is the purpose of this Act—

(1) To encourage and assist State governments in achieving strong, comprehensive development planning, programing, and coordination capabilities to guide planning and development activities within and among the States; to encourage cooperation among local governments in solving mutual and areawide development problems by assisting them in developing an areawide comprehensive development planning and programing process and improving their capabilities therefor; and generally to encourage intergovernmental cooperation in developing coordinated and concerted attacks on problems of national development through the provision of a focal point for development planning coordination in the Executive Office of the President.

(2) To establish a process for the exchange of development information between the States and the Federal Government, in order to assist the Federal Government in the allocation of its resources and the States and their political subdivisions in the determination of their needs, and, further, to permit the Federal Government, through this process to meet more effectively and responsibly the emergency needs of the Nation, the States, and the people, as such needs might arise.

DEFINITIONS

SEC. 3. For the purposes of this Act—

(a) The term "development planning" means planning covering the whole or components of the physical, economic, or human resources development of an area.

(b) The term "comprehensive development planning" means the continuing process of (1) assessing the needs, resources and development opportunities of an area; (2) formulating goals, objectives, policies, and standards to guide long-range physical, economic, and human resources development of an area; and (3) preparing plans and programs therefor which (A) identify and evaluate alternative courses of action and the spatial and functional relationships among the activities to be carried out thereunder, (B) specify the appropriate scheduling of such activities, (C) take into account other relevant factors affecting the achievement of the desired development, and (D) provide an overall framework and guide for the preparation of functional and project development plans in such area.

(c) The term "functional development planning" means the preparation of plans and programs for generalized but limited development objectives involving interprogram development relationships, including, but not limited to, the establishment or improvement of systems of transportation, outdoor recreation, public health, pollution control, and manpower development and utilization, which systems are integral components of the overall development of the area.

(d) The term "agency program planning" means the planning by an agency for individual program activities for which it is responsible, which, when grouped in broader related functional areas, may become part of functional development planning.

(e) The term "project planning" means planning of a set of short-range, specific, closely related actions that together will constitute one step toward the achievement of broader, longer-range functional and comprehensive development objectives.

(f) The term "State" means any State of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

(g) The term "development district" means any multijurisdictional area, including interstate areas, established under State laws, or in the absence of such laws, under a plan approved by the Governor of the State or States, comprising more than one unit of general local government, which area has common or related problems of development requiring cooperative, comprehensive planning and concerted action for the effective solution of such development problems.

(h) The term "metropolitan area" means a development district comprising a standard metropolitan statistical area as established by the Bureau of the Budget, subject however to such modifications and extensions as the Director may determine to be appropriate for the purpose of this Act.

(i) The term "unit of general local government" means any city, county, town, parish, village, or other general-purpose political subdivision of a State.

(j) The term "Director" means the Director of the Office of Comprehensive Development and Emergency Planning.

(k) The term "Federal grant-in-aid" means a program of Federal financial assistance other than loans.

THE OFFICE OF COMPREHENSIVE DEVELOPMENT AND EMERGENCY PLANNING

SEC. 4. (a) The name of the Office of Emergency Planning in the Executive Office of the President is hereby changed to the Office of Comprehensive Development and Emergency Planning (hereinafter referred to as the "Office"), and the titles of the Director, Deputy Director, and Assistant Directors of such Office are changed accordingly.

(b) Nothing in this Act shall affect the functions of the Office or of the Director pursuant to delegation by the President under Reorganization Plan No. 1 of 1958 (72 Stat. 1799), as amended, nor the functions or authority of the President under Reorganization Plan No. 1 of 1958, as amended, but shall be in addition thereto.

STATE PLANNING, PROGRAMING, AND COORDINATION

SEC. 5. (a) To strengthen the Federal system and cooperative relationships between the Federal Government and the States, to make more effective the wide range of loan and grant programs of the Federal Government, to provide for more effective coordination of the various programs of the Federal Government operating through the States, and in the interests of efficiency and economy, it is the policy of the Federal Government that the establishment of a policy-based and continuing comprehensive planning, programing, and coordination process in State governments should be encouraged and supported through assistance to a unit in each State government, generally responsible to the Governor of the State for the performance of comprehensive planning, programing, and coordinative functions which may include, but not be limited to—

(1) The collection on a systematic basis of planning, programing, and development information concerning Federal, State, regional, or areawide, and local public works, capital improvements, capital acquisitions; economic and human resources development programs, projects, and associated activities.

(2) The establishment of arrangements for the exchange of development planning and programing information between State agencies, and between the various levels of government within each State and their agencies, including metropolitan, district, and regional planning and development agencies, and between such governments and agencies of neighboring States as appropriate.

(3) The collection and analysis of (A) planning and programing information relative to population characteristics and shifts, (B) economic trends, developments, and projections (C) directions and extent of urban and rural growth and change, (D) employment and unemployment analysis and projections, (E) social, educational, health, recreational and cultural development trends and needs, (F) governmental organization and finance within the State and the political subdivisions thereof, and (G) such other development and programing information necessary for comprehensive State planning and programing; and for the coordination of the planning and programing activities of State functional agencies and of local, metropolitan, regional, and district planning and development activities;

(4) The preparation and maintenance of a coordinated planning and programing system and process, including the formulation of a long-range, comprehensive State development policies plan; coordination of State functional development planning and agency program planning; shorter-range comprehensive development programing (including the formulation of development goals, objectives, targets, strategies and priorities); and other activities necessary to the coordination of plans for the development of the State, its localities, regions, metropolitan areas, and other development districts;

(5) The provision of technical assistance and training, and advice and consultation on planning and programing matters on an interprogram, interagency and intergovernmental basis.

DEVELOPMENT DISTRICT AND METROPOLITAN AREA PLANNING, PROGRAMING, AND COORDINATION

SEC. 6. To strengthen the federal system through encouraging cooperation among units of general local government having common or related development problems through comprehensive planning and concerted action, to avoid overlap and duplication in functional planning carried on under other Federal, State, and local programs, and to promote effective and economical coordination of such programs through areawide comprehensive planning in development districts and metropolitan areas, it is the policy of the Federal Government that the establishment of a policy-based, planning, programing, and coordination process in development districts and metropolitan areas should be encouraged and supported through assistance to a unit in each development district and metropolitan area, responsible to the elected officials of the unit or units of general local government comprising such development district or metropolitan area, for the performance of comprehensive development planning, programing, and coordination functions which include, but are not limited to—

(1) The collection on a systematic basis of planning, programing, and development information concerning Federal, State, regional, or areawide, and local public works, capital improvements, capital acquisitions; economic and human resources development programs, projects, and associated activities within the development district or metropolitan area.

(2) The establishment of arrangements for the exchange of development planning information among the local governments of the district or area, and between the development district or metropolitan area comprehensive planning unit and the State and Federal Governments and their agencies.

(3) The collection and analysis of planning and programing information relative to (A) population characteristics and shifts, (B) economic trends, developments and projections, (C) directions and extent of urban and rural growth and change, (D) employment and unemployment analysis and projections, (E) social, educational, health, recreational and cultural development trends and needs, (F) governmental organization and finance within the development district or metropolitan area, and (G) such other development planning and programing information necessary for comprehensive areawide planning and programing; and for the coordination of such of the planning and programing activities of the local governments of the development district or metropolitan area which affect the development of the district or metropolitan area as a whole.

(4) The preparation and maintenance of a coordinated planning and programing system and process, including the formulation of a long-range, comprehensive development policies plan for the development district or metropolitan area; coordination of local plans and programs and State plans affecting the development of the district or metropolitan area; preparation of shorter-range comprehensive development plans and programs including the formulation of development goals, objectives, targets, strategies, and priorities; and other activities necessary to the coordination of local and functional plans affecting the development of the district or metropolitan area as a whole.

(5) The provision of technical assistance and training, and advice and consultation on planning and programing matters to the local governments of the development district or metropolitan area.

COORDINATION OF FEDERAL ASSISTANCE PROGRAMS

SEC. 7. (a) (1) In order to facilitate the coordination of Federal, State, and local development activities on a continuing basis, to provide for the more effective interchange of development information among the several levels of government and their agencies, and to encourage statewide, interstate, and cooperative interlocal comprehensive planning and programing on a continuing basis, any application for a Federal loan or grant made after June 30, 1968, shall conform to the requirements of this subsection.

(2) If such application is made by the government of a State or a constituent agency thereof, it shall be accompanied by the comments of the comprehensive development planning, programing, and coordination unit of such State government respecting the relationship of the activities (and of any plans on which they may be based) which are to be assisted under such loan or grant to the State comprehensive development policies plan or multiyear program.

(3) If such application is made by a general or special purpose unit of government, or by any organization performing local governmental functions in a development district or metropolitan area (whether directly or through an agency of the State government), it shall be accompanied by comments of a comprehensive development planning, programing, and coordination unit, responsible to the unit or units of general local government comprising the district or metropolitan area, respecting the relationship of the activities to be assisted (and of any plans on which they may be based) under such loan or grant to comprehensive, areawide planning for the development of such district or metropolitan area.

(4) Comments required by this subsection to be submitted in connection with application for Federal loan or grants shall be considered by the agency of the Federal Government to which any such application has been submitted for the sole purpose of assisting it in determining whether the application is in accordance with the provisions of Federal law which govern the making of such loans or grants.

(b) Any Federal agency contemplating direct Federal developmental activities which will affect the development of any State, development district, or metropolitan area shall consult with the Governor (or Governors in the case where more than one State would be affected) as to the relationship of the projected activity to State comprehensive development plans and programs; and, in the case of a development district or metropolitan area, the agency shall consult with the comprehensive planning unit thereof as to the relationship of the projected activity to comprehensive development plans and programs of the district or metropolitan area.

(c) The Director shall develop suitable procedures and regulations for the administration of subsection (a), of this section, which may cover, among other relevant matters—

(1) the reasonable time which may be provided to State, development district, or metropolitan area comprehensive planning units for commenting on proposed applications; and

(2) the types of programs, projects, or activities which may be exempted from coverage because of their relative lack of significance for State, development district, or metropolitan area development; or for such other reasons as he may deem appropriate and feasible.

INTERPROGRAM PLANNING COORDINATION AND COMPREHENSIVE PLANNING SERVICE AGREEMENTS

SEC. 8. In order to achieve a high level of interprogram coordination and to eliminate duplication of effort in the development of basic planning data and information, any State, regional, district or local governmental agency administering or receiving funds under any Federal grant-in-aid program may, notwithstanding any other provision of law, enter into agreements with comprehensive planning units for the provision of services thereby. Such agreements may provide for payments to a comprehensive planning unit (1) in support of comprehensive planning, programing, and coordination activities, (2) for planning review and advice, as contemplated under section 7, technical assistance, and consultation, (3) for the provision of basic and supporting planning and development information, and (4) for other similar services facilitating the efficient administration of such Federal grant-in-aid program and the functional planning requirements thereof. Any Federal department or agency administering a grant-in-aid program under which such an agreement is made shall approve the expenditure of funds granted under the program for payments to a comprehensive planning unit for services under the agreement under such conditions as the head of the Federal department or agency administering the program may deem necessary and desirable.

PLANNING PROGRAMING AND COORDINATION GRANTS

SEC. 9. (a) To support comprehensive planning, programing and coordination units and their activities, and subject to the limitations contained in this section, the Director is authorized to make planning grants to—

(1) State comprehensive planning units for State comprehensive planning conforming to the standards set forth in section 5 and for research, technical training and coordination activities related thereto.

(2) State comprehensive planning units, or (in States where no such planning unit exists) to agencies or instrumentalities of State government designated by the Governor of the State and acceptable to the Director as capable of carrying out the comprehensive planning and programing functions contemplated by section 5 or to designated metropolitan and district comprehensive development planning units, with the approval of the State comprehensive planning unit, for the provision of comprehensive planning assistance to (A) cities and other municipalities having a population of less than 50,000 according to the latest decennial census, and counties without regard to population; (B) any group of adjacent communities, either incorporated or unincorporated, having a total population of less than 50,000 according to the latest decennial census and having common or related planning problems; (C) cities, other municipalities, and counties, referred to in paragraph (4) of this subsection and areas referred to in paragraph (5) of this subsection; and (D) Indian reservations: *Provided, however,* That where a comprehensive planning and programing activity is established on an intergovernmental basis or a metropolitan, regional or district basis, the State comprehensive planning unit shall limit the planning programs of cities and other municipalities and counties within such area to activities not inconsistent with the aforesaid metropolitan, regional or district comprehensive planning program. Such grants may also be made to comprehensive planning units for any area where there has occurred a substantial reduction in employment opportunities as a result of (i) the closing (in whole or in part) of a Federal installation, or (ii) a decline in the volume of Government orders for the procurement of articles or materials produced or manufactured in such area.

(3) Official metropolitan, regional, and district comprehensive planning units, and organizations of public officials composed of or directly representative of and responsible to the elected officials representing a unit of areawide government or the units of general local government, which comprise not less than two-thirds of the total population of the area according to the latest decennial census; or, in the absence of such units or organizations, to the State comprehensive planning, programing, and coordination unit, to perform comprehensive, areawide

development planning, programing, and coordination for metropolitan areas, regions, and other multijurisdictional planning districts designated by the Governor (or Governors in the case of interstate areas): *Provided*, That prior to the establishment of any metropolitan, regional, or development district planning area covering more than one unit of general local government for which an agency or organization has been or is being formed to carry out comprehensive development planning as contemplated by this Act, or, prior to the designation by the Governor or Governors, as the case may be, of a planning unit for the purpose of this section, the Governor or Governors shall find that the boundaries within which such a planning unit may operate are consistent with those of other planning areas established within the State, or States, in connection with other comprehensive and functional planning in the State or States.

(4) Cities, other municipalities, and counties which (A) are situated in areas designated as redevelopment areas or as economic development districts by the Secretary of Commerce under section 401 or 403 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.), or (B) have suffered substantial damage as a result of a catastrophe which the President, pursuant to section 2(a) of "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855–1855g), has determined to be a major disaster.

(5) Tribal planning councils or other tribal bodies designated by the Secretary of the Interior for planning for an Indian reservation to which no State planning unit or other agency or instrumentality is empowered to provide planning assistance under clause (D) of paragraph (2) of this subsection.

(6) The Appalachian Regional Commission, established by the Appalachian Regional Development Act of 1965, for comprehensive development planning for the Appalachian region as defined by section 403 of such Act, and to regional action planning commissions in areas designated by the Secretary of Commerce as economic development regions under section 501 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.) for comprehensive planning to the extent not assisted thereunder.

(b) Planning assisted under this section shall, to the maximum extent feasible, cover entire areas having common or related development problems. The Director shall encourage cooperation in preparing and carrying out plans among all interested States, counties, municipalities, other political subdivisions, public agencies, and other parties in order to achieve coordinated development of entire areas. To the maximum extent feasible, pertinent plans and studies already made for areas shall be utilized so as to avoid unnecessary repetition of effort and expense. Funds available under this section shall be in addition to and may be used jointly with funds available for planning surveys, studies, and investigations under other federally aided programs.

(c) A planning grant made under this section, or an allotment made after June 30, 1970, under section 12(a) shall not exceed two-thirds of the estimated cost of the work for which the grant or allotment is made: *Provided*, That such a grant may be in an amount not exceeding three-fourths of such estimated cost to an official governmental planning unit, for an area described in subsection (a)(4), or for planning being carried out for a city, other municipality, county, group of adjacent communities or Indian reservation in an area designated by the Secretary of Commerce as a redevelopment area or as an economic development district under section 401 or 403 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.), to States participating in planning for Appalachian regional programs, for expenses incurred in the course of such planning, or to the Appalachian Regional Commission. All grants made under this section shall be subject to terms and conditions prescribed by the Director. The Director is authorized, notwithstanding the provisions of section 3648 of the Revised Statutes, as amended, to make advance or progress payments on account of any grant made under this section.

(d) The Director is authorized to provide technical assistance to State and local governments and their agencies and instrumentalities, and to Indian tribal bodies, undertaking comprehensive development planning and, by contract or otherwise, to make studies and publish information on related problems.

(e) In the exercise of his function of encouraging comprehensive planning, programing, and coordination by the States, the Director shall consult with those officials of the Federal Government responsible for the administration of programs of Federal assistance to the States and municipalities for functional and project development planning.

(f) The consent of the Congress is hereby given to any two or more States to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in the comprehensive planning and development of interstate, metropolitan, or other development districts and to establish such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts.

ANNUAL DEVELOPMENT PROGRAMS

SEC. 10. (a)(1) Any department or agency of the Federal Government which administers a program of grants-in-aid to any of the State governments shall, upon request, notify the Governor or other official designated by him, or the State legislature, of the purpose and amounts of recommended or actual grants-in-aid to the State. No Act of Congress shall be construed to prevent the Governors or other designated officer from participating in the State's determination of its financial needs in the same manner as he does with respect to the budgeting of State funds.

(2) Subject only to the procedures here enacted, nothing contained in this Act shall limit the authority of any department or agency of the United States to make grants-in-aid to the States.

(b) Any State, through its comprehensive planning, programing and coordinating unit, as contemplated by section 5, may file with the Director, by October 1 of each year, an annual development program which shall indicate, in such form and in accordance with such procedures as the Director shall prescribe—

(1) the four-year development program of the State government and its agencies, showing the type, general location, and magnitude, and scheduling on an annual basis, of major development projects and activities contemplated, along with an indication of those for which Federal assistance may be sought; and

(2) a development budget for the Federal fiscal year commencing July 1 of the calendar year following the filing of the annual development program, specifying the development projects and activities which the State government and its agencies contemplate undertaking during such Federal fiscal year and indicating for each such project or activity the following:

(A) its status in terms of legislative approval and State or other funds appropriated or committed, and

(B) the amount of Federal assistance which has been or will be sought, if any.

(c) Any metropolitan area or development district through its comprehensive planning, programing, and coordination unit, as contemplated by section 6, may submit an annual development program as described in subsection (b) of this section, in such form and in accordance with such procedures as the Director may prescribe, to the State comprehensive planning unit, if any, for transmittal to the Director. The State comprehensive planning unit shall transmit, within such reasonable period as the Director may prescribe, such district or metropolitan annual development program along with any comments with respect to the relationship of such development program to State comprehensive planning and programing and the State annual development program.

(d) Any State, development district, or metropolitan area submitting an annual development program, may receive Federal grants-in-aid under section 9(a)(1) and 9(a)(3) equal to three-fourths of the costs of the comprehensive planning, programing, and coordination activities for which grants are made thereunder during the Federal fiscal year following the submission: *Provided*, That where Federal grants-in-aid already constitute three-fourths of such costs under other provisions of this Act, the grant-in-aid may be increased to 90 per centum of such cost.

APPROPRIATIONS AUTHORIZED

SEC. 11. To enable the Director to make grants for the purpose of developing and strengthening comprehensive development planning, programing, and coordination capabilities in State government and in development districts and metropolitan areas and for other activities authorized under section 9, there are authorized to be appropriated not to exceed $50,000,000 for the fiscal year ending June 30, 1968; not to exceed $75,000,000 for each of the fiscal years ending June 30, 1969, and June 30, 1970; and for each succeeding fiscal year such sums as may be necessary for such grants. Any funds appropriated hereunder shall remain available until expended.

ALLOTMENTS TO STATES

SEC. 12. (a) Of the sums appropriated under section 11, in any fiscal year, the Director shall allot $50,000 to each State for comprehensive State development planning, and to the comprehensive areawide planning unit in each metropolitan area, $20,000 plus $1,000 for each additional 100,000 residents in metropolitan areas having populations in excess of 100,000, up to a maximum of $50,000, for comprehensive metropolitan development planning.

(b) An additional 10 per centum of the sums so appropriated shall be allocated to the States in amounts which bear a ratio to such sums as the population of each State bears to the population of all States for comprehensive State and development district planning, programing and coordination, and for assistance to other activities authorized under section 9.

(c) The remainder of any funds appropriated in any year shall be available for additional grants for activities authorized under section 9 as approved by, and at the discretion of, the Director: *Provided*, That up to five per centum of the funds appropriated under this Act may be expended by the Director for studies, research and demonstration projects for the advancement of the purposes of this Act. Any funds to be allotted under subsections (a) or (b) in any fiscal year for the work programs (contemplated by section 13) of any State or metropolitan area which are not, in the judgment of the Director, required to carry out such work programs shall be added to the discretionary funds of the Director.

(d) The population of a State, all the States, and of any metropolitan area shall be determined by the Director on the basis of the most recent satisfactory data available from the Bureau of the Census.

ANNUAL WORK PROGRAMS

SEC. 13. (a) Any State or metropolitan area comprehensive planning unit desiring to receive an allotment under subsection (a) or (b) of section 12, shall submit to the Director an annual work program in such form, at such times, and in accordance with such procedures as the Director may specify, indicating the comprehensive development planning, programing, and coordination activities which it has scheduled for the approaching Federal fiscal year, including, in the case of the State unit, assistance to other activities authorized under section 9, along with the estimated costs thereof, and the estimated Federal share of such of those activities as are eligible for assistance under this Act.

(b) Annual work programs shall constitute an application for a grant under the Director's discretionary fund to the extent that the Federal share of the costs of carrying out the annual work program are not covered by allotments under subsections (a) or (b) of section 12.

(c) Allotments under subsection (a) or (b) of section 12 shall be made by the Director within 90 days after the applicable appropriations have been made.

MISCELLANEOUS

SEC. 14. (a) Section 701 of the Housing Act of 1954 is amended as follows:

(1) by striking out paragraphs (1), (5), (6), and (8) of subsection (a) and redesignating paragraphs (2), (3), (4), (7), and (9) as paragraphs (1), (2), (3), (4), and (5), respectively;

(2) by striking out subsections (e), and (f) and redesignating subsections (g) and (h) as subsections (e) and (f), respectively;

(3) by striking out "comprehensive" wherever it appears in such section; and

(4) by striking out subsection (d) and inserting in lieu thereof the following:

"(d) As used in this section, the terms 'planning' and 'plans' mean planning and plans for the various functional components of urban physical development. Such planning and plans may include, but shall not be limited to, transportation, public facilities, recreation, and other developmental activities to the extent not otherwise assisted under other provisions of law."

(b) Effective on June 30, 1968, section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 is repealed.

The section-by-section analysis and background statement presented by Mr. SCOTT are as follows:

SECTION-BY-SECTION ANALYSIS OF THE COMPREHENSIVE PLANNING AND COORDINATION ACT OF 1967

Section 1 cites the title of the Act as the "Comprehensive Planning and Coordination Act of 1967."

Section 2 declares the belief of Congress that strengthened State and local governments with an improved capability for comprehensive, policy-based planning and programming processes are the best means to realize national goals and effective use of Federal grant-in-aid programs. It is also to be Federal policy to encourage and assist State governments in achieving strong comprehensive development planning, programming and coordination capabilities to guide development activities within the States and to encourage cooperation among local governments in solving mutual development problems by assisting them to develop cooperative arrangements for carrying out continuing comprehensive planning, programming and coordination. It is also found that the effective exchange of development information between the States and the Federal Government will assist the Federal Government in the allocation of its resources and in meeting of emergency needs of the Nation, the States and their localities.

Section 3 defines the following terms: development planning, comprehensive development planning, functional development planning, agency program planning, project planning, development district, metropolitan area, State, and unit of general local government.

Section 4 expands the functions of the Office of Emergency Planning in the Executive Office of the President to include the planning, programming, and coordination functions contemplated by this Act. It changes the name of the agency to the "Office of Comprehensive Development and Emergency Planning." The Director of OEP now serves the President as the primary liaison with the States, and already has direct working relations with the States and with the Federal agencies administering development programs. The office is centrally located in the Executive Office of the President and thus can provide the essential coordination needed to make Federal programs and staff action most effective.

Section 5 declares as Federal policy the encouragement of the establishment of a single, comprehensive planning, programming and coordination staff in each Governor's office and defines the State planning, programming and coordination function to include, among other things,

(1) collection of planning, programming and development information concerning public works, capital improvements, capital acquisitions; economic and human resources development programs, projects and associated activities;

(2) establishment of arrangements for exchange of development information;

(3) collection and analysis of planning and programming information relative to population characteristics; economic trends; directions and extent of urban and rural growth and change; unemployment analysis; social, educational, health, recreational and cultural development; governmental organization and finance and such other development and programming information necessary for comprehensive State planning, programming and coordination;

(4) preparation and maintenance of a coordinated planning and programming system and process, including formulation of long-range comprehensive State development policies plans, functional plans of State agencies, shorter-range comprehensive development programming, and other necessary elements for the coordination of State development planning.

(5) provision of technical assistance on an interprogram, interagency and intergovernmental basis.

Section 6 declares as a Federal policy the encouragement of the establishment of policy-based planning, programming and coordination processes in development districts and metropolitan areas through assistance to planning agencies responsible to the elected officials of the unit or units of local government comprising the development district or metropolitan area. The section defines the duties and functions of these development districts and for metropolitan area planning, programming and coordination in a manner similar to those of the counterpart State comprehensive planning and programming agency, as outlined above.

Section 7 provides for coordination of Federal assistance programs through State, metropolitan area and development district planning, programming and coordination agencies, similar to that done now under Title II of the Demonstration Cities and Metropolitan Development Act of 1966. After June 30, 1968, any application for a Federal loan or grant to an agency of State government is to be accompanied by the comments of the comprehensive planning and programming unit of the State government; such comments will relate the activities and plans to be assisted under the loan or grant to State comprehensive development planning and programming. Any application of a general or special-purpose unit of government or of any organization performing local governmental functions in a development district or metropolitan area, whether directly or through an agency of State government, is to be accompanied by the comments of the comprehensive development planning, programming and coordination unit of the area or district, if any. The comments are to deal with the relationship of the activities under the grant to the comprehensive areawide planning for the development of the district or metropolitan area. In addition, any Federal agency contemplating direct Federal activities that may significantly affect the development of a State, development district or metropolitan area, is to consult with the Governor or the development district or metropolitan area, as the case may be, regarding the relationship of the activity to the planning program of the State, development district, or metropolitan area.

Section 8 authorizes any State, regional, district or local governmental agency administering or receiving funds under any Federal grant program to contract with a comprehensive planning agency for comprehensive planning services. Thus, any functional State or local agency may transfer Federal grant funds to the comprehensive planning agency for the provision of services aiding the functional planning for which the contracting agency is responsible.

Section 9 authorizes the Director of the Office of Comprehensive Development and Emergency Planning to make planning grants to State comprehensive planning agencies, and regional and metropolitan planning districts, for purposes of comprehensive planning activity. The grants are not to exceed ⅔ of the cost of the planning activity, except in redevelopment areas, Appalachia, Indian reservations, and certain other situations. In these cases grants may be up to ¾ of the cost.

The section also authorizes assistance to State comprehensive planning agencies or designated metropolitan district comprehensive development planning agencies for providing comprehensive planning assistance to municipalities of less than 50,000 population, all counties, and other local jurisdictions. If planning grants are given to an official metropolitan, regional or district comprehensive planning agency, the State must review the boundaries of the planning area for its relationship to other planning areas established by the State and the application for planning assistance from the local multijurisdictional area must carry a finding of consistency from the Governor.

The Director of the Office of Comprehensive Development and Emergency Planning is authorized to provide technical assistance to State and local governments and their agencies and instrumentalities and Indian tribes undertaking comprehensive development planning.

The section also authorizes any two or more States to enter into agreements or compacts not in conflict with United States law for cooperative efforts and mutual assistance in comprehensive planning and development of interstate areas and to establish such agencies as they may deem desirable for carrying out the agreements.

The section also provides, as incentives to the organization of State and metropolitan comprehensive planning, programming and coordination units, that the basic allotments to such agencies as set forth in Section 12 (a), when based on a work program as called for in Section 13, need not be matched by local funds until after June 30, 1970.

Section 10 provides for notification and information, upon request of the Governor, concerning Federal grants-in-aid available to or allocated to each State.

The section also provides that a State may, if it desires, submit to the Director of the Office of Comprehensive Development and Emergency Planning an annual development program which would set forth:

(1) A four-year development program of the State government, showing, generally, the type, location and timing of major development projects and activities along with an indication of those for which Federal assistance may be sought.

(2) A development budget for the ensuing Federal fiscal year, specifying the development projects and activities which the State plans to undertake including the status of each in terms of legislative approval and the amount of Federal assistance which will be sought.

Any metropolitan area or development district may submit an annual development program, as described above, to the State comprehensive planning, programming and coordination unit for transmittal to the Director of Comprehensive Development and Emergency Planning.

The Act provides that any State, metropolitan area or development district submitting such an annual development program may receive a Federal grant equal to ¾ of the cost of comprehensive planning, programming and coordination activities or where Federal grants and aids already constitute ¾ of such costs, the grant-in-aid may be increased to 90 percent of the planning cost.

The effect of this section is to give an incentive to State and sub-State areas to participate in the national program budgeting system (PPBS) and thereby provides a State input into the Federal budget-making process.

Section 11 authorizes the appropriation of $50 million for fiscal 1968 and $75 million for each of fiscal 1969 and 1970, to carry out the Act.

Section 12 allots a minimum of $50,000 to each State for comprehensive State development planning, programming and coordination and $20,000 to each metropolitan area comprehensive areawide planning, programming and coordination unit plus $1,000 for each additional 100,000 population or part thereof over 100,000 population residents in the metropolitan area up to a maximum of $50,000. The section also provides that an additional 40 percent of the annual appropriation is to be allocated to the States on the basis of their population. The remainder of the funds are to be available for additional grants at the discretion of the Director. Five percent of the appropriations may be used for research and demonstration projects for the advancement of comprehensive planning and programming.

Section 13 provides that any State or metropolitan comprehensive planning unit desiring to receive the basic minimum allotment provided under Section 12(a) shall submit to the Director an annual work program indicating the comprehensive development planning, programming and coordination activities which it has scheduled for the approaching fiscal year, including, in the case of the State unit, assistance to sub-State planning activities authorized under Section 9, along with the estimated cost thereof and the estimated Federal share requested. Thus, incentives are given for indicating to the Federal Government in a systematic and orderly manner the annual planning requirements of the State and its local agencies. Annual work programs will constitute the application for grants under the Director's discretionary fund to the extent that the Federal share of the cost of carrying out the annual work programs is not covered by allotments.

Section 14 contains repealers of the relevant provisions of Section 701 of the Housing Act of 1954 and also of those sections of Title II of the Demonstration Cities and Metropolitan Development Act of 1966 which provide for review of Federal aid applications by an areawide metropolitan planning agency, so as to eliminate any duplication of functions.

THE COMPREHENSIVE PLANNING AND COORDINATION ACT OF 1967—BACKGROUND STATEMENT

Rationale. The many new and complex programs affecting physical, economic, and human resources development that have been enacted by Congress over the past several years have made the need for more effective instruments of coordination painfully clear. In groping for solutions, Congress and the Executive Branch have learned something of the quality of the coordination that is needed:

Effective coordination must take place where the action is—that is, at the level of *State and local governments;* coordination is an *executive responsibility;* coordination can best be achieved at the stage where the action is being *planned;* and coordination is a *continuing process.*

The Comprehensive Planning and Coordination Act of 1967 incorporates these qualities. It will assist States and localities to develop a capacity for coordinating plans to carry out the diverse objectives of various State and local programs, including those assisted by the Federal Government. The Act is not aimed at providing a substitute for the necessary functional and program planning now carried on by agencies of State and local governments and assisted under various programs administered by line departments and agencies of the Federal Government. Rather, it aims at providing a tool for Governors and local elected officials by which they can mesh transportation, welfare, education, water and sewer, recreation, and other functional planning into overall State, regional, and local development strategies. It aims at assisting Governors and local elected officials to carry out the executive responsibility for coordination that is theirs. Likewise, responsibility for administration of the Comprehensve Planning and Coordination Act is placed in the Executive Office of the President.

The instrumentality for coordination which the Act seeks to promote is an executive-based comprehensive planning unit which will assist Governors or local elected officials to formulate the necessary frameworks of development policies, priorities, and standards within which the various functional and program plans can be related and focused on the achievement of State, regional, and local development goals and objectives. Governors and local elected officials must have this kind of assistance if they are to evaluate the complex and often conflicting claims on limited resources, and if they are to eliminate waste, duplication, and conflict and make the most of the resources, public and private, that are available for pursuing social, economic, and physical development goals. The problems of coordination are too complex and involve too many technical considerations to expect the elected executive to resolve without benefit of staff support.

What the Act will do. The Act would first of all set a framework for intergovernmental coordination. It would encourage States, local governments in metropolitan areas and other development districts having common problems to cooperate in comprehensive planning and programming activities on a cooperative basis and would provide incentives for such activity.

To provide a central focus for coordination of diversified development programs of the Federal Government, the Office of Emergency Planning would have its functions expanded to administer the Act, and would be renamed the Office of Comprehensive Development and Emergency Planning.

The legislation would provide a regular if minimum base of support to State, metropolitan area, and other development district comprehensive planning, based on needs as determined by the Governors and local elected officials in cooperation with the Federal Government. This would eliminate the start-stop quality of State and local comprehensive planning that is so disruptive of effective coordination.

The Act gives explicit recognition to the interties between physical, economic, and human resources programs and provides a mechanism geared to relating them at the planning stage.

The Act provides a means whereby planning assistance provided under various functional programs can be utilized to assist interprogram information exchange and coordination by the comprehensive planning unit.

The Act provides incentives to States and development districts to provide inputs into the Federal planning-programming-budgeting system, thus permitting a more complete assessment of State and local development needs and demands and improving the ability of the Federal Government to allocate its resources more efficiently.

Finally, the Act improves the capacity of State and local governments to provide effective coordination of their physical, economic, and human resources development programs and promotes a more efficient and economic utilization of development resources, including those provided by the Federal Government.

EXTENSION OF THE BLUE RIDGE PARKWAY

Mr. ERVIN. Mr. President, I introduce for appropriate reference a bill to provide for the extension of the Blue Ridge Parkway from Beech Gap, N.C., to a point near Atlanta, Ga. My esteemed colleague, Representative ROY A. TAYLOR, has introduced this bill in the House, and he is to be commended for his untiring efforts to effectuate this extension of the Blue Ridge Parkway.

This country's phenomenal industrialization has marred much of the natural beauty that was once America's; I am convinced that the enactment of this bill will make a great contribution toward the preservation of some portion of unspoiled America for the enjoyment of tomorrow's generations.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 800) to authorize the Secretary of the Interior to accept donations of land for, and to construct, administer, and maintain an extension of, the Blue Ridge Parkway in the States of North Carolina and Georgia, and for other purposes, introduced by Mr. ERVIN, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

PAYMENT FOR OPTOMETRISTS' SERVICES UNDER THE SUPPLEMENTARY MEDICAL INSURANCE BENEFITS FOR THE AGED

Mr. RIBICOFF. Mr. President, I introduce for appropriate reference, a bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged.

The bill I am introducing today is a simple amendment to iron out a very small wrinkle in the historic Medicare Act passed by the 89th Congress. It would neither add to nor take away from the benefits provided by that act. Its sole purpose is to eliminate the requirement that a patient of an optometrist must first have certification from a medical doctor before obtaining those specific services of an optometrist which are made available under the provisions of title XVIII. It is identical to S. 3889, which I introduced in the 89th Congress.

When the Senate passed the bill which is now Public Law 89-97, it was our clear intent that there would be no change in the form or organization for health practices as a result of this law. The doctors would not be changed; the patient's free choice of doctor or hospital would not alter. The only change was to be in who would pay the bills.

Section 1802 of the act itself stated:

> Any individual entitled to insurance benefits under this title may obtain health services from any institution, agency, or person qualified to participate under this title if such institution, agency, or person undertakes to provide him such services.

Under the medicare law as it is being applied, however, discrimination against optometrists and those persons who depend upon optometrists for their eye care has risen. Although routine eye examinations and the cost of glasses are generally not covered by medicare, there are eye care services which may properly, under appropriate State laws, be performed by optometrists. Under current law, these services will be paid by medicare only when countersigned by a medical doctor. This extra referral to a medical doctor is unfair both to the patient and to the optometric profession.

It is indeed unfortunate that this has occurred. I do not believe that it was the intent of Congress to require a beneficiary of title XVIII to secure the approval of a physician in order to obtain the services of an optometrist of his choice.

More than 60 million Americans turn to optometrists for eye care. The vast majority of our citizens over age 65 have vision problems. At least 75 percent of them rely on optometrists to determine if they have eye diseases which require medical treatment and to care for their visual impairments when drugs or surgery are not necessary.

Of course, medical doctors are by statute privileged to practice optometry, but that does not mean that optometric care and medical vision care are identical. Both are performed in a highly specialized and skillful manner and require the utmost in professional experience and expertise. Since one complements the other, and lends symmetry to the scope of professional eye care, it is inconceivable that either should be excluded from the medicare basic or supplemental health plan.

Dr. Philip R. Lee, Assistant HEW Secretary for Health and Scientific Affairs, stated in August, 1966:

> The profession of optometry is accepted by the Department as a legitimate and essential health profession which is performing highly useful functions in promoting solutions to the eye health needs of this Nation.

He also wrote in the same letter:

> The Department agrees that the American public should continue to have freedom of choice in the selection of a practitioner to care for vision problems.

From this letter it appears certain to me that in this instance the administration is clearly in agreement with the intent of the Senate, and that is as it should be, but the administration is not carrying out this intent under title XVIII and, according to them, they cannot because of the way the law is drafted.

There is a new interest in the total quality of life rather than merely the length of life, and in the positive elements of good health, for all Americans over 65. Those who are in their golden years are more conscious of the need for good eyesight than those of fewer years. The optometrists of this country have singly and together contributed much to the good life through better vision for our senior citizens.

I ask unanimous consent that the bill remain at the desk for 10 days for additional cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk, as requested by the Senator from Connecticut.

The bill (S. 804) to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged, introduced by Mr. Ribicoff, for himself and Mr. Hollings, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF SECTION 202(b) OF THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

Mr. McCLELLAN. Mr. President, I introduce, for appropriate reference, a bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to take over the care and handling of excess real and related personal property until a determination is made as to its use or disposal. This bill is introduced at the request of the Administrator of General Services, as a part of the legislative program of the General Services Administration for 1967.

The Administrator reported to the committee that this legislation will provide a more efficient and economical procedure for the care and handling of excess Federal property.

I ask unanimous consent that a letter addressed to the President of the Senate, dated January 10, 1967, from the Administrator of General Services which sets forth additional justification and background on the proposed legislation, be printed in the Record at this point, as a part of my remarks.

The PRESIDING OFFICER. The bill will be received and approximately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 805) to amend section 202(b) of the Federal Property and Administrative Services Act of 1949 introduced by Mr. McClellan, by request, was received, read twice by its title, and referred to the Committee on Government Operations.

The letter presented by Mr. McClellan is as follows:

General Services Administration,
Washington, D.C., January 10, 1967.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: There is transmitted herewith a draft of legislation "To amend section 202(b) of the Federal Property and Administrative Services Act of 1949."

This proposed legislation is part of the legislative program of the General Services Administration for 1967.

Section 203(b) of the Federal Property Act provides that the care and handling of surplus property, pending its disposition, may be performed by the General Services Administration or, when so determined by the Administrator of General Services, by the executive agency in possession thereof or by any other executive agency consenting thereto. However, under section 202(b) each executive agency is responsible for the care and handling of its own excess property and there is no authority in General Services Administration for the care and handling of excess property held by other executive agencies.

The enclosed draft bill would provide such authority by amending section 202(b) of the Federal Property Act to provide that, when so determined by the Administrator, the care and handling of excess real and related personal property may be performed by General Services Administration.

This legislation is desirable because it will enable the care and handling of excess property under the control of other executive agencies by General Services Administration in those instances where the Administrator determines, upon the basis of contemplated plans for the future use or disposition of such properties, that economies will result.

These economies may be reflected in terms of increased sales return directly attributable to assuring that maintenance levels are commensurate with the potential uses of the properties and their consequent value. In other instances this same action will be reflected in decreased protection and maintenance costs. Engineering decisions made with current professional knowledge by the Government's property management and disposal experts will avoid uneconomic expenditures for protection and maintenance. Still other instances have occurred where another Federal agency had a foreseeable need for excess property but was unable for some period of time to obtain authorization for the transfer of the property. In such instances the property sometimes remained in an excess category for a longer period of time than the reporting agency willingly performed normal or more substantial protection and maintenance as may have been desirable. We believe it to be more appropriate in such instances that performance of protection and maintenance commensurate with proposed use of the property be a responsibility of GSA. A determination by the Administrator that such action is in the best interests of the Government would be a necessary prerequisite to assumption by GSA of the care and handling responsibility from the reporting agency.

In addition, the proposed arrangement will enable those agencies which determine that properties are no longer required by them for the performance of their program responsibilities to discontinue devotion of agency resources to nonprogram related functions. Any unexpended protection and maintenance funds appropriated to the owning agency prior to assumption of protection and maintenance responsibility by GSA would be transferred to GSA in those instances where the Administrator determines that GSA should assume such responsibility.

The proposed revision of section 202(b)(4) is a technical amendment for purposes of clarifying its language to conform to administrative interpretation.

The financial effect of the enactment of this measure cannot be estimated at this time.

The Bureau of the Budget has advised that, from the standpoint of the Administration's program, there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

LAWSON B. KNOTT, Jr.,
Administrator.

A WHITE HOUSE CONFERENCE ON INDIAN AFFAIRS

Mr. HARRIS. Mr. President, I introduce, for appropriate reference, for myself and Senators BARTLETT, BURDICK, CANNON, ERVIN, FANNIN, GRUENING, INOUYE, JORDAN of North Carolina, MANSFIELD, MCGEE, MCGOVERN, MONDALE, MONRONEY, NELSON, MORSE, and YOUNG of North Dakota, a bill to provide for a White House Conference on Indian Affairs. Under my bill, grants of no less than $1,500 would be made available to assist each eligible State to bring together, prior to the national conference, interested citizens to discuss local and State problems and to make recommendations for appropriate action to be taken at local, State, and Federal levels. The total sum called for in this bill is $100,000.

Those States with a meaningful Indian population, according to the latest figures certified by the Census Bureau, would be eligible for the planning grant. If a State undertakes to accept and use the sums made available to it, which will be paid through the Commissioner of Indian Affairs to the Governor or other designated State official, that State must report the findings and recommendations of its State conference for use by the White House Conference before June 30, 1968.

The State and National conferences would serve to bring into sharp focus the problems not only of Indians with regard to education, job training, job opportunity, economic development, and health, but would also afford opportunities for Indians of varying backgrounds and tribes and interested non-Indians to search for answers which would be mutually beneficial.

An official report of the U.S. Senate Interior and Insular Affairs Committee recently pointed out that American Indians still "remain at the bottom of the economic ladder, have the highest rate of unemployment, live in the poorest housing, and suffer chronic poverty." Uninvited, unprepared, partly unwilling, the average American Indian has limited opportunity today to become a contributing member of the total community.

Although the American Indian is a full-fledged American citizen, and half his number live in metropolitan areas, he is still isolated from non-Indians.

I invite others of my colleagues to join with me in cosponsoring this measure which is designed as a step toward helping draw American Indians more fully into the mainstream of the American economy and culture. Mr. President, I request that the bill lie at the desk through the end of business on Monday, February 20, 1967.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk for additional cosponsors, as requested by the Senator from Oklahoma.

The bill (S. 810) to provide for a White House Conference on Indian Affairs, introduced by Mr. HARRIS, for himself and other Senators, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

ESTABLISHMENT OF NATIONAL PARK FOUNDATION

Mr. BIBLE. Mr. President, I introduce, for myself, Mr. JACKSON, and Mr. KUCHEL, a bill to establish a National Park Foundation.

The purpose of the bill is to encourage private gifts of real and personal property by providing ready machinery for private philanthropy which seeks an opportunity to contribute to the conservation and development of the Nation's natural, scenic, historic, and recreational resources.

This bill would supplant the present National Park Trust Fund Board and would provide broader authority and a more flexible organization for receiving private gifts. The bill is generally designed to strengthen the provisions of existing law with respect to the receipt of gifts to the United States for the benefit of or in connection with the National Park Service.

Enactment of the broader authority contained in the proposed bill is particularly timely in view of the growing commitment of the present administration, of the States and of the public generally to the preservation and enhancement of natural beauty.

I believe that this proposed legislation merits early approval in the 90th Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 814) to establish the National Park Foundation, introduced by Mr. BIBLE (for himself, Mr. JACKSON, and Mr. KUCHEL), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

ELECTIVE EXEMPTION FROM FUTURE SOCIAL SECURITY COVERAGE BY INDIVIDUALS AGE 65 OR OVER WHO HAVE AT LEAST 100 QUARTERS OF SOCIAL SECURITY COVERAGE

Mr. SMATHERS. It seems to me that public policy with respect to our 19 million senior citizens is quite simple. We want them to live the latter years in independence and dignity. Perhaps the principal means of enabling these citizens to maintain their independence and avoid the need for welfare is through the social security program.

I am at this time introducing a bill for appropriate reference designed to provide a moderate increase in the take-home pay of those senior citizens who are making an effort to help themselves. What I propose is to give the employed person 65 or over, who has had at least 25 years of coverage under social security, the option of continuing to pay social security taxes. He may want to continue payments because, in his individual case, such taxes may be on earnings higher than his average earnings during his previous 25 years, thereby making himself eligible for a larger retirement benefit. On the other hand he may, along with millions of other senior citizens, be working for what is actually a relatively nominal wage.

For these millions, keeping the 4 percent of their salaries which now goes to social security would provide a meaningful measure of assistance. In the case of the self-employed older worker we are talking about 6 percent of his income.

Furthermore, the fact that the employer would not be obligated to pay social security taxes on his older workers should serve as a genuine incentive to the employment of older workers.

The law now permits a senior citizen who is receiving monthly payments from social security to earn up to $1,500 a year without any reduction in his retirement benefit. However, as far as I am concerned, the requirement that he pay social security taxes on that exempt $1,500 is almost a contradiction of the purpose in granting the exemption. In this case the right hand giveth and the left hand taketh away.

I think the merits of this proposal will become evident to all Senators once they have had an opportunity to study this matter. It is a proposal that is just and equitable for our senior citizens.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 817) to amend title II of the Social Security Act and related provisions of the Internal Revenue Code of 1954 to permit elective exemption from future social security coverage by individuals age 65 or over who have at least 100 quarters of social security coverage, introduced by Mr. SMATHERS, was received, read twice by its title, and referred to the Committee on Finance.

PROPOSED AMENDMENT OF CONSTITUTION RELATING TO ELECTION OF PRESIDENT AND VICE PRESIDENT

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President.

My resolution, while abolishing the electoral college, would retain the system of selecting our President and Vice President by electoral votes. Under my proposal, a presidential ticket winning a plurality of a State's popular vote would win two electoral votes—corresponding to that State's representation in the U.S.

Senate. It would also win one electoral vote for each congressional district which it carried. Under my proposal, as under the present system, the total number of electoral votes would equal the number of members in the Congress of the United States. The presidential ticket receiving a majority of the total number of electoral votes cast would be elected. If no presidential ticket obtained a majority of the electoral votes, Congress in joint session would select a President and Vice President from the top three tickets.

Mr. President, I offer my resolution as an improvement of the present winner-take-all system whereby a State's entire electoral vote usually goes to the ticket which wins a plurality of the popular vote cast in the State. Under my plan, the entire Nation, not populous centers alone, would be the arena for selecting its President and Vice President.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 25) proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on the Judiciary.

DESIGNATION OF FEBRUARY OF EACH YEAR AS AMERICAN HISTORY MONTH

Mr. COOPER. Mr. President, on behalf of myself and the distinguished Senator from Nebraska [Mr. HRUSKA] I introduce a joint resolution and ask that it be appropriately referred. On January 12, President Johnson invited the American people to observe February of this year as American History Month, saying:

> It is only through knowing and understanding the sources of our common heritage that we become aware of ourselves as being, in truth, one people.

This Presidential proclamation parallels the yearly proclamations by the Governors of nearly every State calling for activities and ceremonies during February which evoke an awareness of American history.

But, indeed, as trying times force us to reflect more deeply on our past, it seems that our homage to history might better be given a permanent status. The resolution which I introduced last year and which was passed by the Senate, designated February of every year as American History Month. However, the House of Representatives struck the continuing authority, making the resolution applicable only to 1967, and struck the preamble. And the Senate, anxious to see the resolution enacted before the Congress adjourned adopted the House amendments.

Today, with the distinguished Senator from Nebraska [Mr. HRUSKA], I introduce another joint resolution to designate February of each year as American History Month. I ask that the resolution be printed in the RECORD and lie at the desk through Lincoln's birthday, February 12, for the convenience of Senators who may wish to cosponsor the resolution.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD, and held at the desk, as requested by the Senator from Kentucky.

The joint resolution (S.J. Res. 26) designating February of each year as American History Month, introduced by Mr. COOPER, for himself and Mr. HRUSKA, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. J. RES. 26

Whereas the study of history not only enlivens appreciation of the past but also illuminates the present and gives perspective to our hopes;

Whereas a knowledge of the growth and development of our free institutions and their human values strengthens our ability to utilize these institutions and apply these values to present needs and new problems;

Whereas Americans honor their debt to the creativity, wisdom, work, faith, and sacrifice of those who first secured our freedoms, and recognize their obligation to build upon this heritage so as to meet the challenge of the future;

Whereas, February, 1967, has been designated by the President as American History Month; and

Whereas it is appropriate to encourage a deeper awareness of the great events which shaped America, and a renewed dedication to the ideals and principles we hold in trust: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That February of each year is hereby designated as American History Month, and the President of the United States is requested and authorized to issue annually a proclamation inviting the people of the United States to observe such month in schools and other suitable places with appropriate ceremonies and activities.

Mr. HRUSKA. Mr. President, in the study of history a man can find just about anything he needs or wants to live by. He can find obscenities to justify his own, he can find excuses to justify his failures, and he can find examples of heroism, patriotism, nationalism or any other ism conceived. But more than this, man can find hope: Hope in his destiny and hope in the future. With this hope, his purpose is strengthened and his resolution restored.

Mr. President, it is with this basic concept in mind that I again join my friend from Kentucky in cosponsorship of the Senate joint resolution designating February of every year as American History Month.

Although the prior version of this resolution, Senate Joint Resolution 133, was introduced in the last session and passed by both Houses, it was amended on the House side to make the designation apply only to February of 1967. Whether this resolution will meet with the same fate is not known; however, it is my sincere hope that the annual designation of this month will not be an annual legislative event. It could be argued that the resolution is not of the most pressing importance in the priority of legislative measures. But it will definitely stimulate a great interest in our history in all parts of the country. Local and State historical associations and private individuals could effectively advance programs to stimulate and to further this interest generated by an annual Presidential proclamation.

It might be that the annual introduction of this measure will do more in the way of activating this interest than by the passage of one resolution making the designation an annual event. However, with the press of immediate business, it would seem far more appropriate that the designation be now declared to be an annual event.

As a lawyer and a legislator, I am constantly reminded of the importance of history and precedent. Without the knowledge of the experience of others, we will too often take one step forward but two backward. With the increased suffering and struggle in Vietnam today, the increased role the Federal Government is playing in every man's life and the ever-increasing importance of today's chapter in American history, it is vital that we know what has gone before if we are to be wise in the present.

This resolution will also give emphasis to those individuals who daily pass on to our young people, the lessons of history. With the growing emphasis on the educational and technical excellence of our schools, we should acknowledge the important role of teachers of history.

REVENUE SHARING STUDY

Mr. MONDALE. Mr. President, I submit, for myself and the distinguished Senator from Maine [Mr. MUSKIE], a resolution authorizing the Senate Committee on Government Operations to study the revenue sources of State and local units of government and of the Federal Government to determine whether those sources are properly allocated for meeting national and local goals. It expressly authorizes the study of various revenue sharing proposals including the Heller plan.

In every discussion of revenue sharing and other proposals to furnish State and local governments with sufficient funds to meet their needs, the necessity of preserving and promoting an effective Federal structure must always be the key point at issue.

Senator MUSKIE and I are cosponsors of Senator GAYLORD NELSON's proposal to establish a blue ribbon National Tax Sharing Commission which would study various proposals to achieve revenue sharing between State and local governments and the Federal Government. But I believe it would be most helpful to have a specialized study from one viewpoint in particular—studying in depth the effect any such plan will have on State and local governments.

One of the most basic issues underlying any such proposal is whether the Federal Government, in providing huge blocks of funds to localities with few strings attached, can be sure that such funds will be used wisely to meet national goals in fields of education, transportation, air and water pollution, health and welfare, and so on. Talk of inefficient and even corrupt State and local governments is an ever-present negative factor in every rebuttal to the Heller plan.

Therefore, I believe there is a real necessity to focus—as well as on the financial and social issues involved—on the question of the capability of State and local governments to join in a more powerful way the war on poverty, illiteracy, disease, and social ills. The Subcommittee on Intergovernmental Relations, chaired by Senator MUSKIE, has been a leader in exploring the complex and difficult ties between the Federal Government and local, State, and city governments. That committee would be an appropriate mechanism for an in-depth, skilled inquiry into these problems.

For some 3½ years this subcommittee has been studying and examining the critical subject of Federal-State-local relations. Senator MUSKIE has found that the increasing number of categorical Federal aids to State and local governments has precipitated a crisis in governmental manpower on the local level which is available to use and work effectively with those aids.

Congressional enactments in recent years have brought a wealth of programs to attack the social ills of our time. But all of these programs rely heavily on the ability of the Federal-State-local machinery to administer them efficiently and wisely. Senator MUSKIE, in his speech to the Senate early last year, said:

> During the past two Congresses we have concentrated primarily on the substance of government; now the spotlight must be turned on the procedure. Here is where the new challenge lies.

And it is squarely on the State and local governments that the full weight of operational responsibility lies. Therefore, it is all the more important that we investigate and study carefully the impact, for good or for ill, that revenue sharing plans might have on State and local governments, and their ability to join with the Federal Government in meeting the problems of our day.

There is no doubt that it is highly unlikely that any of these proposals will be enacted during the first session of the 90th Congress. The costs of the war in Vietnam, adequate funding of existing social legislation, and the possibility of huge expenditures for anti-missile-missile systems make any rebate or tax sharing fiscally impossible at the present time.

For the present, we have a rare opportunity to study in depth an idea that is widely acclaimed and accepted, outside the normal pressures of proceeding to immediate legislative enactment.

The basic problem is the so-called fiscal mismatch where States and municipalities have the problems, and the Federal Government has the financial resources. Among the questions that must be raised and discussed, in determining how best to correct this fiscal mismatch, are:

What strings or controls, if any, are needed on the funds returned to the States;

What formula of distribution between the States will be most beneficial;

What share, if any, of the funds should be passed through to the cities in each State;

Do we want State and local governments to be more than mere conduits or shells for these Federal funds;

And how best can all levels of government work together to meet national goals?

The basic need for additional assistance to State and local governments rests upon a very persuasive case. State and local governments simply cannot meet their problems, relying only on revenue resources available to them at the present time. State and local governments are subject to rising expenditures, rising State and local debt, and generally regressive, inefficient tax structures. They are plagued by threats of runaway industry and political agitation for decreases in State and local income and property taxes. In many States, the price of increases in existing taxes or passage of new taxes is heavy political turnover.

My own State of Minnesota is a good example of the way State budgets are being squeezed to the breaking point, even some now have temporary surpluses of revenues resulting from the recent national economic growth.

In the last decade, State and local indebtedness in Minnesota has increased 126 percent—from about $712 million in 1957 to roughly $1.6 billion at the end of fiscal year 1964–65. During the same period, general State and local expenditures increased 92 percent to $1,553,700,000 in fiscal 1965. These figures show that Minnesota has been making a determined effort to meet the need of its citizens—and has in that time spent 91 percent more for education, 70 percent more for highways, 77 percent more for public welfare, and 45 percent more for health and hospitals.

By way of measuring what State and local governments have been doing in Minnesota, it should be noted that while total indebtedness in Minnesota was increasing by 126 percent from 1957 to fiscal year 1965, the total indebtedness of the Federal Government increased only 17 percent. Federal expenditures in that period increased 60 percent, while State and local expenditures in Minnesota increased by 78 percent.

In fact, increased spending by State and local governments over the United States as a whole may even raise an argument against revenue sharing proposals. If the general revenues of all State and local governments in the United States have increased, as well as expenditures and indebtedness, why should not they be able to continue to meet their needs for the immediate or foreseeable future? Those of us who support some type of revenue sharing measure generally agree that we are reaching the end point of State and local ability to increase expenditures and indebtedness.

In general, proponents of some sort of revenue sharing agree with Dr. Walter Heller, who said:

> If the state and local governments are forced to solve their fiscal problems at the lowest common denominator arising out of interstate competition, limited jurisdiction, and inequality, their tax structures will deteriorate, and their vigor will be sapped. Without greater federal help, they will face a disheartening battle for higher, and highly unpopular, taxes. That battle, combined with their inability to provide the services expected of enlightened governments in an affluent society, could seriously weaken their role in our federalism.

The case for greater Federal financial support for State and local governments must be made on the basis that by so doing we are restoring an imbalance in resources and capabilities, and promoting a smooth joint relationship between Federal-State-local governmental units in the solution of national problems. I believe a study by the Intergovernmental Relations Subcommittee would be most helpful in finding answers to these and related questions.

Mr. President, I ask unanimous consent that the resolution be printed in the RECORD at this point.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 79) was referred to the Committee on Government Operations, as follows:

S. RES. 79

Whereas the United States of America is today confronted with problems of unparalleled scope and magnitude in air and water pollution, urban decay, poverty, conservation of resources, education, transportation, and numerous other areas of great public concern;

Whereas cooperative and interrelated action on every level of government within the United States of America is required to meet these needs and to assure to our citizens a decent life in a nation capable of achieving its highest goals;

Whereas there now exists a great disparity of resources among different units of state and local governments and between all such units on the one hand and the Federal Government on the other;

Whereas this disparity and other problems of interrelation of local, State and Federal Government impede the solution of our national problems: Therefore be it

Resolved, That the Committee on Government Operations is hereby authorized to undertake a study of the existing relationship between local, State and Federal governments and their comparative revenue resources and capacities to meet the public need at each level; to study and evaluate methods of reallocation of financial and other resources by revenue-sharing and other appropriate means; and to make such recommendations and propose such legislation as it may determine to be appropriate.

AUTHORIZATION FOR S. 696 TO LIE AT THE DESK UNTIL FEBRUARY 10

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Minnesota [Mr. MONDALE], I ask unanimous consent that S. 696, the REA financing legislation, lie at the desk for an additional week, until the close of business on Friday, February 10, to permit additional Senators to become cosponsors if they so desire.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS, JOINT RESOLUTION, AND RESOLUTIONS

Mr. KUCHEL. Mr. President, I ask unanimous consent that my name may be added as a cosponsor to the milk legislation (S. 612) to regulate imports of milk and dairy products, and for other purposes, which was introduced earlier by the senior Senator from Wisconsin [Mr. PROXMIRE], which remains at the desk today for additional cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JACKSON. Mr. President, I ask unanimous consent that at the next printing of the bill, S. 20, to provide for a comprehensive review of national water resource problems and programs, the name of Senator CURTIS be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PELL. Mr. President, that at its next printing, I ask unanimous consent that my name may be added as a cosponsor of the bill (S. 681) to promote the replacement and expansion of the U.S. nonsubsidized merchant and fishing fleets.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, I ask unanimous consent that at the next printing of S. 47, for the establishment of a commission to study and appraise the organization and operation of the executive branch of the Government, the name of the junior Senator from Indiana [Mr. BAYH] may be added as a cosponsor. I make this request on behalf of the junior Senator from Kansas [Mr. PEARSON].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, I ask unanimous consent, on behalf of the Senator from Vermont [Mr. PROUTY] that the name of the distinguished Senator from Hawaii [Mr. INOUYE] be added as a cosponsor at the next printing of Senate Resolution 30, giving legislative authority to the Select Committee on Small Business, which was introduced on January 17, 1967.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, I ask unanimous consent that at the next printing of Senate Resolution 8, relating to the creation of a Standing Committee on Veterans' Affairs, the name of the distinguished Senator from Indiana [Mr. HARTKE] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at its next printing, the name of the distinguished Senator from Indiana [Mr. HARTKE] be added as a cosponsor of the joint resolution (S.J. Res. 8) proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older.

The PRESIDING OFFICER. Without objection. it is so ordered.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that, at its next printing, the name of the distinguished Senator from Hawaii [Mr. FONG] be added as a cosponsor of the bill (S. 18) to establish a Small Tax Division within the Tax Court of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 19, 1967, the names of the Senator from Kansas [Mr. CARLSON] and the Senator from North Carolina [Mr. ERVIN] were added as additional cosponsors of the bill (S. 538) to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States, introduced by the Senator from Arkansas [Mr. MCCLELLAN] (for himself and other Senators) on January 19, 1967.

NOTICE OF HEARINGS BY JOINT COMMITTEE ON ATOMIC ENERGY

Mr. PASTORE. Mr. President, yesterday I issued a statement that we were going to hold authorization hearings on the Atomic Energy Commission's physical research programs. These hearings will be in public session in the Joint Committee's open hearing room beginning at 10 a.m. February 7, 1967. Included in these programs is a request for $10 million in architect-engineering funds for the proposed 200-billion-electron-volt accelerator. It is anticipated that the testimony on February 7 will highlight the 200-billion-electron-volt proposal.

Mr. President, I ask unanimous consent to put into the RECORD the Joint Committee's announcement of February 1, 1967 announcing these hearings.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

[From the office of the Joint Committee on Atomic Energy]

AEC AUTHORIZATION HEARINGS TO RESUME ON FEBRUARY 7, 1967

Senator John O. Pastore, Chairman of the Joint Committee on Atomic Energy, announced today that hearings on authorizing legislation for the Atomic Energy Commission for fiscal year 1968 (S. 611; H.R. 3647) will resume on Tuesday, February 7, 1967. The hearings, which are expected to continue into Wednesday, February 8, will cover the Commission's Physical Research, Raw Materials and Nuclear Space Propulsion programs.

During morning and afternoon sessions beginning at 10:00 a.m. and 2:00 p.m., respectively, the Committee will first receive testimony on the AEC's Physical Research program. Included among the areas to be reviewed are high, medium and low energy physics (with emphasis on the AEC's request for authorization of $10 million in architect-engineering funds for the proposed 200 Bev accelerator) and controlled thermonuclear research. There will follow an examination of the Commission's Raw Materials program, which will carry into Wednesday if necessary. The Committee will then turn to the Nuclear Space Propulsion program, with particular attention being paid to reactor propulsion (Rover), thermionics, SNAP–8 and other SNAP devices.

S. 611 and H.R. 3647 were introduced (by request) by Senator Pastore and Chet Holifield, Vice Chairman, on January 24, 1967. Joint Committee hearings thereon commenced on January 25 when Dr. Seaborg testified on the Commission's overall program. Hearings were held in executive session on January 31 and February 1 concerning the Commission's authorization request in connection with its weapons program.

Chairman Pastore said that the Committee will announce future Committee hearings as they are scheduled.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 1, Public Law 86–417, the Speaker had appointed Mr. SLACK, of West Virgiana, Mr. CELLER, of New York, Mr. MOORE, of West Virginia, and Mr. THOMPSON of Georgia as members of the James Madison Memorial Commission, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 401(a), Public Law 414, 82d Congress, the Speaker had appointed Mr. CELLER, of New York, Mr. FEIGHAN, of Ohio, Mr. RODINO, of New Jersey, Mr. MOORE, of West Virgina, and Mr. MCCULLOCH, of Ohio as members of the Joint Committee on Immigration and Nationality Policy, on the part of the House.

FEDERAL PAYMENTS TO FARMERS

Mr. TALMADGE. Mr. President, on Tuesday, the Senator from Florida inserted a story from the Associated Press showing a rise in total Federal payments to farmers in 1966 compared with 1965. I share the Senator's interest in all Government expenditures, and the Senate should always give close attention and study to such matters.

After reviewing the record of farm program payments and other expenditures under the new 1966 programs, I think we need to consider what these figures really mean. Concerning payments to farmers, the figures are apt not to be comparable between 1965 and 1966.

An outstanding example of this is the cotton program.

The fact is that most of the increase in total payments to U.S. farmers in 1966 was actually an increase in payments to cotton farmers alone. So what is really at issue here is the cotton program—which the AP story might lead one to believe has become grossly more expensive.

Nothing could be further from the truth.

The new cotton program—as authorized in the Food and Agriculture Act of 1965—was designed to eliminate export subsidy payments and the resulting cotton equalization payments to mills. It was also designed to make cotton more competitive at home and abroad, with a loan price near the world level, and to make up for this to growers by giving them a direct payment. This payment recognizes the fact that our farmers cannot produce cotton at the world price, and that U.S. cotton farmers, like all other citizens, are entitled to a decent standard of living by American standards.

So it is unreal and unfair to add up these payments to farmers, instead of to mills and exporters, and represent them as an increased cost to the taxpayers.

The fact is that the cotton program in 1966 was successful in reducing total net Government expenditures for cotton.

Total net expenditures for the 1966

cotton program—about $470 million—will be less than one-half of the expenditures under the 1965 cotton program—about $1.2 million. Moreover, they will be only about one-half the average annual expenditures for the 5 preceding years—which was over $900 million.

So, while direct payments to farmers have increased—and these payments do go directly into farmers' pockets and not to mills—there has been a decline in other Government costs. The decline has brought a large net advantage to the taxpayer, and the cotton farmer has received $200 million more than he would have received under the old program.

The new program has eliminated the need for export subsidy payments and cotton equalization payments. The new program has brought a reduction in cotton loans made by the Commodity Credit Corporation, as well as the amount of loan cotton that comes into Government hands. Under the 1966 crop, CCC will acquire less than 2 million bales—a decrease of 60 percent from the average of the preceding 3 years—which will cut storage and handling costs which are borne by the taxpayer.

One of the main objectives of the new cotton program was to expand the use of cotton and meet competition—both foreign cotton and synthetics—so that the U.S. cotton farmer could continue to produce. A major effect of the new program has been to increase exports—to about 5 million bales in this marketing year compared with only 2.9 million in the preceding year.

Also, domestic consumption has risen to over 9.5 million bales, as compared with less than 9.4 million bales in 1965—and only 8.4 million bales in 1963, before we acted to eliminate the inequitable "two price" system. And the rate of expansion in synthetic production has been reduced.

So that the goals of the new cotton program in 1966 are being met—including the reduction of expenses. The program has reduced CCC loans on cotton, reduced the carryover of cotton, and cut the quantity of cotton in CCC's inventory. It has increased domestic consumption and exports, and it has maintained cotton producers' net income.

U.S. FOOD AID TO INDIA

Mr. McGEE. Mr. President, this morning the Senate received from the President a message in connection with food for India and other areas of the world. I lend my wholehearted support to the consortium approach that the President has emphasized in his message.

A short time ago, in December, I was in India, as a member of the President's special committee to study the India food problem, as was the other Senate Member, Senator JACK MILLER, of Iowa, to take a hard look at the food crisis that was plaguing that country at the time and still does. India's need for food aid at this time is very great. I dread to think what that need will be in the years that lie ahead. The time certainly has come for us to enlist increased assistance from our friends in other industrialized countries if one of history's greatest catastrophes is to be avoided. I believe that the dimensions of our present approach merit the very careful consideration of the Senate.

To point up the problem that faces the world in India, I shall focus briefly on what the United States already has done to help that country stave off hunger and starvation.

For over a decade, India has been the largest recipient of U.S. food aid. Between August 1, 1956, and December 31, 1966, we have shipped India $3.2 billion worth of agricultural commodities—mostly food products. That figure excludes almost $500 million in transportation costs.

Most of these products were sold—under authority of Public Law 480—for Indian rupees rather than dollars. This arrangement was doubly beneficial to India. It permitted that country to receive substantial food aid despite a shortage of foreign currency. India also received from the United States, as loans or grants for economic development, over 80 percent of the rupees it spent for our farm commodities.

In calendar year 1966 we carried on a "crash" food aid program to offset effects of India's 1965 drought.

Mr. President, we shipped more than 8 million metric tons of grain—the largest operation of its kind in all history. These shipments, mainly of wheat, represented about one-fourth of an average U.S. wheat crop. They were equivalent to 165,000 boxcar loads, enough to make a train stretching from Kansas City to San Francisco. They supplied the daily ration of 60 million people. They averted what might have been one of the greatest famines of all time.

I mentioned what has been done in order to emphasize that despite this enormous amount of American aid India is still plagued with the question of her crisis in food. Ten years from now, unless we plan together in this matter, India's food problem could well be even more critical than it is at the present time.

There are other needy countries in terms of food elsewhere around the world. In December, the United States, the day after it made 900,000 tons of grain available to India, allocated 500,000 tons of grain to Pakistan. U.S. food aid is going to South Vietnam, South Korea, Taiwan, Turkey, Israel, the United Arab Republic, the Congo, Brazil and other needy areas. The disappearance of U.S. surpluses makes allocation of supplies all the more difficult and may urgently require suggesting a new look at the targets we accept for the tremendous agricultural productive capability of our country.

Mr. President, we cannot continue all of this allocation alone. Perhaps it would be impossible to carry such a large share of the burden alone, and in any case it would erode other necessary activity at the same time. Our foreign friends have been furnishing aid to India, it is true. For that we are glad, and we all applaud. But it has been unprogramed aid in the main and sometimes it has been spasmodic and given only in response to crises. The effort must be made to plan ahead and expand this program in the realm of food on the part of all nations of the world.

India's problem is, in essence, an international question of tremendous dimensions which are sometimes frightening. A consortium, as proposed by the President, is a mechanism through which our friends throughout the world can make an effective attack.

There will be an announcement sometime today, I believe, by the chairman of the President's advisory group to the Congress on the India food crisis, Representative W. R. POAGE, of Texas.

The other member, in addition to Chairman POAGE, Senator MILLER and myself, is Representative ROBERT DOLE, of Kansas.

Representative POAGE may have something to say about the resolution being prepared by our committee for the consideration of the two Houses of Congress.

ABC–ITT MERGER

Mr. SCOTT. Mr. President, on January 24, in this Chamber, I said that the Acting Attorney General of the United States should respect the independence of one of the independent regulatory agencies of our Government, the Federal Communications Commission.

Yesterday the Commission agreed to stay its final approval of the ABC–ITT merger pending receipt of evidence from the Department of Justice on the alleged anticompetitive effects of the merger. By its decision yesterday, the Commission, in effect, reaffirmed its independence. I am glad to see such reaffirmation, and I think we should at all times be altered to protect the independence of our regulatory agencies.

I know nothing of the merits of the controversy. If an antitrust situation exists, the Department of Justice has access to the courts and may proceed accordingly. I do not believe it should proceed through the back door by meddling with the independent agencies of the Government.

BAIL REFORM AND "PREVENTIVE DETENTION"

Mr. ERVIN. Mr. President, last Sunday, January 22, the Washington Post carried yet another article criticizing the Bail Reform Act as it operates in the District of Columbia. On January 24, the distinguished senior Senator from Maryland placed that article in the RECORD. I think that account is so notable that I ask unanimous consent that it be printed again following these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ERVIN. Mr. President, the article concerns the release of a defendant charged with rape and robbery by Judge DeWitt Hyde of the court of general sessions. The U.S. attorney's office is reported to have recommended $5,000 bond on the robbery charge and denial of any bail for the rape. Judge Hyde, the article states, said that the Bail

Reform Act "forced" him to release the man on his promise to return.

Under this Act—

He was quoted—

> we could have a raving maniac who might go out and kill people in the streets, and we would have to turn him loose. I don't know what in the world people were thinking about when they passed this Act.

I read this article and other recent newspaper accounts criticizing the Bail Reform Act with a growing sense of disbelief. If the judges of the District of Columbia and other critics would read the act, they would know that courts are not required to release either "raving maniacs" or alleged rapists. The law on this point, established in 1879, is unchanged.

Section 3148 of title 18 of the United States Code permits the judge to refuse bail when he has reason to believe a defendant charged with a capital crime is a danger to any other person or to the community. According to section 22-2801 of the District of Columbia Code, rape is a capital offense. Judge Hyde could have set bail at $5,000, $10,000 or denied it completely. According to the Post report, it would appear that the reporter and the prosecutor knew this—but the judge did not. Not only was Judge Hyde not required by the act to release this defendant—if the story is accurate, he may have abused his authority by doing so.

It is also not true that the act "forces" Judge Hyde to release "raving maniacs." Title 24 of the District of Columbia Code still permits the courts to order "raving maniacs" to St. Elizabeths for observation.

Nor are judges "forced" under the new law to release on a promise to return—what is called "personal recognizance"—defendants charged with noncapital offenses. They may in proper cases require a traditional money bond, or even order the defendant to return to custody every evening.

Judge Hyde was quoted as saying:

> We have to hold people charged with hitting somebody over the head with a sponge, and release others on these charges.

I am not familiar with the crime rate for sponge assault in the District. However, I do know what the crime rate for rape is, and I know that the bail law does not require judges to incarcerate sponge assailants pending trial, nor to release rapists.

The Subcommittee on Constitutional Rights spent over 5 years working out bail reform legislation, and Congress was "thinking about" the same thing in 1966 when it passed the act as it was in 1961—we were thinking about the thousands of citizens who are detained for protracted periods each year, not because they have been convicted, but merely because they are indigent. We were not thinking about "preventive detention," a practice which has been illegal since the dawn of American jurisprudence, and the report specifically stated that preventive detention was not affected by the bill.

The subcommittee had the assistance of the Justice Department, private groups, and judges when it drafted this legislation. The record of Congress deliberations runs some 1,000 pages in two rounds of Senate hearings and one in the House. The act is one of the most carefully developed pieces of legislation to come out of this Congress in recent years. I would commend reading these hearings to the critics of the act, although as a starting point I would much prefer they read the act itself.

The judge's reaction to reform is surprising indeed. No local judge testified against either the Bail Reform Act or the District of Columbia Bail Agency Act, and certainly it did not slip by unnoticed. Hearings were anounced publicly and they evidently came to the attention of people in Newark, N.J.; Paducah, Ky.; Champaign, Ill.; Indianapolis, Ind.; Boston; Baltimore; and Puerto Rico, as well as in the District of Columbia.

Nor was the reform imposed upon Washington without regard to its special problems. Before enactment bail reform was tested and proved in Washington by the District of Columbia bail project in the very courts from which come these news stories. The Reform Act was substantially modified to accommodate the District's special problems in accordance with suggestions made by the Commissioners and the Justice Department. What is more, a special bill was enacted soon after the act to provide the local courts with the necessary machinery to apply the act. The District of Columbia Bail Agency Act created a bail agency, whose special function was to investigate defendants before their bail hearing and to make recommendations to the judge to enable him to make a bail decision intelligently.

The legislation which became the District of Columbia Bail Agency Act was handled by the District Committees of both Houses. The committees are most conversant with the problems of the District. Further, the Bail Agency Act was endorsed by Judge John A. Danaher, who represented the Judicial Conference of the District of Columbia Circuit. The Conference is composed of all judges of the U.S. district court and court of appeals. At a meeting of all these judges, they voted unanimously in favor of the bill. Favorable recommendations were also received from the chief judges of the general sessions court, the District of Columbia Court of Appeals and the Juvenile Court. I might also add that the Bail Agency bill was approved by the U.S. Department of Justice, the President's Commission on Crime in the District of Columbia, representatives of the Bar Association of the District of Columbia, the U.S. attorney for the District of Columbia, officers of the District of Columbia bail project, and the Assistant Corporation Counsel of the District of Columbia.

On the basis of testimony from sources such as these, and on the basis of highly successful experiments not only in Washington, but also in New York City and other communities, Congress enacted laws which contain all the elements needed for successful, efficient reform—assuming the law is administered properly.

The problems that have arisen in connection with the act are the creation of those charged with administering it. But even these problems are overblown. The results of bail reform in Washington in the past few months are very encouraging. As of the middle of January, approximately 1,000 persons have been released upon their own recognizance. About 30 have been rearrested as subsequent offenders, and even those have not been proven guilty of a second charge any more than their first arrest proved guilt on the first charge. Only 19 people have failed to appear when required. This rate of return is at least as good as that under the traditional system of money bail.

What the cries for a new law on preventive detention really amount to is a demand for a revolutionary new power to incarcerate suspected criminals before they are tried and found guilty. It is a demand for power to imprison on suspicion that the person might commit some crime in the future. Only people commit crimes, and if we are to allow imprisonment during the period between arrest and trial on the suspicion of criminal tendencies, we might just as well authorize courts to hold hearings on anybody and have them jailed whether or not they are awaiting trial on another offense. The only sure way to prevent future crime is to put away all the potential offenders. Then, there would be no more crime; but there would be no freedom either.

Congress already has before it one proposal to allow preventive detention. This measure would give judges factfinding power based on the notion that they have sufficient prophetic wisdom to determine who will commit which future undetermined offenses. As a former trial judge and as a former appellate judge, I can assure the Senate that men are invested with no such divine power when they become judges. On the other hand, judges are invested with considerable power and discretion to protect the public and the rights of individuals. As an example of this discretion and the correct use of it under the Bail Reform Act, I ask unanimous consent that an article entitled "Appeals Court Denies Bail in Break-In Case," from the February 1, 1967, edition of the Washington Post, be printed at the conclusion of my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 2.)

Mr. **ERVIN.** Mr. President, while I consider the Bail Reform Act wise legislation, I am sure it is not perfect. When the Subcommittee on Constitutional Rights and the Subcommittee on Improvements in Judicial Machinery were conducting hearings on the act, it was suggested that it might be desirable to hold hearings sometime in the future on preventive detention. These hearings will be held in the near future, and we will have an opportunity to study in depth whether or not any constitutional basis exists for preventive detention. Let me assure all who are interested that the subcommittees will welcome any suggestions for improvement in the Bail Reform Act. If any amendments are found to be in order, I shall be glad to sponsor them. In the meantime, in order that all interested parties might study the Bail Reform Act and ponder its contents, I ask unanimous consent that the text be printed in the RECORD at the conclusion of my remarks. Hopefully, in anticipation of the hearings, we will have a little more light and a little less heat on the subject.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. ERVIN. Mr. President, I ask unanimous consent that two letters I wrote to local newspapers on bail reform and preventive detention be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

EXHIBIT 1

[From the Washington Post, Jan. 22, 1967]

SUSPECT'S RELEASE ON BAIL RILES JUDGE

(By Jim Hoagland)

A 38-year-old man charged with rape and robbery was released on personal recognizance yesterday by a General Sessions judge who said the Bail Reform Act forced him to let the defendant go.

Judge DeWitt S. Hyde was sharply critical of the Act as he released Arthur L. Daniels of 1311 L st. se. Daniels, who did not have to post any bond, promised to return for a preliminary hearing on the felony charges on Feb. 1.

"Under this Act, we could have a raving maniac who might go out and kill people in the streets, and we would have to turn him loose," Hyde said. "I don't know what in the world people were thinking about when they passed this Act."

The U.S. Attorney's Office had asked for a $5000 bond in the robbery case and urged Hyde to hold Daniels without bond on the rape charge, a capital offense.

Under the Bail Reform Act, which went into effect Sept. 20, only defendants likely to flee before trial can be held on bond. Danger to the community alone is not a decisive factor in the question of a defendant's release.

The exception is capital offenses, where a judge is not required to admit the defendant to bail.

Daniels' attorney, Bernard W. Kemp, said Daniels had lived in Washington all his life, was married and had held the same job for the past seven years.

"We have to hold people charged with hitting somebody over the head with a sponge, and release others on these charges," Hyde said.

The D.C. Bail Agency had recommended Daniels' release because of his community ties.

Hyde's comments added more fuel to a controversy that has been raging since the Act passed Congress last June. Many judges and prosecutors have publicly criticized the bill, which they feel frees persons who will be able to commit more crimes.

EXHIBIT 2

[From the Washington Post, Feb. 1, 1967]

APPEALS COURT DENIES BAIL IN BREAK-IN CASE

(By Paul W. Valentine)

A three judge panel of the U.S. Court of Appeals yesterday struck down the decision of three fellow judges to release an oft-convicted housebreaker under the controversial Bail Reform Act.

The new Act came into contention again as yesterday's appellate panel flatly refused to set any conditions of release for George E. Wise, 34, while he appeals his seventh housebreaking conviction.

By contrast, last month, three other Appeals Court judges, David L. Bazelon, J. Skelly Wright and Charles Fahy, granted a conditional release requiring Wise to get a job first, live with his aunt or niece and post a 10 percent returnable deposit on a $1000 bond.

The U.S. Attorney's office, stunned by the release order, asked the Court to reconsider. Government attorneys argued that Wise, who has a record of 11 felony convictions, 89 felony arrests, two parole violations and one probation violation, is a danger to the community and a high risk under the bail system.

While the request was under consideration, Wise stayed in jail, unable to get a job, the first condition required under the Court's release order.

His court-appointed attorney, Charles J. McKerns, asked the Court to ease the conditions contending that Wise could not get a job without interviews with employers. Also, Wise's aunt and niece indicated they were unable to take him in, and Wise couldn't raise the $100 deposit on his bond.

Yesterday's hearing was before a new panel consisting of Judges E. Barrett Prettyman, Harold Leventhal and Edward A. Tamm. They not only refused to modify the bail conditions but denied Wise bail altogether. The order was signed without comment.

The Wise case spotlights the continuing clash among judges over the scope and effectiveness of the Bail Reform Act, which requires that all non-capital defendants be admitted to pretrial bail. A court may deny post-conviction release (appeal bond) if it determines that a defendant may flee or "pose a danger to the community."

EXHIBIT 3

PUBLIC LAW 89–465, 89TH CONGRESS, S. 1357, JUNE 22, 1966

An act to revise existing bail practices in courts of the United States, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Bail Reform Act of 1966".

SEC. 2. The purpose of this Act is to revise the practices relating to bail to assure that all persons, regardless of their financial status, shall not needlessly be detained pending their appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest.

SEC. 3. (a) Chapter 207 of title 18, United States Code, is amended by striking out section 3146 and inserting in lieu thereof the following new sections:

"§ 3146. Release in noncapital cases prior to trial

"(a) Any person charged with an offense, other an offense punishable by death, shall, at his appearance before a judicial officer, be ordered released pending trial on his personal recognizance or upon the execution of an unsecured appearance bond in an amount specified by the judicial officer, unless the officer determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required. When such a determination is made, the judicial officer shall, either in lieu of or in addition to the above methods of release, impose the first of the following conditions of release which will reasonably assure the appearance of the person for trial or, if no single condition gives that assurance, any combination of the following conditions:

"(1) place the person in the custody of a designated person or organization agreeing to supervise him;

"(2) place restrictions on the travel, association, or place of abode of the person during the period of release;

"(3) require the execution of an appearance bond in a specified amount and the deposit in the registry of the court, in cash or other security as directed, of a sum not to exceed 10 per centum of the amount of the bond, such deposit to be returned upon the performance of the conditions of release;

"(4) require the execution of a bail bond with sufficient solvent sureties, or the deposit of cash in lieu thereof; or

"(5) impose any other condition deemed reasonably necessary to assure appearance as required, including a condition requiring that the person return to custody after specified hours.

"(b) In determining which conditions of release will reasonably assure appearance, the judicial officer shall, on the basis of available information, take into account the nature and circumstances of the offense charged, the weight of the evidence against the accused, the accused's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and his record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings.

"(c) A judicial officer authorizing the release of a person under this section shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform such person of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest will be issued immediately upon any such violation.

"(d) A person for whom conditions of release are imposed and who after twenty-four hours from the time of the release hearing continues to be detained as a result of his inability to meet the conditions of release, shall, upon application, be entitled to have the conditions reviewed by the judicial officer who imposed them. Unless the conditions of release are amended and the person is thereupon released, the judicial officer shall set forth in writing the reasons for requiring the conditions imposed. A person who is ordered released on a condition which requires that he return to custody after specified hours shall, upon application, be entitled to a review by the judicial officer who imposed the condition. Unless the requirement is removed and the person is thereupon released on another condition, the judicial officer shall set forth in writing the reasons for continuing the requirement. In the event that the judicial officer who imposed conditions of release is not available, any other judicial officer in the district may review such conditions.

"(e) A judicial officer ordering the release of a person on any condition specified in this section may at any time amend his order to impose additional or different conditions of release: *Provided,* That, if the imposition of such additional or different conditions results in the detention of the person as a result of his inability to meet such conditions or in the release of the person on a condition requiring him to return to custody after specified hours, the provisions of subsection (d) shall apply.

"(f) Information stated in, or offered in connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

"(g) Nothing contained in this section shall be construed to prevent the disposition of any case or class of cases by forfeiture of collateral security where such disposition is authorized by the court.

"§ 3147. Appeal from conditions of release

"(a) A person who is detained, or whose release on a condition requiring him to return to custody after specified hours is continued, after review of his application pursuant to section 3146(d) or section 3146(e) by a judicial officer, other than a judge of the court having original jurisdiction over the offense with which he is charged or a judge of a United States court of appeals or a Justice of the Supreme Court, may move the court having original jurisdiction over the offense with which he is charged to amend the order. Said motion shall be determined promptly.

"(b) In any case in which a person is detained after (1) a court denies a motion under subsection (a) to amend an order imposing conditions of release, or (2) conditions of release have been imposed or amended by a judge of the court having original jurisdiction over the offense charged, an appeal may be taken to the court having appellate jurisdiction over such court. Any order so appealed shall be affirmed if it is supported by the proceedings below. If the order is not so supported, the court may remand the case for a further hearing, or may, with or without additional evidence, order the person released pursuant to section 3146(a). The appeal shall be determined promptly.

"§ 3148. Release in capital cases cr after conviction

"A person (1) who is charged with an offense punishable by death, or (2) who has been convicted of an offense and is either awaiting sentence or has filed an appeal or a petition for a writ of certiorari, shall be treated in accordance with the provisions of section 3146 unless the court or judge has reason to believe that no one or more conditions of release will reasonably assure that the person will not flee or pose a danger to any other person or to the community. If such a risk of flight or danger is believed to exist, or if it appears that an appeal is frivolous or taken for delay, the person may be ordered detained. The provisions of section 3147 shall not apply to persons described in this section: *Provided,* That other rights to judicial review of conditions of release or orders of detention shall not be affected.

"§ 3149. Release of material witnesses

"If it appears by affidavit that the testimony of a person is material in any criminal proceeding, and if it is shown that it may become impracticable to secure his presence by subpena, a judicial officer shall impose conditions of release pursuant to section 3146. No material witness shall be detained because of inability to comply with any condition of release if the testimony of such witness can adequately be secured by deposition, and further detention is not necessary to prevent a failure of justice. Release may be delayed for a reasonable period of time until the deposition of the witness can be taken pursuant to the Federal Rules of Criminal Procedure.

"§ 3150. Penalties for failure to appear

"Whoever, having been released pursuant to this chapter, willfully fails to appear before any court or judicial officer as required, shall, subject to the provisions of the Federal Rules of Criminal Procedure, incur a forfeiture of any security which was given or pledged for his release, and, in addition, shall, (1) if he was released in connection with a charge of felony, or while awaiting sentence or pending appeal or certiorari after conviction of any offense, be fined not more than $5,000 or imprisoned not more than five years, or both, or (2) if he was released in connection with a charge of misdemeanor, be fined not more than the maximum provided for such misdemeanor or imprisoned for not more than one year, or both, or (3) if he was released for appearance as a material witness, shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

"§ 3151. Contempt

"Nothing in this chapter shall interfere with or prevent the exercise by any court of the United States of its power to punish for contempt.

"§ 3152. Definitions

"As used in sections 3146–3150 of this chapter—

"(1) The term 'judicial officer' means, unless otherwise indicated, any person or court authorized pursuant to section 3041 of this title, or the Federal Rules of Criminal Procedure, to bail or otherwise release a person before trial or sentencing or pending appeal in a court of the United States, and any judge of the District of Columbia Court of General Sessions; and

"(2) The term 'offense' means any criminal offense, other than an offense triable by court-martial, military commission, provost court, or other military tribunal, which is in violation of an Act of Congress and is triable in any court established by Act of Congress."

(b) The analysis of chapter 207 of title 18, United States Code, is amended by striking out the last item and inserting in lieu thereof the following:

"3146. Release in noncapital cases prior to trial.
"3147. Appeal from conditions of release.
"3148. Release in capital cases or after conviction.
"3149. Release of material witnesses.
"3150. Penalties for failure to appear.
"3151. Contempt.
"3152. Definitions."

SEC. 4. The first paragraph of section 3568 of title 18, United States Code, is amended to read as follows:

"The sentence of imprisonment of any person convicted of an offense shall commence to run from the date on which such person is received at the penitentiary, reformatory, or jail for service of such sentence. The Attorney General shall give any such person credit toward service of his sentence for any days spent in custody in connection with the offense or acts for which sentence was imposed. As used in this section, the term 'offense' means any criminal offense, other than an offense triable by court-martial, military commission, provost court, or other military tribunal, which is in violation of an Act of Congress and is triable in any court established by Act of Congress."

SEC. 5. (a) The first sentence of section 3041 of title 18, United States Code, is amended by striking out "or bailed" and inserting in lieu thereof "or released as provided in chapter 207 of this title".

(b) Section 3141 of such title is amended by striking out all that follows "offenders," and inserting in lieu thereof the following: "but only a court of the United States having original jurisdiction in criminal cases, or a justice or judge thereof, may admit to bail or otherwise release a person charged with an offense punishable by death."

(c) Section 3142 of such title is amended by striking out "and admitted to bail" and inserting in lieu thereof "who is released on the execution of an appearance bail bond with one or more sureties".

(d) Section 3143 of such title is amended by striking out "admitted to bail" and inserting in lieu thereof "released on the execution of an appearance bail bond with one or more sureties".

(e)(1) The heading to chapter 207 of such title is amended by striking out "BAIL" and inserting in lieu thereof "RELEASE".

(2) The table of contents to part II of such title is amended by striking out "207. Bail" and inserting in lieu thereof "207. Release".

SEC. 6. This Act shall take effect ninety days after the date on which it is enacted: *Provided,* That the provisions of section 4 shall be applicable only to sentences imposed on or after the effective date.

Approved June 22, 1966.

Legislative history: House Report No. 1541 (Committee on the Judiciary); Senate Report No. 750 (Committee on the Judiciary).

CONGRESSIONAL RECORD: Volume 111 (1965): September 21, considered and passed Senate; volume 112 (1966); June 7, considered and passed House, amended; June 9, Senate concurred in House amendments.

EXHIBIT 4

[From the Washington Daily News, Dec. 6, 1966]

LETTER TO THE EDITOR

As reported by The Washington Daily News, the Bail Reform Act of 1966, in effect now for only two months, has been criticized on several counts. It has been charged that the Act was not carefully considered by the Congress, and that Congress did not intend it to apply in the District of Columbia where the Federal district court, unlike other Federal district courts which deal primarily with nonviolent offenses, must handle all criminal offenses, including felonies and serious misdemeanors.

Perhaps most seriously, the Act has been criticized on the ground that it strips Federal trial judges of their discretion to consider a defendant's previous criminal record in determining his eligibility for release pending trial.

Each of these criticisms is without foundation.

The Bail Reform Act is the product of five years of intensive study and investigation by the Senate Sub-committee on Constitutional Rights. Over that period of time, the views of hundreds of experts were solicited from every state, Puerto Rico and the District of Columbia. Hundreds of pages of testimony were received on various drafts of the proposal. Much of this testimony related to bail reform studies and pilot bail projects in large metropolitan areas. Each of these projects, including one in New York City and another here in the District of Columbia, was conducted in courts of general criminal jurisdiction dealing with the entire range of criminal misconduct.

On the basis of this investigation, the Subcommittee concluded that abuses and inequities exist in the bail procedure in practically all American courts, state and Federal, particularly in courts in large metropolitan areas which must deal with large volumes of criminal offenses. It is for this reason that the Bail Reform Act was emphatically intended to apply in the District of Columbia as well as in other Federal judicial districts. In this regard, immediately following enactment of the reform bill, Congress passed legislation establishing the District of Columbia Bail Project as a permanent part of the District's judicial machinery with the responsibility for collecting and making available to the court the relevant personal information required by the Act on each defendant.

It is correct that the primary purpose of the Bail Reform Act is to reduce the likelihood that defendants in Federal courts will be forced to languish in jail during the frequently long periods between arrest and trial merely because they are unable to raise sufficient money for bond. It is also correct that the terms of the Act require the court to focus on the question of whether a released defendant is likely to appear promptly in court when ordered. However, contrary to published reports of criticisms leveled at the Act, it does not limit the discretion to judges to consider a defendant's previous criminal record as a factor in his release. The relevant facts judges are expressly required by the Act to consider in making pretrial release determniations include, in addition to factors relating to the character and community ties of the defendant, "the nature and circumstances of the offense charged, the weight of the evidence against the accused. . . . his record of convictions."

If anything, the judge has more, rather than less, discretion than he had before passage of the Act. The Act sets out a series of conditions which may be imposed on a related defendant to prevent his flight and control his conduct during the release period. If the judge determines that release on personal recognizance is not advisable under the circumstances, he may place the defendant in the custody of a third person or agency require a cash returnable deposit as security for bail, or even require that the defendant return to official custody each day during specified hours. Additionally, or alternatively, the judge is expressly authorized to require the posting of conventional money bail if he deems it advisable. Further, severe penalties are now imposed for violations of conditions of release.

Implicit in the criticism voiced against the Act is the notion that it has deprived judges of their power of preventive detention—refusing pretrial release to those thought to be dangerous to the community. This is based on misconception of the judge's power as it existed before the Act. The truth is that judges have never had the power to order preventive detention in noncapital cases. The Bill of Rights expressly prohibits the setting of excessive bail. It has been accepted in American courts that by necessary implications this establishes the right to reasonable bail in noncapital cases.

Under the old system of money bail, the judge's only function in such cases was to fix the amount of bail deemed to be necessary to assure the appearance of the defendant in court as ordered. A judge could keep in jail those suspected of being dangerous only by setting bail beyond the financial resources of the defendant. In practice this meant that society migh be protected from poorer dangerous defendants, but not from richer dangerous ones. Moreover, the Supreme Court has expressly declared that it is unconstitutional to set bail any higher than is necessary to ensure the defendant's appearance in court.

The suggestion that preventive detention should be permitted is extremely serious. Preventive detention involves a determination that a defendant accused but not found guilty of one crime has a propensity to commit another sometime in the future. It assumes that the judge should be able to imprison the individual for this uncommitted crime without trial, defense or conviction. This is contrary to basic concepts of due process.

The only question to be determined in making pretrial release decisions, both before and after the Bail Reform Act, is the likelihood of flight from justice. The old system was found to be unjust and inefficient because of its exclusive reliance on financial deterrence to flight. The new system merely makes it explicit that a defendant's character and ties to family and community are legitimate additional considerations. And, altho the defendant's record of convictions and his probable danger to the community may not be relied upon as a basis for denying bail, they certainly are valid considerations in determining what conditions of release are necessary to reduce the likelihood of flight.

It would seem to me rather strange that a judge would feel a man he is freeing on personal recognizance would rob or kill while free and then meekly return to court for trial. On the contrary, I would deem a judge to be remiss in this duty under the Act if he were to release such an individual without imposing upon him one or more of the additional conditions of release enumerated in the Act. It is my strong belief that, by intelligent use of the broad range of release conditions set forth in the Act, judges are better able to control the conduct and public against dangerous individuals, than they were under the old money bail system.

Finally, I must object to the suggestion that, in passing the Bail Reform Act, Congress imposed upon Federal courts restrictions which, if imposed upon state courts, would cause a Congressional outcry for repeal. On the contrary, the legislative history of the Act makes it clear that its proponents and supporters intended it to serve as a model to encourage similar bail reform legislation in the states.

While to my knowledge no state has yet passed general legislation establishing a bail reform system like the Federal one, legislation is being studied in several states. Further, the bail reform movement, has spread thruout the country, especially in metropolitan areas, either on a city-wide experimental level, or by the direct order of local judges and law enforcement officials. Extensive aid is being rendered by the Justice Department, various foundations, and by the groups that have had practical experience in bail reform projects. Thru these legislative and voluntary efforts, I am confident that a nationwide reform of our antiquated and unjust bail system will be accomplished in the near future.

SAM J. ERVIN, Jr.,
Chairman, Senate Judiciary Subcommittee on Constitional Rights.

[From the Evening Star, Washington (D.C.), Dec. 7, 1966]

SENATOR ERVIN'S BAIL VIEWS

SIR: My attention has been called to an editorial contained in The Evening Star for November 29, 1966, which makes the following statement:

"Thus, on Friday, Judge Hart was forced to turn loose 11 defendants, hauled before him on criminal charges including armed robbery and armed assault. The defendant's criminal record in one case was five pages long. In another instance, the judge said that even 'if this defendant promised me he was going to murder three people, I'd have to let him out. It's ridiculous!' "

With due respect to all concerned, I am constrained to say that there is nothing in the recent Bail Act authored by me which compelled Judge Hart to release the 11 defendants without first taking from them adequate conventional bail in the form of bonds signed by sufficient sureties to guarantee that they would appear before the court for trial and proper punishment if adjudged guilty. Under the Act, he has express authority to take into consideration the character of the offenses charged and the prior criminal records of persons charged in reaching a decision on this point.

I have read the press dispatches on which this editorial was based, and these press dispatches indicated that Judge Hart is under the impression that he has been deprived by the Bail Act of the power to detain in custody persons charged with noncapital crimes in cases where he thinks that such persons might commit other crimes while at liberty on bail.

The Bail Act does not undertake to interfere with any power which Judge Hart has or ever had to take action of this nature. As a matter of fact, he never had any such power prior to the enactment of the Bail Act, and he has no such power now. Persons charged with crime cannot be denied bail and held in custody in any case which the law makes bailable. Moreover, any effort on the part of a judge to detain such persons in custody to prevent future crimes on their part through the device of requiring excessive bail violates the Eighth Amendment, which is interpreted by the courts to hold that any bail is excessive which is greater than the amount reasonably necessary to secure the attendance of the accused at the trial upon the charge for which he was arrested.

While I am not an expert on the statutes applicable to the District of Columbia in respect to peace warrants and peace bonds, I am satisfied that they provide a procedure whereby a person in custody or out of custody who threatens to kill or harm another may be detained until he gives adequate security that he will not carry out any threat to that effect.

SAM J. ERVIN, Jr.,
U.S. Senator.

HELPING THE SMALL TAXPAYER

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the Washington Star on January 27, entitled "A Way To Fight City Hall on Taxes," written by Dana Bullen.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A WAY TO FIGHT CITY HALL ON TAXES

(By Dana Bullen)

Americans again face the annual chore of filling out federal income tax returns.

For the lucky ones, sending off the forms will take care of things until April 1968. For some three million or so less fortunate souls, however, the trouble will be only beginning.

These are the folks who will be tapped on the shoulder some black day by the Internal Revenue Service and asked to come in and justify items on their returns. This could happen to almost anyone.

In most cases, the amount involved will be comparatively small. Of the returns subjected to audit in fiscal 1965, for example, the average deficiency was just below $700, while the average refund was just above $100.

Something like 5 percent of the returns filed were audited in 1965. Deficiencies were found in 51 percent of the cases, refunds paid in 14 percent. No change was made after the audit in 35 percent of the cases.

The comparative smallness of the amounts involved, however, poses a problem. The amount, $100 to $700, is just big enough to hurt, but not large enough in many cases to justify going out and hiring a lawyer. Some people could not afford an attorney or an accountant in any event.

With all the bother and expense that can be involved, many people throw in the towel at the first chance. They pay the deficiency, even if they do not think it is fair, or they forget about a possible refund. It is just too tough to fight city hall, no matter how fair the IRS may try to be.

It may not always be this way.

Two senators, Warren Magnuson of Washington and Edward V. Long of Missouri, are trying to change things.

A bill introduced by them would establish a new small court to hear such cases without a lot of wasted time or money. It would be similar to the small claims court that many jurisdictions have to handle minor legal matters.

Twenty impartial commissioners appointed by the U.S. Tax Court would sit at various places across the country to decide taxpayer claims. If the taxpayer wanted to represent himself, he could, and the commissioner would look out for him. Cases involving delinquencies or refunds of up to $2,500 could be handled this way.

In proposing the new measure, the senators are not questioning the obligation of citizens to pay their just taxes. They just want to make the system a little fairer.

Citing a magazine article suggesting that existing settlement methods can make a taxpayer think he is being subjected to "legalized extortion," Magnuson told the Senate:

"We are convinced that the long-suffering taxpayer is entitled to the comfort of knowing that a just and inexpensive procedure for appeal from a tax audit exists."

The proposal, it seems, has considerable appeal.

When Magnuson and Long originally introduced it in the last Congress, it picked up 51 co-sponsors—a majority of the Senate—within a month.

Part of the impetus is the fact that the fine points of tax law—the kind of thing a taxpayer and the government are likely to differ about—are just too much for people who even have a tough time with the regular forms. Most taxpayers simply are not equipped to argue with the tax men over what they claim are mistakes. Without some system, such as the one proposed by Magnuson and Long, this stacks the deck against the taxpayer who cannot afford counsel to represent him.

Even Albert Einstein, the mathematics genius, admitted that the tax laws baffled him.

"This is too difficult for a mathematician," he once said. "It takes a philosopher."

Long likes to call the proposed small taxpayer's plan introduced in the Senate a form of a "tax ombudsman."

The ombudsman idea, which works well in Scandinavia is to have people around who can carry citizens' gripes to city hall—and get something done about them.

As city halls go, the Internal Revenue System is a big one.

Its present way of handling things may be fair, too. But if something more can be done for the small taxpayer who thinks he is being pushed around, a lot of people will stand and cheer.

Mr. DIRKSEN. Mr. President, Dana Bullen's article should receive wide circulation. I have cosponsored the bill described therein and I believe that the small taxpayer is entitled to every consideration under the law.

We can be justly proud of the way Americans compute and pay their taxes and I endorse this proposal to give the taxpayer an opportunity to contest what might be an unfair assessment.

NATIONAL WATER COMMISSION

Mr. JACKSON. Mr. President, the primary purpose of this bill (S. 20) I have just reported is to establish a National Water Commission which would be charged with the responsibility of undertaking a comprehensive and objective review of the Nation's water problems.

The Commission would be composed of seven distinguished Americans who are outstanding in their professions and who are not associated with the Federal Government. The members of the Commission would be appointed by the President and confirmed by the Senate. A small staff made up of the highest caliber minds and talent available would assist the Commission in the performance of its functions. In addition, the Commission would use the services, personnel, and informational resources of existent Federal agencies wherever practical. The bill is designed so that the activities of the Water Resources Council and those of the Commission will be closely coordinated. The Commission would have 5 years in which to complete its study.

Though the National Water Commission is to be entirely independent and establish its own priorities and program of study, some of the areas of inquiry which are in need of examination and which it will wish to consider include:

First. How the results of the present water resources research programs can be most effectively used for the benefit of the American people.

Second. How existing water supplies may be used more efficiently and with greater public benefit.

Third. Whether existing laws and institutions for water management are in need of refinement and revision.

Fourth. How water resource planning and development relate to planning and development of other resources and other programs.

Fifth. How to integrate the technological, legal, and economic relationships of water resource management to attain the greatest benefits at the least cost.

Sixth. The technologically available range of alternatives for resolving the Nation's water problems.

The common bond between these problem areas and many others which are not mentioned, is that at present we still have time to consider alternative courses of action. In a few years, however, we may not be able to afford the time necessary for a comprehensive review of our water resource problems and a reasoned consideration of alternatives. The pressure of regional drought, of floods, and of pollution problems may force our hand by requiring hasty solutions to critical problems.

Because time is a factor, and because a study of alternative courses of action for resolving our water problems would be of invaluable assistance to the President and to the Congress, I strongly urge and recommend the enactment of S. 20.

The National Water Commission is not a new proposal in the 90th Congress. Members of the Senate will recall that this identical bill was passed by the Senate without opposition in June of last year. Many of my colleagues cosponsored the bill at that time; even more have cosponsored the measure this year. The bill is being considered again this year because the House failed to take floor action on the measure prior to adjournment of the 89th Congress.

The National Water Commission bill has the endorsement of the President and was one of the important legislative recommendations in his recent messages to the Congress on the budget and on protecting our national heritage.

This measure is deserving of the Senate's support and I, together with the other members of the Interior Committee, urge its prompt enactment.

Mr. RANDOLPH. Mr. President, I ask unanimous consent to proceed for 10 additional minutes beyond the allotted 3 minutes allowed during the morning hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, I commend the Senator from Washington [Mr. JACKSON] for his affirmative labors in connection with Senate bill 20, a bill to provide for a comprehensive review of national water resource programs, and for other purposes.

The establishment of a National Water Commission to review and advise on the entire range of water resource problems was requested by the President in his message last year on preservation of our natural resources. He recently renewed this request for establishment of such a commission as embraced in S. 20.

I support the legislation requested by the President.

This legislation is a matter which the knowledgeable chairman of our Committee on Interior and Insular Affairs has explored with greater depth and scope of participation than other Members of the body. I do wish to say, however, that the Committee on Public Works, of which I am chairman, has an interest in all matters pertaining to the development and conservation of the water resources of the Nation.

The committee is specifically charged with the responsibility of recommending to the Senate legislative authorizations for the comprehensive water development programs carried out by the Corps of Engineers, the Soil Conservation Service, and the Tennessee Valley Authority. This committee is also responsible for enactment of legislation for the comprehensive control and abatement of water pollution.

Since there is a certain degree of overlap in the responsibilities of the two water resource committees of the Senate, and since the Committee on Public Works has not had an opportunity to review this legislation, I make certain observations regarding the provisions of the pending bill.

Section 3(a) of the bill directs the Commission to review present and anticipated national water resource problems, making such projections of water requirements as may be necessary and identifying alternative ways of meeting these requirements.

The Commission will give consideration to finding ways to conserve the Nation's water supplies by a number of methods, including the reduction of pollution. This will be a major challenge to the Commission.

Water pollution is a serious problem. The prevention and control of water pollution assumes increasingly more urgent priority as the need for water of adequate quality continues to rise under the complex pressures of unprecedented population growth, increased urbanization, and rapid technological change. As a result of the ever-increasing importance of water in our daily living requirements, there is a growing awareness of the need to see not only that pure water is made available for all our necessary purposes but also that the program under which this problem is met will be fully carried forward.

The Public Works Committee has been instrumental in the enactment of legislation to find ways and means to alleviate the sources of pollution. While significant strides are being made to curb such pollution, much work—and all Senators recognize this to be true—is yet to be done.

The National Water Commission can perform a very valuable service to the country in its quest for answers to the perplexing pollution problem. It can take a fresh look at the situation, uninhibited by prior opinions and preconceptions as to how the task can be best accomplished.

The Committee on Public Works will look forward to receiving the views and recommendations of the Commission on this important matter.

I also note that the Commission will direct its attention to the economic and social consequences of water resource development, including, for example, the impact of water resource development on regional economic growth.

This is a field in which the Committee on Public Works is greatly interested, and one in which, I believe, it has made substantial contributions.

In the past decade, Congress has given

considerable thought to and study of the problems of economic development. The Nation has been faced with three basic problems in this regard: areas which have suffered economic setbacks over a long period of time—what we call prolonged unemployment and economic lag, areas which never have shared in the general level of national economic growth, and areas which face sudden economic upheaval.

A number of programs have been approved by Congress which have added materially to the abatement of chronic unemployment and stimulated economic growth.

My distinguished colleague from West Virginia [Mr. BYRD] knows the problems of chronic unemployment in our State over a considerable period of time. It was because of his knowledge in this field that he was active in early enactment of the area redevelopment legislation. Other Members of this body, who know these problems, have had an intense interest in constructive action to alleviate them.

More recently, on recommendation of the Committees on Public Works, the Congress approved the Appalachian Regional Development Act. As the Members of this body know, the purpose of this act is to provide public works and economic development programs and the planning and coordination needed to assist in the development of the region.

I am gratified that today the Governors of the Commonwealth of Virginia and the State of North Carolina have added their endorsement of extension of the Appalachian Regional Act, suggesting—as it was proper for them to do—possible improvements in the legislation.

Also, at our hearing this morning, we were privileged to hear a strong endorsement by the able Senator from North Carolina [Mr. ERVIN] of the progress already being made under the Appalachian Regional Act in the State of North Carolina.

We are gratified also that the Governor of Pennsylvania, Mr. Shafer, who appeared before the committee in January and Gov. Hulett Smith, who is cochairman for the Governors, have expressed to our subcommittee the value of the Appalachian program, as did Governor Rhodes of Ohio in a letter to the committee.

The committee is also considering an amendment, endorsed by all the Appalachian Governors and the Federal cochairman, John Sweeney, to include 26 counties in Mississippi in the Appalachian program.

I am delighted that the two Senators from that State, Senator EASTLAND and Senator STENNIS, have become cosponsors of S. 602, which is now the subject of hearings before the Special Subcommittee on Economic Development.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the distinguished senior Senator from West Virginia may be allowed 10 additional minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. RANDOLPH. I thank my colleague for making that request.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. BYRD of West Virginia. Mr. President, I congratulate my distinguished colleague on the fine speech he is making, but, more than that, I congratulate him on the excellent leadership he is providing in connection with the development of additional legislation dealing with the Appalachian region.

I wish to congratulate him on the hearings which he has been conducting as chairman of the Committee on Public Works. I know that he seeks to get broad-based support for any new legislation that he and his committee may deem advisable in regard to the subject. I know that he seeks to secure testimony that will be helpful to the committee as it seeks to reach a wise judgment in this area.

Although I have not had an opportunity to appear before that committee, let me say I have been extended that invitation, and I hope I shall have that opportunity; but if I do not, I strongly support my colleague in his efforts to come to grips with this important matter. The Appalachian regional development program has been exceedingly good legislation for my State of West Virginia, and I am sure for the other States of the Appalachian region.

Again, I compliment my colleague on his statement and again congratulate him on the excellent leadership he has provided in this regard.

Mr. RANDOLPH. Mr. President, I am grateful for these observations and particularly for the appreciation expressed by my distinguished and dedicated colleague, who takes on added responsibility in the Senate during the first months of the new session. It is deeply gratifying to me.

Mr. BYRD of West Virginia. I thank the Senator.

Mr. RANDOLPH. What I say now is a matter of equal importance to the Senator from Washington [Mr. JACKSON].

Our committee is currently conducting hearings on extension of the authority of the Appalachian program. Included in the Appalachian Regional Development Act is section 206 which directs the Secretary of the Army "to prepare a comprehensive plan for the development and efficient utilitization of the water and related resources of the Appalachian region, giving special attention to the need for an increase in the production of economic goods and services within the region as a means of expanding economic opportunities and thus enhance the welfare of its people, which plan shall constitute an integral and harmonious component of the regional economic development program authorized by this act."

This provision was incorporated in Public Law 89-4 originally as a committee amendment, with the expectancy by the Committee on Public Works that such water planning policy as developed under section 206(a) would be applicable to other underdeveloped regions.

Also approved by the Congress, on the recommendation of the Committees on Public Works during the 89th Congress, was the Public Works and Economic Development Act. The general purpose of this law is to provide a comprehensive program of Federal assistance to help provide more jobs and higher incomes for people who live in areas of low income or high unemployment.

Here again is an area in which the National Water Commission can provide effective assistance. While the burden of the Commission will be great, I nevertheless hope that it will be able to devote adequate attention to this pressing problem.

I assure my good friend from Washington, that I am ready to assist him in the furtherance of this important legislation.

I think he will agree with me, and I ask his opinion on this—that both the Committee on Interior and Insular Affairs and the Committee on Public Works can and will work in a harmonious manner in analyzing and implementing recommendations that may ultimately be submitted to the Congress by the Commission.

Mr. JACKSON. Mr. President, will the Senator yield so that I may respond to his question?

Mr. RANDOLPH. I yield.

Mr. JACKSON. Mr. President, in response to the question of my colleague and good friend, the able Senator from the State of West Virginia and chairman of the Committee on Public Works, I assure him and I assure the Senate that the Committee on Interior and Insular Affairs can and will work with the Committee on Public Works in analyzing and implementing recommendations which may be submitted to the Congress as a result of the Commission's study.

There are, as the Senator has noted, some areas in which the water resource responsibilities of these two committees coincide. I think this presents us with a unique opportunity in which the committees can and should work together in finding solutions to the water problems of the Nation. Implementing the recommendations which will follow from the study of the Commission is a concrete example. I am sure that the future will provide other opportunities for joint consultation and unified response on behalf of these two committees. I look forward to and welcome these opportunities, and I am certain that Senator RANDOLPH feels the same way.

Mr. RANDOLPH. I thank the able Senator from Washington.

President Johnson is to be commended for his determination and farsightedness in recommending to the Congress plans for improvement and preservation of the Nation's natural resources and public works.

In his recent message on this vital subject, he recommended a renewed attack on the sources of air and water pollution, he recommended the creation of a special highway safety and beauty trust fund to provide for the financing of such programs, and he made numerous other recommendations to advance programs directed toward conservation of our land and water resources.

With reference to protecting our natural heritage, the President said:

> There is much to be done. And we are losing ground. The air and water grow heavier with the debris of our spectacular civilization. The domain of nature shrinks before the demands of commerce.
>
> We can build, for a time, a rich nation surrounded and permeated by poisoned elements. By ignoring the poisons, or by treating them in a casual, piecemeal way, we can endure in their midst for decades.
>
> But here in America, we started out to do more than simply endure. We intended to live as men should live, working hard, raising families, learning, building—and breathing clean air, swimming in clear streams, finding a part of the forest or the shore where nobody else was.
>
> If we are to have that America, we shall have to master the consequences of our own prosperity—and the time to begin is now.

Yes, Mr. President, "we have begun," and we have the determination to continue with these programs until our objectives have been reached.

I thank the able Senator from Washington for his attention to my views on this subject, and for his continued leadership in the field of natural resources development.

Mr. JACKSON. Mr. President, I would like to commend and congratulate the Senator from West Virginia on his remarks in support of the establishment of a National Water Commission. As chairman of the Committee on Public Works, he is in a position to know and to appreciate the need for an independent and objective survey of the Nation's water resource problems, policies, and programs.

Increased population growth, expanding urbanization, and an ever-expanding rate of technological change make it imperative that affirmative action be undertaken to assess the nature and the range of the Nation's present and future water problems. As responsible representatives, we must be prepared to offer alternative solutions to these problems. The establishment of a National Water Commission will go far toward providing the Congress and the administration with these alternatives.

TRIBUTE TO MR. AND MRS. STEPHEN R. CURRIER

Mr. TYDINGS. Mr. President, on January 17, a small plane was lost in a flight between Puerto Rico and the Virgin Islands; and the United States lost, I think, two of its most valuable citizens—Mr. and Mrs. Stephen R. Currier, a young man and young woman in their early thirties who had devoted their entire lives to helping those in this country less fortunate than they.

Mrs. Currier, the daughter of our distinguished Ambassador to Great Britain, the Honorable David Bruce, a great Marylander from a great Maryland family, and the granddaughter of the late Andrew W. Mellon, was among the richest individuals in the world. She married Stephen Currier, of New York, a young man, the scion of a distinguished and extremely wealthy family in his own right.

They could very well have followed a life of ease and idleness and followed a "jet set" existence, as too many in similar circumstances have done. Instead, they determined to set up foundations and to devote their lives to the distribution of their great fortune—which approached the neighborhood of a billion dollars—to trying to raise the standards of living of less fortunate Americans, and to aiding and supporting causes which they felt were good for our Nation.

It was my pleasure to know Stephen Currier personally. He and his wife were very modest and retiring individuals. As a matter of fact, their public relations consultant was retained to keep their names out of the press. But I happen to know of my own personal knowledge of some of the great contributions they have made in many areas of concern vital to this country: the problem of raising the standard of living of the poor, the problems of our cities, the problems of racial prejudice. Unfortunately for our Nation, they were only just beginning their careers.

I ask unanimous consent to have printed in the Record an article entitled "Court Asked To Declare Curriers Legally Dead," written by Robert E. Baker, and published in the Washington Post of February 2, 1967, and an article entitled "Presumed Dead," published in Time magazine for February 3, 1967.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington Post, Feb. 2, 1967]

Wills Filed in New York; Court Asked To Declare Curriers Legally Dead

(By Robert E. Baker)

The wills of Mr. and Mrs. Stephen R. Currier—philanthropic patrons of human need rather than the arts—have been filed in Manhattan Surrogate's Court.

The court has also been asked to declare officially that the Curriers who disappeared on a chartered plane flight between Puerto Rico and the Virgin Islands on Jan. 17 are dead.

Thus ends the story of a remarkable couple who made a pact a dozen years ago to spend their immense wealth during their lifetimes on causes they felt were good for the country. They died young, before they could do it.

Their wills call for the distribution of $30 million—two thirds to the Taconic Foundation that they established in 1958 and a quarter to their children, Anrea, 10, Lavinia, 9, and Michael, 6.

That $30 million is only a fraction of the Curriers' wealth. The personal fortune of Audrey Currier, daughter of David K. E. Bruce, U.S. Ambassador in London, and granddaughter of the late Andrew W. Mellon, the Pittsburgh financier, is estimated at $700 million. And Stephen Currier was wealthy in his own right. The bulk of their estates, it is understood, is in various trusts for their children.

Stephen Currier, 36, was Harvard-educated, stiff, formal. Mrs. Currier, 33, was small and shy. They were married secretly in 1955 because she wanted to finish her senior year at Radcliffe without the distraction of planning for a big wedding. The secrecy was enough to drop her from the New York Register.

But that wouldn't hurt the Curriers, for they spurned the "jet-set" types. Mrs. Currier turned over $300 million to her husband for philanthropic work so she could spend time with her children out of the headlines.

FULL-TIME PHILANTHROPIST

Stephen Currier was not the desk-type philanthropist. He worked full-time at it. He went into the slums of Harlem to see what they looked like, smelled like and what the people said. He often started to work at his New York office at 6 a.m. and worked on till late at night.

In 1958, he established the Taconic Foundation to deal in the sensitive area of civil rights at a time when few other foundations were willing, or perceptive enough, to do so. But this was Currier's mark—the innovative, inventive philanthropist.

In 1961, Currier brought in a group of people to Potomac Institute here, which Taconic supports, to "brain storm" the next program for helping the cause of civil rights. They came up with the Voter Education Project four years before the Voting Rights Act, for they saw Negro voter registration as a root problem in the South.

ROLE IN ALABAMA

But Currier was not just a spender. He saw value in diversified support for civil rights. In 1963, when Bull Connor turned the dogs loose on Birmingham Negroes, Currier went out and solicited $1.5 million from the wealthy for a financial pool for seven civil rights organizations.

He saw his role as a catalyst for solving problems—one of them was money—in the civil rights movement. His action steadied the major civil rights groups at a time of despair and growing distress.

He proved financial help to the venerable Southern Regional Council in Atlanta and the NAACP Legal Defense Fund in New York.

During these years, Currier had a passion for anonymity. His public relations men were supposed to keep him that way. It didn't always work. The Curriers made the headlines when they purchased a $418,000 apartment in New York, although the reporters didn't say exactly who he was. And he was accused of "defanging" the March on Washington by using funds to control Negro leaders.

AIDED MRS. JOHNSON

Recently, however, Currier began to emerge into the public. To bolster Lady Bird Johnson's desire for a more beautiful capital city, he retained Lawrence Halprin who came up with bold proposals for new parks and recreation areas for Washington.

And, with the thrust of the civil rights movement blunted, Currier turned to the problems of the big cities. He formed Urban America, Inc., and, shortly before his death, was serving as the catalyst to bring together the mayors, industry, labor and civil rights leaders in an effort to make the urban crisis a top-priority item on the national agenda.

This was the reason he was in the Caribbean at the time of his death. He had been talking to industrial leaders in Boca Raton, Fla., about joining in the battle to solve the urban crisis.

Despite such big projects, Currier was also interested in the little man and young people. The Curriers built a multi-million-dollar home that was a work of art—"Kinlock" in Fauquier County, Va.—but also took a personal interest in the adjacent town of The Plains. And the survivors of the Curriers reflected their thinking by asking that no flowers be sent to the memorial services, scheduled for 10 a.m. Tuesday at St. James Episcopal Church in New York. Any contributions, they said, should be donated to the Curriers' "Harvard Gamble."

This is a fund—some $45,000 a year—for average students, the forgotten students who show promise but are below scholarship level and without financial means, to go to Harvard.

The $20 million left in the Curriers' wills to the Taconic Foundation will provide about a million dollars a year, below the average amount the Curriers were contributing but sufficient to keep it a going concern to provide innovative ideas in the human rights field.

Under Mr. Currier's will, guardians of the children will be Mr. and Mrs. John G. Simon, who were also bequeathed $500,000. This was a typical Currier touch. Simon is not a man of great social status. He is a professor at Yale University, a member of the Taconic board, a thinker of new ideas, a man who saw eye-to-eye with Currier.

[From Time magazine, Feb. 3, 1967]

Presumed Dead

Audrey Bruce Currier, 33 daughter of U.S. Ambassador to Britain David K. E. Bruce and granddaughter of Banker-Industrialist Andrew Mellon, who inherited a major share of the family fortune, wasted none of it on the jet-set scene, preferring to live quietly and, with her husband Stephen Currier, 36, search out philanthropic causes for their Taconic Foundation, which last year distributed $2,400,000; lost with her husband on Jan. 17 when their chartered plane went down somewhere between Puerto Rico and the Virgin Islands.

Mr. TYDINGS. Mr. President, our Nation could ill afford to lose those two young people and we mourn their passing.

THE APPALACHIA PROGRAM

Mr. TYDINGS. Mr. President, I take this opportunity to commend the distinguished chairman of the Committee on Public Works, the Senator from West Virginia [Mr. Randolph], on the hearings which he is now holding on the Appalachia program. His leadership is truly inspirational and I am sure will be a major factor in the continuation of this vital effective program.

During the course of the testimony, we had appear a very unusual witness, Mr. President—a man who is not from my State, but whose background and qualifications and whose message I thought important enough to insert in the Record at this time. That witness was a young doctor, J. L. Hardwick, M.D., of Talladega, Ala.—a distinguished representative of that vanishing species known as "a family doctor." The type, as he says, who delivers babies, makes house calls, and removes tonsils and appendixes. In addition to this great service to his community he has also served for several years as mayor of his hometown, and is immediate past president of the National League of Municipalities, truly a man of inspirational energy and capacity. His statement—which I shall ask to have printed in the Record at the conclusion of my remarks—I think makes an impressive tribute to the Appalachia program and what it has meant to the Appalachian region which he serves and where he lives.

The fact that this man, a country, family doctor—and, goodness knows, we see few enough of them these days—would come all the way to Washington is a great tribute both to the man and to the program.

I ask unanimous consent at this time to have printed in the Record the testimony of Dr. Hardwick before the Committee on Public Works in its entirety.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Dr. Hardwick. Distinguished members of the Senate Public Works Committee, I appreciate the privilege of appearing before you today to testify to the need for continuation of the Appalachia Program.

I am a physician; the kind who delivers babies, makes house calls, treats measles, and removes your tonsils and appendix. Since 1953 I have been Mayor of the City of Talladega, Alabama, a little city of 20,000, nestled in the foothills of the Appalachian mountain range, close by the Coosa river. A few miles from Talladega is the majestic Cheaha mountain, the Creek Indians called it the "Sleeping Giant." I call the whole Appalachia region, the "sleeping giant of this nation"—because the inhabitants of this region, because of lack of education, communicating, training, and opportunity, have been unable to reap the potential of manpower and natural resources of this area. Give this area 10 more years of Federal-State-Local coordinated effort with a supplementary program such as offered by the Appalachia Regional Development Program and this vast area occupied by its 17 million inhabitants will become a manpower and economic asset to our Nation, rather than a distressed area.

After 14 years in municipal government, I know firsthand of the problems in providing the services for low-per-capita income people of Appalachia. Services not only of police and fire protection, transportation, recreation, health and sanitation, but educational opportunity and job availability. To improve the way of life and the standard of living of our people is our day to day goal. We want and need our Federal Government, and our State Government to stay in this fight with us at the local level. Much progress is being made in this joint effort, but little can be accomplished at the local level if we have to stand alone in this endeavor.

We are building roads to open up the backward areas to the rural carriers, school buses and doctors. Power lines and phone lines are going up to establish communication. We are building trade schools and Junior colleges within bus distance of home. Job-training, and job retraining and vocational rehabilitation is moving rapidly ahead. In regional centers like Talladega and Gadsden, local officials are out seeking new industrial employers to employ our few skilled and our many unskilled laborers. One-third of our population is non-white, mostly poorly educated and unskilled. We are moving rapidly forward in educating and training this vast reserve of manpower, which is now contributing so little to their families and their government. Through our vocational training programs and on-the-job training programs, these people are moving successfully from farm and domestic work into our textile mills, our needlecraft plants, and machine shops. They are becoming home-owners, rather than renters; savers, rather than borrowers; taxpayers, rather than reliefers.

Our local governments, and local organizations know more about how to cure our ills than anyone else—but we need that local-state-federal coalition such as the Appalachia Program provides.

In Talladega we have one 75 bed hospital serving the needs of 40,000 people. It is a private non-profit hospital corporation, owned by the people and operated by a Board of Trustees, made up of business men and women, elected by the membership. No doctor and no politician serves on its board.

Citizens Hospital occupies a building built as a girls' school 60 years ago. It has been condemned for use as a hospital by the State Board of Health, the Joint Commission of the American Hospital Association and the American College of Surgeons. It has operated on a temporary permit, one year at the time. A new hospital must be built or it will be closed. This hospital did $880,000 gross business in 1966, and charged off $112,000 in charity services (13.4%). A new hospital will cost 2 million dollars. We can get 1 million dollars from the Hill-Burton Program. Local industry and local citizens have pledged $500,000, of which we hope to collect $400,000. The City of Talladega can make only a reasonable contribution. The hospital has no borrowing power, because they have no repayment ability. Their profit goes into charity services to meet the entire needs of the people. Citizens Hospital is only one beautiful example of how the Appalachia Program can make a public facility possible by supplementing a basic program grant and the local contributions. It could not otherwise be possible.

Gentlemen, when you vote to let our Federal Government join a State and Local Government in building a hospital, or sewer plant, or water system, or library, or vocational school, or access road, in an area that has the need, yet cannot stand alone, you are building opportunity, resourcefulness and promoting human dignity in a people sorely deserving of a decent opportunity in life themselves and their families.

Continue this very successful supplementary program, gentlemen, so that the Appalachian region of the United States will become an asset, rather than a liability to our nation—I thank you.

Mr. TYDINGS. I also ask unanimous consent, Mr. President, that if either of the Senators from Alabama wish to make any further remarks or comments concerning Dr. Hardwick, they be permitted to insert their remarks at this point in the Record.

The PRESIDING OFFICER Without objection, it so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, with the approval of the distinguished minority leader, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 12, Senate Concurrent Resolution 6, and concluding with Calendar No. 14, Senate Resolution 70.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR PRINTING OF ADDITIONAL COPIES OF THE SENATE COMMITTEE PRINT ENTITLED "THE FEDERAL SYSTEM AS SEEN BY FEDERAL AID OFFICIALS"

The concurrent resolution (S. Con. Res. 6) authorizing the printing of additional copies of "The Federal System as Seen by Federal Aid Officials" was considered, and agreed to, as follows:

S. Con. Res. 6

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Government Operations five thousand additional copies of its committee print of the Eighty-ninth Congress, first session, entitled "The Federal System as Seen by Federal Aid Officials", a study prepared by the Subcommittee on Intergovernmental Relations.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 8), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Concurrent Resolution 6 would authorize the printing for the use of the

Senate Committee on Government Operations of 5,000 copies of its committee print of the 89th Congress, first session, entitled "The Federal System as Seen by Federal Aid Officials," a study prepared by the Subcommittee on Intergovernmental Relations.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing cost estimate

Back to press, first 1,000 copies	$879.06
4,000 additional copies, at $233.30 per thousand	933.20
Total estimated cost, S. Con. Res. 6	1,812.26

AUTHORIZATION FOR PRINTING OF THE REPORT OF THE PRESIDENT'S COMMISSION ON THE PATENT SYSTEM AS A SENATE DOCUMENT

The resolution (S. Res. 52) authorizing the printing of the report of the President's Commission on the Patent System as a Senate document was considered, and agreed to, as follows:

S. Res. 52

Resolved, That the report of the President's Commission on the Patent System, entitled "To Promote the Progress of Useful Arts", be printed with illustrations as a Senate document.

Sec. 2. There shall be printed three thousand additional copies of such document for the use of the Committee on the Judiciary.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 9), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 52 would provide that the report of the President's Commission on the Patent System, entitled "To Promote the Progress of Useful Arts," be printed with illustrations as a Senate document. Section 2 of the resolution would authorize the printing of 3,000 additional copies of such document for the use of the Committee on the Judiciary.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

To print as a document (1,500 copies)	$520.31
3,000 additional copies, at $63.12 per thousand	189.36
Total estimated cost, S. Res. 52	719.67

AUTHORIZATION FOR PRINTING OF A REPORT ENTITLED "THE 1967 HIGHWAY BEAUTIFICATION PROGRAM" AS A SENATE DOCUMENT

The resolution (S. Res. 70) authorizing the printing of the report of the highway beautification program as a Senate document was considered, and agreed to, as follows:

S. Res. 70

Resolved, That the report of the Department of Commerce entitled "The 1967 Highway Beautification Program", be printed together with certain additional correspondence as a Senate document.

Sec. 2. There shall be printed five thousand additional copies of such document for the use of the Committee on Public Works.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 10), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 70 would provide that the report of the Department of Commerce entitled "The 1967 Highway Beautification Program," together with certain additional correspondence, be printed as a Senate document; and that there be printed 5,000 additional copies of such document for the use of the Committee on Public Works.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

To print as a document (1,500 copies)	$1,794.25
5,000 additional copies, at $100.40 per thousand	502.00
Total estimated cost, S. Res. 70	2,296.25

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENDORSEMENT BY SENATOR McGOVERN OF PRESIDENT JOHNSON'S MESSAGE ON INDIA FOOD AID

Mr. MANSFIELD. Mr. President, the distinguished Senator from South Dakota [Mr. McGovern], who was President Kennedy's first food-for-peace director, and whose views on world food matters many of us respect, has asked me to place in the Record a brief statement he has telephoned from a Chicago airport, praising President Johnson's message on India food aid.

I ask unanimous consent that Senator McGovern's statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

I know that I speak not only for myself but also for a large number of my colleagues and most Americans in endorsing the President's proposals for a joint approach in helping India.

From every State in the Union, food aid has been going to India—either as large shipments of grain harvested from our farms, or through the CARE packages the American people send, or their many donations through church or other voluntary groups. This has been one of the world's great outpourings of generosity. We all have a right to be immensely proud of this public and private response that so well reflects the humanitarian spirit of our Nation.

And as India moves ahead to solve her food and population problems, as she is doing, I know that we will continue to extend our strong helping hand.

When need is great, however, many helping hands are better than one. There is no question about India's need. There is no question that many nations together can help India better than a few nations or one nation.

The President's proposal is practical and most timely. I want to give it my full support, in the understanding that he calls not for the United States to do less from now on, but rather for other developed nations to do more.

Through this powerful new partnership, we can do an even better job of eliminating today's and tomorrow's hunger, not just from India but from the world.

LEWIS O. BARROWS, FORMER GOVERNOR OF MAINE

Mrs. SMITH. Mr. President, one of Maine's greatest statesmen, former Gov. Lewis O. Barrows, passed away this past Monday. Through the years, he and Mrs. Barrows were among my very best friends. I extend my deepest sympathy to Mrs. Barrows and to his son Wallace.

He was affectionately known in Maine as "Lew" Barrows, a man of the greatest integrity and ability. We admired him for his great ability. We admired him for his great integrity. But we felt most strongly for him because of his warmth as a great humanitarian.

His passing is a personal loss to me. His sage counsel, his unwavering support, and the friendly encouragement that he has given me throughout my public service have been a truly wonderful source of inspiration for my own personal efforts.

Only last year he returned to the political arena and public service 20 years after he had served as Governor of Maine. I was fortunate enough to have him as the director of my campaign in his area of Maine. He had taken his place in the governing councils of the State of Maine this year as the vice chairman of the Governor's executive council.

His place will never be filled.

I ask unanimous consent to place in the Record at this point articles in the January 31, 1967, issue of the Portland, Maine, Press Herald.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Services Set Thursday for Ex-Governor Barrows

Newport.—Funeral services will be at 3 p.m. Thursday at the High Street Congregational Church for former Maine Gov. Lewis O. Barrows, 73, who died Monday of heart dlisease in a Pittsfield hospital. Interment will be at Riverside Cemetery, Newport in the spring.

Mr. Barrows had been serving as a member of the Governor's Executive Council.

Mr. Barrows, a Republican, served two terms as governor, from 1937 to 1941. He had returned to politics only this month, when he was elected to the executive council.

After his two terms as governor, Mr. Barrows was president of the Newport Trust Co. as well as assistant to the president of the Liberty Mutual Insurance Co., Boston, a post he held until he retired in 1957.

He is survived by his wife, Pauline, whom he married in 1917, and a son Wallace, who lives in a suburb of Baltimore.

He was born June 8, 1893, at Newport.

Mr. Barrows launched his political career at 14 when he went to work as a page boy in the Maine Legislature.

He was graduated from Hebron Academy in 1912 and from the University of Maine in 1917. After graduation he served on the Mexican Border with the second Maine Regiment of the National Guard. He also worked briefly in a New York pharmaceutical firm before returning to Newport and the family drug business.

For 12 years he served as treasurer of the Town of Newport, a post he relinquished when he became a candidate for governor in 1932. He first was elected to the executive council in 1926, and re-elected in 1929 and 1931.

In 1935 he was elected secretary of state and a year later defeated Democrat F. Harold Dubord to become governor of Maine, ending a four-year Democratic occupation of the Blaine House. Gov. Louis J. Brann did not seek re-election.

He was an unsuccessful Republican primary candidate for the United States Senate in 1940. Following his defeat he retired from politics until his election earlier this month as a member of the executive council.

Mr. Barrows' successor on the executive council will be chosen by Democratic Gov. Kenneth M. Curtis, subject to confirmation by the executive council.

He was a member of the Masons, the Shrine, Rotary and Lions Clubs, the Grange and the Maine Pharmaceutical Association. He was a registered pharmacist.

He served as a member of the Maine Republican State Committee for several terms before he was elected governor.

A son, Robert, a freshman at Williams College, was killed in an automobile accident near Pittsfield in 1937.

Another son, Edward P., died in 1944 of battle wounds suffered in France during World War II action. He was an outstanding athlete at the University of Maine and for years the Edward P. Barrows Memorial Trophy was the prize in State Series football competition.

In 1961 Mr. Barrows was awarded the Alumni Service Emblem, highest honor bestowed by the University of Maine's General Alumni Association.

LEADERS OF BOTH PARTIES LAUD EX-GOVERNOR BARROWS

AUGUSTA.—Leaders of both political parties issued statements Monday praising former Republican Gov. Lewis O. Barrows, who died earlier in the day at a Pittsfield hospital.

Democratic Gov. Kenneth M. Curtis, lauding Barrows as an official who "led a life of dedication to public service," said national and state flags will be displayed at half staff on all public buildings until after the funeral Thursday.

E. Perrin Edmunds of Fort Fairfield, chairman of the all-Republican Executive Council to which Barrows had also recently been elected, said the former governor's position on that body "can never adequately be refilled."

"His immense knowledge and background in the executive branch of state government was invaluable to all of us," Edmunds said.

Edmunds also said a meeting of the council scheduled for Thursday morning has been canceled because of Barrow's death.

He added that Gov. Curtis and the other remaining councilors planned to attend the funeral in Newport on that afternoon.

Cyril M. Joly Jr. of Waterville, newly-named chairman of the Republican State Committee, issued a statement which said:

"Governor Barrows has been a loyal and devoted state of Mainer throughout his lifetime and has served the citizens of the state of Maine most ably right up to the time of his passing. I know personally how much Lew Barrows looked forward to his re-entrance into public life with his recent election to the Executive Council and I feel especially sorry that he could not have served out his term."

U.S. OBLIGATION TO UNITED NATIONS REQUIRES SENATE RATIFICATION OF HUMAN RIGHTS CONVENTION

Mr. PROXMIRE. Mr. President, with unbounding hope and burning idealism as its attendants, the United Nations was born almost 22 years ago in San Francisco.

The infancy and adolescence of the United Nations have produced neither the unqualified successes foreseen by its champions nor the international doom which critics prophesied.

Like all humans and all human institutions the United Nations has proved to be imperfect in practice. But the failures of the United Nations simply mirror the human condition—which is imperfection. The U.N.'s accomplishments should provide all with real hope and restrained confidence; its failures should not plunge us into total despair.

In this very Chamber almost a half century ago, the death knell was sounded for the League of Nations. The League of Nations—the spiritual ancestor of the United Nations—was sapped of its vitality and its effectiveness through the refusal of the United States to join.

Although I disagree with the judgment of our predecessors on that vote, I must admire their frankness and resolution. They met the issue squarely and voted on it.

Will this same Senate be the pallbearer for "that last best hope of mankind"—the United Nations? Will we, by our chronic apathy, offer the requiem for the U.N.—not with the forthrightness of a record vote, but rather by the cruel silence of indifference?

The choices available today are not between a total war of which we cannot conceive or the total peace which we cannot achieve. Our national choice—in a world fraught with grave perils and great possibilities—must be to fortify our institutions of peace and to dismantle the structures of hostility.

This Senate has before it four conventions on human rights. They are not confusing or complex documents. They deal with forced labor, slavery, the political rights of women, and genocide.

The Senate can and should take a major step right now toward endorsing the United Nations by ratifying these four conventions. The United States needs the United Nations and the United Nations needs the United States.

I see no better way for the Senate to affirm this support and this mutual need than by immediate ratification of the human rights conventions on genocide, forced labor, slavery, and political rights of women.

METROPOLITAN REGIONAL ORGANIZATION FOR DECISIONMAKING

Mr. SCOTT. Mr. President, I ask unanimous consent that there be printed in the RECORD a paper, "Metropolitan Regional Organization for Decisionmaking," by William E. Spangle, a planning consultant. Mr. Spangle presented his paper at the recently held fourth biennial government relations and planning policy conference of the American Institute of Planners.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

METROPOLITAN REGIONAL ORGANIZATION FOR DECISIONMAKING

(By William E. Spangle)

RECOGNITION OF THE NEED

In a position statement presented to the 1965 Government Relations and Planning Policy Conference, Vincent J. Moore said:

"The United States of America, a century and a half from the founding of the Republic, faces the uneven and uncharted phenomenon of the emergence of the regional city. Whether this phenomenon becomes a specific stage of malignant urbanization, symptomatic of the utter alienation of man, or whether it becomes the "golden age" of urbanism, and an important stage in the evolution of man as a social organism, it is an object of deserved concern."

For many years these problems and opportunities were discussed in the context of regional planning. Since 1965 the focus has shifted to regional decision making. This is evident now not only by the mounting level of discussion but more significantly by actions taken across the country. In the new constitution of the State of Connecticut, which became effective in 1965, the need for regional government and a means for establishing regional government is clearly set forth:

"The General Assembly may prescribe the methods by which towns, cities and boroughs may establish regional governments and the methods by which towns, cities, boroughs, and regional governments may enter into compacts. The General Assembly shall prescribe powers, organization, form and method of organization of any government so established."

A Constitutional Convention Commission in the State of Maryland, in October of 1966, recommended that Maryland's political subdivisions be given the authority to create regional governments having the power to absorb county and local governments within their boundaries, stipulating that such governments should be elected rather than appointed. The State Legislature in Virginia has created a Metropolitan Government Commission which is to report back in the fall of 1967 with their findings and recommendations. Similar proposals to encourage regional decision making are under consideration in other states, including Texas, Virginia, Georgia, Michigan and New York.

In many metropolitan areas, councils of local governments have already been organized either informally or under joint exercise of powers legislation. These councils include:

MWCOG—Metropolitan Washington Council of Government, Washington, D.C.

MACLOG—Metropolitan Atlantic Council of Local Governments, Atlanta

RCEO—Regional Council of Elected Officials, Philadelphia

SICC—Supervisors Inter-County Committee, Detroit

PSGC—Puget Sound Governmental Conference, Seattle

M-WVCOG—Mid-Willamette Valley Council of Governments, Salem, Oregon

NCTRCOG—North Central Texas Regional Council of Governments (Dallas-Ft. Worth Metropolitan Area)

SCAG—Southern California Association of Governments, Los Angeles

ABAG—Association of Bay Area Governments, San Francisco

The latter organization, started in 1961 as a defensive move by local government against the possible state establishment of a regional planning district, has found after five years of operation that it needs additional powers.

It now has a proposal under consideration recommended by its Goals and Organization Committee to ask the state legislature for powers to execute projects of a region-wide, intergovernmental nature—seeking, in fact, a limited function, multi-purpose, regional government.

Although most of this action has been in response to urban problems caused by the rapid expansion of our urban population centers and the spread of suburban growth, it is quite evident that urban problems and resource problems do not stop neatly at the boundaries of urban areas. The old fragmentation of planning and decision-making into urban and resources components is no longer workable. Resources planning activities have not been sufficiently comprehensive in their coverage of resource matters. Urban planning efforts have not given sufficient cognizance to resource considerations which should be important determinants of the urban pattern. Resources planning efforts, generally have given little consideration to the implications of potential urbanization on programs for resources management. The void created as a result of such unilateral approaches to urban and resources planning and decision-making has resulted in the loss of significant opportunities to reconcile urban and resource management conflicts and to preserve and develop an optimum environment.

Another aspect of the problem of developing a governmental organization for the metropolitan region is rapid change caused by science and technology. A recent report of the House Subcommittee on Science, Research and Development emphasized the need for careful and improved methods of utilizing technical knowledge. "Otherwise," this report states: "We may strangle in the coils of an unplanned, unwanted, and unstoppable technocracy." The report goes on to delineate twelve major problem areas each of which "will demand a greater appreciation by the public and a greater understanding by public servants before it can be treated with logic and effect." The areas identified include: protecting the natural environment; controlling pollution; understanding the weather; developing natural resources; diminishing urban congestion; upgrading the quality of education; providing new sources of energy; managing information storage and retrieval; innovating in transportation; providing adequate housing; improving food production and distribution; alleviating crime; protecting national health; and developing through technology and the social sciences "a reasonable degree of personal freedom and living room." The effectiveness of governments in such areas, the Committee suggests, requires two special attributes. One is a new ability to deal with whole problems rather than treating symptoms. The other is the linking of social sciences with physical sciences and engineering.

As has been well documented by other authorities, all of these problems are most acute in our great metropolitan regions and their solution will depend upon the response of federal, state, and local governments and a recognition that political achievements are even more important than a demonstration of technical feasibility. To put it another way, new systems emerging from research and development efforts must be made governmentally operable as well as technologically feasible.

Although there has been much discussion of the metropolitan region, it is an area that defies precise definition or at least a precise definition that will fit all such areas in the United States or even those in any single state. Carl Feiss discussed this problem in his paper presented to the 1965 AIP Government Relations and Planning Policy Conference in these terms:

"The urban region is not limited to urbanized areas or the SMSA's. Geographic, social, and economic considerations related to urbanization areas will influence the position of the boundary of each urban region and in some instances the definition of the urban region will be by political boundaries. No specific definition for urban regions will hold up in all types of urbanization. The Washington to Boston urbanization is probably the best example. In this instance an urban region is a series of urban regions with deliberately made artificial cut-offs, frequently at political boundaries or major rivers. It will be unwise for the AIP to assume too rigid a definition in order that adequate freedom is provided for planning within inter-regional areas."

A relatively simple but still flexible definition of the metropolitan region would be the "metropolis and its related rural-resource areas"—using the term metropolis in its classic sense. It is evident that because of the spread of urbanization taking place in most of the metropolitan areas and the interrelated urban and resource problems, that the geographic area of jurisdiction of a metropolitan regional government should not be defined too narrowly. Such an area should be large enough and sufficiently diverse to permit a regional government to deal meaningfully with real and controversial issues—basic human rights, freedom of choice of residence, equal opportunity for jobs and education, equity in sharing the responsibility for costs of minimum standard services for all; urban demand versus resource conservation and development; impact of human society (urban development) on natural resources. The new leisure, the affluent society, the more sophisticated satisfactions stemming from increased education all place greater demands on the institutions serving society. Only when the instruments of government are organized to deal forthrightly with these issues can we achieve the optimum environment with man as the measure. Only then can the existing deficiencies be remedied. Only then can the increasing aspirations of all the people be met.

In addition to being sufficiently large and diverse to deal adequately with basic issues, the boundaries of the metropolitan region should be set to provide a sense of place and an identification with the physical setting.

DIVERSITY OF METROPOLITAN REGIONS IN THE UNITED STATES

Metropolitan areas as presently defined (SMSA's), range in size and character from the single city in a single county with just over 50,000 population to the New York SMSA with more than 10.5 million inhabitants and hundreds of units of local government. The range in other characteristics is equally significant—rate of growth, and physical, social and economic characteristics. The range of the characteristics of the present SMSA's is indicative of the diversity of the more broadly conceived metropolitan regions discussed herein (the metropolis plus its closely related rural-resource areas). A few are single county, most are multi-county. Many are interstate and some are international in territorial extent. Others border international bodies of water.

Nation-wide only a few of the larger metropolitan regions are contained neatly within the borders of a single state—even when we somewhat arbitrarily divide up the great megalopolis on the east coast. Alaska, Texas, California, Florida and Hawaii have an easier time than other states in dealing with the problems of their large metropolitan concentrations because, by and large, they are contained within these states. However, both California and Texas have metropolitan areas that are international in extent as well as others that cross into other states.

THE FEDERAL INTEREST

The high incidence of inter-state and international involvement in metropolitan regions is alone sufficient cause for federal interest. This interest is heightened by the number of programs of federal agencies operating in the metropolitan regions. One expression of the federal interest is set forth in a recent memorandum issued by President Johnson calling for coordination development planning at the federal level:

"The Federal Government, through a number of departments and agencies, is now authorized to require and assist State and local governments and specialized agencies to formulate and carry out development plans.

"Comprehensive planning covering wide areas is a promising and extremely important beginning to the solution of critical State, metropolitan, and regional problems. It is essential that it be done well.

"At the Federal level, we must coordinate our efforts to prevent conflict and duplication among federally-assisted comprehensive planning efforts.

"This should have two aspects:

"State and local development planning agencies should be encouraged to work together in using common or consistent planning basis (i.e. statistical and economical estimates), and in sharing facilities and resources.

"Boundaries for planning and development districts assisted by the Federal Government should be the same and should be consistent with established State planning districts and regions. Exceptions should be made only where there is clear justification.

"I am requesting the head of each of the departments and agencies concerned with these matters to work with the Director of the Bureau of the Budget to insure the fullest coordination in fixing the boundaries of multi-jurisdictional planning units assisted by the Federal Government."

More direct and immediate impact on governmental organization in the metropolitan areas will result from the planning and programming requirements in the Demonstration Cities and Metropolitan Development Act of 1966. This act, after June 1967, requires review by a metropolitan planning agency of applications for federal aids affecting urban development. Such review will be required of applications for loans or grants to assist in open space land projects or for the planning or construction of hospitals, airports, libraries, water supply, or distribution facilities, sewage facilities and waste treatment works, highways, transportation facilities and water development and land conservation projects.

IMPROVING THE GOVERNMENTAL STRUCTURE

There is clearly need to stand back and view the entire structure of governmental units and to restructure the governmental organization so that it fits the needs of today and is capable of meeting the challenges of tomorrow. In doing this the old compartmentalized approaches to urban problems and resources problems should give way to an integrated approach to urban-resource matters that will permit planners and decision makers to plan and develop the optimum environment with man as the measure.

The first step in such a restructuring should be the development of a series of clearly defined criteria for governmental organization. Such a guiding framework is absolutely necessary if the positive efforts of all levels of government to meet the needs of the people of the Nation are to move ahead rapidly.

Although it is evident that many changes in organization and reassignment of responsibilities are needed, it is equally evident that the changes and re-assignments should be done through an evolutionary process with the pace of change geared to meet the needs of the situation—building on the existing structure to the greatest extent possible.

REDISTRIBUTION OF POLITICAL RESPONSIBILITY

To simplify, while at the same time making more meaningful and effective the structure of government, it will first be necessary to spell out the functions that government must perform and match them with the various levels of government in the system. This matching of governmental functions to appropriate levels of government should, in addition to other criteria, be based on three premises:

1) Each level of government should deal comprehensively with the environmental, physical, social and economic, aspects of those matters within its jurisdiction.

2) Each level of government should be a general purpose government capable of dealing directly with all aspects of the environment within its jurisdiction.

3) In sorting out, in a hierarchical fashion, the functions that units of government should and must perform, the area of jurisdiction to which a function is assigned should, as nearly as possible, be co-extensive geographically with the area of problem and opportunity.

As a first step in the allocation of functional responsibility to various levels of government the analysis should establish guidelines for the kind of federal programs needed to:

1) Supplement local efforts;

2) Fill gaps that cannot be filled by state or local government because of sheer magnitude, geographic extent, or infringement on federal prerogatives;

3) Serve the necessary "redistribution function" to assist in equalizing disparities between tax income in local areas and demands for facilities and services.

It would then remain to determine how, most effectively and constructively, these existing and needed federal programs should be woven into the fabric of local and state governmental structure. (This is being pursued nationally by the Advisory Commission on Intergovernmental Relations but more work is needed particularly at State and local levels.)

A functional-governmental-level matrix would emerge and provide a framework for use in making or participating in the making of decisions on governmental organization and intergovernmental relations. The framework would indicate a hierarchy of function matched to level of governmental jurisdiction.

It is, of course, obvious that in practice completely "neat" solutions are not feasible and may very well not be desirable in all instances. The thought here, however, is that, in as clean a fashion as possible, functions should be separated out and allocated as between levels of general government. In addition, where functions cannot be assigned neatly or where the extent of the problem does not match the area of jurisdiction—which in many instances it won't—specific intergovernmental programs, short term or permanent, will need to be inaugurated and structured to meet established goals and objectives.

Although the impetus for some form of regional decision making presently stems from the very apparent inter-local problems of the metropolitan regions, the impact of growth and change is becoming more evident in the rural-resource regions. In these regions, too, the problems and issues transcend local boundaries and impose burdens beyond the capacity of the local governments to handle. Comprehensive geographic coverage appears to be in order with a regional decision making or a regional administrative unit in each metropolitan region and each rural-resources region.

REGIONAL ORGANIZATION: TWO BASIC ALTERNATIVES

The question really is not so much whether should such entities be created but rather, when, and most particularly how. The question of structure and scope is the basic one and one for which the states have the ultimate responsibility.

Two alternatives seem to be possible and, as in the case of most alternatives, they are not necessarily mutually exclusive. The two basic alternatives for regional organization would seem to be:

1) An organization in each region composed of representatives directly elected by the people. These elected representatives would constitute the political decision-making body for the region.

2) A council of local governments in each region. Such a council of local elected officials would serve to strengthen the lines of communication between local governments. The regional interest would be defined in terms of shared local governmental problems and regional needs.

Whether either of these routes are followed or whether there is in fact a possible combination of the two of them, special consideration must be given to existing regional special purpose districts and authorities. These districts and authorities are facts of life and many of them perform important activities. They should continue in being until a new multi-purpose regional organization is clearly in a position to absorb their functions without jeopardizing their ongoing programs. Organizational planning should look toward the consolidation of those special districts and authorities which operate across city and county boundaries and their gradual absorption by regionwide units of general government. Legislation structuring new general purpose regional governments should establish criteria and procedures which would have to be followed in the consolidation, combination or reorganization of the special districts now providing single purpose services in regional areas. Such powers to reorganize existing government ought to be given to regional agencies but in a carefully controlled fashion.

CRITERIA FOR REGIONAL ORGANIZATION

The Advisory Commission on Intergovernmental Relations in its June 1962 publication on "Alternative Approaches to Governmental Reorganization in Metropolitan Areas," identified a series of criteria "for appraising different approaches to reorganization of local government in metropolitan areas." Adapting these criteria to regional decision making, a series of useful measurements to judge the effectiveness of alternative forms of regional organization emerges:

1) Regional governments should have a broad enough jurisdiction to cope adequately with the forces that create the problems which the citizens expect such governments to handle.

2) Regional governments should be able to raise adequate revenues, and do it equitably.

3) There should be flexibility to adjust regional governmental boundaries through appropriate procedures.

4) Regional governments should be organized as limited function, general-purpose governments rather than single purpose governments.

5) Regional government areas should be large enough to permit realization of economies of scale and to permit responsive and responsible action on fundamental regional issues.

6) Regional governments should be accessible to and controllable by the people.

7) Regional government should provide the conditions for active citizen participation.

Approaches to the organization of regional governments conforming to any or all of the foregoing criteria should have political feasibility, meet State and Federal Constitutional requirements and have the potential for receiving the approval of the state legislatures and generally speaking, the people and the local governments within the metropolitan areas. Within the above framework, specific powers should be granted by the states to regional organizations to meet clearly defined intergovernmental responsibilities. Further, the structure should be so conceived as to permit the taking on of additional responsibilities as these responsibilities are identified and general consensus achieved as to the reasonableness and necessity for the exercise of such additional responsibilities.

Regional organizations must be responsive to broad "public purpose." Local government officials acting through regional councils will not necessarily be responsive to a "regional constituency" nor will they automatically provide adequate response to ensure protection and wise use of resources or achievement of federal or state goals. The latter problem is particularly acute in the resource areas dominated by extractive industries and in recreation-resource areas. This type of a problem points up again the necessity of careful evaluation of the functions to be performed by various levels of government and suggests that the states ought to retain unto themselves those powers essential to the realization of state goals in such areas—including essential public works activities and police power necessary to regulate the use and conservation of important resources.

Another problem that occurs is that perhaps councils of governments in the ABAG/MWCOG form will not meet the Supreme Court's mandate of one-man one-vote when they move from a voluntary council form to that of a legislative body, taxing, spending money, carrying out plans and imposing regulations.

The regional organizations should have available to them clear channels of communication with both the state and federal governments. While it is probably not desirable to have representatives of state and federal government sit as ex-officio but nonvoting members of regional governing bodies, there must be a process developed for involvement, for information flow, communication and liaison as between the regional government and these other important levels of government.

REGIONAL GOVERNMENT—AN OPTIMUM SOLUTION

The question today that faces those who have the responsibility of governing—both in the state capitols of the country and in the cities and counties of the major metropolitan areas—is not whether or not there should be a council of governments, not whether or not there should be some ability to make metropolitan decisions on metropolitan problems, but the question really is: how soon and in what fashion.

As mentioned earlier, a major push toward the finding of regional solutions to metropolitan problems came in the last days of the 89th Congress when the "Demonstration Cities and Metropolitan Development Act of 1966" was enacted. Title II of this legislation dealt with metropolitan development. For a whole series of federal grant programs, it provides for a 20% bonus above the normal grant in those instances where metropolitanwide planning and programming on an intergovernmental basis is a fact.

These federal grants programs over such areas as open space, hospitals, airports, libraries, water supply and distribution facilities, sewage facilities and waste treatment works, highways, transportation facilities, and water development and land conservation projects.

In passing this legislation, the Congress indicated in its "findings and declaration of purpose" that:

"It is the purpose of this title to provide, through greater coordination of Federal programs and through supplementary grants for certain Federally assisted development projects, additional encouragement and assistance to States and localities for making comprehensive metropolitan planning and programming effective."

All over the country in the legislative sessions of January 1967, state legislatures will be considering the means and methods of organizing for metropolitan planning and programming (which must mean political decision making at the metropolitan level) in order that their metropolitan areas may most effectively comply with the beneficial provisions of this legislation.

The question again becomes one of determining the form and responsibility of such regional organizations. Set forth below are a series of recommendations which in the author's opinion could provide for sound political decision making and action at the metropolitan regional scale:

1) Definition by the states of regional planning, decisionmaking, administrative district areas comprehending the entire territory of each state.

2) Enabling legislation permitting the establishment of regional-decision making bodies in each district either under general law or by charter. The establishment of such regional decision making bodies should be by local option but until a decision making body is established, the states should exercise all of the powers of a regional agency.

3) The form of organization and manner of representation should be adaptable to local conditions. One form that should be given consideration would be: A directly elected legislative body with final decision authority in all regional matters but with a council of local governments having:

a. Limited veto powers which could be overridden by the directly elected legislative body and

b. Limited powers to initiate proposals *requiring* consideration by the regional legislative body.

4) Provisions for adequate professional staff and secretariat for each regional agency.

5) Such regional organizations to be charged with the performance of several clearly defined regional functions, perhaps paralleling those of Title II of the "Demonstration Cities and Metropolitan Development Act of 1966" cited above. For those functions for which the regional government is responsible, there must be in addition to construction and operational authority a grant of taxing powers and police powers adequate to execute and carry out the projects and to issue regulations. In some instances, functions now performed by states should be re-assigned to the regional organizations, e.g., urban freeway planning and construction, as a part of a comprehensive regional approach to transportation, making possible an integrated land use-transportation development program.

6) All other local functions, as at present, would be vested in cities and counties. There should be a clear preference for units of general purpose local government (cities and counties) over special purpose districts. There should also simultaneously be a revitalization of the county as a unit of general government and redefinition of functions as between cities, counties and regional organizations.

7) The regional organization and the powers that it is to exercise should be flexible in order that the regional organization may take on additional functions as the need is clearly seen and as necessary planning is accomplished to define the direction in which the regional organization should go, and the manner in which the regional interest should be expressed.

8) The regional organization should be given the authority to reorganize, restructure, consolidate, abolish or otherwise deal with special districts within the area of jurisdiction of the regional general government. This authority quite probably should be coupled with certain performance criteria and be subject to review and approval by an appropriate state agency. The performance criteria would deal specifically with the level of detail of necessary planning needed in order to absorb or take over such functions and the adequacy of financial plans to carry on without disruption to the work of the special districts.

9) The planning responsibilities of the regional organization should be clearly set forth. It should be as broad as the legislative and action responsibilities of the regional organization and should be broad enough, further, to identify emerging regional problems to be tackled at the regional scale. Planning responsibility should encompass the full range of the governmental responsibility and include such things as educational planning and planning for human resources and governmental organization in addition to environmental planning.

10) As a adjunct to but not as a part of regional government, state and federal multi-service centers should be established in each region. Each center should be headed by representatives of the governor and President respectively.

11) A state coordinator, not connected with any department or agency, should head the State Center to obtain across-the-board implementation of state programs in accordance with regional and local comprehensive plans and consistent with state objectives and standards. He would be the governor's man in the field concerned with effective inter-relationships of programs and the cooperation of state officials in the field with their local and federal counterparts. He should have a competent staff to assist him and have a status which would be above all other state agency officials operating in the field. Through the staff, the center would provide information on state programs and policies and advise on the state's interests.

12) A similar organization would be desirable for federal multi-service centers.

The specific nature of legislation and the course of action in each state will depend on local factors. In most instances an evolutionary aproach will probably be needed moving from some kind of informal association or voluntary organization to a legally established regional decision-making body with powers to act on regional problems. In other cases it may be possible to establish a statewide system of regional decision-making at the outset.

An example of the latter kind of action is from Alaska where provisions for a statewide system of boroughs were included in the State Constitution made effective when Statehood was granted in 1958. Article X of the Constitution provided that:

"All local government powers shall be vested in boroughs and cities . . . the entire State shall be divided into boroughs . . . The standards shall include population, geography, economy, transportation, and other factors. Each borough shall embrace an area and population with common interests to the maximum degree possible . . . Each city of the first class, and each city of any other class designated by law, shall be represented on the (borough) assembly by one or more of its council. The other members of the assembly shall be elected from and by the qualified voters resident outside such cities . . .

"The (state) legislature shall provide for the performance of services it deems necessary or advisable in unorganized boroughs, allowing for maximum local participation and responsibility . . . Cities . . . shall be a part of the borough in which they are located . . . A home rule borough or city may exercise all legislative powers not prohibited by law or by charter . . . Agreements including those for cooperative or joint administration of any functions or powers, government, with the State, or with the United States, unless otherwise provided by law or charter. A city may transfer to the borough in which it is located any of its powers or functions unless prohibited by law or charter, and may in like manner revoke the transfer. . . ."

The boroughs have been established and are now beginning to function as metropolitan and regional governments. The Alaskan boroughs which have now been operational for two years have quickly grasped the desirability of relating resource and urban development. Planning and decision making in most boroughs now embrace both resource management and urban development.

In California the Association of Bay Area Governments provides an example of evolution towards statutory regional government. ABAG was originally organized in 1961 under joint exercise of powers legislation as a voluntary association of counties and cities with the following functions specified in the By-Laws:

1. *Review of Governmental Proposals.* The review of proposals for metropolitan area or regional governmental units or agencies, and the making of appropriate policy or action recommendations.

2. *Study of Metropolitan Area Problems.* The identification and study of problems, functions and services in the San Francisco Bay Metropolitan Area, and the making of appropriate policy or action recommendations.

3. *Other Functions.* Such other metropolitan or regional functions as the General Assembly shall deem appropriate for the Association.

During its first two years of existence the Association engaged in various activities relying mainly on voluntary part-time assistance. With the advice of a technical advisory group, ABAG decided to initiate a continuing program of regional planning with permanent staff supported by Federal "701" funds. This program has produced a preliminary regional plan with special consideration given to parks and open space, refuse disposal, shoreline development and transportation.

Recognizing the problems of mounting effective action through a voluntary association, the ABAG General Assembly is now asking for state legislation to establish "Regional Home Rule" through a permanent regional decision-making body for the nine counties with powers to act in four specific areas:

1. Regional planning
2. Solid waste disposal
3. Regional parks and open space
4. Regional airports

These are functions not presently covered by the several single purpose regional districts in the San Francisco Bay Area.

Effective legislation creating the machinery for responsible political decision-making, planning and action, at the regional scale will provide a first vital step towards the actions that must come. Here, within this format, the issues can be debated, dialogue can take place, common problems can be recognized and solutions can be hammered out. Planning at the regional scale can be an important tool of elected public officials. Through planning, the issues can be analyzed, alternatives examined and decisions made.

OUR HUMANITARIAN TRADITION

Mr. MONDALE. Mr. President, over 1,900 years ago the Roman philosopher, Seneca, said:

> A hungry people listens not to reason nor cares for justice nor is bent by prayers.

Human nature has changed little in 1,900 years. In areas where hunger and starvation are a grim possibility, order and progress are difficult to maintain.

With this thought in mind I welcome the recommendations of President Johnson to provide food aid to India through an international consortium. Such an approach has many advantages. But the principal advantage, in my opinion, is the promise of larger and more effective aid than would otherwise be possible.

Feeding the hungry people of other countries is a long tradition with the United States. Since the beginning of this century, our farmers have brought forth such bounty that we have been able, far more than any people in world history, to share our food abundance with those in need.

In the World War I period, almost 50 years ago, U.S. food saved millions of men, women, and children from starvation. Again, during and after World War II, supplies from the United States combated hunger in war-torn areas and hastened reconstruction. The current food-for-peace program—and the consortium proposed to help India—falls into the same pattern. As President Kennedy once expressed it:

> We share our abundance with the needy because it is right.

I want to call particular attention to President Johnson's announcement that $25 million of title II funds will be made available to CARE and other voluntary agencies for use in the Bihar and Uttar Pradesh states of India. I am most hopeful that this recommendation will help us reach such areas of need which would be difficult to reach through regular programs.

For we owe the voluntary agencies a great debt of gratitude for their service. Through these dedicated organizations—private welfare, church affiliated, and international—the United States has distributed commodities having a cost value approaching almost $3 billion—of which India has received $245 million. This distribution has checked hunger and starvation, and shows the worth of the people-to-people approach.

There is no one best way to help a nation that needs assistance. I am sure we will keep on doing what we have been doing—but let us hope that our efforts will be reinforced by the efforts of many others. The consortium program outlined by President Johnson in his special Indian food aid message is a sound step toward building a grand alliance of nations to do battle with our greatest enemy—hunger.

I offered an amendment to the landmark food-for-peace legislation last year expressing the sense of the Congress that we should expand such international food efforts. I was most gratified that the committee approved this amendment, and that it became a part of the new law. The President's consortium proposal is fully within the spirit of this congressional declaration, and will receive, I hope, our widespread support.

Also most encouraging is President Johnson's continued emphasis on the priority of self-help in hungry nations, together with his positive report on the progress India has already achieved. I have stressed for almost 2 years that the key to narrowing the gap between population growth and food production is an intensive effort to help food-deficit nations develop agricultural self-sufficiency. To that end I offered amendments to the food-for-peace legislation and the foreign aid bill last year to provide greater U.S. emphasis on encouraging adaptive agricultural research in food-short countries. Both were adopted by the Congress. I proposed an amendment allowing use of excess soft currencies for agricultural development, which was also adopted. I am therefore happy the President continues to emphasize this most important area of self-help, recognizing that U.S. food aid—whether alone or jointly—can be no more than a temporary expedient tiding nations over the dangers of outright starvation and famine.

THE CONSULAR CONVENTION

Mr. McGEE. Mr. President, Mr. Walter Lippmann and Mr. Art Buchwald are two columnists of distinction whose methods of impressing their thoughts on American readers are generally quite different. In this morning's Washington Post, however, Mr. Buchwald is quite serious and he is writing on the same subject as Mr. Lippmann—the proposed consular convention before this body.

The Lippmann column draws its message from testimony before the Committee on Foreign Relations this week of two eminently qualified men, George Kennan and Edwin Reischauer and states that the Consular Convention has been blown up into a test of whether or not the United States can proceed to work out better relations with the Soviet Union.

Mr. Buchwald gives us a somewhat humorous, yet serious, look at the reasons being bandied about for not approving the treaty; namely, that it would create a problem for the Federal Bureau of Investigation by infesting major cities with new spy networks officially established through consulates. With his usual wit, Mr. Buchwald has deflated the argument, just as Mr. Lippmann has given us serious food for thought on the course of action this Nation should follow not only with respect to Soviet Russia, but with Asian nations as well.

I ask unanimous consent that both these columns be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

Today and Tomorrow: Two Leading Authorities

(By Walter Lippmann)

In its substance the Consular Convention with the Soviet Union, which is now up for ratification by the Senate, is of relatively minor practical significance. All it would do is make trade and tourist travel between the two countries safer and more convenient. It has no real relation to the question of espionage. But because of the opposition to it, including that of the Director of the FBI, the ratification of this Convention has been blown up into a test of whether or not the United States can proceed to work out better relations with the Soviet Union.

The contest over ratification turns on a question of great importance to the whole conduct of U.S. foreign policy. It is whether international communism is still essentially the same conspiracy which it was understood to be 20 years ago after World War II. The hard opponents of the Consular Convention believe that the Soviet Union today is no different than it was in the time of Lenin or Stalin. The hard proponents of the escalated war in Vietnam believe that the real adversary is the international communism of the post war era.

This week the Senate Foreign Relations Committee has heard testimony on these questions from two distinguished diplomats and scholars. The first was George Kennan who is generally regarded as the leading American authority on Soviet communism. The second witness was Edwin Reischauer, until recently our Ambassador to Japan, who has known the Far East all his life.

Kennan told the Senate Committee that the 24-year-old pictures of communism was no longer a true picture. Reischauer told the Committee that the current official conception of our relations with Asia is mistaken, both as to the power and the threat of China and as to the power and influence of the United States.

If Kennan and Reischauer are right, then a successful foreign policy cannot be formed in this country until there has been a re-education of our people, starting with our officials.

"Many of us would be helped in our thinking about the problems of Soviet-American relations," said Kennan, "if we could free ourselves from the abnormal sensitivities and reflexes to which the extreme tensions of earlier decades have led and teach ourselves to think about Russia as simply another great world power with its own interests and concerns, often necessarily in conflict with our own but not tragically so—a power different in many respects, but perhaps no longer in essential ones, from what Russia would have been had there been no Communist revolution in that country 50 years ago.

Reischauer's testimony was deeply at variance with the current official conception of our role in Asia. He told the Committee that "we should seek to minimize our military involvement and military commitments in Asia." In saying this he was adhering to the classic American doctrine of no land war on the Asian continent, which was breached by President Kennedy and completely abandoned by President Johnson and Secretary Rusk.

As against Secretary Dulles and Secretary Rusk Reischauer said "we should not try to induce most Asian countries to align themselves formally with us."

He said "we should not sponsor political, social, or economic change in Asian countries, though we should be responsive to requests from them for aid . . . We run serious and unwarranted dangers when we take the initiative in sponsoring important internal changes in Asian lands or when our influence becomes so preponderant that we assume responsibility for the existence or nature of a regime."

These are weighty utterances which cannot easily be dismissed. They should not be ignored and every effort must be made to acquaint our people with them. For it would be impossible to name any two living Americans who can speak with greater or even with comparable authority about the problems confronting us with the Soviet Union and with the countries of Asia.

Where Have All the Spies Gone?

(By Art Buchwald)

As one of J. Edgar Hoover's most ardent admirers, I was very surprised to read of the FBI Director's stand on a proposed United States-Soviet consular treaty. It seems the Administration wants the treaty because it would mean that we could have consulates in several cities throughout the Soviet Union. In exchange the Soviet Union could set up consulates in U.S. cities on a quid pro quo basis.

The treaty has had tough going in the

Senate because Hoover is said to be against it on the grounds that it would only give the Russians a chance to set up more spy cells in the United States, and that it would give the FBI more work to do. Hoover raised the question of whether the G-men could control the new threat of espionage.

This attitude about spies and espionage came as a surprise to those of us who have been raised on movies and magazine articles about Hoover and the FBI. The one thing we could always be certain of, until Hoover started writing letters to the Senate Foreign Relations Committee, was that the FBI could catch any spy a foreign power tried to plant in the United States. The impression that has always been given is that the more spies the Communists sent to this country, the better the FBI liked it. And every time the FBI rounded up a Soviet spy ring the Nation cheered and the President gave Hoover another medal.

If the truth be known, Hoover's Department thrived on Soviet spies. It was the stuff FBI legends were made of, and there wasn't a man, woman or child in this Nation who didn't sleep better at night, knowing that as hard as the Commies would try to penetrate our secrets, Hoover and his gallant agents would stop them.

But now for the first time Hoover has indicated that he would be hard put to keep track of Soviet spies if we permitted the Russians to open consulates in our major cities. He has said in effect that the FBI could no longer guarantee us protection against those who would be sent to this country to steal our blueprints and to microfilm our defenses. Hoover unknowingly sent shudders of fear down our backs, because if he can't protect us against the dastardly Soviet spy system, then who can?

Obviously it isn't a question of manpower, because all Hoover had to do is go before the Senate and explain the new spy threat to them. In exchange he would get all the men he needs.

Money is also no problem, because the greater the espionage, the more funds Congress will give him to fight it.

So the only thing one can guess is that Hoover is getting tired of catching spies. A man who has caught as many as he has probably wants to take it easy, and there is nobody in this country who would begrudge him this.

It would be unfair for the Government to burden the FBI with new problems, just because the Administration wants to work out a detente with the Soviet Union.

If the Senate turns down the consular treaty for no other reason than to give Hoover a much needed rest, I would be the last to criticize them.

The only thing that worries me is that without fresh spies, where will the FBI get new plots for its television series?

AN ECONOMIST TALKS SENSE ON HOW TO REVITALIZE THE GOLD MINING INDUSTRY

Mr. GRUENING. Mr. President, as chairman of the Subcommittee on Minerals, Materials, and Fuels of the Committee on Interior and Insular Affairs, it was, today, my privilege to conduct a hearing on my bill, S. 49, the Gold Mine Revitalization Act, and S. 615, introduced by the distinguished junior Senator from South Dakota [Mr. McGovern]. The purpose of both bills is, in different ways, to increase the production of gold in the United States and restore the gold mining industry to prosperity. The objective of both bills is one which must be achieved.

In the course of the hearing I conducted today, the subcommittee was honored by the testimony of Rev. Edward A. Keller, C.S.C., who testified as a consultant to the gold committee of the American Mining Congress. Father Keller is an associate professor of economics at the University of Notre Dame, Notre Dame, Ind., and is well qualified to testify not only as to the economics of gold mining but to meet the arguments raised by the Treasury Department against legislation to aid gold miners on grounds that it would disrupt the international monetary system. I have never agreed with the position of the Treasury Department on this matter and neither have my colleagues in the Senate. Thus, it was enormously refreshing to hear the testimony of an economist with the knowledge of Reverend Keller who gave it as a scholarly opinion that legislation to provide incentive payments to gold miners would not be interpreted abroad as a devaluation of the dollar nor would such an action change in any way international monetary relationships.

Since Father Keller presented such an excellent statement on this subject, I ask unanimous consent that the text of his statement be included in the Record at the conclusion of my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Gold Mines Assistance Act of 1967

(Statement of Rev. Edward A. Keller, C.S.C., before the Subcommittee on Minerals, Materials and Fuels of the Senate Interior and Insular Affairs Committee, in re. S. 615, Feb. 2, 1967)

Mr. Chairman, my name is Reverend Edward A. Keller, C.S.C.; I am an Associate Professor of Economics at the University of Notre Dame, Notre Dame, Indiana; I am testifying as an economic consultant of the Gold Committee of the American Mining Congress.

I have read with interest the Hearing before your Subcommittee of May 4, 1966 on Gold Production Incentives. Since that Hearing the gold problem has increased. The January 1967 *Monthly Economic Letter* of the First National City Bank of New York in its "Annual Gold Review" notes:

"For the first time in modern monetary history, all of the newly mined gold is going into private hands . . . For 1966, the private gold absorption may be estimated at $1.5 billion. Official monetary gold stocks, as reported by governments and Central Banks, have actually shown a small decline . . . The avalanche of private demand for gold has left little, if any, gold for government and Central Banks to add to monetary reserves. In 1965, the record was already bad since of the $2 billion of new gold supplies, only 250 million was added to world official stocks—the smallest such addition since 1952."

Year after year and practically month after month the gold stock of the United States continues to decline until it is now down to the level of 1938. The United States now holds only about one-third of the world official gold stock compared to two-thirds in 1949. In the face of the persistent deficit in our balance of international payments, the United States gold problem looms large, so large that many solutions have been made by serious monetary scholars. I will point out only three merely for the purpose of highlighting the gravity of our gold problem: (1) Completely demonetize gold by removing the 25 percent gold reserve back of Federal Reserve notes; (2) raise the price of gold to $70 or $75 dollars an ounce; (3) to create "instant" or "paper" gold by transforming the International Monetary Fund into an international bank which could extend bank credit to nations with a deficit problem. This is Professor Triffin's (Yale) plan. This new international money would have to be linked with gold because gold is still the ultimate international reserve.

These various proposals are being studied because of the need for greater international liquidity due to the expansion of international trade in the Free World, international inflation and the decline in gold production and the private hoarding of new gold.

The testimony before your Committee, Mr. Chairman, on May 4, of last year brought out the fact that the domestic demand for gold by industry and the arts is about three times as large as total domestic production with gold consumption amounting to six million ounces a year while estimated domestic gold production in 1966 amounted only to 1.8 million ounces. This difference between domestic demand and supply represents a significant drain upon our monetary gold stocks. During the first nine months of 1966 the Treasury released $105 million for domestic consumption and in 1965 $118 million.

There is every indication that demand for gold for industry and arts (including gold for space and defense needs) will continue to increase in the years ahead and domestic production will continue to decline, resulting in a larger and larger drain upon our monetary stocks, thus obviously making worse an already extremely serious gold problem.

As an economist the answer seems obvious: try to bring supply in line with demand to relieve the Treasury of this continuing drain upon monetary stocks of gold. With the price of gold fixed at $35 an ounce and cost of production having increased about 300 percent since 1939, the most reasonable remedy is to grant sufficient incentives by way of subsidies to revitalize the American gold mining industry.

I, along with most economists in the United States, would oppose depreciating the American dollar by raising the price of gold because this would cause economic chaos in the Free World and could even result in a severe recession among the Free Nations.

The gold subsidy bill I would recommend should include the following four provisions: (1) A modest subsidy for mines now in operation for the purpose of keeping them in operation and to increase their production. (2) To provide a realistic subsidy for dormant mines. A realistic subsidy would be one large enough to induce the non-operating mines to resume operations and a guaranteed subsidy for a long enough period, a minimum of five years, to warrant a bank's lending money for the purpose of resumption of operations. (3) The bill should include an escalator clause that would automatically increase the subsidy with an increase in the cost of production. (4) There should be a provision in the bill that the subsidy would have no relationship to the official price of gold, $35. This provision would require sale of the newly mined gold to the Treasury for $35 an ounce but determination and payment of the subsidy should be made by a Gold Mines Assistance Commission created specifically to fulfill the provisions of the proposed bill.

The Hearings before your Subcommittee, Mr. Chairman, last May covered most of the provisions I've mentioned with more than adequate statistics and argument for the necessity of a Gold Production Incentives Bill. It would be superfluous for me to repeat the testimony of the many experts who testified or submitted statements. I will address the remainder of my remarks primarily to the objections raised by the Treasury against any gold subsidy bill.

Mr. Fred B. Smith, General Counsel of the Treasury, in his letter of May 3, 1966 to the Honorable Henry M. Jackson states:

"The Treasury Department is opposed to

enactment of the proposed legislation because this could lead to uncertainty and speculation with regard to future gold prices. Payments to gold miners designed to take into account increases in costs of production since 1939 could be interpreted to imply the recognition by the United States of prices for gold which are higher than the official rate of $35 per ounce, and as a first step in the direction of revising this official price. This could undermine confidence in the stability of the Treasury price for gold in international transactions, tending to shake confidence in the dollar and to aggravate our gold outflow problem. The statement in the proposed legislation to the effect that a change in the monetary price of gold is not intended would not in our opinion materially reduce the serious danger to the dollar which could result from such payments to gold producers . . . The monetary system of the entire Free World is hinged to the interconvertibility which we maintain between gold and the dollar at that price. Thus, it is of vital importance for the stability of the dollar—and for the Free World economic and political system to which this stability contributes—that there be no doubt about our intention to maintain a $35 price. If any such doubts should arise, the role of the dollar as an international reserve and means of payment could well be shaken to the point of causing a severe reaction on international trade."

In my estimation the fears expressed by the Treasury are exaggerated. When the gold coverage of deposits of the Federal Reserve banks was removed in 1964 there was no "run on the dollar", no rush to convert dollars held by the Central Banks of Europe into gold. This action, backed by the Treasury, was a step in the direction of demonetizing gold and could have been interpreted as a move by the U.S. government toward devaluation of the dollar. Of course, the fears of the Presidents of the Central Banks were allayed by public and private statements of our government that the drastic action of repealing the legal 25 percent gold cover of loans of the Federal Reserve banks was not a preparatory step toward depreciation of the dollar. The officials of the Central Banks of Europe are not stupid and knew this drastic step was taken to protect the dollar against devaluation by freeing a significant amount of gold to meet our international obligations. They knew and know that devaluation of the dollar could bring the undesirable results stated by Mr. Fred B. Smith in his letter to Senator Jackson.

This subsidization of gold production is much less drastic and dramatic than the 1964 partial demonetization of gold and actually is a strong measure to protect the dollar against depreciation because it would plug an important leakage of gold from United States gold stocks. The subsidization of domestic gold production when hedged by language that clearly indicates and legally guarantees that the subsidy has no relationship to the $35 official price of gold. If the Central Banks of the Free World did not panic in 1964 they certainly would not precipitate a monetary crisis by a law that merely attempts to revitalize the gold mining industry in the United States to strengthen the dollar.

In my estimation the Central Banks of the Free World are more concerned about our fiscal policy of running budget deficits year after year which have caused the current domestic inflation which has made worse the gold problem by affecting adversely our exports. The refusal of our Federal government to face up to the problem of inflation by taking appropriate fiscal action causes deep concern in European banking circles because Europe is faced with the same problem. Because of their experience with serious inflations in the past, Europeans have a "built-in" inflation psychosis while we in the United States have just the opposite—a built-in fear of deflation because of the deflation of the '30's.

I'm convinced that the private absorption of practically all of newly mined gold in the world (outside the U.S.S.R., and China and Satellite Countries) is not speculation against an increase in the price of gold but simple hoarding as a hedge against inflation. This is proved by the fact that the most significant hoarding has taken place in France where $3 to $4 billion of gold are held in "private savings". The typical Frenchman has traditionally hoarded gold as a hedge against inflation even under the Free Gold Standard. My opinion is apparently also held by the New York First National City Bank as indicated by the following quotation from the Bank's current *Monthly Economic Letter* (cited above):

"Given the tightness and the high cost of money throughout much of the world, the persistence and the sheer amount of gold buying are extraordinary. In the judgment of the Bank for International Settlements 'the indications are that most of this component of private gold off take over the years is accounted for by firmly held savings in gold, rather than by large blocks of speculative holdings awaiting a shorter-term capital gain'."

If my judgment is correct there will be a "dis-hoarding" of gold only when inflation here and in Europe is brought under control. In the meanwhile, with little or no newly mined world gold going into world monetary stocks, the problem of international liquidity increases.

France has been the one European country which has converted large dollar holdings into gold, $2.9 billion since 1962, compared to $3.4 billion for all of Western Europe. Since France has removed all restrictions on gold, in effect going back on a gold standard, gold hoarding in France should increase thereby putting pressure on French officials to convert still more dollars into gold. Apparently General De Gaulle is challenging the American dollar. In the light of this apparent challenge, the Treasury, instead of opposing any domestic gold subsidy act which would partially relieve the pressure on the dollar, should do something about France.

I would suggest one action our government could take and that is to recommend the establishment of a Central Bank for the EEC (Common Market).

This proposed EEC Central Bank might seem to be merely a limited Triffin plan, but its foundations can be found in the Treaty of Rome which on May 25, 1957 legally established the European Economic Community. In Article 3(g) the Treaty provided for "the application of procedures which shall make it possible to co-ordinate the economic policies of Member States and to remedy *disequilibria* in their balance of payments."

The Treaty in Chapter 2 titled "Balance of Payments" in Article 104 states:

"Each Member State shall pursue the economic policy necessary to ensure the equilibrium of its overall balance of payments and to maintain confidence in its currency, while ensuring a high level of employment and the stability of the level of prices" and states in Article 105:

"1. In order to facilitate the attainment of the objectives stated in Article 104, Member States shall co-ordinate their economic policies. They shall for this purpose institute a *collaboration* between the competent services of their administrative departments and *between their Central Banks*. (Emphasis mine).

"2. In order to promote the co-ordination of the policies of the Member States in monetary matters to the full extent necessary for the functioning of the Common Market, a Monetary Committee with consultative status shall hereby be established . . ."

Article 3(j) provides for: "the establishment of a European Investment Bank intended to facilitate the economic expansion of the Community through the creation of new resources."

Article 129 states: "The members of the European Investment Bank shall be the Member States."

And Article 130 reads:

"The task of the European Investment Bank shall be to contribute to the balanced and smooth development of the Common Market in the interest of the Community. For this purpose, the Bank shall by granting loans and guarantees on a non-profit making basis facilitate the financing of the following projects in all sectors of the economy."

Certainly these provisions of the Treaty could be expanded to establish a true EEC Central Bank, retaining the existing six Central Banks as Federal Reserve banks and the Monetary Committee could be transformed into a Board of Governors with each of the now six Central Banks appointing a member of this Board and by majority vote elect a Chairman of the Board of Governors as the seventh member.

I've devoted so much space to this proposed Common Market Central Bank because most of the agitation for increased international liquidity comes from Europe as evidenced by the recent meeting of the IMF and the presidents of Europe's Central Banks for the purpose of devising a new international money. The establishment of an EEC Central Bank and possibly an EFTA Central Bank could provide the necessary liquidity and at the same time take most of the pressure off the dollar and much of the substance out of the argument of the Treasury against any gold subsidy bill.

The Treasury argues that any gold subsidy bill would create a two price system for gold, an international price of $35 an ounce and a domestic price higher than $35 by the amount of the sliding scale subsidy. This is not true, rather it is merely a subsidy added to the mint price of $35 for the purpose of revitalizing the American gold mining industry to provide domestically produced gold for domestic consumption in industry and the arts. Because each dormant mine, depending on its present condition, would require most likely a different subsidy one would be forced, if one used the logic of the Treasury, to call it a multi-price system, ranged from a few dollars above $35 for the few operating mines, and up to $100 or more an ounce for some dormant mines. That the Central Banks of the Free World would consider the subsidy plan to be a two price system has been answered above. The nations of the Free World have had experience with the use of government subsidies to stimulate production, primarily in agriculture. These subsidies are not called a two price system and are understood to be necessary to solve a domestic shortage.

If the nations of the Free World have not "panicked" under present day conditions of private absorption of new gold and lack of liquidity, there is no proof offered by the Treasury, except the opinion of Mr. Smith that subsidization of domestic gold production is an inevitable step toward devaluation of the dollar. To assert dogmatically, as Treasury does, that the gold subsidy would automatically be interpreted by officials of the Central Banks as a first step toward increasing the price of gold is neither a compliment to their intelligence or to their trust in the pledge of our government that the subsidization of domestic gold production will not be cause for our increasing the price of gold, particularly when this pledge is guaranteed in law.

DECLINE OF FARMERS PARITY RATIO

Mr. MUNDT. Mr. President, as a Member of this great body from the most agricultural State in the Union, it was most discouraging this week to find on my desk the latest report from the Department of Agriculture, entitled "Agricultural Prices," released by the Department on January 30, and to read that the farmers parity ratio declined 2 points in the last month and is now at 75 percent.

It is inconceivable to me that this administration which on so many occasions through its supporters and its spokesmen has emphasized it is going to do more for the farmer, would permit the parity ratio to drop to 75 percent. This means that the farmers of South Dakota and the Nation, under the composite measure of the purchasing power of farm products in terms of the things the farmers buy, have only three-fourths the purchasing power to which they are entitled.

At 75 percent, the parity ratio is reaching its lowest point since the Korean war, except for one occasion, and that was for the month of January 1965, when it reached the even lower level of 74 percent. In fact, Mr. President, these low levels of parity have been reached only in the last 3 years—and this with a war going on in Vietnam.

From 1952 to 1963 there was not one month when parity fell to the low of 75 percent. In fact—during those prosperous Republican years under President Eisenhower—parity averaged 84.5 percent. However, since 1964, we find that in 9 different months parity reached the low of 75 percent and in January of 1965 it dropped to 74 percent. Thus, with parity down 10 points from its average during the Eisenhower years, it is obvious the farmer has, indeed, become the forgotten man of the Great Society our President talks so much about.

Mr. President, it is time that agriculture be given the consideration to which it is entitled as an important segment of our economy. If the administration, through the many programs which it has on the statute books, will not or cannot take the necessary action to assist the farmers in receiving full parity, then it is time Congress insisted that programs be designed and implemented which will meet the challenge and will provide the farmers with at least the hope that full parity will be achieved instead of the dismal future they have today with parity continuing its downward plunge to the economic detriment of this important segment of our economy and our society.

Mr. President, Congress has under this administration approved wheat and feed grain and other programs as requested by administration spokesmen. These programs have been on the books for several years. If during a war—if during a time when we are making our food products available around the world to feed the hungry—these programs do not work, then it is time the President and his agriculture advisers sit down together with Members of Congress from agricultural States and come up with farm programs which will reverse this trend of a decreasing parity ratio. In a time when we are supposedly enjoying prosperity and receiving urgings that taxes be increased, it is a national disgrace that our farmers are receiving only 75 percent of parity—three-fourths of what they are entitled to receive by every standard of fairplay and justice.

THE MOHOLE PROJECT

Mr. INOUYE. Mr. President, while the Mohole project was defeated in the last session of Congress and has little likelihood of being reenacted in this session, I think it is well to keep in mind why the undertaking was initiated in the first place.

Nothing has changed respecting the need for the information the project was intended to yield. A portion of an editorial published in the January 20, 1967, edition of the Honolulu Star-Bulletin excellently summarizes some of these needs. I ask unanimous consent to have an excerpt from this editorial entered in the Record so that these needs may be kept in mind in hopes that once again we may consider this project.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

1—Our knowledge of the Earth's mantle is slight, less, some say with only slight exaggeration, than our knowledge of the back of the Moon.

2—If we are to probe the Moon and planets we need to understand the structure of Earth in order to make comparisons with what we may find.

In this same vein, we need more knowledge to make comparisons with the 20 or more meteorites from outer space that are recovered each year.

3—We need to understand the processes of geochemical interchange at deep depths to understand how it may affect the surface.

4—We may learn much about the detection of nuclear explosions from such deep explorations and thus improve policing ability in this important field.

5—We may also learn important information about the generation of earthquakes and tsunamis.

6—We may be able to tap literally trillions of dollars worth of minerals and petroleum in the deep surface of the Earth if we know more about it.

7—We can confidently expect the project to produce important technological spin-off. Already it has produced more than 100 inventions, with 15 of them already patented.

8—We may learn how to use our planet's internal heat for our own purposes.

Possibly a deep ocean source of heat would set up currents that might bring mineral-rich materials to the surface and accelerate food and plant growth in the sea.

9—The giant, stable platform planned for Mohole could lead to many applications, for example:

(A) Ocean-borne tracking stations for satellites.

(B) Ideal bases for launching rockets into equatorial orbit.

(C) Platforms from which crews could recover valuable rocket booster sections, or rescue damaged submarines.

(D) Bases for anti-submarine warfare operations.

The list is not a frivolous one, and it promises worthwhile return even on an investment that might run into the hundreds of millions of dollars.

MORE THAN A MODEST PROPOSAL

Mr. BOGGS. Mr. President, many of the newspaper stories discussing the proposed Legislative Reorganization Act (S. 355), which we are now considering, have described the omnibus bill as "modest." I assume that this characterization of the bill is due to the fact that it makes no spectacular suggestions for improving the operation of the Congress.

It is my opinion, however, that the overall result of this bill's passage will be a considerable strengthening of the legislative process. In particular, I think it should be noted that basically the recommended changes would improve the ability of individual Members of the Congress to perform more effectively.

One vital area which would be affected by passage of this bill concerns fiscal controls. An article in yesterday's Wall Street Journal by Alan L. Otten entitled "Budget Breakdown," illustrates the present difficulty Congress has in making a systematic appraisal of the vast array of Federal expenditures. The article points out the problem of any congressional review of the budget as a whole.

While the Legislation Reorganization Act would not provide any easy route to a probing consideration of the Federal budget, it would make it possible for the committees and subcommittees responsible, as well as individual Members of Congress, to get the detailed information they felt they needed. It would make it easier to consider the relationship between sections of the budget. It would provide some of the budgetary tools which the executive department is already using.

In the interest of bringing this timely article to the attention of my colleagues, I ask unanimous consent that it be inserted in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, Feb. 1, 1967]

Politics and People: Budget Breakdown

(By Alan L. Otten)

Washington.—The President's budget, duly submitted, has been duly criticized. Depending on the observer's point of view, it's too large or too small, engages in legerdemain or mismanages priorities.

Yet, compared with the way Congress will now consider that budget, the President's performance is a masterpiece of honesty, efficiency and good sense.

For the fact is that Congressional budget review is inadequate, hit or miss, contradictory, preoccupied with the piddling . . . in a word, archaic.

Certainly there are numerous flaws in the budget process within the Executive Branch. Lower-level bureaucrats and the Budget Bureau exercise peculiar prejudices. The President may temper program needs to political niceties. But at least, as the programs move up the Federal pyramid toward the White House at the top, there are some attempts to consider future as well as present costs, some overall guidelines applied. Some selective decisions between competing programs.

By contrast, Congressional money-watchers mostly focus on minor details rather than major thrusts. Different programs get vastly different going-overs—some strict and searching, some friendly and encouraging. Scrupulously avoided is any real attempt to weigh the value of one program against another, to set priorities.

Initially, a legislative committee—Agriculture, Banking, Education-Labor—authorizes a program, shaping the general framework and fixing a spending ceiling. Then House and Senate Appropriations Committees theoretically review each program annually and fix the sum actually available for the coming 12 months.

Most Appropriations Committee members, particularly in the House, feel they have to whittle to justify their existence whether the program is good or bad. Frequently they make phony reductions they know will have to be canceled later. Often, for want of staff help in examining the requests, they're shooting in the dark; compared with the huge bureaucracy that prepares the budget, Capitol Hill is woefully undergunned.

House Appropriations Committee members probably work harder than any other Congressmen. They hold hearings and voting sessions morning and afternoon four or five days a week. But much of this dwells on how many autos each agency operates or how many paper clips it buys, rather than on how well American educational levels are being raised or how successfully the U.S. image is being projected abroad.

The heart of the problem, however, is the way Congressional budget review is fragmented and dispersed.

In the House the President's budget is divided among 12 subcommittees, each responsible for one or more agencies. These subcommittees make the real decisions, since the full committee meets rarely (and then chiefly to ratify subcommittee actions) and since appropriations bills usually receive only perfunctory attention on the House floor. Even less searching is the consideration in the Senate Appropriations Committee, which has become the place where the agencies go to appeal the most unbearable House cuts.

The House subcommittee chairmen, each a ruling prince with life and death power over his subjects, often proceed in different directions. One chairman may be friendly to the agencies he controls, and their appropriations slide through little damaged or even increased, while another dislikes the programs he supervises and chops away madly.

Thus the late Rep. Fogarty of Rhode Island for many years used his post as chairman of a subcommitee handling health and welfare programs to boost their budgets, while foreign aid was being slashed by hostile subcommittee Chairman Passman of Louisiana. Rep. Whitten of Mississippi will increase funds for farm programs while Rep. Rooney of New York hacks at the requests of the State Department and U.S. Information Agency.

The subcommittee system precludes any continuing review of the budget as a whole. Appropriation bills move along one by one, at intervals of weeks or months, a pace set by the subcommittees. Members have no real opportunity to pass on, for example, the relative merits of overlapping activities in the Labor Department and the poverty war, because those two budgets come before them months apart. No member can prove how badly some particular appropriations measure might damage the whole budget, because there are no up-to-date figures on likely total spending and total revenues; there's only the measure of the moment. The overall appropriations sum is thus assembled more by chance than design.

"Given the sterility of floor consideration of appropriations bills and the inactivity of the Appropriations Committee as a corporate body," declares former Budget Bureau Director Kermit Gordon in a recent issue of Harvard's "Public Policy" papers, "the effective appropriations power goes by default in 12 segments to 12 small groups of Congressmen, each dominated by a powerful chairman. No one is able to make the broadest and most critical choices, because no one has in his hands all the ingredients of choice. Though there are important interdependencies among the programs in different agencies, it is virtually impossible to take these connections into account when the agencies fall under the jurisdiction of different subcommittees."

A number of changes were suggested last year to a committee studying Congressional reorganization. Among them: An omnibus appropriations bill, or one for all national security matters and another for all domestic affairs; more staff help and use of computers; requiring the Administration to supply advance cost estimates for five years; periodic updatings of Administration revenues and expenditure estimates; more meetings of the full Appropriations Committee to look at the total budget and particularly at programs that involve several departments; joint Senate-House hearings on the budget.

But most of these immediately encountered contrary arguments and the traditional Congressional resistance to change. A few of the more modest proposals are included in a bill now pending before the Senate, but even their future is uncertain.

Clearly, however, Congress must soon address itself to the problem; otherwise it will go on losing ground to the White House in the continuing battle for control of the national purse strings.

THE WAR IN VIETNAM

Mr. McGEE. Mr. President, as the new Congress begins its work, the United States—in fact, the world—faces a period which President Johnson has aptly termed a time of testing and transition.

In this period of transition in both our domestic and foreign affairs it is clear that the war in Vietnam is one of our most important tests. We cannot afford to flunk that test. The President has made it clear that we shall not.

We all know that it is a difficult test and a highly complex one. This body would be abdicating its responsibility for advice and consent if we were to avoid the problem because it is difficult.

In proffering our advice, however, it is incumbent on us that we not oversimplify the problem. It is essential that we base our advice on the facts.

It should be with some surprise, Mr. President, that we now hear from various quarters, including distinguished Members of this body, that the bombing of North Vietnam has been a failure and should be discontinued.

Such statements do not square with the facts. Nor do they adequately consider the complex nature of the problem.

If I in turn were to oversimplify the problem I would merely state that the shrill, well-coordinated propaganda campaign of the Communists against the bombing is one of the best indications that the bombing has not been a failure.

But, let us look at the problem in its entirety. The United States and the other allies of the Government of South Vietnam are engaged in warding off a difficult war of aggression. In that war our objectives are simple. We wish to safeguard the territorial integrity of South Vietnam and to preserve its ability to determine its own destiny.

The objectives are simple, and they are limited. But the methods of achieving them are not, because the methods of this Communist aggression are complex and well coordinated. Our response must also be sophisticated—and it is.

Thus the bombing of North Vietnam is only one element in our integrated strategy for coping with the war in Vietnam. Briefly, there are five interrelated elements of our strategy.

One element is the campaign which General Westmoreland has conducted so brilliantly to defeat the main force units of the North Vietnamese and the Vietcong within the borders of South Vietnam.

Another element is the program of pacification and revolutionary development to bring to South Vietnam freedom from terror and hope for a better life. In the last analysis this is a job for the Vietnamese, but it is one in which we should be—and are—helping as much as possible.

A third element is to assist in the wartime stabilization of Vietnam's economy while laying the basis for postwar economic progress.

A fourth element is to hold the door open for peaceful reconciliation among the parties at war. I do not see how any nation could be more forthcoming than we have been in our earnest desire for peaceful settlement.

A final element of our strategy—but only one of the five—is our air campaign against North Vietnam. That campaign has been designed to work toward two objectives. On the one hand, it is designed to help our men and those of our allies fighting in the south by interdicting the flow of men and supplies from the north. On the other hand, it is designed to up the cost of the war to Hanoi for as long as they choose to continue their aggression.

Obviously, this five-pronged strategy has not yet succeeded. But it should be obvious to all that it is in the process of succeeding.

I simply cannot comprehend why some among us insist on trying to isolate this one element of our total strategy and urge us to cease and desist because this particular element has not brought the North Vietnamese to the peace table.

At a time when our fighting men are dying in South Vietnam I simply cannot understand why we should refrain from attacking troops, supplies, and other military targets which at the moment happen to be north of the 17th parallel.

I am surprised to hear distinguished Members of this body presume to judge the military success of the bombing, substituting their uninformed conjecture for the judgment of the responsible military—and civilian—professionals.

I am especially distressed to hear some among us allege that our generals do not agree that the bombing should be continued. I do not know of any responsible military man—from the Joint Chiefs of Staff on down—on active duty today who would urge that we unilaterally stop bombing the north. I do not know about military officers who may now be retired. But I hasten to point out that this latter group no longer has the responsibility for the consequences of a theoretical position.

This does not mean that they—or I—are in favor of indiscriminate attacks on the population of North Vietnam. I believe that the President has wisely acted with great restraint in insisting that attacks on the North Vietnamese minimize the casualties inflicted on civilians. I do not believe that any war in the history of mankind has been conducted with greater restraint or in the face of greater provocations including continued terroristic attacks against the civilians of South Vietnam.

In any war, unfortunately, there have always been civilian casualties. These we regret. But there need be no more additions to the limited number of civilians who have been killed in North Vietnam, if Hanoi would cease its aggression.

I am pleased to note that there are many among us—on both sides of the aisle—who fully support the President's position that he is fully prepared to halt the bombing whenever there is any assurance, public or private, that the other side will take appropriate reciprocal action.

This is far different than a unilateral action on our part at a time when our fighting men are getting killed.

Even a limited or a brushfire war exacts a harsh price. But I submit, as recent history should have taught us, that the price is much lower now than it would be if we chose to forfeit someone else's territory to an aggressor in the hope that a showdown might be better and cheaper later and elsewhere.

FURTHER REPORTS OF CORRUPTION IN OUR AID PROGRAM IN VIETNAM

Mr. GRUENING. Mr. President, Carl T. Rowan, the distinguished columnist, reports in the February 1, 1967, issue of the Washington Evening Star, further evidence of the widespread graft and corruption associated with our aid program to Vietnam. Equally disturbing is Mr. Rowan's report that American officials are trying to play down this matter in order not to undermine Premier Ky. Mr. Rowan writes:

> Top U.S. leaders had known for months that Co (General Nguyen Huu Co, recently deposed as Minister of Defense), largely through his wife, was piling up a fortune through various shady deals. Americans also knew that Co was just one of several high-ranking Vietnamese who were up to their armpits in corruption.
>
> But the United States has been deliberately soft-pedaling the corruption issue for fear the revelations would become so explosive that they would cause the downfall of Premier Nguyen Cao Ky's government.

Mr. Rowan writes that, notwithstanding this attitude, corruption in Vietnam is so bad, so disruptive of our total war and political effort, that Washington may be forced to move more boldly against it, even if it does cause the fall of the present regime. Mr. Rowan reports on several interesting transactions involving the overpricing of tetracycline and short shipments on chloromycetin as part of collusive practices between U.S. exporters and South Vietnamese importers whereby the U.S. taxpayer is cheated out of a large amount of funds going into the aid program.

To make matters worse, much of our aid goods is finding its way into the hands of the Vietcong. Mr. Rowan reports that if 55,000 pounds of chloromycetin were shipped to South Vietnam, most of it was diverted to the Communists. After noting that the Soviet Union and Communist China are notoriously deficient in wide-spectrum antibiotics, so they are high on the Vietcong procurement list, Mr. Rowan points out that there was a little-noticed announcement in Saigon last week that the U.S. 2d Field Force has seized a huge cache of modern American drugs in the Communist "iron triangle."

Mr. Rowan's report further supports the views I expressed last week that the report of the Agency for International Development to the President which placed the amount of diversion and theft at 5 to 6 percent, was grossly understated. In my opinion the amount of our losses come closer to 20 percent and there are a number of knowledgeable observers who have placed the figure at 40 or 50 percent. The Agency for International Development took strong exception to my estimates and stood by their report to the President.

Subsequently, however, the Administrator for AID was quoted by the Associated Press as stating that the 5- to 6-percent estimate applied only to the last 2 months of 1966 when, apparently, AID began to do something about the diversions and thefts of AID commodities. He acknowledged, according to the Associated Press, that estimates out of Saigon applying the 5- to 6-percent loss figure to all of 1966 were in error.

Further, Representative JOHN E. MOSS, the very able Congressman from California who has done an outstanding job in investigating the economic aid program in Vietnam this past summer, told the Associated Press that if the 5- to 6-percent estimate made by the Agency for International Development is correct, they have indeed achieved a miracle. I do not know that even the officials of that Agency would claim they are workers of miracles.

I ask unanimous consent to have printed in the RECORD Mr. Rowan's article of February 1, 1967, and the Associated Press report containing AID's admission that their estimate of commodity losses applied only to the last 2 months of 1966.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Feb. 1, 1967]

UNITED STATES MAY BE FORCED TO ACT ON VIET CORRUPTION

(By Carl T. Rowan)

U.S. officials here were trembling nervously after Lt. Gen. Nguyen Huu Co was accused of corruption and thrown out of South Vietnam's ruling military junta.

Top U.S. leaders had known for months that Co, largely through his wife, was piling up a fortune through various shady deals. Americans also knew that Co was just one of several high-ranking Vietnamese who were up to their armpits in corruption.

But the United States has been deliberately soft-pedaling the corruption issue for fear the revelations would become so explosive that they would cause the downfall of Premier Nguyen Cao Ky's government.

All day Friday U.S. officials nervously monitored the cable and telephone traffic from Saigon. Some believed that in trying to oust too many other corrupt officials along with Co, the junta made the danger of a coup real and imminent.

But corruption in Vietnam is so bad, so disruptive of our total war and political effort, that Washington may be forced to move more boldly against it, even if it does cause the fall of the present regime.

Here are a few examples of how bad the situation is:

I reported exclusively earlier that the United States was being stolen blind on certain wide-spectrum antibiotics. Well, the United States has sent an expert to Vietnam to check up on what antibiotics had been procured. He found that the Agency for International Development had in the previous year bought $1 million worth of tetracycline—at $245 per kilogram.

During the same period the South Vietnamese government was buying the same antibiotic from an Italian firm at $49 per kilogram AID made this drug ineligible for export to Vietnam under its financing.

The investigator also found that the United States had financed 55,000 pounds of chloromycetin, at a cost of $2 million. The report came back that the United States had overprocured, that a country of 16 million people should use only 7,000 to 8,000 pounds per year.

"Overdoses of this drug are frequently fatal," the investigator reported. "If they used 55,000 pounds there ought to be a lot of dead Vietnamese somewhere!"

AID then made this drug ineligible for financing, certain that one of two things had happened.

1. Through a variety of phony invoicing procedures, Vietnamese importers had secured U.S. dollars for the 55,000 pounds of chloromycetin. But the shipments leaving the United States consisted of perhaps 5,000 pounds of the drug and 50,000 pounds of sand, or something relatively worthless. Under these "over-invoicing" and "short-shipping" techniques there are often U.S. "suppliers" working in cahoots with crooked Vietnamese importers. The Americans take their cut of the profits and send the rest of the dollars directly to the importer's Swiss bank.

2. If 55,000 pounds of chloromycetin were shipped to South Vietnam, most of it was diverted to the Communists. The Soviet Union and Communist China are notoriously deficient in wide-spectrum antibiotics, so they are high on the Viet Cong procurement list. There was a little-noticed announcement in Saigon last week that the U.S. 2d Field Force has seized a huge cache of modern American drugs in the Communists' "Iron Triangle" bastion.

A basic Communist objective is to use U.S.-supplied arms, medicine and food to maintain the years-long war they think will be required to give them victory. The Viet Cong is partially achieving this objective, but that may not be the gravest repercussion of South Vietnamese corruption.

Disaster may lie in the fact that so many peasants believe that the Viet Cong is able to exact high taxes, requisition their rice and dominate various areas of the countryside only because of a high degree of complicity on the part of South Vietnamese officials.

Recently, in the Mekong Delta area, a province chief blocked action to seize six persons that intelligence agents had clearly established to be Viet Cong tax collectors. Pressed to explain why, the province chief said it was because the six had a "special relationship" to Lt. Gen. Dang Van Quang, then commander of the Delta's IV Corps. Quang has since been ousted and given a non-military post as minister for planning.

To reveal the ugly magnitude of the corruption has the undesirable effect of undermining the Saigon regime. Not to expose it and root it out keeps alive the idea that most South Vietnamese officials are in complicity with the Viet Cong, as the latter can't lose. Which is the greater long-range danger?

Senator Says Aid Loss Totals $91 Million

Washington.—Sen. Ernest Gruening says 20 per cent—or $91 million—of U.S. economic aid to Vietnam was lost through theft and diversion last year.

And the Alaska Democrat, chairman of a Senate subcommittee on foreign aid, added that his 20 per cent estimate probably was low. He noted that some other sources had estimated losses as high as 40 to 50 per cent.

Another member of Congress joined Gruening today in doubting that the loss in Vietnam aid through theft and diversion is as low as the government's official 5 to 6 per cent estimate.

Rep. John E. Moss, D-Calif., chairman of the House Foreign Operations subcommittee, said "no one really knows what the figure is." He added that if the 5 to 6 per cent estimate made by the Agency for International Development is correct. "They have indeed achieved a miracle."

Gruening's estimate Thursday of 20 per cent losses for the year was close to that reported in a series of Associated Press articles in November following a two-month investigation by a team of AP newsmen. Some knowledgeable persons in Vietnam told the AP team that loss percentages might run to 40 per cent.

AID Administrator William S. Gaud reported to President Johnson Monday that losses were no more than 5 to 6 per cent "in recent months." He later told reporters that by "recent months" he meant the final two months of the year. Estimates out of Saigon earlier that day applying the 5-to-6 per cent loss figure to all of 1966 were in error, Gaud said.

PAUL H. DOUGLAS' THINKING ON POLITICAL AND LABOR PROBLEMS

Mr. PROXMIRE. Mr. President, in the 10 years I have served in the Senate, no Member of this body has surpassed Senator Paul Douglas in integrity, ability, or intelligence.

Here is one of the great minds of the Nation, a true national intellectual resource.

Recently John Herling, in his Labor Letter, carried a revealing and incisive interview with our great former colleague. It gives us Douglas' thinking on labor as well as political problems. I ask unanimous consent that the letters of December 24 and 31, 1966, be printed at this point in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

[From John Herling's Labor Letter,
Dec. 24, 1966]

An Interview With Senator Paul Douglas

(Note.—In a few days, Paul Douglas takes off on a vacation, before resuming his teaching career and taking on special assignments of considerable importance. Before he left, I interviewed him for the Labor Letter. Our talk was a "tour of the horizon" of his life and our times. A considerable range of topics were covered. What follows is Part One of what Senator Douglas had to say.)

Q. As a starter would you attempt a general survey of the nation in the eighteen years you served in the Senate?

Douglas: Well, John, we went ahead of the social legislation of the New Deal period—conspicuously, of course, Medicare. In addition to this, we have had a broadening of the minimum wage principle and an increase in the wage scale. We have had great improvement in social security itself.

Second, we have had much greater federal responsibility for housing than ever before. The Federal Housing Act of 1949—which provided for what we then called slum clearance—but which has now become urban renewal—has led to rebuilding areas in hundreds of cities, and although mistakes have been made, on the whole the cities are much better off than they would otherwise have been. We have also extended a number of units of public housing. And while it has taken us 17 years to merely approach the number of public housing units—namely 910,000—which we thought we were going to reach in six years, nevertheless we have made real progress there.

Furthermore, we've found new ideas in housing. While we realize that major surgical operations are necessary, a great many homes can be rehabilitated, saved from slums. We've made a bare beginning in this direction, but it has been an improvement. Furthermore, we've hit upon the new idea of rent subsidies, under which people can live in dwellings managed by private non-profit organizations with the government making up the difference between economic rent and the rent which they can afford to pay, namely 25% of their income. These are forward steps in the material life of people.

In the third place, we've started the war on poverty, aiming to reach people who are outside the ordinary categories of social security, and for whom the welfare and public assistance benefits are no real remedy for the causes of their poverty.

We've also moved into the field of federal aid to education. This is a big change, for the financing of education has been hitherto a local, and then later, a local and state matter. We have reached the conclusion that federal aid should be given not as a per capita grant to all localities regardless of their need, but it should be gauged to the need of the particular school district or locality within a city. In other words federal money is to be used where the local resources are inadequate, and where the burden of poverty is particularly heavy. We've just made a beginning on this, but it's very important.

We've gone forward very much in the field of what is known as civil rights. It seemed impossible until recently that we could get federal legislation through which would protect the voting rights of Negroes, or which would grant them full access to public facilities, or on a federal basis lay down standards for fair employment practices, and most of all desegregate schools.

The pathfinding step for this of course was the Supreme Court decision of 1954 and we've had a long struggle to try to get Congress to implement this decision.

Q. Do you think if President Eisenhower had taken a more positive view of the Court decision a different tempo might have been achieved earlier?

Douglas: Yes, he refused to say whether he thought the decision was good or bad. While we did get help from the Republicans in 1957 on the voting rights bill, they did not go very far. We never really had the enthusiastic support of the While House in this period. It was not until Bull Connor and his dogs attacked the people, in Birmingham that we got popular support. This aroused the conscience of America, and we had then the enthusiastic cooperation of the churches of the U.S. Previously the battle had been largely fought by labor, particularly the industrial unions, by the NAACP, and by some of the national leaders of the religious faiths. But for the first time in 1963 and '64 the membership became involved in these churches and furnished us great support for the civil rights acts of 1963, '64, '65. We came a cropper on open occupancy in 1966. We had a narrow margin in the House, and if we could have brought the matter to a vote in the Senate, I think we could have won by a very narrow margin here. But the Republicans, supported by the Dixicrats, staged a filibuster. And while we had a one or two majority, we did not have the two-thirds vote necessary to limit debate and bring the measure to a final test.

I would say that the Senatorial and gubernatorial elections of 1966—to the degree that they were affected by specific pieces of legislation—were on the whole affected by quite a white backlash against this policy. It will be very hard to get practical politicians to venture forth in any large degree in the near future.

There are certain things that have inhibited progressive legislation and which continue: the seniority system in the Congress—House and Senate. This rewards men from one-party states and one-party districts. Generally, then, the Democrats of the South, and the Republicans of the Middle West, from rural and semi-rural districts, tend to be much more conservative than their national parties, but who occupy legislative vantage points. Then of course, we have never been able to change materially Rule 22 which permits one more than one-third of the members of the Senate to prevent a measure from passing, by interminable debate and other delaying tactics which prevent a measure from being brought to a vote.

Q. Do you think it was an error not to have pushed harder for revision of amendment to Rule 22?

Douglas: I would say this: The liberal forces have done everything we can—worked just as hard as it is possible to work—and we've had the support of the labor movement on this. It's hard for the public to understand the details. It gets into a morass of parliamentary moves when you actually try to do it.

Q. Do you think you've had sufficient support from the White House on this?

Douglas: I don't think any President has given us very enthusiastic support, no; Truman didn't; Eisenhower certainly didn't; it was not foremost with Kennedy and Johnson. No, no. The liberal movement in the Senate has had to go it alone on this. It was mostly the Democratic liberals, but a few Republicans have joined us.

I think, on the whole, the progressive movement inside the Democratic party is more firmly based than it has ever been.

Q. In what way?

Douglas: There's a general acceptance both by party politicians and by the main mass of Democratic voters in the use of government as an instrument to improve the lives of the people and this is very different from years ago when it was largely a carry over from the enthusiasm which Franklin Roosevelt stirred up, but not necessarily a deeply thought out philosophy. The Democratic Party has become what I thought was impossible for it to become: a progressive party.

Q. And foreign affairs?

Douglas: Internationally, I believe the nation realizes the need to check aggression and is much wiser than many of the intellectuals in realizing that Communist aggression is as much a threat to the peace of the world as was Nazi and Facist aggression prior to World War II. Of course, Asia is far away and the lives of young men are very precious.

Q. Don't you find the cleavage between USSR and Soviet China an unexpected development?

Douglas: Yes, I never expected that to happen. And I still am not certain that it will continue. But I think that if the Stalinists were to obtain control in Russia, this cleavage would disappear. If, on the other hand, the split inside China is between Mao who wants a world revolution and more moderate elements—should they (moderate elements) become dominant, you might have a revival of relations between Russia and China which would be much less threatening to the peace of the world——

Q. But more powerful?

Douglas: More powerful—but less threatening. My own attitude is that one should be extremely wary in these matters. It would be a marvelous thing to have Russia and/or China cooperate in world peace and give up designs for covert or overt revolution. We hope very much that this will happen. At the same time, personally I'm very reluctant to appreciably endanger our security by basing policy on unsupported hopes. I would rather be convinced over a considerable period of time—a protracted period of time—that they were really turning over a new leaf.

Q. What sort of test situations would you say would be required to show they have turned over a new leaf?

Douglas: Well, I think that Viet Nam is one. I think the restoration of self-government in the satellite states should be another. I think the release of political prisoners in both countries—in Russia and China.

Q. How would you test the continuance of this cleavage between Russia and China?

Douglas: If Russia comes out openly, not only by word but in practice, for world revolution, it is a clear indication that they have gone over to Stalin's ideas and—what shall we call it?—Maoism.

Q. What about the reverse? What would Russia have to do to prove that what seems to be a moderate policy is continuing?

Douglas: I'm not so certain that it's as moderate as people say. They still retain the right of supporting movements of national liberation—which can be very dangerous. I would say that if they were to grant self-government to the satellite states which they really control; if we could get a disarmament agreement which would really be effective, with inspection—that would be another indication. If they would permit civil liberties inside the Soviet Union; if they showed they wanted to give up bureaucratic suppression.

Q. May we now focus on the domestic scene? Can we develop the relationship of the trade unions to politics, and to your own career?

Douglas: Well, they've been my strongest supporters, particularly the industrial unions. Industrial unions—such as autos, steel, machinists, textile, IUE, and rubber workers and the like—they've been interested in legislation as well as in collective bargaining. They're also interested in how the wives have to spend their money as well as in the amounts of money which their husbands earn. They're more interested in consumers. So the've shown an interest in the political balance of power, therefore, in state legislatures and locally. I feel similarly that it's been very easy for me to cooperate with the trade unions. They've never made any improper demands upon me. Once in a while they might oppose a person I might have favored. But such occasions were relatively rare. By and large, they've been the best defenders of the public whom we have had—who possessed any real power.

Q. Do you feel the liberals properly assess the role of organized labor in the political life of our time? (It seems like a loaded question.)

Douglas: Well, they should. They make up the backbone of our strength. The consumers are numerous but inchoate.

Q. Why don't liberals seem to understand that?

Douglas: Well, the professional workers have small businessmen, business executives or technicians, etc.—they tend to be individualistic and often don't realize where the power lies. We would have made very little progress if we had not had a labor movement which, on the whole, has been intelligent and active.

Q. I recall once your telling me that as a graduate student at Columbia you helped picket a department store in New York City.

Douglas: Oh, yes. The Stern store on 42nd-43rd Street. It was not so much picketing as I tried to help organize the clerks. It was 1914 in the days when New York department store clerks were paid less than $6 a week; the working hours were 70 or more; and women had very few rights as compared to the floorwalkers. A federal union had been formed and I volunteered one afternoon to go down and help distribute literature. I went to the exit on 43rd Street—right opposite the old Hippodrome—in closing hours and started to speak. The management evidently knew we were coming and closed that particular entrance and clerks went out by another door.

We didn't have enough manpower to man both doors. So there were not more than six people there. A policeman came up and arrested me. He took me down east on 43rd Street, crossed Fifth Avenue during the rush hour. They had handcuffs on me, which was very humiliating. And when I was booked before the magistrate the next day, they said there was a crowd of 3000 people and that I had struck the officer! It was a clear lie. I think it was a very valuable element in my education. And I learned from firsthand experience how friendless people, how weak people, are treated by forces of law and order who presumably should be neutral under those circumstances were used to suppress and prevent organization. It was very important in my own education.

Q. What was your view of the trade union movement at that time?

Douglas: I have always been a supporter, theoretically, of the trade unions. I thought they had a dual function—both a political as well as economic function, that they shouldn't tie one arm behind their backs. This differed from the Gompers theory which was really anarchistic, in a sense—that he should cut himself off from government and not take any part at all. Gompers was philosophically an anarchist. You know a man named Victor Yarros, who was an anarchist, wrote the editorials for many years in the American Federationist. He was the editorial writer for the Chicago Daily News on the one hand—highly respectable and highly conservative paper. He wrote conservative editorials for them, and also, wrote the editorials which Gompers signed every month for the American Federationist. He told me that himself. It went on for many years. Gompers did not believe in state action and this came out, I suppose, in his fight with the Socialists inside the AF of L in the late '80's and the Knights of Labor and in the early '90's. People sometimes forget that Gompers was defeated for the presidency of the AFL about the time of the Pullman strike. They had a man who did believe in political action as president of the AF of L for one year—in 1894–95.

Q. Since then, of course, the labor movement has changed its posture and its structure.

Douglas: The big change came in the '30's, particularly in 1937. Organization of auto, steel and rubber were the deciding factors, and then because of the threat of organization and the CIO, the AF of L was able to organize many plants which otherwise they would have been unable to organize. With the passage of time, the conflict between the two organizations diminished. And a union finally came about.

Q. How do you see the future development of the trade union movement? What should the trade union movement do in order to be more effective?

Douglas: It's got one problem, of course, of organizing the South. The South is the great barrier to organization in mass production industries: textiles, chemicals and the rest. That's the hardest place because there the anti-union forces are strong and of the eleven states of the old confederacy, ten have "right-to-work" laws—which are really anti-union laws. They, plus the mountain states, make the backbone of the right-to-work laws. I'd say the first task is organizing the South. But allied with it is the problem of organizing the so-called white collar workers. Early in the 1930 census, I saw very clearly that the number of white collar workers was increasing much more rapidly than the number of manual or blue collar workers. As I remember—and these figures are approximate—in 1910, one worker out of thirteen was clerical *inside manufacturing*, but by 1930, one worker out of every seven. In other words, the relative number of clerical workers inside manufacturing had doubled. In addition to this, and perhaps more important, was the development of new occupations—professionals, trade, communications, public employment, teachers and nurses, para-medical people and the rest—all these large numbers of people who did not work physically with their hands. These people, in the main, were much closer to the employers and the supervisors than the manual workers were out there in the factory, and their promotions depended much more upon the decision of the management. Promotion to the ranks of management came largely from them rather than from the workers in the plant. So their economic and emotional affiliations were much more with management than were the production workers on the line. With their numbers increased—absolutely and relatively—their organization is going to be vital both economically and politically. I am very glad that the retail clerks and the state, county and federal government workers have made such headway, that the American Federation of Teachers have. Incidentally, I'm very proud of having been a member of the AF of T since, I believe, 1921—over 45 years. (Part II next week.)

Very truly yours,

JOHN HERLING, *Editor*.

[From John Herling's Labor Letter, Dec. 31, 1966]

THIS WEEK WE CONTINUE THE DOUGLAS INTERVIEW

(NOTE.—Last week we reported to you the first part of the "Farewell" interview with Senator Paul Douglas ("farewell" only in the senatorial sense). Here is Part II.)

Douglas: In the case of the organization of the federal employees, we had a great setback when the communists virtually took over the union of federal employees in the late 1930's and brought disgrace really on the movement then. I am referring to the United Federal Workers (now extinct).

Those are two things: the organization of the South and the organization of the white collar workers. (See last week's Letter.)

But I would also say it is highly important to get to the workers in the suburbs—an increasing number are living in the suburbs. Some work in the suburbs—a few of them—like around Boston—but many live in the suburbs. A cleavage is developing between the suburbs and the cities partly based on race antipathy—identification of the city with the Negroes—but also, emotional superiority which is generally associated with ownership of a piece of land, however small.

Q. My wife says that ownership of real estate always tends to bring out the worst in people.

Douglas: I don't know. There are deep instincts within man for private property. You shouldn't expect to eliminate them. There's nothing wrong with it, quite the contrary. It personifies and makes real your attachment and you're much more likely to keep the grass cut than if you are merely an apartment dweller in a public housing project. You'll put more flowers in, and you'll get more potatoes from a series of small patches than from a communal garden. Those things are very real. This is the great advantage of private property—or one of the great advantages of private property—but this should not be associated in the suburb with a dislike of the cities. This is a very real political problem which we Democrats must face; which the union movement, I think, must face. When it is associated also with a desire to keep the Negroes out of the suburbs it is leading all over the country to an erection of a series of *white walls*, confining Negroes to the central part of the inner cities, maintaining white areas around them and into which Negroes are discouraged or prevented from entering.

Q. The other day you mentioned that you told some trade union leaders and friends that certain things need to be done by the trade union movement in order to improve their own situation.

Douglas: Yes, I said that the legislative programs advocated by the trade union movement are in the main correct. They are, in effect the programs of the liberal wing of the Democratic Party. But a very considerable percentage of the membership is not in sympathy with them, particularly when you come to race matters. And while the labor press has been doing good work, it's hard to compete with the social opinion of the neighbors and with the metropolitan press. I suggested a series of home visits by convinced members of the women's auxiliaries and also by those on retirement pay so that people may be visited by fellow unionists, in roughly the same locality. You can build a personal fellowship on this basis.

Q. It requires a terrific amount of education of those very people—of the "visitors."

Dougles: Oh yes, indeed. Now there's another factor. There are still some sacrifices being made in various sections of the country by advocates of unionism. This is noteworthy in certain sections of the South and the white collar occupations. But in the main, for the thirteen to fifteen million people in unions, the battle of organization has been won for those already in. And as a result of union activity we have the 40 hour week, and the high hourly rate in comparison with the past. I can remember when workers in factories used to work 65 or 70 hour week and the pay would be less than 20¢ an hour.

Now, the modern generation has inherited all these things. It does not realize the struggle which went on to get them. (By the way, when I talked about visiting in the homes—I mean, gently, not in any threatening or menacing way by people who believe in the program.) I think that the rank and file should realize that what they have is partly the result of blood, sweat and tears, but also of actual death, of the human sacrifice of martyrs who had gone before. The Catholic Church has always properly emphasized the role of martyrs and saints. I would like to see the union movement, for example, in western Pennsylvania, have annual ceremonies honoring those who were killed in the Homestead strike, of the early '90's, who were shot down by the Pinkerton men, individually honored by name, and have flowers laid upon a memorial tablet for them.

Q. They don't have that now?

Douglas: Not that I know of. If they do, fine; if they don't they should. In Detroit, honor the people who were beaten up at the Ford Works at the Overpass in 1937. Out in my section, the people who were shot down in the Republic Steel strike. This could be done without stirring up bitter animus. But it could be a reminder—a reminder—of the tremendous sacrifices which people made to get unionization and to improve the condition of their lot. And similarly we have great civic heroes and heroines—Jane Addams and Florence Kelly, and John Peter Altgeld who helped get the first eight hour law for women through. I think we can develop the memory of these civic heroes and heroines.

Q. Do you feel that some elements in the labor movement want in effect to forget all about that?

Douglas: I don't know. I don't say that.

Q. Feeling that they want to be respectable and not be reminded of the origins from which they came.

Douglas: I know. But take New York. The Triangle Shirtwaist Fire. I think 150 girls were burnt to death, working in a loft factory with inadequate fire escapes, and the rest. Let each locality find its unselfish heroes and heroines and commemorate them. I think we frequently don't do enough for the war heroes. I quite agree with Harry Truman that to be awarded the Congressional Medal of Honor is the highest distinction—military distinction—that one can receive, generally granted posthumously. But we can do much more to commemorate those medal winners—and similarly, we ought to honor our civic and union heroes and heroines. A few legislative heroes, two, such as George Norris and old Bob LaFollette, who shouldn't be forgotten. When I'm in Madison, I always go out to the cemetery, stand by the grave of old Bob.

Q. And also the memory of men like Andy Furuseth.

Douglas: Yes, yes. He was a real hero. Never married. Lived in a $3 a week room.

Q. That famous line he delivered—

Douglas: "Tomorrow is also a day." Yes, those are marvelous men. LaFollette's great legislative achievement, aside from the physical evaluation of railways was the passing of the Seamen's Act of 1915, which of course, Furuseth had been working on for 20 years. Well, I suggest that to you, John. To give a third dimension to union activity—to give it the dimension of time—the dimension of time . . . We had some great labor leaders in Chicago—old honest John Fitzpatrick was one of these.

Q. To go back a moment to another phase of developments in our time. I remember that shortly after World War II, seeing you come out of the Department of Labor, where the first post-war labor-management conference was being held. How do you judge that—and why did it fail?

Douglas: Well, I tried to organize the agenda for it. I had been wounded in the Pacific, and was due to go back in the hospital and be operated on again. I set the agenda and carried out some of the initial work. George Taylor did most of the work inside the conference itself. It failed because the employers were not yet ready to concede collective bargaining. And there were elements in the labor movement which were not yet ready to concede the peaceful arbitration of disputes arising under a contract.

Q. That limited form of arbitration.

Douglas: That's right. I've always felt that we should not—except in rare cases—arbitrate new contracts but that you should set up machinery for arbitrating disputes under a contract. Do I make myself clear?

Q. Yes, indeed.

Douglas: I arbitrated for seventeen years in the newspaper industry. I was one of the national arbitrators, chairman there, I think I handed out something like 85 decisions.

Q. Where, in Chicago?

Douglas: No, no, in the country as a whole. One of the national chairmen. On the printing trades. The secret of relative peace in the clothing trades has been this arbitration of grievances and disputes under a contract.

Q. The next step after the 1945 conference, came the movement in the 80th Congress, and the Taft-Hartley Law (in 1947).

Douglas: That was, of course, a result of the defeat of the Democratic Party in 1946.

Q. What was the responsibility of the trade union movement as such?

Douglas: They opposed the Taft-Hartley Act. They simply didn't have the votes. Of course, this much must be said. There was suspicion of the labor movement because in some of the industrial unions the Communist factions had attained pretty strong footholds. The election of Reuther as president of the UAW . . . broke the back of the Communist movement in the UAW and then the CIO, under Murray, carried out a purge in '49 and '50, but they didn't show their hand really as to who they were until they began coming out against our foreign policy in '47 and '48 and then coming out for Henry Wallace for President in 1948. Then, if you combine with this the fact that many of the leaders had been for the resistance to Hitler up until the time when Hitler and Stalin made their pact, and then switched over to any opposition to action against Hitler when Hitler and Stalin agreed in August of '39. That was one of the litmus paper tests by which you could judge whether they were independent or not.

Q. Actually, a lot of liberals swung with them. So called liberals.

Douglas: I know, I know.

Q. This was part of the complication.

Douglas: That is right.

Q. Then came the period after the passage of the Taft-Hartley law of about twelve years and then we got the Landrum-Griffin Law.

Douglas: During that period labor made gains. It couldn't repeal Tart-Hartley or appreciably modify it because of the bi-partisan coalition between the Republicans and the Southern Democrats. We got Landrum-Griffin largely because of the abuses perpetrated by Mr. James Hoffa—

Q. And a few others.

Douglas: And a few others—that were maintaining themselves in office by undemocratic procedures, and the rank and file in some locals and some internationals were not getting a chance to vote for the election of officers. That's what gave the driving force. Labor abuses create reaction. And labor tends to be judged by more severe standards than employers are judged.

Q. General Electric and Westinghouse seem to have recovered from the effects of their great price conspiracy.

Douglas: That's right, you wrote a very good book about that.

Q. Well, that was a reason I wrote the book, really, because I was interested in the contrast between the legislative attitudes toward violations by labor and violations by corporations.

Douglas: Who was it that wrote, "The rich attain friendships to which the poor dare not aspire." The derelictions of the powerful are always more readily excused than those of the less powerful.

—Well, we've covered quite a lot of territory.

Very truly yours,

JOHN HERLING, *Editor*.

INDIA AND WHEAT

Mr. YOUNG of North Dakota. Mr. President, the wheatgrowers of the Nation can be immensely proud of the enormous contribution they are making to preventing the food crisis in India from developing into a famine of the worst order.

Of the vast quantities of grain that poured into India in 1966 as its Government struggled with the food problem, by far the largest item was wheat produced on the farms of the United States. Our exports of this lifegiving grain to India in calendar year 1966 totaled roughly a quarter billion bushels. That is nearly a fourth of a year's crop.

To service this incoming tide of golden grain from the United States and convert it as directly as possible into food for its masses, the Government of India has developed a food line of great magnitude. Wheat moves from ship to truck to mouth in an immense feeding operation estimated to involve 100,000 retail distributors, tens of thousands of boxcars, and an immense labor force engaged in unloading and bagging the grain.

Transported in bulk in huge oceangoing tankers, our wheat is unloaded in Bombay, Calcutta, or one of a half dozen smaller Indian ports. It is bagged in jute sacks and delivered by truck within the port cities and by railroad to inland places.

Most retail sales are made in India's fair-price shops, small stores in the bazaars of cities and towns. They sell imported wheat from the same bags in which it came into the country.

Having bought her wheat, the housewife then has it ground into a wholewheat flour from which she bakes chappatis, an unleavened bread that is a staple of the Indian diet.

It can be seen that there are no frills about the way in which our wheat moves into the mouths of the Indian people. There is a minimum of processing. It is food that many of us would not find inviting, but it fills stomachs and it sustains life. Retail prices are strictly controlled, and there is rationing in all hardhit areas.

Behind this lifesaving stream lies the fertility of America's wheatlands, the diligence of its wheatgrowers and the abundance stored in country warehouses and terminal centers. What we are doing for the people of India will live long in the annals of man's brotherhood to man.

I am proud of this contribution.

AMERICAN INSTITUTE FOR FOREIGN TRADE, PHOENIX, ARIZ.

Mr. FANNIN. Mr. President, America's ability to compete effectively in the world marketplace of commerce and industry is due primarily to the caliber of graduates from the Nation's many fine schools and universities specializing in international economic leadership. One school that has long been a recognized leader in this field is the American Institute for Foreign Trade, located in Phoenix, Ariz.

The AIFT is famous more for the quality of its students and accomplishments of its graduates than it is for their numbers, though these figures also are impressive. The institute, primarily because its faculty members are recognized leaders in their fields, attracts students from all 50 States and from many foreign nations as well. Its graduates have distinguished themselves in careers in industry, in government, and in many of the humanitarian organizations dealing in, or concerned with, international business and commerce.

The institute is particularly well known for its Latin-American area studies program, in which as many as two-thirds of the students are enrolled. It is particularly heartening that this interest comes at a time when friendly relations between America and her neighbors to the south grow in importance each day.

Mr. President, in recognition of its outstanding contribution to international business and good will, I ask unanimous consent to have printed in the RECORD a descriptive account of the American Institute for Foreign Trade, written by Robert L. Gulick, Jr., dean of admissions.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THUNDERBIRD: A PERSONAL ACCOUNT

(By Robert L. Gulick, Jr., dean of admissions)

I knew about the American Institute for Foreign Trade during the early days of its existence because it was part of my assignment at the Institute of Economics, University of California, to keep abreast of efforts of colleges and universities training for international economic leadership. Thunderbird, as AIFT was and is popularly known, was a pioneer operation in this field.

In a sense, the Thunderbird may be regarded as symbolic of AIFT's three-fold curriculum. Among the Northern tribes, the Thunderbird is revered as the protector of brotherhood, peace, and plenty. The Institute offers functional language instruction to enable students to understand and be understood and this tool of communication should be conducive to brotherhood. Area Studies, emphasizing customs, cultural history, economic resources, ways of doing business, and the international trade of a major economic region, could well be a major weapon in the fight for peace. International commerce courses, embodying the union of theory and practice, should promote world plenty.

In March 1964, when I affiliated with AIFT after spending more than a decade in North Africa, Thunderbird had only 221 students. In September 1965, enrollment passed the 300 mark, which had been regarded as the maximum desirable. At the May Commencement in 1966, AIFT acquired a new President in the person of Dr. Arthur L. Peterson, graduate of Yale with a Master's degree from U.S.C. and a doctorate from the University of Minnesota. President Peterson compressed academic and practical pursuits in his remarkable career: member of the Wisconsin Legislature for two terms, Marine Captain in Korea and lay minister, professor of political science at universities in Wisconsin and Ohio, right-hand man of the chairman of a major political party, etc. President Peterson lost no time in deciding that the Institute should continue to advance both quantitatively and qualitatively. Under his leadership, every phase of the Institute's operations has felt a new "stir of life." Four apartment buildings and a lounge, to accommodate fifty married couples, were erected in the summer of 1966. In September 1966, the National City Bank established a chair in International Finance and the American Management Association announced its support of a similar chair in Management.

The Citibank professorship is held by Jonathan Fildes, recipient of the doctorate from the University of London. Dr. Fildes has had a highly successful career in Canada and other countries; one of his tasks was to innovate a number of computer techniques at Avon Products, Singer, and in engineering companies. He coordinates a new course given by General Electric, whose huge computer plant is situated in nearby Deer Valley, on "The Impact of Data Processing on Management." In addition, he presents a most unusual course on "The Economics of International Business Development."

The Management professorship is held by Alvin Marks who began his professional career as a school administrator but was lured by Standard of New Jersey into a position in international personnel management, for eighteen years in Latin America. This was followed by similar service with International Packers in other parts of the world. This new professorship is illustrative of the great benefits derived by the Institute from its affiliation with the American Management Association, a non-profit educational organization having around 42,000 members in addition to its student membership.

So far as I know, there does not exist in the United States any graduate school of business that can match the practical expertise, the years of successful experience with American companies overseas, of AIFT's faculty in International Commerce. S. C. Johnson Professor Chris Larsen, the head of that department, spent 36 years in the Far East; he was Chairman of the Board of subsidiaries of Standard in the Philippines and he was decorated by the government of that country.

Professor Gerard Richter engaged in foreign trade in Berlin, Latin America, and New York before coming to the Institute to teach foreign trade practice and salesmanship. Professor Arthur Goodearl was for years with National City Bank in Peru and is able to provide students with "know-how" in banking abroad. One of the new professors, Paul Rupert, has traveled some three million miles in his global marketing activities.

One of the pioneers at AIFT is Paul Wilson who is ever at work updating his courses in managerial accounting. The dean in commerce is John David Campbell who served Swift in Europe for many years. Advertising is getting more attention with the addition to the faculty of a professional advertising man, Norton Sobo, who was vice-president of a Madison Avenue agency and who continues to be connected with a Phoenix radio station. Classes in the International Law of Commerce are taught by practising attorneys, Dr. Rex Lee and Robert Kelso, Honorary German Consul for the State of Arizona and Chairman of the Arizona-Mexico-West Coast Trade Commission.

The world business courses furnish the "know-how" for rapid progress on the job. During these last two years, I have seen between eighty and ninety percent of the students offered jobs before graduation. In 1964–65, there were 69 companies, public and private agencies, recruiting at AIFT; in 1965–66, the number reached 133. This is reassuring but what is still more important is the fact the Thunderbirds tend to move up the ladder quickly during the first five years with a company. The more than 4,500 Thunderbirds have been employed by over 1,700 companies, public and private agencies, in over 90 lands around the world.

Contributory to this record has been the outstanding language-training program of the Institute. Spanish, French, and Brazilian Portuguese are taught by the aural-oral or audio-lingual method. The students listen to tapes and repeat what they hear; individual listening booths supplement the training in classroom and laboratory. The conversation classes are limited to eight students. French is taught by natives of Paris and other parts of France and of Belgium. Spanish is taught by natives of Spain, Central America, Mexico, and South America. Portuguese is taught by Portuguese including the remarkable Srta. Maria Leopoldina de Noronha, direct descendant of two Portuguese kings and of Vasco da Gama! Language facilitates communication and friendship. When you speak the language of a country, even if imperfectly, you are showing respect for the people and this is appreciated.

Perhaps two-thirds of the students at AIFT are interested in Latin America and this is reflected in the large numbers enrolled in the Latin-American Area Studies classes and seminars so capably taught and conducted by Professor Joaquin Duarte. But the province of the Institute is not confined to Latin America. The Dean of the Faculty, Dr. Milton C. Towner, whose achievements in personnel management in Indonesia were extraordinary, offers studies pertaining to Asia and the Far East. European Area Studies are taught by Dr. John Steven Kelly who retired from the Army before the mandatory age after spending twelve years in Europe. Professor Kelly secured his doctorate from the Institute of Higher International Studies, Geneva. My partner in North African and Middle Eastern Studies is Dr. Abid A. Al-Marayati, for five years secretary of Arab Delegations to the United Nations General Assembly and author of a *Modern Diplomatic History of Iraq*. We met Dr. Al-Marayati in Vienna where he was connected with the international atomic energy agency. This unusual course includes fundamentals of Islam, African and Arab history, foreign trade of the area, selections from literature of the region, political and cultural relations with America, and even a few words of everyday Arabic and Persian!

Enrollment in September 1966 exceeded 400, but the one to ten faculty-student ratio was maintained. The student body is fascinating. These students hold degrees, 47 majors, from 183 colleges and universities located in 41 states, the District of Columbia, and seven foreign countries. Among them are thirty-two who have returned for graduate study after serving as Peace Corps volunteers. There are also 32 "foreign" students who are citizens of nineteen countries, but who are mainly graduates of American universities.

Many students want to know about qualifications for admission. To enter the degree program, a student must hold the equivalent of a bachelor's degree from a standard American college. He must have a physician complete the certificate of health and two letters of recommendation are required. These letters should not come from doctor, lawyer, merchant, chief, but from professors or employers. In my judgment, our best students have tended to be those highly recommended by their professors. We want to admit the student who will creditably serve himself, his employer, and his country.

General Barton Kyle Yount, Founder and First President of AIFT, was motivated by a desire to improve the image of the American overseas and this continues to be a valid objective. First on my list of qualifications is *motivation*. Success in business or in government or with a humanitarian agency is, in my judgment, determined more by incentive and the ability to size up situations and people, than by grades or college major. We take into account placement prospects, preparation for AIFT, age (it is hard to place anyone past thirty and we make this fact known to the applicant even though we do not discriminate on the basis of age), military status, extracurricular achievements, grade point average, and work experience. We attach great importance to facility in written and oral communication. Most students come to regret not having taken enough expository writing in college. Admissions decisions are made quickly, normally within two weeks of receipt of application, transcript of record, health certificate, and letters of recommendation. Acceptance holds good for at least five years.

What does it cost to attend AIFT? Tuition for the two semesters leading to the degree of Bachelor of Foreign Trade amounts to $1,670, the application fee is $20, insurance (health) $30, Library and incidentals $80, making a total of $1,800. Board runs $610 and lodging in apartments having a maximum of four occupants is $170. A wife may complete 22 semester hours of work in Language and Area Studies and receive the Wives Course Diploma at a cost of only $250 for the year. Health insurance for the wife costs $36. Married couples without children may live off campus or they may select either one of the traditional apartments (two-room suites) at $460 for the year or one of the fifty new three-room units at $600. Books may cost around $100 a year.

Many students finance part of the costs under the G. I. "Bill of Rights" or with loans under the NDEA or United Student Aid programs. Around 80 percent of the students receive assistance in the form of loans or work. In general, a goodly loan is preferable to a job that is unrelated to the program of study and that diverts time and energy from academic work.

Students and faculty members attached to other schools are always welcome at Thunderbird and they are free to ask questions of students at the swimming pool, coffee shop, or elsewhere. Clarification of points not covered in Institute publications can be made through correspondence with the Registrar or with other staff or faculty members. I do not urge students to attend this, that or the other school. Justice means thinking with one's own mind. I do feel, however, that those keenly interested in international careers would do well to ponder whether attendance at AIFT would be in their long-run best interests.

FISH PROTEIN CONCENTRATE GETS GREEN LIGHT

Mr. HART. Mr. President, I welcome the news that the Food and Drug Administration has approved the use of fish protein concentrate in human diets.

Hopefully, this approval will remove the last obstacle to the use of this high-protein, low-cost product in helping to meet the dietary needs of undernourished people wherever they may be.

Careful safeguards have been thrown around this first step, as is proper. But the important thing is that we can begin to tap the seas for a low-cost source of protein.

This is a breakthrough in terms of industrial development: the commercial fishing industry will benefit, of course, as will related manufacturing and distribution industries. But more significant is the potential for the battle against hunger, disease, and death.

The FDA announcement is good news for the whole world, and I hope we will move forward promptly to introduce the product into world commerce.

JUSTICE DELAYED—ABC-ITT MERGER

Mr. LONG of Missouri. Mr. President, if the economy of our great country ever seriously slows down—or grinds to a halt—one factor will certainly be administrative delay. The whole problem of administrative delay is of prime concern to my Subcommittee on Administrative Practice and Procedure. In fact, we have made a number of in-depth studies of the subject and, hopefully, we shall make several more, in an effort to reduce the length of time it takes to conduct administrative hearings.

We have found that administrative delay already has a serious dampening effect on our economy despite the best efforts of many conscientious persons.

As more and more of our economy becomes "regulated" by government, more and more serious becomes the problem.

And even when the regulatory agencies are willing to move at a reasonable pace, there are other tentacles of the vast Federal bureaucracy to slow them down. An excellent, if almost unbelievable, example is the current effort of the FCC to act upon a proposed merger between ABC and ITT.

The FCC was not moving at exactly breakneck speed when, after 14 months of consideration, it was ready to approve the merger. But this speed was too much for the Antitrust Division of the Department of Justice. They have intervened and have asked for more time. Just yesterday, the FCC granted another delay.

Here is the incredible chronology of this tale of delay.

In December 1965 the Antitrust Division of the Department of Justice was advised that ABC and ITT were contemplating a merger, and the Division began an investigation. A demand for documents was served upon the companies and the documents were furnished to the Division by the end of April 1966.

ABC and ITT made an application for approval of the FCC which was tendered on March 31, 1966, and accepted for filing on April 14, 1966. Notice of these applications was published by radio and television and in the newspapers, as provided by the statutes and FCC rules.

On June 8, 1966, and again on June 30, 1966, the Chairman of the FCC wrote to the head of the Antitrust Division, inviting an expression of views by the Division to the Commission on this matter. On August 18, 1966, the Commission issued an order and notice of oral hearing before the Commission en banc, in which the Commission ordered a hearing on all issues of law, policy, and fact involved in the proceeding and invited any interested parties to appear and be heard. A copy of this notice was sent to the Antitrust Division and was published in the Federal Register on August 24, 1966.

A hearing was held before the full Commission on September 19 and 20, 1966. The Antitrust Division did not appear or make any statement of views and gave no indication to the Commission that it had any important evidence or statement to make regarding this matter.

On October 25, the Chairman of the FCC again wrote the head of the Antitrust Division, stating that the Commission expected to reach a decision in the near future and again inviting an expression of views. On November 3, 1966, the Antitrust Division wrote to the Commission stating that it now believed there was a possibility of "anticompetitive effects" and of "antitrust questions" involved in the proposed merger. This letter stated that the Division had "not yet reached a final conclusion" and suggested that the Commission defer final action until the Antitrust Division arrived at a final conclusion "on the antitrust aspects of the merger." The Commission has stated that it "thereafter urged the Antitrust Division to make a more definitive statement."

On December 20, 1966, the Antitrust Division wrote to the Commission stating that the possibilities of anticompetitive consequences from the merger were so "speculative" that "we are not presently contemplating an action under the antitrust laws to enjoin consummation of the merger."

This is the kind of letter which is well known among antitrust lawyers as a "clearance letter" and is as much approval as the Department of Justice normally gives to a proposed merger which it has decided not to oppose. The letter also went on to discuss various possible anticompetitive aspects of the proposed merger which the Antitrust Division suggested the Commission consider under its public interest standard.

The following day, the Commission issued a lengthy opinion in which it discussed the Department of Justice letter in detail and stated that "all of the facts and considerations discussed in the letter from the Antitrust Division are and have been known to the Commission and have been the subject of careful consideration under the principles and standards applicable to our field of specialized jurisdiction, experience and expertise." The Commission then voted 4 to 3, to approve the applications and the proposed merger.

On January 18, 1967, the Antitrust Division of the Department of Justice filed a petition for reconsideration and for leave to intervene in these proceedings. This was 28 days after the Commission decision and just 2 days before the expiration of the 30-day statutory limit within which a petition for reconsideration could be filed. The petition stated that the Department had not sought to intervene earlier because it was not clear that this was necessary since the Commission might have decided the other way and because the Antitrust Division had not completed its analysis of the case. The petition again submitted the same arguments that were made in the letter of December 20, and hinted that the Department was in possession of significant information, but made no factual showing whatever and did not indicate what evidence or information it had.

Upon the filing of this petition the companies, at the request of the Commission Chairman, agreed to defer action on the proposed merger temporarily. On January 26, ABC and ITT filed a lengthy pleading which answered all of the arguments raised by the belated petition of the Antitrust Division and cited legal authority holding that the petition was untimely and inadequate, since it alleged no good reason for the failure of the Antitrust Division to appear and offer any evidence or arguments which it had prior to the time the Commission decided the proceeding, and even at the late date it was filed it failed to disclose or allege any evidence or relevant facts.

This pleading also disclosed that on January 20, 1967, ABC and ITT had written to the Antitrust Division demanding a disclosure of any evidence which the Department claimed to have to support its petition for reconsideration. It also contained a copy of an answer from the Antitrust Division dated January 24, 1967, which, in effect, even then refused to disclose any information or evidence which the Antitrust Division claimed to have except some documents which it had received from the companies, which had been in its possession long prior to the decision, and which did not appear to disclose any new facts.

Just yesterday, the FCC again asked the Justice Department for any specific information that it has and ordered another delay.

The Subcommittee on Administrative Practice and Procedure will continue to watch this situation carefully. The proceedings have already gone on for 14 months. We have no interest in the substantive decision as to the ABC–ITT merger. We are very much concerned with the procedures involved in reaching a decision.

Justice delayed is justice denied.

FLOUTING BY GOVERNMENT AGENTS OF LAWS BANNING EAVESDROPPING AND WIRETAPPING

Mr. YOUNG of North Dakota. Mr. President, I am shocked by the disclosure of the lack of cooperation of the various administrative agencies under investigation by the subcommittee headed by the Senator from Missouri [Mr. LONG].

I am even more shocked by the failure of the agencies to take disciplinary action against those agents who have violated Department regulations.

But most shocking of all is the failure of the Department of Justice and the attorneys general of the States to prosecute agents who have violated laws banning eavesdropping and wiretapping.

The Long subcommittee hearings are replete with admissions of IRS agents who have openly flouted State and Federal law.

In my judgment, Federal agents are not and should not be above the law. In my judgment, the only way to stop lawless law enforcement is to prosecute lawless law enforcement officers for law violations.

I ask unanimous consent to have printed in the RECORD the text of a leaflet entitled "If Government Becomes a Lawbreaker," published by the Committee To Preserve American Freedom.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

IF THE GOVERNMENT BECOMES A LAWBREAKER . . .: A STATEMENT ON THE GROWING THREATS TO PRIVACY IN THE UNITED STATES

"If the Government becomes a lawbreaker, it breeds contempt for law."

Those were the words of Mr. Justice Louis Brandeis, decrying the use of wiretapping in the first case of its kind—Olmstead v. United States—to come before the U.S. Supreme Court in 1928.

Justice Brandeis went on:

"It (the Government) invites every man to be a law unto himself; it invites anarchy. To declare that in the administration of the criminal law, the end justifies the means—to declare that the Government may commit crimes in order to secure the conviction of a private criminal—would bring terrible retribution."

In 1934 the Congress categorically prohibited wiretapping.

However, agencies of the Federal government almost immediately began interpreting the law to find exceptions to the ban.

More recently a sharp and alarming increase in the use of wiretap and other police state tactics by government agencies has raised new and unprecedented threats to individual freedom in America.

WIRETAPPING, SNOOPING AND HARASSMENT . . .

U.S. Senator Edward V. Long of Missouri, chairman of the Senate Judiciary Subcommittee on Administrative Practice and Procedure, has conducted intensive hearings on the invasion of privacy by government agencies.

His conclusion:

"Federal agents are embarked on a nationwide campaign of wiretapping, snooping and harassment of American citizens."

Life Magazine commented: "The government has been electronically spying on its citizens for years."

In his dissenting opinion in *Hoffa* v. *United States* (1966), Chief Justice Earl Warren noted that the chief government witness was released from prison in a deal that he help develop a case, not on past happenings, but for the future.

Warren stated that the government informer "became the equivalent of a bugging device." He added: "This type of informer and the uses to which he was put in this case evidence a serious potential for undermining the integrity of the truth-finding process in the federal courts."

The evidence clearly demonstrates an alarming and fast-growing erosion of personal privacy and rights, particularly by agencies of government.

C.P.A.F.: ITS PURPOSE

The growing tendency, particularly among government agencies, to invade and destroy the privacy of individuals has led to the formation of the Committee to Preserve American Freedom (C.P.A.F.).

The purpose of C.P.A.F. is to combat this increasingly dangerous trend through a nationwide program of education and action. C.P.A.F. will focus public attention on improper invasions of privacy wherever and whenever they occur.

C.P.A.F. believes that the American public will not tolerate the use of police state tactics, whether by government or any other agencies. Therefore, the first and greatest task of C.P.A.F. is to inform the public of the existence and growth of these practices and to turn the glaring spotlight of publicity on the offenders.

ACTING OFFICERS

Co-Chairmen: Charles F. Edgecomb and Mort Furay.

Co-Vice Chairmen: Ernest Mazey and Dr. Charles Quick.

Secretary: Dr. Florence Cassidy.

Treasurer: Myra Wolfgang.

C.P.A.F. Headquarters: 200 Tuller Hotel, Detroit, Mich. 48226. Phone: 961–1422.

FIVE HUNDRED AND THIRTY-FOUR OF THE YALE FACULTY PETITION PRESIDENT JOHNSON TO END BOMBING OF NORTH VIETNAM

Mr. GRUENING. Mr. President, in the January 29, 1967, New York Times an open letter to President Johnson appeared asking him to declare an unconditional halt to the bombing of North Vietnam.

The signers of this petition represent the most responsible segment of our population—teachers at our great universities. Five hundred and thirty-four members of the Yale faculty asked the President to take the necessary gamble to stop the bombings because the potential benefits of such a move outweigh the risks. They find support for their conviction in U Thant's belief that the cessation of bombing is the necessary key to the opening of peace talks and by recent statements from Hanoi which indicate a new flexibility.

After 2 years of the most intense and savage bombing of North Vietnam it has become apparent that it has not succeeded in stopping the flow of men and materials into South Vietnam. If anything, the rate of infiltration has been stepped up. By official estimates of Department of Defense representatives, some 8,000 North Vietnamese are coming down from North Vietnam every month—a number more than enough to offset the Vietcong casualties in the South. Nor is there any evidence that these bombings have brought the North Vietnamese any closer to the negotiating table. In fact, as Ambassador Reischauer testified on January 31, 1967, before the Foreign Relations Committee, the very idea that bombing North Vietnam would accomplish this result represents a failure on our part to understand the psychology of the North Vietnamese leaders. There is no more reason to expect the North Vietnamese to surrender under aerial bombardment than there was for Hitler to expect the Britons to call it quits because of the attacks of the Luftwaffe.

Despite the obvious fact that the bombings are succeeding neither in reducing the infiltration into the south nor in getting Ho Chi Minh to sue for peace, there are those who advocate an increased level of bombing. We now hear that Haiphong must be bombed, that the Mig airfields must be hit, that the restrictions on our Air Force must be lifted. Apart from the fact that such escalation will take us that much nearer a confrontation with the Soviet Union and Communist China, what assurance is there that the escalation of bombings will have any more effect than the present level of bombings? Suppose we do destroy Haiphong and all of the airfields in North Vietnam? Will that stop the Vietcong in the south from continuing the fight?

For years now we have been sold a bill of goods that if we only increase our military effort one notch we will win. After a time the military effort is increased, and when the promised results are not forthcoming we are told that it will take one more increase. And so on and on we go, trying to win by military means a war which we treat as an aggression from the north, but which is far more a civil war which no amount of military effort in the north can end.

I ask unanimous consent to have printed at this point in the RECORD the Yale faculty letter to President Johnson.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

A LETTER TO THE PRESIDENT

NEW HAVEN CONN.,
January 1967.

DEAR MR. PRESIDENT: The signers of this letter, members of the Yale faculty who speak for themselves and not as representatives of the University, write to urge most respectfully that you declare an unconditional halt to the bombing of North Vietnam.

We are aware of the difficulties this decision entails for you. We recognize that you must assess important military and political risks before you can make such a move. But we believe we speak for men of good will everywhere in the world when we urge you to consider that now the potential benefits outweigh the risks, and that the gamble is a necessary one.

We are very much strengthened in this view by the events of the last few days, particularly U Thant's growing conviction that the cessation of bombing is the necessary key to the opening of peace talks, and Pham Van Dong's interview with Harrison Salisbury in which a new flexibility seems to have been indicated.

We know that you are as anxious for peace as the rest of us, and we fervently hope you will agree that the cessation of bombing is now essential for the achievement of that peace.

Very sincerely,

Robert P. Abelson, Harry B. Adams, Robert S. Adams, Edward A. Adelberg, George Aghajanian, Sydney Ahlstrom, Hayward Alker, Jr., Joel Allison, Victor A. Altshul Jose J. Arron.

N. Philip Ashmola, Elisha Atkins, Robert Bailey, Theodore S. Baker, David E. Baldwin, Dagmer E. Barnouw, Jeffrey Barnouw, Franklin L. Baumer, H. Leroy Baumgardner.

Russel J. Becker, Richard H. Bell, Alfred R. Bellinger, Jerome S. Beloff, Harry J. Benda, William R. Bennett, Jr., Thomas G. Bergin, Graeme P. Berlyn, Sidney Berman, Alexander M. Bickel, Boris I. Bittker, Francis L. Black, Brand Blanshard, Sidney J. Blatt, John M. Blum, Edgar J. Beoll.

Philip K. Bundy, Arend Bouhuys, Richard P. Boyce, John E. Boyles, Leo B. Braudy, J. Jay Braun, George Brawerman, Victor Brambart, D. Allen Bramley, Nelson H. Brooks, Peter P. Brooks, Lowell S. Brown, Ralph S. Brown, Jr., Richmond H. Brownlee,

David A. Brownlee, Robert S. Brustein, David L. Burrows, John B. Butt, David M. Byers, Walter B. Cahn, Herbert A. Cahoon, Guido Calabresi, Thomas C. Campbell, Beckman C. Cannon, Michael Caplow, David A. Carlson, David T. Carr, Kermit S. Champa, W. Knox Chandler,

A. Elizabeth Chase, Donald S. Chaney, Jr., Serge Charmayoff, William A. Christian, Burton R. Clark, Elias Clark, Martha L. Clifford, Mary E. Clutter, William S. Coffin, Jr., Jon S. Cohen, Kenneth R. Coleman, Harold Conklin, Charles D. Cook, Robert M. Cook, Jack R. Cooper,

Lindarose Cortell, Anne Cronin, Donald M. Crothers, Robert G. Crowder, Donald R. Currier, Robert A. Dahl, John M. A. Danby, Charles B. Daniels, Paul Davidovits, Alan J. Davidson, Clarence Davis, James Davis, Alice T. Day, Lincoln H. Day, Edward S. Deevey, Jr., Barbara W. Deutsch, Edward F. Dobihal.

E. Talbot Donaldson, Richard F. Donovan, Leonard W. Doob, John C. Dower, Ronald M. Dworkin, Isidore Dyen, M. David Egger, Jacques Ehrmann, Arthur I. Eidelman, Jerome M. Eisentadt, Hester A. Eisenstein, James Eisenstein, Thomas I. Emerson, Peter T. Emmerson, Franklin H. Epstein, Kai T. Erikson, Victor Erlich, Edmund J. Fantino,

Alexander G. Farkas, Charles Feidelson, Jr., Alan R. Feirstein, Howard M. Felperin, Leonard J. Fichtenbaum, Jacob J. Finkelstein, Arthur Finn, Roberta Fitzgerald, Marshall Fixman, Stephen Fleck, Joel L. Fleishman, Hulda R. Flynn, John P. Flynn, Robert J. Fogelin, Wilton B. Fowler, Hans H. Frankel, Lawrence R. Freedman, Irving Friedman, Josephine M. Fuhrmann, Joseph G. Gall, John A. Galloway.

Arthur W. Galston, Bessie Lee Gambrill, Charles W. Gardner, Alan Garen, John W. Gassner, Frederick P. Gault, Irwin N. Gertzog, Atle Gjelsvik, Joseph A. Glick, Raymond W. Goldsmith, Abraham S. Goldstein, Joseph Goldstein, Paul S. Goldstein, Edward J. Gordon, Leroy C. Gould, Lewis L. Gould, Helen Gray, Richard A. Greenberg, Liliane Greene, Thomas M. Greene, Robert J. Griffin, Ingrid Grove, Ellsworth Grumman.

Jerome A. Grunt, Wolfgang H. H. Gunther, Alan R. Gurwitt, James M. Gustafson, J. Richard Hackman, Gordon S. Haight, John G. Halkett, David D. Hall, John W. Hall, William W. Hallo, Carolyn B. Hallowell, Seymour L. Handler, Robert E. Handschumacher, Herbert S. Harned, Karsten Harries, Robert A. Hatfield,

John S. Hathaway, Eric A. Havelock, Anne M. Haywood, James C. Healey, Gustav A. Hedlund, Al Held, Richard N. Henderson, Robert L. Herbert, John Hersey, Teodoro Herskovic, Donald D. Hester, David A. Hilding, Frederick W. Hilles, David J. Hitchcock, Joseph F. Hoffman, Frederic L. Holmes, Graham S. Hood, Dorothy Horstmann, Kathleen H. Howe,

George A. Huaco, John V. Huddleston, Carlton C. Hunt, Samuel P. Hunt, J. Dennis Huston, Peter R. Huttenlocher, Lillian L. Imperi, Robert L. Jackson, Stanley W. Jackson, Nathan Jacobson, Russell C. Jansen, Robert C. Johnson, Stuart R. Johnson, Peter A. Jordan, Harvey W. Katz, Michael Kahn, Frances Kaplan, Richard Karpe, Jay Katz.

Paul E. Kaunitz, Robert M. Kellogg, David H. Kelsey, Itzhak Kelson, Kenneth Keniston, Alvin B. Kernan, William Kessen, Friedrich Kessler, David M. Kessner, John A. Kirchner, Ralph Kirkpatrick, Shirley Kirschner, Ethelyn H. Klatskin, James A. Klecman, Edward B. Klein, Gerald L. Klerman, Elizabeth P. Kligerman, Tsuneo Kobayashi, William Konigsberg, Tjalling C. Koopmans, Jan Kott, Leonard S. Krassner, Irving Kriesberg, Morris Y. Krosnick, Robert E. Kucha.

Darrell D. Lacock, Julius Laffal, Cecil T. Lane, Robert E. Lane, Joseph LaPalombara, William E. Lattanzi, Albert J. LaValley, Paul H. Lavietes, Standish D. Lawder, Traugott F. Lawler, Stanley A. Leavy, Mark W. Leiverson, Martha F. Leonard, Howard Leventhal, Lowell S. Levin, Murray Levine, Daniel J. Levinson,

Gordon H. Lewis, Herbert D. Lewis, Melvin Lewis, Ruth W. Lidz, Theodore Lidz, Harvey Liebhaber, William Liffey, 3d, Vernon W. Lippard, Ernest H. Lockridge, Nathaniel J. London, Charles H. Long, Robert S. Lopez, George deF. Lord, A. Sidney Lovett, Staughton Lynd, W. Richard Lytle, A. Lee McAlester, William L. McBride, Roger K. McDonald,

Samuel W. MacDowell, William S. McFeely, Maynard Mack, Braxton McKee, D. Hugh MacNamee, Paul T. Magee, Anthony P. Maingot, Pasqualina Manca, Andrea E. Maneschi, Henry Margenau, Clement L. Markert, John D. Marshall, Jr., Samuel E. Martin, William S. Massey, Roger D. Masters, Christopher K. Mathews, Elwood R. Maunder, Henry G. Mautner,

Gilbert W. Merkx, Alan C. Mermann, Gretchen B. Mieszkowski, Peter Millard, David G. Miller, Irving Miller, Joseph A. Miller, Roy A. Miller, James D. Millikan, Theodore M. Mills, Paul S. Minear, David L. Minter, Edmund S. Morgan, N. Ronald Morris, Richard M. Morse, Lawrence K. Moss, Peter S. Mueller, John W. Myers, Louis H. Nahum, J. Zvi Namenwirth, Kumpati S. Narendra, June C. Nash, Audrey K. Naylor, Yale Nemerson, Paul Newman,

Richard E. Nisbett, Nea M. Norton, Gaylord B. Noyce, John F. O'Connor, Richard A. Olshen, Richard E. Olson, Etta S. Onat, E. Turan Onat, Nelson K. Ordway, Darius G. Ornston, Jr., Philip M. Orville, Howard Pack, Herbert Paris, William N. Parker, Gloacchino S. Parrella.

Adam M. Parry, Maxwell Pasternak, Hugh T. Patrick, John R. Paul, Max P. Pepper, Ellis A. Periswig, Gabor F. Peterdi, Robert H. Peters, Jonathan H. Pincus, John P. Plunkett, Louis H. Pollak, Russell H. Pope, Robert S. Porro, James L. Pratt, Sally Provence, William H. Prusoff, Martin F. Randolph, Frederick C. Redlich, Charles A. Reich, William E. Reifsnyder.

Charles L. Remington, Robert A. Rescoria, Clark W. Reynolds, Frederic M. Richards, Charles E. Rickart, Samuel Ritvo, Nicholas X. Rizopoulos, John Rodgers, James L. Rolleston, Paul D. Rosahn, James Rosati, Peter W. Rose, Joel L. Rosenbaum, Leon E. Rosenberg, Murray Z. Rosenberg, Robert F. Rosin, Ralph Z. Roskies, David O. Ross, Jr., George P. Rossman, Jr., Joseph E. Rothberg, Albert Rothenberg.

Irwin Rubenstein, Robert Rubenstein, Bruce M. Russett, Joseph Russo, William Ryan, Joseph D. Saccio, Herbert S. Sacks, Don E. Saliers, Jeffrey L. Sammons, Leon Sarin, Philip M. Sarrel, Herbert E. Scarf, Roy Schafer, Harold W. Scheffler, Raoul A. Schmiedeck, Karl F. Schofer, Jr., George A. Schrader, Jr., Sanford J. Schreiber, P. Eugene Schulze, Ernst I. Schurer, John H. Schutz, Martin S. Schwartz, Egon Schweib.

Vincent J. Scully, Jr., George B. Seligman, David Seligson, Joyce A. Semradek, Milton J. E. Senn, Edwin C. Severinghaus, Richard B. Sewall, Hallam C. Shorrock, Jr., F. Seth Singleton, Gustave Sirot, Samuel N. Slie, Don A. Smith, John E. Smith, Robert H. Socolow, Albert J. Solnit, Charles M. Sommerfield, Thomas G. Spates, Jonathan D. Spence, Howard M. Spiro.

Michael J. Stephen, Robert B. Stevens, Lloyd G. Stevenson, Hugh M. Stimson, Virginia M. Stuermer, Clyde W. Summers, David Symmes, Robert H. Szczarba, Charles W. Talbot, Jr., James Tanis, Sidney G. Tarrow, Paul M. Tedesco, M. Elizabeth Tennant, Claudewell S. Thomas, Richmond H. Thomason, David F. Thorburn, W. Sibley Towner, Roy C. Treadway.

Henry P. Treffers, Robert Triffin, J. P. Trinkaus, Gary J. Tucker, Henry A. Turner, Franz B. Tuteur, Jack Tworkov, William F. Van Eck, Carl F. von Essen, Allan R. Wagner, Eugene M. Waith, Florence S. Wald, Elga R. Wasserman, Harry H. Wasserman, William W. Watson, Peter P. Wegener, Hermann J. Weigand, E. Richard Weinerman, Paul Weiss, Rulon Wells.

Alexander Welsh, Morris A. Wessel, Harry J. Wexler, Henry Wexter, Alexander White, 3d, Cynthia M. Wild, John D. Wild, Robert C. Wilhelm, John A. Wilkinson, Robert J. Williamson, William J. Willis, Charles C. Wilson, Charles H. Wilson, Leonard G. Wilson, Donald G. Wing, David J. Winter, Robert Wyman, Chitoshi Yanaga, Arthur M. Yelon, Leonard S. Zegans, Felix Zweig.

ADDITIONAL READJUSTMENT ASSISTANCE TO VETERANS WHO SERVED IN THE ARMED FORCES DURING THE VIETNAM ERA

Mr. DODD. Mr. President, I am pleased to be one of the cosponsors of S. 16, a bill which will make available to veterans serving in the Vietnam war the same assistance provided by Congress for veterans of World War I, World War II, and the Korean conflict.

In Vietnam today the men of this country are fighting one of the most difficult wars in our Nation's history. An elusive enemy, a rugged terrain, and an oppressive climate have combined to complicate the task of our troops.

Our military commitment in Vietnam is vast. In fact, this war is one of the largest in American history.

Therefore, it is only right that those men who have served so bravely under such trying circumstances receive benefits comparable to those given to veterans of other wars.

Passage of S. 16 is the least we can do to acknowledge our obligation to the men who are fighting this bitter lonely war in an alien land to resist Communist aggression.

Their need for rehabilitation and readjustment assistance is as great as that of veterans of any war. And there is no reason why they should not get what is rightly theirs.

I urge prompt action on the part of the Senate. I do so with full assurance that favorable action will not be delayed on a measure so just.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

Under the previous order, the junior Senator from Wyoming is recognized for 40 minutes.

Mr. MANSFIELD. Mr. President, if the Senator from Wyoming will yield, and may do so without losing his right to the floor or having this time taken out of his time, I should like to suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Wyoming is recognized.

ON THE THRESHOLD OF THE FUTURE: AMERICA'S NEW OIL SHALE DEVELOPMENT PROGRAM

Mr. HANSEN. Mr. President, this is the first time that I have asked for permission to speak on the floor of the U.S. Senate. As one of the most junior men of this great place, this will be my maiden voyage, and I beg the indulgence of you, Mr. President, and of those Senators who are here listening to me.

Yet, it is perhaps not inappropriate that a new Senator should be speaking about a new industry that is itself as green as grass. Also, since I come from Wyoming—along with my colleague, the distinguished senior Senator from our State, and my distinguished colleagues from Colorado and Utah—I do claim a particular and a personal interest in the subject of my first Senate speech.

Today, Mr. President, I would bring to the attention of the Senate, and I would hope to the attention of the world, the dramatic events that have taken place in the last several months leading to the development of a great new industry for our country. I am speaking of oil shales and of other highly important minerals that have been found in conjunction with these oil shales.

So far, these gigantic deposits of oil shale have lain in the ground where they have been of benefit to no man. Some experimentation has been carried on but these experiments have been spotty and inconclusive. Over 70 percent of these oil shale deposits lie on Federal lands and they have been withdrawn from any leasing or development since 1930. The withdrawal of these lands by Executive Order 5327 has so far prevented private enterprise from exercising its initiative in developing these great mineral resources.

Last Friday, the Secretary of the Interior, Stewart L. Udall, announced a five-point oil shale development program. Point 3 of that announcement is the most important, for there Secretary Udall promised—within 60 to 90 days—to issue the administrative details of leasing procedures. The Secretary indicated that at the present time he contemplates a two-stage program broken into a research and development phase and then finally a fully operational phase.

Private industry, just as we here in Congress, will be awaiting the Department of the Interior's details on the proposed leasing program. The private sector of our country has awaited such decisions for a long time. Throughout this waiting period, some 30 to 40 years, the private sector has always demonstrated that it possesses the necessary components for a successful development of any particular resource. Today, just as many years ago, our private enterprise system is ready with investment capital, with a basic technology, with management and marketing skills, and most importantly with men and women—all of which amount to a vast storehouse of innovative power necessary for a concerted development effort. My interest here today is to see that private enterprise has not waited in vain. My interest is to help define the terms, if I can, by which private enterprise may properly bring to bear its expertise in resource development.

Before I am finished I would hope to point out to the Senate, if but briefly, the great national and international importance of these resources. Once this importance is realized, I believe we will find near unanimity in the view that development should proceed as quickly and as efficiently as possible. The best means with which to meet those ends will, of course, be the nub of the forthcoming discussion over the Department of the Interior's proposed administrative regulations.

I believe that such discussion is clearly within the purview of the legislative branch of our Federal Government. I have called upon the very able and distinguished chairman of the Senate Interior and Insular Affairs Committee to schedule hearings at the earliest opportunity on this matter. The junior Senator from Utah has also made such a request and hearings are now tentatively scheduled for February 21. I am hopeful that the Senate will assume the leadership in asserting and protecting our national interest in the forthcoming development of this great new industry.

Let me discuss, now, in more specific terms, those aspects of this development which are of national and international concern.

First, we should discuss in more detail the nature of the resource itself. Second, I would like to discuss aspects of national security. Third, I would like to discuss the relationship between foreign trade and foreign aid and the unique position which this oil shale resource plays with respect to each. Fourth, no discussion of oil shale development would be complete without some mention of the balance-of-payments problem. Last, I would like to discuss the role of government in the development of this resource. In the weeks, months, and years ahead, the Federal Congress, the executive branch of the Federal Government, and State and local governments must all be prepared to play an important part in furthering this development.

THE RESOURCE

First, then, let me discuss the resource itself.

In terms of sheer size the oil shales of Wyoming, Colorado, and Utah stagger the imagination. By some estimates there are 1.5 trillion barrels of oil located in the Green River formation of Colorado alone. It has been estimated that 280 billion barrels of oil could be recovered from the richer Colorado formations by using present technology. Compare this to the other known reserves of crude oil: 31 billion barrels in the United States. Suffice it to say that the oil shales of Colorado, Wyoming, and Utah represent the largest untapped source of hydrocarbon energy known to the world.

The potential value of shale oil is indeed staggering. Recoverable oil in the shale deposits of the Green River formation has been valued in the trillions of dollars. On October 22, 1965, the then Senator Paul Douglas introduced a bill in the Senate to provide for the retirement of the national debt, "through royalties from the rich oil shale lands owned by the Federal Government." The Illinois Senator stated then that the oil shale lands in public ownership "are so vast and so valuable as to provide royalties sufficient to pay off the entire national debt when they are developed." Then, just last year Mr. Douglas offered a new proposal, "shale oil for the lamps of learning." This provided that the royalties from oil shale would not only pay off the national debt but also be used to finance a great new national education program. I cite these figures and hypothetical proposals to show how indeed vast this national resource is. But these cited instances point up the basic reality that it does no good to talk of this resource in terms of barrels of oil or in terms of dollars of national debt magnitude. To do so is unrealistic because the resource remains in the ground to this day and the task is still before us. It is up to us in the Government to assist private enterprise in translating those figures from mere figures into dollars. It is up to us to assist in developing a technology which can transform oil shale into shale oil. Only then will this resource be of benefit to this Nation.

Fortunately, we are much closer to an economically feasible utilization of this great resource than ever before. Significant discoveries have been made within the past year of a heretofore little known mineral called dawsonite. Dawsonite is an aluminum carbonate and, if preliminary tests which have been recently conducted by private industry live up to the expectations which we now have, this new mineral may be a new and leading source of aluminum in the years ahead. In addition, great quantities of another mineral, nahcolite, which is a sodium carbonate, have been found in conjunction with the Green River oil shales.

So without going into further detail on the experimental phases of these various new minerals, I would only say that it may be, and I emphasize may, that we have turned the cost corner if all three of these minerals, aluminum in the form of dawsonite, sodium in the form of nahcolite, and oil shale, can be developed in conjunction with one another.

NATIONAL SECURITY

Let me proceed to discuss, then, in further detail why development of both oil shale and dawsonite is required in the interests of national security.

First, let me discuss our national energy resources and the part that oil must play in our total energy consumption. According to the U.S. Bureau of Mines the United States was consuming about 55 quadrillion B.t.u.'s per year in 1965. If this were to be translated to an equivalent amount of oil consumed, it would equal about 25 million barrels of oil per day in 1965. The Department of the Interior estimates that this oil equivalent will rise in 1980 to about 42.3 million barrels per day.

While energy consumption estimates, even up to as short a time as 1980, are tenuous at best, some experts are already claiming that the United States is now, or soon will become, an energy-deficient nation. What this means is that the United States must rely upon the importation of energy in order to run its industry. This increasingly heavy reliance on imported energy is a major threat to our national security. Leaders in the petroleum industry have estimated that at least 10 years' leadtime will be required in order fully to mobilize an oil shale industry. This leads me to state that the trend toward growing energy deficiencies must be reversed just as soon as possible. This means that it is incumbent upon us to encourage oil shale development immediately.

If we are to speak from a military point of view, the Department of Defense offers the most reliable and indeed the most startling information. The Department notes that jet fuel has accounted for almost all of the total energy requirement increase with other products remaining on virtually a plateau. As of September 22, 1966, the Department, speaking through J. J. Muir, stated:

> In the last and more recent invitations for domestic jet requirements . . . we are finding it difficult to get adequate coverage. While we know some of the reasons for this, such as returned overseas procurement and increased commercial jet demand, we feel it is important and serious.

Next, Mr. Muir points out that the military demand for fuels is not subject to spasmodic increases or decreases which can be tied to any particular military crisis. He says:

> First, is the ever increasing thirst for oil of our new weapons systems. For example, the First Cavalry Division now operating in South Vietnam consumes fuel three times that of a World War II or a Korean division. Also, the planes and ships of the Seventh Fleet operating off Vietnam, and the Guam-based B–52's supported by KC–135 refueling tankers, require many times the fuel of their predecessors.
>
> Secondly, and the important key, is the fact that modern military forces, whether on alert, training, or combat, consume substantially the same quantities of fuel.
>
> This is an interesting concept, one not generally understood, and certainly not a finite tool for future forecast—but the record over the past 17 years gives it a great deal of credibility.
>
> As a matter of fact, we have seen nothing on the horizon that will significantly change the trend . . . Information available today indicates that with few exceptions, military equipment will continue to derive energy from liquid petroleum and its products for some time to come.
>
> And any phase out of petroleum consuming weapons system should be more than offset by new and larger hydrocarbon hungry systems. Examples of these are the C–141 transports now coming into the system and the super C–5 transports scheduled for the 1970's.

In a word, then, it is clear that the energy requirements of our Military Establishment will be steadily increasing over the years ahead whether we be at war or at peace.

A similar situation obtains with respect to aluminum. The United States consumes about one-third of the world output of bauxite. Bauxite, as you know, is our only source for alumina at the present time. Most significant is the fact that about 90 percent of the bauxite used in this country must be imported.

Aluminum is an important key to the structuring of our entire complex economy. The United States has a greater per capita consumption of aluminum than any other country in the world, and the price of that metal has an effect on the price of steel, copper, magnesium, zinc, titanium, fiberglass, plastics, and so forth. Fortunately, the price of aluminum has remained relatively steady over the past few years, but this happy state of affairs is not due in any part to any policy determinations by our Federal Government. The basic fact remains that as long as we import over 86 percent of this raw material, we will have no control over the price of it. The copper market has not been so fortunate and we have witnessed the volatile rise or fall in copper caused in large part by political or military developments in foreign countries.

Let me speak for a moment of the strategic importance of aluminum. At one time, the use of aluminum in defense materials was about 1 pound in 12. While present estimates of strategic aluminum are not available, it is clear that an adequate supply of aluminum must be readily available for the entire economy in order to hold the line on prices of other metals. Historically, a 1-percent decrease in the price of aluminum relative to the composite price of copper, lead, and zinc, has increased the consumption of aluminum by 1.4 percent. An increase in the price of aluminum caused possibly by action within the raw material producing country could unleash serious inflationary forces. A shortage of aluminum could create demands for other metals needed elsewhere in defense, and thus set up additional inflationary forces.

Under wartime conditions, either a price increase and/or a shortage could occur. Improvements in the general capability of hostile submarines could well deny the United States the use of Caribbean sealanes. This was the experience in World War II which led the United States to spend over $20 million on four plants in Utah, Oregon, Wyoming, and South Carolina. The Korean war caused the reopening of one of these plants—again at substantial cost to the taxpayer.

In light of the fact that private industry has presented us with the possibility of finding a domestic source for aluminum, it seems incumbent upon us to formulate a national policy which would encourage the rapid development of that resource to the fullest extent.

The possibility that a new source of aluminum has been found in conjunction with a vast energy source makes the prospect even more attractive. We know that smelters are almost always placed near cheap power sources regardless of the distance involved. Now, we are presented with the possibility of processing domestic aluminum materials near a source of domestic power. The social, economic, and employment opportunities stemming from such a possibility are indeed dramatic.

FOREIGN TRADE AND FOREIGN AID

Since the Trade Expansion Act will be subject to review by the Senate this year, it is particularly timely that we should point out the relevance of the possible development of an oil shale and aluminum industry to our foreign aid programs and to our foreign trade agreements. Before the Senate decides whether it will renew the Trade Expansion Act, I believe that we should give careful scrutiny to the following points:

The present administration has often stated its recognition, albeit in general terms, of the importance of minerals and fuels to this country. Only last September Vice President HUMPHREY, in an address to the American Mining Congress in Salt Lake City, referred to minerals and fuels as "the essence of our economic growth and the spectacular rise in our living standards"; and he went on to say:

> All of us then must be impressed with the achievements of the mineral industry in helping to lay the base for our national prosperity and our national strength.

But such broad-brush treatment frequently overlooks the grave international implications of this country's practices and unhappy lack of policy with respect to the world's mineral resources. It is paradoxical in the extreme that our Federal Government in the past few years has seemed more concerned with the development of foreign resources than of our own. The U.S. Bureau of Mines tells us that as of 1964, the total value of direct foreign investments of the United States was over $44 billion. Approximately 40 percent of this, or almost $18 billion, was in mining and smelting and petroleum, with petroleum alone being valued at over $14 billion. The petroleum industry maintains its traditional position as the largest single industrial category of U.S. investment abroad.

The impact of U.S. investment in foreign mineral and fuel producing countries is, of course, tremendous. The Eastern Hemisphere has benefited greatly from this. Its share of the non-Communist oil industry has shown the following growth:

Proven reserve:	*Percent*
1955	73
1960	77
1965	80
Crude production:	
1955	28
1960	34
1965	44
Product demand:	
1955	27
1960	34
1965	45

The income after taxes of the Eastern Hemisphere oil companies was $1,306 million in 1965. The total capacity is 14,200,000 barrels of oil per day of which 8,900,000 barrels of oil per day is produced by only seven companies.

In addition to encouraging the export of American capital to increase reserves and production abroad, the United States, operating under the mandatory oil import control program, brings significant quantities of foreign oil into this country. Preliminary estimates provided me by the Department of Commerce show that about 900.7 million barrels of oil, valued at about $2,093 million, were imported into the United States in 1965.

I ask unanimous consent that the complete Commerce Department estimates be included at this point in my remarks.

There being no objection, the estimates were ordered to be printed in the RECORD, as follows:

Petroleum imports, 1962–65

	1962	1963	1964	1965[1]
	Millions of barrels			
Crude	411.6	412.8	438.6	452.0
Refined	349.2	362.4	388.1	448.7
Total	760.8	775.2	826.7	900.7
	Millions of dollars			
Crude	1,012	1,025	1,080	1,212
Refined	717	757	793	881
Total	1,729	1,782	1,873	2,093
	Value per barrel			
Crude	$2.45	$2.48	$2.46	$2.68
Refined	2.05	2.09	2.04	1.96
Average computed import price per barrel	2.25	2.29	2.25	2.32
Domestic crude price at at wells, per barrel	2.97	2.93	2.92	2.92

[1] Preliminary estimates.

Sources: Survey of Current Business, Statistical Abstract, Bureau of International Commerce.

Mr. HANSEN. Mr. President, turning from the question of imports for a moment, we are confronted with a serious decline in our own domestic energy producing capabilities. In contrast to the phenomenal growth of the oil industry in foreign countries, our domestic drilling for oil has fallen off by 41 percent in the past decade and our oil finding success ratio is the lowest it has been in 30 years. Our ratio of domestic reserves has declined accordingly. In 1950, the ratio of reserves to production in the United States was 13.6 to 1. Last year, it was only slightly more than 12 to 1. This steady decline of exploration in this country has reached a point where annual consumption of petroleum products exceeds new reserves found.

In pursuing this course we have enabled many foreign countries to operate without any national debts and we have greatly increased our own balance-of-payments and deficit problems.

The net effect of this combination of circumstances is that our Government has exposed our Nation to the whims and demands of foreign oil producing countries. This exposure is doubly serious in light of the fact that energy is, of course, the key to our complex industrial economy.

We have, by our own practices, and by the lack of any comprehensive policy, placed a club in the hands of foreign countries and this club is being used more and more effectively on a daily basis. We see every day headlines such as these in our major national newspapers:

"Venezuela Presents Tax Deficiency Claims of $100 Million."

"Algeria, Syria Demand Increase in Payments From Oil Companies."

"Iran Seeks 17-percent Boost in Oil Shipments."

"Kuwait Asks $56 Million in Retroactive Taxes."

"Aramco Pays Saudi Arabia $66 Million in Retro Taxes."

"Libya Levies $134 Million Retroactive Tax Increase on 16 Oil Companies."

"Oil Conflict in Iraq."

All this indicates to me that the Government of our country must quickly recognize its responsibility toward its domestic resources if it is to remain competitive in the fast-moving marketplaces of this world.

The impact of U.S. investment abroad is equally dramatic with respect to those countries producing bauxite. In 1952, Jamaica produced no bauxite whatsoever but 5 years later the country had become a major producer. These developments were aided and encouraged by the U.S. Government. Greece, Hindustan, and Ghana have all recently received substantial loans directly or indirectly from the U.S. Government to increase their activities in the aluminum industry. Norway and Germany have also received loans. Through such assistance Norway has become the fifth largest producer of raw aluminum as well as being the second biggest exporter. The experience in Norway demonstrates clearly what can be done in a market with rapidly expanding demands once a government policy to go ahead is determined.

The United Nations through its Office

of Special Funds Operations has given much encouragement to prospecting within the less-developed countries. Between $15 and $20 million will be spent by that office in the current year on mineral prospecting.

On December 7, 1966, it was reported in New Delhi, India, that the Soviet Union was about to provide India another $330 million in economic aid. That economic mission was primarily for new industrial projects including expansion of a steel plant, aluminum plant, enlargement of iron mines, mineral exploration and development of petroleum resources.

Not all of the competition with respect to the world's resources is by any means friendly to our national interest. China has doubled its aluminum production between 1960 and 1965. Its bauxite production increased from 150,000 tons to 350,000 tons in the 3 years 1958 through 1960. Its imports of crude aluminum decreased from 38,000 tons in 1958 to 18,000 tons in 1960.

The latest figures for Vietnam indicate that even while North Vietnam was torn by war it increased its production of bauxite from 9,000 tons in 1955 to 200,000 tons in 1957.

Further, we are hearing every day more and more about the economic feasibility of nuclear power. So far, economies have dictated that bauxite be brought to a cheap power source. But this may change dramatically in the future and we should not be surprised if, as a condition to the purchase of bauxite, the supplying country insisted on the development of a nuclear powerplant with which to process the raw material. Guiana has announced its policy that bauxite will hereafter be processed in the country of origin. In the weeks and months ahead we cannot expect that this ambition will be limited to Guiana, and it now seems unwise in the extreme to permit ourselves to become reliant on foreign countries for both raw materials and production facilities.

With respect to aluminum, it once could be said that the lack of any domestic supply forced upon us the necessity of reliance on imported sources. Importation was thus a matter of necessity and not of policy. We are now, however, at the crossroads and the time is at hand for a bold new policy designed to stimulate the development of our domestic resources through concerted action by the Government and private enterprise.

As I indicated earlier, the international aspects of resource development present a two-sided coin. On the one side we are concerned with foreign aid. The State Department has traditionally taken the position that full and unfettered trade should be stimulated between our wealthy country and underdeveloped nations. For this reason the State Department, exercising its terrific power in policy determinations within our Government, has generally disfavored recent efforts to stimulate our domestic industries.

But such a position presents a striking paradox in several instances. Let me cite, for example, the case with respect to Brazil. During fiscal year 1965 our foreign aid expenditures to Brazil equaled $285,900,000. Of this amount two of the largest items were loans which equaled $218,400,000 and military assistance equaling $14,300,000. On the other hand, a study of the Brazilian budget indicates that imports of petroleum and petroleum products have been steadily increasing into that country. The cost to Brazil for petroleum imports is currently running around $50 million per year. One of the principal reasons why Brazil finds it necessary to import oil is that it has been unable so far to bring to commercial production its known oil shale reserves. This failure is accounted for in large part by the discouragement Brazil has received from our own country. Brazil has consistently sought technological assistance from the United States but we have been unable to supply this necessary assistance. Our failure in this regard can be laid directly to the do-nothing policy with respect to oil shale development that our Government has had up until the present time.

I am hopeful that the necessary technology will be forthcoming in the near future. I am hopeful also that we will then see the futility of handing large sums of money over to a country such as Brazil only to watch at least a fifth of those American dollars spent to import raw materials into that very country which receives our largess. This folly could be reversed by merely providing our neighbors with technological assistance rather than dollar giveaways. A positive national policy by our own country would affect just such this needed reversal.

BALANCE OF PAYMENTS

Previously in my remarks, I pointed to the rapid expansion of resource development and investment in foreign countries. This leads us logically to the question of balance of payments. That question is one of the major problems facing the present administration. Indeed, the flight of gold is one of the major problems of our country in this entire century.

It is becoming increasingly clear that we cannot solve the problem of the balance of payments by sanctions. Indeed, just within the past few days, Mr. Johnson in his economic report for 1967 saw fit only to say that the United States will "continue to move toward equilibrium as rapidly as the foreign exchange costs of the Vietnam conflict may permit." Compare this to the administration's talk last year, when it spoke of attempting to reach payments equilibrium in 1966. Now, I would say to you and to President Johnson that we cannot continue buying oil and bauxite abroad in face of a rapidly decreasing gold reserve. Despite the seemingly intolerable complexities of the balance-of-payments problem, one basic economic reality is obvious. That reality is that we must strive to increase our exports as we decrease our imports. This means that we must find our own sources of raw material as well as reduce the cost of our finished products.

The U.S. petroleum industry showed a trade deficit of $649 million in 1964, nearly 75 percent more than in 1960. During 1960 to 1964, exports remained level while imports rose by over $300 million. The petroleum industry imported some $1,080 million worth of crude oil in 1964 plus another $590 million of refined products. Projections up to 1975 indicate that the trade deficit in the petroleum industry will continue to rise with estimates up to $1,702 million of trade deficit by 1975.

Earlier, I indicated the dominant role played by just seven companies in the rapid increase of oil production in foreign countries. These seven companies paid $2,451 million to foreign governments in 1965. The percent paid to foreign governments rose from 50 to 65 percent in the 8-year period, 1957–65.

In light of the growing competitiveness, indeed of the growing hostility, on the part of foreign governments whose countries produce vast quantities of petroleum or aluminum minerals, I believe that it is high time our own country, the United States, reassess its position in the world marketplace and take immediate steps to increase our competitiveness for the years ahead. Instead of simply reacting to circumstances as this government has been wont to do in the past, we should now act affirmatively by establishing a comprehensive and thoughtful policy which considers the needs of our industries and provides for the full development of our great natural resources.

THE ROLE OF GOVERNMENT

This now, then, brings me to the last point I wish to make in my remarks here before the Senate. It must be recognized that in order to develop fully, and in an orderly way, this new domestic industry, State and local governments, private industry, and the Federal Government will all have to act as mutually responsible partners.

As was indicated at the beginning of my remarks, I am hopeful that the Senate will conduct hearings on the question of the governmental role in this industrial development in the very near future. First on the agenda of these hearings should be an analysis of Secretary Udall's plans with respect to point 3 of his announced five-point program. The Interior Department's plans for regulation of the research and development phase and later the operational phase of the oil shale industry should be discussed before their publication. Our Senate hearings should examine these proposed procedures in detail and in depth. We should invite representatives of private industry for their views in order that procedures can be developed which will be fair to all parties, big or small. It will be of no service to announce an oil shale development policy only to find that the details of the administrative procedures inhibit, rather than promote, the entrance of private industry into this new field.

Next, the Congress must concern itself with the need for increased research and exploration of our oil shale and associated mineral reserves. I have asked the Bureau of Mines to advise me of the exploration and study plans presently underway in the oil shale field. Dr. Walter Hibbard has been most helpful in this respect and I am sure that his remarks on what further authorizations and appropriations are necessary for future studies will be of great benefit to Congress.

Next, we must begin to give close scrutiny to the long-range water requirements for such a fantastic new industry. I was greatly encouraged to see in President Johnson's budget request an item for a reconnaissance study of the upper Green River Basin. This water study, which had been requested by Senator Simpson, my predecessor here in the Senate, and myself, will be the first step down the road to a full appraisal of our municipal and industrial water needs. But I am certain that further and broader investigations will be required in order properly to project the amount of industrial and municipal water which will be necessary for this new industry by the year 2000. Again, advice from the Department of Interior should be sought in this matter. I will be prepared to ask Congress for the necessary appropriations once such study plans are firm.

And last, but by no means least, the States of Wyoming, Colorado, and Utah must be called upon for their views and their proposed action in regard to this new industry development. These States have traditionally been vested with policing power over such matters as conservation regulation. The proper regulation by the States of this new industry should prove to be no exception. I am hopeful that the State Legislatures of Wyoming, Colorado, and Utah will begin immediate plans for the drafting of necessary conservation regulations and for the regulation of air and water and land pollution. In this regard, it will be incumbent upon Secretary Udall to solicit the mutual cooperation of the affected States and to arrive at coordinated regulations and policing practices.

The leaders of these three great States should be invited to present their views and their problems before Congress and to receive every assistance possible in dealing with the anticipated needs of local areas. The creation of whole new cities and their attendant municipal services must be anticipated. Proper leadtimes must be provided for in the establishment of new long-range taxation programs and local governmental authority. School, hospital, sewage, fire, and water districts should be created well in advance of a great burgeoning industry.

The present chairman of our Senate Interior Committee recognized the vast implications of an oil shale development program several years ago. In 1965, Senator JACKSON called for informational hearings before his Interior Committee and introduced those hearings with these remarks:

> All too often in dealing with problems affecting our natural resources, both economic and aesthetic, this Committee is faced with a condition, not a theory. Conditions often demand ad hoc solutions to immediate, limited problems. But as I pointed out earlier, such is not the case here today. We hope to have basic facts and issues presented, and then to be able to deliberate on broad, overall policy questions involved in the wisest and best course of action to take with respect to this great natural resource found so abundantly in our public domain.

It is fitting that I should close with Senator JACKSON's remarks, for nothing further can be added at this time.

Now let us get on to the task at hand.

Mr. McGEE. Mr. President, will the Senator yield?

Mr. HANSEN. I yield to my distinguished colleague from Wyoming.

Mr. McGEE. I should like to commend my colleague for his very forthright and illuminating address on what is fundamentally a problem of resource development in this Nation. The problem of resource development is curiously embraced very substantially in the western part of our country now, because of the way our country has developed. But I must say that my colleague has likewise put forward a set of priorities with which it seems to me, it is important for us to come to grips, both nationally and internationally, so far as our country is concerned.

I am perhaps more optimistic than is my colleague about our capability of operating on both fronts. I think the more we can encourage this kind of resources development overseas, the less will be their call on us for an outpouring of American economic help. That is a matter of degree, rather than of substance.

On the other hand, we have indeed lived on a day-to-day resource development policy rather than having taken a long view of it. I am one who believes, along with my colleague, that there is a great treasure house of national growth capabilities that still remains largely unknown in its operational capability. We know it is there. We do not really know what it amounts to. We do not know what lines it will require us to take.

I could not agree more with my friend in this respect, whether it be in the field of oil shale, which will open up a field that will dwarf anything that we have had up to this time; whether it be in the field of converting gasoline from coal; whether it be in new processes in the aluminum industry; or whether it be in so many others. It is there, and it is there in such great depth that I think it defies the imagination of those who try to imagine the capitalistic development capability that we have in this land of ours.

It seems to me the whole focus of the country is moving ever more westwardly, by the very course of events in our great land. The population centers seem to be heading that way. The problems of the utilization of our own population explosion seem to be heading in that way. Our own presence in the Asian area and the Pacific is a harbinger of the future, rather than merely a passing condition forced by the passing crises of our times.

I think the philosophers of today who view the age of tomorrow all agree that it will be in the western portion of the world, meaning the Pacific area, to which there will be a shift away from the traditional, age-old concentration of influence in Europe. That may well be the voice of the future.

So, with all those factors added together, I believe the Senator from Wyoming [Mr. HANSEN] has made a distinct contribution in urging a pushing ahead by requiring that we think hard, long, and deeply about the capabilities that we need to have and to fully utilize as we look ahead.

I salute the Senator from Wyoming on his maiden speech. I think he has made a fine contribution on the floor today and has really rendered a great service to the Senate.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HRUSKA. Mr. President, I ask unanimous consent that I may have 3 minutes in which to engage in colloquy with the Senator from Wyoming.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HRUSKA. Mr. President, at the outset of his remarks, the Senator from Wyoming observed that this was his maiden speech, and he asked the indulgence of his colleagues. Rather than his asking for their indulgence, I think his colleagues should commend him and be grateful to him for a most constructive contribution to a vital subject.

This occasion reminds me of the time I made my first appearance as a lawyer in a trial in which several lawyers were engaged. I was asked how I felt and I said I felt very nervous. One of the elder statesmen, a member of the bar said, "ROMAN, always remember, every lawyer has a first time to start his legal career." I have never forgotten that advice, and I think it applies to the Senator from Wyoming today.

Certainly the delivery of the remarks of the Senator from Wyoming shows that he brings to the Senate an expertise and understanding in a highly vital field. He has made a logical contribution to an understanding of that subject. He has made a comprehensive and understandable statement. It has many implications, and many consequences are involved, not only in the field to which the Senator has referred, but to other fields. They all demand vigilance and continuing study and dedication.

I wish to observe that in the Subcommittee on Antitrust and Monopoly, which is a subcommittee of the Committee on the Judiciary, we are taking cognizance of the problem and subject about which the Senator has spoken so eloquently.

I ask unanimous consent that a passage from the letter which the chairman of our subcommittee sent to the entire committee bearing on this particular subject be printed in the RECORD at this point.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

> It is estimated that in the Rocky Mountain area, chiefly in Colorado, are oil shale formations containing an estimated 2 trillion barrels of oil—five times the world's known reserves—worth, at going market prices, close to 5 trillion dollars. Methods of extracting this oil are now close to practicality. Because approximately 80 percent of this oil shale is on government-owned land, it is essential that the government evolve policies which will provide for the development of this reserve in a way that will best square with our commitment to a competitive economy. Monopolization of such an important national resource must be guarded against and at the same time orderly development of the reserve is essential. How the public interest can best be served and competition encouraged is a question which needs public exploration. As a result, public hearings are planned in this area.

Mr. HRUSKA. Mr. President, I call attention to this particular language:

> **Because approximately 80 percent of this oil shale is on government-owned land, it**

> is essential that the government evolve policies which will provide for the development of this reserve in a way that will best square with our commitment to a competitive economy. Monopolization of such an important national resource must be guarded against and at the same time orderly development of the reserve is essential.

That is the core of the interest of the Judiciary Committee in another aspect of this very important field.

So again I commend the Senator from Wyoming for an auspicious beginning. Those of us who have followed the public career of the Senator will, I am sure, witness equally significant contributions to the deliberations of this body.

Mr. HANSEN. Mr. President, I am most grateful to my colleague, the distinguished senior Senator from Wyoming [Mr. McGee], and to the distinguished Senator from Nebraska [Mr. Hruska] for their very kind remarks.

LEGISLATIVE REORGANIZATION ACT OF 1967

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of S. 355.

The PRESIDING OFFICER (Mr. Hollings in the chair). The bill will be stated by title.

The Legislative Clerk. A bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to; and the Senate proceed to consider the bill.

THE HUMAN INVESTMENT ACT OF 1967

Mr. PROUTY. Mr. President, on behalf of myself and Mr. Allott, Mr. Baker, Mr. Boggs, Mr. Carlson, Mr. Case, Mr. Cooper, Mr. Cotton, Mr. Dirksen, Mr. Dominick, Mr. Fannin, Mr. Fong, Mr. Griffin, Mr. Hansen, Mr. Hickenlooper, Mr. Hruska, Mr. Javits, Mr. Jordan of Idaho, Mr. Kuchel, Mr. Miller, Mr. Morton, Mr. Mundt, Mr. Murphy, Mr. Pearson, Mr. Percy, Mr. Scott, Mrs. Smith, Mr. Thurmond, and Mr. Tower, I introduce, for appropriate reference, the Human Investment Act of 1967.

I ask unanimous consent that the bill may lie at the desk for 1 week to enable other Senators who wish to become cosponsors to do so.

The PRESIDING OFFICER (Mr. Hollings in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk, as requested by the Senator from Vermont.

The bill (S. 812) to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs, introduced by Mr. Prouty (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

Mr. PROUTY. Mr. President, the purpose of the Human Investment Act is to provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job skills, and by upgrading the job skills of and providing new job opportunities for workers presently employed.

To achieve this purpose, the Human Investment Act provides for a credit against Federal income tax toward the costs of certain carefully specified programs designed to train prospective employees for available jobs, or retrain current employees for more demanding jobs. In the present bill the amount of credit is 10 percent of the allowable training expenses. There is an upper limit based on the taxpayer's tax liability, as in the investment tax credit provisions enacted in 1962.

I ask unanimous consent that the text of the Human Investment Act of 1967, an abbreviated summary of the Act, a technical explanation of its provisions, a short memorandum on the origins of its language, a memo on the changes made from the Human Investment Act of 1965, a list of the sponsors of the act in the 89th Congress, and an editorial from the New York Herald Tribune discussing the act be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1, 2, 3, 4, 5, 6, and 7.)

Mr. PROUTY. Mr. President, I ask unanimous consent that a letter to me from the Joint Committee on Internal Revenue Taxation, relating to the revenue effect of the act, be printed at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 8.)

HISTORY OF THE PROPOSAL

Mr. PROUTY. Mr. President, in 1961 President Kennedy asked the Congress to enact a tax credit toward the cost of investment in depreciable property. Congress responded by passing the Revenue Act of 1962, which contained provisions for a 7-percent tax credit toward the cost of investment in machinery and equipment.

During 1963 what was then the Senate Subcommittee on Employment and Manpower held an important series of hearings under the able chairmanship of the Senator from Pennsylvania [Mr. Clark] on the subject of promoting full employment in the American economy. As ranking minority member of that subcommitee, I joined with the Senator from Idaho [Mr. Jordan] in appending some individual views to those of the subcommittee's majority.

In our views, Senator Jordan and I set forth the idea of using the same tax credit principle to encourage private business to cope effectively with the serious problems of structural unemployment then, and now, plaguing the economy. To my knowledge this was the first time a Member of Congress had advocated the application of a tax credit principle to job training efforts by private business. On February 17, 1965, I introduced a forerunner of the bill I am introducing today, which was given the number S. 1130. In this I was joined by Senators Jordan of Idaho, Allott, Fannin, Long of Missouri, Scott, Tower, Case, and Fong.

On March 17, 1964, my proposal received influential support when the Republican members of the Joint Economic Committee specifically recommended the human investment tax credit approach to job training in their views on the Economic Report of the President.

Over the next 6 months, I actively solicited the comments and recommendations of several hundred business and labor leaders, manpower experts, tax lawyers, and other interested persons. As a result of their assistance, I introduced on September 9, 1965, an improved "second generation" version of the Human Investment Act. On the same day, a large group of Members of the other body, led by the distinguished Congressman from Missouri, Representative Thomas B. Curtis, introduced companion measures.

That "second generation" bill—S. 2509—improved upon the original version in several respects.

First, a new "declaration of purpose" was added to make clear the objective of the bill.

Second, the concept of "employee training expenses" was significantly revised to insure greater precision and clarity. This was done by adding language excluding the training of managerial, administrative, professional, and scientific personnel; defining the allowable expenses in such a way as to permit their ready identification by taxpayers and administrators; and reducing to a minimum the discretionary problems of the Internal Revenue Service.

Third, the requirement of the earlier bill that employees must remain on the taxpayers' payroll for at least 12 months before he could claim the credit was reduced to a requirement of 3 months.

Fourth, the earlier bill would have deprived the taxpayer of credit in the case of an employee who was trained but later fired for good cause. New language was added to modify the "3-month rule" so as not to unfairly penalize the taxpayers in cases where his trainee died, became disabled, or was terminated as a result of misbehavior.

The Human Investment Act of September 1965 represented the best available thinking at that time. In the 16 months since then, the process of refinement and improvement has continued steadily. Thus the bill I am introducing today can be viewed as a "third generation" version of the act. No doubt further improvements can be made, hopefully as a result of suggestions advanced during hearings by the appropriate committees of Congress.

I will not at this time attempt to explain every provision of the new bill in detail. The memorandums which will appear at the conclusion of my remarks are designed to serve this purpose. I will thus merely outline the principal differences between the new bill and S. 2509 of the 89th Congress.

AMOUNT OF CREDIT

The most significant change in the new bill is the increase in the percentage of credit. The old bill offered a tax credit of 7 percent toward allowable employee training expenses, equivalent to the 7-percent credit toward investment in depreciable property provided in the Revenue Act of 1962. The present bill allows taxpayers a credit of 10 percent toward training expenses. The rationale for this differential is important.

The investment tax credit permitted a taxpayer to claim a tax advantage toward investment in machinery, but no equivalent advantage was provided for similar investment in human capital, that is, the labor skills of his employees. The employer thus had an incentive to automate his plant with tax-subsidized machinery, thus replacing human workers while failing to encourage their retraining in more advanced or demanding skills.

One purpose of the Human Investment Act is to redress this imbalance between machines and workers. Logically the taxpayer should get an equal credit for investing in both his labor force and his equipment.

But there is an additional factor involved that argues for a greater credit for investment in human capital. Unlike machinery, to which the taxpayer has title, and which he can depreciate and dispose of, extraction of the maximum benefit from an employee's job skills involves a factor beyond the taxpayer investor's control—the employee's desire to seek maximum economic opportunity and security.

Short of bankruptcy and attachment, a taxpayer may not lose his investment in machinery, but his investment in training may be lost at any time.

When skilled labor bottlenecks are few, this imbalance between investment in machinery and people poses no significant problem. But when severe skilled labor shortages appear, workers have an incentive to move on to better job offers, causing the previous employer to lose his investment in their skills. Labor pirating by firms with skill shortages obviously accelerates this trend.

Over the past year and a half numerous stories have appeared in business, trade, and general circulation magazines and in the daily press on the severe shortages of labor skills. As early as October 21, 1965, the Wall Street Journal reported "Manpower Pinch Spurs Pirating, Increases Costs, Hurts Efficiency." In it were described the plight of several businessmen whose employees were snatched away by other firms suffering from shortages.

Time, on December 17, 1965, surveyed the skilled labor picture and reported "Labor pirating by firms has broken out in the Midwest as a result of shortages of ironworkers, carpenters, and cement masons." Throughout 1966 this pattern continued, until columnist Sylvia Porter was able to state on January 12, 1967:

> So severe are some skill shortages, in fact, that corporations, schools, and government agencies are now raiding each other to fill job openings, paying bonuses up to $300 to employees who can deliver new job recruits, scouring Canada and Europe for employees.

A week later the Labor Department reported that "American workers are switching jobs faster than ever" as a result of the increase in the number of workers under 25 and the "bright employment picture that is encouraging more people to move to better paying jobs." Men under 35, the Department stated, are averaging only about 1.5 years on their current jobs.

For nearly 2 years, the Nation has been in a period of skilled labor shortage. Given this condition, labor turnover has increased sharply. This increase is due to increased economic opportunity and to certain amount of "labor pirating." Its effect, upon a taxpayer who has invested in an employee's training only to see him leave, is to make investment in people a riskier investment than investment in inanimate machinery.

As a result, the Human Investment Act includes a credit differential for investment in labor skills. It is very difficult to determine from the economist's standpoint what magnitude this differential should take. For the moment it is arbitrarily fixed at 3 percentage points, yielding a 10-percent overall credit against job training expenses. It is expected that hearings on the act will yield evidence to substantiate this figure or to suggest another.

DEFINITIONS

The definitions of allowable employee training expenses have been sharpened, and effort has been made to relate the definitions to those in other legislation for which administrative experience has been accumulated. Similarly, language specifying nonincludible expenses has been sharpened. A definition of "Organized job training" has been added, drawing on the familiar language of the World War II and Korean GI bills.

NEW CATEGORIES

Two new paragraphs have been added to make clear that the act is intended to apply to training conducted by one taxpayer and paid for by another, and training paid for by a taxpayer which is conducted by a business or trade association, joint labor-management council, or similar group.

TRAINEE'S GROSS INCOME

Language has been added to make clear that expenses for tuition and course fees paid on behalf of an employee, or reimbursed to an employee, are not includible in the employee's gross income.

THREE-MONTH RULE

Previously a taxpayer could claim credit toward a trainee's training expenses only if the trainee stayed on the taxpayer's payroll for 3 months following the completion of training. This provision is eliminated as being entirely unworkable in construction trades and seasonal industries, and presenting extremely difficult recordkeeping and administrative problems.

TECHNICAL AND CONFORMING CHANGES

To conform with the 1966 amendments to the investment tax credit provisions—Public Law 89-800—the carryover privilege has been extended from 5 to 7 years, and the limitation on the amount of credit has been raised from $25,000 plus 25 percent of the taxpayer's tax liability in excess of $25,000, to $25,000 plus 50 percent of the taxpayer's tax liability in excess of $25,000. The act is made effective with calendar year 1967.

STRONG REPUBLICAN SUPPORT

In thus bringing the discussion of the Human Investment Act up to date, I would be remiss if I did not mention with a great deal of gratitude the support given it by members of my own party.

In the 89th Congress 23 Republican Senators joined me in sponsoring S. 2509. Twenty-nine are joining me today in cosponsoring the present legislation.

In the other body, thanks in large measure to the leadership of Representative THOMAS B. CURTIS, of Missouri—justly recognized as one of the Congress' outstanding authorities on tax and economic matters—some 86 Members introduced companion bills in the last Congress. I am told that over 120 are sponsoring this legislation in the other body today.

The entire membership of the joint Senate-House Republican leadership sponsored the Human Investment Act in the past Congress and is doing so today.

Twice the Human Investment Act has received support in the Republican state of the Union message, delivered by the distinguished minority leader of the other body.

And the Human Investment Act has been endorsed in a policy statement issued by the highest policymaking body in the Republican Party, the Republican coordinating committee.

I am grateful, Mr. President, for this strong and freely given support. The existence of it has been a potent incentive to me to develop the best possible piece of legislation.

THE NEED FOR INCREASED HUMAN INVESTMENT

Over the past 18 months the need for accelerated human investment has become increasingly serious. As early as June of 1965 economists and labor experts were predicting a forthcoming labor shortage. By September, when the second version of the Human Investment Act was introduced, their cries had become a chorus. Since that time columnists, surveys, editorials, and official statements and reports have focused on this growing problem.

For example, writing in the Burlington, Vt., Free Press of September 23, 1965, business columnist William B. Dickinson, Jr., noted:

> New strains on the nation's supply of skilled manpower are foreseen as mobilization progresses to meet needs of the Vietnamese war. Even before draft calls were doubled and military procurement stepped up, the United States was experiencing a shortage of skilled workers.
>
> The growing shortage of skilled workers already threatens to slow down the nation's general economic growth. Thousands of openings for skilled and semiskilled workers in industrial and service enterprises are going begging at a time when 4.5 per cent of the labor force is unemployed. The paradox of persistent joblessness alongside job vacancies reflects failure of educational and vocational training, to keep pace with the accelerated tempo of economic change.
>
> There would be virtually no unemployment today if the jobless men and women had the skills now sought by business and industry. A figure in common use is that for every 10 unemployed persons, there are seven skilled-worker jobs open but unfilled. The help-wanted sections of urban newspapers are thick with appeals for persons who can hook up an electric circuit, lay bricks,

repair machines, handle modern laboratory equipment, or even qualify for training in any one of hundreds of new industrial skills.

Alfred L. Malabre, Jr., writing in the September 29, 1965, Wall Street Journal, commented that the recent climb in labor costs has exceeded worker productivity, giving rise to fears of inflationary pressures among a number of economists. He went on to say:

> Aggravating the situation, many economists say, is a worsening scarcity of skilled workers in today's fast-stepping economy. Martin R. Gainsbrugh, chief economist of the National Industrial Conference Board, says that "shortages of skilled workers—and the increasing use of less trained and efficient labor—have begun to plague" the economy. Less efficient workers, of course, tend to be less productive, and without good productivity gains manufacturers normally are hard put to offset wage-rate increases.

Under the heading "Help Wanted—Almost Everywhere," Business Week reported on the developing shortage in October 1965:

> Unemployment—the nagging worry of economists and government officials—appears to be fading as a national problem. In its stead looms another problem, almost equally as worrisome, a shortage of skilled workers. ("Help Wanted—Almost Everywhere." Business Week, October 16, 1965, p. 28.)

At about the same time, the New York Times, in discussing the need for skilled workers said it was "mounting daily." The article further observed:

> With the country's economic expansion riding high, month after month, and one concern after another in a variety of industries telling of plans for new factories and new assembly lines, the pressure for more and more workers to run the plants becomes greater, even though automated procedures call for fewer and fewer workers at the production line.
>
> A national canvass by the New York Times indicates that there are labor shortages in a number of industries, aircraft and aerospace . . . shipbuilding, primary metals, machinery and machine tools.
>
> Especially wanted are computer programing technicians, skilled workers in the metal trades, engineers of many types, and various types of white collar workers, especially female and particularly secretaries able to handle major responsibilities, typists, stenographers and so on. (William M. Freeman, "Skilled Workers in Short Supply," The New York Times, October 24, 1965, p. 1.)

The Wall Street Journal's lead article on October 21, 1965, was headlined, "Corporate Manhunt: Manpower Pinch Spurs Pirating, Increases Costs, Hurts Efficiency." The article points out a number of deleterious effects of the shortage of skilled labor, among them:

First. Lack of skilled personnel is hampering defense industries expanding to meet the needs of the Vietnam crisis;

Second. Seamen cannot be found to man ships now being taken out of mothballs for the Vietnam run;

Third. Turnover in lower paid businesses is acute, as employees leave for higher paying jobs after a few weeks' work;

Fourth. Scrap and waste in manufacturing have risen because less skilled workers are performing high skill jobs;

Fifth. The costs of recruiting skilled workers is rising rapidly;

Sixth. Overtime costs are rising;

Seventh. Supervisors are being put on production lines, resulting in less efficient management;

Eighth. Some producers are losing business because of the inability to meet product delivery schedules;

Ninth. Pirating of skilled workers is ruthlessly practiced in several areas of the economy;

Tenth. Employers are increasing fringe benefits, such as free bus transportation and air conditioning, to retain needed workers; and

Eleventh. More companies are actually recruiting in Europe to meet their skilled labor needs.

The result, the article contends, is:

> A really tight manpower pinch that is beginning to delay many business operations, push up costs, and prod many employers into increasingly offbeat efforts to find workers ranging from computer programmers to trash collectors.

Labor Secretary Willard Wirtz told the Mayor's Conference on Employment in Chicago on November 3, 1965:

> It appears unlikely that unemployment among those groups in which it is most serious—especially younger workers and minority groups—will be substantially reduced below present levels by any foreseeable economic expansion. The necessary improvement will have to come from measures aimed directly at these areas of concentrated unemployment, particularly at the increased preparation and training of those who have been left out of the general educational and employment opportunity patterns. (Secretary of Labor W. Willard Wirtz speech, delivered at Mayor's Conference on Employment, Chicago, Ill., Nov. 3, 1965.)

The New York Times reported later that month that a shortage of skilled labor was forcing some Philadelphia employers to recruit workers abroad. According to the Times:

> The shortage is being felt in the fields of engineering and clothing manufacturing, and in the building construction trades . . .
>
> Last month it was estimated that about 75 per cent of the residential and commercial building developments in the Philadelphia area were being delayed because of a shortage of skilled employees.

The Times reported that the firms seeking workers abroad, particularly technicians, had done so after advertisements in major cities in this country and appeals to public and private employment agencies had failed to fill their companies' needs—"U.S. Business: Shortage of Skilled Labor," the New York Times, November 21, 1965, page F13.

In an article telling "Where Jobs Are Going Begging," U.S. News & World Report summarized the situation this way:

> The decline in unemployment is bringing widespread, and growing, shortages of labor. Jobs of all kinds are hard to fill.
>
> The situation is so acute that government experts and employers are calling this "the tightest labor market in many years."
>
> Employers, as a result, are offering all kinds of inducements in their search for workers. Shortages include the unskilled and semiskilled as well as highly trained people.

The article also reports that a Labor Department survey shows that the number of hard-to-fill jobs submitted for national recruiting efforts is nearly 58 percent higher than it was a year ago—"Where Jobs Are Going Begging," U.S. News & World Report, November 29, 1965, page 85.

"Help Wanted: The Great Manpower Shortage" headlined Newsweek.

> Scramble for skills: Labor shortages everywhere and no letup in sight.

The magazine predicted; and then went on to say:

> The five-year economic boom is creating severe labor shortages in the U.S., and Chicago, whose unemployment roll has dropped to an almost irreducible minimum of 68,000 out of a total work force of 3 million, is perhaps the tightest labor market of all. But the situation is only slightly less acute in other industrial centers across the country.

With so many workers searching for jobs "in a marketplace echoing with management cries for help," Newsweek asks why they cannot get together.

> One main reason is simple mismatch—those looking for work don't have the skills most in demand.

In discussing means of attacking this problem, the article states:

> While government can provide a blueprint for the future and offer "seed" money for training, the prime contractors in meeting manpower needs in today's rapidly changing technology must still be the private employers themselves. A great many firms are responding with training programs of their own. At General Electric, one out of eight employees is enrolled in company-sponsored courses. After a ten-year lapse, Western Electric recently revived training for machinists, electricians and toolmakers.
>
> Will all this ease the shortage? For many smaller firms the answer may be yes. But for the mass industries the outlook is not so promising. The bellweather auto industry, for example, is hungry for uncounted thousands of workers to make cars, and still short an estimated 30,000 mechanics each year to service them. "It'll be a continuing problem," said one Big Three personnel executive. "We just can't see an end." ("Help Wanted: The Great Manpower Shortage," Newsweek, November 29, 1965, pp. 78, 80.)

Noted Columnist Roscoe Drummond has written two significant columns pointing out the advantage of the proposals embodied in the Human Investment Act. Describing conditions which call for such a new approach, he said in one of these articles:

> For the first time since the industrial revolution there are more jobs in the United States looking for workers than there are workers to fill them.
>
> Industry is so starved for qualified employees today that big firms send recruiting teams to scour the entire country for workers; they bribe and steal each other's workers and when a factory closes the recruitment teams swarm at the gates to hire the dismissed.
>
> This is no exaggeration. It is visible all over the nation . . .
>
> It means that the problem of erasing unemployment is not how to create the jobs—industry is doing that— but how the unemployed can be trained to man the jobs which are beckoning to them.
>
> Here the situation cries out for a new approach to the central problem which creates present-day unemployment and which is now depriving industry of urgently needed workers. This is not to suggest that Government should do the job, but rather that Government should help create the conditions to enable industry to do the job . . .
>
> The Prouty-Curtis proposal goes to the heart of the problem: How best to provide the jobs skills so the unemployed can fill the jobs waiting for them . . .
>
> The value of this approach is that it uses the best instrument for job training—private

> enterprise—encourages doing a lot more and, in the judgment of many, may be much more efficient and economical than to have the Government try to do much itself.
>
> The Johnson administration, which can say yea or nay to almost anything in Congress, ought, it seems to me, to welcome this Republican initiative in behalf of a better society. (Roscoe Drummond, "Help Wanted: 3 Million," Washington Post, December 5, 1965, and other newspapers.)

Alfred L. Malabre, Jr., writing in the Wall Street Journal, reported in December 1965 that the index of help wanted advertising had risen from 105 percent of the 1957–59 base in 1963 to close to 200 percent. He concluded that:

> The facts suggest that if the economy faces a labor problem today it is not automation and the massive unemployment it is causing but rather the lack of workers to fill job openings." (Alfred L. Malabre, Jr., "Automation Alarm is Proving False." Wall Street Journal, December 23, 1965.)

"Warning: Shortage in Technical Labor Ahead!" cautioned the Lawyer's Weekly Report at the end of 1965. The newsletter then suggested:

> Now is the time to prepare for a coming shortage in technical labor. The Labor Department just reported the supply of engineers, scientists, and technicians seeking jobs during the first half of 1965 had dropped 25% over last year. But job openings were up 47%. And informed Washington sources tell us the demand will accelerate with the step-up in war spending.
>
> The market for draftsmen is tighter than it has ever been in the seven-year history of the Labor Department survey. ("Warning: Shortage in Technical Labor Ahead!" Lawyer's Weekly Report, published by Prentice-Hall, Inc., December 27, 1965.)

The highly respected Morgan Guaranty Survey for December 1965, reporting on "The Economic Outlook for 1966" said:

> The inflationary implications of an unemployment rate significantly below 4% are heightened by the structural nature of much of the unemployment that now exists—most strikingly evidenced by the difficulty employers have filling jobs in certain skilled categories. . . . To assume improvement in the rate of productivity increase would hardly be realistic, particularly since employers will be dipping into a labor reserve that is relatively inexperienced and unskilled. ("The Economic Outlook for 1966." The Morgan Guaranty Survey, December 1965, p. 7)

In a traditional New Year statement by the Secretary of Commerce, Secretary John T. Connor predicted:

> We have a prosperous and exciting year ahead of us. . . . But it is not going to be an easy road to travel. Many firms are having difficulty in obtaining the workers needed for their expanding operations. More overtime work can help in this situation. Training new workers for the jobs on hand is also part of the solution. ("Manpower Lack Flaw in Outlook." The Washington Post, January 2, 1966)

In a statement on the manpower situation at the beginning of the year, Arthur M. Ross, Commissioner, Bureau of Labor Statistics, pinpointed some of the tightest labor markets and listed those occupations feeling the pinch the most. He stated that despite emerging shortages, there was no general labor shortage. However, he went on to say:

> . . . it seems clear that manpower demands will intensify during 1966 as a result of increased defense production, continuing capital expansion and greater numbers of men in military service.
>
> In conclusion, the period just ahead will test our ability to use our human resources to an even fuller extent in order to meet production schedules and maintain satisfactory economic growth. Likewise it will test our capacity to eliminate potentially inflationary manpower bottlenecks as they develop. ("The Manpower Situation: Emerging Shortages and Residual Surpluses." Statement by Arthur M. Ross, Commissioner, Bureau of Labor Statistics, U.S. Department of Labor news release, January 7, 1966, pp. 2, 3.)

The labor correspondent of the Christian Science Monitor, Ed Townsend, wrote early in 1966 that manpower shortages topped the list of labor problems. In his opinion:

> Labor shortages loom as a greater problem than collective bargaining for employers in the year ahead.
>
> When workers are in short supply, competition for needed labor is likely to push wage costs up. Meanwhile, the employment of less-skilled workers tend inevitably to increase the costs of each unit of output—the underskilled can't meet high standards.
>
> Government economists are concerned. They're much more worried about this and about "excessive" use of overtime and other forms of premium pay for work than about "inflationary bargaining" this year.
>
> Employers are worried, too. One association spokesman said that the difficulty of finding workers with needed skills will be "definitely the most serious problem management will have to face in 1966."
>
> A regional Federal Reserve Board economist said recently that the need for more workers "has definitely been holding back production for a year, and production is being slowed more and more now." The effects could become "critical" in many areas during 1966. (Ed Townsend, "Shortages Top List of Labor Problems" The Christian Science Monitor, January 11, 1966, p. B–3.)

In reporting on a news conference Secretary Wirtz gave in January, 1966, the New York Times said:

> He acknowledged that there already were manpower shortages in several professional occupations and that shortages were emerging among skilled workers. . . .
>
> He said there was a severe shortage of workers in the field of medical care that would reach one million. . . .
>
> There have been growing labor shortages, despite the reservoir of unemployed persons because many of those without jobs either lack the needed skills or live in the wrong locale to find available work. . . . (David R. Jones, "Wirtz Predicts the Jobless Rate May Dip to 3.5% by late June." New York Times, January 27, 1966, p. 23.)

The Kiplinger Newsletter of January 28, 1966, reported:

> The scarcity of good workers is approaching a critical stage. . . . Even the government is now aware of it. . . . Many companies are trying to hoard employees. . . . Pirating is rampant. . . . (Kiplinger Newsletter, January 28, 1966.)

In discussing manpower shortages in testimony before the Joint Economic Committee, February 8, 1966, Secretary of Labor Willard Wirtz pointed out that increasing concern is being expressed today about the problem not of unemployment but of prospective manpower shortages, particularly in certain areas and occupations. Among a number of illustrations cited in his testimony are these:

> Few production schedules are being impeded significantly because of manpower shortages, but production backlogs and unfilled orders are increasing in a few industries, especially defense-related industries, and metalworking. In the construction industry, the short supply of certain skilled workers is resulting in bid rejections caused by too few bidders and sizeable differences between the low bids and the engineers estimates.
>
> The most severe labor stringencies appear to be in the most heavily industrialized Great Lakes States, particularly Michigan, Wisconsin and Illinois. In Massachusetts and California, heavily defense-oriented States, unemployment rates in many labor areas remained at 6.0% or more in November 1965.
>
> Occupations in shortest supply are engineers, technicians, draftsmen, metalworkers, electricians, plumbers and pipe fitters, medical and health workers, and some types of mechanics and repairmen. Local employment service offices received more openings this December than in any other December since 1945.
>
> Many employers are scheduling longer workweeks, raising the maximum age at which they will hire new workers, and lowering educational and experience requirements. Indications are that turnover among many of these newly hired workers is extremely high, with possible future implications for costs and prices.

Secretary Wirtz goes on to say that it is clear that manpower shortages in certain areas and occupations are now imminently possible, and that they warrant the "immediate stepping up" of the available training facilities.

> Manpower policy, it is now clear, is as important in periods of high employment as when jobs are hard to find. With rising employment and tightening job markets, the training programs have become increasingly important in easing and preventing production bottlenecks, with their consequent inflationary pressures. (Statement of W. Willard Wirtz, Secretary of Labor, before the Joint Economic Committee, February 8, 1966, pp. 15–19).

In a lengthy editorial the Washington Star focused on the problems caused by the shortage of labor and noted the Republican response through the Human Investment Act. The full text of the editorial follows:

> [From the Washington Star, Feb. 13, 1966]
>
> ### Problems Are the Price of Success
>
> As America heads into the sixth year of its phenomenal boom, some strange things are happening to the economy.
>
> Unemployment has dropped to less than 4 percent, the lowest rate in nine years, and Labor Secretary Wirtz is predicting it will fall to 3.5 percent or less in 1966. Average hourly earnings have reached a record $2.67. Industry has been on a hiring binge to meet orders. And Viet Nam spending promises to stimulate matters even more.
>
> That 4 percent unemployment level doesn't tell the whole story. Actually, as Labor Department officials told a congressional committee last week, shortages in manpower have hit a number of industries. Some of the results have been little short of weird.
>
> Overtime work in manufacturing now averages the highest in 20 years. The short supply of skilled workers in construction has caused some firms to refuse to bid on certain projects. Commissioner Arthur M. Ross of the Bureau of Labor Statistics warns that shortages are increasing not only in the skilled trades and the professions but, paradoxically, also in unskilled and menial jobs, a fact noted by many Washington

homeowners who tried to find someone to shovel snow in the recent blizzard.

The labor experts do not know why unskilled jobs, wihch require little or no education, are going unfilled. As Mr. Wirtz put it, "It may well be the ultimate irony of the affluent society, the well-educated society, that when we reach the point at which we want to turn our dirty work over to somebody else, nobody wants to do it."

Earlier in its history, the United States could depend on immigration to fill the demand for cheap, unskilled labor. With the enactment of a new immigration law in 1965, there are signs now that the nation is turning again to this device in a more selective way and at a higher level.

Faced with a shortage of bricklayers, for example, contractors in Springfield, Illinois, recently recruited 15 craftsmen from Ireland and now are talking about luring 40 more. Canada is furnishing waves of skilled workers. The aircraft industry is scrambling to attract engineers from England. And although the new law took effect only last December, the Labor Department estimates it will receive some 50,000 applications to certify foreign workers for immigration in 1966.

The Nation's Capital is among eight metropolitan areas accounting for half of all the immigrant recruiting. The recent addition of a Swiss chef at the White House is symptomatic. Executive chefs, along with architects and domestic live-in help, are among the city's most sought-after imports.

Raiding of employes among competing firms, previously confined to the upper levels of management where it is cheerily called "body-snatching" has spread to the skilled trades. In Cincinnati, for example, workers in metal fabricating and aircraft industries are being lured from one company to another.

The situation has opened doors for the Negro. Industry is recruiting on campuses as never before for Negro candidates among this June's graduating class. One job brochure aimed at Negro seniors has been mailed by a New York placement bureau to more than 90,000 students and colleges.

The labor scarcity has brought a shift in the government's Manpower Development and Training program, designed originally to help the hardcore unemployed and underprivileged youth. Some 35 percent of its training in 1966 will be redirected to cope with the shortage of skilled labor. At the same time, such training is accelerating rapidly. The federal program this year will support training of 275,000 in vocational schools, plus another 100,000 in on-the-job training, plus nearly 11,000 in experimental projects for workers from unusually deprived backgrounds.

Under pressure of the worker shortage, many industries have launched their own training programs, often at a cost running into millions of dollars. In fact, the expense has added such a burden to industry that Senator Prouty of Vermont and a number of Representatives have introduced bills to provide companies a tax credit for the cost of employe training.

The effect of the labor shortage and rising prices has not been lost on unions. Demands for substantial pay increases are expected at the bargaining table this year. As an extreme example of what can happen the Operating Engineers in New Jersey recently won a contract bringing wages of operators on construction cranes to $7.75 an hour. Even apprentices will get $4.55 an hour.

Small wonder that inflation has become a central concern of the administration.

"These are the problems we have been waiting to encounter for nearly 10 years," President Johnson declares. "These problems are the price of our success."

Perhaps. But if the defense outlays for the campaign in Viet Nam expand much more, overheating an already strained economy, higher taxes and some form of wage and price controls seem inevitable. A year of strange and unprecedented problems lies ahead. The economy must be kept under surveillance by the administration as never before.

U.S. News & World Report, recognizing that "a growing shortage of workers in many areas of the country has led employers to come up with all sorts of ideas for recruiting new employees and holding present workers," described the many lures employers are offering to recruit workers as they try to ease the labor shortage. The article points out that:

> Shortages so far are said to be chiefly among skilled and professional groups, but some firms foresee further shortages, especially among the semi-skilled, in months ahead . . .
>
> Recruiters for aerospace firms say they need people ranging from Ph. D.'s to riveters. At times, they report, it is harder to find riveters than scientists . . .
>
> Many employers are expanding their training programs. For example, Douglas Aircraft is training 2,400 aircraft assemblers. Another Douglas program, for electronic technicians, requires 8,000 hours of paid training on the job plus at least 700 hours of study in evening college courses.
>
> General Electric . . . is spending 45 million dollars a year on its training and education programs.
>
> Thus, the search for talent goes on in many ways as employers seek new workers for jobs that are going begging. ("When the Worker is King—Industry's Big Hunt for Talent." U.S. News & World Report, February 14, 1966, pp. 98, 101.)

In commenting editorially on the Nation's declining unemployment rate, the Baltimore Sun in the February 11, 1966, issue offered this reminder:

> As we have said before, the declining unemployment total, together with the scarcity of qualified jobseekers in many fields, points up the importance of training programs to develop skills for the jobs available. (Reprinted in Congressional Record, vol. 112, pt. 3, p. 3289.)

In another article on the increasing labor shortage, U.S. News & World Report stated that:

> The ballooning rise in the index of help-wanted advertising gives unmistakable evidence of a strain in the market for qualified labor greater than at any time since the Korean War . . .
>
> What gives especial volatility now to the volume of help-wanted advertising is the shrinking supply of qualified workers in relation to the mounting demand for them. ("Business Activity of the Week." U.S. News & World Report, February 21, 1966, p. 108.)

In his 1966 manpower report to Congress, President Johnson announced a number of administrative actions designed to "deal with manpower shortages before they develop." He also issued a call for "bold new approaches," and asked this series of questions:

> What can we do to encourage employers, who seek scarce skills, to redefine jobs in a way that employs more of the unskilled or semiskilled?
>
> How can we enhance the mobility of workers in construction and similar occupations where demand shifts sharply among localities?
>
> What can we do to mobilize the recently retired but still productive?
>
> What can we do to make fuller use of our trained manpower?
>
> What can we do to break down artificial barriers against the entry of new workers into jobs that are hard to fill?
>
> What can we do to insure that training and apprenticeship programs are open to all alike and are sufficiently extensive to meet our needs for skilled workers?
>
> What can we do to help employers improve their own on-the-job training?
>
> What can we do to encourage the employment of the physically and psychologically handicapped?
>
> What can we do to facilitate the immigration of workers with scarce skills?
>
> What more can we do to break down the barriers of discrimination that waste valuable manpower resources?

The President pledged new efforts to expand and improve existing manpower programs, and concluded:

> A manpower policy should lead us to a society in which every person has full opportunity to develop his—or her—earning powers, where no willing worker lacks a job, and where no useful talent lacks an opportunity.

In the report itself, transmitted by the Secretary of Labor, it is recognized that:

> In the present period of rising employment and tightening job markets, measures to improve manpower development and utilization become steadily more important in easing and preventing labor shortages with their consequent production and inflationary pressures . . . Employers can make a great contribution by enlarging their on the job training programs and opening these to all potentially qualified workers—without discrimination, artificial educational requirements, or other barriers to employment of the disadvantaged.

The report then points to a reorientation of the MDTA programs: to give more attention to the training of workers in skills which are in short supply, as well as training disadvantaged persons for beginning skills. On-the-job training will be sharply increased.

> As the economy moves toward full employment—

The report notes—

> the skill shortages now emerging can be expected to intensify.

The Department announced a number of internal actions to make its services better suited to cope with these emergent problems—House Document No. 406, 89th Congress.

Robert M. Lewin, labor writer for the Chicago Daily News, wrote from Washington on March 9, 1966:

> The United States is facing a manpower squeeze that threatens to get far worse later this year because of the Viet Nam buildup. President Johnson's chief economic adviser believes that tightening of the labor market is far more important than the current stock market slump. (Chicago Daily News, March 9, 1966.)

A Washington Star item quotes the Secretary of Labor as testifying before a subcommittee of the House Education and Labor Committee that:

> Even a rapidly expanding economy won't mean jobs for a great many of those who today are unemployed. Their problems . . . have to be approached almost on an individual basis.
>
> To solve the problem Wirtz said that new training programs must be organized with full recognition that most of the ultimate answer to unemployment among the poor has to be jobs in private employment. ("Poor Not Aided by Jobless Dip, Wirtz Says." Washington Evening Star, March 9, 1966, p. A-3.)

Commerce Secretary John T. Connor noted the growing need for skilled labor in an address to the Dallas and Fort Worth Chambers of Commerce on March 10, 1966, when he said "In fact, shortages of skilled labor are now becoming of growing concern in a number of geographical areas and industries." He went on to make a plea for a new devotion to job training:

> We can progress no faster than labor is trained to operate our increasingly complex machines. Nowhere is cooperation among government, business, and labor more urgently needed. I especially refer to local and state governments which conduct vocational schools where technicians and draftsmen are trained.
>
> Business can step up its own programs for training new workers and retraining older ones in newer techniques and skills. Many major business firms have long conducted such important programs. And business can work with local educational systems to develop curricula to meet industrial needs. (Department of Commerce text, March 10, 1966.)

Commenting on the President's message to the Congress on Manpower, the AFL–CIO News said:

> Johnson paid tribute to the effectiveness of job training and retraining, with special emphasis on the value of on-the-job training, as a proved technique for making "useful and productive citizens" from those previously considered beyond help . . .
>
> Even though the overall unemployment rate is down, "there are millions employed in occupations and skills that do not fully utilize their capabilities," he continued. (Willard Shelton, "Manpower Report Sets New Goals," AFL–CIO News, March 12, 1966, p. 7.)

On March 14, the Lawyer's Weekly Report stated:

> With almost two-thirds of the Nation's major labor markets reporting shortages this past month, the administration is alarmed that the shortages could cripple the Vietnam war effort . . .
>
> We asked the Labor Department for a current rundown on some of the major shortages. Most are among highly skilled workers: aircraft welders and assemblers, electronic assemblers, general assemblers, tool and die makers, mechanical and design draftsmen, pattern and model makers, steamfitters, shipfitters, pipefitters, plumbers, foundry workers, lathe and screw machine operators, instrument mechanics, electronic technicians, machinists, custom engineers, computer programers, auto and truck mechanics, electricians, operating engineers. There's also a big shortage of health and food service employees. In general, the Labor Department notes the tightest pinch is felt for metal workers, technicians, engineers, scientists, and certain craftsmen in many locations. The shortages are dispersed among many industries. ("What's Happening in Washington." Lawyer's Weekly Report, published by Prentice-Hall, Inc., March 14, 1966.)

David R. Jones, writing in the New York Times, stated that the President's call for a greater attack on the problem of a threatening general manpower shortage reflected growing administration concern that a tightening supply of workers might lead to wage increases that would feed inflation. He went on to say that the President emphasized:

> Manpower and educational programs must be pursued to provide opportunities for those still unemployed or underemployed. (David R. Jones, New York Times, March 9, 1966.)

In a later issue Mr. Jones reported that:

> Mr. Wirtz acknowledged that the decline in the jobless rate to 3.7 per cent . . . last month contributed to the "tightening manpower situation." But he said that proper job training could solve that problem and he said full employment would not be achieved until the rate reached "about 2.5 per cent." (David R. Jones, New York Times, March 14, 1966.)

Shortly thereafter the AFL–CIO News, commenting on the Labor Department's detailed job report for February, "The Unemployed in a Tightening Labor Market," stated:

> The report, which described the characteristics of the unemployed in February 1966, emphasized the need for greater efforts to match the unemployed with available jobs. It pointed to evidence of workers being upgraded from unskilled to semi-skilled jobs and said this was the most practical way of meeting potential labor shortages. (AFL–CIO News, March 19, 1966.)

The Joint Economic Report of 1966 made this comment on the labor situation:

> The present period, characterized by rising demand and dwindling supply of skilled labor, is the appropriate time for a major effort to revitalize and expand our retraining and vocational education activities. The achievement of maximum employment has two basic preconditions: higher economic demand and prompt, effective relief of labor shortages. In spite of the great progress that has been made by this Nation under the Employment Act, we need more effective ways to bring productive employment within the reach of millions of disadvantaged people.

In the minority views, the Republican members of the committee stated:

> We should seek to . . . encourage individuals to upgrade their skills by eliminating tax obstacles in the path of new skill development, by increasing training in basic skills of reading, writing, and arithmetic, by convincing the States to permit unemployment insurance claimants to receive normal benefits while undergoing training or retraining and by providing tax incentives to business . . . to step up their programs of on the job training. (Joint Economic Committee Report, 1966, pages 16, 55.)

Donald Zochert, UPI feature writer, reports that:

> Under the pressures of a booming economy and buildup in the Viet Nam war, the United States has a nagging manpower shortage which threatens to get worse before it gets better. For the businessman, this means higher labor costs and staff instability as key workers are lured away for higher pay . . . For the housewife, this could mean inflation . . . The economy is creating jobs faster than men can be found to fill them, and in which manpower is being drained away from the labor market by the war in Viet Nam. (U.S. Short on Manpower—Dallas Times Herald, March 30, 1966.)

Noting the rising shortages of workers, the St. Johnsbury, Vt., Caledonian Record editorialized:

> Too few workers can be as serious a misfortune to a country as too many because scarce labor, like any other factor of manufacturing and servicing in short supply, creates inefficiency and causes prices to rise. Next to government deficit spending, manpower shortages are now the foremost inflationary pressures working on the economy. As present manpower shortages spread throughout the economy, as they are expected to do this year, higher costs due to lower efficiency caused by a necessary hiring of substandard labor will combine with a natural inclination to raise prices when demand is strong to form an inflationary head on the dollar.
>
> What to do about the manpower shortage is but one of the questions to be answered by the national administration before the inflationary spiral already showing itself in the economy requires drastic curtailment. Of the several alternatives, the most direct is the furtherance of training of unskilled and semi-skilled workers to qualify them for some of the trades now undermanned. ("Labor Shortage Looms," St. Johnsbury, Vermont, Caledonian Record, March 30, 1966.)

The Chicago Daily News, which has been an early and consistent supporter of the Human Investment Act, noted on April 2 that a top business personnel expert had stated that Chicago unemployment is down to a "hard core of the unemployable." The News went on to say:

> The government role in training must be supplemented by private initiative. No one knows better than the employer himself what skills are needed in the market and how to train people in those skills.
>
> A tax credit to stimulate on the job training and retraining of employees whose skills have become obsolete is proposed in a Republican-sponsored bill now before Congress. Passage of the bill would be an important step between the jobless and the jobs that go begging because there are no qualified workers to fill them. ("Bridging the Job Training Gap," Chicago Daily News, April 2, 1966.)

Lawyer's Weekly Report has frequently discussed the shortage of skilled labor and advised industry on means of coping with it. In a recent issue the newsletter asks:

> Wrestling with Labor Shortages? Here's help from the government: In a sudden shift of emphasis, the Government is now looking at the job market first and then trying to match jobs with men. Why this reversal of the former welfare approach of matching men with jobs? Top officials give this reason: lags in civilian and defense production because of labor shortages, plus almost full employment and predictions of growing skill scarcities for at least the next five years. Result of the new policy: you may get some real help from the Government to meet your labor shortages . . . Don't overlook the possibility that simple aptitude tests may uncover skill talents right in your own company. Top employment consultants tell us many firms are underemploying workers who have the potential for the very skills that are needed in their own plants.
>
> "What's Happening in Washington." (Lawyer's Weekly Report, published by Prentice-Hall, Inc., April 4, 1966.)

Although the Bureau of Labor Statistics Report on Manpower Shortages and Reserves for the month of March found no overall shortage of labor in the Nation, it pointed up the need to remedy the imbalances of labor supply and demand. The report said:

> Employers, it is evident, are finding it increasingly difficult to locate some types of workers. Want-ad columns are growing longer, unfilled vacancies are more numerous, and widespread complaints are heard that applicants do not have the proper qualifications or experience.
>
> The . . . untapped reserves of labor supply are—considerable.

The AFL–CIO News reports that in examining occupational shortages and surpluses, Commissioner Arthur M. Ross of BLS found:

> The greatest need in the blue collar category to be for mechanics and repairmen, machinists, welders, and flame cutters, patternmakers, toolmakers and die setters.
>
> Also reported were local shortages of construction laborers, warehousemen, automotive washers and greasers, and machine shop laborers. In service occupations the most acute shortages were reported among waiters and waitresses, housemaids, nursemaids, restaurant cooks and other kitchen workers, private housekeepers and porters.
>
> ("Some Imbalances Reported: BLS Survey Finds No Labor Shortage." AFL–CIO News, April 16, 1966, p. 8.)
>
> With scarce skills getting even scarcer—

According to the April 25 issue of the same newsletter—

> many companies today are undertaking crash training programs.

The newsletter then gives some pointers on keeping costs of training programs down and improving results.

A Wall Street Journal survey article of April 25, 1966, discussed the decline in quality of delivered goods and placed part of the blame on the labor shortage:

> Another cause of poor quality is the worsening shortage of skilled and semi-skilled workers such as machinists, tool and die makers, welders, and assembly workers . . . One West Coast machinery company figures its percentage of "green" workers in assembly lines has increased by more than 20% in the past year. At the same time, and by no coincidence according to officers of the firm, there has been a substantial decline in the quality of assembly work.

Another firm, the article relates, had to cut back from a 64-hour workweek because the exhausted workers were turning out substandard output. Other examples show how increased supervision is needed for inexperienced employees pressed into higher skill jobs, resulting, in the case of one Michigan firm, in a 7-percent increase in labor costs over 1965. "Products Break Down More as Firms Strain To Fill Soaring Orders," by W. Stewart Pinkerton, Jr., Wall Street Journal, April 25, 1966.

In its weekly Labor Letter, on April 26, 1966, the Wall Street Journal reported:

> On-Job Training draws increasing attention as a key to Negro advancement.
>
> Stepped-up employer training of Negroes will get top emphasis at the White House civil rights conference in June. Federal officials, rights group leaders will urge private companies to launch expanded training for the disadvantaged even if they have no specific job vacancies; the trainees could compete better in the labor market generally.
>
> Private employers will be pressed to do more to hire Negroes. Ideas talked of: More "positive recruitment"; breaking up skilled jobs to let unskilled helpers do part of the work; lowered testing standards; even locating new establishments so Negroes can travel to them more easily. Federal men concede any big expansion of industry's training efforts might require tax incentives, however.

Speaking to the Illinois Retail Merchants annual meeting on April 27, Donald S. Perkins, the president of Jewel Tea Co., said:

> Because 1966 has the lowest unemployment rate in many years, the staffing of our operations is difficult—and we expect it to get worse. We understand that there are 100,000 unfilled jobs in Illinois, one half of which are in metropolitan Chicago. We currently could use 150 qualified people in our Jewel meat department in the Chicago area alone.
>
> Every retailer is losing men to military service. Our loss is at the current rate of 400 men per year, which further complicates our already great need for people. And there is no sign of a let up in the draft in 1966.
>
> (Address, April 27, 1966)

As a consequence of this situation, Mr. Perkins said, the cost of job recruiting will go up; the starting rates for new people will rise; more minority group employees will be hired; and more women will be hired for traditional men's jobs. While one can rightly applaud the beneficial effect the labor squeeze may have on minority group employment, Mr. Perkins' remarks illustrate clearly how the labor squeeze adds to product costs and thus encourages rising prices and inflation.

In a special report on manpower supply, Congressional Quarterly reported that labor shortages have caused concern in three major areas:

> Inflation. Administration officials worried that manpower shortages could increase inflationary pressures. Employers were competing for skilled workers with bonuses, gifts and fatter paychecks. If workers could not be found, production would be cut, causing product shortages and price increases, officials said.
>
> Great Society. New health, education and welfare programs have increased pressures on manpower supplies in skills that were already scarce. For example, "medicare" could be hampered by the scarcity of health personnel. Other programs could be crimped by shortages of trained social workers and teachers with specialized skills.
>
> Government Service. The Federal Government (as well as state and local governments) in 1966 has had difficulty recruiting new employees and retraining experienced ones. Areas of scarce skills range from typing to astronomy.

After pointing out that the Labor Department's manpower report for March, in response to a directive from the President, was itself a reflection of the growing concern of the administration that manpower problems "could hurt the economy," Congressional Quarterly goes on to say:

> Although the burgeoning economy increased skill shortages and the discussion of manpower supply, skill scarcities had existed in several occupations even before the unemployment rate dropped. These shortages of health workers, social workers, librarians, technicians and others will continue, even if the economic pace slackens considerably.
>
> ("Manpower Shortages Emerge in Certain Skills, Areas." Congressional Quarterly Weekly Report, April 29, 1966, pp. 875–6.)

The Wall Street Journal on May 24, 1966, reported that many firms were making "pay in lieu" offers to workers; that is, inducing them to forgo their vacations by giving them double pay. This became necessary because the order backlog is so great and the available skilled labor in short supply.

> This year a worsening labor shortage has made it more difficult to hire replacements for vacationing workers. So many companies are trying, in effect, to buy back from their workers some of the extra vacation time they have granted over the years.
>
> ("Firms Offer Employees Double Wages If They Give Up Some Vacation" by Frederick C. Klein, Wall Street Journal, May 24, 1966.)

Reporting on the job situation in Chicago, William J. Eaton of the Chicago Daily News wrote on May 27, 1966:

> There are signs that Chicago's manpower problems will get worse as warm weather approaches and thousands of outdoor jobs open up in the construction and recreation industries . . . There has been a marked increase in the number of hard to fill jobs in Chicago . . . Unmet needs existed for engineers of all types, chemists, natural scientists, draftsmen, laboratory technicians, teachers case workers, and nurses. The chronic shortage of secretaries, stenographers, and typists continued unabated, while in the skilled category intensified needs were reported for machinists, maintenance mechanics, office machine servicemen, tool and die makers, and bus drivers. Many firms, plagued by recruiting problems, have relaxed hiring standards concerning age, education, and experience. Others have started on the job training programs.

With respect to the heavily industrialized Gary-Hammond-East Chicago area in Indiana, Mr. Eaton cites a Labor Department report as saying:

> Manpower shortages have intensified greatly on this industrial region in recent months. More than 700 openings for unskilled steel workers have not been filled. Some steel companies are recruiting in nearby states. (Chicago Daily News, May 27, 1966.)

In a special report on the job situation in the Chicago area, Chicago Sun-Times Reporter Roy Wiley discovered that Inland Steel Co. was short 600 workers; that Abbott Laboratories is giving a $25 savings bond to any employee who recruits a new worker; and that Caterpillar Tractor is expanding its work force by 3,500 and looking for an equal number of workers to make up for normal attrition and retirements.

> The story is the same throughout the Chicago area. Manufacturers are crying for workers, both skilled and semiskilled . . . Personnel experts say the unemployment ratio is now down to an almost irreducible ratio . . . There is even a shortage of temporary workers.

One temporary employment service head is quoted as saying:

> I can see only increasing demand. For every additional soldier in Vietnam, we'll need five civilian employees. This means increasing shortages of labor and pressure on prices.

Reporter Wiley concludes:

> There can be no doubt that there is a severe labor shortage in the Chicago area . . . Several years ago the emphasis was on finding jobs for people. Today the emphasis is on manpower development—finding people for jobs. (Chicago Sun-Times, May 27, 1966.)

The St. Johnsbury, Vt., Caledonian Record discussed the labor situation editorially on May 28, 1966:

> At least for the immediate future, the economy seems capable of continuing the creation of more jobs than the labor force can fill. The pressures resulting from this expansion are being felt throughout the economy . . . More than 3500 job opportunities were listed in a single issue of a West Coast newspaper recently. A Seattle aircraft company has set up full time recruiting offices in Chicago and New York. An increasing number of men are holding down two jobs and many women are entering the labor force because of the attractive opportunities . . .
>
> A continuing shortage of labor, of course, can result only in higher prices and shoddier workmanship as job standards are lowered.

> These are among the more important pressures which will be working in the months ahead to undermine the economy. (St. Johnsbury, Vt., Caledonian Record, May 28, 1966.)

Under the headline "Rise in Absenteeism Plagues Firms Already Hurt by Labor Pinch," Wall Street Journal Reporter Kenneth G. Slocum notes the growth in absentee rates in industry and says:

> Why? Many companies agree on two basic reasons. Many workers, weary of overtime work and their wallets fat with extra pay, are taking more time off to rest and spend the money. Secondly, the crying need for their skills is giving them a greater sense of job security; according to employers, many workers feel freer to take unearned time off because they believe the company is less likely to fire them, or because they are confident they can get another job quickly even if they are let go. In any case the cost to industry this year in lost but paid for labor, plus related factors, will be over $10 billion. (Wall Street Journal, June 6, 1966.)

Here is a good example of the penalties to the economy which permits a shortage of skilled labor to develop higher costs, more expensive overtime, delayed deliveries, and less employee responsibility.

According to the Engineering News Record of June 16, 1966:

> The construction industry is experiencing a widespread labor shortage in a large number of trades. The shortages have apparently been developing for some time and, contrary to government reports, may appear to be more than spotty . . . The shortages in some cities, such as Chicago and Gary, were described as "critical." Those in Louisiana and Pittsburgh were called "horrible" . . .

The article goes on to quote a Baltimore contractor as saying:

> Throughout the last 20 years there has not been any realistic apprenticeship training program to add to the ranks of qualified labor in the major categories such as carpenters, bricklayers, ironworkers, plumbers, and steamfitters—Engineering News Record, June 16, 1966).

Nor is this limited to the construction industry. Joy Baim, writing in the Chicago Tribune of June 19, 1966, reports labor shortages in all kinds of work:

> Despite the efforts of employers, the labor shortage in the north suburbs is getting worse . . . William Ahart, personnel director of Fansteel Metallurgical Corporation . . . said "the problem has been critical for the last five months."
>
> "All the employment agencies are swamped with hundreds of openings they can't fill," said Bert Marquart, head of the Marquart Employment Service, Skokie. He said he knew of "many companies who have discontinued some of their production lines because of the lack of help."

The article goes on to list shortages among typists, clerks, auto mechanics, electrical workers, dockhands, assemblers, line mechanics, and animal caretakers.

U.S. News & World Report observed in its issue of July 11, 1966, that:

> Officials of the Michigan employment security commission say that, for all practical purposes, the supply of available skilled labor in the Detroit area has been exhausted. A commission spokesman says: "The guy with a skill who quits today can take his pick of half a dozen jobs tomorrow. The new hires have all been working; they are just changing jobs."

The Wall Street Journal, over an article appearing August 3, 1966, by Ralph E. Winter, carried the headline:

> Scarce Skills: Shortage of Craftsmen Likely To Grow Even if Economy Slows Down; Apprentice Programs Enroll Far Too Few for Openings Expected Over Long Term.

Mr. Winter goes on to report that:

> The shortage of skilled help that has become such a prominent feature of today's torrid boom won't disappear overnight if the boom loses its steam—or even if business turns down. Instead, the shortage could well get steadily worse. Main reason: Industry's demand for craftsmen so far exceeds the number of people training to become craftsmen that even a full blown recession is unlikely to close the gap.

In addition, the article relates, major corporations have curtailed expansion programs and delayed deliveries because of skilled labor shortages. In Bridgeport, Conn., it reports, job openings in the machine tool industry will be 10 times the number of workers now in training for the jobs.

In another Journal article, appearing on August 22, 1966, writer George Nikolaieff reports renewed efforts of American employers to hire workers abroad to take jobs here as tinsmiths, draftsmen, toolmakers, machinists, and electricians. This, I might point out, at a time when over 3 million Americans are listed as unemployed.

"Jobs Go Begging by Thousands" is the headline of a story in Chicago's Sunday American of September 11, 1966. It reports that in Chicago alone some 33,500 jobs are going begging—a condition described as "unprecedented" and "unbelievable."

The highly respected Monthly Economic Letter of the First National City Bank of New York, under the heading "A More Positive Program" in its October 1966 issue, said:

> In addition, we must break the developing bottlenecks in the supply of skilled and semi-skilled workers. This will require more rapid training and retraining of new and old workers, as well as the encouragement of more mobility among workers, particularly from depressed areas and depressed sections of old cities. A more mobile and flexible labor force will help raise average producivity and permit expansion of output with better price stability by easing skill shortages and slowing down the wage escalation among workers in short supply.
>
> Rather than suspending the 7 percent credit on physical investment, therefore, a more effective anti-inflationary action might be to grant an additional 7 percent tax credit for business outlays in the training and retraining of workers."
>
> At minimal cost to the Federal Treasury—it would more than pay for itself in increased revenues—corporations and unions could cooperate to check the wage-price spiral by upgrading the labor force and improving productivity. It is the shortage of trained manpower rather than excessive capital investment that is the real inflationary threat.

New York State, for one, has suffered severely from skill shortages. According to the New York Times of January 8, 1967, State Senate Majority Leader Earl W. Bridges reported alarming shortages of skilled personnel in a number of areas, including skilled and semiskilled trades. In doing so he announced the formation of a special ad hoc committee of the State senate to survey the manpower problem and recommend means for its solution.

Sylvia Porter, the well-known financial columnist, reports in her column of January 12, 1967, in the Burlington, Vt., Free Press that:

> So severe are some skill shortages, in fact, that corporations, schools and government agencies are now raiding each other to fill job openings, paying bonuses of up to $300 to employees who can deliver new job recruits, scouring Canada and Europe for employees.

Miss Porter concludes:

> The basic, long term answer to skill shortages can only be drastically improved and increased vocational education and job training by private industry as well as by government agencies.

Which is, of course, the goal of the Human Investment Act.

From these and scores of other articles and stories emerges this picture of the labor market over the past 18 months: growing shortages of workers with skills needed to fill available jobs; increasing demand caused in part by the Vietnam war; inefficiency and waste caused by employees pushed into jobs for which they are not prepared; curtailment of planned expansions and the delay of customer deliveries due to labor bottlenecks; rising costs and prices; and, paradoxically, unemployment amidst a frantic quest for qualified workers.

There can be little doubt but what vastly increased job training opportunities could have done much to alleviate the present situation. Had the Human Investment Act been passed in the fall of 1965 the private sector of the economy would now have greatly expanded job training to meet this important and still-growing challenge.

THE HUMAN INVESTMENT ACT—ADVANTAGES

What are the advantages of the human investment approach? To my way of thinking there are quite a few.

First, I believe the act will accomplish its objective—to stimulate increased job training by private business. The need for such training has been amply established. Existing manpower programs are useful, but for one reason or another are not breaking the skilled labor bottlenecks that are proving so troublesome and costly. Supplementing them with the new incentive provided in the Human Investment Act will, I believe result in substantial progress toward this goal.

Many of us said in 1961 that the 7-percent investment tax credit would never work. I was very skeptical myself. But now I think it can be safely said that whatever reasons might have been offered against the investment credit it did help to produce a surge of new investment in equipment and the presumption is now in favor of expanded activity as a result of a tax credit incentive.

ENCOURAGING PRIVATE SECTOR ACTIVITY

By encouraging increased job training within the private sector, the act would tend to accelerate what to me is a growing trend toward increased private efforts to deal with pressing national problems. The once-forceful cries of those who would have the Government run everything are fading, and in their place voices are now being raised to redirect national policy to a more fruitful cooperation with business, unions, and nonprofit institutions and associations. I think this reshaping of national policy will be one of the great developments of 1967. The Human Investment Act fits clearly within that newly rediscovered philosophy.

MINIMIZING GOVERNMENT INTERVENTION

The tax credit approach minimizes Government intervention in the affairs of private business. Obviously any firm that pays taxes must suffer some Government intervention through the Internal Revenue Service. But this is unavoidable, and business has adjusted to it over the years as the normal state of affairs. What businessmen are rightfully apprehensive about is the prospect of a horde of Government officials descending on them to tell them how to run their training programs.

Too often businessmen can recall horrible examples of exasperating Government requirements and insatiable prying into company affairs. The OJT programs under MDTA—which I support—have not been enthusiastically accepted by businessmen, some shining examples to the contrary notwithstanding, for precisely this reason. The tax credit approach has the advantage that the necessary governmental review is far less onerous than under a direct contract or subsidy program, and those with whom the taxpayer has to deal are the familiar agents of the Revenue Service. In addition, the tax credit approach minimized redtape, bureaucracy, and all the other expensive nuisances of a full-blown Government program.

STRENGTHENING THE SKILL LADDER

Of particular importance is the attention the human investment concept gives not only to the hard core unemployed, but to all workers along the so-called skill ladder. The concept of the skill ladder was clearly described in the Republican views in the Joint Economic Report of 1964:

> The solution to the program of technological displacement demands a broad national effort to upgrade the labor force by small stages all along the line—providing the unskilled with minor skills, preparing the semiskilled for skilled work, turning the skilled into advance technicians, and rehabilitating the handicapped. Workers on all levels of the skill ladder must be encouraged and helped to move up into higher and more demanding jobs, leaving the positions which they once held to be filled by the less skilled but striving applicant.

Just a year ago, in a speech to the United Auto Workers in New York, the distinguished junior Senator from that State [Mr. KENNEDY] drove home this same point. He said:

> The greatest demand for new workers, now and for the next 10 years, will be in the professional, technical, and highly skilled fields—in which employment will grow by two-thirds in the next ten years as contrasted with a one-fourth growth of jobs in the economy as a whole. The greater bulk of our unemployed, by contrast, are those with the least education, the least training, the lowest skills. We have tried—with longer training programs, and remedial academic instruction—to train our present unemployed for these highly skilled jobs. But too often, their initial level of education or training is too low to allow training them for the complex and difficult jobs which are available.
>
> It would seem to make better sense to upgrade all of our workers—to give those now employed a chance to move up on the occupational ladder, opening up jobs at levels of skill which would be more easily reached by the presently unemployed. But Government job-training programs are primarily directed, not at those now working, but at the unemployed; we have not yet done more than respond to the crises at the moment.

The Human Investment Act will not ignore the hard core unskilled worker, Mr. President. But unlike so many Government-sponsored programs, the Human Investment Act will operate to help what I call the forgotten worker—the fellow who has a job and pays taxes and who aspires to additional skills and the economic rewards they bring. As he is helped to move up to more demanding positions, his vacated job is taken by a worker with lesser skills moving up from behind.

Too frequently Government programs have attempted to leapfrog the hard core unemployed into semiskilled occupations, instead of moving everyone up together. The human investment approach would help to restore a needed balance among workers at all stages of progress. This, I believe, constitutes one of its greatest strengths.

AN ANTI-INFLATIONARY MEASURE

By helping to break skilled labor bottlenecks in the economy, the Human Investment Act would help to hold inflationary forces in check.

President Johnson recognized the inflationary potential of skilled labor shortages when he called for "bold new approaches" for heading off a general manpower shortage in his manpower message to Congress in March of 1966. A week later, the Republicans on the Joint Economic Committee stated in their views on the President's Economic Report that:

> The picture of the labor market painted by the Bureau (of Labor Statistics) clearly indicates that shortages of skilled manpower will be a source of inflationary bottlenecks in supply and that productivity increases are likely to be no better and possibly worse than (1965).

The highly respected monthly letter of the First National City Bank of New York for October 1966, under the heading "A More Positive Program" for fighting inflation, noted the labor shortage contributions to the inflationary spiral and called for extension of the 7-percent investment tax credit to job training programs.

Most recently, in his annual economic message to the Congress on January 26, 1967, the President again recognized this problem when, under the heading "Restoring Price Stability," he remarked:

> Other efforts of the Federal Government can help to relieve particular pressures on prices and wages. We will continue to develop manpower training programs to meet skill shortages . . .

Had Congress enacted the Human Investment Act in the fall of 1965, Mr. President, I believe the President's burden today would be considerably lighter.

AIDING WORKERS DISPLACED BY AUTOMATION

The Human Investment Act would offer new opportunity to workers displaced by automated machinery. It seems rather unfair to encourage business to invest in new machinery, much of which will displace workers, and not at the same time to encourage business to retrain those workers for better jobs. Of course, the investment tax credit is presently suspended. But even without the equity argument it makes good sense to help the growing numbers of workers displaced by automation.

Walter P. Reuther, the president of the United Auto Workers and vice president of the AFL–CIO, made this same point in a letter to the chairman of the Ways and Means Committee of the other body last September. Pointing out that the National Commission on Technology, Automation, and Economic Progress had discussed a proposal to modify the investment tax credit to facilitate the adjustment of workers displaced by technology, Mr. Reuther stated that to the extent that the investment credit stimulates the modernization of industry—

> It also adds to the human problems resulting from technological change. Therefore the credit would be an appropriate vehicle for implementing the universally accepted principle that technological progress should be achieved without the sacrifice of human values.

The Commission's proposal differs in particulars from the Human Investment Act, but the basic approach is very similar. The Commission asked consideration for the idea of diverting part of the investment tax credit into a special fund. The fund's proceeds would be used to finance retraining for the displaced workers, and also other aids such as relocation, supplemental unemployment benefits, and fringe benefit supplementation in another job. While I do not wish to have it construed that I am declaring Mr. Reuther to be a partisan of the Human Investment Act, it is worth pointing out that his thinking on this matter, as to the ways in which a tax credit can be used to further job training are very close to my own.

ADVANTAGES OF OJT

The Human Investment Act, Mr. President, is based on the premise that job training under the direct auspices of private industry is generally preferable to institutional training conducted by government. There are a number of reasons why I believe this premise is sound.

First, job training by private industry minimizes the necessity for Government intervention and regulation in the economy. Instead of taking money in taxes, paying a number of bureaucratic middlemen, and spending the difference on public programs, the tax-credit method gives a true incentive to business to accomplish the same ends much more efficiently. The Government does not need to get into the business of screening instructors, determining curriculum, supporting trainees, and other such appendages of Government-run programs, beyond the point of assuring that useful training is, in fact, being imparted by the employer.

Federal-State complications, elaborate placement procedures, and general administrative problems are largely avoided. It is interesting in this connection to note that the British Government, faced with the identical problem in 1963, chose to promote job training through private industry instead of setting up an elaborate Government-operated program. The British Industrial Training Act of 1964 vests responsibility for organizing job training programs with joint labor-management boards, one for each major industry, which use the proceeds from a payroll tax to support training programs conducted by the employers.

Second, the great majority of those trained by private business are actually employees on the payroll. A number of studies, notably that by Prof. Richard Cloward, of Columbia University's School of Social Work, reported in the January 1965 issue of American Child, have shown that the motivation of an unskilled and unemployed person to complete a training program bears a different relation to his perceived chance for obtaining employment promptly at the conclusion of his training.

Much of the dropout problem in such institutional programs as the Job Corps and the Manpower Development and Training Act are traceable to a sense of discouragement and uncertainty felt by the trainee with respect to his job chances after training. When the trainee has been positively assured that he will be hired for a given job if he satisfactorily completes the training, the chances that he will abandon the program decrease drastically.

One of the most pitiful spectacles to me, Mr. President, is the spectacle of a man who has completed a Manpower Development and Training Act institutional program, only to find that there are no job openings for him in his area. When private firms are responsible for the training, however, the trainee is almost invariably either hired at the beginning or given a firm promise of employment when his training is complete. This point has been driven home ably by Mr. M. S. Hutcheson, general president of the Carpenter's Union, in his editorial in the February 1966 issue of The Carpenter. Mr. Hutcheson writes:

> A realistic approach to training programs ought to be a fundamental part of the government's attitude toward eliminating poverty. Any program undertaken ought to be based on a reasonable assumption that there will be a place for a youngster when he has completed his training. Any other approach is neither fair to the youngster, to the industry, or to the nation.

I believe it is indisputably true that private industry people, far more than the Government or institutional personnel, know where and what the jobs will be.

Third, when private industry trains a man it invests in him. That investment is made with the expectation that the trainee can contribute to the company's productivity as an employee following training—else it would be difficult to justify the expense to the stockholder. Thus there is a built-in bias in favor of the employer giving top quality training, carefully designed to prepare the trainee for a position for which a worker is needed.

It would make little sense for a firm to train men and women as a public service project, and then see its investment wasted because the company has no appropriate job openings. Speaking on this point, Prof. William Faunce of the Labor and Industrial Relations Center of Michigan State University has said:

> A retraining program which did not involve retraining with respect to specific job openings is not a meaningful retraining program.

Here training by private industry has a great advantage over Government-run programs.

Fourth, the instructors in on-the-job training programs are directly involved in the latest day-to-day developments in the field. Unlike instructors in schools, they are in the forefront of innovation and technological change, and thus can give, by and large, more up-to-date instruction to trainees.

Fifth, private industry can train workers on the latest models of machines without investing in new equipment for the purpose. Faced by the rapid pace of innovation in many training fields, schools too often are left with the choice between trying to train people on obsolete equipment or obtaining new equipment, with a resulting increase in the cost of the training program. This fact accounts for a large part of the cost savings that can be realized by utilizing the resources of private industry for job training.

Sixth, by training the trainee in the context of an actual job situation, private industry provides a more realistic preparation for continued employment. The trainee is spared the problem of making what may be a difficult adjustment from a simulated to an actual worksite. To many trainees at the bottom end of the ladder, the prospect of regular employment with a company is a strange and bewildering experience. To have to adjust to this situation at the moment of maximum subconscious anxiety—just when training in an institutional program has been completed—puts an additional psychological burden on the worker, which may be reflected in poor performance.

This factor does not apply, of course, in the case of longtime workers who are merely changing from one line of employment to another via retraining. In the case of a hard-core unemployed person, however, it merits consideration.

Seventh, on-the-job training has conclusively proven to be more economical than the equivalent institutional training. Experience of the Bureau of Apprenticeship and Training in comparing per hour costs of trainees in institutional and in on-the-job training programs shows that where the average cost of the former runs over $5 per hour, the latter cost the taxpayer only 55 cents per hour. Even when the wage of the trainee, paid by the employer, is added on, it is still obvious that the on-the-job programs are more than twice as economical as the school programs.

Indeed, Labor Secretary Wirtz, in reply to my question submitted at a Labor and Public Welfare subcommittee hearing last February, stated:

> There is considerable economy in on the job training over institutional training. The average cost per trainee in on the job training is approximately one third that of the average total cost of institutional training.

At the same time he presented new figures from calendar year 1965 experience, showing the average cost to the taxpayer of on-the-job training programs to be $26 per week per trainee, while the cost of institutional training ran about $60 per week per trainee. Even though the two types of training are not directly comparable without some qualification, it is still clear that from a taxpayer's point of view, training on the job means money saved.

Eighth, on-the-job training is adaptable to any size training class and to any location, urban or rural. Institutional classes are limited to minimum numbers which may not exceed the required number of workers in a given occupation. Institutional facilities are not often available at all in rural areas; private business, however, can design programs for even one trainee—small firms with one apprentice in training are not uncommon. In fact, as of spring 1962, more than half of the apprentices surveyed in a national survey conducted by the Labor Department were employed in establishments with fewer than 100 workers.

AID TO SMALL BUSINESS

The Human Investment Act would benefit small business somewhat more than big business. For one thing, the limitations as to the maximum amount of credit allowable to any taxpayer would have little application to small business, since the limitation computation excludes the first $250,000 of training expenses. This is so because the credit limit is $25,000—equivalent to 10 percent of $250,000 in training expenses—plus 50 percent of the tax liability in excess of $25,000.

But more important than that, the Act would help taxpayers who train proportionately more unskilled, semiskilled, and skilled craftsmen as compared to managerial, administrative, sales, or scientific personnel.

In 1962 the Labor Department surveyed some 711,000 industrial establishments with some 37 million workers. It discovered that small establishments—with less than 500 employees—tended to have a somewhat higher percentage of their workers in training and that their emphasis was on skill training as opposed to professional and technical training. These latter types of training, of which big business does the disproportionate share, are, of course, not included within the provisions of the Act.

If these figures are at least roughly accurate, then it would seem like the Human Investment Act would be of somewhat greater value to small business generally. As a Senator from a State in which small business is still the major employer, I have a great and healthy respect for the contributions small businesses have made to America. I am thus particularly glad that the Human Investment Act would serve their interests perhaps a little more than those of the great corporate giants of our Nation, who have far more resources and flexibility.

AIDING APPRENTICESHIP

Of particular concern to me, Mr. President, is the future of America's most venerable type of high quality skill training, apprenticeship. Ever since young Ben Franklin was apprenticed as a printer's devil, and probably well before that, apprenticeship has been the foremost method of producing the highly skilled and reliable craftsmen who have been such a mainstay of the Nation's economy.

In recent years apprenticeship has not kept pace with other forms of training or with the needs of our economy. Since the typical apprenticeship program runs 3 or 4 years, it demands much of the apprentice. It is all too easy, in our mobile society, for young men to abandon their apprentice training in midcourse. The problems of the military draft also contribute to this situation. Clearly, it seems to me, apprenticeship needs some inobtrusive but tangible help if it is to survive and prosper.

In its 1964 report to the parent Federal Committee on Apprenticeship, the Task Force on Subsidies in Apprenticeship stated:

> To spur capital investment, the Congress has enacted a Federal income tax policy which reduces an employer's tax liability for any year in which he has made expenditures for certain capital items. After the tax is computed, a deduction (sic) is permitted equal to seven percent of the cost of such capital expenditures. The same type of incentive could be applied to the development of skills through apprenticeship and training The amount of the tax credit is not the most important consideration, but the seven percent allowed for capital expenditures would serve as a tentative goal. . . . The task force is of the opinion that of all the financial incentives for apprenticeship examined, Federal income tax credit is best.

The Human Investment Act would bring to reality the preference expressed by the task force.

As the act is now written, apprentice training would be helped in a variety of ways.

First. Under section 52(a)(1) of the act, employers are permitted to claim a 10-percent tax credit toward the wages and salaries of apprentices who are in programs registered with the State apprenticeship agency; or, in States where there is no such agency, with the Federal Bureau of Apprenticeship and Training. The requirement that the program be registered serves as a safeguard to insure high-quality training and prevent an employer from claiming a credit toward the expenses of an "apprenticeship" program with insufficient or nonexistent standards, serving mainly as a scheme for obtaining productive labor at substandard wages. The act would also operate to encourage the upgrading and registration of presently deficient apprentice training programs.

Second. Under section 52(a)(2) of the act employers are permitted to claim a 10-percent tax credit toward the wages and salaries paid to enrollees in preapprenticeship training programs conducted by the Department of Labor under the on-the-job training provisions of the Manpower Development and Training Act. Graduates of these preapprenticeship programs—usually running 26 weeks—are then prepared to step into a regular, registered apprenticeship program.

Third. Under section 52(a)(4) of the act, employers are permitted to claim a 10-percent tax credit toward the tuition and course fees paid by them to various business, trade, or vocational schools for classroom instruction of apprentices, supplementing their on-the-job instruction.

Fourth. Under section 52(a)(5) of the act, employers are permitted to claim a 10-percent tax credit toward the home-study course fees paid by them to an accredited home study school for instruction of apprentices.

Fifth. Under section 52(a)(6) of the act, employers are permitted to claim a 10-percent tax credit toward the expenses of organized group instruction of apprentices on the job, including the costs of such items as the instructor's salary, books, training and testing materials, classroom equipment, and so forth.

Sixth. Under section 52(a)(8) of the act, employers are permitted to claim a 10-percent tax credit toward amounts contributed by them to joint labor-management apprenticeship councils or training trust funds, to be used for apprentice training programs.

As a result of these various provisions applicable to high quality apprentice programs, it is expected that they will increase in number and enrollment to better serve the Nation's skilled manpower needs.

AIDING MINORITY GROUP WORKERS

The Human Investment Act would help to open new opportunities for minority group workers. The act would not directly encourage employers to hire more Negro or Spanish-speaking or other minority group workers. What it would do, however, would be to expand opportunities for those who desperately need training in useful job skills, regardless of their race. But since—unhappily—the ugly shadow of racial discrimination has not yet been eliminated from American society, it is a fact of life that Negroes and other minority group members are disproportionately lacking in marketable job skills.

Mere elimination of racial discrimination, as through the Equal Employment Opportunity Commission's efforts and the growing efforts of private business itself, is not the final answer. Once jobs are open to all, too many Negroes are still too poorly qualified to be hired. They must have the opportunity to overcome the disadvantages that a century of bias has bestowed upon them.

This has been recognized by one of America's foremost Negro leaders, Dr. Martin Luther King. In his list of goals for the Chicago freedom movement last June, was included a statement advocating "tax reductions or subsidies to encourage employees to develop or expand training programs to bring more persons into the labor force." That is precisely what the Human Investment Act is intended to do. I am pleased to note, Mr. President, that while Dr. King is naturally concerned with the progress of the Negro people of America, his statement is directed to helping "persons" not just Negroes. But certainly—and properly—Negroes will gain great benefits from the expansion of job training the act will encourage.

POSSIBLE OBJECTIONS TO THE ACT

I should now like to raise and discuss several of the objections that have been raised to the Human Investment Act. Frankly, it is remarkable that practically no one has risen to oppose the act—especially in a day and age when someone can be found to oppose almost anything.

I recall, rather ruefully, an offer I received to contribute to a pro-and-con discussion of the act in a leading national magazine. I readily agreed to do a piece setting forth the reasons for the act and the benefits I expect to arise from its enactment. Unfortunately—I suppose I should say fortunately, but I confess I was a little disappointed—no Member of Congress could be found who would sign his name to a piece opposing human investment. I even told the editors that I would have my own staff prepare a conscientious piece in opposition to the idea, just to generate some controversy and attention. Every few days I would supply them with more names of prominent Members of Congress who I thought might be willing to take up the offer.

Finally, after the magazine had been turned down about a dozen times, the whole idea was dropped. Perhaps some champion will yet arise to lead the opposition. If so I will contact the magazine again and see if the whole thing can be resurrected.

OBJECTION NO. 1: INCREASED DEMAND WILL CURE UNEMPLOYMENT

Actually, I include this objection more for historical interest than as an active force. During the aforementioned hearings before the Clark subcommittee in 1963, the debate raged between those who felt that fiscal and monetary policies leading to increased demand in the economy would automatically create jobs for all those seeking employment, and those who maintained that increased demand without attention to structural problems; that is, insufficient labor skills, would merely generate inflationary labor bottlenecks.

To those espousing the first school of thought, the task was principally to heat up the economy, usually through tax cuts and Federal deficit spending. To those who, like myself, adhered to the second school, the task was to identify and deal with skill shortages through expanded training and upgrading, being careful not to overheat the economy through inflationary and imprudent fiscal and monetary policies.

The tax cut of 1964 did, of course, help to increase demand. It was accentuated about the same time by the buildup in the Vietnam war, and then by the huge budget deficits incurred by the Johnson administration in fiscal years 1966 and 1967.

As a result the economy overheated and inflation became a major issue of national importance, as any number of former Congressmen can attest. According to the demand theorists, unemployment should virtually disappear under such circumstances. But, as has been extensively pointed out above, the Nation was greeted with the apparent paradox of unemployment in the midst of severe labor shortages—precisely bearing out the contention of those who adhered to the structural-emphasis school of thought.

Secretary of Labor Wirtz, in an important address in Chicago on November 3, 1965, gave notice that he was aware of this problem when he said:

> It appears unlikely that unemployment among those groups in which it is most serious—especially young workers and minority groups—will be substantially reduced below present levels by any foreseeable economic expansion. The necessary improvement will have to come from measures aimed directly at these areas of concentrated unemployment, particularly at the increased preparation and training of those who have been left out of the general educational and employment opportunity patterns.

Then, last October, the last highly placed advocate of the demand school, Dr. Gardner Ackley, Chairman of the Council of Economic Advisers, pretty much conceded the argument. According to the New York Times of October 27, 1966:

> The President's chief economic adviser said today that the Government should not attempt to reduce unemployment below its current level by its tax and spending policies.
>
> The cost of inflation of such an effort would be too high, Gardner Ackley, chairman of the President's Council on Economic Advisers, said.
>
> With his statement, Mr. Ackley, in effect, moved over to the enemy camp.
>
> Mr. Ackley's shift means that there is no one left in the high economic policy councils of Government who advocates Government action to increase total demand as the solution to remaining unemployment problems...
>
> Ever since 1961, the Council of Economic Advisers has held—in opposition to the views of such diverse agencies as the Labor Department and the Federal Reserve Board—that the primary cure for unemployment was broad governmental measures to increase total demand in the economy. That meant tax reductions and expenditure increases.
>
> And the council's view has essentially prevailed, in terms of Government policies adopted.
>
> Now, however, Mr. Ackley believes that conditions have changed, and he associated himself with those who believe that the only sound way to cut unemployment below the present rate of just under 4 per cent is to attack what are known as "structural" problems of the work force, such as lack of education and race discrimination. . . .
>
> For the 3 million workers still unemployed, the solution is better education, improved health, improved information on job vacancies and a specific effort to train workers in skills that are in short supply, he said.

I thus believe that the objection that increased demand will solve our labor problems force is pretty well a dead letter now.

OBJECTION NO. 2: GOVERNMENT, AND NOT PRIVATE INDUSTRY, SHOULD ACCEPT THE RESPONSIBILITY FOR EXPANDED JOB TRAINING

Some of the supporters of this position are little more than doctrinaire believers in the socialistic theory that the way to get anything done right is to let the Government do it. But others who do not take that extreme position directly nonetheless present arguments that can be grouped under this heading.

Private enterprise, they say, is not equipped to develop the supportive services that low-skill people need to advance. Instructors may not be as qualified as institutional personnel. Government training usually gives a worker a broader range of skills, instead of just those tailored for the specific needs of one employer. More trainees can be handled in classrooms than in on-the-job training, at least in smaller firms. Employers might not train workers in skills the economy really needs.

Now, I am the first to submit that there is a strong role for institutional Government-supported training. Vocational schools, both public and private, and regular secondary schools are recognized in the Human Investment Act, where credit is allowed for cooperative education programs and course tuition and fees paid.

But the general thrust of these arguments in favor of Government activity, it seems to me, reflects a basic difference of opinion over who knows best what is needed to fit people for jobs. And I would submit that the people who know best are the people who sign the paychecks and who go broke if they guess wrong.

Putting the Government, without the discipline of profit and loss, into specific economic decisionmaking—as opposed to influencing the broad overall framework of the economy through fiscal and monetary policy—leads to the ridiculous excesses of the Soviet system; for example, the factory whose quota for chandelier production was based on weight. Naturally, the plant manager made each chandelier as heavy as possible, with predictable results all over the ballroom floor.

Government has a role to play. Let there be no mistake about it. It has the responsibility for broad general education. It has the responsibility for keeping the economy on an even keel. It has a responsibility to encourage salutary activity by the private sector, as through its tax policies. But in the last analysis, I cannot escape the conclusion that business, and not Government, knows best what business needs.

OBJECTION NO. 3: WINDFALL PROFITS

This argument is reminiscent of the debates on the investment tax credit in 1961 and 1962. It was then argued that instead of using the 7-percent credit for actual expansion of investment, business would merely continue its investment schedule at the same level and charge off 7 percent of it to the taxpayer.

Actually, I will concede that that argument was persuasive to me at that time, in the absence of any sort of experience on which to base a judgment.

But now, after 4 years' experience with the investment tax credit, it seems clear that that provision did have a significant stimulative effect on investment in depreciable property. According to a Treasury official:

> The beneficial effect on the economy has been widely recognized.

According to the Machinery and Allied Products Institute, its effect was extraordinary in producing the ends desired by its advocates. Only last September the distinguished chairman of the Finance Committee, the Senator from Louisiana [Mr. LONG] stated:

> That incentive has proved to be a fantastic thing to stimulate the economy.

This is not to say that those who opposed the investment tax credit in the 87th Congress were misguided, for there were other reasons for opposing it besides the imputation of probable ineffectiveness. Nor is it to give full credit to the investment credit effect, which was intertwined with certain Treasury decisions governing depreciation schedules issued at the same time. But it does, I think, lend presumptive weight to the contention that this sort of tax credit will achieve the ends sought, and not merely subsidize business for actions it would take in any case.

OBJECTION NO. 4: MORE, NOT LESS, GOVERNMENT INTERFERENCE

There is a small group of advocates that holds that the Human Investment Act will result in more, and not less, governmental interference in the workings of private business.

Certainly if the choice is between a tax credit plan and doing nothing at all, they are right. But the tax credit approach must be evaluated in terms of the available alternatives, and not in a policy vacuum.

One alternative, presently favored by the Department of Labor, is to continue with more of the same, namely, MDTA, with increased emphasis on the OJT programs and correspondingly less on institutionalized training. I agree with the Department so far as it goes; but would differ in advocating that the Human Investment Act will be less onerous to a business than the agony of securing approval for an OJT contract from the multifarious agencies and functionaries whose signatures must be obtained.

Another alternative is a program for wage subsidies to employers, which has received support from Members of both parties in the other body. A close reading of bills to achieve this goal—for instance, H.R. 11815 of the 89th Congress, sponsored by the gentleman from Minnesota, Mr. FRASER, reveals the extraordinary possibilities for strangling the private employer inherent in such plans.

Under that bill the Secretary of Labor would select the persons from whom the employer would have to choose his trainees. The Secretary would "provide for payroll assistance payments measured by the excess of the sum of wage payments and other direct expenses incurred by the employer in employing individuals under the program over the estimated fair value of goods and services produced by those workers."

The employer would have to make all reasonable efforts to hire the trainees after completion of their training. The cooperating State agency would be required to make periodic inspections "directed to ascertaining whether each individual under the program is being employed properly, productively, efficiently, and effectively in a suitable occupation and at an appropriate and reasonable rate of pay."

How about that, Mr. Businessman?

One other alternative comes to mind: the proposal last year by the liberal Democratic study group in the other body entitled "An Action Program for Full Employment." In it the DSG advocated a massive program of public employment, financed by the taxpayer, to provide income for the hard-core unemployed. The jobs would be of a subprofessional or aid-type character. Hopefully, it was said, the workers thus provided for would "acquire upward mobility and make the shift into private employment."

As a start, the DSG allowed, about 1 million persons should thus be taken onto the public payrolls; later over 5 million would be so accommodated. Assuming an annual income of over $3,000, this would set the taxpayer back somewhat over $15 billion a year. To be sure, the diminution in welfare payments that would otherwise have gone to these people would reduce that outlay, but I doubt whether it would cut it by more than half.

This scheme is, rather obviously, a reconstruction of the old WPA of the thirties, with the possible difference that some conscious effort is made to prescribe useful work instead of mere leaf raking. Put another way, it is a Neighborhood Youth Corps for everybody. While a case can be made that giving out jobs is preferable to giving out the dole, I think this approach grossly underestimates the capacity of the private sector to cope with the unemployment problem, especially with the incentive the Human Investment Act would produce.

Considered in relation to these alternative proposals, it seems to me that the virtue of the Human Investment approach is its minimization of government interference with business and with the economy, not its increase.

OBJECTION NO. 5: THE HUMAN INVESTMENT ACT WOULD OVERLOOK THE HARD-CORE POOR

This objection comes principally from those who have a fixation with the needs—admittedly the legitimate needs—of the so-called hard-core unemployables. To my way of thinking the effective reply is this: while the Human Investment Act does not single out those at the bottom of the ladder for special treatment, it is actually more to their benefit than efforts to make them semiskilled craftsmen in one mighty leap.

By helping all workers—and not just the least capable—move up to better jobs, the Human Investment Act insures sound, step-by-step progress, so essential to the national economic well-being. While undoubtedly the hard-core poor need special assistance in education and many other things, other programs exist to help in those respects. Once those programs have succeeded in putting the "unemployable" on the bottom rung of the ladder, increased training across the board should pave the way to his steady advancement, along with those who were initially more fortunate.

OBJECTION NO. 6: THE ACT DOES NOT ALLOW THE CREDIT FOR ONLY THE INCREASED TRAINING, BUT FOR ALL TRAINING

This is the so-called maintenance of effort problem. Originally President Kennedy asked Congress to enact a tax credit of 15 percent toward investment in depreciable property. Unfortunately no way could be found either to arrive at a workable base period of investment, or to assure equity between those who had acted in accordance with the objectives of the act and those who had lagged behind. That is, those whose investments had been high in the arbitrary base period would have to do even more to claim a credit, and those who had let their capital spending drop behind would be rewarded with a tax subsidy for catching up.

In addition, the maintenance of effort approach invited speculation as to the effective date of the act. Why not depress purchases during a forthcoming base period, and then clean up after the act went into effect?

As the Ways and Means Committee discovered, there is just no workable way to handle this problem. That is why they reported a flat 7 percent—initially 8 percent—across-the-board credit on all eligible investment. The 7-percent figure, incidentally, was chosen for the simple reason that it was estimated to produce the same gross revenue loss as the President's original proposal, and not for its relation to any presumed threshold for increased investment.

OBJECTION NO. 7: THE TREASURY WILL HAVE GREAT DIFFICULTY ADMINISTERING THE ACT

Perhaps not too strangely, this argument is most frequently advanced by spokesmen of another executive department, which I will mercifully refrain from naming. The Treasury, for its part, takes indignant exception to any such suggestion. While it would be a considerable overstatement to impute any enthusiasm for the human investment approach to the Treasury Department, I can report that the prospect of administering the act is not a major source of the Treasury's hesitation.

One reason, I trust, reflects the refining process that I and many other sponsors have engaged in over the past 2 years. What we tried to do was sharpen the definitions in the statute so as to leave the minimum room for discretion by the Internal Revenue Service. Great effort was made to incorporate definitions that adverted to experience under other legislation in the fields of education and training, so as to hold the Treasury's administrative problems to a bare minimum.

OBJECTION NO. 8: BIG BUSINESS WILL GET THE BENEFITS, AND SMALL BUSINESS WILL LOSE OUT

This objection is based upon the premise that allowable job training is primarily a preserve of big business. This is a highly debatable proposition; recall, for instance, the Labor Department survey described above. If the survey has validity, it would indicate, as argued before, that this bill's benefits would flow in somewhat greater measure to small business, which trains proportionately more of the type of workers whose upgrading is covered in the act. Whereas big business undoubtedly spends more to train executives and higher level personnel, the bill specifically excludes such training from the credit computation.

OBJECTION NO. 9: THE DOUBLE DEDUCTION

This argument also springs from the debate over the investment tax credit. When that measure was originally enacted, it contained a provision, attributable to the Senator from Louisiana [Mr. LONG], requiring purchasers of new section 38 property to depreciate not the full cost, but the cost minus the 7-percent claimed credit. The argument advanced was that it was illogical and impure to permit taxpayers to depreciate the portion of an asset for which the public had provided a tax credit.

Whatever the abstract logic of this proposition, the Revenue Act of 1964 eliminated it from the tax code as being intolerably difficult from a recordkeeping and administrative standpoint. The Human Investment Act follows that precedent by omitting any such provision.

COST OF THE ACT

One of the major questions in any tax measure of this nature, or indeed any Government program, is, What will it cost?

There are actually four separate problems involved in computing the net cost to the taxpayer of the Human Investment Act.

First is the present tax base itself—the total amounts taxpayers expend today for job training covered by the bill. Unfortunately, aside from a few scattered surveys in certain industries in certain parts of the country, very little is known as to the detailed breakdown of training expenses by industry, by type of training, and by size of firm.

For one thing, accounting systems are not designed to reveal training expenses spread over the firm's various departments, or differences between different types of training.

Furthermore, there is no collection agency presently in the business of compiling such figures. In the course of trying to ascertain the national base I have consulted the Chamber of Commerce of the United States, the National Association of Manufacturers, the National Industrial Conference Board, the American Foundation on Automation and Employment, the Joint Committee on Internal Revenue Taxation, and numerous academicians and other experts, to little avail.

The second problem is estimating the amount of stimulus the act would provide; that is, the dollar volume of new expenditures. On this we are even more in the dark than in determining the base.

Third is the question of decreased loss to the taxpayer through decreased unemployment compensation and welfare payments to workers moving into training and employment. Fourth, and closely related to it, is the additional tax revenue generated by the larger paychecks of workers trained and in training. In the absence of any firm evidence on the stimulus effect, these figures are also very hard to come by.

Estimates of the present national base of training expenses have ranged from $1 billion up to as much as $17 billion—those two figures, incidentally, offered by the same source on different occasions. The higher figure, however, quite likely includes not only the expenses allocable under this act, but also other wages of trainees, earnings foregone by trainees to continue training—of importance to economists but not to tax administrators—the whole range of managerial and professional training expenses not covered by the bill, and some measure of informal on-the-job advice which would not qualify as a job training program.

The most recent figure for the base estimated by the Joint Committee on Internal Revenue Taxation, in a letter to me dated February 1, 1967, is $2 billion—a figure in accord with two other calculations I attempted, using information from other sources.

Using the theoretical maximum limit—an eligible trainee for the total estimated number of job vacancies in the country at an average annual training cost—the committee finds a potential $2.35 billion in additional expenses could be produced.

Using those figures, the gross revenue loss calculated at 10-percent credit would be between $200 and $435 million. It is patently clear, however, that the theoretical maximum limit on training is utterly impossible of achievement—as if a modest 10-percent credit could more than double the total training expenses of American business.

To err on the side of larger than likely gross revenue loss, I will settle on the figure $300 million—a figure which, I hasten to point out, is arrived at by correcting the presumed base upward by 25 percent, and assuming that the 10-percent credit will generate a 20-percent increase in job training. From the point of view of fiscal prudence, these are very, very conservative assumptions indeed.

This $300 million gross loss will, of course, be decreased by the positive effect on Government welfare costs and personal income taxes paid. Secretary Wirtz has told our Labor Committee that the Government investment in OJT programs under MDTA is repaid inside of 2 years as a result of these positive factors.

I thus will estimate that the overall cost to the Treasury of the 10-percent Human Investment Act for fiscal year 1968 will be in the neighborhood of $250 million. This magnitude should be considered in light of the other Government training expenditures in similar categories proposed in the President's budget for fiscal year 1968:

Anticipated expenditures in fiscal year 1968

[In millions of dollars]

Community action programs (adult training, remedial education, research, etc.)	153
Job Corps	178
Neighborhood Youth Corps	178
Work experience	35
Special unemployment impact work and training programs	185
Vocational Rehabilitation services and training	101
Manpower Development and Training (MDTA)	293
Vocational education	231
Veterans vocational rehabilition	15
Total	1,369

I think it can be seen that the Human Investment Act's anticipated cost, assuming prompt enactment, would not represent any irresponsible increase in Government support for training even using the deliberately inflated estimate which I have offered. Surely if we can afford $356 million for the very questionable training offered by the Job Corps and Neighborhood Youth Corps—the greater part of which would probably be too mediocre to qualify for the human investment credit—we can afford to assign as much as $250 million to sound job training by private enterprise.

THE MAJORITY PARTY'S ATTITUDE

I had hoped, Mr. President, that the majority party would look with some favor upon this measure, especially inasmuch as it had received the sponsorship of 109 Members of Congress, including the entire Republican leadership. I regret to say that in general such favorable consideration has not been forthcoming.

Here in the Senate the concept of tax credits for job training has received the support of at least three distinguished Senators of the majority party. The junior Senator from Missouri [Mr. LONG] joined me 2 years ago in cosponsoring S. 1130, the original human investment bill. The senior Senator from Indiana [Mr. HARTKE] cosponsored a bill in the last Congress which embodied essentially the same approach. And the junior Senator from Connecticut [Mr. RIBICOFF], who like the Senator from Indiana is a member of the Finance Committee and with whom I have gladly joined in urging tax credits for college education, has again introduced his bill along these same lines.

I should be remiss if I did not remark on the very courteous and thoughtful technical assistance that a number of employees of several executive departments have given me in refining this act. Their assistance, given on an objective and professional basis, is very sincerely appreciated. I should like to thank, too, the other members of my party who contributed to the improvement of the act, and especially their staff members—over 50 in all—who labored conscientiously to bring forth the best possible piece of legislation.

For one brief moment, in the late spring of 1966, I had hopes that the Senate Finance Committee would hold hearings on the Human Investment Act and on similar legislation introduced by the distinguished senior Senator from New York [Mr. JAVITS]. Unfortunately, for reasons never made clear to me, the scheduled hearings were canceled by the committee, and no effort was later made to reschedule them.

THE TREASURY'S POSITION

While I have never obtained a formal statement on the Human Investment Act from the Treasury, their past positions and the conversations I have had with them indicate that they have little intention of abandoning their traditional hostility to any kind of tax credit approach. The Treasury has always resisted any proposal which would diminish the tax base, no matter how laudable the social purpose, with only rare and specialized exceptions. It is their custom to assert that any proposal of a social nature which tax credits can accomplish could be more economically and efficiently accomplished through a direct Government grant-in-aid or similar program. While a strong case might be made for this position on narrow grounds, I believe it does overlook a number of the positive considerations advanced above in behalf of the tax credit approach.

THE LABOR DEPARTMENT'S POSITION

The official position of Secretary Wirtz has long been that expansion of existing MDTA programs, with an increased emphasis on OJT components, will meet current and future national needs in the area of job training and upgrading. In February of last year I posed this question directly to Secretary Wirtz, eliciting the following colloquy:

> *Question:* Is it to be inferred from your testimony that the Labor Department is unequivocally opposed to any tax credit training legislation in 1966? If so, is this to be understood as the position of the administration as a whole?
>
> *Answer:* As I have indicated, we felt that OJT is the vehicle to take care of the expanding training needs in industry. All the benefits attributable to a tax credit plan may be accomplished under the OJT technique which has proven itself and has been accepted by industry. We feel little may be gained by tax credit legislation at this time.

In a major address at Catholic University on November 20, 1966, however, the Secretary hinted that he might be reconsidering this position. The steps essential to expanding job opportunities for youth, the Secretary said, "will have to depend on social invention more than on increased appropriations"—a position which clearly contrasts with his views of 9 months before.

He then went on to say that these steps will have to depend on "fuller exploration and development of ideas we have so far only toyed with—or looked at and set aside—the repeated proposals—repeatedly, so far found wanting in some respect—for using tax credits to encourage enlarged employer training programs—as well as increased capital expenditures for equipment."

I hope Secretary Wirtz is now actively reexamining the potential of the human investment approach. I can assure him of my utmost cooperation if he should decide to do so.

THE OFFICIAL ADMINISTRATION POSITION

I have saved until last the views of the Budget Bureau, customarily regarded as the official administration position in the absence of any Presidential statement.

While signifying its agreement with the objectives of the Human Investment Act, the Budget Bureau, in a letter to the Senator from Louisiana [Mr. LONG] dated July 28, 1966, raises four objections to the tax credit approach.

First, the Bureau said, under the tax credit approach the costs to the taxpayer are buried in gross statistics and not readily identifiable or regulated by the congressional appropriation process.

I have a letter from Acting Treasury Secretary Barr, dated September 3, 1965, which to me robs this objection of a great deal of validity. In the letter Secretary Barr advised me of the exact amount of the investment tax credit claimed by taxpayers in 1962—$1,057 million—broken down between corporations—$834 million—and unincorporated businessmen—$223 million. I fail to see how it can be argued that the costs to the taxpayer are buried in view of the existence of these comparable figures. It could, I suppose, be argued that the figures are not known until somewhat after the fact; but I still fail to see how the public can be deprived of a full accounting under the tax credit approach.

Second, the Bureau says, the bills would tend to favor large corporations as opposed to small business. I will not dwell on this other than to point out that the Labor Department survey comes to the opposite conclusion.

Third, the Bureau argues that employers would formalize existing informal training to claim a credit, which would "distort the efficiency of the firm in an economic sense by causing it to employ resources in a manner which would yield less than the maximum productive return."

If the act serves to encourage employers to formalize present training into programs that are soundly organized instead of haphazard, I should consider that more of an argument for the act rather than against it. As for distorting efficiency, I would suggest that business itself would be in the best position to judge the rewards and efficiency that would result from shifting its resources in the direction of training. And if by maximum productive return it is meant immediate return, it seems to me the statement overlooks the value of genuine investment in human productive skills—investment which is returned with interest at a later date.

Fourth, the Bureau believes—and I quote this in its entirety:

> The bills might stimulate training in fields with a low national priority or need. Direct assistance programs, on the other hand, can be adjusted to existing and future occupational requirements.

Here, I am sorry to say, one may detect the all-too-prevalent attitude of the present administration that it, and no one else, knows best what national priority or need is. Perhaps I am a little old fashioned, Mr. President, but I confess that I still have a certain amount of faith that free Americans—whether businessmen or labor leaders or just common people—really know better what is best for them than does the Federal Government, no matter which party is in power and no matter how responsive it may be to the people.

Perhaps, however, the Budget Bureau will emulate the example of Secretary Wirtz and think through its position again, in light of the earnest arguments made in behalf of this legislation by some 150 Members of the 90th Congress. I truly hope it will do so. For the need for action is apparent; and the groundwork has been carefully laid.

Exhibit 1

The Human Investment Act—S. 812

A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the Human Investment Act of 1967.

Sec. 2. Declaration of Purpose:

It is the purpose of this Act to provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job skills, and by upgrading the job skills of and providing new job opportunities for workers presently employed.

Sec. 3. Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by renumbering section 40 as section 41, and by inserting after section 39 the following new section:

"§ 40. Expenses of Employee Training Programs

"(a) General Rule.—There shall be allowed, as a credit against the tax imposed by this chapter, the amount determined under subpart C of this part.

"(b) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section and subpart C."

Sec. 4. Part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by adding at the end thereof the following new subpart:

"Subpart C—Rules for Computing Credit for Expenses of Employee Training Programs

"Sec. 51. Amount of credit.

"Sec. 52. Definitions; special rules.

"§ 51. Amount of Credit.

"(a) Determination of Amount.—

"(1) General Rule.—The amount of the credit allowed by section 40 for the taxable year shall be equal to 10 percent of the employee training expenses (as defined in section 52(a)).

"(2) Limitation Based on Amount of Tax.—Notwithstanding paragraph (1), the credit allowed by section 40 for the taxable year shall not exceed—

"(A) so much of the liability for the taxable year as does not exceed $25,000, plus

"(B) 50 percent of so much of the liability for tax for the taxable year as exceeds $25,000.

"(3) Liability for Tax.—For purposes of paragraph (2), the liability for tax for the taxable year shall be the tax imposed by this chapter for such year, reduced by the sum of the credits allowable under—

"(A) section 33 (relating to foreign tax credit),

"(B) section 35 (relating to partially tax exempt interest),

"(C) section 37 (relating to retirement income), and

"(D) section 38 (relating to investment in certain depreciable property).

For purposes of this paragraph, any tax imposed for the taxable year by section 531 (relating to accumulated earnings tax) or by section 541 (relating to personal holding company tax) shall not be considered tax imposed by this chapter for such year.

"(4) Married individuals.—In the case of a husband or wife who files a separate return, the amount specified under subparagraphs (A) and (B) of paragraph (2) shall be $12,500 in lieu of $25,000. This paragraph shall not apply if the spouse of the taxpayer has no employee training expenses for, and no unused credit carryback or carryover to, the taxable year of such spouse which ends within or with the taxpayer's taxable year.

"(5) Affiliated groups.—In the case of an affiliated group, the $25,000 amount specified under subparagraphs (A) and (B) of paragraph (2) shall be reduced for each member of the group by apportioning $25,000 among the members of such group in such manner as the Secretary or his delegate shall by regulations prescribe. For purposes of the preceding sentence, the term 'affiliated group' has the meaning assigned to such term by section 1504(a), except that all corporations shall be treated as includible corporations (without any exclusion under section 1504(b)).

"(b) Carryback and Carryover of Unused Credits.—

"(1) Allowance of credit.—If the amount of the credit determined under subsection (a)(1) for any taxable year exceeds the limitation provided by subsection (a)(2) for such taxable year (hereinafter in this subsection referred to as 'unused credit year'), such excess shall be—

"(A) an employee training credit carryback to each of the 3 taxable years preceding the unused credit year, and

"(B) an employee training credit carryover to each of the 7 taxable years following the unused credit year,

and shall be added to the amount allowable as a credit by section 40 for such years, except that such excess may be a carryback only to a taxable year beginning after December 31, 1966. The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the 10 taxable years to which (by reason of subparagraphs (A) and (B) such credit may be carried, and then to each of the other 9 taxable years to the extent that, because of the limitation contained in paragraph (2), such unused credit may not be added for a prior taxable year to which such unused credit may be carried.

"(2) Limitation.—The amount of the unused credit which may be added under paragraph (1) for any preceding or succeeding taxable year shall not exceed the amount by which the limitation provided by subsection (a) (2) for such taxable year exceeds the sum of—

"(A) the credit allowable under subsection (a) (1) for such taxable year, and

"(B) the amounts which, by reason of this subsection, are added to the amount allowable for such taxable year and attributable to taxable years preceding the unused credit year.

"(3) Effect of Net Operating Carryback.—To the extent that the excess described in paragraph in paragraph (1) arises by reason of a net operating loss carryback, subparagraph (A) of paragraph (1) shall not apply.

§ 52. Definitions; Special Rules.

"(a) Employee Training Expenses.—For purposes of this subpart, the term 'employee training expenses' means—

"(1) the wages and salaries of employees who are apprentices in an apprenticeship program registered with a State apprenticeship agency or the Federal Bureau of Apprenticeship and Training;

"(2) the wages and salaries of employees who are enrolled in an on-the-job training program pursuant to section 204 of the Manpower Development and Training Act of 1962;

"(3) the wages and salaries of employees who are participating in a cooperative education program involving alternate and approximately equal periods of study and employment in cooperation with—

"(A) a school or college, or department or division of a school or college, which is certified by the United States Commissioner of Education to be an area vocational education school as defined in section 8 (2) of the Vocational Education Act of 1963 (P.L. 88–210), or

"(B) a business or trade school, or technical institution or other technical or vocational school, which is certified by the United States Commissioner of Education to be an eligible institution as defined in section 17 (a) of the National Vocational Student Loan Insurance Act of 1965 (P.L. 89–287);

"(4) tuition and course fees paid or incurred by the taxpayer to—

"(A) a school or college, or department or division of a school or college, which is certified by the United States Commissioner of Education to be an area vocational education school as defined in section 8(2) of the Vocational Education Act of 1963 (P.L. 88-210), or

"(B) a business or trade school, or technical institution or other technical or vocational school, which is certified by the United States Commissioner of Education to be an eligible institution as defined in section 17 (a) of the Nation Vocational Student Loan Insurance Act of 1965 (P.L. 89-287),

for instruction of an individual in job skills necessary for and directly related to his employment by the taxpayer or his continued employment with the taxpayer in a position requiring additional job skills, and amounts paid or incurred by the taxpayer to any such individual in reimbursement for such tuition and fees paid by such individual;

"(5) home study course fees paid or incurred by the taxpayer to any home-study school accredited by a nationally recognized accrediting agency or association listed by the United States Commissioner of Education for instruction of an individual in job skills necessary for and directly related to his employment by the taxpayer or his continued employment with the taxpayer in a position requiring additional job skills, and amounts paid or incurred by the taxpayer to any such individual in reimbursement for such individual;

"(6) expenses of the taxpayer for organized job training (including classroom instruction) provided by the taxpayer, including (but not limited to) expenses for the purchase or lease of books, testing and training materials, classroom equipment and related items, and instructors' fees and salaries, incurred in training any individual in job skills necessary for and directly related to his employment by the taxpayer or his continued employment with the taxpayer in a position requiring additional job skills;

"(7) expenses of the taxpayer for organized job training described in paragraph (6) provided by another taxpayer, but only to the extent the expenses of providing such instruction would, if it were provided by the taxpayer, constitute employee training expenses of the taxpayer under paragraph (6) of this subsection; and

"(8) expenses of the taxpayer for organized job training described in paragraph (6) provided by a business or trade association, joint labor-management apprenticeship committee, or other similar nonprofit association, group, trust fund, foundation, or institution for an employee or prospective employee of any taxpayer member of such association, committee, group, trust fund, foundation or institution in job skills necessary for and directly related to his employment by such taxpayer member or his continued employment with such taxpayer member in a position requiring additional job skills.

"(b) ORGANIZED JOB TRAINING DEFINED.—For purposes of this section, the term 'organized job training' means job training according to a plan formulated or approved by the taxpayer which contains—

"(1) the title and description of the job objectives for which individuals are to be trained;

"(2) the length of the training period;

"(3) a schedule listing various operations for major kinds of work or tasks to be learned and showing for each, job operations or work, tasks to be performed, and the approximate length of time to be spent on each operation or task;

"(4) the wage or salary to be paid at the beginning of the course of training, at each successive step in the course, and at the completion of training;

"(5) the entrance wage or salary paid to employees already trained in the kind of work for which the individuals are to be trained; and

"(6) the number of hours of supplemental related instruction required."

"(c) LIMITATIONS.—

"(1) TRADE OR BUSINESS EXPENSES.—No item shall be taken into account under subsection (a) unless such item is allowable as a deduction under section 162 (relating to trade or business expenses). For purposes of applying the preceding sentence, expenses which are paid or incurred by the taxpayer with respect to an individual who is not his employee shall be treated as paid or incurred with respect to an individual who is his employee.

"(2) CERTAIN KINDS OF TRAINING EXCLUDED.—

"(A) In general, no item shall be taken into account under subsection (a) with respect to any expense paid or incurred in training any individual in—

"(i) management, supervisory, professional, or human relation skills;

"(ii) scientific or engineering courses creditable to a baccalaureate degree by an institution of higher education (as defined by the first sentence of section 103(b) of the National Defense Education Act of 1958);

"(iii) courses of a type determined by the Veterans' Administrator to be avocational or recreational in character under the authority of section 1673 of chapter 34 of part III of title 38, United States Code; or

"(iv) subjects not contributing specifically and directly to such individual's employment or prospective employment with the taxpayer (or a taxpayer member of an association, group, trust fund, foundation, or institution as used in paragraph (8) of subsection (a)).

"(B) EXCEPTIONS.—Subparagraph (A) shall not apply to—

"(i) expenses described in subsections (a) (4) and (5) paid or incurred for courses and at institutions certified by a State apprenticeship agency (or where none exists, by the Bureau of Apprenticeship and Training) as eligible for inclusion in a registered apprenticeship program in an apprenticeable occupation listed by the Bureau of Apprenticeship and Training;

"(ii) expenses described in subsections (a) (4) and (5) paid or incurred for courses offered in a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge by an institution which is accredited or otherwise certified by the United States Commissioner of Education under paragraph 401(f)(5) of the Higher Education Facilities Act of 1963 (Public Law 88-204); or

"(iii) expenses described in subsection (a) for training which has been approved by the agency of a State that administers its State unemployment compensation law for individuals receiving unemployment compensation.

"(3) REIMBURSED EXPENSES.—No item shall be taken into account under subsection (a) to the extent that the taxpayer is reimbursed for such item by any other taxpayer, by any association, group, trust, fund, foundation, or institution, or by any State, local, or Federal Government program, grant, contract, or agreement.

"(4) GEOGRAPHICAL LIMITATION.—No item shall be taken into account under subsection (a) with respect to any expense paid or incurred by the taxpayer for training conducted on the territory of any foreign country.

"(5) OVERLAPPING EXPENSES.—A taxpayer may take into account expenses paid or incurred with respect to any one individual under either paragraph (3) or paragraph (4) of subsection (a), but shall not take into account expenses concurrently paid or incurred with respect to such individual under both such paragraphs.

"(d) SUBCHAPTER S CORPORATIONS.—In case of an electing small business corporation (as defined in section 1371)—

"(1) the employee training expenses for each taxable year shall be apportioned pro rata among the persons who are shareholders of such corporation on the last day of such taxable year, and

"(2) any person to whom any employee training expense has been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expense.

"(e) ESTATES AND TRUSTS.—In the case of an estate or trust—

"(1) the employee training expenses for any taxable year shall be apportioned between the estate or trust and the beneficiaries on the basis of the income of the estate or trust allocable to each,

"(2) any beneficiary to whom any employee training expense has been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expense, and

"(3) the $25,000 amount specified under subparagraphs (A) and (B) of section 51(a) (2) applicable to such estate or trust shall be reduced to an amount which bears the same ratio to $25,000 as the amount of the employee training expenses allocated to the trust under paragraph (1) bears to the entire amount of the employee training expenses.

"(f) LIMITATIONS WITH RESPECT TO CERTAIN PERSONS.—In the case of—

"(1) an organization to which section 593 applies,

"(2) a regulated investment company or a real estate investment trust subject to taxation under subchapter M (section 851 and following), and

"(3) a cooperative organization described in section 1381(a),

rules similar to the rules provided in section 46(d) shall apply under regulations prescribed by the Secretary or his delegate.

"(g) CROSS REFERENCE.—For application of this subpart to certain acquiring corporations, see section 381(c)(24)."

SEC. 5. Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically excluded from gross income) is amended by renumbering section 123 as 124 and by inserting after section 122 the following new section:

"§ 123. TUITION AND FEES UNDER EMPLOYEE TRAINING PROGRAMS.

In the case of an individual, gross income does not include—

"(1) tuition and course fees paid on behalf of such individual, or amounts received as reimbursement for such tuition and fees paid by such individual, to the extent such tuition and fees or such reimbursement constitutes employee training expenses under section 52(a)(4) of the person making the payment or reimbursement, and

"(2) home study course fees paid on behalf of such individual, or amounts received as reimbursement of such fees paid by such individual, to the extent such fees or reimbursement constitutes employee training expenses under section 52(a)(5) of the person making the payment or reimbursement."

SEC. 6. (a) The table of subparts for part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"SUBPART C. RULES FOR COMPUTING CREDIT FOR EXPENSES OF EMPLOYEE TRAINING PROGRAMS."

(b) The table of sections of subpart A of part IV of subchapter A of chapter 1 of such Code is amended by striking out

"Sec. 40. Overpayments of tax."

and inserting in lieu thereof

"Sec. 40. Expenses of employee training programs.

"Sec 41. Overpayments of tax."

(c) The table of sections for part III of subchapter B of chapter 1 of such Code is amended by striking out

"Sec. 123. Cross references to other Acts."

and inserting in lieu thereof

'Sec. 123. Tuition and fees under employee training programs.

"Sec. 124. Cross references to other Acts."

(d) Section 381(c) of such Code (relating to items taken into account in certain corporate acquisitions) is amended by adding at the end thereof the following new paragraph:

"(24) CREDIT UNDER SECTION 40 FOR EMPLOYEE TRAINING EXPENSES.—The acquiring corporation shall take into account (to the extent proper to carry out the purposes of this section and section 40, and under such regulations as may be prescribed by the Secretary or his delegate) the items required to be taken into account for purposes of section 40 in respect of the distributor or transferor corporation."

SEC. 7. The amendments made by this Act shall apply with respect to taxable years beginning after December 31, 1966.

EXHIBIT 2

BACKGROUND AND SUMMARY, THE HUMAN INVESTMENT ACT, 90TH CONGRESS—S. 812

Purpose: "To provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job skills, and by upgrading the job skills of and providing new job opportunities for workers presently employed."

Method: The Act offers employers a tax credit toward certain specified expenses of programs designed to train prospective employees for jobs with the company or retrain current employees for more demanding jobs with the company.

Amount of tax credit: 10% of the allowable employee training expenses with a maximum of $25,000 plus 50% of the taxpayer's tax liability in excess of $25,000. This credit would be in addition to credits provided for by other sections of the tax code, and in adition to the regular deduction as a trade or business expense under section 162 of the code.

ALLOWABLE EMPLOYEE TRAINING EXPENSES

1. Wages and salaries of registered apprentices;
2. Wages and salaries of enrollees in On-the-Job Training programs under the Manpower Development and Training Act;
3. Wages and salaries of employees participating in cooperative education programs;
4. Tuition and course fees paid or reimbursed by the taxpayer to a college, business, trade or vocational school;
5. Home study course fees paid to or reimbursed by the taxpayer to a college or an accredited home study school;
6. Expenses to the taxpayer of his organized job training programs;
7. Expenses to the taxpayer of organized job training programs contracted by him to another taxpayer;
8. Expenses to the taxpayer of organized job training programs conducted by a trade association, joint labor-management, apprenticeship committee, or other similar group.

OTHER PROVISIONS

1. Allowable expenses must be tax deductible under section 162 of the Tax Code.
2. The tax credit may be carried back three years and carried forward seven years.
3. No credit is allowed for the training of managerial, professional, or advanced scientific employees; or for reimbursable expenses; or for avocational or recreational courses.

The intent of the Act is to help workers advance up the "skill ladder", thus opening vacancies at the bottom for the presently unskilled and unemployed. Its major premise is that private business has, over the years, learned how to obtain the most results per training dollar, and should now be encouraged to expand its training programs to meet the national demand for labor skills. In addition, the Act seeks to encourage training by business because, unlike so much institutional training, training by business leads directly to a better job for the trainee.

Legislative history: The original Human Investment Act was introduced on February 17, 1965 by Senator Winston Prouty (R.-Vt.) The second-generation version was introduced by Senator Prouty and Rep. Thomas B. Curtis, (R.-Mo.) on September 9, 1965, and eventually claimed 109 Congressional sponsors. The present bill is a refined third-generation version, a product of over a year of research and consultation with businessmen, labor leaders, economists, and tax lawyers.

EXHIBIT 3

TECHNICAL EXPLANATION—THE HUMAN INVESTMENT ACT—S. 812

This measure is patterned after section 38 of the Revenue Code, relating to the investment tax credit and enacted by the Revenue Act of 1962. It is analogous to that provision in almost every respect.

The Revenue Act of 1962 provided a credit against taxes for investment in certain depreciable property. The credit amounted to 7 percent of the qualified investment. There were, however, top limits of the credit measured by so much of the tax liability as does not exceed $25,000, plus 25 percent (changed to 50% in 1966) of the tax liability in excess of $25,000. Tax liability in this frame of reference meant the tax imposed without reference to personal holding company or accumulated earnings increments less credits against tax already provided for by law (foreign tax credits, dividend credit, tax exempt interest and retirement income credit).

In the case of a husband or wife filing a separate return the top limit is measured in terms of $12,500 of tax liability instead of $25,000 except where the spouse of the taxpayer has no qualified investment for or no unused carryback or carryover credit credits for such earlier investment to that tax year. The effect of this limitation is to put the same limit on sole proprietorships and partnerships as would be imposed on corporations.

Affiliated groups must reduce the top limit available to them individually by apportioning the top limit among the members of the group. Once again, this provision provides that related corporations or business groups shall get no more than the credit allowed single business entities.

A carryback and carryover are provided for any year in which the credit exceeds the limitations imposed. The excess is carried back to each of the 3 taxable years proceeding the unused credit year and carried over to the 7 taxable years following the unused credit year. However, the top limit applies to the amounts allowable for credit for those carryback and carryover years. For example, if the tax credit for 1969 exceeded the limitation for 1969 by $10,000 then that $10,000 could be carried back to 1966. If in 1966 the credit allowed amounted to $25,000 and the top limit for that year was $30,000, only $5,000 of the $10,000 carryback could be applied to the tax year 1966. The remaining $5,000 of unused credit could be applied to the 1967 tax year if there was any leverage between the credit for that year and the top limitation.

Where a net operating loss carryback causes an excess of credit over the top limitation the carryback provisions on the excess for that year are not available. In other words, where a net operating loss carryback to 1968 from 1965 wiped out or reduced taxable income for that year and a credit for investment in qualified property had been allowed for that year, 1965, the loss of the credit for that year because of its excess over the top limit (which was reduced by the application of the net operating loss carryback) cannot be recouped by a carryback to the 3 tax years preceding 1965, but can only be applied as a carryover to the succeeding 7 tax years. This restriction eliminates the possibility that tax returns would be subject to amendment for a full 6 prior years (3 carryback years for net operating loss plus 3 carryback years for unused investment credit).

To this point the Human Investment Act and the investment tax credit provisions of section 38 are virtually identical. But where the 7% credit toward investment in certain depreciable property is allowed by section 38, the Human Investment Act allows a credit of 10% toward certain specified training expenses for employees and potential employees. Otherwise, the top limitation is computed in the same way. The same treatment is accorded married persons and affiliated groups. The same carrybacks which carryover provisions are made and the impact of net operating loss carrybacks which reduce or eliminate the credit allowable is the same. Unlike the provisions for phasing in the credit for investment in property over the first year of the plan, however, a full credit is allowed for training expenses incurred in 1967.

"Employee training expenses" are elsewhere defined to include training expenses paid or incurred by a taxpayer with respect to individuals not his employees, as well as his employees.

There are eight categories of employee training expenses made allowable for tax credit purposes:

1. the wages and salaries of employees participating in a registered apprentice program;
2. the wages and salaries of employees enrolled in an on-the-job training program (OJT) under the Manpower Development and Training Act (MDTA).
3. the wages and salaries of employees who are participating in a cooperative education program involving alternate and approximately equal periods of study and employment in cooperation with an area vocational education school, business or trade school, or technical institution, as defined in existing legislation.
4. tuition and course fees paid or incurred by the taxpayer to an area vocational school, business or trade school, or technical institution "for instruction of an individual in job skills necessary for and directly related to his employment by the taxpayer or his continued employment with the taxpayer in a position requiring additional job skills," and amounts paid by the taxpayer to an individual as reimbursement for such instruction.
5. home study course fees paid or incurred by the taxpayer to any accredited home study school for instruction of an individual in job skills necessary for and directly related to his employment by the taxpayer or his continued employment with the taxpayer in a position requiring additional job skills, and amounts paid by the taxpayer to an individual as reimbursement for such instruction.
6. expenses to the taxpayer for "organized job training", including books, testing and training materials, classroom equipment and

instructors' fees, incurred in training any individual in job skills necessary for and directly related to his employment by the taxpayer or his continued employment with the taxpayer in a position requiring additional job skills.

7. expenses of the taxpayer for organized job training provided by another taxpayer.

8. expenses to the taxpayer for organized job training provided by a business or trade association, apprenticeship committee, or other similar nonprofit association, group trust fund, foundation, or institution.

Organized job training is defined in the Act to mean training according to a plan formulated or approved by the taxpayer which contains:

1. the title and description of the job objectives for which individuals are to be trained;
2. the length of the training period;
3. a schedule listing various operations for major kinds of work or tasks to be learned and showing for each, job operations or work, tasks to be performed, and the approximate length of time to be spent on each operation or task;
4. the wage or salary to be paid at the beginning of the course of training, at each successive step in the course and at the completion of training;
5. the entrance wage or salary paid to employees already trained in the kind of work for which the individuals are to be trained; and
6. the number of hours of supplemental related instruction required.

Credit is not allowable toward the expenses of—

1. training which is not tax deductible under section 162 as a trade or business expense;
2. training in management, supervisory, professional, or human relations skills;
3. scientific or engineering courses creditable toward a baccalaureate degree;
4. avocational or recreational courses;
5. courses in subjects not contributing specifically and directly to the trainee's employment or prospective employment with the taxpayer;
6. training which is reimbursable to the taxpayer under a government or private contract;
7. training conducted in a foreign country.

In addition, a taxpayer may not claim credit toward both the salary and the course fees of a worker on a cooperative education plan.

It is specified that the restrictions 2, 3, 4, and 5 above do not in any case apply to

(a) courses eligible for inclusion in a registered apprenticeship program,

(b) two year scientific technician programs as defined in existing legislation,

(c) training approved by State employment services for individuals receiving unemployment compensation.

Provisions for apportioning the tax credit among the shareholders of Subchapter S corporations, estates, and trusts are identical to those in the investment tax credit provisions.

Similar in spirit to the 1964 amendment of the investment credit provisions which eliminated a section requiring a reduction in the value of the property when computing depreciation to the extent of the credit taken, the Human Investment Act in no way reduces or limits the deductibility of expenses of training incurred merely because a credit is also available based on those expenses. Such qualified expenses remain 100 percent deductible, while at the same time a credit against tax is fully allowed.

The Act provides that expenses paid to or on behalf of a trainee by a taxpayer shall not be includible in the trainee's gross income. The Act is made effective as of January 1, 1967.

EXHIBIT 4

THE HUMAN INVESTMENT ACT, 90TH CONGRESS—S. 812

CHANGES FROM HUMAN INVESTMENT ACT OF THE 89TH CONGRESS

The following changes have been made in the Human Investment Act of the 89th Congress (S. 2509; H.R. 10934):

Amount of Credit: The amount of credit has been increased from 7% to 10% of the allowable training expenses. This was done because it was recognized that, unlike a taxpayer's investment in equipment and machinery, investment in human capital carries a substantially greater amount of risk, especially in a period of skilled labor shortages such as the present. A taxpayer who invests in a machine owns an asset and may depreciate it over its usable lifetime. By contrast, an investment in a worker's skills may be lost if the worker responds to a more attractive job offer elsewhere. To compensate for this additional risk due to labor turnover, the Act adds a differential of three percentage points to the 7% credit enacted by Congress for investment in equipment and machinery.

Definitions: The definition of allowable employee training expenses have been sharpened, and effort has been made to relate the definitions to those in other legislation for which administrative experience has been accumulated. Similarly, language specifying non-includible expenses has been sharpened. A definition of "organized job training" has been added, drawing on the familiar language of the World War II and Korean GI Bills.

New Categories: Two new paragraphs have been added to make clear that the Act is intended to apply to training conducted by one taxpayer and paid for by another, and training paid for by a taxpayer which is conducted by a business or trade association, joint labor-management council, or similar group.

Trainee's gross income: Language has been added to make clear that expenses of tuition and course fees paid on behalf of an employee, or reimbursed to an employee, are not includible in the employee's gross income.

Three Month Rule: Previously a taxpayer could claim credit toward a trainee's training expenses only if the trainee stayed on the taxpayer's payroll for three months following the completion of training. This provision is eliminated as being entirely unworkable in construction trades and seasonal industries, and presenting extremely difficult record keeping and administrative problems.

Technical and Conforming Changes: To conform with the 1966 amendments to the investment tax credit provisions (PL 89–800) the carryover privilege has been extended from five to seven years, and the limitation on the amount of credit has been raised from $25,000 plus *25%* of the taxpayer's tax liability in excess of $25,000 to $25,000 plus *50%* of the taxpayer's tax liability in excess of $25,000. The Act is made effective with calendar year 1967.

Estimated Revenue Effect: While it is conjectural to attempt to predict the net revenue effect, evidence can be adduced, based on figures of the Joint Committee on Internal Revenue Taxation, that the Human Investment Act would cost about $250 million in FY 1968 if in effect on July 1, 1967.

EXHIBIT 5

ORIGINS OF LANGUAGE IN HUMAN INVESTMENT ACT—S. 812—90TH CONGRESS

The basic form, and a large part of the language, of the tax provisions of the Human Investment Act is taken from the investment credit provisions of the Internal Revenue Code of 1954 (sections 38, 46, 47, and 48 of the Code), which were originally enacted by the Revenue Act of 1962 (PL 87–834). The Human Investment Act would add new sections 40, 51, and 52 to the Code.

Sections 52(a) (3) and (4) define which schools may participate in cooperative education and course work programs for which the taxpayer may claim a credit. The definitional language is from section 8(2) of the Vocational Education Act of 1963 (PL 88–210) and from Section 17(a) of the National Vocational Student Loan Insurance Act of 1965 (PL 89–287).

Section 52(b) defines the meaning of "organized job training." This definition is practically unchanged from the language of the on-the-job training provisions of the World War II and Korean War GI Bills, appearing as Section 3 of PL 79–679 and Section 25 of PL 82–550.

Section 52(c)(2)(A)(ii) defines institutions of higher education for the purpose of disallowing credit for scientific or engineering courses creditable to a baccalaureate degree. This definition is taken from Section 103(b) of the National Defense Education Act of 1958, as amended.

Section 52(c)(2)(A)(iii) defines avocational or recreational courses for which no credit is allowable. This definition adverts to determinations made by the Veterans Administrator under the authority of section 1673 of chapter 34 of part III of Title 38, USC, the GI Bill laws.

Section 52(c)(2)(B)(ii) excerpts certain two year technical courses from the previous disallowance language. The definition of these courses adverts to determination made by the Commissioner of Education under paragraph 401(f)(5) of the Higher Education Facilities Act of 1963 (PL 88–204).

EXHIBIT 6

SPONSORS OF THE HUMAN INVESTMENT ACT, 89th CONGRESS

SENATE (S. 2509) 23 SPONSORS

Winston L. Prouty (Vermont).
Gordon Allott (Colorado).
Clifford Case (New Jersey).
John S. Cooper (Kentucky).
Norris Cotton (New Hampshire).
Everett Dirksen (Illinois).
Peter Dominick (Colorado).
Paul Fannin (Arizona).
Hiram Fong (Hawaii).
Bourke Hickenlooper (Iowa).
Roman Hruska (Nebraska).
Len B. Jordan (Idaho).
Thomas H. Kuchel (California).
Jack Miller (Iowa).
Thruston B. Morton (Kentucky).
Karl Mundt (South Dakota).
George Murphy (California).
James B. Pearson (Kansas).
Leverett Saltonstall (Massachusetts).
Hugh Scott (Pennsylvania).
Milward Simpson (Wyoming).
John Tower (Texas).
Robert P. Griffin (Michigan).

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Joseph McDade (Pa.), H.R. 11486.
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Seymour Halpern (N.Y.), H.R. 11652.
Ross Adair (Indiana), H.R. 11702.
William Bates (Mass.), H.R. 12652.
Robert P. Griffin (Mich.), H.R. 14247.
Robert H. Michel (Ill.), H.R. 15791.
Charles A. Mosher (Ohio), H.R. 16392.

EXHIBIT 7

[From the New York Herald Tribune, Apr. 11, 1966]

THE HUMAN INVESTMENT ACT—COMMENT—REPAIRING AMERICA'S JOB LADDER

One great anomaly in today's economy is the fact that America worries simultaneously about poverty and inflation, with both a poverty-sustaining unemployment roll of three million persons and an inflation-propelling labor shortage of between two and three million jobs.

There are several reasons for the costly paradox—the unwillingness of some workers to move to new job sites, hesitance of older workers to give up pension rights, and even residual racial discrimination—but the most important is that unemployed workers lack the skills to qualify for existing vacancies. The men are not matched to the jobs.

The Administration and the Democrats in Congress have a host of ideas and programs for meeting the problem, from expanding the existing on-the-job training program, to a proposal for direct government subsidy of wages, and even a behemoth $5 billion make-work program reminiscent of the WPA depression days. All are sure to be very complicated and are most unsure of success.

Republicans, on the other hand, are promoting a "Human Investment Act" that would increase the effort of business and labor to upgrade the jobs of workers all along the skills ladder, from the unemployed unskilled to the employed and trained. Rather than stimulating new government bureaucracies, red tape and prying, the Republicans would provide a tax incentive to businesses to accelerate and expand their job training programs. Their premise is simple and valid: since the huge private sector is what produces jobs, it is best able to train men to fill them.

Some would argue that the whole training effort should be to provide new skills for the unemployed, whereas the GOP plan makes no distinction between such people and those merely increasing already high skills—it helps both. But inasmuch as most job vacancies are in the high-skilled category and most of the unemployed lack any requisite skills, it is easier to upgrade workers on the whole ladder, and thereby create openings on the lower rungs, than to train the unskilled for advanced skill jobs. The Democratic approach does neither; trains the unskilled to the point they can compete for jobs with the semiskilled who already hold them.

The Human Investment Act enjoys unusually united Republican support, in and out of Congress, and is the result of a wide ranging co-operative research effort. The act was introduced in Congress over a year ago by Sen. Winston L. Prouty, of Vermont, and Rep. Tom B. Curtis of Missouri, but despite repeated requests by these men and other GOP leaders, the Administration has refused even to state an opinion of the bill and Congressional Democrats decline to schedule hearings on it. Their knee-jerk smugness is one price, measured in poverty and inflation, the people pay for such overwhelming one-party control of government.

EXHIBIT 8

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON INTERNAL
REVENUE TAXATION,
Washington, D.C., February 1, 1967.

Hon. WINSTON L. PROUTY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROUTY: This is in response to your letter of January 23, 1967, requesting an estimate of the revenue effect of your revised bill providing a tax credit for employee training expenses—or as you describe it "the 1967 version of the Human Investment Act."

On October 20, 1965 we provided you with estimates of the revenue effect of S. 2509, a bill which had essentially the same provisions as the revised version with the exception of the rate of the credit which was 7%. In the revised bill the rate is 10%.

In making the estimates for S. 2509 we estimated the base of the tax credit as $2 billion. Due to lack of new data, we are using the same $2 billion as the base of the tax credit for the revised version and the loss from a tax credit of 10% would be $200 million. The cost of additional training programs ultimately might be as much as $235 million more if the training programs are expanded.

The gross loss would probably be in the range from $200 to $350 million in fiscal 1968, depending on the extent to which the tax credit stimulated new training programs. As we stated in our letter of October 20, 1965, there would be offsets in the form of direct gains to the Federal Government due to higher income tax collections as unemployed people become wage earners and present employees increase their earnings as a result of training. Some Federal expenditures would be reduced as unemployment declines, but these offsets would probably lag behind the revenue loss from the credit. The States would also benefit, since unemployment compensation costs would be reduced and State tax receipts increased. We cannot estimate these offsets with any reasonable degree of accuracy, but they would probably be substantial.

Sincerely yours,

LAURENCE N. WOODWORTH.

Mr. HRUSKA. Mr. President, it was with a great deal of enthusiasm and optimism that I cosponsored the Human Investment Act, introduced in the 89th Congress, and it is with renewed optimism and resolution that I cosponsor the version introduced today.

This bill will provide the incentive to businessmen to train and upgrade the job skills of the unemployed and underemployed.

The approach of the bill is constructive and workable. It is a commonsense approach, since it furnishes an employee with a most effective incentive to improve his skills—a good job with steady employment. While he is being trained, he knows that there is a job opening waiting for him and that it will be there when he completes training. Once an employee has been trained for a particular job skill, he does not have to stop at that level, but can continue to upgrade his skills and advance in responsibility and job satisfaction.

Businessmen in the past have been of immeasurable help to the economy by providing on-the-job training to the unskilled and the inexperienced. They have provided an important way in which the unskilled can and have become skilled.

There are many instances where men who have their eye on the profit-and-loss column have taken individuals off the relief rolls and provide them with jobs and pride of accomplishment. Examples of businesses training individuals for jobs such as cabdrivers, typists, key punch operators, and service station attendants are numerous. It is my understanding that the private sector of our economy alone spends in excess of $4.5 billion annually on job training.

The Federal Government is not, as yet, the sole provider of education and training. However, there are those who, as Mark Twain stated, "think there is only one way to spell a word."

The success of the investment tax credit for investment in plant and equipment has proven a success, as has the ability of businessmen to get the most for the least. It is time we encourage the proven, economical, and efficient manner of curing the problem of structural unemployment, by providing the tax credit in this bill.

The measure introduced today has received extensive study and work under the able leadership of my friend, Senator PROUTY, and it is through his efforts that it has been changed and improved from previous versions. It is a responsible and uncomplicated method to help train the 3 million unemployed for job vacancies that exist today, and I urge all of my colleagues to support it.

Mr. JAVITS. Mr. President, I join this year with my colleague from Vermont and with dozens of other members of the minority in both the Senate and the House in sponsorship of this measure—the Human Investment Act. Last year, though I certainly supported the intent of this bill, I introduced together with the Senator from Indiana [Mr. HARTKE] my own bill, S. 2343, to grant a tax credit for employer expenses incurred in connection with certain types of training. I chose to introduce a separate bill because I felt that it was important to link the tax-credit-for-training proposal closely with the then existing credit for investment in new machinery and equipment since the logic underlying the two credits is basically identical. Because the investment credit is now suspended, because I think that a tax credit for training should be enacted without regard to whether a similar credit exists for costs of new equipment, and because I think that it is vitally important that those of us who support this approach do so with a maximum of unity and force, I am joining with the Senator from Vermont this year on the refined and improved Human Investment Act.

There is some indication that this year the tax credit proposal may receive a more sympathetic hearing from the administration. Secretary Wirtz, in a speech at Catholic University on November 16, 1966, encouraged the "fuller exploration and development of ideas we have so far only toyed with," stating that among these ideas he included "the repeated proposals—repeatedly, so far, found wanting in some respect—for using tax credits to encourage enlarged employer training programs—as well as increased capital expenditures for equipment." I would encourage the Senator from Vermont, and I am sure he will agree, to take the Secretary up on the suggested "fuller exploration" and to request from him specific suggestions as to what kind of a tax credit approach he would find acceptable. I strongly believe that we have great unfulfilled responsibilities in the job training field and that we have commensurate unused resources for such training in the private sector; surely, we have at last progressed beyond the belief that somehow the tax system should not be used to help match those responsibilities and resources. We must use the weapons available to us, and there is no reason why the tax system should not be used to accomplish necessary social purposes.

THE RIGHTS OF PRIVACY AS A CONSTITUTIONAL GUARANTEE

Mr. MORSE. Mr. President, I address myself to the subject "The Rights of Privacy as a Constitutional Guarantee."

I rise today, as I did over 10 years ago, on the floor of the Senate, to address myself to the problem of wiretapping and the threats it poses to the privacy and security of the American home.

In 1954 Attorney General Brownell proposed a bill to legalize wiretapping and to make wiretapped evidence admissible in courts of law. Although the bill had passed the House of Representatives, the Senate rejected the wiretapping proposal, which I characterized as a "police-state method" and as a surreptitious interception of a person's confidential communications to his family, friends, associates, lawyer, doctor, or priest—an insidious kind of intrusion upon personal privacy."

I pointed out then, and I repeat again today:

> When we speak about privacy and protecting the privacy of American citizens we are referring to a historic question, an issue which existed at the time the Constitution itself was adopted. In my judgment, unless there had been assurance that the privacy of American citizens would be protected from the arbitrary discretion of the Federal Government, the Constitution never would have come into being.

The adoption of the Bill of Rights amendments in 1789 and their subsequent ratification by the States established in law the principle that in a democracy the rights of the people are always superior to the expediencies of government officials.

We must not forget the Bill of Rights was adopted against the background of so-called Writs of Assistance authorizing revenue officers to enter suspected places and search for smuggled goods. James Otis, speaking in Boston in February 1761, denounced the character of the writs as an infringement of the Englishman's "right of House."

In the years 1966 and 1967 our distinguished and able colleague from Missouri [Mr. LONG] has exposed, through the hearings of his subcommittee, the arbitrary intrusion of the revenue officer into the home of the taxpayer, not through Writs of Assistance, but through a more sophisticated type of intrusion, in the form of electronic monitoring.

In the 13 years since I delivered the speech above referred to in which I defended the constitutional rights of privacy and discussed the wiretapping problems in our country, we have seen "bugging" elevated to a fine art in police detection work. Many private agencies are also using bugging techniques to invade the rights of privacy of free Americans. Much of the impetus upon development of today's ingenious listening devices comes from Federal funds spent by agencies concerned with collecting intelligence information or with the design of miniature information recording equipment for the space program.

The invention of the transistor made it possible to make easily concealed transmitters for tape or wire recorders. Also, advances in sound engineering led to microphones the size of an olive to be inserted into a martini at a cocktail party or a fountain pen on a desk, and similar devices.

Since 1954 Congress has repeatedly rejected similar proposals to legalize wiretapping. As recently as 1962 the Congress failed to enact the Attorney General's program for legalized wiretapping.

Even though the Federal Communications Commission Act of 1934 outlaws the interception and divulgence of telephone communications without the consent of either party to the conversation, and even though the official policy of the various Federal agencies of Government has been to restrict the use of electronic monitoring excepting in cases where national security was involved, the Long subcommittee has revealed that over 60 Government agencies have at their disposal extensive electronic monitoring gear. The committee finds that these agencies do not hesitate to use such devices as a part of their normal investigative procedure.

On February 28, 1964, Senator LONG, as chairman of the Subcommittee on Administrative Practice and Procedure, submitted a detailed questionnaire on invasions of privacy to all Government agencies with the exception of those agencies within the so-called security community. The questionnaire covered purchase and use by the civilian agencies of miniature recording devices, miniature transmitters and receivers, concealable microphones, two-way mirrors, infrared cameras, and other commonly used surveillance equipment.

These questionnaires were filled out by Government agencies with varying degrees of candor and with considerable reluctance. In each instance, the Long subcommittee discovered a considerable gap between the official policy and the practice.

On July 13, 1965, Senator LONG stated:

> As late as March of this year Secretary Dillon sat in my office and assured me wiretapping was absolutely banned by the Internal Revenue Service. He said that he and his colleagues in the national office knew of no case of wiretaps. I am certain he was telling the truth. Unfortunately, Department and Agency heads do not have the means to know of such activities.

Subsequent hearings revealed the IRS and the Treasury Department had been conducting a 7-week course for all agents in the art of electronic snooping which included picking of locks, installing hidden microphones, monitoring calls; that such electronic snooping took place in commercial establishments, offices, public telephones, private homes, automobiles, without the knowledge and consent of the individuals being tapped; that taxpayers calling into IRS had their calls monitored by the supervisor of the agent responding to the call; the taxpayers being interviewed in a Government conference room had their conversations overheard by permanent concealed bugs in the room; that it was the official policy of the inspection service of the Bureau of Internal Revenue to listen in on the telephone of its employees without their consent or knowledge.

If it were done in a Fascist country, such as Nazi Germany or in a Communist country such as Russia or China, we would call it a police-state technique. It is as much a police-state technique when practiced in the United States, and it is being practiced in the United States today.

I say to 195 million free Americans: "You have the duty, if you are going to protect the rights of your freedom of privacy to call your Government to an accounting." Yes, an accounting, if they continue to exercise what I consider shocking, unconstitutional, indiscretions, that are arbitrary and capricious in nature and against the rights of privacy guaranteed by the Constitution to a free people.

For we keep our freedom only to the extent and degree to which we insist upon procedures within the Government consonant with the enjoyment of freedom.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. GRUENING. I join in and concur with the remarks of my distinguished colleague, the senior Senator from Oregon.

It does not surprise me that the Senator is taking this firm stand, as he always does when our democracy is imperiled—on this issue or any other issue.

I am not a lawyer, but I view the danger of wiretapping strictly from the standpoint of an ordinary citizen.

As a member of the general public, I would like to make sure whether the Senator means that my conversations could be tapped at any time in my office, on a public telephone, in my home, or in the home of a friend, or in an automobile.

Mr. MORSE. What makes the Senator think this is not so?

Mr. GRUENING. As I read the hearings of the Long committee, I became increasingly apprehensive that that might be the case.

Mr. MORSE. If the Senator and I were private citizens, without senatorial immunity, there would be some interesting material made available in regard to the Senator from Alaska and the Senator from Oregon that, in the minds of certain extremists in this country, would seem to give the interpretation that we are a couple of dangerous men.

Mr. GRUENING. I have no doubt that anybody who fights for democracy incurs the perils of opposition from those who would erode our heritage of freedom.

Is it not true that the Long hearings have demonstrated the chain reaction of bugging and wiretapping where the friends, associates, and innocent third parties who may be in the office, home, or automobile of the suspect become subsidiary or satellite subjects of investigation?

Mr. MORSE. That is what the report points out. Read the report.

Mr. GRUENING. I have. I note from the transcript of the Long committee hearings in San Francisco that the Pacific Telephone & Telegraph Co., had leased lines into a hospital and other establishments, under the pretext of "service-observations." The privileged telephone communications of doctor-patient, lawyer-client, and even husband-wife were overheard. I have examined the record of the hearings of the Long subcommittee and am shocked at the invasion of privacy of the ordinary taxpayer whose telephone conversations with agents are tuned in by supervisors on the pretext of observing the efficiency of agents in answering questions phoned in by the ordinary taxpayer.

It is a shocking situation. I am glad that the Senator has taken up the cudgels. I am with him. I think we should pursue the matter until we put an end to this nefarious practice.

Mr. MORSE. I appreciate the remarks of the Senator. It is not the only time that the Senator from Alaska and I have stood together to defend the rights of the people.

Mr. GRUENING. I think these issues are interrelated. If this practice is started in one field, we will soon have similar abuses in every field.

Mr. MORSE. The Senator is correct.

Mr. GRUENING. I am happy to note that the use of permanent bugging will be eliminated. However, we are informed that temporary bugging will be used on a case-to-case basis.

What is the difference between temporary and permanent bugging? If one is being bugged, he is being bugged. I see no great gain here.

Mr. MORSE. There is no difference as far as the violation of constitutional rights is concerned.

Mr. GRUENING. The hearings also disclose that it has been the custom of the Internal Revenue Service to purchase used trucks from the Bell Telephone Co., to repaint those trucks, to equip and disguise their agents as Bell Telephone employees, and then head them out into the highways and byways to climb poles, to tap lines, to listen to the private conversations of citizens, to record these conversations or simply to record which telephone numbers certain citizens call when they use their telephone.

Mr. MORSE. That is what the committee brings out.

Mr. GRUENING. When one sees a Bell Telephone Co. truck parked at a telephone pole near his home and a couple of men working on the telephone pole, does he have the right to feel insecure and to believe that they are trying to tap the wires in his house?

Mr. MORSE. I am a fellow who has great faith. I assume there must be a broken wire somewhere—I hope from natural causes—not from human splitting.

Mr. GRUENING. I think the Senator from Missouri is entitled to the greatest credit for the manner in which he has pursued this subject.

Mr. MORSE. I have already paid him great commendation in my speech, and when I have concluded, I shall do so again.

The Senator from Missouri has performed a great, dedicated service to the American people, and has become an outstanding defender, as we would expect him to be, of the constitutional rights of all of our people in his opposition to the invasion of privacy through wiretapping and bugging practices.

Mr. GRUENING. There was an interesting colloquy that took place between Senator Long and Owen Burke Yung, Sr., a senior coordinator of the Intelligence Division of the Internal Revenue Service.

Mr. Yung believes that his employment in the Internal Revenue Service gives him a license to break into homes without being in any way subject to the law. He graduated from the Treasury school and this is hard to believe; many of the readers of the Record will not believe this—he had a course in lockpicking.

He was graduated as a lock picker. I cite these interesting excerpts from this committee transcript:

> Senator Long. Is there a special course in that school on teaching the use of burglar tools?
>
> Mr. Yung. There is, or was up until this year, a course in lockpicking.
>
> Senator Long. Lockpicking?
>
> Mr. Yung. Yes, sir.
>
> Senator Long. How do you—what do you use this—what would you use the art of lockpicking for?
>
> Mr. Yung. For surreptitious entry.
>
> Senator Long. Sir?
>
> Mr. Yung. For surreptitious entry.
>
> Senator Long. That is a good-size word for a country Senator. Is that just ordinary breaking and entering?
>
> Mr. Yung. Well, they could be used legitimately. For instance, we say we might want to get into a basement room where the telephone box is located.
>
> Senator Long. Well, that would still be breaking and entering, wouldn't it?
>
> Mr. Yung. Technically, I guess so, sir.
>
> Senator Long. Violation of the law?
>
> Mr. Yung. I wouldn't know, sir. I am not a lawyer.

So our Government officials had gotten to the point where they were condoning and encouraging and teaching breaking and entering, and that is apparently what they are doing.

Mr. MORSE. That is what the committee points out.

Mr. GRUENING. I consider it disgraceful. We should see that this is corrected. We should put an end to all wiretapping. There is no excuse for it whatever in a supposedly free country. Those methods belong in a police state.

The benefits that might be derived from any information secured would be offset more than 100 times by the abuse of the rights of the people.

Mr. MORSE. There is no doubt of that.

I thank the Senator from Alaska for his assistance.

Before I yield to the Senator from New Hampshire [Mr. Cotton], I want to supplement what the Senator from Alaska has said.

We should not blithely forget our history and nor should we forget one of the principal foundations on which our Republic is based—that our forefathers protested—and rightly so—the snoopers of the British Crown.

As I have already pointed out in my speech, one of the great causes of the revolution was the insistence on the part of our colonial forefathers that their rights be protected.

I now yield to the Senator from New Hampshire.

Mr. COTTON. Mr. President, I thank the Senator. I commend him for directing the attention of the Senate so eloquently and forcefully, as he always does, to what I think many of us consider to be the very extremely serious and far-reaching problem of the right of privacy.

I most heartily praise the Senator for the splendid speech he is making.

I am glad the distinguished Senator from Missouri [Mr. Long] has held the hearings. If the Senator from Oregon is going to mention this later, I shall not anticipate him, but I join in commending the distinguished Senator from Missouri for the splendid job he has done as chairman of the committee.

This is not in any sense criticism, but I was a little puzzled and disturbed in reading, I think over a year ago, a release from the Long committee—I do not know whether it was from the chairman, the Senator from Missouri, or not—in which it was indicated that although questionnaires and queries had been directed to many agencies, departments, and bureaus of the Government, no such questionnaires or queries had been directed at least at that time to what I believe was referred to as the security community, consisting of the Department of Defense, the Department of State, the FBI at least in the Department of Justice, and the CIA.

Some years ago, I served on the Internal Security Subcommittee of the Committee on the Judiciary, during the well-known Otepka case investigations. As I recall, representatives of the Department of Defense and the Department of Justice appeared before us in executive session. To be sure, it was in executive session, but later, by vote of the committee, the evidence was revealed to the public, with one or two small exceptions in which internal security seemed to be involved.

If we are to face up to this matter of bugging and wiretapping, this matter of invasions of the right of privacy, and face up to it in man fashion, it seems to me—even though it might be wise to have certain proceedings in executive session—that no department in this Government and no agency in this Government and no individual in this Goverment should be exempted. I do not say this in criticism of the committee of the Senator from Missouri [Mr. LONG], but simply to suggest that this facet of the problem warrants very careful consideration.

Mr. MORSE. I shall cover that matter and another facet of it later in my speech, if the Senator will permit me to complete my speech, and at that time we can engage in colloquy.

I thank the Senator from New Hampshire for the way he has made it possible for me to stand shoulder to shoulder with him during our years of mutual service in the Senate, as we have approached the problems of protecting these individual rights guaranteed by the Constitution. This is not the first time that the Senator from New Hampshire and the senior Senator from Oregon have been on the same side—and I think the right side—of this great constitutional issue. I appreciated the Senator's cooperation in the past and thank him for his support at present.

Mr. COTTON. I thank the Senator. He certainly will have my support on this issue. I am sorry that I raised this matter prematurely.

Mr. MORSE. I am glad that the Senator has done so.

Mr. COTTON. I look forward to what the Senator will say about the subject.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Alaska.

Mr. BARTLETT. A few minutes ago, my colleague from Alaska made a confession or bragged—I am not sure which—that he is not a lawyer. I am similarly situated, so this question——

Mr. MORSE. May I interrupt the Senator, goodnaturedly, to say that the Senator would make an excellent witness. He could not be charged with advocacy.

Mr. BARTLETT. Perhaps this question is altogether stupid, but, being a layman, I shall ask it.

Is there a special law that permits Internal Revenue agents to break into homes in order to connect devices to telephone wires?

Mr. MORSE. In the opinion of the senior Senator from Oregon, it is outlawry, not legality.

Mr. BARTLETT. Is there any law that the Senator knows of which makes such a practice legally permissible?

Mr. MORSE. I do not believe that it can possibly be justified legally.

Mr. BARTLETT. I, too, wish to say that I believe the Senator from Oregon, in discussing this subject, is doing what is not only wise and advisable, but also essential, if the freedoms that the American people have known for so long are to be protected.

I wonder whether the Senator from Oregon, who obviously is very knowledgeable on this subject, can tell me when this strange, un-American business of tapping telephone wires commenced on the part of the Federal Government.

Mr. MORSE. I believe that it has existed surreptitiously for quite a number of years, but not to the degree to which it has now developed. I cannot pinpoint the date.

The Senator's question causes to flash through my mind a somewhat humorous incident, and at the same time a very serious one. Some years ago, while in my office, I received a telephone call from a newspaper reporter, who said that he wished to see me.

I said, "Come over."

He said, "Oh, no, I don't want to see you in your office."

I said, "What do you mean?"

He said, "I'll tell you when I see you."

So I made an appointment to meet him for coffee in the Senate Restaurant, and I took my administrative assistant with me.

When the reporter arrived, I said, "Why didn't you want to come to my office?"

He said, "Because it's bugged."

I said, "That's a lot of nonsense."

He said, "It isn't. I want you to know that I was advised by a member of the Secret Service to get in touch with you and warn you that your office is bugged."

I said, "I don't believe it."

"Well," he said, "did you recently make the following statement in your office?"

Well, I had. It was, of course, a highly personal and privileged matter, and I made the statement to only one person, my administrative assistant, who was sitting on the other side of the desk; and when I talk to him, I talk to myself. I can assure the Senator that my administrative assistant, Mr. William Berg, would never divulge any privileged discussion that he had had with me.

This quotation was so word-perfect—it involved comments that I had made about a high official of the Government—that I could not reach any conclusion but that the Secret Service report was accurate.

Mr. BARTLETT. We can be thankful, then, that there are some tattlers in the Federal Establishment.

Mr. MORSE. But is it not unfortunate that violations of our rights must be disclosed in that manner?

Permit me to finish the story. We had this discussion with the reporter for quite some time.

He said, "This Secret Serviceman also suggested that I ask you if you have had a new chair come into your home recently."

I said, "I don't recall. I'll call Mrs. Morse and see."

So I went to the telephone and called Mrs. Morse; and she said, "You got your hot seat chair from New York, from 'The Hot Seat' program."

In those days, there was a program called The Hot Seat; and if one was a guest on the program, he sat in a new chair, and the chair was sent to him as a sort of remembrance of the experience.

The reporter suggested, "Did you have it thoroughly inspected?"

"Well," I said, "If you're trying to imply that that might have a bug in it, it's down in the children's recreation room. There would probably be some very interesting conversations recorded on any bugs that might be attached to the springs of that chair."

Before we finished the conversation, the newspaper reporter said, "Do you mind if you take me over to your office and we do a little searching for ourselves?"

I should have said "No," because, in my judgment, while searching there we got into almost a silly posture.

But before it was over, I said, "I just wish you could have a photograph of this. This would be the picture of the year, as far as silly performance is concerned."

We found no bug in the office.

Then he said, "What about the fireplace?"

I got down and put my hand up in the opening of the fireplace, and began laughing.

I said, "How silly can we be?"

I immediately rose and said, "I'm all through with this. We couldn't find a bug if it were in here.

I called the FBI and told them of the report that I had received, and they sent over one of their special teams for searching out monitoring devices.

The interesting thing was that it was necessary to turn the office over to them and leave them alone in the office. You cannot stay in the office while they search it. They reported to me the next day that they found no bug, but they said that that did not mean that one was not there. That incident was some years ago. The practice has been greatly refined since then.

These devices have reached the point where they can be hidden in an office without a wire connection. There are little devices no larger than a wristwatch; that can sit in an automobile a mile away from the office and by means of the electronic devices that have been developed can record everything said in the office vocally. Even a whisper can be picked up by that type device. This is the most unbelievable to me.

If Senators will read the Long report, it will be discovered that they have so perfected the practice that, as I said in the early part of my speech today, there can be a device as small as an olive, which looks like an olive, in a cocktail glass, and it can record the conversation taking place.

I have made the preceding comments because I felt that there was a bit of human interest in it. Knowing the current state of the art, who knows what bugging is taking place anywhere? One thing I do know: It cannot be justified under the Constitution, and that is the issue I am raising here this afternoon.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Alaska.

Mr. BARTLETT. I did not know whether to be encouraged or dismayed by the comment that a conversation between my wife and me may have been intercepted.

Mr. LONG of Missouri. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Missouri [Mr. Long].

Mr. LONG of Missouri. The size of these gadgets has been refined since the last information of the Senator. These devices are now the size of an aspirin tablet.

Mr. MORSE. There you are.

Mr. LONG of Missouri. The Senator spoke about Senators' offices being bugged. Over a year ago we had specialists working with my staff, and we checked the offices and corridors in the office building. We found that the offices of two Senators were apparently bugged, but we were not able to locate the devices. The next day we looked for them, and they had been removed. We were advised that the offices of these two Senators were bugged in the Senate Office Building over a year ago.

Mr. MORSE. When many conversations are recorded in many places, they must make very interesting listening to the eavesdroppers.

Mr. BARTLETT. Mr. President, I wish to say, in all seriousness, that I believe that the work that the Senator from Missouri [Mr. Long] has done and is doing in this area, and the work which the Senator from Oregon [Mr. Morse] is now doing in calling the attention of the American public to what is going on, is in the best interest of the American people.

We all know that, increasingly, files are labeled confidential or secret, or both, within departments that have nothing whatsoever to do with national security. If such a department can violate the law and engage in wiretapping, there is no reason why, eventually, every minor agency cannot do it. If the practice is illegal for one, it should be illegal for all.

Mr. MORSE. I agree.

Mr. BARTLETT. The sooner we cause these police-state methods to be discarded—methods which we deplore in other nations—the sooner we will return to the kind of America that this country was when we were younger, and the kind of America that our forefathers knew.

Mr. MORSE. The Senator is correct. That is my thesis.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Alaska.

Mr. GRUENING. In view of the fact that bugging devices are getting smaller and smaller—they were the size of an olive a few moments ago, and now the Senator from Missouri [Mr. Long] has informed us that their size has been reduced to that of an aspirin tablet—I wonder if it would not be somewhat like the verse:

> Big bugs have little bugs upon their backs
> to bite 'em,
> And little bugs have lesser bugs, and so ad
> infinitum.

Mr. MORSE. I think that the application of the flea story is apropos.

Mr. HATFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I yield to my colleague from Oregon.

Mr. HATFIELD. Mr. President, I am pleased that the senior Senator from Oregon [Mr. Morse] has introduced this important subject today on the floor of the Senate.

While I am not a constitutional lawyer, I do appreciate the reference that the Senator made to the Constitution and the Bill of Rights. I wish to ask the Senator if he does not believe this issue really comes down to a conflict between what we might call two goals, the goal of efficiency in law enforcement and the goal we would call the personal liberty of our people; and so, when these two goals are in conflict, does not the Senator believe that the goal of personal liberty should prevail over the goal of law enforcement efficiency?

Mr. MORSE. My answer is yes. As one who was professionally involved in many investigations in connection with the administration of criminal justice in this country before coming to the Senate, I never found that the protection of the public in the field of law enforcement ever justified the violation of constitutional guarantees.

Mr. HATFIELD. Mr. President, will the Senator further yield?

Mr. MORSE. I yield.

Mr. HATFIELD. Many times we hear laymen speak with regard to this subject, and often their view has been expressed that if we hold the goal of personal liberty paramount, criminals would once again be turned loose to prey on people. What is the view of the Senator with respect to self-denial on the part of our Government in making personal liberty paramount over law enforcement efficiency, even to the extent of the release of guilty men?

Mr. MORSE. I have two responses. If we give support to the police departments, we can have adequate law enforcement. I have always voted to give that kind of support by providing the manpower they need, by way of training courses they should have, by way of equipment to which they are entitled, and also by giving them the most important weapon in law enforcement; namely, our trust and confidence in them, so long as they, themselves, remain within the framework of our legal guarantees. We do not need to resort to illegal techniques to protect the public interest.

The second point that I shall make concerns the matter of the presumption of innocence and the requirement on the part of the government to establish probable guilt. This is pretty vital to each of us.

It is easy to rationalize ourselves into supporting a violation of constitutional rights if we look at the situation from the standpoint that X is guilty of something.

But one of the great strengths of our Republic is the preservation of the presumption of innocence.

Senators know of my work in the Senate as chairman of the subcommittee of the Committee on the District of Columbia having to do with law enforcement in the District of Columbia vis-a-vis the police. I have never found much consideration of the presumption of innocence on the part of those who would have us take away from the people of the District of Columbia the constitutional guarantees to which I have addressed myself so many times.

Mr. HATFIELD. I am grateful to the Senator for his responses.

Mr. MORSE. I appreciate the intervention by the Senator.

Mr. MORSE. I yield to the Senator from Georgia [Mr. Talmadge].

Mr. TALMADGE. Mr. President, I desire to commend the distinguished Senator from Oregon on the stand he has taken on wiretapping and bugging. I personally think that wiretapping and bugging should be authorized only when the national security is involved.

Will the Senator yield for a question?

Mr. MORSE. I am happy to yield to the Senator from Georgia.

Mr. TALMADGE. Is it correct that in February 1961 the Justice Department authorized investigations to be made by the use of electronic equipment by agents in the drive on organized crime?

Mr. MORSE. That is my understanding. That was brought out in the Long report.

Mr. TALMADGE. Would that not presuppose a double standard of law enforcement; one applied to ordinary citizens, who would be protected in their constitutional right to privacy, and the other to a group of citizens who may or may not be criminals or otherwise, and who would be denied the same constitutional right?

Mr. MORSE. I think it is based upon that premise. It is a fallacious premise. In my judgment, we cannot safely draw those lines of distinction. Constitutional rights have to be recognized as uniform in character for all our citizens. We cannot give only a degree of it to certain alleged criminals whom we may presume to be guilty of wrongdoing.

Mr. TALMADGE. In other words, even criminals have constitutional rights.

Mr. MORSE. It is basic Anglo-Saxon justice that those accused of crime are entitled to the same procedural protections as anyone else. How do we know in advance that X is really guilty? He may be covering up for someone. He may, in fact, be innocent. He may be mentally unfit. He may be emotionally upset. He may be the victim of a hysterical disorder at the time.

The Senator from Georgia is a great lawyer. I am delighted he has intervened in this discussion, because the RECORD shows that over the years I have referred—and now refer again—to the fact that I do not know of a more able lawyer in the Senate than the Senator from Georgia.

Mr. TALMADGE. I desire to express my appreciation to the Senator for that compliment.

Mr. MORSE. The Senator and I do not always agree on every legal point; but then, lawyers never do. I have always had great respect for the Senator's judgment. I am so glad he is raising these questions today. I do not raise them in my manuscript, and, therefore, the Senator is contributing to it. I want to make the point again that I do not believe we can have a system of justice where we boast about, "Equality before the law," if, in fact, we have inequality in the administration of legal procedures.

Mr. TALMADGE. I share that view. Would not the Senator agree that lawless law enforcement, applied to any segment of society, injures all segments of society?

Mr. MORSE. I agree entirely; it would be promoting lawlessness. More and more we are seeing evidences of a person on trial who seeks to justify the course of action he followed because he knows a law enforcement official did something similar to what he has been indicted for. That does not justify such a course of action, of course, but the examples of lawlessness we see within the Government, I think, serve to be, in effect, teachers for the lawlessness.

Mr. TALMADGE. I agree. Will the Senator yield for a brief observation?

Mr. MORSE. I am happy to do so.

Mr. TALMADGE. I have noted a recent case involving three men convicted of a narcotics violation. Wiretapping was involved, and the court of appeals remanded the case for a new trial. In doing so, Judge Desmond wrote:

> The constitutional philosophy rests on the assumption that if public authority wrongfully invades the rights of a guilty man, the protection of the innocent man against wrongful interference is also imperiled; and we have never been willing to permit ultimate judgments of this kind to be made by prosecutors or by the police.

I further note that Judge Desmond agrees with our distinguished colleague that wiretapping is tantamount to a general warrant or writs of assistance complained about by James Otis in 1761.

Judge Desmond stated:

> Another unanswerable constitutional objection to wiretapping is the longstanding doctrine that no search is valid except for the seizure of specific property, not evidence. Wire tapping, by its very nature can never be anything but a search for evidence.

I wish to commend the distinguished Senator from Oregon for what he has said, and to express my deep appreciation for his personal references.

I also desire to extend to the distinguished Senator from Missouri [Mr. LONG] my compliments for his great contribution to bringing to public light the extent of electronic snooping by Federal agents into the lives of ordinary American citizens. It is only through public exposures of this kind of operation that we will begin to close the gap between policy against wiretapping and the practice which condones it.

I thank my colleagues.

Mr. MORSE. Mr. President, I thank the Senator from Georgia for his intervention. He has noted some of these points, more succinctly than I could. I am glad that, on this subject, we stand shoulder to shoulder in defense of the constitutional right of privacy for all American citizens.

Mr. TALMADGE. I always feel better when I stand on the same side with the distinguished senior Senator from Oregon.

Mr. MORSE. That is a mutual feeling, let me say.

Mr. LONG of Missouri. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I have promised to yield to the Senator from Wisconsin; then I shall be happy to yield to the Senator from Missouri.

Mr. PROXMIRE. Mr. President, I commend the distinguished Senator from Oregon, who is unsurpassed in this body as a constitutional lawyer. He has demonstrated that ability repeatedly. He is also unsurpassed as a champion of civil liberties.

I want to ask the Senator from Oregon one or two questions. First, I wish to read one sentence from the Constitution, from the Bill of Rights, amendment IV:

> The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

I ask the Senator from Oregon: In this electronic age, when it is clear that by bugging, by placing within a person's home an electronic device which will report his conversations, or within a person's office—as the Senator from Oregon has described—is it not clear that this is an obvious, patent, prima facie violation of the Bill of Rights, particularly amendment IV, according to any kind of reasonable construction?

Mr. MORSE. That is my contention.

Before I discuss the subject further, let me make this personal remark to the Senator from Wisconsin. He is very kind to give me credit for the qualifications he attributes to me, but I think he overlooks the fact that many times, in serving together in the Senate, he has been my leader, and I have been one of the privates in his front ranks as he has led a fight on the floor of the Senate for civil liberties. I want him to know, again, that I appreciate his support of me in what I consider to be another aspect of the same overall problem.

In regard to amendment IV of the Constitution, which the Senator has just read to the Senate, there are lawyers who seek to draw distinctions when it comes to the application of that section of the Constitution to specific fact situations arising in some cases.

They would seek to depreciate or dwarf what I consider to be the constitutional meaning of illegal searches and seizures. But as one who did his best to teach the constitutional law doctrine for many years on the basis of the lessons that were taught to me by a great constitutional law teacher, I always taught the Constitution as being a dynamic instrument; not a dead letter or a dead hand, but as a living, legal instrument, capable of adjusting itself to the changing conditions of the country. That is the doctrine I would apply in this case.

Of course, when the illegal search-and-seizure protection was written into the Constitution, our Founding Fathers knew nothing about electronic devices that would be developed in the 20th century and which could constitute an invasion through the portals of that castle—a man's home—just as much as an invasion by a human body after it knocks down the door and walks in, or gains any other kind of illegal entry.

Thus, the thesis of my argument on this point is that the use of electronic devices in such instances does constitute an unconstitutional invasion of privacy, the concept of which the Constitutional Fathers sought to protect us from.

We must take this approach to constitutionalism in the country. That has been, by and large, the approach which the courts have taken, so this is not my doctrine; it has been the doctrine of the great constitutional law decisions for a long time in the constitutional law history of the Republic.

Mr. PROXMIRE. I thank the Senator. I think his answer is irrefutable. It is thoroughly logical.

I want to ask the Senator from Oregon a further question. In addition to the fear referred to by the Senator from Alaska [Mr. BARTLETT], that every agency will follow the policies that a few agencies have followed, is it not even more dangerous that local police throughout the country, because they work with Federal agencies often, are adopting this policy of violating the constitutional liberties of our people because the Federal Government, with its prestige, is leading them into it? Unless we stop this, unless we take the President's words as delivered in his state of the Union message, is it not true that there will be a police state in the very worst sense of the term throughout the Nation, in every town, village, and city, and not just on the part of local police authorities?

Mr. MORSE. May I say, in answer to the question of the Senator from Wisconsin, that these invasions of individuals' privacy are rampant in the country in many, many police forces. It is so serious that many bar associations have appointed special committees to look into the extent and degree to which they may exist in their localities. The place to set the example, in my judgment, is at the Federal level. That is why I am directing my attention to what I consider to be an invasion of privacy by the Federal Government.

Mr. PROXMIRE. To follow up the question which the junior Senator from Oregon asked the senior Senator from Oregon, about the extent to which this prohibition might interfere with law enforcement, I believe the worst thing that can happen to a local police force or, for that matter, any police force is to have it lose public confidence and public support. If the people of this country begin to develop a suspicion and fear and hatred of the police because of this kind of electronic policy to any significant extent, is not that loss going to be far greater to effective law enforcement than any kind of loss—which has never been documented—as a result of prohibiting the use of electronic devices, snooping, telephone tapping, and violations of that kind?

Mr. MORSE. The Senator is completely right in that observation. That has been the approach I have made in my work on the District of Columbia Committee. I want to strengthen the police department here in Washington so that there will be more confidence in it. They are entitled to the confidence of the people of this city because, by and large, we have a good police department. Every police department has to be under constant surveillance though. That is the history of law enforcement. We have the officers to keep it under surveillance. I want to see that we deny the extension of electronic monitoring systems not only to the Federal agencies but to police agencies.

Mr. PROXMIRE. One other observation. I commend the Senator from Oregon [Mr. MORSE] and the Senator from Missouri [Mr. LONG] for their work to date for future protection of civil liberties. One thing we know is that science has made tremendous progress in development of devices. If they are ingenious now, think what they will be in a few years. Unless we step in now, based on the excellent revelations brought out by the Senator from Missouri, we are going to be in trouble in a few years.

Mr. MORSE. That is what I think. That is why I am making my statement at this time.

Mr. LONG of Missouri. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LONG of Missouri. The Senator from Wisconsin mentioned local police. Right here, almost in the shadow of the Capitol, we have sworn testimony that the police of Fairfax County not only purchased but used bugging devices.

Mr. MORSE. I did not know of that specific case, but I knew of so many other cases that I was sure I was right when I said the situation is rampant within police departments.

Mr. LONG of Missouri. There has also been testimony on the so-called organized crime drive and how people lumped in the OCD category were treated. Does the Senator know of the information brought out in my hearings of how they treat an OCD member? A Federal agent out in the field asks for an OCD number from the Justice Department and, almost without exception, they give him the OCD number.

Mr. MORSE. I know that was brought out in the committee.

Mr. LONG of Missouri. Does the Senator know that testimony was given in my committee, under oath, that after the individual was given a number, he received entirely different treatment from that which he had received until he was given that number? He was given a massive investigation, with no holds barred—anything to gain evidence on him. This is known as a saturation investigation.

Mr. MORSE. That is exactly what happens. Another evil developing in connection with wiretapping and bugging philosophy of our law enforcement police officers in this country is the development of secret files and records that American citizens cannot get their hands on. But the files exist nontheless, and the interesting thing is that so often the contents are made known to others who seek to have some relationship with the citizen in the future. He discovers that he loses jobs; he finds that he is subject to various types of pressures and wrongs, and he does not know where it is coming from, because he is not given the protection of another precious right that every man is entitled to—the right to be advised as to who is testifying against him and submitting charges against him.

I shall not get off on it today, but the Senator has heard me say in the past that that is why I am a critic of the investigative procedures of some of the committees of Congress. That is why I am urging a common procedure binding on all committees; namely, that when any committee ever conducts an investigation raising the issue of guilt or innocence in regard to anyone who is taken within the jurisdiction of that committee, the individual should be entitled to the same procedural protections and rights that the Senator and I are entitled to if we are hailed before a court of record and charged with something involving our guilt or innocence of an alleged wrongdoing.

That is why Senators have heard me on the floor of the Senate, for over 20 years now, protesting what I consider to be investigations by men rather than by laws. We ought to reform the procedures of our committee investigations, so that those basic rights guaranteed by Anglo-Saxon justice are given to any person coming before a congressional committee.

So that is why—and it is apropos to the general subject matter—I have discussed in the past all those rights. They are very simple. They are rights of all individuals.

Some years ago many of my liberal colleagues were astounded because I rose in the Senate to oppose a resolution introduced against the then Senator from Wisconsin, Mr. McCarthy; and I yielded to no one in the Senate in my attitude toward the policies and tactics of the Senator from Wisconsin; but in my speech I made clear that he was entitled to a bill of particulars. The resolution that was introduced, as I described it, out-McCarthied McCarthy.

The resolution did not set forth a bill of particulars. I said, "Recess tonight, and if I have to sit up all night with my administrative assistant, the two of us will submit a resolution tomorrow containing a bill of particulars, giving notice to the Senator as to the charges against him." And we did, as the record will show.

So I say that a person charged with a matter that raises the question of guilt in connection with alleged wrongdoing is entitled to a bill of particulars. He is entitled to be confronted by those who supply the information. He is entitled to cross-examine them. He is entitled to put on his defense in an orderly fashion—not to be stopped from putting on his defense, as so often happens in congressional hearings. The Senator from Missouri knows whereof I speak, because it is not uncommon, when someone is under investigation, to have a Member of Congress ask him a question, and when he starts to answer it and it is obvious that his answer will not be to the liking of the questioner, he is told, "That's enough of that, what do you have to say about this?"

If he says, "I want to complete my answer," unless some other member of the committee comes to his aid, as sometimes does not happen, he is not even permitted to put on his case in an orderly fashion.

As to the obtaining of information, the Senator knows as well as I do, that when he seeks the source of information, he is often told, "We cannot disclose that source, because if we do, then our source dries up, and we cannot obtain any further information."

I say that if it is the kind of source that will dry up under such circumstances, the sooner it is dried up the better. This is my position, because we have no right to take so-called evidence involving allegations that affect the rights of free men and women, and not give those men and women the opportunity to answer them, to cross-examine their accusers, and present their defense in regard to the source of the information. Being the brilliant lawyer that he is, the Senator from Missouri knows that the source of information, the source of evidence, is itself of vital importance for examination in any case involving an allegation of wrongdoing on the part of an individual.

So we have cut that short in this speech, because it involves subject matter that we shall have to discuss before this session is over, I am sure, in another format. I only wish to re-emphasize what I have been saying—and I think it is what the Senator is bringing out by clear implication, and sometimes by direct statement, in the work he is doing in his committee—we need to see to it that the Bill of Rights, which includes these procedural guarantees upon which our substantive rights are completely dependent, is followed in the administration of justice, whether it is by a congressional committee, before a justice of the peace, by a police court, or by the Supreme Court of the United States.

Mr. LONG of Missouri. Certainly we agree with the Senator's statement, which is a brilliant statement on the rights of the individual. It points out how easy it is to destroy those rights. That is what is being done today, as the work of my committee has been demonstrating.

I have one further question about the OCD program. Does the Senator know it is the general practice, in some of the agencies, after a suspect has been given an OCD number, to decide he is guilty then and there? Then agents are sent out to secure evidence to convict him of any crime he may be guilty of? Normally, law enforcement personnel are charged with finding the persons committing crimes. First comes the crime, then search is made for the person who committed it. In the OCD program certain suspected criminals were given OCD numbers without any specific crimes in mind. Thereafter, Federal agents were sent out to find crimes to fit these "criminals."

Mr. MORSE. I did not know that was true. I suspected it was true. But again, as I said earlier this afternoon, I am a man of great faith. I would like to believe that men given the responsibility of administering our system of government would not substitute that kind of government by men for government by law.

Mr. LONG of Missouri. I wish some of the overzealous agents of the departments that we have heard about, and who have testified before my committee, could have heard the Senator's statement.

He mentioned the difficulty encountered in obtaining the records from these various agencies. We have tried very hard, and have had great difficulty. Most of the reports and records from the Internal Revenue Service have not been made available to the subcommittee, despite repeated requests. Some of them we have been able to get were incomplete and incorrect, and IRS has later come in and amended them.

It has been only recently, since the state of the Union message by the President of the United States, that representatives of the Bureau of Narcotics and the Bureau of Customs have cooperated at all. As late as yesterday, they came to my office. The Bureau of Customs finally agreed to answer our questionnaire—which they have had for over 2 years—and to furnish us some of the evidence. The Bureau of Narcotics still refuses to answer our questionnaire on eavesdropping.

But since the state of the Union message from the President, apparently word has seeped down to these various agencies that they must come clean, and we are getting more cooperation, the last week or two, than we had received at any time during the past year.

Mr. MORSE. I am glad that the Senator has interjected again. I say now what I intended to say at the end of my speech, that I cannot begin to tell the Senator from Missouri what a source of inspiration he is in carrying out his responsibilities of chairman of the Long subcommittee, to those of us who have stood for so long in this body in opposition to what we have considered to be a policy that is cancer-like in its growth, taking over our body politic in this country, eating away the rights of privacy of free men and women.

I merely wish to add that the reason that I have expressed my disagreement with this policy over the years is that I have seen it coming for a long time, and I fear for my grandchildren if we, in our time, do not put a stop to the spread of this cancer of outlawry within the administration of government under the pretense that it is necessary in order to protect the innocent. I wish to say that the Senator has made a great contribution. No doubt he will make many other contributions, and will go down in history known for other great services to the people of Missouri and to the Nation, but I do not think any of them could possibly exceed this one in importance, because I think it goes to the very substance of freedom itself.

Mr. LONG of Missouri. Mr. President, if I may comment on the Senator's statement, I cannot tell him how grateful I am for his statement, and not only for the statement he has made and is making, but for comments made by other Senators who have participated in this discussion on the floor, and I am grateful to him for the other times when he has stood face to face, looking eyeball to eyeball at the Internal Revenue Service, the Justice Department, and many other Federal agencies. We are looking eyeball to eyeball with them now, and it gives us a great deal of assurance, and makes us feel much better, to know that we have men of the ability of the Senator from Oregon and other Senators, standing shoulder to shoulder with us to protect the rights of freedom in this country.

Mr. FONG. Mr. President, will the distinguished Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. FONG. Mr. President, I commend the distinguished senior Senator from Oregon for initiating, at this early date in the proceedings of the 90th Congress, this discussion of a question so fundamental to the liberty and freedom of our people.

The Senator from Oregon, like the distinguished junior Senator from Missouri, has been in the forefront of protecting the constitutional liberties of all Americans. His firm and strong stand will help in reversing what I fear is a trend toward wholesale violations of the fourth amendment to our Constitution by electronic surveillance of American citizens. I, too, wish to voice my strong disapproval of the use of such devices by agencies of our Federal Government. I, like Senators MORSE and LONG, am fearful that if these illegal eavesdropping practices continue, we will soon become a nation under fear—a police state.

I commend the Senator for his very strong stand against these illegal activities. I wish, also, to discuss this subject. I have prepared a brief statement of the matter. If the Senator will permit me to present it at this time, I shall appreciate it.

Mr. MORSE. I certainly do not wish to deny the Senator from Hawaii the right to discuss the matter. I shall be perfectly willing to yield, with the understanding, Mr. President, that the speech of the senior Senator from Hawaii [Mr. FONG] be printed at this point in the RECORD, and that in so yielding I shall not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, before the Senator from Hawaii starts, I want to thank him for his interjection and his support.

There is nothing new in it, because the last time I took the floor of the Senate in regard to a matter of protecting the constitutional guarantees and individual rights of the citizens of our country, the Senator from Hawaii took the same position he is taking today.

After all, the Senator from Hawaii comes from a State—and I am sure he understands the implications of my statement, and that they are complimentary and laudatory in import—in which a large part of the population knows the importance of the protection of minority rights and individual rights.

The Senator from Hawaii and his colleague are men whom we have always been able to count on to see to it that these individual liberties are safeguarded in any course of action that we have an opportunity to take in the Senate.

Mr. FONG. I thank the distinguished Senator for his very kind remarks.

In my State we believe in all of the civil liberties and civil rights secured to us by the Constitution. We believe in freedom. We believe that every man should be safe in his home and that his constitutional rights should be guaranteed to him.

I thank the distinguished Senator from Oregon for yielding to me.

Mr. President, during the 89th Congress, the Judiciary Subcommittee on Administrative Practice and Procedure, whose chairman is the distinguished junior Senator from Missouri [Mr. LONG], investigated and held hearings on the wiretapping practices of all Federal agencies, except those considered a part of the "national security community."

On the ground that the Department of Justice was a part of this security community, that agency was exempted from the subcommittee's investigation.

The results of these hearings and investigation were quite startling.

They showed that even though, one, the Federal Communications Act of 1934 outlaws the interception and divulgence of telephone communications without the express consent of either party to the conversation, and, two, even though the official policy of the Federal agencies has been to restrict the use of electronic monitoring devices to cases in which the national security was involved—more than 60 agencies of Government have at their disposal extensive electronic monitoring equipment which are unhesitatingly used as a normal part of any investigations they may conduct.

In short, the hearings revealed widespread use of wiretapping by our Federal agencies.

Although the Department of Justice was not included in the subcommittee's investigation, the hearings showed that Justice was in fact very much involved in electronic surveillance in many cases not related to national security interests.

For example, a memorandum—IRD—94—issued some years ago, authorized and extended the use of electronic surveillance to criminal cases. That memorandum also set up the Organized Crime Division of the Department.

At that time, the investigative agents of some 26 other agencies were swung behind this Division's efforts, and wiretapping and bugging became an everyday duty for thousands of employees of the Federal Government.

These facts were divulged in the course of the hearings by Senator LONG's subcommittee.

It is thus evident that in many instances in which the national security is not involved, many Federal agencies were engaged in wiretapping activities for the Justice Department, particularly as regards the Organized Crime Division.

It is also obvious that the latest electronic techniques have been widely used for years in cases where they should never have been used.

Mr. President, it has been suggested during this colloquy that the time has come for a full-scale investigation of the operations of the Department of Justice.

In view of the findings of the subcommittee, I believe that the Justice Department should be called to account by the subcommittee in all aspects of its work which do not relate to national security operations.

I should point out that all 10 cases where the Justice Department has gone into court and asked that convictions be set aside because evidence obtained by illegal wiretapping and bugging had been submitted in court, every one of these cases involved convictions in the area of tax evasion or wagering. None of them involved questions of national security.

Unless the Long subcommittee—or another committee—calls the Justice Department to account for its electronic surveillance activities, we shall never know whether President Johnson's directive to restrict these operations to only certain national security cases is being followed.

As we pursue this matter, we are once again reminded that we can never relax our vigilance to protect our right to privacy—the right to be left alone, the right against unreasonable search and seizure guaranteed us by the fourth amendment to our Constitution.

As a U.S. Senator, and as an attorney with long experience in defense of people accused of crime in the State courts of Hawaii, I have been firmly opposed to the determined efforts in past sessions of Congress made by the U.S. Attorney General to enact legislation allowing the Federal Government to invade the privacy of our lives by making wiretapping legal.

For example, in 1961 and again in 1963, the Attorney General asked Congress for authority to tap telephones and to use what is overheard as legal evidence in criminal trials. In effect, he wanted the power to eavesdrop, not only when a crime was already committed, but also when in his judgment a crime was about to be committed.

An American citizen's home is not likely to be much of a castle if law enforcement authorities can barge into it without so much as a warrant whenever they happen merely to suspect that he was about to commit a crime.

I consider this to be a gross encroachment on one of the most valued rights of a citizen—the right of privacy and to be personally secure. It was against precisely these kinds of police state tactics that our Founding Fathers rebelled from England and established our Republic.

Justice Brandeis recognized this right when he said:

> The makers of our Constitution . . . sought to protect Americans in their beliefs, their thoughts, their emotions, and their sensations. They conferred as against the Government the right to be let alone—the most comprehensive of the rights of man and the right most valued by civilized men.

With modern electronic devices and tiny transisterized instruments, conversations within the home and office could be recorded without tapping any wire. The intimacies of private life could be made public without a key being turned or a window raised.

A wiretap cannot be limited to a particular person, place, or purpose. It is by its very nature unlimited and unlimitable. Whenever a tap is placed on a phone, it monitors all conversations on that phone, and every phone in the world which may be connected with it.

Of course, all Americans are concerned that those who violate the law are apprehended and convicted. But if wiretapping is made legal, is not the price we must pay—the loss of our personal liberty—far too high a price?

When we open this door to the Government, as Alan Barth rightly points out, it is only a very short step to allowing the Government to rifle our mails and search our homes.

Mr. Barth said further:

> A great deal could be learned about crime by putting recording devices in confessionals and in physicians' consulting rooms, by compelling wives to testify against their husbands, by encouraging children to report the dangerous thoughts uttered by their parents. The trouble with these techniques, whatever their utility in safeguarding national security, is that a nation which countenances them ceases to be free.

Any of these actions would clearly violate the guarantees of the fourth amendment to the Constitution:

> The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated.

These guarantees have been a part of Anglo-Saxon law since the 15th century. Nothing has been deemed more fundamental to freedom than the concept that a man's home is his castle. William Pitt put it in these eloquent words:

> The poorest man may, in his cottage, bid defiance to all the forces of the Crown. It may be frail; its roof may shake; the wind may blow through it; the storm may enter, the rain may enter; but the King of England cannot enter—all his force dares not cross the threshold of the ruined tenement.

What is at stake in any proposal to legalize wiretapping is our very freedom embodied in those liberties inalienably guaranteed us by the Constitution. These are high stakes. A free society guards its liberties jealously. The most important lesson of history America has learned is that when freedom is denied to one man, it is denied to all.

The elimination of all forms of electronic surveillance from our national life is in my opinion a matter of utmost urgency. In our efforts no agency of Government should be regarded as sacrosanct.

I urge that the Congress investigate the Department of Justice, to determine whether or not justice has been done, and whether or not equal justice has been dealt all Americans.

Mr. MORSE. I thank the Senator from Hawaii for the points he has raised in his able and eloquent speech. I shall cover these points later in my remarks.

Before I return to the next point of my prepared speech, because the Senator from Missouri and I had been talking about some procedures that are being followed in some of our Federal departments—and without commenting upon the substantive nature of the charges, but limiting myself to the procedural matters involved—I should like to illustrate some of the matters that the Senator from Missouri and I have been talking about, and which I have been talking about with other Members of the Senate who have intervened in this discussion. It involves the Otepka case, which has become somewhat of a cause celebre in the State Department.

I shall not comment upon the substance of the charges. It is my understanding that no crime or no national security problem was involved. Yet, an official of the State Department, in the spring of 1963, tapped Otepka's telephone. This was admitted. I have never read anything in the case that indicates that this official of the State Department was even reprimanded, although it is true—it might be sort of an unknown reprimand or an indirect reprimand—that some time later he resigned from the State Department. But that resignation, interestingly enough, followed a considerable amount of comment about the case on the Hill. In fact, there has been a running comment for a long time. Every once in awhile we get a new chapter of discussion in regard to it. But I am informed that the State Department official who did the tapping, and who resigned, is now working for the Federal Communications Commission.

This set of facts raises questions of puzzlement. I think the Senator from Missouri is familiar with the case I am talking about and the reason why I am puzzled.

Mr. LONG of Missouri. The man has a very good job.

Mr. MORSE. I believe that the matter should be gone into by fair procedure for a determination out in the open, so that no one can retain any suspicion as to whether or not these rights and guarantees about which I have been talking this afternoon were fully protected.

Mr. LONG of Missouri. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LONG of Missouri. The John Reilly to whom the Senator has referred has a very fine position with the FCC. Would the Senator not think that it is apropos that the man is in a position where he can check other people, in violation of section 605?

Mr. MORSE. I have expressed my puzzlement.

Mr. LONG of Missouri. It does make one wonder.

Mr. MORSE. In United States against Haggarty, in the northern district of Illinois, on May 16, 1966, the official position of the Government in that case, which involved the electronic monitoring of one of its employees over a period of 8 months, was stated:

> It is the Government's position that the Government is entitled to intercept by wiretap conversations on Government phones. If by some chance it is illegal to listen in on Government telephones without the consent of either party, if that is illegal, then we will produce anything that we have received from doing this.

It is not surprising that this elite corps of 200 inspectors checking on agents of IRS over a period of years failed to report one single case of illegal wiretapping. They did not regard wiretapping as either a violation of law or departmental regulations.

The record reveals that illegal wiretapping by the Internal Revenue Service is not an occasional action of an overzealous agent, but is the logical and reasonable consequence of a well-defined program which begins in the special school on wiretapping and bugging, which graduates approximately 30 agents each year, and upon graduation the agent receives a wiretap kit, including burglar tools for illegal breaking and entry, as well as other electronic equipment necessary for the performance of these duties.

When one of the agents was questioned by Senator LONG regarding his illegal wiretapping activities, his defense was that he was simply carrying out what appeared to be the policy of the Department. He said:

> If I am trained to wiretap, if I am given the tools of wiretapping, why shouldn't I assume I am expected to do this as a part of my official duty?

The depth and extensiveness of wiretap activity among the 3,000 agents of the Internal Revenue Service has never been disclosed. It ought to be. We are entitled to it. I am sure that the Senator from Missouri and his committee will continue to press to ascertain whether we can have this information made publicly available to the American people.

On repeated occasions Senator LONG has requested Commissioner Sheldon Cohen to produce the affidavits of their agents regarding their wiretap and bugging activities, their diaries and the report of the Commissioner's Special Committee appointed to conduct, in depth, an investigation on electronic snooping by agents of the Service. On three separate occasions, Senator LONG has requested this information, and in each case, I understand, Commissioner Cohen refused to comply with any of these specific requests—or, at least, has not fulfilled them to date.

However, on December 7, and in supplemental teletype communications of December 29 and 30, 1966, and in January 1967, Commissioner Cohen directed all regional Directors to have all employees of the Department engaged in investigation, and wherever possible former employees of the Department report in detail cases, including time and place, where electronic snooping was used, and whatever evidence, if any, was obtained through these methods.

I shall submit for the RECORD the teletype communications referred to which are, indeed, revealing of the type and depth of the problem.

I ask unanimous consent to insert at this point in the RECORD teletype communications of December 29 and 30, 1966, and supplemental communications.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

SUPPLEMENTAL COMMUNICATIONS ON REPORTING OF ELECTRONIC SURVEILLANCE BY IRS EMPLOYEES AND OTHERS

From: Sheldon S. Cohen, Commissioner, IRS, Washington, D.C.
To: All Regional Commissioners, IRS.

My memorandum dated December 6, 1966, explained why it is essential for the service to obtain complete information on instances of electronic surveillance, including: The overhearing or recording of any telephone or nontelephone conversation unless with the consent of every party to the conversation; the use of a pen register; the use of a tailing device on a vehicle without the consent of the owner, related to investigations conducted by the Service. Information requested by the memorandum pertained to specific cases listed in the attachments or to be subsequently transmitted. Since complete information is required to assure that no injustices under the law may result or have resulted from the use or potential use of information obtained by electronic-surveillance, it is absolutely necessary that all known or reasonably suspected instances of electronic surveillance be immediately reported, regardless of whether the case involved is or is not named on a list previously transmitted to you. The full impact of investigative acts cannot be evaluated without knowing all specific instances of electronic surveillance.

I consider the needs of justice to be so compelling that I authorize you to assure all employees that no administrative action, repeat, no administrative action, neither disciplinary nor discriminatory as to career advancement, will be taken against an employee based, on instances of electronic surveillance in organized crime or in similar investigations prior to July 1, 1965, to be reported now, or on failure to have previously reported such instances, provided the failure to report was not both willful and while under oath. In order that the national office can have immediate knowledge of all instances of electronic surveillance, each A. & T.T. criminal investigator, special agent, intelligence and A. & T.T. supervisor, division or branch chief, and OCD coordinator, including any employee who has held one of these positions at any time since January 1, 1957, will submit an immediate report. Wherever a former employee is known to be available and believed to be amenable to submitting such a report, he should be contacted and asked to submit a report. The report must identify each specific instance of electronic surveillance in which the employee participated or about which he has knowledge or reasonable suspicion, regardless of whether the surveillance was conducted by employees of the service or by persons outside the service. Attempts at surveillance should be reported even though no information was obtained or used. The report must try to identify (1) each case where electronic surveillance was utilized or attempted by name or case number, if known, (2) the type and location of such surveillance, (3) the date or dates of such surveillance, (4) the names of any other cases (other than those identified in (1) above) in which information obtained from surveillance was or might have been utilized, and (5) the names of other service employees believed to have knowledge of the surveillance. Negative reports to this office are required.

Reports required by this teletype should be submitted to the District Director by district personnel, or to the regional Commissioner by regional personnel, as soon as possible and no later than January 13.

Regional Commissioners and District Directors will forward the reports to the Assistant Commissioner (compliance) daily as received and conduct a followup to assure that a report has been submitted no later than January 18, by all employees required to report. Immediately after submitting the report required herein, each employee will expeditiously complete and submit in triplicate a questionnaire form of the type required by my December 6 memorandum of each case or incident raised in the report required by this teletype, except for those cases identified on a list previously transmitted to you (for which questionnaires are required under earlier instructions). Distribution will be in accordance with instructions in the December 6 memorandum.

Regional Commissioners and District Directors should reproduce this teletype and my December 6 memorandum as necessary to assure that all appropriate present and former employees receive a copy of each.

From: Sheldon S. Cohen, Commissioner, IRS, Washington, D.C.
To: All Regional Commissioners, IRS.
To: All District Directors, IRS.
To: District Director IRS, Jackson, Miss.

The following additional information covering the use of electronic surveillance equipment referred to in my teletype of December 29 1966, should be furnished to all A&TT criminal investigators, special agents, intelligence and A&TT supervisors, division or branch chiefs and OCD coordinators.

1. All instances of electronic surveillance that occurred after July 1 1958, should be reported, except that:

A. Instances of the use of regularly installed telephones for the purpose of overhearing telephone conversations with the permission of one of the parties to the conversation should not be reported.

(E.g., listening in on informants or undercover agents placing bets or purchasing evidence). The consenting party may be a Service employee.

B. Instances of electronic surveillance conducted by persons outside the Service should be reported only if the information gained by the surveillance is in some way related to an Internal Revenue Service case.

C. Instances of electronic surveillance in investigations under the direction of the inspection service need not be reported by compliance personnel. Since the inspection service is highly centralized, this information is readily available in the national office.

2. All regional office technical employees in intelligence and alcohol and tobacco tax should submit reports.

3. The date required for submission of the reports is extended to January 27 1967.

4. Authority is granted to reproduce Form M–0533 through use of regional facilities.

5. The phrase in questions 11, 12, and 13 in the questionnaire/Form M–0533/, "without the knowledge of one of the parties" is defined as indicated in my teletype of December 29 1966; i.e., "the overhearing or recording of any telephone and non-telephone conversation unless with the consent of every party to the conversation." An exception is provided in item 1A above.

6. Assurance that no adverse administrative action will be taken relates to the use of

electronic surveillance techniques in only those cases involving organized crime subjects, other racketeers and subjects of wagering, liquor or firearms investigations. However, no adverse administrative action is contemplated with regard to the use of legal and appropriate investigative techniques in any type of case.

I want to make clear that many instances you are being asked to report were not only legal but were expected in connection with your investigative responsibilities. The purpose of these requests are to place the Service in a position to give full and detailed information to Justice and Congress in connection with requests received and to the courts when deemed necessary.

Copy of a Teletype From the Commissioner of Internal Revenue to All District Directors, Internal Revenue Service, Dated and Received December 30, 1966

My memorandum dated December 6, 1966 explained why it is essential for the Service to obtain complete information on instances of electronic surveillance, including: The overhearing or recording of any telephone or non-telephone conversation unless with the consent of every party to the conversation; the use of a pen register; the use of a tailing device on a vehicle without the consent of the owner, related to investigations conducted by the Service. Information requested by the memorandum pertained to specific cases listed in the attachments or to be subsequently transmitted. Since complete information is required to assure that no injustices under the law may result or have resulted from the use or potential use of information obtained by electronic surveillance, it is absolutely necessary that all known or reasonably suspected instances of electronic surveillance be immediately reported, regardless of whether the case involved is or is not named on a list previously transmitted to you. The full impact of investigative acts cannot be evaluated without knowing all specific instances of electronic surveillance. I consider the needs of justice to be so compelling that I authorize you to assure all employees that no administrative action, repeat, no administrative action, neither disciplinary nor discriminatory as to career advancement, will be taken against an employee based on instances of electronic surveillance in organized crime or in similar investigations prior to July 1, 1965, to be reported now, or on failure to have previously reported such instances, provided the failure to report was not both willful and while under oath. In order that the national office can have immediate knowledge of all instances of electronic surveillance, each AT&T criminal investigator, special agent, intelligence and AT&T supervisor, division or branch chief, and OCD coordinator, including any employee who has held one of these positions at any time since January 1, 1957, will submit an immediate report. Wherever a former employee is known to be available and believed to be amenable to submitting such a report, he should be contacted and asked to submit a report. The report must identify each specific instance of electronic surveillance in which the employee participated or about which he has knowledge or reasonable suspicion, regardless of whether the surveillance was conducted by employees of the Service or by persons outside the Service. Attempts at surveillance should be reported even though no information was obtained or used. The report must try to identify (1) each case where electronic surveillance was utilized or attempted by name or case number, if known, (2) the type and location of such surveillance, (3) the date or dates of such surveillance, (4) the names of any other cases, other than those identified in (1) above, in which information obtained from surveillance was or might have been utilized, and (5) the names of other Service employees believed to have knowledge of the surveillance. Negative reports to this office are required. Reports required by this teletype should be submitted to the district director by district personnel, or to the regional commissioner by regional personnel, as soon as possible and no later than January 13. Regional commissioners and district directors will forward the reports to the assistant commissioner, compliance, daily as received and conduct a followup to assure that a report has been submitted no later than January 18, by all employees required to report. Immediately after submitting the report required herein, each employee will expeditiously complete and submit in triplicate a questionnaire form of the type required by my December 6 memorandum on each case or incident raised in the report required by this teletype, except for those cases identified on a list previously transmitted to you, for which questionnaires are required under earlier intructions. Distribution will be in accordance with instructions in the December 6 memorandum. Regional commissioners and district directors should reproduce this teletype and my December 6 memorandum as necessary to assure that all appropriate present and former employees receive a copy of each.

Mr. MORSE. It should be noted that while the communication of December 30 calls for unqualified disclosure, by the agents and security officers of A.T. & T., the supplemental communications impose serious limitations and exceptions of the type of information to be disclosed.

At the close of the supplemental communications the following exceptions are noted, and need not be reported:

> a. Instances of the use of regularly installed telephones for the purpose of overhearing telephone conversations with the permission of one of the parties to the conversation should not be reported. (e.g., listening in on informants or undercover agents placing bets or purchasing evidence.) The consenting party may be a service employee.

What about the other poor fellow? That exception does not even conform to any element of justice. That exception does not even meet the test of half justice, simply because half of the two has given consent to have his conversation taken down. We must not forget as the Supreme Court has pointed out in some of its decisions on this subject matter, that when a telephone is tapped, everything is heard. One cannot select the things that he thinks he should be given the right to hear.

My objection is that the tap is a violation of the constitutional right of privacy.

Mr. LONG of Missouri. Mr. President, will be the Senator yield for a question?

Mr. MORSE. I yield.

Mr. LONG of Missouri. Does the Senator know that agencies that engage in this practice can rent equipment from A.T. & T. which permits them to tap and listen in on any telephone line that goes through any switchboard, and that the people in these agencies can sit back in their air-conditioned office and listen in on the communications?

Mr. MORSE. That, I did not know. I missed that in the report, if it is in the report.

Mr. LONG of Missouri. The IRS office in Washington has that equipment.

Mr. MORSE. I did not know it.

I do not think the Senator can ascribe any abuse to privacy by agencies of our Government that would surprise me in the slightest. I think this has become such a honeycomb situation—what I have previously given the descriptive phrase "so cancerous in the body politic"—it is running through much of our governmental system.

Returning to the exceptions:

> b. Instances of electronic surveillance conducted by persons outside the service should be reported only if the information gained by the surveillance is in some way related to an Internal Revenue Service case.
>
> c. Instances of electronic surveillance in investigations under the direction of the inspection service need not be reported by compliance personnel. Since the inspection service is highly centralized, this information is readily available in the national office.

From this teletype list of exceptions one may infer that Commissioner Cohen is either not aware of President Johnson's Executive order of June 30, 1965, prohibiting all agencies of the Federal Establishment the use of all electronic listening devices, as well as the interception of all telephone and other wire communications, in all instances other than those involving the collection of intelligence affecting the national security, or he does not intend to follow the Executive order at all. In either case, Commissioner Cohen owes the President of the United States and the Congress an explanation.

In my judgment, Commissioner Cohen's exceptions to the President's Executive order banning electronic snooping in Federal agencies is typical of the attitude of the Federal bureaucracy. Because of this attitude, bugging and other forms of electronic snooping have grown by leaps and bounds despite the law, Executive orders, and official policy to the contrary.

Is it possible that Commissioner Cohen is still pursuing the policies of his predecessor who on February 24, 1961, in a memorandum to the Assistant Commissioner—Operations—regional commissioners and district directors, stated:

> As a part of the Government's drive against organized crime, the Attorney General has requested the Service to give top priority to the investigation of the tax affairs of major racketeers . . . *in conducting such investigations full use will be made of available electronic equipment and other technical aids.*

Equally disturbing to me, Mr. President, are the series of confessions or admissions of illegal wiretapping by the Department of Justice in a series of what is now an ever-increasing number of cases, referred to by the Senator from Hawaii [Mr. Fong].

The Acting Attorney General Ramsey Clark and Solicitor General Thurgood Marshall are to be commended for the position taken by the Department in its supplemental memorandum in the *Black* case—*Black* v. *U.S.*, 385 U.S. 26 (1966). This memorandum reveals a serious intention to conform Department practices to the policies declared by the President on June 30, 1965, in his Executive order banning electronic snooping in all cases excepting those affecting the national security. I ask unanimous consent that the supplemental memorandum be set forth at this point in my remarks.

There being no objection, the supplemental memorandum was ordered to be printed in the Record, as follows:

[In the Supreme Court of the United States, October term, 1966]

Fred B. Black, Jr., Petitioner v. United States of America—Supplemental Memorandum for the United States

This supplemental memorandum is submitted in response to this Court's order of June 13, 1966, requesting "a response from the Government in this case, not limited to, but directed in particular toward the kind of apparatus used by the Government; the person or persons who authorized its installation; the statute or Executive Order relied upon; the date or dates of installation; whether there is in existence a recording of conversations heard; when the information concerning petitioner came into the hands of any attorney for the government and to which ones, as well as what was made of the information in the case against petitioner."

1. The listening device referred to in our memorandum of May 24, 1966, was a tubular microphone which was installed through the common wall of a room adjoining the suite occupied by petitioner at the Sheraton-Carlton Hotel in Washington, D.C. The microphone extended through the six-inch common wall and one-fourth of an inch into the one-half inch molding of petitioner's suite. It was installed on the afternoon of February 7, 1963, and agents of the Federal Bureau of Investigation began to monitor conversations in petitioner's suite on the afternoon of the following day. The installation was removed and the monitoring was terminated on April 25, 1963.

No recording of any portion of the monitored conversations exists today. The assignment of the monitoring agents was to keep a contemporaneous log in which were summarized the conversations in petitioner's suite. A tape recorder was available and was used to record particular conversations whenever a monitoring agent felt that such a recording would be helpful in preparing his summaries. After the summaries were prepared, the used tape was erased.

While none of the recordings are, consequently, available today, the handwritten notes of the monitoring agents do exist. These notes summarize the conversations, and, in some instances, contain excerpts from conversations.

2. No specific statute or executive order was relied upon in the installation of the listening device in question. Under 5 U.S.C. 300, the Attorney General has the authority to appoint officials for the detection and prosecution of crimes against the United States. In carrying out this responsibility, Attorneys General have delegated to the Director of the Federal Bureau of Investigation the duty to gather intelligence, to investigate violations of federal laws, and to collect evidence in cases in which the United States is or may be a party. See 28 C.F.R. § 0.85 (1966 rev.).

An exception to the general delegation of authority has been prescribed, since 1940, for the interception of wire communications, which (in addition to being limited to matters involving national security or danger to human life) has required the specific authorization of the Attorney General in each instance. No similar procedure existed until 1965 with respect to the use of devices such as those involved in the instant case, although records of oral and written communications within the Department of Justice reflect concern by Attorneys General and the Director of the Federal Bureau of Investigation that the use of listening devices by agents of the government should be confined to a strictly limited category of situations. Under Departmental practice in effect for a period of years prior to 1963, and continuing into 1965, the Director of the Federal Bureau of Investigation was given authority to approve the installation of devices such as that in question for intelligence (and not evidentiary) purposes when required in the interest of internal security or national safety, including organized crime, kidnappings and matters wherein human life might be at stake. Acting on the basis of the aforementioned Departmental authorization, the Director approved installation of the device involved in the instant case.

Present Departmental practice, adopted in July 1965 in conformity with the policies declared by the President on June 30, 1965, for the entire federal establishment, prohibits the use of such listening devices (as well as the interception of telephone and other wire communications) in all instances other than those involving the collection of intelligence affecting the national security. The specific authorization of the Attorney General must be obtained in each instance when this exception is invoked.

3. The information concerning petitioner obtained by the monitoring agents was submitted to their superiors in the Federal Bureau of Investigation in the form of the logs previously mentioned. Some of this information was then incorporated into two reports and two memoranda captioned "anti-racketeering" since these dealt with petitioner's possible affiliation with organized criminal activity in the United States.* The reports, dated April 17, 1963, and July 12, 1963, were transmitted by the Federal Bureau of Investigation to the Criminal Division of the Department of Justice, and the memoranda, dated April 5, 1963, and April 9, 1963, were sent to the Attorney General with copies to the Criminal Division. The date on which the April 1963 report was received by attorneys in the Organized Crime and Racketeering Section is not known, but it was transmitted to the Office of the Assistant Attorney General in charge of the Criminal Division, where it was received on November 6, 1963. The July 1963 report was received in the Organized Crime & Racketeering Section on August 2, 1963, and in the Office of the Assistant Attorney General in charge of the Criminal Division on October 28, 1963. The memoranda were received in the Office of the Attorney General on April 5 and April 9, 1963, respectively.

Neither the reports nor the memoranda were seen by attorneys of the Tax Division responsible for the prosecution of the tax evasion charges against petitioner until January 1964 when, in preparing for trial, they requested from the Criminal Division such material as the latter possessed concerning petitioner. The F.B.I. reports and memoranda were included in the material transmitted pursuant to this request. They were received and examined by the Tax Division attorneys some time between January 31, 1964, and April 15, 1964, when petitioner's trial began.

The bulk of the information contained in the reports had been obtained from sources other than the monitoring. Neither the reports nor the memoranda indicated that any portion of the information was derived from a listening device.

The Tax Division attorneys found nothing in the F.B.I. reports or memoranda which they considered relevant to the tax evasion case. No information from these reports or memoranda (whether obtained from the listening device or from any other source) was used by government counsel in petitioner's tax-evasion trial. The charges against petitioner in this case were based upon his failure to include in his income tax returns for 1956 through 1959 certain specific items of income. The proof that petitioner had received these items in those tax years was obtained not by the Federal Bureau of Investigation but by agents of the Internal Revenue Service in an investigation begun in the spring of 1960 and concluded late in 1962. On December 12, 1962, the Internal Revenue Service referred the case to the Tax Division of the Department of Justice for criminal prosecution. All evidence produced by the government at petitioner's trial was detailed in any accompanying report of the Internal Revenue Service. Neither additional evidence nor any lead to additional evidence was obtained from the F.B.I. reports and memoranda.

In connection with an inquiry on an unrelated matter, the F.B.I. informed the Attorney General and the Criminal Division in late August 1965 that a listening device had been installed in petitioner's hotel suite. The logs were then obtained and reviewed within the Criminal Division in connection with the unrelated matter. However, the fact that conversations between petitioner and counsel whom he had then retained had been overheard was not noted by any attorney in the Department of Justice until after April 21, 1966, when the logs were again examined, this time by attorneys in the Tax Division who were familiar with the history of petitioner's case. They completed their review in early May and brought this fact to the attention of the Attorney General. At his direction, the Solicitor General was advised on May 10, 1966, that a listening device had been in operation in petitioner's hotel suite and that such conversations had been overheard, and our memorandum of May 24, 1966, was accordingly filed in this Court.

Respectfully submitted.

Thurgood Marshall,
Solicitor General.

July 1966.

Mr. MORSE. In nine additional nonsecurity cases, the Department has admitted to electronic snooping, most of which emanated from the policies authorizing the use of electronic devices at the time of the creation of the Organized Crime Division in the Department of Justice in 1961.

Mr. President, the frank admission of the Solicitor General in these cases gives rise to the need for an in-depth investigation of the Department of Justice regarding past practices. As I stated on the floor of the Senate in 1954:

> What is needed is public disclosure. What is needed is to bring the light to bear on such practices. As we brought the light to bear on the third-degree tactics of police departments, the tyrannical browbeating conduct of prosecutors, and corruption in the administration of criminal justice, remedies were forthcoming to bring to an end those tyrannical practices.

As Senator Long has so eloquently demonstrated, a good public policy in the field of wiretapping is not enough, because the age-old question asked by Juvenal still remains: "Who will guard the guards?"

While Senator Long's original desire to avoid an investigation of the agencies in the "security community" is understandable, a thorough-going investigation of the Justice Department should no longer be delayed, as pointed out also by the Senator from Hawaii [Mr. Fong], particularly in view of the fact that the Department's admission of wiretapping and bugging took place in 10 nonsecurity cases. Any investigation would, of course, treat national security matters as classified information. Of all agencies of the Federal Government, the Department of Justice has the greatest opportunity to abuse its great power for political purposes.

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* Recital of these facts is not intended to suggest that any wrongdoing on the part of petitioner was uncovered by the monitoring.

As I stated in my speech in 1954:

> There is no question about the Attorney General's being a political officer. . . .
>
> I was once offered the Attorney Generalship of the United States, and in the discussion that took place prior to my declination, I made very clear that if I accepted the Attorney Generalship of the United States, political considerations and pressures would have no place in the administration of the Department of Justice.

Without going into the merits or demerits of recent cases, such as the Baker case and the Hoffa case, where serious allegations of wiretapping and bugging have been made, there certainly is need for congressional investigation in the use of alleged wiretapping and bugging activities to determine whether or not there has been an abuse of official discretion. At this point I submit for the Record a recent news story appearing in the Wall Street Journal dated Wednesday, January 25, 1967, which contains the following heading: "Alleged FBI Informant Is Said To Have Used Wiretaps and Bugs During 1964 Trial."

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, Jan. 25, 1967]

Reprieve for Hoffa?—Teamster Boss To Claim Eavesdropping by United States in Bid To Avoid Prison—Alleged FBI Informant Is Said To Have Used Wiretaps and Bugs During 1964 Trial—Former Justice Aid's Denial

(By Jerry Landauer and John A. Grimes)

Washington.—Jimmy Hoffa, apparently doomed to a long stretch behind bars, thinks—or hopes—he may have found the way to continued freedom.

By a stroke of fortune, or perhaps attracted by a proffered reward, a man said to be an FBI "special employe" wise in the ways of wiretapping has dropped into Teamster Union laps. His arrival apparently accounts for union chief Hoffa's recently gained confidence—a confidence actually born of desperation, Government men say—that he'll yet escape the eight-year jail term to which he has been sentenced.

The purported "special employe," meaning a paid FBI informant, goes by the name Bud Nichols. With his wife and two children he's holed up here in a closely guarded hotel suite near Teamster headquarters. He claims that the Justice Department paid him $1,684 to eavesdrop not only on Mr. Hoffa and his lawyers but also on the Chattanooga Federal jury that found Mr. Hoffa guilty in 1964 of tampering with jurors in an earlier case.

Any day now, Treasury attorneys intend to file papers petitioning the Supreme Court to hear what they will contend is new evidence bearing on Mr. Hoffa's conviction. The papers will include an affidavit in which Bud Nichols swears that Walter Sheridan, former head of the Justice Department's special "Hoffa squad," instructed him to slip tiny transmitters under the mattresses of the Chattanooga jurors when they were sequestered in the Read House hostelry there.

Moreover, Mr. Nichols is prepared to swear that he placed four microphone "bugs" and tapped six telephone lines leading to rooms in the Patten Hotel which were occupied during the trial by Mr. Hoffa and his legal counselors.

MR. SHERIDAN DISMISSES STORY

Mr. Sheridan, now an executive of the National Broadcasting Co., dismisses the story of the alleged FBI informant. "I've been expecting something like this," he remarks. "It's unbelievable. It's fantastic. He sure as hell didn't do any bugging or tapping for me."

Despite Mr. Sheridan's disavowal, some Justice Department officials seem concerned that Mr. Nichols' story may sound sufficiently impressive to win Mr. Hoffa a reprieve. At minimum, Teamster attorneys hope the High Court will remand the conviction to the lower courts for the purpose of determining whether tapping or bugging indeed did occur.

And some Teamsters seem to believe, despite the apparent odds against it, that the Supreme Court will actually reverse itself and knock down the jury-tampering conviction. "The lawyers insist that there is good reason to believe this is what will happen," says one union official.

At any rate, Mr. Hoffa is reported to have persuaded himself that he is going to get off. "You can think what you want to," says one Teamster official, "but I'm telling you he's convinced that he's not going to jail."

The Teamster high command is quite aware, of course, that Mr. Nichols' willingness to turn against the Government may be motivated by visions of a $200,000 reward being offered to anybody who can help spring Jimmy Hoffa free. No doubt, too, the Teamster chiefs might suspect Mr. Nichols of being a Government plant designed to learn what other surprises the Hoffa defense might yet be planning to spring.

CHATTANOOGA CONVICTION

But the real shortcoming of the Teamsters' find might be that it would fail to upset the case against Mr. Hoffa. Conceivably, the Supreme Court might hold that his conviction was based on legally admissable evidence not obtained by wiretapping or bugging. He was convicted by the Chattanooga jury largely on the testimony of Edward Partin, a Louisiana Teamsters official who turned out to be a Government agent. At the trial, Mr. Partin detailed how Mr. Hoffa, both in direct conversations with him and in other conversations he overheard, told of planning and trying to "fix" the jury in an earlier trial in which Mr. Hoffa was charged with accepting money from an employer in violation of the Taft-Hartley Act.

Teamster attorneys contended to the Supreme Court that Mr. Partin was a paid informer who wormed his way into Jimmy's confidence under false colors, and that the defendant's Constitutional rights were violated. But a majority of justices rejected this claim, saying the Constitution was not intended to protect Mr. Hoffa's "misplaced belief that a person to whom he voluntarily confides his wrongdoing will not reveal it." Later the justices set Feb. 4 as the deadline for the defense to file a petition for the court to reconsider.

In effect, then, the Teamster leader has little recourse except to rely on Bud Nichols' story of the bugging and wire tapping in Chattanooga. "Jimmy's staking his life on that boy," an associate says, speaking of the 34-year-old informant.

DOCUMENTS ARE CITED

Mr. Nichols is telling the Teamsters that he's been on "retainer" to the FBI for nearly a decade, receiving $200 a month just to stand by for special jobs. Much of the time, he says, Special Agent John Parker of the FBI's Knoxville office gave him the money on the 15th day of each month from confidential "blue slip" funds. Mr. Nichols claims the bureau also set up a "cover company," enabling him to purchase electronic equipment and operate in the guise of a private technician. He says he can produce copies of documents initialed by FBI Director J. Edgar Hoover authorizing purchases of electronic gear to track down a matter involving national security.

Moreover, Mr. Nichols apparently has secreted away other documents for use to establish his credentials if the FBI or the Justice Department disavows him. But agent Parker, who has been transferred from Knoxville to the Pittsburgh office, may have no intention of such a disavowal.

"Do you know a man named Bud Nichols?" Mr. Parker was asked yesterday, "Oh, good Lord," the agent replied in seeming recognition of the name, but had declined further comment.

It is Mr. Nichols' recollection that he and agent Parker got on well together. Relations were less satisfactory, he says, with Richard C. Quinn, resident agent for the Secret Service in Knoxville who "serviced" him after Mr. Parker's departure to Pittsburgh. But, he claims, it was the Government's refusal to help him untangle personal financial problems that prompted his cooperation with the Teamsters.

EXPLAINING THE INEXPLICABLE

The Teamsters' secret discovery of Mr. Nichols helps explain what otherwise has seemed inexplicable: Mr. Hoffa's recent ability to maintain a crisp, cocky exterior while confronted by his eight-year jail sentence.

It's true there's a bit of puffiness to his face and his middle that wasn't there before, but Mr. Hoffa offhandedly blames this on lack of exercise resulting from having to handle his court moves as well as the union's business. He is, on occasion, tense and terrible-tempered, but he always has been known to have a short fuse.

By and large, Mr. Hoffa is running himself and his union as though his prospect of a lengthy stretch behind bars just didn't exist. To long-time Hoffa-watchers unaware of Mr. Nichols' existence, his behavior has been nothing short of astounding.

Sample: Just last week, the Teamster leader threw himself into the opening round of 1967 negotiations with the trucking industry without so much as a hint that he might not be around to follow through if the talks go down to the March 31 deadline. If anything, his performance indicated that he felt he owned the industry.

Mr. Hoffa told employer and union officials where they would sit and how the session would proceed. He read an 86-page document of master contract proposals, identifying the specific problem each was designed to overcome. He chastised the operators for supposed shortcomings in treatment of employes, calling each of the employers by their first names as they stood up to respond to his questions (they called him "Mr. Hoffa" and "Mr. Chairman," usually with a "sir"). He further told them how future bargaining sessions would be conducted. Power was clearly talking, and the employers knew it.

Another sample: Earlier this month, Mr. Hoffa ran his union's 13-man general executive board through a two-day session with his usual tight control of the agenda and the decisions. There was no whisper of suggestion in the meetings as to what detailed arrangements Mr. Hoffa might be making for the running of the union in his absence. If the board members had any doubt whether the union boss would be present for the next meeting, they did not bring it up. It is true there was some extra-curricular grumbling about the fact that Mr. Hoffa did not choose to discuss who would take over some of the various titles he holds and functions he fills in addition to union president, or to prepare for the possible transition of his powers to newly elected General Vice President Frank Fitzsimmons—but no one was about to raise the subject openly. Power was talking in the meetings, and the union officials knew it.

PRISON, THEN PRESIDENCY AGAIN?

Should the "unthinkable" yet happen to Jimmy Hoffa, he does have an additional comfort: With time off for good behavior, he might be out of jail in advance of the union's next convention in 1971, ready to be reelected and to reclaim the president's seat kept warm for him by loyal aide Fitzsimmons; meantime, the union might operate quietly on a live-and-let-live basis, with no power struggles to rupture the chief's plans for returning to office.

The insistence by Mr. Hoffa and his lawyers that he still has a good chance of getting his conviction reversed has kept other top Teamsters uncertain about what's coming next. No one, these officials privately agree, is going to make a move to fill any power vacuum left by Mr. Hoffa's departure unless they're absolutely sure a vacuum exists.

CARETAKER ARRANGEMENT

Even if Mr. Hoffa does go to jail, many Teamster officials believe he has things set up so that the union will run much as he wants it to.

At last July's convention, Mr. Hoffa set up a potential caretaker arrangement by creating the post of general vice president and filling it with Mr. Fitzsimmons, an old Detroit ally of unquestioned loyalty to the Teamster chief. Mr. Fitzsimmons, aged 58, is amiable and mild-mannered. No one expects he would run the union in Hoffa style, as a tightly centralized organization with vast powers centered in the presidency. The guessing is that under "Fitz" the union would revert more to the days of former president Dan Tobin, when regional and local leaders held sway without much interference from national headquarters.

While Mr. Fitzsimmons would be largely on his own, a Teamster aide predicts, "Fitz will have a set of written instructions from Jimmy on how to cope with almost any situation that comes up. And he'll be told to try to get along with everyone, no matter what the provocation."

As for a possible challenger, "There isn't anyone I see who can, or will, try to take over if Jimmy is behind bars," says one Teamster official. Adds another: "If Jimmy gets out of jail before the next convention in 1971, he'll be reelected; there's no doubt about that. If he's in beyond the next convention, that's a different story. But I can't yet see who the next guy would be, and I don't think anyone else can."

There is, however, one imponderable: If Mr. Hoffa were out of the way for a few years, what if any ambitious young strong-man began to put together the power blocs necessary to become a real influence in the union, such as Mr. Hoffa did years ago? "That is what we have to worry about," says a top Teamster official.

Mr. MORSE. In the light of these allegations of wiretapping and bugging, certainly the Congress has a right to know whether the Hoffa case—*Hoffa* v. *U.S.* Sup. Ct., 17 L. Ed. 2d, (1966)—has been included among the cases presently being investigated for electronic surveillance by the Department of Justice.

Mr. President, I ask unanimous consent to insert in the CONGRESSIONAL RECORD at this point in my remarks, an editorial from the January 30, 1967, issue of the Nation magazine, which raises the question as to whether or not the Department of Justice, in the Hoffa case, is pursuing the policy laid down in Black and Schipani—*Schipani* v. *U.S.*, 362, F. 2d, 825, cert. denied, 385 U.S. 26 (1966) cases.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHY NOT HOFFA?

The Teamsters' union has offered a $100,000 reward for information leading to the disclosure that the Department of Justice relied on illegal wire taps or "bugs" in securing the conviction of James Hoffa. William Loeb, the New Hampshire publisher whose newspaper once secured a substantial loan from the Teamsters and who apparently wants to demonstrate his gratitude, has put up another $100,000 on the same terms. But are either of these rewards really necessary?

In the recent case involving Joseph Schipani, the Department of Justice consented to a reversal of the conviction because illegal wire taps had been used. In this case the Solicitor General, Thurgood Marshall, stressed the point that since the Supreme Court exercises a supervisory role over methods used in federal prosecutions, he felt it his duty to inform the court of the taps. Mr. Marshall also said that the government had initiated an intensive survey of pending cases to determine if convictions had been obtained by "tainted" or illegally obtained evidence. Reports from Washington indicate that as many as 200 cases are being scrutinized as part of this general survey. This month, in a case involving seven Florida residents, Mr. Marshall informed the court that although none of the seven had been under "direct electronic surveillance," two of them were participants in conversations which were electronically monitored. This is the ninth instance in which the Department of Justice has volunteered a disclosure of this kind. If the Hoffa case included in the survey? If not, why not? Have the records of the case been investigated to determine if any illegal wire taps or bugs were used? If Schipani was entitled to a frank statement of the facts, why isn't Hoffa entitled to the same treatment? After Fred Black's conviction (see "A Dirty Business," *The Nation*, December 26), the Department volunteered the information that illegal wire taps had been used. If Black and Schipani, why not Hoffa?

Mr. MORSE. Mr. President, I commend my colleague, the junior Senator from Missouri, for his courage and dedication during the past 3 years in pursuing relentlessly the abuse of official policy by the Federal bureaucracy. I hope the investigation by the Long subcommittee will be extended to the Department of Justice and to the agencies in the so-called security community on matters where no security problem is involved.

Summing up, I would like to remind the Senate that official declarations against wiretapping either in the form of Executive order or legislation are not simply enough. Official policy must be implemented by an informed public opinion to demand enforcement of this policy. Despite the revelations of the Long subcommittee, I am informed that not one civil servant has been disciplined for violations of State or Federal law either in terms of departmental discipline or prosecution for violation of such law.

Only through an aroused public opinion which is aware that wiretapping affects the privacies of innocent persons, affects privileged and confidential relationships of husband and wife, parent and child, lawyer and client, doctor and patient; yes, the sanctity of the confessional, there must be a continuous exposure of these violations of individual rights. Wiretapping is indiscriminate. Wiretapping is in the character of a general tool. It is a form of Writs of Assistance, the very thing that James Otis protested against in 1761. Writs of Assistance are cited by historians as one of the causes of the American Resolution.

Mr. President, I urge the Long subcommittee to continue its unrelenting fight for public exposure—and I pledge to that committee my shoulder-to-shoulder support in its endeavors to bring to an end what I consider to be a violation of the precious constitutional rights in this country—and that it immediately will proceed to investigate violations of citizens' rights through wiretapping and bugging by the Department of Justice. A great constitutional guarantee pertaining to rights of privacy is involved.

Mr. President, I conclude by saying that one of the basic rights which determines the continuous freedom of the American people is the presumption of innocence. In my judgment, we cannot square this invasion of the constitutional guarantee of the right to privacy with that precious guarantee that all of us are protected by the presumption of innocence before we are brought to trial.

But that presumption of innocence cannot be separated from our constitutional right of privacy. That presumption of innocence cannot be separated from the right of the American people to be free and to have torn out of the body politic this cancerous growth of unconstitutionality which is involved in wiretapping devices used by the Government in so many of its agencies, and the same practice which is being adopted in States and local police departments across the Nation.

Mr. President, to make certain that I have permission to include all the material I want in the RECORD, I ask unanimous consent to have printed in the RECORD certain other material in regard to the wiretapping issue which I have raised this afternoon.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[In the Supreme Court of the United States—
October Term, 1966—No. 504]

JOSEPH F. SCHIPANI, PETITIONER V. UNITED STATES OF AMERICA—SUPPLEMENTAL MEMORANDUM FOR THE UNITED STATES

After a non-jury trial in the United States District Court for the Eastern District of New York, petitioner was convicted on five counts charging him with willfully attempting to defeat and evade income taxation for the years 1956 through 1960. He was sentenced to three years' imprisonment and fined $12,500. The conviction was affirmed by the court of appeals. 362 F. 2d 825. A petition for a writ of certiorari was filed on August 29, 1966. The government filed a memorandum in opposition to the granting of the petition on September 30, 1966, and certiorari was denied by this Court on November 7, 1966. As yet no petition for rehearing has been filed, and under Rule 58(1) of this Court the time within which to file a petition for rehearing, if not extended, will expire on December 2, 1966.

In light of this Court's continued jurisdiction over the cause, we submit this supplemental memorandum to advise the Court of the information set forth below and to suggest the appropriate disposition.

1. Petitioner kept no books, furnished no explanation of his failure to file returns and adduced no proof at trial. The government's proof was based on the net-worth method; the sufficiency of that proof to support the district court's findings was the primary issue presented by the petition. The facts developed at trial and the applicable law are set forth in the government's memorandum in opposition.

2. Since November 21, 1966, the following additional facts have come to the Solicitor General's attention:

(a) In response to a memorandum of October 24, 1966, from the Tax Division of the

Department of Justice,[1] the Federal Bureau of Investigation informed the Acting Attorney General, by memorandum of October 28, 1966, that, although petitioner was not the subject of direct electronic surveillance by agents of the F.B.I., he was a participant in various conversations electronically monitored on a number of occasions in 1961. The microphone was installed, by means of a trespass, at a place of business where petitioner and others frequently met. It was believed by the F.B.I. that this establishment was being utilized for purposes connected with organized crime. The Federal Bureau of Investigation, acting on the basis of the Departmental authorization as previously described at pages 2–3 of the Supplemental Memorandum for the United States filed in *Black* v. *United States,* Oct. Term, 1965, No. 1029, approved the installation here in question.

(*b*) The substance of the monitored conversations involving petitioner and others was recorded in logs kept by the F.B.I. agents who conducted the electronic surveillance, and was reflected in various F.B.I. reports which came to the attention of those in charge of investigating and prosecuting petitioner for possible tax violations. The reports did not disclose the manner in which the information contained therein had been obtained. Following receipt of the F.B.I.'s memorandum of October 28, 1966, noted above, attorneys of the Department of Justice obtained the relevant F.B.I. logs and examined them in detail in order to make an informed judgment about the matter.

3. Unlike the situation in *Black* v. *United States,* we cannot say in the instant case that none of the evidence used by the government at petitioner's trial was obtained, either directly or indirectly, from an improper source. Some of the material in the F.B.I. reports (which were based in part on the elctronic surveillance) provided investigatory leads and other information used in proceeding against petitioner. Since there was material evidence against petitioner which was tainted, his conviction cannot stand, and no purpose would be served here in having the district court conduct a collateral hearing, such as was suggested by the government in its memorandum in *Black.*[2] We concede, moreover, that petitioner would have standing to object to the introduction of the evidence obtained as a result of the electronic surveillance. Although he was not the owner of the establishment under surveillance, he was at least an "invitee" on the premises within the meaning of *Jones* v. *United States,* 362 U.S. 257.

4. In view of this Court's supervisory role in the federal judiciary system, the Department of Justice believes it appropriate to apprise the Court of its policy in regard to electronic surveillance of the kind here involved. Present governmental practice, adopted in July 1965 in conformity with the policies declared by the President on June 30, 1965, for the entire federal establishment, prohibits such electronic surveillance in all instances except those involving the collection of intelligence with respect to matters affecting national security. Such intelligence data will not be made available for prosecutorial purposes, and the specific authorization of the Attorney General must be obtained in each instance when the national security exception is sought to be invoked.[3]

Recognizing its obligation not to use evidence obtained in violation of a defendant's protected rights in any criminal prosecution, the Department has initiated a program to discover prior instances in which this may have occurred. An extensive review is presently being conducted in order to determine the instances in which there might have been monitoring affecting a case which has been brought to trial.[4] Reports of the results of this continuing review are being sent to the Acting Attorney General. Similarly, a careful review of pending and prospective prosecutions is being conducted by the Department for the purpose of determining what other cases might fall within this category. This will necessarily be a time-consuming process but will be diligently pursued to completion. The government will promptly notify the appropriate court when any material discovery is made.[5]

5. In light of the foregoing, and in view of this Court's decision and *per curiam* opinion in the *Black* case, we suggest that the Court vacate its order denying certiorari, grant certiorari, vacate the judgment of the court of appeals, and remand the cause to the district court for a new trial, should the government seek to prosecute petitioner anew.[6]

Respectfully submitted.

THURGOOD MARSHALL,
Solicitor General.

NOVEMBER 1966.

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[1] The memorandum of October 24 was written in connection with the review program described in paragraph 4, *infra.*

[2] Following the issuance of the Court's order denying certiorari in this case, the United States Attorney for the Eastern District of New York was advised not to have petitioner apprehended to commence serving his sentence, and petitioner has not in fact been incarcerated.

[3] A memorandum of the Acting Attorney General of November 3, 1966, addressed to all United States Attorneys, summarizes the Department's policy in this regard as follows:

"This Department must never proceed with any investigation or case which includes evidence illegally obtained or the fruits of that evidence. No investigation or case of that character shall go forward until such evidence and all of its fruits have been purged and we are in a position to assure ourselves and the court that there is no taint or unfairness. We must, also, scrupulously avoid any situation in which an intrusion into a confidential relationship would deny a fair hearing to a defendant or person under investigation."

[4] As the instant case illustrates, problems in this regard may still arise in cases in which some investigation was conducted prior to July 1965.

[5] Action similar to that taken in the *Black* case and in this case has been taken by the government in *DeNiro, et al.* v. *United States,* pending on appeal, Nos. 17,053–17,055, C.A. 6, where the government suggested that the Sixth Circuit remand the cases to the district court.

[6] On November 29, 1966, while preparing to file this memorandum, we learned that agents of the Alcohol and Tobacco Tax Division of the Treasury Department had engaged in electronic surveillance of another establishment frequented by petitioner. Logs were not maintained and we are unable at this juncture to provide a full statement of the relevant facts. Although our information is incomplete, it appears that the surveillance lasted for a brief period and that no relevant information relating to petitioner was obtained. Investigation of this matter will be continued and no further prosecution of petitioner will be instituted in advance of its completion. Since, however, the facts stated in the text of this memorandum call, without more, for the disposition which we are suggesting, we are filing the memorandum without further delay. In the event that the government should seek to proceed further against petitioner, all additional information which we obtain will be made known to the district court.

[Supreme Court of the United States— October Term, 1966]

BLACK *v.* UNITED STATES—ON PETITION FOR REHEARING—NO. 1029, OCTOBER TERM, 1965—DECIDED NOVEMBER 7, 1966.

PER CURIAM.

In *Davis* v. *United States,* No. 245, October Term, 1966, we today denied the petition for certiorari. The sole question raised there (but not passed upon by the Court of Appeals because not necessary to its disposition) involved petitioners' claim that conferences between petitioners and their counsel were surreptitiously overheard and intercepted by law enforcement officials through concealed monitorial devices built into the jail where petitioners were being held for federal authorities. The Solicitor General did not deny the existence of the devices but said that there were no recordings of the conversations in question. He pointed out that since the case has been remanded by the Court of Appeals for a new trial on other grounds, a full exploration of this question could be made on retrial. In the light of these representations we denied the petition for certiorari so that the question might be fully explored at the new trial, as suggested by the Solicitor General.

In *Black* v. *United States,* No. 1029, October Term, 1965, the petitioner raises a similar question and while *Davis* v. *United States, supra,* is not controlling, its relation is obvious. In *Black* the Solicitor General advised the Court voluntarily on May 24, 1966, after the petition for certiorari had been denied but before an application for rehearing had been filed, that agents of the Federal Bureau of Investigation, in a matter unrelated to this case, on February 7, 1963, installed a listening device in petitioner's hotel suite in Washington, D.C. The device monitored conversations held in the hotel suite during the period the offense was being investigated and beginning some two months before and continuing until about one month after the evidence in this case was presented to the Grand Jury. During that period, "the monitoring agents," the Solicitor General advised, "overheard, among other conversations, exchanges between petitioner and the attorney who was then representing him" [Black] in this case. In a supplemental memorandum filed July 13, 1966, the Solicitor General, in response to an inquiry of the Court, stated that the recordings of such interceptions had been erased from the tapes but that notes summarizing and sometimes quoting the conversations intercepted were available, and that reports and memoranda concerning the same had been made. "Neither the reports nor the memoranda," he reported, "were seen by attorneys in the Tax Division responsible for the prosecution of" this case until January, 1964, when in preparing for trial they were included in material transmitted to them; that the reports and memoranda of the intercepted conversations were examined by the Tax Division attorneys and retained by them until April 15, 1964, when petitioner's trial began; and that the attorneys never realized until April 21, 1966, that any conversations between Black and his attorneys had been overhead and included in the transcriptions.

The Solicitor General advised further that the "Tax Division attorneys found nothing in the FBI reports or memoranda which they considered relevant to the tax evasion case." He suggests that the judgment be vacated and remanded to the District Court in which the "relevant materials would be produced and the court would determine, upon an adversary hearing, whether petitioner's conviction should stand." We have sometimes used this technique in federal criminal cases. *United States* v. *Shotwell Mfg. Co.,* 355 U.S. 233. However, its use has never been automatic. Indeed, in *Remmer* v. *United States,* 347 U.S. 227, we found it necessary despite the hearing in the District Court, to subsequently order a new trial on the merits, 350 U.S. 377. There are other complicating factors here that were not present in *Remmer*. There the judge had been informed of the alleged jury tampering, but here neither the judge, the petitioner or his counsel knew of the action of the federal agents. Moreover, the Solicitor General advises that the Tax Division attorneys did not know at the time of the trial that conversations between Black and his attorneys were included in the transcriptions. In view of these facts it appears that justice requires that a new trial be held so as to afford the petitioner an opportunity to protect himself from the use of evidence that might be otherwise inadmissible.

This Court has never been disposed to vacate convictions without adequate justification, but, under the circumstances presented by the Solicitor General in this case we believe that a new trial must be held. This will give the parties an opportunity to present the relevant evidence and permit the trial judge to decide the questions involved. It will also permit the removal of any doubt as to Black receiving a fair trial with full consideration being given to the new evidence reported to us by the Solicitor General.

The petition for rehearing is therefore granted, the order denying certiorari vacated, certiorari granted, the judgment of the Court of Appeals vacated and the cause remanded to the District Court for a new trial.

Mr. Justice Harlan, whom Mr. Justice Stewart joins, dissenting.

The denial of certiorari in No. 245, *Davis* v. *United States*—where the Court of Appeals for the Fifth Circuit has already ordered a new trial on grounds wholly unrelated to alleged eavesdropping and at which trial petitioners will have a full opportunity to explore their contentions that the Government interfered with their constitutionally protected right to counsel—bears no solid relation to, still less furnishes justification for, what the Court has done in the present case. A brief statement of the circumstances of the *Black* disposition will reveal that in summarily vacating this final conviction and ordering a completely new trial the Court has acted prematurely.

In 1964, petitioner Black was convicted in the District Court of federal income tax violations. His conviction was affirmed by the Court of Appeals for the District of Columbia on November 10, 1965. 353 F. 2d 885. Certiorari was denied by this Court on May 2, 1966. 384 U.S. 927. Before Black's petition for rehearing was filed here, the Solicitor General filed a memorandum bringing to the Court's attention the fact that in the course of an unrelated criminal investigation Black's hotel suite had been "bugged" by the Federal Bureau of Investigation and conversations between Black and his attorney electronically recorded. The Solicitor General further stated that in consequence of an investigation, instituted by him following his discovery of this occurrence, he was able to represent to the Court that none of the information so procured had been utilized in Black's aforesaid prosecution. In a further memorandum, filed in compliance with a request from this Court, the Solicitor General has represented that it was not until late August 1965 that the Criminal Division of the Department of Justice learned that a listening device had been installed in Black's hotel suite and not until April 21, 1966, that attorneys in the Tax Division, responsible for the prosecution, learned that any conversations between Black and his counsel had been overheard.

The Solicitor General recognizes that Black is entitled to a full exploration of the matter, and to that end suggests that the case be remanded to the District Court for a hearing and findings on the episode in question as it may bear on the validity of Black's conviction. Black responds that this course is inadequate and contends that this Court should, without more, forthwith order dismissal of the indictment in this income tax prosecution.

Without anything more before it than the representations made by both sides, the Court today orders a totally new trial in spite of the fact that the disclosures commendably made by the Solicitor General reveal no use of "bugged" material in Black's prosecution, and no knowledge by prosecuting attorneys that material may have been improperly obtained. I agree, of course, that petitioner is entitled to a full-scale development of the facts, but I can see no valid reason why this unimpeached conviction should be vacated at this stage. In *Davis, supra*, exploration of the alleged eavesdropping episode is appropriate upon the retrial of the case since the original conviction has already fallen on other grounds. In the *Black* case, however, a new trial is not an appropriate vehicle for sorting out the eavesdropping issue because until it is determined that such occurrence vitiated the original conviction no basis for a retrial exists. The Court's action puts the cart before the horse. The orderly procedure is to remand the case to the District Court for a hearing and findings on the issues in question. See *United States* v. *Shotwell Mfg. Co.*, 355 U. S. 233. See also *Remmer* v. *United States*, 347 U. S. 227, 350 U. S. 377. Unless and until the facts on this issue have been resolved and their legal effect assessed favorably to petitioner, this conviction should remain undisturbed.

The only basis I can think of for justifying this decision is that any governmental activity of the kind herein question *automatically* vitiates so as at least to require a new trial any conviction occurring during the span of such activity. But I cannot believe that the Court, without even briefing or argument, intends to make any such sweeping innovation in the federal criminal law by today's preremptory disposition of this case.

Mr. Justice White and Mr. Justice Fortas took no part in the consideration or decision of this case.

Mr. COOPER. Mr. President, I shall not speak in detail on this subject. I am fortunate to have been in the Chamber today and to have heard the able speech of the Senator from Oregon. I respect him as a great constitutional lawyer. He is always fighting for the constitutional rights of the individual. His action today—bringing to the attention of the Senate the problem of wiretapping and bugging as an invasion of privacy, and as a violation of other sections of the Bill of Rights is timely.

Mr. President, the Senator from Missouri [Mr. Long] is also to be highly commended for the courageous position he has taken. He needs the support of the Senate, as well as of the people of this Nation.

I believe, with the Senator from Oregon and others, that it is very important that the Congress, in this year, look into this question thoroughly and take action to assure that the constitutional rights of all our citizens will be protected.

As the Senator from Oregon and others have pointed out today, these rights have been achieved at the cost of great effort, hardship, martyrdom—even blood and sacrifice, over the period of hundreds of years.

These rights should not be eroded. They will not be eroded if Congress and the people understand the issue and take action to protect the rights of every individual.

Mr. MORSE. Mr. President, I want to thank the Senator from Kentucky. Let me say for the Record that the source of this intervention, I think, is a very important source, for the Senator from Kentucky served on the bench in his State and he therefore knows whereof I speak when I talk about the importance of protecting the procedural rights of the people who may be brought to trial charged with wrongdoing.

The support the Senator has given me to this cause, not only today but also in the past, is particularly important. He has supported me before as I have raised my voice in the Senate in protest against the invasion of the right of privacy by wiretapping devices, and the fact that he is giving us this support, I think, carries great weight. I want to thank him very much, because he is an ex-judge. He is a good witness. As well as being a good witness, he is also one of our most able Senators.

Mr. McCARTHY. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I am happy to yield to the Senator from Minnesota.

Mr. McCARTHY. Mr. President, I join the Senator from Oregon [Mr. Morse] and other Senators who have expressed concern about the practice of wiretapping, a concern which I certainly share. I also want to commend the Senator from Missouri [Mr. Long] and the Subcommittee on Administrative Practice and Procedure for holding hearings on the invasion of privacy by Government agencies and to give my support for continuing its work.

The testimony which the subcommittee has already taken and previous testimony take by the Subcommittee on Constitutional Rights, which held hearings in 1958 and several years following, show that the problem is far from solved, and I believe we must give close attention to this matter—not only to wiretapping but also to the whole run of procedures and the use of various electronic devices which constitute an invasion of privacy.

The problem is more serious when these practices are carried on by Federal officials, despite the Federal law and, in some cases, despite the law of the State.

It is surprising to read the testimony and to find examples such as the statement of Mr. Jack Schwartz, an Internal Revenue special agent from Pittsburgh. The Senator from Missouri inquired about his part in bugging an office. Mr. Schwartz said it was the only time he had done so. The Senator from Missouri asked him whether he was embarrassed being a party to illegal entry.

Mr. President, I ask unanimous consent that this exchange, which took place at the subcommittee hearing on July 14, 1965, and which is printed in part 3 of the committee hearings, pages 1252-1253, be printed in the Record.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

SENATOR LONG INTERROGATING MR. JACK SCHWARTZ, INTERNAL REVENUE SPECIAL AGENT, FROM PITTSBURGH—HEARINGS ON JULY 14, 1965

Senator LONG. Did you not feel just a little embarrassed about being a party to a group illegally entering an office, breaking into an office?

Mr. SCHWARTZ. I never gave it a thought, sir, to be honest with you. Those of us who are in the organized crime drive, and I think I was the first one in Pittsburgh in that drive, all felt very proud to be a part of it.

Senator LONG. Yes, but——

Mr. SCHWARTZ. And I think anything that would have been asked we would not have thought about the consequences.

Senator LONG. I think—I cannot understand you, Mr. Schwartz.

Mr. SCHWARTZ. I say anything that would have been asked, I think I would have taken part in.

Senator LONG. You mean you would have committed any crime?

Mr. SCHWARTZ. No.

Senator LONG. You have violated any constitutional right of any citizen if you had been directed to?

Mr. SCHWARTZ. No. No. I meant by that surveillance.

Senator LONG. Breaking and entering.

Mr. SCHWARTZ. I didn't regard it as such, sir.

Senator LONG. Well, what do you regard as breaking and entering then?

Mr. SCHWARTZ. Well, we were trying to obtain—trying to obtain the evidence of this racket association.

Senator LONG. I know, but even an overzealous desire on the part of an officer doesn't authorize him to violate the laws of the State or the constitutional rights and privileges of a citizen, does it?

Mr. SCHWARTZ. I was overzealous.

Senator LONG. Beg pardon?

Mr. SCHWARTZ. I was overzealous, sir.

Senator LONG. I agree. You do know that breaking and entering is a crime in the State of Pennsylvania, is it not?

Mr. SCHWARTZ. If you have willful intent; yes.

Senator LONG. You did not mean to enter? That is what that means.

Mr. SCHWARTZ. I had no profit motive.

Senator LONG. I am sure the law is that it does not have to have a profit motive.

Mr. SCHWARTZ. I am not acquainted with the law.

Senator LONG. I would respectfully suggest to you that you should acquaint yourself with the State law in a situation of that kind. * * *

Mr. McCARTHY. Mr. President, I do not want to single out Mr. Schwartz, whom I do not know personally, because there are other statements at the hearing besides his which give one pause. The point is that there seems to be a view that certain agents of government are above the law so long as their intentions are good.

Wiretapping, illegal entry to bug, and the use of other eavesdropping devices, raise questions not only about respect for statutes but also beyond this to constitutional rights and basic human rights.

The brevity of the language in the Bill of Rights is part of the greatness of these amendments. They are concise and simple enough so that the broad meaning can be understood by all. They are not so detailed and rigid as to exclude further interpretation and applications to new conditions. In this sense, the Bill of Rights places a responsibility on the courts of each generation, on each Congress, and upon the people to restudy the terms in the light of changing modes of living, producing and exchanging, of changing technology and changing levels of knowledge and education, and of vastly different opportunities for choice.

We can never take the Bill of Rights for granted, not so much because old interpretations become invalid but rather because new conditions require new applications and permit new insight.

Questions of freedom of speech, the right to assemble, or the right to privacy today are far more complex than they were in the early years of our Nation. They require study by Congress and frequently require new statutes. Certainly, the recent advances in electronics have presented us with new problems to solve and the need to further protect the right to privacy.

In considering these questions, it is important to remember that we are not merely dealing with procedural questions but with procedures which touch directly upon basic human and constitutional rights.

The Bill of Rights of the U.S. Constitution, both in its creation and in the history of the lives of citizens who have lived under it for more than 175 years, is a testament to the dignity of the individual. The first, the fourth, the fifth, and other amendments, represent a balance between the power of government—even good government—and the loneliness and isolation of the individual. They set forth areas of sanctuary for him, providing an opportunity for him to develop as a free person: to seek truth openly, to choose freely, and to retain personal integrity and privacy.

The first amendment with its guarantees of several freedoms and the fourth and fifth amendments with their protection against unreasonable searches and seizures, for warrants only upon probably cause, their insistence upon due process of law, and their privilege against self-incrimination—all these are constitutional provisions to give civil support to fundamental rights based upon human nature. They require government to respect these areas in building its case against a suspect; they exist, of course, not in the interest of weakening action against the criminal but rather because there is no more appropriate way to protect the innocent from the unequal power of government and society.

We must be concerned about all activities in this area, including those of government agents, to make certain that we do not diminish these rights. Just as certainly, we must be ready to investigate and move positively when it is necessary to safeguard them.

Mr. MORSE. I thank the Senator from Minnesota for his fine comments on this great issue which faces the American people.

Mr. HART. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I am happy to yield to the Senator from Michigan.

Mr. HART. Mr. President, it was not my good fortune to be in the Chamber during the time the Senator from Oregon addressed the Senate. I arrived within a few minutes after he had concluded his remarks.

However, having heard him before on this subject, and having read articles which he has authored, I realize that tomorrow morning I should reach for the CONGRESSIONAL RECORD early and read it very carefully.

I have a strong suspicion that I know exactly what he tells us in this speech. I know that it is what every American should be reading these days.

The Senator from Oregon always goes to the most difficult of all the areas of competing principles of societies such as ours, in the business of balancing our obligation to insure our survival and our security against our responsibility to insure that individual freedom is respected and protected and assured.

This is never an easy chore when a specific problem is presented. It oversimplifies it terribly to say, as some attempt to say, that our freedom is our security, but it comes close to saying what is the truth.

It is my good fortune to serve, under the chairmanship of the Senator from Missouri [Mr. LONG], on the subcommittee which has given, and will continue to give, much thought to the subject. His leadership is emerging and is increasingly acknowledged in this country. When it is joined by the Senator from Oregon [Mr. MORSE], I think that no matter how difficult the problem, we can have confidence that it can be solved prudently by Congress and by other public agencies.

That it will continue to be an increasingly difficult problem, one does not have to be a Ph. D. in science to understand. Today, photographs which can identify tiny objects on earth can be taken from many miles in the sky. The scientific advances which produced that ability have produced equally fantastic devices which can intrude next door or intrude across the street, and which may reach, although not yet, our unspoken thoughts, and record our every spoken word.

Surely, this kind of scientific advance should be matched by equally dramatic applications of political policies that will insure against the intrusion by such devices, given an opportunity to have that occur.

I am grateful that we are advised today that the Senator from Oregon [Mr. MORSE] has given support to the efforts being made by the Senator from Missouri [Mr. LONG] to enable Congress to stay at least abreast of the problem and be assured against the destruction of a value which we claim to be unique in our society, which, if lost, would produce a different kind of America.

Mr. MORSE. I thank the Senator from Michigan, a member of the Judiciary Committee. He has stood shoulder to shoulder with the Senator from Missouri [Mr. LONG] in the investigation of this problem, and I know he will continue to do so. We all feel safer in the Senate when we know that the committee is trying to protect our constitutional rights. I also wish to thank the Senator from Michigan for his support, not only on this subject but also on similar subjects that govern all the civil liberties of this country.

Mr. President, I yield the floor.

Mr. YOUNG of Ohio. Mr. President,

very definitely I am convinced that wiretapping and the use of any electronic devices or the practice of bugging, so-called, is a procedure that is repulsive to all liberty loving people. I desire to associate myself with the statements made by the distinguished senior Senator from Oregon. I commend him on the outstanding statement he has made today on a subject of vital importance to all Americans. He has performed a real public service. It is my intention to speak out on this subject some time during the present session of the Senate, and I shall do so.

I do wish it to be known that I consider any practices pursued by officials of the Internal Revenue Service in invading the privacy of individuals or intruding by the use of electronic devices in conversations between a lawyer and his client who is accused of income tax violations to be nefarious. It is contemptible and intolerable conduct on the part of Government officials which should find no tolerance whatever in the United States. If the Internal Revenue Service and any of its officials have adhered to such practices, they should be stopped immediately, and advantages gained by use of wiretapping should not be permitted to prevail.

Also, in this connection, if it is true that FBI Director Hoover has authorized or tolerated the tapping of telephone calls or the installation of electronic devices and engaged in "bugging" of citizens' conversations, to me that seems a practice and procedure which very definitely should not be tolerated. As a former prosecuting attorney who fervently believed that punishment, like a shadow, should follow the commission of a crime, I likewise certainly support the Bill of Rights of our Constitution adopted on the demand of men who won the Revolutionary War. I would favor enactment of any legislation considered necessary to prevent law enforcement or other officials of our Government from engaging in "bugging" conversations of suspected criminals or engaging in wiretapping of any conversations between any persons whatever. We should outlaw all wiretapping, public and private, wherever and whenever it occurs. I would be opposed to any legislation permitting wiretapping even if such wiretapping were authorized by a U.S. district judge, except when proof is offered that the security of the Nation itself is at stake, and only then with the strictest safeguards.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

Mr. CLARK. Mr. President, I call up my amendment No. 24 and ask that it be read.

The **PRESIDING OFFICER.** The amendment of the Senator from Pennsylvania will be stated.

The assistant legislative clerk read the amendment (No. 24) as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"Sec. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"STANDING RULES OF THE SENATE

"SEC. 123. The Standing Rules of the Senate are amended by adding at the end thereof the following new rule:

"'RULE XLI

"'OUTSIDE EMPLOYMENT

"'1. No officer or employee of the Senate shall engage in any business, financial or professional activity or employment for compensation or gain unless—

"'(a) such activity or employment is not inconsistent with the conscientious performance of his official duties; and

"'(b) express permission has been granted by the Member of the Senate charged with supervision of such officer or employee by this rule;

"'*Provided, however,* That in no event shall any officer or full-time employee of the Senate, without special leave of the Senate—

"'(a) serve in any managerial capacity in any business or financial enterprise; or

"'(b) engage in any regular professional or consulting practice, or maintain an association with any professional or consulting firm.

"'2. For the purposes of this rule—

"'(a) each Member of the Senate shall be charged with the supervision of each of his employees;

"'(b) each Member of the Senate who is the chairman of a Senate or joint committee or subcommittee shall be charged with the supervision of each employee of such committee or subcommittee;

"'(c) the majority leader shall be charged with the supervision of each officer and employee of the majority, and the minority leader shall be charged with the supervision of each officer and employee of the minority;

"'(d) the Vice President shall be charged with the supervision of each of his employees; and

"'(e) the President pro tempore shall be charged with the supervision of all other officers and employees of the Senate.

"'3. As used in this rule, the term "officer or employee of the Senate" means (1) an elected officer of the Senate who is not a Member of the Senate, (2) an employee of the Senate or any committee or subcommittee of the Senate, (3) the Legislative Counsel of the Senate and employees of his office, (4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties, (5) a member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate, (6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate, (7) an employee of a Member of the Senate if such employee's compensation is disbursed by the Secretary of the Senate, and (8) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate.'"

Mr. CLARK. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. CLARK. Am I correct in my understanding that the pending amendment is governed by the unanimous-consent agreement entered into yesterday, to become effective as of the start of work on this bill today?

The **PRESIDING OFFICER.** The Senator is correct. There is a 1-hour limitation.

Mr. CLARK. Mr. President, I yield myself such time as I may require.

This amendment is the first of three amendments which I have referred to as "Bobby Baker amendments." It deals with the subject of moonlighting by Senate employees. It was first proposed by me not quite 2 years ago, when I served as a member of the Committee on Rules and Administration, which was given the onerous and disagreeable task of investigating the activities of Bobby Baker and reporting back its recommendations to the Senate.

As a result of quite extended hearings into Mr. Baker's affairs, the Committee on Rules and Administration reported a new Senate rule which it recommended for adoption, which dealt, in a rather cursory manner, with the subject of outside employment by Senate officers and employees.

I stated at the time, and I still believe, that that proposed rule was inadequate to effectively regulate and curb moonlighting by Senate officers and employees, and I recommended to the Senate a more rigorous rule, although I believe an extremely fair one, which has just been read by the clerk. That is the pending amendment.

Need I remind Senators that any hope that the Bobby Baker case might be swept under the rug as a result of the hearings before the Rules Committee, and its report, has been shattered by his conviction last week in Federal court? That conviction stems directly from the fact that he was engaged in moonlighting activities having nothing whatever to do with his official job, and was engaging in those activities entirely legally, so far as the Senate rules are concerned, and could be subjected to no proper censure by the Senate for having evaded our practices, procedures, customs, manners, or rules.

It is true that the evidence disclosed that he had been warned by the then majority leader and the now President of the United States against engaging in such activities. But when he disregarded that warning, he did nothing that was at that time considered in violation of any Senate custom, much less rule.

The pending amendment would prohibit officers and full-time employees of the Senate, unless they get special leave of the Senate, from serving in any managerial capacity in any business or financial enterprise—and that would include the Carousel Motel—or from engaging in any regular professional or consulting practice—and that would include his practice of the law, both directly and, before he was admitted to the bar of the District of Columbia, in partnership with others—or maintaining an association with any professional or consulting firm—and that would include a number of his outside activities, although usually he operated his own professional or consulting firm, and his profession was giving advice and collecting contributions in connection with legislation pending before the Senate.

My amendment would permit moonlighting only if two conditions are met. Perhaps I should stop here and define what I mean by "moonlighting." I mean the conduct of outside activities for gain or profit by an individual who is employed in another capacity. Moonlighting involving employment in a managerial capacity in any business or financial enterprise, or engaging in any regular professional or consulting practice, would be prohibited without special leave of the Senate. Note that, Mr. President: of the Senate. Not of one individual Senator, but of the Senate. However, outside employment not involving these conditions would be permitted without obtaining leave of the Senate if two conditions were met: First, that the activity or employment was not inconsistent with the conscientious performance of the officer's or employee's official duties and it is clear to me, and I think it must be clear to every Member of this body, that Mr. Baker's activities were indeed and entirely inconsistent with the conscientious performance of his duties as secretary of the majority of the Senate—and, two, that express permission had been given by the Member of the Senate charged with the supervision of the officer or the employee. For the purposes of this rule, it is stated that each Senator will be responsible for supervising his own staff, which means that if Bobby Baker had worked for me—which I hasten to add he never did—he would have had to get my permission for every one of these outside activities that he engaged in. If he had been working for a committee staff, he would have to get the permission of the chairman of the committee, who would be charged with the duty, as he is in fact today, of supervising the committee staff. If he was an employee of the majority leader—and when I say "an employee of the majority leader" I mean an employee who works for the majority conference, which is presided over by the majority leader—he would have to get the permission of the majority leader.

Similarly, if he was employed by the minority conference, he would have to get the permission of the minority leader. If he was an employee of the Vice President, he would have to get permission of the Vice President. And where the officer or employee fell into some other category, he would have to get the permission of the President pro tempore of the Senate.

I can add nothing, Mr. President, to the bare bones of the statement that this amendment is overdue, and badly overdue. I hope very much the Senate will approve it.

Mr. President, I reserve the remainder of my time.

Mr. HOLLAND. Mr. President, will the Senator yield, for one question only?

Mr. CLARK. I am happy to yield to my friend from Florida.

Mr. HOLLAND. I note, and I think this is quite appropriate, that the first exception—and it is clause (a) in the sixth line on page 2—provides that the officer or employee may engage in business, financial or professional activity or employment for compensation or gain, only when such activity or employment is "not inconsistent" with the conscientious performance of his official duties.

I was called off the Senate floor while the Senator was speaking. Just how is that to be determined?

Mr. CLARK. In the following manner. If the Senator will turn again to page 2, he will see that beginning at line 12 there is an absolute prohibition of any outside activity without the special leave of the Senate itself, if the outside activity involves serving in any managerial capacity in any business or financial enterprise or engaging in any regular professional or consulting practice, or maintaining an association with any professional or consulting firm.

If neither of those conditions are involved in the particular outside activity, then the interpretation of lines 6 through 11, on page 2, which have just been read by the Senator from Florida, would be under the jurisdiction of the employer of the employee who the employer is in each case is set forth beginning on page 2, line 20 subsection 2, and running down through line 12 on page 3.

I should add, perhaps, to be comprehensive, that the term officer or employee of the Senate is then defined beginning on line 13 of page 3 and running through line 5 on page 4.

Mr. HOLLAND. Does that mean that in order to be cleared for employment which is not inconsistent with the conscientious performance of his official duty, the Senate employee or official must disclose the situation to his employer in the Senate, whoever he may be, and get specific authority to engage in that particular business or employment?

Mr. CLARK. The Senator is correct.

Mr. HOLLAND. I raise the question because I know there must be some honest and legal outlet for men and women employed here who are required to lay up something for their later years.

I happen to know of two employees who have bought rental houses and rent those houses. Surely, that is not in any way contradictory to the performance of their Senate duties.

Mr. CLARK. I would agree with that.

Mr. HOLLAND. There are undoubtedly many other types of investments or employment or activity that might constitute both investment and employment that would be found to be not inconsistent with the Senate duties.

The Senator in his amendment has carefully laid the predicate for such instances, has he not?

Mr. CLARK. I believe I have tried. I can give the Senator an example from my staff, where I like to think I have some very bright boys and girls. They are occasionally asked to write articles for compensation for newspapers and periodicals and the like.

They always come to me and ask me about it. Usually the article which they are asked to write is part of their responsibility anyway. I always give them permission.

If I am asked to write a periodical or even a book, and I engage the assistance of somebody on my staff, or even some other employee, I always undertake to pay what I think is a fair fee for the work they have done.

Mr. HOLLAND. Mr. President, I thank the Senator.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. AIKEN. On page 2, line 3 of the amendment it reads:

> No officer or employee of the Senate shall engage in any business, financial or professional activity or employment for compensation or gain unless—

Would the Senator consider amending that to read:

> No Member, officer or employee of the Senate shall engage in any business, financial or professional activity or employment for compensation or gain unless—

Mr. CLARK. The reason I do not do that, although I do think it is a most interesting suggestion——

Mr. AIKEN. I think that would be the most important part.

Mr. CLARK. Before the Senator reached the floor, I stated that I would propose three so-called Bobby Baker amendments this afternoon. One applies to Senate officers and employees. Another applies to Senators and deals with the subject of financial disclosure. A third deals with relations with lobbyists.

I believe it would be more orderly to take them in order.

There are, however, other reasons why I personally would prefer not to accept the suggestion of the Senator from Vermont on this matter.

In my judgment, when we are dealing with Senators themselves, it is far wiser to deal in terms of disclosure, rather than in terms of prohibitions.

Mr. AIKEN. I think that Senators could cover up income much better than they could cover up outside employment.

Mr. CLARK. The Senator is entitled to his view.

The Senator happens to be a farmer, and a very good one. I do not know whether he conducts his business of farming in Vermont.

Many of us—not I—engage in the practice of law extensively. I would not want to deny to Senators the right to practice law as they see fit as long as they do not get involved with lobbyists or activity which is improper in my opinion.

Mr. AIKEN. If the employee were a lawyer, the amendment would preclude him from helping anyone make out an income tax return, even though the employee served here as an elevator operator during the day.

Mr. CLARK. I think not. If the Senator reads the amendment, he will see that in both subsection (a) and subsection (b) there are exceptions. The first one deals with activities not inconsistent with the conscientious performance of his duties; and the second requires him to obtain the express consent of the Member of the Senate for whom he works.

Mr. AIKEN. Mr. President, I thank the Senator.

Mr. MONRONEY. Mr. President, the Joint Committee on the Organization of Congress took up in its hearings a number of suggestions with reference how to best improve, control, or have observance of the ethics of the Members of the two bodies of Congress.

On page 48 of the report, the committee provided:

> ETHICS
>
> The House of Representatives shall create a Committee on Standards and Conduct.
>
> The joint committee heard considerable testimony with respect to the problem of the ethical conduct of Members of Congress. It is the opinion of the joint committee that the House of Representatives should create a committee to be concerned with the standards and conduct of Members of the House. The Senate has already created a committee to examine problems in this area and the House might explore profitably the organization and procedures of the Senate Committee prior to implementing this recommendation.

I read that because the committee in hearing testimony with reference to how to improve the ethical standards of Members and employees of the legislative body of Congress—the House and the Senate—felt that there should be committees paying special attention on this subject rather than intermixing it with the suggestions coming in by the hundreds of pages on how to improve our legislative procedures.

The provisions that the distinguished Senator has offered strike me as being a step in the right direction and being important suggestions that certainly will have a tremendous bearing, I would think, on legislation that will follow when the Committee on Standards and Conduct of the Senate is able to fairly consider and take up these as subject matters for legislative action.

I do not believe that our committee should have tried to assume the jurisdiction of the Committee on Standards and Conduct, particularly when they had been appointed and were willing to accept the responsibility of this jurisdiction. The difficulty experienced in securing proper legislation finally led to the establishment by the Senate of the Committee on Standards and Conduct and the appointment of the distinguished junior Senator from Mississippi [Mr. STENNIS] as the chairman, and the distinguished senior Senator from Utah [Mr. BENNETT] as its vice chairman.

I do not feel for that reason that in adopting the proposals for the reorganization of Congress an amendment from the floor should take precedence over the careful consideration that needs to be given to matters of this kind.

I am sure that the three amendments of the Senator would be of great value. They illustrate the care and consideration and understanding that he has given to these matters and the crusading spirit that he has evidenced to find ways in which to answer the question.

Not all of the proposals that came to the Senate were favorably considered. But, finally, the amendment of the distinguished senior Senator from Tennessee [Mr. COOPER] prevailed, and the Committee on Standards and Conduct was established.

I see in the Chamber members of that distinguished committee, and I shall be happy to yield such time as they may require for any comment they may wish to make.

Mr. CLARK. Will the Senator first yield to me, on my own time?

Mr. MONRONEY. I yield. I will yield on my own time, if the Senator needs it.

Mr. CLARK. I will speak on my own time. I see the able members of that committee on the floor. I am sure that they will respond to the request of the Senator from Oklahoma.

In the course of responding, may I point out to the Senators that the Bobby Baker case was referred to the Committee on Rules and Administration on October 10, 1963, more than 3 years ago. Hearings were held in extenso during the remainder of that year and the first half of 1964. The Committee on Rules and Administration was charged to come back and make a report and recommendations to the Senate about the whole area of improper conduct obviously engaged in by an officer employed in the Senate and the ugly rumors—which I, personally, have never believed—involving the integrity of Members of the Senate. I cannot state how thick the transcript of the hearings before the Committee on Rules and Administration was, but the committee made its first report on July 8, 1964.

I do not believe that I am telling any tales out of school when I say that when I filed my individual and supplemental views to those reports, advocating the very rule which I have now brought up, Major McLendon did everything he could to persuade the members of the committee to go along with what I was recommending. This resolution was lost in the Committee on Rules and Administration for want of a second.

Then we came to the floor, and the distinguished and able Senator from Kentucky, a pragmatist, a realist, appreciated that the mood of the Senate was not such that we were being prepared to face up to our clear ethical responsibilities. So, in order to save something from the wreck—and the Senator will correct me if I am improperly referring to his motives—he moved to create the Committee on Ethics and Conduct, in order to take the whole controversy from the floor of the Senate and turn it over to a group of senior and eminently respected Senators, and to throw upon them the responsibility which had initially been imposed on the Committee on Rules and Administration, whose recommendations the Senate was unwilling to accept.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. CLARK. I will yield in 1 minute.

I commend the Senator from Kentucky for what he did, because he did not have much choice under the circumstances. The alternative was that the Senate would run away from this problem, and there was some hope that if the kind of committee that the Senator recommended was appointed, something would happen.

So, the resolution of the Senator from Kentucky was adopted. An extremely able group of very senior Senators—in most instances, senior Senators—was appointed, and presumably they went to work.

That committee, as I recall—members of the committee are in the Chamber—was appointed some time in the summer of 1965. It is now February of 1967, and that is the last we have heard of it. So far as the Senate is concerned, it is the last we have heard of it. So far as I know, that particular committee, presently charged with the most onerous and disagreeable task of investigating the conduct of one of our Members, certainly has given no indication to me, as a Member who is keenly interested in this subject, that they are closer to reporting this kind of rule or this kind of procedure than they were the day they were appointed.

I yield to the Senator from Kentucky.

Mr. COOPER. I am sorry, but I did not hear what the Senator said at the beginning of his remarks.

Mr. CLARK. I said nice things about the Senator from Kentucky.

Mr. COOPER. I was not quite certain about what the Senator said at the beginning of his remarks. I thought the Senator said that one of the effects of the resolution I introduced was to dodge the responsibility of the Senate to meet the question that the Senator from Pennsylvania has raised in his resolution. Am I correct in my understanding?

Mr. CLARK. The Senator is not correct. I said that the Senator from Kentucky, feeling, with his keen sense of pragmatism, that it was the only feasible action the Senate would be willing to take to face up to this problem, recommended the creation of this committee; and I thought that under the circumstances he had done the Senate a service, because it gave us some sort of excuse, without doing what we clearly should have done, in my opinion, a couple of years ago. I commend the Senator from Kentucky for what he did.

Mr. COOPER. I do not believe that anything can be gained by adverting to all the problems that we had in the Rules Committee with the Baker investigation.

Mr. CLARK. There were many problems.

Mr. COOPER. The investigation went on for 2 years. We did not do very much, and I could spend some time speaking about the reasons for this, but it would not help.

However, as a result of investigation, several members of the committee proposed certain rules which ought to be adopted by the Senate. The Senator from Pennsylvania did propose these resolutions. I believe I voted for a number of them in the committee.

Mr. CLARK. The Senator did. We lost.

Mr. COOPER. I offered several resolutions and bills of my own. First, I offered a bill which would place enforcement of the Lobbying Act under the jurisdiction of the Comptroller General of the United States. It was voted out by the committee, but nothing has been done. I introduced this bill again a few days ago.

Second, I introduced a resolution on July 6, 1965, Senate Resolution 125, which would prohibit employees or officers of the Senate from soliciting, being the custodian of or distributing any funds in connection with a political campaign. That was one of the problems that arose in connection with Mr. Baker.

Third, I introduced on July 6, 1965, Senate Resolution 124, a resolution relating to disclosure. I offered, finally, the resolution to establish the Committee on Standards and Conduct, simply because I thought that our Committee on Rules and Administration had failed. That resolution was then adopted.

One of the duties assigned to the new committee—was to develop rules and standards of conduct for officers and employees of the Senate and Senators themselves.

Mr. BENNETT. Would the Senator from Kentucky like a copy of the text?

Mr. COOPER. I should like a copy of the text.

Under section 2 of the resolution, subparagraph (3), the committee was given this duty:

> It shall be the duty of the Select Committee to (3) recommend to the Senate, by report or resolution, such additional rules or regulations as the Select Committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the Senate, and by officers or employees of the Senate, in the performance of their duties and the discharge of their responsibilities;

(At this point, Mr. PELL assumed the chair.)

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. HOLLAND. Is that last statement which was just read by the Senator a part of the resolution under which the Committee on Standards and Conduct was set up?

Mr. COOPER. The Senator is correct.

Mr. HOLLAND. I thank the Senator.

Mr. COOPER. Mr. President, I do not want to speak for the chairman, the distinguished Senator from Mississippi [Mr. STENNIS], who is here, or the deputy chairman, the distinguished Senator from Utah [Mr. BENNETT]. I will speak for myself.

When we had the first meetings of the select committee, the subject of rules and standards was one of the first subjects to which the committee addressed itself. It did determine that one of its first duties and responsibilities would be to develop proper rules or standards of conduct for Members of the Senate, and officers and employees of the Senate. We began our work on this subject.

Mr. CLARK. Mr. President, will the Senator yield so that I may establish the situation with respect to the question of time?

Mr. COOPER. I yield.

Mr. CLARK. Mr. President, I understand informally that the time taken by Senators who have been interrogating me has been charged against me.

I ask unanimous consent that time taken by Senators engaged in colloquy with me may be charged to the Senator from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. If the Senator would like me to I would be happy to yield 5 minutes, and I shall yield the remainder of the time necessary to do so.

Mr. COOPER. I shall only take a moment. We may ask why the committee has not done something about it. We were not appointed until about a year after the resolution was adopted.

Mr. CLARK. I wonder why that was.

Mr. COOPER. I do not know. Then, when we began our work on rules and standards the investigation in which we are now engaged began, and it has taken all our time up to this point. I have proposed and voted for resolutions such as those proposed by the Senator, and I shall do so again when properly prepared and considered.

Mr. CLARK. The Senator will again if he gets the chance. When will he get the chance?

Mr. COOPER. I have discussed the matter with members of the committee and each member has said, as they said in committee, and as they said to me today, that it is the intention of the committee to develop a set of standards which, I am sure, will include some of the ideas of the Senator from Pennsylvania [Mr. CLARK]. I intend to urge this be done, and done this year. I must say that I think it is difficult to secure acceptance of such rules in connection with this resolution, when there is no opportunity for full debate and amendment. I have confidence that our committee will do its job.

Mr. CLARK. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Pennsylvania has a total of 6 minutes remaining, including the 5 minutes given to him by the Senator from Oklahoma [Mr. MONRONEY].

Mr. CLARK. Mr. President, I do not want to be difficult or stubborn, but it is perfectly clear to me that I have not used as much as 15 minutes of my time. I do not think that time taken up by other Senators in opposing my motion should be charged against me.

Mr. MONRONEY. I might ascertain from the distinguished chairman of the Committee on Standards and Conduct whether he will need 10 minutes.

Mr. STENNIS. I shall need 7 minutes.

Mr. AIKEN. I shall need 1 minute.

Mr. MONRONEY. And the distinguished vice chairman?

Mr. BENNETT. I shall require 5 minutes.

Mr. CLARK. Mr. President, if I may have the attention of the Senator from Oklahoma, I believe he will agree, because of the unusual way in which time has been charged, that I should be entitled to 10 minutes more.

Mr. MANSFIELD. Mr. President, reserving the right to object, I think that when the Senate enters into a unanimous-consent agreement covering a bill as widely spread out as this matter is, if we are going to make progress, we should operate under the agreement. The Senator from Pennsylvania was to have had one-half hour. Will he have had it when his time is up?

Mr. CLARK. No; because other Senators asked me to yield to them and I have.

The PRESIDING OFFICER. The Chair is informed the Senator yielded. The Senator need not yield if he does not wish to.

Mr. CLARK. The Chair is correct, but the universal practice, and the practice here, with respect to time taken, although I was perhaps guilty of a technical omission, has been that time is not charged against a Senator for yielding to others who oppose his position. On several occasions I have asked that the time be charged against me when I opposed a measure. I would have thought that the Parliamentarian would have kept track of the time.

Mr. MANSFIELD. Mr. President, we are wasting more time. I approve the request of the Senator from Pennsylvania. I withdraw my reservation.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Pennsylvania?

Mr. BENNETT. Mr. President, reserving the right to object I would like to ask how much time is remaining on the other side?

The PRESIDING OFFICER. There are 21 minutes remaining on the side of the Senator from Utah, and the Senator from Pennsylvania has used up an additional 2 minutes.

Mr. BENNETT. Does the 21 minutes include the additional 5 minutes that was given both sides?

The PRESIDING OFFICER. No.

Mr. BENNETT. So, in effect, we have 26 minutes remaining. Prior to that time somebody had asked by unanimous consent that 5 minutes be granted each side.

The PRESIDING OFFICER. The Senator from Oklahoma [Mr. MONRONEY] gave 5 minutes to the Senator from Pennsylvania [Mr. CLARK] and there was a unanimous-consent request for 10 additional minutes for the Senator from Pennsylvania.

Mr. BENNETT. How much time in toto has the Senator from Pennsylvania had?

The PRESIDING OFFICER. He will have a total of 45 minutes if the request is agreed to.

Mr. CLARK. Mr. President, it is completely out of the question that by the clock I have spoken for that much time. Senators opposed to the motion have taken the majority of my time.

Mr. BENNETT. Mr. President, I was merely trying to determine if we could yield time to the Senator from Pennsylvania in order to keep the debate from stretching any longer. Apparently that is out of the question. I withdraw the request.

The PRESIDING OFFICER. Is there objection? Without objection, the unanimous-consent request is approved.

Mr. CLARK. Mr. President, what was the request?

The PRESIDING OFFICER. The request was for 10 additional minutes.

Mr. CLARK. Mr. President, I take it I have the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

Mr. CLARK. Mr. President, may I ask members of the select committee who are present how they would react to a motion on my part to refer the pending amendment to the Special Committee on Ethics with instructions to report back not later than April 1?

Mr. STENNIS. I shall speak on this matter in my own time. Since I have been elected chairman of the committee, I suppose I should answer first on this matter.

The PRESIDING OFFICER. Who yields time?

Mr. CLARK. The Senator from Oklahoma.

Mr. MONRONEY. I yield time.

Mr. STENNIS. Mr. President, I was trying to answer the question of the Senator. I do not dispute the time.

The answer to the question of the Senator is in the negative so far as I am concerned. It could not be done in the face of the duties we have assumed and announced.

Mr. CLARK. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

Mr. AIKEN. Mr. President, will the Senator from Oklahoma yield me 1 minute?

Mr. MONRONEY. I yield 1 minute to the Senator from Vermont.

Mr. AIKEN. I wish to ask a question of the Senator from Pennsylvania.

Let us assume that an employee of the Senate lives just outside of the city of Washington and owns a small peach orchard. One hundred bushels of peaches grow on those trees. Does he have to get consent to pick and harvest those peaches?

Mr. CLARK. I think clearly not.

Mr. AIKEN. Why not?

Mr. CLARK. Because of the way the rule is worded.

Mr. AIKEN. It says that he shall not engage in any business, financial, or professional activity—or anything like that, unless express permission has been granted by a Member of the Senate charged with supervision. I would say that picking and selling $300 or $400 worth of peaches would be engaging in business for gain.

Mr. CLARK. The Senator is skipping over, I am sure entirely inadvertently——

Mr. AIKEN. I am not skipping over anything. This is in the first paragraph.

Mr. CLARK. If the Senator will excuse me, and I do not wish to be petulant but extremely courteous to the Senator from Vermont, he has neglected to read lines 6, 7, and 8 on page 2.

Mr. AIKEN. No. That is additional——

The PRESIDING OFFICER. The 1 minute has expired.

Mr. AIKEN. It says he shall not do it unless such activity or employment is not inconsistent with the conscientious performance of his official duties. Thus, peaches would not properly be inconsistent with official duties unless they made him late for work. But the next proviso states, unless express permission has been granted by the Member of the Senate charged with supervision of such officer or employee by this rule.

He is completely covered by this.

Mr. CLARK. Of course, if his employer would not want him to pick peaches full time because he is being paid to work full time by the taxpayers of the United States.

Mr. AIKEN. Suppose his employer is over in Europe while the employee is picking peaches, the employee could not get hold of him and thus all the peaches would spoil while he was waiting to get that permission.

Mr. CLARK. I would think that the advent of what might be called modern technology in the form of Alexander Graham Bell's telephone would take care of that without much difficulty.

I am afraid I would categorically disagree with my dear friend from Vermont.

Mr. STENNIS. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. Mr. President, I yield such time as the distinguished chairman of the select committee, the Senator from Mississippi [Mr. STENNIS], would require.

Mr. STENNIS. I thank the Senator from Oklahoma.

Mr. President, I respond at the request of the Senator from Oklahoma with reference to the amendment.

The first point I want to make is that when the Senator from Kentucky and I were appointed and had an opportunity to get a competent staff—which was no small or easy job—the first thing I did was to begin planning and consideration for that part of the resolution which provided that the committee might submit to the Senate—not pass them but submit to the Senate—recommendations for rules and regulations that would come within the subject matter of the amendment of the Senator from Pennsylvania.

I remember quite distinctly the study I made, including consideration of some proposals from the Senator from Pennsylvania which I thought had merit in them. My best recollection is that on one particular subject he had the best suggestion I had read on it, although I need time to refresh my recollection some on that.

Before any real action could be taken, though, there came to us a matter which I have never referred to in the press except when I had to—and I do not think ever on the floor of the Senate—concerning the Senator from Connecticut [Mr. DODD]—the highly advertised matter in the newspapers, part of it extending into Germany and a great many financial transactions involving its second phase.

I know that I signed, I think it was 90 or 91, subpenas duces tecum regarding financial records, as well as a long, careful check and doublecheck of money matters that led into several banks involving many witnesses.

I mention those things to show the element of time.

This case is so voluminous—I am not passing on one bit of it here from anything I say—but it is so voluminous to handle correctly, which is what we think the Senate wants—and I still think so—that it took all the work and a great deal of time, and will require more time, although announcements have been made that it is down almost to the hearing stage now. It will be an open hearing on the remaining part of it, as soon as practicable, which means that the parties now have had a reasonable time to prepare for the hearing.

This explains why we have had to lay aside the matter of rules and regulations.

It is still our purpose to recommend some rules and regulations along this line for the Senate to pass on. We will do that as soon as we reasonably can.

The idea of referring the amendment to us to report in April—if the Senate wishes to do that, it is all right—but I believe that it should be referred to someone else, because we cannot handle it at this time.

Let me point out that trying to work out something along this line is like balancing the movement in a Swiss watch. It is an intricate, delecate, far-reaching, and highly involved matter. If anything is ever worked out on it that will serve the purpose, it will never be done by offering an amendment on the floor of the Senate to another bill with only 30 minutes of debate on each side.

The Senate has the power to do that. If it is the wisdom of the Senate that they wish to do it, I will not object to it. But I think it would be a highly unwise move. I think, with all deference, that it would be a reckless thing to do and a highly unsatisfactory result would obtain.

Thus, speaking only for myself on this matter—I do not attack the amendment on its merits, because I think it has some good points in it and they are rather well handled—and for the reasons I have already given, I think it would be highly undesirable, unwise, and entirely injudicious to try to pass this matter at this time with no more weighing and consideration than is possible on the floor of the Senate.

For these reasons, I hope that the Senate will not see fit to adopt the amendment to this reorganization bill.

Mr. HOLLAND. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am happy to yield to the Senator from Florida, if I have time.

Mr. HOLLAND. The Senator knows that the Senator from Florida did not vote for the resolution under which this special committee functions. He knows the reasons for my position, that the Senator from Florida did not like to cut the ground from under the Standing Committee on Rules of the Senate which had assumed jurisdiction.

I want to say now that the membership of this committee is nonpartisan and equally balanced between the parties, chosen for their wisdom, chosen for their patience, and for their high character. They are given the task of dealing with this subject matter. The Senator from Florida would never be a party now to cutting the ground from under their feet because he knows that they did not ask for this assignment. They accepted it reluctantly, but they are going ahead and will do their full duty.

The Senator from Florida would never be a party to cutting the ground out from under their feet, in view of their standing and their stature as a highly respected committee. I am sure they will examine conscientiously into this whole subject and then report to the Senate.

Mr. STENNIS. I thank the Senator.

Mr. President, I hope that each member of the group will speak on this subject.

Mr. BENNETT. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. Mr. President, I yield such time to the Senator from Utah as he may require.

Mr. BENNETT. Mr. President, a little earlier there was some discussion about votes. The Senator from Pennsylvania and the Senator from Utah jointly opposed the Cooper amendment, but it passed. When the first vote came on the amendment of the Senator from Kentucky, we both voted against it, but the bill passed. That made the Cooper amendment the pending business and both the Senator from Pennsylvania and the Senator from Utah then voted "yea." Thus, we both voted to set up the select committee.

When I voted, I never expected to find myself in the position in which I now find myself. But, having accepted that responsibility, I hope that we will have the opportunity to carry it out.

The Senator from Kentucky read paragraph 3 of section 2 setting forth our responsibilities to bring back recommendations for additional rules or regulations but paragraph 1 in section 2 says that we must receive complaints and investigate allegations of improper conduct which may reflect upon the Senate. We have had such a complaint. We had a request from the man against whom the complaint was issued that, for his protection, we investigate it. That has become necessarily our current pending business.

If the three amendments of the Senator from Pennsylvania are adopted this afternoon—and he put them together as a group—the Senate may just as well forget the Committee on Standards and Conduct, because it will have undercut it. It will have prejudged the report coming from the committee.

I hope the Senate is not in a frame of mind to do that and by a vote after, as the chairman of the committee said, 30 minutes of debate on each side, prevent us from carrying forward a responsibility that was given to us, or force us to come back to the Senate to say action taken today was wrong and must be reversed or corrected.

Mr. CLARK. Mr. President, will the Senator yield for a question?

Mr. BENNETT. I yield.

Mr. CLARK. As I understand the thought of the Senator, the problems raised by the pending amendment are going to get the attention of the special committee. I wonder if the Senator can give us some idea of when such a report will be forthcoming?

Mr. BENNETT. I am not the chairman. We have undertaken, at the request of a colleague, to investigate charges made against him. Until we finish that job, I do not think we can seriously proceed with another one. Provided no further charges are made that will require further investigation against this or other Senators, it is my understanding we would then attend to the job we were supposed to do, for which the committee was set up, which was to develop recommendations in this area.

Mr. CLARK. Will the Senator yield further?

Mr. COOPER. I yield.

Mr. CLARK. Am I not correct that the Cooper proposal was adopted about June 1965?

Mr. BENNETT. July 1964.

Mr. CLARK. 1964?

Mr. BENNETT. Yes. I checked it.

Mr. CLARK. And the committee was not appointed until some time thereafter?

Mr. BENNETT. It was not appointed at the end of the session, in the fall of 1964. I believe it was appointed in early 1965.

Mr. CLARK. It is now 2 years since then, and we have had no report from the committee?

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. STENNIS. The committee was not appointed in the calendar year in which the resolution was adopted. It was appointed by the Vice President of the United States in the next year.

Mr. BENNETT. Mr. President, I yield the floor.

Mr. MONRONEY. Mr. President, does the Senator from Pennsylvania wish to proceed?

Mr. CLARK. Mr. President, my thought was to alert Senators by telephone that we were about to vote. I have 6 or 7 minutes left. I desire those in opposition to be heard first, and then I shall be prepared to finish my comments.

Mr. MONRONEY. But the vote will be on the first amendment?

Mr. CLARK. On No. 24.

Mr. MONRONEY. Does the Senator wish to have a quorum call?

Mr. CLARK. If the Senator will ask unanimous consent to have a quorum call with the time not be charged to either side.

Mr. MONRONEY. Mr. President, I ask unanimous consent that there be a quorum call, so that Senators may be notified that a vote is to be had on the Clark amendment, without the time being charged to either side.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded, and I ask for the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Pennsylvania.

Mr. CLARK. I yield myself 2 minutes.

Mr. President, this is one of three Bobby Baker amendments. It results from the voluminous consideration of the Bobby Baker case by the Committee on Rules and Administration, on which I have the honor to serve. It deals with the subject of moonlighting or outside employment by employees or officers of the Senate. It undertakes to impose reasonable restrictions on outside employment, but gives substantial flexibility to the employing officers, be they Members of the Senate, or others, who would have the responsibility of weighing the restrictions on moonlighting, except in the case of those employees who serve in a managerial capacity in a business or engage in a regular professional practice, or maintain an association with a professional or consulting firm, where permission would be required from the Senate as a whole.

The amendment was carefully considered by the Committee on Rules and Administration during its extensive—indeed, exhaustive—consideration of the Bobby Baker case. It was proposed by me as a member of that committee. When it came to the floor, the majority of the Senate concluded that they did not wish to face up to the issues raised by the Bobby Baker case, and so, on motion of the Senator from Kentucky [Mr. COOPER]—and I have no criticism of the Senator from Kentucky—the whole matter was referred to a Committee on Ethics of the Senate, which is now chaired by the able and distinguished Senator from Mississippi [Mr. STENNIS].

As a result of the colloquy which has been engaged in during the course of the consideration of this amendment, Senator STENNIS and his colleagues on the committee have advised the Senate that they see no reasonable prospect for reporting on this kind of an amendment, or on any other kind of an amendment dealing with the Bobby Baker case, because they are too busy with other matters. I therefore have asked for a rollcall vote on this amendment, in the hope that the Senate will be prepared, this afternoon, to face up to its responsibilities, which have been called dramatically to our attention by the recent conviction of Mr. Baker for activities which he should never have been permitted to engage in, had the Senate had a rule such as that which my amendment proposes.

Mr. President, I reserve the remainder of my time.

Mr. MONRONEY. Mr. President, to Senators who were not here——

Mr. STENNIS. Mr. President, may we have order in the Chamber, so that the Senator may be heard?

The VICE PRESIDENT. The request of the Senator from Mississippi is well taken. The Senate will be in order.

The Senator from Oklahoma may proceed.

Mr. MONRONEY. Mr. President, for the benefit of Senators who were not here, I feel that I should restate the position that has been unanimously taken by members of the Committee on Standards and Conduct with reference to ignoring them, or stripping them of their jurisdiction of the very function their committee was created by the Senate to perform.

The Joint Committee on the Organization of Congress took a strong position that this was a proper task within the jurisdiction of the Committee on Standards and Conduct. We even recommended that the House of Representatives appoint a Committee on Standards and Conduct, which it is my understanding they have done, to handle such cases as the so-called Bobby Baker matter and the amendments that have been placed before us by the distinguished senior Senator from Pennsylvania [Mr. CLARK].

Having done that, and having decided that jurisdiction was not within the Joint Committee on the Organization of Congress, we also considered that the Committee on Standards and Conduct had made a beginning on this before they were interrupted by another matter, the subject of the request of a Senator for an investigation of allegations that had been made. The committee thereupon proceeded to that matter, and is now engaged on it.

I know, from what the chairman of the Committee on Standards and Conduct has said, that the committee will move as rapidly as possible to take up this matter. I feel it would be a distinct disservice to take it up on the floor and to try to write as difficult and complicated a matter as the regulations which are proposed in these amendments, in the few minutes of time that are allotted to us here.

I shall move to table the amendment that is before us when the distinguished senior Senator from Pennsylvania has used the remainder of his time, as he says he will do, and will ask for a yea-and-nay vote on the motion to table. I feel we must abide by and recognize the jurisdiction of the committee that was created and intended to carry on this work. The Senate spoke, in a strong voice, to set up the committee which the Senator from Mississippi heads, and I know he will take up this matter as rapidly and as thoroughly as he can, as soon as the matter currently before the Committee on Standards and Conduct is completed.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the distinguished Senator from Vermont.

Mr. AIKEN. I am somewhat disturbed. There seems to be a very strong inference going around the Chamber here that the Senate failed in its duty as regards the Bobby Baker case.

My understanding is that as a result of the Senate's investigation, Bobby Baker got into the toils of the law, and has been convicted of wrongdoing.

Would any of the proposed amendments permit the Senate to go further than they did go in that case? What more could be expected?

Mr. MONRONEY. I believe the regulations provided in these amendments may tend to prevent in the future, any occasion where Senators or employees could carry on such business activities as were involved in the Bobby Baker case. That is why I do not oppose them in principle.

Mr. AIKEN. When a Senate employee is convicted of wrongdoing, and faces a possible maximum sentence of 48 years in jail, what greater deterrent could there be?

Mr. MONRONEY. Certainly the courts have acted and brought in their verdict. What we wish to do now, of course, and what I hope will be accomplished by the careful study and consideration of all proposals, including these Clark amendments, by the Committee on Standards and Conduct, is to assure that in the future, activities that are beyond the scope of the duties of Senate employees will be prohibited or prevented from taking place.

Mr. AIKEN. It is very difficult for me to believe that the committee which made this investigation in the Bobby Baker case was negligent in the performance of their duties, considering the result.

Mr. MONRONEY. The Senator is correct, but no law was being violated at that time, and that is the important part. There was no violation of law as to the engagement in business activities.

Mr. AIKEN. I should say that the outcome shows that no law was necessary.

Mr. MONRONEY. At least, the verdict was brought in.

I am prepared to yield back the remainder of my time if the Senator from Pennsylvania is also willing to do so.

Mr. CLARK. Mr. President, I yield myself 2 minutes.

The VICE PRESIDENT. The Senator from Pennsylvania is recognized for 2 minutes.

Mr. CLARK. Mr. President, the Bobby Baker case broke on October 10, 1963—3 years and 4 or 5 months ago.

A voluminous investigation of the case was made by the Committee on Rules and Administration, on which I had the honor to serve.

To some extent as a result of that investigation, Bobby Baker was indicted, arraigned, tried, and convicted for crimes against the people and the Government of the United States.

The Senate has had 3 years and 4 months' time within which to put its house in order, and to correct the existing inadequacies of our rules, customs, manners, and procedures dealing with the ethical standards of employees of the Senate.

Instead, as a result of the action of the Senate—and I say this advisedly—in not wishing to face up to this matter, the entire matter was referred to a new committee on ethics called the Committee on Standards and Conduct, chaired by the junior Senator from Mississippi [Mr. STENNIS].

During the course of this debate, the Senator from Mississippi stated that his committee had not yet given any serious consideration to the kind of rule they might bring back when they are able to discharge their present priority business and deal with this matter, and he did not know when that would be.

I asked the Senator from Mississippi and the Senator from Kentucky whether they would be agreeable to referring this resolution to the Committee on Standards and Conduct with instructions to report back by April 1. They said no. I suggested May 1, June 1, and July 1. The answer was still in the negative.

The Senate has an opportunity this afternoon to face up to its responsibilities. I hope they will do so.

I reserve the remainder of my time.

Mr. MONRONEY. Mr. President, I yield 3 minutes to the junior Senator from Mississippi.

The PRESIDING OFFICER (Mr. PELL in the chair). The Chair is advised that the time of the Senator from Oklahoma has expired.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the junior Senator from Mississippi be permitted to speak for 3 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. STENNIS. Mr. President, for the benefit of those Senators who have come to the Chamber recently, I point out that there are three amendments which cover the conflict of interest. The pending amendment is with reference to employees.

I respectfully submit that it is not correct to imply that this is part of the Bobby Baker case or that it has anything whatsoever to do with it.

Our committee is now working on the Senator DODD case.

The resolution establishing the committee was passed in July 1964. The appointment of the committee was made in July 1965.

By the time we could obtain a competent staff—and that is a most important thing in work like this—the session was about over.

We came back and started to work on recommending rules and regulations such as are covered in the amendment of the Senator from Pennsylvania. That was in January 1966.

Suddenly, the entire Senator DODD matter came out in the newspapers. It was widely advertised. The investigation on the matter led to Germany and to many other places. The investigation into the financial part of the case has led into many banks. There have been a great many subpenas and affidavits. We have taken a great deal of testimony.

There is no atmosphere or time in the consideration of this case to deliberately weigh and consider rules and regulations to present to the Senate.

We had to lay all of that aside and give proper attention to the Dodd case. We are now almost to the point of the final open hearings.

We expect after that to return to the consideration of the original problem. However, if the Senate wants to adopt on 30 minutes debate on each side some of the most far reaching and delicate and sensitive matters that we are concerning ourselves with here, I do not have any personal objection. I am not trying to defeat the amendment. However, I say that it is a subject which is very broad. We would be doing a fruitless thing that would vex and trouble us at the very best.

This subject matter has to be carefully worked out and recommendations presented to the Senate after they have been carefully combed and examined.

I think that a good set of rules is needed, and that the Senate will adopt them. However, I advise with every fiber of my being against action of this kind: Jumping in and agreeing to a resolution that has not been weighed fully.

Mr. CLARK. Mr. President, I yield 1 minute to the senior Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 minute.

Mr. JAVITS. Mr. President, I rise only to state as one Member my conviction that we still do not have rules on ethics that we should have had long ago and we should have now.

I think that the danger involved in this vote, no matter how one votes, is that the vote will be taken as some kind of declaration by the Senate on this subject.

I think it is necessary for me to state, as one Senator, that I think action is long overdue and that the Senate should have a code of ethics for its employees and officers.

I make my remarks especially to the senior Senators who have such pride in our system in this country. I beg Senators to go through the country and see what these cases have meant to Congress. I think that such action will fortify us in our role. It would be better to do this sooner rather than later.

We should have a code of ethics for the Senate.

The country wants and expects it. It is a most urgent matter.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the Senator from Kentucky be granted 3 additional minutes.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. COOPER. Mr. President, I am sure that the Senator from Pennsylvania made the statement inadvertently when he said that I had answered his plea for action by refusing to say that this committee would act by a certain date.

When I first spoke on this matter, I said that it was my opinion that our committee would act this year and send back to the Senate our recommendations on rules of conduct.

I want to make that clear. I voted for these amendments of the Senator from Pennsylvania in the committee 2 years ago. I offered some amendments of my own.

In considering the amendment now before us, I do not believe it to be well written. I do not believe that it would accomplish anything, even on its merits.

I am going to vote for the amendment on disclosure because I am sufficiently familiar with the subject and the amendment to vote for it. However, I do not believe that the two other amendments are well prepared.

Mr. CLARK. Mr. President, I yield myself the remainder of my time.

Let me make the point that this amendment stands on its own feet. Whether it is agreed to or rejected, it has nothing to do with the other Bobby Baker amendments. The Senate will have the privilege of accepting or rejecting this amendment. The amendment stands alone. It has been suggested that we are deciding momentous questions in a matter of 30 minutes of debate.

The matter has been debated ad nauseum, even since 1964. It was debated in the Committee on Rules and Administration for 18 months. It was debated on the floor of the Senate. It has been debated in the newspapers. It has been debated on the television and the radio.

I say to my colleagues that the pending amendment is a careful distillation of months of study by people who are deeply versed in the problems involved.

I hope that the Senate will adopt it.

If the Senator from Oklahoma is prepared to vote, I, too, am prepared to vote.

Mr. MONRONEY. I am prepared to vote.

Mr. President, I move to table the amendment, and I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oklahoma to lay on the table the amendment of the Senator from Pennsylvania. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Indiana [Mr. HARTKE], the Senator from South Dakota [Mr. MCGOVERN], the Senator from New Mexico [Mr. MONTOYA], the Senator from Maine [Mr. MUSKIE], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama Mr. SPARKMAN], and the Senator from New Jersey [Mr. WILLIAMS] are necessarily absent.

I also announce that the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from North Carolina [Mr. JORDAN], the Senator from New York [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from New Hampshire [Mr. MCINTYRE], and the Senator from Montana [Mr. METCALF] are absent on official business.

I further announce that, if present and voting, the Senator from Mississippi [Mr. EASTLAND], the Senator from Montana [Mr. METCALF], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. DOMINICK] and the Senator from Delaware [Mr. WILLIAMS] are necessarily absent.

The Senator from Oregon [Mr. HATFIELD], the Senator from Pennsylvania [Mr. SCOTT], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Kansas [Mr. CARLSON] is detained on official business.

If present and voting, the Senator from Kansas [Mr. CARLSON], the Senator from Colorado [Mr. DOMINICK], the Senator from Oregon [Mr. HATFIELD], the Senator from Pennsylvania [Mr. SCOTT], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 49, nays 28, as follows:

[No. 15 Leg.]

YEAS—49

Aiken
Allott
Anderson
Baker
Bennett
Bible
Boggs
Brooke
Byrd, Va.
Byrd, W. Va.
Cannon
Cooper
Cotton
Curtis
Dirksen
Ellender
Ervin
Fannin
Griffin
Hansen
Harris
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Jordan, Idaho
Long, La.
McCarthy
McClellan
McGee
Miller
Monroney
Morton
Mundt
Murphy
Pastore
Pearson
Pell
Percy
Prouty
Randolph
Russell
Smith
Stennis
Talmadge
Young, N. Dak.

NAYS—28

Bartlett
Burdick
Case
Clark
Dodd
Fong
Fulbright
Gore
Gruening
Hart
Inouye
Javits
Kennedy, Mass.
Kuchel
Long, Mo.
Magnuson
Mansfield
Mondale
Morse
Moss
Nelson
Proxmire
Ribicoff
Spong
Symington
Tydings
Yarborough
Young, Ohio

NOT VOTING—23

Bayh
Brewster
Carlson
Church
Dominick
Eastland
Hartke
Hatfield
Jordan, N.C.
Kennedy, N.Y.
Lausche
McGovern
McIntyre
Metcalf
Montoya
Muskie
Scott
Smathers
Sparkman
Thurmond
Tower
Williams, N.J.
Williams, Del.

So Mr. MONRONEY's motion to lay Mr. CLARK's amendment on the table was agreed to.

Mr. MANSFIELD. Mr. President, it is my understanding, after talking with the distinguished floor manager of the pending legislation [Mr. MONRONEY], that there will be no further votes this evening.

I anticipate that the Senate will go out of session shortly, but I remind Senators that there will be a session tomorrow. I hope that all Senators will be present because beginning next Thursday we shall have the Lincoln's Birthday holiday.

In addition to what I have already stated about the meeting tomorrow, I believe that the Senate should be on notice there will be many very important yea-and-nay votes at that time.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. I may say to the Senate that 51 more amendments are at the desk. The distinguished Senator from Louisiana will introduce 15 more amendments tonight. That will make a total of 66 amendments.

I felt that we could cut this matter short, offer a motion to commit the bill either to the Rules or the Special Committee, let them take all amendments, the bill, and the record of the proceedings thus far, and have them reject amendments that they think defective and accept those that they think are probably all right, and come back with a bill. Then, I believe in perhaps a day, a day and a half, or 2 days we could pass this bill without spending so much time mulling over all of the amendments.

We could put a mandate on the committee, so that it would not report at its discretion, but it would be mandated to report the bill back on a day certain, and that would be privileged. It could be 2 weeks, 30 days, or any day set.

I have had this motion under consideration for some time, but out of deference to my distinguished friend, the Senator from Oklahoma [Mr. MONRONEY], with whom I served on reorganization just 20 years ago on the joint committee, and out of deference to my friend from South Dakota [Mr. MUNDT], who is on the special committee, I have deferred making this motion. But more and more I am being importuned to do so; I am wondering at what point I will have to lower the boom. I certainly do not want to do it, but I thought it would be in the interest of expediency.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MONRONEY. The committee worked, as the Senator knows, for 2 years——

Mr. DIRKSEN. I do.

Mr. MONRONEY. Carefully considering these amendments. The committee took a great deal of testimony, and we thought we heard from almost all Senators who had suggestions to make. When the majority of the committee favored their proposals, they were incorporated in the bill.

In coming to the floor of the Senate we find that many, many amendments that have been submitted are amendments dealing with subjects over which we were denied jurisdiction to recommend changes by the very resolution of the Senate creating the committee. How could we do anything about that?

I think that a part of this large number of amendments is of that nature. A part of the amendments deals with duplicating matters. We have read carefully many of these amendments and some of them parallel actions already taken. Some duplicate in the almost identical language other amendments that other Senators have submitted.

I think it would be an exercise in futility for the committee to meet again, if it is referred to us, because when we report the bill back, Senators who do not get the thing they want personally will offer more amendments and, let us remember, there is no such thing as a closed rule as there is in the House. Thus, we will be right back where we were. I think that if Senators are not willing to give up their own personal ideas on some of the things which have already been carefully considered, recommended, and voted on in committee over a long period of time, we simply cannot promise any progress, I do not believe, in the committee, if we get it back.

I believe that other members of the committee who sat with me will agree with me that we have great difficulty in tailoring a bill including any substantial number of the amendments which are before us, because, as I say, many of them are beyond the jurisdiction of the committee which was created to study them. It will take jurisdiction away from the standing committees that we have such great respect for, such as the issue we have just had; and we would be disinclined to do that and get an abortive action to take to the floor of the Senate legislation which the special committee should consider.

Mr. DIRKSEN. My rejoinder to the Senator would have to be, first, that we have extended the life of the special committee; second, that we have voted it $60,000; third, that the staff is still intact; and, fourth, the staff knows pretty well the views of members of the special committee with respect to these amendments. It would occur to me that this is essentially a staff job and they could reject and come back with a résumé and say, "This is what we think according to the discussion on the Senate floor."

This could probably be done, and then I think we will have 90 percent of the work out of the way. Otherwise, this will be an interminable job because we go over into next week, when the Lincoln week begins; and everyone knows we cannot do any business, or have any rollcalls because Members will be abroad in the field making Lincoln Day speeches. The time will probably run over somewhat, and then we will have to bargain for a little extra time; thus, another week will go by. I do not know how long this will take.

Mr. CLARK. Mr. President, will the Senator from Illinois yield for a question?

Mr. MANSFIELD. Mr. President, I have the floor.

The PRESIDING OFFICER. The Senator from Montana has the floor.

Mr. MANSFIELD. I am glad to yield to the Senator from Pennsylvania for a brief comment.

Mr. CLARK. I thank the Senator from Montana.

Mr. President, I would hope that the Senate would support the Senator from Oklahoma in bringing this matter to a conclusion. I suppose that in some ways I have been the principal delaying Senator in this regard. We are making pretty good progress with amendments. I believe that in 2 or 3 days at the most we would be through, so far as I am concerned, although I do not know how vigorously other Senators wish to press their amendments.

I have been hoping to complete action on this bill before the Lincoln's Birthday recess. There is not much of anything else doing, anyway. If the bill is recommitted now, for all practical purposes, it will be dead. If we wish a report back on all the amendments which have been filed, I know what will happen, as I know the Senator from Illinois does; the committee will report against all of them.

Mr. DIRKSEN. If the distinguished majority leader will yield for one question——

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. Let me ask my friend from Pennsylvania now, Does he propose to call up his amendment on rule XXII?

Mr. CLARK. It is my present intention to call up the rule establishing the previous question, but I am realistic enough to know that if that is the subject of a motion to table, the motion to table will carry.

Mr. DIRKSEN. Well, suppose we do not get around to the motion to table?

Mr. CLARK. There is no trouble about a motion to table, Senator.

Mr. DIRKSEN. Well, perhaps not, but I think there will be a good deal of discussion before we get around to that sumptuary motion.

Let me say that I am not happy about the almost indiscreet way we are using the motion to table. It is an absolutely arbitrary motion. When the Senate gets into that habit, look out, so far as legislation will be concerned.

Mr. CLARK. The Senator speaks with my voice.

Mr. DIRKSEN. Yes, sir.

MODIFICATION OF UNANIMOUS-CONSENT AGREEMENT

Mr. President, after speaking with the Senator in charge of the bill, and the distinguished majority leader, I ask unanimous consent that the rule on the limitation under which we are now operating be modified so that the time limit set forth in the unanimous consent agreement will not apply to title V of the instant proposed legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PRESIDENT'S PRESS CONFERENCE TODAY

Mr. MANSFIELD. Mr. President, I have listened to the press conference of the President of the United States, and I want to say that I appreciate the candor and—if I may use the word—"credibility" of the straightforward answers which he gave to the members of the press in attendance.

On his own initiative, he laid it on the line as to how strongly he felt about the importance of the Consular Convention to the United States—the need for Senate affirmation. I would hope that the significance which he attached to it in terms of the national interest will be heeded.

He discussed with a sober honesty the questions which have been on the minds of all of us relative to possible negotiations with Hanoi which would lay the groundwork for an honorable settlement and so end the impasse which exists in Vietnam. He pointed out once again the realities of our situation as he sees that situation and knows it to be.

He outlined in brief his philosophy as the President of the United States after 3 years in that office. It is that of a man tempered by long experience in the ways of government and politics. He recognized that honeymoons do not last forever and was philosophical about the possibilities inherent in his relations with the new Congress. He indicated that he was willing to meet the Congress half way in order to ameliorate points of difference and to try, as Americans, rather than as Republicans and Democrats, to unite and work together in the common cause of the Nation.

All in all, the President's responses to the correspondents form a unique and impressive expression of the view from the Presidency.

I ask unanimous consent that the text of President Johnson's press conference delivered earlier today be made a part of the RECORD at this point.

There being no objection, the press conference was ordered to be printed in the RECORD, as follows:

PRESS CONFERENCE NO. 95 OF THE PRESIDENT OF THE UNITED STATES, 3 P.M., THURSDAY, FEBRUARY 2, 1967, IN THE EAST ROOM AT THE WHITE HOUSE

The PRESIDENT. Good afternoon, ladies and gentlemen.

I have been asked to give a statement about the Consular Convention that is pending before the United States Senate.

I should like to say very briefly that I hope the Senate will give its advice and consent to the proposed convention with the USSR. I feel very strongly that the ratification of this treaty is very much in our national interest. I feel this way for two principal reasons:

First, we need this treaty to protect the 18,000 American citizens who each year travel from this country to the Soviet Union. The convention requires immediate notification to us whenever an American citizen is arrested in the Soviet Union. It insures our right to visit that citizen within four days, and as often thereafter as is desirable.

We need these rights to help to protect American citizens. These are rights which the Soviet citizens already have who travel in this country, because they are guaranteed by our Constitution.

Second, the convention does not require the opening of consulates in this country or in the Soviet Union. It does provide that should any such consulate be opened, the officials would have diplomatic immunity.

The Secretary of State informs me that no negotiations for consulates are underway and that the most that he can envision in the foreseeable future is the opening of one consulate in each country, to be manned by from 10 to 15 people.

There are presently 452 Soviet officials in the United States who have diplomatic immunity. If an additional consulate were opened, and if another 10 were added to the 452, Mr. Hoover has assured me that this small increment would raise no problems which the FBI cannot effectively and efficiently deal with.

In short, I think we very much need this convention to protect American interests, and to protect American citizens abroad. In my judgment, it raises no problem with respect to our national security. Therefore, I hope very much that the Senate, in its wisdom, after full debate, will see fit to ratify it.

I will be glad to have any questions.

Mr. Cormier?

Question: We are reading and writing a good deal lately about diplomacy aimed at a Vietnam settlement. I wonder if you could give us your assessment of the peace front at this time.

The President. Mr. Cormier states a question that I know is on the minds of all the people here today and all the people of this country.

As you know, I have underlined over and over again the very deep interest of the United States in a prompt and peaceful settlement of all the problems in Southeast Asia.

I have said many times that we are ready to go more than halfway in achieving this result.

I would remind all of you that we would welcome a conference in Southeast Asia. This might be a Geneva conference. It could be an all-Asian conference, or any other generally acceptable forum.

We would be glad to see the unconditional discussions to which I referred in my statement of April 1965 at Johns Hopkins.

We would participate in preliminary discussions which might open the way for formal negotiations.

We are prepared today to talk about mutual steps of de-escalation.

We would be prepared to talk about such subjects as the exchange of prisoners, the demilitarization or the demilitarized zone, or any other aspect which might take even a small step in the direction of peace.

We would be prepared to discuss any points which the other side wishes to bring up, along with points which we and our allies very much want to raise ourselves.

Or there could be preliminary discussions to see whether there could be an agreed set of points which could be the basis for negotiation.

It is against this background that we study very carefully all of the public statements made which appear from time to time and which bear upon Southeast Asia, and all the views which we receive from or through other governments.

It would not be helpful to me—and I do not intend to do so—to comment on any particular channel or communications at this point. You may be sure that we are diligent in our search for the possibility of peaceful settlement.

In all candor, I must say that I am not aware of any serious effort that the other side has made, in my judgment, to bring the fighting to a stop and to stop the war.

Mr. Smith?

Question: Mr. President, you have been so eloquent in the past about expressing your desire for peaceful negotiations. I would like to ask you whether or not, if you thought it would speed this war down the road to peace, you would be willing personally to participate in negotiations with some of your opposite numbers, such as the leadership in Hanoi?

The President. We have made clear that if the other side desires to discuss peace at any time, we will be very happy to have appropriate arrangements made to see that that is carried out.

Where we would talk, who would talk, what we would talk about are all matters that could be worked out between the two governments involved.

We have made clear to them, and to the world, the principles that we believe must govern a peace meeting of this kind, and a settlement that we would hope would come out of it: The honoring of the Geneva Accords of 1954 and 1962, the right of self-determination for the people of South Vietnam, to insure that they are freed from the threat or use of force.

I must say as of today we have no indication that the other side is prepared in any way to settle on these limited and decent terms.

We hope very much that we can have some signals in that direction, but I in candor must say that as of now we do not have.

Mr. Horner?

Question: Mr. President, does your expressed willingness to negotiate a peaceful settlement imply any willingness to compromise on any of our stated objectives in that part of the world?

The President. Any peace agreement will involve understandings by both parties and certain concessions by both parties. I don't think we can determine those before we come together, or through any press conference techniques.

I can only repeat what I said in the State of the Union Message: that I wish the conflict in Vietnam were over.

I can only repeat what I have said so many times: I will do anything I can on the part of this Government to go more than half way to bring it to an end.

I must say that we face great costs. We face agony. We do plan to carry out our efforts out there. We are going to support our troops in the field. We are going to work with our Vietnamese allies toward pacification and constitutional government.

While we are doing that, every hour of every day the spokesmen for this Government are under instructions to explore every possibility for peace.

I do not want to disillusion any of you. I do not want any of you to be caught by speculation. As of this moment, I cannot report that there are any serious indications that the other side is ready to stop the war.

Mr. Lawrence?

Question: You have three times now used that phrase "no serious efforts by the other side to bring the war to a close."

How would you characterize what has been going on in the last couple of weeks? Do you recognize any signs of maneuverability or fluidity in their position?

The President. I see almost every day some speculation by some individual or some hope or desire expressed by some government. I assume that different individuals get different impressions. Certainly they have different hopes. I can only speak for myself, Bill.

With the information that I have, with the knowledge that is brought to me, I must say that I do not interpret any action that I have observed as being a serious effort to either go to a conference table or to bring the war to an end.

Question: Mr. President, could you give us your assessment of how recent events in China may be affecting the chances for peace in Vietnam?

First of all, could you give us your assessment of what is happening in China and then how you think that may effect the chance of a peace?

The President. There is little I can add to what the general public knows about the events in China. We all know that they are having very serious problems.

I would not think that would add anything to the strength of our adversaries in that area. We can see from some of the problems that we have ourselves from time to time that unity is very important in connection with our operations.

I do not see that the differences in China are going to contribute anything to the strength of the North Vietnamese.

On the other hand, I do not want to hold out any hopes to you that I do not have myself. I cannot say at this moment that the events in China are going to contribute immediately to the end of the war in Vietnam.

Mr. Kilpatrick?

Question: Mr. President, would you discuss the reports that there has been a decline in the infiltration rate to the South, to say whether you think the bombing has had any effect on this?

The President. I stated in my Baltimore speech in early 1965 what we expected to come from the bombing.

We felt that it would improve the morale of the people in South Vietnam who felt that they had almost lost the war.

We felt that it would make the North Vietnamese pay a much heavier price for what they were doing.

We felt that it would make the infiltration more difficult.

We think it has achieved all of those expressed purposes.

We cannot speak with cold assurance on the infiltration and the numbers each day, each week, or each month.

In some quarters of the year our indications are that they increase. In other periods of the year, the next quarter, they may go down some.

I have nothing that I can conclude as highly significant from the guesses and the estimates that we have made.

Question: Mr. President, we have said in the past that we would be willing to suspend the bombing of North Vietnam in exchange for some suitable step by the other side. Are you prepared at all to tell us what kind of other steps the other side should take for this suspension of bombings?

The President. Just almost any step.

As far as we can see, they have not taken any yet.

We would be glad to explore any reciprocal action that they or any of their spokesmen would care to suggest.

We have made one proposal after the other. We would like to have a cease fire. We would be very glad to stop our bombing, as we have on two previous occasions, if we could have any indication of reciprocal action.

As of now they have given none. I assume they are willing to give none until I hear further.

Question: Mr. President, last fall your image was described in some very harsh terms. Some saw it as arrogant and not to be believed. But lately these terms have switched to something much more sympathetic and you have been seen lately by many as an underdog.

You have been President for more than three years. How do you feel about the job, and, if you can bear to tell us, how do you feel about us in the press?

The President. I have not given a lot of thought to you in the press. We have our problems with the press twice a day at our regular briefings. I try to meet with them at least twice a month in some manner. Almost every day I see a collection of them on one subject or the other about something that interests them.

I think our system requires that. I always try to reciprocate their understanding.

As for being President, I can only add to what I said the first day I was in this office: I am going to do the very best I can. I need all the help that I can get. I think the country, the Congress, and the other nations of the world have been very willing to be reasonable in their relations with me.

I think all in all we have succeeded in obtaining some of our objectives.

I go to bed every night feeling that I failed that day because I could not end the conflict in Vietnam.

I do have disappointments and moments of distress, as I think every President has had. I am not complaining.

If you can endure it in the press, I will try to endure it in the Presidency.

Mr. Scherer?

Question: Have you been able to take a reading of the new Congress? Is it perceptibly more difficult than the last would be?

The President. I think it is quite a different Congress. I think it is going to be a more partisan Congress. I think it is going to be more difficult to obtain favorable action on administration measures.

I said after the first Congress after the election in 1964, that the President's mandate rarely lasted longer than six months, and I hoped we could get most of the pledges we made in our platform enacted as soon as possible.

I have never tabulated it, but I believe Senator Mansfield made the statement that the Congress has enacted about 85 percent of our platform.

We still have some other things to pass. We will win some and we will lose some. We will try to work out an area of agreement where we can take some modified language in certain legislation we have to pass.

I don't want to anticipate more difficulty than I need to.

I am going to do with the Congress like I am trying to do with our adversaries in other places in the world: I am going to say to the minority party, which I do think appears to be able to find fault with almost our every act, that I want to meet them halfway, I want their cooperation, I want their help.

I don't believe it is good for the country to have partisan political in-fighting all the time. We ought to reserve a few weeks before the election for that. Then all of us work for America the rest of the time.

I hope and believe that most Members of the Congress will feel that way.

Mr. Davis?

Question: Mr. President, for some time you have been talking about building bridges to the countries of Eastern Europe. Despite the appeals of this Government, the Czechoslovakian Government has sentenced an American citizen to what we believe to be a rather harsh punishment.

How does this affect your thinking on building these bridges to the Communist Eastern European countries?

The President. There are many obstacles which come in the way of an attempt to reach all of our objectives. I regret very much the incident to which you refer. I am very hopeful that the government concerned will take appropriate, just and fair action.

I am still determined that, notwithstanding some difficulties that may arise from time to time, this is in the overall best interest of this country. I am going to try to work toward that goal.

Mr. Ferguson?

Question: Mr. President, the Foreign Minister in North Vietnam has said that if the United States stopped bombing the North, then peace talks could be arranged.

Would you consider a mere willingness to talk peace to be enough of a step on their part to halt bombing or would some military move be necessary?

The President. I have seen nothing that any of them have said which indicates any seriousness on their part. I am awaiting any offer they might care to make.

They know that we are in contact with them. I cannot speak for them. I am very anxious for them to make any proposal. We will give it very prompt and serious consideration.

Miss Dickerson?

Question: Recently experts have testified before the Senate Foreign Relations Committee that the whole threat of communism has changed a great deal since World War II and it is quite a different picture now. Do you agree that this Communist threat is sufficiently different?

The President. Yes. We still have our problems, but they change from time to time. There have been material changes in the thinking of various countries and their approach to their relations with other nations since World War II.

I am very hopeful that we can continue to try to evolve a satisfactory formula for getting along in this world. I am encouraged in that hope every day. I see more encouraging signs than I do discouraging ones along that line.

Mr. Thompson?

Question: Since the election of last November, a number of Governors and other people have criticized the efforts or lack of efforts of the Democratic Party and the National Committee.

When Mr. Stabler left the White House the other day he said important things are happening within the National Committee.

Can you tell us what is happening within the Democratic Party?

The President. I did not see Mr. Stabler. I do not know what he refers to. I think that he would be a better person to make that reply than I am.

The Democratic National Commitee has a very competent Chairman, Vice Chairman, Chairman of the Finance Committee, and the Deputy Chairman. All of those people were in the committee when I came into the Presidency. While they have had only one national campaign since that time, it was very satisfactory so far as I am concerned.

I think some people have been using the committee as a kind of whipping boy. Some of them really do not understand the functions of the committee. I have worked on both the National Committee, as an officer, and the Congressional Committee as an officer, for many years.

It has never been the function of the National Committee to take over the Congressional elections. We support them. We work with them. We aid them in every way we can in the National Committee.

There are not many Congressmen who want the Democratic National Chairman to manage their campaigns in their local districts. For that reason, we have a Congressional Committee. We have a Senatorial Committee.

It is my judgment that those committees are well run and well operated. They did a good job last year. I know the Democratic National Committee gave them more support and more assistance and more effort than we have given in any period in our history.

I do not know exactly what they are referring to. I think if they had a knowledge of the situation, they would not feel as badly as they do about the present membership.

The Press. Thank you, Mr. President.

ESTABLISHMENT OF A FEDERAL MOTOR VEHICLE INSURANCE GUARANTY CORPORATION

Mr. CLARK. Mr. President, it was my privilege to be a cosponsor of the bill to create a Federal Motor Vehicle Insurance Guaranty Corporation when it was first introduced by the Senator from Connecticut in the last Congress. I am happy to join again as a cosponsor of this vital bill.

The purpose of this legislation is to provide the same protection to a policyholder and an accident victim, in the event of the insolvency of an automobile insurance company, which is presently available to depositors in savings institutions whose money is protected by the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation.

Since 1960, 73 companies writing motor vehicle insurance have been placed in liquidation or receivership. In my own State of Pennsylvania alone, there have been 17 failures of high-risk insurers. Fourteen of these have happened since 1964.

At the present moment, there are more than 6,000 accident claims pending against seven of these companies. Four thousand of these cases have already been reviewed by the Pennsylvania Insurance Department, and a value of more than $5 million has been placed on these claims. Yet, the fund available to satisfy these claims is a mere $50,000 and these 4,000 claimants have nothing better to look forward to than the hope of getting a penny on the dollar.

Behind these cold statistics there is a story of personal tragedy, repeated over and over again: the policyholder whose policy turns out to be worthless—the innocent third party who cannot recover for his injuries.

The need for Federal action arises because of the failure of the States to provide the necessary protection. Only three States—New York, New Jersey, and Maryland—have recognized the wisdom of having guaranty or security funds to compensate victims of auto insurer insolvencies.

In addition, there are serious questions about the kind of job the States have been doing from the standpoint of regulation. For example, there is the case of a mutual insurance company which was suspended from doing further business in my own State of Pennsylvania last month by the Pennsylvania Insurance Department.

According to the department, the company, organized in 1954, had liabilities of $10,178,760 and assets of $3,256,002, with a deficit of $6,922,758. The company specialized in "high risk" policies. It has unpaid claims totaling $5,904,786, At the end of 1965, the company had $6,741,042 in assets. Six months later the assets had dwindled to $3 million, and the company was faced with $6 million in outstanding claims.

An alert State inspection system should have smelled trouble about then. By the end of October, this company ceased writing new or renewal auto insurance in Pennsylvania. The suspension of the company did not come until early 1967. There were 23,000 policyholders on its books when the company was suspended.

Interestingly, the Pennsylvania Insurance Department acknowledges that the problem was known to its examiners as of June 30, 1966. Yet, for 4 months after that, the company was permitted to write policies.

The State insurance department is presently seeking a court order to place this company in liquidation. A hearing is scheduled on February 8.

The record shows that this company, in 1965, wrote and was permitted to write $9 million in business—over 90 percent in the auto insurance line. While doing this, the policyholders' surplus was merely $655,000.

The point is that the company was writing $14 worth of premiums for every $1 of surplus, as against an accepted practice of $2.50 in premiums for each $1 in the surplus.

From January 1 to June 30, 1966, the company wrote over $4 million in premiums. As of June 30, 1966, the company had nearly $6 million of incurred unpaid claims, many of which were settled by the company. But no funds are available to pay these claims.

The Pennsylvania Insurance Department report on this company will be available shortly. It certainly should receive careful study to determine why this company was allowed to go to pieces under the very eyes of the State agency charged with its supervision.

There are a number of questions which arise from this case: Why did various people buy into this company in 1966 when it was in a hopeless condition? What happened to the millions of dollars taken in by the company on premiums written in 1965 and 1966? And why did the Pennsylvania Insurance Department not act when information which was available to it would dictate action?

These and other questions will have to be answered before the whole picture emerges from the confusion.

Mr. President, I ask unanimous consent to have printed in the Record an article from the Journal of Commerce for January 6, 1967, and an article from the Oil, Chemical, and Atomic Workers International AFL–CIO publication, Washington "Hotline" for January 1967.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Department of Oil, Chemical & Atomic Workers, International AFL–CIO, Publication, January 1967]

Auto Insurance a Major Problem That Calls for Full Congressional Investigation

The beating which auto drivers are taking from insurance companies these days is fierce and, until now, little has been done about it.

No sensible person today would dare drive his car without adequate auto insurance. In fact, three states (New York, Massachusetts and North Carolina) require their registered car owners to have auto liability insurance. Every other state encourages auto liability insurance through its financial responsibility law. Under such a law, a person involved in an auto accident may be required to furnish security (usually auto liability insurance) up to certain minimum dollar limits. It goes without saying that auto insurance is a virtual necessity today.

But millions of licensed American drivers are finding it increasingly difficult to obtain adequate auto insurance coverages from the casualty insurance companies. For example: In South Carolina the consensus of underwriting guides of all companies writing auto liability insurance indicates that 83% of the insurance companies doing business in that state will not cover an auto if it has a driver 65 or older. In Kentucky an estimated 35% of that state's registered cars are uninsured.

The automobile insurance business is a giant among giants. In 1966, it wrote over $9 billion in premiums.

Year after year the big auto insurance companies have pleaded they would go broke without rate increases. Time after time State Insurance Commissioners have granted their demands.

In the last two years, for many of OCAW's members, auto insurance costs have gone up an average of 14%. The extra money paid for car insurance has swallowed up a good portion of many pay raises.

Although the giant stock auto insurers, who cry poverty, lost $275 million from their auto writings in 1965, they earned some $850 million from their investment income, which is mainly made off of policyholder's premiums. In 1966, these companies lost $100 million from auto writings, but made some $900 million in investment income, and because of their favorable Federal income tax position, their overall tax profits make them anything but poor.

But even after winning increased rates—authorized by state insurance commissioners in the public interest—the big companies are locked in competition for the "preferred risk drivers." These are people between the ages of 30 and 50 who don't drive their cars around much and haven't had any accidents.

Those who are not included in this prime risk category are paying more and more for their auto insurance and, in some cases, find it hard to get policies from reputable companies. The squeeze is hardest on those living in metropolitan centers. Many companies, it has been reported, will not write any business in poor Negro neighborhoods. Recently there have been complaints that paraplegic veterans have had policies cancelled—though these veterans drive specially equipped cars and have excellent driving records.

If a state requires or even encourages that autos be covered by insurance, then surely the state has an obligation to see that an adequate insurance market exists for all licensed motorists. The assigned risk plan, the specialty high-risk market, and the thought that auto insurance should be made available to all comers, are all directly the result of a social policy requiring and encouraging auto insurance.

But are the states seeing to it that auto insurance is available to their licensed drivers? And when a motorist, who cannot obtain insurance from a regular company, buys a policy from a company specializing in selling coverages to those not wanted by the regular companies, are the states doing everything possible to protect that motorist and the public from risk of loss due to the insolvency of the specialty company?

SENATE STUDIES

These are some of the questions that the U.S. Senate Antitrust & Monopoly Subcommittee insurance studies have been seeking to answer. In May, 1965, Senator Thomas J. Dodd (D-Conn.) conducted hearings for the Antitrust & Monopoly Subcommittee on high-risk auto insurance. These hearings produced a 670 page volume of testimony and documents. After the hearings, the Subcommittee continued to explore high-risk auto insurance, and auto insurance in general. This is some of what was found.

Since 1960, 65 companies writing motor vehicle insurance have been placed in liquidation or receivership. These companies were chartered in 22 states, and more than half of them were issuing policies in states in addition to their home state. Six were writing in 35 states or more.

The cost of these insolvencies has been heavy for some 300,000 policyholders and innocent third persons, many seriously injured in accidents. These claimants are seeking an estimated $600 million out of collectable assets of $25 million. "When this scandalous chapter in insurance history is finally closed," Dodd has said, "these claimants will have lost well over $100 million."

For example: In Pennsylvania, 15 companies failed since 1961 and 12 alone since January 1964. Six thousand accident victims have filed claims of $13 million against 7 of these companies. The Pennsylvania Insurance Department has placed a total value of over $5 million on 4,000 of these claims. These 4,000 claimants are seeking satisfaction out of $55,000 in assets of these defunct companies.

In Illinois, some 50,000 claimants are seeking over $150 million against 15 companies with collectable assets of $7 million. Even if these filed claims are worth only 20%, or $30 million instead of $150 million, claimants will average around 23 cents on the dollar.

In Texas, when one auto writer went bankrupt in 1963, it left 20,000 policyholders, many of them servicemen, without insurance protection.

These 65 companies were called "high-risk" because they write mainly coverages for motorists who were unable to obtain insurance from the regular companies. It is estimated that there may be more than 20 million motorists considered to be high-risk today.

According to the regular insurance companies, these motorists represent unprofitable business. Since these companies would rather compete for the preferred risk driver, they eliminate from consideration the more risky driver. By doing this the companies are able to curtail their underwriting losses.

FAST BUCK OPERATIONS

So by concentrating on the preferred risk motorist, the auto insurance industry has paved the way for a booming business by the high-risk specialty companies. But many of these during the past six years have been nothing more than fast buck operations.

It has been reported that nearly one-half of the 65 insolvencies were caused by acts of managerial fraud, and the remaining failures by inept insurance practices in some cases not quite indictable fraud. In a number of instances lax regulatory practices by state insurance departments, and even apathy, contributed directly to ultimate financial disaster.

From 1945 to date, years of unparalleled prosperity, and at the same time, a period of intensive State rate, reserve and investment regulation, auto insurance failures have cost the public $250 million.

LEGISLATION NEEDED

Three states—New York in 1947, New Jersey in 1952, and Maryland in 1965—recognized the wisdom of having guaranty or security funds to compensate the victims of auto insurer insolvencies. These states know that good insurance regulation encompasses quality examinations and a guaranty fund. This fact has long been known in the Federal government in the banking field. This is evidenced by the Federal Deposit Insurance Corporation (FDIC) and the Federal Savings and Loan Insurance Corporation (FSLIC).

Connecticut's Senator Dodd believes that the principles and features of FDIC and FSLIC, as well as the existing state auto insurer guaranty funds, could be successfully applied on a unified national basis to prevent tragic financial suffering caused by insurance company failure.

He introduced a bill, in the closing days of the 89th Congress, to establish a Federal Motor Vehicle Insurance Guaranty Corporation. This bill, known as S. 3919 in the 89th Congress, was co-sponsored by Senator Joseph Clark (D-Pa.), Senator Philip Hart (D-Mich.), chairman of the Senate Antitrust & Monopoly Subcommittee, and Senator Warren Magnuson (D-Wash.), chairman of the Senate Commerce Committee, which is the Senate committee to which the bill was referred.

Senator Dodd will reintroduce and press for action on his bill early in the upcoming 90th Congress. Senator Magnuson has said that he is hopeful that his Consumer Subcommittee (of the Commerce Committee) will consider this legislation during the next session and act favorably on it.

OCAW, through its legislative department, will request to be heard at these hearings. OCAW will support Dodd's bill as an essential first step toward remedying many of the auto insurance problems facing the consumer.

If an insurance company becomes insolvent, the policyholder and any accident victim would be protected much as the Federal Deposit Insurance Corporation and Federal Savings and Loan Insurance Corporation protects the public against the insolvencies of these institutions.

Other than insuring policyholders against loss due to the failure of their auto insurance company, the proposed bill would place the Federal examiner in the present insurance regulatory picture. The Corporation would be given broad examination powers to examine insurers making application for guaranty status, and those insurers whose policies have been guaranteed.

In the meantime, though, the powerful insurance industry, which is opposed basically to any insurance regulation, is taking a dim view of even Dodd's moderate bill—whose need is plain and demanding.

[From the Journal of Commerce, Jan. 6, 1967]

Pennsylvania Mutual Firm To Be Liquidated

Harrisburg, Pa., Jan. 5.—The Bankers Allied Mutual Insurance Co., Gettysburg, Pa., has been suspended from transacting further business in Pennsylvania, and Pennsylvania Insurance Commissioner Audrey R. Kelly will ask Dauphin County Court to designate the department as liquidator.

The department said that the company which was organized in 1954, changed hands on Dec. 31, 1965. The company specialized in "high risk" policies, according to insurance department officials.

Deputy Insurance Commissioner John A. Skelton said the state action came after a special audit was made because of complaints of unpaid claims which, Mr. Skelton reported, totaled $5,904,786.

According to the department's audit, the mutual last June 30 had liabilities of $10,178,760 and assets of $3,256,002, for a deficit of $6,922,758.

Commissioner Kelly said the company is "insolvent and in a hazardous condition."

FEDERAL ASSISTANCE IN THE IMPROVEMENT OF STATE AND LOCAL LAW-ENFORCEMENT AGENCIES

Mr. TYDINGS. Mr. President, I introduce, for appropriate reference, a bill entitled "Local Law Officers Education and Equipment Act," to provide Federal assistance for upgrading the technical capabilities of our police forces to provide for their training and educational opportunities, for career incentives, and to provide a Commission on Law Enforcement Assistance under the administrative provisions of the act.

Mr. President, the Preamble to the U.S. Constitution proclaims the establishment of justice and the insurance of tranquillity as two of the basic purposes of the American Union. Yet the problems of violent crime and criminal justice continue to gravely concern the American people, who rightly put "the crime problem" at the top of our list of national concerns.

Crime is increasing rapidly in the United States—more rapidly, in fact, than population.

More than 2,800,000 crimes were reported in our country in 1965, a 6-percent increase over 1964. At the present rate, serious crime is victimizing 14 of every 1,000 Americans every year.

To an extent this increase in "reported crime" may actually indicate just an improvement in gathering such statistics, rather than an increase in crime. But no increase in the rate of crime can be tolerated in the richest, best-educated, most powerful Nation in history. The people of the United States, through their local, State, and Federal governments, have the right not only to see the crime rate reduced, but also to be substantially protected from violent crime altogether.

Furthermore, we must take action to combat the kinds of crime which, though hard to tabulate in neat crime rates, threaten us even more seriously than violent crime. Organized crime and racketeering is reliably estimated to be the biggest, most profitable business in America, reaping billions of dollars a year from illegal enterprises. By delivering services the law forbids—like gambling, narcotics, illegal loans, and prostitution—the racketeers in America have reaped wealth sufficient to invade many forms of legitimate business activity.

Yet even as the racketeering and violent crime proliferate, a phenomenon afflicts our ability to deal with crime. To a frightening degree, the American law officer, particularly at the State and local level, seems to be viewed by many law-abiding citizens as less and less a friendly protector and more and more some kind of fearsome oppressor. In making investigations and arrests, policemen sometimes not only have to deal with the suspect, but also have to fight off an angry crowd of bystanders who take the side of the suspect against the law officer. At the same time, many law officers seem to feel increasingly estranged from the support of their local communities, to such an extent, in fact, that extremist organizations can make support of local police an attractive plank in their otherwise deluded programs.

Thus, even as we confront a rising tide of violence in the streets and even more dangerously illegal activities behind the doors of apparently respectable enterprises, we are handicapped by a growing gulf of misunderstanding between the average community resident and his police.

FEDERAL ACTION

Under President Johnson's leadership, the Federal Government has, within the last 2 years, taken far-reaching action to provide the laws, equipment, training, and facilities necessary to combat crime in America.

In 1965, Congress enacted the Law Enforcement Assistance Act to provide some forms of Federal aid to local law enforcement agencies, especially by developing new forms of equipment, training, and operating procedures. That act was further usefully expanded last year.

Congress last year authorized the President to establish a Commission to study our criminal law and procedures and to recommend total revision and modernization of our existing Federal criminal law by 1968.

Within the Congress, the Senate has established a new special Subcommittee on Criminal Laws and Criminal Procedures, in addition to its existing Juvenile Delinquency.

At the same time, the President created two commissions on crime—one a National Crime Commission and the other particularly for the District of Columbia—to make intensive studies into the causes of crime, our present shortcomings in dealing with crime, and specific suggestions for reform. The District of Columbia Crime Commission has already made its report. The National Crime Commission will report this month.

The President's National Commission on Crime will doubtlessly propose specific solutions to the problems of crime and law enforcement. I hope and expect these suggestions will cover not only violent crime control, but also the far more difficult question of racket control and the role and status of police in our communities.

But even now, as we await the Crime Commission's report, we know some aspects of the crime crisis can be solved if the American people are willing to take the necessary steps.

LAW OFFICERS' SALARIES

One major deficiency in our law enforcement effort today is the shockingly low pay scales in most of our police departments. Today about half of the cities in our country pay police a starting salary of less than $5,000 a year. In one-sixth of our cities, $5,000 is the maximum police pay. That is $600 less than the average factory wage in America.

If the citizens of this Nation want adequate police protection, they must raise these scandalously low police pay scales, which today require a man to make a financial sacrifice to risk his life for the public safety. Today's law enforcement salary scales are not calculated to attract and hold the kind of man law enforcement work demands.

POLICE EQUIPMENT

Our police are our first line of defense against crime. They patrol the beats, assemble the clues, and tirelessly pursue the investigations which lead to criminal convictions. They daily place their lives in the balance, intervening against threatened lawbreakers and pursuing and apprehending those who commit crime.

Our police deserve—and the safety of our society demands—that we equip our police with the latest and best equipment which money can buy.

Typical of the kind of recent scientific developments with direct law enforcement application are computer technology and television tape recording.

Computers can store and rapidly retrieve millions of pieces of data regarding the operating methods of known criminals; fingerprints; stolen property; and precise information regarding individual crimes and criminals. Just last week, the FBI inaugurated such a crime control computer network to provide 15 local and State law enforcement agencies quick access to relevant information as they analyze criminal cases. Regional computer centers and statewide systems might also be established and far more State and local agencies than these original 15 should be tied into the national center.

Television tape recording techniques also hold great promise, particularly in police interrogation of suspects. Too frequently, criminal convictions have had to be reversed by appellate courts, after long and expensive appeals, on the ground that a confession in the case was obtained by illegal means.

The police and the suspect, as well as the courts, deserve a surer, cheaper, and fairer system than the present prolonged and costly appeals system for verifying what actually happened during a police investigation. If local police could record the questioning of suspects on television tape, the legality of a confession could be proved in the trial court by actually reproducing the relevant portions of the interrogation.

Many of these new scientific techniques, like the FBI computer center, are already in use. But many cities will be long delayed in taking advantage of this available technology simply because they cannot afford it. We must find a way to make law enforcement technology available to our cities sooner.

LAW OFFICER EDUCATION

Our policemen hold the most dangerous, delicate, and difficult jobs in America. A partial list of a policeman's skills must include marksmanship, solving family disputes, ambulance driving, guarding dignitaries, directing traffic, giving first aid, catching lawbreakers, testifying in court, controlling crowds, suppressing riots, finding pets, destroying dangerous animals, teaching safety, giving directions, locating stolen goods, subduing the insane, advising delinquents, and interrogating suspects. No task seems too difficult, too dangerous, or too discomforting to ask a policeman to do it.

Yet the average policeman, whom we expect to have the wisdom of Solomon, the patience of Job, as well as the strength of Samson, has at best a high school education.

In a nation which prides itself on having the world's best and most universally accessible school system, in which nearly 25 percent of its people finish college, we make the job of protecting society so unattractive that college graduates will not enter into it, and we pay so little for police work that those engaged in it can ill-afford to pay their own way for further education. We must provide means for members of our police forces to further their education while members of the force, and incentives for college graduates to enter law enforcement work.

IMMEDIATE ACTION FOR LAW OFFICER EDUCATION AND EQUIPMENT

Our cities have, within the last decade, doubled their expenditures for law enforcement. Nonetheless, police pay remains scandalously low, available police equipment has not been purchased, and sufficient educational opportunities for law enforcement officers have not been provided. The reason local police needs have not been met can be summed up in a single word: money. Pressed to provide long-neglected government services to a rapidly expanding and increasingly complex society, State and local government, despite an increase of 125 percent in government expenditures during the last decade alone, have not raised enough tax revenues to pay for adequate police services.

I have proposed a Federal tax-sharing proposal with the States, under which 1 percent of Federal income taxes would be returned, without strings, to the States and cities to meet their financial crises. But I am not optimistic that even these funds would be sufficient to meet local law enforcement needs, nor do I think we can afford to wait for this tax-sharing concept to find its way into law. In light of the magnitude of America's crime problem, I propose that the Federal Government go to the aid of our cities and counties to help them pay the cost of effective modern law enforcement.

Though I believe the prevailing shamefully low police pay levels are one of the greatest handicaps we suffer in dealing with crime, I do not propose that the Federal Government subsidize local police salaries. To the extent the Federal Government paid part of a policeman's pay, he would be, to that extent, no longer an employee of his local police force. We should take no step which could lead to a national police force.

But I do propose that the Federal Government go to the aid of State and local law enforcement forces by helping them procure modern police equipment and by providing them with educational opportunities, so that the quality of local law enforcement can be improved, even as additional local revenues are freed to increase police pay. Therefore, I introduce, for appropriate reference, the Local Law Officers Education and Equipment Act, to provide Federal assistance for upgrading the technical capabilities of our police forces, to provide them training and educational opportunities and career incentives, and to provide a Commission on Law Enforcement Assistance to administer the provisions of the act.

First, to assist American communities to meet the needs of their State and local police forces for modern law enforcement equipment, I propose that the Federal Government join State and local governments in a financial partnership to buy the kinds and quantities of modern police equipment necessary to substantially enlarge our ability to detect and apprehend lawbreakers.

Second, to make knowledge of the latest scientific techniques and equipment available to our Nation's law enforcement agencies, I also propose creation of a Division of Law Enforcement Research and Development within the Department of Justice, to be responsible for continually surveying the research and development efforts of all Federal agencies and private industry, in order to gather and dissiminate to law enforcement agencies at all levels of government information regarding the latest scientific developments which have application to law enforcement.

Third, because our society can best be served only by the best educated police force, I propose that Federal assistance be provided so that State and local law enforcement officers may pursue college courses in either police or correctional work or such other courses and subjects leading to degrees as they may choose. We should provide, through the Federal Government, full tuition and fees for policemen of 2 years' experience who pursue college courses leading to degrees and who agree to remain in police work for 2 years after that education is completed. We should provide fellowships, paying full tuition and fees, plus a reasonable stipend, to State and local law enforcement officers who pursue courses directly related to their law enforcement work.

Fourth, to provide an additional source of qualified personnel for police work, I propose that college students who have received education loans under the National Defense Education Act be allowed to "work off" 50 percent of such loans by employment in a public law enforcement agency for 2 years after graduation.

Fifth, to provide cross-fertilization between police departments of the best law enforcement techniques, I propose that Federal assistance be made available to State and local law enforcement officers, especially those engaged in supervisory, planning, or instructional positions, to visit other law enforcement agencies, both here and abroad, to study the techniques of these other law enforcement agencies.

Sixth, to insulate local law enforcement agencies aided by this bill from Federal interference, I propose creation of a National Commission on Law Enforcement Assistance, made up primarily of members from private life, to administer the provisions of this bill and report to the Congress thereon.

Mr. President, I ask unanimous consent that at this point in the RECORD a fuller explanation of the principal features of the bill I propose be inserted and that the full text of the bill be printed at the conclusion of these remarks; and that the bill lay on the table for 10 days for additional cosponsors.

The explanation presented by Mr. TYDINGS is as follows:

THE LOCAL LAW OFFICERS EDUCATION AND EQUIPMENT ACT

PURPOSE

To provide a measure of Federal assistance for the improvement of State and local law enforcement through acquisition of modern crime prevention and detection devices for State and local law enforcement agencies and provisions of educational opportunities to their personnel.

TITLE I—NATIONAL COMMISSION ON LAW ENFORCEMENT ASSISTANCE

To secure State and local police forces receiving aid under this bill from interference by or assimilation into the Federal government as a result of such aid, the bill creates a National Commission on Law Enforcement Assistance, to administer the assistance provided for by the bill and to report at least annually to the Congress regarding its operation and effectiveness.

The Commission will have nine (9) members, three appointed by the President from among the officers of the Federal government (one of whom shall be the Attorney General, who will also be Chairman of the Commission), six (6) appointed by the President from private life. Except for the Attorney General, whose membership on the Commission will be permanent, all members will serve staggered three-year terms. No more than three of the members from private life selected by the President can be of the same political party.

The Commission will meet as frequently as necessary to pass upon the applications of law enforcement agencies and personnel for assistance under the Act and to evaluate the program and make its report thereon to the Congress. Members of the Commission, except the government members, will receive only per diem allowance for their activities and will not be Federal employees.

The Commission will be specifically charged not only with the administration of the Act, but also with so administering it as not in any way to subvert or decrease the independence of local police departments from the Federal government. Within this general restriction, the Commission will have broad discretion in apportioning the assistance for equipment provided by the bill, although a prime consideration in such apportionments must be the crime rate in relation to the density of population in the area in question. For example, as between two applications of otherwise equal merit, a preference will be assigned to the area with the greater crime rate per 1,000 people.

The Commission may draw on the Justice Department and, in cases of foreign travel grants, the State Department, for such staff work as will be necessary to execute its functions.

TITLE II—EQUIPMENT GRANTS

Title II provides a formula for Federal-State-local sharing of the costs of procuring modern equipment for State and local police use. The bill sets out by way of example (but not exclusion) some of the kinds of equipment procurement (by rental or purchase) which may be assisted, including: communications systems; accident investigating devices; non-lethal riot control devices; automatic data processing equipment; video tape and sound equipment; crime laboratory equipment; and such other equipment as may be necessary to operate and maintain, as well as instruct in the use of, the equipment provided for by this bill.

The cost-sharing formula provided by the bill for such equipment expenses is intended to encourage State and local participation in and responsibility for the law enforcement improvement that equipment will make possible. The formula will provide 30% Federal funding of such equipment costs when the local government share provides the rest of the money, but 50% Federal funding when a State government provides 20% of the local costs. Thus, the more a State helps a city or county upgrade its police department, the less it costs the local taxpayer.

TITLE III—LAW ENFORCEMENT RESEARCH AND DEVELOPMENT

Title III creates the Division of Law Enforcement Research and Development within the Department of Justice to survey the $15 billion-a-year Federal research and development efforts, as well as those in private industry, to collect therefrom innovations applicable to law enforcement, and to disseminate information regarding those innovations to the nation's law enforcement agencies at every level of government. The Division will undertake no R and D of its own.

The Chief of the Law Enforcement Research and Development Division will be appointed by the Attorney General, who will report periodically to the National Commission on Law Enforcement and at least annually to the Congress regarding the Division's activities.

TITLES IV AND V—LAW ENFORCEMENT OFFICERS TRAVEL GRANTS

These two titles, the first dealing with foreign travel and the second with domestic, will provide 100% Federal assistance to pay the travel and per diem expenses of State and local law enforcement officers to study the organization, methods and equipment of other law enforcement agencies, both here and abroad, in order to secure a cross-fertilization within American police departments of the best domestic and foreign law enforcement theory and practice.

Personnel eligible for such assistance will include not only police, but also correctional officials such as parole officers and prison officials. Candidates for such assistance will be selected by their own supervisors and approved for such assistance by the National Commission.

TITLE VI—NATIONAL DEFENSE EDUCATION ACT AND LOAN FORGIVENESS

To encourage college graduates to enter law enforcement work, this title provides that 50% of the amount of a National Defense Education Act loan made to a college student may be "worked off" if the student spends two years after graduation working for a public law enforcement or correctional agency.

TITLE VII—EDUCATIONAL OPPORTUNITY FOR LAW ENFORCEMENT PERSONNEL

To provide the means and incentive for members of State and local law enforcement and correctional agencies to continue their education while members of such agencies, this title provides educational assistance modeled on the educational benefits provided by the G.I. Bill and the Armed Forces.

For local law enforcement and correctional personnel who wish to pursue a part-time course of studies leading to a degree, but not directly related to police work, the bill provides the cost of tuition and fees. In return, the assisted person who must have first been a member of a State or local law enforcement or correctional agency for at least two years, must agree to remain with that agency for at least two years following the last month in which such aid is given.

TITLE VIII

The bill provides full tuition and fee fellowships for law enforcement officers whose agency sends them to an educational institution for specialized training directly related to their police work.

Mr. TYDINGS. Mr. President, I believe the Local Law Officers Education and Equipment Act can substantially improve the quality and capabilities of our law enforcement officers. But it represents only a partial answer to the crime problem we face.

The police can act against crime only when there is a threat to break the law or a crime has already been committed. The police cannot, no matter what skills and tools they have, change the character of those who have not yet broken the law or who have been convicted for crimes they have committed.

Crime cannot be prevented solely through heavy penalties and swift enforcement. Hanging starving beggars for stealing pennies did not prevent the stealing of pennies in Pickwick's England. We will not be free from crime as long as fathers cannot find work to feed their families because they lack the skills required in 20th-century America. We will not be free from crime as long as young people are condemned to poverty because of the color of their skin or a second-rate education.

Nor will we rid ourselves of rackets and the dangers they pose to American life as long as "respectable" citizens are willing to turn to the underworld for gambling where the law forbids it and for loans where the legitimate creditors consider the risk unreasonable.

Clearly, too, more effective State and national regulatory laws to aid police officers must be enacted. We need better narcotics laws to reduce the drug traffic and better rehabilitate addicts. We need national firearms control legislation which, while observing sportsmen's interests, keeps lethal weapons from the hands of children, felons, and maniacs. We need new correctional procedures to rehabilitate and reform criminals rather than merely caging them for the term of their sentence, exposing them to an environment which can only make them more dangerous to society after release.

All these things and more we need to meet the problem of crime in our Nation. But basic to the struggle against crime is the will of our people. Are we willing to pay the cost of adequate police pay and equipment? Are we prepared to pay the cost of replacing the slums and schools where deprivation and despair breed rebellion against society and recklessness for the future? Are we teaching our children, by our own example, respect for law and its officers? Are we refusing to cut corners in our own lives so that the rackets have no market for their illegal wares? In short, do we have the national will to stop crime?

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and explanation will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from Maryland.

The bill (S. 824) to provide assistance for the improvement of State and local law-enforcement agencies through acquisition of equipment for those agencies and provision of educational opportunities to their personnel, and for other purposes, introduced by Mr. TYDINGS, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 824

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Local Law Officers Education and Equipment Act."

TITLE I—NATIONAL COMMISSION ON LAW ENFORCEMENT ASSISTANCE

SEC. 101. For the purpose of administering and supervising the administration of Titles II, IV, and V of this Act, there is hereby established in the Executive Office of the President a Commission to be known as the National Commission on Law Enforcement Assistance (hereinafter referred to as the "Commission").

SEC. 102. (a) The Commission shall be composed of nine members appointed by the President as follows:

(1) the Attorney General;

(2) two officers of the executive branch of government;

(3) six members from the general public: *Provided, however,* that no more than three of such members shall be of the same political party.

(b) Except for the Attorney General who shall be a permanent member of the Commission, the term of office of each of the other members of the Commission shall be three years except that, of the first eight appointments, four shall be for a term of two years and four shall be for a term of three years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor is appointed shall be appointed for the remainder of such term.

(c) The Attorney General shall be Chairman of the Commission.

(d) Five members of the Commission shall constitute a quorum. A vacancy in the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment or designation was made.

(e) The Commission is authorized to adopt such rules and regulations as it may deem necessary to carry out the authority conferred upon it by this Act.

(f) For the purpose of assisting in the implementation and operation of titles II and V of this Act, the Attorney General shall make available to the Commission staff assistance from within the Department of Justice.

(g) For the purpose of assisting in the implementation and operation of title IV of this Act, the Secretary of State shall make available to the Commission staff assistance from within the Department of State.

SEC. 103. The Commission shall submit to the President and to the Congress not later than January 31 in each year a report detailing the activities of the Commission during the preceding calendar year with specific reference to the number and nature of requests made, granted and denied under titles II, IV, and V of this Act, and the uses to which grants were put by the agency or individual receiving them.

SEC. 104. Nothing contained in this Act shall be construed to authorize any department, agency, board, commission, officer or employee of the United States to exercise any direction and control over the organization, administration, or personnel of any State or local law enforcement or correctional agency.

TITLE II—ACQUISITION OF LAW ENFORCEMENT EQUIPMENT AUTHORIZATION

SEC. 201. (a) The Commission is authorized to make grants pursuant to the provisions of this title during the fiscal year ending June 30, 1968, and for each of the two succeeding fiscal years for the purpose of assisting State and local law enforcement agencies to acquire equipment of proven effectiveness to improve their capacity in the prevention and control of crime.

(b) For the purpose of making grants under this title there is authorized to be appropriated $80,000,000 for the fiscal year ending June 30, 1968, $120,000,000 for the fiscal year ending June 30, 1969, and $160,000,000 for the fiscal year ending June 30, 1970.

Uses of grants

SEC. 202. Grants under this title may be used, in accordance with applications approved under Section 203, for carrying out the purpose of this title, which shall include, but is not limited to, the acquisition of—

(1) police communications systems;

(2) accident prevention and investigation equipment;

(3) non-lethal riot control devices;

(4) automatic data processing equipment;

(5) video tape and sound recording equipment for use in transcribing interrogations in the course of law enforcement investigations;

(6) equipment for crime detection and analysis laboratories; and

(7) ancillary equipment and supplies necessary for operation, maintenance and instruction in the use of the equipment acquired under this title.

SEC. 203. (a) A grant under this title may be made to a local law enforcement agency or agencies, but only upon an application submitted to the Commission at such time or times, in such manner, and containing such information as the Board deems necessary. Such application shall—

(1) set forth a program for the acquisition of equipment which carries out the purposes set forth in the preceding section;

(2) provide assurances that the State or local law enforcement agency, or both, will pay from non-Federal sources the remaining cost of such programs;

(3) provide that such agency or agencies will make such reports in such form and containing such information as the Board may reasonably require; and

(4) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this title.

(b) The Board may approve applications for grants under this title or any modifications thereof, only if—

(1) the application meets the requirements set forth in subsection (a) of this section;

(2) the application demonstrates that the agency has a need for the equipment;

(3) the equipment to be purchased is of proven effectiveness;

(4) the equipment can be expected to assist in the prevention, detection, or control of criminal activity, or in the administration or operation of the agency; and

(5) in the case of applications for an increased Federal share in accordance with section 204(b), the application from the local law enforcement agency or agencies within a State has been approved by a State agency designated or created for the purpose of this subsection.

(c) In considering applications for grants under this title, the Commission shall consider the density of the population and the crime rate in the area served by the agency making application for a grant and, if the other requirements of this section have been satisfied, the Commission shall give preference in the making of grants to agencies serving more densely populated areas with the highest crime rates.

Payments

SEC. 204. (a) the Commission shall pay to each local law enforcement agency in that State which has an application approved under section 203(b) an amount equal to the Federal share of the amount needed for the purposes set forth in such application.

(b) For the purposes of subsection (a), the Federal share for each applicant shall be 30 per centum for each fiscal year, but such share shall be increased to 50 per centum for any fiscal year if a State agrees to pay 30 per centum of the amount needed to accomplish the procurement or acquisition approved under section 203(b) for that year.

(c) Payments under this title may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

Definition

SEC. 205. As used in this title, the term "State" includes the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territories of the Pacific Islands.

TITLE III—DIVISION OF LAW ENFORCEMENT RESEARCH AND DEVELOPMENT

SEC. 301. There is established under the jurisdiction of the Department of Justice a division to be known as the Division of Law Enforcement Research and Development; said division shall be vested with the duty of acquiring, collecting, classifying and preserving information concerning innovations and devices applicable to law enforcement and corrections and making such information available to State and local law enforcement and correctional agencies.

SEC. 302. The cost of such acquisition, collection and dissemination shall be paid from appropriations made to the Department of Justice, unless otherwise provided by law.

TITLE IV—INTERNATIONAL EXCHANGE PROGRAM

Statement of purpose

SEC. 401. It is the purpose of this title to expand and improve the techniques, capabilities and practices of State and local agencies engaged in law enforcement, the correction of offenders, and the prevention and control of crime by providing to eligible police officers in State and local law enforcement agencies and correctional institutions an opportunity to visit, for the purpose of study and observation, law enforcement and correctional agencies of foreign governments.

Definition of eligible police officer

SEC. 402. As used in this title, the term "eligible police officer" means any person who—

(1) is employed in a supervisory, planning, or instructional position by a public State or local law enforcement agency or public correctional institution; and

(2) has at the time of application for a grant under this part been so employed by any such agency or institution for at least six years.

Authorization

SEC. 403. The President is authorized in accordance with the provisions of this part to provide by grant, contract or otherwise for the travel and study abroad of eligible police officers who are selected for such travel by the Commission.

Limitation

SEC. 404. No travel grant may be made to an eligible police officer under this part, unless—

(1) he makes an application therefore in such manner and at such time as the Commission may prescribe containing a written statement setting forth the intended purpose of the travel, and its relevance to his present or future duties;

(2) he has at the time of such application been employed by a public State or local law enforcement agency or correctional institution in an executive, management, command, or instructional position;

(3) the law enforcement agency or correctional institutions employing such officer certifies its desire to have him perform the travel and conduct the study; and

(4) the foreign governmental agency to be visited agrees to cooperate with the contemplated study visit.

Appropriations authorized

SEC. 405. For the purpose of carrying out the provisions of this title there is authorized to be appropriated $150,000 for the fiscal year ending June 30, 1968, and for each of the two succeeding fiscal years.

TITLE V—TRAVEL AND STUDY WITHIN THE UNITED STATES PROGRAM AUTHORIZED

SEC. 501. (a) The Commission is authorized to conduct either directly or by means of grant of contract a program for the temporary exchange of personnel of State and local law enforcement agencies and correctional institutions for periods not to exceed ninety days to permit such personnel to observe and study the operation of other such agencies or institutions within the United States.

(b) Each person who participates in the exchange program authorized in this part shall be eligible (after application therefor) to receive a stipend at the rate of $100 per week for the period of his travel and study, and travel expenses as authorized by section 5703 of Title 5 of the United States Code for persons in Government service employed intermittently.

Eligible officers

SEC. 502. Officers eligible to perform study and travel under this title shall be those employed by State and local law enforcement and correctional agencies in supervisory, planning, or instructional positions or those designated by such agencies to develop or modify operational or administrative procedures.

Appropriations authorized

SEC. 5. There is authorized to be appropriated to carry out the provisions of this part $450,000 for the fiscal year ending June 30, 1968 and for each of the two succeeding fiscal years."

TITLE VI—AMENDMENT TO NATIONAL DEFENSE EDUCATION ACT OF 1958

SEC. 601. Section 205(b)(3) of the National Defense Educational Act of 1958, as amended (78 Stat. 1102; 79 Stat. 1253; 20 U.S.C. 425(b)(3), is further amended by (1) inserting the words "or as a full-time law enforcement or correctional officer with a Federal, State, or local agency," after the words "United States," and (2) by deleting the word "academic" and the words "or its equivalent" where they first appear.

TITLE VII—TRAINING GRANTS FOR STATE AND LOCAL LAW ENFORCEMENT AND CORRECTIONAL PERSONNEL

Appropriations authorized

SEC. 701. To enable the Attorney General to make payments in accordance with the provisions of this title to eligible police officers in order that such officers may more easily participate in general educational and training programs offered by institutions of higher education, there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

Definitions

SEC. 702. As used in this title—

(a) The term "eligible police officer" means any person who—

(1) is employed by a public State or local law enforcement agency or public correctional institution, and

(2) has at the time of application for payment under this title been so employed by any such agency or institution for at least two years.

(b) The term "institution of higher education" means an educational institution in any State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized within such State to provide programs of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association, or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited. Such term also includes any business school or technical institution which meets the provisions of clauses (1), (2), and (5). For purposes of this subsection, the Attorney General shall consult the Commissioner of Education to obtain a list of nationally recognized accrediting agencies or associations.

Payments authorized

SEC. 703. (a) The Attorney General is authorized to make payments under the provisions of this title to institutions of higher education or to other agencies or institutions approved by him for the purposes of this title. Such payments shall be for the tuition and fees of eligible police officers, who apply therefor, not to exceed $300 per semester during the period of attendance, full or part-time, by such police officers at any such institution or agency, while the officer is making satisfactory progress in such program or course.

(b) No payment shall be made to an institution of higher education in behalf of an eligible police officer under this title for any period during which he is enrolled in and pursuing a training program or a course of study paid for by the United States under any provision of law other than this Title or Title VIII of this Act, where payment of such grant would constitute a duplication of benefits paid to the eligible police officer from the Federal Treasury.

(c) No payment shall be made to any eligible police officer initiating his training program or course of study after June 30, 1975.

Applications and reports

SEC. 705. (a) Any eligible police officer who desires payments under this title shall file an application with the Attorney General in such form and containing such information as the Attorney General determines necessary.

(b) The Attorney General shall require reports containing such information in such form and to be filed at such time as he determines necessary from each eligible police officer receiving the benefit of payments under this title.

(c) The Attorney General shall make arrangements with institutions of higher education and other agencies and institutions approved by him for the purposes of this title providing for reports to be filed in the manner prescribed by him on the enrollment, interruption, and termination of the program of training or the course of study of each eligible police officer enrolled therein and receiving payments under this title. The Attorney General is authorized to pay to such agencies and institutions the costs incident to the filing of such report. No payment shall be made to such agencies or institutions for the period during which such reports were not submitted as required by this subsection.

TITLE VIII—FINANCIAL ASSISTANCE FOR THE IMPROVEMENT OF STATE AND LOCAL LAW ENFORCEMENT AGENCIES AND PERSONNEL

SEC. 801. Section 2 of the Law Enforcement Assistance Act of 1965 (79 Stat. 828) is amended to read as follows:

SEC. 2. For the purpose of improving the quality of State and local law enforcement and correctional personnel, and personnel employed or preparing for employment in programs for the prevention, detection, or control of crime, the Attorney General is authorized (1) to make grants to, or to contract with, any public or private nonprofit agency, organization, or institution for the establishment (or, where established, the improvement or enlargement) of programs and facilities to provide professional training and related education to such personnel, and (2) to award traineeships or fellowships to such personnel for study in accredited colleges or universities related to law enforcement, crime detection or corrections, the development of professional skills, or the application of knowledge and technology to law enforcement problems.

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair, pursuant to the order of the Senate of January 24, 1901, appoints Mr. COTTON, of New Hampshire, to read Washington's Farewell Address on February 22 next.

The Chair, also, in accordance with Public Law 80–843, appoints Senators MORSE and DOMINICK to attend the International Labor Conference, to be held in Geneva, Switzerland, on June 7–29, 1967.

ADJOURNMENT

Mr. MONRONEY. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 12 o'clock tomorrow noon.

The motion was agreed to; and (at 5 o'clock and 28 minutes p.m.) the Senate adjourned until tomorrow, Friday, February 3, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 2, 1967:

POSTMASTERS

ALABAMA

Nettie R. Dorsett, Eastaboga, Ala., in place of M. C. Brown, retired.

Robert L. Catrett, Stockton, Ala., in place of Pearl Stanton, retired.

ARIZONA

C. Wendell Shelley, Joseph City, Ariz., in place of W. C. Shelley, retired.

Charles R. White, Sedona, Ariz., in place of H. B. Roberts, resigned.

CALIFORNIA

Robert S. Nelson, Alturas, Calif., in place of N. W. Smith, retired.

T. Carol Shahan, Knightsen, Calif., in place of R. L. Winter, retired.

Kenneth V. Petro, Lakeport, Calif., in place of W. M. Patterson, resigned.

Ben Garden, Los Alamitos, Calif., in place of B. I. Dunn, retired.

Wanda H. Davis, Wilseyville, Calif., in place of M. L. Dietz, retired.

CONNECTICUT

Anne C. Freeman, Lebanon, Conn., in place of V. P. Kelley, retired.

FLORIDA

Dennis E. Allen, Crystal River, Fla., in place of G. E. Moon, retired.

GEORGIA

Mary L. Coleman, White Plains, Ga., in place of S. G. Jones, retired.

Lucille S. Spratlin, Winterville, Ga., in place of R. J. Chandler, deceased.

ILLINOIS

Robert L. McKelvey, Keithsburg, Ill., in place of G. E. Leibengood, resigned.

INDIANA

Kenneth N. Crandall, Fremont, Ind., in place of L. A. Doster, retired.

Rose L. Campbell, St. Anthony, Ind., in place of Dora Troxler, retired.

KANSAS

Warren L. Mann, De Soto, Kans., in place of M. F. Atkinson, retired.

Joseph W. Henkle, Sr., Great Bend, Kans., in place of Jack Morrison, Jr., deceased

Lois E. Strnad, Munden, Kans., in place of C. W. Horak, retired.

D. Beth Whitman, Paradise, Kans., in place of H. W. Harrell, retired.

James H. Piland, Waldo, Kans., in place of J. R. Hubbard, retired.

KENTUCKY

Edward K. White, Perryville, Ky., in place of V. B. Pittman, retired.

Jack Stumbo, Prestonsburg, Ky., in place of B. S. May, retired.

Margaret J. McAllister, South Shore, Ky., in place of O. M. Brown, retired.

LOUISIANA

Paul T. Buras, Boothville, La., in place of M. W. Gille, retired.

Robert N. Williamson, Dubach, La., in place of R. G. Roberson, transferred.

Mary D. Methvin, Simsboro, La., in place of J. M. Murphy, retired.

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Marcia J. Roberson, Sterlington, La., in place of S. F. Milstead, retired.

MAINE

Hayden E. Fairbanks, Phillips, Maine, in place of Embert Worcester, deceased.

Leonie M. Lagasse, Saint Agatha, Maine, in place of G. E. Dugal, retired.

MARYLAND

Mary L. Mattingly, Chaptico, Md., in place of Z. M. Fowler, retired.

Francis P. Manning, College Park, Md., in place of J. O. Shank, retired.

MASSACHUSETTS

Edward F. Leddy, East Taunton, Mass., in place of E. M. O'Conner, retired.

MICHIGAN

George C. Paine, Fenton, Mich., in place of C. H. Thompson, retired.

Alfred L. C. Pullen, Marion, Mich., in place of L. C. Willer, transferred.

Jesse E. Willerton, Snover, Mich., in place of B. M. McElhinney, retired.

MINNESOTA

Clarence R. Gagner, Brooks, Minn., in place of G. R. Laniel, deceased.

B. Earl Loeffler, Fergus Falls, Minn., in place of J. L. Townley, Jr., retired.

Walter W. Wandschneider, Lengby, Minn., in place of K. W. Ringstad, deceased.

Leslie W. Cook, Mahnomen, Minn., in place of E. F. Zalusky, removed.

MISSISSIPPI

William L. Laughter, Batesville, Miss., in place of D. V. Ferrel, deceased.

Eugene R. Stamper, Chunky, Miss., in place of A. A. Vance, retired.

William A. Moser, Richton, Miss., in place of J. D. Buckalew, transferred.

MISSOURI

Arthur J. Fiene, Alma, Mo., in place of F. T. McClure, deceased.

Clyde A. Davis, Cuba, Mo., in place of F. H. Myers, retired.

Albert J. Robertson, Denver, Mo., in place of Lawrence Ruckman, retired.

Oscar J. Torrence, Herculaneum, Mo., in place of M. F. Boyer, deceased.

James N. Whitehead, High Ridge, Mo., in place of L. E. Frohse, retired.

NEBRASKA

John C. Theobald, Beaver City, Nebr., in place of C. W. Kelley, retired.

Glen V. Severin, Crete, Nebr., in place of Louis Kerst, retired.

Marjorie M. Felps, Shelton, Nebr., in place of H. S. Conroy, deceased.

NEW HAMPSHIRE

Gilbert L. Hambleton, Hampton Falls, N.H., in place of R. P. Merrill, retired.

NEW JERSEY

Jean M. Hickman, Cedarville, N.J., in place of Mildred Jerrell, deceased.

John J. Schettino, Fanwood, N.J., in place of V. K. Christie, retired.

Clair J. Nenno, Riverside, N.J., in place of Herbert Schneider, retired.

NEW YORK

Samuel N. Sackett, Apalachin, N.Y., in place of J. D. Megivern, Jr., resigned.

Lewis E. Lasher, Germantown, N.Y., in place of H. O. Denegar, retired.

Joseph R. Fallon, Pittsford, N.Y., in place of T. D. Cloonan, deceased.

Anthony F. Gadzinski, Riverhead, N.Y., in place of H. T. Hubbard, retired.

Huldah J. Murphy, Silver Lake, N.Y., in place of V. I. Kelly, retired.

Edgar H. Jay, South Dayton, N.Y., in place of A. D. Seeber, retired.

Felix Masterson, Valhalla, N.Y., in place of P. J. Grueninger, retired.

Forrest M. Lanfair, Warrensburg, N.Y., in place of S. A. Farrar, retired.

Curtis T. Dettling, Worcester, N.Y., in place of H. V. Galer, retired.

NORTH CAROLINA

Donald B. Harris, Monroe, N.C., in place of A. D. Baucom, Sr., deceased.

Mark C. Liddell, Southern Pines, N.C., in place of A. G. Pierce, resigned.

NORTH DAKOTA

Myles F. Boyle, Buchanan, N. Dak., in place of S. A. Klose, deceased.

OHIO

John C. Williams, Alger, Ohio, in place of B. R. Mulholland, retired.

Richard W. Spencer, Hiram, Ohio, in place of W. F. Grosse, deceased.

Herbert C. Willey, Pataskala, Ohio, in place of F. L. Biggs, deceased.

OKLAHOMA

Barbara J. Sweger, Talala, Okla., in place of E. F. Neely, retired.

Kenneth J. Driskill, Temple, Okla., in place of N. M. Dilks, retired.

OREGON

Norman J. Fischer, Mount Hood, Oreg., in place of D. E. Tomlin, resigned.

PENNSYLVANIA

Albert I. Nagle, Auburn, Pa., in place of S. U. Marbarger, retired.

Mario J. Gabrielli, Avella, Pa., in place of E. V. Brown, retired.

Edwin J. Caprioli, Canadensis, Pa., in place of Willard Price, retired.

James F. Beck, Center Valley, Pa., in place of John Blackwood, Jr., resigned.

Richard R. Bell, Clintonville, Pa., in place of H. H. Hunter, retired.

Earl L. Neff, East Prospect, Pa., in place of K. H. Sitler, retired.

Sheldon E. Kleintob, Huntington Mills, Pa., in place of F. E. Holmes, retired.

SOUTH CAROLINA

James H. Seay, Moore, S.C., in place of M. L. Turner, retired.

SOUTH DAKOTA

Melvin D. Engelbrecht, Garretson, S. Dak., in place of A. M. Hudgel, retired.

TENNESSEE

Dorothy L. Bridges, Milledgeville, Tenn., in place of J. O. Lott, deceased.

Luther W. Payne, Telford, Tenn., in place of I. B. Wassom, retired.

TEXAS

Ruby M. Mouser, Spade, Tex., in place of M. L. Wallace, retired.

Gerhardt H. Witte, Yoakum, Tex., in place of C. M. Hagan, removed.

UTAH

Velda J. Jensen, Castle Dale, Utah, in place of D. N. Dennison, retired.

Russell G. Coster, West Jordan, Utah, in place of E. M. Williams, deceased.

VIRGINIA

Ralph C. Wall, Axton, Va., in place of T. S. Terry, retired.

Joseph D. Mann, Colonial Heights, Va., in place of I. L. Potts, retired.

Claude I. Guinn, Culpeper, Va., in place of D. J. Kilby, retired.

Marguerite F. Maupin, Free Union, Va., in place of C. G. Maupin, deceased.

WEST VIRGINIA

Norman I. Young, Buffalo, W. Va., in place of B. W. Ash, resigned.

Kenneth Vandevender, Dailey, W. Va., in place of W. G. Meredith, retired.

Helen V. Horton, Slab Fork, W. Va., in place of O. G. Callison, retired.

WISCONSIN

Eugene L. Hoeffling, Poplar, Wis., in place of C. T. Peterson, retired.

WYOMING

Donald L. Foote, Fort Laramie, Wyo., in place of E. I. Underwood, retired.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 2, 1967

The House met at 12 o'clock noon.

James P. Wesberry, D.D., pastor, Morningside Baptist Church, Atlanta, Ga., offered the following prayer:

Blessed are the peacemakers, for they shall be called the children of God.—Matthew 5: 9.

O Thou who are the judge of all nations, as our fathers called upon Thee in the hour of their greatest extremity, we come to Thee now for help. Our Nation is in peril and we are deeply concerned for its welfare.

We bring to Thee the cries of the brokenhearted on behalf of those whom they love better than life. We remember that many have died for us in Vietnam and thousands are wounded. These sorrows and sufferings disturb us.

Be Thou, we pray, with our fighting men. Encircle them with Thy love. Cover their heads in the day of battle, and assure them that they are precious in Thy sight.

Grant great wisdom to these honored Representatives of the people and give special guidance to our great President and those closest to him.

Renew within us the ancient prophetic dream of world peace. Bestow upon us the blessings of peacemakers and let us be called the children of God. Through Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

COMMITTEE ON IMMIGRATION AND NATIONALITY POLICY

The SPEAKER. Pursuant to the provisions of section 401(a), Public Law 414, 82d Congress, the Chair appoints as members of the Joint Committee on Immigration and Nationality Policy the following members on the part of the House: Mr. CELLER, of New York; Mr. FEIGHAN, of Ohio; Mr. RODINO, of New Jersey; Mr. MOORE, of West Virginia; Mr. MCCULLOCH, of Ohio.

JAMES MADISON MEMORIAL COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86-417, the Chair appoints as members of the James Madison Memorial Commission the following members on the part of the

House: Mr. SLACK, of West Virginia; Mr. CELLER, of New York; Mr. MOORE, of West Virginia; Mr. THOMPSON of Georgia.

SALE OF MACHETES TO U.S. GOVERNMENT

Mr. LATTA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATTA. Mr. Speaker, two companies in my district have been underbid by an English firm on a contract to manufacture and sell 142,000 machetes to the U.S. Government.

Since England permits trade with North Vietnam—and should our Government forget about its own admonitions to all Americans concerning our serious balance-of-payments problem and award this contract to this English firm—it is conceivable that this company could make machetes one day for our Armed Forces and make them the next day for the Vietcong.

I have already discussed this possibility with GSA and have been advised that even though the agency knew that this firm was making these items for the Vietcong, they have no regulations to preclude them from granting the contract.

Mr. Speaker, how silly can we get?

In an attempt to head off the granting of this contract, I have asked the Committee on Small Business to investigate the matter and have been assured by its distinguished chairman, the gentleman from Tennessee, the Honorable JOE EVINS, that all circumstances surrounding the letting of this contract will be explored. In addition, Mr. Speaker, I am today introducing legislation to preclude our Government from purchasing articles, materials, or supplies for our Armed Forces from foreign sources manufacturing or producing the same for eventual use by the armed forces of North Vietnam or by the Vietcong.

AIR POLLUTION

Mr. CARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CARTER. Mr. Speaker, I am pleased that Congress has been called upon for enactment of new Federal legislation to strengthen the Nation's faltering attack on the very serious problem of air pollution.

There are many reasons why we can no longer tolerate a steadily worsening air pollution problem. It costs us money, perhaps as much as $11 billion a year in damage to property and vegetation. It is a hazard to air and ground transportation. It contributes to ugliness and urban decay. These are just a few of the ways in which air pollution affects us, and they are all good reasons for taking decisive control action.

But there is still another important reason—the fact that air pollution is a very serious threat to our health. I suspect that most people believe that the need to protect our health against this threat is the single most important reason why we must control air pollution; as a physician, I certainly think so.

Scientific studies have shown beyond doubt that air pollution sickens, disables, and kills. The evidence is clear that polluted air is associated with the occurrence and worsening of at least four important respiratory diseases—asthma, chronic bronchitis, emphysema, and lung cancer.

These are the ways in which ordinary air pollution affects human health—and by ordinary air pollution, I mean levels that are reached routinely in countless cities and towns in all parts of the country. This is quite aside from those occasions when the air is still and pollution is trapped over a city, when, within a few days, the effects can be tragic.

I said at the beginning of my statement that this Nation's attack on air pollution is faltering. I used that word advisedly. I know that encouraging progress is being made under the Clean Air Act of 1963 and the amendments of 1965 and 1966, but I believe we are moving too slowly. The growth of the air pollution problem is surpassing the growth of control efforts at all levels of government. In just the past several months a number of cities have experienced some of the highest air pollution levels in their history.

The lack of regional air pollution control programs and uniform emission levels for the control of major air pollution sources as important obstacles to a more effective attack on the problem has been pointed out to us. As a member of the Subcommittee on Health and Welfare of the Committee on Interstate and Foreign Commerce, I had an opportunity during the 89th Congress to hear about some of the defects in our current national effort to deal with air pollution. I am impressed by the recommendations made to Congress for correcting these deficiencies. I cannot see how we can fail to translate the proposals into new and effective legislation. Clearly, we cannot afford to fail.

IS THERE RACIAL DISCRIMINATION AT WESTON?

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ERLENBORN. Mr. Speaker, I have before me a story in the Washington Post for February 1, 1967. It relates that the National Association Against Discrimination in Housing has asked the Atomic Energy Commission to postpone further decisions toward establishment of the 200 billion electron-volt accelerator at Weston, Ill.

According to the story, the letter complains that Weston has no Negro residents and, hence, must discriminate against Negroes.

Somebody has led the association down a blind alley. There are about a hundred homes in Weston. It is a real estate promotion which soured, and only about half of the homes are occupied. The others are vacant and, through a series of foreclosures, are now and have been for some time the property of the Federal Savings and Loan Insurance Corporation, which, by law, may not discriminate.

If there is discrimination in Weston, the fault lies with FSLIC.

Actually, the FSLIC would gladly have sold to anybody, whether he be white, black, red, brown, or yellow—would have sold, that is, until Weston's present prominence.

Next, according to the story, the Illinois General Assembly has refused to pass a fair housing law, and this is presumed to be proof of housing discrimination. But the New York State Legislature has passed an open occupancy law—and where are the Negroes? Are they in the suburbs? Are they evenly distributed throughout Manhattan? No, they are concentrated where they have been for decades, in Harlem.

The point I make here is that a fair housing law is no indication of an absence of discrimination.

Next, the association raised this point—that real estate men in Du Page County successfully opposed Governor Kerner's executive order on fair housing. Governor Kerner is a good lawyer, and he knows his executive order was illegal. He sought to extend the State's licensing power over brokers by executive decree, a prerogative clearly reserved to the legislature.

Next, the story says that community doors have been locked to Negroes for generations. I will not try to argue that Du Page County is without racial prejudice and discrimination, but I now challenge the association on this point:

Will it supply me with the name of the place in the United States—or in the world, for that matter—where there is no racial discrimination? If the Atomic Energy Commission is to be guided by the standard it suggests, where would it locate its facility?

Doors have been locked against Negroes for generations? Again, the association has been misinformed.

In the years before the Civil War, opponents of Negro slavery operated an illegal device known as the underground railroad. Its stations were towns where escaped slaves could find refuge as they made their way to Canada. One of the stations on this underground was Wheaton, which is near Weston. It has had a sizable and well-regarded Negro community for a century and a quarter; because some Negroes decided they would like Wheaton better than Canada.

A few miles farther away from Weston is the York Center Community Cooperative. It is devoted to the principles of integration—has been for years.

I repeat what I said a moment ago: I cannot deny there is housing discrimination in the area around Weston. Now let me add something else:

Nobody else can deny that people of good will in the area around Weston have recognized the problem and have been working on it.

Wheaton has a human relations council, created first as a voluntary organization and now established by municipal ordinance. It is a good, responsible body. Almost every other town has a similar organization.

Moreover, the real estate brokers of Wheaton and Glen Ellyn started almost 2 years ago on a voluntary open housing program. They agreed that any person listing his home for sale may designate whether he will sell on a nondiscriminatory basis.

At first, few sellers would sign such an agreement.

Eight or nine months ago, however, the clause was attracting about 5 percent of sellers. Now, I am informed, 17 percent of homes listed for sale in Wheaton and Glen Ellyn are available to Negroes or members of any other minority. These are in every section of the two towns. Prices range from $9,000 to $300,000.

Brokers say, however, that there has been a notable absence of Negro buyers. So far, only seven Negro families have taken advantage of this service. At this time, three more Negro families are looking. They have, perhaps, 300 homes to choose from.

Is this voluntary plan well regarded? I can tell you that real estate brokers in Elmhurst, Villa Park, and Lombard have made some tentative beginnings in that direction; and so have brokers in St. Charles, which is in Kane County, but still is near Weston.

I urge you: Do not believe the slurs which have been cast against Illinois and Weston and Du Page County. We have our problems, but we are working to correct the conditions—and we were working even before we had the impetus of Weston and the accelerator.

SUPPLEMENTAL APPROPRIATION FOR ADULT BASIC EDUCATION PROGRAMS

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, I am introducing a bill to provide a supplemental appropriation of $10 million during fiscal year 1967 for the Adult Education Act of 1966. I am asking that the $40 million which was authorized for this act be fully appropriated. The fiscal year 1967 limitation of $30 million has wrought, unexpectedly, a small tragedy in many cities throughout this Nation.

This tragedy has occurred through a combination of administrative circumstances. Briefly, there are a series of adult basic education programs under this act which involve literacy training for adults from 18 years of age upward, and which also involve the time and energy of a substantial number of senior citizens. This important program began late in 1965, and as a result, many States were not able to use their full 1965 allotment. Therefore, in some cases, a substantial remainder was carried over and used during 1966 in addition to the 1966 allotment. Moreover, during 1966 several upward adjustments were made in the allotments to some States through the redistribution of unused funds.

Thus, the amount of money available for the adult education program during fiscal year 1966 was greater in some States than the amount which otherwise would have been the State's share of the ABE funds for that year.

To give a brief example of how this has worked—in New York State there was the following sequence of events:

New York State's original allotment for fiscal year 1966 was $1,290,000. In February the Office of Education allotted New York State an additional $1,290,004 out of released funds. In June it again allotted an additional $250,000. This made a total adjusted allotment of $2,830,004 for fiscal year 1966. In addition, New York State had the remaining unused portion of its 1965 funds which amounted to $868,057. The total of real funds available to New York State in fiscal year 1966 then amounted to $3,698,061. On the basis of this assistance, New York succeeded in making real progress in the attack on illiteracy among its adult citizens.

The amount now allotted to New York State for fiscal year 1967 is $2,415,744. This is $1,282,317 less than the real amount received and used in fiscal year 1966, and it simply cannot sustain the level to which the program has already grown.

Mr. Speaker, we are now faced with the dire prospect of successful, worthy, and desperately needed projects closing down. Classes are being suspended and students turned away. Teachers, many specially trained for this program, are being dismissed and not paid. Carefully made plans are being cast aside. And, above all, once again, the hopes of many people who are in great need, yet skeptical of receiving genuine assistance, are being dashed. They do not understand the administrative reasons for the curtailment of the program. They only see the cutbacks and reductions. Their disappointment is keen, and the resentment that some hold is understandable.

Mr. Speaker, I want to call the attention of my colleagues to an excellent editorial comment on this situation in the New York Times of December 3, 1966. It follows:

> CLOSING AN EXIT FROM THE SLUMS
>
> The cutback in New York City's Federally financed program to combat adult illiteracy and the threat of a complete shutdown of this important project illustrate the gap between promise and performance in the so-called war on poverty. Even the 20,000 adults who are now in the program, and whose total hours spent in anti-illiteracy lessons have already been severely reduced in order to conserve dollars, constitute only a fraction of those in need of similar opportunities.
>
> What has been done to date is just a demonstration of what might be accomplished through increased and sustained effort. It is difficult to say whether discontinuation of the program would be more cruel to those who have already been given a glimpse of what they might eventually have accomplished or to those hundreds of thousands who will never know.
>
> The issue transcends the local dilemma and the adult literacy program. Although the affluent sector of the home front may not have to sacrifice its butter for the guns needed in Vietnam, the flow of ammunition into the battle of the slums is drying up. For those who cannot read and write, the promise of literacy represents a negotiable share in the affluent society—not just a promissory note to the dream of a Great one.

COURTESY CALL BY THE CARRIER "FRANKLIN DELANO ROOSEVELT" AT CAPE TOWN, SOUTH AFRICA, FEBRUARY 4

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I am very much concerned that, contrary to the statement made by the then Assistant Secretary of State, the Honorable Mennen Williams, an American ship of war flying the American flag is to make a courtesy visit to South Africa under conditions which will not permit Negro members of the crew of that American vessel to land and be accepted on an equality with white members of the crew of that American vessel of war.

Mr. Speaker, when Secretary Williams appeared before the Subcommittee on Africa, of which I am the chairman, he said:

> More importantly, we have cancelled operational port calls in South Africa of U.S. Naval vessels and carriers, and air flights, rather than accept the application of racial conditions to our personnel.

I am now informed, Mr. Speaker, that the U.S. aircraft carrier *Franklin Delano Roosevelt* is to make a courtesy call at Cape Town, South Africa, February 4. The news has just reached me and but 2 days remain before the proposed courtesy visit.

As chairman of the Subcommittee on Africa of the Committee on Foreign Affairs, I am respectfully but firmly suggesting that the State Department immediately communicate with the Defense Department and call off this proposed courtesy visit unless assurances of the strongest and most binding nature have been given by the Government of South Africa that there has been a complete abandonment of the conditions of enforced discrimination that caused the cancellation of operational port calls in South Africa as announced by the then Assistant Secretary of State Mennen Williams. The United States cannot be a party in any sense or in any form or in any measure to the brutal and inhuman system of apartheid which has aroused world condemnation.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I am glad to yield to my friend from New York.

Mr. RYAN. I want to join in the request of the distinguished gentleman from Illinois that the State Department cancel this visit. It is really an outrage to the American people.

Mr. O'HARA of Illinois. I thank the gentleman from New York.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the program for the remainder of this week and the agenda for next week.

Mr. ALBERT. Mr. Speaker, will my good friend yield to me?

Mr. GERALD R. FORD. I yield to the distinguished gentleman.

Mr. ALBERT. In response to the inquiry of the distinguished minority leader, after the disposition of the President's message and special orders and miscellaneous matters pending we will seek permission to adjourn over until Monday of next week.

Monday is Consent Calendar day, but there are no bills and there are no suspensions.

Tuesday is Private Calendar day, but there is no business.

We expect to consider the bill H.R. 4573, on the national debt ceiling temporary increase, on Wednesday next. If that bill is disposed of on Wednesday next, as we anticipate and hope, there will be no legislative business on Thursday, although we will of course meet on Thursday. Then we will adjourn over until the Monday following.

There is no legislative business for Monday and Tuesday of the following week.

Mr. GERALD R. FORD. Under the arrangement which was previously agreed to, there is a possibility that there would be legislative business on Wednesday, February 15?

Mr. ALBERT. The gentleman is correct.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. Do I correctly understand the gentleman to say it is hoped to take up the debt ceiling bill—and I assume under a rule—on Wednesday and to dispose of it on Wednesday?

Mr. ALBERT. We hope to. There is no guarantee of it.

Mr. GROSS. Would not the distinguished majority leader think we ought to have about 8 or 10 hours of debate on a bill of that magnitude?

Mr. ALBERT. I would not think that much time would be required, I say to the gentleman. I know the gentleman does not want anything like as much time as he usually takes on such subjects as this.

Mr. GROSS. I ask the distinguished majority leader: Why not have full and ample debate? It is an important matter.

Mr. ALBERT. We can have it. There will be no disposition on the part of the leadership not to have full and ample debate. If it is required to go over until Thursday, we will go over until Thursday.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Ohio.

Mr. HAYS. I would suggest on that debt ceiling bill that we do not really need too much time, because it has been brought up twice a year as far back as I can remember, and that goes back about 18 years. If there is anything new to be said about it, I think people ought to have some time to do it, but other than that they can just insert the remarks they have made for 18 years.

Mr. ALBERT. Will the gentleman yield to me further?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. If I may advise my good friend from Iowa, who knows this already, but for the RECORD this matter has been discussed by the leadership. This is the annual courtesy extended by the Democratic leadership to our Republican friends who always like to go home and make speeches in honor of one of the greatest Presidents of all time, Abraham Lincoln.

Mr. GROSS. If the gentleman will yield to me further, it seems to me that can be accomplished from late Thursday afternoon until Monday or Tuesday morning. With respect to the statement of the gentleman from Ohio, I am sure he is not unmindful of what happened last fall. We Republicans have a little hope these days that we may be able to convince a few people they have been spending too much money over on the other side of the aisle.

Mr. ALBERT. That hope rises about once in every 10 years.

Mr. GROSS. Oh, no.

Mr. HAYS. Will the gentleman yield further?

Mr. GERALD R. FORD. I yield to the gentleman from Ohio.

Mr. HAYS. Let me say to you, do not get your hopes up too high, because all of these Republican Governors, including the one from my State, like to point their finger at the Congress as the big spenders, and next afternoon they are all here to get their share of it. Now, you fellows have a proposal that we collect some of the money and give it to them so they will be even bigger spenders and look even better.

Mr. GROSS. I understand the Democrat Governors went down to the ranch in Texas and were lined up against the fence in the old corral and figuratively shot down when they protested some of the things that have been going on in Washington.

Mr. HAYS. If they were shot down, I did not hear about it.

Mr. ALBERT. Mr. Speaker, will the gentleman yield further?

Mr. GERALD R. FORD. I yield to our distinguished majority leader.

Mr. ALBERT. I think it is most appropriate that we give ample time for the Nation and our friends on the other side to discuss Abraham Lincoln. I feel this sincerely, because I know in my own heart that if Abraham Lincoln were living today, he would be a Democrat.

Mr. GERALD R. FORD. If I might add a comment to that which has been made by the gentleman from Oklahoma, we embrace Abraham Lincoln. However, I disagree with him in his statement. He would be a Republican. We have not abandoned Lincoln like so many Democrats have abandoned Thomas Jefferson.

INDIA FOOD—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 51)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

I

Last February I proposed that all mankind join in a war against man's oldest enemy: hunger.

Last March I proposed that the United States take part in an urgent international effort to help the Government of India stave off the threat of famine.

I address you today to report progress in organizing the war against hunger and to seek your counsel on steps still to be taken. For again this year, drought in India—as in other nations—underlines the cruel mathematics of hunger and calls for action.

The problem is immense. It cannot be solved unless each country reaches a considered judgment on the course to be pursued. The greatest power on earth is the will of free peoples, expressed through the deliberative processes of their national assemblies. I ask you today to take the lead in a vital act of democratic affirmation.

India is not alone in facing the specter of near famine. One-half of the world's people confront this same problem.

India's plight reminds us that our generation can no longer evade the growing imbalance between food production and population growth. India's experience teaches that something more must be done about it.

From our own experience and that of other countries, we know that something can be done. We know that an agricultural revolution is within the capacity of modern science.

We know that land can be made to produce much more food—enough food for the world's population, if reasonable population policies are pursued. Without some type of voluntary population program, however, the nations of the world—no matter how generous—will not be able to keep up with the food problem.

We know, too, that failure to act—and to act now—will multiply the human suffering and political unrest, not only in our generation but in that of our children and their children.

The aim of the war against hunger is to help developing nations meet this challenge. It is the indispensable first step on the road to progress.

If we are to succeed, all nations—rich and poor alike—must join together and press the agricultural revolution with the same spirit, the same energy, and the same sense of urgency that they apply to their own national defense. Nothing less is consistent with the human values at stake.

Last year, many responded to India's emergency. Canada was particularly generous in sending food aid. Each member of the India Aid Consortium made a special effort to meet India's need. Nonmembers, Australia among others, also helped. The private contributions of the Italian and Dutch people were especially heartwarming. But the bleak facts require a sustained international effort on a greater scale. Today I propose that all nations make the new Indian emergency the occasion to start a continuing worldwide campaign against hunger.

II

The first obligation of the community of man is to provide food for all of its members. This obligation overrides political differences and differences in social systems.

No single nation or people can fulfill this common obligation. No nation should be expected to do so. Every country must participate to insure the future of all. Every country that makes a determined effort to achieve sufficiency in food will find our Government, our technical experts, and our people its enthusiastic partners. The United States is prepared to do its share.

In pursuing the war on hunger, the world must face up to stark new facts about food in our times.

Food is scarce. Nowhere is there a real surplus. Food aid must be allocated according to the same priorities that govern other development assistance.

Per capita food production in many parts of the less-developed world is not increasing. In some cases, it is even declining. This grim fact reflects both a rising curve of population and a lagging curve of agricultural production.

There is no substitute for self-help. The first responsibility of each nation is to supply the food its people needs. The war against hunger can only be won by the efforts of the developing nations themselves.

Food aid is a stopgap, not a permanent cure. It must be viewed as part of a nation's effort to achieve sufficiency in food, not as a substitute for it.

Agriculture must receive a much higher priority in development plans and programs. The developing nations can no longer take food supplies for granted, while they concentrate on industrial development alone, or spend vitally needed resources on unnecessary military equipment.

Agricultural development must be planned as part of a nation's overall economic and social program. Achieving a balance between population and resources is as important as achieving a balance between industrial and agricultural growth.

Fertilizer, seed, and pesticides must be provided in much greater quantities than ever before. Their use increases food production and permanently changes the productive capability of farmers. A ton of fertilizer properly used this year can mean several tons of grain next year.

All advanced nations—including those which import food—must share the burden of feeding the hungry and building their capacity to feed themselves.

The war on hunger is too big for governments alone. Victory cannot come unless businessmen, universities, foundations, voluntary agencies, and cooperatives join the battle.

Developing nations with food deficits must put more of their resources into voluntary family planning programs.

These are the facts our Government has been stressing throughout the world. Many of them are unpleasant. But our lives are pledged to the conviction that free people meet their responsibilities when they face the truth.

These facts draw into bold relief the two main thrusts in the offensive against hunger:

First, the hungry nations of the world must be helped to achieve the capacity to grow the food their people need or to buy what they cannot grow.

Second, until they can achieve this goal, the developed nations must help meet their needs by food shipments on generous terms.

The level of food aid will decline as self-help measures take hold. Until that point is reached, food aid is an inescapable duty of the world community.

III

During the past year, the advanced nations have made progress in preparing the ground for the international war on hunger.

First, the pattern of international cooperation has steadily improved.

Last July we were pleased to act as host to a high-level meeting of the Development Assistance Committee of the Organization for Economic Cooperation and Development which focused primarily on the world food problem.

We encouraged greater contributions to the world food program by increasing our pledge to that program and by offering to match with commodities contributions in both cash and commodities from other countries.

We cosponsored a resolution in the United Nations that launched a U.N. Food and Agriculture Organization study of whether and how to organize a multilateral food aid program of vastly larger proportions.

In the Kennedy round of trade negotiations, we have advanced a proposal to make available from all sources 10 million tons of food grains annually for food aid, to be supported by grain exporters and importers alike. This proposal is now being discussed in Geneva as part of an international cereals arrangement.

We are now participating in a study initiated by the Food and Agriculture Organization—in cooperation with the World Bank, the U.N., and the OECD—to examine how multilateral action might increase the availability and effective use of fertilizers and other materials needed to speed up agricultural production.

At the OECD ministerial meeting this fall, we advanced a proposal to develop an Agricultural Food Fund to encourage private investment in the basic agricultural industries of the developing countries.

Second, the United States encouraged a multilateral response to last year's emergency in India.

The worst drought of the century threatened millions with starvation and countless more with disease born of malnutrition. As a result, I recommended, and you in the Congress, approved a program to send over 8 million tons of food grain to India. In an unprecedented display of common concern, governments, private organizations, and individuals in 42 other nations joined in providing $180 million in food and other commodities to meet the needs of that country. Overall, India imported almost 11 million tons of grain and used several million tons from its own emergency food reserves.

The fact that India did not experience famine ranks among the proudest chapters in the history of international cooperation. But last year's effort—heartening as it was—was hasty and improvised. The world must organize its response to famine—both today and for the years ahead.

Third, this year's economic aid program makes agricultural development a primary objective.

The AID program, which I will shortly send to the Congress, includes funds to finance imports of fertilizer, irrigation pumps, and other American equipment and know-how necessary to improve agriculture in the developing countries.

Fourth, I proposed and the Congress enacted far-reaching legislation which provides the strong foundation for the new food-for-freedom program.

The central theme of the program is self-help. The legislation authorized concessional sales of food to countries which prove their determination to expand their own food production.

IV

All of us know where the real battle is fought. Whatever the efforts in world capitals, the real tale is told on the land. It is the man behind the mule—or the bullock—or the water buffalo—who must be reached. Only his own government and his own people can reach him.

Thus, the most important progress of the past year has occurred in the developing countries themselves. And there is progress to report.

India—the largest consumer of food aid—perhaps provides the best example.

This has been a year of innovation in Indian agriculture. Agricultural development now has top priority in India's economic plan. Much remains to be done. But the evidence is unmistakable. India has started on the right path. India has:

Imposed a food rationing system to make efficient use of existing supplies.

Streamlined its transportation system to improve distribution.

Increased prices paid to the farmer, thus providing new incentives to use fertilizer, improved seeds, and other modern materials.

Begun large-scale operations with new varieties of rice introduced from Taiwan and with large quantities of high-yielding wheat seed imported from Mexico.

Approved plans to increase public investment in agriculture by more than 100 percent during the new 5-year plan.

Started to expand rural credit, improve water supply, and accelerate the distribution of fertilizer to remote areas.

Stepped up family planning.

Negotiated an agreement for the first of several externally financed fertilizer plants to expand India's supply of home-produced fertilizers.

India is off to a good start. But it is only a start. As Indian officials have warned, hard work remains in reaching targets they have set and in improving cooperation among state governments. India's economic problems are enormous. But they can be solved.

What India has begun to do represents the growing realization in the developing world that long-term economic growth is dependent on growth in agriculture. Not every country has made an effort as great as India's. But in some countries, production has improved more rapidly.

Everywhere there is an air of change. No longer does industrial development alone attract the best minds and talents. Agriculture is now attracting the young and more enterprising economists, administrators, and entrepreneurs in the developing world.

This is the best measure of progress in the war on hunger and the best assurance of success.

V

India's food problem requires a major commitment of our resources and those of other advanced countries. India's population is equal to that of 66 members of the United Nations.

Broad authority exists under our legislation for national action by Executive decision alone. But the issues presented here are of such moment, and on such a scale, as to make it important that we act together, as we do on other great issues, on the firm foundation of a joint resolution of Congress.

I ask you to support the broad approach we have proposed to the international community as a basic strategy for the war on hunger. That strategy rests on three essential principles:

1. Self-help. The war on hunger can be won only by the determined efforts of the developing nations themselves. International aid can help them. But it can only help if they pursue well-conceived and well-executed long-range plans of their own.

2. Multilateral participation. The assistance of the international community must be organized in a coalition of the advanced and the developing nations.

3. Comprehensive planning. The international community must develop a comprehensive plan to assist India to fulfill its program of achieving food sufficiency, not only during this year, but for the next few years as well.

Most of you are familiar with the events of the past year. Drought limited India's food grain production to 72 million tons in the 1965–66 crop year, compared with a record 88 million tons the previous year. A massive international emergency program met the immediate crisis. But India had to use precious food reserves—that are thus not available to meet the shortages created by a second successive bad crop.

The weather since then has brought little relief. The general outlook is slightly improved, and overall production may reach 79 million tons this year. But late last summer a severe drought hit heavily populated areas in north-central India. Unless Indian production is supplemented by substantial imports—perhaps 10 million tons by present estimates for calendar 1967—more than 70 million people will experience near famine.

The Government of India has already taken internal measures to move grain from its more fortunate areas to the drought areas. Imports of 2.3 million tons of grain are now in the pipeline to meet India's needs for the first 2 or 3 months of 1967. India has purchased some 200,000 tons of this grain with her own scarce foreign exchange. Canada with 185,000 tons, Australia with 150,000 tons, and the Soviet Union with 200,000 tons have already joined the United States with its 1.6 million tons, in an impressive multilateral effort to help.

India's immediate problem—and the world's problem—is to fill the remaining gap for the balance of this year.

Because these facts bear heavily on the extent of U.S. food shipments, I have requested and received careful verification from our Ambassador in New Delhi, from the Secretary of Agriculture and from Members of Congress, who have recently been in India, including Senator McGEE and Senator MOSS.

I am particularly grateful to Representative POAGE and Representative DOLE and Senator MILLER, who at my request made a special trip to India in December to assess the situation on the ground. Their careful and thorough analysis of the situation in India and their recommendations to me have been of great value.

During the last 2 weeks, the Under Secretary of State for Political Affairs and the Under Secretary of Agriculture have consulted in New Delhi and with most members of the World Bank's India Consortium.

The work of all these men and the diplomatic efforts of the Government of India have laid the foundation for the steps we must now take.

The United States cannot—and should not—approach this problem alone or on an improvised basis. We must support the Indian Government's efforts to enlist the aid of other nations in developing a systematic and international approach to the problems of Indian agriculture. Our long-term objective is to help India achieve its goal of virtual self-sufficiency in grain by the early 1970's. Meanwhile, as part of that effort, we must help India meet its immediate food needs.

VI

In line with policies established by the Congress, and after promising consultations with the Government of India and other governments involved, I recommend the following steps to achieve these objectives:

First. Our basic policy is to approach the problem of Indian food through the India Aid Consortium organized under the chairmanship of the World Bank. That Consortium has already developed a multilateral approach to economic assistance for India. Now, we propose to make food aid a part of that multilateral assistance program. We seek effective multilateral arrangements to integrate Indian food aid with broader programs of economic assistance and with capital and technical assistance for agricultural development.

In a preliminary way, we have consulted with the Government of India and with other members of the Consortium. There is substantial agreement among Consortium members on the major points of our proposal:

Meeting food needs of India during this emergency should be accepted as an international responsibility in which each nation should share;

Emergency food and food-related aid should be coordinated through the World Bank Consortium;

This aid should not diminish the flow of resources for other development programs. It should be in addition to the targets for each country suggested by the World Bank.

Adding food aid to the responsibilities of the Consortium is sound economics and fair burden sharing. The Consortium provides a proper channel for the food and food-related aid of donors who have not previously been involved in the food field. It will make clear that food provided from outside is as much a real contribution to Indian development as capital for specific projects or foreign exchange assistance for import programs.

Second. Should this program be established, we will support the Indian Consortium as it:

Undertakes a detailed projection of Indian food production and food aid requirements;

Prepares a program for nonfood imports required to meet food production targets, as the basis for determining the equitable share of each donor.

Reviews India's self-help efforts, reports regularly on progress and identifies areas for future concentration of energies.

Third. We must take prompt action to help India meet its emergency food needs. Our best present estimate is that India needs deliveries of 10 million tons of food grains this year or roughly $725 million worth of food—2.3 million tons, worth roughly $185 million, are already in the pipeline from a number of countries, including our own. To keep food in the pipeline, I am making an immediate allocation of 2 million tons, worth nearly $150 million, to tide India over while the Congress acts.

I recommend that Congress approve a commitment to share fully in the international effort to meet India's remaining food grain deficit of 5.7 million tons—worth about $400 million. To that end, I recommend a U.S. allocation of an additional amount of food grain, not to exceed 3 million tons, provided it is appropriately matched by other countries. I recommend that approximately $190 million available to the Commodity Credit Corporation in calendar 1967 be used for this purpose. These funds, if allotted, will have to be replenished by appropriation in fiscal 1968.

Fourth. I recommend your approval of an allocation of $25 million in food commodities for distribution by CARE and other American voluntary agencies, to assist the Government of India in an emergency feeding program in the drought areas of Bihar and Uttar Pradesh.

Fifth. We hope other donors will accelerate their exports of fertilizers to India.

Unless the application of chemical fertilizers rises sharply in India, she will not be able to meet her food grain targets. Those fertilizer targets are ambitious, yet they must be met and if possible, exceeded. Marshaling more fertilizer imports is as important to meeting India's emergency as gathering additional grain. India herself must take prompt steps to increase her fertilizer investment and production and improve its distribution.

Sixth. I propose for the longer run to continue encouraging U.S. private investors to participate in India's program to expand production of chemical fertilizers. We will urge other governments to encourage their own producers.

Seventh. We intend to pursue other initiatives in the broader context of world agricultural development:

We shall continue to press for multilateral efforts in every international forum in which we participate, including the current negotiations to establish a food aid program as part of an international cereals arrangement.

We shall continue our policy of encouraging private capital and technology to join the war on hunger.

We shall press for the creation of an investment guarantee fund by the OECD to encourage private investment in the agricultural industries of developing countries.

We shall make available to food deficit nations the technology our scientists have now developed for producing fish protein concentrate.

We shall look to the study by the President's Science Advisory Committee on the problems of food production to supply further and more definitive guidelines for near-term action and for long-range planning.

None of these steps can be as important as Indian resolve and Indian performance. The Indian Government is committed to a bold program of agricultural modernization. That program is the foundation for the entire international effort to help India. We believe that a self-reinforcing process of improvement is underway in India, affecting both agricultural techniques and Government administration. On the basis of that conviction, we can move forward to do our share under the food-for-freedom program of 1966.

VII

I believe these proposals are in our national interest. I believe that they reflect the deepest purposes of our national spirit.

I am asking the Congress, and the American people, to join with me in this effort and in an appeal to all the nations of the world that can help. I am asking the Congress to consider thoroughly my recommendations and to render its judgment. The executive branch, this Nation, and other nations will give full attention to the contributions that congressional debate may produce.

There are many legitimate claims on our resources. Some may question why we devote a substantial portion to a distant country.

The history of this century is ample reply. We have never stood idly by while famine or pestilence raged among any part of the human family. America would cease to be America if we walked by on the other side when confronted by such catastrophe.

The great lesson of our time is the interdependence of man. My predecessors and I have recognized this fact. All that we and other nations have sought to accomplish in behalf of world peace and economic growth would be for naught if the advanced countries failed to help feed the hungry in their day of need.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 2, 1967.*

THE PRESIDENT'S MESSAGE ON FOOD AID

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, President Johnson's statement clearly outlines the dimensions of the food crisis in India, offers explicit direction to the solution of that crisis, and challenges the community of nations to launch a full-scale war on hunger everywhere.

It was an eloquent and convincing message.

The President pointed out that the first obligation to the community of man is to provide food for all its members. And he emphasized that no single nation or people can fulfill this common trust by itself—and should not be expected to do so.

I was pleased to see the President credit the contributions made by other nations to India's emergency last year. But I was also pleased to hear him observe that, as heartening as the Indian aid efforts were, they were also hasty and improvised—and that victory in the war on hunger cannot be won without a full-scale, coordinated, international campaign.

I was particularly impressed with the President's proposal that food aid become a part of the multilateral assistance program. I agree that adding food aid to the World Bank Consortium would provide the proper channel for the food and food-related aid of donors not previously engaged in the food field—and would constitute sound economics and fair burdensharing.

I welcomed his proposal that all other self-sustaining nations join with the United States in an all-out war on hunger, just as I appreciated his wise recognition of the fact that, ultimately, only the hungry nations can provide the final weapon in the arsenal to win that war.

It is obvious, now, that self-help is that crucial weapon—that the developing nations must learn to feed themselves before food supply is hopelessly outdistanced by people.

But it is also obvious that in the interim the hungry nations must be helped, and the President's statement today offers the humane and practical way to provide that help.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I am glad to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, the President has submitted to the House today a special message with reference to food grain shipments to India.

This message, as I understand it, will be followed by an appropriate bipartisan joint resolution designed to express the sense of the Congress as to efforts by our Government to meet the severe food problems that are being faced by our friends in India.

I am sure, Mr. Speaker, that the Republicans will approach the questions involved in this legislation in a bipartisan manner.

I know that I can pledge to our countrymen that we on this side of the aisle will give this measure our most earnest and conscientious attention.

It is in that spirit, Mr. Speaker, that I urge the Committee on Agriculture to commence as soon as may be practicable a thorough consideration of this legislation.

Mr. ALBERT. I appreciate the contribution of the distinguished gentleman.

EXTENSION OF REMARKS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the distinguished chairman of the Committee on Agriculture, the gentleman from Texas [Mr. POAGE], who was necessarily called off the floor at this time, may extend his remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE INDIAN FOOD CRISIS

Mr. POAGE. Mr. Speaker, I think the President's statement is wise and perceptive. Not only does it outline the dimensions of India's food crisis, but it also represents guidelines to its solution that are both humanitarian and—in view of the new limits of our own food reserves—practical.

I visited India less than 2 months ago. There I saw, firsthand, the breadth and depth of the crisis. It is serious. It is continuing. It must be solved. India must help. India must revise her own agriculture. India must grow more food and use fewer of her acres for nonfood crops.

The monsoons of the past two seasons have been tragically disappointing. They have brought very little moisture. During the 1965-66 crop year, India experienced the worst monsoon season in nearly a century—and total food grain production fell off sharply. From the record 89-million-ton crop of the previous year, output fell to 72.3 million tons.

The rain failure was general throughout the nation, and food consumption was cut back from 187.7 kilograms of food grain per person to 175 kilograms.

Had it not been for imports of 11 million tons—of which the United States supplied nearly 80 percent—and a 4-million-ton drawdown of Indian food grain stocks accumulated the previous year, the food cutback would have been even more severe.

This crop year, the Government of India had set a target of 95 million tons of food grain production. Given a normal monsoon, it was realistic to expect production to reach at least 90 million tons.

But the monsoon was not normal. It was the second worst since India gained her independence. Though food-grain production is estimated to be 78.5 million tons, up about 6 million tons from last year, it is still 10.5 million tons below the 1964-65 record crop—and far below the target figure.

Unlike the general rain failure in the 1965-66 crop year, this year the acute drought is concentrated in northern India—but its impact is no less severe in the areas involved.

Despite the modest gain in food grain production, India will require on the order of 8 to 10 million tons of imports to maintain a minimum required level of food consumption. It should be pointed out that this estimated import requirement is based on the assumption that the Government of India will procure about 1.5 million tons of grain from the states of South India for redistribution to the drought-struck area.

The President has presented a comprehensive picture of the situation and what must be done to meet the problem. I am pleased to add my personal observations and my firm support of his proposals.

PRESIDENT'S STATEMENT ON INDIA'S FOOD NEEDS

Mr. DOLE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, I join in the statements made by the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT], and the distinguished minority leader, the gentleman from Michigan [Mr. FORD], with reference to the President's statement on India and Indian food needs.

Last December, at the request of the President, the gentleman from Texas [Mr. POAGE] and I visited India and found the dimensions of the food crisis alarming. The self-help efforts being carried out in the disaster-plagued nation do, in my opinion, offer real hope and encouragement. As stated in the President's message:

> The war on hunger can be won only by the determined efforts of the developing nations themselves.

I also agree that assistance from other countries must be organized and coordinated and that a comprehensive plan must be developed.

While our visit to India was brief, it did appear that the Government of India is placing increasing emphasis on agricultural development. Now in the fourth 5-year plan agriculture's priority has been established as second only to national defense, and public investment scheduled for agriculture during the fourth 5-year plan will more than double that for the third 5-year plan.

There are signs of encouragement in fertilizer production, increased supply of credit through cooperatives, development of water and soil resources, increased yields through the high-yielding varieties program, and a number of other programs designed to increase food production.

The point is that, while present efforts are not yet adequate, progress has been made, and, in my opinion, the Government of India, and the Indians themselves, are earnest and sincere in their self-help efforts.

Congress will consider the food needs of India and determine in the weeks ahead what our country can and shall properly do to assist India in 1967 and thereafter. It is a tough problem, deserving of careful and thorough consideration.

ADJOURNMENT OVER TO MONDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ATTACKS ON EMBASSIES CANNOT BE CONDONED

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. COLLIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. COLLIER. Mr. Speaker, I join the Members on both sides of the aisle who have expressed their disapproval of the bombings of the Yugoslav Embassy here in Washington and Yugoslav consulates in various cities of the United States. Our Government stands for law and order and our citizens believe in the use of established political and diplomatic channels for the expression of legitimate grievances.

In order that we may keep matters in their proper perspective, I am listing some of the attacks on American Embassies and their personnel that have taken place during the last 7 years. In contrast to our own Government's promptly expressed disapproval of the attacks on Yugoslav diplomatic facilities in the United States is the attitude of some foreign countries which have condoned mob actions aimed against American Embassies.

Attacks of any kind against diplomatic installations are deplorable, whether they be directed against American Embassies, legations, or consulates located throughout the world or against diplomatic facilities occupied by foreign diplomatic personnel to our own Nation.

The attacks referred to are:

November 3, 1959: A Communist-inspired mob attacked the U.S. Embassy in Panama, tore down the American flag, and insulted our country, while the Panamanian police stood by and watched.

November 1960: A U.S. Embassy clerk was shot in Havana, Cuba.

February 1961: Students attacked the U.S. Embassy in Cairo, Egypt, and a mob burned an Embassy car.

April 1961: A mob of 2,000 students smashed windows in the U.S. Embassy in Moscow.

November 1961: President De La Guardia declared Panama will not pay the United States a "single cent" for damage to American property in the anti-American demonstration in Panama on November 3.

December 1961: Pro-Katanga demonstrators raided the U.S. Embassy in Brussels, Belgium.

February 5, 1962: A mob of students stoned the U.S. Embassy and ripped down the American flag, injuring one employee, in Jakarta, Indonesia.

October 5, 1962: The United States accused Russia of roughing up the former's naval attaché in Moscow before ordering him out of the country.

October 25, 1962: More than 2,000 Czechoslovak students marched on the U.S. Embassy in Prague in a pro-Cuban demonstration and ripped down the American flag.

June 5, 1963: Castroite terrorists raided the U.S. military mission at night, forced six unarmed Americans to strip, and stole their uniforms.

June 15, 1963: Pro-Communist terrorists raided the home of a U.S. diplomat in Venezuela and tied up his wife and his maid.

July 24, 1963: The Cuban Government expropriated by decree the U.S. Embassy building in Havana in an action believed unprecedented in modern diplomacy.

November 27, 1963: Four terrorists, armed with submachine guns, kidnaped a U.S. Army colonel from the doorstep of his house in Venezuela.

December 27, 1963: Anti-American demonstrators smashed all windows on the first three floors of the U.S. Legation in Sofia, Bulgaria.

January 16, 1964: Guards marched a U.S. diplomat away at gunpoint in Zanzibar.

January 18, 1964: U.S. Chargé d'Affairs Frederick P. Pickard III was expelled aboard a special plane from Zanzibar.

February 4, 1964: In Accra, mobs of Ghanians, egged on by government party loudspeaker trucks, marched on the U.S. Embassy, hauled down the American flag, and threatened to storm the building.

February 5, 1964: Bomb explosions damaged the American Embassy in Nicosia, Cyprus. The U.S. Ambassador immediately authorized voluntary evacuation of all American women and children on the island.

March 11, 1964: Thousands of Cambodians sacked the United States and British Embassies and their information offices in Phnompenh in a 3-hour riot.

April 1964: More than 40 secret microphones were found in the U.S. Embassy in Moscow when U.S. security men tore into the walls of the building.

May 21, 1964: Military members of the U.S. Embassy in Cairo, Egypt, were subjected to outrageous harassment.

June 6, 1964: Boisterous Vietnamese crowds denounced U.S. Ambassador Henry C. Lodge in a massive demonstration that packed Saigon's downtown streets.

October 25, 1964: The Sudanese Government ringed the American Embassy in Khartoum with armed guards after an attempt by rioting students to burn it down.

November 10, 1964: Demonstrators, ignoring a plea from the new Sudanese Premier, tore down a flag from the U.S. Embassy in Khartoum.

November 24, 1964: Michael P. E. Hoyt, U.S. consul in Stanleyville, the Congo, said the rebels there forced him and three of his colleagues to eat the American flag last August under pain of death.

November 25, 1964: About 400 African and Communist Chinese students stoned the U.S. Legation in Sofia, Bulgaria.

November 27, 1964: U.S. Ambassador Lucius Battle made a strong protest to the Egyptian Government against the burning of the John F. Kennedy Memorial Library at the U.S. Embassy in Cairo in a riotous demonstration by African students.

November 28, 1964: Howling, rock-throwing Russians and Africans stormed the American Embassy in Moscow.

December 4, 1964: A Communist-led mob in Djakarta, Indonesia, sacked the U.S. Library and Cultural Center there. Windows were smashed, one-fourth of the 15,000 books were burned or torn, and the American flag was torn down and replaced by an Indonesian flag.

December 7, 1964: More than 1,000 Indonesians attacked the U.S. Information Agency library in the East Java city of Surabaja. Some 4,000 books were destroyed. The mob tore down the U.S. flag, burned it, and ran up the Indonesian colors.

February 1965: The U.S. Information Agency library in Djakarta, Indonesia, was seized. The U.S. consulate at Medan, Sumatra, was attacked by 700 demonstrators, who tore down the U.S. flag. Carl T. Rowan, Director of the USIA, announced on March 4 that the Agency was closing its five libraries and reading rooms in Indonesia because of intolerable harassment by the Indonesian Government. Rowan said that Government not only had "failed to restrain those who have attacked the libraries periodically, but it has now seized the libraries and placed the whole USIA operation under conditions that we find intolerable." This was the first time that the USIA had withdrawn its facilities from any of the 100 nations in which it operates.

March 4, 1965: Nearly 2,000 students, mostly Asians, attacked the U.S. Embassy in Moscow. Red army troops and police dispersed the mob but not until it had shattered over 300 windows in the Embassy, defaced the U.S. seal near the entrance, and spattered its walls with ink. The United States filed a protest with the U.S.S.R. because of grossly inadequate Embassy protection.

March 30, 1965: A terrorist bomb shattered the U.S. Embassy in Saigon, South Vietnam, killing a woman Embassy secretary, a U.S. Navy petty officer, and 18 South Vietnamese, and injuring nearly 200 other persons. The bomb was placed in an automobile parked in front of the Embassy.

May 1965: Terrorists attacked the U.S. Embassy and the office of the U.S. Geodetic Survey in Caracas, Venezuela.

OUTLINE OF LEGISLATIVE PROGRAM

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. KEITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. KEITH. Mr. Speaker, today I have introduced a number of bills dealing with problems of domestic and foreign policy which can and should be given productive attention in the 90th Congress.

Following is a brief summary of my bills to which I commend the attention of my colleagues in the House:

Social security increase: My bill, which has the support of the Republican leadership, provides an 8-percent increase in social security benefits together with automatic increases when the cost of living rises. Unlike the President's proposal, mine will be retroactive to January 1 of this year and will not require an increase in social security taxes.

Plymouth Rock Memorial: I am reintroducing my bill from the 89th Congress to establish a national memorial at Plymouth Rock and will press for its passage early this session. I am asking the chairman of the Interior Committee to schedule early hearings so that the final shape of the bill can be worked out in cooperation with local officials.

Higher education: My bill will permit a 30-percent tax credit to offset the cost of tuition and fees for higher education and occupational training. It will be of particular benefit to those families whose incomes fall between the range for tuition scholarships and the ability to meet higher college costs. We must act during this session of Congress to bridge the growing gap between the cost of education and the ability of families to pay.

Air and water pollution: I have introduced a bill—similar to legislation which I filed during the last Congress—designed to control further industrial pollution and to end the present air and water pollution as promptly as possible with the greatest fiscal efficiency. My bill encourages industry to act promptly to build facilities to control water and air pollution by giving a 20-percent tax credit for such investments. Under the provisions of my bill, industry could promptly construct its water and air pollution abatement facilities at a cost to even the largest industry of 32 percent of actual cost, rather than going through the redtape of a Government grant.

Reimbursed moving expenses: I have reintroduced the bill I filed last year to give a tax break on moving expenses to military, Government, and industry employees who are transferred to new job locations. This bill, which has wide support from both parties in Congress, will exempt such reimbursed moving expenses as house-hunting trips from the taxable income category.

Preferential postage rates to museums: This bill will give the same benefits to museums which are now enjoyed by public libraries for mailing educational materials and loan exhibits.

Reorganization of the executive branch: I have reintroduced my bill to establish a Hoover-type commission on the executive branch in accordance with the widely held opinion that countless Federal programs, old and new, are being undermined by inefficient administration, poor coordination, and failures of intergovernmental communication. It is obvious that reform is urgently needed, and that the executive branch has not been able to do the job itself.

Commission on Public Management: The concept of this bill, in which the House-Senate joint leadership has shown great interest, represents an extraordinarily broad initiative which can be the basis for government for the next decades. The bill will establish a Commission on Public Management to explore the potential application of systems analysis and management techniques to the solution and administration of public policy problems. It is my belief that the new systems management techniques which have been developed by the defense and aerospace industries can provide a comprehensive approach to the complex problems of an urban society.

Committee on Congressional Ethics: In view of the unfortunate situation that has developed concerning ADAM CLAYTON POWELL, I have introduced a resolution to establish a joint Senate-House Committee on Ethics. It will be the duty of this committee to draw up a comprehensive and practical set of standards to be applied to all Members of Congress.

Delegation to a Convention of North Atlantic Nations: At a time when Vietnam and other issues are dividing the world, the Congress and the Nation should make every effort to continue meaningful communications with our European allies. Consequently, I have introduced a resolution to create a delegation of eminent American citizens to meet with similar delegations from the NATO nations to explore the possibilities of strengthening the Atlantic Alliance.

Disaster insurance: I am presently working on a proposal to provide a comprehensive program of disaster insurance to victims of floods, tidal waves, excessively high tides, and other similar disasters. I have been working closely with representatives of the insurance industry and have been in contact with the Department of Housing and Urban Development which recently completed a study—authorized by legislation which I introduced in 1965—on disaster insurance. I hope to present soon a disaster insurance program which will meet the approval of the industry and which will provide adequate protection for the thousands of people each year whose homes are destroyed by floods and other such calamities.

Mr. Speaker, it is my hope that these matters receive the immediate attention of the Congress and the Nation.

OUTLINE OF MERCHANT MARINE AND FISHERIES PROGRAM

Today, Mr. Speaker, I am also introducing before the Congress a coordinated program of legislation designed to protect and develop our vital fishing and maritime industries in the United States. I will submit seven major bills and several related proposals affecting both our fishing industry and our seriously outdated merchant marine.

FISHING

First. Our fish resources must first of all be protected from the careless methods of oil exploration which caused the massive fish kill off the coast of Cape Cod last September. I am presently drafting legislation to require new and stricter guidelines for exploration firms. No mining or exploration will be permitted without prior consultation with the Bureau of Commercial Fisheries and unless the Bureau determines that no significant damage will occur to marine resources.

Second. Research and development by our commercial fisheries must be promoted by making more funds available to the States for this purpose. I am proposing that a new fund be established from the customs receipts our Government receives from imported fish products. Grants could be made to the States from this fund without requiring any new Federal appropriations.

Third. A third bill which I am offering will protect the vital coastal marshes and tidal areas of our Nation from destruction by dredging and filling in the process of coastal development. These estuarine areas are spawning and fishing grounds which are important in the life cycles of nearly three-quarters of our commercial seafood species. The bill has been improved over last year's version by requiring that the Congress must approve specifically of any area to be acquired for preservation by the Interior Department. The bill will protect our Nation's coastal estuaries, while also reserving to the States their primary responsibility and respecting the rights of the individual on his property.

MERCHANT MARINE

Fourth. America's fishing and merchant fleets are becoming critically outdated and are increasingly unable to meet aggressive foreign competition. In order to speed the construction and replacement of merchant ships needed for the supply line to Vietnam, and in order to build modern fishing vessels which can compete with the Soviet fleets off our shores, I am proposing a new vessel replacement reserve fund. This fund will enable merchant and fishing vessel operators to establish with the Secretary of the Interior a tax-free fund which can be drawn on to finance new or modernized vessels.

Fifth. Our Nation's shipbuilding industry has fallen further and further behind our competitors, so that now our once-busy yards rank only 13th in the world—behind those even of Spain and Yugoslavia. Without a strong shipbuilding capacity, we face the threat that the United States will not be able to provide the naval, merchant, and fishing vessels necessary for its national security and the health of its economy. I am proposing to the Congress a Commission on American Shipbuilding to conduct an immediate, high-level study of the need for Federal aid to the private shipbuilding industry. Commission members will be appointed by the President and will report its findings to the Congress and the President within 6 months.

Sixth. For too long the Maritime Administration has been buried under layers of bureaucracy in the Commerce Department. The Congress was able last session to prevent the President from juggling the Administration into a new position of obscurity in the Department of Transportation, but it is now time to make it an independent agency with authority commensurate with its real importance. Accordingly, I am introducing legislation to give the Maritime Administration independent status, with full authority to supervise its own programs and to report directly to the President.

Seventh. To further strengthen the Maritime Administration and its programs, I am asking the Congress to give the House Merchant Marine Committee authority to examine the Administration's budget and recommend funds which are fully adequate. This will be done by requiring authorization from the Merchant Marine and Fisheries Committee before the Maritime Administration's programs are sent to the Appropriations Committee for funding.

Several related proposals which I will introduce will further benefit our fleet, both for national defense and for commercial purposes. An amendment to the Vessel Exchange Act will allow greater flexibility in the conversion of reserve fleet vessels for national defense purposes. Another will further encourage American operators to have repairs done in our own shipyards, rather than abroad. A third bill will authorize the Coast Guard to develop an electronic guidance system for vessels moving in crowded ports and through canals. This would greatly benefit the passage of ship traffic through the Cape Cod Canal.

If approved, this system of legislation will significantly upgrade the fishing and merchant marine industries among our national priorities. Those of us in the Congress are concerned because of the President's lack of emphasis on maritime affairs in his state of the Union message and his budget requests this year. At a time when the problems of the fishing and merchant marine industries are getting larger and larger, the allocation of our national resources to maritime affairs is getting smaller. The program which I offer is both progressive and economical, and I urge that the Congress and the President give it immediate attention.

DAIRY IMPORTS LAW NEEDED

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. NELSEN. Mr. Speaker, a growing flood of dairy products, shipped into the United States through loopholes in U.S. import laws, threatens the American dairy industry and should be much more effectively controlled.

Consequently, I am today sponsoring a Dairy Import Act of 1967, which is designed to provide realistic controls on imported milk and dairy products. Under terms of my bill, controls would be placed on the importation of all dairy products containing 5 percent or more butterfat, nonfat milk solids, or a combination of the two. Imports would be held to an amount equivalent to the 1961–65 average, though imports would be allowed to share in any growth in domestic consumption. The President would be given the power to authorize added imports if he considered they were in the national interest. But if domestic market prices were less than parity, the Secretary of Agriculture would be required to purchase an amount of domestic dairy products corresponding to the amount allowed to be imported.

Mr. Speaker, inadequate incomes for dairymen—some of whom have been working for wages as low as 50 cents an hour—have contributed to the loss of 17,768 Minnesota farms with milk cows between 1960 and 1965. Prices since 1952 for milk and butterfat have been well below parity, and have been scarcely above 75 percent of parity in four of the last 5 years.

The poor income situation contributed to a 7-percent decline in 1965 alone in the number of milk cows and heifers on Minnesota farms, leaving the lowest number since January 1, 1948, to supply the dairy needs of a growing population.

In the face of such dreary statistics, it is nothing short of unbelievable to learn that:

Total imports of dairy products are 12 times as great as the amount authorized under U.S. import quotas;

Imports will rise by 567 percent—

nearly 7 times above 1953—if USDA estimates of dairy products imports for 1967 prove correct;

Three times more dairy products—milk equivalent—have come into the United States in 1966 than was imported in 1965;

In 1966, for the first time, the United States imported more dairy products than were exported.

Such unconscionable levels of import have been possible because of easily circumvented import restrictions. By changing the name or slightly altering the contents of dairy products, importers have been able to successfully evade existing import protections.

For example, the National Milk Producers Federation has found Colby cheese—virtually identical to Cheddar cheese—is entering the country at a rate 10 times the volume established as a quota for Cheddar.

As another example, the National Milk Producers Federation has found skillfully revised butterfat-sugar mixtures designed to circumvent import regulations succeeded in displacing a market for U.S. dairy farmers equal to 10 percent of total ice cream production.

It should be pointed out that most dairy products and derivatives shipped into the United States are cheaper because of subsidies available to foreign importers and lower world prices.

Dick Braun, writing in the February issue of Farm Journal magazine, points out:

> There is even evidence that some Common Market countries are buying our butter at 26¢ a lb., adding sugar to it, and shipping it back here as ice cream mix at 45¢ a lb. Their butter costs 6¢ to 8¢ delivered here because some countries pay shippers an export subsidy.

The National Milk Producers Federation has found the Common Market countries' minimum import prices for butter range from a low of 70 cents per pound in the Netherlands to 94 cents per pound in Belgium and Luxembourg. Such prices are maintained by import levies. These same nations export butter at prices as low as 20 cents per pound.

Such unfair trade is hurting the American dairy industry, and many of us here in Congress are convinced the extra restrictions sought are only fair and reasonable.

PRICE TAG UP ON SUBSTANDARD GERMAN GUN

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. FINDLEY. Mr. Speaker, a year after the substandard H.S. 820 20-millimeter German machinegun was cleared for procurement and with test reports on the gun still not complete—and, of course, the first gun yet to be delivered—the price tag for it is going up sharply.

Patrick Lynch, Department of Army project officer for the gun, is in Frankfurt, Germany, today to face up to German demands for more money. A letter of agreement signed last June set forth the contract terms, but now disputes over translation are aired by Rheinmetall Co., the German manufacturer, and these must be resolved before the whole deal is finalized.

So serious and urgent were the claims that Lynch was dispatched to Germany. Rheinmetall is the sole source for the gun and the need for the weapon has been officially labeled "critical" since 1961—believe it or not—so this puts the German firm in the driver's seat on bargaining.

From this it is safe to assume that the cost of the initial order of guns and ammunition will be considerably higher than the $72.3 million announced last year.

Mounting the weapon on the command and reconnaissance vehicle continues to be a serious problem. One complete set of cradles for the gun will be scrapped in favor of a new improved cradle, and this change will add still more millions to the price tag for the weapon system.

When it is finally manufactured, delivered, and fielded, the Army will still have a weapon far below the standards the Army's Combat Developments Command originally established. Exactly 1 year ago—after 4 years of costly and time-consuming testing—Pentagon officials ordered the standards dropped low enough for the H.S. 820 to clear. Even so, the gun has had difficulty getting over even the lowered standards.

An official October test report showed the gun still only marginally accurate, and a December report showed persistent problems on low-temperature firing.

EYES THAT WILL NOT SEE

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, it is exasperating, and at times downright depressing, to learn of the ignorance of, or the explaining away of, the commonly known methods and objectives of the Communist movement throughout the world. National wars of liberation which the Communist support throughout the world are in reality Communist efforts to take over countries of the free world by subversion, terror or any other means available to achieve their overall purpose of complete domination. When men of high rank in the free world completely overlook the basic intent and goal which the Soviets have so often proclaimed, it is time for freemen to worry.

As recently as January 4, 1967, the Soviet Union in a proclamation of its Central Committee again reasserted its basic objectives regarding the free world. The lengthy statement which appeared in an English translation in Moscow News, Supplement to Issue No. 2, 1967, read in part:

> The victory of the socialist revolution in many countries of Europe and Asia and on the American continent—on Cuba—and the establishment of the world socialist system is a continuation of the revolutionary renovation of the world which began with the October Revolution.

This year is, of course, the 50th anniversary of the Soviet October revolution in 1917, and the Soviets are undoubtedly correct in stating that Cuba "is a continuation of the revolutionary renovation of the world which began with the October revolution." The Vietcong in South Vietnam is waging a national war of liberation with the same goal as that achieved in Cuba—a Communist slave state—yet officials high in our Government refuse to face this reality.

The highly respected columnist, David Lawrence, in the Washington Star of today, February 2, cites another in a long list of cases in which officials either ignore or forget the cold, frightening realities of Communist successes achieved since the October revolution. They continue to swat flies while onrushing lions roar.

I include the Lawrence column, "Ex-Envoy Presents a Paradox," in the RECORD at this point:

EX-ENVOY PRESENTS A PARADOX

(By David Lawrence)

It's tough to be an American military commander these days, especially in Vietnam. No matter what the enemy does in attacking by mortar fire or bombs the villages and towns where American soldiers and civilians are stationed, news reports tell our armed forces that prominent persons in America are saying the United States shouldn't retaliate by bombing the enemy's strongholds, as this might be a "psychological" mistake.

Edwin O. Reischauer, who recently resigned as American ambassador to Japan, testified before the Senate Foreign Relations Committee on Tuesday. He said of the bombing of North Vietnam:

"Here is a psychological blunder on our part: The notion that we bring them to the negotiating table by making it painful enough. This is just a complete psychological misunderstanding."

On the same day, however, that Reischauer was testifying here, the premier of South Korea, which has sent troops to Vietnam, said in a public statement that the United States should continue its present bombing operations, as he believes this will hasten the start of peace negotiations.

Reischauer, now a professor at Harvard, is chairman of the State Department's new panel of advisers on East Asia and Pacific affairs. He has had an opportunity to study the currents of opinion in Asia and says that he agrees in general with the American objectives but differs somewhat in how they should be attained.

No government around the world, of course, likes to have a foreign army come to its continent and become involved there in any country's affairs. International law, however, does say that, whenever an existing government seeks assistance of another power and asks that military forces be sent to help repel aggression, it is proper for such aid to be given.

The forces of the United States are in Vietnam to help a small nation which requested our intervention. But it is a realistic fact, too often overlooked, that both Red China and the Soviet Union have from the very beginning been furnishing military supplies to support the guerrilla war against South Vietnam.

Nothing was said by Reischauer about the "psychological blunder" of the Soviets or the Red Chinese. He was thinking solely in terms of the criticisms he must have heard in Asia while ambassador to Japan—

namely, that the United States is at least a quasi-imperialistic power seeking dominion and military advantage.

Reischauer is a good "Monday-morning quarterback." He says the United States should not have gotten into Vietnam in the first place. He refers to 1954, when Vietnam was divided. The United States, however, issued its protest then and warned the world that sooner or later a catastrophe would come because aggressors were still grabbing territory and infiltrating other countries.

Unquestionably, it would be helpful if Asians took care of their own affairs and Europeans did likewise. But in a world in which military and economic power is still decisive, aggression against small nations can hardly be ignored. Reischauer presents a paradox when he says:

"We should not sponsor political, social, or economic change in Asian countries, though we should be responsive to requests from them for aid in carrying out such changes, whenever we judge that these changes would help in the healthy development of these countries and that our aid could usefully contribute to this end."

But if the United States doesn't sponsor social or economic changes and doesn't promise its aid, what other country will do this for the Asian continent? Reischauer says the United States "should not seek to play the role of leader in Asia, rallying allies to our policies, but should attempt to withdraw to the role of a friendly outside supporter of individual or collective Asian initiatives."

This is precisely what President Johnson has tried to do. Nothing would please the American government more than to have the Asians take care of their own affairs. But as long as there are dictatorships and autocracies possessed of nuclear power in Asia and Europe, the United States cannot desert the small nations of the world and fail to provide assistance for them.

STATISTICAL DOUBLETALK

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, it is that time of year again and the Congress and the people are being fed the administration's statistical doubletalk about the Federal budget, but this time with a new variation.

In addition to the caution necessary when examining the seemingly politically inspired national accounts budget, we must now take care to determine just what specific budget is being discussed; is the traditional administrative budget, which has been used for years, the one under discussion or is it the NAI budget being passed off as the administrative budget? The point is that this new innovation in statistical juggling shows a deficit of only $2.1 billion, rather than the substantially higher figure of $8.1 billion.

A recent article in the January 26, 1967, edition of the New York Daily News, written by Ted Lewis, helps put the administration's budgetary conniving in perspective. I am in total agreement with Mr. Lewis' statements and, therefore, include this item in the RECORD at this point:

TWO FIGURES ON ONE BUDGET ADD UP TO 1968

(By Ted Lewis)

WASHINGTON, January 25.—The time has come to wise up the voters about the very sneaky budgetary trick the White House fiscal wisenheimers are trying to play on them. We refer to their effort to get us to talk about, and think in terms of, a $169.2 billion budget instead of a $135 billion budget.

The bigger figure on projected fiscal 1968 spending showed up in the President's budget message. It appears in what is called the "national income accounts" budget, or NIA budget, for short. Under this kind of budget arrangement, all the money to be taken in next year (including $40 billion-plus in social security taxes) is estimated at $167.1 billion, and total outgo (including $40 billion-plus in social security payments) at $169.2 billion.

On that projected basis, the estimated 1968 fiscal year deficit would be $2.1 billion.

What's the matter with selling the country with the idea that this NIA budget is more important, more honest and therefore less phony than the old time-honored "administrative" budget? Well, there's a lot the matter, especially when thought is given to Presidential 1968.

That is going to be a White House campaign confusing enough—and demagogic enough—without the candidates being able to talk out of both sides of their mouths on the issue of federal spending. They could easily do this by sort of playing down what budget they are talking about.

In past Presidential campaigns the government spending issue could never be twisted. The statistical facts concerning federal spending were based on the administrative budget. And if the Administration would rather have the voters in 1968 understand what is going on fiscally, this budget, not the NIA one, should be the center of debate.

This administrative budget, as proposed for fiscal 1968, calls for $135 billion in spending, estimates receipts of $126.9 billion, which leaves a projected $8.1 billion deficit.

Now it would seem that the President, on the political defensive because of his big spending record, would much prefer to use the smallest budget figure available—135 billion—instead of one almost $35 billion bigger (in the NIA budget).

A DIFFERENCE OF $6 BILLION

Think twice about that one, my friend. What the President doesn't like—and neither do Treasury Secretary Fowler nor chief economic adviser Gardner Ackley—is another big deficit. And so, let it be noted that in the NIA budget the deficit is only $2 billion and in the old-style administrative budget $8.1 billion.

So in Presidential 1968 it would be most wonderful if the present conniving succeeded in making voters conscious about the NIA budget and not the administrative one.

That just has to be the political thinking at high levels in the Administration. For a most logical reason. Using the NIA budget system, the budget deficits under the Kennedy-Johnson Administrations are far smaller than when the administrative budget yardstick is used.

For example, Kennedy's first fiscal year was 1962. On the national income basis, the deficit for that year was $2.1 billion. On the administrative budget record, it was $6.4 billion.

Counting the Johnson fiscal 1968 budgetary proposals and estimated deficits, the Democrats have to take the responsibility for seven budgets. On the administrative budget basis, the combined total of deficits over that span is $44.2 billion, counting the projected $8 billion in the next fiscal year.

In contrast, using the NIA budget arrangement, the deficit for that same period projects to only $8 billion.

No wonder then that the President and his politically minded fiscal aids just love that NIA budget!

The question then remains as to whether they can soft-pedal the old-type budget, and through use of all "positive thinking" devices at hand, get voters to accept the NIA budget as the only significant and sound one to be knowledgeable about.

OLD BUDGET GOES A LONG WAY BACK

This would be quite a feat because, ever since this nation was founded, the administrative budget has been the heart of every political-fiscal issue.

It was the firm source of every partisan debate over whether too much was spent or too little taken into the Treasury. The solid proof was there on the record—showing deficits or surpluses in each year of every administration.

This remained true through the first two Presidential elections of the 1960s—the Kennedy-Nixon contest and the Johnson-Goldwater set-to.

Kennedy, seven years ago, pointed with scorn to the administrative budget troubles of the Eisenhower-Nixon Administration. For example, the $12.5 billion deficit in fiscal 1959.

Johnson, in 1964, similarly used the administrative budget record in an effort to show that the last GOP administration had preached economy, but had one big deficit after another.

But LBJ can no longer make political hay from the Ike record. He must defend the Kennedy-Johnson fiscal record, and, of course, on paper it looks very much better when the NIA budget kind of litmus paper is used.

COMMITTEE ON WAYS AND MEANS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight Monday next to file a report, including any supplemental views, on H.R. 4573, the bill dealing with the temporary increase in the debt limitation.

The SPEAKER pro tempore (Mr. WOLFF). Is there objection to the request of the gentleman from Arkansas?

There was no objection.

THE HUMAN INVESTMENT ACT OF 1967—A NEW APPROACH TO MEETING THE CHALLENGE OF UNEMPLOYMENT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 1 hour.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, I also ask unanimous consent on behalf of my colleagues, many of whom wish to participate in this discussion, that they have the privilege to revise and extend their remarks following the remarks I shall make.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. CURTIS. Mr. Speaker, this is the day when some 121 Republicans, possibly more by now, are joining together in introducing the Human Investment Act of 1967—a new approach to meeting the challenge of employment and unemployment.

This Nation's most valuable resource is its human beings. The skills and aptitudes of our population constitute a kind of capital that is far more important than financial capital or physical assets like machinery, plant structures, equipment, and so on. Yet, we have done all too little to develop it.

In an expanding economy with almost 2 million jobs that are waiting and needing to be filled, we are faced with the anomaly of having more than that number unemployed and many, many more underemployed.

The key to our manpower employment problems lies in relieving this condition of structural unemployment by giving greater attention to developing the skills of our labor force so that they can fill these vacant jobs. In short, we must encourage much greater investment in our human capital.

Toward this end I am very pleased today to join with 121 of my colleagues in introducing the Human Investment Act of 1967. This measure will encourage individual firms—both small and large—to train workers to fill the need for skills that exists in our economy. This badly needed legislation was originated by our able Republican colleague in the other body, Senator WINSTON L. PROUTY, who, with the help of many scholars, economists, labor experts, and businessmen, has produced a carefully thought-out and well-drafted bill. Senator PROUTY is introducing the same measure in the Senate today, along with 28 other Republican Senators.

The legislation being introduced today is an improved version of the Human Investment Act of 1965 introduced in the 89th Congress, which ultimately received 86 House sponsors and 23 sponsors in the Senate. I am very pleased to note that almost all of the original sponsors of the 89th Congress have again expressed their support, and that 35 additional Members have also as of this date. I am also pleased to note that increasing attention and enthusiasm has greeted this legislation outside the Congress, in the business community, in the universities, and in the news media.

This Republican effort began with Operation Employment in 1961–62, a full-scale study under the aegis of the Republican Policy Committee which heard the leading authorities from all parts of the Nation on employment and unemployment. For the first time a groundwork of theory and data was laid for fully comprehending the problem of structural unemployment and the role of manpower development and training in our advanced industrial economy. I discussed many of the findings of this study in my book, published in 1962 by Duell, Sloan & Pearce, "87 Million Jobs." Much of this research and scholarship was incorporated into the Manpower Development and Training Act of 1962. No one can claim a greater and more intense concern with the welfare of the worker in our society than those of my colleagues who at that time participated in developing this body of knowledge and law.

Unfortunately, because of the manner in which it has been administered, the Manpower Development and Training Act of 1962 has not been as effective as it should have been. A more fundamental approach is thus needed. It has been proven that a substantial amount of our present unemployment is not because of too few jobs, but because a large portion of our manpower is untrained in the skills that are actually at this moment in serious demand. An estimated 2 million Americans are structurally unemployed. These structurally unemployed persons need only additional training to become employable. They constitute our most underutilized economic resource. The legislation being introduced today by Senator PROUTY in the Senate and myself and my colleagues in this body is thus a further milestone.

The Republican coordinating committee, upon the recommendation of its task force on job opportunities, gave strong endorsement to this legislation, and included among 109 House and Senate sponsors in the 89th Congress were all 12 members of the joint Senate-House Republican leadership.

I might interpolate that I am happy many of our Democratic colleagues are understanding the basic merits of this measure. If I read the President's Economic Report accurately, he does not use the term "Human Investment Act" in his recommendations, but I think that the gist of what he is recommending amounts to the Human Investment Act. I am hopeful, therefore, with the belated support from this administration and the Democratic Members of the Congress, the bill actually will become legislation this year.

The basic approach of the Human Investment Act is very straightforward. It is premised upon the fact that the most effective job trainer in the Nation has always been the free enterprise economy. Business and labor, working together, have consistently been able to conceive and develop sound training programs superior in quality to—and minus the inefficiency inherent in—Government-operated programs. Business has recognized that a rapidly advancing technology requires continuous programs of training and retraining. It conducts formal as well as informal training during business hours or after work in plants, offices and classrooms. Instruction is provided by skilled supervisors or outside experts and teachers. No one else is as capable of teaching the skills business needs and of teaching those skills well.

Furthermore, businesses will actually assist in paying part of—and sometimes all of—the tuition costs of night school or vocational school, all of it directed along the line of upgrading the skills of our people.

The Human Investment Act is designed to encourage and increase the amount of job training done in private industry. This approach has to recommend its great efficiency, flexibility to adapt to all needs, and a strong connection between job training and an available job.

The following is a brief summary of the provisions of the act:

METHOD

The act offers employers a tax credit toward certain specified expenses of programs designed to train prospective employees for jobs with the company or retrain current employees for more demanding jobs with the company.

AMOUNT OF TAX CREDIT

Ten percent of the allowable employee training expenses, with a maximum of $25,000 plus 50 percent of the taxpayer's tax liability in excess of $25,000. This credit would be in addition to credits provided for by other sections of the tax code, and in addition to the regular deduction as a trade or business expense under section 162 of the code.

ALLOWABLE EMPLOYEE TRAINING EXPENSES

First. Wages and salaries of registered apprentices;

Second. Wages and salaries of enrollees in on-the-job training programs under the Manpower Development and Training Act;

Third. Wages and salaries of employees participating in cooperative education programs;

Fourth. Tuition and courses paid and reimbursement by the taxpayer to a college, business, trade, or vocational school;

Fifth. Home study course as the first part;

Sixth. Expenses to the taxpayer of his organized job training programs;

Seventh. Expenses of the taxpayer's own organized job training programs contracted by him to another taxpayer;

Eighth. Expenses to the taxpayer of organized job training programs conducted by a trade association, joint labor-management apprenticeship committee, or other similar group.

OTHER PROVISIONS

First. Allowable expenses must be tax deductible under section 162 of the Tax Code.

Second. The tax credit may be carried back 3 years and carried forward 7 years.

Third. No credit is allowed for training managerial, professional, or advanced scientific employees; for reimbursable expenses; or for avocational or recreational courses.

An example of how the credit would operate is as follows: Suppose the taxpayer has a tax liability to the Federal Government of $425,000 for the tax year. The maximum amount of credit he could claim under the act is $25,000 plus 50 percent of the tax liability in excess of $25,000. The tax liability in excess of $25,000 is $400,000. Fifty percent of this $400,000 is $200,000. The maximum amount that could be claimed then is $25,000, plus $200,000, or $225,000.

The taxpayer then adds up his allowable employee training expenses:

Case A: Suppose the figure amounts to $3 million. Ten percent of $3 million is $300,000. Since this is in excess of the maximum amount allowable, $225,000, the most the taxpayer could claim would be $225,000. This is to equalize between the larger business units and the smaller business units.

Case B: Suppose the figure for allowable training expenses is $1 million. Ten percent is $100,000. Since this figure is less than the maximum allowable, the taxpayer could claim the full $100,000.

However, it is important to note that in both of the above cases, the total employee training figure, $3 million in Case A and $1 million in Case B, continues to be deductible as a business expense.

Since the introduction of this human investment bill on September 9, 1965, important discussion has been generated among those concerned with manpower training. This has been most beneficial. I hope the dialog will continue and will stimulate further refinements in this proposal.

The following changes have resulted from discussions and correspondence with industry, labor, and Government representatives:

Amount of credit: The amount of credit has been increased from 7 to 10 percent of the allowable training expenses. This was done because it was recognized that, unlike a taxpayer's investment in equipment and machinery, investment in human capital carries a substantially greater amount of risk, especially in a period of skilled labor shortages such as the present. A taxpayer who invests in a machine owns an asset and may depreciate it over its usable lifetime. By contrast, an investment in a worker's skills may be lost if the worker responds to a more attractive job offer elsewhere. To compensate for this additional risk due to labor turnover, the act adds a differential of the 3 percentage points to the 7-percent credit enacted by Congress for investment in equipment and machinery.

Definitons: The definitions of allowable employee training expenses have been sharpened, and effort has been made to relate the definitions to those in other legislation for which administrative experience has been accumulated. Similarly, language specifying nonincludable expenses has been sharpened. A definition of "organized job training" has been added, drawing on the familiar language of the World War II and Korean GI bills.

New categories: Two new paragraphs have been added to make clear that the act is intended to apply to training conducted by one taxpayer and paid for by another, and training paid for by a taxpayer which is conducted by a business or trade association, joint labor-management council, or similar groups.

Trainee's gross income: Language has been added to make clear that expenses of tuition and course fees paid on behalf of an employee, or reimbursed to an employee, are not includable in the employee's gross income.

Technical and conforming changes: To conform with the 1966 amendments to the investment tax credit provisions—Public Law 89–800—the carryover privilege has been extended from 5 to 7 years, and the limitation on the amount of credit has been raised from $25,000 plus 25 percent of the taxpayer's tax liability in excess of $25,000, to $25,000 plus 50 percent of the taxpayer's tax liability in excess of $25,000. The act is made effective with calendar year 1967.

Deletion of the 3-month-rule: The previous version required that no credit shall be allowed for training of an individual unless such individual is on the taxpayers' payroll for at least 3 months after the completion of his training. This has been deleted from the revised version.

The particular change I would like to call attention to is the amount of credit. The amount of credit has been increased from 7 to 10 percent of the allowable training expenses. The original 7 percent was put in as a counterpart to the 7-percent investment credit that the administration proposed—which was enacted into law in 1962—for investment in new machinery and equipment. The point I made at that time was that if we were going to give a tax credit for capital investment in machines, surely we must do the same thing for human beings, who in this respect actually are in competition with machines.

A great dialog always develops on automation and what happens when management puts in a machine and displaces perhaps 10 people and throws them out of work. Surely investment that might be put into training—human capital—should be made equivalent to investment in physical capital.

The increase in the credit from 7 percent to 10 percent has a very important reason. This was done because it was recognized that, unlike a taxpayer's investment in equipment and machinery, investment in human capital carries a substantially greater amount of risk, especially in a period of skilled labor shortages, such as we have at present.

A taxpayer who invests in a machine has title to the asset, of course, and may depreciate it over its usable lifetime. By contrast, a capital investment in a worker's skills, in an employee's skills, may be lost if the worker responds to a more attractive job offer elsewhere. To compensate for this additional risk due to labor turnover, the act adds a differential of 3 percentage points to the 7 percent enacted by Congress for investment in equipment and machinery.

Another point I should like to make is that private enterprise invests considerable sums of money already in capital investment in education and training. Some economists have attempted to estimate the total overall figure. Admittedly it is not exact, but it is good to know what the range is—somewhere between $14 and $17 billion. This figure, of course, includes many components which are not part of the tax base against which the human investment credit would be applied. The Joint Committee on Internal Revenue Taxation has estimated that tax base as about $2 billion. The point I wish to make is that business now does a tremendous amount of education and training, and that enactment of the Human Investment Act, by removing present tax impediments, would encourage a great deal more of this kind of investment.

TECHNICAL EXPLANATION—THE HUMAN INVESTMENT ACT, THIRD VERSION

This measure is patterned after section 38 of the Revenue Code, relating to the investment tax credit and enacted by the Revenue Act of 1962. It is analagous to that provision in almost every respect.

The Revenue Act of 1962 provided a credit against taxes for investment in certain depreciable property. The credit amounted to 7 percent of the qualified investment. There were, however, top limits of the credit measured by so much of the tax liability as does not exceed $25,000, plus 25 percent—changed to 50 percent in 1966—of the tax liability in excess of $25,000. Tax liability in this frame of reference meant the tax imposed without reference to personal holding company or accumulated earnings increments less credits against tax already provided for by law—foreign tax credits, dividend credit, tax exempt interest and retirement income credit.

In the case of a husband or wife filing a separate return the top limit is measured in terms of $12,500 of tax liability instead of $25,000 except where the spouse of the taxpayer has no qualified investment for or no unused carryback or carryover credit credits for such earlier investment to that tax year. The effect of this limitation is to put the same limit on sole proprietorships and partnerships as would be imposed on corporations.

Affiliated groups must reduce the top limit available to them individually by apportioning the top limit among the members of the group. Once again, this provision provides that related corporations or business groups shall get no more than the credit allowed single business entities.

A carryback and carryover are provided for any year in which the credit exceeds the limitations imposed. The excess is carried back to each of the 3 taxable years preceding the unused credit year and carried over to the 7 taxable years following the unused credit year. However, the top limit applies to the amounts allowable for credit for those carryback and carryover years. For example, if the tax credit for 1969 exceeded the limitation for 1969 by $10,000, then that $10,000 could be carried back to 1966. If, in 1966, the credit allowed amounted to $25,000 and the top limit for that year was $30,000, only $5,000 of the $10,000 carryback could be applied to the tax year 1966. The remaining $5,000 of the unused credit could be applied to the 1967 tax year if there was any leverage between the credit for that year and the top limitation.

Where a net operating loss carryback causes an excess of credit over the top limitation the carryback provisions on the excess for that year are not available. In other words, where a net operating loss carryback from 1968 to 1965 wiped out or reduced taxable income for that year and a credit for investment in qualified property had been allowed for that year, 1965, the loss of the credit for that year because of its excess over the top limit—which was reduced by the application of the net operating loss carryback—cannot be recouped by a carryback to the 3 tax years preceding 1965, but can only be applied as a carryover to the succeeding 7 tax years. This restriction eliminates the possibility that tax returns would be subject to amendment for a full 6 prior years—3 carryback years for net operating loss plus 3 carryback years for unused investment credit.

To this point the Human Investment Act and the investment tax credit provisions of section 38 are virtually identical. But where the 7-percent credit toward investment in certain depreciable property is allowed by section 38, the Human Investment Act allows a credit of 10 percent toward certain specified training expenses for employees and potential employees. Otherwise, the top limitation is computed in the same way. The same treatment is accorded married persons and affiliated groups. The same carryback and carryover provisions are made and the impact of net operating loss carrybacks which reduce or eliminate the credit allowable is the same. Unlike the provisions for phasing in the credit for investment in property over the first year of the plan, however, a full credit is allowed for training expenses incurred in 1967.

"Employee training expenses" are elsewhere defined to include training expenses paid or incurred by a taxpayer with respect to individuals not his employees, as well as his employees.

There are eight categories of employee training expenses made allowable for tax credit purposes:

First, the wages and salaries of employees participating in a registered apprentice program;

Second, the wages and salaries of employees enrolled in an on-the-job training program—OJT—under the Manpower Development and Training Act—MDTA.

Third, the wages and salaries of employees who are participating in a cooperative education program involving alternate and approximately equal periods of study and employment in cooperation with an area vocational education school, business or trade school, or technical institution, as defined in existing legislation.

Fourth, tuition and course fees paid or incurred by the taxpayer to an area vocational school, business or trade school, or technical institution "for instruction of an individual in job skills necessary for and directly related to his employment by the taxpayer or his continued employment with the taxpayer in a position requiring additional job skills," and amounts paid by the taxpayer to an individual as reimbursement for such instruction.

Fifth, home study course fees paid or incurred by the taxpayer to any accredited home study school for instruction of an individual in job skills necessary for and directly related to his employment by the taxpayer or his continued employment with the taxpayer in a position requiring additional job skills, and amounts paid by the taxpayer to an individual as reimbursement for such instruction.

Sixth, expenses to the taxpayer for "organized job training," including books, testing and training materials, classroom equipment and instructors fees, incurred in training any individual in job skills necessary for and directly related to his employment by the taxpayer or his continued employment with the taxpayer in a position requiring additional job skills.

Seventh, expenses of the taxpayer for organized job training provided by another taxpayer.

Eighth, expenses to the taxpayer for organized job training provided by a business or trade association, apprenticeship committee, or other similar nonprofit association, group trust fund, foundation, or institution.

Organized job training is defined in the act to mean training according to a plan formulated or approved by the taxpayer which contains—

First, the title and description of the job objectives for which individuals are to be trained;

Second, the length of the training period;

Third, a schedule listing various operations for major kinds of work or tasks to be learned and showing for each, job operations or work, tasks to be performed, and the approximate length of time to be spent on each operation or task;

Fourth, the wage or salary to be paid at the beginning of the course of training, at each successive step in the course and at the completion of training;

Fifth, the entrance wage or salary paid to employees already trained in the kind of work for which the individuals are to be trained; and

Sixth, the number of hours of supplemental related instruction required.

Credit is not allowable toward the expenses of—

First, training which is not tax deductible under section 162 as a trade or business expense;

Second, training in management, supervisory, professional, or human relations skills;

Third, scientific or engineering courses creditable toward a baccalaureate degree;

Fourth, avocational or recreational courses;

Fifth, courses, in subjects not contributing specifically and directly to the trainee's employment or prospective employment with the taxpayer;

Sixth, training which is reimbursable to the taxpayer under a Government or private contract;

Seventh, training conducted in a foreign country.

In addition, a taxpayer may not claim credit toward both the salary and the course fees of a worker on a cooperative education plan. It is specified that the restrictions 2, 3, 4, and 5 above do not in any case apply to—

First, courses eligible for inclusion in a registered apprenticeship program,

Second, 2-year scientific technician programs as defined in existing legislation,

Third, training approved by State employment services for individuals receiving unemployment compensation.

Provisions for apportioning the tax credit among the shareholders of subchapter S corporations, estates, and trusts are identical to those in the investment tax credit provisions.

Similar in spirit to the amendment of the investment credit provisions which appeared in the Revenue Act of 1964 and which eliminated a section requiring a reduction in the value of the property, when computing depreciation to the extent of the credit taken, the Human Investment Act in no way reduces or limits the deductibility of expenses of training incurred merely because a credit is also available based on those expenses. Such qualified expenses remain 100 percent deductible while at the same time a credit against tax is fully allowed.

The act provides that expenses paid to or on behalf of a trainee by a taxpayer shall not be includible in the trainee's gross income. The act is made effective as of January 1, 1967.

Mr. Speaker, I am inserting in the RECORD at this point a revised list of the Congressmen who have cosponsored the Human Investment Act of 1967. The total as of this date is 121. Hopefully, many more will wish to support this legislation. At this point all those who have sponsored the act are of one party. This need not be. The idea of encouraging industry and business to increase their expenditures for training and retraining is so basic and will have such a beneficial effect throughout our economy that I am hopeful this measure will receive broad support on both sides of the aisle.

The list follows:

HOUSE SPONSORS OF THE HUMAN INVESTMENT ACT, 90TH CONGRESS, AS OF FEBRUARY 2, 1967

Thomas B. Curtis (Mo.).
Mark Andrews (N. Dak.).
Leslie Arends (Ill.).
William H. Bates (Mass.).
James F. Battin (Mont.).
Alphonzo Bell (Calif.).
E. Y. Berry (S. Dak.).
Edward Biester (Pa.).
Benjamin Blackburn (Ga.).
Frances Bolton (Ohio).
William Broomfield (Mich.).
Donald Brotzman (Colo.).
Clarence J. Brown, Jr. (Ohio).
Garry Brown (Mich.).
Joel T. Broyhill (Va.).
J. Herbert Burke (Fla.).
George Bush (Tex.).
Daniel E. Button (N.Y.).
Elford Cederberg (Mich.).
Donald D. Clancy (Ohio).
Don H. Clausen (Calif.).
James C. Cleveland (N.H.).
Harold Collier (Ill.).
Barber Conable, Jr. (N.Y.).
Silvio Conte (Mass.).
William C. Cramer (Fla.).
John R. Dellenback (Oreg.).
Robert V. Denney (Nebr.).
Ed Derwinski (Ill.).
Robert Dole (Kans.).
John J. Duncan (Tenn.).
Florence Dwyer (N.J.).
Jack Edwards (Ala.).
John N. Erlenborn (Ill.).
Marvin L. Esch (Mich.).
Paul Findley (Ill.).
Gerald R. Ford (Mich.).
Peter Frelinghuysen (N.J.).
James Gardner (N.C.).
Charles Goodell (N.Y.).
George Goodling (Pa.).
James R. Grover, Jr. (N.Y.).
Charles Gubser (Calif.).
Durward Hall (Mo.).
Seymour Halpern (N.Y.).
George Hansen (Idaho).
William Henry Harrison (Wyo.).
James Harvey (Mich.).
Margaret Heckler (Mass.).
Frank Horton (N.Y.).
Craig Hosmer (Calif.).

John E. Hunt (N.J.).
Hastings Keith (Mass.).
Tom Kleppe (N. Dak.).
Theodore Kupferman (N.Y.).
Dan Kuykendall (Tenn.).
John Kyl (Iowa).
Melvin R. Laird (Wis.).
Odin Langen (Minn.).
Glenard Lipscomb (Calif.).
Sherman Lloyd (Utah).
Donald E. Lukens (Ohio).
Robert McClory (Ill.).
Joseph McDade (Pa.).
Jack McDonald (Mich.).
Clark MacGregor (Minn.).
Charles McC. Mathias (Md.).
Catherine May (Wash.).
Wiley Mayne (Iowa).
Robert H. Michel (Ill.).
Clarence Miller (Ohio).
Chester Mize (Kans.).
F. Bradford Morse (Mass.).
Rogers C. B. Morton (Md.).
Charles A. Mosher (Ohio).
Ancher Nelsen (Minn.).
Thomas Pelly (Wash.).
Jerry L. Pettis (Calif.).
Richard Poff (Va.).
Howard Pollock (Alaska).
Robert Price (Tex.).
Albert Quie (Minn.).
Jimmy Quillen (Tenn.).
Tom Railsback (Ill.).
Charlotte Reid (Ill.).
Edward Reinecke (Calif.).
John J. Rhodes (Ariz.).
Donald Riegle, Jr. (Mich.).
Howard W. Robison (N.Y.).
William V. Roth (Del.).
Donald Rumsfeld (Ill.).
Philip Ruppe (Mich.).
John P. Saylor (Pa.).
William Scherle (Iowa).
Herman Schneebeli (Pa.).
Richard Schweiker (Pa.).
Fred Schwengel (Iowa).
William Scott (Va.).
Garner E. Shriver (Kans.).
Joe Skubitz (Kans.).
James Smith (Okla.).
William Springer (Ill.).
Robert T. Stafford (Vt.).
J. William Stanton (Ohio).
Sam Steiger (Ariz.).
William Steiger (Wis.).
Robert Taft, Jr. (Ohio).
Burt Talcott (Calif.).
Charles Teague (Calif.).
Fletcher Thompson (Ga.).
Vernon Thomson (Wis.).
James B. Utt (Calif.).
Albert Watson (S.C.).
J. Irving Whalley (Pa.).
William B. Widnall (N.J.)
Bob Wilson (Calif.).
Larry Winn, Jr. (Kans.).
Wendell Wyatt (Oreg.).
John Wydler (N.Y.).
J. Arthur Younger (Calif.).
John Zwach (Minn.).

A REPUBLICAN PROPOSAL TO MEET THE MANPOWER NEEDS OF TODAY—STATEMENT OF MINORITY LEADER GERALD R. FORD ON THE HUMAN INVESTMENT ACT

Mr. GERALD R. FORD. Mr. Speaker, I am most pleased to join with the gentleman from Missouri [Mr. CURTIS] and many of my other Republican colleagues in introducing the Human Investment Act of 1967. This legislation is a slightly refined version of the bill introduced in the 89th Congress, which was cosponsored by the entire Republican joint House-Senate leadership. I am pleased to announce that the revised version has this same strong endorsement from the joint House-Senate Republican leadership.

This legislation, which promotes job training and retraining with private industry, is based on a most logical and efficient approach. In addition to serving to meet the great need for skilled labor in our economy, it represents a most significant step in our efforts to reduce unemployment and create opportunities for the less fortunate in our society.

In the "State of the Union—A Republican Appraisal," we proposed that the Human Investment Act be enacted to induce employers to expand job opportunities for the unskilled. The act would stimulate this as employers would hire new employees to replace those who have moved up the skill ladder because of their increased job training. The Human Investment Act of 1967 is a sensible Republican proposal which we shall press in our efforts to redirect and revamp the poverty war.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I am happy to yield to my colleague from Illinois.

Mr. McCLORY. I thank the gentleman for yielding.

First, I wish to compliment the gentleman from Missouri for the leadership role which he has taken with respect to this important legislation.

This further identifies the gentleman from Missouri as one who recognizes the validity of our free enterprise system and recognizes the great potential of private industry.

The increasing problems which the administration is having with its Great Society and other legislation, results, in part, because of a failure to utilize the abilities of the free enterprise system, of local government, and of State government to carry out the historical prerogatives which they have had and exercised in the past.

I know the gentleman's presentation here is encouraging to business and encouraging to the person who is seeking a skill and seeking an opportunity to improve his own lot. I know that by carrying out this measure and giving business the opportunity to do the job which other measures have failed to do we can encourage the acquisition of necessary skills in job training and education and which this legislation would make possible.

I am pleased to join in support of this proposal. I believe the fact that more sponsors have manifested their support of this legislation in this Congress than in previous Congresses gives further impetus to the measure and further demonstrates its validity.

The Human Investment Act was first introduced in the 89th Congress and gained the support of 86 sponsors in the House and 23 sponsors in the other body. The present bill has 150 sponsors. I need not recount for you in detail the purpose and scope of this proposal. It has been widely discussed in the Halls of Congress and in the public press. Certainly the Human Investment Act is an example of creative federalism at its best.

Through a 10-percent tax credit, it provides an incentive to American business to hire, train, and employ those in our society who may be highly motivated, but who because of a lack of education have been rendered unemployable or have been relegated to unskilled and low paying jobs. The Human Investment Act is designed to transform such individuals into much needed highly skilled workers, guaranteeing them employment in the industry of their choice. Of course, the greatest feature of this proposal is that the expenses of administration and training will be absorbed by industry itself through the device of the tax credit. No new Federal programs need be established, no new Federal employees need be hired, and no new Federal appropriation need be sought. Indeed, private industry would do the entire job of soliciting, screening, educating, training, and employing those men and women who are available in large numbers but who lack only the skills and opportunity to become productive members of our increasingly technological society.

We have seen the Federal Government's attempt to superimpose a job training structure on our society. This has resulted in costly administrative programs run by bureaucrats at inefficient and sometimes scandal-ridden labor camps, and in other doctrinaire approaches. Such attempts have met with failure time and time again, being subjected to severe criticism both within and without the Congress. Let us now seek to give job training where it can best be provided—in industry itself—on the production line, at the drafting board, and in the operator's seat of the complex equipment which American industry requires. On-the-job experience, supplemented by sophisticated classroom training, will enable America's unskilled workers to assume their place in the ranks of the knowledgeable and highly skilled employees of modern industry.

Truly, the private sector is the greatest and most efficient job trainer in our economy. I am honored to associate myself with this important undertaking—the Human Investment Act of 1967—enlisting the full prowess of private industry in helping to solve this Nation's employment problems.

HUMAN INVESTMENT AND THE NEED FOR JOB VACANCY STATISTICS

Mr. WIDNALL. Mr. Speaker, I am pleased to again join with the distinguished member of the House Ways and Means Committee, the gentleman from Missouri [Mr. CURTIS], as well as my other Republican colleagues in introducing the Human Investment Act of 1967. This bill is a slightly revised version of similar legislation, originating with Senator PROUTY, of Vermont, and introduced by Representative CURTIS, myself, and many other Members of both the House and the Senate in the 89th Congress. Its purpose is to enlist more fully the capabilities of American business and industry to train the unemployed and underemployed and those workers faced with possible obsolescence of present skills. The bill provides a 10-percent tax credit to an employer toward certain employee training expenses, including apprenticeship training, on-the-job training under the Manpower Development and Training Act, cooperative work study programs and tuition and organized group instruction payments by employers.

I regret that inaction on the part of the administration and the Democratic majority makes it necessary for this legislation to once again be introduced for consideration. How many employment opportunities have been sacrificed by this unnecessary delay we may never know. But I can unfortunately say again, as I did in 1965 when introducing similar legislation, that the lack of past effort in this direction has only been matched by the present administration's unwillingness or inability to press for a better knowledge of job vacancies and the matching of skills and training to these employer needs. I would think the examples of other industrialized nations in this regard would have prompted action before now.

Since 1961, the Joint Economic Committee, of which I am a member, and particularly the minority members of the committee, have expressed their concern over lack of action in the job vacancy field. The full committee, in 1961, recommended a study of job vacancies. Two years later, when the Subcommittee on Economic Statistics held hearings in June 1963, no action had been taken on that recommendation. In neither the 1964 nor the 1965 reports from the Council of Economic Advisers is there any further recognition of this need, although in October of 1963, the CEA could tell a Senate Subcommittee on Employment and Manpower:

> Unhappily, we have no comprehensive and adequate series designed to measure job vacancies in the United States.

The 1966 report of the CEA, after considerable attempt to gloss over the problem by relating general improvement in the employment picture to an economic upswing fostered by private enterprise, finally admitted:

> Our present information system on job vacancies is little more than fragmentary. A comprehensive set of vacancy statistics, comparable to those collected in other countries, would be a most useful tool of analysis.

Yet a month earlier, in December of 1965, the Bureau of the Budget had transmitted a letter to the Joint Committee's Subcommittee on Economic Statistics, placing emphasis on the need for an improved system of statistical activities and information, and on major steps that might be taken toward such improvement, without ever mentioning job vacancy statistical needs.

On November 3, 1965, Secretary of Labor Willard Wirtz gave some recognition to the problem of labor supply in a speech before the mayor's conference on employment in Chicago. His answer to this problem was a more complete dosier on the unemployed, finding out who they are, where they are, what their abilities and desirabilities are, and what training they need as individuals to make them useful to themselves and the community. He further lamented the fact that we "always seem to start from jobs and work back to people."

Given the need for more information on the unemployed, I still believe the Secretary has missed the point. Indeed, if anything, the Federal programs for training begin with people unemployed and train them for jobs which may or may not be available. With more than a million Americans involved in Manpower Development and Training Act, Neighborhood Youth Corps, Job Corps, vocational education, apprenticeship, work-experience and work-training programs, we need to think back to the advice given before many of these programs began, contained in the report of the President's Committee To Appraise Employment and Unemployment Statistics, September 27, 1962.

The study by the Gordon committee, named for its chairman, Robert A. Gordon, chairman of the Department of Economics at the University of California at Berkeley, had several things to say about job vacancies and the need for more knowledge in this field. After noting that no suggestion received more frequent voicing than the need for a count on job vacancies, the committee said:

> High or rising unemployment accompanied by mounting job vacancies suggests the need for emphasis in private or public programs upon training, retraining, or relocation of the unemployed. Localized data on the structure and composition of job opportunities might help to resolve the apparent paradox of help-wanted ads continuing to appear daily in newspapers of many of the communities designated as surplus labor areas.
>
> Other uses of such data could be mentioned, including their employment in recruitment and placement, in job counseling, and in providing guidance in the formulation of training programs in the public schools and other educational institutions.

In a report prepared for the Gordon committee, the Bureau of Labor Statistics noted two of the possible uses for statistical data on job vacancies. They are:

> 1. As operating information for employee recruitment and placement.
>
> 2. As an indication of the demand-supply situation in various occupations for use in planning programs of training.

The Bureau went on to say, with regard to training:

> Possible use of the data as an indication of the need for training becomes a matter of immediate concern because of the proposed Manpower Development and Training Act. For this purpose, the data should be specific with respect to locality (although a national figure might be of some use). They should be directed to jobs for which employers are finding it difficult to hire workers, rather than the total number of vacancies at any time. For this use, as for the others, the data should be reported on a regular repetitive basis; a single observation is of limited value for planning training, because assurances are needed that the shortage is not transitory. For any occupation requiring long periods of training—e.g., professional and crafts—a projection of future needs is essential, and data on current vacancies are of limited interest.

Mr. Speaker, to find any recognition of this problem and any suggestions for adequate solutions, we must go to the minority reports on the President's Economic Report for the past several years. The majority of the Joint Economic Committee has unfortunately lost its 1961 concern. Where the majority is silent in the 1966 report, the minority makes the following comments:

> Along with the census of the unemployed, we must make faster progress in developing a statistical series on job vacancies. Had the administration seen the vital need for such a series, it could have long ago induced the Democratic Congress to appropriate the modest sums required to launch such an effort.

The minority went on to point out the benefits not only for training programs but also for general economic policy decisions turning on knowledge of aggregate demand:

> To the extent such statistics pinpoint unfilled job openings by occupation and geographic area they would be invaluable in shaping effective manpower training and guidance programs. Information on the relationship between the number of persons unemployed and the number of job vacancies also would help policy makers determine with greater certainty whether aggregate demand at any particular time was deficient and, if so, aid the development of policies to deal with it.

The minority then made the following pertinent recommendations:

> Strengthen the Federal-State Employment Service by improving its capacity to provide occupational guidance and testing, by developing interarea recruitment procedures by the use of modern computer techniques, by closely coordinating the Service's work with private employers to encourage voluntary listing of job vacancies and advance notice of mass layoffs, by carrying on more research on manpower problems and by strengthening the critically important private employment services rather than competing with them where they are doing a good job.
>
> * * * * *
>
> Encourage individuals to upgrade their skills by eliminating tax obstacles in the path of new skill development, by increasing training in basic skills of reading, writing and arithmetic, by convincing the States to permit unemployment insurance claimants to receive normal benefits while undergoing training or retraining and by providing tax incentives to business (as through the Human Investment Act proposed by House Republicans) to step up their programs of on-the-job training.

In 1964, the minority stated:

> Another critically important need is for a statistical series on job vacancies throughout the economy. To the extent such figures pinpoint unfilled jobs by occupation and geographic location they would be invaluable in shaping effective manpower training and guidance programs.

The minority then made this specific recommendation:

> 3. In order to assure that training is in needed skills, we recommend the establishment of a national clearinghouse for the identification and classification of emerging skill requirements, of existing needs, and of obsolescent skills. The clearinghouse should also maintain a list of job vacancies throughout the country for the use of the U.S. Employment Service, employers, private employment services, and others, in matching the jobless man and the manless job.

The minority did not stop there, however, but went on to suggest:

> 6. Our tax laws should be amended to eliminate obstacles in the path of new skill development.
>
> 7. Companies planning technological changes should be given an incentive to train for new jobs in the company the workers who would be displaced, thereby keeping them off the unemployment rolls.

In the minority views of the Joint Economic Committee's report on the Economic Report of the President for 1965, the above recommendations were repeated, and a new one added:

1. We recommend for consideration of Congress legislation introduced by Senator Winston Prouty, Republican of Vermont, and Senator Len B. Jordan, Republican of Idaho (S. 1130), which would provide a 7 per cent tax credit against business expenses or providing training programs for employees and prospective employees. Such legislation would provide a credit for investment in human resources similar to the credit which the administration supported for plant and equipment expenditures in 1962.

The legislation being introduced today is a revised and improved version of the Prouty bill. It takes on added significance in the face of the lag in our efforts to achieve a satisfactory job vacancy statistical clearinghouse. Present Government training programs, both Federal, State, and local, while highly desirable, cannot live up to their full expectations without adequate job vacancy information.

Giving an incentive to private employers to do their own training, or assist their prospective or present employees in acquiring such training would also avoid the problem of job placement faced by Government programs. This is so simply because the private employer is in the business of making a profit, and regardless of the credit he will not train unless there is a job available for the trainee. I believe our own experience in interesting employers in making use of present training programs, and the success of other countries in this regard are good indicators that substantial additional retraining will be encouraged by this bill.

For example, according to the July 5, 1965, issue of the Prentice-Hall, Inc., Lawyer's Weekly Report, 80 percent of the Government's OJT aid has gone to small firms, 75 percent of which had never had in-plant training programs before. The testimony of Robert J. Myers, Deputy Commissioner of Labor Statistics, in June of 1963, before the Subcommittee on Economic Statistics of the Joint Economic Committee, called attention to the efforts being made abroad, and the stimulation of Government incentives to private industry for training.

The Human Investment Act of 1967 has a role to play not only in job training but in gathering job statistics. The use of the 10-percent tax credit and its automatic reporting system through tax returns would undoubtedly have the side benefit of providing additional information on past job vacancies and the rate of vacancies up or down within a given 12-month period, which would be useful for economic policymakers. Its use would also tend to shortcut the lack of job vacancy statistics because of the matching of job to trainee by the private firm involved. I urge immediate consideration, long overdue, by the appropriate congressional committees, of the Human Investment Act of 1967.

Mr. PETTIS. Mr. Speaker, will the gentleman from Missouri yield?

Mr. CURTIS. I yield to the gentleman from California.

Mr. PETTIS. Mr. Speaker, I wish to commend the distinguished gentleman from Missouri for the time and effort he has put into the preparation of this solution to a serious national problem.

I am happy to join my colleagues in acting constructively in support of a program that is realistic economically and sound psychologically, a plan that recognizes the dignity of the person who is willing to work and increase his skills or competence.

This Human Investment Act can be a sensible, efficient solution to two recognized national problems—unemployment and the shortage of trained workers.

Instead of paying large sums of money training a man or woman for a job that does not exist and may never materalize, this bill gives help to employers desirous of training unskilled workers for jobs that exist and that are vital to our Nation's economy and security.

Mr. CURTIS. I thank the gentleman.

THE HUMAN INVESTMENT ACT OF 1967—A DIRECT AND PROMISING APPROACH

Mr. QUIE. Mr. Speaker, it is with great pride that I join with my able and distinguished colleague the gentleman from Missouri [Mr. CURTIS] in introducing the Human Investment Act of 1967. I rise in support of this measure because I believe it offers a realistic and workable approach to the solution of one of our major domestic challenges. We know that challenge to be the growing inequality of employment opportunity flowing from the inequality of educational achievement and failure in the acquisition of sophisticated professional skills. The manpower skills possessed by a sizable segment of the Nation's working men and women are simply unable to keep abreast of the exacting and stringent professional requirements imposed by a rapidly advancing American technology.

This legislation would, I submit, offer a direct and promising approach to the solution of our manpower crisis problem. By offering American business and labor a tax credit incentive, this act paves the way for those who are most intimately acquainted with the skills and the types of training required to attain the needed skills to institute new or to expand existing job training programs. By offering a favorable economic climate, it encourages those who have in the past proven their competence in this undertaking to develop richer experiences that effect an upgrading of the professional talents and capabilities of this Nation's manpower store.

The Human Investment Act of 1967 provides for a 10-percent tax credit on specified types of employee training program expenses—with a maximum of $25,000, plus 50 percent of the taxpayers' tax liability in excess of $25,000. By allowing this tax credit, the act of 1967 will encourage the private sectors of our economy to continue on a broader scale those top-quality job training programs that they have quietly but successfully pioneered.

I invite my colleagues, Republicans and Democrats alike, to give serious consideration and study to this worthy proposal. Clearly, it recognizes that we must work to improve the technical competence of those at all levels or rungs of the employment ladder. By creating opportunities for workers presently employed to increase their expertise and advance to more challenging and better paying positions, it, at the same time, makes available to those who are unemployed, or less skilled, or to those who are new to the labor market—needed job opportunities that will allow them to become contributing members of our society.

The benefits that will be derived from this broad-scale attack on our national manpower shortage are multifold. The free competitive American economy will continue to thrive and produce those goods and services needed by an ever-growing population. Business and labor working with a more highly skilled labor force will produce that myriad of goods and services with efficiency and economy that will be reflected in reasonable costs to the consumer. Inflationary trends spurred on by increased producer costs and simultaneously passed on to the consumer will be halted. Workers with greater skills will be able to make more significant contributions to our economy and at the same time enjoy more of the fruits of the American free enterprise system.

We are acting wisely when we invest in the future of our greatest national resource—our human resource.

Mr. DELLENBACK. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Oregon.

Mr. DELLENBACK. Mr. Speaker, I am most pleased and honored to be able to join with the gentleman from Missouri and with a number of my other distinguished colleagues in sponsoring this legislation which will be of vital importance to my constituents and to the Nation as a whole. I am doubly pleased that my first speech on the floor of the House is on such important legislation.

Present job-training programs are well-intentioned, but insufficient. They tend too often to train people badly for jobs that do not exist.

This act will bring to bear on the problem of technological unemployment the massive resources of private capital.

More importantly, under this program the unskilled and under-skilled are more likely to be trained for the jobs that are actually available, since industrial concerns will be inclined to focus their efforts on developing skills they really need. In an age when increasingly complex technology constantly threatens every worker's job and makes job hunting all the more difficult for the unskilled, we must provide realistic, substantial incentives for private capital to train workers who might otherwise be ignored.

I can think of no better investment society can make than an investment in a human life. To permit an unskilled person to train himself so that he holds a productive job can change a shattered, discouraged soul to a proud individual confident in his ability to pull his full load.

In addition, countless dependents who are now barely existing on unemployment and welfare will see their futures brighten when the head of their family becomes capable of holding a job. Somewhere, sometime we must break the vicious circle of generation after generation being dependent on government; this act can provide a dramatic beginning for private industry to help in this most promising endeavor.

The taxes paid throughout his lifetime by a person who becomes able to hold a productive job will, in the long run, more than return the modest investment we would make in him through the provisions of this act.

A major part of the greatness of America has been and is our economic system, based on the foundation of free enterprise. One of the most serious flaws running through the last 30 years of almost continual Democratic control of our national Congress has been a continued effort to achieve goals, which have often been worthy ones, in the wrong manner and with the wrong tools.

Instead of attemping to supply incentives to stimulate our great economic powerhouse to produce desired results, the Democratic effort has been to remold the system of economics. Some good has been achieved, but at a great cost to all of us.

The Human Investment Act represents a Republican attempt to reach the highly desirable and even essential goal of training our unskilled and upgrading the skills of our underskilled by working with and through our present economic system. In this act incentives are offered industry and business and labor to invest in people, our greatest asset. The return from such an investment will benefit us all.

I include a background and summary of the bill at this point:

BACKGROUND AND SUMMARY OF THE HUMAN INVESTMENT ACT, 90TH CONGRESS

Purpose: "To provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job opportunities for workers presently employed."

Method: The Act offers employers a tax credit toward certain specified expenses of programs designed to train prospective employees for jobs with the company or retrain current employees for more demanding jobs with the company.

Amount of tax credit: 10% of the allowable employee training expenses, with a maximum of $25,000 plus 50% of the taxpayer's tax liability in excess of $25,000. This credit would be in addition to credits provided for by other sections of the tax code, and in addition to the regular deduction as a trade or business expense under section 162 of the code.

Allowable employee training expenses:

1. wages and salaries of registered apprentices
2. wages and salaries of enrollees in On-the-Job Training programs under the Manpower Development and Training Act
3. wages and salaries of employees participating in cooperative education programs
4. tuition and course fees paid or reimbursed by the taxpayer to a college, business, trade or vocational school
5. home study course fees paid to or reimbursed by the taxpayer to a college or an accredited home study school
6. expenses to the taxpayer of his organized job training programs
7. expenses to the taxpayer of organized job training programs contracted by him to another taxpayer
8. expenses to the taxpayer of organized job training programs conducted by a trade association, joint labor-management apprenticeship committee, or other similar group.

Other provisions:

1. Allowable expenses must be tax deductible under section 162 of the Tax Code.
2. The tax credit may be carried back three years and carried forward seven years.
3. No credit is allowed for the training of managerial, professional, or advanced scientific employees; or for reimbursable expenses; or for a vocational or recreational courses.

The intent of the Act is to help workers advance up the "skill ladder," thus opening vacancies at the bottom for the presently unskilled and unemployed. Its major premise is that private business has, over the years, learned how to obtain the most results per training dollar, and should now be encouraged to expand its training programs to meet the national demand for labor skills. In addition, the Act seeks to encourage training by business because, unlike so much institutional training, training by business leads directly to a better job for the trainee.

Legislative History: The original Human Investment Act was introduced on February 17, 1965 by Senator Winston Prouty (R-Vt.). The second-generation version was introduced by Senator Prouty and Rep. Thomas B. Curtis, (R-Mo.) on September 9, 1965, and eventually claimed 109 Congressional sponsors. The present bill is a refined third-generation version, a product of over a year of research and consultation with businessmen, labor leaders, economists, and tax lawyers.

Mr. DELLENBACK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. CURTIS. I want to thank the gentleman, and I yield to the gentleman from Illinois [Mr. RUMSFELD].

Mr. RUMSFELD. Mr. Speaker, I am proud to join with my Republican colleagues in introducing a bill designed to attack the Nation's chronic problem of structural unemployment. At a time when our society demands hundreds of thousands of trained and skilled workers, thousands of Americans sit idly because they cannot meet industrial skill requirements. Private industry is clearly best equipped to close this employment gap and should be encouraged to do so through the Human Investment Act of 1967.

The act offers a tax credit incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job skills, and by upgrading the job skills of and providing new job opportunities for workers presently employed. As I said in 1965 when the original version of the act was introduced:

> In passing the Manpower Development and Training Act, with my support, the Congress indicated its awareness of the need for meeting the increasingly serious problem of structural unemployment caused by a labor force ill fitted for existing and developing job opportunities. The Human Investment Act will link private enterprise efforts with those efforts being made by Federal and State governments in this important area.

Modifications in this bill since the 1965 model make it even more attractive and desirable. Only when the Nation finds a job for every willing worker and business fills every job vacancy with able hands, will our economy reach the goal of unbroken prosperity for all.

I do have a question which I think is important. The very fact, as I indicated, that this is not the first time such legislation has been introduced raises an important point here. Does the gentleman from Missouri see any prospects that we can have hearings on this important question of manpower utilization and on what are the best possible ways that we as a nation can solve some of the problems of structural unemployment? Is there any clue you have seen which would indicate that we in this Congress unlike the previous Congress might have an opportunity to see some far-ranging hearings held with opportunity for discussion and debate so that we can come to grips with an extremely important problem?

Mr. CURTIS. First I want to thank the gentleman from Illinois [Mr. RUMSFELD] for his kind remarks, and then respond by referring to my preliminary remarks regarding the President's economic message to the Congress in January. I think what the President suggested, without naming it, was legislation along the line of the Human Investment Act. I think it is most important, however, that the Nation recognize that the Presidency is in the hands of a leader of the Democratic Party, Mr. Johnson, and the House of Representatives and the Senate are under the control of the Democratic Party.

And, Mr. Speaker, it is true that if the Democratic Party takes no interest or takes insufficient interest in this kind of legislation, we will suffer the same experience that we suffered in the previous Congress, a Congress also controlled by Democrats.

Mr. Speaker, I wish and I had hoped that this would have been a bipartisan approach, as I might say was the approach to the Manpower Development and Training Act, which came from the efforts of Democrats and Republicans back in 1961.

In 1961, Mr. Speaker, we had zeroed in on this question of unemployment. I believe the problems in unemployment insurance revolved around the question of, "What good does it do to have a person stay in the program and receive an extra 10 weeks of unemployment insurance, if at the end of that period he is still unemployed?"

Therefore, "If they are coal miners, then let them wait until their unemployment insurance runs out and receive another 10 weeks."

But, Mr. Speaker, actually the problem in the beginning was to this effect, "Look, you had better start training for a skill that is in demand."

Mr. Speaker, this is the essence of the Manpower Development and Training Act of 1962, and it came from this kind of bipartisan effort.

And, Mr. Speaker, I might add that another feature of the Federal unemployment program was such that at that time, in 1961, most States removed persons from unemployment insurance rolls if they did retrain.

Mr. Speaker, we argued that it should be reversed, so that if one had an obsolete skill and did not retrain he would be removed from unemployment and put on retirement. The last thing we should do would be to remove a fellow who was retraining from the rolls.

Mr. Speaker, I am happy to say that 50 States have this geared into their programs.

Mr. Speaker, this represents an emphasis in the private sector which has already been carried into operation and which, in effect, says, "We are not going to tax money that is spent for training and retraining. This is conventional tax theory."

However, Mr. Speaker, I hasten to say to those who will look at this as though it were a subsidy, "Responsible tax policy has always said and indicated that you do not tax an area of income if it were not flourishing the way or in the manner in which it should be." In other words, the Government would have to spend the money directly. So, Mr. Speaker, I believe the gentleman from Illinois [Mr. RUMSFELD] has raised a most pertinent point because in my opinion it does emphasize the need of the administration and the President of the United States as well as the Secretary of the Department of Health, Education, and Welfare, and the leaders of the Democratic Party in this House of Representatives, and in the other body, to assist in moving this very basic theory forward, as—and I am repeating to their credit—they did do in 1962, although they knew then that this was a Republican-originated measure, and that the bill which was actually passed was a bill embodying the substitute which had been offered by the distinguished gentleman from New York [Mr. GOODELL], a Republican member of the House Committee on Education and Labor. And, Mr. Speaker, to the eternal credit of the Congress, the gentleman from Pennsylvania [Mr. HOLLAND], a good Democrat, who at that time was chairman of the subcommittee, worked out this problem on a bipartisan basis so that there was credit reflected for all concerned.

And, Mr. Speaker, I would just be tickled to death if the Democrats would come along and receive a great share of this credit for enacting this legislation into law, because this could and should be a bipartisan measure.

Mr. RUMSFELD. Mr. Speaker, I thank the distinguished gentleman from Missouri for his comments.

Mr. HALPERN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I am delighted to yield to the gentleman from New York.

Mr. HALPERN. Mr. Speaker, I want at the outset to compliment the gentleman from Missouri for his leadership role on this vital issue of human investment. I want also to commend my other colleagues who are participating in this presentation.

I am enthusiastic about this bill, which was first introduced in 1965 and has since undergone refinements. We have heard increasing talk about channeling private money into rehabilitating the urban ghetto. The Human Investment Act represents an effort to marshal the know-how and resources or business to remedy persistent unemployment and help upgrade labor skills.

Congress has thus far largely ignored the pivotal role which private industry, in partnership with the Government, can play in expanding job opportunities and equipping the untrained or displaced worker with marketable skills.

For this purpose, we propose a 10-percent credit against employee training expenses as an incentive to American enterprise to hire and train unemployed workers who lack skills. The bill sets forth a reasonable definition of allowable training expenses.

Last year, unemployment fluctuated between 3.7 percent and 4 percent of the Nation's labor force. While the Council of Economic Advisers seems to believe that "full employment" was reached, inasmuch as demand matched supply, an unemployment level hovering around 4 percent is still too high in a prosperous, expansionary economy. Other industrialized States of the West record better results, and the United States must press forward on this front without producing further inflationary spurts.

One of our problems is that jobs are available, but we have not yet devised practical and efficient means of equipping hard-core unemployed with the skills to match those jobs.

In 1966, civilian employment increased by 1.9 million. Rising demand cut the jobless ranks by 500,000 men. However, we have no guarantee that as capital spending declines, and demand slackens, that the encouraging trends will persist.

There is abundant evidence suggesting a scarcity of skilled workers. Today's labor market puts an ever-increasing premium on education and training. Even as rising GNP cut sharply into the number of persons unemployed during 1966, the paradox of persistent joblessness alongside job vacancies remains.

Many economists claim that the apparent shortage of skilled labor has contributed to inflationary pressures. However, it is likewise evident that our economic well-being is not affecting the fortunes of untrained or unskilled jobseekers. By stimulating demand, unemployment has been reduced; but, conversely, this manipulation has not by itself enhanced the job opportunities amongst those who are uneducated and ill-trained.

At the same time, policy must be aimed at upgrading the capacities of those presently employed who wish to advance their economic status.

The human investment bill promises a fresh direction in the endeavor to assimilate labor skills with market demand on a continual basis. For we cannot only worry about today's labor market. Technological change will accelerate, and as this trend continues, the Government must institute a flexible mechanism to cope with the constantly changing supply and demand conditions of the job market.

This legislation recognizes the problem of structural unemployment. It recognizes that expanding job training opportunities is the best means of reaching persons whose skills are insufficient or obsolete. We can do this without enlarging the Federal bureaucracy or increasing redtape. We can do this by supplementing existing manpower programs, and by attracting the Nation's most suitable and efficient job trainer: the free enterprise system.

This legislation, granting business a tax credit for employee training expenses, will act as an incentive for employers to hire the semiskilled and unskilled in our labor force.

Job opportunity is a major objective of numerous Federal programs, including the war on poverty. By tapping the on-the-job training capability of American enterprise, through offering substantial incentives, the country can further reduce unemployment and lift per capita income.

Again I want to commend the gentleman from Missouri for his determined effort to achieve this most meritorious legislation—and further I wish to state that I am privileged to join with him in this cause.

Mr. CURTIS. Mr. Speaker, I wish to thank the gentleman from New York [Mr. HALPERN] for his remarks.

Mr. BUSH. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Texas.

Mr. BUSH. Mr. Speaker, it is a real honor for me to join the gentleman from Missouri and my other distinguished colleagues in introducing the Human Investment Act in the 90th Congress. I was privileged in 1965 and 1966 to serve as the vice chairman of the Republican coordinating committee's task force on job opportunities and to have the opportunity of appearing before this committee to present the Human Investment Act and recommend its approval. So I have more than a passing interest in this measure, which I hope will receive careful consideration by all Members.

The Human Investment Act has the great feature of turning the private sector of our economy loose to help people. It is a program which gives employers the incentive to train workers, and the employees the incentive to upgrade themselves. And it strikes at the heart of the problems of our unskilled or semiskilled workingman who cannot afford either the time from his job or the money from his family to gain new education and upgrade his skill. It is aimed at the employee who earns more than $3,000 annually and who is ineligible for unemployment or other welfare benefits, but who does not make enough to pay for retraining himself. It is aimed at that workingman who does not want welfare but wants to better himself, but who has no place to turn.

The bill is a positive, practical solution which has advantages for employees, employers, and the public as a whole. It gives the employee an opportunity to upgrade his skill and his income; it gives the employer the incentive to invest in his workers; and, as more workers are upgraded, it opens up more jobs for the unemployed, thus taking the latter off of the welfare rolls and giving them the opportunity to become productive members of society.

This act truly helps people help themselves and I urge its adoption by this Congress.

Mr. CURTIS. Mr. Speaker, I want to thank the gentleman from Texas.

Mr. LLOYD. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I am happy to yield to the gentleman from Utah.

Mr. LLOYD. Mr. Speaker, I am pleased to be among those who are today introducing the Human Investment Act of 1967, and to compliment the gentleman from Missouri on his leadership in bringing this product of sound research before this House.

During 1965 and 1966 while residing in Salt Lake City, Utah, in the district which I now represent, I accepted the voluntary responsibility as president of the Utah Employment Training Committee, Inc., which was a representative citizens committee to oversee a pilot program of on-the-job training administered by the Bureau of Apprenticeship and Training of the Labor Department. The Salt Lake area was the second pilot program instituted, the first being at Chattanooga, Tenn.

A staff was employed including a director, two assistant directors and a secretary. An intensive effort was made to secure contracts with employers of the area under which such employers would conduct on-the-job training programs for unskilled workers, or for workers who could be trained to climb the ladder in employment skills. The trainees were not those on welfare rolls, but they were to be among the unemployed or those who could take advantage of opportunities for advancement.

Brought forcibly to my attention while serving this program, was the vast difference in opportunity between skilled and unskilled personnel. Employers were in dire need of skilled assistance. The unemployed were found almost entirely among the unskilled. We had virtually no unemployment among skilled workers.

This pilot program, tested in the Utah area, is not to be confused with the program administered for disadvantaged people under the Manpower Development and Training Act nor the program for on-the-job training administered with funds from the Office of Economic Opportunity for those on welfare and for whom vastly larger subsidies are offered.

Under the program which I served, employers entering into contract with the Bureau of Apprenticeship and Training were paid a portion of their training costs, which were roughly one-third of the weekly wage paid. Government funds in the approximate amount of $120,000 were paid out during the first year of this pilot project for training compensation and for administration of the program.

This experience emphasized to me the tremendous potential of training on the job by private industry of unskilled workers to assist them in acquiring skills and thereby secure permanent employment in private industry.

In my judgment, the Human Investment Act of 1967 is a far superior method of reaching this objective. Our society desperately needs to develop skilled labor from the unskilled. There is no more fundamental or desirable way than for employers to be given this equal opportunity through a tax credit.

In the long run, the results will be reduced expenditure of tax moneys, an increase in the supply of needed skilled labor, greater participation among employers, greater opportunity for the unskilled, and a more basic participation by the private sector of our economy than is possible under any program administered by Government.

It is far more important for us to develop skills leading to permanent employment and permanent need in private industry than to create artificial jobs, temporary in nature and dependent largely on Government largess. It is my hope that this legislation will draw the most serious attention and favorable action by this Congress.

Mr. CURTIS. I want to thank the gentleman and also to commend him for the work I know he has been doing in his State and for the contribution he has made by bringing to our attention his experience in these matters.

Mr. RIEGLE. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman.

Mr. RIEGLE. Mr. Speaker, I am very much pleased and honored to be able to join with the gentleman from Missouri in cosponsoring this bill.

I think it is all too seldom that we have the chance to see and recognize and pay tribute to real leadership. Because genuine leadership is very often very lonely, it is the kind of business where leadership is often alone and involves many long and many late hours.

It is clear, I think, to all of us that this is the kind of leadership we have here on the part of the gentleman from Missouri on this particular bill. So for this reason among all the other reasons, I am tremendously honored to be able to cosponsor it with the gentleman.

I think this in fact marks a tremendous step ahead. I think the point has been made before and I would reemphasize it, that this is not a partisan issue. I would hope that we can win bipartisan support to have this program studied and to get a program of this type off the ground.

I think, too, we must emphasize that this like other programs of this kind has to be a nationwide and industrywide program. We are still working and developing our technology in this area.

Of course, in these days of nagging problems, it is very difficult to overcome the financial problem of financing retraining activity. It is clear, too, that we have to have more initiative from private industry and private enterprise. We just cannot afford to waver on this job that requires imagination.

I feel that in the past we have fallen short of the mark in enlisting the aid of private enterprise in this problem area.

I think this is one of the tremendous possibilities, and yet, we cannot neglect other areas while we cope with this kind of problem and encourage work in this area.

In considering a bill of this kind, we have not overlooked, for instance, specific programs that we have underway in the training/retraining areas like those now under the poverty program. And if ever there was a time in the history of this country where a program needed evaluation, and if necessary an emergency audit, it is the poverty program.

On-the-job training and retraining is the legislative program that is being submitted today, but at the same time we must continue to push ahead and reexamine and reappraise and take a hard look at all our other governmental programs aimed at this same problem—such as those in the poverty program. I am hopeful that this will be done on a bipartisan basis—this reevaluation of existing governmental programs.

I think the poor will greatly benefit if we do this and let me make it clear that this is not taking anything away from anybody. I think we must assure ourselves that this is money being well spent, and I think that an audit to accomplish this is long overdue.

Mr. CURTIS. Mr. Speaker, I thank the gentleman for his very helpful and very wise remarks.

Yesterday I was on a TV show about the Human Investment Act and I was asked by a commentator whether it was my answer to the poverty program and whether it was going to eliminate it.

I said that I had not thought of it in that way. I simply put it this way—that those who have the responsibility of conducting the poverty program will find their job is made considerably easier if they are able to say to a fellow who is looking for a job, "Yes, I know company X that is now taking people on to do this kind of work."

I said that this should be one of the most welcome programs, and I said the only way it might eliminate the present programs would be in a very hopeful way—where they would not have any more customers. Certainly if anyone comes into the U.S. Employment Office looking for a job and we have the underpinning of this kind of legislation encouraging our private sector to do more training, their job would be made a little easier.

If I get the gist of the gentleman's remarks, he is pointing to this possibility.

I do welcome again his emphasis that this is not a partisan matter. It should not be. The door is wide open for our colleagues on the other side to get aboard, and the sooner they do it, the sooner the measure will become actual law and we can go to work in meeting, I think in a very fine way, some of the problems in the field of poverty.

I thank the gentleman.

Mr. BROTZMAN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Colorado.

Mr. BROTZMAN. I thank the gentleman for yielding.

I join in commending the gentleman from Missouri for an outstanding job in producing this particular piece of legislation. It has come to my attention that he has spent many hours, many days, in independent research. He has written books on the subject. I believe he has produced a very creative effort to resolve and help solve one of the major problems of the space age in which we live.

By virtue of this particular measure we can, in fact, train the youth of this country in jobs with a future instead of making professional leaf-rakers out of them. It is a very positive approach to the problem of providing jobs and also providing basic services in technological fields and others that the country needs badly.

I think that this measure deserves bipartisan support. I think that it deserves support on the part of the American people. I believe that if they understand the basic principles of this act, they will recognize that not only will our young people be trained but also job opportunities will be afforded them in the area where they have been trained. In short, it will bring into coincidence a trained supply with the job need.

I am very pleased, Mr. Speaker, to have had the opportunity to join in the introduction of this measure. I will press with my colleagues to see that hearings are held, because I believe that it is in the best interests of this great Nation that we enact this legislation. I thank the gentleman.

Mr. CURTIS. I thank the gentleman.

Mr. KUPFERMAN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from New York.

Mr. KUPFERMAN. I am pleased to be a cosponsor of this legislation. I also wish to commend the gentleman from Missouri, not only for the very fine work that he has done in this field, but also because he shows that the Republican Party is not only the party of today but is also the party of the future.

Mr. CURTIS. I thank the gentleman.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Illinois.

Mr. FINDLEY. I, too, am very proud to be a cosponsor of the Human Investment Act. One of the aspects of it which appeals to me particularly is the flexibility of the measure, much more so than is true of the Manpower Development and Training Act, which, of course, was an appealing and hopeful program. But this Human Investment Act approach strips away the Federal bureaucracy completely from the training program. It imposes no additional redtape, no need for bureaucratic activity at any level, except simply the processing of tax forms, which of course, are processed anyway.

The program is entirely under the control of private firms, and thus is able to respond more promptly to the changing manpower needs of the country. So I do commend the gentleman.

Mr. Speaker, given rising productivity, national policy has available three basic ways to relieve poverty: area development, income redistribution, and human development.

The Human Investment Act represents an attempt to relieve poverty and unemployment through human development. It would encourage industry to expand its training and retraining programs. This would be accomplished by amending the Internal Revenue Code to allow employers to take a credit against their income taxes for the expenses of providing training programs for employees and prospective employees.

The expenses allowable for the credit include: wages and salaries of apprentices, employees in the Manpower Development and Training Act on-the-job training programs, and employees in the cooperative education programs alternating work and study; tuition and course fees paid by the employer to colleges or accredited correspondence schools and the expenses to the employer of organized group instruction.

The most common type of employer training program except for informal on-the-job training is organized group instruction, including classroom instruction. The expenses to the employer conducting such programs would be eligible in most cases for the 7-percent tax credit provided by the act. This is an important element of the bill because the employer need not conduct the program on his own company premises to be eligible. All that is necessary is that he pay the costs.

As an antipoverty approach the Human Development Act is preferable to area development and income redistribution because it raises total income through investment in people regardless of geography, especially the poor, in order to increase their individual productivity. It rests on the assumption that investment in human beings will raise individual income without reducing society's total income.

The Human Investment Act is based upon the assumption that persistent unemployment is caused by insufficient supply of trained labor. Thus today there are many jobs unfilled at the same time people are looking for jobs. Unemployed people are not matched with the jobs because they have not been sufficiently trained to fill the vacancies. Enactment of this bill will spur the retraining program and thus curb the unemployment rate.

While passage of this bill would result in some momentary tax revenue loss, in the long run it will result in higher levels of employment which in turn will stimulate the economy, increasing Treasury receipts. Better training means better pay, which of course, is taxable. Other savings will result from reduced need for unemployment compensation and public welfare payments to support the unemployed.

The unemployment problem is nationwide in character. It affects the whole economy. At a time when automation and rapid technical changes are fast altering the skill requirements of the labor force and when an unprecedented number of untrained persons are entering the labor market, the Nation cannot rely solely on an adequate level of aggregate demand to stimulate all the necessary skill readjustments in the labor supply.

Since structural unemployment problems will probably be always with us in some degree or form and because it affects the entire national economy, we must move forward now to meet this problem by enacting the Human Investment Act.

The one point which is sometimes brought up as a criticism of the program is that it would mean a momentary loss of tax revenue for the United States, and perhaps this would be true. But I am sure, very promptly, in the form of higher earning capacity, the Federal Government would soon have a larger tax base from which to draw revenues.

If the gentleman would like to comment on that further, I would appreciate it.

Mr. CURTIS. I would be happy to, and I thank the gentleman for his remarks in also pointing up this particular thing. Indeed, this is an important point.

Being on the Ways and Means Committee, I am always concerned about our revenues.

If I have ever seen a bill that is going to increase our revenues, it is this bill. Not only that, it is going to decrease Federal expenditures if it works out as I have described it, where the Employment Service and the poverty program would run out of customers.

We might think of it from this angle as well. This is just strictly on the basis of moving a person over from the red side of the economic ledger to the black side, where he will start paying taxes. This is irrespective of the human appeal and the importance of that, which is, after all, the thing we are basically concerned about.

Let me discuss one other point that the gentleman mentioned. I am glad he brought it up. This is so superior to the Manpower Development and Training Act for the very reasons that he mentions, that it does put it in the private sector, under the discipline that exists in the private sector, which is the key.

A company is not going to train a person just to be training him, because, after all, it will be putting up the greater part of the money. It will only do this if it figures it can make that person into a useful employee.

There is enough incentive in this bill to remove a great deal of the impediment that presently exists and which will encourage the companies to do it.

This will bring in the great discipline of the marketplace, which I believe in many instances we lose sight of in our desire to use the political mechanism in our society; namely, the governmental mechanism. As a politician and as one who thinks highly of government, I am, nevertheless, the first to say that it is not an efficient mechanism to employ in these areas. Certainly it is not nearly as efficient as the marketplace would develop.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Speaker, I appreciate the gentleman's point. Undoubtedly the effect on the Federal Government is one that would interest almost every American. I would not expect the gentleman to have a precise estimate at this time as to what might happen to the Federal budget on balance if this program is put into effect, but if he could come up with an estimate sometime, I believe it would be most helpful to all of us.

Mr. CURTIS. I have been making some estimates, Mr. Speaker, but let me just refer back to 1964, when we had the tax cut. As the gentleman and other Republicans will recall, our position was for the tax cuts, which we argued would broaden the base of economic activity and promote economic progress. The Democrats, who were also for this bill, were operating on a different economic theory. Their theory was not that the tax rates were too high. They simply argued, if we released some of this money that we were collecting in taxes back to the private sector, then we would increase aggregate demand. Where was the difference between the two points of view? The Republicans said in order to accomplish this without creating more economic damage in the fiscal area through deficit financing—the impact on the economy of $8 or $10 billion of Federal bonds to finance this—we had to cut back Federal expenditures. The Democrats responded by saying that we would not then have increased aggregate demand if we cut back $10 billion in Federal expenditures to release $10 billion to the private sector. It is a "wash" item and then we do not have the expanded demand.

Our answer was that actually the private sector had a multiplier effect of five times the expenditure in governmental areas, partly because of this discipline, and if we held expenditures down, we would see results.

The interesting thing, which I regret to say many businessmen and many people in politics and the new media have failed to see, is that having defeated the Republican motion to recommit the tax bill and to report back immediately with an amendment to hold expenditures, the Johnson administration actually held expenditures during those 2 fiscal years, in 1964 and 1965. This was to its great credit, but it was the Republican theory that prevailed and made a success of the tax cut of 1964. We did end up with more revenue, just as we had predicted.

So I can say with considerable confidence that this legislation, so far as budgetary impact is concerned, would produce more revenue for the Federal Treasury and, strangely enough, less expenditure. We would be moving toward that which we badly need; not only a balanced budget, but also a paying off of a little on the Federal debt which is creating such great damage in high interest rates and inflation and, above all, our difficulties in our international balance of payments.

Mr. TALCOTT. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from California.

Mr. TALCOTT. I thank the gentleman for yielding.

I should like to commend the gentleman for the thoroughness of his research and the excellence of his presentation, as well as the production of this very important program to meet a very basic need of our country.

Mr. Speaker, I am proud to join with my many distinguished colleagues today in introducing a new and refined version of the Human Investment Act—which many of us cosponsored in 1965.

In my 1965 statement, I pointed out that the cooperative work-study approach to improving the skills of our workers is a proven concept. Its advantages have been demonstrated over and over again.

I believe the tax credit approach is the most realistic and effective means to facilitate the growth of employee training programs. The revised tax credit formula provided in the present bill is a distinct improvement.

Enactment of the Human Investment Act would create the climate in which such programs would flourish.

Instead of direct Federal intervention and participation in the training regimen, it would enable private employers, in cooperation with our educational institutions at all levels, to perform this positive and constructive service to society.

Mr. Speaker, I commend the gentleman from Missouri for his dedication to this worthy cause. Its undoubted ultimate success will be a lasting tribute to his efforts.

Mr. CURTIS. I thank the gentleman.

HUMAN CAPITAL—OUR MOST VALUABLE RESOURCE

Mr. SCHWEIKER. Mr. Speaker, I join today with a number of my colleagues in introducing the Human Investment Act of 1967 to provide tax credits to employers who pay for the job training of employees about to be displaced by automation or mechanization.

This legislation would provide employers with a 10-percent tax credit toward wages for training employees in registered apprenticeship programs, on-job training programs under the Manpower Development and Training Act, and cooperative work-study programs.

In addition, the 10-percent tax credit could be applied by the employer against tuition and course expenses paid to colleges, or business, trade, and correspondence schools for the training of employees and prospective employees. It would also help provide skilled workers to industries in areas experiencing low unemployment rates and resulting labor shortages. Expenses for organized group instruction would also be covered.

The Human Investment Act will make possible the utilization and development of our Nation's most valuable resource—its human capital. I can think of few more worthwhile efforts than to invest in upgrading the skills and abilities of our country's labor force.

This bill would give employers the incentive to expand their training programs. It would give employers the incentive to initiate new programs for employees and prospective employees—men and women currently unemployed because they do not have needed skills. Unemployed workers would be given the training and skills needed to make them employable. The Human Investment Act offers new hope to workers whose jobs are threatened by automation or shifting defense contracts.

I join with the distinguished gentleman from Missouri [Mr. CURTIS] and with my other colleagues who have today introduced the Human Investment Act of 1967, in urging that the House move forward to make this most worthwhile investment in our labor force a reality.

UPGRADING SKILLS TO THE AVAILABLE JOBS

Mr. CLANCY. I am pleased to join with many of my colleagues once again in sponsoring the Human Investment Act to offer employers a tax credit to offset part of the expense of programs designed to train prospective employees for jobs with the company or to retrain current employees for higher level jobs requiring a greater degree of skill.

Despite a high employment rate, jobs by the thousands are going begging. The problem, of course, is that most of those who are unemployed lack the skills required for the available jobs. A number of surveys have shown that in city after city, jobs are waiting for those with the right skills.

It seems inevitable that manpower demands will intensify as a result of increased defense production, continued capital expansion and greater numbers of men in military service. As the supply of skilled workers available for employment becomes scarcer, the economy is hampered in the full utilization of productive resources. And in today's tight labor market, marginal workers will remain jobless unless special steps are taken to give them the needed job training.

Our approach here is to stimulate company training programs through tax incentives. Experience has shown that Federal training and retraining projects are both more costly and less effective than comparable industry programs.

The value of the human investment approach we advocate here today is that it takes advantage of the competence of American business to train men economically and effectively. Our bill does not impose cumbersome Federal controls and avoids the waste of collecting tax money and then disbursing it.

Private industry knows best its present and future labor needs. It has the essential technical know-how and the necessary facilities required for training. Because private business does the training itself there is much greater assurance that the skills taught will be economically useful skills and that the trainee will find permanent employment.

Enactment of this legislation is needed now. This is a time when automation and rapid technical changes are extensively altering the skill requirements of the labor force. In addition, there are an unprecedented number of untrained persons entering the labor market.

I am glad to participate in this united effort in support of the tax incentive approach to preparing the unemployed and underemployed for the thousands of waiting jobs in industry. The Human Investment Act should encourage private business, which has proved itself the best job trainer, to expand and intensify its job-training programs.

NEED FOR HUMAN INVESTMENT IN ALASKA

Mr. POLLOCK. Mr. Speaker, I am today joining my fellow Republicans in introducing the Human Investment Act of 1967. This bill offers employers a tax credit toward certain specified expenses connected with programs designed to train prospective employees for jobs or retrain current employees for better jobs.

The 7-percent tax credit on investment

in machinery and equipment has shown that a properly devised tax policy can spur private enterprise into achieving desired economic goals. How much wiser it is to apply this same principle to investment in manpower to spur business toward both economic and social goals. Investment in cold brick and metal is, of course, necessary, but investment in our own people should be our first concern. This bill is designed to aid every working man and woman. Not only does it provide incentives to aid the poor and unskilled but also those who desire to upgrade their skills and move into better jobs.

In my own State new industry has begun to create jobs that will mean rapid progress over the next several years. Many of these jobs require extensive training and knowledge not now possessed in many cases by workers presently residing in Alaska. Due to the seasonal nature of Alaska's present economy, many are jobless for several months of the year. This is especially true of our native Indian, Eskimo, and Aleut citizens. With the incentive of the Human Investment Act of 1967, incoming firms would find it easier to train Alaskans for their jobs instead of importing workers from outside Alaska, thus providing those already in Alaska with year-round jobs at substantially increased salaries. I am sure that the benefits of this legislation would be felt as strongly in the other 49 States. I hope that the Congress will favorably consider and enact the Human Investment Act of 1967.

THE NEED FOR "HUMAN INVESTMENT" IN MINNESOTA'S SIXTH DISTRICT

Mr. ZWACH. Mr. Speaker, today there are over 3 million unemployed Americans. Over 50,000 of them are in the State of Minnesota, and hundreds of those live in the Sixth Congressional District. These are nearly all able and potentially productive people, and most of them have family responsibilities.

Significantly, statistics indicate that there are almost as many job vacancies in the Nation as there are people looking for employment. Those persons without jobs, by and large, are unable to fill the available positions because they lack the proper skills to do so.

This is the dilemma—and this is the challenge.

We must develop programs that will better prepare working men and women for the employment challenges of the future. I made a commitment during my campaign for the Congress to help with such programs, and today I am proud to be among the Members of Congress who are introducing the Human Investment Act for consideration in this body.

The purpose of this bill is to provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job skills, and by upgrading the job skills of—and providing new job opportunities for—workers presently employed.

To accomplish this goal the Human Investment Act offers employers a tax credit toward certain specified expenses of programs designed to train prospective employees for jobs with the company or retrain current employees for more demanding jobs with the company.

This bill is particularly important for the future development of Minnesota's Sixth District. I am convinced that our area has outstanding human and natural resources well suited for business and industrial growth. I am dedicated to helping to build a stronger and more productive countryside for our citizens. This bill—and others like it—will help to provide more jobs and new jobs for people who have been raised in our area. It will be an additional incentive to young working men and women who would in turn like to raise their families in the countryside.

At the present time many younger people are leaving our district to find employment in other areas. Unemployment figures in the Sixth District are proportionally too high. Preliminary reports from Crow Wing, Morrison, and Mille Lacs Counties—all covered by the Public Works and Economic Development Act of 1965—report unemployment at 9.7, 6.8, and 5.9 percent, respectively, for December 1966. The annual average for 1966 was: Crow Wing, 6.1 percent; Morrison, 6 percent; and Mille Lacs, 5.3 percent. The nationwide unemployment figure was at 3.9 percent.

Although comparable figures are not yet available for Stearns and Kandiyohi Counties, and surrounding areas, the number of unemployed citizens will be high in these areas, too.

It is time for action. And we are taking action—with a belief that this legislation would be a major step toward encouraging our American enterprise system to expand its continuing efforts to alleviate the Nation's manpower shortages and enhance the opportunities for every single working man and woman to share more fully in the benefits of the American economy.

TO ASSIST THE "STRUCTURALLY" UNEMPLOYED

Mr. BIESTER. Mr. Speaker, I am pleased to have this opportunity to join in the sponsorship of the Human Investment Act.

The need for this legislation has been particularly manifested throughout the past year. The nation has witnessed a high level of business expansion and an acute labor shortage. Paradoxically, however, we have still had a somewhat high level of unemployment. The principal reason, I believe, is obvious. Those workers who remained unemployed in spite of the labor shortage lacked the skills required by the economy.

In many cases, the shortage was sufficient incentive for business to undertake some training programs or to otherwise utilize the unskilled worker. However, the continued existence of over 3 million unemployed workers is evidence to the need for further incentives. In addition, should business expansion contract and the labor market ease, business would be least reluctant to drop the unskilled worker. And, the maximum utilization of skilled labor through overtime work would be favored over the continued employment and training of those workers who are unskilled or who lack the particular skills in demand.

It has been demonstrated even in the easy labor market with high levels of unemployment that many jobs go begging because the specific skills required were not available in the market.

I feel that the Human Investment Act provides a realistic and efficient tool for the solution of many of our unemployment problems. Accordingly, I congratulate my colleague, the gentleman from Missouri [Mr. CURTIS] for his introduction of this act and I am pleased to join him.

STRUCTURAL UNEMPLOYMENT IN NORTH CAROLINA'S FOURTH CONGRESSIONAL DISTRICT AND THE NEED FOR THE HUMAN INVESTMENT ACT

Mr. GARDNER. Mr. Speaker, the strength of our Nation depends upon the ability of our citizens to engage in productive work within a system of private enterprise. If a person is deprived of a job because he lacks some particular skill, then our system of government and economy has failed. Yet this is precisely what is happening in our affluent society. The number of job vacancies is about numerically equal to those people seeking jobs. The scarcity of needed job skills among the unemployed is why such a situation is able to exist. This is called structural unemployment.

BACKGROUND

Today there are 3 million unemployed in America. Many more are underemployed. Economists agree that the total number of job openings around the country is well over 2 million and may be as high as 3 million.

In our Fourth Congressional District the list of those unemployed is almost endless. According to the Employment Security Commission of North Carolina, the unemployment picture looks something like this:

Civilian work force:	
1965	193,110
1964	187,880
Employment:	
1965	186,720
1964	180,070
Unemployment:	
1965 (3.7 percent)	6,390
1964 (4.8 percent)	7,810

In the past 10 years, manufacturing employment has increased 69 percent in Wake County, the largest county in the Fourth District, and the farm population has decreased 41 percent. Occupational mobilization is evident throughout our district. This is illustrated by a recent survey of the major manufacturers in Wake County, conducted by the North Carolina Department of Conservation and Development. This survey found that 1,509 skilled or technically trained employees will be needed by already established businesses within the next 5 years in Wake County. This figure does not include the skilled technically trained employees that will be needed by new industries that move into the area.

Training is our best method of filling the present and future manpower needs.

Our goal is not just a job for every worker. Our goal is to place every worker in a job where he utilizes his full productive potential, for his own and for society's benefit.

PROPOSALS

What is needed is a new emphasis on training. The employer, who is in the best position to know his manpower needs to provide the proper training, should be given an incentive to provide the proper training. Therefore, I propose a tax credit to all employers who will provide on-the-job training to their employees and prospective employees.

It is not jobs which should be redefined, but rather employees. They must be trained to fill job vacancies.

It has always been my approach, that the best way to upgrade job skills and train the unemployed is with on-the-job training; not by dragging them up the economic and social ladder by a "green rope" of dollar bills. The "green rope" does not offer a man pride and honor, but being trained for a new skill does.

I recommend that the Government seek to encourage employers to train their present and potential employees. I believe the proper role of the Federal Government is to provide the climate, or the motivations, whereby private business can take the lead in on-the-job training.

In 1962, the Congress adjusted our revenue laws to provide a tax credit toward the cost of plant equipment and machinery in order to spur the modernization of plant facilities. Certainly it is not too much to ask that we make a similar investment in training the employable—our Nation's greatest resource.

The most effective job trainer has always been our free competitive economy. Through the years, business has demonstrated its ability to conceive, organize, and carry out job training programs superior both in quality and in efficiency to Government-operated programs.

Private enterprise is uniquely equipped to provide the most modern and useful training. They are capable of knowing which skills are in demand and of teaching these skills well and proper. They can give up-to-date instruction by the use of instructors who are themselves involved in the day-to-day operation of their particular job, and the latest equipment, without an added investment in new machinery by private industry.

REASONS FOR SUPPORT

I firmly believe that on-the-job training by private business which would be encouraged by a system of tax credits is our best solution to solving the problem of structural unemployment. I present five reasons in support of this position.

First. There is a definite need for on-the-job training, due to unemployment statistics and technological improvements.

Second. One distinct advantage of on-the-job training programs is that they are adaptable to any situation. Regardless of training class size, location of business—urban or rural, size of business—large or small, or type of business activity, on-the-job training is the best solution to an employer's manpower needs.

Third. By filling jobs that now need to be filled, we actually would be creating new jobs. Success begets success.

Fourth. The tax credit approach would create the economic framework in which business could undertake the program of training the human investment which our country needs.

Fifth. Companies planning technological improvements should be given the incentive to train for new jobs in their company those workers who would usually be displaced.

CONCLUSION

In conclusion, let me reemphasize the fact that there is a definite need for on-the-job training. In addition, it has been shown that the tax credit approach in conjunction with private enterprise is the best possible way of handling on-the-job training. Therefore, let us work together to see that such a program is initiated.

KEEPING JOB SKILLS CURRENT IN A FAST-CHANGING ECONOMY

Mr. EDWARDS of Alabama. Mr. Speaker, I join with enthusiasm today in this support of the Human Investment Act, and I am offering my own bill, as I did in September of 1965.

This act will fill a real need in our economy. Millions of Americans have the ability and the will to upgrade their skills to match the advances of technology which dominate our economy today.

Yet there are not enough opportunities for them to do this. There is insufficient chance for them to find the training they need to better their position.

From the employer's standpoint, there is a real shortage of skilled manpower. They recognize their need to find the skills required in a fast-changing economy. And yet in most cases they are overwhelmed with the task of obtaining the manpower they need.

The answer to this problem is not likely to come from training programs administered from Washington. Neither is it likely to come from what President Johnson described in March 1966 as employers redefining jobs.

The answer lies in giving employers the encouragement they need to establish their own training and retraining programs. The proper role of the Federal Government is to provide the climate in which the wage earner and the employer together can work toward their mutual progress.

The Human Investment Act would grant a credit against Federal income taxes toward the costs of retraining employees or potential employees in needed new job skills.

I urge its early consideration.

TO ALLOW HUMAN BEINGS TO COMPETE WITH AUTOMATION

Mr. LANGEN. Mr. Speaker, I am most happy to join with my colleague, the gentleman from Missouri [Mr. CURTIS] and others in introducing a bill entitled the Human Investment Act of 1967. I surely agree that private enterprise, when given the incentive, can conduct job training more effectively, more efficiently, and more dependably than can the Government.

This bill would provide an employer with a 7-percent tax credit, within certain limitations, toward training and retraining expenses for employees and prospective employees.

The measure would enable an employer to retrain any of his employees who were about to be displaced by automation or mechanization, and it would enable him to train new employees for job skills needed within that particular industry.

A substantial amount of our present unemployment is not due to a lack of available jobs but due to a large portion of our manpower being untrained in the skills that are actually in serious demand at any given moment.

This bill would work hand in hand with the Manpower Development and Training Act, providing on-the-spot training in the industries where it is needed. The two programs would complement each other and would lend to greater utilization of our labor force. It is, indeed, a human investment.

ENCOURAGING FULL INVOLVEMENT OF THE PRIVATE SECTOR

Mr. STANTON. Mr. Speaker, I am proud to join today in reintroducing the Human Investment Act, which I feel could make a tremendous contribution to the training of our labor force. The sound logic of this approach whereby an employer is granted a 10-percent tax credit toward the costs incurred in training or retraining employees or potential employees in needed new skills cannot be overstated.

The tax credit approach is particularly sensible from the standpoint that, in encouraging industry to expand its training programs, we are at last recognizing that labor and business know best what skills will be needed in the economy and what kinds of training will best prepare workers to accept jobs that become available. Furthermore, this proposal is designed to reduce to a minimum the burdens of redtape, bureaucracy, and governmental intrusion into the affairs of business and labor.

One of the principal deterrents to increasing on-the-job training programs has been the fact that the entire cost of wages of employees in training must be borne by the employer. The Human Investment Act, by providing an incentive to employers in the form of a 10-percent tax credit against the wages of enrollees, should encourage business to enter this field on a major scale.

THE PROVEN ABILITY OF THE PRIVATE SECTOR

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to join my distinguished colleagues in introducing the Human Investment Act. I am certain that all of us here are keenly aware of the unemployment situation in the country today and, consequently, of the need for the enactment of this legislation.

Congress recognized the need for some sort of incentive for private industry to modernize and expand production facilities when it approved an investment credit against tax liability of up to 7 percent for investments made in new or used property.

The Human Investment Act would encourage a similar investment in our most vital natural resource—human beings. Offering private industry a tax credit to develop more job training programs would place greater emphasis on the desirability of private industrial training so that the reservoir of available job skills more closely matches the present and anticipated needs of the economy.

The advisability of this move is evident when it is realized that, over the years, the private sector of our economy has proven its ability to obtain the best results per training dollar spent.

Mr. Speaker, I urge prompt and favorable action on this bill.

THE SPECIAL EFFECTIVENESS OF ON-THE-JOB TRAINING

Mr. LAIRD. Mr. Speaker, I am pleased to join my Republican colleagues both in the House and the Senate in again sponsoring the Human Investment Act of 1967, and I wish to commend the gentleman from Missouri [Mr. CURTIS] and our colleague in the other body, Senator WINSTON L. PROUTY, for their leadership in spearheading this presentation of an important Republican initiative. For the Human Investment Act we are joining in sponsoring today is the result of several years of study and development by experts in the manpower training and development field.

One of the appealing aspects of the Human Investment approach to the problem of unemployment is its emphasis on on-the-job training as opposed to institutional training. There are distinct and crucial differences between the two types of job training. On-the-job training is conducted necessarily within the plant, factory, or place of business of an employer. Institutional training is conducted in a classroom removed from the actual workplace.

Immediately one sees important differences. On-the-job training is almost invariably certain to be a more effective form of teaching than institutional training. In addition, on-the-job training is considerably cheaper. Cost studies by the Bureau of Apprenticeship and Training comparing per hour costs of trainees on the job and in institutions shows that the former costs $0.55 an hour, and the latter at least $5 an hour. Even when the wage of the employee being trained on the job is added to the cost of the training itself—55 cents—it is evident that the on-the-job approach to training is cheaper, as well as more effective.

In spite of these clearcut differences, the administration has continued until the present fiscal year to put more emphasis on institutional training than on on-the-job training in its manpower development and training program. The President's Economic Report of January 1967 shows that in fiscal 1966, 160,000 men were trained institutionally and 113,000 were trained on the job. For fiscal year 1967 it is estimated by the Economic Report that the number trained by both means will be equal at 125,000. Also note that the total number of men trained in fiscal year 1967 will be smaller than the number trained in fiscal year 1966, a most unusual development in light of the need for skilled men.

The on-the-job approach to training offers other considerable advantages over the institutional approach. The first is that on-the-job training is adaptable to any size training class and to any location, urban or rural. Institutional classes require minimum numbers of students and can be held only in centralized locations, in order to make such training at all economic. On the other hand, private business can provide training for any number of workers required and do so at the site of the job, which may be in any number of places, and is likely to be convenient to the domicile of the worker. As for effectiveness of training, it would seem clear that training conducted at the workplace in the presence of employees skilled in the jobs being taught, with the machines and other implements of production at hand, and with the incentive provided by working for a potential full-time employer, cannot fail to provide an environment more conducive to learning and achievement than a classroom.

Mr. Speaker, this act is well conceived and well drafted, and it is a genuine Republican contribution to solving a fundamental economic problem affecting the lives of millions of Americans. I hope a great many of my colleagues will join with me in supporting this important legislation.

Mr. PRICE of Texas. Mr. Speaker, I am happy today to fulfill a pledge to the voters of the 18th District of Texas by joining in the introduction of the Human Investment Act.

The citizens of the Panhandle of Texas are great believers in the free enterprise system, and in the concept of self-help above government help. For this reason the Human Investment Act, hereby proposed, has met with great enthusiasm. I am limiting my remarks to the relationships between training programs and the prospect of employment for the trainee.

It is disheartening for a young man or woman to train for a new occupation and then, upon completion of the program, discover that there are no job openings. The sense of discouragement among trainees may well account for dropouts from existing institutional programs such as the Job Corps and Manpower Development Training Act. Under the Human Investment Act a trainee is all but guaranteed a job. The employer knows best the job vacancies available to be filled, and he gears his own program with this in mind. The psychological effect on the trainee, knowing that there is a job waiting at the end of his training, is immeasurable. This, Mr. Speaker, is one of the many reasons why the Human Investment Act should be considered and passed by this Congress.

LOW COST, EFFICIENT TRAINING

Mr. CLEVELAND. Mr. Speaker, I take great pleasure today in joining many colleagues in introducing the Human Investment Act. This is a responsible and constructive proposal and one that I think invites bipartisan support.

This bill would provide businesses incentives to encourage training programs for the unskilled and unemployed, by allowing such employers a credit against their income tax.

The major premise of this bill is that private business frequently knows how to obtain the most training per dollar. It makes sense to encourage industry to expand its training efforts at a time when government and private agencies all recognize how important this training is.

I feel this measure would be more productive and less costly in the long run than many of the so-called antipoverty programs. This is because it would be operated by industry—the people on the spot who know their needs and who would be the ones to employ the newly skilled persons who would be trained.

This, therefore, is a practical program offering real hope and real help for the unskilled and unemployed. In the 1962 tax credit bill, we enacted a highly successful program for machines. Surely we can do no less for human beings.

THE TAX INCENTIVE APPROACH

Mr. ERLENBORN. Mr. Speaker, I am today introducing a bill entitled "The Human Investment Act." Similar legislation was sponsored by me in the last Congress. Together with many of my colleagues, I believe this represents a sound approach to the training and upgrading of the skills of the working force of our Nation.

For years, the Federal Government has recognized the value of tax incentives to encourage private industry to do the things it should to stimulate business and economic growth. We have recognized the need to update and modernize the machinery of industry and to expand the capacity of industry to produce. Through the use of investment credits against taxes, the necessary incentives have been fashioned.

Now, in an economy that is short of the type of skilled employee so badly needed by industry, it is time to admit that an *investment in the training and education* of people is as valid a goal as the investment in plant and equipment. This, in short, is the rationale of "The Human Investment Act."

I hope that many of my colleagues will support this worthwhile legislative effort so ably led by Senator WINSTON PROUTY and Congressman THOMAS B. CURTIS.

A SENSIBLE METHOD OF ALLEVIATING POVERTY

Mrs. REID of Illinois. Mr. Speaker, I am proud to join with so many of my colleagues in the House of Representatives in again sponsoring the Human Investment Act.

As one of those who introduced this bill during the 89th Congress, I am pleased by this united effort by so many in the Congress in support of the tax-incentive approach to the challenge of unemployment and, hence, the betterment of all our human resources.

We talk a great deal these days about poverty and how to eliminate it, and it seems to me that the concept embodied in this legislation represents a dramatic step forward in enlisting the dynamic resources of private industry in this federally backed battle against unemployment. Certainly private business over the years has learned how to obtain the best results per training dollar. It makes sense, too, that job training by private industry would minimize the necessity for Government intervention and undue regulation in the economy. I believe that with proper incentive, business can accomplish these same ends more efficiently and more rapidly than Government. The new, revised Human Investment Act provides this incentive, and it is my hope that the bill will be considered and passed by the Congress early in this session.

THE VALUE OF INCREASED APPRENTICESHIP TRAINING IN AMERICA

Mr. SCHNEEBELI. Mr. Speaker, I am pleased to be able to speak in behalf of this legislation once again and to join in its sponsorship.

I am particularly enthused with the inclusion of apprenticeship programs within the scope of this act. Apprenticeship programs in America are older than our country. Examples of apprenticeship agreements dating from as early as 1640 have been discovered. Perhaps America's most famous apprentice was Benjamin Franklin, who began his apprenticeship with his brother in the printing trade in 1718 at the age of 12. It is a type of job training which has proven itself not for decades but for centuries in America.

Apprenticeship has a number of advantages over other forms of skill training. Its combination of on-the-job training and related classroom instruction are a proven and effective means of passing on skills and knowledge. The apprentice training is normally conducted with up-to-date equipment which is in actual use. The training takes place for the most part in a work environment where the apprentice may be stimulated by advancement incentives. The apprentice earns while he learns, moving to a higher wage as his skills increase. In addition, the apprenticeship system provides an efficient training mechanism which is highly flexible and instantly adjustable to changing patterns of skills and demands.

Apprenticeship has the full support and endorsement of organized labor. George Meany, president of the AFL–CIO, has stated very forcefully the recognition by labor leaders of the need for increased promotion of apprenticeship:

> There is general agreement that the demand for skilled workers will grow very rapidly in the next decade, while the opportunities for unskilled workers will begin to shrink. Therefore, our interest—and the national interest—must look to an across the board increase in apprenticeship training.

Mr. Meany's support of apprenticeship programs has much company within the labor movement.

The Human Investment Act provides a vehicle, free of Government interference, for private industry to utilize to upgrade the skills of its workers through expanded apprenticeship programs. It can be the most efficient and effective instrument by which industry can increase employment opportunities at the same time that labor-saving equipment comes into usage.

I am happy to join in the sponsorship of this important legislation and commend the gentleman from Missouri in taking this initiative today.

ASSISTANCE TO THOSE WHO HAVE NOT HAD THE BENEFIT OF FORMAL EDUCATION

Mr. SKUBITZ. Mr. Speaker, last year, an estimated 2.6 million students graduated from the high schools across this country. Of those, more than 50 percent chose to continue their education and entered colleges which are now bursting with an enrollment of more than 6 million. We can look with pride on this product of our efforts to prepare the youth of this country for life and opportunities in a productive society. At the same time, we realize that a society does not maintain productivity merely by graduating its youth from colleges.

Our attention must also be directed to those who are completing high school and then looking for employment. Our attention must be directed to those who, for numerous reasons, did not complete high school and are seeking employment—and our attention has been so directed.

One glance at the record of the 89th Congress shows that the Federal Government is most aware of the problems facing unskilled, untrained, and displaced persons in need of employment. Witness that out of this recognition, a special office, the Office of Economic Opportunity, was created to assist and add to other Federal programs aimed at filling this need.

However, in a nation where the system of free enterprise has never been surpassed as an effective means to enrich and raise the standard of living of the vast majority of citizens, we have abandoned it in favor of Federal manpower training programs. Why then, should we be shocked or disappointed in the results of programs like the Job Corps. If we intend to achieve lasting results, we must build upon principles which are consistent with our democratic society. Government-sponsored training programs are not the answer. We must go where the jobs are.

I am, therefore, joining my colleagues in the introduction of the Human Investment Act. We must take the unemployed to the jobs—train them on the job—and reward employers who are willing to take on this responsibility by allowing them a 10-percent tax credit on the cost of their investment. It was 5 years ago when we realized the worth and necessity of the 7-percent investment credit on machinery and equipment costs. Surely it doesn't take more than 5 years for us to realize that an investment in human capital deserves at least as much consideration.

Under the Human Investment Act, we place the responsibility for job training back where it belongs—we provide a program which is consistent with the tried and true principle of free enterprise—and most important, we would cease to compete with private business and recognize that they have, over the years, learned how to get the most out of the dollar—including the training dollar. As I see it, we have only to gain by implementing this program.

ASSISTANCE TO THE SMALL SERVICE TRADES

Mr. BROTZMAN. Mr. Speaker, I am pleased to participate in the introduction of the Human Investment Act which is so critically needed and which has been designed to further the development of skills within the economy as a whole and with particular assistance to the small business sector.

Today, most economists agree that the total number of job openings in the United States is well over 2 million—and may be as high as 3 million. There can be no doubt that the manpower demand of the war in Vietnam, in both the skilled and unskilled categories, is responsible for so many openings in the job market. Yet, there are at least 3 million unemployed Americans, and it is likely that this figure will rise substantially when the Vietnam war is concluded.

Why is it that so many remain without work when there is work available? The answer is simple—the unemployed lack the necessary training or skill to hold a job.

This gap between job vacancies and needed job skills is called structural unemployment. To close this gap, we must encourage strong basic education, so that every American will have the fundamental tools with which to seek further and more advanced training. To meet the demand of technology, there must be a broad national effort to upgrade the job skills of the American labor force. The Human Investment Act will be a big assist in realizing this vital goal.

The purpose of the Human Investment Act is to encourage industry to expand its training programs so that the reservoir of available job skills more closely matches the present and anticipated needs of the economy. Private enterprise today is the Nation's largest job trainer, investing about $4.5 billion a year in various forms of employee training. Over the years, labor and business have shown that they know best what skills will be needed in the economy and what kind of training will best prepare workers to accept the jobs that become available.

The Human Investment Act would provide the type of economic climate through tax incentives which would permit business to enter this field on a major scale. The act provides a 10-percent tax credit of the allowable employee training expenses with a minimum of $25,000, plus 50 percent of the taxpayer's tax liability in excess of $25,000. This credit would be in addition to credits provided for by other sections of the tax code, and in addition to the regular deduction as a trade or business expense under section 162 of the code.

One area which would benefit greatly from the Human Investment Act would be the small service trades. Take, for example, the restaurant business. There are more than 300,000 restaurants in the United States. Most of these are very small operations which are unable to develop or support training programs on their own. In supporting small scale on-the-job training and apprenticeship programs, the act would enable the typically small restaurant business to raise the skill level of its employees. This would not only improve the employees' earning potential and the efficiency and quality of the restaurant business but will help to develop a stable corps of skilled food service tradesmen.

I am most happy to join my distinguished colleague, the gentleman from Missouri [Mr. CURTIS], in the sponsorship of this legislation and I congratulate him for his leading role in its introduction.

Mr. HANSEN of Idaho. Mr. Speaker, many times in the past, particularly in the so-called liberal press, Republicans have been called obstructionists. We have been accused of being against everything, and of offering no alternate or substitute programs. We have been accused of being against the poor, against the elderly, against the workingman, and against progress.

But, Mr. Speaker, the bill introduced today by the gentleman from Missouri [Mr. CURTIS] and other Republicans, including myself, gives the lie to these accusations. It is a shining example of a workable Republican program to upgrade the job skills of the presently unemployable as an alternative to the current wasteful, poorly conceived, poorly administered efforts.

Furthermore, it will do the job of training these people at far less cost to the taxpayer and, most importantly, it will insure that the person is not only trained for work but will have a job when his training is completed.

In addition, it will upgrade job skills throughout the industry or business in which the training is conducted. This process will increase total wages within the business or industry, leading to additional revenue for the Federal Government which could more than offset the employer's tax reduction.

Mr. Speaker, the Human Investment Act of 1967 is sound, progressive legislation. It deserves and should receive bipartisan support in meeting the challenge of training those at the bottom of the economic ladder so that they may, through their own newly developed abilities, be able to climb that ladder rung by rung until they achieve a position of respect and of financial security within their communities. I strongly urge passage of this measure.

Mr. MATHIAS of Maryland. Mr. Speaker, I am pleased today to join the gentleman from Missouri [Mr. CURTIS] and many of my colleagues in introducing the revised version of the Human Investment Act.

This measure, the product of more than 2 years of study and consultation, offers us a sensible, efficient way to provide vocational training for many Americans and at the same time meet demands for particular skills. Too many present training programs are restricted to arbitrarily chosen fields, or may train individuals for jobs which are only available elsewhere, or not available at all when training has been completed. This act would give men and women a tremendous opportunity to learn particular skills, directed toward a specific, open job. From the point of view of employers, this act would end the present need to shop around among many separate, different Federal training programs, and would make possible the development and operation of courses specifically designed to meet the employer's most urgent manpower needs.

The Human Investment Act is based on the premise that American business and industry can put long experience to work to fill the Nation's manpower demands efficiently and economically. It is a very promising and creative plan, and the gentleman from Missouri deserves great credit for his leadership in developing this measure and advancing it in the House.

Mr. RUPPE. Mr. Speaker, I am pleased to join the gentleman from Missouri, the Honorable THOMAS B. CURTIS, in the introduction of the Human Investment Act.

I do not believe there is a man in this Chamber who is not dedicated to removing the ugly face of poverty from our comparatively rich society. We may vary in our approaches, but I hope not in our goals.

In the 11th District of Michigan I have seen, visited with, and worked with the urban and rural poor. There are a lot of fine people, from both political parties, working hard to alleviate that condition. There have been many steps forward. This week the Department of Housing and Urban Development approved a $1,325,669 loan that will enable the Housing Commission of Hancock, Mich., to construct 86 low-rent homes, many for senior citizens—a step forward. UPCAP, the Upper Peninsula Committee for Area Progress, works constantly in northern Michigan to relieve the plight of the poor, through forward-reaching coordinated programs, and to boost the economy in my district. There are many hopeful signs in northern Michigan.

Nevertheless, I firmly believe the problems of the poor will not, and cannot be solved by government alone. We will not make a major dent in the solution of poverty until jobs are available—and there is much work to be done in the field of economic development in northern Michigan—until men are trained in the skills required by our new generation of industry, and until men are motivated to hold their jobs once trained. This is a large order and it calls for creative, dynamic, progressive thinking. We must break through the old myths, perpetuated since the New Deal, that only government should concern itself with the problems of the underprivileged. The answer is jobs, and most jobs are in the private sector. We must work to encourage the social conscienciousness of the private sector. The talents, the power, and the money of the private sector, directed toward the eradication of poverty could, I am convinced, achieve a result undreamed of in government circles.

Many of our great and small unions and commercial enterprises are already involved in the battle against poverty. How can we in the Congress encourage them further and enlist even greater numbers in the battle.

The Human Investment Act is a mighty step forward. Through a substantial tax credit, it encourages American business to invest in the future of human beings. Through a tax credit it rewards business for hiring, employing, and upgrading job skills of those who are now unemployable and creating new job opportunities for those now employed. I hope the Congress will consider and adopt the Human Investment Act.

Mr. MORSE of Massachusetts. Mr. Speaker, I am pleased to join with the gentleman from Missouri [Mr. CURTIS] and my other colleagues on this side of the aisle in reintroducing the Human Investment Act. In my judgment, it is one of the most thoughtful and well-conceived legislative ideas to emerge from the 89th Congress, and I hope that it will receive the favorable consideration of the 90th Congress.

This proposal is based on the sound premise that the business community has developed the resources over the years to provide the most effective and up-to-date training. The idea has particular merit in that the trainee is assured of employment at the completion of his course. This is the most serious weakness of Government-sponsored programs; too often the trainees are disillusioned when they can find no market for their hard-won skills.

The changes that have been made in the bill since the last Congress have strengthened it and made it even more worthy of full consideration by the Congress. When that consideration comes, I hope that we can turn our attention to the possibility of linking the provision of training by private industry to potential reductions in the cost of unemployment compensation program. In a letter to the minority leader, the gentleman from Michigan [Mr. GERALD R. FORD], which I have made available to my Republican colleagues, I suggested that we might reduce industry contributions to the unemployment compensation system for every individual in training by that firm. Here is another potential source of needed training facilities.

I congratulate Mr. CURTIS for his initiative in this area.

Mr. DOLE. Mr. Speaker, it is my pleasure to join in the introduction of this legislation. It is, I believe, the free enterprise answer to the needs of both the business and labor segments of our economy in supporting technological advances and our full employment goals.

Several years ago, the British were faced with the same skilled manpower problem that we are concerned with here. There was no doubt that job training had to be expanded many times over and with a minimum of expense and wasted effort. The issue which arose in British deliberations was whether Government should undertake the training directly, or whether the resources of the private sector of the British economy should be enlisted in the task. In a momentous decision and after much study, the British chose the vehicle of private enterprise and not the way of Government to further the training of skilled manpower. The fact that a more socialist oriented society has turned to the private enterprise route to solve a major and critical problem is a lesson which we cannot ignore and which has great relevance to the one which we will make on the Human Investment Act.

We are in an age of rapidly advancing technology on all fronts of the economy. There is in the Nation today a scarcity of needed job skills among the unemployed and this condition of structural unemployment is the key manpower problem of the 1960's. To meet this problem there must be a broad national effort to upgrade job skills of the American labor force all along the line. The Human Investment Act recognizes, first of all, the fundamental principle of reliance upon the industry and efficiency of private enterprise to further major economic and social goals. The act is designed to encourage American employers to retrain their present and potential employees so as to improve their skills. Its purpose is to provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job skills and by upgrading the job skills of and providing new job opportunities for workers presently employed. Thus, the Human Investment Act is an aid not only to the utterly unskilled or semiskilled but also to those who are presently working and desire to improve their skills for better jobs.

The Human Investment Act which I introduced in the 89th Congress offered employers a tax credit toward certain specified expenses of programs designed to train prospective employees for jobs with the company or retrain current employees for more demanding jobs with the company. The present version of the act, which is the product of over a year of research and consultation with businessmen, labor leaders, economists, and tax lawyers, embodies several changes in the original act. The amount of credit has been increased from 7 to 10 percent of the allowable training expenses because it was recognized that, unlike a taxpayer's investment in equipment and machinery, investment in human capital carries a substantially greater amount of risk. To compensate for this additional risk due to labor turnover, the act adds a differential of 3 percentage points to the 7-percent credit enacted by Congress for investment in equipment and machinery.

In the present bill, the definitions of allowable employee training expenses and the specifications for nonincludible expenses have been sharpened. Effort has been made to relate the definitions to those in other legislation for which administrative experience has been accumulated.

Two new paragraphs have been added to make clear that the act is intended to apply to training conducted by one taxpayer and paid for by another, and training paid for by a taxpayer which is conducted by a business or trade association, joint labor-management council, or similar group.

To conform with the 1966 amendments to the investment tax credit provisions the carryover privilege has been extended from 5 to 7 years, and the limitation on the amount of credit has been raised from $25,000 plus 25 percent of the taxpayer's tax liability in excess of $25,000 to $25,000 plus 50 percent of the taxpayer's tax liability in excess of $25,000. This credit would be in addition to credits provided for by other sections of the tax code, and in addition to the regular deduction as a trade or business expense under section 162 of the code.

Rather than risk the planning and execution of job training programs by too often hastily chosen and inadequately equipped Government supervisors who lack the up-to-date knowledge of current local needs for skills and manpower and who lack the profit motive incentive which tends to minimize waste and inefficiency, the Human Investment Act places the responsibility for increased job training where it belongs—on our Nation's greatest job trainer, the private enterprise system. The employer can construct and tailor the manpower tool to his specific needs. As those presently employed move up to better jobs through more training, those now unemployed because of insufficient skills can be hired to take their places. The Human Investment Act offers new hope, too, to workers whose jobs are threatened by automation or by shifting defense contracts. I commend the distinguished gentleman from Missouri for introducing this bill, and am pleased to join him in sponsorship.

Mr. BROWN of Michigan. Mr. Speaker, today I am introducing a bill which proposes a 10-percent tax credit for businesses which establish training programs to upgrade the skills of our working men and women. This bill, titled "The Human Investment Act of 1967," would place the responsibility for increased job training where it belongs—on our private enterprise system.

Private enterprise today is the Nation's largest job trainer, investing about $4.5 billion a year in the various forms of employee training. Over the years, labor and business have shown that they know best what skills will be needed in the economy and what kinds of training will best prepare workers to accept the jobs that become available. It is the goal of the Human Investment Act to provide the type of economic climate, through tax incentives, which will permit private business to enter this field on a major scale.

Unskilled workers today have an unemployment rate twice as high as the overall national rate. In most cases, the unskilled lack only the training necessary to permit them to move into existing vacancies. The problem is a national one and demands a national solution.

The Republican leadership, many of my colleagues here today and myself, believe that the Human Investment Act is a proper, indeed necessary, response.

This legislation will guarantee an expansion of worthwhile and needed training programs, such as apprenticeship training, on-the-job training under the Manpower Development and Training Act, cooperative work study programs, and tuition refund programs, while holding redtape and administrative regulation to a minimum.

Unlike Government-run training programs such as the Job Corps, private training programs are aimed at filling available and needed new jobs. Private employers know better than any Government agency which jobs are available and what skills are in demand. And the knowledge that a job is waiting at the end of training is a powerful incentive to the employee trainee.

Therefore, I believe the enactment of this legislation would be an efficient and sensible step toward encouraging private enterprise to expand its continuing efforts to alleviate the Nation's manpower shortages and enhance the opportunities for the individual worker to share more fully in the benefits of our economy.

Mr. SCHWENGEL. Mr. Speaker, I am happy today to join with other Members of the House in introducing the Human Investment Act. It is a vital and needed piece of legislation and should be given prompt consideration by the Congress.

The gentleman from Missouri, Congressman TOM CURTIS, is to be commended for his efforts on behalf of this legislation. Under his leadership and that of Senator PROUTY, of Vermont, over 100 Members of Congress sponsored the Human Investment Act in the 89th Congress.

Today unemployment is relatively low, due in no small measure to the war in Vietnam. As a result many industries are searching for skilled workers. Daily papers all over the United States are filled with advertisements for machine operators, lathe operators, and the like. The prompt enactment of the Human Investment Act would make it economically feasible for industries to train workers for the positions now vacant. Employers would have an incentive to educate prospective workers and could tailor their programs for their own particular industries and plants. The Human Investment Act is attractive to employers because under its provisions it can deal with known quantities. By training their own workers, they would not have to be concerned about the standards of workmanship or the degree of skill possessed by a prospective employee.

Aside from the obvious advantages to the employer, the Human Investment Act would greatly enhance the quality of job training. The private sector of our economy can do an efficient and effective job of training and retraining the work force needed for our great industrial machine.

It is estimated that the 10-percent tax credit offered under the Human Investment Act would mean a $300 million loss of revenue in the next fiscal year. Compare this cost with the $579,536,000 actually spent in fiscal year 1966 for various job training programs under the Office of Economic Opportunity. In fiscal year 1967 it is estimated that $875,700,000 will be spent and the President's budget for fiscal 1968 asks for $1,029,600,000.

Needless to say the expense of the Human Investment Act is a good deal less than the massive Federal programs. The effectiveness of programs such as the Job Corps and the Neighborhood Youth Corps has been seriously questioned. The cost per trainee of these programs has been outrageously high.

If the Human Investment Act became law the Federal Government could greatly reduce its questionable efforts in the area of actual job training.

So far I have examined the advantages of the Human Investment Act to the employers and the efficiency which could result from its enactment in the area of Federal spending.

What would be the advantages to the participants, the workers actually being trained.

Perhaps first, and most important of all, it would offer better prospects for a job—more security. Trained in an industry-sponsored program he would be more apt to have a job waiting for him because he knows private enterprise would not teach him a skill that could not be effectively utilized. By raising the prospects for a job at the end of a training period, there would be more of an incentive to complete the training program.

It would seem to me the Human Investment Act would also help us overcome an increasingly difficult problem of the middle-aged worker who suddenly loses his job due to advancing technology. At the present time it is uneconomical for industry to retrain these workers because of the relatively short number of productive work years left. Under the Human Investment Act, however, it would be possible for these workers to enter retraining programs since the tax credits would make it economically feasible for industry to retrain them.

There is no doubt that if the Human Investment Act is passed an active recruitment campaign must be undertaken by industry. Organized labor's cooperation would be indispensable to its success. An effort to break the barrier of the structurally unemployed must be made. Cooperation with local welfare and social service agencies must be sought and obtained. If a number of employers in a given area decide to set up training programs it might be well for them to coordinate recruitment efforts to try to insure that each receive the trainees with the highest aptitude for the type of work to be undertaken.

There is another compelling reason to pass the Human Investment Act now. It is not unreasonable to assume that the Vietnam conflict may end in one manner or another in the next few years.

When hostilities end in Vietnam the number of young men serving in the Armed Forces undoubtedly would be drastically reduced. This would mean that thousands of employable men will be entering the job market. Given the present selective service deferment policy it is not unreasonable to assume that a large percentage of the current draftees do not have a skilled work background. Many are high school or college dropouts. Once they enter the civilian labor market, many will join the ranks of the unemployed unless programs for job training await them. Too often in the past we have waited until it is too late to embark on programs of this type. This time we can be prepared if we pass the Human Investment Act.

It is also true that the end of the conflict in Vietnam will bring with it a change of direction in the industrial community itself. Industries now operating at full capacity to supply materials for a war effort will have to redirect their efforts. This may well require retraining of workers within these industries as well.

If the Human Investment Act were law, it would ease considerably this difficult adjustment from a wartime to a peacetime economy.

Mr. Speaker, the Human Investment Act represents a new and fresh approach to the problem of job training and retraining. It is a program which invests in people. Tax credits are not being given for bricks and mortar, but for giving an individual a chance to learn a trade and earn a living. Far too often in the past we have decried the need for massive Federal programs, but have been unable to produce reasonable alternatives.

Here we have a reasonable alternative to a patchwork of Federal programs whose effectiveness is in question. Let us not be intimidated by those who now have vested interests in present Federal programs.

May we be courageous enough to say that a sound and efficient alternative to existing Federal programs has been found and should be tried.

For once an opportunity should be given to a program that seeks to displace existing Federal programs. Let us prove that we in Congress recognize that there are alternatives to massive Federal programs and that we have the courage and foresight to enact them.

Mr. CONTE. Mr. Speaker, I am privileged to join with so many of my Republican colleagues in introducing this very significant legislative measure—the Human Investment Act.

At the outset, I also want to join in commending the distinguished gentleman from Missouri [Mr. CURTIS], not only for his able and effective presentation here this afternoon, but for his continuous and tireless efforts on behalf of the Human Investment Act, which go back to the early days of the 89th Congress.

This Republican proposal—the Human Investment Act—is just what its title indicates—it is an investment in people.

It is an investment in the people standing at the bottom of the job ladder, boxed in by limited skills and the futility of no opportunity for advancement.

If they are employed, their worries center around the threat that progress will make their job and their need obsolescent. Their goals are not lofty ones, merely the hope that they will be able to hold on to what they have.

If they are unemployed, their worries are even more immediate—the impossibility of finding a job in an employment market glutted by the unskilled. They have few chances for employment since their employed counterparts are not vacating jobs by moving up the job ladder.

Perhaps, most importantly, the Human Investment Act is an investment in the people most frequently anonymously characterized as "private enterprise." These are the people like the more than 8,000 small businessmen in the First Congressional District of Massachusetts and the larger corporations we have attracted—all of whom are injecting new life into the "takeoff" economy of New England.

Their needs are also immediate, as are their worries. They need skilled workers and craftsmen—machinists, lathe operators, and electronics assemblers. They are worried about the paucity of available workers with the skills they need.

Yet, these people hold the key to resolving the needs and worries of the business community and our unskilled workers. They have the means—the equipment, the latest manufacturing techniques, and jobs waiting to be done. So, too, they have the know-how in their years of experience and the skilled workers already in their employ. The question mark is the wherewithal.

Businessmen—large and small—are forced to operate on slim profit margins in today's highly competitive economy. The resources that must be diverted to on-the-job training—in terms of lost production time and lost productive hours of employee and trainee—can often deter the employer from utilizing his experience and know-how to upgrade the skills of his employees—if not dictate his choice.

It is at this point that the tax credit embodied in the Human Investment Act makes it possible for private business to assume the responsibility of worker training. From every response to the Human Investment Act our earlier bill produced, it is a responsibility that will be gladly assumed by private business. So, too, it is a responsibility that can be most efficiently assumed by the private business community, rather than by adding yet another Federal program to the Topsy-like bureaucracy of the Great Society and having it get bogged down in administrative procedures and political byplays.

Mr. Speaker, I might add that the Human Investment Act's investment in people extends also to an investment in our people's pride—the pride we feel in private initiative and in refusing to delegate yet another responsibility to the Federal Government.

It is by no means the case that private businessmen have been sitting on their hands for the past 200 years, waiting for some means of Federal assistance before undertaking to train skilled workers and upgrade the skills of the workers in their employ. We are merely acknowledging the job that has been done and seeking to make possible an expansion of the private training programs that have been at the heart of this country's industrial development and progress—at a time when, more than ever before, that progress must be sustained. Today's businessman is ready. I hope that the 90th Congress is ready, too.

Mr. COLLIER. Mr. Speaker, for almost 2 years now Congress has had an opportunity to adopt a sound and realistic approach to a serious and growing problem which plagues the economic life of our Nation. Yet it has no inclination to even consider it.

I refer to a measure which would undoubtedly do more toward providing a nationwide solution to the problem of unemployment and underemployment at a time when there are a considerable number of job openings. This costly paradox of unemployment at a time when there are jobs going begging is directly the result of the fact that the job vacancies require skilled or semiskilled people. There is indeed a scarcity of this type of labor.

To supplement the Government-operated projects of job training and retraining, which have been embraced in specific legislation as well as the war on poverty, I have introduced in the opening day of this session, legislation which would provide incentive on the part of the industrial and business community to train unskilled workers and remove them from the rolls of the unemployed. The bill is H.R. 391, better known as the Human Investment Act. It provides a tax incentive to those firms which would hire unskilled workers and pay them while they were teaching them a trade or skill useful in their particular operation.

Countless numbers of employers across the country have shown enthusiastic support of this approach, so there is little doubt that participation would be widespread and result producing. The fact remains that despite the urging of Members of Congress as well as reflected interest from many parts of the country other legislation seems to get priority in the fact of the problem which I have outlined and which I shall detail to some degree in these remarks.

The present shortage of skilled workers has led to an impairment of logistic support for our men who are fighting the Communists in Vietnam; a backlog of unfilled orders throughout our domestic economy; the necessity for some companies to take foremen and supervisors away from their duties to work on production lines, with an attendant decline in managerial efficiency; an increase in costly labor turnover because of the luring of employees from one company to another and from one industry to another; excessive overtime pay which is reflected in higher costs to the consumers of products; and importation of workers from abroad. The inability to secure qualified workers could put a damper on future prosperity, as plant expansion could be curtailed by a lack of skilled personnel.

As all of these factors become more and more serious, costs to employers are increased, prices to consumers rise, and inflation, which is already a serious problem, is accelerated.

To meet the demands of rapidly advancing technology, we must upgrade the job skills of the labor force all along the line. We must prepare the unskilled and semiskilled for skilled work and turn the skilled workers into advanced technicians. As workers move up the skill ladder to better jobs, the positions they formerly filled will become available to the less skilled workers who have been striving to improve themselves.

The proper role of the Federal Government is to encourage business enterprises and labor organizations to intensify and expand their time-tested programs of job training. Surely this would be better than to spend additional billions on the scandal-ridden poverty program.

In 1962, Congress amended the revenue laws so as to provide a tax credit toward the cost of plant equipment and machinery in order to spur new investment in such job-creating items. This provision led to a significant increase in investment for equipment and machinery.

People must be modernized as well as machines, therefore we should encourage a similar investment in human beings, whose skills contribute far more to the strength of the economy than does machinery. The tax credit approach to this problem can most easily be designed to reduce to a minimum the burdens of administrative redtape, bureaucratic inefficiency, and governmental intrusion into the realms of business and labor. It will have equally beneficial effects at all levels of the skilled ladder.

The pending Human Investment Act would provide a 7-percent tax credit to an employer toward certain of his employee training expenses, such as apprenticeship training, on-the-job training under the Manpower Development and Training Act, cooperative work-study programs, and tuition refund and organized group instruction payments by employers. The maximum amount of credit that a taxpayer could claim for one taxable year would be $25,000 plus 25 percent of his tax liability in excess of $25,000.

As an example, suppose a taxpayer had a Federal tax liability of $425,000 for 1 year. The maximum amount of credit that he could claim under my bill would be $25,000 plus 25 percent of the tax liability in excess of $25,000. The tax liability in excess of $25,000 is $400,000—$425,000 minus $25,000—of which 25 percent is $100,000. The maximum that could be claimed is thus $125,000—$25,000 plus $100,000. Suppose his allowable employee training expenses total $2 million. Seven percent of that is $140,000. Since this exceeds the $125,000 allowable maximum, the most he could claim would be $125,000. The $2 million would continue to be deductible as a business expense.

No credit would be allowed for training managerial, professional, or advanced scientific employees, as my purpose in introducing the bill was to fight poverty and eliminate unemployment at the bottom of the economic pyramid.

Private enterprise is the Nation's largest job trainer, as it invests about $4.5 billion annually in various forms of employee training. It costs between $1,000 and $5,000 or more to train one apprentice, according to employers. Business and labor know best what skills will be needed in the economy and what kinds of training will best prepare workers for the jobs that are likely to be available. Private industry is best equipped to give the most up-to-date training.

A comparison of per hour costs of trainees in institutional and in on-the-job training programs shows that where the average cost of the former runs over $5 per hour, the latter cost the taxpayers only 55 cents per hour. Even when the trainee's wages, paid by the employer, are added on, it is obvious that on-the-job programs are much more economical than school programs. On-the-job training is adaptable to any locality, while institutional training is not.

Unemployed and unproductive individuals are expensive and burdensome to society, as employed and productive individuals must support them and their families through taxes. Thousands of employers in Illinois have successfully trained and employed recipients of public aid, thus helping to substantially reduce the number on relief and unemployment compensation rolls.

The Collier bill would help to reduce unemployment without the expense, waste, and inefficiency that occurs when revenues are first collected from over 65 million individuals and sent to Washington and then returned to the State and local communities to be used for programs that would not only be federally financed but federally controlled.

The private employer is in business to make a profit and, regardless of the tax credit, it is not likely that he will train a man unless there will be a job available for him. To be on the safe side, however, my bill requires that a trainee must be on an employer's payroll for at least 3 months after completion of his training, except in case of death, disability, voluntary separation, or firing for cause.

The temporary loss of revenue under this program would be recouped when the trained individuals begin to pay income taxes or become liable to higher payments. In any event, the legislation that I have proposed would be much less costly than the various schemes that have been in effect for the past few years.

My bill would treat the unemployed, not as a liability, but as a resource. It would help both the small business that employs a comparative handful of people and the large enterprise that has thousands on its payroll.

Mr. McDONALD of Michigan. Mr. Speaker, I rise to join with my colleagues in sponsoring the Human Investment Act of 1967.

Among the expenses for which an employer could claim a 7-percent tax credit are tuition payments made by him to a college or to a business, trade, or vocational school. The payment must be made to an institution of higher education as defined in the National Defense Education Act or to business, trade or vocational schools on the approved list of the U.S. Commissioner of Education. No credit could be claimed for courses of a managerial, supervisory, professional, or advanced scientific nature, nor could credit be claimed for tuition payments for courses not directly related to the job skill needs of the person taking the course. This provision is tightly drawn so that people who are in middle management or professional positions or those who are taking courses for their entertainment, irrelevant to their actual or prospective jobs, will not be included. The intent of this provision is to promote the upgrading of job skills for those people working their way up the skill ladder.

For example, if an employer felt a certain employee could increase his productivity by additional training at a vocational institution, this bill would give that employer an incentive to pay the employee's tuition fee for the new training. There is an extremely wide range of schools from which the employer may choose.

With this approach the Government does not step in and tell the parties involved where they must go for training, it merely provides an added encouragement for an employer to further his own interests, as well as those of his employees.

If we in this country hope to have a true problem solving partnership between the Government and private enterprise, then the principle in this bill, and I hope many others, must be enacted into law.

Mr. MIZE. Mr. Speaker, I am pleased to join with the gentleman from Missouri [Mr. CURTIS] and my other Republican colleagues today in reintroducing the Human Investment Act, the 90th Congress version of which is refined to include many improvements and offer an expanded field of opportunity to upgrade the Nation's work force.

MORE TRAINING THROUGH HOME STUDY

One of the areas of training covered by the Human Investment Act is home study instruction. Under the terms of the act, employers are given an incentive to pay the costs of home study programs for their employees. Thousands of Americans, over the years, have been able to find new jobs and advance their incomes through home study courses in their spare time. We all know of the success stories for men trained in auto repair, air conditioning, radio, and television work, as well as hundreds of other skilled trades.

Many distinguished leaders have been helped to the top through the advantages of home-study courses. High on the list are such men as former Secretary of Commerce and former Governor of North Carolina, Luther Hodges; former Secretary of the Navy, Dan Kimball; former U.S. Senator Ralph Flanders, of Vermont; Donald Henerson, chairman of the board of the Sheraton Hotel chain; and G. L. Philippe, chairman of the board of General Electric.

As colleges and universities expand their extension courses and their correspondence courses, the opportunities for advanced training at home are multiplied. This type of training appeals to a great number of employees because they can continue to hold down a full-time job while they get the additional instruction at home. I am pleased that the Human Investment Act includes a tax credit incentive for home study courses. Many employers would be able to reap benefits by enrolling their employees in these courses, and through the Human Investment Act, they would be encouraged to do so because of the tax credit which is authorized.

Mr. GOODLING. Mr. Speaker, I believe the Human Investment Act is vital legislation, for it reaches right into the root of an ever-existing problem—unemployment.

This legislation is uniquely designed to cure many of the economic ills to which President Johnson made reference in his Economic Report of this year.

For instance, nearly 3 million workers were without jobs at the end of 1966, and although the unemployment was only temporary in some instances, about two-thirds of them were drawing unemployment insurance.

The remaining third will be waiting around a long time for a steady job. These are the hard-core unemployed that lack the skills that would permit them to find work of a steady nature. They become engaged in hit-and-miss employment, but they are unable to obtain regular occupation. Some of these are victims of discrimination, some are unwilling to work or reluctant to move from one area where there is no work to another where there is.

But even among those who were year-round workers, about 2 million breadwinners—particularly the low skilled with large families—had incomes that were insufficient to support a minimum standard of decent subsistence. And about 6½ million families were poor because the heads of the households were, for one reason or another, unable to work and earn an income of some substance.

These unemployed, in the past, have been something of a phantom element, receiving little if any attention. The Human Investment Act, however, gives them recognition, setting up a program designed to bring them out from the shadows of unemployment into the light of economic occupation.

Mr. Speaker, the wonderful thing about the Human Investment Act is that it does not turn to Government but, instead, relies upon the private sector of our economy. In the process, it dispenses with the big bureaucratic buildup and the associated expense.

In summary, this legislation would generate double-barrel benefits, for in the first instance it would relieve pressures on the unemployment insurance program and, in the second instance, it would make those now unemployed active contributors to both the society and their Government.

Mr. Speaker, I sincerely hope this legislation receives the prompt endorsement of the Congress.

Mr. POFF. Mr. Speaker, as one of the authors of the Human Investment Act introduced by a number of my Republican colleagues in the 89th Congress, as one who has lost no opportunity in a public speech to define and explain the content and purpose of the legislation, I introduced on the first day of the first session of the 90th Congress H.R. 1061. This bill is identical to the legislation introduced in the 89th Congress.

While reserving comment on certain specific details, I want to announce myself in support of the new version of the Human Investment Act which has been introduced by the gentleman from Missouri and others this year.

This legislation, the fruit of many long hours of toil spent in draftsmanship, modification, amendment, accommodation and compromise, is aimed at one of the chronic ills of our body politic, the disease of unemployment and underemployment in both urban and rural areas of the country.

America's riches are America's natural resources. The chief among these is human capital. When I speak of human capital, I speak of individual intelligence and individual talent. The trained minds and skilled hands of America's working men and women constitute assets more valuable to the security and progress of the Nation than any other commodities. To the extent we neglect the utilization of that asset, we neglect the future of America.

The Nation must be prepared now to make an investment in that asset which will insure its proper utilization. The bill we have introduced is designed, through a tax credit incentive, to encourage private business establishments, including both big business and small business to invest in manual skills training programs. These programs will not only train young people entering the Nation's labor force, but will offer older workers handicapped by technological changes and obsolescence an opportunity to learn new skills and upgrade their job status. Instead of undertaking training programs of its own, with all the resulting inefficiency, bureaucracy, and expense, the Government would provide a tax incentive for private industry to apply its own proven techniques in training and retraining workers.

This bill would allow an employer a credit against his Federal tax for sums expended by him in training or retraining any of his employees about to be displaced by automation or mechanization or for the training of new employees for job skills needed within that particular industry. This credit could be carried back 3 years and carried forward 5 years.

There is no precise way to estimate revenue loss. There are too many variables and too many imponderables. In any event, however, this system spares the taxpayers the financial burden of Federal administrative expenses, and it energizes the most powerful economic force in our American way of life, the free enterprise system.

Mr. QUILLEN. Mr. Speaker, I am pleased to join my colleagues on this occasion of the introduction of the revised Human Investment Act.

I feel that this legislation would do more to help our unemployed and underemployed people than any other program that has been offered to the Congress, and I hope we will not fail to enact it during this first session of the Congress.

I believe this act will be of special value to my district as we strive to raise our standard of living and provide varied opportunities for employment for our people. By helping private industry to help the unskilled worker, we will double our effectiveness and serve entire communities, as well as the Nation.

Mr. Speaker, I commend my outstanding colleague, the gentleman from Missouri, TOM CURTIS, for the fine job he has done in revising the Human Investment Act. The rise in the amount of credit from 7 to 10 percent is much more realistic and will certainly go a long way in seeing that the objectives of this act are realized.

I strongly feel that we have for too long neglected our private enterprise in seeking solutions to our national problems. We must assist the private sector of our economy, and by doing this well will demonstrate our continuing trust in their initiative and capability.

Young men and women in my district write me and say that they cannot get jobs near home, even if they have acquired a skill. But if the industries that are expanding and beginning could afford to train our young people in the types of skills they need, these young people would be able to stay at home and work. It would also enable their fathers and mothers to obtain new skills and thus not have to relocate their families or send the breadwinner far from his home to support his family.

In an editorial from the Elizabethton, Tenn., Star in November 1965, a high-ranking executive of one of the manufacturing companies in my district was quoted as saying "learn more to earn more." The executive also pointed out that this principal is as fundamental as civilization itself. The editorial commented that this was timely advice to east Tennesseans, and it still is today over a year later. It is timely advice to the entire Nation, and we here in the Congress, by enacting this legislation, can help our people to "learn more to earn more."

Just over a year ago, I was contacted by a company in Tennessee that desperately needed trained workers to meet its current needs and expand. But they could not obtain any assistance to help them train the workers themselves as they very much wanted to. Had the Human Investment Act been a law then, this company could have expanded and created thousands of jobs.

Let us not stand in the way of progress any longer. Let us keep the ball rolling that we have started today and enact this measure soon to help the Nation's greatest and most efficient job trainers.

Mr. REINECKE. Mr. Speaker, I am happy to join my colleague, the distinguished Member from Missouri, in sponsoring the Human Investment Act.

The greatest resource that America has is its own people. The people of this Nation are vastly, even infinitely, more important than the minerals of this earth, or the machinery men make, or the money we use. We can be sure that if we were to lose our physical assets, the knowledge and skills of our human population would still have a productive capability far more important than all the plants, equipment, and natural resources that might be lost.

But we need constantly to increase our knowledge and improve our skills. The Human Investment Act will help us to achieve this objective by encouraging individual firms, both small and large, to train workers to fill the need for skills that exist in our economy.

This bill is an attempt to meet the increasingly serious problem of structural unemployment, caused by a labor force which has not yet been trained for developing job opportunities. The bill is drafted on the premise that private business has, over the years, learned how to obtain the best results per training dollar, and should now be encouraged to meet this national need. Instead of undertaking training programs of its own, with all the resulting bureaucracy, inefficiency, and expense, the Government under this bill would provide a tax incentive for private industry to apply its tested techniques in this field.

Mr. BURKE of Florida. Mr. Speaker, we as a nation have made tremendous advances in the realm of providing education and job training opportunities for our citizens and in encouraging each individual to develop his full productive potential, for his own and for society's benefit. Yet, it is estimated that today approximately 2 million Americans are structurally unemployed due to the lack of needed job skills. This condition is one of the key manpower problems of this decade. The years ahead will bring increased emphasis on high skills, technical ability, and competence, and it is clear that the lack of accompanying growth in manpower development and training programs may threaten the survival of our free and open democratic system. It is precisely for this reason that the attack on chronic unemployment takes such high priority among our national goals.

The answer to this problem of structural unemployment begins with an increased national dedication to strong basic education so that every American will have the requisite skills in comprehension, communication, and simple mathematics to qualify for more advanced training. But a great strengthening of basic education, vital though it is, will never be the complete answer to the problem. In an age of rapidly advancing technology on all fronts of the economy, there must be a broad national effort to upgrade the job skills of the American labor force all along the line—preparing the unskilled and semiskilled for varying types of skilled work, and turning those now classified as skilled workers into advanced technicians.

The proper role of the Federal Government in this endeavor should be to provide the climate and the incentives whereby labor and business can take the lead in reeducation for industry, and be encouraged to intensify and expand their time-tested programs of job training.

Therefore, Mr. Speaker, I am today introducing a bill to provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training and employing presently unemployed workers who lack needed job skills, and by upgrading job skills and providing new job opportunities for workers presently employed. The purpose of this proposed Human Investment Act is to encourage industry to expand its training programs so that the reservoir of available job skills more closely matches the present and anticipated needs of the economy. Basing its approach on the free enterprise system, the bill would encourage individual firms, large and small, to train workers to fill the need for skills that exist in our economy.

Previously enacted programs have placed the private sector of the economy in too passive a role. Yet, experience has shown that problems like these are never solved until the private sector assumes leadership on its own. Through the years private business and labor, working together, have demonstrated their ability to conceive, organize, and carry out job training programs with superior results. For this reason I believe the emphasis should be redirected to the private sector of the economy where primary responsibility rightfully exists, rather than following the current trend toward expanded governmental training programs. Enactment of this legislation would help accomplish an important social objective without the administrative waste and expense of first collecting revenues and then directing them back to the States to be used for federally financed programs. It would guarantee an expansion of worthwhile and greatly needed training programs while holding redtape and administrative regulation to a minimum.

Mr. Speaker, passage of the Human Investment Act by the 90th Congress would be a major step toward encouraging our American enterprise system to expand its continuing efforts to alleviate the Nation's manpower shortages and enhance the opportunities for the individual worker to share more fully in the benefits of the American economy. I urge my colleagues in the House to give their full and active support to this bill to create a positive program of which we and the American people can be justly proud.

COLORADO RIVER LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. HOSMER] is recognized for 20 minutes.

Mr. HOSMER. Mr. Speaker, I have introduced H.R. 722, identical with H.R. 4671, as reported out by the House Committee on Interior and Insular Affairs in the 89th Congress. Chairman ASPINALL has introduced H.R. 3300, which modifies last year's committee bill somewhat. Senator THOMAS KUCHEL, of California, advises me he will soon introduce a bill in some respects similar to mine and in others similar to the Aspinall bill. Various other bills have been introduced.

During the next month or so, the House Committee on Interior and Insular Affairs will resume consideration of Colorado River legislation. It will have to decide between a regional approach for the benefit of the entire Colorado River Basin in seven States, which is the basis of Chairman ASPINALL's bill and mine, or a parochial approach for the benefit of Arizona alone.

I favor a regional solution. This was the decision of the committee when it reported favorably H.R. 4671 in the last session. That bill authorized an investigation of the impending water shortages in the entire Colorado River Basin, to be carried out by the Secretary of the Interior under the direction and control of a new National Water Commission. We already know that at least 2.5 million acre-feet must be added to the main stream of the Colorado to supply enough water to meet the Mexican Treaty burden while supplying the 7.5 million acre-feet which the Supreme Court apportioned among Arizona, California, and Nevada. This necessity will arise as soon as upper basin development depletes the flow at Lee Ferry to the minimum deliveries required there by the Colorado River compact.

Notwithstanding this, the committee's bill authorized construction of the central Arizona project to add a demand of 1.2 million acre-feet annually, without waiting for the augmentation of the supply, but only if Arizona recognizes the universal principle of western water law which protects existing projects in Arizona, California, and Nevada against shortages, and requires the new central Arizona project to bear the risk of shortages, if any, until the needed 2.5 million acre-feet of new water is imported into the river. In California's case, this protection is limited to 4.4 million acre-feet annually, because in 1928 Congress required California to accept this limitation if Hoover Dam was to be authorized without Arizona's ratification of the Colorado River compact. California's Legislature enacted that limitation, made necessary only by Arizona's obduracy. The effect is to require California to reduce her present uses of 5.1 million to 4.4 million, as the first sacrifice before Arizona need bear any shortage burden at all. The committee's bill spells out the other half of the shortage formula: once California is reduced to 4.4 million, sacrificing half the water supply of the Metropolitan Water District's aqueduct, Arizona's new aqueduct must bear the next share of the shortage, until 2.5 million acre-feet is imported to relieve us all. When that happens, the upper basin will also share in the benefits of the imported water, because both basins are then to be relieved of the Mexican Treaty burden.

The committee bill, to help subsidize the central Arizona project as well as finance the necessary importation works, authorized construction of Bridge and Marble Canyon dams as power producers. It also compromised differences between the upper and lower basins in a number of ways, and authorized five new projects in the State of Colorado.

I supported that bill, as a seven-State agreement to which Arizona was a party.

Now, however, responsible Arizona officials have disowned the compromise with California, with the upper basin, and with New Mexico over the waters of the Gila, all contained in the seven-State committee bill. They have demanded that their State "go it alone," either with a State-financed project or via an act of Congress which rides roughshod over the other basin States.

I hope that more statesmanlike views prevail in Arizona. If they do not, we will have to slug it out in committee. The central Arizona project is vulnerable in a number of respects on which we pulled our punches so long as we had a compromise agreement with Arizona. I still think that the compromise we agreed on in H.R. 4671 is a fair one, and I have introduced H.R. 722 to show that I stand now exactly where I stood at the end of the last session. Arizona can accept California's hand of friendship and assistance again, or force us into a position of opposition, as she sees fit. The choice is Arizona's. This was and is the position adopted by the Colorado River Board of California, California's attorney general, and all the agencies in California using Colorado River water.

Chairman ASPINALL's bill, H.R. 3300, is identical with last year's committee bill, and my own, H.R. 722, except for two significant changes. He would eliminate Marble Canyon Dam and would characterize the Secretary's investigation of importations as a reconnaissance study, dropping the committee's conditional authorization for a feasiblity report. The chairman's bill retains the protection of existing projects, including California's to the extent of 4.4 million acre-feet annually, in exactly the same words as that agreed on last year, and as it appears in my bill. So also with all other features of the two bills with minor changes in some of the language relating to the compromises between the two basins, which I understand are still being reworked.

I think all seven States should be grateful to Chairman ASPINALL for his leadership in this matter. I would prefer to see its provisions amended in committee to conform more closely to the language Senator KUCHEL tells me he will propose and which he soon will announce. It is probable I will seek such amendments at the appropriate time. Should they not be adopted and while I would be particularly reluctant to give up Marble Canyon Dam and to change the committee's compromise on investigation of imports, I possibly would be inclined to accept Chairman ASPINALL's version and to support his bill on the House floor realizing it might still be amended in any subsequent negotiations between House and Senate conferees, on one condition only: that Arizona's congressional delegation also agree to support it, in committee and on the floor, without change in the language protecting California and the other States. Otherwise, I see no reason for the other six States to fight for enactment of a bill to authorize the central Arizona project, construction of which would increase the shortages which the remainder of the bill is designed to alleviate. Rather, I see reason for them to fight against any such unwise proposal.

CURBING THE ALEWIFE POPULATION EXPLOSION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. ZABLOCKI] is recognized for 20 minutes.

Mr. ZABLOCKI. Mr. Speaker, today I have introduced a bill to provide for the elimination or control of the alewife, a herring-like fish, which lives by the billions in the Great Lakes.

The alewife, which seldom grows more than 6 or 7 inches long, is causing a multitude of serious problems.

It is a major source of pollution in the Great Lakes. Half the alewife population which numbers perhaps 10 billion fish die each year and the dead bodies litter hundreds of miles of beaches. This problem is particularly acute along the southern shores of Lake Michigan and affects Wisconsin, Illinois, Indiana, and Michigan.

The alewife also causes considerable problems during its spawning runs. The fish clog water intakes and electric utility facilities. In 1965 and 1966, for example, the city of Chicago was forced to periodically close its central pumping station. Utility companies in a number of cities bordering Lake Michigan have reported problems.

The dead bodies also cause an intense stench problem for certain lakeside cities. In my home community of Milwaukee the fish litter rivers which flow through the business district during certain periods of the summer, causing severe odor problems.

Finally, the alewife is hurting the recovery of the Great Lakes fishing industry, already hard hit because of the severe depletion in fishing resources caused by the marauding lamprey eel.

Although the lamprey scourge is now under control, other desirable species of fish are prevented from increasing because of a gigantic alewife population which consumes available food.

Even more alarming are the prospects for the future. Although the numbers of alewives have grown from almost nothing in the lakes to an estimated 10 billion during the past decade, fisheries experts see no end to the alewife population explosion.

Many experts have recognized the seriousness of the situation. Milwaukee's commissioner of health, Dr. E. R. Krumbiegel, has cited the alewife problem as the No. 1 water pollution concern of the people in our community.

The Great Lakes Commission, representing all the States of the lakes region, at its May 25, 1966, meeting passed a resolution urging the Department of the Interior to take steps toward the effective control of the alewife.

The Department of the Interior, through the Bureau of Commercial Fisheries, has done valuable research into the problems caused by the alewife and has developed some partial solutions. Yet more—much more—remains to be done.

Secretary of the Interior Udall himself indicated the magnitude of the efforts that alewife control will require in a letter to me last August. Let me quote from it:

> It would be misleading to tell you that a solution is just around the corner. Our fishery experts tell me that the alewife has the advantage now and that the weak spots in its life cycle are as yet undiscovered. Controlling the size of the alewife population and reducing the effect of seasonal die-offs is a difficult task which will require sustained and massive effort.

From my study of the problem, I became convinced that Secretary Udall did not overestimate its gravity when he specified a "sustained and massive effort."

In September 1966, testifying before a subcommittee of the Government Operations Committee investigating water pollution in the Great Lakes, I proposed a five-point program for the control of the alewife. This program would entail:

First, expanded research into the effect of the alewife on other, more desirable fish, like the lake trout, whitefish, and coho salmon;

Second, intensified study of the alewife life cycle to find the weak spots which may make control possible;

Third, increased experimentation with devices which can discourage the alewife from congregating around water intakes, and from spawning and dying in rivers and harbors in urban areas;

Fourth, efforts to encourage increased commercial use of the alewife for the manufacture of fish meal and other related products;

Fifth, financial assistance to Great Lakes fishermen who are willing to equip their boats with rigging suitable for harvesting the alewife.

It has now become clear that such a program—the bare minimum necessary for alewife control—would require a commitment of resources far beyond those which either the States and localities are involved or the Federal Government presently is able to give.

There is, therefore, a clear need for a new program to cope with the alewife problem. The legislation which I have introduced today is aimed at initiating such an effort.

The measure would authorize the Secretary of the Interior, in cooperation with the States involved, to engage in research and investigations on the alewife problem, to conduct studies of control measures, to carry out programs designed to control or eliminate these pests, and to take other steps which the Secretary may deem necessary.

The funding of the programs would be on a matching basis, the cost to be borne equally by the Federal Government and the States acting jointly or severally. The measures include the authorization of a $5 million appropriation.

The bill also provides congressional consent compacts or agreements among the States for the purpose of carrying out a program of research and control of the alewife. It is my hope that this provision will encourage the States concerned to unite their efforts in attacking the problem.

Mr. Speaker, as you know, last year the Congress approved legislation which established a program to eliminate or control the jellyfish off the eastern coast of the United States. The Congress acted because of the proven crisis nature of the jellyfish problem.

I firmly believe that alewife control is just as serious, just as worthy of Federal attention, as jellyfish control. Both species adversely affect fishing and water-based recreation. In addition, the alewife is a polluting factor of considerable magnitude.

The Congress has acted quickly to fight the jellyfish scourge; it now should do likewise to end the alewife population explosion in the Great Lakes. It is my hope that the Merchant Marine and Fisheries Committee, to which this measure has been directed, will hold early hearings on the proposal and will report it promptly to the floor of the House.

Mr. Speaker, in order to acquaint my colleagues further with the alewife problem, I insert in the RECORD at this point a study issued by the Bureau of Commercial Fisheries last April entitled "Lake Michigan Alewife Situation, 1966":

LAKE MICHIGAN ALEWIFE SITUATION, 1966

The alewife (*Alosa pseudoharengus*), a virtual newcomer to Lake Michigan, has had great success in establishing itself and subsequently creating a many-faceted dilemma. Increasing harvests of alewife are providing more and more benefits to Lake Michigan fishermen, industries, and communities each year. Experiments are underway to determine the role of alewife as forage food for game fish and more valuable commercial fish. Metropolitan water users are experiencing increasing problems with water intakes clogged and harbors and beaches polluted by alewife.

Following are a series of questions and answers which will summarize knowledge and lack of knowledge concerning this prolific little fish:

1. *Where did Lake Michigan alewife come from?*—Probably from the anadromous Atlantic stocks which moved up the St. Lawrence River into Lake Ontario and then through the Welland Canal into the upper lakes.

2. *What was the time schedule for official notation of the appearance of alewife through the Great Lakes?*

1873	Lake Ontario.
1931	Lake Erie.
1933	Lake Huron.
1949	Lake Michigan.
1954	Lake Superior.

3. *How abundant is alewife in Lake Michigan?*—Recent lake-wide BCF exploratory fishing trawl surveys reveal the total poundage of Lake Michigan alewife to be somewhere between 3 and 5-*billion* pounds. It is estimated that at least 200-million pounds could be profitably harvested each year.

4. *Has the Lake Michigan alewife population reached maximum size?*—Probably not. Since 1962, annual BCF biological assessment surveys of relative alewife abundance show unbelievable increases as follows:

Year class	Year hatched	Young of the year abundance index (1962=100)	Year most pounds available	Adult (3d year) abundance index (1965=100)
A	1959	(1)	1962	23
B	1960	(1)	1963	23
C	1961	(1)	1964	37
D	1962	100	1965	100
E	1963	391	1966	[2] (400)
F	1964	4,971	1967	[2] (5,000)
G	1965	3,906	1968	[2] (3,900)

[1] No information.

[2] Estimated abundance; all other figures are actual measurements.

5. *What accounts for the great success of alewife in Lake Michigan?*—A new program to study the life history and population dynamics of Lake Michigan alewife was initiated this year. A primary reason for the success appears to be that alewife occupy all three important ecological zones (A. tributary harbors and streams, B. upper strata of the open lake, and C. bottom waters of the open lake), during various stages of its short, 3-year (sometimes 4) life cycle. Apparently the growing season, the availability of food, and space, and the prevailing temperatures during critical parts of the life cycle are all ideal for the growth and reproduction of Lake Michigan alewife.

6. *What effect does the alewife population have on other species?*—Alewife increases have coincided with declines in other species such as cisco (lake herring) and emerald shiner, but factual relationships are unknown. It is assumed that alewife will be utilized extensively as food for reestablished lake trout stocks, but the exact nature of this usage is unknown. Special studies to investigate the great number of species interrelationships involving alewife are not provided for under present budget limitations.

7. *What part will the introduction of new climax-predator species play in the utilization of alewife?*—Although the experimental introduction of coho salmon is underway, it will be several years before the quantitative use of alewife by coho can be determined. The results of the introduction (in terms of successful survival, growth, natural reproduction, and returns to fishermen) are still a matter of conjecture. Alewife could compete with small coho for food and space or could furnish the coho's entire food supply. At any rate the numbers of coho contemplated for planting during the next 10 years will consume a relatively small percentage of the harvestable alewife each year.

8. *What is the comparative economic value between alewife and climax-predator species?*—Exact conversion figures are not available. It will probably take about 20 pounds of alewife to produce 1 pound of landed lake trout or coho salmon. The 20 pounds of alewife is worth 20 cents landed for fish meal or 40 cents landed for pet food. The commercial landed value of the two predator species in the round will be about 60 to 80 cents per pound. Alewife can be caught profitably in quantities several hundred times that which is possible for preditor species. The comparative economics between commercial and recreational production is complex. Both activities involve indirect and secondary benefits that are difficult to identify and summarize.

9. *What problems do metropolitan and industrial users of Lake Michigan water attribute to alewife?*—Such problems can be classed under two general headings:

A. Clogging of water intakes during spring spawning runs.

1. City of Chicago experienced periodic closure of Central (Downtown) Pumping Station in 1965. About 4 times as many alewife might be expected this year. BCF is cooperating with city and state in an effort to prevent a disastrous water stoppage this spring.

2. Several electric utility companies (Chicago, Waukegan, and Green Bay) report similar difficulties.

B. Cluttering of beaches and harbors with dead alewife from massive die-offs that occur with spawning migrations.

1. City of Milwaukee has annual die-off in harbor which winds through the downtown and industrial sections. BCF conducted successful control experiments with "air curtain" gear in 1964.

2. The beach around the entire southern perimeter of Lake Michigan from Ludington, Michigan, on the east shore to Two Rivers, Wisconsin, on the west shore is littered annually with dead alewife which drift ashore as they succumb to old age or physical weaknesses before, during, and after the spring spawning migration. The die-offs involve millions of pounds of fish—probably close to half the weight of the alewife population each year. The portion of the total die-off that actually reaches shore is comparatively small.

10. *What is the record of commercial alewife production in Lake Michigan?*—Production started with 400 pounds landed in 1956 and has progressed as follows:

	Million pounds
1956	0
1957	0.2
1958	1.4
1959	1.3
1960	2.4
1961	3.2
1962	4.7
1963	5.4
1964	[1] 11.7
1965 (estimate)	15.0

[1] Amounted to about 22 percent of the total U.S. Great Lakes commercial fish landings in 1964.

11. *Why has alewife utilization developed so slowly?*—Breaking into new markets with a new type of fish presented problems which were dealt with as follows:

A. *Mink food*. This market was among those first considered. It was found however, that feeding fresh or frozen alewife caused a lethal thiamine deficiency when fed continuously. Cooking will overcome the problem, but mink do not particularly care for cooked fish. Therefore this market for alewife has remained limited—about 2.6 million pounds in 1965.

B. *Pet food*. Since this industry uses large quantities of fish for which it can pay no more than 3.5 cents per pound, early difficulties stemmed from a "which comes first, the chicken or the egg" situation. Pet food manufacturers were reluctant to commit large orders with the meager knowledge available about the fish and production at that time, and producers were unwilling to start large scale operations without firm orders. Some problems with poor quality fish (during shipment) occurred in 1961 and 1962. In 1963 large-capacity cold storage freezing facilities were acquired and they have been responsible for increasing the use of Lake Michigan fish by the pet food industry. Pet food firms were at first leery of alewife—in the beginning they would allow only a 10–90 ratio of alewife-chubs. About 1963 and 1964 they accepted a 50–50 mix. Now they will accept any mix including 100 percent alewife. About 7-million pounds of Lake Michigan alewife were used in the manufacture of canned and dry pet food in 1965.

C. *Fish meal.* Fish meal plants were constructed in Milwaukee and Sturgeon Bay, Wisconsin, in 1964. The Sturgeon Bay plant didn't operate at all in 1965 because of odor problems in the poor location chosen for it. The Milwaukee plant ran most of last year at a reduced level and processed about 4.7-million pounds of alewife. It, too, had an odor control problem which reportedly was solved with the installation of special equipment this winter. A new plant at Peshtigo Point in Green Bay will go into operation late this spring and another plant is under consideration for southwestern Michigan.

12. *What is the outlook for fish meal plants in the near future?*—The history and potential production of existing and expected fish meal plants on Lake Michigan are shown below:

A. Sturgeon Bay, Wisconsin plant. Built 1964. Probably won't be operated anymore in this resort area because of odor problem.

B. Milwaukee, Wisconsin plant. Built 1964. Processed 4.7 million pounds of alewife in 1965. Capacity is about 20 million pounds.

C. Peshtigo Point, Wisconsin plant. Now under construction and will go into operation this spring. Capacity will be about 20 million pounds.

D. Southwestern Michigan plant. Groundwork is being laid for establishing a plant in Michigan's southwestern area. South Haven, Holland, Grand Haven, and Muskegon are being considered as possible sites. Capacity will be at least 20-million pounds.

13. *Assuming these plants operate as planned, what can be expected in the way of total alewife production during the next 10 years?*—A conservative estimate for the potential growth in commercial production of Lake Michigan alewife with present levels of abundance is as follows:

[In millions of pounds]

	1967	1969	1971	1973	1975
Milwaukee meal plant	8	11	14	17	20
Peshtigo Point meal plant	7	11	14	17	20
SW-Michigan meal plant	4	8	12	16	20
Pet food production	12	13	14	15	16
Total	31	43	54	65	76

(NOTE.—These production figures are for operations in existence or under serious consideration. There are enough alewife to support more than 2.5 times as much production. The landed value of the 76,000,000 pounds of alewife would be about $1,200,000 at present value of end products. The wholesale value of processed products from the 76,000,000 pounds of alewife would be worth about $7,000,000.)

14. ***What effect will such production have on Lake Michigan alewife population?***—Probably very little since 76-million pounds is only about 2 percent of total amount of alewife in the lake. More than half the total weight of alewife dies from natural causes each year regardless.

15. *What is the market situation for fish meal produced from Lake Michigan alewife?*—Good. The protein content, oil quality, and nutritive value of alewife meal compares very favorably with meal made from marine species. Present prices are high and are likely to remain so, because of short domestic and world supplies of fish meal and increasing demands in other countries.

16. *How does Lake Michigan fish meal production setup compare with marine fish meal operations?*—Favorably in respect to availability of fish, cost of producing raw product, and proximity to markets. Alewife can be produced economically in high volume with pound nets in Green Bay about 3 months each year. They are available to otter (bottom) trawls in large quantities virtually the year around, in contrast to relatively short 3- to 4-month production seasons in marine areas. Heavy concentrations can usually be located within 10 miles of Lake Michigan processing ports. Over 100 substantial feed companies using 1,000's of tons of fish meal annually are located within one- or two-hundred miles of Lake Michigan.

17. *What is holding back the development of Lake Michigan alewife production and associated processing facilities?*—Several important factors are listed below:

A. Unwillingness of state management agencies to grant trawl fishermen regular fishing status. Trawlers are now operated under temporary permits which can be terminated without advance notice. This situation is not conducive to private investment in fishing vessels or shore facilities needed to handle and process large volumes of low value fish profitably.

B. Lack of knowledge regarding the best vessel design for production of alewife, an enterprise entirely different from traditional Great Lakes fishing, marine trawling, and marine industrial fishing. This condition will delay attaining maximum returns to the industry.

C. Uncertainty of continuing resource base resulting from lack of knowledge regarding basic life processes of alewife and their relationships with other species.

18. *Are trawling and pound-netting the only economical methods for harvesting Lake Michigan alewife?*—They are the best conventional ways now known, but recent studies with electro-motivators for fresh water fish and incidental observations of alewife behavior indicate more effective and efficient methods are likely if a reasonable amount of effort is given to appropriate research and development work.

19. *What is the investment in men and facilities for catching and processing Lake Michigan alewife?*—Subject investment is roughly as follows:

Meal plants (3)	$600,000
Cold storage (2-million pounds capacity)	200,000
Miscellaneous shore facilities	100,000
Trawl vessels (11) and gear	275,000
Pound net vessels (20+) and gear	200,000
Total	1,375,000

	Man-years
Meal plants (2 in operation)	6
Cold storage	2
Shore facilities (10 full time, 30 part time)	15
Trawl vessels (full time)	25
Pound nets (part time—about 3 months per year)	15
Total	63

ECONOMIC DEVELOPMENT ADMINISTRATION ARBITRARY RULING THAT KODIAK NOT ELIGIBLE FOR ASSISTANCE

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Alaska [Mr. POLLOCK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. POLLOCK. Mr. Speaker, I am deeply disturbed at the recent action of the Economic Development Administration in rejecting seven applications from the city of Kodiak, all important to the welfare of this city, and some being critical to the welfare and economic existence of Kodiak. The most important application rejected was the application of the city of Kodiak for matching funds for the vital Monashka water project, which action might well destroy 18 seafood processing plants which cannot survive in operation without the adequate water supply needed, and which would be furnished through this EDA application.

No word of mine could more adequately express the situation or my own personal feelings than the following editorial written by the distinguished editor of the Kodiak Mirror, Mr. Karl Armstrong.

EDA ECONOMIC ADMINISTRATION

Is Kodiak Island really a part of the United States? That is a good question beginning to arise in the minds of more than one local resident during the past week.

Last week the so-called Economic Development Administration (EDA), a federal agency, arbitrarily ruled that Kodiak was no longer eligible for any assistance or matching funds from that agency. Specifically they rejected seven applications from the city of Kodiak, the most important being the application for matching funds for the vital Monashka Water Project. This action could literally leave Kodiak high and dry—without sufficient water supply to keep the seafood industry's 18 plants now located here in operation. In effect, their arbitrary bureaucratic explanation said that Kodiak is not poverty-striken enough to qualify—although they admit we were qualified at the time they urged us to submit our applications. Since Kodiak is not poor enough to qualify, it apparently is their aim to try to make us poverty stricken enough to qualify.

By denying Kodiak their promised assistance, the EDA well may have struck a death blow to our seafood-processing-based economy. Without sufficient water, our 18 plants will close, our canneryworkers will be out of work and put on unemployment and welfare roles, as will many of our fishermen. For lack of payrolls other businesses will collapse—adding more "qualifications" for Kodiak to rely upon. We shall shortly be in desperate need for not only EDA, but also all those other costly bureaucratic instruments the federal government has invented to fight "poverty".

Get ready, Kodiak, for an influx of Vista Volunteers, Youth Corps, Office of Economic Opportunity, and the like. They'll all have plenty to do here—it ought to cost millions of dollars! A prospect that should warm the cockles of any bureaucrat's poverty-stricken little mind!

Since here in Kodiak we provide employment for more Alaska Natives than anywhere else in the entire state, we should also expect to have an influx of concerned bureaucrats of the Bureau of Indian Affairs worrying about how to deal with all these poverty-stricken native people—which conceivably could even include the Mirror editor! All the bureaucrats should have a real opportunity to try to figure out what should be done to cope with all these poor poverty-stricken people.

Then after years of bungling around some bureaucrat will come up with a magnificent discovery and plan! "Let's construct a water supply system and pipeline from Monashka river and there will be plenty of water to operate seafood processing plants and employ all these unemployed Kodiak people!" Another bureaucrat will exclaim: "Why we have just the perfect federal agency to do such a brilliant thing! It's called EDA!"

This is, and probably will be, the way things will happen in Kodiak. It is ridiculous and such a pattern would be costly not only in terms of money but in the human misery the people of this area must go through before they can "qualify".

Government has come to a sorry state of affairs when it cannot perform its normal and justifiable functions intelligently. Is it really too much to expect of our government officials that they see the obvious solution and take preventative action to prevent economic disaster and the resultant poverty created? Apparently it is.

As things stand now, the EDA is neither economic, nor able to do anything about development and is clearly one hell of an administration.

Kodiak shouldn't be too surprised at EDA's inability to perform. It's immediate predecessor agency was known as the Area Redevelopment Agency. It promised Kodiak a Marine College—remember? We never did get that promise fulfilled either!

In light of the inability of EDA to perform where needed, we urge Alaska's congressional delegation to vote against any future appropriations for this agency. It has done enough harm. Unfortunately, Kodiak learned this too late.

In Kodiak EDA is known as the "Economic Disaster Administration".

APPROVAL OF FISH PROTEIN CONCENTRATE AS A FOOD ADDITIVE FOR DOMESTIC CONSUMPTION

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Alaska [Mr. POLLOCK] is recognized for 20 minutes.

Mr. **POLLOCK**. Mr. Speaker, notwithstanding the disparaging remarks of the gentleman from Iowa on this floor yesterday, a great advance has been made this week toward the goal of feeding a hungry world. After years of delay, the Food and Drug Administration has approved the use of fish protein concentrate as a food additive for domestic consumption. This is one of the most significant developments in American fisheries and is, I know, of vital interest and concern to the Congress. Fish protein concentrate is a completely new product which can be made from whole fish. Bureau of Commercial Fisheries' scientists have perfected a chemical process for producing this product as a safe, wholesome, and nutritious protein concentrate—a major breakthrough in man's war on global hunger—which holds tremendous promise as an inexpensive versatile source of essential animal protein and amino acids. Editorial page writers have rightly claimed this a food breakthrough.

The marine protein concentrate made from the hake in experiments is approximately 80 percent protein and the remaining 20 percent is made up largely of other beneficial minerals. Approximately 6 pounds of fish are processed to produce 1 pound of hake concentrate that is virtually odorless and tasteless. Bureau researchers have found that the product blends well with other forms of food. It has been successfully tested as an ingredient in beverages, noodles, gravy, bread, and cookies. The additive of marine protein concentrate to these products materially increases their nutritive value. Special Assistant for Fisheries in the Department of State, Ambassador Donald L. McKernan, has said the concentrate can contribute much to ending protein starvation—the most urgent food problem of the century—for about two-thirds of the world's population. McKernan said the study shows that if only the unharvested fish in the U.S. coastal waters were made into the concentrate, it would provide the additional quantity of protein to balance the diet of 1 billion people for 300 days, at a cost of about one-half cent per person per day.

The direct impact of this development on U.S. fisheries could be startling. The approval of production by the Food and Drug Administration will be a great incentive for the development and use of the Pacific coast hake, the cod, and the Alaska pollock, the latter fish of which could yield a production of 540,000 tons annually, sufficient for the animal production of approximately 90,000 tons of fish protein concentrate, adequate to meet on a sustained supplemental basis needed animal protein to meet the food requirements of 20 million people.

Recognizing this great opportunity, the Congress last year authorized the construction and leasing of two pilot plants to produce this concentrate. The President has requested an appropriation of $1 million for the construction of a plant in fiscal 1968. Prominent mention was also given to the project in the Economic Report of the President submitted to the Congress last week. I hope that Congress will appropriate this sum.

This is only the first step in producing the concentrate. The FDA approval is limited to hake or hake-like fish. Further approval will have to be obtained for each additional species of fish. The process will be long and involved.

The first approval is, however, important. The concentrate had previously been denied approval on the grounds that using the whole fish was esthetically unacceptable for human consumption. This barrier has now been destroyed forever. While previously approved for export, the barriers had prevented development because of the understandable feelings of foreign nations that they should not buy from the United States for their people something declared unfit for human consumption in America.

The regulations as proposed will continue to prohibit the bulk sales of the concentrate for use as an additive by food processors. Only sales directly to individual consumers for household use in packages weighing 1 pound or less are permitted. The reason given by the FDA for this limitation is that the consumer should not be deceived by this new product. I cannot think of anything more ridiculous than this. Surely proper labeling would prevent the public from being deceived. What this limitation does is to eliminate the biggest domestic market for the product. Since the concentrate is an additive, its greatest use would be by commercial processors who make prepared foods. The limitation made in the name of free choice actually restricts that choice, since consumers cannot buy foods with the protein-rich concentrate. This is an example of overregulation by a Government agency. Once having declared this concentrate fit to eat, the FDA should not be allowed to dictate the use of the food where health is not involved and where a labeling requirement can provide notice to consumers of the ingredient in a particular food.

I have been informed that the Bureau of Commercial Fisheries will conduct further tests in order to accumulate the data required by the FDA. In conducting these tests the Bureau will give processors some of the concentrate to use in manufacturing sample foods using the product. Hopefully this will clear the way for its use as an additive by commercial processors.

Only two plants were authorized by the 1966 act. In view of the approval by the Government and the great need for food for starving peoples throughout the world, this is not enough. Hungry people cannot wait for food, and American fishermen should not be forced to wait for the development of new industry. More plants are needed now. I have, therefore, introduced a bill to amend the law passed last year to boost the number of pilot plants to seven. This would allow the speedy development of this valuable resource in all American fishing areas.

No matter how many plants are built, it would be my hope that at least one would be located in the State of Alaska. Not only does Alaska have the most valuable fishery in the United States with a catch valued at $56 million in 1964, but it has what is probably the largest untapped resource. Alaska has over 6,600 miles of coastline. This totals 55 percent of the coastline of the whole United States. Alaska is the only State that is bordered by two oceans and one sea. Beneath the waters off Alaska's coast are fish that have not been touched except perhaps by foreign fleets. A fish protein concentrate plant in Alaska could mean the key that unlocks the door to this vast wealth. I, therefore, hope the Congress will see fit to increase the number of fish protein concentrate plants and that the Secretary of Interior will see the logic and wisdom of constructing at least one of the plants in Alaska.

Mr. Speaker, I include with my remarks a copy of my bill on this subject:

H.R. 4775

A bill to increase the number of fish protein concentrate plants authorized to be constructed or leased by the Secretary of the Interior

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 2(a) of the Act entitled "An Act to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate", approved November 2, 1966 (Public Law 89–701) is amended to read as follows: "The Secretary is also authorized to construct or acquire by lease seven experiment or demonstration plants for the production of fish protein concentrate."

SEC. 2. (a) The first sentence of section 3 of such Act is amended to read as follows: "There is authorized to be appropriated not to exceed $10,000,000 for the construction or lease of seven experiment or demonstration plants."

(b) The second sentence of such section is amended by striking out "$1,555,000" and inserting in lieu thereof "$2,000,000", and by striking out "for the leasing of one additional experiment and demonstration plant,".

LETTER TO MR. WILLIAM MANCHESTER, AUTHOR OF "DEATH OF THE PRESIDENT"

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. POOL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. POOL. Mr. Speaker, I would like to share with my colleagues a letter I have sent to Mr. William Manchester, author of "Death of a President." Doubtless all the Members are familiar with the current serialization of this book in Look magazine. For that reason, I believe my letter is self-explanatory.

The letter follows:

JANUARY 31, 1967.

Mr. WILLIAM MANCHESTER,
c/o Look Magazine,
488 Madison Avenue,
New York, N.Y.

DEAR MR. MANCHESTER: Since the assassination of the late President Kennedy, many have spoken harsh words about Dallas. As a Congressman from Dallas County, I have chosen to remain silent though angered by these words. Dallas is not perfect—for no city is. There is good and bad there, just as there is in every metropolitan area. But as a native of Dallas, I know that my city is a great city, a city of noble purpose and goals. Dallas stands tall among its fellow cities, and its progress and aspirations are defense enough against your condemnation.

I was silent when you spoke disparagingly of the Dallas Morning News, one of the great newspapers of the nation. It is a moderate paper, of sound thoughtful editorialization. Your criticism is not the first waged against this paper, I am sure. And like other great dailies, the News is well able to weather the storm of your unfounded words. Those who read the News know that what you term "radical excesses" are in reality careful editorial opinions based on research and long consideration. The main goal of the newspaper as an institution is to inform and educate the people. A newspaper in disagreement with an administration is morally obligated to voice its views. That is a basic freedom we cherish in Texas. Any community not blessed with a diversity of views is doomed to wither and die.

But I can no longer remain silent when I read your inferences about Robert Baskin, Chief of the Washington Bureau of the Dallas Morning News. Like Dallas, like the News, Bob Baskin requires no words in his defense as an outstanding newsman; but he is my friend, and I refuse to stand silent when he is maligned. The readers of the Dallas News have come to rely on him for his precise and objective presentation of facts. He is brilliant, and he writes brilliantly. His coverage of the assassination attests to that fact. He is a reporter admired by press and public alike.

I challenge your aspersions against Bob Baskin, Mr. Manchester. And when the history of our century is written, I believe that Mr. Baskin will outshine you as an accurate and conscientious historian.

Sincerely,

JOE POOL,
Member of Congress.

Mr. Speaker, I should also like to submit to the Members of Congress an article by Bill Rives from the January 29, 1967, issue of the Denton Record-Chronicle. Mr. Baskin has many friends in the Congress, and I know they will be interested in some firsthand information about their friend on the day of the assassination.

The article follows:

VIEWS

(By Bill Rives)

Ordinarily, I try to avoid editorializing, or getting into controversial subjects, in this space.

But I am impelled to rise to defense of an outstanding reporter, Bob Baskin of The Dallas Morning News, and I must do it here, because there is a personal involvement.

Baskin's name appears in the second installment in Look magazine's serialization of the William Manchester book on the Kennedy assassination.

In Chapter Four, Manchester described what happened to certain people—reporters, government officials, doctors, etc.—who were at Parkland Hospital in the immediate wake of the slaying of President Kennedy.

He said "During that first hour, hysteria was far more widespread than men could bring themselves to acknowledge. In retrospect, many later constructed accounts of how they felt they ought to have behaved—with emotion, but with control. The facts are more jagged.

"There was little control, and there were many aberrations that made no sense whatever."

Then he cited what he considered some odd circumstances involving some of these people. He said one reporter, Hugh Sidey (Life magazine), "took furious notes, half of which, he later found, were illegible."

Then Manchester brings in Baskin's name.

"Reporter Bob Baskin simply left. He rode downtown to the city room of the Dallas News to talk to friends and find out what, if anything, was happening elsewhere in the world."

This, it seems to me, implies that Bob Baskin casually left the hospital scene, went to the Dallas News and then asked what was happening elsewhere.

Manchester paints Baskin, in my opinion, as a man who wasn't really very concerned about what was going on, as a man who was callous and unfeeling about the killing of the President; a man who went to the office and, in effect, said "Well, what else is new?"

In those 32 words, short and simple but venomously slick, Manchester slanders and defames Baskin, if other readers get the impression I think they'll get when they read it.

At the time of the assassination, I was an assistant managing editor of The Dallas News, and I have personal knowledge of what Bob Baskin did on that awful afternoon.

Baskin was one of four reporters in the press "pool" car, riding close behind the president. White House "pools" consist of a few reporters who are allowed to get close to a particular presidential activity; they report back to the rest of the White House press what they see and hear.

So Baskin was in that mad dash to the hospital after the President and Governor Connally were shot. He did a superb job of reporting from the scene, by two-way radio from one of the News photographers' cars which reached the scene shortly afterwards.

Baskin remained there for a long time, until he finally was told to come to the office and continue working there.

He did so. At the time, we were nearing the deadline for the first edition and I already had started writing a story under Baskin's name, based on notes he had dictated over the car radio. It was a first-person, I-was-there type of story. I planned for Baskin to write his own substitute story for later editions.

I had written one or two paragraphs when Baskin came into the office. I would have immediately quit writing and would have asked him to go ahead and do the story himself, since there was time, but I did not.

Baskin was so shaken by what he had seen and by the enormity of the deed that had been committed that he was trembling like a leaf. At the hospital, he had come through like the real professional that he is, but at the moment, the reaction was setting in, and he was showing it.

We got him some coffee, and the cup shook in his hand and some of the liquid spilled.

I suggested that I go ahead and finish the story and he could write one later to replace it.

He seemed relieved to be able to get a chance to compose himself, and so he agreed.

Later on, Baskin's nerves settled down and he steeled himself to the unpleasant task of writing a first-person story of the death of a president.

Does that sound like a man who "simply left" the hospital scene and went to the Dallas News "to talk to friends and find out what, if anything, was happening elsewhere in the world"?

This is why I think Manchester's words are slanderous. I was there. I know. He wasn't there. And quite obviously, he didn't bother to find out what Baskin really was doing. Baskin was doing a good job of reporting, which is what Manchester should have done.

MEETING INDIA'S FOOD NEEDS

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, I was very pleased to hear the President declare that the meeting of India's food needs during this current food emergency was an international responsibility in which each nation should share. I was also impressed with his suggestion that this emergency food aid should be coordinated through the World Bank Consortium.

I was happy to hear that this aid should not diminish the flow of resources for other development programs, but rather should be additional to the World Bank's suggestions for each country.

Last year's famine in India dramatized the dependence of the food-deficient countries on American grain, and this year's famine has dramatized the fact that our program of emphasizing self-help and multilateral assistance must be intensified and reinforced. It was in this context that the Food for Peace Act was conceived. Its aim was to encourage the underdeveloped countries to save themselves from starvation by their own efforts. It is the reaffirmation of this program that is the major thrust of the President's statement. It is a courageous and important act by the President, and it is one which we in Congress must affirm without undue delay.

I have just returned from a visit to India, and I can personally testify to the great improvement that the Indian Government, with our help, has fostered and realized. They stand as a great example of how the less-developed countries can win their battles by themselves. They have neither faltered in their defense of freedom nor have they left any stone unturned in the conquest of poverty and famine. No, they have not won all their battles, but they have made a start. It is a significant and important start that both we and they have taken. It is a step toward greater unity in the free world and greater strength in the less-developed countries.

The basic and more intractable problems in India today are how to provide the education and training of the masses of people to more advanced ways of cultivation, how to lessen the large birth rate, and how to insure that improved methods of cultivation are successfully adopted.

India faces a crisis here and now, we all know that. However, while we must and we will move to help her out of this crisis, we cannot neglect the long range developmental programs which must at the same time be intensified. The President's message affirms his dedication to the simultaneous irradication of these two critical problems. To meet the first and more immediate problem, the President has authorized a $25 million allocation under Public Law 480, title II, for distribution by CARE and other voluntary agencies. This special additional emergency feeding program will be used where it is most needed, in the hard-hit drought areas of Bihar and Uttar Pradesh.

Two other passages in the President's statement reflect his concern with the continuation of our long-term assistance to help the developmental programs of the Indian Government. The first was his inclusion of private industry and science in his mustering of a new, all-out, coordinated attack on world hunger. Certainly private investment and new scientific breakthroughs would help to accelerate technological advance in food production in all developing countries. The second was his reaffirmation of the importance of self-help by the hungry nations, and his recognition that self-help efforts are underway in India in both agricultural techniques and government administration.

President Johnson's compassion and understanding have led to this clear recognition of the problem and how to solve it.

I am confident, that the United States will contribute its full, fair share of food aid and assistance under the food-for-freedom program, and that the crisis in this neediest of needy nations will be resolved.

NEED TO REVISE SELECTIVE SERVICE SYSTEM—XIII

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, selective service boards are now directed to consider not only the student's status and his progress toward a degree, but in addition, his class standing or alternatively, his performance on the selective service college qualification test.

General Hershey freely admits that—

> The qualification test only has the appearance of being fair. It tends to get cocked over toward the mathematical because it's easier to grade for one thing.

While most college students should have no difficulty in answering general math problems, the liberal arts student, whose exposure to math in college is limited, is at a distinct disadvantage when the questions revolve around the higher mathematical fields of algebra and geometry. The validity of the entire test, however, has also been questioned. Bruce Chapman, in his recently published book, "The Wrong Man in Uniform," reports:

> If the sample test released by the Selective Service System is at all indicative, the examination actually is grossly misleading in some questions, amateurish in the presentation of others (according to a leading testing expert) and on at least one of the thirty questions in the sample, plainly wrong.

As for the use of class ranking, these ratings are actually meaningless, because the grading practices and standards vary widely among members of the same faculty, among units of the same university and between institutions. It would be a mistake to assume that a student who is in the first half of his class in one institution is likely to be no more than the educational equal of another student in a similar position in his class but in an inferior institution. I seriously question whether these differences are taken under consideration by the local draft boards when evaluating the class standing of a registrant. Several universities have refused to issue these rankings, considering them to be "imprecise" and "academically indefensible." At the University of Michigan, students reflected overwhelming opposition to the compilation of academic class standings for use by the Selective Service System by voting, last November, 6,389 against compilation of the rankings to only 3,518 in favor.

The emphasis on grades and class standing produced by the selective service procedures will surely intensify several undesirable features of our present system of higher education. Many educators are troubled by the emphasis on conventional academic achievement in the form of high grades already pronounced in our colleges and universities. Dr. Hugh Borton, president of Haverford College, has said:

> It seems clear that the fact that a student's numerical rank in class will be used to determine his draft status is interfering with the best selection of courses.

Competition for admission to colleges, competition for graduate places and for scholarships and fellowships, and competition for employment opportunities often distorts the normal patterns of intellectual growth. These pressures are likely to inhibit needed experimentation in colleges and universities. University faculties across the country are trying to find ways of breaking this academic lockstep.

The awareness on the part of both student and teacher that grades are to be converted into class standing for a purpose not directly educational may well introduce into their relationship an element prejudicial to fruitful educational experience. Some instructors, for example, will be too lenient in grading. Some students will substitute compliance for serious inquiry with the risk of being wrong. In any event, all will be aware of a new and disturbing presence. It is my opinion that the student-faculty relationship will flourish best under friendship and understanding and not under the fear of a selective service classification based upon class standing.

My criticism against involving our institutions of higher learning in the draft process stems from my belief that the primary function of our colleges and universities is that of education, and as such, their purpose should not be compromised so that they become, in effect, an arm of the Selective Service System.

MR. THOMAS BERNATZ AND JERRY BRADY

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HANNA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HANNA. Mr. Speaker, in this period of disillusionment with national objectives and vocal attacks on the Nation's military activities in Vietnam and elsewhere, it is encouraging and gratifying to find examples of individuals who are, in their own small ways, recognizing the sacrifices our servicemen must make and are patriotically giving support to those young men who have donned their Nation's uniform and accepted the challenge and responsibility of representing the Nation in the defense of freedom and the pursuit of assuring our allies, large and small, that we will come to their aid and support. Thomas Bernatz and Jerry Brady are two such Americans.

Mr. Bernatz is a veteran who proudly served his country in time of national need and he continues to render patriotic service as a member of American Legion Post 267, La Habra, Calif. Mr. Bernatz and Mr. Brady, as public-spirited businessmen and fine Americans, serve all servicemen, at no charge, who patronize their two fine restaurants in La Habra and Whittier, Calif. I believe that for the hundreds of free meals these individuals have graciously provided at no cost, we owe these two businessmen official recognition.

OVERALL MANPOWER STUDY

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HOLLAND. Mr. Speaker, in yesterday morning's Washington Post there appeared an editorial commenting on the need for a concerted effort to rationalize Federal programs in areas in which there exists substantial overlapping. One such area, and one which the editorial cites as an example, is the area of manpower training and development—an area which is in the jurisdiction of the subcommittee which I have had the honor of chairing. The editorial goes on to quote from a recent study of Federal manpower programs by Sar Levitan and Garth Mangum, of the Upjohn Institute, two very able and thoughtful economists with whom I have long had the pleasure of working. Several days ago, I forwarded copies of the study by these men to Members who have been active in the manpower development field.

Last year, Mr. Speaker, when the House was considering the Manpower Development and Training Act Amendments of 1966, my subcommittee took testimony to the effect that a major study of this entire manpower development field was in order. There was not time to launch such a study in the waning weeks of the 89th Congress, but, during the debate on the floor, the gentleman from Michigan [Mr. O'HARA], with my enthusiastic authorization, pledged:

> It is the intention of the present members of the subcommittee to embark upon a thorough, detailed, professional study of the manpower training and work experience programs financed by the Federal Government, with a view to eliminating duplication, increasing efficiency, and developing an overall policy in this vital area.

All other things being equal, I believe I can renew the assurance that such a study will be a matter of high priority in the months immediately ahead.

The editorial, Mr. Speaker, reads as follows:

MANPOWER MULTIPLIED

Senator Muskie recently described the deplorable confusion of Federal aid programs that now confronts local governments. One of the most difficult responsibilities of any mayor or county councilman is simply to keep track of all of the disparate and overlapping benefits for which his administration is eligible. The Senator urges a national council, established in the President's office, to exercise some element of control on this geometric proliferation.

Confirming in detail Senator Muskie's point, two economists at the Upjohn Institute, Sar Levitan and Garth Mangum, have published a searching examination of the Federal programs in manpower training and development. "For instance," they report that funds for job recruiting "can be sought from nine manpower program sources, adult basic education from 10 (in addition to general education sources), pre-vocational training and skill training from 10 and work experience from five. On-the-job training can be subsidized by five programs and supportive services can be funded from nine sources. Income maintenance is also available to participants under nine programs. The eligibility rules, application procedures, allocation formulas, expiration dates and contracting arrangements vary as widely as the funding sources." The scale of these programs is not small. Together, they cost more than $2 billion a year, and the figure is now about to begin rising very sharply.

President Johnson, in his Economic Report, proposed to require the States to offer Federally-supported job training to unemployed parents. This legislation alone would mean a very substantial expansion in Federal manpower responsibilities. Senator Ribicoff, at the end of his notable hearings on the state of the cities, went even farther. He not only proposed powerful Federal incentives to develop employment opportunities in the cities, but he suggested that governments themselves become the "employers of last resort" for those who cannot otherwise find jobs. While these ideas would not be cheap, there is some evidence that they would prove a good deal less expensive than unemployment and its social consequences. If the President and Congress mean to move in this direction, they will first have to bring the present efforts into rational order.

A BILL FOR TAX DEDUCTIONS FOR CONTINUING EDUCATION

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mrs. MINK. Mr. Speaker, I am today introducing a bill to amend the Internal Revenue Code to allow income tax deductions for certain educational expenses to teachers, individuals employed or self-employed in the same profession for a minimum of 5 years, and persons granted a leave of absence by their employer for study at an institution of higher education. The deductible expenses would include tuition and fees, books and educational materials, and travel away from home necessitated by such educational pursuit.

This bill would provide fair and equitable treatment under our tax laws for individuals in a variety of fields who after having once begun careers return to college at considerable expense in order to meet their professional desires for new methodology and continual renewal of content. Though teaching is the vocation which most readily comes to mind because of the accelerating frontiers of knowledge with which educators must cope, this bill also covers all medical personnel, accountants, and other professional persons whose success depends upon their keeping abreast of new developments in their field.

I sponsored this same bill in the 89th Congress, and many of my colleagues joined me in this late-session endeavor to clarify the uncertainty surrounding the subject of educational deductions. Unfortunately, no hearings were held on this legislation, but I am hopeful that my colleagues will again see fit to sponsor similar bills so that we may have early action in this session of the 90th Congress.

There is a real need for such legislation because of the unpredictability of the Internal Revenue Service's position on this matter over the years. On July 7, 1966, Internal Revenue published a set of proposed regulations regarding deductions for educational expenses, which was strenuously opposed by most teachers' organizations, and then later rescinded. Despite this rescission of the proposed regulations, there remains considerable confusion concerning the whole matter of these deductions. I introduced this bill to make educational deductions a matter of statute rather than agency interpretation. Last session this bill was endorsed by the National Education Association, the Hawaii Education Association, the Hawaii Medical Association, the Hawaii State Board of Education, the Maui County Board of Supervisors, the Hawaii Association of Health, Physical Education, and Recreation, the American Institute of Certified Public Accountants, the Maui County School Advisory Council, and many other organizations and private citizens both in Hawaii and throughout the country.

It seems more than ever obvious, Mr. Speaker, that a busy professional person in meeting his demanding daily commitments must indeed have a difficult time keeping himself well-informed on newly developing knowledge and techniques in his field. It becomes incumbent for many such individuals to devote time to formal study and course work for this purpose, and I am convinced that we should offer them every incentive to take advantage of the continuing education opportunities available. This bill establishes what I believe to be already the national policy regarding support of continuing education. If we want to encourage this policy there is every reason to make clear that expenses incurred and money spent for further education are not included as taxable income.

Schoolteachers particularly are faced with professional requirements to accumulate a specified minimum of college credits on a periodic basis in order to maintain their certification. In many jurisdictions, the principle of refreshing and renewing learning is regarded as so desirable that incentive schedules provide salary increases for specified amounts of formal study by the teacher. The intensive course work required for the master's degree, becoming ever more essential for educators, also imposes a financial burden on the already overworked and typically low-salaried teacher.

The Congress has done much in recent years to confirm the importance of maximum education for everyone as a national goal. However, we have till now not done nearly enough to legislate in the interest of encouraging continuing education for those who have completed their basic curriculum of study and have already worked in their chosen career field.

My bill has safeguards which will exclude from its benefits anyone who desires to return to college to acquire education for a new career, in that it requires experience in the individual's particular field of study in addition to assurance that he will resume his employment in that vocation after completion of the particular studies for which he claims deductions.

There can be no doubt, Mr. Speaker, that education in our times does not end with the bachelor's degree and that 4 or 5 years of college does not guarantee continuing expertise in any specialized field. It is therefore in the greater interests of our country that we provide at the very least some recognition to those who seek to renew themselves by further education.

The power to establish a tax policy is the responsibility of the Congress and I feel it is indeed not only wisdom but prudence which dictates that we offer relief to those who expend their own funds to return to college to renew the quality of their professional capacity. What this bill in effect says is that what these persons do on their own initiative to further their educational background they do for their entire profession and thus, that which they actually spend to seek that education ought not to be taxed as income.

I urge all of my colleagues to support this bill and to join me in its sponsorship before this Congress.

The full text of the bill follows:

H.R. 4763

A bill to amend the Internal Revenue Code of 1954 to provide for the deduction of certain education expenses incurred by teachers and other employed or self-employed individuals

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 162 of the Internal Revenue Code of 1954 (relating to deduction for trade or business expenses) is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

"(f) Certain Educational Expenses of Employed or Self-Employed Individuals.—

"(1) In general.—In the case of a taxpayer who qualifies under paragraph (2), the deduction allowed by subsection (a) shall include (in addition to any amounts otherwise includible under this section) any eligible education expense (as defined in paragraph (3)) paid or incurred during the taxable year.

"(2) Qualified taxpayers.—A taxpayer is qualified for purposes of this subsection, with respect to expenses paid or incurred in any taxable year, only if—

"(A) he has been employed or self-employed in the same field, profession, or type of work for a period of 5 or more taxable years immediately preceding such taxable year, or

"(B) his employer formally grants him a leave of absence for the specific purpose of enabling him to acquire education or further education during such taxable year, or

"(C) he is currently employed (or was most recently regularly employed) as a teacher.

The determination of whether an individual qualifies under this paragraph shall be made in accordance with the regulations prescribed pursuant to paragraph (4); except that if a taxpayer who satisfies subparagraph (A) undertakes a course of study which requires more than 1 taxable year for its completion, he shall be deemed to continue to satisfy such subparagraph for as long as he continuously pursues such course of study. For purposes of this subsection, the term 'teacher' means an individual employed, by an educational institution described in section 503(b)(2), as a classroom teacher or as a supervisor, administrator, or adviser or in any other professional capacity related to the instructional program of such institution (including but not limited to guidance counselors and librarians).

"(3) Eligible education expenses defined.—

"(A) In general.—For purposes of this subsection, the term 'eligible education expense' includes only expenses, paid or incurred for—

"(i) tuition and fees,

"(ii) books and educational materials, and

"(iii) travel away from home,

which are reasonably required for or in connection with a course of study at an institution of higher education.

"(B) Relationship to taxpayer's employment or self-employment.—In the case of a taxpayer who qualifies under paragraph (2) by reason of subparagraph (A) but not subparagraph (B) or (C) thereof, the term 'eligible education expense' does not include expenses paid or incurred for or in connection with any course of study unless such course of study is in or directly related to the field, profession, or type of work on the basis of which he qualifies under such paragraph. In the case of a taxpayer who qualifies under paragraph (2) by reason of subparagraph (C) but not subparagraph (A) or (B) thereof, the term 'eligible education expense' does not include expenses paid or incurred for in connection with any course of study unless such course of study is directly related to the practice of the teaching profession or is calculated to improve the taxpayer's teaching skills or status.

"(C) Institution of higher education.—For purposes of this paragraph, the term 'institution of higher education' has the same meaning as it has in the first sentence of section 103(b) of the National Defense Education Act of 1958.

"(4) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary or appropriate to carry out this subsection."

Sec. 2. Paragraph (2) of section 62 of the Internal Revenue Code of 1954 (relating to definition of adjusted gross income) is amended by adding at the end thereof the following new subparagraph:

"(E) Certain educational expenses.—The deduction allowed by section 162(f) for educational expenses of employed or self-employed individuals."

Sec. 3. The amendments made by this Act shall apply only with respect to taxable years ending after the date of the enactment of this Act.

MENACE IN THE SKIES

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Dingell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DINGELL. Mr. Speaker, the January 27, 1967, issue of Time magazine carries an excellent article on the growing problem of air pollution. I have for some time been urging that the Federal Government take meaningful action to bring this problem under control. I believe that the article clearly demonstrates the need for such action, and I am, therefore, pursuant to permission granted, inserting the article in the body of the Congressional Record:

Menace in the Skies

On the morning of Oct. 26, 1948, at Donora, Pa., the skies delivered a deadly warning that man had poisoned them beyond endurance.

As workers trudged to their jobs, a heavy fog blanketed the bleak and grimy town. It hung suspended in the stagnant air while local businesses—steel mills, a wire factory, zinc and coke plants—continued to spew waste gases, zinc fumes, coal smoke and fly ash into the lowering darkness. The atmosphere thickened. Grime began to fall out of the smog, covering homes, sidewalks and streets with a black coating in which pedestrians and automobiles left distinct footprints and tire tracks. Within 48 hours, visibility had become so bad that residents had difficulty finding their way home.

Donora's doctors were soon besieged by coughing, wheezing patients complaining of shortness of breath, running noses, smarting eyes, sore throats and nausea. During the next four days, before a heavy rain washed away the menacing shroud, 5,910 of the town's 14,000 residents became ill. Twenty persons—and an assortment of dogs, cats and canaries—died.

Investigating the tragedy, meteorologists concluded that it had been triggered by a temperature inversion, an atmospheric phenomenon that prevents normal circulation of air. Ordinarily, warm air rises from the earth into the colder regions above, carrying much of man's pollution with it. Occasionally, a layer of warmer air forms above cooler air near the ground; the inversion acts as a lid, preventing the pollutants at lower altitudes from rising and dispersing. Inversions are no novelty, but what happened at Donora shocked public-health officials into an awareness that such layers pose a deadly threat to an increasingly industrialized and pollutant-producing society.

Sulky Sun. On Dec. 5, 1952, a thick fog began to roll over London. Hardly anyone paid any attention at first in a city long used to "pea-soupers." But this fog was pinned down by a temperature inversion, and was steadily thickened by the soot and smoke of the coal-burning city. Within three days, the air was so black that Londoners could see no more than a yard ahead. Drivers were forced to leave cars and buses to peer closely at street signs to find out where they were. Policemen strapped on respiratory masks. The Manchester Guardian reported that London's midday sun "hung sulkily in the dirty sky with no more radiance than an unlit Chinese lantern."

Hospitals were soon filled with patients suffering from acute respiratory diseases; deaths in the city mounted. The British Committee on Air Pollution finally estimated that during the five days that the smog smothered London, there were 4,000 more deaths than would have occurred under normal circumstances. During the next two months, there were another 8,000 excess deaths—most of them apparently caused by respiratory disease—that scientists suspected were a direct result of the killer smog.

Extreme air pollution again darkened London in 1956, killing 1,000, and in 1962, claiming more than 300 lives. In 1953, a 10-day temperature inversion over New York City trapped so much air pollution that 200 excess deaths were attributed to the smog by Dr. Leonard Greenburg, then New York's commissioner of air pollution. Another New York smog in 1963 killed more than 400, and there were 80 excess deaths recorded in New York during a four-day siege over the last Thanksgiving Day weekend. Scientists suspect that thousands of deaths each year in cities all over the world can be linked to air pollution. Says U.S. Assistant Surgeon General Dr. Richard Prindle: "It's already happening. Deaths are occurring now. We already have episodes in which pollution kills people. And as we build up, we're going to have an increasing frequency of episodes."

"Take a Deep Breath." Such warnings, added to the widely publicized New York and Los Angeles air-pollution alerts and open bickering between politicians and industry over pollution controls, have made the U.S. suddenly aware that smog is a real and present danger. The belching smokestacks that long symbolized prosperity have now become a source of irritation; the foul air that had come to be accepted as an inevitable part of city living has suddenly become intolerable. "Tomorrow morning when you get up," reads a recent magazine ad placed by New York's Citizens for Clean Air, Inc., "take a nice deep breath. It'll make you feel rotten." Indeed, as the adjoining color pages show, the U.S. city dweller had only to look at his skyline last week to see the startling and ominous inroads that smog has made.

Air pollution has become a worldwide preoccupation. Some 230 miles southwest of Tokyo, for example, school yards in the port city of Yokkaichi are filled with children running and playing games. But their shouts and laughter are muffled by yellow masks impregnated with chemicals to protect them against air polluted by nearby petrochemical plants. In Tokyo, where smog warnings were issued on 154 days last year, policemen in ten heavily polluted districts returned to the station house to breathe pure oxygen after each half-hour stint on traffic duty in order to counteract the effects of breathing excessive amounts of carbon monoxide.

"Sitting on the hill of Lycabettus, overlooking the valley of Athens," writes Greek City Planner Constantinos A. Doxiadis, "I can see early Monday morning the first dark clouds building in the lower part of the valley, where the industries are. It grows, it covers the middle and lower parts of the city. Gradually it reaches the eastern part, and by expanding in height it covers the rock of the Acropolis and the Parthenon. By then everybody in the city of Athens has had to breathe the polluted air."

Authorities in the German state of North Rhine-Westphalia are so concerned about the dangers of smog in 15 Ruhr districts that they have posted warning signs that will bar traffic from roads in the event that air pollution becomes extreme. And out in space last September, after other astronauts had repeatedly failed to photograph Houston because of the dense brown disk of smog that usually hangs above it, Gemini 11 Command Pilot Pete Conrad finally shot a picture of the city on one of its better days. Discussing the photograph after his return to earth, Conrad pointed to the reduced but ever present pall over the city. "Notice the air pollution drifting out there," he said, "in case anybody thinks we don't have it."

Smog disintegrates nylon stockings in Chicago and Los Angeles, eats away historic stone statutes and buildings in Venice and Cologne. Rapidly industrializing Denver, which for many years boasted of its crystalline air, is now often smogbound. In Whiting, Ind., a concentration of fog and pollution from an oil refinery produced a chemical mist that one night last year stripped paint from houses, turned others rusty orange, and left streets and sidewalks covered with a greenish film.

POLLUTION'S FIRST VICTIM

Air pollution, commonly thought to be a result of the industrial revolution, actually preceded man himself. Nature has long contaminated the air with sand and dust storms, with forest fires and volcanic eruptions that spew tons of particles and gases into the atmosphere. When Krakatoa, a volcano in the East Indies, blew up in 1883, the debris and dust it hurled into the air spread around the globe, darkening daytime skies for hundreds of miles. Krakatoa dust, suspended in the atmosphere, produced spectacularly ruddy sunsets and sunrises the world over for months after the blast.

Nature even produces its equivalent of smog. Over large fir forests, there is a continuous bluish haze produced by terpenes—volatile hydrocarbons that are emitted by the trees. Decaying animal and vegetable matter give off gases. Flowers saturate the nearby air with pollen that causes such allergic reactions as hay fever in man. It was natural air pollution rather than the man-made kind that claimed the man who is probably the first recorded human victim; Pliny the Elder died in 79 A.D. after breathing in an overdose of sulphur oxides emanating from erupting Vesuvius.

Once man mastered fire, however, he was superbly equipped to surpass nature's contribution to air pollution. The burning process—combustion—powers most transportation in the U.S., plays a vital role in its manufacturing, generates electric power, heats homes and buildings, and consumes much of its refuse. But this year it will also pour 140 million tons of pollutants into the air. And as population, industrial production, number of automobiles, and other indices of U.S. prosperity increase, the upward flow of contaminants will increase correspondingly.

Colorless Contamination. The most obvious component of polluted air is the smoke that pours from millions of home chimneys, power-plant and factory smokestacks, incinerators and garbage dumps. It consists of tiny pieces of carbon, ash, oil, grease, and microscopic particles of metal and metal oxides. Some of these particles are so large that they settle rapidly to earth, but many are small enough to remain suspended in the atmosphere until they are removed by rain or wind. Though the particulates, as they are called, are highly visible and often the first target of antipollution officials, they constitute only about 10% of the pollution in the air over the U.S.

Cities such as Pittsburgh and St. Louis, which after World War II enforced vigorous and successful campaigns to clear smoke from their skies, have now discovered that their drives against pollution have only just begun. A full 90% of U.S. air pollution consists of largely invisible but potentially deadly gases. More than half of the contamination in the air over the U.S., for example, consists of colorless, odorless carbon monoxide, most of it issuing from the exhaust pipes of automobiles, trucks and buses.

The second most plentiful gas pollutant is composed of oxides of sulphur, produced by home, power-plant and factory combustion of coal and oil containing large percentages of sulphur. More than a tenth of air pollution consists of hydrocarbons, most of them emanating as unburned or only partially burned gaseous compounds from automobile fuel systems. Combustion also produces large quantities of carbon dioxide, nitrogen oxides and other gases.

As if these products of combustion were not unpleasant or dangerous enough by themselves, some also undergo complicated chemical changes in the atmosphere that make them even less attractive. In the presence of sunlight, the hydrocarbons and nitrogen oxides emitted largely by automobile exhausts react to produce the sort of brownish and irritating photochemical smog that blankets Los Angeles for most of the year. "Los Angeles smog" is a highly complex soup containing, among other things, nitrogen dioxide, hydrocarbons, ozone (a highly active and poisonous form of oxygen) and peroxyacyl nitrate (commonly called PAN). "London smog," on the other hand, usually contains high quantities of sulphur oxides that react with moisture to produce a dilute but corrosive sulphuric-acid mist.

Though air conditioners can effectively filter pollutant particles out of the air, the troublesome gaseous contaminants pass through unhindered. Thus city dwellers who feel that they have found sanctuary from the smog in sealed and air conditioned offices and apartments are actually in an atmosphere that may be little better than the foul air of the streets.

$600 for Cleaning. The unwholesome mess that U.S. citizens and corporations spew into that great sewer in the sky costs them dearly—$11 billion a year in property damage alone, according to the Department of Health, Education and Welfare. Air pollutants abrade, corrode, tarnish, soil, erode, crack, weaken and discolor materials of all varieties. Steel corrodes from two to four times as fast in urban and industrial regions as in rural areas, where much less sulphur-bearing coal and oil are burned. The erosion of some stone statuary and buildings is also greatly speeded by high concentrations of sulphur oxides.

Heavy fallout of pollution particles in metropolitan areas deposits layers of grime on automobiles, clothing, buildings and windows; it adds about $600 per year in washing, cleaning, repairing and repainting bills to the budget of a family with two or three children in New York City, according to a study made by Irving Michelson, a consultant in environmental health and safety. Because of fly ash and soot from smokestacks, the main façade of Manhattan's New York Hilton was so badly discolored that it had to be replaced last year, only 3½ years after the hotel was completed. Ozone, a principal component of photochemical smog, discolors and distintegrates clothing and causes rubber to become brittle and crack.

Vegetation, too, suffers from polluted air—even in rural areas that until recently were believed to be out of the range of contamination. Sulphur dioxide causes leaves to dry out and bleach to a light tan or ivory color, kills the tips of grasses and of pine and fir-tree needles.

Scientists are certain that the ozone and PAN in Los Angeles smogs have caused the serious decline in the citrus and salad crops in the area. In one of the many smog experiments they are conducting, they have planted lemon trees in small greenhouses in a grove near Upland. Pure, filtered air is pumped into some of the greenhouses, air containing measured amounts of pollutants into others. When the fruit is finally picked, the scientists will compare the quality and yield of lemons from trees in different greenhouses, hoping to learn more about how each component of smog affects the crop. Some effects of the smog are indisputable. Such diverse plants as orchids and spinach can no longer be grown in metropolitan Los Angeles.

In semi-rural Florida, east of Tampa, large amounts of fluorides emitted from phosphate plants have rained down on nearby citrus groves, ranches and gladiolus farms. Orange and lemon trees that absorbed the fluorides produced smaller yields, and gladioli turned brown and died. A national air-pollution symposium reported that cattle grazing on grass that was contaminated with the fluorides developed uneven teeth that hindered chewing and joints so swollen that many of the animals could not stand. Fluorides have also etched windowpanes, giving them the frosted appearance of a light bulb.

Damage to People. Pollutants that injure plants and erode stone are likely to have a damaging effect on humans too. Motorists who would never contemplate committing suicide by running a hose from their exhaust pipe into the car often unknowingly endanger their lives by exposing themselves to large amounts of carbon monoxide on expressways and in tunnels and garages. Though an hour's exposure to 1,500 parts of monoxide per million parts of air can endanger a man's life, only 120 parts per million for an hour can affect his driving enough to cause an accident. And concentrations of about 100 parts per million have been found in tunnels and garages and on the streets of Chicago, Detroit, New York and London.

Assistant Surgeon General Prindle points out that a heavy cigarette smoker carries a 3% to 4% concentration of carbon monoxide in his bloodstream. Thus it is not surprising, he says, that habitual smokers are the first to turn up at hospitals during periods of extreme air pollution; carbon monoxide concentrations in their bloodstream reach a toxic 25%–30% level before those of nonsmokers.

Chief culprits in the Donora, London and New York smog disasters were probably sulphur dioxide and sulphur trioxide, which, either in gaseous form or converted into sulphuric-acid mist, can irritate the skin, eyes and upper respiratory tract. Extreme exposure, such as might occur in an industrial accident, can do irreparable damage to the lungs—and even attack the enamel on teeth.

Arsenic & Heart Disease. Ozone and PAN produce the eye irritation, coughing and chest soreness experienced by many Los Angeles residents on smoggy days. In laboratory experiments, continuous exposure to ozone shortened the lives of guinea pigs. Scientists have also calculated that a child born in New York City after World War II has now inhaled the pollution equivalent of smoking nine cigarettes per day every day of his life. Like those in cigarettes, some of the hydrocarbons identified in automobile exhausts have produced cancer in laboratory animals.

The particles in pollution are injurious to humans also. Carbon particles that blacken the lungs of residents of London and New York carry gases adsorbed onto their surface. They enable sulphur dioxide, for example, to penetrate deeper into the lungs than it could on its own; without particles to carry it, the gas can be exhaled relatively easy from the upper respiratory tract. Other particulates act as catalysts in the atmosphere, speeding the conversion of sulphur dioxide into more harmful sulphuric acid. Particles of arsenic, beryllium, cadmium, lead, chromium and possibly manganese, discharged into the atmosphere by a variety of man-made processes, may contribute to cancer and heart disease.

Though researchers have not been able to prove a direct cause-and-effect relationship between air pollution and disease, they have found that the incidence of chronic bronchitis among British mailmen who deliver mail in areas with heavy air pollution is three times as high as among mailmen who work in cleaner regions. Researchers also know that there are more deaths from chronic pulmonary diseases in high-pollution areas of Buffalo than in other neighborhoods. Boston policemen working around high concentrations of carbon monoxide seem more susceptible to the common cold.

EVOLUTION OF CONTROL

Alarmed by ever murkier skies, increasing property damage, unpleasant odors and more frequent pollution alerts, communities, states and the Federal Government have finally begun to mount a systematic attack on air pollution. They have been able to use as a model the pioneering antipollution program of Los Angeles, which evolved out of sheer necessity. Though the city has frequent temperature inversions and lies in a mountain-rimmed bowl that traps the pollutants, Los Angeles had practically no pollution problem until the 1940s, when it began its explosive growth in population and industry.

Almost overnight, the clear air that had played so important a role in drawing moviemakers to Hollywood was replaced by palls of smoke, a brownish haze and offensive odors that made city life irritating and unpleasant. Concerned Angelenos began to come forward with California-size plans to solve the problem. One suggestion was to bore mammoth tunnels through the surrounding mountains, install huge fans in them and literally suck the smog from the Los Angeles basin into the desert to the east. There was one drawback: operating the fans for a day would require the total annual power output of eight Hoover Dams. A proposal to install giant mirrors to focus the sun's rays, heat the air, and thereby cause it to carry pollution up through the inversion also turned out to be impractical; even if the entire basin were a giant mirror, scientists calculated, not enough heat would be generated to do the job.

Then, backed by aroused citizens, Los Angeles County established a control board and vested it with the authority to control any pollution released into the atmosphere from Los Angeles County, an area of 4,000 sq. mi. Running roughshod over objections from many business leaders, the board established regulations to limit the amount of pollutants released into the air by industry, banned the use of high-pollution fuels and the burning of junked cars and garbage. To further limit pollution, the board even ordered that paint containing volatile, smog-forming chemicals not be sold in containers larger than quart size. It reasoned that such a regulation would discourage large users from purchasing high-pollutant paints.

To prove that it meant business, the board brought to court and won conviction of thousands of pollution violators. It was backed to the hilt by Angelenos. In protest against an oil company that was convicted of a pollution offense, 1,500 residents returned their credit cards issued by the firm. On a single day in 1958, the board closed down $58 million worth of incinerators; instead of burning garbage, the county began hauling it as far as 40 miles away to use as a land fill. Aided and goaded by the board, Los Angeles oil refineries developed new techniques to reduce sulphur and to trap and recycle malodorous wastes; the refineries became the cleanest and least offensive in the world. Power companies were ordered to use low-sulphur natural gas whenever available, and required to use fuel containing a minimum amount of sulphur the remainder of the time.

LOSING BATTLE

Instead of disappearing, however, Los Angeles' characteristic whisky-brown smog has actually grown worse. The culprits are Los Angeles County's 3.75 million autos, which produce 12,420 of the 13,730 tons of contaminants released into the air over the county every day. (Some of the remainder is contributed by planes; a 4-engine jet expels 88 lbs. of pollutants during each takeoff.) In addition to nearly 10,000 tons of carbon monoxide, autos exhaust 2,000 tons of hydrocarbons and 530 tons of nitrogen oxides daily, enough to form a substantial brew of irritating smog.

At the urging of the pollution-control board, California decreed that cars sold in the state from 1964 on be equipped with a "blow-by" connection to feed unburned gasoline in the crankcase back into the engine manifold. Another law made it mandatory for all 1966 cars sold in the state to have devices that would reduce carbon monoxide emitted from the tail pipe by 50%, hydrocarbons by 65%. A further reduction in tailpipe emissions will be required in 1970. Taking its cue from experts, the Federal Government has ordered Detroit to make similar improvements on all of its 1968 cars. But California—and the U.S.—are fighting a losing battle against the autos.

Inspections of California cars that have been driven more than 20,000 miles and are equipped with antipollution devices have shown that as many as 87% fail to meet state requirements for the suppression of hydrocarbons and carbon monoxide; the devices generally become less efficient with age and are improperly maintained. Even if the devices work perfectly, however, they cannot keep pace with the rapid growth of Los Angeles' auto population—which is expected to increase by another 2,000,000 vehicles by 1980. "Even if by then the average motor vehicle is producing only one-half of the pollution of today's average car," says County Air Pollution Control Officer Louis Fuller, "motor-vehicle pollution will be greater than it is now."

ELECTRIC CAR RESEARCH

To solve the dilemma, Fuller believes, legal limitations may have to be placed on the movement of autos into heavily contaminated urban areas. Frank Stead, a top official in the state's public-health department, has a more drastic solution. "It is clearly evident," he says, "that between now and 1980 the gasoline-powered engine must be phased out and replaced with an electric-power package." The only realistic way of bringing about such a change, Stead feels, is to "serve legal notice that after 1980 no gasoline-powered motor vehicles will be permitted to operate in California."

Californians have not overstated the auto-pollution case. In a speech that had ominous implications for Detroit's automakers, HEW Secretary John Gardner suggested that "we need to look into the electric car, the turbine car, and any other means of propulsion that is pollution-free. Perhaps we also need to find other ways of moving people around. None of us would wish to sacrifice the convenience of private passenger automobiles, but the day may come when we may have to trade convenience for survival."

Detroit has responded by talking up its electric-car research, demonstrating new batteries and fuel cells, and driving newsmen around in battery-powered compact cars. And Ford President Arjay Miller insists that a crash program is on to build an electric car. But most auto officials believe that between five and ten years will pass before moderately priced electric cars can be produced in volume. In Washington last week, to emphasize the need for electric cars, New York Democratic Representative Richard Ottinger drove an electric Dauphine, powered by silver-zinc batteries (developed by New York's Yardney Electric Corp.), about 70 miles on trips around the city.

FINES AND PRISON TERMS

While Los Angeles ponders new strategies in its fight against pollution, other cities—aided by increasing federal technical and financial aid made possible by the Clean Air Act of 1963—have begun to take tentative and sometimes faltering steps in the same direction. To reduce New York City's dirty smog, some 50% of which comes from chimneys, smokestacks and open fires (compared with only 10% of Los Angeles' smog), a regulation has recently been passed to limit the sulphur content of fuel burned within the city. It came none too soon; the U.S. Public Health Service describes the sulphur-dioxide concentrations in the New York-New Jersey metropolitan area as "the worst, the most critical" in the U.S.

In heavily polluted New Jersey, which shares high sulphur-dioxide concentrations with New York, a state assemblyman introduced a bill that would empower the Governor to shut down plants and incinerators and prohibit the movement of vehicles and the burning of any fuel during smog emergencies. Private citizens or corporate officers refusing to comply could be fined as much as $100,000 and imprisoned for as long as ten years.

To clear the air in Chicago, the city has launched a campaign to force local steel plants to adopt costly antipollution techniques, and transportation officials are investigating combination diesel-electric buses that would reduce exhaust fumes. An Illinois legislator has gone so far as to introduce a bill that would limit the use of Illinois coal—which has a high sulphur content—in public buildings.

GRADUAL SUFFOCATION

But with these few exceptions, most communities in the U.S. have still to come to grips with the problems. There is still time to do so, but it is dwindling. U.C.L.A. Meteorologist Morris Neiburger points out that the air that now streams across the Pacific from Asia is clean when it reaches the west coast of the U.S. It picks up pollution over the coastal states, loses some over the Rockies, and become dirty again as it moves toward the Eastern Seaboard. "Imagine the smog that would accumulate," he says, "if every one of the 800 million Chinese drove a gasoline-powered automobile—as every Angeleno does."

The Chinese autos and the new factories that produce them will quickly pollute the Asian skies, Neiburger fears, dirtying the air currents even before they reach the U.S. Eventually, if air pollution increases beyond the capacity of the atmosphere to cleanse itself, smog will encircle the earth, he says, "and all of civilization will pass away. Not from a sudden cataclysm, but from gradual suffocation by its own effluents."

Other scientists are concerned about the tremendous quantities of carbon dioxide released into the air by the burning of "fossil fuels" like coal and oil. Because it is being produced faster than it can be absorbed by the ocean or converted back into carbon and oxygen by plants, some scientists think that the carbon dioxide in the atmosphere has increased by about 10% since the turn of the century. The gas produces a "greenhouse" effect in the atmosphere; it allows sunlight to penetrate it, but effectively blocks the heat generated on earth by the sun's rays from escaping back into space.

No Apocalypse. There has already been a noticeable effect on earth—a gradual warming trend. As the carbon-dioxide buildup continues and even accelerates, scientists fear that average temperatures may, in the course of decades, rise enough to melt the polar ice caps. Since this would raise ocean levels more than 100 feet, it would effectively drown the smog problems of the world's coastal cities.

The waters, however, need never rise. Within his grasp, man has the means to prevent any such apocalyptic end. Over the short run, fuels can be used that produce far less pollutant as they burn. Chimneys can be filtered so that particulate smoke is reduced. Automobile engines and anti-exhaust devices can be made far more efficient. What is needed is recognition of the danger by the individual citizen and his government, the establishment of sound standards, and the drafting of impartial rules to govern the producers of pollution. Over the long run, the development of such relatively nonpolluting power sources as nuclear energy and electric fuel cells can help guarantee mankind the right to breathe.

HOW INDIA'S FOOD AID WAS EXPEDITED

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. RESNICK. Mr. Speaker, as the food crisis in India continues, even the physical movement of needed food supplies poses a real problem—but our experience during the past year amply assures us that the problem can be handled.

Only because of extraordinary measures taken by both the United States and India was it possible to carry out with such success the 1966 Indian rescue mission which supplied the daily grain rations for 60 million of her people. We might take a look at what was done.

Late in 1965, as it became increasingly apparent that India's crop was failing, the President instructed the Secretary of Agriculture to take such measures as were necessary to help avert a critical food shortage and possible starvation in India. The Secretary of Agriculture set up a special Interagency Task Force to guide what became one of the largest food movements in history.

A special U.S. Food Grains Team was sent to India early in 1966 to get a first-hand view of food needs and logistical problems. Working with the Government of India, the team agreed on the size of the shortage and set up month-by-month food aid targets.

Food handling capacities of India's ports, inland transport, and distribution facilities were determined. Supersize tankers of up to 100,000-ton capacity were added to the India food aid run.

A representative of the Secretary of Agriculture was given a special office within the Indian Ministry of Food and Agriculture, where he helped plan and expedite food arrivals and distribution. The United States provided also a senior port administrator to assist in keeping food grains moving; pneumatic grain handling equipment for Indian ports; and grain specialists to give technical advice on handling and storing the grains.

Special arrangements were made to expedite movement of grains from the interior to U.S. ports, including use of new, fast-moving unit trains which saved at least 15 days per trip over ordinary boxcar transport. Deadlines were met and the grain moved on schedule. I would like to commend all parties responsible for so capably moving these vast quantities of food from the abundant fields of the United States to the hungry millions in India.

DISTURBED BY DECISION OF U.S. SUPREME COURT

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Nichols] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. NICHOLS. Mr. Speaker, I am disturbed that the U.S. Supreme Court, by a five-to-four vote, has handed down a decision which would prohibit New York public schools from terminating teachers or other employees in that State who are known to be members of the Communist Party. It is amazing to me that our Supreme Court has, in essence, said that we are going to tolerate members of the Communist Party who openly advocate overthrowing our Government, and will allow them to use the public schools to espouse their doctrine to schoolchildren of these United States.

To further add insult to injury, this decision comes at a time when this country is deeply committed to an all-out war with the Communists in Vietnam. American boys are dying every day for a cause which we believe to be right. Yet here, the Supreme Court of our country is coddling and pampering and permitting and actually sanctioning these people to enhance their position here in our own country. This just does not make sense to me, and I cannot for the life of me understand this decision.

I feel so strongly about this matter that I have asked the chairman of the House Un-American Activities Committee, the Honorable Edwin E. Willis, of Louisiana, to sponsor necessary legislation to override this decision.

While this decision only directly affects New York State at the present time, it has raised the indignation of people everywhere, and particularly in my home State of Alabama. An example of the feelings there is exhibited in this editorial by WDNG Radio, Anniston, Ala. Mr. Speaker, I insert this editorial in the Record:

> It is so inconceivable it almost seems like a dream—a nightmare. A couple of days ago the U.S. Supreme Court handed down a decision against New York Public Schools and in favor of Communist Party members.
>
> The decision stated that New York may not fire public school teachers or any other civil servants solely because they are members of the Communist Party. Thus, comes to an end New York State's entire teacher-loyalty program that has been in effect since 1939.
>
> Justice William J. Brennan, Jr., speaking for the majority said (Quote), "Our Nation is deeply committed to safeguarding academic freedom, which is transcendent value to all of us, and not merely to the teachers concerned," end quote. Five justices voted for this unbelievable decision and four against.
>
> Of course, the decision will stand until it is reversed by the court, or until it is overruled by the Congress.
>
> All Communist literature says this country will be defeated from within—that the Red takeover will happen without a shot being fired. The U.S. Supreme Court, through its most recent decision, talks about defending the U.S. Constitution when in reality the court is tearing it to shreds. Members of the Communist Party are avowed enemies of America's way of life. How do you offer equal protection and privileges to an enemy bent on destroying you?
>
> If this is what these five members of our highest court thought our forefathers had in mind when they wrote the U.S. Constitution, then these five men are even worse off than we had feared. We are trying to halt Communist aggression in South Vietnam and in other spots throughout the world. Our young men are dying and it is costing us billions of dollars. And yet the U.S. Supreme Court dares to hand down such a decision. It is inconsistent, to say the least.
>
> Our only hope is that Congress will override this latest decision. Write your Congressman and your Senators.

ON WIRETAPPING

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Waldie] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. WALDIE. Mr. Speaker, additional praise for President Johnson's proposal to outlaw wiretapping, except when national security is at stake, comes from the San Francisco Chronicle. The Chronicle finds both comfort and reassurance in the President's forthright defense of the citizen's right to privacy. Joining in the newspaper's editorial support, I submit its comments on this vital subject for the Record.

[From the San Francisco Chronicle, Jan. 13, 1967]

Johnson and the Bugs

There was comfort and reassurance for the American citizen in that paragraph of President Johnson's State of the Union message which pertained to the right of privacy, a right which the President (quoting Justice Brandeis) appraised as "most valued by civilized men."

"We should outlaw all wire-tapping, public and private," he said, "wherever and whenever its occurs, except when the security of the nation is at stake, and only then with the strictest safeguards. We should exercise the full reach of our constitutional powers to outlaw electronic 'bugging' and 'snooping.' "

This is a forthright declaration of intent to apply legal prohibition against the use of the small, portable, long-range electronic listening devices that have increasingly invaded American privacy in recent years. It is a declaration of especial significance at this time when law enforcement agencies, not excluding the FBI, are under fire for electronic eavesdropping in connection with the Bobby Baker case, the Nevada gambling case, and numerous others.

CONGRESSMAN JOHN J. ROONEY "MAN OF THE YEAR" AWARD

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Murphy] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, it gives me great pleasure to bring to the attention of my colleagues the remarks of the Honorable John J. Rooney of New York, when he was given the Man of the Year Award by the John Smolenski Democratic Club of Brooklyn on January 14, 1967. This award recognizes the enormous contributions made by John Rooney to his district, his State, and the entire country in the nearly quarter of a century during which he has served in the U.S. Congress. His accomplishments have been many, but I believe that most people throughout the country will recognize him as a public servant who was and is the guardian of the peoples' purse during the 16 years he has served as the chairman of the vitally important House Appropriations Subcommittee on Appropriations for the State Department, and Related Agencies.

His speech follows:

Remarks of Congressman John J. Rooney, Democrat of New York, Upon Acceptance of "Man of the Year Award" From John Smolenski Democratic Club, Inc., Brooklyn, N.Y., January 14, 1967

Professor Kusielewicz, Chairman John Budzako, Reverend Father Budny, your City Councilman George Swetnick, your Assemblyman Harold Cohn, distinguished guests, ladies and gentlemen:

It is with a profound sense of gratitude that I accept this award from your splendid organization named after an outstanding leader and a great friend of mine, the late Assemblyman John Smolenski. It is good to be again among you all. Yours is the very kind of association that serves as a mainstay of the American social structure which is built on a firm foundation of family life, on self-discipline, devotion to God, and dedication to our country whose rich cultural heritage stems from a historically varied ethnic background. You have demonstrated time and again a healthy understanding of the principles of our founding fathers who sagaciously assured a system of government which continues to prove the greatest blessing to their posterity.

This evening I am especially glad to be here to participate with you in honoring my good friend Ed Brachocki, co-founder of your organization and for many years treasurer of the Polish National Alliance of Brooklyn, who through his many years of activity in the civic and communal life of this section, has so wisely demonstrated keen understanding of the strength derived from and of the good use made of political organization. Over the years he has explained to his neighbors the meaning of political life. He has worked to build with you the framework and the institutions of your community. I understand that your parishes and their schools have much to be thankful for to Ed Brachocki and to men like him in your midst. For it is from neighborhoods such as yours that this beloved country of ours derives its strength, its beliefs and hopes, its courage and its determination.

My congratulations also to John Pavin and the Greenpoint Volunteer Ambulance Corps upon the award presented here tonight.

May I also recall at this time that as Professor Kusielewicz has said it was your organization which 9 years ago bestowed its citizenship award upon my and your good friend Mish Cieplinski, now deputy assistant secretary of state for administration. The members of the Smolenski Democratic Club through exponents of American Polonia, persevere in the patriotic tradition of Pulaski, Kosciuszko, Karge, and Krzyzanowski, which helped to make America great and which continues to keep strong our national defenses.

This ideal, especially as it applies today, is particularly exemplified by the statements of President Johnson in referring to Vietnam in his message on the State of the Union which he delivered last Tuesday night before the joint session of Congress, which I attended. The President said: "We are in Vietnam because the United States of America and our allies are committed by the SEATO Treaty to 'Act to meet the common danger of aggression in Southeast Asia.' " "We are in Vietnam because an international agreement . . . of 1962 is being systematically violated by the Communists." "That violation threatens the independence of all the small nations . . . and perhaps the world." "We are there because the people of South Vietnam have as much right to remain non-Communist as North Vietnam has the right to remain Communist." "We have chosen to fight a limited war in Vietnam in an attempt to prevent a larger war—a war that is almost certain to follow . . . I believe that if the Communists are not checked now the world can expect to pay a greater price to check them later . . ."

I quote the President's words because I know that you are in full accord with him on the problems concerning our national defense, and that you have given this National Administration your full and wholehearted support in this respect. I am also certain that you share the President's concern with the health of the Nation, especially as it applies to the needs of our senior citizens, about whom the President said: "We have brought medical care to older people that were unable to afford it. 3½ million Americans have already received treatment under medicare since July."

I am well aware of your full approval of the administration's proposed curb on fire arms and its program to combat crime, which the President underscored in these words: "Our country's laws must be respected, order must be maintained, and I will support with all the constitutional powers, the President possesses our nation's law enforcement officials in their attempt to control the crime and the violence that tear the fabric of our communities." Likewise, I am sure of your endorsement of the effort of the President and of the Congress to improve the quality of life for *every* American who, as the President said, is ". . . not just the rich, not just the poor, but every man, woman and child in this great nation of ours."

How extraordinarily well these quotations from the President's message on the state of the Union coincide with your own sentiments and with the program of your esteemed organization, the Smolenski Democratic Club of Brooklyn. While you are all patriotic Americans of the highest order, you are, in a more local sense, an integral part of Brooklyn and New York City, the beloved city of my birth and the city to which my father and mother came from Ireland almost eighty years ago. You and I are closely interwoven in that wonderful tapestry of American life. Together we continue to enhance this phenomenon and greatness that is marveled at by the world and which is "America the beautiful," "America the bountiful."

Finally, all these qualities of our country were made possible by the steadfast dedication to and belief in God by our forefathers and those who followed them. And therein lies the key to our national grandeur.

My sincere thanks to you on the honor bestowed upon me this evening.

REPORT TO THE PRESIDENT BY THE SECRETARY OF COMMERCE, JOHN T. CONNOR, ON THE PROGRAMS AND PROGRESS OF THE DEPARTMENT

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Murphy] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, Secretary of Commerce John T. Connor has just completed more than 2 years of service to our Government in a most important and critical Cabinet position. Under his leadership, the Department of Commerce took vigorous action to meet the challenges of change and growth during a period of record prosperity and expansion for America. The Secretary has summarized the progress of the Department in a report to the President. I am happy to include this report and urge that it be carefully studied:

Report to the President by Secretary of Commerce John T. Connor on the Programs and Progress of the Department

It has been my privilege to serve as Secretary of Commerce and a member of your Cabinet in a period of action and achievement by your Administration and the 89th Congress that history will record a landmark of American progress.

I wish to report to you on the programs and activities of the Department of Commerce during my two years in office and review its contributions to the record of accomplishment of your Administration.

The era in which we live has been marked by dynamic forces of growth and change that have posed challenges of enormous complexity and scope for our Nation and the free enterprise system.

The problems of the day are so complicated, in fact, that the joint participation and best efforts of our public and private institutions are in most instances essential to their solution.

The forward strides our country has achieved in this period are owed in large part to a strong functional partnership between business, labor, and government over a broad range of endeavors.

Your call for these great creative forces in our society to join in a united attack on the Nation's social and economic problems has enjoyed broad support in the business community. The Department of Commerce is working shoulder to shoulder with the business leaders to:

—promote policies and actions in the private sector that will help ensure balanced and orderly growth.

—help wipe out the balance of payments deficit and strengthen the American dollar abroad through the voluntary efforts of U.S. business firms operating overseas.

—expand world-wide markets for the products of American factories and farms.

—promote the modernization of industry to strengthen our competitive position at home and abroad.

—improve the skills of the workingman and widen employment opportunities, especially for the young and deprived, the handicapped, and those displaced by technological change.

—apply the advances of science and technology more widely through the range of American industry.

—reseed the bare spots in the economy through regional planning and economic development.

—attract growing numbers of foreign visitors to our shores to increase the return flow of dollars while at the same time spurring the growth of the travel industry.

—broaden business involvement in the social and economic problems of the nation and enlarge business support of the Great Society programs.

These are only a few of the major activities that are now receiving high priority in the work of the department.

In giving me the honor to serve in your Cabinet you asked that the Department of Commerce increase its contributions in meeting the challenges of America's record growth and prosperity. You also asked that I work with the Secretary of Labor and with the business community and the labor community in mutual respect and cooperation. The department is doing both today.

The American business community and organized labor are in the midst of profound changes brought about by the wave of technology that is now sweeping the world and by the expanding dimensions of global trade.

Technology and change are bringing revolutions in management, production, distribution, transportation, and communication. The Department of Commerce is deeply involved in all these fields today. It is drawing on the best minds in the business world, the field of science, and the universities in the pursuit of its objectives.

It was one of my principal concerns to build a competent, unified management group to carry out our vital and varied activities. The operations of the department have been greatly strengthened by the calibre of the men now filling policy positions.

Believing so strongly in the essential role of the private economy in our society, I have interpreted the mission of the department to impose on me the responsibility of urging private industry to take a growing part in public problem solving.

It is clear that the Federal Government cannot and should not be expected to provide the answers to many social and economic problems that can be more effectively and economically handled at the local level and in many instances by private industry. We are witnessing many new initiatives by businessmen in response to the mounting needs of our cities and our people.

It is vital to the work of the department that a frank and continuing dialogue be maintained with the business community to secure the climate of confidence and cooperation that is needed to foster continued growth and prosperity.

This dialogue has been strengthened and extended in a substantial way, with salutary effects on the private economy and the relationship between business and government.

One outstanding example is the work of the action committees of the National Export Expansion Council, a group of business leaders who devote voluntary efforts to the international trade interests of the United States.

These action groups are developing proposals and courses of action to:

—improve our financial mechanisms for international trade.

—improve our tax structure with regard to exports.

—eliminate freight rate disparities and solve other ocean transportation problems.

—improve trade and investment relations with developing countries.

—and evaluate present export promotion programs and recommend new approaches to export expansion.

Another example is the Commerce Technical Advisory Board comprised of leaders of business and industrial research, together with those in science, education, and labor.

The board meets monthly to study and recommend measures to:

—increase the value of the scientific and technological activities of the department to business and industry.

—advise of ways to stimulate private industrial research and development in the promotion of economic growth.

—provide liaison on technical matters between industry and government.

Every year about 100 business and professional leaders serve on panels that study broad problems relating to such subjects as high speed ground transportation, telecommunications, commodity standards, electrically powered vehicles, and Federal laws and policies and their effects on invention and innovation.

LEGISLATIVE RECORD

On the legislative front the department had major responsibilities in guiding important legislation through to final passage by the 89th Congress.

I devoted a great deal of my time and effort, with outstanding help of my assistant for Congressional liaison, Paul Southwick, to the advancement of your comprehensive legislative proposals to strengthen the private economy.

Principal legislation during my term of office included:

Economic development

—The Public Works and Economic Development Act to provide planning, technical assistance, and other means to get lagging areas into step with the nation's economic pace and widen employment opportunities in depressed communities.

—The Appalachia Act to combat poverty and isolation and open up depressed areas for economic development.

Science and technology

—The State Technical Services Act to spread the benefits of research and development throughout industry and make greater utilization of technology for economic growth and human betterment.

—Establishment of the Environmental Science Services Administraton, bringing together the Weather Bureau, the Coast and Geodetic Survey, and the Central Radio Propagation Laboratory of the National Bureau of Standards to serve as a single focus for our efforts to understand and predict the state of the oceans and the upper and lower atmosphere.

Traffic and highway safety

The Traffic and Highway Safety Acts to reduce the death toll on the highways by

—establishing national standards to improve safety in automobile design.

—instituting a searching examination into the cause of accidents and how to prevent them.

—providing funds for states to stimulate programs for safer highways, driver training and licensing, and used car inspection.

The Tire Safety Act to protect the motorist against unsafe tires that can cause costly accidents.

Consumer legislation

In addition to consumer safeguards provided by automobile standards and tire legislation, the Fair Labelling and Packaging Act was enacted to benefit consumers by

—requiring the full and clear disclosure of what is in a food package, who made the product, how much it weighs, and how much it costs.

—regulating practices which lead to confusion in the supermarket such as "cents-off," "serving," and "jumbo quarts."

—encouraging voluntary standards which will aid the consumer in determining the value and quality of products.

Highway beautification

The Highway Beautification Act to help preserve America's natural beauty and spur the cleanup of highways and screening of junkyards as well as the landscaping of roadsides.

Rapid interurban transit

The High Speed Ground Transportation Act to pioneer research and development for improved transportation systems in densely populated regions.

Department of Transportation

I am proud to have some responsibility for the legislative progress of the new Department of Transportation which was a top priority assignment you gave me. This new Federal Department provides a focal point for developing a coordinated transportation policy to keep our people and our products moving efficiently and economically in our burgeoning urban society.

The appointment of Alan Boyd, Under Secretary of Commerce for Transportation, to the new Cabinet post was enthusiastically endorsed by his associates in the department and particularly by me because his outstanding achievements in many fields of transportation activity eminently qualify him for the new responsibilities.

These were some of the major pieces of legislation which the Department of Commerce had the primary role in guiding through to passage.

MAJOR PROJECTS AND PROGRAMS

Balance of payments

You entrusted the management of your Voluntary Program with the business community to me when you instituted a series of measures to alleviate the nation's balance of payments deficit early in 1965.

It is gratifying to report that over a two-year period we have received outstanding cooperation and support from American business and industry and the results of the program have been impressive. The success of your voluntary approach broke new ground in cooperation between business and government and provides a blueprint for success in future spheres of joint action and responsibility.

My assessment of the voluntary approach and the results is shared by my Commerce associates who have worked with me on this program: Assistant Secretary for Economic Affairs, Andrew H. Brimmer (now a Governor of the Federal Reserve Board), his successor Dr. William H. Shaw, and my assistant Lawrence C. McQuade. Our activities in this important program have involved many officials within the department and their staffs. Assistant Secretary for Domestic and International Business Alexander B. Trowbridge had special responsibilities for the export expansion effort and my public affairs assistant James G. Morton worked out an imaginary program for educating the public and particularly American industry, on the balance of payments problem and your program to resolve it. The Director of the U.S. Travel Service, John Black, has managed a successful campaign to attract more foreign visitors to our country and increase the return flow of dollars.

In addition, the Office of Business Economics and the Census Bureau have compiled and interpreted basic economic data in a most timely and helpful manner in support of our efforts.

Economic development

The new program for development of the economically backward regions of the United States was one of my first legislative assignments. Your proposals emerged even stronger as a result of Congressional action. The program was started in the right direction under the able leadership of Assistant Secretary Eugene P. Foley. His colleague and successor, Ross D. Davis, is now in the process of simplifying the organization as necessitated by the stretch-out of this and other programs due to the heavy demands of the Vietnam situation. Now there is the opportunity for orderly planning and programming activities, and we expect that there will be a good "stockpile" of sound programs and projects for financing when the tapering off of Vietnam expenditures permits more extensive funding.

Science and technology

Assistant Secretary J. Herbert Hollomon has given brilliant leadership in the fields of science and technology so important to U.S. business and industry and, in fact, to the whole nation. The innovating programs of the National Bureau of Standards, the Patent Office, and the Environmental Science Services Administration, encompassing a greatly improved organization of the Weather Bureau, Coast and Geodetic Survey, and the Central Radio Propagation Laboratory, attest to the planning, programming, and management abilities of Dr. Hollomon and his associates, as does the excellent start made in the State Technical Services Program which you rightly called "the sleeper" in the outstanding legislative record of the 89th Congress.

Specific innovations and managerial advances in the scientific and technical programs of the Department included the establishment of:

—The world's first operational weather satellite system to provide forecasters with daily pictures of the cloud cover over the entire earth.

—The Center for Computer Sciences and Technology to aid the Federal Government in achieving cost effectiveness in the utilization of automatic data processing equipment.

—The Technical Analysis Division at NBS to engage in systems analysis and operations research of Federal Government programs.

—The Joint Commerce-Navy research program to determine the feasibility of ocean-going surface effects ships.

—The Presidential Commission on the Patent System to study the U.S. patent system.

—A program of administrative and management improvements in the Patent Office resulting in a rise in productivity in the past two years of more than 25 percent over the average output in the preceding 10 years.

—An advisory committee of leaders in business, research, and the academic community to study the effects on invention and technological innovation of Federal anti-trust, tax, and regulatory policies.

Economic education

We are giving great emphasis to a program to increase public understanding of the economic fundamentals that make our free enterprise system work. I think that the series of pamphlets written by my special assistant, James G. Morton, and his associates on topics such as economic growth, patents, profits, the balance of payments, and other *Do You Know Your Economic ABC's?* represent an outstanding piece of work. Economic knowledge strengthens the American system and this unique educational program is making a significant contribution.

Labor disputes

Bearing in mind your first instruction to me, I have worked to bring about a better understanding between labor and management, working cooperatively with Secretary Wirtz. I think we have made considerable progress in that field, especially in assisting your efforts to settle the steel and General Electric disputes without costly strikes. I sincerely hope the cooperative effort between Commerce and Labor will continue because the two Departments have such great common interest in a strong and growing national economy that it would be tragic for them to be considered as voices within the Federal Government for antagonistic forces.

In summation, it is clear that the Department of Commerce is taking a vital part in the continuing efforts of your Administration to

—ensure the economic progress and well-being of our country.

—strengthen the free enterprise system and broaden its benefits to the American people.

—increase employment through job development, through the upgrading of skills, and through an expanding economy.

—conduct a productive dialogue with business and the business press to enhance mutual cooperation and understanding.

—enlist the help of business in the pursuit of America's social objectives and enlarge the role of the private economy in public problem solving.

I strongly endorse your proposal to create a new department in the Executive Branch, of which the Departments of Commerce and Labor would be major ingredients. This is a move wisely aimed at consolidating the gains that have been achieved through the partnership for progress which has been a cornerstone of your Administration.

Your efforts to strengthen the Federal Services to business and labor through a new Cabinet agency and to promote an even higher level of joint responsibility, participation, and action in solving the nation's problems will have my full support as a private citizen.

SAN RAFAEL WILDERNESS

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. COHELAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. COHELAN. Mr. Speaker, along with what I am sure are many Members of the House, I am pleased that the President and the Secretary of Agriculture have recommended establishment of the San Rafael Wilderness, Los Padres National Forest, Calif., as an addition to the National Wilderness Preservation System. I would like to congratulate President Johnson for recommending legislation yesterday to authorize this first addition to our 9-million-acre wilderness system since its establishment.

The Los Padres National Forest is a reservoir of many natural resources. With the tremendous population growth of California, this public land is particularly important for outdoor recreation. Within the national forests are facilities for intensive recreational use by thousands of people—picnic areas, campgrounds, scenic drives, and other developments. We need all these things, and all our other resources such as water, grazing, timber, and wildlife. And I am happy that we are recognizing still another need—this one less tangible, but still very real. We need, and we are going to provide, a place for solitude and spiritual enrichment—a wilderness for all Americans for all time.

Mr. Speaker, the people of America have set aside 186 million acres of grandeur in their national forest system. Last year, the system accommodated more than 170 million recreational visitor-days—a record, incidentally, that will be broken again and again as our population grows and as people turn to the national forests for beauty and solace and recreation.

The Congress authorized a wilderness system in 1964 in order to preserve large areas of undeveloped lands in their natural state for future generations of Americans to enjoy. This system is still far from complete. This proposal for the San Rafael Wilderness may need to be improved and I am confident that the committees will review this carefully. The President said earlier this week that he will submit further recommendations for other additions in the coming months. We will welcome them.

I predict, Mr. Speaker, that in the years to come, millions of visitors will enjoy the Los Padres National Forest. They will discover America's outdoor grandeur in many ways, and among the most meaningful pleasures will be those derived from the renewal of the human spirit in the magnificence of the San Rafael Wilderness.

The State of California welcomes the opportunity to be the guardian of this unspoiled bit of the American heritage.

"RENDEZVOUS"

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. STAGGERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. STAGGERS. Mr. Speaker—

In tears I tossed my coin from Trevi's edge,
A coin unsordid as a bond of love,
And, with the instinct of the homing dove,
I gave to Rome my rendezvous and pledge.
—*Robert Underwood Johnson.*

Through the miracle of instant communication, the sublime moments of life are burned into the consciousness of this generation of humans. We are there when they happen. We look on with raw nerves exposed to the majesty or the mystery or the horror of the occasion.

In an age which lies only a short distance in the past, many of these emotion-packed incidents escaped the ken of contemporary observation. They may have occurred unseen by mortal eye. Or, if noted and recorded, they could be brought to the attention of those who cared most only through the cold symbolism of words, blurred by the passage of time and the remoteness of the event.

Even with these impediments, the exploits of the heroes of old provide a treasure house of incalculable richness for those who believe in the innate nobility of man. How our hearts burn within us when we read the glowing words. How our spirits rise to meet the challenge of virtue and valor. With time and space eliminated by the television camera, our reaction to deeds of courage and daring becomes infinitely more poignant.

So it has been with our ventures into that mysterious void which we call space. The adventurers have been dubbed "astronauts." Their ultimate destination has been the stars, symbol of the unobtainable. They are hardly earth creatures any more. No wonder that reports of visitors from far-off members of the solar system find such ready credence. Our own heroes may become visitors on other lumps of raw matter scattered through the infinite. They have already made the impossible seem possible.

The dangers that might confront any adventurer into that realm in which all things earthly cease to be can be foreseen—at least many of them can be foreseen. There is the danger that the human body cannot withstand the shock of blastoff. There is the danger that the vehicle itself may explode. There is the danger that the controls will not work, and the vehicle can never be brought back to earth. There is the danger that the returning vehicle will be converted into a flaming meteor on reentry into the atmosphere.

These and many other dangers can be foreseen. By careful calculation we can erect defenses against these dangers—some of them. By repeated experimentation we can give ourselves reasonable assurance that these defenses will work, and that they will be adequate.

But in addition to what can be foreseen, what else is there to worry about? Surely in space, which by definition is void, containing nothing, there is nothing to be afraid of. Are we sure? Other projects have led to the discovery of violent storms of radiant energy. What will they do to a spaceship and its passengers? We cannot calculate all the possibilities. And beyond the known is still the vast unknown. The adventurers of 1492 who sought an unknown world beyond the seas could share our trepidation.

Among human beings, persistent dreams tend to materialize. The idea of space flight, once entertained, becomes an obsession. The venture must be attempted. Why? Oh, bother about that. We can rationalize it some way. That is the way people are.

So we begin to prepare. We draw plans for the machinery and arrange for its manufacture. We subject every part to rigid testing. We put the parts together with wary watchfulness.

And we find the men who are willing to undertake the journey. No, not just willing. Eager, is the word. They are not ordinary men. Bravery is the least of their characteristics. They must be intelligent. They must be highly disciplined. They must bear in their lives the conviction that the universe is ruled by a divine providence.

Then begins the long and painful rehearsal, simulating every condition they will meet on the journey, as far as possible, and every motion they will make, over and over, again and again. Months and years slip by.

Finally comes the day. Millions of eyes are glued to the television screen. We scarcely dare to breathe as the countdown proceeds monotonously—halts—resumes. We see the clouds of smoke billow beneath the missile. The missile rises slowly and bends into the vault above.

All day we watch and listen as television, audio and video chart the progress of the venture. Very little attention is given business or pleasure on that fateful day.

Finally comes splashdown, and again breath and heartbeat suspend while we await results.

The thing has actually been done. None of the things that might have happened did happen. Everything went right. It has been a success—a glorious success.

At least once. Then it is done again. And again. And again. Why, the thing is easy. Men can get up into space, and down again. They can perform almost any operation that is appropriate on earth. They can live indefinitely beyond the confines of the environment for which nature has fitted them.

Then it happens. For an instant, the television camera is asleep. In the minuscule fraction of a second, horror entered, and struck. Once again we know that all flesh is mortal—is perishable.

In many senses, stark tragedy is more incredible than high achievement. Nothing noteworthy or watchworthy was going on. The men were in a room as familiar to them as your office. Their tasks were as routine as those of the office typist.

A tragedy, though incredible, must be accepted. These men would be the first to assert that it did not happen unnoticed by the Divinity in whom they trusted, and without whose guidance they would never have reached the spot at which tragedy appeared. We must believe that their work was done. They had tossed the "unsordid coin" of their intelligence and their devotion to an ideal at the feet of uncertain fate. They had redeemed their pledge to the society and the age which had nurtured and trained them for a purpose.

Now the task falls to other hands. These good men, these valiant adventurers exact of their comrades a pledge to advance ever more vigorously the work so nobly begun. They will expect the example they set to serve as a guide-star for the living. For the greatest tragedy that could fall on any of us is failure to meet and redeem the pledge we make to life.

Though wet nor blow nor space I fear,
  Yet fear I deeply, too,
Lest Death should meet and claim me ere
  I keep Life's rendezvous.

—*Countee Cullen.*

JUNK MAIL MUST PAY ITS OWN FREIGHT

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WOLFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. WOLFF. Mr. Speaker, I have today introduced a bill to raise postal rates on junk mail. The purpose of this bill is to cause third-class mail to bear the full burden of its cost of delivery, and not be subsidized by the citizen who must pay the full rate for his first-class mail.

Mr. Speaker, I believe the greatest effort should be made to reduce waste whenever and wherever it occurs in Government. There is even a greater need to do so now, where so many of our domestic programs are suffering because of the demands of Government spending elsewhere. Yet the U.S. Government is now subsidizing the users of third-class mail. An advertiser, or others, using this type of mail pays only 60 percent of the cost of delivery. This junk mail subsidy is a tremendous waste because, for the most part, it is unwanted by the recipient, and is most likely thrown away without being read.

It seems certain now that the public will have to bear an even greater burden for their first-class mail. The administration has announced a 1-cent increase in first-class and airmail rates which historically have paid their own way. I am convinced that the public also wants junk mail to pay its own way. My bill will help reduce the postal deficit by many millions of dollars, and it will assure that proper attention is being paid to mail which now covers its own costs.

HELP FOR OUR SICK HOSPITALS

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. OTTINGER. Mr. Speaker, today I am introducing the Hospital Emergency Assistance Act of 1967—a measure which is urgently needed to help us meet the growing crisis of inadequate and overcrowded hospitals.

This year, literally thousands of Americans will die unnecessarily as a direct result of the inadequacy of our hospital facilities.

The New York Times recently reported that an 84-year-old woman who had fractured her arm and hip in a fall at home, waited a total of 12 hours in two hospitals in New York City before she was able to gain admittance and treatment. Eleven hours of that time she spent lying on a narrow stretcher in hospital corridors simply waiting to be seen and X-rayed.

Nor was she the exception—patients in the best hospitals in New York not infrequently have to wait up to 8 hours for X-rays.

According to testimony from hospital staff members themselves, people suffering from heart attacks have had to wait 8 or 9 hours sitting on wooden benches before being admitted for treatment.

In Detroit, one of the leading hospitals recently installed 30 beds in the records storage area and critically ill patients wait in emergency rooms as long as 8 hours for admission to even these cramped facilities.

At one better metropolitan psychiatric hospital, there is not enough room for the patients to sit down and eat. Many sit on benches and hold their plates on their laps. At another, a substantial number of patients sleep in the halls.

Each year, 26,000 Americans die of kidney diseases, the vast majority of which could be treated by a dialysis machine which costs as little as $3,000 to build and less than $50 per treatment to operate. Today, there are so few of these devices in our hospitals that only 125 patients are being treated each year in community hospitals.

What good is a multimillion-dollar heart research program when heart attack victims in our hospitals wait for treatment on wooden benches in emergency rooms?

What good are new techniques in treatment if there is no room for the patient to receive it?

Our services have not kept pace with our knowledge. Our investment in facilities lags critically behind our investment in research.

In the 5 years before medicare went into effect, the demand for service in our already overtaxed, overcrowded hospitals rose 13.1 percent. During the same period, the total number of facilities increased only 1.4 percent and the rate of Hill-Burton construction decreased by an average of 7.6 percent over the 5 years.

In 1965, the Hill-Burton State agencies reported a need for 66,500 new beds in 1966. Yet in that year, only 36,328 new beds were added—and only 3,195 of these from Hill-Burton funds.

Clearly, Americans have long been losing the battle for adequate hospital care.

These statistics, however, give no indication of the loss in service and efficiency that results from antiquated and obsolete facilities that are still included in the total of available facilities.

In 1965, Hill-Burton State agencies reported a need for the remodeling of 272,000 beds in 1966. Yet, in that year, only 19,903 were remodeled by Hill-Burton.

A Public Health Service survey, which I released last year when I introduced the first emergency assistance bill, showed that 143 hospitals, serving 97 communities in 29 States, were in critical condition. These hospitals reported average annual occupancy rates in excess of 90 percent and served communities with high proportions of potential medicare recipients. Another 1,289 hospitals reported occupancy rates substantially above the national average of 76 percent. The normal increase in population would be enough to thrust these hospitals into a seriously critical situation. The pressures of expanded health programs such as medicare could have disastrous consequences.

Clearly, our existing programs do not offer the kind of emergency aid that enables us to meet the challenge of adequate medical care. We need the long-range planning that existing programs strive for, but we also need a program of direct emergency aid that will bring our lagging institutions up to at least an adequate level of care. That is what my bill will provide.

In 1965, the last year for which there are complete figures, public and nonprofit, private hospitals cared for 28.8 million patients in the 694,000 beds currently available. Assuming the normal rate of increase in the patient population, it would be reasonable to believe that 29.6 million patients were cared for in 1966 and to predict that 30.5 million will be cared for this year.

Under the impact of medicare, the experts predicted that these figures should be increased by 3.8 million from July 1, 1966, to June 30, 1967. Unfortunately, the experts fell far short of the mark. By the end of 1966, medicare had contributed 2.5 million new patients to our hospitals and it is clear that at least another 2.5 million will be admitted by June 30—an unexpected increase of more than 30 percent.

It is impossible to guess the total hospital population for 1966 and 1967. Certainly some of the medicare patients would have been admitted even without the new Federal aid.

On the other hand, the admissions figures do not represent a full measure of the impact of medicare upon our hospitals. The medicare recipient requires an average of 11 days for each admission as against an average of seven for the rest of the patient population. This means that the medicare patient load of 5 million is equivalent to a regular patient load of 7.8 million, slightly more than 50 percent greater in any given year.

The sad conclusion is that our already overcrowded and obsolete hospital facilities are to be strained as never before in our history.

How can we meet this challenge? I believe that there are two steps that must be taken. We obviously need to readjust our concept of long-range planning. We need to revise the way we carry forward the program revision and revitalization of our medical services. Steps in this direction have already been taken through the comprehensive health planning program established last year under Public Law 89–749. The way we have followed prior to this has proven to be inadequate.

But we must act to meet the crisis for today—this is a problem that cannot be postponed for planning except at the cost of lives. We must embark on an emergency program of direct aid to our most critically inadequate hospitals. This is what my bill provides.

The bill would authorize the Secretary of Health, Education, and Welfare to make grants up to 66⅔ percent of the cost of expansion or renovation to provide new bed space and related facilities. This grant is patterned after the Hill-Burton formula except that aid would be given directly to the hospital by the Federal Government, instead of being distributed by the States. Also, certain types of renovation projects not covered by Hill-Burton would be permitted. The intent of the legislation is expressly not to supplant or supplement the Hill-Burton program, but to correct an emergency situation with a single short-term infusion of Federal assistance and without embarking on a massive continuing new Federal spending program during this time of severe inflationary pressures. A total of $40 million is authorized to be appropriated for grants.

To meet the needs of those hospitals serving communities which lack adequate financial resources to put up the remaining 33⅓ percent non-Federal portion, the act authorizes the Secretary to make long-term, low-interest loans of up to 90 percent of the non-Federal share of the construction cost. Interest on these loans shall be charged at 2.5 percent and the hospital would have up to 50 years to repay. A total of $18 million is authorized for this part of the program.

Its authorizations would enable the most critical hospitals to add facilities that would care for an additional 150,000 new patients each year. This is adequate for the emergency situation we face today.

The Public Health Service reports that it costs between $10,000 and $30,000 per bed to construct additions to existing hospitals, depending upon the location and the adequacy of supporting facilities such as laboratories, kitchens, operating rooms, and the like. The survey of the needs of the critical hospitals indicates that an average expenditure of $20,000 per bed would meet the immediate need.

Under this combined grant and loan program, a hospital need only raise $6,670 to start construction on a $20,000 project to add one bed. The cost to the community of repaying the $6,000 loan over a 50-year period at 2.5 percent interest is minimal.

The Putnam Community Hospital in my district offers an example of the type problem that cannot be solved with existing programs. Located in the growing suburban community of Carmel, N.Y., this fine little hospital is now serving a population of 45,000 which swells to 100,000 in the summer. Its normal 66-bed capacity has an average occupancy rate of between 90 and 120 percent.

When Putnam's hospital was constructed under the Hill-Burton program 2½ years ago, its administrators had the foresight to construct a shell for future expansion. They could now add facilities to handle 50 additional patients—almost double their present capacity—for $437,000, but where will they get the funds? The community dug deep into its pockets to pay for the non-Federal portion of the original Hill-Burton grant; in fact, they are still paying it off now.

Under my proposal the Putnam Community Hospital would be eligible for a 66⅔-percent grant, or $291,000. In addition, this hospital could receive up to $131,000 in a long-term, low-interest loan repayable over a 50-year period. As a result it would be necessary to raise only about $15,000 locally in order to start construction on the urgently needed facilities to serve 50 new patients. An annual expenditure of about $4,600 would retire the loan and interest.

The following newspaper articles explain the severity of the problem in Putnam:

[From the Patent Trader, Mount Kisco, N.Y., Jan. 8, 1967]

NO ROOM LEFT AT HOSPITAL

(By Gordon E. Trayes)

CARMEL.—Difficulties in staffing and a shortage of needed space for patient care were cited this week as two of the major problems now facing Putnam Community Hospital.

The announcement, made by hospital officials, followed a month in which the hospital was literally filled to overflowing for 23 out of 31 days.

On one of these days, December 5, the hospital, with a normal medical-surgical bed capacity of 54, had a total census of 58 medical-surgical patients.

Over the Christmas and New Year's holidays, a period when most hospitals are virtually empty of all but the most severe cases, Putnam Community Hospital continued with a census that was over 100 per cent of the institution's rated capacity.

The situation became so critical towards the end of the holiday period, according to hospital officials, that police and fire departments were notified to take any emergency cases which might arise elsewhere. We were fortunate, the official said, in that there were no emergency cases within the area served by the hospital during the brief period involved.

Although, technically speaking, the hospital has room for only 54 medical-surgical patients, many more than this number could be cared for and have been for short periods. This is done by taking beds from the maternity section, an area which has yet to be filled to more than its capacity, as well as spare beds stored for emergency use or in the event a replacement is needed, and utilizing available space not originally planned for this purpose. This includes the halls, solariums, waiting rooms and treatment rooms.

The staffing problems, an inability to find and retain the optimum number of nurses and nursing staff members, is particularly acute on the 3 p.m. to 11 p.m. shift, according to Hospital Administrator Ambrose LaVigne, and is attributable to two factors.

The first, he said, is that it is difficult to get married women to work these hours since they prefer to be home with their families. During the day shift, 7 a.m. to 3 p.m., husbands are at work and children are in school, leaving the average housewife time to devote to a profession.

A similar situation exists on the night shift, 11 p.m. to 7 a.m. Children are sleeping and the husband is at home to baby-sit. On the afternoon and evening shift, however, husbands and children are home, want to be fed, and wish to spend the evening together.

The other factor, he said, is the work load resulting from overcrowding. This discourages many nurses who otherwise might be happy to devote one or more evenings a week to working at the hospital.

Rapid growth of the area, far exceeding that expected when the hospital was originally planned, is the cause of the present situation, Mr. LaVigne said.

A major step in solving the current problems, he said, would be completion of the third floor shell of the building, currently walled and roughed in but with an unfinished interior.

Completion of this floor, estimated to cost $453,000, would give the additional bed space needed. In addition, Mr. LaVigne said, by splitting the patient load, the work load for staff members in any one area would be reduced. Those nurses and nursing aides now staying away because of the work load might be encouraged to return to work at the hospital, the administrator believes.

At this point Federal Hill-Burton matching funds, a source of financing for construction of the original building, is not available for completion of the third floor shell. These funds might be available if hospital officials agreed to plan and equip the third floor for long term convalescent or geriatric care. This type of use, however, would drastically reduce the number of beds that could be placed there.

The pressing need at this time, according to authorities, is for acute beds. To sacrifice the number of beds which might be available would not, in the opinion of hospital directors, be worth the money which might be gained.

[From the Patent Trader, Jan. 26, 1967]

PUTNAM'S OVERCROWDED HOSPITAL

The proposed medical building to be erected by a group of doctors on the grounds of the Putnam Community Hospital is good news for those supporting coordinated medical care for the county. If plans materialize, the proximity of about nine physicians should add substantially to the hospital's efficiency.

But there is a much larger medical problem to be solved in Putnam: the obvious need for expansion of the hospital itself.

National standards classify a hospital as overcrowded with average occupancy as high as 90 per cent. The Putnam building has been used at 100 per cent of capacity in recent weeks and increasing pressure from Medicare and Medicaid patients presages an alarming future.

The problem would be even more serious if the hospital's founders had not included in the plans a third floor to be finished and equipped at a later date. Thanks to the existence of this shell, beds for 52 additional patients could be supplied at an expenditure of about $500,000. About one tenth of this amount is available in the hospital treasury.

Half a million dollars is not a large sum in terms of usual hospital construction, but it is plainly beyond reach for a local fund drive. Putnam must look to a government agency to underwrite its expansion.

U.S. Rep. Richard L. Ottinger introduced a bill in the 1966 session of Congress which would have extended aid to hospitals in hard-pressed communities throughout the nation. Putnam's facility would have qualified for assistance under this measure. Congress took no action on it last year, but Mr. Ottinger reportedly plans to submit the bill again this year.

If and when he does so, expressions of support from the community would contribute to the solution of a vexing problem.

Mr. Speaker, Putnam Community Hospital is only one example with which I am particularly concerned, because it is in my district. Shortly after my bill was first introduced last year, I received a letter from the administrator of St. Anthony's Hospital in Rock Island, Ill., describing that hospital's plight:

St. Anthony's is one of the five hospitals in the state of Illinois which have been designated as critically short.

The occupancy at St. Anthony's today is 96%. This means that in our medical-surgical divisions we cannot accommodate patients in the facilities that they desire. Since the advent of Medicare the occupancy has increased at a steady pace.

You are aware also that St. Anthony's is engaged in planning a new 350 bed facility on a new site. The hospital has qualified for nearly $1,000,000 in federal funds for a comprehensive mental health center and a rehabilitation center. The citizens and industries in the community have pledged $2,000,000 to the Rock Island Franciscan Hospital building campaign. The balance of the $11,100,000 construction cost must come from capital generated from operations and from borrowed funds. Generating the necessary funds from operations would require several more years. In the meantime the expansion program must be slowed.

We feel that the need for additional beds and services in Rock Island is critical and will become increasingly so as Medicare continues. . . .

Sincerely,

Sister MARY BASIL, O.S.F.,
Administrator.

Another administrator wrote to describe the desperate situation of the Ontonagon Memorial Hospital in Michigan:

Ontonagon Memorial Hospital has serious problems caused by the lack of adequate bed space and related facilities for proper patient care. This hospital presently has received a Hill-Burton Grant of approximately 50%, and we are also attempting to receive supplementary financing for the hospital's portion through the Community Facilities Administration with the Regional Office in Chicago, Illinois. To date the progress has been extremely slow in this area.

With the impact of Medicare on July 1, the hospital has been running well over 60% of its occupancy related to patients age 65. The County has a total population of 11,000 people with an estimated 1400 of them eligible for Medicare. This makes it extremely difficult to function as an acute hospital.

In 1964, the average occupancy of this 37-bed hospital was approximately 94%. For the first three months of 1965 it was 100.6%; and in 1966 in the first five months, the hospital exceeded 102%. In 1964 on every fifth day the hospital was over capacity. In 1965, 67 of the first 120 days were over 100% occupancy.

This institution has employed an architect, acquired land, and to date we have completed preliminary drawings for the construction of a new 40-bed facility on a new site. In addition, we have requested CFA supplementary financing for the hospital's portion which will make the financial operations of this hospital extremely difficult over the next 20 or 30 years if this loan is granted. This is attributed to the fact that the interest rate is high, and there is a limitation on the number of years for which the loan could be acquired.

Sincerely yours,

LEE REICH,
Administrator.

From Ohio, another administrator wrote:

In 1965, the average daily occupancy of

> Blanchard Valley Hospital was 92.7 per cent The medical and surgical floors operated at 102.5 and 102.7 per cent of capacity respectively. . . .
>
> On the day this letter is written, the 170-bed Blanchard Valley Hospital has a census of 174 patients, approximately seventy of which are Medicare patients. Dut to continued pressures on census, an emergency admitting policy has recently been established to admit patients in priority of the type of medical care necessary. Those patients deemed to be less than emergency cases are placed on a waiting list and the patients are subsequently admitted upon the availability of beds. . . .
>
> Very truly yours,
>
> WILLIAM E. RUSE,
> *Administrator.*

Equally compelling letters came from almost every State in the Union. We are facing a genuine national emergency in inadequate hospital facilities—an emergency which can and must be met now on a national basis.

We lawyers have a saying that justice delayed is justice denied. In medicine, treatment delayed may spell death. Let us delay no longer.

TAX RELIEF FOR THE DISABLED

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, in his state of the Union address, President Johnson called for legislation to provide assistance for certain persons who are disabled. The President proposed benefits through the social security trust fund be made available to a limited number of these persons.

However, the proposals by the administration, while very much needed, do not meet the greater needs of the greater number of our disabled Americans.

During the last Congress it was my pleasure to introduce legislation which would provide more meaningful relief to the disabled. Today, I once again offer this bill as a compliment to those proposals offered by the administration in order that the Congress might give even greater consideration to helping those citizens who, in many instances, have done all they may be able to do to help themselves.

This bill would provide an additional $600 exemption for an individual if he is disabled and an additional $600 for the taxpayer's spouse if the spouse is also disabled.

The bill also would provide a deduction of up to $600 for expenses paid during the taxable year for transportation to and from work. The disabled person is all too often blocked from the mainstream of economic opportunity because he simply does not have the physical ability to compete in the labor market. A large percentage of these individuals do find gainful employment yet there is no gainsaying the fact that their opportunities for advancement too often are restricted due to their handicap.

A tax exemption would, in some measure, compensate those disabled persons who are denied full economic opportunity but who, nonetheless, do work and contribute to our economic growth.

Enactment of this legislation might deny the Treasury a small amount of revenue. However, it would provide these disabled persons a retention of their earned income thus giving them a greater sense of security, self-reliance and self-support that no Government subsidy or welfare check would possibly provide.

CONGRESSMAN SISK INTRODUCING LEGISLATION TODAY WHICH WOULD PROVIDE THE SAME INCOME TAX TREATMENT ON TAXES AND ASSESSMENTS PAID BY FARMERS AS ON THOSE PAID BY CITY DWELLERS

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SISK] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SISK. Mr. Speaker, I am introducing legislation today which would provide the same income tax treatment on taxes and assessments paid by farmers as on those paid by city dwellers.

Our farmers are faced with a confused and inequitable income tax situation regarding assessments paid to the districts supplying water for irrigation. Presently, a farmer may not legally deduct irrigation and water district assessments, while city residents and businessmen may deduct taxes for cities, school districts, streets, and sewer and water systems. Assessments are deductible for the farmer if identified as earmarked for operation and maintenance cost of farming. However, the Internal Revenue Service holds that the portion of assessments used for the construction of canals and other works are not deductible, even though the farmer does not acquire title to the canals built by these districts anymore than the city dweller owns the water systems, schools, courthouses, and roads for which their taxes are deductible. Moreover, generally speaking, the farmer cannot amortize or depreciate his share of the capital costs of such works, even though he could do so if he individually built the works to serve his farmland.

Taxes or assessments for all types of governmental purposes are regularly deductible for Federal income tax purposes, but for some reason the law has never been clearly made to apply in the same manner for the taxes for public water works necessary to agricultural life and industry. In my opinion, the tax law and its interpretation provides discriminatory regulations against the rural landowner as compared to the urban landowner and industrialist.

I might point out that a large share of the irrigated and most productive land in the United States is served by water or irrigation districts or associations. As all my colleagues are well aware, our farmers are confronted today by numerous and serious financial problems. One of them is the uncertainty surrounding this tax matter. I might add that a large percentage of the farmers are presently and innocently deducting this assessment as an operating expense. My bill would finally recognize this fact, and as such, this action would not result in a great loss of tax money.

In conclusion, Mr. Speaker, I feel this legislation is necessary to eliminate this threat of unjust taxation, and consequently I ask my colleagues to indicate their support by joining with me in the introduction of this or a similar bill.

COLLECTIVE BARGAINING FOR AGRICULTURAL LABOR

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, enactment of the Wagner National Labor Relations Act in 1935 provided American workingmen with a well-deserved bill of rights. For the first time, the right of employees to organize and bargain collectively with their employers was guaranteed.

With the protections of the National Labor Relations Act, union organization was spurred, and unions were finally able to represent adequately their members. In the decade after passage of the Wagner Act, union membership grew from 3.5 to 12.5 million. Collective bargaining agreements provided workers with increased wages and greatly expanded fringe benefits. Since the late 1930's, industrial wages have risen nearly 500 percent.

Some workers, however, have not had the advantage of protection under the National Labor Relations Act. Union organization among these workers, who include farm laborers, is minimal. So are wages.

At the most, 2 to 3 percent of farmworkers are included in collective bargaining arrangements. The average farmworker, in October 1966, earned $1.07 for each hour of work. On a yearly basis, a farm laborer with a family to support is paid between $2,000 and $2,500.

In manufacturing occupations, where there is a far higher degree of union activity, workers earn nearly three times as much as farm laborers. In October 1966, the hourly wage for industrial workers was $2.75.

Recent inclusion of some farmworkers under the wage and hour provisions of the Fair Labor Standards was a start at correcting the unfortunate conditions in American agricultural employment. Protection of the farm laborer's right to organize and bargain collectively would be yet another step in this direction.

Legislation which would place farm laborers under the protections of the National Labor Relations Act has been introduced by several of our colleagues, including the distinguished chairman of the Select Labor Subcommittee, the gentleman from Pennsylvania [Mr. HOLLAND]. It is my pleasure to join in sponsoring this legislation and to urge prompt action on it.

AMBASSADOR REISCHAUER'S COMMENTS ON VIETNAM AND ASIAN RELATIONS ENDORSED

The SPEAKER pro tempore (Mr. WOLFF). Under previous order of the House, the gentleman from California [Mr. COHELAN], is recognized for 5 minutes.

Mr. COHELAN. Mr. Speaker, in his testimony before the Senate Committee on Foreign Relations on Tuesday of this week, our former Ambassador to Japan, the Honorable Edwin O. Reischauer, has made a most important, constructive and timely contribution to our understanding of the problems we face in Vietnam and the larger question of our Asian relations.

I would like to emphasize to our colleagues, Mr. Speaker, some of the observations offered by Dr. Reischauer and to associate myself with the positions he has taken.

As Dr. Reischauer stated:

> I am myself a supporter of the administration's objective in Vietnam, which, as I understand it, is to bring the war to as speedy an end as possible, without resorting to either of the dangerous alternatives of withdrawal or major escalation.

He went on to say, and I certainly agree:

> In my view, this objective can best be attained by prudent de-escalation of the conflict's purely military aspects—for instance, the bombing of the north.

In response to questioning, Dr. Reischauer emphasized a view which I hold strongly, that there would be "more hope of valid negotiations if we were not bombing the north." He continued:

> Here, is a psychological blunder on our part; the notion that we bring them to the negotiating table by making it painful enough. This is just a complete psychological misunderstanding.

There are, of course, very legitimate questions as to just how effective our bombing of North Vietnam has been. We have unquestionably raised the price the North Vietnamese must pay to infiltrate men and materials to the south. But it is clear that we have not stopped this infiltration, and there are many indications that we may not even have slowed it materially.

Harrison Salisbury's columns, written during his visit to North Vietnam, indicate the limited strategic effectiveness of our bombing. Mr. Salisbury also suggested, and I think he may be right, that the bombing has stiffened the resolve of the North Vietnamese to fight on. Among other things he noted that:

> It is the conviction of the North Vietnamese that the United States is deliberately directing bombs against the civilian population although ostensibly contending that "military objectives" are the targets.

The very distinguished and able Secretary of Defense, Robert McNamara, has questioned how great an effect the bombing has had. In an interview at Harvard in November he stated:

> I don't believe that this price (bombing) by itself will lead the North to changing their course of action in the South.

He continued:

> I am certain that air power can put a limit on the volume of flow but whether that limit has actually caused a reduction of the flow in the current instance, I frankly can't say.

And, he added:

> I don't believe that air power by itself, under conditions such as those directed solely to military targets, which is our only objective, can change the will of the political leaders.

Mr. Speaker, in June of last year, I called our bombing of the oil depots near Hanoi and Haiphong a dangerous policy. I continue to feel that the bombing of North Vietnam represents a major obstacle in our path to a possible negotiated settlement of the war.

Along with U.N. Secretary General U Thant and Senator MANSFIELD, I believe that a prolonged pause in our bombing of the north offers the best hope to break the present stalemate in our efforts to achieve peace talks and to turn down a war which daily grows more costly and dangerous.

I realize that the other side may not respond to this initiative. But leaders of both the National Liberation Front and the North Vietnamese Government have repeatedly said that a halt in the bombing was a necessary first step to negotiations. Such an effort on our part would put them squarely on the spot and present them with an opportunity to respond either through a turndown of their own military efforts or a more receptive response to our bids for a peace conference.

I want to make it very clear, Mr. Speaker, that I do not favor a precipitous withdrawal any more than I favor major escalation. I am opposed to both. As Dr. Reischauer pointed out to the Senate Foreign Relations Committee, a helter-skelter American withdrawal might pump back enthusiasm into the fading Communist confidence in promoting subversive wars.

But, as this knowledgeable and distinguished observer of Asian affairs suggested, we can take steps to simmer down the war, to deescalate certain military efforts in an attempt to bring us closer to the conference table and a negotiated peace that could include self-determination for the people of South Vietnam.

Mr. Speaker, perhaps the most important contribution which Dr. Reischauer made in his testimony was to discuss the larger question of our whole foreign policy toward Asia. He advanced a few general propositions, as indicative of the fundamental directions in which we should be trying to move over the years ahead. I would like to quote them in full:

> 1. We should seek to minimize our military involvement and military commitments in Asia, because our vital interests are not likely to be threatened in most of Asia, because our type of military strength is not very effective in meeting subversion and guerrilla warfare, which are the chief threats to the stability of most Asian countries, and because our military presence is likely to stir up anti-American reactions and have other influences adverse to our long-range interests.
>
> 2. We should not try to induce most Asian countries to align themselves formally with us, since such alignments do not add to our security and are not likely to be as effective in giving them security as are their own unfettered nationalism and, possibly, regional groupings of like-minded countries. Far more useful, both to the security of most Asian nations and to our own, are multilateral involvements of these states with one another and with all the developed nations.
>
> 3. We should not sponsor political, social, or economic change in Asian countries, though we should be responsive to requests from them for aid in carrying out such changes, whenever we judge that these changes would help in the healthy development of these countries and that our aid could usefully contribute to this end. We run serious and unwarranted dangers when we take the initiative in sponsoring important internal changes in Asian lands or when our influence becomes so preponderant that we assume responsibility for the existence or nature of a regime. Such situations are all too likely to produce serious friction between our well-meaning efforts and their nationalism.
>
> 4. We should not seek to play the role of leader in Asia, rallying allies to our policies, but should attempt to withdraw to the role of a friendly outside supporter of individual or collective Asian initiatives. In such a role we are more likely to be able to give effective aid to Asian countries than when we assume the leadership ourselves.

Mr. Speaker, I commend Dr. Reischauer's most timely presentation to our colleagues for their consideration and study, and include it at this point with my remarks:

STATEMENT BY THE HONORABLE EDWIN O. REISCHAUER AT THE HEARINGS BEFORE THE COMMITTEE ON FOREIGN RELATIONS OF THE U.S. SENATE ON JANUARY 31, 1967

It is a great privilege to appear before this distinguished committee and, at the same time, a heavy responsibility. The subject you have asked me to comment on—"Asia, the Pacific and the United States"—is so vast and complex that no one can claim more than a very limited view of the whole. I shall attempt, however, to be responsive to your request and to the specific questions raised in the preliminary memorandum which was sent to me. Since I must cover so large a subject in such brief compass, I will have to speak in broad generalities, without the benefit of careful qualifications and subtleties of distinction. I regard my role in this hearing as being to provoke discussion, rather than to provide definitive solutions.

Asia, as I see it, is likely to be the area of our most difficult foreign policiy decisions, not only in the immediate future but for many decades to come. This is not surprising, because even that restricted part of Asia which stretches from Pakistan and India eastward to China and Japan contains over half the population of the world; most of the people in this area live in underdeveloped and therefore relatively unstable countries; and our knowledge of these lands, both within the government and in the public at large, is probably less adequate than in the case of any other major part of the world.

Knowledge, of course, cannot be equated with wisdom, but knowledge certainly is a prerequisite to sensitive understanding, which in turn is necessary for wisdom in policy. I believe very strongly that we in this country must put greater emphasis on learning more about the countries and societies of Asia, both in terms of specialized knowledge and in terms of popular understanding. We also need to make a conscious effort to inject more expert knowledge of Asian affairs at the high-policy-making levels of the government, in order to help balance the much greater degree of knowledge of the West that exists among our leaders. Until we have done both these things we stand, I believe, on dangerously thin ice in our approach to the manifold, perplexing problems of our relationship with Asia.

The situation in Vietnam seems to me a case in point. I am myself a supporter of the administration's objective in Vietnam, which, as I understand it, is to bring the war to as speedy an end as possible, without resorting to either of the dangerous alternatives of withdrawal or major escalation. I might add that, in my view, this objective can best be attained by prudent de-escalation of the conflict's purely military aspects —for instance, the bombing of the North. Regardless of how one views our present policy, however, I believe we would all agree that our position in Vietnam is something we should have avoided. If at several times in the past we had correctly judged the realities of the situation in Vietnam, the risks involved, and the limitations of our influence, we would have made different choices than we did. Decisions, which at the time may have seemed small and relatively unimportant, led us step by step to our present unhappy position. My personal feeling is that two of our major mistakes were made early—in the years after 1945 in backing the revival of French colonialism and in 1954 in stepping into the unsound situation the French left behind them. Be that as it may, the war in Vietnam shows that we need a clearer concept of our long-range relationship with Asia so that we will have sounder guide lines in the day-to-day decisions that cumulatively shape our policy.

We have in the past, I believe, frequently applied to Asia, attitudes and policies developed in our relations with Europe, without taking into adequate consideration the vast differences between the two areas. We have tended to equate the threat that the Soviet Union posed to the independence of the countries of Europe with quite dissimilar threats to stability and independence that the Asian countries faced. We have sought to meet these threats in Asia with the same system of alignments and firm defense lines that proved successful in Europe, even though the vast areas and populations involved, the weakness of the local economies, the instability of political institutions, and the psychological and cultural barriers between us and Asians made such alignments and defense lines much less effective and much harder to maintain than in Europe.

I do not, however, subscribe to the thesis that there are some fundamental differences between our Atlantic and Pacific relationships based on geography or the different cultural backgrounds of the trans-Atlantic and trans-Pacific areas. Nor do I believe in a sharp distinction between our role as a Pacific power and as an Asian power. There are, of course, differences in the distances to Europe, to the western edge of the Pacific, and to the Indian sub-continent that are important even in this day of rapid global movement. Because of our preponderant naval power, islands remain more defensible than continental areas. And cultural differences are naturally very important in international relations. But in this rapidly shrinking world, our fundamental foreign policies, I believe, must be world-wide. Within the limits of our power and influence, we must seek to achieve peace, stability, prosperity and the right to national self-determination everywhere, or we may end up by achieving these goals nowhere.

There are, however, differences in how these goals are best pursued in different parts of the world. One distinction in our foreign policies that I believe must be recognized clearly is the difference between our relationship with the modernized, industrialized nations and with the so-called less-developed regions. This is more a temporal difference than a geographic or cultural one. It derives from the time lag in the acquisition of modern technology and institutions on the part of the less-developed nations. The industrialized countries enter significantly into the immediate balance of power in the world, both military and economic, the less-developed lands are economically deficit areas and have little but strictly localized military power. The former, for the most part, are divided between countries which share with us much the same liberal, democratic traditions and institutions and those that are organized along Communist lines; the less-developed lands are mostly countries in flux, seeking to establish a fixed pattern but far from having achieved one.

The advanced nations are internally stable and need only fear external pressures; the less-developed countries are, for the most part, far more threatened by internal instability than by external aggression. In the former, defense lines, such as we can help erect, stand on a firm foundation of advanced economies and stable institutions, while our economic aid or cooperation can be immediately effective; in the latter our type of military power sinks all too easily into a quagmire of economic and political disruption, and economic progress is a slow, uncertain process. Judging from the case histories of India, Burma, Indonesia and Vietnam, the nationalistic ardor of the less-developed countries may give them greater security against foreign domination and internal subversion than do military alliances and foreign military aid. This, in particular, is a lesson we should keep in the forefront of our minds as we deal with Asia.

Obviously, the problems of the developed and less-developed nations are quite dissimilar. Most important, we must approach them with entirely different time scales in mind. The aggressive capacities or needs for defense of the industrialized nations are matters of immediate concern to the United States. These countries can be dangerous enemies or effective allies right now. The momentary situation or attitudes of the less-developed countries are of less vital concern to us. As allies, they may detract more from our overall strength than they add to it. As enemies, they threaten few if any of our vital interests. What really counts is how they develop over the next several decades, as they modernize their technology and institutions and develop power. Will they become healthy, stable members of a peaceful world order; or, will they, through their own instability or aggressiveness, militate against it?

There is another important distinction between our relationship with the industrialized nations and the less-developed ones. The latter for the most part have emerged only recently from colonialism or semi-colonial conditions. This makes them far more sensitive and apprehensive in their relations with us than are the industrialized nations. Even with the latter, our great size and power cause problems. At least I found this to be the case in our contacts with Japan during my years there as Ambassador. With the less-developed countries, the situation is far more difficult. They see us, not just as a super-power, but as the greatest of the Western nations that until recently held colonial sway over much of the world. We are heirs—however innocently or unwittingly—to a bitter history of humiliation and exploitation by the Western powers. Not unnaturally they fear our domination, resent our great influence, and often bridle at our leadership.

However good our intentions, our exercise of power and influence in these countries is all too likely to clash with their strong sense of nationalism. This is all the more true in areas like Asia, where basic differences in race and cultural background underscore the contrast in technological advancement and power between us and them. There is a distinctiveness to the civilizations of Asia that makes our every move in Asia more intrusive than in areas culturally or technologically more akin to us. For these reasons we must bring to our Asian relationships a special degree of caution, restraint, and modesty in the exercise of our power.

Another major consideration in trying to come to grips with the problems we face in Asia is our estimate of what in general lies in store for that part of the world. Are the countries of Asia growing in viability or are they becoming less stable? Are they becoming more susceptible to internal subversion and aggression from abroad or less so? Are international communism and Chinese neo-imperialism growing or fading menaces? We must face questions such as these and answer them as best we can, before we can make any clear judgments about alternative United States policies.

My own personal reading in all these matters is on the optimistic side. However slow the progress in most of Asia, the general movement, I feel, is upward economically and toward more viable political and social systems. *The threat of unitary world communism sweeping Asia has largely faded, and the menace of Chinese domination*—if ever it was a real menace in the military sense—*is growing weaker.* Almost all of the countries of Asia are gaining in national cohesiveness and in confidence. In some areas there has been encouraging progress toward the development of a healthy sense of regional cooperation. Some of these things may be happening because of our Vietnam stance, *but fundamentally they are happening for other more basic reasons* and in some cases despite our stand in Vietnam. If the present Vietnam crisis can be solved without either great escalation *or a headlong retreat by the United States,* I believe that we can count on the situation in Asia *continuing slowly* to *improve,* rather than deteriorating.

Another problem in attempting to define what our Asian policies should be is the size and the diversity of the area concerned. Asian nations neither are alike nor act alike. Each is very distinctive. I therefore doubt that blanket policies should or could be applied to all of the countries of Asia. Some, because of strategic location or an important product, are of more immediate concern to us than others. As examples, I might cite the vital sea routes through the Straits of Malacca and the oil of West Asia. As I have said, we can offer effective defense more easily to island countries than to continental ones. Some countries more eagerly seek relations with us than others, and with some we have developed special bonds. The Philippines, South Korea and Taiwan are cases in point. Most important, some countries are far closer to being stable, modernized nations than are others.

In this regard, Japan is, of course, a special case. Not so much because it is an island nation or a Pacific, as opposed to an Asian, land, but because it is a thoroughly modernized country, Japan, I believe, is as much a natural partner and ally of the United States as any country in Europe. The Japanese have a stable society, not susceptible to subversion or vulnerable to guerrilla warfare. They are capable of great economic influence in the rest of the world, particularly in Asia, and, if they so chose, they could be a significant part of the world balance of military power. They share with us much the same sort of life and have the same general international interests and aspirations. I find our present mutual security relationship with Japan and all our other forms of close cooperation entirely sound. I would expect these ties to grow stronger rather than weaker in the future. As other Asian nations achieve a comparable degree of modernization, I would also expect some of them to develop comparable forms of partnership with us. For the time being, however, Japan remains a case by itself, to be considered as an exception to almost all the generalizations about Asia and our policy toward Asia.

Returning to the other Asian lands, I should like to put forward, on the basis of the broad concepts discussed above, a few general propositions, as indicative of the fundamental directions in which we should be trying to move over the years ahead. I cannot in the format of this brief presentation explore these propositions fully, but I believe they are concepts which should be studied carefully. Stated bluntly and with a minimum of justification or explanation, these propositions are:

1. We should seek to minimize our military involvement and military commitments in Asia, because our vital interests are not likely to be threatened in most of Asia, because our type of military strength is not very effective in meeting subversion and guerrilla warfare, which are the chief threats to the stability of most Asian countries, and because our military presence is likely to stir up anti-American reactions and have other influences adverse to our long-range interests.

2. We should not try to induce most Asian countries to align themselves formally with us, since such alignments do not add to our security and are not likely to be as effective in giving them security as are their own unfettered nationalism and, possibly, regional groupings of like-minded countries. Far more useful, both to the security of most Asian nations and to our own, are multilateral involvements of these states with one another and with all the developed nations.

3. We should not sponsor political, social, or economic change in Asian countries, though we should be responsive to *requests* from them *for aid* in carrying out such changes, whenever we judge that these changes *would help* in the healthy development of these countries and that our aid could usefully contribute to this end. We run serious and unwarranted dangers when we take the initiative in sponsoring important internal changes in Asian lands or when our influence becomes so preponderant that we assume responsibility for the existence or nature of a regime. Such situations are all too likely to produce serious friction between our well-meaning efforts and their nationalism.

4. We should not seek to play the role of leader in Asia, rallying allies to our policies, but should attempt to withdraw to the role of a friendly outside supporter of individual or collective Asian initiatives. In such a role, we are more likely to be able to give effective aid to Asian countries than when we assume the leadership ourselves.

These propositions are, of course, only rough hewn, and, even if they were to be accepted as fundamentally sound, we would still face the question of how to apply them. As I have said, the diversity of Asia naturally calls for many significant variations of policy. *The flow of history also is not to be swiftly altered.* Because of the world-wide situation at the end of the Second World War, we quite understandably and probably quite rightly assumed responsibilities in Asia and a posture in parts of that area not entirely in consonance with these propositions. They certainly are not descriptive of our present Vietnam policy. *I would not advocate any sudden shift.* Specifically, *I do not believe that we can make any great progress toward bringing our policies in Southeast Asia in line with propositions such as these, until we have achieved a much more satisfactory solution of the Vietnam problem than is now in sight.* However, unless we have guiding propositions of this type clearly in mind, we cannot take steps in the right direction when opportunity does offer, and we run the risk of wandering even further afield from them.

I have been addressing myself, of course, to the problem of our policies toward Asian countries with which we have diplomatic contacts, but some of the basic considerations also apply to Communist China. I believe that we have tended to overestimate its strength and its immediate menace to our interests and to its neighbors. The events of recent months have helped show how backward and troubled this country really is. Its economic progress will probably continue to be very slow for the foreseeable future. Thus our concern should be focused less on its immediate threat and more on its long-range development. In more specific terms, we should not concentrate so exclusively on the problem of containing Chinese aggressiveness but instead should place more emphasis on finding ways to bring the Chinese into meaningful contact with us and other nations, so that they will learn more about the realities of the outside world and will thus in time come to realize that they must accommodate themselves to these realities.

I applaud our efforts to find new contacts with the Communist Chinese through the exchange of newsmen, scholars, and other private citizens. I look upon trade contacts with Communist China as being probably of more value to the achievement of our long-range objectives than detrimental to our short-term interests. I feel that we should not oppose Peking's entry in the United Nations or other international bodies, so long as it is willing to enter on the same terms as do other countries.

Such stands would mean the clear adoption of a policy toward Communist China of "containment without isolation"—or, as the President put it last July 12th, a policy of "reconciliation." I should point out, however, that I do not believe such a policy would bring any important immediate changes in our relationship with that vast country. We must continue to support the right of the people on Taiwan to self-determination and membership in the United Nations, and, that being the case, Peking may not choose to enter the United Nations for the time being. Nor does it seem probable that Communist China would respond right away to any offers from us for increased contact. However, the accumulating frustrations of the Peking regime, both in foreign policy and at home, suggest that the time may be approaching when its leaders will be forced to take more rational approaches to their international problems. It is important that, when that time comes, the Chinese realize that the doors are open for them to participate in international society and to develop closer contacts with us. In fact, the knowledge that these doors stood open might well hasten the decision in Peking to attempt to go through them.

The realization that the United States was not attempting to blackball the Peking regime in the United Nations and would welcome peaceful coexistence with Communist China would also help remove a serious psychological barrier that stands in the way of the improvement of relations between us. The Asian sensitivity toward the advanced, industrialized countries, and particularly toward the United States as the strongest of these nations, is especially marked in the case of the Chinese. China is not only the largest country in the world; for many centuries it was the most advanced, and the Chinese are certainly, and not entirely without reason, the proudest people in the world. But they have been subjected to a century and more of national humiliation at the hands of technologically superior powers. We must be especially careful to understand this historic legacy under which the Chinese labor in their relations with the outside world.

It is not surprising that the Communist Chinese fiercely resent the implications in our present policy that we have the right to pass judgment on the nature of their government and that we feel it is either unable or else unfit to continue to rule over the country that it clearly controls. The removal of these implications in our policy seems to me to be an important first step we must take if we are ever to build a more satisfactory relationship with continental China. I might add that such a relationship is the prerequisite to a truly peaceful future for the whole Asian area.

I close with a final caution that I hope has been implicit in the foregoing remarks. There are many qualities that are demanded of us as we approach the problems of Asia—among them patience, restraint and a sensitivity to Asian views and aspirations. But most important of all, in my judgment, is a correct sense of history—and through it a truer perspective on the problems of Asia. We have failed sometimes to understand the deeply rooted historic forces at work in Asia—anti-colonialism, nationalism, the eagerness to wipe out past humiliations, and the determination to advance rapidly but without losing national identity. Instead we have tended to see Asia in a historic perspective derived from other times or other places. We have, as a consequence, over-reacted to images in our own minds and under-reacted to the actual historical tides of Asia. Monolithic conspiracy has little future in the soil of Asia's diversity. But rapid change, even upheaval, will continue to be a part of the scene, as Asian countries seek to close the gap between themselves and the advanced nations. We must learn to take such upheavals in stride, putting aside Cold War demonology and using our influence with caution and restraint to help channel these changes toward constructive ends.

These are a few thoughts I have on our Asian policies, presented in bald and over-simplified form. I do not offer them as carefully formulated policy statements, but as concepts that may help stimulate the committee in its thinking about these problems.

COMMERCIAL AVIATION DEVELOPMENT TRUST FUND

The SPEAKER pro tempore (Mr. Wolff). Under previous order of the House the gentleman from Ohio [Mr. Vanik] is recognized for 20 minutes.

Mr. VANIK. Mr. Speaker, in the last several days, the Federal Aviation Agency has submitted a proposal under which the commercial air carriers will be asked to share the cost of building a prototype of the supersonic airliner currently under construction by Boeing Aircraft and the General Electric Co.

This proposal for voluntary contributions toward the development of the supersonic aircraft is reasonable and proper but not likely to precipitate a rush of contributions to the Federal Treasury for this essential purpose. Are air carriers to contribute in proportion to their anticipated need for the new equipment or in proportion to their financial capacity? Will American purchasers of the rival Concorde be expected to contribute to the costs of developing an American-made counterpart?

The proposal by the Federal Aviation Agency to "pass the hat" for research and development of the supersonic jet does not appear feasible—or likely. This is no way to fund and administer a program of this magnitude and importance. Research and development must be planned and organized around firm fiscal planning and not by pledges and promises of donable funds. "Sweet charity" will not build a supersonic transport.

The bonanza of 1966 earnings by the trunk carriers resulting from high-density travel, lower jet operating costs, and indefensible jet surcharges guarantees superprofit years ahead for the airline industry. Six major airlines report the following 1966 earnings and revenues and estimate the 1967 outlook:

Line	Earnings [1]		Revenues [1]	
	1966	1967	1966	1967
United	$35,000,000 $2.15	$70,000,000 $4.30	$850,801,000	$1,000,000,000
American	53,000,000 $5.90	61,480,000 $6.80	520,000,000	603,000,000
Northwest	53,400,000 $5.85	61,410,000 $6.75	310,000,000	400,000,000
Eastern	15,000,000 $3.14	36,000,000 $7.50	500,000,000	675,000,000
Trans World	29,800,000 $3.29	35,880,000 $3.95	681,600,000	940,000,000
Pan American	73,200,000 $4.65	84,900,000 $5.37	836,273,750	970,000,000

[1] Estimates.

Despite these unprecedented earnings, I cannot see these airlines voluntarily digging into their profits for the $4.5-billion commitment required for the supersonic transport development.

However, the Civil Aeronautics Board would be thoroughly justified at this time to order a 5-percent rate reduction on trunk airline travel. Simultaneously, it would be prudent and wise to increase the present 5-percent airline tax to 10 percent and earmark the additional 5-percent tax revenues to a commercial aviation development trust fund to provide for the supersonic jet and such other developments as may be deemed advisable.

I am today introducing legislation to develop a commercial aviation development trust fund to pay for a substantial portion of the costs involved in developing new commercial aircraft such as the SST, supersonic transport.

This legislation, identical with H.R. 17289 which I introduced last year, would create the trust fund by increasing the Federal tax on commercial air travel from its present 5 percent to 10 percent. This would raise an additional $150 million per year for research and development.

It is said that by 1974 the 300-ton supersonic transport, an aircraft worth $32 million, will be able to carry 300 passengers at 1,800 miles per hour and will cross the continent in less than 2 hours. It is said, also, that the supersonic transport may employ 650,000 persons over the next 15 years and its international sales may turn the balance of payments in our direction and end the gold drain. The builder of the aircraft anticipates gross sales totaling $50 billion.

It is only certain, however, that for decades the vast majority of the American people, a large proportion of whom have never yet been on an airplane, will be paying $4.5 billion for the development of the supersonic transport and will receive no direct benefit from it. Their only contact with it will be through shattering sonic booms.

Thus, there is little justification for requiring the taxpaying public to assume the total burden of developing supersonic transport planes which only a small portion of the people can be expected to use in the next 20 years. We should proceed to develop the best aircraft we can and maintain America's long supremacy in outstanding aircraft production; but, when our city dwellers and urban poor are being asked to take cuts on programs affecting their very health and housing, the cost of developing profitable commerical aircraft should be borne by the user.

Almost all citizens have used the Interstate Highway System and have helped pay for it by contributing to the highway trust fund. This system and its trust fund of billions of dollars has been highly successful. This bill, creating a commercial aviation trust fund, works on the same principle. Those who will use the supersonic transport should bear a major portion of its development cost.

Airline revenue passenger miles doubled from 38.8 billion in 1961 to an estimated 87.5 billion in 1967. Aviation's share of airline and railroad passenger miles has gone from 22.5 percent in 1950 to 74.8 percent in 1964. The aviation industry is booming and in a healthy state; profits are up almost without exception. Yet, in spite of this, aviation is still heavily subsidized. Almost the entire appropriation of the Federal Aviation Agency and the Civil Aeronautics Board are, in reality, subsidies to the airways system and the relatively few people who use the airways. Since 1939, the Civil Aeronautics Board has paid direct subsidies to the airlines of $1.4 billion and the fiscal 1968 budget still calls for $59.5 million in payments to small airlines.

As the following table shows, in the 1960's, the Federal Aviation Agency budget has run at about $800 million. And, this year's budget calls for an appropriation of $740 million without any appropriation for supersonic transport development. Thus, in the sixties alone, through Federal aid to airports and safety-device construction and other services to air travelers, the general taxpayer has paid approximately $6.4 billion, as follows:

Federal Aviation Agency

Calendar year:	*Total appropriations*
1961	$707,424,000
1962	799,800,000
1963	766,925,000
1964	833,341,500
1965	736,992,000
1966	866,861,000
1967 (estimate)	993,196,000
1968 (estimate)	740,960,000
Total	6,445,499,500

CIVIL AERONAUTICS BOARD BUDGET AND PROGRAMS

A. ADMINISTRATIVE ACTIVITIES

First, economic regulation—rate regulation, and so forth;

Second, safety activities—investigating and determining the probable cause of accidents;

Third, Board adjudication—executive and legal staff activities; and

Fourth, administrative services.

Appropriations

[Thousands of dollars]

Fiscal year:	
1965	10,972
1966	16,898
1967	11,066
1968	9,066

B. SUBSIDIES

Subsidy accruing to air carriers for air carrier operations conducted during the fiscal years 1939–66

[In thousands]

Year	Domestic trunks	Local service	Helicopter	Alaskan and Hawaiian	International	Total
1939	$12,300	------	------	$96	$5,077	$17,473
1940	13,807	------	------	95	7,865	21,767
1941	13,857	------	------	94	9,756	23,707
1942	13,881	------	------	94	7,477	21,452
1943	4,969	------	------	131	2,499	7,599
1944	2,007	------	------	212	1,349	3,568
1945	2,305	------	------	1,804	2,788	6,897
1946	4,082	$1,081	------	2,176	12,399	19,738
1947	9,056	3,674	------	2,542	25,164	40,436
1948	21,574	9,411	------	3,004	29,651	63,640
1949	26,188	12,396	------	2,930	32,809	74,323
1950	26,749	14,848	------	2,869	37,472	81,938
1951	17,612	17,319	------	3,055	28,662	66,648
1952	6,411	18,990	------	6,083	31,964	63,448
1953	3,527	21,852	------	8,715	33,642	67,736
1954	3,848	24,299	$2,574	8,992	18,714	58,427
1955	2,825	22,358	2,656	8,195	3,757	39,791
1956	1,819	24,122	2,735	7,910	6,632	43,218
1957	1,585	28,445	3,771	7,923	6,903	48,627
1958	2,283	32,703	4,419	8,224	4,911	52,540
1959	1,201	36,452	4,860	7,505	------	50,018
1960	------	51,808	4,930	9,001	------	65,739
1961	------	57,023	5,538	9,775	------	72,336
1962	------	65,269	5,781	9,423	------	80,473
1963	------	68,390	5,000	10,125	------	83,515
1964	2,628	68,413	4,300	10,589	------	85,930
1965	3,326	67,000	4,300	10,519	------	85,145
1966	3,326	66,000	2,100	10,816	------	82,242
Total	201,166	711,853	52,964	152,897	309,491	1,428,371

The following analysis shows the subsidy outlook for 1967 under final board actions:

	Non-subsidized	Subsidized
Certificated carrier units:		
Domestic operations	10	[1] 1
Helicopter operations	4	
Local service operations		[2] 13
Alaskan operations	1	8
Hawaiian operations		2
U.S.-flag operations	4	
All-cargo operations	5	
Other operations	1	

[1] Northeast Airlines.

[2] These will continue at a reduced rate.

As the next table shows, in no year has the Federal Treasury received from the airline passenger excise tax plus the aviation fuel tax more than one-sixth to one-seventh of the amount the Treasury has returned in direct and indirect subsidies. The time for a research and development trust fund is obviously long overdue.

Taxes paid by the airlines to the Federal Government

Calendar year	Passenger excise tax	Aviation fuel tax
1966	$139,624,000	
1965	135,000,000	+$8,000,000
1964	116,000,000	11,000,000
1963	101,000,000	12,000,000
1962	172,000,000	13,000,000
1961	166,000,000	16,000,000
1960	158,000,000	19,000,000
1959	146,000,000	24,000,000
1958	122,000,000	25,000,000
1957	115,000,000	24,000,000
1956	101,000,000	21,000,000
1955	90,000,000	19,000,000
1954	87,000,000	16,000,000
1953	103,000,000	14,000,000
1952	89,000,000	12,000,000
1951	76,000,000	10,000,000
Subtotal	1,916,624,000	244,000,000
	Estimates	
1950	$57,000,000	(1)
1949	50,000,000	(1)
1948	44,000,000	(1)
1947	39,000,000	(1)
1946	28,000,000	(1)
1945	15,000,000	(1)
1944	10,000,000	(1)
1943	4,000,000	(1)
1942	3,000,000	(1)
1941	500,000	(1)
Subtotal	250,500,000	(1)
Grand total	2,167,100,000	$244,000,000

[1] No valid estimates are available before 1951, when consumption was relatively small.

In this year's budget, the President has called for some minor changes in airline user charges. It is proposed that a 2-percent charge on airfreight bills be instituted, "which will help to cover commercial aviation's share of the cost of the Federal airway system." A 4-cent-per-gallon charge on jet fuel used in the general aviation industry is also being proposed. The Federal Aviation Agency estimates that the 2-percent airfreight bill tax will bring into the Treasury about $9.3 million per year and the aviation jet tax charge, about $5.2 million.

The legislation I am introducing today is an extension of this principle that those who use a service should help pay for it. The revenue from this proposal will not go into the General Treasury but into a special fund to insure that America remains the pioneer in aircraft safety, speed, and excellence.

My bill is as follows:

A bill to increase the tax on the transportation of persons by air, and to use the additional revenues to establish a trust fund for the purpose of financing certain development activities of the Federal Aviation Agency

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsections (a), (b), and (c) of section 4261 of the Internal Revenue Code of 1954 (relating to imposition of tax on transportation of persons by air) are each amended by striking out "5 percent" and inserting in lieu thereof "10 percent".

(b) The amendments made by subsection (a) shall apply only with respect to amounts paid on or after the first day of the first calendar month commencing more than ten days after the date of the enactment of this Act for transportation which begins on or after such first day.

SEC. 2. (a) There is established in the Treasury of the United States a trust fund to be known as the aviation trust fund (hereafter in this section referred to as the "trust fund"), consisting of such amounts as may be appropriated, credited, or transferred to the trust fund as provided in this section.

(b)(1) There is hereby appropriated to the trust fund, out of any money in the Treasury not otherwise appropriated, amounts equivalent to one-half of the taxes received in the Treasury under section 4261 of the Internal Revenue Code of 1954 from collections made on and after the first day of the first calendar month which commences more than 10 days after the date of the enactment of this Act.

(2) There are authorized to be appropriated to the trust fund, as repayable advances, such additional sums as may be required to make the expenditures referred to in subsection (e).

(c) Not less often than once each calendar month, that portion of the amount appropriated by subsection (b)(1) which the Secretary of the Treasury estimates will be received in the Treasury during such month shall be transferred by the Secretary from the general fund of the Treasury to the trust fund. With respect to any calendar month, the Secretary shall make such adjustment in the amount transferred under this subsection as may be necessary to adjust any amount so transferred by the Secretary for any prior calendar month on the basis of an estimate which was in excess of, or less than, the amount actually received in the Treasury for such prior calendar month.

(d)(1) It shall be the duty of the Secretary of the Treasury to hold the trust fund, and (after consultation with the Administrator of the Federal Aviation Agency) to report to the Congress not later than the 1st day of March of each year on the financial condition and the results of the operations of the trust fund during the preceding fiscal year and on its expected condition and operations during the next succeeding fiscal year. Such reports shall be printed as a House document of the session of the Congress to which the report is submitted.

(2) It shall be the duty of the Secretary of the Treasury to invest such portion of the trust fund as is not, in the opinion of the Administrator of the Federal Aviation Agency, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose, such obligations may be acquired (A) on original issue at the issue price, or (B) by purchase of outstanding obligations at the market price. Any obligation acquired by the trust fund may be sold by the Secretary of the Treasury at the market price. The interest on, and proceeds from the sale of, any obligations held in the trust fund shall be credited to and form a part of the trust fund. Advances to the trust fund pursuant to paragraph (2) of subsection (b) shall not be invested.

(e) Amounts in the trust fund shall be available, as provided by appropriation Acts, for making expenditures to meet those obligations of the United States incurred by the Administrator of the Federal Aviation Agency under section 312 of the Federal Aviation Act of 1958 in connection with developmental work and service testing of improved aircraft, aircraft engines, propellers, and appliances which seem to offer special advantages to aeronautics.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ZABLOCKI, for 20 minutes, today; and to include extraneous matter.

Mr. POLLOCK (at the request of Mr. DICKINSON), for 20 minutes, today; and to revise and extend his remarks and to include extraneous matter.

Mr. COHELAN (at the request of Mr. BEVILL), for 5 minutes, today.

Mr. VANIK (at the request of Mr. BEVILL), for 20 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. FINO.

Mr. JACOBS.

(The following Member (at the request of Mr. DICKINSON) and to include extraneous matter:)

Mr. WIDNALL.

(The following Members (at the request of Mr. BEVILL) and to include extraneous matter:)

Mr. GARMATZ.

Mr. WALDIE.

Mr. WILLIAM D. FORD.

Mr. KEE.

Mr. MULTER in three instances.

ADJOURNMENT

Mr. BEVILL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 33 minutes p.m.), under its previous order, the House adjourned until Monday, February 6, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

316. A communication from the President of the United States, transmitting a letter and report from the Secretary of Agriculture recommending the establishment of the San Rafael Wilderness Area, also enclosing a draft of proposed legislation to designate the

San Rafael Wilderness, Los Padres National Forest, in the State of California (H. Doc. No. 50); to the Committee on Interior and Insular Affairs and ordered to be printed with illustrations.

317. A letter from the Administrator, Veterans' Administration, transmitting a report of activities for the fiscal year ending June 30, 1966, pursuant to the provisions of 38 U.S.C. 214 (H. Doc. No. 8); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

318. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report on the Federal plan for meteorological services and supporting research for fiscal year 1968, pursuant to Public Law 87-843, section 304; to the Committee on Appropriations.

319. A letter from the Assistant Secretary of the Interior, transmitting copies of the laws enacted by the Eighth Guam Legislature, 1966, pursuant to section 19 of the Organic Act of Guam; to the Committee on Interior and Insular Affairs.

320. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a report on measures being taken to control the emission of air pollutants from Federal facilities, pursuant to the provisions of title I, section 107(b), Public Law 88-206, as amended; to the Committee on Interstate and Foreign Commerce.

321. A letter from the Chairman, Interstate Commerce Commission, transmitting the 80th annual report for fiscal year 1966; to the Committee on Interstate and Foreign Commerce.

322. A letter from the Chairman, U.S. Civil Service Commission, transmitting a report with respect to positions in grades GS-16, GS-17, and GS-18, pursuant to 5 U.S.C. 5114; to the Committee on Post Office and Civil Service.

323. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to extend to persons who served in the Armed Forces of the United States on or after August 5, 1964, the date of the Gulf of Tonkin incident, the same range of veterans' benefits heretofore provided veterans of other wars, to improve the pension and certain other benefits now available to these servicemen and veterans, and for other purposes; to the Committee on Veterans' Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 4573. A bill to provide, for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act; to the Committee on Ways and Means.

By Mr. CURTIS:

H.R. 4574. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. ANDREWS of North Dakota:

H.R. 4575. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. ARENDS:

H.R. 4576. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. BATES:

H.R. 4577. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. BATTIN:

H.R. 4578. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. BELL:

H.R. 4579. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 4580. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. BIESTER:

H.R. 4581. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. BLACKBURN:

H.R. 4582. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mrs. BOLTON:

H.R. 4583. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. BROOMFIELD:

H.R. 4584. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. BROTZMAN:

H.R. 4585. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. BROWN of Michigan:

H.R. 4586. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. BROWN of Ohio:

H.R. 4587. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 4588. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. BURKE of Florida:

H.R. 4589. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. BUSH:

H.R. 4590. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. BUTTON:

H.R. 4591. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 4592. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. CHAMBERLAIN:

H.R. 4593. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. CLANCY:

H.R. 4594. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. DON H. CLAUSEN:

H.R. 4595. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. CLEVELAND:

H.R. 4596. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 4597. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. CONABLE:

H.R. 4598. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. CONTE:

H.R. 4599. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 4600. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. DELLENBACK:

H.R. 4601. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. DENNEY:

H.R. 4602. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 4603. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. DOLE:

H.R. 4604. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 4605. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mrs. DWYER:

H.R. 4606. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. EDWARDS of Alabama:

H.R. 4607. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. ERLENBORN:

H.R. 4608. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. ESCH:

H.R. 4609. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. FINDLEY:

H.R. 4610. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. GERALD R. FORD:

H.R. 4611. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 4612. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. GARDNER:

H.R. 4613. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. GOODELL:

H.R. 4614. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. GOODLING:

H.R. 4615. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. GROVER:

H.R. 4616. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. GUBSER:

H.R. 4617. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. HALL:

H.R. 4618. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 4619. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. HANSEN of Idaho:

H.R. 4620. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. HARRISON:

H.R. 4621. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. HARVEY:

H.R. 4622. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mrs. HECKLER of Massachusetts:

H.R. 4623. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 4624. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 4625. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. HUNT:

H.R. 4626. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. KEITH:

H.R. 4627. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employees for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. KLEPPE:

H.R. 4628. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employees for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. KUPFERMAN:

H.R. 4629. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employees for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. KUYKENDALL:

H.R. 4630. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employees for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. KYL:

H.R. 4631. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employees for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. LAIRD:

H.R. 4632. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employees for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. LANGEN:

H.R. 4633. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employees for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. LIPSCOMB:

H.R. 4634. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. LLOYD:

H.R. 4635. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. LUKENS:

H.R. 4636. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 4637. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. McDADE:

H.R. 4638. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. McDONALD of Michigan:

H.R. 4639. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. MATHIAS of Maryland:

H.R. 4640. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. MACGREGOR:

H.R. 4641. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mrs. MAY:

H.R. 4642. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. MAYNE:

H.R. 4643. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. MICHEL:

H.R. 4644. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. MILLER of Ohio:

H.R. 4645. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. MIZE:

H.R. 4646. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. MORSE:

H.R. 4647. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. MORTON:

H.R. 4648. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. MOSHER:

H.R. 4649. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. NELSEN:

H.R. 4650. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 4651. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. PETTIS:

H.R. 4652. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. POFF:

H.R. 4653. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. POLLOCK:

H.R. 4654. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. PRICE of Texas:

H.R. 4655. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. QUIE:

H.R. 4656. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. QUILLEN:

H.R. 4657. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. RAILSBACK:

H.R. 4658. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mrs. REID of Illinois:

H.R. 4659. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. REINECKE:

H.R. 4660. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. RHODES of Arizona:

H.R. 4661. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. RIEGLE:

H.R. 4662. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. ROBISON:

H.R. 4663. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. ROTH:

H.R. 4664. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. RUMSFELD:

H.R. 4665. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. RUPPE:

H.R. 4666. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 4667. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. SCHERLE:

H.R. 4668. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. SCHNEEBELI:

H.R. 4669. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. SCHWEIKER:

H.R. 4670. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 4671. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. SCOTT:

H.R. 4672. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. SHRIVER:

H.R. 4673. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. SKUBITZ:

H.R. 4674. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. SMITH of Oklahoma:

H.R. 4675. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. SPRINGER:

H.R. 4676. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. STAFFORD:

H.R. 4677. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. STANTON:

H.R. 4678. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. STEIGER of Arizona:

H.R. 4679. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. STEIGER of Wisconsin:

H.R. 4680. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. TAFT:

H.R. 4681. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. TALCOTT:

H.R. 4682. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. TEAGUE of California:

H.R. 4683. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. THOMPSON of Georgia:

H.R. 4684. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. THOMSON of Wisconsin:

H.R. 4685. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. UTT:

H.R. 4686. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. WATSON:

H.R. 4687. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 4688. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. WIDNALL:

H.R. 4689. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 4690. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. WINN:

H.R. 4691. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 4692. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. WYDLER:

H.R. 4693. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. YOUNGER:

H.R. 4694. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 4695. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. ANDREWS of North Dakota:

H.R. 4696. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. ASPINALL (by request):

H.R. 4697. A bill to amend the Small Reclamation Projects Act of 1956, as amended; to the Committee on Interior and Insular Affairs.

By Mr. BARING:

H.R. 4698. A bill to amend title 38 of the United States Code so as to provide that monthly social security benefit payments shall not be included as income for the purpose of determining eligibility for a pension under title 38; to the Committee on Veterans' Affairs.

By Mr. BELL:

H.R. 4699. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BRAY:

H.R. 4700. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid program and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. CAREY:

H.R. 4701. A bill to provide that Columbus Day shall be a legal holiday for officers and employees of the United States in each State in which such day is designated as a legal State holiday; to the Committee on the Judiciary.

H.R. 4702. A bill making Columbus Day a legal holiday; to the Committee on the Judiciary.

By Mr. CARTER:

H.R. 4703. A bill to postpone the application of daylight saving provisions of the Uniform Time Act of 1966 in certain States; to the Committee on Interstate and Foreign Commerce.

By Mr. CELLER:

H.R. 4704. A bill to repeal the Presidential Election Campaign Fund Act of 1966; to the Committee on Ways and Means.

By Mr. CHAMBERLAIN:

H.R. 4705. A bill to provide for the appointment of postmasters and rural carriers in the postal field service on a merit basis, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DANIELS:

H.R. 4706. A bill to amend the Railroad Retirement Act of 1937 to provide a full annuity for any individual (without regard to his age) who has completed 30 years of railroad service; to the Committee on Interstate and Foreign Commerce.

H.R. 4707. A bill to amend title 39, United States Code, to provide additional free letter-mail and air transportation mailing privileges for certain members of the U.S. Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 4708. A bill to provide that disabled individuals entitled to monthly cash benefits under section 223 of the Social Security Act (and individuals retired for disability under the Railroad Retirement Act of 1937) shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

By Mr. DELANEY:

H.R. 4709. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DERWINSKI:

H.R. 4710. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. EDMONDSON:

H.R. 4711. A bill to amend title 38 of the United States Code in order to increase the rates of pension payable to certain veterans and their widows, to provide additional readjustment assistance for veterans of service after January 31, 1955, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 4712. A bill to amend title 38 of the United States Code to increase the rate of compensation which is payable to veterans with service-connected disabilities; to the Committee on Veterans' Affairs.

By Mr. EDWARDS of California:

H.R. 4713. A bill to establish certain policies with respect to certain use permits for national forest lands; to the Committee on Agriculture.

H.R. 4714. A bill to amend section 705 of the Civil Rights Act of 1964 in order to increase the membership of the Equal Employment Opportunity Commission from five members to seven members, and for other purposes; to the Committee on Education and Labor.

By Mr. EDWARDS of Louisiana:

H.R. 4715. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

H.R. 4716. A bill to amend the Internal Revenue Code of 1954 to provide a deduction from gross income for certain funeral expenses; to the Committee on Ways and Means.

By Mr. EVERETT:

H.R. 4717. A bill to authorize the conveyance of certain lands owned by the United States to the State of Tennessee for the use of Memphis State University, Memphis, Tenn.; to the Committee on Veterans' Affairs.

By Mr. FINO:

H.R. 4718. A bill to provide that disabled individuals entitled to monthly cash benefits under section 223 of the Social Security Act (and individuals retired for disability under the Railroad Retirement Act of 1937) shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

By Mr. FLOOD:

H.R. 4719. A bill to authorize the Secretary of the Interior to designate within the Department of the Interior an officer to establish, coordinate, and administer programs authorized by this act, for the reclamation, acquisition, and conservation of lands, and water adversely affected by coal mining operations, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FULTON of Tennessee:

H.R. 4720. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

By Mr. GOODLING:

H.R. 4721. A bill to amend the act incorporating the Veterans of World War I of the United States of America; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H.R. 4722. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 4723. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HERLONG:

H.R. 4724. A bill to provide for a Veterans' Administration hospital in the Halifax area of Volusia County, Fla.; to the Committee on Veterans' Affairs.

H.R. 4725. A bill to amend title 38 of the United States Code to make additional benefits available to certain veterans of World War I who have been permanently and totally disabled for 20 or more years; to the Committee on Veterans' Affairs.

H.R. 4726. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 4727. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of housing facilities for agricultural workers by permitting the amortization over a 60-month period of the cost, or a portion of the cost, of constructing such housing facilities; to the Committee on Ways and Means.

H.R. 4728. A bill to amend the Internal Revenue Code of 1954 to provide for rounding the amount of State and local taxes for purposes of computing tax on cigars; to the Committee on Ways and Means.

H.R. 4729. A bill to amend the Internal Revenue Code of 1954 to require the filing and publication of additional information by certain tax-exempt nonprofit organizations which conduct public fund drives, in order to protect the public against improper utilization of the proceeds of such drives; to the Committee on Ways and Means.

By Mr. HOLLAND:

H.R. 4730. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employers or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

H.R. 4731. A bill relating to rates of postage on third-class matter mailed by certain nonprofit organizations; to the Committee on Post Office and Civil Service.

H.R. 4732. A bill to provide annuities payable from the civil service retirement and disability fund for certain widows and widowers by reducing the required period of marriage; to the Committee on Post Office and Civil Service.

H.R. 4733. A bill to permit a retired employee or Member receiving health benefits pursuant to the provisions of the Federal Employees Health Benefits Act of 1959 (ch. 89, title 5, United States Code) to elect coverage under the Retired Federal Employees Health Benefits Act of 1960 (Public Law 86-724); to the Committee on Post Office and Civil Service.

H.R. 4734. A bill to modify the decrease in Federal group life insurance at age 65 or after retirement; to the Committee on Post Office and Civil Service.

H.R. 4735. A bill to equalize civil service retirement annuities, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 4736. A bill to amend section 8341 of title 5, United States Code, to provide annuities for surviving spouses without deduction from a retired employee or Member's annuity, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 4737. A bill to amend the Internal Revenue Code of 1954 to provide that the first $5,000 received as civil service retirement annuity from the United States or any agency thereof shall be excluded from gross income; to the Committee on Ways and Means.

H.R. 4738. A bill to provide that the value of survivor annuities payable under chapter 83, title 5, United States Code, shall not be taken into account for State inheritance tax or Federal estate tax purposes; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 4739. A bill to authorize the Secretary of the Interior to grant long-term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park, Calif., and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 4740. A bill to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KEITH:

H.R. 4741. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 4742. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

H.R. 4743. A bill to provide for the establishment of the Plymouth Rock National Memorial, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 4744. A bill to provide for the establishment of a Commission on American Shipbuilding; to the Committee on Merchant Marine and Fisheries.

H.R. 4745. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 4746. A bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration; to the Committee on Merchant Marine and Fisheries.

H.R. 4747. A bill to promote the orderly replacement and expansion of the nonsubsidized merchant fleet and the commercial fishing fleet of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 4748. A bill to amend the act of August 11, 1939, relating to domestically produced fishery products to establish a fund for the advancement of commercial fisheries; to the Committee on Merchant Marine and Fisheries.

H.R. 4749. A bill to authorize the Secretary of the Interior in cooperation with the States to preserve, protect, develop, restore, and make accessible estuarine areas of the Nation which are valuable for sport and commercial fishing, wildlife conservation, recreation, and scenic beauty, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 4750. A bill to extend preferential postage rates to qualifying museums for the mailing of educational materials, loan exhibits, and other materials; to the Committee on Post Office and Civil Service.

H.R. 4751. A bill to amend title II of the Social Security Act to provide an 8-percent, across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

H.R. 4752. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 4753. A bill to amend the Internal Revenue Code of 1954 to allow a 30-percent credit against the individual income tax for amounts paid for tuition, fees, or services to certain public and private institutions of higher education or for occupational training, or retraining; to the Committee on Ways and Means.

By Mrs. KELLY:

H.R. 4754. A bill to amend the Clean Air Act to improve and expand the authority to conduct or assist research relating to air pollutants, to assist in the establishment of regional air quality commissions, to authorize establishment of standards applicable to emissions from establishments engaged in certain types of industry, to assist in establishment and maintenance of State programs for annual inspections of automobile emission control devices, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 4755. A bill to authorize the Secretary of the Interior in cooperation with the States to preserve, protect, develop, restore, and make accessible estuarine areas of the Nation which are valuable for sport and commercial fishing, wildlife conservation, recreation, and scenic beauty, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 4756. A bill to amend title 38 of the United States Code to provide that monthly social security benefit payments shall not be considered as income in determining eligibility for pensions under that title; to the Committee on Veterans' Affairs.

H.R. 4757. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to unremarried widows and widowers, and individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more, who maintain their own households; to the Committee on Ways and Means.

By Mr. LATTA:

H.R. 4758. A bill to prohibit procurement by the United States of articles, materials, or supplies from certain foreign sources; to the Committee on Armed Services.

By Mr. LONG of Maryland:

H.R. 4759. A bill to establish a Small Tax Division within the Tax Court of the United States; to the Committee on Ways and Means.

By Mr. MACDONALD of Massachusetts:

H.R. 4760. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. MacGREGOR:

H.R. 4761. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. MACHEN:

H.R. 4762. A bill to adjust the rates of basic compensation of certain employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. MINK:

H.R. 4763. A bill to amend the Internal Revenue Code of 1954 to provide for the deduction of certain education expenses incurred by teachers and other employed or self-employed individuals; to the Committee on Ways and Means.

By Mr. MORSE:

H.R. 4764. A bill to provide for the establishment of the Plymouth Rock National Memorial, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MULTER:

H.R. 4765. A bill relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 4766. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. NELSEN:

H.R. 4767. A bill to extend to December 31, 1967, the period of existence of the Commission on Political Activity of Government Personnel; to the Committee on House Administration.

H.R. 4768. A bill to establish a program of dairy import regulation; to the Committee on Ways and Means.

By Mr. O'HARA of Michigan:

H.R. 4769. A bill to amend the National Labor Relations Act, as amended, so as to make its provisions applicable to agriculture; to the Committee on Education and Labor.

By Mr. OLSEN:

H.R. 4770. A bill to extend to December 31, 1967, the period of existence of the Commission on Political Activity of Government Personnel; to the Committee on House Administration.

H.R. 4771. A bill to amend title 39, United States Code, to provide additional free letter-mail and air transportation mailing privileges for certain members of the U.S. Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. O'NEILL of Massachusetts:

H.R. 4772. A bill to authorize the Secretaries concerned to direct the initiation of allotments of the pay and allowances of certain members of the Armed Forces for the purpose of making deposits under section 1035 of title 10, United States Code; to the Committee on Armed Services.

By Mr. OTTINGER:

H.R. 4773. A bill to establish an emergency program of direct Federal assistance in the form of direct grants and loans to certain hospitals in critical need of new facilities in order to meet increasing demands for service; to the Committee on Interstate and Foreign Commerce.

By Mr. POFF:

H.R. 4774. A bill concerning a Federal Tax Fairness Act; to the Committee on Ways and Means.

By Mr. POLLOCK:

H.R. 4775. A bill to increase the number of fish protein concentrate plants authorized to be constructed or leased by the Secretary of the Interior; to the Committee on Merchant Marine and Fisheries.

By Mr. ROTH:

H.R. 4776. A bill to extend to volunteer fire companies the rates of postage on second- and third-class bulk mailings applicable to certain nonprofit organizations, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROUDEBUSH:

H.R. 4777. A bill to amend the National Defense Education Act of 1958 to raise the limits on the amount of loans to undergraduate students; to the Committee on Education and Labor.

H.R. 4778. A bill to provide that Flag Day shall be a legal public holiday; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 4779. A bill to make a supplemental appropriation to carry out the Adult Education Act of 1966 during the fiscal year ending June 30, 1967; to the Committee on Appropriations.

H.R. 4780. A bill to authorize the Secretary of the Interior in cooperation with the States to preserve, protect, develop, restore, and make accessible estuarine areas of the Nation which are valuable for sport and commercial fishing, wildlife conservation, recreation, and scenic beauty, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SISK:

H.R. 4781. A bill to amend section 164 of the Internal Revenue Code of 1954 to permit the deduction of taxes levied by local political units in rural areas on the same basis as taxes levied by local political units in urban areas, and for other purposes; to the Committee on Ways and Means.

By Mr. SMITH of Oklahoma:

H.R. 4782. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 4783. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. TEAGUE of California:

H.R. 4784. A bill to provide for sharing of Federal taxes with States and their political subdivisions; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas (by request):

H.R. 4785. A bill to amend title 38 of the United States Code so as to increase the educational assistance allowances under the veterans' educational assistance program and to provide special educational assistance under that program to educationally disadvantaged veterans; to the Committee on Veterans' Affairs.

H.R. 4786. A bill to amend title 38 of the United States Code so as to extend to persons who served in the Armed Forces of the United States on or after August 5, 1964, the date of the Gulf of Tonkin incident, the same range of veterans' benefits heretofore provided veterans of other wars; to the Committee on Veterans' Affairs.

H.R. 4787. A bill to amend title 38 of the United States Code so as to provide for increases in maximum coverage under, and otherwise liberalize the provisions of, the servicemen's group life insurance program; to the Committee on Veterans' Affairs.

H.R. 4788. A bill to amend title 38 of the United States Code so as to provide pension increases for veterans of World War I, World War II, and the Korean conflict, for widows of such veterans, and for the children of such veterans who are deceased; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ULLMAN:

H.R. 4789. A bill to provide that certain lands shall be held by the United States in trust for Indians of the Burns Paiute Indian Colony of Harney County, Oreg.; to the Committee on Interior and Insular Affairs.

By Mr. UTT:

H.R. 4790. A bill to authorize the Secretary of the Army to undertake a study of landslides and flood control in Los Angeles and Orange Counties, Calif.; to the Committee on Public Works.

By Mr. WILLIAMS of Pennsylvania:

H.R. 4791. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. WOLFF:

H.R. 4792. A bill to amend title 39, United States Code, to revise the rates of postage on third-class mail; to the Committee on Post Office and Civil Service.

By Mr. ZABLOCKI:

H.R. 4793. A bill to provide for the control or elimination of the alewife and other such pests in the waters of the Great Lakes; to the Committee on Merchant Marine and Fisheries.

By Mr. DENT:

H.J. Res. 254. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

By Mr. HERLONG:

H.J. Res. 255. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 256. Joint resolution proposing an amendment to the Constitution of the United States reserving to each State the exclusive power to apportion membership of its legislature; to the Committee on the Judiciary.

H.J. Res. 257. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 258. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools in the United States; to the Committee on the Judiciary.

By Mr. KEITH:

H.J. Res. 259. Joint resolution to create a delegation to a convention of North Atlantic nations; to the Committee on Foreign Affairs.

By Mr. WALKER:

H.J. Res. 260. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. GOODLING:

H. Con. Res. 121. Concurrent resolution expressing the sense of Congress that in the public interest the administration should (1) cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free world prosperity; to the Committee on Agriculture.

By Mr. KEITH:

H. Con. Res. 122. Concurrent resolution to establish a Joint Committee on Ethics in the legislative branch of Government; to the Committee on Rules.

By Mr. CELLER:

H. Res. 207. Resolution amending the Rules of the House of Representatives relating to germaneness; to the Committee on Rules.

By Mr. DERWINSKI:

H. Res. 208. Resolution amending the Rules of the House of Representatives to permit the presentation and recognition in the Hall of the House of holders of the Congressional Medal of Honor, and for other purposes; to the Committee on Rules.

By Mr. DULSKI:

H. Res. 209. Resolution authorizing the Committee on Post Office and Civil Service to conduct studies and investigations within its jurisdiction; to the Committee on Rules.

H. Res. 210. Resolution authorizing expenses for conducting studies and investigations, pursuant to House Resolution 209; to the Committee on House Administration.

By Mr. WILLIAM D. FORD:

H. Res. 211. Resolution authorizing Members of the House of Representatives to employ during each summer one student congressional intern; to the Committee on House Administration.

By Mr. HOLIFIELD:

H. Res. 212. Resolution to amend Rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. REUSS:

H. Res. 213. Resolution authorizing under certain circumstances the broadcasting and telecasting of public hearings conducted by House committees; to the Committee on Rules.

By Mr. TEAGUE of California:

H. Res. 214. Resolution creating a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949, and related acts; to the Committee on Rules.

By Mr. PICKLE:

H. Res. 215. Resolution to amend rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and *severally referred as follows:*

By Mr. ADDABBO:

H.R. 4794. A bill for the relief of Castor Gayo-Gayo; to the Committee on the Judiciary.

H.R. 4795. A bill for the relief of Vincenzo Greco; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 4796. A bill for the relief of Raffaele Berarducci; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 4797. A bill for the relief of Arnaldo M. Xavier; to the Committee on the Judiciary.

By Mr. CABELL:

H.R. 4798. A bill for the relief of Sang Ok Cha; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 4799. A bill for the relief of Mrs. Amparo M. Fernandez Corteguerra; to the Committee on the Judiciary.

H.R. 4800. A bill for the relief of Albert C. Griffith, his wife, Joyce Leanor Peters Griffith, and their minor children, Phyllis Ann, June Eldra, and Everton Franklin Griffith; to the Committee on the Judiciary.

H.R. 4801. A bill for the relief of Grigorios Stellas; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 4802. A bill for the relief of Ioannis Kiriazis; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 4803. A bill for the relief of Atkinson, Haserick & Co., Inc.; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 4804. A bill for the relief of Anthony Casamento; to the Committee on Armed Services.

By Mr. GARMATZ:

H.R. 4805. A bill for the relief of certain individuals; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 4806. A bill for the relief of Key Sun Ryang; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 4807. A bill for the relief of Rubena Unice Richards; to the Committee on the Judiciary.

By Mr. HERLONG:

H.R. 4808. A bill for the relief of Patrick H. Lane; to the Committee on the Judiciary.

H.R. 4809. A bill for the relief of Mrs. Wilifred S. Shirley; to the Committee on the Judiciary.

H.R. 4810. A bill to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on certain claims of Clayton B. Hellner against the United States; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.R. 4811. A bill for the relief of Stylianos Chatzimichalacis; to the Committee on the Judiciary.

By Mr. JONES of Missouri:

H.R. 4812. A bill for the relief of Georgios Georgostathis and Maria Georgostathis; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 4813. A bill for the relief of Marton Berkovics; to the Committee on the Judiciary.

H.R. 4814. A bill for the relief of Celes W. White; to the Committee on the Judiciary.

By Mr. KLEPPE:

H.R. 4815. A bill for the relief of Faith M. Lewis Kochendorfer and others; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 4816. A bill for the relief of Shahrbanou B. Estakhry to the Committee on the Judiciary.

H.R. 4817. A bill for the relief of Josette N. Olivi; to the Committee on the Judiciary.

By Mr. LANGEN:

H.R. 4818. A bill for the relief of O. P. Becken; to the Committee on the Judiciary.

H.R. 4819. A bill for the relief of Ralph W. Heneman; to the Committee on the Judiciary.

H.R. 4820. A bill for the relief of Sylvan H. Miller; to the Committee on the Judiciary.

H.R. 4821. A bill for the relief of Arnold E. Remmen; to the Committee on the Judiciary.

By Mr. McDONALD of Michigan:

H.R. 4822. A bill for the relief of Mrs. Nazar I. Abu-Merta; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 4823. A bill for the relief of Dr. Manohar U. Hasrajani to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 4824. A bill for the relief of Rocco Alfonzetti; to the Committee on the Judiciary.

H.R. 4825. A bill for the relief of Fayez Khanji to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 4826. A bill for the relief of Achille Buonapane; to the Committee on the Judiciary.

H.R. 4827. A bill for the relief of Marie G. Ewerton; to the Committee on the Judiciary.

H.R. 4828. A bill for the relief of Vincent Finn; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 4829. A bill for the relief of Rosario Buttitta; to the Committee on the Judiciary.

By Mr. ROTH:

H.R. 4830. A bill for the relief of Peter Drossos; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 4831. A bill for the relief of Jesus T. Kangleon; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 4832. A bill for the relief of Cecil Dominique and his wife, Psyche Dominique; to the Committee on the Judiciary.

By Mr. SCHNEEBELI:

H.R. 4833. A bill to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 4834. A bill for the relief of Dr. Cenon Q. Baltazar; to the Committee on the Judiciary.

H.R. 4835. A bill for the relief of Mrs. Lui Kwong-Sung Ng; to the Committee on the Judiciary.

H.R. 4836. A bill for the relief of Epa A. Onate; to the Committee on the Judiciary.

H.R. 4837. A bill for the relief of Ibrahim Hassan Sadek; to the Committee on the Judiciary.

H.R. 4838. A bill for the relief of Mrs. Joanna Ryten Zund; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

On Cutting the Budget

EXTENSION OF REMARKS

OF

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 2, 1967

Mr. WALDIE. Mr. Speaker, as a relatively new Member of Congress, I have been deluged with proper communications from my constituents urging that the budget be cut in a material way. Perhaps the questions I am asking will seem naive to my more experienced and learned colleagues, but I am confused in seeking to find a proper answer to their suggestions.

I note that $76 billion is budgeted for national defense. Are there many of my colleagues that believe significant cuts can be made in this portion of our proposed expenditures?

Fourteen billion dollars is needed to meet the interest on our public debt. I cannot conceive of any economies there.

Some $6.7 billion is assigned to veterans programs. Our present level of service to the veteran is too low, and certainly we cannot find much to slash there.

There is $3.2 billion set aside for agricultural programs and subsidies. Perhaps we can cut here but I suspect there are not enough votes to cut more than a token amount, if any.

The space program proposes an expenditure of $5.3 billion. I would be willing to vote for economies in this area but I doubt that many citizens would want to see a major reduction in that national effort.

Some $2 billion will be spent for elementary and secondary education. If we cut this program, the local property tax will have to pick up the price tag and I think that is undesirable.

We could eliminate the entire poverty program, though I personally would believe that action to be unwise. Even if we were to be so shortsighted as to discontinue this valuable assistance to our beleaguered cities, we would only reduce the entire budget by $1.9 billion, hardly a sufficient amount to balance it.

I have covered about 90 percent of the budget in the above items. The remaining portion deals with items such as programs to control pollution, prevent floods, reclaim unusable lands; or public health research into cancer, heart disease, and strokes—or the new program designed to combat crime. None of these areas seem too fruitful as services that should be discontinued.

What, then, Mr. Speaker, is the answer that a new Member seeking to be responsible and not wishing to be a demagog, replies to the constituents demanding a major slash in Federal spending?

Fino Introduces Bill To Extend Medicare Benefits to the Disabled

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 2, 1967

Mr. FINO. Mr. Speaker, today I have introduced legislation to make all those persons receiving disability social security payments eligible for medicare.

One of the most heartening pieces of legislation passed by the 89th Congress was medicare. This year, I expect another milestone piece of legislation to be passed—the proposed social security hike.

For my part, I would like to see social security and medicare even more closely tied together. I think that it is not enough to make persons eligible for medicare at age 65. I believe that those persons who are receiving social security disability payments ought to be made eligible for medicare.

Surely there can be no dispute about their need—that need is obvious. Very few of those receiving social security disability payments have other financial resources. Medicare would be a boon to them.

Tribute to Retiring Secretary of Commerce, Hon. John T. Connor

EXTENSION OF REMARKS

OF

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 2, 1967

Mr. GARMATZ. Mr. Speaker, although the past 2 years have been hectic and at times frustrating for my committee and the maritime industry, they have also been gratifying and rewarding ones because of the opportunity to work with talented people like John T. Connor, who has just retired as Secretary of Commerce.

I personally felt keen disappointment and regret at the news of his departure, and would like to voice my respect and admiration for this dedicated public servant.

John Connor's extensive knowledge, skill, and know-how were combined in a unique blend of leadership, which steered America's commerce through two trying but outstandingly successful years. No one regrets his departure more than I. As chairman of the House Committee on Merchant Marine and Fisheries, I have worked closely with Mr. Connor; together, we have wrestled with the complex problems of the troubled maritime industry, and I have been impressed with his vast knowledge and ability to understand and his eagerness to help.

These keen powers of perception are especially important now, when America's ailing merchant marine faces such critical times. Although I am reluctant to see him go, I want to wish Mr. Connor the best of success in his new endeavors.

As to the new Acting Secretary of Commerce, Alexander B. Trowbridge, I congratulate him upon his appointment and extend to him my personal wishes for a brilliant career. I understand that our new Secretary is only 37, and I think this is in itself indicative of great talent and ability. Mr. Trowbridge's past experience as Assistant Secretary of Commerce for Domestic and International Business will no doubt be invaluable to him in his new important post.

I earnestly hope that the new Secretary will—like Mr. Connor—develop an interest in and understanding of our maritime industry, which plays such a vital role in our Nation's commerce.

Toward this end, I pledge close cooperation of my committee which will avail itself of every opportunity to make Mr. Trowbridge's task an easier one. As for myself, I will take advantage of every opportunity to work closely and harmoniously with Mr. Trowbridge, as we work together toward the common goal of stimulating and expanding America's vital business of commerce.

Vietnam Servicemen and Veterans' Act of 1967

EXTENSION OF REMARKS

OF

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 2, 1967

Mr. WILLIAM D. FORD. Mr. Speaker, I want to express my wholehearted support for President Johnson's proposed Vietnam Servicemen and Veterans' Act of 1967, which he so effectively presented this week in a message to Congress.

I was equally enthusiastic in my support of the so-called "cold war GI bill of rights" adopted by the 89th Congress. At that time, I advocated that the bill include even more liberal provisions for returning veterans than those recommended by the administration.

With more and more of our young men being drafted to serve their country in this time of need, I am pleased to see that the President agrees with me that today's veterans are entitled to the same benefits as those given the veterans of World War II and the Korean war. The conflict in Vietnam is obviously no longer a cold war. It is a very hot war indeed for the nearly 500,000 Americans now serving there.

These young men are giving up some of the most important years of their lives in the service of their Nation, and we certainly owe it to them to make their transition back to civilian life as orderly and effective as possible.

As a World War II veteran who took advantages of the original GI bill of rights to obtain a college education and law degree, I am fully aware of the great benefits that this program brings to a young man whose life has been disrupted by military service.

The basic idea of the GI bill program is to hasten the readjustment of veterans to civilian life, through education, job training, medical benefits, and financial aid in purchasing a home.

On the basis of past experience, following World War II and Korea, every dollar spent in these efforts is returned many times over in the form of income tax payments, since the GI bill programs enable veterans to further their education and improve their job skills, and thus earn far better incomes.

The President pointed out in his message to Congress that some 20 percent of today's veterans have not completed high school. I heartily support the President's plan to encourage these young men to complete their high school educations and take refresher courses, if necessary, so that they can enter college.

The President's program includes other fair and sensible liberalizations of benefits for servicemen and veterans, including life insurance, pensions, wages, education expense allowances, and other fringe benefits.

President Johnson said in his message:

> No act of Government, and no legislative proposal can ever repay the Nation's debt to these brave men.

I certainly concur in this statement. But I believe that a grateful nation should make every effort possible to repay this debt. There is no better way to do this than to help prepare these young men in every way for a happy, prosperous, and satisfying life. In this way, we assure the veterans of yesterday, today, and tomorrow that we do recognize their efforts and sacrifices, and that we do appreciate what they have done in defense of their Nation and of freedom.

I join with President Johnson in asking for prompt enactment of this legislation.

Westwood Student Wins Honors

EXTENSION OF REMARKS

OF

HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 2, 1967

Mr. WIDNALL. Mr. Speaker, too often when we read of the activities of today's youth, as cited in the newspapers, magazines, and other press media, they are accounts of juvenile delinquency, drug addiction, LSD parties, and the like. I am pleased, therefore, to bring to the attention of my colleagues, the accomplishments of one of my constituents, Miss Marilyn Maxine Richmond, a senior at Westwood High School, in Westwood, N.J., and a student who has maintained a high degree of excellence in her studies and in her extracurricular activities. Marilyn has taken part in a National Science Talent Search aimed at discovering high school seniors who have the potential to become the research scientists of the future. She has achieved, for her "Study of Three Mutations in the Mouse Which Produce Disproportionate Dwarfism," placement in the honors group of the search, which is earned by only 10 percent of those who enter and is considered as evidence of science ability and interest which can be taken into consideration by colleges and universities in admissions and in the granting of scholarships.

Marilyn, in her pursuit of knowledge, does not restrict herself to school work alone, but takes advantage of the extracurricular activities available to her through her school and her community. She belongs to the Westwood High School Science and Mathematics Clubs and is a Girl Scout. She has also entered projects in Westwood's local science fair.

The recognition that the National Science Talent Search has granted to Marilyn will undoubtedly take her far in her desire to be a biologist or a college professor, and I am sure that all of my colleagues in the House will join me in congratulating Marilyn on her achievement and wishing her the best of luck in her future endeavors.

The Kee Report—Federal Funds for Scientific Research

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 2, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include this week's public service television and radio newscast, "The Kee Report." The subject discussed is "Federal Funds for Scientific Research."

The report follows:

THE KEE REPORT—FEDERAL FUNDS FOR SCIENTIFIC RESEARCH

This is Jim Kee bringing you the Kee Report. The role played by Federal funds in promoting the advancement of science is perhaps the least understood function of the national Government. Many people wonder why the government is engaged in this work at all. The answer is that failure to do so would imperil the security of the United States.

In this brief talk, I would like to review with you the highlights of one of the most important programs our government has ever undertaken. The space exploration program brought the scientific activities of the Government to the attention of the American public in dramatic fashion. But actually the work has been going on for 25 years—during which time Federal funds have contributed to important scientific discoveries.

At the end of World War II, there were virtually no Federal Government funds for research and development apart from the military. In the brief time since then, Congress has pioneered by creating 5 major agencies whose purpose it is to keep this country in the van of scientific knowledge. The Government is currently spending more than 15 billion dollars a year on these actitvies. The prospects are that this sum will increase.

A large portion of this research money is spent by the military and the Atomic Energy Commission in keeping our military establishment up-to-date. But the Government is also devoting large sums to the improvement of health and education and other peace-time activities.

I believe most Americans are proud of our space program which may succeed in landing a man on the moon before too many years have passed. However, the space program is severely criticized by many well meaning citizens who believe the money might better be spent elsewhere. They believe it would be more appropriate to employ these sums in cancer research or in widening the war on poverty.

The answer is that the United States is engaged in the space race up to the hilt because it cannot afford to do otherwise. Military men have warned that whoever controls outer space will control the earth. The only other nation engaged in space activities at this time is Soviet Russia. If our nation abandoned the space race, we would abandon the cause of liberty for ourselves and we would abandon the rest of the free world as well.

However, the view that nothing practical will result from the space race is entirely wrong. On the contrary, the knowledge gained by this effort will make substantial contributions to everyday living. Already scientists engaged on the program have come up with the strongest plastic ever developed for resisting extremes of heat and cold. In future years, this new substance will have wide-spread domestic uses. The space race will also increase our knowledge of what causes weather disturbances, something which will be of great value to the nation's farmers.

The National Institutes of Health are supervising a vast inquiry into the cause and cure of disease. When the final results are in, I believe this program will prove as important as the space race.

In promoting scientific research, our Government is cooperating with private enterprise and private educational institutions. This partnership will accomplish great things for the future of the American people.

Thank you for listening.

Hon. Winfield K. Denton Honored at Luncheon With Gift of Letter Album

EXTENSION OF REMARKS

OF

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 2, 1967

Mr. JACOBS. Mr. Speaker, the following speaks for itself, just as the Honorable Winfield K. Denton has spoken so eloquently and effectively for the Eighth Congressional District of Indiana and all the people of this Nation for so many years.

Mr. Denton first came to Congress in 1949, a freshman Member of the 81st Congress, along with my father. The esteem and affection with which Mr. Denton is regarded by his colleagues mounted steadily through the years.

Today, a number of Mr. Denton's friends gathered at a luncheon to honor him. The following letters, presented to him in album form, are a measure of the respect and affection which all who knew him held for Mr. Denton:

THE WHITE HOUSE,
Washington, January 31, 1967.

Hon. WINFIELD K. DENTON,
House of Representatives,
Washington, D.C.

DEAR WINFIELD: I would like to join with the Indiana Society and all your other colleagues as they pay tribute to a great Congressman, model public servant, good Democrat, and loyal friend.

The people of the Eighth District will miss you—as will all who have met and known you.

Your dedication to the people of Indiana, throughout the forty productive years of your career, are an inspiring example of unswerving devotion to the public good.

You have been a credit to the cause of responsible, progressive government and to the Congress, the State, and the Party you have served so long and so well.

Sincerely,

LYNDON B. JOHNSON.

THE VICE PRESIDENT,
Washington, January 31, 1967.

Hon. WINFIELD DENTON,
Evansville, Ind.

DEAR WINFIELD: When the ballots are counted after each election, one always feels a sense of loss in seeing some of his friends go down to defeat through redistricting or some other factor beyond his control. This is particularly true in your case. We entered the Congress together, and I have always had a special feeling of communion with those who were a part of that class.

I can well remember Winfield Denton as one of the bright lights among the new members in the 81st Congress. Your record of public service has amply demonstrated your tenacity and your skill. Your many contributions have strengthened our nation and given us increased pride in our party. Yes, you have served your nation well—both in war and peace.

We wish you well in the years ahead. May you find time for reflection and enjoying the precious blessings of family and friends. I feel honored to have shared in your friendship and to have served with you.

Sincerely,

HUBERT H. HUMPHREY.

THE SECRETARY OF THE INTERIOR,
Washington, January 31, 1967.

Hon. WINFIELD K. DENTON,
House of Representatives,
Washington, D.C.

DEAR WINFIELD: I regret very much that I cannot be with you for your reception on February 2, but, as you know, I will not be in the country.

There just simply are no words at my command to express to you my very deepest and heartfelt appreciation for all your unstinted cooperation with this department, not only during your tenure as chairman of our subcommittee, but during all your years of service in the Congress. Winfield, I'm speaking for everyone in this department when I say to you that no chairman could have helped our conservation efforts more than you.

You know that you have the very warmest wishes for everything good in life from Lee and me.

Very sincerely,

STEWART L. UDALL,
Secretary of the Interior.

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., January 30, 1967.

Hon. WINFIELD K. DENTON,
Washington, D.C.

DEAR WINFIELD: During your years as a Member of the House of Representatives in Congress, you have rendered outstanding service for the people of your district, your state, and for our country. I feel very sorry that the great service that you have rendered has been terminated as a result of the last election, which termination I sincerely hope will only be temporary.

I have a profound respect for you and deep appreciation of your dedication to public service. I also entertain for you a strong feeling of friendship, which has grown up between us during the years that we have served together in the National House of Representatives. You are justified in feeling proud of the great record you have made in behalf of the people, as well as in behalf of our country.

I wish for you every future happiness and success.

With kind personal regards, I am,

Sincerely yours,

JOHN W. MCCORMACK,
Speaker of the House of Representatives.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 30, 1967.

Hon. WINFIELD K. DENTON,
c/o Honorable Andrew Jacobs, Jr.,
U.S. House of Representatives,
Washington, D.C.

DEAR WINFIELD: I appreciate the opportunity afforded me by Congressman HAMILTON and Congressman JACOBS to tell you how very much I will miss your wise counsel in the halls of the House of Representatives.

Since you first came to the House in the 81st Congress, I have valued your friendship and your judgment and have admired the dedicated and devoted way you have served the interests not only of the people of the Eighth District of Indiana but also the interests of the entire country. As chairman of the Subcommittee on the Department of Interior and related agencies of the Committee on Appropriations, you have contributed immeasurably to the welfare of our country. Thanks for the many things you have done for me and for the people I represent.

It has been a pleasure to work with you over the years. I hope you will accept my best wishes for the future.

Sincerely,

CARL ALBERT,
Majority Leader.

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC WHIP,
Washington, D.C., February 1, 1967.

Hon. WINFIELD K. DENTON,
Washington, D.C.

DEAR WIN: It is a honor to join with our colleagues in saluting you for your many years of distinguished service in the House. I am pleased to commend you for the fine record of public service which you achieved for your State and our Nation.

In sixteen years in the House, your service was marked by the highest measure of devotion to your District, State and Nation, and I am proud of you and your good works. The dedicated spirit with which you did your work here has left this House a finer institution of our government, and you are most deserving of this tribute by our colleagues today.

Through your exemplary service in the House, you have brought honor and credit not only to yourself and your family, but also to the people of the Eighth District of Indiana and to the whole State. Your constituents are to be commended for their wisdom in selecting you to serve them for many years.

Personally, I wish to thank you for the splendid help which you provided to me, to Speaker McCormack and Congressman Albert, as Assistant Whip for your State. We are most grateful for your consistent and ready advice and counsel.

Mrs. Boggs joins me in congratulating you for your exemplary public service, both here in the House and in your State, and wishing for you many more years of health, happiness and fruitful endeavor.

Sincerely,

HALE BOGGS.

U.S. SENATE,
COMMITTEE OF COMMERCE,
February 2, 1967.

Hon. WINFIELD DENTON,
U.S. House of Representatives,
Washington, D.C.

DEAR WINFIELD: You were my Congressman, Winfield, even before I was your Senator.

Never was I more proud of you or more impressed with the depth of your knowledge and the esteem of your colleagues than when I, myself, came to join you in these halls. Your dedication to your constituents, to our country, to its way of life and to the cause of free men has left a mark on all who know you.

We miss your guidance and counsel, your help and your advice. We miss not having you around.

I, for one, feel richer, better and more capable for having served with you and having learned from you. No one in the delegation will miss you more than your one constituent in the group. You and Grace deserve a little respite, though, and we wish you well.

Sincerely,

VANCE HARTKE, *U.S. Senator.*

U.S. SENATE,
COMMITTEE ON PUBLIC WORKS,
January 31, 1967.

Hon. WINFIELD K. DENTON,
Washington, D.C.

DEAR WINFIELD: Indiana and the nation will be poorer without your firm, guiding hand in Washington. I know that the loss to me in not having you, as friend and adviser, ever-present in the national capital will be one I will feel for a long time to come.

The influence and the accomplishments you leave behind you here will help our fellow Hoosiers for many years. The monument to the man is seen throughout the State of Indiana—productive farmlands, no longer surged by floods; the George Rogers Clark National Park; dams and reservoirs dotting the map of Indiana providing jobs, recreation and conservation are contributions people will long remember.

We expect to see you often in Washington in the years ahead, Winfield. Among us, you will always be welcomed and revered.

With my warmest personal regards, I am,

Sincerely,

BIRCH BAYH.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 31, 1967.

Hon. WINFIELD K. DENTON,
House Office Building,
Washington, D.C.

DEAR WINFIELD: I could write fourteen pages about the record and virtues of Winfield Denton, about my esteem and admiration for him. I will make it short with the hope that what I say will be more impressive.

Winfield Denton in my book is the greatest!

Sincerely,

GEORGE MAHON.

CONGRESSIONAL COLLEAGUES EXTEND TRIBUTE TO CONGRESSMAN WINFIELD K. DENTON AT RAYBURN BUILDING LUNCHEON, FEBRUARY 2, 1967

(Message from Congressman RAY J. MADDEN, First District, Indiana)

Congressman Winfield K. Denton has, for sixteen years, ably served the Eighth Congressional District in the United States Congress. I had the pleasure and honor of serving with him during this period of time. He had given to his constituents outstanding service not only in the legislative field, but has complied with all their numerous requests and devoted his time and efforts to improving his Congressional District, the State of Indiana, and our Nation.

Most of his adult life has been spent as a public servant, having been prosecutor of Vanderburgh County and having served three terms in the Indiana State Legislature at which time he was honored as being elected Minority Leader and Caucus Chairman. He also served on the State Budget Committee under Governors Townsend and Schricker.

In World War I he was an aviator thus having the rare distinction of having served in two world wars . . . World War I as an aviator and World War II as a Major and Lieutenant Colonel.

The people of the Eighth Congressional District can indeed be proud of the public service record made by this able and illustrious Hoosier Congressman. His colleagues have known him as an honest, conscientious and dedicated legislator. He has made a host of friends in the House of Representatives as well as in the Senate and the various governmental departments of our nation.

The Indiana Congressional Delegation and his many friends in Washington regret to see Winfield leave the House of Representatives but we all wish him many years of good health and further public service to his community, state and nation.

RAY MADDEN.

HOUSE OF REPRESENTATIVES,
Washington, D.C., February 2, 1967.

Hon. WINFIELD K. DENTON,
Washington, D.C.

DEAR WINFIELD: I want to add my own to the many tributes being paid you on your many years of service in the Congress of the United States.

One of the aspects of your career that has always deeply impressed me has been your continuing dedication to the principal purposes of the Democratic party. From your important assignment on the House Committee on Appropriations, you helped make possible a richer, fuller life for millions of Americans and I am sure that this knowledge must give you the deepest satisfaction.

I count it an honor to have served with you in the House of Representatives for eight years, and I wish you and Grace all good things.

Sincerely,

JOHN BRADEMAS,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 2, 1967.

Hon. WINFIELD DENTON,
Evansville, Ind.

DEAR WINFIELD: Those of us who have served with you through the years have an affection for you which has deepened as the years have gone by. I know that I have personally appreciated the advice, the council, and the example you have provided for me. You expressed concern for my problems when I went through some very trying and tedious times.

How can I ever forget your unfailing support during the time of my recount? It spoke clearly of a personal friendship which I shall always covet.

You have provided an example for those of us whose service in the Congress is relatively new. Not only your District owes you a debt of gratitude but your state and the nation itself should be grateful for your tireless and unselfish service.

We miss you in the Congress. We all share the hope and desire that the coming years will treat you kindly and that God will look after you and your family and shower you with his richest blessings.

With warm personal regards, I remain,

Yours sincerely,

J. EDWARD ROUSH,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 1, 1967.

Hon. WINFIELD K. DENTON,
House of Representatives,
Washington, D.C.

DEAR WINFIELD: I am especially pleased to add this note of tribute to your record of service to your district, your state and your country.

The public improvements which you have brought to your district and your record of achievement with the House Appropriations Committee are far more impressive tributes to your years of service than any words of mine, however.

I have had many, many personal testimonials to your concern for your constituents from Clark County residents. You are known throughout Indiana as the man who saw to the needs of his constituents.

It is the hope of all of us I'm sure, that you will continue to express your concern, and to give us your advice and support in working for a greater Indiana.

Meanwhile, all my best wishes for health, happiness and success in whatever course you choose to take.

With fondest regards,

LEE H. HAMILTON.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 1, 1967.

Hon. WINFIELD K. DENTON,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. DENTON: Our friendship goes back only to 1949, but that was one-half my lifetime ago. I was 17 then and because of your kind friendship for my father I came to love you as a part of our family.

"Grace and Winfield," my father often has said "are saints."

Since I've got to know you better as a result of the honor of serving with you in the Congress, my admiration for your kindness and ability has grown more and more.

I wish you every happiness in the future and just as you became my father's extraterritorial Congressman in the fifty's, I should be honored to be that for you and Grace for such time as I may remain in Washington.

Sincerely,

ANDREW JACOBS, Jr.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 1, 1967.

DEAR WIN: I'm just sorry that some time ago I committed myself to play host at a luncheon on the day I now learn has been set for a farewell luncheon in your honor.

As a couple of Hoosiers who have been around the Congress for a number of years, you on your side of the aisle and I on mine, the record will show that we had honest differences from time to time on legislative issues.

As far as that's concerned, I wouldn't want it otherwise, and neither would you.

But I have counted it a privilege to know you not merely as a colleague but as a warm friend from Indiana who has shared with me this business of bouquets and brickbats which come our way in this difficult business of being a public servant.

May the years ahead be good ones for you, Win, in all ways. You have earned them.

Sincerely,

CHARLES A. HALLECK.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 31, 1967.

Hon. WINFIELD DENTON,
202 Court Building,
Evansville, Ind.

DEAR WINNIE: I'm very sorry I cannot be present at the luncheon in your honor but I did want to send this personal note.

In your long years of service in the Congress you, like all of us, have seen colleagues defeated and thereafter retire from the public life to which they have given their time and devotion. You know, too, that the way a man is remembered in the Congress is not necessarily measured by whether he made the headlines or became a national figure. Rather, when we think of someone who no longer serves among us in the House, we put aside party lines and partisan differences, and we consider the whole man—our friend, our colleague—and how he carried himself in the halls of Congress.

Was he true to his convictions and to himself? Did he render honest and faithful service to his constituents? Had he always given his very best for his District, his State and his country? Did he reflect credit on the Congress of the United States, and did he leave public life with the same dignity and nobility with which he had served?

For you, Winnie, our friend, the answer to all of these questions is a clear, ringing "Yes!" and those of us who know you and are proud to call you our friend will always testify to this fact. We wish you well, and that you may find, always, the very best life has to offer. This is only fitting for a man who has always given the very best he could.

Best wishes, always,

WILLIAM G. BRAY.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 1, 1967.

Hon. WINFIELD K. DENTON,
Washington, D.C.

DEAR WINFIELD: I was pleased to receive the invitation to the reception in your honor and hope to see you there.

Believe me, I have enjoyed our acquaintanceship during the time we have both served in the Congress. I hope that you are now able to relax, take things easy, and enjoy life.

With kind personal regards.

Sincerely,

ROSS ADAIR.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 2, 1967.

Hon. WINFIELD K. DENTON,
Evansville, Ind.

DEAR WINNIE: I am pleased to join your colleagues in wishing you every happiness as you begin your retirement in Indiana.

I hope that you and Mrs. Denton will have many more years together among your old friends and neighbors. I certainly wish you all of the very best.

Sincerely,

RICHARD L. ROUDEBUSH.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 2, 1967.

Hon. WINFIELD K. DENTON,
℅ The Honorable Andrew Jacobs, Jr.,
234 Cannon House Office Building,
Washington, D.C.

DEAR MR. CHAIRMAN: It is not a difficult thing for me to address you as Mr. Chairman. I will always think of you in those terms.

I know well what long hours of service you have given to the American people. Through sixteen years, you worked here in the very heart of the greatest Government of the world and did much of that work on the most important Committtee of the Congress.

For myself personally, there will always be a particularly warm spot for a kind and thoughtful friend who always was willing to sit with me, to discuss the problems which I felt should be discussed, and to offer help when I needed help. I know that all of us in Congress will miss your wise presence. I personally will miss it greatly.

I am sure that you will come back often to visit your many friends here on the Hill. I would certainly consider it a great privilege to have you think of me as a long time friend and I hope you will always come by the office when you are in town.

My best regards, as always,

Sincerely,

JOSEPH M. MCDADE,
Member of Congress.

U.S. DEPARTMENT OF THE INTERIOR,
OIL IMPORT ADMINISTRATION,
Washington, D.C., February 2, 1967.

Hon. WINFIELD K. DENTON,
Evansville, Ind.

DEAR WINFIELD: **From Starlight to Bethlehem, Utica, Memphis and Jeffersonville,** "Thank God for Clark County." Clark County was always privileged to record its votes for one of Indiana's most illustrious and outstanding Congressmen, Winfield K. Denton. It was always a pleasure for me as one of the County Chairmen to campaign with you.

Every county, city and town in the Eighth District is brighter and more prosperous. It is evidence of your concern for their welfare. Your leadership has inspired us all. We have moved forward to improve our educational, public health and hospital facilities. Many of our communities have electricity, water, sanitation because you helped them. Repeatedly, we demonstrated our confidence in your ability to represent us. Our highways, bridges, airports, post offices, parks, forests all across southern Indiana stand better today, each one has been touched by your willingness to improve them.

Perhaps I know and can enumerate better than many for I, as your Congressional District Chairman, had the joy of sharing the victory ovation with you on so many election nights. We shall never forget the anxiety and momentary anguish when you appropriated for your trip home one time a young ladies auto in New Albany. Your record as a public servant to your district, State and nation will stand as a challenge for a long time for others to equal.

I, my family, Frances, Kathy and Pat are proud and happy to be friends of Winfield and Grace Denton.

May both of you enjoy good health and happiness always, I am,

Sincerely,

ELMER L. HOEHN,
Administrator.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 1, 1967.

Hon. WINFIELD K. DENTON,
202 Court Building,
Evansville, Ind.

DEAR MR. DENTON: Naturally, it is with regret that I direct this type of letter to you; however, I am sure that your many years of distinguished public service bring considerable happiness to you and your family when you reflect—particularly on occasions such as this—on your many accomplishments.

Having been privileged to serve in the House with you, and especially as a Member of the Subcommittee which you chaired, I am pleased that I could take part in giving tribute to you for your service on Capitol Hill.

Quite frankly, one of the aspects of your long career of public service that impressed me was the fact that in World War I you were among that small group of American pilots that flew for the AEF. I always enjoyed hearing you recount your service in France as an instructor in what was then the beginning of the Army Air Corps, that we know today as the Air Force. No doubt your service then is indicative of what would be a consistent pattern of civic achievements in later years.

With every good wish, to you, Mrs. Denton and members of your family, I am,

Sincerely yours,

JOHN O. MARSH, Jr.

U.S. DEPARTMENT OF AGRICULTURE,
FARMERS HOME ADMINISTRATION,
Indianapolis, Ind., February 1, 1967.

Hon. WINFIELD K. DENTON,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR WINFIELD: I am sorry that I will be unable to join with my other colleagues that served with you in the House of Representatives at your farewell party on February 2, 1967.

I would like to say what a great privilege it was for me to serve with you and how helpful you were to me. I know that your services will be greatly missed by the people of the Eighth District of Indiana. For having worked with you in the District, I know first-hand of all the accomplishments that you achieved. In fact, I have said many times that you have done more for your District than anyone else was able to do or will be able to do. I know the veterans of all wars will miss your great service because the veterans considered you a champion for their cause.

My wife joins me in wishing you and Grace many more happy years and a rest truly deserved.

If I can ever be of any service to you and your family, do not hesitate to call on me.

Sincerely,

EARL HOGAN,
Former Ninth District Congressman.

ANDERSON, IND.,
January 31, 1967.

Hon. ANDREW JACOBS,
1029 Longworth Building,
Washington, D.C.

DEAR CONGRESSMAN JACOBS: One of the truly great men that I have ever had the pleasure of knowing is our mutual friend, and former colleague, Winfield K. Denton.

Win Denton is a gentleman at all times, and was truly a servant of his people; he is a genuine liberal in every sense of the word. He was not what many refer to as a "professional liberal," as he believed in, the progressive and liberal program of the Truman, Kennedy, and Johnson Administrations. On many of the issues of the day he took the unpopular side, as far as his District was concerned, and voted his convictions, in spite of popular opinion. In time, these decisions took their toll.

Indiana and the Nation will miss Congressman Winfield K. Denton.

I join with all of his former Colleagues in paying my tribute to a truly great man and a good friend.

Sincerely,

JOHN R. WALSH.

JACOBS & JACOBS,
ATTORNEYS AT LAW,
Indianapolis, Ind., February 1, 1967.

Hon. and Mrs. WINFIELD K. DENTON,
Care of Hon. Andrew Jacobs, Jr.,
1029 Longworth Office Building,
Washington, D.C.

OUR DEAR FRIENDS: It is with regret that we are unable to attend the dinner given in your honor. Our absence denotes no lessening of our deep affection for you.

Through the long years you have come to comfort us when fate was unkind, and our good fortune has always made you happy. We hope we have, though we fear we have not, always openly responded, in like measure, though we assure you our hearts' sentiments were the same. These comments are to you, as the dear friends you always have been.

To you, Winfield, we express our deep admiration. You have been an effective statesman of keen understanding and deep concern for your people, (and mine—AJ Sr.'s). Grace has been your devoted and understanding companion through the dark, as well as the bright, days.

May you both find happiness and contentment in your retirement. This is the wish of two who love you both.

Sincerely,

JOYCE.
ANDY.

U.S. DISTRICT COURT,
SOUTHERN DISTRICT OF INDIANA,
Indianapolis, Ind., January 31, 1967.

Hon. WINFIELD K. DENTON,
Evansville, Ind.

DEAR WINFIELD: It gives me a great deal of pleasure to write to you on this occasion of the luncheon given in your honor by a group of your Washington colleagues. I know that you look with pleasure on the eight terms of Congressional service which you rendered to the citizenry of the 8th District and to the nation at large in the important position which you held in the United States Congress. I further know that you have the high personal satisfaction which comes from a job well done and a splendid contribution made.

My own service in the Congress was quite short in retrospect, however I have thought many times over the years since then of the splendid association which our new group had in 1948. I feel sure that you recall our trip to the White House early in 1949 with Ray Madden when he took all of the Indiana Congressmen to see President Harry Truman. I am certain you have many experiences which will continue to support you and keep your life full at this particular time.

With all best wishes, I am,

Very truly yours,

JAMES E. NOLAND.

INDIANA DEMOCRATIC STATE
CENTRAL COMMITTEE,
Indianapolis, Ind., January 30, 1967.
Congressman WINFIELD K. DENTON,
First Citizen Anywhere,
Eighth Congressional District, Ind.

DEAR CONGRESSMAN: Our country, our state, and our district are better places to live because of you. No one man has tried any harder to serve his fellow man with compassion, understanding, and responsibility as have you. To have had you as my own personal Congressman for 16 years, to have worked with you in many of those campaigns, and to have been a friend of yours during this period, has been one of the great experiences of my life. I rate it equally with my acquaintance with the great John F. Kennedy.

Your service to our Party is one that many of us younger in years, but perhaps not as youthful as you, will long hold as an example of devotion to our political faith and desire to serve the people. Our Party will always be better because of your being an intricate, active member of it.

The loss of your services as Congressman is partially offset by the fact that you will continue to serve the people and your Party. We gratefully acknowledge and sincerely extend appreciations for your services, but enthusiastically request your continued presence and activity among us.

Your friend,

GORDON ST. ANGELO,
Chairman.

STATE OF INDIANA,
DISTRICT OF COLUMBIA OFFICE,
Washington, D.C., January 30, 1967.
Hon. WINFIELD DENTON,
4818 Chevy Chase Boulevard,
Washington, D.C.

DEAR WINFIELD: The State of Indiana lost in the 1966 election more than just a congressman. It lost the man who was acquainted with the needs and the problems of his congressional district, and a man who had given for years his best thought and sincere judgment to the problems of that area.

History will record our great congressmen, and your name will be high on the list. I know that the improvement of the Ohio River, the new locks and dams, will be a living memorial of your efforts and your concern for the future of the southern part of Indiana, as well as the many other projects that you so successfully sponsored in your area. It matters so little what a person has to say about your wonderful record as a congressman. Your work will speak for itself.

Representing Governor Roger D. Branigin and the State of Indiana in Washington, I would like to express my appreciation to you for the untiring efforts on the behalf of the entire state. I want to thank you, Winfield, for the many bits of kindness you have extended to me, as an individual, and as the representative of the governor.

I look forward to the future, and I am counting on your help and your advice to make my efforts here more worthwhile. May we all continue to enjoy your advice and counsel.

Kindest personal regards to you and your wife. May the roads of the future be real bright.

Sincerely,

GEORGE D. GETTINGER.

JANUARY 30, 1967.
Hon. WINFIELD K. DENTON,
Washington, D.C.

DEAR WINFIELD: I am pleased to have the opportunity to express to you my appreciation for the assistance you have given to me and the contributions you have made through the years I have been privileged to work with you. I regret that I will not be able to be with you on Thursday to personally thank you.

Your service to your District, our State and our Nation will always be remembered. I join countless of your friends to say thank you not only for what you have done for each of us individually but also for the many who have benefited from your vision and energy. In the years ahead, the value and magnitude of your efforts will continue to grow. I have been rewarded by having had the good fortune to work with you and for you on many occasions.

My wife joins with me in wishing you and your family many well-deserved years of happiness together.

Sincerely,

RICHARD B. STONER.

Hon. WINFIELD DENTON,
Washington, D.C.

DEAR MR. DENTON: May I too congratulate and compliment you on the tremendous job that you did for the Eighth District while serving in the United States Congress. Your dedication to the Eighth also extended into the Ninth District as well as the entire State of Indiana.

My sincere wishes for your future success, as well as health and happiness to both you and your wife.

Sincerely,

BILL GOEN,
Ninth District Chairman.

INDIANA STATE DEMOCRATIC
CENTRAL COMMITTEE,
January 30, 1967.
Hon. WINFIELD DENTON,
Evansville, Ind.

DEAR MR. DENTON: I join with your many friends in the Eighth Congressional District in congratulations and wishing you continual health and success.

Mr. Democrat of the Eighth District, working with you throughout these years, has been, not only, inspirational but rewarding.

Thanking you always.

Sincerely,

ED.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
COMMITTEE ON APPROPRIATIONS,
Washington, D.C., January 30, 1967.

DEAR MR. DENTON: As Chairman of the Interior and Related Agencies Subcommittee, and ranking member of the Labor, Health, Education and Welfare Subcommittee, your contributions to the operation of House Appropriations Committee have been most significant.

I am sure it is a great satisfaction to you to know that you have had an important role in building a better America.

On behalf of myself and the other members of the Committee Staff with whom you have worked, I extend best wishes for good health and good fortune in all of your future endeavors.

Sincerely,

KENNETH SPRANKLE,
Clerk and Staff Director.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
COMMITTEE ON APPROPRIATIONS,
Washington, D.C., February 2, 1967.
Hon. WINIFRED K. DENTON,
House Office Building,
Washington, D.C.

DEAR MR. DENTON: I expect you would remember something that Mr. Cannon said at the luncheon you and the other Members of the Committee gave on the occasion of his 80th birthday anniversary. I recall—like it was only yesterday—his statement that he and Mrs. Cannon agreed that they would not trade the 70–80 decade for any of the other seven of his full and rewarding life.

I hope you may find that also to be your reflection ten years from now.

On his ninetieth birthday, Chief Justice Holmes said that the riders in a race do not stop short when they reach the goal. There is a canter before coming to a standstill. There is time, he said, to hear the kind voice of friends—and to say to one's self, "The work is done". But he hastened to add that just as one says that, the answer comes: "The race is over, but the work is never done while the power to work remains."

Mr. Denton, I want, in so small a way, to repay you for your kindness to me. Kindness is a great Christian virtue—and it is one of yours.

With every good wish.

Sincerely,

PAUL WILSON.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, COMMITTEE ON APPROPRIATIONS,
Washington, D.C., January 31, 1967.
Hon. WINFIELD K. DENTON,
Evansville, Ind.

DEAR MR. DENTON: Along with many others on Capitol Hill, I regret that you will not be back with us as a Member of Congress. Certainly, the Subcommittee on the Departments of Labor, and Health, Education and Welfare will miss you. It will miss you both for your conscientious hard work that contributed so much to the efficient conduct of the Subcommittee's business, and your pleasant personality that contributed so much toward making the conduct of that business a pleasant endeavor.

There are many incidents in connection with committee business in which we both participated that will be good memories for me always. For instance, I will always remember the trip to California and Texas that John Fogarty, you, and I took in 1960—the long days visiting government offices, Mexican farm labor camps, etc., and the pleasant evenings with a good dinner, a few drinks, and, best of all, good company. I am still retelling some of your Texas stories.

But this could go on for pages.

I hope that you and Mrs. Denton enjoy a great many years of good health and enjoyment together, and that our paths will cross frequently.

Most Sincerely,

ROBERT M. MOYER,
Clerk, Labor-HEW Subcommittee.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, COMMITTEE ON APPROPRIATIONS,
Washington, D.C., January 30, 1967.
Hon. WINFIELD K. DENTON,
Evansville, Ind.

DEAR MR. CHAIRMAN: One of the greatest rewards one can achieve is to have the respect and genuine friendship of his associates.

In this respect, I would say you have been most successful. The various individuals who have come to know you through the "appropriation process" invariably voice the phrases "good guy", "hard worker" or "a real square shooter" when referring to you.

Our association during the past two years has been most pleasant and rewarding to me. No staff member has ever had a more understanding and considerate Chairman.

Best wishes and good luck in your future endeavors. You have worked long and hard—I hope you will take time to relax and enjoy life.

Sincerely,

George Evans,
Staff Member.

Mead Johnson & Co.,
Evansville, Ind., January 30, 1967.

Hon. Winfield K. Denton.

Dear Winfield: I am most happy to join with your many friends in honoring you for your long and faithful service to the people of the 8th District, Indiana and the Country.

We are all well aware of your great contributions. But I most particularly remember the great assistance you rendered to the City of Evansville when I was heading the community development program. Your leadership and contributions on behalf of Evansville and the 8th District will long be remembered. And you helped make life a little better for so many who will never know that you were responsible.

I wish you well in your new venture into the practice of law. May your days be just as fruitful in the future as they have been in the past.

Cordially,

William G. Greif.

The Indianapolis News,
Washington, D.C., February 2, 1967.

Hon. Winfield K. Denton,
The Rayburn Office Building,
The Capitol, Washington, D.C.

Dear Winfield: Some ancient Greek once observed that it is not the places that grace men, but men the places. You "graced" Congress and made it a much more pleasant place to cover for working stiffs, like myself, in the press.

To say we shall miss you would be an understatement. One just doesn't live his working days and abruptly end such relationships without long pauses of regret. I particularly appreciate your many kindnesses, generally coupled with considerable patience, over the 14 years I've been in Washington.

I'm sure whatever you plan for the future will be successful. And if you should have any news releases please remember my deadlines are 12 noon and 2 p.m., and I won't try to beat your hometown Evansville papers.

Best of everything to you and your Grace.

Sincerely,

Lou.

Letter from Secretary Rusk to Student Leaders

EXTENSION OF REMARKS
OF

HON. ABRAHAM J. MULTER

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 2, 1967

Mr. MULTER. Mr. Speaker, amid the increasing speculation about the possibility of a peaceful solution to the war in Vietnam, the Secretary of State, the Honorable Dean Rusk, has made our position in this matter perfectly clear.

In a January 4, 1967, letter to student leaders the Secretary again reiterated our desire to meet with the opposing side to determine whether grounds for peace do, in fact, exist.

I commend the Secretary's letter to the attention of our colleagues:

LETTER FROM SECRETARY RUSK TO STUDENT LEADERS

Following is the text of a letter from Secretary Rusk to 100 students leaders in response to their letter to President Johnson of December 29. The Secretary's letter, dated January 4, was forwarded to Robert Powell, president of the student body, University of North Carolina, Chapel Hill:

"January 4, 1967.

"Dear Student Leaders: I have received and read carefully your thoughtful letter to the President about our policy in Viet-Nam.

"Your interest and your concern are shared by most thinking Americans. No one desires more strongly to bring an early and honorable conclusion to the conflict in Viet-Nam than those who are working day and night, both here and in Viet-Nam, to achieve that end.

"The questions you have raised are among those that have been asked and discussed repeatedly in the councils of your Government. If some of these matters continue, as you say, to agitate the academic community, it is certainly not because answers have not been provided. It is more, I think, because the answers to great and complex questions can never fully satisfy all the people in a free and questioning society.

"Nevertheless, I am glad to have the chance to address myself to the four specific questions about which you stated you and others felt doubt or concern.

"First, you asked if America's vital interests are sufficiently threatened in Viet-Nam to necessitate the growing commitment there.

"There is no shadow of doubt in my mind that our vital interests are deeply involved in Viet-Nam and in Southeast Asia.

"We are involved because the nation's word has been given that we would be involved. On February 1, 1955, by a vote of 82 to 1 the United States Senate passed the Southeast Asia Collective Defense Treaty. That Treaty stated that aggression by means of armed attack in the treaty area would endanger our own peace and safety and, in that event, "we would act to meet the common danger." There is no question that an expanding armed attack by North Viet-Nam on South Viet-Nam has been under way in recent years; and six nations, with vital interests in the peace and security of the region, have joined South Viet-Nam in defense against that armed attack.

"Behind the words and the commitment of the Treaty lies the lesson learned in the tragic half century since the First World War. After that war our country withdrew from effective world responsibility. When aggressors challenged the peace in Manchuria, Ethiopia, and then Central Europe during the 1930's, the world community did not act to prevent their success. The result was a Second World War—which could have been prevented.

"That is why the Charter of the United Nations begins with these words: 'We the peoples of the United Nations determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind. . . .' And the Charter goes on to state these objectives: 'to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained . . . and to unite our strength to maintain international peace and security. . . .'

'This was also the experience President Truman had in mind when—at a period when the United Nations was incapable of protecting Greece and Turkey from aggression—he said: 'We shall not realize our objectives unless we are willing to help free peoples to maintain their free institutions and their national integrity against aggressive movements that seek to impose upon them totalitarian regimes.'

"These are the memories which have inspired the four postwar American Presidents as they dealt with aggressive pressures and thrusts from Berlin to Korea, from the Caribbean to Viet-Nam.

"In short, we are involved in Viet-Nam because we know from painful experience that the minimum condition for order on our planet is that aggression must not be permitted to succeed. For when it does succeed, the consequence is not peace, it is the further expansion of aggression.

"And those who have borne responsibility in our country since 1945 have not for one moment forgotten that a third world war would be a nuclear war.

"The result of this conviction and this policy has been a generation's effort which has not been easy for the United States. We have borne heavy burdens. We have had to face some conflict and a series of dangerous situations.

"But the hard and important fact is that in the postwar world external aggression has not been permitted to develop its momentum into general war.

"Look back and imagine the kind of world we now would have if we had adopted a different course. What kind of Europe would now exist if there had been no commitment to Greece and Turkey? No Marshall Plan? No NATO? No defense of Berlin? Would Europe and the world be better off or worse? Would the possibilities of detente be on the present horizon?

"Then turn the globe and look at Asia. If we had made no commitments and offered no assistance, what kind of Asia would there now be? Would there be a confident and vital South Korea? A prosperous and peaceful Japan? Would there be the new spirit of regional cooperation and forward movement now developing throughout Asia?

"If you were to talk to the leaders of Asia as I have, you would know what Asians really think of our commitment in Viet-Nam. You would know that the new vigor in Asia, the new hope and determination, are based in part on the conviction that the United States will continue to support the South Vietnamese in their struggle to build a life of their own within the framework of the Geneva Accords in 1954 and 1962—that we shall see it through to an honorable peace.

"Second, you wonder whether our vital interests are best protected by our growing commitment.

"We must always weigh what we are doing against the requirements of the situation and what the other side is doing. You are aware, I am sure, that the flow of men and material from North Viet-Nam into the South radically increased towards the end of 1964 and continued at a high level in the next two years. It was to meet that escalation, designed to achieve military victory by the North against the South, that we sent our men in large numbers and began an air campaign against military targets in North Viet-Nam.

"At the other end of the scale, one must contrast what we are doing with what we could be doing. You know the power that is available to us—in men, resources and weaponry.

"We have done both more than some people would wish, and less than others advocate. We have been guided both by the demands imposed upon us by increased aggression and by the need for restraint in the application of force. We have been doing what the President judges to be necessary to protect the nation's vital interests after hearing the views of the government's military and civilian experts. We shall continue to do what is necessary to meet the threat the Vietnamese and their allies face.

"Third, you raise the question whether a war that may devastate much of the countryside can lead to the stable and prosperous Viet-Nam we hope for.

"First, it is an error to suggest that the fighting in Viet-Nam has devastated 'much of the countryside.' There has been too much destruction and disruption—as there is in any war. And we deeply regret the loss of life that is involved—in the South and in the North, among both soldiers and civilians.

"But devastation has been far less than on the conventional battlefields of World War II and Korea. If peace could come to South Viet-Nam today, I think most people would be amazed at its rapid recovery. For the Vietnamese are intelligent, energetic and ambitious people. And they are determined to see their country prosper. I am confident that they can achieve that end—if they but have the chance to do so, in peace and in their own way.

"That day cannot come too soon.

"You also suggest that there are 'apparent contradictions' in the American position on efforts to achieve a negotiated settlement.

"We have said that there will be no difficulty in having the views of the Viet Cong presented at any serious negotiation. The details of how this might be done can be discussed with the other side; there is little point in negotiating such details with those who cannot stop the fighting.

"We have made it clear that we cannot accept the Liberation Front as the 'sole' or 'only legitimate voice' of the Vietnamese people. Yet that is what the Front has said it is. The Buddhists, Catholics, Cao Dai, Hoa Hao, ethnic Cambodians, the almost a million refugees who fled from North Viet-Nam to the South in 1954–55, and the Montagnards are not prepared to have the Liberation Front as their spokesman. The capacity of the Government and people of South Viet-Nam to conduct the election of the Constitutional Assembly in September 1966, despite the opposition of the Viet Cong, made clear that the VC are a small minority in the country, determined to convert their ability to organize for terror into domination over the majority. Those now enrolled with the Viet Cong should be turning their minds in a different direction. They should be asking: 'How can we end this war and join as free citizens in the making of a modern nation in South Viet-nam?

"We know that the effort at armed conquest which we oppose in Viet-Nam is organized, led, and supplied by the leaders in Hanoi. We know that the struggle will not end until those leaders decide that they want it to end.

"So we stand ready—now and at any time in the future—to sit down with representatives of Hanoi, either in public or in secret, to work out arrangements for a just solution.

"You state correctly that we have a commitment to the right of self-determination of the people of South Viet-Nam. There is no ambiguity whatsoever. We shall abide by the decision of the Vietnamese people as they make their wishes known in free and democratic elections. Hanoi and the Liberation Front do not agree.

"You also suggest that there is disparity between our statements and our actions in Viet-Nam, and you refer to recent reports of the results of our bombing in North Viet-Nam.

"It is our policy to strike targets of a military nature, especially those closely related to North Viet-Nam's efforts to conquer the South. We have never deliberately attacked any target that could legitimately be called civilian. We have not bombed cities or directed our efforts against the population of North Viet-Nam.

"We recognize that there has been loss of life. We recognize that people living or working in close proximity to military targets may have suffered. We recognize, too, that men and machines are not infallible and that some mistakes have occurred.

"But there is a vast difference between such unintentional events and a deliberate policy of attacking civilian centers. I would remind you that tens of thousands of civilians have been killed, wounded, or kidnapped in South Viet-Nam, not by accident but as the result of a deliberate policy of terrorism and intimidation conducted by the Viet Cong.

"We regret all the loss of life and property that this conflict entails. We regret that a single person, North or South, civilian or soldier, American or Vietnamese, must die. "And the sooner this conflict can be settled, the happier we and the Vietnamese people will be.

"Meantime, we shall continue to do what is necessary—to protect the vital interests of the United States, to stand by our allies in Asia, and to work with all our energy for a peaceful, secure and prosperous Southeast Asia. Only by meeting these commitments can we keep on this small and vulnerable planet the minimum conditions for peace and order.

"Only history will be able to judge the wisdom and the full meaning of our present course—in all its dimensions.

"But I would close by sharing with you a hope and a belief. I believe that we are coming towards the end of an era when men can believe it is profitable and, even, possible to change the *status quo* by applying external force. I believe those in Hanoi who persist in their aggressive adventure—and those who support them—represent ideas and methods from the past, not the future. Elsewhere in the world those committed to such concepts have faded or are fading from the scene.

"I believe, therefore, that if we and our allies have the courage, will, and durability to see this struggle through to an honorable peace, based on the reinstallation of the Geneva Accords of 1954 and 1962, we have a fair chance of entering quieter times in which all of us will be able to turn more of our energies to the great unfinished tasks of human welfare and to developing the arts of conciliation and peaceful change.

"The overriding question for all of mankind in this last third of the Twentieth Century is how to organize a durable peace. Much of the experience which has gone into answers to that question has been largely forgotten—perhaps some of it should be. But the question remains—and remains to be answered. I should much enjoy discussing this with you if we can find a way to do so.

"I would value a chance to discuss the issues posed in your letter with a representative group of signatories or with as many as could conveniently join me in Washington at a mutually agreeable time.

"With best wishes and thanks for your serious concern,

"Sincerely yours,

"DEAN RUSK."

SENATE

FRIDAY, FEBRUARY 3, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Let us pray. Father of our spirits, we turn to Thee for refuge from the noise and hurry of the world about us.

We thank Thee for all fair memories and living hopes—our times are in Thy hands. O Lord, we would have it so.

We do not ask to see life's distant scenes—one step enough for us. Enough for us the blessed assurance that Thou art the love that will not let us go.

Thou art the love that never forgets, the light that never fails, and the life that never ends.

Gather us who seek Thy face to the fold of Thine embrace with the sweet consciousness that Thou art never far from any one of us, closer to us than breathing, nearer than hands or feet.

Make us alive and alert, we pray Thee, to the spiritual values which underlie all the struggle of these epic days. Open our eyes to the futility of changing maps without changing men. To this end may selfishness and all uncleanness be purged from our own hearts and our will be lost in Thine.

God be in our head and in our understanding;

God be in our eyes and in our looking;

God be in our mouth and in our speaking;

God be in our mind and in our thinking;

God be at our end—and at our departing.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 2, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Foreign Relations was authorized to meet during the session of the Senate today.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

EXECUTIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDENT pro tempore. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

DEPARTMENT OF LABOR

The legislative clerk read the nominations of James J. Reynolds, of New York, to be Under Secretary of Labor, and Thomas R. Donahue, of Maryland, to be an Assistant Secretary of Labor.

The PRESIDING OFFICER (Mr. Byrd of West Virginia in the chair). Without objection, the nominations are considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate resumed the consideration of legislative business.

MEN OF THE SENATE—INTERVIEW WITH SENATOR MANSFIELD

Mr. MANSFIELD. Mr. President, it was my privilege recently to participate in the program of National Educational Television, entitled "Men of the Senate, No. 6." The interrogator was the distinguished correspondent, Mr. Paul Niven. The producer of the series is Mr. Henry McCarthy.

A transcript was made of this spontaneous half-hour conversation between Mr. Niven and myself. In perusing it I will say, in all candor, that, with some rehearsal, I might have said a few things somewhat differently, for stylistic reasons at any rate. In its spontaneity, nevertheless, the overall statement represents very much the way I look at and feel about the Senate, a Senator's responsibility, the role of a Senate majority leader, and about significant events and issues of these times.

So, Mr. President, with apologies in advance to everyone, but to no one in particular, and which in any event I hope will not be called for by anyone, I ask unanimous consent that the verbatim transcript of the unrehearsed telecast previously referred to be included in the Record at this point.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

Men of the Senate, No. 6—Senator Mike Mansfield

(A complete transcript of National Educational Television)

From: National Educational Television, 1619 Massachusetts Ave., N.W., Washington, D.C.

(Note.—This transcript is to be used for news and review purposes only.)

This program, the sixth and concluding broadcast in National Educational Television's "Men of the Senate" series, features an interview with Senator Mike Mansfield (Dem. Mont.). Senator Mansfield, the Senate Majority Leader, has served in Congress since 1942 and in the Upper House since 1952. He is a member of the Foreign Relations Committee and serves as chairman of the Senate's Democratic Conference, Policy Committee, and Steering Committee.

During this half-hour interview with N.E.T.'s Washington correspondent Paul Niven, the Senator discusses the decline in the Senate's influence on foreign policy; the war in Vietnam; the prospects for more Great Society legislation and his role as Majority Leader.

For release: After 7:30 p.m., Wednesday, February 1, 1967.

This program will be broadcast: In New York City, WNDT/Channel 13, Wednesday, February 1, 1967 at 7:30 p.m.; in Washington, D.C., WETA/Channel 26, Thursday, February 2, 1967 at 8:00 p.m.

Executive Producer: Harry McCarthy.

Host: Paul Niven.

"Men of the Senate" is a 1967 production of National Educational Television. This program was produced through the facilities of WETA-TV, Washington, D.C.

Paul Niven. Mike Mansfield of Montana is the only member of Congress, and one of the very few Americans who, at the age of nineteen, had served in the Marine Corps, the Navy and the Army. Since then, he has been successively, a pick and shovel man in the Montana copper mines, college professor, Congressman in 1943, Senator in 1953, and Majority Leader of the Senate in 1959.

Senator Mansfield, when you accepted the majority leadership, you made it quite clear that you had not sought it, did not want it, didn't particularly like it; and you've said many times you'd be glad to give it to anybody else. You've had no takers and there's been no competition for the post. Are you any happier after six years?

Senator Mansfield. Yes, I think I am. Perhaps it would be more apt to say that I'm more used to the job. That's about the only thing I can say about it at this time.

Mr. Niven. How far does a leader go in leading in your book? Senator Dirksen said on television recently that during the civil rights debate of '64 and '5, he got down on his knees and asked Republican senators for their votes. I presume he was exaggerating, but he did obviously ask for their votes. Do you ever ask a man for his vote?

Mr. Mansfield. Yes, once in a while. But I do not exert any pressure on him because each senator in my opinion is sent back here to exercise his own best judgment, and I try to convince them on the basis of logic and necessity and sometimes I'm successful, sometimes I'm not. Speaking about Ev Dirksen, figuratively he did have to get down on his knees to get the votes necessary to invoke cloture and to bring the measure he was referring to a head and to successfully have it passed.

Mr. Niven. There's a lot of quid pro quo dealing in the Senate. Do you extend courtesies in the knowledge that without specific dealing undertaken that sometimes later you expect a man to be, will remember that you did something for him and therefore if he can, he will support you and the administration on the roll call?

Mr. Mansfield. No, no. I figure that all members of the Senate, both Republican and Democrat, should be treated alike. After all, we are all equals here. I expect no commitments. I do not consider any member under any obligation to me. So far that policy has worked out and as long as I'm in this job that will be the policy which I will pursue.

Mr. Niven. Well obligation is a strong word, but I remember reading, for instance, that you, when you noticed that a senator, a Republican senator had not been invited to a White House ceremony for an astronaut from his state, you made sure that he was in the front row when the astronaut came to the capitol and was photographed with the astronaut. Later that day the senator broke Republican ranks to vote with the administration and with some other Republicans to be sure, on roll call. Now isn't this the kind of thing that helps? Isn't it what Senator Dirksen might call the oil can?

Mr. Mansfield. I suppose so, Paul, but I would do that for any senator when some celebrity from his state happens to be in the chamber and he is ignored, because as far as I'm concerned, I want to see every senator get his due and I intend to see that that is the case insofar as I can be of any assistance.

Mr. Niven. Well, now Senator, you presumably have an obligation to your party as well as to the Senate, although I guess the Senate always comes first, but when you do a favor for a Republican who is up for re-election aren't the Democrats in some state going to take offense?

Mr. Mansfield. Yes, that's true, but I believe in giving credit where credit is due and if Republicans do a good job in the interest of the country, I am not at all averse to praising them. I have done it for many of them, I will continue to do it because I think that the welfare of the country comes before the welfare of a political party.

Mr. Niven. I'm sure you would go out and campaign for a Democratic colleague in the Senate in his state occasionally. What would happen if a Democratic challenger asked you to go into a state and campaign against an incumbent Republican.

Mr. Mansfield. I wouldn't go.

Mr. Niven. You wouldn't go ever.

Mr. Mansfield. No, because I have to get along with both the Republicans and the Democrats in the Senate and while my main job is to be a—is a senator from the state of Montana, and that comes first—as majority leader, I have to try and get the votes to pass worthwhile legislation and those votes have to come from both sides of the aisle. We have a majority on paper on the Democratic side, but much of this legislation of the past three or four years and even before that, but especially over that period of time, would not have been passed if it had been left to the Democrats alone. We had to depend upon Republican votes and I've made it a point never to go into a state where a sitting senator is running, because I have to look ahead and think of the support which the administration might need and the help I might look for when certain pieces of good legislation are before us for consideration.

Mr. Niven. If you weren't a leader you wouldn't feel any such inhibitions I presume.

Mr. Mansfield. No, I would not, but as leader I feel that I must operate on that basis.

Mr. Niven. Do you think the "clubbiness" of the Senate occasionally goes too far? I'm thinking of an occasion when I saw a couple of senators who I knew held each other in deep personal contempt—and I realize that's rare here, but it sometimes exists as you know—with respective groups of constituents, run into each other in the corridor, each one automatically and by ritual addressed the constituents of the other and said, Oh, your senator is wonderful, one of the most popular men in Washington; we couldn't get along without him. Now those voters must have gone home somewhat confused and doesn't this dull public understanding of political issues?

Mr. Mansfield. Well I know of no personal instances to that effect, but it would appear to me that the folks back home have a pretty good idea as to how these two senators, for instance, get along, and they are aware of the fact that this situation is in existence. They can take it or leave it as they see fit. Luckily, as I've said, I've been no party, that isn't putting it quite correctly, I have no direct knowledge of incidents of that kind, though I have heard of that happening.

Mr. NIVEN. How about the Senate establishment which is so much written and talked about? To what extent does it exist in the sense of one group of senators who are much more influential than others?

Mr. MANSFIELD. Oh, I think it's mostly newspaper talk. The word establishment has come into existence over the past six or eight years. I think it's a misnomer. There is no club in the Senate, unless you want to include all one hundred members. As far as the establishment running things are concerned, I think that is not correct. As far as the club idea goes, in my book, all senators are equal—I repeat—they are all considered the same, and all groups and factions within the Senate are kept fully aware of any developments which I might undertake in matters of great import.

Mr. NIVEN. Do you ever feel that senators who go along and play the game have been rather systematically and consistently favored in committee assignments?

Mr. MANSFIELD. Not at all. Not at all. We have tried to be very fair in committee assignments. We have tried to follow the Lyndon Johnson precept, that is, the rule he laid down while he was majority leader, of giving major committees to each new senator. We have been very successful so far. There has been some slight dissatisfaction, but on the whole, the members have been satisfied and have felt that they have been treated equitably.

Mr. NIVEN. Senator, you referred a moment ago to your two roles—one as senator from Montana first, and the other as majority leader. You said in 1961 that you could keep these separate. Do you still think you can in the sense that your pronouncements as a senator from Montana are not construed as administration policy?

Mr. MANSFIELD. Oh yes, I think that's pretty well understood, in my state especially, and in the press and the radio, the TV, that when I speak in an individual capacity as a senator from Montana, I am expressing my own views.

Mr. NIVEN. But is it understood overseas especially when you speak on foreign policy, for instance?

Mr. MANSFIELD. Probably not there, but then I would imagine if they followed the American press, and I'm sure they do, if they follow the proceedings in the Senate, as I assume most of them do, that they are aware of how I feel; that there is a line between being a senator from Montana which is my first and prime responsibility, and being the majority leader of the Senate of the United States.

Mr. NIVEN. Has being majority leader hurt or helped you at home politically or does it work out evenly?

Mr. MANSFIELD. Well, I think for the first couple of years it didn't do me too much good, because people thought that I was perhaps not paying enough attention to the affairs of the state of Montana. Some of them even thought that I got "the big head" from this job. But I've been in it now for six years, seven years. They are aware, more aware of the situation and I think that it pleases them that someone from a small state like Montana could have achieved the position, by luck or happenstance, of being a majority leader of the United States Senate.

Mr. NIVEN. You haven't had much difficulty in getting re-elected lately.

Mr. MANSFIELD. Well the people of Montana have always been kind to me, and one thing I've never forgotten is that I wouldn't be back here representing them if they hadn't sent me here.

Mr. NIVEN. Senator, the other day when you called in effect for a pause and examination of recent legislation, rather than much further innovation, did you clear that speech with the White House? Did you inform them of it, or did you just do it on your own hook?

Mr. MANSFIELD. On my own responsibility.

Mr. NIVEN. Do you inform them in advance when you're going to say anything like that?

Mr. MANSFIELD. Sometimes, sometimes not.

Mr. NIVEN. Does this mean do you exclude any substantial further welfare legislation in the next couple of years?

Mr. MANSFIELD. Oh no, no, no, nor do I think that any of the legislation passed should be done away with. What I prefer to see is better administration of programs already passed because the Senate has a threefold responsibility. The Congress for that matter. But speaking of the Senate, we pass the laws, we evidently know their intent. Secondly, we appropriate the monies and we state how those monies should be spent. The third factor is oversight, and I think, based on the two previous factors, that it is our responsibility to make sure that something in the way of a dollar in value is received for a dollar expended, that the intent of the law is being carried out and in that way the laws can be made more effective and more assistance can be given on that basis than is the case when a program gets underway.

Mr. NIVEN. Well, this emphasis means, does it not, that there must be less, necessarily less emphasis on new innovations?

Mr. MANSFIELD. I would say that, but that doesn't mean that we cannot clarify, amend and correct old laws to make them more efficient and effective.

Mr. NIVEN. Do you think the country has had during the last three or four years, a spate of welfare legislation which it must now digest, is that it?

Mr. MANSFIELD. That's putting it succinctly. I would point out that much of this legislation has been building up to a point over a period of two to three decades. Medicare, for example. And we passed so much legislation during the Kennedy-Johnson administrations that it's lost sight of in the forest which has been created. For example, we passed many measures which have tended to increase the conservation aspect of our country, to better it. We have passed many measures in health which have been of benefit to our people. We have passed a medicare bill which, by itself, was quite an asset to the lives of our older citizens. We have done much in other fields, including education, but so much that I think it's time to stop, look and listen and to make sure that what the Congress intended is being done, and the monies expended are being expended as we stated they should be.

Mr. NIVEN. The actual figures in the Senate change very little as the result of the November election. What about your working majority? Is it about the same? Or is it somewhat shrunk?

Mr. MANSFIELD. I would say just about the same, because you have gotten in some Republican senators who, I think, are pretty much in accord with those whom they displaced, in some instances better or worse, depending on the point of view, but on the whole the Senate, I would think, in the ninetieth Congress would be about the same as in the eighty-eighth and eighty-ninth.

Mr. NIVEN. Which means you have a working majority. You have slightly over fifty votes most of the time.

Mr. MANSFIELD. I would think so.

Mr. NIVEN. At the administration's disposal. . . . . And of course the fact . . .

Mr. MANSFIELD. Not at the administration's disposal. On certain key measures, let us say, but not at the administration's disposal.

Mr. NIVEN. But, however, this is not true in the House of Representatives after this last election, so presumably the Senate would not want to waste a great deal of time passing legislation which obviously couldn't go through the House, is that correct?

Mr. MANSFIELD. That is correct, although I think that John McCormack, the Speaker, and Carl Albert, the Majority Leader, and Hale Boggs, the Whip, have all done a magnificent job with paper majorities over the past three or four years. It is my understanding, based on press reports of what has been done already, that they face greater difficulties this year, but there are two outstanding, there are three outstanding leaders, I expect them to do lots better than most people anticipate.

Mr. NIVEN. On the House side, at the beginning of this session, Congress for the first time in a long time, overcame its traditional reluctance to discipline a member, and did so in a case involving ethics. Is there such sentiment here in the Senate side to yield to public opinion on this subject and take a much harder, tighter look at financial dealings and expense records and so forth of members of the Senate?

Mr. MANSFIELD. Yes, I would say so and we faced up to that proposition a year and a half or so ago when at the instance of Senator Cooper of Kentucky, we created a permanent ethics committee.

Mr. NIVEN. Was there not some doubt expressed in the news media as to how far this would go as to whether it wouldn't be window dressing?

Mr. MANSFIELD. Yes, there is always doubt in the news media when Congress takes a step of that nature, but when you consider the makeup of that committee, I think that the choices were excellent; I think the committee will do a good job and I think they will be effective in policing the Senate.

Mr. NIVEN. Senator Dirksen has greeted some of the perennial proposals for reforming Senate or having new ethics measures with the statement, Ha, ha, ha, and I might add ho, ho, ho. You don't take quite that attitude?

Mr. MANSFIELD. No, I do not, and I don't think that Senator Dirksen should be taken too facetiously in what he had to say, because I think Senator Dirksen is just as interested, as I am, and the rest of the Senate is in doing the things which this committee has been empowered to do.

Mr. NIVEN. But doesn't he take the quite serious view that he is responsible to the voters of Illinois, that they can turn him out any time they want, and that therefore he should not only be compelled to publish his financial records, but that he should not make himself his brother's keeper?

Mr. MANSFIELD. I really can't speak for Senator Dirksen, but in general, that would express his outlook, if you'll pardon me for expressing an opinion.

Mr. NIVEN. Senator Mansfield, you put in a period before coming to Congress as a teacher of political science. If you had to go back and become a political science professor again, would your courses be different? Would you approach them quite differently as a result of your experiences here?

Mr. MANSFIELD. Yes, quite different. May I say, Paul, that I am still a full professor on leave from the University of Montana. I have lifetime tenure. So as far as insurance goes, I have it, and as far as a job is concerned, it's waiting for me. Yes, I would change my courses considerably, because when I came down to the Congress twenty-three years ago from a professorship in the University of Montana, at which time I was making twenty-four hundred dollars a year—that should shock some of our listeners—I had all the answers. The students would ask me questions and if I couldn't answer them off the cuff, I could go to the books and find the answer for the next day. The world has changed considerably since that time, and I must say that the difference between theory and actuality is a wide one, and I would have to trim my sails accordingly and be more practical and less theoretical.

Mr. NIVEN. Well, can you give any examples of things that you were sure of then that you're less sure of now?

Mr. MANSFIELD. Well, let me put it this way in broad terms. In those days Britain and France and Belgium, had control of wide colonial areas. They had troubles now and again, and I could easily find fault with what they were doing. And now they've given up their colonies and the control of the world has, in effect, devolved upon two great powers—the Soviet Union and the United States. When these countries gave up their colonies, we went in in all too many instances to take up some of the slack, so we make mistakes, and we are open to the same kind of objections that I was so free and easy with against them in the days prior to the second world war.

Mr. Niven. Some of them, especially in the case of the British, bore their unpopularity in the world with some equanimity . . . they had the power and the flag was there and they were having the commonwealth trade, they didn't care so much. We seem to find it much more difficult to sustain arrows.

Mr. Mansfield. Yes we do, because we're new at the job, we are an impatient people. We get frustrated quite easily, and a good deal of the time we are uneasy in our outlook towards certain aspects of our policy as, for example, in the case of Vietnam. We will have to learn to mature, to grow up. We will. We have assumed this responsibility, not because we sought it, but because there was no one else to take over when the decline of the group which used to be classified as great powers began at the end of the second world war.

Mr. Niven. Speaking of Vietnam, you had for a long time deep reservations about it. Do you still?

Mr. Mansfield. Yes, I do.

Mr. Niven. I assume that you wish we weren't there. I guess almost everybody in the country probably wishes we had never gotten in in the first place. But are you among those who would like to get out rather precipitantly.

Mr. Mansfield. No, I do not feel we can or should. I think it's to late now to talk about how we got into Vietnam, that question is moot. The important question is how do we get out and how do we do it under honorable circumstances? And I think the President is trying to explore every possible avenue in that regard. I support him in his many and varied attempts to reach the negotiating table to the end that an honorable settlement can be achieved.

Mr. Niven. How many of your Democratic colleagues would you estimate are uneasy about the situation? I don't mean in the sense that anybody is happy about it, but there have been some who more than others, have demanded more emphasis on negotiation.

Mr. Mansfield. I would say all of them are, uneasy about it. Many of them are frustrated.

Mr. Niven. Let me put it another way. How would you divide them up as between doves and hawks?

Mr. Mansfield. Well, that's taking a long shot if I have to answer that question. But my guess would be two-thirds to a half would be in favor of more vigorous action—maybe a third, let us say. A third would like to see an honorable conclusion brought as quickly as possible, and a third would be in the middle somewhere. That's an off the top of the head guess that may or may not have any credibility. You asked the question that's the best I can say.

Mr. Niven. A third each, a third dove, a third hawk and a third in the middle.

Mr. Mansfield. Yes, although I don't like to use the terms dove and hawk. I think they're misnomers in applying such cognomens to senators, but it's become quite useful.

Mr. Niven. Like liberal and conservative. Nobody likes the labels very much but it's hard to discuss public affairs without using them.

Mr. Mansfield. That's right.

Mr. Niven. You're talking there about Democrats and not the whole Senate.

Mr. Mansfield. I was talking about Democrats, but I would think by and large the same alignment would apply to the whole Senate.

Mr. Niven. There are some Republican doves, aren't there?

Mr. Mansfield. Yes.

Mr. Niven. Do senators feel under a great compunction not to differ from the White House, especially Democratic senators? Do you feel that, in the administration, that you have over and over again to contain yourself for fear that something you might say and strongly believe would be misinterpreted overseas?

Mr. Mansfield. Yes, speaking personally, I would say that's a true statement. I have had to walk a pretty thin line; I have tried to support the administration, at the same time remain a senator from the state of Montana with my own individual views and responsibilities. How well I've succeeded, if I have, I don't know. But at least I've tried to blend the two in without losing my primary identity as a senator from Montana.

Mr. Niven. Do you think the Senate has in recent years discharged its obligation to advise and consent in about an appropriate fashion without usurping executive privilege on the one hand or remaining aloof from foreign policy on the other?

Mr. Mansfield. I do not. I think that beginning with the Eisenhower administration, we have gradually given up our powers to the executive.

Mr. Niven. How?

Mr. Mansfield. Through the passage of resolutions having to do with Lebanon, the Tonkin Gulf, and similar types.

Mr. Niven. You mean, Presidents by coming and asking permission of Congress, in the sense of the Senate, have yielded up . . .

Mr. Mansfield. Not presidents. We have yielded up our power through these resolutions and given to the President powers which many of us did not think we were giving in the first place.

Mr. Niven. And this has happened repeatedly and you'd like to see it stopped.

Mr. Mansfield. I would indeed, although we are all grown up people here; we ought to be aware of what we're getting into, but sometimes we're carried away at the moment and do not look into the future far enough.

Mr. Niven. Have these resolutions occurred because presidents consulted, confronted with the difficulty of an international situation, wanted to show leaders of other countries that this country was united and therefore have demanded and apparently got expressions of support from the capitol here?

Mr. Mansfield. Yes, though I wouldn't use the word demand, I would say requested, and it is also a way of bringing the executive and the legislative branch together to the benefit of the executive.

Mr. Niven. Exclusively, without benefit of the . . .

Mr. Mansfield. To a large extent. We don't lose all our independence, but we don't seem to learn lessons from these resolutions either.

Mr. Niven. Had you been president during the last few years, would you have been tempted to do the same kind of thing?

Mr. Mansfield. Very likely.

Mr. Niven. But you think the Senate and the House must be perpetually on guard against such usurpation?

Mr. Mansfield. Always.

Mr. Niven. Is this happening in the domestic field too, Senator? Are you one of those who worries about the withering of the legislative power altogether, and the growth of power and centralization in the executive branch?

Mr. Mansfield. Yes I do, and that's one of the reasons why I would hope the Senate would exercise its oversight function so that we would not, in effect, indirectly give up that power which is basically ours to the executives offices downtown.

Mr. Niven. Has the diminution of the power of the Congress been partly because Congress has not always stood well in public opinion. You remember, I'm sure, the record of the last Congress improved the standing of the Congress to a considerable extent, but there were polls not long ago which showed, under both the Eisenhower and Kennedy administrations, the public largely thought that the executive branch was doing a good job, the judicial branch was doing a good job, but gave Congress rather low marks.

Mr. Mansfield. Well, I don't think those people have studied the works of the Congress, understand the difficulties under which we labor, are aware of the increasing complexities of government and the number of problems which are thrown in our laps, both national and international. If they did, I think they would be a little more sympathetic. I'm not asking for their sympathy because as far as the Senate is concerned, each member has to go home to get the judgment of his people and that is where it counts.

Mr. Niven. The legislative process is certainly complicated, but perhaps public impatience stems from the spectacle over and over again of series of hearings on one side of the capitol and the long slow process through the same thing on the other side, then because two sides in a conference at the end of the year can't get together, the whole, all the work of months, including the expression of sentiment on both sides positively is thrown away because they failed to agree in a conference.

Mr. Mansfield. I think you've got a point there. I think we do waste a lot of time. I think we use too much of the time of members of the executive branch such as the Secretary of State, the Secretary of Defense and others . . .

Mr. Niven. They think so too.

Mr. Mansfield. Well, and they have a right to, because they have to appear before different committees, repeat the same thing over and over again; they have to come up too often, and it's awfully hard for them to run the affairs of their departments. And at the same time, spend a good portion of their time appearing before Congressional committees, and sometimes Congressional committees are unfair, they ask for too much and they take advantage of these people who are the chiefs of departments.

Mr. Niven. Well why couldn't the counterpart committees in the two houses get together once a year or twice a year, whatever is required, to hear these busy men.

Mr. Mansfield. I have advocated that on a number of occasions, but tradition and precedent is a little bit hard to break in the Congress. I still advocate it; I wish it could be done. I think it would be just as beneficial to us and certainly would be a great time saver for the people who have these enormous responsibilities downtown.

Mr. Niven. This building is heavy with tradition and precedent, Senator. On the whole do you think it does more harm or good?

Mr. Mansfield. More good.

Mr. Niven. Why?

Mr. Mansfield. Well, I think that what our forebears did in this body was good. I think though, that times do come when we have to change with them, but I think we ought to go carefully and conscientously and not run pell mell into change or try to keep up with it too closely because there's too much which is too good in the antecedents of this body which I think ought to be retained.

Mr. NIVEN. The clock has caught up with us. Thank you very much, Senator Mansfield.

Mr. MANSFIELD. Thank you.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE REORGANIZATION ACT OF 1967

Mr. HAYDEN. Mr. President, may I bring to the attention of my good friend, the senior Senator from Oklahoma, the chairman of the Special Committee on the Organization of the Congress, and the other Senators who are interested in the various ways whereby the Senate carries on its operations, certain proposed changes in procedure in the bill under consideration which I do not deem to be advisable.

First, I wish to direct attention to section 323(a) of title III, part 2, which relates to telecommunications.

Subsection (a) requires the Sergeant at Arms of the Senate and the Clerk of the House to make a study of the telecommunications requirements of Congress, with a view toward having Congress participate in the Federal Telecommunications System or to establish its own lease line system.

The Senate now has an optional leased wire service—WATS—and has under review additional proposals by the Chesapeake & Potomac Telephone Co. for expanding this system. The Senate Committee on Rules and Administration has given the Sergeant at Arms permission to contract with the Clerk of the House for an up-to-date Capitol switching service—Centrex—which will provide adequate controls for use of lease lines. This proposal can be handled by the appropriate existing committees of the Senate and House—the Senate Committee on Rules and Administration and the House Administration Committee.

VETERANS' AFFAIRS

Section 121 of S. 355, beginning on page 22, would create a new standing committee of the Senate to be known as the Committee on Veterans' Affairs. Its jurisdiction would encompass legislation now handled by the Senate Committee on Finance and the Senate Committee on Labor and Public Welfare.

When the New Senate Office Building was being occupied for the first time in 1959, the Committee on Rules and Administration determined that each standing committee of the Senate should be entitled to a minimum of one hearing room and five adjacent offices.

At the present time there is not a single unassigned or unoccupied room on the Senate side of the Capitol Building or in either of the two Senate Office Buildings. Provision of space to accommodate Senators and Senate activities has long since passed the critical stage.

At present, two subcommittees of the Senate with large staffs are housed together in one room. Another subcommittee is accommodated in an old windowless storeroom on the fourth floor of the Old Senate Office Building. One or two recent subcommittees have no space. The Select Committee on Standards and Conduct has one windowless room on the second floor, a very tiny room on the first floor of the Old Senate Office Building, and one small temporary room on the third floor of the same building.

The space allocated in the basement of the Old Senate Office Building for the automatic typewriters of 50 Senators now accommodates 81 Senators, and 6 more Senators have applied for admittance. A day does not pass but that the Committee on Rules and Administration receives requests from Senators, Senate committees, and Senate activities for additional working space which simply does not exist.

If a Standing Committee on Veterans' Affairs were to be created, appropriate space would have to be provided for it, but how or where is unknown.

CAPITOL GUIDES

Title IV, part 1, section 406(b) at page 86, vests the Joint Committee on Congressional Operations with authority over the Capitol Guide Service. This function is now under the Capitol Police Board.

If this service requires change or reform, it can be accomplished by existing committees of the House and Senate. It is difficult to envision improvement by merely transferring the service to a new joint committee.

CAPITOL POLICE

Section 422, at page 90, would authorize the Capitol Police Board to formulate a plan for converting the Capitol Police force to a professional force and give consideration to the feasibility of having that force become a division of the Metropolitan Police force of the District of Columbia.

This section also provides for the replacement of Capitol Police officers with persons recruited through the Metropolitan Police force as vacancies occur. In addition, the Metropolitan Police Chief would be required to assist the Capitol Police Board, and the Board itself would report to the Congress at the earliest practicable date together with recommendations for legislation.

The Metropolitan Police Department has been most cooperative in assisting the Capitol Police to the extent its resources permit. The Metropolitan Police at the present time have over 300 vacancies and a very grave recruitment problem.

The Capitol Police force has as its primary mission the security of the Capitol buildings and grounds and rendering assistance to the thousands of citizens who visit the Capitol, and their duties can be readily distinguished from the overall law enforcement requirements of a city police department.

The President of the District of Columbia Board of Commissioners informed the Vice President and the Speaker of the House, in a letter dated April 15, 1966, that:

> The Police Department is experiencing a great deal of difficulty in recruiting men to fill present vacancies which number two hundred and four * * * in 1965, 279 men were appointed and 277 separated for a net gain of 2 men for that entire year; in 1966 to date, the situation has not improved, 73 have been appointed and 88 separated for a loss of 15 men.

This letter was written in response to a request by the Capitol Police Board for a 10-man detail from the Metropolitain Police to assist the Capitol Police during the late closing hours inaugurated at the Capitol Building during the summer months in 1966. In other words, an additional 10-man detail was considered as an undue drain on the undermanned Metropolitan Police force.

Officials of the Capitol Police now participate in the Metropolitan Police Academy training program on a continuing basis. This is a 4-week program of intense study in all phases of police work.

The Metropolitan Police Department has been most cooperative in assisting the Capitol Police to the extent its resources permit. They currently provide the Capitol, on a reimbursable basis, with a plainclothes detail for security of the House and Senate, a 10-man night foot patrol for the grounds, and five canine teams. However, it would seem that there is little hope in the foreseeable future for a program which envisions the Capitol Police as a division of the Metropolitan Police. As I have stated, the Metropolitan Police is unable to recruit sufficient officers to meet its own needs. It has at this time over 300 vacancies. Moreover, the Capitol Police force has, as its primary mission, the security of buildings and grounds and rendering assistance to the thousands of citizens who visit our Capitol each year, rather than the overall law enforcement requirements of a city police department.

It would seem that the program established in 1966, which provides for a hard core of experienced career policemen within the force, contains the best answer to the problems confronting the Capitol Police Board. This program should be expanded to provide an even larger number of such officers in the future. It has been demonstrated that such men can be recruited and trained to meet the needs of the force. The infusion of experienced officers has upgraded the effectiveness of the entire Department.

In present circumstances, the cooperative plan worked out with the assistance of the Senate Committee on Appropriations between the Capitol Police Board and the Metropolitan Police Department for training and assistance is the most effective arrangement for all concerned.

SENATE AND HOUSE PAGES

Title IV, part 2, section 423, at page 91, would replace the present page system in the House and Senate with men of college age. At present, these positions are filled by boys in high school.

Nature of duties indicates that young boys in high school are better suited. Their tasks are primarily those of messengers or errand boys. College men could not operate in tight quarters around Senate desks and seats with the same efficiency and agility as high school boys. Dignity and decorum of the Senate would not be enhanced by having grown men sit on the rostrum and mill around the Chamber. Hours of Senate business would not provide college boys with an opportunity to attend their classes. If the proposal is based on need for outside supervision of present page force, a better answer would be the establishment of a dormitory with full-time adult supervision.

RESOLUTION OF RHODE ISLAND GENERAL ASSEMBLY

Mr. PASTORE. Mr. President, I send to the desk, for appropriate reference, the resolution passed by the General Assembly of the State of Rhode Island and approved by the Governor on January 27, 1967, memorializing the Congress of the United States to enact legislation authorizing the establishment of a national cemetery in the State of Rhode Island.

The resolution was received and referred to the Committee on Interior and Insular Affairs, as follows:

H. 1157

Resolution memorializing the Congress of the United States to enact legislation authorizing the establishment of a national cemetery in the State of Rhode Island

Whereas, at present there is no national cemetery in the state of Rhode Island; and

Whereas, Rhode Island although small in area is a densely populated state; and

Whereas, many military personnel from Rhode Island give their lives in their country's service; and

Whereas, there are many appropriate parcels of land in Rhode Island which can be selected as the site of a national cemetery: Now therefore be it

Resolved, That the general assembly does hereby memorialize the Congress of the United States to enact legislation authorizing the establishment of a national cemetery in the state of Rhode Island; and be it further

Resolved, That the Secretary of State be and he hereby is authorized and directed to transmit duly certified copies of this resolution to the Senators and Representatives from Rhode Island in the Congress of the United States in the hope that they will exert every effort to have a national cemetery established in Rhode Island.

Attest:

August P. La France,
Secretary of State.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare, with amendments:

S. Res. 74. Resolution to provide additional professional and clerical staff for the Committee on Labor and Public Welfare; referred to the Committee on Rules and Administration.

CONSTRUCTION AND OPERATION OF A LARGE PROTOTYPE DESALTING PLANT—REPORT OF A COMMITTEE (S. REPT. NO. 49)

Mr. KUCHEL. Mr. President, I submit for printing the report on S. 270, a bill, which others have joined with me in introducing, which provides for the construction and operation of a desalting plant off the shores of California, which was approved in committee unanimously.

The PRESIDING OFFICER (Mr. Spong in the chair). The report will be received and printed, and the bill will be placed on the calendar.

The bill (S. 270) to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes, was placed on the calendar.

AUTHORIZATION FOR COMMITTEE ON LABOR AND PUBLIC WELFARE TO MAKE A STUDY OF MATTERS PERTAINING TO POVERTY—REPORT OF A COMMITTEE—ADDITIONAL COSPONSORS

Mr. CLARK. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with amendments, the resolution (S. Res. 17) authorizing the Committee on Labor and Public Welfare to make a complete study of all matters pertaining to poverty. I ask that the resolution be referred to the Committee on Rules and Administration.

I ask unanimous consent that at its next printing the names of Senators Morse, Yarborough, Randolph, Pell, Kennedy of Massachusetts, Nelson, Kennedy of New York, and Murphy be added as cosponsors of the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered; and, under the rule, the resolution will be referred to the Committee on Rules and Administration.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. BYRD of West Virginia:

S. 825. A bill for the relief of Dr. Jacques Charbonniez; to the Committee on the Judiciary.

By Mr. PEARSON:

S. 826. A bill to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; to the Committee on Government Operations.

(See the remarks of Mr. Pearson when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON (for himself and Mr. Nelson):

S. 827. A bill to establish a Nationwide System of Trails, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK (for himself and Mr. Scott):

S. 828. A bill to amend section 5(b) of the act of March 18, 1966 (Public Law 89-372), so as to make the prohibition contained therein on the filling of certain vacancies in the office of district judge for the eastern district of Pennsylvania inapplicable to the first vacancy occurring after the enactment of such act; to the Committee on the Judiciary.

(See the remarks of Mr. Clark when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK (for himself, Mr. McGee, and Mr. Metcalf):

S. 829. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Finance.

(See the remarks of Mr. Clark when he introduced the above bill, which appear under a separate heading.)

(The above bill was ordered to lie on the desk for 1 week for additional cosponsors.)

By Mr. YARBOROUGH (for himself, Mr. Randolph, Mr. Clark, Mr. Smathers, Mr. Morse, and Mr. Williams of New Jersey):

S. 830. A bill to prohibit age discrimination in employment; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

(The above bill was ordered to be held at the desk until February 9, 1967 for additional cosponsors.)

By Mr. FONG:

S. 831. A bill authorizing the use of additional funds to defray certain increased costs associated with the construction of the small-boat harbor at Manele Bay, Lanai, Hawaii; to the Committee on Public Works.

By Mr. MANSFIELD (for himself and Mr. Dirksen):

S.J. Res. 27. Joint resolution establishing the Commission on Art and Antiquities of the Capitol, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. Mansfield when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. McCLELLAN:

S.J. Res. 28. Joint resolution authorizing the president to proclaim the fourth week in April in every year as National Coin Week; to the Committee on the Judiciary.

EXTENSION FOR 2 YEARS THE PERIOD FOR PAYMENTS IN LIEU OF TAXES

Mr. PEARSON. Mr. President, I introduce, for appropriate reference, a bill which would extend for a further period of 2 years the authority to make payments in lieu of taxes under Public Law 388 of the 84th Congress. That law provides that where real property was transferred on or after 1946 from the Reconstruction Finance Corporation to any Government department and title thereto has been held coninuously since such transfer, the Government department having custody and control of authorities an amount equal to the real property tax which would be payable if the property were in the hands of a private citizen.

Under the Constitution, property owned by a Federal department or agency cannot be taxed by the States. But the Federal Government may provide a substitute for the tax where the Congress deems it desirable. In this instance, the properties affected were at one time under the control of the Reconstruction Finance Corporation and then on the tax rolls of the communities in which they were located. They are, for the most part, manufacturing and commercial type properties which require police and fire protection and the numerous other costly services that local communities must provide.

The Department of Defense owns 29 properties which this bill would affect and one such property is located in Sedgwick County, Kans. According to a report from the House last year the cost of this bill would amount to some $3 million. The bill was introduced last year and received favorable approval from the Bureau of the Budget, Department of the Army and General Services Administration.

This bill is of vital importance to communities where affected properties are located, and I sincerely request that full consideration be given to this bill by the Senate.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 826) to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments, introduced by Mr. PEARSON, was received, read twice by its title, and referred to the Committee on Government Operations.

NATIONWIDE SYSTEM OF TRAILS

Mr. JACKSON. Mr. President, I introduce, on behalf of the Senator from Wisconsin [Mr. NELSON] and myself, a bill to establish a nationwide system of trails.

This proposed legislation has been submitted to the Congress by the Secretary of the Interior and its enactment recommended by the President in his recent message on preservation of our natural heritage. This bill would encourage cooperation between Federal, State, and local government agencies and private interests concerned in meeting the objective of providing additional recreational and scenic resources for our citizens. The bill is based upon a joint study by the Secretary of the Interior and the Secretary of Agriculture in cooperation with other public and private organizations. There are four general classes of trails to serve the needs of the American people:

First, national scenic trails; second, Federal park, forest, and other recreation trails; third, State park, forest, and other recreation trails; fourth, metropolitan area trails.

As initial units of the nationwide system, the bill designates four trails to be classified as national scenic trails. These are: the Appalachian Trail, the Continental Divide Trail, the Pacific Crest Trail, and the Potomac Heritage Trail. All of these are within reach of major population centers of the Nation.

I want to assure the President, the Secretary of the Interior, and others who are interested in conservation and development of our national recreational resources that my committee will schedule very thorough consideration of this measure and all those who wish to express their views will have ample opportunity to do so.

I ask unanimous consent that the letter accompanying the legislation submitted by the Department of the Interior to the President of the Senate be printed at this point in my remarks to further explain in more detail the scope of the proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 827) to establish a nationwide system of trails, and for other purposes, introduced by Mr. JACKSON (for himself and Mr. NELSON), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter presented by Mr. JACKSON is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 1, 1967.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: The President in his February 23, 1966, message on preserving our natural heritage, said "I am submitting legislation to foster the development by Federal, State, and local agencies of a nationwide system of trails and give special emphasis to the location of trails near metropolitan areas." Such legislation was submitted in the 2d session of the 89th Congress, and is resubmitted in the enclosed draft bill in a slightly modified form.

A nationwide system of trails will open to all the opportunity to develop an intimacy with the wealth and splendor of America's outdoor world for a few hours at a time, or on one-day jaunts, overnight treks, or expeditions lasting a week or more. A system of trails carved through areas both near to, and far from, man and his works will provide many varied and memorable experiences for all who utilize the trails.

The enclosed draft bill is based upon a joint study by the Secretary of the Interior and the Secretary of Agriculture in cooperation with other public and private interests. The bill provides for the establishment of a Nationwide System of Trails composed of the following four general classes of trails to serve the needs of the American people:

National Scenic Trails—A relatively small number of lengthy trails which have natural, scenic, or historic qualities that give them recreation use potential of national significance. Such trails will be several hundred miles long, may have overnight shelters at appropriate intervals, and may interconnect with other major trails to permit the enjoyment of such activities as hiking or horseback riding. The enclosed bill designates certain trails as national scenic trails for inclusion in the Nationwide System, and provides that other trails may be so designated by subsequent legislation. The bill provides that money appropriated for Federal purposes from the Land and Water Conservation Fund shall be available to Federal agencies to acquire property for the national scenic trails. By the terms of the Land and Water Conservation Fund Act of 1965, money appropriated from the fund for State purposes would be available to States and their political subdivisions for land acquisition and development for trail purposes. The development of national scenic trails by Federal agencies would be financed by appropriations from the general fund of the Treasury.

Federal Park, Forest, and Other Recreation Trails—There will be an improvement and expansion of existing trails and the development of additional trails within areas administered by the Secretaries of the Interior and Agriculture in order to enable the public to make use of the distinctive natural, scenic, and historic resources of the areas administered by the two Secretaries. Among such areas are the national parks, national forests, national wildlife refuges, Indian Reservations, and public domain lands. However, appropriate arrangements would need to be made with the Indian Tribes and individual Indians involved for rights-of-way or easements across Indian lands. No new legislation is required to authorize the construction of this class of trails. The two Secretaries will request funds for the trails as part of their regular requests for appropriations as they have in the past. The enclosed bill authorizes each Secretary to designate and mark the trails of this class under his administrative jurisdiction as part of the Nationwide System of Trails.

State Park, Forest, and Other Recreation Trails—An expansion of trails on lands owned or administered by the States will be encouraged. Only a few States now have major trail development programs underway or planned. Almost half of the States report that they have less than 100 miles of such trails. The enclosed bill directs the Secretary of the Interior to encourage the States to consider needs and opportunities for such trails in the comprehensive statewide outdoor recreation plans and project proposals submitted to the Secretary under the Land and Water Conservation Fund Act of 1965 (78 Stat. 897). Upon the approval by the Secretary of the Interior of trail projects proposed by the States for financial assistance under the Fund Act, funds would be available for the acquisition and development of the trails from the monies allocated to the States out of the Fund. The bill also directs the Secretary of the Interior, under the authority of the Act of May 28, 1963 (77 Stat. 49), and the Secretary of Agriculture, under authority vested in him, to encourage the establishment of such trails. The States may designate and mark this class of trails as part of the Nationwide System with the approval of the Secretary of the Interior.

Metropolitan Area Trails—To serve people near their homes, local governments will be encouraged to develop trails designed primarily for day use in and near urban areas. These trails will satisfy the needs of large numbers of people for limited hiking and riding experiences. Whenever possible, the trails will lead directly from urban residential areas. Where appropriate, river and canal banks, utility rights-of-way, abandoned railroad or streetcar beds, and even city streets and sidewalks will be utilized. The enclosed bill directs the Secretary of the Interior to encourage the establishment of metropolitan area trails under the existing authority and procedures of the Land and Water Conservation Fund Act. It also directs the Secretary of Housing and Urban Development to encourage the planning and provision of trails in metropolitan and other urban areas through the existing urban planning assistance program and the urban open-space land program. In addition, the bill directs the Secretary of the Interior, under the authority of the Act of May 28, 1963 (77 Stat. 49), and the Secretary of Agriculture, under the authority vested in him, to encourage States, political subdivisions and private interests, including nonprofit organizations, to establish metropolitan area trails. This class of trails may be designated and marked as part of the System by the States or other administering agencies with the approval of the Secretary of the Interior.

As initial units of the Nationwide System of Trails, the enclosed bill designates four trails located within easy reach of major population centers as national scenic trails:

1. The Appalachian Trail, extending 2000 miles along the Appalachian Mountains from Maine to Georgia.
2. Continental Divide Trail, extending 3100 miles along the Continental Divide from near the Mexican border to the Canadian border.
3. Pacific Crest Trail, extending 2350 miles along the mountain ranges of the West Coast States from the Mexican border to the Canadian border.
4. Potomac Heritage Trail, extending 825 miles along the Potomac River from its mouth to its sources in Pennsylvania and West Virginia.

The Secretary of the Interior is authorized to select a right-of-way for, and to provide appropriate marking of, the Appalachian and Potomac Heritage Trails, and the Secretary of Agriculture is authorized to do likewise for the Continental Divide and Pacific Crest Trails. The rights-of-way for the trails will be of sufficient width to protect natural, scenic, and historic features along the trails and to provide needed public use facilities. The rights-of-way will be located to avoid established uses that are incompatible with the protection of a trail in its natural condition and its use for outdoor recreation. The location, relocation, and marking of the national scenic trails will be coordinated with the various Federal agencies, States, local governments, private organizations, and individuals concerned. Notice of the selection of the trail rights-of-way, and changes therein will be published in the *Federal Register*.

The Secretary charged with the selection of the right-of-way for the four national scenic trails is authorized to establish an advisory council for each trail. The council will advise and assist in the selection of the right-of-way, and the marking and administration of the trail. The advisory council will include representatives of the Federal agencies that administer lands through which the trail passes, of the States involved, and of private organizations having an established and recognized interest in the trail.

The enclosed bill requires the advisory council for the Appalachian Trail to include a sufficient number of members of the Appalachian Trail Conference to represent the various sections of the country through which the trail passes. This provision of the bill recognizes the long history of responsible service of the Appalachian Trail Conference and its more than 40 member clubs which now maintain much of the 2000-mile length of the trail.

The bill authorizes the heads of Federal agencies, within the exterior boundaries of federally administered areas that are included in the right-of-way selected for a national scenic trail (1) to enter into written cooperative agreements with private landowners, private organizations, and individuals to develop, operate, and maintain the trail; and (2) to acquire lands or interests in lands by donation, purchase with donated or appropriated funds, or exchange.

With respect to the lands within a national scenic trail right-of-way that are outside of the exterior boundaries of federally administered areas, the bill encourages States and local governments (1) to enter into written cooperative agreements with landowners, private organizations, and individuals to develop, operate, and maintain the trail; and (2) to acquire, develop, and administer these lands or interests therein. If, however, the States or local governments are unable or unwilling to enter into such agreements or to acquire such lands to protect the established route of the trail within two years after the selection of the right-of-way, the Secretary charged with the selection of the right-of-way is authorized to undertake such agreements with the above parties and State and local governments, and to acquire, develop, and administer the privately owned lands or interests therein. The appropriate Secretary may not, however, acquire the privately owned lands and interests therein by eminent domain without the consent of the owner unless he has made all reasonable efforts to acquire such property by negotiation. And in exercising the power of eminent domain in such cases, he may not acquire the fee title unless he determines the acquisition of lesser interests or written agreements is inadequate.

The Secretary of the Interior will administer the Appalachian and Potomac Heritage Trails, and the Secretary of Agriculture will administer the Continental Divide and Pacific Crest Trails. When any portion of one of the above trails is within an area administered by another Federal agency, however, such portion will be administered as the appropriate Secretary and the head of that agency determine, or as directed by the President.

The use of motor vehicles by the general public along national scenic trails will be prohibited. This will not, however, prevent motor vehicles from crossing the trails where necessary, or the use of motor vehicles along the trails for rescue, fire fighting, or other emergency purposes. Similarly, it is recognized that additional highways, utility lines, and other vital public facilities may unavoidably be routed across the trails.

The Appalachian Trail Conference will be encouraged to continue its role as the principal guardian of the Appalachian Trail. For over 40 years, thousands of volunteer members of the Appalachian Trail Conference have teamed together to establish and maintain the trail. Their work on the trail has been as important an outdoor recreation activity to them as the enjoyment of hiking and camping along the trail. The enclosed bill will insure that the Appalachian Trail will continue to provide both a source of hiking pleasure to Trail Conference members and the general public and an opportunity for volunteer work to help maintain the trail.

We estimate the land acquisition cost for the four national scenic trails at approximately $9,985,000 and the development costs for the first five years at approximately $20,000,000. Annual operation and maintenance costs for the four trails are expected to be about $1,177,000 after the fifth year.

The $9,985,000 land acquisition cost figure would provide for the acquisition of lands or interests therein along those portions of the trails not now in public ownership. This assumes acquisition in fee of an average of 25 acres per mile, as well as the acquisition of scenic easements, as needed, to protect trail values on adjoining lands. The 25-acre per mile acquisition in fee would permit a right-of-way averaging about 200 feet in width. We hope, however, that satisfactory written cooperative agreements can be negotiated which will materially reduce the need for land acquisition, and thus the estimated cost.

In keeping with the bill's objective of encouraging cooperation between the Federal agencies, States, local governments, and private interests concerned, we anticipate that non-Federal interests will participate actively in the acquisition, development, operation, and maintenance of the Appalachian Trail. To the extent of such participation, the need for Federal funds also will be reduced.

The man-years and cost data statement (based on current assumptions and estimates) required by the Act of July 25, 1956 (70 Stat. 652; 5 U.S.C. 642a), when annual expenditures of appropriated funds exceed $1 million, is enclosed.

This proposed legislation has been prepared in collaboration with the Secretary of Agriculture and has his approval.

The Bureau of the Budget has advised that the presentation of this proposed legislation would be in accord with the program of the President.

Sincerely yours,
CHARLES F. LUCE,
Acting Secretary of the Interior.

Estimated expenditures for the 1st 5 years of proposed new or expanded programs

APPALACHIAN TRAIL

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
Operation and maintenance	$115,000	$250,000	$250,000	$250,000	$250,000
Capital investment	200,000	200,000	200,000	200,000	200,000
Land acquisition	500,000	2,000,000	1,000,000	750,000	415,000
Total	815,000	2,450,000	1,450,000	1,200,000	865,000

PACIFIC CREST TRAIL

Operation and maintenance	$327,000	$327,000	$327,000	$327,000	$327,000
Capital investment	1,330,000	1,330,000	1,330,000	1,330,000	1,330,000
Land acquisition	120,000	255,000	470,000	255,000	120,000
Total	1,777,000	1,912,000	2,127,000	1,912,000	1,777,000

POTOMAC HERITAGE TRAIL

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
Operation and maintenance	$90,000	$200,000	$200,000	$200,000	$200,000
Capital investment	263,200	263,200	263,200	263,200	263,200
Land acquisition	150,000	350,000	560,000	350,000	150,000
Total	503,200	813,200	1,023,200	813,200	613,200

CONTINENTAL DIVIDE TRAIL

Operation and maintenance	$400,000	$400,000	$400,000	$400,000	$400,000
Capital investment	2,200,000	2,200,000	2,200,000	2,200,000	2,200,000
Land acquisition	254,000	535,000	962,000	535,000	254,000
Total	2,854,000	3,135,000	3,562,000	3,135,000	2,854,000
Grand total	5,949,200	8,310,200	8,162,200	7,060,200	6,109,200

Estimated additional man-years of civilian employment for 1st 5 years of proposed new or expanded programs

APPALACHIAN TRAIL

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
Supervisors	1	2	2	2	2
Laborers	9	18	18	18	18
Total	10	20	20	20	20

POTOMAC HERITAGE TRAIL

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
Supervisors	1	2	2	2	2
Laborers	7	13	13	13	13
Total	8	15	15	15	15

PACIFIC CREST TRAIL

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
Supervisors	6	6	6	6	6
Laborers	18	18	18	18	18
Total	24	24	24	24	24

CONTINENTAL DIVIDE TRAIL

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
Supervisors	8	8	8	8	8
Laborers	24	24	24	24	24
Total	32	32	32	32	32
Grand total	74	91	91	91	91

THE AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967

Mr. YARBOROUGH. Mr. President, I introduce, for Senator CLARK, Senator MORSE, Senator RANDOLPH, Senator SMATHERS, Senator WILLIAMS of New Jersey, and myself the Age Discrimination in Employment Act of 1967.

As the President stated in his message on older Americans:

> America is a young nation. But each year a larger proportion of our population joins the ranks of the senior citizens.

And each year more and more senior citizens are finding it difficult to obtain jobs. In our country today there are thousands of people not yet old—not yet voluntarily retired—but finding themselves jobless because of arbitrary age discrimination.

In fact, there has been a persistent average of 850,000 people age 45 and over who are unemployed, despite our present low overall rate of unemployment.

This is a serious and senseless loss to the Nation as a whole. The greater loss is to the citizens themselves—and their families.

The legislation I am introducing today is the President's recommendation to Congress for action to enable our Government to fulfill its responsibility to these citizens—and their families.

Congress has sought to improve the quality of our educational system, to stimulate economic growth, to guarantee all citizens their full constitutional rights. These are sound objectives—their attainment are goals worthy of a great nation.

But of what value are constitutional rights and improved schools and general prosperity to those who cannot even find a job?

A nation so richly endowed should be able to devise ways and means of insuring to all our able-bodied working men and women an opportunity to work, regardless of age.

The proposed legislation will establish, as a touchstone of national labor policy, a program to eliminate arbitrary age discrimination in employment.

The bill provides minimum standards for barring age discrimination in employment for workers between the ages of 45 and 65. But for needed flexibility, the Secretary of Labor is authorized to adjust those age limits upward or downward.

The bill's prohibitions against arbitrary employment practices harmful to older persons are directed against employers, labor organizations, and employment agencies in industries affecting commerce. It provides a three-stage effort for eliminating these unjust discriminatory practices. The Secretary of Labor would attempt to eliminate the injustices through informal efforts; that is, by conference, conciliation, and persuasion. Should these efforts be unsuccessful, the prohibitions would be enforced through administrative proceedings conducted by the Secretary. These proceedings could be initiated either by the Secretary himself or by an aggrieved person. Where necessary, there could be judicial enforcement following the administrative procedures.

The prohibitions are not directed to all instances of differentiation on the basis of age; that is, valid differentiations could be made in the case of a bona fide occupational qualification necessary to the normal operation of a business. The bill also permits other reasonable differentiations not based on age alone, and the Secretary of Labor would have authority to set up other reasonable exceptions, if he finds them necessary in the public interest.

The bill also provides for research programs with a view to reducing those particular problems for older workers which stem from institutional arrangements.

Fostering job opportunities and the potential for employing older workers through the public employment service is provided for.

Lastly, the proposal contains provisions for communicating information to employers and unions and other interested persons concerning the skills and abilities of older workers. It calls for a positive program of providing technical assistance to employers, unions, and others interested in helping older workers and the problems they face because of age discrimination.

I urge that early and favorable consideration be given to the enactment of this legislation, which will carry out one of the most important recommendations in the President's message on older workers.

To deny a man an equal chance at a job or at advancement because of his age is sharply at odds with the basic tenets of freedom and fair play on which this Nation was founded.

Let me suggest three additional reasons why this legislation should be supported:

First, it is the right thing to do.

Second, this country has always had a special quality, a unique standing among the nations of the world, as the land of opportunity. Other nations have been inspired by this example in the past. Today, our neighbors in the world judge us not by our excuses but by our accomplishments.

Third, we cannot afford to waste the skills of any man. We need the full use of all our talents to meet the challenges of the modern world.

I ask unanimous consent that this bill remain at the desk until the close of business on Thursday, February 9, so that other Senators may add their names as cosponsors.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Texas.

The bill (S. 830) to prohibit age discrimination in employment, introduced by Mr. YARBOROUGH (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

RANDOLPH SUPPORTS LEGISLATION TO CURB DISCRIMINATION ON ACCOUNT OF AGE IN EMPLOYMENT PRACTICES

Mr. RANDOLPH. Mr. President, it is my privilege and a cherished part of my responsibility to join with my distinguished colleague from Texas [Mr. YARBOROUGH] in cosponsoring this legislation.

As chairman of the Subcommittee on Employment and Retirement Incomes of the Special Committee on Aging, and as a member of the distinguished gentleman's Subcommittee on Labor, of the Committee on Labor and Public Welfare, I have been keenly interested in employment difficulties faced by many middle aged and older Americans in their desire to make available their experience, training, energies, and enthusiasm—to contribute to the growth and solidity of our Nation's economy—by obtaining gainful employment at a respected level in our society.

This bill will provide a sound basis for consideration of this problem by the Congress, and I am confident that we can use it to develop equitable legislation to help solve the problem these people face.

I look forward to working with my colleague from Texas, and with our other colleagues on the Labor Subcommittee during hearings and other meetings where this legislation will be considered. We must dedicate ourselves to meeting the needs of our middle aged and elderly in all of the myriad spectra of which our national image is composed.

PRESERVATION OF CAPITOL WORKS OF ART

Mr. MANSFIELD. Mr. President, in the last Congress, the distinguished minority leader [Mr. DIRKSEN] and several other Senators joined with me in sponsoring a joint resolution which was designed to provide adequate supervision of the works of art and the antiquities of the Capitol. This resolution passed the Senate by unanimous vote, as had a similar measure in a preceding Congress. In neither case, however, was the proposal acted upon in the House of Representatives.

There has been a gratifying upsurge of interest in recent years in the preservation of the memorabilia of America's history as a source of continuing national inspiration. There comes to mind, of course, the work of Mrs. Kennedy and Mrs. Johnson in the home of the Presidents, the White House, which has provided considerable impetus for this growing interest.

There has not been, I regret to say, a similar solicitude for the historic contents of the home of the Congress, the Capitol. Yet this edifice is a great storehouse of furniture, paintings, statues, and other objects of art and antiquity. The Capitol's collection dates back to the earliest days of the Republic, much of it is irreplaceable, and the whole is of incalculable value.

As has happened in State capitals, it is probable that there has already been, over the decades, considerable loss in this great collection. That is to be expected when it is realized how loose and scattered are the arrangements for its supervision. Various officers and committees of the Congress share these responsibilities under practices which have grown up over the decades and without any particular rhyme or reason. At this point, Mr. President, we do not even know what there is, where it is, or what it is worth because there is no central source of supervision.

I sometimes wonder when we will make the discovery of the need for more satisfactory arrangements for the preservation of this collection. Will it take a catastrophic event to act as a catalyst? I do not suppose that the Potomac is about to overflow its banks and flood the Halls of Congress but there does come to mind the devastating floods in Italy last year which resulted in irreparable damage, particularly in Florence, to priceless objects of art and antiquity. We ought not to require some such calamity in order to bring ourselves to take adequate steps to conserve the treasures of the Capitol. I hope that we will not wait until we find ourselves in a position of being able to do too little because it is already too late.

I believe that there is a clear and compelling need for legislation now which would provide for the integrated safeguarding and display of the Capitol's art and antiquities. Therefore, I am reintroducing at this time a joint resolution to create a Commission on the Capitol's Arts and Antiquities. It would be comprised of the Speaker of the House, the President of the Senate, the chairman and ranking minority member of the Senate Rules Committee, and the House Administration Committee, and the Architect of the Capitol. It would, in addition, provide for the engagement of an outstanding professional curator to exercise responsibility, under the direction of the Commission, for the preservation and display of the works of art and antiquity in the Capitol.

I hope my colleagues in the Senate will see fit to renew the fine bipartisan support they have given to this proposal in the past. I am hopeful, too, that the House, on this occasion, will have the time to give the matter the careful consideration which it deserves and that the pressing desirability of taking this action will be interpreted into effective legislation during the current session.

On behalf of the distinguished minority leader [Mr. DIRKSEN], and myself, I send to the desk a joint resolution and ask that it be appropriately referred.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 27) establishing the Commission on Art and Antiquities of the Capitol, and for other purposes, introduced by Mr. MANSFIELD (for himself and Mr. DIRKSEN), was received, read twice by its title, and referred to the Committee on Rules and Administration.

CHANGE OF REFERENCE

On motion of Mr. Moss, and by unanimous consent, the Committee on Interior and Insular Affairs was discharged from the further consideration of the bill (S. 100) for the relief of Box Elder County School District, Utah, and the bill was referred to the Committee on Labor and Public Welfare.

IMPROVEMENT OF OPERATION OF THE LEGISLATIVE BRANCH OF THE GOVERNMENT — AMENDMENTS

AMENDMENTS NOS. 67 THROUGH 82

Mr. LONG of Louisiana. Mr. President, I submit a number of amendments intended to be proposed by me to the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes. I ask unanimous consent that the amendments be printed and lie on the table, and that the amendments be printed in the RECORD.

THE PRESIDING OFFICER. The amendments will be received, printed, and will lie on the table; and, without objection, the amendments will be printed in the RECORD.

The amendments (No. 67) are as follows:

AMENDMENT NO. 67

Beginning with line 5, page 6, strike out all to and including line 20, page 6, and redesignate succeeding subsections of section 102 of the bill accordingly.

On page 7, in the second sentence which would be added to section 133(d) of the Legislative Reorganization Act of 1946 by section 102(d) of the bill (as inserted by amendment No. 35, agreed to January 26, 1967), immediately after the words "may be cast by proxy", insert the words "if rules adopted by such committee forbid the casting of votes for that purpose by proxy".

On page 7, in the fourth sentence which would be added to section 133(d) of the Legislative Reorganization Act of 1946 by section 102(d) of the bill (as inserted by amendment No. 35, agreed to January 26, 1967), immediately after the words "by each member of the committee", insert the words "if the committee by majority vote directs that such tabulation be included in such report with respect to such measure or matter".

Beginning with line 24, page 7, strike out all to and including line 25, page 9, and insert in lieu thereof the following:

"(e) Section 133 of that Act is amended by adding at the end thereof the following new subsection:".

On page 11, line 11, immediately after the period, insert closing quotation marks.

Beginning with line 12, page 11, strike out all to and including line 24, page 11.

Beginning with line 7, page 12, strike out all to and including line 21, page 13.

On page 13, line 22, strike out "(e)", and insert in lieu thereof "SEC. 133A. (a)".

On page 14, line 3, strike out the words "on at least one day of", and insert in lieu thereof the words "during the".

On page 14, line 21, strike out the words "conduct a hearing" and insert in lieu thereof the words "sit for any purpose".

On page 16, line 4, immediately after the period, insert closing quotation marks.

Beginning with line 5, page 16, strike out all to and including line 1, page 20.

Beginning with line 13, page 20, strike out all to and including line 7, page 21, and insert in lieu thereof the following:

"'(c) Each report of a committee of conference shall be printed as a report of the House of Representatives. As printed in the House, each such report shall be accompanied by an explanatory statement prepared by the conferees on the part of the House. Each such statement shall be sufficiently detailed and explicit to inform the House as to the effect which amendments or propositions contained in such report will have upon the measure to which it relates. If any conferee on the part of the House desires to submit to the House an additional individual explanatory statement with respect to any such report, such individual statement may be filed as an appendix to, and may be printed together with, the explanatory statement made by the conferees on the part of the House, if such individual statement is available at the time of the filing of the report of the committee of conference to the House. The report of a committee of conference with respect to any measure may be printed as a report of the Senate in the discretion of the conferees on the part of the Senate. If such report is so printed, it may include an explanatory statement with respect to that report prepared by the conferees on the part of the Senate.'."

Beginning with line 17, page 21, strike out all to and including line 10, page 30.

On page 30, line 11, strike out "Part 3", and insert in lieu thereof "Part 2".

On page 2, in the table of contents, strike out all items relating to Part 2 of title I, and redesignate "Part 3" as "Part 2".

On page 55, after line 2, insert the following: "For purposes of the preceding sentence, decreases in revenues derived from taxes or duties imposed by the United States which would result from the enactment of a bill or joint resolution shall not be considered as costs which would be incurred in carrying out such bill or joint resolution."

Beginning with line 23, page 56, strike out all to and including line 6, page 60, and insert in lieu thereof the following:

"Sec. 301. (a) Section 202 of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 72), is amended by adding at the end thereof the following new subsections:

"'(g) (1) Each standing committee of the Senate or".

On page 61, line 17, strike out "(j)", and insert in lieu thereof "(h)".

Beginning with line 6, page 63, strike out all to and including line 13, page 63.

On page 63, line 14, strike out "(e)", and insert in lieu thereof "(b)".

Beginning with line 8, page 64, strike out all to and including line 12, page 64.

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"Sec. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"STANDING RULES OF THE SENATE

"Sec. 123. Rule 12 of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

"4. A Senator who is absent with leave of the Senate and who would otherwise be paired on a question with a Senator or Senators who are present shall be permitted to declare his assent or dissent to the question by instructions deposited with the majority leader or the minority leader. No Senator shall be permitted to vote under the preceding sentence more than five times during any session of the Congress; and no motion to suspend this rule shall be in order, nor shall the Presiding Officer entertain any request to suspend it by unanimous consent.'."

On page 4, in the table of contents, immediately after the item relating to section 471 of the bill, insert the following:

"PART 7—ELECTRICAL VOTING SYSTEM IN SENATE CHAMBER

"Sec. 481. Electrical voting system in Senate Chamber."

On page 118, between lines 7 and 8, insert the following new section:

"ELECTRICAL VOTING SYSTEM IN SENATE CHAMBER

"Sec. 481. (a) The Architect of the Capitol, acting under the direction of the Committee on Rules and Administration of the Senate, is authorized and directed to take such action as may be required to provide for the procurement, installation, and operation in the Senate Chamber of electrical equipment for use in casting, recording, and counting votes and ascertaining the presence of quorums.

"(b) The expenses incurred in the procurement, installation, and operation of such equipment shall be paid from the contingent fund of the Senate on vouchers signed by the chairman of the Committee on Rules and Administration of the Senate."

The amendments submitted by Mr. Long of Louisiana (Nos. 67 through 82) were separately numbered, and ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. KUCHEL. Mr. President, I ask unanimous consent that at its next printing the name of the junior Senator from Hawaii [Mr. Inouye] be added as a cosponsor to S. 531, to amend the Land and Water Conservation Fund Act of 1965.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the name of the senior Senator from Nevada [Mr. Bible] be added as a cosponsor of the bill (S. 646) to provide for the compensation of persons injured by certain criminal acts, at the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOGGS. Mr. President, I ask unanimous consent that at the next printing of S. 483, a bill requiring the Veterans' Administration to give advance notice before any planned closing or relocating of a facility, the name of the Senator from Idaho [Mr. Church] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the name of the senior Senator from Hawaii [Mr. Fong] be added as a cosponsor of the bill (S. 18) to establish a Small Tax Division within the Tax Court of the United States, at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. Mr. President, I ask unanimous consent that the name of the distinguished junior Senator from Hawaii [Mr. Inouye] be added as a cosponsor of S. 260, the medical restraint of trade bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors of the following bills:

Authority of January 11, 1967:

S. 110. A bill to amend title XVIII of the Social Security Act and related provisions of law so as to eliminate the deductible and coinsurance features of the health benefits program established by such title, to permit women to qualify for such benefits at age 62, to include within the hospital insurance benefits provided thereunder services of certain medical specialists, to include prescribed drugs among the benefits provided by part B of such title, to include eye and dental care among the benefits provided under such part B, and otherwise to extend and improve such program: Mr. Mansfield and Mr. Prouty.

S. 119. A bill to reserve certain public lands for a national wild rivers system, to provide a procedure for adding additional public lands and other lands to the system, and for other purposes: Mr. Anderson, Mr. Bartlett, Mr. Bayh, Mr. Brewster, Mr. Burdick, Mr. Case, Mr. Clark, Mr. Cooper, Mr. Dodd, Mr. Ervin, Mr. Fong, Mr. Gruening, Mr. Hart, Mr. Inouye, Mr. Kennedy of New York, Mr. Lausche, Mr. Long of Missouri, Mr. Mansfield, Mr. McGee, Mr. McGovern, Mr. Miller, Mr. Mondale, Mr. Montoya, Mr. Morse, Mr. Moss, Mr. Mundt, Mr. Nelson, Mr. Percy, Mr. Proxmire, Mr. Ribicoff, Mr. Scott, Mr. Symington, Mr. Tydings, Mr. Yarborough, and Mr. Young of Ohio.

S. 199. A bill to create the Freedom Commission and the Freedom Academy, to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas to increase the nonmilitary capabilities of the United States and other nations in the global struggle between freedom and communism, to educate and train Government personnel and private citizens to understand and implement this body of knowledge, and also to provide education and training for foreign students in these areas of knowledge under appropriate conditions: Mr. Case, Mr. Dodd, Mr. Dominick, Mr. Fong, Mr. Hickenlooper, Mr. Lausche, Mr. Miller, and Mr. Proxmire.

Authority of January 18, 1967:

S. 513. A bill to amend the Public Health Service Act by adding a new title X thereto which will establish a program to protect adult health by providing assistance in the establishment and operation of regional and community health protection centers for the detection of disease, by providing assistance for the training of personnel to operate such centers, and by providing assistance in the conduct of certain research related to such centers and their operation: Mr. Clark, Mr. Gruening, Mr. Hart, Mr. Kennedy of New York, Mr. Pell, and Mr. Tydings.

S. 514. A bill to establish a Redwood National Park in the State of California, and for other purposes: Mr. Kennedy of Massachusetts, Mr. Lausche, and Mr. Williams of New Jersey.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. BYRD of Virginia:

Message of congratulations to radio station WAVA on the occasion of its 20th anniversary.

DISTAFF ANSWER TO VIETNAM CRITICS

Mr. BYRD of West Virginia. Mr. President, we on Capitol Hill have had a good many opportunities to hear expressions of views by our immensely capable Secretary of Defense. However, similar statements of views from the distaff side of the Robert S. McNamara family are rarer. I am, therefore, pleased to note that Mrs. McNamara on January 24, in a speech before the Women's Forum on National Security, here in Washington, D.C., spoke out in answer to critics of our Nation's participation in the Vietnam conflict.

She, also on that same occasion, stated her thoughts on a range of other subjects of local and national interest. While there are those of us who do not necessarily concur in all of Mrs. McNamara's views, the opportunity to have access to her thoughtful remarks is a welcome one, and I have secured a copy of her statement for insertion in the Record.

I ask unanimous consent that this speech be printed in the Record at this point.

There being no objection, the speech was ordered to be printed in the Record, as follows:

REMARKS BY MRS. ROBERT S. MCNAMARA AT THE WOMEN'S FORUM ON NATIONAL SECURITY

Mrs. Ryan, and members of the Forum:

I am grateful for your invitation, and pleased to be here to participate in your deliberations.

It is surely a season for deliberation. One of the most positive characteristics of the mood of our nation at the moment is that people *are* deliberating. People are pondering.

In a way, that is something rather special.

As a people, we Americans are intensely pragmatic. It is a good characteristic, and one that accounts for much of our spectacular growth as a nation.

We have a kind of healthy suspicion of the overly theoretical; of the abstract; and especially of the ideological. In a sense, America is a nation free of ideology.

We, of course, believe profoundly in the bedrock principles of freedom, liberty, and democracy.

But those principles are, in themselves, not so much an ideology, as they are a firm guarantee that Americans may believe in *any* reasonable ideology, providing only it does not violate the rights of others.

We are openminded about various ideologies in this country—including some which the vast majority of Americans are unlikely ever to agree with, much less adopt—but we do insist that their promoters abide by the laws; or if they do not agree with the laws, that they lawfully use the constitutional means available to get the laws duly and democratically changed. Students at Berkeley—my alma mater—clearly are exercising a similar prerogative.

Of course, there are some who say that our ideology is—and ought to be—"Americanism." But if one ponders deeply what that term really means, one inevitably comes back to those same fundamental principles of freedom and the rule of law which are summed up in the Declaration of Independence and the Constitution.

Our historical practice has been to look constantly for new and better ways of getting things done.

We have a kind of stubborn belief that there is nothing that can't somehow be improved.

We are far more interested, as a people, in economic practice than in economic principles; in political projects than in political philosophy; in social gains than in sociological speculation—in doing rather than in being.

It is not that we are not a thinking people. But the kind of thoughts we think are generally thoughts related to action: to practical, pragmatic, realizable goals. They are somewhat less often thoughts related chiefly to theories and abstractions.

We like to think of ourselves as a nation of *doers*; and we have done a monumental job in the fields of social action, research, and education—solely by volunteer contributions.

Indeed, Americans have a time-frame reference that sets us off from much of the rest of the world. We have, for example, a kind of passion about being prompt. Our friends in some parts of the globe are constantly amused at our persistent belief that 8 p.m. on a dinner invitation card really means 8 p.m.—and not 9:30, which the hostess actually expects.

But we have an even more interesting attitude towards time.

We foreshorten it.

By much of the world's standards we measure time by a different set of dimensions.

We are not very comfortable with the prospect of spending long stretches of time at almost anything.

It is understandable that Americans feel this way. Our nation is less than 200 years old. For America, history has always been in a hurry.

It is part of our pragmatism that we want to get things done; to tackle problems; solve them quickly; and then move on to something else.

As a people, we are constantly haunted with the almost helpless feeling that we just have not enough time to do all that we want to do.

One of the most common expressions one hears in America—whether it is in connection with reading a new book, or pursuing a new hobby, or taking on a new commitment of almost any kind—is the expression: "I'd love to. But I just haven't the time."

Time is perhaps the *only* absolutely equitably distributed commodity on earth. Every human being on the face of the globe is given *exactly* the same amount of time per day: 24 hours—not a second more, not a second less.

So what we really mean when we say we "haven't time" for something is simply that we are making a value judgment about it. We have mathematically the same amount of time as every other human being; but on our particular scale of values and responsibilities, we must allocate our time differently. Let us stop, look, listen and reflect as human beings. Let us ask ourselves: "Who am I? What do I want to be?"

One of the questions I am most often asked is: "How do you have time for some of the projects in which you are involved?" It is important to me to grow with the knowledge of the changing and challenging concepts of our economic, political and sociological future, while at the same time to work and see the possibilities of progress at the grass roots level—because that is where the action is.

Having been a member of the advisory council for the Office of Economic Opportunity gives one a clear view of the entire project against poverty.

Talking with young men and women, 16–21 years old, at various Job Corps camps gives you heart when you see how desperately these young people seize what they feel is their last chance in life to prove themselves.

T. S. Eliot in his Fourth Quartet has said, "We shall not cease from exploration and when we are through exploring we will arrive where we started and know the place for the first time."

If you explore the capital city of Washington I am sure you will find:

A city of 800,000 with no home rule;

No elected leader;

No elected School Board;

No community action until recently;

No constituents of the men in Congress who are on the D.C. Committees, and who are responsible for the growth and welfare of this beautiful capital city.

Its beauty is only tourist-skin-deep. Behind this beautiful and historic facade, we have all the problems of the urban impacted cities. The only difference is that we have no elected leadership representing the people that care whether we get an adequate budget, more jobs, education and housing, as soon as possible.

We must explore new ways of improving or changing in order to meet the problems of the big cities. We must not be afraid to get out of old tracks.

Solutions are not always so simple.

But we feel one of the new projects in Washington for Elementary school-age children—giving them paperback books of their own choosing—for their very own to do with them what they wish—we feel that this is a head start towards building our enlightened population of Americans, who will be able to read the issues of the future and contribute to our free democratic society.

No one is really *busier* than anyone else. The more profound truth is that all human beings are equally busy. But they are equally busy pursuing very unequal values.

One can be very busy doing nothing at all—if doing nothing at all is part of one's value system. [e.g.—letter]

Now it seems to me that all of this—our American preference for the practical over the philosophical; and our American disposition to get things done in a hurry—is all directly related to the most profound problems of our national security.

We enjoy many important—and in the end, decisive—advantages over our adversaries in Southeast Asia.

But there is one advantage, I think, that they may have over us.

And that is that they may feel psychologically somewhat more comfortable with the prospect of a long-range effort than we do.

Certainly, they suspect that our most vulnerable characteristic is that we lack persistence.

They do not doubt our commitment for the short-run. But they do not believe that we are a long-run people.

What we occasionally forget is that some things—by their very nature—*cannot* be done in a hurry.

It takes time for trees to grow—particularly strong and fruitful ones.

And it takes time for political and economic and social changes to mature—most especially strong and fruitful ones.

But no tree can grow if hostile trespassers are about, constantly trying to axe it down, and plant something else in its place.

The tree of political, social and economic development in South Vietnam is not yet a fully grown tree. It is a sapling with great promise. But it needs protection, and nourishment, if it is to blossom.

We have committed ourselves, as a nation, to help that tree to grow.

We are seeking to nourish it through generous non-military assistance.

But the real point is that trees take time to grow.

And from a psychological point of view, we Americans are not by inclination a tree-planting people. By inclination we prefer activities that do not stretch so indeterminately into the future.

That, I think, is the most difficult aspect of this war for us: its time-frame.

We do not know how long it will last; for it is a very different kind of war than we have ever fought.

We do not know clearly how long it will be before the tree of development in South Vietnam can stand securely rooted in safe soil, and ready to produce by itself, the fruits its people hunger for.

But what we do know is that if we flag in our efforts, the tree will be destroyed.

The assistance we are rendering the people of South Vietnam is making it possible for them to achieve what they themselves most want: sufficient internal development to stand on their own feet—without fear—and make their own decisions—without coercion.

Overly simple solutions to complicated human situations are almost always suspect—though they are frequently attractive by the very force of their simplicity.

The extremist critics of our defense of the people of South Vietnam—both the critics who believe we should abandon our efforts to help these people; and the critics who believe we should abandon our restraint and bomb North Vietnam off the map—it seems to me that the critics at *both* ends of this spectrum of discontent could afford, perhaps, to be a little less simplistic in this complaints, and a little more philosophical in their analysis.

Indignation is easy enough. Carefully thought-out alternatives are not quite so forthcoming.

In any event, I believe that responsible discussion is, in the end, immensely valuable. Not only is it every American's fundamental right. But to the degree that the discussion is serious, and not merely sentimental; to the degree that the discussion is profound, and not merely partisan; to the degree that the discussion is philosophical, and not merely pragmatic—to that degree will we all be a wiser people, and firmer in our resolve to carry out our responsibilities.

Human history is, of course—like man himself—full of ironies. And surely one of the greatest ironies of our 20th century is that though it has, on the whole, been one of the most massively destructive centuries of all

. . . with its two world wars . . . it has also had an increasing claim to becoming man's most constructive century.

The irony lies in the intrinsic ambivalence of the technological revolution.

Technology has in this century given us tools of unprecedented potential.

But even more momentous than the tools themselves are the managerial skills that have evolved in order to absorb, master, and optimize for human purposes the new technology.

As violent and irrational as the first half of our century has been, there are realistic grounds for concluding that the last third of this century can well become the greatest Age of Reason man has ever enjoyed.

For the technology of the Industrial Revolution of the last century—symbolized by steam—was primarily an extension of man's muscle.

But the technology of the current Communication Revolution—symbolized by the electron—is primarily an extension of man's brain.

We have increasingly at hand the tools for extending the thrust of man's reason into political, economic and social phenomena on a scale that has never before been remotely possible.

To say that we have the tools does not guarantee, of course, that we have the wisdom to use them well.

But wisdom is the fruit of reason; and reason—indeed even serious philosophical speculation—is enjoying a renaissance in America today in the most unexpected places!

For the task of the modern manager—be he in industry, in government, in the university, or in the home—is increasingly the task of deciding how to cope with radical change in almost every dimension.

The industrialist, the government official, the student—indeed, the housewife herself—must constantly ask the question: *what is it that I am trying to accomplish? How should I deal with a set of phenomena that are changing before my very eyes? Who, in fact, am I; and what is it that is to be done?*

Now these are all very philosophical questions.

The fact seems to be that for all the superficial sensuality of our era, we are—perhaps in spite of ourselves—fast becoming unwitting peripatetics in a kind of neo-Athenian Academy.

Irony of ironies, our era of radical change is making us into philosophers!

That, I submit, augers well for the last third of our century.

It augers well, not only for our national security—and for the security of mankind at large—but for the whole fabric and quality of human life.

For philosophy, quite literally, is the love of wisdom.

Life without reason, after all, is simply not human.

And conversely, life in the serious pursuit of reason is to be human at its adventurous best.

"That which is proper to a thing," noted Aristotle, "is for that thing best and most pleasant. In the case of man, the life of reason is the best and most pleasant life, since more than anything else *reason* is man."

That all of us ought to help to make the world more secure is but another way of saying that we ought all to help make the world more reasonable.

Apart from everything else, the task carries with it its own rich rewards.

For the love of wisdom is cheerfully contagious.

And a growing outbreak of wisdom in our world would be a happy epidemic indeed.

Thank you very much.

ORDER FOR ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEDICAL RESTRAINT OF TRADE ACT

Mr. DIRKSEN. Mr. President, the Subcommittee on Antitrust and Monopoly, of which I am the ranking minority member, has been conducting hearings on the bill S. 260, the Medical Restraint of Trade Act, which, if enacted, would prohibit doctors from dispensing drugs, devices, and so forth, including eyeglasses and contact lenses, even though the doctor feels it is in the best interest of treating his patient. Six days of hearings have thus far been held, but Members of Congress and the public have not been able to obtain reasons why the bill should or should not be passed, by a reading of accounts in some of the press which may mislead the reader. A quick perusal of some of the papers that come to the attention of Members of Congress would indicate that the reasons why the bill should not be passed hardly have been mentioned.

For the information of the Members of Congress and to inform the general public, I ask unanimous consent that the following be placed at this point in the RECORD: the opening statement of ROMAN L. HRUSKA and myself; statements made by eminent and qualified witnesses against the bill; and the statement of the former Chairman of the Federal Trade Commission, Earl W. Kintner on behalf of the National Association of Retail Druggists in favor of the bill. Mr. President, I also ask unanimous consent to have included with the other material, in the order enumerated, an article published in the Washington Post of January 27, 1967, pertaining to S. 260, the entire story being directed to a letter referred to at the January 26 hearing, but written to the chairman, July 26, 1966, and the aftermath resulting therefrom, although not one word was said in that story relating to the expert testimony of witnesses for or against S. 260 on that day. Also a letter dated January 21, 1967, from the president of the North Dakota State Medical Association to me.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OPENING STATEMENT BY SENATORS EVERETT MCKINLEY DIRKSEN AND ROMAN L. HRUSKA ON S. 260, BEFORE THE ANTITRUST AND MONOPOLY SUBCOMMITTEE, JANUARY 24, 1967

Mr. Chairman: As the record shows, hearings on doctor ownership in pharmacies and doctor ownership in repackaging firms were held in August, 1964. A report was issued by the Subcommittee with individual views issued by us. In July and August of 1965, there were five days of hearings on dispensing of eyeglasses by ophthalmologists. As a result of those two sets of hearings, the "Medical Restraint of Trade Act," S. 2568, was introduced in the 89th Congress and Senator Dirksen briefly commented on the matter at that time.

Today, we pose several questions about S. 260, the successor of S. 2568, that these hearings will, it is hoped, help to resolve.

S. 260 is directed at three specific, but completely disparate, situations.

The drug repackaging issue, according to the 1965 report submitted by the Majority, affects the 140 doctor-owned repackaging companies in about 30 states. This problem involves a very minute percentage of the 200,000 physicians in the United States. The report, at page 38, quotes Robert Throckmorton, General Counsel of the American Medical Association, as stating that it (the AMA) flatly condemns repackaging companies.

On the other hand, the record shows that approximately 55 percent of the eyeglasses are dispensed by optometrists with the remaining 45 percent of the eyeglasses being dispensed by prescription from ophthalmologists. These prescriptions are filled on a ratio of 40 percent by dispensing ophthalmologists and 60 percent by opticians who service the patients of the nondispensing ophthalmologist.

It should be noted at this point that the consent decree of 1951 supported by the Department of Justice provided that ophthalmologists could dispense eyeglasses individually or through a technician under their supervision. Further, the American Medical Association has deemed the practice of dispensing by ophthalmologists to be ethical under specifically stated rules and regulations.

S. 260, with exceptions therein set forth, however, contains a mandatory requirement that physicians cannot dispense drugs or devices, the latter term including eyeglasses and the like. If there are serious problems in the area of doctor-owned repackaging firms and/or doctor-owned pharmacies and/or dispensing of eyeglasses by ophthalmologists, Congress should treat each of these issues separately. The degree to which the above issues are serious varies greatly, according to the hearings held in 1964 and 1965.

The emotional overtone of issues involved in the alleged practices of doctor repackaging companies, for example, and the gravity of that problem, conceivably could place an unfair burden on the issue of whether ophthalmologists should dispense eyeglasses. Under S. 260, all of these problems are treated with the same severity—doctors shall not dispense.

Another problem arises from the fact that S. 260 would prohibit the ophthalmologist from dispensing contact lenses. It is a matter of public knowledge that there are several states which have laws prohibiting opticians from dispensing contact lenses. There are state attorneys' general opinions that have ruled that opticians cannot dispense contact lenses. If S. 260 is passed, the opticians in those states would be unable to fill the prescriptions of the ophthalmologist for contact lenses. The consequence is that a monopoly will be created in the contact lens business for the optometrist. An irony, indeed.

We understand that the staff of the Subcommittee intends that the definition of "practitioner" under Section 3 exempts optometrists. It is well known that optometrists examine and prescribe, if needed, just as do the ophthalmologists, and it is traditional that optometrists fill all of their own prescriptions. The point to be made here is that neither the optometrist nor the ophthalmologist should be covered under S. 260. Any provisions as to both of them should be deleted from this bill.

Several states have enacted laws dealing with doctor-owned pharmacies. None of these state laws attempt to include dispensing of eyeglasses by physicians within the same law. We believe that to be a wise course. Dispensing of eyeglasses by physicians, if it were treated by Congress, should be treated under a bill separate and apart from any dissimilar matters, such as doctor-owned repackaging firms and doctor-owned pharmacies.

We do not get into the merits of these issues. Such can only follow the development of testimony during these hearings. One line of questioning appropriate to these hearings is brought to mind by a statement made to the minority by an eminent ophthalmologist. This man does not dispense, but he believes that a physician should be permitted to do so, if he feels it is in the best interest of his patients. His observation is this: "It is more ethical to dispense than not to dispense eyeglasses, the reason being that it gives better services and more conveniences to the patients, since the doctors would have less control over the quality if they did not dispense." Each witness, whether he be an ophthalmologist or an optician, should be asked if this quote is accurate and meritorious.

Another area worthy of exploration during the course of these hearings relates to the financial status of the following groups: ophthalmologists who dispense, opticians, and optometrists. Inquiry could be directed as of the date of the consent decree, as of five or eight years later, and as of the present time.

In conclusion, the 1965 Majority Report contained a helpful summary of the extent of state action. It showed that within a brief two-year period, five state legislatures had enacted legislation designed to limit doctor-ownership of pharmacies and/or repackaging companies. This does not indicate an inability or unwillingness on the part of the states to grapple with these problems. An updating of this information to the present time will be most helpful.

Of overriding importance here is the question of whether the federal Congress should attempt to inject itself into a situation which the states are competent to handle. This is particularly the case if the different conditions and the varying traditions of the various states suggest the need for different approaches. For example, 17 states impose a licensing requirement on opticians, while 33 states do not; obviously, this difference might affect the degree to which regulation of the dispensing of eyeglasses by doctors is considered appropriate in the various states.

Statement by Richard P. Katz, M.D., Van Nuys, Calif., on Behalf of the Eye Section of the California Medical Association, to the Senate Subcommittee on Antitrust and Monopoly, January 26, 1967

Mr. Chairman and Members of the Subcommittee: Among all the healing arts, ophthalmology has made some of the most spectacular progress. We now have tiny lenses that are inserted into the human eye and correct defects of vision. These lenses truly make it possible for the blind to see. Surely the Subcommittee does not intend to prevent such modern miracles or to stamp out further research and advancement by qualified ophthalmologists—yet the medical restraint of Trade Act would do just that.

I am Richard P. Katz, M.D., of Van Nuys, California where I practice ophthalmology. I spent four years taking ophthalmic training at Duke University and University of London. This was over and above the nine years required after high school to the completion of my internship. I am a Diplomate of the American Board of Ophthalmology, an Associate Professor at the University of Southern California, past President of the Los Angeles Society of Ophthalmology and Otolaryngology, Chairman of the Advisory Committee of Ophthalmologists to the California State Department of Social Welfare and numerous other medical associations.

Nearly one-tenth of all of the ophthalmologists practicing in the United States do so in California. I am here on their behalf as the immediate past chairman of the Eye Section of the California Medical Association. With me is Theodore Steinberg, M.D., the President of the Fresno County Medical Association.

It is the feeling of the majority of California ophthalmologists that S. 260, which regulates eye care is unnecessary and creates undesirable results for the people of California.

Probably the most undesirable effect of S. 260 is the direct prevention of research in ophthalmic lenses by ophthalmologists. Lenses are just now being put wholly inside the human eye and sometimes used to replace the cornea. These are sight saving in persons who must otherwise remain blind. This can only be done by an ophthalmologist.

S. 260 is undesirable because it will prevent contact lens design and research by ophthalmologists. Documented loss of eyeballs and permanent scarring of the corneas attest to the need of ophthalmologists in this field. Contact lenses are fitted in much the way a dentist fits a denture and no one has yet suggested that a dental technician do all denture fitting. Contact lenses are fitted by alternate periods of wear and examination. *There is no prescription for contact lenses.* They have to be fitted so individually that they can seldom be duplicated without modification after they are placed on the eye. They may be fitted only by trial, modification and examination. Early signs of interference with the metabolism of the cornea must be guarded against and this requires medical judgment. Opticians and optometrists are licensed to fit contact lenses in California but when one of their patients have pain or injury it is the ophthalmologist that has to treat them.

S. 260 is undesirable because it tends to create a monopoly in the field of glasses and contact lens supply. At present, about 25% of the glasses are supplied by dispensing ophthalmologists, 20% by opticians and 55% by optometrists. I should like to call to the attention of the opticians that the elimination of the ophthalmologists from the field of supplying will not greatly increase the opticians' share of the glasses and contact lenses because the public will turn to the optometrists who have not been mentioned in S. 260 and who will still be permitted to offer a convenient one stop refraction and dispensing service.

S. 260 is undesirable because it legislates against one class of citizen, the physician and surgeon, whereas it permits others, the optometrists and opticians, to carry on the same acts. We would respectfully like to ask the subcommittee as to the constitutionality of such legislation.

S. 260 is undesirable because it deprives the various states the right to regulate their own physicians and surgeons. In California we are specifically permitted to supply glasses and contact lenses by law. The sales tax law also recognizes this as a part of medical practice by eliminating sales tax while it is charged when glasses are fitted by the dispensing optician. We are also forbidden to own any interest in any pharmacy by California law. Thus, the California legislature has seen fit to differentiate the supply of glasses and contact lenses on the one hand and drugs on the other.

S. 260 is undesirable to the many charitable clinics in California where the ophthalmologists give freely of their time and skills at no compensation. An example is the new 7.5 million dollar Jules Stein Eye Foundation at the University of California at Los Angeles which not only does the most advanced research but trains the residents in ophthalmology in the supplying of glasses to the clinic patients. Under this Act, the prescriptions would have to be filled elsewhere at commercial prices, thus creating need for more travel and additional financial burden on those who can afford it the least. In fairness it should be stated that some dispensing opticians also assist in other clinics where they work under the supervision of the ophthalmologists.

S. 260 is undesirable because it will result in higher prices to the public. Ophthalmologists dispensing glasses are usually 10%–15% under the dispensing opticians in California. Price surveys are not always valid unless they are for identical items. The "same type" of frame mentioned in previous testimony may be a cheap imitation of a quality frame and the lenses may be "first quality" of a second rate company but still not meet the exacting "Z80" standards of the optical industry.

S. 260 is undesirable because it leaves the ophthalmologist with the legal and moral responsibility of controlling the quality of the work done by the optician or optometrist that fills his prescription but it deprives him of the right of doing anything about it. If poor quality opticianary occurs, then to whom do the ophthalmologists present their problem and will more laws be enacted to correct these deficiencies?

S. 260 has partially taken into account the special problem of the community without an optical dispensary but what about areas where there are extremes of heat or cold? What about the aged and infirm? Will it be required that they leave the doctor's office for their glasses even if they are given a free choice of qualified dispensers or should an exception be made for this too? Ophthalmologists have traditionally gone into the homes of the bedridden to examine patients and supply glasses. Should this now be turned over to the opticians and optometrists or should this also be an exception? What should be done in the smaller towns where the optician is not able to handle the more complicated prescriptions? Should these be sent to a local optometrist?

S. 260 is unnecessary in California as the California Legislature has already decided in its good judgment that dispensing of glasses and contact lenses may be done by physicians and surgeons, optometrists and opticians. California law already prevents physicians and surgeons from owning any part of a pharmacy.

S. 260 is unnecessary in California because the public has long been used to the free choice of obtaining a portion of its glasses from the ophthalmologist. To my personal knowledge many ophthalmologists dispensed glasses in Los Angeles prior to 1935.

S. 260 is unnecessary because the percentage of ophthalmologists who supply glasses does not seem to be rising. A survey in 1950 showed that 50% of the ophthalmologists supplied some of their patients' glasses. In 1963 there were 41% and in 1964, 40.6%.

S 260 is unnecessary because the AMA and age of ophthalmologists who supply glasses does not seem to be rising. A survey in 1950 of Ethics is clear and has never prohibited the supplying of glasses by ophthalmologists. In 1954 a proposed change was suggested by the AMA Judicial Council which would have eliminated the supplying of glasses but this was never adopted by the AMA. At the same time, a resolution was passed by the American Optometric Association which stated "the field of visual care belongs exclusively to optometry and that it is the stated objective of the American Optometric Association that all other professions who engage in the field of visual care should be excluded from this field by the enactment of new statutes in all of the various states." This forced the AMA to again consider whether the supplying of glasses by the ophthalmologist was a part of his medical service or a sale of an appliance. They decided that it was part of a medical act but added that there should be no exploitation of the patient. The Eye Section of the California Medical Association believes that this should be strengthened and spelled out with detailed guidelines with a view to raising the standards of all ophthalmic dispensing.

About 30% of the ophthalmologists in Northern California supply glasses to their patients and about 70% of them do so in Southern California. The exact percentage varies with the individual community and whether it is metropolitan or rural. The California Medical Association and many of the County Medical Societies have passed resolutions favoring dispensing by ophthalmologists.

In summary, the Eye Section of the California Medical Association feels that the present inclusion of ophthalmologists in S. 260 is undesirable and not in the public interest because it would:

1. Tend to create a monopoly;
2. Be a form of class legislation;
3. Deprive the various states of their regulatory power over physicians;
4. Damage medical research in ophthalmic lenses, contact lenses, and intraocular lenses, not to mention unforeseen future developments;
5. Result in higher prices;
6. Create a burden on those who traditionally get their glasses from ophthalmologists;
7. Leave the ophthalmologists with the dilemma of being legally responsible for his patient's eye care, yet by law not allowed to provide a complete service.

Thank you very much.

[From the Washington (D.C.) Post, Jan. 27, 1967]

TWO KENTUCKY DOCTORS CARRY FEUD TO CAPITOL HILL ON CONFLICT OF INTEREST

(By Morton Mintz)

A feud from the hill country broke out at a Senate hearing yesterday when a Kentucky physician was charged with selling unneeded medicines to a "mentally dull" crippled and impoverished youth.

The accusation was made by Dr. ———, in a letter to Sen. Philip A. Hart (D-Mich.).

"If the profit from a few pills can make a physician rob a poor ignorant cripple, I do indeed fear for the future of medicine," Dr. ——— said. "I believe we need laws to regulate this kind of conflict of interest."

He said that a physician he did not name had forced the youth, who works in a barber shop, to borrow $9.50—"two or three days' wages—from his employer for sleeping pills and arthritis medicine."

But ———, the charges were ridiculed by Dr. ———. His records, he said in a phone interview, show that he had billed the youth a total of $2 for an office visit, for a supply of prednisone and for sleeping pills. And, he said, it is now six months later and the bill isn't paid.

The feud shifted from Washington back to Kentucky after a reporter talked to the physicians by phone. Dr. ——— said he called up Dr. ——— and told him his letter was "stupid" and that he had retained a lawyer. "I think we hung up simultaneously," he remarked.

"Bill gets in these moods," he said. "He writes senators and calls the governor. He's a crusader. He gets each one of us (physicians) mad at him in turn. He's probably sorry he wrote the letter."

Dr. ———, a 41-year-old general practitioner who is the local hospital's anaesthesiologist, said that we will testify before Hart's Senate Antitrust subcommittee next month but refused to make any other comment.

He wrote the letter to Hart last July 26 and was to testify yesterday at a hearing on the Senator's bill to forbid physicians from profiting from their prescribing. On Wednesday, however, Dr. ——— wired the subcommittee that he would be unable to keep his date because of illness.

Hart put the letter in the record and read excerpts aloud before a television camera. He said the situation Dr. ——— described was "rather dramatic."

In the letter, Dr. ——— said the youth, who has had a dislocated hip from birth had come to the barbershop "with the urgent request to borrow $9.50 . . . he finally borrowed the money . . . and got his pills. . . . This boy did not need this medication. This is an example of what happens when doctors stop practicing medicine and start pushing pills. . . . Instances of this kind are very commonplace.'

Dr. ——— said, "It sounds like he (the youth) was trying to hit the boys up at the barbershop for the $7.50 extra," that is, for the difference between $9.50 and the bill of $2.

He also said that he and Drs. ——— and ———, who practice with him, have been dispensing the drugs they prescribe for three or four years. Their markups, Dr. Kirby said, "are not nearly as high" as those of the three drug stores in the town of less than, 5,000 population.

STATEMENT OF THEODORE STEINBERG, M.D., FOR THE CALIFORNIA MEDICAL ASSOCIATION, ON S. 260, MEDICAL RESTRAINT OF TRADE ACT, JANUARY 26, 1967

My name is Theodore Steinberg. I am a physician specializing in ophthalmology. I was graduated from the Massachusetts Institute of Technology in 1934, and I received the M.D. degree from Tufts University Medical School in 1938. I am certified by the American Board of Ophthalmology. I practiced ophthalmology in the United States Army from 1943 to 1946 and since then I have been in private practice in the San Joaquin Valley. I am the President of the Fresno County Medical Society, consisting of four-hundred and thirty-three (433) members and serving an area of about 2800 square miles, with a rural population of about one-half million. I am the chief consultant in ophthalmology at the Fresno Veterans' Administration Hospital; I am a member of the executive council of the California Medical Eye Council; I am Vice President of the National Ophthalmological Society; I am immediate past chairman of the eye section of the Fresno County Medical Society.

I appear here today as a representative of the eye section of the California Medical Association. I wish to present to you in particular the views of ophthalmologists practicing in rural communities and their patients. The Bill S. 260 as proposed raises questions regarding the ethics of ophthalmologists dispensing glasses, and implies that the service that an ophthalmologist renders to a patient in making and fitting the proper glasses for him is unimportant and superfluous. It is my intent to submit the basic contention that the dispensing of glasses in an ophthalmologist's office is not only ethical, but is an integral factor in improved care of the patient and for his greater convenience. Ophthalmological care is concerned not only with medical and surgical treatment of disease, but with optical care of patients as well. In this respect, the ophthalmologist has always had one unique function in addition to his other functions as a physician and surgeon, like a dentist who fits dentures. This is emphasized by the fact that the American Board of Ophthalmology, in its examination of candidates for certification, includes questions on physiological and physical optics as well as questions concerning the application and fitting of glasses.

The responsibility for the care of the patient's eyes does not end with the prescribing of glasses any more than the responsibility for the care of the patient in need of an appendectomy ends when the surgeon performs the surgery. Indeed it is the professional, moral, and legal responsibility of the physician to see his patient through. From experience, I am familiar with the problems encountered when referring a patient to an optician for filling his prescription. Whenever a mistake is made in either the grinding of lenses or in the judgment of the optician in selecting an improper frame, or in positioning of a bifocal, the patient is uncomfortable and dissatisfied. He does not blame the optician—he blames the doctor. Since the optician is not qualified or able to assess and analyze the reason for the patient's dissatisfaction, the patient is put to the inconvenience of another visit to the opthalmologist and consequently to additional expense. A case in point is the patient who is operated on for a cataract. The dispensing ophthalmologist is infinitely more capable and better suited to provide the optical care needed by such a patient. Post-operatively, such a patient requires a strong and complicated lens. Unless the lens is not only properly made, but properly centered and positioned, the patient's ability to see is immeasurably impaired. The patient does not attribute unsatisfactory vision to the optician, but to the surgeon, although the surgical result may have been perfect. Apropos of this type of patient, one seriously questions the wisdom of allowing an unsupervised lay person, unfamiliar with the concepts of sterility, to put glasses on a post-operative cataract patient. To deprive the ophthalmologist of his right to dispense glasses whenever he sees fit would be to deny him the opportunity of providing his patient with competent and complete care under his personal supervision and responsibility.

Opticians have likened themselves to pharmacists. There is no similarity between them whatsoever. A pharmacist is a trained individual in his own right and in my state, California, licensed on the basis of a rigorous examination following a prescribed course of study at a university pharmacy school for at least five and usually six years. Yet in filling a prescription, a pharmacist exercises no judgment as to the type or mode of vehicle in which the drug is dispensed. This is not the case with the optician. Contrarily, he has no training to speak of. Thirty-seven states have no licensing laws for opticians. In the thirteen states that do have licensing laws, the requirements are minimal and irrelevant. For example, in California an individual needs only to serve an unregulated five-year apprenticeship in order to be licensed as an optician. No formal training is required, no examination as to elementary knowledge or skill, not even a high school diploma. Yet, unlike the pharmacist, the optician assumes functions requiring knowledge and judgment which affect the product. A physician cannot verify the work of a pharmacist in compounding and supplying medications without elaborate chemical analysis, but he can verify the accuracy of the work of an optician and determine whether or not his prescription order has been carried out. In fact, it is the physician's moral and legal obligation to do so, to relieve himself of liability. A more valid comparison would be the dentist, who supplies dentures to his patients. No one would suggest to send a patient to an untrained person to be fitted with a set of dentures. The symptoms produced by ill-fitted dentures are obvious and quickly remedied. But the symptoms produced by ill-fitted glasses are more subtle, insidious, and progressive. Headache, nausea, dizziness, and vomiting are more difficult to evaluate as to cause, and all too often, the patient is subjected to expensive diagnostic procedures, when proper optical care in the first place would have rendered it all unnecessary.

I have practiced ophthalmology in a rural area for twenty years and I am familiar with the special problems associated with such areas and suburban areas, where younger ophthalmologists have been encouraged to settle in order to provide and distribute better eye care. In such areas there are other factors which influence the supply of glasses by the ophthalmologist to the patient. In some communities, there is absence of a commercial source of glasses. In others, a commercial source may be available, but the quality of performance is less than satisfactory. It should be pointed out that approximately forty-three per cent of all ophthalmologists are practicing in smaller cities, from five thousand to fifty thousand population. In these areas, patients come from great distances and it is a distinct inconvenience for them to be required to make more than one trip to more than one location to obtain complete medical eye care. They must go to the ophthalmologist for the examination, to an optician's establishment for the fitting, then back to the optician for delivery of the glasses, and then back to the ophthalmologist for inspection in order to determine whether the glasses are what they were supposed to be. When the patients are either young or elderly, there is the additional disadvantage that they have to be brought by friends or relatives who take off from work additional time, thus producing an economic loss. The elderly and the infirm patients are exposed to additional hardships in areas of the country where the climates are at times, extreme, such as in my area where the temperature during five summer months may range up to 110 degrees.

In Fresno County, the ophthalmologists conducted a survey where patients were given their prescriptions and, as always, were offered a free choice to take their prescription to any competent dispensing optician to have it filled. 1.8% asked to take their prescription to an optician; 5.4% asked to take their prescription to an optometrist; and 92.8% requested that the prescription for their glasses be filled in the ophthalmologist's office, and under his responsibility.

If ophthalmologists are prohibited from dispensing glasses, the only remaining sources for the supply of glasses to the public would be the optometrist and the optician. Many patients, particularly of lower educational and economic background, who are accustomed to interpreting an eye disorder as a "need for new glasses" will turn more to optometrists for consultation. This will result in delay or failure of referral to the ophthalmologist in those cases where prompt medical care is essential. The consequence of such delay in many cases may be irreparable harm to the eye or result in complete blindness. Not infrequently impaired vision is the first symptom of brain tumor or other serious neurological diseases and early diagnosis is vital.

There is one concluding point which I would like to submit for your consideration. It is the question of conflicting interests on the part of the dispensing ophthalmologist. The bill before you questions the honesty and integrity of the physician, but it does not question the same qualities in the optician. It implies that an ophthalmologist who supplies glasses to his patients in his office will do so even when none are really needed. High standards of ethics cannot be legislated, an ophthalmologist who will prescribe un-needed glasses has within his power to prolong the treatment of a simple and trivial eye disease from one visit to twenty visits; he has within his power to perform unnecessary surgery; in fact, to do a host of things for the sake of monetary gain. Similarly, a dishonest optician has within his power to use second quality lenses, discontinued frames to prevent replacement, and charge prices not consistent with the quality and cost of his materials. He has within his power to parade apprentices as qualified opticians and even coerce ophthalmologists to refer patients to him. A dishonest person is dishonest no matter what his field of endeavor. To indict physicians on the grounds that it is possible for any person to be dishonest is a derogation of the entire medical profession.

To qualify as an ophthalmologist, one is required to spend a minimum of twelve years of study and training after high school, and one is subjected to mastery of exacting techniques and disciplines. Is it not fair to assume that such an individual would be no less exacting about his optical skills and the materials that he prescribes for his patients, who expect the best from him? An individual who can be trusted to safely perform ocular surgery or treat an acute medical eye condition for a fair and just fee, without an overpowering profit motive, will take no advantage of his patients when it comes to dispensing glasses. To assume otherwise is to destroy the justified faith and confidence that the public has and has had in the physician, in the surgeon, or any otherwise specialized person.

Bill S. 260 is being introduced by the Subcommittee on Anti-Trust and Monopoly on the supposition that an individual opthalmologist constitutes a monopoly, while chain optical companies, some of which have as many as fifty-nine branch establishments in just one state, are not considered a monopoly. I dare say the opposite is the fact.

Mr. Chairman, I wish to thank you for this opportunity of presenting the views of the California Medical Association. I will now be pleased to answer any questions which the committee may have.

Statement of Joseph M. Dixon, M.D., on Behalf of American Association of Ophthalmology, to the Senate Subcommittee on Antitrust and Monopoly, January 31, 1967

Mr. Chairman and Members of the Committee: My name is Joseph M. Dixon. I am a physician licensed to practice medicine and surgery in the States of Virginia, West Virginia, and Alabama. I specialize in diseases and surgery of the eye and practice in Birmingham, Alabama where part of my work is with contact lenses, which I furnish; but I do not supply eye glasses.

Professional positions I hold at this time are as follows:

1. President Elect, and Chairman of the Contact Lens Committee of the American Association of Ophthalmology.
2. President Elect of the Contact Lens Association of Ophthalmologists with a membership of 600 physician eye specialists interested in contact lenses.
3. Associate examiner of candidates for certification by the American Board of Ophthalmology. I am also certified by the Board.
4. Member of the American Medical Association Study Committee on Ophthalmology.
5. Consultant to the Surgeon General of the U.S. Public Health Service for the past 3 years.
6. Associate Professor of Ophthalmology at the University of Alabama Medical Center and Director of the Eye Pathology Laboratory.

During World War II, I served 5 years in the Army as Hospital Commander, and Professor of Military Science and Tactics with the rank of Lt. Colonel.

I am a past president of the Alabama Academy of Ophthalmology and Otolaryngology.

During the past 7 years I have directed a program of research at the University of Alabama to study the changes in tissues of the eye caused by wearing contact lenses and have published scientific papers on this subject.

Today I represent the American Association of Ophthalmology with a membership of nearly 3000 physician specialists in diseases and surgery of the eye.

In my understanding, a contact lens is an optical device as defined in Section 3(d) of this Bill because it affects the visual function of the human eye. Licensed and practicing Ophthalmologists are practitioners as defined in this act because they are qualified to administer drugs or devices in the practice of medicine for the diagnosis, cure, or prevention of disease of any structure or function of the human body. Ophthalmologists are physicians who specialize in diseases and surgery of the eye.

The proper fitting of contact lenses includes a medical examination for disease of the eye and the use of drugs. The contact lens is a foreign body in contact with delicate eye tissues. It sometimes leads to serious complications that require emergency medical diagnosis and treatment. A report by our Association in the Journal of the American Medical Association, March, 1966, has documented 14 instances in which eyes were blinded by contact lenses and 157 others permanently damaged. (Exhibit A.)

Proper and improper fit of contact lenses is determined in part by the diagnosis of abnormal eye changes.

Many ophthalmologists fit contact lenses in their own offices and the supply of these lenses is a part of the professional service to the patient. Other ophthalmologists prefer to make the professional examination then use the services of a competent technician who supplies the lenses. The patients then report back to the ophthalmologist for medical eye care.

In some patients contact lenses are used for the treatment or correction of eye diseases or injuries, such as burns of the cornea; corneal scars; irregular astigmatism; albinism; aniridia; and following corneal transplants. In other cases lenses are placed in the eye or in the cornea by a surgical operation.

In my State of Alabama dentists and ophthalmologists are exempt from collecting a sales tax on dentures and contact lenses because this is considered to be a professional service and does not constitute a sale of merchandise. This professional service could not monopolize trade or restrain commerce because none but a physician can diagnose and treat eye diseases or complications due to wearing a contact lens. Is it not a distortion of fact to say that these acts are trade or commerce?

As I read your proposed Bill S. 260 as a physician, questions come to mind that disturb me, such as the following:

1. Under Section (2) is it necessary for the device (contact lens) to be in interstate commerce to be a violation? May physicians purchase lenses manufactured locally and fit them to patients in their own offices? Some buy partly finished lenses locally and modify them to properly fit the patients' eyes in their own offices. A few make the entire lens from a small button of plastic. When these lenses are furnished to no one but their own private patients, are these physicians restraining trade or commerce?

2. As I read the Bill, I am a practitioner qualified to administer the device (contact lens which affects the visual function of the human eye). Under Section (4) I am in violation if I "sell" the device if it is *available* at an *available* optical dispensary. If I fit the lens to the eye of my patient, and the patient pays a professional fee which includes the lens, have I *indirectly* sold the device under Section 4(a)?

If the patient pays a professional fee for his medical examination and fitting the lens to his eye, then reimburses the physician for his laboratory cost of the lens; is that a sale under this Bill?

4. Under Section 3(e) it is not clear to me what an optical dispensary is. This term, optical dispensary, is defined as any office, shop, or establishment which engages in the sale at retail or wholesale of optical devices which affect any function of the human eye. In my own area this includes the dime store which sells reading glasses, the drug store which sells sun glasses, which affect the function of dark adaptation of the eye, the dispensing optician, and the optometrist. Many of these places advertise in the telephone directory that they also sell contact lenses. (Exhibit B) They are "available" as defined in this Bill. They are also "optical dispensaries" as defined in Section 3(e) of this Bill. Are these places clean and sanitary? Have they heard of pseudomonas aeroginosa, endothelial dystrophy, filtering cicatrix, or candida albicans? Unfortunately, each of these has caused blinded eyes because a contact lens was on the eye. This Bill does not define the qualifications of an optical dispensary. It only specifies that it sell merchandise.

5. The difference between fitting a device

and selling a device is not clarified by S. 260. When a device is fitted by a physician as a necessary treatment for a disease, how is the device paid for? If there is an available optical dispensary, (Section 3(e)), is the physician prohibited from putting the lenses on the eyes of his patients? If he is not prohibited from performing this medical act, where does he get the lenses? Must the patient go to the available optical dispensary, buy the lenses, and bring them to the ophthalmologist to place on his eyes? Is the patient compelled to buy the lenses from the available optical dispensary regardless of the cost or quality of the lenses? Or is the ophthalmologist compelled to buy the lenses from the same available dispensary in order to safely fit them to his patients' eyes by medical judgment, regardless of their cost or quality?

6. Section 4 prohibits a practitioner from directly or indirectly selling drugs or devices (contact lenses) unless there is no pharmacy or optical dispensary reasonably available as a source. What is meant by "available?" Is the patient walking, riding a bicycle, driving his automobile, young and active, or old and feeble? How far does trading area extend? Fifty or 100 miles?

7. What happens if the available dispensary damages my patients' eyes? Could I stop sending patients there? Under Section 8 could the available dispensary sue me if I do?

8. How will patients be protected from an unscrupulous available optical dispensary when the patients' physician is in fear of a damage suit?

9. How will the conscientious physician be protected from an unscrupulous or incompetent optical dispensary which happens to be available but may sue the physician for damages from restraint of trade if he interferes?

10. What happens to my patients who are now wearing contact lenses? I have all of their exact measurements, and many of these people are scattered over the country as students in universities from New England to California. When they call by telephone for a duplicate of a lens they have lost, do we say, "Sorry, that's restraint of trade"? Or do we help them out and take a chance on being sued?

11. What do I do about my confidential office records when the available merchant demands them to use to sell his merchandise? If I refuse, is that restraint of trade?

12. When there are 20 available optical dispensaries in my area and in my judgment as an ophthalmologist I refer all patients to one because of superior quality, do all the other 19 sue me under Section 8 of this Bill, or am I compelled to divide the patients equally among all 20?

13. Since contact lenses cause many medical problems, some of which are serious enough to blind an eye; I am concerned about the welfare of my patients. Should this Bill become law, to whom do I turn for the answers to these questions?

Finally, we strongly support the position of Senator Hart and the American Medical Association in opposition to physicians accepting rebates from merchants or optical dispensaries, exploitation of patients, or other similar evils. We do not support S. 260, however. It would impose class, arbitrary, unrealistic, and impractical restrictions on physicians who seek to protect one of man's most precious gifts, his eyesight. We do not appreciate being placed in a position of fear, fear of what we may or may not do for our patients. We do not support a bill which requires us to make legal as well as medical judgments in our medical practice.

Mr. Chairman, Dr. Beitel and I wish to thank you for this opportunity of presenting the views of the American Association of Ophthalmology. We will now be pleased to attempt to answer any questions which the Committee may have.

STATEMENT OF ROBERT J. BEITEL, JR., M.D., ON BEHALF OF THE AMERICAN ASSOCIATION OF OPHTHALMOLOGY, TO THE SENATE SUBCOMMITTEE ON ANTITRUST AND MONOPOLY

Mr. Chairman and Members of the Committee: My name is Robert J. Beitel, Jr., M.D., and I would like to present information regarding the supply of eyeglasses and drugs, and some considerations of Senate Bill No. 260 in practice and principle as it might affect medical service. I represent the American Association of Ophthalmology.

The American Association of Ophthalmology (formerly National Medical Foundation for Eye Care) was organized approximately 10 years ago by a group of outstanding ophthalmologists, dedicated to the fundamental principle of education—education of our colleagues—education of the American people in matters pertaining to complete medical eye care. This group of nationally known ophthalmologists, headed by the late Dr. Ralph O. Rychener, included professors of ophthalmology, directors of departments of ophthalmology (full time and part time) and leading ophthalmologists in private practice from all sections of the country.

The basic objectives of the founders of the American Association of Ophthalmology in the public interest, remain the same today.

As members of the American Medical Association, we subscribe to the Principles of Medical Ethics as established by the A.M.A. We are an organization composed of ophthalmologists who do not dispense glasses and ophthalmologists who do dispense glasses in the care of eye patients.

We support the immemorial right and responsibility of the ethical physician to decide for himself "what is best" for his patient in all circumstances and to administer these services consistent with the principles of ethics of the A.M.A.

I am a physician licensed to practice medicine in the State of Pennsylvania. I specialize in diseases and surgery of the eye and practice in Allentown, Pennsylvania. My background, training and experience include the following:

(1) A graduate of the Pennsylvania College of Optometry, Philadelphia, Pennsylvania and licensed to practice optometry in the State of Pennsylvania from 1929 until my resignation of that license when I began to practice ophthalmology.

(2) A.B. Degree from Temple University, Philadelphia, 1932. Master of Arts and Doctor of Philosophy Degrees from Clark University, Worcester, Massachusetts, where I did research and specialized in psychological and physiological optics, the results of which research have been published.

(3) Service as a member of the Bureau of Visual Science, a technical division of the American Optical Company, Southbridge, Massachusetts.

(4) During World War II, I was Project Supervisor for the Office of Scientific Work and Development under the National Defense Research Council and conducted research under these auspices at the Dartmouth Eye Institute, Hanover, New Hampshire. Upon conclusion of the War, I entered Dartmouth Medical School, completing its first two preclinical years and completed my medical education at Temple University Medical School, Philadelphia. My post-graduate requirements in ophthalmology were obtained at Temple University Shool of Medicine, Department of Ophthalmology, and I also had special training in the American Academy of Ophthalmology and Otolaryngology Basic Science courses, and in Pathology at the Armed Forces Institute of Pathology.

(5) For some years I was instructor in Ophthalmology at Temple University Medical School.

(6) I am a Diplomate of the American Board of Ophthalmology and a member of various medical organizations.

At the present time I hold the following offices:

(a) A member of the American Medical Association's Study Committee on Ophthalmology.

(b) Third Vice-president and trustee of the American Association of Ophthalmology.

(c) Chairman of the Conservation of Vision Committee of the Pennsylvania Academy of Ophthalmology and Otolaryngology.

(d) Consultant in Vision to the Council on Scientific Advancement of the Pennsylvania Medical Society.

(e) President-Elect of my local Lehigh County Medical Society.

FACTUAL PREMISE

Eyeglasses are a form of treatment for a physical condition which is a departure from the normal and which gives rise to symptoms. They are prescribed not only for simple optical defects ("error of refraction"), but also to compensate for inadequacies of the focusing mechanism resulting from disease, injury, surgery or the aging process, which also give rise to symptoms. The symptoms may be indistinguishable by the patient from those of the most serious eye diseases, such as glaucoma. Examination and diagnosis by the physician is therefore not carried out for one condition in isolation from the others. The management of the refractive problem is thus an incident in the general medical care of the eye patient.

The medical management of "errors of refraction" and inadequacies of the focussing mechanism consists of:

(1) Diagnosing the nature of the optical defect and its significance, per se, and determining the lens which will optically compensate for it.

(2) Diagnosing the significance of this optical defect as it may be related to other departures from the normal (diseases) which may also be present and diagnosed.

(3) Prescribing the optical characteristics of the lens when relief of the abnormal optical condition by eyeglasses or other visual aids is indicated.

(4) Making anatomical measurements of the face and stipulating the laboratory specifications for preparing the eyeglasses—frames and lenses—on the basis of the optical prescription data and the facial measurements so that eyeglasses may be promptly prepared which, when adjusted, will have the optical effect prescribed by the physicians. Without this service, prescription eyeglasses cannot be supplied and the optical prescription data are useless.

(5) Providing the eyeglasses or causing them to be supplied in conformity with the specifications.

(6) Fitting the eyeglasses by adjusting the frame, with reference to the eye, to the anatomy of the head, especially the nose and ears, and maintaining this fitting over a period of years. Without this service the eyeglasses may not even be useable.

(7) In many instances, forms of optical correction, other than eyeglasses will be deemed necessary. These may take the form of contact lenses, intra-ocular lenses of the Ridley type, intra-corneal lenses, telescopic spectacles, or subnormal vision aids. No attempt will be made here to describe the intricate and complex procedures involved in their application.

Suffice it to say, all of these procedures are within the province of the physician. Such treatment by the physician is the practice of medicine.

"Moreover the physician does not make sales, and his dispensing of eyeglasses or contact lenses as well as other devices or pharmaceuticals is clearly not a sale in the legal sense, but rather is merely an incident of his rendition of a professional service." (F. J. L. Blasingame, M.D., Executive Vice President, A.M.A., in letter June 4, 1962 to Federal Trade Commission.)

The nature of three of these services, (4, 5, and 6) permits their delegation. The measuring and fitting is commonly delegated to a non-physician whose technical competence the physician has determined and who may or may not be in his employ, but over whom he exercises direction.

If the delegation of the measuring and fitting services is to someone not in the physician's employ, the procurement and *supply* of the necessary eyeglasses is customarily simultaneously delegated. Conversely, when the physician directs the patient to an optical shop to have the prescribed eyeglasses provided, he is delegating to the optician not merely the supplying of the required eyeglasses, but all of the fitting services—facial measurement, specification writing, and fitting and adjustment. (A substantial number of patients, however, procure their eyeglasses, but not fitting services, from their industrial employers in the form of prescription safety glasses. Under this circumstance all of the fitting services must be provided, according to the physician's practice, either by the physician and his staff, or, on his delegation, by the optician.)

The fitting of eyeglasses is not something for which an order can be written on paper with every detail clearly defined, but is like the fitting of a cast, differing only in the degree to which the fitting can be prescribed and delegated. Unlike drugs, which require no technical service once prepared, eyeglasses require the performance of technical services not only in the laboratory but *directly with reference to the person of the patient*. The fitting of eyeglasses is not necessarily a benign service, as is evident on occasion by dermatitis, and injuries to the nose and ears—the pathological results of poor fitting.

It is the right and duty of the physician to provide or cause to be provided whatever service or medical item the patient's medical care requires. From time immemorial the physician has exercised his right to assign to a non-physician under his direction the performance of technical procedures whose delegation is consistent with sound medical practice. Under certain circumstances the *provision* of a service, as well as its performance may be delegated; this is the procedure that is being followed when the physician refers a patient to an optician for the supply of eyeglasses.

The American Association of Ophthalmology in 1963 established and published the fact that 42% of all physicians in ophthalmology include the service of fitting eyeglasses in their practice, while 58% delegate the fitting to the optician. Preliminary investigations indicate that this service has been supplied in physician's offices for several generations (sometimes the same medical office) and in many for the past 20 or 30 years.

Whether or not the physician delegates, he remains morally and legally responsible. No different principle applies to one physician than to another by virtue of the form of his service, or whether he delegates or provides the fitting and supply of eyeglasses.

The physician's first responsibility is to his patient, and he must fulfill that responsibility through the best exercise of his professional judgment. If, in his medical judgment, the physician determines that it is in the best interest of his patient that the physician himself or technician under his direction should fit the eyeglasses, then he should be free to make that decision. Whether and what the physician is to delegate must be his decision.

Consumer groups have developed prepayment plans for payment of eye examination and for lenses. In some cases union-management welfare plans with such benefits stipulate that the eyeglasses are to be provided by the prescriber.

Industries which supply prescription protective lenses sometimes assume the cost of eye examination by the physician. In some instances they too, have stipulated that the physician provide the combined services of examination and fitting.

Wherever the employer supplies protective prescription glasses, the required services include not only examination and prescription, but also fitting.

Therefore certain fundamental principles in the supply of glasses and lenses from whatever source must be recognized:

(1) When the medical care of the patient requires the use of eyeglasses, the patient should be so advised.

(2) The patient should understand that he may obtain optical aids from any qualified source he chooses. The physician, on whom rests the ultimate responsibility for treatment, must fulfill his responsibility to his patient through the best exercise of his professional judgment. He must reserve the right to advise the patient where he may obtain proper quality of material and workmanship, and medically acceptable fitting. (This may be properly accomplished by having available a list of qualified dispensaries within his area of service.)

(3) It is to the patient's interest that the patient be supplied with a copy of his lens prescription and such specifications as the physician may deem indicated to enable him to obtain necessary service in emergency, e.g., in travel, from another physician or from an optician.

(4) Accuracy and acceptability of eyeglasses can and will be determined by the prescribing physician. The physician will require, and assure by adequate inspection, that from whatever source his patient is provided with eyeglasses, the quality of materials and workmanship shall meet medically accepted standards. The prescribing physician determines whether eyeglasses are acceptable.

(5) When the physician provides for the fitting or fitting and supply of eyeglasses to his patient, this service is an integral part of his medical care of the patient. The physician will avail himself of the assistance of technical personnel in this area on the same basis as he does in other areas of his medical practice where he is assisted by professional and technical personnel in his office.

(6) The cost of fitting and supplying of eyeglasses to his patient is the proper concern of the physician whether he provides these services or delegates their provision to other sources.

(7) The physician's prescription is for eyeglasses, not merely lens powers; the optician may supply only those eyeglasses which the physician prescribes.

PROSTHESES

Testimony on the subject of contact lenses will be presented by Dr. Joseph M. Dixon for the American Association of Ophthalmology.

Artificial eyes, like contact lenses, alter body tissue, and how they are to be supplied must be determined by the physician.

The procedures involved in the use and application of intra-ocular and intra-corneal lenses and prosthetic implants, involving surgery as they do, can be performed only by a physician. The necessary medical item will be supplied only by the physician or by the hospital.

With respect to the supply of drugs:

(1) Those considerations that apply generally to the dispensing of drugs in the office by the physician to his patient generally apply to the ophthalmologists.

(2) Two categories of ophthalmic drugs merit special consideration. These are mydriatics/cycloplegis and miotics. The potential hazards in the use of these drugs and the high stakes involved may require that the physician supply drugs in these categories when he may not find indication to supply drugs in general.

(3) Our survey showed that 10% of ophthalmologists supply mydriatic/cycloplegis and another 3.5% supply miotics. A small percent (10%) supply some other drugs.

The total medical and economic interest and the convenience of the patient must be the considerations in all of the physician's decisions.

We are opposed to S. 260 for the following reasons:

1. *The bill places restriction on the physician's license*

The principle involved in any restriction of the right of the physician to delegate or not to delegate, and to determine to whom he delegates, is applicable to all areas of medicine.

The license to practice medicine in almost all states authorize "the use of any means" to treat any physical condition. In a number of states (e.g., Ohio, Michigan, Vermont, South Carolina) the law specifically defines the supply of an appliance and/or drug as the practice of medicine. In the State of California, physicians are specifically authorized by virtue of the license to "dispense eyeglasses". In a number of states (e.g., Indiana) the sales tax law identifies the physician (as it recognizes the dentist) as the consumer of materials necessary in the treatment of the patient, not as the "seller" of eyeglasses.

The bill S. 260 constitutes a limitation on the practice of medicine and a reduction of the rights granted the physician—licensed by the state to practice medicine without limitation. The successful restriction of the physician's right of choice to delegate the service of fitting eyeglasses would open a Pandora's box by setting a legal precedent for any ancillary group to seek by means of legislation the power to compel the physician to be subject to the discretion or indiscretion of his supporting worker or ancillary group.

For example, to mention but a few, the physician's decision to:

(a) perform laboratory procedures or to delegate to his own personnel or to an outside laboratory;

(b) fit a prothesis of any kind or to designate who shall fit;

(c) develop his x-ray film or to make the film exposure, or to determine who shall do either.

(d) give a blood transfusion or intravenous or to delegate this under his decision.

The imposition of a restriction on the physician's use and supply of eyeglasses or contact lenses, or other optical aids is a restriction on the patient as to the sources from which he may procure his eyeglasses. In many instances so-called "opticians" are, to be precise, optical business firms, sometimes large corporations, which employ optician-fitters or both optician-fitters and optometric refractionists, while the owners and/or managers may also not possess technical or professional skills in these areas. In many other instances where the establishment is individually owned and operated, the same individual owner or major stockholder of a corporation may be an optician-fitter or both optician-fitter and optometric refractionist. To require the physician's patient to procure his eyeglasses from such a source merely because the source is available is to require that the phyiscian submit his patient and that the patient expose himself to circumstances that can and have been known to lead the patient to a misunderstanding of the nature of the eye care rendered only by a physician, with the result that he may thereafter discontinue medical care and accept in lieu thereof simple optical services without prior examination by a physician. To restrict the physician's right to practice medicine or to hamper the physician in his practice of medicine by making it unlawful for the physician to provide certain services to his patients for the purpose of advancing the economic interests of others is not in the interest of the public and infringes the rightful interests of the licensed physician.

2. The bill proposes an impractical practice

We are aware that S. 260 which is before the Congress would authorize the supply of drugs or medical appliances "in an emergency." If the ophthalmologist is prohibited by law from furnishing optical service in the routine care of his patients, there is no way he could provide this service in emergencies since he would not be able to maintain adequate supplies, equipment, facilities and personnel.

3. The bill is discriminatory

The bill places restrictions on one supplier of eyeglasses, the physician, which it does not place on the other suppliers—the optometrist and the optician. Of these three groups, physicians supply the *smallest* fraction of eyeglasses to American people. The elimination of the physician from this area would often impose great inconvenience on a patient or require him to visit non-medical persons where he may be exposed to suggestions that he discontinue medical care for his symptoms of disturbance of vision.

4. The bill attempts to regulate with civil penalties an intrastate activity

Where it attempts to regulate practices in medicine in each state in order to strengthen the Anti-trust laws, we believe this is unconstitutional as the practice of medicine in a state is not interstate trade or commerce.

Mr. Chairman, at this time I would like to have Dr. Joseph M. Dixon, who is with me, present our statement on contact lenses.

LONG BEACH, CALIF.,
January 25, 1967.

U.S. SENATE,
Committee on the Judiciary, Subcommittee on Antitrust and Monopoly.

GENTLEMEN: I am Paul T. Southgate, M.D., Ophthalmologist, 36 years in practice, dispensing my own glasses for 33 years in Long Beach, California. I have never accepted a rebate.

My Societies: American Board of Opthalmology (I have passed the examination), American College of Surgeons, American Medical Association, California Medical Association, Los Angeles County Medical Association, Los Angeles Ophthamological Society, Long Beach Eye, Ear, Nose and Throat Society, National Ophthalmological Society.

Long Beach is a city of a quarter of a million people. There has never been a proven case in Long Beach in the 30 odd years I've practiced there, where the opthalmologist has over charged the patient for glasses according to accepted fee in our community as set by the opticians and there is no record of a patient in Long Beach having been coerced into buying glasses from the opthalomologist when he chose to go elsewhere for his glasses. They frequently go to an optician or to an optometrist with their prescriptions.

It looks to me as though this bill originated or at least is now sponsored by the professional opticians. Were this bill to become law, contrary to its antitrust claims, it would really be throwing our patients to the wolves, as we frequently charge less than the opticians for the same pair of glasses. It would lessen competition to the detriment of the public. Most of my patients prefer to get their glasses from me because they know that I care.

I am sure that after very little study, you honorable gentlemen of the Senate will see this bill in its true light and refuse to pass it.

Allow me to thank you for giving me your time to present my views.

Sincerely yours,
PAUL T. SOUTHGATE, M.D.

THE GALESBURG CLINIC,
Galesburg, Ill., January 24, 1967.

Re: Senate bill No. 260 "Medical Restraint of Trade Act."

Subcommittee on Antitrust and Monopoly, Committee on the Judiciary, U.S. Senate, Washington, D.C.

GENTLEMEN: I have been asked by my associates to transmit to you our thoughts on Senator Hart's Bill. We hope you will consider them at your hearings on this legislation.

Our group has owned and operated a pharmacy for nearly 20 years. We began dispensing drugs in response to the many requests of our patients to do so because it was more convenient for them. Our pharmacy is licensed by the State and is operated in an ethical manner. Our patients are given complete freedom of choice in selecting a pharmacy, yet the vast majority get their prescriptions filled here because they prefer to do so.

We make every effort to keep our prescription prices competitive with the local stores. Indeed, todays enlightened consumers would scarcely permit a pricing schedule that is higher than competitive pharmacies.

Senator Hart states that there is widespread overcharging and overprescribing on the part of physicians having an equity in a pharmacy. Unfortunately every field of endeavor has its unscrupulous individuals. Medicine is no exception nor is law, business or pharmacy. However, to intimate that the majority or even a significant number are unprincipled is unfair and, in this instance, untrue and undocumented.

Charges have also been made that the operation of physician owned pharmacies has forced the closing of vast numbers of independently owned drug stores. Since less than one percent of the total pharmacies in the United States are owned by physicians, it does not seem logical that they have had any bearing on the closing of independent drug stores. It would seem that the rapid expansion of chain drug stores and their competitive pricing policies would be more likely to have caused these closings. Since evidence is lacking as to specific instances of physician owned pharmacies forcing independent pharmacies out of business, we wonder if it has actually happened. Locally there have been two new drug stores in the past few years which would not indicate that our operation is causing them any great concern.

We wonder too if any consideration has been given to the consumer. Several years ago, we were concerned about how patients felt about our pharmacy and how it was operated. As a result, we mailed a questionnaire to 300 of them making every effort to insure that their replies were anonymous. Of interest here are the answers to three of the questions asked:

Have you ever felt that you were obligated to have your prescriptions filled at the Clinic Pharmacy rather than elsewhere? 151 answers:

Yes	7
No	136
Sometimes	8

Despite the fact that we maintain the pharmacy for the convenience of our patients it has sometimes been said that it is not fair to the drug stores and that it is not "ethical"—do you agree? 154 answers:

Yes	8
No	132
No opinion	14

On the whole do you feel that the Clinic Pharmacy serves its purpose as a convenience to you and our other patients and that it is operated efficiently? 158 answers:

Yes	157
No	1

Admittedly our poll was not statistically valid, but it did prove to us that we were providing a service that patients need and want.

To summarize our feeling about Senate Bill #260, we would make these points:

1. While there undoubtedly is some abuse on the part of the medical profession in the dispensing of drugs and ownership of pharmacies, the lack of documentation would indicate that this is a minor problem certainly not worthy of federal legislation.
2. The charge that physician ownership of pharmacies has resulted in the widespread closing of independently owned operations is also without basis of fact. It seems more likely that the corner drug store has suffered the same fate as the corner grocery.
3. Finally, the consumer, who we all seek to serve, does not object to physician ownership and feels that it is a service to him.

We respectfully ask that you consider these points and their implications.

Sincerely,
WILLIAM JOHNSON, M.D.,
President.

STATEMENT OF EARL W. KINTNER, WASHINGTON COUNSEL, ON BEHALF OF THE NATIONAL ASSOCIATION OF RETAIL DRUGGISTS, IN REFERENCE TO S. 260, SENATE SUBCOMMITTEE ON ANTITRUST AND MONOPOLY, HON. PHILIP A. HART, CHAIRMAN, JANUARY 24, 1967

Mr. Chairman, I am honored to appear here today in my capacity as Washington Counsel for The National Association of Retail Druggists. The NARD is a professional and business association of some 36,000 independent community drug store owners across the United States.

For reasons which I will discuss in some detail, NARD strongly endorses the enactment of S. 260. In this connection it should be noted that other national, state and local pharmaceutical associations including retail pharmacists within their organizational structure have gone on record endorsing legislation similar to S. 260. I mention this at the outset so that the Subcommittee can appreciate the fact that the vast majority of retail pharmacists throughout the nation support this important legislation individually or through their respective organizations.

In discussing the position of NARD, I will not belabor the record with a review of facts elicited in the course of the 1964 Hearings. Rather, my efforts will be directed generally to post-1964 developments, our analysis of the issues raised in the 1965 Subcommittee Report, and our analysis of S. 260.

THE NARD POSITION ON S. 260

At the 1966 NARD Convention, a resolution was adopted which was, prior to the introduction of this bill, NARD's formal position on remedial legislation to curb physician restraints of trade. This resolution supported "in principle the necessity for suitable legislation," together with NARD's pledge "to continue its efforts to find voluntary solutions" to the problem of physician involvement in the practice of pharmacy.

The resolution in full text, declared:

"Whereas the involvement of physicians in the practice of pharmacy continues to present difficult problems in the physicians' relations with their patients; and

"Whereas the NARD during the past several years has patiently urged and sought a solution to this pressing problem on a voluntary basis:

"Resolved that the NARD pledges itself to continue its efforts to find voluntary solutions with the professions of Medicine and Pharmacy to the problems of physician-ownership of pharmacies and physician-dispensing of prescription drugs, except in emergency situations.

"Be it further resolved that the NARD

supports in principle the necessity for suitable legislation to resolve in the public interest this problem of the two professions."

Given the failure of organized Medicine to resolve this problem voluntarily, and beyond that, the even broader question of the efficacy of self-regulation within the medical profession, NARD supports S. 260. NARD regards S. 260 as a legislative approach confronting more directly and practicably the problem of physician ownership and dispensing practices than did the Medical Restraint of Trade Bill, S. 2568, introduced in the last Congress.

First of all, S. 260 is a civil rather than a criminal statute, thus making the remedies more appropriate to the evil. That is, even if a solution of self-regulation were developed by the American Medical Association as the alternative to legislation, such a solution likewise would not involve criminal sanctions. Even with civil remedies, the American Medical Association and physicians everywhere reasonably could be expected to follow the spirit of federal legislation and in large measure, police themselves.

Second, the practices proscribed by this statute have realistic exceptions to avoid intrusion into the professional practice of medicine, and the several states' traditional power to regulate the practice of medicine. As I will elaborate shortly, the bill is confined to practices adversely affecting the commerce of prescription drugs.

Third, the sales at cost approach in S. 2568 was properly altered in the interest of statutory certainty. The question of defining "costs" and "profits" is so fraught with loopholes that its prohibitions could be, in large measure, evaded. The present bill contains absolute prohibitions on conduct restraining trade in the commerce of prescription drugs and in effect does no more than write into law the substance of a pre-1955 prohibition in the Principles of Ethics of the American Medical Association.

Fourth, in statutory text, the bill recites with considerable clarity the restraints of trade proscribed and reflects highly on the Subcommittee members and its staff who shared a part in its drafting.

A useful point of departure for taking up the legislative policy issues raised by S. 260 is to consider this bill in the context of the 1965 Subcommittee Report, and the individual views of Senator Dirksen and Senator Hruska. Briefly, their position was that the trade conduct here in issue is of "minor antitrust consequence" in terms of legislative priorities, that promising negotiations between medical and pharmaceutical associations were underway, that state legislation is preferable to federal legislation, and that in any event, existing antitrust laws are sufficient to solve the problem. I would like to take up these issues.

NEGOTIATIONS BETWEEN MEDICINE AND PHARMACY ASSOCIATIONS

Following the 1964 Hearings, NARD officials negotiated in good faith with representatives of the American Medical Association in an effort to urge them to resolve the issue of physician ownership and physician practice of pharmacy. As is known from the official AMA proceedings, no successful conclusion followed from these negotiations. Although there are circumstances in which physicians may ethically engage in the dispensing of drugs, the AMA nevertheless urges physicians to avoid the regular dispensing and retail sale of drugs to patients wherever the drug needs of patients can be met adequately by local ethical pharmacists. Pertinent in this connection is the 1965 Subcommittee Report which stated: "The facts are: (1) The AMA has no enforcement system for its code of ethics and (2) when local or State medical groups attempt enforcement, they are ignored."

This statement of fact illustrates that self-regulation expressed but not practiced, is meaningless, and that while a commitment to self-regulation by AMA would be highly desirable, this commitment would have to be followed by actual compliance efforts. We have no indication that any such commitment can be expected from the American Medical Association. Moreover, as to one aspect of the several problem areas to which S. 260 addresses itself, the medical profession's inability to secure compliance with an unequivocal position taken by the AMA Judicial Council is already a matter of record. Thus, although the AMA "flatly condemns repackaging companies" this Subcommittee noted that it had identified "approximately 140 doctor-owner 'repackaging' companies in more than 30 states . . . as a minimum estimate . . ."

As the Subcommittee's 1965 Report pointed out: "The AMA has expressed concern about this problem for a decade, yet the record shows the number of companies is steadily increasing."

Focusing now on the merits of federal legislation as being a suitable alternate to self-regulation, I should like to turn first to the public interest and legislative priorities involved.

THE PUBLIC INTEREST AND LEGISLATIVE ANTITRUST PRIORITIES

The 1964 Hearings, in our view, documented a record of physician restraints of trade on the interstate commerce of prescription drugs which we contend are not *de minimis*, but are substantial indeed. In specific trading areas, the competitive effects might more properly be characterized as "acute". In the area of physician-owned pharmacies alone, the fast-growing number of doctor-entrepreneurs have been able to tap the consumer market by funnelling prescriptions to their drugstores, through a variety of schemes—to recount just a few which were discussed by NARD in the 1964 hearings: coded prescription orders; prescribing on blanks advertising the pharmacy; and telephoning prescriptions, sometimes by using a direct line, to the pharmacy. Frequently this medical foray into retail pharmacy has resulted in overpriced, unneeded or excessive quantity prescriptions.

The incentive to practice these trade restraints arises from the unusual marketing environment for prescription drugs, where the physicians have economic, professional, and legal power to control distribution. No seller is able to penetrate the consumer prescription drug market via retail drug stores, except through the physicians of America, and the retail druggists of America must have the benefit of patients' "free choice" of pharmacies to compete in their respective trading areas. In an economic sense, physicians regulate demand of such prescription drugs. This bill ensures that this physician regulation of demand is based *solely* on professional judgment rather than nonprofessional considerations of economic gain adversely affecting consumers and retail druggists. To the extent that any physicians speak of their "right to invest according to their best judgments" they speak wide of the mark. A return arising from the proscribed practices is not a classic investment return but is a return based on their own conduct, which may result in restraint of trade. These physicians by a consistent analogy would have to be in favor of Congressional repeal of the SEC "insider trading" prohibitions, and indeed Section 7 of the Clayton Act and other antitrust laws dealing with property acquisition and use.

The federal government, with the passage of Medicare and other welfare programs, has already become involved as a consumer in the economics of prescription drug marketing, and undoubtedly will become more involved in the future. A HEW criterion for evaluating state medical assistance programs provides:

"With respect to 'prescribed drugs' . . . Federal financial participation is available in expenditures for drugs dispensed by licensed pharmacists and, *when dispensed by legally authorized practitioners, where no adequate pharmacy services exist or are available when needed*, and the practitioner dispenses such drugs on his written prescription, and retains records thereof." [Emphasis added]

This HEW regulation is a substantial restatement of Sections 4(a) and 4(4) of S. 260, and emphasizes the awareness of HEW as to this very problem in issue.

In short, there exists an unchallenged public interest in ensuring that the physicians of our land have every opportunity to perform their profession well. Prevention of commercial restraints of trade which adversely affect the public interest in free consumer choice of prescription drug sources, and an opportunity for community pharmacists everywhere to sell on their traditional basis of price and service competition foster and enhance this public interest. The physicians of America, to be sure influence the quality parameter of prescription drug competition in varying professional degrees as they properly should, but the pharmacists and the consumer should not be subjected to any nonprofessional, economic restraints by physicians.

If more evidence of the "public interest" need for remedial action is required, we believe these hearings will admirably fulfill that need, and we predict that the outcome will be one of recognizing the extent to which these trade restraints exist today and could expand tomorrow, unless checked.

THE INADEQUACIES OF PRESENT FEDERAL LAW

The Federal Trade Commission has the statutory power to stop "unfair methods of competition" and "deceptive acts and practices". We agree with the Subcommittee Report that the trade conduct here proscribed is within the substantive reach of the practices condemned by the FTC Act. The 1962 FTC Trade Practice Rules for the Optical Products Industry operated as a rebate prohibition on sellers of eyeglasses, and this same rationale logically applies to the opthalmologists receiving these rebates. Section 5 of S. 260 is a restatement of this Trade Practice Rule directed against physicians.

Sections 4 and 5 of the FTC Act, however, limit the jurisdiction of this substantive enforcement power to offenses arising "in commerce", "commerce among the several states". The conduct involved in Section 4 of this bill generally would not be within the jurisdictional reach of the FTC Act, but rather involves practices "affecting commerce". The drug company conduct under Section 6 of S. 260 could only be reached on a hit-or-miss basis under the FTC Act, again depending on the geographic location of the physicians relative to the drug repackaging house, due to the "commerce" limitations of existing law. Moreover, the issue is not the practice of medicine but rather the commerce of prescription drugs and restraints of trade in that commerce occasioned by the practices proscribed by this bill.

In the main, however, when we discuss the adequacies of the FTC Act in this area, we discuss jurisdictional limitations on the one hand, and on the other hand enforcement limitations imposed by wholly inadequate budgets. If the problem is to be considered in this broader context, it would necessarily involve the twofold considerations of expanding the commerce jurisdiction of Section 5 of the FTC Act and providing private enforcement relief for violations of Section 5. A host of issues beyond the scope of these hearings is involved in such a legislative alternative, and it would have to be considered on a broader policy basis. For immediate purposes, the FTC Act is, on the whole, inadequate.

Turning briefly to the adequacy of Section 1 of the Sherman Antitrust Act, the staff analysis submitted by the Department of Justice following the 1964 hearings highlights their reservations as to the conduct falling within settled Sherman Act "restraints of trade". This Justice Department analysis, like the FTC analysis, offers this Subcommittee little hope of vigorous enforcement as the law enforcers view the law they enforce. In passing, it is worth mentioning the legislative analogy which exists here in comparison to the Congressional action involving the cigarette industry where Congress went ahead and legislated notwithstanding even a greater demonstration of willingness to act on the part of the FTC.

The preference for Federal legislation versus State legislation

The issue has been raised whether federal legislation or state legislation should be the appropriate avenue of relief. Superficially, a good case can be made for state regulation in the sense that the states' power to regulate the health, welfare and safety of its citizens exists, together with the settled power of states to regulate the practice of medicine.

In practice, however, we find, with precious few exceptions, state inaction, and the consequent vacuum which needs to be filled in the public interest. We are aware of only a few states which have trade regulation statutes in varying degrees of comparability to S. 260. With one exception these statutes do not reach sales of drugs by physicians which S. 260 would explicitly proscribe. Indeed the piecemeal approach of these state laws becomes even more apparent when it is realized that only the California statute provides for an outright prohibition of physician ownership, but that this law has also been fragmented by a provision permitting physicians to lease space to a pharmacy at a rental based upon a percentage of the gross income of the pharmacy. With respect to the drug repackaging ownership practices, no state law is comparable to Sections 6(a) and (b) of S. 260. We regard it significant that the 140 identified instances of physician-owned repackaging houses resulted, to our knowledge, in no remedial state legislation.

The Congress has, time and again, been confronted with the good theory—inadequate practice involving state remedial action, but the fact of life is that if the evil is considered by Congress to be grave enough and widespread enough, it will act in the public interest.

More importantly, in weighing federal versus state action, the issues are properly viewed in the context of the unique economic, professional and legal role of the physician in the commerce of the prescription drug distribution. On this rationale, if repackaging houses do not meet the FDA standards, that is hardly a basis for this legislation, but for better enforcement of existing FDA laws and regulations. The issue here is whether the conflict of interest of dispensing physicians in *any* state is fair to the captive consumer, and whether the retail druggists of America in *any* state should be subjected to a competitive disadvantage in the commerce of prescription drugs. Uniform prevention of trade restraints by federal action is in the public interest just as self-regulation by AMA, even if feasible, would have to be uniformly applied in all states.

In conclusion, NARD supports S. 260 for the following reasons: (1) the economic issues are significant today and are likely to become more significant tomorrow, particularly as group medical practice continues to grow; (2) the practices proscribed by this bill free the public from restraints of trade which can create artificial price levels and monopoly profits just as effectively as classic price fixing, due to the unique distribution practices which exist in the prescription drug industry; (3) the community drug stores across the United States can survive as a viable economic force only if patients everywhere are assured free choice in purchasing prescription drugs; (4) this bill relates solely to the commerce of prescription drugs and does not affect the practice of medicine or the states' settled power to regulate this practice; (5) neither existing federal law nor the hope of adequate state law has been demonstrated to provide a realistic solution; and (6) negotiation and self-regulation has not as of this date shown itself to be the solution to the problems on hand.

With the consent of the Subcommittee, we welcome the opportunity to offer supplementary written comments following the close of these hearings, so that NARD might address itself to any new issues raised during the course of these hearings.

Thank you for this opportunity to present the views of the National Association of Retail Druggists.

NORTH DAKOTA STATE
MEDICAL ASSOCIATION,
January 21, 1967.

Hon. EVERETT DIRKSEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR DIRKSEN: Not being one of your constituents, I rather hesitate to trouble you. However, in view of pending legislation, I feel that I should contact you more or less in self-defense.

I see that you are one of the three Republicans on the "Subcommittee on Antitrust and Monopoly, Committee on the Judiciary, United States Senate." I wish to express a few thoughts on Senate Bill 260 being presented by Senator Hart of Michigan.

First of all, I would like to refer to Section II, labeled "Findings of Fact." My only comment here is that the facts stated are highly inaccurate. I will confine my remarks only to the portions of the bill dealing with pharmacies.

The pharmacies owned by medical groups or occupying space leased from medical groups are numerically infinitesimal. There are 139 clinics listed in our 1966 directory which own pharmacies and 180 who lease pharmacies. This is in the United States only. Factually, there are 52,000 retail pharmacies in the United States. 46,000 of these are independently owned and 6,000 are classified as chain. Each chain is counted as one pharmacy and the definition of a chain is an organization or individual owning four or more pharmacies. These 6,000 chains would therefore represent a minimum of 24,000 retail stores. There are therefore more than 70,000 retail pharmacy outlets in the United States.

It is also a fact that there are less than 1200 medical groups consisting of five or more physicians in the United States. Over 600 groups are listed in our 1966 directory of clinics and 570 of these have profiles in the directory. 541 of those who have submitted information are in the United States, the rest are in Canada. Considering only the 46,000 independent pharmacies in the United States, it is probable that two-thirds of one per cent of them are owned by medical groups and an additional nine-tenths of one per cent of these independents lease space for a pharmacy from a medical group. We have no way of knowing how many pharmacies are owned by solo practitioners or small partnerships, but it is reasonable to believe that most of the individually owned pharmacies which are owned by single physicians are in areas where no other services are available. These would not be affected by the law.

Most clinic owned pharmacies limit their sales to prescription drugs and sick room supplies. According to a survey conducted by Ely Lilly and Company in 1965 which covered 2,400 retail pharmacies, 41% of the sales volume of such stores came from the filling of the prescriptions and 59% from the sale of other items such as electrical appliances, cosmetics, magazines, greeting cards, etc.

Under Section III of the proposed law, there are many manufactured articles employed in the actual diagnosis of an illness or treatment of a disease of a patient, which would come within the terms of the phrase "Instruments, Apparatus, and Contrivances, Intended (1) For use in the diagnosis, cure, mitigation, treatment or prevention of disease in man; or (2) To affect the structure or any function of the body of man."

A physician is prohibited in Section IV of the Act from selling these defined devises "directly or indirectly". This opens up a veritable "Pandora's Box" of problems of the doctor and probably for the courts. Actually, the physician could not furnish the patient with splints, with cast material, gauze bandages, adhesive tape, a sling, elastic bandages, contrast material for use in x-ray diagnosis, and a host of other "devises". There is only one exception and that is "in an emergency". If a physician used any of these devises in treating his patients, he would be directly or indirectly selling them.

Sub-division F of Section III of the proposed law defines a leasehold interest is one where the rental is based on a percentage of income from drugs sold or "an unreasonably high rental". Most leases of commercial property in the United States have been negotiated on the basis of base rental supplemented by a percentage of gross sales of the retail establishment for more than 25 years. It is a common practice. Under terms of Section IV of the proposed act, a physician and only a physician, is prohibited from operating in the usual and customary manner in this regard. This certainly is discriminatory legislation.

In presenting the bill to the Senate, charges have been made that physicians have been and are guilty of over-prescribing drugs for their patients and of over-charging for such items. This is a very serious charge against an honorable profession. Unchallenged, it can only have the effect of undermining the confidence of every patient in the doctor of his choice. If the statement is true about drugs, it must be true also of laboratory procedures, x-ray diagnostic procedures, and any other type of treatment which may be ordered by a physician and from which he could conceivably derive a profit. Such a charge cannot be sustained by the isolated instances of misconduct which the Committee has released to the National Publications in order to gain support for this bill. Most of these charges have been proved to be without foundation and fact by disinterested investigators. In the past when the American Medical Association has challenged such charges, they have never had a refutation published in the vehicle which first made the charges. All we get is a letter stating that the correspondence has been received. This is certainly highly unfair and these statements made as facts are certainly highly inaccurate and many times totally untrue.

The charge was made that physicians forced the shutdown of independent pharmacies. Independent pharmacies are undoubtedly becoming fewer in number, but so are independent grocery stores, service stations, auto repair shops, cleaning establishments, and many other types of retail establishments. In my own community, which is a rural community and a town of 8,000, we have three independent pharmacies. A few years ago we leased space in our own clinic and set up a man as a fourth independent pharmacist. We did this for several reasons. Among them, the fact that in the winter time when it is extremely cold, many of the older patients, especially, asked if they couldn't buy their drugs right here in the clinic, saving themselves a walk of two or three blocks down the street to a drug store. In addition, we had many instances where we felt patients were being gouged for drugs such as being charged $2.00 for 50 or 100 phenobarbital tablets for which they should have been charged maybe $.75 and we finally decided that as a convenience to our patients, we would set up this facility. The three independent pharmacies are still in business, are thriving, and nobody has been hurt. I think the convenience to our patients has been a big help and all of our patients do not buy their drugs at the clinic pharmacy. Therefore, I think the statement that physicians have forced the shutdown of independent pharmacies is something pulled out of a hat.

Under this bill, the physician conceivably will be required to have the patient purchase and bring with him at the time of treatment such articles as bandages, tape, disposable syringes, slings and any other article employed in treating the patient; the cost of which has heretofore usually been included in the charge for the physicians services. This sounds ridiculous, but it proves the complete lack of understanding of the practice of medicine by those who drafted this bill.

I hope you will give these comments some consideration in the coming hearings on this piece of legislation.

In closing, I wish to say that I am very happy to see you around so soon after your recent illness.

Very sincerely yours,
G. W. Toomey, M.D.,
President.

CRIME IN THE DISTRICT

Mr. BYRD of West Virginia. Mr. President, another chapter in the growing alarm over crime increases in the District of Columbia was written when an open letter was addressed to President Lyndon B. Johnson by the Washington, D.C., Clearing House Association on January 25. Similar letters were dispatched to the Vice President, members of the Senate and House District of Columbia Committees, and the District of Columbia Commissioners, according to a full page ad taken by this association in the Tuesday, January 31, issue of the Evening Star.

An editorial, "A Plea for Help," also appeared in the same issue of that newspaper, pointing out this unusual appeal made by 14 members of the local banking fraternity.

I wish to associate myself with the expression of views that the vast majority of Americans, those who obey the laws, will not tolerate indefinitely a system in which concern for the criminal is exceeded only by indifference to the public's right to adequate protection against crime.

I ask unanimous consent to have these newspaper items printed in the Record.

There being no objection, the editorial and advertisement were ordered to be printed in the Record as follows:

A Plea for Help

The most recent appeal to the President for help in dealing with criminals in this crime-ridden city has come from 14 members of the local banking fraternity.

These bank officials, representing the D.C. Clearing House Association, are alarmed by the armed robberies of banks and other business establishments which have become "almost a daily occurrence." They say, however, that "of even greater concern to us, as having some responsibility for leadership in the community, is the growing and justified feeling of anxiety and insecurity on the part of all of our citizens."

The facts of crime in Washington fully justify this concern. And while the bankers properly call for an attack on the "root causes" of crime as a long-term objective, they are also right in urging "strict and adequate law enforcement" as an immediate remedy.

In his District budget message last week, the President outlined a number of steps which should be helpful in curbing and, hopefully, reversing the crime trend. Mr. Johnson also said that he will shortly be proposing legislation to carry out "other recommendations which require legislative approval." This presumably refers to the District crime bill which he is expected to offer as a substitute for the one he vetoed last year.

We hope it will be a meaningful bill—one which will make it possible for the police, the prosecutors and the trial courts to function more effectively than is now possible under the unrealistic restraints which have been imposed by the Supreme Court. For without this, millions of dollars can be spent without winning the President's "war on crime."

Addressing the Senate a few days ago, Senator McClellan said that crime in Washington has "skyrocketed" to three times the national average, and that it is "reliably estimated" that more than 80 percent of the crimes committed here are not reported to the police.

The Senator from Arkansas blames a five-member majority of the Supreme Court for invoking "tenuous technicalities" to "nullify the convictions of and to set free confirmed criminals to prey again on a victimized society." Congress, he added, "simply must rectify the mockery of justice and protect society from the dire consequences of a number of recent 5-to-4 Supreme Court decisions that allow self-confessed, vicious criminals to go free."

The McClellan belief is that this can be done by legislation. We doubt it, for the 5-to-4 decisions to which he alludes were based on some constitutional ground—and this insulates them against remedial action by statute. Evidently, however, Senator McClellan thinks Congress should make the effort, and that if the court should strike down the new law "we can then resort to the more cumbersome remedy of amending the Constitution or the more drastic remedy" of limiting the court's appellate jurisdiction.

What, if anything, will come of this remains to be seen. But the Arkansas Senator is right about one thing. The people of the country, he said, are alarmed at the magnitude of the crime menace today. They are unable to walk the streets unafraid or to feel secure in their homes, "and a clarion call for help is rising across the land."

This is true. And it is our belief that the vast majority of Americans, those who obey the laws, will not tolerate indefinitely a system in which concern for the criminal is exceeded only by indifference to the public's right to adequate protection against crime.

The Washington, D.C., Clearing
House Associations,
Washington, D.C., January 25, 1967.

The President,
The White House,
Washington, D.C.

Mr. President: We are writing this letter as one of the groups with some responsibility for leadership in the District of Columbia, some responsibility to speak out on behalf of the entire community.

The crime rate in the District is deplorable. It is unnecessary to muster statistics for purposes of demonstration, nor do we consider it relevant to compare law enforcement here with law enforcement elsewhere in the Nation. The Constitution gives the Congress jurisdiction over law enforcement in the District and that trust should be adequately discharged, should be discharged indeed in such manner as to be a model to the Nation. Armed robberies of banks and other business establishments are happening with frightening frequency. At times it seems to become almost a daily occurrence. Naturally, representing as we do the banking and business community, this is a matter of deepest concern to us. But of even greater concern to us, as having some responsibility for leadership in the community, is the growing and justified feeling of anxiety and insecurity on the part of all of our citizens. In no true sense can we say proudly today that our Government affords us those protections for our persons and property which allow men to live securely and devote themselves without distressing anxiety to the well-being of themselves, their families and their neighbors.

This is no irremediable thing. It may, it probably will, because of past neglect, for a time in the future require large investment. We are prepared to contribute our share. The Nation which has jurisdiction of this community should not be penurious in contributing its share.

Undoubtedly, the root causes need to be attacked, poverty, slum conditions, the lack of adequate education and adequate opportunity which burden so many of our citizens. But these are long-term objectives. The problem is immediate, and the immediate resource is strict and adequate law enforcement.

Our police are undermanned. The facilities available to them are inadequate. The Congress should appropriate whatever is needed to provide enough police, well equipped police and the best police leadership obtainable. Consideration should be given as to whether in the Nation's Capital, as a temporary measure, the Federal Bureau of Investigation might not lend more aid. If this were to be done it should of course be done in such a way as not to reflect adversely, or in any way undermine the responsibilities and morale of the police force of the District. We have confidence in our present police force, if properly supported, but there are areas where no local police force can hope to match the facilities of the Federal Bureau of Investigation, and in our view the problem is sufficiently serious to consider making all of their facilities available to correct these deplorable conditions.

Speedy and effective administration of justice also requires adequate financial support and the ablest possible manning of the United States Attorney's office and the Corporation Counsel's office. This requires large increased appropriations. We have confidence in the leadership of those two offices, but they are both overburdened and undermanned. The speedy administration of justice cannot be attained unless they are adequately staffed and unless the salaries are sufficient to attract the ablest people to those jobs.

The speedy and effective administration of justice is also the responsibility of the Courts. We applaud the developments of the last few years. There has been a thoughtful reappraisal of the distribution of burdens between the District Court and the Court of General Sessions. The Courts have been working longer hours, taking fewer vacations, but much still needs to be done. We applaud the recent undertaking by the Courts themselves of an independent survey of the handling of the business of the Courts. The speedy and efficient administration of justice will do much to curb unbridled crime. Swiftness is no substitute for justice, but swift justice will certainly lend the community greater security. Here again, however, in our view the Congress has not done its part. The Court of General Sessions is understaffed, badly housed, badly equipped. The best of men cannot function adequately in such circumstances.

We hesitate to express a judgment on the recent legislation affecting bail. There has not been an adequate time to try out the consequences of this legislation. If there are inadequacies in it, it would not appear to suggest a return to bondsmen, but it might be worthy of consideration that, if a person charged has theretofore been found guilty of a serious crime of violence, some discretion should be allowed the District Court as to whether such a person should be released to the community. We are in no position of course to appraise the constitutional problems that might be involved, but obviously a prompt trial would need to be a corollary of any refusal of bail.

Finally, why should the Congress permit these bandits to be freely armed against the community. Few hold-ups would be attempted without hand-guns. Some restrictions should be imposed on their sale.

The District of Columbia Clearing House strongly urges that you attack this problem of crime in the District immediately and that you make available whatever may be needed in the way of appropriations to attack the problem adequately.

Sincerely,

Robert C. Baker, Chairman, the Washington, D.C., Clearing House Association, President, American Security & Trust Co.; John C. McCormack, Secretary, the Washington, D.C., Clearing House Association, Executive Vice President, the Riggs National Bank of Washington D.C.; other members: Leo M. Bernstein, President, District of Columbia National Bank; William J. Shuiling, President, The First National Bank of Washington; Louis C. Paladini, President, Madison National Bank; T. P. McLachlen, President, McLachlen Banking Corp.; Barnum L. Colton, President, the National Bank of Washington.

George A. Didden, Jr., President, the National Capital Bank of Washington; Douglas R. Smith, President, National Savings & Trust Co.; William M. O'Neill, President, Public National Bank; L. A. Jennings, Chairman, the Riggs National Bank of Washington, D.C.; Frank A. Gunther, President, Security Bank; associate members: L. P. Harrell, President, Union Trust Co. of the District of Columbia; B. Doyle Mitchell, President, Industrial Bank of Washington.

(NOTE.—Similar letters have been sent to the Vice President, members of the Senate and House District of Columbia Committees, and the District of Columbia Commissioners.)

RECOMMENDATION OF EXTENSION OF INTERSTATE AND DEFENSE HIGHWAYS IN STATE OF MAINE

Mrs. SMITH. Mr. President, on behalf of my colleague, the junior Senator from Maine [Mr. MUSKIE], and myself, I ask unanimous consent to have printed in the RECORD the text of a joint resolution of the Legislature of the State of Maine, to extend the northern terminus of the Interstate and Defense Highway System in Maine from Houlton to Fort Kent.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE STATE OF MAINE

In the Year of Our Lord One Thousand Nine Hundred and Sixty-Seven.

Joint resolution memorializing Congress to Extend the Northern Terminus of the Interstate and Defense Highway System in Maine from Houlton to Fort Kent

We, your Memorialists, the Senate and House of Representatives of the State of Maine in the One Hundred and Third Legislative Session assembled, most respectfully present and petition your Honorable Body as follows:

Whereas, it has been recognized that the nation's economy and the nation's security require the construction of a national system of interstate and defense highways; and

Whereas, the primary responsibility for construction of such a system rests in the Federal Government; and

Whereas, the objective is to complete the presently designated national system by 1972; and

Whereas, the people of Maine through appropriate action have deemed it essential that the highways of this State be integrated into the interstate and defense system; and

Whereas, the coinciding completion dates of U.S. Interstate 95 to the border east of Houlton and the entire Trans Canada Highway system will result in a great amount of potential traffic by-passing central and northern Aroostook County; and

Whereas, a high-standard, key artery highway through Aroostook County will better serve present industry, attract new industry and provide tourists and travelers with access to the many recreational possibilities of central and northern Aroostook County; and

Whereas, the Department of Defense of the U.S. Government has extensive defense installations in northern Aroostook County, namely Loring Air Force Base located in Limestone, Maine and supplemental installations to this base also located in the general area of northern Aroostook County, in the State of Maine; now, therefore, be it

Resolved: That we, your Memorialists, recommend and urge to the Congress of the United States, in order to more adequately serve the more heavily populated areas of central and northern Aroostook County and provide additional highway facilities for defense installations in northern Aroostook County, that appropriate action be taken to require the Department of Commerce, through the Bureau of Public Roads, to relocate the northern terminus of the Interstate and Defense Highway System in Maine from Houlton to Fort Kent; and be it further

Resolved: That a copy of this Memorial, duly authenticated by the Secretary of State, be immediately transmitted by the Secretary of State to the Senate and House of Representatives in Congress and to the members of the said Senate and House of Representatives from this State.

In Senate Chamber: Read and Adopted, Sent down for Concurrence, January 24, 1967.

JERROLD B. SPEERS,
Secretary.

House of Representatives: Read and Adopted in Concurrence, January 25, 1967.

BERTHA W. JOHNSON,
Clerk.

THE CONSULAR CONVENTION

Mr. INOUYE. Mr. President, the Consular Convention with the U.S.S.R., which President Johnson yesterday strongly urged the Senate to approve, has my support. I shall vote for it, and I call upon Senators on both sides of the aisle to vote for it also.

With the President, I believe that the provisions of this agreement would advance the national interest. I believe that we must reach this conclusion regardless of whether we personally believe in "building bridges" to the East or seeking to reduce areas of potential future misunderstanding while sending our boys to fight in Vietnam.

This is not a treaty which gives the Soviets something they badly want and gives us less in return. Remember, it was a Republican Vice President—not the Soviets—who proposed an exchange of consulates in 1959. It was a Republican Secretary of State—not the Soviets—who proposed the negotiation of a consular convention during the same year. If the establishment of a Soviet consulate in the United States is such a valued goal of the Soviet leadership, why did they not accept Vice President Nixon's offer and open a consulate in New York in 1959 when they had the chance? If a consular convention is something the Soviets have always wanted, why did they wait for us to ask for it for 30 years after we established diplomatic relations with them?

The answer is that this treaty benefits the United States more than it benefits the Soviet Union. That is why we proposed it, that is why we took the initiative in negotiating it, and that is why the administration is pressing for its ratification today. It benefits us because it helps us to protect the increasing numbers of Americans who travel to the U.S.S.R. each year. Some 18,000 went there last year—from my State and every other State in the Union. I am glad to say that so far no Hawaiians have been jailed or detained in the Soviet Union. But I understand that more than 20 incidents of this sort have come to the attention of the U.S. Government since this treaty was signed in 1964. A young man from Massachusetts—Newcomb Mott—died in Soviet hands under unexplained circumstances in 1966. A Peace Corps volunteer from Maryland was jailed in the Soviet Union—and fortunately later released—this year. A former Army lieutenant from Utah spent more than 60 days in solitary confinement in a Leningrad jail, and his companion from Arkansas is now out on bail after more than 80 days imprisonment. He may well go to Siberia to serve a 3-year sentence—for a foolish but hardly heinous infraction of Soviet law.

In May of this year it may be possible for the first time for Americans to fly from New York to Moscow nonstop at low-excursion fares. We can assume that this will lead to an increase in the number of Americans who travel there—and the number of Americans who may get into trouble there. The next American in a Soviet jail may be from Hawaii; and if that happens I intend to get on the phone to the State Department and ask them to get him out—quickly. I hope they will not have to answer "Well, Senator, we had a treaty which would have helped him, but the Senate voted it down." I realize from my mail that many persons oppose this agreement.

There are many who write to me and who write to all Senators—sane people whose opinions we respect—who have serious misgivings about this agreement. Some feel we should enter into no agreement with the Soviets while we are fighting in Vietnam. Other believe this convention presents grave dangers to our internal security. Both these arguments deserve to be studied before we vote to approve or reject the convention. I suggest that this can be done most dispassionately if we remove the Consular Convention from the framework of "bridge-building" or initiatives toward the East and look at it on its own merits—as an agreement between sovereign states which, if it is to be ratified, should be of concrete net benefit to us.

Because it contains guarantees committing the Soviet Union to notify American officials of the arrest or detention of American citizens and to permit visits to such Americans within 4 days and on a continuing basis thereafter, I believe it provides these benefits—benefits which are needed more than ever while the war in Vietnam is going on and the Soviets are, consequently, treating Americans accused of violating their law more harshly than usual. I believe that Vietnam should not be an obstacle to ratification, for this convention does not provide aid and comfort to the enemy, but prudent protection for ourselves.

The internal security issue has been much discussed already. But I see nothing so terrible in the prospect of a Soviet consular office, with a staff of 10 or 15, in an American city, provided we are granted similar facilities in the U.S.S.R. The President has said that, in his judgment, the treaty raises no problems for the national security. The Acting Attorney General and the Director of the FBI have said that such an influx of 10 or 15 Soviet officials—added to the 1,000 already here—can be handled effectively and efficiently. I accept this statement. More than 200 people immigrated to this country from the Soviet Union last year alone, to live and work among us. They are relatives of Americans, longing for the free life they can enjoy in this country, and none of us would deny them or their American relatives this privilege. Yet this certainly creates a potential threat to the internal security, for among these may be the faceless "Colonel Abel" of the 1970's, far more difficult to identify and control than the Soviet official whose activities are known. Are we ready to close our society, to make a secret of the entire Nation, to betray our tradition, in order to guard against the curious eye? Is our social fabric so flimsy that we must resort to such measures?

Finally, let me touch briefly on the issue of immunity. This treaty, the first of its kind we have ever signed with a Communist government, differs from past consular treaties in that it grants full immunities from criminal jurisdiction to consular employees on a reciprocal basis. I believe that Americans we might send to a consulate in the Soviet Union need and deserve this protection. Our country requires it, too, for the security hazard of exposing these officials to imprisonment and interrogation in a Communist country is obvious. We must pay a price for this shield; we must grant the same protection to Soviet officials here. But I believe the price is worth paying.

Mr. President, I believe this convention merits the approval of the Senate and the Nation. I intend to vote for it.

DISCRIMINATION IN EMPLOYMENT ON ACCOUNT OF AGE

Mr. MURPHY. Mr. President, on February 1, Senator Javits introduced S. 788. I am pleased to coauthor this measure with the distinguished Senator from New York. S. 788 would prohibit arbitrary discrimination in employment on account of age.

Since coming to the Senate this has been a subject in which I have had a great interest.

For the simple fact is, Mr. President, that discrimination on the basis of age alone does not make sense. The mature worker deserves to be judged on the basis of his performance not excluded because of his age. While it is sometimes true that the older worker may lack the educational advantages of his younger counterpart, his experience, maturity, and skills, acquired as they say in the school of experience and through the college of hard knocks, are assets which the country cannot afford to waste.

One of my earliest acts when I was elected to the Senate was to cosponsor in 1965, S. 1752 which, like the bill now introduced, would prohibit job discrimination because of age. Last year, along with Senator Javits and other minority members of the Senate Labor and Public Welfare Committee, I also cosponsored an amendment to the Minimum Wage Amendments of 1966 outlawing discrimination on the basis of age. As the Senators will recall, this amendment was adopted on the Senate floor but was subsequently deleted in conference.

I think it is clear that had the administration supported and worked for the age discrimination ban last year it would be on the books today.

I am pleased, however, that the administration has finally agreed with the position of the Republicans on this issue. I certainly hope that as a result legislation will be enacted this year ending once and for all age discrimination in the United States.

In 1964, title VI of the Civil Rights Act outlawed discrimination in employment practice on the basis of race, color, religion, sex, and national origin. This, of course, was a step to make available to all our citizens equal opportunity. This 1964 act was in keeping with the basic beliefs and philosophies of our forefathers when they landed on the rich shores of our country that a man should be judged by his deeds, not by his religion, sex, color, or national origin. The act left, however, one big loophole that needs to be closed. Enactment of legislation preventing age discrimination would plug this loophole.

Mr. President, I fully realize that the problem of age discrimination is not a simple one. We are not, however, without experience in this area. Twenty States and Puerto Rico have adopted legislation outlawing age discrimination. The States experience shows the legislation is workable.

I am convinced that the approach taken by the Javits bill, which I am cosponsoring, is superior to the approach of the administration bill. The administration bill, like the Javits-Murphy proposal, grants jurisdiction for the adminstration of the age discrimination ban to the Department of Labor, but no mention is made to the section or division of the Department of Labor which is charged with its enforcement. The Javits-Murphy bill, on the other hand, makes use of the experience and expertise of the Labor Department's Wage and Hour Division which presently enforces age provisions affecting child labor subject to judicial review. This approach not only taps the reservoir of talent and experience in the Wage and Hour Division, but also it assures that there will not be the needless creation of a new bureaucracy to administer the age discrimination provision.

Second, the administration bill provides for hearings before the Labor Department and then enforcement in the court of appeals. Our bill authorizes the Secretary of Labor to proceed directly in the U.S. district court.

Finally, the administration bill provides not only for civil penalties but also for criminal penalties. I feel that criminal penalties are neither needed or justified. The Javits-Murphy amendment, on the other hand, only provides for a civil remedy.

Mr. President, these are the major differences between the administration bill and the bill introduced by Senator Javits and myself.

Of course, there are similarities between the administration approach and the approach taken by the Javits-Murphy bill. Both measures are aimed at discrimination against those who are 45 and over. Both permit exceptions where there is a bona fide occupational qualification. Both also provide for a conciliation effort before the ultimate enforcement by the courts when necessary.

After careful study of the merits of the two proposals, I am convinced that the bill which I am cosponsoring is the more meritorious and the one that should be adopted by the Congress.

Last year, Mr. President, I made a detailed statement on the subject and I ask unanimous consent that my remarks be printed in full at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Murphy

For some time this great nation has sought to make available to all its citizens equal opportunities for employment. We have attempted to eliminate artificial and discriminatory barriers to employment. Beginning when our forefathers first landed on our shores, we early realized that a man should be judged by his performance, not by his religion, sex, color or national origin.

The gates leading to equal employment have not always been open, at least equally wide, to all American citizens.

As my colleagues know, in 1964 Title VI of the Civil Rights Act outlawed discrimination in employment practices on the basis of race, color, religion, sex and national origin.

One form of employment discrimination was neglected. I am referring to employment discrimination because of an individual's age. I am speaking of job discrimination facing the nation's older worker. This has long been a great concern to me. One of my early acts when I came to the Senate last year was to join Senator Javits in cosponsoring S. 1752, which would prohibit job discrimination because of age. Regrettably, no action has been taken on S. 1752. Fortunately we have at hand a vehicle in the form of the minimum wage measure that will permit us to accomplish the purposes of S. 1752. This amendment, offered by Senator Javits and others, and which I am cosponsoring, will amend the Fair Labor Standards Act by adding a new title prohibiting discrimination in employment because of age. Enforcement of the prohibition against age discrimination will be by the Wage and Hour Division of the Department of Labor.

To appreciate fully the problems of the older worker, when he becomes unemployed for one reason or another, it might be helpful to examine some of the general characteristics of this group of Americans. In this day and age when such emphasis and importance are placed on education, the older worker's educational deficiencies are a major obstacle. Among male workers age 45 to 54, nearly one-third of those who are white and almost two-thirds of those non-white groups have not gone beyond the eighth grade. Among the male workers 55 to 64, nearly one-half of the white group and more than three-fourths of the non-white group have not gone beyond the eighth grade.

Many of these workers were forced by economic necessity during the depression to leave school and find means to help sustain their families through those troubled times. Many of the younger members of this age group left school and entered the labor market during World War II when work was plentiful and employers begged for workers.

Then, for whatever the reason, perhaps automation or the closing of a plant, the older worker might have been told that his services were no longer needed. The world, crushing in on him, our older worker now walks the streets seeking new employment. Not only will he be made aware of his educational deficiencies, but frequently he also finds that employers disqualify him because of his age.

Also, we know that the older worker has less mobility than his younger counterparts in the labor market. This results from numerous factors. The older worker probably owns his own home, may have school age children, and has strong ties with the community which are difficult for him to sever. The younger worker, on the other hand, usually finds it easier to move in order to locate another job. Evidence from many studies indicates that unemployed workers who move, have greater economic prospects than those who are reluctant to move. A recent Labor Department study of geographical mobility substantiates these findings. About 72% of the unemployed persons who moved between March 1962 and March 1963 were employed a year later. Only 55% of those who did not leave their communities were able to find new jobs. The older worker's reluctance to move adds to his difficulties in finding new employment.

Statistics clearly show that the older worker once unemployed, is likely to remain without work for a longer period of time. The average duration of unempolyment for males in 1964 in the 45 to 64 age group was 20.8 weeks. This compares to an average of 14.5 weeks for all males.

Now, if it were not enough that the doors to employment were closed to the older worker because of lack of education and skills, an older worker often faces an attitude on the part of some employers that prevents him from receiving serious consideration or even an interview in his search for employment. This employer discrimination results to a great extent from employer misconceptions about the perfromance of older workers and the relative cost to the firm of hiring older rather than younger workers.

In 1963, a study of employer orders received in the local state Employment Service offices in eight major cities in states not having anti-discrimination laws found that 47% of job orders specified upper age limits, 18% specified workers under 35, and 33% set age limits under 45. The 1963 study was updated by the Employment Service in a survey done in the Spring of 1965. The Employment Service interviewed selected employers as to their attitudes and hiring records. Only 8.6% of new workers hired by these employers during 1964 were over 45, which was less than one-third of this group's proportion among the unemployed. Approximately 25% of the employers interviewed had upper age limits for hiring.

Employers gave many reasons why they do not hire older workers. In a 1959 study done in my state of California, the following reasons were given for not hiring older workers: 22.4% of the employers said that older workers cannot maintain production standards; 20.9% said that they cannot meet a company's physical requirements; 13.2% said older workers were inflexible; 10.1% mentioned pension and insurance costs; 7.1% felt that the older workers were too close to the compulsory retirement age; 5.2% preferred younger people; 3.2% found older workers more difficult to train; 3.1% felt that they were excessively absent; and 2.7% had a policy of promotion from within the firm. While obviously some of the reasons given by the employers are just and reasonable, there certainly does not appear to be a justification for some of the reasons given by employers for upper age limits.

A recent Bureau of Labor Statistics study of health and insurance plans and their effect on the employment of older workers shows that the costs do not vary greatly due to age, since the rates are based on the entire company's average costs. For example, the older worker frequently does not have the small children nor the expense of maternity care, and savings such as this would equal or perhaps outweigh the higher costs of morbidity. Private pension plans have also been an obstacle to the hiring of older workers. In the United States today twenty-five million workers are covered by some form of private retirement plan. Most of these plans require involuntary retirement. The cost of a pension depends on the age of the worker at the time he is hired and, therefore, pension plans are more expensive when a worker is hired at a later age.

Many studies, however, have argued that the pension and insurance costs of hiring older workers are over-estimated. This can be outweighed by careful consideration of the skills and experience that the older worker is bringing to the job. The National Association of Manufacturers has stated: "The more one examines pension and insurance costs, the less valid they become as legitimate barriers to the employment of mature workers. When one considers the many personal assets the mature employee brings to the job (pension and insurance costs certainly lose whatever significance they may appear to have."

There have also been many studies done on the job performance of the older worker and studies done by the Labor Department show that job performance does not decrease significantly with age. A 1961 survey of postal employees showed that workers 40 to 59 years of age produced as much as younger workers in the same type of job. Even at age 60 and over, the average output was only 4% less than the output of workers age 35 to 39. Two surveys of performance done by the Labor Department in 1956 and 1957 indicate that there is a stable average performance level through age 54 with some falling off of the average output of the age 55 to 64 group. The studies also indicated that there was a wide variability of performance within a given age group. These studies showed too that there was no difference in attendance between the age groups.

Perhaps the most useful indication of the value of the older worker is in the evaluation of the employers themselves. Employers consistently praised their older workers. A 1951 study by the National Association of Manufacturers showed that out of 3,107 reporting companies, the great majority found their older workers equal or superior to younger workers.

Percentages of employers holding specified opinions of older workers

Factors	Performance of older workers		
	Superior	Equal	Not equal
Work performance	22.4	70.3	7.2
Attendance	48.3	49.8	1.9
Safety records	32.2	65.2	2.6
Work attitudes	48.4	50.8	.8

I would like to read this NAM survey.

A panel of 196 executives was polled in 1959 by the Bureau of National Affairs and the results of this questionnaire further indicate that older workers have definite advantages for employers. I would also like to read this survey.

	Company with less than 1,000 workers		Company with more than 1,000 workers	
		Percent		*Percent*
Is the older worker less efficient?	No	70	No	75
Is he less regular in attendance?	No	98	No	98
Is he more accident prone?	No	77	No	90
Is he more inclined to grumble?	No	86	No	87
Is he more likely to be late?	No	100	No	100
Is he more difficult to supervise?	No	90	No	81
Is he more understanding of management?	Yes	86	Yes	91
Is he less likely to move to a new job?	Yes	93	Yes	91
Is he more resistant to new ideas and methods?	Yes	77	Yes	73

At the present time laws prohibiting discrimination in private employment on the basis of a person's age are in effect in twenty states and Puerto Rico. In New York State a report on the first two and a half years (July 1, 1958, to December 31, 1960) of their age discrimination law, a total of 277 complaints alleging discrimination on account of age are described. In 31% of these cases, some unlawful practice was found and adjusted. 209 of the cases had been closed by the end of 1960. A spot check was taken at one office before and after the law was enacted. In 1955–1956, 22.7% of the job orders placed with the office carried upper age limits. This number had been greatly reduced by 1958–1959 to .3% of the total. A general evaluation of the experience in New York indicates that prejudice is breaking down and that there has been almost a complete elimination of the age specification in want ads and a great reduction of placing age limits by employers in job orders.

In a survey conducted by the Labor Department in 1963 on the effectiveness of state laws, the response from state agencies indicated that the enactment of age discrimination statutes has been followed by a decrease in discriminatory age specifications in job advertising and in job orders.

In 1964 the Department of Labor conducted a conference of officials who administer the state anti-discrimination laws, and one point made at this conference was the desirability of federal legislation in this field. Secretary Wirtz has reported that in thirty states which have no laws against age discrimination, fully half of all the job openings are closed to applicants over 50 years of age and about one-third of the job openings are closed to applicants over 45 years of age.

So, it is obvious that age discrimination does present a problem in this country. I see no reason why we should not include job discrimination on the basis of age with the present ban on discrimination on the basis of race, color, religion, sex and national origin. I am hopeful that the Labor and

Public Welfare Committee will enact this amendment to the minimum wage bill.

I do not feel that this will be a complete panacea for the problems of our older workers. It will, however, be a significant step in the right direction. Nor do I believe, Mr. President, that the federal government alone should involve itself in this problem. The states are moving have moved and should continue to move toward equal employment opportunities. Private groups have done outstanding work in initiating programs to help older workers and to help educate the public at large. In California this has certainly been true. In Pasadena a group called "Jobs After Forty," formed in 1959, has conducted surveys, sponsored workshops, clinics and forums with employers and potential employees and reports great successes in the placement of applicants. "Experience Unlimited" is an organization composed of jobless executives and managerial personnel. They make extensive use of group discussions and group counseling to aid the older worker in locating employment. "California Associates" is a similar organization for women in the executive or managerial field. "Careers Unlimited" for women is another private and civic organization which tries to place older women in jobs, and volunteers work with applicants on an individual basis often accompanying applicants when they go to see prospective employers.

National organizations, such as the American Medical Association, the National Association of Manufacturers, the American Legion, and the Fraternal Order of Eagles have conducted intensive massive campaigns to promote the hiring of older workers. Federal programs, such as the Older Americans Act, the Vocational Education Act, and the Manpower Development and Training Act have helped the older worker.

The Manpower Development and Training Act has not been giving the attention to the older worker that it should. In 1962–1963, a total of 3,250 workers 45 years old and over completed training courses under the Act. This constituted about 11% of those trained. The older workers comprised about 29% of the unemployed group. The on-the-job training program has not been used adequately. Early this year, the Senate Labor and Public Welfare Subcommittee on Employment and Manpower, of which I am a member, held hearings on the on-the-job training programs, and I was shocked upon hearing the testimony on the amount of paper work required in order to participate in on-the-job training. It is no wonder that the employers have not been participating as much as some of us would hope. In all fairness to the Labor Department, it was announced that they have finally taken steps to lessen the paper work.

The older worker, like all Americans, should be judged on his merit. The older worker should not have the doors to employment closed before he is even given consideration. Enactment of this amendment will be of great significance to our older workers.

FOOD FOR INDIA

Mr. HARTKE. Mr. President, we Americans are proud of the way we have built this country, starting with a wilderness, into the vibrant economy we have today. In the building process we relied largely on ourselves and on our immediate neighbors, though, to be sure, there was a certain amount of what today we might loosely call "economic assistance," which came into this new land from countries beyond the sea.

The President's message on food aid to India proposes that the United States continue what it began some years ago—a further commitment of aid to a relatively new nation, India, whose leaders are as deeply committed to the concept of self-reliance as we Americans have been throughout our own national existence. It is reassuring to me to see that the U.S. Government has taken a conscious decision to assist the Indian people in moving toward economic goals—self-sufficiency in food and a viable economy generally—which the Indians have set for themselves. Our relationship with India in the aid field is much more likely to be a harmonious one if we continue to insist that our role will be that of assisting the Indians to meet goals which they profoundly feel are necessary to their national well-being than if we and they held widely divergent views on proper goals. A continuing Indian commitment to using aid proferred by the United States and other aid donor nations to expand the Indian economy to the point where such aid will, one day, no longer be necessary, suggests the optimum context within which aid resources can be put to appropriate use.

I am gratified to learn that the executive and legislative branches of the American Government have undertaken to verify the extent to which India's leaders and the people of that country have been translating the precept of "self-reliance" into fairly impressive practice. Tradition dies hard, and the older and more conservative the society, the more slowly it dies. India's leaders constantly scold their people for continuing to do things in outmoded ways. There is a bright side, however; the eagerness with which aged farmers try fertilizer on their lands for the first time, or their willingness to plant new varieties of grains, give ample witness to the fact that desirable changes are underway. These changes augur well for India's continuing economic development and argue persuasively that the United States should assist India in that task.

THE CONSULAR CONVENTION WITH THE SOVIET UNION

Mr. McGEE. Mr. President, the world is changing all around us, and we cannot shut our eyes to this change. Shortly, I hope, the Senate will consider the Consular Convention with the Soviet Union. The ratification of that treaty will not greatly change the tide of events, perhaps, but it will show we are not blind to the changes and are determined not to miss the tide, or miss the boat, to borrow from the words of an editorial published in last evening's Washington Star.

Mr. President, the editorial, entitled "Our Changing World," is directed at Members of this body, and it is hoped that those to whom it applies will pay heed. I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

OUR CHANGING WORLD

"There is a tide in the affairs of men,
Which, taken at the flood, leads on to fortune;
Omitted, all the voyage of their life
Is bound in shallows and in miseries."

It is our earnest belief that such a tide is running now. And it will be a tragic thing if this tide is allowed to ebb away because of a misguided belief, no matter how sincerely held, that ours is a world in which nothing changes or ever will.

This, however, is a dismal prospect which emerges from the attitude of such influential Republicans as Senators Hickenlooper and Mundt.

They are against the consular treaty and the expansion of East-West trade. If one is to judge from the questions they asked of George Kennan in his appearance before the Foreign Relations Committee, no bridges will ever be built between East and West if they can help it.

Yet it seems to us that the fact of the crumbling of Communism's supposedly monolithic structure is too obvious to be denied. Communist China's internal agonies have all but brought an open break with the Soviet Union. Yugoslavia, Romania and Poland have long since shaken off the Stalinist chains. There have been more than a few indications that Moscow, far from clinging to a belief that war between communism and capitalism is inevitable, wants to move toward a better relationship with us. Why not? Such a move would serve Russia's interest—just as it would serve ours.

It is true that Russia has been supplying sophisticated weapons to North Vietnam but to nowhere near the extent that we have been supplying South Vietnam. This is something that should be viewed in perspective against the background of Moscow's need to protect its own "image," and in light of the fact that the Russians could be sending in a great deal more arms and other aid than they have done up to this time.

The war in Vietnam will be over one of these days. Meanwhile, or so it seems to us, the things that can be done to improve the East-West relationship should be done. One thing that can be done is for the Senate to ratify the consular treaty—a relatively small item, perhaps, but still of some importance.

Ratification, however, requires a two-thirds vote. It will not be easy to get it, and the Republicans very probably will decide the issue. This being the case, we hope that those G.O.P. senators who are now on the fence will take their cue from the Thruston Mortons, Eisenhowers and Nixons—not from the Mundts and the Hickenloopers.

If we miss the tide that is running now, we may also discover too late that we have missed the boat.

OCEANOGRAPHY'S GROWTH IN HAWAII

Mr. FONG. Mr. President, it is gratifying to call attention to the growing role of oceanography in the State of Hawaii. With foresight and planning, leaders in government, university and private enterprise in recent years have laid the foundation to make the 50th State an outstanding center for the study and development of marine resources. The progress in oceanographic programs and the increasing investment and interest shown by mainland agencies and experts are most encouraging.

I wish to commend my colleagues who made the 89th Congress so productive in the field of marine science and technology. The enactment of the Marine Resources and Engineering Development Act and the Sea Grant Colleges and Programs Act represents a long step toward giving oceanography the national status and support it deserves. By passing these new laws, the Congress has stimulated a wider understanding, concern, and support of oceanography and related fields throughout the Nation than has been the case at any time heretofore.

As a cosponsor and active advocate of both of these measures, I am happy to say that Hawaii looks forward to participating fully in every way it can in supporting and implementing the objectives of the legislation.

The State of Hawaii is especially fortunate that one of its residents, Taylor A. Pryor, has been appointed a member of the Commission on Marine Science, Engineering, and Resources, created under Public Law 89-454. He has amply demonstrated his vigorous leadership in establishing the Oceanic Foundation at Makapuu, on the Island of Oahu, as a private nonprofit organization devoted to the promotion of human progress in the sea, and his enterprise in developing the Sea Life Park as a public display of Hawaiian marine life and ocean science which provides partial financial support for the Oceanic Foundation. I have every confidence that he will make a valuable contribution to the Marine Science Commission to which he was recently appointed by the President.

A most useful collection of articles on oceanographic progress in Hawaii has been published by the Honolulu Advertiser, which created the Captain Cook Chair in Oceanography at the University of Hawaii in 1965. I commend the Advertiser for the special interest it has displayed in promoting oceanography and for its public education efforts in this field.

I ask unanimous consent to have printed in the RECORD the full-page collection of articles on the Advertiser's editorial page of January 17, 1967. The articles are titled, "Hawaii and Oceanics," "Makapuu Plumbs Sea Secrets," "U.H. Expands Ocean Studies," and "Industry Eyes Island Sites."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Honolulu Advertiser,
Jan. 17, 1967]

HAWAII AND OCEANICS

The Presidential appointment of Tap Pryor to the Commission on Marine Science, Engineering and Resources is more meaningful than it might at first appear.

The deserved national recognition of the dynamic and talented young scientist is gratifying. But coupled with it is the heightened opportunity of Hawaii to play an accelerating role in those aspects of a national oceanographic program for which the Islands have special strengths.

The 15-member commission, which has a life of 18 months, is to recommend such a program, adequate in scope and support, to meet present and future needs in marine science.

To prepare itself, it will review existing surveys, research programs, training, and projects related to obtaining the needed resources from our marine environment.

The commission's report will be submitted to the President, through the National Council on Marine Resources and Engineering Development, and to the Congress. It thus can serve as a basis for legislation.

The need to make maximum use of the productive opportunities in the ocean is becoming increasingly urgent. For a century of oceanographic surveys has led so far to relatively little exploitation of our marine wealth.

And yet economic and human needs around the world demand not only an expansion of our knowledge of the marine environment—but a tremendous speedup in our utilization of its food and mineral resources.

A growing number of sound ocean-oriented operations are developing all over the country. By playing a cooperative rather than an excessively competitive role, Hawaii can provide a service to many of them.

We can be, in one observer's words, "everybody's bride and not a bridesmaid left behind."

For example, there's a pipeline network projected for the Gulf of Mexico which would drain the gas and oil from leases held by 22 petroleum companies.

Six engineers involved in the project have just spent some days here seeing how Hawaii might be able to develop a new pipeline technology for use in the Gulf.

We have close to shore the kind of depths in which the engineers are interested, whereas in the Gulf they'd have to go out hundreds of miles to make their tests. We have clear, warm sea-water year-around. In short, we have ideal conditions for their particular purposes, a fact which led the head of the visiting team to say he thought Hawaii could make an important contribution to the oil and gas industry.

Another example: when Tap Pryor in December attended a symposium on deep-sea vehicles at the Woods Hole Oceanographic Institution, there was discussion of whether that famed Massachusetts organization should set up an annex in Hawaii.

Woods Hole is the organization in oceanography and marine biology with the earliest and broadest experience in Atlantic research.

It seemed quite reasonable to some of the top people there, says Pryor, to consider putting a foot in the Pacific by utilizing Hawaii. The possibility, he adds, is now being worked on.

Hawaii has come quite a way in the oceanic field since the first major conference was sponsored on Maui two years ago this month by Governor Burns.

The Governor continues to put the full energy of the State behind marine science development. It was hardly surprising that it was he, along with Senator Inouye, who recommended Pryor to the White House for appointment to the national commission.

Elsewhere on this page are stories giving some detail of the activities at the University of Hawaii; at the Oceanic Institute, which is the research arm of Pryor's Sea Life Park; and in other private and public sectors.

In sum it is impressive, but it really should be only the beginning. Because of its interest and capacity, Hawaii inevitably will benefit from the comprehensive, long-range and coordinated national program eventually to come into being.

One of the problems which Hawaii has been having in common with other ocean-minded areas is the lack of a central pool of information on significant developments. The new national commission should be helpful in this respect.

Interestingly, Pryor plans to open a Washington office and to invite the State Dept. of Planning and Economic Development and the University to share it.

Pryor's contribution to the commission's work obviously will be toward its national goal. But in the process Hawaii should benefit to the extent that we merit.

MAKAPUU PLUMBS SEA SECRETS

What the public sees at Sea Life Park occupies less than one-tenth of the area of Tap Pryor's marine complex at Makapuu Point.

On the rest of the property he is structuring an almost bewildering number of organizations—for extensive research in ocean engineering and biological sciences.

Pryor's non-profit Oceanic Foundation oversees the development of the park, the adjacent laboratories and simulators of a marine research institute, and a variety of underwater testing facilities immediately offshore. Contractual work is now being performed for Federal agencies and industrial associates.

The essential research organization at Makapuu is the Oceanic Institute, which last week announced the appointment of Dr. John Hendrickson as its permanent director.

Existing operating divisions are those of marine science and ocean engineering, with a marine medical group scheduled to become active within a few weeks.

The institute's current major activities include the largest sea-farming project in the world, utilizing large new labs at Makapuu and restored Hawaiian fishponds on the island of Molokai.

The institute is expanding its Cetacean Research Center to enlarge its well-known studies of whale and porpoise communication and behavior. During this year the institute will begin diver-oriented biomedical research and will undertake detailed submarine topographic surveys and other offshore oceanographic studies.

Pryor's Makai Range, an entity separate from the Oceanic Institute, is already being described as a major national undersea testing facility which cannot be duplicated elsewhere.

Under construction this year, it is intended primarily as an industrial proving-ground for sea-floor research and development. It includes permanent sea-floor laboratories at various depths to house diver-technicians for days or weeks at a time while they work on nearby test installations, such as sea-floor oil wells and experimental tankage.

The range systems, including habitats, life-support and communication, were more than a year and a half in design. Initial construction includes a pier for research vessels and submersibles, shoreside decompression chambers and medical facilities, and the opening of a major professional-diving school for employes of petroleum and construction industries.

A second phase of the Makai Range already in planning is a fully instrumented deep-range: a "bugged" slice of the ocean from Makapuu to depths of thousands of feet.

Pryor's various organizations are described as having three singular advantages.

The first is that "the sum of expanding facilities and talent is greater than the total of its parts, due to proximity and mutual support."

Second, within the complex organizational structure, with its non-profit institutions and entirely separate industrial associations, there is room for almost any type of program, project, user or customer.

And third, Makapuu is "probably the first major oceanic research and development installation which practices the belief that oceanography is not a single, academic science but a whole world."

Pryor preaches that the exploration of the sea and the wise exploitation of its resources require not just scientists and technicians, but lawyers, economists, truck drivers, secretaries, construction crews, accountants, lawmakers and manufacturers. At Makapuu everyone, whatever his job, is an "oceanographer."

UH EXPANDS OCEAN STUDIES

Ocean-related teaching and research activities have shown steady growth in the past two years at the University of Hawaii.

Ocean science programs are conducted by a number of disciplines and research units, including the Departments of Oceanography, Ocean Engineering, Zoology and the Hawaii

Institute of Geophysics and the Hawaii Institute of Marine Biology.

The basic academic program is conducted by the oceanography department headed by Dr. Richard G. Bader, former program director in oceanography for the National Science Foundation who joined the University faculty in December 1965.

In the fall of 1964 there were three faculty members in the department and 10 students majoring in oceanography. Today there are 15 members of the department conducting instruction for more than 40 majors.

The oceanography program at the University was given added support when The Honolulu Advertiser created the Captain Cook Chair in Oceanography in 1965.

Oceanography-related research projects underway include compilation of the Atlas on Physical Oceanography of the International Indian Ocean Expedition, studies of Pleistocene sea-level fluctuations in the Central Pacific Basin, current patterns around and through the Hawaiian Island chain, and sea-air interaction in the North Pacific, especially in the trade-wind area and its relation to ocean circulation.

An active research program in marine geophysics is developing both within the department of oceanography and in cooperation with the solid-earth geophysics research group of the Hawaii Institute of Geophysics which receives about $600,000 a year in non-State funds for oceanographic research. Gravity, magnetic and seismic surveys are undeway at many places along the Hawaiian swell and elsewhere in the Pacific Basin.

Chemical oceanographic research programs currently in progress include studies of trace metals and various aspects of the organic chemistry of sea water, and comparative biochemical studies of marine organisms. Palaeomagnetic, thermal conductivity, and other geological and geopyhsical studies are being made of deep-sea sediment cores.

Biological programs underway include the structure and dynamics of plankton populations, a program that is keyed to the unique accessibility of the populations in Kaneohe Bay and the adjacent deep-ocean habitat.

There is also an active program, including both field and laboratory research on the biology and ecology of larval pelagic fish. In addition, there are programs, in primary production, phytoplankton ecology, zooplankton behavior, population dynamics, benthic ecology, and zooplankton samplings.

The university's leadership in oceanographic research resulted in Hawaii being selected as the site for the Mohole Project. However, due ot the Vietnam crisis, Congress shelved the project.

New oceanography research facilities are planned at Kewalo Basin and the Institute is planning to develop a research facility on Fanning Island.

The Institute is also furnishing the scientific personnel for a study of the behavior of underwater sounds in the Central Pacific. This work is being conducted on a $500,000 contract from the Alpine Geophysical Associates of New Jersey who are making the study for the Navy Oceanographic Office.

The University's Coconut Island research facility was given the responsibility by the state legislature for a major new fisheries research program in 1965 and the lab changed its name to the Hawaii Institute of Marine Biology.

To meet a growing demand in research and industry for ocean engineering graduates, the University created a new master of science degree program in this field in June 1966.

Industry Eyes Island Sites

(By Wallace Mitchell)

A modest advertisement placed in several limited-circulation technical publications last year produced strong testimony to growing industrial interest in Hawaii as an oceanic research site.

The ad was jointly sponsored by the Department of Planning and Economic Development and the Hawaii Chamber of Commerce at a cost of about $6,000, and it appeared in the Harvard Business Review, Under Sea Technology and several other scientific journals.

It called attention to Hawaii's advantages for oceanic endeavor and offered additional information on request via a State brochure, "Hawaii: Gateway to Hydrospace."

There were 547 requests for the brochure.

Last August a symposium on oceanographic research was conducted here by the Institute of Electrical and Electronics Engineers, drawing experts from all over the world. It drew more industrialists than do most such meetings, which generally are monopolized by scientists.

More and more firms are competing for government contracts for oceanic research work, and many of them are doing it in Hawaiian waters.

Much of the work is of classified military nature in connection with the Navy antisubmarine warfare projects.

The biggest and best-known Navy project is, of course, the construction of an underwater instrumentation range 10 miles off the west coast of Kauai near Barking Sands.

Kentron Hawaii, a subsidiary of Ling-Temco-Vought Corp., is the major contractor. Lesser known are some of the subcontractors such as ITT-Federal Laboratories and Undersea Engineering and Construction Co. They do not get headlines but operate under financially-hefty contracts.

The Honolulu-based Undersea Engineering firm has a $1 million contract making submarine explorations off Thailand as part of that nation's program of making an inventory of commercial potentials on the ocean floor off its coasts.

Pacific Submersibles, Inc., was formed last year for oceanic research contract work and expects delivery next month of a $100,000 submarine equipped with hydraulically-powered exterior "arms" for undersea work.

Alpine Geophysical Associates, Inc., of New Jersey has established a local office because of its growing ocenic research contract work in the Pacific area.

The Environmental Science Services Administration (ESSA) of the U.S. Department of Commerce is assigning a new Coastal and Geodetic Survey hydrographic ship, MacArthur, to home port in Honolulu because of growing demands for oceanographic research.

TRW Systems, Inc., of Redondo Beach, Calif., Sea-Tech, Inc.; Bissett-Berman Corp. of Santa Monica, Calif.; Bendix Field Engineering of Owings Mills, Md., and other firms with oceanographic research capabilities have established branch offices here.

In every case, they help to attract additional industrial interest in oceanic studies in Hawaii waters because they are here and ready to operate.

The Hawaii Manufacturers' Assn. also is exploring ways that its members can offer services, equipment development and maintenance, for Mainland-based firms requiring local support for work they may obtain here.

Marine Acoustical Associates of Miami, Fla., recently sent one of its staff here to investigate the potential for its services in instrumentation and installations.

It all reflects industrial interest in Hawaii's oceanographic future.

THE REAL COST OF THE WHEAT PROGRAM

Mr. McGOVERN. Mr. President, on Tuesday, January 31, the distinguished Senator from Florida [Mr. HOLLAND], my associate on the Committee on Agriculture and Forestry, had printed in the RECORD an Associated Press article which correctly placed Government payments to farmers under our present wheat program during 1966 at $683 million.

The figure needs to be understood for it can be misleading. It does not represent net Government cost, which was less than half of the total of payments.

The Associated Press obviously got this figure from a table which appeared in the agricultural prices report issued January 30. The table was prepared in connection with calculation of the adjusted parity return to farmers on various crops.

The parity ratio for 1966, based on cash prices received by farmers during the year was 80. The adjusted parity ratio, which includes payments to farmers under the various commodity programs, stood at 86. As the table used by the Associated Press reflects, we have been increasing the use of payments to assure equitable farm income since 1956, when wool and soil bank payments were instituted, and 1961, when feed grain and wheat payments were added.

As I have stated, the $683 million is the total of payments, but it is not the cost to Government of the voluntary wheat certificate plan.

The cost to the Government of wheat payments to farmers is less than half the total amount of payments because 75 cents per bushel of the wheat payments is repaid to the Treasury by those who process wheat into food for human consumption domestically under the certificate plan. I am advised by the Department of Agriculture that Treasury receipts from processors for certificates in 1966 were approximately $375 million, leaving the net cost to the Government of wheat payments to farmers between $305 and $310 million. It is difficult to be exact because the wheat marketing year runs from July 1 to June 30 and the figures under discussion are for the calendar year 1966.

Included in the Government cost is an outright payment of 57 cents per bushel on domestic food wheat and approximately $27 million for acreage diversion. There will be no acreage diversion costs to Government under the wheat program in 1967.

I would like to recall for the benefit of the Senate and those who read the RECORD that when the voluntary certificate plan was adopted for wheat, the Government loan was reduced to $1.25 per bushel and the 75-cent certificate took up the difference between the loan rates and the then current cost of wheat for food uses. It did not constitute a tax or an additional charge on bread and dairy products. The additional 57-cent payment by the Government on domestic food wheat was adopted the following year.

On the first day for introduction of bills in this session of the Senate I submitted S. 7, which proposes a 65-cent-per-bushel export certificate on 35 percent of the wheat crop. Assuming a 1.6 billion bushel wheat crop—the goal for 1967—the gross cost of the export certificates I have proposed would leave the net cost to the Government of our wheat program below the $683 million payments to farmers figure carried in the Associated Press story. The Government outlay for the export certificates would be less than the Government reimbursements by domestic food processors—$364 million compared to $375 million.

Measured on the basis of improved international relations, human lives saved, and increased security in this troubled world which we have, and can, achieve with our wheat, the cost of the program is extremely modest.

I recently quoted a statement made by the distinguished Senator from Vermont [Mr. AIKEN] to the effect that food has won more victories than all our arms and military expenditures. This is undoubtedly true.

Our wheat program is a bargain. Our real problem is not to drive such a hard bargain with the producers—not to shorten their pay—to such an extent that our supply of this strategic commodity, increasingly more valuable than arms or gold, is reduced or endangered as the world food and population crisis mounts.

EXEMPTION OF BLOOD AND OTHER HUMAN TISSUE BANKS FROM ANTITRUST LAWS

Mr. LONG of Missouri. Mr. President, on January 24 several Senators joined with me in introducing S. 628, a bill to exempt nonprofit blood banks and other human tissue banks from the antitrust laws.

It is impossible for me to consider blood and human tissue as normal commodities of commerce, and it is ridiculous for the FTC to destroy the efforts of local communities to insure themselves an adequate supply of untainted blood, as it is trying to do in the Kansas City Community Blood Bank case.

The Kansas City Star recently published an excellent editorial on this matter, indicating clearly that this is a national issue, not merely a local one.

Mr. President, I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE BLOOD BANK ISSUE NEEDS CLARIFYING

A bill introduced last week by Sen. Edward V. Long of Missouri to exempt nonprofit blood banks from the antitrust laws is a matter of elementary logic. The measure also is based on the senator's familiarity with the Kansas City Community Blood bank and its tribulations with the Federal Trade commission.

Last October the FTC majority said that Kansas City hospitals and physicians have restrained the trade in blood and banded together to "inhibit the development of licensed commercial banks which meet government but not their own self-imposed standards." An FTC minority said the commission had no business involving itself in medical judgments by doctors in treating their patients. The Kansas City Community Blood bank has appealed the FTC ruling.

Senator Long believes that the FTC intrusion is a test case. He says: "If the FTC wins . . . the nonprofit facilities and systems in a large number of communities across the country will be in grave danger of being crippled or put out of business." Thus the matter goes somewhat beyond a local problem. The question is whether a community can organize its voluntary resources to assure the availability of blood and whether the people who know something of medicine and community conditions can set standards of quality.

The banking of blood is not really like the storing of peanut butter or some similar commodity. If the hospitals and doctors were in a conspiracy to corner the market and dictate the brand of peanut butter to be served the sick and injured, then that would be something else. The FTC would have every right to inveigh against monopolistic practices. The courts, naturally, will have to determine the pending case on the basis of present law.

But Senator Long proposes to remove any future doubt by a clear statute that would permit hospitals and doctors and nonprofit blood banks to refuse the blood and plasma from other blood banks without standing in peril of the antitrust laws.

As we said, this is not purely a Kansas City matter. Hundreds of nonprofit, community blood banks across the country have a stake in Senator Long's bill. We hope his colleagues in the Senate and the House of Representatives are aware of this fact.

THE SPACE TREATY—A WORTHY TRIBUTE TO BRAVE ASTRONAUTS

Mr. WILLIAMS of New Jersey. Mr. President, the tragic accident at Cape Kennedy which took the lives of three of America's astronauts diverted much public attention from the signing in the White House of the momentous space treaty. As the New York Post points out in its editorial of Monday, January 30, this agreement will guarantee that American and Soviet spacemen will, in President Johnson's words, "meet someday on the moon as brothers."

The Post suggests that, while we mourn these three brave astronauts, the Nation could raise no more suitable memorial than to have the Senate promptly ratify this significant effort to dedicate our efforts in space to peace rather than to war. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE APPROPRIATE MEMORIAL

Among his thoughtful remarks at the White House ceremony marking formal signing of the space treaty, President Johnson said the agreement was a guarantee that American and Soviet spacemen "will meet some day on the moon as brothers."

They are already members of a relatively small fraternity of skillful, courageous and adventurous men, equally bold in facing the same dangers, sharing the same extraordinary experiences, dreaming the same dreams. The tragedy at Cape Kennedy deeply and personally touched them all.

In this moment of national mourning, the Senate is confronted with the issue of approving the space treaty. It would be a magnificently fitting tribute to Roger B. Chaffee, Virgil I. Grissom and Edward H. White for the Senate to ratify the treaty promptly and unanimously. No memorial could be more meaningful.

ANY RESEMBLANCE BETWEEN THE LAREDO AND THAT PORTRAYED IN READER'S DIGEST IS PURELY COINCIDENTAL

Mr. YARBOROUGH. Mr. President, I never cease to marvel at the fictional talents of the editors and writers on the Reader's Digest. Although each issue of the magazine contains many delightful stories about American life, they get so hysterical whenever they publish anything about the efforts of the Federal Government to assist people in lifting themselves out of poverty, that they often rise to breathtaking heights of fictional imagery.

Their latest excursion into fantasyland, entitled "Laredo Learns About the War on Poverty," appears in the January 1967 issue. Any connection between this story and the whole truth is purely coincidental. The Reader's Digest does immeasurable disservice to progressive government when it adopts this tactic of one-sided distortion in place of sound, constructive analysis and criticism.

The 1960 census showed that the median income in Laredo was only $2,952. Half of Laredo's families have incomes under $3,000 per year. Laredo's low-income problem is thus very serious, and the people of Laredo are sincerely trying to increase the economic opportunity of the low-income people of the area. With problems of such magnitude, mistakes will inevitably be made. Moreover the situation cannot be changed overnight. But the picture painted by the Reader's Digest article is shamefully distorted. The people of Laredo are conscientiously going about the business of dealing with an enormous problem. I commend them for their efforts and regret whatever disservice has been caused them by this unfortunate article.

I ask unanimous consent that the following three exhibits be printed in the RECORD:

Exhibit 1. "Laredo Learns About the War on Poverty," written by Kenneth O. Gilmore, and published in the January 1967 Reader's Digest. Presented as evidence of distortion, not as an endorsement.

Exhibit 2. A letter from Walter Richter, director, Texas Office of Economic Opportunity, proving false the contentions in the article.

Exhibit 3. A letter from Ones C. Farmer, director, Inschool Neighborhood Youth Corps, Laredo, Tex., proving false the parts of the article referring to the Neighborhood Youth Corps.

There being no objection, the exhibits were ordered to be printed in the RECORD, as follows:

[From Reader's Digest, January 1967]

LAREDO LEARNS ABOUT THE WAR ON POVERTY

(By Kenneth O. Gilmore)

"Boondoggle!" "Failure!" "Scandal!" "Hoax!" These charges are hurled almost daily at the federal government's billion-dollar War on Poverty. Unfair, reply its proponents. They maintain that such a vast, contraversial undertaking is bound to include a few mistakes. Surely, they argue, the program deserves to be shown at its best.

So, come down to the dusty, windswept streets of Laredo, Texas, billed by Office of

Economic Opportunity boss Sargent Shriver as a "showcase of success." Just 230 miles from the Texas White House, Laredo (population 65,000) has been declared a "demonstration city"—the only one of its kind in the War on Poverty. As one OEO official has said, "We hope to spotlight national attention on Laredo as a model project."

So be it.

Laredo, just across the Rio Grande from Mexico's Nuevo Laredo, is called the "Gateway City." It is a place of paradoxes: a border town of booming commerce and wretched slums, of leather-faced ranchers and barefoot children, of Kiwanis luncheons and welfare lines. In the poverty-blighted *barrios*, sun-weathered wood shacks huddle in decrepit shame on weed-infested dirt streets while, just blocks away, sprinklers spin cool droplets on the green lawns of fine homes.

Although Laredo has the lowest per-capita income among U.S. cities, according to the last census, its retail sales climbed close to $90 million in 1965, and tourist traffic has broken all records. Bank deposits shot up $5 million during a recent 12-month period to $58,452,000, while 165 miles of streets remain unpaved. Inside the county courthouse, an expensive brass plaque commemorates officeholders for installing an air-conditioning system. Outside, within a two-minute drive, children play beside a stinking, trash-infested creek.

"IT DOESN'T MAKE SENSE"

In recent years, Laredo has been handed some pretty large pieces of federal pie—from $630,000 for a shiny civic and convention center with swimming pool to $1,600,000 for a handsome senior citizens' home. But these have done the hard-core poverty-stricken little good. Some months, up to 11,000 persons get surplus food. More than 400 families collect aid-to-dependent-children payments. Approximately 2500 able-bodied persons are normally unemployed.

What creates these conditions? Isolated from other major cities by miles of sand and scrub, and low on natural resources, especially water, Laredo has attracted little new industry. But what has caused economic havoc is the "commuter problem." Every morning, 3500 Mexicans from Nuevo Laredo walk across the International Bridge spanning the Rio Grande to work as clerks, maids, bellhops, typists, factory hands. U.S. immigration laws allow these Mexicans to take jobs desperately needed by Laredo men and women. "It just doesn't make sense," say many poor and unemployed. Concerned citizens declare, "If Washington would stop the commuter influx, we could save millions of federal dollars."

POLITICAL PEONS

But something far more dramatic was available in Washington—the Great Society's War on Poverty. Laredo got its first real taste of this war in June 1965, when Mayor J. C. "Pepe" Martin, Jr., returned from the nation's capital and announced the go-ahead for a long-awaited Neighborhood Youth Corps (NYC) project. Expectations were a mile high. Youngsters 16 to 21 from low-income families flocked to sign up for jobs paying $1 an hour for 30 hours a week. "You'll get experience and skills for today's world of work," promised an administrator. Skills? The children of Laredo's poor found themselves assigned to painting streets curbstones, washing police cars, collecting garbage.

"There was a lot of talk about improving skills," says one disgusted anti-poverty worker. "And, sure, a few kids benefited. But most became peons for various political subdivisions."

As the NYC payroll built up to 1000 youngsters, it became a bookkeeper's nightmare. Instead of organizing one central operation, Washington doled out dollars to the city, to the local school system, and finally to Webb County, which encompasses Laredo. Each ran a separate little kingdom with its own personnel, resulting in a pile-up of over 50 supervisors, administrators, and clerks.

There were several popular children's activities that first year, ranging from Headstart preschool classes to tutoring of backward children to free hot lunches. But the critical need was for jobs—and, as a local radio editorial declared, "Practically nothing was accomplished except a lot of window dressing."

Then, early in January 1966, the Office of Economic Opportunity's southwest regional director, Dr. William Crook, arrived from his Austin headquarters for what a press release heroically described as a "battlefront" inspection. He let it be known that OEO chieftain Shriver himself had requested a comprehensive evaluation of the community's social and economic needs. Soon specialists from Washington and Austin arrived for a three-day "field survey." In early March, the big news was announced: Laredo would become a "multimillion-dollar demonstration city in the War on Poverty." The idea was to show what the full impact of federal aid could do.

THE GREAT JOB RUSH

Dr. Crook promised that "within the current fiscal year" Washington was prepared to grant the city $2,050,000. That figured out to half a million dollars a month—and now the program shifted into high gear. Within weeks the OEO disclosed that $132,975 had been granted Laredo's Community Action agency for "conduct and administration." This sparkling bureaucratese fooled no one. In a flash, word was out that nine "poverty" staff posts were up for grabs at salaries ranging from $450 to $1167 a month. When the dust from the stampede of applicants settled, five teachers, badly needed in the Laredo schools, had been picked to become paper shufflers in the war on poverty. The nephew of a county commissioner snared one opening.

As "poverty" grants were announced—always first by telegrams from Washington to the local newspapers and radio stations—everyone from secretaries to car salesmen started leapfrogging into this suddenly lucrative field. The child-welfare unit lost its only case worker-registered nurse; she received a $2000 salary boost, thanks to OEO. By August, "poverty" was a huge new industry in town, with more full- and part-time people on its rolls that any single business!

LASSOING THE PORK

As a "demonstration city" Laredo started swallowing all types of pills from the anti-poverty medicine chest. There was $39,000 for a medical rehabilitation center and $62,000 for free legal services. A $400,000 *first-year* administrative allotment was approved mainly for salaries at a multi-service center and three outposts—an apparatus headquartered at a refurbished orphanage in the poverty-stricken Azteca neighborhood and designed in part to give the poor a place to discuss their difficulties.

Anti-poverty grants put heavy emphasis on welfare, rather than "economic opportunty." The OEO paid out $6,000 for recruiters to sign up older citizens for Medicare. Another $21,000 went into citizenship classes for older Mexican immigrants. Why? So they could become Americans and be eligible for old-age assistance.

To line up as many federal-aid projects as possible, Laredo retained a planning consultant in January 1966. He is Paul Garza, Jr., an engineer-city planner and former urban-renewal official who has mastered the art of writing proposals for Washington officials. "You can't just fill out the forms," he explains. "You must learn to think like they do, and give them the detailed information they want."

Garza is helping Laredo lasso a whole new herd of "poverty" grants, a number of them pure pork barrel. They include $1,500,000 to help boost water production and extend lines; $752,000 for a building to house all the county and city welfare agencies; $635,000 for airport improvements. To bring home all this bacon and more (total: $4,274,500) the area will have to fork up $2,466,500 in "local contributions." A worried chamber of commerce official told me, "We may well go broke just trying to take advantage of federal generosity."

CONFUSION AND COMPETITION

But digging up local funds to qualify for Washington's riches wasn't Laredo's only worry. As one program piled upon another, red-tape tangles and stupefying confusion inevitably followed. The government's cure-all catalogue offers a choice of 115 different items, and Laredo figures it's eligible for 113. Part of OEO's money funnels through other federal agencies, such as the Department of Health, Education, and Welfare, which also disburses aid-to-education funds for poverty areas. HEW has put so much into Laredo ($2,700,000) that a "coordinator of federal projects" for the public schools had to be hired with his own separate staff and an extensive network of full- and part-time teachers and field supervisors.

Before the poverty war came to Laredo, another federal program, started in 1962, had been successfully training people for specific available jobs. In spite of this proven approach, anti-poverty planners have stumbled over one another in a frantic race to launch three job-training schemes, each with separate, competing staffs. Funds for one $733,000 project under HEW's protectorate sifted through five federal-state echelons before reaching the first group of 146 welfare recipients signed up for "work experience" schooling. Community Action Program (CAP) executive director Luis Diaz de Leon and his staff spent untold hours working up a detailed proposal for training migrants, only to discover, after it was sent to Washington, that HEW's local federal coordinator for poverty had beaten them to it with a $294,000 venture!

In truth, the war between the bureaucracies in Laredo has often been hotter than the poverty war. The local "poverty" office has battled furiously with agencies such as the Texas Employment Commission and Department of Public Welfare. The infighting got so bad that Laredo's poverty-war chief recently complained about "bureaucratic stumbling blocks," and charged that the "influence of political elements" has jeopardized the success of programs. A spokesman for one religious group collecting federal money has openly labeled the Community Action agency as "inefficient." Meanwhile, the poor watch in wonder as bureaucrats and politicians squabble over just who is supposed to be "helping" whom.

FEDERAL-DOLLAR FEVER

Something else is happening in Laredo: many people are learning to lean on the federal crutch and like it. The area's representative in the state legislature has said he wished "we had more hands to stick out for federal aid."

The degree to which this philosophy has seeped into the community is illustrated by a $249,208 OEO grant glowingly described in a Washington press release as a "beautification" project for a recreational site that would also give training to jobless workers. Late last summer I drove out to the edge of town to see this project. I found a large construction crew working on new stables for the local racetrack—housing for horses which was far superior to scores of shacks in poor Laredo *barrios* that I had visited.

Nearby loomed a large grandstand, also slated for "beautification." The track is run by a nonprofit, tax-exempt organization of ranchers, horse owners and other prosperous citizens, called the Laredo International Fair and Exposition (LIFE).

Originally, LIFE had not planned to tap the federal till. But with plenty of antipoverty cash flowing into this "demonstration city," the temptation to get in on the gravy was irresistible. Why not use "poverty" trainees to build stables at the track, and to make other improvements such as extending the grandstand roof? Federal officials bought the scheme—with a warning to "play down" the racetrack aspects.

The infection that is working its way into Laredo's bloodstream is called federal-dollar fever. Not long ago, the Boy Scouts received a large private donation to increase Scouting in Laredo's poor section, with the provision that matching funds be raised. Bill Harrell, co-owner and manager of radio station KVOZ, who headed this voluntary effort, reported that time and again people shook their heads. "Why should I give you anything," they said, "when the War on Poverty will take care of everything?"

Such warning signals have been lost, however, in the tumult over the "demonstration city." It reached a peak when Shriver visited Laredo last summer. His first stop was at the multi-service center in the Azteca neighborhood. Surrounded by politicians and "poverty" workers, he spoke to a cheering crowd, many from nearby wood shacks. "It's a treat for me to be here in this showcase of the success in the war against poverty," declared Shriver.

The next day, he left and proceeded to President Johnson's ranch, reported that the war was going great guns in Texas, and described the cheering crowds in Laredo.

POOR AS EVER

By last fall the cheering had ceased. One evening, 150 residents of the poverty-stricken Azteca neighborhood collected outside their run-down homes to complain that distribution of "poverty" jobs had been unfair. Bitterly they expressed their dissatisfaction at the way administrators had been treating them. "They never keep their promises," cried one. The group was forced to gather in the middle of a dirt road because officials, fearing trouble, had locked them out of the center designed expressly for their benefit.

Policemen were on hand, and a paddy wagon stood by, but there was no trouble, only disillusionment and anger. It wasn't exactly the stuff that goes into press releases. It was simply people awakening to the harsh reality that prosperity had not suddenly descended upon them just because they were in a "showcase." For, while some poor have received antipoverty aspirin, Laredo still suffers the same splitting economic headaches—despite the dispensing of over $5,500,000 to date in all types of aid. Commuters still surge across the bridge from Mexico; unemployment remains high; squalid *barrios* still reek with the smells of impoverishment. And the town's poverty problems are as acute as ever—except, of course, for an array of wealthier poverty-war jobholders.

"We are a demonstration city, all right," says Bill Harrell. "We're a demonstration of how to shatter high expectations and pass our problems over to a new federal hierarchy."

If this is the War on Poverty at its best, surely it's time for drastic improvement.

EXECUTIVE DEPARTMENT,
OFFICE OF ECONOMIC OPPORTUNITY,
Austin, Tex., December 30, 1966.
PUBLISHER, THE READER'S DIGEST,
Pleasantville, N.Y.

DEAR SIR: I could with a little effort document a thousand—or ten thousand—opinions that the Reader's Digest is biased, dishonest, and reactionary while at the same time excluding any favorable statements whatsoever. Unfair, you would reply.

Yet in Kenneth C. Gilmore's article, "Laredo Learns About the War on Poverty," you first rebuke proponents of the War for reacting to blanket indictments of the program and then proceed with a purely one-sided and totally negative recitation about the Laredo effort.

In my opinion, the article stands as a rather severe indictment of the Digest's standards of objectivity and fair reporting, a judgment I shall support in detail in this communique.

No one in the Office of Economic Opportunity, to my knowledge, has ever been so naive as to assert, suggest, or imply that this or any effort to overcome the deeply ingrained social ills that cause poverty can be accomplished without dissent and controversy or between March and November of any given year. This would be particularly true in a city acknowledged as "the poorest in the nation." Yet Mr. Gilmore has emphasized (and exaggerated) dissent in Laredo and the lack of extensive and highly visible results after a few months of effort.

Incidentally, Sargent Shriver has estimated recently that some eight million citizens in poverty have been "reached" through War on Poverty efforts—a rather significant number. Yet it would challenge no reporter to obtain critical testimony from the three out of four poor Americans who have not been "reached."

Another major point made in the article is that the governmental involvement is extensive and that this has resulted in a debilitating dependence on the Federal establishment. The Digest is certainly within its rights to oppose editorially any or all Federal community resources but it hardly seems germane or proper to superimpose this broad anti-government posture on a report of the anti-poverty effort in one community.

For example, mention is made of a civic center partly built with Federal funds. This, incidentally, was built in 1962. Is the Digest thereby suggesting that our government should not have programs which assist communities to obtain such centers—which in the instance of Laredo has proved a boon in convention and tourist development? Or is the Digest's point that Laredo is to be condemned for utilizing this resource, as many American cities have done?

Mention is made of a senior citizens' home which, incidentally, was also built three or four years ago. Is the Digest taking the position that Laredo city fathers are to be slapped for utilizing an available program which supports a community effort to provide facilities for its senior citizens?

Mention is made of a grant for airport improvement. Since this doesn't seem to relate to the War on Poverty, does this imply that the Digest is using its Laredo report to make a case against Federal airport improvement programs? Or does it suggest that Laredo, to maintain its integrity, should leave this resource to other, richer cities?

Mention is made that the City—not the OEO—has actually employed a planning consultant who is skilled in grantsmanship so that proposals to Washington can be properly prepared. Is it possible that the Digest is unaware that almost every American municipality of any size has employees with this capability?

Does the Digest actually not know that a very great many public school systems have employed "coordinators of Federal projects" such as it condemns the Laredo schools for having?

And how about that staff of nine employees who were budgeted to design and administer a massive, imaginative, "demonstration" anti-poverty program in Laredo? What sort of staff would the Digest suggest for this obviously complex and difficult job involving large sums of tax dollars? Does the Digest suggest that the low figure of $450 per month or the high figure of $1,167 are out of line for this type of talent?

Mention is made of the rush for the available jobs and of the fact that some teachers and a caseworker-registered nurse were employed. The rush for jobs seems to prove only that there are a great many people in Laredo who are looking for employment or better employment, which is hardly an indictment of the job-seekers or the program offering the jobs. And would the Digest suggest that a job requirement should be that the applicant must not be presently employed in any position where his services are needed?

The test of the effectiveness in employment is, of course, the quality of the people actually hired. The Digest hardly made an objective evaluation of this. It did refer to them as "paper shufflers." And it did report that the nephew of a commissioner "snared" one opening, without mentioning, of course, that the commissioner is not on the Board which does the hiring.

Now let us take a quick look at programs and projects that were developed and initiated in the paper shuffling process. Some of these the Digest has mentioned, without giving all pertinent facts.

One is a medical rehabilitation center. Laredo is completely isolated from other medical rehabilitation facilities and services, and the need for Webb and adjoining counties is quite obvious. The buildings were financed partly from Hill-Burton funds, and the OEO funding bolsters a private support program on an interim basis.

Another project, which the Digest derided, was designed to provide citizenship classes for residents who have resided in Laredo for many years. Most are of Latin-American extraction who for reasons of ignorance, poverty, and the language barrier have not previously acquired citizenship. Many in the classes are not elderly and are therefore not eligible for old-age assistance which the Digest states is *the* reason for their taking this course.

A number of the "students" in the citizenship classes are parents and grandparents of U.S. fighting men, past and present. In any event, it is hard to conceive that the Reader's Digest would decry any effort that is made to afford citizenship to bonafide residents of this country.

Operation Medicare Alert, a standard OEO program which was conducted nationwide, was of particular significance to many elderly, poverty-stricken citizens in Laredo who because of their lack of education and their language problem would otherwise not have qualified to participate in services to which they are plainly entitled under the law.

The Digest mentioned the Neighborhood Multi-Service Center and the subcenters. This type of project has been given high priority by OEO as the most effective means, and least costly administratively, of reaching the poor where they live with a variety of needed services. The program is still in the development stages in Laredo but is already achieving good results. Effective operational support is being provided by VISTA volunteers assigned to the Laredo campaign.

The Legal Aid program mentioned by the Digest has been in operation only two or three months. This type of service, badly needed by the poor in Laredo, has been fully endorsed by the American Bar Association, if not the Reader's Digest.

The Digest was particularly critical of the Laredo Nelson Amendment project, part of a nationwide program in the area of beautification with heavy emphasis on basic education and vocational training for the hard-core poor. The Laredo project, when completed, will have trained 225 men for jobs in masonry, electrical work, welding, and plumbing, and the community will have another excellent recreational facility and income producing tourist attraction. Included will be, indeed, a race track owned by the Laredo International Fair and Exhibition, a private non-profit corporation which the Digest failed to mention dedicates earnings to local community services, principally involving youth. A privately-funded juvenile retention center received such a contribution recently.

The Digest mentions the Laredo Head Start program. Head Start has been nationally acclaimed, even by some of the OEO's most militant critics, as the most successful of the anti-poverty efforts. Yet the Digest's somewhat amazing comment on Laredo's Head Start is: "But the critical need was for jobs."

There is no one in OEO who suggests that employment is not the end-result which all programs aim for or to which they relate, even if long-range as in the issuance of Head Start. Laredo's OEO programs also include components in remedial education and personal homework assistance. It is difficult to imagine that the rationale of Head Start and other child development projects in the total anti-poverty campaign has actually escaped the Digest.

Job training, development, and placement, as I have said, are areas of OEO emphasis. I have reported on Laredo's Nelson Amendment project—which provides training for eventual employment for the hardcore poor. The Digest referred to, without criticism except to observe it is "one of three" job-training "schemes," the Title V or "work experience" project aimed at taking 146 former welfare recipients off the welfare rolls. This is another program of national scope which is actually succeeding in what surely the Digest will concede is a laudable mission. The third is the Labor Department Manpower Development and Training Act program which the Digest generously acknowledges has been "successfully training people for specific available jobs" since 1962.

I'm sure the Digest applauds the recent action by Congress in transferring such manpower programs as Nelson Amendment and Title V to the Labor Department which is in the manpower business. In the meantime, since Laredo—surely with Digest approval—has obviously acknowledged the importance of jobs for the poor, she can hardly be blamed for utilizing *all* available resources to provide job training and placement opportunities.

Two other programs utilized in the Laredo anti-poverty effort address themselves to preparation for skill training. One is the Adult Basic Education project aimed at advancing functional illiterates to an educational level to qualify them for job training. Another is the Texas Adult Migrant Education and Pre-Vocational Training Program which had a successful first year and has moved into its second year on a slightly larger scale.

This program and the Texas Children's Migrant Education Program, which concentrates nine months schooling in the six month period that the migrants are home based, are designed to prepare migrants for the rapidly approaching day when mechanization in harvesting will have eliminated the jobs which now provide them with seasonal employment.

There are about 10,000 migrants whose home base is Laredo. Many are unemployed much or even all of the time they are not on the road, and they are the ones who constitute the bulk of the recipients of surplus foods mentioned by the Digest. The alternative to their use of the surplus foods in many instances would be starvation, pure and simple.

Laredo's utilization of the Neighborhood Youth Corps initially suffered from the assignment of a disproportionate number of trainee slots to Webb County and from management and recruiting problems relating to the crash nature of the project. Since then an equitable statewide distribution plan has been put into effect with cost-reducing consolidation of administrative units and increased emphasis on quality job-training aspects. Currently the Webb County Commissioners Court administers an NYC out-of-school program for 225 youths scattered over an 11 county area. The Laredo Independent School District administers the in-school program for 200 trainees in Webb and LaSalle counties.

The Digest in its report simply belittled the NYC program by emphasizing (and again exaggerating) initial difficulties and making only a passing reference to concrete values resulting from the programs. It certainly made no effort to record the administrative and program improvements which have been accomplished.

I have just seen the letter written to the Digest by Mr. Ones C. Farmer, Director, In-School Neighborhood Youth Corps, Laredo, who was not interviewed by Mr. Gilmore, and who provides factual information which refutes inuendos in the Digest article about NYC and fully supports by charge of the low standards of reporting in the Digest article.

Mention is made of a grant "to help boost water production and extend lines." This is a project, which also provides sewage lines and facilities, funded by the Economic Development Administration and is limited to slum areas of the city. The EDA also is the funding agency for a project to provide a building for the county and city health and welfare agencies. This replaces an old grossly inadequate frame building which was formerly a T.B. hospital.

These projects are termed pure pork barrel by the Digest. Perhaps so. It is interesting to note at this point, however, that 98 Laredo tax-payers pay 33 per cent of the total city taxes and a total of 1926 citizens pay 69 per cent of these taxes. On the other hand, the city taxes paid by the 7,089 lowest tax-payers, about one-half of all Laredo tax-payers, add up to only five per cent of the total. There are doubtlessly many families who pay no taxes at all.

These figures point up the enormity of the poverty problem in Laredo, and they tend to explain the understandable if not justifiable reluctance of the inhabitants at all levels to increase the tax load.

The Digest simplifies the Laredo problem by quoting "concerned" citizens who declare that the answer lies in Washington's stopping the influx of commuters from Mexico. Apparently the Digest reporter did not trouble to talk to other concerned and informed citizens who cite statistics to the effect that 80 per cent of Laredo's retail business comes out of Mexico. Since the Digest did determine that these retail sales "climbed close to $90 million in 1965," one can readily see what sort of a blow the Laredo economy would suffer if 50 per cent, much less 80 per cent, of this business were placed in jeopardy by reaction to a commuter restriction, as is predicted.

The fact is, of course, that Laredo has serious problems and few of them, if any, have easy answers. The Economic Opportunity Act and other programs which our Congressmen in their wisdom have provided as resources are being utilized in a new effort, where nothing has succeeded in the past, to find some of the answers.

Unlike many Federal programs, the OEO seeks to develop a meaningful and effective marriage of the Federal, State, and local (public and private) sectors with particular emphasis on a broad-based involvement at the local level. The local CAA board, in the last analysis, is autonomous, a principle which surely the Digest can support.

Another feature of the OEO approach is heavy emphasis on coordination—to effect better planning and to eliminate duplication and inefficiency. As a result, and this can be documented in Laredo and nationwide, agencies and individuals are communicating and cooperating as never before.

That the Digest article was incomplete and one-sided is understandable since for some reason no information was sought from anyone in the Regional OEO or the State technical assistance office, both of which have considerable pertinent data available about the Laredo effort. At the Laredo level, very few of the persons who play key roles were contacted at all. Interestingly, one source of negative information, a gentleman who is quoted directly in the Digest article, is a member of the Laredo CAA Board, but, ironically, has never *in a board meeting* voiced any objections to anything going on locally in the War on Poverty.

Mr. Publisher, the information I have provided here, which I feel is germane and which could have been available to your reporter had he sought it, suggests that Mr. Gilmore's assignment was to go to Laredo and write a negative, destructive story. I hope that this is not so, but the evidence is too overwhelming to leave much doubt.

Sincerely,

WALTER RICHTER,
Director,
Texas Office of Economic Opportunity.

DECEMBER 23, 1966.

READER'S DIGEST,
Pleasantville, N.Y.
Attention: Mr. Kenneth O. Gilmore, associate editor.

DEAR SIR: I am writing you in regard to an article published in the January '67 issue of the Reader's Digest, entitled *Laredo Learns About The War On Poverty.*

The only thing I know about you is that you are an Associate Editor. I have never met you before in my life and I don't see how you can judge the In-school NYC along with the other NYC's in Laredo. In your article you stated that the City NYC, the In-School NYC, and that the County NYC served about one-thousand boys and girls, between 16 and 21 in Laredo. You also stated there was a build up of over fifty supervisors, administrators and clerks.

Since you didn't have the courtesy to visit my office and examine my In-School Project, it is my duty, to the Sponsor and the public to inform you about said Project.

The In-School NYC served 328 enrollees, between the ages of 16 and 21. The family income of these enrollees was $300 or less, per year for each member of the family. As for the supervisors, of which there were 79, they were not paid through Federal funds. The only paid personnel was myself, my assistant, my secretary, full time. I have a part-time bookkeeper. All of the other money spent by this particular project went to the enrollees. As for myself, my salary was $750 a month. I have a Masters Degree and six Professional Life Certificates in the field of education. As for my assistant, his salary was $100 a week. He is a graduate of Texas A&M and had served his time in the Army over seas. As for my secretary, her salary was $260 a month. She has the ability to take shorthand in two languages, proficient in typing, filing and other office procedures. As for the bookkeeper, he has a Masters Degree in Accounting and has been teaching in the Schools of Laredo for over seventeen years. He is the part-time employee, receiving $124 a month. If you call this a build up of supervisory personnel, who are squandering Uncle Sam's money, I suggest that you look into the salaries paid to people with these qualifications in your part of the country.

From this Project we had eighty-two graduating seniors. Ninety per cent of the rest of the enrollees returned to school the first of September, which is something that rarely happens. Most of these enrollees come from Migratory families and as soon as school is out they go North to work in the fields and do not return until late November. Last summer they did not go North, thanks to the In-School NYC.

On my present Program I have two-hundred enrollees working on school property, throughout Webb County and La Salle County. Since I do not have as many enrollees as I had last year, I choose enrollees from families whose per capita income is $200 or less for each member of the family. However, there were special cases where I might have gone a little above $200. Most of my enrollees do not have but one parent. Some of them do not have either parent.

The In-School Project is an investment in human beings. Any enrollee that graduates from high school, through the assistance of NYC, will pay back to Uncle Sam in income taxes more money than Uncle Sam will spend in keeping them in school.

For your information, I am sending carbon copies of this to the Managing Editor of the Reader's Digest. Also to people that I feel need to be informed concerning my part in the Federal Projects.

Since you did not visit my office while you were in Laredo, I hereby extend an invitation for you to do so.

Respectfully yours,
ONES C. FARMER,
Director,
In-School Neighborhood Youth Corps.
LAREDO, TEX.

CONDITIONS FOR ENDING WAR IN VIETNAM

Mr. McGEE. Mr. President, the signs are such as to indicate that, ultimately, success is inevitable in Vietnam; that is, a successful resolution of the major war there. Winning peace, perhaps, is another matter since that requires more than a cessation of major hostilities. Still, there is much of what we call peace talk currently in the air. Yesterday, in his news conference, the President again invited, repeatedly, a gesture from North Vietnam indicating that it was willing to talk peace seriously—or at least an end to hostilities. Given that, we could begin talks.

The Washington Post this morning editorialized upon the President's comments and also published a column written by Mr. Joseph Alsop which states rather succinctly why it is that there is a chance for success now. The fact is, as Mr. Alsop states, that at present an end is in sight to Hanoi's ability to wage what we call a big-unit war in Vietnam in the face of our northern bombing.

There is another facet to this, explored by writer Crosby S. Noyes in last evening's Washington Star. Asian leaders, he has found, are baffled by those in America who, in the face of success, counsel retreat. They are counting on our steadfastness, and it is well that President Johnson has again made it clear that we are, indeed, steadfast and will continue to prosecute the war in Vietnam until a reasonable basis exists for negotiations to end it by other means.

Mr. President, I ask unanimous consent to have printed in the RECORD this morning's editorial in the Washington Post, the column by Joseph Alsop, and the column by Crosby S. Noyes.

There being no objection, the editorial and articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 3, 1967]

PEACE TALK

The President, at his press conference on Thursday, repeatedly invited, and even solicited, some sign or gesture from North Vietnam that could be construed as an indication that it wishes to discuss peace, or even talk about discussions of peace. A head of state could hardly go farther, in the midst of war, to make it plain that his country is ready for a ceasefire, suspension of bombing, a truce or a de-escalation of the conflict.

Just as repeatedly and emphatically, he declared no sign had been forthcoming. Clearly, he did not construe as a valid sign or signal an intimation from Hanoi that it "could" be willing to discuss peace if the bombing stopped. It would have been rather remarkable had he done so.

This, to be sure, has been the position of the Government of the United States for a long time. But the President's reiteration of his personal wishes seemed, on this occasion, to give more point to the policy and to make it unmistakably clear that the quid pro quo we seek for a suspension of bombing or other de-escalation need not be a major military matter for the North Vietnamese.

As St. Augustine of Hippo declared long ago, "the final object of war is peace." So there is nothing inconsistent between the vigorous prosecution of a war and the simultaneous diplomatic exertion to obtain peace. Still, few countries, in the midst of war, can afford to risk an open pursuit of peace that might diminish the nation's will to wage war. Only countries enjoying internal stability and a reasonable consensus as to war aims can take this kind of gamble. The President has taken it and now it remains to be seen what the response will be from the other side.

The danger of course is that the mere mention of peaceful intent may arouse false hopes, which when they are dashed to the ground, will leave a sense of disappointment and disillusionment. The President did his best to minimize that risk. But he could hardly eliminate it entirely. If there is no new response of any kind from Hanoi, many people will be discouraged. The President risked that disadvantage in order to leave no doubt in Hanoi of our willingness to make peace, to talk about peace or to talk about the possibility of talks about peace-making. He really asked Hanoi for a sign not much more substantial than soup made from the shadow of a rabbit. There is a certain amount of chance-taking in this posture; but no doubt it can be justified as a risk worth taking.

It is possible that this posture will be misread in Hanoi as a sign of weakness or irresolution. It should not be so construed. At the moment, American opinion probably is as united as it ever has been on the unavoidability of carrying the war forward to a conclusion that will secure our minimum objectives. There is scarcely any articulate sentiment in this country for an unconditional withdrawal that would fail to secure the right of South Vietnam to self-determination. Differences over the way to prosecute the war still remain, but they will diminish, month by month, if the possibility of a solution by means other than war seems to disappear. Hanoi has an opportunity to enter negotiations or discussions now under circumstances more favorable to it than those that may exist six months or a year from now. It is to be hoped that this will be understood in North Vietnam.

[From the Washington Post, Feb. 3, 1967]

MATTER OF FACT: AN END IN SIGHT

(By Joseph Alsop)

One way or another, the end of the big unit war in South Vietnam now seems to be rather clearly in sight.

As recently revealed in this space, the Hanoi leaders are using diplomatic intermediaries to feel out the President's willingness to "stop the bombing to get talks." If the President has not taken leave of his senses, he will reply that he is perfectly ready to stop the bombing but only if the Hanoi leaders will stop sending troops and supplies into South Vietnam.

If Hanoi is willing to offer this kind of quid pro quo, it will mean that Hanoi wants genuine negotiations. If Hanoi is not willing, it will mean that Hanoi merely wants a respite in the war, in order to reinforce its badly battered southern units, and then to start the war all over again.

But unless the President has succumbed to a political death wish, this is unlikely to be allowed to happen. Hence events can take two alternative courses, as follows.

The first possibility is genuine negotiation on equal terms, which could perhaps bring the whole war to an end. This is imaginable, although it seems more likely that Hanoi is merely seeking a respite.

The second possibility is that Hanoi will reject negotiations on equal terms; and our Northern bombing will therefore continue.

Assume that the second and more likely possibility develops. In that event, one can rather confidently forecast the fairly early end of the big unit war in South Vietnam. The end may come within a matter of months. And when the big unit war has been won, the worst of the war will be over.

The big unit war (a current Pentagon phrase-of-art) is the war we are now fighting. It is primarily aimed at the enemy's "main forces"—his near-regular battalions, regiments and divisions, which are quite different from his guerrilla and local forces.

Essentially, it is a war of attrition. The attrition's cruelly severe effects on the enemy's big units had already begun to be visible as long ago as last September.

Two factors, it need hardly be said, mainly determine the success or failure of a war of attrition. One is the enemy's rate of loss; and the other is the rate at which he can replace his losses. The Northern bombing is so important because it so greatly affects the enemy's replacement rate.

Since 1964, local recruitment in South Vietnam has never come within miles of meeting the enemy's needs. In the first six months of last year, by enormous and costly efforts, Hanoi managed to bring the average rate of infiltration to the rather high figure of 7000 Northern regular soldiers a month. Even so, the loss-replacement balance was far from satisfactory.

In the last six months of 1966, the cumulative effects of our Northern bombing then began to show in a dramatic manner. The infiltration rate was in fact cut, according to the Pentagon's best estimates, by no less than 75 per cent. In other words, the monthly inflow of Northern soldiers, to serve as replacements in the South, dropped to only about 1700 men a month.

For the same period, the enemy's heavy rate of loss remained approximately constant. And this happened although the Hanoi war planners seemingly adopted a new policy of ordering their big units to elude combat if possible.

In the period before combat began to be eluded, the grisly "body-counts" were running at a level a bit above 5000 a month, on a three month moving average. Today, again on a three month moving average, they are running at about 4900 a month.

These figures of course represent the dead who are left on the field of battle in defiance of VC discipline. A conservative estimate of the enemy's total current rate of loss from all causes, including disease, is 12,000 a month; and it may be a good deal higher.

With only 1700 men a month coming in from the North, the most extreme press gang recruitment in the South can hardly bring the enemy's total of available replacements above 4000 men a month. If the loss rate continues at 12,000 a month, and the replacement rate at only 4000 a month, there can be no question about the final result. It will be the defeat of the enemy's big units. Yet that still leaves many unanswered questions.

Can Hanoi find ways to bring up the infiltration rate again? One must wait and see the January, February and March infiltration figures. If high losses and low replacements knock the enemy's big units out of the war, how will this bitter and demoralizing defeat affect the VC's widespread guerrilla infrastructure?

Again, one must wait and see. And may not the President start image-making once more, yielding a unilateral bombing halt after all, and thereby risking every gain already made? Yet again, one must wait and see.

[From the Washington (D.C.) Star, Feb. 2, 1967]

Asians Find United States the Most Baffling Nation

(By Crosby S. Noyes)

Bangkok.—Americans schooled in the Kiplingesque tradition of the inscrutable Oriental may be surprised to discover that for a good many Asians we are the most baffling, illogical and generally exasperating people on earth.

They will tell you very frankly and a little sadly that we just don't make much sense. They have suspected it for some time. But if final proof were called for, the current American hand-wringing and soul-searching over Vietnam is providing it.

Here you are, they say, the most powerful nation in the world. For years now you have been telling us that American power is dedicated to the principle that people have a right to choose the kind of government they want. You have encouraged us to believe that the power of the United States supported those countries large and small who chose to defend their freedom.

In Vietnam, they criticize, we have always known that the future of Southeast Asia was at stake. We have always hoped and expected that the United States would live up to its promises to prevent the success of Communist aggression in the south. We have been impressed by your determination and your restraint. And we have helped you as much as we could.

We have always been sure that if you wished to, you would succeed in Vietnam. We have known that when you did succeed your prestige, not only in Asia but around the world, would be unrivaled.

And this is what we do not understand about Americans. Today, you have done what you said you would do and you are succeeding. And the more you succeed the more Americans there are who say you should never have made your commitment in Vietnam and some even who say that what happens in Asia is of no interest to the United States.

The people in Asia who talk this way are by no means simple-minded or naive.

Thanat Khoman, Thailand's brilliant foreign minister who speaks five languages and rates as one of the most effective operators on the diplomatic scene, returned recently from the United States alarmed and depressed by what he had heard there.

To Thanat and many others like him, it is utterly mystifying that Americans with pretentions to intellectual integrity and political awareness should be working actively at this point to frustrate the American effort in Vietnam and turn success into a disaster of incalculable proportions.

He is frankly dismayed by ponderous editorials in supposedly responsible newspapers advocating what amounts to a barely concealed surrender in Vietnam. He is disturbed by the spectacle of an administration besieged and bedeviled by members of its own party.

It is also hard to exaggerate the sheer offensiveness of some of the propositions advanced by this dissenting group.

Intelligent Asians are shocked by the sophistries of American intellectuals who argue that the defeat of free Asian nations is inevitable and that elementary human rights taken for granted in the West somehow do not apply in this part of the world. If the decisive sabotage of Western interests in Asia is the goal, this kind of perverse inverted racism is ideally adapted to the objective.

Nor is it very easy to convince our friends in Asia that this kind of thinking is limited to a small vociferous minority who do not speak for the American people and wield limited influence on the government. The currency given to the ideas of this minority rivals that of the administration itself. And even the continuing demonstration of American determination in Vietnam does not relieve a mounting anxiety over the state of mind in the United States.

At the very least we are suspected of a severe schizophrenia over the war in which moral and political values which most people believed to be firmly rooted in the American character have come badly unstuck. Given the existing realities, there is for Asians no other reasonable explanation for a loss of confidence at a time when success seems inevitable.

For Americans there may be some reassurance in the fact that this loss of confidence does not seem to be catching. Asia at this point is very definitely making book on an American victory in Vietnam. The events taking place there are transforming the politics and the calculations in an area where two-thirds of the human race lives. And perhaps it is only in the United States—and possibly in Peking and Hanoi—that a real question still persists over what the future holds.

APPOINTMENT OF AD HOC SUBCOMMITTEE ON HUMAN RIGHTS CONVENTIONS OFFERS SPARK OF HOPE

Mr. PROXMIRE. Mr. President, as I rise today—as I have during every session of the 90th Congress—to plead for Senate ratification of the conventions on political rights of women, forced labor, slavery, and genocide, I perceive the first real glimmer of hope for advocates of ratification.

The first Legislative Calender of the Senate Committee on Foreign Relations became available yesterday. On page 4 of that calendar is announced the creation of an ad hoc subcommittee to consider the human rights conventions. This subcommittee, to be chaired by the senior Senator from Connecticut [Mr. Dodd] and having as its members the senior Senator from Pennsylvania [Mr. Clark], the Senator from Rhode Island [Mr. Pell], the senior Senator from Iowa [Mr. Hickenlooper], and the senior Senator from Kentucky [Mr. Cooper], was appointed by the distinguished chairman of the committee, Senator Fulbright, on January 18, 1967.

The subcommittee will consider the human rights conventions on forced labor, slavery, and political rights of women. I am encouraged greatly by the creation of this subcommittee. It is my hope that these five able and energetic men will move quickly to consider and report these three conventions to the full committee and on to the Senate for the overwhelming ratification they deserve.

However, even this generally encouraging development leaves the senior Senator from Wisconsin disappointed and dissatisfied. The United Nations Convention on Genocide, already ratified by close to 70 nations, still languishes in some uncharted limbo.

I earnestly request the chairman to submit the Convention on Genocide to this ad hoc subcommittee for consideration. Justice and logic insist that the conventions on political rights of women, slavery, forced labor, and genocide be considered and reported together. While the first three conventions guarantee fundamental and irrevocable rights, I am sure that every reasonable man would assert that the right guaranteed by the convention on genocide—the right to live—should be granted at the very least equality, if not priority, with these other rights.

I am encouraged by this action of the Foreign Relations Committee. However, I will persevere until the Senate goes on record by ratification of these four conventions—the political rights of women, slavery, forced labor, and genocide.

THE FARM PARITY RATIO

Mr. MONTOYA. Mr. President, it has come to my attention that a small group of critics are telling the American farmer that his parity ratio declined 2 points to 75 last month. These critics speak yearningly of the days when, they claim, parity averaged 84.5 percent.

Let me take this opportunity to mention that the adjusted parity ratio which reflects Government payments averaged 86 for the year 1966.

The decline in average prices received by farmers during the last several months combined with an increase in the parity index—prices paid by farmers for commodities and services, including interest, taxes, and farm wage rates—dropped the parity ratio to 75 in January, as compared with 80 in January of last year.

It is important that farmers get fair prices for their products, but in terms of the economic well-being of farmers, it is also of great importance that they get adequate incomes. In particular, the objective is higher net income—what the farmer has left for family living after production expenses have been met out of his gross income.

Prices enter the farm income picture, but so does the volume of commodities marketed, the level of production expenses, and, for some commodities such as wheat, feed grains, and cotton, the size of Government payments.

Just to put the price goal in perspective, let us look at 1959 when farm prices averaged 82 percent of parity and at 1965 when parity ratio, adjusted for Government payments, also averaged 82 percent.

Despite the fact that the parity ratios were the same, farm income in 1965 showed a great improvement over 1959. Realized gross income was up 18 percent due in large part to a greater volume of farm marketings. Total realized net income was up 24 percent—almost $3 billion—and realized net income per farm was 50 percent higher.

Net farm income last year exceeded the 1965 figure by $2 billion. At $16.3 billion, it was nearly 40 percent greater than in the last of the Eisenhower years. Realized net income per farm in 1966 topped $5,000 for the first time in history; this compared with less than $3,000 per farm in 1960. Gross farm income, which set a record, was nearly one-third greater than in 1960.

It is critically important to prevent drastic declines in prices received by farmers, but it is even more important that the income of the farm population—which on a per capita basis has been averaging only about 65 percent of the income of nonfarm people, even in the relatively good year of 1966—be raised to comparable levels. The parity ratio is one indicator of the condition of agriculture, but it can be extremely misleading to regard it as the principal guidepost for measuring changes in the economic condition of American agriculture.

SECOND ANNUAL CONFERENCE ON WATER RESOURCES RESEARCH

Mr. McGOVERN. Mr. President, on January 18 the distinguished senior Senator from New Mexico [Mr. ANDERSON] brought to the attention of the Senate the notable accomplishments being made through the program authorized by the Water Resources Research Act of 1964. His remarks on pages S491–S495 of the RECORD summarize the excellent progress that has been made in the brief 2 years the program has been in operation, and commend the Secretary of the Interior and the officials of the Office of Water Resources Research for vigorous and intelligent administration of this new, complex, and very important undertaking.

I associate myself with the Senator's remarks and with his commendation of the Interior Department officials responsible for this program. But, with his customary modesty, the Senator [Mr. ANDERSON] refrained from mentioning that he himself is author of the legislation that created this program, and that his counsel and advice have been a major factor in guiding its sound and effective development.

I wish, therefore, to supplement the remarks of the senior Senator from New Mexico by noting that he has been responsible for formulating the concept of the program and its authorizing legislation, and for enunciating the principles that guide its development. In each of the 50 States there already have been significant accomplishments under the Water Resources Research Act, and these will become even more significant in the years ahead. For this, each of us is indebted to the practical vision of Senator ANDERSON.

Mr. President, every section of the Nation is troubled by water problems—droughts, floods, deteriorating water quality, and problems in many other forms. We recognize how true was the finding of the Select Committee on National Water Resources that water problems can limit the growth and prosperity of major portions of the Nation, and the welfare of its people. Fortunately, however, there is great scientific and engineering competence in the Nation, and this can be brought to bear in finding solutions to water problems. Widespread and complex as are water resources problems, we can be confident that they will be overcome because we now have the means through the Anderson Act to mobilize the Nation's brainpower for their solution.

An example of this was the recent second annual Conference on Water Resources Research convened under authority of the Anderson Act. On January 24 and 25, over 100 of the Nation's leading water scientists and engineers met to formulate specific research attacks on major water problems research that will point the way to their solution. Those in attendance came from Government agencies, from universities, and from industry. It was a real mobilization of brainpower, and it will surely lead to significant advances. It is gratifying to note that the importance of this meeting and its promise for effective progress was recognized by President Johnson who always has been highly knowledgeable about the water needs of the Nation. Regarding the Conference on Water Resources Research, President Johnson wrote to Secretary Udall as follows:

THE WHITE HOUSE,
Washington, January 23, 1967.

Hon. STEWART L. UDALL,
Secretary of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: A strong, well-planned program of water resources research is a national necessity. To improve the effectiveness of the program authorized by the Water Resources Research Act of 1964, as amended last spring, is an objective that is vital to all of us.

Already the research authorized under this Act has yielded important results. These results, in turn, have pointed to promising new lines of inquiry.

Only through the cooperative efforts of universities, private research institutions, business, and government at all levels can we insure a sufficient supply of water, both in quantity and quality, to meet the needs of America.

I want to thank all of you who are meeting here this week for the time and interest you are giving to the solution of this national problem.

And I wish you every success in this important work.

Sincerely,

LYNDON B. JOHNSON.

Mr. President, the technical discussions of the conference, I am informed, will be included in proceedings that will be distributed to scientists and engineers who may be concerned with water resources. One outstanding paper, however, was not by a technical man. It was the keynote address to the conference by Secretary of the Interior Stewart L. Udall. The Secretary's remarks are in layman's language and are comprehensible to those who may not be trained as scientists or engineers. His address conveys a deep understanding of the nature of water problems, their effect on the economy and on the environment, and the role of research in finding ways to overcome existing problems as well as to avoid creation of future ones. Mr. President, I ask unanimous consent to include at the end of my remarks the address of the Secretary of the Interior to the second annual Conference on Water Resources Research.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SECRETARY OF THE INTERIOR, STEWART L. UDALL AT SECOND ANNUAL CONFERENCE ON WATER RESOURCES RESEARCH, WASHINGTON, D.C., JANUARY 24, 1967

I consider our being here this morning as one more hopeful link in the chain reaction against pollution—a chain reaction which is helping enormously to power the conservation movement today.

This is a chain we do not want to break. Unlike those earlier "prisoners of starvation" who were exhorted to arise and lose their chains, we prisoners of pollution are determined to keep forging this chain. It is a chain of life.

As a new Congress begins here in Washington, the weather reports from Capitol Hill dominate the news. The winds up there may shift direction, they may switch from hot to cold on some matters, but I detect no wavering of Congressional determination to deal with our national water problems and with the overall pollution situation.

These are two areas of concern which cannot be fenced off into geographical packages. They cannot be compartmentalized into this or that level of governmental competence. And neither are they the purview of a single political party. Both sides of the Congressional aisles are full of aspiring Mr. Cleans, vying for the whitest hats and the fullest canteens.

Being pro-water and anti-pollution is today's political equivalent to being for mother and against sin. I foresee no agonizing reappraisals for water research.

My message to you today concerns two signs of the times—both of them hopeful and both of them appearing more and more robust. One is the surge of public concern about the environment. The other is the interdisciplinary cooperation being applied to correct environmental abuses.

Since both are very important factors in your work, I would like to consider them separately this morning, and in some depth.

First, the public concern. This gigantic "plus" which has been missing in the past might be described as an emerging public attitude of care-fulness. Gone, in almost every instance, is the old "let the public be damned" attitude with regard to industrial pollution of our water. Today's businessman, industrialist, city council member, is responsive to the public anxiety over what is happening to our environment—especially to our water.

He is eager to do the right thing, but he needs to know what that thing is. Too often we lack the answers to match his willingness.

The problem of sufficient clean water for a growing population is not a simple one. Solutions vary with the geographical location and the conditions surrounding the problem. It is in this area that your research takes on added importance. Specific research, carried on in specific areas with special problems, will lead to specific solutions. Those working on the spot, in the problem arena, are in a position to know—the history of the swamp, or the slough, or the waterway involved. You can pinpoint the types of wastes dumped into it. You can isolate the particular poison—paint the profile of pollution as it is occurring in your one area.

In this way, you can provide the guidance to suit a particular set of circumstances. The managerial person in your area who is filled with a vague and commendable desire to "do the right thing" is thus given a meaningful course.

A. J. VonFrank of Allied Chemical Corporation, speaking to one of our most effective clean water lobbies—the League of Women Voters—described the dilemma of a hypothetical plant manager. This well meaning man finds himself at the wrong end of an accusing finger, pointed by an irate citizenry.

The irritant is polluted water, but the plant manager cannot pinpoint the nature of the accusation.

He has kept his plant's waste effluents "pretty clean" because he "didn't want any nuisance complaints or any kids getting hurt." His particular talent is "coping with problems," and so, in exercise of this talent, he starts looking for the answers to this water pollution problem in which he has become involved.

With a combination of goodwill and naivete, he asks for "the" answers and he finds that industrial waste problems could be any of the following:

The oxygen demands of his wastes (and these were of three kinds), acidity or alkalinity, suspended solids, settleable solids, color, components that gave taste or odor, separable oils, foamers such as the alkyl benzene sulfonates, temperature, turbidity, dissolved salts of heavy metals, nitrates, phosphates, chlorides, fluorides, sulfides, cyanides, phenols and coliform bacteria, Danny Kaye or Tom Lehrer could make a comic song out of this list, but to the anxious plant manager it is definitely no joke.

It is evident that if we are going to make useful strides toward increasing our usable water supply by plugging the pollution drain, then we must begin to talk specifics. We cannot wrap the problem in one big pollution bundle and hand it to the polluters to deal with.

We have to help them define and delineate each particular problem and point the way toward a solution.

With the public well aroused and the private conscience responding, we still have to supply the route to quality. We have no overall gadget that can be plugged in to the Nation's environment, like a garbage disposal unit, and turned on by any one switch in our economy to do the job.

But we *are* beginning to perceive and to deal with the enormously intricate problem which water presents. Title II of the Water Resources Research Act, as modified on April 19, 1966, may come closer to this overall Disposal than anything yet conceived. It constitutes what may be the boldest act ever pased for any single resource. Title II opens up access to the full scientific competence of the Nation, and this brings me to the second great advance we have going for us in this effort—the interdisciplinary approach.

In order to relate this approach specifically to the water problems which concern us here today, I should like to go back in conservation history to the roots of the term "ecology."

Each new wave of conservation has its stirrings in a past which bore another label. In the case of our current, gathering wave of ecology we must go back to the regulatory phase of conservation and pick up Gifford Pinchot—Theodore Roosevelt's chief forester and one of the great conservationists.

It is said he was riding through Rock Creek Park, pondering the fate of the Nation's forest resources, when, in his own words, "suddenly the idea flashed through my head that there was a unity in this complication—that the relation of one resource to another was not the end of the story. Here were no longer a lot of independent and often antagonistic questions, each on its own separate little island, as we have been in the habit of thinking. In place of them, here was one single question with many parts. Seen in this new light, all of these separate questions fitted into and made up the one great central problem of the use of the earth for the good of man."

Today this flash of insight has assumed a name—the ecological approach—and the idea has filtered into the public mind. It is no longer a solitary revelation in the mind of a prophet. It is a guidepost to our best conservation efforts.

We see this integrated approach everywhere we look, and its application in the field of water resources is one of its most promising.

Less than a month ago, the American Association for the Advancement of Science held its annual meeting here in the District of Columbia. The cross-disciplinary nature of these meetings is science's answer to the deadends of specialization as a method of dealing with today's complicated problems.

Lynn White, Jr., of UCLA, adressing the convention on The Historical Roots of Our Ecologic Crises, decried the negative stage of problem solving which we are trying to outgrow. Said White:

"There are many calls to action, but specific proposals, however worthy as individual items, seem too partial, palliative, negative: Ban the bomb, tear down the billboards, give the Hindus contraceptives and tell them to eat their sacred cows.

"The simplest solution to any suspect change," he continued, "is, of course, to stop it."

So here we stand, on the brink of a national water crisis, and all we have to do is "stop it."

What we are faced with is not just an exchange of ideas and a melding of approaches within the scientific community, but a truly cross-disciplinary effort—right across the various layers that make up our daily life. The 1966 Annual Report of Resources for the Future states:

"In recent years research in problems of water use and management has been distinguished by a growing emphasis on interdisciplinary cooperation. Engineers, hydrologists, economists, and political scientists have worked together to find solutions to some of the complex water problems that plague municipalities, industrial and agricultural areas and flood plains."

It seems to me that this paragraph sums up, in essence, the variety of problems we face and a most hopeful recognition of the need for a broadening of the search for solutions. Our plethora of water problems cannot be solved in only a test tube—or a bathtub—or a canal or a reservoir. We will have to tackle them also on the accounting sheet and in the city council chambers and around the industrial conference board table—and at the ballot box and the kitchen tap and the water meter. We will wrestle with clouds and with clods before we find the answers, and even as we find them, new problems will be queueing up for attention.

But we have taken a big step by lifting our heads and looking beyond the bounds of our piecemeal problems—at the many factors which make up the overall problem and the many forces which will have to be brought to bear if we are to find acceptable solutions.

We are attempting, at Interior, to suit our action to this new realization. Just one week ago today I announced the establishment of an Office of Ecology within my Department.

Within this Department must be made a majority of our national decisions which concern the enormous and often competing demands on our resources. It will be the function of this Office of Ecology to see that these decisions are made with all the various factors given relative weights. We expect the Office of Ecology to provide the kind of across-the-grain look at both problems and solutions about which I've been talking.

The historic report of the Senate Select Committee on National Water Resources was framed in terms of this total picture approach. It recommended that the Federal Government cooperate with the States in up-to-date plans for comprehensive water development and management for all major rivers basins of the United States. This is scheduled for completion in the early 1970's.

The Committee recommended that the Federal Government stimulate more active participation by the States in planning and undertaking water development and management activities by setting up a 10-year program of grants to the States for water resource planning. Title III of the Water Resources Planning Act authorizes this program and initial planning grants have been made to 6 States. More than 40 probably will apply for grants in fiscal year 1967.

In a similar manner, most of the major recommendations of the Select Committee have been partially or fully carried out.

The overall effect on our Nation's water policy has been profound.

But what of the future?

What are the emerging problems that should be given similar study?

One of the high-priority areas, of course, is research on all the different aspects of water quality. Here, the States have undertaken through their quality standards a leading role in pollution control and water quality improvement. Research must be adequate to meet the requirements of this role at the State level as well as to guide regional and Federal activities.

The States are in a unique position in relation to legal and institutional arrangements with regard to water use. They are in a position to take leadership in improving our water management institutions for more efficient water resource management.

All these efforts are beginning to show an inter action—an "other-awareness" which bids fair for our ultimate success.

The scientific arm of our effort, as represented in the research we consider here today, has never been better muscled. Title II gives us access to additional brains and backing. Experience has given us insights and direction. Judgment directs us to take into consideration factors outside the test tube which are vital to successful applications of our laboratory findings.

We have the prudent warnings of such men as Dr. Raymond Nace, research hydrologist, from Geological Survey and a man who has been called the father of the International Hydrological Decade. Says Nace:

"Nature is neither friendly nor inimical. She is merely implacable. We had best come to terms with her."

And we have the spurs provided by others, like Walter Orr Roberts, director of the National Center for Atmospheric Research in Boulder, Colorado. His recent words to the American Association for the Advancement of Science might well serve as prologue for your own research efforts:

"Science, like music or fine art, is a wellspring of the divine discontent that stirs man to seek more of life than merely to eat and to sleep, and that discontent is flamed higher by the partner of science, advancing technology, through which we can realistically contemplate the practical achievement of the highest of ideals for the condition of man."

And too, we have both the leadership and the backing of a President who understands and who cares. Lyndon Johnson has spoken of "new enemies" which are the products of the modern world.

"In many ways," he said, "they are the dark side of the bright achievements which have helped us to grow and prosper . . . The technology which has given us everything from the computer to the teleprompter has created a hundred sources of blight. Poisons and chemicals pollute our air and our water."

And then he added:

"We need new weapons to fight these enemies."

And that is what we are asking of you assembled here this morning. You are the elite before whom the glove is thrown. What we ask of you is not fancier hardware, not frillier technology, not an embroidery of some already known principle.

We need *new ways*. We need real *discoveries*. We need men and women who will *think in different categories*, so that your research will follow unexplored paths and furnish brand new basics. We need your help both on the specific problems in your own areas; and in integrating these answers in overall solutions.

You have an eager and attentive audience. The polluters are looking for ways to abate their myriad messes. The public is ready to underwrite the cost when ways are found. There is an army of technicians—of engineers—incapable of basic research but qualified and competent to tool up your findings and put them to work.

We salute your efforts. We applaud your goals. We await your successes.

SERMON BY JOHN H. SHARON COMMEMORATING CONVENING OF 90TH CONGRESS

Mr. MONRONEY. Mr. President, I ask unanimous consent to have printed in the RECORD a sermon delivered recently at the All Souls Memorial Episcopal Church by John H. Sharon, an outstanding young lawyer and lay leader in the church, commemorating the convening of the 90th Congress.

The sermon was very thought provoking and timely. I recommend that every Member of the Senate take the time to read it during these opening weeks of the new Congress.

The service was well attended; and I might mention that one of our colleagues, the distinguished senior Senator from Kentucky [Mr. COOPER], read the lesson.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

PUT YOUR TRUST IN GOD—IN COMMEMORATION OF THE CONVENING OF THE 90TH CONGRESS

(By John H. Sharon)

INTRODUCTION OF JOHN H. SHARON BY REV. FRANK BLACKWELDER

Our preacher this morning is Mr. John Sharon. He has been the Lay Reader here at All Souls for 14 years and has served our Vestry for the past five years.

When Mr. Sharon graduated from Princeton he was voted by his class as "the man most likely to succeed" which proves what a prophetic class it was.

Mr. Sharon was an advisor to the late Ambassador Adlai Stevenson and the late President Kennedy. But his role in life has not been limited to advisory capacities. He is a diligent laborer in the vineyard of the Lord.

The success of this special service is largely due to his gallant efforts and I know we are all looking forward to hearing his message this morning.

SERMON PRAYER

O Heavenly Father, *Help* us, we beseech thee, to keep by word and deed, the faith of our Fathers as a true and holy faith;

And may the light from the Epiphany Star, so *guide* us, that the motivations of our souls the meditations of our hearts, the intentions of our minds, the words of our mouths may be always acceptable in Thy sight.

Through Jesus Christ our Lord. Amen.

Reverend Blackwelder, Senator Cooper, members of the choir, and friends.

I was deeply touched by our Rector's generous introduction. He reminded me, however, of that Member of Congress who was sworn in last Tuesday to his first term of office. The next morning he was reading about the glorious events of the preceding day and he turned to his wife and asked her, "Dear, do you know how many truly great statesmen there are here in the City of Washington?" His wife paused for a moment and said, "No, I don't; but I *do* know that there is one less than you think there are."

So, I fear that there is one layman here this morning who is less important than our Rector thinks he is. When I think of the men who have graced this pulpit with such wisdom and dignity, it makes a layman like myself very humble indeed to accept our Rector's invitation and our Bishop's blessing to be with you this morning. And I want each of you to know that my heart is full of humility and gratitude.

As I was preparing this brief message, my thoughts went back to some of those who preceded me here. I thought of our own Rectors Frank Blackwelder and Marvin Webster; of our own Bishops William Creighton and Paul Moore; I thought of the late Dr. Samuel Sterrett, our Rector here for over 30 years; I thought of Dr. Edward Bauman; Dr. Lowell Ditzen; and, of course, our late and beloved friend, Dr. Joseph Sizoo.

As many of you know, for thirteen years our Rector and I were honored in this house of God to share our Thanksgiving Day Service with this great man. How much we all looked forward to those thankful days. For when Dr. Sizoo preached, you knew you were in the presence of God, for his message never failed to reach your heart or touch your soul.

Those Thanksgiving Day Services—particularly the last three—had a very special meaning and purpose for me. Four years ago, Dr. Sizoo and I had heart attacks at the same time. And after we had recovered, we would foregather in our Rector's study before and after those last Thanksgiving Day Services. We shared our concern for each other; we laughed about our fears and joked about our doubts; we talked about what a great event this had been in both of our lives; how grateful we were to have had a second chance at life when so many millions of our fellowmen never get a first chance. We talked about a sermon we agreed jointly to author; the title of which Dr. Sizoo suggested, "Thank *God* for a Coronary." Well, as happens in the swift current of our daily lives, we never finished that sermon; but someday soon in Dr. Sizoo's honor and memory, I will complete it. So perhaps this will not be the last time some of you will have to be exposed to my views.

But the last time Dr. Sizoo and I talked, there was one wish that Dr. Sizoo had which he confided to me and which I want to share with you this morning. He said to me, "When it comes my time to go, I hope it will be *after* I have preached a sermon and *touched* a soul."

Last summer, a few minutes after he had preached one of his greatest sermons, Dr. Sizoo departed this life. May I briefly share with you the final sentences of his last words to us:

"When life get you down, when hope no longer sees the stars, and love no longer hears the rustling of the leaves, when it's touch and go, when doubt lays a stranglehold on you, God stands in the shadows by your side.

"We must go home, we must go home again,
Our rainy faces pelted in the dust
Creep back from the vain quest of endless strife
To find not anywhere in all of life
A greater happiness that blest us there.
We must go home, we must go home again."

Dr. Sizoo has gone home. God granted his wish, for he never failed to "touch a soul." And how we miss him. But as we read and reread his many books and teachings, we cannot help but be strengthened by his ministry. We cannot help but feel grateful that we lived in his generation to be inspired by his message and his truth. Here was a man whose death was truly a victory and not a defeat, a joy and not a sorrow, a gain and not a loss.

I believe with all my heart that the secret to Dr. Sizoo's successful ministry was a simple creed, "He put his trust in God." And from that deep and abiding faith, he acquired that rare gift to reach out and "touch a soul." How many of us can truly say that "*We* put our trust in God." Ask *your*self—let's ask *our*selves here this morning—When the going gets tough, when the stars above have fallen on your shoulders, when frustration has engulfed you, when fear consumes you, when worry and anxiety overwhelm you, when political polls begin to terrify you, when all of the burdens of life depress you, "when doubt lays a stranglehold on you," do you put your trust in God?

In this morning's scripture, Matthew speaks of Jesus' entry into Jerusalem. He speaks of Jesus' overturning the tables of the money changers, how the blind and lame came to the temple and Jesus healed them, how Jesus destroyed the barren fig tree, how his *own* disciples not only marveled but were bewildered by Jesus' power. And when he was questioned by them, Jesus replied ever so simply: "If you have faith and never doubt, *you* will not only do what has been done to the fig tree, but even if you say to this mountain, 'Be taken up and cast into the sea,' it will be done. And whatever you ask in prayer, you will receive, *if* you have faith."

"Whatever you ask in prayer, you will receive, if you have faith."

Put your trust in God.

Recently I met an old friend I had not seen in twenty years, she is a remarkable woman. Intelligent, sensitive, successful mother, loyal and devoted wife; but I was startled to find her in a state of deep depression. She was groping for something, but she did not know what it was. She was seeking something she could not find. She was hoping for a peace she said she knew she could never attain. When I asked her if she believed in God, she said, "no." So I asked her to take a test. She said she would. I asked that for every conscious minute, of every day for one week, repeat over and over to herself, "I don't believe in God. I don't believe in God." She said she couldn't do it, and when I told her she had passed the test, she asked this question: "But where is God, what does He look like, how do I find Him?" I thought for a minute. And then I was reminded of a little handmade sign I once saw hanging in an electrician's repair shop. That sign said, "When all else fails, try reading the instructions."

"Try reading the instructions."

Put your trust in God.
Trust Him with your thoughts
Trust Him with your doubts
Trust Him with your fears
Trust Him with your pride
Trust Him with your shame
Trust Him with your love
Trust Him with your hate
Trust Him with the bad
Trust Him with the good
Trust Him with the truth
Trust Him with the small decisions as well as the big
Trust Him with your prayers.

"And whatever you ask in prayer, you will receive, if you have faith."

Put your trust in God.

There was a six-year-old girl who was such a devout Christian. She believed so deeply in God; she said her prayers every night without fail; she asked her parents penetrating questions about Jesus, about God, about where He was and where did He come from. She attended Sunday School religiously. And then, like every child, she did something very wrong. Her father punished her and sent her to her room. About an hour later, she opened her bedroom door and came down the stairs, tears streaming down her cheeks, and went up to her father and asked such a wonderful little question: "Daddy, will God punish me too?"

That child of six is now a young lady of 8½, and she together with her family and friends have graced us with their presence here this morning. May I repeat to you what her father told her at the time:

"So long as *you* know in your heart that what you have done or said or thought is wrong, God will not punish you again. For *your* God—*our* God: Is a God of Love, not of Hate. A God of Hope, not of Fear. A God of Joy, not of Sadness.

"Whatever you ask in prayer, you will receive, If you have faith."

Put your trust in God.

We all know we live in an age of ferment; an age of tension and turmoil; of doubt and dissent; of unrest and uncertainty. Some of us want to escape from everything; to run away; others want to be different, but different in the strangest types of ways.

And what are some of the slogans we hear?

"God is dead."

"Let money be our God."

"Make love, not war."

"Impeach Earl Warren."

"Black Power is to reign."

"Conspiracy killed Kennedy."

"LBJ, LBJ, how many men have you killed today?"

My God, have we lost sight of the meaning and purpose of life? Have we lost sight of why God put us on this blessed earth? Are we to face the future armed only with nonsensical slogans of the present and the past? No, let us not despair:

For we have dedicated ourselves and our nation, under God, to being free. God put us here to bring love and peace and truth into the hearts and souls of our fellowman; to enhance man's worth and his dignity through the love of God and the teachings of Jesus Christ.

No, let us not despair; let us put our trust in God. But let us each remember that all failure—failure between nations and men—can be traced to the failure of communication, and that *prayer* is the only means you and I have of communicating with God.

"Whatever you ask in prayer, you will receive, if you have faith."

For the *last* 25 years we *had* faith; faith that nations could agree that outer space could be limited to peaceful and non-military purposes. *That* faith bore fruit.

And while it may seem ironical that 1,967 years following the birth of Christ, man can agree to be at peace with his fellowman out there in the Heavens, but cannot yet agree how to achieve that peace here on earth, this is progress. In faith there is always hope.

So if there are those amongst us—and there are many—who have doubts, let those doubts, in the sight of God, be *honest* ones.

If there are those amongst us whose criticisms must be heard, let those criticisms, in God's sight, be *constructive*.

And if there are those amongst us whose dissents must be recorded, let those dissents, in God's sight, be *positive*, not negative.

Soon enough the time will come for each of us in this house of God to face his Maker: "We must go home, we must go home again," and however *short* life's road may be for each of us, let us remember that We walk not alone; God is there to lead us, to guide us, to comfort us, to heal us, to love us.

Put your trust in Him.

And as we journey down life's final road, always remember:

"What a mighty fortress *is* our God,
A bulwark never failing;

"The Spirit and the gifts are ours
Through Him who with us sideth;
Let goods and kindred go,
This mortal life also;
The body they may kill:
God's truth abideth still,
His Kingdom is forever."

Let us pray.

FINAL PRAYER

O eternal God, grant us, we beseech thee, the wisdom and the strength to know and to do Thy will.

Fill our hearts with the knowledge that what we hear preached on *any* Sunday is less important than what we *do*, in Thy sight, on *every* Monday.

Help us, we beseech thee, to put our trust in thee.

Grant us, we beseech thee, *Thy* trust, Thy love, Thy truth, Thy peace.

Teach us to be gentle; help us to be merciful; guide us to be faithful; and make us ever mindful, in Thy sight, that there will always be greater and lesser men than ourselves.

This we beg in the name of our Lord, Jesus Christ, our only Advocate and Redeemer. Amen.

BENEDICTION

Now, let us go forth in peace, be of good cheer, render to no man evil for evil, but contrariwise blessing.

Let us comfort the anxious, visit the sick, give to the poor, keep and practice our faith.

Do justly, love mercy, walk humbly with our God.

And may the Blessings of God the Father, God the Son, and God the Holy Ghost be with us and remain with us always. Amen.

FOOD FOR INDIA

Mr. **BURDICK.** Mr. President, I am especially pleased that President Johnson asked Congress to endorse his proposed Indian food program within the context of the worldwide attack on hunger and malnutrition. The grim fact is that notwithstanding the 160 million tons of U.S. farm commodities we have shipped overseas under food for peace, the less-developed nations of the world are slowly losing the ability to feed themselves. This despite the fact that 60 to 80 percent of their people—70 percent in India—work the land for a living. Last year the less-developed nations of Asia, Africa, and Latin America had to import 31 million tons of grain from the United States and other developed countries. That is nearly twice the amount that America's 195 million people consume in wheat in an entire year. The President's Indian program calls for an additional 5 million tons of wheat, with 2 million to be an immediate allocation.

Behind today's food-population crisis, of course, is the fact that modest increases in food production in Asia, Africa, and Latin America have not kept pace with dramatic increases in life expectancy as the postwar period has brought the benefits of modern public health—in particular relief from malaria and other killer diseases.

The tragic irony today is that to feed its growing numbers, the world must run fast just to stand still. If diets get no better, if nutritional levels are not raised, an estimated 10 million people, mostly children, will continue to die every day from the effects of malnutrition. Beyond attacking raw hunger, beyond helping hungry nations maintain the quantity of food consumed, we must help them improve the quality. I was also pleased to see that President Johnson saw fit in his message Thursday to authorize a special $25 million in high protein foods for our great voluntary relief agencies in India to distribute in regions hardest hit by the current drought. To enrich the lives of their people, the hungry nations must enrich the diets. It is that simple. If the war on hunger were to be waged only for the purpose of keeping people alive, the best possible outcome would be stalemate. A stalemate hardly consistent with our great humanitarian goal of assuring every person the energy and opportunity he needs for self-fulfillment.

THE SPACE TREATY—A STEP TOWARD PEACE

Mr. **WILLIAMS** of New Jersey. Mr. President, our Nation's newspapers, which offer a measure of public opinion, seem almost unanimous in their advocacy of an early ratification of the treaty to immunize outer space to nuclear warfare. Some may argue that this is peripheral to the problem of arms control; yet I see it as a small step toward the enduring peace on earth which has always been man's vision. As has often been said, a journey of a thousand miles can only begin with a small step. The Nation's hunger for peace is too great, the consequences of war are too terrifying, for us to hesitate to encourage every move that is clearly in the right direction. As a small sample of editorial opinion on this subject, I ask unanimous consent that the editorials of the Newark Evening News of January 30 and the New Orleans States-Item of January 30 be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Newark Evening News, Jan. 30, 1967]

PEACE IN SPACE

Representatives of 62 nations have approved a treaty calculated to immunize outer space from much of the strife that besets man on earth.

Under the compact's terms, a root cause of war hopefully will be eliminated by removing competition for sovereignty over the stars and planets. The moon, Mars, Venus and beyond would belong to all. Their use would be restricted to peaceful purposes by a codicil banning nuclear weapons, military outposts and any instrument of destruction in outer space. If, a million years ago, man had similar foresight in regard to earth, his descendants might now be inhabiting a happier place.

The number of signatories to the space treaty will grow, as did those of the nuclear test ban treaty, which originated in the summer of 1963 with 17 sponsors and now has the support of 109 nations. Unfortunately, unless present events are more cataclysmic than anyone in authority dares believe, Red China is not likely to become a party to either. France also may stay out, along with minor demurrers like Albania, North Korea, North Vietnam and Cuba.

Their defection undoubtedly magnifies suspicion and complicates compliance. Fortunately, in the realm of space exploration, the United States and the Soviet Union command such a lead, while possessing the capability of total surveillance, that the depredations of any nation cannot go undetected or escape immediate countermeasures.

Self-interest therefore need not be compromised by joining this latest venture in international cooperation. Senate ratification should be forthcoming. For the long-range interests of all nations can be served if mankind can proceed into outer space free of some of the blights that have plagued us on earth.

[From the New Orleans States-Item Jan. 30, 1967]

N-Ban Treaty Signing

Progress among nations more often is made in small steps rather than giant strides. So infinitesimal, in fact, does this progress often seem at the moment that in many cases it can be seen only from the perspective afforded by the passage of time.

Such is the case, it seems to us, of the treaty signed last week by the United States and the Soviet Union banning the use of nuclear weapons in outer space, signed, paradoxically, at a time when the two nations are engaged *indirectly* in war in Vietnam.

The signing, of course, was only a formality since the two nations had agreed on the treaty last year and the United Nations General Assembly, without a dissenting vote, had approved it.

Many other nations, including Great Britain, also have signed it.

Admittedly, this may be small progress. Fundamental issues still divide the two greatest powers on earth. But it is, we believe, progress nonetheless.

The agreement on the peaceful use of outer space fits into the so-called Convergence Theory which currently is being used to describe relations between the United States and the Soviet Union.

For many observers now see the two major powers cooperating wherever their interests "converge," while still remaining, at least nominally, enemies.

Keeping outer space free of nuclear weapons seems to have been such a case of mutual interest.

PROBLEMS TO BE FACED BY DEPARTMENT OF TRANSPORTATION

Mr. PEARSON. Mr. President, the new Department of Transportation will soon commence its first moves as a full-grown Government agency and is destined to become one of the most important agencies in our governmental structure.

In this regard, Harry L. Tennant, Washington editor of Modern Railroads magazine, prepared an article for the January issue of that magazine which looks at some of the problems to be faced by the new Secretary of the Department of Transportation, Alan S. Boyd.

I have discussed several of these issues with Secretary Boyd and find him to be a most capable and informed person regarding transportation. Freight cars and their continuing shortages plague my area of the Nation from time to time, and Secretary Boyd has promised to look into this matter as soon as is practicable within the limits of his Department's organizational structure.

The article touches on many of the controversial issues which the Department of Transportation will face in coming months and notes that the Secretary has the fortitude to meet these issues directly.

I recommend this article for reading and ask unanimous consent that the material be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOT Will Change the Washington Picture

(By Harry L. Tennant)

Under the spirited leadership of Alan Boyd, the new Department of Transportation is sure to be a dynamic force leading toward more rational transport policies.

Alan Stephenson Boyd, newly named to head the freshly created Department of Transportation, will probably face more complex issues and pressures than any cabinet member in the Twentieth Century except the Defense and State Department secretaries. From all sides will come an avalanche of old and new problems. Although conceding that he has no ready-made solutions for most of them, Mr. Boyd thinks the 400 top administrators among the 90,000-employee agency (fifth largest in the government) can begin untangling some of these problems within a year.

The new secretary, in fact, has his agenda pretty well catalogued for the first few months of operation. He has no reservations about the obstacles his new department faces in a Congress somewhat altered from those in 1960 and 1964 when he began sailing politically high. But Mr. Boyd is a political realist and, at 44 years, a spirited administrator. This has been proved dozens of times in Washington—most recently when as Under Secretary of Commerce for Transportation he remained adamant in his stand supporting increased toll charges on the St. Lawrence Seaway. And his ability was obvious during the hearings before Congress when creation of the new department was under study.

One point seems to be a foregone conclusion. Secretary Boyd proved while engineering DOT through Congress that he is determined to make the new department a dynamic one—not just another huge, relatively passive agency. Among other things, Mr. Boyd says DOT will be a "selling" department and he has set forth some rather courageous guidelines for each transport area. Some of these he spelled out in part at the recent U.S. Chamber of Commerce one-day symposium. Of railroads, he said, "It is obvious that the railroad system in this country has been put in a back seat for too long a time for any number of reasons."

DOT, as outlined by Mr. Boyd, will be concerned with getting across the thesis that "we are citizens first and operators and shippers second." He believes that such an accomplishment will lay the groundwork for improving the entire U.S. transportation system.

Earmarked for priority attention among a series of sizzling issues is the question of public investment in transportation. The new secretary believes this will be the area of DOT's primary interest except for safety aspects. The federal government is heavily involved in the subsidizing of capital facilities of the transportation system, particularly with respect to truck and barge right-of-ways and airline terminals. If projections of future demand for transportation services of all the modes prove at all accurate, a major strain will be placed on the transportation system and on the funds required for expanding the capital plant. He says the new department will attempt to develop rational ways and means for determining how the limited funds available can be most efficiently expended.

The new secretary will not have to wait long for railroad reaction because the carriers are tailoring their 1967 legislative agenda to persuade Congress they should be brought back into the 7 percent investment credit fold. Just how Mr. Boyd will approach this heated issue is not known, because President Johnson's economists recommended—and Congress approved—the suspension for a 16-month period. In addition, Mr. Johnson himself is reported to have privately lashed out at the railroad industry because of its activities in this connection.

Mr. Boyd says his new department will work closely with those with which it will deal. He has singled out education and research as high on the list of tools he will use. In other words, he wants the public to think about the transportation system and not just the irritations stemming from noise, air pollution and inability to find a parking place. He believes that the public tends to become terribly bored over the years with institutional advertisements that harp on the bad shape a particular mode is in and how that mode is being prejudiced by unfair competition, taxation, or the like. "How we are a public utility and we are not permitted to earn a profit, a reasonable profit. How XYZ Corporation, which is in the food machinery business, is about to make 20 percent profit, and here we are providing this great public service and we are only authorized a 6 percent rate of return, and so forth."

U.S. RESEARCH COULD BENEFIT RAILS

Railroaders have no doubts that Mr. Boyd is looking directly at them on this point. However, those who have studied this feature of his philosophy think his highly publicized intention to concentrate heavily on research will be in their favor. They do not think the new secretary is "anti-railroad" or "anti-anything" for that matter.

Harold Hammond, president of the Transportation Association of America, described the need for public education simply when he said that with few exceptions, the average citizen has little or no idea of the significant relationship between his advanced standard of living and the part our privately owned transport system had, and continues to have, in nurturing that standard.

There are those who continue to think that the new department will attempt in the not too distant future to grab up the Interstate Commerce Commission, the Civil Aeronautics Board and the Federal Maritime Commission. They believe Secretary Boyd when he says these regulatory agencies should not be in DOT, but they are concerned about the possible birth of a quasi-judicial agency. They also feel that the present regulatory agencies are considerably more "political" than in previous years and that if this trend continues the change-over would not be too difficult to bring about. However, several liberal congressmen told Modern Railroads they view this reasoning as "groundless assumption." Not in the foreseeable future would such a change take place, they say. The fear is allied to the threat of nationalization of the railroads—a threat they insist has no basis even for debate.

The department will scratch up some new dirt if it follows Secretary Boyd's belief that DOT should enter selected rate compensation cases. Transportation officials have for many years testified at ICC rate hearings along with the Departments of Agriculture, Commerce, Defense and Justice. Some years ago railroad lobbyists tried to convince Congress that permitting Agriculture to oppose rate changes was constitutionally evil, but nothing came of their efforts. The new department with its immense research facilities could be far more impressive as a witness for the public and the nation's manufacturing interests than, say, the Department of Agriculture, which has never had a strong farm bloc to defend it before the regulatory agencies as has been the case where Congress is concerned.

WILL DOT BUCK DOD ON EXEMPT HAULS?

An initial "hot potato" issue DOT faces after it becomes a reality in approximately three months (Secretary Boyd's appointment must be approved by the Senate, and the new department is scheduled to come into being 60 days after his confirmation or upon Presidential Executive Order "at any time") is the decision by the Defense Department to let agriculture cooperatives back-haul DOD items as a cost-saving venture. This promises to be a real battle because the entire regulated transportation industry joined two years ago to bring about legislation outlawing illegal trucks on the highways. Railroads and motor carriers will ask Mr. Boyd to throw the entire weight of DOT against Defense Secretary McNamara on this one. If he agrees, the resulting run-in could be a sellout. The Defense head may not be liked in certain areas of the House and Senate Armed Services and Appropriations Committees, but here he would be joined by the big agriculture bloc in Congress.

Just how extensive the DOT legislative program will be at the outset is not known at this date. Probably the new department will "go easy" until it has developed sufficient funds of its own. Also, Mr. Boyd has specified that he expects to call in representatives of all forms of transportation as a part of his system for developing policy.

Ben Kelley, recently named head of the U.S. Chamber's Transportation and Communications Department, voices the opinion of numerous experts who have followed the path of the new department when he says DOT is not under any specific orders to produce legislative proposals "but what cabinet agency is?" Yet somehow every cabinet-level department manages to turn out more than its fair share of legislative recommendations on behalf of the Administration, and DOT is not expected to be an exception.

Much of the groundwork at the new agency will depend on the ultimate division of certain responsibilities within the government. For instance, Mr. Boyd thinks that in the case of urban mass transit, a logical division would be for DOT to have all research and demonstration responsibilities, while the Department of Housing and Urban Development would make the policy decisions. The latter would decide where demonstrations should be carried out and in what areas research should be conducted.

Among other things, DOT will certainly strengthen the Office of Emergency Transportation; it may well be that the latter will come in for stiff revamping.

DOT'S MERGER ROLE

The new agency will also study mergers from a policy standpoint but not individual merger agreements.

Probably the most detailed list of expectations to come out of Congress since approval of the department is summed up by Jeremiah J. Kenney, Jr., assistant chief counsel for the Senate Commerce Committee, who traveled the long legislative journey that ended with creation of DOT.

One of the most important features, according to Mr. Kenney, will be development of a legislative program. The new department will wish to be successful from the outset, so Congress is not expecting to receive many controversial suggestions. He thinks the legislative program will be prepared—at least in the beginning—on the basis of consultations with leaders of Congress.

It has been suggested that new subcommittees of the House and Senate Appropriations Committees will come into being. One plan now making the Congressional gossip rounds would put the Department of Commerce and DOT in a new appropriations subcommittee. This is in line with the recently expressed hope that some reorganization can come about in Congress to give the transportation industry its rightful role on Capitol Hill rather than leave it in the somewhat "relegated" position it now occupies.

Another area of concern will be DOT's relationships with the ICC and other regulatory agencies. When Mr. Kenney spelled out his views before the U.S. Chamber symposium, he sounded a sober note on this subject:

"In the very nature of things, the Secretary of Transportation will have a great deal of influence with respect to those nominated by the President for appointment to these crucial regulatory commissions. The secretary will, obviously, be the principal transportation advisor to the President. When vacancies appear imminent in these regulatory agencies, the President will often call upon his Secretary of Transportation for suggestions as to personnel, and for his comments on names submitted by others. . . ."

Railroaders have tended to discount some recent reports that President Johnson will look too strongly on the political side in picking the various administration heads within the new agency. Those who have followed closely the creation of the department think Mr. Boyd will have much to say on this subject. There has been some speculation that the White House may exercise its oft-repeated intention of naming capable women to high government posts; the name of Virginia Mae Brown, ICC commissioner, has been prominently mentioned. Another possibility is Dr. Beatrice Aitchison whose long experience at the ICC and currently as Research Director in the Post Office Department's Transportation Bureau qualify her for serious consideration. The President could do no better than to name either or both women to DOT.

Not to be overlooked is a new emphasis destined to develop as the department expands. This concerns industry men who seek to push their cause with Congress in the competitive battles that will certainly be waged in Washington. That the role played by the secretary of the new agency will keep the lobbying fraternity on its toes is an understatement.

FOOD FOR INDIA

Mr. McGOVERN. Mr. President, the statesmanship and initiative displayed by President Johnson in his food for India message has won the plaudits of commentators around the globe.

The President, in the words of this morning's Washington Post, has proposed "an international approach to the urgent dilemma posed by the world food-population gap."

The President has stated that this Nation will continue its unexampled generosity in sending food to hungry peoples. But he has warned that rising food deficits can no longer be met by one country alone, even a country as superbly productive of foods as the United States.

A key element of the President's new approach, as the Post recognizes, is that other nations agree to supply food and food-related products to India in addition to other assistance they are sending for India's development.

> The President's initiative—

The paper writes—

> may well be remembered as one of the distinctive landmarks of his Administration's foreign economic policy.

For the benefit of all concerned with the vital problem of world hunger, I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial is ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 3, 1967]

INTERNATIONALIZING FOOD AID

President Johnson's Food for India Message climaxes a year-long U.S. effort to mobilize an international approach to the urgent dilemma posed by the world food-population gap. When he sought congressional approval to ship 8.3 million tons of grain to India during 1966, the President warned that this country no longer enjoyed comfortable agricultural surpluses and that rising foods deficits abroad would soon be too big for any one country to meet alone. This was followed by a calculated display of White House hesitation when the time came for making a 1967 food aid commitment. Now the President has taken a formal step to establish the multilateral concept by proposing that food aid be channeled through the same World-sponsored consortium responsible for handling economic aid.

The President has wisely distinguished between an interim aid allocation of two million tons intended to cover Indian needs during the period of congressional debate immediately ahead and long-term arrangements for the last half of the current year as well as for later years. For the last half of 1967, food aid is to be placed on a joint basis in which an American share of up to three million tons is made contingent on whether other countries make "appropriate" matching contributions in food or food-related commodities such as fertilizers. The U.S. contribution of 3 million tons will leave a gap of 2.7 million tons in estimated Indian food needs for 1967 to be filled by others. But even if many countries offer fertilizers or other agricultural commodities in place of food, the U.S. reasons, this will release foreign exchange that would ordinarily go for imports in these areas and will thus permit India to buy needed food on commercial terms.

One of the key passages in the President's message is the statement that other members of the proposed consortium have agreed to the principle that food or food-related aid "should not diminish the flow of resources for other development programs. It should be in addition to the targets for each country suggested by the World Bank." This is a surprisingly positive report in light of the past recalcitrance of many of the consortium members in mutual aid efforts. If the consortium members do, indeed, make food aid contributions over and above their existing or planned levels of development aid, the President's initiative yesterday may well be remembered as one of the distinctive landmarks of his Administration's foreign economic policy.

The President's allocation of two million tons and his projection of U.S. intentions for a full year ahead bring to a welcome end the uncertainty surrounding Indian food aid during recent months. Planners in New Delhi should now be able to prepare effectively for the massive distribution problems presented by developing famine conditions in parts of the Ganges plain. Mr. Johnson has regrettably chosen to disregard the recommendation of a bi-partisan task force of congressional leaders that the two million ton interim allocation be made as a grant. However, the President has announced a $25 million gift of food commodities for the specific purpose of famine relief.

The U.S. is once again responding on a massive and generous scale to India's crisis, and asks only that other affluent countries acknowledge a similar responsibility.

A TRIBUTE TO SENATOR BARTLETT AND OTHERS WHO ARE MAKING FISH PROTEIN AVAILABLE TO MANKIND

Mr. GRUENING. Mr. President, it was my pleasure to attend a gathering held last evening in the Capitol hosted by my colleague from Alaska, Senator E. L. (BOB) BARTLETT, honoring the dedicated men and women who have worked over a period of many years to develop fish protein concentrate. Their work was climaxed this week when the Food and Drug Administration gave its stamp of approval for the use of the concentrate as a food additive. This was a typical gesture on the part of my colleague, who is ever aware that the success which attends any effort is the work of many hands. Since my colleague is a modest man he will never mention the predominant role he played in the successful struggle to have fish protein concentrate accepted. It has his legislation which has established two laboratory plants where the processing will take place. He was mindful that assistance came from Government and industry. At the reception were scientists, and officials from the White House, the Department of State, the Agency for International Development, the Food and Drug Administration and high officials from the Interior Department, where many individuals connected with the Bureau of Commercial Fisheries dedicated their talents and time in producing a highly nutritious product which is expected to be of real benefit in areas of the world where starvation and malnutrition have been the way of life. Several Alaskans here for discussion of fishery problems with Russian and Japanese representatives were also present. This gathering was Senator BARTLETT's way of saying thank you to one and all. Nor should we forget the indefatigable pioneering which our former colleague Paul Douglas brought to bear and which helped pave the way. This achievement is one of the numerous legacies of his dedicated public service.

EDUCATION AND SCHOOL FINANCE IN DISTRICT NO. 1, PORTLAND, OREG.

Mr. MORSE. Mr. President, Mr. John C. Beatty, Jr., chairman of the board of directors of School District No. 1, in Portland, Oreg., has recently brought to my attention an excellent statement of the needs of Portland schools for additional revenues to fund the education of the children of this great city.

I wish to bring the statement to the attention of Senators because, in my judgment, the problems of the Portland public schools in providing educational opportunities for our children mirror to a great extent problems confronting school systems throughout the Nation.

I ask unanimous consent that the report be printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EDUCATION AND SCHOOL FINANCE IN DISTRICT NO. 1, PORTLAND, OREG.

For many years in Portland we have taken pride in public schools. Today we have serious problems which affect the future of our schools and our city. We think that this is the time to state these problems as clearly as we can.

Almost all city school systems in this country are in serious trouble. The development of modern technology has disrupted the social balance of cities and uprooted millions of people. The middleclass flows outward to the suburbs. The poor, the uneducated, the unemployable flow inward to the city core. Social and economic problems multiply. City schools in general have less money to spend per child on education than do the suburbs even though they have many more difficult educational problems. The result has been serious deterioration in the quality of education provided by city schools. City governments are badly hit by these same trends for they, too, nationwide depend on real property taxes.

In Portland we still provide a quality of education which matches suburban schools. But, as we shall show, this is because we have maintained quality of instruction at the expense of our physical plant, and we now have insufficient funds to meet our instructional needs. Unless we receive substantial additional funds we can not do the educational job which must be done in this community.

In the past fifteen years the Portland Public Schools have pioneered in the gifted child program, in curriculum for the college-bound student, in the Model School Program for disadvantaged youngsters. This pioneering approach is the only way we can make education fit the needs of all our children. It is the only way we can make productive, worth-while citizens of all our children. It is the only way we can make a city which is a worth-while place to live, not a social jungle. These are the routes to the goals fixed by Governor McCall in his inaugural address.

Portland has done this pioneering with less state support and spending less money per child than any surrounding district. The figures will astound you. Portland under the present state distribution formula receives only 20% of its operating budget from state funds. The statewide average outside of Portland is 30% Portland, with 17% of the children of the state, receives only 12.5% of the monies the state provides for elementary and secondary schools. In addition, taxpayers of this district contribute more than $2,300,000 per year through the IED levy to support surrounding districts in the county.

At the same time, the taxpayers of School District #1, whose real property taxes support the district, the city, and the county, pay one of the highest real property tax rates in the state. This high combined tax rate exists in all urban areas because crowded populations require greater governmental services.

Our present state distribution formula reflects the thinking of a time when cities were thought to have greater resources and fewer problems than suburban and rural areas. They don't anymore. For ten years this Board has called for revision of this formula.

Portland's present difficulty involves overaged buildings, oversized classes, overdue maintenance, and an increasing concentration of children with severe learning handicaps.

1. OVERAGED BUILDINGS

We have 106 schools. 56 of them were built more than 35 years ago. Every one of them needs modernization to house a modern educational program. In many we need additions such as gymnasiums, lunchrooms, libraries, shops.

Most of Portland's comprehensive high schools are not really comprehensive at all because they lack the vocational programs and facilities necessary to train students who are not going on to college. 60% of our graduates do not go to college. They graduate into a world which can no longer use unskilled workers; a world which every year places a higher premium on technical skill as a condition of employment. Jefferson, Franklin, Roosevelt, Marshall, Madison, Cleveland, and Washington all need extensive additions for vocational facilities and programs if they are to prepare a majority of their students for real job opportunities. And all other high schools except Benson need such programs and facilities for lesser percentages of students. Governor McCall has spoken eloquently of this need. We could and would have developed these facilities and programs some years ago if we had had the funds.

2. OVERSIZE CLASSES

The average class size in Portland is larger than any other unified district around us, and larger than the average in the state. The average class size in the state is 25. Exclusive of the 9 Model Schools, the average elementary class size in Portland is 28. We have 26 classes over 35; we have 572 classes between 30 and 34.

The Schwab Committee recommended a class size of 20 as the goal for the Model Schools to enable teachers to cope with heavy concentrations of children with learning problems. In these schools the average class size is still nearly 24. 65 classes are over 25 and two are over 30.

Class size is not the sole element in providing good education, but as every parent and every teacher knows, it is a very important element. It is perfectly clear from these figures that ordinary children and teachers in Portland's regular classrooms need and are entitled to a reduction in class size to the state average, just as disadvantaged children in certain specific schools need further reduction in class size to lower levels.

One example of the need for additional elementary facilities can be found in the area served by the Alameda, Irvington, and Fernwood schools. These three schools, located in one of Portland's desirable older residential areas, are now 565 pupils over capacity. New construction is essential. Unless the schools serving this area are kept attractive to families, they will move. This area will then become an expanded part of the blighted central city area.

In the north section of the city 600 children at Portsmouth are attending classes in temporary wooden structures built during the second World War which should have been demolished more than twenty years ago. Similar problems exist in every part of our city.

Thirty additional classrooms are needed to provide for the mentally retarded children. Only half of these children are now being taught in the special classrooms which the state law specifies as necessary. The remaining half are being taught in regular classrooms which lack the special programs which these children need.

3. OVERDUE MAINTENANCE

This Board in recent years has been compelled to defer needed maintenance in order to maintain a competitive teacher salary schedule and to meet other increased costs. We did this because hiring good young teachers and retaining good experienced teachers is essential to maintain instructional quality. At least $6 to $7 million is now required to handle overdue repairs such as painting, furnace replacement, plumbing, and similar matters. Hundreds of our classrooms have not been painted for ten years.

Maintenance is more than taking care of public property. It makes schools attractive to prospective teachers and to prospective home owners. Attractive functional schools aid recruitment of able teachers and attract those families who can choose where they wish to live. No one should minimize the great importance of attractive functional schools to the health of a central city school system, nor the social risk involved in an aging deteriorating plant.

4. CONCENTRATIONS OF DISADVANTAGED CHILDREN

Reduction of class size is a pressing need if we are to give teachers a reasonable chance of success in the 9 Model Schools. This point is emphasized by our outstanding teachers who have volunteered for duty in those schools.

But the reduction of class size is only one of the measures which are necessary to do the job of educating the large numbers of disadvantaged children in Portland. 7000 of these children, with their many learning handicaps, are concentrated in Portland elementary schools. This concentration creates educational problems which are unique. A classroom teacher can handle two or three children with severe learning problems and still do justice to the rest of the children. When the number rises to six, eight, or ten she can provide adequately for neither group of children unless she receives a great deal of help. In 13 of our elementary schools more than 25% of the children come from poverty levels. In two schools the figure runs above 50%.

The Schwab Committee found in 1964 that disadvantaged children in Portland schools had far lower achievement levels than the average Portland student. The Board adopted all of that Committee's proposals to overcome these learning deficiencies. Since then the Board has put into effect all of the recommended measures which lay within its means. The most widely publicized of these has been the Model School Program, designed to provide intensive compensatory education in under-achieving schools.

This program was begun two years ago with $100,000 from the state and $1,250,000 of the $1,900,000 the District received from the federal government. The state grant terminated in one year, but the federal funds, less a 15% cut, have enabled us to spend an additional $187 per child per year in these schools. This has been a beginning, but only a beginning on the program designed by the Schwab Committee. To carry out the balance of the program the District needs an additional $2,000,000 in operating funds and non-recruiting costs of $1,300,000.

The Model School Program has reversed achievement trends and altered the attitudes of children, parents, and teachers. It emphasizes early childhood training in the years when patterns of learning and attitude and behavior are fixed. This program can not be allowed to come to a standstill.

We are spending $550 per elementary child per year district-wide. Many Oregon districts spend considerably more. Careful cost analysis convinces us that to correct the learning deficiencies of disadvantaged youngsters requires about double the cost for the average child per year. Compare this proposed level of expenditure with $2400 per year for crippled children, and with $2000 per year for deaf children. Disadvantaged children are just as handicapped unless corrected. Their numbers are vastly greater and so is the social cost of failing to assist them.

5. EDUCATION FOR ALL OF PORTLAND'S CHILDREN

When we speak of our 7000 disadvantaged children in elementary school and 3000 in high school, do not forget that we have 65,000 other children whose needs, while different, are just as real and just as vital to this community. We have maintained the quality of their education, but, as I have said, at the expense of buildings, maintenance, and size of class. This can not go on. For parents, while patient, expect a plan and a schedule to correct deficiencies.

I have attached to this report a summary of the district's financial position as related to the program needs which I have outlined. The blunt truth is that this district will have revenue under the present formula of $49 million and a minimum budget need of $60 and a half million next year. This figure includes no funds for rebuilding, none for modernization, and only one-tenth of what is needed to reduce class size outside of the 9 Model Schools.

We are at present surveying our school plant, building by building, to determine precisely the cost of reconstruction and of modernizing all sound older structures, and the cost of building to bring our class size down to standard. That survey is not yet complete. But we have seen sufficient data already to know that the cost will exceed $45 million, exclusive of the Community College.

When the study is complete this spring, the Board will have the task of assigning priorities to construction and determining how it should be financed. This work must be done as soon as possible, but the size of the undertaking and the availability of contractors will require spacing this effort over six to eight years.

6. PROPOSALS ON SCHOOL FINANCE

We think it is apparent from these facts that substantial additional revenue is essential for this district to operate our schools to do the educational job that must be done. This in turn requires a change in the state distribution formula.

The re-examination of school finance has been statewide and involves many questions apart from the objections which Portland has to the present formula. Three general proposals for reorganizing school finance have been advanced, and I outline their most important features:

a. The Joint Technical and Lay Committee on School Finance, which has been at work on this problem statewide for nearly two years, recommends a major change in the distribution formula. This proposal builds into the formula an "urban factor" for Portland which recognizes the problem of a central city school district and corrects much of the adverse effect of the present formula. The plan gives to Portland's 17% of the children 15% of the state school support funds compared to the present 12.5%. The Committee proposal does not solve all of our problems of finance, but it represents a solid step forward recommended by people across the state. We support it.

b. The Legislative Fiscal Committee has recommended essentially the same proposal as the Joint Committee, but with one important exception. The Fiscal Committee imposes upon school districts a restriction which will prohibit them from levying more than 1.3% on true cash value for operating expenses for schools, allowing them to exceed that limit for capital construction and operating expenses if approved by a majority vote at a general election or an off-year tax election.

c. The proposal advanced by Governor McCall doubles the amount of money the state will put into school support over the present commitment. It imposes upon schools a constitutional limit of 1% of true cash value for operating expenses. It does not include an urban factor for Portland. It would give to Portland's 17% of the children 14% of the state school support. It leaves to school districts the power to exceed the 1% limitation for capital construction only.

The Governor's proposal is designed both as a system of aid to education, under which the state will finance 50% of the cost of education, and as a measure for real property tax relief.

The financial effect of each of these proposals must be studied not just in terms of how much money will be provided by basic school support but also in terms of how much money is removed when other sources of support are eliminated. The net amount is the critical amount.

The Joint Committee plan and the Fiscal Committee plan will each provide Portland with a net of about $8 million more for the coming year and leave a gap of $4 million. The Governor's proposal provides Portland with a net of about $9 million more and leaves a gap of $3 million for the coming year. The Governor's proposal would provide 44% of our current operating budget and only 33% of the program which is necessary. Because we are already above the 1% level, Portland could not obtain operating funds in the future by a vote of our people no matter how important or urgent this community thought such needs might be. The Governor's proposal will not provide any major real property tax reduction for Portland because this district must levy its full 1% limit to make up our present deficit and finance the programs outlined above, and because we must go outside that limit to rebuild our plant.

The full significance of the proposed constitutional 1% tax limit for schools is that it will in effect transfer to the state legislature the sole power to approve and the sole responsibility for financing the operating costs of all programs and innovations which are needed to redesign this school system to meet the present urban crisis. If this proposal is adopted without modification, hereafter the nature of such proposals and the need for them will have to be determined by the Governor, by the Joint Ways and Means Committee, and by the two Houses of the Legislative Assembly. In that forum this Board and every other Board in this state will have to appear and argue their needs.

Governor McCall deserves great credit for seeking to break the log jam on financing local government and for proposing one method of dealing with excessive dependence on the real property tax. We are giving it our most careful consideration.

When all is summed up, a simple test must be applied to this or any other proposal: will it insure sufficient funds and the flexibility of local control necessary to meet the changing needs of this central city school system this year and in future years? A sober application of this yardstick is particularly essential when such proposals are to be embedded in the state constitution.

Our administration, our Board, and the voters of this district have been prudent in the financial management of this district. We have kept our building construction on a pay-as-you-go basis as long as we could. We do not take a disproportionate share of the local tax base. Statewide, 70% of real property taxes go for education. Less than 50% of the real property tax in this district goes to education. The city of Portland and Multnomah County are also dependent on real property taxes which residents of this district pay. The city, too, has serious financial needs.

We have met our growing crisis caused by the state distribution formula by cutting maintenance and by not rebuilding our aging plant. We have put the money we had in those matters most directly affecting quality —teachers and curriculum development. But the time for basic decisions is now at hand.

Our Board and our administration are committed to a hard, tough, and imaginative attack on the educational problem of this central city. We are doing this in cooperation with our city and all other agencies, public and private, which are involved. We intend to leave no stone unturned to educate every child irrespective of what his handicaps may be, and to provide the highest challenge for learning to every youngster of ability. We need help to do this job, and the help has got to come now while we have a strong and productive system. The expense of reviving a central city public school system once it has seriously deteriorated is enormous. For by the time families will have moved, problems will have compounded, and the environment for living will have become unacceptable. We cannot afford to let that time arrive.

JOHN C. BEATTY, Jr.,
Chairman, Board of Directors.

JANUARY 23, 1967.

Summary of the District's financial position as related to program need

1966–67 budget and revenues___	$48,655,000
1967–68 budget, including increased costs, normal increments, maintenance, and estimated salary adjustment necessary to remain competitive with other Oregon districts___	55,074,896

Summary of the District's financial position as related to program need—Continued

1967–68 likely revenues under present formula	$49, 087, 620
1967–68: To fully fund Schwab Report recommendations	3, 551, 500
School year program	956, 000
Auxiliary programs	1, 231, 500
Capital improvement exclusive of rebuilding and modernization	1, 364, 000
1967–68: A start on deferred maintenance	1, 000, 000
(Our inventory of need, now in progress, indicates deferred maintenance will reach or exceed $7,000,000.)	
1967–68: To purchase land and commence construction of 2 elementary schools at once, total cost, $1,500,000	1, 000, 000
1967–68 minimum budget needed	60, 626, 396

A NEW PROPOSAL FOR ENDING THE WAR IN VIETNAM

Mr. GRUENING. Mr. President an extremely thoughtful and important article entitled "Vietnam: The Logic of Withdrawal," written by Howard Zinn, a member of the faculty of Boston University and the author of a forthcoming book on Vietnam, appears in the current, February 6 issue of the Nation. It breaks new ground. It is an effective answer to those who, however much opposed to our entry into the war militarily, who deplore our being there, who feel it was a terrible mistake, still assert that we cannot withdraw unilaterally or precipitately or perhaps in any other now plannable way.

Mr. Zinn's article presents a new view which argues very cogently that withdrawal now in the ways he suggests would not only not cause loss of "face" or its equivalent, "prestige," but that both of these would be enhanced, by the withdrawal he recommends, and that the United States would have far more to gain by following the course he prescribes than by pursuing any other procedure.

This article deserves wide reading and attention, especially among Senators who are distressed about our predicament in southeast Asia but who have not formalized any constructive method of getting us out of that mess.

I ask unanimous consent that the article entitled "Vietnam: The Logic of Withdrawal," be printed at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Vietnam: The Logic of Withdrawal

(By Howard Zinn)

Mr. Zinn, a frequent Nation *contributor, teaches courses in political theory and civil liberties at Boston University. This article will appear as a chapter in his forthcoming book on Vietnam, to be published by Beacon Press in March.*

Senator Hickenlooper of Iowa was questioning George Kennan at the Senate Foreign Relations Committee hearings in early 1966:

"Hickenlooper: Now, there are problems facing us and others. . . . How we disengage ourselves without losing a tremendous amount of face or position in various areas of the world.

Kennan: Senator, I think precisely the question, the consideration that you have just raised, is the central one that we have to think about; and it seems to me, as I have said here, that a precipitate, sudden and unilateral withdrawal would not be warranted by circumstances now."

A bit later in the questioning:

"Hickenlooper: Do you think the rather immediate withdrawal of the United States forces and our activity in South Vietnam from that country could be used effectively as a propaganda tool and weapon in Africa and in the emerging nations of Africa?

Kennan: Senator, it would be a six months' sensation, but I dare say we would survive it in the end, and there would be another day. Things happen awfully fast on the international scene, and people's memories are very short. . . ."

Kennan's testimony on the matter of withdrawal is important because it is representative of a large body of influential opinion which says flatly we must not withdraw, but then cannot really give persuasive reasons why we should not. Prestige, Kennan says, is the "central question" if we withdraw, but then he adds that it would be a "six months' sensation" and "we would survive it in the end."

In *Triumph or Tragedy*, Richard Goodwin argues that withdrawal "would damage the confidence of all Asian nations, and of many other nations, in the willingness and the ability of the United States to protect them against attack." But it seems that most Asians and "many other nations" disagree completely with Goodwin; they would like us to leave Vietnam. And one can readily see why: we are "protecting" Vietnam by killing its people and destroying its land. Who else would want such protection?

Toward the end of his book, Goodwin makes an odd statement. He says: "In the South we have no choice but to continue the war. We are under attack and withdrawal is impossible and unwise." Are we not "under attack" because we are *there*, and is it not true that if we withdrew we would no longer be under attack?

General Gavin, who preceded Kennan as a major witness before the Fulbright committee, had an exchange with Sen. Frank Church of Idaho:

"Church: Now, if we had not intervened in the interim since . . . and if we had not made the pledges that have been made to the Saigon government, and committed American presence and prestige there; in other words, if you were again faced with the same question . . . would you still be of the same opinion that the vital security interests of the United States from a miltary standpoint do not require the deployment of American troops in Indo-China?

"Gavin: Yes, sir. I would say so. "Vital" is the key word there."

It turns out that a remarkable number of high-placed officials agree that the United States should never have become involved in military intervention in Vietnam. But now that we have done so, they feel an important matter of "prestige" is involved. For instance, in a roundup of opinion in the Senate which *New York Times* reporter E. W. Kenworthy made in the summer of 1965, he found that "many of these silent Senators" told reporters off the record that they wished the United States "had never gone into Vietnam; they would like to get out, even at the cost of a political compromise amounting to defeat, but they will not advocate military withdrawal under fire."

We are dealing here with an odd logic: that it was wrong for the United States to get involved in the first place, because Vietnam is simply not "vital" for American security, but that we must not withdraw from a move that was both wrong and costly because now our "prestige" is involved. This must mean that the stake in prestige is enormously important. It was so important to Sen. Frank Church that when Gavin said he *still* felt no vital United States interests were at stake, Church immediately said:

"I wanted to get that on the record, General, because there has been so much discussion of withdrawal, and I do not know anyone around this table, certainly no member of the Foreign Relations Committee, that has advocated a withdrawal . . . under the present circumstances . . . in Vietnam. But . . . we have made a very great commitment of American prestige and a very solemn political commitment that has to be thrown into the balance. . . ."

Not one member of the Senate Foreign Relations Committee would advocate withdrawal, even those as critical of United States policy as Fulbright, Morse, Church, Gore and Clark. The "solemn political commitment" to General Ky could hardly be considered more solemn than the nation's commitment to the Geneva Accords, to the United Nations Charter, to the Constitution of the United States, all of which have been ignored by United States policy in Vietnam. What is left is "prestige," and it must be that even for the Senators criticizing the Administration this weighed so heavily in "the balance" Church spoke of that none would call for withdrawal. The factor of "prestige" would then have to outweigh all else that stemmed from the admitted original error of engagement in Vietnam: billions of dollars, thousands of lives, and also untold dollars, lives and dangers in the future. To balance all *that* the prestige factor would need to be of overwhelming significance. Let us see.

Kennan himself, in his testimony, talked about "the damage being done to the feelings entertained for us by the Japanese people" by the present policy, and said "the confidence and good disposition of the Japanese is the greatest asset we have had and the greatest asset we could have in East Asia." Does not the loss of United States prestige in Japan—"the greatest asset . . . in East Asia"—rank at least equal to the "six months' sensation" that Kennan said would be the cost of our withdrawal? And if to Japan we add Great Britain, France, indeed, most of Western Europe, as well as Africa and Latin America, where our prestige has suffered heavy reverses as a result of the Vietnamese policy, does it not seem likely that the result of withdrawal would be a net *gain* in prestige?

History does not show that a nation which liquidates a bad venture suffers a serious loss of prestige where it can compensate in other ways. Proud, powerful England surrendered to the ragtag thirteen American colonies, removed its armed forces ignominiously, and did not suffer for it. More recently, and more pertinently, France moved out voluntarily from Algeria and from Indo-China; today it has more prestige than ever before. The Soviet Union pulled its missiles out of Cuba; its prestige has not suffered, and many people who feared World War III was coming feel a certain gratitude for its prudence. Hans Mongenthau, who has spent a good part of his scholarly career analyzing international relations and who made his reputation as a hardheaded "realist," not as an "idealist," has written: "Is it really a boon to the prestige of the most powerful nation on earth to be bogged down in a war which it is neither able to win nor can afford to lose? This is the real issue which is presented by the argument of prestige."

So far I have been talking only about prestige as a flat, one-dimensional quantity. But more important is its *quality*. There is a kind of prestige this nation should not worry about losing—that which is attached to sheer power, to victory by force of arms, devoid of moral content. Which is more terrible: to have people in the world say that the United States withdrew from an untenable situation, or to have it said, as is now being said everywhere, that the United States is acting foolishly and immorally in Vietnam?

For George Kennan, there is no vital reason for the United States to stay in Vietnam, even knowing its withdrawal would probably lead to a Communist-dominated Vietnam, *except* for prestige. As he told the committee:

"If it were not for the considerations of prestige that arise precisely out of our present involvement, even a situation in which South Vietnam was controlled exclusively by the Vietcong, while regrettable and no doubt morally unwarranted, would not, in my opinion, present dangers great enough to justify our direct military intervention."

And if, upon examination, this "prestige" turns out to be empty (using Kennan's own example of Japan, plus what else we know), there is hardly anything left to support our "direct military intervention."

Then why, instead of simply urging immediate withdrawal, do Kennan, Gavin and Morgenthau advance the "enclave" theory: that United States forces should stop bombing and retire to a few strong positions on the coast? All of them, not believing that a United States presence in Vietnam is vital, are really suggesting this as a halfway step to withdrawal. The presumption is that holding on to enclaves would also hold on to a bit of prestige and unlike "precipitate, sudden, unilateral" withdrawal, would give us time to negotiate our way out of Vietnam.

This proposal, however, comes too late in the history of the conflict in Vietnam. By now, the war against the Vietcong is mainly an American war; by September, 1966, United States forces were larger than the regular forces of the Ky government. With American bombings ended and troops withdrawn the Saigon government would collapse. Would it serve American "prestige" to stand by in enclaves while the Ky government fell apart to be replaced by a government which—whether Buddhist-neutralist or Vietcong—would ask or tell the United States to leave?

It would be far less ignominious for the United States to decide to leave on its own—before it is asked by a new government in South Vietnam. Speedy withdrawal need not be shameful; this is not a Dunkirk situation where decimated troops, harassed on ground and air, scramble into boats and flee. The United States controls the air, the ports, the sea; it can make the most graceful, the most majestic withdrawal in history. Of course it could not do this in a day or a week; it would need to pull its troops from the interior to the coast (so that *temporarily* there would be something like "enclaves") and then transport them away from Vietnam as quickly as ships and planes could carry them.

The enclave proposal comes too late in another sense. The supposition is that the United States troops could be concentrated in enclaves while negotiations proceeded, at the end of which they would come home. But what would be the point of this? At one time, it might have been argued that this would create the show of force on the spot which would enable the United States to negotiate from a position of some strength. But this implies there is something to negotiate *for*. If there once was, that time is past. Earlier in the war, the National Liberation Front might possibly have settled for some solution less than a dominant position in South Vietnam. For instance, right after Diem's assassination in November, 1963 (according to *The New York Times* and the *Manchester Guardian*, and cited in the American Friends Service Committee's *Peace in Vietnam*), Hanoi was willing to discuss a coalition, neutralist government in South Vietnam. But at that time Rusk turned down a French proposal for a neutral, independent South Vietnam, and the following July the United States rejected a suggestion by U Thant, accepted by France, the USSR, Peking and Hanoi, to reconvene the Geneva Conference. On July 24, 1964, responding to de Gaulle's plea to reconvene at Geneva, President Johnson told the press: "We do not believe in conferences called to ratify terror, so our policy is unchanged." (See Schurmann, et al., *The Politics of Escalation in Vietnam*.) By April, 1965, the negotiating position of Hanoi had become hardened into four points which included settling Vietnamese affairs "in accordance with the program of the National Liberation Front."

It is an old story in the history of rebellion. The American colonists would have been ready to accept some solution less than independence in early 1775, but by January, 1776, they were committed to no less than independence. Negroes in Montgomery, Ala., were ready at one point in the 1955 campaign on bus desegregation to accept merely a modified form of desegregation; but by the time their movement had crystallized, they would accept nothing less than total integration. Richard Goodwin points (in *Triumph or Tragedy*) to the increasing militancy of the other side, despite our ferocious bombing, and says:

"We cannot know the will of men we do not understand. From Thermopylae to the Japanese-infested islands of the Pacific and Hitler's Berlin bunker, history is full of individuals and fighting forces who chose to fight against impossible odds and accept certain death."

Goodwin points to the dilemma of negotiations *at this stage:* the Vietcong will not accept any settlement that does not give them "a role in the political life of the country"; and at the same time, "it is unlikely we will permit any government to come to power which would inflict on us what some would see as the 'humiliation' of requesting our withdrawal."

By now, the Vietcong (and their friends in the North) have sacrificed too much to settle for anything less than a South Vietnam in which the NLF plays the major role, and from which United States troops completely withdraw. And if this is the only possible successful outcome of negotiations with a determined revolutionary foe, what is the point of negotiating? It might be argued that such a settlement might be made in effect, but tied with enough pretty bows and frills to make it *look* as if the United States had gained something from it. The world will hardly be deceived; the deception will last a short time, and there will be a much longer time—no matter what we do—for other countries to contemplate the fact that the United States had, whatever the niceties, departed from Vietnam.

True, there are certain developments to be hoped for when the present government and its American military support are gone. But none of these—except one—depends on the presence of United States soldiers. That one positive thing which the United States can do, as it departs, is to take with it those government officials, army officers and others who fear for their lives when a new government comes in. These people could be resettled in any of a dozen places. Are we required to stay in Vietnam, as some have suggested, in order to "meet our pledges" to the present officialdom, when this seems to require killing their fellow countrymen in large numbers? Surely our job is not to go around the world protecting semi-feudal dictatorships from the wrath of revolutionaries. It is a historical fact that revolutionaires, after victory, are merciless with those of the old regime. After World War II, Frenchmen executed—without benefit of trial—thousands of former Nazi collaborators. (We might note that the United States Government, which seems very concerned with what might happen to Vietnamese officials, was silent when 250,000 Indonesians, said to be Communists, were massacred.) With a bit of inconvenience, we can save many of those in Vietnam who are in danger.

The other desirable developments cannot be guaranteed, indeed can only be thwarted, by United States military presence. One of these is the establishment of a government in which not only the NLF but Buddhist, Montagnard and other elements play a role. This we will have to leave to the Buddhists and others to work for; they are quite militant and capable of pressing for their rights. The United States cannot negotiate, for any future component of government in South Vietnam, a strength which does not exist. If it does exist, then the Vietnamese must negotiate it for themselves. The presence of the United States can only distort the true balance of forces, and only a settlement which represents this balance can be stable.

What was fundamentally wrong with the Geneva Agreements was that the great powers dominated it and falsified the real relationship of forces. All the North and half the South were under Vietminh control, and the division of the country into two equal parts was bound to fail. Not only the United States but also the Soviet Union and the Republic of China were responsible for this development, because their own national ambitions required a peaceful settlement, even at the expense of the Vietminh. Neither communism nor capitalism, it seems, can be depended on to look out for the interests of *other* nations.

We say we want economic well-being for Vietnam. But this, too, is more likely to be hurt than helped by our military occupation. We can be quite sure that an independent South Vietnam, first alone and then in union with the North, will engage in the kind of economic experimentation and development that Communist countries in different parts of the world have done, and quite successfully. This is part of the modernization process that other, non-Communist nations of Asia and Africa are going through. It will be hard, progress will be uneven, and there will be sacrifices, unjustly distributed perhaps. But that is how it was in the West in its period of swift industrial growth.

What else would be presumably like to get out of staying and negotiating: political freedom? This is hard to come by in any part of the economically undeveloped world, whether Communist or non-Communist. We have not been very successful in developing it in those parts of the world dominated by the United States, though we fondly include them in "the free world." Vietnam will probably have to go through a long evolutionary struggle for freedom, as have most countries in the world, whether Communist or not.

There is a good deal of evidence to show that political liberty is related to economic security. As nations grow less desperate in the struggle for necessities, as education spreads, as young people speak out, society becomes more open; this has been happening in the Soviet Union and in Eastern Europe. It means that the best way we can show our concern for both the economic well-being and the political freedom of the Vietnamese is to take the billions that have gone for death and turn them to the service of life. We should offer several billions in economic aid to North and South Vietnam, with no strings attached; or, better still, we can put that money into a UN fund which will then go to Vietnam under international sponsorship.

A United States military presence is a danger to the Vietnamese and to us. Its withdrawal is neither "abdication of responsibility" nor "isolationism." Our bombing and shooting are irresponsible. In the future, we can show our responsibility by giving economic aid, when invited. We can be isolationist in the military sense; we can be internationalist in the economic and cultural fields.

The United States, thus, cannot gain anything for Vietnam by negotiating, and it *should not gain anything for itself*. Since this country does not belong in Vietnam it has no moral basis for negotiating any status for itself—certainly not military bases or troops; Vietnam has had enough of that.

There is something intrinsically wrong in the idea that the United States should participate in negotiations to decide the future of Vietnam. We are an outside power, and the fact that we have inundated the country with combat soldiers does not thereby give us any moral right to decide its fate. Perhaps might makes right, as a historical fact, but it *should* not make right; and it is the duty of citizens to assert the "shoulds," however statesmen behave.

This is true also for China, the Soviet Union, England and all other great powers. To have the future of Vietnam decided by these outside parties at an international conference is as much a violation of self-determination as was the settlement of Czechoslovakia's fate by Hitler, Mussolini, Daladier and Chamberlain in 1938 at Munich. Whatever negotiation goes on should be among the Vietnamese themselves, each group negotiating from its own position of strength, undistorted by the strength of the great powers. This would give the present government virtually no voice in the future of the country, because it has—without United States backing—virtually no strength. It would give the Buddhist groups an important voice because they represent significant numbers of people, whose support any future government must have. And it would undoubtedly give the National Liberation Front the major voice. (In September, 1966, the NLF reasserted its willingness to work with other Vietnamese groups in a future government, and to desist from reprisals against former foes. This has been a basic part of its program, as Staughton Lynd and Tom Hayden point out in the book, *The Other Side*, reporting their trip to Hanoi.)

In this light, to ask whether the United States will be willing to negotiate with the Vietcong seems strange. Rather, the question is: should the Vietcong be willing to negotiate with the United States? From a standpoint of moral principle it should not; from the standpoint of military reality it may have to. But it is the oppressive power of *our* country which forces this violation of moral principle, and it is the duty of American citizens—whatever the reality of power—to try to bend the power of government toward what is right.

For the United States to withdraw unilaterally, leaving the negotiating to the various groups in Vietnam, would avoid the present impasse over negotiations. This impasse is founded on a set of psychological realities which protract the war. The NLF, imbued with the spirit of patriots driving off an invading army, is willing to continue its guerrilla tactics until the United States is worn down. Besides, the Geneva experience taught it to distrust international agreements; it is confident of its skill in the jungles of Vietnam, not so confident it can outmaneuver great powers at conference tables.

To wait until all of the sensitive and stubborn elements are fitted together in that intricate mechanism of negotiation—the NLF, its sympathizers and advisers in Hanoi, the split personalities of the Johnson Administration, plus its client government in Saigon—is to consign thousands more each month to injury or death. Does it really absolve us of guilty to say that "they" won't talk with us, and so we must continue killing? Does "their" stubborness end *our* responsibility? No actor in this complex situation has more freedom to act, has less to lose by so acting, has greater resources to fall back on, than the United States. The sanity of unilateral withdrawal is that it makes the end of the war independent of anyone's consent but our own. It is clean-cut, it is swift, it is right.

Some say that the Administration, even if it decided on such a move, could not do it, because it is not feasible "politically"; that is, the American public would not accept it. According to this argument, the "prestige" that everyone talks about our losing by withdrawal is really prestige at home.

But the argument is feeble. The Johnson Administration has *not* gained prestige from its Vietnamese actions. The national polls show that the public has gradually, steadily, lost faith in this Administration. In September, 1966, less than half of those polled throughout the country voiced support for the Administration's Vietnamese policy. It is true that the polls do not show a substantial number of Americans in favor of withdrawal. But it is also true that most Americans are tired of the war and we wish we would get out, one way or another. Many think this is best done by military escalation; others by de-escalation; but the idea of *ending the war* is the most common feeling.

Withdrawal has not drawn large support, because it has not been put forward either by the Administration or by its most prominent critics. And so the public has been forced to choose within a limited set of respectable alternatives. If the Administration were to advance a new alternative, it would soon gain the respectability that *any* proposal gets which is made by the leaders of government.

It may be sad to note, but the American public (and probably *any* public anywhere) is extremely changeable and open to suggestion, especially when the suggestion comes from above. When Woodrow Wilson said the United States was too proud to fight in World War I, the public went along. When he then said the United States must fight in World War I, the public again went along. FDR said he would keep the nation out of war and was re-elected. He took aggressive steps toward the Axis and we became involved in the war; he was reelected again.

When Truman got us into the Korean War, the American Public supported him. When Eisenhower got us out, the public was even more enthusiastic.

The President is the most powerful molder of national opinion; he has access to television, radio, the press. Everything he says carries the weight of tradition and patriotism with it—even when he changes his policy, as so many Presidents have done in the past. Political sociologist Seymour Lipset (in *Transaction*, September-October, 1966, "The President, the Polls and Vietnam") analyzed the national poll results: "Though most Americans are willing to keep fighting in Vietnam, they clearly would prefer not to be there and are anxious and willing to turn over the responsibility to someone else. . . . The President makes opinion, he does not follow it."

The memory of the public is short; it takes little time to adjust to new realities. It accepted American toughness toward the Soviet Union. It also accepted American agreements with the Soviet Union on nuclear testing. The President has it within his power to *make* a policy politically feasible; the nation tends to rally around him, especially in foreign affairs, whatever his policy is. We must remember too, that President Johnson, running on a platform of peace in Vietnam, defeated Goldwater by an overwhelming majority when Goldwater was asking military escalation in Vietnam. That constituency for peace still exists waiting for Johnson to give the word.

Of course it takes courage to change a policy, to withdraw suddenly from a situation in which one has become more and more involved. It takes courage to fight off the snipers, the critics, the militarists, the fanatics. It requires either open or implied admission of error. But this is what genuine leadership is.

President Johnson has repeatedly asked his critics: "what do *you* suggest?" I am suggesting that the President should appear on national television one evening, announcing beforehand that he will make a major policy speech on Vietnam. If he goes before the nation, announces the withdrawal of American military forces from Vietnam, and states cogently, clearly, the reasons for this withdrawal, the American people will unite behind him, the editorials of support will blossom everywhere, and the angry cries of the fanatics will be drowned in an immense and overwhelming national sigh of relief.

Many critics of our policy, who know very well that the United States should leave Vietnam, do not want to ask immediate and unilateral withdrawal. That is not because they find powerful reasons against it, but because it is not a good "tactic," not "popular," not acceptable to the President and those working with him.

I believe this reasoning is based on the false notion of how political decisions are made—the notion that citizens must directly persuade the President by the soundness of their arguments. This makes two assumptions which I think are unfounded. One is that the interests of the citizens and the President are the same, so that if they both think straight they will be led to the same conclusions. Robert Michels long ago made the classic case for the fact that once we elect our representatives, they develop interests of their own; the history of human misery under government does much to support his view.

The other assumption is that the President is a rational being who can be persuaded by rational arguments. We have seen—and our recent foreign policy illustrates it—how our highest officials have become the victims of myths which they themselves help to perpetuate.

The so-called "realists" who urge us to speak softly and so persuade the President are working against the reality, which is that the President responds to self-interest rather than to rational argument. In a country where political power passes easily from one major party to another, even a minority can create a new self-interest for the President. But this cannot be done by those who dilute their passion and say only half of what they believe. The critics must begin to speak their full minds, to declare boldly what the logic of their criticism demands: that the U.S. is doing no good in Vietnam, that it is doing a frightful amount of harm, that it should immediately withdraw.

THE PRESIDENT CALLS ATTENTION TO INDIA'S PROBLEM OF OVERPOPULATION AND INSUFFICIENT FOOD

Mr. GRUENING. Mr. President, yesterday the President for the 28th time publicly called to the attention of the world the grim impact the population explosion is having on more than one-half of the world's people. Although he spoke specifically of India in his message on India food, the President correctly observed that India is not alone in facing the specter of near famine.

He reminded us that—

> India's plight reminds us that our generation can no longer evade the growing imbalance between food production and population growth. India's experience teaches that something more must be done about it.
>
> We know that land can be made to produce much more food—enough food for the world's population, if reasonable population policies are pursued. Without some type of volun-

> tary population program, however, the nations of the world—no matter how generous—will not be able to keep up with the food problem.
>
> Achieving a balance between population and resources is as important as achieving a balance between industrial and agricultural growth.
>
> Developing nations with food deficits must put more of their resources into voluntary family planning programs.
>
> India's population is equal to that of 66 members of the United Nations.
>
> Unless Indian production is supplemented by substantial imports—perhaps 10 million tons by present estimates for calendar 1967—more than 70 million people will experience near famine.
>
> The history of this century is ample reply. We have never stood idly by while famine or pestilence raged among any part of the human family. America would cease to be America if we walked by on the other side when confronted by such catastrophe.
>
> The great lesson of our time is the interdependence of man. My predecessors and I have recognized this fact. All that we and other nations have sought to accomplish in behalf of world peace and economic growth would be for naught if the advanced countries failed to help feed the hungry in their day of need.

Experts tells us that 50 million mothers are now eligible for family planning assistance in India. To some, family planning assistance has been given. To too many, assistance is virtually unknown. India is not unique.

It is significant that India's current 5-year development plan puts more emphasis on population control than ever before. Between now and 1971, the Indian Government will invest nearly 1 billion rupees in family planning programs—more than five times what was provided in all three previous plans combined. India seeks to reduce its birth rate from 42 per thousand to 25 per thousand by 1976. India has sought help from the United Nations. Our hardworking private foundations have been of assistance.

As India works to aline food and population, I would hope that the President's message can be properly implemented.

SENATOR RANDOLPH DISCUSSES AIRPORT AND AIRCRAFT FACTS AND DEVELOPMENTS OF REAL SIGNIFICANCE TO AMERICA'S AIR TRANSPORT SYSTEM—SEES HELP FOR APPALACHIAN PORTS

Mr. RANDOLPH. Mr. President, on February 1, 1967, the Fairchild Hiller Corp., which has a technology center at Germantown, Md., and aircraft division headquarters and plant at Hagerstown, Md., made the significant announcement from New York that it will build the first short-haul jet transport specifically designed for America's regional airlines and the short-stage phases of trunkline service.

In its official release, Fairchild Hiller noted that the craft, designated the F–228, will be a twin-engine airliner intended to provide jet air service to thousands of communities where only propeller-driven equipment can now operate. This is made possible, the company reports, because the F–228 will economically carry 50 passengers over short-stage lengths, cruising at approximately 500 miles per hour, while still operating from runways under 4,000 feet in length. Its maximum gross weights will be 54,500 pounds at takeoff and 54,000 pounds for landing.

Mr. President, on numerous occasions I have discussed the tendency in this country to place inordinate emphasis on research and development in supersonic aircraft and other large capacity, long-haul jets. I have deplored what appeared to me to be too much neglect of research and development of jet aircraft capable of serving the small and medium size airports, with the consequence that hundreds of millions—perhaps billions—of dollars of public investments in airports stand in jeopardy of being lost or endangered.

Last Wednesday, in our Committee on Public Works hearings being conducted by the Subcommittee on Economic Development into Appalachian regional development issues and legislation, I called attention to the fact that a problem in much of Appalachia is that pertaining to the development of airports. I emphasized that I was broadening the term "development" to include the facet of the airport problem which vexes many communities in numerous other regions as well as Appalachia. Now, as then, I refer to the question of the airports of so-called medium size which are threatened with obsolescence by reason of either not having the dimensions or facilities capable of accommodating pure jet airliners which are displacing and replacing propeller-driven craft with an inordinate degree of rapidity.

My interest as a Member of Congress in airport and aviation matters, as many of my colleagues know, began more than three decades ago. In the intervening years, I had a direct involvement in commercial aviation within the airlines industry for more than a decade. Out of the knowledge acquired and as a consequence of experiences in this field, I have had a feeling of very real concern in recent years as I have noted community after community struggling with the impacts of the jet age and the fad—if not the need—to have an oversize airport of the type frequently referred to as a "jetport."

Fearing that the trunkline carriers might be seeking to develop jet service faster than airports could be renovated, extended or developed to accommodate jet aircraft, I have urged caution and study of the problem.

I have held meetings with representatives of the airlines industry and with representatives of the aerospace manufacturers both seeking information and urging more attention to the development of medium-range jet aircraft to serve the small and medium-size airports and the communities which support them. This, I have said time and time again, is a necessity in Appalachia and over most of America to keep the public investments in many airports from being destroyed.

But, from my experiences, I knew that numerous communities were overextending or on the verge of overextending themselves and were expecting "impossible" amounts of Federal aid to satisfy what they are sure is their "need" to have a "jetport" instead of the present airport serving them.

I confess that the trend toward research in supersonic aircraft and the trend of the aerospace manufacturers to develop bigger and bigger jets, as well as the tendency of the trunkline air carrier systems to procure only the large-capacity jets, have caused me to worry about the eventual plight of many of Appalachia's small- and medium-size airports. In fact, I have had a growing concern for the "airport crisis" thought to be developing throughout the United States.

There is, indeed, such a growing crisis—but a new factor may be entering the picture—a factor generated by an Appalachian-based aircraft manufacturer—which may be the means of breathing new life into the medium-size airports.

Last week, I was visited by executives of the Fairchild Hiller Corp. They informed me of the intention of the corporation to announce that it will build the first short-haul jet transport airplane specifically designed for America's regional airlines.

I am pleased to note in the Fairchild Hiller announcement the news that the company's aircraft division at Hagerstown, Md., will produce the F–228 and expects to deliver the first plane of this line in early 1970. The Hagerstown plant and aviation division headquarters employ a substantial number of West Virginians from eastern counties.

The real hopefulness for numerous Appalachian airports and many others throughout the country which face possible obsolescence, if only the large-capacity jets are available to the airlines, will be found in the statistics announced by Fairchild Hiller in its February 1 release.

Their statistics on the F–228 indicate the potential availability of an aircraft which could fill a void of significant proportions. They bring into the picture the possibility that a breakthrough impends—one which conceivably could keep many airports in Appalachia and other regions operable without having to be expanded or replaced at costs in almost astronomical figures.

Our Government and the commercial airlines have a responsibility to the communities served by the small- and medium-size airport which are a part of the growing airport crisis. Hence, there is a public-private responsibility to give careful consideration to this possible crisis-breaking potential in the family of jet aircraft. I sincerely hope that Fairchild Hiller will receive the cooperation it needs and deserves in this pioneering development.

Mr. President, I ask unanimous consent to have printed in the RECORD the news release issued by Fairchild Hiller Corp. from New York on February 1, 1967, concerning its intent to build the F–228 twin-engine jet airliner.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

Release by Fairchild Hiller Aircraft Division

New York, N.Y., February 1, 1967.—The Fairchild Hiller Corporation announced here today that it will build the first short-haul jet transport specifically designed for America's regional airlines.

Designated the *F–228*, the twin-engine airliner will extend jet air service to thousands of communities where only propeller-driven equipment can now operate.

The company's Aircraft Division at Hagerstown, Md., expects to deliver the first *F–228* in early 1970.

Production of the new aircraft will be under a cooperative contract between Fairchild Hiller and Royal Netherlands Aircraft Factories Fokker. Fokker, in association with its European partners, is producing a similar but somewhat larger twin-jet, designated the F–28. Fairchild Hiller will use Fokker F–28 structural components in the *F–228*, thus substantially reducing development time for a new jet for the American market.

The *F–228* will use the F–28 tail group, a shortened fuselage, a portion of the wing structure, and some system components for maximum commonality. Fairchild Hiller has placed an initial order for fifty ship sets of these components.

Under terms of the cooperative contract announced today, Fairchild Hiller will sell both its *F–228* and Fokker's F–28 in the western hemisphere. Fokker will market its F–28 and Fairchild Hiller's *F–228* in the rest of the world. The contract provides the *F–228* and F–28 with a firm footing throughout the world and gives Fairchild and Fokker a further increase in their overall commercial flexibility.

During the past ten years, Fairchild Hiller has been producing and marketing in this hemisphere the turbo-prop F–27 under a license agreement with Fokker. This year Fairchild Hiller introduced a growth version, the FH–227, which will continue in production and be joined in airline service by the *F–228*.

The two companies, working closely together, are credited with one of the world's most successful turbo-prop programs. To date, more than 400 F–27s and FH–227s have been sold.

The American *F–228* will economically carry 50 passengers over short stage lengths, cruising at approximately 500 miles per hour, while still operating from runways under 4,000 feet in length. Maximum gross weights will be 54,500 lbs. at takeoff and 54,000 lbs. for landing.

Power for this advanced technology jet aircraft will be provided by the new Rolls Royce Trent fan jet which was designed specifically to match the *F–228* airframe. This new fan jet will be of high by-pass (3:1) ratio and deliver a minimum sea level static thrust of 9,730 lbs. Specific fuel consumption will be at least 10 to 15 per cent lower than comparable 1:1 by-pass engines. Trent engines will be far advanced in concept, operating with three separate shafts, permitting each of three primary components to run at their individual optimum speeds.

Fairchild Hiller has been working with Rolls Royce in connection with the Trent program for more than a year.

Contributing to the *F–228's* short field capability will be large-span triple-slotted flaps, and other high-lift devices of types now being installed on the newest larger commercial jets.

Many different preliminary design configurations were studied before Fairchild Hiller finalized the *F–228* configuration. Prospects for both immediate performance and future growth were considered best with the selected design.

The *F–228* fuselage will be about three feet longer and two feet wider and higher than that of the FH–227. The larger cabin width will permit five-abreast seating in the *F–228*. Wing span of the *F–228* will be 17 feet less than that of the FH–227, but wing area will be 68 square feet greater.

Fairchild Hiller estimates that *F–228* direct operating costs per mile on short (100 to 200 statute miles) flight distances will be at least 25 per cent lower than those of the smallest medium jet airliner now employed on similar route systems.

In addition to its wide acceptance by the regional airline industry, Fairchild Hiller predicted that the *F–228* would have a bright future as a corporate aircraft. The company said the *F–228* would succeed similar sized prop-driven executive transports now in service.

Production of the *F–228* will continue Fairchild's 40-year tradition of commercial transport aircraft production. The company, which holds FAA Production Certificate No. 1, has since 1926 built 27 different types of certificated civil aircraft.

CONSULAR CONVENTION

Mr. MUNDT. Mr. President, some time later this month or early next month, the Senate will be asked to ratify the proposed consular treaty. Because of some rather disparaging remarks, which I have heard and read, that were made on the Senate floor, and elsewhere, about constituents' rights in expressing opinions contrary to those of the Secretary of State, I rise simply to urge my colleagues in the Senate not to accept the theory that the great right of Americans to petition their Congress is contemptuous in nature and unworthy of our consideration.

Of course, our constituents have the right—and I believe the duty—in every instance to give us the benefit of their convictions. They have the right to address Congress and the right to talk with Members of Congress. To categorize everybody who disagrees with the Secretary of State as a crackpot or a nut is really beneath the dignity of the Senate. I hope the tendency to do so is sharply checked.

I think Senators sometimes forget that these are the people who vote to send us here. This is America speaking. Of course, the people at home have the right to disagree with their public officials here in Washington.

If there are arguments in support of the treaty, let them be stated on the record, but let us not get into the habit of calling everybody who disagrees with us, or with it, a nut because he writes us letters and takes a different position.

I deplore that approach. It is something that is creeping into the Senate. One of these days somebody is going to ask, "What is going on with these arrogant people down in Washington, who are supposed to represent us, that they resent letters or other communications and decry the sincerity or the good intentions of those who dissent?"

Mr. President, I shall place in the Record as a part of my remarks the very persuasive and penetrating testimony delivered before the Foreign Relations Committee this morning, in a session which lasted more than 3 hours, by the very organization which up to now I have never heard described as a collection of nuts. That is the American Legion.

It was brought out that at three consecutive conventions the American Legion passed, by resolution, measures opposing the ratification of this consular treaty with Russia. And the Legion gives its reasons.

I submit to my colleagues who may still want to condemn those who want to present their opinions that they read this testimony. That is why I am putting it in the Record. It speaks for itself. Theirs is not an intemperate argument. The Legion brought into the discussion two or three points which had never been discussed before by the State Department. It brought in information which someone downtown conveniently forgot to bring up in connection with this whole complicated issue.

I call attention to the fact that the American Legion asked a number of questions, which it answered, and I ask my colleagues, as Senators, to answer them, because we are dealing with a very delicate mechanism in the field of psychological warfare at the very time when we are engaged in a war supported in large part by the very country with whom we are now asked to make this kind of treaty.

So because I think this testimony should be read, I place it in the Record. It raises several serious questions:

> Is it consistent with overall U.S. foreign policy to enter into an agreement of this nature with a Communist power that is—at the same time—providing massive military assistance to a third party with which the United States is engaged in combat?

That is a fair question. That does not sound to me like a question from a fanatic, a nut, an extremist or a hate monger. It is a legitimate question. Senators ought to ask themselves that question and answer it. The Legion does ask it. And the American Legion answers it.

I have placed it in the Record so Senators may read the entire illuminating testimony.

The second question raised is:

> Is it in the interest of the U.S. to reestablish consulates in major American cities by a government which has as its primary objective the subversion of the government and people of the United States?

Certainly, that is a logical question.

We stumble into wars. Our boys get drafted. Our casualty lists expand. We have to find out whether this is in our own interest. The American Legion raises the question. Senators ought to ask themselves this question and should consult themselves about it. Perhaps, they should consult with their own constituents about it.

I think people are interested in reading why the American Legion believes it is not in the interest either of the United States or of shortening the war in Vietnam, or winning it, to take this action. The testimony will speak for itself.

The third question is:

> Is the treaty itself sound in all respects?

I have heard statements by people pro and con in this argument who have not even read the treaty, who have not analyzed it. We are going, by our votes in a rollcall as United States Senators, to say yes or no to a matter dealing with life and death and our future happiness and freedom. I suggest, as the Legion suggests, that everybody read the testimony and the treaty so as to find out what is in the small print. The Legion selects and sets out a few paragraphs of the treaty indicating why it has so strongly opposed it:

> 4. Will all of the predictable or possible consequences of ratification be of benefit to the United States?

The Legion also asks this question.

Normally, countries seeking a treaty try to find something in it to benefit them greatly and considerably. Would this, on balance, be to our benefit? Or does it harm our national interest? It is a fair question. The Legion gives some food for thought in that connection.

Curiously enough, in the hearing today, which lasted for a long time in a 3-hour session, Mr. President, it was brought out from the Legion that we are not dealing with one consulate of one Communist country; we are dealing with consulates of three Communist countries, because Yugoslavia, with four consulates already in this country, would receive all the same immunities, including immunity for felony, espionage, and murder. That should be brought to the attention of this country. Maybe our people approve that. But at least we should know what will result. We should not be expected to buy a pig in a poke. And if anybody ever wrote a letter from the State Department describing a pig in a poke, I submit that the letter you all received from my good friend Douglas MacArthur epitomizes "piggishness in pokishness" as much as any document I have ever seen.

It was not about the difficulties involved. It says that all the consular treaty does is expand protection for American citizens traveling abroad.

He knows it does more than that. I know it. Those who take the time to read either the treaty or the testimony will have it flung at them full in the face. Douglas MacArthur's communication, if you read past the letter and past the signature and the press release, and continue on to a small attachment at the end, just sort of hinted at some of the problems about the great extension of immunities, about the most-favored-nation clause, which is going to prevail. But not a word about this in the hard sell contained in the letter which he signed under date of January 27, 1967.

Mr. President, the Senate is entitled to receive from the State Department answers to these questions of great magnitude. Why does not someone from the State Department, for example, bring forth an answer to the question, still unanswered, as to why the Russian commitment, way back in 1933, over the signature of Maxim Litvinoff, that "As soon as you grant recognition to Russia, we automatically will grant you" these same consular privileges, has not been carried out?

We were not told that, Mr. President, by the State Department witnesses. I was surprised when I discovered that what they ask us now to restate in the consular treaty is already a solemn, signed commitment by the Soviet Government. The State Department says they abrogated it. I say to the State Department, "By what means did they abrogate? On what date, and by what letter? How and when and by what written statement was this Soviet solemn consular commitment abrogated?" We are entitled to the facts. If it was abrogated, I want to know when and by whom, and in what letter. If it was not abrogated, it just shows that they are violating today what they are asking us to sign up for tomorrow.

I think also, Mr. President, the Senate is also entitled to know why has not the Vienna Consular Treaty been agreed to by the United States? Why? It takes just one more nation, the United States, and then you have a multinational consular treaty agreed upon. We have resisted it. The State Department has resisted it. It has not sent it to the Senate. Why? Why did not they send that one up, instead of this bilateral concession to communism?

It is a fair question. Intelligent Members of Congress, wanting to make up their minds on the basis of facts, will wish to know why.

We need this kind of additional evidence. So, Mr. President, I simply put these American Legion questions in the RECORD with this suggestion: That all of us read the full hearings, read the full debate, consider the framework of international affairs in which we are asked to accept the treaty, relate it to our support of a war in which we have now suffered 50,000 casualties, which many believe could well be prolonged additionally by the kind of actions involved in such Consular Treaty agreements, and the inevitable press for East-West trade which is an admitted handmaiden of this proposal.

These are questions we should ponder. I simply suggest that we do not declare ourselves too emphatically one way or the other until the evidence is all in. Let us leave an escape hatch for a more mature and defensible judgment after the facts are all in. And in the meantime, let us not condemn our fellow Americans, and call them names, and insult them insolvently because, out of the fullness of their best intentions, many write their Congressman or Senator or some other public official and say, "I am exercising the right of dissent."

Important as we are, or important as we think we are—and there is sometimes unhappily a vast spread between those two, Mr. President—we still are representatives of the people. This is a government where we, the people, have a right to be heard. It does not mean we who hold office have to agree. But we should not condemn our fellow Americans and castigate them because they solicit our attention to their convictions or because they express their views on important public questions.

Mr. President, I ask unanimous consent that the full text American Legion testimony to which I have referred be printed in the RECORD at this point. Unhappily the 2 hours of questions and answers cannot be read until our hearings are in print which I hope, but am not certain, will be made available to you before you are called upon to vote for this consular ratification.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

STATEMENT OF THE AMERICAN LEGION ON THE CONSULAR CONVENTION WITH THE SOVIET UNION, BEFORE THE SENATE COMMITTEE ON FOREIGN RELATIONS, FEBRUARY 3, 1967

(Presented by Warren H. MacDonald, Director of Research)

Mr. Chairman and Members of the Foreign Relations Committee: We are most grateful to you for providing us this opportunity to present the views of The American Legion on the pending Consular Convention between the United States and the Soviet Union.

The Legal Adviser of the Department of State has defined a consular convention as "a treaty in which the contracting powers regulate the activities and functions of consular establishments and their officers and employees." This bilateral consular convention, with protocol, was signed in Moscow on June 1, 1964, and eleven days thereafter was transmitted to the Senate of the United States by President Johnson, with the recommendation that the Senate give early advice and consent to its ratification. The subsequent legislative history of "Executive D" is well known to the members of this Committee.

TREATY OPPOSED BY THREE NATIONAL LEGION CONVENTIONS

The American Legion is opposed to U.S. ratification of this treaty with the Soviet Union. This position was established through resolutions adopted by our annual national conventions in 1964, 1965, and 1966. Those conventions were comprised of approximately 3,000 delegates, coming from every State and representing the more than two and one-half million members of our organization.

This treaty raises a variety of issues. We think the more important of these are:

1. Is it consistent with over-all U.S. foreign policy to enter into an agreement of this nature with a Communist power that is—at the same time—providing massive military assistance to a third party with which the United States is engaged in combat?

2. Is it in the interest of the U.S. to permit the reestablishment of consulates in major American cities by a government which has as its primary objective the subversion of the government and people of the United States?

3. Is the treaty itself sound in all respects?

4. Will all of the predictable or possible consequences of ratification be of benefit to the United States?

We are convinced that all four of these questions should be answered in the negative. Thus, we oppose the treaty on principle and because we believe certain of its provisions—specifically, those contained in Article 19, section 2—would, if given effect, be both an unwise precedent and an unnecessary threat to the internal security of the United States.

In the more than two and one-half years this treaty has been before the Senate, most opponents of ratification have emphasized the dangers of the "diplomatic immunity" clause in Article 19, section 2, while the proponents have emphasized the gains to be derived from the "notification and access" clauses in Article 12, sections 2 and 3. It is our feeling, that even if the Soviets were to comply fully with the "notification and access" provisions, this otherwise desirable objective would not be worth the risks inherent in Article 19.

Lately, the leading proponents have expressed the thought that the delay in Senate action is due largely to "misunderstanding" about the treaty among both opponents and supporters of ratification. In this connection, great stress is placed on the fact that the treaty itself is not an agreement to establish any consulates anywhere. On January 25, 1967, the Department's press and radio briefing put the point as follows:

"The Consular Convention does not authorize, propose, suggest, provide for, or require the opening of a single United States Consulate in the Soviet Union, or a single Soviet Consulate in the United States. It does not permit the Soviets to send a single extra person to this country, nor does it let us send anyone to the Soviet Union."

True enough, but we do not think the opponents have been confused in this regard, and we do not think the Department's explanation will mislead anyone into believing that ratification would not result in the establishment of Soviet consulates in the U.S.

The Secretary of State made clear in his testimony to this Committee, both in July 1965 and on January 23 of this year, that—following ratification by both parties—the United States does hope to open a consulate, propably in Leningrad; and, in return, "we would permit the Soviets to open a parallel consulate in a comparable American city." Although the Soviet Union previously maintained consulates in New York, San Francisco, and Los Angeles, it is currently speculated that the Soviets are now interested in Chicago as the site of their initial consulate to be opened pursuant to this treaty.

The Secretary also pointed out that, as to the opening of such a Soviet consulate, this treaty is unnecessary because the President already has authority, under his foreign policy responsibilities, to permit the establishment of foreign consulates in this country even in the absence of a consular convention. Poland, for example, has a consulate in Chicago although a consular convention with that Communist country has been in the "negotiating" stage for some time.

On the other hand, Secretary Rusk indicated that the consular convention under consideration here would provide the legal framework on which the Administration believes it could "prudently" reestablish Soviet consulates in the U.S., on a reciprocal basis.

Nevertheless, from the State Department's point of view, the basic purpose of this treaty is not the authorization of the opening of consulates in both countries. Rather, it is said that the primary intention of the treaty is "to permit the United States promptly to protect and assist its citizens when they are arrested and detained in the Soviet Union."

Considering the unfortunate case of Newcomb Mott and those of numerous other Americans who have been arrested in the Soviet Union, The American Legion earnestly wishes that this goal of the State Department soon might be realized. We do not necessarily agree, though, that this is the basic "purpose" of the treaty. In fact, we think it is not. Instead, it is but the primary *reason* why its U.S. proponents want it ratified.

Also, we fear that the treaty would not be a guarantee of attainment of that desired goal and, in any event, we think other considerations make the goal (assuming Soviet compliance) too costly.

WHAT THE COMMUNISTS EXPECT TO GAIN

This Committee, and the Senate generally, must look at every treaty submitted for its consideration from the viewpoint of not only the United States, but that of the other party or parties as well. What does the other side have to gain? On balance, is the U.S. getting as much as it gives? And, when the other side is a Communist government, we think the Senate is entitled to view the treaty's provisions in the light of both the record and the intentions of Communists generally.

What is the purpose of this Consular Convention from the viewpoint of the Kremlin?

It seems obvious to us that the purpose of this treaty from the Soviet side is exactly the opposite from that expressed by its U.S. proponents. To the Soviets, we think the main purpose of this treaty definitely is to re-establish their consulates in this country, *with a new and unusual rule to apply to all of its agents posted to those consulates*; that is, absolute protection against prosecution by the United States for any crimes committed by them, including the crime of espionage against the United States! This is the intent of Article 19, section 2, to the Soviets.

The treaty's provisions regarding "notification and access" in arrest cases (i.e., Article 12) is hardly the "purpose" of the treaty from the Soviet viewpoint. Those are simply what they gave up—on paper, at least—to gain new islands of diplomatic immunity in America's industrial and transportation heartland.

If this were not true, the Soviet negotiators would have had no interest in the treaty. They definitely would not have troubled themselves if the document were to have been restricted to the provisions of its Article 12 and the protocol related thereto. They had nothing to gain in that regard; we have always given them prompt notification about and unrestricted access to any of their nationals whom we might arrest here. To them, the extension of full and absolute diplomatic immunity to their consular officers is the *quid pro quo* which outweighs the concession they made, on notification and access, as to our nationals arrested in their country. Communists have never been known to enter into an agreement with non-Communists which they did not expect to be of greater advantage to them.

IT WAS RUSSIA THAT INSISTED ON EXPANDED IMMUNITIES

We infer from the available public record that it was the Soviet negotiators who initially raised the matter of full diplomatic immunity for purposes of this Consular Convention. (See Committee's print of Hearing, July 30, 1965, pg. 30). The provisions of full diplomatic immunity for all consular officers has not been a part of our general practice. It was not a feature of our Consular Convention with Japan, which entered into force on August 1, 1964, and which, we assume, was negotiated at about the same time as the pending Convention with the Soviet Union. More significantly, it was not made a feature of the *multilateral* Vienna Convention on Consular Relations which was signed by a U.S. representative, and by the representatives of 31 other nations, on April 24, 1963. Representatives of 20 additional nations have since added their signatures, making a total of 52 signatories.

I will refer further to the Vienna multilateral convention on consular relations in another connection. At this point, I only wish to stress the point that its immunity provisions, set forth in Article 41 thereof, follow the usual and traditional rule; that is, consular officers shall not be liable to arrest or detention (in the receiving State' "except in the case of a grave crime and pursuant to a decision by the competent judicial authority." Consulates have long demonstrated that they can perform their proper functions without the cloak of full diplomatic immunity for their employees.

Article 19(2) of the pending treaty with the Soviet Union provides, on the other hand, as follows:

"Consular officers and employees of the consular establishment who are nationals of the sending state shall enjoy immunity from the criminal jurisdiction of the receiving state."

Thus, under this rule, if a Soviet consular officer, posted in Chicago for instance, commits or attempts to commit a serious crime, our only recourse is to demand his expulsion. This is true no matter how monstrous the offense, and no matter how vital its bearing on our national security. And, however often we declare a Soviet official persona non grata, we may be sure the Soviet government will soon thereafter demand the recall from that country of a comparable U.S. official. Under this treaty, reasons for such action need not be given; but, in previous cases of this nature, it has been Soviet practice to make, and to publicize widely, false spy charges against the U.S. official concerned. (This game of diplomatic tit-for-tat can have, temporarily at least, a disruptive influence on a mission's efficiency. We should not unnecessarily take steps that would surely serve to increase its incidence).

With regard to the immunity provisions of the treaty, Senator Cotton of New Hampshire has observed that the Soviets negotiated this Consular Convention, "not as a bilateral pact for improving Soviet-American relations, but as a cold war maneuver to enhance and expand the intelligence gathering network of the U.S.R.R." We, too, are satisfied that the Soviets have every intention of utilizing any consulates they establish here as centers for espionage and subversion.

The Soviet intelligence services have regularly used that government's diplomatic and other establishments in this country as bases from which to carry on their espionage activities. These activities are known to increase in proportion to the number of Soviet representatives here.

Those who recall the previous abuse by the Soviets of their consular privileges in this country fear that this treaty will provide Soviet agents with increased opportunities for the intimidation, extortion, bribery, blackmail, or even the kidnapping or murder, of persons living here but who have relatives or property in the Soviet Union.

At a minimum, new Soviet consulates in any of our major cities will facilitate the securing, by Communist "consular officers," of all manner of technological data which could serve to promote the Soviet Union's war-making potential. Also, these consulates would doubtless be used as centers for the distribution of Communist propaganda, aimed primarily we feel sure at the more receptive elements on our college campuses.

The counter-argument to much of the foregoing is that we would be enabled, through our new consulates outside of Moscow, to gain equivalent benefits in terms of information about their society. This is unconvincing. The Soviets are still operating a closed society in which it remains extremely difficult for an American official to make any contacts or secure any information not previously sanctioned by Soviet officials. Furthermore, we could be sure that whatever "premises" the Soviets helped us acquire for our consulates, in accordance with Article 5, these would be thoroughly "bugged" with the latest in electronic listening devices, just as has been the case in all offices we occupy in Communist countries.

We stated earlier that we believe the diplomatic immunity provisions of this treaty establish, for the U.S. at least, an unwise precedent. We may soon find that other countries, with which we have a consular treaty that contains the so-called "most-favored-nation" clause, will request extension of the greater immunity protection to their consular employees in this country. While this would be reciprocal in its application, the spread of this new rule on a haphazard, bilateral basis could well work to our detriment.

HOW MOST FAVORED NATION PROVISIONS WOULD ENDANGER U.S.A.

It is our understanding that as many as 33 existing consular treaties between the U.S. and other countries include "most-favored-nation" provisions. The State Department has estimated that if all of these countries exercised their option, we would be extending criminal immunity in this country to an additional 400 or more foreign nationals!

The countries involved include Communist Rumania and Yugoslavia. While Rumania now has no consulates in this country (other than its consular section in its Washington embassy), it might—following the lead of the Soviet Union—seek to establish one or more, *with full diplomatic immunity* as would be Rumania's privilege under the "most-favored-nation" rule. Also, Yugoslavia now operates a number of consulates in this country, as was dramatically brought to our attention last Sunday morning. These are in New York, San Francisco, Chicago, and Pittsburgh, in addition to their combined consular staff in Washington. We may soon find that we will have a great deal more than only "10 or 15" new Communist agents in this country with full diplomatic immunity!

Poland already has a consulate in Chicago. Following the model of our treaty with the Soviet Union, that country could be expected to seek to complete negotiations on a similar consular convention with us. And, considering our "bridge-building" advances to the other Communist countries of Eastern Europe, all of them may shortly be seeking consulates here, with the same immunity provisions.

But where the "most-favored-nation" clause is applied, we will not necessarily gain back the *quid pro quo* we received in our negotiations with the Soviet Union! Whereas, we there exchanged the "diplomatic immunity" provisions for the "notification and access" provisions, the same exchange would not be applicable in the case of a third country asking for the "diplomatic immunity" privileges for its consular officials. All we would get back then is reciprocity on that score alone. This is an important consideration in the case of the Communist countries of Rumania and Yugoslavia.

The same disadvantageous development might occur in the case of several non-Communist countries which do not provide our consular officers with ready access to our nationals when they have been arrested. Italy and a number of other countries, the laws of which have been derived from the Roman Code, hold their prisoners incommunicado until completion of investigation. In Mexico this can go on for as long as 18 months. Our consular officials are barred from seeing imprisoned Americans under such circumstances, just as they have been in the Soviet Union and most other Communist countries.

The U.S. has been unable to secure "notification and access" rights from Italy and several others with similar laws. Yet, we have a consular treaty with Italy that includes a "most-favored-nation" clause. Thus, if this Consular Convention with the Soviet Union is ratified, we may be asked by Italy to extend to its consular officers here the diplomatic immunity provisions of Article 19, but we will not get the "notification and access" provisions of Article 12 in return.

Should these new immunity provisions spread generally, due to the precedent of this Consular Convention, they will eventually facilitate the spread of the Soviet Union's subversive influence almost everywhere. Others have pointed out with logic that our friends in Latin America would have difficulty in resisting the establishment of Soviet Consulates in their cities, once the barrier to their re-establishment in this Hemisphere is broken, through ratification of this treaty.

It is not difficult to imagine how the Communists would turn this to their advantage, especially when armed with full diplomatic protection for all their agents in Latin America. Surely the establishment of Soviet consulates there would result in intensified political warfare throughout that continent. Castro would get a large boost in his plans to export his (and the Soviets') brand of revolution.

While our government may well be enabled to cope with a small to moderate increase in Communist agents here, are we certain that the intelligence services of the developing countries can do so? It is questions such as this that have caused so many opponents of the Consular Convention, and its special immunity provisions, to wonder if we are not about to open a door which we will not be able to close.

NOTIFICATION OF SMALL SIGNIFICANCE WITHOUT FREEDOM

Turning briefly to the "notification and access" provisions of Article 12, we think it pertinent to point out that these—even if scrupulously observed by the Soviet Union—cannot of themselves eliminate the frictions which arise when that country wrongfully, or for frivolous reasons, arrests an American citizen, and charges him with crimes out of all proportion to his acts. No amount of notification and access will make such cases mere administrative matters, as has been suggested in arguments for the treaty. And, prompt notification plus full access do not necessarily spell freedom for the individual concerned. Furthermore, it can be expected that the Soviets—if they apply the provisions at all—will deny that they cover "dual nationals;" that is, persons who were born in the Soviet Union (or any other Communist country) and who subsequently acquired American citizenship through naturalization.

We are not certain, either, that Article 12 would become applicable immediately upon ratification by both parties, as the proponents indicate would be the case, and without regard to the opening of consulates here. We do not think the language of the article in question (or the treaty as a whole) is all that clear on the point. There is leeway, perhaps, for a different interpretation. At any rate, if the Soviets were to be delayed in getting what they want out of the treaty—more agents in America with more protection—they certainly would not honor Article 12 indefinitely. There would be one more broken treaty added to the already long list.

Nevertheless, the Soviets have had ample time to demonstrate good faith with regard to Article 12. In his January 23rd appearance before this Committee, Secretary Rusk reported that: "In just the 30 months since the Convention was signed, we know of at least 20 cases where Americans have been detained by the Soviet police. . . . In none of these cases did the Soviet authorities adhere to the standards of notification and access provided for by this Convention."

The Soviets have also failed to take the first step toward ratification of this treaty. The Praesedium has the power to ratify at its discretion and it can be called into session at any time. It obviously is awaiting U.S. Senate action.

WHY IGNORE VIENNA CONVENTION ON CONSULAR TREATIES?

Before leaving this subject, we think it of interest to compare the language of Article 12 of this treaty with the comparable provisions of the earlier mentioned Vienna Convention on Consular Relations. The latter seem much more detailed and explicit and, therefore, more desirable from the U.S. point of view. The document in which they appear was signed by a U.S. representative more than a year prior to the signing of the U.S.-Soviet Consular Convention. Many other nations have also endorsed the Vienna Convention.

(Excerpt from Consular Convention with Soviet Union):

"Article 12

"1. A consular officer shall have the right within his district to meet with, communicate with, assist, and advise any national of the sending state and, where necessary, arrange for legal assistance for him. The receiving state shall in no way restrict the access of nationals of the sending state to its consular establishments.

"2. The appropriate authorities of the receiving state shall immediately inform a consular officer of the sending state about the arrest or detention in other form of a national of the sending state.

"3. A consular officer of the sending state shall have the right without delay to visit and communicate with a national of the sending state who is under arrest or otherwise detained in custody or is serving a sentence of imprisonment. The rights referred to in this paragraph shall be exercised in conformity with the laws and regulations of the receiving state, subject to the proviso, however, that the said laws and regulations must not nullify these rights."

(Excerpt from Vienna Convention on Consular Relations):

"Article 36

"Communication and contact with nationals of the sending State

"1. With a view to facilitating the exercise of consular functions relating to nationals of the sending State:

"(a) consular officers shall be free to communicate with nationals of the sending State and to have access to them. Nationals of the sending State shall have the same freedom with respect to communication with and access to consular officers of the sending State;

"(b) if he so requests, the competent authorities of the receiving State shall, without delay, inform the consular post of the sending State if, within its consular district, a national of that State is arrested or committed to prison or to custody pending trial or is detained in any other manner. Any communication addressed to the consular post by the person arrested, in prison, custody or detention shall also be forwarded by the said authorities without delay. The said authorities shall inform the person concerned without delay on his rights under this sub-paragraph;

"(c) consular officers shall have the right to visit a national of the sending State who is in prison, custody or detention, to converse and correspond with him and to arrange for his legal representation. They shall also have the right to visit any national of the sending State who is in prison, custody or detention in their district in pursuance of a judgment. Nevertheless, consular officers shall refrain from taking action on behalf of a national who is in prison, custody or detention if he expressly opposes such action.

"2. The rights referred to in paragraph 1 of this Article shall be exercised in conformity with the laws and regulations of the receiving State, subject to the proviso, however, that the said laws and regulations must enable full effect to be given to the purposes for which the rights accorded under this Article are intended."

We are curious, of course, as to why the Vienna Convention has not been submitted to the Senate for consideration. It was prepared by a conference called under auspices of the United Nations, with 84 polities participating. Representatives of 32 of these, including the United States, signed the Convention on April 24, 1963; and, representatives of 20 more signed it subsequently. The Vienna Convention on Consular Relations will enter into force "on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations."

At present, we understand that 21 nations, or only one short of the required number, have deposited such instruments with the UN Secretary-General. Yet, the document has not been brought before this body for formal study.

We raise the question of the Vienna Convention because it appears to be a far more comprehensive treaty than the bilateral one before you, and it does appear to contain even better notification and access provisions. (It does not, however, provide for a specified number of days in which notification and access is to take place, as does the protocol affixed to the U.S.-Soviet treaty.)

The American Legion has not made a formal study of or taken a position on the Vienna Convention. Tentatively, it would appear to be a step in the right direction to have one basic consular convention, to which the U.S. and most other nations could adhere. Then, when this Committee is asked to pass judgment on a bilateral consular treaty, such as the one now before you, it could do so against the background of the basic treaty on the subject. Special consular agreements between the U.S. and another country could be weighed against a generally accepted standard. Also, assuming the terms of the Vienna Convention to be otherwise agreeable to the U.S., we wonder if our government should not lend its prestige to that document so as to help insure its wider acceptance among nations. This would tend to advance the cause of international law and order, an avowed objective of U.S. foreign policy.

The American Legion believes there are many reasons why the Senate should not advise and consent to the ratification of this Consular Convention with the Soviet Union. We have dealt largely, above, with what we considered to be a technical defect in the treaty; namely, that Article 19 would provide the Communist "consular" agents in America with a license to spy.

Going beyond the terms of the treaty itself, however, we are satisfied that its ratification would in no way produce a meaningful improvement in U.S.-U.S.S.R. relations or a true abatement of tensions between us; it would not serve to increase *normal* trade between the two countries, assuming (but not agreeing) this to be a desirable objective at this time.

IS IT WISE OR PRUDENT NOW TO ENHANCE SOVIET PRESTIGE?

On the other hand, ratification would tend to increase unduly the Soviets' prestige among the uncommitted nations; it would tend to enhance their capacity for the spread of Communism; it would add greatly to the complications and costs of combatting Soviet-directed intelligence activities here; and, it could place in jeopardy our policy of non-recognition of the Soviets' forceful takeover of Estonia, Latvia, and Lithuania. Meanwhile, the Soviet Union has failed to settle its debts with the U.S. and to make proper arrangements regarding the property rights of American citizens who are former nationals of the U.S.S.R.

However valid the foregoing reasons for non-ratification of this treaty, there is—in the final analysis—one overriding, all-important reason that must not be ignored.

The American Legion insists that *this is not the time* to be entering upon courses of interaction which give the appearance that we are in peaceful-partnership with the Soviet Union!

That country's leaders have made perfectly clear that they are in the Viet-Nam conflict to stay. When Soviet President Podgorny commenced his state visit to Italy, less than ten days ago, he declared blatantly that: "The Soviet Union is giving and will continue to give . . . North Vietnam ever-growing aid until the full triumph of the just cause for which the Vietnamese people are struggling." The U.S. News & World Report distributed last week documents the massive nature and value of the vital war supplies now flowing, in ever-increasing amounts, from the Soviet bloc countries to North Vietnam. (Article entitled "Russia: The Enemy in Vietnam?")

Russian-made and perhaps Russian-manned missiles and guns are killing American flyers almost daily. Lately, there have been reports of Russian mines planted in the ship channel into Saigon. The Soviets have a radar and communications vessel in the Tonkin Gulf, monitoring our carrier activities there and providing timely warning to the gun and missile crews, and the Mig pilots of North Viet-Nam.

Mr. Chairman and Members, both our free-world allies and our Communist enemies interpret our double-standard policy toward the Soviet Union as a sign of weakness, if not confusion. Britain, France, and West Germany have told us bluntly that if the U.S. sees fit to increase trade with the Soviet bloc, they can see no reason not to trade with Red China, and Cuba, in addition to the rest of the Communist world. And they are following through with large deals, involving materials and technical know-how, which have distorted the term "strategic" beyond repair. And, this trend seemingly was sanctioned by our Government when it recently removed 400 "non-strategic" items from what had been a "strategic" list, unilaterally maintained by the U.S.

Yes, there is bewilderment among large segments of the American public. It is due, we believe, to the concern and confusion that is caused by the glaring and frequently incomprehensible inconsistencies in U.S. approaches to the Communist world.

What is worse, our fighting forces in Viet-Nam do not understand why our official policy is to increase trade with the Soviets and their satellites. Our men there know full well—often from bitter personal experience—that the Soviets are backing to the hilt the enemy they face daily.

It is true that the morale among our troops in Viet-Nam is outstanding. But many of the men there with whom we have had contact, both personally and through correspondence, are puzzled and disturbed by what they consider to be an illogical and dangerous East-West policy on the part of their government. They are being asked by that government to bear the brunt of its policies in the "hot war" with Communism; they need to know that its "cold war" policies are equally realistic and that both have the same objective.

The American Legion respectfully urges that this Committee not act favorably on the pending Consular Convention with the Soviet Union.

Thank you.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

LEGISLATIVE REORGANIZATION ACT OF 1967

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of S. 355.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 355), to improve the operation of the legislative branch of the Federal Government, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPEAL OF SECTION 224 OF THE SOCIAL SECURITY ACT

Mr. CLARK. Mr. President, although the Social Security Amendments of 1965 were intended generally to expand benefits, one provision of that legislation has had the opposite effect. As a result of the enactment of section 224 of the Social Security Act, the benefits of about 4,000 totally disabled people are being reduced. Not only are their benefits being reduced but, in some cases, their dependents' benefits are being reduced. Altogether, there are about 12,000 people who as individuals or as families have suffered a loss of income because of this provision.

Section 224 of the Social Security Act provides for the reduction of disability benefits paid to people who became entitled to those benefits after December 31, 1965, unless the workmen's compensation benefit is reduced because the disabled person is getting social security benefits. This reduction does not, however, apply to those who were already getting social security benefits on December 31, 1965. Clearly, this revision is unjust, and should be repealed.

Enactment of section 224 constituted a backward step in social security legislation. From 1956 to 1958 the Social Security Act included a provision that called for the reduction of disability benefits paid to annuitants who were also receiving workmen's compensation. However, in its 1958 report, the Senate Finance Committee recommended repeal of the provision, holding:

> Disability benefits payable under the national social security system should be looked upon as providing the basic protection against loss of income due to disabling illness, and we have concluded that it is undesirable, and incompatible with the purposes of the program, to reduce these benefits on account of disability benefits that are payable under other programs.

Congress did in fact repeal the restrictive section in 1958, but it was reenacted 7 years later, becoming one of the Social Security Amendments of 1965.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am happy to yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Would the Senator identify which amendment he is speaking on now?

Mr. CLARK. I am speaking out of order on a nongermane matter, in violation of the rules requiring germaneness at the end of the morning hour. I am doing this largely because I am waiting for the Senator from Oklahoma [Mr. MONRONEY] to arrive, so that we can get back to the pending business.

If the Senator from Delaware wants to make a point of order against me, he can take me off the floor.

Mr. WILLIAMS of Delaware. I do not intend to make a point of order. I was asking only for identification of the Senator's amendment. I have no objection, whatsoever. The Senator from Pennsylvania is a stanch proponent of abiding by the rules of the Senate and I am delighted that occasionally he strays by the wayside on these same rules, because they are made to protect the interests of the Senator from Pennsylvania and myself in times like these.

Mr. CLARK. It is a salutary thing to have the Senator from Delaware call me up short.

Mr. President, in reimposing this provision, reducing the social security benefits paid to the totally disabled, the Finance Committee, in an about-face, said in 1965:

> Although there is some dispute as to the number of workers who receive benefits under these two programs and whether these payments are excessive, the committee believes that it is a matter of sound principle to prevent the payment of excessive combined benefits.

Does section 224 constitute a sound principle? Where is the soundness in a provision that denies full benefits to the totally disabled, rendered disabled through injury on the job? Most of these people have families to support on already inadequate benefits. Even though there could conceivably be a few instances where the benefits are excessive, surely this would be preferable to maintaining a policy that results in insufficient payments in the majority of cases.

Mr. President, in my own State of Pennsylvania, as of the end of June, there were 117 families who were not receiving their full social security benefits because of section 224. I have no doubt that by now there are two or three times that number. I believe that Congress has a duty to restore full social security benefits to those recipients who are now denied them because of the operation of this section.

Mr. President, on behalf of myself, Senator MCGEE, and Senator METCALF, I send to the desk a bill to repeal section 224 of the Social Security Act and ask that it lie on the table for 1 week in order that the Senators who wish to cosponsor may have an opportunity to do so.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Pennsylvania.

The bill (S. 829) to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits, introduced by Mr. CLARK (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF SECTION 5(b) OF PUBLIC LAW 89-372

Mr. CLARK. Mr. President, I send to the desk for appropriate reference, a bill to amend section 5(b) of the act of March 18, 1966—Public Law 89-372—so as to make the prohibition contained therein on the filling of certain vacancies in the office of district judge for the eastern district of Pennsylvania inapplicable to the first vacancy occurring after the enactment of such act.

Mr. President, this bill is occasioned by the fact that the Department of Justice has recommended, with the approval of Senator SCOTT and myself, the Honorable Francis L. Van Dusen, presently a district judge of the eastern district of Pennsylvania, for appointment to the Court of Appeals for the Third Circuit. Since Judge Van Dusen presently holds on the district court a temporary appointment, the vacancy which would ordinarily be created by his elevation to the court of appeals would lapse.

The eastern district of Pennsylvania has the second largest undisposed caseload of any district in the United States. In fact, it takes between 38 and 39 months for a case to come to trial in the district court after it is at issue. The need for this legislation is very great.

I have been in consultation with the Judicial Conference, through Chief Judge Biggs, of the Court of Appeals for the Third Circuit.

I am confident that the bill will receive the strong support of the Federal judiciary. Accordingly, I am hopeful it will receive early and favorable approval by the Judiciary Committee.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 828) to amend section 5(b) of the act of March 18, 1966 (Public Law 89-372), so as to make the prohibition contained therein on the filling of certain vacancies in the office of district judge for the eastern district of Pennsylvania inapplicable to the first vacancy occurring after the enactment of such act, introduced by Mr. CLARK (for himself and Mr. SCOTT), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. CLARK. Mr. President, I suggest the absence of a quorum.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

SMALL BUSINESS LOANS

Mr. LAUSCHE. Mr. President, on January 26, 1967, Ed Wimmer, of Cincinnati, president of Forward America, Inc., wrote a letter to Hon. Bernard L. Boutin, Administrator of the Small Business Administration, setting forth his views about certain weaknesses in the making of small-business loans that eventually in fact destroy small business.

In his letter, Mr. Wimmer points out that there is now a $5 million limit on loans that may be made to small business. It is contemplated expanding the limitation of $5 million to a larger amount.

Mr. Wimmer says that if that expansion is made, instead of genuinely small-business houses being preserved, they will be destroyed. He goes on to point out certain other weaknesses in the program.

I think the letter contains arguments that are sound and worthy of consideration by Members of the Senate. I therefore ask unanimous consent that Mr. Wimmer's letter be printed verbatim in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 26, 1967.

HON. BERNARD L. BOUTIN,
Administrator, Small Business Administration, Washington, D.C.

DEAR MR. BOUTIN: This is not my first letter protesting S.B.A. guaranteed rental payment for small businesses entering a shopping center and a raising of loan ceilings to the proposed $5 million limit.

In the first instance, the big lenders and insurance companies should not have been allowed to stipulate 70 to 80 per cent chain occupation of a center.

Secondly, there are no grounds whatsoever for a government agency to guarantee a small businessman rental obligations, unless the guarantee covers all small businessmen wherever they may locate.

Thirdly, the Small Business Administration was created to serve the greatest possible number of small businesses, which means that concentration should be on spreading the funds.

A $5 million loan to some hot-shot super market operator would knock out from ten to fifty small merchants before he got through, depriving the city, state and federal government of taxes; depriving people of jobs and the economy of some more capitalists.

(I would not have used this example except that the National Association of Retail Grocers has asked for the ceiling lift, and for who else would they be appealing?)

I urge the S.B.A. and the House and Senate Small Business Committees to give a lot of thought to these matters before taking any of the proposed steps.

Consider, also, Gentlemen, that when federal funds are granted for urban renewal scores or hundreds of smalls are bulldozed out of existence and are replaced by a shopping center with no provisions, the displaced should get first chance to return to the modernized area.

It is the same with the federally financed highways: out go the smalls and at nearly all the best exits of the expressways are more and more of the giants.

The whole policy has been to mow down independent business with taxes, bookkeeping for the government, more fringe benefits to carry, plus no real legislation to prohibit monopolistic practices and predatory competition that has degenerated in competitive cannibalism. Oh yes, there have been some really great victories, but it has been similar to sinking a few submarines while the others sink the fleet.

No one boosts the S.B.A., Federal Trade Commission, Department of Justice, Congressional committees, et cetera, more than the writer. But Gentlemen, for every step forward we have taken two backward.

It is time to change the pace, and 1967 is the year to do it. I know you all are trying.

With every good wish.
Sincerely yours,

ED WIMMER.

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

Mr. CLARK. Mr. President, I call up my amendment No. 25, but before it is read, in order not to impinge on the limited time, I should like to obtain unanimous consent to make a statement so that the attendants will relay it to interested Senators.

The Senator from Oklahoma and I have agreed that we would try to dispose of a number of amendments by 2:30 this afternoon, because I have an important executive meeting of the Disarmament Subcommittee of the Foreign Relations Committee to attend. The amendments which I expect to call up, I believe, can be disposed of without a rollcall. I hope we can dispose of them in that way. It is not my intention to ask for rollcalls.

It is my intention, on Tuesday next, to call up two other "Bobby Baker" amendments, which are numbered 22 and 23, and ask for rollcalls on them on Tuesday afternoon.

May we now proceed?

Mr. MONRONEY. Would the Senator consider calling up those two remaining amendments on Monday, rather than Tuesday?

Mr. CLARK. No, because I want to be sure that as many Senators as possible are here when we go to a rollcall vote on those amendments, and I am confident, from my experience, that there will be many absentees on Monday, just as there are many absentees today.

Mr. MONRONEY. That was one of the reasons why we did not wish to take up the two amendments the Senator has mentioned today. I am sure the Senator recognizes the need to move on as fast as we can. I am glad he intends to call up some of his amendments.

Mr. CLARK. I am confident we can have a full working day on Monday without calling up the two "Bobby Baker" amendments.

Mr. MONRONEY. Does the Senator intend to bring up his amendments relative to floor procedures on Monday?

Mr. CLARK. There will be some.

Mr. MONRONEY. There will be some?

Mr. CLARK. Yes.

Mr. MONRONEY. I see. The Senator now intends to move forward on calling up some of his amendments today?

Mr. CLARK. The Senator is correct.

Mr. MONRONEY. I will say for the benefit of other Senators that I expect one rollcall on an amendment offered by the distinguished junior Senator from Vermont [Mr. PROUTY], who has an amendment dealing with creating legislative jurisdiction for the present Select Committee on Small Business.

Mr. CLARK. The amendments I hope to dispose of today are Nos. 25, 26, 27, 29, and 19.

So, Mr. President, I call up my amendment No. 25, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from Pennsylvania [Mr. CLARK] proposes an amendment as follows:

AMENDMENT NO. 25

On page 11, strike out all in line 24, and insert in lieu thereof "committee.".

On page 11, after line 24, insert the following:

"(i) In each session of the Congress one-half of the bills making appropriations of the revenue for the support of the Government shall be introduced in the House of Representatives, and one-half of such bills shall be introduced in the Senate. The chairmen of the Committees on Appropriations of the Senate and of the House of Representatives shall determine by agreement which of such bills shall be introduced in each House. No such bill shall be introduced in more than one House of the Congress. Hearings upon each such bill shall be conducted jointly by the Committees on Appropriations of the two Houses, or by subcommittees of those committees. A member of the Committee on Appropriations of the House in which any such bill was introduced shall preside at all joint hearings upon that bill.".

The PRESIDING OFFICER. Who yields time?

Mr. CLARK. Mr. President, I yield myself such time as I may require.

The purpose of this amendment is to change a longstanding practice, supported by neither the Constitution of the United States nor by legislation, dealing with the handling of appropriation bills.

The House of Representatives has contended for many years—in my opinion, without the slightest justification—that it has the right to act first on appropriations bills. It further contends that the Senate has no right to act first on such bills. It has been indicated from time to time by senior members of the House Appropriations Committee that, if the Senate were to exercise what I deem to be its unquestioned constitutional right of acting first on an appropriations bill, the House would refuse to consider the bill as it passed the Senate.

Article I, section 7, of the Constitution of the United States provides:

> All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

To me, it is inconceivable that that plain language could be distorted so as to justify the conclusion that a bill which is the exact opposite of a tax bill or revenue raising bill, to wit, an appropriation bill, should have to originate in the House of Representatives. It is incomprehensible to me, and always has been, what is the logic by which that peculiar result is determined. If there is anything which could be called the opposite of a revenue bill, it is an appropriations bill. One is to raise money; the other is to spend it. There is nothing in the Constitution and nothing in the laws of the United States which gives the slightest justification for the position taken by the House of Representatives that its coordinate body, the Senate of the United States, has no right to initiate appropriations bills.

But it is not to win a debater's point, nor to establish an unquestioned right in the Senate, that I rise to propose this amendment. It is rather that, because of the fact that the House has overridden the Senate and prevailed in its insistence that all appropriation bills must be initiated in the other body, sessions of Congress are extended, year after year, by perhaps as much as a month—sometimes more. I recall an instance a couple of years ago when the last appropriations bill did not come out of conference and become law until the 31st of December. That was the foreign aid appropriations bill.

Under the present legislation, appropriations bills are supposed to be passed, enacted, and signed into the law by the end of the fiscal year to which they apply—namely, June 30 of each year. During the year I referred to earlier, a great many appropriations bills were not passed until late in the fall. As I say, the foreign aid appropriations bill was not passed and enacted until New Year's Eve. Most of the delay that year—not all of it, but most of it—occurred because the House was so slow in getting appropriations bills over to the Senate. In short, we were the hapless prisoners of a tradition with no logical constitutional or legal justification, imposed on us by the other body.

The pending amendment would remedy that situation, and would call for one-half of all appropriations bills to be introduced in the Senate. From that, it would follow that those bills should proceed in ordinary course, hearings be held, administration witnesses called, and the bill reported out and passed by the Senate and sent to the House. In the meanwhile, the House would be acting on the other half of the bills, so that the time required to process these appropriations bills would be pretty much cut in half, since it is difficult indeed for either body to deal with appropriations bills at the rate of more than one at a time. Of course, since these bills are these days so complicated, it is necessary that hearings be conducted by subcommittees, which mark up the bills and then pass them along to the full committee of either the House or the Senate for further action.

So I think it is fair to say that the adoption of this rule would enable Congress to adjourn a minimum of 30 days earlier than would otherwise be the case.

There is a further provision in the rule which would expedite matters, and that is the provision for joint hearings by committees or subcommittees of the Appropriations Committee. This procedure has been used, in my experience with considerable benefit, in legislative matters such as the amendments to the Manpower Development and Training Act, which was referred to the Committee on Labor and Public Welfare in the Senate, and then rereferred to the Subcommittee on Manpower, Employment, and Poverty, of which I am chairman.

We held joint committee hearings with our opposite numbers from the House under the able leadership of Representative ELMER HOLLAND, of Pennsylvania, and his dynamic colleague, Representative JAMES O'HARA, of Michigan.

Those joint hearings were a great success. When we finished, our House friends went back and marked up their bill and we went back and marked up our bill. As a result, when the bills reached the floors of both Houses, they were substantially identical, although not entirely so.

When the bills were passed, the matters which had to be considered in conference were reduced to a minimum. The legislation was expedited by several weeks, if not by a month or more.

I am convinced that a similar procedure would be most effective in the appropriations committees, where so many of the bottlenecks in terms of adjournment have existed during the last few years.

Accordingly, I hope that the Senator from Oklahoma would take this amendment to conference so that the issue might be raised with our friends in the House of Representatives.

I have no doubt that there will be considerable resistance if that is done when the bill gets there, but I am strongly of the belief that the Senate should assert its constitutional right in this regard and not supinely submit to a procedure, imposed by the other body, which has neither legal nor constitutional justification.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the time required for my short statement not be charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. SYMINGTON. Mr. President, yesterday I voted against a motion to table amendment No. 24 which was introduced by the senior Senator from Pennsylvania to strengthen the rules of the Senate in regard to outside employment of officers or employees of the Senate.

Problems of conflict of interest are matters with which I believe the Senate must deal forthrightly.

However, at the time of the vote yesterday I had not heard or read the address of the distinguished junior Senator from Mississippi, chairman of the Senate select committee to which this problem has been assigned by the Senate.

In this address the Senator from Mississippi states:

> It is an intricate, delicate, far reaching and highly involved matter. If anything is ever worked out on it that will serve the purpose, it will never be done by offering an amendment on the floor of the Senate to another bill with only 30 minutes of debate on each side.

He also stated:

> It is still our purpose to recommend some rules and regulations along this line for the Senate to pass on. We will do that as soon as we reasonably can.

And he added:

> I think that a good set of rules is needed, and that the Senate will adopt them.

I have great respect for the thoughts of the junior Senator from Mississippi on these matters and the work he is doing as chairman of this committee.

Another amendment prohibiting certain activities by Members, employees, and officers of the Senate may be called up during consideration of the Legislative Reorganization Act. Should a motion to table be offered, I will support the tabling motion, pending the report of the Select Committee on Standards and Conduct.

The PRESIDING OFFICER. Who yields time?

Mr. MONRONEY. Mr. President, I oppose amendment No. 25 of the Senator from Pennsylvania.

This proposal, as interesting and desirable as it may be, comes under the heading of a legislative impossibility that dates back for scores of years if not for a century. The House has long asserted the right of jurisdiction for originating of money bills, both taxes and appropriations.

I think all of us have been familiar through the years with the struggle that has gone on at various times in an effort to attempt to provide for joint action by the Appropriations Committees of the two houses.

There is nothing to prohibit this joint action. It is entirely possible under the rules for the two committees to meet. It is so provided in the Legislative Reorganization Act of 1946, that they can meet jointly to hear the testimony.

They have very seldom met jointly. They have done so on occasions on which they desired to hear the testimony of one or two distinguished witnesses whose time was very pressing. It was considered that a duplication of hearings could have only been at the expense of the opportunity for adequate questioning.

We know also of the proposal in the Legislative Reorganization Act of 1946 that provided for a legislative budget to be determined and approved by both the Senate and the House Appropriations Committees and the taxation committees sitting jointly.

This was a monumental failure, as we know. After two short trials, the effort was abandoned as a failure. It is expressly repealed by this act because it is ineffective and impossible of being carried out.

We have passed at least a half dozen times a bill of the distinguished senior Senator from Arkansas [Mr. McClellan] to establish a Joint Committee on the Budget, setting up by Senate action, at least, a committee of the House and of the Senate, comprised primarily of their Appropriations Committees, to work for and unify the work on the total items in the budget.

We know that this has not even been taken up by the the House of Representatives.

We all remember the long delay that kept the Senate in session months after its time for adjournment, and the jam on appropriations when the Members of the House refused to go to a conference with Members of the Senate simply because we were meeting on the Senate side of the Capitol to consider the bills.

I know that the distinguished senior Senator from Pennsylvania is an optimist. However, I am neither optimistic nor naive enough to believe that we are going to obtain any results by saying that one-half of the bills shall be introduced in the House of Representatives and one-half shall be introduced in the Senate, because both bodies are going to introduce them if they so wish. They have done so in the past.

That is not to say that we do not start hearings in the Senate on the budget requests. That is standing procedure, and the Senate moves oftentimes during the early part of the session to take testimony on the major appropriations bills. Such testimony requires a great deal of time. This is done before the House of Representatives passes the measures.

I think for that reason that the amendment to divide the bills equally between the two Houses would be unworkable because of the lack of desire by the Members of the House to permit joint action by the House and Senate.

Mr. President, at this time I yield such time as he may require to the President pro tempore of the Senate, the distinguished chairman of the Senate Committee on Appropriations, a Senator who has served so long and faithfully in conducting hearings on appropriations matters and also in negotiations with the House of Representatives.

Mr. HAYDEN. Mr. President, apparently the Senator from Pennsylvania is not aware of the fact that much of what he is requesting to be done already is being done by the Senate Committee on Appropriations.

For instance, on February 23, I will proceed to hold hearings on the estimates of the Department of the Interior and the Forest Service in advance of receipt of the bill from the House.

The Senator from Florida [Mr. Holland] always holds advance hearings on the estimates of the Department of Agriculture.

The Senator from Georgia [Mr. Russell] is now holding hearings on the estimates for the Department of Defense.

The Senator from Washington [Mr. Magnuson] does not fail to hold hearings in connection with estimates for independent offices before we receive the bill.

The Senator from Alabama [Mr. Hill] holds advance hearings in connection with estimates of the Department of Health, Education, and Welfare.

Advance hearings are also held by the Senator from Oklahoma [Mr. Monroney] on the legislative bill; by the Senator from Mississippi [Mr. Stennis] on the military construction bill; and by the Senator from Louisiana [Mr. Ellender], on the public works bill.

We take up these matters ahead of time. We have the budget. Then, when the House has passed an appropriation bill, all we need do is look over the differences, where the House has reduced or added something to an appropriation bill. Practically all the hearings are out of the way when the appropriation bills come over from the House.

So, in my opinion, this proposal of the Senator from Pennsylvania would accomplish nothing.

Mr. HOLLAND. Mr. President——

Mr. MONRONEY. Mr. President, I yield such time as the distinguished senior Senator from Florida may require.

Mr. HOLLAND. Mr. President, I wish to call attention to the fact that this is a much further reaching amendment than those we have disposed of already, which would have changed the rules of the Senate, because this amendment proposes to change the rules of both the Senate and the House, and proposes to do so by changing the Reorganization Act applicable to both Houses.

Mr. President, not only do I completely support the position of the distinguished Senator from Arizona, but I also wish to say that I made a very long study of the historical question behind this particular issue some years ago; and I made a speech with respect to the subject in the Senate, which I shall not weary the Senate by repeating at this time.

Suffice it to say that in the 1880's when this question arose, the House committed the matter to its Committee on the Judiciary, to decide whether or not, under the Constitution, the Senate had the right to originate annual appropriation bills—and that is what we are talking about. The Committee on the Judiciary reported to the House that, under the Constitution, the Senate undoubtedly did have the right to originate annual appropriation bills.

Notwithstanding that action, the House very strongly, and by heavy vote, repudiated the report of its own Committee on the Judiciary, and insisted upon maintaining the practice that had prevailed for a long time before that, to the effect that money bills should originate in the House.

We had a long argument with the House committee and the House some years ago, which was unprofitable and did not do any good to anybody; and I do not wish to prolong that argument into the chance of passage of this very hopeful bill, which I am in favor of, in the main, and which I do not desire to subject to intolerable handicaps for its passage. I believe that the adoption of this amendment would do just that.

Now, in some matters, the argument of the House has some merit. They have exclusive assignments to the Committee on Appropriations, which we do not have, which allows them to study for long periods the various appropriation bills which they report—by committees much larger in the total than our subcommittees, and much more experienced, considering the cumulated experience of the entire membership of their committee.

Personally, I have found it very helpful to rely on the long hearings which are held in the House; and I believe that, as has been suggested by the distinguished Senator from Arizona, the matter in any particular bill are generally reduced to several items of particular concern, which the Senate can go into very thoroughly, and the Senate has not for a moment held back from differing completely with the House as to those matters in which there appear to be differences between the Senate and the House.

My experience on the conference committees on which I have served—I have served on a great many, under the direction of the Senator from Arizona—indicates that, in the main and in the great majority of cases, the House has yielded to the Senate on those matters on which we have disagreed with them, after conducting our hearings, largely on the basis of the items which were in controversy.

I do not think it is practicable, I do not think it is reasonable, I do not think it will bring any good result, I think it will be a very dangerous thing, for us to incorporate this amendment in the bill.

In closing, I call attention again to the fact that this is the first amendment that has been suggested—at least, which I recall—which not only is aimed at modification of the standing rules of the Senate, but also attempts to modify on the floor of the Senate the rules of the House. I never have heard of our being able to successfully accomplish any such procedure. I do not wish to be a party to such procedure. I believe that the House, regardless of any difference of opinion on this subject, is the body which should state its own rules; and for the Senate to adopt an amendment which is aimed directly at the rules of the House as well as at the rules of the Senate, would not only be an impractical and futile act but also a very injudicious act, because it would appear that we, in our wisdom as Senators, feel that we know more about how the House should be organized than do the Members of the House.

I do not wish to put myself in that position, and I do not believe that any Senators who have thought this matter through will wish to put themselves in that position.

I call attention to the fact that this amendment, far reaching as it is and unwise as I believe it to be, comes from a distinguished Member of the Senate who has given much study to the questions of reorganization of the Senate, but who is not a member of the Committee on Appropriations and who has not had the experience of repeated sitting down with the conferees of the other body, in the attempt to work out long and exhaustive bills, some of which have contained more than 150 differences to be worked out.

I do not believe that it is at all profitable to raise this point, and I hope that the Senate will summarily reject the amendment.

Mr. CLARK. Mr. President, I yield myself such time as I may require. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Pennsylvania has 20 minutes remaining.

Mr. CLARK. First, in reply to the Senator from Florida, I call attention to the table of contents of S. 355. Part 1 of title I, the committee system, is entitled "Provisions Applicable to Both Houses." Part 2 is entitled "Provisions Applicable to the Senate." Part 3 is entitled "Provisions Applicable to the House."

This bill is chock full of proposals which apply only to one body or to the other body or to both bodies, and so was the Reorganization Act of 1946.

The purpose of a congressional reorganization bill is to make suggestions for changes in the procedures, customs, matters, and method of legislating of both Houses. Sometimes those changes are applicable to one House, sometimes to the other, frequently to both.

In my judgment, the argument that this amendment is an attempt to legislate for the House as well as for the Senate proves nothing. Of course it does. That is what this bill is all about.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. HOLLAND. The Senator does not deny, does he, that this amendment attempts to change the rules of procedure, the standing rules of procedure, and the standing rules of organization of the House of Representatives?

Mr. CLARK. No. It is what the Senate thinks ought to be done. If the House does not wish to take it, it would throw it out of the conference.

Mr. HOLLAND. But the amendment attempts to do that, does it not?

Mr. CLARK. So does the bill. That is the whole purpose of the bill.

I do not mean to be disagreeable with the Senator from Florida. The Senator knows that.

Mr. HOLLAND. The Senator is never disagreeable, not even when we have amendments, so ably presented by the distinguished Senator from Pennsylvania up to this time, which have attempted to make highly controversial changes in the rules of procedure and the table of organization of the House of Representatives as well as the Senate.

Mr. CLARK. In my judgment there is no need to reply further to the Senator from Florida.

With respect to the Senator from Arizona, who I note with regret has left the Chamber, I am quite aware, despite his assertion to the contrary, of the present procedures in the Appropriations Committees under which certain preliminary hearings are held in the Senate on appropriation bills before the House has acted. Of course, this is a useful procedure. However, that procedure does not go to the heart of my amendment, which is to give to the Senate what it clearly has under the Constitution: the legal right to process and complete the processing of one-half of the appropriations bills, leaving to the other body the right to process the other half, all for the process of expediting the business and making the appropriating process simpler, more efficient, and shorter.

I cannot refrain from stating, in all good humor, that the present procedures in the Committee on Appropriations outlined by the Senator from Arizona are totally inadequate and fall far short of the reforms of the appropriating process needed in order to permit both Houses of Congress to adjourn a good many weeks earlier than would otherwise be the case.

Mr. President, I say again, in all good humor, that in my opinion the debate on this amendment is another of many indications of the unwillingness of senior Members of this body to recognize the fact that the Senate is being left behind as the modern world moves along in the civilizing process; at least, I hope it is a civilizing process. It could be the advent of a new type of barbarism. There is no doubt about the fact that the world is changing rapidly. Change is the order of the day. Some like it better than others like it.

It occurs to me that the Senate should be prepared to change where change is necessary and desirable. Yet, during my 10 years in the Senate, when I have attempted to suggest to my learned and able colleagues that perhaps we ought to at least get on the caboose of the modern world and make a few of those procedural changes which would enable us to perform our function more effectively, efficiently, and promptly, I am always met with the argument, "Well, it has not been done that way," and I do not think the Founding Fathers would like it."

I fear that if we are unable to open the minds of those Senators who so eloquently oppose these amendments which seek to provide these needed changes, which I have been proposing, we will find the day will come—hopefully not in my lifetime, but it will come inevitably—when the Senate, having failed to measure up to the challenges of the modern world, will be discarded by the people of the United States as an obsolete institution, and the people will no longer tolerate its quaint customs and procedures.

Mr. President, if the Senator from Oklahoma is prepared to yield back the remainder of his time, I am prepared to yield back the remainder of my time and have a vote on the amendment.

Mr. MONRONEY. Mr. President, I am prepared to yield back the remainder of my time, but first I wish to make a brief statement. I shall only take a minute.

Mr. President, one of the things that I believe is important in considering reorganization of any legislative body, whether it is State or National, is tradition.

Certainly a part of the tradition over scores of years is that the House of Representatives has traditionally considered money legislation first; and the other House shall have the right to change that legislation, to raise it or lower it, or to get together and agree to it. This may not be the choice of everybody, or the Senator from Pennsylvania, but it has distinct advantages to both bodies. Rather than blow up the entire bill which we are considering—and I have no doubt that this is a time bomb that would certainly explode in the House of Representatives and destroy all hope of reorganization—I ask that this amendment be rejected.

Mr. President, I would like to have a vote at this time. I yield back the remainder of my time on the amendment of the Senator from Pennsylvania which is now pending.

Mr. CLARK. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has expired. The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. CLARK]. [Putting the question.]

The amendment was rejected.

AMENDMENT NO. 26

Mr. CLARK. Mr. President, I call up my amendment No. 26 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment as follows:

> On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:
>
> "Sec. 123. Standing Rules of the Senate."
>
> On page 30, between lines 10 and 11, insert the following new section:
>
> "STANDING RULES OF THE SENATE
>
> "SEC. 123. Rule XXXII of the Standing Rules of the Senate is amended to read as follows:
>
> " 'RULE XXXII
>
> " 'BUSINESS CONTINUED FROM SESSION TO SESSION
>
> " '1. At the second or any subsequent session of a Congress, the legislative business of the Senate which remained undetermined at the close of the next preceding session of that Congress shall be resumed and proceeded with in the same manner as if no adjournment of the Senate had taken place.
>
> " '2. The rules of the Senate shall be adopted at the beginning of each Congress on a yea-and-nay vote, a quorum being present. A majority of the Senators voting and present shall prevail. They may be changed at any time as provided in these rules.' "

Mr. CLARK. Mr. President, I yield myself such time as I may require.

This amendment would repeal subsection 2 of rule XXXII of the Senate, which presently reads:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

Mr. President, that provision was adopted in the Senate on January 12, 1959, at the insistence of the then majority leader, the present President of the United States. It was adopted after a filibuster against a proposal to change rule XXII of the Senate, so as to provide for majority cloture, and came about in the context of debate on the right of the Senate to change its rules at the beginning of the session of the Congress.

I believed that the adoption of this section 2 of rule XXXII was unwise at the time and should be repealed. One gets into a legalistic argument, not unlike the question of how many angels can dance on the point of a needle, when one considers whether the Senate is a continuing body or not. The answer, I think, is nonetheless clear, that the Senate is a continuing body for some purposes and not for others.

For example, at the end of the 90th Congress, all bills undisposed of as of that time will die and cannot be enacted by a subsequent Congress unless reintroduced.

On the other hand, the terms of two-thirds of Members of the Senate continue and only one-third of the Members of this body are elected. So that, in that sense, 67 Senators continue without any further ratification of their terms by their constituents.

Thus, one could go to considerable lengths to prove that for certain purposes the Senate is a continuing body and for certain purposes it is not.

In my judgment, none of that argument can countervail the provisions of the Constitution of the United States, which states that the House and Senate—and I am paraphrasing here—shall have the authority to adopt their own rules and that a majority shall be a quorum for the purpose of transacting business.

To me, the briefs filed and the speeches and arguments made in connection with the biennial discussion on rule XXII, are as clear as crystal in support of the proposition that at the beginning of each session the Senate has the same right the House has to adopt new rules. Accordingly, as those briefs argued—and, as I believe—section 2 of rule XXXII is unconstitutional.

Now, I am under no illusions as to the fate of the pending amendment. I know what happened earlier this year when, after extensive debate, the Senate refused by a majority to rule on the question posed by Vice President HUMPHREY as to the right of the Senate to terminate debate with respect to a rules change which was raised at the beginning of Congress.

On behalf of the minority—whether learned or not—I believe that that decision was wrong. I noted that by a later vote, 53 Members of the Senate indicated their desire to change rule XXII in order to provide that three-fifths of those Senators present and voting should be able to close debate through the medium of cloture and proceed to a vote on the pending matter.

I have no illusions that, by reopening that question, by submitting this present rule, the Senate will change that result. But the day will come, in my judgment—the Senator from Oklahoma says that I am an optimist and I certainly am—and I make this statement, not only optimistically but also, I think, with a fair sense of realism—the time will come, and come in the not-too-distant future, when the Senate will rouse itself from its lethargy and finally modernize its procedures so that the majority rule may prevail.

Mr. President, that is all the proposed amendment would do. I would incorporate by reference, but not in the RECORD, the able arguments made earlier this year by the Senator from South Dakota [Mr. McGOVERN], the Senator from California [Mr. KUCHEL], and the Senator from Oregon [Mr. MORSE], in support of the general thesis which is set forth in the proposed amendment.

Mr. President, I reserve the remainder of my time.

Mr. MONRONEY. Mr. President, I shall not take too much of the time of the Senate. This is a matter which I feel every Senator recognizes has been carefully and thoroughly discussed as to the effect in the Senate of adopting new rules at the beginning of each session.

In fact, we had a great many days of debate on it, with thorough understanding, I think, on the part of every one of the 100 Senators. When the vote came, it had the result of determining that the Senate is a continuing body and that the rules go on from session to session.

I think of the history of the difference between the two Houses, the House being a body which is de novo each 2 years that Members and officers have been sworn in, and adoption of rules each session and election of officers occur; that, on the other hand, the matter of Senate organization has clear indication and precedents all over the years that the Senate is, in fact, a continuing body.

The fact that two-thirds of the membership of the Senate are always continuing Members and one-third are newly elected, even though they may be succeeding themselves, I believe, would point to the Senate's being entitled to the privileges of a continuing body.

I feel that we will be doing a great disservice to say that the rules of the

Senate, generated over many, many years, should be thrown away with each passing Senate session and a new set of rules would be subject to passage on the opening day, including rule XXII, or any other of the Standing Rules of the Senate, if a mere majority of the Senate chose to do so on that day.

Provisions are made for modification of Senate rules. They can be changed when the Senate so determines that it wishes to do so.

For that reason, and the fact that we have thoroughly considered this matter at great length at the opening of this session, I oppose the amendment.

The committee feels that this is fundamentally an amendment dealing with floor procedures in adopting the rules of the Senate, and is also beyond the jurisdiction of the grant of authority to the Committee on Organization of Congress. Therefore, no serious consideration could have been given in the committee for this amendment which was suggested by the distinguished senior Senator from Pennsylvania [Mr. CLARK], nor would we have been able, I feel, to approve it, had it been eligible.

The fact of the Senate being a continuing body is, I feel, certainly merited by the facts.

Mr. President, if the Senator from Pennsylvania wishes no more time, I am prepared to yield back the remainder of my time.

Mr. CLARK. Mr. President, I should like to speak very briefly on the rest of my time. I yield myself such time as I may require.

The Senator from Oklahoma suggested that this is an unprecedented amendment, that is, to provide that a legislative body should have the authority to fix its own rules at the time it convenes.

I point out to him that this is a rule of the House and has been since the Constitution was ratified.

I think I am correct in saying that in each of the legislative bodies of the 50 States, including State senates, new rules are adopted as a matter of course at the beginning of each biennial session. I should not say new rules, because ordinarily the old rules are adopted by a voice vote, because there is no desire to change them; but, nevertheless, the right exists for every member of such legislative bodies to propose new rules at the beginning of each session.

Mr. President, all the pending amendment would do would be to extend to Senators the same rights and privileges which every other legislator in the United States presently enjoys.

This, of course, does not mean that there would not be a great hassle over the rules each session. There have been historic hassles over the rules in the House of Representatives. Perhaps the most famous controversy was the fight over Reed's rules, I believe in the 1880's, which abolished the filibuster in the House, streamlined and modernized House procedures, and generally made the House of Representatives capable of performing its legislative responsibilities, a capability which had not theretofore existed, for reasons set forth at some length in many of the works on congressional procedure, which I shall not mention here since they would unduly extend my remarks.

There was another similar rules revolution in the House at the time some of the powers given the Speaker under the leadership of Thomas Reed, of Maine, back in the 1880's were revoked and eliminated because it was felt that the then Speaker Joseph Cannon was exercising undue power.

There was a hassle in the Senate in 1917, after "a small group of willful men" had refused to pass Woodrow Wilson's measure to arm merchant ships shortly before we entered World War I.

The late Senator Thomas Walsh insisted, and insisted successfully, that the Senate then, for the first time, adopt a rule which would permit debate to be terminated on the votes of two-thirds of the Members present and voting.

That caused quite a furor at the time. I think historians believe that Senator Walsh rendered a great service to his country by then insisting on the adoption of rule XXII.

In my judgment, rule XXII is inadequate to the needs of the modern world, and the Senate has the right, the constitutional right, to change that rule, and, in my judgment, many other rules, and should do so in order to bring its procedures up to date.

I noted, during the debate on rule XXII—and I am glad to see present in the Chamber my good friend the senior Senator from Wyoming [Mr. McGEE]—that he and a number of other Senators from small States had opposed any change in rule XXII. On the other hand, a number of Senators from small States, such as the two Senators from Montana, felt the rights of the smaller States were not prejudiced and would not be prejudiced by a change in the rule.

I know the Senator from Wyoming [Mr. McGEE] has been in favor of moderate civil rights legislation. I make these comments only because he is here, and to urge him to reconsider his point of view and give some thought to whether the rights of the small States would not be protected under a change in the filibuster rule.

Mr. McGEE. Mr. President, does the Senator wish to yield now, or to continue?

Mr. CLARK. I shall be happy to yield. How much time do I have remaining, Mr. President?

The PRESIDING OFFICER. The Senator has 17 minutes remaining.

Mr. CLARK. I am glad to yield to the Senator from Wyoming.

Mr. McGEE. I should like to say to my friend from Pennsylvania, in view of the fact that he brought out my position in the course of his remarks on rule XXII, that there is much more at stake than the question of protecting the right of small States. My position on it goes back to what I suppose one could say is that of a student of political science.

I think there is a great deal to be said for the kind of merged, balanced representation in this country that our Constitution provides for, which has worked, and which not only protects the minority from being loaded down overwhelmingly by the majority—so that the majority can have a great deal of weight—but likewise protects geographic sections as well as many other matters that provide the interplay of a workable government.

I have not been persuaded by any of the recent developments that there is a real need for a change. On most of the past votes on this issue, as the Senator will recall, there has been difficulty in getting a majority. The last vote on the issue got beyond the majority line. But I think this issue should properly be discussed when we are speaking of the substantive issue rather than an emotional one. I think it is better that we talk about it now rather than when there is an issue on civil rights; when men want to rush certain legislation through, and try to have a rule change because of the emotions triggered at that moment. I think this question should not have consideration in those circumstances.

I thank the Senator from Pennsylvania for bringing it up now, when a real, substantive question is at stake. I did not want to have remain in the RECORD the idea that a small group was trying to hold back a mass of those who wanted to get certain legislation through. I think the rule serves a constructive purpose in the delicate balance of the political machinery in a country where the interests are widespread and where there is a diversity of interest. I would rather leave it on that basis.

Mr. CLARK. I thank my friend for his able presentation of his case. He came to the Senate as a distinguished social scientist and historian from the University of Wyoming. I know he is thinking in terms of political science. I only regret that I cannot agree with the conclusion which he has reached.

Mr. President, I am prepared to yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I am prepared to yield back the remainder of my time. I do wish to state that the amendment of the distinguished Senator from Pennsylvania involves much more than rule XXII. In fact, it subjects to approval or disapproval any of the standing rules of the Senate on opening day and leads to the abandonment of the longstanding acceptance of the continuing nature of the U.S. Senate.

Of course, everybody realizes that the House is new each 2 years, by its very organization, and that there is no carryover. The rules of the Senate carry over. They continue until the Senate decides otherwise.

I yield back my time and ask for a vote on the amendment.

Mr. CLARK. Mr. President, I yield back such time as I may have remaining.

The PRESIDING OFFICER. All remaining time on the amendment has been yielded back. The question is on the amendment of the Senator from Pennsylvania.

The amendment was rejected.

AMENDMENT NO. 27

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. CLARK. Mr. President, I call up my amendment No. 27 and ask that it be stated.

The PRESIDING OFFICER. The clerk will read amendment No. 27.

The amendment (No. 27) was read by the assistant legislative clerk, as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"Sec. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"STANDING RULES OF THE SENATE

"SEC. 123. Rule XXIV of the Standing Rules of the Senate is amended by adding at the end thereof the following new rule:

" 'RULE XLI

" 'INSTRUCTIONS TO REPORT ON MAJOR LEGISLATIVE MATTERS

" '1. It shall be in order at any time after the conclusion of morning business for any Senator to make a motion to denominate any measure then pending in any committee or subcommittee of the Senate as a "major legislative matter," and such motion shall be a privileged matter and subject to immediate consideration, provided that a notice of intention to make such a motion shall have been presented on the previous calendar day on which the Senate was in session, and printed in the Congressional Record.

" '2. Debate upon such motion shall be limited to eight hours, the time to be evenly divided between the opponents and proponents of the motion.

" '3. Such motion, when agreed to, shall constitute an instruction to the committee to which the measure denominated a "major legislative matter" has been referred to report such measure to the Senate within thirty calendar days, by poll or otherwise, with the recommendation (a) that it be passed, or (b) that it not be passed, or (c) that it be passed with such amendments as shall be recommended'."

The PRESIDING OFFICER. Who yields time?

Mr. CLARK. Mr. President, I yield myself such time as I may require.

Although it is axiomatic that the committees of the Senate are its creatures and its agents, no procedures presently exist by which the Senate can exercise its authority over a committee in a fair, orderly, and effective manner. In fact, Mr. President, if I may be permitted an observation, it occurs to me that we have slowly but surely got into the psychological situation where the committees are not the servants of the Senate or its agents, but are its masters. Such is the power exercised by the chairman of legislative committees and the Appropriations Committee that the large body of the Senate all too frequently finds itself the captive instead of the master of the committees.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. HOLLAND. Under the present rules of the Senate, is it not a fact that a majority of the Senate, upon a simple vote discharging a committee, has the right at any time to call back from a committee a matter which it had before that time entrusted to it?

Mr. CLARK. If the Senator will indulge me, I intend to come to that in a minute.

Mr. HOLLAND. Well, that is the case, is it not?

Mr. CLARK. The answer is, "Yes."

Mr. HOLLAND. I thank the Senator.

Mr. CLARK. This matter becomes particularly pertinent when Congress is dealing with recommendations of the Executive which are part of the Executive's major legislative program. We are all aware that many a President, for many a year, recommended civil rights legislation, but the Committee on the Judiciary never reported it. We are all aware that in days past, if not today—and possibly today—the President has recommended fiscal legislation which not only did not meet with the approval of the Ways and Means Committee of the House, but did not meet with the approval of the Finance Committee in the Senate; and for many a long year, due to the seniority system and the control of committees by ultraconservative chairmen, the custom of "pickling" legislation recommended by the President of the United States became current and choice.

Of course, as a coordinate body of the Government of the United States, the legislature—namely, Congress—has every right to reject, to amend, to modify, or to pass the major legislative recommendations of the Executive; but the purport, the thrust of this amendment is to suggest that the committees have no right to bottle up those legislative recommendations and not give the body itself an opportunity to vote on them.

My thesis is that any President of the United States has a right, under the Constitution and under the orderly processes of government, to have a vote on the merits of his major legislative proposals by the whole body of the House or by the whole body of the Senate.

It is true, as the Senator from Florida suggested a few moments ago, that the rules do presently provide for a motion to discharge a committee from further consideration of a measure. For reasons I indicated a few moments ago, this motion to discharge is rarely used, because the Senate has tended to become the servant of its committees rather than the master; and it is certainly a rash junior Member of this body who would move to discharge a committee of important legislation, where the chairman of that committee was a powerful Member of the Senate establishment, and was determined to "pickle" or to bottle up the legislation.

It is true that for the past couple of years this procedure has not often been followed. But what was done in the past may well be done in the immediate future again, procedure of delay, and this may be applied to some of the Great Society legislation—particularly of a fiscal nature—which the President of the United States might ardently desire to have passed.

Moreover, a motion to discharge cannot be used to secure committee consideration of a subject. You discharge a committee of a measure, but you do not tell it to think about it. You do not tell it to hold hearings. You do not tell it to mark up a bill, or decide it does not not want to mark up a bill. You do not tell it to render a report, whether favorable or unfavorable, on a proposal by the President of the United States. So a vast silence can descend upon a wide area of proposed legislation, without anybody taking the responsibility for having "pickled" or bottled up the bill. This, I submit, is not sound legislative procedure, and the proposed amendment would change that situation.

Moreover, a motion to discharge, as the Senator from Florida did not point out, is subject to unlimited debate, and therefore can be filibustered. So, in effect, a small group of determined Senators could prevent a motion to discharge from ever coming to a vote. The end result is that there is no effective way, under present procedures, by which a majority, or even two-thirds or three-fourths of the Senate can, in the first instance, require a committee to consider a bill strongly recommended by the President, to hold hearings, to mark it up and report it out either favorably or unfavorably.

Of course, if a motion to discharge is filed, two-thirds of the Senators present and voting could impose cloture. But that is a long and cumbersome process, ill suited, I believe, to a motion to discharge. This proposal would remedy the defects of which I have just spoken, by creating a privileged motion to denominate any measure pending in a committee or subcommittee as a "major legislative matter." That motion would be privileged, provided that a notice of intention to make it had been presented on the previous calendar day and printed in the CONGRESSIONAL RECORD. Debate on the motion, under the proposed rule, would be limited to 8 hours. The time would be divided equally between opponents and proponents. Such motion, if carried by a majority of the Senators present and voting, would constitute an instruction to the committee to which the measure had been referred to report it to the Senate within 30 calendar days, by poll or otherwise, with the recommendation: first, that it pass; second, that it not be passed, or third, that it pass with amendments, stating the recommended amendments.

In addition to the other benefits of this proposed rule, I would note that it would tend to do what I strongly believe is highly desirable, which is to give the majority leader—who would presumably support the recommendations of the President of the United States when the President is of the same political party—an additional tool over the committee chairman and the other members of the committee which might be "pickling" or bottling up legislation which the President ardently desires. This, in turn, would, in my judgment, tend to change the present situation to which I adverted a few moments ago, which, in my opinion, in many instances, results in the legislative committees being the masters of the Senate, instead of the Senate being the masters of its committees—which it creates as its agents.

Accordingly, I would hope that the pending amendment—making, I believe, a highly desirable change in procedure, strengthening the hand of the President of the United States without giving him undue power, and strengthening the hand of the majority leader without giving him undue power—would be accepted by the Senate.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. MONRONEY. Mr. President, I oppose the amendment of the Senator from Pennsylvania.

In the first place, this voids the restrictions that were placed upon the Joint Committee on Organization, because it deals with the floor procedures of the Senate, which procedures were denied us in the consideration of recommendations that we would be able to make.

Second, I feel that the amendment would be quite dangerous.

The amendment would permit the Senate, under limited-debate procedure, to designate any measure pending in a committee as a major legislative matter, which designation would require the committee involved to report that measure within 30 calendar days.

In the first place, the Senate now has the power to discharge its committees from the consideration of any matter. The process is not an easy one, and for good reason. While the committees are the creatures and agents of the Senate, they are also composed of the Senate's experts in the fields over which they have jurisdiction. The function of the Senate as a house of revision is furthered by maintaining procedures that will enhance detailed examination of proposed legislation. Any procedure that makes it easy to discharge committees reduces the capability and the capacity of the Senate to obtain full consideration by its expert Senators.

Second, there is another method by which laggard committees may be ordered to report bills. This involves instructing a committee to report by a certain date. The Senate is naturally and rightfully reluctant to follow such a procedure, for it may lead to hasty and ill-drawn legislation. However, under extraordinary conditions the Senate has instructed its committees, as it did, for example, in 1964 when the Committee on the Judiciary was ordered to report a civil rights bill.

Considering the function of the Senate and the devices already available for bringing legislation out of committees, this amendment is unnecessary.

In the committee bill of rights, which was included for the first time in the Reorganization Act now pending, we provided a system whereby a committee chairman, no matter how opposed he might be to legislation, would be compelled to call his committee into session when a majority of the members of the committee sign a notice that they wish to proceed with a matter. The majority would be in sole charge of the business that would be brought before the committee.

Thus, the motion to consider in open hearings and make up or mark up or table the legislation is subject to the will of the majority.

I think it is a far better procedure to give that right to the majority within the committee without the pressures incurred when a matter is declared to be legislation of national importance and without giving what, in effect, is a right to order the committee to be discharged from the consideration of a bill or to report a bill up or down.

I think that Members of Congress are fully familiar with the circumstances of the proposed legislation. I do not care to belabor the matter further.

If the Senator from Pennsylvania is willing to yield back the remainder of his time, we can have a vote.

Mr. CLARK. Mr. President, I merely want the RECORD to note that in disposing of these amendments today I am cognizant of the fact that if they were pressed to a rollcall vote, they would be defeated, probably by large majorities.

Very few Senators are present on the floor. The voice votes are usually 2 or 3 to 1.

I actually got one vote on my side a few moments ago. I think that vote was 4 to 2.

This is a sort of pro forma arrangement that we are going through in order to expedite matters and make a historical record of the amendments on the bill.

I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment was rejected.

Mr. CLARK. Mr. President, I note for the RECORD that that vote was 6 to 1.

AMENDMENT NO. 29

Mr. President, I call up my amendment No. 29 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"Sec. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"STANDING RULES OF THE SENATE

"SEC. 123. Rule XXIV of the Standing Rules of the Senate is amended to read as follows:

" 'RULE XXIV

" 'APPOINTMENT OF COMMITTEES

" '1. At the beginning of each Congress the Senate shall proceed by ballot to appoint the members of each standing committee, and unless otherwise ordered, of each other committee of the Senate. All members of each such committee so appointed shall be appointed by one ballot. A plurality of the votes cast shall be required for the appointment of the members of each such committee.

" 'In the even a vacancy occurs for any reason in the membership of a standing committee and of any other committee of the Senate during a session of Congress, the Senate shall proceed by ballot to fill the vacancy. A plurality of the votes cast shall be required in the filling of a vacancy.

" '2. Upon the appointment of the members of each such committee at the beginning of a Congress pursuant to paragraph 1, the majority members thereof shall elect by secret ballot of the majority members of the committee one member of that committee to be chairman thereof. Such member shall be of the majority party of the Senate. A majority of the whole number of votes cast by the majority members of the committee shall be required for the election of a chairman of any such committee.

" 'No Senator shall be elected or shall continue to serve as chairman of a standing committee after he has attained the age of seventy years, but nothing herein contained shall prevent a Senator who has attained the age of seventy from serving as a member of any committee.

" 'When a permanent vacancy occurs for any reason in the chairmanship of a standing committee and of any other committee of the Senate, the vacancy in the membership shall first be filled (if necessary) as provided in paragraph 1 hereof, and a successor chairman thereafter elected as hereinabove provided.

" 'No Senator shall be chairman of more than one standing committee nor of more than one subcommittee of each committee of which he may be a member.' "

Mr. CLARK. Mr. President, I send to the desk a modification of my amendment and ask that it be stated.

The PRESIDING OFFICER. The modification will be stated.

The legislative clerk read as follows:

Add new paragraph at the end:

"SELECTION AND RETIREMENT OF COMMITTEE CHAIRMEN

"(3) Nothing contained in this rule shall prevent the election of any Senator as the chairman of any standing committee of the Senate who was the chairman of that committee on February 1, 1967."

The PRESIDING OFFICER. The amendment is so modified.

Mr. CLARK. Mr. President, the modification creates a grandfather clause with respect to present chairmen who attain the age of 70.

I have, of course, no desire to cause the removal of any of my able and distinguished colleagues presently serving as chairmen of committees and who have passed the delicate time in life of three score and 10 years.

Desiring to maintain proper anonymity, I state that there are presently six such beloved colleagues and that a seventh will reach the mystic age of 70 in November of this year. Many of these gentlemen are my warm, personal friends.

I would not want to do anything which might interfere with their continuing to serve as chairmen of committees as long as they see fit.

The amendment has several thrusts. The first calls for the election of chairmen of standing committees by secret ballot of the majority members of the committee at the beginning of each Congress. The present procedure is, if I may say so, mildly comic. What happens is that the steering committee of the majority party—on which I have the honor to serve—meets each year to fill vacancies in the membership of all committees which are assigned to the majority party, in accordance with established ratios. Then the committee on committees of the minority party—at present, the Republican Party—fills the vacancies occurring in its membership on each committee, under the readjusted ratio, and the committee vacancies as thus filled are reported to the Senate and actually adopted by the Senate without debate and on voice vote.

One may ask, "How do you decide who is chairman?" The chairman is designated by putting his name first on the list of the majority members; and when the Senate approves the list agreed to by the steering committee and the committee on committees, that individual automatically becomes chairman.

How do you decide whom to put at the head of the list? On the basis of seniority—just straight seniority. If a vacancy occurs during a congressional session, the vacancy is filled in the same way, by the next senior member of the majority party automatically acceding to the role of chairman.

Mr. President, the longer I am a Member of the Senate, the less I feel that the seniority system is a wicked thing. In fact, I have already become the beneficiary of the seniority system to a modest extent, in connection with my membership on three Senate committees, and have become the chairman of what I believe is a rather important and useful subcommittee—again, by reason of my seniority. However, it has never seemed to me that the present method of selecting committee chairmen makes any sense at all; and I have always believed that the members of a Senate committee should have the same privilege that is accorded the members of any other committee of which I have ever heard, that of selecting their own chairman.

Every now and then, in civil life, we find an instance in which the chairman of a committee is designated by the appointing authority. But ordinarily the chairman is elected by the members. Even where the chairman is designated by the appointing authority, seniority does not automatically apply.

The proposed amendment would require a secret ballot of the members of the majority on that particular committee, to decide whom they wish to be chairman. This seems to me to be a normal, democratic, American right.

Such is the strength of tradition in this body, that I have no doubt that 9 times out of 10 the secret ballot would result in the election of the most senior member—possibly in 19 cases out of 20. However, during my 10 years of service in the Senate, instances have occurred in which the chairman of a committee was clearly out of tune with the members of the majority party of his committee. In such an instance, by secret ballot, I believe that the members of the majority should be permitted to make another choice. This would have the additional salutary effect of somewhat restraining what might otherwise become the normal human arrogance of an individual who had adequate seniority and was perhaps sometimes inclined to use his power as chairman of the committee to prevent the will of a majority of his committee from prevailing. That would not happen very often, but in my judgment it would be a salutary check.

Accordingly, the thrust of the first part of this amendment would be to require chairmen to be elected at the beginning of each Congress by a majority vote of the members on the committee representing the majority party, and the filling in like manner of vacancies which occurred during sessions.

The second part of the amendment deals with a subject which is sensitive, indeed. As we all grow older—and I am growing older, also—the question always arises whether we are capable, as age creeps on, of seeing ourselves as others see us:

> O wad some power the giftie gie us
> To see oursels as others see us!

Flattery is a common method of achieving what we want in life, and I love it. Flattery will get people almost anywhere with me. I suspect that as one grows older, more and more of one's friends are apt to come up and say, whether they believe it or not, "Senator, you don't look a day older than you did 30 years ago"; or, "Senator, your mind is just as sharp and just as keen and your energies just as undiminished as they were when I first knew you as a young man." This is nice to hear, but perhaps it is not true.

I have noticed—I hasten to add that I have not noticed it with respect to any of the present Members of the Senate, but I have noticed it in other areas of life—that there is a tendency to linger on in positions of power after one's faculties are no longer as alert and keen as they once were. Therefore, most important corporations which require drive, energy, and a keen mind from their executives retire them at varying ages—sometimes 60, sometimes 65, sometimes 70. Rarely is a corporation executive these days allowed to serve as such after he has attained the age of 70.

I do not believe that practices in business or industry are necessarily applicable in politics. But I do believe that the tendency to linger on is a fact with respect to politics in general, including that part of politics which involves the intramural senatorial decisions by which committee chairmen of the Senate are selected.

I wish to make it clear that this provision with respect to age 70 would have no bearing at all on the continued service on the committee of the individual who would be, by the proposed rule, prohibited from continuing to serve as chairman. In his ripe old age he would continue to sit, his wisdom would be available to his junior colleagues and, no doubt, in many instances his views would continue to prevail; but he would be relieved of the enormous administrative burden which every chairman of a legislative committee in this body recognizes to exist. He would be able to devote himself in his declining years to a consideration of legislative matters coming before his committee, and be able to turn over the reins of office, the handling of the staff, the arrangements for hearings, presiding at the markup of bills, and all of that tedious work which is so time consuming and demanding of one's energy, to a younger colleague.

I suggest, Mr. President, that with the inclusion of the grandfather clause which I have added to modify the amendment, its adoption would be a salutary reform which would add to the efficient operation of this body without in any way impinging upon the right of senior Senators in their declining years to continue to sit as members in good standing of all committees on which they have always served, to continue to make their excellent contributions to the work of this body.

Mr. President, I reserve the remainder of my time.

At this point Mr. RIBICOFF took the chair as Presiding Officer.

Mr. MONRONEY. Mr. President, I oppose the amendment of the distinguished Senator from Pennsylvania to abolish the present method of electing committee chairmen and to prohibit Senators beyond the age of 70 from serving as committee chairmen of any standing committees of the Senate.

This is a most important amendment. It is one of the most important amendments that has been offered.

Many people who talk about the seniority system fail to recognize that there is no seniority rule which requires the selection of the Senator longest in service on that particular committee to become its chairman or to continue to be its chairman until he leaves the service of the Senate or until he dies.

It would seem to me that the present system offers a better opportunity for a smoother, more efficient, and effective committee system in that it transfers to the caucus of the Senate or the House of Representatives, as the case may be, the determination of the selection of committee chairmen. Under custom, this has been the selection of the senior member of a committee to be its chairman. The recommendation of the caucus comes to the Senate, and it is the Senate which makes the appointment to the chairmanship of a particular committee.

Mr. President, I grant that if this system were changed we would probably have more direct action among the majority members of a committee by secret ballot to choose the chairman of the committee. I presume that under the proposed amendment, such action would take place every 2 years, and the designation of committee chairmen would be required at each new session of Congress.

If I am wrong in that assumption, I would appreciate enlightenment from the distinguished Senator from Pennsylvania.

Mr. CLARK. The Senator is correct.

Mr. MONRONEY. This process would occur every 2 years. Everyone knows the close-knit harmony required within a committee to secure consideration, hearings, and passage by the Senate of measures reported by the committee.

To divide the majority members of a committee in a highly contested election every 2 years to determine who shall be the chairman of the committee would, I believe, be more disrupting than beneficial, if the committee were to choose its chairman by secret ballot.

Obviously, the majority party is supposed to be able to marshal the majority of committee votes. The Senate majority member is charged with that responsibility. Consequently, the division between two popular members of a committee would have a divisive and disrupting effect if there were a challenge every 2 years to the leadership of the committee. I doubt that it would add to the quality of legislation or enhance the harmony of the majority members on the committee.

It would seem to me that the system we now have, faulty though it is, of allowing the chairmanship of a committee, regardless of personality, to go to the most senior member of a committee is the best method we have been able to devise. It is not entirely satisfactory to Congress, but as Winston Churchill said:

> Democracy is the worst form of government, except all other forms of government.

I would say that seniority is probably the worst form of choosing chairmen, except for all other forms of choosing chairmen. There is no happy solution.

The present system eliminates personality clashes and acrimony that might occur in a contest or campaign for a period of time for the small number of votes that would be available for the majority members to seek the blessing of the chairmanship in a secret ballot. For that reason, I doubt whether we would be improving the present situation.

Perhaps there are other methods. I do not know. Certainly, it is not a matter that any Senator would wish to have swept under the rug. Most people feel that the seniority system is a rule. The caucus can change the system any time it wishes to do so. Whenever the majority wishes to change the system, the majority in caucus can change it. However, the chairmen would be selected by caucus with a large number of Senators voting for the chairmen. There would be no limit to the number of Senators who would be choosing the chairmen of committees.

Mr. President, while the 70-year-old age limitation would deny to Senators a period of service as chairmen of committees if they were age 60 or 65, it would limit their service to a small number of years, and thus limit their efficiency in being able to understand the legislation they are charged with passing on the floor to a very short number of years.

The lowering of the average age limit in the Senate, which has occurred, will result, under the present system, in many younger Senators becoming chairmen, because they entered the Senate at a younger age and became senior Senators at an earlier age than has been true heretofore.

It would seem to me that the marking of a man who is past the age of 70 probably would not only eliminate him as a chairman of the committee, a post in which he may have a vast amount of experience—such as the late great Senator Harry F. Byrd and many other Senators I can recall—but would also probably effectively eliminate him as a distinguished statesman, as the distinguished Senator from Pennsylvania mentioned. It would probably mark him as a man who has passed the age of leadership for which the Senate considers qualified except for age.

I think the people of his State are qualified to continue him, but it would be a matter that would certainly be detrimental to his success in any formal campaign if he had passed the "magic" age of 70. It would proscribe him from assuming the duties of the chairmanship of any committee and require his retirement, although it would not apply to present Members. His retirement from that office would be required no matter how ably, competently, effectively, and energetically he had performed the duties of his office.

Mr. President, I urge that the pending amendment be voted down, as I am sure the Senate will do.

Mr. DIRKSEN. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. DIRKSEN. I have asked the majority leader whether I could yield for a moment to the Senator from Vermont [Mr. Prouty], who is going to call up an amendment this afternoon.

Mr. MUNDT. Mr. President——

Mr. PROUTY. Mr. President, I call up my amendment——

Mr. CLARK. If the Senator from Vermont would withhold for a moment, I think we could vote on the pending amendment within the next 30 seconds.

Mr. DIRKSEN. I should like to get his announcement made because I have told Senators to come into the Chamber——

Mr. CLARK. All right.

Mr. DIRKSEN. I stated that we had uniformly told the Members that there would be no record votes this afternoon. Thus, the Senator from Vermont will take only a moment to explain his amendment and to indicate that he will call it up on Monday next.

Mr. PROUTY. Mr. President, I have suggested that I could call up my amendment No. 38, which relates to the Select Committee on Small Business, but in view of the fact that Members have been advised that there would be no record vote this afternoon, I shall not call up the amendment until Monday next, if that meets with the approval of the distinguished Senator from Oklahoma [Mr. Monroney].

Mr. MONRONEY. I am sorry. I did not hear the Senator.

Mr. PROUTY. I wonder whether I could call up my amendment early in the session next Monday.

Mr. MONRONEY. Yes, of course, that would be perfectly all right.

Mr. PROUTY. I thank the Senator. I will be asking for a record vote at that time.

Mr. President, I ask unanimous consent that the names of 29 Senators cosponsoring this amendment be added and printed in the Record at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The names of the cosponsors are as follows: Mr. Allott, Mr. Baker, Mr. Bartlett, Mr. Burdick, Mr. Carlson, Mr. Case, Mr. Dominick, Mr. Fong, Mr. Gruening, Mr. Hansen, Mr. Hart, Mr. Hatfield, Mr. Hickenlooper, Mr. Inouye, Mr. Javits, Mr. Kuchel, Mr. Magnuson, Mr. McCarthy, Mr. McGee, Mr. McGovern, Mr. Miller, Mr. Montoya, Mr. Mundt, Mr. Murphy, Mr. Pell, Mr. Randolph, Mr. Scott, Mr. Smathers, and Mr. Young of North Dakota.

The PRESIDING OFFICER. Who yields time?

Mr. CLARK. Mr. President, I am prepared to yield back the remainder of my time as soon as we can dispose of the pending amendment, if the Senator from Oklahoma is agreeable.

Mr. MONRONEY. I have promised to yield to the Senator from Florida [Mr. Holland] who wishes to make a few remarks, and then to the distinguished Senator from South Dakota [Mr. Mundt] would like briefly to be heard.

Mr. HOLLAND. Mr. President, I should like to be heard briefly on this amendment.

In the first place, I want to make it clear that while I am above the age of 70, I am not the chairman of a standing committee. It does not appear that I am apt to become the chairman of a standing committee; thus I am not speaking as a chairman either actually or potentially.

Before I begin my remarks, I should like to express my appreciation to the distinguished Senator from Pennsylvania for one of the provisions in his proposed amendment in which he says:

> Nothing herein contained shall prevent a Senator who has attained the age of seventy from serving as a member of any committee.

I appreciate the graciousness of the Senator from Pennsylvania in that regard.

Mr. CLARK. The Senator was not in the Chamber when I modified the amendment to include a grandfather clause.

Mr. HOLLAND. I appreciate that, but this provision is broader than that, if I may say so. It indicates that the Senator thinks, in his wisdom, that a Senator who has passed the age of 70 might still be qualified to serve as a member of a committee, and I am grateful to the Senator for that.

Mr. CLARK. If the Senator had been in the Chamber, he would have heard my rather extensive argument in support of the position he has now taken.

Mr. HOLLAND. I am glad to hear that the Senator has taken that position. Again, I express my appreciation to him for his graciousness.

I thought that the Senator from Pennsylvania was in favor of majority rule. I thought that all during this debate, and I thought that during other debates which have taken place this year, before the Senate considered this particular bill. However, I find, from an examination of his amendment, that the Senator from Pennsylvania is not now in favor of majority rule.

I invite attention to the fact that in the amendment there are three provisions which provide for rule by a plurality instead of a majority. I am rather surprised to find my distinguished friend yielding ground on this particular conviction which I thought was so deeply ingrained in his thinking.

For instance, in the proposed amendment, on lines 6 and 7 appear these words:

> All members of each such committee so appointed shall be appointed by one ballot.

That applies to members of standing committees, and then later these words:

> A plurality of the votes cast shall be required for the appointment of members of each such committee.

In other words, a simple plurality would be followed, not in the choosing of one member but in the choosing of all members of all standing committees of the Senate. It appears as though the

Senator from Pennsylvania has departed very greatly from his conviction in favor of majority vote.

Mr. CLARK. The reason plurality is in there is that I did not think that minority members should elect the chairman. It could be only a plurality if we are going to have the chairman selected by majority members. If we let the minority vote, we might be in great trouble.

Mr. HOLLAND. I invite attention to the instances later, which I shall relate, which have to do with filling vacancies on the part of the majority, if the Senator will allow me to call attention to the next instance in which he adopts the plurality approach, on lines 13, 14, and 15, on page 2 of the proposed amendment, appear these words which have to do with the filling of a vacancy on the committee:

> A plurality of the votes shall be required in the filling of a vacancy.

I think that shows rather clearly that the distinguished Senator has departed from a conviction which I thought he felt very deeply, that only by majority rule should actions be taken.

Then, on page 3 of the proposed amendment, appear these words:

> When a permanent vacancy occurs for any reason in the chairmanship of a standing committee and of any other committee of the Senate—

That means the subcommittees. That means special committees. That means "any other" Senate committee, because that is what it says.

Continuing reading—

> the vacancy in the membership shall first be filled (if necessary) as provided in paragraph 1 hereof . . .

Mr. President, paragraph 1 is the one containing the two provisions for the use of plurality votes to which I have already referred, so that, by reference, the wording on page 3, which happens to be in section 2 of the proposed amendment, again adopts the plurality provision, not only with reference to standing committees but also with reference to subcommittees of standing committees and with reference to special committees; in fact, with reference to "any other committee of the Senate."

Mr. CLARK. The provisions respecting pluralities, which my good friend from Florida has just read, merely incorporate the present provisions of rule XXIV of the Senate. They make no change in existing provisions, which I think have been in effect for a great many years. It was unnecessary to change that language in order to achieve the two objectives I have in the rule; namely, first, election by secret ballot, and second, the age 70 limitation. The language read by the Senator from Florida is in the present rule.

Mr. HOLLAND. Well, Mr. President, I invite attention to the fact that wherever this language might occur before, the distinguished Senator has adopted it and placed it in his amendment, and has on three occasions in the amendment departed from what I thought was a fixed conviction on his part that majority rule should prevail; because he has, in these three provisions, applied the principle of choice by plurality to fill committee posts.

Mr. President, I hope this amendment will be defeated, because it so clearly strikes at the very warp and woof of the Senate structure and the committee structure and would, in my judgment, very frequently preclude the Senate from taking advantage of the greatest experience and wisdom which it might have among its Members, and the greatest experience in any of the committees as to their field of legislation.

I hope the amendment will not have the approval of the Senate.

Mr. CLARK. Mr. President, I am prepared to yield back my time.

Mr. MONRONEY. The Senator from South Dakota wishes a brief minute or two.

Mr. CLARK. Mr. President, will the Senator yield for 30 seconds? As the Senator from Oklahoma knows, I have a most important committee meeting, starting right now. I would like to ask unanimous consent that, even though I am not present when the vote on this amendment is taken, it may be noted that I would have voted in support of it.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, I yield such time to the Senator from South Dakota as he may require.

Mr. MUNDT. Mr. President, may I inquire how much time the Senator has remaining?

The PRESIDING OFFICER. The Senator has 12 minutes remaining.

Mr. MUNDT. I shall not take over 5 minutes on the amendment. I want also to speak about other Senate business.

I join with Senators who have spoken in opposition to the Clark amendment. We have had discussion about the seniority problem I guess as long as we have had seniority in Congress. The same problems and suggestions have been considered by the committees and by Congress and by the public. It seems to me the solution suggested now by the Senator from Pennsylvania is far less helpful and far less prudent than many proposed correctives and will result in far more problems than it cures. It shows the danger of the Senate agreeing to an individual concept of an individual Senator when dealing with matters that have been before the Senate and have been precedents for many, many generations.

I am positive that this approach to the selection of a chairman of a committee by election will lead to crusades of personal logrolling that will result in far less effectiveness and efficiency, far beyond what occurs when occasionally there is a chairman with whom one may disagree and would like to displace.

I know of no great number of cases—certainly, I know of none since I have been here—in which a chairman, because of his seniority, has exercised arrogance or superciliousness or undesirable power. When such an occasion does happen, such as the recent case on the other side of the Capitol, Members of either body have a way to correct it. When Members feel that, because of old age, they cannot engage in crusades or continue as chairmen, there is a way for them to step down. We had an example of that in our own body, when the then distinguished Senator from Rhode Island, Senator Green, voluntarily stepped down as chairman and turned over those arduous duties to another Senator as chairman, but continued to serve on that committee.

We shall create more situations and more problems than we could conceivably cure by adopting the Clark amendment. I hope the Senate will vote it down.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. MONRONEY. Mr. President, I understand that all time has expired. The distinguished senior Senator from Pennsylvania [Mr. CLARK] has asked that it be announced that, if he were not compelled to be at an important committee meeting, he would vote in favor of his amendment.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment was rejected.

SENATOR RANDOLPH CRITICAL OF CUTBACK IN HIGHWAY PROGRAM—HEARINGS ON FREEZE BEGIN MONDAY, FEBRUARY 27

Mr. RANDOLPH. Mr. President, on January 23, I made extensive remarks in the Senate with regard to the highway freeze. I stated then, that the Committee on Public Works would hold hearings in late February. Today I am announcing that those hearings will commence on Monday, February 27. They will continue for as long as it is necessary to determine the full implications of this decision. Committee members desire to ascertain the true nature and impact of the cutback. We seek a full understanding of the ramifications of the decision, and in light of that knowledge, suggest such remedial action as may be appropriate.

During the course of these hearings, it is our intention to hear from the Director of the Bureau of the Budget, from the Chairman of the President's Council of Economic Advisers, from the Federal Highway Administrator, as well as from representatives of the State highway departments, the highway construction industry, the highway users groups, and that segment of organized labor concerned with highway construction. Members of this body and of the House will also give us their counsel.

I am concerned with the slight reference which was made to the deferment in the President's budget message of January 24. I am even more disturbed that no reference was made to it in the Economic Report of the President. My impression of that report is that the national economic situation as described does not indicate the need for continuing such a drastic policy.

What authentic information I have been able to gather indicates that none of those who are officially responsible for the highway program were involved in the decision nor were they consulted about it. The decision, as far as I have determined, was made by those responsible for fiscal policy rather than highway policy, and I have serious misgivings that this may have involved some antihighway action. I hope that I am wrong.

Questions have been raised on the timing of the announcement, the authority to make the cutback, and its duration. Further complicating the freeze is the fact that it came within 2 months of the enactment of the Federal-Aid Highway Act of 1966 which involved, in part, the administration's request for substantially increased highway authorizations—increases which need not have been made in view of the general economic situation—increases which have intensified the size of the cutback.

The deferment has threatened to stall a highway program which has been underway more than 10 years. We had reached the midpoint in its development. The schedule had been maintained because State highway departments, the construction industry, and the Congress had responded to the repeated calls by Federal officials for stepped up action. Large sums of money were invested in equipment and manpower in response to the congressional injunction that this highway program be completed as expeditiously as possible.

This freeze has entailed a substantial waste of time and effort. It has also resulted in bending, if not breaking, agreements between the Federal Government and the States and between the Government and industry and labor. My concern, also, stems from the adverse effect this action will have in terms of highway safety. It has been said many times, but it bears repeating—the Interstate System, when completed, will save 8,000 lives a year. The Interstate System highways where operating now have a fatality rate of only 2.9 per 100 million miles as compared to a rate of 5.7 for all other Federal-aid highways. The net result of the slowdown in construction is to hurt the very people who are paying for these highways.

This program was specially authorized and funded by the Congress. It was separated from general programs and funds of the Federal Government to meet the specific and continuing needs of the Nation for an effective network of highways. Even at the current level of authorization, we are failing to keep pace with our national highway needs. The return on this public investment in terms of economic development and safety is too great to be dissipated by short-term reverse actions. This program was designed as an all-out-effort program; it was never intended as a countercyclical tool.

I do not criticize the President or his advisers for their concern about the economy and the terrible erosion of national well-being that inflation can cause, but I do feel that this action was an overreaction.

I know the members of our committee will join with me in a diligent search for answers to these troublesome questions.

We hope that during the hearings, which will begin on Monday, February 27, many Senators will arrange their schedules so as to be able to appear before our committee when it considers this subject. We will, of course, welcome statements by Senators who find it impossible to appear in person.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. HOLLAND. The Senator has been making a very useful and important statement.

I ask the Senator if he is able to approximate the length of delay in the completion of the Interstate System which is involved in the proposed cutting of Federal funds.

Mr. RANDOLPH. It is difficult to set a date, but it would seem to me that it would involve a delay of approximately 2 years. We had hoped to complete the system, as the able Senator recalls, by June 30, 1972, as required by statute.

Mr. HOLLAND. Then, in the best judgment of the Senator at this time, it would be sound to say that the proposed cut in Federal appropriations and Federal participation in the construction of the vastly important Interstate System would result in a postponement of 2 years in the completion of that system and would fix the completion date at some date in 1974?

Mr. RANDOLPH. I think that would be a reasonable approximation of the time for the completion of the 41,000-mile system.

Mr. HOLLAND. I thank the Senator, and I think that people will look more carefully at this matter when they realize the practical aspects of it.

Mr. RANDOLPH. Mr. President, I add that the Senator from Louisiana [Mr. LONG] very properly within the past year admonished us to complete this program if we could, prior to June 30, 1972.

The Senator from Louisiana stated that he had felt that there was a need for the completion of this Interstate System not only for reasons of national defense and continued economic development, but also because of the lives that would be saved by accelerating the construction schedule of this system.

I recall reading his penetrating statement on this subject. Rather than being able to move the program more quickly to its fruition, we are now faced with the reverse situation.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. HOLLAND. Mr. President, at the very time when we are trying to bring about a higher degree of automobile safety and a higher degree of highway and other safety having to do with travel by automobile, does it not seem to be completely inconsistent for us to stretch out by 2 years the completion of this important Interstate Highway System?

Mr. RANDOLPH. Yes, I am in agreement. Of course, Senators have raised the safety feature. We have said many times—and it certainly can be repeated now—that we believe that when the Interstate Highway System is completed, 8,000 lives a year will be saved. The interstate highway systems now in operation have a fatality rate of only 2.9 per 100 million miles, as compared with a rate of 5.7 for all other Federal-aid highways.

The net result of this slowdown certainly will be to hurt the very people whom we are attempting to save—the people who are paying for this.

Mr. HOLLAND. It would be costly in terms of American lives.

Mr. RANDOLPH. The Senator is correct.

Mr. HOLLAND. I should like the record to show whether or not this slowdown results from an inadequacy of the trust fund set up for this particular purpose, or from some other reason.

Mr. RANDOLPH. The slowdown has nothing to do with the trust fund.

The President has indicated the possible deferment of another $400 million. It has not been ordered, and I hope that it will not be.

However, the trust fund is not involved. The trust fund can support the program as currently authorized.

Mr. HOLLAND. In connection with this slowing down of completion, there is no intention of cutting down the amount of the contribution made by the traveling public through their payment of gasoline taxes and other taxes to the trust fund?

Mr. RANDOLPH. There is no slowdown in that respect—the public will continue to pay.

Mr. HOLLAND. In other words, the people traveling on the highways would continue to pay the same amount per gallon and per tire, and so forth. That amount would be adequate to carry through the Interstate Highway System to completion by the planned time, in 1972; and at the same time, while paying that whole contribution, they would realize that they were having postponed for 2 years the completion of the work done by the fund to which they were contributing, and to which they were contributing adequately to carry it out to completion by the planned time.

Mr. RANDOLPH. The Bureau of Public Roads estimates that the costs are rising because of increases in the cost of materials and labor and other factors such as design changes and added lanes, which will require a larger amount of money to complete the system. If we slow down the completion for 2 years, the situation will become worse, because these increases in cost will be compounded. From that standpoint, we do face a shortage. But the trust fund itself is solvent.

Mr. HOLLAND. If the Senator will allow me to do so, I should like to make this brief statement: The contemplated action does not apply equally. There are some areas, large areas—in my own State there are very considerable areas—where the Interstate System is completed and where people traveling on that mileage have protection, safetywise, that goes with travel on a completed Interstate System. There are many other areas—not only in my State, but also, I am sure, all over the Nation—where, for one reason or another, certain mileage in the system has been postponed for building to near the end or at the very end of the completion of the system.

Does not the Senator agree with me that people living in those postponed areas, though they are paying their full contribution in taxes, will necessarily be the ones who will pay the penalty of having less safe highways to travel upon until the time of final completion of their part of the interstate highway?

Mr. RANDOLPH. I agree with the Senator. Those people will suffer in greater degree, as the Senator has so correctly indicated. This is not fair; this is not equitable.

I am grateful for the contribution that the Senator from Florida has made to this subject this afternoon. I express the hope that other Senators from time to time, reflecting the seriousness of this situation, will address themselves to this problem.

Mr. HOLLAND. Mr. President, I am grateful that the distinguished Senator has brought up this subject. He has more experience and has more knowledge on this particular subject than any other Member of the Senate. I believe that the Senator has made a great contribution. He has made it clear that a serious question of judgment is involved in this matter which every Senator will be confronted with when the matter comes on for action.

I thank the Senator.

Mr. RANDOLPH. I thank the Senator from Florida.

WILL 50,000 MORE PEOPLE DIE ON THE NATION'S ROADS THIS YEAR?

Mr. HARTKE. Mr. President, I would like to congratulate the distinguished chairman of the Senate Public Works Committee for his plans to hold hearings, February 27, in support of the American people who want to see the 50,000-a-year death rate on our highways reduced dramatically.

Senator RANDOLPH wants to see more miles of safer interstate highway built and that the appropriations we authorized from the highway trust fund are spent as, we, the Congress intended.

At the close of the second session of the 89th Congress, we prided ourselves as the Safety Congress. Rightly so.

Four billion dollars was authorized and appropriated from the highway trust fund to build more miles of the safer interstate highways, better secondary roads and to make spot improvements of death curves.

We authorized the new Highway Safety Agency: for vehicle safety standards guidelines; for research and development grants for safety features on the cars and roads; for better, more meaningful statistical data so that we could determine what additions and corrections to make in highway engineering, in motor vehicles, and toward developing more responsible drivers.

We set up the new Department of Transportation to centralize the functions for safer highways, cars, and drivers and to guide us toward solutions for the mass transit problems.

Now we look at the situation at the beginning of the 90th Congress.

The Bureau of Public Roads has cut back highway trust fund allotments to the States by $700 million and another cutback of $400 million is threatened. Carryover funds have been frozen from States use. The States are stymied in their plans for interstate highway construction—some by 17½ percent, others by as much as 53 or 71 percent.

The budget for the new traffic agency is cut so that nowhere in the Federal Government are traffic death or injury statistics kept. The new Agency is torn by strife from within over the new vehicle safety standards.

The new Department of Transportation with Secretary Alan Boyd and Assistant Secretary Lowell Bridwell—able men—are shackled in their attempts to perform the job the Congress intended them to do.

The Secretary of the Treasury and the Director of the Budget Bureau are now before the Congress with pleas to raise the legal limit on the debt from $330 billion to $337 billion. The Treasury has borrowed from the highway trust fund. As of January 31, 1967, some $38.4 million of trust funds were in Treasury special obligations, which bear the same interest as the debt and thus must be computed in the need to raise the debt ceiling.

There are those who would have the public believe that the highway construction cuts are to help pay the whopping cost of the war in Vietnam—some $56,000 a minute. But the trust fund cannot be used for defense appropriation. Another excuse for cutback in highway construction is to fight inflation. What inflation? We have no shortage of goods and services relative to the amount of money in circulation.

We do not have to cut back highway construction because of the war in Vietnam. If we are serious in our intentions to help save some of those 50,000 people who are killed on the highways or serious about keeping some of 1.7 million persons in good health who are maimed each year in traffic accidents, then, we must allow the States to go ahead with their plans for more interstate construction, spot improvements and better secondary roads. The highway trust fund was set up for that purpose and we want it used to save lives and property.

My own State of Indiana lost 53 percent of their share of Federal highway trust fund allocations—some $66 million in carryover funds and $15.3 million in new allocations. Even some of the $72 million we were allowed had strings—not to be spent until the end of the first quarter.

The situation is so drastic in Indiana, that our executive director of the highway commission, Martin L. Hayes, came to ask our entire delegation for help in restoring some of the funds.

Some of the Hoosier highway projects stopped from construction were the vital tieup routes to link completed portions of interstate highways.

It is my sincere hope that we can clear the air and restore these unnecessary cuts to our States. Again, I congratulate Senator RANDOLPH for his move to help a new Department and to provide us all with policy guidelines in the transportation field.

Mr. BAYH. Mr. President, I wish to commend the Senator from West Virginia for his decision to schedule hearings on the cutback in Federal aid to highway funds. The President's announcement of the reduction on November 23 has aroused a great deal of public and private concern for the safety of the American motorist.

The November cutback of 17.5 percent, coupled with the less publicized but equally important "freeze" on all carryover money, has resulted in a new target date for the completion of the all-important Interstate System. The due date, originally set for 1972, has now been pushed back to 1974. If the present policy is continued, as contemplated, through the first quarter of fiscal 1968, it is possible that it may not even be completed at that time.

What does this mean in terms of human lives—for, after all, that must be the ultimate criterion of this as well as any other program? In 1966, according to the National Safety Council, there was a staggering total of 54,000 highway deaths—more than seven times as many deaths as the United States has experienced in the bloody jungles of Vietnam—while an additional 1,800,000 Americans were injured in highway accidents. That averages out to almost 150 Americans dying daily in the carnage on our Nation's roads.

The answer to this terrible slaughter is not a freeze in highway construction, but more and better highways. It has been estimated that for every 5 miles of newly constructed highway we can save one life. Every effort must be made to save that life and many others like it. I am particularly concerned about this cutback, and the rumored cutback of an additional $400 million, because it has affected Indiana to a much greater extent than the 17.5 figure indicates. This results from the "freeze" on more than $55 million which Indiana would have had available to it from its unobligated 1965 and 1966 money. Indiana's effective cut, therefore, amounts to more than 50 percent.

Only the other day, representatives of the Indiana State Highway Commission came to Washington to present their case—and it is a well-documented case. As a result of this meeting the whole Indiana congressional delegation, Democrats and Republicans alike, have agreed to sign a letter requesting the President to review his highway decision.

In view of this, Mr. President, I am very pleased by the decision of the distinguished chairman of the Public Works Committee to hold hearings on this important issue. This action will permit Senators, State highway officials, and other interested parties to testify on the serious effect which such a severe curtailment of funds could have.

NEW YEAR PAUSE OFFERS OPPORTUNITY FOR NORTH VIETNAM TO GIVE PEACE SIGN

Mr. BOGGS. Mr. President, it is evident that the atmosphere concerning prospects for ending the war in Vietnam is a little more hopeful now than it was a few weeks ago.

Admittedly, the grounds for this hopefulness are slight indeed; and we should be on guard against excessive encouragement of such hope simply because there is such an overwhelming wish that the war be ended. This could lead to a great disappointment.

To my mind there is not much point in discussing how or why we are in Vietnam. We are there. We have valid reasons for being there. Although we have made mistakes in the conduct of our support of the people of South Vietnam, the fact remains that our intent is, first, to help them repel aggression; and, second, to help them create a stable atmosphere in which they can choose their own national destiny.

Former Ambassador Reischauer said it well in testimony before the Foreign Relations Committee on Tuesday when he declared he understands the administration's policy to be "to bring the war to as speedy an end as possible, without resorting to either of the dangerous alternatives of withdrawal or major escalation." That is also my understanding of our position in Vietnam.

Now we are faced with this situation:

First, North Vietnam, which has been feeding the fires of aggression in South Vietnam, apparently is beginning to recognize that the U.S. military might aiding South Vietnam will not be beaten.

Second, North Vietnam, which has had the physical and moral backing of her giant Communist neighbor to the north, Red China, now looks over her shoulder to see a giant convulsed by internal chaos. This raises obvious doubts that Red China could be of any real assistance if North Vietnam felt compelled to ask for such assistance.

Third, North Vietnam, despite the above conditions, is reluctant to change its course. And if Hanoi wants a way out as much as is suspected, it also wants a way out which enables it to save face.

From our point of view, our aim of seeing the war ended far transcends any hesitation to act in such a way as to allow North Vietnam to save face.

The current emphasis on possible grounds for negotiations toward peace revolves around the condition North Vietnam has established that bombing of her territory be halted.

For our part we are requiring—and rightly so—that this step should only be taken if it offers some reasonable hope that it would lead to progress toward peace.

A middle ground offers itself in the agreed-upon cessation of military action which is to begin February 8 in the celebration of the Vietnamese lunar New Year holiday of Tet.

South Vietnam has agreed to a 4-day halt to fighting. North Vietnam has suggested a 7-day halt.

If North Vietnam goes beyond the 4 days, it is my view that we—and by "we," I mean South Vietnam and its allies—should do likewise.

If the cessation of hostilities continues to the seventh day, we can hope that North Vietnam will realize that the tangible sign or signal needed to indicate her willingness to pursue peace will be simply to let the eighth day go by as well without sending men or supplies south of its border.

If such a day-by-day cessation continues, this could lead either to a negotiation table, which would be the better way for settling the issues, or simply to a withering away of the military action against South Vietnam.

One other fact which might well be giving Hanoi pause is the responsible way the South Vietnamese Constituent Assembly is proceeding with plans for an elected government. Certainly this is also heartening to us. We want to see the people of South Vietnam able to stand on their own feet and conduct their national affairs with diminishing support from other nations. An elected government will add substantially to progress toward this goal.

It is my fervent hope, Mr. President, that neither North Vietnam, nor South Vietnam and its allies, will let this great opportunity for a start toward peace go by.

CREDIBILITY GAP?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may proceed for such time as I may require.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, much has been said about an alleged credibility gap in the White House. Up to this point, I am frank to say that this Senator has attended most of the Democractic leadership meetings and most of the bipartisan leadership meetings, and that the President has not withheld any information whatever that any person had any right to expect. Granted, certain information involving defense secrets has been given out only on a need-to-know basis but, even so, the information made available has far exceeded that which we knew under three previous Presidents who were not accused of being deceitful.

Against that background, we now have before us the critical test of the credibility of a President.

The President of the United States has steadfastly and for several years proclaimed himself an advocate of low interest rates. This is an area in which the consumers and taxpayers can be protected or victimized the greatest by Government influence over money and credit.

Notwithstanding President Johnson's declarations in favor of lower interest rates, interest rates under Johnson have gone higher than at any time under Coolidge, Hoover, Roosevelt, Truman, Eisenhower, or Kennedy. The consumers, taxpayers, small businessmen, homebuilders, homeowners, farmers have all suffered from the highest interest rates in 40 years.

Fourteen months ago, by a one-vote majority, the Federal Reserve Board set in motion a tight-money, high-interest-rate program which has enriched moneylenders by tens of billions of dollars while squeezing unmercifully the great majority of Americans. The spokesmen for the hike in interest rates on that occasion as well as the previous interest rate increases under Eisenhower and Kennedy was Board Chairman William McChesney Martin.

We were told at the time that President Johnson and Secretary of Treasury Henry Fowler had pleaded in vain with Mr. Martin that he should not so act until the Johnson administration had prepared its budget and was therefore in position to suggest a policy mix more in line with the public interest.

As the next chairman of the Finance Committee and assistant Democratic leader of the Senate, I for one, was told that the President's first impulse was to fight the Martin one-man majority somewhat as President Andrew Jackson had fought the Bank of the United States. It seemed that the President's advisers were urging a softer course.

Thereafter we were shown on nationwide television a brief encounter at the LBJ Ranch wherein President Johnson conceded that Mr. Martin was in command of the Nation's supply of money and credit, and that President Johnson felt that he had no choice other than to go along. After this meeting we experienced the highest interest rates and the tightest money squeeze in 40 years.

Now comes the credibility test. Ninety percent of Americans blame President Johnson for the high interest rates and tight money from which they have suffered. The Johnson administration has suggested that it could do little to influence the Federal Reserve policy which caused that situation. William McChesney Martin is the leader of the high-interest-rate group on the Federal Reserve Board. The large moneylenders are clamoring for the reappointment of their idol.

If President Johnson reappoints William McChesney Martin, then neither of them will ever convince an ordinary citizen that the train of events, the increase in interest rates, the tight-money squeeze, the television episode at the LBJ Ranch, and all the results that flowed from all of these events were not parts of a plot in which the President of the United States was a participant.

A couple of weeks ago I shared the platform with Robert Roosa, formerly of Treasury, now with a New York investment firm, before the New York Economic Club, a group which can speak for big money as well as any in America. The most popular thing Mr. Roosa said was that the Nation was most fortunate to have William McChesney Martin advising four Presidents and that he hoped it would always be that way. At that point there was tumultous applause.

I have long since ceased to quarrel with businessmen who seek Government policies that favor their pocketbooks even though such policies injure 180 million of 190 million people. New York bankers, insurance company executives, and everyone else in positions to benefit from a policy that skins the poor to fatten the rich have every right to stand up and shake the rafters with cheers for the reappointment of the man who stands for such a policy.

Yet a passage which was read at the President's prayer breakfast yesterday to a large audience is appropriate:

> Matthew 6: 24: "No man can serve two masters for either he will hate the one, and love the other; or else he will hold to the

one and depise the other. Ye cannot serve God and mammon."

The New York Economic Club, the bankers and large money lenders are not the only people wise enough, sophisticated enough to know what the reappointment of William McChesney Martin means.

From the point of view of those of us who fought for Johnson for President, the real test of the President's credibility has arrived.

The choice between serving the many who, for the most part, voted for him, and serving the few, most of whom voted against him, is clearly before the President.

I am frank to say, Mr. President, that the reappointment of Chairman William McChesney Martin would undermine the confidence of practically all Democrats who are sufficiently informed to know what is going on.

It is my fervent hope that the President of the United States who has stood so gallantly against Communist aggression, will measure up to this choice between the people and the moneylenders. The appointment of some man whose background demonstrates that he has the interest of the little people of America at heart to replace Mr. Martin would assure continued confidence of the kind of people who usually vote Democratic.

I ask unanimous consent to place in the RECORD excerpts from the Democratic Party platforms of 1960 and 1964 and from statements made by Lyndon Johnson, John F. Kennedy, and Harry Truman.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM DEMOCRATIC PARTY PLATFORM OF 1960

As the first step in speeding economic growth, a Democratic President will put an end to the present high interest, tight money policy.

This policy has failed in its stated purpose—to keep prices down. It has given us two recessions within five years, bankrupted many of our farmers, produced a record number of business failures, and added billions of dollars in unnecessary higher interest charges to government budgets and the cost of living.

The Republican high interest policy has extracted a costly toll from every American who has financed a home, an automobile, a refrigerator, or a television set.

It has foisted added burdens on taxpayers of state and local governments which must borrow for schools and other public services.

It has created windfalls for many financial institutions.

The $9 billion of added interest charges on the national debt would have been even higher but for the prudent insistence of the Democratic Congress on maintaining the ceiling on interest rates for long-term government bonds.

DEMOCRATIC PARTY PLATFORM OF 1964

It is our national purpose, and our commitment, to continue this expansion of the American economy toward its potential, without a recession, and with continued stability, and with an extension of the benefits of this growth and prosperity to those who have not fully shared in them.

This will require continuation of flexible and innovative fiscal, monetary and debt management policies, recognizing the importance of low interest rates.

EXCERPTS FROM STATEMENTS BY PRESIDENT LYNDON B. JOHNSON

STATE OF THE UNION MESSAGE, JANUARY 10, 1967

Our greatest disappointment in the economy during 1966 was the excessive rise in interest rates and the tightening of credit. They imposed very severe and very unfair burdens on our home buyers and on our homebuilders and all those associated with the home industry . . .

And I pledge the American people that I will do everything in a President's power to lower interest rates and to ease money in this country. . . .

MESSAGE TO CONGRESS, SEPTEMBER 8, 1966

Every effort will be made to ease the inequitable burden of high interest rates and tight money. . . .

I urge the Federal Reserve Board, in executing its policy of monetary restraint, and our large commercial banks to cooperate with the President and the Congress to lower interest rates and to ease the inequitable burden of tight money.

AUGUST 24, 1966, NEWS CONFERENCE

The Administration wants as low interest rates as we possibly can have.

So far as the Administration itself telling a banker or a loan man how much he can charge . . . it has no such authority.

Acting upon the advice of a former President and Secretary of the Treasury, we created the Federal Reserve System and it is an independent board that has charge of the discount rate and there has been some influence on interest rates. But the President, as such, or the Administration, as such, cannot mash a button and tell people to charge or charge less.

ASSOCIATED GENERAL CONTRACTORS MEETING IN AUSTIN, TEX., DECEMBER 15, 1959

It is not soundness—it is madness—when we hack away at the pillars of the future in the name of a shortsighted fiscal policy. Tight money can only mean at a tight grip of stagnation about the windpipe of our future.

TEXAS PRESS ASSOCIATION, SAN ANTONIO, FEBRUARY 1957

The "hard money" market of the present day has reached into the pocket of every consumer, every businessman and every taxpayer in our country. It has meant an extra penalty of one billion, two hundred million dollars a year for our federal taxpayers. It has meant an extra penalty of seven hundred and fifty million a year for those who pay taxes to state, local and municipal governments. It has meant a substantially increased penalty for those who carry private debt—and the experts estimate that if it is unchecked, the penalty will amount to seven billion dollars a year.

SENATE FLOOR, MARCH 11, 1958

As a result of high interest rates, and the impounding of funds Congress has authorized and appropriated, there was forced upon the people of the country a restrictive monetary policy which has resulted in great damage. Unless we cut high interest rates, loosen up the money market, refuse to pay high premiums to money lenders, and pass some legislation needed by the whole Nation, we shall find ourselves in a situation perhaps not so bad as in 1932, but better only because of some of the cushions we have provided for the economy.

EXCERPTS FROM SPEECHES OF FORMER PRESIDENT JOHN F. KENNEDY

DETROIT, SEPTEMBER 5, 1960

And finally, if we are going to grow the way we should grow, we must adopt fiscal policies that will stimulate growth and not discourage it. Every American who financed a home, who bought a refrigerator, who bought an automobile, bought a television set, has suffered from this high interest rate policy. Those of you who bought a home for $10,000 with a 30-year mortgage are going to pay out $3,300 more for that house than you would have paid in the Truman administration. This kind of growth that I am talking about is not antibusiness. It is pro-business. It is not antiprivate enterprise. It is pro-private enterprise, and it is pro the American people.

SALEM, OREG., SEPTEMBER 7, 1960

Second, we will reverse the disastrous high interest rate-tight money policies of the Republican Party. These policies have made it impossible for millions of Americans to buy their own homes—and they have caused a recession in the housing industry. By lowering artifically high interest rates we will stimulate the home construction which a growing America requires.

CHARLESTON, W. VA., SEPTEMBER 19, 1960

Secondly, we will stimulate private investment in a growing America by eliminating the artificial restrictions which this administration's high interest rate-tight money policy has placed on the growth of our economy. We spend $4 billion a year on interest on our debt more than we did 10 years ago, and every family that buys a car, a television set, an automobile, or a house pays interest on that additional debt. I think we should unleash the economy rather than attempting to restrict it if we are going to put our people back to work [applause].

STATEMENT OF FORMER PRESIDENT HARRY S. TRUMAN, AUGUST 28, 1966

In response to the many kind and warm messages, expressing concern about my recent illness, I am glad to report that I am making satisfactory progress and expect that in the coming weeks I shall be able to resume my daily office routine.

In the meantime, I have tried to keep up with the news of the world, as best I could. There was little comfort for me in what I read.

There is a matter about which I am so deeply concerned that I feel it has become necessary for me to speak out.

A drastic increase in interest rates has been imposed on the American economy. A warning is current that higher rates are yet to come. We are told that this action was necessary in order to forestall inflation.

Of course, no one wants runaway inflation. But, I think it is fair to say that that kind of inflation is no longer possible in the United States.

What is more likely to happen is that we will bring on a precipitous deflation, if we persist in high interest practices. The result could be a serious depression.

These higher interest rates were in fact an added burden on all governments—Federal, state and local. The added interest costs end up as a further tax on the consumer.

We know from long experience that a drastic rise in interest rates works a hardship on the consuming public. It only benefits the privileged few.

We have had problems with the nation's money management through many critical periods in our history. Measures had to be taken by the Government to correct recurring abuses.

The nation's monetary structure was reorganized to be administered in the public interest through the Federal Reserve System. I am led to ask: "Is it being so administered now? Is it in the true sense a Federal system?"

During my Administration, we faced a similar threat of an arbitrary raise in the rates of interest. This was at the time of the Korean conflict.

I received notice of an impending move to confront the Government with a demand for higher interest rates of Treasury Bond issues, as well as certain other restrictive conditions, to be imposed by the Federal Reserve on the Treasury.

This would have meant an imposition of an additional nonproductive tax burden on the public—and we rejected it. The Government prevailed.

I, rarely, these days, take up my pen to make comment on matters which I am confident are receiving the concern and attention of the Administration. But, I thought that this was a matter which had reached a point where it became necessary for me to speak. There is yet time to remedy the situation.

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

Mr. LONG of Louisiana. Mr. President, S. 355 should be recommitted to committee. I recognize that the distinguished Senator from Oklahoma and his committee members have worked hard and long to produce what would be called the Legislative Reorganization Act of 1967. Yet, I support recommittal because many provisions in the measure are confusing and unclear, others negate effective and proven procedures presently employed by committees or by the Senate, and still others do exactly the opposite of what I thought the act was intended to do, that is, to improve the efficiency and productiveness of the legislative machine. If the bill is recommitted, I would hope that the committee gives serious consideration to the objections being raised here on the floor.

Last year, when the Special Committee on the Organization of the Congress conducted hearings on its bill, I was one of the few Members of the Senate who responded to the committee's invitation to appear and present views on the measure. I am happy to say that some of my recommendations were taken cognizance of by the committee which altered last year's proposal and which incorporated some of the suggestions in the bill that is before us today. It is my understanding that other Members of the Congress had a similar impact on the committee and that various provisions originally called for by the committee were either deleted or sharply modified. For example, the division of the Labor and Public Welfare Committee into two was killed and the strict prohibition on proxy voting in committees was cut back. I am happy that the special committee has been so responsive to the thoughts of its colleagues and undoubtedly it is willing to make changes to accommodate new suggestions being propounded each day; but I do not believe that it can properly translate all of its second thoughts into changes in S. 355 right here on the Senate floor. Recommittal is the solution. It will permit the committee to place in proper context all of the second thoughts it must be having as a result of the enlightening discussion being conducted on the floor.

So, in order to show why I feel the bill should be recommitted, and in order to lay before the special committee for its further consideration my problems with the bill, I shall spend a few moments going over some of the provisions in the measure with which I still find fault and which I feel should either be deleted or changed.

COMMITTEE PROCEDURE

To begin with, section 102(b) of the bill calls for committee meetings to be open unless a majority vote of the committee orders an executive session. This rule would work havoc with the Senate Finance Committee and any other committee of the Congress that has occasion to investigate into matters of taxation and the individual returns of taxpayers. Section 6103(d) of the Internal Revenue Code says that any such work of a congressional committee must be done in executive session in order to protect the privacy of the individual's tax return. Suppose a committee meeting were to be held to consider a matter in which the tax liability of an individual was an integral part. Suppose a majority vote to hold the meeting in closed session were not forthcoming for any of a variety of reasons and thus compliance with this act required the meeting to be open to the public. The committee would be in compliance with the Legislative Reorganization Act but it would be in violation of provisions of the Internal Revenue Code. Or, the Internal Revenue Service may be prevented by law from letting us have the documents we need. That sort of dilemma might confront the Finance Committee frequently.

As part of that same section 102(b), there is required at the conclusion of each committee meeting a public announcement of the results of the rollcall votes taken in that meeting. This will work against the public interest rather than help it. It may be that on a particular measure there is strong lobbying by a powerful interest group.

It may be politically advantageous for a Senator to vote in support of that group; however, it may be in the public interest for him to vote the other way. He can cast a vote in the people's interest much more easily if he knows the vote will not be made public, but if the vote is to be announced he is more likely to cast the vote where he knows it will do him no harm politically, even though it may do severe damage to the general public.

PROXIES

Section 102(d) of S. 355, as reported by the special committee, prohibited the use of proxies in committee. However, the committee had one of their second thoughts on this provision when the harshness of its operation was brought to their attention. They recommended a floor amendment that was adopted to permit proxy voting in committee except on the vote that reports a measure from the committee. I would think that even this refinement is too severe a rule and does nothing to help the cause of good government. In Finance Committee we require a majority to be present when we report legislation, but we do permit proxies to be cast. I point only to the case where a Senator has for years advocated a certain position on a measure only to find that when the measure is finally voted upon, he is incapacitated perhaps, or very ill and thousands of miles away from Washington. There is no question as to which way he would vote if he were at the committee meeting. To deny him the right to vote by proxy is patently ridiculous; and, if it is a close vote that requires the absent Member's vote to break a tie, decisions are postponed and the legislative machinery bogs down. What such a procedure as this does here in the latter half of the 20th century is to make Congress, already labeled as an archaic institution appear even more so. It means that we do not even recognize the 100-year-old invention known as the telephone.

Thus, I think that proxies should be permitted even on the votes to report a measure from committee. However, to further amend this particular provision on the Senate floor might cause parliamentary problems, so the bill should be recommitted and a committee given the power to make the proper and complete modifications of defects observed in the bill as originally reported or even as thus far amended on the floor.

Mr. President, in that connection, as floor manager of committee-reported bills, and as acting majority leader in the absence of the majority leader himself, I have had notice served on me from time to time that a Senator would be absent and did not wish us to vote on a measure until he returned; and we therefore had to put the matter over, to postpone it, or to wait for the Senator to come back because he wanted to be recorded on the vote.

The particular provision of which I am complaining sets the stage for committees to be confronted with that same problem; namely, a Senator who wants to vote but is absent and requires us to wait until he returns, perhaps a matter of several days, before we can act, although it is clear how that Senator would vote and that anyone could talk to him on the telephone to determine how he wanted to be recorded on any particular matter that we were voting upon.

Section 102(d) also requires that the report of a committee on a bill should include a tabulation of the votes cast for and against the bill. Such a requirement is another deterrent to voting in the public interest just as I have previously described in commenting upon the requirement that each day's rollcall votes in the committee should be publicly announced.

Furthermore, many times, in voting on a measure, the committee, after much study, debate, and consideration of arguments votes on amendments, reconsiders them, reconsiders them a second time, and then reconsiders them a third time. The procedure in the Finance Committee is to reconsider any amendment as many times as anyone wants to. It serves no particular purpose that we announce the vote every time we vote on something when there are important votes which, after more thorough study of the matter, Senators could say they would like to vote on differently.

COMMITTEE REPORTS

In a bill which is supposed to streamline Congress and expedite proceedings in the legislative branch of the Government, section 102(e) does just the opposite with regard to committee reports. The first step in this section's slowdown technique is to require a committee to submit its proposed report to each member of the committee if any member of the committee gives notice of an intention to file supplemental or minority views. Then each committee member, whether he previously indicated he was going to file separate views or not, is given 2 days after receipt of the proposed majority views to submit his supplemental or minority views.

Keep in mind, Mr. President, referring to procedures in one committee, that approximately 90 percent of bills reported have practically no controversy in them. The committees have ironed out the details, and removed all the controversy in most of the bills which pass by a unanimous vote of the Senate itself, or are reported from the committee by unanimous vote of the committee.

Besides the delay in getting out the committee report, this procedure gives the minority the advantage of being able to tailor its views to counter those of the majority. But then the 2-day delay is compounded because the provision calls for at least 3 calendar days after the committee report has been filed before any vote can be taken on the measure in the Senate and hearings must also be made available at least 3 days before a floor vote is taken. What this means is that, once a committee has decided to report a bill and supplemental or minority views are to be filed, at least 5 days elapse from the time the committee agrees on its report to the time when a vote can be taken on the measure on the Senate floor.

In the rush of the last days of a session, when Congress is attempting to legislate on many matters of importance, such a procedure would slow us down to a crawl and elongate the session considerably. This cautious mechanism would do even greater harm when legislation must be enacted by a certain date in order to keep operative a certain program. We often encounter this in the Finance Committee, such as with the debt limit, or a trade act, or a temporary tax, or a sugar quota. With all of these laws, we almost always find that the bills to extend or amend them come to the committee just before the termination date. There is nothing that the Senate can do to change this, because virtually every such bill is a revenue measure, which, under the Constitution, must originate in the House, and cannot be acted upon by the Senate until it has been acted upon by the House. The Finance Committee is sometimes called upon to act on these measures within a week of the expiration date. The procedure called for in the bill before us will prevent the Finance Committee—and the Senate—from acting expeditiously and, therefore, we will see the acts in question lapse, creating not just administrative problems but also tremendous economic consequences throughout the Nation. In my opinion, these unusual procedural brakes were written without regard to the Constitution and the handicap under which it forces the Finance Committee to operate.

COMMITTEE RULES

Also, in section 102(e) of the bill, each committee is directed to print annually the rules which govern the procedures of the committee, to transmit promptly to each member of the committee a copy of these rules, and to make these rules available for public inspection. This provision can be and will be complied with, but what is the necessity of it? Why must the committee have to do this? Why should a committee straitjacket itself and be forced to comply with such an arbitrary rule? Cannot the committees be trusted to proceed under informal and flexible rules which may not be written but which are agreeable and understood by the members of that committee and which are constitutional? Each committee has its own problems that are peculiar unto itself. Therefore, it should be permitted to work its own will, taking into account the exigencies of the moment without being hamstrung by a predetermined set of formalisms. A committee should not be put to the expense and time of printing a set of rules and of making them generally available when it could be devoting the time to working on legislation before it and the money to purposes better suited to the expenditure of taxpayer dollars.

COMMITTEE HEARINGS

Another inordinate delay in the legislative process will be added by section 103(a) of the bill, which calls for an announcement of committee hearings at least 2 weeks before the hearing unless a majority vote of the committee determines otherwise. Let me bring up the example of the debt limit again to show how unfair this 2-week rule is. It is often necessary to enact quickly an increase in the ceiling on the Federal debt, and if Congress does not act quickly in this regard, the Nation falls in arrears in its obligations, and if pressed to the extreme, could become bankrupt. To put a 2-week waiting period on top of the other delays called for by the bill would surely mean an impossible task in trying to enact an increase in the debt limit in the short period of time that we in the Senate are usually given for such action. And let me say, Mr. President, there is no way out of this as far as the Senate is concerned because again it must wait until the House has acted. It cannot initiate this sort of legislation. The way out of the problem provided by the bill is more one of theory than of practice because the committee must meet in order to vote to waive the 2-week rule, and a willful group of committee members may see to it that no quorum is available to permit a meeting to permit a vote to waive the rule. The minority is being given deadly ammunition to stall passage of what may be desperately needed legislation.

Section 103(a) also calls for hearings conducted by committees to be open to the public except where the committee determines by a majority vote that the testimony to be taken at the hearing relates to a matter of national security or tends to reflect adversely upon the character or reputation of a witness or any other individual. Here again we are faced with the problem of secrecy which is demanded in connection with certain tax matters which come before the Senate Finance Committee. How can we continue to uphold the requirement for secrecy called for by one part of the law and honor the commitment to an open hearing called for in the bill before us today? The only two grounds on which a majority of the committee can decide to hold a closed hearing—that is, national security or an adverse reflection on an individual—may not be available with regard to a tax hearing. Such was the case within the past few years when the Finance Committee held a closed hearing on the Du Pont divestiture matter. Neither of the grounds that this bill permits for closing a hearing was available. Would the committee then have had to conduct an open hearing on a subject that involved the tax status of specific taxpayers? The present rule is decidedly superior. Under it hearings are open unless the majority determines otherwise, but the majority can determine that it wants a closed hearing on grounds other than the two listed in the bill before us.

Section 103(a) of the bill requires that before each day of a hearing the staff of the committee must prepare a digest of the statements of the witnesses to appear that day, and then after the hearing each day, the staff must prepare a summary of the testimony just given. After approval by the chairman and the ranking minority member of the committee, each of these summaries is to be printed as a part of the committee hearings. By providing this procedure, we are not only duplicating the work of what in many instances is an already overworked committee staff, but we are taking them away from their legislative duties and we are adding substantially to the Government paper explosion. Too often our hearings are weighty, fat volumes which few persons peruse completely. We shall now make them even weightier and fatter and we will make sure that no one ever reads them. Today the staff of the Finance Committee summarizes each statement presented at a hearing so the committee if it chooses can work from this summary in executive session. Heretofore this summary has been kept as an internal document of the committee. We have also urged witnesses to summarize their own statements and to submit the summary when the statements are presented.

Finally this section of the bill dealing with committee hearing procedure entitles the minority of the committee to call witnesses of its own on at least 1 day during the hearing. I know that our committee certainly honors the request of any member with regard to hearing witnesses on a matter before us, and we will continue to do that with or without this provision, but it may be that a requirement of this sort will simply serve to delay the legislative process and draw out hearings even more because it is not clear whether the minority witnesses should appear on a separate day. If the hearing is to be only a 1-day hearing, and many of the Finance Committee hearings are for only 1 day, why extend it to 2 when you can have both the so-called minority witnesses and majority witnesses appear on the same day? In other words, here is another provision in a bill intended to speed the work of Congress which in reality will decelerate it.

PERMISSION TO MEET

I turn now to section 104, which deals with when a committee can sit. As reported by the special committee, this section stated that a committee without special leave could not sit while the Senate was in session, except for the Committee on Appropriations in the Senate and several different committees in the House. If consent were obtained from the majority leader and the minority leader in the Senate, then a committee could conduct a hearing while the Senate was in session. Another second thought was had by the managers of the bill when they accepted a floor amendment to modify the section so as to continue the existing rule allowing committees without permission to meet during the morning hour. But after the floor amendment's adoption, I believe the bill still prohibits a committee from meeting after the morning hour for any purpose other than to conduct a hearing even if the consent is obtained of the majority and minority leaders. This prohibition on a committee meeting while the Senate is in session to mark up a bill, report one out, or do other important committee work may seriously damage attempts to expedite the business of the Senate.

I would hope that this provision of the bill can be altered further so that, in addition to any Senate committee sitting without any sort of permission while the Senate is in morning hour, any Senate committee could sit for any purpose, not just to conduct a hearing, at any time other than in the morning hour during which the Senate is in session, if the committee had the consent of the majority leader and the minority leader or their designees. This modification would be in keeping with the purpose of the entire bill, to speed up the work of Congress.

REVIEW SPECIALIST

Section 105 of the bill deals with legislative review by standing committees and calls for the establishment of a new position on the staff of each standing committee—that of a review specialist whose duties and functions as a member of the Finance Committee staff will be so many and so complex that anyone attempting to fill such a position cannot be expected to stay on the job longer than 6 months without expiring or going crazy. On the Finance Committee, the review specialist would have to supervise, administer, and conduct reviews and studies on all of the laws, programs and projects, the regulations, procedures, practices, and policies under the jurisdiction of our committee—that is, in the areas of taxation, debt management, trade and tariff, social security, public assistance and medicare, veterans, unemployment compensations, renegotiation, and the like. Rather than add a specific man to a staff to be a review specialist, it makes more sense to mold a staff, as we are attempting to do in Finance, where each person is knowledgeable in and responsible for a specific area. For example, we have personnel who are responsible for our committee's work in the social security field, and these experts handle the legislation, the inquiries, and do the review and oversight functions of our committee with regard to social security. Likewise, we have other persons on our staff responsible for the other areas under our jurisdiction. Thus, when our staff is rounded out we will have people expert in each area, and we need no one to be a jack-of-all-trades, master of none, such as a review specialist would be. We will have departmentalized the work enough so that no one is on the verge of a mental breakdown. Perhaps I had better also mention that we do not even have room to give a review specialist desk space to work in. Other committees may be in the same fix.

Section 105 also requires each committee to submit a report of its activities in the area of legislative review each year to the Senate, which then transmits the report to the President and to other appropriate agencies. Of course, anyone can see that this is simply another big contribution to the Government paper explosion. If there is one thing the President of the United States and the heads of Government agencies do not need, it is to have additional reading matter to consume their valuable time. As with all reports such as these, it costs time and money to prepare, it burdens those to whom the reports are made, and it may accomplish little if anything. This Government has a mania for producing paper, and the Legislative Reorganization Act before us, which I would have thought would have applied a white-hot match to a lot of this unnecessary, and often unread, paper, is instead going to provide us with reams more.

On the other hand, the Finance Committee staff did a legislative oversight report on the medicare reimbursement formula and the proposed formula was amended to save several millions of dollars. I hope we can force the Government to cut back still further as the staff report indicated.

It pleases me that the President's budget message includes proposed modifications of the depreciation rules for both Government-financed and private hospitals, and which should further reduce the costs of medicare. These proposed modifications developed from the Finance Committee staff's oversight work.

The Finance Committee is now engaged in a legislative oversight type study of steel imports. Future trade policy may be shaped by this work, but we have not needed a review specialist to get us moving.

The purpose of the review specialist is an admirable one—to keep the Congress informed as to how the programs it has passed into law are working so that it can legislate intelligently for the future. The only problem is that on so many committees this task cannot be performed by the addition of one new person; yet, they are already being performed—by entire staffs, departmentalized so that each staff member is responsible for the oversight of a particular department or program.

CONFERENCE REPORTS

Section 106 of the bill deals with conference reports and requires that every conference report be printed separately in both the Senate and the House, accompanied by an explanatory statement prepared by the conferees of the House in which it is being printed. In other words, whereas at present we have one conference report with one statement of managers, that of the managers on the part of the House, the bill before us will require separate conference reports for each House and separate statements by the managers for each House. It may be, upon occasion, in the future Senate conferees would like to make their own statement with regard to the conference report; however, a mandatory provision requiring the Senate conferees to do so in every instance will often mean an unnecessary repetition of what is said by the House conferees. Therefore, I suggest that the filing of a separate conference report and statement of the managers of the Senate be optional. In some instances, where there is little controversy, the statement of managers on the part of the House may be sufficient. In other instances, the conferees on the part of the Senate may wish to file a statement of their own accompanying the conference report. They should have that flexibility. A statutory requirement for two conference reports could also breed much unnecessary litigation if there should be different interpretations of the same language.

COMMITTEE JURISDICTION

Section 121 of the bill provides for the new setup of standing committees of the Senate. It really provides only two innovations. It renames the Banking and Currency Committee, the Committee on Banking, Housing, and Urban Affairs, but does not add to nor detract from the jurisdiction of that committee. The other thing that it does is to take away jurisdiction over veterans matters from the Committee on Labor and Public Welfare and the Committee on Finance and give such jurisdiction to a new Committee on Veterans' Affairs. I strongly object to this latter provision. Here is how I feel on this matter.

STANDING COMMITTEE ON VETERANS' AFFAIRS

At a time when the ethics of Congress are being severely examined, I feel that one proposal contained in this bill to reorganize the legislative branch of Government is particularly inappropriate. That proposal is the one to establish a standing committee in the Senate on veterans' affairs. It is inappropriate because it may well require that the committee's membership be confronted with a dangerous conflict of interest, a conflict between what is good for the Nation as a whole and what is good for one segment of the Nation, veterans.

The interests of the veteran may not

always coincide with the interests of the general public, particularly when it comes to deciding, as at present, how much we can afford to spend. If a committee is set up strictly to legislate on matters affecting a single group, it will soon become responsive only to those interested in that group—in this case, the veterans and their organizations. The veterans and the organizations which represent them are quite naturally interested in bettering their own lot. Thus, the tendency when a congressional committee hears only from one segment of society is to respond favorably to that segment, to try to please it, and to do what it wants. In this case that could mean providing millions of dollars of additional benefits to the country's veterans when perhaps the money can be put to a more necessary use in another program.

It is much easier for a congressional committee to act objectively and to turn down or moderate the requests of a special interest if the committee has other interests to cater to, and is not solely dependent on the one special interest for its inspiration and existence.

But if a committee devoted only to veterans is created, it will be impossible for a Senator to serve on it if he has to tell the veterans "No." It will be difficult to recruit Senators who will be a restraining influence to serve on that committee. Thus, the committee will be left to those who will vote right down the line, all the way, with the veterans organizations.

A unique feature of our veterans program is the fact that ever since the Mexican War, the costs of benefits have exceeded the costs of the war. Another unique feature is that the peak of expenditures for veterans benefits is usually not reached until 50 or 60 years after the war. Today, nearly 50 years after the World War I armistice, we are at the point of greatest costs of benefits for veterans of that war. We will find the costs of veterans benefits for World War II continuing to rise on into the 1990's. The peak of benefits for Korean veterans probably will not occur until after the turn of the century and Vietnam veterans costs will continue to rise for years after that. The best estimate that has been made of the ultimate costs of veterans benefits came in 1956, when the Bradley Commission Report to the President was completed. That Commission estimated that the costs of benefits for veterans of World War I, World War II, and the Korean conflict would total $371 billion. But that was on the basis of the law as it existed 10 years ago. Benefits today are substantially higher than they were then.

If an old-age pension were provided for these veterans, as has been proposed over the years, without regard to their need or disability, the costs at 1965 rates would have been three-fourths of a trillion dollars.

That is how much we are talking about—three-quarters of $1 trillion. It might well be that a committee looking into the costs of such matters might have the benefit of senior members of some other committees which have some other responsibilities, in an attempt to relate these inherent costs to the costs of other measures which we will be asked to pass.

I ask unanimous consent that a chart I have had prepared demonstrating these costs be inserted at this point in the RECORD.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

Comparison of military cost and cost of veterans benefits by war, as of July 1, 1965, and estimated total benefit costs

[In billions of dollars]

War	Military operations	Benefits (paid to June 30, 1965)	Benefits payable in future (estimated)	Overall benefit costs (estimated)[1]
Revolutionary	[2] 0.075	[2] 0.070	None	0.070
War of 1812	[2] .134	[2] .046	None	.046
War with Mexico	[2] .166	[2] .062	None	.062
Civil War	[2] 4.000	[2] 8.600	None	8.600
War with Spain	[2] .570	[3] 5.100	[3] 0.400	5.500
World War I	[2] 26.000	[3] 39.300	[2] 20.700	104.000
World War II	[3] 341.000	[3] 69.900	[2] 162.100	474.000
Korean conflict	[4] 18.000	[3] 11.300	[2] 57.700	184.000

[1] Assuming general pensions for recent wars.

[2] Bradley Commission report, 1956.

[3] Office of Controller, Veterans' Administration.

[4] Legislative Reference Service Survey, October 1956.

Mr. LONG of Louisiana. I believe it would be unwise and costly to set up a special minor committee to oversee a program of this tremendous magnitude—three-fourths of a trillion dollars. No doubt, a committee controlled by the veterans organizations—a minor committee not familiar with the overall impact of income maintenance programs—would soon recommend a general service pension for veterans, which the chart which I have just inserted in the RECORD demonstrates could easily double the costs of veterans benefits.

The ultimate result could well be that the Senate, as a whole, would have to check the Veterans' Affairs Committee. But the burden of curbing the reckless spending tendencies of a committee should not have to fall upon the Senate as a whole. The committee system was created to lighten, not to add to, the load of the Senate. It was designed to enable the Senate at large to rely to a great extent on the reasoned, reflective conclusions of a smaller group which had objectively studied a particular subject. This would not be possible with the creation of a legislative Committee on Veterans' Affairs.

Such a situation is avoided today because problems of the veterans are divided generally between the Labor and Public Welfare Committee and the Finance Committee, on a functional basis which gives each committee jurisdiction over those veteran programs which it is best suited to consider. The members of each of these committees have broad responsibility in many areas. The members of these committees have too many diverse interests to become the private property of any one interest. And yet it cannot be said that either of these committees does not respond to the needs of the people with whom it is concerned. Both committees are compassionate ones which have done more than perhaps any other in the Senate to care for the wants of the unfortunate.

Mr. President, the Labor and Public Welfare Committee has been the cradle for measures to assist the ill, the poor, the unemployed, the uneducated, and, yes, the veteran—you need look no further than that committee's and the gallant Senator from Texas' efforts in behalf of the cold war GI bill.

Permit me to boast at this point about my own Finance Committee which has played a leading role in carrying out the Nation's programs in welfare and public assistance, social security, medicare, which has responded to the needs of the Nation's businesses and foreign policy through trade and tariff legislation, which has attempted to distribute the cost of public services fairly and yet encourage certain national goals through tax policy, and which has always responded reasonably and effectively to the problems affecting our veterans.

On the latter point, it seems to be the belief on the part of those who wish to strip the existing committees of their jurisdiction over veterans that the existing committees have not given the proper consideration to the matters which affect veterans and that other subject areas which occupy the attention of the existing committees take precedence over veterans and prevent the latter from getting their "just due." In fact, one of the arguments in the committee report on the bill before us for jurisdictional change is to "distribute better the workload to relieve committees whose workloads have reached unmanageable proportions."

The facts with respect to the Finance Committee and its handling of legislation, including veterans legislation, speak for themselves. The facts are:

In the 88th Congress, there were 92 House bills referred to the committee and 90 bills received action by the committee. We had 286 Senate bills and resolutions referred, and 157 of them were considered by the committee. In the 89th Congress we had 113 House bills referred to the committee, and 90 of them were acted upon by the committee. Of the 23 not acted on, 19 were received the last day of the Congress and two others a little over a week before the end of the Congress.

Mr. President, there were 380 Senate bills referred to the committee and 166 of them were considered by the committee. So, in the past, somewhat more than half of the bills have been considered by the committee, and the remainder, it can be contended, were not really pressed by the sponsors for consideration. Those figures seem to disprove the contention that the Finance Committee's workload has been unmanageable. Also, there never seems to be a shortage of Senators who want to labor with that so-called unmanageable workload. Finance Committee seats are always among the most sought after in the Senate.

FINANCE COMMITTEE HELPS VETERANS

As to whether the committee has done right by the veterans, a quick review of some of the high spots of committee activity in this regard should answer the questions. In 1917, during World War I, the Finance Committee worked out the first life insurance program for our Armed Forces. The U.S. group life insurance program became the benchmark from which we worked during World War II in framing the national service life insurance program. National service life insurance is one of the most popular veterans' benefits of all time. My only regret is that the Finance Committee—which wants to make national service life insurance available to more veterans by reopening the program for them—was unable to convince the House Veterans' Affairs Committee of the great importance of giving these boys another chance to buy this good insurance at favorable rates.

The narrow reopening they forced us to accept in 1964 when we met with them in conference brought pitifully new veterans under national service life insurance. In my opinion, the House Veterans' Affairs Committee failed the veteran on that occasion. That was not the failure of the Senate Finance Committee.

In 1965 the Committee on Finance initiated legislation to provide needed insurance protection to our men fighting in Vietnam. This servicemen's group life insurance program provides a maximum of $10,000 low-cost life insurance to over 2.8 million members of our Armed Forces.

The first GI bill of rights was born in the Senate Finance Committee in 1944. Literally millions of veterans derived great benefits from that monumental work—benefits in the form of guaranteed home mortgages at favorable interest rates, education benefits, and business loans. For 20 years now, we have worked on veterans' pension legislation, and I think our work is above reproach. Moreover, I think veterans' and survivors' benefit provisions reflect the expertise developed in the Committee on Finance through our experience with the benefit programs under social security and the welfare programs. This is to be expected since all these programs are quite closely related in their issues and implications.

In 1957, the Committee on Finance acted to establish a completely new program for survivors of veterans who died as a result of service-connected disabilities. This program, known as dependency and indemnity compensation, has developed and its benefits have been materially increased. In 1958, we combined all the veterans' benefit programs into one title of the United States Code.

This codification represents a truly great simplification over the maze of laws it replaced. It also represents the great responsibility the committee feels for keeping the veterans laws responsive to the needs of the veterans. We have not—and we will not—shirk that responsibility. I challenge anyone, including the veterans organizations, to show a single instance of Finance Committee apathy to the proper needs of the veteran.

If one looks at the bills that are before the Senate at the end of each Congress, he will notice that we act on every veterans' bill that should be acted on. With few exceptions, measures passed by the House Veterans' Affairs Committee are not killed in Finance. During the last session of Congress, every one of nine bills which came to our committee from the House Veterans' Committee was acted on. We have, on the other hand, passed some very constructive suggestions which we have had difficulty in persuading the House committee to accept. Our committee acted on four of nine veterans bills introduced in the Senate in 1966. Four times in the 89th Congress the Finance Committee urged and the Senate approved amendments to prevent veterans from losing their veterans pensions because they received a few bucks extra social security benefits under the 1965 law. Each time the House callously threw the amendments out. I believe our concurrent jurisdiction over veterans legislation and social security has given us an insight into this issue which the Veterans Committee of the House lacks. I am pleased that the President has seen the great wisdom of our amendment and included the thought behind it as one of his recommendations in his January 31 veterans message to the Congress. Perhaps now we can get action on this important issue. I am happy to say that the first bill acted upon by the Finance Committee this year was the Vietnam veterans bill, S. 16, favorably and unanimously reported by our committee January 31, 1967.

RESPONSIBILITY FOR BROAD PROGRAMS

Another justification given by the Special Committee on the Organization of the Congress for creation of a legislative committee on veterans is to "fix responsibility in broad program areas so that a specific committee has responsibility for legislation affecting related subjects and programs."

Rather than to justify creation of the Veterans Committee such a goal argues against forming the Veterans Committee. At present, the Labor and Public Welfare Committee has responsibility over educational programs, including those of the veteran. The Labor and Public Welfare Committee has responsibility over hospital programs, including those of the veteran. The Finance Committee has great responsibility in the field of insurance, including that of the veteran. The Finance Committee has responsibility for certain income maintenance programs, such as public assistance and social security, including the income maintenance of the veteran through compensation and pension. To take consideration of these problems of veterans from the committees which consider such problems when they affect all other segments of the population is not to fix but to fragment responsibility in broad program areas. If it is said that the broad program area is that of veterans, then perhaps other legislative committees should be set up to treat only of the "broad program areas" of Shriners, or New Englanders, or freckle-faced redheads. The broad program area is not a class of people, but a large problem, and that is being best handled with the present jurisdiction of legislative committees.

If there is to be a separate veterans committee, why did not the authors of the legislation to establish it give that committee jurisdiction over all matters affecting veterans? Why did they choose to limit its responsibility just to the matters which today fall within the jurisdiction of the Finance and the Labor and Public Welfare Committees? The Senate Banking and Currency Committee handles some veterans' matters—those related to the VA-guaranteed home mortgage program. The Committee on Interior and Insular Affairs handles still other veterans' matters—such as the administration of VA cemeteries. Neither of these committees' jurisdiction has been invaded in creating a new veterans committee.

PARALLEL JURISDICTION

The third justification in the report on S. 355 for a Veterans' Affairs Committee is to "make the jurisdiction of Senate and House committees as nearly parallel as possible because of the conference committee procedure and to facilitate the continuous interchange of ideas." This is an interesting thought, but, except for matching up a Senate Veterans' Affairs Committee with a House Veterans' Affairs Committee, there is no attempt in the bill to act on this idea. Certainly, the lack of a Senate Veterans' Affairs Committee is but one small example of how Senate committees do not correspond to House committees in jurisdiction.

I know that the Finance Committee and what is supposed to be its corresponding committee on the House side—the Ways and Means Committee—do not have jurisdiction over the exact same subjects. The Finance Committee handles sugar legislation, which is within the jurisdiction of the House Agriculture Committee. The Finance Committee will work on State and local taxation of interstate commerce—a matter for the Judiciary Committee in the House.

The Ways and Means Committee, on the other hand, is the House committee on committees, designating Members to fill positions on all other committees. The Finance Committee has no such power. There are countless other examples of where jurisdiction of Senate committees is not the same as that of House committees of the same name or those thought to function in the same general area.

I am not so sure that there should be such strict uniformity between House and Senate as to the number of committees and boundaries of jurisdiction of those committees. Neither House should have to conform to a master plan insofar as the business concerns only that House. If uniformity is demanded, why single out just the matter of who is to handle veterans' bills?

Even if it is singled out, is it not just as valid to say that the parallel jurisdiction can come about by abolishing the House Veterans Affairs Committee and dividing up its jurisdiction between the House Education and Labor and the House Ways and Means Committees? Eliminating committees was the direction the Legislative Reorganization Act of 1946 took, and it would seem that if the Committee on the Organization of Congress really wanted to streamline and make more efficient the operations of the Congress they would follow this same direction this year. Instead, they seem to want to increase the number of committees, what with calling for the Veterans' Affairs Committee in the Senate as well as seeing to it that their own committee becomes permanent under the name of the Joint Committee on Congressional Operations.

Another committee will create additional pressures for Senators' time and attention. Suppose a member of the Veterans' Committee is also a member of the Finance Committee and that both committees have sessions at the same hour. Which committee meeting will that Senator attend—the Finance Committee, where the issue may be a $4½ billion tax increase, or the veterans committee where the issue may be to give an extra $47 statutory award to a veteran for each anatomical loss? Today, there are enough committees competing for a Senator's presence. This competition should not be made keener by creating new ones.

There is another matter that has not been explored by those who would create this new veterans committee. It is the space problem. If they succeed in depriving the Committee on Finance and the Committee on Labor and Public Welfare of their veterans jurisdictions, just where is the new committee and its 12-man staff going to be housed? The Committee on Rules has been unable to find even a single room for the Finance Committee—the oldest committee in the Senate—to house a more adequate staff. A new committee, with its demands for hearing rooms and office quarters, would intensify today's space burden to an intolerable point.

I shall not try to upset the applecart by opposing a permanent Joint Committee on Congressional Operations, but I do urge that the bill be amended to delete the provision establishing a standing Veterans' Affairs Committee of the Senate.

COMMITTEE MEMBERSHIP

Section 122 reapportions and generally reduces the number of Senators on each committee. I do not necessarily quarrel with this reduction, but if the additional standing committee called for by the bill, the Veterans' Affairs Committee, is dropped from the measure as I most earnestly hope for, then there must be a new reshuffling to take account of the reduced number of committees. If the number of standing committees remains as it is at present, it would not appear necessary to change the number of members of such committees.

Section 122 also prohibits a Senator from serving on more than one of the following committees: Appropriations, Armed Services, Finance, and Foreign Relations. I do not object to this because of its effect on me. As a matter of fact, I resigned from the Foreign Relations Committee last year because I felt I should not serve on it and on the Finance Committee at the same time. Senator SMATHERS, the ranking Democrat on the Finance Committee, also left the Foreign Relations Committee for much the same reason. And, it has been something of an unwritten rule for quite a long time that no Senator should serve on both the Appropriations, and Finance Committees. Nor do I have any desire to obtain membership on the Armed Services Committee.

I object to the proposal in principle because I feel that it could deprive the country of the services of outstanding U.S. Senators. The national interest would suffer if certain unusually able Senators in the future would not be able to serve on more than one of these important committees. For example, if the rule were in effect right now, the United States would not be able to have at its service on both the Appropriations Committee and the Armed Services Committee, the inestimable talents of the senior Senator from Georgia. In an effort to share the wealth, we cannot afford to turn our back on what is best for this Nation, and if what is best means a Senator serving on more than one of the so-called big four committees, and if he is willing to do it, then I think he should have the opportunity to do so.

SIX-YEAR COST ESTIMATE

I pass over, now, a number of sections in the bill to get to section 251 which requires in every report of a legislative committee on a bill an estimate by the committee of the costs to be incurred in carrying out the bill in the fiscal year which it is reported, and in each of the five fiscal years which follow. I would like to see this language clarified so that we are assured this does not apply to revenues measures. First of all, it is impossible to predict what the revenue gain or loss will be of any tax bill for a period of up to 6 years in the future.

Revenue gains and losses are tied to the whole economic complex of the Nation and there are so many variables that no accurate prediction of the revenues can be made for a period of 6 years into the future. Nor can costs of administering a complex tax bill be estimated with any precision. Of course, the term "costs" in this section may not mean revenue gained or lost in a tax bill, but may relate only to the money that the Government will have to spend in carrying out a particular program of goods and/or services. Whichever is the case, I would like to see the language clarified.

COMMITTEE STAFFING

Section 301 of the bill relates to committee staffing and infers strongly that the majority of the committee shall have assigned to it four professional staff and five clerical staff members and the minority of the committee shall have assigned to it two professional staff and one clerical staff member. The whole tenor of the section is to push a committee to the creation of a partisan staff, the majority staff members working only for the majority members of the committee and the minority staff members working only for the minority members of the committee.

The Finance Committee considered its staffing problems and concluded that the best committee work is done with a truly impartial professional staff rather than one drawn on partisan lines. It felt that the interests of the Senate and of the Nation can be served best by having a really professional staff, each member of which is answerable to any member of the committee and is responsible for providing information and recommendations to any member of the committee, be he on the majority or minority side. The Finance Committee, like the Foreign Relations Committee is working to develop a completely nonpartisan staff. As a matter of fact, our committee debated this very matter last year and it was agreed by both the Democrats and the Republicans on the committee that instead of fragmenting the staff into majority and minority, the staff would be simply a professional staff of a nonpartisan nature whose services would be available to any member of the committee or to any Member of the Senate. It may also be that by speaking in terms of a specific number of majority and minority staff members, unnecessary jobs will be created where there perhaps are already too many jobs. Certainly, the additional staff people will create new demand for space.

These are the provisions of S. 355 which I find most alien to a streamlining and economizing of operation by the Congress. I hope that the bill will be recommitted so that these matters which I have mentioned can be considered as a bill of particulars aimed at refining much of what is in S. 355. There is no question that there is a lot that is good in the bill before us. However, the aspects of the bill to which I have directed my criticism will upset tried and true procedure presently being maintained in the Senate and its committees. Rather than make our operations more efficient, these provisions in the bill will impede, slow down, and complicate the congressional way of life.

Now, I wish to suggest two proposals I have long thought would be improvements on the way we do business around here.

ABSENTEE VOTING

One has to do with the recording of how a Senator votes on a rollcall vote. We should adopt a rule that will permit an absent Senator to be recorded as present and voting no more than five times during a session of Congress when he is, for good cause, unable to be in the Senate Chamber at the time of the rollcall vote, when he has in person previously notified the Senate of his absence, and when he officially transmits to his Senate leadership how he wishes to be recorded on the rollcall vote. This will do away with the procedure of having to obtain a live pair and therefore of nullifying the vote of another Senator who is physically present at the time of the rollcall but who, as an accommodation to the absent Senator, pretends as if he is not present. It will also eliminate the unpleasant task of the leadership of obtaining live pairs for absent Senators. To permit this five times a year would not be to encourage absenteeism or to encourage a shirking of one's duty but it would provide a very great convenience to harried legislators who nevertheless wish to be recorded actually voting on measures of great importance. The absent Senator would not be counted as present for purposes of a quorum, but if a quorum were established as being present, his vote would be counted just as if he were physically present in the Senate Chamber.

PUSHBUTTON VOTING

The other proposal I shall offer to this bill calls for the utilization in the Senate of an electronic voting system. As many of my colleagues will recall, I have many times deplored the antiquated system under which we are required to vote here in the U.S. Senate, that we use a voting system long ago done away with by the United Nations and the parliamentary bodies of many nations and the legislatures of most of the States in our Union. Electronic voting systems are employed around the world; but here, in what I think is the greatest legislative body in the world, we still go through the laborious, drawn-out and bulky process of calling each Senator's name to determine how he wishes to be recorded on each and every rollcall vote. With an electronic voting system installed so that each Senator, on his desk, is able to push a button to register "yes" or "no" on a vote, and so that the votes are simultaneously recorded and received at the front of the Chamber, we shall expedite greatly the business of the Senate.

These two additions I recommend be considered when S. 355 has been recommitted to committee, as I hope it will be. Because congressional reform and organizational change happen so seldom, we should take special care to see that, when they do happen, the change is proper, the reform is real. The bill before us does not meet those tests; and, therefore, I urge that it be recommitted to committee. However, should the bill not be recommitted to committee, I have amendments to make all of the changes I have detailed, which I now submit.

Mr. President, I have detailed my objections to S. 355, the Legislative Reorganization Act of 1967 and to remedy those objections, I have introduced amendments to the bill in a package and individually which would do the following:

First. Delete the requirement of open committee meetings except when a majority vote orders an executive session and the requirement of a public announcement of each rollcall vote in committee.

Second. Modify the prohibition against proxies being used on a vote to report a measure from committee so that the prohibition would apply if that were the rule of the committee.

Third. Modify the requirement that a committee report include all of the votes for and against the measure being reported so that the requirement would apply if it were the will of a majority of the committee.

Fourth. Delete the rules requiring a delay of 2 days after completion of the majority report of a committee before it can be filed in the Senate so that supplemental or minority views can be placed in the same document and requiring 3 days between the filing of the report and the first vote on the measure in the Senate.

Fifth. Delete the requirement of an annual printing of committee rules.

Sixth. Delete the requirements of 2 weeks advance notice of committee hearings, open hearings except under certain conditions, staff digests of statements prior to a hearing and staff summaries of testimony after a hearing.

Seventh. Change the rule permitting a committee minority to call witnesses on at least 1 day of a hearing so that they could call witnesses sometime during the hearing.

Eighth. Modify the right of Senate committees to sit while the Senate is in session; the House rules would not be changed, but a Senate committee without permission could meet during the morning hour and with the permission of the majority and minority leaders could meet for any purpose at any other time during a Senate session.

Ninth. Delete the references to a committee review specialist and the requirement that a committee make certain reports of its review activities.

Tenth. Modify the conference report procedure so that, for the Senate, a separate conference report including a statement on the part of the Senate conferees would be discretionary, but the rules of the House would not be changed.

Eleventh. Delete the rules relating to the jurisdiction of standing committees of the Senate and to the membership of Senate committees and the Senate membership of joint committees.

Twelfth. Except revenue measures from the 6-year cost estimates required of legislative committees.

Thirteenth. Delete the committee staffing provisions relating to a division of staffs into majority and minority positions.

Fourteenth. Permit a Senator to be absent from the Chamber and yet be recorded on rollcall votes up to five times each session.

Fifteenth. Call for the installation of electrical equipment for voting in the Senate.

Mr. HILL. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. HILL. Let me call attention to an act which was reported by the Committee on Labor and Public Welfare in the last Congress, the 89th Congress, and which was passed. That act shows that we have been diligent in trying to do what is necessary for our veterans. Section 101 of that act, Public Law 89–785, reads:

"(b) In order to more effectively carry out the functions imposed on the Department of Medicine and Surgery by subsection (a) of this section, the Administrator shall carry out a program of training and education of health service personnel, acting in cooperation with schools of medicine, dentistry, osteopathy, and nursing; other institutions of higher learning; medical centers; hospitals; and such other public or nonprofit agencies, institutions, or organizations as the Administrator deems appropriate."

One could not have anything stronger or better, so far as trying to give these veterans the best possible medical treatment and medical care, than this provision here, tying in your veterans hospitals with your needed medical centers, medical schools, and institutions of higher learning. We could not have better.

We reported this bill from the Committee on Labor and Public Welfare, and it was passed in the last Congress.

Mr. LONG of Louisiana. The Senator is correct.

Mr. HILL. To show how diligent we have been to try to make sure that our veterans get the very best of medical treatment and medical care.

Mr. LONG of Louisiana. The Senator is correct, and furthermore, most of the veterans' organizations, toward the conclusion of a session of Congress, report back to their members what a magnificent job Congress, including the committee of the Senator from Alabama has done in providing additional veterans benefits.

Mr. HILL. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. HILL. I thank the Senator for his very kind and generous remarks about the Committee on Labor and Public Welfare; and, if I may say so, his remarks apply equally and just as strongly to the Committee on Finance. The Committee on Finance has always done its utmost to do everything it could for our veterans.

Mr. LONG of Louisiana. I thank the Senator.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the minority leader.

Mr. DIRKSEN. I presume this exposition by the distinguished Senator from Louisiana leads up to the amendments that he has offered for printing under the rule. I had thought perhaps he had some suggestion to make with regard to expedition of the pending bill. There are, with his amendments, or will be probably 61 amendments up there by tomorrow. Of course, to process that many will take us a long time.

I say to my friend, the chairman of the Finance Committee, that in the first instance I had in mind committing this bill either to the Committee on Rules or to the special committee from whence it came. It can, under the rule, be committed to either. It would be better to commit it to the special committee, for a very good reason. The distinguished Senator from Oklahoma [Mr. MONRONEY] has consistently made the point that if we do not complete action on the bill here on the floor, and carry it to a conclusion, probably there will be no legislation on the subject.

To begin with, I do not take that view, because if we commit a bill to the special committee of which he is the chairman, the destiny of that bill will be determined by him; and since his special committee seems rather unanimous about the bill, all they have to do is take these proposals and this discussion back into the bosom of the committee, and at that point it becomes essentially a staff job. They can incorporate these modifications and changes that are suggested by various Senators, and particularly by chairmen of the important committees.

It is my understanding that the chairman of the Committee on Foreign Relations will be in here to offer 10 amendments of his own. The chairman of one of the subcommittees of the Committee on Labor and Public Welfare has, I believe, 13 amendments pending; and, in addition, we still have quite a number that were offered by the Senator from Pennsylvania.

If they are to process all of these amendments, and there comes the intervention of the Lincoln week starting about as of Wednesday of next week, we will not resume on this bill, then, all next week, and it will go over into the following week before we can get any action, because we have had the understanding with respect to the Lincoln week recess that there can be no record votes, and there actually can be no substantive action by the Senate.

I have not made each one of these motions for commitment, largely because the distinguished Senator from Oklahoma has verily entreated me not to do so, and likewise the Senator from South Dakota. There may be others on the special committee who have done the same thing. Obviously, I certainly do not wish to affront the chairman of the special committee, who has labored on this thing since, I think, February of 1966; although it must be said that they took mountains of testimony before they ever had the bill before the special committee. So it is not strange that a good many defects have crept in. And there we are.

I wish to be a willing servant of almost all of the committees and all of the Members. I do not wish to take any sumptuary action that they might feel is a cause for being aggrieved about it. So here we are, at something of a standstill, until we can find out what the pleasure of the chairman of the special committee is.

Mr. LONG of Louisiana. Mr. President, I say to the distinguished minority leader that present indications are the debt-limit bill will be passed by the House next week. There is very severe doubt that we will be able to pass this bill before we leave for the Lincoln Day recess.

Under the present provision of the reorganization bill, this Government would not be able to pay its bills because of the debt-limit problem. The bill before us, unless a majority of the committee agree otherwise, would require that we wait 2 weeks before we hold hearings; and even if we could get a majority to agree to proceed immediately, with a single objection we would be required to have a 2-day delay, and then a 3-day delay in addition to the layover for a day when reported, as provided in the existing rules.

So, we would have an additional 5-day delay and coupled with the other delays, a time would be reached at which the Government would be out of money and could not pay its employees.

I do not think that these stumbling blocks were built intentionally. However, the same type of problem will exist with respect to the Interest Equalization Act and the Trade Expansion Act. Unfortunately, in some instances, the pending bill was written without regard to the Constitution's requirement that revenue legislation originate in the House.

These are matters which must be considered before we are put in the legislative straitjacket which has been suggested here.

I hope that the bill will be recommitted and that all the matters which I have discussed in my speech will be considered.

I suggest that that would leave the committee with some discretion and flexibility.

The Senator from Illinois serves on the Committee on Finance, of which I am very proud to be chairman. The Senator knows that we have absolutely no difficulty on procedural matters. We do not have a set of printed rules, but if some Senator wants more time within which to submit minority views, we will discuss the matter and see what time would be reasonable.

If a person is being purely dilatory, we might say that 5 days would be enough time. However, it depends upon the circumstances of the case. If Congress wants to adjourn in 2 days, we would say that the person would have to get his minority views in by the next day.

So far as I know, the flexibility that the committee has enjoyed has never been abused. I cannot recall a single case when the committee was accused of abusing its discretion.

As the Senator so well knows, anytime a committee abuses its discretion and tries to rush pell mell into something, any Senator has the power to take the floor and to stop such action. All he has to do is take the floor and start talking.

That is one advantage of the rules as they now stand.

Mr. DIRKSEN. Mr. President, I point out to the distinguished Senator from Louisiana that I try so carefully not to usurp certain powers and privileges that would appear to be arbitrary action for the minority leader. To move to commit a measure to a committee when the chairman and the ranking minority member of the committee appear to be opposed to it may seem to be in dubious taste.

Any Senator can stand in his place and make that motion to recommit.

I try to be as deferential as possible, but we cannot stay on dead center forever in order to discuss this bill which is a procedural matter and does not deal with substantive legislation.

Mr. LONG of Louisiana. I believe the Senator is correct. It would seem to me that instead of debating day by day the proposal here presented, we would do better to make all of our views available to the special committee and place the bill back with them, telling them that there are problems. I would say to them, "These are the problems that the bill presents to us. My 16 amendments, more or less, explain what I think ought to be changed. It concerns about 18 things that create a problem for the Committee on Finance. Here are some other things that we think ought to be changed."

I would assume that if we keep on thrashing it out day by day on the Senate floor, we will eventually arrive at some conclusion, after doing the committee's work for it. However, I hope that the committee itself will insist on going along with the suggestion that it take the bill back into its bosom and study the various things that have been submitted here.

Having considered the suggestions, I hope—and I believe I can express that hope with some confidence—that the committee will act favorably on the recommendations.

We could then have before us a bill which we could pass within 2 or 3 days.

Mr. DIRKSEN. Mr. President, I say to the distinguished Senator that there will be no action today. We have given assurance to Senators who were going home, or catching trains or planes in order to make speeches and perform other duties, that there would be no rollcalls and no record actions today.

This matter is still in the discussion stage, and I presume that we will resume on Monday next precisely where we leave off today.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MORSE. Mr. President, I have not discussed the pending bill as yet. I shall do so next week. However, I have listened to the Senator from Louisiana and the Senator from Illinois.

I strongly support the suggestion that the bill be recommitted to either the special committee that brought it to the floor of the Senate or to the Committee on Rules and Administration.

In view of the record that has been made, one of these committees should have the opportunity to make revisions in the bill that will reflect this record.

The Senator from Louisiana has a suggestion that is workable, as did the Senator from Illinois some days ago when he first suggested on the floor that he might consider submitting it to the Committee on Rules and Administration.

I think that the bill ought to go back to committee for further study at the committee level. There are many things about the bill that ought to be modified, if it is to stand before the public as a reform of congressional practices and procedures.

Yesterday in the Committee on Labor and Public Welfare we discussed one phase of the bill. As far as the Committee on Labor and Public Welfare is concerned, one particular recommendation which the special committee made would be unworkable, would be exceedingly costly, and would involve the employment of additional staff to do something which, in my judgment, would be a waste of time. This is the provision in S. 355 that at the end of each day of hearings, the staff digest and prepare a summary of the hearing.

I cannot think of a greater waste of

time or a more inexcusable expense for our committee.

It was pointed out that we would have to spend money for the employment of additional staff members because we do not have the staff now that could do it.

The question was then raised, "What good would it do? Furthermore, you couldn't do it at the end of every day because you do not get the transcript until the next day, and sometimes the situation develops that you do not get it the next day."

So, from a physical standpoint the recommendation is unsound. From a cost standpoint also, I think it is a waste.

Let us now go to the substance. Do we as Senators need to have a summary submitted to us at the close of each day, or available to us the next day, in regard to what went on in the hearings?

We all know that we know what goes on in hearings, even though we may not even be there, in the sense that we have our own ways and means of getting information as to what happened.

We have our staff members from our offices sitting there, if we cannot be there. The chairman of the committee has an able staff that we can ask as to what happened yesterday. They give one a summary, and let me tell the Senator that the vocal summary that one gets from our own trained staff is, in my judgment, many times more valuable than some written document that some summary specialist would prepare.

We can overdo this whole question of working out a mandatory blueprint procedure for Senate committees.

I am giving serious thought to an overall amendment that would put these proposed changes in the form of recommendations to the committees but each committee would be authorized, by a majority vote of the committee, to develop its own rules of procedure for the conduct of the committee business.

We are proceeding now on a false assumption that a uniform procedure applicable to all committees under all conditions will improve the efficiency of the committee work. I believe that the opposite will occur.

Consider, for example, the Committee on Labor and Public Welfare, on which I have served a long time, whose chairman, the Senator from Alabama [Mr. HILL], is one of the veteran chairmen of the Senate. I do not know of one so-called reform recommended by the bill under discussion that would be of any benefit whatever to the Committee on Labor and Public Welfare. On the contrary, I believe that some of these reforms would be a great handicap to the committee. Others would be simply irrelevant.

The committees have the responsibility of doing the public's business in accordance with what the committees decide is the most effective and efficient way of doing the public's business. I would rather have the rules of procedure that we have worked out under the leadership of this great democrat—I refer to him as a democrat with a small "d" because he conducts a democratic committee—in which the members of the committee decide procedural policies of the committee which will be of value in handling the legislation that comes before our committee, than all these somewhat arbitrary and superficial rules that this bill would seek to make mandatory upon our committee.

I do not believe that Senators are in a position to adopt a bill applicable to all committees, when they are members of only a few committees. What do I know about what should be the best procedure for the Committee on Appropriations? I am not a member of that committee. What do I know about what should be the best procedure for conducting other committees of which I am not a member? But I am satisfied that I am a fair judge of what the procedure should be in the committees on which I serve.

As the parent body, the Senate should demonstrate its trust in the committees themselves and say to them, "You have the responsibility of developing your own procedure." If I were to apply any mandatory rule, I would apply the rule that the committee should decide its policies by majority vote, by majority rule, and the members of the committee are entitled to insist upon a decision on procedure by way of majority rule. If that rule were adopted, I believe that much of what has been said in the Senate in the past several days could be set aside completely; and we would have the one rule that would provide the most efficient committee procedure in the Senate.

Mr. HILL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HILL. I agree thoroughly with what the Senator from Oregon has said about permitting the committee to work out its procedures. Inasmuch as I have told the Senator that I agree with him, I should thank him for his kind and generous words about me.

I believe that the Senator will verify the fact that in the years that he and I have served on the Committee on Labor and Public Welfare, we have agreed on these procedures not as Democrats or Republicans, but there has been a consensus. Am I not correct?

Mr. MORSE. The Senator is correct.

Mr. HILL. There has been a consensus on the part of all members of the committee; and the rules and procedures under which we operate have come about not through any partisan effort, but by consensus of the members of the committee.

Mr. MORSE. The Senator is correct. The accuracy of that statement was demonstrated yesterday, in a 2-hour session. By majority vote, we decided a series of committee policies. Our chairman, the Senator from Alabama, believes in applying the principle of majority rule in the committee. It is this principle that guarantees protection to individual Senators on committees, not many of these—as I consider them to be—superficial and highly arbitrary and unnecessary proposals for a revamping of the procedures of Senate committees.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LONG of Louisiana. I agree with the Senator.

A committee is composed of a group of men, each of whom has his own individual personality, and often it is better to permit them to agree upon their own procedure and to work together informally.

As I have said, the Committee on Finance has no written rules. Some time ago, as committee chairman, I suggested that we have two or three rules that I believed might be appropriate; and the members of the committee said, "We have been getting along fine the way it is. Why do we not just continue the way we have been doing business? If we think we need some rule of that sort at some later date, we can agree to it."

The flexibility that we have is extremely fine, because we have no rule which prohibits a member from voting by proxy. A member can vote by proxy. Five members of the Committee on Finance are members of the Foreign Relations Committee. Sometimes a vital matter before the Committee on Foreign Relations involves the survival of the Nation, and those members may be absent because both committees are meeting simultaneously. But we can undertake to determine how a Senator wishes to be recorded. If a Senator changes his mind and wishes to study the matter further, he can so request and such a request has never been dishonored, even if the member had been present. Our informal procedure is that a matter can be reconsidered and voted upon as many times as the members wish, so long as any doubt exists that we have reached the majority position.

In voting on a bill such as the so-called medicare bill, the Social Security Amendments of 1965, in connection with which we had hundreds of amendments to vote on, we would proceed expeditiously, on the basis that if there were no objection at the moment, we would tentatively agree to this and tentatively agree to that, and if any member wished to study the matter, we would take another look at it and see how he felt about it then.

If a Member has an amendment, he can offer it as many times as he wishes, and there is no rule preventing its reconsideration. That informal procedure helps matters.

The provision in the proposed legislation which would prohibit a proxy vote in committee, on the vote to report a bill, is patently ridiculous. The result would be to interfere with the efficiency of a committee.

Let us consider the situation of a Senator who is in the hospital. What is the point of bringing the Senator in on a stretcher—such as pitiful cases I have seen—when a man is dying, when all that is necessary is to telephone him and to ask, "How do you wish to vote on this amendment?"

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Mr. President, I yield.

Mr. MORSE. Now is a good time to raise this question with respect to proxy voting. One would think that we were members of a custodial institution and that we have to follow a system of custodial institution rules in order to fulfill our responsibilities in the Senate.

Let us consider a hypothetical case. The Senator from Louisiana and I have served on committees together; the Senator from Alabama [Mr. HILL] and I have served on committees together; and the Senator from Wyoming [Mr. MCGEE] and I have served on committees together. We have sat in hearings on bills, whether in the Committee on Foreign Relations or the Committee on Labor and Public Welfare. We have attended markup sessions in subcommittees and have listened for days and days to all the discussions that have taken place.

Then we have sat in the full committee. Amendments that were rejected in the subcommittee were offered in full committee, and again they were either accepted or rejected. Rearguments were made before all the amendments were passed upon.

When it got to be late in the afternoon or evening, it would be decided that because of the absence of certain Senators, the vote on reporting the bill would take place either the next day or 2 days later, at such and such a time. Every member of the committee knew how he would vote. So the members of the committee would file with the chairman of the committee their proxies, sometimes in writing, on the bill, whether the votes were up or down.

Under the procedure proposed, that could not be done, and the member of the committee would lose his vote.

There are many occasions when a committee member must be away from the committee room at the time a vote is to take place. So I say, respectfully, that what is being overlooked is whether the filing of a proxy vote by a Senator who cannot possibly be present would in any way detract from his representation of the people of his State in regard to the merits of the issues contained in the bill. I say that it would not detract one iota.

When the roll is called in committee, and the chairman says, "I have the written proxy of the Senator from Oregon. He requests that he be registered as voting 'yea'." Why is it insisted that under that set of hypothetical facts the Senator must be present in body, even though he has participated in all the hearings? He understands the bill. He filed his proxy after the committee's consideration of the bill had been completed and the decision made to set a time certain to vote.

I speak most respectfully when I suggest that the proposal seeks to place an arbitrary restriction on Members of the Senate. It does not in any way justify itself from the standpoint of Senators performing their senatorial duties.

It only means the final vote to report a bill would be postponed over and over again.

There is not one of us who has not found himself time and time again in a situation where he cannot be in committee A at the time the vote is taken, because of some other official business of equally vital importance or more importance than his being there, and must simply cast his vote and leave. That signed statement is just as significant as his being there and parting his lips to utter the words yea or nay. It is a superficial restriction. I do not think that Senators should be subjected to that kind of arbitrary "rulism" in the Senate.

Mr. LONG of Louisiana. Let me talk again about the proposal to set up a separate veterans committee. Veterans organizations have felt they might be able to get more benefits for veterans if a committee did nothing except look after the benefits of veterans. Perhaps they are right. Perhaps they might get more money from the Government in that way. However, I am sure they would not make the case that they have not been treated fairly by committees considering the matter.

I have a report from the Committee on Finance detailing a few facts which the Senator from Oregon perhaps did not hear. The cost of veterans' benefits after every war has exceeded the cost of the war. The peak of veterans' benefits is usually reached around 50 years after the war.

The projected figures as of 1956 for veterans' benefits already enacted—and these figures are out of date because additional increases in benefits have been authorized—were $371 billion.

We had a matter suggested to us in the committee which would double the cost of those veterans' benefits. That proposal would have meant that the projected veterans' benefits would then be over $750 billion.

The Committee on Finance looks into all of the problems of this Nation. The Committee on Finance has to consider most of the matters of income problem with regard to retired people and people who need help from their Government and have the right to expect it. The committee did not feel that this was the time to take that action.

I would submit that with respect to an item that is going to cost the Government $370 billion over a period of time it should be carefully considered, whether that committee should be one such as the Veterans Committee would be, composed of junior Members serving their first term in the Senate—many courting the opportunity to go on senior committees of the Senate—or whether the committee handling matters of that sort should be one of the senior committees, composed of men who have been elected and reelected, three or four times in many instances, and men who by virtue of their service and having been elected and reelected have earned the confidence of their people.

If necessary, committees composed of senior Senators can well afford to reject a veterans matter that would cost $370 billion, a figure exceeding the national debt. They would have enough confidence in their own stature and judgment, and their people would have demonstrated enough confidence in them that Senators sitting on that committee, one of the Senate's senior committees, could in good conscience and honor take whatever action might be necessary to turn down a veterans bill where the demand is excessive and the cost unreasonable.

Occasionally, I have had Senators tell me that they would like to be rid of veterans' legislation; that it would be just fine; that they would rather not be bothered with it. But I say to them, that is your duty, Senators. Senators are going to have to bother with it one way or another, if not in committee, then they will have to consider it on the floor of the Senate. Senators should not and cannot shirk their duty.

Legislation of the type I have referred to would cost hundreds of billions of dollars. To oversee such legislation, we should have a senior committee, such as the Committee on Labor and Public Welfare or the Committee on Finance, which has shown every consideration for veterans.

I wish to ask how many Senators who have had their names placed on a bill to create a standing Committee on Veterans Affairs want to serve on that committee, especially if they have to give up one of the more senior and sought-after committees in the Senate to serve there.

The record, as I have spelled it out here in great detail, shows that the existing committees have been most considerate of veterans. The only bill that the veterans can say we have consistently refused to pass for them was a measure whereby a person could be more than 100 percent disabled and get more benefits than if he were dead, or get more benefits than if he were totally disabled. I refer to the bill which would provide additional specific statutory award for each anatomical loss of the veteran. We rejected this holdover of an outmoded concept, when we initiated the compensation program. We declined to agree to a plan whereby a veteran could be more than 100 percent disabled. The question was whether a person could be 200 percent disabled. The House has sent us such a proposal a number of times. We could not see the logic of trying to contend that anyone was more than 100 percent disabled.

With that exception, every veterans measure that has been submitted and pressed for has been considered, and we have reported those matters.

Mr. President, in my prepared statement I have proposed that if this measure is recommitted, the committee should consider two additional items not in the bill, but which I think should be considered as part of doing a thorough job.

One which I believe would be appropriate would be to permit an absent Senator to vote on up to five occasions a year if he is necessarily absent and has directed how he wishes to be recorded.

This would make it unnecessary for us to wait for someone who is delaying matters or stalling or to wait for someone to return, because Senators sometimes decline to give a pair because they want to be on record as voting.

In my opinion, another item which would expedite procedure more than most items already in the bill, would be to install a pushbutton voting machine such as are now installed in State legislatures. This would be done without any rule to define how it should be used. I have no doubt that over a period of time the Senate would arrive at a procedure which would make such a machine useful in this body, and save the Senate untold hours.

For example, when someone would suggest the absence of a quorum in the Chamber and one wished to get on with the business by agreement, we might use the voting machine to determine quorums when it could be agreed that it would be appropriate to determine that a quorum was present.

In other words, in some cases, a Senator may wish to suggest the absence of a quorum merely to delay matters temporarily while Senators discuss a matter among themselves, or something of that sort. That is one way. But in other cases, the law requires the Senate to determine that a quorum is present. When that is the case, it would seem to me that a voting machine could serve that purpose without prejudicing the rights of any Senator which are presently enjoyed.

Thus, here are two additional suggestions which could be made, in addition to a great many objections which I have spelled out; and I would ask that the amendments be printed—I think that most of them are at the desk now—so that they will be made available.

The PRESIDING OFFICER. Without objection, the amendments will be printed.

TRADE EXPANSION ACT

Mr. LONG of Louisiana. Mr. President, I hold in my hand a speech recently delivered by the Senator from Illinois [Mr. Dirksen], in which he discusses a range of subjects.

Particularly interesting is his discussion of trade policy in this country and some of the problems which will be entailed in consideration of the Trade Expansion Act which must come before us.

Mr. President, 5 years ago the Congress considered an unprecedented grant of tariff bargaining authority to the President. The purpose of the Trade Expansion Act of 1962 was to enable the President to enter into negotiations with the European Economic Community which would preserve access for U.S. exports to that area.

A major component of our exports to the Common Market consists of agricultural commodities. Agricultural export trade is of great importance to the economy of the entire Nation. Nothing that has happened in the 5 years since the enactment of the Trade Expansion Act is a cause for any optimism or rejoicing about the possibility of this Nation preserving reasonable access for its agricultural products to the Common Market.

The administration has repeatedly assured Members of the Congress that there would be no reductions in duty on industrial products unless the United States secured concessions which would grant increasing access for exports of its agricultural products to Western Europe.

Now, any fair reading of the news from Geneva over the past several months—indeed, over the past several years—puts us on notice that there will be little, if any, improvement in the position of the United States in individual farm commodities, and very likely a worsening of our position as a result of the impact of the Common Market's agricultural policy on foreign trade.

The failure of effective bargaining in the agricultural area is not our only problem in the Kennedy round. On the domestic side, many of us in the Congress have become increasingly concerned over the possibility that the U.S. negotiators will offer sweeping reductions in U.S. industrial tariffs on an across-the-board basis regardless of the acute sensitivity of some sectors of our manufacturing industries to import injury.

In the acutely sensitive area of the products protected by the American selling price system of customs valuation and import duties, the members of the Senate Finance Committee have been alarmed by the administration's negotiating procedures to the point of sponsoring and securing the passage by this body of Senate Concurrent Resolution 100 during the past session calling upon the President to limit his negotiations to matters on which he was given specific authority in the Trade Expansion Act.

In the midst of these discouraging developments, many Members of the Congress have sponsored amendments to the Antidumping Act in an effort to secure a more effective protection of the domestic market against unfair trade practices in which foreign-produced goods are sold for export to the United States below the price at which they are marketed in the country of origin. It is fair to say that there is widespread dissatisfaction in the Congress and in industry with the administration of our Antidumping Act.

Mr. President, these matters are dramatic evidence of the necessity for a thoroughgoing inquiry into our foreign economic policy during the 90th Congress. The scope of the inquiries which can usefully be made has been very effectively described by the distinguished minority leader in an address which he delivered before the annual meeting of the Trade Relations Council in New York on December 3.

While I disagree with a number of the statements extolling Republican virtues and achievements, I respect the right of the Republican leader of the Senate to make them. So that the minority leader's perceptive analysis of the current situation can be made available to all of the Members of this body, I ask unanimous consent that his address, including his introduction by the chairman of the Trade Relations Council, be placed in the Record at this point.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Introduction of and Address by the Honorable Everett McKinley Dirksen, Minority Leader, U.S. Senate, Before the Annual Meeting of the Trade Relations Council of the United States, New York City, December 3, 1966

INTRODUCTORY REMARKS BY MR. JAMES M. ASHLEY, CHAIRMAN OF THE TRADE RELATIONS COUNCIL

Ladies and Gentlemen: I can imagine no honor more gratifying to me than to present the beloved American statesman at my right to this audience. Every person in this room has for many years been familiar with his face, his voice, and his perfectly astonishing record.

He has managed somehow, as captain of forces that have been beleaguered and outnumbered, to exert an always wholesome influence on the legislation that shapes our way of life, and as businessmen, taxpayers, and citizens and legators of the world we leave to generations to come, we are beholden.

It is only his very early years that may be less well known—the early years that shaped the man he has become. When he was a boy of five, he lost his father. As a youngster on his way to Pekin High School, he peddled the produce he helped to grow on his mother's farm. By working as a clerk in the advertising department of the *Minneapolis Tribune*, as a helper in a railroad office, and as a lawyer's assistant, he met his college expenses at the University of Minnesota.

When his country was engulfed in a world war—he couldn't know then that it was to be some day known as World War I—he enlisted as a private in the Army, was sent overseas, and won promotion to lieutenant in the field. Returning to his home town, he spent eight years in business before being elected Commissioner of Finance in Pekin, Illinois. In 1932, he was elected to the United States House of Representatives. During the first two of eight consecutive years in the House, he completed his law education at night school and was admitted to the District of Columbia and Illinois Bars in 1963. As you can see, by the time he was elected to the United States Senate, defeating the Democratic Majority Leader for the job, the mettle had been hammered on the anvil and tempered at the forge.

There is only one other role this remarkable man has played which, because it is brand new, may be unknown to some of you. He is now a recording star. In the vernacular of the trade, he's cut a platter that will stand at the top of the all-time Hit Parade. Backed by chorus and orchestra, he narrates stirring episodes from this country's past, including, you will be glad to know, The Gettysburg Address. I can think of no other contemporary American as well endowed by experience, philosophy, and scholarly interests to breathe life into the stories that are our common heritage.

We have heard him referred to as "Horatius at the Bridge" as "the living voice of our fathers," as "the shadow of a rock in a weary land." Surely the triumph of his party at the polls last month was the truism of the man who has so proudly borne its standard through all the lean years.

Ladies and gentlemen, The Honorable Everett McKinley Dirksen, United States Senator from Illinois.

ADDRESS BY SENATOR DIRKSEN

Well, Mr. Ashley, I must say that you have covered the waterfront, and I am deeply grateful. You make me feel like the widow sitting in the front row listening to the minister and all of his encomiums on the deceased who lay in state in front of the church. She said to her son who was beside her, "You better go and look in that coffin and see it that's your own paw in there."

Frankly, I am delighted to be here as your guest. Perhaps the first thing I ought to do is to look at a watch. But I am going to be forbearing and careful and not detain you too long. Besides, you're going to have to hear a read speech.

Some years ago I received a telegram from the executive director of the Denver Chamber of Commerce. He said, "We would like to have you come and deliver the annual address to the Denver Chamber. We do not want a 'read' speech." Well, it intrigued me so, I wired back and said, "Do you mean RED or READ?" Then I got a very succinct telegram. It had to be succinct because it had only one word in it. It said, "Both!"

I don't do it very often, but I would assume that on this occasion I better stick to a text because I want to be sure that if the press is going to use any of this material, they will know that I said it. You see, they're always very, very cautious about that!

Now, I am never sure, when I am invited, that I am going to reach my destination and make a speech, so I want to say to all of you how glad I am to be here on this occasion.

I recall a man with a nagging wife who nagged him from the time they were married until she was gathered up in the bosom of Abraham. That's a polite way of saying she died. When the services were conducted at the graveside, there came a great rolling peal of thunder and a jagged bolt of lightning in the sky. The bereaved husband contemplated the phenomenon for a moment, and finally tapped the minister on the shoulder and said, "Parson, I think she made it."

I am delighted that I made it.

Now at the very outset, let me set you straight should any of you have any idea that I am an expert in this trade field. I have worked at it a long time, but I think it would be deceptive on my part to persuade you that I am an expert, because I am not. I try as best I can to understand this subject and then come to what I think are some unshakeable conclusions.

Now, at least I have a little history and background on my side because it was in 1934 that I first voted on the very first Reciprocal Trade Agreements Act. That's when Cordell Hull of Tennessee was the Secretary of State. A lot of things have happened since that time, an amazing lot of things. Even my son-in-law was elected to the Senate from Tennessee on November 8, 1966. That shows you what can happen.

But once upon a time, in the history of this country, the tariff and the duties imposed on imported articles appeared to be the only real issue between the major political parties and it got quite intense. I attended my first political rally when I was five years old, and that is when I first heard the word "tariff" and I've been hearing it ever since and dipping into the trade field. But it was quite intense in the old days, and I think there is nothing that so well illustrates it as what happened to a tramp trudging the dusty highway of South Dakota, and about noontime he wandered into a farmyard where a farmer was unhitching his horses, and asked whether he could get something to eat. At first the farmer demurred and then said, "Oh, well, we've got a very humble place and we're quite impoverished, but whatever we have we'll share with you." Of course, what alarmed the farmer was he had shot a pheasant out of season and they were having it for noonday lunch, and he couldn't tell whether this tramp might be a game warden in disguise. But at least he invited him in.

As they sat at this humble table, this invited guest began to make fun of the place. How shabby it was. What frightful furniture they had. And then at long last he began to make quite unfitting remarks about the farmer's wife and the shabby calico wrapper that she wore. Girls, you remember when they called those Mother Hubbard dresses wrappers? I guess they've gotten out of the habit today. But all this went on and then something happened because the farmer found himself in court a few days later and he was charged with assault and battery on this tramp. At long last, the judge, who knew the farmer reasonably well, said, "How come you bashed in his head with a piece of stove wood?" "Well, Judge," he said, "when he talked about our habitation, I didn't mind, and when he talked about the faded wallpaper, I didn't mind, and when he made all these unkind remarks about my wife, how ugly she was, and how ill-dressed she was, I didn't mind, but damn it, when he talked about the tariff, that's when I hit him!"

So, you see, it was a subject that developed a lot of consternation and a lot of interest in our country. And so I want to share with you a few thoughts and later, when the 90th Congress convenes on the 10th of January, and the time arrives and there is something to be done in the Finance Committee of the Senate, in view of the fact that the Trade Expansion Act must be extended into the following year, or this coming year, why, that's going to give us an opportunity to examine into this whole problem.

A month hence the 90th Congress will convene. The American voters have made decisions regarding the composition of the 90th Congress which give it great promise for constructive work.

The American people have expressed emphatically their lack of confidence in a continuation of the philosophy pursued by the Democratic Administration during the past several years. A line has been drawn against further Federal innovation in an attempted reshaping of the very structure of American society.

The American people by their stunning expression of confidence in the Republican Party at the polls have cried out in an overwhelming voice, "Let us have moderation, prudence, and reason in the conduct of our national and local governmental affairs."

I can tell you with some authority that the Republican members of Congress, trained by necessity to be zealous and effective beyond their numbers, have the heart, the talent, and the will to supply what the people have demanded.

And I can amplify that and say I know because when you have the leader of the minority and you have only one-third of the troops in the Senate on your side, you will know what it means when the steam roller goes over you. It always reminds me of that fellow who was actually run over by a steam roller one morning and he picked himself up, brushed himself off, and he said, "My wife told me to bring pancake flour when I come home tonight."

The high quality of the additions to the Republican ranks in the 90th Congress is impressive. With these welcome reinforcements the Republican leadership in the Congress will be able to deliver constructive oversight to the existing programs and enlightened moderation in meeting the needs of the Nation during the next two years.

The Nation's foreign trade policy is an item of major importance on the agenda for action in the 90th Congress.

Our foreign trade policy is in great disarray. Let us consider some of the gravest areas of the shambles which have been made of our traditionally bipartisan foreign trade policy. And the first thing that I will discuss with you briefly is this whole controversial and challenging subject of the balance of payments.

Balance of payments

First, consider the balance of payments crisis. We have had a deficit in our international payments in excess of $2 billion during each year of the Kennedy-Johnson Administrations except in 1965 when emergency actions of a temporary nature to check capital outflows reduced our deficit below the $2 billion mark.

I can testify personally on that subject as a member of the Senate Finance Committee because I listened to the Secretary of the Treasury and all the experts that they sent to us and chimed in in the hope that we could find something that would meet this balance of payments challenge, and it hasn't been met to this good hour.

During the first 9 months of 1966, our balance of payments situation has developed at about the same rate of deficit as we experienced in 1965. We haven't made any real progress. The credit restrictions and the high interest rates which have characterized the Administration's fiscal policy during these months, accompanied by uncertain foreign developments, have resulted in an inflow of dollars from abroad.

There is a danger that this short-term improvement will conceal a disturbing trend affecting our merchandise balance of trade, in which you have a particularly abiding interest.

Imports, especially of manufactured articles, have been increasing more rapidly than our exports.

U.S. imports rose by 15.5 per cent in 1965, compared to an increase of only 4 per cent in our exports. Let me just repeat that figure, 15.5 per cent in 1965, and I think that you will find that these are authentic. As a result, our balance of trade, excluding exports financed by the United States, declined by nearly $2 billion in 1965 compared with 1964. And believe me, two billion "ain't hay" even in the great Empire City of New York.

During 1966, our exports remained steady during the first and second quarters, and increased by only 4 per cent in the third quarter. Imports in the third quarter increased by nearly 7 per cent over the second quarter, and 11 per cent over the first quarter. As a result, our merchandise trade surplus at an annual rate is off by more than $1 billion, 1966 compared with 1965.

Our merchandise trade surplus is being rapidly eaten away by swiftly rising imports. The magnitude of these losses exceeds the contributions to our balance of payments voluntarily made by businessmen in curtailing foreign investments at the urging of the Administration. Some wonder that Secretary Fowler describes the trade balance as "our major concern!" Oh, how he and Secretary of Commerce Connor have scolded and preached to the businessmen of this country, and said, "Now, you cooperate with your government and don't invest this money abroad, and give your country a break!" Generally speaking, they have been all too willing to assist, and yet, we're quite behind the "eight-ball" when it comes to the balance of payments and still find that our surplus in the trade field is being dwindled away.

The Kennedy round

Under these circumstances, moderation and prudence would seem to require that the United States be very selective about further reductions in U.S. tariffs in trade agreement negotiations.

In the Kennedy Round—and goodness, how much we've learned about things from the Kennedy Round! However, the United States is proposing to reduce *all* of its duties on industrial products across the board by 50 per cent with only a bare minimum of exceptions.

Our exports are handicapped by many forces other than duty rates. The numerical reductions in those rates which the United States might secure in the Kennedy Round may be quite ineffective in boosting our exports. The reductions in duty which we grant as a reciprocal of that action, where tariffs are the sole deterrent to the entry of foreign goods into the United States market, can aggravate our already serious balance of payments situation.

When the Trade Expansion Act of 1962 was enacted by the Congress, the Republicans in the Senate tried strenuously to secure amendments which would assure selectivity in trade negotiations. The Republicans voted solidly for the retention of the peril point and escape clause procedures which had become a part of our trade agreements tradition, but the Democrat majorities were insistent upon repealing these provisions. You recall so well in earlier years when we fought out this issue of the peril point and the escape clause, and then succeeded, and then only to discover that these safeguards, inadequate as they were, were finally repealed.

Solemn assurances were given that provisions of the new law calling for public hearings by the Tariff Commission would afford the President with a basis for discrimination in the selection of products for trade agreement negotiation.

Notwithstanding these assurances, the Administration committed itself to across-the-board reductions in duty of 50 per cent subject only to a bare minimum of exceptions in May of 1963, some six months before public hearings commenced. That's like being sentenced before you've had your day in court. Selectivity became another dishonored promise.

In the Kennedy Round, the Common Market countries have injected many issues into the negotiations which make it extremely doubtful that the U.S. export trade will actually be benefited. The Europeans reserved a most extensive list of the products of their industries from reduction. You see, we're not so timid. We reserved only a very bare minimum, but they reserved quite an extensive list.

Our agricultural exports to the EEC, of vital importance to our farm economy, have been sharply limited by the variable import levy system established by the EEC. They are subsidizing increased production of farm products under the forced draft of high farm subsidy payments, and protecting that by duties equal to the difference between the world price and the high support price. When our negotiators demanded a reduction in the size of the variable levy, the EEC countered with a demand that we change our own farm policy.

The outcome seems clear: American farmers will be injured by the arbitrary common market farm policy. Now, I can't say that this is absolutely gospel, but I had them try to verify it, and I understand that the American Farm Bureau or Federation had already resolved and demanded that the negotiations stop over there because our farmers are going to be left out and they are going to get the short end of the stick.

Nevertheless, the United States appears intent upon concluding an agreement which will not repair the damage to our farmers, while inflicting new damage upon our manufacturing industries. It looks very much as though we are offering to give them our shirt in exchange for a handkerchief!

Nontariff barriers are the chosen instrument by which the Europeans limit trade. Chiefly, they shunt Asiatic products into the U.S. market by such devices. The Europeans, evidently believing that a good offense is the best defense, have launched a spirited attack upon the United States antidumping laws and the American Selling Price valuation system, claiming them to be nontariff barriers, while we are still on dead center as to their host of devices. We find ourselves embroiled in the possible negotiation of an international antidumping agreement whose chief purpose appears to be the weakening of U.S. laws and procedures vital to American industry.

Under our import system, the antidumping law is of great importance to the maintenance of fair competition between U.S. and foreign goods in the American market.

The American Selling Price value system is the very foundation upon which certain labor-intensive industries such as those producing dyes, dye intermediates, medicinals, and other benzenoid chemicals, and rubber-soled footwear are able to exist in the face of the far greater competitive advantage and the cartel practices of foreign producers. Now efforts are being made to destroy this foundation and these industries by improper procedures.

Nothing in the Trade Expansion Act or its legislative history authorizes the Executive Department to enter into trade agreement negotiations on such topics. Yet, characteristically, the limits set by Congress are ignored. The end is offered as justifying the means. I doubt that the Congress will ratify such actions. They are alien to the partnership which has existed between the Executive and the Congress during the three decades of history under the trade agreements program, and which ought to continue, if each side will respect the prerogatives of the other.

Enough has been said to make it obvious that a fundamental reorganization of our approach to trade negotiations is required. Congress must supply more specific standards and procedures for the use of authority delegated to the Executive.

I remember some early experiences before the government committee appointed to listen to domestic industries. I went down there in the interest of an industry back home, and very dutifully presented my case, and I discovered afterward from some of the personnel that they didn't intend to pay any attention to those who came down representing industries that were being injured by that program. All too often that becomes a habit and a way of life, and a state of mind in a huge governmental structure, and it puts your industry in danger when you're up against the possibility of huge exports from abroad.

Now, I could inject one other note. It doesn't appear in this piece of paper, but, you know, over there they're developing what they call a "guaranteed" year's work. It could be 48 weeks, it could be 50 weeks out of 52, but whatever it is, the employer guarantees that much work, and so the machinery continues and the products flow forth at the end of the assembly line. If you can't sell them in the domestic market, what happens? You pile them outdoors somewhere, if they'll stand the weather, or put them in the warehouse. But you can't invest your capital in stuff sitting out there without finding the sales. And then what happens? Well, look for a market abroad and dump it and get what you can for it. And that is still another factor in this whole picture.

Renewal of the Trade Expansion Act

There are urgent problems in international trade crying out for solutions. Foremost is the plight of less-developed countries. Their balance of payments are seriously affected by a worsening of the terms of trade in the primary commodities which they produce for export in comparison with the finished products which they must import.

They are denied equitable access to the markets of the world for their products and are handicapped in raising their standards of living through the sale of goods in export markets. Thus far the United States has turned a deaf ear to the pleas of these nations for preferential trading arrangements, while offering no specific alternate solution to their problems.

This is an area where the United States should be supplying leadership to the other developed nations, rather than in the exhaustion of our negotiating talents and energies which have characterized the Kennedy Round in bargaining which primarily affects only developed nations.

Another major problem area involves the impact on our own industries of the system of taxation and export incentives followed by Western European nations. To their import duties these nations add a tax collected at the frontier before U.S.-produced goods can gain entry. This tax in theory is supposed to equalize a tax imposed upon value added by manufacture on goods produced within these countries. We have no similar "equalizing" tax.

Trade agreement negotiations concern themselves only with "customs duties" while leaving untouched the restrictive charges cast in the form of equalization taxes. Tariff concessions give the Europeans a direct access to our market, but their concessions are of no avail where access is denied by frontier taxes. Even before a pair of shoes can cross the frontier of those countries there is still a decided competitive advantage on their side.

This does not end the unfairness. Producers in European countries secure a remission of taxes paid on goods which are exported. Thus, their exports to the United States are subsidized by a monetary payment equal to the tax. If that sounds so awfully abstruse, suppose European industry can make an item for two dollars and we make it for two dollars? And then suppose the government over there says we charge you five cents tax on the product, so we'll remit your tax. So, you see, that costs them only $1.95 as against two dollars over here. Now, if there are other things like subsidies, they might drop that cost to $1.90. You can see the advantage that a competitor abroad has over an American producer. The result is to reduce the ad valorem equivalent of the duties collected by the United States on such goods.

So, their duty rates understate the level of charges imposed on our exports, while our duties overstate the actual level of protection accorded our industries. Their use of c.i.f. value for duty and tax payments intensifies this inequality.

A third major problem area: Congress enacted customs simplification laws to expedite the processing of the ever-growing volume of import entries at U.S. ports.

I remember when that customs simplification bill was before the Senate Finance Committee. It seemed like a can of worms. It was a baffling, bewildering business. But we thought we had finally worked it out. Recognizing that some of these procedures removed protection against undervaluation of imports subject to ad valorem duties, the Congress called for a more vigorous and effective enforcement of our antidumping laws. While the Treasury Department sponsored amendments to the Antidumping Act and altered the Antidumping Regulations, it has failed to provide the type of vigorous enforcement of the antidumping procedures which the Congress expected.

As a result, a growing number of American industries is clamoring for reform by the Congress of the antidumping laws and procedures. Attention to this problem is long overdue.

A companion piece is the seeming acquiescence of the Treasury Department in the practice of European countries of subsidizing exports through the remission of internal taxes. Doubtless the Treasury Department finds the practice so widespread that if it undertook to impose countervailing duties on imports which receive the benefit of such an export subsidy, it would have to include virtually all products imported from Western Europe. Doubtless the diplomatic repercussions of such a move are not lost upon the Administration. But what is more important? The reaction of the diplomats, or is it the protection of American industry and the kind of protection to which they are entitled?

The painful consequences of enforcing U.S. laws, however, are not a sufficient excuse for their nonadministration. The fact of the matter is that the use by other nations of practices which give them an unfair advantage in competing with American goods in the United States and foreign markets is widespread. If that branch or that part of the executive branch of government does not adequately enforce the law in the interests of the manufacturers, the producers, and the labor of this country, they can plead inadequate personnel or assign any reason they please, but none of them will satisfactorily answer the problem or meet the objection that the Congress, in my judgment, will have to nonenforcement or inadequate enforcement of those customs laws.

I have mentioned three major problem areas affecting the foreign trade of the United States. There are others. All should be investigated and remedied by positive legislation.

I am not suggesting that the Congress should not consider an extension of the Trade

Expansion Act in some form. Now, it is important that nobody goes away from here under any misapprehension. I don't want anybody to get the idea that we are a lot of hardened reactionaries, because we're not. I am indicating that the Congress should include in its consideration these major problem areas which I have outlined, and others, so that the resulting legislation this time will be balanced and provide the Executive with sufficient direction and power to contribute to an improvement in the total United States foreign trade position.

That, I think, is a tolerant, forbearing, fair and equitable position to take. Now let's look for a moment at the relationship of trade policy to domestic employment.

The relationship of trade policy to domestic employment

Your Council has performed a notable service in its recently published study on the subject of "Employment, Output, and Foreign Trade of U. S. Manufacturing Industries." Your study indicates that U. S. manufacturing industries subject to more rapid rate of growth of imports than of exports during the period 1958 to 1964 account for *nearly two-thirds of total employment* of all manufacturing industries included in your study.

Further, your study shows that 70 per cent of manufacturing employment is in labor-intensive industries. In these industries, in other words, where intensive labor is the large component, the job displacement from imports is higher than in capital-intensive industries. Of these industries, there is a group which supplied more than a million and a half jobs in 1964 where the share of the U. S. market accounted for by imports in 1964 exceeded 5 per cent.

In these industries, an absolute decline in employment accompanied the rise in imports in recent years. The loss of jobs associated with the unchecked rising imports in these industries may forecast the fate of other labor-intensive industries where the rising trend of imports will soon reach the 5 per cent import penetration mark.

You can go through the roll of American industries and in virtually every basic sector you will find manufacturing industries that are in trouble as a result of rising import competition.

Imports have been rising so rapidly as to cause market disruption in textiles, apparel, lumber products, dyes, dye intermediates, and other benzenoid chemicals; leather products such as shoes; stone, clay, and glass products such as ceramic, tile, china, flat glass, and other glassware; in the basic primary metal industries such as steel, zinc, and aluminum; in fabricated metal products such as industrial fasteners, hand tools, and wire products; in nonelectrical machinery including papermaking machinery, typewriters, and sewing machines; in electrical goods, including, especially, electronic apparatus, tubes, and components; in transportation equipment, scientific instruments, and a host of miscellaneous manufactured goods.

High capital investment and advanced technology are no guarantee against import injury, as the worsening situation on manmade fibers and textiles would indicate.

Under the unworkable adjustment assistance provisions of the Trade Expansion Act, it is impossible for any industry to secure tariff adjustments to correct mistakes in judgment made by trade agreement negotiators in reducing U. S. duties. The Congress and the Executive tacitly recognized this in passing the law authorizing the Canadian-U.S. Automotive Products Trade Agreement with its own special tariff adjustment provisions.

And I remember when it was reported by the Senate Finance Committee and taken to the floor of the Senate because there you had a special tariff adjustment provision. The more workable provisions of that law should be extended to all other industries and groups of workers.

Exports traditionally account for a very small part of the gross national product of the United States, in recent years, only 5 per cent. The internal U.S. market represents the world's most dynamic outlet for manufactured goods of every description. How the world wants to come into the American market! It is just a question of being fair and equitable. Our trade policy should provide access for foreign products in this market. This access, however, should not be on such a scale and so free of limitations as to rate of increase as to deny access to U.S. producers in the growth of the American market.

And don't think for a moment that the negotiators for other countries aren't thinking of number one, meaning their employees and their industries and their employers. And we would certainly be lacking almost in good faith, in a sense of equity, if we didn't think of our own country certainly in an equal way, if not putting them number one on the list so far as our concern and our solicitude is concerned.

The danger in our trade policy today is that, wholly lacking in balance, it does not possess the means for adjustments in tariffs or the use of other means to regulate the increase in imports in a manner consistent with the best interests of U.S. workers and their employers.

Conclusion

From these thoughts I trust that you will understand my deep conviction that it is time that the Congress restore some semblance of fairness and balance to our foreign trade policy and procedures. We must be as zealous in our concern for the welfare of American workers and their employers as we are for those living in distant lands. Nobody quarrels about that. Let us be fair and give our own people an equal share.

The advancement of the common good, which is the object of our system of laws, should include in an area as important to the welfare of our Nation as foreign trade, means for the achievement of equity and fairness between American citizens using their labor and capital to produce goods inside the American market, and our neighbors abroad who understandably desire to secure and improve their access to our market.

We must not knowingly weaken the financial and trade resources of the United States to a degree that any nation or group of nations is able to dominate U.S. policy. Because that is what it would amount to.

Whether the threat to weaken our economic system comes from the East or the West, we as a people and especially your representatives in the Congress must be far-sighted enough to strengthen the American system by our wise adoption of laws calculated to foster America's strength and economic growth, rather than submissively to accept policies whose chief contribution is strengthening other nations at our expense.

I have one additional thought. You see, I was around Washington when we started in with the foreign aid program. I remember when Secretary of State George Marshall made that speech at Harvard, and it was only one paragraph. That was the nucleus out of which the foreign aid program was born.

Guess what we've spent in that time. Well, it is somewhere between one hundred twenty and one hundred forty-four billion dollars! That is what we have lavished on other countries. We did this to help them up the ladder.

Now, it seems to me that since the foreign aid program is twenty-two years old, it has come of age and the time has come, as we survey our own jobless, our own problems, our own future, the plight of our own industries, that our eyes turn inward just a little to preserve a strong economic system in a world that is full of turbulence and fever. Is that too much to ask? I do not believe so.

Thank you so much.

ALTERNATIVES TO TIGHT MONEY POLICY FOR 1967

Mr. MORSE. Mr. President, for the past 2 years the Nation has been faced with the problem of selecting proper financial policies for a period during which the combination of abnormal military and civilian demand has been pushing against the limits of our capacity.

In my judgment, the country took the wrong turn toward a tight monetary policy in 1965. As a result, the consequences to the Nation in 1966, and to the lumber and homebuilding industries in particular, were unnecessarily severe. We are now at the beginning of a new year of policymaking for the executive branch, the Congress, and the business and financial communities. As we tune-up for these decisions, it would seem in order to review the events that have brought us to this point, and to examine other options which are available.

It is my feeling that an examination of the costly lessons of the past year can be of assistance in developing a fairer and more mature financial program for 1967.

THE PROBLEM AND ALTERNATE SOLUTIONS

By the end of 1965, strains in the economy had become apparent. Interest rates were at the highest point in 30 years, spending associated with U.S. involvement in Vietnam was in the process of rising steeply, and the persistent balance-of-payments deficit remained an underlying source of weakness in our international position. Needless to say, the highest officials of government, including the President, were actively engaged in considering what policy responses would be appropriate.

Among the choices open to our policymakers were: First, tax or fiscal measures; second, higher interest rates and other credit regulating devices; third, budgetary restrains; or, fourth, a mixture of these and other Government policies.

It was generally recognized, at that time, that coordination among the various agencies might very well be desirable. It was also common knowledge that the President's January budget would be an important factor, especially since it was expected to reflect growing defense expenditures in southeast Asia.

UNILATERAL ACTION

However, the Federal Reserve Board decided that it would not wait. On December 6, 1965, the Board raised the discount rate from 4 to 4½ percent and authorized banks to pay up to 5½ percent on certificates of deposits.

CRITIQUE

Shortly after this decision was announced, it was made the subject of an inquiry before the Joint Economic Committee of Congress. At the public hearing on December 13,[1] one of the Board's

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[1] "Recent Federal Reserve Action and Economic Policy Coordination," Hearings before the Joint Economic Committee, 89th Cong., 1st Session, Dec. 13–4, 1965. The quoted statement by Governor Sherman J. Maisel is at page 26.

Governors characterized the action as follows:

> (1) It was done at the wrong time; (2) it was done in the wrong way; and (3) it was done for the wrong reasons.

The timing was incorrect because of the absence of vital information—both as to the size of increases to the defense budget, and as to how the administration proposed to provide for them. The method was incorrect because it denied the Nation the benefits of coordination between its best thinkers in all departments and agencies. Instead, it committed the country, initially, to a single approach to restraint—the monetary policy of tight money.

We are thus obliged to look closely at the reasons which the Board felt were compelling in acting as they did.

In the Board's explanatory release, two of the three reasons cited related to the international balance of payments.[2]

Then as now, responsible public officials would concede that the balance of payments is a problem of the highest priority. In September 1965, Secretary of Commerce John T. Connor addressed himself to this situation as follows:

> In every instance I have described the problem in such terms as "serious," "urgent," and "critical," and I have called its solution absolutely vital to the national welfare.[3]

We know, too, that solution is vital to the international financial system, and to friendly nations which have expressed their confidence in the United States by choosing to hold portions of their national reserves in the form of dollars. There are no arguments about the gravity of the problem.

The question is, however, whether the Federal Reserve system should take the lead in adopting a policy, in this instance tight money, which has both international and domestic effects, and leave the other responsible agencies of Government to adjust as well as they can.

In my judgment, matters vital to the national welfare should not be settled unilaterally by one agency. I feel that this was an error and should not be repeated.

To my chagrin, however, we are seeing signs of renewed activity by advocates of similar policies which might result in similar actions during coming years. The most recent example is a widely publicized speech before the Economic Club of New York on January 18, 1967.[4] It seems to me that the speaker's main point in New York was that "the combinations of general policies and actions are best for the home economy can and should be identical with those needed in achieving a sustainable closing of our balance-of-payments gap," and that the essence of this policy should be "an accommodation of our own interest rate structures and our money flows with prevailing conditions in other leading countries."[5] Since central bank rates in the major industrial countries average 5 percent, compared to 4½ percent in the United States, this formula might be rendered more simply as high, or perhaps even higher, short-term interest rates.

We have already had a year of this, so let us attempt to assess the advantages, and what I consider to be the predominant disadvantages, of attempting to manage our economy in reliance upon tight monetary policies adopted in the name of the balance of payments.

DAMAGE TO HOMEBUILDING AND LABOR INDUSTRIES

As I pointed out to the Senate in my remarks of July 25, 1966,[6] the foreseeable result of the December 1965 action was to favor a handful of large banks, which held the bulk of the certificates of deposit, and to set off an escalation in the cost of borrowed money which increased the interest rates to the highest point in 40 years.

The effects upon the primarily small business lumber and homebuilding industries became increasingly harsh as the year progressed. Housing starts dropped to a fourth quarter 1966 rate about one-third below the 1965 level,[7] building permits fell to the lowest level since the statistical series was started,[8] lumber and plywood prices declined,[9] mills were cut back or closed [10] and many small homebuilders were forced to suspend their operations.[11]

Because the Pacific Northwest is a region supplying materials and products to the housing industry and is also remote from the major credit markets, the impact of this tight money was doubly intensified on my part of the country. A Senate committee reported: [12]

> Interest rates for first mortgages on new homes are not uncommon at 7% on the West Coast. The average for the United States as a whole is 6½%.

During the course of the year, I joined with other Senators in bringing this data to the attention of the President by letter and the Secretary of Housing and Urban Development in a personal visit, and strongly supported legislation designed to stabilize interest rates, strengthen thrift institutions, authorize Government agencies to give special support to mortgage markets. I am glad to say that legislation along these lines was enacted by the Congress and will be available to bolster the homebuilding industries in the future.[13]

Some detailed information as to those matters is set forth in my letter of October 20, 1966, to President Johnson, and I ask unanimous consent that the letter be printed at the conclusion of my remarks as exhibit 1.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **MORSE**. Mr. President, these data demonstrate the distortions which occurred in our domestic economy as the result of tight money. Indeed, Governor Mitchell, of the Federal Reserve Board, and many others have admitted that small businesses in these industries "bore the brunt" of the financial policy adopted to restrain inflation.

EFFECTS ON THE TRADE SURPLUS

There were other consequences. High interest rates inhibit exports, particularly by small firms which constitute 95 percent of all U.S. manufacturing and other businesses. The Senator from Alabama [Mr. SPARKMAN] in his remarks of October 15, 1965,[14] quoted respected New York bankers as saying:

> Some export loans which under normal circumstances would go through are being refused with regret and some of the smaller business corporations have to face a certain amount of discrimination in favor of larger ones . . .
>
> When the money pool is limited, rationing takes place and the best credits win.

This tendency was present before the December action and was also accompanied by capacity utilization averaging above 90 percent, which meant that it was even higher in some sectors.[15] Still,

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[2] Reprinted in Hearings, loc. cit., pages 13–4.

[3] Address delivered to the Second Annual Outlook Conference, National Industrial Conference Board, Waldorf-Astoria, New York, Sept. 23, 1965.

[4] "Closing the Payments Gap," remarks by Robert V. Roosa, Waldorf-Astoria, New York, Jan. 18, 1967.

[5] "Closing the Payments Gap," loc. cit., pages 7 and 12.

[6] "Action Must Be Taken to End Injustice to Housing and Lumber Industries," remarks on the Senate Floor, CONGRESSIONAL RECORD, vol. 112, pt. 13, p. 17001.

[7] Residential housing starts (including both public and private) for 4th Quarter 1965 were 357,200; for the 4th Quarter 1966, 226,400. "Housing Starts Bulletin," by the National Association of Home Builders, Nov. 17, 1966, page 2 and Jan. 16, 1967, page 2. This amounts to a decline of 36.6%. The Federal Reserve Bank of New York, in its publication "Perspective '66—Economic Highlights of the Year," stated: "The major soft spot in the taut American economy was construction, particularly in the residential sector. Housing starts tumbled most of the year and touched a 20-year low in October." (at page 5)

[8] "Housing Starts Last Month Slipped Again; Building-Permit Drop Signals Further Ebb," *Wall Street Journal*, Oct. 19, 1966, page 2:3.

[9] "Prices of Lumber, Plywood Decline on West Coast—Companies Cite Reaction to Last Week's Labor Pact, Housing Market Weakness—'Long Tough Second Half' Seen," *Wall Street Journal*, June 9, 1966.

The production index for lumber and products charted by the Federal Reserve Board (with 1957–9=100) was as folows:

January 1966	125.6
April	130.7
July	119.9
Oct.	112.0

See Federal Reserve Bulletin, Dec. 1966, page 1829.

[10] Eugene (Oregon) *Register-Guard*, Nov. 4, 1966.

[11] "Many Home Builders Fail, Some Others Cut Back Because of Money Pinch," *Wall Street Journal*, Nov. 15, 1966, page 1, left lead.

[12] Senate Rept. 1428, 89th Cong., 2d Session, Aug. 3, 1966.

[13] Public Law 89–566 made available to the Federal National Mortgage Association $1 billion in authorizations for the purchase of mortgages on moderate income housing.

Public Law 89–597 authorized agencies supervising banks and savings and loan institutions to impose ceilings on interest rates.

Public Law 89–695 raised insurance protection on deposits in thrift institutions from $10,000 to $15,000.

[14] "The Balance of Payments and Exports by Small Business," CONGRESSIONAL RECORD, vol. 111, pt. 20, p. 27135.

[15] See Table B–35, Economic Report of the President, House Document No. 28, 90th Cong., 1st Session, Jan. 1967, page 253. The 91% overall rate for 1966 was the highest since 1951.

there is evidence that exports by small firms suffered and this could only have been intensified by higher interest rates and the unavailability of credits.

This became clear when the trade statistics were compiled, and it appeared that U.S. exports had grown only 4 percent in 1965 and about 10 percent in 1966, while imports grew 14½ percent in 1965 and 20 percent in 1966.[16] As a result, in 1966 our trade surplus fell $1.5 billion to about $3.8 billion.[17] This was nearly 50 percent below the $6.7 billion peak of surplus of 1964, and was the lowest such figure since 1959.[18]

As students of the international finance know, our trade surplus, which charts foreign sales of American merchandise, is the keystone, or as the London Economist has put it:

> (T)he rock upon which attempts to right the balance of international payments must be built.[19]

Historically, it has accounted for about 70 percent of all our foreign earnings.[20]

And it is with these earning—

Former Treasury official Robert Roosa pointed out—

> that we must cover the foreign exchange costs of our military undertakings, our economic aid, and the entire array of our overseas investments.[21]

EFFECTS UPON CAPITAL FLOWS

It should be further noted that even the "little progress" in the balance-of-payments sector,[22] to which such importance was attributed by tight money spokesmen, was of a temporary rather than a permanent nature.

This stems from the fact that many of the actions of U.S. banks and other companies to improve their individual positions by curtailing investment or repatriating funds are one-shot operations.[23] Most of these accounting gains are achieved only at the cost of longer run benefits to American companies and to balance-of-payments accounts later on.

Likewise, the inflows of short-term capital in response to higher interest rates, which are "clocked through the established statistical machine as if they were lasting investment gains," [24] are actually quite volatile.

The overall picture was summarized admirably by Mr. Roosa, as follows:

> A good guess as to the combined effect of these various financial assists to our balance of payments might be (from $2 billion to $3 billion). Tight money had clearly helped reduce the visible size of our deficit. For such a result, in any year, we should no doubt be grateful. But, what can we expect as an aftermath? . . . (T)he gap which tight money alone could not and did not close in 1966—will come out into the open. And if last year's inflows should be reversed, the statistical deficit may be inflated next year in the same way as it was reduced last year.[25]

INCREASED FEDERAL EXPENDITURES

The President's 1968 budget message confirms that another $3 billion—in expenditures during fiscal year 1967—resulted directly "from the impact of tight money on the Federal budget." [26] These increases were composed of $700 million in extra interest, $800 million because of a decline in the expected sales of participations and direct sales of financial assets, and another $1,500 million in the outflow of Federal Government-assisted loans which were needed to compensate for the stringency in private money markets.[27]

POLICIES OTHER THAN TIGHT MONEY AVAILABLE

Although it is generally recognized that the reliance upon tight money last year was excessive, it would be unfair to imply that the Federal Reserve system creates all of the Nation's economic problems, or is entirely responsible for all of the hardships that result.[28]

After all, the full impact of Vietnam costs was not made clear in January 1966.

Also, the executive branch had a choice among a range of policy alternatives and supplementary measures in fiscal, budgetary, and other areas. Some measures of this kind were proposed during 1966 and 1967.

The recent budget message refers to two "tax changes aimed at diminishing—inflationary—pressures" during 1966.[29] This reference is presumably to, first, the "Tax Adjustment Act of 1966" [30] which speeded up collections of existing individual and corporate income tax, and postponed the reductions of some excise taxes which had been earmarked from removal in 1965; and, second, the temporary 14-month suspension of the investment tax credit applying to corporations which is a 7-percent incentive provision placed in the law in 1962.[31]

The former was designed to yield an additional $1.45 billion in revenues during fiscal year 1966—and about $6 billion in fiscal year 1967—and the latter was offered in September with a view to recapturing about $2 billion.[32] The background, however, was of a different magnitude—money allocated to the special support of military operations in Vietnam was in the process of rising from $5.8 billion in fiscal year 1966 to $19.4 in fiscal year 1967.[33] It is thus fair to observe, I believe, that neither measure alone nor both together constituted a tax policy of restraint that was equal in courage and imagination to the tax policy of stimulation embodied by the revenue acts of 1962 and 1964 and 1965.[34]

In proposing a 6-percent surtax on incomes for mid-1967,[35] the President has, in my judgment, made a significant step toward a financial policy that treats everyone in the country equitably, rather than concentrating effects on particular industries or regions. The $4.5 billion of estimated revenues also comes nearer the mark of what may be needed.

This recommendation now goes to the tax-writing committees of Congress, the Ways and Means Committee of the House and then to the Finance Committee of the Senate. When the data for the first quarter of 1966 are available, and the status and tempo of the private economy has been clarified in such areas as housing starts, inventory run-off, and capacity utilization, these committees will be in a position to consider and should consider seriously the surtax proposal.

Another instrument available to the administration is the budget. The President's message this year recognized "the overall economic impact of the Federal budget" and thus made its proposals in a way "designed to help maintain stable economic prosperity and growth—and—to permit lower interest rates—in order to—achieve a more balanced economy." [36]

As an additional step in this direction, the President emphasized the national income accounts method of viewing our economy. This accounting system treats Government transactions on the same basis as those of private individuals and businesses, and includes the operations of such major Government trust funds as social security, and veterans, which now receive and disburse over $30 billion a year. This is a realistic and honest approach to understanding the working of Federal Government as a foundation for the policy decisions which must be made, and I feel that the President should be commended for it.

NEW POLICIES AND INSTITUTIONS BEING TESTED

However, these proposals indicate the Federal Government is just beginning to use the possibilities of budgetary and tax policy to influence the overall balance of the Nation's economy.

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[16] "Trade Surplus Narrows Though Export Total Rises, etc.," *International Commerce Magazine,* Feb. 4, 1966, page 2; "Higher Levels of Trade Forecast for This Year," *International Commerce Magazine,* Jan. 9, 1967, page 2.

[17] "U.S. Surplus in Trade Off $1.5 Billion," *New York Journal of Commerce,* Jan. 26, 1967, page 1:1.

[18] Ibid. See also "Perspective '66," loc. cit., footnote 7, page 8.

[19] "Exports in the Balance," *The Economist,* June 12, 1965.

[20] "U.S. Exports and Imports of Goods and Services," *Economic Indicators,* prepared for the Joint Economic Committee of Congress by the Council of Economic Advisors. Calculations based upon the first two columns: total exports and merchandise exports.

[21] "Closing the Payments Gap," loc. cit., page 2.

[22] "Perspective '66," loc. cit., page 8.

[23] "America's Payments—Volunteers Under Protest," *The Economist,* Sept. 4, 1965.

[24] "Closing the Payments Gap," loc. cit., page 2.

[25] Ibid., pages 3–4.

[26] The Budget Message of the President, for fiscal year ending June 30, 1968. Jan. 1967, page 13.

[27] Analysis by the Bureau of the Budget, Jan. 1967.

[28] See, for instance, "On Both Sides of the Tax Issue—Actual Fiscal Policy Results Belie Debate," by Stanley Wilson, *New York Journal of Commerce,* Jan. 18, 1967, page 1, left lead.

[29] The Budget Message, loc. cit., page 8.

[30] Public Law 89–368, approved March 15, 1966.

[31] Public Law 89–800, approved Nov. 8, 1966.

[32] As to the Tax Adjustment Act, see Senate Rept. 1010, 89th Cong., 2d Session, March 2, 1966, page 2. Re: the suspension of the tax credit, see "Suspension of Investment Credit and Accelerated Depreciation," Hearings before the Senate Committee on Finance, Oct. 3, 5 and 6, 1966, at page 315.

[33] The Budget Message, loc. cit., pages 8, 77.

[34] See "A Turning Point in Tax Policy," remarks of Hon. Henry H. Fowler at the Fourteenth Annual Mid-Year Conference of the Tax Executive's Institute, Washington, D.C., March 2, 1964.

[35] See "Explanation of President's Proposal For a Surcharge Type of Tax Increase of 6 Percent," Treasury Department release, Jan. 12, 1967.

[36] The Budget Message, page 7, 12.

Similarly, it should be recognized that many of the tools for trying to manage our complex economy have been developed in the past half dozen years of the Kennedy and Johnson administrations. In this category are the coordinating potential of the Cabinet Committee on Balance of Payments, the triad and quadriad—periodic meetings of the Secretary of the Treasury, Bureau of the Budget Director, Chairman of the Council of Economic Advisers, and Chairman of the Federal Reserve Board. As a consequence of the congressional concern of which I have been speaking, the Council of Economic Advisers and the Federal Reserve System are now—for the first time—meeting regularly to assess economic conditions and the staffs of these institutions are also coming into closer contact.

There has recently been an international conference aimed at creating a climate in which the United States and other nations can mutually lower interest rates.[27] This seems to have had salutary effects, in such countries as England and Belgium, but as Governor Maisel stated in his recent address at the University of Oregon:

> International harmonization of monetary policies (on a continuing basis) seems a long way off . . .[28]

The tendency seems to be that harmonization takes place at the highest level desired by any country.

Meanwhile, the new tax policies of this period are being tested and modified and other novel techniques are being proposed and discussed.

Out of this process should undoubtedly come a greater expertise in handling the financial affairs of the United States in a complex world.

We are indebted again to Mr. Roosa for a capsule comment:

> Last year (the government) simply did not get the balance right between fiscal and monetary policies. We are all like actors, trying to learn our cues for a new drama before the scenario has been written. In 1966, our improvisations have not been an unqualified success. But . . . there need be no reason why after a good roasting by the critics, the whole performance cannot be turned into a flourishing long run.[29]

We are thus at the threshold of heartening developments in this area. I believe they should be encouraged, and that the policy of relying upon tight money should be dismantled before it does further damage to the economy.

CONCLUSIONS

To summarize, it seems to me, on the basis of what we have seen, that the Nation chose a financial policy in 1965 and 1966 which, for some apparent balance-of-payments gains, sacrificed the principle of equity in our domestic economy. This policy was very costly indeed, particularly for small business firms, in the lumber and homebuilding industries. Overemphasizing high interest rates and underemphasizing fiscal and budgetary policy has also resulted in a deterioration of the Nation's exports and trade balance, which ultimately will be much more meaningful to a permanent solution of our balance-of-payments difficulties.

Adherence to such policies in the future, at the expense of basic fairness in the treatment of the people of the United States, would compound these errors and create others. As Governor Maisel observed in Portland:

> Many of our most urgent unmet needs for housing, education . . . our cities, . . . technology and plant . . . require large amounts of capital investment . . . Penalizing these known needs would be a high price to pay for (attempting to achieve) external balance via internationally determined monetary and fiscal policies.

A review of the newspaper coverage of this issue by three major American newspapers, the Washington Post, exhibit 2; the Journal of Commerce, exhibit 3; and the New York Times, exhibit 4, is persuasive as well as enlightening. I would like to make it available in the RECORD to those concerned.

Therefore, I ask unanimous consent that the material to which I have referred be printed in the RECORD at the conclusion of my remarks as exhibits 2, 3, and 4.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 2, 3, and 4.)

Mr. MORSE. What is called for in 1967, I feel, is a better analysis of how governmental policies can be used in concert, and more closely coordinated action by all the branches of government, to the end that all segments of our economy, including small business, can realize their full potential at home and abroad.

CONGRESS SHOULD ALSO HAVE A ROLE

Because this debate continues, and the outcome remains in doubt, I feel that it is increasingly important for Members of the Senate and the other body to inform themselves of the implications of the tight money policy upon their constituents as well as upon the overall well-being of the Nation. The senior Senator from Oregon will be doing all that he can to increase this awareness.

In another area, the Senate Small Business Committee, of which I am a member, has a long record of working to improve export opportunities for small and large American firms. For the past 2 years, it has engaged in the inquiry of the possibility of increasing exports of meats and other perishable agricultural commodities, and has succeeded in having ocean freight rate and air cargo rates on these products reduced from 20 to 30 percent. As a consequence, these commodities are beginning to move to Europe—some experimentally and others in substantial quantity. In the case of quality U.S. beef, these exports were the first in over 40 years.

These are examples of what congressional action can accomplish. I have consistently supported these efforts by our committee, and I shall urge that they be continued and broadened to include other U.S. commodities which are areas of opportunity for our exports, particularly by smaller firms. In this connection, I am requesting the committee to hold further hearings in 1967, and to focus our investigation upon major seaports across the country. This is "where the export action is" and by going to the scene of the action, the committee should be able to come to grips with the practical day-to-day problems of American exporters.

I consider that the reduction of trade barriers and the expansion of exports by small and other American business together with appropriate use of fiscal and budgetary techniques, constitute sound bases for a financial policy which will not only build permanent improvements of our balance of payments in 1967 but will increase long-term profit opportunities for our Nation's business in both domestic and international markets.

I hope that, through the Small Business Committee and elsewhere, I shall be able to make continuing contributions to these vital national objectives.

Mr. President, I announce here on the floor of the Senate today that I have recommended to the Small Business Committee that a series of such hearings be held on the west coast, on the gulf, and on the east coast in the months immediately ahead. When these hearings are concluded we will have gathered a good deal of valuable data from the trade associations, business firms, sea and air carriers, and governmental bodies in the areas of our port facilities, which have such a vital economic stake in the development of our foreign trade program. We will be pleased to make this information, together with our recommendations, available to the administration. We shall be pleased further to cooperate in every way toward strengthening this program, in order that the resources of both Government and business can thus be fully mobilized in the mutual interests of both.

EXHIBIT 1

OCTOBER 20, 1966.

THE PRESIDENT
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: On July 26, it was necessary for me to call the attention of the Senate to the effects of tight money on the housing and lumber industries, and the consequent concern in the industry, Congress, and elsewhere in the Government.

On September 10, action was completed on Senate bill 3688, which you signed into Public Law 89–566. This measure was intended to afford partial but immediate relief.

It is now October 20, more than a month later. Despite the gravity of the situation in residential construction, and despite repeated urging by the Congress, it has evidently been the decision of certain officials to withhold the money made available by Congress, and to decline full use of the authority provided. Although some secondary marketing operations have been started, the impact is limited by the fact that Congress conceived P. L. 89–566 as a two-prong plan, under which full use of the secondary market authority and the special assistance funds would be used in concert to halt declines in the industry.

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[27] "United States and Four Nations Join to Seek Cuts in Interest Rates—etc.," *New York Times*, Jan. 23, 1967. Reprinted CONGRESSIONAL RECORD, Jan. 23, 1967, page 1197.

[28] "Adjusting Balance of Payments Deficits Through the Capital Accounts," Remarks of Governor Sherman J. Maisel at the 1967 Business Conference, Univ. of Oregon, Feb. 1, 1967.

[29] "Closing the Payments Gap," page 4.

Allow me to cite some figures made in my June statement and in a *Wall Street Journal* article of October 19, demonstrating that the declines have not been arrested.

	Rate of housing starts (seasonally adjusted)	Change from same month, 1965 (percent)	
		Housing starts	Permits
May 1966	1,295,000		
June 1966	1,288,000	−18	−25
July 1966	1,088,000		
August 1966	1,102,000		
September 1966	1,073,000	−26	−38

It has been publicly observed that the September figures for housing starts are about the lowest since World War II and that the rate on building permits was lowest since the statistical series was started in 1959. For the country as a whole, this may well result in housing starts dropping to near the 1 million mark in the nation. However, the effect in my part of the country is particularly severe. It is shown in the statement of the National Association of Home Builders that: "The Pacific Coast is expected to bear the highest percentage of decrease in total starts"; and in the September 30th remarks of the President of the Eugene-Springfield Home Builders Association that:

"This unnecessary delay (in implementing P.L. 89–566) is only aggravating the critical situation.

"We urge (action to) get this program rolling *now* while there is still a home building and lumber industry to salvage."

These statements are not moderate. But, the figures are not moderate, and the situation is not moderate. There is reflected what the Senate Report 1428 on the Senate bill made explicit:

"Interest rates for first mortgage for new homes are not uncommon at 7% on the West Coast. The average for the United States as a whole is 6½%."

The impact on the economy of Oregon and the Northwest is aggravated by reason of the position of the lumber industry as a major business. Thus, as housing starts, sales, and permits for all types of residential construction—private and public—continue to decline, the adverse consequences become increasingly concentrated upon the potential home buyers, builders, lumber businesses, and general economy of the Northwest.

It seems clear that further delay cannot be justified or endured. I therefore respectfully request that immediate action be taken, and that arrangements be made so that, upon your return to this country, you can meet with the responsible officials of the Administration in order to direct that the program of assistance provided by the Congress be fully and rapidly carried out.

Sincerely,

Wayne Morse.

Exhibit 2

[From the Washington Post, Jan. 24, 1967]

By BoP Possessed

In antiquity man was possessed by the fear of a panoply of gods, in the middle ages by demons and in early modern times by witches. Contemporary man, who is little concerned with things supernatural, nevertheless manages to create impersonal hobgoblins, fears that spring forth from the nature of his own social institutions. The concern about this country's balance of payments—BoP—is a case in point.

No Government official fretted more about the BoP than Robert V. Roosa when he served as Under Secretary of Treasury. And that concern was not diminished when he left Washington to join a venerable firm of private bankers. It is everywhere evident in his speech on "Closing the Payments Gap," delivered before the Economic Club of New York.

Mr. Roosa's message is that the BoP deficit—the payments gap—has got to be eliminated. While conceding that the 1966 deficit is no larger than that of 1965, he is nonetheless fearful of the future in which funds from abroad will no longer be attracted by high interest rates. His solution is to prevent the economy from resuming a rapid rate of growth which would in turn increase imports and diminish exports. He said that ". . . if the economy shows any signs by midyear of bouncing ahead from its present lull, . . . the President's income surcharge will be needed."

What Mr. Roosa is saying is that economic growth—higher production, income, and employment—has got to be sacrificed at the altar of the BoP. Why? Because the BoP "serves any nation's economy as a fever thermometer, indicating whether the various organisms . . . are functioning in a way that is both sustainable within and also viable in relations with the outside world."

Dissecting that turgid physiological analog would be a tedious undertaking. Instead one can ask whether there is not something very wrong with an internatonal monetary system that compels the principal reserve currency country to adjust by inhibiting its economic growth. There are viable alternatives to Mr. Roosa's stagnationist policy. The dollar-gold link can be loosened by widening the range in which the dollar price of gold is permitted to vary. Or a "dollar bloc" can be formed with those countries—and there are many—which are perfectly willing to hold dollars as reserves.

Continuing along the present course, possessed by fear of a dollar "deficit" which in fact oils the wheels of international trade, will be a most costly undertaking. It would be sad if the intelligence of a great nation should shrink from considering the alternatives.

Exhibit 3

[From the New York Journal of Commerce, Feb. 2, 1967]

Tax Urged To Replace Tight Money

(By Stanley Wilson)

Washington, Feb. 1.—New evidence of a nation's monetary policy makers over how far to risk added capital outflow by easing money to pep up the economy—a debate hidden for the most part from the view of outsiders—came today in a startling proposal from one of the top policy makers.

Federal Reserve Board Governor Sherman Maisel today came out for selective tax mechanisms as a long-term replacement for tight money and high interest rates as a bulwark against capital outflows. In particular, he indicated his belief that something akin to the interest equalization tax ought to be applied to direct investment outflows (which are exempt from the I.E.T.).

HINTS OF CUT IN CREDIT

He did not say precisely what tax mechanism should be used against direct investment outflows. But he implied some reduction of the credit against U.S. tax presently allowed corporations on taxes they pay to developed country tax authorities might be involved, with the end result being "close to a flexible I.E.T." Any attempt to reduce the credit would arouse furious opposition from business.

The Maisel proposals came in a speech delivered in Oregon but released here. FRB spokesmen emphasized that he was expressing personal views, not those of the board.

Furthermore, Mr. Maisel was addressing himself to the need for a long-term solution of how to give the Fed monetary flexibility to serve the best interests of the domestic economy when these conflict with the need to compete with high foreign interest rates.

But the very radical nature of his implied suggestion that some tax credit might be taken away struck some observers as involuntary evidence that liberals on the Reserve Board, such as Mr. Maisel and Vice Chairman J. C. Robertson who has in the past made kindred though less sensational suggestions, are being pressed very hard. It appeared that more conservative policy makers were determined not to ease up on the monetary brakes as much as the liberals would like and that the latter are finding the balance of payments argument for going slow hard to counter.

HAYES SPEECH CITED

On Jan. 24, Alfred Hayes, president of the New York Federal Reserve Bank and as such ex-officio member of the Open Market Committee which operates monetary policy, expressed "deep concern" that the U.S. would fail this year to devote "urgent attention" to the elimination of its payments deficit.

In fact, there is strong reason to suppose that in 1967 the payments deficit will widen, though perhaps not by very much. If it does, the reason will be capital outflow.

Close textual analysis of FRB Chairman William McC. Martin's speech of two days ago seems to put him in the middle of this debate. He said the board chose to ease money while "not unmindful" of the effect this would have on capital flows.

The specific measure Mr. Maisel hinted at, scaling down tax credits in the case of direct investment in developed countries, has virtually no chance of being implemented. There are far too many telling objections to it, say payments analysts here.

First the tax credits are given in accord with double tax treaties with other countries, so they could not be denied unilaterally.

CUT FOREIGN EARNINGS

Second, since they are only claimed when income is repatriated from abroad, the effect of denial of credit might be to dam up the flow of repatriated earnings—which currently offsets most of the new direct investment outflow.

Third, say some, is the severe administrative difficulty that would be involved for tax agents in trying to police the big international corporations who could shuttle money expertly around their subsidiaries to avoid the tax curbs.

Finally, there is the great immediate obstacle of Congress. From the fact that the administration elected not to try to include direct investment under the I.E.T. in the I.E.T. extension bill presently before the legislators it is fair to assume the Treasury has found that Congress won't approve it.

The problem of direct investment outflow as distinguished from capital outflow generally, is not anticipated to be especially damaging this year.

NO BIG CHANGE IN 1967

Around $3 billion went abroad under this heading last year and, if the corporation voluntary program continues to work effectively in the absence of its creator, former Commerce Secretary John Connor, roughly the same magnitude will be shipped overseas in 1967.

But though Mr. Maisel's most specific thoughts were directed toward taxing direct investment his starting place was the view that all capital outflows ought to be managed through "fiscal methods."

"It seems likely to be both easier, cheaper and more efficient to adjust private (interest) yields of foreign versus domestic investment than it is to attempt to shift yields throughout the domestic economy," Mr. Maisel said.

The FRB governor presented at length the arguments for and against controlling capital flows by classical monetary tools. But he emphasized the primacy in his own thinking of ending the "distortions and dislocations" inside the U.S. economy resulting from "drastic" movements by interest rates.

EXHIBIT 4

[From the New York Times, Feb. 2, 1967]

MAISEL QUESTIONS HIGH LOAN RATES—RESERVE MEMBER OPPOSES VIEW LEVEL MUST PERSIST TO BUOY PAYMENTS—NEW TAXES SUGGESTED—FOREIGN INVESTMENT LEVY IS PROPOSED AS PENALTY IF OUTFLOW IS PROBLEM

(By Edwin L. Dale, Jr.)

WASHINGTON, Feb. 1.—A member of the Federal Reserve Board rejected today the widely held view that interest rates might have to be kept fairly high in the United States this year to hold money at home and thus protect the balance of international payments.

Sherman J. Maisel, the board member, said that if the outflow of capital to foreign countries became a problem, it ought to be checked by new forms of taxation of foreign investment rather than by keeping interest rates high in the United States.

Mr. Maisel spoke at the University of Oregon in Portland and the text was made available here.

In a challenge to a view that has prevailed both at home and abroad, Mr. Maisel said:

"Monetary policy decisions ought not to be made primarily on the basis of balance of payments considerations. Domestic credit and interest rate conditions ought not to differ markedly from what is desirable on domestic grounds alone, merely to attempt to attract or hold international capital."

PLAN NOT SPECIFIC

Mr. Maisel does not speak for the seven-man reserve board nor for the even more important Federal Open Market Committee, which groups the board and the 12 presidents of the regional does speak for one viewpoint in the policy-making body.

He made clear today that he supported the move to higher interest rates and tight money last year to check inflation, in the absence of a tax increase to do the same job of cutting total spending, but he added:

"Are lower incomes, unemployment and excess capacity justifiable in order to avoid direct fiscal methods of adjusting the balance of payments?"

Mr. Maisel was not specific about the new fiscal methods—meaning taxation—he had in mind to curb the outflow of capital. But he suggested the United States might directly penalize direct corporate investment abroad by ceasing to reduce taxes by the amount of tax paid the most foreign government. This would be a form of "double taxation" of foreign earnings.

SECURITIES TAX BACKED

Foreign investments are profitable for the individual company, he suggested, but not necessarily for the country. Pointing out that the United States collects "practically zero" in taxes on earnings of United States businesses in Europe that run "well over a billion dollars a year," he added:

"For every dollar of gross profit earned in the United States, the nation as a whole receives a dollar of earnings—part in taxes and part in net profits. If this same dollar of earnings is received on capital invested abroad, the nation would get only 50 cents. This net contribution to the national welfare of the dollar abroad is only half as great as it appears to be from the individual firm's point of view."

Mr. Maisel strongly supported the Administration's recent request to double the tax on purchases of foreign securities, another type of foreign investments.

"After considering carefully the various methods of influencing international capital flows," he said, "I conclude that varying relative yields at home and abroad by taxing them at different rates is more efficient and more feasible than is shifting them through domestic interest-rate changes."

At the same time, he added, "We ought to welcome and not oppose foreign countries adopting more flexible methods of controlling capital flows."

A policy of maintaining high interest rates at home to help the balance of payments could harm the nation's "growth of high and sustained growth," Mr. Maisel said.

He continued: "In the past the United States has tended to prefer a mix of relatively low interest rates and (except in wars) relatively minor budget deficits. If we were to shift in the direction of averaging higher interest rates and larger budget deficits, we would probably have a lower growth rate for capital."

"Many of our most urgent unmet needs for housing, education, rebirth of our cities, growth in technology and plant require large amounts of capital investment," he said. "Penalizing these known needs would be a high price to pay for achieving external balance via internationally determined monetary and fiscal policies."

In his wide-ranging attack on "conventional wisdom," Mr. Maisel made several other points.

He said that, in the light of different tax systems and capital markets in different countries, the view "that a better allocation of world resources results from the freedom of capital to move to where the private return is greatest may be completely wrong."

"International harmonization of monetary policies," which is a counterpart to the use of interest rates to influence the flow of capital, he said, "seems a long way off in the future."

"Without some agreement on the proper over-all level of world interest rates," he continued, "international rates would probably tend to be set by those countries desiring the highest level of interest rates."

WEST VIRGINIA PETROLEUM INDUSTRY

Mr. BYRD of West Virginia. Mr. President, the Roane County Reporter, Spencer, W. Va., on Thursday, January 26, published its 40th annual oil and gas edition. Under the headline, "Early History of the Development of Petroleum Industry in West Virginia," some of the interesting early chapters in West Virginia's efforts to develop a petroleum industry were recounted.

I ask unanimous consent that this newspaper article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VITAL CHAPTERS OF PETROLEUM HISTORY BEGAN IN WIRT COUNTY, 1860

The oil and gas industry has played a most important part in the development of West Virginia. America's second petroleum enterprise got underway in Wirt County in 1860, just a few months after completion of the famous Drake oil well in Pennsylvania. The discovery of oil brought thousands of people to the areas being drilled, and large towns appeared almost overnight.

The history of the early petroleum industry is a fascinating and vital chapter in the story of our State and in the industrial history of the Nation. It is an important segment of our heritage that must be preserved, yet the few remnants of these pioneer developments are disappearing rapidly. For this reason, the State Antiquities Commission is placing primary emphasis on the early petroleum industry in this 1966 Annual Report.

In 1808, along the Kanawha River near Charleston, the Ruffner brothers completed what may have been the first well drilled in America. Their objective was salt brine and this was produced in quantity. Prior to this, salt brine had been obtained by digging holes deep enough to encounter brine-bearing strata. The Ruffner's well was drilled with a percussion bit driven by a manually operated spring pole, and this type of drilling, with techniques and tools developed by the Kanawha Valley saline industry, laid the foundation for the operations used 50 years later in the search for oil and gas.

The salt industry was flourishing in the Kanawha Valley in 1842, when 50 miles to the north in Wirt County, J. C. Rathbone decided to try to establish a salt manufacturing enterprise on his land at Burning Springs. From the Kanawha Valley he brought two experienced drillers, A. P. Gay and Silas Reynolds, to deepen an abandoned salt well that was on his property. Salt water was struck at 300 feet, but a small amount of petroleum mixed with it, destroyed its value as a saline product. The well was abandoned, and the Rathbones concentrated on their other business interests.

During the ensuing years, the market for illuminating and lubricating oils expanded rapidly. The major supply of these products was obtained by refining them from coal. In 1858, Samuel W. Kier, a Pittsburgh druggist, was successful in finding a method for refining petroleum. The Seneca Oil Company soon was formed, and Colonel Edwin L. Drake was hired to find oil. Under Drake's supervision the first successful well drilled for petroleum was completed in August, 1859, at Titusville, Pennsylvania.

The search for oil brought Samuel P. Karnes to Burning Springs, where he met the Rathbones and leased from them the abandoned salt brine well. Early in 1860 the well was cleaned out and, after pumping out the salt water, began to produce about seven barrels of petroleum a day. The success of this venture encouraged the Rathbones to drill on their land, and in May, 1860, they completed the first successful well drilled for oil in what is now West Virginia. Oil was struck at a depth of 303 feet, and the well produced 100 barrels a day.

A second Rathbone well drilled on the same tract in the summer of 1860 produced 1,100 barrels a day, and signalled the beginning of the oil rush.

Burning Springs then became the State's first boom town, and the birthplace of the West Virginia oil and gas industry. Within six months the population jumped from 20 to nearly 6,000 persons, and, before the boom ended, may have reached a peak of as many as 12,000. Several hotels were built, including the Chicago House, said to be the finest in western Virginia.

Oil activity was at its height when, on May 9, 1863, General William Jones led a Confederate force of several thousand men in a raid on the town and its oil installations. The raiders burned all tanks, derricks, equipment, and oil-filled barges. Over 150,000 barrels of oil were destroyed, as well as most of the town of Burning Springs. For all practical purposes, this was the end of the Burning Springs field and of the town itself.

Today, the original Rathbone oil well is owned by the Grow family. It is capped and is easily accessible along State Route 5 about a mile northwest of Burning Springs. The location of the second, and most productive, well has not been pinpointed, but is believed to be one of four abandoned holes located in 1961 by Harvey J. Simmons of Cabot Corporation.

Following the successes in the Burning Springs Field, pioneer oil drillers of the 1860's moved north along the Burning Springs Anticline. Discoveries in eastern Wood County and western Ritchie County led to the founding of the town of Volcano in Wood County and the concentration of drilling in the Volcano oil field.

By 1873 this became the center of oil production in West Virginia, and the community of Volcano now had a population of 3,500.

One of the most interesting features of the Volcano Field is the method used to pump the wells. In 1874, W. C. Stiles, Jr., devised a system by which as many as 40 wells were pumped from a central power plant through use of huge wooden wheels and endless cables. This system was in use until just a few years ago.

In 1879, the first pipeline in West Virginia was laid from this field to the Camden Consolidated Refinery in Parkersburg.

A destructive fire of unknown origin swept through Volcano on August 4, 1879, destroying all but one end of town, the Silcott Hotel, and some oil derricks on the hillside. This disaster, coupled with generally declining prices for oil and the depression of the Seventies, virtually ended the prominence of West Virginia as an oil-producing State.

The village of Petroleum, Ritchie County, reached by gravel road from Volcano, was laid out in 1854. It was an oil town and active loading station on the Baltimore and Ohio Railroad over which crude oil was transported to Parkersburg.

Elizabeth, the Wirt County seat, was settled in 1796 by William Beauchamp. It was once much larger than its present size and participated in the oil boom growth of nearby Burning Springs. The Beauchamp plantation house, now over 135 years old, serves as a museum and is operated by the Daughters of the American Pioneers. One room is devoted to the oil history of Wirt County.

The purpose of this brief outline of our early oil history is to highlight the importance of this pioneer industry and its influence on the development of West Virginia and the Nation. Merely to record the history is not enough—we must preserve some of the vanishing remnants of this era.

A start has been made in this direction. In 1963 the Centennial Commission's Oil and Gas Exhibits and Monument Committee erected a stone and metal monument at Malden to memorialize the "Burning Springs," the earliest known natural gas seep, a nearby salt brine seep, and some early wells drilled in the Kanawha Valley. Other groups now have taken an interest in our oil and gas industry, including the West Virginia Oil and Natural Gas Association, the Little Kanawha Regional Council, and the Little Kanawha Resource Conservation and Development Council. Wheeling College, under a grant from the Area Redevelopment Administration, conducted an extensive study of the Volcano-Burning Springs area and made suggestions for its development.

(Assembled and edited by I. S. Latimer, Jr., Geologist, Geological Survey.)

EXPANSION OF FOOD STAMP PROGRAM

Mr. BYRD of West Virginia. Mr. President, I am hopeful that the Federal food stamp program may be expanded into the remaining West Virginia counties early this year to serve deserving persons. At such time as funds are approved to permit such expansion, this would mean that all of the State of West Virginia has at last been included under the provisions of this very worthwhile program. I have requested approval by the Department of Agriculture.

As a sample of the effectiveness of the Federal food stamp program in one county of the State of West Virginia, a recent article in the Welch, W. Va., Daily News, pointed out that McDowell County had 8,445 people on the program in November. The amount paid for the stamps by the recipients is $88,950 with a bonus value of $58,868, bringing in to the participants food to a total value of $147,818.

I ask unanimous consent that this newspaper article be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Welch Daily News, Jan. 28, 1967]

McDowell County Has 8,445 on Food Stamp Program

McDowell County had 8,445 people on the West Virginia Federal Food Stamp program in November, according to the U.S. Department of Agriculture's Consumer and Marketing Service. Nine hundred and twenty-five of these people do not receive public assistance.

The amount paid for the stamps by the recipients is $88,950 with a bonus value of $58,868, which brings the total value to $147,818.

Wyoming county has 3,142 participants in the program. The amount paid for the stamps is $55,600, including the bonus value.

Mercer county has 3,662 people on the program with $66,338 paid for the stamps, including the bonus value of $26,658.

In Mingo county a total of 7,307 participate in the program, $128,544 is paid for the stamps, also including the bonus value of $50,932.

Under the Food Stamp Program, which is administered jointly by the USDA's Consumer and Marketing Service and State Welfare agency, needy families spend the money they would normally use to buy food to purchase food stamps of additional monetary value. The coupons are then used to buy food products at local authorized markets. The food merchants redeem the coupons at local banks.

More than 72,000 persons in West Virginia participated in the Stamp Program in November. * * * Participants exchanged $757,396 for food stamp coupons worth $1,278,774. As a result, food merchants as well as the area's economy also benefited as the additional or bonus value of the coupons increased food purchasing power by $521,378. Among the participants, about 10,430 were not receiving public assistance.

COAL FACING BRIGHTEST FUTURE

Mr. BYRD of West Virginia. Mr. President, the January 28, 1967, edition of the Welch, W. Va., Daily News carried a special section, "Coal Facing Brightest Future." It was emphasized in this edition that coal has been and continues to be the economic backbone of West Virginia, and that the sustained development of the State's coalfields is helping the citizens of the State to face the future with confidence.

But on an even broader scope, today the story of coal in West Virginia and in the United States is one of progressive activity at all levels—individual, State, Federal, and industrial—both labor and management.

This newspaper, published in Welch, W. Va., is McDowell County's only daily newspaper, and the progressive journalism which is reflected throughout the special section on coal has provided a comprehensive report of coal's active present and dynamic future within our Nation's economy.

I have made a selection of a number of articles from this excellent issue, which I feel merits the attention of the American public.

I ask unanimous consent that these articles be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Welch (W. Va.) Daily News, Jan. 28, 1967]

Special Section: Coal Facing Brightest Future

Automation Keeps United States Competitive in Market

In terms of higher productivity with lower maintenance, the coal mining machinery on the market today far outstrips anything available a few short years ago.

There have been no dramatic breakthroughs such as the 1938 rubber-tired shuttle car and the 1948 continuous miner, but the machinery is far superior to that of a decade ago.

Much emphasis has been placed on continuous mining, but in many instances it is the conventional mining equipment that is called upon to produce the tonnage. In fact, under certain conditions, conventional equipment often out performs continuous equipment.

One of the newest bottom cutters brings high performance to even thin seam mines. Only 24 inches high, the unit boasts hydraulic floor and roof jacks which anchor it at the tail so that it can exert greater pressure on the cutter bar.

The machine can get into and out of a working face in minutes. When at the face, it cuts a six inch kerf the depth of a standard nine-foot bar at an average of four feet a minute.

Coupling speed with flexibility, the machine is capable of maintaining a production rate of 600 tons per shift.

Where higher seams permit its use, a universal cutter with a bar capable of 360 degrees rotation cuts roof or floor with equal ease. This unit has produced as high as 1,200 tons per shift.

But the best cutter going cannot of itself get the productions. Conventional mining is a team effort, and equipment manufactures have not ignored the other members of the team.

Today, rubber tired drills can sink deep holes and their lateral reach is a whopping 18 feet, six inches—more than enough for any entry.

And, for a real highball operation, a single-operator, twin boom machine is available that can reach an 11 foot roof and roll its booms over to cover an entry nearly 24 feet wide.

It was in the 20s that Joe Joy introduced his loader, making the first significant step toward mechanized mining. Since that time many improvements have been made but the basic design has changed little.

Transporting coal underground has developed into a fine art, and there is a machine or system for every mining condition.

The new models of cutters, drills, loaders and shuttle cars cannot only increase production per shift by as much as 100 percent, but, of even greater importance to the coal operator, machines can do so while reducing maintenance costs by as much as 40 percent, and cutting production costs by 30 percent.

Where seam conditions warrant, it is the continuous miner that comes to the forefront, and here, too, the trend is toward higher and higher production with lower maintenance cost. The continuous miner of today can out-perform, out-maneuver and out-produce anything built as recently as six years ago.

Of more than passing interest is the longwall mining technique—long practiced in Europe, but relatively new in this country. However, through the elimination of permanent roof supports and roadway maintenance, and other factors, the system has good potential for both high and low seam applications.

Most longwall equipment is foreign made, since domestic demand has not been great enough to induce U.S. manufacturers to enter the field. However, several manufacturing companies have entered into license agreements with top European producers of shears, self-advancing roof supports and conveyors to make such equipment available in this country.

Belt conveyors systems have also undergone marked improvements, largely through a standardization and interchangeability program that not only lowers the initial cost of a system, but reduces the inventory of spare parts required for its continued operation.

Improved mounting and lubrication of idlers, and complete interchangeability of all load-bearing idlers, is another contribution to uninterrupted belt operation.

Since 1952, an extensible belt system has been available to travel behind an advancing continuous miner, and eliminate the need for shuttle cars. However, the initial extensible belt was limited in its application to the lower production miners.

Today, a heavy duty version of the system is available. Built on a shuttle car chassis, the drive unit stores 324 feet of belt, or enough for 162 feet of uninterrupted advance. It is capable of moving over 350 tph on a 2,000 foot belt reach—more than enough for most entries.

Indicative of the coal equipment manufacturer's determination to progress by evolution is the Joy pushbutton miner. Basically a boring continuous miner that carries behind it a string of powered and conveyor equipped cars, it "senses" its way through a coal seam.

Since it can operate by remote control, it eliminates the necessity of having men underground, and subsequently it also eliminates the need for expensive roof support and haul way maintenance.

In summary, it can be said that the coal producer of today has available to him the machinery he needs to meet virtually any situation. However, if he is to fully realize the potential of such machinery, he, as well as the manufacturers of such equipment, must now turn their attention to the problem of securing, training and placing qualified mechanics who can keep the machine operating at peak efficiency.

Automated coal mining, it is pointed out, is here. But the more sophisticated that equipment becomes, the more it requires men who appreciate and understand it.

Consolidation Joins Continental Oil Co.

Shareholders of Consolidation Coal Company and Continental Oil Company last August 30 approved a plan to join the coal and related properties of Consol with the properties of Continental.

The transaction was announced by L. F. McCollum, chairman of Continental and George H. Love, chairman of Consol.

Shareholders of Consolidation also approved the proposed plan of complete liquidation of that company.

As a result of the deal, Continental acquired Consol's coal reserves and related assets, including normal working capital requirements, in exchange for one million shares of Continental's common stock and the assumption of certain liabilities of Consol.

The coal properties were acquired subject to a reserved production payment in the primary amount of $460 million.

Commenting on this latest development, McCollum said that "we feel that Conoco has greatly strengthened its position in the energy field through this acquisition.

"Consol business activities, including the production of metallurgical coal through firms owned jointly with various steel companies will be continued through a wholly-owned subsidiary of Continental operating under the Consolidation Coal Company name and having its own board of directors." McCollum continued, "All Consols customers will continue to be served without interruption, Consol's general offices will remain in Pittsburgh and all its employees will retain their same positions with the new organization," the Continental chairman reported.

Continental Oil Company is a fully integrated petroleum company with operations in the United States and 28 countries.

It also has extensive operations in plant foods, petro-chemicals and plastics.

United States Leads in Coal Exports

The United States is the world's leading exporter of bituminous coal.

Consumers in more than 50 countries look to America for reliable supplies of economical steel-making, power generation, general manufacturing, production of gas and household and commercial space heating.

The United States also exports a substantial amount of anthracite to foreign markets.

Although about 60 per cent of U.S. bituminous coal exports are high-quality metallurgical grades, not all of this coal is converted to coke for steel-making. A sizeable share of this coal issued in steam-electric generating plants, for general steam raising and other purposes such as space heating.

For example, the U.S. Bureau of Mines says most of the U.S. Coal shipped to West Germany in recent years has been burned in electric generating plants and other non-metallurgical industries.

Bituminous coal accounts for the lion's share of coal exports. Canada has been one of our largest foreign customers with millions of tons also finding their way to Western Europe.

Italy, with little coal of its own, has been a leading foreign consumer. West Germany, the Netherlands, Belgium, Luxembourg and France have been other major consumers.

Since its inception in 1951, the European Coal and Steel Community (ECSC) has relied heavily on coal from outside its borders. The United States has supplied 71 per cent of the Community's coal imports in these 14 years.

Outside the Community, important customers for U.S. coal in Europe include Spain, Sweden, Ireland and Portugal. Sizeable amounts have also been shipped recently to Czechoslovakia, East Germany, Poland, Rumania and Yugoslavia.

Japan ranks third behind Italy U.S. coal. Most of the shipments to Japan was bituminous coal, principally for use by Japanese steel mills.

The U.S. coal industry is able to assure foreign consumers of reliable, economical supplies of quality coal for years ahead, particularly on long term contracts which enable producers to invest in new mines and equipment for an assured market.

Although the demand for coal within the United States has increased in recent years, two centuries of production has removed less than five percent of America's original coal reserves. The remaining reserves, the greatest storehouse of solid fuel in the world, are ample to supply domestic needs and foreign customers alike for centuries, even at an accelerated production rate.

Nearly 1,660,000 million net tons of coal and lignite remain in the U.S., of which half, or 830,000 million tons, is recoverable by present mining methods.

In addition to almost unlimited supply, several other factors give the United States leadership in world coal trade. Large supplies of high-quality coal are available a relatively short distance from Atlantic Coast ports.

Most U.S. coal production is from seams which are comparatively thick, generally horizontal and are buried much less deeply than most foreign coal. Mines may thus be developed with less time than in other countries, and the thick, level seams are amenable to intensive use of mining. This has enabled producers to hold down the cost of coal and generously increase the average daily output of the miner.

Thus, coal exporters in the U.S. are often able to deliver coal to foreign ports at considerably lower cost than the indigenous coal of those countries can be produced and sold at the mine.

Some U.S. coal exports to Canada go all the way by rail, but most coal bound for Canada moves across the Great Lakes by ship. Exports to other countries, of course, go by sea.

Coal Is Making Comeback in Big U.S. Energy Field

While utilities and steel rank high among coal consumers, other industries use millions of tons of coal for steam and process heat.

The cement industry burned 8.8 million tons of coal in its kilns in 1965; other industries used 85.6 million tons.

General industrial use of coal declined for several years under competitive pressure from other fuels, but the industrial market has turned upward and is expected to show modest increases in years ahead.

Coal also heats thousands of commercial establishments, homes, apartments and public buildings. Much of this market has been lost to oil and gas, but the decline is reported slowing. Meanwhile, millions of homeowners and building managers who get rid of coal in their basements are buying it again in the form of electric heating, which is mostly generated by coal.

The coal industry has bright prospects in the nations ravenous appetite for energy, but it also has problems. Cut-rate competition from natural gas and imported residual fuel oil have hurt coal in prime industrial markets.

Nuclear power presents a challenge that must be reckoned with in the years ahead. Operators of strip mines, who produce about one-third of the nation's coal, are under severe pressure to meet reclamation standards that are considered by many observers to be so strict as to be unrealistic.

Although coal is sometimes tagged as being a major contributor to air pollution, this generally is not the case. Highly efficient equipment is now available to capture nearly all the soot and ash from coal combustion in power plants. The coal and electric utility industries jointly are spending millions of dollars to find ways to eliminate any potential danger from sulfur oxides.

Meanwhile, the coal industry has new uses for its product. Prospects appear good that economically competitive gasoline and high-Btu gas can and will be processed from coal before many years have passed. The relatively limited supplies of petroleum and natural gas have spurred research efforts to find competitive replacements for them.

1967 Expected To Top Last Year's Mark

Another bright ray of hope for the bituminous coal industry was painted at the end of 1966 by the National Coal Association.

In a year-end summary, the Association announced that the year just ended marked the fifth consecutive year of rising demand in the industry. And 1967 is expected to make it six in a year.

According to Association President Stephen F. Dunn, consumption of U.S. bituminous coal in domestic and foreign markets reached an estimated 537 million tons in 1966, showing a 5.4 per cent increase over the 1965 level of 509.2 million tons.

Adding to production tonnage was a perennial leader in the West Virginia bituminous field . . . the coal mines of McDowell county. According to a West Virginia Department of Mines report for the first nine months of

1966. McDowell county mines led all in the area in coal production, edging out Logan county by a mere 84,343 tons.

"This (1966) has been coal's best year since 1948, when all its markets took nearly 566 million tons," Dunn said. "The coming year looks even better, with consumption forecast by the NCA Economics Committee at 548 million tons, 2 per cent above 1966."

According to the Association president, America's rapidly-growing demand for energy will require increasing amounts of coal, its most abundant fuel giving the industry a promising future in the years beyond 1967.

Cited as a case in point was the booming demand for electric power. Bituminous coal on the national average, it was pointed out, is the lowest-cost fuel for the electric utility industry. It generates more than half the nation's power. It is estimated that utilities will use about 281 million tons of coal in 1967, therefore burning more than half of all the U.S. bituminous coal consumed anywhere in the world.

In its annual year-end forecast, a majority of the NCA Economics committee estimated coking coal consumption will decline from 95 million tons in 1966 to 90 million in 1967 because of a slowdown in steel output and increasing production efficiency. Some knowledgeable experts, however, forecast an increase for the year.

The general industrial market for coal continued a slow but steady rise last year and is expected to ease slightly in 1967, the Economics committee forecast. Retail deliveries of bituminous coal, estimated at 19 million tons in 1966, will decline one million tons in the coming year, the committee predicted.

Shipments of U.S. coal to Canada are expected this year to hold at the '66 level while overseas shipments will rise.

Dunn said atomic power poses a new and serious challenge to coal as the dominant fuel in U.S. electric power generation. He said coal's share of total electric power output is forecast to decline from the present 54 per cent to about 42 per cent by 1980, but the total demand for electricity is increasing so rapidly that the utilities will be burning more coal than ever.

The bituminous coal industry is charting its future through research, seeking simultaneously to solve some of its problems and to create new markets for coal. The outlook for new markets is reported promising.

Consolidation Coal Co. has invested heavily in developing a process to produce competitively-priced gasoline from coal. Now the firm has a $10 million contract from the U.S. Office of Coal Research to see if the Consol process is economically feasible. Consol expects to start up a pilot plant in early 1967 at Cresap, W. Va., converting 20 to 25 tons of coal per day into 50 to 75 barrels of synthetic refinery feedstock.

OCR officials say they expect pretty smooth operation of the Cresap pilot plant. Those closest to Consol research effort feel it is realistic to assume gasoline production costs of 11 cents per gallon, although current efforts indicate a cost range of 10.5 to 13 cents.

Other methods of converting coal to liquid fuel are being investigated. But coal's future markets are not tied to gasoline alone. There is the strong possibility of producing high-quality pipeline gas from coal at competitive prices, and such research is now in progress.

But these research and development efforts may not bear fruit for some time yet. However. if they do, production of competitive gasoline and pipeline gas from coal will open big new markets at a time when U.S. reserves of petroleum and gas may be running low.

Coal research is also hard at work on some old problems, such as air pollution. The industry, it was pointed out, has a vital interest in the nation's "clean air" program, even coal is not the major contributor to air pollution in cities.

To meet the rising demand for coal, major producers have announced plans to open new mines, providing many new job opportunities in the coal-producing regions of the country. Eastern Associal Coal Corp., for example, says it will open four new mines in West Virginia. Consolidation Coal Co. plans to bring three new mines into production in 1967 and four in 1968. Island Creek Coal Co. is making plans for more mines in Kentucky and in western Virginia.

Interest in coal as an abundant source of energy is increasing not only among those who use it, but those who compete with it as well. In 1966, Continental Oil Co. acquired Consolidation Coal Co., long an experimenter in production of gasoline and pipeline gas from coal. And Kennecott Copper Corp. announced it is negotiating to buy Peabody Coal Co., the industry's largest producer.

"The trend seems to be toward development of a single energy resource industry," Dunn said. "In such a circumstance, coal can continue to play an important role in the further economic growth of the nation."

Soviets Second in World for Coal Output

Russia is the world's second largest producer of anthracite and bituminous coal.

Its 1964 output was 451.9 million net tons, an increase of more than 16 million tons from 1963. About 144 million net tons is reported to be coking coal, an increase of six million tons above the previous year's output.

Soviet sources said 33 new or reconstructed mines with an annual capacity of 21.3 million tons were brought into production in 1964, along with seven coal preparation plants with a total annual capacity of 15.9 million tons.

The yield of treated coal rose to 7.3 percent in 1964.

The U.S. Bureau of Mines says Russia's large coal reserves and capability of increasing production give the Soviet Union a potential of capturing a greater share of the world coal market.

The Russians shipped substantial tonnages to East Bloc nations in 1964, and are developing coal markets in Japan and many countries in Western Europe. Russia imports coal principally from Poland.

Daniels Co. Has Big Role in New Mine

The Daniels Company of Bluefield will play an important role in the opening of a new Omar Mining Company coal mine on Robinson Creek, Boone County. H. J. Daniels, company president, reported this week.

The new mine will open this spring. It will operate on a 20 year, 20-million-ton contract with Virginia Electric and Power Co. of Richmond, Va.

The operation will be named Chesterfield Station on the James River. Its coal is intended to fuel the growing electricity demands of the firm.

Daniels said his company will:

Install the car receiving and unloading unit.

Install a run-of-mine coal conveying system.

Build a primary rotary breaker and feeder unit.

Construct a raw broken coal transportation system and a raw coal stockpile.

Build a metering and conveying system from the raw coal stockpile to the preparation unit.

Build an ultra-modern coal preparation plant, containing a screening, grading and distributing system, a dense and medium precision coal washer, a crushing and sorting apparatus and a water clarification system for the reclamation of fine coal solids and the avoidance of stream pollution.

Build a processed coal stock pile metering and transportation system.

Build a unit train overtrack loading system.

Daniels said the company is scheduled to complete all surface facilities by late spring of this year. Amount of money involved in the contract has not been announced.

An official for Omar, headquartered in Logan county, said the Boone County property, a 13,000 acre tract, has 100 million tons of utility grade coal. Chesapeake and Ohio Railway is building a 3.5 mile branch road to the mine site to handle the coal.

Operation of the new mine is under the direction of C. R. Holbrook, president of Omar. Sale of coal will be handled by A T. Massey Coal Co.

U.S. Miner Still Is World Champ

Nobody in the world digs as much coal as the average American miner.

In 1964 he produced 16.84 tons every day he worked—more than three times the average daily output per man in 1939.

In no other nation can the average coal miner approach this impressive record; in fact, no European country has yet approached the U.S. 1939 average level of 5.25 tons per man-day; the nearest, West Germany, was 2.88 tons in 1964.

Caught between rising wage rates and low-priced competitive fuels, the U.S. coal industry after World War II had to mechanize in a hurry to survive. It has taken both courage and money—$250,000 for a modern continuous mining machine, $13 million or more for a gargantuan stripping shovel—but such investments have kept coal competitive with other fuels.

Fewer men are employed in the mines, but labor costs have remained high. American bituminous coal miners are among the world's highest paid industrial workers. Earnings in 1965 averaged $140.23 per week. A new wage contract in 1966 gave top-rated union miners a minimum of $30 a day.

And contributions keep flowing from coal operators to the miners' welfare and retirement fund in the form of 40 cents royalty per ton of coal mined. This fund, largest of its kind in any industry, has an unexpended balance in cash and other assets, after annual expenditures, exceeding $140 million. Fund expenditures in 1965 were more than $118 million for pensions, hospital and medical care and other benefits.

Better mining operations cost money and so do improvements in mine safety. The industry places great emphasis on safety, and underscores it by spending millions of dollars annually to make coal mines safer places in which to work.

Management and labor work closely together to develop and carry out education and training programs and safety campaigns. Their joint effort is paying off. In 1964, the industry recorded 0.44 fatality per million tons of coal mined, the lowest rate yet. The non-fatal injury rate also dropped in 1964.

Greater knowledge and understanding of hazardous conditions—developed through research—is the basis for new mining techniques and equipment designed to eliminate dangers. Accident prevention programs, stressed in the training of miners and supervisors, help the coal industry's improving safety record. When accidents do happen, prompt and effective aid is vital.

Many miners are trained and retrained in first aid techniques. When needed, expert and tested mine rescue teams are quickly available. These skills are sharpened in local, district and state contests which culminate in the biennial National First Aid and Mine Rescue Contest, the "World Series of Safety", last held in Louisville, Ky., in 1965.

Mechanization of the nation's coal mines has in itself eliminated many hazards. However, the drive for increased efficiency through modern mining procedures has produced new safety problems for the industry—and new needs for technically trained men. The pick-and-shovel miner has about disappeared from the scene; skilled technicians and engineers who have replaced him are needed now in greater numbers to help coal meet the challenge of the future.

McDowell County Tops State in Production

McDowell is still the top coal producing area in the state, according to records of the West Virginia Department of Mines.

This section, the Department reports, shades Logan county by just a few hundred tons. But the king-pin label still belongs to McDowell county once billed as the heart of the billion dollar coal fields.

In the late 1950s the Federal Bureau of Mines placed Logan as the top producer, but the State Department of Mines disputed this and continued to accord the honor to McDowell county as top producer in the nation.

More than a billion tons of coal have been mined in this area during the past 81 years and more than two-thirds of the original reserve still remains underground.

For the period of January, 1966 through September, 1966, McDowell county produced a total of 12,547,301 tons of coal the West Virginia Department of Mines reports. For a similar period, Logan county was credited with a total production of 12,462,959. This includes large, small, surface and auger mines for both sections.

The complete year's report will not be available until June, Harry Harman, local inspector at large for the Department, said last week.

Tonnage for McDowell county was listed as follows:

Large mines, 10,680,951; small mines, 1,106,610; surface mines, 590,704; auger mines, 169,936.

Logan's tonnage was as follows:

Large mines, 11,177,825; small mines, 648,917; surface mines, 101,668; auger mines, 534,548.

Total coal production for other counties in the state for the first nine months of 1966 were listed as follows:

Barbour, 2,368,659; Boone, 6,551,322; Braxton, 362; Brooke, 612,846; Clay, 42,504; Fayette, 45,125,263; Gilmer, 558,526; Grant, 1,551,772; Greenbrier, 644,384; Hancock, 2,764; Harrison, 4,932,311; Kanawha, 8,571,224.

Lewis, 406,267; Lincoln, 6,545; Marion, 10,032,754; Marshall, 2,085,439; Mason, 272,346; Mercer, 874,407; Mineral, 101,890; Mingo, 3,854,710; Monongalia, 5,879,791; Micholas, 6,376,965.

Ohio, 1,185,476; Pocahontas, 33,959; Preston, 2,393,433; Putnam, 852; Raleigh, 6,600,028; Randolph, 666,233; Taylor, 92,690; Tucker, 455,254; Upshur, 530,579; Wayne, 21,420; Webster, 492,381; Wyoming, 10,928,646.

For the period, total production for the entire is listed at 108,231,261 tons. Tonnage from each type of mine was listed as follows:

Large mines, 90,277,453; small mines, 6,835,728; surface mines, 7,957,404; auger mines, 3,160,676.

Coal Reserve Bigger Than Gas and Oil

One of the two National Coal Association films now being shown around the United States is called "Energy Unlimited"—and for good reason.

So vast are the unmined reserves of coal in the United States that if all other energy sources disappeared, bituminous coal alone could provide the nation with economical and dependable fuel for generations.

Some of our other familiar sources of energy are not so well fixed. Reserves of petroleum and natural gas, for example, are more limited than once believed. Nearly all suitable sites for new hydroelectric power facilities in the United States have been developed.

Atomic power, too, may be inhibited in its growth by limitations on reserves.

Therefore, it falls to the coal industry to assure the nation and the world of a long-term supply of dependable and economical energy. The industry can provide such an assurance, because Nature endowed the United States with an enormous supply of coal. All conventional forms of energy that we know and use today—electricity, gas, oil, gasoline, residual oil and diesel fuel—can be produced from coal.

In more than two centuries, the vast storehouse of energy in U.S. coal deposits has barely been tapped. Over this span of time, production and consumption have taken about 32 billion tons—less than 4 per cent—of the nation's known recoverable reserves of coal.

Still underground in 34 of our 50 states, one authority reports, are estimated 1,666 billion tons, or about 30 per cent of the world's known reserves. At the current production rate, it is estimated that there is enough coal to last the nation well beyond the 40th Century.

Department of the Interior reports indicate that coal deposits lie beneath some 350,000 square miles of land, approximately one-ninth of the total area of the United States. Coal is mined today in 26 of the 34 states in which it is found.

It has been estimated that about one quarter of the 830 billion tons of recoverable coal can be mined with present methods at near present costs.

For centuries to come, therefore, abundant bituminous coal will be available to meet the country's needs for dependable, low cost energy.

As the supplies of petroleum and natural gas dwindle, coal can step into the breach as an economically attractive replacement.

It is that despite predicted increases in atomic power generating capacity, coal will be on hand to generate more and more electricity for light, power, heat and air conditioning and to supply the energy needed to turn the wheels of America's expanding industrial complex.

Steel Gets Second Biggest Share of Coal

The steel industry is the second-ranking consumer of coal, recent surveys reveal.

Most of the coal used by steel is premium-quality metallurgical coal which is baked in airtight ovens to make coke for use in the blast furnaces which reduce iron ore to pig iron.

Volatile materials given off by white-hot coal in the coking process are captured and used as chemical food stock for thousands of products. To the layman, coal chemicals are one of the most glamorous aspects of the industry, they are by-products.

Little or no coal is sold to make chemicals. It is sold to make coke—and in the process it yields the raw material for paint, aspirin, plastics and thousands of other consumer items.

More than 94.6 million tons of coal were converted to coke in 1965, mostly to make steel. The steel industry consumed another 7.6 million tons of coal for process heat and steam, although new methods and increasing efficiency have reduced the amount of coal required to make a ton of steel, the increasing output of the steel industry is expected to hold it in No. 2 place among coal users.

Many of the larger steel companies operate their own "captive" mines, but the industry buys large amounts of coal from commercial producers.

Trend Toward Long-Term Coal Contracts Assures Employment

Along with a northern West Virginia mine under development, Eastern will need a total of 1,500 new employees.

Fifteen-year contracts have just been concluded between Eastern's export sales subsidiary, Castner, Curren & Bullitt, Inc., and six major steel companies and two gas utilities in Japan.

The Japanese purchasers are the Yawata, Fugi, Nippon Kokan Kabushiki Kaiska, Kawasaki, Kobe, and Sumitomo Steel Companies and the Osaka and the Toho Gas Companies.

The growing trend toward long-term contracts for southern West Virginia coal has a direct relation to long-term employment in the mines, it is pointed out by Eastern Associated Coal Corp., one of McDowell County's principal producers.

An Eastern spokesman noted it is no coincidence that his company has just negotiated long-term contracts for Keystone coal at the same time as it has announced need for more than 1,000 new employees at three southern West Virginia mines.

The new long-term contracts replace year-to-year or short-term agreements.

"Eastern takes pride in the fact that it is doing its part, through these long-term agreements, to assure stability of employment in the mines," said A. P. Boxley, Eastern president. "When a producer has a guarantee of purchases on a long-term basis, he is more willing to make the substantial investment necessary to develop a new mine.

"The benefits are passed along to the people of the locality in the form of stable employment for years to come."

All scheduled to be in full production between now and early 1969, the new West Virginia mines of Eastern, all previously announced, are:

1. Keystone mine at Bud, Wyoming County—Already in limited production. When full production is reached in the spring of 1967, the installation will employ approximately 350 men and turn out 5,000 tons of coal daily.

2. Keystone mine at Stotesbury, Raleigh County—When full output is reached early in 1968, 350 men will produce 5,000 tons daily.

3. Harris mine, Boone County—Carolina Power & Light Company will purchase the mine's entire output for a 20-year period after full production is attained in early 1969. The mine will employ 315 men.

4. Federal No. 2 mine in Monongalia County, Northern West Virginia—When full production is reached in latter 1968, the mine will employ approximately 480 men and will produce 12,500 tons per day.

To provide the reservoir for additional miners, Eastern is supporting Gov. Smith's program for training miners, Mr. Boxley said.

"The establishment of training schools in 1967 appears to be a must requirement to assure a continued supply of eligible men," the Eastern president concluded.

First Carload

The first car of coal was loaded on the Norfolk and Western Railway on March 12, 1883 and was taken for company fuel—sorely needed as engines were burning unsatisfactory wood at high prices and coal from Pennsylvania, at $3.60 per ton, a prohibitive price in those days.

On March 13, 1883, the second gaily-decorated car was dispatched to the mayor of Norfolk, Va. A new era had begun.

Production Figures

The National Coal Association places estimated production of bituminous coal for 1966 at 518,504,000 tons, an increase over 1965.

The figure covers a period extending from January 1 through December 24, 1966.

Production for a similiar period in 1965 was placed at 503,227,000 tons.

The Association's estimation are based from incomplete car loading reports from the railroads.

Morgantown Pilot Project Will Study Commercial Brickmaking

Announcement was made during the summer of 1966 that the Morgantown Ordnance Works has been selected for the pilot plant of the $466,500 research project by West Virginia University to produce commercial building bricks from coal fly ash.

Once the plant is in operation, it is expected to produce 8,000 unbaked bricks per eight hour day. Of this amount, 1,000 can be sent into the kilns each day.

The pilot plant is expected to demonstrate the usefulness of coal fly ash which is a simple waste product and has long represented a costly disposal problem to coal users.

Early experiments at WVU proved that fly-ash can be transformed into a valuable material for building bricks. Early bench scale work has demonstrated that the bricks compare well with clay bricks in both appearance and quality.

It has been reported that the pilot plant will determine the commercial feasibility of the process which, it is believed, will conclude that the bricks can be manufactured for considerably less than the current market price for clay bricks.

The plant will include two 40-foot by 60-foot brick buildings with an acre of ground adjoining them for storage.

Due for installation for the process will be feeders, a blender-mixer, a brick press, kilns, storage bins and other related equipment.

Comes a Long Way

Coal production in McDowell county has come a long way since 1886, the year in which the first coal mine in the area was opened. Production hit its peak, according to records, in 1942 when total tonnage for the year jumped to 29,104,818 tons.

Four New Eastern Associated Mines To Increase Company's Production

Eastern Associated Coal Corp. announced recently that it will increase its production 60 percent as the result of four new mines to be opened in West Virginia between now and 1969.

According to the announcement, production increase is being made possible, largely, by long-term contracts with utility and metallurgical users of coal. The new Eastern mines, all previously announced are:

1. Keystone mine at Bud, Wyoming county—already in limited production. When full production is reached early this year, the installation will turn out some 5,000 tons of coal daily and will employ 350 men.
2. Federal No. 2 mine in Monongalia county. When full production is reached in latter 1968, the mine will produce 12,500 tons per day and employ 480 men.
3. Mine in Boone county—Carolina Power and Light Company will purchase the mine's entire output of 7,000 tons daily when full production is reached in early 1969. The mine will employ 315 men.
4. Keystone mine at Stotesbury, Raleigh county—when full production is attained early this year, 5,000 tons daily will be turned out by 350 men.

The four mines will produce a total of 29,500 tons per day. Eastern's present production is 49,600 tons per day at 11 mines operated in West Virginia and Pennsylvania.

At the same time, the company will be adding nearly 1,500 new employees, earning some 14½ million dollars annually in wages and fringe benefits.

Noting that the trend is increasing toward long-term contracts, A. P. Boxley, Eastern president, said recently: "Coal producers like Eastern are encouraged to open new mines when there is a continuous market for coal through long-term agreements. Long-term contracts also enable the utility to establish a consistent source for coal through long term agreements. Long-term contracts also enable the utility and metallurgical users to establish a consistent source for coal and to secure purchase and transportation economies through quantity acquisitions."

The company president also reported that part of the output of the new mines is destined for the export market.

"Eastern has set as one of the goals of its operations the sale of coal outside the country," Boxley asserted. "In this way we are lending our full support to the Nathan Report to the Office of Coal Research of the U.S. Interior Department, urging coal companies to offer long-term contracts to foreign buyers as a way of boosting export of U.S. coal".

Eastern has been a pioneer in the development's of coal sales outside the United States to augment its domestic selling. In 1954, the company became the first bituminous coal producer to be awarded the Presidential "E" pennant, signifying excellence in its foreign sales program. Eastern has consistently been one of the largest exporters of coal to Japan and also sells to Canada, Italy, Yugoslavia, Spain, South America, and other lands.

National Coal Association in Business for Past 50 Years

The National Coal Association has been doing business for 49 years, though not at the same old stand and certainly not in the same old way.

In 1917 the guns were blazing in Europe and the United States entered World War I. When fuel demands suddenly shot up, President Woodrow Wilson called on the coal industry to meet the emergency.

The industry responded. Critical fuel shortages were averted. And the National Coal Association was born.

Since then—through good times and bad, through World War II, Korea and Viet Nam—the NCA has continued to serve the nation and the coal industry. Times have changed, new problems have arisen, new technologies have been developed, and all have affected the scope and character of NCA's work.

NCA has been in the forefront of the fight to help coal retain as much of its traditional markets as possible, while supporting expansion of the utility market. Association efforts have been directed toward restraining use of the limited supplies of natural gas under industrial and utility boilers, and combatting the flood of imported residual fuel oil which threatened to engulf the coal market in the heavily industrialized areas of the East.

The specific functions NCA performs for the coal industry are many and varied, and undergo almost constant changes. Basically, these functions fall into four categories: government relations, public relations, research and engineering, and administration and finance.

Atomic Energy Plans Set Back

The nation's atomic energy supporters received a significant setback recently as a result of the Second Progress Report issued by the Subcommittee on Science and Astronautics, the Black Diamond magazine reports in its November issue.

According to the article, the report decidedly tones down nuclear power as the answer to the nation's energy needs.

The report also warns that the unsolved problem of disposing of atomic waste may mean that the powers that be in Washington and elsewhere have wasted precious time, money and effort in depending on a source of energy that cannot be made practical for widespread use.

In no uncertain language it (the report) points out the facts of energy life, Black Diamond continues, and adds:

"That power and energy consumption in the United States has been rising in nearly a geometric ratio and is there any indication of a slackening in the rate of the increase. Also that the nation must have relatively soon, sources of energy more plentiful and efficient the traditional fossil fuel and that at present, no feasible alternative appears in sight.

"On this latter point, the coal industry . . . has assured . . . the Subcommittee of the plentiful availability of fossil fuel in the form of coal. . . .

"The Subcommittee Report goes on to point up the dangers of the atom as an energy source. It states that the nation has taken it for granted that atomic energy will be available as an endless source of efficient power when its fossil fuels have been used up. However, the Report states, there has been little progress made in devising a way to rid the country of the atom's toxic by products. All that is being done today is to bury them and there is a definite limit to this procedure.

"The Report suggests that the nation should be working much harder on this problem as well as on alternatives such as the fuel cell or magnethydrodynamics."

Island Creek Announces Third Mine in Buchanan

Island Creek Coal Company announced in December that it has begun the development work necessary for the construction of a third mine in its vast reserves of excellent quality Pocahantas coal located in Buchanan County, Va.

Company Chairman James L. Hamilton reported that work is in progress clearing the plant site for the sinking of three shafts which will be the deepest of any coal mine on the North American continent.

The mine is designed to produce 2 million tons of coal annually of what is considered to be the best low volatile coal in the world. Actual sinking of shafts are now underway.

According to Hamilton, "plans for the construction of the new mine have been advanced considerably due to the fact that the entire output of the second mine presently being developed in the area has already been committed on long-term contracts, several months before that mine will be completed and come on stream about February of this year." "This," Hamilton continued, "has dictated the immediate start of the third mine to satisfy demand for the high quality metallurgical grade product which has gained acceptance by steel plants all over the world."

Island Creek has more than a half billion tons of this excellent quality coal in its Virginia holdings, which is sufficient to support at least six 2 million ton annual capacity mines.

The new mine is the third to be developed in those coal reserves. The first mine to tap these reserves is a joint venture with Republic Steel Corporation and is known as the Beatrice Mine which began production three years ago.

The coal found ready acceptance by steel companies here and abroad and the second mine was started in mid-1965 with initial production schedule for February of 1967. The newest operations will begin producing late next year, achieving its full capacity of 2 million tons annually in 1971.

Coal from the three mines will be identical in mineral and carbonizing characteristics and is marketed under the trade name, "Virginia Pocahontas."

It is extremely low in ash and sulphur, which makes it valuable for use in by-product coke ovens of steel producing plants. The Island Creek holdings in Virginia constitute the largest remaining reserves of Pocahontas coal in the United States and perhaps the world.

The new Virginia Pocahontas mine is the second high-capacity mine started in 1966 by Island Creek. A steam coal mine, equal in size to the metallurgical mines already mentioned, was begun in November in eastern Kentucky to serve the Toledo Edison Co. and other electric utilities.

Several other such mines are included in the expanding development program which will continue at least through next year.

Island Creek is the third largest coal company in the United States and marketed 25 million tons in 1966, an increase of nearly 20 percent over 1955. The company operates 26 mines in West Virginia, Virginia and Kentucky and has extensive reserves in each of these states, as well as in Ohio and Utah.

Mechanization Expensive But It Pays

Mechanization of coal mining has been carried out at an enormous cost to the industry.

But the substantial investment is reported returning dividends to coal producers, miners and consumers.

Mining efficiency has increased and coal prices have been stabilized and even cut while costs of other goods and services were rising. Hazards have been reduced or eliminated; the mines are safer than ever. Mine operators are paying higher wages than ever too.

Coal, it is said, is a cornerstone of the American economy in time of peace. In war, the industry has demonstrated its ability to meet added demands for fuel without disrupting service to its normal markets.

Factories can be placed on standby in peacetime, ready to be reopened to meet the needs of expanded defense production. Not so with coal mines. For shut-down mines fill with water, machines rust, roofs collapse. Skilled workers move on to other jobs. It is prohibitively costly to maintain mines in standby condition.

Coal production can be stepped up substantially in time of national emergency. The increased production, however, can come only from mines that are open, equipped, manned and operating. It is vital to the nation's defense and its economic health that the cost industry maintain a broad production base which can be expanded when needed.

Coal Making Strong Comeback

Most of the energy we consume comes from mineral fuels, and for decades coal was king.

As late as 1943, coal produced more than half the energy in the United States. But then changes came—steam locomotives gave way to diesels, and with them vanished one of coal's principal markets.

New techniques of laying welded pipeline brought natural gas to nearly every state, and gas took over much of the home heating market and displaced coal in many industrial plants.

Imported residential fuel oil sliced into coal's traditional industrial markets on the Atlantic Coast.

By 1961, coal's share of the total energy market had been cut in half. But then coal apparently hit bottom. It has rebounded strongly. In 1965, bituminous coal production climbed to 510 million tons, the highest total since 1951, and accounted for 26.6 per cent of U.S. energy output.

Natural gas contributed 35.4 per cent, petroleum 33 per cent, anthracite, 8 per cent electricity from waterpower 4.1 per cent, and atomic power only .1 per cent.

These percentages are deceptive, however, for coal does not compete with oil and gas in all energy markets—yet. Vast quantities of oil are converted to gasoline and lubricants, where coal is not presently competitive. However, there is a $10 million research project underway to make gasoline from coal at competitive prices, and the process looks promising.

Similarly, considerable amounts of natural gas are consumed in making carbon black, which is used in many items from auto tires to floortile; a comparable product has been made only experimentally from coal.

In markets where coal now competes with other forms of energy, bituminous coal produced 32.1 per cent of the nation's energy in 1965, compared with 38.5 per cent for natural gas, 21.1 per cent for petroleum, .7 per cent for natural gas liquid, 1 per cent for anthracite, 5.5 per cent for water power and again .1 per cent for atomic power.

By either standard—its share of the total energy market or its share of competitive uses—coal is coming back strongly from its 1961 low, and experts believe it will win a greater share of the market in years ahead.

Atomic Power No Threat to Coal, Scientist Says

More good news for the coal industry was contained in a recent statement by a leading atomic scientist who states that coal is in no immediate danger from atomic power.

In speaking to a group of coal representatives, Dr. Alvin M. Weinberg, director of the Atomic Energy Commission's Oak Ridge National Laboratory, stated further that there is no sign of diminishing coal markets for years to come.

At a two-day briefing in Oak Ridge, Tenn., for the coal industry, the director pointed out that development of a cheap, safe, breeder-type atomic power plant is now an important technical goal. He said coal will lose out to the most advanced breeder plant, development of which is still 15 to 20 years off.

Dr. Weinberg was of the opinion that the federal government should be heavily involved in coal research, with the aim of obtaining liquid fuels from coal by the time atomic breeder power plants become competitive.

The briefing, sponsored by the National Coal Association in cooperation with AEC and the Southern Interstate Nuclear Board, was attended by 150 representatives of the coal, railroad and allied industries.

The nation's massive scientific resources should be directed toward coal liquefaction research, Dr. Weinberg said. One of the coal industry's problems is that it is less scientifically oriented than the nuclear industry, he said.

John B. Breckinridge, chairman of the Southern Interstate Nuclear Board, said in a statement issued at the briefing that a "greatly expanded national investment" in a broadly conceived coal research program is needed. He said demand for coal will increase significantly in the years ahead, but a joint coal research effort should begin immediately. Breckenridge said the research effort should involve the coal industry through NCA, plus the Southern Interstate Nuclear Board, the AEC and other federal agencies.

Rafford L. Faulkner, director of AEC's Raw Material Division, said 1980 coal consumption by utilities is expected to be about 450 million tons. Increasing world energy needs suggest other sources of energy such as nuclear power must supplement fossil fuels, he said.

NCA President Stephen F. Dunn said during the briefing that the coal industry believes circumstances do not justify "the huge disparity between the amount of federal research on atomic power and the amount of federal research on coal. There is no need to waste taxpayer's dollars and the limited known reserves of uranium on proven reactors, which in turn can cause unemployment and hardship in a basing industry—the coal industry, which can produce low-cost energy indefinitely, at the same time providing about $500 million in coal export to help meet our serious balance of payments problem."

Dunn said everyone agrees that known reserves of low-cost uranium are extremely limited; for this reason the coal industry contends that further non-breeder reactors should be discouraged rather than promoted.

McDowell Has 21 Companies With Big Mines

The West Virginia Department of Mines lists 21 companies with large mines currently operating in McDowell county.

They are identified as:

Ashland Mining Corp. at Monitor; Bishop Coal Co., Bishop, Va.; C and W Mining Co., Cotton Creek; Cannelton Coal Co., Superior; D and O Coal Co., Premier; Eastern Associated Coal Co., Keystone.

Howard Coal Co., Keystone; Island Creek Coal Co., Algoma and Bartley; Jacobs Fork Coal Mining Co., Squire; Luzan Coal Co., Jenkinjones; Mays Coal Co., Premier; Miller and Lovell Coal Co., Keystone.

Olga Coal Co., Coalwood; Poca Empire Coal Corp., Keystone Mt.; Pocahontas Fuel Co., Berwind; Jenkinjones, Black Wolfe and Newhall; Red Bird Mining Co., Sandy Huff.

Soto Coal Co., Premier, Havaco and Bottom Creek Mt., Sparks Coal Co., Canebrake; Turner Coal Co., Keystone Mt.; United Pocahontas Coal Co., Algoma, Indian Ridge; and U.S. Steel Corp., Gary and vicinity.

Coal Abundant

The U.S. Geological Survey estimates that proven, recoverable reserves total 830 billion tons—sufficient to last for more than 1,000 years at today's consumption level.

Island Creek Names Pack to New Post

Alvin S. Pack, husband of a former Welch woman, is the present manager of industrial relations for Island Creek Coal Company. Pack's appointment became effective during the summer of 1966.

In his new position, Pack works out of the company's corporate headquarters in Cleveland, O.

He joined Island Creek in 1958 as administrator of labor relations at Holden. He was advanced to manager of industrial relations and safety for the company's West Kentucky division in Madisonville, Ky., in 1965

Before joining Island Creek, Pack had been superintendent of Buckeye and Page Coal and Coke Companies, located at Stephenson. He is a graduate of West Virginia University and served as a captain in the Marine Corps.

He is married to the former Miss Glenna Rae Christian, daughter of Mrs. V. L. Christian and the late Mr. Christian of Welch. They have four children.

New Storage Helps Keep Work Uniform

Ten thousand tons of coal, mined by the Olga Coal Co. of Coalwood were dumped recently at Norfolk and Western Railway's new $5¾ million storage and transfer terminal in Sandusky, Ohio.

All year mining of coal for Great Lakes shipment from Sandusky became a reality when the coal was dumped at the terminal.

N&W President Herman H. Pevler observed that the new facility helps solve long-standing problems for both coal producers and consumers. It enables supplying mines to keep their men at work on a twelve month basis; and it assures a constant, close-at-hand supply for purchasers.

Started about five months ago, the terminal will include equipment for both the unloading of coal cars and the loading of boats and has the most modern thawing facilities in the country for the emptying of cars in winter.

Initial capacity of the terminal will be 1.2 million tons, but there is space to enlarge it to hold as much as 4.5 million tons.

The coal and that which follows will remain in Sandusky during the winter, and then when the lake season opens next spring, will move by boat to plants in the United States and Canada.

During the 1966 lake season which closed December 12, N&W dumped 3.7 million tons of coal at its Sandusky docks, 80 per cent more than in 1965.

Foreign Delegation Tours Coal Area

One of the largest foreign delegations ever to visit the West Virginia coalfields toured the Kopperston Mines Nos. 1 and 2 of Eastern Associated Coal Corp. at Kopperston during the summer of 1966.

Purpose of the delegations visit was to see first hand U.S. mining conditions and equipment.

The group was made up of 40 European coal producing, purchasing and government officials from 15 nations. They were on a 12-day inspection tour of the U.S. bituminous coal industry sponsored by the National Coal Association and the Coal Exporters Association of the U.S., on behalf of the Department of the State and the Interior.

Coal Will Play Most Important Part in Energy

The Nation's burgeoning energy needs will have to be met by a unified energy industry, rather than by individual fuel industries.

That was the opinion of Joseph E. Moody, president of the National Coal Policy Conference, Ind., who addressed the Kentucky Coal Association at a meeting in November.

Moody said the emerging energy industry will "take care of the energy demands of the Nation" whether it be for oil, natural gas, uranium or the basic fuel of them all . . . coal.

According to Moody, "coal will play the most important role in this new and emerging energy era."

Moody declared that "no one questions but that the coal reserves of this Nation represent the Nation's largest source of untapped energy. This gives coal an inherent advantage. It has not only the advantage of tremendous reserves but it also has the characteristics of lending itself very well to conversion to other forms of fuel, whether it be solid, liquid or gaseous. This would seem to indicate that, regardless of the energy mix which the Nation might demand in the years ahead coal will always be in a dominant position."

Moody pointed out that developing technology for converting coal into gasoline and pipeline gas at competitive prices "adds impetus to the trend toward the single energy concept."

He predicted that "in the future we will tend more and more to think in terms of reserves of fossil fuels and uranium as an entity."

The Policy Conference president stated that this developing trend has been marked by the entry of petroleum companies into the coal industry in a major way. He cited the recent acquisition of the Consolidation Coal Company by the Continental Oil Company and the announcement of Humble Oil Company that it is creating a Department of Coal and Oil Shale as further evidence that major oil companies "have decided that the vast coal reserves of this Nation are a vast reserve of energy that have to be tapped in order to meet the energy demands of the Nation and the world!

Moody added that if coal is used to supply only 10 per cent of the market for gasoline and natural gas, a new market in excess of 280 million tons of coal annually will have to be created.

The Association speaker said the Nation is facing an unprecedented demand for energy in the years ahead. By the year 2000 the total fuel requirement of electric utilities alone, based on present efficiency and known methods of producing power, will increase to about two and a half billion tons of coal equivalent.

On the outlook for coal in the future in supplying fuel for power production and in providing a raw material for gasoline and pipeline gas, Moody said:

"Sometimes I am aghast at the problem the coal industry will have in producing the maximum amount of coal it must supply in the next decade or two, and at competitive prices that will give this Nation tremendous amounts of power at low cost."

He cautioned, however, that a number of serious problems confront the industry, particularly in combatting unrealistic air pollution control standards which could unnecessarily bar coal from many markets and in righting the current imbalance between Federal research for nuclear power and coal.

He added that for coal to achieve the "vital and important role" which appears to be awaiting it in the new and emerging energy area "we are going to have to evolve, maintain and execute a positive program for doing a far better job of producing, delivering and utilizing coal."

Bituminous Coal Production

The National Coal Association from incomplete car-loading reports from the railroads estimated in December that bituminous coal production in the United States for the week ended Nov. 26, 1966 was approximately 9,815,000 tons.

Production for a corresponding period of the previous year was 9,769,000 tons.

Production January 1 through Nov. 26, 1966 was estimated at 474,263,000 tons; while production for a similar period in 1965 stood at 461,251,000 tons.

Two Problems—Pollution and the Atom

The coal industry begins a new year confronted by the twin problems of the growing competition from atomic energy and air pollution, according to the magazine "Black Diamond."

The periodical in an article appearing in this month's issue states:

"Despite the coal industry's efforts to get the Atomic Energy Commission to issue a ruling that nuclear power has achieved a state of practical value, recognizing, as provided by law, that it has become economically and technically feasible, the Commission remains adamant in retaining its old stand on the subject.

"The Commission on Dec. 23 denied a petition for a statutory finding of practical value for light water reactors which had been jointly filed by the National Coal Association, the National Coal Policy Conference and the United Mine Workers of America. The Commission a year earlier had denied a previous request for such a ruling by these same three groups.

"Joseph E. Moody, president of the National Coal Policy Conference, Ind., recently pointed out the inconsistency of the Atomic Energy Commission's latest adverse ruling, noting that in statements prior to the ruling that Dr. Glenn T. Seaborg, AEC chairman, had pointed with pride to the fact that current reactor types have achieved economical competitiveness, particularly in countries such as the United States.

"The AEC chairman was also quoted as saying that nuclear power has come of age and that he was looking forward to its playing a major role in supplying electricity to this country and the world.

"On the other hand, in its ruling on Dec. 23," the Commission declared:

" 'The Commission continued to believe, however, that it should await a reliable estimate of the economics based upon a demonstration of the technology and plant performance. Pending the completion of scaled-up plants, and the information to be obtained from their operation, the Commission remains of the view that there has not yet been sufficient demonstration of the cost of construction and operation of light water, nuclear electric plants to warrant making a statutory finding that any types of such facilities have been sufficiently developed to be of practical value within the meaning of section 102 of the Act.' "

According to Black Diamond, coal industry leaders are generally of the opinion that AEC does not want to release any part of its hold on the taxpayers money in furthering the cause of atomic energy as a power generation source regardless of what effect this inconsistent stand might have on competing sources of energy.

In regard to air pollution, hearings have been conducted this month by various groups regarding the sulfur content of coal.

While the coal industry ponders these twin problems, the magazine stated, William Bellano, president of Island Creek Coal Co., has been pointing up the urgent need for a national energy policy as a guide to an equitable and intelligent utilization of energy resources and technical and scientific manpower.

Bellano recently told the Coal Mining Institute of America in Pittsburgh that while the U.S. seems to have ample energy resources, future requirements tend to exceed present known growth rates for gas and oil discoveries.

The coal company executive also called attention to the serious questions concerning the unlimited availability of low cost uranium fuel for atomic power plants. Only coal, he said, is now known to be available in large enough quantities and distributed over a wide enough geographic area to meet the requirements for a base upon which to build for the future.

Bellano forecasts 1980 coal consumption at some 807 million tons, an increase of 57 percent over 1965. He projected coal exports to about 70 million tons in 1980, including more than 26 million tons to Canada. Black Diamond quotes him as estimating that the coal industry will require up to $250 million a year in capital improvements and replacements through 1980 to meet increasing demands, plus $100 million annually for new plant expansion.

Investments in Efficiency Are Paying

Coal bucks strong competition in the energy market, but enormous investments to improve mining efficiency are paying off.

Mine productivity is now at a record high.

The average American bituminous coal miner turned out 16.84 tons per work day in 1964, over a ton more per day than in 1963. This about three times the miner's 1944 daily output, and about twice that of 1953.

Costs of coal at the mines are down, despite increases in costs of materials and wages, and the heavy investments required to maintain the industry's competitive position.

In 1964, the average value per ton of coal at the mine was $4.45, a drop of 12.4 per cent since 1957.

More than two-thirds of America's coal is mined underground, where once the pick and shovel worker tunneled his way. These tools have been replaced by complex and costly machine.

About 60 per cent of coal mined underground is produced by what miners call the conventional method—a smooth working five step procedure.

In other mines, huge continuous mining machines controlled by one man tear the coal from the seam with spinning steel teeth. At rates as high as 12 tons per minute, these machines rip out the coal, scoop it onto their own conveyors and drop it into shuttle cars, mobile conveyors, or on the floor for subsequent handling.

Coal Lowest Cost of All Fossil Fuels

For the fourth straight year, bituminous coal in 1965 ranked as the nation's lowest priced fossil fuel for power generation, according to the National Coal Association's annual "Steam-Electric Plant Factors" study.

And in the bargain, the study shows, bituminous coal increased its share of total steam-electric plant output.

Coal's share of 1965 steam-electric output was 66 percent as compared with the 1964 share of 65 percent.

The national average "as burned" cost of coal was 24.4 cents per million Btu in 1965, down 0.2 cents from 1964. Natural gas, which had a 26 percent share of the 1965 steam power production, declined in cost from 25.3 to 25.0 cents per million Btu. Oil's share was eight per cent up from seven per cent in 1964 with its as-burned cost up 0.5 cents to 33.1 cents per million Btu.

STATE DEPARTMENT OF MINES IMPORTANT TO COAL INDUSTRY

An integral and important part of the coal mining industry is the West Virginia Department of Mines and its hard-working, conscientious mine inspectors.

The McDowell county unit of the Department is composed of a mine-inspector-at-large, an assistant and seven inspectors.

While the staff is small, the men get around to inspecting more than 200 mines in this area at least three times each year.

The McDowell county offices are located on the second floor of the Masonic Building, Wyoming Street, in Welch. Supervising the complex is Harry Harman, inspector-at-large. Ed Jervis of Welch is the assistant and the district inspectors include Kermit Dillard, Iaeger; Andrew Wiley, Cucumber; Albert Overbey, Iaeger; Tommy Pettrey, Kimball; Lewis Cope, Northfork and Everett Evans, Skygusty. Also working out of the Welch office is Bud Gunter of Princeton whose work is confined most to Mercer and Wyoming counties.

According to Harman, 12 coal seams are presently being worked in the county, producing 17 million tons of coal annually. Tonnage production does not include stripping and augering.

The Department of Mines, Harman pointed out, also operates three mine rescue stations in the county. They are located at Keystone, Caretta and Superior. A fully-equipped mine rescue truck is kept at the Superior station and is kept in readiness to answer any call.

Roscoe Mayberry, of Kimball, was recently appointed safety instructor for the Department in McDowell county.

Aside for making periodic mine inspections, the inspectors teach mining classes for preshift examinations; supervise examinations for miner's certificates; investigate serious and fatal mine mishaps and assist throughout the state in mine disasters.

According to Harman, the men are on call 24 hours per day for anywhere in the state. All are under civil service.

The department, Harman reports, is also trained in Civil Defense and is ready to take part in emergencies.

McDowell county's famous coal, according to the local inspector-at-large, is taken from heights ranging from 26 inches to about eight feet. He said the Department expects to place at least three new mines in McDowell county under its inspection supervision within the next six months.

Harman identified the new operations as U.S. Steel's No. 6 mine at Gary; Maitland mine of Pocahontas Fuel Company and the Shannon Branch mine of Semet-Solvay.

NEW GIANTS GIVE COAL COMPETITIVE EDGE

The coal industry's newest tools have become truly gigantic at the surface mines.

Where coal lies close to the surface, it is more economical to remove the dirt and rock, take out the coal, and then reclaim the land.

For this job a whole family of mammoth power shovels, draglines and wheel excavators have been developed.

Surface—or strip-mining shovels are the largest mobile land machines. Each new generation dwarfs its forerunners—it is able to dig deeper and move more earth at lower cost. The biggest machines today are unbelievably huge—18.5 million pounds, towering 220 feet from the coal seams where they work, gobbling 180 cubic yards of earth every 50 seconds and depositing it a city block away.

They use enough electricity to power a city of 15,000. Even though such a machine is operated by one man, it costs $10 million or more.

The operator rides five stories up to his control room in an elevator that runs through the center pivot. The shovel draws its electric power from an extension cord five inches in diameter.

Shovels work on the floor of the pit; giant draglines sit on the bank above it and remove the overburden from above lowlying coal seams, taking as much as 120 cubic yards of earth per bite. In some mines, excavating wheels chew up 3,500 cubic yards of earth per hour and dump it on a conveyor belt which drops it two city blocks away.

Once the coal is exposed in surface mines, smaller power shovels scoop it up and load it into huge off-highway trucks for the trip to nearby preparation plants or to shipping points.

Supplementing underground and surface mining methods is auger mining, a procedure useful in hilly areas where coal seams continue under rising land too thick for economical surface mining.

By any method—underground, surface, auger—almost all coal is now mined and handled by machines. Machines of all sort carry it, crush it, clean it. Efficient modern devices load and unload coal-carrying railroad cars, trucks, barges and ships.

DEMAND EXCEEDS SUPPLY IN COAL

The differential between the increase in the demand for bituminous coal and the actual rise in production persisted through December 1966 which was marked by a slowing down of the tonnage space. Coal Age reports this month.

The magazine reports that, for the year, demand was up over 5 percent, while output rose slightly less than three.

Consequently, when the year's final report is made production will probably be close to 530 million tons of coal, against the 512 million in 1965.

Compared to the increase of 18 million in output, the increase in demand in 1966, including exports, was nearly 25 million, according to Coal Age. The magazine predicts that the 1967 increase will be modest—on the order of that in 1966.

COKE OVENS

The almost unnoticed remains of coke ovens here and there along the upper parts of Elkhorn Valley bear mute testimony to the early development of the coal fields in McDowell county and the Pocahontas district.

When coal was first discovered in the southern section of West Virginia, one of its principal uses was in the smelting of iron and other metals. In order to be used for this purpose, the coal had to be converted into almost pure carbon, or coke. Hence, the outdoor ovens.

GENERATING PLANTS GO WAY OF COAL

Despite the advance of atomic power, most of the new generating plants announced or under construction by electric utilities will be fired by coal.

A survey by the National Coal Policy Conference, Inc., early in 1966 showed that more than 75 power plants, burning more than 110 million tons of coal annually, are expected to be built by 1971.

Looking further into the future, the Federal Power Commission in its National Power Survey forecast that electric utilities in 1980 would require 500 million tons of coal—they used 243 million in 1965—and that the total 1980 coal market would be 800 million tons.

Coal's hold on the electric utility market has been bolstered by new cost-cutting techniques of moving coal to power plants, or moving the power to market.

Increased efficiency in mining has lowered the cost of coal at mine mouth, and many enormous new power plants burn it right there. They send its energy—coal by wire—to markets of ten hundreds of miles away through extra-high voltage transmission lines.

Other plants use the new railroading technique of unit trains. Improvements in barge transportation—including bigger barges, more powerful towboats and improved inland waterways—are also lowering the delivered cost of coal. . . .

NEW CHANNEL LETS SHIP SET RECORD

The world's largest coal port this week welcomed the world's largest coal collier on the first leg of her maiden voyage.

Principals in coal's latest drama were the Hampton Roads port at Newport News, Va., and the coal collier, the Cetra Columbis. The ship, whose home port is Le Havre, France, received a welcome like no other coal collier ever had.

Officials from France flew in on Monday to host the celebration. On hand were representatives from Virginia, West Virginia, the Interior Department and scores of invited guests.

After a lot of speech making and happy comradery by the assemblage, the huge ship nearly as long as three football fields—took on the first of what is expected to be a record coal cargo.

The $10 million Cetra Columbis has an 87,000-ton capacity. That's a lot of coal compared to the average 25,000-ton shipment that leaves Hampton Roads for foreign ports.

After taking on approximately 55,000 tons of coal at the Chesapeake and Ohio Railway pier at Newport News, the ship nosed across Hampton Roads to the Norfolk and Western Railway pier at Norfolk at high tide Tuesday.

There she was expected to take on enough coal to break the world's record of 72,132 tons of coal carried by one ship. That record was set by the motor vessel Sigtina at the N and W pier last August 10.

Channel deepening operations prevented the Cetra Columbis from taking on a full load at the C and O pier. By October, the ship will take a full cargo from Newport News.

The schedule calls for eventual transportation of a million tons a year in regular monthly runs from Newport News to Le Havre.

The Cetra Columbis will supply coal primarily for a new French power plant. Electricite de France, at Le Havre. The Association Technique de L'Importation Charbonniere, the French organization buying the coal, has chartered the ship from Cetramar, a consortium of four shipping companies.

Because she is a "push button" ship, the Cetra Columbis is manned by only 28 men. A conventional ship of the same size would be manned by hundred or more men, an official reports.

COAL AND ENERGY

Nothing is more characteristic of 20th century civilization than the rapidly multiplying use of energy. Modern living demands far more energy per capita than our fathers used, and there are more of us to use it. Total consumption of energy in the United States more than doubled from 1941 to 1965. The cause was not only a growing population but a rising standard of living, including a galaxy of new gadgets that require energy to make and operate.

To meet the rising demand for energy now and in the years ahead, the American economy is relying more and more on a fuel that has been one of its mainstays for more than two centuries—bituminous coal.

West Virginia University Experiment Station Says Strip Mine Reclamation High

MORGANTOWN, W. VA.—The West Virginia University Agricultural Experiment Station reported today that surface mine operators in West Virginia received more assistance from soil conservation (SC) districts in 1966 than ever before.

John G. Hall, land reclamation specialist for the WVU Station, said this new high for establishing vegetation on strip mine areas is encouraging. He points out, however, that much remains to be done to improve the current situation in West Virginia.

The State Soil Conservation Office in Morgantown notified Hall that recent figures from the SC districts in West Virginia show that the districts assisted mine operators in planting and seeding 6,050 acres during the fiscal 1966 year. This compares with the previous year's record of 4,324 acres.

Last week the experiment station announced the results of a six-year study of reclaiming strip mine spoil areas. The study, appearing in a recent publication (Station Bulletin 540) reveals the total number of reclaimed areas has been increasing steadily since the first 193 acres were planted and seeded between 1954 and 1958. Now the total number of acres has reached 23,176.

Under the present program the SC Service technician develops a revegetation plan on each permit area after the grading is completed and before the planting is done. The operator has the choice of doing his own revegetation work according to this plan or he may contract with the SC district to do the work. At the present time, nearly all of the revegetation work is being done by the districts.

In conducting the six-year study, SCS and the WVU Station cooperated by making a critical evaluation of vegetation growing on the different areas. They made actual counts and visual estimates to determine survival performance and stand density of the planted species.

The authors of the publication point out that the primary objective of planning a strip mine area is to stabilize the surface area, but secondary goals also include screening unsightly areas, growing products for economic use such as hay or wood, development of a wildlife habitat by use of plants that will increase food and cover, and recreation.

"Results of Revegetation of Strip Mine Spoil by Conservation Districts in West Virginia," was authored by Ross Mellinger, woodland conservationist for the SCS of the U.S. Department of Agriculture; Frank W. Glover, Jr., assistant state soil conservationist for the SCS; and John G. Hall.

King Coal Is Taking On New Faces, Jobs

Research is mapping the route for bituminous coal—in many instances putting it in market places where it has never been before.

Coal is still America's solid fuel buy, but research has given it a new flair, the ability to change its shape to suit fuel fashion demands.

A consumer takes coal for granted when he flips an electric light switch. He is probably the same casual cool consumer who in the future will heat and cook with gas produced from coal—and run his car on gasoline extracted from coal.

Coal research promises other services at home and on the road. It is the primary fuel for the electric power, of course. But the great flow of coal-derived power from conventional steam-electric generating plants may be augmented soon by wattage from new electricity generating systems—the simple coal-based fuel cell and such tongue twisters as magnetohydrodynamics and electrogasdynamics. Because of the higher efficiency in the conversion of coal heat to electricity the cost of electricity from coal will be lower.

Current coal research is versatile enough to aim at radically new uses for coal at the same time it promotes better coal use by such traditional big customers as power generation, steelmaking and industrial processing. Even basic coal industry operations that reached high efficiency years ago are making fresh advances.

The importance of coal to the nation's progress has stimulated research and development on a wide front in industry and government. Focal point of the coal industry's research is Bituminous Coal Research, Inc., an NCA affiliate with a modern laboratory complex at Monroeville, Pa.

Individual coal companies also seek coal improvements in the laboratory and field, as do industries with a stake in coal.

Governmental agencies sponsoring research to assure full use of coal as a natural resource include the U.S. Office of Coal Research, the U.S. Bureau of Mines, the U.S. Geological Survey, the U.S. Public Health Service, the Tennessee Valley Authority, state geological surveys and coal producing states such as Pennsylvania, West Virginia, and Alabama.

A cross-section of the board coverage of research activities shows up in laboratories of Bituminous Coal Research, Inc. BCR's program spans coal technology from production to use, linking the fact-finding of basic research to development work on exciting new applications for coal.

Under a contract with the Office of Coal Research, BCR has a key role in a program aimed at opening a vast potential market for coal through gasification.

Another area of research by BCR is the control of air pollutants resulting from coal combustion. Strict air pollution control regulations pose a threat to coal by severely limiting both the permissible sulfur content and the emission of sulfur oxides from coal-fired plant stacks.

BCR has already developed a laboratory-scale process—known as catalytic gas-phase oxidation—to remove sulfur oxides from coal combustion gases. . . Research on other pollutants is also under way.

And as a part of the joint coal-utility industry attack on air pollution, BCR is supporting research to determine the concentrations at which pollutants in air become a hazard to people and property.

BCR is also attacking another coal-related pollution problem—the contamination of streams by acid waters draining from coal mines.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNITED STATES-U.S.S.R. CONSULAR CONVENTION

Mr. MOSS. Mr. President, I am greatly encouraged by President Johnson's remarks yesterday concerning the pending Consular Convention with the Soviet Union.

It is my wish that the Senate be given the opportunity to vote on this issue at the earliest possible time.

Ratification of the Consular Convention has become one of the least understood, but most inflammatory, topics to come before the Senate in many years. There is so little that the general public really knows about this issue that I would like to take a moment or two to explain what the convention is all about, in the hope of shedding some light on the problem.

Admittedly, Americans who travel in Russia do so at their own risk. The risk of this travel, however, is partly our own doing. Without the ground rules set out in the Consular Convention, the Soviet Union can hold an American citizen incommunicado for extended periods. Under the Consular Convention, the Soviet Union has from 1 to 3 days in which to notify our consular officials that an American citizen has been detained.

The Soviet Union then must allow our U.S. consul access to an American citizen within 2 to 4 days. This access must be on a continuing basis. It cannot be shut off at the will of a Soviet official.

At this time, I will give the Senate a chronological outline of how a citizen of the State of Utah was treated just last fall. I speak of Craddock M. Gilmour, Jr., who was arrested in a well-publicized case on charges of currency black marketing. His companion, Buel Ray Wortham, of Little Rock, Ark., was also arrested on similar charges and additionally charged with the theft of a souvenir bear from a Russian hotel.

The men were arrested on October 1. On the 6th, the U.S. Embassy in Moscow was notified that the two Americans were being detained in Leningrad. The first visit to our boys was made by a consular official stationed in Moscow on October 11. On the 15th, a second visit was requested by our officials who had to travel from Moscow to Leningrad. Permission for the visit was denied.

On October 28, the second visit was finally permitted, although at no time could the boys be interviewed together. Their consular contacts were always separate from each other, and at no time could our Embassy man talk about the specifics of the charges or the case.

On November 11, the Americans were again visited. On November 23, the fourth visit was requested and finally granted on November 26. On November 30, our officials were denied access to Gilmour and Wortham, but on December 1, Wortham was visited by a U.S. official.

On December 2, Gilmour was released on bail, pending a trial. On the 8th U.S. officials visited Wortham, who for some reason was denied bail. However, now that he has been convicted of various charges and sentenced to 3 years in a work camp, he has been released on bail pending an appeal of his case to a higher Soviet court. This is an unprecedented action in Soviet legal matters, which may indicate that they, too, want better relations with the United States.

On December 9, American consular officials again visited Wortham in his jail cell in Leningrad. On the 17th of December, the court again granted permission for an American to visit Wortham, but access to Gilmour was denied.

On December 21, following a "trial," both men were sentenced. Gilmour was fined and left the country on the 23d.

With the proposed Consular Convention in force, these two young American tourists would not have had to undergo the continuous solitary confinement for such an extended period. Young Gilmour related, on his return to America shortly after the first of the year, that he was continually questioned during his confinement; that he had no access to legal counsel; that he had few letters; and that he had little hope except that which he was given by the periodically allowed visits by a consular official who had to travel from Moscow.

The responsibility for assuring better protection of American citizens traveling in Russia rests first with the Soviet Union. But, there is a responsibility now resting with the U.S. Senate—that of doing all within our power to provide the vehicle with which our diplomats can be armed to enforce binding agreements.

There are other facets to the Consular Convention which benefit both countries. Paragraph 2 of article 7 provides that development of commercial, cultural, and economic relations between the two nations will receive high priority. A consular representative in Leningrad, where much additional travel and commerce of the two nations would take place, would provide an excellent distribution point for information about America, for our various publications, and an official office to assist any citizen with any problem.

Mr. President, at this time it is likely that no more than one consulate would be opened in each country. This could not conceivably create a serious security risk to the United States. This is especially true when you consider that we already have, as President Johnson said yesterday, 452 Soviet officials with diplomatic immunity in the United States. An additional 15 or 20 Russian officials could be expected to staff a consulate. Mr. Hoover's comments certainly do not indicate that a grave security problem will present itself.

On the other hand, however, the extreme rightwing in America would have our citizens believe that the country will be flooded with spies and subversive agents. I have in my office several dozen telegrams and letters nearly all of which contain the same thread of fear instilled in the writers by rightwing propaganda. Perhaps if Mr. Hoover would accept an invitation to appear in an open Senate hearing, we could finally lay to rest the fears about a new wave of Communist espionage which it is charged would result from ratification of the Consular Convention.

Mr. President, recently there has been considerable talk in favor of bridge building with the East. An exceptional opportunity is at hand to do more than just talk about this ideal.

The Senate should be given the opportunity, after full discussion in open debate, to vote on the treaty. Certainly, when all of the facts can be discussed, the treaty should then be ratified. My wishes are certainly shared by a majority of thinking Americans who realize that the United States will reap great benefits from the Consular Convention.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand adjourned until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 19 minutes p.m.) the Senate adjourned until Monday, February 6, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 3, 1967:

IN THE NAVY

Having designated, under the provisions of title 10, United States Code, section 5231, Rear Adm. John M. Lee, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of vice admiral while so serving.

IN THE AIR FORCE

The following officers to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10 of the United States Code:

In the grade of lieutenant general

Lt. Gen. David Wade, FR1582 (major general, Regular Air Force) U.S. Air Force.

Lt. Gen. Waymond A. Davis, FR1470 (major general, Regular Air Force) U.S. Air Force.

The following-named officers to be assigned to positions of importance and responsibility designated by the President in the grade indicated, under the provisions of section 8066, title 10 of the United States Code:

In the grade of lieutenant general

Maj. Gen. Theodore R. Milton, FR2026, Regular Air Force.

Maj. Gen. William B. Kieffer, FR1409, Regular Air Force.

Maj. Gen. Charles H. Terhune, Jr., FR3424, Regular Air Force.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 3, 1967:

DEPARTMENT OF LABOR

James J. Reynolds, of New York, to be Under Secretary of Labor.

Thomas R. Donahue, of Maryland, to be an Assistant Secretary of Labor.

EXTENSIONS OF REMARKS

Twentieth Anniversary of Radio Station WAVA

EXTENSION OF REMARKS

OF

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, February 3, 1967

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a message of congratulations to radio station WAVA on the occasion of its 20th anniversary.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

I would like to take this opportunity to cite a public service in the metropolitan Washington area with which I am certain you are familiar. I refer to WAVA, the first and only "All News" Radio station in the Washington-Virginia-Maryland area, now celebrating its 20th Anniversary. Special recognition upon this is due to the outstanding efforts of its President, Mr. Arthur W. Arundel, who founded this all-news broadcast service here.

The concept of all news radio is a complete departure from the usual pre-programed musical format of radio stations with news at the hour and half hour. This unique station must be able to respond to any difficulty the moment it arises and at the same time maintain a constant flow of informative, factual and interesting material. WAVA has many times demonstrated its ability to so respond.

An outstanding example of this occurred during the Blizzard of '66. WAVA then went into a full time News Alert, providing a constant means of mass communication to the people of this area. WAVA reporters worked hand in hand with area police, fire department and military helicopter rescue services giving stranded listeners at home, office and in their cars assurance and news of the Blizzard situation.

WAVA has established a system by which Metropolitan area police and fire departments may, by using a special priority code, communicate with the listening audience. This was demonstrated during the recent Autumn flooding in areas around Washington as over six inches of rain fell in a few hours. Area police and fire departments then broadcast live over WAVA facts important to the safety of life and property.

These, of course, are more dramatic examples. The station's day to day value is that in this news-oriented area citizens now have a means of staying informed on what is taking place in the city, the nation, and the world simply by tuning to 780 on their AM radio dial, or 105.1 on FM. They do not have to wait for a certain time of day or for the printing of a newspaper, although Mr. Arundel is the first to say that no broadcast news service will ever be but a poor imitation of the depth reporting of a good neswpaper.

I'm sure, Mr. President, you will join me in extending sincere congratulations to a pioneering effort that has achieved success, not only financially, but more importantly as a public service to the citizens of the national capital area.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 6, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord is good unto them that wait for Him, to the soul that seeketh Him.—Lamentations 3: 25.

Almighty and Eternal God, whose love is eternal and whose patience never ends, in all quietness of mind and sincerity of heart we wait upon Thee. Fill us with Thy holy spirit that this day may be a good day and this week a great week. Purify our hearts from every vain and sinful thought and prepare our spirits to live with Thee and to work for the welfare of our beloved Nation.

Strong in Thee, may we receive power to think good thoughts, strength to triumph over temptation, a heart to love our fellow man, and a mind to do our duty to ourselves, to others, and to Thee.

Grant unto us the confidence to say "yes" to what is good; the courage to say "no" to what is evil and the insight to know the difference. So may Thy will be done in us and in all men—through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, February 2, 1967, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 6. Concurrent resolution authorizing the printing of additional copies of a Committee on Government Operations print entitled "The Federal System as Seen by Federal Aid Officials."

The message also announced that the Vice President, pursuant to Public Law 80–843, appointed Mr. MORSE and Mr. DOMINICK to attend the International Labor Conference, to be held in Geneva, Switzerland, June 7–29, 1967.

TRAILS FOR AMERICA

Mr. **TAYLOR**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. **TAYLOR**. Mr. Speaker, I have just introduced a bill to establish a nationwide system of trails for hiking, bicycle riding, and horseback riding. This bill is the outgrowth of 2 years of study by the Departments of Interior and Agriculture, which culminated in a report entitled "Trails for America." This legislation was recommended to us by the President in his message of January 30 on protecting our national heritage.

Three types of trails would be promoted under the provisions of this bill: national scenic trails, trails on Federal and State park and forest lands, and trails in and around metropolitan areas.

Immediate authorization is proposed for four national scenic trails: First, the famous Appalachian Trail now in use and stretching 2,000 miles from Maine to Georgia; second, the Potomac Heritage Trail, following the Potomac River from the Chesapeake Bay into Pennsylvania and West Virginia; third, the Continental Divide Trail, going down the Rocky Mountains from Canada to New Mexico; and fourth, the Pacific Crest Trail along the backbone of the Cascade and Sierra Nevada Mountains from the Canadian to the Mexican border. Other proposed national scenic trails would be studied.

The bill directs various Federal land management agencies to develop recreation trails on the areas that they administer and encourages States to do likewise. It encourages States and other local governments to use land and water conservation funds to develop trails in and near urban centers.

A special section authorizes the Secretary of the Interior and the Secretary of Agriculture to cooperate with the Interstate Commerce Commission, the Federal Power Commission, the Federal Communications Commission, and other Federal agencies having jurisdiction over utility rights-of-way to develop effective procedures to use such properties for trail routes wherever practicable.

I long have had an interest in the protection of the trails of America for the enjoyment of our people. In recent years I have become increasingly concerned about the protection and preservation of the great Appalachian Trail, which stretches 2,000 miles from Mount Katahdin, Maine, to Springer Mountain, Ga., for the trail passes through my district and affords our people its pleasures and its benefits.

The Appalachian Trail is one of the truly great achievements of volunteers in American outdoor recreation. First envisioned in 1921 by Benton MacKaye, it was built, section by section, through the years by the volunteer labor of individual citizens who believed in his concept. Essentially completed by 1937, it has since been maintained by these same volunteers and enjoyed by millions of people from all parts of the world. Today, the Appalachian Trail Conference, composed of some 65 member clubs, works with the Forest Service, the National Park Service, the States, local governments, private companies, and many private property owners to protect and preserve the trail.

As our economy has grown, however, increasing pressure has arisen to develop the lands over which the Appalachian Trail passes. The informal arrangements which sufficed in an earlier era no longer will protect the trail.

The bill I proposed has as one of its first missions the preservation and protection of the Appalachian Trail. The Secretary of the Interior will be made responsible for its protection and administration. He will first set up an Appalachian Trail Advisory Council. Working with the States, local governments, and private owners, and especially with the Appalachian Trail Conference, he then will establish and publish the official route of the Appalachian Trail. He next will obtain agreements protecting the trail route or, if necessary, will purchase the land or easement needed to protect the trail route for its entire length. Once the trail is protected, the Secretary will be authorized to work out agreements with the States, local governments, the trail conference, and other interested parties to maintain the trail. The same procedure would be followed in establishing all national scenic trails.

The trail program I propose here today is a truly cooperative program which will welcome the efforts of all. Those many citizens who have counted their volunteer labor on the trail as their greatest outdoor experience can be assured that we intend, in this legislation, to guarantee them the continued opportunity for such creative contributions to the outdoor recreation heritage of our Nation.

Hiking and bicycle riding are simple pleasures within the economic reach of all American citizens and are more relaxing than traveling by automobile on crowded roads. In this program a little money goes a long way and provides much recreational opportunity. I believe that we should give careful thought to establishing a nationwide system of trails.

LEGISLATION TO CORRECT SALARY AND CLASSIFICATION INEQUITIES OF LEVEL 1 TO 5 EMPLOYEES IN THE POSTAL FIELD SERVICE

Mr. **OLSEN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. **OLSEN**. Mr. Speaker, I am today introducing legislation which will correct serious salary and classification inequities adversely affecting postal clerks, letter carriers, and other employees in salary levels 1 to 5 of the postal field service. These inequities originated with Public Law 84–68 enacted in 1955 and were continued in subsequent postal salary laws, particularly Public Law 87–793 of 1962.

This bill will elevate postal clerks, letter carriers, and other employees presently in PFS salary levels 1 through 5, one level. The legislation proposes to eliminate two salary steps in each level. However, the bill will also make certain that the most experienced and senior employees in existing steps 11 and 12—which are being eliminated—receive equitable salary adjustments with those employees converted to step 10 of each new salary level.

The correction of long-existing salary inequities which find postal clerks and other employees with less experience and years of service receiving the same or higher salaries than the more experienced and senior employees in the same type of work will also be accomplished by enactment of this legislation. Postal employees would be converted to appropriate steps of the new higher salary levels consistent with total years of creditable postal service.

This proposed reclassification and elevation of postal positions presently in levels 1 to 5 is not basically a salary increase but rather a long-overdue correction of pay inequities among postal clerks and other employees in the lower salary levels of the postal service that we must depend on to efficiently move the ever-increasing record volumes of mail.

It is my hope the 90th Congress will give early consideration to this most important remedial legislation and enact it into law during this first session.

CURTAILING OF FOREIGN TRAVEL

Mr. MORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MORTON. Mr. Speaker, everyday the pressure mounts on each Member of Congress in connection with our commitment in southeast Asia and the resulting involvement of our country in this bloody conflict. More and more people are becoming adamant and demanding, making it increasingly difficult for us to stand firm with our national leadership. For my part, and the leadership of my party, the record is clear.

But when a Member of the Congress appoints himself as a one-man state department, touring the capitals of Europe, and when from these meetings statements leak concerning peace overtures and dealing with matters of our national policy, restricted by tradition and for practical good reason to the President and his Cabinet, it becomes more difficult and politically more uncomfortable to stand firm behind the President.

It seems to me that the responsibilities and demands of the Congress itself would be challenge enough to supply adequate reward. Therefore, I beg of my colleagues not to go abroad among foreign governments, generating implications that lead to a loss of faith in the administration and conduct of our foreign policy.

If we want to run for President, let us do it here among our voters. If we want to reshape our foreign policy, let us do it with the tools and mechanisms which we have at hand.

AID TO INDIA VITAL

Mr. MIZE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. MIZE. Mr. Speaker, the helping hand of this country has always gone out to those in need. As long as we have the means, we have been willing to share our abundance with the other countries of the world. It is gratifying to note, therefore, that we are going ahead with plans to supply more than half of the 10 million tons of wheat and grain sorghums which India must have from outside sources this year if it is to prevent widespread malnutrition and starvation because of the devastating drought last year.

Some of our shipments have already gone forward. Others will follow. It is my understanding that we can make these shipments under existing legislation, but the President is seeking a joint resolution from Congress to authorize part of our commitment. Based upon our history of responsiveness to human needs, I feel confident that such a resolution will be approved.

There is an old adage about giving a man a fish and you feed him for a day; teach him how to fish and you feed him for life. I, for one, feel that we are not making a handout to our India friends, which is only a short-term solution to the food problems of that nation. By making the wheat and grain sorghums available in this critical period, we are assisting this country at a time when it is developing its own program of self-help which is so vital and necessary to the long-range solution to the food problem in India.

Progress is already being made in agricultural reform in India; and there is more interest in improving that nation's farming potential and related activities than ever before.

We are helping the people of India to help themselves, and in meeting our responsibilities as a member of the family of nations, we are encouraging other countries to be more diligent in sharing the burden of reducing hunger and privation wherever they plague the land.

MUST THE EXECUTIVE OBEY THE LAW?

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, is an enactment of the Congress really binding upon the Executive?

That is the fundamental question in an important confrontation between the two branches of Government over a $9 million shipment of vegetable oil under Public Law 480 to Yugoslavia at subsidized credit terms.

On the same day that Secretary of State Rusk, acting of course for the Executive, announced in a letter to me that "the United States is proceeding with the sale as agreed," the Comptroller General of the United States, acting of course for the Congress, announced that Government funds should not be used for that purpose.

While the amount of money is comparatively small, the fundamental issue over separation of powers is large—at least in the eyes of those who believe in the supremacy of law.

In my view, the Executive must obey the law.

Here is the text of the opinion by the Comptroller General, together with pertinent correspondence with the Secretary of State and Secretary of Agriculture:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., February 2, 1967.

The Honorable the SECRETARY OF AGRICULTURE,
Washington, D.C.

DEAR MR. SECRETARY: Reference is made to our letter of December 20, 1966, B–146820, and enclosure, to you, and your reply thereto dated December 22, 1966, concerning the sale of commodities to Yugoslavia under title IV of Public Law 480.

We are advised that under two agreements shipments would be made to Yugoslavia under title IV of Public Law 480. One shipment would consist of vegetable oil under an agreement signed on or about April 11, 1966, and the other shipment would consist of wheat. As far as is known, no agreement has been signed in regard to the wheat, nor has a Purchase Authorization been issued in regard to the vegetable oil.

The view has been expressed that either shipment would be a violation of law because of the following proviso in title III of the Department of Agriculture and Related Agencies Appropriation Act, 1967, Pub. L. 89–556, 80 Stat. 702:

"*Provided,* That no funds appropriated by this Act shall be used to formulate or administer programs for the sale of agricultural commodities pursuant to Title I or IV of Public Law 480, 83rd Congress, as amended, *to any nation which sells or furnishes or which permits ships or aircraft under its registry to transport to North Vietnam any equipment, materials or commodities, so long as North Vietnam is governed by a Communist regime.*" (Emphasis added.)

Our views on the legality of the proposed shipments have been requested.

As we understand it, medical supplies are being shipped from Yugoslavia to North Vietnam by an organization known as the Coordinating Committee for Assistance to the People of North Vietnam. It is also our understanding that this Committee is comprised of the following organizations: The Socialist Alliance, the Trade Union Federation, the Association of Veterans Federations, The Youth Federation, The Yugoslavian Red Cross, The Student Union, The Conference of Social Activities for Women, and The Yugoslavian League for Peace and Independence and Equality of Peoples. The medical supplies consist of donations of blood and voluntary contributions of medicines and bandages which are consigned to the North Vietnamese Red Cross.

The Department of State advised us, in effect, that it has determined that the Yugoslav Coordinating Committee is not part of the Yugoslav Government, and we are not in a position to question such determination.

The question that arises is whether the appropriation limitation in the above-quoted proviso applies only to a nation, the government of which trades with, or furnishes supplies to, North Vietnam, or whether it includes countries or nations whose private citizens trade with, or furnish supplies to, North Vietnam. The answer to this question depends upon the meaning to be given the term "nation" as it appears in the proviso.

The term "nation" is not defined in the proviso or elsewhere in the appropriation act. However, the proviso applies to programs for the sale by the United States of commodities under titles I and IV of Public Law 480 wherein the term "nation" is used in more than one context. It appears that the term "nation" as used in Public Law 480 is, in some cases, synonymous with "government of nations," and in other cases is used in a broader sense. For example, section 101 of Public Law 480 provides that:

"The President is authorized to negotiate and carry out agreements with friendly nations * * *. In negotiating such agreements the President shall—

"(a) take reasonable precautions * * * to assure that sales under this Act will not unduly disrupt . . . *normal patterns of commercial trade with friendly countries;*" (*Emphasis added.*)

Thus, it can be seen that the term "countries" in paragraph (a), which is synonymous with the word "nation," is used to refer not merely to trade with governments but also to private trade. Foreign currencies accruing under title I may be used for purposes specified in section 104 which include "promoting balanced economic development and trade among nations," (section 104(e)). For these purposes we understand that loans are made to United States business firms for business development and trade expansion in such countries and to domestic or foreign firms for establishment of facilities for aiding in the utilization of and markets for United States agricultural commodities. Also, under section 104(g) currencies may be used for loans made through established banking facilities of the friendly "nation" from which the foreign currency was obtained. We understand that the banking facilities are not limited to government-owned banks.

In title IV, as well, language is used which makes clear that the use of the term "nation" therein is not confined to governments of nations. For example, section 401 discloses that one of the purposes of the title is "to assist the economic development of friendly nations by providing long term credit for purchases of surplus agricultural commodities for domestic consumption during periods of economic development so that the resources and manpower of such nations may be utilized more effectively * * *." Also, in providing authorization for agreements with the private trade it is provided that such agreements shall thereby assist "the development of the economies of friendly nations."

The term "nation" standing alone is ambiguous. However, as used in Article I, section 8, clause 3 of the Constitution, it has been held to mean the inhabitants of a country as well as its government. See 42 Opinions of Attorney General, No. 14, page 6. Further, the word "country" is, in effect, synonymous with "nation." In *Burnet* v. *Chicago Portrait Co.*, 285 U.S. 1, the Court stated that the term "foreign country" is not a technical or artificial one, and the sense in which it is used in a statute must be determined by reference to the purpose of the legislation.

The pertinent legislative history of the proviso in question discloses that it was offered as an amendment on the floor of the House and subsequently included in the appropriation bill as passed by the House. In offering the proviso, the sponsor thereof made the following statements (CONGRESSIONAL RECORD, vol. 112, pt. 7, p. 8970):

"Mr. FINDLEY. Mr. Chairman, one of the most distressing aspects of the Vietnam war is the shipping that goes into North Vietnam to nourish and equip the Communist forces that are involved in direct engagement with our own boys. This flow of shipping comes in both free world and Communist bottoms. *The purpose of the amendment is to try to tighten up a bit on that shipping.*

"It is my understanding that some of the shipping that goes into North Vietnam is carried on Communist ships, but is supplied or furnished by free world nations, and vice versa.

"This amendment would cut both ways. It would cut off from concessional sale advantage under title I or title IV of Public Law 480 any nation that either sells, furnishes or provides any commodities, equipment or supplies to North Vietnam or permits ships under its registry or aircraft under its registry to ship the same.

"This is a rather modest step, but a step which is presently available to the House. Even though it falls far short of what I am sure most of us would desire *in cutting back on shipping into North Vietnam*, it seems to me a healthy step in the right direction, and I urge support for the amendment." (Emphasis added.)

From this explanation of the proviso, it is clear that its intended purpose was to "tighten up" or cut back shipping to North Vietnam. In other words the intended purpose of the proviso was to help cut off the furnishing of supplies to North Vietnam by, in effect, prohibiting titles I and IV Public Law 480 sales to countries that furnished such supplies.

We note that a point of order was raised against the proviso by Mr. Whitten and in connection therewith he made the following statement:

"Mr. WHITTEN. * * *

"I serve on the Defense Appropriation Committee. I have tried repeatedly to get action taken in this area *hoping to prevent all shipping in this area, particularly of all materials which help the enemy* * * *." (Emphasis added.)

Although Mr. Whitten insisted on his point of order for other reasons, he made it clear that he had tried to get action in this area to prevent *all* shipping of *all* materials.

Hearings were subsequently held on the proviso (as passed by the House) before a Subcommittee of the Committee on Appropriations, United States Senate (Supplemental Hearing for Agricultural Appropriations for Fiscal Year 1967). During these hearings the following relevant statements were made in connection with the proviso:

"Mr. MANN. * * *

* * * * *

"I should like to make clear that the administration would have no difficulty with the suggestion that shipping and trade with North Vietnam by potential food-for-freedom recipients is a factor that should be taken into account in deciding upon a program. If the Findley amendment were modified to give the President discretion on national interest grounds, we would have no difficulty with it, but in its present form the amendment affords no flexibility at all.

"POSSIBLE ALTERNATIVE AMENDMENT

"Alternatively, the administration would have less difficulty with a bill which, even though it did not vest in the President discretionary authority, limited the sanctions to any country exporting arms and other strategic materials to North Vietnam. There are a number of reasons why we think changes of the nature I have suggested are desirable from the point of view of the U.S. national interests:

"First, the amendment as it is now drafted applies to governments which have any export trade with North Vietnam no matter how small or nonstrategic, and no matter how important it might be for the United States to help that country meet its food requirements.

"For example, we have no information that India, which is by far the largest food-for-freedom recipient, has currently any trade with North Vietnam. It does ship jute bags to Cuba, for example, and it would seem to us unwise to introduce the element of whether it was legally possible to meet the threatened famine in India because the Government there shipped or might ship some jute bags to Cuba or to North Vietnam.

"SCOPE OF PRESENT AMENDMENT

"Senator HOLLAND. *This covers not only government shipments but also private shipments; does it not?*

"Mr. MANN. *That is not clear, Senator. Our lawyers have construed this, and there is some considerable ground, I think, for debate, to apply it to government-to-government transactions.*

"The bill, as it is now worded, the pending amendment, I think, leaves it somewhat unclear.

"Senator HOLLAND. Do you think it ought to be clarified if the amendment be changed in the Senate or by conference so as to make the prohibition applicable to recipients of Public Law 480 aid who ship military strategic goods to North Vietnam in such a way as to cover only government shipments of all kinds whether it is government or private?

"PROPOSAL TO LIMIT AMENDMENT

"Mr. MANN. *I think we would be inclined to say if the amendment were changed so it is limited to strategic and military, that it might apply to all exports to North Vietnam regardless of whether they came from the private sector or the public sector.*

"Senator HOLLAND. That would be my opinion also, but I wanted the record clear on that. Maybe there are other questions.

"Mr. MANN. On the other hand, Mr. Chairman, if the committee and the Congress were to give the President discretion, *there is some advantage in leaving this a little bit vague because it would be helpful to us in our negotiations with foreign governments to reduce even the private sector trade.* We would like to eliminate that, too, if we could.

"* * *

"Mr. MANN. * * *

"* * *

"I personally believe that placing discretionary authority in the President for dealing with situations of this kind in light of overall U.S. interests is far preferable to a course which puts the administration in a legal straitjacket, as it were. I think the Congress can have confidence that the President, with or without a legal requirement, will continue in the future to administer our foreign assistance programs with emphasis on our own national interest.

"Senator HOLLAND. Well, it is not the question of whether we have confidence or not. The question is, we are confronted with a black and white amendment in the bill which we have to deal with.

"Mr. MANN. Correct.

"PROPOSED ALTERNATE LANGUAGE AMENDMENTS

"Senator HOLLAND. If I understand the earlier parts of the statement, you feel there would be no real objection if the limitation were applied to military strategic shipments.

"Mr. MANN. That is correct, or alternatively, as it is, with discretion vested in the President to decide whether the national interests will be served by applying it in a particular case.

"Senator HOLLAND. Which of those two methods do you prefer?

"Mr. MANN. I somewhat prefer the discretion in the President. I think it would give us more flexibility.

"Senator HOLLAND. As I understand it, you have alternative suggestions to offer for us, if the committee desires to do so, as substitutes for the House amendment, is that correct?

"Mr. MANN. That is correct. We have two separate paragraphs, alternative approaches to the problem." (Emphasis added.)

Two of the alternatives offered by the Department of State were as follows:

"MODIFICATION OF FINDLEY AMENDMENT—ALTERNATIVE A

"*Provided,* That unless the President determines that the national interest requires otherwise, no funds appropriated by this Act shall be used to formulate or administer programs for the sale of agricultural commodities pursuant to titles I or IV of Public Law 480, Eighty-third Congress, as amended, to any nation which sells or furnishes or which permits ships or aircraft under its registry to transport to North Vietnam any equipment, materials, or commodities, so long as hostilities are in progress in Vietnam."

"MODIFICATION OF FINDLEY AMENDMENT—ALTERNATIVE B

"*Provided,* That no funds appropriated by this Act shall be used to formulate or administer programs for the sale of agricultural commodities pursuant to titles I or IV of Public Law 480, Eighty-third Congress, as amended, to any nation which sells of furnishes or which permits ships or aircraft under its registry to transport to North Vietnam any items which are, for the purposes of title I of the Mutual Defense Assistance Control Act of 1951, Eighty-second Congress, as amended, arms, ammunition and implements of war, atomic energy materials, petroleum, transportation materials of strategic value, or items of primarly strategic significance used in the production of arms, ammunition, and implements of war, so long as hostilities are in progress in Vietnam."

The Senate Appropriations Committee reported the bill with the proviso modified—as far as pertinent here—to apply "unless the President determines that the national interest requires otherwise."

The Senate Report (Report No. 1370) on the bill contained the following pertinent statements (pages 55 and 56):

"As the bill came to the Senate from the House, it contained a provision precluding the use of any funds appropriated in the Act to formulate or administer programs for the sale of agricultural commodities under titles I and IV Public Law 480 to any nation which sells or furnishes or which permits ships or aircraft under its registry to transport to North Vietnam any equipment, materials, or commodities so long as North Vietnam is governed by a Communist regime.

"It is believed that there is general agreement with the objectives of this amendment. *However, it would preclude effective operation not only of Public Law 408 during fiscal 1967, but would also encroach upon the authority that the committee believes that the President of the United States should have in the conduct of his responsibilities.* The Committee conducted a special hearing at which time representatives of the Department of State presented alternative amendments for consideration by the Committee in lieu of the language as passed by the House of Representatives.

"After careful consideration of this entire matter, the Committee recommends that the following language in the House passed bill be stricken:

"'*Provided,* That no funds appropriated by this Act shall be used to formulate or administer programs for the sale of agricultural commodities pursuant to Titles I or IV of Public Law 480, 83rd Congress, as amended, to any nation which sells or furnished or which permits ships or aircraft under its registry to transport to North Vietnam any equipment, materials or commodities, so long as North Vietnam is governed by a Communist regime.'

"In lieu of the language stricken, the Committee recommends that the following provision be inserted in the bill:

"'*Provided,* That unless the President determines that the national interest requires otherwise, no funds appropriated by this Act shall be used to formulate or administer programs for the sale of agricultural commodities pursuant to titles I or IV of Public Law 480, Eighty-third Congress, as amended, to any nation which sells or furnishes or which permits ships or aircraft under its registry to transport to North Vietnam any equipment, materials, or commodities, so long as hostilities are in progress in Vietnam.'

"This provision would give authority to the President to use funds appropriated under the bill for sales under titles I and IV of Public Law 480, *notwithstanding the fact that the purchasing country trades or permits its ships to carry equipment, materials, or commodities to Vietnam.*

"The exercise of this authority would, however, be contingent on the President's making specific determination that the national interest requires the use of funds for that purpose. Two years ago, in making supplemental appropriations for the Department of Agriculture for fiscal 1965 Public Law 89–2, the Committee dealth with a similar provision and a similar provision is found in other acts to carry out programs which are otherwise prohibited. The Committee recommends the adoption of the substitute amendment." (Emphasis added.)

The bill with the proviso so modified was passed by the Senate. It should be noted that the view is expressed in the Senate Report that the language of the proviso as passed by the House would preclude effective operation of Public Law 480 during fiscal year 1967 and also encroach upon the authority the Senate Committee believed the President should have in the conduct of his responsibilities. However, notwithstanding the views expressed in the Senate Report, in conference, the Senate language was deleted, the proviso as passed by the House was restored and the bill enacted into law.

It is clear from the Senate Hearings that the Under Secretary of State for Economic Affairs, Mr. Mann, did not take the position that the proviso applied only to government shipments; rather, he stated that there was considerable ground for debate, that the bill left the matter somewhat unclear, and that if the proviso was changed so as to limit its application to strategic and military supplies it might be applied to all exports to North Vietnam, regardless of whether such supplies came from a government or country or private entities within a country. However, we fail to perceive how changing the proviso to limit its application to strategic and military supplies would have any bearing on the meaning of the word "nation" as used therein.

Further, if the word "nation" in the proviso be considered not to include within its scope countries whose private citizens trade with North Vietnam, the amendment of the proviso in accordance with Alternative B suggested by the Department of State would—in light of the position taken now by the Department—apparently have meant that the proviso would not legally be required to be applied to countries whose citizens sold military or strategic supplies to North Vietnam.

Also, while it may be that the term "nation" is the subject of both clauses in the proviso in question, it does not necessarily follow that such term must be given the same meaning with respect to each clause, if to do so would defeat the legislative intent. In other words, the true meaning of a statute must prevail, although it conflicts with the strict rules of grammar. See sections 196, 197, Crawford, Statutory Construction.

In our opinion, the purpose of the proviso in question could be defeated if it were construed narrowly so as to be legally inapplicable if supplies were furnished to North Vietnam by private organizations of a nation which are not part of the government of the nation. Further, the furnishing of supplies to North Vietnam gives aid or comfort to the enemy regardless of whether the supplies are furnished by the government of a nation or by a private entity within the nation. We assume that most governments (including Yugoslavia) can control exports (*cf.* 50 U.S.C. App. 2022–2032), and, no doubt, exportations to areas such as North Vietnam occur only because a government permits such exportations to occur. This would be particularly true in a country governed by a Communist regime. To distinguish between the government of a nation and a private entity within a nation in applying the above-quoted proviso would result in an artificial distinction, which we doubt the Congress intended.

In light of the foregoing, it is our view that it was intended that there be included within the scope of the limitation in the proviso in question, not only the furnishing of supplies to North Vietnam by the government of a nation but also the furnishing of supplies to North Vietnam by private citizens of a nation.

We cannot say, however, that the term "nation" as used in the proviso is free from ambiguity. The Department of Justice and the Department of State both take the position—insofar as pertinent here—that the limitation in the proviso should be construed as being applicable only to those cases where the government of a country sells or furnishes supplies to North Vietnam. While in your letter to us dated December 23, 1966, you take no position in the matter, a letter dated November 18, 1966, from the Assistant Attorney General, Office of Legal Counsel, Department of Justice, to the Legal Adviser, Department of State, discloses that the General Counsel of the Department of Agriculture expressed a contrary view, i.e. a view in accord with our position in the matter.

Both Departments (State and Justice) point out that the proviso in question speaks of a "nation" that does either of two things: (1) sells or furnishes supplies to North Vietnam or (2) permits ships or aircraft under its registry to transport supplies to North Vietnam; that the term "nation" is the subject of both clauses; that the second clause refers to the control which a government exercises over ships and aircraft under its registry; and, hence, that with respect to the second clause the term "nation" obviously means "government." Both Departments state that the same word (i.e. "nation"), can hardly have a different meaning in the first clause.

Also, both Departments point out that the word "nation" is used in some instances in Public Law 480 itself in contexts that permit only a construction that the word means "government of a country." The Department of Justice points out that Title IV of Public Law 480, by distinguishing between agreements entered into by the President with friendly *nations* and sales agreements negotiated by the Secretary of Agriculture with foreign and United States *private trade,* seems to use the term "nation" in the sense of "government." Said Department expresses the view that it seems reasonable to read the term "nation" in the proviso in question in the same sense it is used in the titles of Public Law 480 to which the proviso refers.

Both State and Justice refer to the discussion in the Senate Hearings concerning the proviso—which discussion is quoted above—and point out that the discussion emphasizes the ambiguity of the term "nation" as used in the proviso. We note that despite the discussion during the Senate Hearings of the ambiguity in the proviso as passed by the House, it was enacted into law without change.

From the foregoing it appears that the word "nation" as used in the proviso is ambiguous and subject to two interpretations. We note that section 103(d) of the Food For Peace Act, 1966, Pub. L. 89–808, 80 Stat. 1527, and the Foreign Assistance and Related Agencies Appropriation Act, 1967, Public Law 89–691, both contain provisions containing language similar to that used in the pertinent portion of the proviso.

In view of the ambiguity of the language used in the proviso, it is our opinion that funds contained in the Department of Agriculture and Related Agencies Appropriation

Act, 1967, should not be used to formulate or administer programs for the sale of agriculture commodities to Yugoslavia, under title IV of Public Law 480 until legislative clarification of the proviso is obtained.

Copies of this letter are being sent to Congressman Findley, the Secretary of State, the Chairmen of the House and Senate Appropriation Committees, the Chairman of the House Committee on Agriculture and the Chairman of the Senate Committee on Agriculture and Forestry and the Assistant Attorney General.

Sincerely yours,

ELMER B. STAATS,
Comptroller General.

TEXT OF TELEGRAM OF JANUARY 27 TO SECRETARY OF STATE DEAN RUSK

Commodity markets yesterday buzzed with rumors that the government is preparing to ship $9 million in vegetable oil to Yugoslavia under a Public Law 480 agreement signed last April 11.

According to Department of Agriculture officials, a purchase authorization under an agreement dormant that long would be unusual but not illegal solely because of the time elapsed. However, I respectfully call your attention to Subsection 3 of Section 103d of Public Law 480, a provision known as the Findley Amendment which became effective January 1. Under it any nation making shipments to North Vietnam or Cuba is ineligible for concessional sales which of course amount to a considerable monetary advantage. The attractive credit terms of the vegetable oil transaction, for example, are the equivalent of at least $4 million in aid to the Tito regime. Because it makes shipments both to Cuba and North Vietnam, Yugoslavia is doubly disqualified for aid under this provision.

The United States has the option to extend delivery dates indefinitely even on signed agreements and this is precisely what I suggest on this deal. Before we send any additional aid to the Tito regime, we should at least insist that Yugoslavia protect our embassies from mob violence and stop helping our enemies.

PAUL FINDLEY,
Member of Congress.

SECRETARY OF STATE,
Washington, D.C., February 2, 1967.

Hon. PAUL FINDLEY,
House of Representatives.

DEAR CONGRESSMAN FINDLEY: I have carefully considered your telegram of January 27, expressing objections to the fulfillment of the PL-480 Title IV agreement signed with Yugoslavia April 11, 1966. As you indicate, the extension of the delivery period which we have made is not illegal. It does not involve a new sales agreement, which would be prohibited by Section 103(d)(3) of the Food for Peace Act, 1966.

Accordingly, the United States is proceeding with the sale as agreed. We continue to believe it to be in our national interest.

Sincerely yours,

DEAN RUSK.

FEBRUARY 6, 1967.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: It was very thoughtful of you to respond on February 2 to my telegram of January 27 in regard to the fulfillment of the P.L. 480, Title 4 agreement signed with Yugoslavia April 11, 1966.

On the same date of your letter an opinion was written to the Secretary of Agriculture by the Comptroller General regarding the legality of the proposed shipment of vegetable oil under the same agreement. I attach a copy of the Comptroller General's opinion. You will note that it deals specifically with the vegetable oil agreement and comes to the conclusion that the government cannot properly use appropriated funds for this purpose. I realize that the Comptroller General's opinion could not possibly have been before you when you wrote your letter of February 2.

The Comptroller General's opinion dealt only with the restrictions imposed on the use of appropriated funds where as my telegram of January 27 dealt with section 103 D3 of the Food for Peace Act of 1966.

In addition to the Comptroller General's opinion I enclose a copy of the letter which I sent February 4 to the Secretary of Agriculture.

It appears conclusive that legislation is needed if the vegetable oil shipment is to be made.

I have some small appreciation of the tremendous burdens under which you labor, and I trouble you with this matter only because I feel it an important question of separation of power between the legislative and executive branches of government.

With best wishes.

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

TEXT OF LETTER OF FEBRUARY 4 TO SECRETARY FREEMAN

DEAR MR. SECRETARY: By now you have undoubtedly received from the General Accounting Office a letter sent to your office on February 2, 1967 by the Comptroller-General of the United States.

The letter is an opinion I had requested on the legality of proposed shipments to Yugoslavia of vegetable oil and wheat under Public Law 480.

You will note that he concludes that Department funds should not be used for these shipments. He further concludes that to do so would defeat the intent of Congress. I call your attention to the following paragraph which appears on page 11 of his opinion:

"In our opinion, the purpose of the proviso in question could be defeated if it were construed narrowly so as to be legally inapplicable if supplies were furnished to North Vietnam by private organizations of a nation which are not part of the government of the nation. Further, the furnishing of supplies to North Vietnam gives aid or comfort to the enemy regardless of whether the supplies are furnished by the government of a nation or by a private entity within the nation. We assume that most governments (including Yugoslavia) can control exports (cf. 50 U.S.C. App. 2022-2032), and, no doubt, exportations to areas such as North Vietnam occur only because a government permits such exportations to occur. This would be particularly true in a country governed by a Communist regime. To distinguish between the government of a nation and a private entity within a nation in applying the above-quoted proviso would result in an artificial distinction, which we doubt the Congress intended."

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

SOCIAL SECURITY INCOME LIMITATIONS SHOULD BE INCREASED

Mr. ADAIR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ADAIR. Mr. Speaker, today I am reintroducing a bill designed to raise the income limitations in the Social Security Act. Specifically, it would raise the annual income limitation from $1,200 to $3,000 and the monthly allowable earnings from $100 to $250. In my view we can do no less for these people who are drawing social security payments. We also owe this to those who will become eligible in future years.

What this legislation will accomplish is to remove a restriction written into the law originally, which was designed to keep these people off the job market. This concept was debatable then. It is ridiculous now. We are spending millions on research to aid elderly people, and any number of commissions are at work on problems associated with aging. We are at the same time allocating enormous sums for the so-called war on poverty, yet the income limitations of the present law insures that many of our senior citizens stay below the $3,000 annual income which this administration has fixed as the poverty level.

These healthy and productive senior citizens of ours resent having paid into this system and now being penalized for wanting to continue to contribute to their own income and the community in which they live. We should not lose the contribution these people may make. We should not continue our tendency to "institutionalize" them.

Therefore, I plan to press for the passage of this legislation, and urge all my colleagues that agree to join with me. This legislation cannot help but be of benefit to everyone.

PAST DUE DEBTS OF FRANCE SHOULD BE DEMANDED

Mr. THOMSON of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a statistical tabulation.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. THOMSON of Wisconsin. Mr. Speaker, I am renewing my demand that the President take all appropriate steps to require France to pay its past due debts to the United States of America.

Not only is France delinquent more than $6,400 million still owing from World War I, but France permits and encourages the United States to carry the burden of assistance to its former colonies while President de Gaulle drains America's steadily diminishing gold reserve to build the third largest national gold reserve in the world. This has been done largely at the expense of the United States.

During the past 5 years, the United States has provided $910,800,000 in economic and military assistance to former French colonies, protectorates, and Algeria.

The least De Gaulle can do is to support his own colonies. Let him use his own gold to take care of his own. It is about time that the U.S. Government takes positive and affirmative action to compel him to do this. There is no reason on earth why the United States should be carrying the financial burden of supporting France's former colonies and protectorates, while De Gaulle refuses to pay his long-defaulted debts and builds a huge gold reserve at our expense.

I attach herewith a detailed account of economic and military assistance furnished the former French colonies and protectorates by the United States in the past 5 years:

Total economic and military assistance

[In millions of dollars]

	Fiscal years 1962–65	Fiscal year 1966	Total
Algeria (department)	157.3	25.4	182.7
Morocco (protectorate)	212.1	66.4	278.5
Tunisia (protectorate)	219.1	20.0	239.1
Subtotal	588.5	111.8	700.3
Colonies:			
Cameroon	22.8	2.0	24.8
Central African Republic	2.7	.5	3.2
Chad	4.2	1.2	5.4
Congo (Brazzaville)	2.3		2.3
Dahomey	5.7	1.3	7.0
Gabon	4.7	.9	5.6
Guinea	65.4	7.2	72.6
Ivory Coast	23.9	5.5	29.4
Malagasy Republic	7.4	2.7	10.1
Republic of Mali	1.5	2.7	4.2
Mauritania	1.2	.1	1.3
Niger	6.7	1.6	8.3
Senegal	15.2	6.0	21.2
Togo	7.9	2.2	10.1
Upper Volta	3.4	1.6	5.0
Total	763.5	147.3	910.8

AN INDEPENDENT FEDERAL MARITIME ADMINISTRATION AND A MODERN MERCHANT MARINE

Mr. RARICK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RARICK. Mr. Speaker, the fourth arm of defense of our Nation is our U.S. merchant marine.

Believing a strong national maritime policy is far more beneficial to the development of foreign and domestic commerce than many presently pursued programs and policies, I am today filing several bills calling for an independent Federal Maritime Administration, the development of a modern merchant marine and calling for the carrying of restrictive cargoes on U.S. vessels.

I think that an article prepared by Edith Kermit Roosevelt perhaps explains, or throws some light on, this needed program, and I am including her column in the Record following my remarks:

BEHIND THE GOBBLEDYGOOK

(By Edith Kermit Roosevelt)

WASHINGTON, D.C.—One of the best ways to understand what is really going on in Washington is to pay more attention to what is left out of a Government report than whatever facts and proposals it contains. This formula is directly applicable to a top Administration report that calls for a new policy towards the U.S. Merchant Marine, our fourth arm of defense.

The thirty-two-page document is believed to have been prepared by a Pentagon "think boy." Certainly, it is characterized by the narrowness of outlook, the garbled English and the technical jargon that results from the "one voice" indoctrination at the Pentagon. It is simply another case of some bureaucrat with a slide rule being ordered to come up with figures to justify conclusions laid out in advance by his higher-ups. This is the usual procedure nowadays, which obviously guarantees that all initiative is nipped in the bud.

This document, which is being selectively leaked to those who may not see behind the doubletalk—a copy was not leaked to this correspondent—has two political purposes;

1. It is designed to relieve pressure on the White House brought by Labor, shipping circles and an alarmed public. The Vietnam war brought home the lesson that our old rustbucket fleet was inadequate to our defense needs, despite the claims of Defense Secretary McNamara to the contrary.

2. The document provides a blueprint for virtual nationalization of the Merchant Marine as a supposed solution to our maritime problems, which were largely created by the Administration in the first place. Already, we have seen the move to take over the military functions of our private merchant fleet by the proposal to build the Fast Deployment Logistic Ships (FDLS). Inevitably, the step-by-step Socialist encroachment could do away with our maritime labor force by having the ships manned by the military. As the corporate State comes into being, first it flatters and woos with benefits Labor and Business. Only later, when these private sectors have become largely dependent on government favor, and hence subordinate to government, are their private roles eliminated altogether. We are following this path.

The maritime policy paper calls for these deceptive proposals:

Between seven hundred and twenty and nine hundred and sixty ships would be built in U.S. shipyards over twenty years and maintained in operation. This sounds good on paper, but it all boils down to the fact that, even if the maximum figure were implemented, it would provide a total of only about 45,120 seafaring jobs. This is the same number of seagoing jobs that are now in existence. Seafaring labor is being offered as a privilege—and, even so, there is no guarantee—a chance merely to remain in the same spot they are now at sometime in the future.

The second proposal calls for three to four different types of modern large (C–4 or larger) ships with series construction in four modernized U.S. shipyards. On the face of it, this, too, sounds good. The report states reassuringly that "the large fleet proposed offers the opportunity to increase the share of U.S. ocean trade carried in U.S. ships to fifteen to twenty percent." Presently, the U.S. fleet is carrying less than eight percent of its trade in American bottoms, although we are the world's largest trading nation.

However, no matter how good a program sounds, it is useless unless it is funded on a regular and continuing basis. The present replacement program is one hundred ships behind schedule in flagrant disregard of the laws on the book. This practice, too, is usual. Where the laws of the Congress are in conflict with the will of the Administration, the laws are disregarded. Unless some form of effective Congressional review of maritime appropriations is established during this coming session of Congress, the fiscal problems besetting this industry are likely to continue.

Under the proposed new program, the fortunes of the U.S. fleet will be more than ever dependent on decisions regarding Government investment than they are today. The proposed size of the U.S. Flag fleet is to be related to Pentagon, the Agency for International Development (AID) and Public Law 480 requirements and other special shipments related to defense and Government programs. It is true that something has been won in that there appears to be in some echelons in the Administration at least a grudging recognition of the military worth of the merchant fleet.

What is ignored by this policy proposal is the commercial, political and prestige value of the U.S. merchant fleet. This anachronistic approach is being made at a time when the Soviet Union is using its merchant fleet, which already surpasses ours in numbers, as an integrated economic and political weapon for world domination. Yet, the Pentagon report even recommends doing away with some of the protective measures for our commercial merchant fleet now in existence. It hints at the possibility of eliminating cargo-preference laws which provide that fifty percent of Government-financed or Government-generated cargo be carried in American bottoms. It would abolish the so-called "Wilson-Weeks agreement," which sets up an orderly priority system for the private fleet to handle a certain percentage of our defense cargoes.

These narrow minds in Washington simply do not take into account that in modern warfare more than ever, the economic and industrial base of a nation is inseparable from its military might. Strangely, the Pentagon report does not deal with the importance of a healthy American Flag tanker fleet, although this Country depends on foreign tankers for the bulk of its oil imports. The policy proposal also ignores the fact that dry bulk ships carry high-grade ores and other strategic materials, and the U.S. economy now devours fifty percent of the non-agricultural world's raw materials. In 1963, we imported ninety-eight percent of our manganese, eighty-six percent of our nickel, eighty-five percent of our aluminum and forty-four percent of our zinc.

This dependence on raw materials is a strangling vulnerability. The foreign flag ships that bring to our shores ninety-five percent of all these dry bulk cargoes owe non-allegiance to this Country. A change in the international situation could cut off these vital strategic materials at a very time when an emergency would make us more dependent on them than ever.

What this adds up to is that little can be accomplished by studying the Merchant Marine to death. Already, there is working consensus throughout Industry, Labor and knowledgeable military men over the best way to build a strong U.S. Merchant Marine. The specifics were laid out in the 1965 report by the Maritime Advisory Committee chaired by Secretary of Commerce John T. Connor. The MAC report cited two basic reasons for a national maritime policy: national defense and the development of the foreign and domestic commerce of the United States. The Maritime Advisory Committee concluded: "Anything less than thirty percent of our foreign commerce" carried in American Flag ships "is clearly unsubstantial. From there we must move up."

ECONOMIC SANCTIONS AGAINST SOUTH RHODESIA

Mr. RARICK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RARICK. Mr. Speaker, South Rhodesia is much in the discussion and hearts of our people these days. The economic sanctions by Executive order against this small nation persist in spite of American opinion, law, and justice being in her favor.

I have received a written report on Rhodesia from Mr. Thurman Sensing, who was in Africa and gives us the benefit of his "eyeball to eyeball," on-the-spot findings and opinions. This voice, from a pro-American, substantial taxpayer's source, can but be construed as urging of the lifting by our Government of this prohibitory action against the freedom of American businessmen in their free trade and commerce.

By unanimous consent of the House, I am including this report at this point in the RECORD so that it may be read by my colleagues:

SOUTHERN STATES INDUSTRIAL COUNCIL
December 27, 1966.

TO THE EXECUTIVE COMMITTEE, SOUTHERN STATES INDUSTRIAL COUNCIL.

GENTLEMEN: We returned yesterday noon from our trip to Africa. It has left me with so many impressions and so much information I hardly know where to begin—and leave off—reporting on it.

We left Rhodesia while their cabinet was still in session with Prime Minister Ian Smith—they were in session two days and nights—deciding on what to do about the terms laid down for them by the British on board the Tiger. I told one of the government officials I was in touch with before leaving that I was certain the answer would be "No". He wasn't so sure—but that's the way it turned out.

I took this position because I simply could not believe that any sound thinking free enterprise supporting, patriotic Rhodesian—and their cabinet is composed of this type of men—could possibly submit to any terms laid down by Prime Minister Harold Wilson of Great Britain. Wilson is an avowed, dedicated socialist—and in my book I don't rank such a person much higher, if any, than a communist. How could any freedom-loving patriot agree to terms laid down by such a person.

By turning down the British proposals, Rhodesia in effect declared herself a republic; she had already declared her independence. In fact, the rumor got out while I was in Africa that she had done so. It is only a matter of time.

And yet Ambassador Goldberg had the gall to get up in the United Nations and declare Rhodesia posed a threat to peace in the world. A greater lie was never told. I did not find a more peaceful nation in Africa, nor a better governed. This "one man, one vote" shibboleth is a snare and a delusion to good government—especially in Africa. To put it plainly, the natives of Africa are simply not capable mentally nor, unfortunately, morally to conduct good government. The sooner the people of the world realize this, and face facts rather than gushing out sentiment about it, the better it will be for all. It's a good thing there was no United Nations when our government was founded; if there had been, they would undoubtedly have demanded we turn it all over to the Indians! And don't forget—the Europeans landed in South Africa about the same time they landed in America.

The Rhodesians will not be daunted by United Nations mandatory sanctions, and if the people in our government had one fraction of the patriotism that guided our founding fathers, we would never join Great Britain in such sanctions. In fact, if Great Britain were not now a second-class or third-class nation, she could handle the situation herself. But being a crumbling empire, she has to get help from the United Nations to pull her chestnuts out of the fire. Actually, of course, Great Britain has no right to demand anything of Rhodesia. Rhodesia is a freedom-loving, anti-communist nation; she has been self-governing since 1923; and she has paid her bills as she went along, something neither we nor Great Britain have done. It is action closely akin to treason to join Great Britain in any venture; her government is a socialist government of the deepest sort, a government clearly opposed to the whole philosophy of government under which our own nation was founded, and which has made our country great. If we don't want to see our own great nation crumble, just as Great Britain is crumbling, we had better remain true to these principles.

It is disgusting to see the liberal reporters constantly referring to the government of Rhodesia as a "rebel" government or an "illegal" government. Just because she was founded mainly by the British and just because she voluntarily allied herself with the Commonwealth for a period of years does not make her a "rebel" government or an "illegal" government when she withdraws from this Commonwealth.

Rhodesians will fight to the last man to maintain their independence and their nation as a free nation. I believe they will win out in the long run. It is revolting that the greatest freedom-loving nation in the world, a nation founded when she also declared her independence from Great Britain, does not immediately recognize the free nation of Rhodesia. It was embarrassing to be asked why America sides against Rhodesia; my reply was, as I mentioned in the last column I got out before leaving on the trip, that I could not give a reason, I could only give an explanation—and the explanation was not one worthy of a brave nation. I cautioned the people of Rhodesia, however, not to accept the action of our government as representing the thinking of our people; that when the people of America were better informed on the situation, they might very well see a change in our attitude.

THE VISIT OF THE U.S.S. "FRANKLIN D. ROOSEVELT" TO CAPETOWN, SOUTH AFRICA

Mr. FRASER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FRASER. Mr. Speaker, this Sunday's New York Times editorial, "Was This Call Necessary?" effectively presents the argument against the weekend visit of the U.S.S. *Franklin D. Roosevelt* to Capetown, South Africa. The editorial is as follows:

WAS THIS CALL NECESSARY?

> With the carrier Franklin D. Roosevelt in Capetown, many South Africans, black and white, will conclude that they need not take seriously the official United States opposition to their Government's racial policies and its defiance of the United Nations on South West Africa. Africans elsewhere are likely to draw the same inference.
>
> The Department of Defense thus has managed once again to interfere in the conduct of American diplomacy and to create the impression that one branch of government is ignorant of or indifferent to the policies of another.
>
> Among the victims of this clumsiness are the carrier's 3,800 men and officers, whose shore leaves after three months at sea off Vietnam have now been canceled. Until Congressmen protested, the Navy intended to place no curbs on shore leave at Capetown even though 200 Negro crewmen would have encountered South Africa's vicious apartheid system immediately. The cancellation of leave has now completed the cycle of irritation by infuriating the South African Government.
>
> The Navy should have learned its lesson in 1965. The South African Government then forbade the U.S.S. Independence to allow Negro pilots to fly their planes ashore. The Independence responded by giving Capetown a wide berth and refueling at sea.
>
> There are other routes by which to bring a carrier home from Asian waters and the Roosevelt's stop at Capetown should never have been scheduled. Even if no system exists for consulting the Secretary of State about such moves, the Pentagon by now should be sophistictaed enough to avoid such problems. Secretary of the Navy Paul H. Nitze, after all, was once chief of State Department policy planning and should be able to recognize a problem in diplomacy when he sees one. The Roosevelt's visit to Capetown damaged only the United States.

Mr. Speaker, responsibility for the cancellation of liberty for the *Roosevelt* crew lies with the Departments of State and Defense. The 1965 experience of the U.S. *Independence* and the testimony of former Assistant Secretary of State G. Mennen Williams were both ignored in an attempt to reach an accommodation with the South African Government. That accommodation has fortunately been prevented—though with the regrettable cost of canceled liberty for American servicemen.

The incident dramatizes all the weaknesses of American policy in Africa. Consultation between the Departments of State and Defense seems to have been negligible. Precedent was ignored. African sentiment was disdained. And logistical needs were permitted to outweigh the clear demands of diplomacy.

The official South African view of the incident was summarized in the newspaper Die Beeld:

> South Africa's hand of friendship, which was given to the United States this weekend after months of careful preparation, has been suddenly and rudely knocked aside.

That hand of friendship, it should be said, was offered on South Africa's terms. And when those terms require us to accept the application of apartheid to American citizens, then the hand of friendship should indeed be turned aside—not, however, with the clumsiness shown this weekend, but rather in a clear and consistent policy which leaves no doubt as to our national commitment to racial justice in Africa.

THE VISIT OF THE U.S.S. "FRANKLIN D. ROOSEVELT" TO CAPETOWN, SOUTH AFRICA

Mr. FRASER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. EDWARDS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, the weekend visit of the U.S.S. *Franklin Roosevelt* to Capetown, South Africa, was an unfortunate episode. The situation, however, might have been avoided had the Department of Defense adhered to what many believed was a policy precluding South African port calls.

The incident reveals the complete impracticability of any other policy. Other African governments rightly view port calls as wholly inconsistent with our announced opposition to apartheid. The South African Government welcomes such visits for exactly the same reason. And when the Defense Department, as it did over the weekend, attempts to make liberty arrangements "in connection with integrated activity only," it naturally finds such a program unworkable. For the systematic prevention of integrated activity is exactly what apartheid is all about.

Nothing dramatizes this more than the welcome given to the *Roosevelt*. Segregated crowds waved to the crew on board. And visitors to the ship entered through segregated portals on segregated gangways.

We simply cannot do business with apartheid. The administration apparently appreciated this when it refused to dock the U.S.S. *Independence* in 1965, rather than accept the application of South Africa's racial policies. For reasons best known to the administration, it sought to reverse that policy on this trip. It was that decision which prompted 41 Members of Congress to urge that the *Roosevelt* be directed to another fueling and liberty port. Our recommendation, it seems to me, was vindicated by the weekend's events.

The incident should not have taken place. The Navy Department should not be permitted to make port calls in South Africa. And the Department of State should not seek to make private accommodations with the South African Government in direct opposition to precedent and previous policy.

READING OF WASHINGTON'S FAREWELL ADDRESS ON FEBRUARY 22

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that on Wednesday, February 22, 1967, Washington's Farewell Address may be read by a Member to be designated by the Speaker.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FOOD AID TO INDIA

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, the President's message on food aid to India has placed the world food supply-population equation in a sobering perspective which challenges thoughtful men everywhere to recognize that that equation poses issues which have considerable relevance for mankind's future progress and condition on this planet. The President has rightly declared that in an interdependent world no nation can stand aloof from a problem which impinges upon the aspirations of the entire human family. If the world is ultimately to be spared the scourge of the dread horseman named "Famine," a mighty international effort must be launched now—in the second half of the 1960's—directed both at controlling the size of the earth's population and at producing the food necessary to meet that population's needs. The President has demonstrated the urgency of the task, and he has left no doubt that a fortunate and prosperous America must do its share in bearing the common burden. He has wisely invited other nations to make similar commitments in this pressing, relentless war on hunger.

Though many countries face the specter of short food supply, it is in India that the need is most acute and most immediate. Statistics on India's great size—a population of 500 million increasing at the rate of 1 million every month—suggest the magnitude of the problem. I have found, however—and other visitors to India indicate that their experience has been similar—that far more provocative than statistics is the visual impact which India makes on a visitor, an impact which remains with him long after he has left the subcontinent.

For many years I had been acquainted with India's dire need for a greater food supply and for general economic development, and in the fall of 1965 I made a visit to Bombay and to rural areas in the vicinity of Bombay which gave ample proof of the validity of the statistics with which I had been familiar. Bombay is not India's poorest city, and yet the masses of the people there were living in indescribable poverty. The inhabitants of most of the villages I visited were in similarly desperate circumstances. It was obvious that inadequacies in agricultural equipment and in transportation facilities were at least partly responsible for what I found a rather primitive agricultural pattern.

Since 70 percent of India's population earns its living from the land, with about one-half the country's national income derived from the agricultural sector, the modernization and expansion of the agricultural sector is central, not only to meeting the country's food demands, but also to a general expansion of all segments of the Indian economy—the latter a prerequisite for fulfilling those national aspirations which aim at affording the citizens of India future opportunities for creating better lives. It is heartening to see that the Indian Government recognizes how critical the food problem really is and how it underlies the question of overall economic growth. The Government has committed itself to emphasizing agricultural development and will attempt to make available to the farmers of the nation, modern equipment, fertilizer, and pesticides, in an attempt to assist the hard-working Indian peasant to coax a more bountiful crop from the soil. Some of these items can be produced in India, but since the need is immediate, some will have to come from outside. It is in this context that the President's desire to enlist in India's behalf the aid of countries which do not have surplus food grains becomes relevant. Some of these nations may, to give one example, be able to make available either fertilizer, or credits with which to purchase fertilizer. It is hoped of course, that they may be able to assist with credits for the purchases of food, as well.

While it is appropriate that all nations which have the means to do so assist India to modernize its agriculture so that the country can, by the early 1970's meet the goal of self-sufficiency in food which its leaders have set for it, it is absolutely essential that the nations which have available surplus food grains come to India's succor during its present moment of distress. Though Indian food grains production had not, during the years since India achieved independence in 1947 increased at as rapid a rate as many of her leaders would have liked, up until 2 years ago performance in the agricultural sector had been promising. By 1964 Indian farmers were growing, on the average, about 50 percent more grain than in the years just after independence. Then, in 1965 India experienced what has been called its worst drought in this century; 1966 brought little more precipitation than 1965. The result of these successive droughts has been that a country whose people average a per capita daily intake of only 2,050 calories—1,400 of it in grains—which the World Health Organization's nutrition experts say is 350 calories less than the minimum daily requirement, has seen near-famine conditions prevail in those regions most severely affected by the drought and a cut in the not overly generous grain ration in other parts of the country.

Since India does not have surplus stocks of grain of her own, she must procure grain from outside the country if she is to avert, in the months ahead, thousands of starvation deaths in the drought-striken North Indian states of Uttar Pradesh and Bihar—two states where nearly one-fourth the population of the country lives. Human misery and need exist there now. I applaud the President's decision to make an emergency allocation of food in order to help alleviate this situation temporarily. I urge this Chamber and our sister body to act speedily on the President's request that the Congress express itself in favor of America's doing its part to help meet India's grain deficit for the balance of this year.

There are those who wonder whether U.S. food assistance to India over the years has not been excessive. I would answer emphatically that while it has been fairly impressive in scope, it has not been excessive. The American Government has in the last 10 years entered into agreements with the Government of India, many of them pursuant to Public Law 480, by which the United States has made about 40 million tons of food grains available to India. India's need was manifest, we had surplus stocks, and we would have been departing from our basic posture of assisting the less fortunate if we had not tried to meet that need to the extent our resources permitted.

Since all those considerations, humanitarian and otherwise, which led us to assist India with food grains during the past decade obtain today, we shall, I trust, continue to aid India as it works toward food sufficiency. To suggest that food assistance to India should be inter-nationalized is not to declare that America has wearied of continuing its own large commitment to that country. We seek rather to emphasize our belief that the food—population problem is one which affects the entire globe and hence should be addressed in various international forums. We also fear that the day is near when our own depleted stocks of food will no longer permit us to make as substantial contributions to India's grain stocks as in the past.

India has committed itself to large goals: in the coming decade it hopes to limit drastically its population growth rate, and it expects to reach the stage where it can feed all its population. The goals are worthy, and there is evidence that India is making progress on both sides of the food-population equation. Assisting those whose initiatives we deem laudable is ingrained in the American tradition. It would not be in character for this Nation to attenuate a decade of assistance to India at a time when the latter seems determined to move toward its goals, even though temporarily beset by adversity. To do so would be to obviate the rationale for all our past assistance. The American posture toward India must continue to be that of the man who quietly offers to do what he reasonably can to help his friend who is in need and who is struggling determinedly to stand on his own feet.

MERGER PROPOSAL HAS MERIT

Mr. ECKHARDT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ECKHARDT. Mr. Speaker, as we in this Chamber are well aware, President Johnson has worked long and hard for greater efficiency in the executive branch of Government.

His latest proposal—merger of the Department of Commerce with the Department of Labor—is, I am sure, offered in the spirit of efficiency and economy.

I offer for inclusion in the RECORD the following editorial in the Houston Post which says the proposal makes a great deal of sense and is in line with the trend toward organization of the executive branch on a functional basis.

The editorial follows:

MERGER PROPOSAL HAS MERIT

President Johnson's almost casual mention, in his State of the Union message, of a forthcoming proposal to combine the Departments of Commerce and Labor encountered automatic opposition from some members of Congress, business and organized labor who have a special interest in continuing existing organizational arrangements within the Executive Branch of the federal government.

The proposal aroused no great enthusiasm in Congress generally, but this seemed to be largely because nobody had given the idea much thought. There had been no advance public discussion to speak of, and the presidential recommendation came as something of a surprise to almost everyone.

When the President gets around to presenting the full case for the proposal as he undoubtedly will later, it will be found that the merger makes a great deal of sense and is in line with the current trend toward organization of the Executive Branch on a functional basis.

Three Departments created in recent years—Health, Education and Welfare; Housing and Urban Development, and Transportation—have been established on this basis. In continuation of this trend, it has been suggested that the Departments of Agriculture and the Interior might very well be combined, since both are concerned basically with land use and the conservation of natural resources. With federal activities in the field of education expanding, it has been suggested also that a separate department of education might be created in either the near or distant future.

The day when department heads were considered special spokesmen, pleaders or lobbyists for certain special interests is fast dying. The time is gone when the secretary of Labor, for example, was regarded as a representative of unions in the Cabinet and other councils of government. Labor leaders have direct access to the President and have no need for an intermediary. The same is true with respect to businessmen and the secretary of Commerce. If they have ideas or views to present, they can do it directly or personally.

Although the Departments of Commerce and Labor have some specific administrative responsibilities in other areas, both today primarily perform statistical services relating to economic or socio-economic matters. A merged department would be, functionally speaking, a department of economic affairs.

This is not a particularly radical notion. Originally, the two departments were established as one in 1903, when industrialization still was in its early stages. They were separated a decade later, in 1913.

Some members of Congress have described the merger proposal as trying to force a lion and a lamb to lie down together. The Senate's Democratic Majority Leader Mike Mansfield of Montana said it was like trying to marry the National Manufacturers Association to the Congress of Industrial Organizations. The fact is, however, that those who reacted in this way were thinking in terms of a period in the nation's history and development that is largely past and, hopefully, soon will be completely past. This was the period of bitter, antagonism, hatred and strife between business and unions.

It was perhaps natural that the country should pass through this phase in the early period of its industrial development, when the labor movement still was growing up. But now that organized labor has reached maturity, it is coming to be realized by everyone that the old conflicts are anachronistic.

Leaders on both sides have reached a level of much greater sophistication. They realize that the interests of business and labor are slices of the same apple, that the interests of the two groups are deeply interrelated, to the point that they actually have much more in common than in conflict.

The role of government, of course, is not to represent the special interests of either group but the interest of the people as a whole. It is the belief of the President and others that this interest would be better served by a unified rather than a divided department, just as the national economy is better served by labor-management harmony rather than strife.

CRIME—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 53)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

THE BACKGROUND

In the past 3 years, I have sent to the Congress many special messages on the human problems of our time. I have asked for legislation to improve the education, health, and economic opportunities of our people, and to enrich the physical environment in which we live.

Twice before I have spoken of the problem of crime because crime—like poverty, disease and ignorance—is a major social problem that directly or indirectly affects every American life.

In our democracy, the principal responsibility for dealing with crime does not lie with the National Government, but with the States and local communities.

The same is true of education and public health. Yet as the Federal Government has accepted a substantial responsibility in those fields—augmenting State and local efforts—it has also begun to pay increased attention to its role in the control of crime. For, better education, better health and better jobs are essential—but they are only part of our national task.

Public order is the first business of government.

When public order breaks down, when men and women are afraid to use the public streets, their confidence is seriously shaken. When hundreds of thousands of young people enter adulthood carrying the burden of police records, when contempt and mistrust too often characterize public attitudes toward lawful authority, all—young and old, private citizens and public officials—suffer the consequences.

Lawlessness is like a plague. Its costs, whether economic, physical or psychological, are spread through every alley and every street in every neighborhood. It creates a climate in which people make choices, not out of confidence, but out of fear.

Recently, a survey made in high crime areas of two of our largest cities found that: 43 percent of those interviewed stayed off the streets at night; 35 percent did not speak to strangers; 21 percent used only cabs and cars at night; 20 percent would like to move to another neighborhood. All because of their fear of crime.

Whether these citizens had ever been victimized by a criminal, or had even witnessed a major crime, their fear of crime had effectively narrowed the scope of their lives—denying them pleasure, opportunity, and a sense of peace. For them, and for all of us, crime—and the fear of crime—has become a public malady. Its extent and gravity may be subjects for debate. But its existence is certain. So is our duty to seek its cure with every means at our command.

As I said in my state of the Union message:

> At the heart of this attack on crime must be the conviction that a free America—as Abraham Lincoln once said—must "let reverence for the laws . . . become the political religion of the Nation."

Our country's laws must be respected. Order must be maintained. I will support—with all the constitutional powers the Pres-

> ident possesses—our Nation's law enforcement officials in their attempt to control the crime and violence that tear the fabric of our communities.

THE NATIONAL CRIME COMMISSION REPORT

Two weeks ago I received the report of the National Crime Commission, which I appointed in July 1965 to make the most comprehensive study of crime in the history of our country. That report is now being printed and will be available shortly.

It gives us an extraordinary insight into the nature of crime and criminal justice in America.

It cannot be summarized in a few paragraphs, but several of its findings give us some measure of our task:

Over 7 million people each year come into contact with one of the agencies of criminal justice in America. More than 400,000 are confined on any one day in correctional institutions.

The cost of operating correctional services alone is $1 billion a year.

Crime's cost to the economy is staggering. Property losses approach $3 billion a year. In many stores the cost of shoplifting and employee pilfering is as high as—in some cases, higher than—the profit margin. The economic cost of white-collar crime—embezzlement, petty theft from businesses, consumer frauds, antitrust violations and the like—dwarfs that of all crimes of violence.

A great deal of crime is never reported to the police. Probably more than twice as many aggravated assaults, burglaries, and larcenies occur, as are reported. In some communities the figure may be 10 times as high.

The incidence of crime is highest in the 15 to 21 age group, 15-year-olds commit more of the serious crimes than any other age group, with 16-year-olds close behind. More than 50 percent of arrests for burglaries are of youths under 18.

Most crimes of violence are committed by and against people who know each other.

Those who commit crimes of violence more commonly do so against members of their own race. Relatively few major crimes are interracial.

Six principal themes run through the Crime Commission report:

1. Crime prevention is of paramount importance.

Prevention of crime means equipping police forces to respond quickly to emergency calls. It means reducing crime opportunities: from theftproof ignition systems for cars, to stricter controls on the sale of guns, from better street lights and modern alarm systems to tactical deployment of police forces in high crime areas.

But crime prevention also means elimination of the conditions which breed crime. In the words of the Crime Commission,

> There is no doubt whatever that the most significant action, by far, that can be taken against crime is action designed to eliminate slums and ghettos, to improve education, to provide jobs, to make sure that every American is given the opportunities and the freedoms that will enable him to assume his responsibilities. We will not have dealt effectively with crime until we have alleviated the conditions that stimulate it. To speak of controlling crime only in terms of the work of the police, the courts and the correctional apparatus alone, is to refuse to face the fact that widespread crime implies a widespread failure by society as a whole.

2. The system of criminal justice must itself be just and it must have the respect and cooperation of all citizens.

So long as perfunctory, mass-production methods prevail in many lower courts, so long as scandalous conditions exist in many jails—where, in 1965, 100,000 children were held in adult jails, and where attempts to rehabilitate are almost nonexistent—we cannot achieve full public confidence in the system of criminal justice.

What is required of that system is a profound self-analysis, the willingness to change, and a massive effort to:

Improve the caliber and training of law enforcement, judicial and corrections officials.

Strengthen the capability of police to detect crimes and apprehend those who commit them.

Extend the range and quality of treatment services.

Make full use of advanced scientific methods in the courtroom, to reduce frustrating and unfair delays and to make available to the sentencing judge all necessary information about the defendant.

Provide better counsel for juveniles and for adults who cannot afford to provide their own.

Improve communication and understanding between law enforcement authorities and the urban poor.

So long as we deny police, courts and correctional agencies the resources they need to provide fair and dignified public service, large elements of our population will challenge both the institutions of justice and the values they represent.

What is required of citizens in every community in America is an understanding, not only of the critical importance of first-rate law enforcement, but also of the difficulties under which their police, judges, and corrections officials labor today. If local citizens are prepared to cooperate with their own system of justice and to support it with the resources it needs to discharge its duty, those difficulties can be substantially reduced.

3. Throughout the criminal justice system, better trained people are desperately needed and they must be more effectively used.

The Crime Commission found that current personnel practices in most jurisdictions often fail to attract high-caliber men and women. Requiring each new police officer to begin his career as a patrolman makes the lateral entry of better qualified men almost impossible. There are today few means of tapping the special knowledge and skills of those brought up in slums. Today's single, rigid line of police promotion and service is inefficient. Critical shortages of specially trained policemen, probation and parole officers, teachers, caseworkers, vocational instructors, and group counselors are severely weakening the criminal justice system.

There are many ways to attack this problem. Some police chiefs suggested to the Crime Commission that many police forces could be restructured, to provide for—

Uniformed community service officers, who would maintain close relations with people in their areas and be alert to potentially dangerous conditions that should be brought to the attention of other city agencies for prompt action. These officers might not meet conventional educational requirements. They might even have had minor encounters with the law as teenagers. But they would know their areas and the people who live in them.

Police officers, who would perform the traditional police patrol duties. Typically these officers would have graduated from high school.

Police agents, who would take on the most sensitive and complex police assignments—patrolling in the highest crime neighborhoods, staff duties, police-community relations, solving the most difficult, serious criminal cases. Two years of college, and preferably a baccalaureate degree, might be required for assignment as an agent.

Entrance into police service at any one of these three levels, or opportunities to work their way up through the different levels as basic education and other qualifications were met.

4. A far broader—and more profound—range of treatment is needed than the present correctional system provides.

This applies to offenders of all ages, but it is especially true—and particularly important for the young. Since the generation of children about to enter teenage is the largest in our history, we can anticipate an even sharper rise in juvenile delinquency in the decade to come—unless we make drastic changes in the effectiveness of the criminal justice system, as well as in economic and social conditions.

Many offenders, the young most of all, stand a far better chance of being rehabilitated in their home communities, than in ordinary confinement. Recently, the California Youth Authority concluded a 5-year experiment with various methods of treatment. Convicted juvenile delinquents were assigned on a random basis either to an experimental group where they were returned to their communities for intensive personal and family counseling, or to the regular institutions of correction. The findings to date are dramatically impressive:

Only 28 percent of the experimental group had their paroles revoked.

More than half—52 percent—of those confined in regular institutions later had their paroles revoked.

Falling back into crime was almost twice as great for those treated in regular institutions as for those treated in the community. And it appears that the community treatment program costs far less than institutional confinement.

On the basis of this California experiment and its other studies, the Crime Commission concludes that local institutions related to the community, each housing as few as 50 inmates, and supported by a wider range of treatment services, should be developed throughout the country.

This will require the commitment of new resources by most communities. In a recent survey of juvenile court judges, 83 percent said that no psychologist or psychiatrist was available to their courts. A full third had neither probation officers nor social workers. Further, if many young offenders are better handled by community agencies other than juvenile courts, the potential of those agencies must be enlarged and fully tapped.

5. Access to better information and to deeper and broader research is vital to police and correctional agencies.

The Crime Commission found little research being done on the fundamental issues of criminal justice—for example, on the effect of punishment in deterring crime, or on the effectiveness of various police and correctional procedures.

Private research can be valuable. More State and local operations research is essential. Regional institutes for research should be established. Improved collection, dissemination, and analysis of criminal justice statistics is essential for deeper insights into the causes of crime, its prevention and control, and better probation and correction programs. State and city planning would benefit from sounder and more precise predictions of future crime levels and problems.

6. Substantially greater resources must be devoted to improving the entire criminal justice system.

The Federal Government must not and will not try to dominate the system. It could not if it tried. Our system of law enforcement is essentially local: based upon local initiative, generated by local energies and controlled by local officials. But the Federal Government must help to strengthen the system, and to encourage the kind of innovations needed to respond to the problem of crime in America.

THE SAFE STREETS AND CRIME CONTROL ACT OF 1967

I recommend that the Congress enact the Safe Streets and Crime Control Act of 1967 to—

Provide planning and program grants to States and local governments.

Establish, in the Department of Justice, a Director of a new Office of Law Enforcement and Criminal Justice Assistance. The agency he heads will be a cooperative link with State and local agencies of criminal justice. It will give us the practical means of assisting and encouraging modernization throughout the system. It will operate the grant program established under the act, and focus research on the causes, prevention, and control of crime.

I am requesting $50 million in fiscal 1968 under the Safe Streets and Crime Control Act, largely for planning grants, research, and pilot projects. Our best estimate is that the Federal investment under this act in the second year will be approximately $300 million. The Federal investment beyond the second year will depend upon the effective response of State and local governments.

I recommend Federal grants of up to 90 percent to States, cities, and regional and metropolitan bodies to assist them to develop plans to improve their police, courts, and correctional systems.

Through these grants, we intend to encourage comprehensive approaches to the problems of crime. The close interlocking of every element in the criminal justice system makes comprehensive planning mandatory.

To illustrate: the Crime Commission recommends that drunkenness should be regarded as a criminal offense only when it is accompanied by disorderly conduct. Today, one-third of all arrests are for drunkenness. Two million arrests for drunkenness burden the police, clog the lower courts, and crowd places of detention. If, instead of treating drunkenness as an ordinary crime, local authorities chose to create a civil detoxification program, the consequences of that choice would be felt throughout the law enforcement and corrections system.

Almost any reform of this nature will have significant secondary effects. Treating each reform as an isolated matter will create conflicts and loss of effectiveness throughout the system. Thus, the grants under this provision will require that comprehensive plans be developed that take into account the interrelationship among all aspects of law enforcement, courts and corrections, as well as closely related social programs.

I recommend Federal grants of up to 60 percent to support approved programs in action.

These grants would encourage innovative efforts against street crime, juvenile delinquency, and organized crime.

To be eligible, the State or local governing body—or bodies—must show an increase in its own expenditures by an annual increment of 5 percent. The 60-percent grant would be applied against the cost of the program in excess of that increment. It must also show that it has adopted a comprehensive plan, containing clear priorities and balancing the needs of all parts of the criminal justice system.

Some of the local and regional programs that might qualify for grants would provide:

Better training for criminal justice personnel.

Various innovative techniques, such as tactical squads, special street lighting, new public alarm systems.

More effective alarm systems.

Two-way radio and multiple-channel police networks.

Coordinated information systems for all law and corrections officials.

New rehabilitation techniques and the personnel to employ them.

Salaries for criminal justice personnel where associated with special training or innovative programs. With respect to other criminal justice personnel not engaged in such programs, up to, but not more than—one-third of Federal grant may be used for salaries.

To be approved, a plan must meet a number of qualifying tests. Among them, the plan must:

Apply to a jurisdiction, or combination of jurisdictions, with a population of at least 50,000 persons.

Deal with all law enforcement and criminal justice agencies in the area covered by the plan, unless the Attorney General determines that it is not practicable to do so.

Set forth priorities for the improvement of all aspects of law enforcement and criminal justice affected by the plan, based upon the identification of needs and problems.

Incorporate innovations and advanced techniques.

Demonstrate the willingness of State or local bodies to assume the costs of improved law enforcement and criminal justice systems after a reasonable period of Federal assistance.

I recommend Federal grants of up to 50 percent for the construction of significant new types of physical facilities, on a regional or metropolitan basis, such as: crime laboratories, community correction centers, police academy-type centers.

RESEARCH AND SPECIAL PROJECTS

Under the Law Enforcement Assistance Act of 1965, we have conducted a program to improve the techniques of law enforcement through research and pilot projects. This program has proved its value. Research, along with pilot projects, must be vigorously supported if we are to improve the criminal justice system.

As part of a broader crime control program, I propose superseding the Law Enforcement Assistance Act with a broader program of research, development, and special pilot project grants.

I recommend that the Safe Streets and Crime Control Act authorizes the Attorney General to make research grants or contracts, of up to 100 percent, with public agencies, institutions of higher education, or other organizations.

These grants could be used to:

Support research and education projects of regional or national importance.

Establish national or regional institutes for research and education in law enforcement and criminal justice.

FEDERAL, STATE, AND LOCAL COOPERATION

State and local governments have already shown their willingness to meet their responsibilities in the criminal justice area. They have also demonstrated their desire to cooperate with the National Government. During 1966, for example, the Department of Justice and the National Crime Commission have urged all 50 Governors to establish State planning committees on law enforcement and criminal justice. Many of these committees are already in existence. Additional States are setting up committees each month.

To continue this cooperation, I am directing the Acting Attorney General to convene at the Justice Department a conference of State, city, and private authorities in law enforcement and criminal justice. Its purpose will be to review the findings of the National Crime Commission and to share judgments on how best the Federal Government may contribute to the essentially State and local task of law enforcement.

A PROGRAM FOR YOUNG AMERICANS

The proposals I have outlined above will give new strength to the instruments of law enforcement: our police, courts, and correctional agencies. Yet we know that America's crime problem demands far broader efforts to reach young people trapped in poverty—without skills, without purpose, without hope.

Not all crime is attributable to poverty. The rise of crimes committed by youth in affluent suburban areas testifies to that. But crime rates do increase markedly in an atmosphere that breeds hostility and frustration. They increase as the channels of opportunity are limited and social mobility is foreclosed.

Understanding this, we have embarked on a broad range of programs giving disadvantaged young people the chance to break free of the waste and boredom that would otherwise characterize their lives. In my message to the Congress on America's Children and Youth, which I intend to submit shortly, I will outline a program for young Americans. The purpose of that program will be not only to reduce delinquency, but to increase the chances for young people to lead more useful and productive lives.

NARCOTICS AND DANGEROUS DRUGS

I urge the Congress should also give prompt attention to a number of other aspects of America's crime problem. Among these is narcotics addiction.

Narcotics addiction, the abuse of dangerous drugs and illicit traffic in both continue to challenge the best efforts of Federal, State, and local governments to stamp them out. Their cost in wasted lives is incalculable. The crime that is associated with them is a serious threat to communities across America.

In the past 3 years, we have begun new Federal and State programs. These programs can lead to a marked improvement in the drug abuse problem. But if their promise is to be sustained, we must make a sufficient commitment of resources and competent administration.

Every level of government, Federal to local, must intensify its attack on the narcotics and drug problem.

For our own part, we shall take these additional measures to combat drug addition and traffic in drugs:

1. REHABILITATION

To carry out the purposes of the Narcotic Addict Rehabilitation Act of 1966, I am instructing the Secretary of Health, Education, and Welfare, in consultation with the Attorney General and the Secretary of the Treasury, to coordinate the rehabilitation efforts of all the Federal agencies concerned, and to work through local and State facilities to the greatest possible extent. Federal rehabilitation efforts will be closely related to local programs that may qualify for Federal support under the grant provisions of the Safe Streets and Crime Control Act of 1967.

2. ENFORCEMENT TRAINING

I recommend that the Congress provide funds to enable the Federal Bureau of Narcotics and the Food and Drug Administration to enlarge their existing enforcement training programs, so that they can reach a far greater number of local and State enforcement officers.

Under these programs, enforcement officers and experts of the Federal Government are sent to local communities with severe drug addiction problems, to train local enforcement personnel in the most modern techniques of detecting and apprehending drug pushers and addicts and the most advanced methods of treating drug addiction.

3. PUBLIC INFORMATION AND EDUCATION

It is essential that the public be better informed about narcotics and dangerous drugs: what they are, what their effects are on the body and mind, how widely they are misused, the laws which govern them, and the medical treatment that offers the best chance of cure. This information should be made available to local governments, school systems, parents, young people, college campuses and medical groups.

To this end, I am directing the Secretary of Health, Education, and Welfare to create an Information and Education Center on Narcotic and Dangerous Drugs.

4. INTERNATIONAL CONTROL

If we are to succeed in controlling narcotics and dangerous drugs, we must work in concert with other nations. Most illicit narcotics—particularly heroin—come from and through other nations to our shores. Drugs, like epidemic diseases, must be controlled effectively everywhere.

I shall shortly submit to the Senate, for its advice and consent, the 1961 Single Convention on Narcotic Drugs. Fifty-four nations have acceded to that convention, and we believe that other nations may follow. With the coming establishment of the International Narcotics Control Board as the only supervisory international agency, our accession to the convention will allow us to have a proper voice in securing fulfillment by other countries of their treaty obligations.

5. STATE DRUG LAWS

There are large disparities in State laws dealing with dangerous drugs. Some States do not even have such laws. Controlling traffic in dangerous drugs requires a careful synthesis of State and Federal regulation. If our greatest strength is to be brought to bear on drug control, the States should act as soon as possible on the type of drug abuse control act now being circulated in model form by the Food and Drug Administration. I urge the States to enact this law as soon as possible.

FIREARMS CONTROL

Any effective crime control program requires the enactment of firearms legislation.

The National Crime Commission has underscored the emphatic need for the legislation I propose again this year. I urge the 90th Congress to place it high on its agenda in this session.

The legislation I am submitting is closely comparable in substance to that which was under consideration in the last Congress. I strongly recommend that the Congress enact legislation to:

Prohibit certain mail-order sales and shipments of firearms, except between Federal licensees;

Prohibit over-the-counter sales of firearms, other than rifles and shotguns, to any person who does not reside in the State in which the Federal licensee does business;

Prohibit Federal licensees from selling handguns to any person under 21, and from selling rifles and shotguns to any person under 18;

Curb imports into the United States of surplus military firearms and other firearms not suitable for sporting purposes.

This legislation is no panacea for the danger of human irrationality and violence in our society. But it will help to keep lethal weapons out of the wrong hands.

This legislation will not curtail ownership of firearms used either for sport or self-protection. But it will place a valuable restraint on random trade in handguns—the use of which has more and more characterized burglaries and other crimes. It will gain added strength as States pass firearms legislation and licensing laws similar to the Sullivan law in New York.

To pass strict firearms control laws at every level of government is an act of simple prudence and a measure of a civilized society. Further delay is unconscionable.

UNIFIED FEDERAL CORRECTIONAL SYSTEM

I renew my request for legislation to establish a unified Federal correctional system within the Department of Justice.

Today, correctional treatment in the national system is fragmented and often impedes continuity of treatment. The proposed unified system would provide coherent organization, and a systematic flow of all postsentencing responsibilities—probation, institutional management, and parole supervision.

A unified system becomes especially important as we gain experience with community treatment and work-release methods. It would permit the better use of staff and fiscal resources, improve training for all Federal correctional employees, and simplify the creation of computerized data banks. The Federal Government should lead in all organizational reforms which permit more effective diagnosis and treatment of individual offenders—especially since the repeated offender is so prominent and disturbing a feature of crime in America.

A FEDERAL JUDICIAL CENTER

I recommend legislation to establish a Federal Judicial Center in the Administrative Office of the U.S. Courts.

Despite the increase in the number of Federal district judgeships—from 197 in 1941 to 341 in 1966—the delay and docket congestion in our Federal courts is the worst in our history.

The mere addition of judges to the courts will not bring about the efficient administration of justice that simple justice demands. Better judicial administration requires better research, better training, and continuing education programs.

The Judicial Conference has long recognized this. It has either recommended, or established on an ad hoc basis, some 20 different programs of research and education. Yet none of these programs has been adequately staffed or supported. None has been able to solve the administrative problems of the judiciary.

If we are to reduce the backlog of cases pending in the courts and meet the urgent law enforcement problems we face, these programs must be given permanence and sufficient means to accomplish their tasks. They should be open to the scrutiny of the Congress, the entire judiciary, and the public.

A Federal Judicial Center, established in the Administrative Office of the United States Courts, will enable the courts to begin the kind of self-analysis, research and planning necessary for a more effective judicial system—and for better justice in America.

ORGANIZED CRIME

We have accomplished much in exposing the citadels of crime and corruption. I am determined, however, to extend our efforts to root out this poisonous element from our society.

The Department of Justice will be the focal point for bringing increased Federal resources to bear on this problem of organized crime. We will increase the number of personnel previously assigned to this task.

Federal efforts can best be extended by the allocation of additional resources. However, obtaining witnesses is a major difficulty in dealing with organized crime.

I recommend that the Congress enact legislation to:

Make it a Federal crime to coerce or threaten a person who is willing to give vital information to our Federal investigators, thus extending additional protection to potential witnesses at the beginning of an organized crime investigation before a grand jury has been convened.

Extend Federal immunity provisions to certain crimes associated with racketeering, in order to assist in gathering competent evidence.

Criminal syndicates do not recognize State boundaries. Their impact is frequently nationwide. The Federal Government's responsibility in combating organized crime is clear and unequivocal.

This message, however, deals principally with Federal assistance to State and local law enforcement. With a few notable exceptions, State and local jurisdictions have little experience in operating an effective organized crime program. I am directing the Acting Attorney General to establish a special program to offer State and city officials assistance in setting up effective plans to combat organized crime.

THE RIGHT OF PRIVACY

Justice Brandeis called the right of privacy the "right most valued by civilized men." It is the first right denied by any totalitarian system. It is associated in the minds of most Americans with the right to be free of unlawful searches and forced self-incrimination. It is a hallmark of a free society.

I believe we should protect that right against invasion by wiretapping and electronic devices.

We would indeed be indifferent to the command of our heritage if we failed to take effective action to preserve the dignity and privacy of each among us. A new Federal law banning wiretapping and electronic bugging and snooping is essential.

Present laws are clearly inadequate. They create serious uncertainties in their application and leave large loopholes in their coverage. In short, they invite abuse.

I recommend that the Congress enact the Right of Privacy Act of 1967.

Within the full reach of the constitutional powers possessed by the Federal Government this law would:

Outlaw all wiretapping, public and private, wherever and whenever it occurs, as well as all willful invasions of privacy by electronic devices such as radio transmitters and concealed microphones. The only exceptions would cover those instances where the security of the Nation itself is at stake—and then only under the strictest safeguards.

Prohibit the advertisement, manufacture or distribution in interstate commerce of wiretapping and eavesdropping devices.

TO INSURE THE PUBLIC SAFETY

The program I have called for in this message will not, of itself, bring about a sudden decline in the reported crime rate.

As crime reporting improves, as citizens increasingly demand the protection to which they are entitled and report crimes they formerly bore in silence, as larger numbers of young people enter the age of greatest susceptibility to crime, as the problems of the ghetto are compounded—as these events continue to occur, the reported crime rate will continue to rise.

Nevertheless, there are important steps we can take now to affect the incidence of crime and its contamination of our democracy. I have tried to describe several in this message.

Certain of these steps could, if resolutely undertaken by local and national officials, be in effect a year from today.

Other steps, put into effect now, could reduce the costs of crime over the next several years. These involve more than the condemnation of crime, more than spasmodic responses to sensational disclosures. They involve hard work and an unswerving commitment by all levels of government to an intensified, long-term program of action.

Yet, even they will fail unless they are accompanied by the greater involvement of private citizens.

It is the citizen who will finally determine whether the agencies of law enforcement and criminal justice are staffed and nourished by first-rate skills and modern equipment. It is the citizen who maintains and enlarges respect for law and order. It is the interaction of the citizen and the community—their common dedication to public order—which is the most powerful deterrent of crime.

Thus, it is the citizen who will determine whether streets will be safe to walk, whether homes will be secure, whether property rights will be respected, whether integrity and honest dealing will govern relationships between men.

We can control crime if we will. We must act boldly, now, to treat ancient evils and to insure the public safety.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 6, 1967*.

THE PRESIDENT'S MESSAGE ON CRIME

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I applaud the President's message on crime. The alarming increase in crime since 1940 cannot be ignored by the citizens of the United States. In a country in which great progress has been made in personal freedom, technology, education, and a multitude of other areas, the continuing increase of crime is intolerable. Crime is not a question of partisan politics or of local interests; it is a national problem which every right thinking individual wants wiped out. We cannot sit back and hope that the crime problem will disappear. As the report of the National Crime Commission indicates, we must devote a substantially greater portion of our resources to the entire criminal system.

The President has shown great awareness of this problem in the past and his present crime message shows that he is continuing to study the problem and to give vital leadership to programs needed to arrest and reverse the increasing incidence of crime. All citizens of the United States should be heartened by the administration's efforts aimed at making the streets and communities decent and safe places in which to live. The Safe Streets and Crime Control Act of 1967 proposed by the President gives great promise of infusing new life into the efforts being made by local and State law enforcement officers. This is an ambitious program which will move the attack against crime forward on many fronts.

Further, the conduct of criminals threatening citizens performing their duty by aiding the administration of justice must be eliminated; therefore, the proposal to punish persons who interfere with the investigation of crime is a necessary weapon in the arsenal of law enforcement agencies. We must do more than simply buttress the strength of law enforcement agencies. We must provide an atmosphere in which citizens can aid the police free from fear of retaliation by the underworld. The President has recognized the need for this two pronged attack and has called for legislation to give aid in both areas.

The problems of crime are not amendable to simple solutions. Great effort is required by a constantly watchful government and by alert and aware citizenry. The President's crime message maps out a program which will further advance the struggle to eliminate the criminal from the United States and to free the people of this country from the blight created by crime. I urge speedy consideration of the proposals contained in the message.

Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. YATES] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. YATES. Mr. Speaker, I am deeply pleased by the President's crime message setting out the various means by which the Federal Government proposes to combat the increasing crime rate.

I am impressed by the proposed plan to provide a coordinated attack on this serious problem. This unified approach envisions strong measures to be taken on many fronts at the same time. Not only will Federal assistance be provided for strengthening State and local law enforcement but other measures will be taken to make the entire program more effective. These include provisions to bar obstruction of investigation into crime, the granting of immunity to witnesses in exchange for their testimony in new categories of offenses, and revision of firearms statutes to make more meaningful gun control in this country. These as well as other strong measures give real hope for stemming this serious blight which has gripped our Nation.

I am sure that we are all gratified at the President's strong proposals and will give our full support to this program to fight crime.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Scheuer] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SCHEUER. Mr. Speaker, I applaud the decision of the President and of this administration to make the Federal presence felt in a major attack on crime in this country. Every survey I have made of my own congressional district in the south Bronx has shown that crime in the streets and neighborhood security are the most critical concerns of my constituents. These anxieties are not unique. People in our major cities across the country live in constant fear of becoming the targets of unrestrained criminal activity. Millions of Americans have, in a very real sense, lost their valued right to freedom of movement. No major national problem I know of has been for so long ignored by the Federal Government. Mr. Speaker, I commend the decision to make the fight on crime an important element in this year's legislative program. The cost of law enforcement and of crime control are enormous, and cities like my own city of New York have all too long been asked to assume this tremendous burden almost alone.

This year I have reintroduced in the House a bill to create a National Institute for Crime Prevention and Control. This Institute would provide the Justice Department with a badly needed research arm, comparable to the National Institutes of Health. Now that the Federal Government is committed to the improvement of the training and equipment of our law enforcement personnel we will take the next logical step of applying existing 20th century technology to our law enforcement methodology. When this is done I am confident that the President's goal of safe streets for all Americans will again become a reality.

Mr. HOLIFIELD. Mr. Speaker, the United States cannot afford to allow a continued increase in lawlessness. The cost in dollars runs to tens of billions annually and drains the country of resources which would be of immeasurable value to the people. The suffering, dislocation of families, loss of productive capacity, and the loss of life cannot and will not be tolerated. Whatever money is necessary to be spent must be allocated to fight crime and to eliminate criminals from our society. The present expenditure of funds to eliminate this evil will reap a great harvest by allowing money to be used productively instead of being dissipated by criminals and by developing an atmosphere free from the fear of violence perpetrated by the criminals in our society.

The President has properly taken the initiative in introducing new programs designed to strike at the heart of this evil. Crime is generally local in origin and the responsibility of local and State governments. Recognizing this fact the President has wisely suggested safe streets and crime control legislation through which the Nation's resources can be used to aid State and local authorities in their fight against crime. The cost of operating police departments has increased by 50 percent in the last 5 years and the local law enforcement agencies are understaffed and overworked. To meet the growing cost and the increased crime rate, local officials must have Federal aid.

We must never falter in our efforts to eliminate crime. If the resources and power of this great country are leveled against the criminal minority in this society, lawful citizens shall surely prevail.

The record should reflect my support of the President's program embodied in his crime message as a means to stop the increase in and to decrease crime.

Mr. ADAMS. Mr. Speaker, the President in his message asked consideration for Federal legislation to halt and eventually reverse the tide of criminal activity across the country. I shall support him in his request for enactment of the Safe Streets and Crime Control Act which will provide needed resources to the States and local communities of this country to carry on their fight against crime.

I believe that we should also provide the most effective possible tools for law enforcement in federally controlled areas of the law. For example, I hope that we will enact a firearms control act which will provide responsible restrictions upon the interstate sales of firearms and thereby remove dangerous weapons from the hands of reckless and irresponsible persons.

We should enact measures to further aid in the prosecution of organized interstate racketeering-type crimes. One such measure is a law which would provide better protection for government witnesses. Under present law it is a crime to threaten, intimidate, harass or attack a witness in a court proceeding. But it is not a Federal crime to intimidate, harass, or attack a witness who has divulged information to Federal investigators before a case reaches court. Legislation is needed to close this loophole.

There is another omission in our criminal laws which must be quickly rectified. In many areas of the law, government counsel has the prerogative of granting immunity from prosecution to witnesses in exchange for testimony needed to commit others accused of violations of Federal laws and regulations. But the power to grant immunity is lacking where it is most urgently needed—in the antiracketeering statutes which have been enacted to fight organized crime. Legislation is needed to provide for immunity of witnesses in prosecutions for gambling, extortion, labor racketeering, bankruptcy frauds, and bribery and graft. Immunity legislation in these areas of Federal criminal law will allow the Government to forego the prosecution of minor offenders in order to obtain the evidence needed to convict the bosses of the crime syndicates. It will pierce the conspiracy of silence that now protects the leading gangsters of the underworld.

I recommend that we focus attention in the coming Congress on those measures which will assure more effective crime control both in the District of Columbia and throughout the Nation. I hope to develop this subject of an attack on crime further at a later time during this session and I am very pleased that the President has placed this subject high on his legislative agenda.

Mr. ROGERS of Colorado. Mr. Speaker, crime in the streets is a local problem which must be solved by local authorities. Experience has shown, however, that local authorities in many areas have not been able to cope with the rising tide of crime. Resources beyond those now available to these communities are needed.

The President, in his proposed Safe Streets and Crime Control Act of 1967, has recommended a method of assisting the States and local governments. The act in no way alters the traditional division of responsibilities for law enforcement. No national police force is contemplated. Instead, under a forward-looking program the Federal Government will make available funds to State and local governments for purposes of planning and implementing improvements in law enforcement and criminal justice. Better trained and better equipped police forces will result. State and local efforts in crime prevention and in offender rehabilitation will also receive emphasis. In essence, substantial Federal resources will be made available to help State and local authorities help themselves.

The President's proposal deserves prompt consideration. We cannot afford further delay. We all recognize the scope of the crime problem and the urgency of the matter. The President should be commended for the frank appraisal of the crime situation in his message and the constructive recommendation he has made.

Mr. WILLIS. Mr. Speaker, no nation can be free if substantial numbers of its citizens live in fear. In too many parts of our country today fear accompanies the sundown. Too many citizens are afraid to venture on the streets after dark.

President Johnson has outlined a sensible strategy for combating the activator of this fear: the growing rate of crime. The proposed Safe Streets and Crime Control Act would benefit every law-abiding American.

It would give fresh strength to law enforcement at every level. It would provide tools for research into the causes of crime—and the cures. It would be the foundation for even greater advances in the future by creating new patterns of cooperation between the Federal Government and State and local agencies.

The President's message on crime defines the important work to be done with youth. The program for young Americans seeks to reverse the rising trend of crime by those under 25 years of age. And it also seeks to establish programs to solve economic and social problems that too often are quick channels into crime.

The new systems of grants proposed by the President will be of vital aid to State and local governments and law enforcement agencies. Some would assist in planning effective new programs, others would help finance enlightened attacks on specific crime problems. Still others would aid overburdened treasuries in the construction of new facilities.

We all recognize today that the Federal Government must take a major role in those areas of crime that do not recognize State or municipal borders.

The conspiracy of organized crime threatens our liberty as few other internal forces do. The use of narcotics and dangerous drugs wastes lives and spreads misery. And present firearms laws are so lax that devastating weapons of all kinds turn up in the hands of criminals and lunatics with horrifying ease.

Legislation proposed by the President would allow us to deal with all of these national agonies.

Mr. CORMAN. Mr. Speaker, the President's message is indicative of his deep concern, our concern, and that of the Nation, with the increasing growth and violence of crime. This increase is in all areas—the cities, the suburbs and the rural areas. It must, it can, and it will be stopped and the rising trend reversed.

The President has given us his further recommendations designed to control crime, reverse its swift rising trend, and restore lawfulness to our society. The attainment of these objectives will not be easy. It will take time, money, and patience. More importantly, it will take action now. Action by the Congress, by Federal, State, and local authorities, and by the people.

We in Congress should act promptly on the President's recommendations, particularly in those areas where Federal and State cooperation is so necessary. Included in this would be the Safe Streets and Crime Control Act of 1967 under which the Federal Government would lend financial assistance to State and local governments in their efforts to reduce crime. Also, we should enact Federal legislation providing better control over interstate traffic in firearms. Such legislation would enable the States to control the firearms traffic within their own borders.

There are other important recommendations in the President's message on which action should be taken. These include legislation to ban wiretapping, eavesdropping, and other invasions of the right of privacy. Unification of the Federal correctional system also is of great importance since it would permit better utilization of correctional methods and procedures for the rehabilitation of prisoners, and thus help to reduce the rate of recidivism.

The President has presented us with an excellent program to fight crime. We should give him our full support and enact into legislation the program presented in his crime message.

Mr. REES. Mr. Speaker, the President's continuing efforts to eliminate the indiscriminate sale of guns should receive the support of Congress. For too long we have sat back and allowed these dangerous weapons to fall into the hands of irresponsible persons and to serve as a ready arsenal for criminals. The number of serious injuries and deaths which could be prevented by the fair and proper regulation of the sale of guns is incalculable. No one wants to prevent persons from using guns legitimately for sports and self-protection. But we must differentiate between these legitimate purposes and the uses by the unstable or criminal elements of our society. Unfortunately, too many criminals carry weapons which they use when they are fearful or nervous during the course of their criminal activities. Every citizen in this country is aware of the recent tragedies which occurred when mentally ill persons used rifles to create havoc.

It is time to strike at these problems by eliminating easy access to these guns. I fully support the President's proposal and strongly urge that all the citizens of this country support legislation to eliminate the indiscriminate sale of guns.

Mr. HUNGATE. Mr. Speaker, every day we read in the papers and hear over our radios and televisions of muggings, robberies, and assaults upon our peaceful citizens. Now I am encouraged that the President has crystallized a plan whereby the Federal Government will undertake a major role in combating the lawlessness which strikes fear in the hearts of our citizens.

The Safe Streets and Crime Control Act of 1967 will act as an impetus to the States to increase their efforts to meet this mounting threat. I understand that the Federal Government, while not in any way infringing upon the rights of the States to enforce their own laws, will offer assistance and guidance to those States who wish to participate in developing programs and techniques to protect the innocent from those who lean toward criminal activity.

I heartily endorse this proposal and only hope that my fellow Members will join me in enacting legislation which will permit the Federal Government to start implementing such a program in the near future. The time is now.

Mr. RESNICK. Mr. Speaker, the need for Federal action grows more apparent every day to fight the rapid growth of crime and to make the United States a safe haven for its citizens. The President in his crime message today has pointed out a number of areas where the Federal Government can assist in this fight. The proposals suggested by the President would not in any sense create a police state and would retain in the States the right to enforce their own laws. I am particularly pleased with the proposal to unify the Federal correctional process. Under the present system, probationers and parolees are under the supervision of the court, whereas prisons and other institutional services are the responsibility of the executive branch. About half of those persons who have been convicted of a Federal offense and are serving a term in prison, after release, land back in prison. It would be my view that supervision in one department of probationers and parolees as well as of prisoners and the resulting rehabilitation programs which could be effected under a single head would insure a more efficient system and result in a reduction of crime.

The President has laid out a forceful blueprint for the Congress to consider in connection with the alarming, continued increase in crime throughout the country.

I, for one, await with eager anticipation the legislation upon which the President touched briefly in his message.

Of particular interest to me were the President's remarks on wiretapping and eavesdropping. As he said, invasions of privacy by these means are earmarks of a totalitarian system of government and have no place in a democracy. The President's proposal appears to be the broadest the Congress has ever been called upon to consider in this field. It is long overdue. In my judgment, wiretapping and bugging should be prohibited, whether by public officials or private snoopers. In my judgment, too, such a ban will not impede law enforcement, but, as a matter of fact, may even serve to assist it.

I therefore urge my fellow Members to give prompt consideration to this legislation so that this great Nation can once again be proud of its domestic tranquility.

Mr. JOELSON. Mr. Speaker, the program outlined by the President to combat crime and criminal activities throughout the Nation is forward looking and will provide a desirable and effective method for a combined Federal-State frontal attack on crime.

The program is sensible and workable in that it provides for the planning, financial assistance, and Federal cooperation which are required to attack crime at its root as well as at the many other levels on which attacks must be made to obtain lasting results. Unquestionably, adequate Federal firearms control laws are necessary in order to help the States to control this lethal tool of the criminal. Federal financial assistance to State and local governments to aid them in their efforts to reduce crime also will be of material assistance both immediate and long range and will go a long way toward eliminating crimes not only in the streets of our cities but also throughout the Nation.

We should all support the President's

recommendations for the banning of wiretapping, eavesdropping, and other illegal snooping. The right of privacy is a precious individual right which must be respected and protected.

Another desirable objective sought by the President is the unification of the presently fragmented correctional system. Such unification will permit better supervision, control, and rehabilitation. It also will permit better utilization of correctional methods and procedures designed to assist the return as useful members of society individuals who unless they are afforded such enlightened rehabilitative treatment are likely to continue their criminal careers.

The matters mentioned above together with the other recommendations of the President constituting his crime program are deserving of our prompt and favorable consideration.

Mr. GILBERT. Mr. Speaker, I commend the President on his message on crime sent to Congress today.

For years now we have been talking about crime, how terrible it is and today something must be done about it. Not until today, however, have we had an outline of a course of action to which we can look optimistically for a reversal of the spiraling crime rate.

The Safe Streets and Crime Control Act of 1967 will make available to our State and local communities the means—financial means—to plan and execute programs to deal with law enforcement in their respective communities.

The firearms control legislation now proposed by the President in the light of the extensive hearings of the last Congress and the studies made by the National Crime Commission should help to keep weapons out of the hands of thugs while not restricting sportsmen and others lawfully entitled to use firearms.

I also applaud the President's proposal to ban wiretapping and eavesdropping. It is high time that invasions of privacy either by wiretapping or eavesdropping should be prohibited, except where the security of the Nation itself is at stake. Many say that such a prohibition will put our law-enforcement agencies at a distinct disadvantage in performing their respective functions. I do not believe this and fully expect that the President's proposal will in no way impair law enforcement but will protect each of us against the many incursions into our privacy in labor, matrimonial, and other fields in which wiretapping and eavesdropping has been flourishing.

The President's call for a unified Federal correctional system is also one which warrants prompt, favorable congressional action. This legislation was the subject of subcommittee hearings in the House last Congress. In my judgment it is legislation which will strengthen our corrections process and warrants prompt congressional consideration.

Finally, I commend the President for his proposals with respect to narcotics and dangerous drugs, none of which will require legislative action but all of which will help in this important phase of crime-related work.

Mr. EDWARDS of California. I am greatly encouraged by the steps to combat crime which the President proposed in his crime message.

Faced with a constantly increasing crime rate and a rate of criminal recidivism which has been estimated as being as high as 48 percent, we are compelled to take immediate and, perhaps, even unorthodox action.

One step proposed by the President would appear to be of particular significance. This is the proposal to consolidate probation and parole supervision functions with the existing correction functions in the executive branch. Under this proposal, all corrections efforts would be consolidated into one unified and single-minded process, treating an offender from the time that he is found guilty, until he is unconditionally released to the community. This would enable us to treat violators with comprehensive rehabilitation and supervision programs drafted and directed by a single authority. I believe that programs of this type might afford the greatest opportunity to achieve lasting rehabilitation.

I will be pleased to support legislation embodying this concept.

Mr. PURCELL. I am greatly heartened by the President's crime message and the steps to be taken by the Federal Government to combat the mounting crime rate.

Particularly encouraging is the proposed Safe Streets and Crime Control Act of 1967. This act, which will provide grants to State and local governments, will provide examples so that all communities may improve their law enforcement and the administration of justice. While not intruding upon the States' rights to maintain their own police force and enforcement of justice, this program envisions a sustained, coordinated, and substantial effort to reduce the growing trend toward lawlessness. Through Federal assistance, State and local governments will be encouraged to plan, program, and institute innovative procedures looking toward crime reduction. If such innovative procedure proves to be advantageous to a community, the experience and technique can be furnished to other communities.

In addition to stimulating local governments and local agencies to deal with problems of crime, the act will provide assistance to those communities who are financially limited in making their communities safer for the law-abiding citizen.

Crime is a nationwide problem and is the concern of all Americans. President Johnson, by offering these proposals today to the Congress for our study, has taken the leadership in the fight against crime at a time when crime has grown to proportions which frustrate the normal responsible citizen. In his message to us, he has properly identified the problem and his proposals deserve our careful study. I know this is a time when all Americans will want to back their President in his drive against crime.

At the same time, we all know that the proposals offered here today are not the full answer. Law enforcement and the administration of justice is the responsibility of State and local governments. Individual citizens must recognize the growing dangers of crime and violence and must work with their local law enforcement agencies in every way possible.

I also believe that we must develop policies of dealing with criminals which will make it possible for law enforcement officials to do their job. Many of these were embodied in the omnibus crime bill for the District of Columbia which passed the Congress last year.

The fear of becoming a victim of a crime denies citizens the use of public streets, denies them pleasures and opportunities which are rightfully theirs, and damages their confidence in their Government. The fight against crime must be reinforced by strong actions on the part of each and every citizen in support of his local law enforcement agencies.

Mr. ANDERSON of Tennessee. Mr. Speaker, the President is to be commended for the proposals contained in his message on crime in America delivered to Congress today.

The President has stated:

> Public order is the first business of Government.

I hope the 90th Congress will consider the President's proposals on crime to be its first order of business.

As I have said before, police and correctional agencies are human institutions in a rapidly evolving society which, like all other institutions, must constantly adapt to changing times. The President has called for a coordinated program sponsored by the Federal Government to enable local law-enforcement agencies to modernize their structure. This is a sound and progressive step which I believe will receive a most favorable reaction from the public in general as well as from law-enforcement officials.

In my own investigations into law-enforcement problems, I have found that our police forces and those involved in their education and training are most anxious to move forward into a new era of professional excellence. Many police officers are currently improving their abilities through attending police academies, other technical courses, and college itself, often at considerable personal and financial hardship. With better public recognition of the problems faced by law-enforcement personnel, and a stronger helping hand from our citizens as a whole, the law-enforcement profession will make rapid strides in meeting the problems of lawlessness in this Nation. Congress should do its part in this regard on a timely basis, and this is precisely what the President is calling for.

Mr. TENZER. Mr. Speaker, the President's crime message to Congress is an important statement which deserves a high priority in the 90th Congress.

As a member of the Judiciary Committee and as a private citizen, I have supported past efforts to assist the States and local governments meet the increasing demands for modern and effective law-enforcement procedures. I have also called for a Protection of Privacy Act to ban wiretapping and other forms of eavesdropping to safeguard the individual's right to privacy.

During the 89th Congress I had the opportunity to work on the Law Enforcement Assistance Act and other crime bills which came before the Judiciary Committee. I have also seen first hand the need for assistance to counties such as Nassau County, N.Y., and other counties and political subdivisions of the 50 States which want to modernize their law-enforcement procedures.

The proposals in today's message seek to strike a balance between the protection of society—all our citizens—and the protection of the rights of the individual. I believe the 90th Congress should approve meaningful and effective bills to provide the necessary assistance.

There are a number of proposals in the President's message on crime which, upon introduction of the specific bills, will require further study and congressional hearings. I believe Congress should study the feasibility of court-approved wiretapping as an additional exemption to the outright wiretapping ban proposed by the President. I would also want to review very carefully the licensing procedures to be established under the proposed firearms control bill to insure the greatest protection to society with the minimum administrative redtape for responsible citizens, including sportsmen and gun collectors.

One factor in the battle to reduce crime which startles most citizens is the extremely high percentage of criminals who, once released from prison, return to society and repeat their crimes. For that reason, I am particularly pleased with that section of the President's message dealing with a unified correctional system.

UNIFIED CORRECTIONS SYSTEM

If we are to succeed in reducing rates of crime, I am convinced we must improve the effectiveness of our correctional programs. We know that the majority of crime in the country is committed by persons who have been in previous conflict with the law. Unless we assist offenders when they come into contact with our correctional systems, we can look forward only to a continuing pattern of criminal behavior after release.

The President in his crime message has referred to a unified correctional system, as a means by which the effectiveness of correctional treatment could be substantially improved. Such a system would insure the development of a continuum of effort from the time sentence is imposed until the final termination of the commitment. This would provide a framework for the management of all correctional programs, both in the institution and in the community. By placing all postconviction responsibility in one agency, duplication of effort would be eliminated and cost savings and coordination of activities would be greatly increased.

I believe the proposed unified system of corrections suggested by the President merits serious consideration by the Congress. It represents one means by which we could approach the ever-increasing problems of crime and delinquency in a logical, systematic fashion. By placing responsibility for the total spectrum of corrections at one central point, the Federal Government could more effectively coordinate its correctional resources and greatly accelerate improvements and innovations throughout the system.

Mr. Speaker, we have heard much about the need for the 90th Congress to reflect and review recently passed legislation to improve the administration of these programs and to go slowly on new legislative programs. I would agree with this policy generally, however, there are specific areas where we must go forward.

I certainly believe that the 90th Congress should chart a new and bold course in the field of crime control and I urge my colleagues in the House to join in the effort to enact new legislation in this field.

Mr. JACOBS. Mr. Speaker, I am greatly encouraged by the President's crime message outlining the measures to be taken by the Federal Government to overcome the increasing crime rate.

One of the most serious problems facing our Nation today is the inability of law-enforcement agencies to deal effectively with rising crime. The President's proposal will not only provide grants and other Federal assistance to State and local governments to improve law enforcement and the administration of justice but also other strong measures designed to provide a unified and coordinated attack upon the increase in lawlessness.

I am pleased to give my enthusiastic support of the President's strong program of crime control and am sure my fellow Members will be glad to join in that support.

Mr. EILBERG. The President has reiterated his determination to reduce crime in the United States and to provide a safe environment for its citizens. He has proposed a method which would enable us to utilize our national resources to help the States where the war on crime must be fought.

Crime must be destroyed in our local communities by better trained, better paid, and better qualified law-enforcement personnel using the ultimate in modern crime fighting equipment to counteract the devious ingenuity of the modern criminal. Established methods that served our society for so long may not by themselves continue to control the criminal in our society and prevent him from subverting the opportunity for law-abiding citizens to live useful and productive lives.

New methods must be found so that the national purpose expressed by the President will prevail. The President has recommended a method to us. I support him.

WIRETAPPING AND EAVESDROPPING

The President has struck a blow for freedom and the dignity of man when he proposed that Congress ban—to the limit of its constitutional power—wiretapping and eavesdropping. Our citizens deserve to know that they may communicate with each other safe from the snooping ears of interlopers. While admittedly some latitude must be allowed when the ultimate security of the Nation is at stake, nevertheless, only the most serious threat can justify the use of measures which are repugnant to all thinking men. Advances in science and technology have placed "Buck Rogers" types of devices in the hands of would-be wiretappers and "snoopers." If each of us is to retain his peace of mind and his confidence in our way of life, we must be guaranteed the right of privacy. The President's proposed bill, which he has so aptly named the "Right of Privacy Act of 1967," should provide such a guarantee.

I strongly support the measure and urge the Congress to give it prompt and favorable consideration.

Mr. DONOHUE. Mr. Speaker, there has, indeed, been a great deal of discussion, in modern times, about the rising crime problem, but, actually, very little has been done. The President has now, however, outlined a program which merits the cooperative examination and implementation of all who believe that the time has come for less talk and more meaningful action.

On this score, it appears that a reasonable commitment of Federal funds in a grant program to assist the various States to combat and reduce the alarming acceleration of crime within their borders, especially by and among the youth, is not only economically feasible, but would be a priority investment of prudent foresight.

Although some particulars of the Presidential recommendation may require appropriate congressional amendment for general acceptance, there is little or no doubt that the overall program and objective deserves the cooperation of the Congress in dealing with a problem of major national significance.

Mr. RODINO. Mr. Speaker, February 6, 1967, President Johnson has proposed a historic strategy for attacking crime in America.

The strategy recognizes the traditional responsibilities of local, State, and Federal governments but suggests new areas of cooperation in which they might wage an enlightened and effective attack.

Americans want and deserve the new measure of domestic security envisioned by the President. They want to be safe in their homes. They want to be able to walk the streets without fear.

This promise was nurtured by the President's messages on crime in 1965 and 1966. The messages prompted significant steps which have brought us to a new stage in the strategy, a stage demanding even greater action. These actions—their needs, methods and goals—are set forth in President Johnson's crime message of 1967.

The program for young Americans would provide a variety of tools for dealing effectively with crimes by youth. Every accomplishment here would have a spreading influence—for the number of persons under 25 years of age is growing rapidly and so is their crime rate.

Every American has a stake in this legislation. It will improve the quality of life everywhere in our Nation—in every hamlet, in every suburb, on every Main Street.

The strategy against crime will be carried out in the most sensible and effective manner—as an expanding partnership between the Federal Government and State and local governments.

This approach is the one that makes sense, for no one wants a national police force. What we all want is to strengthen law enforcement at the local level. There can be no hope of winning the fight against crime if local enforcement is weak.

The President proposes to launch larger programs of grants. In partnership with local government, they would help finance research, fight specific crime problems, and build much-needed physical facilities.

And there is an urgent plea for sensible laws that will keep firearms out of the hands of the criminal and the psychotic. The number of lives saved would be large.

I am certain that the Congress will respond to a desperate national need and enact the measures proposed in this message.

Mr. ASHMORE. Mr. Speaker, the Safe Streets and Crime Control Act of 1967, as proposed by the President, is a blueprint for putting our efforts against crime in high gear. The enormity of the crime problem demands that substantial Federal resources be channeled in an effective and meaningful manner into the fight. The President's proposal will accomplish this end without in any way changing our traditional concepts that law and order are essentially functions which belong to local government.

The proposed act is a plan for helping State and local authorities improve their law enforcement and criminal justice efforts. Grants will be made to enable these local governments to make comprehensive plans for incorporating the latest equipment and techniques in crime detection and prevention. These coordinated plans will be translated into programs of action and these programs, partly financed by the Federal Government and partly by the local government, will, we hope, at last stem the rising tide of crime.

The President's proposal merits prompt study by the Congress and I am confident that it will produce a bold and dramatic new effort to reverse the trends toward lawlessness.

However, adequate and effective control of crime in this country requires more than additional money, new laws, and new techniques. We must remember that an aroused and determined public opinion is the Nation's most powerful deterrent of crime. By working more closely together, Congress and the law-abiding citizen can, and must, make our streets safe.

Mr. ECKHARDT. Mr. Speaker, I am sure that Members on both sides of the aisle have deep concern with the problem addressed by President Johnson's crime program to halt the increase in crime and to reduce the hazards to the person and property of the citizenry arising out of criminal activities.

Of course, as President Johnson stated in his message, the police power is traditionally, and should remain, the function of the State and local governments primarily. The national government has never been, and never will be, a police state, however, it must remain concerned with the security of its citizenry.

The President's message reflects this concern and this restraint in these areas:

In its appeal for a far broader and more profound range of correctional treatment involving youthful offenders. I recommend for the consideration of my own Texas Legislature, as well as Congress, examination of the California Youth Authority, which provides for institutions and treatment of young offenders in their own communities with modern psychiatric treatment and intensive personal and family counseling.

In its recommendation of broader research in the field of fundamental issues of criminal justice, the effect of punishment on deterring crime and the effectiveness of various police and correctional procedures. In this respect the Safe Streets and Crime Control Act of 1967 recommended by the President would apply Federal grants up to 90 percent to States, cities, and regions for such research and planning. For instance, the Crime Commission recommends that drunkenness should be regarded as a criminal offense only when it is accompanied by disorderly conduct. There is no point in arresting an old derelict on Franklin Street, sending him to the pea farm to work off the drunk in the hot sun and repeating this process time and again until it perhaps kills him. The effect of this procedure is not only heartless but costly and ineffective.

In its attention to the problem of narcotics. The message refers in item 5 to "State drug laws." After the Supreme Court's Robinson case, declaring treatment of addiction as a crime to be "cruel and unusual punishment," I prepared State legislation to provide voluntary and involuntary commitment by civil process in cases of narcotics addiction, and I would like now to be helpful to members of the State legislature who would pursue such a project. The resources available to me here may be useful to our State lawmakers. The President's entire message invites friendly cooperation between the State and Federal Governments.

In emphasis on the right of privacy. The President's message recommends the enactment of the Right of Privacy Act of 1967 outlawing all wiretapping, public and private, wherever and whenever it occurs, as well as all willful invasion of privacy by electronic devices such as concealed microphones. The only exception is in instances involving the security of the Nation and is controlled under the strictest safeguards.

These portions of the President's message seem to me to be the major areas challenging State legislatures to meet the problem of crime and to free the citizenry from the abuses resulting from this problem. And in these areas the Federal Government offers support and cooperation. As a Congressman and former legislator, I wish personally to offer my support.

GENERAL LEAVE TO EXTEND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members desiring to do so have 5 legislative days in which to extend their remarks on the President's crime message.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CUTBACK IN FEDERAL-AID HIGHWAY PROGRAM

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, on November 23, 1966, the Federal Highway Administrator ordered a cutback in the Federal-aid highway construction program, citing as justification the defense effort and threatened inflation. The effect is a reduction in apportioned funds to the States for fiscal year 1968 from $4.35 to $3.25 billion. Frozen funds apportioned but not allowed to be obligated amount to $1.1 billion.

In addition to these funds the freeze will apply to funds apportioned to the States from previous years which have not yet been obligated. These funds amount to approximately $2 billion.

Up to this date, Federal highway funds, by law, have been available to the States to be obligated as soon as they are apportioned, subject to the legislative requirement—Byrd amendment—that apportioned funds be limited to such amounts as will be available in the highway trust fund to pay such expenditures. Based on the past experience of some States failing to obligate their funds during the fiscal year in which they were released, estimated revenues from the highway trust fund at this time would appear to permit the release of $4.4 billion of new commitments for fiscal year 1967 plus $1 billion in obligated funds from previous years, for a total of $5.4 billion. The Federal Highway Administrator's freeze will reduce this figure by 39 percent. However, if all States were to obligate their funds immediately, a total of only $4.4 billion could be available. In this case, the freeze would amount to a cut in funds of 25 percent.

It should be noted that these percentages are across-the-board figures and that they will vary from State to State. Indiana, for example, will experience a 47.3-percent cutback for fiscal year 1967 while Wyoming's cutback for the same fiscal year will be only 0.28 percent. My State of Wisconsin ranks among the eight States most seriously affected by this administrative action.

This drastic reduction in highway funds will have an immediate impact on the development of the Interstate Highway System and, concomitantly, on the progress we will be able to make in highway safety. It will also have an adverse effect on the economy of the Nation as construction contracts are dropped or not renewed and highway workers join the ranks of the unemployed.

There is a well-grounded fear that the administration has its eyes on the highway trust fund which is financed by certain Federal highway user fees. Currently, the funds available in the trust fund are about $4 billion, and they will continue to accumulate during the freeze on highway spending. We, as Members of this 90th Congress and direct Representatives of the people of this country, must insure that the highway trust fund is kept intact and secure from raids to divert its funds to other administration projects.

Wisconsin had a total unobligated highway apportionment for fiscal year 1967 of $64,012,000; under the administration freeze, it would be limited to $38,286,000 or 40 percent of the amount it originally expected to have available. In fiscal year 1966 Wisconsin obligated funds in the amount of $51,009,563; in fiscal year 1967 it will have $12,723,563 less to meet an ever-growing and increasingly important need. A spot check on highway financing discloses that for the fiscal year 1966 the State of Wisconsin was allotted $48,018,000 in Federal highway funds. The highway user's tax collected $79,186,000 in the State of Wisconsin, almost twice the amount allotted to the State.

I join with the distinguished gentleman from Florida in urging that this matter be aired fully on this floor and that every effort be made to schedule public hearings as soon as possible before the House Public Works Committee to determine the basis, extent, and purpose of the administration's attack on the Federal highway system.

LEGISLATION TO ENCOURAGE BROADER PARTICIPATION IN AND FINANCIAL ASSISTANCE TO POLITICAL CAMPAIGNS INTRODUCED

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CRAMER. Mr. Speaker, I have today introduced a bill to amend the Internal Revenue Code of 1954 to allow up to a $100 tax deduction for political contributions.

I am offering this bill as an alternative to the $1 checkoff approach which was enacted by the Congress last session in the event that it is either repealed or ruled unconstitutional.

As the Members of this body are acutely aware, financing a campaign for public office is an expensive task. So awesome has the financing of a campaign become that many capable and well-qualified individuals are discouraged from even entering the political arena. My bill is aimed at meeting this ever-growing problem by providing an incentive to contribute that is lacking under existing law.

The present law which allows a taxpayer to check off $1 on his income tax return for the purpose of financing presidential campaigns may be under assault from both the courts where the test of its constitutionality may seriously be challenged, and from the Congress where legislation to repeal the law has been introduced. My bill, therefore, is aimed at providing what I believe to be a responsible substitute to assist in the financing of political campaigns and to overcome the objections inherent in the existing law.

The present law is under constitutional attack, first because the taxpayer is not allowed to choose the political party to which he would like his dollar directed and second, because it is limited to the two major parties. In addition, the existing law ignores candidates and offices other than the Presidency; and many believe that it will have the effect of discouraging greater participation in political campaigns at all levels.

My bill overcomes the weaknesses of the existing law. A taxpayer under my bill would be allowed to deduct an amount equal to his political contribution to the party and candidates of his choice which do not exceed $100 per year. The deductible contributions may include gifts and donations to candidates for any Federal, State, or local elected office and not just the Presidency. The bill also has the effect, in my judgment, of encouraging greater individual participation in the affairs of government.

The bill follows:

H.R. 4856

A bill to amend the Internal Revenue Code of 1954 to allow a deduction from the gross income for contributions to local, State and National candidates for public office or to political parties

Be is enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) Part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is amended by renumbering section 218 as 219, and by inserting after section 217 the following new section:

"SEC. 218. POLITICAL CONTRIBUTIONS.

"(a) ALLOWANCE OF DEDUCTION.—In the case of an individual, there shall be allowed as a deduction an amount equal to so much of the political contributions as does not exceed $100, payment of which is made by the taxpayer within the taxable year, except that in the case of a joint return of a husband and wife under section 6013 the deductions shall not exceed $100, and in the case of a separate return by a married individual the deduction shall not exceed $50.

"(b) VERIFICATION.—The deduction under subsection (a) shall be allowed, with respect to any political contribution, only if such political contribution is verified in such manner as the Secretary or his delegate shall prescribe by regulations.

"(c) DEFINITION OF POLITICAL CONTRIBUTION.—For purposes of this section the term 'political contribution' means a gift or donation to—

"(1) any committee, association, or organization (whether incorporated or not) organized and operated exclusively for the purpose of influencing or attempting to influence the election of one or more individuals qualified by law to seek any public office; or

"(2) an individual who is qualified by law as a candidate for any Federal, State, or local elective public office in any general, special, or primary election, or in any convention of an organization described in subparagraph (1), for use by such individual to further his candidacy.

An individual shall be deemed qualified by law to seek any public office or qualified by law as a candidate for any public office if such individual, or the organization supporting the election of such individual, has taken the action necessary under the applicable law to have his name placed on the ballot for the election to fill such office or to become a candidate for such office.

"(d) CROSS REFERENCE.—

"For disallowance of deduction to estates and trusts, see section 642(i)."

(b) The table of sections for such part VII is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 218. Political contributions.
"Sec. 219. Cross references."

(c) Section 62 of the Internal Revenue Code of 1954 (relating to definition of adjusted gross income) is amended by inserting after paragraph (8) the following paragraph:

"(9) POLITICAL CONTRIBUTIONS.—The deduction allowed by section 218."

(d) Section 276(a) of the Internal Revenue Code of 1954 (relating to certain indirect contributions to political parties) is amended by stiking out "No deduction otherwise allowable under this chapter" and inserting in lieu thereof "Except as provided in section 218, no deduction otherwise allowable under this chapter".

(e) Section 642 of the Internal Revenue Code of 1954 (relating to special rules for credits and deductions for estates and trusts) is amended by redesignating subsection (i) as (j), and by inserting after subsection (h) the following new subsection:

"(i) POLITICAL CONTRIBUTIONS.—An estate or trust shall not be allowed the deduction for political contributions provided by section 218."

SEC. 2. The amendments made by the first section of this Act shall apply to taxable years ending after December 31, 1967, but only with respect to political contributions payment of which is made after December 31, 1967.

ADMINISTRATION URGED TO STRENGTHEN AGRICULTURE

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. BURKE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BURKE of Florida. Mr. Speaker, I wish to take this opportunity to speak in support of House Concurrent Resolution 94 which I introduced on January 26, 1967, in protest against actions by agencies of the Federal Government which may have the effect of depressing farm prices, and urging the administration to use the various legislative authorities at its disposal to improve and enhance farm prices, in order to build a strong market economy for agriculture.

Mr. Speaker, farm prices have been below parity for the past 14 years. The most recent year when all farm prices had a parity of purchasing power with the prices of nonfarm products was 1952.

The parity ratio for December 1966 was 77, which indicates that farm prices are low in relation to prices that farmers pay for their production materials. In other words, the parity ratio is about 23 percent lower than 14 years ago.

It is true that retail food prices are about 17 percent higher than they were when farmers last received parity prices in the marketplace, but this is true in spite of a decline in farm prices, not the result of higher farm prices.

Despite the seasonal increases in farm prices during certain months of the past year, which have halted and in a number of instances turned downward, the consumer still has a distinct economic advantage over the producers of food and fiber. For example, in 1965, the per capita disposable personal income of the farm population from all sources was only 63.4 percent of the disposable income of the nonfarm population. This relatively low level of income for the farm people prevails even though in recent years progress has been made in raising the level of income of farmers and rural people generally.

In view of the low-level prices received by farmers relative to prices paid for items of production I strongly urge the administration to refrain from actions that may have the effect of price controls, either direct or indirect, which would prevent farm prices from reaching parity. Agricultural commodities not under Government programs should be allowed to recover previous losses due to the cyclical fluctuations of the market before any direct or indirect controls are applied.

During the past year a number of unwarranted actions were taken by the administration which may be construed to have adversely affected farm prices. For example, import quotas on cheese were increased. Government-held stocks of grain were placed on the market which certainly had an effect on market prices for grain. The announcement of increased acreage allotments for wheat and other commodities will no doubt lead to increased production which could result in excess supplies and lower prices for farmers.

Mr. Speaker, I urge the distinguished chairman of the Committee on Agriculture to hold hearings on this resolution as promptly as possible. I am confident the testimony will be overwhelmingly in favor of passage, and I sincerely hope its adoption by the Congress will furnish the necessary guidelines for future direct and indirect executive actions affecting farm prices.

TIME RUNNING OUT ON U.S. DAIRY FARMER

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LANGEN. Mr. Speaker, time is rapidly running out for the U.S. dairy farmer, unless Congress finally takes action to limit the growing glut of dairy imports.

The record is all too clear, with USDA figures showing that dairy imports in 1966 almost triple the 1965 level, and prospects of imports doubling this year. We would not be faced with the current situation if the bills I introduced 4 years ago to limit dairy imports had been passed.

Of course, we cannot sit by now and cry over spilled milk, but we can and must reverse the situation right now, before the American dairy farmer is forced to close the barn door for good.

I am pleased that many Representatives and Senators have now introduced legislation aimed at controlling dairy imports. It is good to know that so many are now recognizing this growing problem, and we can use the help of every Member of Congress who must be concerned over the future milk supply for the Nation.

Please note that the latest Department of Agriculture report shows farm parity down to only 75, with the index of prices received by farmers down 1 percent during the past month. The Agriculture Department report cited wholesale milk as one of the products responsible for the price drop. And the same report shows that the index of prices paid by farmers rose 1 percent during the same month. Hence, the parity ratio declined 2 points. It is easy to see what these rising imports are doing to the U.S. dairy farmer. And it is happening in spite of the Agriculture Department's frantic effort to buy over 12 million pounds of butter in December to support the price of milk.

It is obvious that effective import controls are necessary in order that farmers may have an opportunity to achieve parity prices. And it is equally obvious that the Agriculture Department and other Federal agencies have failed to carry out the firmly stated intent of Congress for such parity prices.

The American dairy farmer is shortchanged in international trade. The Common Market countries, for instance, establish minimum import prices for butter from a low of 70 cents to a high of 94 cents per pound, through import levies. These same nations export butter at prices as low as 20 cents.

The so-called U.S. restrictions on dairy imports have proved useless as interpreted and applied by the Department of Agriculture. The level of dairy imports now runs 12 times the total authorized by import quotas, as foreign nations use every gimmick in the book to circumvent our regulations. Looking at some of the means used to get around U.S. quotas, please note that quotas for Italian-type cheese were specified "in original loaves." So, the Italians merely split the loaves and continued to ship. Cheddar cheese imports are limited, so Colby cheese, a product essentially identical, enters at a rate ten times the volume established for cheddar. When foreign nations reach the limit of 707,000 pounds of butter a year, they just convert it to butter oil and keep on shipping it to us. Then the butter oil quota was circumvented by imports of butterfat-sugar mixtures. When butterfat percentages were set for these mixtures, the foreign suppliers merely changed the butterfat content.

Thus, imports of dairy products continue to increase. Congress must now put an end to the subterfuge and evasion practiced under existing laws. If imports are allowed to impair our productive capacity, it cannot be quickly restored. A farmer who has been forced to send his cows to the slaughterhouse cannot soon get back into production.

Mr. Speaker, America's future milk supply is at stake.

FEDERAL TAX-SHARING PROPOSAL

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. Brotzman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, the President in his state of the Union message called for a strengthening of the partnership between Federal, State, and local governments. So far, the Federal Government has been the dominant partner and State and local governments have seen an erosion of their previous prerogatives and powers. It is important that this partnership between the units of government be strengthened and secured.

One means of achieving this goal is to give State and local governments, including school districts, the financial resources needed to play a more dominant role. Today I am introducing legislation which will return to the States $2.2 billion of Federal funds with a minimum of restrictions on their use.

Mr. Speaker, it is interesting to note what has happened to State and local government in recent years. Today, we find that they are buried under a mass of over 400 Federal-aid appropriations for 170 different aid programs, administered by a total of 21 Federal departments and agencies, 150 Washington bureaus and 400 regional officers.

During the last 10 years, outstanding State and local debt has increased by 125 percent while the Federal debt has increased by 14 percent. During the same period, State and local taxes have risen to an alltime high, with revenue increases from $23.6 billion in 1955 to $51.6 billion in 1965.

The President's budget proposes an increase of more than $2 billion in existing Federal grant-in-aid programs for fiscal year 1968. Much of this projected $2 billion could be directed toward a Federal tax-sharing program.

The tax-sharing program which I am introducing today is supported by the Republican leadership and many members from the other side of the aisle. Basically, the bill provides for the allocation of 3 percent of Federal personal income tax revenue for tax sharing. Ten percent of the revenues would go to the 17 poorest States for equalization. The remaining 90 percent would be divided among all States on the basis of population and a simple tax-effort ratio. Forty-five percent of the funds allocated to a State would be transferred to the local level for educational or other municipal expenditures. The remaining 55 percent would be spent in any way the State desires.

The bill also would establish a new 10-man bipartisan council on tax sharing, with State representation, to administer the program in order to assure simplified procedures and to preclude any Federal controls.

Mr. Speaker, I believe this tax-sharing proposal is the best approach to restoring a balanced partnership between Federal, State, and local governments. I urge the Congress to give this its full consideration and support.

AMENDING TENNESSEE VALLEY AUTHORITY ACT

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Brock] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BROCK. Mr. Speaker, today I am reintroducing my bill amending the Tennessee Valley Authority Act to permit the use of a trial by jury in TVA land condemnation cases. Under the present system, a landowner may not appeal to a jury, but must submit to the jurisdiction of a special, appointed commission.

This bill reflects a sincere desire to protect both small and large landowners in those admittedly rare TVA land condemnation cases when equity has not been achieved. Jury trial is basic to our legal system, and I feel that the people in the Tennessee Valley should be afforded the same protection as that granted in ordinary condemnation procedures.

This measure has received enthusiastic, widespread support from residents throughout the Tennessee Valley, including the unanimous endorsement of the Tennessee Bar Association.

The House Appropriations Committee, in the 1966 public works bill report, contended that the Tennessee Valley Authority should review its present condemnation proceedings, and the Department of Justice has twice tried to persuade the Congress that juries shall be used in all condemnation cases.

Mr. Speaker, I strongly urge that my colleagues in the House of Representatives give early and favorable consideration to this important legislation.

THE FAIRPLAY BILL

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. May] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. MAY. Mr. Speaker, I am introducing in the House today a bill to control unfair trade practices affecting producers of agricultural products and associations of such producers—the Agricultural Producers Marketing Act, commonly known as the "fairplay bill."

This bill is designed to improve market negotiation conditions for American farmers by establishing standards of fair practices required of handlers in the dealings with producers of agricultural products and their cooperative associations.

I want to make one thing absolutely clear, however. The proposed legislation will not force packers, handlers, and buyers to negotiate with farmers or their cooperatives. It will not discriminate against buyers, nor will it unjustly penalize them. In fact, just the reverse is true. Handlers of agricultural products will benefit from this proposal, just as will U.S. farmers, for the unfair trade practices of a few unethical buyers can damage an entire industry.

My bill would, in effect, simply add one more rule to the rules of the game—the rule that a farmer may not be discriminated against in the marketplace because of his associations.

This legislation is made necessary today not because of the actions of many buyers and handlers, but because of the unfair and monopolistic activities of a few. The farm marketing system which has evolved in this country has worked marvelously well for the most part.

The fact that we are able to walk into a grocery store in any part of this great Nation and purchase wholesome, quality food for a smaller portion of our income than anyplace else in the world attests to the efficiency of our agricultural production and marketing system.

This is not to say, however, that the system is perfect. As with everything else in this old world, there is always room for improvement, and unless we are constantly attentive and aware of where our weaknesses lie, the system soon begins to break down. One of these weaknesses would be corrected by my bill.

CONGRESSMAN HORTON URGES FULL FEDERAL EMPLOYEE STATUS FOR NATIONAL GUARD TECHNICIANS AS OF JANUARY 1, 1967

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Horton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, for a very long time, it seems, the Congress has been playing dodgeball with the employment status of full-time technicians in the National Guard.

It was not until the spring of 1966 that the Defense Department and the Bureau of the Budget issued a favorable report on legislation that would grant full Federal employee and civil service status to these 39,500 men and women. Almost immediately after the reports were received, new legislation was submitted by Congressman Hébert and hearings were begun on his bill. The House passed H.R. 17195 last fall, but this served only to raise false hopes for the long-neglected technicians, since Congress adjourned before the Senate acted on the bill.

Last year, when I introduced H.R. 16088 to correct the technicians' status, I felt that July 1967 was too long to wait to put the Federal status plan into effect. I felt that as long as action was finally being taken on this issue, the beneficiary technicians should not be forced unnecessarily to wait for their new status to take effect. H.R. 16088 provided for an effective date of July 1, 1966. While this effective date would no longer be practical, I feel that Congress should not allow itself to dodge the matter for another year, or even for a few months.

As a demonstration of my belief that National Guard technician status must be acted upon in the early days of this Congress, I have introduced H.R. 713, with an effective date of January 1, 1967.

Mr. Speaker, the need for this legislation has been discussed in this Chamber on countless occasions. The support for H.R. 17195 in the 89th Congress was overwhelming—the vote in the House was 322 to 6 in favor of passage. For the benefit of our colleagues who were not Members of the 89th Congress, however, I would like to read parts of an article entitled "The Long Drive for Career Status," which appears in the January issue of the National Guardsman:

THE LONG DRIVE FOR CAREER STATUS

Career status for key individuals is hardly less important to the Army and Air National Guard than it is to the Active Services. It breeds stability, and stability contributes heavily to proficiency.

Some of the fringe benefits implied by the term "career status" are retirement pay, group life insurance, health and hospitalization insurance, long-term job protection and severance pay, to name but a few.

But consider the plight of 39,500 men who are the careerists of the Guard—the fulltime Technicians.

They are hired by the States and in many respects always have been regarded as State employees. Yet their pay check comes from the *Federal* Government and their qualifications are established by *Federal* directive. Living in a never-never land *between* Federal and State status, they are accepted as bona fide employees by *neither* and, in most cases, denied most of the benefits and advantages of *either*.

Moreover, they must be members of the Guard, and if circumstance makes them ineligible for continued military service (physical disability, for example), they lose *both* job and Guard membership.

The situation is even tougher for officers. ROPA (Reserve Officer Personnel Act) calls for the mandatory retirement of an officer below the grade of Colonel who completes 28 years of commissioned service. Most officers reach this point between their 49th and 53rd birthdays. They're "ROPA'd" out of the Guard *and* their job seven to 11 years before they would become eligible to begin drawing even the modest retirement pay of Title III (reserve retirement) of PL 810.

Thanks to authority granted in 1954, Technicians now are covered by Social Security and, by the terms of a 1961 Act of Congress, the Federal Government also can pay the employer's share into State retirement systems, in the relatively few States which have accepted the Technicians in State systems—and with certain other wherefore's and whereas'. This falls far short of even the minimum security enjoyed by growing numbers of American workers.

The solution of those who have delved most deeply into the problem is to recognize Technicians as Federal employes (since most of their effort is in behalf of the Guard's Federal mission), and thus to include them in the Federal Civil Service Retirement System. That was the goal of Title II, HR 17195, passed by the House during the last session of Congress, but not considered by the Senate.

Here are its principal features:

(1) It would settle the old debate of State vs. Federal status by classifying all National Guard Technicians as Federal employes.

(2) It would grant them all benefits extended to other Federal employes; e.g., retirement under the Civil Service Retirement Act, group life insurance and health benefits.

(3) Where Technicians have been accepted in State retirement systems, it would give them choice between remaining under the State systems or switching.

(4) All Technician jobs for which National Guard membership is a condition of employment (meaning all but a handful, and those mostly female clerk-typists) would be outside the competitive Civil Service.

(5) The "full-timers" would contribute 6½% of their gross pay to the Civil Service Retirement System, just as other Government employes do.

(6) They would receive credit toward retirement for all prior Federal Civil Service employment, all prior Technician service and all active Federal military service, except that those entitled to Title II military retired pay for 20 or more years of active duty could not count *that* service toward Civil Service Retirement. Technicians would not *have* to "buy back" to cover past years of military or Technician service; but payment of the amounts they would have contributed to the system had their *Technician* employment always been encompassed under Federal Civil Service, would slightly increase their monthly payments after retirement.

(7) After a specified number of years of Federal employment, they could elect to retire early with a reduced annuity. If they were separated involuntarily (other than for cause), they would be qualified for an immediate annuity if they had reached age 50 and had 20 years of service. At a lower age and with a minimum of five years' service, they'd qualify for severance pay.

(8) The Civil Service annuity could not deprive them of any right earned to Title III (reserve) retirement, Social Security, or State retirement.

(9) Positions would be converted to the Federal GS (General Schedule) and WB (Wage Board) system. All Technicians would receive the same or greater compensation.

(10) They would be entitled to overtime pay at the same rates granted other Federal employes. Wage Board Technicians assigned to operational duties at Air Defense sites, however, would receive premium pay on an annual basis in lieu of overtime.

(11) The program would become effective on the first day of the first pay period that begins on or after 1 July 1967.

(12) The State Adjutant General could be designated to employ Technicians for his State and administer the program in accordance with Army/Air Force Regulations—a reiteration of existing law.

In brief, the proposal . . . is designed to accord to the full-timers of the National Guard the same range of fringe benefits provided for others who serve their Government.

TRANSPORTATION

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Younger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. YOUNGER. Mr. Speaker, in view of the fact that transportation is going to be one of the subjects dealt with by the 90th Congress, it seems to me the address by Mr. William M. Allen, president of the Boeing Co., delivered before the Society of Automotive Engineers on January 11 of this year, is important reading for each Congressman.

His address follows:

Industry's Stake in Clearing Our Transportation Bottlenecks

(An Address by William M. Allen, president, the Boeing Co., Before Society of Automotive Engineers, January 11, 1967)

Quite a number of years ago when I was suffering from the exuberance of youth, I well recall that I approached the giving of each speech with great confidence. I was convinced that the audience would be sitting on the edge of its chairs hardly able to await the hearing of my pearls of wisdom. However, as the years went by and I often found myself on the receiving end of long and laborious dissertations, I began to seriously question whether my audiences were quite so avid for my words as I supposed.

This deterioration in confidence has continued as I have grown older and hopefully wiser, until I can now say to you in all candor that I am quite sympathetic for you in your immediate situation. In fact, I can only justify to myself my appearance here on the ground that I propose to discuss a problem that is common to all of us in the transportation business and which, unless given immediate and effective attention, will seriously jeopardize the opportunity for growth in our respective fields.

I refer to the much-discussed problem of congestion, which besets the automotive industry and the air transport industry alike. We have developed some superb vehicles for moving along highways and through the air, but when you get to the terminus of the trip—the urban center—everything slows to a crawl. Our projected step to supersonic transports traveling 1800 miles an hour makes the contrast even more striking. I scarcely need to elaborate on the problem. Anyone who has made projections of traffic growth statistics knows that the ground congestion will get much worse if imaginative measures are not taken to clear it up. No doubt many of you have read the cover story in the January 9th issue of *Newsweek*, entitled "The agony of getting anywhere."

Both of our industries are involved in the same way: our future markets will be limited unless these bottlenecks are cleared. The entire transportation industry has incurred a responsibility that goes considerably beyond its particular product or service—of helping to search out the ways to untie the knots in the overall system.

You hear it said, if these engineers can put a man on the moon, how is it they can't figure out how to get us from First to Eighth Avenue. The point is well taken. Within our industries and the closely related electronics industry lies the *technical* ability to solve these problems on the surface of the earth as well as beyond it. Unfortunately, some of the most difficult aspects of the overall transportation problem are not technical but political and socio-economic, and it is here also that we must all make our contribution.

Before getting into the question of what can be done to open our traffic bottlenecks, I think we should look for a moment at what has been happening in transportation. It is not going to be news to many of you here, I am sure, but let me briefly review the situation.

There have been a number of factors working together to produce the remarkable growth of traffic in recent years—the population explosion, the technology explosion and the increase in average-family earnings which in turn has resulted to a large extent from the technology gains. Combined with these has been the increasing urbanization in the United States, from 32 percent living in metropolitan areas at the beginning of the century to nearly 70 percent at present. Another one hundred million people are expected to be added to our cities by the year 2000. In the words of one appraiser, an additional one hundred million people cannot avoid creating conditions that will make city life almost unbearable. This could be the case but it is not necessarily so. The relief must come in the form of mobility of the population.

The increased emphasis on transportation is becoming clear. The automotive and aviation industries have been on the receiving end of this increase—or I might better say the doing end, with advancements that have brought about a major change in usage. At the same time, other modes have suffered. We find that while urban population has doubled over the past 35 years, the gross patronage of mass transit systems has actually decreased.

In inter-city travel the use of railroads, which played such a large role in the development of our country, has diminished rapidly while domestic air transport has been growing at an average rate of nearly 14 percent per year. Since 1940 the total amount of inter-city travel by *common carrier* has tripled, and all of the gain has been in the air. In the same period the number of automobile registrations has also nearly tripled.

The growth of the travel market as a whole has followed the growth in the gross national product rather than population, so that with a 4 percent GNP growth the transportation requirement doubles in 17½ years, which is 30 years before the doubling of the population. But the air travel portion has been growing and is expected to continue to grow at three times the rate of the GNP. This means it could double by 1970 and triple by '75. Estimates are that U.S. domestic air freight ton-miles by 1970 will be 2⅓ times 1965 levels and could be 15 times as great by 1980.

Arousing as these figures are, they may still prove to be conservative. In the past we have found that new facilities for travel at higher speeds, lower cost and greater convenience have set up an entirely new market. All previous predictions were found to be very much on the conservative side. We cannot estimate the future by projections of a fixed demand. The better we get, the greater the demand.

Just ahead of us are major new improvements with a potential additional effect on demand—the introduction of the new 400-passenger 747 super jets with their lower operating costs for both passenger and cargo carrying, and later the supersonic transports with their tremendous increase in speed and convenience of travel, taking you from New York to London in two hours, 41 minutes, New York to New Delhi in seven and a half hours. You will be able to go around the world in either direction, on regular routes including all stops, in a day. If you're going west you will always stay ahead of the sun. You will beat the clock, even with the stops. You may be eating breakfast all of the way.

There should be over 400 of the big 747s in operation by 1976, roughly as many as the present world fleet of 707s but carrying two and one-half times as many people. This will mean 1,600 departures per day of 747s alone. By the same year there could be 170 U.S. and European supersonic transports flying, contributing an additional 700 departures per day. New York alone will have an estimated 240 departures per day of 747s and 125 of supersonic transports.

It is obviously timely that the President has asked the newly designated Secretary of Transportation, Alan Boyd, and CAB chairman Charles Murphy, to head a new national task force on airport planning. We are helping to overcome the problem of traffic congestion on approaches, runways, ramps and gate positions by going to these larger planes, but in turn we will incur a greatly increased problem of peak loading of terminal facilities in terms of passenger traffic, baggage logistics, parking, and transportation from airport to city center. The increase of truck traffic to airports with the growth of the air cargo business will compound the problem.

Meanwhile the automotive field has its own saturation problem in the capacity of streets, of freeway entries and parking facilities. All these are limiting factors in the potential growth of our markets as well as in public convenience. Travel is not determined except in terms of the means available.

We are seeing Alfred Lord Tennyson's vision come true, of the heavens filled with "argosies of magic sails . . . dropping down costly bales," but the romance is blighted by the part of the scene Tennyson did not foresee—the argosies dropping down into a congestion and stagnation of traffic on the ground.

The problems we have are primarily those of integrating one phase of the trip with another phase, or of integrating the capabilities of one piece of equipment with the facilities for its use which are provided by another jurisdiction. Our problems are at the interfaces. There are many different size couplings in the transportation pipeline and the smallest one controls. As we enlarge one we find another pinching. We must look at them all in order to clear the pipeline for capacity operation. Transportation is a highly integrated system of many parts, all interdependent. Our common job is to make it work as a total system rather than a collection of disjointed parts.

It is becoming increasingly necessary for us to take this "systems approach"—to view the vehicle as only a part of the larger system that demands our attention. For example, The Boeing Company just a few weeks ago hosted a major meeting of all the airport engineers of United States and foreign airlines to examine the situation as far as ground and air traffic at air terminals is concerned. Out of this session has come a call for a second meeting that is about to take place of the airport operators themselves, from all major world airports, to seek further means toward solutions of common interest.

But as every air traveler knows, a big part of the ground problem is in getting to and from the airport. On heavy days the line of cars backs up bumper to bumper for miles from such fields as O'Hare Airport in Chicago and Los Angeles International Airport. Virtually no city has solved its problem of peak-hour traffic. The air industry is, of course, pursuing its own solutions. We hope in the future to move more people over the top of the ground traffic through greatly increased use of advanced helicopters and other vertical and steep-takeoff aircraft, operating from airport to city center, from airport to suburb and ultimately from city center to city center, avoiding the airport altogether on shorter range flights.

But it is mandatory that ground transportation development also relieve the pressures. After all, the ground traffic to airports is only a part of the general tie-up. Only a small percent of the load on arterials leading to airports is airport-originated or destined. Therefore the problem we have is in common with every automobile owner who suffers the frustrations of getting through our urban traffic.

The solutions in our major centers cannot come through any single mode of transportation. The freeway with its tremendous improvement is barely keeping abreast of the problem. The Hollywood freeway, for example, was designed for an ultimate 100,000 cars a day but was carrying 168,000 a day within its first year. The major metropolitan centers will require the best possible combination of advances in the air, and in rapid transit, and in facilities for private automobile and truck traffic—all three—in order to handle the loads that are just around the corner. The auto and truck industry needs the relief from congestion that can come from better mass transit and from vertical airlift; the air transport industry in turn needs the relief of better ground traffic flow.

Without a system that can more effectively handle the load, each of our separate fields is going to be choked. On the other hand, if this problem of congestion is mastered, not only will new opportunities be unlocked for the transportation industry, which constitutes 20 percent of our economy, but the growth of all other elements in the GNP will be lubricated. Our success or failure will either foster or restrain the growth of the entire economy.

The need is clear enough. The question is, what can we do about it? I think the answer lies in several directions of effort—in the systems approach; application of new technology; a greater integration of effort between and within the affected industries, between industry and government and within the many branches of government; and a greater understanding and participation on the part of the public, because the whole subject of how we live and where we live is involved.

There is a healthy interest among engineers these days in the systems analysis and systems engineering approach. Surely no problem could be more demanding of such an approach than the one we are discussing. If we are to keep up with our population and technology explosion—if we are to be their master rather than their fugitive—if we are to avoid being impelled to take hasty corrective actions on the basis of every pressure that has reached the intolerable stage, we must give transportation the best of our systems analysis and planning and management know-how.

A trip is not a single action but a series of them, public and private, regulated and unregulated, in various vehicles, with various interruptions and assistances, part traveled on a seat, part on foot, part on the nerves.

In the average short-haul trip by air, we find that 11 percent of the distance—the part on the ground and at terminals—takes 50 percent of the total door-to-door time. On a long-haul trip, 2 percent of the distance takes 20 percent of the time. Efficiency has been developed to a high degree on the airline segment where competition reigns, but not on the ground segment where everyone is on his own, or where there is a scattering of jurisdictions.

Here is a situation where system-wide cost-benefit analysis should turn up some answers. From the standpoint of the air passenger, it may turn out that a small additional expenditure on one portion of the system which accounts for a big loss of ground time may improve the total time or total convenience by a much greater ratio than its proportionate cost. But these parts soon get beyond the jurisdiction of the airlines involved or the airplane manufacturer. They involve political bodies and the public, to whom the case has probably never been made quite clear. The problem is further complicated by the overlapping of multiple political jurisdictions. There is a fragmentation of responsibility and a consequent lack of responsibility for total results.

If a personal automobile trip could be viewed as a system it would surely have its similar disparities. We go from Detroit to Chicago at 70 miles an hour, then spend maybe a half hour going a few city blocks.

I am hopeful that those in the automotive field are as concerned about these conditions as we are. I urge those of you in that or related fields to apply your utmost energy to the developing of solutions in this realm. Many are doing so, I realize. The Automobile Manufacturer's Association is sponsoring studies. But the solutions are not coming easily. What I am suggesting and urging is that the automotive industry apply itself much more aggressively to the clearing of bottlenecks in the entire system of automotive transportation just as the aerospace industry must apply itself more aggressively—and as I say, I think we are beginning to do this—to the entire system of air travel. The challenge is enormous.

By no means do I want to imply that these solutions are responsibilities of industry alone. As has been increasingly brought to public attention, the whole field of city and area planning, and many elements of government, are deeply involved. To get all of these forces together is in itself going to be no small job. I think industry has reason to take a leading role in the effort. The creation of the cabinet post of Secretary of Transportation and the appointment to that post of such an able man as Alan Boyd makes such action on our part both timely and propitious. The many federal agencies involved in the transport system will be in a much better position to coordinate both planning and administrative actions. The Department of Urban Affairs is in a position to help coordinate the urban planning aspects. But these arrangements at the Federal level will only bring into clearer focus the disarray of administrations at the local level, which is where the terminal and urban congestion problems exist.

Where are we to find the authority to undertake the needed local coordination? Few communities have the answer. The public's understandable concern over big government may have helped to preserve the excessive number of small units on the local scene. It would appear that it will not be possible to solve the total transportation system problem at all unless there is a combining of these numerous units which were established when the present need did not exist. There is compelling need for larger metropolitan-type administration capable of dealing with the subject on a unified basis.

Even these administrations may lack the capability for the combined technical-economic-sociological approach that is required.

It appears necessary to have departments of transportation at the state level which can view the system in a state as a whole rather than through separate departments for highways and other elements. New Jersey and California have already taken such a step.

Parallel to the integrated planning within government must come greater integration of effort among the various industries involved. The SAE is one organization, I believe, which embraces most of them. We are all, as I have stated, extremely interdependent. Most of us have had experience with organizations that permit a cooperative approach to problems relating to a single industry. In the aerospace industry we have found that even the sharpest competitors can work comfortably shoulder-to-shoulder in such efforts. However, there has not been the same joint approach to the transportation problem between those who deal with the aerial side and those who deal with the ground side of the system.

There must be greater three-way discourse among academic research institutions and government and industry, since transportation solutions cannot be studied except in close relation to the economic and social activity of society as a whole. Transportation is a servant and an implementer, not an isolated function in any respect. It is a responder to change, as well as a creator of change. I believe the new Department of Transportation can be of great help in bringing all these elements into communication. Wilfred Owen of the Brookings Institution has proposed the establishment of a National Transportation Institute and a World Transport Center at which the needed coordinated studies could take place. The immense scope and complexity of the problem justifies some such approach.

In what realm do the technical solutions lie? I do not propose to try to answer this question. I do not think that anything like the necessary amount of homework has been carried out on the subject to do so, partly because of the lack of organizations capable of studying the multiple aspects we have been discussing. Many of the studies that have been made at local levels have been limited in scope and of questionable value.

The variety of alternatives that have been suggested in the populous Northeast corridor shows the necessity of weighing values and technology with more comprehensive scales than have yet been devised. Here are some of the proposals: more airports, better use of existing airport and airway capacity, improved all-weather equipment, improved economy and capacity of vertical lift and steep-takeoff equipment, higher performance freeways, automated highways with electronically controlled spacing between vehicles, higher speed rail transport, air cushion guideways, pneumatic underground tubes.

Secretary-designate Boyd has expressed the view that revolutionary rather than evolutionary programs will be needed. I strongly endorse this position. The problem will not solve itself by letting things drift or merely allowing them to evolve. It needs to be tackled in an imaginative way. There is an urgent requirement for new ideas, new techniques, new policies compatible with the age of space and nuclear energy and computerization. I am sure there must be some approaches that have not yet been discovered by the comic-strip artists.

Aerospace science has gone a tremendous distance in the direction of automatic and computerized control, with small, light, and occasionally even economical electronic equipment. Space flight has forced tremendous strides in operational reliability. All this can contribute to the orderly flow of ground vehicles. Our own company is working on high-speed hydrofoil boats as a surface application of aerodynamic technology. Others are working on air cushion vehicles and boats. The air cushion vehicle is an example of the merging of our technologies—a hybrid involving features of both the ground and the air vehicle.

I have mentioned our efforts in the direction of increased application of vertical lift, with all the versatility of operation this implies—a versatility that has up to now been almost uniquely enjoyed by the automobile. We do not know, in advance of intensive study and increased experimentation, what solutions will bear the greatest promise, but it is not at all unreasonable to expect that they will be combinations of several known technologies and the joint effort of our several well-established industries.

We need to seek to understand better the ways in which the government-industry relationship can serve to support the interests of both industry and the public in the growth process that is mutually desired.

In seeking major new approaches to the dense-population transportation problem, there are undertakings in the public interest which industry is best equipped to perform but cannot be properly expected to accomplish with its own resources. The Supersonic Transport shows the possibilities of a new departure, with industry the doer, government the principal enabler from a financial standpoint, and the public gaining the benefit. I think there is general agreement that in any such arrangement the advantages of private enterprise must be preserved and utilized.

The Comsat Corporation is a useful example. It is a private corporation with a profit motive but with the needed support of the government in the utilization of space launch facilities and in other ways. If we may draw a comparison with urban rapid transit, the private transportation company instead of getting support was required to pay franchise charges that helped it to fail and ultimately be taken over to be run by the city at a loss. There must be a better way.

I trust that I have not overstated the problem and opportunity of improving our transportation system. The challenge is phenomenal in its scope and promise. Let me re-emphasize that I think each of our industries must take a broader and more comprehensive view of transportation if we are to make the contribution we are capable of making in this dynamic economy. We have reached the point, in fact, where this type of contribution is mandatory.

We have a job before us that is strategic to the national economy, to the public disposition, and to our own future. It demands top priority attention. But it is the kind of work that we should like. In it is more business for us all.

MR. ARTHUR KROCK

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, the gentlemen of the press render an incalculably valuable service to the American people in keeping them informed about our Government and in interpreting for them the news behind the news. Arthur Krock, one of the most outstanding newspapermen of recent times, has retired from his post with the New York Times. Since we will be deprived of Mr. Krock's perceptive commentaries on a regular basis, I think it would be most worthwhile that we make generally available at this time the wise and witty remarks delivered by Mr. Krock at a recent National Press Club luncheon. Here is Mr. Krock's speech, which spans his 60 years in the newspaper business and uncovers much:

ADDRESS BY MR. ARTHUR KROCK OF THE NEW YORK TIMES AT THE NATIONAL PRESS CLUB LUNCHEON, JANUARY 18, 1967

Before spreading the wet blanket I am about to envelop you with today, I want to apologize to the great labor union of America for inadvertently suspending something that they have a monopoly to do and that is the news gathering operation of The New York Times but only its Bureau in Washington.

President Booth, Members of The Press Club, Distinguished Guests, a couple of days ago a friend said to me: "I see you're going to lie in state at The Press Club. Don't stay too long. The guests of honor decompose very fast up there."

It is not of my doing that I stand here today. The responsible parties are William M. Blair and President Booth. Mr. Blair drew on the gift of imagination that was stimulated by his perennial effort to comprehend the national farm policy. He said that my appearance was my professional duty. As for Mr. Booth, I gathered that only a human sacrifice would assuage his anguish at being forced tomorrow to surrender the presidency of this organization.

But I think the real reason I'm here is that I have spent 60 years in the newspaper business, 41 of them during two hitches in Washington. Messrs. Booth and Blair made the risky assumption that I might have something of interest to say, like maybe Methuselah, boring with reminiscence the boys in the backroom with 900 years of Genesis.

None of us who heard David Lawrence in this place speak of incidents in his youth and professional career will ever forget the impact of his narrative. I cannot match the appeal of the first or the distinction of the second. Though I grew up in what was still the post-bellum South, and we had very little cash, my environment supplied everything that makes for a happy boyhood. But there is much similarity in Mr. Lawrence's story and mine: from the beginning, I, too, aspired only to be a newspaperman.

Accordingly, after attaining in 1904 the status of a Princeton undergraduate, I got my diploma finally in 1937 and stopping on the way to get a junior college degree from the Lewis Institute in Chicago, I went back to Kentucky resolved to get a newspaper job in Louisville. In those days the cub system prevailed; that is, you had to work a few months for nothing. So, in applying to the Herald there I represented myself as a reporter with rich previous experience until I was assigned to cover a fire, and failed to come back with the indispensable details of cause and effect. My imposture was disclosed, but the city editor was making $50 a week and he was very compassionate toward the human race, and he condoned my offense and I kept my job at $15 a week.

First as a police reporter, then as a general assignment man I got the basic training that even the simulated process of the best schools of journalism cannot, in my opinion, supply. In connection with being a police reporter I sometimes covered my beat on a horse which I borrowed from Engine Company Number Four. I realize, of course, that that was an imposition on the taxpayers but it also was an imposition on the horse.

My ambition was focused on the field of political reporting and luck which accounts so heavily for achievement found me a patron. The most distinguished political reporter in Kentucky then was John D. Wakefield. He took me as his legman to my first national conventions—the Republican and the Democratic—in the year 1908. Only luck can account for the fact that I wandered, for no definite reason, at a certain time one day during the Democratic convention, into the office of a fellow Kentuckian, Urey Woodson, who was secretary of the National Committee. And there I encountered one of the angriest men I ever saw, a delegate, and what is unnecessary to say, from West Virginia. As it turned out he was furious because his delegation had just deposed the West Virginia party boss and the National Committeeman.

As I entered the door this delegate was tearing up a piece of paper which he threw in the wastebasket. On a pure hunch that there was a news relationship between those scraps of paper and his fury, I asked Mr. Woodson to let me collect them. When they were pieced together on the bed in my hotel room, they revealed what had happened in the West Virginia delegation. It was being kept secret—this is not new—in the hope that the action could be reversed. So I got a beat and, for no more merit, was thereafter assigned to Kentucky politics which, as you may have heard, is the "damndest" there is.

Luck, of course, is only a factor, though a great one, in beating one's brethren to the news. You may remember David Lawrence's account of one of his. An AP colleague covering the State Department volunteered the information to David that he had a "great story, was sewed up on it but he said 'you can get it, Dave.'" By a process of deduction from existing circumstances, Mr. Lawrence decided that the big story was that Bryan had resigned from the Wilson Cabinet in protest against the administration's very reluctant drift toward war. "Too bad about Bryan, isn't it?" he remarked as a venture to his friend, Secretary of War Garrison. "Yes, it is," said Garrison. "I'm sorry to see him go."

Intelligent and imaginative planning often account for a major exclusive. But so does the talent to persuade a news source that a big piece of news he is sitting on can get a fully-rounded presentation only by releasing it exclusively to the persuader.

In both of these categories I have never known the superior of my brilliant coworker, James Reston. He got a beat on the text of the United Nations Charter by long advance cultivation of the minor official of a foreign government who would be the last to be suspected of the leak. Through his magic art of persuasion he induced a State Department official to give The New York Times exclusively the text of the Yalta Papers on the argument that only The Times had the facilities to publish them in full. This deeply wounded the pride of the Chicago Tribune, especially when it heard how Mr. Reston got the text. So that brought about a general release. However, only the Tribune matched The Times by publishing it entirely.

I cannot claim that either planning or power of persuasion account for the beats of comparative importance that came to my lot. For example: early in the Hundred Days, when the Roosevelt Administration had been pondering whether to issue scrip for currency, I telephoned a high fiscal official to verify a report that the scrip plan had been cancelled. "Yes," he said, "that's good, isn't it? But don't you think it's wonderful about gold?"

Could this mean a decision to abandon the gold standard? But I feared my bird would take flight if asked the direct question. So as quickly as I could I located by telephone the most unwary bird then or since in office, Secretary of the Treasury Wooden. He was playing the piano in his hotel suite. I asked "when will the President announce the United States has gone off the gold standard?" "Saturday morning," he amiably replied. The New York Times published the news on Friday.

One day known to the South as "bull bat time," I was summoned to partake of liquid refreshment with an official just below the Presidential echelon. "Do you know where Henry Morgenthau is?" he asked me. I didn't. He suggested I would do well to find out. As it developed Henry was at the Quebec Conference, pressing his mad scheme to transform post-war Germany into a wholly agricultural nation; also that his mission had received Presidential sanction and he had left for Quebec without notice to either the Secretary of State or the Secretary of War. That one really stirred up the animals.

Now to get back to where I started:

My seniority was too low to survive an economy wave on the starving Louisville Herald. I transferred to the job of night editor of the AP Bureau. About 10 o'clock one evening, as I was engaged in condensing the output of four AP wires from Chicago into two for Southern and Mexican clients, I got a telephone call from General W. B. Haldeman, one of the owners of the Courier Journal and Times. How had he heard of me? I met one of his daughters at the 1908 Democratic convention. The outcome of this call was that the Washington Bureaus of the two papers were separated and I came to the Capital midway in the Taft Administration as the correspondent of the Louisville Times. This soon developed into the reconsolidation of the Bureaus and for the next six years I was head of both.

I've had several adventures along the way of these things. Breathitt County, as you may or may not know, was the center of the feuding clans of the state of Kentucky. Then one day I saw a young girl on the streets of Jackson, the county seat, and she looked friendly and I spoke to her. She suggested that I walk her home and as I was doing so I saw a young man hovering in a circle around us. I said "Who's that?" And she said "He's my beau." I said "What's wrong with him?" She said "He don't like you walkin' with me." So I went up to him and said "Listen, this is nothing. I have no intentions of any sort and I'm going back to town right now." Which I did.

On the same occasion of the usual massacre that is called an election in Breathitt County, I was sitting in the house of the County Attorney who was on the wrong side. And a shot came through the window and broke a lamp in the room and we all crouched down. And then, with great gallantry, I volunteered to take a couple of ladies across the Kentucky River Bridge to the other side. I had a lantern that I held before me because it was on a trestle 200 feet above the Kentucky River and the boys in the bottoms decided that was pretty good target practice. So they shot the lamp out. I crawled the rest of the way. When we all got to the other side I had an acute attack of appendicitis.

I think that Mr. Booth has described what happened to me after that but one of the greatest privileges of my life—or any newspaperman's life is to be connected with the New York World. As assistant to the publisher, I was told by Frank Cobb, the very great editor of whom too little is known in this profession, that I was expected by Mr. Ralph Pulitzer to ride herd on—can you believe it?—Herbert Bayard Swope. Well, the publisher only gave me the saddle because Swope had locked up the horse. And I was very glad indeed to transfer in May, 1927, to the editorial board of Mr. Ochs' New York Times.

In December, 1931, the New York Times' eminent correspondent, Mr. Richard V. Oulahan, died suddenly and I was drafted to return to this Capital where I had begun my first national reporting in 1909 in time to watch the rise of the Progressive Republican movement which led to the fatal split in the party that culminated in the nomination of Theodore Roosevelt on the Bull Moose ticket in 1912 and the election of Woodrow Wilson.

In time also to report the revolt in the House against Speaker Cannon that was led by George Norris and Victor Murdock on the Republican side and by Champ Clark and Oscar Underwood on the Democratic. This revolt soon spread to the Senate where the same force for change ended the autocratic rule of Aldrich and Penrose. I recall a lead written for the Philadelphia Record by its correspondent, Maurice Splain. This should dispel whatever impression may exist that literacy came to the Washington Press Corps when reporters who were college graduates became the rule instead of the exception. Mr. Splain's dispatch began: "A brood of young revolutions hatched today in sufficient violence to Caponize the Roosters of the Senate Republican Establishment."

In those days, as James Bryce phrased it, editors were the "uncrowned kings of the U.S." They have lost their regal estate to the Washington columnists but I suggest they look over their territory because there are some hot breaths from the television screen breathing down their necks. The editors lost it partly through laissez faire, partly because, once fed, the public appetite has steadily grown for by-lined editorialists and news analysts on the spot in Washington to dispel the fog in which bureaucracy and politics seek ever to envelop themselves. But in 1909 in Washington there were at least two editorial columnists in the van of what is now legion.

One was Sir A. Maurice Low of the World. His sharp pen was a Damascus blade that cut through the stuffed shirts of politicians and bureaucrats with such finesse that his victims didn't realize they were (Ben Welles gave me this word) descamisados until they looked down. Another was the deeply informed and authoritative commentator of the New York Tribune on foreign affairs, Frank L. Simonds.

The rest of us were primarily reporters, more or less disciplined to objectivity, according to the widely varying degrees of respect the editors of those days had for the integrity of their news columns. Yet the Washington assignment, in my judgment, has not since produced greater reporters with higher standards in presenting the news than the most able among us then, of whom Dick Oulahan was the archetype. They were not the specialists which the complex issues of today require and who have what so many of us lacked—the benefit of higher education in the liberal arts and applied science that, to my mind, is better spent to prepare for what the Washington correspondents, in particular, now require than if it were spent at the best schools of journalism.

But also among us was a small group of pompous frauds known derisively as "deans." I have suffered under that title. These were identifiable not only by their disinclination to do legwork, which was great, but in most cases by their attire. They habitually wore frock coats and silk hats, dropped big names in profusion, carried canes and largely made contacts with their single news source in the noble saloons of the period. Eminent among these founts of the cup that cheers were Shoemaker's and the watering place known as the University of Gerztenberg, both on Pennsylvania Avenue. But we all found it advantageous to repair professionally to these taverns where many knowledgeable Congressmen, lobbyists and bureaucrats of importance regularly eased their rigorous five-hour days with liquid surcease. With each round of refreshment, our news sources gave more and more freely.

It was necessary to check their revelations but not so intensively as now when I, for one, hesitate to accept prima facie the official version of any situation in which the administration is highly vulnerable to question on policy, performance and credibility. Typical of these situations is the war in Vietnam.

On Gridiron (Club) nights in those days the lucky few among us rode to the Willard in street cars in their rented white tie-and-tails and were covered home in the horse-drawn vehicles known as "herdics." I can testify to the sturdiness of these vehicles. Once, when a trained bear and his trainer imbibed too much at Shoemaker's, a 250-pound Senator and I escorted them to their lodgings in a herdic. And up Capitol Hill at that.

In 1909, the National Press Club, now the lord proprietor of these marble halls and vaulted corridors, occupied a small duplex over a drug store on the northwest corner of 15th and F Streets. And when I called at the office of the Courier-Journal and Times to report my arrival in Washington, I found my elderly and soon-to-be predecessor on both papers basking in the warmth of a wood fire and a bottle of Bourbon. He was majestically playing chess with an unmistakable "dean." My colleague rebuked me in a gentlemanly way for disturbing him on a weekend when, as everyone knew, news-making was totally suspended as a courtesy to the press. So I fled to the Press Club bar and the next twelve hours I don't remember at all.

The Outbreak of the First World War in Europe intensified the new activity of the Federal government that began with the Presidential succession of Woodrow Wilson. And the advent of more reporters with advanced education in science and the liberal arts improved the quality of Washington dispatches which, now, in my judgment, have reached a high point of diligence, scope, authority and excellence.

But throughout my 41 years in Washington and in the Press Corps, certain subtle influences to the detriment of balanced, objective journalism have always been more or less exerted in official quarters. The measures of their success depends largely upon the conscience of the king and the susceptibility of the press to his flattery.

Walter Lippmann—and long may he continue his outstanding and independent commentaries—told the Washington Post the other day that he has "reached the conclusion that it is impossible for an objective newspaperman to be a friend of a President." Certainly that is even more true of this relationship when a President imposes on it by not being scrupulously objective himself in his confidential account of the facts that have created his problem.

It is very flattering to be so chosen. In my time I have been bemused by the heady wine and only recovered after a long hangover. But I found out early in the New Deal that a resident visa in Arcady is usually terminated with the publication of a critical article. Anyhow, that has been my experience though maybe the reason is that I am a walking allergy to Presidents that soon becomes insufferable but never sooner than in the case of the present incumbent.

At any rate, there are better examples, I think, to a fair conclusion that confidential relations initiated by the President with the press are in the context of the constant effort of those in office to shape the news reports and commentaries on their acts in the most favorable form possible.

This effort is not new. Nor is it an invariable abuse of a public trust. In certain circumstances of threat to national security or economy or in the midst of delicate diplomatic negotiations by which the threat may be averted without military action, it is unreasonable and irresponsible to demand a running and candid account of the government's plans and activities. But more usually this effort to shape the official news is in service of political or personal self-interest or both.

A few years ago I wrote an article for Fortune magazine in which I endeavored to document this proposition: that, though the treatment was not new it had been applied to the press by the Kennedy Administration with more diligence, subtlety, grace and skill than ever before.

The President, according to his Press Secretary, called me a very bad name. Some of my colleagues whose writings it seemed to me had reflected a degree of the effectiveness of cozy social evenings at the White House asserted that neither as policy nor apparatus was there any such thing in the Kennedy Administration as organized "management of the news."

This surprised me at the time. But I understand it better now because from the same quarter has come criticism of The New York Times and Harrison E. Salisbury for accepting the opportunity and obligations to give the American people their first direct reporting from inside North Vietnam. And how can you realize that someone else is trying to manage the news when you are not aware this is what you are advocating yourself?

Had The New York Times rejected the opportunity to establish a line of communication—news communication—with North Vietnam, this would have been a flagrant instance of managing the news by suppression. For these lines of communication in the past have always helped to explain, and sometimes solve, international differences that have brought people to the edge of war or plunged them into it.

Thank you.

WARD L. QUAAL

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, it was Thomas Edison who said, "Genius is 1-percent inspiration and 99-percent perspiration." We cannot all be geniuses, but we can and should work to the best of our abilities. Sometimes the virtues in work are lost sight of, and it is then we need to be reminded that a society which gives birth to drones is an unhealthy system indeed. Ward L. Quaal, president of the WGN Continental Broadcasting Co., gives us just such a reminder in an address he delivered January 21 at Northern Michigan University in Marquette. With unanimous consent of the House, I now place Mr. Quaal's remarks in the RECORD:

THE NEW MAJORITY

(An address by Ward L. Quaal, president, WGN Continental Broadcasting Co., at Northern Michigan University, Marquette, Mich., January 21, 1967)

Suddenly everyone is becoming aware of young people.

This isn't only because some of them grow their hair longer, sing protest songs, burn draft cards, experiment with LSD or indulge in tribal dances.

It's because of The Statistic.

It is one of the most intriguing statistics, if not *the* most intriguing, in the history of our free nation.

By 1970, over 50 percent of the population of the United States will consist of people under twenty five years of age.

Horrors! That's only three years away. Some of you people here will be a part of that statistic.

No wonder Bobby Kennedy is wearing his hair bouffant, climbing mountains and duffing on skiis. The meek are indeed inheriting the Earth—or at least that part of it representing the world's greatest bastion of freedom, America.

This imminent catastrophe has ruffled the smoke at the council campfires of the elders.

Secretary of Defense McNamara has urged universal military conscription for service.

Secretary of Labor Wirtz has proposed an absolutely unbelievable program of establishing local opportunity Boards where all youths, male and female, would register at the age of 18, be examined and consigned to certain vocational or educational futures—all on a voluntary basis that would appear to be about as optional as taxes.

No youth would be compelled to go to college or join the peace corps or accept any other specific recommendation of his "Opportunity Board . . . but he would have to accept one of the several opportunities offered. This scheme echoes in a chilling way the concepts of other Youth Corps in other nations at other times.

But there's even more. How delightful to be young!

The National Commission of Technology, Automation and Economic Progress, established by Congress in 1964, made its report early in 1966 to the President.

What did it recommend? Simply that the government would guarantee to everybody, regardless of whether or not he worked, could work, or resisted the whole idea, a minimum income. This would be an absolute guarantee—enforced, it is suggested, by "essentially a new principle of jurisprudence."

Henry Hazlitt, the economist, commenting on this proposal suggests a situation in which the minimum per family guarantee would be $3,130 per year. If you made $2500, therefore, the government would send you an annual check for $630 to bring you up to the guarantee. Those making over $3130 would be paying the chit, of course.

Now in such a dunderheaded economy, who would work $2500 worth to get $630 when he could get $3130 for not working at all—and have plenty of time to blow it at the races, go hunting and fishing and sit at the window watching his nutty neighbors trudge off to work.

Well, my youthful friends, everything is coming up roses. There's just one baffling problem. If nobody's working, nobody's producing; and if nobody's producing there is nothing to tax—production or income or sales—and there's no guaranteed revenue to pay the guaranteed income to the guaranteed loafers and free loaders.

No wonder the French economist Bastiat said, "The State is the great fiction by which everybody tries to live at the expense of everybody else."

I'm rather glad to see the young people coming into the ascendancy. Certainly your elders, or some of them, need to be rescued before they bottle themselves up in an economic vacuum where progress will be suspended for all time.

Nothing is more provocative of this notion than the war on poverty. "The big money is in poverty", some wag recently observed.

The local poverty organization in Washington, D.C., the United Planning Organization, was launched with a staff of 676 people. One of seven of these—or 97 employes—were paid $10,000 a year or more. Forty of the 676 had police records of one sort or another.

In Jamestown, R.I. seven youngsters were paid $1.25 an hour by the Neighborhood Youth Corps to teach sailing. The youngsters or their parents owned the boats.

In Boston, one third of the 600 teen-agers employed by the Neighborhood Youth Corps a summer ago received federal income tax W-2 forms showing more income than they actually received.

In Johnstown, R.I. investigators found that 73 out of the 83 parents whose sons and daughters were enrolled in and paid by the poverty program were taxpayers who owned 58 homes and 113 cars.

An unemployed Detroit auto worker, Ozie Bulock, who once took home $104 on his most productive work weeks, reported that since losing his job he clears $106.23 a week, tax free, from two federal anti-poverty programs.

According to Robert G. Wingerter, president of Rockwell Standard Corporation, in a recent speech, among the first 16 group leaders hired under Philadelphia's anti-poverty program to work with youngsters in the Neighborhood Youth Corps, 13 were found on investigation to have arrest records which included larceny, assault and battery and morals counts involving minors.

This gives you some idea of the mounting domestic problems you will inherit when you take over the majority.

We seem to be breaking out in reform movements like kids with the measles.

Take this poverty program, for example.

One gets the impression that no thought had been given to the problems of the poor until the last few decades of the Square Deal (Theodore Roosevelt), the New Freedom (Woodrow Wilson), the New Deal (FDR), the Fair Deal (Harry Truman), the New Frontier (John Kennedy) and the Great Society of contemporary times.

There were "poor laws" in England before the time of Queen Elizabeth. A statute in 1536 provided for the voluntary collection of funds to assist those unable to work. As a matter of fact, a dozen years later this voluntary process became compulsory by law throughout England.

Indeed, in the latter part of the 18th century and the early part of the 19th, poverty payments in England comprised a sixth of the total public expenditure. What happened? Of course, a new law was passed—an oppressive one, really, for the simple reason that poverty had become so fashionable that fewer and fewer people wanted to work.

There's a short cut to fighting poverty, but it's a hard way to go. Those among our progenitors who came to this country when it was a wilderness knew this way. It took fortitude, strength, faith, determination and a free spirit to conquer adversity then. Yes, and a good axe, too—to cut the timber and hew it for homesteads.

The cure for poverty is work—or, to put it another way, production. This is the casual factor in a chain of events which has distinguished the United States among the nations of the world. We have produced. Our people have been industrious. Our people have been rewarded for working at all levels of endeavor. Occupying six percent of the land area of the world and with less than six percent of the population, we account for one third of the world's gross national product.

It was capitalism that induced the industrial revolution. It is pure political pap to contend that capitalism has not erased poverty in vast areas of our nation in a manner unmatched by any other socio-government system known in the world today—and you can take that survey from the starving people of India and China through the Soviet states to the sophisticated realms of the French and the English.

What has our system done for us—all of us? Let's look at it from the standpoint both of the employer and the wage earner. In 1950, profits were 10.3 percent of the national income. By 1965, they had dropped to 8 percent. In 1950, wages were 64.1 percent and in 1965 they rose to 70.3 percent. Furthermore, while the wage earner's share has grown about ten percent, his purchasing power has grown about 33 percent, despite inflation. And this is the situation despite the Viet Nam war, extraordinary and sometimes questionable foreign aid expenditures and endless social reform programs here at home.

Capitalism has worked in this nation. The question we face now is whether or not, in our zeal, we are going to overwork it and see it disintegrate; witness the destruction of the system that guarantees the greatest social and material benefits of any ever known at any time in the history of the world.

Can it happen here?

It happens, usually, when the people relinquish control . . . and we may be in the process of doing just that on the false assumption that we are owed something more than an opportunity.

A major newspaper organization in America (Copley Press of California) recently reported the results of an interesting survey. There are now 2400 federal departments, bureaus and agencies concerned with regulating our national economy. Forty two separate agencies are involved in education programs. One dollar out of every five and one job out of every eight flow from the federal government, not counting local and state governments. In 30 of our 50 states there are more civilian employes on the federal payroll than are employed by the state.

Actually, our unemployment rate in this country now is about 4 percent—and yet we are constantly engaging more and more of our resources, money and manpower in the creation and operation of government-sponsored programs designed to make work. But try to find someone to wash the car, mow the lawn, clean the windows or, in many cases, fill attractive junior executive jobs. If you have a work record, you know, the welfare payments are in jeopardy. To some, then, work can be a threat to security.

There's plenty of work. Our problem is that we are driving the workers from the fields to the fireplaces.

Our social reformers—and these are not the first in the generations of man—presume that the economy will continue sound whatever the cost of their pet projects. They assume that the delicate balance of production and consumption will be maintained in the absence of incentives. This, as The Freeman says, is a patent flight from reality. Our system works because the energy of man is fed into it. When that feeding halts, the machinery stops.

The carburetor of our system is profits. Consumer behavior determines the success of business—and that's why we constantly see shifts of ownership from the less efficient to the more efficient. The consumer controls the profit system. The consumer cannot control a non-profit system, for non-profit institutions—such as government—are sovereign unto themselves in a system where there is no freedom of choice.

One is reminded of the fable of Alexander the Great when he became, virtually, ruler of the world. He came upon a philosopher who was lying upon his back in a meadow and meditating. Having become powerful, Alexander had also become a patron of the arts and the intellectuals.

He stood before the philosopher and said: "Name your wish. It will be granted. I am a patron of culture and will gladly underwrite any project which you may select."

The philosopher thought a moment and responded: "You may do one thing for me, your highness. Please step aside—you are standing between me and the sun."

Do not let power, which may come to you in the masquerade of beneficence, stand between you and the sun.

In the disposition of your lives henceforth, you will have the choice to make that has been the historic lot of man—whether you would live as an individualist or a collectivist. We have an individualistic society, based upon freedoms which are safeguarded against usurpation. But do not be deluded that collectivism is the privately patented condition of nondemocratic lands alone. We are in constant struggle against collectivist programs here at home—tempting programs contrived to lure us from the way of free action.

The Reverend Dr. Sollitt, Pastor of the First Baptist Church in Midland, Mich., put it this way: "Ours is a philosophy of freedom that says a man ought to be free to do as he pleases up to the point where what he pleases interferes with his neighbor's equal right.

"However, for some thirty-five years now another entirely different philosophy of freedom has been evolving—the philosophy that freedom is no longer *for* some thing like 'life, liberty and the pursuit of happiness', but freedom *from* almost everything, like 'want, worry and war' and work, too, if possible."

And as Dr. Sollitt also has said, we should be doing more talking about justice than equality. We are equal before the law but the nature of our equality depends upon what we do with our opportunities, given equal chances. Justice is indeed utterly disregarded when the relationship between effort and reward is obliterated, or reversed, "as when under the banner of 'equality' the man who works is robbed to pay the bills of another who won't."

James Russell Lowell put it this way: "Being forced to work, and forced to do your best, will breed in you tolerance, self-control, diligence, strength of will, content, and a hundred other virtues which the idle will never know."

Our welfare bill today is $52 annually for every man, woman and child in the United States. By 1970, when there will be more of you than there will be of the rest of us, that will be $103, if the recommendations of Economist Leon Keyserling are followed.

That means that some of you here will be working and paying the bill while some others of you will be going fishing. Unless somebody sometime somehow stops all this nonsense.

Friends, there is no conceivable way that you can be unemployed for very long after you leave this institution if you *want* to be employed—and I except those who might be drafted for other duty.

Never has there been greater opportunity.

But you face one barrier to enterprise—one terrible temptation.

It was clearly described in an example given by Thomas J. Shelly, who was for thirty-five years a teacher of economics and history. He told a Yonkers High School class:

"John, you made a grade of 95; and yours, Dick, was 55. I shall now take 20 points from you, John, and give them to Dick. Thus, each of you has 75, adequate for passing.

"Here I have applied the socialist-communist principle set forth by Karl Marx: 'From each according to his ability, to each according to his need'.

"Now, let us examine this in practice. You, John, won't work because you have had your incentive removed. And you, Dick, won't work because you are getting something for nothing.

"We can't exist unless we work or produce. Thus, in order to get the work done, we'll need someone with a whip or a gun. Socialism must lead to authoritarian controls."

This example illustrates an economic and social plan of life so far removed from the original blueprint for America that it is almost unbelievable that we should have embraced any of its concepts.

The Jeffersons and Franklins and Masons did not say, "We will have a free enterprise system". They said, "We will provide for the *freedom of men*". It was the men themselves, thus liberated, who created enterprise in this nation through exercise of their own freedom.

And Government didn't have much to do with this except to stand by and be properly representative of the people—and to pass and administer appropriate laws and to levy taxes to support itself and to provide for the defense.

Government had so little to do with the wellsprings of the free enterprise plan in this country that, for example, it was unheeding, except for the routine patent procedures, when Charles Goodyear learned how to vulcanize rubber, when Oliver Evans was talking about a road vehicle that would run under its own power and when John B. Dunlop, a Scottish veterinarian surgeon, developed an idea for an air-filled rubber tire.

And Government knew not a thing at the time about the first oil well ever brought in—at Titusville, Pa., in 1859, by Colonel E. L. Drake.

The free enterprise program rolled along, gathering momentum, and every now and then Government yawned and expressed mild surprise, as in 1844, when Henry Ellsworth, Commissioner of Patents, said in his annual report:

". . . the advancement of the arts from year to year taxes our credulity and seems to presage the arrival of that period when human improvement must end."

Progress has been the product of labor at all levels of endeavor. If labor stops, enterprise stops; if the desire to work is smothered by the removal of initiative, the lights of a free America are beginning to flicker and fail.

We may have been many things as this country was growing up which were looked upon with skepticism by others—brash, boastful and perhaps a little rough around the edges when it came to the social amenities. But we were one thing for sure—industrious; and all the world admired us for it. It has been one of our greatest truths as a people.

As Abraham Lincoln said to the Workingman's Association of New York—how long has it been since one of our Presidents said something like this to a labor union: "Let not him who is houseless pull down the house of another, but let him work diligently and build one for himself, thus by example assuring that his own shall be safe from violence when built. I take it that it is best for all to leave each man free to acquire property as fast as he can. Some will get wealthy. I don't believe in a law to prevent a man from getting rich; it would do more harm than good."

If, in your present temper as a graduating senior, you find reference to our predecessors as something less than "cool", remember that what you will be doing throughout your lifetimes—hopefully—will become the pattern of reference for future generations.

Please try to be diligent—to be honest—to be industrious—to be decently proud—to be charitable to the needful—to be faithful—to believe in something; please remember your greatest heritage of freedom and clasp it closely, guard it jealously, for yourselves and for all who follow you.

And work. Do your part. Do more than your part, if health and aspiration blesses you. Remember—the difference between the world's greatest miler and the second best is measured in feet and fractions.

You don't need to appear before an "opportunity board" to find out where you are going. Let your heart and your mind tell you; there's nothing to stop you and never will be, unless you build the barriers yourself.

Just before Adlai Stevenson died, he was in New York prior to embarking for Geneva. On his bedside table was found a printed page which he had marked. It was entitled "Desiderata" and was found in Old St. Paul's Church, Baltimore, dated 1692.

I can think of nothing more appropriate for you of this generation, three centuries later, than this passage from Desiderata:

"Go placidly amid the noise and the haste and learn what peace there may be in silence . . . Speak your truth quietly and clearly; and listen to others, even the dull and ignorant; they too have their story. . . . If you compare yourself with others you may become vain and bitter; for always there will be greater and lesser persons than yourself.

"Enjoy your achievements as well as your plans. Keep interested in your career, however humble; it is a real possession in the changing fortunes of time. Exercise caution in your business affairs; for the world is full of trickery. But let this not blind you to what virtue there is; many persons strive for high ideals; and everywhere life is full of heroism.

"Be yourself. Especially do not feign affection. Neither be cynical about love; for in the face of all aridity and disenchantment it is as perennial as the grass. Take kindly the counsel of the years, gracefully surrendering the things of youth. Nurture strength of spirit to shield you in sudden misfortune. But do not distress yourself with imaginings. Many fears are born of fatigue and loneliness. Beyond a wholesome discipline, be gentle with yourself. You are a child of the universe no less than the trees and the stars; you have a right to be here. And whether or not it is clear to you no doubt the universe is unfolding as it should.

"Therefore be at peace with God, whatever you conceive him to be. And whatever your labor and aspirations in the noisy confusion of life keep peace with your soul. With all its sham, drudgery and broken dreams, it is still a beautiful world."

I do hope that in the years to come, as you progress along life's highways, you will also bear the importance of superior performance in that which you do, no matter what may be the area of activity involved.

In his beloved *Walden*, Henry David Thoreau must have had Dr. Harden in mind when he wrote many years ago a statement which I treasure and I hope it is one you will recall throughout your lifetime.

"I know of no more encouraging fact than the unquestionable ability of man to elevate his life by conscious endeavor. It is something to be able to paint a particular picture, or to carve a statue and so make a few objects beautiful, but it is far more *glorious* to carve and paint the very atmosphere and the medium through which we *look*, which morally we can do. To effect the *quality* of the day, that is the highest of arts."

TAX OMBUDSMAN BILL

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TUNNEY. Mr. Speaker, today I am introducing legislation which will create 20 regional tax commissioners to assist a citizen in receiving a fair and timely hearing in a tax claim. Under this bill, taxpayers assessed a deficiency of less than $2,500 may, without undue expense or time-consuming legal action, appeal an Internal Revenue Service decision to one of 20 regional tax commissioners.

Last year the Senate Subcommittee on Administrative Practice and Procedure chaired by Senator EDWARD LONG, of Missouri, held extensive hearings on this issue. These hearings brought out the fact that more than 3 million income tax returns were subjected to audit by the Internal Revenue Service. Deficiencies were discovered in 51 percent of these cases; refunds were paid by the IRS in 14 percent of these cases, while no change was made in 35 percent. The average deficiency was below $700 while the average refund was $100. The significance of these figures is that most taxpayers cannot or will not hire a lawyer to appeal a case because of the expense and time involved in legal appeal.

The tax ombudsman proposed in this bill would not only help to protect the rights of the people against errors and malfunctions by the Government but also I believe would increase the confidence and respect of the people in their Government.

I believe that the idea of an ombudsman in other areas should be carefully looked into as it represents a unique opportunity to insure greater public confidence in our governmental agencies.

FLOOD INSURANCE PROGRAM

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TUNNEY. Mr. Speaker, I would like to join our distinguished majority whip, HALE BOGGS, and my other colleagues in introducing legislation to establish a permanent insurance program to protect homeowners from flood disaster.

In my own district in California, Riverside County has been hit twice in 2 years by floods which were responsible for damage amounting to millions of dollars. This bill would establish a combined Government program of flood insurance. The Secretary of Health, Education, and Welfare would be authorized to enter into a contract with one or more private insurance companies in order to provide flood insurance at reasonable premium rates. The Department of Health, Education, and Welfare would then pay the difference between reasonable premium rates on flood insurance policies and the actual cost of the insurance. The Department would also pay all claims in excess of certain fixed amounts and would provide loans at fair rates to insurance companies which covered losses on property under the jurisdiction of this legislation.

Property owners in California are already burdened by high property taxes and other expenses.

For many property owners, a flood represents a shattering blow, from which they can never recover financially. I feel that this legislation will help protect the California property owners from financial disasters resulting from floods.

THE MESSAGE OF THE PRESIDENT ON CRIME

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I listened attentively to the reading of the message by the President of the United States on the subject of crime. I failed to hear any reference whatever to the effective crime bill which the President vetoed only a few months ago when Congress was adjourned.

Mr. Speaker, I hope that bill will be reintroduced, without the change of a word or a comma, and that it will again be approved by the Congress, and sent to the White House, in order that the bill can come back to the House of Representatives and to the other body while both bodies are in session, so that we will have an opportunity to pass the bill over the veto of the President.

I did notice some attention given to the subject of the right of privacy. I assume this refers to "bugging" and other surveillance on the part of the Government.

I am not unmindful of the fact that the President of the United States was in office, together with a Democrat Attorney General, when the conversations of Otto Otepka, security officer in the State Department were being "bugged."

Mr. Speaker, I wonder if it can be said that not a single conversation coming into the White House under the present President of the United States has been "bugged" or recorded?

Mr. ALBERT. Mr. Speaker, will the gentleman from Iowa yield to me?

Mr. GROSS. Yes, I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, the gentleman from Iowa knows, of course, that the crime message of today is of an entirely different nature from the bill which the Congress passed last year. If I remember correctly, that bill related to crime in the District of Columbia, over which the Congress of the United States has exclusive jurisdiction.

Mr. GROSS. Does not the gentleman from Oklahoma feel that the enactment of that bill would have been a good start toward the prevention of crime? This is one of the worst crime-ridden cities in the Nation.

Mr. ALBERT. Mr. Speaker, if the gentleman from Iowa will yield further——

Mr. GROSS. Yes; I yield further to the gentleman from Oklahoma.

Mr. ALBERT. If I remember correctly, I voted for the bill and urged its passage.

Mr. GROSS. Yes; I believe the gentleman from Oklahoma did vote for the bill.

NOISE—A PROBLEM TO BE HEARD

The SPEAKER. Under previous order of the House the gentleman from New York [Mr. Kupferman] is recognized for 30 minutes.

Mr. KUPFERMAN. Mr. Speaker, on Saturday, January 28, 1967, the Association of American Geographers—Middle Atlantic Division—held its annual meeting at the National Academy of Sciences to discuss the quality of the Washington environment.

Among those taking part in the discussion were:

Mr. Carl J. Johnson, director, Interstate Commission on the Potomac River Basin on the subject of "Water Pollution"; Mr. Marvin D. High, professional engineer, National Center for Air Pollution and Control, Department of Health, Education, and Welfare, on the subject of "Air Pollution"; Mr. James J. Kaufman, legislative assistant to Congressman Theodore R. Kupferman, on the subject of "Noise Pollution"; and Mrs. Chloethiel Woodward Smith, noted architect, on the subject of "Esthetic Pollution."

The luncheon speaker, Senator Edmund S. Muskie, was followed by a forum on the subject of "The Establishment and Administration of Pollution Abatement Policies," with Dr. Edward A. Ackerman, of the Carnegie Institute of Washington, as moderator, and participants including: Mr. Charles Conrad, director of the National Planning Commission; Mrs. Gordon Hull, Maryland House of Delegates; Mrs. Edward McNulty, chairman, Potomac Basin Inter-League Committee, League of Women Voters; Mrs. Haskell Rosenblum, Presidential Board on Water Pollution; Mr. William Colony, Director, Federal Water Pollution Control Administration, Department of the Interior; Mr. Richard C. Wertz, director of public safety, Metropolitan Washington Council of Governments; Mr. Doyle J. Borchers, Chief of Legal Procedures, abatement program, National Center for Air Pollution Control, Department of Health, Education, and Welfare; and Mr. James Kaufman, my legislative assistant.

The newspaper reports of the conference follow:

[From the Washington Sunday Star, Jan. 29, 1967]

One Man's Music—Noise Pollution Stirs Ire

(By Donald Fitzhugh)

Noise pollution often is a question of individual taste, or hearing, as expressed in the old adage: "One man's noise is another man's jazz."

Some are very concerned, like Robert Alex Baron, chairman of New York's "Upper Sixth Avenue Noise Abatement Society." He interested Rep. Theodore R. Kupferman, R-N.Y., author of legislation to stifle the noise problem at all governmental levels.

Kupferman's legislative assistant, James J. Kaufman, presented the problem yesterday to a conference on all types of pollution sponsored here by the Association of American Geographers.

Baron has even taken his case to the International Congress of Noise Abatement, which last year met in Baden-Baden, Germany, to hear the New Yorker single out garbage collection as the prime offender in his city in the last 26 years.

Not only the noise of the trucks and cans at 3 a.m. in Gotham alleys, but also the shouts of the garbage men were a wide source of complaint, according to Baron. He made a motion for plastic cans, but balked at trying to limit the collector's right of free speech.

Airplanes are the most objectionable noisewise, Kaufman said. In Washington, the most vociferous group has been CAN (Committee Against National, or to Abolish National, depending on the vehemence of the opinion-holder).

CAN, a coalition of civic organizations seeking to scotch all air traffic at National Airport, has announced a rally—possibly noiseless—at the Arena Stage to protest the jet sounds.

As if in recognition of the difficulties ahead, Kaufman ended his speech to a hushed audience yesterday by saying: "Hope I haven't made too much noise."

[From the Washington Post, Jan. 29, 1967]

Washington Pollution Is Discussed

(By Jean R. Hailey)

The subject of the day-long conference was Washington Area pollution—not only of the more publicized air and water, but also esthetics and noise.

Even as the conferees were discussing noise, considered almost as much an irritant to health as bad air and water, sentences of the speakers were being drowned out by airplanes overhead, said the conference chairman.

The meeting was held by the Middle Atlantic Division of the Association of American Geographers with Federal and local authorities at the National Academy of Sciences, 21st Street and Constitution Avenue nw.

Division chairman Richard R. Randell, of Rand, McNally and Co., who presided, said the conference on "The Quality of the Washington Environment" had been called to get geographers and planners together.

The noise pollution danger was discussed by James Kaufman, legislative assistant to Rep. Theodore Kupferman (R-N.Y.) The Congressman has suggested that the Federal Government needs an "Office of Noise Control." Randell explained later that noise that interferes with proper sleep or jangles nerves is a direct health hazard.

Esthetic pollution was brought up by Chloethiel Woodard Smith, architect, and the conferees agreed that surroundings—the highways, buildings and landscapes—that people see can have an effect on their thinking and emotions and thus on their health.

Main speaker at the meeting was Sen. Edmund S. Muskie (D-Maine), chairman of the Senate Subcommittee on Air and Water Pollution, who has been among the leaders in passing legislation to clean up both air and water.

The talk by James J. Kaufman, my legislative assistant, on "Noise—A Problem To Be Heard," is an excellent survey of the problem and the work done thus far, and I commend it to my colleagues:

Noise: A Problem To Be Heard

(By James J. Kaufman[*] before the Middle Atlantic Division, Association of American Geographers, National Academy of Sciences, Washington, D.C., January 28, 1967)

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INTRODUCTORY REMARKS

Noise has become a serious environmental problem in the life of man. In the present jet age, with increasing reliance upon speed in transportation, communication, and production, excessive noise presents a real threat to our health and our pocketbook.

This paper is a general discussion of the anatomy of noise. The writer has endeavored to expose the complexity of the subject, as well as place various considerations such as noise characteristics, legal controls and limitations, aircraft noise, governmental involvement, and public awareness, in proper perspective.

It is the author's contention that if proper educational and remedial steps were taken to abate air and water pollution ten years ago, the proportion of the current crises in these areas might not be so great today. Proper steps must be taken immediately to insure that our citizens will not wake up one morning and find a more serious crisis—the inability to hear.

NOISE BACKGROUND

To primitive man noise served a very useful function; it instituted a "fear" reaction which worked as a signal to real or potential danger.

We know that noise was used centuries ago in battle as a psychological weapon. Probably the first record of the effect of noise can be traced to the familiar biblical story of the "Walls of Jericho" tumbling down as a result of the combined blast of thousands of trumpets and the shouts of the people. A more novel example of noise employed as a psychological weapon may be recalled when empty beer bottles were tossed out of plane windows by World War II Navy pilots to harass the enemy. The high-pitched whistle invoked considerable "fear" responses in the Japanese during the Solomon Islands campaign—not to mention the continuous interruption of their sleep.

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[*] Mr. Kaufman, Legislative Assistant to Representative Theodore R. Kupferman, New York, is a member of the New York Bar and Co-Chairman of the Federal Legislation Committee of the Federal Bar Association of New York, New Jersey, and Connecticut.

In the United States, early exploration of the problems of noise dates back to a survey by *Forum Magazine* in 1962, under the direction of E. E. Free in New York City. The study suggested that laws be written censoring the loud blare from auto horns.

Shortly thereafter, the National Safety Council conducted an interesting series of studies on human reactions to noise in an effort to ascertain the cause and effect on automobile accidents. At the same time, the American Telephone and Telegraph Company and the National Electric Light Association were pioneering in noise research by conducting experiments to ascertain the extent of noise interference with phone conversations.

Most students of noise generally conceded that the first comprehensive study of the problems of noise began in October of 1929, when New York City's Mayor, Jimmy Walker, appointed the New York City Noise Abatement Commission to study the complex noise situation in New York City. It was directed to report to Dr. Shirley W. Wynne, New York's Commissioner of Health, on the effect of noise on the City's inhabitants and to explore ways and means of eliminating unnecessary noise.

The work of the Noise Abatement Commission culminated in an impressive 303-page report entitled "City Noise," (published September 1931). It set forth basic observations and conclusions supporting the detrimental effect of excessive noise. Evidence from the Commission's studies supported findings that excessive noise destroys efficiency, interrupts minimum sleep requirements, can cause temporary and permanent hearing loss, severely strains the nervous system, inhibits normal development of infants, causes accidents, interferes with children's school programs, and is extremely costly (i.e., hearing impairment, workmen's compensation, reduced output, increased accident rates, communication difficulties). It is worth noting that the July 1960 issue of *Popular Mechanics* magazine estimated that $2 million is lost each day to industry because of noise based on decreased efficiency and lost man hours. More recently, this figure is said to have doubled.

The in depth study of the problem of noise by the Commission was aided by concurrent experimentation and exploration in noise measurement. For example, in 1929 the first portable sound level meter was developed. The Commission used the noise meter to measure the blast of the air hammer, the roar of riveting, the blare of the automobile, the truck horn and other New York City noises.

It recommended, among other things, ordinances to require mufflers on cars and trucks and that horns only be used in cases of emergency. It is interesting to note that the Commission also suggested buildings be built higher to escape the noise. Little did they imagine the multitude of equally high buildings that we have today which serve as "echo chambers" for the amplification of sound waves from the street below and the sky above.

The 1929 Commission was the last body to conduct a comprehensive study of noise even though city noise in the United States is said to be increasing at an alarming rate (1 dB every year).

The exodus of man from rural areas to urban communities has resulted in a conglomeration of everyday specific and general sounds huddled together in the confines of the city. In short, noise has become the by-product of man's civilization.

So, many believe that noise has to be accepted as the price we must pay for the fruits of an advanced age. To others, including the writer, "The idea that noise is a necessary price of industrial and economic progress is as antiquated as is the belief that contaminated waters and a polluted atmosphere must also accompany civilization's material advances." (Rep. Theordore R. Kupferman, (R.-N.Y.), *Engineer*, Vol. VII, No. 3, p. 6 (1966).

To more fully understand whether this is so, it becomes beneficial to examine in detail the nature of noise and the science of how it affects us.

UNDERSTANDING NOISE

For some time noise has been most commonly and simply defined as "an unwanted sound." Only recently was this definition enlarged upon in an article entitled "Noise—How Much More Can We Take?" (*McCall's*, January 1967) which stated: ". . . now for all practical purposes noise might well be defined as 'Sound so intensely unwanted that it leads citizens to complain, organize, sue, vote, boycott and generally raise cane.' " Technically, noise may be thought of as rapid pulsations in air pressure produced by vibrations. It may be considered in the objective sense as a form of energy, and in a subjective sense as something we hear.

One of the most frequent difficulties in defining noise may be understood by the classic phrase, "One man's music may be another man's noise." The writer notes, by way of example, a neighborhood church which recently changed from a mechanical clock which rang on the hour to an electronic chime system. Considerable protest by those who lived nearby the church was prompted by the noise from the new chimes. Others, however, argued that the chimes were pleasing and that churches and bells have been synonymous from time immemorial. In the end the amplifiers were turned down a bit, but the dichotomy remained.

The same question viewed in a somewhat different light was raised in the 1952 Supreme Court case, *Public Utilities Commission* v. *Pollak*, 343 U.S. 451 (1952). The Court upheld a finding of the Public Utilities Commission that radio service which passengers had objected to as an invasion of their constitutional right to privacy was not inconsistent with public convenience, comfort and safety, and permitted it to continue.

Noise may be measured by an audiometer in terms of the total acoustical power of its source or strength. Sounds may also be represented in terms of a relative quantity or intensity called "decibels." A decibel is a logarithmic ratio between two sound pressures. Thus, in a simple way we can express the levels of acoustic pressure. The loudest sound we hear may be 10 trillion times the intensity of the faintest sound we hear. A useful rule in measuring intensity is that doubling the sound intensity corresponds to an increase of 3 db. There follows a list of some common noises expressed in terms of decibel ratings:

	Intensity	Decibels
"Threshold of pain", maximum bearable	10,000,000,000,000	140
Riveting, metal cutting, blasting, drop-forging		130
Pneumatic air hammer		120
Loss of of hearing, if continual		110
Subways and heavy trucks		95
Train whistle (at 150 feet)	1,000,000,000	90
Danger level		85
Average industrial noise, automobile		75
Conversational speech (at 3 or 4 feet)		60
Private business office		50
Average residence	10,000	40
Broadcasting studio speech		30
Whisper (at 4 feet)	100	20
Threshold of hearing at 1,000 c/s	1	0

Noise measuring instruments employ a standard setting (such as the "A" scale which gives extra weight to the high frequencies) in order to relate not only the physical energy of the noise but also the hearer's perception of its effect.

Other expressions of sound include variations in air pressure which are recorded as sound pressure levels (SPL) which exist at a definite position relative to the source, and frequency or cycles per second (c/s), which may be simply stated as the number of sound waves which pass a fixed point in one second.

The above terms are an over-simplified version of technical definitions of sounds and sound measurement. The author has simply attempted to provide some basis for an understanding of the complex phenomena of sound and noise measurement.

To understand further the effects of noise on human beings, one should consider four areas: (1) the source radiating the sound energy; (2) the path along which the sound energy travels; (3) the length of exposure and (4) the individual tolerance level of the receiver (human ear).

A number of studies have been devoted to determining psychological and other effects on human beings when exposed to various noise levels. General annoyance, irritation, frustration, hypertension, and fear responses are held by a large body of psychiatrists and psychologists to result from excessive noise exposure.

According to Dr. Stanley Mohler, Medical Consultant to the FAA noise abatement staff, when noise interrupts a person's sleep, his dreams are interrupted in whole or in part, thus producing a "dream deficit" which may result in various disorders, including neuroses and psychoses. Dr. Julius Buchwald, a psychiatrist at the New York Medical Center, points out that dream interruption may lead to such symptoms as paranoiac delusion and hallucinal and suicidal impulses.

Noise can also produce high blood pressure, coronary thrombosis and temporary and permanent hearing loss (deafness). Hearing loss which result from excessive noise can vary from slight impairment at high frequencies to substantial loss at all frequencies. Dr. Thomas Fay, Jr., Chief of the Communicative Disorder Service at New York University Medical College explains that organic hearing loss may result from damage to tiny nerve endings in the inner ear over a long period of time as a result of continuous exposure to noise. In this connection we are reminded of the old adage, "The drop grooves the stone not by force but by frequent falling.'"

The well-known Dr. Samuel Rosen, Consulting Ear Surgeon at Mount Sinai Hospital, New York, along with several of his colleagues from Germany and Egypt, completed a dramatic research concerning the casual connection between noise and hearing-loss and coronary disease. In three separate studies made of the primitive Mabaan Tribe in the jungles of Southeast Sudan, it was demonstrated that with aging, the Mabaan's hearing in high frequencies maintains considerably higher levels when compared to similar population groups in New York. The Mabaan environment is almost free of noise, with ambient noise level measuring 34 to 40 decibels on the "C" scale. It was surprising to learn that at 500 to 6,000 cycles per second hearing is significantly more acute in all Mabaans age ten through seventy years than people of the same age who live in the United States.

Loss of hearing is generally regarded in the

United States as a by-product of old age. But studies show it may be caused, at least in part, by repeated exposure to excessive noise over many years; thus we no longer need to accept partial deafness as inevitable with advancing age.

In addition to superior hearing among the Mabaan Tribe, Dr. Rosen found: ". . . coronary heart disease is unknown in this tribe. The Mabaans have minimal generalized arteriosclerosis, . . . no varicose veins or thrombosis, no bronchial asthma, duodenal ulcer, nor ulcerative colitis. Rheumatic heart disease was not found among the children."

Now, after a brief discussion of what noise is, how it is measured, and what it can do to human beings, it may be helpful to briefly mention a few of the sources of noise, aside from aircraft noise which will be considered separately.

Robert Alex Baron recently told the Fourth International Congress of Noise Abatement at Baden Baden, Germany, in May 1966, that in one 26-year period garbage collection moved up to first place in a list of ten most disturbing noises in New York City. The garbage is usually collected early in the morning (3–5 a.m.). The operation of the turnstile which pulverizes the refuse and jams it into the truck, together with the clang from the metal garbage can and metal objects within, combine to cause a substantial racket which rudely awakens many residents in apartments throughout the block.

Another source of noise is construction, including noises from heavy machines (caterpillars, cranes), air compressors, pneumatic drills, riveters, hydraulic presses, heavy trucks with diesel fuel systems, cement trucks, and supporting machinery. New Yorkers are assaulted each year by the noise of 10,000 demolitions and building projects, plus 80,000 street repair projects. New York City does little or nothing to abate construction noise. In common with most cities, it exempts daytime construction from any noise control and allows loopholes for nighttime construction. Construction noise, like most other sources, is often excused as a "temporary nuisance," even though it exists nearly every day and many nights, year after year.

Actually, much could be done by construction companies to abate noise. Noise muffling techniques, such as mufflers for foundation blasting and use of special steel wire mesh blankets would help. So would welding of joints rather than bolting or riveting them, and time spacing of demolition to weekend and off hours when offices normally are closed. The cost of such abatement equipment and procedures is not necessarily prohibitive. To illustrate, the use of a simple device designed to quiet an air compressor which costs about $200.00.

A third major source of noise comes from motor vehicles of all sizes and types. Excessive noise not only comes from defective, loud, or inadequate muffler systems, but from tire noise and the combined noise of horns and motor vehicle traffic. It is estimated that in New York City 40 per cent of the excessive noise is caused by trucks with defective muffler and exhaust systems. One truck with a defective muffler can produce a near equivalent to 90 or 100 cars traveling simultaneously.

Necessity does not require, nor does space permit a complete list of noise sources. Essential to an understanding of how to control noise sources, however, is a brief review of the extent to which we, as citizens, are protected by laws governing noise.

LAWS GOVERNING NOISE

In the United States there are no Federal antinoise statutes as such. If statutory noise control is to be found it is on the State and local level.

The basic law dealing with noise control in New York City as it exists today, for example, is set forth in Section 435–50 of the Administrative Code. This Section states generally that "the creation of any unreasonably loud, disturbing and unnecessary noise, and noise of such character, intensity and duration as to be detrimental to the life and health of any individual is prohibited." The Section follows with a list not deemed to be exclusive of acts, which among others are declared to be loud, disturbing, and unnecessary in violation of the Section. The list includes, but is not limited to, (1) the sounding of a horn on any motorcycle, bus or other vehicle; (2) the operation of any radio, phonograph or use of any musical instrument in such a manner as to annoy or disturb the quiet of any dwelling, hotel or other residence between 11 p.m. and 7 a.m.; (3) the keeping of any animal or bird causing frequent and long continued noise disturbing comfort of persons in vicinity; (4) automobile, motorcycle, streetcar, or vehicle so out of repair, or so loaded, as to create loud and unnecessary or rattling or other noise; (5) bellowing of any steam whistle attached to any stationary boiler, except as danger signal; (6) discharge into open air of exhaust of any steam engine; (7) erection, excavation, demolition, alteration, or repair of any building other than between 7 a.m. and 6 p.m., except in interest of public safety, and then only with a permit from the Commissioner of Buildings, which permit may be reinstated for a period of three days or less while the emergency continues; (8) excessive noise on any street adjacent to any school, hospital, or court in session (provided signs are displayed identifying the school, hospital, etc.); (9) excessive noise in connection with loading or unloading vehicles, boxes, crates, containers; (10) shouting and crying of peddlers, hawkers, vendors; and (11) the misuses of any drum, loud speaker or other device for attracting public attention. Violators may be fined not less than $5.00 nor more than $10.00, or be imprisoned for one day for the first offense.

Similar local statutes have been enacted in some other States. The fact is, however, that most States are devoid of up-to-date ordinances (written to specify quantitatively the noise level that constitutes violations) dealing with the prohibition of unnecessary noise. Recent legislation in the State of California with respect to industrial noise specifies when ear plugs are to be worn by industrial workers, namely when exposure equals or exceeds certain stated levels and also stipulates the need for instruction to those who use them. (Standards for Noise Control; Noise Control Safety Orders, Division of Industrial Safety, Art. 55, Group 6, 1 1963).

The National Institute of Municipal Law Officers has set forth in a book by Charles S. Rhyne three "model ordinances" which would regulate and prohibit: first, certain use of sound trucks; second, certain uses of sound advertising from aircraft; and third, unnecessary noise. This book—entitled "Municipal Control of Noise—Sound Trucks, etc."—together with the annotations provided, makes an excellent reference source for cities in their exploration of ways to draft codes or improve their existing ones. It also speaks of the Constitutional right of freedom of speech and the validity of local noise control statutes.

New York State, to the author's knowledge, became in July 1965 the first in the United States to enact a state highway antinoise statute. The New York State legislation was the product of the efforts and determination of many public-spirited citizens, including Christine Helwig, Chairman of the New York State Thruway Noise Abatement Committee. The State law, sponsored by New York State Senator Max Berking and New York State Assemblyman Anthony Gioffre, provides a measurable noise limit which can be enforced against motor vehicles creating excessive or unusual noise. The Act defines as excessive noise ". . . a vehicle which produces a sound of 88 decibels or more on the "A" scale." 90 decibels on the "A" scale, therefore, is a level at which violation would be charged and arrest made. The noise is measured at roadside toll stations where trucks pass at speeds of less than 35 miles per hour. California is presently studying legislation that would prohibit noise levels in excess of 82 dBA for passenger cars and 92 DBA for trucks and buses.

Considering the need for Federal, State and local noise control, the United States is far behind other countries. The United Kingdom, which has long been a leader in the area of noise control, widened the scope of its national statutory provisions, which formerly required a noise to be hazardous to health before abatement could be enforced, by enactment of the 1960 Noise Abatement Act. This Act treats noise as a public nuisance. Local authorities have power to enforce noise controls and property owners may seek redress by complaining to the magistrates. With respect to vehicular noise control in Britain the national government proposes to limit the maximum permissible noise to 85 dBA for passenger cars and trucks and 90 dBA for motorcycles and other two-wheeled vehicles. (Leo L. Beranek, "Noise," *Scientific American*, December 1966).

In many other countries workable legislation exists which provides control of noise from various sources. For example, in Denmark, bicycles with motors may not produce noise in excess of 79 decibels measured outdoors at a distance of 7 meters. In Hesse, Germany, a 1959 local ordinance prohibits certain types of noisy work between defined hours. In Austria, machines or manufactured processes producing loud noises must be physically separated from other work areas. In Czechoslovakia, low noise levels are considered an indication of quality in factory operation and acoustics and vibration experts are required to advise the builders of factories on methods of noise suppression. Moreover, machines and other equipment may not be imported if they exceed allowable noise limits.

In Europe, a general appreciation for quiet buildings has dictated careful attention to noise control in the construction of multiple-family houses. Among those countries with sophisticated acoustical building codes in modern housing are Britain, Sweden, Germany, the Netherlands, Italy, Japan, and the U.S.S.R.

In South America, it is interesting to note that in Brazil legislation classifies any industrial noise above 80 decibels as hazardous enough to warrant a higher salary. This noise limit is intended by the government to serve as an incentive to employers to reduce the hazards of excessive noise.

Unfortunately, in the United States, noise control provisions do not exist in building codes. There is, however, a growing awareness of the need for more knowledge about noise in buildings and adequate controls. The National Bureau of Standards (NBS), as an aid to construction engineers and planners, has made available a monograph entitled "Sound Insulation of Wall, Floor and Door Constructions." (C#77–1964). The Federal Housing Authority, also concerned about noise abatement, is presently supporting a thorough study of noise in U.S. multiple-unit dwellings. Hopefully, eventual Federal noise requirements will be forthcoming, at least with respect to housing built under FHA mortgages.

In New York City, the Polytechnic Institute of Brooklyn has been working on proposals which would include provisions in the new New York City building code for the abatement of noise in multiple dwellings. In addition to reducing the amount of airborne noise between adjacent apartments and hallways and reducing "impact noises" between apartments, the proposed Polytechnic code seeks to control structure-borne noises originating in moving machinery and equipment, as well as noise reaching apartments from equipment located on adjacent buildings. Perhaps when New York finally adopts a building noise code other states will follow its lead and write controls into their codes. If the public expresses its desire to have quieter buildings without a substantial increase in cost by supporting uniform noise controls in building codes, the building industry will soon be forced to find cheaper materials that will not comprise safety but will insure less noise.

Another area deserving national remedial attention is minimum uniform noise control standards for industrial workers. Industrial management's concern for noise control remained for the most part dormant until a relatively recent New York Court of Appeals decision upheld a workmans' compensation claim for partial deafness caused by the high noise level in the shop where he worked. The claimant was awarded $1,661.25 as a result of the "occupational disability" suffered as a drop-forge worker, notwithstanding the fact that he was able to perform his duties at full pay. Hundreds of claims followed by workmen hoping to recover on analogous principles. The New York Court narrowed the effect of its prior decision, which sounded the first real alarm heard by management to consider noise control, by subsequently holding that as a condition precedent to a claim the worker must retire from his noise occupation for a six month period to determine whether or not his hearing loss is permanent. Inasmuch as most workers would prefer not to give up their job or wages for six months the number of claims has decreased.

But if the workmen's compensation claims did not provide a catalyst for an awakening in this country to the need for greater protection against excessive noise, the development and flight of the modern aircraft did. As the aviation industry flourished, and larger aircraft flew more frequently overhead, landowners began to seek relief from damage caused by the excessive noise. Some moved, but most sought a legal remedy, preferring not to leave their land.

The U.S. Constitution affords protection to each citizen against the "taking" of his property without just compensation. At least half the States extend this protection to require just compensation for damaged property, as well as a "taking" of property. According to early common law, the claim of title to the landowners' property extended to the universe above, as well as to the boundaries of the land below (*ad coelum* theory). As a result of the increased demands upon aviation, however, the U.S. Courts have declined to recognize this theory, considering the air space overhead a "public highway."

It was not long before the Congress specifically declared the Government has a right of free transit in our navigable air space, which shall include "air space needed to insure safety in takeoff or landing of aircraft." (Federal Aviation Act of 1958, 72 Stat. 737, 49 U.S.C. Sec. 1301(24)). American Courts, nonetheless, continued to recognize the landowner's right to just compensation for a "taking" of his property for public use. In the famous 1946 decision in *United States v. Causby*, 328 U.S. 256, the Court held continuous flights of military aircraft over landowners' land, so frequent and at such low altitudes as to destroy the beneficial use of their farm, to be a "taking" of their property which required just compensation. It is important to note that the Government was sued in the capacity as "airport operator". (Mr. Sidney Goldstein, "Legal and Practical Limitations on Noise Control Methods," presented by U.S. Delegation, International Conference on the Reduction of Noise and Disturbance Caused by Civil Aircraft, London, England, November 1966, hereinafter cited as [Goldstein].)

Sixteen years later, the U.S. Supreme Court extended the liability for the "taking" to the airport operator. In *Griggs v. Allegheny County*, 369 U.S. 84 (1962), the property owner sued Allegheny County (operator of the Greater Pittsburgh Airport), and recovered under the Federal Constitution's 14th Amendment on the basis of a "taking" of an aviation assessment over his land. The defendent airport operator argued reasonably, but unsuccessfully, that if there were a "taking", Congress had placed the liability on the shoulders of the Federal Government when it granted it the right of free transit. In upholding the suit of the landowner, the Court reasoned that the airport operator must acquire an easement of flight. It said that it is the airport operator who causes the interference, that the Government "takes" nothing, and that it is the local authority which decides whether to build an airport and where it is to be located (Goldstein).

Post-Griggs decisions of Federal Courts continue to require overhead flights as a precondition for a "taking" of the landowners' property. Whether the U.S. Supreme Court will interpret interference resulting from lateral as well as overhead flights as a "taking", as Post-Griggs decisions in an increasing number of State courts have done, is not clear. (See *Thornburg v. Port of Portland*, 376 P. 2d 100 (Sup. Ct. Ore, 1962); *State ex rel. Royal et al. v. City of Columbus*, 3 Ohio St. 2d 154, 1965.)

Much depends on the progress of aircraft noise abatement.

AIRCRAFT NOISE—A DOWN-TO-EARTH PROBLEM

It may be helpful to consider the aircraft noise problem from two distinct points of view: (1) the noise which is produced from operation of the aircraft itself, and (2) the effect of the noise as a result of the operation of the aircraft upon the people on the ground.

The primary source of aircraft noise is the engine. Interest in controlling engine noise is not new. The National Advisory Committee for Aeronautics (NACA), the predecessor of the National Aeronautics and Space Administration (NASA), officially noted the aircraft noise problem in 1916. However, because of a lack of advanced sound measuring equipment, no extensive or integrated research effort was undertaken until the 1930's, when advancements in the electronics field enabled sound engineers to develop more sophisticated equipment.

In November 1952, the Air Research and Development Command of the Air Force recognized the growing requirement for research data on noise and its control, and created the Office of Coordinator of Noise and Vibration Controls to coordinate the various efforts then being conducted by separate branches of the Air Force. With the creation of this Office, the Air Force joined with the National Research Council in sponsoring the Committee on Hearing and Bio-Acoustics (CHABA). CHABA was organized to provide a group of consultants who could help the armed services and Government agencies answer research questions concerning noise and its effects. About 120 regular members make up the full Committee, 37 of them being civilians appointed by the National Research Council.

CHABA consults with and advises the armed forces in such areas as: auditory physiology, psychoacoustics and auditory standards, communications, psychological and social reactions of man to noise, auditory and nonauditory effects of high intensity acoustic energy on man, means of protection against the undesirable effects of acoustic energy, the relevant physical and engineering problems of the generation, and the measurement and control of acoustic energy. (6th Annual Report of CHABA, Statement of Processes and Methods of Operation.) Starting with the BENEX Report (Biological Effects of Noise Exploratory, December 1953), several reports have been prepared and distributed by CHABA which are most informative with respect to specific problems of aircraft noise and related problems of hearing and bioacoustics.

It is important to note that the philosophy the Air Force employed in attacking the problem of noise was embodied in a "system approach." The objectives of the program have been to insure control of human exposure to acoustic energy and vibration, assure levels of acoustic energy that would be acceptable to humans in a normal working or living environment, prevent damage to structures by controlling acoustic energy levels, and provide or develop general noise criteria for aircraft and missiles upon which to base air and missile site planning. (Committee on Science and Astronautics, Noise: Its Effect on Man and Machine, House Rep. #2229, 1960).

At the same time, interest in noise was also displayed by the Navy, whose first significant effort toward a research program was conducted by the Bureau of Medicine and Surgery in 1952. During 1954 and 1955, the Navy achieved significant noise control advances with the use of the ear plug and ear plug devices, which became standard equipment to be worn by Navy personnel working in high intensity noise fields. In addition, Navy work on jet engine noise suppressors was carried on, and in 1956 a mobile audiometric laboratory was completed and used to collect audiometric data during actual flight operations on aircraft carriers.

Governmental interest in aircraft noise has continued to grow in response to the immense aircraft noise problem which followed the introduction of jet commercial transports into regularly scheduled service in the United States in the fall of 1958. The second consideration in the field of aircraft noise, mentioned earlier, soon became readily apparent—the sufferer on the ground.

Citizens living within a five-mile radius of the modern commercial jet age airport (there are over 500 such airports in the United States) share a very common and vital interest in noise abatement. Instances such as the dramatic closing of Newark Airport in 1958 by complaints of a fearful and hostile community alerted Government and industry that noise control must be an increasing consideration to all those interested in aviation.

Aircraft noise problems are multiplied by the fact that the volume of air transportation is increasing at a phenomenal rate. 1960 FAA figures indicate that commercial airlines in the United States flew less than 30 billion revenue passenger miles. However, at the end of last year, according to Mr. Sidney Goldstein, General Counsel for the Port of New York Authority, the figure had more than doubled. It is estimated by the Air Transport Association of America that by 1971 that figure will have doubled again.

As more and more jets are built the number of airports servicing them will also increase. Mr. Goldstein estimates that last year for the first time jet and turbo-prop aircraft made up more than half of the total of fixed wing aircraft in the United States scheduled airline flights. Add to this the fact that piston aircraft are no longer being built for commercial airline service, and one realizes an eminently rapid increase of jet service. Notwithstanding the immense problems which exist as a result of present jet service, the threat of additional noise horrors loom in anticipation of the proposed jumbo-jets and supersonic transports.

Essential to an understanding of the aircraft noise problem is an appreciation of the legal and practical limitations which exist with respect to aircraft noise control.

Briefly, the Federal Aviation Agency, which is greatly interested in both safety and noise abatement, requires that each particular model or make of aircraft receive an "air worthiness certificate" which specifies the conditions under which the aircraft may be used in air transportation. In addition, the FAA requires that an airline receive an "air operating certificate" before it may operate a given aircraft in scheduled service at a particular airport. (14 C.F.R. Sec. 121.3(A), 121.97, 1956).

It is clear that the FAA has, under the Federal Aviation Act of 1958, full power to prescribe air traffic rules for the "protection of persons and property on the ground," including prescription of air traffic rules in the interest of noise abatement. (Federal Aviation Act of 1958, Sec. 307(c), 72 Stat. 749, 49 U.S.C. Sec. 1348(c)).

The FAA, in exercising its statutory authority, has set noise limits for jet airplane takeoffs (but not landings) and adopted flight procedures at Kennedy International and other publicly owned airports, including the recent adoption of preferential runway systems. (14 C.F.R. Sec. 81.87(g), 93.33.33 1965 Kennedy Control Tower Bulletin No. 63–3, as amended by No. 63–11). With respect to Washington National Airport (WNA), the FAA restricted the use of the airport to two and three-engine jets before any jet operation took place at WNA. These aircraft generate less noise than the larger four-engine craft. Following the introduction of jets, the FAA exercised additional abatement procedures, which are explained in a recent letter (January 26, 1967) by Arven H. Saunders, Director of the Bureau of National Capital Airports, FAA, as follows:

"We further limited operations to flights with an initial stage length of 650 miles or less (with seven "grandfather clause" exceptions). This stage length limitation allows the aircraft to operate at lower gross weights, thereby generally providing improved aircraft climb characteristics.

"Actual noise abatement procedures fall into two basic categories. The first has to do with the way the aircraft is flown. After take-off, the pilot climbs as rapidly as possible until reaching 1,500 feet and then reduces thrust so as to maintain a climb rate of approximately 500 feet per minute until reaching 3,000 feet. Appropriate thrust setting for the en route portion of the flight is then applied. The other category is the flight path of the aircraft as issued by air traffic control. In this area, every effort is made to make maximum use possible of the natural flyways provided by the rivers. All jet aircraft taking off north and northwest at WNA proceed up the Potomac River to the vicinity of Cabin John before commencing any turns on course. Propeller aircraft also make considerable use of the rivers. When landing to the south, all jet aircraft and many of the larger propeller aircraft are vectored (radar steered) to the vicinity of Cabin John, and if weather permits, they visually follow the river to the airport. When south take-offs are in progress, jets stay over the river until leaving 3,000 feet. We have out for industry comment several modifications calling for increased use of the rivers, to more distant geographical points, and increased use of reduced thrust for jet aircraft.

"It should be pointed out that when it became apparent that the Agency was considering rule making to restrict airline flights at WNA, the airlines voluntarily limited themselves to 40 flights per hour, exclusive of extra sections. While this is not a noise abatement procedure as such, it does have the effect of limiting the total number of aircraft operations at WNA and, therefore, the overall noise exposure.

"We are continuously evaluating our noise abatement procedures, and where it appears that an adjustment will provide some additional relief, it is made, but only after considering such factors as safety and air traffic control."

The FAA, through its noise abatement staff headed by Mr. Raymond A. Shepanek, acts as a central unit to coordinate the efforts of the various Governmental agencies and departments which have an interest in the field of noise abatement. In addition to NASA and CHABA, for example, there are several other Governmental agencies with specific interests in noise control, including the National Bureau of Standards, Federal Housing Authority, Housing and Urban Development.

Because the FAA, in addition to being concerned with the regulation of air commerce, is also interested in its promotion, it is in a unique position to cooperate with the aviation industry. Thus, those interested in noise abatement within the FAA and other Government agencies (NASA, CHABA) work hand-in-hand with those manufacturers in the private sector who build the aircraft, including, but not limited to, American Air Lines, Lockheed Aircraft Corporation, Douglas Aircraft Company, Convair Division of General Dynamics Corporation, Boeing Aircraft Company, Pratt-Whitney Division of United Aircraft Corporation, and General Electric Company; and those interested in its flight, such as the Air Transport Association of America, Airline Pilots Association, Airport Operators Council International and the National Aircraft Noise Abatement Council (NANAC). Also intimately involved in the Aviation community are private acoustical and engineering firms which contribute to the vast amount of technical knowledge, such as Bolt, Beranek & Newman, Inc. of Cambridge, Massachusetts, and others.

The effort of those listed above and others have been greatly increased as a result of the relatively recent attempt to alleviate aircraft noise at its source, namely airframe and engine design. The first aircraft engine to employ modern noise technology from the onset of its original design was the JT9D turbofan engine, produced for the 409-passenger Boeing 747 transport (1965). The sound characteristic reports of this engine show significant noise reduction both in take-off and landing notwithstanding a greater thrust (40,000 lbs. thrust) than previous engine models such as incorporated in the design of the Boeing 707 (15,000 lbs. thrust).

With the proposed jumbo-jets and supersonic transports, industry and Government must substantially increase their knowledge of aircraft noise suppression. The primary noise characteristic of the supersonic air transport is the creation of the sonic boom phenomena, a shock wave noise source which was not a problem with subsonic airliners. "Sonic boom" is produced when an airplane that is traveling at supersonic speed generates a cone-shaped shock wave that, when dragged along the ground, causes an abrupt change in air pressure that may exceed two pounds per square foot and generate a tremendous noise. The shock wave forms on the nose and the tail of the aircraft and intensity of the boom with respect to the ground is the function of flight speed and flight altitude. The boom is traditionally described as being heard in two distinct noises or shocks a fraction of a second apart.

The United States Government has conducted a series of tests to determine the effects of the sonic boom. The studies which probably received the most attention were those conducted in the Oklahoma City area in 1964. Experts differ as to the results of these tests. Leo L. Beranek, Chairman, Acoustical Standards Board, Bolt, Beranek, Newman, Inc. states:

"It appears that the main source of complaint was fear of damage to structures—cracks in plaster walls, weakening of the construction, and so forth . . . Yet careful surveys of many houses showed no visible evidence of damage. In areas of the country where military airplanes regularly carry out supersonic flights, often producing strong sonic booms of more than two pounds per square foot, few damage claims have been filed. On the whole, the available evidence suggests that public apprehensiveness about sonic booms will be greatly reduced if people receive credible guarantees that their homes will not be damaged within specified limits of exposure and if those limits are strictly enforced." (Leo L. Beranek, "Noise," *Scientific American,* December 1966).

However, Mr. Bo Lundberg, Director General of the Aeronautical Research Institute of Sweden (FAA) told the Fourth International Congress, Baden Baden, Germany (1966) that there is conclusive evidence that the boom intensity of the SST will be great enough to cause damage to property. Mr. Lundberg stated:

"In particular, the technical people in question have failed to make clear . . . that the boom tests over Oklahoma City in 1964, in spite of being confined to overflights at daytime, clearly indicated that the booms will awaken most light sleepers within the whole boom carpet plus a high proportion of all sleepers in the middle of the carpet, . . . the boom will be detrimental to the health of many people, . . . because of the enormous extension of the boom carpets and of the fact that practically all of those people who suffer the most by the booms can never be 'acclimatized' to the sudden claps—people in general, as well as medical scientists, are certain to demand much more severe restrictions on the boom than on any other kind of man-made noise." (Lundberg, The Menace of the Sonic Boom to Society and Civil Aviation, Memorandum PE–19, from the Aeronautical Research Institute of Sweden.)

One thing seems clear—there is an immediate need for minimum standards and procedures to achieve noise abatement and control of both subsonic and supersonic aircraft.

Mr. Goldstein describes three broad approaches possible to achieve relief from excessive aircraft noise: (1) by moving the noise away from the people; (2) by moving the people away from the noise; and (3) by lessening the *quantum* of noise produced by the aircraft (Goldstein).

Mr. Goldstein pointed to the unsuccessful attempt by the village of Cedarhurst, New York to enforce a local ordinance which would have prohibited aircraft flight within its boundaries at altitudes of less than 1,000 feet as an example of the impracticability of moving the aircraft noise away from the people. In the *Cedarhurst* case, the court said that the local ordinance invaded Federal regulatory powers over air traffic control, a field which Congress has preempted to the complete exclusion of conflicting State or local statutes. (*Allegheny Airlines et al. Port of New York Authority, et al. v. Cedarhurst,* 132 F. Supp. 871 (D.C.E.D.N.Y. 1955 Aff'd. 258 F. 2d 812 (2 cir. 1956); see also *City of Newark v. Eastern Airlines,* 159 F. Supp. 750 (D.C.N.J. 1958).

With respect to constructive efforts to move the noise from the people, Mr. Goldstein lists five legal, if not always practical, methods used by portions of the aviation community to move noise away from communities adjacent to public airports: (1) turning aircraft away from residential areas during the climb-out phase of takeoff, (2) increasing the rate of climb or descent upon takeoff or landing, (3) construction of runways in directions away from noise-sensitive areas, (4) lengthening of runways solely in the interest of noise abatement, and (5) installing preferential runway systems to direct aircraft away from communities. Some or all of these remedies have been studied and employed by the FAA and various airport operators with some success, as illustrated by earlier discussion of procedures employed by the FAA at Kennedy International and Washington National airports.

In 1958, the New York Port Authority, after studying flights on an early model Boeing 707 at Kennedy Airport, granted permission for the use of jet aircraft at Kennedy Airport, on the condition that the noise produced by each jet operation in the communities under the takeoff flight path would not exceed 75 percent of the measurement (expressed in PNdB) of the large four-engine piston aircraft operating at the time. This value, calculated to be 112 PNdB, became the limit for jet noise applicable to all jet operations at Port Authority airports, which include Kennedy, LaGuardia, Newark and Teterboro. (Goldstein).

The Federal Aviation Agency places a high priority on the noise problems associated with the SST, according to Mr. B. J. Vierling, Deputy Director of FAA Supersonic Transport Development. Mr. Vierling recently stated in a letter to the writer that the FAA production aircraft objectives regarding noise are as follows:

"The SST should be capable of operating in an airline environment with airport and community noise levels that are acceptable to the public. As interim objectives, until additional substantiating data are obtained, the following maximum airport and community noise levels (for maximum design gross weights and standard day conditions) are established for the purpose of defining the operational capability of the SST and providing a reference for comparative airport evaluation. Compliance with these objectives should not necessitate undue maneuvering or critical speed limiting maneuvers:

"(1) Approach, at one mile from runway threshold—109 PNdB.

"(2) During takeoff roll, at 1,500 feet either side of the runway centerline—116 PNdB.

"(3) Takeoff at three miles from brake release—105 PNdB.

"The noise levels, in PNdB, should be progressively less as the outward distance from points (1) and (3) above increases.

"Our current assessment of the SST design indicates that these objectives will be met or bettered for landing approach, takeoff, and climbout with the exception of slightly increased noise on the airport, i.e., one PNdB above our 116 PNdB objective. Validated noise data confirm that the SST noise generated during landing approach and climbout will be lower than the current international subsonic jets. The noise that will be generated during takeoff on the airport can be traded off against increased community noise where conditions warrant, i.e., where the latter would be generated over water or sparsely inhabited areas . . ."

The second approach to the jet noise problem—that of moving the people away from the noise—is often infeasible because of the difficulty in achieving compatible land use in communities near airports through the adoption of airport zoning regulations. Mr. Goldstein points out that in 1964, Congress imposed, as a requirement on airport operators receiving Federal funds for airport development, the obligation to take, to the extent reasonable, appropriate action to restrict the use of property in the vicinity of airports to so-called compatible activities. He states that, at the present time, forty-four States have adopted express enabling legislation providing for airport zoning. According to the National Institute of Municipal Law Officers there are over 500 airport zoning ordinances of one type or another currently in effect in the United States.

Local governments often enact zoning laws to limit or restrict use of real property. With respect to airport zoning there are, generally speaking, two types of ordinances. One attempts to insure an obstruction-free airport by prohibiting the erection of man-made structures above certain heights. The other restricts the use that may be made of property in the immediate vicinity of an airport to uses which are thought to be compatible with airport operation (i.e., prohibits construction of schools, hospitals, residences, but permits commercial and industrial development in area (Goldstein)).

These ordinances are not without some serious limitations, both legal (doctrine of non-conforming use) and practical (people do not desire to leave their homes notwithstanding the excessive noise, and prohibitive cost). Unfortunately, time does not permit their exploration here. See Howes, J.B., The Airport and Comprehensive Planning for Metropolitan Development, (INC/C2/P5 1966) U.S. Department of Housing and Urban Development; L.M. Tondel, Jr., Legal and Related Aspects of Airport Land Use Planning (INC/C2/P6 1966) Air Transport Association of America; Goldstein (INC/C4/P22 1966).

The third approach cited by Mr. Goldstein, that of lessening the *quantum* of noise produced by the aircraft, is decidedly the most direct, and generally regarded as the one that will ultimately prove most fruitful.

Aircraft manufacturers, for example, have lessened noise characteristics of existing jet engines by such means as (1) suppressors on the exhaust nozzles of turbo-jets, (2) the addition of absorptive devices within the ducts of turbo-fan engines, and (3) the development of the so-called "hush kit" for turbo-fan engines—a redesign of that engine's compressor section (Goldstein).

Aircraft manufacturers and designers are continuing their search for answers. For example, there exists the possibility of mounting the engine nacelles above instead of under the wings, so that the wings can shield some of the noise from the ground. Simple economics dictates, however, that the cost of continued effort will retard the further development and progress needed in noise control so long as Congress fails to require uniform noise standards for all manufacturers.

Other industries postpone product noise abatement implementation for the same reason, although, as illustrated by earlier discussion of workmen's compensation claims, such industries are beginning to show an awareness of noise problems. Some are voluntarily adopting noise regulations as well as practical abatement procedures such as substitution of a quieter process, reduction of noise at source, enclosure of noisy machines, and use of absorptive materials.

Much more can and must be done, but this depends on the education of a generally unaware public to the need for noise abatement.

PUBLIC AWARENESS OF NOISE AS AN ENVIRONMENTAL PROBLEM

One of the ways a Congressman or his staff is able to assess public reaction to a particular problem is to evaluate the quantity and quality of relevant mail received by his office, and through communication with offices of other representatives in the Federal, State and local governments as well.

Congressman Theodore R. Kupferman (R.-N.Y.) became interested in the noise problem as a councilman in New York City. A group of his constituents residing in the area of the Avenue of the Americas at 55th Street united in May 1965 to form the "Upper Sixth Avenue Noise Abatement Society," to protest loud noises (103 decibels at the source) emanating from machinery and equipment employed in a three-year subway construction project. In an attempt to abate the excessive machine noises, Mr. Kupferman introduced a bill, in the New York City Council, to amend Sec. 435.50 of the New York City Administrative Code to prohibit the operation of any machinery in or over any street unless equipped with a muffler or other device, such as a silencer, which would effectively prevent loud or explosive noises.

Mr. Kupferman also introduced an amendment designed to abate high-frequency or high-pitch sounds from machinery situated on or near rooftops of buildings, such as air conditioners. As his last action (February 1966) as New York City Councilman, before coming to Washington as Congressman, Mr. Kupferman introduced a bill which would limit the playing of transistor radios without the use of an ear plug in public places, including buses and subways.

Following a good deal of staff research and communication with those who have been involved with the problem of aircraft and other noise, Congressman Kupferman introduced a bill (H.R. 14602) in the 89th Congress, 2nd Session, to launch the first comprehensive Federal, State and local assault on noise. The response was immediate and wide-spread. Letters and other communications poured into his office from cities and rural areas across the nation, and from many other parts of the world, including Africa, Australia, South America, Germany, France, and Great Britain.

As the heavy response continued, the writer began to gain an insight into the extent of public awareness of the noise problem. This is not to say the heavy volume of response was an indication that the public was generally aware of the problem. Much of the material gathered clearly indicated the contrary. Inasmuch as "the public" covers such a multitude of people in various situations, one must classify those aware of noise as a problem on the basis of their particular interest in its abatement.

At one end of the spectrum is the private citizen who is annoyed, irritated, or otherwise adversely affected by noise. The noise may be unnecessary or excessive, or may be deemed necessary and still have a detrimental effect. Communications illustrating private citizen response to a particular noise source included: the barking of a dog next door, the thundering clap of a shuttle helicopter overhead, the excessive noise from motorcycles, and the blare of automobile and truck horns, construction noise, and the metallic clang of a garbage truck in the middle of the night. The list is inexhaustible.

Groups of citizens, united by a common interest in the abatement of a particular noise, form the next category of those aware of noise as a problem. For example, community associations formed to do something about the nerve racking or house damaging effects of jet aircraft; also, the Upper Sixth Avenue Noise Abatement Society mentioned earlier.

Another segment of our society interested, or at least collectively affected by noise, is industry engaged in the noise manufacturing of products. Included are motor vehicle and other manufacturers whose products are used in transportation, construction engineers, steel forgers, etc. This group is interested in abating noise not only to produce quieter products (economically more profitable), but also to protect employees' health and to reduce production costs (workmens compensation claims, inefficiency).

To help industry understand noise problems, there has been an increasing demand for acoustical firm consultation. Thus, engineers, scientists, and statisticians have combined acoustical expertise to analyze specific sounds and advise on how they can be controlled, such as Lewis S. Goldfriend & Associates, Montclair, New Jersey, and Bolt, Beranek & Newman, Inc.

The medical profession is acutely aware of noise because of a knowledge of its detrimental effects upon our mental and physical health. Engineers and physicists are aware of noise chiefly because of their interest in the manufacture of finer machinery and facilities.

At the other end of the spectrum are national and international organizations which have united to educate themselves and others through research and the exchange of noise abatement knowledge.

Many of these organizations were represented at the November 1966 International Conference on the Reduction of Noise and Disturbance Caused by Civil Aircraft, London, England. Included were: the International Air Transport Association, the International Civil Airports Association, and the International Federation of Airline Pilots. (Delegates from 26 nations, 11 international organizations, as well as airport authorities, aircraft and engine manufacturers, airline operators, scientists, and others prepared technical papers and exchanged views on noise abatement.)

Finally, the United Nations, under the leadership of Secretary U Thant and Dr.

M. G. Candau, Director General of the World Health Organization, has demonstrated a keen awareness to the increasing threat of noise to our health, and has embarked upon an ambitious, educational program directed toward its abatement. (Of particular value to students of noise is a World Health Organization publication, 1966, entitled "Noise—An Occupational Hazard and Public Nuisance" by Alan Bell, member of WHO Expert Advisory Panel on Occupational Health.)

Most people are aware of noise. Many think excessive noise should be controlled. The majority think control is either unnecessary or unwise. Those who do not seek abatement and control do not take the noise problem seriously. They are often unaware of the mental and physical harm noise can cause, or consider noise inevitable and therefore something to be accepted. The general insensitivity of Congress to the question of noise confirms this.

Noise has been damaging us for a long time, but a bill mentioning its control, or even suggesting noise research, was not introduced in the U.S. House or Senate until the 86th Congress (H.R. 12894) introduced June 30, 1960.

The first legislation to pass either House was introduced in the 87th Congress by Representative Delaney on August 17, 1961. The Resolution, H. Res. 420, provided authorization to the Committee on Interstate and Foreign Commerce to conduct an investigation and study of the effect of aircraft noise on persons and property on the ground. The Resolution passed the House August 23, 1961.

The first noise bill to pass in the Senate was S. 3138, introduced by Senator Keating April 10, 1962. It passed September 12 of that year and was referred to the House Interstate and Foreign Commerce Committee shortly thereafter.

A number of bills to abate aircraft noise have been introduced since the 87th Congress. Not one has succeeded in passing.

Most recently there have been some signs of encouragement. On April 12, 1966, hearings were held by the Subcommittee on Transportation and Aeronautics of the House Interstate and Foreign Commerce Committee to consider a bill introduced in the House by Representative Staggers, Chairman of the House Interstate and Foreign Commerce Committee, and Senator Magnuson in the Senate. The Staggers bill, H.R. 16171, and Senator Magnuson's bill, S. 3591, would add a new Section 611 to the Federal Aviation Act, to authorize the Administrator to prescribe and apply noise control standards and to authorize their enforcement in the same manner as safety standards are enforced. (Title 6 of the Federal Aviation Act empowers the Administrator to issue, amend, modify, suspend or revoke certifications, but for safety considerations only.) Under the proposed legislation noise output would be required to be taken into account not only in the operation of the aircraft but at the appropriate stage of the development and manufacture of the new aircraft. The FAA Administrator, General William F. McKee, fully supports this administration proposal. Unfortunately, the hearings were scheduled as the Second Session of the 89th Congress was drawing to a close. Printing of the hearings, however, is being held pending additional hearings said to be forthcoming in the current Session of the 90th Congress. It is hoped that these hearings will be completed as soon as possible and that this legislation will be promptly enacted into law. The writer will be both happy and surprised if this happens.

As mentioned earlier, Government agencies interested in noise abatement, such as FAA, CHABA and NASA, have aircraft noise research programs underway. In many cases, however, their funds are limited. In some cases they are not fully using the funds allocated. It is imperative that the Congress be careful not to appropriate a blanket amount to be allocated to a particular agency interested in noise control, or to earmark funds for research and development of abatement techniques with respect to a specific noise source, such as jet aircraft. Unfortunately, Congress has a propensity to do just this, as was illustrated when Congressman Wydler, of New York, proposed an Amendment to the NASA Budget on May 3, 1966, which would allocate $20 million to NASA for findnig a solution to the aircraft noise problem. What is needed is a comprehensive program in dealing with the complex problem of noise abatement; one which will insure that money will not be wasted by conflicting interests or subsequent duplications in effort.

While there is some cause for cautious optimism with respect to Congressional action to abate aircraft noise, Congress has shown little interest in controlling general noise.

On April 21 of last year Congressman Kupferman introduced the first bill to comprehensively deal with the problem of all noise (not limited to aircraft).

The bill, reintroduced in the 90th Congress, 1st Session, January 18, 1967 as H.R. 2819, and referred to the House Interstate and Foreign Commerce Committee, would establish an Office of Noise Control within the Office of the Surgeon General under the Department of Health, Education and Welfare. (This is where it should be because general noise is a health problem.) The Office, headed by a Director and assisted by a noise control Advisory Council, would provide grants to State and local governments to research ways and means of control, prevention and abatement of noise. Moreover, the bill specifically provides that the Office of Noise Control would cooperate fully with existing Federal agencies presently working in the specific field of jet noise abatement. The primary function of the Office of Noise Control would be to act as a national clearing house for general and specific noise information and could, upon request, disseminate the wealth of its accumulated knowledge to the States and local governments to help them control noise at its point of origin. The Office of Noise Control would serve a similar research and educational function with respect to noise from all sources as the National Aircraft Noise Abatement Council (NANAC), a nonprofit, private-airplane-industry-supported noise center, presently serves in the field of aircraft noise abatement.

It is hoped that when the House Interstate and Foreign Commerce Committee's Subcommittee on Transportation and Aeronautics continues its hearings on the aircraft noise legislation more attention will be focused upon the problems of general noise. Congressman KUPFERMAN is hopeful that hearings will be forthcoming on his comprehensive general noise abatement bill as well.

The President has shown increasing interest in jet aircraft noise abatement. On March 18, 1966, Dr. Donald F. Horning, the President's Special Assistant for Science and Technology, proposed a sweeping attack on jet aircraft noise, thereby confirming the proposals of a special White House panel which had previously been assigned by the President to study the jet noise problem. Members of the panel were drawn from the aircraft industry, the airlines, the field of land use planning, and Federal and local governmental agencies. Mr. Hornig said the panel study was, to a considerable extent, "a result of concern over the environment of our people." Significantly, when the panel reported to the President, November 7, 1965, it included jet noise among those things that polluted man's environment. Perhaps as a result of the "urgent, action program," which the President said is needed to abate jet aircraft noise, other noises will receive attention as well.

If we are to lick the problem of aircraft and general noise we must know more about what it is and how it can harm us. As the 20th century began, Thomas Edison warned that "As city noises grow greater man may eventually be born deaf." If we do not heed this warning, just that may happen.

PROPOSED TEMPORARY INCREASE IN THE PUBLIC DEBT CEILING

The SPEAKER. Under a previous order of the House, the gentleman from Louisiana [Mr. BOGGS] is recognized for 30 minutes.

Mr. BOGGS. Mr. Speaker, on Wednesday of this week there will be one of the most critical votes of this session of the Congress, that is the vote on the temporary increase in the public debt ceiling. It is simply a question of this Congress facing its responsibilities of permitting the Secretary of the Treasury or the Government of the United States to pay for bills and services which it has incurred with the people of the United States or on behalf of the military forces of the United States.

In each and every case these bills are the direct result of appropriations and programs which the Congress itself has already voted in the past.

Admittedly there always seems to be confusion as to just what the public debt ceiling really is or perhaps I should say what it really is not.

Among the things that the debt ceiling cannot do is to cut back on spending. The votes on spending as everyone knows are made when we vote on appropriations and authorizations for programs.

The vote on this temporary debt ceiling has nothing to do with the budget for fiscal year 1968. It does have to do with the remaining, already incurred obligations through fiscal year 1967.

Another thing which this vote definitely is not is that it is not a vote on appropriations. When appropriations are considered then they can be voted up or down, they can be reduced or increased, whatever the desires of the Congress may be. But a vote against a proposed increase in the temporary debt ceiling can do nothing but completely disrupt the orderly operations of the Government of the United States because it is a vote against paying our bills as they become due.

Why do I say this? Because the following operations will be placed in jeopardy in the next several weeks if the recommended increase—and it is a very modest increase of $6 billion, which was cut by $1 billion from the original recommendation of the Secretary of the Treasury—as I say, the following programs will be placed in jeopardy; social security payments; disability insurance benefits; veterans' pensions; retirement pay to military and civilian personnel. In these categories alone it is estimated that something like 25 million people would be affected and there are other millions of people who might possibly be affected. These would include those who are entitled to tax refunds, people drawing salaries from the Federal Government, public assistance payments, payments under the medicare program, unemployment compensation, payments to farmers under the various agricultural programs approved by Congress, payments to Government contractors for supplies and services including the construction of military and civilian bases throughout this country and in Vietnam.

Mr. Speaker, I cannot for the life of me understand why anyone could consider a vote against this proposal as fiscal responsibility. Certainly this is not a partisan matter. The one thing we all know is that a vote against paying our bills is the height of fiscal irresponsibility.

Mr. Speaker, I have sat on the Committee on Ways and Means for a good many years and I sat there throughout the 8 years of President Eisenhower's administration. In most of those years we had similar requests for increasing the temporary debt ceiling on top of the permanent debt ceiling of $285 billion now.

We had a request in 1953, the first year of the Eisenhower administration, where we had substantial bipartisan support. After that throughout the Eisenhower years there was always bipartisan support. There were requests in 1953, 1954, 1955, 1956, 1958, 1959, and 1960. And in each one of these years the Democratic Congress gave full support to President Eisenhower when he found it necessary to come here and ask that the permanent ceiling be temporarily increased.

We face exactly the same situation today. And just as it would have been irresponsible for us to vote against it then, it is equally irresponsible for us to consider voting against it now for the very same reasons and arguments our Republican colleagues used to secure passage of President Eisenhower's requests.

There are some people who want to consider a different way of calculating the budget. There are some people who want to debate the proposition of the participating certificates—a measure which was debated here at some length in the 89th Congress.

There are other people who want to also increase the amount of interest the Government can pay on part of its outstanding long-term obligations.

There are others who would like to disband some if not most of the programs calling for the current expenditures of these funds. That is their prerogative, but let me say to them that defeat of the debt ceiling increase does not do that.

But the facts are that we are confronted with a necessity of paying for goods, services, and programs voted in past appropriations, just as we were in 1953 and in the other years I have just now mentioned. And the Secretary of the Treasury has no discretion whatsoever in these measures. He must pay for them.

Let me just take a minute to show you the very dangerous position that the Treasury is in now.

The Treasury last May asked for a debt ceiling increase to $332 billion. The Congress voted $330 billion.

Now what the Government likes to have or the Congress likes to have is enough leeway there so that the Government will not be pressed right up to the very brink of that ceiling, as happened, incidentally, back in President Eisenhower's administration.

Right at the present time let me show you how close the figures are.

The ceiling presently on the debt has dangerously reduced the cash balance the Treasury keeps on hand. The figure of $4 billion is generally considered a prudent amount for this purpose. And at the end of December 1966 the actual level of the debt was $329.5 billion—just one-half billion under the ceiling. At that time there was on hand in the Treasury a cash balance of $4.5 billion.

By January 15—just a couple of weeks ago—the debt had reached $329.8 billion—$200 million short of the limit, and the cash balance was $2.6 billion.

By January 18 the debt subject to limit had reached $329,925 million—just $75 million short of the limit and the operating balance that day was $2.5 billion.

This cash balance will drop steadily during February unless the United States is allowed to borrow additional funds, and by the end of February it will be exhausted.

Under these circumstances it should be clear that a vote against this measure is a vote against the best interests of our Nation's financial stability.

It is certainly not a vote for economy and it is certainly not a vote for good management or good government. It is quite the reverse.

Now there will be ample time in this session of the Congress to study every appropriation brought before the Congress; to study the means of financing these appropriations; to study the tax measures if they are required; to study the so-called participating certificates; and to study interest rates and whatever else may be considered.

As a matter of fact, in the Committee on Ways and Means and in the Joint Economic Committee these studies are moving apace. Certainly to fail to give this authority to the Treasury of the United States at this time would be the height of irresponsibility. It is an emergency situation requiring action before the end of February.

Mr. Speaker, I have some other figures here that I would like to incorporate with my remarks and I ask unanimous consent to revise and extend my remarks and to include these figures in tabular form.

The **SPEAKER** pro tempore (Mr. MATSUNAGA). Without objection, it is so ordered.

There was no objection.

Mr. **BOGGS**. Mr. Speaker, we are faced this week with one of the most critical votes of this session of the Congress. That is, a vote on a temporary increase in the public debt ceiling. It is simply a question of this Congress facing its responsibility of permitting the Secretary of the Treasury to pay the bills for goods and services which have already been incurred. In each and every case these bills are the direct result of appropriations and programs which the Congress has voted. Admittedly, there always seems to be confusion as to just what the public debt ceiling really is, or perhaps I should say what it really is not.

Among the things that a debt ceiling cannot do is to cut back on spending. The vote on spending, as everyone should know, is made when we vote on appropriations and programs. The vote on this temporary increase in the ceiling has nothing in the world to do with the budget for the fiscal year 1968. It has to do with the period remaining through this fiscal year—to June 30, 1967.

Another thing that this vote is definitely not is that it is not a vote on appropriations, which we all know is what really causes the Secretary of the Treasury to incur bills for goods and services. These appropriations have long since been voted by the Congress. We are now simply facing the question as to whether or not we will permit the Secretary to honor the bills which are being submitted to him. To vote against this temporary increase in the debt ceiling under these circumstances can be nothing else but a completely irresponsible act on our part. It will fool no knowledgeable person.

Now let us take a look at just what might result if we refuse to, in effect, extend the Secretary's line of credit. In a way it is not appreciably different than each of us as heads of families when we have bought goods and services and come to that day when we receive our bills for them. The Secretary, if he is not given this additional authority, can only do one thing—he can only forgo the payments for some goods and services, or at best, stretch them out. Just as in our own personal situation, any deferral of our payments simply means that if we are to retain our credit standing, we are just putting off the day of reckoning. The bills have to be paid sooner or later if we are to maintain our credit.

Let us just take a look at some of the bills which the Secretary—as we all know, due to majority votes of the Congress—is faced with each day, each week, and each month. Among the broad categories of payments that may be placed in jeopardy are the following: social security and disability insurance benefits, veterans pensions and retirement pay of military and civilian personnel. Altogether, in these three broad categories there are 25 million people that would be affected. And then there are other millions of people who would possibly be affected, such as those receiving tax refunds, Federal salaries, public assistance payments, payments under the medicare program, unemployment benefits, payments to farmers under our various agricultural programs, payments on Government contracts for supplies, services and construction for both military and civilian purposes, and on and on.

I for one cannot for the life of me see how anyone wants to put themselves in a position of saying to anyone of the people in these many categories that while it is true the Congress has voted these programs and voted to pay for these goods and services, we are sorry, we do not have the credit with which to pay them and therefore, at the very least, you will have to wait a while to receive payments and benefits which are due you.

I am advised by the Secretary of the Treasury that if he does not receive additional borrowing authority by the end of February, the Treasury Department's cash will be exhausted. It does not take any explanation to anyone to realize how disastrous this would be to the millions of people in this country, to the stock market, and to the economy, not only because of domestic repercussions but because of international repercussions.

In its simplest terms, we are being asked to vote to maintain our Government's credit so that it may make prompt payment of financial obligations which have already been incurred.

To those who would wish to debate the philosophy of the budget, the accounts which should or should not be included under the debt ceiling, our budgetary processes, the participation certificates, and all the rest of the complex and controversial items, I say: There will be opportunity for this in the coming months. The fiscal 1968 budget presentation will permit full opportunity for such debate.

Now, what brings about the need for this speedy action? Why is it that we must hasten to grant the Treasury this authority?

The request of the Treasury last May was for a debt ceiling of $332 billion. A total of $330 billion was voted by the Congress. The Treasury figure was predicated upon a projected budget deficit of $1.8 billion for fiscal year 1967. That projection was inaccurate. Principally because of greater costs in Vietnam, it can now be seen that the budget deficit for this fiscal year will be $9.7 billion—not the $1.8 billion estimated 10 months ago. It can also be seen today that the total administrative budget outlay for this fiscal year will be $126.7 billion, compared with the January estimate of $112.8 billion. The difference is $13.9 billion—and of this, $9.1 billion represents larger defense expenditures in Vietnam; half a billion dollars represents larger defense expenditures other than Vietnam, and about $3 billion reflects the interest costs to the Government which have come about due to the tight money markets. This same tight money situation has also impeded the sale of some of the Government's financial assets.

While it is true that tax revenues have been underestimated, along with outlays, they are not enough to cover the gap. The January revenue estimate was for $111 billion. They are now expected to reach $117 billion. But no matter how one cuts the income and outgo there is still a budget deficit this year of the $9.7 billion which I spelled out earlier.

The ceiling presently on the debt has dangerously reduced the cash balance the Treasury keeps on hand. The figure of $4 billion is generally considered a prudent amount for this purpose. And at the end of December 1966 the actual level of the debt was $329.5 billion—just one-half billion under the ceiling. At that time there was on hand in the Treasury a cash balance of $4.5 billion.

By January 15, the debt had reached $329.8 billion—two hundred million short of the limit, and the cash balance was $2.6 billion.

By January 18, the debt subject to limit had reached $329,925 million—just $75 million short of the limit and the operating balance that day was $2.5 billion.

This cash balance will drop steadily during February unless the United States is allowed to borrow additional funds, and by the end of February it will be exhausted.

Under these circumstances it should be clear that a vote against this measure is a vote against the best interests of our Nation's financial stability. It is not a vote for economy and it is not a vote for good management. It is quite the reverse. There is only one way, at this juncture, to assure that our Nation will pay its bills promptly as they come due—to avoid damage to our national credit and to our ability as a nation to carry on our financial affairs in an orderly way—to obviate the disruption and frustrations in the lives of those who are depending upon our Government to meet its obligations on time—and that is to pass this bill without change—and pass it quickly.

By all means, let us have economy—but let it be responsible economy. Let us achieve our economies in the process of appropriating, not in the false method of hurting our national credit by refusing our Government the authority it urgently needs right now to borrow to meet its debts.

And by all means let us consider new arrangements for the debt levels of the future—whether, for example, extensions of the temporary debt level from time to time should be abandoned and that the permanent limit—now set at $285 billion—should be changed. But let us consider and investigate such matters as this during a period in which there will be time to do a proper job of it—time to do it adequately, and with full legislative process.

Today, we do not have that time. Today, we must act to prevent the damage which can occur if we do not act. Today is not the day on which we can afford the deliberate handling of the broad and complex processes involved in changing the character of the debt limit or the method of presenting the budget or the items which should be included under the debt limitation. These are matters which deserve close, complete examination and study of all of the consequences which would result in change.

We know that the Secretary of the Treasury will ask the Congress this spring to extend the temporary debt limit at least through the end of the next fiscal year. At that time there will be ample opportunity for consideration of all these problems.

Today, Mr. Speaker, we are faced with one problem:

Today we must choose whether to refuse to pass this bill, and be responsible for the disruption and frustration which can result from that refusal—or whether we will maintain the credit of our Government by passing the bill, allowing the prompt payment of our outstanding obligations—allowing the proper administration of the Government's trust funds—and allowing the payment of the bills incurred in good faith for programs operating with appropriated moneys.

This is not a partisan matter which we have before us. It is a matter which involves the good faith of the United States and of all Americans—Democratic and Republican alike.

I urge the prompt passage of this measure.

HISTORY OF VOTE ON DEBT LIMIT FROM 1953 THROUGH 1966

Except for 1953, debt limit votes have always received strong Democratic support—during the 1950's bipartisan support. Contrariwise, during the Kennedy and Johnson administrations debt limit increase votes have suffered Republican obstructionism. Significantly, even in 1958, in peacetime, when a deficit in excess of $12 billion was realized, Democrats supported two debt limit increases. If the Republicans attempt to distinguish the 1950's from the present, they need only be reminded of 1958—the largest deficit in history. And the three increases obtained in 1958 and 1959 all came within a period of 18 months.

The House votes on debt limit increases from 1953 through 1966 are attached:

Year	Amount	Total		Republicans		Democrats	
		Yeas	Nays	Yeas	Nays	Yeas	Nays
1953 (July 31)[1]	$275 to $290	239	158	169	33	69	125
1954 [2]	$281 (temporary)	193	31	([3])	([3])	([3])	([3])
1955 (June 27)[4]	$281 (extension)	267	56	133	13	134	43
1956 (June 21)	$278 (reduction)	([5])	([5])	([5])	([5])	([5])	([5])
1957	No increase						
1958 (first increase Jan. 23)[4]	$280 (temporary)	328	71	142	42	186	29
2d increase (Aug. 6)[6]	$283 (permanent)	286	109	120	65	166	44
1959	$288 (temporary). $285 (permanent)	256	117	88	48	168	69
1960 (June 8)[7]	$295 (temporary). $293 (permanent)	223	174	83	60	140	114
1964 [4]	$298 (temporary)	231	148	40	113	191	35
1962 (1st increase Feb. 20) [4]	$300	251	144	60	98	191	46
2d increase (June 14)	$308 (with sliding scale)	211	192	9	153	202	39
1963 (1st increase)	$309	213	204	1	172	212	32
2d increase	$309 (renewal)	221	175	2	158	219	17
3d increase	$315	187	179	0	147	187	32
1964 (June 18)	$324 (temporary)	203	182	0	154	203	28
1965	$328 (temporary)	229	165	6	122	223	43
1966	$330	199	165	1	121	198	44

[1] Bill dies in Senate Finance Committee and Treasury had to monetize $500,000,000 of "free" gold to get through the year. Chairman Mills moved to recommit to make the proposed increase to $290 billion only temporary. Motion was defeated, 173 to 225 (nays—203 Republicans, 21 Democrats; yeas—Republicans 0, Democrats 173).

[2] 1953 bill amended by Senate Finance Committee, passed in Senate by voice vote, and House concurred in the amendment by the above vote.

[3] Standing vote.

[4] Passed Senate by voice vote.

[5] Voice vote in both House and Senate.

[6] Passed Senate 57-20.

[7] Bill included a corporate and excise tax measure. It passed the Senate 39-26.

DETAILED ANALYSIS OF 1958–59 VOTES ON DEBT LIMIT IN THE HOUSE

Republicans: 21 Republicans now serving in the 90th Congress supported debt limit increases in 1958 and 1959. They are: RHODES, MAILLIARD, TEAGUE, WILSON, YOUNGER, HOSMER, ARENDS, HALLECK, BATES, CHAMBERLAIN, FORD, CURTIS, DWYER, FRELINGHUYSEN, WIDNALL, AYRES, BOLTON, BELCHER, CORBETT, FULTON of Pennsylvania, and BROYHILL of Virginia.

However, 18 of the above voted against the debt limit increases in 1965 and 1966. The other three—TEAGUE, FRELINGHUYSEN, and BROYHILL—voted for the debt limit in 1965 but against it in 1966.

Democrats: 69 Democrats now serving in the 90th Congress voted for debt limit increases in both 1958 and 1959. Sixty-five of them voted favorably in 1965 and 1966. The exceptions were Representatives GATHINGS and FISHER who voted nay in both 1965 and 1966; Representative NATCHER voted nay in 1965 and Representative POAGE voted nay in 1966.

EXCERPTS FROM SPEECHES MADE BY REPUBLICANS IN THE 1950'S ADVOCATING SUPPORT OF THE DEBT LIMIT INCREASES

In the CONGRESSIONAL RECORD, volume 104, part 12, page 16238, Mr. BYRNES of Wisconsin said:

> Let me remind those of my friends who say that all you have to do is refuse to increase the debt limit—if you want to put in jeopardy the credit of the United States of America, then that is the way to do it. I fear for all of us and all of our people when I contemplate the tragedy that will follow from lack of confidence in the credit and integrity of the Government of the United States, because when that day comes there will not be a bank in the United States that will be worthy of its name and there will not be an insurance company or an insurance policy worthy of its name, and your whole system of Government will go down with it—make no mistake about that.

In 1953, Secretary George Humphrey said that if the Government was unable to pay its bills he believed it would "cause near panic."

In 1953, Mr. HALLECK, of Indiana, said:

> If it were not for the expenses of the Korean War and the cold war that fronts us, we would not be facing the situation in which we find ourselves. . . . [The debt limit is not] some sort of magic formula that keeps expenditures down. (Source of Humphrey and Halleck: Congressional Quarterly, p. 408.)

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the distinguished Speaker of the House of Representatives, the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, any delay in passing a temporary debt ceiling increase would be wholly and completely fiscally irresponsible.

By failing to act, we are saying in effect that our Government cannot borrow money to pay for the very programs that the Congress has already authorized by enactment into law of such programs.

I understand that our friend, the gentleman from Wisconsin [Mr. BYRNES] is going to offer an amendment which will have the effect of including participation certificates in the debt ceiling. This is something that never took place under the administration of former President Eisenhower.

Between 1954 and 1960 there was $3,200 million worth sold. They were then called certificates of interest but the principle is the same. These certificates represented the pooled loans of the Commodity Credit Corporation and the Reconstruction Finance Corporation. The Byrnes amendment, if adopted, would be contrary to the established accounting procedures of at least the last 12 years, and the only effect of it would be—and it would be a political effect—that the administrative deficit of President Johnson for this and the next fiscal years would be greater than the administrative deficit of former President Eisenhower when he had a deficit of more than $12 billion.

Under the Eisenhower administration there were sales of certificates of interest, and our Republican friends did not then undertake to include them in the debt. To say the least, it would be a strange situation if such an amendment, motion for recommittal, or whatever it might be, from a parliamentary angle, should be offered by the gentleman from Wisconsin [Mr. BYRNES]. Nothing was said about such a proposal during the 8 years of the Republican administration. It seems a little more than a coincidence that it has now developed at this time.

I remember an occasion when the late Speaker Sam Rayburn and I were at the White House with former President Eisenhower. We both admired him very much and considered ourselves his very close friends. He made some comment about the problem of the sale of certificates of interest, and we said, "Mr. President, you need not worry about that. So far as the Democratic leadership is concerned, there will be no disturbance on our side. We will support you if there is any fight. Any effort along that line will be dissipated very quickly."

On eight occasions, there were increases in the debt ceiling during President Eisenhower's 8 years. Six of the 8 years the Democratic Party was in control of the House. We supported those increases. We had to or they would not have passed. President Eisenhower had no difficulty at all with the Democratic leadership and Members in that respect. We cooperated with him. We knew that fiscal responsibility required that it be done.

Expressing myself mildly on this occasion, it does seem strange to me, to say the least, if the information is correct that I have received about a motion to recommit or another motion in one form or another, that it would come after we Democrats had supported President Eisenhower on the same proposition during the 8 years of his administration. We supported him on every one of the increases in the debt ceiling that he found necessary during that period.

I notice my friend, the gentleman from Michigan, rising. I hope during his remarks he will state why, during the 8 years of the Eisenhower administration, they accepted the principle of participating certificates not being under the debt ceiling. This was right then. I wonder why they think it should be treated differently now?

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Louisiana yield?

Mr. BOGGS. I am happy to yield to the distinguished minority leader.

Mr. GERALD R. FORD. The comments made by the distinguished speaker we will respond to in detail on Wednesday when the legislation is programed. I am rather interested that this special order would be taken by my good friend, the gentleman from Louisiana, 2 days before this issue is due to come up.

I suspect that there is some concern or apprehension among the leadership on the other side of the aisle. This does interest me. After all, this is a proposal for the increase of the debt limitation to $337 billion by the Democratic administration.

I hasten to point out that on the other side of the aisle there is still a majority, and if the Democrats as a whole will support their administration, there will not be any need or necessity for any help or assistance from those of us on this side.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the distinguished Speaker.

Mr. McCORMACK. Does the gentleman from Michigan think that his own party has no responsibility, and also Republican Members aside from that of his party?

Mr. GERALD R. FORD. Mr. Speaker, let me respond to that, if I may.

In the Committee on Ways and Means, as the gentleman well knows, the Republicans under the leadership of the gentleman from Wisconsin [Mr. BYRNES] offered amendments that were constructive, that would have helped to achieve some truth in budgeting. If those amendments had been approved, there would not be any potential disagreement on the floor of the House here on Wednesday.

Those amendments were constructive. First, they would have included participation certificates in the debt limitation, and the debt figure would have gone from $336 billion to $339 billion. Second, the amendments would have raised the antique, antiquated, outmoded interest ceiling on the long term full faith and credit obligations of the Federal Treasury.

The 4¼-percent limitation on interest is not a sound proposition at the present time. With the Federal Government, in these full faith and credit obligations, paying indirectly through the participating certificate method about 5.5 percent in interest, it makes sense to us to raise or lift this ceiling so the Federal Government can borrow money more cheaply under the traditional method rather than by this new or unique method that has been used in the last 12 months.

Our amendments, or the Byrnes amendments in the committee, were sound. They would have provided a cheaper way for the Federal Government to borrow money. Also they would have provided for some truth in budgeting. These participating certificates are obligations of the Federal Government. There is no doubt about that. As obligations of the Federal Government, they should be included in the national debt. That is all we seek to achieve in that particular aspect of the Byrnes amendments.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I am happy to yield to the gentleman.

Mr. McCORMACK. Mr. Speaker, my friend from Michigan has not answered the question I asked. He talks about truth in budget, and that these should be included in the national debt, whether they are called certificates of interest or participation certificates.

Under President Eisenhower, we Democrats never undertook to disturb this. I saw no effort from the Republican side to take a position contrary to that taken by President Eisenhower. We Democrats were very happy that was so, because we were supporting the President in a fiscally responsible way.

But the gentleman from Michigan has avoided, by some very beautiful words, answering the question that I asked of him, as to why they are doing this now when they did not attempt to do it during the particular years of President Eisenhower's administration.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Louisiana yield?

Mr. BOGGS. Mr. Speaker, I will yield to the gentleman from Michigan in just a moment, but now I would like to elaborate on what the distinguished Speaker said.

It seems to me from what the gentleman from Michigan has said, that unless the majority subscribes to his approach to two controversial matters; namely, the participation certificates and the interest rates on a certain amount of long-term Government obligations, the gentleman feels neither he nor his party has any responsibility insofar as the already due and owing obligations of the Government of the United States are concerned. I submit that is not exactly a responsible position.

Mr. GERALD R. FORD. Mr. Speaker, I respectfully disagree with my friend from Louisiana.

Mr. BOGGS. I would expect the gentleman to do that.

Mr. GERALD R. FORD. These are constructive amendments.

Mr. BOGGS. Excuse me. I did not attempt to debate the merits of the gentleman's amendments. I reserve judgment on those, as to whether or not they are constructive. As he knows, President Johnson has agreed to set up a commission to study this proposition.

I am saying to the gentleman, not having had his way on these particular amendments now he would oppose the whole proposition, which involves nothing less than the credit of the Government of the United States.

Mr. GERALD R. FORD. The gentleman from Louisiana has not heard me say here today whether I will or will not vote for the proposition from the Committee on Ways and Means on final passage. I am reserving judgment on that at the present time.

I believe it is important to point out, in the discussion with the distinguished Speaker, there is a difference between certificates of interest and participation certificates. The participation certificates required specific authorizing legislation last year. The gentleman from Louisiana knows of the great controversy that took place in the House last year when the administration recommended this unique new approach for the sale of an interest in Federal assets. This approach required specific legislation. It was narrowly put through the House of Representatives.

Now, there was no authorizing legislation required for what the Speaker calls certificates of interest. Apparently that was on the statute books during the time of the Eisenhower administration. There did not have to be any new legislation to authorize such transactions.

So there is a difference between a certificate of interest and a participation sales certificate.

All we are saying is that those participation certificates—the aggregate—ought to be included in the national debt and covered by the debt limitation. They are obligations of the Federal Treasury. Unfortunately the Treasury, when it sells these participation certificates, has to pay a higher interest rate to the purchaser than it would pay if it sold normal Federal obligations with the full faith and credit of the Federal Government involved.

We believe it is wrong that the taxpayers of this country should have to pay an additional price because of higher interest rates on the participation certificates, a greater cost than for the regular and normal debt management operations of the Federal Government.

We are willing to give to the Secretary of the Treasury the authority to sell up to $6 billion worth of these obligations at a better or cheaper price than through participation certificates. This makes good sense. I hope that the gentleman, and those on the other side of the aisle will realize we are trying to help the Secretary of the Treasury; we are not trying to hurt him. We are trying to act responsibly in fiscal affairs and not irresponsibly.

Mr. BOGGS. Mr. Speaker, I believe that the debate is a little premature. I am sure we will hear this again on Wednesday.

I will point out, as the distinguished Speaker has, that no such conditions were ever imposed by the Democratic majorities in the 8 years of President Eisenhower's administration.

While there may be some technical distinction between interest certificates and participation certificates, there is no difference in basic principle of pooling loans and selling certificates.

The question of participation certificates was debated in this chamber, and that was approved.

Certainly this is no way to change or to amend or to repeal what the 89th Congress did in that respect. If we want to do that, let us do it head on. Let us have a bill to repeal it, and make this a part of the national debt, which it never has been.

The Ways and Means Committee having acted, having reported this measure for a modest increase of $6 billion—which is considerably less than was voted on many occasions between 1953 and 1960—the central issue is whether Congress is going to face up to its responsibility to meet the obligations that we voted, and pay them when they become due.

HIGHWAY PROGRAM JEOPARDIZED BY JOHNSON ADMINISTRATION

The SPEAKER pro tempore (Mr. MATSUNAGA). Under a previous order of the House, the gentleman from Florida [Mr. CRAMER] is recognized for 60 minutes.

Mr. CRAMER. Mr. Speaker, it is the responsibility of a Member to take the floor and to speak out when he feels that actions of the administration are detrimental to the welfare of the American people.

On November 23, 1966, the administration announced an immediate cutback of $700 million, or 17½ percent, in the Federal-aid highway construction program. Actually, the cutback amounts to $1.1 billion, or 25 percent of the new construction work that should be commenced during fiscal year 1967 and which the highway trust fund can finance. I wish to emphasize that this cutback is not limited to the Federal-aid primary and secondary systems, but also applies to the highly important National System of Interstate and Defense Highways.

As the ranking minority member of the Committee on Public Works, the Subcommittee on Roads, and the Special Subcommittee on the Federal-Aid Highway Program, I feel compelled to voice my strong objection to this cutback. The Johnson administration is flagrantly violating the intention of Congress, which is written into the law, that the National System of Interstate and Defense Highways be completed on schedule. It is ignoring the congressional declaration that the system's primary importance is to the national defense and that prompt and early completion of the System is essential to the national interest. This declaration by the Congress has more urgency today than it did in 1956 when enacted by the Congress. We are now engaged in a war half way around the world which has already claimed more American lives than the Revolutionary War, the Mexican War, and the Spanish-American War combined. Not only is there no end to this war in sight, but we have no assurance that it will not grow in magnitude and spread. Good highways, and particularly the Interstate System, are essential for the movement and logistical support of our Armed Forces in the defense of this Nation. We cannot afford to sever or permit the deterioration of our most important transportation lifeline during such critical times.

NATIONWIDE CONCERN OVER EFFECTS OF THE CUTBACK

Mr. Speaker, the administration's budget shenanigans in cutting back the highway construction program this year by $1.1 billion is highly detrimental to the Nation in many ways. Essential transportation arteries that are needed for the rapid movement of people and goods in the defense of this Nation will not be built. Safety hazards created by obsolete and inadequate roads will be perpetuated at the expense of hundreds of lives, thousands of injuries, and millions of dollars of property damage each year. The traveling public will needlessly be forced to continue to endure congestion, inconvenience, and increased travel costs. The planned and financed highway construction programs of all the States have been suddenly disrupted without any prior warning. The States have been deprived of the opportunity to select the most critical and highest priority projects for construction that could have been undertaken within the funding limitations imposed by the administration. Planned highway construction that has been stopped by the cutback will be more expensive to build in the future. Many contractors, who increased their facilities, personnel, and equipment inventories to carry out the accelerated highway construction program, in reliance upon the funding schedule established by Congress, will suffer substantial losses in carrying unproductive, surplus staffs and equipment. Much contractors' equipment, purchased on credit, may be repossessed. Some contractors will go bankrupt. Thousands of highway construction workers will be discharged. Highway construction material and equipment manufacturers and suppliers will lose one-fourth of their market. And the economy of many States will be seriously hurt.

The administration's cutback in highway funds is a breach of faith with the highway users of America. Completion of the Interstate System is being delayed, and highway user taxes are being diverted to other programs.

This budget-juggling highway cutback has been severely criticized during the past few weeks by Members of Congress, Governors, State highway departments, labor unions, contracting and engineering firms, many associations, and by concerned Americans throughout the country. I take this time today to give the Members of the House a detailed analysis of the Johnson administration's action, and what we may reasonably expect its results to be.

THE PRESIDENT'S RECORD OF INCONSISTENCY, ANOTHER CREDIBILITY GAP

Mr. Speaker, it is difficult to realize that the President who spoke so strongly in support of the accelerated highway construction program in August of 1964 is the same President who stopped 25 percent of the program in November of 1966, only 2 years later. Not only has he already taken $1.1 billion from the program this year, but 3 weeks ago he announced that he is considering ordering an additional $400 million cutback during fiscal year 1967. The result of such action would be catastrophic. The interest and safety of the American people and the future defense of the Nation should not be subordinated to the planting of posies along the highways, wasteful and ineffective poverty programs, and other nonessential programs of the Great Society. If this additional $400 million cutback is ordered, a total of $1.5 billion would be taken away from the construction of vitally needed highways this fiscal year. We cannot afford the luxury of these other programs at the expense of a 34-percent reduction in highway construction, which is already far behind the needs of the Nation.

Let us look at the President's record. On August 13, 1964, on the occasion of signing into law the Federal-Aid Highway Act of 1964, President Johnson stated emphatically:

> For much too long, the man who owns and drives an automobile has been treated like a stepchild. We require him to pay for the highways he uses and we require him to pay in advance. We divert his taxes to other uses but we delay the building of the roads that he deserves. We denounce him for getting snarled in traffic jams not of his own making. We complain about what he costs us but we never thank him for what he adds to the worth and wealth of our economy. We could not get along without him, but we often talk as though we can't live with him.
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> Eight years ago, in 1956, we set out on a 16-year program to catch up with ourselves—catch up through the Interstate Highway System. This has been described as the most ambitious highway program since the days of ancient Rome. It was my privilege then to guide that program to passage as Senate Majority Leader. In every respect, it has met our hopes. It has put more than one million Americans to work. It is already saving 3,000 lives a year and, by 1972, it will be saving 8,000 lives a year.
>
> It is saving dollars—$6 billion in user benefits last year; $11 billion a year 8 years from now; and the program is not costing the General Fund of the United States Treasury a single cent.
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> * * * * *
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> I say that this morning because I want the American motorist to know that things aren't so bad that we must sell off our public roads to the highest bidder for Uncle Sam to stay liquid.

Mr. Speaker, I would like to repeat that last sentence for the benefit of the Members:

> I want the American motorist to know that things aren't so bad that we must sell off our public roads to the highest bidder for Uncle Sam to stay liquid.

The same President, who made these comments just before the election in 1964, 2 years later, while Congress was in adjournment and after the election of 1966, took action completely to the contrary. He is treating the American motorist like a stepchild. He is diverting highway users' taxes to other uses. He is perpetrating the plight of the motorist who is "snarled in traffic jams not of his own making." He has shown utter disregard for the fact that the Interstate System will be saving 8,000 lives a year upon completion. And, evidently, he intends to use every possible budget gimmick for "Uncle Sam to stay liquid," even to selling off our public roads to the highest bidder to get funds for Great Society programs.

Things must, thus, "be so bad that we must sell off our public roads to the highest bidder for Uncle Sam to stay liquid," if we come to the only logical conclusion from the President's 1964 statement.

The President's decision to treat the highway construction program as a second-rate, low-priority, stepchild program was made clearly evident on November 29, 1966, when he stated:

> We would rather postpone the construction of an office building or stretch out the completion of a six-lane super-highway than to stop the momentum of our great programs for the people that hold out a promise of hope and opportunity to so many.

The administration's downgrading of the highway construction program was even more apparent when the President announced on January 17 that he was considering a further $400 million reduction in Federal-aid highway construction funds this year.

I ask the President: What opportunity or promise of hope have you given by the cutback to the thousands of people in the construction industry who will become unemployed and to the contractors who will become bankrupted? What better program is there to help the people than to construct their highways as early as possible and save 8,000 lives a year? Are rent supplements, beautification, and 25 percent more for poverty squandering more important to our defense, the national economy, and the fiber of our society than our transportation lifelines and the saving of lives? Does the highway beautification program, for which you have requested $380 million additional obligational authority this year, hold out more promise and hope and opportunity than saving lives along those highways? Will planting trees, and posies employ more people and keep the economy stronger than highway construction, which requires thousands of taxpaying workers and millions of dollars in heavy construction equipment and links areas contributing to our prosperity?

These are some of the questions which have raised serious concern in my mind and in the minds of many others.

The American people, Members of Congress, the Governors and highway departments of the States, and the highway construction industry have relied upon the President's asserted strong support of the highway program and his dedication to carrying it out as Congress intended. Now that he has done a complete about-face, it is no wonder that the administration's credibility gap continues to widen.

WHAT IS THE CUTBACK?

Mr. Speaker, what exactly constitutes this cutback? This is a question that cannot be easily answered because of the complexity of highway financing, which includes the apportionment, obligation, and expenditure of Federal-aid highway funds. Administration spokesmen and the news media have discussed this as being a 17½-percent cutback, or some $700 million less than the nearly $4 billion of Federal-aid highway funds obligated during fiscal year 1966. However, the freeze applies to more than $700 million.

In the first place, the $3.3 billion limitation includes $54 million to defray administrative and research costs of the Bureau of Public Roads, which actually leaves $3.246 billion that the States can obligate for highway construction, and research during fiscal year 1967.

Last October 7, the Secretary of Commerce apportioned to the States $4,351,-

600,000 of Federal-aid highway funds authorized to be appropriated for fiscal year 1968. This full amount would be available for obligation by the States immediately upon apportionment except for the limitations placed upon its obligation by the administration. Thus, the $3.246 billion limitation on obligations by the States has had the effect of freezing $1,105,600,000 of the apportioned 1968 funds.

This $3.246 billion obligations limitation also applies to all Federal-aid highway funds apportioned to the States for fiscal year 1967 and prior years and which had not been obligated at the close of fiscal year 1966. The unobligated balance of such apportionments on June 30, 1966, was $1,975,877,000.

Rather than freezing merely $700 million, the $3.246 billion limitation on obligations during fiscal year 1967 has frozen an amount equal to $1,105,600,000 of the 1968 apportionment plus $1,975,877,000 of apportionment for 1967 and prior years. This is a total of $3,081,477,000, which is 48.7 percent of the $6,327,477,000 of unobligated apportionments available during fiscal year 1967. I want to make clear, however, that this does not mean that the nationwide Federal-aid highway construction program has been cut back 48.7 percent this year or that the planned construction program of all of the States will be reduced by the percentages shown on table 1 of the analysis which I will include in the RECORD at a later point in my remarks today. This is because the estimated receipts of the highway trust fund will not be sufficient to permit the obligation of all unobligated apportionments during fiscal year 1967.

The estimated receipts of the highway trust fund would permit the release of $4.4 billion of new obligational authority during fiscal year 1967, including Bureau of Public Roads administrative and research funds. This would be in addition to the carryover balance of approximately $1,029,400,000 of obligational authority from fiscal year 1966. Thus, trust fund revenues would permit the release of a total obligational authority during fiscal year 1967 of about $5,429,400,000. The $3.3 billion obligational limitation imposed by the administration during fiscal year 1967 is some $2.1 billion, or 39 percent, less than this maximum possible obligational authority that could be released.

However, the estimated trust fund revenues could finance expenditures—the actual payment of money—resulting from the obligation of only about $4.4 billion during fiscal year 1967. Based upon past experience, it is presumed that $4.4 billion is the maximum amount that would be obligated by the States even if $5.4 billion were made available for obligation. The fact that some States do not obligate all of their funds during the fiscal year in which funds are released has been taken into account in the past, and about $1 billion more than the amount that can be expended has been released annually for obligation in prior years.

This is because all States are not able to advance their highway construction programs at the same rate. For example, as of December 31, 1966, the obligation of funds by the several States ranged from a low in Maryland of the obligation of only 1 percent of its funds apportioned for fiscal year 1966, and none of its 1967 or 1968 funds, to a high in New Mexico of the obligations of an amount equivalent to all of its funds apportioned for fiscal year 1967 and prior years and 18 percent of its apportionment for fiscal year 1968. The average of all of the States' obligations was 93 percent of the funds apportioned for fiscal year 1967—and 100 percent obligation of all funds for prior years. As of December 31—the end of the first 6 months of fiscal year 1967—18 States had obligated 10 percent or more of their funds apportioned for fiscal year 1968, as well as all of their funds apportioned for prior years. It clearly appears that these States, and possibly others, could obligate this year all of their shares of a $5.4 billion obligational authority for fiscal year 1967. Even though the $5.4 billion obligational release would exceed by $1 billion the amount of resulting expenditures that the highway trust fund could promptly pay, it is estimated that the slow States—such as Maryland and four others that had obligated none of their 1967 or 1968 funds and 16 additional States that were below the national average as of December 31—would fail to obligate $1 billion of their obligational authority. By offsetting the amounts that slow States will not be able to obligate against the additional amounts that faster States are able to and want to obligate, $5.4 billion could be released for obligation during fiscal year 1967 without the resulting expenditures exceeding the estimated $4.4 billion receipts of the trust fund. Based upon the $5.4 billion obligational authority that could be made available this year, the cutback for each of the 18 States that had obligated 10 percent or more of its 1968 apportionments on December 31 is as follows:

Percentage of funds frozen by administration that could be made available for reimbursable obligations during fiscal year 1967[1]

New Mexico	26.0
Ohio	37.4
California	27.1
Rhode Island	35.7
Texas	26.9
Michigan	32.5
Minnesota	37.4
Nevada	30.2
North Dakota	24.8
Tennessee	28.5
Florida	36.9
Iowa	30.4
Louisiana	27.3
Virginia	22.2
Wyoming	31.8
Arizona	28.3
Connecticut	30.4
Oregon	32.6

[1] Similar information for all the States is shown on table 2 of the analysis.

Since the actual obligation of funds during fiscal year 1967 cannot exceed the estimated trust fund revenues of $4.4 billion, the $3.3 billion limitation on obligations this year results in a cutback of $1.1 billion, or 25 percent. Highway experts say that the States could not reasonably be expected to obligate this year more than $4.4 billion, and probably not more than $4.2 billion, if the full $5.4 billion obligational authority were made available during fiscal year 1967. That being the case, the actual construction cutback on many of the more advanced States is more than the 25 percent national average and is as shown above and on table 2 of the analysis.

EFFECTS OF THE CUTBACK

Mr. Speaker, in my opinion, the Federal-aid highway construction program will be seriously damaged by the administration's action.

The $1.1 billion cutback in the obligation of Federal-aid highway funds during fiscal year 1967 will severely hurt many States. Others will suffer little adverse effects if the cutback is neither increased nor extended beyond the end of fiscal year 1967.

Because their planned construction programs have been severely cut back during the last 6 months of this fiscal year and because they have been deprived of the opportunity to select the most needed and highest priority projects that could be undertaken within the limitations imposed by the administration, some States have been severely hurt.

This situation arose because the administration suddenly ordered the cutback on November 23, 1966, without any prior warning to the States, and a number of States had already obligated substantial portions of their total obligational authority for the entire fiscal year. In fact, when the announcement was made on November 23, the State of Rhode Island was shocked to find that it had obligated all of its funds for the entire year. Rhode Island has had to cancel all planned contract lettings until after June 30, 1967. Needless to say, this has completely disrupted Rhode Island's highway construction program and is causing severe hardships to the highway construction industry in that State.

A number of States would have deferred contracts awarded prior to November 23, 1966, in favor of more urgently needed highway improvement if they had known at the beginning of the fiscal year that such an unusual and unexpected limitation would be placed on their obligational authority.

Among the States that had already obligated substantial amounts of their funds for the entire year when the cutback was ordered on November 23, 1966, are the following: Arkansas, Florida, Indiana, Ohio, Rhode Island, Vermont, Wisconsin, and the District of Columbia.

The retroactive freezing of reimbursable obligation balances carried over from fiscal year 1966 is working severe hardships upon many States. This came as a complete surprise to all the States and as a shock to many. The $3.3 billion limitation on obligations during fiscal year 1967 is not limited to new obligational authority released during this year. It also applies to the unobligated balances of obligational releases made in prior years.

States which have been slow in the obligation of Federal-aid highway funds and which planned to accelerate their construction programs the last half of this year, in an effort to catch up, are now prevented from doing so. State highway departments which have fallen behind in their highway construction programs, often for reasons over which they had little or no control, are now frozen in that undesirable position. They are even prohibited from going forward with their construction programs by using their own funds with right of Federal reimbursement at a later time. It seems highly inequitable to now penalize States for being slow in obligating funds in the past.

States that have substantial balances of reimbursable obligations carried over from fiscal year 1966, which balances are now frozen, include the following:

Frozen reimbursable obligations carried over from fiscal year 1966

Alabama	$48,706,555.25
Colorado	30,165,071.88
Hawaii	53,028,354.05
Indiana	60,880,719.74
Kentucky	30,641,690.34
Maryland	119,362,346.36
Massachusetts	35,873,661.45
New Jersey	92,232,000.79
Ohio	47,179,738.37
Pennsylvania	56,606,483.53
Washington	25,920,556.21
District of Columbia	94,715,980.24

DETRIMENTAL EFFECTS ON THE INTERSTATE SYSTEM'S COMPLETION

Mr. Speaker, the administration's cutback may greatly impair the early completion of the Interstate System. If the cutback lasts through the 1967 construction season, as intended by the administration, it could delay completion of the Interstate System further from 6 months to 1 year. Unfortunately, the administration has announced that it plans an even larger cutback for the first quarter of fiscal year 1968. If this should be continued throughout 1968, the delay in completion of the Interstate System would be even longer.

Construction of the Interstate System is already behind schedule. Further delays can only add to the cost of the System. They will inconvenience the traveling public. They will prolong safety hazards. It appears inevitable that the highway construction being postponed by the cutback will be more costly when it is undertaken in future years. Since 1963, highway construction costs have increased an average of 2½ percent per year, except for an unusual peak increase of 8 percent last year.

DISRUPTIVE EFFECTS ON STATE HIGHWAY DEPARTMENTS

Mr. Speaker, State highway departments are large, complex organizations. Scheduling of operations, which require advanced lead times, is essential for their efficiency and economy. Sudden changes, without notice, in the States construction programs by the Federal Government disrupt work schedules and financing plans. They render useless or lessen the usefulness of work previously accomplished. They result in additional costs and work hardships upon the State highway departments.

If the cutback is carried into the next fiscal year, many State highway departments will suffer seriously. Many highway departments will have to either discharge personnel or reassign them to other departments. Already States are reporting to the Representatives in Congress that hundreds of field personnel are being laid off or reassigned. Inefficiency has resulted in the administration of their highway programs. They have been compelled to reschedule many projects which affected manpower and material utilization.

DISASTER FOR CONTRACTORS

Mr. Speaker, the contractors are being most severely hurt first by the cutback. The sudden slowdown in the award of highway construction contracts is most serious for many contractors. It may be disastrous for others. Many contractors cannot long survive the Federal Government's turning the Federal-aid highway program off and on like a faucet to suit its own purposes. The cutback has suddenly decreased contractors' workloads from the levels they had anticipated and had geared up for. Because of the cutback, contractors may have little or no new work to commence as old jobs are completed. In such cases, some contractors may be able to bear the costs of carrying surplus personnel and equipment inventories, in the hope that the faucet soon will be turned on again. Others must discharge employees and dispose of construction equipment. If they are forced to discharge their supervisory and skilled personnel and to dispose of their equipment, they will be unable to respond quickly when the faucet is again turned on by the administration. Thus, urgently needed highway improvement will be even further delayed.

While the administration is asking Congress for a 25-percent increase in programs to relieve poverty, it has instituted a highway cutback, which will produce poverty. Hundreds, and perhaps thousands, of highway construction workers will be laid off. The economy will lose hundreds of millions of dollars in construction work. This does not make sense.

HIGHWAY SAFETY IGNORED

Mr. Speaker, the traveling public will suffer serious losses of life, limb, time, and money as a result of the administration's cutback in the improvement of highways. Last year, 52,000 people were killed in traffic accidents. Loss of life on our highways is catastrophic. Since the introduction of the automobile, more Americans have been killed in traffic accidents in this country than in all of our wars.

Today there are 90 million motor vehicles on the highways, roads, and streets of the Nation. By 1975, probably the earliest date that the Interstate System can be completed, there will be 120 million motor vehicles. The Committee on Public Works was advised last year, during hearings on the Highway Safety Act of 1966, that, unless we act decisively and now, traffic accidents will claim 100,000 lives in 1975.

The administration has estimated that the Interstate System, now half completed, will save on life each year for every 5 miles open to traffic. When completed the system is expected to save at least 8,000 lives annually. In spite of the great contribution that modern highways make to safety, the administration cut back the highway program by $1.1 billion this year. These Federal funds that have been withheld, together with State matching money, would finance construction of the equivalent of 1,000 miles of interstate type highways outside of densely populated urban areas. According to the administration's own estimates, the construction of 1,000 miles of interstate highways will save 200 lives each year. It is inconceivable that the Johnson administration would divert highway user taxes to finance beautification and poverty programs and other Great Society experiments at the expense of 200 lives a year. But, that apparently is what is being done.

The administration last year widely publicized the immediate need for highway safety legislation. Yet, only 3 months after Congress enacted the Highway Safety Act of 1966, the same administration cut back the Nation's highway improvement program by 25 percent. To make matters worse, the President is even now planning further cutbacks next year and considering an additional one this year. It is entirely inconsistent and self-defeating to urge the enactment of highway safety legislation one day and substantially cut back the construction of modern, safe highways the next. Unless we are ready to profess that manipulation of the economy and "budget-gimmickry" is more important than lives, we should be accelerating the construction of modern roads with built-in safety factors rather than cutting back on such mileage.

ADMINISTRATION PUTS HIGHWAY BEAUTIFICATION ABOVE HIGHWAY SAFETY

Mr. Speaker, the administration's turnabout on highway safety leads us directly to another inconceivable aspect of these cutbacks.

At the very same time that the administration is stopping badly needed highway construction, it is calling for additional authorizations for highway beautification. In his budget for fiscal year 1968, the President is asking for $380 million of new obligational contract authority for landscaping, billboard control, and screening of junkyards along the Federal-aid highway system. Also, in the 1967 highway beautification report submitted to Congress on January 10, 1967, the administration is recommending that from $1.8 to $2.9 billion be spent over the next 10 years to make the Federal-aid highway system more beautiful. Should it not be made more safe first?

It is almost impossible for me to believe that the President is calling for additional funds to plant posies and to beautify the highways to the tune of $300 million annually for 10 years, while at the same time he is cutting back highway construction and attendant highway safety.

In my opinion, the administration is placing a higher value on posies and bushes along the highways than it is placing on American lives or on our use of highways for national defense. It will be of no benefit to the man, woman, or child who dies in an automobile accident on an obsolete road to have enjoyed looking at posies before the crash occurred.

ADMINISTRATION ACTION RUNS COUNTER TO EMPHASIS ON IMPROVED NATIONWIDE TRANSPORTATION SYSTEMS

Mr. Speaker, last year, the Congress enacted legislation to create the Department of Transportation as an important step in the improvement of our transportation systems. In the world of today, as well as the wonderland of tomorrow, it is imperative that every effort be made to improve transportation in America. The administration requested the enactment of that legislation. The administration expressed its concern over the lack of adequate means of transportation. It told the Congress how serious the transportation problems of the Nation are and how concerted Federal action is needed.

Yet 5 weeks after the signing into law of the act creating the new Department, the administration announced the cutback in the Federal-aid highway program. Highways are the backbone of our transportation system. Yet, the administration threatens to cripple the construction of our Nation's essential highway network, and particularly the National System of Interstate and Defense Highways. This is another indication of the administration working directly against its own prior avowed commitments and the current will of the Congress and the highway users.

GREAT SOCIETY RAID ON HIGHWAY TRUST FUND

Mr. Speaker, highway users are paying for the Federal-aid highway program by appropriations from the highway trust fund, which was created by the Highway Revenue Act of 1956. The trust fund receives its revenues from certain Federal highway user fees. Under existing law, moneys in the trust fund are available only for expenditures in carrying out the Federal-aid highway program.

Section 209(e) of the Highway Revenue Act of 1956 makes it the duty of the Secretary of the Treasury to invest trust fund moneys not required to meet current expenditures in interest bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. The interest on any obligations held in the trust fund is credited to the trust fund. The Secretary of the Treasury keeps the maximum amount of trust fund balances invested at all times. He transfers cash to the trust fund on a weekly basis in accordance with the Bureau of Public Roads' estimates of expenditures to be made during the week. Since 1956, the trust fund has received over $100 million in interest from such investments.

The availability of trust fund receipts, which currently amount to about $4 billion a year, is too tempting a source of ready cash for the Johnson administration to resist. Cutbacks in the highway program produce larger cash balances in the trust fund. These balances can then be borrowed to finance Great Society programs in advance of the availability of moneys in the general funds of the Treasury. When the investment authority prompts a decision to cut back the highway program in favor of other less essential programs it boomerangs to the detriment of the public interest.

In recent years the highway construction program has kept pace with the receipt of revenues in the highway trust fund. The unexpended balances, which are available for investment, have not been large. For example, on November 30, 1966, $20 million of the estimated trust fund balance of $56 million was invested in 4¼-percent U.S. certificates of indebtedness.

The average lag time between the obligation of Federal-aid highway funds and the expenditure of funds from the highway trust fund is 18 months. Thus, the greatest accumulation of unexpended cash in the trust fund attributable to the $1.1 billion cutback will occur during fiscal year 1968. This cutback will produce a cash balance in the trust fund by the end of fiscal year 1968 of $794 million—including $157 million carried over from 1967. The administration can and apparently plans to borrow this money to carry out other programs. The President's budget for fiscal year 1968 contemplates the sale of $5 billion worth of participation certificates under the Participation Sales Act of 1966. On paper, these sales will reduce the estimated administrative budget deficit in 1968 from $13.1 billion to $8.1 billion and the cash deficit from $9.3 billion to $4.3 billion. The President's budget for fiscal year 1968 also shows that at the end of 1968 an estimated $1.39 billion of outstanding United States securities will be held by the highway trust fund. It seems clearly to be the intention of the administration to continue and to increase the highway cutback and to borrow the resulting cash balances.

Through the sale of participation certificates—with present interest rate of 5.2 percent—the administration can breach the 4¼ percent Government bond interest rate ceiling. Furthermore, the sale of participation certificates does not show as an expenditure in the budget and is not included in the Federal debt limit established by law. The highway trust fund is controlled by the administration. It is now being manipulated to accumulate a growing unexpended cash balance. It is a readymade customer for the sale of participation certificates. Obviously, the larger the cutbacks in the highway program, and the longer the cutbacks are extended, the more cash there will be available in the trust fund for the purchase of participation certificates.

Forthright raids upon the highway trust fund have always been beaten back by the Congress in the past. Through the device of cutbacks and investments, however, the administration has found a way to invade the trust fund and to divert highway user taxes to other programs without congressional approval. I consider such a raid on the trust fund to be a breach of faith with the highway users of America. Highway user taxes are levied to pay for highway construction, not for Great Society programs.

This is a perfect example of the Johnson administration's "budget gimmickry." It is more than coincidental that the highway cutback was announced about the same time that final approval was given to the 1968 budget by the President and the Bureau of the Budget. In my opinion, the plan to avoid an additional $5 billion deficit in the budget by the sale of participation certificates is directly related to the $1.1 billion cutback in highway construction. The highway trust fund is being turned into a continuing source of cash for transfer to the general funds of the Treasury. These highway funds can be borrowed through the sale of participation certificates and diverted to other programs with complete immunity. Highway funds should not be diverted deliberately to other programs under any circumstances. It is doubly reprehensible when such is done without showing as an expenditure in the budget or being limited by the national debt ceiling. We must restore trust to the trust fund.

PUBLIC HEARINGS ARE NEEDED IMMEDIATELY

Mr. Speaker, I think every Member can readily see from the information which I have put before the House today the need for public hearings on this cutback. The Committee on Public Works, or more appropriately the Subcommittee on Roads, should hold public hearings at the earliest possible date.

I have directed a written appeal to the chairman of the Committee on Public Works, the gentleman from Maryland [Mr. FALLON], for whom I have the greatest respect, and to the chairman of the Subcommittee on Roads, the gentleman from Illinois [Mr. KLUCZYNSKI], a most able member and dedicated subcommittee chairman. I have asked that public hearings be scheduled as soon as possible on this cutback. Hearings are essential to the preservation of congressional oversight of the Federal-aid highway program.

The Senate Committee on Public Works has already announced hearings. I hope that the House Committee on Public Works will soon follow suit.

There are 47 State legislatures in session during the early months of this year. It is important that we give to them some indication as to what Congress intends to do, if anything, about this cutback.

I appeal to all Members to ask the distinguished chairman of the full committee and the distinguished chairman of the Subcommittee on Roads to call hearings at the earliest possible date.

ANALYSIS OF ADMINISTRATION'S CUTBACK IN THE FEDERAL-AID HIGHWAY PROGRAM

Mr. Speaker, at this point in my remarks, I would like to include the full text of an analysis of the administration's cutback in the Federal-aid highway program for fiscal year 1967, along with appropriate tables, which I have prepared with the assistance of Mr. Clifton W. Enfield, the minority counsel of the House Committee on Public Works:

Analysis of Administration's Cutback in the Federal-Aid Highway Program for Fiscal Year 1967

On November 23, 1966, the Federal Highway Administrator ordered a cutback in the Federal-aid highway construction program and stated, as follows:

"In recognition of the need for reducing non-military Federal expenditures as a contribution to the Vietnam effort and the resultant program to reduce inflationary pressures, the Federal-aid highway program is to be limited to $3300 million in total project obligations which can be incurred during fiscal year 1967. It is also anticipated at this date that this rate of obligations will continue into at least the first quarter of fiscal year 1968."

Administration spokesmen and the news media have discussed this as being a 17½% cutback, or some $700 million less than the nearly $4 billion of Federal-aid highway funds obligated during fiscal year 1966. It is true that the $3.3 billion limitation on obligations during the fiscal year ending June 30, 1967, is approximately $700 million less than the $3,974,908,792 obligated in fiscal year 1966, but the freeze applies to more than $700 million.

The $3.3 billion limitation includes $54 million to defray administrative and research costs of the Bureau of Public Roads, which actually leaves $3.246 billion that the States can obligate for highway construction and research.

RELATIONSHIP OF LIMITATION TO UNOBLIGATED APPORTIONMENTS

On October 7, 1966, the Secretary of Commerce apportioned to the States $4,351,600,000 authorized to be appropriated for fiscal year 1968, all of which amount would be available for obligations by the States immediately upon apportionment except for limitations placed upon its obligation by the Administration. Thus, the $3.246 billion limitation on obligations by the States has had the effect of freezing $1,105,600,000 of the apportioned 1968 Federal-aid highway funds.

This $3.246 billion obligational limitation also applies to all Federal-aid highway funds apportioned to the States for fiscal year 1967 and prior years and which had not been obligated at the close of fiscal year 1966. The unobligated balance of such apportionments on June 30, 1966, was $1,975,877,000.

Rather than freezing merely $700 million, the $3.246 billion limitation on obligations during fiscal year 1967 has frozen an amount equal to $1,105,600,000 of the 1968 apportionment plus $1,975,877,000 apportioned for 1967 and prior years, or a total of $3,081,477,000, which is 48.7% of the $6,327,477,000 of unobligated apportionments available during fiscal year 1967.

Table 1, attached hereto, shows by States the amounts of unobligated Federal-aid highway apportionments existing during fiscal year 1967, limitations imposed by the Administration on the amounts of such apportionments that may be obligated during fiscal year 1967, the amounts of apportionments which have been frozen by the Administration, and the percentage such frozen funds are of the unobligated apportionments. You will notice that the percentage of unobligated apportionments which have been frozen for this fiscal year range from a low of 35.7% in New York to a high of 76% in the District of Columbia. The differences in these percentages are attributable to the differences in the States' balances of unobligated apportionments carried over from the last fiscal year.

Although the effect of the freeze upon unobligated apportioned funds is as set forth in Table 1, I hasten to point out that this does not mean that the nationwide Federal-aid highway construction program has been cut back 48.7% this year or that the planned construction program of all the States will be reduced by the percentages shown on Table 1, for the estimated receipts of the Highway Trust Fund are not sufficient to permit the obligation of all unobligated apportionments during fiscal year 1967.

RELATIONSHIP OF LIMITATION TO ESTIMATED REVENUES OF HIGHWAY TRUST FUND

Under existing law, Federal-aid highway funds are immediately available for obligation by the States when apportioned. However, because of enactment of section 209(g) of the Highway Revenue Act of 1956 (39 Stat. 355), known as the "Byrd Amendment", it became necessary in 1959 for the Bureau of Public Roads to initiate a procedure of reimbursement planning to avoid reducing the amounts of funds that could otherwise be apportioned to the States for construction of the Interstate System. Section 209(g) requires the Secretary of Commerce to limit apportionments of Interstate funds, irrespective of the amounts authorized to be appropriated for specific fiscal years, to such amounts as will be available in the Highway Trust Fund to pay the expenditures which will be required as a result of such apportionments, after all other expenditures required to be made from the Highway Trust Fund have been defrayed. Since 1959, Highway Trust Fund revenues have been insufficient to promptly pay all expenditures which could result from the early obligation of all funds authorized to be appropriated. Rather than reducing the amounts of Interstate apportionments, as would otherwise be required by section 209(g), the Secretary of Commerce has apportioned all funds authorized for the Interstate System but has administratively placed limitations on the amounts of all apportioned Federal-aid highway funds that can be obligated during certain periods. By this procedure, the Secretary has assured that the obligation of funds apportioned for any fiscal year will be spread over a year or more, thereby providing sufficient time for the receipt of adequate revenues in the Trust Fund to defray the expenditures resulting from such apportionment.

For example, $4 billion are authorized to be appropriated for Federal-aid highways for fiscal year 1967. On August 30, 1965, the Secretary of Commerce apportioned to the States $3,940,000,000 of this authorization, after deducting $60 million for administrative and research costs of the Bureau of Public Roads. Without reimbursement planning, the States would have had authority to immediately obligate this entire amount. If this had occurred, vouchers resulting from such obligation of funds could have been submitted to the Federal government for payment months in advance of the receipt of Trust Fund revenues necessary for their payment. To assure that sufficient money will be in the Trust Fund to pay these vouchers when presented, the Secretary released the 1967 apportionment (including Bureau of Public Roads administrative and research funds) for obligation on dates and in amounts as follows:

	Billion
Oct. 8, 1965	$1
Jan. 3, 1966	1
Apr. 14, 1966	1
July 11, 1966 (less 10 percent holdback)	1

Irrespective of the unusual November 23 cutback in the Federal-aid highway program as a contribution to the Vietnam effort and to combat inflation, estimated revenues of the Highway Trust Fund will not permit obligation of the entire $6,327,477,000 of unobligated apportionments during fiscal year 1967, even if the States were capable of obligating this amount.

Ever since the commencement of the accelerated highway construction program in 1956, there has been a backlog of reimbursable obligations carried over from one fiscal year to the next. On July 1, 1966, there was carried over from fiscal year 1966 to fiscal year 1967 a released, but unobligated, balance of approximately $1,029,400,000, together with a balance of about $978,800,000 of apportioned 1967 funds which had not been released to the States for obligation. Since 1959, the balances of obligation releases carried over from each fiscal year to the next has been approximately $1 billion. Some States have obligated their Federal-aid fund soon after release, but other States, for various reasons, have been slower.

It appears that the estimated receipts of the Highway Trust Fund would permit the release of $4.4 billion of new obligational authority during fiscal year 1967 (including Bureau of Public Roads administrative and research funds), in addition to the carry-over balance of approximately $1,029,400,000 of obligational authority from fiscal year 1966, which would allow a total obligational authority during fical year 1967 of about $5,429,400,000. The $3.3 billion obligational limitation imposed by the Administration during fiscal year 1967 is some $2.1 billion, or 39%, less than this maximum possible obligational authority that could be released.

Table 2, attached hereto, shows the maximum obligational authority that could be made available for each State during fiscal year 1967 and the amounts thereof frozen by the Administration.

Actually, the estimated receipts of the Highway Trust Fund will not be sufficient to promptly pay all vouchers that could result from obligation of the entire $5.4 billion during fiscal year 1967. The release of an additional $4.4 billion of reimbursable obligational authority during 1967 would presuppose that the average obligation rates of the States would increase little over last year and that there would be a carry over of about $1 billion of obligational authority from fiscal year 1967 to 1968. The estimated Trust Fund revenues would finance expenditures resulting from the obligation of only about $4.4 billion during fiscal year 1967, and, based upon experience, it is presumed that $4.4 billion is the maximum amount that would be obligated even if $5.4 billion were made available for obligation. The fact that some States do not obligate all of their funds during the fiscal year that such funds are released has been taken into account in the past in determining the amounts to be released for obligation, so that maximum early utilization will be made of all monies in the Trust Fund and thereby permit the States that are able to do so to obligate their apportionments as fast as Trust Fund receipts will permit. If all of the States were to obligate all of the reimbursable obligations made available to them during fiscal year 1967, the obilgational authority would have to be limited to $4.4 billion. Thus, in relationship to estimated Trust Fund revenues, the cutback amounts to $1.1 billion, or 25% of the $4.4 billion that is estimated to be available to defray expenditures resulting from obligations made during fiscal year 1967.

EFFECTS OF THE CUTBACK

State highway construction programs

The $1.1 billion cutback in Federal-aid highway funds that are available for obligation during fiscal year 1967 does not have a uniform impact upon the highway construction programs of all the States. Some States will be severely hurt; others will suffer little adverse effects if the cutback is neither increased nor extended beyond the end of fiscal year 1967; and seven States and the District of Columbia will have more funds available for obligation during fiscal year 1967 than they obligated during fiscal year 1966.

Table 3, attached hereto, compares the amounts of Federal-aid highway funds limited by the Administration for obligation by each State during fiscal year 1967 with the amounts obligated by the States during fiscal year 1966. In comparison with last year's obligation of funds, the Federal-aid highway construction program will be cut back this year in 43 States and Puerto Rico, ranging from a cutback of 0.2 percent in Wyoming to 47.3 percent in Indiana, with the national average being 18.4 percent, amounting to $728,908,792.

Last year's program, however, is not the best yardstick against which to measure the impact of the cutback this year. Under existing law, the sums authorized to be appropriated to carry out the accelerated Federal-aid highway construction program, which program was commenced in 1956, increase annually through fiscal year 1969. If the Interstate System is to be completed over the period of availability of 16 years' appropriations authorized through fiscal year 1972, as directed by the Congress, the sums to be appropriated for future years must even be increased over that now authorized by law—not cut back. $4.4 billion (less amounts deducted for administrative and research costs of the Bureau of Public Roads, authorized to be appropriated for fiscal year 1968, were apportioned to the States on October 7, 1966, and $4.8 billion is authorized to be apportioned next year; whereas, only $4.0 billion were apportioned during fiscal year 1966. The impact of the cutback should be measured against the highway construction program that had been planned, and is financed, for fiscal year 1967—not against the smaller 1966 construction program, for the highway program must expand to meet the Congressional deadline for completion.

As previously discussed, the estimated Highway Trust Fund receipts will be sufficient to defray expenditures resulting from the obligation of $4.4 billion during fiscal year 1967. Based upon past experience, it has been estimated that the States could reasonably be expected to obligate about $4.2 billion, and possibly the entire $4.4 billion, during fiscal year 1967. When considered in these terms, the cutback in this year's highway construction program is between $900 million and $1.1 billion, or from 21.4% to 25%.

The cutback could be far greater for some States than the national average would indicate. If the maximum $5.4 billion obligational authority (as shown on Table 2) were made available, many States could obligate more than their proportionate shares of the $4.4 billion that will actually be in the Trust Fund to defray expenditures, because other States will obligate less than their proportionate shares. The actual impact of the cutback on the highway construction program of any particular State can only be ascertained by comparing the amount limited by the Administration for obligation by such State with that State's plans and ability to obligate funds during fiscal year 1967. Of course, the total planned obligations of all the States could not exceed the estimated receipts of the Highway Trust Fund to be used to pay expenditures that would result from such obligations. Information of this type should be furnished by the States to the Committee on Public Works when hearings are held on the cutback.

Information now available, however, makes possible the identification of some States which may suffer severe adverse effects from the cutback. Between July 1, 1966, the beginning of fiscal year 1967, and November 23, 1966, when the Administration imposed the cutback, a number of States obligated substantial portions of their Federal-aid funds then available for reimbursable obligations. The cutback froze the States' unobligated balances of reimbursable obligations carried over from fiscal year 1966 and reduced the amounts of additional reimbursable obligations expected to be released in fiscal year 1967. At the time of the November 23 action, many States had already exceeded their obligation authority then imposed through December 31, 1966, and the excess amounts were chargeable to the quarterly releases made on January 1, 1967, and to be made on April 1, 1967. The unexpected limitation and the retroactive freezing of reimbursable obligation releases made in prior fiscal years left a number of States with small balances available for obligation through June 30, 1967. Not only have these States' construction programs been severely cut back during the last six months of the fiscal year, but they have been deprived of the opportunity to select the most needed and highest priority projects that could be undertaken within the limitations imposed by the Administration. States in this category include the following: Arkansas, Florida, Indiana, Ohio, Rhode Island, Vermont, Wisconsin, District of Columbia.

The amounts of the limitations on reimbursable obligations imposed upon the several States were established in accordance with the formulas for the apportionment of Federal-aid highway funds and did not make allowances for the differences in the States' unobligated balances of reimbursable obligations carried over from fiscal year 1966. The retroactive effect of freezing obligational releases made in prior years can work severe hardships upon States that have substantial balances of unobligated funds apportioned for fiscal year 1967 and prior years. States which have been slow in the obligation of Federal-aid highway funds and which planned to accelerate their construction programs this year, in an effort to catch up, are now prevented from doing so. State highway departments which have fallen behind in their highway construction programs, often for reasons over which they had little or no control, are now frozen in that undesirable position. They are even prohibited from going forward with their construction programs by using their own funds with right of Federal reimbursement at a later time. All advance construction projects with State funds on the Interstate System and all bond projects, to be eligible for later Federal reimbursement for the Federal share of the cost of such projects, are charged to the limitation on reimbursable obligations during fiscal year 1967 imposed by the Administration. It seems highly inequitable to now penalize States for being slow in obligating funds in the past. States that have substantial balances of reimbursable obligations carried over from fiscal year 1966, which balances are now frozen, include: Alabama, Colorado, Hawaii, Indiana, Kentucky, Maryland, Massachusetts, Montana, New Jersey, Ohio, Pennsylvania, Washington, District of Columbia.

(See Table 2 for the amounts of the States' balances available for reimbursable obligations as of June 30, 1966, the amounts of which balances are now frozen.)

If the cutback lasts through 1967, as intended by the Administration, it could delay completion of the Interstate System from six months to one year. If a similar cutback should be imposed during fiscal year 1968 (and the Administration has announced that such is the present plan, at least during the first quarter, which is during the height of the construction season), the delay in completion of the Interstate System would be even longer. Construction of the Interstate System is already behind schedule, and further delays can only add to the cost of the System, inconvenience of the traveling public, and prolonged safety hazards.

Administration witnesses testifying before the Committee on Public Works last year said that since 1963 there has been a consistent 2½% per year increase in highway construction costs. Unless there is a recession, it appears inevitable that the highway construction being postponed by the cutback will be more costly when it is undertaken in future years.

State highway departments are large, complex organizations, and orderly scheduling of operations, which require advance lead times is essential for efficiency and economy. Preliminary engineering, right-of-way acquisition, relocation of displaced persons, and coordination with local governmental entities, affected utility companies, and others have to be conducted far in advance of the award of contracts for construction of projects. It is necessary for the State highway departments to make firm commitments and to plan their own financing arrangements and personnel work loads in carrying out these functions. Sudden changes, without notice, in the State's construction programs by the Federal government can disrupt scheduled work and financing plans, render useless or lessen the usefulness of work previously accomplished, and be costly to, and work hardships upon, the State highway departments and others.

Contractors and material and equipment suppliers

The slowdown in the award of highway construction contractors in many States will be of serious consequence to many contractors and may be disastrous for some. The Administration has apparently taken the position that it can turn the Federal-aid highway program off and on like a faucet to suit its own purposes, but many contractors cannot long survive such a practice.

When State highway departments' contract-lettings, which may be scheduled a year or more in advance, are suddenly cancelled because of the Administration's action in withdrawing and withholding the States' authority to obligate Federal-aid highway funds, contractors' workloads are suddenly decreased from the levels they had anticipated and for the carrying out of which they had geared up. During periods that the faucet is turned off or substantially closed by the Administration, contractors may have little or no new work to commence as old jobs are completed. In such cases, the contractors must either bear the costs of carrying surplus personnel and equipment inventories, in the hope that the faucet soon will be turned on again, or they must discharge employees and dispose of construction equipment. Possibly, the larger contracting organizations that are diversified and have adequate financial reserves can bridge the chasm by seeking other types of construction work so as to utilize their personnel and equipment, or they may be able to draw upon their cash and credit reserves to carry the costs of unproductive personnel and equipment for limited periods of time, but many smaller highway contracting companies will be unable to do either. If they are forced to discharge their supervisory and skilled personnel and to dispose of their equipment (probably at a loss), they will be unable to respond quickly when the faucet is again turned on by the Administration, and urgently needed highway improvement will be further delayed. Several years were required for the contracting industry to gear-up to the present level of highway construction after the present program was commenced in 1956, and any prolonged cutback now will necessitate a similar build-up period for the industry, with its attendant additional costs of securing and training personnel and purchasing costly new equipment. Obviously, such increased overhead and other costs incurred by contractors will be reflected in higher bid prices for future highway construction.

When Congress enacted the Federal-Aid Highway Act of 1956, which set into motion the current accelerated highway construction program, it was clearly the intention of Congress that the program continue throughout its life at the accelerated annual rates established by law, which intention has been repeatedly reaffirmed, by the enactment of additional laws since 1956. Sections 108(a) and 116(a) of the Federal-Aid Highway Act of 1956 (now codified as section 101(b) of title 23, United States Code, spell out the Congressional intent in the following language:

"(b) It is hereby declared to be in the national interest to accelerate the construction of the Federal-aid highway systems, including the National System Interstate and Defense Highways, since many of such highways, or portions thereof, are in fact inadequate to meet the needs of local and interstate commerce, for the national and civil defense.

"It is hereby declared that the prompt and early completion of the National System of Interstate and Defense Highways, so named because of its primary importance to the national defense and hereafter referred to as the 'Interstate System' is essential to the national interest and is one of the most important objectives of this Act. It is the intent of Congress that the Interstate System be completed as nearly as practicable over the period of availability of the sixteen years' appropriations authorized for the purpose of expediting its construction, reconstruction, or improvement, inclusive of necessary tunnels and bridges, through the fiscal year ending June 30, 1972, under section 108(b) of the Federal-aid Highway Act of 1956 (70 Stat. 374), and that the entire System in all States be brought to simultaneous completion. * * *"

In 1956, the Committee on Public Works questioned the ability of the contracting industry to respond to the demands that would be placed upon it by the highway construction program, and, upon being assured that the industry had the required capacity, admonished the industry to gear-up promptly to carry out the construction program on schedule. The contracting industry has responded; it has increased its construction capacity and is meeting its obligation in carrying out the program. In reliance upon the declarations and intentions of the Federal government, as clearly expressed in existing law, to accelerate construction of the Federal-aid highway systems and to complete the Interstate System on schedule, many contracting firms substantially enlarged their professional and supervisory staffs, expanded their office and other facilities, increased their work forces, and purchased additional roadbuilding equipment.

Many contractors have financed the necessary expansion of their facilities and the purchase of new equipment through the extension of credit and by borrowing money, with payments to be made over a number of years. The situation is particularly grave for contractors who are not diversified and whose sole source of income is highway construction. The majority of these contractors are small firms, and they must continue to obtain highway construction contracts if they are to meet the payments on their facilities and equipment. If they are deprived of new contracts for any appreciable time, which can result from the Administration's highway cutback, these small firms will be the first casualties, for most of them lack the resources to carry them over periods of idleness or low productivity. And, depending upon the duration of the present cutback and the possible imposition of an additional $400 million cutback, which the President has announced is being considered, other larger and financially stronger contracting firms will be gasping for survival. It is expected that materials and equipment supplies will face a similar, but possibly less severe, situation.

The action taken by the Administration to cool off the economy is excessively drastic when viewed in terms of forced bankruptcy of contractors, repossession of equipment, and layoff of many people now employed by highway contractors.

Safety of traveling public

The traveling public will suffer serious losses of life, limb, time, and money as a result of the Administration's cutback in the improvement of highways. During 1965, 49,000 persons were killed in traffic accidents in the United States; an additional 1,800,000 people were injured; property damage reached the exhorbitant amount of $3.1 billion; and the total economic loss is estimated to be $8.9 billion. All of the results are not yet in for calendar year 1966, but, based upon figures through November, the National Safety Council estimates that in excess of 52,000 persons were killed in traffic accidents last year, which sets a new record. The loss of life on our highways is catastrophic. Since the introduction of the automobile, 1.5 million people have been killed in traffic accidents in this country—more than all the combat deaths suffered by the United States in all of our wars.

Today there are 90 million motor vehicles on the highways, roads, and streets of the nation. By 1975, probably the earliest date that the Interstate System can be completed, there will be 120 million vehicles. The Committee on Public Works was advised last year, during hearings on the Highway Safety Act of 1966, that, unless we act decisively and now, traffic accidents will claim 100,000 lives in 1975.

Poor roads impose upon the driver of a motor vehicle demands of judgment, decision, and reaction that he cannot possibly meet adequately in the few seconds he usually has in which to perceive a hazard and react to avoid it or to minimize its danger. Divided-lane, limited access highways, designed and constructed for maximum safety, are probably the greatest contributor to highway safety. The Interstate System, now half completed, is estimated to save a life a year for every five miles open to traffic. When the System is completed it is expected to save at least 8,000 lives annually.

The present cutback could reduce the commencement of new construction work on the Interstate System this year approximately one-third, if all of the States apply the entire cutback to the Interstate System. The Administration imposed the cutback on the total amount of all Federal-aid highway funds that each State can obligate during fiscal year 1967, without dividing the restriction between the Interstate System and primary and secondary Federal-aid highways and their extensions within urban areas. It is not known at this time how each State will allocate the cutback between classes of highway funds, but at least one State has decided to apply the entire cutback to the Interstate System.

Among other things, the cutback will delay the conversion of 1,430 miles of two-lane sections of the Interstate System to four-lane sections in 16 States, which the Congress last year directed be done for safety reasons alone.

It is inconceivable that the same Administration which last year so widely publicized the immediate need for highway safety legislation would, only three months after Congress enacted the Highway Safety Act of 1966, cut back the Nation's highway improvement program 25%, and even now be planning further cutbacks for this year and next. It is entirely inconsistent and self-defeating to urge enactment of highway safety legislation one day and substantially cut back the construction of modern, safe highways the next. We should be accelerating the construction of modern roads with built-in safety factors rather than cutting back on such mileage, unless we are ready to profess that manipulation of the economy and the Federal budget is more important than lives, which the bereaved families of those who die on our highways will find difficult to understand.

USE OF CASH BALANCES IN HIGHWAY TRUST FUND RESULTING FROM CUTBACK

Highway users are paying for the Federal-aid highway program by appropriations from the Highway Trust Fund, which was created by the Highway Revenue Act of 1956. The Trust Fund receives its revenues from certain Federal highway user fees, and, under existing law, monies in the Trust Fund are available only for expenditures in carrying out the Federal-aid highway program, including administrative expenses of the Bureau of Public Roads.

Section 209(e) of the Highway Revenue Act of 1956 makes it the duty of the Secretary of the Treasury to invest monies in the Trust Fund, which are not required to meet current expenditures, in interest bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund are credited to and form a part of the Trust Fund. The Secretary of the Treasury keeps the maximum amount of Trust Fund balances invested at all times and transfers cash to the Trust Fund on a weekly basis in accordance with the Bureau of Public Roads' estimates of expenditures to be made during the week. Since 1956, the Trust Fund has received over $100 million in interest from such investments.

The maximum investment of Trust Fund balances clearly benefits the highway program by providing additional revenues to the Trust Fund in the form of interest payments. However, the availability of Trust Fund receipts, which currently amounts to about $4 billion a year, may present too tempting a source of ready cash for use in carrying out other governmental programs and activities for the Administration to resist. Obviously, cutbacks in the highway program will produce larger cash balances in the Trust Fund which can be borrowed to finance other programs in advance of the availability of monies in the general funds of the treasury. If any decision, either as to the imposition of a cutback in the highway program or as to the amount of a cutback, is influenced in any way by the desire to give priority to other programs or activities, at the expense of delaying the highway program, then the investment authority can boomerang to the detriment of the highway program. Of course, under existing law, all borrowed funds must be paid back to the Highway Trust Fund and used to carry out the Federal-aid highway program. But its ultimate expenditure for this purpose can be long delayed, and, in turn, construction of essential highway projects also delayed, if there is a concerted effort by the Administration to utilize the Highway Trust Fund as a source of temporary financing for other government programs.

In recent years the highway construction program has kept pace with the receipt of revenues in the Highway Trust Fund, and the unexpended balances, which are available for investment, have not been large. For example, the Trust Fund balance at the end of fiscal year 1966 was $243 million; on December 31, 1966, it was $30 million; on January 5, 1967, there was a balance of only $1 million; and on January 18, 1967, the balance was $172 million.

As of November 30, 1966, $20 million of the then estimated Trust Fund balance of $56 million was invested in 4¼% United States Certificates of Indebtedness maturing June 30, 1967. No problem of availability of cash to meet expenditure requirements of the highway program has been presented by the investment of Trust Fund monies in securities that mature after the date such funds are needed for expenditure. Cash is transferred to the Trust Fund in accordance with the weekly expenditure estimates of the Bureau of Public Roads.

The average lag time between the obligation of Federal-aid highway funds (which occurs when the Bureau of Public Roads approves the plans, specifications, and estimates for a project and authorizes the State to call for bids) and the expenditure of funds from the Highway Trust Fund for a project is 13 months. Thus, the greatest accumulation of unexpended cash in the Trust Fund, attributable to the $1.1 billion cutback in the highway program during fiscal year 1967, will occur during fiscal year 1968. The unexpended trust fund balance at the end of fiscal year 1967 is estimated to be $342 million, of which $157 million will be attributable to the cutback. The following table shows the latest estimates of revenues to be paid into the Trust Fund from highway user taxes under existing law, and the unexpended cash balances attributable to the $1.1 billion cutback in obligational authority during 1967, for each of the fiscal years from 1967 through the end of the first quarter of fiscal year 1973 (when the Trust Fund terminates under existing law):

Fiscal year	Adjusted total estimated trust fund receipts each fiscal year (billions)	Estimated unexpended cash balance accruing each fiscal year attributable to $1,100,000,000 cutback in obligations during fiscal year 1967 (millions)
1967	$4.5	$157
1968	4.4	637
1969	4.5	173
1970	4.6	[1] 133
1971	4.7	
1972	4.8	
1973 (1st quarter)	1.5	
Total	29.0	1,100

[1] Fiscal year 1970 and later.

The $1.1 billion cutback will produce a cash balance in the Trust Fund by the end of fiscal year 1968 of $794 million (including $157 million carried over from 1967), which the Administration can borrow to carry out other programs. The President's budget for fiscal year 1968 contemplates the sale of $5 billion worth of participation certificates under the Participation Sales Act of 1966, which, on paper, will reduce the estimated administrative budget deficit in 1968 from $13.1 billion to $8.1 billion and the cash deficit from $9.3 billion to $4.3 billion. Through the sale of participation certificates (with present interest rate of 5.2%), the Administration can not only breach the 4¼% government bond interest rate ceiling, but participation certificates do not show as expenditures in the budget and are not included in the Federal debt limit established by law. The Highway Trust Fund, which is controlled by the Administration and which is now being manipulated to accumulate a growing unexpended cash balance, is a ready-made customer for the sale of participation certificates. Obviously, the larger the cutbacks in the highway program, and the longer such cutbacks are extended, the more cash there will be available in the Trust Fund for the purchase of participation certificates.

Forthright raids upon the Highway Trust Fund have always been beaten back by the Congress in the past, but through the device of cutbacks and investments the Administration in one fell swoop has found a way to invade the Trust Fund and to divert highway user taxes to the financing of other governmental expenditures which are in no way related to highways. Such manipulation of the government's fiscal affairs by borrowing money from Peter to pay Paul can become doubly attractive when Peter has a steady income that he is prevented from spending and the payments to Paul do not increase the budget or the National debt. This is a matter that the Committee on Public Works may wish to examine in detail when hearings are held on the cutback, for the estimated Trust Fund receipts of $26.5 billion in fiscal years 1967 through 1972 (which amount is insufficient to complete the current highway program) may prove to be irresistible to those who would prefer to put highway money into poverty and other Great Society programs, rather than into highway construction as Congress has directed. The already announced plan of the Administration to continue the cutback at an increased level into fiscal year 1968 and the Administration's present consideration of ordering an additional $400 million cutback during fiscal year 1967 certainly give support to this possibility.

When the cutback is analyzed in terms of its effectiveness in combating inflation this year, further doubt is created as to the validity of this announced purpose of the cutback. As previously pointed out, the average lag time between obligations and expenditures of Federal-aid highway funds is 18 months. The $1.1 billion cutback will reduce the expenditures of Federal funds in the highway program during fiscal year 1967 by only $188 million, but it will result in a Federal-aid highway expenditure reduction of $912 million during fiscal year 1968 and later, with the greatest impact being in 1968. Not only may inflation not be a problem in 1968 and 1969, but we could be in the middle of a recession at that time. In fact, some parts of the country are experiencing a recession now. If money is scarce in 1968 and unemployment on the rise, the cutback this year could be highly detrimental, for, in such event, money should be put into the economy next year, not taken out.

It has been said that the mere award of highway construction contracts is inflationary, even before the States and the Federal government expend any funds, and that this is the reason for drastically cutting back the obligation of funds. It is true that upon the award of a contract, a highway contractor ordinarily will prepare to undertake the work, which work may not acually commence until the next construction season. He may assemble some of his professional and supervisory personnel, repair and overhaul his construction equipment, possibly order some new equipment, and, if the job calls for it, order prefabricated items and steel and other shapes. But, on the average, this would account for no more than 20% of the dollar value of the contract. Most of the contractor's expenditures occur while the construction work is in progress, for labor and material. Even assuming that early expenditures resulting from the award of contracts would amount to 20%, only about $220 million would find its way into the economy this year if the entire $1.1 billion cutback were obligated during fiscal year 1967. This is a drop in the bucket when considered in light of the estimated Federal expenditures of $126.7 billion this year, and its effect upon inflation this year will be infinitesimal.

The fact that other major construction programs, which are financed by appropriations from the general funds of the treasury, have suffered far less severe cutbacks than the highway program, which is financed from the Highway Trust Fund and not included in the general fund budget, further fortifies the thought that possibly the Administration is more interested in using Trust Fund money to finance general fund expenditures than to combat inflation. For example, $1,292,695,000 has been appropriated for the civil works program of the Army Corps of Engineers during fiscal year 1967. This program has been cut back only $60 million, or 4.6%, as compared with the cutback of $1.1 billion, or 25%, in the highway program.

CUTBACK MAY PROMOTE TOLL ROAD CONSTRUCTION

The Subcommittee on Roads and the Special Subcommittee on the Federal-Aid Highway Program held joint hearings last year on the relationship between toll and free highways. These hearings highlighted a number of serious problems, including some involved in the incorporation of toll roads into the Interstate System, the construction of toll bridges and tunnels on the Federal-aid highway system, and the construction of connections between toll and free roads. The Subcommittees' report is not yet finished, but it seems clear that legislation is needed in a number of these problem areas. If additional toll facilities are constructed before needed legislation is considered and enacted by the Congress, these problems can become more aggravated and more difficult to solve.

Any substantial cutback in the Federal-aid highway program will add fuel to the promotion of toll facilities to meet the demands of the traveling public for essential highway construction. It would be most unfortunate if there should be a resurgence of toll facility construction before the lengthy and detailed hearings of last year can ripen into legislative proposals for consideration by the Congress.

QUESTIONABLE LEGAL AUTHORITY FOR THE CUTBACK

The law governing the Federal-aid highway program is codified in title 23 of the United States Code. A number of the provisions of this title are pertinent for review as a result of the cutback.

Section 104(b) provides that on or before January 1 next preceding the commencement of each fiscal year, the Secretary of Commerce (Secretary of Transportation when the Department of Transportation is established) shall apportion to the several States the sums authorized to be appropriated for that fiscal year for the Federal-aid primary system, Federal-aid secondary system, and extensions of the Federal-aid primary and Federal-aid secondary systems within urban areas, in accordance with certain formulas. The section further provides that sums authorized to be appropriated for the Interstate System shall be apportioned to the several States on a date as far in advance of the beginning of the fiscal year for which authorized as practicable but in no case more than eighteen months prior to the beginning of the fiscal year for which authorized.

Section 118 states, in part, "On and after the date that the Secretary has certified to each State highway department the sums apportioned * * *, such sums shall be available for expenditure under the provisions of this title." This section further provides that such sums shall be available for expenditure in the State for a period of two years after the close of the fiscal year for which such sums are authorized.

Section 105, relating to programs, says, "*As soon as practical* after the apportionments for the Federal-aid systems have been made for any fiscal year, the State highway department of any State desiring to avail itself of the benefits of this chapter shall submit to the Secretary for his approval a program or programs of proposed projects for the utilization of the funds apportioned. The Secretary shall act upon programs submitted to him *as soon as practicable* after the same have been submitted. * * *" (Emphasis added.)

Section 106 provides, * * * the State highway department shall submit to the Secretary for his approval *as soon as practicable* after program approval, such surveys, plans, specifications, and estimates for each proposed project included in an approved program as the Secretary may require. The Secretary shall act upon such surveys, plans, specifications, and estimates *as soon as practicable* after the same have been submitted, and his approval of any such project shall be deemed a contractual obligation of the Federal government for the payment of its proportional contribution thereto. * * *" (Emphasis added.)

It is clear from the above provisions of law that Federal-aid highway funds are immediately available for obligation by the States as soon as they are apportioned to the States and that Congress intended that the obligation of such funds be expedited. Because of the enactment of section 209(g) of the Highway Revenue Act of 1956 (the Byrd Amendment), it became necessary in 1959 for the Bureau of Public Roads to initiate reimbursement planning. This procedure was designed to spread the obligational authority for funds apportioned for any fiscal year over a period of approximately twelve months, rather than permitting the entire year's apportionment to be obligated by the States immediately upon apportionment, and thereby provide adequate time for receipt by the Highway Trust Fund of sufficient revenues to promptly pay all reimbursement vouchers when presented by the States. The purpose and effect of reimbursement planning are to permit the apportionment of all Federal-aid highway funds authorized to be appropriated for the Interstate System for any fiscal year and to authorize the obligation of funds as fast as estimated Trust Fund revenues will permit, thereby providing for maximum highway construction within the ability of the Trust Fund to finance.

The purpose and effect of the November 23, 1966, cutback on obligational authority, including the freezing of reimbursable obligations released for prior years, are the reverse of reimbursement planning. The cutback was not designed to assure that the Highway Trust Fund revenues would be sufficient to promptly pay all expenditures resulting from the obligation of apportioned funds, but rather to prevent the obligation of portions of the monies in the Trust Fund and to slow down highway construction. This is completely contrary to the above quoted, and other, provisions of title 23, United States Code, which direct that apportioned funds be obligated as soon as practicable and declare that prompt and early completion of the Interstate System is essential to the national interest and is one of the most important objectives of the Act.

A cursory search of the law has failed to disclose any authority for cutting back the highway program below the level for which adequate financing has been provided. Also, inquiries made of the Bureau of Public Roads, the Department of Commerce, the Bureau of the Budget, and the Department of Justice revealed that no legal opinion has been issued relative to the legal authority for making the November 23, 1966, cutback. The Committee may wish to inquire into the legal authority of the Federal Highway Administrator to order this cutback when hearings are held.

TABLE I.—*Balances of Federal-aid highway apportionments available for obligation and reserved during fiscal year 1967*

[Dollars in thousands]

State	Balance of unobligated Federal-aid highway funds apportioned to States for fiscal year 1967 and prior years, June 30, 1966	Federal-aid highway funds for fiscal year 1968 apportioned to States on Oct. 7, 1966	Total unobligated Federal-aid highway apportionments in fiscal year 1967	Limitation on the obligation of Federal-aid highway funds during fiscal year 1967 imposed by administration on Nov. 23, 1966	Amounts of Federal-aid highway funds apportioned to the States which are frozen by the Nov. 23, 1966, action of the administration			Percent of unobligated Federal-aid highway apportionments frozen by administration during fiscal year 1967
					Total	From apportioned fiscal year 1968 funds	From fiscal year 1967 and prior fiscal year funds	
Alabama	$69,498	$91,949	$161,447	$68,685	$92,762	$41,976	$50,786	57.4
Alaska	34,676	40,404	75,080	31,016	44,064	18,445	25,619	58.6
Arizona	17,100	64,477	81,577	48,110	33,467	29,435	4,032	41.0
Arkansas	22,642	39,689	62,331	29,772	32,559	18,119	14,440	52.3
California	95,553	388,062	483,615	289,184	194,431	177,160	17,271	40.2
Colorado	42,890	55,735	98,625	41,743	56,882	25,444	37,438	57.6
Connecticut	23,476	80,502	103,978	59,869	44,109	36,751	7,358	42.4
Delaware	11,922	10,338	22,260	7,774	14,486	4,720	9,766	60.5
Florida	39,144	95,562	134,706	71,401	63,305	43,626	19,679	47.0
Georgia	32,657	71,032	103,689	53,307	50,382	32,427	17,955	48.6
Hawaii	60,553	33,626	94,179	25,047	69,132	15,351	53,781	73.4
Idaho	22,132	28,934	51,066	21,683	29,383	13,209	16,174	57.5
Illinois	73,829	234,849	308,678	173,109	135,569	107,214	28,355	43.9
Indiana	82,751	96,419	179,170	72,084	107,086	44,018	63,068	59.5
Iowa	17,090	61,442	78,532	46,124	32,408	26,136	6,272	41.3
Kansas	14,502	44,981	59,483	33,823	25,660	20,535	5,125	43.1
Kentucky	50,154	86,543	136,697	64,595	72,102	39,509	32,593	47.2
Louisiana	25,618	101,193	126,811	75,426	51,385	46,197	5,188	40.5
Maine	7,745	21,696	29,441	16,264	13,177	9,904	3,273	44.8
Maryland	134,237	65,944	200,181	49,226	150,955	30,106	120,849	75.5
Massachusetts	56,044	89,646	145,690	66,874	78,816	40,926	37,890	53.4
Michigan	44,905	133,867	178,774	94,139	78,633	60,893	11,520	44.5
Minnesota	26,431	102,306	128,737	76,429	52,308	46,706	5,602	40.6
Mississippi	15,966	51,805	67,771	38,855	28,916	23,650	5,266	42.7
Missouri	35,181	108,276	143,457	80,924	62,533	49,431	13,102	43.6
Montana	41,172	48,807	89,979	36,563	53,416	22,281	31,135	59.4
Nebraska	13,320	34,143	47,463	25,690	21,773	15,587	6,186	50.1
Nevada	9,029	29,911	38,940	22,398	16,542	13,655	2,887	42.5
New Hampshire	15,510	20,648	36,158	15,421	20,737	9,426	11,311	57.4
New Jersey	116,446	107,769	224,215	80,363	143,852	49,199	94,653	64.2
New Mexico	12,487	53,062	65,549	39,640	25,909	24,225	1,684	39.5
New York	37,293	229,264	266,557	171,445	95,112	74,171	20,941	35.7
North Carolina	12,612	54,338	66,950	40,881	26,069	24,807	1,262	38.6
North Dakota	6,114	26,284	32,398	19,780	12,618	11,999	619	38.9
Ohio	102,498	246,546	349,044	183,778	165,266	112,555	52,711	47.3
Oklahoma	20,356	53,948	74,304	40,415	33,889	24,628	9,261	45.6
Oregon	15,365	73,105	88,470	51,121	37,349	33,374	3,975	42.2
Pennsylvania	102,940	205,238	308,178	153,242	154,936	93,696	61,240	50.3
Rhode Island	9,302	23,981	33,283	17,913	15,370	10,949	4,421	46.2
South Carolina	8,977	34,228	43,205	25,711	17,494	15,626	1,868	40.5
South Dakota	11,176	41,886	53,062	31,340	21,722	19,121	2,601	40.9
Tennessee	25,190	93,351	118,541	69,710	48,831	42,617	6,214	42.9
Texas	57,188	228,920	286,108	171,195	114,913	104,508	10,405	40.2
Utah	22,830	60,445	83,275	45,037	38,238	27,595	10,643	45.9
Vermont	25,942	28,054	53,996	20,898	33,098	12,807	20,291	61.3
Virginia	35,426	123,924	159,350	92,336	67,014	56,574	10,440	42.0
Washington	47,741	97,247	144,988	72,490	72,498	44,395	28,103	50.0
West Virginia	30,113	87,293	117,406	64,959	52,447	39,852	12,595	44.7
Wisconsin	13,137	50,875	64,012	38,286	25,726	23,225	2,501	40.2
Wyoming	13,420	42,153	55,573	31,433	24,140	19,244	4,896	43.4
District of Columbia	105,917	50,276	156,193	37,404	118,789	22,953	95,836	76.0
Puerto Rico	7,680	6,627	14,307	5,088	9,219	3,026	6,193	64.4
Total	1,975,877	4,351,600	6,327,477	3,246,000	3,081,477	1,954,203	1,127,274	48.7

TABLE 2.—*Amounts that could be made available for reimbursable obligations during fiscal year 1967 without exceeding estimated revenues of the highway trust fund and amounts frozen by the administration during fiscal year 1967*

State	Total balance available for reimbursable obligations as of June 30, 1966	Additional amounts that could be made available for reimbursable obligations during fiscal year 1967	Total amounts that could be made available for reimbursable obligations during fiscal year 1967	Amounts frozen by administration that could be made available for reimbursable obligations during fiscal year 1967	
				Amount	Percent
Alabama	$48,706,555.25	$91,949,107	$140,655,662	$71,970,662	51.2
Alaska	24,612,821.85	40,404,391	65,017,213	34,001,213	52.3
Arizona	2,579,404.53	64,477,381	67,056,786	18,946,786	28.3
Arkansas	13,528,891.43	39,689,081	53,217,972	23,445,972	44.1
California	8,573,123.53	388,061,988	396,635,112	107,451,112	27.1
Colorado	30,165,071.88	55,734,732	85,899,804	44,156,804	51.4
Connecticut	5,566,507.57	80,502,314	86,068,822	26,199,822	30.4
Delaware	9,526,377.51	10,337,680	19,864,058	12,090,058	60.9

TABLE 2.—*Amounts that could be made available for reimbursable obligations during fiscal year 1967 without exceeding estimated revenues of the highway trust fund and amounts frozen by the administration during fiscal year 1967*—Continued

State	Total balance available for reimbursable obligations as of June 30, 1966	Additional amounts that could be made available for reimbursable obligations during fiscal year 1967	Total amounts that could be made available for reimbursable obligations during fiscal year 1967	Amounts frozen by administration that could be made available for reimbursable obligations during fiscal year 1967	
				Amount	Percent
Florida	$17, 516, 890, 02	$95, 562, 162	$113, 079, 052	$41, 678, 052	36.9
Georgia	16, 321, 329, 28	71, 032, 410	87, 353, 739	34, 046, 739	38.9
Hawaii	53, 028, 354. 05	33, 626, 047	86, 654, 401	61, 607, 401	71.1
Idaho	15, 512, 122. 16	28, 933, 946	44, 446, 068	22, 763, 068	51.2
Illinois	23, 301, 410. 56	234, 848, 593	258, 150, 004	85, 041, 004	32.9
Indiana	60, 880, 719. 74	96, 418, 521	157, 299, 241	85, 215, 241	54.2
Iowa	4, 857, 461. 88	61, 442, 004	66, 299, 466	20, 175, 466	30.4
Kansas	4, 083, 679. 89	44, 981, 263	49, 064, 943	15, 241, 943	31.1
Kentucky	30, 641, 690. 34	86, 542, 748	117, 184, 438	52, 589, 438	44.9
Louisiana	2, 917, 670. 08	101, 192, 631	104, 110, 301	28, 684, 301	27.3
Maine	2, 776, 021. 85	21, 695, 830	24, 471, 852	8, 207, 852	33.5
Maryland	119, 362, 346. 36	65, 944, 078	185, 356, 424	136, 130, 424	73.4
Massachusetts	35, 873, 661. 45	89, 645, 511	125, 519, 172	58, 645, 172	46.7
Michigan	14, 476, 565. 13	133, 867, 415	148, 343, 980	48, 204, 980	32.5
Minnesota	3, 287, 466. 21	102, 305, 647	105, 593, 113	29, 164. 113	27.4
Mississippi	4, 077, 088. 62	51, 804, 606	55, 881, 695	17, 026, 695	30.5
Missouri	10, 649, 701. 58	108, 275, 603	118, 925, 305	38, 001, 305	32.0
Montana	30, 019, 380. 25	48, 807, 210	78, 826, 590	42, 263, 590	53.6
Nebraska	5, 392, 792. 94	34, 143, 170	39, 535, 963	13, 845, 963	46.2
Nevada	2, 204, 451. 55	29, 911, 065	32, 115, 517	9, 717, 517	30.2
New Hampshire	10, 844, 742. 75	20, 647, 714	31, 492, 457	16, 071, 457	51.0
New Jersey	92, 232, 000. 79	107, 769, 326	200, 001, 327	119, 638, 327	59.8
New Mexico	483, 234. 19	53, 061, 492	53, 544, 726	13, 904, 726	26.1
New York	15, 735, 753. 46	229, 264, 106	244, 999, 859	73, 554, 859	30.8
North Carolina	994. 54	54, 337, 663	54, 338, 658	13, 457, 658	24.8
North Dakota	7, 905, 75	26, 283, 769	26, 291, 675	6, 511, 675	24.8
Ohio	47, 179, 738. 37	246, 546, 138	293, 725, 876	109, 947, 876	37.4
Oklahoma	8, 028, 097. 04	53, 948, 259	61, 976, 356	21, 561, 356	34.8
Oregon	2, 710, 113. 39	73, 104, 672	75, 814, 785	24, 693, 785	32.6
Pennsylvania	56, 606, 483. 53	205, 237, 836	261, 844, 320	108, 602, 320	41.1
Rhode Island	3, 879, 519. 00	23, 981, 293	27, 860, 812	9, 947, 812	35.7
South Carolina	1, 078, 420. 34	34, 227, 551	35, 305, 971	9, 594, 971	27.1
South Dakota	1, 647, 688. 57	41, 886, 505	43, 534, 194	12, 194, 194	27.8
Tennessee	4, 105, 482. 89	93, 351, 303	97, 456, 786	27, 746, 786	28.5
Texas	5, 207, 054. 12	228, 920, 087	234, 127, 141	61, 932, 141	26.9
Utah	9, 289, 381. 30	60, 444, 805	69, 734, 186	24, 697, 186	35.4
Vermont	19, 662, 265. 72	28, 053, 838	47, 716, 104	26, 818, 104	56.2
Virginia	7, 664, 734. 47	123, 923, 826	131, 588, 560	39, 252, 560	22.2
Washington	25, 920, 556. 21	97, 247, 495	123, 168, 051	50, 678, 051	41.1
West Virginia	10, 649, 033. 88	87, 293, 256	97, 942, 290	32, 983, 290	33.7
Wisconsin	1, 319, 227. 81	50, 875, 316	52, 194, 544	13, 980, 544	26.3
Wyoming	3, 948, 869. 62	42, 153, 529	46, 102, 399	14, 669, 399	31.8
District of Columbia	94, 715, 980. 24	50, 276, 060	144, 992, 040	107, 588, 040	74.2
Puerto Rico	6, 028, 398. 35	6, 627, 027	12, 655, 425	7, 567, 425	53.0
Total	1, 029, 385, 233. 82	[1] 4, 351, 600, 000	5, 381, 035, 235	2, 135, 035, 235	39.7

[1] $4,400,000,000 including amounts deducted for administrative and research costs of the Bureau of Public Roads.

TABLE 3.—*Amounts of Federal-aid highway funds limited by the administration for obligation during fiscal year 1967 compared with amounts obligated by the States during fiscal year 1966*

State	Obligated July 1, 1965, through June 30, 1966	Amounts limited by administration for obligation during fiscal year 1967	Differences in amounts limited by the administration for obligation during fiscal year 1967 from amounts obligated by the States during fiscal year 1966			
			Decrease		Increase	
			Amount	Percent	Amount	Percent
Alabama	$54, 467, 352. 55	$68, 585, 000			$14, 217, 647	+26.1
Alaska	57, 068, 958. 79	31, 016, 000	$26, 052, 959	−45. 6		
Arizona	71, 482, 288. 05	48, 110, 000	23, 372, 288	−32. 7		
Arkansas	47, 572, 236. 00	29, 772, 000	17, 800, 236	−37. 6		
California	335, 960, 436. 95	289, 184, 000	46, 776, 437	−13. 9		
Colorado	57, 227, 891. 88	41, 743, 000	15, 484, 892	−27. 0		
Connecticut	62, 781, 901. 43	59, 869, 000	2, 922, 901	−4. 6		
Delaware	14, 597, 156. 56	7, 774, 000	6, 823, 157	−46. 7		
Florida	88, 251, 983. 00	71, 401, 000	16, 850, 983	−19. 1		
Georgia	83, 748, 531. 03	53, 307, 000	30, 441, 531	−36. 3		
Hawaii	36, 486, 861. 16	25, 047, 000	11, 439, 861	−31. 4		
Idaho	16, 143, 023. 32	21, 683, 000			5, 539, 977	+34.3
Illinois	182, 459, 225. 83	173, 109, 000	9, 350, 226	−5. 1		
Indiana	136, 752, 016. 61	72, 084, 000	64, 668, 017	−47. 3		
Iowa	52, 523, 431, 00	46, 124, 000	6, 399, 431	−12. 2		
Kansas	45, 188, 896. 16	33, 823, 000	11, 365, 896	−25. 2		
Kentucky	95, 665, 900. 48	64, 595, 000	31, 070, 900	−32. 5		
Louisiana	67, 667, 809. 98	75, 426, 000			7, 758, 190	+11.5
Maine	18, 815, 190. 51	16, 264, 000	2, 551, 191	−13. 6		
Maryland	70, 912, 597. 61	49, 226, 000	21, 686, 598	−30. 6		
Massachusetts	120, 918, 555. 23	66, 874, 000	54, 044, 555	−44. 7		
Michigan	142, 417, 396. 61	100, 139, 000	42, 278, 397	−29. 7		
Minnesota	91, 660, 100. 38	76, 429, 000	15, 231, 100	−16. 6		
Mississippi	46, 598, 976. 35	38, 855, 000	7, 743, 976	−16. 6		
Missouri	88, 776, 405. 59	80, 924, 000	7, 852, 406	−8. 8		
Montana	44, 149, 358. 60	36, 563, 000	7, 586, 359	−17. 2		
Nebraska	41, 632, 877. 02	25, 690, 000	15, 942, 877	−38. 3		
Nevada	31, 377, 685. 00	22, 398, 000	8, 979, 685	−28. 6		
New Hampshire	16, 167, 566. 34	15, 421, 000	746, 566	−4. 6		
New Jersey	128, 641, 442. 84	80, 363, 000	48, 278, 443	−37. 5		
New Mexico	54, 295, 259. 41	39, 640, 000	14, 655, 259	−27. 0		
New York	194, 851, 910. 83	171, 445, 000	23, 406, 911	−12. 0		
North Carolina	62, 803, 876. 46	40, 881, 000	21, 922, 876	−34. 9		
North Dakota	24, 793, 187. 90	19, 780, 000	5, 013, 188	−20. 2		

TABLE 3.—*Amounts of Federal-aid highway funds limited by the administration for obligation during fiscal year 1967 compared with amounts obligated by the States during fiscal year 1966*—Continued

State	Obligated July 1, 1965, through June 30, 1966	Amounts limited by administration for obligation during fiscal year 1967	Differences in amounts limited by the administration for obligation during fiscal year 1967 from amounts obligated by the States during fiscal year 1966			
			Decrease		Increase	
			Amount	Percent	Amount	Percent
Ohio	$145, 520, 793. 93	$183, 778, 000			$38, 257, 206	+26. 3
Oklahoma	59, 133, 833. 79	40, 415, 000	$18, 718, 834	−31. 6		
Oregon	62, 949, 855. 39	51, 121, 000	11, 828, 855	−18. 8		
Pennsylvania	210, 521, 977. 19	153, 242, 000	57, 279, 977	−27. 2		
Rhode Island	18, 757, 487. 82	17, 913, 000	844, 488	−4. 5		
South Carolina	33, 785, 273. 00	25, 711, 000	8, 074, 273	−23. 9		
South Dakota	36, 465, 176. 01	31, 340, 000	5, 125, 176	−14. 1		
Tennessee	82, 110, 639. 00	69, 710, 000	12, 400, 639	−15. 1		
Texas	198, 409, 838. 00	171, 195, 000	27, 214, 838	−13. 7		
Utah	43, 760, 279. 20	45, 037, 000			1, 276, 721	+2. 9
Vermont	30, 576, 291. 58	20, 898, 000	9, 678, 292	−31. 6		
Virginia	88, 787, 384. 99	92, 336, 000			3, 548, 615	+4. 0
Washington	71, 566, 709. 84	72, 490, 000			923, 290	+1. 2
West Virginia	101, 627, 048. 00	64, 959, 000	36, 668, 048	−36. 1		
Wisconsin	51, 009, 563. 31	38, 286, 000	12, 723, 563	−24. 9		
Wyoming	31, 482, 440. 00	31, 433, 000	49, 440	−0. 2		
District of Columbia	16, 165, 318. 15	37, 404, 000			21, 238, 682	+131. 3
Puerto Rico	7, 420, 595. 34	5, 088, 000	2, 332, 595	−31. 4		
Total	3, 974, 908, 792. 00	3, 246, 000, 000	[1] 821, 669, 120	[1] −23. 7	[2] 92, 760, 328	[2] +15. 5
Total net decrease			728, 908, 792	−18. 4		

[1] For 43 States and Puerto Rico.

[2] For 7 States and the District of Columbia.

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. Yes, I yield to the gentleman from Ohio.

Mr. HARSHA. Mr. Speaker, as a matter of fact, the legislation which was initiated in 1956 contemplates the completion of this Interstate Highway System in some 16 years—by the year 1972; does it not?

Mr. CRAMER. The gentleman is correct. As it was originally enacted in 1956, the Interstate System was to be completed within the span of 14 years or by 1970. However, due to the unwillingness of the administration to place high priorities upon this program and to come up with a practical program which they could finance—while financing everything else—the completion of the program will indeed be delayed. Because of the lack of leadership in this program by the administration, the completion of the program will be delayed several years even without a cutback.

Mr. HARSHA. Mr. Speaker, if the gentleman will yield further, as a matter of fact, without this cutback the interstate program cannot be completed on date, unless authorizations for appropriations are increased rather than cut back over what is provided in the present law, is this not so?

Mr. CRAMER. That is absolutely correct. I feel that the people in this country should know that if this cutback is put into effect, the completion date means a date around late 1974 or 1975.

Mr. HARSHA. Mr. Speaker, if the gentleman will yield further, as a matter of fact, during the debate on the passage of the 1966 act, did not the administration, through its representatives, appear before the Committee on Public Works and request an increase in the authorization at that time and here, just 2 months following the enactment of the law, the administration cuts back this increase?

Mr. CRAMER. That is correct. Mr. Speaker, there exists a very interesting situation here with reference to the credibility gap and with reference to "consistency." "Consistency" apparently is not considered to be a virtue by this administration, an administration committing itself and backing up that commitment in the fashion in which it did some 2 years ago and then pulling its latest highway shenanigan.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. CLEVELAND. Is it not a fact, speaking about the importance of highways to economic development and the economic welfare of the people that at least 75 percent and perhaps more of the much touted Appalachia program is devoted to economic development and access roads, in other words highway construction?

Mr. CRAMER. The gentleman is correct. It is a little bit in excess of 80 percent and the total of funds going to Appalachia for highway construction is on the basis that the best way to fight poverty is to build highways to create jobs and to open up the areas of poverty.

Mr. CLEVELAND. It is my understanding that the President has asked or is asking for an increase in Appalachia funds, specifically so that the Appalachia treatment can be given to some areas in the State of New York for roadbuilding that has been included by us in the Appalachia program.

Mr. CRAMER. My understanding is that the President is requesting that or is expected to request that. The President has alluded to it in some of his messages to date. He wants to increase the funds for highway construction in Appalachia on the one hand to fight poverty, but cutting back on highway construction throughout all of America where it fights poverty in all the States of the Union.

Mr. CLEVELAND. Does that not look like the Federal Government is creating areas of poverty so that they can have objectives lined up for new poverty programs? If they threaten the highway construction industry with ruin, these people will be out of work. They will, in effect, create new classes of poverty almost faster than they can create poverty programs to take care of them.

Mr. CRAMER. I would not personally, at this time, attribute any such intent as that to the President.

Mr. CLEVELAND. But does it not raise that possibility in one's mind?

Mr. CRAMER. As I say, I would not attribute in this instance such a motive to the administration. However, it certainly raises an important question: what sense does it make to fight poverty with costly highway construction programs in Appalachia and encouraging poverty in other areas of America by cutting off highway construction rather substantially?

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Ohio.

Mr. HARSHA. The Interstate Highway System is already considerably behind schedule and the result of further delays and cutbacks of this program will even delay beyond what we already anticipate as to the completion of this system which will result in increased costs in highway construction in the ultimate; will it not?

Mr. CRAMER. Yes. The estimated increase in costs is on an average of 2½ percent a year and last year it hit a tremendously high rate around 8 percent. This is an indication of what the increased costs are going to be as a result of this delay.

Mr. HARSHA. And further the result is it would not only inconvenience the traveling public and the safety of the traveling public, but in addition will cause great economic losses being sustained by many of the States, some much more than others. Is that not an accurate statement?

Mr. CRAMER. I feel really sorry for the fellow who has a business and expects to have that business affected or taken out by that highway construction, and he has been sitting and waiting and watching for this Interstate System now since 1956—for 11 years. He is now told by the President's cutback, in effect, that he is going to have to wait at least a year or two years more before he can properly operate his business or get a proper highway system.

Mr. HARSHA. In fact, has it not been the policy of the Congress and the administration to urge the contracting business to gear themselves up to expedite construction and completion of our highway system? Each time we pass a new authorization act we have urged the contracting industry to gear itself and implement itself so it can carry on a full load in this type of work. Now, so to speak, to draw the chair out from under them and create a situation where we completely go back on our word to these people is doing them a great injustice; is it not?

Mr. CRAMER. The President, in effect, has pulled the road right out from under them. They are tooled up to do the job. They have spent billions of dollare to get that way. They now have an adequate work force and equipment. Likewise the States have tooled themselves up with personnel and equipment. Now the roads are cut out from under them.

Mr. CHAMBERLAIN. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Michigan.

Mr. CHAMBERLAIN. I wish to commend the gentleman for his statement today. I think he has made a very important point.

I would be grateful if the gentleman would advise me on this point. If I understood correctly, the program of cutback that has been contemplated would not reduce the revenues to the general fund. Did I correctly understand the gentleman to make that statement?

Mr. CRAMER. What I said was that the proposed cutback would make funds available this year and next for borrowing or for the use of participation certificates to the tune of almost a billion dollars.

At the same time, however, the President is asking for an earmarking of automobile excise to the trust fund for the highway beautification program, which is really taking it out of the general fund. So he wants to take from construction and put into the general fund; in effect, to take it out of the general fund and put it in the trust fund for the beautification program.

My point is that this is a clear-cut example of the administration's unwillingness to set necessary priorities in terms of genuine national interest. It appears that if the program bears the "L.B.J." label, it is a favored child; if it does not, it is a stepchild.

Mr. CHAMBERLAIN. I think the gentleman's point is a very sound one.

Mr. CRAMER. I think the gentleman might be interested in the figures as to what effect this will have on Michigan. For the fiscal year 1967 it amounts to a cutback of 32.5 percent. The total balance available as of June 30, 1966, is $14,476,565. The additional amount that could be made available is $133.9 million, or a total of $148.3 million. The amount frozen is $48.2 million, or 32.5 percent. So it is far more than the 17.5 percent that has been so highly advertised. It is about twice that 17.5 percent. It is 32.5 percent, which is a substantial cutback for any highway department on a moment's notice, and that is what it was. There was no advance notice that this was coming. It was just done by Presidential announcement.

Mr. CHAMBERLAIN. I would like to thank the gentleman for making this information available in the RECORD.

Mr. ZION. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I am pleased to yield to the gentleman from Indiana.

Mr. ZION. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ZION. Mr. Speaker, I am from one of the States where the 17.5-percent cutback is affecting 53 percent, because of our old-fashioned practice of paying our bills as we go along.

At this point I wish to submit a letter by the entire delegation of Indiana to the Director of the Budget, Mr. Schultze, after a meeting on Wednesday, February 1, 1967, between the Indiana Members of Congress and the representatives of the State highway commission of Indiana, reporting that we unanimously agreed that every consideration should be given to the restoration of the cutback and deferred highway trust fund apportioned to our State, which amounts not to 17.5 percent, but to 53 percent.

The letter referred to follows:

FEBRUARY 2, 1967.

Re: Federal-aid highway funds—Indiana.
Hon. CHARLES L. SCHULTZE,
Director, Bureau of Budget,
Executive Office Building,
Washington, D.C.

DEAR MR. SCHULTZE: After a meeting on Wednesday, February 1, 1967, between the Indiana Members of Congress and the representatives of the State Highway Commission of Indiana, we unanimously agreed that every consideration should be given to the restoration of cutback and deferred Highway Trust Fund apportioned to our state.

Indiana has no other desire than to cooperate and coordinate its highway program. However, to reduce such funds by fifty-three per cent without notice and then make such reduction retroactive to July 1, 1966, resulted in too drastic and severe measures to be applied to the economy and highway program of Indiana.

With $82 million cutback and deferred to the state and only $10 million available to use to June 30, 1967 and no assurance of a program during the remainder of the calendar year of 1967, plus the fact that from all indications a further reduction of $400 million may be contemplated; it leaves this delegation with no other alternative than to recommend your sincere consideration and release of funds.

Therefore, we the undersigned senators and representatives of the State of Indiana resolve that the Highway Trust Funds apportioned to Indiana be relieved.

VANCE HARTKE, RAY MADDEN, J. EDWARD ROUSH, JOHN MYERS, LEE HAMILTON, E. ROSS ADAIR, WILLIAM G. BRAY, ROGER ZION, ANDREW JACOBS, JR.,
Members of U.S. Congress.

Mr. CRAMER. Mr. Speaker, I thank the gentleman for that information. It is understandable that his State is concerned, because the cutback actually in money that could be made available this fiscal year, on the basis of my discussion, affects $157.3 million. The amount that is frozen by the administration that could otherwise be made available is $85 million, or 54.2 percent. That is quite a different figure from the 17.5 percent advertised by the administration.

Of course, this cut came as a complete surprise. It was a shock to many. The $3.3 billion limitation on obligations during 1967 is not limited to new obligational authority released during this year, but unobligated balances of prior years. I have indicated some figures in the charts I have included following my opening remarks.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. Have any hearings been scheduled yet by the committee on this subject?

Mr. CRAMER. There have been no specific dates set or announced for hearings. The chairman indicated to me last week, after our organizational meeting on Tuesday that we sit down and discuss then, or the following day, the makeup of subcommittees and any suggested future hearings of the committee. Since that time, up to today, at least, there has been no commitment relating to either one. I hope to discuss these matters with the chairman later this afternoon. I feel we should get into this question in the form of public hearings this week at the latest, before the Lincoln Day recess carries us over into the last week of February and early March.

Mr. CLEVELAND. Do I correctly understand, then, that the Public Works Committee is not yet fully organized?

Mr. CRAMER. The Public Works Committee is organized, but none of its subcommittees have yet been organized. A subcommittee hearing could not be held on the subject matter under the present circumstances.

Mr. CLEVELAND. So as a practical matter, here we are in the first week of February, and the Public Works Committee is not fully organized, so we could not have subcommittee hearings even if we wanted to.

Mr. CRAMER. The gentleman is correct that no hearings could be held, unless they were held before the full committee. That, of course, would take the direction of our distinguished chairman. I hope hearings will be held very, very soon.

Mr. McEWEN. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from New York.

Mr. McEWEN. I should like to associate myself with the remarks made by the gentleman from Florida. Since the proposed cutback this year and the cutback made last fall I have discussed this with the Superintendent of Public Works for the State of New York. He advises this has a very serious disruptive effect on the highway program of that State and of the Nation.

I would say, Mr. Speaker, I am particularly concerned as to what this cutback is going to do not only to the program immediately but, as the gentleman in the well so ably pointed out, in the future. Here we are affecting an industry which is tooled up with very specialized equipment which is good for only one purpose; namely, building roads. This industry has many skilled people. They are skilled in the trade of building roads, and they are going to have to go to seek employment elsewhere. There are contractors who will not have jobs available for them to do and many of whom, therefore, will have to face bankruptcy.

Mr. Speaker, I submit at some future time, if this is not corrected now, we will just not have the people in this field, both skilled workers and contractors with the equipment available, to do the job needed.

The stretchout of our National Interstate and Defense Highway System may even be greater than is projected by the loss of mere dollars, because we will have to go back and retool and reequip and re-recruit these people. According to the assurances that were given by the prior administration and this Congress, I will ask the gentleman in the well, Am I correct that back in 1956 this specific question was raised by the Committee on Public Works of representatives of the highway contractors; that is, could they build the organization to carry this program on?

Mr. CRAMER. The gentleman is correct. As a matter of fact, the whole thought behind the program was that it would involve long-range planning. It was known that it would take them years to tool up to the point where they could do the job and get it done adequately in the 14-year period that we had then and in the 16-year period which we have now. In effect, this was a commitment, and in my opinion it was a commitment to those who would have to do the job that there was going to be continuity in the program and that it would not be a stop-and-start program.

We were telling them that once they built up their personnel, their equipment, and so forth, to the job that was needed to be done, they could contemplate that the Federal Government in good faith would be going ahead with it. This is particularly so when the Congress set up publicly what was supposed to be an inviolate trust fund, which was moneys paid into the highway trust fund by the highway users.

This was not supposed to be disturbed for any other purpose, and it was done in that way just so that this continuity would be guaranteed at least to the extent of the contemplated revenue. Now we find by budget gimmickry and raids on the highway trust fund and the use of participation certificates and otherwise, as well as by this ordered cutback, which many feel is contrary to the law itself, that the administration has finally found a way to do what it has recommended be done ever since this administration has been in power; that is, take money from the highway trust fund and spend it for other purposes, such as beautification, safety, and numerous other proposals which they have for taking the funds out of this highway trust fund. They are now succeeding in doing this if the Congress permits them to.

In my opinion, the basic wrongness of it all is that this clearly shows the administration is not willing to give highway construction the priority it is entitled to as compared to beautification and other Great Society programs.

Mr. McEWEN. If the gentleman will yield further, I wish to express my desire, also, that the Committee on Public Works at the earliest possible date schedule hearings on this subject.

Mr. CRAMER. I thank the gentleman. I hope we will be successful in this joint effort.

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. HARSHA. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARSHA. Mr. Speaker, I would thank the distinguished gentleman for bringing this serious matter to the attention of the House, then I want to call the attention of the House to what this cutback means to Ohio and its continued economic development.

Highway construction 6 months ago was playing a prominent role in Ohio's economic picture, attracting industry, increasing employment opportunities, heightening residential and commercial development, and providing ready access to higher educational facilities, cultural and historical resources, and recreational areas.

An annual payroll of $100 million was being provided for construction workers; contractors were purchasing $96 million worth of new machinery annually, and the Ohio Department of Highways had an average employment of 10,500 who were coordinating the total highway effort in the State.

Following 2 recordbreaking construction years of nearly $450 million per year, Ohio was planning a $500 million construction program for 1967.

That was the picture when Congress made its 1968 authorization of $4.4 billion for highway improvement projects.

Ohio is one of those States that will be hit the hardest by the President's cutbacks. While the administration claims the cut is only about 17 percent it amounts to almost 40 percent for Ohio. The following are some of the facts of the Ohio highway program and what the effect of this action by the administration will have on it.

The following indicates how Ohio's highway construction industry has geared to a near half-billion dollar program:

	Millions
1960	$345.7
1961	302.8
1962	403.0
1963	138.0

Ohio passed a $500 million bond issue this year to provide adequate matching funds for Federal-aid highway construction.

	Millions
1964	$329.4
1965	454.4
1966	445.7
1967	[1] 226.4
1967	[2] 274.0

[1] 6 months programed.

[2] 6 months programed.

Four hundred and fifty Ohio contractors are qualified with the highway department to handle $1⅓ billion worth of work.

Federal-aid annual apportionments:

	Millions
1961	$149.6
1962	174.7
1963	199.3
1964	214.5
1965	221.2
1966	229.0
1967	221.3
1968	246.5

Quarterly allocation of reimbursable obligations was started by the Bureau of Public Roads in fiscal year 1960. In order for the highway department to plan and sell contracts on a regular schedule to avoid undersirable peaks and valleys they rely on release of funds the first of each quarter. This was fairly consistent until 1964 and then this pattern developed:

Release of quarterly reimbursable obligations by Bureau of Public Roads:

January 1, 1964, April 1, 1964, August 20, 1964, November 16, 1964, March 15, 1965, June 30, 1965—during the period April 1, 1964 to June 30, 1965, obligation authority was dropped back one quarter—October 8, 1965, January 3, 1966, April 19, 1966, July 11, 1966.

The last quarter of fiscal year 1966 funds were not released until July 11. Therefore, it was impossible to sell contracts within the fiscal year to use the fiscal year apportionment. The only reason Ohio had a balance of $89 million from 1966 funds was because of the lateness of the Bureau of Public Roads in releasing quarterly funds and because of releasing at the end of a quarter instead of the beginning.

Ohio has lost $13,000,000 from this fiscal year funds because of a bookkeeping error by the Bureau of Public Roads. Contracts were authorized by the Bureau of Public Roads in June of 1966 but were not posted on the books until July. The Bureau of Public Roads now says this must come from the 1967 apportionment. This is entirely unreasonable and costly to Ohio.

Because of unpredictable management of the reimbursement obligation schedule which is released erratically, Ohio has had to advance $90 million of State funds for purchase of rights-of-way and construction contracts on the Interstate System. This is supposed to be paid back quarterly over a 3-year period, but the cutback also "froze" these payments. This means the $90 million is not being made available to Ohio to convert to construction projects in the "off the Interstate" System.

Financial effects of cutback

	Million
Ohio 1967 apportionment (BPR Oct. 7, 1966	$246.5
Balance unobligated from 1966	47.2
Total planning figure for fiscal year 1967	293.7

With the cutback, all balances were suspended. The Bureau made a 10-percent cut from the $246.5 million. The President then made his cut. This left Ohio with only $183.7 million for fiscal year 1967. Ohio had obligated from July 1 to the time of the cutback $143.3 million. This leaves only $40.4 million for Federal funds in the first 6 months of calendar year 1967. Ohio had programed $226.3 million for the first 6 months of 1967. This unquestionably will play havoc with Ohio's road program as well as her economy. The following are some of the economic effects of this cutback.

The highway department canceled 26 Federal-aid jobs from lettings scheduled in the first 6 months of calendar year 1967.

This will cause loss of employment to 2,500 highway construction workers this year.

One job on a highway construction project creates three jobs in offsite employment therefore we are talking about some 7,500 jobs.

Equipment dealers expect a 35-percent loss in business because of this cutback.

Personnel recruited and trained by the industry to handle a $450 million annual program will be lost during this slowdown. Replacement of these people will be at added cost to the highway user.

Juggling of funds causing peaks and valleys help make this a "risk" industry. Seasonal operations and insecurity resulting from uncertainty of funds push wages and salaries in highway construction far above those of manufacturing.

It is estimated that five Ohio contractors will be forced out of business because of this cutback. Most contractors, like most Americans, find it is easy to buy on paper. Seventy percent of highway construction equipment is purchased on the assumption work will be available so that it can be paid off over a 5-year period. This cutback will cause at least five contractors to default on their equipment payments this year.

Of the $96 million spent for highway construction equipment in Ohio last year, 40 percent was financed through financial institutions specializing in this risk business; 30 percent was financed by the dealer; 30 percent was paid for in cash and financed by the contractor from working capital.

Thus the impact of this cutback will be felt by a number of people and businesses besides Ohio contractors.

Ohio has 1,529 miles designated as interstate highways, of this amount 1,008 miles are open to traffic, 234 miles under construction, 287 miles programed and in planning.

Because of the cutback, 11 projects totaling 28.91 miles programed for $70 million have been canceled for this first 6 months' lettings.

Five of these projects are necessary to make completed sections or sections under construction fully usable.

Further cutbacks will delay completing nine gaps in opened or under construction routes to provide continuity of traffic service on interstate routes.

Each year delay in placing under construction the remaining 287 miles of Ohio's interstate causes an additional estimated: 7,100 accidents, 4,100 injuries, 74 deaths, $8.4 million in economic losses.

It is indeed regrettable that the administration would put beautification above the lives and welfare of these citizens.

The picture is even worse on a national scale.

The traveling public will suffer serious losses of life, limb, time, and money as a result of the administration's cutback in the improvement of highways. During 1965, 49,000 persons were killed in traffic accidents in the United States; an additional 1,800,000 people were injured; property damage reached the exhorbitant amount of $3.1 billion; and the total economic loss is estimated to be $8.9 billion. All of the results are not yet in for calendar year 1966, but, based upon figures through November, the National Safety Council estimates that in excess of 52,000 persons were killed in traffic accidents last year, which sets a new record. The loss of life on our highways is catastrophic. Since the introduction of the automobile, 1.5 million people have been killed in traffic accidents in this country—more than all the combat deaths suffered by the United States in all of our wars.

Today there are 90 million motor vehicles on the highways, roads, and streets of the Nation. By 1975, probably the earliest date that the Interstate System can be completed, there will be 120 million vehicles. The Committee on Public Works was advised last year, during hearings on the Highway Safety Act of 1966, that, unless we act decisively and now, traffic accidents will claim 100,000 lives in 1975.

Poor roads impose upon the driver of a motor vehicle demands of judgment, decision, and reaction that he cannot possibly meet adequately in the few seconds he usually has in which to perceive a hazard and react to avoid it or to minimize its danger. Divided-lane, limited access highways, designed and constructed for maximum safety, are probably the greatest contributor to highway safety. The Interstate System, now half completed, is estimated to save a life a year for every 5 miles open to traffic. When the system is completed it is expected to save at least 8,000 lives annually.

The present cutback could reduce the commencement of new construction work on the Interstate System this year approximately one-third, if all of the States apply the entire cutback to the Interstate System. The administration imposed the cutback on the total amount of all Federal-aid highway funds that each State can obligate during fiscal year 1967, without dividing the restriction between the Interstate System and primary and secondary Federal-aid highways and their extensions within urban areas. It is not known at this time how each State will allocate the cutback between classes of highway funds, but at least one State has decided to apply the entire cutback to the Interstate System.

Among other things, the cutback will delay the conversion of 1,430 miles of two-lane sections of the Interstate System to four-lane sections in 16 States, which the Congress last year directed be done for safety reasons alone.

It is inconceivable that the same administration which last year so widely publicized the immediate need for highway safety legislation would, only 3 months after Congress enacted the Highway Safety Act of 1966, cut back the Nation's highway improvement program so substantially, and even now be planning further cutbacks for this year and next. It is entirely inconsistent and self-defeating to urge enactment of highway safety legislation one day and substantially cut back the construction of modern, safe highways the next. We should be accelerating the construction of modern roads with built-in safety factors rather than cutting back on such mileage, unless we are ready to profess that manipuation of the economy and the Federal budget is more important than lives which the bereaved families of those who die on our highways will find difficult to understand.

Furthermore, Mr. Speaker, what will such an action do to our National System of Defense Highways? Many of these same highways will be left unfinished and unconnected.

These highways are pertinent to our national defense. This will render them ineffectual as national defense arterials if they are uncompleted and unconnected. From this standpoint alone this action by the President should be retracted.

To do otherwise will result in further delay in completing the Interstate System, will add to the cost of the system, will result in increased hazard to the lives of the traveling public, will result in economic chaos to the construction industry and adversely affect the economic well-being of many of our States.

Mr. CRAMER. Mr. Speaker, I thank the distinguished gentleman from Ohio. I feel that the gentleman has very graphically pointed out the effects which this proposed cutback would have upon the great State from which he comes. Because it has gone ahead and performed a job, it is now being substantially paralyzed through what amounts to a very substantial cutback for the last 6 months of this year; because it went ahead and performed its job during the first 6 months of last year, leaving some $40 million, as the gentleman suggests, out of a budget of $90 million for the full year.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Pennsylvania.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I, too, wish to commend the distinguished gentleman from Florida

[Mr. CRAMER] for the very fine portrayal of this matter which involves a very serious problem to all of the States of the Union.

Mr. Speaker, on tomorrow, the Governor of the great State of Pennsylvania, and over 100 prominent people from our State, will come to the city of Washington to make visitations throughout the Capitol in an effort to impress upon everyone the seriousness of a cutback in the highway program insofar as the people of the State of Pennsylvania are concerned.

Mr. Speaker, the gentleman from Florida mentioned the fact that it is of doubtful legality as to what the people of the various States can do, in a legal way, to correct the situation. If the situation is, as has been indicated by the gentleman from Florida, what can they do in the courts to prevent this type of proceeding?

Mr. CRAMER. It would be rather difficult, I think, to take legal action against the President of the United States, who made the Executive decrees on the basis of him exceeding his authority as given to him either by the Constitution of the United States or by this specific legislation.

It would be an action that obviously many of the States would hesitate to take in this field in particular because it is a partnership program and they naturally want to have fairly good relationships with the Federal Government.

I believe the remedy really and realistically is basically with the Congress of the United States. Congress has to determine whether or not it agrees with the President or it disagrees with the President. And, of course, second, if the Congress disagrees and takes the necessary action then again the President can refuse to spend the money as he has done in other instances. It is importuning the President at the Presidential level to do what Congress directed him to do a second time.

It is my opinion Congress already directed that this money should be spent for this purpose and no other purpose.

Mr. JOHNSON of Pennsylvania. Then we do not have a legal remedy. The only thing we can do is to bring such great pressure statewide that the President will rescind his order, in view of the things you have pointed out, the calamities that will occur all over this Nation if this Executive order stands.

Mr. CRAMER. I doubt if you could secure a writ of prohibition against the President of the United States based on the fact that he has exceeded his authority in this instance, but I am not going to present a final legal opinion relating to it.

I know what I intended as a Member of this Congress when I helped draft the 1956 act, and I think I know what the Congress itself meant that it intended. That is that there was to be a trust fund established in good faith for highway construction, inviolate from any other thing, inviolate from raids upon it for any other purpose. The money was to go automatically into the trust fund and to be automatically paid out.

It was my understanding that there was no way in which anyone could interfere except by direction of the Congress, that is by subsequent action of the Congress authorizing that these funds could be used or drained out for other purposes.

This is one clear-cut example of where the gimmick of participation certificates is so perfect in the hands of the President—and also a President who is willing to arbitrarily use cutoff orders relating to necessary public programs to accomplish Great Society programs that are suddenly now to be upgraded while the highways are to be downgraded.

I do not say the States should not file a suit but it is up to the State to study the law and the Constitution and make its own determination. I am not trying to prejudge what the courts will do because no one knows what they will do.

Mr. Speaker, I can understand why the gentleman is concerned about Pennsylvania because it has one of the most serious problems with approximately $262 million that was supposed to be available in expenditures this year and the cutback affects $108.6 million or 41.1 percent of it. It is no wonder the Pennsylvania highway program has been thrown into chaos.

Interestingly enough Pennsylvania is a State included in Appalachia, in which they say that we have to be spending more money in Appalachia for highway purposes but then they say let us cut back 41 percent in the rest of the State. What are they going to do, end up with all of Pennsylvania in Appalachia by virtue of making more people poverty-stricken. It does not make sense to me.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. Mr. Speaker, I am happy to yield to the gentleman from New Hampshire.

Mr. CLEVELAND. I think that one of the resentments that the Governor of Pennsylvania and the 100 people he is bringing with him may have, is that they should be entitled to a hearing before a committee of this body, particularly the Committee on Public Works of this body which is primarily charged with this matter.

I come back again to the fact that apparently our chairman has not even scheduled a hearing, and he has not apparently fully organized the committee. I think that this reflects very poorly on this body. There is a great deal of talk about the reorganization of the Congress and there is a good deal of talk about congressional reform. There is a good deal of criticism of the Executive by the Members of the Congress. I think the time has perhaps come to scrutinize ourselves more carefully.

Surely, the Governor of the State of Pennsylvania ought at least to be able to come for hearings where he could give his evidence in an orderly manner. He should not have to go around, as I understand he is going to have to do, hat in hand to members of the Pennsylvania State delegation. I do not think that this speaks well for Congress.

Mr. CRAMER. I will say to the gentleman that if my request had been granted, a request made to the chairman of the Subcommittee on Roads, the gentleman from Illinois [Mr. KLUCZYNSKI], last week, we would have been holding hearings tomorrow and the gentleman's Governor and his delegation and the House Members would, if they had chosen to do so, have had a forum before which they could have appeared and stated their very serious case and their problems.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. HECHLER of West Virginia. Mr. Speaker, I am very interested in this very important subject that the gentleman from Florida is bringing to the attention of the House. I am very interested in the facts and figures which my colleague from the Ohio Valley [Mr. HARSHA], has brought to the attention of the House. This is a subject that deeply concerns the State of West Virginia also. I wonder if the gentleman now in the well is aware of the fact that the Committee on Public Works in the other body, chaired by the senior Senator from the State of West Virginia, has scheduled public hearings on this subject for later this month?

I bring this to the attention of the House for the reason that it may bring out some factual material that would make later hearings in this body even more significant. Because I know the senior Senator from West Virginia is determined to explore this subject thoroughly in the Committee on Public Works of the other body.

Mr. CRAMER. I will say to the gentleman that I am aware of it. I am pleased to see the announcement that has been made by the distinguished gentleman from West Virginia in the other body who is chairman of the Committee on Public Works in the other body.

I am confident that that hearing will be most useful. I would hope, however, that the House would not abdicate its equal responsibility to the other body. As a matter of fact, we should have started hearings this week. This problem is very urgent. I was hoping we would do so.

Of course, the gentleman's State is severely affected. According to the figures I have referred to about West Virginia, some $33 million will be affected by this cutback in West Virginia out of some $97.9 million available for expenditure, or 33.7 percent.

Interestingly enough, much of the construction supposed to be done in the basic program under this authorization, if these funds are available, are in the Appalachia area of West Virginia. This is going to mean a 33.7 percent cutback in Appalachia itself on the basic program. At the very time that the President said that we ought to put more money in the defense program. It just does not make sense.

Mr. HECHLER of West Virginia. I appreciate the gentleman's concern in this area. I hope he will be equally kind to us when the Appalachian Regional Development Act comes before the committee of the House.

Mr. CRAMER. I will say to the gentleman that I have the same thoughts regarding the Appalachia Regional Development Act when and if it ever comes before the House and, second, when and if the administration can ever make up its mind what amendments it intends to suggest to the Congress of the United States—not having sent a message up here relating to it yet.

Mr. HECHLER of West Virginia. I thank the gentleman.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield on this point?

Mr. CRAMER. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. I think the gentleman from West Virginia and the gentleman from Florida and those participating in this discussion should know that the hearings that the Senate has scheduled have been scheduled for Monday, February 27, according to the notice that has been sent out.

Mr. CRAMER. The gentleman is correct.

Mr. CHAMBERLAIN. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. CHAMBERLAIN. Mr. Speaker, like many of my colleagues, I have heard from various sources within my congressional district, the Sixth Congressional District of Michigan as to this problem.

I have asked the gentleman to yield in order that I might get permission at this time to extend my remarks at the conclusion of the remarks made by the gentleman from Florida and to include certain extraneous material and, Mr. Speaker, I ask unanimous consent for permission to so extend my remarks.

The SPEAKER pro tempore (Mr. Matsunaga). Without objection, it is so ordered.

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, the gentleman from Florida [Mr. Cramer] has very forcefully called attention to the impact which the recently announced cutback in the Federal-aid highway construction program will have throughout the country. I share the concerns which the gentleman has so well expressed.

In order that the Congressional Record may reflect the effect of the proposed cutbacks in Michigan and pursuant to the consent heretofore granted, I would like to insert in the Record the following: a letter dated December 13, 1966, addressed to the Honorable George Romney, Governor of Michigan, by Ardale Ferguson, chairman of the State highway commission together with its enclosure, "A résumé and summary—Federal-aid highway obligation limitations, fiscal year 1967"—a report to the State highway commission entitled "Construction Status and Personnel Adjustments Resulting From Federal-Aid Reduction, **Fiscal Year 1967," dated January 10, 1967, by Howard E. Hill, director of the department of State highways;** an address by Howard E. Hill, director of Michigan Department of State Highways to the 39th Annual Convention of the Michigan Road Builders Association in Detroit on January 20, 1967; and the resolution adopted by the Michigan Road Builders Association on January 20, 1967.

State of Michigan,
Department of State Highways,
Lansing, Mich., December 13, 1966.

Hon. George Romney,
Governor of Michigan,
The Capitol,
Lansing, Mich.

Dear Governor Romney: The recent cutback in the Federal-Aid Highway Program will cause serious hardships to numerous families and small industries and will have a more lasting effect on the State's economy than the duration of the cutback period.

The cutback was announced on November 23, 1966, and was stated to be effective for a minimum time of the remainder of the fiscal year ending June 30, 1967.

During this, about six months period, the Michigan State Highway Construction Program will be reduced from $80,000,000, as scheduled to less than $40,000,000; and right-of-way acquisition will be reduced from a $48,000,000 acquisition program to $7.2 millions of programmed obligations.

In establishing priorities of work to be accomplished with the limited Federal Funds available to us, we determined to continue construction on principally: I–75 in the city of Detroit and North of Bay City; M–78 and M–21 in Flint to the I–475 Interchange, permitting completion of a useable increment of completed highway; I–496 in Lansing to complete a useable increment; other construction work programmed and considered to be in an emergency status.

The construction contracts programmed will require $25,000,000 of the $35,000,000. Federal-Aid allocation available, leaving only $7.2 million for right-of-way acquisition after allocating $2.8 million for research committed and Federal-Aid Secondary committed to the eighty-three counties.

In previous years, the Highway Department has bonded and programmed right-of-way acquisition and construction in advance of Federal authorizations. Because this curtailment has been established as an inflation check, advance programming of right-of-way or construction is not authorized.

Some of the serious consequences of the cutback will be:

The curtailment in construction will result in a substantially greater property loss, injury and fatality toll on Michigan's highways than would occur if construction had been permitted to proceed on schedule.

The curtailment of right-of-way acquisition will result in hardship to many individual families.

We have in our appraisal and subsequent right-of-way activities contacted numerous individuals indicating our intent to purchase their properties through negotiaton or condemnation proceedings, by a definite date. Many families have committed themselves to purchasing replacement properties, expecting payment for our proposed take by stated dates. The delay in meeting our schedule will result in financial difficulty and loss to numerous individuals and businesses where the property owner has attempted to vacate in accordance with our published construction schedule.

In some areas demolition is proceeding on properties we have taken while we have a "hold—no action" on further right-of-way acquisition in the immediate area. In these areas living conditions could be highly unsatisfactory.

Due to limited funds authorizations and the necessity to proceed with some construction contract work, the funds available for acquisition of right-of-way required for programmed construction contracts in the next fiscal year are practically non-existent. We will lose our momentum in our planning and property acquisition activities; and if on July 1 or September 1, 1967, the Administration determines the economy of the nation has reached the desired level of tapering off, we will not be in a position to hold off further decline in our segment of the economy because available right-of-way to permit award of construction contracts will not be available. Appraisals will require updating to current situation and negotiation and legal actions will need to be initiated. A seven months' delay now will result in at least double that time in preparation for contract award.

Many of our construction contractors who have purchased equipment and set up organizations will not be able to weather the unexpected and drastic reduction in construction work, even for the period noted in the Department of Commerce directive.

The Highway Department is staffed and has the momentum to maintain the program which we have established for planning, design, right-of-way acquisition and construction award and supervision. The current cutback will cause a slow-down in all phases of the organization.

The momentum which we have gained and is so desirable to maintain will be lost through this cutback.

The Commission has voted to urge the Governor and the Congressional delegation to release for programming for acquisition of right-of-way, planning and design activities, the prior year funds not obligated by June 30, 1966. In Michigan the release of prior year funds would permit obligation of an additional $13,000,000. for acquisition of right-of-way and planning. This release would permit Michigan to proceed with right-of-way acquisition in areas, such as I–96 in Detroit, where commitments to purchase may be presumed to have been made; and also to permit Michigan to prepare for award of construction contracts in the more critical areas when the curtailment is terminated.

The attached résumé and summary of the curtailment action contains further reference to prior year's funds not obligated by June 30, 1966.

Very truly yours,
Ardale Ferguson,
Chairman, State Highway Commission.

Encl.—Résumé and Summary (Federal-Aid Highway obligation limitations—Fiscal year, 1967).

RE: FEDERAL-AID HIGHWAY OBLIGATION LIMITATIONS—FISCAL YEAR 1967

1. FEDERAL ATHORIZATION

In October of 1966 the United States Congress passed the Federal Highway Act of 1966 and authorized for highway purposes $4.4 billion for the fiscal year 1968. Michigan's share of this $4.4 billion authorization was $134 million, of which approximately $100 million was for Federal-Aid Interstate.

The Bureau of the Budget made a quarterly allotment to the States on October 7, 1966 in the amount of $1.0 billion, a reduction of 10% from the Congressional authorization. Michigan's share of this quarterly allotment was a little over $30 million.

2. FURTHER PRESIDENTIAL LIMITATION

On November 23, 1966, Michigan was notified that the President had further reduced Federal-Aid allotments for highway use by approximately 17½%.

On the day following Thanksgiving, November 25, 1966, we received Bureau of Public Road's Instructional Memo 30–7–66, dated November 23, 1966, which stated that Michigan's limitation on Federal-Aid Highway obligations for the calendar year 1967 would be $100,139,000. This is a reduction from the $134 million authorized by the Congress in the 1966 Federal-Aid Act.

The circular referred to above also noted that carry-over balances of previously released funds available for reimbursable obligations at the beginning of the fiscal year, July 1, 1966, are frozen and are included in the limitation of Federal Funds available for obligation during fiscal year 1967. Michigan had $13 million in this category.

3. MICHIGAN'S FEDERAL-AID OBLIGATION STATUS

A review of the status of obligations programmed with the Bureau of Public Roads since July 1, 1966, indicate that we have programmed for obligation $64 million of Federal-Aid since July 1, 1966. This amount includes $13 million of previous fiscal year funds. Our total authorization of Federal-Aid funds available to Michigan for programming to June 30, 1967, therefore, is limited to $36 million.

4. WORK SCHEDULED THROUGH JUNE 30, 1967

Right-of-way

We have programmed with the Bureau of Public Roads $36 million Federal-Aid for acquisition of right-of-way in programs now in some stage of acquisition. We had anticipated programming an additional $42 million for right-of-way acquisition during this fiscal year; however, due to the curtailment, we have reduced this anticipated programming to $7.2 million.

Construction

We have awarded, to date, contracts for construction in the amount of $85 million, which amount includes Federal-Aid, Michigan matching money and some straight "M" jobs.

Our schedule for the remainder of the fiscal year programmed construction awards in the amount of $80 million. This $80 million includes $55 million of Federal-Aid.

5. PROGRAM REDUCTION

Based on the above data, the total Federal-Aid authorization remaining for programming to Michigan through June 30, 1967 is $36 million. In order to reach this requirement it is necessary to reduce the proposed right-of-way Federal-Aid programming and the contract awards for the remainder of the fiscal year to this amount—$36,000,000.

Right-of-way

In order to accomplish this, it was determined to limit further authorizations in right-of-way to a total of $7,200,000. The detail of which is attached hereto.

Construction

After limiting the programming of additional right-of-way to $7,200,000, the total amount available for construction awards and construction engineering for the remainder of the fiscal year is reduced to $28,800,000, from which must be deducted $2,700,000 for County Secondary Roads, not programmed to date, reduced from $5½ million to $4.1 million and $1 million of Research Funds required in the first six months of 1967 and not obligated to date.

With the deduction of this $3.7 million from the remaining available Federal-Aid, a total of $25 million is available for construction contract awards.

In the period between January 1, 1967 and June 30, 1967, noted in previous paragraphs, it was anticipated that award would be made on contract work at an estimated cost of $80 million. This $80 million included $54,500,000 of Federal-Aid anticipated to be available.

The Federal-Aid available for awards, as noted above, is $25 million; therefore, contract programming of $29,500,000 of Federal-Aid must be deferred.

Attached hereto as enclosure No. 2 is a list of the jobs which must be deferred until the next fiscal year, beginning July 1, 1967.

6. RIGHT-OF-WAY COMMITMENTS

Where an option has been obtained to purchase right-of-way, or condemnation action has been instituted, the procurement or legal action will be continued to completion and the right-of-way paid for.

Where contracts for appraisals have been entered into and the appraisal work initiated, the appraisal contract will be completed; and later brought up-to-date, if required. An analysis will be made of the status of all appraisal work to determine whether the appraisal contract should be terminated or completed.

If an option to purchase has not been entered into or legal action initiated, even though a contact has been made with the owner, the Procurement action will be terminated in the areas where right-of-way action is considered to be deferred.

7. CONSTRUCTION CONTRACTS

Generally, construction contract awards will be deferred to the early months of fiscal year beginning July 1, 1967. It will be necessary to review the present letting schedule for that period and determine priorities between work deferred from fiscal year 1967 to the fiscal year 1968, beginning July 1, 1967. The Bureau of Public Roads have stated that the reduction in program on about a similar basis may be carried through the calendar year 1967.

Summary of right-of-way authorization aid programs

	Authorization	Total authorization planned	Total authorization to be programed	Additional to be programed
Route:				
I-696, Oakland and Macomb	$2,526,000	$13,318,000	$2,526,000	0
I-96, Oakland	574,000	1,060,000	1,060,000	$486,000
I-96, Wayne Interstate	12,541,000	37,445,000	13,341,000	[1] 800,000
I-275, Monroe and Wayne	5,735,000	5,735,000	5,735,000	0
I-475, Flint sections A, B, and D	4,400,000	4,400,000	4,400,000	0
I-475, Flint sections E through L	2,265,000	21,501,000	6,765,000	[2] 4,500,000
M-21 and M-78, Flint	5,004,000	7,194,000	6,194,000	1,095,000
Other routes:				
US-127, Ingham	500,000	990,000	500,000	
Davison-Detroit	1,000,000	3,248,000	1,000,000	
M-153, Wayne	345,000	3,460,000	345,000	
M-113 and I-75, BR-Bay	100,000	281,000	281,000	181,000
M-66, Mecosta and Montcalm	20,000	201,000	20,000	0
I-75, BR West Branch	14,000	137,000	137,000	123,000
U.S. 27, Calhoun	32,000	315,000	32,000	0
Total	35,000,000	99,200,000	42,200,000	7,200,000

[1] Additional programing limited to the section from 5 Mile Rd. to 8 Mile Rd, city of Livonia.
[2] Work to be programed, limited to secs. E and F (M-78, 475 interchange).

Construction to be deferred

Job	Construction cost	Federal aid
February 1967:		
Interstate beautification program, except 4 rest areas		$1,000,000
Bituminous shoulders		3,000,000
I-496, Grand River, U.S. 127, New York Central GR sep	$1,850,000	1,600,000
M-33, M-32, in Atlanta and south of existing M-32	988,000	500,000
M-102, Kelly east, I-94 west	700,000	300,000
March 1967:		
Springport Rd., I-94 service ramp		700,000
M-24, M-21, west county line to Golf Rd	3,597,000	1,800,000
U.S. 131, 13 Mile Rd. to M-57 extended	1,095,000	550,000
M-57, U.S. 137 relocation	543,000	250,000
April 1967: M-21, Golf Rd. to M-24	2,208,000	1,100,000
May 1967:		
M-21, Center Rd. to Vassar and M-15 to east county line	4,448,000	2,200,000
I-475, I-75 to Maple Rd	2,818,000	2,500,000
I-675, 5 contracts, I-75 to Michigan Ave	10,600,000	9,600,000
I-496, I-96 to east county line	2,839,000	2,500,000
M-21 and M-15, Vassar Rd. to M-15	2,793,000	1,400,000
M-40 in Decatur (drainage)	115,000	60,000
Approximate total	40,000,000	24,800,000

A REPORT TO THE COMMISSION—CONSTRUCTION STATUS AND PERSONNEL ADJUSTMENTS RESULTING FROM FEDERAL-AID REDUCTION, FISCAL YEAR 1967, JANUARY 10, 1967

The cutback in Federal-Aid announced on November 23, 1966, reduced Michigan's authorization for programming during fiscal year 1967 from $134,000,000, to $100,000,000.

In addition, as of June 30, 1966, the Department had $13,000,000. of prior year authorizations unobligated. Approximately $4,000,000. of this $13,000,000. had been allotted by the Department of State Highways to the 83 counties for obligation on the Federal-Aid County Secondary System. The remaining prior year funds were programmed in July, 1966 as a normal carryover, permitting programming for July and August contract awards. This $13,000,000., by Bureau directive, was to be included in the $10,000,000. obligation authority.

In this fiscal year 1967 we would normally have a carryover approximately equal to $13,000,000. of obligation. A carryover is necessary to permit contract awards in July and August, 1967. The practical reduction in obligation authority, therefore, is $34,000,000. of Federal Aid.

We are working under the assumption that the curtailment will not extend beyond the fiscal year 1967; and that we will have full obligation authority in fiscal year, 1968, beginning July, 1967. The Department of Commerce Instructional Memo. 30-8-66, dated November 23, 1966, does not support this assumption. It states:

"It is anticipated at this date that this rate of obligation will continue into at least the first quarter of fiscal year 1968."

As of December 8, 1966, we were notified that our remaining Federal-Aid obligation authority was $35,000,000, of this $35,000,000 remaining, $3,000,000 authorization would be required for Research and County Secondary construction, leaving $32,000,000 for construction and right-of-way activity.

It was determined, in order to continue our construction program as effectively as feasible, to award $40,000,000 of the programmed $80,000,000 of construction scheduled for the last half of fiscal year 1967. This would require obligation of $25,000,000 of the available $32,000,000 of Federal-Aid, leaving approximately $7.2 for obligation to right-of-way, contract appraisal and acquisition.

A detailed review of our right-of-way status has been made. We have tentative authority, from the Bureau of Public Roads, to transfer programmed right-of-way and planning funds from an obligation phase, provided we had not billed and received any portion for payment, to what is known as Stage I. In Stage I, we can program with the Bureau without obligating Federal-Aid funds utilizing "M" money and later converting to Federal-Aid.

As a result of the review and analysis, it was determined we could deobligate and transfer $10,000,000 to Stage I, thus releasing additional authorization funds. The deobligation would be mostly from 1–696 (Detroit area), 1–475 (Flint) and 1–196 in Western Michigan.

In the areas where we have deobligated, acquisition to meet right-of-way commitments will continue through Stage I procedures.

The analysis further determined that commitments to purchase had been made to the extent of $3,000,000 over and above our Federal-Aid programming.

The result of the analysis is that we have $10,000,000. (freed from previous obligations), $7,200,000. (of remaining fiscal year 1967 authorizations), less $3,000,000. (commitments), leaving $14,200,000. for acquisition of right-of-way and contract appraisals for Federal-Aid obligation to June 30, 1967. These right-of-way funds will be utilized: Saginaw and Flint, $4,000,000; I–96 Detroit $10,000,000, (between the Edsel Ford and the I–275 connection in Livonia).

We would have obligated approximately $18,000,000. of "M" on the construction contracts we have deferred to the next fiscal year. This $18,000,000, we feel, is available for programing and expediture for Phase I right-of-way with the right to transfer to Federal-Aid obligation authorization at a later date, without impairing our future ability to match Federal-Aid.

The procedure permits us to proceed full-force on acquisition on all projects, except I–696 and I–96. The reason for the deferment of I–96 acquisition is that it would require an additional $41 million for right-of-way acquisition. The I–96 project in the City of Detroit is to be funded out of the Tri-Party Bond Funds. Only $25 million remains in the bond fund, at this time; and we require some of this $25 million as 10% participation on contract awards on I–75 and I–96, which are proceeding.

ADJUSTMENT OF PERSONNEL

1. *Planning:* We are proceeding full-force in our *planning* activities.

2. *Maintenance:* Maintenance activities are not affected by the temporary withdrawal of Federal-Aid.

3. *Construction:* In our field work, the cutback in construction will occur in:

(a) $3,300,000. of construction scheduled for letting in Feb., 1967.

(b) $5,000,000. of construction scheduled for letting in March, 1967.

(c) $30,000,000. for construction scheduled for letting in May and June, 1967.

In the major construction deferred, we had anticipated setting up new District Residences and new project organizations in Saginaw (I–675) and Flint (I–475), and on I–75 North of Bay City.

Since I–675 aggregating over $10,000,000, and scheduled for May, 1967 award will not be initiated until Federal-Aid is restored, we will defer the setting up of the residency. The residency for an augmented I–475 in Flint will also be deferred. Each of these residences, with project staffs, require approximately 70 men.

Our field personnel has averaged approximately 20% overtime. This will be reduced to meet the decreased programmed work load.

We are meeting with every Senior District Engineer to discuss contract close-outs; and to expedite finaling contracts by utilizing all available District Office personnel we can free for the winter close-out program. This is an every winter job, which we will press this winter to clear the completed contracts out prior to the opening of the next construction season.

4. *Testing and Research:* Our field testing personnel is hired to meet the job requirements, generally on a seasonal basis. The hiring of seasonals will be limited to meet the job requirements.

5. *Right-of-way Division:* is affected seriously, mostly in the Detroit area.

Approximately one-third of the properties on I–96 in Detroit are being acquired by the Wayne County Road Commission. The remainder by the Highway Department.

Our acquisition and appraisal program is proceeding everywhere in the State except I–96 and I–696.

We have approximately 90 buyers on the Highway Department rolls.

We, last year, entered contracts in a total of almost $2,000,000, with contract appraisers.

We are utilizing all the available buyers as appraisers, thus eliminating a proportional amount of contract appraisal work.

We had budgeted and planned to add ten appraisers and buyers to our staff. These we will defer until the program is reinstituted.

6. *Design:* We design with our forces approximately $120,000,000, in construction plans each year. The remaining $60 million to $80 million is carried out by Wayne County Road Commission, City of Detroit; and, at this time, three consulting firms. We are now short in our design squads approximately fifty men to make up the staff recommended by Jorgensen Associates. The attrition through retirements and quits amount to about this same number (50) from design annually.

We will continue to pick up any available engineers for design to try to carry a minimum staff. Any reduction in work can be easily adjusted by reduction of consulting work to private firms and Wayne County Road Commission and the City of Detroit.

GENERAL

Definite reductions in overtime and temporary personnel placement will occur if the curtailment extends beyond July, 1967 into the heavy construction season.

We have a blanket—no hiring—except in special categories, such a chemists, engineers and similar areas where we have had vacancies over a period of years and the need still exists.

In fiscal year 1966 our attrition was 1,600 out of a total of approximately 5,300 people. Many of these are seasonals.

We have a staff of between 750 and 800 engineers. In the fiscal year 1966 we lost through retirements and quits 70 engineers.

With a controlled hiring rule in effect, we can quickly get down to any minimum staff we desire to maintain in conformance with the work-load.

HOWARD E. HILL,
Director, Department of State Highways.

ADDRESS BY HOWARD E. HILL, DIRECTOR, MICHIGAN DEPARTMENT OF STATE HIGHWAYS, TO THE 39TH ANNUAL CONVENTION OF MICHIGAN ROAD BUILDERS ASSOCIATION, DETROIT, MICH., JANUARY 20, 1967

I have always enjoyed and looked forward to the invitation to participate with you in the Annual Meeting of the Michigan Road Builders Association. It is an opportunity for me to visit with you and to discuss our mutual problems.

We have had the full cooperation of your organization and your Committees this past year. We appreciate very much the time and effort the individual road builders have given through Committee cooperative action to solve these problems. These efforts will result in better and more highways for the people of Michigan at lower construction costs.

Usually, my part in this program is to discuss with you the Highway construction program for the calendar year ahead and to expand beyond the present calendar year to the immediate future. I will endeavor to do this again.

Our construction award program for the calendar year 1966, the year just past, was as anticipated, lighter than the previous year. We awarded $135 million in construction contracts.

This gave us a capital improvement program, including right-of-way and engineering of $190 million. We had anticipated a $200 million capital improvement program. Down $40 million from 1965, which was our largest capital improvement program year since 1960.

This year, 1967, was scheduled to be a heavy contract award year at approximately $200,000,000, plus a tremendous right-of-way acquisition program to make feasible construction awards in 1968 and 1969 averaging $235,000,000 per year, the heaviest construction award years in Michigan's history, up 40% each year from the load projected for 1967. This year was to be a big construction year and a big preparation year for 1968 and 1969's peak programs.

Our remaining program for the immediate four years ahead—1967, 1968, 1969 and 1970, no matter how we must shuffle them to comply with the juggling of Federal-Aid will average $175,000,000 per year in contract awards, about equal to what was awarded in 1965. We will try to keep a fairly uniform award schedule in the four years ahead.

We are going into 1967 with a backlog of $130,000,000 of awarded but unplaced work. A year ago, we had a backlog of $150,000,000 of awarded, but unplaced work.

In January 1966, a year ago, our carry-over of awarded, but unplaced bituminous concrete and bituminous aggregate amounted to a total of 602,000 tons. We go into 1967 with a carry-over of 115,000 tons of bituminous aggregate and 340,000 tons of bituminous concrete, a total of 455,000 tons carry-over.

In 1966, a year ago, our carry-over of awarded but unplaced concrete slab totaled 4,500,000 square yards. We enter 1967 with a carry-over of 2,700,000 square yards of concrete pavement and 200,000 square yards of concrete base course.

Now—the very sorry story of our situation today!

I mentioned that our program for this calendar year scheduled $200,000,000 for construction contract awards and a very substantial amount for right-of-way acquisition. The right-of-way acquisition program is scheduled to provide for our heaviest construction award years in 1968 and 1969.

We have had a substantial cut-back and deferment in our Federal-Aid for this fiscal year ending June 30, 1967. We have also been informed by the Bureau of Public Roads that the cut-back is anticipated to continue at the reduced rate of obligation through at least July, August and September of 1967.

I will just summarize the situation we are in as far as the temporary reduction in Federal-Aid affects our contract awards for the first one-half of this calendar year and our right-of-way activities during this period.

We had programmed for construction, engineering and right-of-way for the fiscal year ending June 30, 1967, $13 million of prior year Federal-Aid and $134 million of current year Federal-Aid, a total of $147 million in Federal-Aid.

In the first one-half of the fiscal year (July, 1966 to January 1, 1967) we obligated $65 million of this Federal-Aid.

We expected to have had available for obligation on construction, right-of-way and engineering $82 million of Federal-Aid for the first one-half of the calendar year 1967, which we are just entering. The Bureau of Public Roads announcement on November

23, 1966, informed the Department of State Highways that a reduction in Federal-Aid is necessary in recognition of the need for reducing non-military Federal Expenditures as a contribution to the Vietnam effort and the resultant program to reduce inflationary pressures.

What this meant to Michigan was that instead of $82 million of Federal-Aid available to us for construction, engineering and right-of-way, we had available $35 million—a slash in our Federal-Aid for the first one-half of the calendar year 1967 to $47 million.

We determined to plan and proceed on the basis that our full Federal-Aid would be reinstated as of July 1, 1967.

We, therefore, determined to go full speed ahead on our planning, design and preparation of contract drawings and appraisals, according to our planned schedule.

After making adjustments for commitments made to the 83 counties for County Secondary and Research projects, aggregating approximately $3 million, we had remaining available to us for right-of-way acquisition and construction a total of $32 million of Federal-Aid. We were further curtailed by the fact that of this $32 million remaining for the half year ahead, only $13 million would be available for obligation in the first quarter of the calendar year. The Department of Commerce action was made retroactive; and, as of the first of the year, we were $9 million over-obligated.

Of this $32 million we determined to allocate $25 million to high-priority construction jobs and the remaining $7 million to right-of-way acquisition.

The Bureau of Public Roads, based on the decision that the reduction was necessary, in order to reduce inflationary pressures determined not to permit the programming of construction or right-of-way acquisition with State Funds in advance of available Federal-Aid. We have done this in the past, through procedures which permitted later programming when Federal-Aid became available. Through the excellent and complete cooperation of Neil MacDougall and his office, we have been able to arrange, in certain areas, to proceed with right-of-way acquisition in advance of Federal-Aid programming. Through this procedure, the Bureau of Public Roads has authorized us to proceed with acquisition, using Michigan money, of an additional $10 million for right-of-way only.

Summarizing our situation, based on the above available Federal-Aid in the first one-half of this calendar year, we will put on a construction program of $40 million, utilizing $25 million of Federal-Aid and 15 million of "M" matching funds, a reduction of $45 million from the $85 million we had scheduled and $17 million of right-of-way acquisition in place of the $48 million we had scheduled for right-of-way acquisition in the first one-half of this calendar year.

We are proceeding with our right-of-way acquisition full-force everywhere, except on I–696 and I–96 in Detroit and Livonia. We are limiting our right-of-way acquisition on I–96 in Detroit between the Edsel Ford and the I–275 connection in Livonia to $10 million. We are hopeful that through spokesmen for the road industries, such as the A.G.C. and the A.R.B.A., and the offices of the various Governor's and contacts with U.S. Senators and Representatives, the critical need for highways will be brought to the attention of those who authorized the curtailment; and that our Federal-Aid authorizations will be reinstated in July of this year.

The construction award program for the first half of the calendar year 1967 is the following:

In February we will let jobs totaling $10,000,000. All of which have been advertised, to date.

In March—two lettings.

In the Lower Peninsula letting, we will let nine jobs (included as one job several spot safety projects). These vary from a bridge reconstruction job on I–94 at Schaefer Road to a half mile section of I–75 in the John C. Lodge area.

I–696, BL M39 to 8 Mile, 1.3 landscape.

M–39, 8 Mile to I–696 BL, 1.5 landscape.

I–75, Bernhard to Sprague, signing.

I–94, Schaefer Road, reconstruction.

I–75, Livernois to Lafett, signing.

I–75, Trumbull to JCL, .5 GDS–SF–STR.

I–94, Battle Creek to Jackson, Safety projects, phone instl.

The total of the March 1 letting is $7,000,000.

Also in March the following Upper Peninsula jobs, which will be let in the Upper Peninsula at an estimated cost of $1,700,000:

I–75BS, M129 to Adams Street, 1.0 reconst.

US 2, Whitefish River, repair structure.

M26, Lake Linden S.E., .2 GDS Surf.

M26, Lake Linden to Laurium, 3.2 widn. resurf.

M26, In Lake Linden, Resurf.

M26, C & H RR (Safety Projects, Skidproofing), WDN struct.

Total, $1,700,000.

The March award will use up our complete 1st quarter of 1967 Federal-Aid allocation; therefore, we will have no letting in April.

In May we will let 17 jobs totaling $9,000,000. These are:

M–33, E&W of I–75 Int., Reloc.

M–33, Reloc. over NYCRR, GR Sep.

I–75, S of M–61 to Lucas Rd., 5.3 GDS Str.

I–75, Lucas Rd. to N. of M33, 6.8 GDS Str.

US–23, S. of Flint (Rest Area), GDS–SF.

I–94, S. of Port Huron SB, MD toilet.

I–94, S. of Port Huron ND, MD toilet.

I–94, BL, Euclid Ave., GR Sep.

I–69, S. of Coldwater, MDT & Infsta.

M–44, GTWRR, Struct.

M–15, VSR-Goodrich St. West, .5 Wdn. Resurf.

US–23, S of Ann Arbor, MD toilet.

I–94, Monroe Blvd., Reconst.

I–94, Outer Drive, Reconst.

M–78, GTW-RR to M–50, .3 wdn. resuf.

US–23, Willis Rd. to M–14, 12.0 landscape.

US–12, JCT M205 East, 4.7 wnd-resurf.

I–94, Huron-Whittaker (Safety projects, Skidproofing) STR.

Total, $9,000,000.

In June—we will let the following jobs, again considering the safety program as one job, all totaling $10,000,000:

I–94, I–94BL, Interch.

I–94, BL, I–94 N to S Lts. St. Joe, 2.2 GDS SF STR.

M–20, Chippewa Rv, Sidewalk.

I–75, N of Clarkston NB, MD toilet.

M–43, In South Haven, .6 resurf.

US–23, N of Ann Arbor, Rest area.

M–14, Ann Arbor Rd to Inks., 5.4 widen.

I–75, 14 St to Trumbull (Safety projects), .4 GDS SF STR.

Total, $10,000,000.

I have not included the turnbacks, and County Secondary jobs for this period.

Last year, we determined to increase our spot safety improvement program from an allocation of $1 million per year to $5 million per year over a four year period. In the first one-half of this calendar year, we will be awarding, and have included in our schedule 2.5 million in traffic betterment projects, spot improvements and skid proofing. These jobs will probably average in the neighborhood of $60 thousand each and are scattered throughout the State, with the concentration, of course, in the heavy traffic areas.

Our second half of the calendar year program has not been adjusted from the schedule which was previously furnished you. We have moved some of the $40 million in construction jobs shifted out of the first half of the year into the second half; but because of the hazy status of Federal-Aid for the third quarter of this calendar year, we are, at this time, making no adjustments. If our Federal-Aid is reinstituted, we will let substantially the program scheduled with adjustments such as probably no letting in July; but a substantial letting as soon as Federal-Aid against which to program is made available to us. Sorry—I cannot be more definite. I can only assure you that we will put every dime of Federal-Aid made available to work immediately when available. We will be ready with the jobs and the right-of-way. The July to December letting schedule is heavy.

This second half of the calendar year we will initiate a new program. We have come to the point where our old highways need resurfacing. We have set aside $8 million per year for resurfacing existing highways, including shouldering and minor corrections. This program will reduce somewhat, the Maintenance Division's heavy maintenance program and will be scheduled as we now schedule our regular construction and spot safety program.

In this second half of the calendar year, the principal jobs we have scheduled for letting include:

Approximately 80 miles of bituminous shoulder construction along existing previously constructed freeways.

Continuation of construction of I–496 in Lansing;

Extension of US–131 North of Grand Rapids to M–57;

Initiation of underground work on I–96 in Detroit;

The first construction contracts on I–675 in Saginaw;

Completion of I–75 in Detroit, both in the downtown area and in the Highland Park and 8 Mile Area;

Continuation of construction of M–21, M–78 and I–475 in the Flint area and East of Flint;

The initiation of construction (1st two contracts) of US–127 in Lansing and North of Lansing;

The first five contracts for construction of I–275 between I–75 at Rockwood going East (approximately $12 million).

Major reconstruction of M–153 (Ford Road) West of Detroit.

Relocation of M–20 and M–37 in Newaygo County;

Reconstruction of M–142 in Huron County;

Widening of M–139 in Berrien County;

Grade separations and widening and resurfacing of M–43 and US–27 in Ingham County;

In addition, we will have some Federal Forest Highway construction in Chippewa County and about $3,000,000. of safety program, probably in about 50 different spots around the State.

The detailed program we will furnish to MRBA.

The second half program is substantial, and will total $135 million. Add to this the first half program; and we will still have a $170 construction award program in 1967 provided our next fiscal year funds are allotted to us in the full amount as programmed by the Congress.

I know you are interested in what makes up this 1967 calendar year program. In an attempt to aid you in analyzing what the construction program for the year includes, the 1967 awards schedule will break down about as follows:

(a) 192 bridge structures, 12 bridge repair or widenings, 4 pumping stations, 5 pedestrian overpasses.

Many of these will be awarded as separate structural prime contracts.

(b) 56 miles of highway constructed to Interstate Standards;

(c) 20 miles of roads constructed to less than Interstate Standards;

(d) 29 miles of widening and improvement of existing roads;

(e) Scheduled awards include 3,750,000 sq. yds. of Portland Cement concrete slab;

(f) 1,000,000 tons of bituminous concrete and bituminous aggregate.

A further analysis of the 1967 letting schedule shows approximately 35% of the dollar value of contracts scheduled for award will be in the heavy Detroit Metropolitan area.

The other item I want to mention is one I mentioned last year and probably the year before that.

Last year, at this meeting, I closed with the statement that we need Legislation to authorize the Gas & Weight Tax increase—just to hold our own. Unless each of you tell your Legislators the need for the tax package, it does not have a chance to get passed in this—the 1966 Legislative Session. The package did not get out of Committee.

You viewed the Good Roads Federation movie yesterday. The Good Roads Federation is again promoting legislation providing for an increase in the Gas and Weight Tax this year. The proposed package would net the Highway Department about $32 million per year and the 83 counties and 520 incorporated cities and villages about $38 million per year, after the new legislation becomes fully effective.

The Department of State Highways program is keyed to matching Federal-Aid, plus an emergency or safety program of $5,000,000 per year, a turnback program, an $8 million per year resurfacing program and payment for contract and right-of-way items which are not reimbursable in Federal-Aid programs. The program also includes about $30 million per year of straight "M" money for jobs needed, but for which Federal-Aid is not available.

Our minimum construction program needs for the period October 1, 1966 to June 30, 1972 are $1,356,000,000. at 1965 contract prices.

Our funds available from present Gas & Weight Taxes and Federal-Aid are $1,204,000,000.

This means we are $152,000,000. short of meeting the emergency needs as programmed in the book, which we published in January, 1965 and distributed widely. I say—emergency needs because this program does not include even such high priority projects as reconstruction of Telegraph Road, North of I–75; M–59 from I–96 East into Oakland County; US–131 North of M–46; US–31 North of Pentwater; Northwestern Highway, from Telegraph Road (US–24) Northwest to M–275; US–23 relocation on the East side of the State, and many more vitally needed highways.

Unless an additional Gas & Weight Tax increase is authorized by the Legislature this year, many of the projects programmed for 71–72 will be postponed to later years.

In fact, the present proposal in the Legislature will now fall slightly short of meeting our program needs. It is about a year too late now to permit us to meet the full emergency program. We have adequate funds without an increase in Gas & Weight Tax to match all Federal-Aid; but our program, as planned, cannot be accomplished for lack of additional straight "M" funds to match all available Federal-Aid.

I will repeat what I said last year. It is just as true now as last year. We need legislation to authorize the Gas & Weight Tax just to hold our own. Unless each of you tell your legislators the need for the tax package, it does not have a chance to get passed in this—the 1967 legislative session.

Thank you, gentlemen, for your cooperation and the tremendous job you have done for Michigan again this past year.

A RESOLUTION BY THE MICHIGAN ROAD BUILDERS' ASSOCIATION, JANUARY 20, 1967

Whereas on November 23, 1966 the federal highway administrator announced that the obligation of federal aid highway funds would be reduced by $700 million during the current fiscal year ending June 30, 1967; and

Whereas this cutback in federal aid highway funds for the current fiscal year will reduce Michigan's previously authorized apportionment by $34 million or approximately 25 per cent; and

Whereas the Michigan State Highway Commission announced on December 7, 1966, the postponement of highway construction projects totaling $40 million for the first six months of 1967 because of the cutback in federal aid highway funds; and

Whereas most of the projects that have been delayed are in heavily populated urban areas and the postponement of acquisition of right-of-way for future urban projects is causing undue hardships on several thousand property owners in the Detroit area; and

Whereas the drastic curtailment of Michigan's highway program will have a pronounced and adverse affect upon positive steps being taken to improve safety on Michigan's highways; and

Whereas Michigan's highway construction industry made substantial investments in men, machinery and materials to meet the needs and the time-schedule of the expanded federal aid highway program produced by the Federal Highway Act of 1956; and

Whereas the cutback of federal aid highway funds will seriously impair the economy of Michigan and its highway construction industry; and

Whereas such losses cannot be recouped except over a long period of years; and

Whereas on January 17, 1967 the announcement was made that the Administration is considering an additional reduction of $400 million of federal aid highway funds; and

Whereas the proposed further reduction intensifies the foregoing situation to the point approaching a crisis; and

Whereas, it is understood that the Committee on Public Works of the U.S. House of Representatives and the Public Works Committee of the U.S. Senate will soon hold comprehensive hearings upon the impact of these drastic curtailments on both government operations and the construction industry. Now therefore be it

Resolved by the Michigan Road Builders Association, at its Annual Meeting assembled in Detroit, Michigan, on January 20, 1967, That the Association petition responsible authorities to rescind the cutback in federal aid highway funds at the earliest possible date; and be it further

Resolved, That pending such restoration of funds, that the following steps be taken to minimize the adverse impact upon Michigan and its highway industry:

1. The U.S. Bureau of Public Roads should be authorized to use prior year funds unobligated by the end of fiscal year 1966 for acquisition of right-of-way thereby permitting a smoother and more rapid transition from the cutback period to the time when the national economy will again need bolstering;

2. The Michigan State Highway Commission should continue the planning, designing and engineering work on projects that are scheduled for construction in 1968 and thereafter so that Michigan's highway program will continue uninterrupted when the withheld federal aid highway funds become available; and be it further

Resolved, That copies of this resolution be transmitted to members of Michigan's Congressional delegation, to proper federal officials, to Governor Romney, to members of the Michigan Legislature, to the American Road Builders Association, to the Associated General Contractors of America, Inc., to the Michigan Good Roads Federation, and other agencies and individuals concerned with highway progress. Be it further

Resolved, That members of Michigan's Congressional delegation be requested to bring this resolution to the attention of the Public Works Committee of the U.S. House of Representatives and of the U.S. Senate.

Adopted the 20th day of January 1967, Michigan Road Builders Association annual meeting, Detroit, Mich.

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous material, including a memorandum relating to this subject matter, and also to include certain tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. DUNCAN. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Tennessee.

Mr. DUNCAN. Mr. Speaker, I too would like to commend the gentleman from Florida for bringing this important subject to the floor of the House today. I might say that I received much mail, including a letter from our Governor who was formerly a member of the President's Cabinet. He is very much in opposition to the President's order.

Mr. Speaker, I am sure all Americans were concerned when the President made the decision to cut back on the obligation of highway funds. At the time the decision was made, the President stated that it was necessary to ease the pressures of inflation. A large number of Tennesseans have expressed their concern to me in this matter and it is most difficult for me to understand the reasons for the decision.

The funds for this program are not derived from general revenue, but from the highway user. When he paid this tax, he was told that it would be used for highway construction.

The effect of this decision in Tennessee would be a reduction of 17 percent or more in our interstate program. At the present time Tennessee has sufficient professional personnel to carry on the full amount of the highway program; however, if there is a forced slowdown, and the professional staff is allowed to leave, it might be most difficult to reassemble them at a later date.

I have received much mail in opposition to this proposal and I insert a letter I have received from the Tennessee Roadbuilders Association on this subject and the economic impact it will have on business in Tennessee:

JANUARY 25, 1967.

Congressman JOHN DUNCAN,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN DUNCAN: As you know, on November 23, 1966 it was announced that the President had ordered a cutback in Federal-Aid Highway Apportionments, previously authorized by Congress, in the amount of 700 million dollars. Last week the President indicated he was considering an additional 400 million dollar cutback. We understand that you have been forwarded information which clearly points out the tremendous impact these reductions will have on the highway program in Tennessee for the remainder of this fiscal year.

We are aware of the increased cost of the Viet Nam war and the pressures of inflation. These are very real problems, however, we feel that the President received some very poor advice when he elected to cut the Federal-Aid Highway Program rather than cut certain recently enacted spending programs. In this automotive age certainly no other federal program provides more benefits to more people than does the highway program. Another of the major problems facing our nation is the ever increasing toll of life and property which is being taken by traffic accidents. Of all the proposed solutions to this problem we feel that improved streets and highways will be the most effective.

Needless to say, the adverse economic effect of this action on those directly engaged in contracting and those countless firms which supply the needs of contractors will be tremendous. All firms directly or indirectly connected with this industry have invested heavily in expansion during recent years to meet the challenge of constructing the Interstate Highway System. These investments were justified on the assurance that we would have a steady, uninterrupted program. These unanticipated cutbacks will force many marginal and small operators into bankruptcy and work a severe hardship on all. Employment will definitely be down and those unemployed will be the very people that other programs are trying to help. This does not make sense to us.

We, respectfully, request that you give this matter your careful consideration and trust that you will use whatever means at your disposal to prevent further cutbacks and assist in the effort to restore the cutback now in effect at the earliest possible date. Thank you for your consideration in this matter.

Best personal regards.

Yours very truly,

J. S. Holmes, Jr.,
Executive Secretary.

Section 209(e) of the Highway Revenue Act of 1956 makes it the duty of the Secretary of the Treasury to invest moneys in the trust fund which are not required to meet current expenditures, in interest-bearing obligations of the United States. There is every indication that the trust fund was frozen so that the Government could borrow from the fund at a low-interest rate. It would appear that it presents a tempting source of ready cash for use in carrying out other Government programs, and activities of the administration.

In summation I question the legal authority for the cutbacks.

Section 104(b) provides that on or before January 1, next preceding the commencement of each fiscal year, the Secretary of Commerce—Secretary of Transportation when the Department of Transportation is established—shall apportion to the several States the sums authorized to be appropriated for that fiscal year for the Federal-aid primary system, Federal-aid secondary system, and extensions of the Federal-aid primary and Federal-aid secondary systems within urban areas, in accordance with certain formulas. The section further provides that sums authorized to be appropriated for the Interstate System shall be apportioned to the several States on a date as far in advance of the beginning of the fiscal year for which authorized as practicable but in no case more than 18 months prior to the beginning of the fiscal year for which authorized.

Section 118 states, in part:

> On and after the date that the Secretary has certified to each State highway department the sums apportioned * * *, such sums shall be available for expenditure under the provisions of this title.

This section further provides that such sums shall be available for expenditure in the State for a period of 2 years after the close of the fiscal year for which such sums are authorized.

Section 105, relating to programs, says:

> As soon as practical after the apportionments for the Federal-aid systems have been made for any fiscal year, the State highway department of any State desiring to avail itself of the benefits of this chapter shall submit to the Secretary for his approval a program or programs of proposed projects for the utilization of the funds apportioned. The Secretary shall act upon programs submitted to him as soon as practicable after the same have been submitted. * * *

Section 106 provides:

> The State highway department shall submit to the Secretary for his approval as soon as practicable after program approval, such surveys, plans, specifications, and estimates for each proposed project included in an approved program as the Secretary may require. The Secretary shall act upon such surveys, plans, specifications, and estimates as soon as practicable after the same have been submitted, and his approval of any such project shall be deemed a contractual obligation of the Federal government for the payment of its proportional contribution thereto. * * *

It is clear from the above provisions of law that Federal-aid highways funds are immediately available for obligation by the States as soon as they are apportioned to the States, and that Congress intended that the obligation of such funds be expedited.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield again to the gentleman from New Hampshire.

Mr. CLEVELAND. Mr. Speaker, I am joining my colleagues today in protesting against and strongly questioning the wisdom of the recently announced cutbacks for fiscal 1967 in the Federal-aid highway program.

On November 23, 1966, President Johnson announced cutbacks which will total $1.1 billion for fiscal 1967. And just a few weeks ago, at his January 17, 1967, press conference, the President discussed the possibility of a further cutback for fiscal 1967, amounting to another $400 million.

These cutbacks raise several serious questions, questions my colleagues and I feel should be thoroughly discussed as soon as possible in hearings in depth before the House Committee on Public Works. These hearings should explore the need for, the wisdom, the true purpose, and ultimate effects of the announced cutback, to determine if legislative action should be taken.

Many Federal, State, and local officials have shown grave concern over the results of the cutbacks—officials from both political parties.

An example is New Hampshire Governor, the Honorable John W. King, who last week said he was "seriously disturbed" by reports of the proposed cutback. Governor King, a member of the President's political party, urged other New England Governors to join him in appearing before the Committee on Public Works to make the Congress fully aware of the impact of these proposed curtailments.

And Governor King said:

> I am hopeful Congress will take a long second look at this proposed action.

I agree with Governor King that a long second look is immediately needed through full and open committee hearings.

In these hearings, I hope several reasons for the side effects of the administration cutbacks will be brought into the open.

First of all, there is the fact that highway trust funds, from which the cutback would come, are not a part of the Nation's general funds, but are kept as a separate fund from the highway users' tax income. In the past, "raids" on the highway trust fund have always been beaten back by Congress. Here, through the device of cutbacks and investments, the administration in one fell swoop, has found a way to invade the trust fund and divert highway users taxes to the financing of other governmental expenditures, which are in no way related to highways.

CREDIBILITY GAP

One of the President's announced purposes of this cutback is to combat inflation. But the fact that other major construction programs—financed by appropriations from the general funds of the Treasury—have suffered less severe cutbacks, fortifies the thought that possibly the administration is more interested in using trust fund money to finance general fund expenditures than to combat inflation.

There is a serious legal question here, too. A cursory search of the law has failed to disclose any authority for cutting back the highway program below the level for which adequate financing has been provided.

I had previously expressed my pleasure that the President, in his state of the Union message, had finally agreed with our responsible minority hopes, and decided to "Move ahead on the priorities we have established within the resources that are available." Now, I ask how he can justify such a drastic cutback in the Federal-aid highway program, and the detrimental effects it may produce, particularly when more funds for such low-priority Great Society programs as highway beautification are being demanded?

I now turn to the detrimental effects of the cutback, which I feel will far exceed any benefits it may produce.

The construction of the Interstate Highway System is already behind schedule and I fear that further delays can only add to the cost of the system, inconvenience to the traveling public and prolonged safety hazards.

These cutbacks will have serious effects in four major areas:

HARM TO STATE PROGRAM

First, to the States and their highway departments. Such sudden changes, without notice, in States' construction programs, made by the Federal Government, can disrupt scheduled work and financing plans, render useless or lessen the usefulness of work previously accomplished, and be costly to and work hardships on State highway departments.

Secondly, there is the question as to what effect these cutbacks will have on various contractors in the several States. The cutbacks could be of serious consequence to many and even disastrous to some.

This, in turn leads to the third point—the effect of the cutbacks on the economy. The economy could be drastically effected, when viewed in terms of forced bankruptcy of contractors, repossession of equipment, and the layoffs of many people now employed by highway contractors.

HARM TO SAFETY PROGRAM

These three points lead, in turn, to the fourth and possibly most serious consequence—the effect on safety. It is my opinion that the traveling public could suffer serious losses of life and limb as well as time and money as a result of the administration's cutback in the improvement of highways.

In summation, Mr. Speaker, I express my own grave doubts and those of many of my constituents, about the administration's proposed cutbacks in the Federal-aid highway program.

I join the gentleman from Florida [Mr. CRAMER] and other colleagues today in expressing deep concern and in asking for immediate hearings before the Committee on Public Works, which would explore in depth the real reasons for the cutback and its consequences.

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Ohio.

Mr. HARSHA. The gentleman in the well has pointed out that the action to which he has referred results in considerable budgetary gimmickry, so there will be available certain so-called unaccountable funds for use in priority domestic programs. But in addition the release, as I recall it, commented upon the fact of inflation, that this would help to hold down inflationary trends.

In fact, there is a lag time between the time the money is obligated and expended from the trust fund of some 18 months. So to have any immediate effect upon the inflationary problems, it is not quite accurate, is it, because this would not have any impact on the trust fund until some 18 months from the time the cutback had originated or taken place? Is that not an accurate statement?

Mr. CRAMER. I think the gentleman has a point. Actually, this is the least effective tool for fighting inflation, one of the least effective that the President could have chosen, for the reason the gentleman pointed out and for the further reason that a dollar cutback results in much less than a dollar loss in spending to the economy by virtue of the fact that industry is already tooled up to do the job, and, of course, the money is supposed to go into the trust fund anyway. If it goes in, it is going to be spent for highways or some other Great Society purpose. So this is just a case of the President deciding that he wants to spend the money for beauty, for a 25-percent increase in the poverty program, and for demonstration cities. These programs all bear the L.B.J. label to the exclusion of highway construction. So it is going to to be spent anyway and it is going to have very little anti-inflationary effect. In fact, it will have less anti-inflationary effect because the highway industry is already tooled up to do the job and does not have the full "$1 for $1 spent" thrust upon the economy.

Mr. HARSHA. I think the gentleman is correct. Even if it was not going to be spent, my point was that it would not have an immediate effect on the inflationary cycle we are in. The impact could come as late as 1968 or thereafter, could it not?

Mr. CRAMER. The major impact comes in fiscal 1968 and not in this year as it relates to this total spending cutback.

Mr. Speaker, in conclusion, I would like to once again call upon all Members of this body to make a request of our most distinguished chairman of the Committee on Public Works, the gentleman from Maryland [Mr. FALLON], to hold public hearings on this matter as soon as humanly possible.

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. MACGREGOR] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MACGREGOR. Mr. Speaker, I am proud of my record as an economy-minded Representative. In the past I have fought to maintain a reasonable and sound Federal budget and I will continue my efforts to eliminate all waste and to cut back all unnecessary Federal expenditures in the future. However, there is one cutback that I cannot condone. This is the cutback in the Federal-aid highway program.

In 1956 the Congress enacted the Highway Revenue Act of 1956, establishing the highway trust fund. Tax revenues levied upon the users of the Nation's highways were to be used for the specific purpose of financing the Federal-aid highway program. From these funds were to come 90 percent of the cost of the National System of Interstate and Defense Highways. The remaining 10 percent of the funds for this system were to be paid by the States.

The States have lived up to their part of the bargain, but now the Federal Government has reneged. In November 1966, the President announced a freezing of the obligation of the Federal highway funds at a $3.3 billion dollar level for fiscal year 1967.

This freeze represents a delay of $40 million or 28 percent of the program in Minnesota. And the delay is especially detrimental to the Minnesota program because of the short construction season caused by adverse weather conditions. To quote from a letter I recently received from the Minnesota commissioner of highways:

> Delayed releases of quarterly Federal Aid allotments during the past years have had serious effects in this respect. The November 1966 cut-back in apportioned Federal Aid funds compounded these problems and seriously threatens completion of the Interstate system as planned in Minnesota.

In the Third District, construction is yet to be completed on Interstates 94, 494, 35E, and 35W and on numerous trunk highways. My constituents have been paying for these highways through their taxes to the highway trust fund, and they need the roads now. Each day's delay means more and dangerous congestion on the present roads and higher construction costs on those still to be built. The Minnesota Twin Cities area is one of the fastest growing metropolitan areas in America, and we cannot afford the delay in obtaining adequate transportation facilities which the President's withholding of highway funds will cause.

Mr. Speaker, I must also mention the great savings in lives that the completion of the Interstate System would mean to Minnesotans and to all Americans. It is estimated that the 41,000 miles of the interstate and defense highways in the United States will save 8,000 lives per year. That means a larger number of men, women, and children could be saved each year by use of these roads than the number of servicemen lost in Vietnam during the last 6 years. In Minnesota this savings of lives is estimated by the department of highways to be a minimum of 166 lives per year. Does not the Federal Government have an obligation to these people and to their families and to the countless persons who each year will be injured or crippled on the highways? The Interstate Highway System is five times safer than conventional roads.

Last year the Congress passed the Traffic Safety Act of 1966 establishing Federal safety standards for the 1968 model automobiles. I was one of the 371 House Members who gave strong support to this bill. However, I must now agree with Henry Ford II that—

> The recently announced $1.1-billion-dollar cut in federal highway funds . . . will certainly offset some of the lifesaving potential of the Federal vehicle-safety standards that will go into effect with our 1968 models.

It is hard to envision why the administration would hold up on such a vital program. It is even harder to accept the reason given by the administration. President Johnson has indicated that the freeze in the Federal funds for the highway program was necessary to combat inflation.

The best way to cure inflation is to take away the cause of that inflation. The present inflation was caused by the free-spending, high deficit fiscal policies of the Johnson administration, and it can be best cured by returning to sound fiscal policy and a better balanced budget. Funds for the Federal-aid highway program are trust funds and do not enter into Treasury imbalances. The cuts should be made in some of the high-cost low-yield programs of the Great Society or some of the losing battles in the war on poverty.

Mr. Speaker, if this country can afford to maintain an extensive highway beautification program, it can certainly afford to continue its highway safety program.

I have introduced a House concurrent resolution today expressing the sense of Congress that the Federal-aid highway program proceed as rapidly as available tax revenues payable to the highway trust fund permit, and that the integrity of the highway trust fund be preserved. I urge all my colleagues to give this resolution the consideration and support it merits. The Federal Government must meet its obligations to provide the funds owed to the individual States and the safety owed to the American people.

CLEVELAND RENEWS DRIVE TO WIN COLLEGE TUITION TAX RELIEF

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I have again introduced my bill, H.R. 6025, from the 89th Congress, which would grant badly needed tax relief to those who must bear the heavy and growing costs of obtaining a college education.

This legislation is described in the following press release, which I herewith submit for the RECORD:

Congressman James C. Cleveland has reintroduced his bill to grant tax relief to students and parents for the costs of higher education.

Citing the increased necessity of post-high school education today and the increasing cost of attaining it, Cleveland said he would work for adoption of his bill.

It provides an annual tax credit of 20 per cent of the total amount paid by an individual in post-secondary education expenses, including tuition, laboratory, library, field study fees and required textbooks.

Individuals could claim credit for their own educational expenses or for those of their children, spouses, parents, or any other legal dependents.

"This bill responds directly to the urgently expressed needs of millions of citizens," he said, "to whom the soaring costs of college education are a burden they cannot afford."

He pointed to the increasing number of New Hampshire students attending colleges or enrolling at new post-secondary technical and vocational schools as indicative of this new emphasis on continuing education.

"My bill offers one of the best ways to provide federal aid to education by relieving the pressure where it hurts most," he said.

Congressman Cleveland said, "The government owes it to the people to ease the tax load on those who must bear the brunt of the rising cost of education. I shall do everything in my power to insure that Congress responds to this need."

EQUALITY IN APPRENTICESHIP TRAINING

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am reintroducing today a bill which was originally drafted by former Congressman James Roosevelt and myself and subsequently was reintroduced, as amended, by Chairman POWELL and by Congressman HAWKINS. The bill passed the House on April 27, 1966, but failed of action in the Senate.

The need for an FEPC with teeth is clearly and increasingly essential. This is particularly true in the area of apprenticeship training in which only 2 to 3 percent of the participants today are Negro.

As a result, many Americans are denied the basic opportunity to learn a skill essential to entry into a union and to the earning of a livable wage. Much of the hard-core, structural unemployment is in areas where Negro and Puerto Rican unemployment runs double that of other groups.

It is my hope that this bill can once again receive favorable consideration and action by the Committee on Education and Labor, and that it will enjoy the support of the House and, in the 90th Congress, of the Senate as well.

DANGEROUS BRIDGES

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, I should like to call to the attention of my colleagues a fine article on the danger of expanding trade with the Communist bloc countries that appears in Barron's on January 16 of this year.

In view of President Johnson's call for the escalation of such trade, which I feel is far too reminiscent of America's pre-World War II scrap iron shipments to Japan that came back to our fightingmen as death-dealing shrapnel, I urge each of my colleagues to carefully assess the facts pointed up by Barron's.

The article follows:

[From Barron's, Jan. 16, 1967]

DANGEROUS BRIDGES—PROPOSALS FOR EXPANDED EAST-WEST TRADE REST ON SHAKY GROUND

(NOTE.—In last week's State of the Union Message, President Johnson urged new measures to expand U.S. trade with the Soviet bloc. In the accompanying article, *Brutus Coste and Hal Lehrmann*, authorities on Communism in Europe, make a convincing case against such proposals.)

Among the articles of faith in Washington, none is more hotly professed than the doctrine of "Bridges to the East." It holds that American trade can seduce the countries of the Soviet bloc away from Socialist rigidities toward a capitalist-style economy, with East-West amity and possibly even political freedom at the end of the line. This belief began growing earnestly in 1964, when signs of "independence" from Moscow became visible in State Department telescopes aimed at puppet Red Rumania.

"So naive that it borders on the grotesque," said the official Slovak Communist newspaper "Pravda," in a typical comment on the notion that the carrot of American machinery and technology might convert the Marxist donkey. But such Communist candor failed to daunt U.S. policymakers, perhaps because the scoffing was restricted to local consumption in local languages, while Red broadcasts abroad, declarations by bloc leaders and informal talks with foreign diplomats, reporters, and stray businessmen hinted of native nationalism, economic liberalism, evolution toward freedom and other hopeful developments.

President Johnson pointed his first "bridge of friendship" eastward in the summer of 1964, when thousands of American commodities were delicensed for export to Rumania, which also was promised delivery of whole industrial plants with Export-Import Bank financing. Last October the President held out the prospect of a whole network of bridges to the Red countries, including the Soviet Union: "Our task is to achieve a reconciliation with the East—a shift from coexistence to peaceful engagement. We seek healthy economic and cultural relations with the Communist states." Specifically, he announced: 1) clearance for the Export-Import Bank to guarantee commercial credits for Czechoslovakia, Hungary, Poland and Bulgaria; 2) the Bank's readiness to finance export of American equipment to a large Soviet auto plant which Italian Fiat will build; 3) imminent decontrol of certain commodities for sale to East Europe.

Six days later some 400 items previously barred from export to the Soviet bloc without special license—including metal manufactures, machinery and chemical products—were expunged from the Commerce Department's Commodity Control List. Since then Congress has confirmed Mr. Johnson's authority to produce Export-Import Bank guarantees of credit for "any Communist country . . . which the President determines such guarantees in the national interest." The U.S. has raised to embassy rank its legations in Bulgaria and Hungary (the latter is still the refuge of Roman Catholic Primate, Josef Cardinal Mindszenty, hiding there from the Russians since the Red Army shelled the 1956 Budapest uprising into rubble. Under Secretary Eugene M. Rostow has urged a joint effort by the free world's industrial powers and the U.S. for "peaceful economic engagement" with East Europe. Awaiting the 90th Congress are two Administration "bridge" bills, one a Convention allowing the Soviets to establish a series of consulates here, the other an East-West Trade Relations Act extending most favored nation treatment to those European Communist states not yet so favored (Yugoslavia and Poland already are).

Disquiet has been expressed by an occasional Senator or Representative, an editorial or column, and a few economists and businessmen. By and large, however, industry has shared the enthusiasm for increasing East-West trade. When the U.S. government set up recent business missions to Rumania, Poland, Bulgaria and Hungary, the Commerce Department crowed that "we had no lack of candidates anxious to participate." A high-speed October tour of East Europe sponsored by "Time" had a roster reading

like a Who's Mostly Who in U.S. Business and Finance.

Formidable academic support for "peaceful engagement" has come from Zbigniew Brzezinski, a ranking specialist on East Europe and inventor of the term. Brezezinski, now on loan from Columbia University to the State Department's Policy Planning Council, is credited with having furnished the main intellectual inspiration for the idea of prodding satellite and Soviet "evolution" through wide economic and other stimuli. Roost concepts in his "Alternative to Partition" (Council on Foreign Relations, 1965) were borrowed by the Johnson and Rostow speeches cited above.

Despite the near-unanimity, however, American parents, taxpayers and entrepreneurs have cogent reasons for withholding their hurrahs. One is that Moscow began pushing bridges long before Washington. Premier Nikolai Bulganin said in 1955: "Everything new being created by world science and technology must be studied, technical information improved, relations with research establishments and scientists of foreign countries expanded." Party boss Nikita Khrushchev in 1956: "The task is to pursue a vigorous policy of improving relations with the U.S., developing trade and expanding contacts." Premier Aleksei Kosygin in September 1965: "We must make wider use of foreign technology." No bones were made about the purpose, in Bulganin's words: "The struggle for technical progress is the struggle for the building of a Communist society."

A second good reason not to be over-awed by a proposition just because most policymakers and experts agree on it is that recent history bulges with consensus that went wrong. To cite a few exploded axioms: we can trust Joseph Stalin's wartime pledges on free elections in East Europe; let's let the Red Army get to Berlin first; the Chinese Reds are agrarian reformers; Fidel Castro is a patriotic anti-Communist; Arab unity and Egypt's Nasser are irresistible forces which the U.S. should appease and support.

One way to test the bridges proposition would be to examine some of the economic "facts" on which its widespread acceptance rests: 1) satellite defiance (especially Rumania's) has thwarted a Soviet drive for bloc integration; 2) satellite economic reforms are trending toward a Western structure; 3) another mark of the satellites' growing emancipation is their increased trade with the West; and 4) satellites have actually begun exploiting the USSR, reversing their previous condition of servitude.

Upon examination, these assumptions look more like fiction than fact. The evidence suggests instead that Moscow is the chief beneficiary of bloc non-integration; that satellite reforms have failed to shake the basic centralism of Communist management, leaving the concept, of a market-oriented economy as remote as ever; that the Soviets have upped their trade with the satellites as fast as the West; and that the USSR is getting more economic mileage, not less, out of East Europe since the dawn of so-called Red nationalism.

The data indicate further that increase of normal U.S. trade can't help the bloc much. East Europe exports little that we need or could accept in payment. The nub of the issue is U.S. credits, not U.S. trade. And U.S. credits given freely, without a Communist quid pro quo, will defeat our purpose.

The Reds' war-emphasis allocation of investment, and their adoration of an inflexible god called The Plan, have hobbled their economic development with producer muddle and consumer crisis. Their only way out is via genuine reform. They must face up to decentralization, higher rewards for labor, greater initiatives for management, real adaptation of Western market techniques (not merely of U.S. technology) and a shift from armament to better-quality exports. But this they will not do unless compelled, because such reforms would reduce the Party's totalitarian power.

Yet only this, and nothing else, can build a sturdy bridge. There is a chance if we use the bargaining power of our credits which the bloc so desperately needs. There is a second chance if we abstain, and the bloc is forced to adjust by its own internal stresses and (in satellite territory at least) by the necessities of population discontent. There is no chance whatever, if we subsidize the regimes as they stand.

LOOK AT THE EVIDENCE

To justify these conclusions, it will be useful to look hard at the evidence behind them. Consider, first, the theory that plucky Rumania prevented the Soviets from integrating the bloc's economies. A typical statement of the theory—with an air of absolute verity—is J. W. Fulbright's passing reference in a Senate speech that the Rumanians had "defied the Russians in refusing to subordinate their economy to a Soviet-sponsored program for joint economic development of the Soviet bloc . . . (and in) undertaking to strengthen (Rumania's) economic independence by broadening their industrial base."

The bridge-building chairman of the Foreign Relations Committee was saying that the Soviets had tried to impose a so-called "socialist division of labor" on Comecon—the Council for Mutual Economic Assistance, East Europe's answer to the Marshall Plan. Each Comecon member was to specialize in what was best for the bloc rather than for itself; all the satellites obeyed—except Rumania, a "defiance" which wrecked the Soviet design.

But the truth is that Comecon integration was wrecked by the region's built-in economic confusions, which made a "socialist division of labor" simply impossible. Moreover, Rumania was only one of several members which insisted on "broadening their industrial base" instead of serving as sources of raw materials. Foremost and decisive among such recalcitrant members was the USSR.

West Europe could achieve an operating Common Market because the area possessed systems of adjustable internal tariffs, convertible currencies, an infra-structure of independent economic units competing under fairly equal terms and a reasonably free play of market forces. East Europe could not integrate because it traded inside itself by barter instead of money; had no independent economic units, no solid currencies and no internal tariffs to adjust; and was entirely innocent of competition.

Integration might still have been possible if Comecon could figure out objectively which member might produce what item at what cost for equal quality, and make assignment of tasks accordingly. But this was unattainable in the area's accounting nightmare of artificial money rates and non-economic State-manipulated "costs" beyond the reach of rational audit.

ANGRY DEBATE

Soviet economic journals have been angrily debating for three years just how production cost should be defined. Rumanian money is a normal example of the bloc's currency chaos: the lei's official rate for foreign trade is six to the dollar; for individual remittances abroad it is 12; for foreign tourists 18; for Rumanian tourists 30; official Rumanians abroad have to pay back 60 lei for every unaccounted dollar; the lei's real purchasing power, meanwhile, is 25 to 1.

Out of the horse's mouth ("Hospodarske Noviny," economic review of the Czechoslovak Communist Party's Central Committee, July 22, 1966) has come the revelation that Comecon's only worthwhile "multilateral coordination" has been a mere "exchange of information," and this only to "pinpoint the main problems" in any planning to be done "after 1970"! The review goes on to lament that "Comecon members still face one another as closed economic units."

Can believers in bridges glean more comfort from a second canon in their credo, the one which professes that Western aid has inspired, and will continue to inspire, a gradual fading-away of Communism through economic reform in the Western image?

Washington considers Rumania the likeliest candidate for such liberalization. So it is curious that Rumania stands last in line among the satellites on even minimal change. A full year after U.S. commitment to the Rumanian bridge, Communist chief Nicolai Ceausescu (in July 1965) informed his Party Congress that no reform would occur; he stipulated that decentralization of State controls—the key to meaningful change—"is not Rumania's way of doing things."

CURIOUSER AND CURIOUSER

It is curious that the "rebellious" idea of modifying the totalitarian economic structure also was invented by Soviet Russians. Nikita Khrushchev was the first, gingerly, to attempt decentralization, in 1957. In the early 'Sixties, Kharkov University Professor Y. Liberman began his daring advocacy of market-economy concepts like profitability and managerial initiative. Liberman is the basic text for the debate flourishing ever since in Soviet and satellite (except Rumanian) economic circles.

Khrushchev tried for geographical decontrol by replacing 10 central and 15 republic industrial ministries with 104 regional economic councils (Sovnarkhozy). His announced purpose was to spur local economic flexibility, but the real aim was to strengthen Khrushchev's provincial Party henchmen against his opponents in the Moscow bureaucracy. Weakened in the Cuban-missile confrontation, Khrushchev was compelled by his critics in 1963 to accept a Supreme Sovnarkhoz, which brought the reins back to Moscow. After his downfall, the regional councils were suppressed.

Some modification of the Command Economy (though far short of effective) was allowed in 1965. Managers got the right to discharge unproductive workers, but no say in distribution of plant production. A bigger chunk of "profits" was left to the individual enterprise, but no curb was placed on the arbitrary pricing system which operates independently of supply, demand or true cost and makes profit meaningless. The slow-grinding three-tier administrative structure—State Planning Commission (Gosplan) over Industrial Ministries over Individual Enterprise—remained. As noted in the U.S. information Agency's bimonthly "Problems of Communism," the "reform measures do not even begin to eliminate the fundamental deficiencies of Soviet economic management."

Similar defects are rampant among the satellites. Despite much talk and some patchwork, nowhere (except Yugoslavia) has any dent been made on the two major obstructions: know-nothing control of economic decision by the Red political apparatus, and management according to Marxist prejudice, rather than according to the marketplace.

GLUTTING THE WAREHOUSES

Thus it was possible, at the Zabrze-Zakrzow Metal Works (as reported by the Polish press), for an unusually alert plant director to notice that demand for large refrigerators was dropping and a shortage in small ones rising; for him and his workers' council to recommend that next year's plan should increase output of smaller models 70% at the expense of big models; for the far-away central planners to reject this and order more big models than the preceding year, on grounds that small units would require extra labor and some overtime pay, thereby upsetting the indices for jobs and wages already concocted by the Ministry. So the big units were inexorably manufactured—to join some 60,000 unsold units already glutting the local warehouses.

This characteristic satellite example in Poland dates not from 1950 but from 1965–66. It suggests that, after years of ballyhoo and change, things remain very much the same. On decentralization, the much-advertised reforms have tended to restrict the top echelon of the Command Economy to long-range strategy, leaving tactical decisions to a lower level: "Trusts" in Czechoslovakia, "Industrial Associations" in Poland, "Associations of People's Enterprises" in East Germany, and so forth.

The exiled Polish economist Michael Gamarnikow, a brilliant student of satellite economics, has analyzed the aberrations of these agencies in the magazine "East Europe" (July 1966). They are a cross between cartel, combine and holding company, controlling the finances and administration of component enterprises, their targets and production. Being smaller than the old bureaucratic units, their deluge of directives is less torrential, but they merely interpose still another institution into the superstructure. Appointable and fireable by the Minister, the Trust Director reports to him, preserving the old political "transmission belt." Top Trust positions are mainly filled by people from the old apparatus. As one satellite journalist has put it, "Only the name of the institutions on the door has changed. The persons inside, their habits and attitudes, remain the same."

CLING TO THEIR POWER

Some variations of a limited free-price system are being introduced requiring enterprises to pay some attention to what the market, i.e. the consumer, wants. But there is small sign that the central planners are ready to make these valid by yielding or reducing their arbitrary rule over production costs and profit. They cling to their power to fix prices of raw materials, semi-finished products, fuel and power, the size of total payroll and individual wages, the wholesale and retail prices of finished goods.

For authentic profitability, price increases would be inescapable in the Communist systems. Production costs would have to rise if only because interest would have to be paid on capital for the first time and subsidies reduced or ended. Nevertheless, not one of the published East European economic blueprints contemplates any real compensation in higher personal earnings. Underpaid labor and exploited peasants (subject to arbitrary low prices for their produce) would remain the chief sufferers. So long as the State dominates all the other production costs, managers trying for a better profit performance would have little room to maneuver except by discharging superfluous workers. (Experimenting cautiously with higher wages and reduced work-force in a few plants, the Soviets were amazed to discover that labor productivity soared by 31% when 7% of the workers were dismissed.

WHY ARE THEY UNLIKELY?

Why are such reforms unlikely? Mobility of labor, for one thing, raises the specter of political contamination. Consumer-goods production, for another, takes capital away from rockets, moon probes, heavy industry, guns. Surrender of production and investment controls deprives the Party faithful of jobs and strips the Party of influence. So would the necessary closing of profitless enterprises, many of them huge status symbols built during the Stalin era and maintained only by State coverage of their deficits. Nation-wide services like housing—now provided at nominal rents—would have to be charged at cost plus. All this would bring social—and potentially political—disturbance.

Confronted by such menace, the Red regimes are marking time with half-measures—and peering westward for rescue without risk or obligation. Even where, as in Czechoslovakia, 1,300 inefficient enterprises were shut down in 1964–65 and the abolition of another 1,400 is projected for 1966–70, the net result is considered virtually nil by local observers ("Procrastination as a Planning Principle," in "Prague Reporter," July 16, 1966). "It will be impossible," says the Polish weekly "Polytyka" (August 8, 1966) "to lead our economy into clear water without correcting the price and wage structure or, to put it bluntly, without introducing such a structure, because there has been no such thing in our economy. . . ."

Another pillar beneath the bridges policy is that the rise of satellite trade with the West reflects East Europe's gradual emancipation from the Soviet Union. Ergo, Washington argues, still larger trade means still larger emancipation.

GOT THERE FIRST

Once more it must be reported that the Russians got there first with the idea. In June 1958 the Soviet government formally proposed increased trade to the U.S., offering substantial orders for American equipment (if we would arrange the credits) to advance a multibillion-dollar expansion of the Soviet chemical industry. The following January, Anastas Mikoyan, as Soviet Deputy Premier, journeyed to Washington specially to request removal of trade restrictions and grant of large long-term credits. He got a short answer then, but his arguments and his shopping bag have been dusted off by present U.S. advocates of business deals with Communism.

It must also be noted that satellite trade with the free world has been developing at no faster rate than Soviet trade with the free world—or satellite trade with the Soviets. Rumania's non-Communist trade went up from 27% of its entire foreign trade in 1960 to 35% in 1965, a rise of eight percentage points. In approximately the same period the USSR's trade with non-Communists went up seven points, from 29% in 1960 to 36% in 1964. From whom was the USSR emancipating itself?

During the same time, Poland, whose emancipation we have long been overtly fostering by trade concessions and economic aid, actually cut down its business with the West from 43% to 39%. Meanwhile, satellite trade with the USSR, which East Europe was supposed to be rejecting in its turn westward, rose from 37% in 1960 to 40% in 1964, the latest year available for full comparative data. Rumania stood third-highest among the six satellites in her level of exchanges with the USSR. This hardly sustains the thesis that Rumania is spearheading a Western orientation.

In some cases the West's increase in a satellite's trade does amount to more than the West's increase in trade with the USSR. Invariably the difference represents the value of Western credits. In other words, the West pays for such increases. Western Europe and Japan have been easier on credits to the satellites than they have to the Soviets. The titillating thing is that Moscow has not resented such discrimination. Recently released figures on 1965 Rumanian trade with Western Europe may tell why.

Thanks to credits, Rumania's unfavorable balance of trade with the six Common Market and the Outer Seven countries reached 490 million lei ($82 million at the foreign-trade exchange rate). By eloquent coincidence, this was almost the identical figure (495 million lei) for Rumania's favorable balance with the Red bloc. It represented a credit from Rumania to her Comecon partners in their barter economy. Thus, indirectly but effectively, Western credits had been transferred by Rumania to the other Communist states, with the USSR getting the usual lion's share. Moreover, because the Soviets were continuing their notorious practice of charging more than world prices for Russian exports to Rumania and of paying less for imports from Rumania, Western credits were also fattening Rumania for further exploitation by the USSR.

Despite such pillage, the notion lately has grown current that the Soviet Union now is being exploited by East Europe, rather than the other way around. The satellites, it appears, get world-market prices from Russia for their inferior machinery, while paying "below cost" prices for Soviet food and raw materials. This view, very satisfying to members of the satellite-emancipation cult, derives its inspiration from Russian economic journals

OVERCHARGES SATELLITES

Actually, as distilled by exiled Estonian economist Aleksander Kutt from the official Soviet annual survey of USSR foreign trade, Russia collected an extra $12.7 billion from the satellites in a single decade by overcharging and under-paying between 1955 and 1964. Instead of diminishing, this loss to East Europe has been on a mounting scale, from $503 million in 1955 to $2,251 million in 1964, the latest year officially recorded in full.

For 1965, Soviet figures specifically available on crude oil exports show the satellites still being charged more than the USSR's West European customers: Czechoslovakia had to pay 18.06 rubles ($20.07) per metric ton; Poland 17.11 rubles, East Germany 15.32—while Austria got the same ton for 10.98 rubles and Italy for 7.93 rubles. The 1965 price to the Czechos was 127% higher than to the Italians.

The myth that the satellites suddenly have begun exploiting the USSR is more than a Soviet effort to cover up chronic extortion. It provides a smokescreen of indignation for a new Russian drive to exact still higher prices from the captive nations for Soviet raw materials. These prices are to be based on production cost plus. Though above world level, the exorbitant charges previously levied on the satellites still do not make Soviet exports profitable. But this is due to the inefficient and uneconomic Soviet procedures which swell production costs.

FORCED LOANS

In June 1966 the authoritative "Voprosi Ekonomiki" summoned the industrialized satellites to invest in Soviet extractive industries if they wanted to continue getting raw materials. Czechoslovakia, Hungary and East Germany promptly agreed to give the USSR such loans. Soviet domination of East Europe's economy will only be strengthened if Western financing speeds industrialization in underdeveloped Rumania and Bulgaria. The more these require Soviet raw materials, the greater the Soviet bargaining power over them will be.

Thus four major economic props beneath the emancipation bridges have the solidity of jello. There is also reason to suspect that even the traffic over the proposed bridges is radically not as described by White House, State, Commerce and other promotional U.S. agencies.

The Administration has specifically ruled out anything strategically useful: "In no case," according to the State Department, "does our policy permit trade with Communist countries in war materials and other strategic items." True, no U.S. bombs, missiles, tanks or other military goods have been sold direct to the Reds. But what about the so-called "gray area" items?

These are commodities or know-how which can be bellicose or pacific in application, depending on the good faith of the recipient. The Administration must consider Red good faith to be impeccable. Gray items get licensed for export when a "determination" is made they will be used for "peaceful purposes." Government spokesmen—among them, Assistant Secretary of Commerce Alexander B. Trowbridge, in a speech to the National Foreign Trade Council Convention on November 2 publicly congratulate themselves that more and more such goods are being approved whenever "demonstrated to us that the order is reasonable and necessary for the civilian economy." This has been going on "for some years" with Poland, Trowbridge rejoiced; "since 1964" with Rumania; and "more recently with other countries of Eastern Europe and the USSR." He added that the U.S. was also now okaying "some types of commodities and technology which we were not approving to any of them a few years ago."

Among gray shipments, listed by Congressman Glenard P. Lipscomb (R., Calif.) in a speech to the House on October 17, are: know-how to build a Soviet plant for glycerol, used in explosives; metal-cutting machinery to Bulgaria for ball bearings; piston-making equipment for Rumania; and aluminum-tubing mill for Czechoslovakia; steel mills and rotary combustion engines for East Germany; a chemical factory for Poland; radiation instruments and airplane navigational equipment for Hungary.

RANDOM SAMPLING

This is a random sampling from hundreds of war-useful items licensed: a list just for part of 1966 covers two full columns of small type in the Congressional Record. All are undeniably employable in peace, but easily convertible to war. One must conclude that Washington believes either that a Communist promise is as good as gold or that the risk of our troops somewhere getting hurt by a gray item turned black is justified by the boost which that item might have given a Communist economy.

Communist pledges never to detour strategic goods from "civilian" purposes would be dubious enough if the Red bloc were currently on its best behavior. But right now all its members are flagrantly helping the Vietcong war effort. Just in the past 12 months, Soviet ships have unloaded at least 50 cargoes at the North Vietnam port of Haiphong. Moscow radio boasts (in its domestic service) about Haiphong wharves crammed with crates of equipment "from Soviet and Czechoslovak factories." After a personal inspection trip to Vietnam, Senate Majority Leader Mike Mansfield (who nevertheless still advocates bridges) officially reported the Vietcong was getting "full and firm support" especially from the Soviet Union, Poland and Rumania—the two satellites still regarded by Mr. Trowbridge as notably trustworthy. East German, Bulgarian and other satellite chiefs regularly reaffirm their direct aid to "the Vietnamese people's heroic defense against American imperialist aggression."

DEADLY WALLOP

An item need not even be "gray" in the strategic sense to pack a deadly wallop. The Vietcong transport for its guerrillas, weapons and supplies is donated largely by the Red bloc. Rumanian and Czechoslovak trade agreements with North Vietnam include vehicles; said Prague Radio (again only for internal broadcast): "We shall deliver . . . machines and equipment, means of transportation."

Yet, with Congressional approval, U.S. taxpayer money is being funneled through the Export-Import Bank to finance American equipment comprising 75% of the installations in the Soviets' Fiat-planned, $887 million auto plant, expected to produce 600,000 cars annually. As these roll off the line, it will be child's play to metamorphose them out of their "civilian" innocence.

Petroleum is another peace-loving commodity with a mortal kickback. Soviet oil dumping on non-Communist markets, to acquire foreign exchange for the USSR's industrial build-up, has been noted. This drive, also aimed at making under-developed African and Asian countries dependent on the Soviet by displacing Western oil suppliers, became so clearly perilous that the State Department two years ago issued an alert about it. A National Petroleum Council report (sponsored by the U.S. Insular Department) said that Soviet-bloc oil exports "furthers Communist political objectives, (with) penetration especially marked in Western Europe"; the Council warned that "Western equipment and technology would enhance the Soviet's ability to produce, refine and export oil." Yet one of the first moves in the Administration gambit for Rumania's "independence" was a 1964 license to help set up an oil refinery installation there with capacity of one million tons annually. Since then there has been a steady stream of approvals for petroleum drilling and oil and gas production equipment.

The real Red dilemma is how to pay for U.S. skills and equipment. They can pay only by borrowing. Not short-term credits, which lower the boom quickly, but long-term. Ultimately the logic of the bridge policy must compel such credits in bulk. Critics of the Administration see this as the most pernicious aspect of the program.

The Communists already have accumulated a cozy $2 billion commercial debt, largely in West Europe. Industrial sales approved or executed for Rumania are backed by five-year credit guarantees to U.S. business from the Export-Import Bank. The President now has Congressional authority, at his discretion in "the national interest," to command the Bank's support for more of the same with the entire bloc. His Special Committee on East-West trade deliberately advised him that "trade with Communist countries should not be subsidized." But this is what we are ready to do.

FORM OF SUBSIDY

A long-term credit to a Communist country is a form of subsidy, especially in the political sense. Five years is not "normal" short or medium term. Ninety days is normal when Western countries trade with each other, or six months, or possibly a year. The five-year term was originally a limit: the 1934 Berne Agreement pledged export credit institutions not to guarantee commercial credits for a longer period. But the U.S. has come to accept five years not as a limit but as normal.

So far, the U.S. has admittedly been urging other suppliers to restrict their bloc credits to five years, correctly contending that anything more is not trade but aid. But, in the context of the Administration's overall thinking, this clearsightedness is sure to dim. Meanwhile Japan and her West European competitors, in their race for Communist orders, have escalated to seven, 12 and even 15 years. The justification given is that a credit's duration should match normal amortization for complete factories and other major equipment like ocean-going vessels.

Ironically, though these interminable credits are called good business, and the Communists good risks because they have not defaulted to date, in no case will the Western businessman stir without a government guarantee of his risk.

THREE ALTERNATIVES

Opponents of the bridges policy see three alternatives on long-term U.S. credits: to grant the credits unconditionally: to withhold them absolutely; to pay them out gradually, each one in exchange for a specific concession leading gradually toward a genuinely favorable change in East-West relationships.

The Administration seems intent on the first choice. The critics find merit in the second; recommend the third; and consider the first potentially ruinous to the economic and political interests of the captive peoples and of the free world.

Credits without quid pro quo would enable the Red systems to continue operating as they are, slowing reform, freezing or scrapping it. This appraisal is not guesswork. Once assured of substantial U.S. credits in 1964, Rumania became the only satellite where even discussion of possible reforms was taboo. As soon as large-scale American aid for Poland was nailed down in 1958, the Communist Party there rejected a radical reform plan drawn by the Polish Economic Council the previous year. As long as American help was pouring in, Yugoslavia did nothing about liberal programs formulated in the mid-'Fifties; since the help dried up two years ago, the Yugoslavs have been racing to introduce economic incentives, managerial initiatives and other "capitalist" concepts.

Unconditional long-term credits simply would eliminate or relieve the bloc's acute pressures. Why bother to remedy the foreign-exchange pinch by narrowing the quality gap between Eastern and Western competitive products instead of concentrating on space exploration and armaments—if the U.S. obligingly waives the need for foreign exchange? Why decentralize management and reduce the Party's control, or decollectivize and allow the peasants to till their own land or form genuine cooperative—if the U.S. supplies industrial machinery and technical guidance, chemicals and agrarian know-how which will enable the totalitarian economy to get by without drastic overhaul? Why scratch for efficiency, lower costs and profitability in a liberalized economy so as to earn investment capital for rational expansion—if the Americans will do the investing and ship the expansion? Why raise wages and give other rewards for greater effort by labor—if American techniques and equipment will increase productivity without such costly incentives?

MAKING A BUCK

Suppose the second alternative is adopted and Washington suppresses entirely its impulse for long-term financing of bloc economies. The exact positive of the negatives listed above will not accrue, if only because other countries may continue their present zeal for "making a buck" out of Red trade. But to the large extent that their resources cannot fill the void created by our abstention, the stresses inside bloc economies will have their chance to perform constructively.

After all, the wave of reform clamor by Red economists was not provoked by us but by the inherent defects of the existing system. The first satellite to pick up the reformist theses of the Liberman school in the USSR and make the biggest noise about them was Czechoslovakia—which had been the most industrialized prior to the Communist grab and therefore the first to bog down under Communist mismanagement.

If we refrain from solving its dilemmas, the bloc may yet be constrained for economic survival to do something about them. The USSR has the largest problem, because, on a much smaller economic basis, it supports armament and space programs comparable to the American. And all the Comecon members must increase their agricultural investments, keep other investments at a level adequate for a minimum 4% growth in gross national product, and somehow lure the cooperation of farm and factory workers.

Till now the leadership has been resisting basic changes which could create counterforces against the Party's hegemony. But necessity may yet compel the acceptance of political risks: incentives to end foot-dragging by peasants and workers; less planning and more productivity; more butter and less moonshots; the accumulation of foreign exchange by outselling competitors abroad rather than by outdumping them, and so on.

There remains a final, supreme consideration for any American businessman who may still hanker after elusive profit from selling to the Communists. He must decide in his own private conscience whether the profit is worth the personal risk that some day, soon or late, on some near or distant battlefield, his neighbor's son or his own may be struck down by a weapon which his zeal for trade put into an enemy's hand.

WAS THE LITVINOV PROTOCOL EVER ABROGATED?

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINDLEY. Mr. Speaker, a crucial and unexplored aspect of the Soviet Consular Convention—now under consideration in the Senate Foreign Relations Committee—is whether a similar protocol established with the United States in 1933 by Soviet Foreign Minister Litvinov has ever been abrogated.

If not, the question naturally arises as to whether a new agreement would be any better than the old. To help clarify this question, I wrote on February 2 as follows to the Secretary of State:

Hon. DEAN RUSK,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: As a member of the House Foreign Affairs Committee and recognizing the important role of the House in all matters of foreign policy, I am anxious to clarify several points regarding the pending Consular Convention between the United States and the Soviet Union.

The principle expressed in this Convention has many features attractive to the United States. Its ratification, assuming compliance with its provisions by the Soviet Union, would be in the best interests of our country. Among the most attractive features is the protection it would offer United States citizens traveling in the Soviet Union. The establishment of "ground rules" to protect our citizens while in foreign countries is clearly in our best national interest. It would presumably guarantee immediate access by American officials to those Americans detained by Soviet authorities. This would have obvious advantages for us because of the much larger number of Americans visiting the Soviet Union than the reverse. Should at a later date consulates be opened they would serve as useful diplomatic listening and observation posts. They would also make possible a greater flow of the United States viewpoint to the people in the Soviet interior.

The success of the Convention in guaranteeing this protection necessarily depends upon Soviet compliance with the protocol.

Unexplored by the Senate, in its hearings on this Convention is what appears to me a most crucial point. This is the Soviet Union's record in respecting the Litvinov Declaration and Statement of Policy of November 13, 1933. This statement made to President Roosevelt on the part of Mr. Litvinov, the Soviet Foreign Affairs Minister promised that the American Consul:

". . . Shall be notified either by a communication from the person arrested or by the authorities themselves direct. Such communications shall be made within a period not exceeding seven times twenty-four hours, and in large towns . . . within a period not exceeding three times twenty-four hours.

"In places of detention of all kinds, requests made by consular representatives to visit nations of their country under arrest, or to have them visited by their representatives shall be granted without delay . . ."

Regarding this statement, I would appreciate clarification on the following matters?

(1) Is the Litvinov Protocol still in effect? If so, is the Convention now before the Senate necessary or desirable to protect our citizens?

(2) Has the Soviet Union either formally or by informal memorandum abrogated the Litvinov Protocol? If not, have they indicated in any manner that the Protocol is no longer recognized by them? If so, what form did it take and what reasons were given?

(3) If the Litvinov Protocol has never been abrogated by the Soviet Union then it is still in effect, and presumably was in effect in 1963 when Mr. Frederick Baghoorn was arrested.

As you indicated in your testimony to the Senate Foreign Relations Committee our Embassy was not notified of this detention until 12 days after his arrest, and Soviet authorities never allowed our officials to visit him. You then testified, "If this Convention had been in effect in 1963, the Soviet authorities would have been obliged to notify us of his arrest within three days and to grant us consular access to him."

It may be that the situation has changed substantially in the last three years. If this is the case, I would welcome a clarification.

You further testified, "The U.S.S.R. has never before given so specific a guarantee on access . . . ." The Litvinov Protocol appears to me to be as specific and indeed very similar.

Thank you for giving these items your attention. I appreciate the excellent cooperation you and your staff have always provided.

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

FARMER SHOULD NOT BE MADE WHIPPING BOY FOR INFLATION

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the parity ratio for Illinois farmers dropped in January to 74, down eight points from the 82 level a year ago. Because parity ratio compares prices farmers must pay with prices they get, this means that the cost-price squeeze of inflation is hitting the farmer far worse than the rest of the economy.

If the farmer were holding his own in the inflationary spiral, the parity ratio would hold steady instead of dropping sharply.

According to Department of Agriculture statistics just released, prices paid by Illinois farmers rose to an alltime high to 340 in January, up about 4 percent from the year ago level of 327. Meanwhile prices received by farmers for their produce went down nearly 6 percent, dropping from 268 to 253 during the same period.

By careful timing of Government stock sales and purchases, and by changes in import and export policies, the administration has depressed prices received by farmers. This unfair discrimination must end. Congress must enact legislation to curb the authority of the administration to drive down farm prices.

With costs going up while commodity prices drop, the farmer is getting an undeserved double dose of inflation.

RHODESIAN VIEWPOINT—AN ANSWER TO AMBASSADOR GOLDBERG

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, one depressing consideration to thinking Americans is the inconsistent manner in which foreign policy is at times conducted by this Nation. Consider the case of Latvia, Lithuania, and Estonia versus Rhodesia. These three European countries have now become part of the Soviet Union although the United States still refuses to recognize the Soviet takeover.

A short recapitulation of the takeover of these three independent nations will serve to illustrate the absurdity of our present foreign policy. A committee of the House, the Select Committee on Communist Aggression, in 1954 held extensive hearings in Europe and in eight cities in the United States on the fate of various nations subjugated by the Soviet Union. The summary report of this committee, in summarizing the incorporation into the Soviet Union of the three above-mentioned nations, stated:

On August 23, 1939, the Soviet Union and Nazi Germany signed a nonaggression pact containing a secret protocol which enabled Nazi Germany to attack Poland without Soviet interference while the Soviet was given an almost free hand in the Baltic. With the invasion of east Poland by the Red army the Soviet Union handed an ultimatum in the form of a mutual assistance pact to each of the Baltic States containing the choice—sign or be invaded. Estonia, Latvia, and Lithuania complied with the ultimatum in October 1939, while Finland refused, thus precipitating the Russo-Finnish War.

The pacts contained the principles comparable to those incorporated in the Armenian ultimatum; guaranties of territorial and political integrity and sovereignty in exchange for Soviet-controlled bases in each country. Evidence presented by Alfred Berzins, Latvia; Karl Selter, Estonia; and General Musteikis of Lithuania, as well as many others, clearly indicated that each such treaty was a fraud and that the Soviet Union had intended from the start to occupy and forcibly incorporate the Baltic States into the Soviet Union. NKVD order No. 001223, the so-called Serov order, dated 1 day after ths signing of the pact, provided for the deportation of anti-Communist elements, while a map prepared months before the "negotiations" showed the Baltic States as organic parts of the Soviet Union.

These treaties with Latvia, Lithuania, and Estonia were just several of the hundreds of agreements made by the Soviet Union with various countries and broken when the Soviets so wished.

The summary report continues:

> Under cover of those treaties the U.S.S.R. infiltrated large numbers of Communist agents and NKVD men into the Baltic States and by spring 1940, a Soviet propaganda campaign against the area was initiated. Native Communist elements, according to witnesses, openly called for the overthrow of the three governments. In spite of previous treaty commitments and using an alleged kidnaping of Soviet soldiers as a pretext, on June 14, 1940, the U.S.S.R. delivered an ultimatum to Lithuania, charging the three Baltic States with engaging in a conspiracy against the Soviet Union. On June 15, the Red army swept over Lithuania and on June 16, Estonia and Latvia were handed an 8-hour ultimatum calling for the dissolution of their governments and the right of passage for Soviet troops. Occupation of the two countries was effected on June 17, 1940.

Remember that these were three free countries with their own laws, customs, and traditions. It is not surprising that, to realistic people, the possibility of relaxing tensions with the Soviet Union while small nations such as these remain in slavery is a fantasy.

The report goes on to describe the elections conducted by the U.S.S.R.:

> The legal governments dissolved, the top government posts were occupied by Communists and pro-Communist appointees. Elections were called for July 14, 1940. All political parties except the Communist Party were outlawed and voting by open ballot for the single list of Moscow-approved candidates was made compulsory. The outcome of the election was never in doubt. Meeting simultaneously on July 21, 1940, under a heavy armed guard of Red army and NKVD troops, the three rump parliaments of Lithuania, Latvia, and Estonia petitioned for the inclusion of their countries into the Soviet Union. Disregarding the provision of the legal constitution of each state, requiring popular referendum on this petition, the Supreme Council of the Soviet Union pronounced the "admission of the three Baltic States on August 3–6, 1940."

Now take the case of Rhodesia. The United States has sided with Great Britain in the United Nations in imposing mandatory sanctions and the use of force, if necessary, in subduing Rhodesia. And, ironically enough, the heart of the matter centers around Rhodesian elections. Great Britain, and Ambassador Goldberg for the United States, contend that the black majority of Rhodesia is denied the right of self-determination; the Rhodesian Government asserts that its qualifications are nonracial and that voting rights will be granted upon achieving certain qualifications, a procedure of which the British approved in 1962, according to Rhodesian sources. Rhodesia cites as support for its policy the statement by the Council of Chiefs, the recognized traditional leaders of tribal Africans, who endorsed the policy of the Rhodesian Government.

The Rhodesian position, as argued in the following statement, is a formidable one. But what justification can be made for the stand of the United States which approves sanctions—and force, if necessary—on Rhodesia while encouraging increased trade with the Soviet Union and the other slavemasters of Eastern Europe?

In this age of talks and conferences in which, presumably, both sides can be heard, I include the statement by the Rhodesian Information Office here in Washington, dated January 1967, in the RECORD at this point, to enable consideration of both sides of the Rhodesian question:

RHODESIAN VIEWPOINT: AN ANSWER TO AMBASSADOR GOLDBERG

On December 31 the Washington Post published a letter from former Secretary of State Dean Acheson opposing U.N. involvement in the Rhodesian affair. On January 8 the newspaper published a "communication" from Ambassador Arthur J. Goldberg replying to Mr. Acheson's criticisms. Some comments are offered below on various positions taken by the Ambassador. Extracts from his letter to which the comments relate are enclosed in quotation marks.

"First it is argued that action on this issue by the U.N. involves a violation of Article 2, paragraph 7 of the Charter which reads: 'Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter, but this principle shall not prejudice the application of enforcement measures under Chapter VII.' The fallacy of this argument can be seen when the facts involved in the Southern Rhodesia situation are tested against the language of the Charter itself: Rhodesia is not a 'state' and has not been recognized as such by a single government or international organization."

The question of what is or is not a "state" has been the subject of much debate by students of international law and the best conclusion to be reached from their commentaries is that it is impossible to dogmatize about statehood, and that law, as Mr. Goldberg suggests later, "is often developed on a case-by-case basis." There can be no doubt that Rhodesia possesses most of the attributes of statehood inasmuch as it is a clearly defined territory with a central government which exercises effective jurisdiction over all aspects of the life of the community, including the maintenance of law and order. Mr. Smith's government has exercised effective authority in Rhodesia to the exclusion of other authorities both before and since the declaration of independence of November 11, 1965.

Rhodesia has long been recognised as possessing an international identity by virtue, inter alia, of being a Contracting Party to the GATT since 1948, by various treaty obligations that it has entered into and by its membership of certain U.N. agencies.

Rhodesia is regarded as having sufficient national identity for sanctions purposes. Presumably Britain is not applying sanctions against herself.

"The situation in Rhodesia is not 'domestic', since it involves the international responsibilities of the United Kingdom under the Charter relating to non-self-governing territories."

This statement is not in accordance with the facts. Mr. Cecil King, British representative on the U.N. Fourth Committee, informed the Committee on October 1, 1963: "We do not accept that Southern Rhodesia is a non-self-governing territory, despite the repeated assertions to that effect which have been made in the United Nations. . . . The plain fact is that Southern Rhodesia *is* self-governing, in relation to the parent country, and has all the attributes of a self-governing territory. . . . That, quite shortly, has always been and remains the attitude of my delegation. For that reason my delegation has always denied and continues to deny the competence of this organisation to concern itself with the affairs of Southern Rhodesia. No resolution of the Committee of Twenty-four or of this Committee or of the Security Council or of the General Assembly can make the status of Southern Rhodesia what it is not."

Mr. Goldberg's assertion is in direct contradiction of Mr. King's statement. The fact that Britain has since found it expedient for various political reasons of her own to reverse her position on U.N. involvement in the Rhodesian affair has no bearing on the principle that is at issue here.

"The action of the Security Council does not constitute 'intervention' since the Council has acted at the request and with the concurrence of the legitimate sovereign, the United Kingdom."

This is surely an exercise in semantics. It begs the question as to whether it is proper for the U.N. Organisation to respond to the request of the British Government for assistance in asserting its colonial domination over a territory which has severed the last bonds of dependency. Mr. Walter Lippmann has no doubts on this score. He says that, "Mr. Wilson is asking the U.N. to do what it was never meant to do, what it is not organised to do and what it cannot do."

"Article 2, Paragraph 8, by its own terms, does not apply to the application of enforcement measures such as mandatory sanctions imposed by the Council in this case."

True, but this supposes that enforcement measures are well founded, which in turn requires accepting the absurd proposition that Rhodesia is a threat to the peace.

"Second, it is sometimes said that the United Nations action represents a denial of the principle of self-determination. The simple answer to this argument is that the Smith regime is not asserting the right of self-determination for all the Rhodesian people but merely the right of 6 per cent of the Rhodesian people who are white to rule over 94 per cent who are black. The refusal of the United Kingdom to recognize the illegal seizure of power by a minority group based on racial grounds, far from being a denial of self-determination, is an attempt to implement that objective for the Rhodesian people as a whole."

Leaving aside the question of self-determination, which admits of many interpretations and constructions, it is demonstrably false to suggest that the Rhodesian Government is asserting "the right of 6 per cent of the Rhodesian people who are white to rule over 94 per cent who are black." No such intention can be inferred from anything that the Rhodesian Government has said or done. Rhodesia's voting qualifications are non-racial and they inevitably envisage the progressive enfranchisement of black Rhodesians on the basis of their achieving these qualifications. The qualifications were built into the 1961 constitution under which, as British Ambassador Sir Patrick Dean assured the U.N. General Assembly in June, 1962, "it is accepted that majority rule will come. . . . The process of extending a franchise, in accordance with our practice and experience in many different territories, is one which should proceed step by step." Voting qualifications are unchanged in the 1965 (independence) constitution and it cannot therefore be alleged that the act of independence was in any way motivated by a desire to restrict black Rhodesian political rights.

As a condition precedent to acknowledging Rhodesia's independence, the British Government laid emphasis on six principles, certain of which called for an acceleration of black political advancement. In the talks aboard H.M.S. Tiger early in December Mr. Smith found it possible to accommodate Mr. Wilson on all these principles. Mr. Wilson acknowledged this himself. He told the

British House of Commons on December 5; "On the amendments necessary to the 1961 constitution which would be required to give effect to the **six principles**, Mr. Smith and I reached complete agreement. . . . The requirement of the six principles have been met in full with effective constitutional and external guarantees."

"Third, it is argued that the Rhodesian situation poses no threat to international peace justifying the application on mandatory sanctions. To this I must point out that it is the explicit prerogative of the Security Council under Article 39 of the United Nations Charter to make a finding that there is a threat to international peace and security. In the case of Rhodesia, the Security Council has reviewed the facts of the case and made precisely such a determination. In doing so, the council naturally bases its decision both on the existing situation on its best estimate of what is likely to happen in the future. Clearly, there are great risks of violence already involved in the suppression of the fundamental rights of 94 per cent of the population in Southern Rhodesia, and the danger to peace will obviously grow if some remedy is not found.

"Fourth, it is sometimes argued that sanctions cannot be applied against Rhodesia since the threat to peace originates from other African states. This argument overlooks the fundamental fact that the threat to peace inherent in the Rhodesian situation lies in Rhodesia itself."

It is incontrovertible that Article 39 of the U.N. Charter empowers the Security Council to determine that there is a threat to international peace and security. What is at issue is whether the Security Council applied sound, sober and objective judgment in making that determination in respect of the situation in Rhodesia. Many detached observers believe that it did not. Former Secretary of State Dean Acheson commented as follows to the Washington Evening Star: "The only way the U.N. seems to be able to reason that it can get at Rhodesia is to say that by doing what they have a perfect right to do—and with which the U.N. is forbidden to interfere—they so annoy less law-abiding characters that these people will threaten to attack them, which violates the Charter, and therefore Rhodesia is a threat to the peace. This is about as backwards a piece of reasoning as anyone can easily conceive."

Since Article 39 lays an obligation on the Security Council to make a finding that there is a threat to international peace and security, it is surely very remiss of the Council to have passed up the opportunity to assemble all the facts. The Council did not even acknowledge, much less entertain, an application by Rhodesia to be heard under Article 32 as a party to a dispute before the Council.

There is no basis whatever for the allegation that "there are great risks of violence already involved in the suppression of the fundamental rights of 94 per cent of the population" or that "the threat to peace inherent in the Rhodesian situation lies in Rhodesia itself." Rhodesia is demonstrably free from political tensions, as many independent witnesses have testified—certainly freer than many other areas of Africa that have not attracted the attention of the Security Council. The Nigerian Editor-in-Chief of the Lagos Daily Times has said that the overseas picture of Rhodesia as a grim, tense, police state is "a massive fraud." South African liberal Laurens van der Post, who visited Rhodesia since idependence with what he described as "a profound emotional and intellectual bias towards finding nothing but evidence of impending Greek tragedy," found nothing to substantiate his apprehensions. Instead he found "a general preference among them (black Rhodesians) for an evolutionary rather than a violent revolutionary change of Rhodesian society." Congressman John Ashbrook and two American colleagues who visited Rhodesia early last year found that the Rhodesian Government commanded "the virtually unanimous support of the white population and the respect of a preponderance of the Africans;" also that "the telltale signs of racial tension are nowhere to be seen." They concluded that "American Policy on Rhodesia represents the triumph of ideology over actuality." In a letter to the Washington Daily News on December 23 Mr. Frank Johnson of the American Security Council refers to a cartoon presumably indicating that Rhodesia is an oppressive white police state. He writes:—"I have just returned from a visit to Rhodesia and can personally vouch that the contrary is true. The few police to be seen on the streets are black as well as white, and none carry guns. Ian Smith drives his own car, has no bodyguard and is quite careless of the most elementary personal security. Perhaps one of the most impressive testimonials of African support for the Smith Government is the fact that communist-trained terrorists entering the country from Zambia are either killed or reported to the border guards by the local African population."

Another testimonial of black Rhodesian support for the Rhodesian Government is contained in a statement issued November 2, 1966 by the Council of Chiefs, recognised traditional leaders of tribal Africans under the British approved 1961 constitution. Part of the statement reads:—"We wish to state quite clearly that we support the Government of Rhodesia and we do not accept the claim by the British Prime Minister that he has continuing responsibility and authority for and over our people through the Government and Parliament of the United Kingdom." The Council of Chiefs has reaffirmed its support for the Government in the last few days.

On January 7, veteran Chief Simon Sigola sent letters to U.N. Secretary General U Thant, President Johnson and President de Gaulle inviting them to visit Rhodesia to see for themselves that it is not "a bad country and a threat to the peace."

"Finally, it is argued that the application of mandatory sanctions to Rhodesia constitutes a dangerous and unacceptable precedent for similar U.N. action wherever violation of human rights may occur.

"This argument overlooks a number of elements which are quite unique in the Rhodesian situation. Here we have witnessed an illegal seizure of power by a small minority on racial grounds bent on perpetuating the subjugation of the vast majority. Moreover, in this situation the sovereign authority with international responsibility for the territory has asked the United Nations to take measures which will permit the restoration of the full rights of the people of this territory under the Charter."

The rule of law, domestic or international, necessarily implies the dispensation of even justice. Many commentators on the Rhodesian question have noted the blatant double standards that the world organisation is applying in its treatment of the situation. In his statement to the Security Council on December 12 Ambassador Goldberg suggested, for example, that "the international community will not tolerate the existence of a discriminatory system based on minority rule in defiance of the United Nations and its principles." U.S. News and World Report points out (January 2) that at least 37 member nations of the U.N. have governments that are based on minority rule and that at least 25 other U.N. members are open to suspicion in this respect; also that fewer than half of all the 122 U.N. members have governments clearly based on majority rule.

As to the "unique element" of Rhodesia's "illegal seizure of power", it has been remarked that it is just as well that there was no United Nations in existence when the American nation was born. But beyond this, it is not necessary to look very far for examples of governments possessing full membership rights in the U.N. which have come into existence through illegal seizure of power or coup d'etat. Amongst the membership of the Security Council itself Nigeria is such an example, and it is not a year since the Uganda constitution was suspended, and the President deposed and forced to flee the country.

In Rhodesia there has been no illegal seizure of power. The Rhodesian Government in office today was duly and constitutionally elected in May, 1965 and continues to govern with the same body of Cabinet Ministers, heads of civil and military departments, legislators (including the opposition party) and judges.

There is no question, as it is stated here, of the "sovereign authority" asking the United Nations "to take measures which will permit the restoration of the full rights of the people of this territory under the Charter." The rights of the people have not in any way been abrogated or abridged. The request of the "sovereign authority" relates to the imposition of colonial control over a country in which it has not hitherto existed.

"Aside from the legality of the action against Southern Rhodesia taken by the United Nations, the policy and moral reasons for doing so are compelling. Why, then, do we feel the Rhodesian crisis is so important that we take such a strong stand on it?

"In the first place, one of the most basic issues involved is a moral one, that is, to restore the constitutional authority in order that all of the people of Rhodesia may join in determining their national future. Our country, founded on the proposition that all men are created equal—and currently engaged in a vigorous nation-wide program to make that equality real for our own Negro citizens—cannot honorably adopt a double standard on what is happening in Rhodesia. In addition, as a founder of the United Nations and a principal architect of the U.N. Charter, we have a special obligation to see that the Charter's provisions concerning human rights and self-determinations are upheld. These provisions are not merely exhortations—they are solemn treaty obligations."

There is an inference in the Ambassador's statement that the United States is obligated in some way to enforce in Rhodesia the same political conditions that obtain in this country. Surely this is an untenable position. By logical extension it must imply that the United States is obligated to take action to upset controlled economies and substitute free economies, or to upset single party systems and substitute two-party systems. Nor does the existence of U.N. conventions as 'solemn treaty obligations' improve the argument. It may be argued that, when governments subscribe to a U.N. convention, they bind themselves in a contractual sense to observe its provisions. There is certainly no commitment to take punitive or hostile action against a third country in order to compel compliance. Nothing of the kind is envisaged in the Charter.

"From a political standpoint, we have a practical interest in maintaining friendly relations with the newly independent countries of Africa, for whom this Rhodesian issue is of the highest importance. Moreover, the success of a rebellion aimed at creating a new white minority state in southern Africa would inevitably harden the lines of political conflict and would tend to stir interracial violence on that continent. A failure to resolve the Rhodesian crisis with justice to the African majority would inevitably strengthen the hand of extremism, violence and racism in the heart of Africa. Such a prospect is not in the interest of African development and progress nor of world peace and security—nor is it in the interest of the United States.

"For all these reasons the United States, in dealing with the Rhodesian question, intends to remain true to its best traditions—knowing that in so doing we also most effectively uphold our national interests. We shall continue to proceed step by step, weighing both the legality and the wisdom of each step as we go in the light of the situation and of the United Nations Charter."

When the argument is reduced to questions of American national self-interest it is not appropriate for Rhodesians to comment except to reject the invalid grounds on which this interest is calculated, and to express the hope that American policy will not be so motivated as to assist ideological aggressors to destroy one of the brightest spots in the dark continent. Here we revert to the basic premise of the Charter:

"All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state."

(NOTE.—This material is filed with the Department of Justice where the required registration statement in terms of the Foreign Agents Registration Act of the Rhodesian Information Office, 2852 McGill Terrace, N. W., Washington, D.C., as an agency of the Rhodesian Ministry of Information is available for inspection. Registration does not indicate approval by the United States Government.)

CAPETOWN PORT CALL OF U.S.S. "FRANKLIN D. ROOSEVELT" SHOULD NOT HAVE BEEN PERMITTED

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, the Capetown port call made by the U.S.S. *Franklin D. Roosevelt* should not have been permitted. Nothing makes this more clear than the events that took place over the past weekend.

On February 2, 38 Members of the House wrote to the President, reminding him of the testimony of then Assistant Secretary of State G. Mennen Williams on March 1, 1966, in which he said:

> We have cancelled operational port calls in South Africa of U.S. naval vessels and aircraft rather than accept the application of racial conditions to our personnel.

In our letter we urged the President to cancel plans for the Capetown visit.

It is now evident that the administration has been ignoring the policy against such port calls laid down last year by Assistant Secretary of State for African Affairs, G. Mennen Williams.

Small ships have been visiting South African ports for months. When plans had to be made for refueling the carrier, U.S.S. *Franklin D. Roosevelt,* arrangements were quietly made with the South African Government—on that Government's terms rather than refueling the carrier at sea and refusing to cooperate with racism.

Until congressional protests, the 1965 precedent of the U.S.S. *Independence,* which was refueled at sea, and the Williams statement were to have been disregarded.

Mr. Speaker, the decision to disregard the policy enunciated last year by the Department of State must be unequivocally repudiated, for it comes at a time when the United Nations has begun a program of sanctions against Rhodesia and, more broadly, an assault upon racial discrimination in all of Southern Africa.

In this environment, the carrier's visit was bound to raise questions about the willingness of the United States to oppose the practitioners of discrimination in Southern Africa. It was bound to reinforce the will to resist of the apostles of apartheid, and it was bound to dampen the spirit and courage of those Africans whose resistance to apartheid is being maintained under the most oppressive circumstances.

As has too often been the case, American military considerations took precedence over American diplomatic commitments. The Navy Department took effective control of foreign policy. The Under Secretary of Defense was the spokesman designated to consult with the Congressmen who had protested. Those few in the Department of State who continue to take Africa seriously were undermined.

Mr. Speaker, one solution to such incidents remains: A clear policy precluding any future port calls in South Africa.

THE PROBLEM OF AIR POLLUTION

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DINGELL. Mr. Speaker, last December I was pleased to have the opportunity to participate in the National Conference on Air Pollution held here in Washington by the Department of Health, Education, and Welfare. At the conference I expressed the point of view that, if we are going to avoid a major tragedy from air pollution, the problem must be attacked on a uniform and logical basis nationally. I am pleased to see that President Johnson is now calling for the enactment of national legislation that would allow us to do so.

While I have some reservations about certain of the President's specific proposals, there is no doubt in my mind that his approach, overall, is what is needed if we are to succeed in reducing our air pollution problems. In fact, some of the President's proposals are very similar to those provided in my bill, H.R. 10, which I introduced on the opening day of the 90th Congress.

No doubt there are some Members of the House who may be wondering why the Congress, which has passed three important pieces of air pollution legislation during the past 5 years, is now being asked to consider still another measure. It is a reasonable question. The answer is not that the Clean Air Act of 1963 and the amendments thereto of 1965 and 1966 were not effective. Nothing could be further from the truth. This country may still be a long way from reaching the goal of adequate control of pollution but without the Clean Air Act and its amendments, we would not be heading, as we are now, in the proper direction.

One of the major objectives of the Clean Air Act was to enable State and local governments to wage a vigorous attack on the air pollution problems arising within their jurisdictions. Federal grants were made available for the first time and we have witnessed an unprecedented expansion in State and local control programs.

But it is important to recognize that State and local governments alone cannot deal effectively and efficiently with all aspects of the air pollution problem. Ours is a national economy and we need national rules, regulations, and programs to handle certain aspects of the air pollution problem. It is simply unrealistic to expect a mayor or a Governor to launch major drives for air pollution control and abatement for industries in his respective city or State, when some other city or State allows the same industries to do what they will about air pollution.

To control and abate air pollution is going to cost a good deal of money. If a given city or State requires a high degree of control and abatement of air pollution, the cost could easily be substantial enough to cause an industry to locate in some other city or State where such an outlay would not be required. Therefore, how can we realistically expect the State of Michigan or any other State to require its major industries to comply with air pollution control levels that their competitors in other States may not have to meet. It is essential, therefore, that there would be a mechanism for the establishment and enforcement of uniform emission control levels so that major industries, no matter where they are located, will know that wherever they locate, they will have to make investments sufficient to assure that the emissions from their plants will meet standards designed to protect the public health and welfare of all of our people.

We are approaching the end of the 1960's, and I believe that we in Congress have a special responsibility to take further meaningful action to deal with the problem of air pollution. We must make certain that this decade will not go into history as yet another decade during which we talked a great deal about air pollution but failed to take decisive action of national scope. What the 90th Congress does in the months ahead, will, in large measure, determine whether the 1970's will bring clean air or major tragedy, such as was barely avoided last Thanksgiving in the New York City metropolitan area. That near disaster was avoided not because of any great foresight or strong action of man—it was avoided only because nature relented and the winds blew the mass of polluted air away, dispersing it into the atmosphere. One day our luck is going to run out, and, when it does, we can look forward to the deaths of thousands of people. If it happens, it will be because we did not take timely action here in Congress.

BLOT UPON OUR LAND

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Boggs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BOGGS. Mr. Speaker, no one who flies across our land can fail to be disheartened by the pall of noxious smoke and other pollutants that shroud America's cities. Smog and other forms of pollution are a blot upon not only our scenery, but our stature as a Nation. The President has called for prompt and vigorous action to control air pollution. I hope that Congress will promptly consider these vital recommendations.

The New Orleans States-Item, in a thoughtful editorial on January 27, called attention to this modern-day problem. The editorial follows:

Today the Air, Tomorrow the Land

The poets have always known that time is man's most precious commodity. Then physicist Albert Einstein came along to combine time with space as being, in a sense, one and the same.

Now, Nuclear Age man, his off-spring crowding into the corners of the limited world, is pressured into a clear and urgent awareness that time and space are indeed his two most precious commodities—for what is gold if there is neither time in which to speed it nor space in which to enjoy it.

Because he failed to notice in time enough, man has so befouled the space of the earth's atmosphere and the space of its surface that he is now frantically spending billions of dollars (in this country) in a desperate effort to recapture the pristine purity of air and water lost through his own not caring enough soon enough.

And there are still many in our land who have not yet come to care enough, despite the staggering costs to private industry and the public taxpayer.

Off the mark belatedly in a desperate race to overtake the pollution of the nation's air and water space, the 89th Congress set aside 3.95 billion tax dollars as only a beginning in what has to be the greatest single reclamation project in history.

Before the purity of the nation's air and streams can be secured, $275 billion will have to be spent during the next 33 years, according to one estimate in the Harvard Business Review.

Esther Peterson, aide to President Johnson, recently estimated that pollution of the nation's air space costs the American economy $12 billion, each person $65 each year—to say nothing of the terrible health toll.

In the last 10 years, it is said, the electric power industry alone has spent $750 million dollars on the air and water pollution problem.

Bethlehem Steel Co. in Pennsylvania is reported to have invested $80 million in the last 10 years in just plain good clean air and water, those precious commodities so long taken for granted.

It is plain now that this country has awakened in a fog to the realization that it has made a terrible mess of its air and streams. If only the recognition had come much earlier, in time to prevent self-defeating pollution of our air and water space.

Today our attention is focused, rightly at last, on two parts of our national space vital to our healthful habitation and survival. But it is not too soon to begin looking to the third, the land.

How are we using or abusing the land which feeds us and must feed our generations to come?

The Federal Department of Housing and Urban Development says this: The spreading urbanization of American life uses up one million acres of land each year.

At such a rate of attrition of open landspace, how much land and what kind of land will remain for crops, for parks, for wildlife preserves?

Now is the time to take care of the land.

CEYLON'S INDEPENDENCE DAY

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Bingham] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BINGHAM. Mr. Speaker, last Saturday, February 4, 1967, was Ceylon's Independence Day, and I rise to mark the occasion and to extend felicitations and best wishes to the Government and people of Ceylon.

Although Ceylon has been independent for only 19 years, she has actually completed 35 years as a modern parliamentary democracy. It was as far back as 1931 that the system of universal adult suffrage was introduced into the island nation and since then her people have built up an impressive record of democratic achievements based on free elections. In this respect Ceylon challenges comparison not only with the countries of Asia but with many countries of the free world.

Her people's will to unity and freedom has been tested in many political fires. There have been attempts to divide the country on racial lines, attempts to control and later even to destroy the freedom of the press. Yet thanks to the good sense of the Ceylonese people and above all their attachment to the democratic way of life, these attempts were defeated at the polls.

In thinking about the future of Vietnam, it is instructive to recognize that Ceylon has a government which has given full opportunity to Marxists to participate, that at times the strength of the Marxists has been such that they were able to demand and receive cabinet positions, and that through the democratic process the Marxists were later once again removed from those positions of responsibility. Ceylon is one of not very many countries in the world where power has passed from one group to another peacefully and as a result of free elections.

Now under the energetic leadership of Prime Minister Dudley Senanayake political stability has been restored to the country. For the first time Ceylon has a truly national government embracing all the major communities in the island. Communal peace—without which economic development is not possible—has now been firmly established and the country is moving forward with a sense of purpose and dedication.

One result of this new climate has been the strengthening of friendly relations between the United States and Ceylon. One of Mr. Senanayake's first acts in office was to negotiate a settlement of the dispute relating to the compensation due American-owned oil companies whose assets had been nationalized by the previous government. Later an investment guarantee agreement was signed between Ceylon and the United States resulting in an appreciable outflow of much needed capital to that country. Finally, U.S. aid, which had previously been suspended, has now been resumed in partnership with several other Western countries.

All the same, Ceylon is not yet out of the woods. In spite of an impressive increase in domestic production, Ceylon suffered a steep fall in her foreign exchange earnings this year—due to declining world prices in her major exports—tea and rubber. At the same time she was unable to secure her usual supply of rice from abroad and only recently the Government was forced to reduce the weekly rice ration by one-half. Those who are familiar with this explosive aspect of Ceylonese politics will recall that Mr. Senanayake was beset by similar problems shortly before he left the Government in 1953; and it says much for the courage and statesmanship of the Ceylonese Prime Minister that he was willing once again to place the long-range interests of Ceylon's economic development ahead of his own political fortunes.

There is no question these Ceylonese people are making a major effort to solve their difficult economic problems, and that they deserve and should have help from the more fortunate countries of the world in this endeavor. The current aid program has been organized under the auspices of the World Bank, and I am hopeful that the U.S. Congress will respond to the initiatives undertaken by Ceylon in a manner that will demonstrate that the United States is prepared to help those that are prepared to help themselves.

FOOD AID FOR INDIA

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Bingham] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BINGHAM. Mr. Speaker, in the message he sent us last Thursday, the President issued a clarion call "that all mankind join in a war against man's oldest enemy: hunger." He called attention to the need for extraordinary steps, both short run and long run, by all those nations fortunate enough to be able to help, and he specifically asked the Congress for approval of a commitment that the United States should "share fully in the international effort to meet India's remaining food-grain deficit." While I am concerned that what the President has proposed will not be enough, I profoundly hope that the Congress will respond promptly and affirmatively to the President's request.

Although this request may seem to involve large amounts, it is actually modest in terms of the need.

While in India for the third time last November, I was once again impressed by the truly appalling nature of the problems this geat democracy faces, in spite of all the tremendous effort her Government and people have made over many years and in spite of all the assistance she has received.

In human terms, we cannot afford to do less than our share when famine strikes. In political terms, likewise, we must continue to make the necessary effort: if we and others in a position to help fail to do so, another gigantic Asian nation is all too likely to topple into the abyss of communism.

In my view, our aid program in India is the most important of all our programs; not because it is the largest, but because the stakes are so high.

Of course, it is necessary, as the President indicated, that we also join with others in assisting India to increase her agricultural production. But that cannot be done overnight. In the meantime, the hungry must be fed. Last Friday the New York Times commented favorably on the President's message to us. Under unanimous consent I include the editorial in the Record at this point:

Food for the Hungry

President Johnson has broken exciting new ground with his proposals to Congress for American participation in a world-wide "war on hunger." His program is both short-run, dealing specifically and immediately with the famine threat in India, and long-term geared to help willing nations help themselves along the road to self-sufficiency in food.

It is a program that should restoke the fires of idealism and altruism while satisfying demands for practicality. The President states harsh truths about imperative self-help requirements for food recipients: birth control and family planning; higher priority for agriculture as against industry in development programs of needy countries; vastly expanded use of fertilizer and seeds, along with soil-building and conservation policies.

But he emphasizes equally the enduring willingness of the United States, if other advanced nations cooperate, to provide food on generous terms while recipient countries are developing the capacities to feed their hungry.

Mr. Johnson sensibly proposes to approach India's problem through the eleven-member consortium already functioning under World Bank leadership to provide economic aid to that country. Food becomes a part of the multilateral assistance program provided through the consortium.

The President makes clear that food and food-related aid administered in this way should be additional to the economic assistance already in consortium programs, and not—as has been feared—a substitute for it. Use of the consortium under the World Bank umbrella should facilitate integration of over-all aid to India and defuse suspicions that the United States will use its aid in an effort to influence Indian policies at home and abroad.

To help stave off famine in India, Mr. Johnson will immediately allocate 2 million tons of food grains, or 300,000 tons more than a Congressional task force recommended to him in December. Department of Agriculture experts insist that this allocation will keep food—from all sources—in India's pipeline and that despite predictions to the contrary there will be no interruption in the "bridge of ships" carrying emergency food to Indian ports. We hope the Department is right. In addition to the emergency allocation, Mr. Johnson asks Congressional approval for a commitment of up to 3 million tons of food grains, "provided it is approximately matched by other countries."

The Administration clearly intends India to be a pilot project for multilateral food aid to all hungry countries. In that connection, the President cites eight specific Indian self-help accomplishments of the last year, ranging from incentive prices for farmers to fairer food distribution to family planning. Perhaps this tribute to India's efforts will help erase bitterness aroused by the still unexplained freeze on food shipments in November, an act highly embarrassing to a hard-pressed Indian Government preparing for the crucial elections that begin this month.

There are less offensive—and more effective—ways to jog India along the self-help road, and the President has found them in his message to Congress. He has put the emphasis where it belongs—on the imperatives of self-help by the needy and generous load-sharing by the other advanced countries. And he has done so in an over-all context of interdependence and a stirring call to battle against "man's oldest enemy."

NEED TO REVISE SELECTIVE SERVICE LAW—XIV

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Kastenmeier] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, local draft boards defer in class II–S registrants whose activity in study is found by the board to be necessary to the maintenance of the national health, sefety, or interest.

Local boards normally expect a student being considered for deferment in class II–S to be pursuing satisfactorily a full-time course of instruction, and to progress at a rate which will permit him to complete his studies in the normal period of time.

Various kinds of information showing promise and performance of the student are used by the local board in determining whether a registrant's study is "necessary to the maintenance of the national health, safety, or interest." The Director of Selective Service has promulgated additional advisory criteria to assist the local boards in classifying students. These criteria include the student's score attained on the Selective Service college qualification test or the student's class ranking.

These guidelines, however, are interpreted on the State and local levels in a variety of ways. While Col. Robert Knight of the Minnesota draft board said he thought draft boards are "very uniform" in granting deferments, Maj. Gen. L. B. Adams, Jr., draft director for Missouri, complained about the lack of guidance from Washington:

> I would like to see perhaps a more uniform regulation on students.

He also went on to say he felt the relationship of the Peace Corps should be defined with respect to military service.

Col. Glenn R. Bowles, Selective Service director for Iowa summed up his feelings this way:

> I think basically if there is a complaint within the local board framework of a Selective Service it would be the lack of . . . uniformity in deferments throughout the state and throughout the United States.

A recent Associated Press survey showed the following patterns practiced by State directors and local boards regarding the granting of an educational deferment.

New Mexico: Local boards are more lenient to students working their way through college.

Maine: Boards generally do not require students to attain higher class ranking than others to gain deferments.

Minnesota: Boards tend to put less emphasis on class rankings and student deferment test scores.

Iowa: Boards generally demand that students complete a 4-year course in 4 years.

Ohio: Boards sometimes disregard all four of the general criteria "if we are having no trouble filling our quota in a particular month."

Nebraska: Many boards pay no heed to class rankings. Oscar Doerr, head of local board No. 30 in Douglas County, Omaha, the State's largest draft board, explained he thinks "it's unrealistic to consider class rankings for someone in a 100-student college as compared to someone in a college with 5,000 students. There is a lot of difference."

West Virginia: Local boards follow guidelines published in newspapers, to determine, for example, what class standing a student must have at a given time to be deferred if he has failed or not taken the draft qualification test.

Louisiana: Draft boards generally follow the national guidelines.

New York, except New York City: Draft boards generally grant deferments to first year college students.

New York City: Boards follow national standards.

California: Deferment standards vary because of the human element. "One board might give a boy a deferment based on his presentation of his case while another might not," said Col. Arthur Holmes, State draft director.

Nevada: Main deferment criteria is whether a student can get his desired degree in the normal amount of time.

Mississippi: Students must meet class standings requirements as set by the national standards or score 70 or better on the national draft tests.

Massachusetts: Boards require no test standards or class rankings. Students simply must be full time, stay continuously in school and expect a degree "in a reasonable amount of time."

Arizona: Boards generally follow national standards. In practice, said Draft Director Norman L. Erb, "This means as long as the colleges continue to keep them in school they are exempt."

It is heartening to see that some of the local boards have disregarded what Dean Kermit Morrissey of Brandeis University calls the "totally absurd" ranking system. The complete autonomy, demonstrated by the local boards, however, has led to a situation where standards with regard to the educational deferment vary greatly from one community to another. This circumstance has brought about the opposition of students, themselves, to the present deferment policies. The fact that there is no national standard demands that the present selective service law be changed.

THE RIGHT TO PRIVACY ACT OF 1967

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Kastenmeier] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, as this generation approaches 1984, both in numerical and scientific terms, it is encouraging to see the President recognize and propose a program to deal with the serious erosions of each individual's right of privacy. The proposal to prohibit the advertisement, manufacture, and distribution in interstate commerce of wiretapping and eavesdropping devices, combined with prohibitions against their use, should limit and control intrusions by public and private agencies into our lives.

The exception to the prohibition covering instances where the security of the Nation itself is at stake—even if subjected to strict safeguards—is a source of concern to me, since many abuses can and have occurred in the name of national security.

I will be anxious to see the detailed provisions and hear the testimony of executive witnesses on these points. I hope that the particulars will fulfill the promised objective of ending violations of the right of privacy—a right long treasured as a distinctive right protected and enhanced by our system of government.

AIR POLLUTION CONTROL

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Green] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GREEN of Pennsylvania. Mr. Speaker, the air pollution control proposal submitted by the administration focuses on a problem of grave national concern. Air pollution involves every American. It plagues the rich and the poor, north and south, east and west. Polluted air does not respect city lines or State boundaries. And because polluted air is free to roam the Nation at will, it can be controlled and ultimately eliminated only by a concerted, cooperative effort encompassing every level of government—local, State, and Federal—and private enterprise.

One important Federal agency, the Post Office Department, already has joined the fight against air pollution. Starting last July, the Department required all gasoline-powered vehicles it purchased to include pollution control devices. This was the first nationwide vehicle air pollution control program. This effort by the Post Office was voluntary and it reflects great credit on Postmaster General O'Brien that he pushed ahead vigorously in this area without waiting to be prodded by mandatory regulations.

I urge every public agency and private firm which operates a large vehicle fleet to follow the lead of the Post Office and take quick action to help control air pollution.

I feel strongly that the Government must take the lead in dealing with this problem and set an example for others to follow. The Post Office is doing just that. The Post Office operates about 56,000 Government-owned vehicles throughout the Nation. It is a civilian vehicle fleet second in size only to the American Telephone & Telegraph Co.

Even this huge fleet, however, is only a very small fraction of the total number of Government and business vehicles which ply the Nation's roads each day. But by its actions the Post Office has clearly demonstrated its concern about this problem and its determination to do all it can to help solve it. The concern of the President and the administration about the air we breathe is evident from the proposal placed before us.

I trust the House will show a similar sense of urgency by giving the President's proposal prompt and careful consideration.

MR. WILLIAM B. CAMP, OUR NEW COMPTROLLER OF THE CURRENCY

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Casey] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CASEY. Mr. Speaker, the people of Texas, and indeed of our Nation, are proud at the honor accorded a distinguished and able Texan, Mr. Bill Camp. On February 1, 1967, my friend of many years was sworn in as Comptroller of the Currency, a vital and important post bearing on our banking industry. It was an honor richly deserved by an able and dedicated public servant, and those of us who know him have full faith and confidence in that he will meet his every responsibility.

Bill Camp was born in Greenville, Tex., November 25, 1913, and was educated at San Jacinto High School in Houston, Tex. Following his graduation from Baylor University at Waco, he joined the Comptroller's office in 1937. Through the years that followed, Bill Camp has been given increasingly responsible posts, a marked sign of his capability and the confidence with which he was held by his superiors. He served as Assistant National Bank Examiner, National Bank Examiner, Assistant Chief National Bank Examiner, Deputy Comptroller of the Currency, and in 1963, was named First Deputy Comptroller of the Currency.

It is indeed heartening, I know, to the banking industry, and to the citizens at large, to have a man as capable and as qualified serving in such an important and responsible post. To Bill and his lovely wife, Eileen, I offer my sincere congratulations and best wishes from the people of Houston and Texas on this great honor. We are all proud and happy over your many achievements, and wish you the best of success in the days ahead.

FIGHT ON CRIME

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Murphy] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, the Harrisburg, Pa., Patriot points to control over the sale of firearms as a vital ingredient of President Johnson's pledge to wage all-out war on crime.

In this connection the newspaper stamps its approval on the gun-control bill introduced by the senior Senator from Connecticut.

It is high time the indiscriminate sale of deadly weapons was stopped, the Patriot insists. And it views Senator Dodd's proposal as a sensible way of doing it.

In March of 1965, I introduced this legislation in the House and I have reintroduced my bill in this first session of the 90th Congress.

I ask that this editorial from the Harrisburg newspaper be included in the Record.

[From the Harrisburg (Pa.) Patriot, Jan. 19, 1967.]

THE FIGHT ON CRIME

A vital ingredient of President Johnson's pledge to wage all-out war on crime is his renewed recommendation for "strict control on the sale of firearms."

The bill that was placed in the Senate hopper in time to receive the S.1 label was, appropriately, Sen. Thomas J. Dodd's gun-control measure. Hopefully, the bill will receive No. 1 priority treatment.

Although blocked in the last Congress, Senator Dodd's proposal has picked up added support. Bipartisan co-sponsors include Pennsylvania's Joseph S. Clark, Robert F. Kennedy of New York, Edward M. Kennedy of Massachussets, Joseph D. Tydings of Maryland, Jacob K. Javits of New York, George A. Smathers of Florida, and Hiram L. Fong of Hawaii. The bill has the backing of the American Bar Association, the International Association of Chiefs of Police, the National Association of Citizen Crime Commissions and other influential organizations.

It is opposed, as usual, by the conglomeration of interests known as the "gun lobby," and by the more conservative members of both houses of Congress. Sen. Roman L. Hruska of Nebraska, for instance, again plans to introduce an opposition measure, which only would place limited limits on the sale of mail-order guns.

Senator Dodd's bill will go much further. In effect, it would halt all mail-order sales of handguns to individuals, regulate the interstate sale of sporting rifles and shotguns by requiring buyers to sign affidavits, prohibit the sale of handguns to persons under 21, and prohibit the sale of shotguns to those under 18. It would set up standards for obtaining a federal license to manufacture import or deal in firearms, and would limit imports of military-surplus firearms and certain foreign-made weapons.

It would not, Senator Dodd emphasizes, "prohibit or prevent legitimate sportsmen from purchasing, transporting and using sporting weapons."

As things now stand, it is possible for anyone to buy a gun, no matter what his degree of responsibility, by simply filling out a magazine coupon and mailing it in with the necessary funds. "It's so simple," Senator Dodd notes, "children can do it, and they do. Or madmen. And they do it. Or hysterical housewives. And they do it. Or hardened criminals. And they do it."

It is high time this was stopped. Senator Dodd's proposal is a sensible one and deserves passage.

TWO GOALS FOR NATIONAL TRANSPORTATION

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Clark] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CLARK. Mr. Speaker, the remarks of President Charles E. Walker are very timely and I would like to insert his speech, given at the National Transportation Institute, in the Record.

The speech follows:

Two Goals for National Transportation: Stimulate Private Investment and Encourage Inter-Modal Coordination

(Remarks of Charles E. Walker, president Union Barge Line Corp., Dravo Corp., National Transportation Institute, Conrad Hilton Hotel, Chicago, Ill., February 1, 1967)

The establishment of a cabinet-level Department of Transportation provides an occasion to take a new look at one of the nation's largest, most complex and most competitive industries. At least for the present, it is an industry showing healthy prospects, including improvement in net income and a large volume of new investment in equipment and facilities.

This year is a favorable time to encourage larger private investment to meet the rapidly growing transport needs of the economy and, at the same time, to stimulate intermodal coordination so that the most efficient use is made of the new investment.

A key characteristic common to all branches of the industry today is rapid growth. And this growth seems to be no temporary upsurge. As the economy continues to grow in complexity and size, more and more transport service is needed per capita. In 1941, for example, 5,800 ton-miles of service was required annually to supply each of us with our food, fuel, and other necessities. In 1966, it took 60 per cent more service to satisfy our needs, or 8,900 ton-miles for every man, woman and child in the country. If trends of the past five years continue, each of us will need 10,600 ton-miles of service a year by 1970 and 16,000 by 1980.

Rapidly increasing demand does not mean simply the accumulation of more standard barges, box cars, or trucks. Increasingly, it means the development of specialized equipment. In our business, the shipper wants not only the $50,000 standard hopper barge, but often also a $750,000 barge capable of carrying 2,500 tons of chemicals at −28°F. The demand is both for much more capacity and more capacity of a specialized and expensive kind.

As the new Department of Transportation surveys the field, it will find a basically sound system. There are, to be sure, complaints about the way the system works. Some are justified and some are not. But compared to the transport system of any other country, the U.S. domestic system works extremely well. Shippers have wide choices in types and grade service. An expert traffic manager, putting together the varied offerings of the different modes of transportation, is today able to develop more efficient systems of production and distribution than was ever the case before. A large part of the cutting edge of the efficiency of American manufacturing can, I believe, be attributed to the availability and skillful employment of our complex system of transportation.

All this is accomplished under private ownership of transportation capacity. Vigorous expansion and technological advance have been the rule in recent years for all modes. Funds for new investment have been obtained both from reinvested earnings and from the capital markets where transportation companies must compete with all other segments of a rapidly growing economy.

The Department of Transportation comes into being at a time of general confidence in the future. Today, transportation cannot qualify as a sick industry, nor one that is failing to provide a high quality of service to the public.

Each mode of transportation has worked out its particular place in the system. Domestic water transportation is one result of a multi-purpose water resource development program having a variety of public interest objectives. The role of the water carriers is to translate a major national resource into an important national economic asset by producing the lowest cost transportation available to the public. It is their responsibility to make effective use of the physical fact that a ton of freight on board a vessel requires the least effort to move of any form of transportation, as anyone can deduce who has watched a small boy push a heavy speedboat away from a dock.

For commodities adapted to water transport, barge lines can carry goods thousands of miles for a price that would pay for only a fraction of that distance by the cheapest land means. All available evidence shows that water transportation, where it is effective, greatly stimulates intensive industrial development. This means increased demands for service on the part of all modes of transportation, particularly railroads, an across-the-board benefit of development of an essential natural resource.

Technological advance has dramatically improved efficiency of inland water transportation. A single movement on the river 15 years ago had the approximate capacity of one Liberty ship or 10,000 tons. Today, a boat may push the equivalent of four Liberty ship loads or 40,000 tons. Further advances are expected. As depth of river channels are improved from nine to twelve feet, a corresponding increase in capacity will take place. Opportunities for further expansion will continue to open up as a result of the long term national program for increasing the water supply for all purposes. In 1900, the nation consumed only 40 billion gallons of water a day compared to over 370 billion today. By 1980, the government estimates that nearly 500 billion gallons will be needed daily. In many cases, an important by-product of water resource development is navigation.

Growth trends in transport demand may now be developing a new situation. With rapid expansion and technological improvement having priority, emphasis on ability to invest in new capacity becomes all-important. No amount of regulation or government re-arrangement of existing capacity will make up for failure of private capital to enter the transport field in adequate volume.

As the needs increase for even larger amounts of capital to finance improved and often highly specialized equipment, it is appropriate to explore new ways in which the different modes may work together efficiently. The rapidly increasing demands of the economy suggest that new attention be paid to achieving inter-modal coordination. Water-rail coordination, particularly, makes sense for many long distance freight movements. With the use of new technology, water-rail combinations in many markets could significantly reduce many all-rail rates, and increase the productivity of expensive freight cars. The new department may be able to help break down long standing resistance to such cooperative arrangements.

Some have argued that coordination can only be successfully brought about through single ownership of difference means of transportation. The risk of such common ownership, however, is the destruction of healthy competition. Since the economic advantages cited for common ownership can be obtained through coordination of services without risk to the competitive process, it seems sensible to favor the coordination approach.

One of the outstanding advantages of such coordination is that it permits more effective utilization of existing equipment, and facilities, rail and water, and thus both reduces requirements for new capital and makes the investment of such capital more attractive.

The willingness of transportation companies to invest in new and improved capacity is a demonstration of general confidence in the future and a deep recognition that private investment for profit is an essential part of our transportation system in the United States. Therefore, all of us in TAA as well as our government representatives, should bend every effort to maintain this climate of confidence. At the same time, coordination of service should be encouraged so that new investment finds its way into the most economically productive channels and thus strengthen the entire transport system on which the nation's economy depends.

A NATIONAL EYE INSTITUTE

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Fulton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, the Congress has taken full recognition of the growing problem of esthetic blight and eyesore in this Nation. Mrs. Lyndon Johnson, during the 89th Congress, successfully spearheaded the drive to move the Nation to action. The Congress responded with legislation to promote the beautification of America.

Yet all the good which may be accomplished through the efforts of the public and private sector in this beautification endeavor will have no impact nor little meaning to hundreds of thousands of Americans who are blind or suffer serious defects and eye disease.

We will spend millions of dollars this year in America to fight despoilage of our natural beauty. We will spend a billion dollars or more in care for the blind. But we will spend less than $10 million for research in diseases of the eye.

These are sobering figures considering that about half our population, some 90 million Americans, have some degree of eye trouble; about 75 million Americans must wear glasses full or part time; more than 80 percent of all loss of vision suffered by persons in this Nation results from diseases whose causes are unknown.

This Nation will spend nearly $20 billion this year in scientific research and development, yet public and private spending for research in eye disease and disorder will total no more than an expected $10 million.

There is obviously a national health need here that has not been met.

To meet that need I am today offering legislation to create a National Eye Institute which would function under the National Institutes of Health.

Since the founding of this Republic our advances in health knowledge and technology have enabled us to almost double life expectancy.

Yet we have done little if anything, by comparison, to alleviate the danger of impairment to loss of vision through disease. Enactment of this bill would open the door to a national effort in preventive medicine which has been too long not only closed but unapproached.

NEW DIMENSIONS IN CIVIL RIGHTS

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, under unanimous consent, I insert into the body of the RECORD at this point the recent remarks by Mrs. Martha Ragland, president of the Tennessee Council on Human Relations.

Mrs. Ragland has for many years been involved in the quest of equality for all citizens. Her contributions to her community, her State, and her Nation are outstanding in number and of unboundless value.

I respectfully ask that you and all my esteemed colleagues read Mrs. Ragland's speech entitled "New Dimensions in Civil Rights." As Congress continues to pursue the goal of human dignity and the rights of all in a truer democracy, Mrs. Ragland's remarks will be most contributable.

The remarks follow:

NEW DIMENSIONS IN CIVIL RIGHTS

(By Martha Ragland, president, Tennessee Council on Human Relations, ninth annual meeting, Nashville, Tenn., January 28, 1967)

Welcome to this ninth annual meeting of the Tennessee Council on Human Relations. These annual meetings provide us with the opportunity and the responsibility for taking stock.

I want to talk about the situation as I see it and some of the things I think we might do to further the cause of an open society. These are not presented as the views of the Tennessee Council on Human Relations. I have reason to know that the views of its members vary widely, not in basic commitment, but in emphasis and method.

1966 was a rough year for civil rights and human relations, characterized by rising tensions and urban riots across the country—and a hardening of attitude among both blacks and whites.

We have been fortunate in Tennessee. We have the tensions, but so far we have escaped the riots. We like to think that the efforts of the Tennessee Council on Human Relations have contributed to our good fortune in this regard.

There is a certain ironical and depressing element in the fact that this rough weather for civil rights, for an open society, comes just as we are learning that most of our previous goals were very simplistic. The problem is far more complex than we thought. For example, a few years ago most of us thought that once we established school integration, voting rights, and access to public accommodations that the civil rights fight would be over. Now those goals, though nowhere near realized, clearly are only near milestones.

The more we get into the problem the larger it gets. This is not because people are agitating it into larger proportions, but because more people are looking at it and seeing the proportions and ramifications that have been there all the time.

Here is an obvious example of what I mean. Restaurants, formerly closed to Negroes, are now open. But very few Negroes can afford to eat in them. This is because of the high rate of unemployment among Negroes, and because most of those who *are* employed are in low-paying jobs. More and better employment for Negroes, then, was quickly seen as a a new dimension in civil rights. The unemployment rate for Negroes is twice as high as for whites and for teen-age Negroes it is four times as high.

So considerable effort is going into trying to open up higher-paying jobs for Negroes, and to open up employment in fields formerly closed to them. But this effort soon revealed that Negroes widely lack the basic skills needed to get and hold jobs and to be promoted. By basic skills I mean at the minimum the ability to read and to communicate. But also progressively, elementary math and writing, not to mention more sophisticated skills.

Many of the programs in the War on Poverty are designed to attack this need, the Job Corps, the Neighborhood Youth Corps, the many training and re-training programs. These are valuable and need our support. Actually we are far behind other industrial countries in our training and re-training programs. But essentially, and particularly those aimed at the youthful dropouts, they are efforts to salvage the failures of our public school system.

A far more fundamental need than these salvage programs is a massive improvement of our public school system. And while none of the schools are good enough, Negro schools are far inferior to white schools. This is true at every level, elementary, high school and college. This blot on our society comes to light over and over from many different quarters: from Selective Service, from job placement examinations, from newly integrated schools where Negro children are regularly found to be two to three grades behind white children of the same age. So good schools, quality education for all, became a new dimension in civil rights. Some people are saying we should shift the emphasis from *integration* to *quality education*. As the 1967 Tennessee legislature meets, I hope there will be strong citizen support for significant improvement in our public schools.

But there are many who feel that by the time children *start to school* it is too late to overcome the blight caused by the deprivation of their environment. It was this thinking that led to Project Head Start. It has been the most imaginative and the most successful of the War on Poverty programs. But reports are cumulating that the almost miraculous progress of Head Start children is being lost as they move into overcrowded classrooms with stereotyped teaching. There is a growing awareness that the Head Start idea, with its emphasis on child development, will have to be carried forward into the early grades of our public schools.

But experience is also beginning to show that no matter how good the schools are, or how early the children start in them, those who live in slums and ghettos, in the all-pervading, enervating culture of poverty simply will not have the motivation, the energy and health to take advantage of the schools, however good they might be.

So that brings us to another new dimension: housing and slums. And this is the toughest of all. It is the hardest to do anything about and probably the most basic. Where people live determines the quality of their lives as no other single factor does. The federal government has been concerned with this general problem for more than thirty years and has spent a lot of money on public housing, slum clearance and urban renewal. But something has been wrong with their approach. The cities look better, but the poorest people to a very large extent are worse off than they were before. The bad results for the poor people have taken two forms. In many urban renewal programs there is a pattern of demolishing slum houses and businesses, forcing out the poor who live and work there. Then they build expensive apartment houses, hotels and office buildings—where the poor cannot afford to live or open a business. The appearance of the city is greatly improved. The tax base is improved. The Chamber of Commerce gets out a brochure about it, and visitors are taken to see the "progress." But not much attention has been paid to what became of the displaced poor. And what did become of them, often, is what they moved on into already overcrowded slums and went on relief.

The other approach that has been a national failure, but is still being practiced, is to build large complexes of barrack-type public housing that intensifies the concentration, and the problems, of the poor. But this need not be. A concerned community, for example, could insist that decent housing be available for all before the bulldozers demolish their homes, whether for a highway, urban renewal or what. And public housing can be scattered, not concentrated in central city ghettos.

New federal legislation recognizes these inequities and seeks to correct them in current projects. The Housing and Urban Development Act of 1965, the City Demonstration Act of 1966 both have built-in provisions seeking to avoid past mistakes. But they will need the cooperation and the prodding of citizens groups if past ill-starred practices are not repeated.

I might say here that in a good many places community organization of the poor is a new dimension in civil rights. The purpose of this effort is to see that the values of our society apply to them too, and that they have a part in solving their own problems. In a democracy which claims as a standard equality of opportunity, this would seem to be a legitimate aim. But it has almost scared some city officials to death. The last thing they want is for a disadvantaged group to get organized. (There have been bright exceptions to this.)

The fearful mayors feel about this just like the Roman emperors did about the Christians. As you know, the Christians initially were a poor and dissident group. But to introduce a cheerful note here I should point out that mayors don't feed present day dissidents to the lions. They just intimidate and discredit them. After all we are civilized!

But this involvement of the poor is supposedly built into the community action programs. The law states that the residents of the areas and members of the groups to be served must be involved in the planning, policy-making and operation of the program. In many parts of Tennessee the Tennessee Council on Human Relations has helped to implement this novel provision. And in many counties the community action program has been the instrument for bringing together diverse groups that have never before worked on a common cause.

The best statement for such involvement of the poor was made by Eric Hoffer: "Our healing gift to the weak," he said, "is the capacity for self help. We must learn how to impart to them the technical, social and political skills which would enable them to get bread, human dignity, freedom and strength by their own efforts."

I have said that making our urban environment decent is going to be one of our toughest problems. It is also one of our most imperative. A year ago there was some evidence that a genuine effort was going to be made to attack the problem of urban slums and to start on this problem of rebuilding and remaking the environment of our cities. But as the war in Vietnam has escalated and as concern for the disadvantaged has cooled, these plans have thinned out as have other programs for the so-called Great Society. I have stressed urban problems because of the crisis situation now existing in our cities. But I am concerned with the many acute rural problems and know that meeting them will help enormously to solve the crisis in the cities. For it is the economic and social poverty in much of rural America, with its accompanying hopelessness about the future, that has caused the mass migration to the cities and compounded the urban problem.

I have pointed out the chief new areas into which the civil rights movement has turned its attention: jobs, education, housing and slums. I have tried to show how this wider concern developed logically, one problem leading to another.

Now I want to mention some other facets. A very large proportion of the 35 million poor in America are outside the job market. These are the old and the young children, and their mothers in fatherless homes, and the disabled. This very large aggregate group is kept alive by inadequate welfare grants and stingy social security. Neither training or retraining programs nor lower unemployment rates have any bearing at all on the deprivation of these impoverished people. What they need is a more adequate income, one commensurate with their needs, plus a more congenial environment and community services of a wide variety from legal help to social and health services to recreation.

I have no patience with people who lament about three generations on relief yet at the same time condone a grudging, stingy welfare program that guarantees that its recipients will not graduate from its rolls. We extol self-reliance and initiative, yet after doling out inadequate grants we sharply limit the welfare recipient or the social security pensioner from augmenting his income from his own initiative. The total of anything they earn is subtracted from their pittance. Thus the very poor are in a 100 percent tax bracket.

Our attitude seems to be "by golly you are poor and you had better stay poor." Of course this doesn't in the least prevent us from lamenting at the same time about how lazy they are! You know the people who most need to become "involved" are the self-righteous "good" people. Their myths and cliches that rationalize their hardness might be tempered with a closer association with the problems of the poor.

This government-sustained poverty has been coming into focus, and it is becoming clear that we must raise, not just a little, but to a decent minimum our welfare and public assistance grants and social security. The request of the President on this this week is a move in the right direction, but totally inadequate. If all of his proposed raises in social security and welfare were passed by Congress the recipients would still be living in poverty. Yet, unless these requests have strong citizen support Congress will probably do less than the President has asked. The most imperative need of all is an increase in aid to families with dependent children and elimination of the ceiling on grants. Our 1967 legislature can do something about this—and will, if there is enough public support for it.

One myth I should mention here is the old canard that to undergird a decent standard of living for all will cause the country to go broke—that such an effort will impoverish the rest of us. On the contrary, if the 35 million Americans now living in poverty could be brought into the mainstream of our society we would be a far more prosperous country than we are today.

There is another facet of poverty that I want to talk about. Many people who live in poverty are employed and always have been, but they are paid sub-standard wages. There are millions in this category. And a very large percent are Negroes—domestics, farm laborers. They, in effect, are subsidizing more affluent members of our society. The most effective way to attack this problem would be to establish a minimum wage law. That would be more significant than the expenditure of millions of dollars under other programs. Not only would it help more to roll back poverty but it would bring more dignity and self-respect. A minimum wage bill barely missed of passage in the last Tennessee legislature. With some concerted help it might pass this time. To really attack poverty a minimum wage law is necessary

Unemployment insurance is an important program in building a stable society. It gives the worker some income when he is out of work and, by maintaining purchasing power, stabilizes the economy. But unemployment insurance in Tennessee has few friends and supporters. Year after year public apathy and employer lobbying have together eroded this program to where it is nothing but a shadow of its former usefulness. This legislature is very likely to further emasculate unemployment insurance unless the program can discover some constituents.

For some reason people are much more interested in crash programs to correct obvious needs than they are in building sound institutions that would prevent the needs from developing. And unemployment insurance has suffered from this predilection.

Other programs I have mentioned suffer from the same attitude. Thus people are more interested in retaining drop-outs than in building school systems so good that they would have their own holding power, more interested in Big Brothers baskets to the poor than in raising aid to families with dependent children, more interested in band-aids than in basic therapy.

If I seem to have gotten off the subject of civil rights it is only because I quit pointing out that each of these problems is a part of the new dimensions in civil rights. For what we have learned in the last few years is that civil rights and human rights and American rights are the same thing. And to work narrowly for civil rights under our old concept of it would be to deny this larger understanding. We need to continue to work in the traditional areas: voting rights, equal justice, access to public accommodations, and desegregation of schools. We can't neglect these areas. But we must at the same time move out with more force to make the good things of our society accessible to all Americans.

So far we have done no more than make a timid beginning, and it has not had much effect on the lives and hopes of the 35 million Americans who live in poverty. And because a large percent of these are Negroes this makes the whole area of social and economic reform a civil rights front.

But Negroes are restless. After 100 years of injustice their restlessness doesn't seem unreasonable to me. But their restlessness and the increasing danger of demonstrations and riots should not be the determining factor. The determining factor should be our basic commitment to justice. This unrest is a part of the revolutionary age we live in. Not just one, but several revolutions are sweeping the earth—the colonial revolution, the revolution of race, and the revolution of rising expectations. And we started this revolutionary era with our own American Revolution. It was not just a revolt against England. It was a revolt against the whole idea of an elite who would run things by and for themselves.

It is a dark irony that now we so often seem to be cowering in neurotic fear before the forces to which we gave original impetus. Indeed, the fact that we did this, consciously and deliberately, and spelled it out for all the world, is what made our country different—what made us a world force from the beginning.

The words of Jefferson have sparked nearly 200 years of revolutionary momentum. And from time to time throughout our history we have reasserted in various ways our national commitment to the proposition that all men are created free and equal. And that is what we need to do now. The question is are we going to square our traditional American high profession (that stretches from the Declaration of Independence to the rhetoric of the Great Society)—are we going to square our big talk with reality and make this truly a country where all men are created free and equal and where all can share in the bounty of our society. I think we have talked ourselves out on a limb and are going to have to put up or shut up. A world, largely colored, and torn by revolution bears in on us.

But of course if we act fast enough we can still say that we are just fulfilling the promise implicit in the American Dream and in our Christian-Judeo heritage.

The civil rights front has expanded to include the full range of our national needs: good schools and good housing for all, a decent urban environment, full employment with adequate pay for all who can work, adequate support for those who cannot work (for children, for the old and the sick and the disabled).

All of this in the context of a broadening participation of all the people in the political and economic process. If we can move along this route we will grow and prosper. We will fulfill the early promise of this Republic and be a force for peace and prosperity in the world.

There is so much to be done to square our country with its history and its promise. If by some miracle we suddenly developed a national determination to use our resources and our know-how to bring all our citizens into full participation and full sharing it would be a gigantic task, though surely a zestful one. But we don't have such a miracle. We have, in fact, strong, well-organized and well-financed forces in our society that are working night and day against everything I have been talking about. And in addition they systematically set out to discredit and harrass any organization, institution, or individual that works to bring all segments of our people into full participation in our society—to help in running it and to share in its benefits.

There is no need to identify these forces to you. They are generally spoken of these days as the Far Right. There are thousands of organizations in this category. Many are operating in Tennessee. Some are more active in one area and some in another. But no geographical area and no group working for a more dynamic and inclusive democracy escapes their attention. Whatever reasons they give for their existence their impact is to stop progress, economic, social and political. They discredit individuals and organizations who are genuinely trying to cope with the monumental problems of this age. They discredit them and impair their usefulness. For 20 years their most successful tool has been to label as "communistic" any person, organization, or institution working for progressive measures. The PTA, the United Nations, and the National Council of Churches come readily to mind as organizations that have come under sustained fire from these people. And all organizations that work for civil rights and all that work for peace have been democratically included in their attack. This element in our society is stronger now than it has ever been. Can this challenge be met? At this point I am inclined to doubt it.

Yet here we stand, the chained giant, the richest country in the world faltering in its long overdue efforts to equalize opportunity. And as we falter the lustre surrounding our country since its founding is fast eroding. Because in the end what we do about race and poverty will determine our role in the world—or whether we even will have a role.

The Tennessee Council on Human Relations, its board, its members, its local units, are committed to doing what we can toward realizing the goal of an open society. I thank you.

HELPING INDIA

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SMITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, I am glad to join with the gentleman from Texas [Mr. POAGE] and want to compliment him upon introducing the resolution supporting what is becoming known as the battle of India. This resolution supports helping India with food and population problems but only on the condition that India takes definite steps to try to help solve its own problems. In the final analysis only India can prevent the defeat of any self-help program. The President has seen fit to itemize the steps India has taken to help solve these food and population problems and they are in accordance with the guidelines Congress set forth in last year's food-for-freedom legislation. The President last year requested a new food aid philosophy which emphasized self-help by food-receiving nations and Congress carried the idea further by itemizing in the legislation exactly what that self-help might consist of. This resolution supports the implementation of this concept.

Although I come from an area which sells a tremendous tonnage of food products overseas, and although we want to increase our cash sales and are glad to have people in other countries depend upon us for the supply of food that they can pay for, we also recognize that giving food away cannot be a permanent program. This means that it is in our interest to combine an increase in trade which enables other countries to pay cash for more food with a program of helping food deficit nations like India find a way to reduce the deficit in food supply to an amount that they can pay for through trade.

We should do everything we can to see that the momentum behind this self-help program does not decrease in the critical months ahead and I am glad to join with the gentleman from Texas [Mr. POAGE] in pursuing this objective.

DETROIT'S MOM AND TOTS NEIGHBORHOOD CENTER

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, the story of an interesting and apparently effective antipoverty project appeared in the Detroit Free Press of December 8, 1966. The article by staff writer Colleen O'Brien was headlined "Nancy's Neighbors Dare To Help Themselves."

The subject of the article is the Mom and Tots Neighborhood Center, an antipoverty storefront outpost in Detroit. The writer explains that in professional circles, the center is known as the Maternity Satellite Project of the Visiting Nurse Association. Its purpose is to provide a variety of health services to low-income residents of the area.

Mr. Speaker, the founder and moving force behind the Mom and Tots Center is a young woman by the name of Nancy Milio, a registered nurse. I commend the Free Press article to the attention of our colleagues and ask that it be printed at this point in the RECORD:

NANCY'S NEIGHBORS DARE TO HELP THEMSELVES

(By Colleen O'Brien)

A lot of red tape is being cut at 9226 Kercheval—the red tape between low-income families and the health care they can't afford.

The sign over the door of the store-front and second floor apartment says Mom and Tots Neighborhood Center. In professional circles it is known as the Maternity Satellite Project of the Visiting Nurse Association.

Inside there are a half a dozen programs going on, all geared to meet the health needs of the community. But this is a health center with a twist. A separate project from any established health agency, it is supported by a grant from the poverty program.

The program—a day-care service for children from low income families; clubs for pre-teen boys and girls and teen-age girls; pre-natal health for low-income pregnant women; a birth control information clinic; and a clearing house for all kinds of medical needs—was set up to meet the specific problems of the community and designed in large part by persons in the community.

"I STARTED LISTENING"

Its founder is a 28-year-old registered nurse who decided that existing health agencies, numerous as they are, were not meeting the people where they are and that the people in the neighborhood were not being given a chance to use their talents to help themselves.

Her experiences as a Visiting Nurse in the Kercheval area after graduation from Wayne State University a few years ago opened Nancy Milio's eyes to the real problems of the low-income family.

"I felt that I wasn't being very effective in teaching the women I visited about health and nutrition," she recalled. "I was talking way over their heads in textbook terms they didn't understand and couldn't put into practice. So I quit talking and teaching and started listening and learning."

She discovered that there was a wide gap between the world of academic knowledge and the service world. For one thing, the low-income woman seldom gets out of the neighborhood.

"If I tell people to go to a clinic some place miles away, they don't know how to get there or they get lost on the way or when they get there the place is closed."

Often the complicated business of contacting the right agency, making the appointment and finding transportation is more of a barrier than the poor family is able to overcome.

"No poverty health care program is aimed at the young family," she observed. "And this is the typical low-income family. The agencies are aimed at patient groups, children, pregnant women, family planning.

Nancy made another important observation. She saw men and women in the neighborhood who had talents for organization and leadership, skills with children, and creativity. These talents were being wasted.

And so Nancy decided to do something about it. She went back to school, earning a master's degree in sociology from Wayne State at night school.

Finally she went back to the neighborhood, talked to the civil rights leaders to get their ideas on how a health center should be run. She talked to the mothers.

Then she had a plan—a health care center right in the community, run by the people, set up according to their ideas. It would be aimed at the whole family, unstructured, informal. There would be no exchange of money, only time bartered for services.

There was the problem of finding money. A plan submitted to the federal government was approved, later dropped because of lack of funds. She started over, drafted a new plan, gathered a new group of people to work on the project, and finally, after years of frustration, was given the grant.

Then came the business of finding a location. A vacant store was found right in the heart of the neighborhood. Renovation and decoration of the building was taken on by the people. They painted, made curtains, repaired the building.

While they worked, they talked about the center. They decided, for instance, that a day care center for four and five-year-olds from large families or whose mothers worked was one thing the neighborhood needed.

Today there is a large sign on the wall of the sunny, cheerful playroom on the first floor of the center which says: "Children are important. Talk to them, listen to them, play with them, love them."

This is exactly what Janice Hicks, Margie Williams, and Rudeen Walker, the aides in charge of day care, are doing with 9 or 10 pre-schoolers every day from 9 a.m. to 2 p.m.

The atmosphere is one of permissiveness coupled with gentle discipline. "The children have freedom," Miss Milio said. "The only rule is that they not hurt each other."

The aides handle the children with all the skill of professional nursery school teachers.

Their originality and patience pay off in the manners and important lessons the children have learned under their guidance: Sharing, consideration for each other, and a sense of wonder at the world right outside their doors.

Each child in the day care program, each boy or girl who comes to the clubs after school is a lead into a family.

"We bend over backwards to find out what each family needs, and then help them get it," Miss Milio said. She calls each family, finds out what their health problems are, and then sees that they get the care needed.

She doesn't stop at giving them the name and phone number of the agency. For instance, if a woman brings in a child suffering from a toothache, Miss Milio gets on the phone, calls the two agencies which provide dental care to low-income families, and makes an appointment for as soon as possible.

If the woman doesn't have a car, Miss Milio arranges for a volunteer from the neighborhood to take her and the child. If there are other small children at home, they stay at the center while the mother is away.

This kind of story is repeated again and again. A pre-teen girl comes to the club for girls where she learns to knit, sew or some other activity the girls choose. She also gets a chance to participate in discussion groups on personal hygiene and sex.

All the health education carried on at the center is done in an informal way. Miss Milio talks to the aides who talk to the patients. She encourages them to help each other find ways to solve their own nutrition and health problems.

One day a week the clinic on the second floor is used by the Planned Parenthood League for dissemination of birth-control information. Another day a clinic, part of the Detroit Department of Health's Maternity and Infant Care Project, occupies the second floor.

There still are hurdles to be overcome. A running fight with the landlord to get repairs made on the building is one problem. However, Miss Milio feels that using an existing building instead of building an expensive, institutional home for the project brings it closer to the people.

They must solve the problem of rats and cockroaches like the people in the neighborhood.

Money is a problem. Although the project has cost less than $25,000 so far, including renovation and furnishing of the building and salaries, the center operates on a tight budget. Right now Nancy Milio is wondering where to get three large playroom tables. Those now in use are becoming too rickety to be safe.

The center, which has been in operation since April, is gaining acceptance in the community. During the rioting on Kercheval, Mom and Tots escaped with only one broken window. A young man came in the next day to apologize for that.

Nancy Milio continues to stay in the background, giving only technical advice and leaving most of the decisions up to her staff.

She doesn't wear the customary white starched uniform. She is scarcely five feet tall and looks like anything other than the moving force behind the whole project.

"I guess I don't look like a nurse, or talk like one," she said. "But I think it's time professionals got out from behind their uniforms and badges and realized that they are people working with people. We should see what needs to be done for them and do it."

WAS THIS CALL NECESSARY?

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'Hara] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, the U.S. Navy's handling of the stopover at Capetown, South Africa, of the carrier *Franklin D. Roosevelt* for the purpose of refueling can be described as nothing short of clumsy. The Navy's failure to recognize the implications of such a stopover when the visit was first planned reflects a surprising lack of sensitivity to the basic principles of our foreign policy.

Although I was among the Members of Congress who signed a petition protesting the carrier's refueling stop in a port of a nation whose government has followed a racist policy that has won the enmity of the world, I did not favor cancellation of leaves for the crew. The damage had been done, I felt, and there was no point in doing more.

The resentment of the crew is perfectly understandable. They had just completed 3 months of duty patrolling the waters off Vietnam. It was my personal position—a position made clear to officials of the Department of Defense and the Department of the Navy the day before the carrier put in at Capetown—that the crew should not have to pay for the mistakes on the part of high-level officials of the Navy.

When my colleagues and I protested the Capetown stopover, the Navy informed us that it was too late to follow any alternative course of action. It was too late to arrange for a fuel stopover at a different port or to send a tanker to refuel the carrier at sea. The mistake had already been made. It occurred when the Navy planned the Capetown stop rather than making the necessary arrangements for refueling at sea. This mistake was compounded, not erased, by the decision to cancel all leaves.

The editorial which appeared in the February 5, 1967, edition of the New York Times under the headline, "Was This Call Necessary?" does an excellent job of putting this episode into perspective and states my position on the matter. I commend the editorial to the attention of my collegaues:

Was This Call Necessary?

With the carrier Franklin D. Roosevelt in Capetown, many South Africans, black and white, will conclude that they need not take seriously the official United States opposition to their Government's racial policies and its defiance of the United Nations on South West Africa. Africans elsewhere are likely to draw the same inference.

The Department of Defense thus has managed once again to interfere in the conduct of American diplomacy and to create the impression that one branch of government is ignorant of or indifferent to the policies of another.

Among the victims of this clumsiness are the carrier's 3,800 men and officers, whose shore leaves after three months at sea off Vietnam have now been canceled. Until Congressmen protested, the Navy intended to place no curbs on shore leave at Capetown even though 200 Negro crewmen would have encountered South Africa's vicious apartheid system immediately. The cancellation of leave has now completed the cycle of irritation by infuriating the South African Government.

The Navy should have learned its lesson in 1965. The South African Government then forbade the U.S.S. Independence to allow Negro pilots to fly their planes ashore. The Independence responded by giving Capetown a wide berth and refueling at sea.

There are other routes by which to bring a carrier home from Asian waters and the Roosevelt's stop at Capetown should never have been scheduled. Even if no system exists for consulting the Secretary of State about such moves, the Pentagon by now should be sophisticated enough to avoid such problems. Secretary of the Navy Paul H. Nitze, after all, was once chief of State Department policy planning and should be able to recognize a problem in diplomacy when he sees one. The Roosevelt's visit to Capetown damages only the United States.

DEDICATED TO THE ILL, THE AGED, AND THE POOR

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Boland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BOLAND. Mr. Speaker, the truly monumental achievements of our late beloved friend and colleague, John E. Fogarty, of Rhode Island, were the subject of a recent column by John R. Cauley, the perceptive chief of the Kansas City Star's Washington bureau.

Mr. Cauley justifiably describes John Fogarty as "a self-effacing Member of Congress whose life on Capitol Hill was devoted to helping the ill, the aged, and the poor."

Mr. Speaker, I know that my colleagues will agree with the sentiments expressed by Mr. Cauley about John Fogarty. I have permission to have the column of January 21, 1967, included with my remarks at this point in the Record:

Washington on Review: His Life Dedicated to the Ill and the Poor

(By John R. Cauley)

Washington.—It has taken the harsh reality of death to bring to the attention of the country the truly monumental achievements of a self-effacing member of Congress whose life on Capitol Hill was devoted to helping the ill, the aged and the poor.

The name of Rep. John Fogarty was known well in his home state of Rhode Island and among his colleagues in Congress, but hardly anywhere else. Yet millions of Americans have been the beneficiaries of the dedicated service and compassion of Representative Fogarty, who for the last 16 years has been chairman of the House appropriations subcommittee on labor, health, education and welfare.

When Fogarty first came to Congress in 1941, the investment of the government in medical research was about 3 million dollars a year. His efforts as a committee chairman were a major factor in raising this investment to a figure exceeding a billion dollars. The budget of the Public Health service alone is 2.5 billion dollars a year, 40 times more than it was 20 years ago.

One of Fogarty's favorite causes was more federal funds for research into heart diseases. Ironically, just before he was to start his thirteenth term in the House recently, Fogarty died of a massive heart attack at the age of 53.

The record of Representative Fogarty has been most eloquently stated by Dr. Howard Rusk, physician and medical writer for the New York Times. He wrote:

"If hospitals, research laboratories and institutes for the aged, infirm and retarded had flagpoles, every flag would have flown at half staff last week to mourn the loss of John E. Fogarty."

On the House floor last week Democrats and Republicans alike rose to pay tribute to the memory of Fogarty in one of the greatest outpourings of eulogies ever heard there.

The subcommittee headed by Fogarty held hearings at which witnesses were questioned on their requests for appropriations for public health activities. Unlike some chairmen who relish too much money, Fogarty often berated them for asking too little to carry on medical research and the war on poverty.

Two years ago Fogarty castigated Dr. Luther L. Terry, then surgeon general of the Public Health service, for coming to Capitol Hill with "one of the worst budgets I have ever seen." Dr. Terry conceded that the budget was conservative.

"I do not think it ought to be consertive." Fogarty said. "I do not think we ought to be a third or fourth rate country as far as health is concerned."

Medicare, more nursing home beds; federal aid for the training of physicians and other health workers; the massive injection of funds—1.5 billion dollars for this fiscal year alone—into the National Institutes of Health; workshops and classrooms for the mentally retarded, and many other great advances in health and rehabilitation stand as monuments to John Fogarty.

Fogarty was sharp with those who argued that not enough progress was being made for all the funds spent in medical research.

"I do not know how much we have expended on cancer research," Fogarty once said in reply to critics on the House floor. "I do not care. I do not know whether it is 100 million or 3 billion dollars. But if any part of that was a help in finding this new technique in diagnosing cancer in a state early enough to cure 100 per cent of cancer in the cervix in women, every dime that we have expended has been well expended."

Fogarty once asked a young man whom he had met why he needed canes to aid him in walking.

"He told me he had multiple sclerosis," Fogarty recalled later. "I had never heard of it, so I called up the surgeon general. He told me that almost nothing was known about the disease and that we were doing little to study it. So I got $500,000 as a starter to go to work on."

The formal education of Fogarty ended with high school. Following the lead of his father and older brother, he became a bricklayer.

At 27 he was elected to Congress. Late in his second term he enlisted, incognito, in the Navy Seabees because, as a member on the committee on naval affairs he wanted to observe the problems of enlisted men first hand.

As an enlisted man, he worked on Guam. Returning to Washington in 1945, he announced his intention to make himself "the enlisted men's leg-man."

Several years ago Fogarty had an opportunity to run for the Senate in Rhode Island, and no doubt he would have been elected easily. He turned it down because he wanted to stay in the House to continue his fight for health.

"HE SHAPED THE LANDSCAPE OF OUR COMMUNITY": RABBI STANLEY RABINOWITZ' TRIBUTE TO THE LATE JACK I. BENDER

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BOLAND. Mr. Speaker, I know I speak the sentiments of many Members of the House in mourning the loss of Jack I. Bender, Washington philanthropist, builder, and real estate developer, who died last December 8.

Mr. Bender was a substantial contributor to the Hebrew Home for the Aged and the United Jewish Appeal. He was founder and vice chairman of the board of Madison National Bank of Washington, and chairman of the board of Blake Construction Co., builder of such Washington landmarks as the Bender Building on Connecticut Avenue, the Lafayette Square complex under construction across Pennsylvania Avenue from the White House, the new Sibley Memorial Hospital, several buildings at the National Institutes of Health, the Bethesda Naval Hospital addition, and, also, space vehicle launching facilities at Cape Kennedy, Fla.

Mr. Speaker, I know that Members of the House join me in extending profound sympathy to Jack Bender's widow and three sons, and include with my remarks at this point in the RECORD the eulogy in tribute to Jack I. Bender, delivered at services of committal by Rabbi Stanley Rabinowitz on December 9, 1966:

EULOGY IN TRIBUTE TO JACK I. BENDER

(Delivered at services of committal, Dec. 9, 1966, by Rabbi Stanley Rabinowitz)

In the frozen fastness of one of the peaks of the Swiss Alps, there is a snow-covered shelter erected in memory of one of the mountain climbers who could not resist the challenge of an unconquered peak. On a memorial plaque at the entrance, there is a simple inscription which reads, "He died climbing."

The Menorah of Chanukah, the symbol of the festival which we observe this week, is born as man himself, with a feeble light, weak and tender, subject to all the vicissitudes of life. With each passing day, the strength of the flame grows in its magnitude. Man, like the menorah, comes into a world which threatens to extinguish the fire of his light. Against the challenge, man struggles to overcome that which can either destroy him or which can strengthen him. Some capitulate to the challenge; others redouble their energies and in resistance to outer pressures even grow in strength as they flex their muscles against adversity.

Jack Bender was shaped by a life whose infancy he could not control. It was a life that might have destroyed a weaker soul. But Jack took life in his hands forcefully and bravely. He shaped his own destiny. Throughout his life he reacted to the struggles of his childhood, perhaps even struggling with them long after the challenge had disappeared. But out of this turmoil, he emerged as an empire builder. He shaped the landscape of our community. His monumental achievements reach from the southernmost shores of our land and brighten the landscape of our own community. In the words of a friend, he was firm when firmness was required to finish a task. He was tender when the situation called for understanding. There was one adversary he could not master, for no man can conquer the challenger of his own mortality in his own lifetime. But life is no less beautiful even though we are inevitably destroyed by it, just as the skies are no less beautiful even though airliners are destroyed in the wake of its winds. The monuments of his life's achievement are the work of his hands. His children have the mandate to go forth to spread the blessings that their father has made possible.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BOGGS, for 30 minutes, today.

Mr. STEED, for 30 minutes, on Tuesday, February 7, 1967; and to revise and extend his remarks.

Mr. CRAMER, for 1 hour, today.

Mr. WHITENER, for 1 hour, on Wednesday, February 8.

Mr. WHITENER (at the request of Mr. BRINKLEY), for 60 minutes on February 7; to revise and extend his remarks and include therein extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. SMITH of New York) and to include extraneous matter:)

Mr. ZWACH.
Mr. BURKE of Florida.
Mr. JONAS.
Mr. GUDE.

(The following Members (at the request of Mr. BRINKLEY) and to include extraneous matter:)

Mr. FISHER.
Mr. FRASER.
Mr. JOHNSON of California.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 6. Concurrent resolution authorizing the printing of additional copies of a Committee on Government Operations print entitled "The Federal System as Seen by Federal Aid Officials"; to the Committee on House Administration.

ADJOURNMENT

Mr. BRINKLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 3 minutes p.m.), the House adjourned until tomorrow, Tuesday, February 7, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

324. A letter from the Comptroller General of the United States, transmitting a report on examination of financial statements, fiscal year 1966, Housing Assistance Administration, Department of Housing and Urban Development (H. Doc. No. 52); to the Committee on Government Operations and ordered to be printed.

325. A letter from the Acting Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of molybdenum from the national stockpile; to the Committee on Armed Services.

326. A letter from the Acting Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of nickel from the national stockpile; to the Committee on Armed Services.

327. A letter from the Acting Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of magnesium from the national stockpile; to the Committee on Armed Services.

328. A letter from the Acting Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of rare-earth materials from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

329. A letter from the Acting Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of bismuth from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

330. A letter from the Acting Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of platinum from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

331. A letter from the Secretary of the Air Force, transmitting a report on the progress of the Reserve Officer Training Corps flight training program for the calendar year 1966, pursuant to the provisions of section 2110(b) of title 10, United States Code; to the Committee on Armed Services.

332. A letter from the Administrator, Agency for International Development, Department of State, transmitting a draft of proposed legislation to improve certain benefits for employees who serve in high-risk situations, and for other purposes; to the Committee on Foreign Affairs.

333. A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to establish a nationwide system of trails, and for other purposes; to the Committee on Interior and Insular Affairs.

334. A letter from the Secretary of Agriculture, transmitting a report covering the activities of the Rural Electrification Administration for the fiscal year 1966; to the Committee on Agriculture.

335. A letter from the Comptroller General of the United States, transmitting a report of review of recovery procedures relating to excess funds accumulated under an insurance contract for the medical care of old-age assistance recipients in the State of Texas, Welfare Administration, Department of Health, Education, and Welfare; to the Committee on Government Operations.

336. A letter from the Comptroller General of the United States, transmitting a report of opportunities for reducing Federal contributions by maximizing investment of excess funds held by local housing authorities, Department of Housing and Urban Development; to the Committee on Government Operations.

337. A letter from the Comptroller General of the United States, transmitting a report of review of planned Federal contribution toward the cost of the State-constructed Del Valle Dam and Reservoir, Alameda County, Calif., Corps of Engineers (Civil Functions), Department of the Army; to the Committee on Government Operations.

338. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the provisions of section 244(a) (2) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

339. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, as well as a list of the persons involved, pursuant to the provisions of section 244(a) (1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

340. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved, according certain beneficiaries third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

341. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d) (3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, pursuant to the provisions of section 212(d) (6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

342. A letter from the Administrator, General Services Administration, transmitting a report of the status of construction, alteration, or acquisition of public buildings authorized, pursuant to the provisions of 40 U.S.C. 610(a); to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 4573. A bill to provide, for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act. (Rept. No. 4). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY:

H.R. 4839. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. ADAIR:

H.R. 4840. A bill to amend title II of the Social Security Act to increase from $1,200 to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. ANDERSON of Illinois:

H.R. 4841. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

H.R. 4842. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. BATTIN:

H.R. 4843. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 4844. A bill relating to the appointment of postmasters and rural carriers from civil service registers; to the Committee on Post Office and Civil Service.

By Mr. BOGGS:

H.R. 4845. A bill to amend the Internal Revenue Code of 1954 to provide for the treatment of certain real property acquired by foreclosure and subdivided for sale; to the Committee on Ways and Means.

By Mr. BROCK:

H.R. 4846. A bill to amend the Tennessee Valley Authority Act of 1933 to provide that the issue of just compensation may be tried by a jury in any case involving the condemnation of real property by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. BROOMFIELD:

H.R. 4847. A bill to amend the Internal Revenue Code of 1954 so as to allow an additional income tax exemption for a dependent who is mentally retarded; to the Committee on Ways and Means.

By Mr. BROTZMAN:

H.R. 4848. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts:

H.R. 4849. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 4850. A bill to amend the Tariff Act of 1930 to provide that certain forms of nickel be admitted free of duty; to the Committee on Ways and Means.

By Mr. CASEY:

H.R. 4851. A bill to authorize the Secretaries concerned to direct the initiation of allotments of the pay and allowances of certain members of the Armed Forces for the purpose of making deposits under section 1035 of title 10, United States Code; to the Committee on Armed Services.

By Mr. CLARK:

H.R. 4852. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of construction or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. CLEVELAND:

H.R. 4853. A bill to amend the Internal Revenue Code of 1954 to provide a 20-percent credit against the individual income tax for certain educational expenses incurred at an institution of higher education; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 4854. A bill to establish a U.S. mint in the Chicago metropolitan area in Illinois; to the Committee on Public Works.

By Mr. CONTE:

H.R. 4855. A bill to provide for the establishment of the Plymouth Rock National

Memorial, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CRAMER:

H.R. 4856. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from the gross income for contributions to local, State, and National candidates for public office or to political parties; to the Committee on Ways and Means.

By Mr. DE LA GARZA:

H.R. 4857. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. DELLENBACK:

H.R. 4858. A bill to provide appropriations for sharing of Federal taxes with the States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 4859. A bill to amend the Federal Aviation Act of 1958 to provide for the certification of air freight forwarders; to the Committee on Interstate and Foreign Commerce.

By Mr. DOLE:

H.R. 4860. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 4861. A bill to extend to persons who served in the Armed Forces of the United States on or after August 5, 1964, the date of the Gulf of Tonkin incident, the same range of veterans' benefits heretofore provided veterans of others wars, to improve the pension and certain other benefits now available to these servicemen and veterans; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FARBSTEIN:

H.R. 4862. A bill to amend the Internal Revenue Code of 1954 to provide that a working mother who is head of her household (and a widower or husband in certain cases) may deduct child-care expenses in full; to the Committee on Ways and Means.

By Mr. FOLEY:

H.R. 4863. A bill to amend the Interstate Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property; to the Committee on Interstate and Foreign Commerce.

H.R. 4864. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

Br. Mr. TAYLOR:

H.R. 4865. A bill to establish a nationwide system of trails, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FULTON of Tennessee:

H.R. 4866. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. GUBSER:

H.R. 4867. A bill to provide certain additional fringe employment benefits for Government employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HARSHA:

H.R. 4868. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. HATHAWAY:

H.R. 4869. A bill to provide for the compensation of persons injured by certain criminal acts; to the Committee on the Judiciary.

H.R. 4870. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mrs. HECKLER of Massachusetts:

H.R. 4871. A bill to provide for the establishment of the Plymouth Rock National Memorial, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HORTON:

H.R. 4872. A bill to amend the interest equalization tax provisions of the Internal Revenue Code of 1954 to provide that the limitation (enacted in 1965) on the amount of the penalty for failure to file timely notice of acquisition for purposes of claiming the international monetary stability exclusion shall apply to acquisitions made prior to the enactment of such limitation as well as to those made thereafter; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 4873. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. JOHNSON of Pennsylvania:

H.R. 4874. A bill to amend the act entitled "An act to amend the Clean Air Act to require standards for controlling the emission of pollutants from certain motor vehicles, to authorize a research and development program with respect to solid-waste disposal, and for other purposes," approved October 20, 1965 (79 Stat. 992), in order to provide for the disposal of junked automobiles; to the Committee on Interstate and Foreign Commerce.

H.R. 4875. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 4876. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

H.R. 4877. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. KARTH:

H.R. 4878. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. KING of California:

H.R. 4879. A bill to amend titles X and XVI of the Social Security Act to improve the programs of aid to the blind so that they will more effectively encourage and assist blind individuals in achieving rehabilitation and restoration to a normal, full, and fruitful life; to the Committee on Ways and Means.

H.R. 4880. A bill to extend the time within which certain requests may be filed under the Tariff Schedules Technical Amendments Act of 1965; to the Committee on Ways and Means.

By Mr. KYL:

H.R. 4881. A bill to provide appropriations for sharing of Federal taxes with States and political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 4882. A bill to establish a third U.S. mint to be located in Lake or Cook County, Ill.; to the Committee on Public Works.

H.R. 4883. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of construction or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. MATHIAS of California:

H.R. 4884. A bill to establish certain policies with respect to certain use permits for national forest lands; to the Committee on Agriculture.

H.R. 4885. A bill to amend the Communications Act of 1934 to abolish the renewal requirement for licenses in the safety and special radio services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MATSUNAGA:

H.R. 4886. A bill to authorize the Secretary of the Interior to make a loan and grant to the State of Hawaii for the construction of the Kokee water project, Hawaii, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 4887. A bill to amend title 38 of the United States Code in order to increase the rates of pension payable to certain veterans and their widows, to provide additional readjustment assistance for veterans of service after January 31, 1955, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 4888. A bill to authorize the Attorney General to adjust the status of certain aliens from Western Hemisphere countries who are physically present in the United States; to the Committee on the Judiciary.

By Mrs. MAY:

H.R. 4889. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. MILLS:

H.R. 4890. A bill to establish a working capital fund for the Department of the Treasury; to the Committee on Ways and Means.

By Mr. MIZE:

H.R. 4891. A bill to promote the advancement of science and the education of scientists through a national program of institutional grants to the colleges and universities of the United States; to the Committee on Science and Astronautics.

H.R. 4892. A bill to provide for the conveyance of certain real property of the United States to the City of Leavenworth, Kans.; to the Committee on Veterans' Affairs.

By Mr. MOSS:

H.R. 4893. A bill to consolidate water quality management and pollution control authorities and functions in the Federal Water Pollution Control Administration; to the Committee on Government Operations.

H.R. 4894. A bill to amend the Immigration and Nationality Act to make it clear that the existing authority under that act to waive the requirement excluding specified classes of aliens from admission into the United States may be exercised with respect to certain additional mentally retarded persons; to the Committee on the Judiciary.

H.R. 4895. A bill to amend the Internal Revenue Code of 1954 to provide for the issuance of a certificate of release of lien where the liability for estate tax is fully satisfied; to the Committee on Ways and Means.

By Mr. MURPHY of Illinois:

H.R. 4896. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

By Mr. OLSEN:

H.R. 4897. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PELLY:

H.R. 4898. A bill to amend the act admitting the State of Washington into the Union in order to authorize the use of funds from the disposition of certain lands for the construction of State charitable, educational, penal, or reformatory institutions; to the Committee on Interior and Insular Affairs.

By Mr. PERKINS:

H.R. 4899. A bill to provide for retroactive awards of the Army's Combat Infantryman and Medical Badges; to the Committee on Armed Services.

H.R. 4900. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

H.R. 4901. A bill to amend section 201(c) of the Federal Property and Administrative Services Act of 1949 to permit further Federal use and donation of exchange sale property; to the Committee on Government Operations.

By Mr. POLANCO-ABREU:

H.R. 4902. A bill to amend title II of the Social Security Act to include the Commonwealth of Puerto Rico among the States which may obtain social security coverage, under agreement with the Secretary of Health, Education, and Welfare, for policemen and firemen; to the Committee on Ways and Means.

By Mr. PRICE of Illinois:

H.R. 4903. A bill to amend the act providing for the economic and social development in the Ryukyu Islands; to the Committee on Armed Services.

By Mr. RARICK:

H.R. 4904. A bill to amend the Merchant Marine Act, 1936, as amended, by inserting a new title X to authorize aid in developing, constructing, and operating privately owned nuclear-powered merchant ships; to the Committee on Merchant Marine and Fisheries.

H.R. 4905. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 4906. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 4907. A bill to promote and foster the development of a modern merchant marine by encouraging the orderly replacement and modernization of merchant vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 4908. A bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration; to the Committee on Merchant Marine and Fisheries.

By Mr. REID of New York:

H.R. 4909. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. ROONEY of Pennsylvania:

H.R. 4910. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

H.R. 4911. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 4912. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. SCHADEBERG:

H.R. 4913. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. SCHNEEBELI:

H.R. 4914. A bill to suspend for a temporary period the import duty on manganese ore (including ferruginous ore) and related products; to the Committee on Ways and Means.

H.R. 4915. A bill to amend the Tariff Act of 1930 to provide that certain forms of nickel be admitted free of duty; to the Committee on Ways and Means.

My Mr. SCHWENGEL:

H.R. 4916. A bill to establish in the U.S. Capitol an educational center whose sole purpose will be the fostering of greater knowledge, interest, understanding, and inspiration of the significance and meaning of American history that was made in the Capitol of the United States; to the Committee on House Administration.

By SKUBITZ:

H.R. 4917. A bill to amend section 1237 of the Internal Revenue Code of 1954 with respect to the treatment of improvements for outdoor recreational purposes; to the Committee on Ways and Means.

By Mr. STEIGER of Arizona:

H.R. 4918. A bill to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

H.R. 4919. A bill to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the Hualapai Reservation in Arizona; to the Committee on Interior and Insular Affairs.

H.R. 4920. A bill to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the San Carlos Apache Reservation in Arizona; to the Committee on Interior and Insular Affairs.

By Mr. THOMPSON of Georgia:

H.R. 4921. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. TUNNEY:

H.R. 4922. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

H.R. 4923. A bill to establish a Small Tax Division within the Tax Court of the United States; to the Committee on Ways and Means.

By Mr. ULLMAN:

H.R. 4924. A bill to amend the Agricultural Marketing Agreement Act of 1937 to permit the issuance of marketing orders for onions for canning or freezing; to the Committee on Agriculture.

By Mr. WALKER:

H.R. 4925. A bill to amend title XVIII of the Social Security Act to provide coverage, under the program of supplementary medical insurance benefits established by part B thereof, of certain expenses incurred by an individual in obtaining certain drugs; to the Committee on Ways and Means.

By Mr. WHITTEN:

H.R. 4926. A bill to permit the disposal of certain Federal real property for use for educational purposes; to the Committee on Banking and Currency.

H.R. 4927. A bill to amend the River and Harbor Act of 1965 to prohibit certain fees being charged in connection with projects for navigation, flood control, and other purposes; to the Committee on Public Works.

By Mr. WYATT:

H.R. 4928. A bill to amend the Small Business Act to prohibit discrimination against small newspapers as borrowers from the Small Business Administration; to the Committee on Banking and Currency.

H.R. 4929. A bill to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BROYHILL of Virginia:

H.J. Res. 261. Joint resolution to provide for the preservation and protection of certain lands in the Potomac River Basin including its tributaries; to the Committee on Interior and Insular Affairs.

By Mr. DOLE:

H.J. Res. 262. Joint resolution to support emergency food assistance to India; to the Committee on Agriculture.

By Mr. GATHINGS:

H.J. Res. 263. Joint resolution relating to the establishment of 1967 farm rice acreage allotments for certain producers and farms; to the Committee on Agriculture.

By Mr. JOHNSON of California:

H.J. Res. 264. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. KLEPPE:

H.J. Res. 265. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.J. Res. 266. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. POAGE:

H.J. Res. 267. Joint resolution to support emergency food assistance to India; to the Committee on Agriculture.

By Mr. ASHMORE:

H. Con. Res. 123. Concurrent resolution expressing the sense of the Congress that the Federal-aid highway program is vital to the national defense, to the promotion of interstate commerce, and to the furtherance of highway safety, and that the full obligational authority granted by the Congress for that program should be used; to the Committee on Ways and Means.

By Mr. MacGREGOR:

H. Con. Res. 124. Concurrent resolution expressing the sense of Congress that highway trust funds should not be withheld; to the Committee on Ways and Means.

By Mr. THOMSON of Wisconsin:

H. Con. Res. 125. Concurrent resolution expressing the sense of the Congress with respect to the settlement of the indebtedness of the Republic of France to the United States; to the Committee on Ways and Means.

By Mr. HATHAWAY:

H. Res. 216. Resolution to increase by one the number of student congressional interns for summer employment; to the Committee on House Administration.

By Mr. MATSUNAGA:

H. Res. 217. Resolution authorizing Members of the House of Representatives to employ during each summer one student congressional intern; to the Committee on House Administration.

By Mr. PERKINS:

H. Res. 218. Resolution authorizing the Committee on Education and Labor to conduct certain studies and investigations coming within its committtee; to the Committee on Rules.

By Mr. SISK:

H. Res. 219. Resolution creating a select committee for purpose of supervising parking facilities; to the Committee on Rules.

By Mr. STRATTON:

H. Res. 220. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. WILLIS:

H. Res. 221. Resolution authorizing the expenditure of certain funds for the expenses of the Committee on Un-American Activities; to the Committee on House Administration.

By Mr. ADAMS:

H. Res. 222. Resolution authorizing Members of the House of Representatives to employ during each summer one student congressional intern; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 4930. A bill for the relief of Mr. Robert A. Owen; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 4931. A bill for the relief of Shing Gee Kwan; to the Committee on the Judiciary.

By Mr. BENNETT:

H.R. 4932. A bill for the relief of Julio Francisco Dumas y Alcocer and his wife, Maria Josefa Dumas; to the Committee on the Judiciary.

By Mr. BRAY:

H.R. 4933. A bill for the relief of Mid-States Steel & Wire Co.; to the Committee on the Judiciary.

H.R. 4934. A bill to provide for the free entry of one mass spectrometer for the use of Indiana University; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts:

H.R. 4935. A bill for the relief of Hing Wui Chang; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 4936. A bill for the relief of Mr. and Mrs. John F. Fuentes; to the Committee on the Judiciary.

H.R. 4937. A bill for the relief of Lee Shee Hung; to the Committee on the Judiciary.

By Mr. CAHILL:

H.R. 4938. A bill for the relief of Lucia Musillo; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 4939. A bill for the relief of Joseph H. Bonduki; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 4940. A bill for the relief of Dr. Edna Valera Franco and Mr. Benjamin P. Franco; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 4941. A bill for the relief of Despina Pierakea; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 4942. A bill for the relief of Mrs. Margaret Marieh Guirguis, Mr. Alfy Ebeidalla Guirguis, and Miss Mona Guirguis; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 4943. A bill for the relief of Assunta Cacciuottolo; to the Committee on the Judiciary.

H.R. 4944. A bill for the relief of Maria Rosalia Costa and Rosario Costa; to the Committee on the Judiciary.

H.R. 4945. A bill for the relief of Francesca Frisina; to the Committee on the Judiciary.

H.R. 4946. A bill for the relief of Mario Gesuale; to the Committee on the Judiciary.

H.R. 4947. A bill for the relief of Felice Manno; to the Committee on the Judiciary.

H.R. 4948. A bill for the relief of Dr. Sung Suh Park; to the Committee on the Judiciary.

By Mr. HICKS:

H.R. 4949. A bill for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash.; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 4950. A bill for the relief of Miss Ester Leonor Halpern; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 4951. A bill for the relief of Sister Maria Mistica Adornetti and Sister Elena Brogno; to the Committee on the Judiciary.

H.R. 4952. A bill for the relief of Annunciata Di Carluccio; to the Committee on the Judiciary.

H.R. 4953. A bill for the relief of Frank William Edlin; to the Committee on the Judiciary.

H.R. 4954. A bill for the relief of Berch Khachadourian (also known at Bertch Antranik Hadjadourian); to the Committee on the Judiciary.

H.R. 4955. A bill for the relief of Carmelo Macauda; to the Committee on the Judiciary.

H.R. 4956. A bill for the relief of Margherita Pagano; to the Committee on the Judiciary.

H.R. 4957. A bill for the relief of Dr. Sylvia Pastrana; to the Committee on the Judiciary.

H.R. 4958. A bill for the relief of Maria Antonia Alvaro Tarzia; to the Committee on the Judiciary.

H.R. 4959. A bill for the relief of Mrs. Chrysoula P. Vlamis; to the Committee on the Judiciary.

H.R. 4960. A bill granting causes of action against the United States of America to Jane Walter and Ahto Walter, her father, both of St. Thomas, V.I., for money damages because of personal injuries sustained by Jane Walter in a motor vehicle accident which occurred in Florida in 1944 and prior to her birth, and conferring jurisdiction upon the U.S. district court in and for the southern District of Florida to hear, determine, and render judgment thereon, and setting forth the procedure to be followed in such actions, and limiting the defenses to such actions, and denying the right of arbitration without the consent of the plaintiff, and providing when such action shall be commenced, and providing for attorneys' fees, costs, and interest after judgment; to the Committee on the Judiciary.

Mr. LONG of Louisiana:

H.R. 4961. A bill for the relief of Donald E. Crichton; to the Committee on the Judiciary.

By Mr. MATHIAS of California:

H.R. 4962. A bill for the relief of Rafael F. Calaguas; to the Committee on the Judiciary.

H.R. 4963. A bill for the relief of Mrs. NG Ho Chun; to the Committee on the Judiciary.

H.R. 4964. A bill for the relief of Conchita L. Feria; to the Committee on the Judiciary.

H.R. 4965. A bill for the relief of Mr. and Mrs. Manuel Nunes; to the Committee on the Judiciary.

H.R. 4966. A bill for the relief of Alfonso Soloria Ochinang; to the Committee on the Judiciary.

H.R. 4967. A bill for the relief of Sook Myung Pak; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 4968. A bill for the relief of Yoshizo Akaike; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 4969. A bill for the relief of Dr. Yu Yung Lin; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 4970. A bill for the relief of Mr. Lothar A. Koeberer, and his wife, Mrs. Agnes Koeberer; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 4971. A bill for the relief of Demetrios Karimpakas; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 4972. A bill for the relief of Julian S. Garcia; to the Committee on the Judiciary.

H.R. 4973. A bill for the relief of Eun Sang Lee and Min Ja Lee; to the Committee on the Judiciary.

By Mr. POLANCO-ABREU:

H.R. 4974. A bill for the relief of Dr. Manuel A. Turbat; to the Committee on the Judiciary.

By Mr. REES:

H.R. 4975. A bill for the relief of Habibollah and Shamsomolouk Towfigh-Rafii; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 4976. A bill for the relief of Theofane Spirou Koukos; to the Committee on the Judiciary.

By Mr. RUMSFELD:

H.R. 4977. A bill to provide for the free entry of a triaxial apparatus and rheogoniometer for the use of Northwestern University; to the Committee on Ways and Means.

By Mr. RUPPE:

H.R. 4978. A bill for the relief of John Piasecki and Rose Piasecki; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 4979. A bill for the relief of Vida A. Bell; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 4980. A bill for the relief of Mrs. Hamas Tomasian; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 4981. A bill for the relief of Mervyn Wallace; to the Committee on the Judiciary.

By Mr. STEIGER of Arizona:

H.R. 4982. A bill for the relief of certain individuals; to the Committee on the Judiciary.

H.R. 4983. A bill to provide for the conveyance of certain lands to Raymond Educational Foundation, an Arizona corporation; to the Committee on Interior and Insular Affairs.

By Mr. TALCOTT:

H.R. 4984. A bill for the relief of Mrs. Nguong Thi Tran (formerly Nguyen Thi Nguong, A13707-473D/3); to the Committee on the Judiciary.

By Mr. WINN:

H.R. 4985. A bill for the relief of Mrs. Antonia Subias Val; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

22. The SPEAKER presented a petition of Henry Stoner, Portland, Oreg., relative to United States-Russian relations, which was referred to the Committee on Foreign Affairs.

SENATE

MONDAY, FEBRUARY 6, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Very Rev. William G. Gaines, archdiocese vicar of the eighth district, New Orleans, La., Greek Archdiocese of North and South America, offered the following prayer:

Omnipotent God of the universe, Creator of all things, bless our country, we beseech Thee, and reveal to us, Thy servants, Thy divine will.

Inspire our leaders to rededicate themselves to the cause of peace, to the end that all Thy children may live as brothers.

O Eternal God, guide our thoughts and deeds to the service of our fellow man and help us merit Thy divine blessing. Amen.

THE JOURNAL

On request of Mr. **Mansfield**, and by unanimous consent, the reading of the Journal of the proceedings of Friday, February 3, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

THE WAR ON CRIME—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 53)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was referred to the Committee on the Judiciary:

To the Congress of the United States:

THE BACKGROUND

In the past 3 years, I have sent to the Congress many special messages on the human problems of our time. I have asked for legislation to improve the education, health, and economic opportunities of our people, and to enrich the physical environment in which we live.

Twice before I have spoken of the problem of crime because crime—like poverty, disease, and ignorance—is a major social problem that directly or indirectly affects every American life.

In our democracy, the principal responsibility for dealing with crime does not lie with the National Government, but with the States and local communities.

The same is true of education and public health. Yet as the Federal Government has accepted a substantial responsibility in those fields—augmenting State and local efforts—it has also begun to pay increased attention to its role in the control of crime. For, better education, better health, and better jobs are essential—but they are only part of our national task.

Public order is the first business of government.

When public order breaks down, when men and women are afraid to use the public streets, their confidence is seriously shaken. When hundreds of thousands of young people enter adulthood carrying the burden of police records, when contempt and mistrust too often characterize public attitudes toward lawful authority, all—young and old, private citizens and public officials—suffer the consequences.

Lawlessness is like a plague. Its costs, whether economic, physical, or psychological, are spread through every alley and every street in every neighborhood. It creates a climate in which people make choices, not out of confidence, but out of fear.

Recently, a survey made in high crime areas of two of our largest cities found that 43 percent of those interviewed stayed off the streets at night; 35 percent did not speak to strangers; 21 percent used only cabs and cars at night; 20 percent would like to move to another neighborhood. All because of their fear of crime.

Whether these citizens had ever been victimized by a criminal, or had even witnessed a major crime, their fear of crime had effectively narrowed the scope of their lives—denying them pleasure, opportunity, and a sense of peace. For them, and for all of us, crime—and the fear of crime—has become a public malady. Its extent and gravity may be subjects for debate. But its existence is certain. So is our duty to seek its cure with every means at our command.

As I said in my state of the Union message:

> At the heart of this attack on crime must be the conviction that a free America—as Abraham Lincoln once said—must "let reverence for the laws . . . become the political religion of the Nation."
>
> Our country's laws must be respected. Order must be maintained. I will support—with all the constitutional powers the President possesses—our Nation's law enforcement officials in their attempt to control the crime and violence that tear the fabric of our communities.

THE NATIONAL CRIME COMMISSION REPORT

Two weeks ago I received the report of the National Crime Commission, which I appointed in July 1965, to make the most comprehensive study of crime in the history of our country. That report is now being printed and will be available shortly.

It gives us an extraordinary insight into the nature of crime and criminal justice in America.

It cannot be summarized in a few paragraphs, but several of its findings give us some measure of our task:

Over 7 million people each year come into contact with one of the agencies of criminal justice in America. More than 400,000 are confined on any one day in correctional institutions.

The cost of operating correctional services alone is $1 billion a year.

Crime's cost to the economy is staggering. Property losses approach $3 billion a year. In many stores the cost of shoplifting and employee pilfering is as high as—in some cases, higher than—the profit margin. The economic cost of white-collar crime—embezzlement, petty theft from businesses, consumer frauds, antitrust violations and the like—dwarfs that of all crimes of violence.

A great deal of crime is never reported to the police. Probably more than twice as many aggravated assaults, burglaries, and larcenies occur, as are reported. In some communities the figure may be 10 times as high.

The incidence of crime is highest in the 15- to 21-age group. Fifteen-year-olds commit more of the serious crimes than any other age group, with 16-year-olds close behind. More than 50 percent of arrests for burglaries are of youths under 18.

Most crimes of violence are committed by and against people who know each other.

Those who commit crimes of violence more commonly do so against members of their own race. Relatively few major crimes are interracial.

Six principal themes run through the Crime Commission report:

1. Crime prevention is of paramount importance.

Prevention of crime means equipping police forces to respond quickly to emergency calls. It means reducing crime opportunities: from theftproof ignition systems for cars, to stricter controls on the sale of guns, from better street lights and modern alarm systems to tactical deployment of police forces in high crime areas.

But crime prevention also means elimination of the conditions which breed crime. In the words of the Crime Commission—

> There is no doubt whatever that the most significant action, by far, that can be taken against crime is action designed to eliminate slums and ghettos, to improve education, to provide jobs, to make sure that every American is given the opportunities and the freedoms that will enable him to assume his responsibilities. We will not have dealt effectively with crime until we have alleviated the conditions that stimulate it. To speak of controlling crime only in terms of the work of the police, the courts and the correctional apparatus alone, is to refuse to face the fact that widespread crime implies a widespread failure by society as a whole.

2. The system of criminal justice must itself be just and it must have the respect and cooperation of all citizens.

So long as perfunctory, mass-production methods prevail in many lower courts, so long as scandalous conditions exist in many jails—where, in 1965, 100,000 children were held in adult jails, and where attempts to rehabilitate are almost nonexistent—we cannot achieve full public confidence in the system of criminal justice.

What is required of that system is a profound self-analysis, the willingness to change, and a massive effort to—

Improve the caliber and training of law enforcement, judicial, and corrections officials.

Strengthen the capability of police to detect crimes and apprehend those who commit them.

Extend the range and quality of treatment services.

Make full use of advanced scientific methods in the courtroom, to reduce frustrating and unfair delays and to make available to the sentencing judge all necessary information about the defendant.

Provide better counsel for juveniles and for adults who cannot afford to provide their own.

Improve communication and understanding between law enforcement authorities and the urban poor.

So long as we deny police, courts, and correctional agencies the resources they need to provide fair and dignified public service, large elements of our population will challenge both the institutions of justice and the values they represent.

What is required of citizens in every community in America is an understanding, not only of the critical importance of first-rate law enforcement, but also of the difficulties under which their police, judges, and corrections officials labor today. If local citizens are prepared to cooperate with their own system of justice and to support it with the resources it needs to discharge its duty, those difficulties can be substantially reduced.

3. Throughout the criminal justice system, better trained people are desperately needed and they must be more effectively used.

The Crime Commission found that current personnel practices in most jurisdictions often fail to attract high-caliber men and women. Requiring each new police officer to begin his career as a patrolman makes the lateral entry of better qualified men almost impossible. There are today few means of tapping the special knowledge and skills of those brought up in slums. Today's single, rigid line of police promotion and service is inefficient. Critical shortages of specially trained policemen, probation and parole officers, teachers, caseworkers, vocational instructors, and group counselors are severely weakening the criminal justice system.

There are many ways to attack this problem. Some police chiefs suggested to the Crime Commission that many police forces could be restructured, to provide for—

Uniformed "community service officers," who would maintain close relations with people in their areas and be alert to potentially dangerous conditions that should be brought to the attention of other city agencies for prompt action. These officers might not meet conventional educational requirements. They might even have had minor encounters with the law as teenagers. But they would know their areas and the people who live in them.

Police officers, who would perform the traditional police patrol duties. Typically these officers would have graduated from high school.

Police agents, who would take on the most sensitive and complex police assignments—patrolling in the highest crime neighborhoods, staff duties, police-community relations, solving the most difficult serious criminal cases. Two years of college, and preferably a baccalaureate degree, might be required for assignment as an agent.

Entrance into police service at any one of these three levels, or opportunities to work their way up through the different levels as basic education and other qualifications were met.

4. A far broader—and more profound—range of treatment is needed than the present correctional system provides.

This applies to offenders of all ages, but it is especially true—and particularly important for the young. Since the generation of children about to enter teen age is the largest in our history, we can anticipate an even sharper rise in juvenile delinquency in the decade to come—unless we make drastic changes in the effectiveness of the criminal justice system, as well as in economic and social conditions.

Many offenders, the young most of all, stand a far better chance of being rehabilitated in their home communities, than in ordinary confinement. Recently, the California Youth Authority concluded a 5-year experiment with various methods of treatment. Convicted juvenile delinquents were assigned on a random basis either to an experimental group where they were returned to their communities for intensive personal and family counseling, or to the regular institutions of correction. The findings to date are dramatically impressive: Only 28 percent of the experimental group had their paroles revoked; more than half—52 percent—of those confined in regular institutions later had their paroles revoked.

Falling back into crime was almost twice as great for those treated in regular institutions, as for those treated in the community. And it appears that the community treatment program costs far less than institutional confinement.

On the basis of this California experiment and its other studies, the Crime Commission concludes that local institutions related to the community, each housing as few as 50 inmates, and supported by a wide range of treatment services, should be developed throughout the country.

This will require the commitment of new resources by most communities. In a recent survey of juveniles court judges, 83 percent said that no psychologist or psychiatrist was available to their courts. A full third had neither probation officers nor social workers. Further, if many young offenders are better handled by community agencies other than juvenile courts, the potential of those agencies must be enlarged and fully tapped.

5. Access to better information and to deeper and broader research is vital to police and correctional agencies.

The Crime Commission found little research being done on the fundamental issues of criminal justice—for example, on the effect of punishment in deterring crime, or on the effectiveness of various police and correctional procedures.

Private research can be valuable. More State and local operations research is essential. Regional institutes for research should be established. Improved collection, dissemination, and analysis of criminal justice statistics is essential for deeper insights into the causes of crime, its prevention and control, and better probation and correction programs. State and city planning would benefit from sounder and more precise predictions of future crime levels and problems.

6. Substantially greater resources must be devoted to improving the entire criminal justice system.

The Federal Government must not and will not try to dominate the system. It could not if it tried. Our system of law enforcement is essentially local: based upon local initiative, generated by local energies, and controlled by local officials. But the Federal Government must help to strengthen the system, and to encourage the kind of innovations needed to respond to the problem of crime in America.

THE SAFE STREETS AND CRIME CONTROL ACT OF 1967

I recommend that the Congress enact the Safe Streets and Crime Control Act of 1967 to—

Provide planning and program grants to States and local governments.

Establish, in the Department of Justice, a Director of a new Office of Law Enforcement and Criminal Justice Assistance. The agency he heads will be a cooperative link with State and local agencies of criminal justice. It will give us the practical means of assisting and encouraging modernization throughout the system. It will operate the grant program established under the act, and focus research on the causes, prevention, and control of crime.

I am requesting $50 million in fiscal 1968 under the Safe Streets and Crime Control Act, largely for planning grants, research, and pilot projects. Our best estimate is that the Federal investment under this act in the second year will be approximately $300 million. The Federal investment beyond the second year will depend upon the effective response of State and local governments.

I recommend Federal grants of up to 90 percent to States, cities, and regional and metropolitan bodies to assist them to develop plans to improve their police, courts, and correctional systems.

Through these grants, we intend to encourage comprehensive approaches to the problems of crime. The close interlocking of every element in the criminal justice system makes comprehensive planning mandatory.

To illustrate: the Crime Commission recommends that drunkenness should be regarded as a criminal offense only when it is accompanied by disorderly conduct. Today, one-third of all arrests are for drunkenness. Two million arrests for drunkenness burden the police, clog the lower courts, and crowd places of detention. If, instead of treating drunkenness as an ordinary crime, local authorities chose to create a civil detoxification program, the consequences of that choice would be felt throughout the law enforcement and corrections system.

Almost any reform of this nature will have significant secondary effects. Treating each reform as an isolated matter will create conflicts and loss of effectiveness throughout the system. Thus, the grants under this provision will require that comprehensive plans be developed that take into account the interrelationship among all aspects of law enforcement, courts and corrections, as well as closely related social programs.

I recommend Federal grants of up to 60 percent to support approved programs in action.

These grants would encourage innovative efforts against street crime, juvenile delinquency, and organized crime.

To be eligible, the State or local governing body—or bodies—must show an increase in its own expenditures by an annual increment of 5 percent. The 60-percent grant would be applied against the cost of the program in excess of that increment. It must also show that it has adopted a comprehensive plan, containing clear priorities and balancing the needs of all parts of the criminal justice system.

Some of the local and regional programs that might qualify for grants would provide:

Better training for criminal justice personnel.

Various innovative techniques, such as

tactical squads, special street lighting, new public alarm systems.

More effective alarm systems.

Two-way radio and multiple-channel police networks.

Coordinated information systems for all law and corrections officials.

New rehabilitation techniques and the personnel to employ them.

Salaries for criminal justice personnel where associated with special training or innovative programs. With respect to other criminal justice personnel not engaged in such programs, up to, but not more than—one-third of Federal grant may be used for salaries.

To be approved, a plan must meet a number of qualifying tests. Among them, the plan must:

Apply to a jurisdiction, or combination of jurisdictions, with a population of at least 50,000 persons.

Deal with all law enforcement and criminal justice agencies in the area covered by the plan, unless the Attorney General determines that it is not practicable to do so.

Set forth priorities for the improvement of all aspects of law enforcement and criminal justice affected by the plan, based upon the identification of needs and problems.

Incorporate innovations and advanced techniques.

Demonstrate the willingness of State or local bodies to assume the costs of improved law enforcement and criminal justice systems after a reasonable period of Federal assistance.

I recommend Federal grants of up to 50 percent for the construction of significant new types of physical facilities, on a regional or metropolitan basis, such as crime laboratories, community correction centers, police academy-type centers.

RESEARCH AND SPECIAL PROJECTS

Under the Law Enforcement Assistance Act of 1965, we have conducted a program to improve the techniques of law enforcement through research and pilot projects. This program has proved its value. Research, along with pilot projects, must be vigorously supported if we are to improve the criminal justice system.

As part of a broader crime control program, I propose superseding the Law Enforcement Assistance Act with a broader program of research, development, and special pilot project grants.

I recommend that the Safe Streets and Crime Control Act authorize the Attorney General to make research grants or contracts, of up to 100 percent, with public agencies, institutions of higher education, or other organizations.

These grants could be used to support research and education projects of regional or national importance, establish national or regional institutes for research and education in law enforcement and criminal justice.

FEDERAL, STATE, AND LOCAL COOPERATION

State and local governments have already shown their willingness to meet their responsibilities in the criminal justice area. They have also demonstrated their desire to cooperate with the National Government. During 1966, for example, the Department of Justice and the National Crime Commission have urged all 50 Governors to establish State planning committees on law enforcement and criminal justice. Many of these committees are already in existence. Additional States are setting up committees each month.

To continue this cooperation, I am directing the Acting Attorney General to convene at the Justice Department a conference of State, city, and private authorities in law enforcement and criminal justice. Its purpose will be to review the findings of the National Crime Commission and to share judgments on how best the Federal Government may contribute to the essentially State and local task of law enforcement.

A PROGRAM FOR YOUNG AMERICANS

The proposals I have outlined above will give new strength to the instruments of law enforcement: our police, courts, and correctional agencies. Yet we know that America's crime problem demands far broader efforts to reach young people trapped in poverty—without skills, without purpose, without hope.

Not all crime is attributable to poverty. The rise of crimes committed by youth in affluent suburban areas testifies to that. But crime rates do increase markedly in an atmosphere that breeds hostility and frustration. They increase as the channels of opportunity are limited and social mobility is foreclosed.

Understanding this, we have embarked on a broad range of programs giving disadvantaged young people the chance to break free of the waste and boredom that would otherwise characterize their lives. In my message to the Congress on America's children and youth, which I intend to submit shortly, I will outline a program for young Americans. The purpose of that program will be not only to reduce delinquency, but to increase the chances for young people to lead more useful and productive lives.

NARCOTICS AND DANGEROUS DRUGS

I urge the Congress should also give prompt attention to a number of other aspects of America's crime problem. Among these is narcotics addiction.

Narcotics addiction, the abuse of dangerous drugs and illicit traffic in both continue to challenge the best efforts of Federal, State, and local governments to stamp them out. Their cost in wasted lives is incalculable. The crime that is associated with them is a serious threat to communities across America.

In the past 3 years, we have begun new Federal and State programs. These programs can lead to a marked improvement in the drug abuse problem. But if their promise is to be sustained, we must make a sufficient commitment of resources and competent administration.

Every level of government, Federal to local, must intensify its attack on the narcotics and drug problem.

For our own part, we shall take these additional measures to combat drug addiction and traffic in drugs:

1. Rehabilitation:

To carry out the purposes of the Narcotic Addict Rehabilitation Act of 1966, I am instructing the Secretary of Health, Education, and Welfare, in consultation with the Attorney General and the Secretary of the Treasury, to coordinate the rehabilitation efforts of all the Federal agencies concerned, and to work through local and State facilities to the greatest possible extent. Federal rehabilitation efforts will be closely related to local programs that may qualify for Federal support under the grant provisions of the Safe Streets and Crime Control Act of 1967.

2. Enforcement training:

I recommend that the Congress provide funds to enable the Federal Bureau of Narcotics and the Food and Drug Administration to enlarge their existing enforcement training programs, so that they can reach a far greater number of local and State enforcement officers.

Under these programs, enforcement officers and experts of the Federal Government are sent to local communities with severe drug addiction problems, to train local enforcement personnel in the most modern techniques of detecting and apprehending drug pushers and addicts and the most advanced methods of treating drug addiction.

3. Public information and education:

It is essential that the public be better informed about narcotics and dangerous drugs: what they are, what their effects are on the body and mind, how widely they are misused, the laws which govern them, and the medical treatment that offers the best chance of cure. This information should be made available to local governments, school systems, parents, young people, college campuses, and medical groups.

To this end, I am directing the Secretary of Health, Education, and Welfare to create an Information and Education Center on Narcotic and Dangerous Drugs.

4. International control:

If we are to succeed in controlling narcotics and dangerous drugs, we must work in concert with other nations. Most illicit narcotics—particularly heroin—come from and through other nations to our shores. Drugs, like epidemic diseases, must be controlled effectively everywhere.

I shall shortly submit to the Senate, for its advice and consent, the 1961 Single Convention on Narcotic Drugs. Fifty-four nations have acceded to that convention, and we believe that other nations may follow. With the coming establishment of the International Narcotics Control Board as the only supervisory international agency, our accession to the convention will allow us to have a proper voice in securing fulfillment by other countries of their treaty obligations.

5. State drug laws:

There are large disparities in State laws dealing with dangerous drugs. Some States do not even have such laws. Controlling traffic in dangerous drugs requires a careful synthesis of State and Federal regulation. If our greatest strength is to be brought to bear on drug control, the States should act as soon as possible on the type of drug abuse control act now being circulated in model form by the Food and Drug Administration. I urge the States to enact this law as soon as possible.

FIREARMS CONTROL

Any effective crime control program requires the enactment of firearms legislation.

The National Crime Commission has underscored the emphatic need for the legislation I propose again this year. I urge the 90th Congress to place it high on its agenda in this session.

The legislation I am submitting is closely comparable in substance to that which was under consideration in the last Congress. I strongly recommend that the Congress enact legislation to—

Prohibit certain mail order sales and shipments of firearms, except between Federal licensees;

Prohibit over-the-counter sales of firearms, other than rifles and shotguns, to any person who does not reside in the State in which the Federal licensee does business;

Prohibit Federal licensees from selling handguns to any person under 21, and from selling rifles and shotguns to any person under 18;

Curb imports into the United States of surplus military firearms and other firearms not suitable for sporting purposes.

This legislation is no panacea for the danger of human irrationality and violence in our society. But it will help to keep lethal weapons out of the wrong hands.

This legislation will not curtail ownership of firearms used either for sport or self-protection. But it will place a valuable restraint on random trade in handguns—the use of which has more and more characterized burglaries and other crimes. It will gain added strength as States pass firearms legislation and licensing laws similar to the Sullivan law in New York.

To pass strict firearms control laws at every level of government is an act of simple prudence and a measure of a civilized society. Further delay is unconscionable.

UNIFIED FEDERAL CORRECTIONAL SYSTEM

I renew my request for legislation to establish a unified Federal correctional system within the Department of Justice.

Today, correctional treatment in the national system is fragmented and often impedes continuity of treatment. The proposed unified system would provide coherent organization, and a systematic flow of all post-sentencing responsibilities—probation, institutional management, and parole supervision.

A unified system becomes especially important as we gain experience with community treatment and work-release methods. It would permit the better use of staff and fiscal resources, improve training for all Federal correctional employees, and simplify the creation of computerized data banks. The Federal Government should lead in all organizational reforms which permit more effective diagnosis and treatment of individual offenders—especially since the repeated offender is so prominent and disturbing a feature of crime in America.

A FEDERAL JUDICIAL CENTER

I recommend legislation to establish a Federal Judicial Center in the Administrative Office of the U.S. Courts.

Despite the increase in the number of Federal district judgeships—from 197 in 1941 to 341 in 1966—the delay and docket congestion in our Federal courts is the worst in our history.

The mere addition of judges to the courts will not bring about the efficient administration of justice that simple justice demands. Better judicial administration requires better research, better training, and continuing education programs.

The Judicial Conference has long recognized this. It has either recommended, or established on an ad hoc basis, some 20 different programs of research and education. Yet none of these programs has been adequately staffed or supported. None has been able to solve the administrative problems of the judiciary.

If we are to reduce the backlog of cases pending in the courts and meet the urgent law enforcement problems we face, these programs must be given permanence and sufficient means to accomplish their tasks. They should be open to the scrutiny of the Congress, the entire judiciary, and the public.

A Federal Judicial Center, established in the Administrative Office of the U.S. Courts, will enable the courts to begin the kind of self-analysis, research, and planning necessary for a more effective judicial system—and for better justice in America.

ORGANIZED CRIME

We have accomplished much in exposing the citadels of crime and corruption. I am determined, however, to extend our efforts to root out this poisonous element from our society.

The Department of Justice will be the focal point for bringing increased Federal resources to bear on this problem of organized crime. We will increase the number of personnel previously assigned to this task.

Federal efforts can best be extended by the allocation of additional resources. However, obtaining witnesses is a major difficulty in dealing with organized crime.

I recommend that the Congress enact legislation to make it a Federal crime to coerce or threaten a person who is willing to give vital information to our Federal investigators, thus extending additional protection to potential witnesses at the beginning of an organized crime investigation before a grand jury has been convened; extend Federal immunity provisions to certain crimes associated with racketeering, in order to assist in gathering competent evidence.

Criminal syndicates do not recognize State boundaries. Their impact is frequently nationwide. The Federal Government's responsibility in combating organized crime is clear and unequivocal.

This message, however, deals principally with Federal assistance to State and local law enforcement. With a few notable exceptions, State and local jurisdictions have little experience in operating an effective organized crime program. I am directing the Acting Attorney General to: Establish a special program to offer State and city officials assistance in setting up effective plans to combat organized crime.

THE RIGHT OF PRIVACY

Justice Brandeis called the right of privacy the "right most valued by civilized men." It is the first right denied by any totalitarian system. It is associated in the minds of most Americans with the right to be free of unlawful searches and forced self-incrimination. It is a hallmark of a free society.

I believe we should protect that right against invasion by wiretapping and electronic devices.

We would indeed be indifferent to the command of our heritage if we failed to take effective action to preserve the dignity and privacy of each among us. A new Federal law banning wiretapping and electronic bugging and snooping is essential.

Present laws are clearly inadequate. They create serious uncertainties in their application and leave large loopholes in their coverage. In short, they invite abuse.

I recommend that the Congress enact the Right of Privacy Act of 1967.

Within the full reach of the constitutional powers possessed by the Federal Government this law would:

Outlaw all wiretapping, public and private, wherever and whenever it occurs, as well as all willful invasions of privacy by electronic devices such as radio transmitters and concealed microphones. The only exceptions would cover those instances where the security of the Nation itself is at stake—and then only under the strictest safeguards.

Prohibit the advertisement, manufacture, or distribution in interstate commerce of wiretapping and eavesdropping devices.

TO INSURE THE PUBLIC SAFETY

The program I have called for in this message will not, of itself, bring about a sudden decline in the reported crime rate.

As crime reporting improves, as citizens increasingly demand the protection to which they are entitled and report crimes they formerly bore in silence, as larger numbers of young people enter the age of greatest susceptibility to crime, as the problems of the ghetto are compounded—as these events continue to occur, the reported crime rate will continue to rise.

Nevertheless, there are important steps we can take now to affect the incidence of crime and its contamination of our democracy. I have tried to describe several in this message.

Certain of these steps could, if resolutely undertaken by local and national officials, be in effect a year from today.

Other steps, put into effect now, could reduce the costs of crime over the next several years. These involve more than the condemnation of crime, more than spasmodic responses to sensational disclosures. They involve hard work and an unswerving commitment by all levels of government to an intensified, long-term program of action.

Yet even they will fail unless they are accompanied by the greater involvement of private citizens.

It is the citizen who will finally determine whether the agencies of law enforcement and criminal justice are staffed and nourished by first-rate skills and modern equipment. It is the citizen who maintains and enlarges respect for law and order. It is the interaction of the citizen and the community—their common dedication to public order—which is the most powerful deterrent of crime.

Thus, it is the citizen who will determine whether streets will be safe to walk, whether homes will be secure, whether property rights will be respected, whether integrity and honest dealing will govern relationships between men.

We can control crime if we will. We must act boldly, now, to treat ancient evils and to insure the public safety.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 6, 1967*.

THE PRESIDENT'S MESSAGE ON CRIME IN AMERICA

Mr. DODD. Mr. President, I should like to commend President Johnson for the crime message which he has just submitted to the Congress.

I commend him because no Chief Executive before him has outlined to the Congress more vividly the true magnitude of the devastating force which crime, from juvenile vandalism to big-time racketeering, exerts on the welfare and inner stability of this Nation.

I commend him because he has recognized the need for a nationwide program to oppose these forces of disorganization and corrosion.

And, I commend him because he has given us a blueprint for mounting the kind of attack on crime that for the first time because of its design and scope shows shining promise for success.

It has been said that it takes unusual men to see the obvious and it is good to know that we have an administration which has both perceived the true nature of the crime menace and reacted to it.

For several decades we have lamented the growing crime rate but precious little was done to reduce it because we have often failed to see the obvious.

How can we reduce crime when our social fabric itself has been a breeding ground of delinquents because of poverty and a lack of opportunity for education and employment?

How can we correct our criminals and delinquents when our courts, our probation departments and our penal institutions lack the procedures, the programs, and the staffs to perform this function?

How can we prevent crime when we have not determined the causes of this disorder?

How can we abolish crime when we lack the law enforcement methods the laws, and the other resources which are necessary for this effort?

Today, the President's message fully answers these questions and sets forth a program to deal with all these defects in our crime-control systems.

It proposes to continue the war on poverty.

It proposes to improve our courts and the administration of justice.

It proposes to equip this Nation's correctional machinery and law enforcement.

It proposes to control the problem of narcotics and other drugs which poison the minds of young Americans.

And it proposes to regulate the traffic in firearms.

Not only does it make these proposals but it outlines a total action program on a scale never before offered the Nation.

The President has set forth his proposals in legislative requests. He has asked that we enact the Safe Streets and Crime Control Act of 1967.

He has asked us to enact a law regulating the sale and distribution of firearms.

He has asked us to enact a law that would establish a unified Federal Correctional System in the Department of Justice.

He has asked us to enact a law that would move against organized crime and racketeering.

He has asked us for the Right of Privacy Act of 1967.

He has asked us for a Federal Judicial Center.

And he has asked us to appropriate funds for crime research, for narcotics control, and for a new cooperative effort between Federal and State crime control agencies.

Mr. President, I believe these are comprehensive and far-reaching proposals.

I believe these are the kind of proposals we need to achieve victory over our crime problem.

I support them and I hope that both Houses of Congress will give these recommendations favorable consideration and approval.

I was especially pleased with those portions of the President's message dealing with firearms control, narcotics addiction, and dangerous drug abuse. These are areas in which our committee has been working and in which I will continue to work in the future.

I was gratified to see that the administration will be concerning itself with those juveniles and young adults already in training schools and in our prisons. For too long we have been focusing our attention mainly on prevention programs and have ignored the hundreds of thousands of young people already caught up in a life of crime.

As chairman of the Senate Subcommittee To Investigate Juvenile Delinquency, I have directed an investigation of conditions and programs in our juvenile and young adult institutions. As in the past, I plan to work closely with the administration to bring about a shift in our policy. Working together I am positive we can focus some atttention and develop some beneficial legislation on this long-neglected area.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

WAIVER OF CALL OF THE CALENDAR

On request of Mr. MANSFIELD, and by unanimous consent, the call of the Legislative Calendar, under rule VIII, was dispensed with.

COMMITTEE MEETINGS DURING SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following subcommittees were authorized to meet during the session of the Senate today:

The Subcommittee on Intergovernmental Relations of the Committee on Government Operations.

The Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

REPORT ON STATUS OF PUBLIC BUILDING PROJECTS

The PRESIDENT pro tempore laid before the Senate a letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report covering status of public building projects authorized for construction and alteration, dated December 31, 1966, which, with an accompanying report, was referred to the Committee on Public Works.

CONCURRENT RESOLUTION OF SOUTH DAKOTA LEGISLATURE

The PRESIDENT pro tempore laid before the Senate a concurrent resolution of the Legislature of the State of South Dakota, which was referred to the Committee on Interior and Insular Affairs, as follows:

SENATE CONCURRENT RESOLUTION No. 5

A concurrent resolution, memorializing the Congress of the United States, to provide Federal financial assistance for domestic gold producers

Be it resolved by the Senate of the State of South Dakota, the House of Representatives concurring therein:

Whereas, since 1934, domestic gold producers have been required to sell their product only to the Federal Government at the established price of $35 per ounce; and

Whereas, costs of producing this precious metal have continued to increase at an alarming rate reflecting the impact of inflation upon the economics of gold mining and milling operation with the result that virtually all gold producers in the United States have closed down their properties; and

Whereas, domestic gold production, which amounted to approximately 5,000,000 ounces in 1940, has now dropped to an annual rate slightly in excess of 1,500,000 ounces while current domestic gold consumption for defense and space needs, industrial requirements, the arts and crafts, and dental use has rapidly risen to a significant rate of approximately 6,000,000 ounces per annum, over three times our United States production rate; and

Whereas, the continuing outflow of gold and failure to solve our balance of payments deficit continues to be of ever greater national concern; and

Whereas, the disparity between domestic consumption and production imposes an additional substantial drain upon the monetary gold reserves of the United States; and

Whereas, federal relief legislation revitalizing the United States gold mining industry could well end continuing substantial depletion of our monetary gold reserves to supply United States internal domestic gold consumption which should alleviate to some extent concern in foreign circles over our monetary policies; and

Whereas, such legislation to stimulate domestic gold production is definitely in the national interest:

Now, therefore, be it resolved, that the members of the Legislature of the State of South Dakota respectively request the Congress of the United States to provide federal financial assistance payments to domestic gold producers to stabilize the few existing United States gold properties, to reopen dormant gold mines, and to enocurage aggressive exploration for new gold ore reserves in this country; and

Be it further resolved, that a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from this state.

Adopted by the Senate January 26, 1967.

Concurred in by the House of Representatives February 1, 1967.

Lem Overpeck,
President of the Senate.
James D. Jelbert,
Speaker of the House.

Attest:

Neils P. Jensen,
Secretary of the Senate.

Attest:

Paul Inman,
Chief Clerk.

JOINT RESOLUTION OF MAINE LEGISLATURE

Mrs. SMITH, on behalf of herself and Mr. Muskie, presented a joint resolution of the legislature of the State of Maine, which was referred to the Committee on Commerce, as follows:

State of Maine

In the Year of Our Lord One Thousand Nine Hundred and Sixty-Seven

Joint Resolution Memorializing Congress To Include Maine in Study of High-Speed Ground Transportation

We, your Memorialists, the Senate and House of Representatives of the State of Maine in the One Hundred and Third Legislative Session assembled, most respectfully present and petition The Honorable John T. Connor, Secretary of Commerce, as follows:

Whereas, it has been recognized that the nation's economy and the nation's security require a study in high-speed ground transportation; and

Whereas, the 89th Congress by Public Law 89-220 has authorized you to undertake research and development in high-speed ground transportation with the end in view of attaining, in relationship with other modes of transportation, the objective of promoting a safe, adequate, economical and efficient national transportation system; and

Whereas, since Maine is located in the extreme northeast corner of the nation, it is vitally essential that Maine, instead of being bypassed, should be included in any resulting national transportation system; now, therefore, be it

Resolved: That we, your Memorialists, recommend and urge the Secretary of Commerce that Maine be included in any action taken by the Secretary of Commerce under Public Law 89-220; and be it further

Resolved: That a copy of this Memorial, duly authenticated by the Secretary of State, be transmitted to The Honorable John T. Connor, Secretary of Commerce, and to each of Maine's Senators and Representatives in Congress.

House of Representatives, Read and Adopted in Concurrence, January 31, 1967:

Bertha W. Johnson,
Clerk.

In Senate Chamber, Read and Adopted Sent down for Concurrence, January 26, 1967:

Jerrold B. Speers,
Secretary.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. WILLIAMS of New Jersey, from the Committee on Labor and Public Welfare, without amendment:

S. Res. 44. Resolution to provide for a study of migratory labor; referred to the Committee on Rules and Administration.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CARLSON:

S. 832. A bill to amend the Tariff Act of 1930 to provide that dicyandiamide be admitted free of duty; to the Committee on Finance.

By Mr. DIRKSEN (for Mr. Tower):

S. 833. A bill for the relief of Elke Otten and her son, Michael Wunderwald; to the Committee on the Judiciary.

By Mr. MONTOYA:

S. 834. A bill for the relief of Yvette Schuldiner; to the Committee on the Judiciary.

By Mr. RIBICOFF (for himself, Mr. Dominick, Mr. Allott, Mr. Baker, Mr. Boggs, Mr. Brewster, Mr. Cannon, Mr. Carlson, Mr. Case, Mr. Cooper, Mr. Cotton, Mr. Curtis, Mr. Dodd, Mr. Eastland, Mr. Fannin, Mr. Fong, Mr. Griffin, Mr. Gruening, Mr. Hansen, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hatfield, Mr. Hickenlooper, Mr. Hill, Mr. Hollings, Mr. Hruska, Mr. Jackson, Mr. Jordan of Idaho, Mr. Kuchel, Mr. Long of Missouri, Mr. McGovern, Mr. McIntyre, Mr. Morton, Mr. Mundt, Mr. Murphy, Mr. Nelson, Mr. Pearson, Mr. Percy, Mr. Prouty, Mr. Proxmire, Mr. Randolph, Mr. Scott, Mr. Sparkman, Mr. Thurmond, Mr. Tower, and Mr. Young of North Dakota):

S. 835. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Finance.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 11, 1967, for additional cosponsors.)

By Mr. HARRIS (for himself, Mr. Bayh, Mr. Byrd of West Virginia, Mr. Fulbright, Mr. Gruening, Mr. Hart, Mr. Hatfield, Mr. Inouye, Mr. Kennedy of New York, Mr. Kennedy of Massachusetts, Mr. Kuchel, Mr. McCarthy, Mr. McGee, Mr. Mansfield, Mr. Mondale, Mr. Monroney, Mr. Muskie, Mr. Nelson, Mr. Tydings, and Mr. Yarborough):

S. 836. A bill to provide for the establishment of the National Foundation for the Social Sciences in order to promote research and scholarship in such sciences; to the Committee on Government Operations.

(See the remarks of Mr. Harris when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 837. A bill to amend the Internal Revenue Code of 1954 to permit individuals receiving civil service retirement annuities to elect to have income tax deducted and withheld from their annuity payments; to the Committee on Finance.

S. 838. A bill for the relief of Mrs. Jack F. Chamblee and her two minor children; to the Committee on the Judiciary.

By Mr. PROUTY:

S. 839. A bill for the relief of the village of Orleans, Vt.; to the Committee on the Judiciary.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. COTTON:

S. 840. A bill for the relief of Capt. John N. Laycock, U.S. Navy (retired); and

S. 841. A bill for the relief of Anna Elsa Bayer; to the Committee on the Judiciary.

By Mr. HART:

S. 842. A bill to amend section 203 of the National Housing Act; to the Committee on Banking and Currency.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE (for himself, Mr. Clark, Mr. Hart, Mr. Harris, Mr. Inouye Mr. Kennedy of Massachusetts, Mr. McCarthy, Mr. McGee, Mr. Muskie, Mr. Nelson, and Mr. Proxmire):

S. 843. A bill to promote the public welfare; to the Committee on Government Operations.

(See the remarks of Mr. Mondale when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 16, 1967, for additional cosponsors.)

By Mr. MOSS:

S. 844. A bill to equalize civil service retirement annuities, and for other purposes;

S. 845. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; and

S. 846. A bill to amend section 8332, title 5, United States Code, to provide for the inclusion in the computation of accredited services of certain periods of service rendered States or instrumentalities of States, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. NELSON:

S. 847. A bill to amend the Federal Water Pollution Control Act in order to improve certain programs under such act;

S. 848. A bill to provide a program of economic incentives to assist and encourage industry to assume its responsibility for abating and preventing the pollution of water by wastes from industrial sources, and for other purposes; and

S. 849. A bill to expand and improve existing laws and to provide for the establishment of regulations for the purpose of controlling pollution from vessels and certain other sources in the Great Lakes and other navigable waters of the United States; to the Committee on Public Works.

(See the remarks of Mr. Nelson when he introduced the above bills, which appear under a separate heading.)

(Note.—The above three bills were ordered to be held at the desk until February 13, 1967, for additional cosponsors.)

By Mr. BARTLETT:

S. 850. A bill to authorize the Secretary of the Interior to preserve as an area of historic interest certain structures and lands comprising the Washington Navy Yard; to the Committee on Armed Services.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 16, 1967, for additional cosponsors.)

By Mr. NELSON:

S. 851. A bill for the relief of Andreas Nikolaos Kanaloupitis; to the Committee on the Judiciary.

By Mr. McCARTHY (for himself, Mr. Aiken, Mr. Mondale, Mr. McGovern, Mr. Montoya, and Mr. Nelson):

S. 852. A bill to amend section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, to authorize the Secretary of Agriculture to furnish financial assistance in carrying out plans for works of improvement for land conservation and utilization, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. McCarthy when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 20, 1967, for additional cosponsors.)

By Mr. BREWSTER (for himself and Mr. Murphy):

S. 853. A bill to extend the life of the Commission on Political Activity of Government Personnel; to the Committee on Rules and Administration.

(See the remarks of Mr. Brewster when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 854. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

S. 855. A bill for the relief of Gerasimos D. Antzoulatos; and

S. 856. A bill for the relief of Georgios Kaldis; to the Committee on the Judiciary.

(See the remarks of Mr. Brewster when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S. 857. A bill for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash.; to the Committee on the Judiciary.

S. 858. A bill to amend the Interstate Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bills, which appear under separate headings.)

(Note.—The last above-mentioned bill was ordered to be held at the desk until February 13, 1967, for additional cosponsors.)

By Mr. MAGNUSON:

S. 859. A bill to establish an emergency program of direct Federal assistance in the form of direct grants and loans to certain hospitals in critical need of new facilities in order to meet increasing demands for service; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 860. A bill to amend title 5, United States Code, to provide certain services for Government employees in order to assist them in preparing for retirement; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Brewster when he introduced the above bill, which appear under a separate heading.)

By Mr. McGEE (for himself and Mr. Miller):

S.J. Res. 29. Joint resolution to support emergency food assistance to India; to the Committee on Agriculture and Forestry.

TAX CREDIT FOR EXPENSES OF HIGHER EDUCATION

Mr. RIBICOFF. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education.

The bill provides an income tax credit on the first $1,500 of tuition, fees, books, and supplies to anyone who pays these expenses for a student at an institution of higher education. It is cosponsored by Senators Dominick, Allott, Baker, Boggs, Brewster, Cannon, Carlson, Case, Cooper, Cotton, Curtis, Dodd, Eastland, Fannin, Fong, Griffin, Gruening, Hansen, Harris, Hart, Hartke, Hatfield, Hickenlooper, Hill, Hollings, Hruska, Jackson, Jordan of Idaho, Kuchel, Long of Missouri, McGovern, McIntyre, Morton, Mundt, Murphy, Nelson, Pearson, Percy, Prouty, Proxmire, Randolph, Scott, Sparkman, Thurmond, Tower, and Young of North Dakota.

The concept of tax relief to ease the burden of the high cost of higher education has been advanced many times in the past. I first proposed tax relief for college expenses 4 years ago in a speech on this floor.

We must face squarely the need to provide tax relief to ease the heavy burden of college costs. It has been discussed for over a decade. Now we must decide if, as a nation, we are to treat education's costs as we do the interest on a home mortgage, or flood damage, or health expenses.

This proposal is for the average family in America. It is for the people who constitute the backbone of America—the blue collar workers, the white collar workers, the wage earners, and salaried persons of the lower-and-middle-income group who are struggling to pay their bills, buy their homes, and educate their children. They work hard for their wages or salary—and it is all taxable.

Our income tax is a graduated tax. It is based on ability to pay. If they pay a $1,000 medical bill, they get some tax relief. If a tornado or flood causes them $1,000 of damage, they get tax relief. But if they pay $1,000 a year for 4 years to send their sons and daughters to college, they bear that burden with no help from our tax laws.

The time has come to recognize that these Americans are entitled to relief. When they pay large sums to provide themselves or their children with a college education, they are spending money in the national interest and it is entirely fair, equitable, and appropriate for the Nation to ease their burden through the tax laws.

The credit is based on the first $1,500 paid for tuition, fees, books, and supplies for any student at an institution of higher education. The amount of the credit is 75 percent of the first $200, 25 percent of the next $300 and 10 percent of the next $1,000. The maximum credit allowable for any one student is $325. Of course, an individual financing more than one student, a parent with two children in college, for example, could get a credit of this amount for each.

The tax relief is provided uniformly without regard to the taxpayer's bracket. Since the relief is a credit, not a deduction, it is a subtraction from the tax an individual would otherwise pay after he has computed his tax liability. Each $1 of credit reduces a person's tax by the same amount, $1, regardless of the taxpayer's bracket. Thus, while a deduction or exemption saves a $15,000 a year man more tax dollars than one who earns $5,000, a tax credit saves both the same number of dollars.

The bill also provides that the total amount of credit is reduced by 1 percent of the amount by which a taxpayer's adjusted gross income exceeds $25,000. For example, a taxpayer with an adjusted gross income of $30,000 would have $50 subtracted from the credit otherwise available. In this manner, the credit gives less dollar benefit to upper middle income groups and no benefit at all to high-income groups.

The credit is available to anyone who pays tuition expenses. It is thus available to students who are working to put themselves through school and pay their own expenses; it is available to parents putting their children through; it is available to other relatives; and it is available to those who would like to help a deserving student.

The bill I have introduced today is identical in all respects but one to the bills I have introduced in past Congresses. I have amended the bill this year to include students of accredited postsecondary, business, trade, technical, and other vocational schools. Many of our young people, from low-income families in particular, seek further education directly related to occupational goals, and need our help and encouragement. To exclude young people who wish to attend a trade or business school would be to discriminate against those who prefer the service or technological occupations.

The bill then, is designed to provide help to those in the lower and middle income groups of the United States. The wealthy need no help and the bill gives them none. Over two-thirds of the benefits would go to families earning less than $10,000 a year.

Each year the costs of going to college increase. From all the evidence, these costs will continue to increase. As they do, the burden will continue to fall more and more heavily upon the taxpayers of the lower and middle income groups—who are struggling to pay their bills, buy their homes, and educate their children. These are the people for whom a $10,000 burden to educate a child—multiplied by several children—over a few short years constitutes one of the major financial burdens of their lifetime.

In 1955, there were 2,260,000 college students working toward degrees. Today, there are over 6 million—and by 1975, almost 9 million students will be enrolled.

These increased enrollment figures will mean that both public and private institutions alike must continue to expand their facilities. This will in turn mean increased tuition costs.

At the same time, man's ever-increasing knowledge of the universe and the great technological advances of the 20th century will also continue to push up the cost of education. Advancing the frontiers of knowledge—and passing that information on to students—by its very nature grows more expensive. Ben Franklin could experiment with a kite and key, but today's universities require atomic accelerators, mass spectrometers, and other sophisticated equipment.

The U.S. Office of Education has stated that annual current expenditures, in 1965–66 dollars, by institutions of higher education rose from $4 billion in 1955–56 to $11.4 billion in 1965–66, almost a threefold increase. This is expected to rise to $22.5 billion in 1975–76, or nearly double again.

Similarly, the annual cost per student rose from $1,102 in 1955–56 to $1,443 in 1965–66 and is expected to climb to $1,749 by 1975–76.

Thus in 1955, the median tuition and required fees for a full-time undergraduate student at a public institution of higher learning was $139; at a private college $438. By 1965, these figures had increased to $200 and $812 respectively. By 1971, the Office of Education estimates these figures will be $353 in a public institution and $1,115 at a private institution.

This, of course, is not the total cost of sending a child to college. The average total cost of the academic year ending in 1965 is estimated to be $1,560 for a public college and $2,370 for a private college. In the year ending 1967, these figures will go up to $1,640 and $2,570. By 1970, they will rise to $1,840 and $2,780. For many, the cost is already over $3,000 a year.

What does all this mean to the average taxpayer earning between $3,000 and $10,000 a year with three or four children to educate? Simply stated, it means a financial crisis. A man with three or four children can reasonably expect expenses of $30,000 to $40,000 to put those children through college.

I believe that this is an impossible burden. And families in the $3,000 to $10,000 income group represent 62 percent of all the families in America.

And these people pay taxes. Under present law, a college student, single, and working to put himself through, pays $329 in income tax if he earns $3,000. If he makes $5,000, he owes $671. If he is married, without children, and his wife works to help, they owe $501 if they make $5,000 a year.

A married couple with two children they are trying to put through college must pay $686 in income tax if they earn $7,500 a year. These figures assume the minimum standard deduction or deductions equal to 10 percent of income, whichever produces a lower tax.

Scholarship aid is obviously part of the answer, but only a part. Look, for example, at the guidelines laid down by the College Scholarship Service, widely used by colleges and universities in considering applications for scholarships and other financial aid. Under them, a man with a gross annual income of $6,000, with one child in college and no other dependents but his wife, is expected to contribute $790 a year from his income before his child is entitled to scholarship assistance. Such a person, earning $6,000 and taking the standard deduction, pays an income tax of $552. This leaves only $5,448 net income each year. If he were earning $8,000 a year, he would have a net of $7,114 after income tax, and out of that he is expected to pay $1,290 toward college expenses. We must recognize the enormous burden this places on the average taxpayer.

Recently we enacted the Higher Education Act of 1965—a landmark in American education progress. It provided 140,000 Federal scholarships for needy students. These scholarships represent a breakthrough in American education—and provided real help for low-income families. Now is the time to take the next step—and provide meaningful relief for the millions of American families who have received no help.

Similarly, college loan programs fail to provide a complete answer. To many a taxpayer with a mortgage on his house and several children in college, the prospect of borrowing many more thousands may be practically impossible. Further, should our young people graduating from college—at the beginning of their lives, about to marry and have children of their own—be forced to begin their adult lives many thousands of dollars in debt?

I do not think so. Aside from the personal hardship, a student who graduates with heavy debts is forced to rate his job opportunities solely on the basis of immediate monetary return. Flexible, intelligent long-range career planning becomes impossible—to the detriment of both the individual and society as a whole.

The tuition tax credit I propose aids the student at the public university as much, if not more, than one at a private college. While the dollar amount of relief would be higher at most private colleges, the percentage of relief would be higher at State and land-grant institutions. For instance, the credit on a $200 expense is $150—75 percent. The credit on a $1,000 expense is $275—only 27 percent. Even where a college charges no tuition, the expense of fees, books, and supplies invariably totals $200 or more. Thus, the fact is the bill favors the low-tuition colleges, most of which are public colleges.

It is, of course, true that the credit on $1,000 tuition is more dollars than the credit of $200 tuition. However, every credit and deduction in the Internal Revenue Code operates the same way. The investment credit, for example, gives greater dollar benefits to a man who buys a $100,000 machine than to a man who buys a $10,000 machine, but this, of course, is in no way discriminatory.

Further, in terms of the total benefits provided to the Nation as a whole, an increasing amount would go into State universities and land-grant colleges both as they make inevitable tuition increases, and as an increasing percentage of America's college population attends these colleges.

The tuition tax credit would further aid American education by allowing students to choose their colleges on the basis of their individual academic requirements, rather than economic necessity. It is a disturbing trend, disturbing to all of us who are interested in education—public and private—that more and more of our students are compelled to go to public institutions and a smaller and smaller percentage can afford private colleges. In 1950, the ratio between public universities and those attending private colleges was 50–50. In the fall of 1955, 44 percent enrolled in private institutions. At the present time the figure has fallen to 34 percent. This trend is disturbing because it indicates the increasing danger of destroying the diversity which has made American education great.

This trend represents a growing expense for the taxpayers of this country. They must continue to build public facilities at a rapid rate, and to support a disproportional enrollment rate at public institutions. Besides the costs of buildings, the taxpayer must pay an increasingly heavy local tax to subsidize each additional student at a public university.

Many parents feel there is a great value in sending their children away from home to college. Those who seek a middle ground economically by sending their child to an out-of-State public university will reach a rude awakening as the years progress. With few exceptions, tuition costs at public universities have been increased in the last 2 years—for out-of-State students, in particular. The tuition fees charged out-of-State students exceed $1,000 in a number of universities already.

It has been said by some that this tax credit proposal will not help those who are so poor that they pay no taxes. Of course, neither does the tax relief for high medical expenses, of losses from fire, theft, windstorms, or bad debts, which are necessary parts of our tax law and reflect the taxpayer's ability to pay. However, the college scholarship service reported that the medium-family income of students applying for scholarships was $8,436. With assistance from the tuition tax credit, many students now receiving partial scholarships could forego that assistance, releasing to every college in the land large amounts of scholarship funds to help the truly destitute

Further, this proposal would generate new scholarship assistance. Under present law, no tax benefit is available to a person or business who gives a scholarship to a person he designates himself. Contributions or gifts must be given to a particular university or charity. My bill gives a tax benefit to anyone who pays the tuition of another, thus encouraging persons to help poor but deserving boys and girls in their own communities. Colleges and universities might well prevail upon alumni to "adopt" deserving students in financial distress. This technique has been used by charities for many years with great success and would certainly work in this context.

For example, a person could pay $200 for a nontaxpaying student and receive $150 tax credit, $300 and receive $175 credit, or $400 and receive a $200 tax credit.

This plan would permit institutions, both public and private, to enlist alumni and friends in the support of their most needy students.

Tax relief is a logical method of providing financial assistance to college students. It supplements scholarships, which I have long supported, but does not replace them. As long as the law grants tax relief for medical and casualty expenses, families burdened with high-college costs are entitled to similar relief, especially in view of the positive effect of college education upon our country's culture and economy. It is a method of relief that is completely nondiscriminatory and is easily administered without additional governmental expense.

What do the people of America think? The national income tax test televised by CBS News on April 5, 1966, provided a dramatic answer. The national survey sponsored by CBS showed that across the Nation 70 percent of those polled favored a tax credit to help meet the costs of a college education. Only 17 percent opposed the credit while 13 percent had no opinion.

The survey also showed that 83 percent of the public in the $5,000 to $7,000 a year income bracket favor the credit.

It showed that 80 percent of the young people in the 18–29 age group favor the tax credit.

So I shall continue to fight for it. It is a bill that the people of America want and, with their help, it is a fight that will be won.

Mr. President, I ask unanimous consent that the bill remain at the desk for 5 days for additional cosponsors.

I also ask unanimous consent that the bill be printed in the Record at the end of my remarks, followed by a table showing the dollar benefit of the credit at State universities and land-grant colleges. These figures include the Office of Education estimate of $150 for books and supplies.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will remain at the desk as requested, and the bill and table will be printed in the Record as requested.

The bill (S. 835) to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education, introduced by Mr. Ribicoff (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 835

A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by renumbering section 39 as 40, and by inserting after section 38 the following new section:

"Sec. 39. Expenses of higher education.

"(a) General Rule.—There shall be allowed to an individual, as a credit against the tax imposed by this chapter for the taxable year, an amount, determined under subsection (b), of the expenses of higher education paid by him during the taxable year to one or more institutions of higher education in providing an education above the twelfth grade for himself or for any other individual.

"(b) Limitations.—

"(1) Amount per individual.—The credit under subsection (a) for expenses of higher education of any individual paid during the taxable year shall be an amount equal to the sum of—

"(A) 75 percent of so much of such expenses as does not exceed $200,

"(B) 25 percent of so much of such expenses as exceeds $200 but does not exceed $500, and

"(C) 10 percent of so much of such expenses as exceeds $500 but does not exceed $1,500.

"(2) Proration of credit where more than one taxpayer pays expenses.—If expenses of higher education of an individual are paid by more than one taxpayer during the taxable year, the credit allowable to each such taxpayer under subsection (a) shall be the same portion of the credit determined under paragraph (1) which the amount of expenses of higher education of such individual paid by the taxpayer during the taxable year is of the total amount of expenses of higher education of such individual paid by all taxpayers during the taxable year.

"(3) Reduction of credit.—The credit under subsection (a) for expenses of higher education of any individual paid during the taxable year, as determined under paragraphs (1) and (2) of this subsection, shall be reduced by an amount equal to 1 percent of the amount by which the adjusted gross income of the taxpayer for the taxable year exceeds $25,000.

"(c) Definitions.—For purposes of this section—

"(1) Expenses of higher education.—The term 'expenses of higher education' means—

"(A) tuition and fees required for the enrollment or attendance of a student at a level above the twelfth grade at an institution of higher education, and

"(B) fees, books, supplies and equipment required for courses of instruction above the twelfth grade at an institution of higher education. Such term does not include any amount paid, directly or indirectly, for meals, lodging, or similar personal, living, or family expenses. In the event an amount paid for tuition or fees includes an amount for meals, lodging, or similar expenses which is not separately stated, the portion of such amount which is attributable to meals, lodging, or similar expenses shall be determined under regulations prescribed by the Secretary or his delegate.

"(2) Institution of higher education.—The term 'institution of higher education' means—

"(A) an educational institution (as defined in section 151(e)(4))—

"(i) which regularly offers education at a level above the twelfth grade, and

"(ii) contributions to or for the use of which constitute charitable contributions within the meaning of section 170(c), or

"(B) a business or trade school, or technical institution or other technical or vocational school in any State, which (i) is legally authorized to provide, and provides within that State, a program of postsecondary vocational or technical education designed to fit individuals for useful employment in recognized occupations, and (ii) is accredited by a nationally recognized accrediting agency or association listed by the United States Commission of Education, and (iii) has been in existence for two years or has been specially accredited by the Commissioner as an institution meeting the other requirements of this subparagraph.

"(3) State.—The term 'State' includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"(d) Special Rules.—

"(1) Adjustments for certain scholarships and veterans benefits.—The amounts otherwise taken into account under subsection (a) as expenses of higher education of any individual during any period shall be reduced (before the application of subsection (b)) by any amounts received by such individual during such period as—

"(A) a scholarship or fellowship grant (within the meaning of section 117(a)(1)) which under section 117 is not includible in gross income, and

"(B) education and training allowance under chapter 33 of title 38 of the United States Code or educational assistance allowance under chapter 35 of such title.

"(2) Noncredit and recreational, etc., courses.—Amounts paid for expenses of higher education of any individual shall be taken into account under subsection (a)—

"(A) in the case of an individual who is a candidate for a baccalaureate or higher degree, only to the extent such expenses are attributable to courses of instruction for which credit is allowed toward a baccalaureate or higher degree, and

"(B) in the case of an individual who is not a candidate for a baccalaureate or higher degree, only to the extent such expenses are attributable to courses of instruction necessary to fulfill requirements for the attainment of a predetermined and identified educational, professional or vocational objective.

"(3) Application with other credits.—The credit allowed by subsection (a) to the taxpayer shall not exceed the amount of the tax imposed on the taxpayer for the taxable year by this chapter, reduced by the sum of the credits allowable under this subpart (other than under this section and section 31).

"(e) Disallowance of Expenses as Deduction.—No deduction shall be allowed under section 162 (relating to trade or business expenses) for any expense of higher education which (after the application of subsection (b)) is taken into account in determining the amount of any credit allowed under subsection (a). The preceding sentence shall not apply to the expenses of higher education of any taxpayer who, under regulations prescribed by the Secretary or his delegate, elects not to apply the provisions of this section with respect to such expenses for the taxable year.

"(f) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the provisions of this section."

(b) The table of sections for such subpart A is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 39. Expenses of higher education.

"Sec. 40. Overpayments of tax."

Sec. 2. The amendments made by this Act shall apply to taxable years beginning after December 31, 1966.

The table presented by Mr. Ribicoff is as follows:

Dollar benefit of Ribicoff tax credit bill on tuition, fees, and books at State universities and land-grant colleges, 1966–67

	Resident			Nonresident		
	Tuition, fees, and books	Dollar benefit of tax credit	Percent benefit of tax credit	Tuition, fees, and books	Dollar benefit of tax credit	Percent benefit of tax credit
Alabama A. & M. College	$410	$203	49.5	$560	$231	41.3
Auburn University	450	213	47.3	750	250	33.3
University of Alabama	500	225	45.0	850	260	30.6
University of Alaska	387	197	50.9	522	227	43.5
Arizona State University	436	209	47.9	1,651	340	20.6
University of Arizona	419	205	48.9	1,234	298	24.1
Arkansas A. & M. College	350	188	53.7	620	237	38.2
University of Arkansas	350	188	53.7	620	237	38.2
University of California	370	193	52.2	1,350	310	23.0
Colorado State University	486	222	45.7	1,161	291	25.1
University of Colorado	522	227	43.5	1,270	302	23.8
University of Connecticut	340	185	54.4	740	249	33.6
Delaware State College	388	197	50.8	738	249	33.7
Florida A. & M. University	350	188	53.7	750	250	33.3
University of Florida	410	203	49.5	810	256	31.6
Florida State University	410	203	49.5	810	256	31.6
Fort Valley State College	471	218	46.3	801	255	31.8
Georgia Institute of Technology	525	228	43.4	1,215	297	24.4
University of Georgia	483	221	45.8	903	265	29.3
University of Hawaii	383	196	51.2	383	196	51.2
University of Idaho	360	190	52.8	860	261	30.3
Southern Illinois University	392	198	50.5	782	253	32.4
University of Illinois	420	205	48.8	1,000	275	27.5
Indiana University	480	220	45.8	1,110	286	25.8
Purdue University	480	220	45.8	1,100	285	25.9
Iowa State	495	224	45.3	1,080	283	26.2
University of Iowa	490	223	45.5	1,080	283	26.2
Kansas State University	438	210	47.9	838	259	30.9
University of Kansas	442	211	47.7	842	259	30.8
Kentucky State College	390	198	50.8	730	248	34.0
University of Kentucky	430	208	48.4	970	272	28.0
Louisiana State University	370	193	52.2	770	252	32.7
University of Maine	550	230	41.8	1,150	290	25.2
University of Maryland	516	227	44.0	916	267	29.1
Maryland State College	355	189	53.2	505	226	44.8
Massachusetts Institute of Technology	2,050	325	15.9	2,050	325	15.9
University of Massachusetts	486	222	45.7	886	264	29.8
Michigan State University	504	225	44.6	1,170	292	25.0
University of Michigan	498	225	45.2	1,150	290	25.2
University of Minnesota	525	228	43.4	1,071	282	26.3
Alcorn A. & M. College (Mississippi)	341	185	54.3	541	229	42.3
Mississippi State University	492	223	45.3	942	269	28.6
University of Mississippi	500	225	45.0	940	269	28.6
Lincoln University (Missouri)	300	175	58.3	500	225	45.0
University of Missouri	500	225	45.0	1,000	275	27.5
Montana State College	516	227	44.0	1,123	287	25.6
Montana State University	525	228	43.4	1,133	288	25.4
University of Nebraska	484	221	45.7	1,010	276	27.3
University of Nevada	506	226	44.7	1,100	285	25.9
University of New Hampshire	686	244	35.6	1,331	308	23.1
Rutgers (New Jersey)	678	243	35.8	914	266	29.1
New Mexico State University	486	222	45.7	936	269	28.7
University of New Mexico	486	222	45.7	942	269	28.6
Cornell University	1,950–2,100	325	15.5–16.7	1,950–2,100	325	15.5–16.7
State University of New York	575	233	40.5	775	253	32.6
North Carolina Agricultural and Technical College	500	225	45.0	752	250	33.2
University of North Carolina	459	215	46.8	884	263	29.8
North Carolina State University	507	226	44.6	932	268	28.8
North Dakota State University	510	226	44.3	954	270	28.3
University of North Dakota	510	226	44.3	954	270	28.3
Kent State (Ohio)	660	241	36.5	1,110	286	25.8
Miami University (Ohio)	670	242	36.1	1,170	292	25.0
Ohio State University	600	235	39.2	1,158	291	25.1
Wayne State University	462	216	46.8	900	265	29.4
Ohio University	650	240	36.9	1,150	290	25.2
Langston University (Oklahoma)	401	200	49.9	732	248	33.9
Oklahoma State University	438	210	47.9	886	264	29.8
University of Oklahoma	438	210	47.9	886	264	29.8
Oregon State University	480	220	45.8	1,050	280	26.7
University of Oregon	480	220	45.8	1,050	280	26.7
Pennsylvania State University	600	235	39.2	1,200	295	24.6
University of Puerto Rico	309	177	57.3	309	177	57.3
University of Rhode Island	503	225	44.7	1,103	285	25.8
Clemson University (South Carolina)	636	239	37.6	1,136	289	25.4
South Carolina State College	470	218	46.4	950	270	28.4
South Dakota State College	537	229	42.6	893	264	29.6
State University of South Dakota	529	228	43.1	865	262	30.3
University of Tennessee	420	205	48.8	870	262	30.1
Prairie View A. & M. College (Texas)	304	176	57.9	604	235	38.9
Texas A. & M. University	374	194	51.9	674	242	35.9
Texas Technical College	300	175	58.3	594	234	39.4
University of Texas	294	174	59.2	594	234	39.4
Utah State University	432	208	48.1	789	254	32.2
University of Utah	525	228	43.4	840	259	30.8
University of Vermont	725	248	34.2	1,725	348	20.2
Virginia Polytechnic Institute	570	232	40.7	990	274	27.7
Virginia State College	597	235	39.4	777	253	32.6
University of Virginia	602	235	39.0	1,187	294	24.8
University of Washington	495	224	45.3	975	273	28.0
Washington State University	495	224	45.3	975	273	28.0
West Virginia University	404	201	49.8	1,034	278	26.9
University of Wisconsin	475	219	46.1	1,200	295	24.6
University of Wyoming	495	224	45.3	1,111	286	25.7

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. DOMINICK. The bill which the Senator introduces is the so-called tax credit bill, is it not?

Mr. RIBICOFF. That is correct. This is the bill on which the distinguished junior Senator from Colorado has worked so closely with me over the past number of years.

Mr. DOMINICK. I thank the Senator from Connecticut. Of course, I am happy to work with him on any bill which may be passed in this area.

Mr. President, millions of American youth are facing a future which threatens to deny them their educational birthright. Already we are rapidly approaching the point of pricing higher education out of the reach of a great many of our able young people. This is not only a great personal tragedy for those young Americans so denied, but it is a tragic loss to our Nation that we cannot afford.

Education is the instrument of freedom. It has been said that the difference between education and indoctrination best sums up the difference between ourselves and our adversaries behind the Iron Curtain. We as a nation must constantly strive to strengthen our guarantees of freedom of research, inquiry, and judgment. And in our efforts toward expanding the opportunity for higher education through the construction of buildings and laboratories, and through better scientific equipment, we must not fail to recognize the equally pressing need for assisting the individual student to meet his financial obligations.

Mr. President, I am pleased to have again the opportunity to cosponsor this measure designed to provide some measure of relief for those who bear the expense of higher education. My interest in providing tax relief to those who are bearing the expense of higher education dates back to my first days in public office. I introduced and sponsored legislation for this purpose, first, in the Colorado Legislature in every year of my 4 years there. During the 87th Congress, I introduced legislation for this purpose in the U.S. House of Representatives, and during the 88th and 89th Congresses, I have sponsored this legislation in the Senate.

The urgent need for enactment of this legislation is reflected in the growing percentage of American families who are hard-pressed to meet the rising costs of higher education for their children, whether at public or private colleges or universities. By the U.S. Treasury Department's own estimate, and by survey after survey, it has been shown that 62 percent of American families have annual incomes between $3,000 and $10,000 per year. And these same surveys revealed that 60 percent of these families have no savings at all, while the savings of the remaining 40 percent average about $150. The Treasury admitted that 60 percent of the tax credits provided by this legislation would accrue to taxpayers who had incomes of less than $20,000.

The hard-pressed families who will benefit from the enactment of this legislation are the families who are largely left out by the higher education bill which was enacted by the last Congress. And these are the families whose children are largely denied scholarship assistance under the guidelines established by the College Scholarship Service. The College Scholarship Service is an organization that assists many major colleges and universities in determining which students are entitled to first call on available financial help.

For example, under these guidelines, a family consisting of a man and wife with one child in college, and having a gross family income of $6,000 per year, must contribute $790 a year from the family income before the child could be eligible for scholarship assistance. And if that same family has a gross annual income of $8,000, it will be required to contribute $1,290 to the child's college expenses before the child can be eligible for scholarship assistance. This is a staggering burden.

It is not surprising, therefore, that in survey after survey there is overwhelming support for this legislation from educators and from the millions of American families who are trying to educate their sons and daughters as an investment in the future of this Nation. In a poll of my own constituents, more than 80 percent of those responding, enthusiastically favored enactment of a tax credit to cover a part of the costs of higher education.

In a nationwide poll conducted last year by the Columbia Broadcasting System in connection with its very popular national testing series, 70 percent of the viewers of this program across the Nation who responded to the question favored a tax credit to help meet the cost of higher education.

In our survey which was directed to all presidents and trustees of both public and private institutions of higher education the response was exceptionally large and the results highly significant. Of all responses, 89.6 percent received, favored the tax credit approach to provide assistance for higher education. By category, 91.7 percent of the trustees of private institutions and 83 percent of the trustees of State institutions of higher education favored the tax credit approach. Among college and university presidents of private colleges and universities responding, 92 percent favored tax credits and 42.4 percent of the presidents of State colleges and universities favored a tax credit for part of the cost of higher education expenses.

Why should such an overwhelming percentage of those individuals responsible for administering our colleges and universities favor enactment of tax credits for higher education expenses? I believe it is because these individuals recognize a most important factor which has been overlooked by many of those who heretofore have not favored tuition tax credits. That factor is the effect which tax credits will have on relieving the pressure now being exerted upon existing Federal programs for scholarships, loans, and grants, and upon the future of privately financed scholarships.

The sliding-scale tax credit schedule contained in our bill provides a sensible and workable system of Federal assistance that helps every student, indirectly helps both public and private institutions, and does so in a manner that in no way interferes with individual or institutional freedom or policies. Our formula more equitably removes the distortion in level of benefits which are contained in the large majority of other proposals which rely on tax deductions, additional exemptions, or nonvariable tax credit.

The greatest benefit accrued for the first $200 spent for tuition, fees, and books, and even at those State institutions which do not charge tuition, the cost of fees and books average more than $200 per year. Our bill would cover 75 percent or $150 of this cost. Where the costs for tuition, fees, and books total $400, our bill would provide one-half or $200 of that cost. The effective help thus provided to the student and his parents in this way will greatly lessen the pressures now being exerted on existing scholarship programs, and in addition, will provide some much needed help to those students who are not able to receive scholarship help now because of the preference given to the lower income group under the guidelines being followed by many colleges and universities.

Not only are undergraduate students helped in this manner, but also eligible for the benefits of our bill would be those students pursuing graduate degrees. This means that our elementary and secondary school teachers who seek to improve their qualifications and teaching skills by attending graduate courses during the summer would also be eligible for the tax credit provided by our bill for a percentage of the cost of tuition, fees, and books while taking these courses at an approved institution of higher education.

Our bill would, therefore, resolve the controversy which now exists between our teachers and the Internal Revenue Service over whether these costs now can be claimed by teachers as a deduction on their income tax returns. Not only would these expenses qualify for the tax credit benefit under our bill, but these teachers could still be eligible to claim the standard deduction of 10 percent of gross income on their income tax return.

Incentive would also be provided under this bill for individuals who are not related to the student to provide financial help to students for tuition, fees, and books. And to the extent that private sources will be encouraged to provide such funds, the American taxpayer will benefit. Under our sliding scale formula, for every $500 scholarship donated by a private individual, the Federal Government will be getting money devoted to education at a 55-percent discount. This is not possible at present because an individual taxpayer gets no tax benefit whatever if, out of his own generosity, he pays for the tuition, fees, and books of a needy and deserving college student whom the taxpayer names specifically. The effect of this factor alone should direct many millions of dollars of private funds into American higher education.

As has been pointed out in previous debate on this subject, we recognize that this tax credit proposal would not solve all the financial problems related to higher education, but it would represent a significant contribution well within our national means. And it would provide this assistance in a manner that avoids any argument about Federal control of education and also the vexing question of church-state relations. Furthermore, it would provide this assistance wihout having to expand the Federal bureaucracy to administer the program.

This legislation, in which I am proud to join my 46 fellow Senators, is aimed at strengthening the individual's efforts on his own behalf to obtain the highest level of education to which he aspires. It does not aim at any institution or class of institutions. It does provide the maximum benefits to students at colleges and universities which are supplying the maximum need for people having the lowest incomes. This is clearly evident from the sliding scale formula which provides a tax credit of 75 percent of the first $200; 25 percent of the next $300, and 10 percent of the next $1,000 paid by or on behalf of a student at an institution of higher education. The maximum credit is $325.

Mr. President, I believe we can all agree that the education of our children should be among the foremost priorities of this Nation. This holds true for the present as well as for the future. The program proposed by the bill we are introducing today is the best investment we can make in the future of our country.

I may say to my distinguished friend from Connecticut that I think the chances of our getting some legislation through this year have been exemplified by the number of cosponsors which are on the bill. The number is 47; is that correct?

Mr. RIBICOFF. There are 46 cosponsors besides myself. That makes 47 Members of the Senate who have joined in sponsoring the bill. It is a high number. I feel there are other Senators who have not joined as cosponsors, but who favor the bill.

Mr. DOMINICK. It seems to me the advantages of this approach in trying to help institutions, students, and teachers, are absolutely enormous and perhaps have not been grasped by the Senate as a whole at this time, nor by the public at large, although I know the public is in favor of this concept.

Once again I wish to say that I shall be glad to support this bill in its present form or in any amended form in order to get the principle in this area enacted into law.

Mr. RIBICOFF. I thank the Senator. No one has been more helpful and more cooperative in every step taken with regard to this measure. I have had the close cooperation of the Senator from Colorado. I know that, working together with the other cosponsors of this bill, there is a much brighter future for its enactment in this session of Congress than in the past.

Mr. BOGGS. Mr. President, it is my conviction that this bill to provide a tax credit for part of the cost of higher education answers a great need in our country.

It is well known that the cost of higher education is constantly rising and that this in turn raises the burden to those seeking more education or who want to give their children the advantage of such education.

The bill would by no means lift that burden entirely. It would simply make the burden lighter.

Among the points in favor of the tax credit approach are these:

First. It is Federal assistance which gives broad support to students seeking a higher education.

Second. Both private and public institutions would be indirectly helped.

Third. Pressure would be relieved on existing Federal, as well as private, programs for scholarships, loans and grants, and other aid.

Fourth. The plan does not involve the additional expense of administering a scholarship program. In effect, it is self-administered.

Not all young people are equipped or are motivated to proceed with a college education beyond high school. They may well be better fitted for the type of education available at business schools. It is an important consideration to me that these schools are also covered by the proposed bill.

One additional point, Mr. President. This tax credit approach not only has the wide support of parents. It is also supported by presidents and trustees of institutions of higher education. And it is obviously well supported in this body.

Mr. President, the chief intent of this bill is to aid those hard-pressed families whose middle-income circumstances largely deny them help under the higher education bill enacted by the last Congress. And likewise, these families are usually not covered by the College Scholarship Service, which assists many colleges and universities in deciding which students should get first call on available scholarship funds.

Families in this broad category need the extra help which this plan proposes. But the maximum credit, it should be noted, is $325. This obviously means that with the high costs of education today, the major financial burden remains on parents and the students themselves.

Enactment of this legislation would help to realize more fully the tremendous resource upon which the future of our Nation depends—the minds of our energetic, knowledge-seeking young people.

Mr. HOLLINGS. Mr. President, on January 31, 1967, I introduced S. 779, a tax-sharing proposal with the announced purpose of "arresting the trend toward ever-growing centralized government." Today, my friend, the Senator from Connecticut [Mr. RIBICOFF] has sent to the desk a measure that I have the honor of cosponsoring and which I believe, if enacted, would prove to be a giant step toward that goal. The measure would provide assistance to the American student desirous of higher education not through some Federal agency, but by the granting of a tax credit directly to the parent or benefactor of the student.

Mr. President, the need for legislation of this sort has reached crisis proportions. The rising cost of education has placed an ever-increasing burden on the parents of every student—and in many instances, these costs have risen so high as to be prohibitive. It is true that the Federal Government has instituted many programs to help alleviate this burden, but these programs have been sketchy and have provided very little relief to the overwhelming majority of American families.

A program such as the one which this bill provides for would make available uniform aid to all families in the middle and lower income range and unlike most of the scholarship programs now in existence, it would provide aid to the student on a nondiscriminatory basis—with the average student benefiting as well as the superior student.

Mr. President, earlier I said that the need for legislation of this sort has reached crisis proportions. I use the term "crisis" advisedly for I am convinced that this Nation is faced with an educational crisis. I believe that the single most important social issue facing us today is not one of polluted air or urban decay, but rather one of education. In my home State of South Carolina, we are today operating under the handicap of a leadership gap. A gap caused by the existence of nearly 300,000 functional illiterates—people who for one reason or another have never acquired the ability to read and write and are, therefore, unable to take their positions as leaders of their community.

These 300,000 people represent the loss of a sizable number of doctors, lawyers, ministers, teachers, and other professional people—a loss that is being experienced by the entire State. If we are to close this leadership gap, then we must see to it that a larger proportion of our young people are given the opportunity to obtain the higher education necessary to provide them with these professional skills. We must make sure that the opportunity to continue their education without oppressive economic pressures is a reality rather than an idealistic concept—and we must attempt to spare every American parent the agony of having to deny a deserving child the chance to continue his education. I know no better method for doing this than the plan proposed here today.

Mr. HRUSKA. Mr. President, I am again joining as a cosponsor of the bill to provide tax relief for higher education.

Legislation which would give tax relief to those who are required to bear the costs of educating their children has received my support previously by endorsement of the various Ribicoff proposals which have been offered, and also by introducing bills of my own in other sessions of the Congress which dealt with this problem. The junior Senators from Connecticut and Colorado should be applauded for their perseverance on this matter in spite of continuing administration opposition.

Most of us here well recall how close we came to amending the Revenue Act of 1964 along the general lines of this bill. On that occasion only strong administration persuasion defeated the educational tax credit amendment. Last year a determined effort was made to add an educational tax credit provision to the Tax Adjustment Act of 1966. Again the administration was able to thwart our effort.

While we have heard much about the concept of increasing the opportunities for education, and the discussions have been in broad general terms, we find in practice that a great many of the programs are very narrow in scope. Not only do they fail to provide assistance and incentive to large numbers of people to improve and continue their education but also implicit in their operation are the dual detriments of bureaucratic Federal control and the stigma of Federal handouts. On practically a day-by-day basis, experience is showing us that programs set up along these lines are not only ineffective but expensive. In the field of higher education we cannot afford the luxury of either spending funds which do not accomplish the broad purpose the Congress intended or of failing to do all that is appropriate to encourage all Americans to seek the best education their native capabilities will allow them.

In this respect, the delay in the enactment of this legislation has one beneficial side effect. This bill has been refined and now represents an even better approach to meeting the problem. As now proposed, it will focus the benefits on those of lower and moderate incomes who recognize the need for a higher education but who have been able to provide for it, if at all, only through the greatest of personal sacrifices. To help these people through a tax incentive represents a truly enlightened legislative solution.

It does not make sense to appropriate large sums of Federal aid to education on the one hand and on the other to deny tax relief to parents to achieve the same purpose without the bureaucracy and Federal direction which accompanies massive programs administered from Washington.

The approach provided by this bill is highly desirable. It represents neither a windfall nor boon to any pressure group or vested interest, it does not add another tentacle on the octopus of Federal bureaucracy, nor does it steal the pride from the recipient as does the handout. The tax credit is simple, direct, and provides an incentive for a person or a family to do for themselves. This is a plan for the average family in America who has no organized pressure group lobbying its cause.

We have all come to recognize there is an increasing need for those possessing the ability to continue their education beyond the secondary level. There is a shrinking demand for the skills and knowledge developed through only a high school education.

These changing requirements made it more important that we give a boost to those who are trying to educate themselves and their own. Surely, the most important investment this country can make is the investment in well educated citizens.

An additional benefit found in this bill is that those seeking graduate degrees will also qualify for the tax credit. This means that those teachers who seek to upgrade their qualifications and skills by taking graduate work in the summers would also be eligible for the tax credit. This would render moot the continuing dialog between teachers and the Internal Revenue Service regarding the deductibility of their expenses.

While we are all familiar with Federal programs in the area of education, such as Operation Headstart, adoption of this bill would represent a true operation real start in our goal to make the advantages of good higher education available to all of our citizens. And it is a plan which is within our ability to support financially.

As has been pointed out, it is hard to find any difference in concept between a business which invests part of its present earnings in expanding its future growth and earnings and the investment in the individual's ability to increase his productive capacity. For years we wisely provided the tax incentive to business to improve its ability to produce, for it advances our national interest. What we are now urging it that we recognize that some part of the cost of educating our children is as much an investment in the future of this country as were the credits we allowed for industrial machinery or new factories.

These arguments are not new. In the past 11 years, more than 400 bills to achieve this purpose have been introduced in the Congress. This time, I am hopeful we can really do something about it.

ESTABLISHMENT OF A NATIONAL FOUNDATION FOR THE SOCIAL SCIENCES

Mr. HARRIS. Mr. President, for myself and Senators MANSFIELD, TYDINGS, MONRONEY, McCARTHY, GRUENING, KUCHEL, KENNEDY of Massachusetts, KENNEDY of New York, MUSKIE, HATFIELD, HART, FULBRIGHT, YARBOROUGH, McGEE, MONDALE, BAYH, INOUYE, and NELSON, I send to the desk a bill to provide for the establishment of a National Foundation for the Social Sciences.

Mr. President, much discussion has taken place since the Camelot affair of 1965 about the state of social science research in this country. "Camelot," as you may recall, was a study of Chilean society—research into social and socioeconomic factors of change and revolution. It was to be carried out by the Special Operations Research Office of the American University of Washington, D.C., and paid for by the U.S. Army. The disclosures concerning Camelot by the press cast a shadow over all U.S. social research abroad. I do not, Mr. President, care to dwell on the Camelot incident, nor to go into the details of Project Simpatico about which I spoke in the Senate last spring. Much has already been said about these. Camelot and the other military supported social research projects pointed up a real need for the civilianizing of U.S. social science research abroad. There are unfavorable implications for foreign policy when such research has a military sponsor.

Looking into this general subject of Federal support of social science research in foreign countries, our Subcommittee on Government Research of the Senate Committee on Government Operations has necessarily had to look at the broader subject of Federal support for the social sciences generally.

If we were to compare the relative magnitudes of money available for research and development in this country, we would see that about $250 million are being spent by all agencies and departments of the Federal Government for social and behavioral research, while the total for all research in the natural sciences comes to roughly $6.5 billions. I would say that figure does not include development funds. It is obvious that we are much more willing to spend our Nation's tax dollars on learning about space, atomic bombs and weapons development, than we are in learning about man and his behavior, or, for that matter, the health problems which beset our Nation—approximately $800 million. I use this example only for illustrative purposes, and not at all to deprecate our national support for science and technology which is extremely important and necessarily costly.

There can be no argument that our investment in science has paid handsome dividends for our society, and the augury for the future is even brighter. But, we can neither afford to ignore our need to know much more about man himself and his social problems. The social sciences have lagged behind the natural sciences. Their development has suffered for a number of compelling reasons, one of which may be the low level of funds available for social research. Certainly, given the problems which we face as a nation—problems of race relations, of life in the ghettos, of overcrowding in our cities, of juvenile delinquency, of poverty, of problems in our educational systems and the myriad social, psychological, economic, and political problems of modern life—we can ill afford to ignore these areas. The social sciences hold out great promise—but for now it is just a promise.

As I pointed out in my speech last October 11, when the bill I speak of today was first introduced in the Senate:

> Man can accomplish so many things these days—not excluding world devastation—by merely pushing a button; we understand the button and the machine very well, but we are woefully weak in understanding the button pushers.

Perhaps today, when we must consider the possibility of some 35 billions of dollars for a stepped-up arms race, when we are considering some $72 billion for defense, spending some $22 billion annually for the war in Vietnam, $5.5 billion for space, $2.5 billion for atomic research, we might reasonably step up our effort to attempt to understand ourselves and how we operate within our own society and how we interact with others.

Mr. President, I strongly believe that we must turn our attention toward the social sciences in a way we have not done before. Existing Federal support has only scratched the surface. No voice speaks on behalf of the social sciences, as there is a voice for the natural sciences. Social scientists have not found a vigorous advocate in the National Science Foundation for their research. That, however, I believe over the long run, may change—but change comes hard. Old attitudes die grudgingly.

The bill which I have reintroduced today will do nothing to stand in the way of any Federal agency supporting any social research it supports now or will support in the future. It in no way discourages the growing interrelationship between the natural sciences and the social sciences. It simply provides for an additional and independent means of support, very important support, and needed visibility for the social sciences.

The bill which I introduce today would provide a source of funding for social science research and would give recognition to our continuing and growing need for knowledge and ideas, not only about our own society, but of others as well.

The bill would create a National Foundation for the Social Sciences, similar to the National Science Foundation, to encourage and support research in the social and behavioral sciences. The proposed Foundation would be separate from the operating agencies and departments of the Federal Government which now support policy studies relevant to their missions.

The Foundation would do no in-house research but would, in keeping with the precedent set by the National Science Foundation and the National Foundation for the Arts and Humanities, underwrite, fund, and support academic research in the fields of political science, economics, psychology, sociology, anthropology, history, law, social statistics, demography, geography, linguistics, international relations, and other social sciences.

The Foundation would be comprised of a Board of Trustees consisting of 25 prominent citizens from the social science community, both academic and practicing. There would, as well, be a Director and a Deputy Director, appointed by the President with the advice and consent of the Senate, in addition to such staff as the Foundation needs to administer such funds as may be appropriated for these purposes.

The Foundation would: develop a national policy for research and scholarship in the social sciences; support research and programs to strengthen research in the social sciences in the United States, as well as in foreign countries; appropriately assist social scientists where such assistance would lead to strengthening colleges, universities, nonprofit research organizations and foundations; encourage development of social science capabilities and manpower in all parts of the country.

Further, an important aspect of the proposed Foundation would be its availability as a contracting agency for the operating departments of the Federal Government to use to secure unclassified scholarly research in the social and behavioral science fields, here and in foreign countries.

The bill carries an authorization of $20 million, an arbitrary figure, chosen as a figure to be discussed in hearings.

In his speech September 29, 1966, on the occasion of the 50th anniversary of the Brookings Institution, speaking of the ideas fostered by the academic and research community in this country, President Johnson stated that:

> Without the tide of new proposals that periodically sweeps into this city, the climate of our government would be arid, indeed.

I agree. Therefore, Mr. President, so that we may increase our understanding of man, his behavior, his institutions, and his relationships with other men, I introduce this bill to establish a National Foundation for the Social Sciences.

Mr. President, I ask unanimous consent that an abstract of the bill, which explains it in brief, together with a copy of the bill, be printed at this point in the RECORD.

The **PRESIDING OFFICER**. The bill will be received and, without objection, the bill and abstract will be printed in the RECORD.

The bill (S. 836) to provide for the establishment of the National Foundation for the Social Sciences in order to promote research and scholarship in such sciences, introduced by Mr. HARRIS (for himself and other Senators), was ordered to be printed in the RECORD, as follows:

S. 836

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Foundation for the Social Sciences Act of 1966".

DECLARATION OF PURPOSE

SEC. 2. The Congress hereby finds and declares—

(1) that the encouragement and support of research in the social sciences is an appropriate matter of concern to the Federal Government;

(2) that democracy demands knowledge and insight into the problems that man and nations face in interacting one with the other;

(3) that it is necessary and appropriate for the Federal Government to support, complement, assist, and add to programs for the advancement of the development of research capability and basic knowledge in the social sciences as a means to increase understanding of our society, and the societies of other nations of the world;

(4) that it is necessary and appropriate for the Federal Government to support, complement, and assist the accomplishment of social science research which is entirely separate from the operating departments and agencies of the United States Government.

(5) that it is necessary and appropriate for the Federal Government to help sustain among social scientists a climate encouraging freedom of thought, imagination, and inquiry based on the democratic belief that the long range interests of our Nation will best be served by a free and independent academic community;

(6) That leadership cannot rest solely upon superior power, wealth, or technology, but must be solidly founded upon our Nation's ability to maintain leadership in the realm of knowledge and ideas; and

(7) that in order to implement these findings, it is desirable to establish a National Foundation for the Social Sciences as an independent agency of the Government for the purpose of promoting research and scholarship in the social sciences.

DEFINITION OF SOCIAL SCIENCES

SEC. 3. As used in this Act, the term "social sciences" includes political science, economics, psychology, sociology, anthropology, history, law, social statistics, demography, geography, linguistics, communication, international relations, and other social sciences.

ESTABLISHMENT OF FOUNDATION

SEC. 4. (a) There is hereby established an independent agency to be known as the National Foundation for the Social Sciences (hereinafter referred to as the "Foundation").

(b) The Foundation shall be subject to the supervision and direction of a Board of Trustees (hereinafter referred to as the "Board"), which shall consist of twenty-four members, to be appointed by the President, by and with the advice and consent of the Senate, and from among those individuals of the American public who are widely recognized for their knowledge of, or experience in, the social sciences or related public affairs, and who, collectively, will provide an appropriate balance of representation among such sciences. In making such appointments, the President is requested to give due consideration to the recommendations for nomination submitted to him by professional organizations or other qualified sources in such sciences.

(c) The term of office of each trustee of the Foundation shall be four years; except that the terms of one-fourth of the trustees first taking office after the enactment of this Act shall expire, as designated by the President at the time of appointment, at the end of each of the first four years. A trustee may not be eligible to serve more than two consecutive terms, but shall be eligible after a lapse of four years from the end of his second term. A vacancy shall be filled only for the unexpired portion of any term. The members of the Board shall receive compensation at the rate of $100 per diem while engaged in the business of the Foundation, pursuant to authorization of the Foundation, and shall be allowed travel expenses as authorized in Sec. 5703 of Title V of the United States Code.

(d) The President shall call the first meeting of the trustees of the Foundation, at which the first order of business shall be the election of a Chairman and a Vice Chairman, who shall serve until one year after the date of enactment of this Act. Thereafter, each Chairman and Vice Chairman shall be elected for a term of two years in duration. The Vice Chairman shall perform the duties of the Chairman in his absence. In case a vacancy occurs in the chairmanship or vice-chairmanship, the Foundation shall elect an individual from among the trustees to fill such vacancy.

(e) The Board shall meet at least once every six months and at such other times the Chairman may determine, but he should also call a meeting at the written request of at least one-third of the members of the Board.

(f) Each member of the Board shall be given notice, by registered mail, certified mail, or telegram to his last known address of record, not less than fifteen days prior to any meeting, of the call of such meeting.

DIRECTOR AND DEPUTY DIRECTOR

SEC. 5. (a) There shall be a Director and a Deputy Director for the Foundation, who shall each be appointed by the President, by and with the advice and consent of the Senate. In such appointments, the President is requested to give due consideration to any recommendations submitted to him by the Board. The Director shall serve, as well, as an ex-officio, voting trustee of the Foundation. In addition, he shall be the chief executive officer of the Foundation. The Director shall receive compensation at the rate provided for Level II of the Federal Executive Salary Schedule, and the Deputy Director shall receive compensation at the rate provided for level III of such schedule. Each shall serve for a term of 6 years, unless previously removed by the President. The Deputy Director shall perform such functions as the Director, with the approval of the Foundation, may prescribe, and be acting Director during the absence or disability of the Director, or in the event of a vacancy in the office of the Director.

(b) The Director shall carry out the programs and policies of the Foundation, and such other functions as the Foundation may delegate to him, consistent with the provisions of this Act.

AUTHORITY OF THE FOUNDATION

SEC. 6. The Foundation is authorized to—

(1) Develop and encourage the pursuit of a national policy for the promotion of programs of research and scholarship in the social sciences;

(2) Initiate and support research and programs to strengthen the research potential of the United States in the social sciences, and to promote such research in foreign countries, by making arrangements (including grants, loans, or other forms of assistance) with individuals or groups, including other government or international agencies for such purposes;

(3) In making grants or other arrangements for scientific research, to utilize appropriations available therefor in such manner as well, in its discretion, best realize the objectives of (a) strengthening the research staff of such organization, particularly institutions of higher learning in the States, territories, and possessions and the District of Columbia; (b) aiding institutions of higher learning or nonprofit research organization and foundations, which, if aided, will advance basic research; (c) encouraging social science research by individuals, university faculties, interdisciplinary teams of researchers, nonprofit and foundation researchers, and (d) to avoid the concentration of research grants in any one State or geographic regions; and

(4) foster the interchange of information in the social sciences by disseminating the results of research projects in such sciences not otherwise published, providing at least annually a listing and description of all projects which are receiving assistance from the Foundation, and maintaining a current register of social scientists.

CORRELATION OF PROGRAMS

SEC. 7. (a) The Foundation shall correlate programs carried out pursuant to this Act, insofar as practicable, with existing Federal programs and with programs being carried out by other public agencies or private groups and shall develop the programs carried out pursuant to this Act, with due regard to the national interest and the contribution to the purposes of this Act, which can be made by other Federal agencies under existing programs.

(b) At the request of any department or agency of the Government, the Foundation may carry out any project within the purposes and authorization of this Act. Such projects shall be carried out on a reimbursable basis, but the total amount expended on such projects in any fiscal year shall not exceed an amount equal to twenty-five percent of the amount expended by the Foundation in such year for projects pursuant to this Act from funds appropriated to the Foundation.

(c) In the administration of this Act, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the policy determination, personnel, making of loans and grants, or the administration or implementation of any research project funded by the Foundation, except as may be otherwise provided for herein.

INTERNATIONAL COOPERATION AND COORDINATION WITH FOREIGN POLICY

SEC. 8. (a) In carrying out projects pursuant to this Act the Foundation may support international activities, in the social sciences, consistent with the purposes of this act, and the national objectives of the United States.

(b) No project pursuant to this Act shall be carried out in any foreign country (1) until forty-five days after the government of such country has been given notice of such project, and (2) at any time if such government objects to such project.

(c) If, in carrying out the provisions of this Act, any negotiation, other than the notice provided for in subsection (b) of this section, with the government of a foreign country becomes necessary, such negotiations shall be carried out by the Secretary of State at the request of the Foundation.

LIMITATION ON GRANTS

SEC. 9. (a) No individual formerly in the employment of the Federal government shall be eligible to receive any grant or other assistance pursuant to this Act, or to serve as a trustee of the Foundation, in the two-year period following the termination of such employment.

PATENT RIGHTS AND FREEDOM OF INFORMATION

SEC. 10. (a) The results of research supported in whole or in part by the Foundation, shall be made freely available to the public.

(b) The Foundation shall not use any security classification nor may any research, or the results thereof, carried out pursuant to this Act, be placed under any security classification.

ADMINISTRATIVE PROVISIONS

SEC. 11. (a) In addition to any authority vested in it by other provisions of this Act, the Foundation in carrying out its functions shall have the authority—

(1) to prescribe such regulations as it deems necessary governing the manner in which its functions shall be carried out;

(2) to receive money and other property donated, bequeathed, or devised, without condition or restriction other than that it be used for the purposes of the Foundation; and to use, sell, or otherwise dispose of such property for the purpose of carrying out its functions;

(3) In the discretion of the Foundation, to receive (and to use, sell, or otherwise dispose of, in accordance with paragraph (2), money and other property donated, bequeathed, or devised to the Foundation with a condition or restruction, including a condition that the Foundation use other funds of the Foundation for the purposes of the gift;

(4) appoint employees, subject to the civil service laws, as necessary to carry out its functions, define their duties, and supervise and direct their activities;

(5) utilize from time to time, as appropriate, experts and consultants, including panels of experts, who may be employed by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a);

(6) accept and utilize the services of voluntary and uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by law (5 U.S.C. 73b-2) for persons in the government service employed without compensation;

(7) rent office space in the District of Columbia; and

(8) make other necessary expenditures.

(b) The Foundation, in carrying out its function, shall not have the authority—

(1) to operate any laboratories or pilot plants of any type;

(2) to contract for any research to be accomplished for its own purposes, nor shall it endeavor to do research on its own. It is not intended to be a research organ, but rather a sponsor of research.

AUTHORIZATION FOR USE OF PUBLIC LAW 480 FUNDS

SEC. 12. Section 104 of the Agriculture Trade Development and Assistance Act of 1954 as amended (7 U.S.C. 1704), is amended (1) by striking out the period at the end of subsection (t) and inserting in lieu thereof a semicolon, and (2) by adding at the end of such section a new subsection as follows:

"(u) for supporting projects and providing assistance, in such amounts as may be specified in appropriation Acts, in accordance with the provisions of the National Foundation for the Social Sciences Act of 1966".

AUTHORIZATION

SEC. 13. (a) For the purpose of carrying out the provisions of this Act, there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for the fiscal year ending June 30, 1967, and each succeeding fiscal year plus such amounts as are provided for pursuant to section 12.

(b) appropriations made pursuant to the authority provided in subsection (a) of this section shall remain available until expended.

The abstract presented by Mr. HARRIS is as follows:

NATIONAL FOUNDATION FOR THE SOCIAL SCIENCES

The bill would create a National Foundation for the Social Sciences, similar to the National Science Foundation, to encourage and support research in the social and behavioral sciences. The proposed foundation would be separate from the operating agencies and departments of the federal government which now support policy studies relevant to their missions.

The Foundation would do no in-house research but would, in keeping with the precedent set by the National Science Foundation and the National Foundation for the Arts and Humanities, underwrite, fund and support academic research in the fields of political science, economics, psychology, sociology, anthropology, history, law, social statistics, demography, geography, linguistics, communications, international relations, and other social sciences.

The Foundation would be comprised of a Board of Trustees consisting of twenty-four prominent citizens from the social science community, both academic and practicing. There would, as well, be a Director and a Deputy Director, appointed by the President with the advice and consent of the Senate, in addition to such staff as the Foundation needs to administer such funds as may be appropriated for these purposes.

The Foundation would: develop a national policy for research and scholarship in the social sciences; support research and programs to strengthen research in the social sciences in the United States, as well as in foreign countries; appropriately assist social scientists where such assistance would lead to strengthening colleges, universities, non-profit research organizations, and foundations; encourage development of social science capabilities and manpower in all parts of the country.

Further, an important aspect of the proposed Foundation would be its availability as a contracting agency for the operating departments of the federal government to use to secure unclassified scholarly research in the social and behavioral science fields, here and in foreign countries.

The bill carries an authorization of $20 million, an arbitrary figure, chosen as a figure to be discussed in hearings, which are planned for next year.

Mr. HARRIS. Mr. President, I ask unanimous consent that the bill first be referred to the Committee on Government Operations and then to the Committee on Labor and Public Welfare.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

VILLAGE OF ORLEANS, VT.

Mr. PROUTY. Mr. President, I introduce, for appropriate reference, a bill for the relief of the village of Orleans, Vt., which inadvertently failed to timely negotiate U.S. money orders for the aggregate amount of $527.31.

Last spring the trustees of the village uncovered the money orders which had never been cashed. Postal authorities could not honor the money orders since Federal law requires that money orders be cashed within 20 years after their date of issue—39 U.S.C. 5103d; Public Law 86-682, approved September 2, 1960. I am convinced that while the Federal law on this matter undoubtedly serves a useful purpose, it should not deprive the village of Orleans, Vt., of $527.31 merely because a former village official—now deceased—did not timely negotiate several money orders. Therefore, I hereby introduce this bill for the relief of the village of Orleans, Vt.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 839) for the relief of the village of Orleans, Vt., introduced by Mr. Prouty, was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF SECTION 203 OF THE NATIONAL HOUSING ACT

Mr. HART. Mr. President, I introduce, for appropriate reference, a bill to authorize FHA insurance of seasonal homes. This bill is identical to title I of last year's S. 3711 which was favorably reported by the Senate Banking and Currency Committee and passed the Senate on August 12, 1966.

As my colleagues will remember, this title was lost along with other provisions of S. 3711 when the other body incorporated part of the contents of S. 3711 into S. 3708, the demonstration cities bill.

When the conference report was brought to the Senate floor on October 18, 1966, the subcommittee chairman, Mr. Sparkman, made the following statement:

> Mr. President, some of these items which were left out of the House-passed bill were felt by certain Senators to be quite important. The House conferees made a commitment to us, but, of course, it was in the nature of a gentleman's agreement because naturally Members of one Congress cannot bind Members of the next Congress; but they did agree that early next year they would cooperate with us in getting through new legislation for the items that had to be dropped.
>
> I shall be brief in my presentation, but I want to point this out, because a great many Members, I am sure, are interested in this subject.

A little later the following colloquy took place between the able Senator from Maine [Mr. Muskie] and me:

> Mr. Muskie. I had a particular interest in the seasonal homes version. The House managers were convinced of the merits of that proposition. On yesterday, agreement was obtained on it and it was concluded tentatively to include that provision in the conference report; but this morning the House Parliamentarian ruled that that provision, not having been included in the House bill, and the Senate bill not being in conference, the seasonal homes provision was not germane to the conference and could not be included or it would be subject to a point of order in the House.
>
> I say this because I know the particular interest of the Senator from Michigan (Mr. Hart), as he was the sponsor of the original bill.
>
> We worked it out in the Senate committee and in conference. It is a viable proposition and holds great promise for development of the rural undeveloped areas of his State and my State.
>
> Mr. Hart. Madam President, will the Senator yield?
>
> Mr. Muskie. I yield.
>
> Mr. Hart. I wish to thank the Senator from Alabama and the Senator from Maine and the conferees for going as far as they were able to go. I am glad to know that the House conferees were persuaded as to the merits of it. It promises enactment of it shortly after the beginning of next year's session.
>
> Mr. Muskie. Yes. We have gone a long way down the road toward enactment. With the sympathetic reaction we have received, there is great promise for development of relatively undeveloped lake and seashore areas of New England and the Midwest.

With this legislative history, I am hopeful this legislation may be reported at an early date and that our colleagues on the House side will remain convinced of the merits of the proposal.

Mr. President, I ask unanimous consent that there be inserted in the Record at this point a very interesting speech on the subject of seasonal homes, delivered by John D. Ritchie, regional vice president of the American Plywood Association, to the Home Manufacturers Association.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the speech will be printed in the Record.

The bill (S. 842) to amend section 203 of the National Housing Act, introduced by Mr. Hart, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The speech of John D. Ritchie, presented by Mr. Hart, is as follows:

Speech Presented at Home Manufacturers Association, September 28, 1966, by John D. Ritchie

At least 50 years ago, New Yorkers began wandering through New England looking for a quiet weekend retreat in the mountain greenery of Maine, New Hampshire and Vermont. Those New Yorkers were not building second homes as much as they were buying older homes that smacked of the distinctive New England charm. But the idea of spending the week days at their jobs in Manhattan and the weekends in the quiescence of New England worked out so well that we can probably credit those New Yorkers with starting it all.

Now, Americans all over the country—even those in small towns—are contributing to the demand for second homes.

The residents of a remote area in Northern Idaho near the Canadian border discovered to their amazement just this year that more than 1,000 Californians—people who are working and living in permanent homes in California—had bought lakefront property in one small county.

In looking at the second home market, it is difficult for any of us to say why a man wants a second home or where he wants it. Neither can we say with any degree of certainty what the average American wants to pay for it. But after a great deal of research and actual experience, there are many things we DO know.

When the American Plywood Association first became interested in the second home market, we found in a survey of buyers that 60 per cent of them bought a vacation home with the thought of using its as retirement home sometime in the future. Our survey showed further that 25 per cent bought almost entirely for the fun they would get out of their vacation home. 15 per cent said they bought primarily for the investment factor.

We learned that there are four other reasons why the second home market is expanding rapidly.

First, generally speaking people are making more money today than ever before and there are more discretionary dollars left over after the bills have been paid.

Second, families have been growing larger. That means that extended vacation trips can be costly for a mother, father and several children. The head of the family reasons that a vacation home will spare him the prohibitive costs of meals, lodging and entertainment on a cross-country tour.

Three, the American family has more leisure time now than in the past and the outlook is for even more of it in the future. The total weeks of vacation for U.S. workers jumped from 34.4 million weeks in 1946 to 70 million in 1958 and it has been expanding rapidly in more recent years.

Fourth, highways are better, making travel easier. Vacation areas that seemed remote two decades ago can be reached quickly and easily in the family car with plenty of time left over for recreation.

That brings us to another point—the matter of where the second home should be located. Our surveys have shown us that American families differ widely in deciding this important question.

The majority of families, surveys show, would prefer that the leisure home be located at a point 50 to 100 miles from the city home.

But we find that the man of the family, seeking complete isolation from the city environment, sometimes tends to look for a place that puts the family in a world of its own, so to speak, far away from the nearest neighbor.

Here the man of the house hopes he can fish, hunt, swim, and use his boat in complete privacy. He doesn't want to bother shaving, cutting the grass or doing any of the other required chores that are forced upon him in the city.

But we are becoming increasingly aware that the woman of the house has something to say about that matter of location too. She likes the idea of a leisure home, we find, but often she will insist that it be bought at no cost to her in conveniences.

She sometimes has fear of remote areas from the standpoint of safety, and she wants to be reasonably near shopping areas, a hairdresser, a few neighbors with whom she can socialize and not so far away from the home in the city that she can't get back to it without delay if she feels so inclined.

Moreover, she wants some conveniences in the home. She wants hot and cold running water, an inside bathroom, electric lights. In fact, one survey revealed that most women want nothing less in the way of convenience appliances in the second home than they have in the city home.

I think it would be accurate to say that the woman of the house is primarily responsible for the trend toward a full-fledged vacation HOME, as distinguished from the old-fashioned cabin in the woods.

The builder who does not realize that the second home has taken on sophistication may be shooting far below the actual market potential.

There are still plenty of shacks to be found at our lakes and in our forests. Some builders are offering so-called bargain homes that do little in the way of enhancing the lake areas.

We think the real meat of the second home is the well-designed, leisure dwelling that can be put together only by a competent builder, a quality fabricator or a sophisticated dealer-builder operation.

The architecture is important for many reasons.

First, the potential buyer is aware of good design these days and he is looking for it.

Second, lending agencies want to see solid, mortgageable property before they will consider loans.

Finally, the unfinished shack is by definition much in conflict with the very idea of a leisure home. The second home customer, whether he is fully aware of it or not when he starts shopping, does not want to spend his vacation and leisure hours as a slave to his home at the lake.

The second home market, in fact, although it is still quite new on the American scene, has already undergone some significant changes.

Back in 1957 when the American Plywood Association—then the Douglas Fir Plywood Association—began pioneeirng the second home market, we directed our efforts toward the do-it-yourselfer because we felt that the average family would have to build it themselves if they were going to have a leisure home.

This approach changed radically, however, when market surveys showed beyond any reasonable doubt that few home craftsmen had any intention of building their own vacation homes from the ground up.

Even in recent years, some builders have found to their own surprise that they have overestimated the amount of work the second home builder intends to do by himself and underestimated the amount of money he has available.

One builder in the state of Washington who entered the second home market a few years back told us he first offered homes in $1,500 to $2,500 range and found that the majority of his sales were for the $2,500 unit. So the next year he upped his range to the $2,500 to $3,500 area and again found that the more expensive units were the best sellers.

Now, this same builder finds that his best seller is a unit that can be built anywhere for from $7,500 to $10,000.

"We made the mistake of underrating the market and the acceptable price," he told us. "Now we know that the average customer wants a second home, and he doesn't want very much less than he has in his primary home."

I would not want to leave the impression with you that we think the do-it-yourself market is dead.

In many areas of the country, builders tell us that they are getting requests from buyers who want nothing more than a plan and the materials. They intend to do all the work thmeselves right from the ground up. Others want the builder to put up the structure, but they plan to save some money by doing the interior paneling and the painting themselves.

The latest trend, however, and the one that seems to be the most successful way to sell second homes, is the planned community. It is not for the newcomer in the building industry, nor for the builder who does not have plenty of money to work with. It is a project requiring—in addition to money—lots of land, engineers, legal aides, promotion people, salesmen and top leadership.

The most successful leisure communities—and there are many of them in this country today—offer the buyer a piece of ground and a home along with an array of planned activities so numerous and so diverse that at least one of them has appeal for the potential buyer. When the buyer looks about him he finds such attractions as swimming pools, marinas, golf courses, lakes, riding stables, rifle ranges, tennis courts, theaters, shopping centers, day nurseries and organized programs that include picnicking, cookouts, dances and old-fashioned ice cream socials.

The man who buys this sort of an arrangement is at the other end of the personality spectrum from the guy who wants quiet privacy for himself and his family.

The planned leisure community fairly crackles with activity. There's something doing every minute. The resident doesn't have to think much about what he's going to do for entertainment from day to day. It's all decided for him. And he doesn't seem to mind togetherness with his fellow men.

Here again, some builders have underestimated how much home a buyer wants and how much he wants to spend. Some of the earliest planned communities, featuring small lots and small homes at prices everyone could afford, have not been as popular as those in which the buyer was offered larger lots, larger homes and more in the way of entertainment.

One successful concept in this business of selling second homes is built on the phrase "Vacation Now—Retire Later." This idea seems to have appeal to people of all ages. The young people like the thought of buying a home for the fun they will get out of it now, at the same time hoping that their investment will grow in value through the years. Then there is the added attraction of having at hand a place to spend their retirement years, hopefully all paid for.

In our research, we have uncovered situations in which one builder could not sell second homes he built and concluded that there was no market in his area for this type of thing. At the same time, however, other builders in the same area were making hay with homes that were about the same size and price as his.

The problem was that the first builder was not promoting his home properly after they were finished and ready for occupancy. He had failed to recognize that the second home market involves the sale of recreation, leisure, scenery and an intangible way of life. The building itself is only one small part of the package. When imagination is not put to use in selling the finished product, the project can fail.

I am pleased to say that the American Plywood Association recognized early in the game that the leisure home market was a sleeping giant in the American economy.

Back in 1959 and 1960 the association ran what was probably the first national consumer advertising campaign ever directed at the second home market. Four color advertisements in Saturday Evening Post were headlined "Every Family Needs Two Homes," and we invited consumers to write for construction brochures and construction plans. The results were amazing.

These ads, plus publicity in a score of consumer magazines and trade publications, helped create national interest in leisure homes and brought the association orders for over one million second homes plans and brochures.

If there was any doubt in our minds about the depth of the second home market, it was completely dispelled by those startling results.

The association has continued its promotion of the leisure home market through the years and we have firm plans to continue it this year.

Some of you are familiar I am sure with the advertising program we conducted just this year in Sports Illustrated with the Western Wood Products Association. This series was based on a home we thought to be the ultimate in second home design, location and year-round liveability. We called it the Raging River cabin.

The home incorporated six major criteria set forth by the owner.

He wanted:

One—All weather liveability. The home had to be pleasant and inviting during all weather and all seasons.

Two—He wanted maximum living area with corresponding less attention to sleeping and utility areas.

Three—He wanted maximum compatibility of site and structure.

Four—He wanted plenty of storage area for such bulky items as outdoor furniture.

Five—He wanted low maintenance characteristics. He did not want to spend his leisure time taking care of the property.

Finally, because the homesite was in a remote area, he wanted a plan that would be adaptable for prefabrication and remote site assembly.

The finished job was a classical example of second home planning and design, right from the selection of the location to the interior design.

We also featured in this area a three-stage beach cabin that can be built progressively, beginning as a campsite and ending as a permanent second home ideal for retirement.

To give you an idea of consumer interest in projects such as these, I would like to pass along some of the results we got from these ads.

Our April ad in Sports Illustrated drew a total of 4,233 requests for literature. Of these 1,684 requested a copy of the second home plan featured in the ad at 35 cents and 2,549 asked for a Second Home Idea booklet we offered at 25 cents per copy.

The June ad brought 4,949 requests and in August, we re-ran one of the advertisements and over 1,800 coupons were returned.

By the end of the year, returns from the three advertisements totalled over 12,000 with pieces of literature distributed considerably more than that.

We think this is significant considering that these people had to go to the trouble of cutting the coupon out of the ad, mailing it, and sending money with it.

It can be safely assumed, I think, that these ads stimulated thousands of others into thinking about a second home and perhaps starting to make plans for their futures.

In this same series of ads, we made a pitch for the vacation dollar by reminding the consumer that he could take a trip around the world in 60 days and wind up with only memories for his money—or he could build his own wonderful world of leisure with a plywood second home that would be his for a lifetime.

Using the same theme in another ad, we told the consumer that a two week resort vacation costs a lot of money. But once it's over, it's over. We reminded that a plywood second home would be his for lifetime.

The promotion of second homes by the American Plywood Association will continue in 1967. We think the idea has caught on smartly with the consumer and we intend to use all of our resources to sharpen the new American demand for the good life.

THE FULL OPPORTUNITY AND SOCIAL ACCOUNTING ACT OF 1967

Mr. MONDALE. Mr. President, I introduce, for myself and Senators CLARK, HART, HARRIS, INOUYE, KENNEDY of Massachusetts, MCCARTHY, MCGEE, MUSKIE, NELSON, and PROXMIRE, a bill entitled "The Full Opportunity and Social Accounting Act of 1967."

I ask unanimous consent that the bill lie at the desk for 10 days for additional sponsors.

The PRESIDING OFFICER. The bill will be received and, without objection, the bill will lie at the desk as requested.

Mr. MONDALE. Mr. President, this proposed legislation is designed to give us a clear and precise picture of how well we are doing in our efforts to provide a decent life and full opportunity for all Americans.

A decent life and opportunity to develop to the maximum of one's ability and ambition has been a cherished ideal of American life since our Nation was born.

But we have found through many difficult days that these goals are not easily won. The great depression, for example, taught us that our noble ideals were hollow for those without economic security. And so government—Federal, State, and local—accepted responsibility for assuring a full employment economy and instituted special programs for the elderly and for those dependent on welfare support for survival.

We have since undertaken broad new Federal commitments for education, health, agriculture, housing and urban development, economically depressed areas, and other aspects of our national life, complementing and supporting broad programs of State and local government.

Even so, millions of Americans—the uneducated, the elderly, the handicapped, the jobless, the mentally ill, the poverty stricken, those denied access to the ballot—still live on the edge of despair, without hope or opportunity.

Thus in the past few years, dramatic new programs have been enacted to alleviate these social ills. But even as these new programs were being enacted and implemented, debate has continued over their need and their effectiveness. And today this debate has reached a critical focus: Should we cut back on our domestic efforts because of the costly war in Vietnam, or are our national social needs so severe as to require that we continue, and perhaps expand, these domestic undertakings despite the burden of Vietnam?

The continuing controversy envelops and impedes our efforts to afford all Americans a decent life and full opportunity. And it also reflects a serious need—a need for more refined and sophisticated knowledge about the condition of our Nation's social health and the effectiveness of our efforts to improve it.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. MONDALE. Mr. President, I ask unanimous consent that I be given such time as I may need to finish my speech.

The PRESIDING OFFICER. Is there objection?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Minnesota be given 7 additional minutes, because we are in the morning hour. Otherwise it would go till 2 o'clock.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONDALE. The need to assess the effectiveness of our new domestic programs has already been stressed by many, including the President and our distinguished majority leader.

In his state of the Union address, President Johnson recognized that new programs require trial and error, and have produced both. He therefore placed top priority on assuring that these new programs work effectively.

And Senator MANSFIELD, both last year and again this year, has urged that Congress dedicate itself to the task of legislative oversight, to take a close look at the programs we have enacted and correct their rough edges, overextensions, overlaps, and even significant gaps.

In addition, rudimentary efforts in charting progress, evaluating effectiveness and impact, and determining priorities are already underway in the Government. But for the most part, these are fragmentary efforts, scattered and buried in the various executive offices and Federal agencies, and frequently the findings are unavailable to Congress and the public.

The fact is that neither the President nor the Congress nor the public has the kind of broad-scale information and analysis needed to adequately assess our progress toward achievement of our national social aspirations.

For example, after nearly two decades of urban renewal, men are still debating whether it has helped the poor or merely moved them en masse to new slums. We debate the poverty program not on the basis of overall impact, but by citing isolated examples—good or bad, depending on the point to be made—of a Job Corps camp here, a community action program there, and head counts of the number of poor people who have some contact with program officials.

In area after area proponents using one set of facts say we are not doing enough while opponents using another set of facts say our effort is misdirected and we are doing too much or that our efforts are misdirected and that our money is being wasted.

I think it is clear, Mr. President, that we need new tools to assess our efforts and progress in the area of social reform, and for better understanding of these efforts and the state of our social health as a nation.

The legislation I am introducing today is designed to meet this need.

First, it would establish a Council of Social Advisers, which would compile and analyze social statistics, devise a system of social indicators, help develop program priorities, evaluate the effectiveness and impact of our efforts at all levels of government, and advise the President in the establishment of national social policies.

Second, it would require the President to transmit to Congress an annual report on the state of the Nation's social health, specifying progress made, listing goals for the future and specifying policies for achieving these objectives.

Third, it provides for a joint committee of Congress to review the President's annual report on the state of our social health, just as the Joint Economic Committee exercises oversight responsibility in economic matters.

I would hope, Mr. President, that this act might accomplish in the area of national social policy what the Employment Act of 1946 has accomplished in the field of economic policy.

For just as we thrash around in the area of social policy today, so too did we thrash around in the area of economic policy before 1946—making decisions on the basis of untested theories and inadequate information, and assuming that cyclical waves of boom and bust were inevitable.

But 20 years ago Congress enacted the Employment Act of 1946, establishing the Council of Economic Advisers and requiring the President to deliver to Congress an annual report on the progress of the economy during the year past and prospects for the year ahead.

In the two decades since enactment of that law, we have developed the sophisticated capability to register every quiver in the U.S. economy. Our current boom, unprecedented in duration and vitality, is a result of decisions and policies made possible by the superb economic analysis and planning and sophisticated statistical data of the Council of Economic Advisers.

And through the annual Economic Report, the President's policies and programs have been given broad public exposure, while the report's statistics accurately measure the performance of the economy in comparison with past years.

We still debate economic policy, of course, but our decisions are now shaped on the basis of hard, factual information, and our economy is doing far better than it has ever done before.

Unfortunately, this is not always the case in the area of social policy. For when we come to debate the dimensions of our social ills and the effectiveness of efforts to alleviate them, promote individual opportunity, or enhance the quality of American life, we often lack the kind of hard data and analysis provided by the Council of Economic Advisers and the various economic indicators that have been developed.

And the same situation prevails in the area of planning and embarking on new social programs.

For example, the Department of Health, Education, and Welfare has discovered that it costs $88,000 per life saved to educate motorists to drive safely, but an advertising campaign asking motorists to use their seat belts save a life for each $88 spent.

Escalate this to a bigger problem—crime, for example.

What is the cost of juvenile programs—counseling, summer camps, sports activities—in terms of juveniles saved from crime? How does this cost compare with the amount spent on police and prisons? Would a dollar spent on prevention save five spent on prisons? And will we save something more precious—a human life?

This is the kind of analysis that is needed, and is lacking.

Another problem is the measurement of accomplishment. The administration believes it is making progress in eliminating inadequate housing, educating children, curing poverty.

But in many instances, officials are not certain they are gaining ground. Neither is Congress nor the public, whose support is essential for long-term success.

We now have too few social indicators to which we can refer—in contrast to the abundant economic indicators—and the few that we now have are in many instances insufficient.

Housing and Urban Development Secretary Weaver told the Subcommittee on Executive Reorganization that the last complete statistics on the number of families in the Nation living in inadequate housing are those of the 1960 census, thus 7 years out of date.

Consumer Counsel Esther Peterson says that we do not know how much it costs the elderly to live, a basic fact that must be known before the Government can ease the plight of those on fixed incomes, or demonstrate that it is doing so.

Another example is the lack of sound statistical data on the number of mentally ill in the Nation.

Obviously we cannot expect to measure social values with the same precision and exactness which we measure economic trends. But this is not to say that we cannot improve upon present statistical data dealing with our social problems.

More and better indicators must be devised, and social scientists believe it is entirely possible to do so.

Another major obstacle in trying to develop programs to encompass problems of great scope—crime, urban development, education—is the complexity of interagency coordination. Bureaucracy is burgeoning. The Washington Post recently counted 300 Federal programs dealing with education, poverty, physical environment, and community development. The responsibility for administering these programs is scattered through 150 major bureaus and offices in Washington and 400 regional and subregional offices in the field.

In education alone, 10 departments and 15 agencies, ranging from the Department of Justice to the Department of Housing and Urban Development, have operational responsibility.

And to carry this a step further, Federal involvement is small when compared with the numerous State, regional, county, and municipal efforts in education, recreation, welfare, conservation, crime, and urban planning and development.

Although the proposed Council of Social Advisers would not itself be a coordinating agency, I believe this legislation would encourage coordination. The overall evaluation of the social state of the Nation will fill a major gap in our knowledge of social progress. It will provide the information and policy recommendations that will help the administration coordinate its attack on massive social problems.

It would also function as a research collection agency and information repository whose resources could be available to any State, county, and local government to help those first-level and most important governmental units do a more effective job.

Federal efforts, while increasing, remain limited and supplement local programs. The local agencies must be given every opportunity to solve problems within their capabilities.

In form, the Council of Social Advisers would parallel the Council of Economic Advisers. It would be composed of three members eminently qualified to analyze and evaluate governmental activity in social reform.

The Council would have a staff of experts capable of analyzing the interrelationships of programs in such fields as medical care, social welfare, education, urban planning, and penology. In other words, to determine the total impact on people.

Specifically, the Council would serve as a social statistical agency, compiling data needed to measure the social health of the Nation. Much of the raw statistics are available now in the multitude of governmental offices and the files of private research agencies. It is hoped that it will be possible to devise a system of social indicators that may be watched constantly for danger signs indicating failure or miscalculation. It would develop priorities and recommend the most efficient way of allocating national resources, determining which programs should be emphasized, and what level of government should be responsible for the task. It would conduct special impact studies into the social consequences of various programs and Government policies.

For example, what are the social consequences of Government policies which tend to concentrate defense and space technology contracts in certain areas of the country, draining people and talent from one area and contributing to the jam of population in another? Another example might be an inquiry into the indirect impact of our vast freeway construction programs, which stimulate the economy and speed auto travel, but which can also isolate the poor and accelerate deterioration of neighborhoods and communities. In Watts, the inability of residents to easily reach the State employment office due to cutbacks in public transportation, is said to be a major factor in the terrible 1965 riots there.

And looking ahead, it is a sign of both our present condition and our future hopes that a California aerospace firm predicted the social explosion there on the basis of computer analysis of Los Angeles crime and welfare patterns.

Yet, the Nation as a whole was unaware of this potential danger until it was hard upon us.

Finally, the Council would also advise the President in the preparation of the annual social report, presenting to the Nation a detailed accounting of our social progress.

At a time when there is much emphasis on the quality of life, the annual social report would measure it with facts and figures, putting flesh on what are now usually only abstract suppositions.

How many Americans suffer in the squalor of inadequate housing? How many children do not receive educations commensurate with their abilities? To how many citizens is equality of justice denied? How many convicts in our penal institutions are barred from rehabilitation that would allow them the opportunity to reenter the mainstream of life? How many physically handicapped and mentally retarded are unable to get training to achieve their potential? How many individual Americans are denied adequate health care? How many are breathing polluted air? These are some of the possible indicators that might be considered in the social accounting.

In the social report, the President should delve deeply into aspects of American life that are only briefly touched upon in his state of the Union message, which has to deal heavily with economic policy and international affairs.

The social report would report and analyze trends of the past year, as measured by the social indicators, and would set forth goals for the future and a policy for achieving them.

A system of social accounting has been the subject of discussion by social scientists for the past several years, and has won wide support.

One of the foremost advocates is Bertram Gross, former Executive Secretary of the Council of Economic Advisers, now professor of administration at the Maxwell Graduate School of Citizenship and Public Affairs at Syracuse University.

He has argued that the Nation should be provided with a detailed annual report on the current status of the quality of life—a social state of the Union message.

The American Academy of Arts and Sciences sponsored a landmark study of social indicators, measuring the impact of the Nation's space program.

There has also been Government-sponsored research in this area.

Last year the National Commission of Technology, Automation, and Economic Progress, which was established by act of the Congress, reported that our ability to measure social progress was far behind our capability to measure economic change. In improving the quality of life, the Commission found that "we have too few yardsticks to tell us how we are doing."

The President has directed the Department of Health, Education, and Welfare to begin working on the necessary social statistics and indicators to supplement those prepared by the Bureau of Labor Statistics and the Council of Economic Advisers. A panel of social scientists is now working with the Department. But while they are enthusiastic and hardworking, their effort is necessarily part time. They are unable to give the subject the concentrated attention it demands.

The Bureau of the Budget is organizing the planning-programing-budgeting-system, a step toward giving officials information necessary to enable more effective distribution of available funds among competing programs. It is not the purpose of this legislation to duplicate or shift this function. But I do think it necessary that there be a public accounting open to analysis by the Congress and the public. Evaluation of our social progress should equal the present evaluation of our economy. Congress can do this by institutionalizing the Council of Social Advisers and making the annual social report mandatory.

In social reform, there should be no retreat from our commitment. But perhaps our effort to defeat human despair has wavered not because of lack of dedication or energy, but because the inability to determine social priorities, and the absence of clear evidence of what progress has been made, hobble our efforts to plan and coordinate.

Mr. President, the legislation I introduce today is broad, but it is necessarily so.

I feel that our discussion should encompass the entire range of programs aimed at alleviating social ills and improving individual opportunity.

During the hearings we will be able to

consider the opinions of such experts in the field as Mr. Gross, Mr. Raymond Bauer, of Harvard University, and Mr. William Gorham, Assistant Secretary for Program Coordination at HEW, who is fostering the effort at social evaluation there, and many others.

In the past, our Nation's progress has been measured only in economic and material terms. Now there is a new emphasis on social advance.

The President acknowledged this in his Economic Report by frequent reference to human issues.

Significantly, he pointed out that:

> The sacrifices required of most of today's generation are not of income or security; rather we are called upon to renounce prejudice, impatience, apathy, weakness and weariness.

And he added:

> In purely material terms, most Americans are better off than ever before. That fact expands our responsibilities, as it enlarges our resources to meet them.

The objective of this legislation is to discover routes to fulfill our responsibilities, and meet our basic social needs.

The Employment Act of 1946 did this for economic progress; the Full Opportunity and Social Accounting Act of 1967 will help us chart the most direct, efficient, and economical paths to full opportunity for all Americans.

Mr. HARRIS. Mr. President, will the Senator yield?

Mr. MONDALE. I yield to the Senator from Oklahoma.

Mr. HARRIS. Mr. President, I compliment the distinguished Senator from Minnesota [Mr. MONDALE] for this most perceptive legislative proposal of which I am proud to be a cosponsor, and the comments he has just made in introducing it.

The PRESIDING OFFICER. Will the Senator suspend until the Senate is in order? The Senate will be in order.

The Senator from Oklahoma may proceed.

Mr. HARRIS. I, too, am concerned, as are a number of other Senators, with the general state of support for the social sciences in this country. Few steps we can take will more importantly contribute to social science development than recognition of social scientists as social advisers to our Government, to collect and analyze social statistics, to aid in developing national social priorities and to assist in devising a system of social indicators.

The enactment of such a proposal along with the establishment of a National Foundation for the Social Sciences would, in my judgment, go a long way in giving us the national capability we so desperately need to understand ourselves, our fellow man, and the society within which we live. No national problems so greatly resist solution than do social ones—poverty, crime, juvenile delinquency, education, urban planning, and change—yet in few areas of concern are we more unprepared by way of insights and understanding.

I support the distinguished Senator from Minnesota [Mr. MONDALE] in his efforts in this direction.

Mr. MONDALE. Mr. President, I am delighted and flattered by the support of the distinguished Senator from Oklahoma. His proposal for a social science foundation is a farsighted proposal in this general area, and I am pleased to join as a cosponsor in that measure, which I hope will be adopted.

It seems to me that one of the great success stories in American government has been that of the Council of Economic Advisers. That was a unique and creative structure, which resulted in impressive improvement in the sophistication with which this Nation deals with its economic problems. It has resulted in more employment and more prosperity for our Nation, and has elevated the consideration of economic problems to its proper level in government.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. MONDALE. Mr. President, I ask unanimous consent that I may have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONDALE. It has been, as I say, a true success story in American government. I think we must realize that the time has come now for a similar agency to deal with the social needs of our people. This need has been recognized by many of the top social scientists in our country, as the distinguished Senator from Oklahoma has pointed out.

I ask unanimous consent to have printed in the RECORD two articles which are indicative of this present need—an article entitled "Insight and Outlook—A Social Accounting," written by Joseph Kraft and published in the Washington Post of January 4, 1967, and an article entitled "Crime and Our Loss of Trust in Human Beings," written by Max Lerner and Published in the Washington Evening Star of January 16, 1967.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 4, 1967]

A SOCIAL ACCOUNTING

(By Joseph Kraft)

With one notable exception, practically everything Americans do gets officially measured at this time of year. The exception, the thing that is not measured, is the social effect or impact on daily life of all the other things that are measured.

But probably nowhere else is there a more pressing need to take regular readings. And, accordingly, some of the most perceptive men inside and outside the Government have begun to work for a social counterpart to the annual economic report made to the President and the Congress by the Council of Economic Advisers.

The economic report is a good example of the staggering number of things Americans do that are regularly reported and tabulated. Among other things it sets forth every year: gross national product; sources of personal income; volume of industrial production; wholesale and consumer price indices; corporate profits and farm income.

No one can assert with confidence the consequence of having all this information readily and regularly available. Certainly it does not make men agree anymore than they used to about such things as taxes, wages and profits.

But at a minimum the statistics act as warning signals. When things are not going well, when growth slows or unemployment rises, people know about it. Indeed, because of the insistent message of the numbers, they cannot fail to know about it.

In that situation, the groups of men called institutions lean against the wind; make corrections; slow down what is going too fast; right balances that are off center. The economic numbers, in other words, have helped this country avoid economic disaster. They have worked to keep options open, to assure that the great opportunities if they are missed, get reopened or retrieved.

An almost exactly opposite condition prevails in the social field. Information of all sorts lies about profusely in bits and pieces. But it is rarely put together in a regular and comprehensive fashion.

Lack of regular information fosters an innocence and irresponsibility that is positively terrifying. City after city launches urban renewal drives only to discover—belatedly and with surprise—that poor people are being driven from their homes. County after county launches drives for new industry only to learn—also belatedly and with surprise—that it is polluting the atmosphere. State after state pushes highway projects, only to realize—with astonishment—that the result is impossible congestion in city streets.

On the federal level, the Executive Branch, not forced to pay attention by a steady flow of organized data, virtually ignores consumer protection. As studies by Rep. Benjamin Rosenthal of New York indicate, what little progress has been made in auto safety, fair packaging and lending, is the result almost exclusively of congressional efforts—some of them against the Executive Branch.

This terrible innocence, this unappreciation of social consequences has already brought about one awful, and now irrevocable, error in the post-war period. Almost without knowing it, this country has allowed the whole post-war generation of urban poor Negroes to grow up hostile to American society.

To be sure, an annual social report is not going to end congested streets, air pollution, and the shortchanging of the consumer interest. But it can create a climate of continuous self-correction; a barrier against irrevocable mistakes, not to say disasters, such as the loss of a Negro generation. And that it seems to me is perhaps the most important domestic business now before the Nation.

[From the Washington Star, Jan. 16, 1967]

CRIME AND OUR LOSS OF TRUST IN HUMAN BEINGS

(By Max Lerner)

In the grand anticlimax of the 1960's the man who—by his own account and his lawyer's—strangled 13 women in Boston, has been put on trial for a number of minor breaking-into-apartment episodes because there is no way of trying him for the monstrous strangling crimes. His lawyer, Lee Bailey, told a gathering of Bostonians at a civic dinner that with Albert DeSalvo safely tucked away in a mental hospital "citizens will no longer have to open their chain-locks in terror."

How curious a reassurance this is, turning on the fact of one man in custody. The chain-locks are still tightly locked in Cincinnati where stranglings have not been solved, and there will be other cities through which fear and suspicion will stalk together.

Note that President Johnson's message on the State of the Union devotes more space to terror in the streets and terror in the home than to any other single national problem except the Vietnam war. His proposal for a "Safe Streets and Crime Control Act," to give Federal aid to State and local policing programs, will take care of the problem of funds. But what will take care of the recesses of the human heart and the twisted places in the human brain where these enormities happen?

My family had a wry reminder of this a few days ago when a couple of hold-up men talked their way into our home while I was out of the city, herded my wife and our small son and our maid together in a room. While one of them ransacked the house for valuables, the other held the little huddle of three at gunpoint; then they tied them up and got away.

What hurts unforgivably and unforgettably, is not what they carried off, but the terror they left in the minds of two women and a child.

In this kind of minor episode, as in the major crimes which bedevil the suburbs and small towns as well as the big cities, the abiding residue is the loss of trust in fellow human beings.

This is why we ought to welcome a current project of sociologists and government people—headed by Daniel Bill of Columbia and William Gorham, an Assistant Secretary at HEW—to find some way of measuring the social health of the nation as well as its economic and political health.

Every year the American President gives Congress and the people a message on the State of the Union as a polity, an economy, and as a power among the powers of the earth. Fine, but how about an annual message on the state of the society, on the state of the happiness of the people, and on the changes taking place in both?

Kenneth Boulding, who is an economist but also much more, has recently suggested that what may be most worth studying in a society is its "integrative structure," by which he means the whole complex of loyalties, beliefs and commitments that holds it together.

In a book I once wrote on American civilization I called this the "cement" of a society, holding it together in a far deeper sense than the various forms of lip-service that we pay to democracy, morality, and virtue.

President Johnson quoted from Abraham Lincoln: "Let reverence for the laws become the political religion of the nation." But with all respect to Lincoln, there must be more in the integrative structure of a society than reverence for the laws. There must also be reverence for man himself, and trust in him, and a sense of the human nexus.

This is what has been broken by the terror in the streets and the terror that has attacked the home. The chain-lock, pulled back only with a wary and hostile eye, will not cure it: For it is itself a symptom as well as consequence of the disease. Putting the DeSalvos into mental hospitals will not cure it, nor rounding up the criminal junkies periodically, nor giving them free shots as the British do.

The cure must be radical, as the disease is. We could do far worse than to devote to their study a considerable part of the Federal taxes which we are about to increase.

Mr. MONDALE. Both articles help support the reasons why this type of measure should be enacted, and why such an institution should be developed. It will provide our Government and the President with the basis for an intelligent and wise allocation of resources in support of programs which offer the best possibilities of affording every American full opportunity for a decent life.

Mr. MONDALE subsequently said: Mr. President, I earlier introduced the Social Accounting Act of 1967, S. 843. I ask unanimous consent that the bill be referred first to the Committee on Government Operations and next to the Committee on Labor and Public Welfare.

The PRESIDING OFFICER. It there objection? There being no objection, it is so ordered.

CONTROL OF POLLUTION OF GREAT LAKES

Mr. NELSON. Mr. President, I introduce, for appropriate reference, a package of three bills aimed at controlling the pollution of the Great Lakes and the Nation's rivers and streams by cities and industries and by ships.

These bills are similar to ones I introduced in the last session of the Congress. Changes have been to accommodate laws passed by that Congress and to take into consideration recent technological changes. These bills are the first part of a comprehensive pollution package that I intend to introduce in this session of Congress.

Great strides have been taken by all levels of government and the private sector in recent years toward meeting the problems of water pollution. We have some battles, but we are still losing the war against pollution.

Every major river system in America is now polluted and the tide of pollution is moving rapidly through our Great Lakes, the greatest fresh water resource on the face of the earth.

The ever-increasing pollution of the Great Lakes must surely shock every thoughtful American. Some experts have said that Lake Erie has become irreversibly polluted. The southern tip of Lake Michigan is becoming an industrial cesspool. Chicago's source of drinking water is threatened.

The causes of this pollution are many in number and varied in form. Many communities do not have adequate sewage treatment plants and discharge raw sewage into public waters during times of heavy rainfall because their storm and sanitary sewers are interconnected. Many industries do not have adequate sewage treatment plants and dump industrial acids and other chemicals into lakes and streams. Vessels and ships, as well as the shore installations and terminal facilities which service them, have inadequate sewage treatment facilities and are dumping wastes directly into harbors and into our navigable waters.

The navigable waters pollution control bill would help to control pollution of the Great Lakes and other navigable waters by prohibiting the dumping of oil, sewage, and refuse into those waters from vessels and boats as well as from terminal facilities and shore installations.

The Clean Waters Restoration Act of 1966 prohibited the dumping of oil from vessels and ships into navigable waters; this bill would broaden the coverage of vessel pollution control from oil to include all pollutants; namely, oil, sewage and refuse. Under this bill coverage is also extended to include all sources; namely, shore installations and terminal facilities.

The Secretary of the Interior is directed to consult with other Federal officials and governmental agencies which are presently involved in matters relating to navigable waters. It also directs the Secretary to appoint a technical committee of Government representatives, owners and operators of Great Lakes vessels, and such other persons as the Secretary determines. In this way, the Secretary will develop regulations which are workable and, at the same time, adequate to protect the public interest.

Under this bill, vessels operating on navigable waters would be required to have approved sewage and refuse disposal facilities by January 1, 1971.

The industrial pollution abatement and prevention bill would provide a program of economic incentives to assist and encourage industry to assume its responsibility for preventing water pollution by properly treating its wastes.

Every day, industries are dumping great quantities of exotic and highly toxic waste into the Great Lakes and many of our rivers and streams.

There are certain industries which are making a major effort to remove dangerous pollutants from the wastes they discharge into public waters. These people are to be commended for their efforts.

Because facilities to treat industrial wastes are often very expensive and because some industries contend that they cannot afford to install these facilities, this bill would make direct grants and loans available to certain qualified industries to pay up to 50 percent of the cost of waste treatment facilities.

The bill also increases grants to municipalities for joint municipal-industrial waste treatment facilities and establishes and strengthens research in joint waste disposal facilities and advanced waste treatment methods.

The clean waters bill would increase Federal assistance to State, local, and other governmental units for the establishment of drainage basin agencies for comprehensive pollution control planning.

The key to effective water quality control is the drainage basin approach. If one city is treating its sewage properly before it discharges it into a river but another city on the same river is not, the net effects is still the same—the water becomes polluted.

The system of Federal grants to municipalities for treatment plant construction would be increased under this bill to a maximum of 90 percent Federal money if the State pays the remaining 10 percent and if the project is part of a drainage basin-water pollution control plan.

Under this bill, the amount of Federal funds available for treatment plant grants would be increased from $3.5 to $8.7 billion over a 5-year period.

Many communities do not even apply for Federal grants today because they cannot raise the necessary money from their overburdened property tax systems. The Federal Government can no longer sit back and insist that other units of government must solve the problem. The fact is, the job is not now being done and never will be unless we make this an urgent responsibility of the Federal Government.

The bill would also allow the Secretary of the Interior to make low-cost loans to States and municipalities and other agencies if they cannot secure money under reasonable terms from any other sources.

The time is near when our rivers and

lakes will be "too thin to plow and too thick to drink." We must act now.

I ask unaminous consent that these three bills lie on the table for 1 week so that those Senators who wish to do so may join me in cosponsoring any or all of them, and that the texts of the three bills be printed in the RECORD.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, will be printed in the RECORD and held at the desk for 1 week as requested by the Senator from Wisconsin.

The bills, introduced by Mr. NELSON, were received, read twice by their titles, and referred to the Committee on Public Works, as follows:

S. 847. A bill to amend the Federal Water Pollution Control Act in order to improve certain programs under such act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Clean Waters Act of 1967."

DECLARATION OF POLICY AND PURPOSE

SEC. 2. The Congress finds and declares—

(1) that each individual has a right to water resources for living which are free from pollutants which detract from their usability to him and adversely affect his health and welfare;

(2) that no individual or group has a right to pollute water and that all individuals and groups bear the responsibility for any water pollution and pollution-related damages which he or they have caused;

(3) that water is an indispensable natural resource which must be carefully conserved and exploited to protect and advance the health and welfare of the Nation;

(4) that the pollution and degradation of the water resources of the Nation has attained alarming proportions and will become increasingly worse in the future, seriously threatening and damaging the quality of human life and the growth and survival of all living things; and

(5) that the States and municipalities have the primary responsibilities and rights for preventing and controlling water pollution but that to assist them in fulfilling these responsibilities and rights, the Federal Government should provide financial aid to them.

SEC. 3. (a) Paragraph (1) of subsection (c) of section 3 of the Federal Water Pollution Control Act is amended to read as follows:

"(c) (1) The Secretary shall, at the request of the Governor of a State, or a majority of the Governors when more than one State is involved, make a grant to pay 50 per centum of the administrative expenses of a planning agency for a period not to exceed five years, if such agency provides for adequate representation of appropriate State, interstate, local or (when appropriate) international, interests in the basin or portion thereof involved and is capable of developing, implementing and enforcing an effective, comprehensive water quality control and abatement plan for a basin."

(b) Paragraph (2) of such subsection is amended by striking out the word "and" at the end of clause (B), by striking out the period at the end of clause (C) and inserting in lieu thereof a semi-colon and the word "and" and by inserting after such clause the following:

"(D) provides for implementation of treatment works recommendations and enforcement of water quality standards."

SEC. 4. (a) Subsection (b) of section 8 of the Federal Water Pollution Control Act is amended by striking out clause (2) and inserting in lieu thereof the following: "(2) Grants for projects shall be made in the amount of 25 per centum of the estimated reasonable cost thereof as determined by the Secretary;".

(b) Such subsection is further amended by striking out clause (6) and (7) and inserting in lieu thereof the following: "(6) The percentage limitation of 25 per centum imposed by clause (2) of this subsection shall be increased to a maximum of 50 per centum in the case of grants made under this section from funds allocated for a fiscal year to a State under subsection (c) of this section if the State agrees to pay not less than 30 per centum of the estimated reasonable cost (as determined by the Secretary) of all projects for which Federal grants are to be made under this section from such allocation, and if enforcible water quality standards have been established for the waters into which the project discharges, in accordance with section 10(c) of this Act in the case of interstate waters and waters tributary thereto, and under State law in the case of intrastate waters; and (7) the percentage limitation of 25 per centum imposed by clause (2) of this subsection shall be increased to a maximum of 90 per centum in the case of grants made under this section from funds allocated for a fiscal year to a State under subsection (c) of this section if the State agrees to pay the balance of the estimated reasonable cost as determined by the Secretary of all projects for which Federal grants are to be made under this section from such allocation, and if the project is part of a comprehensive basin water quality control and abatement plan established under the provisions of section 3(c) and approved by the Secretary."

SEC. 5. The second sentence of subsection (d) of section 8 of the Federal Water Pollution Control Act is amended by striking out "$450,000,000 for the fiscal year ending June 30, 1968" and all through the remainder of the sentence, and inserting in lieu thereof the following: "$650,000,000 for the fiscal year ending June 30, 1968; $1,000,000,000 for the fiscal year ending June 30, 1969; $1,500,000,000 for the fiscal year ending June 30, 1970; $2,250,000,000 for the fiscal year ending June 30, 1971; and $3,250,000,000 for the fiscal year ending June 30, 1972."

SEC. 6. Section 8 of the Federal Water Pollution Control Act is amended by adding at the end thereof a new subsection as follows:

"(h) (1) Upon application the Secretary may make a loan to any State, municipality, or intermunicipal or interstate agency which he has agreed to make a grant to pursuant to this section, for the purpose of helping to finance its share of the cost of construction for which such grant is made. Any such loan shall be made only (A) after the Secretary determines that such State, municipality, or agency has made satisfactory provision for assuring proper and efficient operation and maintenance of the treatment works being constructed after completion of such construction, and (B) if such State, municipality, or agency shows it is unable to secure such funds from non-Federal sources upon terms and conditions which the Secretary determines to be reasonable and consistent with the purposes of this section. Loans pursuant to this subsection shall bear interest at a rate which the Secretary determines to be adequate to cover the cost of the funds to the Treasury as determined by the Secretary of the Treasury, taking into consideration the current average yields of outstanding marketable obligations of the United States having maturities comparable to the maturities of loans made pursuant to this subsection.

"(2) Loans pursuant to this subsection shall mature within such period as may be determined by the Secretary to be appropriate but not exceeding forty years.

"(3) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this subsection but not to exceed a total of $1,000,000,000. No loan or loans pursuant to this subsection with respect to any one project shall exceed an amount equal to 10 per centum of such total."

S. 848. A bill to provide a program of economic incentives to assist and encourage industry to assume its responsibility for abating and preventing the pollution of water by wastes from industrial sources, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Industrial Pollution Abatement and Prevention Act of 1967".

DECLARATION OF POLICY AND PURPOSE

SEC. 2. (a) The Congress finds and declares—

(1) that the pollution and degradation of the water resources of the Nation has attained alarming proportions and will become increasingly worse in the future, seriously threatening and damaging the quality of human life and the growth and survival of all living things;

(2) that the pollution of water by wastes from industrial sources of various kinds is now the most significant part of the national pollution problem and that present funds and programs are wholly inadequate to bring it under control;

(3) that the present inadequate waste disposal practices of industry do not differ in principle from those which have prevailed throughout the Nation, but that it is now necessary that all waste disposal practices be changed as rapidly as possible;

(4) that no one has a right to pollute, that each polluter must bear the cost of his pollution, and that the cost of preventing pollution is therefore a normal cost of doing business;

(5) that effective permanent prevention of industrial pollution involves the reduction of waste output through product, process and other manufacturing changes, and treatment of only an irreducible minimum of waste, but that the achievement of this goal requires time-consuming and expensive economic and technological changes by industry; and

(6) that to realize immediate progress in the prevention of industrial pollution and yet avoid extensive economic dislocations among firms, industries, communities, and States, industry and the public should at first share certain of the costs involved, but that after a reasonable period of time for the necessary technological and economic adjustments, each firm must bear the cost of controlling its pollution and be fully liable for failing to do so.

(b) The purposes of this Act, therefore are to enhance the quality and value of the Nation's water resources by establishing a program for the abatement and prevention of industrial water pollution through—

(1) providing economic incentives to encourage and assist firms to reduce to a minimum their waste output and to construct facilities for the treatment of their wastes;

(2) encouraging the construction of joint municipal-industrial waste collection and treatment systems;

(3) strengthening the enforcement process for the abatement and prevention of industrial pollution; and

(4) establishing research and development programs for joint municipal-industrial systems and for advanced waste treatment methods and processes.

INCENTIVES TO INDUSTRY

SEC. 3. The Federal Water Pollution Control Act is amended by redesignating sections 13 through 19 as sections 14 through 20, respectively, and by inserting after section 12 the following new section:

"LOANS AND GRANTS TO INDUSTRY

"Sec. 13. (a) The Secretary is authorized to make loans and grants pursuant to this section to persons for (1) the construction (including reconstruction, installation, or acquisition) of water pollution control facilities, and (2) changes in manufacturing facilities which result in a substantial reduction in water pollution caused by such facilities.

"(b) Any such loan or grant—

"(1) shall be made upon application upon such form and containing such information as may be required by the Secretary:

"(2) shall be made only for such construction or changes which are certified by the appropriate State water pollution control agency, and determined by the Secretary, as being necessary for conformance with State and Federal programs and regulations for water pollution control; and

"(3) may be made subject to such conditions and requirements, in addition to those provided in this section, as the Secretary may require to properly carry out his functions pursuant to this Act.

"(c) Any such loan—

"(1) shall be made in an amount, not exceeding 50 per centum of the cost of such construction or changes or $2,000,000 determined by the Secretary, and only if the applicant is unable to secure such amount from other sources upon terms and conditions equally favorable;

"(2) shall be secured in such manner and shall be repaid within such period as is determined by the Secretary; and

"(3) Shall bear interest at a rate which the Secretary determines to be adequate to cover the cost of the funds to the Treasury, as determined by the Secretary of the Treasury, taking into consideration the current average yields of outstanding marketable obligations of the United States having comparable maturities.

"(d) Any such grant—

"(1) shall be made only if the Secretary determines there is an immediate need for such construction or changes in order to carry out the purposes of this Act, and that the applicant would be unable financially to manage such construction or changes without the grant;

"(2) shall be made in an amount, not exceeding 50 per centum of the cost of such construction or changes, or $2,000,000, determined by the Secretary; and

"(3) shall be made only upon satisfactory assurance that the remainder of such cost will be paid by the applicant; but the applicant's share of such cost may be financed in whole or in part with a loan pursuant to this section.

"(e) For the purposes of this section—

"(1) the term 'person' includes an individual, corporation, partnership, association, or other form of private or public commercial entity;

"(2) the term 'water pollution control facility' means any facility (including land, buildings, improvements, machinery, equipment, or any combination thereof) which is used by a person in his trade or business or in connection with property held for the production of income for the control of water pollution by removing, altering, or disposing of wastes, including the necessary intercepting sewers, pumping, power, and other equipment, and their appurtenances;

"(3) the term 'manufacturing facility' means any facility (including buildings, processes, machinery, equipment, or any combination thereof) which is used by a person in his trade or business or in connection with property held for the production of income, for the production of raw materials, semifinished or finished products of any kind; and

"(4) the term 'change' means any alteration in or addition to an existing manufacturing facility, undertaken for and having the principal result of reducing the water pollution caused by such facility.

"(f) There is authorized to be appropriated for the purposes of this section $500,000,000 for the fiscal year ending June 30, 1968, and for each of the four succeeding fiscal years. Thereafter only such amounts may be appropriated for the purposes of this section as the Congress may hereafter authorize by law."

RESEARCH AND CONTINUING SURVEY AUTHORITY

Sec. 4. (a) Section 5 of the Federal Water Pollution Control Act is amended by inserting at the end thereof a new subsection as follows:

"(g) The Secretary shall conduct a continuing investigation and study of industrial pollution, including the extent to which such pollution has been abated, new sources of such pollution, progress in the development of processes for the elimination of such pollution and for the prevention of such pollution, and such other matters as he considers relevant. He shall make an annual report to the Congress on the results of such investigation and study and shall include in such report any recommendations for necessary legislation to eliminate such pollution, including his recommendations for extension of the authorization contained in section 13(f) of this Act."

(b) Subsection (a) of section 6 of the Federal Water Pollution Control Act is amended to read as follows:

"(a) The Secretary is authorized to make grants to any State, municipality, or intermunicipal or interstate agency, to any qualified private agency, group, company, institute or individual, or to any public or private university or college for the purpose of—

"(1) assisting in the development of any project which will demonstrate a new or improved method of controlling the discharge into any waters of untreated or inadequately treated sewage or other waste from sewers which carry storm water or both storm water and sewage or other wastes, or

"(2) assisting in the development of any project which will demonstrate new or advanced features of sewage collection and treatment systems, including joint industrial-municipal systems, and new or advanced sewage treatment and water purification methods, processes, and facilities,

and for the purpose of reports, plans, and specifications in connection therewith."

(c) Subsection (e) of such section is amended to read as follows:

"(e) For the purposes of this section there are authorized to be appropriated—

"(1) for the fiscal year ending June 30, 1967, and for the succeeding fiscal year, the sum of $20,000,000 per fiscal year, and for the fiscal year ending June 30, 1968, and for the succeeding fiscal year the sum of $30,000,000 per fiscal year, for the purposes set forth in subsections (a) and (b) of this section, including contracts pursuant to such subsections for such purposes;

"(2) for the fiscal year ending June 30, 1967, and for the succeeding fiscal year, the sum of $20,000,000 per fiscal year, and for the fiscal year ending June 30, 1968, and for the succeeding fiscal year, the sum of $30,000,000 per fiscal year, for the purpose set forth in clause (2) of subsection (a); and

"(3) for the fiscal year ending June 30, 1967, and for the succeeding fiscal year, the sum of $20,000,000 per fiscal year, and for the fiscal year ending June 30, 1968, and for the succeeding fiscal year, the sum of $30,000,000 per fiscal year, for the purpose set forth in subsection (b)."

ADDITIONAL CONSTRUCTION SUBSIDY FOR INDUSTRIAL WASTE TREATMENT

Sec. 5. Subsection (f) of section 8 of the Federal Water Pollution Control Act is amended by striking out "an additional 10 per centum of the amount of such grant" and inserting in lieu thereof "(A) an amount equal to 10 per centum of the cost of the project for which the grant is made in any case where he determines that such project has special capacity costing at least such amount for the treatment of industrial waste and that adequate charges will be made for such treatment, and (B) an additional amount equal to 10 per centum of such cost".

REPORTS REQUIRED TO ASSIST IN ENFORCEMENT

Sec. 6. Section 10(c)(7) of the Federal Water Pollution Control Act is amended to read as follows:

"(7) In connection with any hearings under this section the Secretary is authorized to require any person whose activities result in any water pollution referred to in this section to file with him, in such form as he may prescribe, a report, based on existing data, furnishing to the Secretary such information as may reasonably be required as to the character, kind and quantity of pollutants discharged and the use of devices or other means to prevent or reduce the discharge of pollutants by the person filing such a report. After a conference has been held with respect to any such pollution the Secretary shall require such reports from the person whose activities result in such pollution only to the extent recommended by such conference. Such report shall be made under oath or otherwise, as the Secretary may prescribe, and shall be filed with the Secretary within such reasonable period as the Secretary may prescribe, unless additional time be granted by the Secretary. No person shall be required in such report to divulge trade secrets or secret processes and all information reported shall be considered confidential for the purposes of section 1905 of title 18 of the United States Code."

S. 849. A bill to expand and improve existing laws and to provide for the establishment of regulations for the purpose of controlling pollution from vessels and certain other sources in the Great Lakes and other navigable waters of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

Section 1. This Act may be cited as the "Navigable Waters Pollution Control Act of 1967".

STATEMENT OF POLICY

Sec. 2. The Congress finds that the waters of the Great Lakes and of the harbors and ports on such lakes, and other navigable waters of the United States constitute an irreplaceable natural resource of incalculable value to the Nation now and in the future; and that these waters are being polluted by oil, sewage, and refuse of every kind discharged or dumped by vessels plying them. The Congress further finds that to abate and prevent such pollution in the public interest, it is necessary that the disposal by vessels of oil, sewage, and refuse on these waters be controlled by forbidding it to the greatest practical extent, by establishing standards for treatment before disposal, and by designating points and places where disposal may take place.

ESTABLISHMENT OF POLLUTION CONTROL REGULATIONS

Sec. 3. (a) For the purpose of this section the term—

(1) "oil" includes fuel oil, sludge, oil refuse, and other oil of any kind or in any form;

(2) "sewage" includes human toilet waste, wash and laundry waste, and kitchen and galley waste; and

(3) "refuse" includes garbage, dunnage, and other trash.

(b) For the purpose of providing such control of pollution, in addition to that provided under existing law as amended by this Act as may be necessary to carry out the policy of this Act, the Secretary of the Interior, with the assistance and cooperation of the Secretary of Transportation shall establish—

(1) reasonable regulations with respect to equipment and facilities on, and treatment and disposal of oil, sewage, and refuse from, boats and vessels on such part of the Great Lakes as is under the jurisdiction of the United States, in harbors or ports of such lakes under such jurisdiction, and on other navigable waters of the United States; and

(2) procedures for carrying out such regulations by the Coast Guard under the direction of the Secretary of the department in which the Coast Guard is operating.

Such regulations and procedures shall become effective on such date, not later than January 1, 1971, as is established by the Secretary of the Interior.

(c) The Secretary of the Interior shall appoint a technical committee to meet at his direction and advise in the formulation of regulations and procedures pursuant to this section. Such committee shall be composed of representatives of the Departments of the Interior, and Transportation, owners and operators of Great Lakes vessels, and such other persons as the Secretary may determine. Members of such technical committee who are not regular full-time employees of the United States shall, while attending meetings of such committee or otherwise engaged on business of such committee, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including travel time, and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

(d) Not later than January 1, 1968, and January 1 of the four succeeding years, the Secretary of the Interior shall make a report to the Congress with respect to activities pursuant to this section together with any recommendations for additional legislation.

AMENDMENT OF OIL POLLUTION ACT, 1924

Sec. 4. The Oil Pollution Act, 1924 (43 Stat. 604), is amended to read as follows: "That this Act may be cited as the 'Oil Pollution Act, 1924'.

"Sec. 2. When used in this Act, unless the context otherwise requires—

"(a) 'oil' means oil of any kind or in any form, including fuel oil, sludge, and oil refuse;

"(b) 'persons' means any individual, company, partnership, corporation, or association; any owner, operator, master, officer, or employee of a vessel; any owner, operator, officer, or employee of a shore installation or terminal facility; and any officer, agent, or employee of the United States;

"(c) 'terminal facility' means any pier, wharf, dock, or similar structure to which a vessel may be moored or secured, or upon, within, or contiguous to which equipment and appurtenances dealing with oil may be located, including, but not limited to, storage tanks, pipelines, pumps, and oil trucks;

"(d) 'shore installation' means any building, group of buildings, manufacturing or industrial plants, or equipment of any kind adjacent to the navigable waters of the United States, upon, within, or contiguous to which equipment and appurtenances dealing with oil may be located, including, but not limited to, storage tanks, pipelines, pumps, and oil trucks;

"(e) 'discharge' means any accidental, negligent, or willful spilling, leaking, pumping, pouring, emitting, emptying, or other release of liquid; and

"(f) 'Secretary' means the Secretary of the department in which the Coast Guard is operating.

"Sec. 3. (a) Except in case of emergency imperiling life or property, or unavoidable accident, collision, or stranding, and except as otherwise permitted by regulations prescribed by the Secretary as hereinafter authorized, it is unlawful for any person to discharge or permit the discharge from any boat or vessel, shore installation, or terminal facility of oil by any method, means, or manner into or upon the navigable waters of the United States.

"(b) Any person discharging or permitting the discharge of oil from any boat or vessel, shore installation, or terminal facility into or upon the navigable waters of the United States shall remove the same from the navigable waters immediately. If such person fails to do so, the Secretary may remove the oil or may arrange for its removal, and such person shall be liable to the United States, in addition to the penalties prescribed in section 4 of this Act, for all costs and expenses reasonably incurred by the Secretary in removing the oil from the navigable waters of the United States. When the oil has been discharged from a boat or vessel, these costs and expenses shall constitute a lien on such boat or vessel which may be recovered in proceedings by libel in rem. When the oil has been discharged from a shore installation or terminal facility, these costs and expenses may be recovered in proceedings by libel in personam.

"(c) The Secretary, after consultation with the Secretary of the Interior, may prescribe regulations which—

"(1) permit the discharge of oil from boats or vessels in such quantities, under such conditions, and at such times and places as in his opinion will not be deleterious to health or marine life or a menace to navigation, or dangerous to persons or property engaged in commerce on such waters;

"(2) relate to the loading, handling, and unloading of oil on or contiguous to boats or vessels, shore installations, and terminal facilities; and

"(3) relate to the removal or cost of removal, or both, of oil from the navigable waters of the United States.

"Sec. 4. (a) Any individual who violates section 3(a) of this Act shall, upon conviction thereof, be punished by a fine not exceeding $2,500, or by imprisonment not exceeding one year, or by both such fine and imprisonment for each offense.

"(b) Any boat or vessel other than a boat or vessel owned and operated by the United States from which oil is discharged in violation of section 3 (a) of this Act shall be liable for a penalty of not more than $50,000. Clearance of a boat or vessel liable for this penalty from a port of the United States may be withheld until the penalty is paid. The penalty shall constitute a lien on the boat or vessel which may be recovered in proceedings by libel in rem in the district court of the United States for any district within which the boat or vessel may be.

"(c) The owner or operator of a shore installation or terminal facility from which oil is discharged in violation of section 3(a) of this Act shall be liable for a penalty of not more than $50,000 which may be recovered in proceedings by libel in personam in the district court of the United States or the district within which the shore installation or terminal facility is located.

"(d) Any person who violates any regulation prescribed under section 3 (c) of this Act shall, if there has been no discharge of oil, be liable for penalty of not more than $100.

"Sec. 5. The Commandant of the Coast Guard may, subject to the provisions of section 4450 of the Revised Statutes, as amended (46 U.S.C. 239), suspend or revoke a license issued to the master or other licensed officer of any boat or vessel found violating the provisions of section 3 of this Act.

"Sec. 6. In the administration of this Act the Secretary may make use of the organization, equipment, and personnel of the Coast Guard. For the better enforcement of this Act, the officers and employees of the Coast Guard, the Bureau of Customs, and the officers and agents of the United States in charge of river and harbor improvements, and persons employed under them by authority of the Secretary of the Army, shall have power and authority and it shall be their duty to swear out process and to arrest and take into custody, with or without process, any person, who may violate any of said provisions. No person shall be arrested without process for a violation not committed in the presence of some one of the aforesaid officials. Whenever any arrest is made under the provisions of this Act the person so arrested shall be brought forthwith before a commissioner, judge, or court of the United States for examination of the offenses alleged against him and such commissioner, judge, or court shall proceed in respect thereto as authorized by law in cases of crimes against the United States.

"Sec. 7. This Act shall be in addition to other laws for the preservation and protection of navigable waters and shall not be construed as repealing, modifying, or in any manner affecting the provisions of such laws."

AMENDMENTS TO OIL POLLUTION ACT, 1961

Sec. 5. The Oil Pollution Act, 1961 (75 Stat. 402), is amended—

(1) in section 2(h) by striking out "of the Army" and inserting in lieu thereof "of the department in which the Coast Guard is operating";

(2) by striking out section 6 and inserting in lieu thereof the following:

"Sec. 6. (a) Any person who violates any provision of this Act, except sections 8(b) and 9, or any regulation prescribed in pursuance thereof, is guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding $2,500, or by imprisonment not exceeding one year, or by both such fine and imprisonment, for each offense.

"(b) Any boat or vessel (other than a boat or vessel owned and operated by the United States) from which oil is discharged in violation of this Act, or any regulation prescribed in pursuance thereof, shall be liable for a penalty of not more than $10,000, and clearance of such boat or vessel from a port of the United States may be withheld until the penalty is paid, and said penalty shall constitute a lien on such boat or vessel which may be recovered in proceedings by libel in rem in the district court of the United States for any district within which the ship may be."; and

(3) by striking out section 8 and inserting in lieu thereof the following:

"Sec. 8. (a) In the administration of sections 1–12 of this Act, the Secretary may make use of the organization, equipment, and personnel of the Coast Guard. For the better enforcement of the provisions of said sections, the officers and employees of the Coast Guard and the Bureau of Customs and the officers and agents of the Uninted States in charge of river and harbor improvements and persons employed under them by authority of the Secretary of the Army, shall have power and authority and it shall be their duty to swear out process and to arrest and to take into custody, with or without process, any person who may violate any of said provisions. No person shall be arrested without process for a violation not committed in the presence of some one of the aforesaid officials. Whenever any arrest is made under the provisions of said section, the person so arrested shall be brought forthwith before a commissioner, judge, or court of the United States for examination of the offenses alleged against him and such commissioner, judge, or court shall proceed in respect thereto as authorized by law in cases of crime against the United States. Representatives of the Coast Guard and Bureau of Customs and of the Secretary of the Army may go on board and inspect any ship in a prohibited zone or in a port of the United States as may be necessary for enforcement of this Act.

"(b) To implement article VII of the convention, ship fittings and equipment, and operating requirements thereof, shall be in accordance with regulations prescribed by the Secretary. Any person found violating these regulations shall, in addition to any other penalty prescribed by law, be subject to a civil penalty not in excess of $100."

AMENDMENTS TO REFUSE ACT

Sec. 6. (a) Section 13 of the Act of March 3, 1899 (30 Stat. 1152), is amended—

(1) by striking out "and sewers"; and

(2) by striking out "the Secretary of War, whenever in the judgment of the Chief of Engineers" and inserting in lieu thereof "the Secretary of the department in which the Coast Guard is operating, whenever in the judgment of the Commandant of the Coast Guard".

(b) The administration of such provisions other than section 13 of such Act of March 3, 1899, as relate to the enforcement of section 13 and are being carried out by the Secretary of the Army is hereby transferred to the Secretary of the department in which the Coast Guard is operating.

EFFECTIVE DATE

Sec. 7. Sections 4, 5, and 6 of this Act shall be effective after ninety days following the date of enactment of this Act.

A LANDMARK OF THE PAST

Mr. BARTLETT. Mr. President, the past can be prolog to the future only if it is remembered. If it is, indeed, important to learn from the past, it is also important to preserve landmarks of the prolog so that we can better understand and honor what has come before.

Unfortunately such landmarks are too often sacrificed in the name of progress. To insure that such a landmark in the Nation's Capital is not razed, I introduce a bill to preserve certain structures and lands of the Washington Navy Yard as a national museum and request it be appropriately referred.

Mr. President, the United States does not have a national naval museum. The selection of the Washington Navy Yard for such a museum would be ideal. Not only is the installation located in the Capital where national collections should be located, but the Washington Navy Yard is of great historical importance itself. The official founding date of the yard is listed as October 2, 1799. The home of the installation's first commandant still stands. The Department of the Navy operates a small museum at the yard.

Looking ahead, it has been suggested that the docks at the Washington Navy Yard might become permanent showcases for such historic vessels as the U.S.S. *Constellation*, the *Olympia*, and the *Kaiulani*.

Mr. President, the bill I am introducing is the same as S. 1927, which I introduced in the last Congress. The bill provides that the Secretary of the Interior shall protect certain structures at the yard after the Secretary of Defense has determined they are no longer needed for the national defense. The Secretary of the Interior, in consultation with the Secretary of Defense and the Chairmen of the National Capital Planning Commission and the Commission on Fine Arts, shall draw up a comprehensive plan for the yard.

The drive to insure that Washington Navy Yard not be razed in the name of progress generated some public interest last year. However, various agencies concerned with the legislation recommended that action be deferred until the Department of the Navy completes a master plan for the area. Mr. President, there is no reason to wait for that plan. If the Navy wants part or all of the yard, this bill would in no way interfere with such a plan. The intent of this bill is to state expressly that when the Defense Establishment has no further use for the yard, this historic site shall be preserved as a national museum. The bill sets no deadline, establishes no plan. All it seeks to do is protect a landmark of our past, a landmark which can give meaning to the prolog to the present.

I ask unanimous consent that the language of the bill be printed in the Record. I also ask that the bill lie on the table for cosponsors for 10 days.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record and held at the desk, as requested by the Senator from Alaska.

The bill (S. 850) to authorize the Secretary of the Interior to preserve as an area of historic interest certain structures and lands comprising the Washington Navy Yard, introduced by Mr. Bartlett, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the Record, as follows:

S. 850

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for the purpose of preserving as an area of historical interest (1) the structures (including piers), lands, and waters comprising the Washington Navy Yard in the District of Columbia, which are under the jurisdiction of the Secretary of Defense, and (2) such structures and lands within the Washington Navy Yard, which have been declared excess property, as may be designated by the Secretary of the Interior, the Secretary of the Interior, following a determination by the Secretary of Defense that the structures, lands, and waters referred to in clause (1) are no longer needed for national defense purposes, shall protect, preserve, maintain, and develop such structures, lands, and waters (together with any structures and lands designated pursuant to clause (2)) in the manner hereinafter provided.

(b) The protection, preservation, maintenance, and development referred to in subsection (a) shall be undertaken consistent with a comprehensive plan to be prepared and carried out by the Secretary of the Interior, in consultation with the Secretary of Defense, the Chairmen of the National Capital Planning Commission and the Commission of Fine Arts, and the advisory committee created by the Secretary of the Interior pursuant to section 2 of this Act. Such plan shall include, among others, provisions providing for the development of the lands and waters referred to in subsection (a) as an area for exhibiting and displaying vessels and weapons.

Sec. 2. The Secretary of the Interior shall create an advisory committee to consist of a representative from the Department of the Navy, the United States Marine Corps, and the National Park Service. It shall be the duty of such committee to advise the Secretary of the Interior in carrying out his duties under this Act. Meetings of the committee shall be held at the request of the Secretary. The members of the committee shall receive no compensation for their services as members, but shall be entitled to reimbursement for such necessary travel and other expenses in connection with their attendance at committee meetings as may be authorized or approved by the Secretary of the Interior.

Sec. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

AMENDMENT OF TITLE III OF BANKHEAD-JONES FARM TENANT ACT

Mr. McCARTHY. Mr. President, I introduce, for appropriate reference, a bill to amend section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, to authorize the Secretary of Agriculture to furnish financial assistance in carrying out plans for works of improvement for land conservation and utilization and for other purposes.

I am pleased to have the Senator from Vermont [Mr. Aiken] join me in introducing this bill, and also Senators Mondale, McGovern, Montoya, and Nelson, and I ask unanimous consent that the bill remain at the desk for 2 weeks that other Senators may have an opportunity to sponsor the measure.

I also ask unanimous consent that the text of the bill be printed at the conclusion of my remarks, along with a list of the 26 resource conservation and development projects now authorized. In addition I ask that there be printed a list of the local sponsors of 22 other projects for which application has been made to the Department of Agriculture but not as yet approved.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection the bill will be printed in the Record, together with the two lists, and will lie on the desk for 2 weeks, as requested by the Senator from Minnesota.

The bill (S. 852) to amend section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, to authorize the Secretary of Agriculture to furnish financial assistance in carrying out plans for works of improvement for land conservation and utilization, and for other purposes, introduced by Mr. McCarthy (for himself and other Senators), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

S. 852

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 32(e) of Title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C., sec. 1011), as amended, is amended by adding at the end thereof the following:

"In providing assistance for carrying out plans developed under this title, the Secretary shall be authorized to bear such proportionate share of the costs of installing any works of improvement applicable to public fish and wildlife or recreational development as is determined by him to be equitable in consideration of national needs and assistance authorized for similar purposes under other Federal programs: *Provided*, That all engineering costs relating to such works of improvement may be borne by the Secretary: *Provided further*, That when a State or other public agency or local nonprofit organization participating in a plan developed under this title agrees to operate and maintain any reservoir or other area included in a plan for public fish and wildlife or recreational development, the Secretary shall be authorized to bear not to exceed one-half of the costs of (a) the land, easements, or rights-of-way acquired or to be acquired by the State or other public agency or local nonprofit organization for such reservoir or other area, and (b) minimum basic facilities needed for public health and safety, access to, and use of such reservoir or other area for such purposes."

The lists presented by Mr. McCARTHY are as follows:

I. List of authorized projects, resource conservation and development

State	Project name	Location (counties)	Acreage
Alabama	Coosa Valley area	Calhoun, Clay, St. Clair, Talladega	1,676,500
Arkansas	Arkansas River Valley	Sebastian, Scott, Crawford, Franklin, Johnson, Pope, Yell, Logan	3,676,800
Georgia	Gwinnett	Gwinnett	279,688
Idaho-Washington	North Idaho	Latah, Benewah, Kootenai (Idaho), and part of Spokane (Wash.)	2,243,703
Illinois	Shawnee	Alexander, Gallatin, Hardin, Jackson, Johnson, Massac, Pope, Pulaski, Saline, Union, Williamson, parts of Franklin, Hamilton, and White.	2,596,000
Indiana	Lincoln Hills	Crawford, Harrison, Perry, Spencer	1,005,440
Kentucky	Tradewater River area	Christian, Hopkins, Caldwell, Crittenden, Webster, Union	1,718,400
Louisiana	Bossier-Webster	Bossier-Webster Parishes	1,150,400
Maine	St. John-Aroostook	Aroostook, plus 4 townships in Penobscot	2,721,733
Minnesota	West Central Minnesota	Swift, Kandiyohi, Pope, Wadena, Otter Tail	3,101,034
Mississippi	Southeast Delta	Humphreys, Leflore, Sunflower, part of Carroll, Holmes, Yazoo	1,474,166
Missouri	Top of the Ozarks Rivers	Dent, Howell, Oregon, Shannon, Texas	2,970,880
Montana	Bitter Root Valley	Ravalli, part of Missoula	1,800,760
New Mexico	Northern Rio Grande	Taos, Los Alamos, parts of Rio Arriba, Sante Fe, Sandoval	3,142,393
New York	South Central	Broome, Chenango, Cortland, Delaware, Madison, Otsego, Tioga	3,702,470
Oklahoma	Cherokee Hills	Adair, Cherokee, Delaware	1,325,440
Oregon	Upper Willamette	Linn, and parts of Lane, Benton, Douglas	3,623,130
Pennsylvania	Penn Soil	Crawford, Mercer, Venango	1,518,100
South Carolina	Low country	Beaufort, Berkeley, Charleston, Colleton, Dorchester, Jasper	3,143,680
South Dakota	Bon Homme-Charles Mix	Bon Homme, Charles Mix	1,068,440
Tennessee	Hull-York Lakeland	Clay, De Kalb, Fentress, Jackson, Macon, Overton, Pickett, Putnam, Smith, Cumberland, White.	2,578,480
Texas	Southeast	Orange, Jasper, Newton, Jefferson, Hardin, Tyler, Polk, Chambers, San Jacinto.	5,233,000
Utah	Box Elder	Box Elder	3,474,696
Vermont	White River	Parts of Addison, Orange, Rutland, Windsor	635,200
West Virginia	Little Kanawha area	Calhoun, Roane, Ritchie, Wirt, Wood	1,138,130
Wisconsin	Pri-Ru-Ta	Price, Rusk, Taylor	2,028,800

II. List of applications on hand, resource conservation and development projects

State	Name	Location (counties)	Acreage
Alabama	Wiregrass	Henry, Houston, Dale, Geneva, Coffee, Covington	2,554,880
California-Nevada	Cal-Neva	Northeast Modoc, northeast Lassen, northern Washoe, western Humboldt, northwestern Pershing.	4,941,212
Georgia	Ohoopee River Soil and Water Conservation District.	Emanuel, Toombs, Treutlen, Wheeler, Montgomery	1,145,000
Illinois	Skillet Fork Basin	Parts of Clay, Hamilton, Jefferson, Marion, Wayne, White	670,080
Louisiana	Rapides Parish	Rapides Parish	851,200
Minnesota	Becker County	Becker	841,600
Do	East Central	Aitkin, Carlton, Kanabec, Pine	3,049,060
Mississippi	Northeast	Tippah, Alcorn, Tishomingo, Prentiss, Union, Pontotoc, Lee, Itawamba, Chickasaw, Monroe, Webster, Clay, Choctaw, Oktibbeha, Lowndes, Winston, Noxubee, Kemper, and part of Lauderdale.	6,000,000
Montana	Carbon County	Carbon	1,324,008
Do	Beaverhead and Ruby Valley area	Beaverhead and western half of Madison	4.620,340
New York	Southwestern	Chautauqua, Chattaraugus, Allegany	2,216,300
Oregon	Columbia-Blue Mountain	Gilliam, Umatilla, Morrow	3,596,840
Pennsylvania	Eastern Appalachia	Lebanon, Schuykill, part of Dauphin and Northumberland	1,176,630
Do	Northeastern	Tioga, Susquehanna, Bradford, Wyoming, Sullivan	2,564,480
South Dakota	Black Hills	Custer, Lawrence, Pennington, and part of Meade	5,047,392
Texas	Eastern hill country	Gillespie, Blanco, and 1,500 acres of Llano	1,136,860
Do	Leon-Bosque	Bosque, Comanche, Eastland, Erath, Somervell	2,963,120
Do	Headwaters De-Go-La area	De Witt, Gonzales, Lavaca	1,883,520
Virginia-West Virginia	Mountain-Dominion area	Summers, Mercer (W. Va.); Tazewell, Bland, Giles (Va)	1,309,230
Washington	Palouse River drainage area	Whitman, Adams, Spokane, Lincoln	2,890,100
Wisconsin	Indianhead Lake and River area	Burnett, Sawyer, Washburn	1,874,560
Do	Lake Superior area	Douglas, Bayfield, Ashland, Iron	3,006,340

Mr. McCARTHY. Mr. President, in the last Congress, I introduced a bill, S. 1709, to provide additional measures and types of assistance for carrying out plans for land conservation and land utilization in rural renewal projects and in resource conservation and development projects. A portion of that bill was included in Public Law 89–796, but that section dealing with resource conservation and development projects was not acted on. I believe the case for this authority is more evident today than it was 2 years ago, and I am therefore reintroducing that portion of my original proposal as a new bill.

The measure would amend title III of the Bankhead-Jones Farm Tenant Act and give the Secretary of Agriculture the same authority in administering recreation and fish and wildlife improvements for resource conservation and development projects that is now available to him under Public Law 566, the small watershed program.

Rural conservation and development projects were authorized by Congress in 1962. They provide a framework for cooperation between representatives of voluntary groups and local, State, and Federal agencies to plan and develop economic growth programs for a rural region.

At present, there are 26 projects across the Nation in the planning and operations stage, covering all or part of 126 counties in 27 States. They are proving to be a very effective method through which citizens in rural America can develop the natural resources in their communities and contribute to the economic growth of the area. The success of these projects is indicated by the fact that local sponsors of an additional 22 projects have made application to the Department of Agriculture for approval.

The experience with the existing resource, conservation and development projects shows that one of the important ways of achieving the purposes of the program is through the development of recreational and fish and wildlife measures. Unfortunately, under existing law the Secretary is not permitted to cost share for these measures with resource, conservation and development funds. At present there are more than 350 recreation or fish and wildlife measures planned in the resource conservation and development projects which the sponsors feel cannot be developed without some financial assistance.

The benefits resulting from enactment of this bill, will advance the purpose of the resource, conservation and development program: to conserve and use and develop the natural resources of a region in a way which will create employment opportunities and increase rural income. But there will also be social benefits for all citizens.

We know that the demand for outdoor recreation exceeds the public and private facilities now available. The physical supply of land and water for recreation in the Nation is more than adequate, but the access is not. The types of recreation and fish and wildlife facilities which would be developed under authority of this bill would be a constructive step in meeting the need for access.

A recent report on the first 10 resource, conservation, and development projects, which were approved between 1963 and 1965, shows that 610 project measures have been completed or are under development or being planned. Secretary of Agriculture Orville Freeman has estimated that more than $71 million of increased income and 10,000 new jobs are expected to result from the activities in these 10 projects. The economic growth of these and the other projects would be substantially expanded by enactment of the bill I am introducing today.

One of the first 10 resource conservation and development projects in the Nation is the west central Minnesota group, covering an area of 3 million acres in Swift, Kandiyohi, Pope, Wadena and Otter Tail counties. The west central Minnesota project has given an excellent demonstration of what can be done by local initiative once we provide a framework for cooperation between local groups and the many government agencies at all levels. They have planned and developed a large number of measures, including the 75 mile Crow Wing Canoe Trail and the Crow Wing Wilderness Saddle Trail, and it is estimated that in 1965 the project measures already in operation that year increased local income by $136,000.

It is my view that the type of cost sharing provided in this bill will not conflict with other programs. It is possible that State plans for recreation for which Department of Interior land and water conservation fund grants can be made could be justified for some of the resource conservation and development project measures, but all of these programs have limited funds and a potential resource conservation and development measure would probably have a low priority. Certainly, in the interest of efficiency it would be more effective to plan recreation and fish and wildlife development in the resource conservation and development regions at the same time as other uses for land and water are being considered.

I urge enactment of this measure to permit the Secretary of Agriculture to cost share in carrying out plans for works of improvement for recreation or fish and wildlife developments in resource conservation and development projects. Enactment would make the resource conservation and development projects more effective and accelerate the economic growth of the regions and at the same time provide new recreational opportunities for all citizens.

EXTENSION OF LIFE OF COMMISSION ON POLITICAL ACTIVITY OF GOVERNMENT PERSONNEL

Mr. BREWSTER. Mr. President, I am introducing today, on behalf of myself and the Senator from California [Mr. MURPHY] a bill which would extend the life of the Commission on Political Activity of Government Personnel for approximately 3 months—from October 3 to December 31, 1967.

I introduced the legislation which created this Commission during the first session of the 89th Congress. It was the subject of hearings before the Senate Committee on Rules and Administration, and was subsequently passed by both Houses of Congress. The President signed the bill on October 3, 1966.

The law creates a bipartisan commission to study Federal laws limiting political activity by officers and employees of Government. It stipulates that—

> The Commission shall submit a comprehensive report of its activities and the results of its studies to the President and to the Congress within one year after the date of enactment of this Act at which date the Commission shall cease to exist.

Therefore, under the law, the Commission will go out of existence on October 3, 1967. My bill would extend its life to December 31, 1967.

Mr. President, as the distinguished chairman of the Subcommittee on Privileges and Elections [Mr. CANNON] indicated during our hearings last year, we should guard against the establishment of another commission or another study group that might go on ad infinitum. I heartily concur, and the facts will show that this Commission intends to go out of business at the end of 1 year.

The problem arises from the delay in appointing the 12 commissioners. Instead of commencing the work of the Commission early in November 1966, after the appropriation was passed, action was necessarily delayed until all the Commissioners were appointed. No one could be more pleased than I with the extraordinarily capable individuals named to the Commission; however, the last four were not appointed until January 9, 1967. The Commission was then formally organized on January 26, and our staff began work the same week. We are moving, and, in fact, I am very pleased with the progress made to date.

But that very progress indicates that our initial estimate of 1 year to conduct this study was probably quite accurate. It cannot reasonably be done between January 17 and October 3.

Mr. President, this bill is, I believe, in keeping with the original intent of Congress—a full year of work and study by the Commission, and not simply a year's life.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 853) to extend the life of the Commission on Political Activity of Government Personnel, introduced by Mr. BREWSTER (for himself and Mr. MURPHY), was received, read twice by its title, and referred to the Committee on Rules and Administration.

CORRECTION OF INEQUITIES IN CERTAIN POSITION CLASSIFICATIONS IN THE POSTAL FIELD SERVICE

Mr. BREWSTER. Mr. President, I am today introducing a bill that proposes to correct serious inequities related to the enactment of Public Law 84-68 in 1955 and Public Law 87-793 in 1962.

The Nation's postal clerks and letter carriers who are largely responsible for the distribution and delivery of today's record volume of mail have, over the years since 1955, been denied true and equitable salary classification consistent with their duties and responsibilities to the postal service and the American public.

In my opinion, the time to correct these inequities for postal clerks, letter carriers, and other employees presently ranked in postal field service salary levels 1 through 5 is now, during the first session of the 90th Congress. The legislation which I propose today would elevate the salary classification of these employees by one salary level, including present level 5 postal employees being elevated to level 6.

Also, the bill I am introducing today will correct salary inequities presently plaguing the more experienced and senior postal employees in these working positions of the postal service. This will be accomplished by converting these employees to the appropriate new salary steps in each new level consistent with the employee's total years of faithful service to the postal service and the citizens of this great country of ours.

Mr. President, the legislation I introduce today will also insure to the maximum extent possible that the most experienced of our postal clerks and other employees converted to postal field service salary levels 1–6 will not experience additional salary inequities as a result of this reclassification proposal, but rather will receive at the very least, the same maximum dollar adjustment granted to other employees in the highest step of each new postal field service salary level.

This correction of salary inequities for postal employees in levels 1–5 has been overdue since 1955 and it is my intention to vigorously support enactment of this legislation during the first session of the 90th Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 854) to reclassify certain positions in the postal field service, and for other purposes, introduced by Mr. BREWSTER, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

PUGET SOUND PLYWOOD, INC.

Mr. MAGNUSON. Mr. President, I am introducing today a bill for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash.

During the 89th Congress I introduced a similar bill to pay Puget Sound Plywood the sum of $75,330.25. The purpose of this bill is to pay Puget Sound Plywood in full satisfaction of all its claims against the United States for compensation for losses in connection with the performance of a contract with the Forest Service. Puget Sound Plywood had failed, under the road cost amortization rates provided in the contract, to recover a substantial portion of the estimated road construction cost specified.

The Senate Judiciary Committee held hearings on the bill and at the request of Puget Sound Plywood amended the sum in the bill to $44,016.62. This amended amount, determined by the Department of Agriculture under an alternative computation, was found to be equitable by the Senate Judiciary Committee.

The Senate passed my bill during the 89th Congress and it was reported in the House of Representatives by the House Judiciary Committee. However, the bill failed of House passage during the final weeks of the session.

The bill I am introducing today contains the amended sum which was in the bill as reported by the Senate Judiciary Committee last year. Puget Sound Plywood is equitably due this amount of money because of the hardship it encountered under the specified contract with the Forest Service.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 857) for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash., introduced by Mr. Magnuson, was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF THE INTERSTATE COMMERCE ACT

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill to amend the Interstate Commerce Act to provide for the recovery of a reasonable attorney's fee in the case of successful maintenance of an action to recover damages sustained in the transportation of property.

The Senator from Florida will be interested in this matter.

Many years past, western shippers of apples, lettuce, melons, and other fruits and vegetables expected their products to reach the big eastern consumer markets in 10 days.

In recent years housewives in the Northeast and in other sections of the country which do not raise these crops have had the advantage of a shorter delivery time from Florida, and from the west coast.

Western perishables now arrive for fifth morning delivery in Chicago, and east coast delivery 2 days later. The western railroads have been working to develop fourth morning delivery in Chicago, which could put western fruits and vegetables in eastern supermarkets on the sixth morning after they begin their transcontinental journey.

These orderly railroad marketing schedules for the transportation of perishables are important to our quality-conscious Nation's housewives. Recent developments, however, are producing a deterioration of railroad schedules for the movement of perishables. This deterioration could decrease the quality of fruits and vegetables in our Nation's supermarkets, and, since the consumer ultimately pays the cost of spoiled perishables due to in-transit delay, could increase the price of perishable foods.

On April 30, 1964, the eastern railroads served notice that effective June 1, 1964 they "will not guarantee delivery of perishable freight at destinations to meet previously agreed cutoff times for the various markets located on our system."

That means that they have sought to avoid the financial responsibility or burden for the failure of a railroad to maintain the schedules it gives to the fruit shipper.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. HOLLAND. I am not conversant with this matter; but it occurs to me that the railroads, who have been complaining so vigorously because truck transportation has taken over so much of the movement of perishable fruits and vegetables, are simply playing further into the hands of motor transportation if they take this kind of shortsighted position.

I am glad that the Senator has placed this matter in the Record. I confess that I had not heard of it.

Mr. MAGNUSON. We wish to take a look at the whole matter. It affects the small shipper very much, because if he has a small damage claim, he cannot afford to hire a lawyer and go into court, because such action is often too expensive even if he prevails. This bill would make it easier for him to realize justice when justice is due.

After the 1964 action by the eastern lines, representatives of the fruit and vegetable industry met with the eastern carriers on a number of occasions, but all to no avail. Subsequent to the eastern railroad's actions in 1964, I am advised that service deteriorated on western perishables moving to eastern markets.

The purpose of the bill which I am today introducing is to provide a financial responsibility or burden for failure of a railroad to maintain its schedules. A shipper or receiver sustaining damage because of a railroad's failure to carry out a scheduled delivery could recover a reasonable attorney's fee in court.

Shippers of perishable fruit and vegetables desire a reliable schedule for orderly marketing rather than lawsuits to collect damages because of in-transit damage or delay. Apparently, certain eastern railroads are more interested in forestalling damage claims than in maintaining or improving their present schedules for fruit and vegetable transportation. I am advised that eastern lines to date have remained adamant in their position that they will not guarantee schedules and that they will not pay delay claims unless negligence is proven by the carrier or receiver.

The eastern railroad's apparent policy of hiding behind the assertion that the shipper or a receiver must prove negligence and continuing to decline claims without respect to their legal liability by asserting that delivery was with "reasonable dispatch," no matter how late, falls hardest upon the small shipper. To a small shipper, the amount involved in most cases is not sufficient to justify the litigation of his individual claim. The legal costs and attorney's fees could exceed the amount of the recovery.

If eastern carriers are required to pay reasonable attorney's fees an economic incentive would be provided not only to honor legitimate claims whether they be large or small, but also to provide dependable schedules which permit orderly marketing. By establishing meaningful financial responsibility for delay, carriers performance will improve, which, in turn, could lessen the amount of such claims.

There is ample precedent for providing reasonable attorney's fees to shippers where they are successful in maintaining an action. In favorably commenting on an identical bill which I introduced on August 18, 1966, S. 3741 of the 89th Congress, the Assistant Comptroller General of the United States noted:

> Such allowance also is in harmony with other provisions of the Act permitting recovery of attorney's fees in other kinds of actions.

I have recently received letters from the Wenatchee Valley Traffic Association, the United Fresh Fruit and Vegetable Association, and the International Apple Association, Inc., advising that the conditions necessitating such legislation still exist, and recommending the reintroduction of this measure in the 90th Congress.

I ask unanimous consent that there be printed in the Record the remarks of Mr. Ernest Falk, secretary-manager, Northwest Horticultural Council, Yakima, Wash., presented at the annual convention of the United Fresh Fruit & Vegetable Association in Washington, D.C., on January 31, 1967, outlining the history and the difficulties involved with great clarity.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the remarks will be printed in the Record.

The bill (S. 858) to amend the Interstate Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property, introduced by Mr. Magnuson, was received, read twice by its title, and referred to the Committee on Commerce.

The remarks ordered to be printed in the Record is as follows:

Guaranteed Schedules, Claims and Reasonable Dispatch

(By Ernest Falk)

For many years, through 1961, American railroads paid claims for delay in shipment of perishables on the basis of a "guaranteed schedule". A few railroads published guaranteed schedules but most railroads paid on the basis that they had voluntarily assumed this liability because of the competitive solicitation of freight. To attract business, or to meet competition, railroads voluntarily assumed a liability greater than that imposed upon them by the common law or the contractual clauses of the bill of lading.

The standard bill of lading provides that "No carrier is bound to transport said property by any particular train or vessel, or in time for any particular market or otherwise than with reasonable dispatch". Reasonable dispatch has been interpreted by the courts as "without unreasonable delay". The following statement from 13 Corpus Juris Secundum, Page 395, Section 194, is a standard text statement of the law:

"What is a reasonable time is not susceptible of being defined by any general rule, but the circumstances of each particular case must be adverted to in order to determine what is a reasonable time in that case; this rule stated in Corpus Juris has often been quoted and cited with approval. The mode of conveyance, the distance, the season of the year, the character of the weather, the ordinary facilities for transportation, and the volume of traffic are to be considered in determining whether in the particular case there has been an unreasonable delay. So also in determining what is a reasonable time for transportation the character of the freight shipped is a very important consideration; it is obvious that what would be a reasonable time for the transportation of one kind of freight would not be for another kind."

Reports of a January 11, 1962 meeting of the Traffic Executive Association stated that the following program was adopted to become effective March 1, 1962 on perishable traffic:

"1. The Eastern carriers will not assume liability unless there is proof of negligence.

"2. The so-called cut-off time will no longer be considered proof of negligence and the railroads will not assume liability.

"3. All Eastern railroads will advise interested customers (shippers and receivers) accordingly. Also, connecting line railroads delivering these perishables to us will be notified of our program.

"4. Railroad freight claim agents will be instructed to disregard cut-off time performance in their consideration of claim payments and be governed solely in their decisions by the conditions of the goods on arrival and the question of whether or not the rail carrier was in any way negligent in performing its common carrier function."

Under date of February 1, one of the large Eastern railroads issued a "Notice to whom it may concern" stating that after March 1, it "will not undertake to deliver at destination at or within any particular time or in time for any particular market or otherwise than with reasonable dispatch.

"Liability for delay will not be admitted in the absence of proof of negligence on the part of the ------ Railroad, notwithstanding published schedules."

Following these announcements, representatives of the fresh fruit and vegetable industry met with representatives of the Eastern railroads on March 12, the railroads having agreed to postpone the effective date of the above-notice to April 1. Following is a portion of my report of the March 12 meeting:

"At the meeting on March 12 we stressed the need of the industry for orderly marketing and pointed out the importance of guaranteed schedules in this particular. Our primary concern was not with collecting claims but was to assure regular receipts and orderly marketing of our commodities. After presentations by industry representatives we asked the railroads what they were trying to accomplish by the notices. The railroads explained that there have been many claims filed where a car missed the cut-off time (for delivery) by a very few minutes and a claim was filed for decline of market because of delay. The principal difficulty involved a railroad delivering vegetables to the New York market. They had only 2½ hours in the winter and 1½ hours when daylight saving time was effective between the scheduled arrival of the train in New York and the cut-off time for delivery in the yard. This, particularly due to the attitude of yard switchmen, was not adequate to assure meeting of the cut-off time. One railroad paid claims of over $500,000 annually for market decline due to this one local situation. Other railroads had similar problems to a lesser degree.

"The railroad representatives explained that the financial position of the Eastern railroads was very bleak; that they were confronted with (a) obtaining additional revenue and/or (b) effecting savings. Claims for delay represented one area where savings could be effected. Their committee felt that they must plug this loophole on claims.

"The fruit industry representatives urged that these abuses should be corrected but that the entire claims policy should not be changed.

"In answer to specific questions, the Eastern roads said they would continue to pay claims for delays en route on the basis of negligence the same as they have done in the past. They have no intention of forcing the shipper to prove negligence in each case but would make their investigation and pay claims following the same principles as in the past. The Eastern railroads all stated they do not intend to change schedules or relax performance."

The Eastern railroads thereafter agreed to rescind the action taken at the January 11 meeting.

Meetings were held the following year between representatives of the National Fruit & Vegetable Claims Committee and the Freight Claim Agents of the major Eastern railroads. The following summarizes a press release issued on April 30, 1963 by L. A. Stronberg, Chairman of the National Fruit & Vegetable Claims Committee:

The Eastern railroads agreed to pay their share of freezing claims filed with the originating carriers when accepted by the originating carriers covering shipments December 11, 1960 to March 1, 1961. This meant that freezing claims will be paid in exactly the same manner as in the past.

Market decline claims for the same period, due to storm, weather conditions and/or the Maritime strike, will not be paid. "However, claims for market decline will be recognized where actual carrier negligence, such as bad order cars, wrecks, derailments, etc., not caused by weather or strike, is found to exist". The carriers freight claim agent group included representatives of the NYC, Penn, B&O, Erie, Nickel Plate and the New Haven.

The truce which resulted from the 1962 meetings was shattered by the issuance on April 30, 1964 of notices by the Eastern carriers stating that effective June 1, 1964 the railroad "will not guarantee delivery of perishable freight at destinations to meet previously agreed cut-off times for the various markets located on our System."

"We wish to assure our patrons that every effort will be made to maintain and even to improve our present schedules. However, we cannot be responsible for meeting specific market cut-off times when shipments are handled with reasonable dispatch."

The Eastern railroads apparently took the position they would not pay delay claims unless negligence was proved and have not receded from this position. The Western railroads have taken a much more reasonable position. They met with Pacific Coast shippers in March of 1965 and agreed that they would continue their claims policy to their destinations. They further agreed that on shipments to Eastern destinations where the Western lines' delay was two days or more they would make settlements where the Eastern lines would not admit negligent delay. The Western lines in such cases would pay the percentage of the claim that Western lines delay bore to the total delay.

After the 1964 action by the Eastern lines, representatives of the fruit and vegetable industry met with the Eastern carriers on a number of occasions, but all to no avail. Eastern lines to-date have remained adamant in their position that they will not pay delay claims unless negligence is proven by the shipper or receiver. At these meetings representatives of the Western shippers have consistently maintained that their concern is to have a reliable schedule established. We stated that our primary concern was not claims but that we have reliable schedules to enable orderly marketing.

Subsequent to the carriers' action in 1964, it is reported that the railroad service has deteriorated and that claims are being declined where there were delays of as much as five days.

Most Western shippers have reached the conclusion that Eastern carriers will not make the necessary effort to make deliveries on time unless there is a financial responsibility or burden for failure to maintain the schedules.

In September 1966 representatives of the fruit industry, including both shippers and market receivers, met with representatives of two Eastern lines to discuss the situation. Shippers reiterated their view that their primary concern was a reliable schedule for orderly marketing rather than collection of claims. Representatives of the market receivers expressed the view that when the carriers were paying claims they made strenuous efforts to get a car delivered in time for the intended market but that in the last few years the policy has changed for the worse.

It would appear that some Eastern carriers apparently automatically decline delay claims. At least, this is the way it appears to shippers in the Northwest.

One example: a car of apples shipped from Washington state arrived at Chicago on schedule but was not available at New York until after a delay of four days. Claim was filed with the origin carrier who declined the claim stating that the Eastern carrier "will not admit of any delay." The shipper wrote to a vice president of the Eastern carrier, outlining the situation in detail; then the claim was paid. In another case, a shipper shipped two cars for the New York auction on the same day. One car was available for sale on the due date; the other was delayed, I believe, two days. The Western carrier reported the Eastern carrier rejected the claim; and the Western carrier declined the claim because there was no delay on the Western line. It would seem obvious that when the one car was delivered in accordance with the normal schedule, the failure to deliver the other car at the same time was not reasonable dispatch.

I have been told of another instance where a car consigned to New York, was not delivered on time. The car was traced, located in Massachusetts, delivered several days late, and the Eastern carrier declined liability, saying the car was delivered with reasonable dispatch. Western shippers who file claims with their origin carriers are consistently told that the Eastern carriers will not accept liability and that therefore their claims involving delay on Eastern lines are declined. It appears obvious to me that either there is a breakdown of communications between the Eastern and Western carriers or Eastern carriers refuse to accept their legal obligation and automatically decline claims on the premise that they can get by with this high-handed approach.

The law is reasonably clear. Lawyers for the railroads and the fruit and vegetable industry should be able to reach substantial agreement. While there is no exact standard for "reasonable dispatch", cases have consistently stated that "reasonable dispatch" means delivery without "unreasonable delay". The carrier is not responsible if the delay is excused. Many, many cases have held that a delay of one day (or even less) constitutes an unreasonable delay and that thereupon the burden is placed upon the carrier to prove that the delay was attributable to a cause excepted by the bill of lading. The burden is on the railroad to prove that it was not negligent.

In 1964 the United States Supreme Court, in the Elmore & Stahl case, involving deterioration in transit, held that the burden is on the carrier to prove "both its freedom from negligence and that the damage to the cargo was due to one of the excepted causes relieving the carrier of liability". Many State courts have established the same rule and have uniformly (with one exception) held that in delay cases where a shipment was "unreasonably delayed" the burden was upon the railroad to show that its negligence did not contribute to the delay. While the carriers published schedule is not an absolute yardstick of the reasonable time within which delivery should be made, the courts have consistently admitted the schedules into the evidence and have held that where a shipment was not delivered within the usual, ordinary time that the burden of proof was placed upon the carrier. There is no justification in the decisions for the carriers attempt to force claimants to prove the carrier was negligent.

Unless the carriers recede from their apparent position that the shipper who, of course, has no knowledge of what occurred during transit, must prove negligence, it would appear that we have no remedy except to go to court, and court, and court.

The obvious first step is to try to get the railroads to clearly establish and advise us of their position, and to have their legal departments advise their claim agents of their legal liability for delayed delivery. Perhaps today's program may be helpful in that connection, but if the claim agents continue to hide behind the assertion that the shipper or a receiver must prove negligence and continue to decline claims without respect to their legal liability by always asserting delivery was reasonable dispatch no matter how late, we would appear to have no alternative except to go to court.

The amount involved in most cases is not sufficient to justify the expense for litigation of that individual claim. The legal costs, including attorney's fees, usually are disproportionate to the amount involved. The only basis under which the fruit and vegetable industry can protect itself would be for the industry to join together, nationally or regionally, to underwrite the costs of litigation so that the claimant in any individual case would not bear the entire brunt of the cost. If enough actions are brought, the Eastern railroads may decide that a policy of denying all claims is ill-advised and may accept their legal liability.

If the Eastern carriers are responsible for the current situation, Western shippers should recognize that the legal expense imposed upon Western carriers by bringing suit at the point of origin will have little, if any, pressure or effect upon the Eastern carriers. They should seriously consider suing the Eastern lines at point of origin if jurisdiction can be obtained or, at some place where the carriers do not have staff counsel. When the carriers recognize that their unfair and unlawful policy will cost them money, or business, they may decide to honor their legal obligations.

For a number of years bills have been introduced in Congress to amend the ICC Act to authorize the courts to allow reasonable attorney's fees to litigants who successfully prosecute claims against the railroads. To-date, the fruit and vegetable industry has not actively supported these proposals. I think we should take a good, hard look at this legislation for it will present one way for the fruit and vegetable industry to recoup part of the costs of litigation which cannot be avoided if the carriers will not accept their legal obligations.

I, for one, do not suggest that we should go back to the guaranteed schedule days. I do not think a carrier should be required to pay every claim where there is a delay of only a few minutes, causing a shipment to miss a market where there is a minimum of time between the scheduled arrival and the cut-off time. Most shippers in the West feel that it was proper for the carriers to take some action to eliminate what we were told were sharp practices and abuses which cost the carriers substantial money. I do feel that the carriers should accept their full legal liability. Furthermore, if there is financial responsibility for delay, the carriers performance will improve.

To summarize, the Western shippers are apparently unanimous in the view that they want dependable schedules to permit orderly marketing and are not primarily concerned with collecting claims. They also feel that the only way they can get dependable schedules is if the carriers must pay when they fail to deliver "with reasonable dispatch", i.e., within the usual, ordinary, reasonable time.

Delay claims paid by railroads

	1961	1962	1963	1964	1965
Fresh fruit, except citrus	$618, 437	$570, 441	$520, 558	$466, 967	$522, 914
Fresh citrus	169, 756	142, 518	144, 522	165, 567	182, 152
Melons	313, 563	275, 402	174, 808	166, 298	151, 222
Vegetables, fresh	1, 276, 129	1, 228, 150	1, 010, 751	1, 051, 697	1, 064, 120
Subtotal of 4	2, 377, 885	2, 216, 511	1, 850, 639	1, 850, 529	1, 920, 408
Total, all carloads	3, 008, 525	2, 992, 092	2, 372, 994	2, 520, 456	2, 665, 308
Total, carloads and less-than-carload lots	3, 025, 685	3, 018, 994	2, 408, 000	2, 542, 551	2, 695, 015
Percent delay to total freight claims	2. 6	2. 5	1. 8	1. 7	1. 8
Total freight loss and damage	$117, 575, 871	$123, 109, 624	$135, 492, 110	$145, 546, 207	$149, 806, 262

The 1961 data for 102 carriers representing 92.2% of United States, Canadian and Mexican mileage.

The 1962 data for 101 carriers representing 92.4% of United States, Canadian and Mexican mileage.

The 1963 data for 99 carriers representing 92.1% of United States, Canadian and Mexican mileage.

The 1964 data for 100 carriers representing 92.3% of United States, Canadian and Mexican mileage.

The 1965 data for 94 carriers representing 95.2% of United States, Canadian and Mexican mileage.

Source: Association of American Railroads. Prepared by Ernest Falk 1/17/67.

HOSPITAL EMERGENCY ASSISTANCE

Mr. MAGNUSON. Mr. President, I take great pleasure in joining with Congressman RICHARD L. OTTINGER, in introducing the Hospital Emergency Assistance Act of 1967. This bill represents an imaginative and significant contribution to the solution of a national problem that is becoming more serious each time there is a birth or illness.

The national problem must, however, be viewed in terms of its local consequences. There is, in my own State of Washington, a community served by only one hospital having less than 60 beds. That hospital averages over 90 percent full while the national average is only 76 percent. That community has a higher than national average percent of persons eligible for medicare, hence a higher than national average rating on the scale of critical hospitals. The community needs to expand its hospital by about 20 beds to meet national averages, and this would cost about $400,000, including all the related facilities. Between the grant and loan facilities provided in this bill, the community could begin building the needed facilities after raising less than $15,000.

In summary, the bill provides that the Secretary of Health, Education, and Welfare would determine which hospitals rank as "critical hospitals," based on the following considerations: First, daily occupancy rates in excess of reasonable capacity; second, availability of alternative facilities; and third, future needs. The Secretary would be authorized to make grants to pay up to 66⅔ of the cost of construction and loans up to 90 percent of the remaining balance in order to raise the hospitals above the critical level.

The bill provides a total of $58 million for these grants and loans. Fifty-eight million dollars is a large sum of money in these days of tight budgets and fiscal concerns. That money can mean a lot in education, in defense, in Vietnam; but it will mean more in terms of alleviating the pain and suffering and concern of people who cannot receive adequate care solely because there are no facilities. Many people, for many reasons, are denied adequate medical care, but the most inexcusable reason, the reason which no medicare program can overcome, is the lack of facilities.

Critics may say that we can do it next year, but that is no answer, because it takes time to build these facilities. If all of the critical hospitals started construction at this very moment, they would not be solving today's problem; they would only be facing up to the larger problems of 1969 or 1970 when the construction is completed.

It takes lead time to build the war engines of destruction, to develop automobile safety standards. It also takes lead time to care for the young, the old, and the suffering. What I said last year on this subject is applicable: From either a short-term or long-term economic point of view, it does not pay to restrict the national health program. From a humane point of view, no justification exists for anything but an expanding program. As Congressman OTTINGER said: "What good are new techniques in treatment if there is no room for the patient to receive it?"

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 859) to establish an emergency program of direct Federal assistance in the form of direct grants and loans to certain hospitals in critical need of new facilities in order to meet increasing demands for service, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

ASSISTANCE TO GOVERNMENT EMPLOYEES PREPARING FOR RETIREMENT

Mr. BREWSTER. Mr. President, in recent years it has become increasingly evident that the problems frequently accompanying retirement can be eased by adequate preretirement counseling and informational services. Such services can assist employees in planning for and achieving a "golden age," a period of purposeful activity rather than one of inactivity.

Therefore, I am today reintroducing my bill to provide for a program affording these services to all Federal employees who would need and desire them.

The importance of preretirement programs is obvious to those who have ever been close to someone approaching retirement age. While there are many who know exactly what they want to do after they give up their careers, still others dread the idea of losing the pattern and regularity of their lives.

Today, more people are retiring at a younger age and there is every reason to believe that this trend will continue—a significant fact, because it means that a larger percentage of our total population will be composed of retired people. While this will create new problems, it will also create new potentials that deserve to be fully explored. An example of the application of such potentials has been achieved in such activities as the Peace Corps and VISTA where retired men and women from all walks of life are engaged in meaningful and beneficial work. The growing number of retired Americans returning to school for further education and the many active senior citizens clubs in this country further help demonstrate the need for purposeful activity which so many retirees experience.

Both Houses of Congress showed a concern for the problems faced by our senior citizen clubs in this country furapproved the Older Americans Act and created an Administration for Aging. These were significant steps forward in developing effective programs to deal with the special needs of the senior members of our community. However, Mr. President, my bill would take an even further step. It would make the Federal Government an example to employers across the country in the area of preretirement services. This legislation that I am introducing directs each Department and Agency of the Federal Goverment to develop and institute preretirement programs in accordance with standards prescribed by the Chairman of the Civil Service Commission with assistance from the Secretary of Health, Education, and Welfare. These programs, as I envision them, would provide interested employees with educational and informational materials, counseling services, and such other assistance as may be deemed necessary to aid them in making preparations for, and adjusting to, a retirement status.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 860), to amend title 5, United States Code, to provide certain services for Government employees in order to assist them in preparing for retirement, introduced by Mr. Brewster, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

IMPROVEMENT OF OPERATION OF THE LEGISLATIVE BRANCH—AMENDMENT

AMENDMENT NO. 83

Mr. WILLIAMS of Delaware submitted an amendment, intended to be proposed by him, to the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 84

Mr. DIRKSEN submitted an amendment, intended to be proposed by him, to Senate bill 355, supra, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. CARLSON. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Utah [Mr. Moss] be added as a cosponsor of the bill (S. 520) to provide for the issuance of a special postage stamp in honor of Maj. John Wesley Powell for his pioneering work in the fields of exploration and reclamation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Maryland [Mr. Tydings] be added as a cosponsor of the bill (S. 453) to authorize a program of research, development, and demonstration projects for electrically powered vehicles.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS, JOINT RESOLUTION, AND RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors of the following bills, joint resolution, and resolution:

Authority of January 11, 1967:

S.J. Res. 1. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings: Mr. Aiken, Mr. Allott, Mr. Baker, Mr. Bennett, Mr. Boggs, Mr. Byrd of Virginia, Mr. Byrd of West Virginia, Mr. Carlson, Mr. Cooper, Mr. Cotton, Mr. Curtis, Mr. Dominick, Mr. Eastland, Mr. Fannin, Mr. Fong, Mr. Griffin, Mr. Hansen, Mr. Hickenlooper, Mr. Hill, Mr. Holland, Mr. Hollings, Mr. Hruska, Mr. Jordan of North Carolina, Mr. Jordan of Idaho, Mr. Lausche, Mr. Long of Louisiana, Mr. McClellan, Mr. Morton, Mr. Moss, Mr. Mundt, Mr. Murphy, Mr. Pastore, Mr. Pearson, Mr. Prouty, Mr. Smathers, Mrs. Smith, Mr. Sparkman, Mr. Stennis, Mr. Talmadge, Mr. Tower, Mr. Williams of Delaware, and Mr. Young of North Dakota.

S. Res. 8. Resolution to create a standing Committee on Veterans' Affairs—For the Veterans' Administration: Mr. Allott, Mr. Bible, Mr. Byrd of West Virginia, Mr. Carlson, Mr. Cotton, Mr. Ervin, Mr. Fong, Mr. Hatfield, Mr. Hruska, Mr. Inouye, Mr. Jackson, Mr. Jordan of Idaho, Mr. Kuchel, Mr. McGee, Mr. McIntyre, Mr. Moss, Mr. Mundt, Mr. Pearson, Mr. Percy, Mr. Prouty, Mr. Randolph, Mr. Ribicoff, Mr. Scott, Mrs. Smith, Mr. Talmadge, Mr. Thurmond, Mr. Tydings, and Mr. Young of North Dakota.

Authority of January 23, 1967:

S. 602. A bill to revise and extend the Appalachian Regional Development Act of 1965: Mr. Baker, Mr. Bartlett, Mr. Hart, Mr. Javits, Mr. Jordan of North Carolina, Mr. Lausche, Mr. Spong, and Mr. Tydings.

Authority of January 24, 1967:

S. 612. A bill to regulate imports of milk and dairy products, and for other purposes: Mr. Aiken, Mr. Church, Mr. Cooper, Mr. Dirksen, Mr. Eastland, Mr. Ervin, Mr. Fannin, Mr. Harris, Mr. Hartke, Mr. Inouye, Mr. Kuchel, Mr. McCarthy, Mr. Monroney, Mr. Prouty, Mr. Scott, Mr. Sparkman, Mr. Symington, and Mr. Young of Ohio.

Authority of January 25, 1967:

S. 671. A bill to establish a National Intergovernmental Affairs Council: Mr. Boggs and Mr. Mondale.

S. 674. A bill to amend title 18, United States Code, with respect to the admissibility in evidence of confessions: Mr. Hollings.

S. 676. A bill to amend chapter 73, title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States: Mr. Scott.

Authority of January 26, 1967:

S. 682. A bill to provide for the control and prevention of erosion and sediment damage on rivers and streams, and for other purposes: Mr. Hart.

S. 688. A bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation, and for other purposes: Mr. Case, Mr. Montoya, and Mr. Proxmire.

Authority of January 31, 1967:

S. 780. A bill to amend the Clean Air Act to improve and expand the authority to conduct or assist research relating to air pollutants, to assist in the establishment of regional air quality commissions, to authorize establishment of standards applicable to emissions from establishments engaged in certain types of industry, to assist in establishment and maintenance of State programs for annual inspections of automobile emission control devices, and for other purposes: Mr. Bartlett, Mr. Bible, Mr. Brewster, Mr. Clark, Mr. Fong, Mr. Gruening, Mr. Hartke, Mr. Inouye, Mr. Long of Missouri, Mr. Mansfield, Mr. Metcalf, Mr. Mondale, Mr. Nelson, Mr. Ribicoff, Mr. Tydings, and Mr. Young of Ohio.

NOTICE OF RECEIPT OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nomination:

William S. Gaud, of Connecticut, to be U.S. alternate Governor of the Inter-American Development Bank for a term of 5 years and until his successor has been appointed.

In accordance with the committee rule this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. BAKER:

Text of certificate of appreciation awarded by the Defense Personnel Support Center to the textile industry.

CEYLON CELEBRATES INDEPENDENCE DAY

Mr. MANSFIELD. Mr. President, I wish to take this means to extend to Ceylon congratulations and best wishes on February 4, its Independence Day. This nation, small in size but rich in history and the inheritor of a great culture and civilization, has made remarkable progress over the past two decades.

Under the outstanding leadership of Prime Minister Dudley Senanayake, political balance and stability is the norm in that nation. It is a democracy in practice and in fact and throughout the island peace prevails among her diverse people.

I think it is interesting and worthwhile to note that one of the first acts of Prime Minister Senanayake when he returned to office was to negotiate a settlement of the dispute with American-owned oil companies whose assets had been seized under a previous government. This country has also entered into an investment guarantee agreement; and, along with other countries, aid and assistance is now being rendered to this friendly nation.

Ceylon, despite its remarkable progress, has many difficulties to overcome. Even though there was a great increase in domestic production, her foreign exchange declined, due in large part, I understand, to a fall in prices of her basic crop, which is tea.

Ceylon is also faced with a major rice problem because she has been unable to import the usual amounts from abroad, with the result that rice ration has been reduced to a degree. However, under the courage and statesmanship of Prime Minister Senanayake, I am confident that these difficulties will be met if understanding is brought to bear.

As Ceylon embarks on her 20th year of independence, I wish on behalf of the U.S. Senate to extend greetings and best wishes to Prime Minister Dudley Senanayake and to the people of Ceylon, and to wish them the best of everything in the years ahead. Ceylon is trying to do as much as she possibly can be on the basis of resources available, and while there is much yet to be done, her progress has been remarkable in recent years and her friendship toward the United States has been most heartwarming. It is my hope that this friendship will ever grow closer and that the relations between our two countries will continue to be based on understanding, tolerance, and equality.

VIETNAM SERVICEMEN AND VETERANS' ACT OF 1967, AS PROPOSED BY THE PRESIDENT

Mr. MANSFIELD. Mr. President, in regard to the Vietnam Servicemen and Veterans Act of 1967, as proposed by the President, we must not forget one central theme: Our Nation has never, and must never, neglect its sacred obligations to honor those who have served in war, who have died in war; to care for their dependents; to care for those who received lasting injury; to care for those who are ill and destitute.

After the Second World War, our Nation undertook an added obligation to those who served and returned from service.

In establishing the World War II GI bill, the Vocational Rehabilitation Act, and other programs for veterans, America gave its ex-servicemen an opportunity to reenter the swift movement of a nation then at peace.

Those programs, as well as the Korean GI bill, have proved, without a doubt, to be wise investments. They have given millions of veterans who contributed to victory in war an opportunity to contribute to the strength of their country in peace.

Veterans made much of their opportunity. More than 11 million received training under the GI bills. From that tremendous pool of trained manpower, our Nation has gained thousands of engineers, technicians, teachers, doctors, nurses, lawyers—and in every kind of career and occupation at which man earns his living and contributes to the well-being of his country.

The GI loan programs have made it possible for more than 6 million veterans to acquire homes for their families, to establish roots in their communities, to live full lives as free citizens in our land of freedom.

American veterans have earned their opportunity, and have made excellent use of it. In every field of human activity, they are participating and are helping to advance our way of life.

Last March a new cold war GI bill was enacted, providing readjustment benefits and programs for veterans of the Vietnam era.

Already, under that legislation, more than 500,000 veterans have applied for education and training benefits, and are in the midst of preparing for future careers.

Under the Vietnam Servicemen and Veterans Act of 1967, the President has proposed additional steps to improve the system of benefits and programs. I am wholeheartedly in favor of the President's proposals.

There are several reasons for my unqualified support. The four major objectives of the proposed legislation are splendid guideposts of opportunity and investment.

The President proposes to remove the inequities in the treatment of veterans of the present conflict in Vietnam; to enlarge the opportunities for educationally disadvantaged veterans; to expand educational allowances under the new GI bill; and to increase the amount of the servicemen's group life insurance.

Additionally, the President seeks to provide special benefits for civilian employees serving in Vietnam who are exposed to the hazards of a war in which there is no front line. To strengthen the structure of veterans benefits, the President also has asked that a comprehensive study be conducted of the compensation and pension system of benefits, with recommendations going to him by January 1968.

In past years, the Congress has enacted and the President has signed many measures of great worth for veterans and their dependents. Many laws in recent times have also been enacted for the men of our Armed Forces who are—at this very moment—bearing the burden of America's battle in Vietnam.

All of these—and the President's proposals—are in recognition of the service of our veterans and servicemen. We can do no less than to support the President's proposals.

Veterans' benefits have strengthened America. America's veterans are devoting their energies and abilities toward the building of a better and stronger America, with the same drive and determination that they displayed in battle.

We should help them gain their places in the Nation. Now.

PRESIDENT JOHNSON'S EFFORTS TO ACHIEVE PEACE IN VIETNAM

Mr. MANSFIELD. Mr. President, it was with great interest that I read a carryover editorial in the New York Times for Sunday, February 5, 1967. This editorial appeared in the Louisville Courier-Journal under the title "Liberal Vendetta May Defeat Itself."

As one who has raised questions about the war in Vietnam and who has also endeavored to offer constructive suggestions seeking a possible solution, I was very much interested in the content of the editorial. It is a summation of a difficult situation which confronts the President in relation to Vietnam. I would urge those who seek to fault him for moving too fast or not fast enough or not "going in all the way or getting out," as well as those who make very free use of the term "no win" strategy to understand that the President of the United States, in the person of Lyndon Johnson, is endeavoring to find ways and means under almost any circumstances to bring the war in Vietnam to the negotiating table and an honorable conclusion.

To say that Vietnam weighs heavily on the mind of the President, as it does on all Americans, is to state a truism. In his press conference last Thursday, he said:

> I go to bed every night feeling that I failed that day because I couldn't end the conflict in Viet Nam.

To go back to the matter of how we got involved in Vietnam is to beg the question which confronts us today and in the future. That question is moot, and the important consideration is, how do we get out, and how do we do it under honorable circumstances?

Until some light appears, we cannot and will not withdraw. As the President stated in response to a question from a member of the press as to what kind of a sign would indicate to him that the other side would be willing to travel the road to the negotiating table if the bombings were stopped, the President's answer was both poignant and self-revealing as to his innermost feelings. He said, "just almost any step."

As for me, I intend to support the President in his constant and many attempts, through third parties, through direct contacts, or any means he can use, to bring this brutal war in which we are engaged to a close to the end that an honorable settlement can be achieved, and on that basis a withdrawal of U.S. forces from all of southeast Asia can be brought about at the earliest possible moment.

I applaud the President for his unceasing efforts in this direction, and while I have no direct knowledge, I draw encouragement from the speculative references to peace talks which are now and have been appearing in the press for some time. If there is anything to them, I would hope that for the time being, at least, we would exercise a certain amount of discretion so that what possibilities there are, if any, would not be jeopardized or endangered.

Mr. President, I ask unanimous consent to insert in the RECORD an excerpt from an editorial published in the Louisville, Ky., Courier-Journal previously referred to.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

ANOTHER OPINION: A WARNING TO LIBERALS

The following editorial appeared last week in the Louisville (Ky.) Courier-Journal under the title "Liberal Vendetta May Defeat Itself":

"American liberals have performed a significant service in the past year. It has been the asking of serious and persistent questions about our Vietnam policy. Only by intensive debate of such issues can our systems of democracy have a chance to work.

"There are indications, however, that many members of the liberal-intellectual group are pushing their criticisms of the Johnson Administration beyond the point of no return. Arguments about policies have too often turned into bitter, personal, vindictive assaults on the President's motives. Such liberal critics seem to have fallen for the devil theory of politics—usually confined to right-wing extremists—the belief that anything bad that happens is due to the deliberate machinations of one man.

"Such carping attacks by some of the most articulate members of American society can only defeat their own purpose and reduce the chances of peace in Vietnam.

"OUR OWN INTERESTS AT STAKE

"* * * * *

"The question is not whether we should feel sympathy for a man who sits in increasing isolation in the White House. It is whether we should worry about ourselves and the state of the Union in such a situation.

"It is safe to say that the great majority of liberals hope to see the war in Vietnam ended by negotiation, disbelieving in the possibility of victory for either side. Yet if the chance for negotiation ever occurs, the President will need all the prestige he can command to make a peace based on compromise. It is only necessary to remember back to the time when Dwight D. Eisenhower, a military hero unspotted by political experience, was able to accept armistice terms in Korea which Harry S. Truman could not have sold to the American people.

"Some may feel that it will take a new President to break through the deadly Vietnam stalemate. But Lyndon Johnson will be in the White House for nearly two more years, barring an accident of fate. Those who are more concerned with stopping the war than with discrediting the Chief Executive surely cannot want to wait that long to end the killing in Asia.

"Republican strategists are ready to pick up the phrase 'credibility gap' as the rallying cry of the 1968 campaign. It may prove even more effective than 'Korea, Communism and corruption' in 1952. The curious thing is that the 'credibility gap' is now being stressed by liberals inflamed over Vietnam, though their hope of peace rests largely on a President with sufficient prestige to carry through a compromise settlement.

"The defection of many liberals on foreign policy, plus their apathy on domestic issues, leaves Mr. Johnson exposed to other influences. Conservatives in Congress, who have no use for the Great Society reforms, are moving to strangle them by a tightening of the purse strings.

"On Vietnam, the President is subjected to tireless pressure from the hawks. Continued frustration and loneliness might yet make him heed their counsel.

"It is no secret that his official military advisers, the Joint Chiefs of Staff, have long urged a steep escalation of the war. Retired Air Force General Curtis LeMay sees 'no chance of drawing these people to the conference table' and calls for heavier bombing to 'win the war quickly.' Barry Goldwater wants to remove all restrictions on our military leaders in Vietnam and leave them to their own devices. [Some Senators] denounce possible negotiations with the Vietcong, believed by liberals to be a necessary road to peace. A settlement involving the Vietcong, [they] proclaim, would mean that 'no line of defense would any longer exist. * * *'

"CAUGHT BETWEEN TWO FIRES

"Thus Lyndon Johnson occupies a narrowing base of operations between two hot fires. Extremists of the right accuse him of a 'no-win policy' in Vietnam because he will not unleash the full fury of American power and ignore the danger of war with the whole Communist world. Critics on the left, meanwhile, accuse him of secretly wanting to do exactly what the right wingers revile him for not doing.

"Discussion of President Johnson's methods in Vietnam must continue, with the best minds in the nation engaged in the debate. Derogation of his motives, however, is quite another thing. It can only undermine his ability to end the war by negotiation, while at the same time endangering the social gains America has made during his Administration."

A BLUEPRINT BASED DEEP ON FEELING

Mr. MANSFIELD. Mr. President, seldom has a reporter's prose caught more truthfully and more feelingly the hopes and aspirations of our President than Hugh Sidey's article in the February 3 issue of Life magazine.

Much of what the President is trying to do to ease what Sidey called life's cruelties emerges from the President's beginnings in a country and on a land where life was difficult at best, and where men and women grew old and sick before their time.

I have always believed that compassion was a necessity in a great leader, and President Johnson possesses this human asset in great abundance. The Nation is fortunate to have as its President a man who really cares about what happens to people who are disadvantaged, either by age or illness or circumstance.

History will record that President Johnson's achievements in the field of human needs and wants will be one of the greatest ever recorded by any American President.

I ask unanimous consent, Mr. President, that the article by Hugh Sidey be incorporated at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE PRESIDENCY: A BLUEPRINT BASED DEEP ON FEELING

(By Hugh Sidey)

Lyndon Johnson is at his best when he is talking about ways to help people out of misery. He has a feeling for the subject, carried over from the hill country, and it shows in what he says.

His message on older Americans sent to the Congress last week was moving, and in a year when he will have to curtail many dreams, both sweeping and imaginative, there was a convincing simplicity in the language of his statement. "One of the tests of a great civilization is the compassion and respect shown to its elders," Johnson wrote. "Too many of our senior citizens have been left behind by the progress they worked most of their lives to create. Too often the wisdom and experience of our senior citizens is lost or ignored." His basic proposition was to increase social security payments so that the living standards of those dependent on them could rise for a "meaningful retirement." Beyond that were ideas for giving coverage to more Americans like those farm workers now excluded; a simplifying of the tax laws with more tax breaks for the elderly; expanded programs for nursing homes and comunity care; a ban against unjust job discrimination because of age; fewer restrictions on the amount of money a person on social security can earn; more opportunities for meaningful use of the talents of older citizens in their communities. It all made fine sense. Though the thought of higher social security rates bothered some, nobody could—or did—argue with John Gardner, Secretary of Health, Education, and Welfare, when he declared that the program was the most sweeping blueprint for elderly citizens ever suggested by a President.

Almost every word in the message led back to Lyndon Johnson's own life. A small-town boy knows about old folks. In the urban areas people are often statified. But in a town like Johnson City, population 611 at the last count, every citizen lives in full view of everyone else. The banker resides within sight of the courthouse custodian; the healthy live amid the infirm; the old are all about. Old people mean much in the small towns which send most of their young to megalopolis. The elderly provide continuity and legends, but they are also ignored. They sometimes control the commerce, but they also sit idly on the park benches. And when they become burdens, as many do, their final humiliation is seen by all, their contributions largely forgotten, their weight resented by many.

Lyndon Johnson has seen it all, and the image of age in the hill country has stayed with him. The first political monument he erected to himself, and the one which even today seems to please him most, is the Pedernales Electric Cooperative. He still talks about what power did for those people who "aged before their time," because long after most of the country had electricity they had to pump their water by hand, endure outdoor plumbing, cook with wood stoves and light their way with kerosene lamps. He can recall line by line the dialogue between himself and his father when the elder Johnson, suffering from heart disease, got out of his bed in an Austin hospital and demanded to be taken back among his people to die. There were no modern medical facilities, no nursing homes to ease his final days in Johnson City.

Even as President, Johnson has gone back to the hill country and sought out men and women who helped him along his way. More than once he has found them crippled and despairing in tiny rooms of homes overburdened with children. He has turned away in sadness from the miserable, make shift nursing homes where once-proud men sat in lonely stupor, relics of themselves in body and in spirit.

The President rarely ignores a funeral of an old friend from that town. The services are not only a final salute but often a feeble way of saying that everybody wishes he could have done more before the end. Johnson now proposes to do something before the funeral. He is about the only one who can do it on a grand scale, and he finds this one of the gratifying things about being President.

"We should look upon the growing number of older citizens not as a problem or a burden for our democracy," Johnson said in his special message, "but as an opportunity to enrich their lives and, through them, the lives of all of us."

Lyndon Johnson is so complex and elusive in so many things that often it is difficult to get a clear view of him. The message on older Americans gives a rare chance. What always rings true in him, what has been constant from his political beginnings to now, is his desire to ease some of life's cruelties.

LAW ENFORCEMENT AND LAWLESSNESS

Mr. CARLSON. Mr. President, there has been an increasing dialog across the country concerning the problems of law enforcement and lawlessness. Many who have spoken out have expressed alarm not only over the crime rate, but also over the nature of the crimes and the general climate which seems to exist in regard to our system of laws.

One of the best discussions I have seen of the distressing increase in disrespect for the law is contained in a document published by the Scottish Rite Education Welfare Association of the Ancient and Accepted Scottish Rite of Freemasonry, Orient of Nebraska. The Article was written by the senior Senator from Nebraska [Mr. HRUSKA]. I commend it to the Senate, for it puts in proper perspective a major problem facing the country.

The article offers a positive answer to those in our society who are flouting the law and then justifying their actions by shouting that the law, like God, is not responsive to the modern needs and is in effect dead. In response to these nihilists, Senator HRUSKA points up that if we are to preserve the fabric of our society, "we must take the law into our hearts rather than our hands." He adds that "we must resist all attempts to substitute rancor for reason, chaos for calm consideration, expediency for experience, and passion for due process."

I ask unanimous consent that this article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[Bulletin No. 14, published by the Scottish Rite, Education Welfare Association, Ancient and Accepted Scottish Rite of Freemasonry, Orient of Nebraska, 1966]

TIME FOR DECISION—IS THE LAW DEAD?

(By ROMAN L. HRUSKA, 33°[1])

In recent months there has been an increasing dialogue in the churches, on television and in the press and national news magazines involving the question, "Is God Dead?" Recently, two large circulation weeklies have featured this subject on their covers.

This challenge to the beliefs of organized religion, being made by a small but vocal group of radical Theologians, has stirred rebuttals from all segments of the religious community. The various sects have overcome their differences and spoken with one voice meeting the issue head on.

The "God is dead" philosophy is not new. Nietzsche was saying the same thing a century ago. The current death-of-God group proceeds from his starting point that man, by his actions, has killed God. They believe that God is absolutely dead and propose that we carry on with a theology that simply excludes Him.

As I understand it, those that urge this position explain it by saying that organized religion is merely a formalized but empty shell which is not based on the truth of practical experience. They then proceed to the position that it cannot serve our society for it has been rendered obsolete by the new wisdom and insight of modern man. This viewpoint is the anti-thesis of a belief in a "living God."

It would seem that we can analogize from this question and illuminate a problem confronting the law and our legal system.

It has become increasingly popular in our society for those seeking immediate change to complain loudly about the delays and inadequacies of the law. Daily we hear about our "horse and buggy Constitution" and our "outmoded and unresponsive legal precedents." Across the country the cry is raised "Action now—not the delays of the law." To those holding this view, our legal foundations—the written Constitution, statutory enactments and the common law—are as inadequate and ill-suited for our time as would be the Code of Hammurabi.

In the minds of these often well-meaning people, it can surely be said that "the law is dead." And this attitude is not restricted to those who seek to remedy the many admittedly unconstitutional deprivations suffered by the various minorities in our country.

The front page of almost any newspaper paints a startling picture of disrespect and disregard for the law. The draft-card burner, the tax evader, the rioter and looter, the price fixing executive, the marauding Ku Klux Klanner and the overzealous civil righter all appear with disturbing regularity.

This alarming growth in disrespect for law and order in America is a new phenomenon. While in other periods in our history we have had isolated riots and civil disorders as well as occasional flagrant disregard for the law, there seems to be a new philosophy underlying the current difficulties. One can sense a new feeling that there is a basic right to riot, a right to flout the law or pick and choose those laws which suit the individual's current purpose.

Such behavior is completely indefensible whether it is the union leader ignoring a court order or rioting by Negro youngsters in Washington, white college students in Fort Lauderdale or Daytona Beach or a mixed group on the campus at Berkeley. It is unacceptable if it is the clergyman illegally sitting-in on another's property or the father buying forged documents to shield his son from the draft. These are the seeds of a new anarchy.

In many of these instances, the people involved attempt to justify their lawless actions by advancing cliches or slogans which on the surface appear to be logical and in some cases even sacred, but which in truth are neither. To use a current Madison Avenue idiom, they are advocates of "nonlaw."

A second look at the philosophical banners under which they parade points this up. "Obey only the good laws, ignore or breach the bad ones." "Action now, no legal delays." "Human rights, not property rights." "The end justifies the means." The list is limited only by the imagination of the sloganeer.

Analysis of these catchy bromides reveals that they and not the law are without substance once the veneer is scraped away.

Who is to be the umpire if we obey only the laws we like? Isn't this philosophy really nothing more than license to violate the law? If we allow men to accept only those laws which please them personally or which they find presently convenient to accept, aren't we really trading ordered liberty for chaos? Mister Justice Whittaker spelled out the threat contained in the "each man is a judge" philosophy: "Though we have, as we justifiably and proudly boast, a government of laws and not of men, we must recognize that even this virtue can be lost, and that no man is protected by the law unless all are equally bound by and required to obey it."

The others are equally insidious. Are human rights and property rights in any way inconsistent or mutually restrictive? Can anyone honestly urge that the right to have and be protected in property is not a valuable "human right" mutually consistent with other human rights? It has been said that property rights are the soil in which human rights grow and mature. Does history make any other argument?

The "action now" and "the end justifies the means" advocates have through the centuries tried to bludgeon the law to death. They are nothing more than advocates of anarchy. These philosophies exclude the possibility of the existence of a government of laws. "Equal protection" and "deliberative processes" would be rendered meaningless, if we were to look to this approach to solve the problems which arise.

Each of these examples points up the nature of the attacks which are being made on the law. They also point up the need for all men to urge the return of some of the old values which form the underpinnings for our society. We need not be on the defensive in defending these old values. Only those that are shortsighted or misguided can urge that what is old is of no value because it is old and what is new is best simply because it is new. What they overlook is that our system of law is a vital and living force in our society which renews itself each day.

The law is not dead! At the same time we must be acutely aware that no attack can go unanswered if we are going to rekindle the respect for the living law which was so carefully nurtured by our forefathers and passed on to our stewardship. To surrender these values before the assaults of the disciples of expediency and misguided good intention is to accept their brand of anarchy.

Lewis Powell, when president of the American Bar Association, spelled out the cost of this course when he said: "Many centuries of human misery show that once a society departs from the rule of law, and every man becomes the judge of which laws he will obey, only the strongest remain free."

We have no alternative to a strengthened public acceptance and esteem for the law. Rational men cannot accept social chaos as a substitute for ordered liberty. Only the very shortsighted can see it as a panacea for provocations, either real or imagined, which arise in our society.

While we are all aware that the legal process is often slow, and on occasion disturbingly so, there is no other orderly way peaceably and fairly to decide the issues that arise among us. This is not a hollow platitude! It is fundamental if our system is to survive. Liberty without law is little more than license.

Unless we wish to preside at the wake of not only legal processes as we know them but also our system of government, we must make every effort to clear away those obstacles which prevent every American rich or poor regardless of color or religion, from recognizing the need for supremacy of the law. This supremacy can be maintained only so long as it is undergirded by public understanding and confidence in the adequacy of the system and only so long as it enjoys widespread public support.

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[1] United States Senator from Nebraska.

Every responsible citizen must strive to impress on his fellow American that liberty, as we understand it under our Constitution, is a generous measure of individual freedom under the joint and well-balanced rule of law and mores. We must, by example and word, show that liberty includes not only the "you will" of the law but also the "I will" of respectful acceptance of the law.

A century ago Abraham Lincoln said, "The world has never had a good definition of the word liberty, and the American people, just now, are much in want of one." These words are more pertinent now than they were when uttered! Recent events across the nation have pointed up the widespread misunderstanding of the concept of liberty and a tendency by many well-meaning people to treat liberty and license as synonymous terms.

To counteract this, we must have a genuine revival of respect for law and orderly processes, a reawakening of individual responsibility, a new impatience with those who violate and circumvent our laws, and a determined insistence that laws be enforced, courts respected and due process followed. We must take the law into our hearts rather than our hands. All men must seek redress in the courts rather than in extralegal or illegal ways if we are to survive as a civilized nation. And we must resist all attempts to substitute rancor for reason, chaos for calm consideration, expediency for experience, and passion for due process.

By doing so, we will demonstrate to all that law is not dead!

In thinking about the problems which are confronting us, a question posed by Dr. Frederick Brown Harris, the Chaplain of the Senate, continues to come to mind. He asked, "Why not kill the devil?" This was the inquiry of Robinson Crusoe's puzzled man Friday who had difficulty in understanding Crusoe's explanation of God and the blame he placed on Satan for all that was bad. Friday's question vexed his teacher for he had no ready answer.

However, on reflecting on the strengths which he gained after seeing the mysterious footprints in the sand, Crusoe arrived at his answer. "Very frequently the evil which we seek most to shun and which is the most dreadful to us is the very means and door to our deliverance."

The current challenge to the rule of law which we are experiencing can also be transformed into a strength. If, rather than merely wringing our hands and decrying the loss of respect for the law, we accept the challenge it poses, the law can become even a greater tool in effort to improve the condition of man.

If we can restore the belief that the law is a living, dynamic force which maintains our ordered liberty, we will have strengthened our society. If we insure that the law does in fact respect every man, we will have created a climate in which there can be greater respect for the law. Then no man can honestly raise the question, "Is the law dead?"

ELECT OUR PRESIDENTS BY DIRECT VOTE OF THE PEOPLE

Mr. YOUNG of Ohio. Mr. President, the acute interest in electoral reform evidenced after every close election fades rapidly in the period between elections. Waning public interest has helped perpetuate for too many years the cumbersome and unreasonable system under which Americans choose their President and Vice President.

Many years ago, as Congressman at Large from Ohio, I urged the abolition of the electoral college system and that it be replaced by the direct election of the President and the Vice President. Many other Members of Congress have done likewise over the years. Now, it appears that there is a real possibility that this vitally needed reform may soon be implemented—that its day has come.

Senators and Representatives are elected directly by the citizens of their States or congressional districts. It is ironic, then, that the Chief Executive of the Nation, the man who holds the greatest responsibility for the lives and welfare of all our citizens, is not directly chosen by those citizens, but rather by the electoral college, an anachronism in this space age.

The electoral college was originally established to assure the election of high-caliber men to the Presidency, to be fair to the Southern States where slaves could not vote, and to prevent voters from clannishly supporting candidates from their own States. As the party system has developed, none of these reasons remain valid. In his book, "Paths to the Present" historian Arthur M. Schlesinger put it:

> What demoted the electoral college from a deliberative body to a puppet show was the rise of political parties. As people began taking sides on public questions, they were unwilling to leave the crucial choice of the Chief Executive to a sort of lottery. Instead, each party publicly announced its slate of electors and the candidate they would support. This usurpation of the electors' functions, though peaceably achieved, amounted to a coup d'etat. It was an amendment of the written Constitution by the unwritten constitution. The electors, while retaining the legal status of independence, became henceforth hardly more than men in livery taking orders from their parties.

The delegates to the Constitutional Convention—the Founding Fathers—were, for the most part, definitely opposed to electing the President by direct popular vote, agreeing with George Mason of Virginia that—

> It were as unnatural to refer the choice of a proper character for Chief Magistrate to the people, as it would be to refer a trial of colors to a blind man.

The delegates to the Convention—for the most part conservative New England merchants and southern landholders—distrusted the ability of the average citizen of that day to decide questions of such gravity. Moreover, the discussions at the Convention revealed that the delegates did not believe that it was possible for a voter in one State to know anything about the ability or character of public men in the other States scattered along our 1,500-mile shoreline.

Today, when our population is almost 100 percent literate, when all Americans have the advantage of an elementary and secondary education and millions more the advantage of a higher education, when television and radio bring candidates into every living room of the Nation, when the distance from Washington, D.C., to San Francisco, Calif., can be covered in less time than it took to travel from Washington to Baltimore at the time of the Constitutional Convention, it is absurd to maintain a vestigial remainder of an era in which the people were not fully trusted to choose their President. If George Washington, James Madison, Benjamin Franklin, John Hancock and other patriots who helped draft the Constitution of our country were alive today, they would not know this country. We live in a different world. Transportation and communication over thousands of miles is nearly instantaneous. We live in a new space age of change and challenge. The electoral college system no longer has any place in our Republic.

A few years ago the Supreme Court took the first step toward modernizing our electoral system when it handed down the one-man, one-vote rule on the reapportioning of State legislatures. It is now high time for the Congress to take the next logical step and make the vote of every citizen count equally in the election of a President and Vice President.

The present electoral college system is riddled with real and potential evils. It permits the votes of the citizens of smaller States to weigh more heavily than those of citizens of our more populous States. At the same time, it permits outsize power to be given to third parties and minority groups in the larger States where often very few popular votes can shift all the electoral votes of a State from one candidate to another.

Furthermore, it allows the possibility of the election of a President who did not receive a plurality of the total votes cast throughout the Nation. Three times in our history there have actually been cases in which a President was elected who received a smaller number of votes than the number received by his closest opponent: John Quincy Adams in 1824, over Jackson; Rutherford B. Hayes in 1876, over Tilden; and Benjamin Harrison in 1888, over Cleveland. In the first case, the minority President was chosen by the House of Representatives; in the other two, by a majority vote of the electoral college.

Also, under the present system there is no guarantee in many States that the electors will cast their votes for the presidential candidate who receives a majority of the votes in a particular State.

Mr. President, every citizen should have an equal voice in the selection of the President. The only way to assure this is by direct election of the President and Vice President. Public sentiment for this is growing, and I was glad to note that last month the American Bar Association's commission on electoral college reform recommended that the electoral college system be abolished and replaced by direct popular vote of the people of the country. The commission concluded—

> The electoral college method of electing a President of the United States is archaic, undemocratic, complex, ambiguous, indirect and dangerous. . . . While there may be no perfect method of electing a President, we believe that direct nationwide popular vote is the best of all possible methods.

Mr. President, I am happy to be a cosponsor of the Senate joint resolution introduced by the junior Senator from Indiana [Mr. BAYH] to amend the Constitution to provide for the direct election of the President and Vice President. The time is long due for this essential reform, and I am hopeful that this constitutional amendment will be approved by the Congress early in this session, so that it may possibly be ratified by the States before the next presidential election. If this should not be achieved then surely before 1972 we must abolish the archaic electoral college.

NATIONAL WATER COMMISSION ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 28, Senate bill 20.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 20) to provide for a comprehensive review of national water resources problems and programs, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JACKSON. Mr. President, the bill now before the Senate is S. 20. This bill would establish a National Water Commission composed of seven members appointed by the President and confirmed by the Senate. The Commission would be charged with the important responsibility of undertaking a comprehensive review of the Nation's water resource problems, programs, and policies.

Members of the Senate will recognize that this is the same bill which passed the Senate without opposition late in the 89th Congress. The House of Representatives failed to take floor action on this measure prior to adjournment, however, and it has been carried over into the 90th Congress.

When passed last year, this bill had 47 cosponsors; this year 53 of my colleagues have joined as cosponsors. Their number, coupled with the fact that they represent both political parties, every region of the country, and 37 different States attests to the widely recognized need for an independent, objective review of the Nation's water resource policies, programs, and needs.

The National Water Commission which this bill would establish is a logical and, I believe, a necessary link in the unprecedented series of important water resource measures which the Congress has enacted in recent years. These measures include the Water Resources Planning Act, amendments to the Water Pollution Control Act, the Water Resources Research Act, the Water Projects Reaction Act, several Saline Water Conversion Acts and many others.

When these previous measures were considered, it was widely recognized and acknowledged that imaginative new approaches were being undertaken in an effort to resolve the age-old problems of water supply and water quality.

When these measures were passed, most of us realized that a vehicle similar in purpose to the National Water Commission would be needed—and needed soon—to review past and recent legislation; to assess the state of the art of water resource management; to determine the adequacy of present technology and institutional arrangements; and to point out the alternatives that are open to the future.

The bill we are considering today, S. 20, will create a National Water Commission to perform this function of review. The mandate of the Commission will be to study alternative solutions to water resource problems without prior commitment to any interest group, region, or agency of Government. The bill vests the Commission with authority to set up a small staff composed of the finest talent available, to hire consultants, to enter into contracts for surveys and studies with private and public organizations, and to utilize the personnel, services, and informational resources of existent Federal agencies. In addition, the bill provides for close coordination between the Commission and the Water Resources Council and the River Basin Planning Commissions established under the Water Resources Planning Act.

The results of an independent and objective survey of our water resources would be of immense benefit to the administration and to the Congress in charting the course of future development and legislation. In addition, every region of the country which either has, or which might in the future experience water resource problems will be the beneficiary of the dispassionate, comprehensive, in depth study which this bill will provide.

This measure was initially submitted to the 89th Congress by the Bureau of the Budget following the President's request for such a commission in his message to the Congress on preserving our national heritage. In the 90th Congress, the President reaffirmed the administration's commitment to the establishment of a National Water Commission in both his budget message and in his message on protecting our natural heritage.

The Committee on Interior and Insular Affairs, after extensive consideration of this measure in the past two Congresses, believes that S. 20 is one of the most significant and important water resource measures it has considered in recent years. Passage of this measure is essential to the proper development and wise use of the Nation's water resources, and the committee strongly urges its enactment.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. STENNIS. Mr. President, I wish to commend the Senator, as well as his committee, for the work that has been done on this fine measure. I am certainly strongly in favor of it. I hope that it becomes law. It has great possibilities.

Mr. JACKSON. I appreciate the Senator's comments.

Mr. ALLOTT. Mr. President, I rise to discuss the bill not for the purpose of opposing it, as such, but because I feel there are certain problems and aspects of the bill which should be called to the attention of the Congress. These problems were all raised in the hearings on the bill last year.

Mr. President, one of the first of these problems is the fact that there is, in my opinion, a grave danger that under this bill the National Water Commission, when used in connection with the River Basins Planning Commission and the Water Resources Council, will result in a proliferation of commissions and boards which will enable them to place one against the other in the development of our water resources in this country.

Mr. President, I shall not go into all of the details of the hearings, but I think it is wise to discuss them at this time and to state that the hearings specifically state that there is no intention to make the National Water Commission a substitute for the River Basins Planning Commission, which we previously enacted. The idea of the National Water Commission cannot reasonably be objected to if the Commission directly serves its stated objective. Further, the people of this country have a right to expect of the Commission that it will not become a handy vehicle by which interests other than the interests of real progress in solving our pressing water problems are served.

Should this bill become law and the National Water Commission appointed, it is my sincere hope that the Commission will be a vital and constructive force in the resolution of our many difficult water problems which face us today.

Mr. President, the second point I wish to make is that the bill does have contained within it an amendment which was originally offered by the distinguished senior Senator from California [Mr. Kuchel] relative to the Senate confirmation of appointees. This provision was not originally in the bill. I feel a great deal more comfortable with respect to the commission now that this particular amendment is in the bill.

The Allott proposal to enumerate some of the fields of experts in selecting commission members should have been included in the bill or in the report. Mr. Phillip Hughes, the Deputy Director of the Bureau of the Budget, indicated in an answer to a question by me as to what he meant by "diverse backgrounds," suggested that the fields of specialization should include economics, pollution, waste treatment, conservation, recreation, and people extremely knowledgeable in water resources.

Mr. President, I must say frankly that my concern has been that too many people from the field of economics would be involved and not enough people who know something about water and the problems which arise from its conservation and use.

Later in the hearings last year, Eugene B. Waggoner, president of the Consultant Engineers Council of the United States, suggested the following makeup of the commission: Two engineers—one civil engineer and one sanitary engineer—one ground water expert, one water attorney, one agriculturalist, one economist, and one conservationist. These could be expanded of course, ad infinitum.

Mr. President, I believe that the author of the bill, the distinguished chairman of the Committee on Interior and Insular

Affairs, will agree with me, that the record is clear that we do want a commission made up of people with diverse backgrounds, and that any commission which does not have a broad, diverse background would not be acceptable, as far as confirmation by the Senate is concerned.

Third, I should like to refer to another matter briefly. I had offered an amendment to the last bill, which would have directed the Commission to give first priority to the water resources of the Pacific Southwest and the Colorado River Basin.

In the hearings last year the Senator from California [Mr. KUCHEL] asked this question of Secretary Udall:

> Without in any way attempting to put any words in your mouth, is it fair to say, Mr. Secretary, that you feel there is no greater water problem in this Nation today than that which faces the States in the Colorado River basin?

Secretary Udall replied:

> Well, I think, in terms of the impending serious water shortages that have clearly emerged, that certainly this is the first priority area in terms of crisis.

Mr. Hughes, Deputy Director of the Bureau of the Budget, stated, along the same line:

> As Secretary Udall indicated this morning, we have supplemented our earlier comments on the Commission by indicating that some priorities with respect to Western problems and perhaps the Colorado River Basin in particular would be acceptable to us and appropriate.

Later, Mr. Hughes said in colloquy with the Senator from California:

> It would seem to me that the Commission bill language, or perhaps the legislative history, could be worded to meet the priority need, as we see it and as the Congress sees it, of the West and the Colorado Basin in particular.

Mr. President, therefore, it would be one of my hopes that this Commission would see it as one of the biggest and most immediately pressing problems to get into the West or Southwest United States and Colorado River question, and do it at an early time.

Mr. President, the final point I wish to make is this: I stated in the hearings as follows, and I refer to those of last year:

> Senator ALLOTT. Section 3(a)(2) of the bill on page 3 reads as follows:
>
> "Consider economic and social consequences of water resource, development, including, for example, the impact of water resource development on regional economic growth, on institutional arrangements of—" whatever that is——
>
> "And on esthetic values affecting the quality of life of the American people."
>
> Do you consider that that is in any sense a directive which would authorize the Commission to go beyond the legal concepts which have been adopted and established such as, for example, the Colorado River compact, the Upper Colorado River compact, the Colorado River Projects Act, and so forth?
>
> Secretary GARDNER. I think once you set up a commission of private citizens, they can make any kinds of suggestions they want. It would be very difficult not to allow them to make whatever kinds of suggestions they thought useful in the interest of public policy. But I don't see anything in the sentence that would necessarily go beyond that.
>
> Senator ALLOTT. Would what?
>
> Secretary GARDNER. I don't see anything in the sentence that would go beyond authority you described.
>
> Senator ALLOTT. Well, the point of it is that there are hundreds of millions of dollars invested in the West which are dependent upon these particular compacts and the distribution of water. They actually represent legal ownership of water by the people who own them, who have made these investments pursuant to that ownership, and I would like to make the point here—if you disagree, I would be happy to have you comment on it—that I don't want to see this thing get off in the direction of, "We ought to abandon the legal concepts developed from our interstate compacts as interpreted by the Supreme Court" and end up with, "There are more people here so they ought to have more water."
>
> Secretary GARDNER. No. I don't have any feeling that that is the direction.

I repeat that because I think it is very vital that we have a legislative record of what the function of this Commission is, of what its membership should consist, and that it is not in any way or in any sense empowered or entitled to change the direction or the degree of the compacts with relation to the Colorado River compact, the Upper Colorado River compact, or the Colorado River Storage Project Act.

Thus, with these few remarks, I hope that I have made the legislative record clear as to what this Commission is, what we expect of it, and what its membership shall consist of.

Mr. DOMINICK. Mr. President, will my colleague yield?

Mr. ALLOTT. I am happy to yield to my distinguished colleague.

Mr. DOMINICK. I want to make clear for my own benefit, and for the RECORD, certain things concerning the National Water Commission. Do I correctly understand that it is a study group only?

Mr. ALLOTT. That is correct.

Mr. DOMINICK. It is to study the areas of need and the degree of the problems existing in the various sections of the country.

Mr. ALLOTT. That is correct.

Mr. DOMINICK. There is no authority to supersede the commissions that we have on this subject already?

Mr. ALLOTT. That is my complete understanding of it. I think the record is clear.

The chairman of the committee, the distinguished Senator from Washington [Mr. JACKSON], is in the Chamber, and I think he should—for himself and the majority of members of the committee—answer that question, if he would.

Mr. JACKSON. I know of nothing in the pending measure that is inconsistent with the other commissions at the present time.

Mr. DOMINICK. I wonder if the chairman would be kind enough to further explain his understanding.

Mr. JACKSON. The Commission, as the Senator from Colorado [Mr. ALLOTT] pointed out, is an advisory body. It can make only recommendations. It has no authority to enact or to implement into law anything. It is purely advisory.

Mr. DOMINICK. It is not designed, is it, to conduct feasibility studies or anything of that kind?

Mr. JACKSON. It is not involved in feasibility studies of any kind or in authorizations of any nature.

Mr. DOMINICK. Would the distinguished Senator from Washington perhaps continue to explain what is envisioned as the real role of the National Water Commission?

Mr. JACKSON. If the Senator will turn to page 3 of the bill, it sets out the duties of the Commission, beginning on line 2. Then in the report on page 2 accompanying the bill, the duties of the Commission are also set out. Let me read the first paragraphs:

> The mandate of this Commission will be to study alternative solutions to water problems without prior commitment to any interest group, region, or agency of Government. The Commission will be charged with the responsibility of objectively reviewing the premises underlying our water resources policy and making recommendations in the light of broad national interest.
>
> The National Water Commission must critically study past, present, and proposed water programs. It should tell the Nation what it has done right, what it has done wrong, and what it is not doing that it should be doing.
>
> The National Water Commission must come to grips with fundamental policy questions and recommend how this Nation's water resources should be utilized so as to maximize public benefit. The advice and guidance of the Commission will be invaluable to the President and the Congress when making decisions on specific project proposals which have far-reaching effects.

That is a good statement of the assigned mission of the proposed Commission.

Mr. DOMINICK. I want to thank both the Senator from Washington and my colleague for stating very clearly the purpose and role of this Commission.

Mr. ALLOTT. I thank my colleague. Mr. President, I yield the floor.

Mr. KUCHEL. Mr. President, this legislation has been sponsored by more than half the Members of the Senate. It is about to be approved, as, indeed, a similar measure was approved in the Senate a year ago.

In a real sense, it is a tribute to my colleague and my friend, the Senator from Washington [Mr. JACKSON], and I pay my respects to him. I also pay my respects to my able friend from Colorado, with whose position I associate myself.

I cannot say, Mr. President, that the concept of this bill is without merit, but I can say that if it were to become the law of the land, I would not want it used to delay congressional action on the vital, complex, and worsening water problems of the Pacific Southwest, including the State from which I come.

I need only to repeat my congratulations and approval to my friend from Colorado for the amendments which he offered and which I support. I share his gratitude that the Senate will be given an opportunity to pass judgment on the men who will sit on this commission.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to my friend.

Mr. ALLOTT. I appreciate the Senator's remarks. I think that this bill would probably be unacceptable to me personally without the amendment which the distinguished senior Senator from California put in the bill last year with respect to Senate confirmation of the appointees.

I believe, and hope, and pray that members of the Commission will be selected from a wide diversity of expertise.

I am sure the Senator will agree with me that if this bill should become law and the Commission should be appointed by the President and submitted to the Senate for confirmation, and if the Commission did not represent the diversity of professional experience that we anticipate, we would be justified in rejecting the nominations made to the Senate.

Would the Senator agree with that statement?

Mr. KUCHEL. The Senator is completely correct. I remember very well the discussion we had and the cross-examination he participated in with representatives of the executive department, which agree with the position he has just taken. It is a position which, it must be crystal clear, the Senate is about to approve.

I have no further comment, Mr. President, except to repeat that I do not want this legislation to impede the vital work of the Federal Government in bringing assistance to the serious water situation in the Pacific Southwest. I simply make that statement as the Senate sends this legislation to the House.

The **PRESIDING OFFICER.** The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 20

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Water Commission Act".

THE NATIONAL WATER COMMISSION

SEC. 2. (a) There is established the National Water Commission (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of seven members, who shall be appointed by the President, by and with the advice and consent of the Senate. Members shall serve at the pleasure of the President. No member of the Commission shall, during his period of service on the Commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the United States.

(c) The President shall designate a Chairman of the Commission (hereinafter referred to as the "Chairman") from among its members.

(b) Members of the Commission may each be compensated at the rate of $100 for each day such member is engaged in the actual performance of duties vested in the Commission. Each member shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(e) The Commission shall have an Executive Director, who shall be appointed by the Chairman with the approval of the President and shall be compensated at the rate provided by law for level IV of the Federal Executive Salary Schedule. The Executive Director shall have such duties and responsibilities as the Chairman may assign.

DUTIES OF THE COMMISSION

SEC. 3. (a) The Commission shall (1) review present and anticipated national water resource problems, making such projections of water requirements as may be necessary and identifying alternative ways of meeting these requirements—giving consideration, among other things, to conservation and more efficient use of existing supplies, increased usability by reduction of pollution, innovations to encourage the highest economic use of water, interbasin transfers, and technological advances including, but not limited to, desalting, weather modification, and waste water purification and reuse; (2) consider economic and social consequences of water resource development, including, for example, the impact of water resource development on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people; and (3) advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council.

(b) The Commission shall consult with the Water Resources Council regarding its studies and shall furnish its proposed reports and recommendations to the Council for review and comment. The Commission shall submit to the President such interim and final reports as it deems appropriate, and the Council shall submit to the President its views on the Commission's reports. The President shall transmit the Commission's final report to the Congress together with such comments and recommendations for legislation as he deems appropriate.

(c) The Commission shall terminate not later than five years from the effective date of this Act.

POWERS OF THE COMMISSION

SEC. 4. (a) The Commission may (1) hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States; (4) without regard to the civil service laws and regulations and without regard to the Classification Act of 1949 as amended, employ and fix the compensation of such personnel as may be necessary to carry out the functions of the Commission: *Provided,* That of such personnel no more than five persons may receive compensation equivalent to the compensation established for grade 18 under the Classification Act of 1949 as amended; (5) procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a) at rates not to exceed $100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; (7) enter into contracts or agreements for studies and surveys with public and private organizations and transfer funds to Federal agencies and river basin commissions created pursuant to title II of the Water Resources Planning Act to carry out such aspects of the Commission's functions as the Commission determines can best be carried out in that manner; and (8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this title.

(b) Any member of the Commission is authorized to administer oaths when it is determined by a majority of the Commission that testimony shall be taken or evidence received under oath.

POWERS AND DUTIES OF THE CHAIRMAN

SEC. 5. (a) Subject to general policies adopted by the Commission, the Chairman shall be the chief executive of the Commission and shall exercise its executive and administrative powers as set forth in section 4(a)(2) through section 4(a)(8).

(b) The Chairman may make such provision as he shall deem appropriate authorizing the performance of any of his executive and administrative functions by the Executive Director or other personnel of the Commission.

OTHER FEDERAL AGENCIES

SEC. 6. (a) The Commission may, to the extent practicable, utilize the services of the Federal water resource agencies.

(b) Upon request of the Commission, the head of any Federal department or agency or river basin commission created pursuant to title II of the Water Resources Planning Act is authorized (1) to furnish to the Commission, to the extent permitted by law and within the limits of available funds, including funds transferred for that purpose pursuant to section 4(a)(7) of this Act, such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with this Commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(c) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services: *Provided,* That the regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Administrator for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission: *And provided further,* That the Commission shall not be required to prescribe such regulations.

APPROPRIATIONS

SEC. 7. There are hereby authorized to be appropriated such sums as are required to carry out the purposes of this Act.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ALLOTT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PROTOTYPE DESALTING PLANT

Mr. KUCHEL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 52, S. 270.

The **PRESIDING OFFICER.** The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 270) to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. KUCHEL. Mr. President, I very much doubt that this Congress, when it concludes, will have considered a more far-reaching proposal than that now pending. This proposed legislation provides that the Government of the United States shall participate in a far-reaching undertaking, by which a 42-acre island will be constructed 1 mile seaward from the California coastline, on which will be located giant nuclear-propelled engines to change the water of the sea into potable water to the extent of 150 million gallons of fresh water a day—enough to supply a great city—and simultaneously produce and sell more electric energy than that produced, at the moment, at the Hoover Dam.

The Senate approved this legislation a year ago. I regret that it was not considered in the House.

It represents Federal progress toward the solution of a problem which plagues the State from which I come, the Pacific Southwest, many other areas in this country, and also across the sea.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and the third reading of the bill.

The bill (S. 270) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 270

A bill to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to participate in the development of technology for a large-scale desalting plant by providing financial, technical, or other assistance to the Metropolitan Water District of Southern California for the design, development, construction, and operation of a water treatment and desalting plant to be constructed as a part of a dual-purpose electrical power generation and desalting project in the southern California area.

SEC. 2. Before providing any assistance as authorized by this Act, the Secretary shall first determine that the value of the anticipated technical knowledge and experience in desalting to be derived from his participation in the construction and operation of this facility will be not less than the amount of such assistance.

SEC. 3. In order to provide the assistance authorized by this Act, the Secretary may, without regard to the provisions of Revised Statutes 3648, enter into a contract with the Metropolitan Water District containing such terms and conditions as he deems appropriate and covering such periods of time as he considers necessary, but under which the liability of the United States shall be contingent upon appropriations being available therefor.

SEC. 4. To carry out the purposes of this Act, there are authorized to be appropriated not to exceed $57,200,000, which shall remain available until expended.

Mr. KUCHEL. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CHANGES IN COMMUNISTS

Mr. HARRIS. Mr. President, it was a thoughtful, informed President who at his most recent press conference acknowledged the changes that are taking place in the attitudes of other nations in the decades since the end of World War II.

This display of openness of mind by our Chief Executive should serve to reassure Americans who understand that change distinguishes our times, and a government that is not prepared to change with change cannot continue as a great force in the world. The President's thoughtful comments indicate that our Government is not only aware of the momentous changes in the world, but is also prepared to adapt our own policies and programs to take advantage of these shifts in attitude.

The war in Vietnam is proof enough that threats to freedom still exist in our world, but it may be that the character of these threats and the motivation behind them have altered. The President's press conference has served notice that we are not only aware of, but are also often encouraged by these changes.

To an optimist, to one convinced of the rightness of the American cause, these changes are welcome. The tide of world affairs must flow inescapably toward the ideals of freedom and personal dignity to which we as a nation are committed.

America can be assured that our leaders sense the tide, and know that upon it we can advance the interests of our Nation and the people of the world.

ASIANS FIND UNITED STATES THE MOST BAFFLING NATION

Mr. HARRIS. Mr. President, I was interested to read a rather pointed column by Crosby S. Noyes entitled "Asians Find United States the Most Baffling Nation," in yesterday's Washington Post.

In the thought that it might be of interest to other Senators who have not seen the article, I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ASIANS FIND UNITED STATES THE MOST BAFFLING NATION

(By Crosby S. Noyes)

BANGKOK.—Americans schooled in the Kiplingesque tradition of the inscrutable Oriental may be surprised to discover that for a good many Asians we are the most baffling, illogical and generally exasperating people on earth.

They will tell you very frankly and a little sadly that we just don't make much sense. They have suspected it for some time. But if final proof were called for, the current American hand-wringing and soul-searching over Vietnam is providing it.

Here you are, they say, the most powerful nation in the world. For years now you have been telling us that American power is dedicated to the principle that people have a right to choose the kind of government they want. You have encouraged us to believe that the power of the United States supported those countries large and small who chose to defend their freedom.

In Vietnam, they criticize, we have always known that the future of Southeast Asia was at stake. We have always hoped and expected that the United States would live up to its promises to prevent the success of Communist aggression in the south. We have been impressed by your determination and your restraint. And we have helped you as much as we could.

We have always been sure that if you wished to, you would succeed in Vietnam. We have known that when you did succeed your prestige, not only in Asia but around the world, would be unrivaled.

And this is what we do not understand about Americans. Today, you have done what you said you would do and you are succeeding. And the more you succeed the more Americans there are who say you should never have made your commitment in Vietnam and some even who say that what happens in Asia is of no interest to the United States.

The people in Asia who talk this way are by no means simple-minded or naive.

Thanat Khoman, Thailand's brilliant foreign minister who speaks five languages and rates as one of the most effective operators on the diplomatic scene, returned recently from the United States alarmed and depressed by what he heard there.

To Thanat and many others like him, it is utterly mystifying that Americans with pretentions to intellectual integrity and political awareness should be working actively at this point to frustrate the American effort in Vietnam and turn success into a disaster of incalculable proportions.

He is frankly dismayed by ponderous editorials in supposedly responsible newspapers advocating what amounts to a barely concealed surrender in Vietnam. He is disturbed by the spectacle of an administration beseiged and bedeviled by members of its own party.

It is also hard to exaggerate the sheer offensiveness of some of the propositions advanced by this dissenting group.

Intelligent Asians are shocked by the sophistries of American intellectuals who argue that the defeat of free Asian nations is inevitable and that elementary human rights taken for granted in the West somehow do not apply in this part of the world. If the decisive sabotage of Western interests in Asia is the goal, this kind of perverse inverted racism is ideally adapted to the objective.

Nor is it very easy to convince our friends in Asia that this kind of thinking is limited to a small vociferous minority who do not speak for the American people and wield limited influence on the government. The currency given to the ideas of this minority rivals that of the administration itself. And even the continuing demonstrations of American determination in Vietnam does not relieve a mounting anxiety over the state of mind in the United States.

At the very least we are suspected of a severe schizophrenia over the war in which moral and political values which most people believed to be firmly rooted in the American character have come badly unstuck. Given the existing realities, there is for Asians no other reasonable explanation for a loss of confidence at a time when success seems inevitable.

For Americans there may be some reassurance in the fact that this loss of confidence does not seem to be catching. Asia at this point is very definitely making book on a American victory in Vietnam. The events taking place there are transforming the politics and the calculations in an area where two-thirds of the human race lives. And perhaps it is only in the United States—and possibly in Peking and Hanoi—that a real question still persists over what the future holds.

DEPARTURE OF UNIVERSITY OF CALIFORNIA PRESIDENT

Mr. BYRD of West Virginia. Mr. President, to those of us who have long deplored the noxious confusion on the University of California campus, the article by James J. Kilpatrick in the February 2 Evening Star, Washington, D.C., presents a good question. That article, "Is Kerr's Departure a Disaster?" points out that the Berkeley institution will doubtless survive as a great institution of learning and that it may well benefit from an impetus to greater discipline, individual responsibility, and respect for authority.

I ask unanimous consent that this newspaper article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS KERR'S DEPARTURE A DISASTER?

(By James J. Kilpatrick)

The late Douglas Southall Freeman is best remembered as a famed historian and editor, but he was also for many years an active member of the board of visitors of the University of Richmond. It was in this capacity that he once drafted Freeman's Rules of Parliamentary Procedure for the Governing Boards of Institutions of Higher Learning.

These were quite brief, and went something to this effect:

"The annual meeting having been called to order, the chair shall immediately entertain a motion to fire the president of the university, which motion, being privileged and not subject to debate, shall be put at once to a vote. If the motion carry, the next motion shall be a motion to appoint a committee on succession. If the motion fails, the next motion shall be a motion to adjourn."

The Freeman Rules were drafted with a twinkle of course, but they contained a hard glint of truth. In any effective academic chain of command, a president must be responsible for the university he heads; but the regents must be responsible for the president they choose. Responsibility becomes meaningless unless authority goes with it, and authority has no meaning without the power to exert it.

These truisms apply with special aptness to the recent dismissal of Dr. Clark Kerr as president of the University of California. He had been given full responsibility for running one of the world's great systems of higher learning. In the ten days since his ouster, the liberal press has fairly burbled with praise of his achievement—the Nobel laureates attracted to Berkeley, the endowments added, the buildings erected, the research completed—and doubtless a meritorious case can be made in these fields.

Yet the regents clearly had the responsibility to examine Kerr's total record. As the Freeman Rules suggest, this was very nearly the whole of their responsibility. And it may be that the regents perceived far more clearly than Kerr's admirers have perceived, that his record of achievement could not overcome his record of failure.

The charge against Kerr is not merely that he exhibited weak and ineffective discipline—that he let a part of his kindergarten run the school. The charge is much deeper than his feeble tolerance of a Mario Savio, a Bettina Aptheker. It boils down to a failure on the part of Kerr to comprehend the very essence of a free university, which is that freedom depends upon order.

This is not to say that freedom depends upon regimentation, which is a very different thing. It is merely to say that the pursuit of truth becomes a travesty, when truth must be pursued through an artificial maze of booby traps, pitfalls and kid games. It is not for nothing that we speak of academic "disciplines." But at Berkeley, the very word "discipline" had become a mockery. In his devastating essay on the university's decline, published in Atlantic last fall, Professor Lewis Feuer made precisely this point—that Berkeley had yielded to a perversion of freedom so gross that true freedom was hard put to survive.

In the aftermath of Kerr's dismissal, the trumpeters of instant liberalism sounded a predictable dirge. They blamed it all on Gov. Ronald Reagan (though the motion to dismiss originated with an appointee of former Gov. Edmund G. (Pat) Brown). They charged it to a right-wing political conspiracy (though the majority against Kerr cut across lines of both party and philosophy). A covey of California congressmen—Cohelan, Waldie, Edwards, Burton, Tunney—rushed to the floor to denounce the regents' action as unwarranted, unbelievable, unthinkable, ill-considered and disastrous. The New York Times could see only the "twilight of a great university."

This is nonsense. As the whole story emerges and takes on perspective, it becomes apparent that Kerr himself forced a showdown, and that his own glaring faults as an administrator cannot be obscured in an adulatory fog. And far from being a disaster, his dismissal may well prove to be the university's salvation. In exercising their undoubted authority to fire the president, the regents provided a sudden and dramatic reminder of the order that is indispensable to freedom.

Berkeley will survive as a great institution of learning. It is bigger than Kerr, greater than its sometimes dictatorial faculty, more enduring than the forces of bombast and politics that have lately swirled about it. But it cannot regain its prestigious reputation without a new dedication, from top to bottom, to discipline, responsibility and authority. The regents—or at least a solid majority of them—recognize this. A new president will have to recognize it, too.

EDITOR OF COAL AGE RETIRING

Mr. BYRD of West Virginia. Mr. President, it has come to my attention that Mr. Ivan A. Given, for 23 years editor in chief of the Coal Age—engineering and mining journal—will retire on March 1.

In great measure because of his personal abilities and devotion to the well-being and progress of the coal mining industry, the Coal Age has become a highly respected publication, one which is frequently quoted as authoritative in its field. On Saturday evening, January 28, the Welch, W. Va., Daily News carried an article, entitled "New Theory on Quenching Gas Explosions," quoting as its source the Coal Age magazine. This is just one of many such incidents of the valuation placed upon this publication by those to whom accuracy and enlightened reporting are prime requisites in daily operations.

Mr. Given will be missed by his associates, who have long recognized him as an effective analyst of the intricacies of the coal industry and a devoted advocate of continued development of coal research.

I ask unanimous consent that this newspaper article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW THEORY ON QUENCHING GAS EXPLOSIONS

Coal Age magazine reports in its January issue that the U.S. Bureau of Mines is currently investigating the practicability of a device for quenching gas ignition in coal mine working faces before destructive forces of explosion can develop from them.

The potential hazard of a gas explosion in a coal mine, it is pointed out, is greatest at or near the working face.

Here, all factors tend to intensify the hazard: gas emission is greatest, concentration of men and electrical equipment is highest, space is limited, ventilation is difficult and visibility is poor. Annually, over half the reported ignitions are caused by frictional sparks created by cutter bits striking pyrite inclusions or hard rock.

These, Coal Age points out, occur even with auxiliary ventilation using extended tubing or brattice cloth curtains. Often sufficient air cannot be coursed between the face and the mining machine to dilute liberated menthane to safe levels, and in other instances air may be interrupted or may be reduced by short-circuiting in the system.

According to the magazine, the ignition hazard is reduced presently by diluting the methane with air and by controlling the igniting sources. Use of permissible equipment as presently developed and permissible in reducing the frequency of ignitions.

However, there are no permissible standards for control of friction sparking from cutter-bit action. In fact, modern mining methods tend to increase this hazard by putting greater loads on the cutter bits and by increasing their speeds.

Now, Coal Age says, the Bureau is investigating this other device. It consists of a flame-detecting system and a dust-dispersal system made up of a flame-quenching dust in a container together with means for its rapid discharge into the air. The flame detector senses ultra-violet radiation from the burning gas and generates an electrical pulse.

The pulse activates the dust-dispersal system so that the dust is propelled into the on-coming flame.

The detector system is relatively small and is contained in a sealed housing. It is designed to be intrinsically safe and to have an operable life of six months.

Detectors that sense ultra violet in flame are preferred to heat or pressure detectors.

Of the quenching agents tested potassium bicarbonate had the best combined qualities with respect to low toxicity and maximum effectiveness.

This dust and a suitable length of detonating cord with electric detonator are sealed in a long plastic bag and placed in five-inch angle iron troughs. Energy release upon initiation of the cord provides the force for dust dispersion.

Work and research on the device are continuing, Coal Age reports.

RANDOLPH SUPPORTS SENATOR CLARK'S POVERTY STUDY—COMMENDS CHAMBER OF COMMERCE OF THE UNITED STATES ON TASK FORCE REPORT—PRAISES DR. MORTIMER J. ADLER'S RECENT RESPONSE TO QUESTION "WHAT IS A CITIZEN?"

Mr. RANDOLPH. Mr. President, on Friday, February 3, I was privileged to cosponsor Senate Resolution 17, authorizing the Committee on Labor and Public Welfare to undertake an extensive study of the poverty program in this Nation. I support my able colleague from Pennsylvania [Mr. CLARK] in his request for funds for this purpose, and it is my earnest desire to assist him in any way that I can, should the Committee on Rules and Administration approve our request.

Mr. President, if future historians attempt to define our present decade, or, indeed, our present era, by giving it a name—as is so often done—they may consider calling this time "The Age of Painful Awareness."

We are becoming painfully aware of the neglect which has been felt by some of the economically and educationally deprived in our Nation.

We are becoming painfully aware of the responsibilities—internal and international—incumbent on any nation which assumes the role of leadership in the family of man.

We are becoming painfully aware of the suffering and deprivation faced by the poor and jobless, at home and abroad.

We are becoming painfully aware of the imperative need for providing education, medical treatment, and respectable employment to those portions of the world's population which have been ignored, while we have, too often, occupied ourselves with wars and war materials for the past hundred years.

We are becoming, in short, painfully aware of the fact that the individual does, indeed, have a relationship to his community, his nation, his world. We call this relationship "citizenship"; and in this age we are seeing our national aspirations mirrored in a world which is striving, in new nations and old, to give a meaning to "citizenship"—a meaning which will, hopefully, be responsive to the basic human need to "belong"; a meaning which will, which must fulfill the realization of those high ideals on which our political structure has long been erected.

Mr. President, the message of Abraham Lincoln, spoken on the field at Gettysburg, is as impelling today, and as true, as it was on the day he stood in the sun to honor our dead:

> Our fathers brought forth on this continent a new Nation, conceived in liberty and dedicated to the proposition that all men are created equal. Now we are engaged in a great civil war, testing whether that Nation or any Nation so conceived and so dedicated can long endure. We are met on a great battlefield of that war.

That war today, Mr. President, is within ourselves—with our own individual and social awareness. We are met on the greatest, and most important, battlefield known to man—the battlefield of men's minds, of man's emotions. Not only here, in the Senate; not only here in Washington; not only in the cities of America; not only on our farms; but throughout the world today, men and women—rich and poor, educated and illiterate, layman and cleric—are striving to prove that our Nation, and any Nation, "so conceived and so dedicated can long endure."

At the crux of all our debates, Mr. President, is the concept each one of us has of the meaning of that vital word "citizenship." For this reason, I bring to the attention of my colleagues a learned article written by Dr. Mortimer J. Adler in response to the question, "What Is a Citizen?" The article appeared in Dr. Adler's column "Great Ideas From the Great Books," in the December 2, 1966, issue of the Washington Daily News. I ask unanimous consent that the article be printed in the Record at the conclusion of my remarks.

There being no objection, the article "What Is a Citizen?" was ordered to be printed in the Record at the conclusion of Mr. Randolph's remarks.

(See exhibit 1.)

Mr. RANDOLPH. Mr. President, it is gratifying to me that more and more responsible sectors of our society are becoming aware of the problems with which we are beset, and I call to my colleagues' attention a recent task force report issued by the Chamber of Commerce of the United States. This organization's task force on economic growth and opportunity has published a lengthy report entitled "The Disadvantaged Poor: Education and Employment." Many of our Nation's most prominent men of business belong to and are active in the chamber of commerce. This report deals with the economic, social, political, and moral imperatives calling us to arms in our fight against the deadly warrior—poverty.

I am sure my colleague the Senator from Pennsylvania [Mr. Clark] would agree that the quotation prefacing the study made by this group is a most apt reflection for those of us who are concerned that the poverty war be won. It is from the works of Thomas Wolfe, and nobly asserts:

> To every man his chance—to every man, regardless of his birth, his shining, golden opportunity—to every man the right to live, to work, to be himself, and to become whatever thing his manhood and his vision can combine to make him—this . . . is the promise of America.

In their "Introduction" to this report, the authors state:

> If we are to realize the full potential of the enterprise economy, private incentive—the strongest spur to productive effort—must be made effective for all Americans.

It is our hope, Mr. President, that in our examination and evaluation of the poverty programs in this Nation, we will be able to find in which areas we are providing incentive to our present poor populace, and in which areas we are not. By studying, most carefully, our successes and our failures, we will be better equipped to deal with the entire program through remedial legislation. The chamber of commerce, in this report—which I urge my colleagues to read in full—advances compelling arguments favoring prompt action to remedy the social ills prevalent in certain segments of our Republic today.

Mr. President, I ask that excerpts from this report, including a summation of the chamber's recommendations in the fields of education and employment—be printed at the end of my remarks, following Dr. Adler's article. And I reiterate my firm support to the Senator from Pennsylvania in his request set forth in Senate Resolution 17.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

EXHIBIT 1

[From the Washington Daily News]

WHAT IS A CITIZEN?

(By Dr. Mortimer J. Adler)

DEAR DR. ADLER: Recently there has been much controversy over the concept of citizenship. What do the great thinkers say about it—particularly the evolution or history of citizenship and the qualifications to be a citizen?

JOE L. COLLIER.

BEAVERTON, ALA.

DEAR MR. COLLIER: The violent opposition, heated passions and brutality that have erupted in many of our Southern states when Negro citizens have demanded the right to vote at the polls, has thrown into dramatic focus questions about citizenship that many Americans tend to take for granted. What does it mean to be a citizen? Should suffrage be universal in a republic—under a constitutional form of government—such as we have in the United States.

As far back as the ancient Greeks, citizenship meant the status and privilege by which a man exercises a share in the sovereignty—by suffrage, participation in lawmaking, and the opportunity to hold public office. Citizens in Greek city-states, such as Athens, were proud of their condition as free men and members of a ruling class, and contrasted it with the servility that was the condition of the Persians and Egyptians as subjects of absolute monarchs.

CONSTITUTIONAL

In a constitutional government, the chief magistrate governs according to law or custom; tho he holds the highest office under the constitution, he is merely the first among free and equal citizens. The citizens have a choice in electing him and all other officeholders.

The absolute ruler governs by whatever weight he possesses; he is responsible to no one and he wields unlimited political power. It makes no difference whether an absolute ruler is a benevolent despot who acts for the good of his subjects, or a tyrant who governs for his own selfish ends. In neither case is there any way for subjects to oppose the edicts of absolute rulers except by taking up arms against him.

Since the days of the ancient Greeks, the effort to overthrow absolute governments and establish constitutional ones initiated, according to John Stuart Mill, the first of two revolutionary phases in the long history of the struggle for the political liberty that is enjoyed only by citizens. The history of this effort is a sequence of successes and defeats. The Greek city-states, for example, emancipated themselves from the Persian tyrant, as Herodotus records in his history "The Persians Wars"; but their constitutional governments were short-lived. Within a few generations the Macedonians, led by Alexander the Great, conquered the Greek cities, and re-established absolute rule.

THE FEDERALIST

The vicissitudes of constitutional governments continued thru the period of the Roman Republic and its transformation into an Empire, as the historians Tacitus and Edward Gibbon record. It was not until the 18th and 19th centuries that the modern form of constitutional state came into existence. Its coming to be is presaged and reflected in the writings of constitutionalists like John Locke, and by Rousseau, Kant, and the authors of "The Federalist"—the classic commentary on the Constitution of the U.S.

Constitutional government, in both its ancient and its modern form, establishes the status of citizenship, but until the 20th century, it never granted citizenship to all members of the population. In city-states like Sparta or Athens, only native and free born Greeks enjoyed citizenship. Foreigners, women and slaves were outside the pale of political life. In the United States, slaves, women, non-naturalized immigrants, and men without property have been relegated—at various times—to the status of what Mill called "political pariahs"; that is, inhabitants of a country under constitutional government who are excluded from citizenship.

The second phase of the revolution for political liberty consists in the struggle to extend the franchise to every normal adult person. In proportion as this struggle succeeds, a republic becomes transformed into a democracy. In the United States, universal suffrage—without regard to "color, race, or previous condition of servitude,"—was guaranteed by the 15th Amendment, adopted shortly after the Civil War. It is only a few decades ago, however, that women were granted the right to vote. It is only yesterday that most Negroes were given effective suffrage.

EXCERPTS FROM REPORT BY U.S. CHAMBER OF COMMERCE

FOREWORD

This third report in a series of studies prepared by the Task Force on Economic Growth and Opportunity considers lack of education, employment and opportunity as causes of poverty. Poverty attributable to other factors has been discussed in a prior report entitled, *Poverty: The Sick, Disabled and Aged*. Still other aspects of poverty will be considered in future reports by the Task Force.

The Disadvantaged Poor: Education and Employment is an attempt to contribute to a more enlightened discussion of poverty. The Task Force does not pretend that its study is definitive. Nor does it wish to imply by suggesting further research that action to alleviate poverty should be postponed.

In preparing this third report, the Task Force commissioned papers from thirteen authorities. The papers outline basic facts and issues important to the relationships of education, employment and opportunity to poverty.

The authorities were:

Alan B. Batchelder, Professor, Department of Economics, Kenyon College.

Harold F. Clark, Vernon Taylor Professor of Economics, Trinity University.

Kenneth B. Clark, Director, Social Dynamics Research Institute, City College.

Paul M. Deac, Chairman, The Ethnic Foundation, Inc.

Eli Ginzberg, Director, Conservation of Human Resources Project, Columbia University.

Philip M. Hauser, Chairman, Department of Sociology, University of Chicago.

Charles F. Haywood, Dean, College of Business Economics, University of Kentucky.

Sar A. Levitan, The W. E. Upjohn Institute for Employment Research.

R. I. Nowell, Vice President and Economist, The Equitable Life Assurance Society of the United States.

Daniel Schreiber, Director, Project: School Dropouts National Education Association.

J. Chester Swanson, Professor of Education, University of California, Berkeley.

N. Arnold Tolles, Professor, New York State School of Industrial & Labor Relations, Cornell University.

Wilford L. White, Director, Small Business Guidance and Development Center, Howard University.

Their papers are reprinted in full with this report. Each contributes significantly to a review of the problems and the Task Force expresses its appreciation to the authors. In addition, the Task Force obtained permission to reprint an address by James Q. Wilson, former Director of the Joint Center for Urban Studies of the Massachusetts Institute of Technology and Harvard University. The Task Force wishes to thank Dr. Wilson for the contribution his paper made. The Task Force did not specify the content of these papers, and including them in the report in no way implies sponsorship of the ideas they contain.

Three panels met at the request of the Task Force to analyze these research papers, define issues and related questions and suggest policy approaches to the Task Force. The panels dealt with the unemployed poor; the uneducated poor; and the minority poor.

The following people made up the panel on "The Unemployed Poor":

J. Donn Aiken, Director, State Employment Service, Department of Employment Security.

Richard J. Anton, Manager-Management Development and Business Education Service, General Electric Company.

Joseph Aschheim, Department of Economics, George Washington University.

Patrick M. Boarman, Department of Economics, Bucknell University.

A. E. Ellison, Chief Statistician, The Pacific Telephone and Telegraph Company.

Melvin Herman, Graduate School of Social Work, New York University.

Lee E. Knack, Director of Labor Relations, Morrison-Knudsen Company, Inc.

Guy W. Knight, Vice President, Labor Relations, Pennsylvania Railroad Company.

David F. Linowes, Laventhol, Krekstein, Griffin and Company, New York.

Mrs. H. G. Muntzing, General Federation of Women's Clubs.

Alfred W. Swinyard, Director, Bureau of Business Research, University of Michigan.

Mrs. Adele S. Trobe, former Director, Vocational Advisory Service.

Seymour Wolfbein, Deputy Administrator for Planning, Research and Evaluation, Manpower Administration, Department of Labor.

Paul N. Yevisaker, Director, Public Affairs Program, The Ford Foundation.

The following made up the panel on "The Uneducated Poor":

Edward W. Brice, Director, Adult Education Branch, Office of Education, U.S. Department of Health, Education and Welfare.

J. T. Brooks, Executive Secretary, The American Teachers Association.

C. L. Dennard, Principal, Carver Vocational High School, Atlanta, Georgia.

Leonard Miller, Division of State and Local School Systems, Office of Education, U.S. Department of Health, Education and Welfare.

M. D. Mobley, Executive Secretary, American Vocational Association, Inc.

Mrs. Zalo W. Schroeder, General Federation of Women's Clubs.

William P. Hall, Director, Business and Industrial Development, Community Research & Development, Inc.

Carl F. Hansen, Superintendent of Schools, District of Columbia.

J. Lloyd Trump, Associate Secretary, National Association of Secondary-School Principals.

The panel dealing with "The Minority Poor" consisted of the following:

Arthur Christopher, Jr., Trial Examiner, National Labor Relations Board.

Kenneth B. Clark,[1] Sociologist Advisor to National Association for Advancement of Colored People.

Ralph E. Fenton, Executive Director, Action for Interracial Understanding.

Olaf H. Hage, Assistant Secretary, F. W. Woolworth Company.

P. B. Lewis, Administrative Director, Plans for Progress.

Henry B. Moore, Bureau of Business Research, University of Alabama.

James M. Nabrit, President, Howard University.

John Slawson, Executive Vice President, American Jewish Committee.

William L. Taylor, Staff Director-designate, United States Commission on Civil Rights.

All the authors listed, with the exception of Mr. Deac and Dr. Hauser, participated in panel discussions dealing with the subjects of their papers.

The panels made substantial contributions, but the following report by the Task Force does not necessarily reflect all of their recommendations. Nor were all panel recommendations unanimous. The Task Force is grateful to each panel member for his cooperation and interest.

The Task Force expresses its sincere appreciation and debt of gratitude to Richard L. Breault, former Associate Director of Research for the Task Force, for his research, time and valuable contributions made to making this third report possible.

ERWIN D. CANHAM,
Chairman.

INTRODUCTION

Economic progress depends on economic opportunity. Economic growth and prosperity require that human talents and national resources be organized for productivity. The poor will remain poor unless they are given a chance to contribute to and share in the nation's flow of production. And if we are to realize the full potential of the enterprise economy, private incentive—the strongest spur to productive effort—must be made effective for all Americans.

Of course, America as a whole has achieved prosperity. Most Americans are educated for—and find—a productive place in the economy. Most Americans share, according to their contributions, in the nation's abundance. Most Americans may pursue private incentives to the limits of their abilities and ambition. And *all* Americans—even the poor—are materially better off than their forebears.

But for a substantial minority of Americans, the bright hopes of talents developed and applied to productive efforts, and of material well-being as a reward for ambition and energy, have often seemed more ironic than real. Lack of education and lack of productive and rewarding employment have impaired the opportunity for self-improvement which is at the core of traditional American social philosophy.

Substantial numbers of Americans do not receive an education of good enough quality. Some do not remain in school. Others are minority Americans and students in and graduates of inadequate schools. To educate economically and culturally deprived children requires great effort and ingenuity. Broad-scale efforts to do so are probably unique in history and reflect credit on American education. But evidence indicates that the public school system has not yet designed programs adequate to meet the needs of the poor.

The implications of inadequately educating the poor are disquieting. Public education in the United States was established on the premise that regardless of the circumstances of birth, one child is as educable as any other. Education became an indispensable instrument for self-advancement in our society. Its role as the great equalizer of opportunity has not diminished. If anything it has increased in value as an implement of self-advancement.

In today's economy, education and jobs are becoming inextricably related. Statistics show that earnings correspond to level of education attained. The better a man's education, the better his job. The poorer his education, the less likely he is to have a good job—and the more likely he is to have no job at all. Technological change is hardening this relationship. And the increasing sophistication of our technology underscores the dictum of Lewis Carroll that ". . . it takes all the running you can do, to keep in the same place." Educational requirements for jobs are increasing. Opportunities for better-educated people will continue to expand.

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[1] Dr. Clark's paper was commissioned after the panel meeting.

Opportunities for the poorly educated will narrow.

By the same token, obstacles other than education limit the employability and opportunity for economic advancement for some Americans. A stagnant economy, inadequate information about job vacancies, obsolete job skills, unrealistic job requirements, regional economic problems, and others all contribute to joblessness. And joblessness in many cases means poverty.

Beyond these considerations, the Task Force believes that no credible investigation of poverty could ignore the special problems of the 24 million Americans among whom poverty is most prevalent. These include American Indians, Negroes, Mexican-Americans and Puerto Ricans. Reducing poverty among these citizens would significantly contribute to the alleviation of poverty nationally.

Unless one accepts the premise that minority Americans are inferior, their continued subnormal economic performance demonstrates that disproportionate economic and social obstacles continue to deny them the opportunity to achieve their full potential in our society. The Task Force confronts this phenomenon for two reasons. First, the moral and political principles of this nation are predicated upon a belief in equality of opportunity for all Americans. Second, we are proud of our competitive society. Competition is basic to an efficient and free economy and opportunity is fundamental to competition. The systematic exclusion of any ethnic group from full participation is not only morally and politically wrong, but economically wasteful as well. The Task Force has attempted to describe some of these obstacles and suggest broad approaches leading to their removal.

Statistical evidence supports the conclusion that Negro Americans have made substantial progress over the past several years.[2] But there is also abundant evidence to demonstrate their continued disadvantaged status. Negroes have been working in the United States for generations. But by 1965 only 10.8 percent of the male Negro labor force was engaged in skilled work, as compared to 19.9 percent of the white male labor force; only 3.4 percent of the Negro males working were officials, proprietors, or managers, while 14.3 percent of working white males were in such occupations; only 5.7 percent of Negro males were professionals and technical workers; whereas 12.6 percent of white males were in such occupations. Fully 21.1 percent of Negro males were unskilled, compared with only 6.6 percent of whites. Furthermore the unemployment rate for Negroes since 1960, according to Census data, has been about twice that of whites, although some students of the problem estimate a much higher rate. In 1964, the average Negro worker, receiving a median income of $3,426, was earning 41 percent less than the average white male worker whose median income was $5,853. Moreover, studies have shown that, on the average, Negroes with the same education and same occupations as whites receive smaller remuneration.

What sense does it make to ignore or minimize the potential contribution of 24 million Americans? What enterprise would squander more than ten percent of its potential labor force, its future management, or its budding researchers and technicians? Yet this is the consequence of persistently denying minority Americans equality of opportunity in education and employment. In fact, the consequences are more costly for a society than for an individual enterprise. An enterprise incurs only the penalty of lost profits through squandered resources. A society incurs far greater costs because less-than-equal opportunity breeds economic waste through paternalism, unemployment, poverty, and unnecessary social and political unrest.

Freedom of entry—freedom of competitive opportunity—is a key element in the successful operation of any free market. A society makes the most of its endowment, human and material, only when its resources are free to flow to their most productive uses. This economic truism is the pragmatic justification for ensuring all citizens equal access to jobs, education, and public facilities. And in it also lies the key to the argument for access to private goods unhampered by artificial restraints, for in a free society, private goods are a major incentive. They are the rewards earned on the basis of achievement by those who have contributed to prosperity. Public goods and private goods differ, and the appropriate criteria for "equal" access to each differ also, but they are two sides of the same coin. We diminish our productive capacities by arbitrary limiting access to either.

Communities penalize themselves when they deny minorities access to these public services. They are provided to users free or at nominal charge in an effort to minimize social costs and optimize the use of human and other resources. People contribute more and require less of society when they are in good health and when they have adequate opportunities for recreation. A community is better off if it does not have to expend its resources on fighting preventable illnesses. Everyone is penalized if disease becomes epidemic or fire becomes catastrophe. Recognizing this, all communities attempt to provide these services for at least some of their inhabitants. Some, however, do not provide them as extensively for disadvantaged minorities as for others. This is costly, since poor services for some pass on to the community the very costs it sought to avoid by providing the services in the first place.

Public goods and services fall into two main categories: First are those which can be efficiently provided only by making them available to all. Immunization, fire protection, and police protection are examples. Second are those deemed so valuable to the society as a whole that it pays for them collectively (although it might produce them privately) because it is not willing to entrust their provision to personal preference, or because the market does not effectively balance their costs and benefits. Traditionally, education has been the most important of these, but parks, highways and sanitation are among many everyday examples.

The opportunity to secure private goods and services is one of the chief motivations used by an enterprise economy to extract maximum effort from its participants. Rewards for productive and useful effort come in the form of the ability to satisfy personal or family wants—in other words, in money. We have equal access to private goods and services only insofar as we can bid equally for them, up to the limits set by the amount of money we have.

Discrimination destroys this "equal" opportunity to gain for oneself an amount of material satisfaction commensurate with the reward earned. It in effect establishes a second incentive structure for the disadvantaged—one which does not adequately reward achievement. For even if money wages paid a minority worker are equal to those paid his nonminority colleagues, he is more restricted than they in the amount of satisfaction his wages can purchase. He may most wish to purchase a suburban house or send his child to a fine private school. If he cannot, he must settle for second best. His money buys "less," in that he cannot get maximum satisfaction per dollar. His incentive to earn by contributing to production is seriously diminished, and the entire society pays the price in lost output.

To operate at peak economic and social efficiency, it is necessary to remedy this economic impediment. But private consumption is too intimately entwined with personal liberty, involving as it does the economic determination of an individual's life style, that we must make sure that the "cure" does not merely compound the disease. Every effort should be made to secure cooperation by all citizens in ending discrimination. Where minor discomfort will attend the major gains to be secured by eliminating discrimination in access to private goods or where the "private" goods or services in question are publicly supported or subsidized in part by public funds or by tax concessions, then the balance must be struck in favor of eliminating the discrimination by law, if all else fails. Equity forbids the use of funds derived in part from minority groups to support institutions which disadvantage them, and common sense militates against the use of public funds to support practices which diminish the wealth of the society.

On the other hand, the greatest care should be taken in other cases to determine that the restraints imposed upon the free conduct of personal business are not so burdensome and restrictive of liberty as to merely replace one system of elaborate restraints with another.

Whitney M. Young, Jr., Executive Director of the National Urban League, has stated, "the core of the civil rights problem is the matter of achieving equal opportunity for Negroes in the labor market . . . all our other rights depend on that one for fulfillment. We cannot afford better education for our children, better housing, or medical care unless we have jobs."

The Task Force agrees. Jobs are basic to self-improvement, self-reliance, and a self-governing society. And self-help, a vital and respected feature of our national character, cannot be expected unless racial obstacles to gainful employment are removed. Racial discrimination continues to be a cause of unemployment. Both labor and management have an obligation to work for the eradication of racial discrimination within their respective organizations. This may require in some instances supplementary efforts by labor leaders to open membership in unions and additional recruitment efforts among businessmen to ensure equal hiring opportunities. The Civil Rights Act of 1964 applies equally to business, industry and labor unions.

While the need for broad action by the entire society must never be minimized, strenuous effort will still be required from Negro and other minority Americans if the promise of equal access is to bear fruit. For an imperfect world, artificial obstacles to full citizen participation in the economy can never be entirely eliminated by the society acting as a whole. The achievement of this goal rests in the hands of the disadvantaged. American society has always required more effort of its minorities than of its nonminority members, but it has ultimately rewarded that effort to a degree which has justified the highest expectations of the contributors.

The Task Force recognizes that some of the traditional avenues to self-betterment have been unjustly and persistently closed to certain ethnic groups. Our recommendations in this report reflect our best efforts to remove some of the unjust restraints. But it would be naive to expect either that all obstacles can successfully be removed, or that progress must await the Millennium. Negroes and others to whom special obstacles have been presented can and should continue their efforts at self-help to the maximum extent possible.

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[2] Because 21 million American Negroes represent the largest ethnic minority group and because their poverty has unique causes and characteristics, the text of this report sometimes refers specifically to American Negroes. However, the recommendations of the Task Force are in most instances applicable as well to reducing poverty among those other ethnic groups where its incidence is higher than the national norm.

In summary, freedom of entry—competitive opportunity—for all citizens is a key to alleviating poverty in a free market economy. Such an economy functions best when all its citizens are accorded equal opportunity and free access to the jobs, goods and services produced by that society. Any person or group facing disproportionate obstacles to competitive opportunity is likely to contribute less and hence earn less than those who are most advantaged. These fiscal restraints on opportunity penalize the entire society. Although the progress of the United States has been unsurpassed among nations, it could be even greater if we made better use of our endowment of human talents by eliminating the impediment of racial discrimination.

The Task Force on Economic Growth and Opportunity maintains that poverty caused in part by a lack of education, employment and opportunity can be reduced more effectively if imaginative private measures are taken in cooperation with local, state and federal governments. The recommendations set forth in this third report on poverty are intended to advance this objective. Businessmen, by mobilizing private resources, can play an active social role which only the unenlightened would forfeit by inaction to the federal government.

SUMMARY OF RECOMMENDATIONS

Equal educational opportunity

No. 1: *Access by minority pupils to superior public schools,* especially those with unused capacity, *should not be restricted.*

No. 2: *Schools for those lacking the opportunity to range far and wide in search of an adequate education should be improved* to provide education of the quality provided for nonminority children.

Information clearinghouse

No. 3: *A clearinghouse to collect and disseminate information on programs and approaches being used across the nation to improve education for culturally and economically deprived children should be established.* The clearinghouse could be under government contract with a leading university, or could be operated within the Office of Education of the Department of Health, Education, and Welfare.

Education park

No. 4: *The education park concept should be explored as a means of improving public school education in large cities.* Pilot education parks should be built in a large, carefully selected metropolitan area to test the concept. These pilot projects could be financed by major national foundations or other independent sources.

Preschool age education

No. 5: *Every community with large numbers of children from economically and culturally deprived families should institute preschool age educational programs as integral part of its public school system. Existing state and local statutes prohibiting education for very young children should be amended. The Head Start program, now under the Office of Economic Opportunity, should be transferred to the U.S. Office of Education.*

People, programs and jobs

No. 6: *One or more of the nation's major philanthropic foundations should design and operate on a pilot basis "modern living centers" that could (1) lead poor people who could profit from basic education and vocational training programs to the many programs already available, (2) assure that these programs are coordinated and are providing levels of learning and skills actually needed in the economy and (3) place in definite jobs each person successfully completing required basic education and vocational training programs. Where appropriate, these centers should also offer orientation in urban living for recent or prospective rural migrants.* Establishing such centers in several parts of the nation would afford the maximum opportunity to assess their worth under different job market conditions. If effective, such centers might be integrated into local government.

Adult basic education

No. 7: Business and industry can play a larger role in adult basic education. *Business and industry should be offered incentives to design and carry out continuous programs to provide their employees with the education needed to fill changing job requirements in an increasingly technological economy. Labor and management should work together to develop incentives for workers to continue their educations. Current federal, state and local adult basic education programs should give priority to people unemployed or in danger of becoming unemployed because of educational deficiencies.*

Vocational-technical education

No. 8: *Effective vocational-technical education tailored to the changing requirements of the job market should be made an integral part of each community's public school program. School officials and educators should enlist the support of business, industry and labor to help design and carry out vocational-technical education. Businessmen and labor leaders* individually and through their associations, *should respond fully, promote more and better vocational-technical high schools and junior colleges and help improve the image of vocational-technical education.*

No. 9: *Where it is impracticable for public school systems to provide desired vocational-technical education courses, state and local school officials should: (1) explore ways of providing tuition grants to students for instruction in approved proprietary schools; (2) consider contractual arrangements with business firms to provide on-the-job and/or formal job instruction to students; and (3) explore the possibility of cooperating with other local public school systems in an economic region to set up consolidated regional programs.*

Education

No. 10: *Federal revenue sharing, federal income tax credits, and consolidated grants, offer promising means of helping state and local governments finance better public education. The United States Congress should initiate as soon as possible a public discussion and study of these concepts to determine the possibility of developing effective legislation* to help finance public school education.

No. 11: *The states should develop school grant formulas that recognize more realistically the cost of educating economically and culturally deprived people.* Districts where a large number of such children are found will probably need proportionately more money for pupil than well-off school districts if the quality gap in education is to be closed.

Employment entrance examinations

No. 12: Every effort should be made by school districts to design and utilize effective means of measuring the performance of public education; of evaluating the preparedness of students for making their way in life. *Special consideration might be given to designing employment entrance examinations to rate job applicants as to preparedness for entry to business and industrial employment. Business and industry through their trade associations and in cooperation with educators and professional organizations, should invest the time and the money necessary to design effective employment entrance examinations.*

Motivational research

No. 13: *Universities, the Office of Education, or foundations should conduct research on a national scale into the factors that encourage poor people to stay in school and learn.* This research should include information gathered locally from "exit interviews" of dropouts conducted by disinterested professionals.

Competitive education [3]

No. 14: Competition with existing public school systems offers a promising means of improving both public and private education. *If all parents, at every income level, could choose between sending their children to public schools and sending their children to approved private schools at public expense,* both public and private education would improve as schools attempted to attract and hold pupils. *Businessmen should press for the fullest possible consideration of proposals designed to enhance competition in education. Local, state, and federal governments should consider legislation which would enable communities to adopt programs establishing a public-private option for all children. Universities and educational associations should sponsor symposiums to explore the advantages, appropriate procedures, and possible pitfalls of establishing educational competition.*

Job vacancy data

No. 15: *A national series of job vacancy statistics with appropriate area, industry, and occupational classifications should be developed by the Bureau of Labor Statistics. The Bureau should also expand and improve the unemployment statistical series. Recommendations to improve the U.S. Employment Service, including a recommendation for a nationwide communications network, by the Employment Service Task Force should be carefully considered.*

Unemployment rate norms

No. 16: *The Bureau of Labor Statistics,* with the advice of other interested groups *should develop national differential unemployment rate norms,* on the basis of appropriate analyses of the labor market, for teenagers, unskilled laborers, nonwhites, poorly educated workers, the handicapped and disabled, and the long-term unemployed. As studies and analyses are made, determination of unemployment rate norms for other groups of workers may be found desirable. Specific programs, including proposed time-schedules, for the reduction of unemployment to proposed targets should follow. *The Department of Labor should be authorized to include,* as an integral part of its studies of the impact of minimum wage legislation, *studies of the unemployment effects of minimum wage laws on those groups of workers with the highest incidence of unemployment and on those most subject to long-term unemployment.*

Long-range fiscal policies

No. 17: As additional stimulus is needed to maintain economic growth and high employment, both *personal and corporate income tax rate should be reduced in coming years. National policy should be to reduce these rates significantly over a period of years,* taking into account such factors as necessary expenditures and inflationary-deflationary pressures.

Chronically unemployed

No. 18: *Solutions to the problem of chronically unemployed workers should give priority to programs that offer basic education and training in skills leading to jobs in the competitive labor market. Emphasis should*

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[3] For the individual comments of Mr. James F. Oates and Mr. Rawleigh Warner, see page 70.

be placed upon upgrading the abilities of these workers. Administrative improvements in government manpower programs should be undertaken particularly so as to coordinate and rationalize efforts at the local level. Government programs should be refocused increasingly toward helping the hardcore unemployed. Massive federally financed employment programs in public and nonprofit jobs should be avoided. Such programs could lead to the development of a locked-in class of workers unprepared for the transition to regular jobs.

Unemployment compensation

No. 19: *Local unemployment compensation officials in all states should be authorized to approve enrollment by benefits recipients in educational and training institutions or programs, without loss of benefits, where workers seek to improve or learn new skills that will improve their employability. The states should review and strengthen their individual programs. Administrative reforms should be made to withhold benefits from workers who quit without good cause or who refuse to accept suitable employment.*

Youth employment-experience minimum wage

No. 20: *A youth employment-experience minimum wage rate should be established to help provide young people with opportunities to acquire employment experience, training, and skills in the competitive economy. The Fair Labor Standards Act should be amended, setting the minimum wage rate for teenagers in covered employment at 75 percent of the standard minimum for adult workers. A 24-months cumulative total time limit should be placed on the employment of a teenager by his employer at the youth employment-experience minimum wage rate. Because employment experiences and training are so important, teenagers should be eligible for the employment-experience minimum rate irrespective of family incomes.*

Equal employment opportunities

No. 21: *Management can work for equality of employment opportunities without preference or discrimination on the basis of minority group status.* In many instances extra effort may have to be devoted to recruitment activities among minority groups in order to assure equal hiring opportunities.

No. 22: *Labor unions can support equal employment opportunities by extending equal membership opportunities to minority Americans.* So long as unions practice racial discrimination business efforts to recruit and place minority group Americans will be impeded. *The appropriate sections of the Civil Rights Act of 1964 should be enforced equally with respect to business, industry and labor.*

Entrepreneurship

No. 23: It is to the advantage of the minority community and the nation as a whole for a greater proportion of minority groups to seek entrepreneurship and self-employment in business as a career objective. *To help achieve this, high schools, junior colleges and institutions of higher learning should offer business courses oriented toward entrepreneurship and management of small business. Studies ought to be made to determine the availability of the general consumer market to Negro businessmen. Special loan programs coupled with management counseling should be offered by both public and private agencies. Successful businessmen could help by supporting improved educational programs in small business management and by serving as counselors to small businessmen who need management training.*

More business programs

No. 24: *Local chambers of commerce and individual businessmen should initiate full employment programs tailored to the needs of their communities.* Among possible needs and measures are: employment and job vacancy surveys; projections of manpower requirements; surveys of education and training facilities with projected needs; employment opportunity fairs and "man marketing" clinics in poor areas; active guidance service to the youth of the community; help in formulating and establishing effective training programs and institutions.

Testing

No. 25: *Employers should make better use of job oriented criteria in their personnel hiring programs. Special efforts to reach minority group members and to test their aptitudes and performance should be encouraged.* Improved job opportunities will provide stronger incentives to the unemployed and are basic to uplifting the well-being of the disadvantaged Americans.

Labor mobility

No. 26: *Current pilot projects to test the need and feasibility of geographical relocation subsidies to move unemployed people voluntarily to available jobs should be carefully appraised to determine if a general program, national in scope, should be initiated. Appropriate committees of the United States Congress, as well as private business, labor research and academic organizations, ought to investigate the results of these projects thoroughly.* Employer participation, willingness to relocate on the part of unemployed workers, success in training and retraining relocated employees, success in assimilating relocated people in new communities, abuses of the program should all be factors given extremely careful evaluation.

Casual labor services

No. 27: *The commercialization of casual labor services can help unemployed or underemployed people by regularizing employment, leading to increased worker earnings and establishing the dignity of kinds of work not now regarded highly.* Entrepreneurs who are attempting to commercialize casual labor services should be encouraged by business groups, public and private employment agencies, welfare and antipoverty organizations, banks and other private and public lending agencies, and city governments and private companies responsible for providing transportation in and out of central city areas.

Studies

No. 28: *Objective studies and analyses should be made of: (1) the impact and degree of obsolescence of federal and state child labor laws and of the regulations issued to implement them; (2) labor union activities and policies as they affect employment; (3) the effects of tax structures on growth and employment levels.*

FOOD AID TO INDIA

Mr. NELSON. Mr. President, the message of President Johnson on food aid to India and on the question of organizing a general war on hunger has made it clear that while the U.S. Government hopes to see food aid handled in multilateral forums like the Aid India Consortium, it is essential that such aid must be in addition to, rather than a replacement for, other types of economic aid which the aid donor countries plan to extend to India and other developing nations. This point is so central to the imperatives of the development process that I want to emphasize it: A nation's plans for self-sufficiency in food production must be an integral part of the development process, and necessarily the first priority in its economic planning. However, programs to achieve food sufficiency will be self-defeating if they are achieved at the expense of development in other sectors of the economy—in those like the chemical industry, for example, which are related to agriculture, and others which help to assure the viability of the economy as a whole.

Those countries which are members of the Aid India Consortium have previously extended various forms of economic aid to India in order to assist India to reach the point of self-sustaining economic growth. This rationale for aid continues to be valid, and emergency food assistance should not divert Consortium members—neither the United States nor any other member—from the Consortium's long-range effort to support India's overall economic development.

If a Consortium member, after contributing emergency food assistance either in food grains or in cash, were to seek to diminish its contributions to other economic aid programs by an equivalent amount, that member would in fact be harming the development of the Indian economy to an extent which is not, perhaps, readily obvious. This point can be illustrated as follows: The Indian Government announced last summer a program of economic liberalization designed, according to Indian officials, to stimulate the country's trade and economic development, including development in the agricultural sector. This program has been heartily endorsed by the World Bank. Various facets of the liberalization program require substantial amounts of foreign exchange, and Indian foreign exchange holdings are presently very low. A sufficiently high level of aid from the Consortium will assist India to carry forward its liberalization program, but a diminution of Consortium contributions could drastically curb Indian plans to implement that program. It is necessary, in recognizing the extent to which food aid and other types of economic aid fit into the overall development process, to keep clearly in mind that since these separate kinds of aid are integral parts of the whole process, no one aid problem can be solved at the expense of any other. Rather, each major problem must be undertaken to the maximum extent that available resources will permit.

FOOD AID TO INDIA

Mr. MUSKIE. Mr. President, India's size alone thrusts the country and its problems into the forefront of our consciousness whether or not we wish it. When a nation comprising a fifth of mankind labors under the handicap of food shortage, brought on largely by natural disaster, and when it sees some of its hopes for bringing a better life for its people momentarily dissolved, it has a very real claim on our hearts and on our sympathy. This is reason enough for the United States and other nations to respond to India's human need to help ameliorate the present food crisis.

But India has another compelling claim upon our attention because of its strategic location in the world. By definition, it is in the interests of the United States and many other nations not to abandon Asia or the world's largest democracy at a time of trial. We all have a stake in maintaining political stability in south Asia. A democratic and unified India assures that an unmanageable power vacuum will not exist in that area. India also reassures other newly independent nations in Asia that they, too, can maintain their independence and can ultimately prosper, despite their present economic and social problems.

If India is to maintain stability and its commitment to preserving a national identity, its Government must be able to assure an adequate food supply to its vast population. It must be able to continue working toward self-sustaining economic growth.

American aid policy, both food and nonfood, is designed to supplement India's own efforts to progress toward food sufficiency and a viable economy. In recent years India has moved toward both these goals, and the American contribution toward that progress has been significant. Both the Indian and the American Governments have agreed that the ultimate rationale for foreign aid in India is that India should use that aid to develop her economy until aid is no longer necessary.

At the heart of President Johnson's plan of action for India's food crisis today is the concept of responding through an existing organization—the India aid Consortium chaired by the World Bank. This is the vehicle through which free world donors today plan and coordinate their aid giving to India. This strategy makes eminent sense and offers creative advantages. It gives food aid the same importance as other economic assistance. It allows coordination of food and other help within the framework of India's needs and requirements. It allows Consortium members to help in a variety of ways—with food, cash to buy food, or needed materials to free India's foreign exchange to buy it. Most importantly, it dramatizes to the world that the food-population crisis is not like a flash flood that will automatically recede in the near future. This crisis is a permanent threat to the stability of nations and to the lives of millions of people. If the world does not mobilize every resource at its command, it will soon grow worse.

Mr. President, I would hope that a great many countries will come forward during this present food crisis to assist the Indian Government in meeting that crisis. I would hope, too, that those countries which have the means to do so will assist India to progress on a broader front toward a viable economy. The presence in the world of a nation of 500 million people which insistently declares that it can, with assistance, solve its many economic problems, deserves both sympathy and positive support. India has given sufficient evidence of progress to warrant our continued assistance in its great endeavor.

THE CONSULAR CONVENTION WITH THE SOVIET UNION

Mr. McGEE. Mr. President, the proposed consular convention between the United States and the Soviet Union should be held up no longer. Fear of a dozen Russians should not affect our policy. The business of improving our relations with other nations, particularly the Soviet Union, is too important to be set aside for less than very serious reasons. These are statements, I think, of obvious wisdom. Further, as Writer Howard K. Smith said in the Washington Star yesterday, there exists no great problem for a foreign power intent upon picking up intelligence in America. We have a very open society in which the addition of an additional Russian consulate could scarcely be considered a truly significant intelligence threat. I commend his column to the attention of Senators who are in doubt about ratifying the convention and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Overrating the Peril of a Few More Spies

(By Howard K. Smith)

In these first weeks of the new political year the administration has been able to get our eye back on the ball. Vietnam may be our most passionate immediate problem, but by far our biggest problem remains the old familiar; the President of the U.S. is said to have at his command a nuclear force that works out at 35,000 tons of TNT for every human being alive. The Russians have a little less, but not enough less to matter.

The problem is to achieve a mood and an arrangement whereby, at the very least, this awful force will never be used. At most, the problem is to find a way whereby—as Red China has feared aloud and Undersecretary Katzenbach the other day hoped aloud—the two giants can join to prevent smaller nations now coming to possess nuclear weapons from ever using them.

A host of little things can contribute to a mood for agreement. At present one little thing before the Senate Foreign Relations Committee is the Consular treaty, negotiated by the U.S. and Russia in 1964, backed 19 to 5 by the Foreign Relations Committee, but never carried forth to ratification. The obstacle has been J. Edgar Hoover's fear that it would permit more Russian spies to come into our cities and increase his counter-espionage difficulties. Mr. Hoover's objections have been enough to cause Senator Dirksen to announce he will not vote to ratify, and to cast doubt on the administration's ability to get the necessary two-thirds vote in the Senate.

People who have studied the spy business in depth think Mr. Hoover's objections are misconceived. In modern times spies do not have serious trouble getting information in any country, for it is nearly impossible to keep clues out of newspapers and speeches.

Allen Dulles who served longest as head of the CIA said 90 percent of our information about Russia comes from open, public sources. These sources are pretty good—for example we know around which towns the Russians have been deploying anti-missile missiles, and how many divisions they have removed from eastern Europe and sent to their border with China. It has also been estimated that about 97 percent of what they know about us is publicly available, in newspapers, or in brochures at industrial conferences, or in public hearings in Congress.

Getting the information is not hard. The problem lies in interpreting it accurately. Correct and relevant information is generally lost in a maze of irrelevant information. It is hard to estimate which is decoy and which is genuine.

For example, every one of Hitler's surprise attacks on his neighbors in World War II was known beforehand and the information was communicated to the victim-nation. Russia was told weeks beforehand when and where Hitler would invade her soil. Stalin did not take the information seriously. The U.S. knew all it had to know to get our fleet and planes out of Pearl Harbor, but underestimated the validity of the information. Hitler was given the date and place of the allied invasion of Normandy by his spies, but gave it no higher value than a host of rumors and therefore was caught out.

An increase in the number of Russian spies is therefore not likely to matter greatly. It would be a pity to let the fear of it cause us to fail to take action to improve relations now that action is possible.

Two huge developments have made the world ripe for such an improvement. The first of them is the 50th birthday of the Russian revolution, to be celebrated this year. The Russian leaders appear to feel every day of its age, and would like to relax and derive a litle more well-being from their economy and settle troubles rather than start them.

The other development has been the national nervous breakdown of Red China. As the London Economist observed recently, the so-called "Cultural Revolution" is giving all revolutions a bad name, and we may see that mode of changing things go out of favor in the world for the first time since 1789. Meanwhile, Russia is clearly so anxious to devote close attention to her border with China that she would like to stabilize relations elsewhere.

If we are to miss the chance to improve relations, we should have very good reasons for missing it. Mr. Hoover's fear of a dozen more spies is not a good reason.

SOUTH DAKOTA RURAL ELECTRIC ASSOCIATION RESOLUTIONS

Mr. McGOVERN. Mr. President, the electric power generated and distributed by consumer-owned utilities has revolutionized the economic and social life of rural America.

The continuing task of supplying abundant electric power to rural areas at the lowest possible cost has been a gigantic effort. It is in large measure responsible for the unparalleled productivity and efficiency of the Nation's agriculture. It has brought the benefits of a modern society to farms and rural communities across the country, and enhanced opportunities for economic development through the availability of low-cost electric power.

Progress in these areas stands as a monument to the wisdom and energies of leaders in rural electrification. It is wholly appropriate, therefore, that we should pay careful attention to their recommendations on the future of the REA loan program and on other important public issues.

The South Dakota Rural Electric Association, representing the rural electric systems in my State and their consumer-owners, held its annual meeting in Huron, S. Dak., on January 24. I invite the attention of Senators to several of the resolutions they approved on important national issues, and ask unanimous consent that these policy statements be printed at this point in the Record.

There being no objection, the statements were ordered to be printed in the Record, as follows:

FINANCING

Whereas at the annual meeting of NRECA at Las Vagas we unanimously passed a resolution stating that G&T cooperatives needed

2% money on a 35-year basis, and

Whereas at this same annual meeting it had been concluded that approximately 75% of the distribution cooperatives still needed 2% money on a 35-year basis, and

Whereas this program is good for rural electric cooperatives and has proven so successful in the last 30 years, and

Therefore we recommend that this same type 2% loan program be extended to all areas where economic conditions establish a similar need, and

Whereas we all need this same 2% 35-year loan program; therefore we urge NRECA to continue to emphasize the great need for 2% money on a 35-year basis and work for the preservation of this great program, and

Whereas the supplemental financing bills considered in the 89th Congress did not meet the needs of our South Dakota members;

Now therefore be it resolved that SDREA desires to cooperate and work with NRECA and REA and any other groups to develop a future financing program that will be acceptable and meet the needs of the rural electric cooperatives.

DECLINING FARM POPULATION

Whereas we are concerned over the continuing decline of our farm population and deplore the ill-advised views of many economists which are aimed at reducing the number of family farms in America, and

Whereas we recognize the vital importance of these rural families to our South Dakota communities;

Now therefore be it resolved that SDREA pledges to join other organizations, groups and individuals to urge Congress to devise a more adequate family farm program to curb the present exodus of farmers from the land, and provide an economic environment whereby these families, the lifeblood for our rural communities, can make a decent living on the land.

HIGH INTEREST RATES

Whereas interest rates, which are currently the highest in recent United States history, threaten to seriously depress the entire economy, and

Whereas the threat of higher interest rates to rural electric cooperatives is only one facet of a hard money policy which has already put a stranglehold on lending agencies, including Federal Land Banks, Production Credit Associations, FHA and local banks;

Now therefore be it resolved that we deplore the action of the Federal Reserve Board in raising interest rates as a brake on an accelerating economy, an action which has merely added fuel to the fires of inflation. and has increased costs for all consumers, and

Be it further resolved that we urge Congress to take steps to assure low interest loans, to roll back the high interest rates and to make the Federal Reserve Board responsible to Congress, and

Be it further resolved that we commend NRECA and other members of the Consumers Information Committee for sponsoring a national protest meeting on high interest rates.

COUNCIL OF RESOURCES

Whereas we believe the natural resources of this nation are a vital segment of our total wealth and strength, and that they belong to the people and the benefits of their development should be returned to the people, and

Whereas we believe the conservation and development can best be accomplished in an orderly and efficient manner through the coordination of the various resource development projects, and

Whereas we believe long-range plans and comprehensive surveys should be made by a coordinating group to determine the needs of our growing population, rather than short-term, piece-meal plans and projects;

Now therefore be it resolved that we endorse the proposal of Senator George McGovern of South Dakota to establish a Council of Resources and Conservation Advisors. Further, we strongly urge the entire South Dakota Congressional Delegation and other Congressmen to support him in this effort.

LEGISLATION BY APPROPRIATION

Whereas the Appropriations Committees of the Congress have demonstrated a propensity to write restrictive language on REA into reports, and these reports have the practical effect of legislation, and

Whereas these restrictions have materially reduced the effectiveness of the G&T loans program as a power supply bargaining instrument, the ultimate effect of which is higher power cost for rural people, and have diminished the authority of the REA Administrator in other respects;

Now therefore be it resolved that we express our opposition to this practice of the Appropriations Committees and urge our Congressional Delegation to oppose further erosion of our power supply bargaining position and request our Congressional Delegation to work toward restoring full authority to the REA Administrator for making loans in accordance with the clear intent of the REA Act by repeal of these unnecessary restrictions on his authority, and

Be it further resolved that SDREA highly commends the members of the Senate and House Appropriations Committees for refusing to place additional, crippling restrictions on the vital G&T program in the last session of Congress.

OAHE IRRIGATION UNIT

Whereas the future economic and social well-being of South Dakota depends upon the development of the State's natural resources, chief among which is water, and

Whereas the construction of the Oahe Irrigation Unit will make Missouri River water available for the irrigation of 495,000 acres of land, which in turn will result in increased and stabilized agricultural production on lands presently under cultivation, and

Whereas the increased and stabilized agricultural production from irrigated lands integrated with nearby dryland will result in increased population, employment opportunities and business activity which will be reflected in the economy of the state, region and nation;

Now therefore be it resolved that the South Dakota Rural Electric Association, consisting of 36 member cooperatives, duly assembled at its annual convention in Huron, South Dakota, this 24 day of January, 1967, favors the early authorization of the Oahe Unit by the Congress of the United States.

PRESIDENTIAL PRESS CONFERENCES

Mr. PASTORE. Mr. President, last Thursday we witnessed a phenomenon of democracy. President Johnson went before television cameras and answered questions put to him in a face-to-face confrontation with the press of our Nation.

Television viewers had the opportunity once again to observe the President and to hear his responses to questions which probed the very destiny of our Nation. Our people by means of these frequent forums—televised press conferences—have a valuable opportunity to judge the performance and the attitude of the President. No other people in any other Nation—in all history—have enjoyed such an opportunity.

The President I believe is to be commended, not only for the frequency of these press conferences, but for his candid replies to the questions. In this last conference, there was not a single question to which he replied, "No comment," and his answers were forthright.

In this connection, I invite the attention of the Senate to a cogent editorial entitled "An Invitation for Compromise on Vietnam," which was published in the Providence Journal of Friday, February 3, 1967. I ask unanimous consent that the editorial be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

An Invitation for Compromise on Vietnam

In the face of world-wide rumors that Hanoi is extending peace feelers in the Vietnam War, President Johnson made it very clear at his press conference in the White House yesterday afternoon that he is not aware of "any serious efforts" by the North Vietnamese government to stop the war or go to the peace table. "Don't be caught by speculation," he warned.

But the President did restate his readiness to respond to any clear evidence of a readiness by Hanoi to match de-escalation of the bombing of North Vietnam. He raised the possibility of attending a Southeast Asia Conference, an All-Asia Conference, a Geneva Conference or any other acceptable forum. He raised the possibility of "preliminary discussions" of agenda.

The very caution with which the President spoke underlined the need for comparable care by official spokesmen for this government and the government of South Vietnam in responding to the current reports about Hanoi's interest in a peace conference, aroused perhaps by the disorder within China, her belligerent neighbor.

This is no time, for instance, for leaders such as Lt. Gen. Nguyen Van Thieu, South Vietnamese chief of state, to discount the reports out of hand by saying that it is "too soon to believe" that Hanoi is prepared to make peace. He held that the reports about peace feelers represent a "clear play" stemming from its increasing military weakness.

In contrast, Mr. Johnson did not display a closed mind approach to the issue of a peace conference. Asked what kind of action he expected Hanoi to demonstrate in return for de-escalation or a halt in bombing, he said he would accept "any step," any reciprocal action of substance—a wide-open invitation to Hanoi.

Something of the same order of moderation was voiced, meanwhile, in Britain where Russian Ambassador Mikhail Sirnovski spoke of Russia's readiness to press for peace, using the collective nine points of Hanoi and the Viet Cong for peace as a basis for *discussions*. These once were termed by Hanoi and the Viet Cong as the basis for *settlement*.

If there are, in fact, serious moves among the nations of the world to take the first steps toward an honorable settlement of the Vietnamese conflict, then this is the time to give the traditional "quiet diplomacy" a chance to operate as effectively as possible. The best way to foster a truce in the fighting may well be to promote a truce in headline hunting.

The President gave sound advice when he urged the press corps and the public not to be caught by speculation; the dashing of hopes for peace could be demoralizingly disheartening. The President spoke quietly in terms of honorable compromise. If Hanoi, to use the current term, is signalling its intentions, now is the time for it to send up another string of flags.

Mr. PASTORE. Mr. President, the editorial writer points out that the President spoke with caution concerning peace feelers in the Vietnam war, and emphasized that this caution underlines the need for comparable care by official

spokesmen for our Government and the Government of South Vietnam in responding to these peace feelers. I fervently hope that the President can utilize these peace feelers to bring this conflict from the battlefield to the conference table where it belongs.

THEODORE WHITE'S "CHINA"

Mr. McGOVERN. Mr. President, on January 30, I watched the television program arranged by Mr. Theodore White entitled "China: The Roots of Madness." It was an excellent production. I believe that Mr. White and his associates have given us a superb view of the historical factors that help explain some of the present-day events in this largest of all nations.

Mr. Lawrence Laurent has reviewed the White documentary for the Washington Post of January 31. I ask unanimous consent that Mr. Laurent's review be printed at this point in the RECORD.

I also ask unanimous consent that a brief recommendation for the documentary by Mr. Laurent, which appeared in the Monday, January 30, Washington Post be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 30, 1967]

LAURENT SUGGESTS

9:30 p.m. (9) "China: The Roots of Madness." This is a superb program, probably the finest history lesson ever put on television. The documentary was conceived and written by Pulitzer prize winning author and historian Theodore H. White. In a highly entertaining and highly informative way, White traces 100 years of Chinese history, leading up to the present madness. The film footage that accompanies White's reportage and Joseph Campanella's narration is rare and excellent. Those with memories of events in China who appear are author Pearl Buck, Prof. Earl Swisher of the University of Colorado, Brig. Gen. Frank Dorn, one time aide to Gen. Joseph B. Stillwell; and Ernest Price, a member of the American Legation at Peking.

[From the Washington Post, Jan. 31, 1967]

WHITE'S "CHINA" SUPERB HISTORY

(By Lawrence Laurent)

Review: No television program could possibly cover fully a 100-year period of history in a nation so complex as China. Yet, Theodore H. White did the best job possible in last night's "China: The Roots of Madness" (Channel 9).

Research turned up some marvelous film, but it was author-historian White's personal involvement, first-name recollections, that made the program memorable. Twice before, White has teamed with David L. Wolper productions and each of those efforts was excellent. The programs were "The Making of the President: 1960" and "The Making of the President: 1964."

The Wolper organization has a low reputation for its documentaries. It is well deserved. Most of them are glued together with no particular point or conclusion. Wolper's quality productions have come through association with White or the National Geographic Society.

The three television networks are rarely eager to carry documentary programs that were made by an outsider. The stated reason is that the network lacks control and the outsider may interpret news unfairly. The deeper, unspoken reason is a reasonable fear that some stockholder may object. After all, each network news department has hundreds of employes, so why does it have to buy programs?

White claims, for example, that the sponsoring Xerox Corp. wanted "China: The Roots of Madness" on CBS–TV but the network couldn't find any free time until June. Whatever the reason, Xerox strung together an impromptu network of over 100 stations.

White, who detests the idea of being a TV performer, went before film cameras for the first time. He explained that he had to serve as a bridge where no film could be found and where eyewitness interviews were inadequate. His appearance added first hand experience, plus a willingness to begin anecdotes with "Mao Tse-tung said to me . . ."

His main point, stated several times during the 90-minute program, is that the present madness in China has its roots in events that took place between 1850 and 1950. Several times he accused Chiang Kai-shek of having been more interested in controlling Communists than in repelling Japanese invaders.

The United States attitude toward China after World War II was traced and no apologies were offered. But as to who "lost China," White put the blame on all the people and all the nations that shaped the country's fairly recent history.

His final point, an exhortation for communication that penetrates the madness, was the weakest part of the documentary. It takes two to communicate, just as it takes two to tango.

But overall White's program was the finest large history lesson ever seen on television. My own favorite scene was newsreel footage of Caucasians dancing in the China of 1920's. The music sounded like the current hit, "Winchester Cathedral" and the tuxedo-dressed singer could have won an amateur night contest for the best imitation of Rudy Vallee.

In biting, terse prose White illustrated that the dancing Westerners either did not worry or did not care that the world's oldest civilization was moving steadily toward holocaust and into a madness that has continued into 1967.

THE COLD WAR

Mr. McGOVERN. Mr. President, one of the most perceptive and thoughtful articles I have read in some time is the piece by Mr. Max Frankel which appeared in the New York Times Magazine, January 27, 1967, entitled "Can We End the Cold War?"

The articles deal with some of the new dimensions of the international scene which promise a possible modification, if not an end, to the cold war. Believing that this article will be of interest to Members of the Congress, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times Magazine, Jan. 27, 1967]

CAN WE END THE COLD WAR?

(By Max Frankel)

The great hope surrounding Vietnam is that the end of the hot war there may begin to finish off the cold war everywhere.

Whatever the deal that finally becalms Southeast Asia, Communists around the world may reckon at last with the costs of their rash rhetoric about wars of liberation while Americans learn to reckon with the costs of incautious commitments and the cant of containment. Korea taught the folly of direct military invasions—in both directions—but it only exacerbated the hostilities that produced the battle. With any luck, an imperfect outcome in Vietnam will demonstrate not only the folly of indirect military intrusions—by both sides—but also the menace of ideological passions.

For passion as well as power must be curbed before the cold war can end. Though it began as a rather conventional struggle between two superpowers, the Soviet Union and the United States, for European territories and resources of obvious value, it soon expanded into a universal contest for what were called "the hearts and minds" of all humanity and for rival conceptions of a new world order. And eventually the main antagonists were joined by a third, Communist China, with each waging cold war against the other two.

The territorial joust in Europe expired in deadlock, but only after its hatreds and fears had confused and corrupted conflicts everywhere. It also corrupted the values of otherwise humble men. Russians learned to gloat when Americans lost their jobs or went on relief. Americans came to cheer when Soviet food stocks ran low.

In place of international politics, there developed only polemics, understandably, perhaps, about the future of Germany but also ludicrously about the fate of Zanzibar. What was denounced as terror by one side was celebrated as valor by the other. What was invasion here was liberation there. Whoever was not with, was against, until the habits of conflict prevailed even where its causes had long been forgotten.

That all this may at last be drawing to an end is already a subject of lively speculation among American scholars. The "end of ideology" has been one of their major themes for some time; "beyond the cold war" has been another. A search for "alternatives" dominates much of their literature.

The periodic efforts of the Soviet Union and the United States to probe for a peaceful settlement in Vietnam, and their halting steps to preserve cordial relations in other matters even while their missiles and planes are engaged in direct combat in North Vietnam, suggest the extent to which realism already has conquered ideological fervor. Despite the shooting, as President Johnson remarked in his State of the Union message, "we have avoided both the acts and the rhetoric of the cold war." The objective now, he said, was to end it.

What is missing, so far, is a dynamic history of the cold war, written from the perspective of the man on the moon, to help us end it by defining it. Otherwise, even the tragic lessons of Vietnam may go unheeded.

Even a sketchy review of the major stages of the cold war suggests that it was much more than the Soviet-American conflict we usually imagine, much more than the product of simple Western resistance to simple Communist threats. It sprouted from deep roots and developed with a terrifying logic.

In a sense, the cold war began 50 years ago, when Moscow and Washington first proclaimed rival ideologies to which they only gradually devoted their national energies. Lenin envisioned a world of revolutionary transition to Communism, sweeping away old economic institutions and, in time, even the frontiers of nations. At almost the same time, Woodrow Wilson proclaimed a revolution for a new order to make the world safe for those very institutions and nations.

Both were rebelling against traditional world politics, against conventional diplomacy, which they held unworthy of their idealism and saw as basically sordid. Neither found the power in his lifetime to impose his ideals, but their successors, who did, were faithful pupils indeed.

In their bones and in their rhetoric, if not always in their policies, Soviet Communists came to feel duty-bound to assist *any* Marxist rebellion, while Americans, applying what they took to be the lessons of two world wars, came to regard *any* Communist advance, domestic or international, as a threat to their security.

The collision of these conceptions made it impossible for Moscow and Washington to wage an ordinary, "sordid" power struggle after World War II, the kind that would end in a conventional balance of forces. Instead, they talked so much of great crusades that at important junctures they talked themselves into messianic adventure.

The first and probably main engagement of the cold war did not require these emotional commitments. It was actually quite short. It was largely confined to Europe. It could be explained in entirely rational terms.

Though devastated by war, Europe possessed enormous latent human, economic and military resources that neither the United States nor the Soviet Union dared to lose to the other. Western Europe was in this sense the more valuable, but Central and Eastern Europe had twice before ignited worldwide conflict. Thus for reasons of profit and security, both halves begged to be controlled by one power or at least denied to the other.

Moscow drew first, by moving to dominate most of the areas the Soviet armies had occupied. When it threatened to move even farther, in Iran in 1946 and in Greece and Turkey in 1947, and actually moved farther by seizing Czechoslovakia in a 1948 coup, it evoked a hasty American response.

It does not really matter whether the Soviet leaders actually planned to march the Red Army clear across Europe to the Atlantic. The United States had reason to fear that they did and Western Europe alone was plainly too weak to resist Soviet challenge from the outside or Communist subversion from the inside.

The United States responded with massive military and economic assistance, embodied in the Truman Doctrine of aid to Greece and Turkey, the Marshall Plan of $12.5-billion for Western Europe's economic recovery and the North Atlantic Treaty Organization, representing a threat of nuclear retaliation for any direct Soviet attack.

Within a few years, this territorial struggle ended essentially where it began. Moscow had tightened its hold on the lands east of the Elbe while the anti-Communist societies recovered in the western regions beyond. A number of times, particularly in the Berlin blockade of 1948–49, both sides showed themselves eager to avoid a direct military clash. Neither seemed to feel greatly menaced by the division of Europe that ensued.

Winston Churchill, who had been among the first to rally the West against Soviet advances in 1946, felt by 1950 that the time had come to press for a final statement. The balance of power, he predicted, would not again be so favorable to the West. A master of old-style imperial conflict, he could accept the idea of an old-style imperial standoff.

But his American cousins were by now too obsessed with a sense of mission and of fear to acquiesce in a sordid power balance. When President Truman had set out in 1947 to obtain Congressional support for $400-million in anti-Soviet aid to Greece and Turkey, Senator Arthur Vandenberg, his influential Republican ally, told him he would have to "scare hell out of the country" to put the measure through. And scare the country he did, in Wilsonian absolutes that the country has not shaken off yet.

Instead of saying what he meant, which was that Greece and Turkey and Western Europe should not be allowed for solid strategic reasons to fall under the control of Communist agents of the Soviet Union, Mr. Truman gave his doctrine a soaring definition and ambition:

"Totalitarian regimes imposed on free peoples, by direct or indirect aggression, undermine the foundations of international peace and hence the security of the United States," he said.

Carefully specifying that he did not wish to intervene with American troops, the President nonetheless proclaimed an unlimited policy "to support free people who are resisting attempted subjugation by armed minorities or by outside pressures." He meant only Communist minorities that were then clear projections of Soviet power, but that is not what he said.

From that day forward, the challenge of Soviet power, which Churchill deemed manageable in 1950, came to be seen in the United States as the challenge also of Soviet and all Communist ideology. Thus when China fell into Communist hands in 1949, it seemed to Americans to be not just a major event, but a major "defeat." And within a few months, the struggle reached right into the midst of American society; Senator Joseph McCarthy ignited a domestic crusade that equated every Communist idea with a full Soviet division.

By 1950, the United States was emotionally unfit to accept the consequences of the brief postwar struggle even if the Soviet Union had accepted Churchill's modest estimate of its power. It had become impossible to think of a settlement or even of customary diplomatic dealings with the "evil" and "godless" men in the Kremlin.

And then came Korea.

In early 1950 President Truman's Secretary of State, Dean Acheson, could still envision a policy of shrewd opportunism in Asia. It would be foolish, he said, to "deflect from the Russians to ourselves the righteous anger and the wrath and the hatred of the Chinese people, which must develop." Much of Asia would long be unstable, he added, but "we can help only where we are wanted and only where the conditions of help are really sensible and possible."

The war broke these barriers of restraint. It began with a Communist aggression that has never been properly explained. Mr. Acheson may have tempted North Korea by neglecting to place South Korea inside a well-defined Western defense perimeter. Moscow seized the opportunity, probably because it wished to prevent Japan's progressive adhesion to the Western camp.

Whatever the cause, the Korean war propelled the United States into a firm commitment to the Chinese Nationalists on Taiwan, into a counterinvasion of North Korea and, therefore, into direct, costly and inconclusive combat against the Chinese Communists.

Above all, the war became for many Americans the final proof that a single Communist conspiracy, centered in Moscow, was hell-bent on conquest of the entire world, with hundreds of millions of Chinese now prepared to march on its signal.

Success in defending South Korea was no longer enough. In a crucial psychological turn, a moralistic Eisenhower Administration now accepted Communism's portrait of itself as a monolithic, well-nigh, invincible force. Diplomacy was turned wholly from its traditional function of compromise and placed in the service of a worldwide crusade for freedom, self-determination and order, American style.

John Foster Dulles, Mr. Eisenhower's Secretary of State, delivered pious promises to "liberate" the "captive peoples" of Eastern Europe, to "roll back" Communism everywhere, to undue his predecessors' "negative, futile and immoral" policy of "containment." Washington would not "tolerate," said Mr. Dulles, the "welding of the 450 million people of China into servile instruments of Soviet aggression."

Events would soon expose these slogans as hollow, but they were not therefore meaningless. For they spoiled what chance there might have been for earnest negotiation with Stalin's insecure successors in Moscow. By including also a hypocritical "unleashing" of the Chinese Nationalists to reconquer the mainland, the slogans also spoiled what little chance there might have remained to exploit, as Mr. Acheson had advised, Peking's developing hostility toward the Soviet Union.

The Eisenhower crusade became a worldwide imitation of the successful policies in postwar Europe. Every inch of non-Communist territory, including worthless rocks off the coast of China, were embraced in Dulles and Eisenhower Doctrines that defined their "loss" as matters affecting the vital interests of the United States.

Washington sought not only bases from which to defend itself against Soviet or Chinese attack. It tried to convert the poor and unstable societies of Asia into allies as reliable and congenial as the recovered nations of Western Europe. It built them armies with which to guarantee domestic stability and tested their allegiance by demanding strident expressions of anti-Communism.

The concepts of NATO in Europe were imposed on wholly different situations to produce SEATO and CENTO in Southeast Asia and the Middle East. These treaties had little intrinsic value and often proved divisive of the non-Communist nations. Pakistan's membership in both, for the sole purpose of arming herself against India, was perhaps the clearest example of their irrelevance to American objectives.

For a time the worldwide contest of good guys vs. bad guys led Americans to cast even neutrals in the role of "immoral" spectators. It perpetuated the threat that Eastern Europe and mainland China were some day to be "recaptured." It justified alignment with regimes of any totalitarian or corrupt color so long as it was not Red. It forced the United States to suspect and oppose many rebellious nationalist movements and led it to meddle in the affairs of many governments—in Indochina, Iran, Indonesia, Latin America.

The crusade turned the United Nations into a blatant instrument of American policy. Above all, it blinded Americans to the evidence of real unrest and change in the Communist nations of Europe and to the possibilities of a profound rift between Peking and Moscow.

As Charles Burton Marshall, then a member of the State Department's policy planning staff, observed in 1952, the crusade tolerated no limits in the idealized goals of foreign policy:

"Where a perfume is marketed not only for its odor but also as a guarantee of domestic bliss, where automobiles are sold as means to capture the esteem of neighbors as well as means of transport, and where life insurance is offered not only as protection but also as a help for insomnia, it is natural to demand of foreign policy not only that it should handle the problems at hand but also that it should lead to a transfiguration of history."

This new phase of the cold war was not, of course, a one-sided contest. In Europe, Nikita Khrushchev and his fellow heirs to Soviet power appeared eager for acceptance of the status quo, but elsewhere they mounted their own crusade, imitating Western techniques of economic bribery and military assistance in packages labeled "peaceful coexistence."

Probably more often than Americans, the Russians managed to separate the interests of Soviet power from those of local Communists in places such as Egypt, India and Indonesia. They let many a Marxist rot in jail while they courted his jailer. But they, too, were unwilling or unable to relinquish the ideological doctrines of Communist revolt, and measured their progress principally by American failure.

Fortunately, neither side really had the courage of its crusading convictions. Moscow made its peace with many postcolonial regimes whose revolutions stopped far short of Communism and whose policies were rarely dominated by anti-Americanism. And during the East German uprising of 1953, the collapse of the French in Indochina in 1954 and, most spectacularly, the Hungarian revolt of 1956, American inaction made a mockery of the Dulles doctrine of liberation. Though unwilling to ratify Communist control in most places, including North Vietnam, the Eisenhower Administration repeatedly refused to risk war to challenge it.

The year 1956 might thus have become a turning point in the cold war, for the simultaneous uprising in Hungary and the British-French invasion of Suez exposed deep fissures in both major alliances. By avoiding conflict in Hungary and even cooperating diplomatically over Suez, Moscow and Washington again demonstrated not only eagerness to avoid a direct clash but an inchoate yearning to structure the world jointly.

Both Stalinism and McCarthyism were in decline, leaving each society more prepared to deal realistically with the other. Out of the new humility there might have evolved a new diplomacy.

But in mid-1957 Mr. Khrushchev suddenly acquired the intercontinental missiles which he was to rattle for five years to force terms upon the West. He had spent enormous amounts of real and political capital, with little to show for the investment abroad or at home. The Chinese pressed him to use the missile threats in support of their Asian interests, but Khrushchev set out to demonstrate that a shrewd mixture of ultimatum and blandishment could bag really big game: a favorable settlement in the heart of Europe.

With simultaneous threats to Berlin, offers of total disarmament, colorful journeys through neighboring lands and a bellicose junket around the United States, he demanded the respect that he thought Soviet power and purposes deserved. But he suffered only humiliation, as in the U–2 spy-plane episode, and rebuff, as in Berlin; the sputniks had panicked Americans and again shattered their confidence in negotiation.

Belligerent in the eyes of Washington and cowardly in the eyes of Peking, Khrushchev spent the years of his greatest power at home in frantic and confused efforts abroad. Cuba's turn to Communism—an aberration that neither Moscow nor Washington had expected—only made matters worse, for it rekindled the Russians' revolutionary dreams and tempted them strategically while further frightening Washington, on both counts.

Thus did the cold war persist through the last two, least messianic, years of the Eisenhower Administration and through 2 of the 3 years of the Kennedy Administration.

In 1961, after humiliation at the Bay of Pigs, bitter confrontation with Khrushchev at Vienna, deterioration of non-Communist positions in Laos, construction of the wall in Berlin and resumption of nuclear testing by both sides, the cold war took on the added dimension of a resumed arms race.

Threatened directly for the first time by Soviet missiles, the United States strained to keep ahead. It also redesigned its conventional forces in the hope that conflict, if it came, might be fought without the ultimate weapons. And with this new capability President Kennedy began to inject men and resources into South Vietnam to prevent yet another "loss" of face or territory.

Not until Mr. Kennedy had proved his nuclear-age virility and Khrushchev's strategic inferiority in the Cuban missile crisis of 1962 did the two sides return to the search for alternatives to the cold war. The time was right because the missile crisis and China's brief invasion of India had aggravated the conflict between Peking and Moscow almost beyond repair, certainly beyond denial.

The Russians secretly and hastily installed long-range missiles in Cuba, it is thought, because all else had failed in their desperate bid to close the strategic gap. Here was a chance to threaten American soil as much as American weapons were then threatening Sovet territory. And the humiliation of the United States from this sudden build-up was probably counted on to bring unexpected diplomatic gains throughout Latin America and perhaps as far away as Berlin. But by forcing a showdown and enforcing a humiliating Soviet retreat instead, Washington only dramatized Moscow's strategic inferiority at the time. Whether tactically, to gain a prolonged breathing spell, or for all time, as some insist, the Russians withdrew not only their missiles but also the whole panoply of challenge to the United States.

Tentatively, but simultaneously at last, Moscow and Washington sought accommodation, notably in the treaty to ban nuclear testing. There was an echo of the old frenzy among Americans when a few Cubans were suspected of "exporting" their revolution to, of all places, Zanzibar, on Africa's east coast, but confidence finally overcame such ridiculous fright.

A Communist Cuba, it was found, could be easily and effectively isolated and tolerated so long as the rhetoric of liberation was not taken too seriously. An opportunistic United Arab Republic, though often the paid agent of Soviet diplomacy, could not only be tolerated but, it was found, at times even manipulated. Iraq, Guinea, Ghana and Algeria, all of which had at one time turned away from the West and toward Communism, were not, in fact, "lost"; they proved quite adept at defending themselves against it without the American military embrace.

The independence of a nation, it was found, did not, after all, always depend upon American protection or intervention. In fact, the Communist nations of Eastern Europe, long closed even to American propaganda, had developed healthy appetities and capacities for independent maneuver. Not only Yugoslavia, whose independent career began in 1948 with American military aid, but also Albania and Rumania, became more defiant of the Soviet Union than even the "liberalized" regimes of Poland and Hungary. Though run by Communists, they probably gained greater freedom of action than some Central American republics.

Independence and Communism were no longer simple opposites; in some cases they became quite compatible. Certainly no nation was more doggedly "independent" than Communist China. Her defection from the "international Communistic conspiracy," if ever there was one, certainly wrecked the "master plan" of conquest, if ever there was one. Some American officials actually came to hope that Moscow would retain a greater, presumably moderating influence over Peking.

In fact, the United States had always treated different Communist countries differently. Now it began to confess its pragmatic yearnings by openly acknowledging that at least some of them had lost interest in worldwide revolution and even subversion.

Yet in situations of turmoil, in the Congo, in Vietnam, in the Dominican Republic, Washington could not quite shake the old habits of thought and rhetoric. The defeat of every incipient Marxist or Communist movement everywhere had been for too long the principal aim of American foreign policy. Washington's reflexes obeyed this early training even where the mind resisted.

Although they comprehend the conflicts among Communist nations and the changes inside many Communist societies, Americans continue to equate the goal of "containing" Soviet or Chinese power with the obliteration of each Communist challenge in every place, no matter how remote.

And the new Soviet leaders, too, continue to confuse their ideological sense of duty with their more narrow national interests. Goaded now by the competition with Communist China for authority in the Communist world, the Russians have gone perhaps farther than they might otherwise wish in the support of Communist subversion and wars of liberation. And where local Communists have clear territorial ambitions, as in Korea and Vietnam, Moscow would probably support even more aggressive tactics if American power did not block the path.

Events keep conspiring, therefore, to keep the cold war alive.

As a conflict between what is loosely called Communism and anti-Communism, it still magnifies, exaggerates and perhaps even generates conflicts of interest between the Soviet Union and the United States in places and situations that neither might otherwise care about or which might, at worst, be the occasion for quite routine economic and diplomatic competition.

The emergence of Communist China has temporarily inflamed the ideological conflict; so has the continuation of the arms race and the eruption of hot war in Vietnam.

But Vietnam should also help to demonstrate the threats posed by the ideologies of both sides. Neither the Communists nor the anti-Communists of that unhappy country have played the docile parts assigned to them by their big-power patrons.

Few Communists anywhere, in fact, have behaved as the Russians or Chinese wished or as the Americans feared. More and more anti-Communists are similarly breaking the cold-war restraints. Europe, where it all began, is relatively stable and therefore also restive; East and West, it is beginning to share the distaste of other regions for the forms of stability prescribed by Moscow and Washington.

The collapse of the postwar bipolar structure and the conversion of the cold war into a triangular contest may not bring peace, but it should corrode the rival theologies.

As Peking develops gradually into a significant power, there will be more and more occasions for two of the large powers to line up in uneasy coalition against the third: Moscow and Peking against Washington in a Korea or Vietnam; Moscow and Washington against Peking in a Kashmir; Peking and Washington against Moscow in the encouragement of East European independence. (An interesting example of the potential attraction between China and the West is the serious if somewhat premature talk in West Germany about how Peking might be strengthened so that Moscow will feel threatened in its rear and compelled to seek a more durable settlement in central Europe.)

If it teaches anything, the history of the cold war suggests that none of the major parties is blameless for its long life. It suggests also that in periods of swift international change there is little virtue in mere consistency, in the perpetuation of old, even successful tactics.

The dreams of worldwide revolution for democracy or for Communism can possess the heart without forcing the hand. A step back from interventionism need not be a retreat to isolationism. Big powers can be involved in almost everything without becoming doctrinally and militarily engaged almost everywhere. The end of the cold war would not automatically bring harmony and stability; it would mean only that in the quest for peace we prefer the political deal to religious zeal.

FIRST-YEAR PROGRESS OF THE NATIONAL TEACHERS CORPS

Mr. NELSON. Mr. President, the Milwaukee Sentinel on January 31 published an interesting and informative article describing the progress made by the National Teachers Corps in this, the first year of its operation.

The enthusiasm of school officials connected with the program is typified by the remarks of Principal John Powers, of Rufus King High School, Milwaukee, described in the Sentinel article.

A team of Teachers Corps workers is doing intensive work with 35 students who had been failing two or more subjects. Principal Powers reports that after only 2 months of work with Teachers Corps interns, 30 percent of these youngsters are now passing all subjects and that discipline problems have drastically been reduced.

This tremendous response to the Teachers Corps program indicates a need to continue and expand this effort throughout the United States.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Milwaukee Sentinel, Jan. 31, 1967]

Teacher Corps Work Earns Praise

(By Suzanne Ryan)

"It has been one of the really good things that has happened this semester. . . ."

John A. Powers, principal at Rufus King high school, has no reservations when it comes to praising the national teacher corps project being conducted at the school.

The national teacher corps, one of the controversial programs of the Great Society, has been in operation at Rufus King and at three other Milwaukee schools since September. Rufus King is the only high school in the state in which the corps is working.

Although the program has been criticized by some congressmen and federal education officials as unnecessary, those who are close to the program here strongly disagree.

A HAPPY SITUATION

"It seems to be an all-around happy situation. The corpsmen have done many things that are unique in education and they've turned out very well," said Harvey Goldman, co-ordinator for Wisconsin's program.

Sen. Nelson (D-Wis.) first proposed the national teacher corps bill in February, 1965. The corps consists of teams headed by experienced teachers who work in inner city and rural schools in an attempt to improve education for the underprivileged.

The project finally swung into action last spring when congress approved a 9.5 million dollar appropriation for summer training of the corpsmen. However, no funds were available to put the program into operation until late September.

TWENTY-SIX PERSONS ACTIVE

There are 21 corpsmen and five team leaders in Wisconsin.

In addition to Rufus King, corpsmen are operating at Wells Street junior high, and Vieau and Fifth Street elementary schools in Milwaukee. Garfield elementary school, Racine, also has a program.

Federal funds cover 90% of the salary of the corpsmen and administrative costs of the program. Local school districts provide the remainder of the funds.

The corpsmen receive their training at 42 colleges and universities throughout the country and do their work under the direction of these institutions.

SCHEDULES ARE RUGGED

Goldman said the corpsmen are on a "very, very rigorous schedule. I don't think they put in less than 13 hours a day."

They spend one-third of their time taking courses at the University of Wisconsin—Milwaukee, one-third working in the schools and another third working in the community.

All of the participating schools in the state have been extremely happy with the corpsmen, Goldman said.

Principals in nonparticipating Milwaukee schools have requested corpsmen for the coming year as have other school district administrators throughout the state, he said.

APPROACHES VARY

Goldman explained that different approaches are used in each school. In Racine, the corpsmen have initiated several after school clubs for the children. At Wells Street junior high, the corpsmen are working with the students who have been suspended from school and their parents.

At Rufus King, the corpsmen have been working on a one to one basis with about 35 students who were considered to be both academic and disciplinary problems.

The corpsmen have used a "parent in school" approach, according to Harold Zirbel, assistant principal at Rufus King. Zirbel works closely with the corpsmen there.

The corpsmen have tutored the students, working with them both before and after school. They have visited many of their homes.

TOTAL SUCCESS 30 PERCENT

Powers said that the corpsmen have been almost totally successful with about 30% of the pupils.

"In terms of what happened before with these pupils, this is tremendous success. These are pupils who were failing in several courses and are now passing in everything," he said.

In addition to academic improvement, many of the pupils have demonstrated a remarkable change in attitude toward school, Powers noted.

He said that they are much friendlier and easier to work with.

One of the other projects of the Rufus King corpsmen has been an attempt to curb the amount of tardiness by pupils.

TARDINESS CURBED

Pupils who are late for school must report to the corpsmen and discuss with them their reasons.

"If it hadn't been for the corpsmen, I think the tardiness would have risen, risen, risen," Powers said.

Next semester, each of the Rufus King corpsmen will teach several classes. This semester the corpsmen have worked with the teachers and assisted in the classroom.

Both Powers and Goldman agreed that much of the success of the program comes from its diversity in the individual schools and the fresh ideas of the corpsmen.

The Wisconsin corps has been designated as a demonstration center by the national commission on teacher educational and professional standards, a department of the National Education association.

Educators from throughout the country are thus expected to come to Milwaukee to familiarize themselves with the teacher corps project, Goldman said.

SOUTH DAKOTA LEGISLATIVE RESOLUTIONS ON THE OAHE PROJECT AND GOLD

Mr. McGOVERN. Mr. President, the South Dakota Legislature has passed two concurrent resolutions, one calling on Congress to enact legislation authorizing the Oahe irrigation project, the second urging approval of a subsidy for gold production, which has dropped from 5 million to 1½ million ounces annually since the price was fixed at $35 per ounce.

I am the sponsor of S. 6, along with my distinguished colleague from South Dakota [Mr. Mundt]. It calls for the authorization of the Oahe project. The distinguished Senator from Washington [Mr. Jackson], chairman of the Committee on Interior and Insular Affairs, on which I am privileged to serve, has assured me of early hearings on the Oahe bill. The Budget Bureau is now completing its review of that legislation.

I have also introduced S. 615, a bill which would strengthen the gold mining industry by a direct subsidy. It was recently my pleasure to discuss this proposed legislation in a conference with the Vice President; the general counsel for the Homestake Mining Co., Mr. Kenneth Kellar; and Mr. Lew John, representing the United Steelworkers of America.

I ask unanimous consent that the concurrent resolutions of the South Dakota Legislature be printed in the Record.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

Senate Concurrent Resolution 5

A concurrent resolution, memorializing the Congress of the United States, to provide Federal financial assistance for domestic gold producers

Be it resolved by the Senate of the State of South Dakota, the House of Representatives concurring therein:

Whereas since 1934, domestic gold producers have been required to sell their product only to the Federal Government at the established price of $35 per ounce; and

Whereas costs of producing this precious metal have continued to increase at an alarming rate reflecting the impact of inflation upon the economics of gold mining and milling operations with the result that virtually all gold producers in the United States have closed down their properties; and

Whereas domestic gold production, which amounted to approximately 5,000,000 ounces in 1940, has now dropped to annual rate slightly in excess of 1,500,000 ounces while current domestic gold consumption for defense and space needs, industrial requirements, the arts and crafts, and dental use has rapidly risen to a significant rate of approximately 6,000,000 ounces per annum, over three times our United States production rate; and

Whereas the continuing outflow of gold and failure to solve our balance of payments deficit continues to be of ever greater national concern; and

Whereas the disparity between domestic consumption and production imposes an additional substantial drain upon the monetary gold reserves of the United States; and

Whereas federal relief legislation revitalizing the United States gold mining industry could well end continuing substantial depletion of our monetary gold reserves to supply United States internal domestic gold consumption which should alleviate to some extent concern in foreign circles over our monetary policies; and

Whereas such legislation to stimulate domestic gold production is definitely in the national interest: Now, therefore, be it

Resolved, That the members of the Legislature of the State of South Dakota respectfully request the Congress of the United States to provide federal financial assistance payments to domestic gold producers to stabilize the few existing United States gold properties, to reopen dormant gold mines, and to encourage aggressive exploration for new gold ore reserves in this country; and be it further

Resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from this state.

Adopted by the Senate January 26, 1967.

Concurred in by the House of Representatives February 1, 1967.

LEM OVERPECK,
President of the Senate.

Attest:

NIELS P. JENSEN,
Secretary of the Senate.
JAMES D. JELBERT,
Speaker of the House.

Attest:

PAUL INMAN,
Chief Clerk.

HOUSE CONCURRENT RESOLUTION 2

A concurrent resolution, Memorializing Congress to promptly review and approve authorizing legislation and funding for the construction of the "Oahe Unit—Initial Stage—190,000 Acres, James Division, South Dakota, Missouri River Basin Project"

Be it resolved by the House of Representatives of the State of South Dakota, the Senate concurring therein:

Whereas the Flood Control Act of 1944 (58 Stat. 887) as supplemented and extended by the Flood Control Act of 1946 (60 Stat. 641) authorized a general comprehensive plan for the conservation, control and use of the water resources of the Missouri River Basin; and

Whereas the Oahe Unit as an integral part of the Missouri River Basin Project, which followed exhaustive studies and investigations by the Bureau of Reclamation has been found to be engineeringly feasible and economically justified as evidenced by that agency's report entitled "Oahe Unit, James Division—South Dakota, Missouri River Basin Project" dated May, 1965, as supplemented by "Supplemental Report on Oahe Unit—Initial Stage—190,000 Acres, James Division, South Dakota, Missouri River Basin Project" dated June, 1965, which was subsequently approved by the Secretary of the Interior; and

Whereas residents of South Dakota have for many years counted on new irrigation development possible through the construction of the Oahe Unit to justify the large sacrifice of 509,000 acres of productive lands given up for the storage of water behind the four main-stem reservoirs constructed with the State; and

Whereas, the development of the Oahe Unit will further result in increased and stabilized agricultural production from lands which are presently under production, which in turn will result in many benefits to the State of South Dakota, the region, and the Nation: Now, therefore be it

Resolved, by the House of Representatives of the State of South Dakota, the Senate concurring therein, That the Forty-second Legislative Assembly of the State of South Dakota sincerely and respectfully petitions and urges the Congress of the United States to promptly consider and take favorable action authorizing and funding the construction of the "Oahe Unit—Initial Stage—190,000 Acres, James Division, South Dakota, Missouri River Basin Project; and be it further

Resolved, That the Secretary of State is hereby directed to forward copies of this resolution to the Chairman of the Senate and House Committees on Interior and Insular Affairs, the members of the Missouri River Basin States' Congressional delegations, the Secretary of the Interior, and the Commissioner of the Bureau of Reclamation.

Adopted by the House of Representatives on January 23, 1967.

JAMES D. JELBERT,
Speaker of the House.
———— ————,
Chief Clerk of the House.

Concurred in the Senate on January 26, 1967.

LEM OVERPECK,
President of the Senate.
NIELS P. JENSEN,
Secretary of the Senate.

Filed in the office of the South Dakota Secretary of State on January 27, 1967.

[SEAL] ALMA LARSON,
South Dakota Secretary of State.

RANDOLPH DEPLORES TRAGEDIES CONNECTED WITH SPACE PROGRAM—URGES MODERATE, REASONED MEASURES IN INVESTIGATION OF CAUSES, STEPS TO PREVENT FURTHER LOSES

Mr. RANDOLPH. Mr. President, I counsel with my colleagues and constituents briefly, at this point, on our space program and also make reference to the recent series of tragedies we have suffered. At the outset, I am sure that all of us deeply regret the loss to the families of the men whose lives were so recently taken by the fires in Florida and Texas. It is a tribute to those splendid Americans that their wives and children bore their grief with inner strength and outward dignity and calm.

But, Mr. President, I think we must now do whatever we can to assist and encourage the responsible NASA officials to evaluate most carefully the conditions surrounding these two flash fires—and the three reported previous fires—in an effort to insure against repetition of this devastating kind of accident.

I do not desire to discredit, in any way, efforts already being made by our space officials.

I do not desire to infringe on the jurisdiction of my colleagues on the Committee on Aeronautical and Space Sciences.

Nor do I wish to cast a pall on our efforts to explore those portions of the universe which are accessible and in our own solar system—although I remain unconvinced that there is not much wasteful and excessive spending connected with this program.

But I do desire to make known my feelings, indeed, my hope, that accidents such as this are not "inevitable," and need not be considered a "part of the price we must pay" to reach the moon, and to penetrate the space beyond.

Because of the aptness of two articles in the January 31, 1967, issue of the Christian Science Monitor on this subject—one, an editorial and the other, a column by Erwin D. Canham.

Mr. President, I ask unanimous consent that both of these be printed at this point in the RECORD.

There being no objections, the articles were ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, Jan. 31, 1967]

DISASTER IS NOT INEVITABLE

The tragedy at Cape Kennedy dramatizes the personal challenge each of our astronauts faces. It emphasizes the courage they exhibit in going about their hazardous duties calmly, competently, and with evident zest. This is something of which the American people are proud and for which they are grateful.

At the same time, there is need for perspective in public thinking about space flight. We deplore the expectation of disaster that colors this thinking. It is founded on nothing more substantial than fear and a fatalistic notion that "accidents must happen."

The press, in particular, stresses the "inevitability" of disaster. It constantly speaks of the "risk" the astronauts run. Yet this "risk" is a vague concept.

Like the atomic energy program, the manned space flight program has a very low accident record for its magnitude and its potentially hazardous nature because extraordinary care is exercised in its every phase. If the same care were shown in driving, automobile accident statistics would take a sharp turn for the better.

While we recognize that astronauts pursue a hazardous profession, we believe it does them no service to associate this with the concept of inevitable disaster. This introduces an element of superstition foreign to the rational approach of the space program which emphasizes care and foresight in accident prevention.

[From the Christian Science Monitor, Jan. 31, 1967]

ON AVOIDING TRAGEDY

(By Erwin D. Canham)

Ever since the space program began, NASA officials have tried to condition the public opinion for possible tragedy. Every time they insisted on the inevitability of disaster there must have been many of us who mentally shouted our disagreement.

No disaster is inevitable, as the NASA officials themselves proved over and over again by the successful precautions they took repeatedly to prevent it. Their record is superbly good.

Now the official inquiry ought to determine whether there was preventable human error involved in the disaster at Cape Kennedy. For example, were the troubles experienced with the pure oxygen a plain warning to stop and look harder at the environmental situation? Was the use of oxygen right in the first place, instead of the mixture of gases used by the U.S.S.R.?

PUBLIC EXPOSURE

Let us insist that if these questions can be answered, they be answered publicly. One of the great advantages of the American space program has been its public exposure. The mistakes as well as the triumphs have had the same publicity. There was no credibility gap as regards the space program.

Of course, in time expert and objective analysis may well identify numerous mistakes in the program. We have never really had such an evaluation, although Congress from time to time tries to peer into the vast complexities and come up with answers.

Of the dedication, intelligence, and patience of the responsible people in the space program there can be no question. But human opinions and human judgments often differ. We do not really know the options that have existed.

Much in the space effort seems to speak for itself in the great victories already attained. And, of course, there is nothing but praise for the courage and coolness and abilities of the astronauts themselves. They have distinguished themselves under the most corrosive of conditions: the full glare of publicity, the lure of monetary reward, the heady air of adulation. They have borne themselves superbly.

NO LAW AT ALL

The "law of averages" is really no law at all. Some people apply it to danger on the highways or hazards in the air. Yet it is statistically true that a large proportion of accidents are caused by preventable conditions, usually human error. Cut down drunken driving, for instance, and the "law of averages" would drop sensationally. Apply a little more care, a little clearer thinking and decisionmaking, and many accidents could be prevented.

Of course the space program goes on. The concept of a race with the Soviet Union, involving dire consequences if the Red Flag is planted first on the moon, should be buried once and for all. National pride and skilled competition have their place. But if the price is human life, it is too high. The moon isn't going away.

The values of the space program are not all lunar. Indeed, what the United States—as well as the U.S.S.R., no doubt—is learning about solving vast problems through complex systems management may be the biggest benefit. The techniques of analysis, coordination, and administration pioneered by NASA may have widespread application to certain earthbound problems. If only we could turn our great metropolitan problems over to systems management teams, working with the same efficiency and élan as we have seen in NASA, we would save a lot of money and have far better places in which to live and work.

BIG DIVIDENDS

The immense sums invested in the space program will most certainly pay big dividends, although we cannot be sure in what currency. Knowledge bears an uncertain price tag. It can affect anything from the weather to the food to the organization of human society. There will probably be no diamonds and rubies to pick up on the moon. If there were, the value of diamonds and rubies would drop precipitously. The totality of experience, expressed in countless ways, will be more precious.

And not least of the experience gained may be an awareness that human forethought, intelligence, responsibility, right decision, can lead to safety and success. Human error can be reduced to the vanishing point when men listen hard to the source of all wisdom.

ATTACKING RURAL POVERTY

Mr. McGOVERN. Mr. President, on a number of previous occasions, I have joined the Senator from Wisconsin [Mr. Nelson] in supporting proposals and programs to strengthen the fight against poverty in our rural areas.

Despite the fact that nearly half of the Nation's poor families live in rural America, the vast majority of the public's attention and the Federal Government's programs have unfortunately been focused solely on the problems of urban poverty.

Through the Nelson amendment to the Economic Opportunity Act, Senator Nelson made a significant breakthrough for the cause of improving our rural areas. The amendment extended the benefits of the poverty program to America's heartland with programs utilizing chronically unemployed rural citizens to beautify our roadsides, improve our forests, wildlife areas, parks and open spaces, and develop community service centers and recreation facilities.

A week ago, Senator Nelson addressed the National Conference on Rural Poverty, sponsored by the National Association for Community Development in Washington, D.C. In his speech, he presented a comprehensive review of the problems of rural poverty and analyzed proposals to improve the everyday life of rural Americans. I ask unanimous consent that Senator Nelson's remarks be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks by Senator Gaylord Nelson to National Conference on Rural Poverty Sponsored by National Association for Community Development, Washington, D.C., January 31, 1967

Governor Sanford, Dick Wenner, distinguished guests, ladies and gentlemen. It is a distinct privilege to be able to join with such an outstanding group of community and national leaders to discuss one of the most serious problems of our time—rural poverty.

Although I was born and raised in one of the rather isolated rural areas which are so often mentioned in this conference, and although I have been concerned about this problem throughout my 18 years of public service as a state legislator, governor, and United States Senator, I want to make clear that I am not an expert in this field as many of you are. There are many people here more competent than I to review the many programs which we have set in motion to deal with rural poverty, and to tell you which of those programs seem to be working and which do not.

Not being a professional worker in the ranks, I feel that I should confine myself more to the broad policy questions which we face when we take up the serious economic and social problems facing the 1 out of every 16 Americans who lives in poverty in a rural area.

Right at the outset, I want to address myself to the broadest policy question of all:

What is the America of 1967 prepared to do to meet the urgent social problems of our time?

Until this question is answered, I don't think we can expect answers to any of the more detailed questions which will come up at this conference.

This is not a frivolous question. If you can believe the hundreds of stories and columns in the newspapers, if you have listened to the great number of political speeches and comments by some Democrats as well as Republicans, you would think that we are on the verge of some historic shift *away* from meeting the problems of poverty, of urban decay, of water and air pollution, of civil rights, of inadequate education and insufficient medical care and unequal justice.

The President led the way to attacking many of these problems a year or two ago, and the Congress eagerly cooperated. But some people seem astonished that the problems haven't gone away.

Also, the President is preoccupied with a war in Vietnam and a sensitive economy and his popularity has slipped accordingly. The press is even more preoccupied with these same developments.

And the opposition party scored some gains in the recent elections.

So we're going to *"repeal the Great Society"*—a suggestion which shows up repeatedly in my mail from well meaning citizens. We're going to *end the war on poverty*—presumably through Sargent Shriver surrendering his sword to Congressman Ford. We're going to call off our 11th hour effort to enforce the civil rights clauses in the United States Constitution—and that will show Stokely Carmichael and these other troublemakers.

What unbelievable, unforgiveable nonsense!

And yet it is all about us.

You can pick up the paper any day and read of someone in a high place who says we have gone too far too fast. It's time to pause.

And then in the same paper, on the same front page, you can read of the agony of Anacostia here in the nation's capital, where poverty, illiteracy, bad housing, and racial injustice are spreading terror and misery to thousands of our fellow citizens. And you will realize we have made almost no progress at all.

What a commentary! This affluent, knowledgeable nation is being offered the option of *ignoring* its social problems, at the very moment that these same problems are poised to destroy our whole society.

Well I think it is time that we called a halt to this nonsense. I think it is time we stopped fooling the public. I think it is time we stood up and said we are *not* going to ignore poverty, we are *not* going to ignore urban decay, we are *not* going to go back on our civil rights pledges or give up on fighting air and water pollution, because if we do these problems will overwhelm us. We will then move from the "Great Society" to the "Puny Society."

If there is to be a pause, it must be a very brief one to regroup for an even bigger effort in the year ahead.

And anyone who does not have the courage to admit that fact should not be in a position of responsibility in America today.

I trust my remarks will not somehow be twisted into an attack on the President. He is not the one sounding the bugle call for retreat. It is true that he has read the opinion polls and the headlines, and that he has chosen to meet these recent political developments by giving new emphasis to other things. But his commitment remains, and the war which he and the Congress launched two years ago against the social ills of our nation can still be won if people of courage and conviction will stand up and fight instead of fleeing to a safe harbor to ride out the storm.

FACTS ON RURAL POVERTY

The grim facts on rural poverty are well known to all of you. I need not dwell on them. But I think it is clear that they are not so well known to the nation as a whole. *Urban* poverty, although swept under the rug for many years, has finally come to full public view in ugly riots, through an increase in crime and a sense of terror on city streets.

Yet these cities—which we now concede have a host of grim problems—occupy only 2% of the land of this nation. And almost half the really poor people of this country are spread out across that vast other 98% of the land, largely unreached by the urban poverty programs which have attracted considerable attention—unreached, in fact, even by many of the farm programs which we have maintained over the years. For the surprising fact is that three-fourths of our rural people are not farmers, and many of those who do farm are not farm operators but farm laborers.

Fifty-six percent of all families headed by a hired farm laborer or foreman live in poverty. Sixty-seven percent of those who live on farms with no relatives are earning less than $1500 per year.

In some sections of my state of Wisconsin more than 42% of the rural households have income of less than $2500 per year. In Menominee county, a former Indian reservation, 88% of the households earned less than $2500 last year.

WHY IS RURAL POVERTY A NATIONAL PROBLEM?

There is no need to exaggerate the problem of rural poverty. It is bad enough without doing that. I think we must concede that even some of these desperately low income families whom we mention manage to get by surprisingly well. They often own their own homes, humble as they may be. They often live in areas of lower prices and simpler tastes. And they can often supplement their meager cash earnings by raising some of their own food.

Yet rural poverty of the dimensions we encounter in America today is a serious national problem.

In the first place, since it is a function of government to promote the general welfare, we cannot ignore the fact that these four and one-half million rural families which live below the line of poverty are not receiving their full share of the benefits of life in the United States today. This is a great injustice which must be corrected.

Secondly, even if the problem of rural poverty is not as critical and explosive as the problems in our decaying cities, it is an integral part of that problem for it is rural poverty which is filling our worst urban slums with displaced rural people, many of them unequipped for life in the urban complex. Until we check the flow of poor, undereducated, undertrained people from rural areas to the cities, we cannot begin to cope with the problems in our smoldering urban areas.

Third, the America of the future simply must have imaginative plans for the preservation and development of this vast 98% of its land space outside the cities. For the sake of the nation as a whole, and for the sake of all of us as individual citizens seeking a meaningful life in a quality environment, we must save our rural areas as a place where millions can live a life of quality. No matter how much we improve our cities, they cannot possibly house a population which will be 50% greater by the year 2000. And the people who do live in the cities will not want to remain cooped up in them. They will want to live much of their growing leisure time in a rural America which is tasteful and attractive.

So it seems to me that this conference, and the Congress, and the American people must deal with these questions:

1. How can we keep the people on the land, and out of the cities?

2. How can we develop a quality life in rural America—a quality which can match that of the best of our cities?

3. How can we preserve the natural beauty and the vital resources of the land?

EXISTING PROGRAMS ARE INADEQUATE

We certainly have no shortage of existing programs to deal with the problems of rural America. But we would not be here today if there programs had met our needs. We have the vast labyrinth of programs operated by the Department of Agriculture—the price support program, the Farmers Home Administration loan program, the rural area development groups and the rural community development committees. We had the Area Redevelopment Administration and the Accelerated Public Works Program followed by the Economic Development Administration. We have had rural electrification cooperatives, local development groups financed by Small Business Administration loans, university extension services, and now community action programs set up by the Office of Economic Opportunity.

Probably no section of the population has been the target of so many different organizations and programs, and yet many of them have missed their mark.

One of the great functions which a conference such as this can perform is to review this bewildering array of programs and suggest ways in which they can be coordinated and made more successful in the future.

Rather than talk in terms of specific programs with alphabetical letters, I would rather talk today about the basic shortcomings and the basic needs of rural America.

Almost by definition, it seems to me, rural America expects too much of *individuals*. Life in these United States has gotten beyond the power of most individuals to control. Rural Americans have done well on those tasks which could be surmounted simply by individual determination and hard work.

But they cannot control price levels. They cannot develop the orderly marketing procedures so vital to modern business. They cannot engage in comprehensive community planning. They do not have the expert knowledge or the authority to regulate and protect the natural resources on which many of them depend.

So we find many farmers growing a crop for which there is no demand, or being undersold by a large, mechanized competitor. We find iron miners thrown on relief when the mines close, woodsmen earning such a low price for their logs that it is hardly worth cutting them, fishermen wiped out by the sea lamprey, small town merchants unable to compete with supermarkets in the nearby cities. We find men, disabled by illness, injury or age, unable to pursue the only livelihood they know—and almost no welfare programs to assist them. We find healthy, willing workers unable to run a successful business because of the lack of capital and credit.

Neither government nor private enterprise offers these rural Americans the helping hand which they might find in the city.

Most of all, our rural areas suffer from a lack of *leadership*, caused in part by the fact that some 60% of their young people in the 20 to 24 age group move away.

SOME HOPEFUL PROPOSALS

Thus it seems clear to me that if we would win the war on rural poverty, we must provide the elements for quality living which rural America cannot provide itself.

We must provide vigorous leadership, technical expertise, comprehensive long-range planning, improved transportation facilities, assistance in marketing, protection for natural resources, sources of credit, and a variety of economic stimulants.

It seems obvious to me that the economic future of rural America rests of three things: Agriculture, industrial development, and recreational development.

There seems a tendency in the literature on rural poverty almost to write off agriculture as if it were obsolete. There obviously is a new realization that the majority of rural residents are not farmers at all, and a feeling that farming has gotten disproportionate consideration in past programs. Nevertheless, agriculture remains the backbone of our rural economy and no master plan for the rural areas of America can succeed unless we develop and maintain a healthy agriculture. The whole network of business, government, roads, and society in most rural areas is built around agriculture.

The new emphasis on recreational development ties in well with many of the changes occurring in agriculture. Lands withdrawn from cultivation can be opened for recreational use. Some farms can themselves become successful recreation areas. Many of the skills which farmers and farm hands developed over the years are just as valuable in recreation work.

SOME SUCCESSFUL PROGRAMS

I have had the first-hand experience of seeing successful programs develop in these precise fields.

During my terms as Governor of Wisconsin, we successfully enacted a 10 year, 50 million dollar program to acquire outdoor resources for long range recreational development of our state. A program such as this is absolutely vital, especially during a period of transition from an almost completely agricultural economy in rural areas to a mixed farm-industry-recreational economy. Unless vital lakeshores, stream banks, forests, scenic vistas, wildlife habitat, hunting and fishing grounds, parks and campsites are acquired now, carefully preserved and tastefully developed, the recreational potential of rural America could be lost forever.

This is a responsibility shared by all levels of government.

I am pleased that we are seeing considerable progress. Counties are developing better rural parks. Wisconsin's outdoor resources acquisition program is being copied by a number of states, and the Federal Land and Water Conservation fund is giving all states badly needed financial assistance in preserving vital outdoor resources.

Good as they are, these problems are not enough if we are to preserve our rural areas for quality living during a time of rapid change.

Another program with which I was associated was an amendment to the farm program to give special incentive payments to farmers who opened their idled lands for recreation and carried out approved wildlife management practices. This is a small program but it is one indication of how the Federal government can help to promote wise land use and encourage farmers to make the transition from an agricultural to a mixed rural economy.

THE NELSON AMENDMENT

A major program in this field has been the Nelson Amendment to the poverty program, under which Federal grants have been made available to state and local government and to nonprofit organizations to put chronically unemployed men to work on vital conservation and beautification projects.

The Nelson Amendment program provides unemployed men and women with income and valuable work experience in their own rural areas with a minimum of administrative machinery. Just as important, it also accomplishes some very vital work in developing and improving parks and campsites, roadside beautification, forest protection, wildlife habitat management, and the development of community service centers. At last report, more than 125 Nelson amendment grants had been approved and almost 150 grants were pending. The approved grants total $12,700,000 and the pending grants total more than $16 million. An estimated 14,144 people have been hired on the projects in 36 states.

This program has tremendous potential and I hope it is imaginatively used in the years ahead.

I want to quote a reference to this kind of program from an excellent study of "Rural People in the American Economy" published recently by the Economic Research Service of the United States Department of Agriculture. Speaking of the employment potential of various projects, it states:

"No numerical estimate is given for beautification [which in my opinion is a very poor name for Nelson Amendment programs, but so be it]. The potential for activity of this kind is enormous. The output is clearly useful, but this report does not presume to judge how useful as judged, say, by the amount of beautification in which the public would be inclined to invest."

THE JOB CORPS PROGRAM

The Jobs Corps program of the Office of Economic Opportunity also is making a valuable contribution to the fight on rural poverty. Although many of the job corps trainees come from urban areas, it is a great help to bring these young men out into rural areas as many of the camps have done, and teach them something about land use and conservation. Hopefully, some of them will find worthwhile jobs in rural areas, easing the pressure on our cities, and they can provide some of the new leadership which our rural areas need. Also, the work which they do will help advance the goals we have set for protecting the resources and preserving the quality of our rural areas.

UPPER GREAT LAKES COMMISSION

Some of my highest hopes for conquering rural poverty center in the new Upper Great Lakes Regional Commission on Economic Development, recently established for northern Wisconsin, Minnesota and Michigan, and *similar commissions established for other areas with special problems—Ozarks;* the Coastal Plains; the Four Corners area of New Mexico, Arizona, Nevada and Colorado; New England, and Appalachia.

Here at last is an agency which can take a broad view of the serious economic problems *which trouble a three state area in which 44% of the families had less than* $3,000 annual income in 1959. This is a vast area which has been cruelly exploited in the past and which has been largely left out of the spectacular prosperity of recent years. Most of its land is comparatively poor; only one-fifth of the land is being farmed. It suffers from the decline in lumbering, mining and fishing. It is considered by many industries to be too far from the centers of population. Yet it has a good supply of potential workers, with good educational levels. It has tremendous quantities of open land, fresh water and fresh air to offer.

This area could become a full partner in American progress, a rich asset to the entire nation, if we could bring to it the tools of imaginative, comprehensive planning; skillful coordination of local, state and Federal services, and an economic helping hand from the Federal government.

Yet I need not tell you that some are questioning whether this Upper Great Lakes Commission will ever "get off the ground."

I first proposed such a commission in January, 1965, as an amendment to the Appalachia bill. I was urged to hold off with the assurance that this regional commission concept would be incorporated later into the Public Works and Economic Development Act of 1965. This was done and the program passed the Congress in October, 1965. The Upper Great Lakes Commission was formally constituted in March, 1966, when the three governors were summoned to Washington. A Federal co-chairman of the commission was finally appointed in August, 1966.

The commission has yet to hold its first meeting, and there are disturbing indications that it will urged to take an extremely long range view, that it will become a kind of study society, and that it will not be expected to recommend an action program to the present session of Congress.

I think this would be a tragic mistake. I think this commission—and other commissions like it—could make a number of prompt recommendations for specific projects and for amendments to existing programs which would breathe new life into its designated area and give new hope to its people, even while undertaking the long range planning which also is so vital to the area's future. The upper Great Lakes area has lived on promises and studies for half a century. What it needs now is some imaginative, coordinated leadership which will produce action on its problems.

NATIONAL ATTENTION ON RURAL PROPERTY

It is my hope that this conference will mark the beginning of a new national concern for rural poverty—for the one-fourth of our rural citizens with family incomes below $3,000 a year or individual incomes below $1500.

As you know, the Senate Labor and Public Welfare Committee will conduct a comprehensive review of the poverty program this year.

I am pleased to be able to announce that I will conduct special subcommittee hearings into the problems of rural poverty. The recommendations of this conference will be extremely helpful to our committee in this study.

SUMMARY

In summary, let me leave you with these thoughts.

America is a land deeply committed to justice and equality of opportunity. We cannot uphold these ideals before the world while denying them at home.

We came awake in the past two years to the scandal of poverty infecting a nation which on the whole has never been more prosperous. *With sound and fury, with broad bipartisan* support, we launched a great crusade against poverty. Our intentions were excellent. We may have underestimated the size of the problem or the difficulty in winning a victory. Now, with the battle just begun, we are being tested to see whether we are serious, whether our intentions were *really* as noble and our determination *really* as great as we said they were.

We cannot turn back. If we are hoodwinked into retreating at this crucial moment in the fight, we will pay dearly for it in the years to come in terms of wasted manpower and squandered resources as well as in terms of human suffering and injustice.

While carrying on the fight against the very visible poverty which is destroying our cities from within, we cannot ignore the equally unjust, equally wasteful poverty which threatens many of our rural areas.

We have got to bring the tools of modern society to bear on these problems. We have got to provide the strong leadership which can look ahead to the future and point the way to solutions. We must bring the full benefits of American citizenship in the sixties to the large number of people who still live in our rural areas. We must enable them—and millions more like them in the future—to lead a meaningful and rewarding life outside our troubled cities. We must make sense out of the labyrinth of programs which we have patched together over the years to serve them.

And we must help them to save the beautiful land in which they want to live their lives, and in which all of our people will want to find relaxation and recreation.

THE CONSULAR CONVENTION WITH THE SOVIET UNION

Mr. NELSON. Mr. President, there has been much conjecture recently concerning the question of the ratification of the Consular Convention. I am sure that every Senator's mail has been running as heavily as mine on this important matter. I am willing to guess that every Senator's mail has been heavily weighed against ratification. There seems to be an unfortunate misunderstanding, a misunderstanding which is common to both the proponents and the opponents of ratification.

The simple issue is one of the protection of American citizens—some 18,000—in the closed society of the U.S.S.R. We already afford protection to the 450 Soviets in this country under a system which affords protection to any individual in this country. Ours is an open society already. It seems to me that this is the paramount question.

I am happy to say that the Sheboygan Press of my own State of Wisconsin has explained well this issue in an editorial published on February 3, 1967. I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follow:

[From the Sheboygan Press, Friday, Feb. 3, 1967]

A dismaying failure to grasp the essential points has characterized Senate debate on ratification of the consular treaty with the Soviet Union. Opposition has been focused on a distinctly minor consideration—that permitting Soviet consulates in this country would increase opportunities for Soviet espionage. This point, though it has some validity, is greatly outweighed by important advantages to our country.

The treaty provides for the resumption of *U.S.-Soviet consular relations.* Among other things, it establishes better protection for American citizens traveling in the Soviet Union. The importance of that is bound to grow as the number of Americans touring Russia increases.

There is some basis for concern about increased Soviet espionage as Soviet consulates are opened here. Yet, though FBI Director Hoover has called attention to this—and much is being made of that by opponents of the treaty—he also has said in effect that the situation would be nothing the FBI could not take in stride. The fact is that it works both ways. Indeed, the balance is all in our favor. The Russians have little trouble gathering information in the United States because ours is an open society, but American consulates in the Soviet Union would be of great value to us as eyes and ears in a closed society.

President Johnson and his key foreign policy advisers strongly favor ratification, which already has been too long delayed. (The treaty was signed in 1964 and has been waiting Senate ratification since.) Significant backing has come from Senator Morton of Kentucky, a leading Republican, who charges that "fear mongers" have mounted "hysterical opposition" to the treaty. Let us hope that senators still undecided almost three years after the signing of this important agreement will weigh the facts and not be deluded by those who see the treaty as nothing but entree for spies.

SENATOR LONG'S NEW BOOK, "THE INTRUDERS," WORTHY OF ATTENTION

Mr. SYMINGTON. Mr. President, as chairman of the Subcommittee on Administrative Practice and Procedure of the Committee on the Judiciary, my colleague, Senator Edward V. Long, of Missouri, has given most significant public service in conducting extensive hearings on wiretapping, bugging, and other forms of snooping which threaten the public's right of privacy.

Through the hearings conducted by his subcommittee and through his own personal effort and that of the staff, Senator Long has assembled probably the most complete information available anywhere on this subject; and he has now taken an additional step in the public interest through the writing of a book, "The Intruders," which will be published next February 20.

In a talk at the monthly dinner of the Washington Booksellers on January 25, Senator Long discussed his work in this field and the purpose of his book.

I ask unanimous consent that the text of Senator Long's remarks be printed at this point in the Record, and recommend this talk and the book, with the foreword by the Vice President, for consideration by all Members of Congress and the public.

There being no objection, the material was ordered to be printed in the Record, as follows:

Speech by Senator Edward V. Long to the Washington Booksellers Association, January 25, 1967

Today, everyone who reads a newspaper, listens to the radio or watches T.V. newscasts knows that there is a lot of wiretapping and bugging going on. The use of these techniques is by no means new but the publicity is. Accounts of such activity have made news in earlier years but nothing like the past two years when one can hardly pick up a newspaper without finding a new incident.

I am quite pleased to have had the opportunity to help achieve this situation because only through such exposure can we hope to bring this spying under control.

My interest and concern in this area dates back many years. In fact, I began working on *The Intruders* about five years ago, long before the subject became so popular. It was my hope at that time to arouse the people to the snooping and invasions of privacy by both government and private enterprise that was going on.

Congressional hearings and debates, court cases and scattered newspaper stories from the preceding 30 years provided substantial evidence that such activities were extensive. Subsequent revelations before my Subcommittee and before the courts have shown not only was my assumption right but I had greatly underestimated the extent of these activities. As a result, the final text is much broader and far more specific than my original efforts.

The purpose of the book has not changed, however. Most of the publicity has centered on the famous and the infamous. There is still a failure on the part of most Americans to comprehend that the tentacles of this snooping monster reach out and touch almost everyone's life. For this reason, the book points out how the telephone company monitored 39 million telephone calls in 1965 and relates how a San Francisco restaurant owner placed a hidden microphone under every table, supposedly to check on the courtesy of his employees. Also, there is the hospital administrator who monitored hospital telephone calls including those between doctors and patients, and the used car dealer who bugged his sales office to listen in on supposedly private conversations between prospective husband and wife purchasers.

Convincing the reader that he is a victim or a potential victim of the snooper is not enough so I have attempted to put the whole matter in perspective. What is privacy and why is it important? What forces do we face as individuals in the last half of the 20th century? Will George Orwell's 1984 come about or is it already here? Where do you draw the line between individual rights and law enforcement? What is the law and what is really going on? What can and should be done? All these questions are explored and in a way I believe is down to earth.

Few people realize that the sanctity of the home was the cause of the first open rift between the American colonies and England and was recognized as a human right as far back as the Roman Empire. No right has found more eminent advocates. From William Pitt, the elder, to Justice Felix Frankfurter, the honor roll of those who have fought for the right of privacy is impressive.

Despite the caliber of leadership the road has been rocky for the right of privacy. Unfortunately, the issues over the years have been clouded by demands for internal security and law enforcement. More recently, the advancement of science and technology has added the complication of invasions of privacy without physical entry or presence.

The outcome has been catastrophic for privacy. We have inconsistent court decisions—laws that are not enforced—laws that are violated by law enforcers—inconsistent laws—antiquated laws—and a serious lack of laws. The situation could be summed up with the word: anarchy. In recent weeks, the Justice Department has begun to take steps to help alleviate the situation but regardless of how determined the Department may be, it alone cannot do the job that must be done. As my Subcommittee has shown, through a half century of use electric snooping has become a way of life among Federal agencies. It will take considerable persistence to change the situation even among Federal agencies.

On the state level, we have laws that prohibit law enforcement bugging and tapping, authorize it with court orders, authorize it without court orders, and no laws at all. Never has the Federal government prosecuted a state or local law enforcement officer for tapping even though many have flagrantly and publicly violated Federal law. Only a handful of state prosecutions have been brought.

Private enterprise, not being hindered by effective enforcement of what laws there are on the books, has not taken a back seat to government. Joseph Shimon here in the District, Bernard Spindel and John Broady in New York City and Harold Lipsett in San Francisco are just a few of the names of well known and highly publicized electronic snoopers. The stories of their activities are frightening, but dwindle into insignificance when it is recognized they represent only the surface of a vast army of private snoops.

The arsenal of equipment and techniques used by the snooper is extensive and is growing by leaps and bounds. Even at the current state of the art, if one can call it that, there is no place a person can go where he can be safe from the prying eye and ear of the private or government snooper.

All of these things should be known and understood by the American people and *The Intruders* is an effort to help accomplish this goal.

The last chapter goes beyond discussing the importance of privacy, its history, and the current threat of its very existence. It outlines a course of action to regain lost privacy and assure its preservation. The proposals offered, I believe, recognize the needs of law enforcement while meeting the requirements of a free society. In view of past legislative experience in the area and the passion aroused by such legislation, I may be over optimistic in believing my proposals have a chance. However, it is clear that the upcoming year will be an active one as to wiretapping and bugging.

The Justice Department is reviewing its cases to ascertain where these techniques have been used. The results of this review will undoubtedly continue to make news.

The Supreme Court has agreed to review the New York wiretapping and eavesdropping statute which authorizes such practices with court orders. The decision in this case should be of extreme importance to the entire body of law in this area.

Finally, 1967 should witness the introduction of several legislative proposals to solve the dilemma. I anticipate several approaches will be suggested. President Johnson in his State of the Union message said he would recommend legislation to prohibit wiretapping and bugging except where the security of the nation was involved. The National Crime Commission has announced that it will recommend legislation and there will probably be a proposal suggested by the Bar Association of New York City. It is also my intention to submit a bill. Additionally, I intend to hold further hearings.

As nuclear energy has made all-out warfare unthinkable so science and technology has made a continuation of the present situation as to privacy unthinkable. Unless effective action is taken and soon, it may be too late.

My hope is that *The Intruders* may be of some assistance in bringing about the needed action.

BIG THICKET NATIONAL PARK ENDORSED BY TRAVIS AUDUBON SOCIETY

Mr. YARBOROUGH. Mr. President, it is gratifying for me to see how quickly support for the Big Thicket National Park is growing among conservationists and other citizens who are concerned with the preservation of our national heritage.

At the forefront of national conservation is the Audubon Society, and I feel it is most significant that the Travis Audubon Society of Austin, Tex., is one of the first conservation groups to record its support for my Big Thicket National Park bill, S. 4, which I introduced on January 11.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a resolution adopted on January 25 of this year by the Travis Audubon Society of Austin, Tex.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE TRAVIS AUDUBON SOCIETY, AUSTIN, TEX.

Whereas there is pending in the Senate of the United States a bill having for its purpose the creation of the Big Thicket National Park in Texas; and

Whereas this unique area of dense vegetation has until very recently remained unspoiled for wildlife and plants, and is a paradise of America and Texas that will be lost to the world forever if we do not lend our support to saving it; and

Whereas the major purpose of Travis Audubon Society is conservation of natural resources; Now, therefore, be it

Resolved, That the Board of Directors of Travis Audubon Society does formally endorse the establishment of the Big Thicket National Park in Texas, and specifies that copies of this resolution be sent to the Secretary of the Interior, the Director of the National Park Service, the Texas Congressional Delegations, the Governor of Texas, and other interested parties.

EMMA LETA BICKLER,
Mrs. George Bickler,
President, Travis Audubon Society,
3213 Hampton Rd., Austin, Texas,
January 25, 1967.

DEATH OF ASTRONAUTS SADDENS PEOPLE OF TEXAS, THE HOME OF THE ASTRONAUTS

Mr. YARBOROUGH. Mr. President, the tragic loss of three of our Nation's famed astronauts—Gus Grissom, Edward H. White, and Roger Chaffee—has saddened an entire world, but this loss particularly is felt keenly by the people of Texas, the home of the astronauts.

We in Texas have a special fondness and admiration for these brave and gallant explorers of space. We honor them as they live and work with us, while they open new frontiers for mankind in the universe.

The death of Ed White takes from us the first native Texan to become an astronaut and the first American to "walk in space." Ed White was born at Fort Sam Houston in San Antonio, Tex.

My personal admiration for these daring men also was kindled through my acquaintanceship with Lt. Col. Gus Grissom, a man impressive in mind, body, and spirit, and my visit with Ed White in San Antonio when he returned from space.

These heroic men, the finest men in the Nation, were always aware of the dangers of their mission, yet they accepted them. Their willingness to do so is a shining example for all Americans, who are in their debt. Our hearts are heavy for their families and loved ones as we salute their passing from us.

Mr. President, I ask unanimous consent to have printed at this point in the Record editorials and articles from the Houston Chronicle, Houston Post, San Antonio Light, and Dallas Morning News of January 28 and 29, 1967, indicating the concern for the astronauts of their fellow citizens of Texas.

There being no objection, the articles and editorials were ordered to be printed in the Record, as follows:

[From the Houston (Tex.) Chronicle, Jan. 29, 1967]

The World Mourns Three Heroes

Three gallant Americans died Friday at Cape Kennedy—heroes of their age. Houston and the world mourns their passing.

Astronauts Gus Grissom, Edward H. White and Roger Chaffee were well aware of the risks they took, but they took them anyway in behalf of man's eternal quest for knowledge about the universe.

The world is proud of these men, these splendid Americans who so typified what is best in our nation. They were strong in mind and body, dedicated, skilled as few pioneers have ever been, fearless as all explorers must be.

They deserve the place they have earned in history, although that fact makes their deaths no less tragic.

Millions of their countrymen feel a sense of personal loss. Every generation has its heroes, its idols, and the astronauts are the heroes of our time.

Who will ever forget the thrill of those first Mercury flights? Grissom's was second. He narrowly missed death when his Mercury capsule sank in the ocean. A whole nation shuddered.

And who will ever forget the beauty and magnificence of White's walk in space? That was a proud moment for all America. Such memories last.

We all knew, of course, that danger was ever present. We knew death might come at any time. But we didn't expect it to be the way it was. We crossed our fingers and prayed silently as we saw those giant rockets lift slowly off their pads, then streak skyward. We watched, and we thought: Don't let it explode! We worried, too, about the possibility of an astronaut being trapped in space, or being lost in a fiery re-entry into earth's atmosphere. Tragedy finally came, however, when we least expected it—in a routine ground test. The space program will go on, of course.

Our hearts go out to the families of these brave men. Here in Houston we feel a special sympathy for their wives and children. They are a part of our community. We have shared with them their pride in the astronauts' past achievements. Now we share with them their sorrow.

We hope they will find some consolation in the knowledge that these three men died in the service of their country, indeed, in the service of all mankind.

[From the Houston (Tex.) Post, Jan. 29, 1967]

The Nation Mourns

The death at Cape Kennedy of the three astronauts has caused profound sorrow throughout the nation. To millions of Americans who had been thrilled by the space exploits of Virgil I. (Gus) Grissom and Edward H. White II, the news of the tragedy brought a feeling of personal loss. And they were just getting to know Roger Chaffee, the third man of the first Apollo team.

The shock probably was all the greater because previous space exploration had gone so smoothly. The courage and competence of all of the astronauts, the science and technical skill that went into the construction of their spacecraft and the seeming ease with which they soared in space overshadowed the great risk they took from the minute the hatch door closed on them.

But they were aware of the danger. They lived with it, yet they were eager to serve this nation in pushing forward man's knowledge of the universe.

Lt. Col. Grissom was America's second man in space. Lt. Col. White was the first American to walk in space. Lt. Comdr. Chaffee was a Navy flyer who had logged more than 2,100 hours of flying time and who was to have had his first trip into space as a member of the Apollo 1 team.

It is not much consolation to be aware that under the law of averages there was bound to be an accident in the space program at some time. John Glenn warned of it after his historic flight. The remarkable thing is that so much has been done without mishap.

The effort to which these three men gave their lives will go on. Man will visit the moon and explore outer space. If there is something to be learned from the tragedy at Cape Kennedy, it will be helpful to the others that follow.

But today the heart of America goes out to the families of Grissom, White and Chaffee. They were great and brave Americans. They will be long remembered.

[From the Houston (Tex.) Chronicle, Jan. 29, 1967]

America's Most Dramatic Moments of Suspense

Astronaut Edward H. White II gave America what perhaps is the most remembered space episode. That was his 21-minute walk in space—a walk he seemed to enjoy so much that his pilot, James A. McDivitt, had a hard time convincing him the time had come to re-enter the spacecraft. This was the boldest adventure yet in outer space and with it White became a special hero in the American mind.

White was ordered to return to the craft by Christopher C. Kraft, flight director. Kraft was controlling the flight from the Manned Spacecraft Center. His "get back in" order was relayed by McDivitt.

"I'm coming," White replied. He later emphasized his reluctance by saying, "It's the saddest moment of my life."

While over Hawaii on the third revolution of the 62-orbit mission, on June 3, 1965, McDivitt reported White had opened the hatch and was standing up.

Three minutes later Mission Control reported White was walking in space.

Here are the highlights of the space walk chatter between the astronauts:

White: The only problem I have is that I haven't got enough fuel. (His jet-powered maneuvering gun ran out of fuel rather quickly.) I've exhausted the fuel now . . . I'm looking right down and it looks like we're coming up on the coast of California. There is absolutely no disorientation association.

McDivitt: One thing about it—when Ed gets out there and starts whipping around it sure makes the spacecraft tough to control.

White: I'm very thankful in having the experience to be first.

McDivitt: Move slowly and I'll take your picture.

White: Right now I could maneuver much better if I had the gun, but I'll manage . . . the sun in space is not blinding but it's quite nice . . . I can sit out there and see the whole California coast.

Flight Surgeon: It looks great. He's just ripping along at a great rate. (White's pulse beat had jumped from a normal 50 to 178.)

McDivitt: Hey, Ed, smile.

White: I'm looking right down your gun barrel, huh? All right.

McDivitt: You smeared up my windshield, you dirty dog. You see how it's all smeared up there.

White: Yep . . . we're looking right down on Houston.

McDivitt: Yeah, that's Galveston Bay right there.

Mission Control: The flight director says get back in.

White: This is fun.

McDivitt: Well, back in. Come on . . . OK, OK. Don't wear yourself out now. Just come on in.

White: (Laughing) I'm not coming in . . . aren't you going to hold my hand?

McDivitt: No, come on in . . . Ed, come on in here. Come on. Let's get back in here before it gets dark.

White: It's the saddest moment of my life.

[From the Houston (Tex.) Chronicle, Jan. 29, 1967]

The Honored Dead

VIRGIL GRISSOM

"If our tests continue well down at the Cape," Apollo 1 command pilot Virgil Grissom said a while ago, "we should have little problem in accomplishing this mission."

Tests did not continue well, as the world is now tragically aware, and the man who desperately wanted to be the first to soar into space three times, died in his spacecraft Friday.

Grissom, 40, was the pilot on the second Mercury craft in a brief suborbital flight in July, 1961. His second venture into space came in 1965, when he and John Young took up the first manned Gemini ship for three orbits.

He was born in Mitchell, Ind., and received a bachelor of science degree in mechanical engineering from Purdue University.

He was married to a childhood sweetheart, Betty Moore. There are two sons, Scott, 16, and Mark, 13. They attend the Seabrook Methodist Church.

Grissom flew 100 combat missions during the Korean War, and when that was over, became a jet instructor at Bryan.

To satisfy his thirst for speed and adventure, Grissom joined astronaut Gordon Cooper in fierce powerboat competition all over the country.

A lieutenant commander, he was one of the original seven astronauts, and the first to die.

EDWARD H. WHITE II

If ever a man was born to fly, it was Edward H. White II.

He is the son of Air Force Gen. Edward White Sr., one of the earliest Army aviators and balloonists.

The astronaut flew his first plane when he was 12. He recalled that even then, flying was the natural thing for him to do.

He was born in San Antonio. He received a bachelor of science degree from U.S. Military Academy at West Point and a master of science degree in aeronautical engineering from the University of Michigan.

White, 35, was married to the former Patricia Finegan, with whom he had attended high school in Washington, D.C. He leaves two children, Edward, 13, and Bonnie, 10.

While Virgil Grissom was a speedboat enthusiast and spent his leisure hours on the water, White, a Methodist, was a hiker and physical fitness enthusiast who spent many hours with his family in the mountains of Colorado.

And he carried his hiking over into his work the day in June of 1965 when he went for a stroll in space during the Gemini 4 flight.

ROGER CHAFFEE

Roger Chaffee was only 28 when first appointed to the space program.

He and his blonde wife, Martha, looked like college kids out on a date when all the astronauts and their families got together.

He would have turned 32 just a few days before he lifted off for his first space adventure in Apollo 1, if he had lived through the Friday tragedy at Cape Kennedy.

A lieutenant commander in the Navy,

Chaffee, a Presbyterian, was a native of Grand Rapids, Mich., and held a bachelor of science degree from Purdue.

He entered the Navy in 1957 and studied at the Air Force Institute of Technology before joining the third space team in October, 1963.

He was the father of a daughter, Sheryl, 8, and a son, Stephen, 5.

His family won the Christmas award for the best decorated home in Nassau Bay this season.

That's the kind of guy he was, neighbors say. He was a gardener and a family man and "the friendliest guy on the block."

[From the Houston (Tex.) Chronicle, Jan. 29, 1967]

Graves of Trailblazers in Space Will Mark the Path to the Stars

(By Stan Redding)

They were, as were other men in other centuries, "honored in their generations . . . the glory of their times."

Gus Grissom, Roger Chaffee and Ed White were men who lived on the edge of infinity and viewed the galaxies as worlds to conquer.

They had wives who shared their dreams of a Moon landing, who encouraged them in their goals of space exploration.

Their conversations revolved about the space program to which their lives were dedicated. But woven through the fabric of their dreams to pioneer the planets was a thread of reality, the acceptance of inherent dangers.

"WE'LL LOSE SOMEBODY"

"As we fly more and more spacecraft, we're going to have one come down and we're probably going to lose somebody," Ed White remarked recently.

"I wouldn't want that to hold up the program."

Ed White knew that the "somebody" to whom he referred might well be him. It was, and it was also Grissom and Chaffee.

They weren't lost coming down. They were lost on the launching pad, rehearsing the 14-day Apollo 1 mission, scheduled for mid-February.

FEARS, THEN REALITY

Their deaths turned the fears that every astronaut's wife harbors—secretly or openly—into reality for their wives.

Pat White hinted at those fears when her husband was tagged as America's first spacewalker during last year's Gemini 4 flight.

"You can't live your life in advance," she said. "You make plans and you have faith, but you must face each day as it comes."

Betty Grissom, after her husband's second space mission (Gemini 3, 1965), also displayed wifely concern.

"The boys need a father," she commented. "I hope Gus won't do another shot soon. And I hope he won't do one of those long, long ones."

FULFILLED BY JOB

Grissom, the astronaut, was completely fulfilled by his job. "This is what I've always felt I was and wanted to be," he said recently. "I get a great deal of satisfaction from it.

"The drive to the Moon is one that Americans are taking as seriously as Gen. (Dwight) Eisenhower's drive to the Rhine. But nobody's getting killed, and that's the kind of battle I like winning."

Grissom was talking in the present tense. He didn't mean men wouldn't be killed, perhaps himself.

"There's always a possibility that you can have a catastrophic failure, of course, this can happen on any flight," he said in a subsequent interview. "It can happen on the last one as well as the first one. So, you just plan as best you can to take care of these eventualities, and you get a well-trained crew and you go fly."

White, too, refused to let apprehensions interfere with his enthusiasm. "There's a great deal of pride involved," he pointed out. "So I think I'm looking forward to a flight (Apollo 1) with a great deal of anticipation."

NEWCOMER ELATED

Chaffee and his wife, the former Martha Horn of Oklahoma City, were newcomers to the space team. Chaffee, in his brief career, was more in the eye of the public.

He was pleased that his first venture into space would be the prime Apollo mission.

"I think that's always a nice one to have," he said shortly before his death. "We set no limits. If everything is going all right with the spacecraft, we'll stay up as long as we can to get all the information we can."

Chaffee, although untried, was as confident as his two experienced spacemates.

"Oh, I don't like to say there's anything scary about it," he remarked. "There's a lot of unknowns, of course, and a lot of problems that could develop or might develop and they'll have to be solved, and that's what we're there for.

"This is our business, to find out if this thing will work for us."

He was never, however, to know the wonder of the vaults of space, shared by White and Grissom.

But his wife today shares the same grief that Betty Grissom and Pat White feel. But she will bear it, as they will.

PATH TO THE STARS

For just as the westward trail to California was marked by the graves of the trailblazers, so will be marked the path to the stars.

And all three astronauts and all three wives always knew this.

It is a measure of their dedication that knowing, they went ahead.

[From the Houston (Tex.) Post, Jan. 29, 1967]

Writer Recalls Astronauts: "I Was Unashamed of Tears in My Eyes"

(Note.—*Alvin B. Webb, Jr., covered the space program for seven years in Cape Kennedy and Houston for United Press International. Webb, now assigned to the war in Vietnam, recalls his friendships with the astronauts killed at Cape Kennedy.*)

(By Alvin B. Webb, Jr.)

Da Nang, Vietnam.—Three more friends are dead—not, this time, in a neighboring rice paddy, but in a tiny spaceship 11,000 miles from Vietnam.

Through the crackling static of a shortwave broadcast Saturday, I heard the tragic news: "Astronauts Virgil (Gus) Grissom, Edward White and Roger Chaffee were killed in a flash fire which swept through their Apollo spacecraft at Cape Kennedy . . ."

I listened in the presence of several battle-hardened Marines. I was unashamed of the tears in my eyes.

As a space writer for seven years at Cape Kennedy and at Houston and as a war correspondent in Vietnam, I probably should be used to this, or at least hardened to it. I am not.

In the space business, as in war, men inevitably will die.

Gus was the tough little guy, sometimes difficult to like but always easy to admire. Ed had more of what I choose to call "style" than any man I've ever known. Rog Chaffee's enthusiasm made him seem as young as it often made me feel a bit old, although we were the same age.

It seems like yesterday, but it was more than seven years ago, when even the tiny Mercury one-man capsule was barely more than a gleam in some scientific eyes, that I first met Gus Grissom.

Of the seven "original" astronauts, I recall thinking at the time, he seemed the most unlikely. Moon-faced and a bit on the stocky side, he looked more like a service station attendant than a potential space hero.

I made the mistake of saying so in one story. Gus didn't like it.

He quickly proved his credentials. There were a few minutes, when his sub-orbital Liberty Bell 7 spaceship sprung a leak in the Atlantic after a flight in June of 1961, that I thought he was a goner. Somehow, he got out alive.

But for a time thereafter, relations between Gus Grissom and newsmen were a bit strained. With, perhaps, good reason: More than a few stories were written implying that his ship sank because he had possibly panicked and "blew" open the hatch ahead of time.

Several months of tests subsequently proved him innocent—but little was written of the exoneration.

Gus never quite forgot it. He was more than ever determined to prove himself without qualification—and to keep reporters at arm's length until he did.

The magic date was March 23, 1965, when he piloted Gemini 3 on a flawless three-orbit flight to open a new era in space exploration. From then on, Gus Grissom was a newsman's delight, often going out of his way to explain a troublesome technical point.

He was down to earth and a man of humor, much to the occasional distress of some of the space agency's officials. It was Grissom who nicknamed his Gemini craft Molly Brown—for the movie "The Unsinkable Molly Brown."

And it was Grissom who accepted the now-famous corned beef sandwich that co-pilot John Young smuggled aboard the Molly Brown.

In a business that was all too steadily being drained of the element of human drama, I found Gus Grissom a refreshing change.

Every man is entitled to his heroes. Mine were astronauts Charles Bassett and Ed White for reasons that are not fully clear even to me, except both had that indefinable thing called "style" or "class."

Chuck Bassett was killed in a jet plane crash 11 months ago and, now, Ed White is gone, too.

[From the Houston (Tex.) Post, Jan. 29, 1967]

The Family in Clear Lake Grieves for Three

(By Jim Maloney)

It was the day after a death in the family at Clear Lake.

The family was the whole Clear Lake area Saturday morning and the dead numbered three. But the mood was that of a family feeling the grief caused by the tragic loss of a loved one.

Lt Col Virgil I. (Gus) Grissom, Lt Col Edward H. White II and Lcdr Roger B. Chaffee were to have been home this day—a day that belied the area-wide feeling caused by their absence.

The area, remember, was barren as few years ago as 1962. It has been suddenly populated by those who come to work on a program that has no foreseeable end. They come from most any state you can name.

This gives them the feeling of being a family, of having a common purpose and interest. The area is their work and their pride.

So are the members of their family, some of them well known to the nation, some of them known only to one another. They speak of the "team" when they speak of their work, and they say it like they know they are really members of a team.

What was said about their lost members came in brief, jerky, questioning half-sentences.

A stranger wandering into the Manned Spacecraft Center area would not have to be told that something tragic had occurred.

But what stranger wouldn't know that three of the country's courageous space explorers had died in the instant of a flash fire in a tightly closed spacecraft high atop a mighty, unfueled rocket.

Everywhere one stopped in the Clear Lake area—the center and pride of which is the Manned Spacecraft Center—the "special report" television and radio recountings of the tragedy could be heard.

In a barber shop, three people were reading the story in a newspaper for what looked like the third time.

The mood was somber indeed and "members of the family" felt all the emotions they could with all the dignity they could, but no one talked of turning around and of not carrying on the work of Grissom, White and Chaffee.

One of the first to carry on their work, Col Frank Borman, could be seen making the sad, difficult rounds of the homes of his dead comrades.

Borman, veteran of man's longest flight in space and now commander of the first Apollo spacecraft scheduled to fly atop a Saturn V rocket, was dressed in his work clothes—a NASA blue flight suit.

And he was about to leave for work, so he wanted to leave his sympathy with those in the families of the three astronauts who remain to grieve. He was on his way to the scene of death because he had just been appointed a member of the board which has the grim but necessary task of determining the cause of the tragedy.

Borman is a small, strong man, but he looked as though he would cry if he stopped to say anything to anyone outside of the homes. He avoided the gatherings of newsmen and others who waited outside the houses—the White home in El Lago, the Grissom home in Timber Cove, and the Chaffee house in Nassau Bay.

It was news and it had to be covered, but reporters don't wish for this kind of a job.

"Helluva thing, ain't it?" the owner of a service station said as one of his men filled the tank. "Roger was in here almost every week end. A nicer little guy you never did see. Lot of people are gonna miss him."

At a neighborhood drive-in grocery store, the clerk said he knew Grissom.

"He was a tough little guy. Didn't have a whole lot to say but I liked him. He didn't seem to want to let anyone know who he was."

The weather didn't seem to know. By noon it was 60 degrees, very sunny, and not a cloud anywhere.

The astronauts would have been here to enjoy it, too, if it hadn't been for the accident. They were coming for a working week end and a few hours with their families.

[From the San Antonio (Tex.) Light, Jan. 28, 1967]

SAN ANTONIO OPENED ITS HEART TO NATIVE SON EDWARD WHITE

A little more than 18 months ago, astronaut Edward H. White received a hero's welcome in this—his native city.

About 2 weeks before, the nation had acclaimed him as its first spacewalker.

The son of an Army Air Force officer, White had spent his boyhood at numerous military installations, and many cities claimed him as their own.

The lean, blue-eyed space pilot, who truly looked a Texan, said, "I'm from San Antonio."

It's in the books for heroes to have homecomings. San Antonio went wild in its ovation to White.

FIESTA SPIRIT

Broadway, Houston Street and Alamo Plaza were decked out with flags and banners in the spirit of Fiesta, and countless dignitaries jostled each other from International Airport all the way to the Alamo, from the Alamo to Ft. Sam Houston and from Ft. Sam Houston to Brooks Air Force Base, for a shake of his hand and a smile for his beautiful wife, Pat.

It was June 16, 1965—a glittering day—a glorious day.

Schools were dismissed. Offices were shut down. It was "Ed White Day" in San Antonio, and the citizens of the Alamo City turned out en masse with unabashed pride and adoration to welcome the Gemini space twin who was born 35 years ago at the old Station Hospital at Ft. Sam Houston.

Not since the White family left Kelly Field when young Ed was a year old had he again set foot in his native city.

WIFE, DAUGHTER FIRST

Mrs. White and their daughter Bonnie preceded White down the ramp from the Air Force jet to a red-carpet welcome at International Airport.

Then the astronaut appeared—modest, with a winsome smile, a cheery wave. Behind him came his father and mother, and son Edward III.

It was an abrazo of immense proportions.

SIGNS BOOK

At the Alamo, White and his family signed the guest book. He laid a wreath at the door in tribute to the shrine's heroes.

Then he spoke. He said, "Being here on the footsteps of the Alamo, where men gave their lives in defense of freedom, makes me feel very humble . . . very small."

He then said, in a firm serious voice, that he wanted to be a representative for "all of America" in her quest for the moon.

Luncheon followed at Villita Assembly Hall.

COLOR FILMS

Color films of his space walk were shown. He had walked, dangling from a 25-foot lifeline with an oxygen jet propulsion gun, for 20 minutes while his co-pilot, James McDivitt, controlled their spacecraft.

But White said the grandest sight of all came when the flight was over, when he "saw Old Glory waving from the carrier Wasp" which came to pluck the Gemini twins from their ocean splashdown.

Following the luncheon, White was driven on a "sentimental journey" to Ft. Sam Houston. Brooke General Hospital was pointed out to him as the site of the old Station Hospital.

Then he spoke at the spot where the first military air flight was made in 1910 by Benjamin Foulois, now a retired major general.

Helicopters began warming up. They took White and his party crosstown to the School of Aviation Medicine where a reception awaited with an old friend of his father in charge. He was Maj. Gen. J. M. Bennett Jr. (ret).

QUOTED KENNEDY

In a speech there, White quoted from a talk by President Kennedy:

"This nation has tossed its cap over the wall of space—and we have no choice but to follow it."

Friday, at about 5:30 p.m., San Antonians learned that astronaut Ed White had paid with his life in courageous and devoted pursuit of that goal.

Following the flight of White and McDivitt, President Johnson declared:

"What you have done will never be forgotten."

SAN ANTONIO SADDENED

Friday night, San Antonio Chamber of Commerce President Bob Roth said, "All the nation, and San Antonians in particular, grieve in learning of the tragic deaths of Ed White, Virgil Grissom and Roger Chaffee. These two space pioneers and the fledgling astronaut had given much and were destined to reach the very acme of man's dreams—to be the first on the moon.

"It is a great loss, and San Antonio will long remember our own Ed White. We shall be forever grateful that we had the opportunity to honor him as a native son of San Antonio."

Roth said San Antonio civic leaders would send wires of condolence Saturday to White's family.

His father and mother, on learning of his death Friday, went into seclusion at their St. Petersburg, Fla. home. The widow and the two White children live in Houston.

FATHER

Maj. Gen. Edward H. White (ret), father of astronaut Ed White, said prior to the astronaut's homecoming in 1965 that his son "always considered himself a Texan."

Edward H. White II was born on Nov. 14, 1930, at Ft. Sam Houston. A year later, the family moved to a new duty station.

Said the general, "Edward always was the Texan in the family, and we are very happy to hear that he has selected San Antonio as his home town. His roots are deeper there than any other place, and he feels inside that he is a Texan."

The elder White disclosed that his son barely missed not being a Texan. He said had it not been for a change in military orders, he and his wife "would have left San Antonio in September 1930 for a tour of duty in the Philippines."

At the time, the elder White was a first lieutenant and had just finished flight training at Brooks Field in June. Because his wife was to give birth in November, White received a delay in his orders and was named personnel adjutant at Kelly Field.

The astronaut held the rank of lieutenant colonel in the Air Force. He was a graduate of the U.S. Military Academy at West Point and held a master's degree in aeronautical engineering from the University of Michigan.

[From the Dallas (Tex.) Morning News, Jan. 29, 1967]

DEATH OF ASTRONAUTS SHOCKS NATION

Through the window of television, we have come to know our astronauts well.

Since that first suspenseful day in May, 1961, when Alan B. Shepard was lobbed like a shuttlecock from Cape Canaveral into the Atlantic Ocean, we have struggled along with them. That time Virgil I. (Gus) Grissom had to swim for his life from his sinking spacecraft, those hours Edward H. White walked in space, and all the other events have become intimate memories of ours.

We have heard their voices cracking through from the thin air of space. We have visited with their wives and children, have listened as they related afterward, often with good humor, their adventures.

That is why Americans were so shocked Friday evening to hear that Grissom and White and rookie astronaut Roger B. Chaffee had died in a fire which swept through their spacecraft as they waited for a rehearsal of the first Apollo shot scheduled for next month.

The fact that other pilots died last week in the service of their country did not alter our feelings. Those pilots were men most of us didn't know, had never seen, and death is not so violent to our feelings unless it takes somebody who has left memories with us. Because of television, we had come to know Grissom and White as though they were our neighbors or associates. And we were looking forward to knowing Chaffee. So Americans grieve their sudden deaths.

The tragic accident has set back the Apollo program which is aimed at putting a man on the moon in this decade. Despite the delay, the mission will proceed, with Walter M. Schirra Jr., Donn F. Eiselle and R. Walter Cunningham taking the places of the three who died.

TRIBUTE TO THE LATE DR. MARY McLEOD BETHUNE—SPEECH BY MRS. FRANCES HUMPHREY HOWARD

Mr. BREWSTER. Mr. President, last month the National Council of Negro Women met to honor the memory of Dr. Mary McLeod Bethune, in Baltimore, Md.

The guest speaker was one of the outstanding women in Government today, Mrs. Frances H. Howard, who, I am proud to say, has been very active in Maryland affairs for a number of years.

Mrs. Howard is currently the program liaison officer for the U.S. Voluntary Foreign Aid Service. This service, incorporated in the State Department, plays an invaluable role in coordinating the programs of the Government with the activities of private charities such as CARE and the Catholic Relief Services.

Mrs. Howard received a master's degree in sociology from George Washington University. She has received an honorary doctorate from Lane College in Tennessee. At the present time, she teaches a seminar in the graduate school of the University of Maryland.

During the Second World War, Mrs. Howard served under Eleanor Roosevelt in the Office of Civil Defense. She has since carried on the tradition of Mrs. Roosevelt, promoting the United Nations and organizing efforts to provide assistance to the needy of other countries.

The address which she delivered last month in Baltimore illustrates the kind of life Mrs. Howard has led. It points out the unreason of prejudice, while illustrating the good which can be done by those who will devote themselves to helping others. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SOCIAL JUSTICE AND FREEDOM AT HOME AND ABROAD[1]

(Address by Mrs. Frances Humphrey Howard, program liaison officer with the U.S. voluntary agencies)

I am delighted to be with you and to have had the honor and great pleasure of breaking bread with the members of the Baltimore Chapter of the National Council of Negro Women.

This is my first speaking engagement in the New Year, 1967. The sweet melodies of Christmas carols are still lingering in our minds, and the cheerful cries that ushered in the New Year are still ringing in our ears.

Behind all this merrymaking and joyful cries that accompanied the New Year was a deep faith in a better future for our country and new hope and determination to move forward toward the goal of worldwide peace with freedom for all; and the Christmas carols that filled the air for the past few weeks, in celebration of the birth of the Prince of Peace, echoed in myriads of tunes the angelic song of good will and harmony among all men.

Significantly, all these lofty concepts of love, brotherhood and harmony are eloquently expounded in Dr. Mary McLeod Bethune's masterful prose—her "Last Will and Testament." I have read this truly great document several times during the past ten years, and every time I do so I derive deep and vivid inspiration from it.

Nothing could be more fitting than to honor, as you do today, the memory of this truly great American, Dr. Mary McLeod Bethune. In honoring her memory we are honoring ourselves. And I wish Dr. Bethune's Last Will and Testament could be posted forever in every editorial room, every school, and every church throughout the length and breadth of our country.

It is ideas such as those expressed in that imperishable document that will help our nation to achieve progress and justice for all without strife; to achieve change without hatred—without the deep and abiding divisions which scar the union for generations.

It is ideas and sound philosophies such as those of Dr. Bethune that will help eradicate forever the ancient malady, the aberration called prejudice which keeps man in a vicious cycle of unreasoning, sick hate: white against black, black against white, nation against nation, neighborhood against neighborhood, man against man.

Of all obstacles to a human being's growth to full stature, prejudice is the worst. It destroys more individuals than war. It is hereditary, not in the blood stream, but in the stream of conversation within the home. Out of the mouths of babes come adult slanders, repeated word for word.

Shedding a prejudice is an agonizing experience. An illogical hatred nourished for hundreds of years for whatever reason finally becomes a sort of disease. The white people of this country are predominantly favorable to the Negro's demands for equality, yet many cannot shed their prejudice. When they say "The Negro is not ready yet," what they mean is "I am not ready yet."

But, as President Johnson put it in his inaugural address, "Justice requires us to remember that when any citizen denies his fellow, saying: 'His color is not mine or his beliefs are strange and different,' in that moment he betrays America."

I feel confident that the concepts and processes of our Constitution and our civil rights legislation, rightly interpreted and implemented, are providing our Negro citizens the freedom to grow—after years of discrimination—and to develop in dignity and equality the best that is within him.

But the millennium is not to be achieved today, tomorrow, or the day after tomorrow. It will take some time. But it *will* come. In Dr. Bethune's words, "Faith, courage, brotherhood, dignity, ambition, responsibility—these are needed today as never before. We must cultivate them," the great lady said, "and use them as tools for our task of completing the establishment of equality for the Negro."

Meanwhile, organizations such as yours are helping open the doors to the blessings of America—the blessings America offers to those willing and able to earn them.

I am fully aware of your efforts to create new opportunities for women to move into more effective community service. Recruiting and training Negro women for volunteer service is indeed very important and I see in it far-reaching implications. Working with all segments of their communities, Negro and white, in helping chart and carry out needed community and social action programs, they will also be contributing to understanding and smoother social and civic relations.

I am delighted to learn that Ford Foundation Funds are making possible the enlistment and training of some six thousand women volunteers. These volunteers, I understand, will be given the know-how to work on a variety of community action programs—in child welfare, public health, crime delinquency, birth control, illegitimacy, housing, and strengthening of family life.

Our Government considers such voluntary efforts very important. As the Vice President put it recently, "the Government is only a part of this land, and not the major part; it is a significant part but the real strength of America lies in its people and a host of organizations created by the people to carry out its plans and purposes." In the Vice President's opinion, as he expressed it a few days ago, "the work of the Voluntary agencies is the true voice of America and the true spirit of this land."

I find my work as Program Liaison Officer with the U.S. Voluntary agencies in foreign assistance really soul-satisfying. These agencies are fighting disease, illiteracy and hunger in less-developed countries. They are helping other peoples to help themselves in developing the means for improving their way of life.

The cooperative effort of the U.S. Government and the U.S. voluntary agencies serving humanity overseas was given new impetus by the Humphrey Amendment to the Foreign Assistance Act of 1961. The Act directs that the President shall "use to the maximum extent practicable the services and facilities of voluntary non-profit organizations."

The voluntary agencies of the United States have formed a coordinating council, The American Council of Voluntary Agencies for Foreign Service. The Council coordinates their work throughout the world. It helps in sharing ideas and programs and desires to avoid duplication.

The Council brings together U.S. voluntary groups of various religious beliefs, such as Catholic, Protestant, Greek Orthodox and Jewish, as well as civic, charitable, and educational organizations. Voluntary relief in charitable groups such as CARE, Church World Service, Catholic Relief Services, Joint Jewish Distribution Committee, Lutheran World Service, are able to ship medicine, food, school supplies, tools and other people-to-people donations under A.I.D.'s authority to pay ocean freight.

There are now 65 such registered organizations. In 1965 these American private organizations sent overseas almost 400 million dollars worth of commodities and funds. Registration with the committee offers certain facilities to voluntary agencies.

By virtue of it a voluntary agency becomes eligible to participate in the Food for Freedom program, using foods donated by the United States for distribution overseas through its own voluntary agency program, and in addition the voluntary agency may be eligible for the Overseas Freight Subsidy program.

When disaster strikes, the voluntary agencies respond readily to earthquakes, flood, fire or famine. The agencies minister to the stricken with food, clothing, medicine, blankets, cooking utensils, and other relief supplies. Voluntary agencies also undertake pilot or experimental projects overseas.

Just a few weeks ago I was privileged to visit the exciting desalinization project of Church World Services, now functioning on the Greek Island of Symi. I was very much impressed with the operation of this plant, which experimentally produces salt-free or pure water.

It is estimated that the overseas resources of the United States voluntary sector amounts to approximately one-half billion dollars a year. The influence of these agencies on social and economic development at home and abroad far exceeds a purely monetary contribution. The agencies serve to stimulate the host country's voluntary agencies, and host country voluntary agencies and their leaders quite frequently influence government leaders, business and civic groups, to participate greater in the economic and social development.

Now I should like to tell you, and through you, to convey this information to young American Negro women about some of the opportunities for service today and in the coming years.

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[1] Delivered at a luncheon of the National Council of Negro Women, Inc., honoring the memory of Dr. Mary McLeod Bethune, on Sunday, January 8, 1967, Baltimore, Maryland.

The Peace Corps offers young people the opportunity to serve both their own country and the rest of the world by working with people and government in underdeveloped areas. The volunteers educate the young, care for the sick and poor, develop sanitary systems, and carry out the multitude of tasks needed to draw the newer nations into the 20th Century.

In the War on Poverty, the VISTA volunteers, the domestic counterpart of the Peace Corps, helps to bridge the widening gap between the haves and the have-nots in America by helping the poor in their neighborhoods and homes. There are already over 2,000 volunteers in training or in service side by side with the poor in crowded slums, in decaying mills and mine towns, in unpainted shacks on worn-out farms, in migrant work camps, and on Indian reservations.

A third, and the newest of the service organizations which will attract young women, particularly those who wish to enter teaching, is the National Teacher Corps.

In its first year, the immediate goal is to enroll 3,750 young people in a bold new effort to improve education at its weakest point, the poorer school districts of the nation. In a combination with and under the tutelage of experienced teachers, they will serve two years in the poor rural and urban school districts where they are needed most.

While they are teaching, these young people, called teacher-interns, will be paid and will have the opportunity to study for master's degrees at nearby cooperating universities.

These are only three areas of possible service. There are of course many more.

I hope that young Negro women will strongly consider giving at least some of their life to the kinds of service I have suggested. Indeed, the teachings of the Judeo-Christian faith, the needs of people and the humanizing instinct of women combine to mean new opportunities for such service in our own days.

Now, if I may, I should like to say a few words about United States foreign assistance.

On February 1st of last year, President Johnson sent a message to Congress. In it he recommended a program to help give the people of the less-developed world the food, the health, the skills and education—and the strength—to lead their nations to self-sufficient lives of plenty and freedom.

Today, the President said, the citizens of many developing nations walk in the shadow of misery:

Half the adults have never been to school.

Over half the people are hungry or malnourished.

Food production per person is falling. At present rates of growth, population will double before the year 2,000.

These are the dominant facts of our age, the President said. They challenge our own security. They threaten the future of the world. Our response, President Johnson said, must be bold and daring. It must go to the root causes of misery and unrest. It must build a firm foundation for progress, security and peace.

For twenty years, we in the United States have used a portion of our wealth and our knowledge to help other nations develop their own human and material resources. We are continuing to do so and for the same reasons that supported our original decision. It is no less true today than it was 20 years ago that the prosperity and safety of the United States are heavily influenced by the prosperity and safety of other nations.

The new major emphases recommended by the President last year are in the fields of food and agriculture and education.

It is clear that food demand in the developing countries will rise sharply over the next decade or two as a result both of rising populations and of rising incomes. The United States clearly should do what we can to help alleviate hunger around the world.

One billion people, a third of the world's population, drag themselves through the day weak from hunger, an easy target for disease and frequently for death from starvation. Another billion are badly malnourished, almost on the borderline of starvation. What we call progress, civilization, prosperity is meaningless to two-thirds of the human race.

The malnourished masses love their children as intensely as well-fed Americans love theirs. They are not about to starve peacefully and quietly in patience, resignation and fatalism, as their ancestors might have done. They know there is a world without hunger somewhere outside their dusty villages. They have taken seriously the politicians' promises of a better life. They will riot and kill to achieve it.

In a special report to Congress in 1965, President Johnson committed the agricultural and technological resources of this country to a world-wide war on malnutrition. He referred to tragic evidence that vitamin and protein deficiencies are robbing many countries throughout the world of the production capacities of their people.

Malnutrition takes its worst toll in the first five years of human growth, blunting the physical development of pre-school children, and very often retarding their mental growth as well. In countries where food shortages are both chronic and widespread, this irreversible process affects up to 50 percent of the infant population.

As the United States places the main emphasis in its aid program on helping other countries increase their own food production, increased food aid shipments will be required to fill the food gap while local output is being expanded.

However, direct food aid under the Food for Peace Program and the new Food for Freedom Act will be closely integrated with other U.S. assistance to insure that the less-developed countries do more to raise their own food themselves.

The race, of course, between food and population is a critical one. A number of countries have come to recognize that the food problem cannot be solved without addressing themselves to both sides of the food/population equation.

Nevertheless, even with the most optimistic of achievements in family planning, we realistically face the fact that such measures cannot prevent the serious threat of hunger in the next decade.

Secretary of State Dean Rusk recently said that "Our best hope is to obtain more food from lands already under cultivation, and from the sea." Technology has increased production on American farms three-fold in two generations.

In this connection, the principal contribution of A.I.D. is to organize technical and capital assistance to help the developing countries raise their rates of increase in agricultural output, as part of the general task of economic development.

We expect that our A.I.D. capital and technical assistance directly to enlarge agricultural output, in the next fiscal year, will rise by about 50 percent, to around $450 million.

This will cover programs encouraging fertilizer plants and imports through A.I.D.-financed exports to help for building new fertilizer plants.

These programs will also include educational activities related to agriculture, including schools, extension services, research and training. Technical advisory services to governments, farmers and agricultural institutions will be emphasized, and so will water utilization programs and transportation facilities improvements.

A.I.D. now finances more than 1,000 agricultural technicians overseas, and almost 2,000 participants receive training in the United States.

Our aid programs, when they are successful, assist developing countries to establish themselves as independent, self-supporting nations. That is a great accomplishment, and of great value to the United States. A world of independent, self-supporting nations, cooperating together to solve common problems, is the kind of world the United States seeks—in which we believe we can live most safely and most constructively.

Even in turbulent and dangerous areas such as South Vietnam, where the fight against the Viet Cong continues, some 1500 A.I.D.-financed technicians who know first aid, or how to grow more cabbages or raise better pigs, help give the villagers a better life to fight for, a stake in their own country.

These foreign aid experts are there of their own volition. They were not drafted. They are the unsung heroes in the battle for world freedom.

As the struggle continues, South Vietnam, with our help, is taking the steps and decisions necessary to carry forward a program of economic development. Land is being redistributed. Wells are being dug. Schools are being built. Agricultural production steadily increases. Hospitals and roads are being completed. New leadership is being trained.

These things are not dramatic. But every day the Vietnamese economy—and the life of the Vietnamese citizen—becomes a little better, despite calculated Communist disruption and terror.

Thus, by helping others to help themselves, the aid programs advance the cause of freedom as well as our national interest which is fully served when other nations maintain their freedom and independence against Communist threats and enticements.

Now what about the cost of these foreign aid programs. Are they bankrupting our country, as some of the opponents of the program have claimed? Are these foreign aid programs "give-away" programs, "money poured down the drain," as some of the trite, tired and worn-out cliches have it?

Far from it. Less than one-half of one percent—not one percent—less than one-half of one percent of our gross national product goes into foreign aid. To put it otherwise, only 3 cents of each federal budget dollar goes into foreign aid. Surely the richest nation on earth can afford to spend such a small portion of its national income on programs which reflect our best national traditions of humanitarianism and serve our national interest.

Foreign aid is not an important cause of the balance of payments deficit. We do not send dollars abroad. What we send is American goods and services. More than 90 percent of foreign aid appropriations today are spent in the United States, thus helping create more jobs for Americans.

Thus, through official and private efforts, through diplomatic channels, through regional defense arrangements, and through foreign aid, slowly, step-by-step, through pain and fortitude, we are trying to create a world of justice, freedom and humanitarianism.

We extend assistance to nations because it is in the highest traditions of our heritage and humanity. But even more, because we are concerned with the kind of world our children will live in.

I thank you. You've been a wonderful audience. I wish you—every one of you—health, happiness and prosperity in the New Year. And every success to your wonderful organization.

MARITIME OPERATIONS IN VIETNAM

Mr. BREWSTER. Mr. President, during the past few weeks, the maritime editor of the Baltimore Sun, Helen Delich Bentley, has been in Vietnam taking a firsthand look at our maritime operations there. Having been in Vietnam myself a year ago, I can testify that she is getting an eyeful.

An article published in the January 26 issue of the Baltimore Sun points up the danger which our men who work the civilian merchant marine must undergo.

The article describes an armed attack by the Vietcong as the SS *Nancy Lykes* moved up the Saigon River to the city of Saigon.

These men of the private merchant marine are not servicemen. They are not under arms. They are not actively engaged in battle—at least, they are not supposed to be.

But these men put their lives in danger when they approach the ports of South Vietnam. In fact, judging from the obsolete rust buckets which they are given to sail in, they probably put their lives in danger as soon as they set foot on some of the older vessels.

Mr. President, because this article illustrates the valuable and hazardous job of the private merchant marine in this war, I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Ship's Crew Gives Story of Viet Raid—"Baptism of Fire" on River to Saigon Is Described

(By Helen Delich Bentley)

Saigon, Jan. 25—"It's the first shell fire I've been under since the battle of Biak off the coast of New Guinea," said Capt. Leland R. Hansen.

To R. M. Gilbert, ordinary seaman from Memphis, it was a "real baptism of fire—my first trip to sea. I'm really a river man."

QUICK REACTIONS

The thought that crossed the mind of Leslie F. Martinez, chief steward, was to bail out of his cabin because the bullets were hitting the bulkhead outside his cabin.

These reactions were reported today by the crew members of the $12,000,000 S.S. Nancy Lykes, the latest American-flag freighter to encounter strafing as she wended her way up the winding Saigon River to this port Monday.

Although only two ships have been sunk, the number of strafings is beginning to mount rapidly in this strange war where the enemy controls one side of the river leading to this country's most important port.

At certain points along the 44-mile stretch from Vung Tau, the Viet Cong control both sides after sundown. Consequently, after 6:30 P.M. the Vietnamese pilots refuse to be on the waterway whose width varies from 300 to 1,200 feet as it snakes its way from Cap St. Jacques.

MP'S BOARD SHIPS

As each American-flag ship departs from Vung Tau, three military policemen board her to offer protection should she be attacked. They remain with the ship until she returns to Vung Tau.

As the vessel heads into the river from the South China Sea, only those crew members necessary for safe navigation are supposed to be outside the midships house. The watertight doors are supposed to be latched.

Gilbert was outside because he wanted to continue chipping away at some paint on the port side midships, a job he had started at sea. He was still chipping away when the action occurred.

FIRING STARTED

"An explosion off the port bow alerted me," the river sailor related, "and then the automatic firing started. I hit the deck and stayed there until the firing ceased. I knew I was safe behind the three-quarter-inch steel plate forming the side of the ship.

"Was I afraid? You bet I was and I'm not ashamed to admit it."

Martinez recalled that it sounded "like a typewriter, the bullets came flying so fast. My first thought was to get out of my room and the next to get the men in from the deck. It was a wild few minutes."

The master was on the wing looking at the river and talking to Cmdr. Stephen Hart, executive officer of the Military Sea Transportation Service, who had decided to ride a ship up the river, when the explosion was heard.

BULLETS BEGIN FLYING

"We shot immediately into the wheelhouse," the Mobile (Ala.) skipper said. "And then the bullets began flying toward the ship.

"I saw two Vietnamese minesweepers heading toward us, about 100 yards away when this started. I believe Charlie (the Viet Cong) directed mortar at the minesweepers at first and then turned on us with rifles. The MP's returned the fire from the ship."

Everything was over within less than five minutes, but it was an interminable five minutes for the crew.

SIX CHECK POINTS

The Nancy Lykes had just reported to check point No. 2 at 12:28 P.M. Three minutes later the first volley sounded.

There are six check points for ships sailing between Vung Tau and Saigon.

As soon as a vessel is in waters 100 miles off the coast of Vietnam, she is considered as being in a war zone and bonuses are paid to the crews aboard French, Greek, Scandinavian and American ships.

TOP PRIORITY

Therefore, the owners and the MSTS try to hold ships in Subic Bay in the Philippine Islands, Okinawa, Hong Kong and even Korea until the vessel has a berth scheduled. Costs are sharply reduced in this way.

The Nancy Lykes waited off Vung Tau only about 24 hours before heading up. However, she had top priority military cargo—the rolling equipment for the 9th Division—and the Army pushed her through.

IMPROVEMENT IN UNLOADING OPERATIONS AT DA NANG

Mr. BREWSTER. Mr. President, I shall ask unanimous consent to have printed in the Record another contribution of Mrs. Helen Delich Bentley, of the Baltimore Sun, datelined Saigon, South Vietnam.

Mrs. Bentley was taking a long look at the unloading facilities at Da Nang, the key military port in South Vietnam. At one time, this port was incredibly clogged up—so much so that it was said to be holding up the war effort.

There has been a considerable improvement in this situation over the past year, and it has in large measure been due to the efforts of a native Baltimorean Comdr. George Rieber.

Commander Rieber was sent to Vietnam by Capt. Robert A. Carl, special transportation assistant to the Under Secretary of the Navy. During his year at Da Nang, Commander Rieber has done wonders to improve the logistical flow.

Mrs. Bentley's article, published in the Baltimore Sun on January 20, also contains other valuable information on the military cargo being handled at major Vietnam ports. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Baltimorean Leads Navy's Unloading Units at Da Nang

(By Helen Delich Bentley)

Saigon, Jan. 19.—Navy port units at Da Nang, led by a Baltimorean, swamped the Army here for the last three months of 1966 in the discharging of cargo.

Navy dock workers in the port of Da Nang discharged nearly 100,000 more tons of cargo than the first logistical command of the Army did in Saigon last month.

SENT TO SUPERVISE

But even more impressive is the fact that Da Nang's quarterly total of 2,300,000 tons exceeded the quarter total of eight ports under the first logistical command by some 800,000 tons.

The Baltimorean involved is Cmdr. George Rieber, who was dispatched here over a year ago by Capt. Robert A. Carl, special transportation assistant to Robert H. B. Baldwin, Under Secretary of the Navy, to supervise the installation of an entirely new deepwater area at Da Nang and get cargoes flowing through the new port area as rapidly as possible.

Rieber was assistant operations manager for Moore-McCormack Lines in Baltimore when he was "drafted." Two months ago he was commended by the Vietnamese Government for his outstanding performance.

Even with the heavy monsoon rains in Da Nang last month, some 250,000 tons of cargo for the 3rd Marine amphibious force in the First Corps area were off-loaded at the four deepwater berths installed during the past year. Two more berths will be available there as soon as the newest floating delong pier is installed.

SQUALLS HURT, TOO

The army's first logistical command boasted that Saigon did as much as 158,000 tons in December, bringing its total for the quarter in this port to 408,000 tons. Although December is a dry month for Saigon, there was a five-day longshoremen's strike which interrupted operations.

Coastal squalls and high waves did slow down some of the other operations under the command.

Nine of the berths at the marginal docks here is used exclusively by the military, who schedule the ships. Although all of the cargo handling at those piers is supervised by the fourth transportation company, the actual work is performed by Vietnamese dockworkers, the best of whom have been drafted into the Vietnamese army.

Female fork-lift drivers are not unusual at the army berths.

At Da Nang, navy personnel do all the cargo handling. Their work has been so efficient that several merchant ship captains have written letters of commendation to Rear Admiral Thomas R. Weschler, commanding officer of the naval support activity there.

ALWAYS UNDER CONTROL

Capt. C. B. Dunn, of Baltimore, master of the S. S. Kenmar, wrote that "Chief Petty Officer T. McClenney always had the situation under control and constantly supervised the Navy stevedores while aboard this vessel.

"He showed his superior knowledge of cargo operations and care for his men, and even with lighterage and other problems he never became discouraged."

Chief McClenney and others in the same capacity work under Rieber.

At Cam Ranh Bay, the expansive facility

about midway beteween Da Nang and Saigon, nearly 100,000 tons of military goods was discharged at five deepdraft piers in December. The longshoremen in Cam Ranh Bay are Koreans brought in by a Korean stevedore company which won the contract for working that port.

TONNAGES LISTED

Cam Ranh's quarterly total was listed at better than 360,000 tons.

Qui Nhon handled 105,800 tons at its first deepwater pier facility.

Other logistical command ports and their respective December and quarterly tonnages were: Nha Be (the ammunition and petroleum area) 47,000 and 102,000; Vung Tau, 22,000 and 48,000; Vung Ro Bay, 16,000 and 44,700, and Nha Trang, 14,000 and 43,000.

NEW CONFIDENCE ARISES IN ASIA

Mr. McGEE. Mr. President, I recently returned from visiting in a number of Asian nations which ring Red China. There I found a universal fear of China's intentions and widespread, virtually unanimous, approval of the stand the United States has taken in Vietnam. Though leaders in these nations wish that war could be ended, as, indeed, we all do, none proposed that the United States disengage itself in Vietnam.

New confidence is surging through Asia. It is a confidence borne out of the realization that mainland China's wave is not necessarily the wave of the future. In a column published on Saturday, February 4, Crosby S. Noyes, of of the Evening Star, wrote of this realization from Bangkok. I ask unanimous consent that his report be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Fundamental Objective in Vietnam Achieved

(By Crosby S. Noyes)

Bangkok.—It is time and past time that Americans lifted their eyes from the frustrations and ambiguities of the war in Vietnam and began to look at the conflict there in the perspective of Asia as a whole.

In Vietnam the picture is still filled with uncertainties.

Although the military defeat of the Communist forces now seems inevitable, the job of pacifying the country still looks long and hard. And although hopeful progress is being made toward political and economic reforms, the old power structure is still strongly entrenched and bitterly resistant to change.

Painless solutions and tidy formulas for perfection are not part of the picture. In this war as in others there will be winners and losers. The idea that a compromise can be found that will satisfy everyone is an absurdity. At this point, the chances of any formal negotiation to end the fighting are close to zero.

Yet with all the problems that remain, the fundamental objective in Vietnam has been achieved. The threat of Chinese hegemony, which has weighed like a dark cloud on the free nations of Southeast Asia, has now been dispersed. And the consequences that flow from this fact are certain to mark a decisive turning-point for every nation in this part of the world.

This is as true for the countries that are sitting out the war as for those who offer their support. The implications of what happens in Vietnam are every bit as real for the Indians, Burmese and Indonesians as they are for those closer to the firing line. Policies that have been based on the assumption that China ultimately would become the dominant power in Asia are being revised in many capitals—sometimes dramatically.

The implications for China itself are especially serious.

No one, of course, can say with any precision what forces were responsible for setting off the upheaval which is now shaking the world's largest Communist country. But there are many experts who believe that the failures and frustrations of China's foreign ambitions played a significant part. And certainly the fact that in Vietnam techniques have been found to cope with a Communist-inspired "war of national liberation" has put a large crimp in China's plans, not only in Asia but in Africa and Latin America as well.

What is true throughout Asia is particularly true for those countries which have felt themselves most immediately menaced by the Chinese threat.

In the arc that runs from Korea in the northeast through Japan and the Philippines to Malaysia and Thailand in the west, a new surge of confidence has gained momentum in the last year. Patterns of regional cooperation are beginning to take effective form. And a new spirit of political cohesion, replacing the traditional attitude of every man for himself, is beginning to emerge.

These countries, furthermore, recognize the vital importance of the stand in Vietnam to their continuing sense of security. Korea and the Philippines. Australia, New Zealand and now Thailand are making substantial military contributions. Malaysia has trained thousands of Vietnamese policemen in anti-guerrilla techniques.

Nor, it seems, is this response the result of American pressure on the governments involved or a decision made without regard for public sentiment. The Thai government, which recently sent out a call for 1,000 volunteers for duty in Vietnam, netted 100,000 applicants in the first few days of recruiting. If anything, the indications here are that the people understand the significance of Vietnam as well as their leaders—and rather better than a good many Americans have.

This does not mean, of course, that the Thais are motivated by a love of Americans, any more than Koreans or Filipinos are, Asians like most people, are motivated by a lively consciousness of their own self-interest.

Over a large part of Asia this self-interest today dictates cooperation with the United States in varying degrees and varying forms. Westerners certainly cannot be expected to deal with the new Asia countries on the same terms as in the past. But given the associations that already exist, the pessimistic notion that the West is finished in Asia for years to come is being more conclusively disproved as time goes on.

Indeed, there are those who see enormous opportunties ahead. Our ambassador in Bangkok, Graham Martin, subscribes to the idea that American policy in Asia and the Pacific is on the verge of a success as great as that in Europe in the 50's. A prospect, in short, which places the struggle in Vietnam in a larger and brighter perspective.

ANALYSIS OF THE WORLD OF ART TODAY

Mr. PELL. Mr. President, Time magazine for January 27, 1967, contained an interesting essay entitled "What Is Art Today?" Many of us, who appreciate the qualities of those artistic endeavors which are discernible and representative, may find this analysis of today's art world most enlightening.

I believe that I am not the only Member of the Senate who at one time or another, while walking through a gallery, thought that the artists were trying to spoof us. In fact, I cannot help recalling the work of that great genius and singularly able painter, Pablo Picasso, when he said:

> The people no longer seek consolation in art. But the refined people, the rich, the idlers, seek the new, the extraordinary, the extravagant, the scandalous. I have contented these people with all the many bizarre things that have come into my head. And, the less they understand, the more they admire it. By amusing myself with all these games, all this nonsense, all these picture puzzles, I became famous. . . . I am only a public entertainer who has understood his time.

Perhaps the most judicious statement that can be made is one which appears in the article. It is a statement attributed to Sir John Rothenstein, former director of the Tate Gallery:

> Art derives from the intention of the artist. But time is the only impeccable judge.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

What Is Art Today?

The greatest mystery is not that we have been flung at random between the profusion of the earth and the galaxy of the stars, but that in this prison we can fashion images of ourselves sufficiently powerful to deny our nothingness.

—André Malraux.

What images? Among those currently proffered to the public for contemplation: a series of six, large, identically white pictures by Walter de Maria differing only in that on one the artist has written in pencil the word *Sky*, on another *River*, on a third *Mountain*. Four packing-case-sized and identical boxes by Robert Morris, painted white and spaced at equal intervals on the floor. A row of what appears to be eight truncated shoeboxes, the work of James Seawright, each containing a variant of the figure eight in sometimes flashing lights, while every now and then a taped voice croaks out, "Eight." A flight of wooden stairs covered in gold-colored carpet, entitled *Euclid* by Joe Goode. A creation called *Die* by Architect-turned-Sculptor Tony Smith, which he admits he ordered by phone. And why not? It is only a six-by-six-by-six-foot cube in slag metal—a piece of art on which the artist has not laid a hand.

These are examples of the latest in "minimal" art. The present art scene offers other creations: paintings that are an eye-blinding dazzle of stripes; canvases that are cantilevered from the wall right over the living-room sofa; gadgets that jiggle, wiggle, writhe and spin. And, though it is past its peak, there is pop: an assemblage in which a real lawnmower leans against a painted canvas; Brillo boxes designed to look exactly like Brillo boxes; cartoons blown up to mural size, complete with dialogue balloons and lithographic dots; old bits of crumpled automobiles presented as sculpture; an old Savarin coffee can containing 18 brushes in turpentine and frozen in ineffable permanency. Sometimes the subjects are erotic. Edward Kienholz's plaster couple makes love in the back seat of a real, if dismembered, car. Larry Rivers' seven-foot, three-faced Negro in plywood achieves vivid connection with a complaisant friend by way of a flashing light bulb. A disembodied female breast by Tom Wesselman looms, big as a mountain, over a diminished seashore.

Are these images sufficiently powerful to deny man's nothingness? All are declared to be art by the museums that show them, by the critics who explain and hail them, by the collectors who buy them. This has its advantages over the old days when a young artist suffered from neglect and sometimes died unrecognized. But in this day when the most radical young artist is threatened not by neglect but by the possibility that he may be considered over the hill at 30, a few critics and some painters who themselves were radical only a few styles back are beginning to raise an old question: What is art? They are worried not so much by the extravagance of some objects that are accepted as art by the fact that there seem to be no criteria, no opposition, not even an insistence on the artist's uniqueness or individuality—the very claim that used to animate artistic revolutions. More and more people are beginning to feel that the current state of art, as Robert Frost said of free verse, is like playing tennis without a net.

BROKEN ILLUSION

The net has always seemed solid only to those who, with Plato, considered art to be the imitation of nature. The classic anecdote of the triumph of art as artifice concerned Zeuxis: when he unveiled his painting of grapes, birds flew down to peck at them. What the anecdotists seldom added is that Zeuxis' rival won the contest, for when the judges turned to unveil his painting, they were stunned to discover that the veil itself was the painting and declared him the winner because he had fooled the judges, while Zeuxis had fooled only birds.

Actually, mimesis as a theory of art was an illusion, invented by a beholder for other beholders. The artists themselves always knew that they were exaggerating distorting, filtering—to express worship of the divine or a view of man, to make the real more real. But whether the emphasis was moralistic (said Tolstoi: "Art is the transmission to others of the highest and best feelings"), or emotional (Ruskin: "The first universal characteristic of art is tenderness"), or esthetic (Baudelaire art is "the study of the beautiful"), or hedonistic (Santayana: "The value of art lies in making people happy"), the theory of art as imitation held on. It was finally destroyed in the 1880s—partly because of the appearance of the camera, which copied nature so much more accurately than could any human hand. Artists began to talk of a painting as "an object" in itself rather than the representation of something else.

"A painting—before being a war horse, a nude woman or some anecdote—is essentially a flat surface covered with colors arranged in a certain order," said one painter-polemicist, Maurice Denis, in 1890. Thus began the rapid but epic evolution in which representation was first blurred, then distorted, then broken into fragments and finally disappeared altogether in abstraction. The artists arrogated to themselves (as did the poets at the same time) the right to say what art was, with the added inference that if the viewer (or reader) did not understand it, that was his fault. "It was as if suddenly," says Painter Robert Motherwell, "an established church had dissolved. Each artist became his own self-ordained priest, charged with deciding for himself such questions as what is god or what is sin."

THE NEW CHURCH

It was an exhilarating experience. But inevitably, within a few years a new church was established. Says Artist Saul Steinberg: "This church has its saints, who are accepted only after they are dead. We have the holy bones of Mondrian and the miraculous blood of Soutine. This church has its martyrs, like Jackson Pollock. It has its bishops and cardinals—the critics and museum directors. The museums have encouraged the production of icons, holy images, and other good luck charms that have no artistic value outside the church." The church also has its missionaries—the dealers. Among the leading ones right now is Manhattan's Leo Castelli. A few years ago, the story goes, Abstract Expressionist Willem de Kooning remarked, "That —— Castelli, he has the nerve to sell anything. He could even sell beer cans." Whereupon Jasper Johns proceeded to create his famous pop-art beer cans. Since the emergence of pop, with its move back to representation, abstraction has ceased to be the absolute dogma of the artistic church, whose chief theology today is the "reality theory."

This theory of art as an object turns every object into potential art. As one philosopher, Columbia Professor Arthur C. Danto, admits: "What in the end makes Rauschenberg's real beds streaked with paint and Warhol's Brillo boxes art is the theory. Without the theory, one is unlikely to see them as art." This does not satisfy all the critics. Says the Observer's Nigel Gosling: "Take a table and put it into a gallery, then it's art. But take eight of them and put them into a gallery, then it's a restaurant."

What then is art? The modern sages offer no solid answers. Says Sherman Lee, director of the Cleveland Museum of Art: "It is an expression of individual sensibilities. A neon Coca-Cola sign is in a very real sense a piece of art. The fact that anyone could make it is more or less beside the point. The fact is that no one else did make it." Says the Museum of Modern Art's Alfred Barr, who is viewed by many as the untiaraed pope of the modern art world: "It is folly to say what is art. Works can become art by fiat—sometimes the fiat of one man. And it can be art for a while and then not art. It's obvious today that comics are art. Just because these things are vulgar, doesn't mean they are not art." Says the former director of the Tate Gallery, Sir John Rothenstein: "Art derives from the intention of the artist. But time is the only impeccable judge."

The necessity for considering the artist's intent and personality is the only common note that modern opinion strikes. It is a doctrine that brings art criticism down to the plane of psychoanalysis. The principle was perhaps pushed to its extreme by Peggy Guggenheim, who has admitted that she was not much impressed by Jackson Pollock as a painter until the day he urinated in her fireplace.

MEANING IN MEANINGLESSNESS

The situation has produced a new kind of patron. "Most collectors today are not just satisfied with buying art, they want to buy a piece of the artist as well," grumbles one dissenter. "They want to belong to the art world, go see dirty movies at night at Andy Warhol's apartment." And Warhol in turn becomes a feature of gossip columns and a fixture at society's tables. Any day now he may be wrapped in plaster by the plaster master, George Segal, and propped against the bar in somebody's penthouse.

The situation has also produced a new breed of critics whose function is not to enunciate or defend standards but to be explicators and publicists for the new. Rothenstein, once a champion of innovation himself, now complains: "Scarcely anything, when it is quite new, however manifestly idiotic, is forthrightly condemned." Small wonder. Past critics were thoroughly cowed and browbeaten, not unjustly, for their classic misjudgments, beginning with the scorn heaped on Manet's *Olympia* and culminating in the ridicule showered on the impressionists, the Fauves and the cubists. Critics now live in terror of seeming square. The trouble is, as one anticritic remarked, they are now saying more and more about less and less. That includes some museum officials who are critics as well. Describing a box by Richard Artschwager, Ralph T. Coe of Kansas City's Nelson Gallery wrote: "The cheeselike surface of his formica triptych opens to reveal—absolutely nothing. This work reaches clear into the unlimited recesses of the mind: recesses that could frighten." Sam Hunter, critic and director of Manhattan's Jewish Museum, commented on a work by Barnett Newman, maximum leader of the minimalists; it was a large canvas, all red except for four thread-thin vertical stripes. Wrote Hunter: "These fragile and oscillating stripes play tricks on the eye and the mind by their alternate compliance and aggression. Brilliantly visible and all but subliminally lost . . . their cunning equivocation quite subverts the concepts of division and geometric partition." Sarah Lawrence Professor William Rubin said of Jasper Johns: "For him the image is meaningful in its meaninglessness."

The artists themselves do their bit. Painter Ad Reinhardt, who has so "refined" his paintings that they are currently all the same size and all look absolutely black until sufficient staring reveals an invariable cross of rectangles, is wont to make such statements as: "There is no place in art for life . . . the one thing to say about art is its breathlessness, lifelessness, deathlessness, contentlessness, formlessness, spacelessness, and timelessness."

"Esthetics is to art what ornithology is to the birds," quips Barnett Newman. On the contrary, too many modern painters seem to listen first and paint afterward, to be guided by the art theory of others rather than an art instinct of their own. The turnover is so fast that a style is lucky to last more than a couple of years before it is pronounced dead by the critics. With such a declaration, many a collector decides that he had better unload, prices decline, and artists get despondent. More in anger than in jest, Painter Jimmy Ernst ticked off an "unhappy proliferation" of present and possibly future styles: "Op and pop, sop (soft-edge-optical), plop-plop (from catsup bottles), abrev (abstract revisionism), exab (express-abstraction), geopimp (geometric-post-impressionism), kipab (kinetic-post-abstraction), syncromesh (easy to shift), nero (new eroticism), and perhaps even esthex (esthetic experiments between consenting adults in the privacy of their home).

All this provides no answer to the question, what is art? The artists' own attitude in general is a questioning, as in science, rather an affirmation, as in humanism. Being heretics with no common cause, rebelling against a permissive society with no settled faith of its own, they often seem driven into intellectual dead ends or fragmented tantrums of defiance, fighting unseen gusts that are perhaps not there. It is hard to be different among crowds of other people trying to be different. In the Dada decade, Marcel Duchamp could shock people by exhibiting a urinal turned upside down and calling it *Fountain*. Seeing it for the first time today, hardly anyone would flinch—although a few might try to flush.

If art no longer shocks, it seldom edifies. Gone is the romantic reverence that made a work of art an object of worship; now it is apt to be just a household object, a neatly executed artifact. Is that enough? "If a painting does not make a human contact, it is nothing," says Motherwell. "The audience also is responsible. Through pictures, our passions touch; therefore painting is the fulfillment of a deep human necessity, not a production of a handmade commodity. A painting, or a man, is neither a decoration nor an anecdote."

DUTY TO JUDGE

Perhaps the best thing about all the decorations and anecdotes that clutter the scene is a sense of humor, a sense of freedom, a suspicion that anything can happen—perhaps even passion. In this welter of the current art world, it is still possible to say, or sense, that some things are good, some bad. There is the almost haunting fact that one metal glob or set of blinking lights will somehow tug at the imagination, while another will not. The Savarin coffee can full of paint brushes, which is in the Museum of Modern Art at the moment, is a visual bore. But Rauschenberg's goat with a tire around it is somehow amusing. Kienholz's latest exhibit, an abortionist's chair, complete with curette, bloody rags and fetus, has some horrid documentary interest, even if it need not be confused with El Greco's best work. Tony Smith's huge constructions have a presence (even if they are ordered by phone) that a pile of concrete blocks by Carl Andre have not. Something called *Liaison*, by John Bennett, has some strange charm, looming like a cross between an oversized scuba diver and a mechanical caricature of an elephant (though it's hard to see in what corner of the living room it would fit). But there is such justification for those *Euclid* stairs; even as a literary joke, they are not worth the floor space they occupy, and someone ought to have the energy to say so. George Segal's plaster figures, produced by the ostensibly simple method of wrapping a subject in plaster-soaked rags, are unaccountably melancholy and powerful. Why? Modern esthetics sayeth not.

Yet it is that "why" to which today's art viewer must cling for dear life. It may be futile to insist any longer that one thing is art and another is not. Let everything be called art. But if so, it is more necessary than ever, in a time when to mention beauty has become a gaucherie, to decide that one work but not another has authority; that this one but not that one expands the senses or compels the imagination. The gallerygoer cannot stop the tastemaker from talking. But he can stop listening quite so docilely. Ultimately, art can be of value to him or to posterity only if it somehow enhances his own awareness of the world—by sight, touch or emotion—but it has to be his own decision. He has a duty to look long, learn and then judge, to like or not to like. He may make hideous mistakes. That is his risk—too few people take it—and better than abdicating personal reaction in favor of fashionable theory. For time, as today's uncertain men agree, is the only final judge; and the live viewer with his feet aching is the first voter in a poll whose results he may never know.

In the end, André Malraux expects too much when he asks for images to deny man's nothingness; that is turning art into religion. But if art need not deny the nothingness of man, it is urgent for man to deny the nothingness of art.

EXPERIMENTAL COMPUTER PROGRAM OF PROVIDENCE COLLEGE

Mr. PELL. Mr. President, today's Washington Post contains an interesting article written by John Chamberlain, about an experimental computer program presently being conducted by Providence College, which is operated by the Dominican Order in the capital city of my State.

The article explains how a computer can so be programed that it will effectively teach a child or college student. This program, sponsored by Providence College, is an outgrowth of an Area Redevelopment Act retraining grant and has been the recipient of successive grants under the Manpower Development and Training Act and certain other Federal programs. It is an imaginative project and points toward new vistas for education. It is most interesting to note that the use of a computer is not impersonal in its approach to teaching, but probably gives to the pupils more individual attention and aid than a single teacher could make available.

I should like to commend Providence College and especially Father George C. McGregor, O.P., who has had the drive and imagination to institute such a program and has been its shepherd ever since.

Father McGregor is not only an unusually brilliant man, who is the inspirational force behind the computer project, but also he has, in a very humanitarian way, been able, through the retraining phase of the program, to bring about new vocational opportunities for hundreds of Rhode Islanders.

I, too, feel a certain personal pride, for I have worked closely with Father McGregor ever since he first proposed such a program. I have seen this project, and believe that it truly merits such a laudatory column as I now ask unanimous consent to have printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COMPUTER COMES TO THE RESCUE

(By John Chamberlain)

PROVIDENCE, R. I.—How do you raise the quality of education in the so-called ghetto schools of the United States? And does it really do any good to provide a better grade of instruction for "culturally deprived" students who may not be able to concentrate on what is being set before them?

These are questions that are cause for great argument among the antipoverty warriors in Washington, D.C. My colleague, Joseph Alsop, has reported a tendency on the part of resident District of Columbia intellectuals to take a defeatist attitude over the possibility of saving the youngest ghetto generation by such pedagogical programs as "Project Headstart." The pessimists wonder whether it is possible to recruit good teachers who will be willing to stick with retarded classes in the slums.

Here, in Providence, there is a remarkable Dominican priest, Father George McGregor, who thinks he has the answer to the problem of upgrading slum education. He and a group that is described locally as the "merry band of friars" run a computer center at Providence College. They have been experimenting with something that is called "computer assisted instruction," which goes by the acronym of CAI.

Father McGregor, a man with a mission, got into the business of utilizing the computer to solve social problems back in 1962, when he started to train unemployed and "underemployed" victims of automation for new jobs in computer programing. To date he has placed 278 displaced people in new positions as programers, either locally or in Federal agencies in Washington. But the "merry friars" of the Providence College computer center have a hankering to prove their contention that the computer is the answer to teaching backward and mentally retarded pupils.

"We want to get the computer into basic education," says Father McGregor. "A well-programed computer is much more patient than most teachers."

He speaks of "conversations" between the computer and the student. This is a rather mystifying concept to a layman. But the point is that a computer can be programed by a "logical and imaginative" teacher to present material in the Three Rs in a way that will not permit a student to escape until he has come up with the correct answer. The machine evaluates answers and tells the erring student why he is wrong. It keeps after him until he is right, or until a teacher on the other side of a glass panel can be flagged to come in and make a correction.

The student gives the answers by writing with a magnetic pencil on a cathode ray tube at the top of an electric typewriter. When he makes a mistake the computer will say, "Try it again." There can be no goofing off and no bluffing the computer. As Father McGregor puts it, "the child is alive all the time."

What Father McGregor would like to see is a wide program of instruction for his home state of Rhode Island, with schools in 20 towns linked by telephone circuit to the Providence College computer center. He has been training 20 vocational teachers in the art of shaping up class materials for use in basic remedial work. But the project could be pushed into the elementary grades. A big project would, necessarily involve an investment in equipment, for electrical typewriters and cathode ray tubes do not come cheap. But Father McGregor insists that it would pay off by its capacity for grabbing the attention of even the most backward student, who would, of course, be allowed to develop at his own pace until he had mastered the curriculum.

Father McGregor doesn't think he is dealing in dreams. At the Brentwood School in Palo Alto, Calif., computer-assisted instruction is already a reality. And Providence College and the medical school at Harvard University are just about to start collaboration on a computer-taught course in pathology.

Second-year medical students will answer questions propounded by tape recorders and typewriters in Cambridge. The answers will go by telephone linkage to the computer center in Providence for instant evaluation, and for quick return to the Cambridge classroom.

If the Harvard instruction goes well, the "merry friars" will be on their way.

AMERICA'S SUCCESS IN ESTABLISHING HUMAN RIGHTS IN PLURALISTIC SOCIETY—ONE MORE REASON WHY SENATE SHOULD RATIFY HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, in the 19th century, Philip James Bailey captured very well the pluralistic society which is the United States even now, when he wrote:

America, thou half-brother of the world,
With something good and bad of every land.

The United States has been and is today almost a microcosm of the world—embracing all races, all languages, and all creeds.

For these reasons the youthful United Nations looked with hope and expectation to the United States, hoping to profit from our national experience and expecting the United States to chart the tricky course to the establishment of international standards of human rights.

Four Presidents of the United States have fulfilled these hopes. Our ambassadors and delegates to the United Nations have more than met the expectations of their colleagues in the crusade for the universal recognition of human dignity and human rights.

But the Senate—seemingly unmindful of America's unique character and unique stature among the family of nations—has frustrated the works and achievements of not only our own U.N. delegations, but the United Nations, itself.

Human rights conventions—designed by American initiative and adopted in large part through American advocacy—still languish in the Committee on Foreign Relations. Again, I implore the members of that committee and all Senators to affirm the U.S. commitment to human rights and to the United Nations by ratifying the conventions on political rights of women, genocide, forced labor, and slavery.

Let us proclaim to the world the success of the great American experiment. Let all peoples know that human rights can flourish in a nation of diversity in order that human rights may be secure in a world of diversity.

AEC WAIVER OF USE CHARGES FOR SPECIAL NUCLEAR MATERIAL

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter submitted to the Joint Committee on Atomic Energy on November 29, 1966, by the Atomic Energy Commission. The letter relates to a proposal by the Commission to continue its policy of waiving use charges for special nuclear material loaned to nonprofit educational and medical institutions in the field of nuclear education. The Commission has submitted its proposal to the committee pursuant to the requirements of section 58 of the Atomic Energy Act of 1954, which provides that criteria for the waiver of use charges for special nuclear material must lie before the Joint Committee for a period of 45 days while Congress is in session before they may become effective.

I make this announcement in keeping with the committee's practice of informing Congress of the pendency of such statutory submissions.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., November 29, 1966.

Hon. CHET HOLIFIELD,
Chairman, Joint Committee on Atomic Energy, Congress of the United States

DEAR MR. HOLIFIELD: By letter dated November 18, 1963, we placed before the Joint Committee on Atomic Energy, in accordance with Section 58 of the Atomic Energy Act of 1954, as amended, the extension from June 30, 1964 to June 30, 1967, of the waiver of of use charges for special nuclear material loaned to non-profit educational and medical institutions in the field of nuclear education.

The loan of this material is part of the Commission's program for (1) research reactor assistance under which special nuclear material is loaned without charge for use in research reactors at non-profit educational and medical institutions, and (2) educational assistance under which special nuclear material is loaned without charge for use in demonstration and formal laboratory experiments.

The Commission has decided to continue the loan of special nuclear material for these programs, without charge, after June 30, 1967 without setting any particular expiration date. We intend to continue using the following provision (with appropriate modification of the year specified) in our implementing agreements:

"Unless otherwise terminated in whole or in part by the AEC at any time after consultation with the grantee, this agreement shall expire on June 30, 1967, provided the AEC gives the grantee written notice of expiration by June 1, 1967, and if such notice is not given to the grantee, this agreement shall then expire on any subsequent June 30, provided the AEC gives the grantee written notice of expiration by the June 1 preceding such June 30."

We are hereby placing before the Joint Committee on Atomic Energy, in accordance with Section 58 of the Act, the extension of the waiver of use charges for special nuclear material loaned under these two programs. For the purpose of this submittal, please consider the waiver to be applicable through June 30, 1970; should the Commission desire to continue the waiver subsequent to that date, a new submittal will be made by the Commission under Section 58 of the Act.

Sincerely yours,
R. E. HOLLINGSWORTH,
General Manager.

THE WORK OF VISTA VOLUNTEERS IN BALTIMORE

Mr. TYDINGS. Mr. President one of the most successful aspects of the war against poverty in Baltimore has been the work of the VISTA volunteers, who have been working effectively in a number of locally developed projects since the early days of Baltimore's antipoverty effort.

On December 23, the Baltimore Sun published a report on two new VISTA projects in the city, which are attempting to improve the attitudes of resident children toward school attendance and medical care in the O'Donnell Heights and Cherry Hill low-rent housing projects.

Mr. President, this is exactly the type of antipoverty activity which makes VISTA such an effective arm of OEO. Improving the motivation and achievement of poor children in health and education cannot help contributing to success in the city's war on poverty.

Mr. President, I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VISTA ENTERS TWO POOR AREAS—WILL WORK WITH CHILDREN AT HOUSING PROJECTS

Anti-poverty workers will soon move into two city public housing projects in an attempt to improve the attitudes of resident children toward school attendance and medical care.

Final approvals by the Baltimore Urban Renewal and Housing Commission enabled City Hospitals and the Department of Education to assign VISTA workers (Volunteers in Service to America) to full-time counseling duties at the O'Donnell Heights and Cherry Hill low-rent projects.

PROJECTS DETAILED

Although they will be working with children in both instances, their objectives will not be the same in the two projects.

The O'Donnell Heights counselors will be asked to encourage return visits to the new Comprehensive Clinic for Children and Youth at City Hospitals.

The Cherry Hill workers, on the other hand, will be trying to overcome "poor motivation, poor attendance and poor achievement" at Public School No. 163.

Two apartments, each accommodating two persons, are being made available at O'Donnell Heights for the volunteers assigned to City Hospitals, and one apartment for two volunteers working with the public school students will be set aside at Cherry Hill.

RENT FIGURE SET

Rent for these VISTA workers was set yesterday at $62 a month for each of the apartments.

Twelve other VISTA volunteers assigned earlier to public housing projects by the urban renewal agency itself have been paying $48, but these rents will have to be raised to bring them in line with higher costs, a renewal spokesman said.

City Hospitals reported that "residents from the O'Donnell Heights project frequently neglect to return for treatment at the clinic after making an initial contact," and that it was this problem that led to placing the anti-poverty volunteers at the East Baltimore project.

At Cherry Hill, a school official said, the needs of the children are "great," and the VISTA help will include individual tutoring, frequent conversations with parents and guidance in the "wise use of leisure time."

Eugene M. Feinblatt, chairman of the urban renewal and housing commission, praised the "idealism" of the VISTA workers, and Richard L. Steiner, director of the renewal agency, commented: "They are doing a fine job in the projects, from the reports I have received.

THE NEW ERA IN EAST-WEST RELATIONS

Mr. TYDINGS. Mr. President, after two decades of tension, it is sometimes hard to believe that East-West relations will ever improve.

Yet, says Columnist Roscoe Drummond, the cold war may be on its deathbed—at age 21. Mr. Drummond writes:

> It is nearly impossible to overstate the radical and breathtaking change in East-West relations which is now occurring from Moscow to Bonn, Paris, London and on to Washington.

He points to efforts of the Johnson administration: The outer space treaty, work to limit nuclear proliferation, the proposal to expand trade between the United States, the Soviet Union, and other Communist nations of Eastern Europe.

If we are tempted to give up, to abandon the struggle for understanding upon which a peaceful future can be built, a review of these encouraging signs will certainly renew our determination.

I ask unanimous consent that this exceptional column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 29, 1967]

END OF AN ERA

(By Roscoe Drummond)

It is nearly impossible to overstate the radical and breath-taking change in East-West relations which is now occurring from Moscow to Bonn, Paris, London and on to Washington.

It means that we are at the beginning of the end of the Cold War as we have known it during the past 21 years.

But there is more than detente between East and West in what is now taking place. We are witnessing a real effort on both sides, affecting every capital from the Volga to the Potomac, to finish making the pace which was hardly even begun in the aftermath of World War II.

It marks the end of an era during which only NATO (still needed) and the Marshall Plan saved Europe from being engulfed by the twin forces of Soviet communism and post-war exhaustion. The ingredients for settling some of the most difficult issues of the Cold War are now at hand.

The new Kiesinger-Brandt coalition government in Bonn has broken the static mold of West German foreign policy, frozen so many years under Chancellors Adenauer and

Erhardt. It is acting to establish friendly diplomatic relations with every Communist government in Eastern Europe.

To the dismay of the East German Communist chief, Walter Ulbricht, who wants none of this, the Eastern European Communist governments are responding cordially. High Hungarian and Rumanian officials will shortly be visiting Bonn. Others will follow.

The Soviet Union is either condoning this new and developing relationship between the East European Communist states and West Germany or there is little it can do to prevent it.

These developments reflect the hopes and wishes of Gen. de Gaulle. They also reflect the hopes and wishes of President Johnson who in the last few months has taken the lead to promote better relations with Russia despite the Vietnam war. Here Washington and Paris are pursuing parallel, not divergent, policies.

The U.S. and the U.S.S.R. have lately agreed to a treaty banning weapons from outer space. We are getting nearer to an agreement to prevent the spread of all nuclear weapons. The Johnson Administration is seeking to expand trade with the Soviet Union and the East European nations.

For its part, Britain is making the strongest bid yet to join the political and economic councils of Western Europe.

Why, then, of all the East European Communist regimes, is East Germany showing such frenzied opposition?

There are reasons. It is evident that Bonn is reversing a major thrust of its foreign policy. It is concluding that the only way to bring about German unification is to dissolve the legacy of World War II, to accept now the frontiers it hoped to use as future bargaining cards and to remove the basis of East Europe's historic fears by rejecting any intention of getting a finger on nuclear weapons.

This is what every East European regime wants—except East Germany. Reason: If Bonn succeeds in dispelling the fear of a "German menace," it will remove almost the only remaining argument for the presence of Soviet troops in East Germany and Poland. Unlike the Poles, the East Germans fear for their regime if Soviet troops are withdrawn.

The end is not in sight—but the beginning is good.

NEW HOPE FOR U.N. PEACEKEEPING EFFORTS

Mr. TYDINGS. Mr. President, recently the Baltimore News-American praised the efforts of the United Nations in the successful solution of the Israel-Syria border dispute.

Any way one looks at it—

The Hearst newspaper declared—

> the agreement is a triumph for the United Nations and a tremendous boost to its prestige as a peace-keeping organization.

It is also a triumph, I might add, for the U.S. policy of support for the United Nations. This easing of a dangerous situation in the Middle East is a striking confirmation of the role the United Nations must play if there is to be a better future.

I ask unanimous consent that the News-American editorial be printed in the RECORD for the enlightenment of all.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

U.N. TRIUMPH

The agreement between Israel and Syria to refrain from all further hostile acts along their 48-mile common border comes as great good news to a world beset by tidings of war, woe, and international tensions.

In a way it is almost unbelievable that these two embittered nations, whose sniping at each other has repeatedly threatened to plunge the Middle East into a major war, could have reached the agreement so quickly.

Yet it took only five hours for the negotiators, sitting in a border custom house at a meeting called by the United Nations, to decide jointly to halt aggression as provided by the 1949 general armistice between Israel and the Arab states, and by the UN charter.

Any way one looks at it, the agreement is a triumph for the UN and a tremendous boost to its prestige as a peace-keeping organization. Even if the truce is eventually broken, world-wide fears of imminent war in the Middle East have been calmed for the time being.

The agreement also shows the kind of miracle that can be achieved when two opposing parties come to a conference table in a spirit of good will.

THE PRESIDENT'S MESSAGE ON CRIME

Mr. TYDINGS. President Johnson today presented Congress with a far-reaching statement on crime and the steps we can take to curb it.

He has called for stricter control of firearms.

He has called for a new offensive against the menace of organized crime by safeguarding witnesses and encouraging them to come forward.

He has proposed improving the caliber of local police forces and giving them the tools they need to do their jobs by providing substantial Federal financial assistance to them.

He has asked us to protect the privacy of our citizens against bugging and wiretapping by outlawing all public and private electronic eavesdropping except in national security cases.

He has outlined a major new program for the prevention and treatment of drug addiction.

He has called for an improvement of our corrections and rehabilitation programs.

I welcome the President's message. His suggestions on law enforcement assistance, firearms control, and improvement of the judicial system parallel many of my own proposals in the same fields.

His proposal to outlaw all wiretapping, public and private, and all invasions of privacy by electronic devices, such as secret microphones, will provide an essential safeguard to every American's constitutional right to privacy.

As a former U.S. attorney and as a member of the Committee on the Judiciary, I believe that Congress should act swiftly and favorably on the President's proposals. We have no time to lose.

ADDRESS BY VICE PRESIDENT HUMPHREY TO NATIONAL CONFERENCE OF CHRISTIANS AND JEWS

Mr. TYDINGS. Mr. President, the people of the District of Columbia have no more loyal, ardent, and articulate an advocate than the Vice President of the United States. For years, the Vice President has championed the right of District residents to self-government. He has urged that the city of Washington be a model for the rest of the Nation by the quality of its education, housing, and recreation, the safety of its streets, and the freedom of its air and water from pollution. He has urged that adequate accommodations be provided the numerous visitors, many of them from abroad, who come to learn from this central repository of our national heritage.

In an address January 31 to the National Conference of Christians and Jews, the Vice President restated the need for action to meet the needs and achieve the potential of the District of Columbia. As a member of both the Committee on the District of Columbia and the National Visitors Center Commission, I share the objectives he sets forth, and commend his speech to Senators. For until we act to provide home rule for the District, we all bear full responsibility for whether or not the District becomes, in fact, a model city.

Mr. President, I ask unanimous consent that the Vice President's speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUBERT H. HUMPHREY, NATIONAL CONFERENCE OF CHRISTIANS AND JEWS, WASHINGTON, D.C., JANUARY 31, 1967

I am privileged to accept this National Brotherhood Citation on behalf of President Johnson, and to express to you his profound appreciation of this honor and his regret that he was unable to be with you tonight.

President Johnson said in his State of the Union Message that this was a time of testing for Americans.

I think many people applied this just to Vietnam, or to our international responsibilities.

But this is a time of testing here at home, too.

Again, in the President's words, "the question is whether we will continue working for better opportunities for *all* Americans, when *most* Americans are already living better than any people in history."

I read a document the other day that suggested we cut back in our efforts toward better opportunities.

There is no question that Vietnam, and our other international obligations, do require resources which might otherwise be devoted to building wider and better opportunity here in America.

(And may I say, parenthetically, that our efforts to resist aggression and defend the principle of national independence in Vietnam also have a great deal to do with the building of human opportunity.)

But I wonder: Should we *cut back* here at home?

What are the facts of our American economy?

The fact is that we have gone 70 straight months without interruption of our economic expansion—the longest and strongest expansion in our history—and that 1967 will be another year of balanced growth.

The fact is that our nation's output, last year, grew more than 5 percent for the third straight year—and that's another record for length and strength.

The fact is that the average American's *real* purchasing power is today almost *one quarter higher* than it was only six years ago.

The fact is that our Gross National Product is today approaching three quarters of a *trillion* dollars.

The fact is that some 10 million Americans have been reached in the past two years by our national programs for opportunity, and have begun their journey toward becoming self-sustaining, taxpaying citizens.

My friends, the fact is that we *can* afford to continue our efforts toward full opportunity for all Americans . . . toward social justice . . . toward making every American citizen a positive and productive citizen who contributes something to his society, and doesn't take away from it.

The fact is we *cannot* afford *not* to continue.

How shall we go about it?

Alexis de Tocqueville wrote in the 19th century: "These Americans are the most peculiar people in the world. In a local community in their country, a citizen may conceive of some need which is not being met. What does he do? He goes across the street and discusses it with his neighbor. Then what happens? A committee comes into existence. Then the committee begins functioning on behalf of that need . . ."

This was the spirit of private voluntarism which existed in America a century before the National Conference of Christians and Jews was founded.

This is the spirit we must preserve and nourish today.

For it is as true now as when Alexis de Tocqueville wrote it that: "The health of a democratic society may be measured by the qualities of functions performed by private citizens."

It is not sufficient to place laws upon our statute books.

These laws must be enforced and observed, in spirit and in letter, or they remain mere words on paper.

What is needed is *action* by all elements of our society—government, business, labor, the university, the religious and voluntary organization, and the individual citizen—without regard for old jurisdictions and animosities . . . a partnership of free men, working through free institutions, for a common goal.

As Ralph Waldo Emerson warned long ago: "God offers to every mind its choice between truth and repose. Take which you please; you can never have both."

Most of us here tonight live or work in Washington, D.C.—a community where today there exists the overwhelming need for action.

This is, in most ways, a magnificent city. It is, in fact, a city planned for magnificence.

Our public buildings and monuments shine forth in the sun for the eyes of the visitor. Our streets are lined with trees planted by farsighted men. The houses and homes of Washington have grace and charm.

Washington, too, is a city with unmatchable resources—material resources and resources, too, of human talent. It is a city, among all American cities, which should be *the* model city of our nation.

Yet we must see not only its magnificence, but its inadequacies.

We who are here tonight live well. But the hard fact is that, for many of this city's citizens, unemployment and under-employment are harsh daily realities.

The fact is that in many neighborhoods there is *de facto* segregation in schooling and housing.

The fact is that thousands of children are growing up in our capital city without enough breathing space or fresh air . . . without enough playgrounds or recreational areas . . . with a shortage of teachers, too-few and outdated school books and crumbling school buildings . . . with inadequate health care . . . with not enough youth services and youth workers.

The fact is that the safety of Washington's citizens, and of their property, leaves much to be desired . . . that the poor and underprivileged are crime's most frequent victims . . . and that the District police department needs more and better-trained people, modern equipment, and increased pay.

The fact is that we are still without adequate, regional mass transit.

The fact is that our majestic Potomac River flows polluted and poisonous along its banks.

The fact is that the citizens of our capital—among all the citizens of our country—do not possess the right of self-government.

And here I would remind you of the words of Thomas Jefferson who wrote more than 146 years ago: "I know no safe depository of the ultimate powers of the society but the people themselves: and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion."

And regrettably, the fact also is that far too many who live or work here remain complacent about all of this.

For year after year, it has been fashionable to say that the federal city could be America's first city *if* it were not for the political "realities" which kept it from being so. And it has been equally fashionable for those who could do something about it to tuck their children safely into private schools and/or to move their homes and businesses to the suburbs.

I say it is time for a change.

President Johnson has proposed an action program to lift our capital to its rightful place in our nation. He has put forth a budget which can help do it.

He has called once more for Home Rule.

We have, in the report of the President's Commission on Crime in the District of Columbia, a charter for justice and civic peace which clearly points the way to our "domestic tranquility."

And I say 1967 is the year when the *people* who live or work in Washington, D.C.—and that includes most of us in this room—should prove that de Tocqueville was *not* wrong . . . that we neighbors are still capable of pulling together to look after the unmet needs of our community.

I ask each one of you, on his own and through whatever organizations he may belong to, to make it his business this year to stand and be counted for a better and safer and self-governing District of Columbia.

I ask your support for the President's budget proposals and those of his Crime Commission. I ask your support for Home Rule. I ask you to organize, to write, to lobby in the offices of the Congressmen involved—in short, to stand up in this community for the same things we have fought for in the rest of our country.

Yes, if this is a time of testing elsewhere, it is also a time of testing right here in this city for all of us.

If this is a time when we cannot cut back, in our nation, on programs for growth and opportunity, it is also a time when we must go forward with those programs in our national capital.

Now, before closing, I would like for a moment to place in proper perspective the tasks we face ahead.

All the problems I have cited are clear and present in this community.

Yet, in the past few years and months, we have begun to challenge *all* of them. And I believe, from our efforts thus far, we recognize that they *can* be overcome.

If nothing else, this community today acknowledges and recognizes that they exist. And that is something in itself.

We are beginning to slowly move away from ghetto housing and schooling.

I saw last summer what could be done by volunteer efforts in Washington for Youth Opportunity—finding jobs for young people who otherwise would have been in the streets—and on behalf of better playgrounds and playground lighting for young people.

We had some misadventures in trying to obtain and install neighborhood swimming pools for these same young people. But we'll do far better this summer, I can assure you.

I am pleased to see that our local colleges and universities, up until now largely pacifist observers and removed from community affairs, are beginning to take their part.

I assure you that the same will be increasingly true of the federal government.

I believe Washington can be *the* "model city" of America.

I believe that our neighborhoods can once more be places filled with *neighbors* . . . where the streets are safe . . . where people care about each other.

I believe the "other" citizens of Washington—those citizens who live too largely in a sealed-off world a million miles distant from upper Massachusetts Avenue—can become participants, and not spectators, in this community's daily life.

I believe we can clean the filth from our air and water, and the trash from our slum alleys.

I believe we can make this a community where people of all races, creeds, colors, ages and occupations can live together in harmony and in peaceful diversity.

For if we, in our shining federal city, cannot do it . . . what American city can?

If it can't happen here . . . how can it happen elsewhere?

We have begun. But we have only begun. Let us get on with the job.

GOLD DRAIN IMPERILS DOLLAR

Mr. SYMINGTON. Mr. President, the growing problem of the U.S. loss of its gold reserve is remindful of a remark about the weather which has been attributed to a famous Missourian:

> Everybody talks about the weather, but nobody does anything about it.

At the same time we continue to lose this gold, many are asking for much lower interest rates; and if that development goes through, we can only lose more gold.

At present we have about 10 percent of free, nonmonetized gold available to pay off foreigners who hold American dollars redeemable in gold: and even if the 25-percent gold bullion reserve requirement against the issuance of Federal notes were removed, if called, this country still has now less than half the gold necessary to pay those foreign obligations.

In this connection, I ask unanimous consent that a recent wise and constructive editorial published in the St. Louis Globe-Democrat be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the St. Louis Globe-Democrat, Feb. 2, 1967]

GOLD DRAIN IMPERILS DOLLAR

With each passing month the United States world monetary position grows more tenuous as our gold supply continues to dwindle.

The Federal Reserve Board reported another $27,000,000 decline in the United States gold supply in December, bringing the total loss in 1966 to $571,000,000.

Those who would defend the record point out that the total '66 loss was one-third of the $1,660,000,000 in 1965. This is slight consolation when it does nothing to alter the fact that our gold supply has reached the lowest point since 1937.

United States gold supply is down to $13,200,000,000. It has dropped to this dangerously low figure from $21,800,000,000 in just 10 years.

Most of our gold has gone to France and other European nations. Europe during the same 10 years has increased its gold holdings from $8,100,000,000 to $20,500,000,000.

It is time the Administration and Congress take steps to reverse this long decline in our gold reserves, threatening the whole monetary system.

Every year the Administration has said that the gold drain would be checked. But it still hasn't taken decisive steps to stop it.

VISIT BY U.S.S. "FRANKLIN D. ROOSEVELT" TO CAPETOWN, SOUTH AFRICA

Mr. CASE. Mr. President, I welcome the Navy's decision, over the weekend, to abandon its ill-considered plan to grant shore leave to the crew of the carrier U.S.S. *Franklin D. Roosevelt* during a refueling stop at Capetown, South Africa.

The apartheid policies of the Government of South Africa are anathema to the American people, in my view, and I have been saying so from these halls for more than 20 years.

We have been told, moreover, that it is the firm policy of the U.S. Government to refuse to countenance apartheid by any official word or deed

I was therefore shocked to learn that the crew of the *Franklin D. Roosevelt*, which includes many Negro servicemen, was to put ashore at Capetown subject to the entire gamut of segregationist laws that make up apartheid, and I so informed the President by telegram.

It is good to know that the protest in which I joined was heeded. The fact that the crew of the *Franklin D. Roosevelt* has been denied the pleasure of shore leave is regrettable, but the alternative—an implicit endorsement of apartheid by the U.S. Government—was unthinkable.

It is disturbing that the Navy had to be reminded of this by persons outside the executive branch. I can only hope that the lesson has been learned.

I ask unanimous consent to have printed at this point in the RECORD my telegram to President Johnson.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

TEXT OF WIRE TO THE PRESIDENT BY SENATOR CLIFFORD P. CASE PROTESTING VISIT OF U.S.S. "FRANKLIN DELANO ROOSEVELT" TO CAPETOWN, SOUTH AFRICA

DEAR MR. PRESIDENT: Strongly urge that you act to cancel the so-called "routine" visit of the U.S.S. *Franklin Delano Roosevelt* to Capetown, South Africa, on the way back from Viet Nam. To subject Negro servicemen to the humiliations of apartheid policies is an affront not only to them but to all servicemen—indeed, to all Americans.

I had understood it was our policy that U.S. naval vessels would not put in to South Africa with its rigid policy of segregation based on race. This is, I believe, a sound position for the United States, consonant with our national goals. Any weakening or reversal of that policy cannot help but raise serious questions around the world of the sincerity of our commitment to racial justice. Surely an alternative port can be found where all our servicemen, whatever their race or color, can enjoy liberty on equal terms.

Respectfully,

CLIFFORD P. CASE,
U.S. Senator.

FEDERAL FIREARMS LEGISLATION

Mr. FONG. Mr. President, I am particularly pleased that the President reaffirmed his dedication to pressing for stricter controls of firearms in his message to Congress on crime in America.

We are all aware that any child, insane person, narcotic addict, or drunk can buy a gun almost as easily as a piece of furniture. The statistics are horrifying—a million weapons, outmoded but still lethal, are imported every year. These include bazookas, antitank guns, and grenade launchers. Because of the easy access to all sorts of guns, the death toll is a stain on our national honor. Fifteen thousand persons were shot to death in 1 year, according to one national publication.

As I have repeatedly pointed out in the Senate in past sessions of Congress, there is a great need to control the use of firearms so that our citizenry can be protected from their unlawful and destructive use.

The President is seeking means to afford protection to the citizens of this country, and I urge that prompt consideration be given to this problem.

"WHAT IS A COP?"—EXCERPT FROM NBC "DRAGNET" PRODUCTION ON THURSDAY, FEBRUARY 9, 1967

Mr. HOLLINGS. Mr. President, in the past few months we have heard a phrase so often repeated in the news media that it has become a household word. The phrase is "police brutality." It has become the battle cry for groups of so-called peaceful demonstrators who are in reality nothing more than organized lawbreakers. We have seen this mythical "police brutality" used as a justification for rioting, destruction of private property, and the obstruction of police officers in performing their lawful duty.

It has been repeated so often that, in some instances, public officials have been coerced into action in a fashion that gives credence to the charge, and this has produced the worst byproduct possible: a deterioration of respect for law and order.

This morning I received, as I am sure all Senators did, a letter from Mr. Jack Webb, of the NBC series "Dragnet." In the letter, Mr. Webb invites attention to an enclosed excerpt from this coming Thursday's episode. The excerpt is a speech entitled "What Is a Cop?" I think it illustrates perfectly the frustration, anxiety, and heartbreak experienced in the normal course of a day's work by America's law enforcement officers. I think also that it serves to show that it is quite possibly the average American policeman who is in truth being brutalized. I ask unanimous consent that the letter and speech be printed in the RECORD.

There being no objection, the letter and speech were ordered to be printed in the RECORD, as follows:

MARK VII, LTD.,
Universal City, Calif., February 6, 1967.

Hon. ERNEST F. HOLLINGS,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HOLLINGS: I am enclosing a copy of a speech excerpted from the "Dragnet" episode which will be broadcast over the NBC Television Network this coming Thursday night.

In view of the increasing disregard for both the law and its enforcement in our society today, it seems to me of vital importance that efforts be made to narrow the gap in understanding which exists between some segments of the public and the police—their police.

In its own small way, the enclosed speech is an effort in this direction in that it attempts to portray a police officer's attitude toward his job as simply and as realistically as possible. In yet another sense, the speech also tries to sum up what "Dragnet" itself is all about.

As one primarily engaged in the entertainment business, I would not presume to judge the validity of this material myself. However, the dozen or so officers of the Los Angeles Police Department and Police Commission who have seen the film containing the speech have unanimously indicated that it is a throughly accurate reflection of their own feelings about police work and their jobs . . . so much so, in fact, that the Police Commission has requested that the film be used as an official part of the training program at the Los Angeles Police Academy.

I hope that you can find the time to read the enclosure and/or watch the show itself.

Sincerely yours,

JACK WEBB.

WHAT IS A COP?

(Excerpted from the Feb. 9, 1967 episode of "Dragnet" on NBC-TV—Sgt. Joe Friday talking to an unhappy rookie)

It's awkward having a policeman around the house. Friends drop in. A man with a badge answers the door. The temperature drops twenty degrees. Throw a party and that badge gets in the way. All of a sudden there isn't a straight man in the crowd. Everybody's a comedian. "Don't drink too much," somebodys says, "or the man with the badge will run you in." . . . Or, "How's it goin', Dick Tracy? How many jaywalkers did you pinch today?" . . . And there's always the one who wants to know how many apples you stole. All at once you've lost your first name. You're a "cop," a "flatfoot," a "bull," a "dick," "John Law," You're "the fuzz," "the heat," . . . you're poison, you're trouble . . . you're bad news. They call you everything, but never a policeman. It's not much of a life . . . unless you don't mind missing a Dodger game because the hotshot phone rings . . . unless you like working Saturdays, Sundays, holidays . . . at a job that doesn't pay overtime. Oh, the pay is adequate. If you count your pennies, you can put your kid through college. But you'd better plan on seeing Europe on your television set. Then there's your first night on the beat. When you try to arrest a drunken prostitute in a Main Street bar and she rips your new uniform to shreds. You'll buy another one . . . out of your own pocket. You'll rub elbows with all the elite: pimps, addicts, thieves, bums, winos, girls who can't keep an address and men who don't care. Liars, cheats, con men, the class of Skid Row. And the heartbreak: underfed kids, beaten kids, molested kids, lost kids, crying kids, homeless kids, hit-and-run kids, broken-arm kids, broken-leg kids, broken-head kids, sick kids, dying kids, dead kids.

The old people that nobody wants, the reliefers, the pensioners, the ones who walk the street cold and those who tried to keep warm and died in a three-dollar room with an unvented gas heater. You'll walk the beat and pick up the pieces. Do you have real adventure in your soul? You'd better have. You'll do time in a prowl car. It'll be a thrill-a-minute when you get an "unknown trouble" call and hit a back yard at two in the morning, never knowing who you'll meet . . . a kid with a knife . . . a pill-head with a gun, or two ex-cons with nothing to lose. And you'll have plenty of time to think. You'll draw duty in a "lonely car" . . . with nobody to talk to but your radio. Four years in uniform and you'll have the ability, the experience and maybe the desire to be a detective. If you like to fly by the seat of your pants, this is where you belong. For every crime that's committed, you've got three million suspects to choose from. Most of the time you'll have few facts and a lot of hunches. You'll run down leads that dead-end on you. You'll work all-night stakeouts that could last a week. You'll do leg work until you're sure you've talked to everybody in California . . . people who saw it happen, but really didn't. People who insist they did it, but really didn't. People who don't remember, those who try to forget. Those who tell the truth, those who lie. You'll run the files until your eyes ache. And paperwork . . . you'll fill out a report when you're right, you'll fill out a report when you're wrong, you'll fill one out when you're not sure, you'll fill one out listing your leads, you'll fill one out when you have no leads, you'll make out a report on the reports you've made. You'll write enough words in your lifetime to stock a library. You'll learn to live with doubt, anxiety, frustration, court decisions that tend to hinder rather than help you: Dorado, Morse, Escoobedo, Cahan. You'll learn to live with the District Attorney, testifying in court, defense attorneys, prosecuting attorneys, judges, juries, witnesses. And sometimes you won't be happy with the outcome. But there's also this: There are over five thousand men in this city who know that being a policeman is an endless, glamorless, thankless job that must be done. I know it, too. And I'm damned glad to be one of them.

Richard L. Breen and Jack Webb.

OBJECTIONS TO PROPOSED DIRECT VOTE FOR PRESIDENT

Mr. MUNDT. Mr. President, as a recent statement by the Commission on Electoral College Reform, of the American Bar Association, presents some highly meritorious and significant criticisms of our present electoral college system. It demonstrates once again the basic necessity for correcting some of the perils and problems presently embedded in the manner in which we now elect our Presidents through the machinery of the electoral college.

Unfortunately, to some of us who have been crusading for electoral college reform for more than a decade, the answer or the cure proposed by the American Bar's Commission on Electoral College Reform creates many more problems than it solves and has some highly undesirable features which argue against its adoption. This is especially true when there are available at least two and possibly more reform procedures which would avoid the unfortunate repercussions and consequences which the direct vote for President proposal would set in motion.

Inasmuch as the American Good Government Society has for many years been in the vanguard of those advocating electoral college reform, I have asked the executive director, Mr. J. Harvie Williams, of its Committee on Electoral College Reform to prepare a statement in depth discussing the pros and cons of various proposals to correct the present situation.

While I happen to be the author and sponsor of the so-called District Plan for Electoral College Reform, now before the Senate as Senate Joint Resolution 12, and while I am gratified that the American Good Government Society along with many other knowledgeable groups are supporters of the district plan for reforming the electoral college, I am submitting this statement not as an argument for the approval of our amendment but as a public service to call attention to some of the pitfalls and the perils involved in departing completely from our traditions by providing for the direct popular vote for President and by discarding our great American concept of majority rule.

Too many foreign governments have already demonstrated the dangers of governments selected by a minority to give me any feeling of confidence, for example, in a proposal advocating that we now adopt a proposal openly recommending that a vote of 40 percent be considered adequate to elect our National Presidents with the inevitable concomitant that a plethora of minority parties would develop to grind away the traditional advantages which our adherence to a two-party system has uniquely provided for the United States.

The Commission on Electoral College Reform of the American Bar Association, in its report to the association, recommends that the President of the United States be elected by 40 percent of the direct nationwide popular vote; that when no candidate receives the required 40 percent of the vote a runoff election be held between the two top candidates; and that Congress have ultimate power over presidential elections, including age and residence requirements of voters.

These recommendations go far beyond what is necessary to achieve a much-needed, long overdue, and proper reform of the electoral college system by which we elect the President and Vice President. They would reshape the foundations on which the Constitution rests. Are we ready to do this?

By giving Congress control of the President's election the commission's recommendations would abolish the doctrine of separation of powers.

By abandoning the majority requirement in the President's election, the commission's recommendations would cut asunder the taproot of the two-party system. As much as the two-party system is revered we should understand clearly that it is imposed on us by the constitutional requirement of a majority vote to elect the President, by the electoral college or by the House of Representatives.

By abolishing the electoral college—that is, the office and person of elector of the President—the commission's recommendations would cut out the heart of our Federal Union of States. Let me be specific. By this action the commission's recommendations would wipe out both the Federal element and the national element from the President's constituency which is now a representation of States and people—not voters—just as the Senate and House are a representation of both States and people. In their place this proposal, in the words of the eminent Prof. Edward S. Corwin, would "substitute a mathematical constituency, with the evils already cited, for the present geographic constituency. It would also pose a difficult problem of policing."

Heretofore, the direct, nationwide election of the President has been regarded as impossible of accomplishment. It was widely believed that the legislatures of the smaller States would not ratify such a change in the Constitution, and that Senators from these States would oppose submission of any amendment that so changed their constitutional status. I still believe this to be true, for there are 15 States having three or four members of the electoral college. Only 13 States are necessary to defeat a constitutional amendment.

Every worthy charge the commission makes against "the electoral college method of electing a President of the United States can be pinpointed as a charge against the statewide election of those members of the electoral college who exist by virtue of Members of the House of Representatives. Senate Joint Resolution 12, of which I am the sponsor, along with Senators Cotton, Curtis, Dominick, Fong, Hruska, Jordan of Idaho, Morton, Stennis, Thurmond, and Tower, would do all that needs to be done. It would make the President's constituency equivalent to that of the Senate and House of Representatives in joint session, which is exactly what the Constitution provides. That provision was distorted erroneously by the State legislators a long time ago. Its correction now does not require a reshaping of our federal system.

Because the direct election of the President has not heretofore been taken seriously its true character and the problems it would create have not been closely examined. It was to remedy this, in part, that I asked the Committee on Electoral College Reform, of the American Good Government Society, to examine the report of the Bar Association's commission and offer any comment that seemed necessary. I ask unanimous consent that this position paper be printed in the body of the Record.

There being no objection, the paper was ordered to be printed in the Record, as follows:

Electoral College Reform

The American Bar Association published this month *Electing the President*. A report of its Commission on Electoral College Reform.

What follows is an objective commentary on the Report. Where necessary, the comment is critical.

My comment follows a quotation from the Report which is identified by page number.

Page 1

"Three of the four basic proposals would retain the system of allocating to each State a number of electoral votes equal to the number of Senators and Representatives to which the State is entitled in Congress."

Comment

This language smacks of the language of the Rules of Democratic National Conventions, and of the Southern Wing of the Party. In that convention "votes" are "allocated" to States. In Republican Conventions "delegates" are allocated to the States and Congressional Districts, as the Constitution allocates Electors to the States.

Page 1

The "unit vote" proposal would write into the Constitution the present practice of awarding all of a State's electoral votes to the candidate who wins the greatest number of popular votes in the State.

Comment

There is no present practice of awarding votes. There is the election of a party slate of Electors who, when they meet vote by ballot. Being party men and having been elected as a party slate in each State, each Elector marks his ballot for his party's ticket. The term "unit vote" derives from Democratic conventions which permit voting under the "unit rule" whereby the majority of a State delegation.

Pages 1 and 2

The "district vote" proposal would divide each State into districts comparable to congressional Districts; the winner of the popular plurality within the district would receive that district's electoral votes and the two additional electoral votes would go to the candidate receiving a plurality of the popular vote in the State.

Comment

Under this proposal the Electors to which a State is entitled by virtue of its Representatives would be elected in districts.

THE COMMISSION'S RECOMMENDATIONS

Page 3

The Constitutional Amendment should: "provide for the election of a President and Vice President by direct nationwide popular vote."

Comment

This proposal would:

(a) Eliminate the federal element from the constituency of the President of the United States of America by eliminating 100 Electors who exist by virtue of 100 United States Senators.

(b) Eliminate representation of people according to numbers by eliminating 435 Electors who exist by virtue of Representatives in Congress.

(c) Substitute a mathematical constituency of voters, which could and would vary from election to election according to weather, counter attractions, ideological issues, "ballet voters," etc., for the geographic-population constituency. Such an Amendment should also change the title of the office to "President of the Voters in America" to square it with the proposed change in the Constitutional foundation of the Executive Power.

(d) Convert the present *intra*state election of Electors to an *inter*state election of Presidential tickets which have been nominated by national party conventions unknown to the Constitution. As no Constitution, not even that of a Ladies Aid Society, is complete without imperative provisions for filling its offices, the entire apparatus of the party system would have to be brought under Federal regulation.

(e) Set the States into competition to expand their electorates by lowering age limits and franchise qualifications.

Page 3

"Require a candidate to obtain at least 40% of the popular vote in order to be elected President or Vice President."

Comment

This proposal would:

(a) Abandon the majority principle which is the taproot of the two party system. The majority requirement leaves no room for a continuing third party.

(b) Bless Constitutionally a President opposed by three-fifths of the voters.

Page 3

"Provide for a national runoff between two top candidates in the event no candidate receives at least 40% of the popular vote."

Comment

This proposal would imbed in the Constitution for use in general elections a device developed for use in primary elections of the Democratic party in the one-party States of the South. Experience with it is limited to ten Southern States, and only in primary elections of the Democratic party.

Page 3

"Provide that the places and manner of holding the presidential election and the inclusion of the names of candidates on the ballot shall be prescribed in each State by the legislature thereof, with the proviso that Congress may at any time by law make or alter such regulations:"

Comment

This proposal would:

(a) Violate the principle of separation of powers in that Congress now has no authority in the premises.

(b) Open the way for Congressional regulation of party conventions, and Presidential elections.

Page 3

"Require that the voters for President and Vice President in each State shall have the qualifications requisite for persons voting therein for Members of Congress, with the proviso that each State may adopt a less restrictive residence requirement for voting for President and Vice President provided that Congress may adopt uniform age and residence requirement."

Comment

This proposal would extend the Authority of Congress to election questions heretofore exclusively in the jurisdiction of the States, further denaturing the federal system.

Pages 3 and 4

"The electoral college method of electing the President of the United States is archaic, undemocratic, complex, ambiguous, indirect and dangerous.

"Among other things, the present system allows a person to become President with fewer popular votes than his major opponent."

Comment

There are no popular votes for President. The popular vote is for a slate of Electors in a State and the number of popular votes is the number of votes received by the Elector candidates. This is determined by multiplying the number of voters by the number of Elector offices to be filled. This interchanging of "voters" and "ballots" and "votes" confuses the whole subject.

Page 4

"Grants all of a state's electoral votes to the winner of the most popular votes in the State, thereby cancelling all minority votes cast in the State;"

Comment

What happens is that party slates of Electors run on a statewide general ticket mostly under the names of the party's national ticket. Each Elector candidate is a statewide candidate and receives a vote from each voter who marks a ballot for his slate. The minority merely loses, as all minorities do. This is not to say that the general ticket is a fair representative system. It isn't. It is everything else.

Page 4

"Makes it impossible for presidential electors to vote against national candidates of their party;"

Comment

Of more than 15,000 men and women who have been appointed Elector of the President only 8 are alleged to have voted contrary to the intentions of their supporters.

Only three of these instances have occurred since 1824, one each in 1948, 1956 and 1960. Under close examination these allegations do not stand up. If an issue at all, this is a spurious one, sheer nonsense, unworthy of serious consideration.

Page 4

"Awards all of a State's electoral votes to the popular winner of the State regardless of voter turnout in the States;"

Comment

The number of Electors in a State is established by the Constitution—two for the State as an organized political society, and one or more according to its population. The "voter turnout" is irrelevant. In voting, enfranchised Citizens represent those ineligible to vote—minors, aliens, etc.

Page 4

"Assigns to each State at least three electoral votes regardless of its size;"

Comment

This is the federal system. Each State has two U.S. Senators and at least one Representative in Congress, therefore three Electors—two *federal* or "Senatorial" Electors and at least one *national* or "Representative" Elector. This is the Federal Union of States in Congress which has the legislative power; and in the Electoral College which elects the President to wield the executive power. Both powers rest on the same base in the electorate. The only distortion—and it is a big one—is the State Legislatures' use of the statewide general ticket for the election of the *national* or "Representative" Electors.

Page 4

"Fails to take into account population changes in a State between censuses;"

Comment

No proposed amendment even tries to do this. This idea is indicative of the shallowness and thoughtless character of the Report. Direct popular election would substitute an eccentric fluctuating mathematical constituency of voters for a geographic constituency of people, of voters and nonvoters alike represented by voters. Stormy weather in some parts of the country could wreak havoc in the final outcome.

Page 4

"Allows for the possibility of a President and a Vice President from different political parties;"

Comment

This is correctable in the contingent election, by putting it in a joint session of Congress, without upsetting the federal system; in fact this suggestion would be a vast improvement.

Page 4

"Employs an unrepresentative system of voting for President in the House of Representatives."

Comment

This, as above, is correctable in the contingent election without upsetting the federal system.

Page 4

"Direct, nationwide popular vote is best of all possible methods. It offers the most direct and democratic way of electing a President and would more accurately reflect the will of the people than any other system;"

Comment

The people have a dual citizenship, in their States and in the United States. Direct popular election of the President would eliminate the State or federal part of this duality, leaving only the national citizenship. This is where the federal element is to be taken out.

Page 4

"Direct popular vote would eliminate the principal defects of the present system;"

Comment

It would also eliminate the federal element from the President's constituency and destroy dual citizenship in Presidential elections, but leave them intact for the election of Congress. The footing of the two elective

Powers, Legislative and Executive, in the electorate would be utterly unlike in the Constitution itself. The principal defect is, of course, the statewide election of "Representative" Electors. This is charged not against the Constitution *per se* but against the State Legislatures.

Pages 4 and 5

"It would eliminate the unit vote rule . . . which totally suppresses at an intermediate stage all minority votes cast in a State.

Comment

The Statewide general ticket for "Representative" Electors is wholly unrepresentative. As to suppressing minority votes, which is not the real question here, it is unimportant at what stage they are the losers if the system of representation is fair and just.

Page 5

"It would do away with the ever-present possibility of a person being elected with fewer popular votes than his major opponent;"

Comment

"Popular vote" as used in the Report, is not a standard of measurement for anything in our political system except the number of voters. It is no measure of the number of votes they cast.

Page 5

"It would abolish the office of presidential elector which is an anachronism and a threat to the smooth functioning of the elective process;"

Comment

The presidential elector is no more out of date than the Constitution itself. No such threat has been demonstrated. How can the constituencies of the President and of Congress be brought close to exactness without the "Senatorial" and "Representative" Electors, properly elected? This is the central question, yet the Commission ignored it.

The national parties and their conventions are extralegal. They are, in national committees and conventions, simply federations of State parties which are legal entities under State laws.

Although the Elector exists because of the Constitution, the courts have held him to be a State officer performing a federal function. He is the connecting link between the States and the United States in the election of the President and Vice President. It is the office of Elector which keeps Presidential elections intra-state, under State election laws, and free from Congressional control.

Although national conventions today make party nominations for President and Vice President, it is the party Elector, by his vote in the Electoral College of his State, who gives that nomination Constitutional status. Removal of the Elector could invite control of Presidential nominations and elections by Congress, taking this control from the States.

If the Elector is removed from the Constitution, something will have to replace him. Some specific provision must be made for the performance of the Elector's separate Constitutional functions of nominating someone for President, and of electing a President when someone has an electoral majority.

Page 5

"It would minimize the effects of accident and fraud in controlling the outcome of an entire election;"

Comment

The exact opposite is true. The present system places an undue premium on fraud because of the statewide general ticket. Fraud in Chicago affects the outcome throughout the State of Illinois; fraud in St. Louis or Kansas City affects the entire State of Missouri; fraud in Philadelphia and Pittsburgh is imbedded in the final count in Pennsylvania. None of these frauds would affect the election results in any other State.

The same frauds in a direct, nationwide popular election would all be added into the final results. The premium on fraud would be greatly increased.

As to accidents: A great storm in the Northwestern States could materially reduce the turnout of voters in that part of the Country. The result would shift the center of political gravity of the entire country.

It is always easier for metropolitan voters to attend the polls, a short distance from their homes, than it is for people in more sparsely settled regions where the polling places may be several miles away.

Page 5

"It would put a premium on voter turnout;"

Comment

Voter turnout is the business of the political parties. The Constitution should be neutral, neither abetting nor blocking.

Page 5

"Perhaps the most important objection that has been voiced to direct election is that it would lead to a proliferation of parties and weaken the American two party system;"

Comment

The two party system is rooted in the majority requirement in the Electoral College; in the contingent election in the House; in the organization of the House, and in the organization of the Senate. The threat to the two party system is in the proposed 40% plurality for the President's election. It is not in the direct election proposal *per se.*

The statewide general ticket for "Representative" Electors is more conducive to third parties as "spoilers" since they can effectively shift a large pivotal state from one party to another; or on rare occasions win the electoral vote of a State. In 1948 Henry Wallace's candidacy shunted Michigan, Maryland and New York into Dewey's electoral column. That same year the regular Democratic party in four Southern States supported Thurmond instead of Truman.

Page 5

"We recommend that a candidate should receive at least 40% of the popular vote in order to be elected President;"

Comment

By abandoning the majority principle this proposal would weaken and ultimately destroy the two party system, as it would concede the Presidency to a man opposed by three-fifths of the voters.

Page 6

"We further recommend that there be a national runoff popular election between the two top candidates in the event no candidate received at least 40 percent of the popular vote;"

Comment

The "runoff" is a device used in Democratic primaries in ten one-party States in the South. It is unsuitable for nationwide general elections, as it would double the cost and most often topple the leading candidate in a three-way race. It would weaken the major parties. Wouldn't an ultimate choice by a joint session of Congress be preferable as the contingent election?

Page 6

"The president is our highest nationally elected official . . . It is only fitting that he be elected directly by the people:"

Comment

He is "President of the United States of America". The United States is a *federal union* of States with a limited Constitution of Government, or dual sovereignty. For the *legislative Power* the Senate rests on the federal principle of coequal political societies; and the House of Representatives rests on the people of the States. For the Executive Power the Electoral College rests on similar foundations by combining into one voting body the "Senatorial" or *federal* Electors (100) and the "Representative" or national Electors (435). This body is the exact counterpart of a joint session of Congress.

Dual sovereignty of the federal union gives each citizen dual citizenship. He is a citizen of the United States when he votes for a Representative in Congress and the corresponding "Representative" or national Elector. He is a citizen of his State when he votes for two United States Senators and for two "Senatorial" or *federal* Electors.

To pull the federal element out of the President's constituency would be to deprive the States as such of a part in his election, and reduce the quality of State citizenship by half.

To do this by substituting a mathematical constituency of voters for the fixed geography of the States in the President's constituency would make him "President of the Voters of America".

Page 6

"Under direct election as embodied in our recommendations, states would continue to play a vital role in the elective process. They would continue to have primary responsibility for regulating the places and manner of holding presidential elections for establishing qualifications for voting in such elections and for controlling political activities within their state boundaries;"

Comment

"Primary responsibility" is not *ultimate* responsibility. This ultimate responsibility is proposed to be given to Congress in violation of the principle of Separation of Powers.

Page 7

"In summary, direct election of the President would be in harmony with the prevailing philosophy of one person, one vote. 'The conception of political equality from the Declaration of Independence, to Lincoln's Gettysburg Address, to the Fifteenth and Nineteenth Amendments can mean only one thing—one person, one vote.' This equality in voting should extend above all to the Presidency."

Comment

This unquestioning acceptance of undemonstrable assertions is the major weakness of the Commissions Report. For example, under the Nineteenth Amendment the vote of a New Yorker for United States Senators cannot be equated with the vote of an Alaskan for United States Senator. Under the federal principle of State representation in the Senate the comparison is irrelevant.

Nor is there any evidence that there is a "pervailing philosophy of one person, one vote".

In conclusion, every relevant and valid charge against "the electoral college method of electing a President of the United States" is, in face, a charge against the statewide election of those members of the Electoral College who exist by virtue of members of the House of Representatives. The question is not one of voter equality but of *representation*, of the shape of the President's constituency.

When in 1842, in order to prevent use of the general ticket for Representatives, Congress first enacted a law requiring that House members be elected in single member Districts, John Quincy Adams (who had been President and Senator) had this to say, as Chairman of a Select Committee of the House of Representatives:

"The representation of the people by single districts is undobutedly the *only* mode by which the principle of representation, in proportion to numbers, can be carried into execution.

"A more unequal mode of assembling a representation of the people in a deliberative body could not easily be contrived than that of one portion chosen by general ticket throughout the State, another portion by single districts, and a third portion by single and partly by double, treble and quadruple districts.

"This forms, in the mass, a representation not of one representative for the common standard number throughout the whole Union, but of States, and cities, and sectional divisions, in knots and clusters of population, of different dimensions and proportions . . .

"Should the general ticket system universally prevail, it is obvious that the representation of this House will entirely change its character, from a representation of the people to a representation of States, and transform the constitutional government of the United States into a mere confederation like that which, fifty-four years ago, fell to pieces for the want of ligatures to hold it together."

Should it be necessary to do violence to the structure of our Constitutional system in order to correct partisan political errors of the State Legislatures?

J. HARVIE WILLIAMS,
Director, Committee on Electoral College Reform, American Good Government Society.

JANUARY 26, 1967.

A BALANCED ECONOMY FOR AMERICA

Mr. MUNDT. Mr. President, the New York Times for Monday, February 6, included an article concerning an experiment by the University of Minnesota and several agencies of the Federal Government which would lead to the creation of a new city in a now predominantly rural area of the Midwest. Containing perhaps 250,000 people, it would be located at least 100 miles from any existing metropolitan center.

I ask unanimous consent that the article, entitled "Experimental City Mapped in Midwest," be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EXPERIMENTAL CITY MAPPED IN MIDWEST

(By Robert B. Semple, Jr.)

WASHINGTON, February 5.—The Federal Government and the University of Minnesota are about to embark on an experimental project that could lead to the construction—in the Minnesota farmlands—of a new city with a population of a quarter of a million persons.

High officials here confirmed today that only a few minor details remained before final approval was given for total grants of $248,000 from three different Government agencies. The money will help to finance the planning phase of the project.

The project, which has the strong backing of Vice President Humphrey, the Cowles publishing interests in Minneapolis and some elements of big business in Minnesota, is unusual in that it does not contemplate the construction of another suburban community, or even a satellite "new town" such as Reston, Va., or Columbia, Md.

Rather, the project's planners are seeking a self-contained urban center that would be built at least 100 miles from any existing center.

The project is based on the assumption that the nation cannot now comfortably accommodate the three million more persons who must be housed each year—the equivalent of 12 cities with 250,000 persons living in each—simply by cramming them into existing metropolitan areas.

AIM CALLED EXPERIMENTAL

Its purpose, however, is frankly experimental. It does not seek to solve the urban problem overnight. Its aim is to test the proposition that by judicious planning and experimentation the nation can preserve the advantages of high-density living and yet avoid its disadvantages—ugliness, pollution, noise and congestion.

The staff director of the project is Walter N. Vivrett, professor of architecture and planning at the University of Minnesota. Dr. Vivrett, interviewed by telephone today, told a reporter that the university's applications for Federal funds "had been generally agreed on." He said he expected final approval before March 1.

Officials here, conceding that final Federal approval is imminent, are not at all certain what will come of the project but are willing to make a bet of $248,000 on it.

The three Government agencies contributing to the project are the Department of Housing and Urban Development, the Department of Health, Education, and Welfare and the Department of Commerce. The man who is said to have put the whole "Federal package" together is Neil Peterson, one of Mr. Humphrey's top aides.

The cost of the first phase of the investigation—known as the "project definition phase"—is estimated at $330,000. The difference between the Federal share and the total cost will be made up by the University of Minnesota and local companies.

Although formal staff work cannot begin until the grant application is approved, much thought has gone into the project. In addition, the university has named a top-level steering committee to oversee the project and to lend guidance.

Among its members are:

Walter W. Heler, former chairman of the Council of Economic Advisers and now professor of economics at the University of Minnesota.

Dr. James C. Gain, a Mayo Clinic surgeon, who is President Johnson's personal physician.

Gen. Bernard Schriever, former chief systems command, United States Air Force.

R. Buckminster Fuller, designer and engineer from the University of Southern Illinois.

William L. C. Wheaton, director of the Institute of Urban and Regional Development at the University of California at Berkeley.

Paul N. Ylvisakr, director of Public Affairs for the Ford Foundation.

TOTAL COST UNKNOWN

No one has tried to estimate the cost of constructing a new city. Nor has a site been chosen, although given the Minnesota cast of the project's directors and backers, there will doubtless be strong preferences for building the city in that state. But Dr. Vivrett emphasizes that the question of investment is "the sort of thing we will be trying to answer in the early stages," and the question of precise site is "a long way off."

The origins of the idea are obscure, but much credit is given to Dr. Athelstan Spilhaus, Professor in the School of Physics at the University of Minnesota. In a recent interview here, Dr. Spilhaus said he had first become interested in the notion of an experimental city while working on a pollution study for the National Academy of Sciences.

Dr. Spilhaus's conception of the things that might be tried in an experimental city is tentative but energetic. Among other components, he visualizes:

An urban environment with a transportation system eliminating or reducing the need for automobiles, new communications systems, industries that either re-use waste products through processes of "industrial symbiosis" or bury them in "fume sewers," and a system of land management in which schools, homes, shopping centers and the like would be grouped so as to lessen the impact of the cost of commuting. The objective, he says, is to bring about "a full mating of the city and current technologies."

These and other ideas will be considered during Phase One of the project.

Mr. MUNDT. Mr. President, this is an encouraging expression of interest by the Federal Government. In all the discussions of recent months about the problems of the cities, too little attention has been directed to what appears to be a basic, widespread assumption—that the great majority of people necessarily must take up residence in huge metropolitan centers if they are to participate fully in the affluence of our modern economy.

We are at present depopulating, relatively, great expanses of this continent and concentrating the people in a few extremely densely populated complexes. Because such a demographic change should be founded on some certainty that the developing pattern is either needed or desirable, I have been considering ways in which the Federal Government might obtain pertinent information.

The following could be productive subjects for responsible inquiry:

First. Identify and evaluate which economic, social, and political factors affect the location of various types of industrial installations.

Second. Identify and evaluate which economic, social, and political factors are necessary and proper for general industries to operate efficiently outside metropolitan complexes of 500,000 or more population.

Third. Explore methods—both by legislation and expenditure—by which the Federal Government might effectively encourage better balanced industrial and economic growth throughout the Nation.

Fourth. Identify the size of city and political institution which can most efficiently provide necessary public services to its citizens; that is, the optimum efficient range of population concentration in cities.

Fifth. Evaluate the effect on government efficiency of differing patterns and intensities of population concentration.

Sixth. Evaluate the desirability of more geographically balanced economic development.

Seventh. Evaluate the competence and potential of State and local governments toward encouraging balanced economic development within States and regions.

Eighth. Explore how Federal expenditures might be planned and utilized to encourage more balanced economic development.

I ask unanimous consent that an article I recently submitted for publication by the Young Republican Club of the University of Arizona be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNDERDEVELOPED ECONOMIES—IN THE UNITED STATES

My purpose in this article is simply to pose a question about the balanced development of the American economy. I don't have an answer. Indeed, many observers would disagree that what I discuss is a problem at all. They might say I'm trying to perpetuate a system of values which is no longer viable. I don't agree.

We appear to be committed to an imbalanced development of the American economy. If there are more uniformly acceptable alternatives than our present policy, we should know about them. As things stand, the country is accepting a particular course of economic development with very little consideration of whether or not this is the best course.

As the American economy develops, it assumes more and more an unbalanced character. Certain areas grow very rapidly while other areas develop only slowly, or they stagnate, or, indeed, by relative measure, they retrogress.

The population of the United States is becoming more and more concentrated in relatively few metropolitan areas while, by relative comparison, we are depopulating great expanses of this continent.

I don't mean fondly to hearken back to a rural America. That's gone. Right now approximately two-thirds of our population reside in standard metropolitan statistical areas—cities, in common terms. In a few years seventy percent, then seventy-five percent, then eighty percent of our people will be living in these two hundred or so areas.

These metropolitan areas are, of course, diverse. Both Phoenix and Tucson are included. So are places like Lincoln, Nebraska, Wichita, Kansas, and Tulsa, Oklahoma. However, the greatest increase in population concentration does not occur in the smaller metropolitan areas. Rather, the already huge metropolitan complexes are absorbing most of the new population growth—places like New York, Chicago, Los Angeles and Washington.

Perhaps this reflects efficient operation of the modern organization. But here is precisely the question I want to pose. I don't think we are certain that this extremely dense concentration of people and industry is the most efficient economic or population structure—or the best utilization of land resources. Is this continued aggregation of the bulk of our population and wealth at a relatively few points really efficient social and economic organization?

I haven't seen pertinent factual information. Many people assume that the fact that this happens does indeed demonstrate that it is the most rational mode of development. Although there was mention in the recent hearings held by a Senate subcommittee (under Chairman Ribicoff) on the problems of the cities that continuation of this trend may not be necessary, the committee did not pursue the matter. President Johnson has expressed actual doubt as to the necessity of the trend. In a speech given last summer in Pennsylvania, the President said:

"If the present trends continue, by 1985 as many people will be crowded into our cities as (occupied) the entire nation . . . in 1960. . . . Many will migrate to the cities against their will, if we continue to allow this to happen.

"But should we or must we allow this to happen? Must we export our youth to the cities faster than we export our crops and livestock to the market?

"The President assumes we can change the trend:

"Modern industry and modern technology and modern transportation can bring jobs to the countryside rather than people to the cities. And modern government could also help."

Seeming diseconomies in the huge metropolitan complex are apparent. I'll suggest a few:

Air pollution. New York and Los Angeles are considering ways to curtail automobile traffic because car exhaust contributes substantially to an unacceptable (and apparently unhealthful) degree of air pollution. But the concentration of industrial plants, as well as dwellings themselves, also contribute to air pollution. The level of pollution around smaller cities approaches nowhere near that in the huge metropolitan complexes. Concentrating relatively more and more industry and people in the already huge cities aggravates this already ominous problem. It might be in the interest of public health to have new industrial installations more widely distributed.

Water resources and pollution. This is simply another variant of the general problem of the pollution which results from concentration of industry and population, in this case along certain water courses. I don't know of an unpolluted stream in a major city. But beyond water which is simply polluted, cities are experiencing difficulty simply in obtaining a water supply adequate for their expanding needs. The desirability of obtaining adequate water supplies and of protecting our water resources might provide good reasons to encourage lesser concentrations of population.

Transportation. It is more and more difficult for government leaders to regard further highway construction as the best way to confront transportation demands in the great cities. Not only does construction of each highway destroy considerable segments of the cities, the highways are also overcrowded as soon as they are completed. Highways and the automobile satisfactorily accommodate transportation needs in smaller cities—at least apparently. This coupled with the many difficulties encountered in providing suitable mass transit for great cities indicates another diseconomy of the huge metropolitan center. Where mass transit is just what is needed in the central city, it is not so well suited to suburban areas (where more and more of the population lives) where population concentration is not usually sufficient to make existing forms of mass transit feasible. Obviously, suburban-style living is readily accessible at relatively low public cost in places like Fresno, Cheyenne, Springfield, or Winchester, Virginia. If this is the way people want to live, it would be cheaper to have them do it in such places rather than outside New York, Philadelphia, or Boston.

Community services. These appear to cost relatively more in the huge metropolitan complex. Per unit of protection, police services, fire services, welfare services, and education are all more expensive. Further, breakdown of small social units—what holds society together—appears to occur less frequently outside the huge urban complex than inside it. Perhaps this is temporary. But it seems obvious that family units would experience less strain if removed from rural or small town environment to the smaller city environment than they do when transferred to the larger city environment. One sees how complete the breakdown of small social units is when he studies the slum ghettoes of the huge cities.

To the non-involved observer, it appears that industrial production costs might also be less outside the huge metropolitan complexes than in them. Labor costs less. Land costs less. Construction costs less.

Gerald L. Phillippe, Chairman of the Board of the General Electric Company, recently listed to a Senate Government Operations subcommittee some of the factors his company weighs in deciding where to locate a plant. They consider matters such as the following:

Is the location central to a market? Would the company have distribution out of this location to a very large market?

Is it close to a source of supply of materials?

Does it have a good supply of labor?

Is the "climate" affecting government and labor attitudes beneficial to efficient operation? That is, "is there a record in the community of a low amount of labor strife, strikes, sitdowns, difficulties of this sort?"

The cost of power.

The cost "of all the items going into the manufacture of our product."

None of these factors dictates plant location in huge metropolitan areas only. G.E., of course, has for many years operated plants in Schnectady, New York, a relatively small city. Perhaps it's not typical. Perhaps other companies are more attracted to the great cities than G.E. But clearly the factors G.E. weighs in selecting a plant location do have a bearing on profitability.

The political element involved in this question also invites serious consideration. I don't believe that the long term effect on our national political structure will be beneficial. When we depopulate broad expanses of this country in order to increase population concentration in relatively few centers, we invite irresponsible politics. A number of States have already suffered sharp decreases in population relative to growing states. Some states have only half or less than half the number of Congressmen in the House of Representatives they had a few decades ago. The trend is accelerating.

Since we don't want a rotten borough system in this country, it would appear beneficial to prevent aggravating the existing disparity between a relatively few extremely heavily populated states and a number of very sparsely populated states. Government should be responsive to the needs of the people. If existing disparities among the states are aggravated, it will tend to make overall responsiveness increasingly difficult.

The puzzle here, I think, is whether or not this trend toward population concentration is irreversible. If the economies of production actually dictate the location of industry in great urban centers, there is probably little that government can do. Certainly we don't aspire to close government regulation of business decisions.

But it is in our interest to know clearly what factors make for business decisions to locate in such areas, to what degree these factors are valid, and what opportunities exist to effect viable alternatives. The task of finding this out would be a legitimate one for government. Such an inquiry would be fitting for a study commission or, perhaps better, for a government-sponsored research contract to an outside organization which is competent to do the job.

Mr. MUNDT. Mr. President, I congratulate the University of Minnesota and the Federal agencies for beginning this effort. They have embarked on a journey into new and unchartered territory, and the need for such exploration is evident. I believe that all of us who are interested in solving the problems of our cities and promoting a balanced economic development should support efforts of this type.

A SYSTEM OF SCENIC AND HISTORICAL TRAILS

Mr. MOSS. Mr. President, I am very much interested in the administration's proposal to develop a nationwide system of scenic and historical trails for the use and enjoyment of the growing number of Americans who like to tramp or ride horseback through the great out of doors and enjoy nature intimately and to its fullest.

We cannot move too quickly to set aside and preserve those trails which have historical interest, or which offer great beauty and scenic vistas, or which are easily accessible to large centers of population so that people can quickly escape for a short time from the cement jungles of our cities.

The proposal soundly suggests cooperation between Federal, State, and local governments and private interests dedicated to outdoor recreation in developing the trails, a partnership which should produce greater results and at a quicker pace. I support the proposal and the bill to implement it introduced by the chairman of the Committee on Interior and Insular Affairs, the distinguished Senator from Washington [Mr. JACKSON].

As initial units of the nationwide system, the bill designates four trails—all of them certified as national scenic trails. They are the Appalachian Trail, the Continental Divide Trail, the Pacific Crest Trail, and the Potomac Heritage Trail. All of them are accessible to a greater or lesser degree to large centers of population, and undoubtedly would be widely used.

The type of assistance provided in the bill for these four trails is precisely the sort of assistance we in Utah have been seeking for a 38-mile portion of the historic Old Pioneer Trail which the National Park Service says "is in danger of being destroyed."

The section of the trail in question stretches west from Henefer, Utah, over Big Mountain into Salt Lake City. It was used by the Mormon pioneers, the Donner party, and the Pony Express. The original wagon ruts are still visible, and some of the way stations of the Pony Express still stand. There are also various monuments erected by early explorers in the valley. The Boy Scouts now regularly make a trek through the area, and have accepted the responsibility of maintaining a foot trail.

We have been hopeful in Utah that funds from the land and water conservation fund might be available for the Old Pioneer Trail—or the Old Mormon Trail, as this stretch of it is familiarly known—but so far this has not been the case.

The Old Pioneer Trail has been marked in part by the Historical Trails Association, but there is still much to be done before its protection is assured.

I shall offer an amendment to S. 827, the bill to establish a nationwide system of trails, to provide that a study be made of the Old Pioneer Trail to see which sections of it should be added to the nationwide network now under consideration, and shall urge that the 38-mile historical section of the trail in Utah be given special consideration. It more than qualifies under the provisions of the bill—it is both historic and scenic, and it is located near enough to large centers of population to provide both recreation and a lesson in history to large numbers of people.

THE YEAR OF THE CIVIL DELINQUENT

Mr. PELL. Mr. President, the other day I read a very interesting speech by Morris Leibman entitled "The Year of the Civil Delinquent" presented at the annual meeting of the Chicago Crime Commission.

This speech seeks to strike a balance between rightwing authoritarianism and leftwing anarchy.

I believe this speech is a very interesting and stimulating one and ask that it may be inserted in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE YEAR OF THE CIVIL DELINQUENT

(Address by Morris I. Leibman at annual public meeting of Chicago Crime Commission, October 10, 1966)

INTRODUCTION OF SPEAKER BY WILLIAM B. BROWDER, PRESIDENT, CHICAGO CRIME COMMISSION

It is most appropriate that our speaker today at the start of Chicago Law Enforcement Week should be Morris I. Liebman. He believes that an understanding and respect for the rule of law by every citizen is a basic requirement for successfully waging war against crime and preserving the free society.

As senior partner in the law firm of Liebman, Williams, Bennett, Baird and Minow, he is one of Chicago's most distinguished lawyers. At the same time he is serving the larger community as a Civilian Aide at Large to the Secretary of the Army, as a member of President Johnson's Panel of Consultants on International Affairs and National Security, as Chairman of the American Bar Association's Standing Committee on Education about Communism and its Contrast with Liberty under Law, just to name a few of his many consulting activities.

Whether the problems are international or local in scope, Mr. Leibman's incisive and penetrating mind gets to the heart of the problem. As you will now see.

THE YEAR OF THE CIVIL DELINQUENT

(By Morris I. Leibman)

Many of our citizens seems to be suffering from a new malady—civil delinquency. This ailment—civil delinquency—seems to strike all ages.

Some of the kids are involved in political questions in a new way—a kind of panty raid approach to policy. The first stage of this disorder is called "wayout." The more "wayout" it gets, the more "in" it is. This is a new kind of logic that seems to mean that the sillier it is the better it is. Some of the common symptoms of civil delinquency are tantrums and exhibitionism. Other symptoms include violent pacifism and dirty tricks. Also, one of the aspects is worship of fire—burning crosses or burning draft cards, burnings stores or burning cars.

Among the middle-aged, one of the most widespread symptoms appears in the form of the self-appointed expert with all the instant solutions. These people conduct a kind of off-Broadway political voodoo show that represents a modern Don Quixote riding in a souped-up sports car. We need these self-appointed experts as much as we need "do it yourself" brain surgeons. At least such a "do it yourself" surgeon risks only one person at a time.

Mind you, I am delighted that our free society permits the childish nonsense, but we have the right—probably the duty—to challenge this foolish behavior.

Once upon a time freedoms and rights, debate and discussion, meant stability, reason and responsibility. Somehow, today, these basic concepts have been debased to include coercion, provocation, incitement, violence and destruction.

Once upon a time if a dog bit a man that wasn't news—but if a man bit a dog that would make headlines! Today you probably couldn't get that kind of headline because we seem to be in an era when all the news is about man biting man. We seem to be involved in a national bad dream—an LSD orgy—a kind of escape from reality into the world of mirage—the world of UFO's and IFO's.

You know about UFO's—Unidentified Flying Objects? I cannot get very excited about UFO's because I am much more troubled about IFO's—Identified Flying Objects—mischievous immaturity, infectious ignorance, "chip on the shoulder" protest, and arrogant irresponsibility. These IFO's are manned by pilots. These IFO pilots can be properly described as the civil delinquents.

THE LABEL MAKERS

Let's look at some of these civil delinquents. What about the label makers? You know them. The label makers suffer from a tyranny of categories. This civil delinquent doesn't want to think about issues. He just wants to make categories. He can do it by color—the other fellow is red, pink, or pinkish. The civil delinquent can do it by pigment of skin—the other fellow is anti-Negro or anti-White; an integrationist or a segregationist. And, of course, the other fellow is always a liberal or a conservative, or a leftist or rightist. The civil delinquent doesn't want to stop to analyze the issues. He just invents new labels. In order to classify the complexities of foreign policy, our label makers have turned to ornithology. You're either a "hawk" or a "dove," with subclassifications of "owls," "chickens," or "pigeons"—and don't forget we also have a few "parrots."

The civil delinquent is not only a label maker but he talks in cliches.

1. "He" is law abiding; "they" are the criminals. "He" never violates the spirit or letter of the law. "He" obeys traffic rules. "He" doesn't fudge on his income tax; "he" never shuns jury duty; "he" always cooperates with the police; "he" is very willing to testify in any case; "he" doesn't mind getting involved; and "he" never avoids controversy.

The civil delinquent has a preconceived notion of what hate is. Of course, "he" has no hate or prejudice. It is the other fellow. But just imagine what the civil delinquents would have said if the accused killer of eight nurses had not been white; or the mad killer at Houston or the assassin at Dallas had not been white men. Remembering the morning after the shock of Watts? As the civil delinquent walked down the street and saw non-whites going to work, can you imagine what he was thinking.

THE HOOTERS AND THE SHOOTERS

Another type of civil delinquent is the hooter. I have never understood that free speech involved the right to disrupt public hearings of any kind. I don't think the spectators at the UN, or at a House Committee hearing, or a Senate Committee hearing, or a City Council, have a right to shout, interrupt or interfere with the procedures as conducted by the authorities. If the civil delinquents have any objections of substance or form this should be handled through legislation and legal process.

THE SHOOTERS

We've mentioned the "hooters," now what about the "shooters"—I mean the "weapon-happy" men in your own community. Among all forms of civil delinquency, this is the worst. Whether he's a Minute Man, a Ku Kluxer, or a RAM, the civil delinquent who relies on weapons to affect social justice really merits only one epithet—criminal. Let's start a sensible disarmament program at home.

POLICE BRUTALITY

Among the civil delinquents it is the fad to claim "police brutality" on every occasion. You notice they always use the same two words "police brutality"—never manhandling by police, assault by police, beating by police. This concept of police brutality stems from a special freedom granted in America and a few other societies in the history of the world. Simply stated it is that even if you are a criminal, the law officer, who is the only one who has a right to use force may not use excessive force. This special freedom has now been perverted by the civil disobedient into a notion that the policeman cannot use any force.

Let's get this straight. The creator of brutality is the man who fails to obey a police command, whether it is "come with me" or "move on." The moment that person, of any color or race, refuses to comply peacefully and promptly, he is the man who compels force to be brought into play.

One of the basic theories of the Judeo-Christian Code and Western civilization is reason—not force—and the citizen who fails to obey a police command is violating a basic fundamental of civilized society. The minute that he forces the officer to touch him, the civil delinquent has transformed a conflict of opinion into a conflict of physical violence.

Thus, the refusal to move, the lying down, the sitting down—though passive actions in themselves—are actually active criminal brutality for they demand the use of physical force. We have performed many miracles in this society, but until now we have not found a non-violent way to pull a living deadweight body from under a car or out of a doorway.

Let it be clear, once and for all, that the culprit is not the officer; it is the civil delinquent. If the arrest or commands is improper, the resort must be to legal remedies.

THE SIT-DOWN STUDENT

What about the striking student? Where does he fit into this picture of civil delinquency? Hasn't one of the really shocking spectacles of recent times been the students sitting-in at academic institutions

The history of civilization is the struggle of reason over force, and the right of an individual to attain his highest potential as a human being by the development of his mind. One of the majestic symbols of this historic struggle is the idea of a free university where men can study and search for the truth. It is the sanctuary of the human mind. The academic struggle is with the forces who believe in the physical and the muscular—not in the moral or the intellectual.

The student civil delinquent violates the whole concept of reason by using physical obstruction. Any student guilty of such physical activity fails to understand the nature and importance of the university to a free society. He ought to be treated accordingly.

Let's get straight on the youth issue.

I know it is going to be their world. It has to be their world; and I want them to have every opportunity to learn and prepare.

What I resent is the refusal of the minority to use their great opportunities for equipping themselves for tomorrow.

I don't object to having them now and then stuff themselves into Volkswagens, but let's not make the mistake of letting anyone think that this is how you solve serious problems.

THE CIVIL DISOBEDIENT

Now—for the last and most common of the civil delinquents—the civil disobedient.

It is claimed by some that civil disobedience is one of man's highest moral acts; that a truly moral man is one who, encountering a law he deems unjust, will disobey that law. The moral man, they argue, is the man who transcends the law for the higher moral justness beyond. We would then be faced with each man making his moral decision outside of our system.

I believe that the democracy we have created in this country is the most ideal system and environment a moral man could hope to find. For his concern with the natural law, the higher law, he is not banished—frustrated—from society. Rather, he is given maximum avenues of protest. He is given the remarkable opportunity to present his moral opposition to the law of the land through machinery provided by the democratic framework. He is allowed—even encouraged—to improve manmade laws and bring them closer to a higher moral law. The voice in the courts, not on the streets, will strike the "immoral" laws.

Some supporters of civil disobedience ask, "Isn't disobedience to a law one of the most accepted legal procedures for the testing of our substantive rights?" "Isn't it true," they ask "that disobedience fits well into this theory of democracy?"

Certainly democracy allows us to challenge laws in order to test them in the courts through our unique machinery of justice. Remember that only one court decision is needed to change a law. The test case has never been considered civil delinquency. Civil delinquency is the counterfeit of orderly challenge!

Should the entranceways of this room be blocked by pickets or demonstrators using the excuse of free speech, they would not—in my eyes—be civil demonstrators, but rather, criminal demonstrators.

In effect they would be committing assault and battery on our right to assemble here peacefully because such mob action destroys the dialogue. Can you seriously accept that it is necessary to bring out the latent hostility in the streets to advance the public interest? Do those who practice and promulgate disobedience to the law offer us a new system, a new society—a meaningful choice?

Civil disobedience is impractical because it makes an enemy of the law and offers no valid substitute. When used as a mass tactic it verges on anarchy. Anarchy is the antithesis of freedom and justice. To continue to practice it in the face of this reality and where social reform is operative, is fanaticism.

And a fanatic has been well defined as one who redoubles his effort while forgetting his aim.

Civil disobedience is not a civil right. Civil disobedience is an implict denial of the very political process that insures most of the rights that those who disobey enjoy. Law protects the minority. That process deserves and requires something better from both the minority and majority. Demagoguery is not democracy. Provocation is not dissent.

Unfortunately, however, it is much easier and far more exciting to cause social disturbances than to undertake the painfully hard work for social progress. Any idiot can cause a riot and riots can become fads. And since when are riots not an abomination? Since when are Molotov cocktails ever justified? Since when, in a free society, with all of its imperfections, is it a badge of honor to go to jail? Marching on jails? The first step in lynching. Is this the kind of society we want? It is the kind of society we are going to get if we continue to be satisfied with street politics, with the substitution of drama for dialogue. Make no mistake about it. What is happening is aimed directly at the structure of our society. And it cannot end soon enough.

I think it is most appropriate that the Chicago Crime Commission has this year taken a firm stand against the lawlessness called "civil disobedience." We in Chicago are proud of our Citizens Crime Commission and most grateful for its strong unswerving leadership in the battle against all forms of crime.

WHAT IS TO BE DONE?

Now what can we do about all of this? What is the cure for the civil delinquency malady and for the civil delinquents? First, we will have to adjust our perspective.

Thomas H. Huxley, the eminent English biologist and political philosopher, in a speech at Johns Hopkins University some 90 years ago—get that date—said: "You Americans and your descendents, who reasonably can be expected to number 200 million at your second centennary, have to ascertain whether this great mass will hold together under the forms of a republic. . . . Your one condition of success, your whole safeguard, is the moral worth and intellectual clearness of the individual citizen."

Our priority allegiance must be to our system of law, which is not only the best, but the only system ever invented to reconcile the continuing struggle for justice and the individual's privilege to follow his moral conscience. It is the greatest multi-remedy government ever created. Therefore, you must play it by its rules. The more individualistic you are, the more you must subscribe to lawful methods.

Ours is a society that accommodates change peacefully because it knows that the law of life is change. It makes provision for change through system—not leaving it to whims.

History teaches us that there are only two ways of effecting deliberate social change: evolution and revolution. Again and again we have chosen to accommodate change through political evolution rather than through violence and the secret of our success has been our devotion to law as the only meaningful instrument by which to seek justice.

The only purpose of revolution is to create this system which the true revolutionaries dreamed of. If we revolt against this, we have no place to go.

Not only are we required and duty-bound to obey the technical law of the system, but we owe even a higher duty—we must elevate the spiritual and moral requirements of the unwritten law of manners and civility.

Civility is required and it is more than mere obedience to the law. The tradition of civility in our society is bound up with respect for law. Respect not only precludes civil disobedience, but goes beyond mere technical obedience to the law. Respect means, at least, that the law is not looked upon as an enemy or a necessary evil. Respect means that the law is regarded as the primary medium of change in a free society. Respect means realizing that the alternatives to law are coercion, intimidation and, eventually, violence.

Respect means, above all, that one is concerned with the spirit as well as the letter of the law.

Civility also requires a personal plus factor. By personal plus I mean:

1. Let's not be trapped by labels.
2. The complex problems must be handled issue by issue.
3. Avoid superficiality; instant solutions; pseudo and anti-intellectualism; nihilism; insist on standards of excellence.
4. Organized crime is your enemy because it is against our system. We must avoid its support or even a suspicion of support.
5. Stay away from group defamation—Maddox is not the South—and Carmichael is not the Negro.
6. Don't apologize for, or excuse, stupidity, violence or criminality.
7. Look out for the wrecker in any movement who attacks his own moderates. Don't compromise any movement by permitting the wreckers to join it. It's your duty to keep the Nazis and the Reds, the hooters and the shooters and the kooks out of your movement. The justness of the cause does not justify joining forces with the enemies of society.

If we don't have self-discipline plus, then we agree with those who assert that men need masters.

Our individual responsibility at all levels also will require higher standards. My emphasis today is that the times require even more care; that our conduct must be even more meaningful than it has been, particularly in a dangerous world of instant communication and instant transportation. Our law enforcement will only be as strong as the courage and commitment of our citizens. The citizens are "us" not the mythical "they."

With respect to the whole series of problems involving use of the streets and hounding public officials in their homes, the time has come to distinguish between freedom of speech and provocation; between petition and lawful assembly; as opposed to physical pressure and coercion. The right of free speech is not a club to deny others their rights. Our rights to use the streets and the rights of public officials to enjoy the privacy of their homes need not be counter to the First Amendment—when all these rights can co-exist without conflict.

Civil delinquency offers no solutions; it merely interferes with them. We have to spell out a newly marked and complex path with civility and decency. The remedies are here in the courts—many courts with many views—we can begin to chart out the balance of rights where millions of people are clustered in closely packed cities. Let's have a whole series of law suits on a whole series of specific situations. Our legislative bodies of all kinds and the courts are the proper civil forums to test out the new issues and the new problems.

Civilization is the victory of reason over force and law is the only possible instrument in the search for justice. We are alive now because of civilization. It is a unique and delicate process. Our civil rights were created, by a very few civilized men and, once gone, would be as thoroughly lost as if they were blasted to bits by a nuclear bomb.

The issue is clear.

Aristotle says that only two kinds of beings can live outside of civil society—gods and beasts. Let us never dare to pretend we are gods; let us ever remember our heritage so that we never become beasts.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

LEGISLATIVE REORGANIZATION ACT OF 1967

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of S. 355.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 355) to improve the legislative branch of the Federal Government, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill is open to amendment.

AMENDMENT NO. 38

Mr. PROUTY. Mr. President, I call up my amendment No. 38, offered by myself and the junior Senator from Idaho [Mr. JORDAN].

The PRESIDING OFFICER. The clerk will state the amendment.

The assistant legislative clerk read the amendment, as follows:

On page 30, between lines 10 and 11, insert the following new section:

"SELECT COMMITTEE ON SMALL BUSINESS

"SEC. 123. There is hereby created a select committee to be known as the Committee on Small Business, to consist of seventeen Senators to be appointed in the same manner and at the same time as the chairman and members of the standing committees of the Senate at the beginning of each Congress, and to which shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the problems of American small business enterprises.

"It shall be the duty of such committee to study and survey by means of research and investigation all problems of American small business enterprises, and to obtain all facts possible in relation thereto which would not only be of public interest, but which would aid the Congress in enacting remedial legislation.

"Such committee shall from time to time report to the Senate, by bill or otherwise, its recommendations with respect to matters referred to the committee or otherwise within its jurisdiction."

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"Sec. 123. Select Committee on Small Business."

Mr. PROUTY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PROUTY. Mr. President, this amendment is the substance of what has been known for the past three Congresses as Senate Resolution 30, which was introduced by me on January 17, 1967. It was cosponsored by 29 Senators. Mr. President, I listed the names of those Senators in the RECORD last Friday.

The support in the Senate for this resolution is bipartisan and has been ever since the substance of it was introduced the first time, to my knowledge, in 1955.

This amendment, Mr. President, is certainly germane to the business of the reorganization of the Senate. It does not establish a new standing committee. It does not amend the rules of the Senate relating to standing committees. I have been advised by lawyers on the staff of the Senate that this amendment is much less complex because it does not amend the rules relating to standing committees.

Positively speaking, this amendment gives to the Select Committee on Small Business of the Senate the authority to have bills, messages, petitions, memorials, and other matters relating to the problems of American small business enterprises referred to it and the additional authority to report bills and resolutions to the Calendar of the Senate for our consideration on the floor. This additional authority has often been referred to as "legislative authority."

It is the feeling of large segments of the small business community that in the give and take of our national economic life there must be built into the structure of the Senate this select committee whose business it would be to consider legislation affecting the small business community. This is just as necessary and important to the health of our national economy as for example, is the Committee on Agriculture to our Nation's farmers.

As of January 1967 there were over 4.7 million small businesses in the country. They provided employment for over 30 million employees. They comprised 95 percent of the total number of businesses in the country. They generate 40 percent of the business activity in the country.

Small businesses furnish a livelihood for 60 percent of the population and provide employment for 40 percent of the population.

Their retail sales constituted 73 percent of total national retail sales.

Their wholesale sales constitute 70 percent of total national wholesale sales.

They constitute 82 percent of the construction activity in the country and 80 percent of the country's service industry.

They contribute 34 percent of the manufactured value added to the economy each year.

Mr. President, I have been the initial sponsor of this resolution in the past three Congresses. I have known that the sentiment of the Senate was that this proposal should at least wait for the results of the deliberations of the Joint Committee on the Reorganization of Congress. The cosponsors of this resolution have been willing to wait until now.

It seems to me, however, that now is the time for us to give to the substance of this amendment the serious and public consideration it deserves. I am convinced that the Select Committee on Small Business needs this authority.

Mr. President, I do not demean any other committee of the Senate by offering this amendment. Most of the small business legislation offered in the Senate is considered by the Small Business Subcommittee of the Committee on Banking and Currency. I know that the members of that subcommittee, including its distinguished chairman, are hard-working, dedicated Senators who have the best interest of small business in view.

But, Mr. President, the Banking and Currency Committee is already overburdened with legislative proposals, highly complex in nature and, many of which, if enacted into law will have a massive impact upon the economic life of the Nation. The members of this great committee are just not in a position to devote the necessary time to the needs of small business.

It seems to me that there is little merit in the Senate's having for so many years a Select Committee on Small Business which can only suggest, which can only hold hearings and which can only offer a hope that legislation might be considered. It seems to me that there is no point in our having a Select Committee on Small Business unless it can translate into action in the form of legislation those ideas and proposals which become patently necessary as a result of any hearings or investigations that select committee might make.

Mr. President, I think we are all becoming increasingly aware of the plight of small business. The corporate giants are forcing the Nation's small businessmen to the wall at a constantly accelerated rate. If these small enterprises are not permitted to grow and prosper the Nation will suffer an irreparable loss in job opportunities and economic growth. Let us remember that all big business was once small business; and if we wish to maintain the competitive system in this country and expand the national economy small entrepreneurs must have a chance to exist.

Mr. President, I believe and I am firmly convinced that this amendment has great merit. I am certain that the cosponsors of Senate Resolution 30, which is in substance identical to this amendment, agree with me and it is my hope that they, and indeed all others of our colleagues, will join me in voting in favor of it.

Mr. President, I ask unanimous consent to have printed in the RECORD a series of questions and answers which I think will place the entire question in better perspective.

The **PRESIDING OFFICER**. Is there objection?

There being no objection, the questions and answers were ordered to be printed in the RECORD, as follows:

Q. Would not adoption of this amendment dilute the jurisdiction of other standing committees?

A. The bills otherwise referred to the Committee on Banking and Currency which in turn are probably re-referred to its Subcommittee on Small Business, would I suppose be referred by the Parliamentarian to the Select Committee on Small Business under this amendment.

The decision to refer bills would I think continue to be made by the Parliamentarian and he would assign bills as he does now under the sections of the standing rules of the Senate giving jurisdiction to the various standing committees.

It is important to point out that there is no specific jurisdiction given under the rules to any committee for receipt and reporting of bills relating to small business.

Q. Wouldn't the adoption of this amendment encourage proliferation of Committees?

A. No, it would not. There is already in existence and has been for years, a Select Committee on Small Business. This amendment would simply give to that Select Committee the authority to report bills which it does not have now. While the Select Committee on Small Business can investigate and study matters relating to small business in this country it cannot give life to its recommendations by reporting bills to the Floor for consideration by the Senate.

The amendment, therefore, does not create any new Committee and it would not change the business of the Senate insofar as Floor action is concerned.

Q. Isn't this amendment actually an amendment to the standing rules of the Senate?

A. No, it is not. The Select Committee on Small Business presently is not established under the standing rules of the Senate. Rather it exists under the authority of a simple resolution adopted by the Senate. This amendment simply creates a Select Committee on Small Business not contemplated under the rules, but which, nevertheless, would have authority to receive and report bills relating to small business.

Q. No hearings have ever been held on the substance of this amendment.

A. It is true there have been no hearings held on S. Res. 30 which is the substance of this amendment. However, on August 13, 1964, the present Chairman of the Senate Rules Committee did announce that there would be hearings on it early in 1965. To my knowledge there have not been any hearings held although several requests were made during 1965 that they be held.

I am sure that this subject was gone into in great detail when the Senate adopted the resolution establishing the Select Committee on Small Business some years ago.

Furthermore, this amendment does not change in any way the power or authority of the Senate. It does not change the law. This is true because at the present time the Senate can and does consider small business legislation and the Senate does at the present time have an active Select Committee on Small Business. The amendment simply gives to that Select Committee the authority which it does not now possess to report legislation.

At the present time, I might add, no other Committee has under the Rules of the Senate jurisdiction over small business legislation as such.

Q. Would the amendment invade the jurisdiction of the Senate Committee on Finance because it would send tax bills to the Small Business Committee?

A. No. Under the standing rules of the Senate, Rule 25.1(h) sets forth the jurisdiction of the Committee on Finance. That rule requires that (all) proposed legislation, messages, petitions, memorials and other (matters) shall be referred to the Committee on Finance when they involve "revenue measures generally." Since this amendment does not amend the standing rules of the Senate, it does not alter those rules specifically setting forth the jurisdiction of the Committee on Finance in all matters relating to taxation.

Mr. **PROUTY**. Mr. President, I reserve the remainder of my time.

Mr. **MONRONEY**. Mr. President, reluctantly I must speak against the amendment of the distinguished Senator from Vermont [Mr. PROUTY] to add to the present jurisdiction of the Select Committee on Small Business the legislative prerogatives of a legislative committee in the jurisdiction of small business.

It is important that the Select Committee on Small Business continue to function and to operate in its present form, structure, and authority. To impose upon it legislative jurisdiction would create some extremely difficult problems, and, in addition, would result in an inhibiting and restricting effect on the committee's operation.

The Select Committee on Small Business is established to study the problems of small business and to make recommendations. Its authority is general in nature for a very real and valid purpose. When the Senate established the committee and when the Congress later confirmed that by an amendment to the Legislative Reorganization Act, it was intended that the committee's action would cover a wide area; that it would concern itself with problems coming within the legislative jurisdiction of a number of committees, such as, taxation, financing, competition, defense and civilian procurement, and others. It was never anticipated that the committee should be restricted because it was studying a problem coming within the legislative jurisdiction of some other committee.

Mr. President, I feel that if we established a precedent here in giving legislative jurisdiction to a select committee, all other select committees that have been or would be established would expect that they, too, should be entitled to legislative jurisdiction over their specific activity. One example is the Special Committee on Aging, which is currently holding hearings.

Mr. President, the problems of select committees cross many well-fixed and well-respected lines of jurisdiction that have long been held by the standing committee system of the Senate.

It is dangerous, too, to adopt an amendment such as this, which sets a precedent for an overriding of the long-held jurisdictions of the standing committees, because it could engender a great deal of friction. The small business community has succeeded so well with the able and alert special attention of the crusading leadership of the Small Business Committee, which has hearings and makes studies with respect to the needs of small business, and then goes before the committee of jurisdiction, whether it be Finance, Commerce, Banking and Currency, or many others, and advocates before these standing committees of the Senate the cause of small business.

I know that the House of Representatives still has its Small Business Committee of a select nature. They do not have legislation jurisdiction. Jurisdiction rests with the Committee on Banking and Currency, exactly where jurisdiction in small business resides today in matters affecting small business in the Senate.

Mr. **PROUTY**. Mr. President, will the Senator yield?

Mr. **MONRONEY**. Mr. President, we are on limited time. Would the Senator accept a deduction from his time in connection with the question?

Mr. President, I ask unanimous consent that the time for the question be charged to the Senator from Vermont.

The **PRESIDING OFFICER**. Without objection, the Senator from Oklahoma [Mr. MONRONEY] yields, the time to be charged to the Senator from Vermont [Mr. PROUTY].

Mr. **PROUTY**. Mr. President, I wish to call the attention of the Senator to the fact that under the rules of the Senate, the Committee on Banking and Currency is not given any jurisdiction over small business as such, nor is any other committee of the Senate. It has been customary to refer matters of that nature to the Committee on Banking and Currency. There is no provision specifically relating to small business in the rules.

Mr. **MONRONEY**. There is no question in my mind that they actually have that jurisdiction. If my memory serves me correctly, this is legislation which has been the landmark of progress in small business. I know that the Senator from Vermont, who is a leading member of the Small Business Committee, will admit that much progress has been made in establishing this outstanding legislation within the present legislative jurisdiction of the Banking and Currency Committee. That is the committee which has had these matters referred to it.

This brings up the point that I am sure the distinguished Senator does not think that important committees of the Senate, such as the Committee on Finance, are going to yield to the Small Business Committee writing of a tax bill, with necessary benefits to small business; or to any select committee in the writing of a tax bill, because it all becomes involved with the overall matter of taxation in the country, all designed to aid small business or general business or even big business.

Mr. PROUTY. Mr. President, will the Senator yield to me on my own time?

Mr. MONRONEY. Under the same conditions.

Mr. PROUTY. I thank the Senator.

Mr. President, I should like to point out that there is nothing in this amendment which takes away from the Finance Committee any jurisdiction which it now possesses. The standing rules of the Senate, in rule XXV 1h, set forth the jurisdiction of the Committee on Finance. That rule requires that all proposed legislation, messages, petitions, memorials, and other matters shall be referred to the Committee on Finance when they involve revenue measures generally.

This does not alter those rules specifically setting forth the jurisdiction of the Committee on Finance in all matters relating to taxation. Nothing will be taken away from that committee.

Mr. MONRONEY. Approval of taxation is very much a problem of small business. But there are many other problems of small business which fall within other committee jurisdictional lines. That is the reason Small Business has as members many chairmen of other committees which take back the crusading programs of Small Business to their deliberations. Examples are the Banking and Currency Committee, whose chairman is the Senator from Alabama [Mr. SPARKMAN]; the Committee on Finance, whose chairman is the Senator from Louisiana [Mr. LONG]; the Committee on Public Works, whose chairman is the Senator from West Virginia [Mr. RANDOLPH]; the Committee on the District of Columbia, whose chairman is the Senator from Nevada [Mr. BIBLE]; and the Committee on Aging, whose chairman is the Senator from Florida [Mr. SMATHERS].

Thus, these committee chairmen take into account many of the problems that come up which are of great interest to the Small Business Committee. It would not be a committee of the great standing of one of our standing committees because it would merely be a committee which has a part-time jurisdiction over certain legislative matters as they may affect small business. It would be a hard line to draw.

Recognizing the importance of this committee having the authority to go into any area, it was decided that it should not have legislative jurisdiction but be free to study any small business problem. To impose legislative jurisdiction upon the Small Business Committee would inevitably result in the Small Business Committee's operation being restricted to a study of those problem areas over which it had legislative jurisdiction.

The Select Committee on Small Business is intended to be an advocate for small business and to pursue the cause of the small business community before the legislative committees. Members of the Small Business Committee serve on the standing committee having jurisdiction over these problems and are able to support actively in the standing committee the recommendations of the select committee.

The Select Committee on Small Business is not inhibited. There are other select committees doing a necessary and worthwhile purpose such as the Select Committee on Aging, and others. To confer legislative jurisdiction upon the Select Committee on Small Business would establish precedent for such action in other select committees that would not be wise.

For many years the Banking and Currency Committee has been primarily responsible for small business legislation. This committee established the Small Business Administration and its predecessors. This committee explored the credit gap which faced small businesses and developed the Small Business Investment Act and the small business investment companies to fill it, and for years this committee has made special provisions for small business in more general legislation referred to the committee such as the Reconstruction Finance Corporation Act, the Defense Production Act, housing, urban renewal, and related acts.

It seems to me that we would be taking a step that would be ill advised at this time, we would not only establish legislative jurisdiction for a committee that has done very well in representing small business in all of the various standing committees, but also would set up new precedents in the Senate. That will be observed, and will result, undoubtedly, in extending new legislative jurisdiction to other select committees that we will live to regret.

I think this clear-cut line of demarcation and well established precedent from the standing committee structure would require that we do not support the amendment.

The proposal should have the opportunity to go before the Rules Committee. But I think it is quite important that we have a powerful committee such as the Banking and Currency Committee representing small business in conferences on legislation affecting small business when it comes from the House of Representatives.

Thus, I regret that I must oppose the pending amendment.

I should like to mention to Senators that while this subject was informally being discussed in the hearings, there was not one word of testimony recommending a legislative status for the Small Business Committee. Also, in marking up the bill, when it was mentioned, there was no support for it at that time.

If the committee is to be created as a legislative committee, then it should come before the Rules Committee where it could be properly heard, and witnesses from the standing committees who thus would be affected would be able to have their say.

Mr. METCALF. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I am happy to yield to the Senator from Montana, who is a member of the Joint Committee on Organization.

Mr. METCALF. Let me ask the Senator if it is not a fact the small business people would prefer to be represented on a business committee instead of a special committee, where small business is all that is represented, antagonistic to another committee where large business is represented.

Mr. MONRONEY. The problems of small business have to be remedied in a committee which has jurisdiction over all business.

Mr. METCALF. The proponents want to participate in this discussion in a committee which has jurisdiction over all business concerned.

Mr. MONRONEY. I would think they would feel that their legislation is of such major importance that they would like to be represented by a major committee. They are so represented by the Standing Committee on Banking and Currency which has long handled affairs of this kind.

Mr. METCALF. Some of the general legislation which is special, so far as they are concerned, has been developed through the major standing committees.

Mr. MONRONEY. That is right. That is quite properly the case. They have a powerful advocate for small business in the Select Committee on Small Business, and they are not inhibited by the jurisdiction that they would have, if they were a legislative committee because they would have to watch carefully to stay within the confines of small business. Small business problems relate to half a dozen other powerful jurisdictions, such as taxation, public lending, and so forth—and I would feel that they would be much better off with a strong, active, powerful participation of their select committee doing its job for small business, and go before the standing committees that have that jurisdiction to advocate the problems of small business.

Mr. METCALF. I thank the chairman.

Mr. MONRONEY. I thank the distinguished Senator from Montana.

Mr. BENNETT. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. How much time does the Senator from Utah require?

Mr. BENNETT. I could use 10 minutes, if it is available.

The PRESIDING OFFICER. The Senator from Oklahoma has 18 minutes remaining.

Mr. MONRONEY. The Senator from Utah wishes to speak in opposition to the amendment?

Mr. BENNETT. Yes.

Mr. MONRONEY. Mr. President, I yield to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, one of

the chief reasons why I oppose the pending amendment is that no one can define small business. What is small business?

In any attempt to give some benchmarks in terms of number of employees, or amount of business that is done, but which varies so much from industry to industry that sometimes a "small business" in one particular industry, say the automobile industry, might be considered a giant business in another industry, there will be set up a jurisdictional problem for a group of people that cannot be defined.

I came out of what I consider to be a small business, and I have my own definition: Any business that is smaller than that business is a small business, and any business larger than my business is one I would call a big business. I put myself in the small business definition.

I can see no valid reason for, nor can I feel that anything would be gained by, small business if legislative jurisdiction were provided to the Select Committee on Small Business.

The select committee was established just as many other select, special, and joint committees were established for the broad purpose of studying problems and making recommendations covering a wide area. It was intended that these committees would concern themselves with problems within the jurisdiction of a number of standing committees. To transfer jurisdiction to the special committees from the various standing committees would not be beneficial either in the studying of problems related to each of the special committees or in getting legislation considered which might be recommended by any of them.

The Select Committee on Small Business is expected to concern itself with problems such as taxation, financing, competition, Government procurement, and so forth, as they concern small business. It is my firm belief that if the committee were forced to have legislative jurisdiction over any one area, it would result in a restriction of its operations to a study of the problems in that area.

Certainly the Finance Committee is not going to give up its tax responsibility based on the size of the taxpayer.

Being a member of both the Banking and Currency Committee, which has a Small Business Subcommittee with jurisdiction over certain small business legislation such as that pertaining to the Small Business Administration, with its grants for studies of small business studies and its Small Business Investment Division, and the Finance Committee, which is responsible for all tax legislation in the Senate, I find that there has not been an unreasonable burden placed on either as a result of recommendations made by the Select Small Business Committee or for that matter, any source. Both of these standing committees have handled with dispatch any legislation that has been referred to them. I am not aware of any complaints from the Small Business Administration with the handling of legislation in these committees, nor have I been aware of any legitimate complaints from small businessmen.

In the absence of any such problems, I cannot feel that this proposal to put legislative jurisdiction in the Select Small Business Committee is a desirable one.

As a member of several special committees, I would be more inclined to have their functions transferred to the committees which are responsible for legislation in the areas handled by the special or select committees. This was my recommendation last September when the chairman of the Joint Committee on Organization of the Congress requested my views on the report which preceded the legislation which we are now considering.

Now to be more specific: For many years, the Senate Banking and Currency Committee has been responsible for a majority of legislation dealing with small business. The Small Business Administration was established by the committee. The committee studied the problems which small business has in attracting capital with which to finance its operations and expansion; and as a result, the Small Business Investment Act, which provides for small business investment companies, was developed.

In addition to the legislation dealing exclusively with small business problems and operations, the Banking and Currency Committee has taken into account the needs and capabilities of small business and has made provision for small business in other legislation under its jurisdiction. This other legislation includes housing, urban renewal, the Defense Production Act, bills dealing with financial institutions, and securities. Through the coordination of the legislation referred to all of these subcommittees of our Banking and Currency Committee, we are able to consider a broad legislative picture and be sure that small business concerns are properly protected.

The primary legislation affecting small business reported out of the committee concerns financial aids for small business. This legislation had been closely related to monetary and credit policies of the Federal Reserve System. In fact, the small business investment program was based on a thorough review of the credit needs of small business made by the Federal Reserve Board.

In considering the legislation that became the Defense Production Act, special provisions were made for small business. It provided for the appointment of a small business advisory committee. It provided for the exception of small businesses from the requirements of the act as long as the exemptions did not impede the accomplishment of the act's objectives. A section of the bill directed the Attorney General to undertake surveys to determine if there were any factors which could tend to eliminate competition or create monopolies or injure small business.

Small business is very much involved in housing legislation, which is handled by the Senate Banking and Currency Committee. This is particularly true of urban renewal programs, in which small businesses are often displaced. The committee has given a great deal of attention to this problem. The displacement of small business is also a problem which must be carefully considered and taken care of in mass transit programs. Our committee has provided for these problems with loan programs in addition to payment of the small business for its loss in being displaced.

The Export-Import Bank operations, which are under the jurisdiction of the Banking and Currency Committee, also have important implications for small business. The insurance or guarantees provided have made it possible for hundreds of small companies who had never exported before to get into this business, which incidentally is an assist in overcoming our balance-of-payments problems, which also are of concern to the International Finance Subcommittee of our banking committee.

It could be pointed out also that guaranteed loans through the Export-Import Bank have been very beneficial to small business companies.

We expect to receive in the Banking and Currency Committee proposed legislation from the Securities and Exchange Commission in the next week or two. This will be a followup of a recent report in which recommendations were made for changes in the investment company industry which could adversely affect small broker-dealers. We expect to take whatever action is necessary to protect small businesses in this area also.

As I look at this problem, it seems to me that if we carve out what we call small business and set up a special jurisdiction, there will be many serious problems created in the Banking and Currency Committee. Do we stop our legislation at volume of a certain size? Do we no longer deal with loans below a certain figure or organizations and small business programs below that figure? Are we to create a situation in which the proposed new Small Business Committee will have a program in some areas which is at variance with those which come out of our subcommittee, so that we will be quarreling as to whether or not this point of view or that point of view should prevail and create a contest between the two committees?

It seems to me we run that risk when we attempt to cut the jurisdiction in half, horizontally, and say that everybody below this line is in a special category and legislation dealing with his problems will be handled by a Select Small Business Committee, and everybody above that line will have his problems handled by other committees.

In conclusion, let me say that it is my view that it would be a mistake for Congress to shackle the Select Small Business Committee with legislative authority, in the first place; and, second, to create this vast pattern of conflict with all the other present standing committees of the Senate that deal with the problems of small business.

Therefore, I hope that the Senate, in its wisdom, will not upset the present pattern, certainly without adequate study that is necessary in such a situation.

Mr. President, I yield back any time I may have remaining to me.

The PRESIDING OFFICER. Who yields time?

Mr. MONRONEY. Does the distinguished Senator from Vermont wish to use some of his time?

Mr. PROUTY. Mr. President, how much time do I have left?

The **PRESIDING OFFICER.** The Senator from Vermont has 21 minutes remaining.

Mr. **PROUTY.** Mr. President, I yield myself 3 minutes.

The **PRESIDING OFFICER.** The Senator from Vermont is recognized for 3 minutes.

Mr. **PROUTY.** Mr. President, I have listened to the distinguished Senator from Oklahoma and the distinguished Senator from Utah express their opposition to the amendment which I am proposing. It seems to me that they are magnifying the difficulties which they foresee.

As I pointed out in my remarks earlier, the Small Business Committee will not infringe greatly upon the jurisdiction of other committees, and that is particularly true with respect to the Committee on Finance. I think it is true that the legislation now referred to the Banking and Currency Committee, and considered by the appropriate subcommittee, would probably go the Committee on Small Business.

As we listen to the pleas of small businessmen around the country, thousands of them, and even their employees—because their employees are affected by conditions affecting their employers—we are convinced that at least they feel that not enough time and thought is being given to their problems.

As I pointed out earlier, about 40 percent of the business conducted in this country is small business. The small businessmen are not an insignificant group. They feel that they are not receiving adequate representation in Congress at the present time.

As I pointed out earlier, I have the greatest respect for the Banking and Currency Committee and its members, who are able and distinguished men. But they have a tremendous work load to carry, and they just cannot give sufficient time and thought to small business problems—time and thought which I think are very important and necessary.

Mr. President, the Select Committee on Small Business has a very able staff at the present time. Its members are familiar with small business problems, and the needs of small business. They are working on them day after day, week after week, and year after year.

The **PRESIDING OFFICER.** The 3 minutes the Senator allotted himself have expired. He is recognized for 2 additional minutes.

Mr. **PROUTY.** So I think that the Select Committee on Small Business is in an excellent position to render much needed service to the small business community in this country. If Senators could read some of the mail which has come in to me from small business groups and small businessmen around the Nation, they would, I think, be convinced of the justification for the proposed amendment.

Big business can pretty much take care of itself. Small business cannot. They cannot keep lobbyists in Washington. They cannot hire expensive legal talent. They are the little fellows, the neglected fellows, who are going out of business—and too many are going out of business right now—because their problems are not being given sufficient consideration.

So I hope, Mr. President, that the Senate will not be persuaded that the small business community is being adequately represented today, because I think the facts show the contrary to be true; and I hope very much that this amendment will be agreed to.

I might point out that at least 30 Senators were cosponsors of Senate Resolution 30, which I authored last year. They felt legislation of that kind was necessary. I am sure that they have not changed their opinions since.

The distinguished Senator from Oklahoma stated that no hearings had been held on this question. I might point out that we have tried to obtain hearings before the Rules Committee. We were given assurance last year on the floor of the Senate that hearings would be held, but despite many efforts by several of us, no hearings were ever scheduled.

Mr. **MONRONEY.** Mr. President, will the Senator yield?

Mr. **PROUTY.** I yield.

Mr. **MONRONEY.** I should like to correct an impression which might have been received. I said there was no testimony in our record of those wishing to appear to be heard, advocating the present amendment of the distinguished Senator from Vermont. I could have misunderstood, but perhaps I did not make that clear.

Mr. **PROUTY.** No, that was understood. We have tried for several years to have hearings before the Rules Committee of the Senate. Thus far, none has been scheduled, despite repeated requests.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. **PROUTY.** Mr. President, I yield myself 2 additional minutes.

The **PRESIDING OFFICER** The Senator is recognized for 2 additional minutes.

Mr. **PROUTY.** I cannot quite fathom why feelings should be so strong. I suppose that if I were a member of the Banking and Currency Committee, I would not wish to surrender any of the prerogatives which that committee now has. But as I pointed out earlier, the Senate rules do not provide for that committee to consider small business matters. It has become customary to refer legislation of that nature to it, but there is nothing in the rules to provide for it.

So I hope, Mr. President, that we will give serious consideration to the very real needs of the small businessmen in this country—the small businessmen and their employees—because the employees will be adversely affected if the employer cannot remain in business. I think it is a challenge we ought to face. The small business organizations desperately want this legislation, and I hope the Senate will grant their very justifiable wish and hope, because thousands of small businessmen will be forced out of business unless much greater attention is paid to their needs than has been the case in the past.

Mr. President, I reserve the remainder of my time. I am prepared to yield it back, if the Senator from Oklahoma is prepared to do so.

Mr. **MONRONEY.** Mr. President, we have a request for time on this side, so we propose to use ours.

I yield such time as he may require to the distinguished Senator from Wisconsin, the ranking majority member of the Banking and Currency Committee and the former chairman of the Small Business Subcommittee.

The **PRESIDING OFFICER.** The Senator from Wisconsin is recognized.

Mr. **PROXMIRE.** Mr. President, I thank the distinguished Senator from Oklahoma. I rise to oppose the Prouty amendment. I know how sincerely the Senator from Vermont has pressed for this amendment throughout the years; but there are several reasons why I oppose it.

First, one of the great accomplishments of the LaFollette-Monroney committee back in 1946 was to end the proliferation of committees. However, we have tended, under this act, to provide for some additional committees. That makes it extremely difficult for Senators. One of the great weaknesses in this body is that we serve on a number of committees and subcommittees, and it is hard for us to be at meetings and do the kind of job we would like to do. If we create another committee, it will magnify that problem.

Mr. President, I was chairman of the Small Business Subcommittee for the last 8 years. The present chairman of the Small Business Subcommittee is the distinguished Senator from New Hampshire [Mr. McINTYRE] who is now in Vietnam. As a member of the Committee on Banking and Currency, I have talked to literally thousands of small businessmen in my State of Wisconsin, and to several hundred outside my State; and I have yet to hear any small businessman advocate this kind of action on the part of the Senate. I have heard many veterans say they would like to have a veterans' committee. Some peace advocates have said they would like to have a peace committee in the Senate. But I have talked to many small businessmen in many areas, and I know of none who do not feel they are represented as well in the U.S. Senate now as they would be if they had a small business committee with legislative jurisdiction.

The present Select Committee on Small Business is, it seems to me, in an excellent position. It is free to investigate throughout the whole area of legislation touching on small business problems. It can investigate taxes thoroughly, and recommend legislation. It can investigate antitrust actions, as well as SBA action or inaction.

If this bill is passed, the Senator from Vermont himself has admitted that tax jurisdiction will still have to remain in the Committee on Finance. What does that do to the capacity of the committee to investigate tax legislation, and follow whatever the problems may be for small business wherever they lead? Obviously, they cannot do that.

Mr. President, last year we had a financial institutions bill, S. 3158, before us, concerning the regulation of various financial institutions—banks and savings and loan associations. After exhaustive hearings on this bill, it was reported to the Senate. It passed the Senate and the House, becoming Public Law 89-695. It was very logical that right after we had gone into that matter in great detail and developed some understanding, and our staff had studied it carefully, that we could more competently make a similar investigation of small business investment companies. We had very similar problems to arise in dealing with proper supervision of SBIC's as we had with banks and savings and loans. Public Law 89-779 was enacted which strengthened the supervisory powers of SBA over SBIC's.

It seems to me that this is an excellent example of the interrelationship that exists among legislation considered by the Banking and Currency Committee. We have excellent staff members and have ourselves developed some knowledge and experience over the years. If this experience were not available and a matter were referred to a committee representing only small business, small business would lose that advantage.

As chairman of the Small Business Subcommittee for the last 8 years, I have been very deeply impressed by the quality of the staff members on the Banking and Currency Committee. Reginald Barnes, a member of the staff, has been assigned to the Small Business Subcommittee. I have worked with many fine and expert staff members and I have never met anybody who worked as intelligently and ably for small business as has Mr. Barnes. He is able to stay in touch with other banking subcommittee staffs and consider all of the problems of the SBA as a financial institution.

Mr. President, small business now has the best of all possible worlds. There is not any question that our committee is deeply concerned with the capital and financial problems of small business.

There is no doubt that the Committee on Finance—on which the distinguished Presiding Officer, the Senator from Georgia [Mr. TALMADGE], serves—is very much concerned with the tax problems of small business.

The Committee on the Judiciary is constantly alert and interested in the antitrust problems of small business. The Committee on Commerce is concerned on how regulatory problems affect the small businessman.

Once we have a separate and distinct Small Business Committee, we take away from all other committees—with the possible exception of the Committee on Finance—any feeling that they have a duty to be concerned with this very important element in our society which represents about 96 percent of all independent businesses and represents such a social as well as economic force.

I think for that reason that small business would be damaged by changing the present committee arrangement in this manner. I have great admiration for the Senator from Vermont, who is one of the most original thinkers in this body, and a man who has very often come forward with excellent ideas which I have happily supported. I would like to point out that there is no support for this measure which I have been able to find throughout the small business community.

I hope that the Prouty amendment is rejected and that the jurisdiction will remain where it should be, in the various committees of the Senate.

The PRESIDING OFFICER. Who yields time?

Mr. MONRONEY. Mr. President, I should like to ask the distinguished junior Senator from Alabama, chairman of the Committee on Banking and Currency, a question with reference to the vast jurisdiction that his committee exercises over housing activities in the country. I ask if these matters are not a very substantial part of the legislative workload carried in the Committee on Banking and Currency.

Mr. SPARKMAN. Mr. President, the biggest part of the work of the Committee on Banking and Currency is in the field of housing and urban affairs.

As the Senator knows, we have a separate staff and it functions almost as a committee.

We report legislation to the full committee, but housing and urban affairs is perhaps the major part of our work.

Mr. MONRONEY. It is a multibillion-dollar industry in the aggregate; is it not?

Mr. SPARKMAN. The Senator is correct. I roughly estimated the other day that the Federal Government becomes involved in this industry every year to the extent of an additional $10 billion.

I believe that the total amount that the Federal Government expends in housing and urban affairs would run in excess of $11 billion. I do not now recall the exact figure.

Mr. MONRONEY. That is partly due to Government participation in various housing programs and loans.

Mr. SPARKMAN. The Senator is correct. They are contingent activities.

Mr. MONRONEY. Is it not a fact that the housing industry, although it is relatively a giant industry, is composed largely of what could be defined as small businesses?

Mr. SPARKMAN. I would say, and this is just a guess, that probably 80 percent or more of the people engaged in homebuilding are small businessmen. I do not mean 80 percent of the volume necessarily, but 80 percent of the individuals.

Mr. MONRONEY. The committee of the Senator has demonstrated that they have been able to look after the affairs of small businessmen as they engage in the gigantic housing program.

Mr. SPARKMAN. It is a very interesting program.

Mr. MONRONEY. The Senator has been chairman of the Subcommittee on Housing.

Mr. SPARKMAN. The Senator is correct. A good deal has been said about legislative oversight, and the majority leader advocates that Congress should exercise oversight over departments and agencies and activities within the jurisdiction of the Subcommittee on Housing. Our Subcommittee on Housing has had a responsibility and has exercised it throughout the entire time it has been in existence.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. MONRONEY. Mr. President, I ask unanimous consent that I may be permitted to continue for 2 additional minutes.

The PRESIDING OFFICER. Without objection, the Senator from Oklahoma is recognized for 2 additional minutes.

Mr. SPARKMAN. We have continued to exercise supervision. We make a continuing study. We are charged with that duty under the resolution setting up the committee.

Mr. MONRONEY. It would be very difficult to divide that jurisdiction between the Committee on Banking and Currency and a small business committee so as to supervise or maintain oversight of the vast housing program.

Mr. SPARKMAN. I had never thought of the probability of it being so divided. That has always been one of the perplexing problems with reference to small committees cutting across the jurisdiction of other committees.

In the select committee, we work with different committees in fields affecting small business interests. It affects the jurisdiction of many different committees.

Mr. PROUTY. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 2 minutes.

Mr. PROUTY. There may be some small business organization in the country—although I do not know of any—that is not in favor of the pending amendment.

I know of no small businessmen familiar with this legislation who are not enthusiastically in favor of it.

I think the small business community generally feels that its needs will be better taken care of if there is a single committee available to which they can appeal for assistance in meeting any problems which confront them.

Mr. President, I understand that a motion to table this amendment will probably be made. For the record, I point out that a vote in favor of tabling the pending amendment is in reality a vote against the amendment.

Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I ask unanimous consent that we may have a quorum call without the time being charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, I move to table the amendment of the distinguished junior Senator from Vermont. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oklahoma. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana (when his name was called). On this vote I have a pair with the Senator from New Hampshire [Mr. McIntyre]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withhold my vote.

The legislative clerk resumed and concluded the call of the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Arkansas [Mr. Fulbright], the Senator from Hawaii [Mr. Inouye], the Senator from Massachusetts [Mr. Kennedy], the Senator from Missouri [Mr. Long], and the Senator from New Hampshire [Mr. McIntyre], are absent on official business.

I also announce that the Senator from Mississippi [Mr. Eastland], the Senator from South Carolina [Mr. Hollings], the Senator from North Carolina [Mr. Jordan], the Senator from Florida [Mr. Smathers], and the Senator from New Jersey [Mr. Williams], are necessarily absent.

I further announce that, if present and voting, the Senator from Mississippi [Mr. Eastland], and the Senator from Massachusetts [Mr. Kennedy], would each vote "yea."

On this vote, the Senator from Indiana [Mr. Bayh] is paired with the Senator from Massachusetts [Mr. Brooke]. If present and voting, the Senator from Indiana would vote "nay," and the Senator from Massachusetts would vote "yea."

On this vote, the Senator from South Carolina [Mr. Hollings] is paired with the Senator from New Jersey [Mr. Williams]. If present and voting, the Senator from South Carolina would vote "yea," and the Senator from New Jersey would vote "nay."

Mr. KUCHEL. I announce that the Senator from Massachusetts [Mr. Brooke], the Senator from New York [Mr. Javits], and the Senator from Texas [Mr. Tower] are absent on official business.

If present and voting, the Senator from Texas [Mr. Tower] would vote "yea."

On this vote, the Senator from Massachusetts [Mr. Brooke] is paired with the Senator from Indiana [Mr. Bayh]. If present and voting, the Senator from Massachusetts would vote "yea" and the Senator from Indiana would vote "nay."

The result was announced—yeas 58, nays 27, as follows:

[No. 16 Leg.]

YEAS—58

Anderson
Bennett
Bible
Boggs
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Ellender
Ervin
Gore
Griffin
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Jackson
Kennedy, N.Y.
Lausche
Magnuson
Mansfield
McCarthy
McClellan
McGee
Metcalf
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Muskie
Pastore
Percy
Proxmire
Randolph
Ribicoff
Russell
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Tydings
Williams, Del.
Yarborough

NAYS—27

Aiken
Allott
Baker
Bartlett
Brewster
Burdick
Church
Dominick
Fannin
Fong
Gruening
Hansen
Hatfield
Jordan, Idaho
Kuchel
McGovern
Miller
Morse
Murphy
Nelson
Pearson
Pell
Prouty
Scott
Thurmond
Young, N. Dak.
Young, Ohio

NOT VOTING—15

Bayh
Brooke
Eastland
Fulbright
Hollings
Inouye
Javits
Jordan, N.C.
Kennedy, Mass.
Long, Mo.
Long, La.
McIntyre
Smathers
Tower
Williams, N.J.

So Mr. Monroney's motion to table Mr. Prouty's amendment was agreed to.

Mr. BARTLETT. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. BARTLETT. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the Record.

The amendment, ordered to be printed in the Record, is as follows:

On the appropriate page, insert the following:

"That the Government Employees' Training Act (5 U.S.C. 2301–2319) is amended by adding at the end thereof a new section as follows:

" 'OFFICERS AND EMPLOYEES OF SENATE AND HOUSE OF REPRESENTATIVES

" 'Sec. 24(a). Subject to the provisions of this section and sections 11, 12(a) (1), (2), and (3), 13, and 14, officers and employees of the Senate and House of Representatives may be selected and assigned for training by, in, or through Government facilities or non-Government facilities, and the expenses for training may be paid in the same manner and to the same extent as authorized by sections 8, 9 (a) and (b), and 10 for employees of the departments in accordance with regulations of the President pro tempore of the Senate with respect to officers and employees of the Senate and in accordance with regulations of the Speaker of the House of Representatives with respect to officers and employees of the House of Representatives. These regulations shall specify the extent to which section 19 shall apply to the officers and employees of the Senate and the House of Representatives.

" 'The requirement in section 11(c) and 12(a)(2) of this Act that action by the head of a department be in accordance with regulations of the Commission does not apply to the President pro tempore of the Senate or the Speaker of the House of Representatives. The Commission shall provide the President pro tempore and the Speaker with such advice and assistance as they may request in order to enable them to carry out the provisions of this section. As used in this section, the term "officers and employees of the Senate and House of Representatives" means any person whose compensation is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives, but does not include a Member of either House.

" '(b) For the purposes of this Act, a reference to the head of a department means—

" '(1) the President pro tempore of the Senate with respect to officers and employees of the Senate, and

" '(2) the Speaker of the House of Representatives with respect to officers and employees of the House of Representatives.

" '(c) There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this section'."

Mr. BARTLETT. My amendment would amend the Government Employees Training Act bill. This amendment is identical to the bill S. 236 which I introduced on January 12. I ask unanimous consent that my remarks at the time of introduction of that legislation be included in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BARTLETT. Mr. President, S. 355, the bill which the Senate is now considering, carries a provision beginning on page 61 for special training for certain employees of the Senate, in the following words:

(j)(1) Each standing committee of the Senate or House of Representatives is authorized, with the approval of the Committee on Rules and Administration in the case of standing committees of the Senate, and the Committee on House Administration in the case of standing committees of the House of Representatives, and within the limits of funds made available from the contingent funds of the respective Houses pursuant to resolutions, which shall specify the maximum amounts which may be used for such purpose, approved by such respective Houses, to provide assistance for members of its professional staff in obtaining specialized training, whenever it determines that such training will aid it in the discharge of its responsibilities.

Mr. President, my amendment conforms exactly to the language of a bill which I introduced in the last Congress, and which I have reintroduced in the 90th Congress, to extend that specialized training to all employees of the legislative branch. We already have training programs available for Federal employees under the Government Employees Training Act.

The amendment which I have proposed and the bill which I previously offered would extend to congressional employees the benefits of the 1950 Training Act now available to these employees of the executive branch of the Government. Those benefits include in-service training programs, participation in interagency conferences, and, on a very selective basis, the opportunity to return for 1 year's training at a university or scientific institution, if such training will assist the employee to deal with his professional responsibilities.

The bill which I introduced last year would keep the legislative employees, in my judgment, abreast of those in the executive branch in advancing their skills and enable them to do more effective jobs for Members of Congress.

The Government Employees Training Act was described by Mr. John Macy, Chairman of the Civil Service Commission, as a very valuable management tool which the Federal Government, "has used to insure that their employees are kept abreast of the latest developments and technological changes in scientific, managerial, educational and professional fields in which they have mission responsibilities."

Mr. President, Mr. Macy, I am happy to add, in the Commission's report on my bill, gave "strong support to its purposes and objectives."

In recent years, as my friend the Senator from New Hampshire [Mr. COTTON], who is on his feet, knows so well, the responsibilities of Members of Congress have increased considerably. We have less and less time to make independent studies in depth for ourselves.

Although I do not like to say so to an increasing extent we are obliged to rely upon our staff members—and I will say that we are in good hands, generally speaking, in that regard.

But, Mr. President, it seems obvious to me that legislative employees should not be denied the same opportunities as Congress has already granted employees of the executive branch. By adding to their knowledge, sharpening their skills, they would be equipping themselves to do a better job for us.

Mr. COTTON. Mr. President, will the Senator from Alaska yield for a question?

Mr. BARTLETT. I am happy to yield to the Senator from New Hampshire.

Mr. COTTON. Do I correctly understand that the amendment offered by the able Senator from Alaska would enlarge the provision in the pending bill so that this training would be extended to staff members of Senators as well as committee staffs?

Mr. BARTLETT. That is true. Let me quickly add, for the benefit of the Senator from New Hampshire, that I am offering this amendment at this time principally to call the proposal to the attention of the Senate.

Mr. COTTON. If the Senator's amendment were to be adopted, would the same provision now in the bill require the approval of the Committee on Rules and Administration for each individual instance when this privilege would be exercised? Would it extend to all those included in the Senator's amendment?

Mr. BARTLETT. I do not propose to seek to answer the Senator, and I will explain why I do not. I would not, obviously, expect the Senate to adopt the language of the amendment without hearings having been held. It is too important for that.

The subject is one which, in my opinion, deserves to be heard, and heard carefully, by the appropriate committee, which may be the committee of which the distinguished Senator from Oklahoma is chairman, or which may be the Committee on Rules and Administration. I do not know. I am not prepared to make any estimate of what the cost or the screening process would be.

While I intend, at the conclusion of my remarks, to withdraw the amendment, I want to ask the Senator from Oklahoma, who is the manager of the legislative reorganization bill, a question in the light of the glowing words of Mr. Macy.

I wish to ask the manager of the bill, the Senator from Oklahoma, especially in light of the favorable comments spoken in regard to this proposal by Chairman Macy, of the Civil Service Commission, if it is his opinion that Congress should bring such a proposal up at this session of the Congress, a subject that is of real importance to every Member of the Senate.

EXHIBIT 1

Mr. President, I introduce, for appropriate reference, a bill to amend the Government Employees' Training Act. This bill is identical in text and purpose to S. 2345 which I introduced in the last Congress.

The measure would extend to congressional employees the benefits of the 1958 training act now available to employees of the executive departments of the federal government. These benefits include in-service training programs, participation in interagency conferences and, on a very selective basis, the opportunity to return for a year's training at a university or scientific institution if such training will assist the employee in dealing with his professional responsibilities.

This bill was first introduced by me on July 29, 1965. It received, I am happy to say, support from numerous Senators from both sides of the aisle. It is clear that in no way is this a partisan measure. It is an attempt to expand the experience and upgrade the training of the professional staff members who assist us as we handle our evermore complex legislative duties.

The Government Employees' Training Act was passed in 1958 and since then it has been, as John Macy, Chairman of the United States Civil Service Commission explains, "a valuable management tool" which the federal departments "have used to insure that their employees are kept abreast of the latest developments and technological changes in the scientific, managerial, educational and professional fields in which they have mission responsibilities". Mr. Macy, in the Commission's report on my bill, gave "strong support" to its "purposes and objectives".

I have served in the Congress since 1945. This is the beginning of my ninth year in the Senate. I have seen the workload which Congressmen and Senators must bear increased substantially since 1945. In recent years, the obligations and the workload of Senators and their office staffs have increased perhaps by as much as 25 percent a year. The Senate Postmaster, David Jennings, reports that in five years, the amount of mail produced by Senators has increased over 200 percent and this last year alone, 25 percent more mail was sent out over the year before. Not only has the volume of work increased, it has become more technical, more sophisticated and—in this nuclear scientific age—more important.

At one time a Senator and his clerk could handle the mail, legislation and distribution of flower seeds and be home in time for supper. That time is long dead.

If the Senate is to function responsibly, if the Congress is to function responsibly, it is vital that its staffs be competent professional highly trained and aware of the latest developments in the fields in which they work. The federal government has found that the Employees' Training Act is helpful and that the training provided is a valuable and most worthwhile investment.

It is not intended that the Congress should establish or operate its own in-service training programs. This bill provides, however, that congressional employees would be allowed to participate in present executive training programs. I have especially in mind the two-week interagency conferences which have been successful in upgrading the professional and managerial competence of the civil service. Lastly, the bill allows legislative employees to spend up to a year in training at a university or other professional institution. No more than one percent of legislative employees may undergo training at any one time—this is the same limitation of the Employees' Training Act. No legislative staff member with less than a year's service would be eligible and no employees would be able to receive more than one year's training over any ten-year period.

The Congress needs all the help it can get. This is a modest proposal but it could be most useful to us all. Mr. President, I ask unanimous consent that the bill may lie on the desk for two weeks should other Senators wish to cosponsor the measure.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. BARTLETT. I yield.

Mr. MONRONEY. I agree that advanced training in various specialties is most important to the entire Senate. It seems to me the most urgent need at the moment is that the program for advanced training in the extraordinary skills should be considered limited to the present employees we have on the staffs of the standing committees. We should try it out on that basis and get some limited experience as a result. That is not to say that the need for expertise and experience and capability is to be denied to those who need experts in Senators' own offices. But it seemed to us, in evaluating a new program, the emphasis should go to those who serve a large number of Senators; namely, members of the standing committees, who would be upgraded in their own skills which are required of them as advisers to Senators and their staffs in highly technical matters such as taxation, science, aviation, and many other subjects which Senators must consider in various fields.

I would say the suggestion made in the introduction of the bill should be followed through with hearings by the committee which has appropriate jurisdiction. Perhaps it would be the Committee on Civil Service and Post Office.

So I would say to my distinguished colleague, the Senator from Alaska, that if the bill is introduced and referred to that committee, we will do our best to get hearings as soon as practicable—preferably this session—so we can determine to what extent such a proposal should be used. Then it could be determined what specialized training would be needed.

Mr. BARTLETT. I am heartened by the words of the Senator from Oklahoma. Quite obviously, since I am about to withdraw the amendment without pressing for further consideration, I realize that some scrutiny needs to be accorded to it. I certainly would have no thought whatsoever that the benefits of such proposal would be extended to every member of every Senator's staff. I would not feel that each member of a staff should go off to a university for a year, for example, at the taxpayer's expense. However, quite apparently, certain members of staffs can do a better job if they have the same kind of training as Congress has already made available for those working for the executive departments.

With the assurance, which I was so glad to hear from the Senator from Oklahoma, I ask to withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. MAGNUSON. Mr. President, before the Senator yields back his time, since we are proceeding on a time limitation, I wonder if he would yield to me briefly.

Mr. BARTLETT. I am glad to yield to the Senator from Washington. In doing so, I only want to say that on the Committee on Commerce, which the Senator from Washington heads, we could perhaps use some expertise on the matter of fisheries, for example, although we have an expert in the person of Mr. John Wedin.

Mr. MAGNUSON. I was thinking, as the Senator was speaking of sending these people to universities—and it sort of scared me a little—that we can always get advice from professors and other persons who are experts in their field. Take the field of transportation. I wonder sometimes if it might not be well for a member of our staff, let us say, to work for a railroad for 1 year, get right in there and see how it is operated, or perhaps on an airline, or in fisheries, or to learn something about the merchant marine, so that he would come back not only with theoretical knowledge, but practical knowledge.

Mr. BARTLETT. What the Senator has said demonstrates a need for further and timely hearings on my bill, and I would not foreclose doing that which he recommends.

Mr. MAGNUSON. I do not know, but sometimes the matters we have in the Commerce Committee need people who are practical to find out what should be done in the general operation of our economy. Sometimes we find that the theoretical ideas do not jibe with the practical aspects of the problem.

Mr. BARTLETT. However, I will say that if the profit margin in fisheries remains what it is at the present time, it might be very difficult to expect a member of the staff to receive fishery training without a little help on the side.

Mr. MAGNUSON. I thank the Senator from Alaska.

PROPOSED INACTIVATION OF NUCLEAR MERCHANT VESSEL "SAVANNAH"

Mr. MAGNUSON. Mr. President, the determination recently announced to retire the nuclear-powered merchant vessel *Savannah* from operation seems to me an example of shortsightedness and false economy that may well prove to be a costly mistake in dollar terms as well as prestige for the United States.

I have long been convinced, Mr. President, that in any program to revitalize our merchant marine—revitalization that is essential to the defense and economic well-being of this Nation—we must provide for the development of a fleet of nuclear merchant vessels. I have introduced already this session S. 508, which would provide for the construction of six such vessels, for we must meet the future with ships of the future.

The budget proposal to retire the *Savannah* from service in our already overextended and inadequate fleet is an indication that the United States has buried its head in the sand so far as realizing the importance of the peaceful development of nuclear energy and its specific application to the maritime field.

Other nations, even though they are operating on an austere basis, with budgets tighter than ours, have not been so shortsighted. The Soviet Union, Japan, and Germany are engaged in the building of nuclear merchant vessels this very day. It is reported that Germany will have a nuclear-powered merchant vessel on the seas before the end of the year.

The continued operation of the *Savannah* would be a constant reminder to the world that United States foresight, technology, and desire for peaceful application of the atom created the world's first nuclear merchant vessel. And the *Savannah* is an excellent reminder, Mr. President, for more than a million people of various nations have visited the ship, and it has opened countless ports to nuclear vessels. While we in the United States may no longer marvel at the *Savannah*, it is viewed as a tremendous and awesome achievement in other nations of the world.

Continued operation of the *Savannah* has further advantages. It provides a ready laboratory for study of nuclear merchant vessel operations—the most realistic laboratory in the world. And surely we have not learned all there is to know in this field.

It provides a means for training and qualifying crews to man and operate nuclear-powered vessels. Without the *Savannah* we can have no such training program and must start again entirely from scratch when we develop a nuclear fleet, as we surely must. This seems to be inefficient and foolish, and will prove extremely expensive, in my opinion, both in time and dollars, in the future.

The operation of the *Savannah* could continue a record of safe operation of a nuclear merchant vessel. This is vital if maritime insurance rates are to be adjusted to the new technology in a reasonable manner conducive to their commercial operation.

The *Savannah* is still, as it has always been, an excellent vessel. Its 23-knot speed is far greater than that of the World War II vessels being reactivated at costs as great as $500,000 per vessel in response to the shipping requirements of Vietnam. It seems absurd that the *Savannah* should be retired at the very time when our merchant fleet is carrying 98 percent of the supplies to Vietnam and attempting to conduct normal business as well. Surely there is plenty of cargo to keep the *Savannah* active. After all, Mr. President, we are now carrying only 8 percent of our foreign waterborne commerce.

The justification offered for retiring the *Savannah* is that it will save the Government approximately $3.5 million in operating subsidy. That is not true. Mr. President, it will cost approximately $1.5 million to lay up the *Savannah* according to press reports of Maritime Administration figures. Even after the vessel is laid up, it will cost about $1,500,000 a year to simply maintain the vessel, according to the estimates also given me by the Maritime Administration.

It is clear, then, Mr. President, that the Government can realize a cash savings at most of only $2 million per year by retiring the *Savannah*.

I would suggest that in a Federal budget far exceeding $100 billion, the operation of the world's first and presently only nuclear-powered merchant vessel should have sufficient priority to warrant the necessary $2 million expense involved.

Perhaps no man is more familiar with the operation and capability of the *Savannah* than Adm. John M. Will, U.S. Navy, retired, chairman of the board of American Export Isbrandtsen Lines. Since August 20, 1965, the *Savannah* has been chartered to its subsidiary, First Atomic Ship Transport—FAST—by the Maritime Administration and operated by that subsidiary. Admiral Will has written me a letter which sets forth cogent and convincing arguments for the development of nuclear vessels and the continued operation of the *Savannah*.

Mr. President, I ask unanimous consent to supplement my remarks by having printed in the RECORD Admiral Will's letter to me dated January 27, 1967.

There being no objections, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN EXPORT ISBRANDTSEN LINES,
January 27, 1967.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MAGNUSON: I wish to compliment you and your co-sponsors upon your foresighted action in the introduction of bill S–508 that would authorize the construction of six nuclear-powered merchant vessels. As you so aptly remarked in your statement at the time of introducing the bill, a nuclear fleet will not alone revitalize our merchant marine. Favorable action on this legislation will, however, be a giant step toward enabling us to maintain the leadership of our nation in promoting the peaceful use of the atom in the maritime field which is now threatened by the programs of Japan, Germany and the Soviet Union.

The gratification engendered by your introduction of S–508 has been somewhat dampened by the advice received on January 24th from the Acting Maritime Administrator that the NS Savannah will be withdrawn from active service in May of this year. The explanation given for this action is that no funds are provided in the Administration's FY 1968 budget for its continued operation.

As you are aware, the Savannah has been operated by our subsidiary, First Atomic Ship Transport (FAST), under bareboat charter from the Maritime Administration since August 20, 1965, both to North Europe and the Mediterranean. The experience gained and the data accumulated as a result of these operations have been most valuable, not only as applied to the Savannah, but as guide lines for the operation of future nuclear-powered vessels.

The Administration's decision comes to us as a shocking surprise, and we find it most difficult to comprehend how the inactivation of the Savannah at this particular time can be rationalized. It is alleged to be necessitated for reasons of economy. According to press reports, the Maritime Administration estimates that the lay-up of the Savannah will save about $3.5 million a year. This sum represents the amount paid to FAST to offset certain operating costs as well as payments to Todd Shipyards for shore service facilities, personnel training, etc. It will cost a reported $1.4 million to lay up the ship and, assumedly, some shore services will be continuously required whether the ship is laid up or otherwise. It appears, therefore, that the saving for the first year at least, will be approximately $2 million.

Our military demands in Viet Nam have about exhausted the available U.S.-flag shipping capability and to maintain the extended supply pipe line we are relying primarily upon obsolete war-built ships with speeds of 14/16 knots or less, at excessive costs. Most of the principal liner companies have chartered ships to MSTS that would otherwise be engaged on their regular commercial routes. Among other things, from a national standpoint, this has had an obvious detrimental effect upon our balance of payments and it has caused a disruption of the liner services and a loss of business that may be difficult to regain. Our company has five ships chartered to MSTS and we have been employing the Savannah to partially fill the gaps in our schedules.

From the point of view of our national interest and the promotion of the American Merchant Marine, we feel that the inactivation and lay-up of the Savannah would be a tragic mistake. She has performed remarkably well as a cargo liner and, with her 23-knot speed, is far superior to the great majority of the war-built ships now in operation. Continued in operation, her revenues in the course of a year, that would otherwise be paid in large part to foreign-flag carriers, would contribute to the dimunition of our adverse balance of international payments. There is much yet to be learned about the operation of nuclear-powered ships and the Savannah provides an excellent laboratory for this purpose as well as for training and developing competent personnel for nuclear ships of the future. Beyond all of this, however, we believe that for our Government to "strike the flag" on the only operating nuclear-powered merchant ship in the world for a matter of some $2 million when, during recent months, so much has been said and written about the deplorable state of our merchant marine, would cause other maritime countries to discount much that we have contended with respect to the future potential of nuclear power for merchant ship propulsion.

Apart from the paradox that our government is choosing to lay up a superior operating ship at a time when there is a shortage of American-flag vessels, we should also consider the adverse effect which this ill-considered action has on our prestige abroad. The Savannah is more than just another vessel—it is a symbol of the United States and of our economic greatness and technological superiority. More than 10 million people of varying nationalities have visited the Savannah and it has been received by Heads of State and other dignitaries in the countries where it has called. For the United States to abandon the Savannah at this time is virtually tantamount, in my opinion, to a statement that this country is abandoning technological progress in commercial shipping and that we are leaving to others—the Russians, the Germans and the Japanese—the development of nuclear propelled vessels even though we were the initiators of the project more than eight years ago.

In closing, I cannot refrain from remarking upon the irony of the fact that the same budget which denies the relatively meager funds for the continued operation of the Savannah, provides for the construction of five FDL ships for the Navy in addition to the two already authorized. I understand that each of these vessels will cost approximately $30/40 million, or about the same amount that it would cost for one high speed nuclear-powered merchant ship. I am sure this costly FDL program will be subjected to the closest scrutiny by the Congress and that the maritime industry will be afforded the opportunity to present its views.

Sincerely,

JOHN M. WILL,
Admiral, U.S. Navy (Retired).

ELECTRIC VEHICLES

Mr. MAGNUSON. Mr. President, I am pleased to announce that the Senator from Maryland [Mr. TYDINGS] has requested that he be added as a cosponsor of S. 453, my Electric Vehicle Development Act. I ask unanimous consent that his name be added to the bill at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. His interest stems, in part, from his long concern with the quality of environment and dangers posed by air pollution and inefficient transportation, particularly in the metropolitan areas.

Mr. President, I have addressed the Senate twice previously on the subject of electric vehicles since the Senate convened this year, and I am also the author of S. 453, to which I am adding the name of Mr. TYDINGS as cosponsor, as well as others.

The Department of Commerce has recently been holding meetings which the newspapers have characterized as being veiled in secrecy. One of the meetings which was not reported until I asked for a report was held on May 10. I have been sent a summary of that meeting. The views expressed in that summary are not necessarily shared by all who attended the meeting. I have a copy of a statement by Mr. M. G. Smith, vice president, Electric Storage Battery Co., which was delivered at that meeting. I ask unanimous consent that these matters be printed at the close of my remarks so that the public can be informed as to what happened there—and this carries forward, I think, what has been happening in subsequent meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MAGNUSON. As Mr. Smith cogently points out, critics of electric cars are missing the point when they say present technology, such as lead acid batteries, is unsuitable to warrant development today. The critics are wrong, he says, on at least two counts; and I believe most of the automobile manufacturers think so, also, because they are doing a great deal of fine research, and have been for the past year, in this field.

First, he says, no one has yet designed an electric car using today's technology. Conversions of internal combustion cars have been built, but not a complete electric.

I drove one the other day around the Capitol. Of course, it was a converted electric. The electric batteries propelled the vehicle, which was once an internal combustion vehicle, and it was sort of an in-between affair. As Mr. Smith points out, no one has designed a complete electric car. The efficiencies to be gained through total electric design are of a high magnitude which no citation of watt hours per pound can show. Second, English experience—and Ford Motors has been doing a great deal over there in this field, in their English Ford plants—proves that lead acid batteries can propel a vehicle 40 to 50 miles between recharges. This one I drove, the other day I was told would run 60 miles between recharges. There are many vehicles that do not run farther than this on any one-way, nonstop trip. I do not see why it is necessary to delay construction of electrics until one can run 150 to 200 miles—which I am sure will come to pass—when the vehicle will never be called upon to run more than 40 to 50 miles.

In a few words, today's technology can solve many of today's problems—certainly not all of them—but enough to warrant the construction of such a machine.

Those critical of today's technology either fail to recognize the real uses of a variety of vehicles, or they are trying to hide their outright opposition in a veil of pseudoscience.

I do not want to be misunderstood. Our committee has worked on this for some time. We have never suggested that an electric car would be a substitute for the present automobile. However, such a vehicle could be a supplement for an ordinary automobile on certain types of trips. It could help a great deal to solve the pollution problem in heavily concentrated urban areas.

I think that such a vehicle can be made cheaper than any other. We do know that with the modern battery technology, batteries can be charged in a person's own garage merely by plugging them into an electric outlet.

I remember when I was a boy that a man on our block had an electric car. We used to gather around the car to see how it operated. We were always asking for a ride.

This electric car was quite a contraption. It had a steering wheel and looked like a buggy on wheels. It would ride along rather well, but when the battery ran down it was necessary to put the car in the garage for quite a few days to get the battery recharged.

With electricity as cheap as it is in our country today, batteries can be recharged very cheaply.

The delivery of mail on short trips might be performed just as well with an electric vehicle. The electric vehicle could be used for many other purposes.

I hope that we will proceed with these experiments. The industry is moving very rapidly, not only the major automobile manufacturers themselves, but also the people in the electric energy field, battery companies, and people associated with the great automobile industry. I think that it will not be too long until we have an electric vehicle as a supplement and that it will have great advantages.

Such a vehicle need not look like a one-horse shay. It can look like a regular automobile.

I drove such a vehicle the other day. It looked like one of our small American automobiles, a Rambler or one of the other smaller cars. It had the same seating arrangement. It had only one switch. It was necessary only to turn the switch on, press a button, and then go. When one stopped, he merely pushed the switch, and that was all.

There are absolutely no gadgets.

I hope that the hearings in the Department will not be veiled in secrecy in the future. We should let the people discuss this American technology and see what we can do in this field.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. HOLLAND. Mr. President, what was the reason, if the distinguished Senator knows, for making these hearings secret?

Mr. MAGNUSON. I do not know. They apparently did not want to have any publicity on the matter. There has been a great deal of opposition to this suggestion. Some representatives of the industry say it will not work and that we should not bother expending time, money, and energy on this matter.

These matters were very controversial, but I do not know why there was any secrecy.

Mr. Smith made a very fine speech. There is not anything that we should hide or not discuss in this fast-moving field.

Mr. HOLLAND. With all of the public debate that has gone on concerning the question of air pollution and the correction of air pollution conditions, it does seem to me that it would have been in the public interest to have the public know that here was a possible, potential source of relief.

I cannot understand how any public agency would have considered it appropriate to have secret hearings on this kind of subject matter.

Mr. MAGNUSON. Neither do I. However, I believe that we have now gotten the matter straightened out. I very much appreciate the interest of the Senator from Florida.

Exhibit 1

[From the Washington Star, Jan. 7, 1967]

Secrecy Veiling Study of Electric Auto Need

(By Robert L. Pisor)

The government shrouded in secrecy yesterday its first highlevel study of electric-powered cars and need for their early development.

Assistant Secretary of Commerce J. Herbert Holloman ordered the expulsion of a newspaper reporter from the meeting.

The Commerce Department concerned about the ineffectiveness of pollution control devices now planned for the millions of gasoline-powered cars, called 16 top engineers together to discuss the problem.

The panel included experts from university research centers, and the auto, oil and electric industries.

ANNOUNCEMENT PROMISED

Holloman and other department officials said yesterday that they planned to release a "simple announcement" three days after the panel adjourned.

The 16-member panel will conduct an intensive and long-range study of electric-powered cars, their practicality, economics and technical feasibility. Included in the panel's responsibility is a comparison of air pollution problems between gasoline-powered cars and an electric vehicle.

Dr. Richard S. Morse, a top Commerce Department adviser from the Massachusetts Institute of Technology and chairman of the panel, warned the panel engineers:

"We don't want too much publicity on this right now. We've already decided to make a fairly simple announcement."

Unaware that the meeting was considered "closed," a Detroit News reporter sat through 90 minutes of the conference before being asked to leave.

Most of the time was used by Arthur C. Stern, assistant chief of the Public Health Service's air pollution division, who described the many engineering efforts at effective pollution control devices but conceded that even the highly "clean" diesel engine was not perfect.

Dr. Morse said "a cleaner package" was "just not enough." Increasing use of automobiles by the country's growing population over the next 50 years, he said, would more than wipe out any reduction in pollution from present auto engines.

The panel will break up into five groups to examine the problem of air pollution, the cost of present automobiles, the potential for energy sources other than gasoline, methods of storing and converting energy for automobiles, and pollution control devices now being developed.

The Assistant Secretary
of Commerce,
Washington, D.C., September 30, 1966.

Hon. Warren G. Magnuson,
U.S. Senate,
Washington, D.C.

Dear Senator Magnuson: This is a reply to your letter dated September 1, 1966.

On May 10, 1966, I held an informal meeting to begin to look at the problem of battery-powered vehicles, the state of the technology, and the cost of this type of motive power versus other means. A summary of the meeting is attached. As a result of this meeting we intend to look further into the matter.

Sincerely yours,
J. Herbert Hollomon.

Summary of May 10, 1966, Meeting on Technical Status of Electrically Powered Vehicle

Two different basic approaches for the potential for electrically powered vehicles premised most of the discussion. The first is that, in order to be useful and marketable, the electrically powered vehicle should have the range, power, performance and appearance characteristics of the present day passenger or commercial vehicle. The second approach to the design of electrically powered vehicles centered on special purpose applications such as used by teen-agers and in retirement and planned city applications.

Future outlook for the electrical vehicle as a full replacement for the modern automobile seems bleak today due to the major limitation of the power source. Improvements in batteries or fuel cells could change the situation. Present lead-acid batteries are: too heavy, off by a factor 5–10 in power density; too low in power efficiency (about 10% of theoretical maximum); and inadequate in range. A more acceptable battery system would be the silver-zinc system but the cost is prohibitive for use in other than experimental vehicles. A potentially successful system which is under development is the zinc-air battery.

Additional problems are found in the development of lightweight motors, of suitable performance, and control systems. The present state of technology is far enough along and advancing at a fast enough rate that adequate systems should be available if an acceptable power system is forthcoming.

The special purpose approach seems to show some promise. The type of driving habits in these applications are of the low-speed, short distance type, where high performance characteristics are not needed. Many of the present day driving habits have these characteristics and a market for electric vehicles might now exist. They have already found use in such areas as golf carts and in-plant trucks. Existing technology is advanced to the point where it can meet these needs.

A suggestion was made to create a Government commission to stimulate development of electric vehicles to overcome the air pollution problems of present vehicles. Some of the experts felt that the technology of internal combustion engines was such that air pollution would be reduced considerably in the near future. It was recommended that the Government pursue its interest in this problem in any event.

Those in attendance included George Hoffman, UCLA; Harry Barrr, GM; E. D. Marande, Ford; Max Feldman, GE–TEMPO; W. E. Shoupp, Westinghouse; and M. G. Smith, Electric Storage Battery Co.

Statement of M. G. Smith, Vice President, Industrial Group, the Electric Storage Battery Co., Philadelphia, Before Department of Commerce Technical Advisory Board, Washington, D.C., May 10, 1966

I appreciate the invitation extended to me by Donald F. Hornig, the Special Assistant to the President's Office for Science and Technology, to participate in this conference. I am especially pleased to have the opportunity to put at your disposal the information and experience that my company, The Electric Storage Battery Company, has gained over many years in helping reduce air pollution, which President Johnson has called "one of the most pervasive problems of our society."

Indeed, it is a real concern, having read the somber report of the President's Science Advisory Committee revealing their forecast of dire consequences of polluting our air.

Singling out the automobile as "our most rapidly growing cause of many and diverse pollution problems," the Advisory Committee concluded "that an alternative non-polluting means of powering automobiles, buses and trucks is likely to become a national necessity."

If a new form of non-polluting power for automobiles is a necessity experience shows that the first effective steps can be taken right now. The state of the art is far enough advanced to permit the use of electric cars, trucks, buses and trains in appreciable numbers almost immediately.

It might interest you to know that my company has been involved in combating air pollution since as long ago as the end of World War One. The arena in which we have fought the battle is in the nation's industrial plants and warehouses where, after 1918, internal combustion engine material handling trucks began to compete with battery powered trucks.

We still continue, with increasing success, to promote electric industrial trucks as protective of workers' health—because they are fumeless and quiet—and these electric trucks perform as well or better than their combustion engine counterparts in doing the nation's heaviest work.

Little did we realize, as we were at work on this problem in the nation's factories, that by 1963 when the Clean Air Act was passed, the Senate's special subcommittee would come up with the information that "automotive exhaust was . . . responsible for some 50 percent of the national air pollution problem." In fact, a staff report to the Senate Committee on Public Works previously had suggested that "Pollution is increasing faster than our population increases, because our rising standard of living results in greater consumption of energy and goods per person, and our production and transportation activities increase on both accounts."

The situation is likely to get much worse, according to the report of the Secretary of Health, Education and Welfare of June 1965, where it was projected that "the automotive vehicle and fuel consumption in 1980 will be double that of 1960 and will double again by the year 2000."

The resulting fouled-up atmosphere of ours is a growing threat to every living thing on the planet! The President's own committee charged that air pollution is capable—within less than 40 years—of causing disastrous climatic changes.

According to these same scientists, carbon dioxide is being added to the earth's atmosphere "at the rate of six billion tons per year. By the year 2000, there will be about 25 percent more carbon dioxide in our atmosphere than at present. This will modify the heat balance of the atmosphere to such an extent that marked changes in climate . . . could occur."

Calling this "a vast geophysical experiment," the President's experts said it could "result in a catastrophically rapid melting of the Antarctic ice cap, with an accompanying rise in sea level."

"The development of alternative means of mobile energy conversion, suitable for powering automotive transport of all kinds," the panel said, "is not a matter of one year or a few years. Thus, if fuel cells or rechargeable batteries, or other devices are to be developed in time to meet the increasing threat, we need to begin now."

My company favors—and is deeply involved in research for new power sources such as the fuel cell and zinc-air battery. They hold great promise, but from an economic viewpoint, both are probably many years away and, indeed, might never become commercially practical. However, we can't afford to wait and we don't have to wait for new power sources.

In October 1965, I pointed out to an international meeting of the electrical industry in St. Louis that an electric automobile could be designed today—with today's batteries—that could handle a high percentage of the low-speed, low-mileage driving that most of us do in urban areas.

As evidence that the technology is available to begin now, let me remind you that. . . .

There are more than 40,000 battery-electric urban delivery vehicles on the road today in Great Britain.

In American industrial plants and warehouses, over 100,000 battery powered material handling trucks operate every day, some of them around the clock. Many of them work harder and faster on their jobs than their gas-powered counterparts.

In our coal mines, you'll find battery-powered tractors and trailers slogging through the muck and mire, each bringing out 100 tons of coal every shift.

There are battery-powered commuter rail cars in Germany today that can accelerate to 60 miles per hour in 60 seconds and can carry 150 people per car over daily commuter runs.

In America today, there are a few electric door-to-door street delivery trucks in operation. A few companies, plus the Post Office Department, are testing them. A typical result: such a truck was put in service on a dairy route. The same driver who handled the route for years with a conventional truck finished it one hour faster with the electric. Development work already has established the feasibility of higher speeds and greater loads for these trucks.

In just the past few weeks, in England, the Electricity Council demonstrated four battery-powered automobiles. Two of them were adaptations of existing "Mini Traveler" cars. Even though they were not designed specifically—as they should be—for electric propulsion, they are capable of speeds of 40 to 45 miles per hour and a range of 30 miles on one charge of their batteries.

The other two British cars were designed for battery power. Both the Scamp (developed by Scottish Aviation Limited) and the Trident (developed by Peel Engineering) have maximum speeds of 35 miles per hour. They can go up to 40 miles on one battery charge.

Of interest to the driving public, the British Electricity Council reports these new cars can be operated for approximately one-quarter the cost of operating gas-powered cars. They get the equivalent of something like 170 miles per British gallon, at British rates.

Finally, in this list, I want to point out that industrial lift truck manufacturers and battery companies have combined to produce a completely new standard of performance in electric vehicles. Speed and performance have been greatly increased by taking advantage of high-voltage power.

Present lead-acid and nickel-iron batteries have upwards of 75 percent more electrical capacity, plate-for-plate, than the most powerful batteries available a dozen years ago. This rate of improvement is continuing as battery technology continues to grow.

Now, there are new solid-state electronic controls that not only make electric vehicles operate more smoothly but, also, extend the length of running cycle on one battery charge from 10 to 30 percent. With these power boosts and the use of higher voltages, 15 percent grades are no longer a serious challenge to electrics.

Admittedly this great progress in technology doesn't yet permit an electric car to go out on the turnpike and cruise at 70 miles per hour for 500 miles on one charge of the battery, but what are the facts about a large percentage of the nation's driving conditions?

According to the Regional Planning Association of the New York Metropolitan Area, the average auto speed over major arteries leading into that city during rush hours has been clocked at 13 miles per hour. Once in the city, it slows to 8½ miles per hour. How far do these cars travel? According to a U.S. Department of Commerce sponsored study, twenty-eight percent of them drive less than 50 miles per day.

So, what needs to be done—given these driving conditions and present-day technology—is to engineer a completely new car—from the ground up. Conversion of existing models simply isn't practical in our experience.

Because I feel that the problem is extremely serious and because I know that there is adequate knowledge available—with nothing much being done—I was prompted on April 12 to wire President Johnson, in part, as follows:

"I have read with trepidation the report of your environmental pollution panel. I respectfully urge you to create a special commission to verify my contention that nonpolluting battery-powered vehicles for low-speed, low-mileage urban transportation are feasible right now."

Thus, I urge the creation of a permanent joint commission—consisting of representatives of government, private industry and the public—to stimulate the development of electric vehicles of all types. And, here are some of the steps which such a commission could consider:

1. How best to encourage the design of appropriate electric vehicles by those best qualified. Perhaps a design competition would encourage automotive and aerospace engineers to participate.

2. In line with the President's Panel recommendation that "Federal agencies should give special attention, in all operations they conduct, support or control, to avoiding and managing pollution, both to reduce it and as an example to others," I suggest that the commission propose an executive order to federal agencies to set aside a percentage of their vehicular budgets for the purchase of electrics. The Post Office Department, with many highly concentrated urban routes to service, could use many electric trucks and could certainly use battery-powered vehicles for the home delivery routes. On our military bases, the universal speed limit is 15 miles per hour. Thus, many on-base vehicles could be electrics. And, I'm sure other government departments and agencies have practical applications for electrics.

This step by itself would create an immediate market for electrics, thus stimulating both design and production which today are lacking.

3. With design and production underway, the commission might inaugurate a federally sponsored educational campaign on the dangers of air pollution. The prototype vehicles thus developed could be used to demonstrate the feasibility of fighting it by using electric cars, taxis, buses and trains in urban areas.

4. Working in conjunction with state and local agencies, the commission might determine and spotlight those areas where electric vehicles could be a feasible substitute for present services. For example, in New York City there are several bus routes that are only three or four miles in length, and where the buses covering these routes have short lay-overs between runs. Another example: a great number of the commuting trains could be propelled by storage batteries. I am sure there are countless other applications where stimulation and encouragement by joint efforts could put more electric vehicles into service.

5. Finally, as a means of stimulating the use of electrics, the commission might explore and recommend the possibilities of eliminating or reducing federal excise taxes on their sale, tax credits to industries and individuals who use electrics, and special reduced power rates for recharging the batteries of electric vehicles.

This is, in no way, meant to be a complete program for the commission. It *is* meant to be a suggestion for a start. Even a journey of a thousand miles, as Presidents Kennedy and Johnson have reminded us, must begin with a single step.

Notice, throughout this presentation, I have suggested "stimulating" the development of what is possible now. Perhaps, a little more than "stimulation" is needed, or maybe, the word needs to be revised to fit President Johnson's definition: ". . . in doing all these things we have to sometimes drag some of our most respected and our best intentioned colleagues and get them by the neck and drag them every step of the way."

As evidence that the state of the art is far enough advanced to make electric vehicles practical right now, I append a series of technical data sheets on battery-electric automobiles, delivery trucks, passenger buses and commuter rail cars.

OPERATING AND MAINTENANCE COSTS, 5 YEARS, CONVERTED COMPACT CAR

[¾ KWH at $0.02 per KWH (Pa. rate)]

Cost of electricity per mile to recharge battery 25,000 miles=18,750 KWH	$375
Replace 72-volt battery (4–6 years)	450
Licenses ($10 a year)	50
Greasing	12
Repairs and replacements:	
Contactor tips (1 set) including labor	35
Motor brushes (1 set) including labor	17
Total ($188 per year)	939

AVAILABILITY OF ELECTRIC AUTOMOBILES

United States availability: Henney Kilowatt (Renault Dauphine conversion).

Projects in U.S.: Westinghouse is working on a project; General Motors has converted a Corvair; General Electric is working on a project.

Availability in England: Scamp and Trident, newly designed small electrics sponsored by the Electricity Council, London. Two converted models of Mini-Traveler cars.

LONG RUNS

Philadelphia to Atlantic City, 65 miles, on one battery charge.

Erie, Pa., to Chardon, Ohio, 88 miles.

Boyertown, Pa., to Philadelphia, 41 miles (more than 10 times).

Longest milk run handled in snow—35 miles.

OPERATING COSTS

On milk routes—30 miles per day, 300 days per year, 9000 miles—operating costs of electric and gas trucks of comparable capacities were charted to reflect initial cost, depreciation, maintenance and fuel costs.

Electric—$4.75 to $6.00 per day.

Gasoline—$7.00 to $9.00 per day.

PRESENT BATTERY-ELECTRIC TRUCKS IN OPERATION, UNITED STATES (SOME ARE 5 YEARS OLD)

U.S. Post Office: 1 at Wash., D.C., 2 at 34th Street Garage, New York City; 1 at King of Prussia, Pa.

Bureau of Mines, Department of the Interior: At Morgantown, W. Va. (formerly at Bruceton, Pa.).

Potomac Edison: At Hagerstown, Md. (courier service).

Milk Companies: Schenectady, N.Y.; Lincoln, R.I., etc.

Laundries: At American Institute of Laundering, Joliet, Ill.

Plant Use: Union Carbide Corp., Cleveland, Ohio.

England: There are more than 40,000 electric vehicles in operation in multi-stop delivery work. Electric tractors also are used for trash collection work.

France: Many electric chassis are used for heavy-duty, multi-stop applications such as dump trucks, refuse collecting, etc.

BATTERY-ELECTRIC PASSENGER BUS

The City of New York recently outlined the following parameters for passenger buses. All of them can be met with present-day, battery-electric technology. It is our belief these parameters could be exceeded.

[Passengers, 30]

Gross maximum weight:	*Pounds*
Passengers	4,500
Bus Frame and Body	13,500
Battery	7,000
Total	25,000

Maximum Speed Loaded with 30 passengers and driver, 18 mph.

Four-mile route, eight stops per mile, 45 minutes travel time.

Eight trips per eight-hour day.

Fifteen-minute rest period at each end of route at which times battery can be partially recharged.

Depot is three miles from route—total daily mileage, 38.

NOTE.—In France, electric buses are being used at some airports.

Battery-electric automobile—Operating capabilities

	Available now (conversions of existing cars)		Presently possible with lightweight aerodynamic design
	As is	Updated	
Top speed on level road	40 to 45 miles per hour	40 to 45 miles per hour	45 to 50 miles per hour.
Acceleration	0 to 20 miles per hour in 3 seconds.	0 to 20 miles per hour in 3 seconds.	0 to 20 miles per hour in 3 seconds.
Hill-climbing speed (10-percent grade).	20 miles per hour	25 miles per hour	30 miles per hour.
Maximum range on 1 charge of the battery.	25 to 35 miles (at speeds of 30 miles per hour or less, range would increase by ⅓).	35 to 50 miles	50 to 60 miles.
Type of battery power	Lead-acid	Lead-acid	Lead-acid.
Time required for full charge of the battery after complete discharge.	Up to 10 hours	Up to 10 hours	Up to 10 hours.
Battery weight	700 pounds	700 pounds	550 pounds.
Vehicle weight	1,400 pounds	1,400 pounds	1,050 pounds.
Type of motor	Series traction	Series traction	Compound traction.
Type of controller	Contractor	Solid state	Solid state.

Battery-electric delivery truck—Operating capabilities

[Load capacity: 2,000 to 3,000 pounds, depending on battery size (50 to 60 cases of milk). Gross maximum weight (vehicle and load): 9,500 pounds]

	Present	Present, updated	Presently possible
Top speed on level road (loaded).	25 miles per hour	30 miles per hour	35 to 40 miles per hour.
Acceleration	1½ miles per hour per second.	1½ miles per hour per second.	1½ miles per hour per second.
Hill-climbing speed (10-percent grade).	12 miles per hour	14 miles per hour	14 miles per hour.
Maximum range on 1 charge of the battery (loaded, 8 stops per mile).	40 miles	50 miles	60 miles.
Type of battery power	Lead-acid	Lead-acid	Lead-acid.
Time required for full charge of the battery (after complete discharge).	Up to 10 hours	Up to 10 hours	Up to 10 hours.
Battery weight	2,000 to 3,000 pounds	2,000 to 3,000 pounds	1,800 to 2,500 pounds.
Type of motor	Series traction	Series traction	Compound traction.
Type of controller	Contactor	Contactor	Solid state.

Battery-electric rail car (commuter)

	German	Proposed American
Type of car	ETA-150	
Length of car	75 feet	75 feet.
Car weight with battery	55 tons	81 tons [1] (higher weight because of heavier trucks and undercarriage, and air conditioning required in United States).
Weight with 150 people	66 tons	92 tons.
Maximum speed	60 miles per hour	60 miles per hour.
Normal range	100 miles	75 miles.[2]
Battery recharge time (after complete discharge).	Up to 12 hours	Up to 10 hours.
Battery voltage	440	440.
Ampere-hours at 5-hour rate	1,035	1,450.
Battery weight	21 tons	21 tons.
Battery life before rebuilding	90,000 miles	110,000 miles.
Motor	2 100 kilovolt-amperes, 440 volts	2 100 kilovolt-amperes, 440 volts.
Acceleration	1 mile per hour per second	1½ mile per hour per second.[2]
Station spacing	3 miles	1 to 2½ miles.
Braking	1.7 miles per hour per second	1.7 miles per hour per second.
Heating	Oil heat	From battery.[3]
Air conditioning	None	From battery.[3]
Lighting	From battery	From battery.[3]

[1] New high-speed construction should greatly reduce this weight which would in turn require less battery or longer range or longer life.

[2] At 1 mile per hour per second range would be 100 miles.

[3] Requires 3 tons of battery on average, from the 21-ton total.

A RESPONSIBLE RETAILER SPEAKS OUT

Mr. MAGNUSON. Mr. President, as the Presiding Officer knows, Congress established a National Commission on Food Marketing. This Commission worked for approximately 2½ to 3 years holding hearings all over the country to investigate the spread between the amount received by the producers of food and vegetables and the cost to the consumers in the retail stores.

This Commission filed a very excellent report which is receiving wide circulation in the industry and elsewhere.

I had the privilege of serving as Vice Chairman of the Commission, and the Chairman was the distinguished jurist from California, the chief justice of the supreme court, Mr. Gibson. One of the fine members of the group was the capable chairman of the J. C. Penney Co., Mr. William M. Batten.

Mr. Batten brought to these deliberations some historic qualities of experience and judgment which greatly contributed to the Commission's work product.

We are all very interested in any statements he makes about the matter. Such statements are matters of great public interest.

There was also some controversy involved in this matter concerning what we would recommend as to our findings.

Mr. Batten made a speech recently to the National Retail Merchant's Association's 56th annual convention. His address was entitled "Responsible Retailing in a Consumer-Oriented Society."

In a thoughtful and provoking speech Mr. Batten developed the theme of retailer responsibility to the consuming public in a refreshing and enlightened way.

For example, he strongly recommended the proper role of Government in the area of health and safety when he said:

> Would we feel completely safe driving on a high-speed highway with one of our customers, knowing that he had bought his tires from us solely on the basis of the information we gave him in our ads, and on the selling floor? When human lives are involved, there is no question that the government has a legitimate interest, even though one might quarrel with the particulars of enforcement.

Mr. Batten then went on with a most refreshing and enlightened approach to the problem.

Mr. President, I ask unanimous consent that the address of Mr. Batten be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Responsible Retailing in a Consumer-Oriented Society

(Address by William M. Batten, chairman of the Board, J. C. Penney Co., at the Association of Buying Offices Curtainraising Luncheon at the National Retail Merchants Associations 56th annual convention, Grand Ballroom, New York Hilton Hotel, New York, Monday, January 9, 1967)

The 1966 Christmas selling season again provided dramatic affirmation that this is the "age of the consumer." But when used to characterize todays business world, the term "age of the consumer" means much more than the fact that we in business are dependent upon the mood and actions of consumers. And more than the fact that if we fail to satisfy the consumer in today's society, we place our future in serious jeopardy.

Business is not alone in having discovered the attraction of strong consumer ties. Many political office holders, members of the academic world, and other non-business groups, feeling that consumers want and need broader protection in the market place, have concluded that helping them achieve such protection offers great potential for fruitful activity. This does not mean to imply that government and other non-business agencies have no legitimate role to play in aiding the consumer. Surely, we all agree that government does have a vital function to perform in such areas as the protection of public health and safety. But as consumer demands have increased in scope and complexity, and as the consumer herself has become more interested in protection activity, so have efforts increased to broaden the spectrum of involvement by non-business agencies . . . thus adding new facets to decisions and actions heretofore considered by business to be its sole prerogative.

For example, "meeting competition" has long been the primary yardstick which we have used for measuring our performance. But today, *how* we meet competition is under the careful scrutiny of many people in positions of power and of opinion-molding influence. And the results of their scrutiny have broad implications for our operations.

In this consumer age, the retailer occupies a unique position. For it is he alone who experiences the singular, face-to-face moment of truth when the consumer decides to buy, or not to buy. It is a kind of ballot box decision . . . the culmination of an array of impressions, appraisals and experiences, far greater in amount and quality of thought than is often credited to it.

Retailers have long recognized that their relationship to consumers is unique, have even coined a phrase to characterize the relationship—we call ourselves the "purchasing agents for the American Consumer." While there is much truth in that phrase, there is also a bit of self-congratulation and the implication that we exist solely to serve the consumer. Reserving momentarily discussion of the implications of that phrase, let us examine our position in the distribution channel not as we see it, but as it has been described by those in government and the academic world who don't quite see us as selfless servants of the consumer. While, no doubt, we disagree with their analysis, it is important that we understand it and what it can mean to all of us.

Many people in both government and the academic world feel that the consumer is bewildered by the fantastic array of goods available to her today. The supposed result is that she does not use her power of purchase wisely, often making market choices in capricious, impulsive, and uninformed ways. Since the retailer is closest to her, he presumably has the opportunity to capitalize on this situation and shape consumer desires through manipulation of store space, price specials, individual promotions, heavy advertising, and so on.

Moreover, the retailer is supposed to derive "market power" from all of this, which he uses to control the rest of the distributive process, dictating to wholesalers, packers, manufacturers and farmers what will be produced and in what way. Although the theorists admit that certain types of producers can place their messages directly in front of the consumer, through national advertising campaigns, this is viewed as only reinforcing the assertion that to be next to the consumer is to have "market power," which rightfully should be held by the consumer but which has slipped through her fingers through her own disinterest, ignorance or confusion.

The conclusion drawn by the theorists, then, is that those who are next to the consumer in the distribution channel need special attention and special regulation. In other words, retailing's unique position in and of itself becomes a reason for government control.

You are familiar with the first steps that have been taken in the direction of broader consumer protection. Truth in packaging legislation; truth in lending legislation; proposals for grade labeling based on government standards of quality; state consumer protection agencies; and a proposal which is perhaps the ultimate in consumer protection . . . a Federal Department of Consumers at cabinet level, through which the government could establish itself as the primary protector of the consumer.

Naturally, we find the "market power" theory to be distasteful. We know that it is erroneous on several counts. It assumes an American consumer much less competent than we who deal with her daily know her to be. It ignores the forces of competition . . . virtually disregards the law of supply and demand . . . and fails to take into account a factor which is vital to a retailer's success—repeat business. Any novice retailer who is foolish enough to try to manipulate his customers deliberately, on the assumption that they can be easily hoodwinked, learns in a hurry that the discipline of the marketplace is no myth. His customers take their repeat business elsewhere, and his doors are soon closed.

Still, with all its flaws, it must be admitted that there are grains of truth in the "market power" theory. We do have the opportunity to promote one product more aggressively than another, or to hide some unpleasant characteristic of an item in our advertising copy. And we can all think of markets that have been created almost overnight for certain products, primarily through massive advertising campaigns, when such products were not really the best available in the field. And far too many salespeople are selling merchandise without being as well informed about it as they might be.

Thus, as we find the obvious flaws in the "consumer proximity brings market power" theory, we also find enough truth in it to justify careful examination of our own conception of our role in the distribution process. Let's return, then, to a discussion of the concept that we are the purchasing agents for the consumer and see how it compares with the views of our governmental and academic friends.

Perhaps we might first ask ourselves what role we expect our own company purchasing agents to perform. Certainly they should be more than just order-writers. We expect them to supply us with products and services that meet standards for satisfactory performance. If a fixture in one of our stores proves to be faulty, our purchasing agent goes back to the source of supply and stays with the problem until satisfaction is obtained. Shouldn't we do that for our customers, when they buy a product from us which doesn't live up to their expectations?

If we are sincere when we talk about ourselves as purchasing agents for the consumer, then certain actions on our part necessarily follow. Naturally, in many situations, customer satisfaction is dependent upon conditions that are beyond our immediate control. Manufacturers build into products characteristics that we cannot change, and if our customers are not satisfied, only the manufacturers are in a position to alter the products. But is it not our responsibility to see that the customers' message is delivered and to urge that action is finally taken, even though we can't actually take it ourselves? The manufacturer can have no better source of consumer information than the retailer, who therefore has an obligation to be constantly passing back consumer reactions to products.

In short, as retailers, we should act as market research centers for manufacturers by identifying customer wants, preferences, and areas of dissatisfaction and communicating them back to producers.

In those cases where changes are simply not possible—because of expense, the nature of the product, or the limitations of current technology—can we say that we have no obligation? Don't we then have a duty to inform the consumer as to why things are as they are instead of simply shrugging off her complaints? She deserves to know as much about the situation as we do. It may not make her purchase perform any better, but at least it will help her to understand why it can't be changed at the present time.

It goes without saying that we have a clear obligation when the question of consumer satisfaction lies within our own control. If we can take care of the consumer's complaint ourselves, we have a definite responsibility to do so.

To fulfill our role as purchasing agents, then, we must do these three things—satisfy the customer on our own, when we can; urge that others assume responsibility for satisfaction when they alone can provide it; and thirdly, explain to the customer those situations where complete satisfaction can't currently be provided. And as we examine how best to do these three things, we often discover a proper role for governmental activity.

What are some example of legitmate and helpful governmental activity? As observed earlier, in the areas of health and safety, the government has an important function. Those of us who sell drugs realize the essential public confidence that has come about because of passage and enforcement of the Pure Food and Drug Act.

Let's look for a moment at safety. We retailers sell tires and safety-oriented accessories, and, therefore, are involved and concerned with automotive safety. It has been tempting to condemn, as unwarranted interference, the efforts of the government to assure basic automotive safety standards, and to establish guidelines for tire advertising. But, before blanket condemnation, perhaps the retail industry should ask itself this question: Would we feel completely safe driving on a high-speed highway with one of our customers, knowing that he had bought his tires from us solely on the basis of the information we gave him in our ads, and on the selling floor? When human lives are involved, there is no question that the government has a legitimate interest, even though one might quarrel with the particulars of enforcement.

What is our position regarding the textile labeling acts now in effect? Room for improvement . . . of course! But, on balance, have they not proved to be useful . . . not only to the consuming public but also to responsible retailers and manufacturers? Who among us would repeal the Flammable Fabrics Act?

Regretfully, the pendulum of government protection often swings too far . . . and when this happens the usual business reaction is to fight any role of government in consumer protection. But to the degree that we broadbrush an attitude of total government "hands off," are we not being just as unrealistic as the "market power" theorists?

Retailers are in a unique position—on that both sides agree. We do have unique responsibilities because of that position. When we ignore or abuse these responsibilities, the theorists say we accumulate "power." Whether or not we thereby accumulate "power," there is no doubt that we accumulate problems for ourselves, in the form of potential regulations which we will find burdensome and which the consumer will find of little real benefit in many cases. If, through neglect of our responsibilities, we allow this to happen, we will have failed the consumer as well as ourselves.

How can we best come face-to-face with our newly emerging responsibilities in this consumeristic society?

Naturally, our first thoughts turn to our own operations. Each of us could begin by asking such basic questions as "What, in all fairness, does the consumer have the right to expect from me as her purchasing agent?" "What am I doing to assure that she gets it?"

It is not difficult to anticipate the answers of responsibe retailers. Undoubtedly, we would reaffirm that the consumer has a right to expect us to provide her with sufficient information so that she can make an intelligent buying decision. For example, when two items look alike but are priced differently, we will explain to her the difference in quality or features, in meaningful terms.

There should be reasonable descriptions of performance expectancy. If an item is good enough for one purpose but not quite up to use for a slightly different purpose, the customer should be so informed whenever possible. Care instructions should be extremely accurate, and written in laymen's language that not only can be clearly understood, but clearly cannot be misunderstood.

Many of us are carefully re-examining our credit policies and procedures. Do we tell our customers how we charge for credit? What can we tell them in advance? Is it really understandable to them? In terms of disclosure, do we clearly indicate which method we employ to compute our service charge . . . the opening balance or the adjusted balance? Can we do a better job of avoiding over-extension of credit to customers?

Obviously, developing answers to these questions will require our becoming personally involved. We must view our operations from the vantage point of the consumer . . . questioning both customers and salespeople, reading tags and labels, verifying accuracy in advertisements, determining the basis for comparative pricing, assuring the validity of savings claims, and so on. As the consumer's purchasing agent, do we like what we find?

Of course, our responsibility to take action cannot be confined to our own operations. From the standpoint of consumer protection, we cannot separate our reputations from the reputation of the retail community as a whole. To the degree that we tolerate consumer abuses elsewhere in our industry, we become a target for broad corrective proposals, often advanced by groups having little knowledge of either retailing or consumers. The laudable intent and widespread popularity of such proposals often pose formidable public relations problems for the industry, even in attempting to suggest desirable technical changes which do not affect the substance of such proposals.

We can help prevent such situations through participating in a continuing, affirmative action program . . . at community, state and national levels . . . to correct the practices of the comparative few who jeopardize the reputation of us all.

Realizing that there is widespread misunderstanding and suspicion about our motives and methods in both government and the academic world, we must work to achieve wider education about, and communication of, the facts of business life. We must do a better job of finding and documenting those facts. They must be presented to our customers, and to those interested in our customers, in the clearest form possible. By working with and performing a useful function for these groups, we will find them far more likely to listen to our objections when a fight is justified.

Achievement of such objectives requires our leadership in the various trade groups to which we belong. In cooperation with state and national trade associations, ARF, NRMA, Better Business Bureaus, the U.S. Chamber of Commerce and others, we should examine proposals for consumer protection from all points of view. We might discover why some feel so strongly about creating a single agency of government, at the cabinet level, working on consumer matters. Whatever the source, let us not be guilty of failure to look carefully at all new consumer proposals, to see if some real benefits might flow from them. Let's recognize that many have as their taproot some degree of consumer dissatisfaction with existing retail practices.

In years past, how often has blind opposition, simply on the basis of tradition, precluded adequate retail representation in governmental endeavors having direct effect on our operations? Let's avoid a reputation that when it comes to legislation, retailers always oppose . . . on a wholesale basis!

In the consumer age that is with us and that clearly is going to stay with us, our responsibilities have an additional dimension. Enlightened management recognizes the necessity for long-range planning in their own businesses. The retail industry needs this same kind of planning with regard to its role as the consumer's purchasing agent.

We are all members of many outstanding trade associations. We should critically examine their operations and programs—their budgets, staffing and activities—to determine whether proper emphasis is being given to "looking ahead"—to long-range planning. This is particularly appropriate in the case of those associations which are national in scope. As an industry, we should strengthen or establish programs for forecasting changing consumer protective needs and recommending ways in which responsible retailing can meet those needs, early and effectively.

Failure to take affirmative action now will only serve to perpetuate the frenzied, costly, and often-ineffective brushfire action, which necessarily has characterized many past endeavors.

Responsible American retailers are—and should be—proud to be a part of the distribution system that is second to none in human history, helping to provide our customers with the highest standard of living man has ever known . . . and proud of the major role which they have played to date in furthering the interests of consumers.

In today's consumer age, our unique position imposes broader responsibilities that must be met. Our failure to do so . . . on both a short-range and long-range basis . . . will only result in substantial assistance from outside agencies which know less about consumers than we do.

Let us, therefore, start now to meet our responsibilities more affirmatively and more aggressively in this consumer-oriented society.

ORDER OF BUSINESS

Mr. MONRONEY. Mr. President, I ask unanimous consent to yield 2 minutes to the distinguished Senator from Rhode Island [Mr. PELL], and I ask unanimous consent then to yield to the distinguished Senator from Indiana [Mr. HARTKE] so that he may proceed for 30 minutes.

The PRESIDING OFFICER. What is the unanimous-consent request?

Mr. MONRONEY. The unanimous-consent request is that the Senator from Rhode Island may be permitted to proceed out of order for 2 minutes, and that 30 minutes be allotted to the distinguished Senator from Indiana to discuss a matter which is not germane to the pending bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma? The Chair hears none, and it is so ordered.

THE CONSULAR CONVENTION

Mr. PELL. Mr. President, President Johnson wisely chose the occasion of his nationally televised press conference to give his unqualified support to those in the Senate who are endeavoring to ratify the pending consular convention with the Soviet Union.

Thus, he put the power and prestige of his office clearly behind this step which will signify again our national desire to live in peace with the rest of the world. In doing this he was acting in the full knowledge of the worldwide implications of the action that is pending before us.

I hope all of us will note his statement:

> Mr. Hoover has assured me that this small increment (in the number of Soviet officials in the United States) would raise no problems which the FBI cannot effectively and efficiently deal with.

This should surely serve to reassure those who fear that ratification will open the door to espionage.

This convention seeks to protect the thousands of Americans who travel each year to the Soviet Union. We owe it to them to ratify this convention with all dispatch. But more importantly, we owe it to the world, and to history, to demonstrate that our Nation is big enough and secure enough to be willing to build another bridge across a divided world.

CEASE-FIRE IN VIETNAM—A TIME FOR PEACE NEGOTIATIONS

Mr. PELL. Mr. President, I urge the administration to take every advantage of the cease-fire during the February truce to extend indefinitely the cessation of the bombing.

In this connection, I really believe that a positive and sincere analysis of recent reports of North Vietnamese and NLF statements available to our Department of State indicate grounds for discussion.

Finally, on balance, I must say that I have come to the personal conclusion that, from the viewpoint of our national interest, the effect of these bombings is counterproductive for us.

Mr. HARTKE. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARTKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

VIETNAM

Mr. HARTKE. Mr. President, some of us are concerned at this time, with respect to the discussions about Vietnam, that others must also be heard, that there must be general concern among not alone those in the Senate but throughout the world that this moment, in which there is a hope and possibly some type of signal or sign which is coming to the front for a possible solution to the war in Vietnam, not go by us again.

There have been times in the past when there have been indications from people in high places, including the Secretary General of the United Nations, that the United States has not taken full advantage of the opportunities presented to it in making discussions or having the preliminary talks which could lead toward discussions, then further negotiations, then toward a cease-fire, and ultimately toward peace in Vietnam.

This Wednesday is Ash Wednesday, and a group of church members have asked that there be national fasting on that day, not only because it is the beginning of the Christian holiday, but also because Tet begins on Wednesday. This is the Year of the Sheep, sometimes called the Year of the Goat.

To the Vietnamese people, this Year of the Sheep has a connotation of peaceful endeavor. The soothsayers say that it is a period in which they hope for prosperity, and we all hope that this will be a year of prosperity not only for the people of Vietnam but also for all the other people of the world.

On the other hand, if we take the other statement, that it is the Year of the Goat, I suppose that, in American thought, it could be a very bad year, because "goat" has a connotation quite opposite to that of "sheep."

Let us hope that this is the time when the lion and the sheep can lie down together in a year of peace.

Also, in Vietnam it is a time of great family celebration. It is something very outstanding for them. They go to great lengths to make sure that everything is taken in the highest of priorities. For example, they wear their Sunday best—their new clothes. It is a time of bringing together many friends. People go for miles to visit with their families.

However, for a million and a half refugees, there will be very little reason for joy at the beginning of this celebration, because 6,000 homes were destroyed in operation Cedar Falls—3,500 alone in the town of Binh Su. The houses were then leveled by bulldozers, and the refugees were then resettled by the government. They have been officially registered, and now they receive about 8 cents a day, or 10 piasters, which keeps them going.

Martha Gelhorn, one of the people who have visited in the area, told of visiting one of these refugee places, an eight- or 10-foot hut made of flattened, rolled beer cans. The father was ill and could not work. The mother, who was described as looking about 55 years of age and probably was actually 35, had seven children, three of whom were ill, all of whom were undernourished. The only income this family had was from a teenage daughter who made 68 cents a day. These statements do not come from the enemy.

We destroyed about 59,000 acres in 1965–66 alone. The operation has been stepped up. It has been estimated that the total crops destroyed to date is in excess of 220,000 acres.

Mr. President, that figure includes destruction of about 340,000 acres of noncrop land, which would be about 1,000 square miles, or an area equal to about the size of the State of Rhode Island.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. HARTKE. I am happy to yield to the Senator from Pennsylvania.

Mr. CLARK. I am very much interested in the figures of the Senator about the amount of land laid waste—"defoliated" as Senator Goldwater used to call it.

What puzzles me is that we never seem to be able to get the figures as to how many civilians we have killed in attempting to free the people of South Vietnam. Does the Senator have any figures as to the number of civilian casualties?

Mr. HARTKE. That figure would depend upon whose estimates we take. If we take our figures, the number is substantially less, by about one-fourth or one-tenth. There is no official estimate, even at this time, on the number of civilians killed from South Vietnam.

Mr. CLARK. Is there any reason for the difference? We state every day how many Vietcong are killed. It is inexplainable to me why the Department of Defense has not kept these figures, or if it has, why it is unwilling to reveal them.

Mr. HARTKE. It is a matter of great concern among the American people because of this lack of information.

Mr. President, there is one thing that I hear over and over again and that is: I wish I knew the truth about Vietnam. I wish I knew how many civilians were being killed. Is it true that we have had only 7,000 killed, or is the figure greater?

Today we say that 1,750 aircraft have been lost. These are revised figures. The fact that we were talking about only 800 aircraft before was attributable to the fact that those losses were from enemy fire. Now, there is a different figure.

Mr. PELL. Mr. President, will the Senator yield?

Mr. HARTKE. I yield to the Senator from Rhode Island.

Mr. PELL. I wish to add one thought. It may well be that when a Vietnamese civilian is killed his body in some way is counted as a Vietcong, which might account for the small number of civilian dead reported.

As a member of the Committee on Foreign Relations, especially concerned about the question of civilian casualties, I did suggest, in pursuing this matter, that I recognized the difficulties Pentagon and State Department officials face in securing the figures. Pentagon sent a mission to South Vietnam to find out how many civilian casualties there were. They came back with inconclusive results. They made an effort, but they are not specific as to the number of people killed. Perhaps fewer Vietcong are being killed than they say and perhaps a great many are actually innocent Vietnamese.

Mr. HARTKE. The point remains that they are human lives. Somebody told me the other day that it is hard for the American mind to comprehend how the Asian mind works. I believe that the mother of a child mourns the loss of a child whether they are Vietnamese, African, Asian, or American. There is present the same grief that comes with the loss of a relative no matter what part of the world they are in.

We talk about the Ridgway statement and the Gavin statement before the Committee on Foreign Relations, but there has been a speech which has not been printed in the CONGRESSIONAL RECORD, which was made on the west coast by a distinguished marine who was recently retired. His name is Gen. David Shoup, the former Commandant of the Marine Corps.

In that speech on the west coast he said to a group of young people that southeast Asia, and specifically Vietnam, is not worth the life of one American boy. That statement comes from a man who has been in charge of the Marine Corps during part of this period of the operation. It comes from a man who would be willing to fight in the interest of freedom, to protect it and to make sure that it was protected.

Yet General Shoup, in this statement, talks about the confusion that he knows young people have. In Venezuela, and in so many South American countries, the same things are happening as in

Vietnam, whereby Communist people are destroying the heads of the villages. He said that it is confusing as to why we had to go 9,000 miles from home and pick this battle at this particular place, in a place that is of no real value to the long-term interests of the United States.

He pointed out the difficulty we have in explaining how we have communism 90 miles off of our shore, where we have a base such as Guantanamo, and the same type situation does not exist. We are not burning the sugar fields, or the oil refineries, and other places outside of Havana.

It is hard for young people to understand the type battle in which we are involved. The one thing the American people have at this moment is their hope that something real is going to come from whatever happens to be going on. If nothing is going on, they should be told, in all frankness and sincerity, that nothing is going on, and the impression should not be left with the people that they have reason to be hopeful for peace. I think that there is a great desire for peace.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. MORSE. My views are so well known on this general subject that I shall not take long. In defense of the President, I must say I have no question about his sincerity in trying to find an honorable solution to this horrible war.

It is also true that in carrying on White House discussions at the present time our President must necessarily carry them on in secrecy through the various friendly channels that are open to him. I can understand that. I do not know from my personal knowledge, but I am willing to assume that he is not leaving a stone unturned in his endeavor to find an honorable way out of this sorry situation. Yet we have made an inexcusable historical mistake. It is quite wrong to take the position that because we are in it, we must continue.

One of the things that troubles me is that we have the various proposals that have been made by U Thant, and proposals made by other leaders of the world. It would be reassuring to the American people if our Government would give assurance that we are perfectly willing to have U Thant, or the Pope, or the French, or the British, or Canadians, or the International Control Commission, come forward with some very specific procedural proposals for intervention by forces other than the United States, the South Vietnamese, the North Vietnamese, and the Vietcong.

The Senator from Indiana [Mr. HARTKE] knows, I think, that we ought to face up to the fact that we are not going to be able to settle this war on our terms. We will not be able to settle it on a bilateral basis because the President has been maneuvered into a position where all proposals of the United States to date, at least for settlement, are based on one completely unacceptable premise. If I were the North Vietnamese or the Vietcong I would never agree to it. I do not know why we think they will agree to it, unless we think if we destroy enough, and kill enough, they will surrender. What makes anyone think that that is going to make them do what we ask them to do?

I do not know what makes anyone think that if we destroy that land and kill so many they will have to surrender. That will not give us peace. That will give us only a truce, and people in that part of the world will dig deeper in their trenches of hatred for the United States. Eventually they will get us out, if it takes a half century.

Thus, I plead again this afternoon that we try to work out a tripartite approach to the matter. I would have the neutrals or noncombatant leaders make suggestions for a negotiated settlement, or make proposals for convening negotiations.

That is why—I think it was 3 years ago—the Senator from Alaska [Mr. GRUENING] and I proposed the reconvening of the Geneva Conference. We were bitterly assailed because, it was said, we were proposing negotiations with communism. We stated that was exactly what we were proposing.

Then the United States, more than a year later, took a 180° turn and itself proposed to reconvene the Geneva Conference.

I have always been at a loss to understand, if we sat down at the Geneva Conference, how much of a treaty the United States would accept.

The major premise that we are imposing is that there would have to be two Vietnams.

Who are we to say that the negotiations must be based upon two Vietnams? That is not what the 1954 agreement provided. It provided for two zones for purposes of military withdrawal, and then common, nationwide elections in 1956.

The United States stepped in to make South Vietnam a separate country.

That is the most important negotiable issue. Yet we are telling the world that there have to be two Vietnams. We created South Vietnam. We set it up. It is our illegitimate child. We are the father of it. I doubt they will accept it.

We will have to negotiate its future under the leadership of someone such as U Thant, or U Thant and the Pope, or U Thant, the Pope, and the International Control Commission.

We have announced to the world that we will stop the bombings for some time undetermined after the end of their new year, and that we are perfectly willing to give the other neutral noncombatant forces an opportunity to see what they can do.

If U Thant is good enough for us to put on the pressure we did to get him to accept reappointment in the United Nations for another 5-year term, he should be good enough for us to say to him, "All right, let us see what you can do on your own initiative, along with any others you think can be helpful."

Mr. President, the bombing of North Vietnam should stop.

I make one more suggestion. If we do that, we have the lives of our own boys to think of. We all have differences of opinion as to policy there, but there is not a single one of us who wants to sacrifice unnecessarily the life of even one American boy.

Many of us think that we should stop following the course of action that gets them killed.

That is why I have said so many times that we should fall back on the proposals of a Gavin or a Ridgway, and set up lines of defense that we can hold without the enemy being able to penetrate them, and that will protect our men, and then say, "The bombing is over until the time has been given for the neutral forces to try to work out a procedure for settlement."

Mr. CLARK. Mr. President, will the Senator from Indiana yield?

Mr. HARTKE. I yield to the Senator from Pennsylvania.

Mr. CLARK. I should like to support the Senator from Indiana, the Senator from Rhode Island, and the Senator from Oregon, in urging upon the President, from the floor of the Senate today, a cessation of the bombing over the new year Tet holiday, keeping the bombing stopped for the foreseeable future until we can see what results can be obtained.

My reasons are that I believe, as the distinguished Senator from Oregon [Mr. MORSE] has just stated, that we should give U Thant's proposal our support.

U Thant aroused the opposition of Secretary of State Rusk the other day, when Mr. Thant stated that he did not believe that Vietnam was of national security interest to the West.

I agree with U Thant.

I thoroughly disagree with our Secretary of State.

U Thant's proposal, to my way of thinking, is moderate, intelligent, and in the national interest of the United States—that is, first, the cessation of American bombing of North Vietnam; second, scaling down military activity on both sides in South Vietnam, leading eventually to a cease-fire; and finally the willingness by all parties to enter into discussions, which would include the Vietcong as well as the North Vietnamese regime.

This is what I think we should start to do tomorrow, by stopping the bombing in the north during the Tet holiday, which will give us an opportunity to save a little "face," perhaps, and keep the bombing stopped.

The trouble with our policy today is that the military in Vietnam, and in the Pentagon, are still of the belief that we can win a military victory in Vietnam.

This is a phantom belief—an utter and complete fallacy, to my way of thinking.

It is a phantom belief because, as Walter Lippmann pointed out as long as 3 years ago, this business of fighting in Vietnam is like trying to punch water. A whole arm and fist can go in, and you knock some people out, but when we pull it out, the water comes right back—and it comes back as soon as the sun sets.

This is something everyone knows. We were in no better shape in 1966 than we were in 1965 with respect to Vietnamese territory under our control.

The suggestion of Joseph Alsop and others that we have practically stopped the infiltration of the south by the Vietcong in the north is utter nonsense. We cannot get one competent intelligence man who will not say, right now, that North Vietnam can send just as many soldiers south as they want to. That is what they are doing. If there has been any slackening off by Ho Chi Minh's army going south from North Vietnam, it is because Ho Chi Minh does not want to send any more of his men south. It is certainly not because our bombing has stopped him.

I make the strong proposal that the President should, right now, today, announce that we are going to stop the bombing for the Tet holiday and also for a foreseeable time thereafter, with no deadline, in the hope that we may be able to follow up the leads to a peaceful settlement which seem to be so much in the air now.

If I were President of the United States, I would overrule the Secretary of State and do that this afternoon.

Mr. **GRUENING**. Mr. President, will the Senator from Indiana yield?

Mr. **HARTKE**. I am happy to yield to the Senator from Alaska.

Mr. **GRUENING**. I want to commend my colleagues from Indiana, Pennsylvania, and Oregon, and join them in urging that there be a cessation of the bombing of North Vietnam which has demonstrably been a complete failure—and worse.

Our colleague from Pennsylvania has said that we are no better off than we were a year ago. If he is referring to the military situation, that is obviously true. But, we are worse off from the standpoint that in the meanwhile, we have caused the killing of several thousand fine American boys. We have also caused the slaughter of thousands of innocent civilians in both North and South Vietnam.

We are losing our substance at the admitted rate of two and one-half billion dollars a month.

Our domestic programs are going down the drain.

We have not already completely destroyed our image in the world as a peaceloving, treaty-abiding nation.

It is clear that as we continue to bomb North Vietnam we will get deeper, deeper, and deeper into trouble, and no good whatever will come of it. All the premises on which this bombing is based have proved to be false. Infiltration has not been stopped. The figures this morning show that 1,700 planes have been lost—and we do not know how many pilots lost with them—the fine, young lives of so many American boys sacrificed.

For what?

We were not attacked. No American interest was in jeopardy when we went in there. We went in there unilaterally. We were only outsiders when we barged into a civil war. But the administration did not want to deal with it as a civil war because that would destroy the myth that aggression was being committed from the north.

It is not true. All the allegations made to justify our being there are without any foundation.

We were the aggressors when we went in there alone—unilaterally—and offered at most, in the days of President Eisenhower, economic aid to President Diem who was our puppet; and that economic aid which was offered was surrounded by conditions which were never fulfilled. When we started bombing and sending our troops into combat, then we became the aggressors.

It is a shocking thing to think that we are drafting our young boys to go there and fight people against whom they have no grievance, and some of them to die.

In 1965 there were 96,000 desertions from the Vietnamese Army. Those are the official figures. They probably were understated. Last year the number rose to 110,000.

Why should we draft our boys to fight for people who have so little concern for their cause? Is it their cause? Perhaps the South Vietnamese are justified in deserting. Why should they fight for a corrupt regime which has no concern for them, which is riddled with graft? The stories of graft are gradually coming out. It is charged that millions of dollars are going down the drain. We are sacrificing our young men for a cause that is no good.

The time is coming when the American people will rise up in wrath, as they are beginning to do, against this needless folly.

The first thing we should do is stop the bombing, as it has been urged today we should do. We are not going to get anywhere with negotiations, stories of which are dubious. There is no reason why an adversary should accept when we offer them nothing, when we talk out of both sides of our mouth, when we say we will go back to the Geneva agreements, which provided for elections in Vietnam on a nationwide basis, and at the same time we talk about an independent South Vietnam. Those two things are incompatible.

We have avoided a willingness to negotiate with the people doing the fighting, the Vietcong.

Unless we do those things, it is probable that we will go on sacrificing more and more lives, meaning more and more destruction for the people of that country.

I hope at long last the President will see the wisdom of stopping the bombing as opening the way for negotiations.

Mr. **McGOVERN**. Mr. President, will the Senator yield me 2 minutes?

Mr. **HARTKE**. I yield 2 minutes to the Senator from South Dakota.

Mr. **McGOVERN**. Mr. President, I am sorry I did not hear the earlier remarks of the Senator from Indiana, but I know generally the tenor of his remarks and of his thinking on this subject, and also that of the Senator from Pennsylvania, the Senator from Rhode Island, the Senator from Oregon, and the Senator from Alaska, as well as other Senators.

I should like to call the attention of the Senate to a very thoughtful column that appeared in this morning's Washington Post by Mr. Joseph Kraft, in which he raises the question whether or not the time has come to re-evaluate the bombing in terms of our own national interest, laying aside the moral question, which I personally think is very important. Looking at it from the standpoint of naked self-interest, is it in our interest to reconsider this policy?

The President must, of course, make the final judgment for he has facts not available to all the rest of us. Based on the information available to me, Mr. Kraft's case for re-evaluation is worthy of careful consideration.

We have come to the end of almost 2 years of bombing of North Vietnam.

Mr. Kraft suggests that the factors that existed 2 years ago to justify the bombing have changed during that period of time.

There was the argument that it was necessary to bolster the government in the South. The situation is vastly different today than it was 2 years ago.

There is the question of our own military position, which has changed dramatically over the past 2 years.

Then there is the question of the interdiction of supplies and men moving from the north, and the apparent disappointing results in that area.

Finally, there was the diplomatic argument that it would bring the other side to the negotiating table, but the bombing appears to have had the opposite effect. In fact, some people believe that the bombings are an obstacle to negotiations.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **McGOVERN**. I ask unanimous consent that the full text of the article to which I have referred be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 6, 1967]

TO BOMB OR NOT TO BOMB

(By Joseph Kraft)

The coming holiday truce in Vietnam has forced into the public arena a debate that has been raging for months inside the Administration. That is the debate about the bombing of North Vietnam.

In thinking about this issue it is useful to remember the conditions which led to the adoption of the bombing policy almost exactly two years ago. For my impression is that matters have altered so much in the interim that a reconsideration of the bombing policy would be in order no matter what the other side does.

For a starter, there is the matter of the regime in Saigon. Two years ago, when the bombing began, the South Vietnamese government looked to be in a state of imminent collapse. One of the explicit reasons for bombing the North—a reason recalled by the President in his news conference last week—was as a show of support for the South Vietnamese leaders.

But now the Saigon regime is in no danger of falling apart. The Constituent Assembly elected last September has shown a robust independence in initiating a political process in South Vietnam.

A second condition that fostered the decision to bomb was the military situation in South Vietnam. Two years ago there were only small numbers of American troops on hand, and there was genuine fear of a Communist military victory that would whet the appetites of aggressive circles in Hanoi and Peking. The bombing was initiated in part as an emergency stopgap—"something to do," as one official put it at the time—against the day when U.S. troops could arrive.

But now there are over 300,000 American troops on the ground. There is no chance of a Communist military victory—if there ever was. What has happened in China has dulled the capacity of both Peking and Hanoi to initiate any new military ventures.

A third element in the decision to bomb the North was the interdiction of supplies and men moving across the border to South Vietnam. Here the results have been, as the President said in his news conference last week, mixed.

While the cost of moving men and materials has been raised for the other side, it is not clear that the increased cost has seriously affected the fighting in the South. What is clear is the demonstration—not for the first time—that bombing from the air cannot interdict the movement of small guerrilla units.

Finally, there was the diplomatic purpose of the bombing. There was the hope that this country could make the war so costly to Hanoi, that it would come to terms or discreetly abandon the fight.

On this matter, all the evidence suggests that the effect of the bombing has been to renew the determination of both the government and people of North Vietnam to carry on the fight. Moreover, in the course of applying the pressure, this country has run out of room to bomb. The steady winding up of the bombing, in other words, has become more and more dangerous for at each new level there is greater danger of intervention by the Soviet Union or China.

What this analysis says to me is that the bombing has not been either a complete failure or a total success. The Administration does not have to keep it up until the other side gives way just to prove that it was not wrong.

On the contrary, the bombing emerges as a flexible instrument for the achievement of certain purposes under certain conditions. It is therefore subject to the pragmatic test of whether it is useful or not at any given moment.

Applying the test right now, it is evident that, thanks to the progress of the past two years, a unilateral curtailment of the bombing would entail minimal costs in South Vietnam. The real cost would be a drop in the President's standing with those who favor all-out bombing of North Vietnam.

But if the pressure for all-out bombing is as strong as the White House indicates, then there is all the more reason for the President to vary the pattern of the bombing, to turn it off now and then, and generally to break up the pattern of linear progression. For in that way a barrier is built against still more and more pressure for still more and more escalation.

Thus even examined on narrow grounds of self-interest, without any reference to what the other side might do, there is a potent case for initiating a lengthy pause in the bombing right now.

Mr. HARTKE. Mr. President, I ask unanimous consent for half a minute more.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, I call to the attention of the Senate that as we have been talking for these 30 minutes the war in Vietnam has cost the United States $1,680,000. There have been two more American casualties on our side alone, by our own admission. That is what we are doing. It is costing us $56,000 a minute.

I think it is time for the peacemakers to speak. They should be heard. They should not tire in their efforts. The peacemakers everywhere should be heard. I think the peacemakers in the White House and throughout the world should continue to pray and to work for peace.

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

Mr. CLARK. Mr. President, I call up my amendment No. 19.

The PRESIDING OFFICER. The amendment of the Senator from Pennsylvania will be stated.

Mr. CLARK. Mr. President, I ask unanimous consent that the amendment not be read, since I believe I can explain it to the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. The purpose of amendment 19 is to rewrite present rule VII of the Senate, entitled "Morning Business," so that it makes more sense in basic English and can be understood by someone who does not happen to have a Ph. D. in semantics.

Mr. President, in order to make my point, I ask unanimous consent that present rule VII be printed in full in the Record at this point in my remarks.

There being no objection, the rule was ordered to be printed in the Record, as follows:

[Standing Rules of the Senate]

Rule VII

MORNING BUSINESS

[7.1] 1. After the Journal is read, the Presiding Officer shall lay before the Senate messages from the President, reports and communications from the heads of Departments, and other communications addressed to the Senate, and such bills, joint resolutions, and other messages from the House of Representatives as may remain upon his table from any previous day's session undisposed of. The Presiding Officer shall then call for, in the following order:

The presentation of petitions and memorials.

Reports of standing and select committees.

The introduction of bills and joint resolutions.

Concurrent and other resolutions.

All of which shall be received and disposed of in such order, unless unanimous consent shall be otherwise given.

[Jefferson's Manual, Sec. XIV.

On Jan. 16, 1908, the Senate agreed to the following:

"*Resolved,* That no communications from heads of departments, commissioners, chiefs of bureaus, or other executive officers, except when authorized or required by law, or when made in response to a resolution of the Senate, will be received by the Senate unless such communications shall be transmitted to the Senate by the President. (S. Jour. 122, 60–1, Jan. 16, 1908.)"

"On Dec. 17, 1885, the Senate agreed to the following:

"*Ordered,* That until otherwise ordered, the Chair shall proceed with the call for resolutions to be newly offered before laying before the Senate resolutions which came over from a former day. (S. Jour. 102, 49–1, Dec. 17, 1885.)"

2. [1] [2] Senators having petitions, memorials, pension bills, or [7.2] bills for the payment of private claims to present after the morning hour may deliver them to the Secretary of the Senate, indorsing upon them their names and the reference or disposition to be made thereof, and said petitions, memorials, and bills shall, with the approval of the Presiding Officer, be entered on the Journal with the names of the Senators presenting them as having been read twice and referred to the appropriate committees and the Secretary of the Senate shall furnish a transcript of such entries to the official reporter of debates for publication in the Record.

[3] It shall not be in order to interrupt a Senator having the floor for the purpose of introducing any memorial, petition, report of a committee, resolution, or bill. It shall be the duty of the Chair to enforce this rule without any point of order hereunder being made by a Senator.

[7.3] 3. Until the morning business shall have been concluded, and so announced from the Chair, or until the hour of 1 o'clock has arrived, no motion to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the Calendar shall be entertained by the Presiding Officer, unless by unanimous consent; and if such consent be given, the motion shall not be subject to amendment, and shall be decided without debate upon the merits of the subject proposed to be taken up: [4] *Provided, however,* That on Mondays the Calendar shall be called under Rule VIII, and during the morning hour no motion shall be entertained to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the Calendar except the motion to continue the consideration of a bill, resolution, report of a committee, or other subject against objection as provided in Rule VIII.

[Jefferson's Manual, Sec. XIV.

[7.4] 4. Every petition or memorial shall be referred, without putting the question, unless objection to such reference is made; in which case all motions for the reception or reference of such petition, memorial, or other paper shall be put in the order in which the same shall be made, and shall not be open to amendment, except to add instructions.

[Jefferson's Manual, Sec. XIX.

[7.5] 5.[5] Every petition or memorial shall be signed by the petitioner or memorialist and have indorsed thereon a brief statement of its contents, and shall be presented and referred without debate. But no petition or memorial or other paper signed by citizens or subjects of a foreign power shall be received, unless the same be transmitted to the Senate by the President.

[Jefferson's Manual, Sec. XIX.

[7.6] 6.[6] Only a brief statement of the contents, as provided for in Rule VII, paragraph five, of such communications as are presented under the order of business "Presentation of petitions and memorials" shall be printed in the Congressional Record; and no other portion of such communications shall be inserted in the Record unless specifically so ordered by vote of the Senate, as provided for in Rule XXIX, paragraph one; except that communications from the legislatures or conventions, lawfully called, of the respective States, Territories, and insular possessions shall be printed in full in the Record whenever presented, and the original copies of such communications shall be retained in the files of the Secretary of the Senate.

"On Feb. 7, 1887, the Senate agreed to the following:

"*Ordered,* That when petitions and memorials are ordered printed in the Congressional Record the order shall be deemed to apply to the body of the petition only, and the names attached to said petition or memorial shall not be printed unless specially ordered by the Senate. (S. Jour. 280, 49–2, Feb. 7, 1887.)"

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[1] As amended, S. Jour. 548, 59–1, May 31, 1906.

[2] See also Sec. 131 of the Legislative Reorganization Act of 1946 (Senate Manual Section [42]).

[3] As amended, S. Jour. 548, 59–1, May 31, 1906.

[4] As amended, S. Jour. 290, 65–2, July 2, 1918.

[5] As amended, S. Jour. 427, 428, 50–1, Mar. 6, 1888.

[6] As amended, S. Jour. 298, 65–1, Oct. 5, 1917.

[7.7] 7.[7] The Presiding Officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before the Senate, any bill or other matter sent to the Senate by the President or the House of Representatives, and any question pending at that time shall be suspended for this purpose. Any motion so made shall be determined without debate.

[Jefferson's Manual, Sec. XIV.

Mr. CLARK. Now I ask unanimous consent that my amendment No. 19, without being read, may be printed in full in the RECORD as part of my remarks.

There being no objection, the amendment (No. 19) was ordered to be printed in the RECORD, as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item: "SEC. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"STANDING RULES OF THE SENATE

"SEC. 123. (a) Rule VII of the Standing Rules of the Senate is amended to read as follows:

" 'RULE VII

" 'MORNING BUSINESS

" '1. One hour, if that much time be needed, shall be set aside for the transaction of morning business as set forth in paragraph 2 of this rule, on each legislative day at the opening of proceedings unless the Senate shall otherwise order by unanimous consent. The period for morning business may be extended for up to one additional hour, upon motion, which shall be nondebatable, approved by majority action.

" '2. The Presiding Officer shall, during the period for morning business, lay before the Senate messages from the President, reports and communications from the heads of departments, and other communications addressed to the Senate, and such bills, joint resolutions, and other messages from the House of Representatives as may remain upon his table from any previous day's session undisposed of. The Presiding Officer shall then call for:

" 'The presentation of petitions and memorials.

" 'Reports of standing and select committees.

" 'The introduction of bills and joint resolutions.

" 'Concurrent and other resolutions.

" 'Statements or comments not to exceed three minutes which may include requests for unanimous consent to insert articles and other printed matter in the Senate Journal and to submit statements.

" '3. Until the morning business shall have been concluded, and so announced from the Chair, no motion to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the calendar shall be entertained by the Presiding Officer, unless by unanimous consent; and if such consent be given, the motion shall not be subject to amendment, and shall be decided without debate upon the merits of the subject proposed to be taken up.' "

"(b) Rule XIX of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

" '9. It shall not be in order to interrupt a Senator having the floor for the purpose of introducing any memorial, petition, report of a committee, resolution, or bill. It shall be the duty of the Chair to enforce this rule without any point of order hereunder being made by a Senator.' "

"(c) The Standing Rules of the Senate are amended by adding at the end thereof the following new rules:

" 'RULE XLI

" 'PETITIONS AND MEMORIALS

" '1. Every petition or memorial shall be signed by the petitioner or memorialist and have endorsed thereon a brief statement of its contents, and shall be presented and referred to the appropriate committee without debate. But no petition or memorial or other paper signed by citizens or subjects of a foreign power shall be received, unless the same be transmitted to the Senate by the President.

" '2. Every petition or memorial shall be referred, without putting the question, unless objection to such reference is made; in which case all motions for the reception or reference of such petition, memorial, or other paper shall be put in the order in which the same shall be made, and shall not be open to amendment, except to add instructions.

" '3. Only a brief statement of the contents of such communications as are presented under the order of business "Presentation of petitions and memorials" shall be printed in the CONGRESSIONAL RECORD; and no other portion of such communications shall be inserted in the CONGRESSIONAL RECORD unless specifically so ordered by the Senate, as provided for in rule XL, paragraph 1; except that communications from the legislatures or conventions, lawfully called, of the respective States and insular possessions shall be printed in full in the CONGRESSIONAL RECORD whenever presented, and the original copies of such communications shall be retained in the files of the Secretary of the Senate.

" '4. Senators having petitions, memorials, or private bills to present after the conclusion of the morning business may deliver them to the Secretary of the Senate, endorsing upon them their names. Said petitions, memorials, or bills shall, with the approval of the Presiding Officer, be entered on the CONGRESSIONAL RECORD with the names of the Senators presenting them as having been read twice and referred to the appropriate committees.

" 'RULE XLII

" 'CALENDAR MONDAY

" 'At the conclusion of the morning business on each Monday, unless upon motion decided without debate the Senate shall otherwise order, the Senate will proceed to the consideration of the Calendar of Bills and Resolutions, and bills and resolutions that are not objected to shall be taken up in their order. An objection may be interposed at any stage of the proceedings, but upon motion the Senate may continue such consideration; and this order shall commence immediately after the conclusion of morning business, and shall take precedence of the unfinished business and other special orders.' "

Mr. CLARK. Mr. President, I yield myself such time as I may require under the unanimous-consent agreement.

Amendment No. 19 rewrites rule VII and places the various requirements of that rule in a more logical order. There is very little new material in amendment No. 19.

However, two new provisions should be called to the attention of the Senate.

At page 2, on line 3, there is a new provision in the amendment, providing that—

> One hour, if that much time be needed, shall be set aside for the transaction of morning business . . . on each legislative day at the opening of proceedings unless the Senate shall otherwise order by unanimous consent.

It then provides that—

> The period for morning business may be extended for up to one additional hour, upon motion, which shall be nondebatable, approved by majority action.

This new provision eliminates all reference to the morning hour.

I see our bright, young, and relatively new Assistant Parliamentarian sitting below the desk occupied by the Presiding Officer. I know that when he first came here he was hard put to it to be able to explain to Senators what the present rule VII means. In fact, one has to go back to the early days of parliamentary government at the Federal level in order to understand it.

For example, in the printed Standing Rules of the Senate excerpted from the Senate Manual one will see that the first paragraph of the present morning business rule VII comes from Jefferson's manual; and then there are two precedents, one in 1908, another in 1885, which modify and possibly clarify, but more likely obfuscate, the words from Jefferson's manual, which make a little bit of difference in what the present rule VII is supposed to mean, if anybody knows.

Then another amendment to the rule was made on May 31, 1906.

There is reference to the Legislative Reorganization Act of 1946, which changes the rule to some extent.

Then the rule was amended, and there is a reference to the Senate Journal, in 1906.

Thus, if we go back to rule VII, we have some provisions which come from Jefferson's manual, and which were amended in 1888; again in 1918; again in 1884; and again in 1917.

There was also an order, approved by the Senate, with reference to subparagraph 6 of present rule VII, on February 7, 1887.

And so it goes. The end result is that this rule is absolute mishmash.

As I have just stated, one of the two changes in the rewritten rule VII eliminates the confusing references, sometimes to "morning business" and sometimes to "morning hour" and provides for a morning business period of 1 hour, which could be extended for another hour by nondebatable majority vote.

The second new provision, which appears on page 3, lines 1, 2, 3, and 4, provides that "statements or comments not to exceed 3 minutes which may include requests for unanimous consent to insert articles and other printed matter in the Senate Journal and to submit statements" shall be the normal order of business after petitions and memorials, reports of standing and select committees, the introduction of bills and joint resolutions, and concurrent and other resolutions have been disposed of.

This language, Mr. President, merely codifies present practice.

Every morning we have our traditional bit of mumbo-jumbo when the majority leader rises to say, mumbling it like an incantation—

> I ask unanimous consent that the reading of the Senate Journal be dispensed with.

Then—

> Without objection, so ordered.

Every now and then, if we have a filibuster, objection is raised, and the clerk has to drone on with the Journal for quite a while. When I tried to change that rule last week, I got only eight votes in support of it. There is a Senator present in the Chamber, whom I shall leave anonymous, who told me that if he had been present, he would have voted with me.

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[7] As amended, S. Jour. 431, 48–1, Mar. 17, 1884.

Mr. HART. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. HART. The Senator has full authority to record me as I would have voted.

Mr. CLARK. I thank my friend from Michigan, not only for his candor but for his courage.

So the Senate did not wish to change that particular bit of nonsense.

Then the majority leader rises and asks that statements be limited to 3 minutes. That request is granted most of the time. Sometimes, if somebody wants to show, in lighter vein, how silly that provision is, he objects, and then consternation breaks forth all over the Chamber, motives are questioned, and who knows what is behind all of that? Usually nothing except a lot of good, clean fun.

What this second provision in the pending amendment would do would be to codify that 3-minute rule, so Senators would not have to obtain unanimous consent.

Therefore, Mr. President, since this proposed amendment does nothing more than to put into basic English what is presently in rule VII, and to state explicitly what is now implicit in the actual proceedings of the Senate, I would hope that the learned and able Senator from Oklahoma would not feel that such grave questions of principle were raised with respect to this innocuous little technical amendment that he would have to use the whole half hour allotted for it. In fact, I plead with him and his able assistant, having looked over this amendment and having my assurance that there are no jokers and no white elephants in it, and that there is nobody in the dark at the head of the stairs, that he accept this rewritten rule VII.

I reserve the remainder of my time.

The **PRESIDING OFFICER.** The Senator from Oklahoma.

Mr. MONRONEY. Mr. President, I yield myself such time as I may require. I shall only take a very brief period.

As I have said repeatedly during this debate, the Joint Committee on the Organization of Congress was created with specific limitations on what we could do. One of the most firm restrictions we were put under is provided in Senate Concurrent Resolution 2, 89th Congress, creating the Joint Committee on the Organization of Congress, in the same language which gave us our authority when we undertook the reorganization program in 1946. Every Senator, I believe, knew as they voted unanimously for creating a new study of congressional organization, that it would apply. It was one of the necessary limitations—as the distinguished senior Senator from Pennsylvania realizes as well—to try to accomplish something that offered a chance of achievement, and to get moving on various organizational reforms that were long overdue.

The resolution provided that—

> Nothing in this concurrent resolution shall be construed to authorize the committee to make any recommendations with respect to the rules, parliamentary procedure, practices, and/or precedents of either House, or the consideration of any matter on the floor of either House: *Provided further,* That the language employed herein shall not prohibit the committee from studying and recommending the consolidations and reorganization of committees.

The history of this proviso has given us the authority in the past, and I think in the present, clearly, to take up the working of the committee system and things that are necessary to modernize and to create a more efficient and effective Congress at the committee level. But the doors of the Chamber are locked to us, as far as recommending any change in the floor rules and procedures of the U.S. Senate.

For that reason, the committee did not consider—I think we received testimony on the matter, because we were liberal in that, but we certainly undertook no discussions and no consideration of the floor procedures, because that was clearly, by the charter which created us, beyond the jurisdiction of the joint committee. We did not choose to break faith with the Senate, and those Members of the Senate who felt extremely strongly on floor procedures; and we certainly did not intend, and do not now intend, to report, nor are we able in good conscience to accept amendments to the floor rules.

I think the Senators who felt these rules would be observed in the report are likewise entitled to that knowledge and understanding as the bill reaches the floor. The procedures suggested here, I am certain, can be offered to any part of the bill under the Senate procedure; I would feel derelict in our duty if we did not call this to the attention of Members of the Senate, and decline to support, accept, or endorse these changes in the provisions of the floor rules, feeling also that if this one breakthrough is made in changing the floor rules, we will have a Pandora's box of changes in the rules for floor procedure. I feel that this is another matter which must be taken up for careful consideration, study, and testimony on the advisability and the effects these sweeping revisions of the rules may bring about.

Such changes may be overdue and well justified, but at this time I cannot support the proposed rule change. I ask that it not be accepted by the Senate.

If there is no further need for time, I shall be happy to yield back the remainder of my time, if the distinguished Senator from Pennsylvania will yield his.

Mr. CLARK. Mr. President, I should like to make a very brief statement in reply to the Senator from Oklahoma.

Readers of the CONGRESSIONAL RECORD will note—since there are only four Senators present to hear the debate—that my dear friend, the Senator from Oklahoma, I think wisely, made no effort to oppose the pending amendment on the merits. In fact, it would be impossible to do so, in my opinion, because there is nothing controversial in the proposed amendment. It merely restates in basic English what is the present rule VII, and what has become the procedure, although not incorporated in a rule, by almost immemorial custom. So there cannot be any objection to this change on the merits.

When the Senator from Oklahoma said that the charter, or the joint resolution, under which his committee operated expressly excluded any change in the rules of the Senate, other than those rules changes which deal with committee procedures, he is of course correct, but that prohibition has no possible parliamentary, legal, or constitutional bearing on the present proceedings.

Under the rules of procedure of the Senate, the pending bill is open to amendment, and floor amendments are now in order.

The Senator does not have to accept them if he does not want to do so, but I suggest that it is a pretty weak reed to rely on from a parliamentary point of view and even, I suggest, from a point of view of practical sense, to oppose this kind of an innocuous amendment which makes a perceptible and useful change in the present obscure rule and to oppose the amendment on the ground that the legislation which created the joint committee stated that changes to the rules cannot be proposed.

Let me point out that my gracious friend, the Senator from Oklahoma, not only listened to testimony with respect to all rules changes, but also encouraged a lot of us to spend a great deal of time and effort to put into the voluminous records of the joint committee the kind of changes which I am now proposing, including this one.

I regret very much that the Senator is unwilling to accept the pending amendment. I think the Senator knows full well why none of these rule changes can come out on the floor through the normal legislative process. It is because a majority of the Committee on Rules and Administration has set its face, its heart, and its mind against changing by as much as the crossing of a "t" or the dotting of an "i" the present obsolete and, in many ways, unworkable rules of the Senate.

That situation will not always be true. The day will come when a majority of the Committee on Rules and Administration will be Senators who understand that we are now living in the 20th century and that the Senate has become more obsolete administratively as the years have gone by.

It is too bad that when we have this splendid opportunity to bypass the Committee on Rules and Administration and deal with the matter on the floor, technical objections are made which will make it impossible to do so.

I am aware of the inevitability of defeat, and I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, not only would the Committee on Rules and Administration be bypassed, but that would also be true of the Committee on the Organization of Congress.

The proposed rule changes are being heard without any committee having marked up the proposals.

Our committee was clearly denied such jurisdiction. We would be breaking faith with the charter creating our committee if we were to accept or vote for such changes.

It was clearly the intent of the Senate in making this effort to perfect the reorganization of Congress and not to deal with the rules or practices of the U.S. Senate. Therefore, I must oppose the amendment.

Mr. **CLARK**. Mr. President, will the Senator yield?

Mr. **MONRONEY**. I yield.

Mr. **CLARK**. Mr. President, I am sure that the Senator inadvertently stated something which he would like to have corrected. The Senator said that not only was the Committee on Rules and Administration bypassed, although these procedural changes have been festering before the Committee on Rules and Administration since 1964, but that the Special Committee on Reorganization was also bypassed.

Mr. **MONRONEY**. I did not mean that. I said earlier in my statement that the Senator from Pennsylvania did appear before the joint committee and advocated his rules changes.

We heard no further evidence on the matter. We did not consider the proposals because of the restriction in the charter.

Mr. **CLARK**. The Senator has very graciously mentioned that he suggested the same thing before the special committee which he just mentioned now.

I thank him for the correction.

Mr. **MONRONEY**. I wanted it understood that the Senator testified in behalf of his own amendment and that the committee was not able to consider any such testimony.

Mr. **CLARK**. Anyone who wanted to come in and oppose the changes could do so. Nobody did as to this particular change.

Mr. **MONRONEY**. Mr. President, I yield back the remainder of my time.

The **PRESIDING OFFICER**. All time having expired, the question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment was rejected.

The **PRESIDING OFFICER**. The bill is open to further amendment.

Mr. **CLARK**. Mr. President, I call up my amendment No. 15 and ask that it be stated.

The **PRESIDING OFFICER**. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"Sec. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"STANDING RULES OF THE SENATE

"Sec. 123. The first sentence of paragraph 1 of rule XIX of the Standing Rules of the Senate is amended to read as follows:

"'When a Senator desires to speak, he shall rise and address the Presiding Officer, and shall not proceed until he is recognized; and the Presiding Officer shall recognize the Senator who shall first address him, except that he shall first give recognition to the following Senators in the order prescribed if any of them shall also seek recognition:

"'(1) The majority leader, or, in his absence, any Senator designated as acting majority leader by the majority leader, and occupying the majority leader's desk.

"'(2) The minority leader, or, in his absence, any Senator designated as acting minority leader by the minority leader, and occupying the minority leader's desk.'"

Mr. **CLARK**. Mr. President, I yield myself such time as I may require.

The amendment codifies and elaborates the unwritten rule that the Chair will always give preference in recognition to the majority leader and minority leader and, in the absence of the leaders, will give the same preference in recognition to any Senator designated to act in such capacity and occupying the leader's desk.

The pending amendment is again an innocuous one, but I believe it would be quite useful.

The present rule is that the Senator who first seeks recognition is supposed to be recognized by the Presiding Officer. That rule is not enforced because when either the majority leader or the minority leader seeks recognition, it is the custom to recognize them. This is true, even though someone, possibly a very junior Senator, sitting as I am in the back row, speaks up first, even when the latter is clearly first. This I think is right, but why should the Presiding Officer—who all too often is himself a very junior Senator and not wise in the ways of the unwritten practices and procedures of the Senate, who may be even having difficulty familiarizing himself with our rules, including the rule which we just decided not to change, rule VII—why should he be put to the embarrassment of recognizing one of his colleagues and thus incurring the wrath of his majority or minority leader?

Although this is not the case now, there might come a time when the majority and minority leaders are not quite as spry as the junior Senators in the rear of the Chamber and might not be able to get to their feet and speak the sacred words "Mr. President" quite as quickly.

There is an additional advantage to codifying the rule. It has been the custom of the present majority leader; and I think it is a very salutory one—it was not the case before he became the majority leader—to move out of the majority leader's chair and to permit the manager of the pending bill to sit in the chair of the majority leader.

As Senators will note, that custom is in effect right now. The Senator from Oklahoma who is the manager of the bill is sitting in the chair of the majority leader. This is by custom established by the present majority leader, and I think it is a good one.

There are quite a few of us who do not have too much seniority. Some Senators have more seniority than others. There are Senators who from time to time by grace of their seniority are given the privilege of being the floor manager of a bill in which they have taken a keen interest in committee.

One might easily find himself in an embarrassing situation in which a rather junior Senator will be sitting in the chair of the majority leader when a senior Senator, who perhaps for reasons of his own, wants to change the subject will seek recognition.

And the junior Senator in the chair would be torn between a desire to grant that senior Member recognition, with perhaps the resulting delay of the bill for a long time, and the desire to recognize the manager of the bill, who is substantially junior in point of service.

Again, all this rule does is to codify existing practice. I would have hoped, had the Senator from Oklahoma not made his position quite clear, that he would accept it; but I gather that he will not accept any of these amendments. I hope that he will not attempt to argue against this change on the merits, but will merely rely, as he has previously, on his interpretation of the inhibitions placed on him by the legislation which authorized the joint committee.

Mr. President, I yield back the remainder of my time. Perhaps the floor manager of the bill, the Senator from Oklahoma, would not think it worthwhile to take any time on this amendment and will also yield back the remainder of his time, so that we can have a vote by which the amendment will be defeated—as I look around the Chamber—by 4 to 1.

Mr. **MONRONEY**. Mr. President, I reiterate that the committee had no right to make recommendations on these amendments; and the jurisdiction, as the Senator knows, is within the committee on which he serves, the Committee on Rules and Administration. I believe that they have taken these matters up a number of times and have not favorably reported them, although I believe that many of these matters have merit. The amendments are within the jurisdiction of the Committee on Rules and Administration, since, with the restriction put upon our committee, we could not properly report any of these amendments to the floor. Therefore, we cannot support them or endorse them.

I yield back the remainder of my time, and ask for a vote.

The **PRESIDING OFFICER**. Does the Senator from Pennsylvania yield back his time?

Mr. **CLARK**. I yield back the remainder of my time.

The **PRESIDING OFFICER**. All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment was rejected.

AMENDMENT NO. 16

Mr. **CLARK**. Mr. President, I call up my amendment No. 16, and ask that it be read.

The **PRESIDING OFFICER**. The amendment will be stated.

The legislative clerk read the amendment, as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"Sec. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"STANDING RULES OF THE SENATE

"Sec. 123. Rule XIX of the Standing Rules of the Senate is amended by striking out the second sentence thereof, and inserting in lieu thereof the following:

" 'No Senator shall interrupt another Senator in debate without his consent, and to obtain such consent he shall first address the Presiding Officer: *Provided, however,* That such consent shall not be required where any Senator shall raise a germane point of order that the Senator in possession of the floor has transgressed the rules of the Senate. Unless submitted to the Senate, the germane point of order shall be decided by the Presiding Officer subject to an appeal to the Senate as provided in this rule. Any Senator against whom a germane point of order shall have been raised and any Senator raising such point of order may appeal from the ruling of the Presiding Officer, which appeal shall be open to debate. If the Presiding Officer shall sustain the germane point of order and no appeal is taken, or if upon appeal the Senate shall sustain the germane point of order, the Senator against whom it has been made shall take his seat; otherwise he shall retain possession of the floor.

" 'A germane point of order may be raised in respect to enforcement of this rule.

" 'When a question of order has been submitted to the Senate, or a debatable appeal has been taken on a decision of the Presiding Officer as provided herein, debate on such submission or appeal shall be limited, in all, to one hour, to be divided equally between the proponents and opponents of the point of order, unless the Senate shall otherwise direct.' "

Mr. CLARK. Mr. President I yield myself such time as I may require.

The purpose of this amendment is to clear up the confusing situation which presently exists with regard to the right to interrupt a Senator who has the floor, for the purpose of raising a point of order. The amendment provides that a Senator may be interrupted, without his consent, for the purpose of raising a point of order that the Senator in possession of the floor has committed a transgression of the rules of the Senate germane to his possession of the floor.

The new provision in the proposed amendment starts with the proviso on line 2 of page 2 and continues to the end of the amendment.

Not too many years ago a rather unpleasant incident occurred on the floor, in which the Senator from New Jersey [Mr. Case], who I believed was quite within his rights, raised the point of order that another Senator was not entitled to the floor at the particular time. There was confusion at the Chair and—if I may say so, in all good humor—among the parliamentary experts; because the rule was silent as to this situation. When a Senator raises the point of order that the Senator who has the floor is himself out of order, one must dust off some pretty ancient precedents, some of which are conflicting, to determine whether or not the point of order may be taken if the Senator who has the floor refuses to yield for a point of order, which is in this instance was the situation.

It seems clear to me that if a Senator is illegally and improperly holding the floor in violation of the rules, a point of order should be permitted to be made, which, if ruled in favor of the Senator who makes the point of order, would take the other Senator off the floor.

A good example is a violation of rule XIX, section 2, which prohibits a Senator from speaking disrespectfully of another Senator or of any State other than his own. There are other instances, where, for example, debate is supposed to be germane under a unanimous-consent agreement. No doubt there are many other instances.

Again, the purpose of this amendment is to clarify and codify a situation which presently is left to the obscurity of the manual and the precedents of the distant past, to establish what—in my opinion, at least—is a commonsense provision for disposing of controversies which might arise in this area.

The amendment contains an additional provision to the effect that where an appeal is taken from a point of order so raised, the appeal shall be debatable, but debate shall be limited in all to 1 hour, to be equally divided between the proponents and opponents of the point of order, unless the Senate shall otherwise direct. This provision is for the purpose of preventing debate on the point of order, made to take the Senator from the floor, from becoming a sort of junior filibuster—which, of course, it could become, since the point of order is debatable, and possibly debate thereon could continue for weeks, if not months.

Again, I assume that the Senator from Oklahoma will oppose this amendment, for the same reasons he has opposed the last two; and I am prepared to yield the remainder of my time. I believe that the vote this time will be 6 to 1, again.

Mr. MONRONEY. Mr. President, I repeat that this matter is beyond the scope of the business committed to our committee by the Senate. We did have a witness testify in behalf of the proposed rule changes that are being presented here, and, as we advised him at that time, we believed that it was beyond our charter. These rules have not been considered by the committee in perfecting this bill, because we do not believe that we have the right to report the legislation; and, not having that right, neither can we accept it, and we must urge that this rule not be changed.

I yield back the remainder of my time, and ask for a vote.

Mr. CLARK. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment was rejected.

AMENDMENT NO. 17

Mr. CLARK. Mr. President, I call up my amendment No. 17 and ask that it be stated.

The PRESIDING OFFICER (Mr. Byrd of Virginia in the chair). The amendment will be stated.

The legislative clerk read as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"Sec. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"STANDING RULES OF THE SENATE

"Sec. 123. Rule XIX of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

" '9. Upon the request of any Senator who has been recognized, his remarks upon any subject may be delivered in writing, and if so delivered shall be printed in the Congressional Record in the same manner, and in the same size print, as if those remarks had been delivered orally. The Congressional Record shall contain a notation that the material was submitted but not delivered orally.' "

Mr. CLARK. Mr. President, I yield myself such time as I may require.

The purpose of this amendment is to eliminate an intellectually dishonest custom which has grown up in the Senate over the years. I do not know when it started. It was in full cry when I first came here 10 years ago.

The practice is that when a Senator, harassed and overworked as we all are, has a long speech, or even a relatively short speech, which he wishes printed in the Congressional Record in normal type, he will rise and read the first line and the last line of the speech and sit down in 30 seconds. The next morning, by custom, the speech appears in the Congressional Record as if it had been delivered in all of its glory and length, and with all the appropriate gestures. I have done this myself and I shall do it again, because I am simply too busy when I have a speech which is not of general interest to the Senate and is not germane to a debate which is then going on, but is of interest to my constituents at home.

Some may ask: "Why do you not ask unanimous consent to have the speech printed in the Record in full? You can get it." The answer is that when a Senator gets unanimous consent, and it is done in that manner, he has to get out his bifocals the next day because the speech appears in print so small that it is almost impossible to read.

The only way the speech can be printed in proper style is to use the subterfuge which I have indicated, or in the alternative—and I have done this once or twice—one can ask unanimous consent that notwithstanding the custom of the Senate, the speech may be printed in regular type as though it had been read in full. However, this always causes shaking of heads on the part of the parliamentarians and the occupants on the chair.

It is definitely not the thing to do, although if there are few enough Senators in the Chamber sometimes we get unanimous consent.

Mr. President, this proposal, which I suppose is about as pure as motherhood and possibly as noncontroversial as being against sin, will, I have no doubt, be rejected in a moment or two. Another Senator having just entered the Chamber, I guess that the vote will be 7 to 1.

Mr. President, with that brevity which is the soul of wit—of which my friend from Oklahoma has given such evidence all afternoon—I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, the committee did take up this question. We discussed it for several days with our Members from the Senate and the House of Representatives.

It seems rather essential that the rules applying to the Congressional Record, particularly with respect to those speeches given on the floor in person, and received by the Senate as a matter of regular session, be distinctive in respect to those having been given before the Senate and those that are submitted, and designated to show that they were not submitted as verbatim remarks delivered on the floor of the Senate.

The amendment of the Senator does permit material in the CONGRESSIONAL RECORD to be so identified and to be carried in the same type as that used for reporting of debates and other material transpiring on the floor.

The joint committee recommendation was that the body of the RECORD itself be limited to germane insertions and verbatim remarks delivered on the floor, that matters not delivered on the floor be incorporated in the Appendix of the RECORD, and that they would thus be not interspersing material inserted and not a part of any discussion or debate on the floor.

It was felt by several Senators that if we had this identification that it was not delivered on the floor, it might encourage the delivery of all speeches on the floor and further delay the Senate because it required these to be given in order to avoid the connotation that this was not a true Senate speech. This would hamper the effect, if the speech is mailed out to constituents of circulated as something which has been inserted in the RECORD.

The more we discussed the matter the more we felt that it would be better that the Joint Committee on Printing, which has been given and which for years has had the statutory authority as to the form and content of the RECORD, be given the opportunity to consider the matter and advise the Senate of its views as to how both the Senate and the House of Representatives might provide for uniform treatment of this material.

It is not an urgent matter. We hope that the joint committee, in its wisdom and consideration of the matter, will make recommendations and give us the benefit of its views.

Mr. President, I have no further comment with respect to the amendment. I yield back the remainder——

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CLARK. The Senator mentioned the fact that these speeches could be printed in normal type in the Appendix of the RECORD. I found some years ago that buried in the dark and dusty precedents of the Government Printing Office there is a ruling that if an insertion in the Appendix is of more than a certain length, the Senator who has the material printed in the Appendix has to pay for it. This, of course, deters not only me but many Senators from printing long speeches of exemplary merit in the Appendix because we must pay for them.

Mr. MONRONEY. Is it not a fact that that rule—and I am going from memory—does not say that the Senator must pay for it, but it does provide for the estimated cost of the printing if the printing goes over a certain length?

Mr. CLARK. I believe the Senator is correct. I was in error. When a Senator has a speech printed in the Appendix which exceeds a certain length, at the place where the speech is printed there is an indication that the Senator has cost the taxpayers anywhere from $19.50 to perhaps $98.20. There are not many Senators who want to do that.

The joker is that the same speech can be printed in the body of the RECORD and that notation does not appear, which is why, in many instances, the body of the RECORD is much more popular than the Appendix, and to me this is an absurdity which could be eliminated under the amendment.

I yield back the remainder of my time.

Mr. MONRONEY. There are a number of recommendations that need to be made in connection with the CONGRESSIONAL RECORD. When we got into the matter, we thought that the Joint Committee on Printing, which has done some fine things in the past, would be the best group to come to agreement on these matters.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CLARK. I await with bated breath the report of the Joint Committee on Printing in this matter. I believe, and I hope I am not affronting anybody, that the committee is not exactly overworked and perhaps this would be a good, erudite, and worthwhile venture for them. Perhaps they can hire experts and get out a report that is very useful. I hope that when they consider it they will do something in another area. I have been an advocate for a good many years of a plan to work out a format so that cartoons can appear in the CONGRESSIONAL RECORD.

Mr. MONRONEY. It might increase circulation.

Mr. CLARK. Yes, increase circulation. I think if we had Herblock in the CONGRESSIONAL RECORD going out to all parts of the country, some parts of which may be unfortunate enough not to have his cartoons syndicated in their newspapers, as well as other cartoonists of equal merit, the readers of the CONGRESSIONAL RECORD, I am confident, would be edified.

I have also taken note of the possibility of having the CONGRESSIONAL RECORD printed in red, white, and blue inks, which would be a patriotic gesture and which would dress up its appearance.

In fact, I have thought it might be a good idea for the Joint Committee on Printing to hire a Madison Avenue consultant—possibly someone who works for the Luce publications, the Reader's Digest, or Look magazine, to see if the CONGRESSIONAL RECORD could not be dressed up so that it would have some visual appeal which, I regret to say—loyal though I am to the institutions of Congress—it does not have at the present time.

I apologize for my levity, Mr. President, and yield back the remainder of my time.

Mr. MONRONEY. The Senator from Pennsylvania has made some very fine remarks on the subject of dressing up the CONGRESSIONAL RECORD, particularly that of getting some of the finest editorial cartoons in the world—perhaps without having to pay royalties therefor—and I am sure that we would increase our circulation very greatly. There are also many other features which could well save the eyesight of readers in and out of Congress, as well as improving the typography and its arrangement.

One of the things which concerned those of us who were working on this matter of reform was the many items which need to be taken into account in the CONGRESSIONAL RECORD. One was principally the matter of how to keep debate in one place and not include extraneous material on the nongermane matters which a Senator might wish to insert in the middle of a very important debate, or to interrupt the debate on important subjects and then have colloquy of 30 or 40 minutes on another topic when it could have preceded or followed the subject matter as it was printed in the RECORD. I appreciate that Senators' time is very valuable and would not permit us to deny them time to discuss extraneous matters of importance.

I believe that in the makeup of the body of the CONGRESSIONAL RECORD, we should have permission to print all extraneous matter either before or after the subject matter properly before the Senate for consideration, rather than have it broken up to where it bears no relationship to the overall page form as to what actually the debate was all about.

Mr. CLARK. I make this point first. As the Senator knows, there is a usual, although not universal practice for either the Senator in charge of a bill, or a Senator seeking recognition out of order, to ask unanimous consent that his comments appear at a place in the RECORD separate from the debate on the pending bill or other matter under consideration. This is a courtesy which I think is sometimes inadvertently overlooked. In my opinion, it would be wise if we had a custom whereby that was always done.

My second point is that I want to thank the Senator from Oklahoma for his graciousness in not raising the rule of germaneness when he had the half-hour debate on Vietnam just a little while ago. The Senator, I know, was reluctant to give time for those of us who wanted to talk about stopping the bombing of the North and felt that it should be done today before the Tet holiday began. The Senator could well have raised the rule of germaneness and postponed it for several hours, but he did not do so. This is typical of his courtesy and graciousness. I sometimes wonder why we passed a rule on germaneness if we never invoke it.

Mr. MONRONEY. I thank the Senator from Pennsylvania.

Mr. President, I yield back the remainder of my time.

Mr. CLARK. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment was rejected.

AMENDMENT NO. 18

Mr. CLARK. Mr. President, I call up my amendment No. 18 and ask that it be stated.

The PRESIDING OFFICER. The

amendment will be stated for the information of the Senate.

The legislative clerk read as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"Sec. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"STANDING RULES OF THE SENATE

"SEC. 123. Rule XX of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

" '3. When a question of order has been submitted to the Senate, or a debatable appeal has been taken on a decision of the Presiding Officer as provided herein, debate on such submission or appeal shall be limited, in all, to one hour, unless the Senate shall otherwise direct.' "

Mr. CLARK. Mr. President, I yield myself such time as I may require.

This is a new provision dealing with points of order. Its purpose is to limit debate on consideration of points of order submitted to the Senate and appeals from rulings of the Chair to 1 hour in all, unless the Senate otherwise orders, of course, by majority vote.

Mr. President, in a sense, this is an amendment covering the waterfront on points of order, similar to my amendment No. 16, which I called up a short time ago.

Amendment 16 applies to debate on points of order raised to take a Senator who wanted the floor, off the floor, on the ground that he is speaking out of order.

Amendment 18 would provide a similar procedure for all points of order.

The limitation of debate to 1 hour in all should, ordinarily, provide a period of time for debate which is adequate to have the point of order thoroughly discussed, but there is an escape clause which provides that the Senate implicitly, by majority vote, could extend that time if it saw fit to do so.

The reason for limiting debate is to eliminate another opportunity for filibustering.

I assume that the actions of my good friend from Oklahoma will be the same as hitherto.

Mr. President, I am prepared to yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I, too, shall yield back the remainder of my time in a moment.

I would stress the point that this is strictly a matter of floor procedure and one that we consider outside the charter of the committee. The committee did not consider this proposal in reporting the bill, because it would have been out of order to have done so.

Mr. President, I yield back the remainder of my time, and ask for a vote on the Senator's amendment.

Mr. CLARK. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to amendment No. 18 offered by the Senator from Pennsylvania [Mr. CLARK].

The amendment was rejected.

Mr. CLARK. Mr. President, I should like the record to show that the majority against me is gradually shrinking as, I am sure, I make more and more logical appeals to the Senate.

This time, it was only 5 to 1.

AMENDMENT NO. 14

Mr. CLARK. Mr. President, I call up my amendment No. 14, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk read as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"Sec. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"STANDING RULES OF THE SENATE

"SEC. 123. Rule V of the Standing Rules of the Senate is amended to read as follows:

" 'RULE V

" 'QUORUM—ABSENT SENATORS MAY BE SENT FOR

" '1. No Senator shall absent himself from the service of the Senate without leave.

" '2. If, at any time during the daily sessions of the Senate, a question shall be raised by the majority leader or the minority leader, or, in their absence, by the acting majority leader or the acting minority leader, as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate.

" '3. Any Senator may raise the question as to the presence of a quorum but only for the purpose of seeking recognition and calling for a vote on the pending business once the presence of a quorum has been ascertained; and, declaration of such intention shall be made by such Senator immediately prior to his raising the question as to the presence of a quorum. Immediately upon the statement of such intention and the raising of such question by any Senator, the Presiding Officer shall forthwith direct the Secretary to call the roll and proceed as above provided.

" '4. Whenever, during any quorum call as provided for in paragraphs 2 and 3, the Presiding Officer ascertains that a majority of the Senators are present in the Chamber, he shall direct that the quorum call be halted, and declare that a quorum is present.

" '5. Whenever upon such rollcall it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant at Arms to request, and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and pending its execution, and until a quorum shall be present, no debate nor motion, except to adjourn, shall be in order.' "

Mr. CLARK. Mr. President, I yield myself such time as I may require.

The purpose of this revision of the present rule V is to modify the unrestricted right of any Senator to call for a quorum. This privilege has frequently been used as a source of great harassment and delay.

During some of the filibusters on civil rights legislation, which occurred when the present President of the United States was our majority leader, and when the effort was made to break a filibuster by having the Senate sit around the clock, one of the most effective methods of delay and continuing the filibuster would be for a Senator opposed to permitting a vote on a civil rights bill to get the floor at, say, 1 o'clock in the morning, speak until 3, and then suggest the absence of a quorum.

Under the procedures continued by the majority leader—those procedures were hallowed by traditions which went back long before his tenure—the clerk would then call the roll. It would take anywhere from 2 to 3 hours to get a quorum during this period.

During this time, the Senator who had finished his speech would happily go back to his bed and board and get a good night's rest. He was always assured, of course, that one of his filibustering colleagues would remain present to protect the rights of the filibusters once a quorum was present. And once a quorum was present, Filibuster No. 2 would take the floor, and the procedure would be continued in due course.

The custom, for those relatively new Senators who still read the CONGRESSIONAL RECORD, of those who were trying to break the filibuster, was to get a room in nearby hotels, such as the Congressional, although that was a little too far, or hotels on this side of the Hill, which are a little closer, and arrange to have the clerks telephone them, and get them up and over here by saying, "There is a quorum call."

Others utilized cots which were placed in the Senate baths, preference being given to those with seniority. Other Senators would have cots in their offices and sleep there, until they were awakened by the telephone, or, indeed, by the bells, which indicated that their presence was needed, and would get off the cots, slip into their trousers, and answer to the quorum calls.

Some rugged Senators would sleep on the reclining chairs in the Marble Room. Some would stretch out on sofas in their offices, where they could rest without the necessity of dressing or undressing.

The proposed amendment would bring some order out of that chaotic situation and give the right to either the majority or the minority leader—the sole right—to suggest the absence of a quorum, unless an individual Senator were to suggest the absence of a quorum, with the statement that it was for the purpose of bringing the pending matter to an immediate vote. This change would enable the Senate not only to expedite its business, but, in the unhappy event that the procedures of the dead past should be resuscitated by some new majority leader, enable us to get a good night's sleep while a filibuster was going on.

The other provisions of rule V which I think are also rather amusing are continued. The first provision which is continued is section 1, which provides:

> No Senator shall absent himself from the service of the Senate without leave.

I had occasion to ask the attendant in the Senate Democratic cloakroom a little while ago how many Senators were out of town. Approximately eight or 10 are. I presume there is perhaps a lesser number of Senators absent on the Republican side. Every day Senators go away. I do it myself, when I have business to attend to back home. I do not get "leave." I do not think any Senator gets "leave."

So this section, which I have left in, really is honored more in the breach than in the observance—although I guess I have known very conscientious Senators who when they are going away on Senate business or important convocations or conventions or the like overseas, who will ask unanimous consent to absent themselves from the service of the Senate in order to perform their duties elsewhere.

The proposed amendment also continues the present provision that when a quorum is not present, a majority of the Senate who are present may direct the Sergeant at Arms to request, and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate.

This has always caused me a mild sense of amusement. I wonder how many Americans today think of the Sergeant at Arms as being an individual not unlike a Western sheriff, clad in cowboy boots and bluejeans and chaps, two guns, and a Texas hat, leaving the Senate Chamber, in order to compel the attendance of absent Members.

I guess I am telling no tales out of school to say that the procedures used by those genial Sergeants-at-Arms, whom it has been my pleasure to know during the 10 years I have had the opportunity of being a Member of this body, use somewhat less drastic measures of persuading Senators—"It would be awfully nice if you came in and answered the quorum call."

Again, I have no doubt of the vote that will result when this amendment is put to a vote, but I would like the RECORD to show that I am really making gains, because this time the vote will be only 4 to 1, unless the present occupant of the chair [Mr. BYRD of Virginia] deems it appropriate to break a tie vote, which I am sure he would not do.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. CLARK. I yield.

Mr. HOLLAND. It is a common custom in the Senate to call for a quorum when a Senator who has indicated he wants to be heard on the pending question does not happen to be on the Senate floor at the time. Would the meaning of this rule, if adopted, be that only the majority leader or the minority leader could call for a quorum in such a situation?

Mr. CLARK. Yes. I think that would be quite adequate, because Senators who had indicated they wanted to speak, on this side of the aisle, for example, would have the majority leader suggest the absence of a quorum.

Mr. HOLLAND. But the Senator thinks that the garden variety Senator, who might have more interest in a bill than either the majority leader or minority leader, and who might know more about plans of other Senators who wanted to be heard on the subject, should be deprived of the chance to ask for a quorum unless he was willing to pledge himself to vote as soon as the quorum had been completed?

Mr. CLARK. Under our procedures, any Senator can ask the majority leader, if he is a Member on this side of the aisle, or the minority leader, if he is a Member on the other side of the aisle, to protect his rights. It is always done. I am sure it would be done in the future as it has been done in the past. The real purpose is to expedite the business of the Senate, which I am sure is the purpose of the Senator from Florida—whom I honor, although he and I do not always agree on the method of arriving at that conclusion.

Mr. HOLLAND. If the Senator will yield, I have noted times when the Senator from Pennsylvania was not willing to cooperate with the Senator from Florida in reaching an early vote on a bill, so the situation may be mutual, and frequently is. All I am calling attention to is that apparently this proposed rule is designed to cancel one of the long standing and always existent rights of a Senate Member.

I personally would not like to see a hierarchy or an autocracy or something of the kind created here on the floor of the Senate, which would deprive Senators of the privilege of asking for a quorum except under conditions which they may not find agreeable at the time.

I thank the Senator for yielding.

Mr. CLARK. The Senator from Florida is quite correct; I have on occasion used delaying tactics in this body, and taken full advantage of the rules, and I shall continue to do so in the future, as I have in the past, until the rules are changed. I differ from the Senator from Florida only in the fact that I advocate rather drastic changes in the rules, in order to expedite our business here.

Mr. President, I am prepared to yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I do not choose to delay the Senate long on this amendment. This is an amendment which the Senator from Pennsylvania has a right to offer on the floor. Like the other proposals, it would violate, I think, the spirit of the charter given to our Joint Committee on the Organization of the Congress to report or comment either in favor of or against a change which we were denied the privilege of considering, or to give support to an amendment that would interfere with or change in any way the rules, practices, procedures, or precedents of the Senate in connection with the proceedings on the floor of the Senate.

Therefore, I do not feel that our committee can support it. We oppose the amendment, and I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment was rejected.

AMENDMENT NO. 20

Mr. CLARK. Mr. President, I think I am correct in saying that the vote was either four to one or five to one, depending on whether the occupant of the chair voted; and I did not notice whether he did or not.

I call up my amendment No. 20, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from Pennsylvania [Mr. CLARK] proposes an amendment (No. 20) as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"Sec. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"STANDING RULES OF THE SENATE

"SEC. 123. Rule XIV of the Standing Rules of the Senate is amended to read as follows:

" 'RULE XIV

" 'BILLS, JOINT RESOLUTIONS, AND RESOLUTIONS

" '1. Every bill and joint resolution shall receive three readings previous to its passage. The first reading and the second reading may be on the same calendar day, if the Senate by majority vote without debate, shall so direct; the third reading must be on a different calendar day. The Presiding Officer shall give notice at each reading whether it be the first, second, or third. The first or second reading of each bill, or both, may be by title only, unless the Senate by the majority vote without debate shall otherwise order.

" '2. Every bill or joint resolution shall immediately after second reading be referred by the Presiding Officer to the appropriate committee. Appeals from rulings of the Presiding Officer referring bills and joint resolutions to committee shall be decided by the Senate without debate. A motion to place a bill or joint resolution on the Senate Calendar immediately and not refer it to committee may be made by any other Senator after such bill or joint resolution has been read twice but before it has been referred to committee and such motion shall be decided by majority vote of the Senate after debate not to exceed a period of one hour.

" '3. Every bill and joint resolution having been read twice and referred to a committee, shall, upon being reported by the committee, immediately be placed on the Calendar. Every bill and joint resolution originating in a committee shall, upon being reported by the committee, be read twice and then placed on the Calendar.

" '4. The Secretary of the Senate shall examine all bills, amendments, and joint resolutions before they go out of the possession of the Senate and shall examine all bills and joint resolutions which shall have passed both Houses to see that the same are correctly enrolled, and, when signed by the Speaker of the House and the President of the Senate, shall forthwith present the same, when they shall have originated in the Senate, to the President of the United States and report the fact and the date of such presentation to the Senate.

" '5. All resolutions shall lie over one calendar day for consideration, unless the Senate shall by majority vote otherwise direct.' "

Mr. CLARK. Mr. President, I yield myself so much time as I may require.

This amendment extensively rewrites existing rule XIV, both to clarify its operation and to reduce the potential for disruption of normal legislative procedures by the objection of a single Senator. The provision which permits any Senator to prevent a bill from being referred to a committee, and have it placed directly on the calendar after the second reading, would be eliminated by this amendment.

In my judgment, this privilege now given to a single Senator is both unwise and unnecessary, and has, in the recent past, been taken advantage of in order to bypass the normal committee consideration of bills. In fact, it has been done by the leadership, in order to prevent civil rights bills from going to the graveyard of the Judiciary Committee. I have never objected to that; but I would favor a more orderly procedure, such as requiring the bill to be referred to committee, and then to attach a rider to the reference which would direct the committee to report the bill back on a day certain—perhaps 30 days, perhaps 60 days thereafter—and to hold hearings and to make a report.

Under the present procedure, the Senate takes up a bill and, in some instances, passes it, as was done with several civil rights bills in the recent past, without having the benefit of hearings or the benefit of the thinking of the members of a committee. This has been justified, in the past, by reliance on the hearings held in the House. It has often been justified also by the suggestion that adequate hearings would never be obtained in the committee to which the bill would be referred because the committee's composition was such that the committee was, by a substantial majority, opposed to the legislation.

This proposal would permit the bypassing of a committee on motion by a majority of the Senate, after 1 hour of debate equally divided between opponents and proponents. Thus the bill could be placed on the calendar without reference to the committee if a majority of the Senate, after rather short debate, decided to do so, and one Senator would no longer have this privilege.

To me, this is a clearly desirable amendment to the present rules. I note also that the section permitting any Senator to force a postponement of the introduction of any bill or resolution for 1 day has also been eliminated. I have never been able to see why one Senator should be able to prevent another Senator from introducing a bill, even though the delay is only 24 hours. I have never heard any justification for this rather weird practice. Perhaps the Senator from Oklahoma can enlighten me.

Of course, a bill should, in due course, lie over 1 calendar day before it is brought up for discussion, unless the Senate, by a majority vote, should otherwise determine, as is sometimes necessary, at the very end of a session when there is not much time to legislate, and a particular measure has strong if not unanimous support from both sides of the aisle.

Mr. President, I am again willing to yield back the remainder of my time, noting once more that the majority is constantly reducing, I have no doubt, as a result of my strong and sometimes impassioned and logical arguments, which result in Senators leaving the floor, rather than remaining to vote against amendments which I am sure they must feel are just and highly desirable.

Mr. MONRONEY. Mr. President, without delaying the Senate unduly, I again call the attention of the Senate to the fact that this is an amendment which deals with floor procedures. It is a subject which was denied in our jurisdiction in the charter creating our committees. We therefore cannot accept the amendment and must oppose it.

I do hope that at some future time we can see the number of proposals made by the distinguished Senator from Pennsylvania, and that the Committee on Rules and Administration, of which the Senator from Pennsylvania is a member, will be able to take up these amendments and hear the distinguished Senator and his very able and accomplished arguments with relation to them. I am certain that the Senator could accomplish much.

We have certainly had adequate hearings on the pending bill which, because of our jurisdiction, required 18 months. If we had considered the other matters, it would have required 36 months to get completely through and make a report which would be justified by the testimony that would be presented to us.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment was rejected.

AMENDMENT NO. 21

Mr. CLARK. Mr. President, I call up my amendment No. 21 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"Sec. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"STANDING RULES OF THE SENATE

"SEC. 123. The first paragraph of rule XII of the Standing Rules of the Senate (relating to voting) is amended to read as follows:

" '1. A demand for the yeas and nays, when seconded by eleven Senators, shall be sufficient to require a rollcall vote. When the yeas and nays are ordered, the names of Senators shall be called alphabetically; and each Senator shall, without debate, declare his assent or dissent to the question unless excused by the Senate. Senators entering the Chamber after their names have been called may obtain recognition from the Presiding Officer and have their votes recorded prior to the announcement of the vote; but no Senator shall be permitted to vote after the decision shall have been announced by the Presiding Officer, except that a Senator may for sufficient reasons, with unanimous consent, change or withdraw his vote. No motion to suspend this rule shall be in order, nor shall the Presiding Officer entertain any request to suspend it by unanimous consent.' "

Mr. CLARK. Mr. President, the pending amendment would amend rule XII of the Senate so as to make explicit what is presently implicit under our manners, procedures, and customs.

The amendment makes two additional existing rules changes, both for the purpose of codifying existing practices.

The first is that a demand for the yeas and nays, when seconded by 11 Senators, shall be sufficient to require a rollcall vote.

Under our practices, there are occasions when 11 Senators is not a sufficient second. These conditions arise by the application of the new mathematics to the vote which was last taken by the Senate. If that vote is a heavy one, with most Senators present, there are certain occasions when if one wants the yeas and nays on the next vote, he has to have more than 11 Senators present in order to have the yeas and nays granted.

It is true that sometimes we slip that by the Parliamentarian and get the yeas and nays without the point of order being raised that there are not enough Senators on the floor to grant the yeas and nays.

Actually, though, this rule does not so propose. I suggest that it would be a wise change to permit the yeas and nays on any vote merely at the request of one Senator, because the practice has grown up, particularly in recent years, that if a Senator wants the yeas and nays and there are not 11 Senators present on the floor, or there are more than 11 Senators present on the floor but not enough of them are willing to grant the yeas and nays and permit his request to be granted, he suggests the absence of a quorum. The clerk then calls the roll, and sooner or later enough Senators show up to grant him the yeas and nays.

The present situation in the Senate is a good case in point. I do not happen to want the yeas and nays on this amendment. However, if I did, in order to comply with the rules I would have to suggest the absence of a quorum. The clerk would then call the roll, and eventually when 11 Senators had scurried over here from work they were doing, I would ask unanimous consent for the quorum call to be rescinded and then ask for the yeas and nays.

If the Senators that had come over here were in sufficiently good humor they would grant it and, if not, we would have another quorum call and in the end we would get the yeas and nays.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. HOLLAND. I note that the Constitution, in article I, deals with this subject in the following words:

> And the Yeas and Nays of the Members of either House on any question shall, at the Desire of one-fifth of those present, be entered on the Journal.

Mr. CLARK. The Senator is correct.

Mr. HOLLAND. Does the amendment offered to the rules by the Senator from Pennsylvania recognize the existence and operation of that constitutional provision?

Mr. CLARK. No, because I think it has been widely ignored and actually does not have the interpretation which the Senator would put on it.

As the Senator read that rule, it would require the presence of 20 Senators to get the yeas and nays. However, actually it only requires 11, except in one or two instances, as I pointed out, when we invoke the new mathematics and then need a slightly higher number.

The Senator has been here much longer than I have. However, I am sure he would recognize the almost invariable custom of granting the yeas and nays when there is hardly more than one-tenth of the Senate present when the request is made—that is, 11 out of 100.

The provision the Senator has read has to do with entering the yeas and nays in the Journal. Of course, the yeas and nays that we look to are usually in the RECORD and not in the Journal. I do not happen to know what the Journal Clerk does, but I would hazard the guess that he enters the yeas and nays most of the time even though not asked to do so.

Mr. HOLLAND. I understand that the 11 Senators that may be relied on is calculated on the smallest number of Senators that can constitute a quorum of the Senate.

Mr. CLARK. The Senator is correct.

Mr. HOLLAND. If a quorum call has been had shortly before and there are 80 Senators present, that number is the basis upon which the one-fifth is computed and under those conditions the presence of 16 Senators is required.

I have frequently seen the Parliamentarian or the Presiding Officer, or both, count the Senators to determine whether the constitutional rule is observed.

I call attention to this because it seems to me that the proposed change in the rule suggested by the distinguished Senator does not recognize the constitutional rule or propose to enforce it.

Mr. CLARK. All I can say is that as long as I have been here, with very rare exceptions, that constitutional point has been waived.

We are in the rather ridiculous situation, I think, when 11 Senators—which is more than 20 percent of a quorum—are permitted to grant the yeas and nays, even though there had been a vote a little earlier and there had been 80 Senators present. If somebody raised the question of the requirement which the Senator from Florida suggested, I have no doubt that the proceedings of the Senate would be delayed long enough to get the requisite number of Senators over here. To me the present rule is pretty silly. The constitutional provision is ignored as often as it is followed.

I believe, therefore, that my amendment would be a useful change in a practice which does not have much logic to support it.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. CLARK. I yield.

Mr. ERVIN. Does not the recollection of the Senator from Pennsylvania coincide with the recollection of the Senator from North Carolina, that on many occasions during the last few years where there has been a unanimous-consent request made, we have had the yeas and nays and the Chair has ruled that that would not be in order under the constitutional provisions?

Mr. CLARK. The Senator is correct.

Mr. President, I am prepared to yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I regret that we cannot accept or support the amendment of the distinguished senior Senator from Pennsylvania, for the reasons given on previous occasions, that this is strictly an amendment dealing with floor rules and one that is beyond the jurisdiction of our committee. Therefore, we do not believe that we are permitted to accept it or are justified in accepting or supporting it here.

I believe that the action of the Presiding Officers and the Members of the Senate in granting rollcall votes, where they have been demanded by the authors of the amendments or by others interested, has justified the fact that there is no great need for the amendment at this time. If there should be a need for such an amendment, it should be taken up in orderly procedure, before the Committee on Rules and Administration, whose duty, I hope, would be to come to grips with some of the amendments to the Senate rules which have been so ably presented by the distinguished senior Senator from Pennsylvania.

I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment was rejected.

Mr. CLARK. Mr. President, I think the RECORD should note that the majority is increasing against me. This vote was 7 to 1. Since I am concerned that as I continue, the majority might be even more, I should like the attention of the Senator from Oklahoma.

Action on the amendments which I was willing to have disposed of by voice vote has been completed. I will say, for the benefit of the Senator from Oklahoma and perhaps the readers of the RECORD tomorrow, that I have seven more amendments. My present intention is to ask for rollcall votes on all of them.

I believe that the Senator from Oklahoma will join me in the view that 5 o'clock in the afternoon is not a good time to attempt to get a rollcall vote.

Mr. MONRONEY. I had hoped that the Senator did not wish a rollcall vote upon some amendments in the list, and that we could perhaps move on to any of those and take up tomorrow those on which he did wish a rollcall vote.

I am aware that the Senator has already announced that he desires rollcall votes on two amendments; and in connection with the others, I had hope that we could go ahead on a voice vote. If the Senator desires a record vote, it would perhaps be wise not to attempt that this late in the day.

Mr. CLARK. As the Senator knows, I have attempted to cooperate with him.

Mr. MONRONEY. The Senator has been very cooperative, and the Senator from Oklahoma has attempted to be cooperative with the senior Senator from Pennsylvania. This is a difficult situation. It is easy to offer amendments to a report that involves a hundred or so various reforms, and it is difficult to attain any degree of unanimity among the 100 Senators who must be bound by them and must observe them. For that reason, our task in considering these amendments is most difficult.

Mr. CLARK. The Senator will agree that the Senator from Pennsylvania has not filed a single amendment in addition to the ones he originally filed.

Mr. MONRONEY. The Senator has all the amendments that he has worked so hard upon and has acquired a vast knowledge regarding them, and he has been cooperative to a great degree in calling them up. We regret that we have not moved faster and farther. While I regret that we cannot take up some other amendments tonight, I can understand the feeling of the distinguished senior Senator from Pennsylvania, who would wish a rollcall vote upon them, that it might be futile or unfair to Senators who have gone to other appointments or other duties, with the understanding that seemed to exist in the Chamber that there would not be any rollcall votes on the amendments brought up today.

Mr. CLARK. I say to the Senator from Oklahoma that I have attempted to eliminate rollcall votes on a number of these amendments, and as to some of the amendments that I have brought up this afternoon, I had originally intended to ask for rollcall votes. However, because the Senator from Oklahoma, quite properly, was anxious to get ahead with this bill, I gave him the benefit of the doubt on several of the amendments that we have disposed of.

I should like to read into the RECORD the numbers of the seven amendments which are still pending, so that Senators may be aware of this fact tomorrow. On these seven, my present intention is to ask for rollcall votes as soon as they can be brought to issue.

I say to the Senator from Oklahoma—although I hope I am wrong—that we may not be able to get unanimous-consent agreements on limiting time on all seven. I hope we can.

The amendments on which I would want rollcall votes are Nos. 12, 13, 22, 23, 28, 30, and 31.

In addition to the amendments which deal with the Bobby Baker case, there are amendments which deal with the question of germaneness of debate and of amendments. There are some amendments which I am confident will not meet with the approval of Senators from that section of the country which has historically been opposed to civil rights legislation.

Mr. MONRONEY. Could the distinguished senior Senator from Pennsylvania advise the Senate and the committee which amendments he would expect to have votes on at the earlier hours tomorrow?

Mr. CLARK. My present intention would be to bring up the two Bobby Baker amendments as soon as we can get to them tomorrow.

Mr. MONRONEY. That will be fine. I believe that the debate will be limited to 1 hour to an amendment.

Mr. CLARK. Did we get unanimous consent for those two amendments? I do not recall.

Mr. MONRONEY. I thought we had unanimous consent as to all amendments except those dealing with floor procedure. On the amendment we took up the other day, we were able to get unanimous consent to go beyond.

Mr. CLARK. I believe that the Senator is correct.

Mr. MONRONEY. If no other Senators in the Chamber have amendments to offer to the bill today——

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. HOLLAND. I am looking now at all Senators, not just one. I believe that the longer delay we encounter in consideration of this bill, the greater becomes the movement to recommit it. I have been attempting to help on this bill as best I could; not for all of it, but there is much of it that I am in favor of. I would hope that we could have a vote on this bill on its merits before too long, because I believe that this prolonged delay and prolonged debate will simply mean that the recommittal of the bill will become more certain, and that I do not wish to see.

I make that comment because I believe that all Senators who have amendments, particularly if they favor the bill, should examine the situation from that standpoint, which I believe to be correct.

Mr. MONRONEY. I agree with the distinguished senior Senator from Florida. We have had a cascading number of amendments each day. Some Senators have given much thought and study to proposals, and they have testified on matters in which they are interested. The committee has considered these matters.

I should like to see later sessions, and I should like to see the Senate meet earlier in the day, in order to complete this matter. When we come in each day, some Senators wish to take up some matter of great interest to them, and we have been attempting to accommodate them, particularly since we are trapped, in a way, in not having any amendments to offer to our own bill, because we support it as it was reported.

Most Senators who have strongly supported reorganization along the lines that the committee is recommending have not had amendments.

The distinguished senior Senator from Pennsylvania has had many amendments. He has written a book on Congress. He has been critical in his comments and in his writings and in his speeches. We feel that he is entitled to present his amendments to the Senate, as he has done, and we in turn attempt to rebut them.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CLARK. If the Senator does not mind a commercial, I should like the Record to show that I also wrote a book called "The Senate Establishment," and edited another book called "Readings in Congressional Reform."

I regret to state that none of those books made me rich. However, they have been widely disseminated in universities and elsewhere. I hope that the Senator will pardon that self-serving declaration.

Mr. MONRONEY. I am happy to have the correct titles. I did not have them. They have received a great deal of attention in connection with the organization of both the House of Representatives and the Senate.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CLARK. I wonder if the Senator knows how many amendments, other than mine, are pending at the desk. If the Senator does not know, the bill clerk can advise us.

Mr. MONRONEY. Mr. President, will the bill clerk advise the Senate as to the number of pending amendments?

Mr. CLARK. Perhaps he could tell us how many Senators have amendments pending.

Mr. MONRONEY. Mr. President, will the clerk advise us as to the number of Senators who have amendments?

Mr. CLARK. I wonder if we could get an agreement by unanimous consent to dispose of them as expeditiously as we have disposed of my amendments this afternoon. I suggest that perhaps the Senator may want to confer overnight with those Senators in connection with expediting the matter.

I agree with the Senator from Florida [Mr. Holland] that I, too, shall vote for this bill, although it does not go as far as it should.

The Senate is going to recess for the Lincoln Birthday holiday next Thursday. I had hoped that we could conclude consideration of the bill by then. As far as my amendments are concerned that could be done. I do not know about the amendments of other Senators.

Mr. MONRONEY. I believe that would be a physical impossibility if the debate on the other amendments runs as long as it has on the amendments of the distinguished Senator from Pennsylvania. We are now in the third week, and I see little chance of finishing up in 3 days. This is my belief, even though some of the amendments come from friends of the bill. They are setting a time fuse that could destroy whatever efforts we might have had to get an effective reorganization. No one can suit all Senators. We had a bill, as it came from the committee, which would have gotten the substantial majority of the 100 Senators.

I would be happy to continue this evening until 6 o'clock or 6:30 and finish the amendments of the distinguished Senator from Pennsylvania, except the two which he gave notice he was going to bring up tomorrow. But I realize the exigencies of the situation. I shall now turn the floor over to those who have business, and I shall proceed at the conclusion of the morning hour tomorrow.

The PRESIDING OFFICER. The Chair advises the Senate that 40 amendments are pending, plus seven amendments of the Senator from Pennsylvania [Mr. Clark].

Mr. CLARK. Mr. President, will the Chair advise us how many Senators have filed amendments?

The PRESIDING OFFICER. The Chair will ascertain that information.

Mr. CLARK. I suggest that by unanimous consent the information can be printed in the Congressional Record at this point when the number is ascertained.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The PRESIDING OFFICER subsequently determined that the amendments of 11 Senators were pending, including amendments of the Senator from Pennsylvania [Mr. Clark]).

STEPHEN AND AUDREY CURRIER

Mr. PELL. Mr. President, I am deeply grieved that Stephen Currier and his wife Audrey suffered an airplane accident in the Caribbean and are presumed lost.

The Curriers made great contributions to many causes for the good of mankind in the past years: improvement of racial relations, support of human rights, aid to education, and bettering the caliber of our local, State, and National Government. In such efforts, Steve Currier played a strong role. He and his wife were truly remarkable people: they possessed great education and the means to enjoy their leisure, but their mainspring was a continuing drive to give to the welfare of their fellow man.

Theirs is indeed a great loss and I am sorely saddened by it.

WEST VIRGINIA PROGRESS REPORT

Mr. BYRD of West Virginia. Mr. President, having directed the attention of the Senate on numerous occasions to economic problems of West Virginia, it gives me a special sense of pride to be able to present a report of encouraging progress being made toward solving the economic difficulties within my State.

The Sunday Gazette-Mail, Charleston, W. Va., presented a comprehensive report on January 29, 1967, in the form of its 13th annual progress edition, covering agriculture, coal, construction, industry, highways, power, retailing, transportation and related subjects. I have made selections from this edition which I wish to have included in the Congressional Record.

I ask unanimous consent that these newspaper articles be printed in the Record at this point.

There being no objection, the articles were ordered to be printed in the Record, as follows:

MONONGAHELA POWER PLANS $28.6 MILLION FOR BUILDING

The largest annual construction budget in Monongahela Power Company's history, brought about by an ever-growing demand for electricity, will exceed $28,600,000 for 1967.

Donald M. Kammert, president of Monongahela Power, pointed out that construction of the giant Fort Martin generating station on the Monongahela River north of Morgantown and its related extra-high-voltage transmission network will account for $15 million of this record amount. Also included is another $2,600,000 for Monongahela's share of the recently-announced Hatfield's ferry Station, a jointly-owned project being built by Allegheny Power System.

However, aside from the construction of the new power stations and related facilities, the 1967 budget for the expansion and strengthening of the company's regular transmission and distribution system and the building of needed new facilities will amount to nearly $11 million.

Ground for Fort Martin Station was broken in 1964. Since then there has been a steady growth in system expenditures for construction. In 1962 the amount exceeded $8 million. It was $9,425,000 in 1963; $10,605,000 in 1964; $15,540,000 in 1965 and over $23 million in 1966.

Kammert pointed out that additional amounts for new power generation facilities will continue to be part of Monongahela's annual expenditures for some time to come. The first, 540,000 kw unit of Fort Martin will be completed this spring, he said, and construction on the second unit will continue through most of 1968. Along with this will be increasing expenditures through 1971 for the Hatfield Station.

In the 1967 budget nearly $6 million is earmarked for new Extra High Voltage (500,000 volts) lines and other major transmission facilities within the Monongahela service area. There EHV networks will tie Monongahela's generation facilities into a grid that will enable power to be transported economically, via wire, from West Virginia to the metropolitan areas of the east.

Kammert said that the demand for electricity has been increasing from six to eight percent every year. In order to assure delivery of this increased production and to serve new industries and new customers, the company's transmission and distribution system needs to be kept continually ahead of the demand. During 1967 this work will include

$1,200,000 for improvements and extension of existing transmission lines; $2,100,000 for new and remodeled substations; and about $5 million for new and remodeled distribution facilities.

Kammert pointed out that when this $8,300,000 is spent on new and remodeled transmission, distribution and substation facilities, a major emphasis will be on "beautility"—beauty in utility.

Major projects, other than transmission and distribution facilities that are being programmed for 1967, include completion and certain preliminary costs on new district and division complexes.

In announcing the 1967 construction budget, Kammert pointed out that he expects the final figures for 1966 on kilowatt-hour sales to be up some eight percent over 1965.

This, Kammert said, reflects to some extent a response by the public to Monongahela's record rate cut of January 1, 1966. The reduction put into effect on that date amounted to $2,200,000 during 1966.

Research—Scientific Programs Now Underway To Explore New Uses of Resources

(By Wyatt M. Rogers, Jr., program manager, science technology unit, department of commerce)

West Virginia's scientific resources in industry, government, and higher education made numerous contributions to the State and national economies during the year 1966. Research facilities were expanded and many new research and development programs in several scientific fields were undertaken.

These efforts resulted in a host of new products and new techniques which are helping create new markets, new jobs, and increased profits for business and industry.

For the most part, research programs in the Mountain State historically have been oriented to the State's vast natural resources (coal, petroleum, natural gas, and other minerals). While activities in these fields are being accelerated, research efforts have been considerably broadened and now include such areas as nuclear science, electronics, aerospace technology, bio-medicine, wood technology, and materials science. In the fields of radio astronomy, coal research, irradiated wood-plastics composites, metals, and chemicals, West Virginia is a scientific leader among the states.

The National Radio Astronomy Observatory at Green Bank, West Virginia, one of the world's leading centers for extra-terrestrial research, made important discoveries in 1966 including the location and description of several previously unknown celestial bodies.

New applications and markets for bituminous coal are under study and development at West Virginia University's Coal Research Bureau and the U.S. Office of Coal Research Laboratory in Morgantown. In addition, a new pilot plant for the experimental conversion of coal to gasoline was begun in the early sixties. This project, to be operated by Consolidation Company for the U.S. Office of Coal Research, holds potential for developing greatly expanded markets for coal. It may also prove to be the basis for developing a petroleum industry complex in coal-producing regions.

West Virginia University has stepped up its research and development in irradiated wood-plastics materials. This innovation, which was hailed as one of the world's ten outstanding advances in 1964, is receiving considerable attention throughout the nation. WVU's budget for this project reached its peak in 1966 and plans call for one or two more years of additional development.

Research in forest products was accelerated with the completion of WVU's Forestry Laboratory and the expansion of staff and facilities at the Northeastern Forest Experiment Station at Morgantown and the U.S. Forest Products Laboratory at Princeton.

Advancements in chemical technology continue to be a major part of West Virginia's scientific efforts. A constant stream of new chemicals, resins, fibres, and other products continue to flow from the extensive research laboratories of Union Carbide's Technical Center in South Charleston and from other firms such as PPG Chemicals, Monsanto, Mobay, E. I. du Pont, Marbon, and Holland-Suco. One of Union Carbide's new products, "Sureel," is a man-made fibre that has received wide acclaim for its unique properties as a material in men's hats.

West Virginia University's Medical Center is playing an important role in such fields as cancer research, respiratory and communicable diseases. A regional Environmental Health Center of the U.S. Public Health Service is under construction in Morgantown. This facility will conduct research in environmental pollution and respiratory ailments.

The state's three technological institutions—West Virginia University, Marshall University, and West Virginia Institute of Technology—continue their contributions to scientific progress by educating a record number of students and by significantly expanding their research activities. Several laboratories including the Medical Center, Coal Research Bureau, Petroleum Research Laboratory, Nuclear Laboratories, Forestry Center, Engineering Experiment Station, and agricultural laboratories are located at West Virginia University. Marshall University's chemistry research laboratories and new computer center are well-equipped for research and experimentation. West Virginia Institute of Technology has recently expanded its research facilities through the addition of a computer installation and nuclear equipment.

The pay-off of research is, of course, in its profitable application in business, commerce, and industry. Evidence that West Virginia industries are taking advantage of technological innovations is shown in a recent survey conducted by the Department of Commerce concerning nuclear utilization. As of mid-1966, approximately 44 State firms were licensed by the Atomic Energy Commission to use radioactive isotopes in a wide variety of processing operations. This compares with a total of seven (7) industrial licensees in 1962. In addition, about 1,150 different clinics, hospitals, and research laboratories are using various forms of ionizing radiation.

Efforts to accelerate effective application of new technology are being undertaken by the state's development agency, the Department of Commerce. Its science and technology unit initiated a technical services program during the year to assist business and industry in keeping pace with scientific advances.

West Virginia's scientific and technical resources experienced growth and diversification during 1966. Recent trends point to greater expenditures for research, higher education, and advanced production equipment in the State's academic institutions and industries.

Fort Martin Units Start in May

Morgantown.—The first 540,000-kilowatt unit of the Fort Martin Plant, now under construction on the Monongahela River between Morgantown and Point Marion, Pa., is scheduled to go into operation in May, 1967, according to press reports.

The unit is jointly owned by Allegheny Power System and Duquesne Light Co.; the second unit, scheduled for operation in February, 1969, will be wholly owned by APS. The plant is to be operated by Monongahela Power Co. Coal handling facilities are about complete, and the coal storage silos are expected to be finished next month when coal shipments will begin to arrive by barge.

Although the 550-foot stack for the second unit is virtually complete and work is in progress on the 370-foot cooling tower, major construction contracts for the second unit are expected to be awarded soon. In full operation, both units are expected to burn about 3 million tons of coal per year, 85 per cent of which will be supplied by Christopher Coal Co., a subsidiary of Consolidation Coal Co., under a long-term contract.

More Power—Appalachian Slates $200 Million Plant; Giant Transmission Loop Cost About Same

Appalachian Power Co. will remember 1966—its 40th anniversary year—as one of the most significant in its history:

Two milestones announced during the year make it stand out in the company's history. One was the announcement in mid-December of the largest coal-burning, steam-electric generating plant the company has ever built. The 1.6 million kilowatt plant will be constructed near Moundsville.

The other event was the announcement, in mid-year that Appalachian and its parent, American Electric Power Co., would build the highest voltage transmission line in the world, a portion of which will be located in West Virginia.

Construction will begin on both facilities in 1967, and represent a major expansion for the company in the future.

The power plant, which will consume 4.4 million tons of coal annually, will cost $200 million. The coal will be delivered to the plant via belt conveyor from adjacent mines of Consolidation Coal Co.

The new line will run some 1,050 miles, establishing a giant electric power "loop" extending from Indiana on the West to West Virginia in the east, with an extension running into Virginia. The project will cost an estimated $200 million.

Both these projects, and others Appalachian has under construction or in planning, will provide reliable and abundant electric service to a growing region, according to J. C. Hansbarger, Charleston division manager. "The demand for electricity continues to grow rapidly, and we plan to have the electricity there when people want it."

He went on: "This is part of a continuing strengthening of the economy everywhere. In West Virginia, for example, the state is enjoying a record per capita income, and the employment rate is the highest in a decade."

Economic growth is also shown by the number of new industries which have located in the state, and the number of existing ones which have expanded.

In Appalachian's southern West Virginia service area, 25 new industries either announced or began new plants, and 17 existing industries expanded. Appalachian's area development department, in cooperation with local and state agencies, worked with many of these industries.

Sales of electricity continued good in 1966, according to Hansbarger. "We now have more than 22,700 customers heating their homes electrically, and our residential customers are averaging 5,278 kilowatts each annually. This is an increase of 381 kilowatt-hours each over last year."

Hansbarger said this use of electricity bodes well for West Virginia's coal economy, "since Appalachian is the state's biggest coal customer and electricity is coal . . . coal by wire."

He said that Appalachian foresees a good sales year in 1967, "and not the least of the reasons is our latest rate reduction." Effective Nov. 1, 1966, the reduction brings the total reductions in rates made by Appalachian to its customers in West Virginia and Virginia since 1960 to more than $6,880,000.

Hansbarger also reviewed some other 1966 events. One was the continuing construction of a major 345,000-volt line from the company's Philip Sporn Plant at New Haven to the new Tri-State substation near Huntington. This line will be completed in early 1967. The company also completed a number of other lines and substations in its Charleston, Huntington, Logan-Williamson and Bluefield divisions during the year.

Also in 1966, Appalachian continued plans and investigations toward building its proposed Blue Ridge Pumped Storage and Hydro-electric Development on New River in Grayson County, Va. The company has applied to the Federal Power Commission for a license to construct the project.

Although located in the state of Virginia, the two-dam, two-lake project will have an effect on the entire New-Kanawha River downstream from the dams.

"With the successful acquisition of this license, and the launching of our other projects, we look for 1967 to be one of the biggest years in our history," Hansbarger concluded.

Combined C&O, B&O Servicing 211 Mines

There are 211 mines on the combined routes of the affiliated Chesapeake and Ohio-Baltimore and Ohio railroads presently rated for coal loading.

These mines have a capacity of more than 330,000 tons per day.

The total production in West Virginia on the C&O/B&O in 1966 was about 70 million tons, somewhat in excess of the 1965 total.

Twenty-two new extensions or tracks for coal operations were built or under construction in 1966, the cost of these being about $5,400,000. The expected production from these new mines is over seven million tons per year.

In addition to the extensions for individual mines, two classification yards were extended to add 550 cars to the existing yard capacity. These extensions were made necessary because of the increased coal activity.

Concord Center Sees Area Growth

(By William F. Stolte, Director, Concord College Center for Economic Action)

ATHENS.—The tempo of economic activity in the most southerly portion of West Virginia continued to increase in 1966 and a number of significant developments were reported.

Additional private investment in coal mining and manufacturing along with investments by federal, state, and local governments in recreation areas, roads, and airports attracted the most attention. Together, these investments should provide the impetus for a higher rate of expansion in 1967.

As in any single year, the actual economic gains during 1966 were scattered and varied. The Bluefield-Princeton, Beckley, and Ronceverte-Lewisburg-White Sulphur Springs areas were the three strongest. Fayette County, primarily due to the extended labor difficulties at Carbide's Metals plant at Alloy, showed some temporary declines, but other recent developments offer the potential for future growth.

Bituminous coal mining continues to dominate economic development in Mingo, Logan, Wyoming, and McDowell Counties, where the industry provides employment for about one-third of the total work force.

Coal production increased by some 2.8 per cent during the year. Announcements of the establishment of several new 5,000 ton per day operations should permit the industry to maintain expansions in production and employment; these came from many of the larger operators, including Eastern Associated and Consolidation Coal.

They included new facilities at Big Creek in Mingo County, Capels in McDowell County, Herndon in Wyoming County, and Stotesburg in Raleigh County. Some new coal operations in adjacent Kentucky also assisted expansion in the Mingo County area.

Reopening of Mingo County's woodworking firm at Varney, by the Smith-Turner Wood Products Co., furthered the growth of that area's wood-using industry.

Among the more significant investments in manufacturing facilities was the September opening of The Dean Company's $1 million hardwood veneer plant in Princeton. Expanded employment at North American Aviation, establishment of the Carmet Company's Bluefield, Va., plant, and other expansions also contributed to an increase in manufacturing employment in the Mercer County labor market area. Wholesale and retail trade, the area's largest employment category, also expanded.

Summers County prepared to experience its first significant increase in manufacturing employment in over a decade, with construction of the $350,000 Pence Springs Manufacturing Co. When the plant is in full production it will employ about 150 women.

Adjacent Greenbrier County also showed increased strength in manufacturing, in part, a result of an expansion by the Bendix Corp., in Ronceverte. Again, neighboring Virginia contributed to this growth by the expansion of operations at West Virginia Pulp and Paper and Hercules Powder Company's plants at Covington.

Among southern West Virginia's most significant developments in 1966 were the federal, state, and local expenditures for recreation projects. Construction was started on the Hawks Nest, Twin Falls, and Pipestem State Park projects which will offer virtually every possible type of accommodation and activity. Upon completion, the total investment in these three projects will be some $15 million of state and federal funds.

Raleigh County's extensive Stephens Lake Recreation Area, comprising 2,500 acres and built for $2.2 million, was opened last May. Other public and private facilities were also expanded, and approval was received for the eventual development of the $70 million Bailey Reservoir at Justice in Wyoming County.

Among private investments in the travel industry, was the beginning of construction on a 100-unit, million dollar Holiday Inn in Princeton. Hinton and Beckley also added to their motel accommodations, and the 22 per cent increase in paid attendance at "Honey in the Rock" made 1966 its first financially successful season.

Three separate sections of the region received approval for the construction of new airport facilities. Announcement came late in the year on the approval of the $1.5 million Mingo County Airport. Earlier, construction was started on the extensive $2 million Greenbrier County Airport north of Lewisburg, and the more limited Wyoming County Airport near Pineville.

The past year marked the completion of the region's first stretch of interstate highway. Interstate 64, reaching 8.5 miles east from the Virginia line near White Sulphur Springs, was opened in December. A 2.3 mile section of the area's other proposed interstate route, I–77, was begun near Princeton. Announcements of contract letting of an additional 3.8 mile segment of I–77 and an additional portion of I–64 offer promise of more improved highways for the region.

The effect of a somewhat expanded work force and increased personal income resulted in a significant expansion in retail sales. Year-end increases in excess of 10 per cent and a higher level of retail Christmas sales were reported by more than six chamber of commerce offices. With the exception of the Oak Hill-Montgomery area and some smaller communities, 1966 was undoubtedly a record year for retail merchants. Numerous store modernizations and some new store construction confirmed this fact.

All of these developments indicate that southern West Virginia is broadening its economic base. However, the region's unemployment rate is still higher than the state and the national average. Evidence of the difficulty is contained in reports on the region's six labor market areas from the West Virginia Department of Employment Security.

These reports showed a small increase in total employment was offset by a greater expansion in the work force for the 12-month period ending in October 1966. Total unemployment in the six labor market areas consequently increased from 7.6 per cent in October 1965 to 8.3 per cent in October 1966. The largest gain in jobs came through an increase in federal, state and local government employment. Total manufacturing employment showed a decline, partially attributable to the prolonged strike at Carbide Metals.

The only locale to show a decline in the number of unemployed workers was Bluefield-Princeton where the rate fell from 6.2 to 5.3 per cent in the 12-month period. Both this and the Greenbrier County area each posted gains of approximately 15 per cent in manufacturing employment.

The relatively high rate of federal, state, private and local investments in southern West Virginia during 1966 should have a significant effect on the region's growth during 1967. Further investment in mining can be expected to maintain or provide for a limited expansion in employment in this sector.

Manufacturing employment can be expected to increase; in some instances this increase could be substantial, if some pending government contracts are awarded to southern West Virginia producers, or if some pending new industrial locations are consummated.

Completion of recreation facilities at Hawks Nest and a portion of the Pipestem and Twin Falls developments will aid in the further growth of the travel industry and spur some additional private investments. Likewise, these completions along with new health facilities, airports, roads, and schools will enhance the area's attractiveness to new industry. Unless the national economy makes a sharp turn, 1967 should be a year of more rapid development in southern West Virginia, and its gains in total employment should exceed those of 1966.

Steel Cans—Weirton Galvanizing Line Opens; New Mill Has Two 300-Ton Units

WEIRTON.—Development of a new metal canmaking material start-up of a new continuous galvanizing line, and continued construction on what will be the world's most modern steel mill were among the major advances by Weirton Steel Division of National Steel Corporation in 1966.

"Stainless Weirechrome" became part of the lexicon of Weirton Steel's 12,500 employees when National announced a breakthrough in metal canmaking material after intensive experimentation on the lines at Weirton.

The new product consists of a lower-priced material, which offers a brilliant stainless surface and superior corrosion resistance. It is steel strip coated electrolytically with an extremely thin film of metallic chromium. Described as the finest tin-free steel packaging material available today, it will probably be used first commercially in beer and carbonated beverage cans, but will be useful in a wide variety of packaging applications.

For several years, steelmakers have been working to cut down their dependence on tin because it has been in short supply and its price has fluctuated over a very broad range. Chromium has been under wide investigation as a coating material to replace tin. "Stainless Weirchrome" is the first to offer a metallic chrome surface, as opposed to a steel with a chrome oxide surface.

Weirton Steel's new continuous galvanizing line incorporates the latest technological improvements and is the division's fifth such galvanizing line. It is 1,200 feet long and will coat coils of steel up to 48 inches wide and weighing 60,000 pounds.

Speed of the line is 450 feet a minute through the coating section, which is made possible by a recent coating control device developed at Weirton Steel and patented by National Steel. On it is produced a hot-dipped, zinc-coated steel—called Weirkote—which is highly rust resistant and in addition to the conventional uses of galvanize in the construction industry, it is also used in auto and truck bodies, culvert stock, appliances and containers.

Construction continued on Weirton Steel's "Mill of the Future." This huge, new facility will feature two 300-ton basic oxygen furnaces, vacuum degassing, and large-scale continuous casting of slabs. The latest anti-pollution devices will be a part of the new mill. Bechtel Corporation of San Francisco is the general contractor.

Looking ahead to 1967, Charles G. Tournay, president of Weirton Steel, said predictions for continued advances in steel production are tempered by the threat of increased taxes which would tend to discourage further major capital improvement projects. And the "problem" of steel imports has become critical not only for the domestic steel industry but for the nation as well.

Tournay added, however, that "the demand for Weirton Steel products should continue at about the same level in 1967 as it has in 1966." He said the outlook is for the container market to continue strong, the automotive market to continue at a good rate, and the gross national product to continue to advance.

"These factors," he said, "indicate that 1967 should be another good year for Weirton Steel and its employees."

Reflecting the philosophy that industry and State government working together can solve many of West Virginia's economic problems, the 32nd annual meeting and banquet of the Weirton Chamber of Commerce on January 18, 1967 at the Millsop Community Center had the theme "Weirton and West Virginia—Partners for Progress."

PASSENGER TRAFFIC OF UNITED UP 4.4 PERCENT AT KANAWHA AIRPORT

United Air Lines' passenger traffic at Kanawha County Airport increased 4.4 per cent in 1966. The figure would have been substantially higher but for the 43-day halt of service in July and August.

G. W. Jackson, United's sales manager in Charleston, estimated 1966 local boardings at 64,900 passengers, compared with 62,184 passengers who left Charleston via United in 1965.

The effects of the summer strike were more sharply evident in air freight volumes, with a 3.5 per cent decrease for the year. United flew an estimated 590,000 pounds of air freight out of Charleston in 1966, while the previous year the total was 610,724 pounds.

For 1967, United predicts an increase here of 20 per cent in boardings to 77,880 passengers, and a rise of 30 percent in outbound air freight to 767,000 pounds.

A number of significant schedule improvements were placed in effect Oct. 30. Included in an increase in daily frequency from 10 to 12 flights was a second afternoon nonstop 5:30 p.m. service from Charleston to New York, boosting daily nonstop capacity to 109 seats. The airline also added a third nonstop return service from New York, arriving here at 6:34 p. m., which increased daily nonstop capacity New York-Charleston to 138 seats.

On Oct. 30, United began added evening service to Atlanta, departing at 6:55 p. m. and flying one-stop via Asheville, N. C. The new flight increased daily schedules to four trips, including two nonstop flights.

Other Oct. 30 improvements included two new Atlanta-Charleston flights, increasing total return frequency to five daily trips, and added nonstop after-business service to Pittsburgh, leaving here at 5:55 p. m.

On a national basis, United Air Lines during the year announced delivery reservations for six British-French Concorde supersonic transports, for delivery beginning in 1973, and for six United States SSTs. The 136-passenger Concorde will fly at 1,450 miles per hour, while the United States SST has a cruise speed of 1,800 miles an hour.

Prior to introduction of SST service, United will inaugurate Boeing 747 flights. The company announced purchase of five of the huge aircraft during the year, with deliveries starting in mid-1970, and secured an option for an additional five. The 747, in United's seating arrangement, will carry 366 passengers.

APPALACHIAN PROJECTS TOP $46 MILLION

One of the most important events concerning West Virginia's economic development occurred with the passage of the Appalachian Regional Development Act (Public Law 89–4):

Implementation of the provisions of this important piece of legislation came about with the establishment of the West Virginia Appalachian Development Office in January, 1966, with a headquarters office in Charleston and five Field Offices covering the entire state, making a significant impact on West Virginia by coordinating local, state and federal resources.

The Appalachian Regional Development Program joins the federal government and the Appalachian state governments together in a unique alliance to promote growth and development of the 12-state Appalachian Region. This singular partnership has been established so that the states and the federal government can work more effectively in determining how both state and federal funds can best be invested in an effective overall program to improve the economic fortunes of a region extending from New York along the Appalachian highlands to central Alabama. West Virginia, however, is the only state with all counties included in the program.

The West Virginia Appalachian Development Office, a special project unit created by Governor Smith and assigned to the Department of Commerce, was established to implement the provisions of the Appalachian program.

The state was divided into nine economic sub-regions and five administrative areas to correspond with the comprehensive state plan as developed by the department under the provisions of Executive Orders 4–64, 5–64 and 6–66 concerning state planning. The nine economic sub-regions consist of multi-county units, and the five administrative areas encompass from one to three of the economic sub-regions. A field Development office was established in each of the five administrative areas. These Field Appalachian Development Offices are located at Beckley, Elkins, Martinsburg, Huntington and Wheeling.

This is the first instance that information concerning all federal and state programs could be brought to the counties and municipalities utilizing local, state and federal cooperation. This is, perhaps, the most significant and important service that has been developed for West Virginia as a result of the Appalachian program.

The nine sub-regions vary in population from 124,000 to 314,000. Each sub-region contains strong internal transportation linkage based upon future transportation patterns that will result in time-distances of less than two hours' drive anywhere within the sub-regions. Most sub-regions contain cities of more than 20,000 population with a concentration and industries, trade, commerce and finance.

The Appalachian act states its primary and most specific purpose as being "to assist the region in meeting its special problems". The act requires concentration of public investment in areas where there is significant potential for future growth and where the expected return on the public dollar invested will be the greatest.

In accordance with the project criteria and resolutions of the Appalachian Regional Commission, the West Virginia ADO was also instrumental in processing numerous applications and developing the "West Virginia Appalachian Guidelines".

An appalachian development highway system is planned so that Appalachia will no longer be a by-passed region. Large areas with potential for development will be opened to a greater flow of commerce, industry and tourism. In addition, access road funds are available for facilities serving specific residential, recreational, commercial and industrial development opportunities. West Virginia has received approval for the following development highways:

Approved corridors

	Miles
"D" Parkersburg to I–79 near Bridgeport (Wood, Ritchie, Doddridge and Harrison Counties)	79.6
"E" Morgantown to Maryland Line (Monongalia and Preston Counties)	31.0
"G" Williamson to Charleston (Mingo, Logan, Boone and Kanawha Counties)	83.8
"H" Weston to Virginia Line (Lewis, Upshur, Randolph, Pendleton, Grant and Hardy Counties)	132.9
"L" Beckley to Junction I–79 near Sutton (Raleigh, Fayette, Nicholas and Braxton Counties)	74.1
"Q" Virginia Line at Bluefield to Virginia Line (Mercer County)	26.9
Total	428.3

Of the $805,000,000 authorized for the entire 12-state region, West Virginia received authorization for $253,088,000, or 31.8 per cent of the allocation, to make the developmental highways a reality. Contracts have been let in the amount of $12,756,422 with Appalachian participation in the amount of $8,024,377. Projects approved and awarded total $21,719,922 of which $14,297,827 are Appalachian funds.

Under local access roads approval has been received for the *following projects:*

	Miles	Total project cost	Appalachian funds
Long Point Recreation Area, Nicholas County	1.8	$300,000	$126,000
Grandview State Park, Raleigh County	2.7	476,000	189,000
Sherwood Lake, Greenbrier County	10.6	325,000	227,500
Total	15.1	1,101,000	542,500

The counties of Barbour, Braxton, Grant, Mineral, Monroe, Pendleton, Preston, Roane, Summers and Wirt have benefited from a $600,000 land stabilization and erosion control program which has been recognized as a model for other Appalachian states.

West Virginia is receiving the benefit of a comprehensive water resource study under a $5,000,000 allocation to the U.S. Corps of Engineers. There are also plans to obtain benefits from funds available for regional health centers, timber development, vocational education, sewage treatment and mining area restoration.

The major return to West Virginia, however, has been under Section 214, which supplemented Federal Grants in Aid programs. West Virginia received approval for $4,707,526 under this section which made possible new construction investment in West Virginia totaling $23,105,305.

Therefore, $20,309,453 in obligated and approved Appalachian dollars, made possible by the Appalachian Regional Development Act, have acted as a catalyst to get many needed projects off the drawing boards and into the bricks and mortar stage and have enabled new investment totaling $46,741,693.

Several other projects are being developed to seek new approved funding. Construction is progressing at a steady rate in our transportation facilities. Such economic progress and new investment has been insured by the utilization of local, state and federal talent and close cooperation.

Approved projects under Section 214 (supplementing federal grants in aid programs) of the Appalachian Regional Development Act:

	Total project cost	Appalachian funds
HIGHER EDUCATION		
Alderson-Broaddus College Science Hall, Philippi, Barbour County	$1,000,000	$234,000
West Virginia College Science Center, Buckhannon, Upshur County	1,960,965	250,612
West Liberty State College, Wheeling Center, Wheeling, Ohio County	383,404	109,544
West Virginia Institute of Technology, engineering classroom building, Montgomery, Fayette County	1,803,630	153,439
West Virginia University, Parkersburg Center, Parkersburg, Wood County	2,853,646	682,439
West Virginia University educational TV, Morgantown, Monongalia County	1,045,748	313,724
West Liberty State College fine arts building, West Liberty, Ohio County	175,000	41,725
Glenville State College classroom building, Glenville, Gilmer County	300,000	125,000
Morris Harvey College, physical education building, Charleston, Kanawha County	960,694	159,000
Bethany College fine arts building, Bethany, Brooke County	719,475	99,695
Total	11,202,552	2,169,369
HEALTH AND SANITATION		
Summersville Nursing Home, Summersville, Nicholas County	1,290,428	190,000
Summers County Hospital, Hinton, Summers County	1,810,276	380,521
Pleasant Valley Hospital, Point Pleasant, Mason County	1,147,850	344,355
St. Barbara's Nursing Home addition, Monongah, Marion County	210,192	50,000
Barboursville State Hospital addition, Barboursville, Cabell County	160,662	48,199
Green Acres Mental Retardation Center, Lesage, Cabell County	198,967	37,804
Cabell County Mental Retardation Center, Huntington, Cabell County	617,694	117,362
Total	5,436,069	1,168,241
AIRPORTS		
Mason County Airport, Point Pleasant, Mason County	219,690	59,845
Greenbrier County Airport, Maxwelton, Greenbrier County	1,971,600	385,800
Tri-State Airport, Huntington, Wayne and Cabell Counties	248,560	74,568
Braxton County Airport, Sutton, Braxton County	190,200	57,060
Total	2,630,050	577,273
PUBLIC LIBRARIES		
Kanawha County Public Library, Charleston, Kanawha County	$1,374,437	$249,460
Martinsburg Public Library, Martinsburg, Berkeley County	502,000	91,113
Hampshire County Library, Romney, Hampshire County	302,447	51,000
Calhoun County Library, Grantsville, Calhoun County	87,300	15,845
Total	2,266,184	407,418
VOCATIONAL EDUCATION		
Mineral County Vocational Center, Keyser, Mineral County	1,070,450	235,225
Tri-County Vocational School, Buckhannon, Upshur, Lewis, and Barbour Counties	500,000	150,000
Total	1,570,450	385,225
Higher education	11,202,552	2,169,369
Health and sanitation	5,436,069	1,168,241
Airports	2,630,050	577,273
Public libraries	2,266,184	407,418
Vocational education	1,570,450	385,225
Total	23,105,305	4,707,526
TOTAL OBLIGATED FUNDS		
Development highways	21,719,922	14,297,827
Local access roads	1,101,000	542,500
Land conservation	600,000	600,000
Supplements to Federal grants	23,105,305	4,707,526
Local development districts	315,466	161,600
Total	46,741,693	20,309,453

FAIRMONT FIRM WILL BUILD TOTAL COAL LOADING FACILITY

FAIRMONT.—Galis Manufacturing Company of Fairmont was recently awarded a large industrial contract to engineer, fabricate and erect a multi-million dollar plant and river loading facilities for the Hanna Coal Co., Division, Consolidation Coal Company's new Shoemaker Mine at Benwood.

Work on the project will start immediately and plans call for equipment to be ready to operate by January, 1968.

The plant will be designed to receive a run of mine feed of 1,000 ton per hour of crushed coal. The processing of this feed will be made through the most modern equipment and machinery now used in the industry.

Two complete coal washing circuits will be provided and the separation of the coal and rock will be by the heavy media process.

In addition to the coal cleaning equipment, the contract includes a two-car rotary dump; primary and secondary crushing; a refuse bin; a 7000-ton capacity raw coal storage silo; a thickener; track and belt weighing; screening; centrifugal drying, sampling; conveying; feeding and barge loading equipment.

Besides serving the coal industry, the Galis Industrial Division has performed major contract work in the clay, glass, aluminum, coke, steel, slag and other major industries.

Galis employs approximately 400 people at its two Fairmont plants. The company also operates plants at Morgantown and Bluefield, and Indiana, Pa.

Galis Manufacturing Co., also manufactures underground mining equipment, electric motors and repairs and rebuilds used mining equipment.

GROWTH—33 NEW PLANTS OPENING IN STATE; MAJOR INDUSTRIAL EXPANSIONS SET

(By Angus E. Peyton, commissioner, West Virginia Department of Commerce)

The year 1966 was a record breaking one for West Virginia from practically every point of view.

The combination of natural resource wealth, educated and trained people, adequate transportation, plentiful and healthful labor climate, and proximity to consuming markets—all of which are present in West Virginia—promoted a healthy economic climate for business and industry.

Twenty-two of the 100 largest industrial corporations in the United States have installations in West Virginia, not counting retail outlets, and the largest, General Motors, has announced plans to open a plant for parts processing and distribution center here.

Of equal importance is the fact that well conceived programs were further strengthened to assure accelerated economic progress in the years ahead.

And successful program—to build a sounder economy, to encourage growth, to employ more people and to endow our younger generations with a sense of confidence in the future—must be based on three fundamental steps so far as economic development is concerned.

The first step is to hold on to industries we now have. The second, to encourage those industries to expand and grow. The third is to get new industries, but it must be remembered that prospective new plants will sometimes shy away from areas where existing industries are unable to survive and grow.

The Department of Commerce has put forth special efforts to aid existing industries in expanding. During 1966, 43 plant expansions were completed, 27 expansions were under construction and another 3 industries announced plans to expand in the immediate future. This resulted in 73 plant expansion projects reported for that year with a combined capital expenditure of over $326,000,000 and estimated new employment opportunities for more than 2,120 of our men and women.

New industrial plants, locating in the State were tabulated as follows—33 plants completed in 1966, 10 plants under construction and 12 plants announced publicly with firm commitments to start building in the near future. This total of 55 new industries represents combined plant investment of $75,000,000, and an estimated 4,800 new jobs for our people.

Too frequently, coal developments and new mines are overlooked in appraising our development achievements. The West Virginia bituminous coal industry has made a remarkable comeback. Production and sales of bituminous coal have risen appreciably since 1961, as demand has expanded, principally in the electric utilities and export markets, 1966 was a year of considerable coal development. For example, 13 new coal mines and three expanded mines resulted in a collective capital investment of over $122,000,000, with the expectation of employing more than 3,500 miners.

Perhaps the largest single category of development, from an investment standpoint, was the public utility group. Mine-mouth generating plants, for three of our electric power companies, and their high voltage transmission lines within our State, calls for a total investment of about $518,000,000. These coal-fired generating stations should result in continuous employment of several thousand men in the bituminous coal industry. Furthermore, several new mines will devote their entire outputs to supply power generating plants in Virginia and North Carolina.

The state's timber and wood using industries are receiving full cooperation and assistance from one of the Department's specialists in those particular fields.

A science and technology unit, within the department's industrial development division, has been effective in bringing to our industries scientific and technological information coming out of research and development performed by federal agencies such as Atomic Energy Commission, N.A.S.A., and other sources. It is obviously important that our industries should benefit from the fruits of modern research, to be efficient and competitive with aggressive plants in other states.

When all of the state's highway building programs are completed, new areas will be opened for industrial development for two reasons. In the first place, it will become a simpler and speedier matter to transport goods over our highways, and secondly, more people will be able to travel greater distances from their homes to places of employment in all kinds of weather and in less time.

Thus, industrial development prospects look extremely encouraging for the next six months. Barring unforeseen unfavorable economic factors, it is safe to predict that the report for the fiscal year, ending June 30, 1967, will establish another new record of accomplishment. The number of industrial prospects, being currently handled, is very gratifying and the quality of most of the prospects is impressive.

Economic conditions in each of our 55 counties have been studied in depth. The same is true of natural resources and other development potentials within each of those counties.

Opportunities for growth and expansion of our economic base appear to be quite satisfactory. The state's nearness to large population areas and consumer markets of the East certainly indicates that the state is geographically desirable as a distribution point for manufactured products. Productivity of our men and women has been highly complimented by many industries, and we still have more of the same type of people available for employment for new industries coming into the state.

West Virginians are also looking to the future with an exciting new perspective based on a streamlined era of progress and stimulated creative thinking which has been generated by the Appalachian Development Act—a program designed to improve and create economic development within the Appalachian Region.

As a result of the West Virginia Appalachian Development Office activities, the total obligated funds for community projects and roads surpassed the $46,000,000 mark at the end of 1966. This total investment was made possible by federal, state and local participation.

Of equal importance to the total investment, has been the stimulation of creative thinking in relation to a community or area problem. For example, a total investment of $1,045,748 has been made at West Virginia University for educational television—incidentally, the state's first.

Provincialism, long the nemesis to regional progress, has begun to crumble through creative steps taken on area projects. For instance, a new tri-county vocational school is slated for construction at Buckhannon, and will be jointly sponsored by Upshur, Lewis and Barbour Counties. In a project already funded, a vocational school located at Keyser will serve both the states of West Virginia and Maryland as well as adjacent counties in Virginia.

A desirable measure of the success of the Appalachian program might be in dollars and cents, but its true significance will ultimately be judged in relation to its application to the human resources which it serves. West Virginians proved in the first year of trial that they can respond provided they are given the tools to answer that need.

This is but a part of the story of West Virginia on the move, moving with a new dynamic vitality.

The department of Commerce will continue to strive during 1967 and in the future, for a greater diversification of employment for our people. We shall remain keenly aware of the need for broader geographical distribution of plant locations and the encouragement of more progressive improvements through cooperative endeavors in tourism. We shall utilize every facility at our disposal to keep our state advancing forward.

Service-Trade Industry Second Largest State Employer

During the fiscal year 1965–1966, the travel development division of the Department of Commerce distributed a total of 2,139,717 pieces of travel promotion literature. The material was shipped to every state in the United States and to several foreign countries.

During the first four months of the present fiscal year, 1966–1967, the division distributed a total of 987,401 compared to a total of 669,842 during the same period, last year, representing an increase of about 30 per cent.

Miles traveled in West Virginia increased by 139,221,091 for the first six months of 1966 over the same period in 1965. During the first ten months of 1966, the West Virginia Turnpike reported an increase of 60,593 automobiles traveling over the turnpike compared to the like period in 1965. They also reported a gain of 2,465,629 more miles in 1966 over the same period in 1965. Revenue gains for the first ten months of 1966 were $142,592.90. During 1966, work started on four new state park complexes, improvements to Grandview State Park and the Cass Scenic Railroad.

In March the Checchi Co. of Washington, D.C., started a study of ski sites in West Virginia. Phase I has been completed and the final phase is now in progress. An Economic Development Agency grant of $72,300.00 allowed this important survey to be made. A final report by Checchi Co. will be made to the division late in 1967. This report will encourage private enterprise to develop and operate suggested ski areas.

Realizing the importance of the travel industry to West Virginia, Gov. Smith called the State's first travel conference in April at Wheeling. Over 300 people interested in travel attended the three-day meeting.

The Division has made good use of its mobile travel display during 1966. The display is made up of four backlighted transparencies showing a glass blower, the Cass Scenic Railroad and other beautiful West Virginia scenes. The display appeared at the W. Va. Petroleum Assn. annual meeting in Charleston, the Governor's Conference in White Sulphur Springs and at the Canadian National Exhibition. Smaller displays have been installed at the Charleston and Huntington airports.

West Virginia was represented by the travel division for the first time at the Canadian National Exhibition in Toronto for three weeks in August and September. The division sought to encourage more Canadian people to visit the Mountain State. West Virginia looks forward to a definite increase in Canadian tourists during 1967. Travel shows are proving to be one of the better investments in advertising West Virginia as a tourist mecca.

The division participated in the second annual meeting of the Potomac Highland Travel Council at Blackwater Falls State Park in October. The Potomac Highland Council consists of 11 counties in the eastern section of West Virginia. In November the division participated in the first annual meeting of the Mountainaire Travel Council which consists of six counties in the southeast section of the state.

During 1965, the service-trade industry in West Virginia ranked number three in persons employed. Manufacturing and government placed number one and number two. Travel is part of the service-trade industry. Approximately 55,600 people are employed in this category.

In dollars, the service-trade industry in West Virginia is worth an estimated $1,453,200,000.00.

The service-trade industry ranks number two in dollar volume in the state. Manufacturing ranks number one.

In the summer of 1966, the division released its second color-sound film, entitled, "A Work of Heart and Hand," describing West Virginia's arts and crafts activities. The film is narrated by Lowell Thomas and has been viewed in most of the 50 states and several foreign countries. The division's other film, "West Virginia—Land for Relaxation," narrated by Chet Huntley, has been viewed by thousands in the United States and overseas.

The travel division is one of the participating sponsors of the annual Mountain State Art and Craft Fair held at Ripley. Over 20,000 people from about 19 states and foreign countries visited the fair during the 1966 season. Retail sales at the fair amounted to about $65,000.

The fair is unique in that only native craftsmen may exhibit and sell their products. It is the largest of its kind in the United States.

The division helped sponsor the Mountain State Forest Festival, the West Virginia Water Festival, the West Virginia Buckwheat Festival, the West Virginia Black Walnut Festival, the West Virginia Folk Festival, the Alpine Festival and many other county events during 1966.

The division cooperates with and helps to operate the tourist information centers at Huntington, Bluefield, Parkersburg and White Sulphur Springs.

Auto sales

County	1962	1963	1964	1965	1966
Barbour	239	297	276	383	408
Berkeley	750	904	945	1,093	1,063
Boone	516	711	605	761	795
Braxton	211	211	245	309	336
Brooke	811	869	955	1,103	1,004
Cabell	3,944	4,324	4,484	4,934	4,798
Calhoun	143	148	137	183	175
Clay	140	161	133	196	169
Doddridge	86	87	127	144	147
Fayette	1,237	1,512	1,573	1,954	1,748
Gilmer	208	173	183	219	244
Grant	144	186	214	230	269
Greenbrier	778	883	917	1,046	1,091
Hampshire	222	243	236	261	262
Hancock	1,439	1,574	1,701	2,023	1,876
Hardy	128	163	215	209	225
Harrison	2,112	2,330	2,551	3,027	2,966
Jackson	676	733	815	872	821
Jefferson	470	495	516	673	630
Kanawha	9,027	10,668	10,208	11,874	11,589
Lewis	402	413	406	520	490
Lincoln	345	360	417	512	497
Logan	1,076	1,343	1,246	1,333	1,429
McDowell	1,022	1,121	1,234	1,412	1,375
Marion	1,701	2,010	2,376	2,717	2,680
Marshall	770	868	983	1,095	1,067
Mason	597	756	700	835	813
Mercer	1,598	1,866	1,923	2,065	2,021
Mineral	415	472	551	553	538
Mingo	690	703	740	834	888
Monongalia	1,226	1,566	1,691	2,012	2,167
Monroe	223	287	262	301	297
Morgan	159	185	189	218	214
Nicholas	559	550	626	710	671
Ohio	2,364	2,616	2,627	2,831	2,606
Pendleton	119	146	125	167	174
Pleasants	202	201	205	280	255
Pocahontas	181	210	210	262	241
Preston	468	518	581	676	610
Putnam	627	835	866	971	969
Raleigh	1,426	1,798	1,925	2,121	2,078
Randolph	436	532	606	651	725
Ritchie	207	241	224	320	316
Roane	349	376	358	465	406
Summers	209	286	272	316	325
Taylor	272	300	322	383	353
Tucker	165	204	222	235	236
Tyler	304	316	281	326	327
Upshur	428	369	440	611	479
Wayne	644	683	713	799	917
Webster	197	209	220	267	291
Wetzel	671	814	838	808	775
Wirt	88	85	120	88	102
Wood	2,433	2,973	3,607	3,420	3,255
Wyoming	593	797	831	946	962
Out of State	547	676	552	635	636
Total	47,004	54,357	55,885	64,180	62,801

STATE PURCHASES EASE UP SLIGHTLY

West Virginia's motorists eased slightly their new car buying spree during 1966 but 12 counties managed to set an all-time record volume.

Buying of new cars was off 2.1 per cent from the record set in 1965. This was quite a performance in face of strong odds. It was also a tribute to the tempo of the state's economy.

Car buyers were faced with several obstacles. The year began with accelerated withholding of income taxes, a move which drained off some buying power. Excise tax rates tilted upward and added a few dollars to the price of each purchase. Then in the spring, Washington staged a big show over automobile safety which tended to indicate that today's automobiles were not quite as safe as they might possibly be.

During 1965 there were 41 of the state's 55 counties which set new records for buying new cars. There were 12 in 1966 and, perhaps, there might have been more except for technological reasons.

Four of the state's biggest coal producing counties—Boone, Logan, Mingo and Wyoming—had their biggest new car years since the days of the export coal boom in the mid-Fifties. Logan bought 1,429 new cars, the most since 1957's, 1,594, for example. Wyoming Countians treated themselves to 962 new cars, the most since 1,082 in 1956.

Hampshire County finally tied its record of 262 set in 1955 but three other counties still are far short of matching their peaks. Clay County had 239 new cars in 1956, Hardy had 227 in 1955 and Taylor had 401 in 1957. Of the three, Hardy has come closest to a break-out in recent years.

The 12 counties setting new records in 1966 were Barbour, Braxton, Gilmer, Grant, Greenbrier, Monongalia, Pendleton, Randolph, Tucker, Tyler, Wayne and Webster. The record in Webster is quite unusual in that it represents a gain of just under 10 per cent from 1965 (in a county which has been widely heralded for its poverty) and a gain of 7.7 per cent from the record of 270 purchases in 1956 and 1957.

All of the state's major counties reported losses of varying degrees during 1966. Kanawha was off 2.4 per cent in the face of the buying obstacles already cited plus the lack of the Union Carbide savings plan payout which takes place in odd-numbered years. The county's performance, taking all the anti-buying factors into consideration, may be viewed as remarkable.

Elsewhere among the major counties:

Cabell, off 2.8 per cent to 4,798 cars. Wood, off 4.8 per cent to 3,255 cars. Harrison, off 5.3 per cent to 2,966 cars. Ohio, off 7.9 per cent to 2,606 cars. Marion, off 1.3 per cent to 2,680 cars. Raleigh, off 2.0 per cent to 2,078 cars. Mercer, off 2.1 per cent to 2,021 cars.

CITY CHANGES FELT PRELUDE TO BUILDING BOOM

(By Eugene Brown, executive secretary, Associated General Contractors of West Virginia)

We are living in a time of great change. A world in revolt must make ready for tomorrow. There will not always be a war in Vietnam, and in the face of the tremendous surge of population, the need for new facilities of all kinds and descriptions staggers the imagination.

If West Virginia is to have its rightful share in this growth, we must do our planning now.

Today West Virginia is emerging from its neglected past. For years, our state received little or nothing from Washington. Now for the first time in history, our state is getting a fair share of federal dollars and we are creating new and better institutions, new capital, new taxable property, new employment opportunities, and forgetting political considerations, we need the helping hand of the federal government in the continued development of our state.

West Virginia can truly be the promised land of tomorrow, and for the contractors of our state, I pledge we shall continue to do everything in our power, with skill, integrity and responsibility, toward fulfillment of this great dream.

Now, briefly, let's look at the market for construction in the year ahead.

Let me emphasize first, we are NOT having a "boom" in Charleston. What we do have is normal community growth at a rate that is a little more accelerated than in some years past. It is a well-managed normal growth and well within the capabilities of the construction industry to perform. But it is not a Boom.

When we see construction all around us, we sometimes become over-enthusiastic as to its total economic impact. But one has only to travel to the boom cities, such as San Diego or Houston or Phoenix or Atlanta or Orlando, to realize that what is happening in Charleston and West Virginia is only the beginning of what is to come when we fully realize our potential as a community and as a state.

I repeat, the boom in Charleston is still to come. But it will come. We are just on the threshold.

I shall not attempt to list all of the projects that are under construction or planned. Kanawha Commerce in its November-December edition, lists some 26 projects now under construction with a total dollar value of almost $50 million. For 1967, it lists some 15 major projects plus the county school program, with a total dollar value of more than $60 million. Not all of these, of course, will be completed in 1967, and so I would venture a prediction that the year ahead in the Charleston area will be about like 1966—say $50 million in total construction dollar volume for the year.

We shall see substantial progress in 1967 on Charleston's urban renewal plans. Two big downtown projects are now in the planning stage.

All this is a part of the total city picture, including roads and housing. In 1967, the city's housing authority expects to start construction on four 100-unit developments and the city of St. Albans also expects to have a 50-unit development on two sites under contract within the near future. These new developments are expected to help provide homes for the people who will be displaced when I–64 comes through the Valley cities.

The water company, which has elaborate plans for the future including a new intake in the Kanawha river upriver from duPont, and a new $9 million plant on the site of the old Charleston Lumber Co., expects construction work to begin on these projects sometime within the year.

The gas company has major expansion plans, including new compressor stations at Lanham and Clendenin in Kanawha County; the power company expects to build a 765,000-volt transmission line through West Virginia from nearby Kentucky to Moundsville; and the telephone company is continuing its construction of dial buildings—one is planned for 1967 at Belle—and upgrading lines throughout the state.

Industrially, every major plant in the valley now has construction work in progress or on the boards, perhaps the largest of which at this time is the new multi-million dollar warehouse that Carbide is constructing on the site of the old Barium plant at South Charleston.

No new major hospital projects in Kanawha county are scheduled for starts in 1967. However, the Charleston General, Charleston Memorial and Thomas Memorial projects will be completed within the year. There is one hospital-type project which will receive Hill-Burton hospital funds that will probably get under way in 1967. Work under the new long-term care facility that is to be constructed on the site of St. Francis Hospital. This will be built in stages, the first half on the present parking lot, and then, when it is completed, the old hospital building will be torn down and the second half completed.

And the First Presbyterian Church also expects to let a contract in '67 for a home for the elderly to be built on Brooks Street.

We shall see the start in 1967 of the $23 million school construction program in Kanawha County voted more than a year ago. Twenty projects, totalling in value more than $5 million, are scheduled for construction in 1967. Work under the new school program, will continue well along into 1969.

We look forward next summer to the start in construction on a new $14 million state office building, a self-liquidating project to be financed by bonds already authorized by the Legislature.

Very shortly the National Bank of Commerce expects to start construction on its new 17-story bank and office building, on the site where the old library is now being razed. This, with the construction of the Charleston National Plaza now in progress, will provide sidewalk superintendents something to do for the entire year. I may say to you that the architect has shown me plans for the new Bank of Commerce building, and I predict it will be one of the handsomest buildings ever erected in the state of West Virginia.

The colleges in the area also have construction plans. West Virginia State hopes to build at least two dormitories at a cost of $2.7 million, and Morris Harvey expects to let a $1 million contract soon for the expansion and renovation of its physical education building.

Architects advise us that there are a number of projects on the boards, such as office buildings, apartments, motels, churches, warehouses and similar buildings that await only financing arrangements and bidding.

As to roads, work will be started in 1967 on the widening and completion of the South Side expressway for about one-half mile in the vicinity of the C & O station. In the county, a major 1½-mile project to four-lane U.S. 60 in the vicinity of Witchers Creek, including a new bridge, will get under way. Two sections of Interstate 77, totalling about six miles from White Chapel to Kanawha Two Mile and estimated at perhaps $10 million or more, will be let to contract. And while no new starts on Interstate 64 are scheduled for 1967 in Kanawha County, the Road Commission plans extension of right-of-way acquisition within the year so that construction through South Charleston may start the following year.

In the state as a whole, despite the cutback in road allocations, it appears probable that more than $100 million in contracts will be let by the Road Commission in 1967, which will be some few million larger than the total for 1966. By next year, the industry hopes that the need for the cutback in federal allocations will have diminished and that the interstate program may then be restored to its original plans.

So much for the construction picture, however confused but promising it may seem.

Despite the industry's problems, despite occasional labor unrest, despite the difficulties in the money market and inflation, despite the delays that are caused by our times, the contracting industry is ready and anxious and able to do its part toward making 1967 a good year for Charleston.

GENERAL MOTORS' CHEVROLET DIVISION SEES NEW SALES UPSURGE

By any normal standards, 1967 will be a good year for general business and the automotive industry, Edward D. Mitchell, Chevrolet Division's zone manager in Charleston, said.

"Our recent decision to proceed with construction of a new Chevrolet automotive parts processing and distribution center at Martinsburg reflects our confidence that economic conditions will remain favorable," Mitchell added. "It will be the only operation by an automotive manufacturer in the state of West Virginia."

He pointed out that the new center will contribute materially to the economy of the state both during construction over the next 18 months, and after it is completed in the Fall of 1968.

When in full operation, the center will provide employment for 1,200 persons, creating a substantial annual payroll. It also will generate considerable demand for local supplies and services.

Chevrolet is looking for another good year in 1967, Mitchell said, with indications that the total vehicle market could exceed 10¼ million new cars and trucks. With favorable conditions the year could be among the best of the past four years.

That estimate assumes military spending will not exceed present estimates, that monetary and fiscal policies will not be made more restrictive, and that economic pressures are showing signs of easing.

Looking back at 1966, Mitchell said that Chevrolet's sales of more than 2,730,000 passenger cars and trucks were second only in 1965. Of that total, truck sales accounted for nearly 600,000, an all-time high for any company.

He pointed out that 1966 was the fifth straight year that Chevrolet sold more than two million cars.

New York Central Freight Stop Latest Contribution

A new $20,000 freight station at Nitro is the New York Central Railroad's latest contribution to the growing Kanawha Valley industrial complex. It brings to $800,000 the company's expansion and modernization program here in the past two years.

The new station, which will be completed and put into operation within the next few weeks, will be connected with NYC's multimillion dollar communications network and New York computer center.

New York Central has one of the nation's most advanced railway communications system for high speed freight car utilization and tracing. It includes direct-dial intracompany telephones, a teletype network for systemwide transmission of train consists and computerized television for car tracing.

The new NYC station at Nitro replaces the railroad's old station on First Avenue which was sold to the state to permit straightening of State Route 25.

The new station is north of W. Va. 25 adjacent to the railroad's expanded Nitro Yard. New York Central spent $119,000 for expansion of the yard last year, more than doubling its freight car capacity.

"The objective is to provide local industry with all the refinements of modern service," W. A. Cole, NYC's division freight sales manager said.

Cole's operational counterpart is NYC Terminal Superintendent W. H. Hinderer.

In addition to the Nitro Yard expansion, NYC completely rebuilt its Dickinson Yard at Quincy, rehabilitated numerous grade crossings inside Charleston, built a new $30,000 locomotive standing and fueling station and a new $29,000 yard office at Dickinson.

Carbide Unit Growth Set

Along with a tremendous overseas expansion, Union Carbide continues to expand in the valley of its childhood. At the South Charleston plant, construction of new facilities will triple production of diketene and increase capacity for its derivatives. Completion is scheduled for January 1967.

Ground also was broken for the ninth major structure to be erected at the Carbide Technical Center in South Charleston.

Economic Health of Valley Fortified by Monsanto Plant

Monsanto Company's Nitro plant continued to further the economic health of the Kanawha Valley and West Virginia. The Nitro Plan spent for all goods, services and payroll, approximately $30 million during the year.

A new three-year labor agreement was signed without a work stoppage which will benefit both Monsanto employes and West Virginia by making possible further expansion of existing products and introduction of new ones at the Nitro location.

Monsanto also recognized its civic responsibility to preserve West Virginia's natural resources by being the first to submit its long-range plans for the control of air pollution. "The company also took the first step of its long-range stream pollution plans by completing a million dollar chemical waste treatment facility," a company spokesman stated.

The demand for Monsanto's products was very high in 1966, which required the Nitro plant to produce at its capacity and to increase its employment. This high demand is expected to continue for the first half of 1967.

Looking ahead to 1967, Monsanto feels that the plant will develop several new product forms in the Rubber, Agriculture and Functional Fluid fields, to better serve these markets. It is also felt that a number of new products which are currently under development at the Nitro Research Facility will be produced at the Nitro location to better meet market needs.

Monsanto Co. spent in excess of $200 million on capital investments for plant and equipment in 1966, the company said in a year-end statement.

At many Monsanto locations in the United States and overseas, building projects were completed or in progress during 1966.

A new plant was completed and several others substantially expanded in the eastern portion of the United States by Monsanto during 1966.

A Monsanto facility was completed in West Caldwell, N.J., becoming Monsanto's newest U.S. plant, the 44th. The facility develops and manufactures Monsanto's line of electronic test and measurement instruments.

State Life Insurance Sales Rise

The life insurance business had another record-breaking year in West Virginia, as families throughout the state bought more life insurance during 1966 than in any previous year, collected a larger amount of benefit payments from life companies and ended the year with more protection than ever before.

West Virginia's total life insurance rose to about $6.8 billion, according to year-end estimates by the Institute of Life Insurance. West Virginia families increased their protection by nearly $600 million or 9 per cent during 1966.

The year-end estimate includes Servicemen's Group Life Insurance protection on men and women from West Virginia in the nation's armed forces. Underwritten by private life insurance companies, SGLI provides $10,000 of term insurance for each serviceman on active duty.

West Virginia families bought an estimated $480 million of individual life insurance protection under ordinary policies during 1966. This would be an increase of about $25 million or 6 per cent over purchases in the state during 1965.

Despite the growth of life insurance throughout the state, statistics indicate a need for more protection. A year ago, the average West Virginia family had about $11,400 of life insurance—which was equivalent to only about 169 per cent of their annual personal income.

The Institute estimates that life insurance companies paid about $38 million during 1966 to beneficiaries of West Virginia policyholders who died. This was more than $2 million or 7 per cent higher than total death payments in the state during 1965.

West Virginia continues to rank as an important state for investment of policyholders' funds. Despite the nationwide tight money situation throughout 1966, life companies were able to provide a substantial amount of mortgage financing for new homes, apartment buildings, offices, stores and other business and industrial facilities in West Virginia.

Name of Gravely Key Valley Factor

Coal originally made Kanawha famous. Then came chemicals. Both were produced by internationally famous companies.

More recently the Kanawha Valley became known for its armored tracked vehicles produced at the FMC Corp. in South Charleston.

But going back into history farther than Zerone and Prestone is another Kanawha Valley name which can be found in virtually every part of the world. It's carried on the small tractors made in Dunbar by the Gravely Tractor Division of the Studebaker Corp.

Gravely is a small firm, relatively speaking. Its 300 employees can't match Carbide's 9,500 or duPont's 4,500. Yet its famous tractors have won a place in the world market since 1916 and the firm has every intention of maintaining its position.

Gravely's success has attracted competition. Stimulated by competition, Gravely has engineered three new products for introduction in 1967.

The Convertible 7.6, a higher horsepower riding-walking tractor which is an improved version of the famous Gravely L.

To reach potential buyers of the new 7.6 model, Gravely will advertise it in such national publications as Better Homes and Gardens, Farm Journal, National Geographic, Progressive Farmer, Popular Mechanics, Popular Science and Newsweek. Advertisements will also be scheduled in specialized publications aimed at the government, school and municipal market.

The Commercial 10, a 10 horsepower tractor, available with 27 attachments.

The Minibackhoe, a miniature back-hoe for excavation.

The new Gravely products are engineered on the concept of no obsolescence. The three new models will be able to use attachments engineered for tractors as far back as 1938.

Competition for the Dunbar firm has been the result of America's population boom and its better highways. People are able to live at a greater distance from cities and to have more land surrounding their homes.

This created a need for large power mowers. In many sections of the nation Gravely has developed a large volume of sales for its snow plow attachment.

Winfield High School plays a supporting role in advertising of Gravely's new units. The units were posed on the broad campus in front of the high school on W. Va. 17. The school will be seen in almost every part of the free world.

Utility Invests To Lure New Industries

(By Jack Lloyd, industrial development director, Appalachian Power Co.)

West Virginia is a state blessed with many large industries, and many small. The evidence would seem to indicate that neither can survive without the other, nor could the state's economy go forward if industrial efforts were slanted to the attraction of one to the exclusion of the other.

This can best be seen in two areas. One is the Kanawha Valley, where many of the state's largest industries are located and where bigness is a way of life. But at the same time, these industrial giants are surrounded by small industries, most of which are satellites. That is, they manufacture supplies or provide services that are vital in the industrial processes of their big brothers.

The other area is where, in the past, the economy has depended almost solely on one kind of industry, usually coal. When the need arose for new industry to take up employment slacks, the smaller industry provided the answer. The smaller industry did not require the capital of a larger one, and successful efforts to attract several small industries in different fields provided a diversification not present before. Beckley is a good example of a community that has done this.

It is true many industrial efforts, aimed at large or small industries, have failed. But many have succeeded.

In 1966, in southern West Virginia, where Appalachian provides electric service, 25 new industries either announced or opened plants. It is interesting to note that 18 of these had less than 100 employees and could be classed as "small industry."

Three years ago Appalachian constructed a "Project Decision" shell building in Princeton, and although an industry has not been attracted to its 50,700 square feet of floor space, the building cannot be classed as a failure, nor can the fact that it is not occupied be given as evidence that West Virginia cannot attract small industry.

Several prospects have looked at the building, but have not occupied it for a number of reasons. Expansion plans of some companies fell through, others found the building inappropriate for their processes, and still others decided to locate elsewhere.

But the building opened a new section of Princeton for industrial growth; it has spread Princeton's name far and wide through promotional efforts; and it was responsible for a new industry in the community. The Dean Co. came to look at the building, found it unsuitable for its particular needs, but liked what it saw in Princeton. It stayed to build a new plant adjacent to the shell building.

A good philosophy in industrial development is to maintain a balance between the industrial giants—which provide employment for many—and small industries, which provide diversification and vital services.

But to attract either, West Virginia must face up to some real problems, must find the solutions, and must take action to solve them.

For example, there is little land in the state which has actually been set aside and dedicated to industrial development. This is important anywhere, but particularly important to areas such as southern West Virginia where there is not an abundance of flat land to begin with.

It is sad, but true, that much of the land that is available for industrial growth is priced out of reason, and in many areas where land might be available, industrial development groups do not have the facts about it: Cost, acreage, availability, services, and the like.

Too often those of us in industrial development work get a rather cool response from smaller industries outside the state when we make them a presentation.

Their remarks in rebuttal deal with union activity, work stoppages, lack of a right to work law, and the political climate.

We do not always agree with these remarks and, to the contrary, present convincing arguments that West Virginia is a good place for industry to make a profit.

But the record cannot be ignored. West Virginia in the period 1961–65 showed 0.25 percent of total working time lost due to work stoppages, as opposed to a national average of 0.16 per cent. Wildcat strikes, walkouts, and long, drawn-out labor termination contracts are not palatable to a newcomer considering a million-dollar plant location decision.

Many of the work stoppage acts are caused by irresponsible people, and are strongly censored by the responsible labor leaders of West Virginia. But actions of a few can destroy the image of many, just as one bad apple can ruin a bushel. The stigma is on the community when this happens, and another sad chapter is written in West Virginia's history of labor strife.

The people of the state must awaken to their responsibility and not let an irresponsible few dictate.

Another reason why smaller industry sometimes avoids the state has been poor accessibility and difficulty in reaching markets. Dramatic steps are being taken to correct this. The interstate highway system, with three interstates converging on Charleston, could make it a major distribution center. The Appalachian Highway Corridor System will bring the mountain areas of southern West Virginia into focus as an area with potential.

There are other reasons too—other problems to be faced.

There is blight—substandard dwellings, abandoned junkyards and car yards, uncurbed streets, weeded lots, unpainted buildings and other eyesores. Industry looks for an attractive community.

All the blame cannot be placed on individuals. Industry too must share. There is a need for a sensible and workable air and water pollution law, and industry must play its part. Land reclamation programs are long past due, and industry is beginning to recognize its obligation and responsibility.

West Virginia must begin to measure its economy by the land and resources that are available. With 90 percent of the state in mountains, what is the proper density or use of the 10 percent available? The Planning Division of the Department of Commerce is working on a state plan, and it needs to be compatible with the goals and aims of the legislative and executive branches of state government.

There must be long-range planning, planning that continues from one administration to the next and does not stop with an election.

There must be, in West Virginia, a faith in state government, a unity of the people, and a West Virginia for all.

TRAVEL DIVISION EYES EXPLOSION OF TOURIST TRADE WITHIN DECADE

(By Curtis C. Jones, Director, Travel Development Division, State Commerce Department)

One of the first of many jobs facing the division will be the re-activation of the Cabell-Wayne Tourist Bureau in the Huntington area. This bureau was very active during and prior to the Centennial celebration year of 1963. The Huntington Chamber of Commerce now operates the official West Virginia Tourist Information Center located on U.S. Route 60, East of Huntington. Along with this bureau, we hope to establish a working council in the Logan-Williamson area.

During 1967, the division hopes to extend its invitations to the nation's sports and travel writers to visit the Mountain State and see and enjoy the fresh and beautiful scenic attractions. In the past year, we have averaged about one story each month in the most popular magazines featuring sports and travel.

Working with the Department of Natural Resources, we hope to attract more outdoor and travel writers in 1967. The average story, if bought as advertising, would cost West Virginia about $30,000.

T. R. (Pete) Samsell, director of the Department of Natural Resources, has been responsible for many of our finest stories in Outdoor Life, Sports Afield and other national publications.

He will plan to visit and display at the Canadian National Exhibition in Toronto during 1967. We feel that this particular travel show is highly beneficial to West Virginia in that the Canadians are discovering that our state offers much to the vacationer.

We will participate for the first time in the Washington, D.C. Travel and Sports Show in the National Armory during April. Due to the great number of tourists in the nation's capitol, we feel that much can be accomplished at this show.

Plans for additional tourist information centers will be pushed during the year. We hope to see established information centers in all major cities and most communities before the year is over. Representatives of the Travel Development Division will work closely with any and all communities wishing our help in the formation of these centers.

We hope to be able to provide sufficient travel promotion brochures to all organizations helping the State to promote travel. We are planning additional information brochures for use at travel shows.

Special tour information literature will be printed for special use at the Canadian National Exhibition. Canadians are interested in routes to and from the Mountain State.

One-day, three-day and week tours of West Virginia will be mapped out and furnished to visitors. These tours will include mileage, routes, suggested accommodations and other general information needed by the traveler.

The division has budgeted matching advertising funds for each county. If the money is made available to the division, we will work with and help the counties form advertising campaigns to attract tourists to their areas. Up to a certain amount, we will match their expenditure for direct advertising or brochures.

We are hoping to employ a marketing specialist for our art and craft section of the division. This person will help promote the products of our craftmen and offer assistance in marketing. Arts and crafts are becoming a major product of West Virgina. The quality is far above the usual items you find in craft shops.

Technical assistance and guidance is necessary if the craftsmen are to succeed in establishing their products for retail trade.

The assistance, cooperation and experience of the Travel Development Division staff is available to all organizations and communities working with the travel trade in the State.

NEW PLANT AT WHEELING GEARED TO WAR EFFORT

WHEELING.—Wheeling Steel Corporation's major operations development in West Virginia during 1966 was the start-up of its new Wheeling Fabricating Plant.

The plant is producing steel shipping containers under an $8.8 million contract from the Defense General Supply Center, Richmond, Va.

Current volume of fabricating business in the company's other plants made it necessary to start up a new production plant to fulfill the container contract.

The buildings being used were part of the Wheeling Corrugating Co. plant in east Wheeling which was closed down and dismantled in early 1961.

A substantial amount of new equipment has been installed and appropriate auxiliary facilities provided to get the new operation under way. Approximately 600 employees are now working at the Wheeling Fabricating Plant.

Robert M. Morris, president of Wheeling Steel, said, "We will make every effort to supplement this activity by adding normal commercial activities at this location. At the same time, we will work with the federal government supply agencies in an effort to obtain additional government contracts for this facility. We have high hopes that this will be a permanent operation."

Wheeling Steel's $9 million hot strip finishing and handling program at the Steubenville (Ohio) plant is near completion according to Morris.

Principal components of the facilities, located in two structural buildings (each 120'x 528') at the Steubenville (South) plant, are a coil shear line and a coil build-up and slitting line. The installations are adjacent to Wheeling's 80'' hot strip mill, which went into operation late in 1965.

Morris said that, with these new units, Wheeling will be able to "provide the market with wider and heavier hot rolled coils that have better flatness and closer dimensional tolerances." He added that faster shipping will also result from this project.

The coil shear line is now in operation. It has a maximum speed of 185' per minute. This line increases Wheeling's sheet processing capacity from a thickness of .160'' to .375'', increases cut-to-length sheets from 16' to 30', and widths from 60'' to 72''.

The combination coil buildup and slitting line is expected to be in operation in February. It will have a maximum speed of 500' per minute and will butt weld small weight coils to produce large coils up to maximum of 74,000 pounds. The line is also equipped with a trimming device that will surface dress the welded area to make a smooth continuous coil surface. This new unit can be quickly changed to a slitting line by replacing the side trimming assembly with a slitting assembly.

Both lines are equipped with X-ray guages for indicating strip thickness and oil applicators for coating the strip or sheets. Auxiliary equipment includes two electric overhead cranes and a reversible coil conveyor.

Mechanical equipment for the hot strip finishing and handling installations was supplied by Wean Industries, Inc. of Warren, Ohio and the electrical equipment by Reliance Electric and Engineering Company of Cleveland Ohio.

Morris said that initial finishing capacity of the new facilities will be about 20,000 net tons of hot bands per month, "with a potential of 30,000 tons per month."

The Steubenville plant is Wheeling Steel's basic steel producing operation, covering more than 400 acres at Steubenville and Mingo Junction, Ohio and East Steubenville and Follansbee. Nelson W. Hocking Jr. is the plant manager.

Pittsburgh Plate Glass Long Has Been Major State Employer

PPG Industries (Pittsburgh Plate Glass Co.), widely diversified manufacturers of glass, chemicals, coatings and resins and fiber glass, has been a West Virginia employer for more than 50 years.

Since as early as 1916, PPG Industries has been operating a large sheet (or window glass) factory at Clarksburg. Its extensive chemical complex at Natrium, on the Ohio River about 35 miles south of Wheeling, has been in operation since the early months of World War II.

Both operations now employ about 2,200 persons. PPG's chemical division complex—then consisting of four chlorine circuits—went on stream in 1943. Expansion at this complex has never stopped.

Natrium's chemical operations are based on salt found at that Ohio Valley location at a depth of 6,850 feet. Salt is converted to brine and chlorine, caustic soda and hydrogen are produced as co-products in electrolytic cells.

A chlorinated benzene plant was added at Natrium in 1949; a benezene hexachloride plant went on stream in 1951; a second major expansion of chlorine production occurred in 1953.

Construction of a large research laboratory and development center was started in 1954 and these extensive and modern facilities have been enlarged since then including a technical library.

Anhydrous ammonia production was undertaken in 1955, and a titanium tetrachloride facility was added in 1956. Electrolytic chlorine production facilities were increased for the third time during 1957 and a mercury cell chlorine caustic plant was placed in production the following year.

Barium chemicals, carbon bisulfide and a large anhydrous ammonia plant have been added during recent years. Currently, a large titanium plant is under construction.

The Clarksburg sheet glass plant, with approximately 1,150 employees, is the largest sheet glass factory operated by the PPG's Glass Division.

New Mines: Eastern Official Sees Long-Term Pacts as Key to Continued Growth of Industry

Welch.—Long-term contracts with utilities and steel firms, calling for the purchase of coal over extended periods, are credited for the development of four new mines in West Virginia by Eastern Associated Coal Corp.

Ben P. Romero, Eastern's manager of utility and industrial sales, explained the importance of long-term contracts in a speech recently at the annual meeting of the Welch Chamber of Commerce.

"If the coal producer has a long-term commitment for purchase of his product, he is much more likely to make the large-scale investment necessary to develop a new mine," Romero said.

"The opening of new mines can help the economy of a state and a locality. So it is to our common benefit to support the trend to long-term contracts."

Eastern has announced that its new mines will employ 1,500 men and put $14.5 million in wages and benefits into the West Virginia economy. The mines will be located in Wyoming, Raleigh, Boone and Monongalia Counties.

Romero noted that two of the mines—at Bud and Stotesbury—will be extensions of the company's present Keystone No. 1 mine at Keystone, McDowell County. They will mine coal from the famous Pocohontas No. 3 seam. The speaker noted "that is some of the finest coal in the world." A third Keystone mine, it was added, already is in operation at Herndon, Wyoming County.

In discussing "New Horizons for coal," Romero said the trend to long-term contracts is one of the most important of the new horizons. This trend, he said, started in the Mid-west and is spreading to the East.

Romero said that an example of the new long-term contracts is the one that Eastern has recently signed with Carolina Power & Light Co. It calls for the North Carolina utility to purchase the entire output of a new Boone County mine for 20 years.

Commenting on the general economic outlook, Romero said: "All signs indicate that the coal industry in the next 20 years will experience its greatest period of sustained growth. We feel that the industry has the vision, the imagination, and the ability to plan for the future, as shown by the progress now being made in experimental laboratories."

On the inroads of nuclear energy, the Eastern spokesman declared: "A box score of nuclear and coal-fired electric power plants on order or under construction indicates there will be a close race between these two fuels for many years. The emphasis given in the news to atomic energy plants has created the impression that practically all new electric power plants will be nuclear.

"However, an examination of the record shows quite a different picture. The Edison Electric Institute reports that, in the first half of this year, a total of nine nuclear power plants was ordered. In the same period, 29 fossil fuel plants—principally coal but including some gas, oil and multi-fueled plants—have been ordered.

"A survey in September of this year shows that 24 nuclear power plants were in design or construction. However, a recent tally of coal-fired electric plant construction plans indicates that more than 80 such units will be built by 1971."

In addition to purchasers in this country, the market for U.S. coal is expanding in foreign nations, Romero said.

"Foreign steel mills can purchase American coal and have it shipped at a lower cost than the selling price of their domestic coal," he commented.

Among numerous projects investigating new uses for coal, the Eastern official mentioned research in progress in West Virginia.

"To help insure future coal demand," he said, "the Coal Research Bureau at West Virginia University has been studying the utilization of fly ash. A process has been developed to produce a quality drypressed fly ash based brick, as well as block, tile, and pipe, which can conceivably use large tonnages of fly ash. An initial study of the economics of this process appears to indicate a very favorable situation."

Romero noted that the Bureau of Mines has made a $21,000 grant to West Virginia University for research into ways for converting coal-ash slag into mineral wool for insulation. He pointed out the grant is the first step of a proposed three-year research effort to be made by the university.

Other research projects which are nearing commercialization were listed as: Process to convert coal to synthetic crude oil, fuel gas, and solid char fuel, and process to use coal in desalting sea water.

Romero concluded: "There is an ever-brightening horizon that forecasts better days ahead for all of us—and that includes, most importantly, the West Virginia region that produces what we have to sell."

Roadbuilding Boom—Sawyers Cites Figures on Continuing State Progress

(By Burl A. Sawyers, State road commissioner)

West Virginia's road program is in the final stages of another record breaking year.

1966 marked the fourth consecutive year that new highs were established for construction contract lettings, construction contract awards, interstate expenditures, interstate mileage completed or opened to traffic.

That West Virginia is in the midst of a highway development program unmatched in its history is a well known fact. One way to indicate this happy situation is to compare road building figures of 1966 with those of 1956:

Construction miles in work, September 1956, 54; September 1966, 147.

Cost of construction projects in work, September 1956, 13.4 mil., September 1966, 169 mil.

As a matter of fact, during one month of 1966 we paid out more than 13 million in contractor estimates which matches the figure for total contracts in work in September, 1956.

1966 is also the year that saw West Virginia reach the major milestone of obligating federal funds on current basis. The significance of this was summed up by George Fenton, BPR of West Virginia, Division Engineer, at a recent meeting with the West Virginia Contractors' Assn.:

"In October 1962, West Virginia had obligated 5 percent of its 1962 Interstate Funds. At this time the national average of interstate funds obligated was 42 percent of 1963 funds. On Sept. 30, 1966, West Virginia had obligated 66 percent of its 1967 Interstate Funds. The national average was 73 percent of 1967 funds."

In other words, in October 1962, West Virginia was 137 percent behind the national average of interstate funds obligated, while on Sept. 30, 1966, the state was within 7 percent of the national average. Our regular federal-aid ABC program followed this pattern in a similar manner. In fact, as of Sept. 30, 1966, West Virginia had obligated 65 percent of its 1967 ABC funds which was 12 percent above the national average.

The Interstate System is on schedule for completion in 1972. It is my firm opinion, that West Virginia could complete the system on schedule providing federal funds were available in sufficient quantities. The recent Federal-aid cutback could, however, affect this deadline.

My reasons for saying that we could complete the system by 1972, with sufficient federal-aid funds are:

As previously discussed, we are now operating on a current basis in obligating federal funds. At one point in 1966, we could not let interstate projects to contract because of the unavailability of federal funds. In our "Plan for the Future" published in 1962, it was forecast that we would not be in this enviable position until 1967. We beat this schedule by one year.

In the 1962 "Plan for the Future" we laid out a schedule for completing the Interstate. For the period of 1963 through 1966 we planned to open to traffic 60 miles of Interstate. We have actually opened 78 miles or 130 percent of our planned schedule.

The 1962 Plan, indicated a schedule to start 165 miles into construction for the period 1963 thru 1966. We actually started construction on 179 miles or 109 percent of our planned schedule.

As for accomplishments in the Interstate Program in 1966, the following records were set:

Total interstate expenditures—$70 million through December, 1966.

Miles completed or open to traffic—35.

Contracts advertised and/or awarded—55 miles at $75 million.

As of Dec. 31, 1966, the Interstate Program had:

	Miles
Miles complete or opened (including the West Virginia Turnpike	22.5
Construction stage	67.0
Contract plans	172.5
Design report	45.5
Reconnaissance	11.0
Total	518.5

Progress on the important Appalachian development highway systems has been excellent during 1966, as we have advanced 165 miles to the contract plans stage.

As of Dec. 31, 1966, the Appalachian Program had:

	Miles
Under construction	12.5
Adequate	9.5
Contract plans	165.0
Preliminary engineering	241.0
Total	428.0

In 1966, we let to construction 11.7 miles at a cost of $10.7 million.

The 166 mile route of the Highland Scenic Highway, located entirely within the State of West Virginia, will utilize to the maximum extent possible, the crests of the mountains in the eastern part of the State. The scenic highway, on completion, will provide West Virginia with an attraction without equal in this country. We have two projects at the southern end under construction and a third project to be let to contract as soon as Public Lands federal funds are made available. Completion of these projects will provide a usable 14-mile segment.

Completion of this highway will progress as rapidly as funds become available. I should point out that Federal Funds pay 100% of the costs of that portion of the Highland Scenic Highway located within Monongahela National Forest.

As with the Interstate Program, we are obligating federal funds on a current basis in our ABC Program. As a matter of fact, on Oct. 30, 1966, West Virginia ranked 14th among the states in placing ABC funds under obligation.

Highlights during 1966, were:

Opened to traffic—24.2 miles.

Contracts awarded or advertised—42.4 miles at $23.6 million.

Maintenance expenditures through Nov. 30, 1966, were $39.4 million. We had another banner year for maintenance project lettings as we let 163 jobs for improvement of 593 miles (mostly surfacing and resurfacing) at a total cost of approximately $8 million.

In addition, considerable progress has been made in our highway beautification program. A separate division was established on Jan. 1, 1966, charged with the responsibility of implementing the Highway Beautification Act, enforcing our present salvage yard and outdoor advertising control laws and any future changes in these laws.

The road commission received $829,000.00 of federal monies in fiscal year 1966 for beautification projects. The Commission presently has four landscaping projects underway on I–64 and I–77. There are seven Interstate rest area projects in final design or under construction. Approximately 100 salvage yards have been eliminated under the present law. We have been able to encourage the cleanup or fencing of 15 other salvage yards.

West Virginia has 112 roadside parks (at least one in every county) and 400 table areas for the motorists to enjoy. In my opinion, these parks surpass any other such facilities in this country. During one three month period, the commission tabulated several thousand information cards filled out by tourists using these facilities and only four were of a critical nature.

I again want to take notice of West Virginia's unique Interstate Safety Patrol Vehicles. We initiated this program to aid the motorists and remain the only State, so far as I know, to maintain such an operation on a twenty-four hour basis. These safety cars have proved remarkably useful and we plan to step-up the program as additional Interstate mileage is opened to traffic.

West Virginia's road program for 1967 is forecast to be bigger and better than ever. For example: (1) We are planning on letting to contract approximately 140 miles of construction projects at an estimated cost of $150 million.

Included in this total is:

55 miles of Interstate,

35 miles of Appalachian and Appalachian access roads,

50 miles of Scenic Highway, ABC and State Projects.

We are striving to open to traffic another 35–40 miles of Interstate. Several Interstate projects in the Charleston area will move into the final stages of design so that construction contracts will be let prior to the 1968 construction season.

In our 1962 Plan for the Future, which was developed prior to the initiation of the Appalachian Development Highway Program, we indicated that 1967 would be the last year that the $6.3 million dollar appropriation from the general fund would be required. As you will note, our forecast of revenues for Fiscal Year 1968 does not include the $6.3 million general fund appropriation.

In summary, our revenue estimates indicate a need for an additional $10.2 million in order to allow the road commission to carry out its planned program for a road system that will play a major, if not the major, role in the economic and social growth of our State.

HERE'S BRIEF LOOK AT HIGHWAY PLANS

Here is a brief rundown of projected fiscal year 1968 breakdown expenditures and revenues:

Total expenditures	$235,518,000
Revenues: Balance June 30, 1967	7,244,000
State revenue:	
Gasoline tax	41,901,000
Motor vehicle fees	23,508,000
Privilege tax	8,361,000
Capitation tax	300,000
Special permits	200,000
Bond sales	20,000,000
Miscellaneous	100,000
Total	101,614,000
Federal-aid revenue:	
Interstate	89,118,000
ABC	14,197,000
Appalachian	20,323,000
Total	123,638,000
Total revenues	225,252,000
Total expenditures	235,518,000
Total revenues	225,252,000
Additional revenue needs	10,266,000

DELIBERATE—CAUTIOUS, BUT OPTIMISTIC, APPROACH TO FUTURE BEING MADE BY CONTRACTORS

A cautious but optimistic approach to heavy and highway construction in the state is being made by the West Virginia Contractors Assn. for the ensuing year.

Activities of most concern to the association are those directed by the State Road Commission, the U.S. Army Engineering Corps, Huntington and Pittsburgh Districts and other smaller but important federal and state agencies.

However, it is the program of the road agency that the association is most closely allied with and despite the recent cutback in federal road funds ordered by the President, the future of roadbuilding here, for at least the next 18 months or two years, is not expected to be hit too hard by the unexpected financial slash in Federal monies.

Two outstanding factors make the road building outlook in the Mountain State different. First, the federal cutback will not disturb Appalachian program road funds and West Virginia with its 55 counties included in the Appalachian program is in an excellent position to rearrange its Federal-aid programs to substitute when the occasion warrants.

Then the flexibility of the road program in West Virginia is such that it can permit greater attention being given to stage construction. Thus the road commission, in its judgment, can go ahead with grade and drain projects, delaying say the paving and guard rail erection until some two years later, thereby eliminating the need for holding up these valuable funds for such a long period.

Moreover, the commission is continuing its engineering and right-of-way activities at an accelerated pace to be in poised position to move forward more rapidly than ever when normal conditions return.

A mounting increase in traffic volume on state roads plus the fact that an early winter appears to be descending on the state, gives rise to the prediction that an increase in resurfacing projects will most likely be programmed by the commission in the 1967 construction season.

Winter damage to blacktop roads in the Mountain State is generally pretty severe. These "bread and butter" projects are mandatory to keep current traffic rolling until some of the Interstate and major expressway jobs are completed and can absorb a portion of this ever-increasing traffic. The association has 26 members engaged in this phase of highway improvement and all are geared for increased programs starting next spring.

Financing problems in 1967 may weaken the demand for new construction in some categories and the long-range outlook for materials is that they will go up again. Steel, needed for highway building and in other phases of the program is a big enigma facing the Commission and contractors. Bronze was eliminated from all bridge projects in West Virginia last summer. And, from this point, it looks like labor costs will continue to escalate in the months ahead although there is a good chance that less overtime will be needed in private and public construction, which may hold costs down slightly.

Despite uneasiness in world conditions, the association believes the outlook to be bright for the industry in the year ahead. A decision to materially increase the Vietnam war could conceivably change all this not only in the heavy and highway industries but practically every phase of the nation's economic cycle. It's a situation facing every industry in the country.

STATE'S "AGRIBUSINESS" MAKES GRATIFYING COMEBACK

(By Gus R. Douglass, Commissioner, West Virginia Department of Agriculture)

A restless giant is awakening in West Virginia. Considered by many to be ailing and not worth the effort to revive it, agriculture in the Mountain State today is undergoing many changes in government programs and on-the-farm activities. One of the most significant signs in this rebirth is the growing investor interest in the state's agriculture industry.

Cash farm income in West Virginia will probably be in the neighborhood of $112 million for 1966, up $7 million from the previous year. However, this is not the total impact this industry has on the state. "Agribusiness," the production, processing and marketing of farm products, represents just slightly less than one-half billion dollars in trade within our borders.

It is agribusiness, the total picture, to which agriculture, education and business leaders will be directing their attention in the years ahead. All of these interests see a great consuming population closing in on all sides of the state and many shifts taking place within the agriculture industry which will make the area more attractive.

Today, production agriculture is faced with the problem of small ownerships, limited level land and associated management problems. Yet, there is no reason why all of these problems cannot be overcome by the same spirit found in the early farmers.

By the very nature of our early colonial society and the land found in West Virginia, farming in the state developed along the lines of a self-sustaining family operation conducted on only limited acreage needed to supply the necessities. The harshness of this existence made religion a staple of life. These circumstances were common, rather than the uncommon, for the period for many of the nation's farm families.

However, in the early 1900's the nation was awakened to industrial development, rapid transportation and other major changes in our society. West Virginia agriculture found it difficult to keep pace because of unimproved roads caused to a great extent by the large construction costs in mountain terrain, and lack of good communications. Today, communication is better and road improvements have come about, and, what is more important, the gap between the past and present can be rapidly closed with the new spirit which is developing.

While the state can make great strides in economic development by encouraging food processing and other agriculture related industries, the foundation of future development will be an increase in the production of a well selected limited number of farm products. By concentrating on a limited number of activities there is the opportunity to get more efficiency in related supply, processing and transportation activities.

The grasslands of the state are our largest single agriculture resource. While our pastures and meadows are far from producing at capacity, even now they sustain high quality animals eagerly purchased by the feedlot operator.

One of the keys of agriculture expansion will be an increase in the number of cattle, above the 250,000 marketed in 1966. At this time state farmers are using less than twenty-five per cent of the lime and fertilizer they should be placing on their grassland. With the proper use of these chemicals pastures would carry one beef animal per acre.

Part of the problem of improving these lands has been the task of getting this material on the hillsides and controlling wood plants. This problem may be falling before the march of technology because West Virginia University is now experimenting with the use of helicopters to scatter high analysis fertilizer, and spray herbicides for the control of brush. Results have been encouraging.

Sheep have great economic potential for the state. Livestock management specialists recommend the grazing of one head of sheep with each head of cattle; because of their grazing habits they complement each other and bring about better grassland utilization. The use of hormones to control the breeding cycle is making it possible to produce three lamb crops in two years rather than the usual two.

Dairy is the most highly specialized animal industry in the state, yet there is room for great improvement in this segment of the industry. Specialists say that production can be increased twenty-five per cent by improved feeding of the dairy cow. Production of the dairy herd can be further improved by greater use of artificial insemination and more specialized record keeping.

While production per cow has been increasing the nation is finding it difficult to keep up with the growing consumer need for milk, prices are climbing and there is no longer an abundant supply of dairy products. These factors are the chemistry which makes it possible to increase the economic potential of the state's dairy industry.

West Virginia produces only a small percentage of the small fruits and vegetables which the state consumes. In selected areas and on a limited basis there are opportunities for expanding this type of agriculture. However, to avoid the mistakes of the past, efforts must be made to concentrate production in an area which can be supported with educational and marketing activities in order to reach maximum efficiency.

Nationally, the center of egg production is moving eastward. This indicates an opportunity for this poultry activity, made doubly attractive because it requires little land. Presently, the Parkersburg and Beckley areas are the center of the state's egg production, both of these areas have a thin population of layers when compared with what is needed if maximum profit and efficiency are to be realized.

While it requires great efficiency and very good management, there are opportunities for the production of broilers. Supported by an active processor interest, both in and out of the state, turkeys can be profitably produced. Opportunities exist for raising ducks and other specialized poultry.

Production and processing cannot be completely separated because one must be closely related to the other. West Virginia has some food manufacturing activities, the dairy processing plant being the most common. There is some processing of tomatoes and apples, but the processing of meat appears to have the brightest prospect. Recently enacted meat inspection legislation gives the state high standards and will, we expect, make it possible for state meat to move freely in the channels of commerce.

It has been in the field of meat and relating activities that the state has received the most investor interest. The grain feeding of cattle, the processing and marketing of meat are activities which require large capital and well developed management skills. This interest has been largely responsible for alerting both the Agriculture and Commerce Departments to the industrial field which has been largely neglected in the past.

Most all farm products, like coal, are now merely raw materials which are processed before reaching the ultimate consumer. Realizing the potential for industrial development in this area, these two agencies have joined forces in asking the 1967 legislature for funds to employ an agribusiness specialist who would concentrate on development of food processing and other related investments.

Few commercial activities can be more complicated than the movement of a perishable commodity through the trade channels. At one time this would not have been so. Today marketing is a burden for the farmer, finding production a full-time job which requires his undivided attention.

The state Department of Agriculture is helping the producer to take advantage of many improved marketing techniques. Even with this help there are indications that the producer in the state must take many changes in operation if he is to remain in business. He will find that he must increase in size to overcome lower per unit profit brought about by higher marketing and material costs.

The buyer, caught in the same profit squeeze, will be demanding larger and larger units of production to fill his trucks and to satisfy his buyers. This means that he must find production to fill his needs in one very closely knit location. If one large producer cannot meet this demand, smaller producers will be forced to work together and pool their production. Perhaps this will bring about additional cooperative efforts for the use of equipment, the ordering of supplies and perhaps bargaining with the buyer.

No one in the field of agriculture thinks that awakening the giant will be a rapid process, yet there is every reason to believe that a major effort will be successful. To provide for a concentration of leadership, the Extension Service and College of Agriculture of West Virginia University and the State Department of Agriculture have been meeting during the past year to discover new ways of bringing more assistance to the industry. Agreement has been reached on approaches to be taken on most every major problem, with the first implementation of new action programs to be taken early in 1967.

An agriculture revolution does not happen overnight; for example the experts are projecting goals ten years ahead in livestock with shorter periods involved in poultry and other commodities.

The electricity in the air created by a new interest in agribusiness will be rewarding to West Virginia. This is an industry which produces wealth without depleting natural resources; one which requires a high labor input needed by West Virginia; an activity which can help the state's "dollar balance" by keeping many food dollars at home; a rarity in that this business is compatible with recreation and most other related developments; and, because it is so basic and local in nature, this industry pumps many "fat" dollars throughout the economy, changing hands many times for materials, supplies, equipment and other "industrial" purchases before they ultimately come to rest.

Agribusiness, the giant which is awakening, will be a friend to West Virginia, sending its warmth and influence through every community.

Industry—West Virginia Shifts Economic Gears; Manufacturing Takes Spotlight From Coal

(By Fielding H. Lewis, Director Industrial Development Division, State Commerce Department)

While it is true the calendar year of 1966 established new high records in industrial development, capital expenditures, and resulting potential jobs, West Virginia must look forward to greater progress in months and years ahead.

A most fundamental need in this state is a better understanding by our citizens of our problems, how well or how badly we stand in contrast to other areas, what can the future hold in store for us and what steps are being taken to improve our social and economic well-being. Careful and enlightened investigation of these things would provide a solid base for optimism and confidence in our state and its future.

Perhaps our situation is comparable to the old joke when a man asked his friend, "How is your wife?", and the reply quickly came back, "Compared to what?" In determining the degree of economic soundness of West Virginia, we should ask the question, "Compared to what years and compared to what other areas?"

Many of our problems have their roots in the past. Thus, it is necessary to view what has happened in order to identify ailments, diagnose underlying causes and then prescribe a course of action to remedy these things. The integrity of statistics, used for these purposes, must be unquestionable and, with that thought in mind, data from the 1960 report of the Bureau of The Census (U.S. Department of Commerce) have been studied incisively.

No attempts should be made to hide several basic factors which had severe impacts upon the state's economy during the 1950's. Under the heading "Farm and Farm Managers," in the 1960 Census Report of the United States Bureau of the Census, employment declined 23,569, and mining employment dropped 54,864 for the ten year period ending in 1960.

Not only were these 78,000 workers affected by unemployment, but also their wives, children and other dependents. Furthermore, service industries and local merchants suffered greatly because of the loss of spendable income resulting from diminishing employment.

We now have statistical proof that these two employment categories have taken a turn for the better. There is nothing on the horizon which would reveal the same sort of devastation to our economy as occurred during the 1940's or 1950's.

In the decade ending in 1960, the census report showed the state's population loss of 7.2 per cent, rural places of 1,000 to 2,500 represented a 31 per cent loss, and other rural populations declined 8.7 per cent. At the same time, census reports revealed a 14.8 per cent increase in population within our central cities and 50.8 per cent increase in our so-called urban fringe areas.

The shifting of population to urban and urban fringe areas is in step with national trends. This population shift appeared in statistics for Kentucky, Ohio, Pennsylvania, Virginia and the United States as a whole. It is important that we acknowledge existence of this relocation pattern and also anticipate a greater shift of population from rural to urban areas.

Between 1950 and 1960, population of the U.S. increased by roughly 28 million. It is of interest to note that three urban classifications accounted for a total population increase for the ten year period of over 16,700,000, or roughly 60 per cent of our nation's population growth. These places were classified as follows:

Population increase—1960 over 1950

Places of 50,000 to 100,000	4,905,079
Places of 25,000 to 50,000	6,115,693
Places of 10,000 to 25,000	5,690,527

Most of the urban places in the State which depended largely upon payrolls from manufacturing, showed population increases for the same ten-year period. Obviously, the state needs more manufacturing employment.

A study of 1960 census data will show that West Virginia had 40 counties with population losses for the previous decade; Kentucky had 87 counties with population losses for the same period; Ohio had 9 such counties; Pennsylvania had 24 losing counties, and Virginia had 43 counties with losses of population.

The glamorous states of California, Florida and New York all had their share of counties with decreasing population for the same ten year period.

While our state has experienced shifting population and economic problems, the same identical ailments have affected more than 90 per cent of the states of this nation to a greater or lesser degree. Our difficulties are not unique, or confined solely to West Virginia. Other states are working to overcome such problems, and therefore, it becomes our responsibility to conceive sound programs to improve our own social and economic conditions.

Constructive steps are being taken to surmount difficulties that have undermined our economic well-being. The results of these steps are now becoming apparent.

Coal mining employment is on the increase. Since 1963, this has increased by 1,500 jobs (as of October, 1966). There are significant numbers of new mines to be developed in the next several years and there is going to be a demand for three or four thousand additional miners to operate these mines. Shortage of coal miners has been so acute that the state has instituted training programs aimed at developing enough miners to handle modern equipment and meet demands of coal operators for this type of employment.

Under the heading of agriculture-business development, presently there are several most substantial projects being developed. One project alone could involve 180 square miles of surface land and employ large numbers of rural labor when operations reach normal proportions. For economic reasons, names, locations and details of these projects cannot be publicized at this time.

Manufacturing employment continues to increase; at the same time unemployment continues to decrease. In 1961, manufacturing employed 120,100; 122,600 in 1962; 124,200 in 1963; 126,200 in 1964; 128,600 in 1965, and 131,600 as of October, 1966. Other than manufacturing employment, a number of job classifications showed significant improvements and, to a considerable degree, this could be attributed to a constantly improving economy within the State.

One of the most heartening indicators is the record of declining unemployment. In 1961 this figure was 85,600 or 13.5 per cent; in 1962 it was 73,700, or 12.0 per cent; in 1963 it was 61,800, or 10.3 per cent; in 1964 the figures were 52,800, or 8.8 per cent; in 1965 it was 47,600, of 7.8 per cent, and in October, 1966 unemployment was down to 31,200, or 5.1 per cent of the state's civilian labor force.

Statistics are interesting to some people and very dry and dull to others. Too often the average person reads figures and resulting evaluations with skeptical reservations. But, over and beyond the state's regularly improving records for the past six years, there is another economic indicator to be carefully observed. That indicator is—"How much money is in the bank"?

The State Banking Commissioner's Annual Report, dated June 30, 1966, shows the following record of deposits in State Banks and Trust Companies.

Year	Deposits	Dollar increase	Percent increase
1946	397, 649, 285. 93		
1951	445, 537, 131. 66	47, 887, 845. 73	12.0
1956	515, 571, 801. 85	70, 034, 670. 19	15.7
1961	599, 958, 605. 59	84, 386, 803. 74	16.4
1966	901, 612, 306. 07	301, 653, 700. 48	50.3

Industrial development records for 1966 reveal some noteworthy facts. During this year, 33 new industrial plants were completed, 10 new plants were under construction and 12 additional plants were announced with construction to commence at an early date. Expansions of existing plants were completed on 43 facilities, 27 more were under construction and three expansions were announced and scheduled for construction in the near future. Investment in new plants exceeded $75,000,000 and this same figure for expanding plants is over $325,000,000.

Plant expansion figures deserve special consideration because these statistics serve as an indicator as to the quality of our economic climate where industries are vitally concerned. New industries will generally eliminate further consideration of areas where existing plants fail to continue production and expand; failures and stagnation of industrial growth usually indicate an unhealthy economic climate. Fortunately for West Virginia, plant expansion records currently are good and, as an example, there is one nationally-known corporation that has had five multi-million dollar expansions at a single location in the seven years it has been in our state.

Forest Industry in State Grows

"West Virginia's forest industries grew in capitol investment in excess of $4 million during the fiscal year ending June 30, 1966," stated William L. Miller, Manager of Wood Utilization of the Industrial Development Division, State Department of Commerce.

This respresents an increase in new and expanded wood manufacturing facilities. Also because of this increase, employment requirements are now raised to approximately 590 people, Miller emphasized.

"While these figures do not represent a startling growth picture for the state's wood based industry," Miller continued, "of particular interest is the fact that well over half of the investment financed some degree of manufacture."

"In respect to wood manufacturing," Miller said, "only a small portion of this state's forest resources have found their way into finished or semi-finished products in the past within West Virginia. This is regretable because large quantities of quality hardwoods manufactured are sufficient to sustain sizable production facilities."

Miller confirmed that it is strongly felt that as the primary wood manufacturing becomes more diverse (in terms of products), the opportunities and potential for attracting finished product industries will also increase.

The wood utilization expert said that eight new saw milling units to improve the quality of lumber manufacturing and four new or improved veneering facilities have been installed throughout the state. Miller noted that plants have been established to manufacture dimension and to make a wide range of laminated wood products.

These additions combined with the established base of West Virginia's saw mills and wood processors make an attractive prospectus for wood remanufacturers seeking ideal locations. "Of even more importance," Miller concluded, "is the ability of West

Virginia's forest lands to sustain these operations indefinitely."

New Glass Plant Opened at Keyser

Keyser.—Flex-O-Lite Manufacturing Corporation, glass beading producer, subsidiary of General Steel Industries, Inc., St. Louis, Missouri, opened a new plant at Keyser for the production of glass beads to be used in industrial applications.

The new plant was planned initially to be 30,000 sq. ft. in size, and was erected on a 10-acre site in the Keyser Industrial Park.

The Keyser site was chosen for its location near high quality raw materials used in the manufacture of industrial glass beads, and because of the availability of good rail transportation to the port of Baltimore, Law announced. Flex-O-Lite expects to export products from the Keyser plant to European markets.

Glass beads are used in many manufacturing operations in a wide variety of applications including blasting or peening and to smooth and shape metal finishes. Flex-O-Lite has been a producer of glass beads for over 20 years and has been operating as a wholly owned subsidiary of General Steel Industries since 1965.

General Steel Industries, Inc., is a diversified manufacturing company with three divisions and three subsidiaries, operating 15 plants in the United States and Canada. Other GSI products are rapid transit and railroad cars, steel castings for power generating stations, iron and steel rolls for steel mills, non-corrosive coating for pipe lines and industrial wire screen and cloth.

General Steel Industries, Inc., had total sales in 1965 of $88 million, and is listed on the New York Stock Exchange.

Company officials expect to employ 50 to 60 persons when the plant reaches full production.

Eighteen-Thousand-Ton Capacity Slated at PPG'S New Natrium Plant

Natrium.—A contract for the engineering and construction of a titanium dioxide plant for Pittsburgh Plate Glass Company has been awarded last September to the Chemical Plants Division of Blaw-Knox Company.

The multi-million dollar facility will be built at PPG's chemical division's complex at Natrium. Initial phases of construction are underway on the plant which will have an initial capacity of 18,000 tons annually of titanium dioxide pigment.

The new unit will consist of five buildings including a primary reaction unit, a finishing building where the pigment is coated and ground, a combination office and laboratory, a maintenance building and a large warehouse. Rutile, a titanium bearing ore, is the basic raw material required in the production process.

At planned capacity, about 200 persons will be required to staff the plant in manufacturing, laboratory and technical service to customers. Blaw-Knox reports that about 400 construction workers will be required to build the plant. Initial production is scheduled for early 1968.

Titanium dioxide is a white pigment used in paint manufacture to impart opacity and brightness. Large quantities are used also for similar purposes in the manufacture of floor coverings, plastics, paper and inks. PPG will produce at Natrium a variety of pigment grades designed to serve specific needs of consuming industries. Buyers will be served by rail and truck from Natrium and through warehouses in major consuming areas.

Rutile will be supplied by Sherbro Minerals, Ltd., a new company in which PPG has an 80 per cent interest. Sherbro currently is building a mining and refining operation in Sierra Leone, Africa, to recover and refine this mineral. Initial production from Sherbro, planned to serve the worldwide market for rutile, is expected in early 1967. Chlorine will be supplied from the chemical division's existing chlorine-caustic facilities in the Natrium complex.

Pigment production at Natrium by the new chloride process, developed at PPG's technical center at Barberton, Ohio, yields a pigment of very high quality. The chemical division's technical centers have been involved in research and development work on various aspects of the rutile-to-pigment process since the late 1950's. The technical achievements covering the process to be installed at Natrium are covered by a number of U. S. patents. Numerous patents have also been granted by foreign countries.

American Airlines Boardings Increase

"We believe introduction of the jet-powered Electra service has meant a lot to our passengers which is reflected in our increased boardings over a year ago," said Sidney A. Small, Charleston manager for American Airlines last week.

Boardings for the first 11 months of 1966 were up 28.4 per cent over the same period of 1965. American is the only airline serving West Virginia with all-turbine aircraft. With the Electra, American offers Charleston and West Virginia more passenger seats and greater airfreight lift.

While the DC6 was retired from service into Charleston last April 24, the last two passenger DC–6s made their final runs on Dec. 17. One of these was the Flagship Parkersburg which many remember seeing flying in and out of Kanawha Airport.

Their retirement from scheduled service makes American an all-turbine airline—but it also brings fond memories of the days when the DC6 was king of the airways. The airplane was the first post-war luxury liner, and brought in a host of innovations that have been carried over into more advanced aircraft.

As for 1967, American Airlines is looking forward to continued prosperity in Charleston, to serving the people in West Virginia, and expects to carry more and more passengers and airfreight during the coming year.

It will continue operating four Electra flights (two eastbound and two westbound) in and out of Charleston. American Airlines will be the only trunkline in the United States to be an all-turbine airline.

Major Industrial News of 1966 Centers on New Plants

Air Reduction—Arroyo in Hancock County, 2 plants—Air Separation and Welding Wire. 200 employees. $24,000,000 Investment. Under Construction—Financed through sale of Industrial Development Bonds.

Cabot Corp.—St. Marys in Pleasants County. Carbon Black. 100 employees—$8,000,000 Investment. Announced—Construction about to start.

Project—"Coal to Gasoline"—Cresap in Marshall County. Research and Pilot Plant operation. 300 employees—$3,775,000 Investment. Under Construction and nearing completion.

Chevrolet Division of General Motors—Martinsburg in Berkeley County. Replacement Parts distribution center. Prime coating of body parts, packaging, crating and shipping to various Chevrolet parts depots in the East. 1,200 employees in this first unit—Investment Not Available. Plant will have about 40 acres of space under roof. Announced—Construction to begin in Spring of 1967.

Kinney Shoe Corp., subsidiary of F. W. Woolworth Co. Romney in Hampshire County. New plant to produce shoes. 300 employees—$1,000,000 investment. Under construction.

Lockheed — Georgia Co. — Martinsburg, Berkeley County. Sub-assembly of aircraft parts. 150 employees—$650,000 Investment. Under construction.

West Virginia Pulp and Paper—Beryl in Mineral County, W. Va. Lime Liquor Recovery Plant—largest rotary kiln in the world. Over 1,100 West Virginians are employed by this company in their plants at Luke, Maryland, and Beryl, W. Va., and other operations. $4,000,000 Investment. Completed in summer of 1966—Financed by Industrial Development Bonds.

Wheeling Steel Corp.—Wheeling in Ohio County. Reactivation of plants that had been closed for five years. New operation will produce metal containers under an $8,000,000 Government contract. 700 employment—Investment figure not available. Now in operation.

EXPANSIONS

Alcan Aluminum Corp.—Fairmont in Marion County. Aluminum products. Present employment 450 and no information available on additional employment, $1,250,000 plant modernization program. Completed in 1966.

FMC Corp.—South Charleston in Kanawha County, W. Va. Chlorine and caustic soda plant. Employment and investment not available. Under construction—scheduled for completion by end of 1967.

Goodyear Tire and Rubber—Apple Grove in Mason County. Polyester Plant (Plastics). 50 new jobs—Investment not available. This is their fifth expansion at this location in the seven years they have been there. Under construction.

Allegheny Ballistics Laboratories (Hercules, Inc.)—Rocket Center in Mineral County, Plant produces propellants for rocket motors. 100 to 200 new employment—Investment not available. Announced.

International Nickel—Huntington in Cabell County. Nickel alloys, 200 additional employment—$16,000,000 investment. Under construction.

Pittsburgh Plate Glass—Natrium in Marshall County. Titanium Dioxide. 200 additional employment—"multi-million dollar" Investment. Under construction—scheduled for completion in early 1968.

Union Carbide Corp.—Kanawha County. "Spandex", "Dynel" and other plant expansions. Additional employment and investment not available. Under construction.

Vanadium Corporation of America—Graham in Mason County. Alloys plant. One large expansion completed and another is under construction—latter plant will include the world's largest electric furnace—a ten story structure. While employment will increase and investment will amount to many millions of dollars, the exact figures are not available.

Weirton Steel Corporation (National Steel), Weirton. "Steel Mill of the Future." This part of National Steel's $340,000,000 new construction program; best estimates available indicate about $155,000,000 will be spent in West Virginia. Employment data not available. Under construction.

(Note.—There are nearly constant expansions of Du Pont plants, Marbon Chemical, Mobay, Allied Chemical, glass producers and other important industries. In most instances, accurate data as to new employment, plant investment and other factors not available for publication.)

PUBLIC UTILITIES

Virginia Electric Power Co.—Mt. Storm Plant (Grant County). Generating Plant (1,080,000 KW's) High Voltage Transmission Line (in W. Va.) $140,200,000. Completed.

Monongahela Power (Allegheny Power System)—Fort Martin Plant (Monongalia County) Generating Plant (1,080,000 KW's) High Tension Line (in W. Va.) $145,000,000. Under Construction.

Appalachian Power (American Electric Power)—Marshall County Plant (1,600,000 KW's) High Voltage Transmission Line (in W. Va.) $232,500,000. Announced.

C&P Telephone Company of West Virginia—New capital spending authorized by

Board of Directors—12/1/66. $8,700,000. Announced.

COAL MINES

Eastern Associated Coal Corp.—Wharton in Boone County, W. Va. Full production scheduled for summer of 1968. 7,000 tons daily production. 315 employment—$10,675,000 investment. Production shipped to Carolina Power and Light Roxboro, N. C. Under Construction.

Eastern Associated Coal Corporation.—Herndon in Wyoming County, 350 employment. $11,000,000 investment. Announced.

Stotesbury in Raleigh County, 5,000 tons daily of metallurgical coal to steel mills and utilities. 350 employment—$11,000,000 investment.

Monongalia County. 5,000 tons daily production to begin early 1968. 450 employment—$25,000,000 investment. Announced.

Omar Mining Co.—Robinson Creek in Boone County. Production scheduled for spring of 1967. 100 employed.—$1,700,000 investment. 1,000,000 tons of coal yearly to VEPCO's Chesterfield plant, near Richmond, Va.

Mountaineer Coal Co. (Consol Coal)—Robinson Run in Harrison County, Employ 300—Investment not available.

Consolidation Coal (McElroy Mine)—Cresap in Marshall County. Full production scheduled late 1971 or early 1972 3,200,000 tons yearly production. (See "Ireland Mine")—Investment $20,000,000.

Ireland Mine—Expansion Cresap in Marshall County. 1,250,000 tons yearly increase in production 1,300 new jobs for combined McElroy and Ireland mines. Output of McElroy and Ireland mines scheduled to supply Appalachian Power's new plant. Investment figure not available.

Shoemaker Mine—Benwood in Marshall County, W. Va. While planned to be a large producer, data as to tonnage, employment and investment not yet available.

Blacksville in Monongalia County. This scheduled to be a very large mine. Details of tonnage and investment are not presently available. A 35-mile railroad, at an estimated cost of $18,000,000, has been authorized to be built to serve this mine and a mine of Eastern Associated Coal which is nearby. Estimated employment is 300 or more.

RIVERS—WATERSIDE LOCATIONS LURE INDUSTRIES TO OHIO, KANAWHA AS EXPANSION SITES

The Ohio River and its great tributaries, the Monongahela, the Allegheny the Kanawha and the Tennessee are continuing to draw new industries and facilities at a phenomenal pace. And that pace is increasing this year.

Studies made by the American Waterways Operators Inc., an organization that keeps careful tab on such things, reveals that plans for close to 65 new plants and expansions were disclosed during the first half of the year.

This compares with about 80 for all of 1965. Of these 24 and 44 respectively were slated for the Ohio itself. The remainder will be built along its tributaries.

These plans represent one of the largest single blocs in a general movement of industry to waterside locations that involved 512 plant sites on rivers, lakes and harbors the country over last year, and a total of 5,882 new installations and expansions during the 13 years that AWO has been keeping these records.

On the basis of the AWO figures, the biggest single concentration last year was on the Mississippi River, where 85 new plants were listed. But when plants along the Ohio's tributaries are added to those of the Ohio itself, the total number of new facilities adds up to 86. They represent a total investment well in excess of $1 billion.

Among firms planning expansion near the Ohio in West Virginia are:

Consolidation Coal Co.—A $10 million coal mine facility near Wheeling.

Pittsburgh Plate Glass Co., chemical division—A multimillion dollar plant to produce titanium dioxide at Natrium.

A. B. Chance Co.—A major expansion of its porcelain insulator manufacturing plant at Parkersburg.

Union Carbide Corp.—A multimillion dollar spandex-fibre plant and further expansion of Dynel facilities at Institute.

Such firms as Pantasote, Air Reduction, Cabot Corporation, Ohio Brass, Goodyear and Vanadium Corporation have already taken part in the Ohio River Valley expansion in West Virginia or are planning to do so in the immediate future.

At Weirton, National Steel and its affiliate Weirton Steel are constructing the "steel mill of the future," as a major part of a $340,000,000 expansion program.

Steeped in historic lore, the Ohio flows through beautiful country which must be evaluated from a practical marketing perspective if its basic attributes are to be appreciated.

When the economic history of the valley's 1950–70 development is written, it's a safe bet the combination of lowcost water transport and one of the world's greatest stores of underground natural wealth will get the credit for one of the nation's most spectacular industrial explosions.

HIKED CAPACITY, POLLUTION CURBS CITED BY FMC CHIEF

Continued progress in improving and increasing capacity of production facilities and in air and water pollution abatement programs were major achievements of FMC's Inorganic Chemicals Division plant at South Charleston, resident manager M. E. Birmingham reported.

He said 1967 will see further progress and expansion.

The South Charleston plant produces chlorine, chlorine based chemicals, carbon bisulphide, hydrogen peroxide and related products.

In August, 1966, construction was begun on a chlorine-caustic expansion program designed to increase chlorine capacity by thirty percent, from 600 to 770 tons per day. This latest multi-million dollar chlorine-caustic expansion program is the largest single appropriation ever granted this plant, and it is slated for completion in December, 1967.

Air pollution and water pollution abatement programs were pursued vigorously throughout the year. In cooperation with other industries in the Kanawha Valley and the West Virginia Air Pollution Control Commission, standards and a timetable were adopted to reduce fly ash emission from power plants in the Kanawha Valley.

"We will be working diligently from 1967 to 1973 to comply with the standards and the timetable adopted by the West Virginia Air Pollution Control Commission. Eighty-five percent of our planned air pollution abatement improvements will be completed by 1970," Birmingham said.

A new office building located at MacCorkle Avenue and Rhodes was completed in February. The building, constructed from a series of 6-foot pre-cast concrete panels interspaced with 2-foot panels of bronze tinted glass, contains approximately 20,000 feet of floor space at a cost in excess of $500,000. One hundred general office personnel occupy the building.

Safety performance and data processing experienced noteworthy events. The plant established a new safety record on Dec. 11, 1966 when it reached 176 days without a disabling injury. The previous record was set in 1951. An IBM 360 computer was recently installed. The addition of this computer will enable us to solve more complex problems in a much shorter time.

The plant's labor agreement with Local 12625, District 50, United Mine Workers, expires in June, 1967.

"Negotiations of a new contract fair to employees, stockholders, and customers will be a necessity for continued longrange plant growth. The labor relations climate has been gradually improving in recent years as a result of mutual effort by union and management. Labor agreements without a work stoppage have been negotiated since 1959," the manager said.

FMC's 1,100 employees receive an annual payroll of over $10 million while purchases in the state account for another $11 million. Overall, the FMC Inorganic Chemicals plant contributes over $21 million to the state's economy per year.

SUMMERSVILLE DAM POINTS TO STATE BEING ON MOVE

President Johnson dedicated the 46-million Summersville Dam in September as "an act of faith in the future of the great state of West Virginia."

The President lauded the Mountain State for its emergence from a deep depression and identified West Virginia as a "great tourist attraction of the nation."

He was greeted by a crowd of 8,000 at Charleston's Kanawha Airport. The President then flew by helicopter to the dam site on the Gauley River, where 15,000 people were gathered for the dedication ceremonies.

"We're on the move, we're on the go," the President asserted passionately at Charleston. "We know there is still much to be done, but we also know we are no longer starting from the bottom," he said.

"Now, promises that were made have been put into concrete and steel. Roads have been built. People are working and people are eating.

"We will get the job done."

At Summersville, the President dedicated the dam by invoking the blessings of water and the dread of drought. He warned that all mankind was in a "race with disaster" with the supply of water. He used the platform to summon 100 governments to a "water for peace" conference next spring.

The President called the Summersville Dam a key part of flood control plans for the Ohio and Mississippi River basins and said it would prevent "flood damages averaging nearly $3 million a year." He continued:

"In the dry season, water from Summersville Reservoir will be used to reduce pollution and to meet the ever-growing demands of the industries of the great city of Charleston.

"The reservoir also will become West Virginia's newest recreation center—attracting millions of visitors and bringing prosperity to the region."

Col. William Falck of Huntington, district engineer for the U.S. Corps of Engineers, unveiled a dedication plaque at the conclusion of the ceremonies.

The installation is the highest rockfill dam east of the Mississippi. It rises 390 feet, or about the height of a 40-story building, from the valley floor.

The engineering spectacle was overshadowed, however, by the human spectacle—the first visit of a president to the area since three men who were later to occupy the White House trod the same ground during the Civil War.

Recalling that he had been in West Virginia several times, the President said: "I never come but what I am glad to be here. I never go away but what I am sad to leave."

MITCHELL NAME

MOUNDSVILLE.—The Mitchell Plant—honoring a father and a son who were active in the direction of American Electric Power Co., for all of its 60 years of existence—has been designated as the name of the new $200-million electric generating station soon to rise on the Ohio River near Moundsville.

The plant, to be owned and operated by

Appalachian Power Co., an AEP subsidiary, will be the largest on the seven-state AEP System with a generating capacity of 16-million kilowatts.

It is scheduled for completion in 1971.

Donald C. Cook, president of AEP and of Appalachian, said that the plant name would memorialize the late Sidney Z. Mitchell, founding chairman of the board of AEP, and his son, the late Sidney A. Mitchell, a long-time AEP director.

The elder Mitchell was a prominent leader in the electric utility industry in its early formative years.

Gichner Firm Slates Plant in Morgan

Berkeley Springs.—Gichner Mobile Systems, Inc., of Beltsville, Maryland, has purchased plant facilities in Berkeley Springs, Morgan County, from Victor Products, Inc.

The operation represents an extension of the company's present operations in Beltsville.

About 40 employes will be required for the plant. The building contains about 53,000 square feet of production and warehouse space and its equipment includes a variety of machine tools.

The plant will concentrate on the production of ground support equipment and other types of undercarriages and wheel units which are being used increasingly by both the military and private sectors of the economy.

The Berkeley Springs operation will provide the company not only with additional space and equipment but also with a pool of skilled craftsmen within the immediate area. Production at the plant is expected to start shortly.

Gichner Mobile Systems, Inc., began operations in 1898 in Washington, D.C. Today, the company produces a wide range of materials aimed at the transportation, commercial and building construction trades.

Coal Still Holds Throne in Logan County Economy

Logan.—In Logan County, where Coal is King, there were no unusual developments in 1966. Year end tonnage of 14,000,000 will about equal that of 1965. A strike of several weeks duration in the spring, during contract negotiations, coupled with a chronic railroad car shortage hampered production.

Leading coal officials anticipate no significant increase in tonnage for 1967, even though demand is still firm. Car shortages and inadequate prices will continue to deter production increases.

A spokesman for the merchants association reports that most retail establishments have enjoyed a good year, which is attributed to greater effort, broader inventories and steady employment at the mines. There is some confidence that 1967 will produce a further sales increase.

Deposits at local banking institutions have grown slightly in 1966. Unlike many other areas, adequate funds are available for the normal range of loans. No appreciable increase in deposits is anticipated during 1967.

In its annual projection, Appalachian Power Co., anticipates a 2 per cent to 3 per cent increase in power consumption for this area with larger increases expected in Boone County and Pike County, Ky., where more new mines are being opened.

Future hopes in this area are predicted on:

Development of new mines to furnish additional payrolls.

Materialization of the new federally sponsored roads.

Possibility of new industry to augment coal; such as, a wood pulp mill.

The continued inflow of federal appropriations for various projects.

Final approval and construction of the Justice Dam and Reservoir.

Some new acreages were acquired by local coal companies during 1966. Other negotiations are currently underway. Substantial reserves owned by the U.S. Steel Co. are still idle and no one knows of any existing plans for opening these reserves.

Appalachian Roads Held Milestone

The Appalachian Regional Commission's Resolution 92 may sound like another bit of government mumbo jumbo, but for West Virginians it has established a milestone in road-building history. With this proposal the Mountain State has become the major beneficiary of funds allocated for developmental road construction under Section 201 of the Appalachian Regional Development Act of 1965.

Resolution 92 authorized an expenditure of $253 million for the construction of 451.3 miles of developmental highway through sections of West Virginia.

Kentucky, which gathered the second largest share, will receive $183,911,000 from the federal government. Pennsylvania will receive an allocation of $81,595,000, which makes it the third largest beneficiary.

Monies authorized under this section of the Act total $805 million. These funds will develop some 2,350 miles of highway throughout the 12-state Appalachian region. The highway system has been designed so that Appalachia, a region which is rich in natural resources but has not shared properly in the nation's development, will no longer be bypassed.

With these highways large areas with great development potential will be opened to a more significant flow of commerce, industry and tourism.

The Appalachian Developmental Highway system has approved these West Virginia corridors and mileages: Corridor D, 78.1 miles; Corridor E, 34 miles; Corridor G, 90 miles; Corridor H, 150 miles; Corridor L, 71.1 miles; Corridor Q, 28.1 miles.

Developmental highway projects under construction as of October 1 were: (Total includes estimated costs of engineering, rights-of-way and construction) U.S. 50 to Secondary 9, 2.47 miles, $2,635,510; U.S. 50 to West Virginia 23, 2.64 miles, $2,768,400; U.S. 50 to Bristol, 2.3 miles, $3,371,808; and U.S. 460 to Secondary 34, 1.7 miles, $886,770.

Total estimated costs for projects now under construction are $9,662,488.

The Act provides various matching formulas for the funding of the projects ranging from 50–50 to 70–30 federal-state participation.

As these new highways are opened, they will help attract new industry to West Virginia as well as provide new outlets for Mountain State products. This is not the end of highway development, but an important milestone along the way.

Two Blue Chip Companies Plan Monongahela Plants

Fairmont.—Two more blue chip companies—Cabot Corporation and Hanover Shoe, Inc.—have announced plans to locate new plant facilities in the Monongahela Power Company service area.

Other firms in this category that have either disclosed plans or initiated projects, both new and-or expansions include: A. B. Chance Co.; Air Products & Chemicals, Inc.; Air Reduction Co.; Allied Chemical Corp. (Barrett Division); Burdette Oxygen Co.; Continental Can Co.; Georgia-Pacific Corp.; Globe Brick Co.; Koppers Co.; Manganese Chemical Corp.; Marbon Chemical Division of Borg Warner; Ohio Brass Co.; Ozite Corp.; Reidbord Brothers Co.; Weirton Steel Co.; and Wheeling Steel Corp. (Corrugating Division).

Cabot has acquired a 63-acre site in Pleasants County, 12 miles north of Parkersburg, upon which they plan to erect an $8 million carbon black plant. Preliminary site work is expected to get underway this month. About 100 persons will be employed when the facility begins operations.

Work is already underway on the Hanover project to be located on a tract about 2½ miles south of Franklin in Pendleton County. The shoe firm expects to have 150 workers employed by late summer when the plant facilities are completed. Negotiations are nearing completion on the use of a vacant building to house a "pilot program" for the company.

Other firms undertaking expansion programs during 1966 include Banner Fiberboard Company; Bright of America, Inc.; Custom Chemicals, Inc.; Electronic Control Systems, Inc.; Four D Manufacturing Co.; Harrisville Garment Corp.; Iron City Sand & Gravel Co.; Mammoth Plastics Co.; Milan Pharmaceuticals, Inc.; Parsons Forest Industries, Inc.; Rubber Fabricators, Inc.; Sterling Faucet Co.; and Weston Chemical Corp.

Expansions Eyed at Goodrich-Gulf

Despite increasing competitive pressures in the synthetic rubber industry, the Institute plant of Goodrich-Gulf Chemicals reported high levels of production both styrene-butadiene (SBR) and cis-polybutadiene (BR) rubber for 1966. Production of white rubber types, used in the manufacture of shoes, adhesives, and household, showed the greatest gains.

New production records were set in the manufacture of cis-polybutadiene rubber, one of the new "stereo" rubber types. According to D. T. Boumans, plant manager, the production levels achieved were far in excess of those considered to be the maximum when the cis-polybutadiene production facilities went into operation in 1962.

Goodrich-Gulf is currently investigating the possibility of producing a new stereo rubber type at the plant. The company notes that an investigation is still in the early stages and that the major decisions on the subject have yet to be made.

An aspect of the Institute Plant's operations which has attracted considerable attention is its waste treatment facility. Built at a cost of $1.2 million the facility is designed to remove solid particles from the plant effluent and also neutralize and biologically treat the waste stream.

A recent issue of West Virginia Conservation magazine praised the company's efforts in the area of water pollution abatement, saying in part "One official describes Goodrich-Gulf operations as returning a better quality of water than they remove from the river, certainly a model for which other industries and municipalities can strive."

Goodrich-Gulf reported that the facility is currently being studied by other synthetic rubber and petrochemical producers.

Acid Mine Study Due

Morgantown.—Work is under way near West Virginia University on a research project aimed at learning some of the scientific secrets of acid mine drainage. The coal industry is providing $150,000 for the research, being carried out by the WVU School of Mines, under the direction of Dean Charles T. Holland.

The acid treatment plant—now under construction at a site off U.S. 19, nine miles south of Morgantown—is to be completed in next month. Research will be directed toward treating acid mine water to meet the specifications of the State Water Board. This will involve a number of factors that are not understood and for which no data are available.

The Northern West Virginia Coal Assn. voted a special assessment on its annual tonnage to raise money for the research project. Two companies that have extensive mine holdings, but don't belong to the association, also are making financial contributions. They are Bethlehem Steel Corp., and Joanne Coal Co.

Members of the coal association are Pecks Run Coal Co., Cristopher and Mountaineer Divisions of Consolidation Coal, Galloway

Land Co., Clinchfield Coal Co., National Coal Co., Rochester and Pittsburgh, and Eastern Associated Coal Corp.

Charles McGlothlin, Jr., assistant research engineer at the WVU School of Mines, is studying the methods by which water enters mines and is trying to find ways of keeping it out.

Another School of Mines assistant research engineer James Corsaro, is in charge of the water treatment plant. Corsaro said the treatment pond under construction will cover approximately 1.3 acres, but at least three others will be built in addition to other treatment facilities. Water for the research will be obtained from an abandoned mine.

Bituminous Coal's Year Is Healthy

For the bituminous coal industry 1966 marked the fifth consecutive year of rising demand, and 1967 is expected to make it six in a row. Consumption of U.S. bituminous coal reached an estimated 537 million tons in 1966, for a 5.4 per cent increase over the 1965 level of 509.2 million tons.

Stephen F. Dunn, National Coal Assn. president, said in a year-end press statement,

"This has been coal's best year since 1948, when all its markets took nearly 566 million tons. The coming year looks even better, with consumption forecast by the NCA Economics Committee at 548 million tons, 2 per cent above 1966."

America's rapidly increasing demand for energy gives the coal industry a promising future, Dunn said. He added, "The booming demand for electric power is a case in point." Electric utilities, which burned an estimated 265 million tons of coal in 1966, are expected to use about 281 million tons in 1967.

NO EASY SOLUTIONS OF VIETNAM PROBLEM

Mr. BYRD of West Virginia. Mr. President, there are no easy solutions or simple answers for the problems which confront the United States in Vietnam.

The internal problems of that war-fragmented country are of worrisome complexity. The military actions of our own military forces in the southeastern Asia arena are continually necessary of adjustment to the fluidity of the action occurring there, so that maximum effectiveness can be attained.

However, there is one area in which the citizenry of our Republic appropriately can take a concerted stand. I refer to its own attitude and public expressions thereof both at home and abroad. They should reflect the Nation's collective resolve firmly to sustain the efforts to which our country long since has committed itself. There is neither success nor satisfaction to be gained through any other approach.

The January 22 edition of the Washington, D.C., Sunday Star published an editorial, "How Goes the Tough 'Other War' in Vietnam?" and also a column by Howard K. Smith, "Answering Critics of Our Vietnam Position," which deal with the need for resoluteness.

I ask that these newspaper items be printed in the Record at this point.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Sunday Star, Jan. 22, 1967]

How Goes the Tough "Other War" in Vietnam?

Unless the experts are sadly mistaken, this is the year in which the "military war" in Vietnam will be virtually won. Very few informed people, however, expect any comparable progress in the "other war"—the "pacification" program designed to root out the terrorists and make at least a significant start on improving the lot of the peasants and the villagers in the south.

When our officials speak of the military war, they are talking about the campaign—largely American—to knock down or knock out the organized Viet Cong and North Vietnamese combat units. Since mid-1965 a great deal of progress has been made in this area. Instead of a Communist victory, which seemed imminent 18 months ago, the enemy main forces, whenever they would stand and fight, have been badly mauled. When they could not be brought into combat they have been kept off balance and almost constantly on the move. As a result, throughout 1966, not one of the expected Communist main force attacks materialized. And by the year's end there was reason to believe that the main forces were being broken up into small units slated for guerrilla activity.

Earlier this month, when Henry Cabot Lodge, our Ambassador to Saigon, was in Washington he said he looked for "tremendous progress" during 1967 in the military war. He also predicted that American casualties will start declining.

There is no reason to doubt this. Our troop level in Vietnam is expected to climb to between 460,000 and 480,000 men. Against such a force, not to mention the Koreans, the Australians, and the South Vietnamese, the strictly military outlook for the Communists, assuming no Chinese or Russian intervention, will be hopeless. In fact, it will be surprising if the other side should elect to fight a major engagement this year.

But what about the other war? Lodge was cautious. There was no prediction of tremendous progress. Instead, he said, the weeding out of the terrorists takes longer and is almost wholly a job for the Vietnamese. He thought that "until this is done and until local political institutions are constructed under which a police program and an economic and social program can be conducted, Vietnam cannot stand by itself and will continue to require help."

This, if anything is an understatement. It is highly unlikely that the pacification job can be done almost wholly by the Vietnamese, although they certainly should carry the major part of the load. Our own forces, however, are already probing in the Mekong River Delta, which has been largely dominated by the guerrillas for years, and there is good reason to believe that other pacification chores will be taken over by American troops this year.

The hope is that there will be significant progress in this other war in 1967, at least in a few demonstration areas. But the general expectation is that it will be 1968, at least, before the end of the road is in sight—assuming that this job can be done at all.

It will be an enormously difficult task. There are believed to be about 150,000 guerrillas operating in the south under the direction of a few thousand "hard core" terrorists. Of some 11,000 hamlets in South Vietnam, about 4,500 are at least nominally under Saigon's control, 3,000 are contested and 3,500 more or less are ruled by the Viet Cong.

Terror is one of the principal weapons relied upon by the guerrillas, and even in many areas presumably under government control village officials and development teams are reluctant to stay overnight. Little wonder! During last November casualties among local regional and popular forces totaled 15,000 as against 13,000 casualties in the regular Vietnamese army. Since 1957 the guerrillas have systematically murdered more than 13,000 village officials, school teachers and public health workers. This, as compared to the uproar over the inadvertent killing of civilians in the northern bombings, goes more or less unnoticed in our own country. But it very definitely is noticed in the Vietnamese countryside, and the first step in pacification, or revolutionary development, as the program sometimes is called, obviously must be to drive out the guerrillas and make the hamlets secure.

Major General Nguyen Duc Thang, minister of the development program, expects to concentrate on 800 hamlets in 1967, a smaller number than in 1966, but he says that the development teams will emphasize quality, not quantity.

The success of this program, even behind an adequate security shield, will turn on the attitude of the peasants. And no one knows which side they finally will come down on, although the strong presumption is that they will line up with the winner when and if they decide who the winner is.

There is no love lost between the peasants and the Saigon government. After years of oppression and suffering, the people in the country probably would like nothing better than to be let alone. But this of course is not going to be the case. The peasants will be controlled either by the Viet Cong or by Saigon. And there are numerous initiatives which the latter can take. Provision of schools, hospitals and the like will help. But the greater need is for land reform, and this will be more difficult to bring about.

A few years ago Saigon, prodded by the Americans, made a start. Something like a million acres of land became available to about 300,000 peasant families. But another million acres acquired from the French or taken from peasants who lacked clear title was not distributed. The Communists were quick to seize on the land reform issue in their bid for support of the peasants, who constitute more than 80 percent of the population. Through various devices, including fancy "titles," they say they "gave" the peasants 3.2 million of South Vietnam's 8.6 million acres of cultivated land. Straightening this out will take some doing.

Another aspect, or companion piece, of pacification is the "open arms" amnesty program. This has had some effect. The figures may be somewhat suspect, but it is claimed that 11,124 insurgents came over to the government in 1965, and that this total rose to 20,242 in 1966.

By any standard, however, we have not made more than a bare beginning in this other war. Even with a continuing stable government in Saigon, and barring an unforeseen early termination of the military war, the pacification road will be long and hard—perhaps as much as five years or more. But if this is a cheerless prospect, it is hardly more so than the military outlook in 1965. Nor is it more so than has been the case at one stage or another in most of this country's wars.

What is needed is the resolve to see the pacification program through—and to be ready for what the President called "more cost, more loss, and more agony."

[From the Washington (D.C.) Sunday Star, Jan. 22, 1967]

Answering Critics of Our Vietnam Position

(By Howard K. Smith)

Critics of the American position in Vietnam manifest elemental virtues. They invent new arguments with fertile ingenuity or they cling to old ones with weed-like persistence. Their single vice is, their arguments both old and new get no closer to being relevant to the facts of life.

A new twist the other day was a columnist's plaint that we are offending the very basics of our own history: By rebuffing foreign dissenters we have discarded Jefferson's first imperative in the first sentence of our first state document—namely that we should show "a decent respect to the opinions of mankind."

The columnist misinterpreted Jefferson. In that famous declaration, he did not offer to change our course of action. He merely offered to explain it to those willing to listen, while we forged ahead regardless of how they reacted, which is what we are doing now.

U Thant the other day revived the old domino theory which, one had hoped, the critics had stopped propping up and knocking down. The Secretary General said the U.S. bases its policy on faith in the domino theory, and that the theory is wrong.

I don't know how much history it will take to make the point that our action is not based on theory but on fact; a year ago the Communists nearly took South Vietnam. They have seized two-thirds of Laos and about a fifth of Cambodia. They have attacked India twice to disable that potential focus of resistance. Little over a year ago they shipped 100,000 weapons to Indonesia to enable that Communist party to try to seize the government; the fact that they failed does not blur the clarity of their intention. They announced by radio, and began to fulfill, a plan to take over Thailand. No week passes without the newspapers of U Thant's own Burma recording Communist attacks in that country.

None of this is theoretical; it is what is happening. We must put a halt to it in Vietnam or see the world balance go so badly out of kilter that a big war will result.

U Thant also argued that U.S. interests are not involved in Vietnam. Secretary of State Rusk in response pointed out that the past four American Presidents disagreed. The Secretary might have added the name of a fifth President—Franklin D. Roosevelt. In 1941, when Japan seized what is today Vietnam, Roosevelt deployed our war fleet, absorbed the Philippine army into the U.S. army and cut off essential exports to Japan. He made all these warlike preparations—over what is today Vietnam—and according to the Gallup poll of the time 96 percent of the nation supported him. His action led directly to Pearl Harbor. So, Vietnam has been an American interest for quite a long time.

Perhaps the most ingenious recent argument is one invented by the editorialists of the New York Times. They have argued that we should make unilateral concessions (like stopping the bombing without reciprocal concessions from the Communists) because we are a big nation, and they are small.

The principle that effective military action must be related inversely to size is certainly something new under the sun. It would give a blank check to any client state, or client front, of every international aggressor. It would have been our undoing in Greece or Turkey or Korea. The relevant facts are that we escalated in Vietnam because they had escalated enough to take over the country. When we experimented twice in deescalation, they used the lull to escalate faster. There is no way of measuring how many additional casualties we suffered because of ceasing the bombing twice. In any case, our present offer to stop the bombing if they will use the infinite channels and ways of diplomacy to promise some reciprocal de-escalation is both generous and sensible.

The hoariest of arguments now enjoying a revival in the academic community is that by thus hitting back at a small nation we are making ourselves the world's pariahs; we shall end up with the world refusing to associate with us and we shall hate ourselves.

We have heard that argument a dozen times, most loudly in 1956, when the Russians stifled rebellion in Hungary by brute force. Well, instead of being outcasts, the Russians are being sedulously courted by everybody including us. If the Russians got by with a bad case, we shall do all right with our excellent one.

It is a fact of life that sometimes a nation must brace itself against outcries of criticism and proceed to do what is clearly right. That is what we are doing.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 15 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, February 7, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 6, 1967:

INTER-AMERICAN DEVELOPMENT BANK

William S. Gaud, of Connecticut, to be U.S. alternate Governor of the Inter-American Development Bank for a term of 5 years and until his successor has been appointed.

GOVERNOR OF CANAL ZONE

Brig. Gen. Walter P. Leber, O25130, U.S. Army, to be Governor of the Canal Zone, vice Maj. Gen. Robert John Fleming, Jr.

OFFICE OF ECONOMIC OPPORTUNITY

William N. Crook, of Texas, to be an Assistant Director of the Office of Economic Opportunity.

William P. Kelly, Jr., of Virginia, to be an Assistant Director of the Office of Economic Opportunity.

EXTENSIONS OF REMARKS

In Memory of a Leading Senior Citizen of Broward County, Fla.

EXTENSION OF REMARKS

OF

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 1967

Mr. BURKE of Florida. Mr. Speaker, I would like to say a few words to my colleagues concerning the death of one of the leading senior citizens in my congressional district, Mr. Loren Hicks, who passed away last Monday, January 30. His death will be mourned by all leaders of the community who watched him lead his colleagues through the years.

Mr. Hicks lived to be 76 years old, and with sheer strength of character and drive he worked for the betterment of his county, State, and country right to the day of his death.

Like so many senior citizens across the country, he chose my district in Florida in which to retire. Twelve years ago he and his wife, Marie, moved to Pampano Beach, Fla., from South Bend, Ind.

The first day he set foot on the sands of Florida he began his drive to make the lives of senior citizens enjoyable for all such residents of Broward County. In 1959 he created the nucleus of the North Broward Senior Citizens Club and within 6 years he brought its enrollment to more than 1,600 members.

Having fought gallantly for medicare, he considered its passage a personal victory. He continued to fight for additional legislation on the State and Federal level which would benefit our elderly, not only in my district and State, but throughout the entire country.

One of Mr. Hicks' last acts on behalf of our elderly was a sad task. He, like many of us, witnessed the famed *Yarmouth Castle* ship disaster off the shores of Florida in November 1965. That disaster, as you may recall, took the lives of 91 people. But the accident, certainly horrible for most of the country, had a much deeper meaning for Loren Hicks. He lost 23 members of his North Broward Senior Citizens Club in that sea disaster. Almost as soon as the tragedy had struck and the victims were identified, Mr. Hicks, disregarding his advanced age, went immediately to work with his fellow volunteers to care for the survivors, doing anything he could to help.

Loren Hicks immediately was on the move for the erection of the *Yarmouth Castle* Memorial Fund to erect a monument in memory of his friends and the others who were lost.

Now Loren Hicks has joined the many friends he lost in that sea disaster. And, just as he mourned a year ago the loss of his good friends, we mourn today the loss of an outstanding community leader who was also a true, dear friend to young and old alike in Broward County and in our State of Florida.

Mr. Speaker, I direct these remarks to you and to my colleagues in the House of Representatives in memory of a great man and a great senior citizen, Mr. Loren Hicks.

Certificate of Appreciation Awarded to the Textile Industry

EXTENSION OF REMARKS

OF

HON. HOWARD H. BAKER, JR.

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Monday, February 6, 1967

Mr. BAKER. Mr. President, we have always been proud that American fighting men are the best trained and best equipped troops in the world. When we became involved in the Vietnam conflict, we found ourselves in a very special type of war which required us to make substantial changes in the type of weapons and clothing our troops use. One area where the demand for large supplies of new materials was particularly acute was the type of clothing and shelter our men needed. We looked to our domestic textile industry for tremendous amounts of duck, tentage, and uniform fabrics. In the period of 1965 to 1966, our military requirements for cotton, manmade fiber, and wool cloth were some 600 million yards. Our domestic textile industry has consistently met these military requirements and at the same time has kept up with the normal civilian needs. This is a tribute to the technology and people who have made our textile industry the greatest in the world.

I was pleased to see that on January 27 the Defense Personnel Support Center in Philadelphia recognized the contribution the textile industry has made to the war in Vietnam by awarding a special certificate of appreciation to the textile industry. The award was received by Mr. J. Burton Frierson, chairman of the board of Dixie Yarns, Inc., of Chattanooga, Tenn., and the immediate past president of the American Textile Manufacturers Institute. I ask unanimous consent that the text of the certificate of appreciation awarded by the Defense Personnel Support Center be printed in the RECORD.

There being no objection, the text of the certificate of appreciation was ordered to be printed in the RECORD, as follows:

DEFENSE PERSONNEL SUPPORT CENTER,
Philadelphia, Pa.

In recognition of maximum support of the Defense Personnel Support Center's heavy textile requirements by the American Textile Manufacturers Institute from 1 October 1965 to 1 October 1966 to supply the requirements of the United States forces in Southeast Asia, this Certificate of Appreciation is presented to Mr. J. Burton Frierson who served so ably and effectively as its president during this period.

Brig. Gen. JOHN M. KENDERDINE,
U.S. Army.

Capetown and U.S. Foreign Policy

EXTENSION OF REMARKS
OF
HON. DONALD M. FRASER
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 6, 1967

Mr. FRASER. Mr. Speaker, in a statement issued to the press earlier today, the gentleman from South Carolina [Mr. RIVERS], expressed concern about the incident occurring when the aircraft carrier *Franklin D. Roosevelt* visited Capetown, South Africa, last weekend.

As I, and the colleagues who have joined me during the last few days in objecting to the *Franklin D. Roosevelt's* visit to Capetown, have said repeatedly, we regret the unquestioned blow that has been struck at the morale of the *Franklin D. Roosevelt's* crew. It is unfortunate indeed that these brave and dedicated men have been made to suffer.

The blunder was committed some time ago, when the decision was made for the aircraft carrier to make a refueling stop at Capetown.

For it has been the policy of the United States for years to condemn the South African policy of apartheid, the legal and rigid separation of races. Apartheid is in direct opposition to the values in which our country believes and for which our forces are fighting in Vietnam. The only policy consistent with our frequent condemnation of apartheid would be a complete ban on all ship visits to South Africa. Let us make fueling and liberty arrangements where our servicemen will be treated with honor and dignity and where American foreign policy objectives can be upheld. We must look beyond the understandable displeasure of the *Franklin D. Roosevelt's* crew to the broader, long-range goals of equality for all men to which the United States is dedicated. To preach equality at home and tolerate the grossest of all inequality abroad would be disgraceful hyprocrisy.

President Johnson stated this point eloquently last June, in a speech commemorating the third anniversary of the Organization of African Unity. He said, in part:

> The United States has learned from lamentable personal experience that domination of one race by another leads to waste and to injustice. Just as we are determined to remove the remnants of inequality from our own midst, we are also with you—heart and soul—as you try to do the same.
>
> We believe, as you do, that denial of a whole people's right to shape their nation's future is morally wrong. We also know that it is politically and socially costly. A nation in the 20th Century cannot expect to achieve order and sustain growth unless it moves—not just steadily but rapidly—in the direction of full political rights for all its people. It has taken us time to learn this lesson. But having learned it, we must not forget it.

The Government of the United States cannot, therefore, condone the perpetuation of racial or political injustice anywhere in the world.

Since, as a condition to using the Capetown port facilities, South Africa requires our servicemen to submit to the apartheid system, we must find other ways to service our naval vessels. The United States must continue its policy of bypassing South African ports rather than abandon our opposition to apartheid.

Cancellation of Capetown Shore Leave for Vietnam Veterans Was Unfair to Sailors and an Insult to a Friendly Country

EXTENSION OF REMARKS
OF
HON. O. C. FISHER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, February 6, 1967

Mr. FISHER. Mr. Speaker, many Americans felt embarrassed and disappointed when they read the news report from Capetown which stated that shore leave for officers and crew of the U.S. aircraft carrier *Franklin D. Roosevelt* had been canceled as it arrived there en route home from Vietnam.

The ship's executive officer announced that the cancellation came from "higher up," meaning Washington.

In Washington it was reported that a relatively small group of liberal Congressmen had agitated for the cancellation, and evidently the administration buckled under in response to this and other pressures. This seems a bit odd when it is realized that some of our ships are known to dock in Communist and pro-Communist ports, and when the seamen are granted shore leave not a whimper of protest is heard from these liberals and professional civil righters.

Mr. Speaker, the Republic of South Africa is not an enemy country. It is not a neutral or an uncommitted country in this desperate ideological war that is being waged in this world today. South Africa is a committed country, and it is committed on our side. She has always been a valued friend of ours, both in peace and in war. South Africa is one of the few nations in the world which has never sought or received 1 cent of foreign aid from this country.

Yet, our Government applies to that nation what many people will consider a gratuitous insult—and why? The excuse is that some people in this country do not like the way South Africa handles her race problems. What business is that of ours? Has the Government of South Africa applied similar treatment to us because some of her people may not like the way race relations are handled in this country? Have you read of any shore leaves being denied to South African sailors whose ships have docked in U.S. ports, because somebody in that country does not like the way we handle race problems?

How stupid can we be? How inconsistent can we become? The matter of our good relations with South Africa should not be treated as a triviality. After all, who are we to criticize the manner in which other countries handle their race problems? Perhaps we should seek to learn some lessons from South Africa. Perhaps a solution that would be helpful in one country would be unworkable in another. We do know that judged by riots, crime, demonstrations, fires, vandalism, and murder, our methods of handling our race relations leave much to be desired. Certain it is that South Africa's record in those respects are far superior to ours. In any event, we know that it is none of our business how South Africa, the U.S.S.R., or any other country deals with purely internal domestic problems.

Mr. Speaker, the Cape of Good Hope is one of the most strategic spots in the world, from a military viewpoint. Over the long pull, Capetown can be of much greater importance to us and our survival than is Vietnam.

The press reported that Capetown had gone to great effort and expense to give our fighting men from Vietnam a grand welcome during the 72-hour shore leave. Every sailor takes pride in saying: "I was once in Capetown," or "I was in Singapore."

Tens of thousands of South Africans thronged beaches and vantage points to see the *Roosevelt* appear on the horizon. The weather was ideal. A mile out the carrier's guns boomed out a 21-round salute, which was returned by shore batteries. Our sailors knew that a mighty welcome was awaiting them. Then as the ship pulled into its berth, there came the sad announcement: "All shore leave is cancelled—orders from higher up."

Mr. Speaker, we are made to wonder how many discourtesies our South African friends can take from us—and still be friendly.

The 1968 Budget

EXTENSION OF REMARKS
OF
HON. CHARLES RAPER JONAS
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 6, 1967

Mr. JONAS. Mr. Speaker, on January 31, 1967, I delivered a lengthy speech in the House on the subject of the 1968 budget. Since then numerous requests have been received for copies of the speech. Instead of reprinting the speech in full, I have decided it would be better to revise and summarize it in order to reduce its length. Under leave to extend these remarks in the RECORD, I include that summary, as follows:

Mr. Speaker, President Johnson projects a deficit of $8.1 billion in his administrative budget for fiscal year 1968. But the distinguished gentleman from Texas [Mr. MAHON], the chairman of the House Committee on Appropriations, in a speech in the House on January 24, 1967, said that this low deficit projection is based upon a number of assumptions and contingencies, all of which will have to be met if the deficit is to remain under $18 billion next year. Following is a table inserted in the CONGRESSIONAL RECORD by Mr. MAHON in support of his statement:

Selected major contingencies surrounding the administrative budget for 1968 (a partial list only)

	Amount
1. Administrative budget deficit as projected by President	$8,096,000,000
2. If proposed 6-percent surtax is not adopted	4,700,000,000
Then the projected 1968 deficit would be	−12,796,000,000
3. If the proposed postage rate increase is not adopted	700,000,000
Then the projected 1968 deficit would be	−13,496,000,000
4. If the proposal to further accelerate corporate tax payments is not enacted	800,000,000
Then the projected 1968 deficit would be	−14,296,000,000
5. If it were not for the offsetting effect of sales of "participating certificates," shown in the budget for 1968, and treated as offsets to expenditures rather than receipts, of	5,000,000,000
Then the projected 1968 deficit would be	−19,296,000,000
6. On the other hand, if the proposals in the budget for pay raises were not enacted	+1,000,000,000
Then the projected 1968 deficit would be (this is a partial listing only; other considerations enter)	−18,296,000,000

NOTE.—Perhaps the most important single contingency that could affect the tentatively projected budget picture—and it is not tabulated above—would be if the general performance of the economy in calendar 1967 were to vary significantly from the economic assumptions underpinning the budget. And, of course, large unforeseen military requirements could introduce some turbulence.

One of the contingencies cited by Mr. MAHON will be the ability of the Government to raise $5 billion by disposing of that amount of "participating certificates" in a pool of Government-owned mortgages. Under the peculiar way the Government keeps its books, the sum received from disposition of these "participating certificates" is carried as a reduction in expenditures. The disposal of these participating certificates is not in fact a sale because title to the mortgages in the pool does not pass and the Government guarantees the full return of investment to those who exchange their money for the participating certificates. It is simply a convenient way of borrowing additional money without having it added to the national debt.

These participating certificates cannot be sold on the open market for their face value, because the interest return on the collateral mortgages is less than an investor can get elsewhere. So, in order to induce an investor to "buy" one of these participating certificates, the Government has to subsidize the interest. Therefore, this year Congress will be required to provide out of the General Treasury a subsidy of x number of dollars, depending upon how many of the participating certificates are disposed of.

CONFUSION REGARDING BUDGETS

It is very difficult for anyone who is not familar with the Federal budget to figure out what the Government actually plans to spend next year, because there are five separate sets of figures in the President's budget showing different levels of spending, as follows:

The administrative budget: This budget covers only estimated receipts and proposed expenditures of funds owned by the Government. It lists estimated receipts for 1968 at $126.9 billion and expenditures at $135 billion—for a deficit of $8.1 billion.

The consolidated cash budget: This budget records the flow of money between the Government and the public on a cash basis, including trust fund transactions. It lists estimated receipts from the public at $168.1 billion and projected payments to the public at $172.4 billion in 1968—for a deficit of $4.3 billion.

The national income accounts budget: This budget includes actual cash receipts and expenditures plus accruals but excludes loans and receipts from the sale of loans. Estimated receipts are listed in this budget at $167.1 billion and expenditures at $169.2 billion in 1968—for a deficit of $2.1 billion.

Gross expenditures of Government-administered funds: These gross expenditures, on a checks-issued basis, are projected in 1968 to be $210.2 billion.

New obligational authority: The fifth set of figures used in the budget shows that the President is requesting Congress to appropriate $143.9 billion in 1968 in the form of new spending authority to the executive branch of the Government. Incidentally, the new spending authority requested of Congress is $17.5 billion more than was provided for fiscal year 1966.

SPENDING AUTHORITY

It is important to note that whatever Congress appropriates in 1968 in new spending authority will not control the level of spending in 1968 because, while some of whatever is appropriated will be spent that year, some will be retained for spending in subsequent years. It must not be forgotten that, while the President is asking Congress to appropriate new money in the amount of $144 billion for next year, payments to the public in 1968 are projected at $172.4 billion in the cash budget.

The funds that will be spent next year, in addition to those appropriated in new obligational authority, will come out of a backlog of $125 billion in previously appropriated but unspent funds. The budget estimates that, at the end of fiscal year 1968, this pool of unspent funds will amount to $132.8 billion and this money will be available for expenditures in 1969 and beyond.

But some of the money in this pool, while unspent, will already have been obligated by the time we come to the end of 1968, but not all of it. The balances of unobligated funds held in the executive branch of the Government at the end of 1968 will be $49.5 billion. The following list shows some of the departments and agencies which will hold these unobligated balances at the end of 1968:

	Billions
Department of Defense	$13.8
Department of Housing and Urban Development	12.5
Funds appropriated to the President (foreign aid, etc.)	9.5
Department of Agriculture	2.5
Independent agencies	8.6

While it is understood that some leadtime is necessary, particularly in areas such as construction, research and development, and the procurement of materiel requiring manufacture, it is entirely possible that a close and searching examination of these unobligated funds may show that all of this money is not required to be carried over into 1969 in the form of unobligated balances. A corresponding reduction in new money requested to be appropriated can be made if part of these unobligated balances can be used in 1967–68. I therefore recommend that the House Committee on Appropriations make such a close and detailed study of these unobligated balances in an effort to reduce the amount of new funds the President is requesting Congress to appropriate.

CIVILIAN EMPLOYMENT IN THE EXECUTIVE BRANCH

There is another area which deserves special consideration by the House Committee on Appropriations. I refer to civilian employment in the executive branch of the Government, which has been going up by leaps and bounds under the present administration. The following table shows how Government jobs have been increasing, broken down into defense and nondefense activities:

	Total jobs
December 1, 1965:	
Defense jobs	791,292
Nondefense jobs	1,155,774
Total	1,947,066
June 30, 1966:	
Defense jobs	1,052,998
Nondefense jobs	1,313,319
Total	2,366,317
June 30, 1967 (estimated in the budget):	
Defense jobs	1,180,500
Nondefense jobs	1,366,000
Total	2,546,500
June 30, 1968 (estimated in the budget):	
Defense jobs	1,204,900
Nondefense jobs	1,410,100
Total	2,615,000

It will be seen from the foregoing table, that from December 1, 1965, to June 30, 1968, there has been an increase of 667,934 jobs, of which 413,608 have been in defense and 254,326 in nondefense activities. This is shown in detail in the following table:

	Increases in employment		
	Total	Defense	Nondefense
Dec. 1, 1965, to June 30, 1966	419,251	261,706	157,545
June 30, 1966, to June 30, 1967	180,183	127,502	52,681
June 30, 1967, to June 30, 1968	68,500	24,400	44,100
Total	667,934	413,608	254,326

The following table gives a breakdown showing how Government jobs are increasing in the nondefense activities of the Government:

Full-time permanent civilian employment in the executive branch as of June

	1966 actual	1967 estimate	1968 estimate	Comparison	
				1967 with 1966	1968 with 1966
Agriculture	84,070	84,400	85,800	+330	+1,730
Commerce	25,133	25,100	26,800	−33	+1,667
Defense, civil	30,290	32,300	33,000	+2,010	+2,710
Health, Education, and Welfare	91,650	95,900	99,800	+4,250	+8,150
Housing and Urban Development	14,009	14,200	15,400	+191	+1,391
Interior	59,432	60,200	62,100	+768	+2,668
Justice	33,067	33,100	33,700	+33	+633
Labor	9,208	9,250	9,800	+42	+592
Post Office	489,898	525,000	539,300	+35,102	+49,402
State	24,572	25,000	25,400	+428	+828
Agency for International Development	14,892	16,800	17,500	+1,908	+2,608
Peace Corps	1,158	1,240	1,600	+82	+442
Transportation	52,924	53,850	55,800	+926	+2,876
Treasury	80,176	80,900	83,200	+724	+3,024
Atomic Energy Commission	6,974	7,010	7,200	+36	+226
General Services Administration	35,955	36,600	37,500	+645	+1,545
NASA	33,526	33,600	34,000	+74	+474
Veterans' Administration	147,634	149,300	154,200	+1,666	+6,566
Selective Service System	6,969	6,300	6,300	−669	−669
Small Business Administration	3,862	4,050	4,800	+188	+938
Tennessee Valley Authority	11,486	11,800	12,300	+314	+814
Panama Canal	14,129	14,600	14,900	+471	+771
U.S. Information Agency	11,516	11,900	12,000	+384	+484
Miscellaneous agencies	30,789	31,700	32,900	+911	+2,111
Allowance for contingencies	----------	1,900	4,800	+1,900	+4,800
Subtotal	1,313,319	1,366,000	1,410,100	+52,682	+96,781
Department of Defense, military and military assistance	1,052,998	1,180,500	1,204,900	+127,502	+151,902
Total	2,366,317	2,546,500	2,615,000	+180,183	+248,683

The foregoing comments and tables refer only to full-time employment. The budget actually projects an additional number of 266,500 part-time employees in 1968. If they are all employed, the total number of civilians on the Federal payroll will be 2,881,500. It is not difficult to anticipate that this goal will be attained because the latest figures show that there were 2,842,491 persons on the Federal payroll in December of 1966—an increase of 104,444 during the first 6 months of the current fiscal year.

The Civil Service Commission estimates that the average Federal civilian employee's salary is $7,904, and this does not count the cost of fringe benefits, space or supplies necessary to keep one employee at work for the Government. On an annual basis, the salary cost alone for the 667,934 new Federal jobs created since December 1, 1965, through June 30, 1968, as projected, will be $5.3 billion. And it must be remembered that this will be a recurring annual cost so long as the jobs are filled.

I recommend to the Committee on Appropriations that this is an area which should be explored for reductions. Remember that in 1968 we will be dealing with a total Federal civilian payroll of $23.3 billion. Remember also that, unless reductions are made in this area, by June 30, 1968, the Federal Government will have added 254,326 civilians to its payroll in nondefense activities during a period of just 19 months. If we could eliminate 100,000 of these new jobs created in nondefense activities since December 1, 1965, the saving would amount to approximately $800 million, and this will be a recurring annual saving so long as the jobs are not refilled. This can be accomplished without firing anyone but through attrition due to the large annual turnover in Federal employment.

OTHER OBJECTS

There is another area which deserves most careful scrutiny by the House Committee on Appropriations. In every agency justification there will be a table giving a breakdown of obligations by object, including travel, transportation of things, printing, supplies, utilities, and so forth. There is no summary of these objects in the budget but for the last several years I have asked for such a summary and always receive it but usually it comes in a month or two after the budget document has been submitted. I have asked for such a summary this year and assume it is in preparation. Based on the summary supplied by the Budget Bureau last year, I predict that the one this year will contain some shocking information and will open up another area for substantial budget cutting. Here are a few items taken from the summary provided last year:

	Billions
Personnel travel (civilian, $442 million)	$1.7
Transportation of things	3.8
Printing and reproductions	.305
Supplies and materials	28.5
Grants, subsidies, and contributions	20.9
Rents, communications, and utilities	2.4

My guess is that very few U.S. citizens know that the Government's travel bill last year amounted to $1.7 billion or that the printing bill exceeds $300 million a year.

Obviously cuts proposed in "other objects" cannot be pinpointed until the individual justifications are received but I strongly recommend that the Committee on Appropriations give close and careful attention to these other objects because I believe they can be reduced substantially without damage.

GROWTH IN FEDERAL SPENDING

The last year we had a balanced budget and paid anything on the national debt—$1.2 billion—was in 1960. Since then there has been a succession of deficits—red ink each year on the Government's books. The following table contains a year by year record of these deficits and will show that unless the new budget that will be considered this year is substantially reduced, by the end of fiscal year 1968 we will have piled up an accumulation of $48.3 billion in deficits since 1961:

[In billions]

	Deficit
1961	$3.9
1962	6.4
1963	$6.3
1964	8.2
1965	3.4
1966	2.3
1967	9.7
1968	8.1
Total	48.3

The impression is sought to be left that these deficits have been caused by the escalating war in Vietnam. While defense spending has increased substantially, there has also been a substantial increase in nondefense spending as will clearly appear from the following table:

Expenditures, administrative budget funds

[In millions of dollars]

	1960 actual	1966 actual	1967 estimate	1968 estimate
National defense:				
Military	41, 215	54, 409	66, 950	72, 300
Military assistance	1, 609	968	1, 000	800
Atomic energy and defense related activities	2, 867	2, 341	2, 271	2, 387
Total, national defense	45, 691	57, 718	70, 222	75, 487
Nondefense:				
International affairs and finance	3, 195	4, 191	4, 608	4, 797
Space research and technology	401	5, 933	5, 600	5, 300
Agriculture and agricultural resources	3, 475	3, 307	3, 035	3, 173
Natural resources	1, 798	3, 120	3, 226	3, 518
Commerce and transportation	1, 963	2, 969	3, 495	3, 089
Housing and community development	122	347	890	1, 023
Health, labor, and welfare	3, 650	7, 574	10, 389	11, 304
Education	866	2, 834	3, 304	2, 816
Veterans benefits	5, 266	5, 023	6, 394	6, 124
General government	1, 542	2, 464	2, 725	2, 781
Total, nondefense	22, 277	37, 762	43, 666	43, 925
Interest	9, 266	12, 132	13, 508	14, 152
Civilian and military pay increase				1, 000
Possible shortfall in asset sales				750
Contingencies			100	400
Interfund transactions	−694	−635	−766	−682
Total	76, 539	106, 978	126, 729	135, 033

In fiscal year 1966 spending was up to $106.9 billion from $76.5 billion in 1960. The increase in 1966 over 1965 was $10.5 billion, of which $7.5 billion was for defense and $3 billion was for nondefense purposes.

In fiscal year 1967 the latest spending estimate is $126.7 billion which is up $19.7 billion over 1966. Of this increase $12.5 billion is for defense and $7.2 billion for nondefense purposes.

Proposed spending in fiscal year 1968 is estimated to increase by $8.3 billion to $135 billion, of which $5.3 billion is for defense and $3 billion for nondefense.

Thus, unless Congress practices restraint and refuses to follow the administration's unsound fiscal policies, nondefense spending will have increased by $13.2 billion during the last 3 years.

REDUCTIONS CAN BE MADE

In the light of the foregoing, it is imperative that the administration and the Congress tighten their nondefense spending belts to avoid the necessity of further tax increases and the chances of a recession. What should be done? I have indicated previously several areas in which I think close and careful scrutiny of the new spending proposals would bear fruit. Another suggestion would be for the administration and Congress to immediately exert every effort to roll back 1967 and 1968 nondefense spending to the levels of fiscal year 1966 which ended just 7 months ago. If this rollback should occur, the spending programs for the remainder of 1967 and for 1968 fiscal years could be reduced by as much as $10 billion. The only dislocation would be that resulting from rolling back nondefense spending levels to those in effect just 7 months ago.

CONTINUOUS DEFICITS AND MOUNTING DEBT MUST END

I have previously shown that the accumulated deficits from 1961 through 1968 will be $48.3 billion. This means that the Government has spent that much more money than it has taken in—including proposed spending through fiscal year 1968—during this 8-year period.

These years are alleged to have been the most prosperous in our country's history. Accepting this as true, do you find it ridiculous that the Government has run up a deficit in every single one of these years?

Now, faced with a national debt of $330 billion, a record of six successive budget deficits, and the continuation of a costly war in Vietnam, what kind of fiscal discipline does the President propose? Does he issue a call to arms for economy? Does he urge harder work and more sacrifices? Does he ask that the country forgo some of the things it might want but can do without until the Government's financial house is in order? No; he does none of these things. He proposes to continue to spend and spend; to increase taxes and raise postal rates; and to borrow and borrow, thus adding to the already badly swollen national debt.

This would not be so bad if we had a modest debt, but it is quite serious when considered in the light of the fact that at present this debt is larger than the combined debts of the other countries of the world put together. We have already borrowed the money to make up the deficits accumulated in the last 6 years and now it is proposed to borrow more to make up the deficits projected for this year and next, so that at the end of 1968 it is estimated that the national debt will be $335.4 billion.

The carrying charges on this fantastic debt have gone up also from $9 billion a year in 1960 to $14 billion projected for 1968. Here we are paying out $14 billion a year just because we refuse to curtail this enormous debt, and instead are adding to the debt each year and thereby increasing the interest charges.

Let me give you something to think about with respect to this interest. In just 23½ years we will pay out, in interest alone, an amount equal to the national debt but will still owe every dime of the principal. It has been figured out that if we would just begin to reduce the debt by 1 percent a year, in less than 30 years we would have paid the principal down to a sufficient point that we could continue to pay interest and curtail principal at 1 percent a year without paying out any more than we are now paying in interest alone.

Administration spokesmen like to relate the interest on the national debt to the gross national product. I do not think that is a realistic relationship and believe that interest should more properly relate to income. If you relate interest to income, you will find it is taking 11 cents out of every dollar received by the Government in individual, corporate, estate, and excise taxes, plus custom receipts, just to pay the interest on the national debt. This leaves only 89 cents out of each dollar to pay for national security and the various other programs of the Federal Government. You have to go all the way back to 1950 before this high ratio is exceeded, and it has been exceeded only 10 times during the last 46 years.

I believe it is time to call a halt to deficit financing. Let us refuse to increase this burden of debt. Let us demand that the Government begin to live within its means and stop borrowing more money to pay current bills. We owe this to our constituents and to future generations. Every generation should pay for its own mistakes and for its own benefits. Let us not leave our children a heritage of burdensome debt. We can do our part by reducing the 1968 budget by a sufficient amount to bring it in balance and leave a surplus which can be used to reduce the national debt.

National Naval Medical Center Celebrates 25th Anniversary

EXTENSION OF REMARKS

OF

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 1967

Mr. GUDE. Mr. Speaker, February 5, 1967 marked the 25th anniversary of the National Naval Medical Center. The Center is a world-renowned medical institution, and a significant landmark in the Maryland countryside. This memorable date commemorates a record of past accomplishments of which we can be justly proud. In its 25-year history, the Medical Center has proved itself as the medical, diagnostic, and educational center of the Navy, with numerous contributions to the medical health of the world. It turns out hundreds of hospitalmen, doctors, nurses, and technicians each year, bolsters daily the Navy's rank in medical research and concern for the patient, having admitted over 383,696 patients for treatment since its commissioning in 1942.

The hospital is designated as a treatment center for corneal transplant, radiation therapy, radioisotope studies, surgery for deafness, acrylic ocular prosthesis, open heart surgery, neurologic disorders, thoracic surgery, oncology neurosurgery, plastic surgery, and tropical diseases. In September 1949, the Center established the world's first "bone bank" for the collection, sterilization, and preservation of surplus bone from clean orthopedic surgical cases until it was needed in grafts. As the need for other tissues increases, the "bone bank" was expanded into the tissue bank.

Other notable accomplishments include the first successful attempt to surgically replace a portion of the abdominal aorta in a human patient with a freeze-dried aortic hemograft; installation of the first nuclear reactor for patient therapy in a Navy hospital; and the development of improved therapy techniques for radiation injury by the use of blood, blood products, antibiotics, and bone marrow infusions. In addition, the pioneering efforts of the U.S. Naval Hospital in the development of open heart surgery gave impetus to an increasing use of the pump-oxygenator, popularly called the artificial heart and lung, in cardiovascular surgery.

Congratulations for a job "well done" and happy anniversary.

The Federal Highway Program: A National Commitment

EXTENSION OF REMARKS
OF
HON. JOHN M. ZWACH
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 6, 1967

Mr. ZWACH. Mr. Speaker, last November President Johnson ordered a $1.1 billion cutback in Federal highway funds, effective for the remainder of the present fiscal year.

State highway departments were told that the cutback was necessary to reduce inflationary pressures caused by Government spending in Vietnam.

However, the proposed freeze of $700 million is less than 1 percent of the total estimated construction for 1967. It is very questionable whether that small percent will have any effect on inflationary pressures.

In Minnesota this cutback represents over $40 million or 28 percent of the program that was originally planned. This will mean postponing much needed projects in all parts of the State on interstate, regular trunk, and county highways.

Mr. Speaker, I feel strongly that we cannot further delay a roadbuilding program that is already behind schedule.

The farm-business economy of Minnesota's Sixth Congressional District moves on roads—and depends on roads. Any delay in the State roadbuilding program can cause serious problems, since the construction season is short and no work can be done during the spring breakup.

Sixth district people have made advance payments on the costs of good highways. Federal roadbuilding is done with the proceeds of gasoline and other highway users' taxes which go into a special trust fund—and not with the appropriated money in the regular budget. Consequently, the President's action does not reduce our huge Federal deficit by so much as one penny.

Highway modernization not only is an aid to the economy in providing better transportation, it is also a boon through increased employment. The safety factors, saving lives through better highway construction, should be the most compelling reason why we cannot afford a single day or a single dollar of cutback.

For these reasons, Mr. Speaker, I am introducing a House concurrent resolution expressing the sense of Congress that the Federal-aid highway program should proceed as rapidly as available revenues to the highway fund permit. The resolution also makes it clear that the integrity of the highway trust fund should be preserved. In introducing this measure I believe we are really only asking for something we have already paid for.

The resolution which I have introduced is as follows:

H. CON. RES. —

Resolved by the House of Representatives (the Senate concurring), That in view of the fact that the Congress, in enacting the Highway Revenue Act of 1956, created the highway trust fund to receive specific tax revenues levied upon the users of the Nation's highways for the sole purpose of financing the Federal-aid highway program, and that the recent cutback in the amount of Federal funds which can be committed for highway construction in fiscal 1967 will have little effect on current inflationary trends, but will deny the Nation urgently needed highways which are being paid for by special taxes; it is the sense of Congress that the limitations imposed on the highway program by the cutback in Federal highway expenditures be removed, that the Federal-aid highway program proceed as rapidly as available revenues to the highway trust fund permit, and that tax revenues designated specifically for the highway trust fund be disseminated in accordance with the legislative intent expressed in the Highway Revenue Act of 1956.

Remarks of the Honorable John V. Tunney

EXTENSION OF REMARKS
OF
HON. HAROLD T. JOHNSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 6, 1967

Mr. JOHNSON of California. Mr. Speaker, I would like to bring to the attention of the Members of Congress a speech given in New York City, January 31 by the Honorable JOHN V. TUNNEY. It was given before the American-Arab Association for Commerce and Industry, Inc., a trade organization in New York which tries to promote closer relations between the United States and Arab nations.

The speech points out the benefits of regional cooperation in the Maghreb, and the problems and opportunities the United States and the north African countries must face together.

I believe all will benefit from reading Mr. TUNNEY's remarks, which follow:

It is a great pleasure for me to be here. I would like to discuss briefly with you some of the problems and opportunities we jointly face in the Maghreb.

All of us have an interest in the peaceful development and political stability of this region, so important strategically and economically in world affairs.

Under our system, private business can do at least as much to promote economic development as government, and we all know that the benefits of prosperity abroad are shared by all of us at home.

Maghreb means the "west" in classical Arabic. During my recent visit there with Senator Edward Kennedy, I had occasion to see how much it does resemble our own west, particularly that part of California from which I come. Many of its problems—the urgent need for water and for regional solutions to economic difficulties—are similar to those of my own district. I am sure that the members of the U.S. Trade and Investment Mission, in whose honor we are meeting, will bear me out on these striking similarities.

For those who have not yet had the opportunity to visit the area, let me set the scene briefly.

First, the four countries—Libya, Tunisia, Algeria and Morocco—form a homogeneous area one-half the size of the United States with about one-fifth the population. To be sure, much of this vast area is Saharan desert, but we are only now beginning to realize how valuable a piece of real estate this "inland sea" really is.

Secondly, we are talking about old peoples but new countries. Libya, the oldest, just celebrated its fifteenth birthday, but Algeria is still only five. In this connection, we should also bear in mind that none of the countries of the Maghreb was able to devote its full energies to economic development until the Algerian war for independence ended in July 1962.

Thirdly, if the countries are new, so are the people. Fifty percent of the population is under twenty-one. I had the impression of vast numbers of children in the three Maghreb countries I visited. The danger is that this new generation coming of age in new countries without strong institutions or economics will demand more of their governments than they can possibly provide. We may then find the infernal cycle of agitation, repression and revolution repeated in an area that has seen bloodshed and turmoil enough.

Fourthly, the key to economic stability is a stronger agricultural base. None of the countries of the Maghreb is able to feed itself, even though most of its people depend on agriculture for a living. This points to the direction United States aid ought logically to take.

Fifthly, one cannot travel through north Africa without being impressed by its essential units. Only the inevitable customs and police formalities differentiate national frontiers. There is a common language, a dialectal variety of Arabic. All form part of the widespread family of Islam, which remains perhaps the most powerful social and cultural as well as religious force. The similarities extend to cuisines, dress and even superstitions. All have emerged from a common colonial past, three of the four under the same master.

Thus, on the level of people, everything serves to unite. One could argue with some justice that there is greater unifying force in north Africa today than there was in the United States under the articles of confederation. Moreover, beginning well before Algerian independence, common agreement was reached by nationalist parties in the four countries to seek the maximum political and economic unity as soon as independence was attained. I will have more to say on the prospects for Maghreb unity a little later.

The north African economies resemble nothing as much as a paradox. In Arzew in Algeria, you can walk in just a few minutes from the most modern gas liquefaction plant in the world to fields plowed by donkeys. Shacks of wood scraps and tin have mushroomed alongside modern superhighways. There is great progress and the most grinding poverty. For these are developing countries and everywhere the development is unequal.

The Libyan economy has known the greatest rate of growth. Since the first major oil strikes in 1959, it has expanded rapidly; per capita GNP rose from about $145 at that time to $435 in 1964. Possibly no other country in the world has ever run the gamut of oil development in such a short period. The Libyan Government is channelling seventy percent of its growing revenues from the oil industry into development programs in less favored sectors, including agriculture and education. Although three-quarters of the population is occupied with agriculture, Libya no longer is able to feed itself, largely because of sporadic and inadequate rainfall. Manufacturing is relatively unimportant but should increase as a result of the current development plan.

Tunisia is one of the prime examples of a country raising itself by the bootstraps. It has made the most of its limited natural resources, assisted by one of the largest U.S. aid programs in Africa, totalling $400 million up to the end of FY 1965. The basis of its economy remains agriculture, and here the limiting factor is lack of water. Tourism and industry are beginning to thrive and the potential for overall development is within reach.

It would takes volumes to adequately describe the Algerian economy. Oil was discovered and produced in 1957, and is now the most important export. Plans are well along for important industrial development and tourism is again receiving the attention of the government. Ten percent of the world's natural gas remains largely unexploited under the Sahara. There is a very modern industrial sector and extremely rich, rationally-exploited farm lands, but fifty percent of the labor force is unemployed and some 500,000 Algerians must earn their living abroad. Recent studies have indicated a potential for the highest rate of growth in Africa, but there has been little net investment in recent years. It can be hoped that the Algerian Government will turn full attention to the problem of proper incentive and guarantees to encourage private enterprise and capital investment from abroad. With a proper combination of government planning and sensitivity to business growth needs, we can hope for a sizeable spurt ahead shortly.

The Moroccan economy also depends largely on agriculture, but there is growing exploitation of minerals and some industrialization as well. It does not have the rich gas and oil resources of Libya and Algeria, but it is developing a promising chemical industry based on large reserves of phosphates. Tourism is highly developed and will continue to grow.

Each of these economies has strengths and weaknesses, but it seems clear that none can develop satisfactorily in a vacuum. In this day and age, the only way any country can achieve a modern industrial society is by the creation of a large market through systematic elimination of barriers to trade.

If it was important for the highly industralized countries of Europe to form a common market, how much more urgent it is for the developing economies of North Africa. Only in this way will they be able to derive the benefits of modern mass production methods. Though the experience of the European common market is not fully applicable to the Maghreb, the Central American common market is. That region has fewer resources than the Maghreb, but with joint planning, coordination of investment, and mass production for a greatly enlarged region-wide market, exchanges within the members of the Central American market have increased 500% in the five years of its existence, to the benefit of each of the member states.

What are the prospects for economic coordination in north Africa?

During my recent visit, I had the impression that the countries of the Maghreb were indeed making slow but steady progress towards this goal.

Institutions have been developed to coordinate policies and are functioning well. There are annual meetings of Maghreb economics ministers, as well as a permanent consultative committee in Tunis. There are seven permanent commissions for specific problems and products, and more are under consideration. Those already in existence cover air transport, highways, railways, maritime transport, tourism, telecommunications, and commercial relations. In addition, there is a regulatory body which oversees and coordinates the production of esparto grass and which sets production quotas. A similar body handles all national problems of locust control, for many years a scourge in the southern Maghreb.

One of the proposals that has been discussed by the Maghreb group has been the formation of a regional airline, replacing the four small independent airlines. The tourism commission has inaugurated a hotel training program, with United Nations assistance, in Algiers. Consideration has been given to creation of a Maghreb development bank. A study is underway on lowering of customs barriers and quotas among the four countries.

Steps taken thus far compare most favorably with those of other regional economic organizations at comparable stages of development. To be sure, a great deal remains to be done to translate aspirations into reality, but without the aspirations nothing can be accomplished.

The United States has encouraged these trends toward regional cooperation. We remember that at the time of our own independence a confederation of States with differing monetary and customs systems posed insuperable obstacles to economic development. Having profited ourselves from an internal policy of economic integration, we have long been leading proponents of this policy in other parts of the world.

In his address to African ambassadors at the White House on May 26, 1966, President Johnson said that "we have been particularly heartened by the impetus toward regional cooperation in Africa. The world has reached a stage where some of the most effective means of economic growth can be achieved in large units commanding large resources and large markets. We have learned in this generation that most nation-states are too small, acting alone, to assure the welfare of all their people."

In accordance with the President's statement, our new aid policy is designed to accelerate the movement toward regional cooperation by channeling substantial aid funds to regional projects. We are just in the process of implementing this new policy. In my opinion, a great deal of earnest effort by both the Maghreb and donor countries is going to have to be expended to achieve the possibilities of greater economic growth through regional participation.

Among the problems that unite north Africans in misery, none is more basic nor more important than water, or the lack of it. There are countless farms in the Maghreb where it rains only every 3 years, and where hard-working people live futile lives.

And yet, the water is there, everywhere available. There need only be constructed an adequate network of wells and irrigation channels, and to maintain them in a spirit of international cooperation, and the vast Saharan Desert would bloom like an English garden.

Some years ago, an oil-drilling company was hired by the Libyan Government to drill a water well near the village of Sokna, deep in the Sahara. It had been calculated that the water table should be found at 2,000 feet. Instead, at 650 feet the bit hit a high-pressure artesian zone that shot 52,000 gallons an hour of sweet water over the derrick top. This water will permit the transformation of an arid region that once needed to fetch its water from twenty miles away.

There have been comparable water "strikes" in Tunisia. For about a year, the Parsons Company has been engaged in ground-water development under the so-called "Fifty-Well Project." This program is aid-financed, and includes training of Tunisian water resources technicians as well as drilling. By these means, Tunisia is now in position to double its irrigated land surface.

These are parts of the evidence that large areas of the Sahara are underlain by an enormous fresh-water lake, extending at least five hundred miles south of the Atlas Mountains and east of Tunisia.

This enormous resource poses prodigious policy problems which have been considered only superficially thus far. The recharge and discharge of groundwater under desert conditions are usually under delicate balance, and can be seriously upset by concentrated withdrawals. When that happens, the groundwater is being mined. Since one area can withdraw inequitable amounts at the expense of a neighbor, controversies can arise. This presupposes a comprehensive plan for utilization of the water table on the scale of the Sahara itself.

The United States has no absolute shortage of water—only of clean water—but there are areas of our country where conditions are similar to those of the semiarid zones of the Maghreb. I would like to see us contribute our specialized knowledge to making the desert bloom. For example, Congress has held hearings on cloud seeding, and there is no doubt that under certain conditions it can contribute markedly to agricultural development. This is an example of the sort of activity AID should involve itself more heavily in. If we wish to assist the less developed countries, we should use the best of our technology in the process, not the most pedestrian.

One of the major impediments to peaceful regional development of the Maghreb is the arms race. One of the heritages of their common colonial past is a set of conflicting border claims, the direct cause of an inordinately large emphasis on military preparedness.

The countries of the Maghreb, if they are not careful, may find themselves caught up in an arms spiral whose continuing escalation dilutes every effort by governments to achieve economic development.

First, the money spent on armaments could give a tremendous impetus to the economy. Based on official disclosures the four countries of the Maghreb together spent more than $230 million last year on defense. Most authorities believe these official figures underestimate the actual arms outlay. As we all know, the spiraling arms race has most intimately affected Algeria and Morocco, where over 95% of the total Maghreb military expenditure occurred.

Some of this money doubtless went for army-operated reclamation and development projects and some for salaries, but most of it could have been spent more productively.

Secondly, the existence of armaments by itself breeds suspicion and inhibits the sort of confident cooperation required for joint action against the real enemies of mankind: Poverty, disease, and ignorance. Suspicions will be generated, tensions will increase, and inevitably there will come a day when someone will wish to test the expensive toys he has acquired. We hope this day will never come, but it would be better to take timely action now to reduce armaments than to regret later.

This is a problem endemic to the world, not only north Africa.

But nowhere, because of the religious and racial unity I mentioned earlier, does it seem more uncalled for. I would hope that the political leadership will ask itself whether expenditures for armaments bring more security or less, and whether they are warranted in terms of lost opportunities for development and cooperation.

We believe, and we should try to convince others, that real security can better be achieved by weaving such a strong pattern of economic inter-relationships between the countries of the Maghreb that war between them would be unthinkable.

There are other, and very significant difficulties to rapid regional economic development.

First, alongside the unity of peoples there is great political diversity. Morocco is a traditional hereditary kingdom; Algeria a new republic struggling to define its permanent institutions; Tunisia perhaps the most successful practitioner of the one-party state in Africa; and Libya a new constitutional monarchy. These differences can only be explained in terms of historical accidents, but they do inhibit somewhat the closeness of ties required.

Secondly, there is the operation of Malthus' science. We do not have really accurate statistics, but the annual rate of population growth in north Africa is certainly well over two and a half percent.

More than half the Algerian population is under twenty years of age. There is a simple way to judge whether a developing country is winning or losing its race against poverty: by comparing birth rates and growth of GNP on a chart. By this test, the countries of North Africa—with the exception of Libya—are probably losing the race. There is still time to win, but very little leeway for mistakes.

In recent days, our aid policies abroad have come under increasing public criticism. Criticism can be stimulating and constructive, but it can also intimidate and prevent us from doing what we should in our own self-interest.

There are four good reasons why foreign aid is important to the United States in its own self-interest.

First, foreign aid is basic to our security. As Secretary McNamara said recently, most of the major outbreaks of violence since World War II have taken place in the less developed countries. Without foreign aid, many countries undoubtedly would have been subverted or overrun in the past two decades. Without aid, we would surely be living in a less stable and more threatening world. Unless we are willing to retreat to fortess America and a new and costly maginot line, we must make sacrifices to create the sort of world order in which we can live at peace.

Secondly, using the standard of crass economic self-interest, aid stimulates trade. In the long run, foreign aid will substantially help our balance of payments. As countries we are now assisting grow stronger, they will provide new and growing markets for U.S. business. An increasing flow of dollars to the United States will result from loan repayments. Even today, the net impact on the U.S. balance of payments of aid offshore expenditures in fiscal year 1967 was estimated to be only $217 million.

Thirdly, aid is not a bottomless pit. Since 1948, economic assistance has ended in nineteen countries. Twelve of these countries now conduct aid programs of their own. In 1948, the U.S. was the only country strong enough economically to supply foreign assistance; today seventeen free world countries share the burden, and some, such as France, devote a larger part of their GNP to foreign aid than we do.

Finally, as President Johnson said recently, "we extend assistance to nations because it is in the highest traditions of our heritage and humanity." Pope John, in *Mater et Magistra,* put it this way: ". . . today, men are so intimately associated in all parts of the world that they feel, as it were, members of one and the same household. Therefore, the nations that enjoy a sufficiency and abundance of everything may not overlook the plight of other nations whose citizens experience such domestic problems that they are all but overcome by poverty and hunger, and are not able to enjoy basic human rights. . ." Let me add only that all the religions of the Western World, including Islam, levy this obligation for the rich to help the poor.

There is another side to this coin. Just as the countries of North Africa ought to combine their resources through regional cooperation and planning, so should the developed countries of the world make a greater effort to coordinate their aid efforts. Let me describe briefly one direction this might take.

One of the difficulties faced by all less developed countries is fluctuating price and demand for their raw materials. Boom or bust economics is anarchronistic in a world crying out for social justice and a higher standard of living. I personally believe that the United States, in conjunction with other industrial powers, should take the lead in calling a conference to discuss international action to establish stability of prices for the primary products of the developing countries. The latter are unable to engage in long-range economic planning unless they have some idea of what their cocoa, coffee or oil will bring on the world market five and ten years hence. International stabilization funds could be set up for many of these products.

We could also consider ways of making certain that the less developed countries enjoy a greater share of the multiplier effect of their trade. Today, few of them share in the benefits of such related economic activities as processing of raw materials, shipping and insurance.

Business cooperation with the countries of the Maghreb would seem to me potentially almost unlimited. There are resources, skilled manpower trained in European factories—and a desire on the part of the governments to enter into cooperative arrangements with U.S. firms. Within the past six months, three American firms have concluded partnership arrangements with the Algerian government. In Tunisia, American firms have been active in such widely operated fields as private housing, tire manufacturing, sewing machines and hotels. In Lybia we have massive investments in the fields of gas and oil. The existence of foreign capital investment in Morocco is long-standing and private business is involved in a number of factories, hotels and other enterprises.

The remaining possibilities are almost legend. North Africa should be a much larger market for American farm machinery than it is now, and the possibilities in petrochemicals, oil and gas, plastics, tourism and food processing are unlimited.

The result of this type of assistance and investment in the Maghreb would be more orderly economic growth, better government planning, greater purchasing power and eventually a higher level of commodity purchases from the United States and other developed nations.

It seems to me that assisting countries such as the four new nations of North Africa is a challenging and important task. Everywhere I went in North Africa I found an enormous reservoir of good will towards the United States. I would not like to see that good will dissipated by our lack of imaginative understanding, and concrete sympathy.

North Africa today stands at a crossroads. It can take the path of regional cooperation and development, or it can intensify tendencies toward narrow nationalism with its emphasis on armament.

The tiniest spark can then set-off a conflagration, with big power involvement.

It may take a substantial commitment of economic and technical assistance to promote the development of regional economic ties, but the price is small when one considers the possibility of failure.

Dr. Henry Steele Commager, one of the most perceptive historians of our era, once described the phenomenon and contradictions of emerging nationalism in the following terms:

"Without too much distortion of history," he said, "we can trace two fairly clear patterns in the history of modern nationalism; the malignant and the benign. The first has tended always to emphasize the local, the parochial, the private, the selfish, the things that separate men from each other. It has commonly taken the form of chauvanism, militarism and territorial imperialism. . . . The other pattern has been in whole benevolent. It has preferred the agencies of peace to the instruments of war, has celebrated the common inheritance of man rather than the things that divide man, has connected itself with freedom and equality and popular enlightenment and morality." North Africa furnishes us now with a fateful test of nationalism.

Because of your substantial economic power, all of you here this afternoon can have an influence on whether the choice in this area of the world is for the malignant or the benign version—whether private enterprise is to flourish in this region or wither and die under the impact of restrictive local governmental regulations.

North Africa's journey is important, for it serves not only as a testing ground, but as an example for emerging nations throughout the world.

Progress—real progress—toward Maghreb unity and cooperation can, and will, have an impact elsewhere, and could be the spark for progress everywhere.

SENATE

TUESDAY, FEBRUARY 7, 1967

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

Rev. Edward B. Lewis, pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

We bow before Thee, O God, in recognition of the creative power of nature as we see it today. The elements have, overnight, changed the scenery of this Capital City.

The snow brings beauty, danger, and the necessity of adjustment. It teaches us of these basic realities of living.

At this session of the U.S. Senate, we are aware that we have freedom to pray and come into better harmony with the universe and life. These important leaders lead a world that must find beauty in danger and adjustment. Give to them a vision of ways of peace for future days. Be with them in their proceedings. Guide the President and all leaders. May they have the security of faith, hope, and love within, the basic foundations for living.

We pray in the Master's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, February 6, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Ratchford, one of his secretaries.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Byrd of West Virginia, and by unanimous consent, the following committees and subcommittees were authorized to meet during the session of the Senate today:

The Committee on Aeronautical and Space Sciences.

The Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary.

The Subcommittee on Government Research of the Committee on Government Operations.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting a nomination, which was referred to the Committee on Commerce.

(For nomination this day received, see the end of Senate proceedings.)

PETITION

The VICE PRESIDENT laid before the Senate a joint resolution of the Legislature of the State of Montana, which was referred to the Committee on Public Works, as follows:

Joint Resolution 2

A joint resolution of the Senate and House of Representatives of the State of Montana to the President of the United States, the Honorable Lyndon B. Johnson; to the Speaker of the House and the President of the Senate; to the Clerk of the House of Representatives and the Secretary of the Senate; to the Committee on Appropriations of the United States Senate; to the Committee on Appropriations of the House of Representatives; to the Committee on Public Works of the House of Representatives; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable Arnold H. Olsen, and the Honorable James Battin, Representatives from the State of Montana; to the Honarable Charles L. Schultze, Director, Bureau of the Budget; to the Honarable Stephen Ailes, Secretary of the Army; to the Honorable Lt. Gen. W. K. Wilson, Jr., Chief of Engineers, Army Corps of Engineers; requesting a review and redefinition of the present land acquisition policy in the Libby Dam area

Whereas the Kootenai country of Montana was settled by pioneers who by their toil and sacrifice tamed a wild land and left a heritage of work and dignity to the present occupants of the land, and

Whereas over a period of years the inhabitants of the land have formed deep and meaningful attachments to their land, their homes, and to the grave sites of their loved ones, and these attachments should not be torn and destroyed lightly or without good cause, and

Whereas the people of Montana are fully cognizant of the benefits to be gained from water development projects like Libby Dam, and

Whereas the original plan was to provide a three hundred foot wide access strip above the water level of Libby reservoir for recreation but now far more land is being condemned needlessly and at unwarranted expense to the taxpayer, and

Whereas under the present appraisal system, prices being offered for this land are so low and unrealistic that the land owner has no possibility of being able to provide like accomodations for himself and his family without economic suffering; and that this appraisal policy sorely offends the spirit of the constitutional proscription against taking of private property for public use without just compensation, and

Whereas the federal government already possesses more than eighty percent of the land area of Lincoln county and any additional taking of land for federal purposes would be detrimental to the prosperity and development of this area, and

Whereas under the present lease policy of the United States Forest Service, no provision is made for giving present occupants of the land a priority to retain their home sites, and this practice is unduly restrictive and unfair to long-time residents of the area: Now, therefore, be it

Resolved by the Senate and House of Representatives of the State of Montana, That the present land acquisition policy in the Libby Dam area be reviewed by appropriate personnel and that no land in addition to the three hundred foot access strip be taken for recreation; be it further

Resolved That the appraisal policy now being carried out, be reviewed and redirected in such a manner that no land owner will suffer economic hardship as a result of having his land taken for purposes affiliated with Libby Dam; be it further

Resolved, That the policy of the United States Forest Service be altered to provide present holders of land and home sites a preference in leasing land on a fair and equitable basis; be it further

Resolved, That the Secretary of State is instructed to send copies of this resolution to all persons to whom it is addressed.

Attest:

James J. Pasme,
Secretary of the Senate.
Ted James,
President of the Senate.
James R. Felt,
Speaker of the House.

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KUCHEL:

S. 861. A bill to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Kuchel when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 13, 1967, for additional cosponsors.)

By Mr. JACKSON (by request):

S. 862. A bill to amend the Small Reclamation Projects Act of 1956, as amended; to the Committee on Interior and Insular Affairs.

By Mr. HILL:

S. 863. A bill for the relief of Dr. Cesar Abad Lugones; to the Committee on the Judiciary.

By Mr. BREWSTER:

S. 864. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Finance.

By Mr. WILLIAMS of New Jersey:

S. 865. A bill for the relief of Pablo Diaz-Cobo;

S. 866. A bill for the relief of Giuseppe Pacino Biancarosso;

S. 867. A bill for the relief of Dr. Anthony N. Manoli;

S. 868. A bill for the relief of Svetko Grdovic;

S. 869. A bill for the relief of Micaela Misiego-Llagostera;

S. 870. A bill for the relief of Arturo Isidoro Bernardo;

S. 871. A bill for the relief of Adelina Marcelo Miranda Gapac;

S. 872. A bill for the relief of Francisco Renigio Fabre Solino (Frank R. S. Fabre);

S. 873. A bill for the relief of George Zaharias;

S. 874. A bill for the relief of Alberto, Lucia, and Mario Apuzzo; and

S. 875. A bill for the relief of Christodoulos Anagnoston; to the Committee on the Judiciary.

By Mr. GRUENING (for himself and Mr. Bartlett):

S. 876. A bill relating to Federal support of education of Indian students in sectarian institutions of higher education; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Gruening when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until Feb. 17, 1967, for additional cosponsors.)

By Mr. SPARKMAN (for himself, Mr. Hart, Mr. Bartlett, Mr. Bible, Mr. Dodd, Mr. Hartke, Mr. Hill, Mr. Long of Louisiana, Mr. Mondale, Mr. Montoya, Mr. Morse, Mr. Moss, Mr. Nelson, Mr. Randolph, and Mr. Yarborough):

S. 877. A bill to amend the Clayton Act by making section 3 of the Robinson-Patman Act, with amendments, a part of the Clayton Act, in order to provide for governmental and private civil proceedings for violations of section 3 of the Robinson-Patman Act; to the Committee on the Judiciary.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until Feb. 21, 1967, for additional cosponsors.)

By Mr. McCLELLAN (by request):

S. 878. A bill to amend section 201(c) of the Federal Property and Administrative Services Act of 1949 to permit further Federal use and donation of exchange sale property; to the Committee on Government Operations.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

By Mr. BARTLETT:

S. 879. A bill to amend section 6409(b)(1) of title 39, United States Code, which relates to transportation compensation paid by the Postmaster General; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON:

S. 880. A bill for the relief of Miloye M. Sokitch; to the Committee on the Judiciary.

By Mr. TALMADGE:

S. 881. A bill for the relief of Eugene M. Edward; to the Committee on the Judiciary.

By Mr. PERCY (for himself and Mr. Dirksen):

S. 882. A bill to provide for the free entry of a triaxial apparatus and rheogoniometer for the use of Northwestern University; to the Committee on Finance.

By Mr. ALLOTT (for himself and Mr. Dominick):

S. 883. A bill to permit a compact or agreement between the several States, for the uniform treatment of certain matters related to taxation; to the Committee on the Judiciary.

By Mr. ALLOTT (for himself, Mr. Anderson, Mr. Bennett, Mr. Dominick, Mr. Moss, and Mr. McGee):

S. 884. A bill to authorize the appropriation of the receipts of the Colorado River development fund for the purpose of making allowances to the Hoover Dam powerplant for deficiencies in firm energy generation; to the Committee on Interior and Insular Affairs.

By Mr. ALLOTT (for himself, Mr. Bennett, Mr. Curtis, Mr. Dominick, Mr. Fannin, Mr. Jordan of Idaho, Mr. Mundt, Mr. Tower, and Mr. Hruska):

S. 885. A bill to amend the Internal Revenue Code of 1954 to allow a farmer a deduction from gross income for water assessments levied by irrigation ditch companies; to the Committee on Finance.

By Mr. MOSS:

S. 886. A bill to redesignate the Department of the Interior as the Department of Natural Resources and to transfer certain agencies to and from such Department; to the Committee on Government Operations.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 21, 1967, for additional cosponsors.)

By Mr. LONG of Louisiana:

S. 887. A bill to prevent Federal regulatory agencies from directly or indirectly denying regulated industries the right to exercise business judgment in selecting their method of depreciation or to account for depreciation on a deferred tax accounting basis; to the Committee on Finance.

(See the remarks of Mr. Long of Louisiana when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND (for himself, Mr. Smathers, Mr. Mansfield, Mr. Dirksen, Mr. Hollings, and Mr. Byrd of West Virginia):

S.J. Res. 30. Joint resolution to establish a commission to formulate plans for a memorial to astronauts who lose their lives in line of duty in the U.S. space program; to the Committee on Aeronautical and Space Sciences.

(See the remarks of Mr. Holland when he introduced the above joint resolution, which appear under a separate heading.)

(Note.—The above joint resolution was ordered to be held at the desk until February 16, 1967, for additional cosponsors.)

COLORADO RIVER BASIN PROJECT

Mr. KUCHEL. Mr. President, I send to the desk for appropriate reference a bill to authorize the Colorado River Basin project.

I come from a dry land. In the next 25 years the population of California will double, reaching 40 million, and our present and planned supplies of water will be exhausted. In a simple world, California's water planners could, perhaps, concentrate on solving California problems, ignoring the plight of its sister States.

But rain clouds do not stop at State boundaries; rivers and streams are no respecters of imaginary geographic lines; and drought transcends manmade political subdivisions to reach out and endanger vast regions.

Those of us in the Colorado River Basin face a water crisis of unimaginable magnitude in just three decades, and narrow sectional efforts to solve only the problems of one's own State will leave the entire basin parched and crippled by the beginning of the next century.

Those of us who represent the States of the Colorado River Basin must work together to meet our shortages, for the impact of these shortages will not fall upon individual States but upon the entire region, and, indeed, indirectly upon the entire Nation.

In the last Congress I introduced S. 1019, a bill to authorize the Lower Colorado River Basin plan. The House Committee on Interior and Insular Affairs conducted extensive hearings on a companion measure, H.R. 4671, which was eventually reported favorably by that committee. When the water history of the West is written, H.R. 4671 will be remembered as a major landmark. Representatives of the seven Colorado River Basin States argued, negotiated, compromised, and finally agreed upon an approach, embodied in that bill, which sought to benefit the entire West.

Today I have introduced a bill which incorporates all of the essential elements of H.R. 4671, and which I hope will provide the basis for a new round of regional discussions out of which we might finally find assurance of adequate water for the generations which will follow us.

Before deciding to introduce this bill, I discussed its content, and the need for regional cooperation, with my colleagues in the House of Representatives. I consulted Congressman Aspinall, of Colorado, chairman of the House Committee on Interior and Insular Affairs; Congressman Johnson of California, chairman of that committee's Subcommittee on Irrigation and Reclamation; and Congressman Hosmer, of California, ranking minority member of that subcommittee. Although they had already introduced bills which differ in some minor respects from mine, we are all in complete agreement on the crucial aspects of this legislation. With that unanimity as a solid base, I believe we can pass Colorado River legislation in this Congress.

What is the sine qua non of regional understanding? It is an appreciation of the fact that the entire Colorado River Basin is water short. We do not have enough water in the river basin to support the existing, much less the predicted, population and economy.

Recognizing that shortage, the danger of sectionalism becomes apparent. If the central Arizona project is built without provisions to augment the water supply in the river, Arizona must fight upper basin development tooth and nail to assure that the upper basin's portion of the scarce waters flow to the lower basin unused.

Building the central Arizona project without adequate protection for existing uses in California, Arizona, and Nevada will, in years of scarcity—which are the rule, rather than the exception—merely take water off the table in Los Angeles to put it on the table in Phoenix, and dry up the fertile farms of California's Coachella Valley so that Tucson might thrive.

Building the central Arizona project without a lower basin development fund to finance augmentation of the river's flow is a death sentence to economic growth in the lower basin, for, if the upper basin is allowed to use its water, the rich farmlands of the central Arizona project area will literally dry up and blow away for lack of water within 50 or 60 years.

I favor construction of the central Arizona project and have included it in my bill, but it should only be built as a part of a comprehensive plan for regional development.

If we should at any point waiver from the path of basinwide cooperation and be tempted to put our narrow sectional interest above the needs of the region, or of the Nation, then we should be reminded of the words of Secretary Udall:

> The other point, however, that I want to stress because I want to make a record here today for the benefit of the Congressmen from the Northwest and for everyone concerned, is one of the things that we take great satisfaction in, that we have achieved in the last year, that is to bring Arizona and California together. I think this department, and whoever is Secretary in the future, must work to bring the Northwest and the Southwest and the States of the Colorado River Basin together on a common plan. If a Secretary or a Commissioner becomes a champion of one region, I think this is the way to insure failure of any plan. I think you have to have an approach whereby you look at what is best for both regions and you tailor your planning accordingly. Unless you approach it in that fashion I think you are headed for disaster and controversy.

Mr. President, the Colorado River Board of California was advised of my intention to introduce this legislation by telegram on January 31, 1967, and responded the next day with its endorsement of my proposed legislation. I ask unanimous consent that the exchange of telegrams be printed in the Record at this point.

There being no objection, the telegrams were ordered to be printed in the Record, as follows:

January 31, 1967.

Raymond Rummonds,
Chairman, Colorado River Board of California, Los Angeles, Calif.:

After consultation with Chairman Aspinall of House Committee on Interior and Insular Affairs, Chairman Johnson of that Committee's Irrigation and Reclamation Subcommittee, Congressman Hosmer, ranking minority member of that Subcommittee, and Northcutt Ely, Counsel for the Colorado River Board and Special Assistant Attorney General, I have determined to introduce a Colorado River bill in the Senate soon.

I am delighted that Chairman Aspinall and Subcommittee Chairman Johnson have introduced identical Colorado River bills, H.R. 3300 and H.R. 744 respectively. Their bills include, and my new bill will include, the same language protecting 4.4 million acre feet of existing uses in California. All of us would authorize construction of the Central Arizona Project, subject to that priority, until works to import 2.5 million acre feet have been constructed. A development fund will be created, financed by Hoover, Davis, Parker and Bridge Canyon revenues. The several upper basin projects included in last year's H.R. 4671, and in Congressman Aspinall's bill, will be included in my legislation.

The three bills eliminate Marble Canyon Dam. As a consequence of the loss of revenue from Marble, I propose to return to the Bureau of Reclamation's proposal that the Central Arizona aqueduct have a capacity of 1,800 C.F.S. unless Arizona bears the cost of capacity in excess of that. I intend, however, to keep the language of H.R. 4671 conditionally authorizing a feasibility study of importations if the Secretary's reconnaissance report is favorable. I also intend to add a permanent prohibition of Federal Power Commission licenses on Marble and Bridge Canyon dams.

The Senate Committee on Interior and Insular Affairs ordered Senator Jackson's National Water Commission bill, S. 20, with 54 cosponsors, reported on January 27. I will not duplicate this authorization in my bill, but will retain the Commission's supervision over the Secretary's investigations.

I will make a few clarifying changes elsewhere. Otherwise my bill and the Aspinall/Johnson bills will be substantially identical, just as their's preserve the basic principles of my bill, S. 1019, which initiated the Colorado River legislation in the last Congress, and H.R. 4671, as reported out by the House Interior Committee last year and reintroduced as H.R. 722 by my colleague, Congressman Hosmer, this year.

I hope to obtain cosponsorship of my bill. It is essential to preserve the regional approach to solution of the basin's water problems.

I have asked Mr. Ely to discuss this in detail with you at your February 1, 1967, meeting.

THOMAS H. KUCHEL,
U.S. Senator.

LOS ANGELES, CALIF., *February 1, 1967.*
Hon. THOMAS H. KUCHEL,
U.S. Senate,
Washington, D.C.:

With regard to your telegram of January 31, 1967, the Colorado River Board endorses the introduction of legislation along the lines you propose, as such action would be consistent with our resolution of January 4, 1967, which reads in part as follows: "The Colorado River Board of California reaffirms its statement of position adopted on August 3, 1966, and recommends the introduction of proposed legislation in the 90th session of the Congress in the form of HR 4671, the Colorado River Basin project bill, reported favorably by the House Interior and Insular Affairs Committee on August 11, 1966." The board recognizes that the text of the bill as introduced may be subject to modification as the result of further negotiation, provided, however, that it must retain language to protect existing uses in Arizona and Nevada and those in California up to the quantity of 4.4 million acre feet annually.

RAYMOND R. RUMMONDS,
Chairman and Colorado River Commissioner.

Mr. KUCHEL. Mr. President, I have had prepared a summary of the various Colorado River bills before Congress, demonstrating the contrast among them, and I ask unanimous consent that the summary be printed in the RECORD at this point.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

BASIC PROVISIONS OF COLORADO RIVER BILLS

The basic bill of the 89th Congress was H.R. 4761, as reported by the House Committee on Interior and Insular Affairs on August 11, 1966. H.R. 4671 was a modification of a seven state bill, S. 1019, authored by Senator Kuchel.

H.R. 4671 (89TH CONG.)

Title I. The purpose of the bill was to relieve the water shortages in the entire Colorado River Basin and the Southwest, including parts of Texas and Kansas.

Title II. A National Water Commission was to be formed. Under the direction of the Commission, the Secretary of the Interior was to investigate long-range water supply and demand in the West. The study was to include the planning of the first stage of works to imports 2.5 to 8.5 million acre feet into the Colorado River Basin annually. Safeguards for the areas of origin, such as perpetual priorities and financial assistance in replacing exported water, were provided. The Secretary was to complete his reconnaissance report by December 31, 1969. If this report was favorable, the Secretary was to proceed to prepare a feasibility report without further authorization by Congress, to be submitted to Congress by June 30, 1972. Both the reconnaissance and the feasibility reports were to be submitted to the states for comment prior to submission to Congress.

Title III. This title authorized the construction of dams and power plants at Bridge Canyon and at Marble Canyon. Also authorized was the Central Arizona Project. The Central Arizona Aqueduct was authorized at a capacity of 2,500 cubic feet per second, unless Arizona bore the cost of additional capacity. If less than 7.5 million acre feet were available to Arizona, California and Nevada in any year, existing projects were to have priority and the Central Arizona Project was to bear the shortages until the completion of works to import 2.5 million acre feet annually. Such importation would offset the Mexican Treaty burden and one million acre feet of evaporation losses. California's existing uses were protected only to the extent of 4.4 million acre feet annually. Benefits to the Hualapai Indians were provided. A compromise between Arizona and New Mexico on the Gila River was detailed. The Dixie Project in Utah, and the Southern Nevada Project were to be integrated into this Act and were to share in the benefits of the development fund provided.

Title IV. A development fund was created to be fed by revenues from the Bridge and Marble Canyon Dams, as well as from the Hoover, Davis and Parker Dams. Funds are made available to subsidize the Central Arizona Project, to reduce the cost of imported water, and to assist the areas of origin. The costs of importations allocable to the Mexican Water Treaty were non-reimbursable. Annual payments of $300,000 to Arizona and Nevada in lieu of taxes were to continue indefinitely, instead of terminating in 1987 as provided by existing law.

Title V. Provision was made for five projects in Colorado. The Upper Colorado Basin Fund to be reimbursed from new development fund created for payments to Hoover power contractors necessitated by the filling of Lake Powell.

Title VI. Criteria were laid down for the conjunctive operation of Lake Powell and Lake Mead. The dispute between the Upper Basin and the Lower Basin concerning the accumulation of storage in Lake Powell and the releases to Lake Mead was compromised. Both basins are released from the burden of the Mexican Water Treaty when works to import 2.5 million acre feet annually are completed. The Secretary of the Interior was required to comply with the "Law of the River." The United States consented to joinder in suits by states in the Supreme Court brought to enforce such compliance.

H.R. 722 (90TH CONG.)

This bill, identical to H.R. 4671, is sponsored by Congressman Hosmer.

H.R. 9 (90TH CONG.)

Sponsored by Congressman Udall, this bill deletes the protection for existing uses, the authorization for the Upper Basin projects, and the repayments to the Upper Basin fund, all provided by H.R. 4671.

H.R. 3300 AND H.R. 744 (90TH CONG.)

H.R. 3300, sponsored by Congressman Aspinall, and H.R. 744, sponsored by Congressman Johnson, are identical. These bills change H.R. 4671 by (1) deleting the Secretary's conditional authority to make a feasibility report, (2) deleting Marble Canyon Dam, (3) deleting payments to Arizona and Nevada in lieu of taxes after the present date of termination—1987, (4) authorizing the La Plata-Animas interstate compact, and (5) rewriting Title VI regarding the operations of Lakes Powell and Mead. The height of Bridge Canyon Dam was left at 1,866 feet. The bills also delete references to Texas and Kansas.

S. 861 (90TH CONG.)

This is the instant bill introduced by Senator Kuchel. This bill differs from the Aspinall-Johnson bills, H.R. 3300 and H.R. 744 above, in that it (1) deletes the authorization establishing the National Water Commission (S. 20, the legislation to create such a Commission, passed the Senate February 6, 1967); (2) restores the Secretary of the Interior's authorization to make a feasibility report on the importation projects if his reconnaissance report is favorable; (3) requires Arizona to pay for any capacity of the Central Arizona Aqueduct above 1,800 cubic feet per second; (4) restores provision for payments to Arizona and Nevada in lieu of taxes after 1987; (5) deletes language directing the Secretary not to encroach upon Compact apportionments, since, unless substantial quantities are imported, the Secretary cannot supply Compact apportionments while obeying other mandates of the bill, *e.g.*, to fulfill the Compact's, III(c) and III(d) obligations; (6) prohibits Federal Power Commission licensing of facilities between Glen Canyon Dam and Lake Mead.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD, and that the bill lie at the desk until the close of business on next Monday, February 13, in the hope that it may attract cosponsors.

The **VICE PRESIDENT.** The bill will be received and appropriately referred; and without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from California.

The bill (S. 861) to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes, introduced by Mr. KUCHEL, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 861

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—COLORADO RIVER BASIN PROJECT: OBJECTIVES

SEC. 101. That this Act may be cited as the "Colorado River Basin Project Act".

SEC. 102. The Congress recognizes that the present and growing water shortages in the Colorado River Basin constitute urgent problems of national concern, and accordingly authorizes and directs the National Water Commission and the Water Resources Council, established by the Water Resources Planning Act (Public Law 89–80), to give highest priority in the preparation of a plan and program for the relief of such shortages, in consultation with the States and Federal entities affected, as provided in this Act This program is declared to be for the purposes, among others, of regulating the flow of the Colorado River; controlling floods; improving navigation; providing for the storage and delivery of the waters of the Colorado River for reclamation of lands, including supplemental water supplies, for municipal, industrial, and other beneficial purposes; improving water quality; providing for basic public outdoor recreation facilities; improving conditions for fish and wildlife; and the generation and sale of hydroelectric power as an incident of the foregoing purposes.

TITLE II—SOUTHWEST INVESTIGATIONS AND PLANNING

SEC. 201. (a) The Council, in consultation with the Commission, acting in accordance with the procedure prescribed in section 103 of the Water Resources Planning Act, shall within one hundred and twenty days following the effective date of this Act establish principles, standards, and procedures for the program of investigations and submittal of plans and reports authorized by this section and section 203. The Secretary of the Interior (hereinafter referred to as the "Secretary"), under the direction of the Commission, in conformity with the principles, standards, and procedures so established, is authorized and directed to—

(1) prepare estimates of the long-range water supply available for consumptive use in the Colorado River Basin, of current water requirements therein, and of the rate of growth of water requirements therein to at least the year 2030;

(2) investigate sources and means of supplying water to meet the current and anticipated water requirements of the Colorado River Basin, including reductions in losses, importations from sources outside the natural drainage basin of the Colorado River system, desalination, weather modification, and other means;

(3) investigate projects within the lower basin of the Colorado River, including projects on tributaries of the Colorado River, where undeveloped water supplies are available or can be made available by replacement or exchange;

(4) undertake investigations, in cooperation with other concerned agencies, of the feasibility of proposed development plans in maintaining an adequate water quality throughout the Colorado River Basin;

(5) investigate means of providing for prudent water conservation practices to permit maximum beneficial utilization of available water supplies in the Colorado River Basin;

(6) investigate and prepare estimates of the long-range water supply in States and areas from which water may be imported into the Colorado River system, together with estimates of the probable ultimate requirements for water within those States and areas of origin, for all purposes, including, but not limited to, consumptive use, navigation, river regulation, power, enhancement of fishery resources, pollution control, and disposal of wastes to the ocean, and estimates of the quantities of water, if any, that will be available in excess of such requirements in the States and areas of origin for exportation to the Colorado River system; and

(7) investigate current and anticipated water requirements of areas outside the natural drainage areas of the Colorado River system which feasibly can be served from importation facilities en route to the Colorado River system.

(b) The Secretary is authorized and directed to prepare reconnaissance reports of a staged plan or plans for projects adequate, in its judgment, to meet the requirements reported under subsection (a) of this section, in conformity with section 202.

(c) The plan for the first stage of works to meet the future requirements of the areas of deficiency and surplus as determined from studies performed pursuant to this section shall include, but not be limited to, import works necessary to provide two million five hundred thousand acre-feet annually for use from the main stream of the Colorado River below Lee Ferry, including satisfaction of the obligations of the Mexican Water Treaty and losses of water associated with the performance of that treaty. Plans for import works for the first stage may also include facilities to provide water in the following additional quantities:

(1) Up to two million acre-feet annually in the Colorado River for use in the Lower Colorado River Basin;

(2) Up to two million acre-feet annually in the Colorado River system for use in the Upper Colorado River Basin, directly or by exchange;

(3) Such additional quantities, not to exceed two million acre-feet annually, as the Secretary finds may be required and marketable in areas which can be served by said importation facilities en route to the Colorado River system.

(d) The Congress declares that the satisfaction of the requirements of the Mexican Water Treaty constitutes a national obligation. Accordingly, the States of the upper division (Colorado, New Mexico, Utah, and Wyoming) and States of the lower division (Arizona, California, and Nevada) shall be relieved from all obligations which may have been imposed upon them by article III(c) of the Colorado River Compact when the President issues the proclamation specified in section 305(b) of this Act.

(e) The Secretary shall submit annually to the Commission, the President, and the Congress reports covering progress on the investigations and reports authorized by this section.

SEC. 202. (a) In planning works to import water into the Colorado River system from sources outside the natural drainage areas of the system, the Secretary shall make provision for adequate and equitable protection of the interests of the States and areas of origin, including (in the case of works to import water for use in the lower basin of the Colorado River) assistance from the development fund established by title IV of this Act, to the end that water supplies may be available for use therein adequate to satisfy their ultimate requirements at prices to users not adversely affected by the exportation of water to the Colorado River system.

(b) All requirements, present or future, for water within any State lying wholly or in part within the drainage area of any river basin and from which water is exported by works planned pursuant to this Act shall have a priority of right in perpetuity to the use of the waters of that river basin, for all purposes, as against the uses of the water delivered by means of such exportation works, unless otherwise provided by interstate agreement.

SEC. 203. (a) On or before December 31, 1970, the Secretary shall submit a proposed reconnaissance report on the first stage of the staged plan of development to the Commission and affected States and Federal agencies for their comments and recommendations which shall be submitted within six months after receipt of the report.

(b) After receipt of the comments of the Commission, affected States, and Federal agencies on such reconnaissance report, but not later than January 1, 1972, the Secretary shall transmit the report to the President and, through the President, to the Congress. All comments received by the Secretary under the procedures specified in this section shall be included therein. The letter of transmittal and its attachments shall be printed as a House or Senate document.

(c) The Secretary shall proceed promptly thereafter with preparation of a feasibility report on the first stage of said plan of development if he finds, on the basis of reconnaissance investigations pursuant to section 201, that a water supply surplus to the needs of the area of origin exists, benefits of the proposed first stage exceed costs, and repayment can be made in accordance with Titles III and IV of this Act. Such feasibility report shall be submitted to the Commission and to the affected States and Federal agencies not later than January 1, 1973.

(d) After receipt of the comments of the Commission and affected States and Federal agencies on such feasibility report, but not later than June 30, 1973, the Secretary shall transmit his final report to the President and, through the President, to the Congress. All comments received by the Secretary under the procedure specified in this section shall be included therein. The letter of transmittal and its attachments shall be printed as a House or Senate document.

SEC. 204. There are hereby authorized to be appropriated such sums as are required to carry out the purposes of this title.

TITLE III—AUTHORIZED UNITS: PROTECTION OF EXISTING USES

SEC. 301. The Secretary shall construct, operate, and maintain the lower basin units of the Colorado River Basin project (herein referred to as the "project"), described in sections 302, 303, 304, 305, and 306.

SEC. 302. The main stream reservoir division shall consist of the Hualapai (formerly known as Bridge Canyon) unit, including a dam, reservoir, powerplant, transmission facilities, and appurtenant works, and the Coconino and Paria River silt-detention reservoirs: *Provided*, That (1) Hualapai Dam shall be constructed so as to impound water at a normal surface elevation of one thousand eight hundred and sixty-six feet above mean sea level, (2) fluctuations in the reservoir level shall be restricted, so far as practicable, to a regimen of ten feet, and (3) this Act shall not be construed to authorize any diversion of water from Hualapai Reservoir except for incidental uses in the immediate vicinity. The Congress hereby declares that the construction of the Hualapai Dam herein authorized is consistent with the Act of February 26, 1919 (40 Stat. 1175). No licenses or permits shall be issued hereafter under the Federal Power Act for projects on the Colorado River between Glen Canyon Dam and Lake Mead.

SEC. 303. (a) As fair and reasonable payment for the permanent use by the United States of not more than twenty-five thousand acres of land designated by the Secretary as necessary for the construction, operation, and maintenance of the Hualapai unit, said land being a part of the tract set aside and reserved by the Executive order of January 4, 1883, for the use and occupancy of the Hualapai Tribe of Arizona (1 Kappler, Indian Laws and Treaties, 804), $16,398,000 shall be transferred in the Treasury, during construction of the unit, to the credit of the Hualapai Tribe from funds appropriated from the general fund of the Treasury to the Department of the Interior, Bureau of Reclamation, for construction of the project and, when so transferred, shall draw interest at the rate of 4 per centum per annum until expended. The funds so transferred may be expended, invested, or reinvested pursuant to plans, programs, and agreements duly adopted or entered into by the Hualapai Tribe, subject to the approval of the Secretary, in accordance with the tribal constitution and charter.

(b) As part of the construction and operation of the Hualapai unit, the Secretary shall (1) construct a paved road, having a minimum width of twenty-eight feet, from Peach Springs, Arizona, through and along Peach Springs Canyon within the Hualapai Indian Reservation, to provide all-weather access to the Hualapai Reservoir; and (2) make available to the Hualapai Tribe up to twenty-five thousand kilowatts and up to one hundred million kilowatt-hours annually of power from the Hualapai unit at the lowest rate established by the Secretary for the sale of firm power from said unit for the use of preferential customers: *Provided,* That the tribe may resell such power only to users within the Hualapai Reservation: *Provided further,* That the Hualapai Tribal Council shall notify the Secretary in writing of the reasonable power requirements of the tribe up to the maximum herein specified, for each three-year period in advance beginning with the date upon which power from the Hualapai unit becomes available for sale. Power not so reserved may be disposed of by the Secretary for the benefit of the development fund.

(c) Except as to such lands which the Secretary determines are required for the Hualapai Dam and Reservoir site and the construction of operating campsite and townsite, all minerals of any kind whatsoever, including oil and gas but excluding sand and gravel and other building and construction materials, within the areas used by the United States pursuant to this section are hereby reserved to the Hualapai Tribe: *Provided,* That no permit, license, lease or other document covering the exploration for or the extraction of such minerals shall be granted by the tribe nor shall the tribe conduct such operations for its own account, except under such conditions and with such stipulations as are necessary to protect the interests of the United States in the construction, operation, and maintenance of the Hualapai unit.

(d) The Hualapai Tribe shall have the exclusive right, if requested in writing by the tribe, to develop the recreation potential of, and shall have the exclusive right to control access to, the reservoir shoreline adjacent to the reservation, subject to conditions established by the Secretary for use of the reservoir to protect the operation of the project. Any recreation development established by the tribe shall be consistent with the Secretary's rules and regulations to protect the overall recreation development of the project. The tribe and the members thereof shall have nonexclusive personal rights to hunt and fish on the reservoir without charge, but shall have no right to exclude others from the reservoir except as to those who seek to gain access through the Hualapai Reservation, nor the right to require payments to the tribe except for the use of tribal lands or facilities: *Provided,* That under no circumstances will the Hualapai Tribe make any charge, or extract any compensation, or in any other manner restrict the access or use of the paved road to be constructed within the Hualapai Indian Reservation pursuant to this Act. The use by the public of the water areas of the project shall be pursuant to such rules and regulations as the Secretary may prescribe.

(e) Except as limited by the foregoing, the Hualapai Tribe shall have the right to use and occupy the area of the Hualapai unit within the Hualapai Reservation for all purposes not inconsistent with the construction, operation, and maintenance of the project and townsite, including, but not limited, to, the right to lease such lands for farming, grazing, and business purposes to members or nonmembers of the tribe and the power to dispose of all minerals as provided in paragraph (c) hereof.

(f) Upon a determination by the Secretary that all of any part of the lands utilized by the United States pursuant to paragraph (a) of this section is no longer necessary for purposes of the project, such lands shall be restored to the Hualapai Tribe for its full use and occupancy.

(g) No part of any expenditures made by the United States, and no reservation by or restoration to the Hualapai Tribe of the use of land under any of the provisions of this section shall be charged by the United States as an offset or counterclaim against any claim of the Hualapai Tribe against the United States other than claims arising out of the utilization of lands for the project: *Provided, however,* That the payment of moneys and other benefits as set forth herein shall constitute full, fair, and reasonable payment for the permanent use of the lands by the United States.

(h) All funds authorized by this section to be paid or transferred to the Hualapai Tribe, and any per capita distribution derived therefrom, shall be exempt from all forms of State and Federal income taxes.

(i) No payments shall be made or benefits conferred as set forth in this section until the provisions hereof have been accepted by the Hualapai Tribe through resolution duly adopted by its tribal council. In the event such resolution is not adopted within six months from the effective date of this Act, and litigation thereafter is instituted regarding the use by the United States of lands within the Hualapai Reservation or payment therefor, the amounts of the payments provided herein and the other benefits set out shall not be regarded as evidencing value or as recognizing any right of the tribe to compensation.

SEC. 304. (a) The Central Arizona unit shall consist of the following principal works: (1) a system of main conduits and canals, including a main canal and pumping plants (Granite Reef aqueduct and pumping plants), for diverting and carrying water from Lake Havasu to Orme Dam or suitable alternative, which system shall have a capacity of one thousand eight hundred cubic feet per second (A) unless the definite plan report of the Bureau of Reclamation shows that additional capacity (i) will provide an improved benefit-to-cost ratio and (ii) will enhance the ability of the Central Arizona unit to divert water from the main stream to which Arizona is entitled and (B) unless the Secretary finds that the additional cost resulting from such additional capacity can be financed by funds from sources other than the funds credited to the development fund pursuant to section 403 of this Act and without charge, directly or indirectly, to water users or power customers in the States of California and Nevada; (2) Orme Dam and Reservoir and power-pumping plant or suitable alternative; (3) Buttes Dam and Reservoir, which shall be so operated as to not prejudice the rights of any user in and to the waters of the Gila River as those rights are set forth in the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Number 59); (4) Hooker Dam and Reservoir, which shall be constructed to an initial capacity of ninety-eight thousand acre-feet and in such a manner as to permit subsequent enlargement of the structure (to give effect to the provisions of section 304 (c) and (d)); (5) Charleston Dam and Reservoir; (6) Tucson aqueducts and pumping plants; (7) Salt-Gila aqueduct; (8) canals, regulating facilities, powerplants, and electrical transmission facilities; (9) related water distribution and drainage works; and (10) appurtenant works.

(b) Unless and until otherwise provided by Congress, water from the natural drainage area of the Colorado River system diverted from the main stream below Lee Ferry for the Central Arizona unit shall not be made available directly or indirectly for the irrigation of lands not having a recent irrigation history as determined by the Secretary, except in the case of Indian lands, national wildlife refuges, and, with the approval of the Secretary, State-administered wildlife management areas. It shall be a condition of each contract under which such water is provided under the Central Arizona unit that (1) there be in effect measures, adequate in the judgment of the Secretary, to control expansion of irrigation from aquifers affected by irrigation in the contract service area; (2) the canals and distribution systems through which water is conveyed after its delivery by the United States to the contractors shall be provided and maintained with linings, adequate in his judgment to prevent excessive conveyance losses; (3) neither the contractor nor the Secretary shall pump or permit others to pump ground water from lands located within the exterior boundaries of any Federal reclamation project or irrigation district receiving water from the Central Arizona unit for any use outside such Federal reclamation project or irrigation district, unless the Secretary and the agency or organization operating and maintaining such Federal reclamation project or irrigation district shall agree or shall have previously agreed that a surplus of ground water exists and that drainage is or was required; and (4) all agricultural, municipal and industrial waste water, return flow, seepage, sewage effluent and ground water located in or flowing from contractor's service area originating or resulting from (i) waters contracted for from the Central Arizona unit or (ii) waters stored or developed by any Federal reclamation project are reserved for the use and benefit of the United States as a source of supply for the service area of the Central Arizona unit or for the service area of the Federal reclamation project, as the case may be: *Provided,* That notwithstanding the provisions of clause (3) of this sentence, the agricultural, municipal and industrial waste water, return flow, seepage, sewage effluent and ground water in or from any such Federal reclamation project, may also be pumped or diverted for use and delivery by the United States elsewhere in the service area of the Central Arizona unit, if not needed for use or reuse in such Federal reclamation project.

(c) The Secretary may require as a condition in any contract under which water is provided from the Central Arizona unit that the contractor agree to accept main stream water in exchange for or in replacement of existing supplies from sources other than the main stream. The Secretary shall so require in contracts with such contractors in Arizona who also use water from the Gila River system, to the extent necessary to make available to users of water from the Gila River system in New Mexico additional quantities of water as provided in and under the conditions specified in subsections (e) and (f) of this section: *Provided,* That such exchanges and replacements shall be accomplished without economic injury or cost to such Arizona contractors.

(d) In times of shortage or reduction of main stream water for the Central Arizona unit (if such shortages or reductions should occur), contractors which have yielded water from other sources in exchange for main stream water supplied by that unit shall have a first priority to receive main stream water, as against other contractors supplied by that unit which have not so yielded water from other sources, but only in quantities adequate to replace the water so yielded.

(e) In the operation of the Central Arizona unit, the Secretary shall offer to contract with water users in New Mexico for water from the Gila River, its tributaries and underground water sources, in amounts that will permit consumptive use of water in New Mexico not to exceed an annual average in any period of ten consecutive years of eighteen thousand acre-feet, including reservoir evaporation, over and above the consumptive uses provided for by article IV of the Supreme Court of the United States in Arizona against California (376 U.S. 340). Such increased consumptive uses shall not begin until and shall continue only so long as delivery of Colorado River water to downstream Gila River users in Arizona is being accomplished in accordance with this Act, in quantities sufficient to replace any diminution of their supply resulting from such diversions from the Gila River, its tributaries and underground water sources. In determining the amount required for this purpose full consideration shall be given to any differences in the quality of the waters involved.

(f) The Secretary shall further offer to contract with water users in New Mexico for water from the Gila River, its tributaries and underground water sources in amounts that will permit consumptive uses of water in New Mexico not to exceed an annual average in any period of ten consecutive years of an additional thirty thousand acre-feet, including reservoir evaporation. Such further increases in consumptive use shall not begin until and shall continue only so long as works capable of importing water into the Colorado River system have been completed and water sufficiently in excess of two million eight hundred thousand acre-feet per annum is available from the main stream of the Colorado River for consumptive use in Arizona to provide water for the exchanges herein authorized and provided. In determining the amount required for this purpose full consideration shall be given to any differences in the quality of the waters involved.

All additional consumptive uses provided for in subsections (e) and (f) of this section shall be subject to all rights in New Mexico and Arizona as established by the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Number 59) and to all other rights existing on the effective date of this Act in New Mexico and Arizona to water from the Gila River, its tributaries and underground water sources, and shall be junior thereto and shall be made only to the extent possible without economic injury or cost to the holders of such rights.

SEC. 305. (a) Article II(B)(3) of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340) shall be so administered that in any year in which, as determined by the Secretary, there is insufficient main stream Colorado River water available for release to satisfy annual consumptive use of seven million five hundred thousand acre-feet in Arizona, California, and Nevada, diversions from the main stream for the Central Arizona unit shall be so limited as to assure the availability of water in quantities sufficient to provide for the aggregate annual consumptive use by holders of present perfected rights, by other users in the State of California served under existing contracts with the United States by diversion works heretofore constructed and by other existing Federal reservations in that State, of four million four hundred thousand acre-feet of main stream water, and by users of the same character in Arizona and Nevada. Water users in the State of Nevada shall not be required to bear shortages in any proportion greater than would have been imposed in the absence of this section 305(a). This section shall not affect the relative priorities, among themselves, of water users in Arizona, Nevada, and California which are senior to diversions for the Central Arizona unit, or amend any provisions of said decree.

(b) The limitation stated in paragraph (a) shall cease whenever the President shall proclaim that works have been completed and are in operation, capable in his judgment of delivering annually not less than two million five hundred thousand acre-feet of water into the main stream of the Colorado River below Lee Ferry from sources outside the natural drainage area of the Colorado River system; and that such sources are adequate, in the President's judgment, to supply such quantities without adverse effect upon the satisfaction of the foreseeable water requirements of any State from which such water is imported into the Colorado River system. Such imported water shall be made available for use in accordance with subsection (c) of this section.

(c) To the extent that the flow of the main stream of the Colorado River is augmented by such importations in order to make sufficient water available for release, as determined by the Secretary pursuant to article II(B)(1) of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340), to satisfy annual consumptive use of two million eight hundred thousand acre-feet in Arizona, four million four hundred thousand acre-feet in California, and three hundred thousand acre-feet in Nevada, respectively, the Secretary shall make such additional water available to users of main stream water in those States at the same costs and on the same terms as would be applicable if main stream water were available for release in the quantities required to supply such consumptive use, taking into account, among other things, (1) the nonreimbursable allocation to the replenishment of the deficiencies occasioned by satisfaction of the Mexican Treaty burden provided for in section 401, and (2) such assistance as may be available from the development fund established by title IV of this Act.

(d) Imported water made available for use in the lower basin to supply aggregate annual consumptive uses from the main stream in excess of seven million five hundred thousand acre-feet shall be offered by the Secretary for use in the States of Arizona, California, and Nevada in the proportions provided in article II(B)(2) of said decree. The Secretary shall establish prices therefor which take into account such assistance as may be available from the development fund established by title IV of this Act in excess of the demands upon that fund occasioned by the requirements stated in subsection (c) of this section. Within each State, opportunity to take such water shall first be offered to persons or entities who are water users as of the effective date of this Act, and in quantities equal to the deficiencies which would result if the total quantity available for consumptive use from the main stream in such State were only the quantity apportioned to that State by article II(B)(1) of said decree.

(e) Imported water made available for use in the upper basin of the Colorado River, directly or by exchange, shall be offered by the Secretary for contract by water users in the States of Colorado, New Mexico, Utah, and Wyoming in the proportions, as among those States, stated in the Upper Colorado River Basin Compact, and at prices which take into account such assistance as may be available from the Upper Colorado River Basin Fund, in excess of the demands upon that fund occasioned by the requirements of the Colorado River Storage Project Act.

(f) Imported water not delivered into the Colorado River system but diverted from the works constructed to import water into that system shall be made available to water users in accordance with the Federal reclamation laws.

SEC. 306. The main stream salvage unit shall include programs for water salvage along and adjacent to the main stream of the Colorado River and for ground water recovery. Such programs shall be consistent with maintenance of a reasonable degree of undisturbed habitat for fish and wildlife in the area, as determined by the Secretary.

SEC. 307. The Secretary shall construct, operate, and maintain such additional works as shall from time to time be authorized by the Congress as units of the project.

SEC. 308. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the project works authorized pursuant to this title shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

SEC. 309. The Secretary shall integrate the Dixie project and Southern Nevada water supply project heretofore authorized into the project herein authorized as units thereof under repayment arrangements and participation in the development fund established by title IV of this Act consistent with the provisions of this Act.

SEC. 310. There is hereby authorized to be appropriated to carry out the purposes of this title the sum of $1,167,000,000 based on estimated costs as of October 1963, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved.

TITLE IV—LOWER COLORADO RIVER BASIN DEVELOPMENT FUND: ALLOCATION AND REPAYMENT OF COSTS: CONTRACTS

SEC. 401. Upon completion of each lower basin unit of the project herein or hereafter authorized, or separate feature thereof, the Secretary shall allocate the total costs of constructing said unit or features to (1) commercial power, (2) irrigation, (3) municipal and industrial water supply, (4) flood control, (5) navigation, (6) water quality control, (7) recreation, (8) fish and wildlife, (9) the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by performance of the Water Treaty of 1944 with the United Mexican States (treaty series 994), (10) the additional capacity of the system of main conduits and canals of the Central Arizona unit referred to in section 304(a), item (1), in excess of one thousand eight hundred cubic feet per second, and (11) any other purposes authorized under the Federal reclamation laws. Costs of construction, operation, and maintenance allocated to the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by compliance with the Mexican Water Treaty (including losses in transit, evaporation from regulatory reservoirs, and regulatory losses at the Mexican boundary, incurred in the transportation, storage, and delivery of water in discharge of the obligations of that treaty) shall be nonreimbursable. All funds paid or transferred to Indian tribes pursuant to this Act, including interest on such funds in the Treasury of the United States, and costs of construction of the paved road, authorized in section 303(b) hereof, shall be nonreimbursable. The repayment of costs allocated to recreation and fish and wildlife enhancement shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213). Costs allocated to nonreimbursable purposes shall be nonreturnable under the provisions of this Act. Costs allocated to the additional capacity of the system of main conduits and canals of the Central Arizona unit, referred to in section 304(a), item (1), in excess of one thousand eight hundred cubic feet per second shall be recovered as directed in section 304(a).

SEC. 402. The Secretary shall determine the repayment capability of Indian lands within, under, or served by any unit of the project. Construction costs allocated to irrigation of Indian lands (including provision of water for incidental domestic and stock water uses) and within the repayment capability of such lands shall be subject to the Act of July 1, 1932 (47 Stat. 464), and such costs as are beyond repayment capability of such lands shall be nonreimbursable.

SEC. 403. (a) There is hereby established a separate fund in the Treasury of the United States, to be known as the Lower Colorado River Basin development fund (hereinafter called the "development fund"), which shall remain available until expended as hereafter provided for carrying out the provisions of title III.

(b) All appropriations made for the purpose of carrying out the aforesaid provisions of title III of this Act shall be credited to the development fund as advances from the general fund of the Treasury, and shall be available for such purpose.

(c) There shall also be credited to the development fund—

(1) All revenues collected in connection with the operation of facilities herein and hereafter authorized in furtherance of the purposes of this Act (except entrance, admission, and other recreation fees or charges and proceeds received from recreation concessionaires); and

(2) all Federal revenues from the Boulder Canyon and Parker-Davis projects which, after completion of repayment requirements of the said Boulder Canyon and Parker-Davis projects, are surplus, as determined by the Secretary, to the operation, maintenance, and replacement requirements of those projects; *Provided, however*; That the Secretary is authorized and directed to continue the in-lieu-of-taxes payments to the States of Arizona and Nevada provided for in section 2(c) of the Boulder Canyon Project Adjustment Act so long as revenues accrue from the operation of the Boulder Canyon project.

(d) All revenues collected and credited to the development fund pursuant to this Act shall be available, without further appropriation, for—

(1) defraying the costs of operation, maintenance, and replacements of, and emergency expenditures for, all facilities of the project, within such separate limitations as may be included in annual appropriation Acts;

(2) payments, if any, as required by section 502 of this Act;

(3) payments as required by subsection (f) of this section; and

(4) payments to reimburse water users in the State of Arizona for losses sustained as a result of diminution of the production of hydroelectric power at Coolidge Dam, Arizona, resulting from exchanges of water between users in the States of Arizona and New Mexico as set forth in section 304 of this Act.

(e) Revenues credited to the development fund shall not be available for construction of the works comprised within any unit of the project herein or hereafter authorized except upon appropriation by the Congress.

(f) Revenues in the development fund in excess of the amount necessary to meet the requirements of clauses (1), (2), and (4) of subsection (d) of this section shall be paid annually to the general fund of the Treasury to return—

(1) the costs of each unit of the project or separable feature thereof, authorized pursuant to title III of this Act which are allocated to irrigation, commercial power, or municipal and industrial water supply, pursuant to this Act, within a period not exceeding fifty years from the date of completion of each such unit or separable feature, exclusive of any development period authorized by law;

(2) the costs which are allocated to recreation or fish and wildlife enhancement in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213); and

(3) interest (including interest during construction) on the unamortized balance of the investment in the commercial power and municipal and industrial water supply features of the project at a rate determined by the Secretary of the Treasury in accordance with the provisions of subsection (f) of this section, and interest due shall be a first charge.

(g) To the extent that revenues remain in the development fund after making the payments required by subsections (d) and (f) of this section, they shall be available, upon appropriation by the Congress, to repay the costs incurred in connection with units hereafter authorized in providing (i) for the importation of water into the main stream of the Colorado River for use below Lee Ferry as provided in section 201(c) to the extent that such costs are in excess of the costs allocated to the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by performance of the Mexican Water Treaty as provided in section 401, and (ii) protection of States and areas of origin of such imported water as provided in section 202(a).

(h) The interest rate applicable to those portions of the reimbursable costs of each unit of the project which are properly allocated to commercial power development and municipal and industrial water supply shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which the first advance is made for initiating construction of such unit, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption for fifteen years from the date of issue.

(i) Business-type budgets shall be submitted to the Congress annually for all operations financed by the development fund.

SEC. 404. (a) Irrigation repayment contracts shall provide for repayment of the obligation assumed under any irrigation repayment contract with respect to any project contract unit or irrigation block over a period of not more than fifty years exclusive of any development periods authorized by law; contracts authorized by section 9(e) of the Reclamation Project Act of 1939 (53 Stat. 1196; 43 U.S.C. 485h(e)) may provide for delivery of water for a period of fifty years and for the delivery of such water at an identical price per acre-foot for water of the same class at the several points of delivery from the main canals and conduits and from such other points of delivery as the Secretary may designate; and long-term contracts relating to irrigation water supply shall provide that water made available threunder may be made available by the Secretary for municipal or industrial purposes if and to the extent that such water is not required by the contractor for irrigation purposes.

(b) Contracts relating to municipal and industrial water supply from the project may be made without regard to the limitations of the last sentence of section 9(c) of the Reclamation Project Act of 1939 (53 Stat. 1194); may provide for delivery of such water at an identical price per acre-foot for water of the same class at the several points of delivery from the main canals and conduits; and may provide for repayment over a period of fifty years if made pursuant to clause (1) of said section and for the delivery of water over a period of fifty years if made pursuant to clause (2) thereof.

SEC. 405. On January 1 of each year the Secretary shall report to the Congress, beginning with the fiscal year ending June 30, 1968, upon the status of the revenues from and the cost of constructing, operating, and maintaining the project and each unit thereof for the preceding fiscal year. The report of the Secretary shall be prepared to reflect accurately the Federal investment allocated at that time to power, to irrigation, and to other purposes, the progress of return and repayment thereon, and the estimated rate of progress, year by year, in accomplishing full repayment.

TITLE V—UPPER COLORADO RIVER BASIN AUTHORIZATIONS AND REIMBURSEMENTS

SEC. 501. (a) In order to provide for the construction, operation, and maintenance of the Animas-La Plata Federal reclamation project, Colorado-New Mexico; the Dolores, Dallas Creek, West Divide, and San Miguel Federal reclamation projects, Colorado, as participating projects under the Colorado River Storage Project Act (70 Stat. 105; 43 U.S.C. 620), and to provide for the completion of planning reports on other participating projects, subsection (2) of section 1 of said Act is hereby further amended by deleting the words "Pine River extension", and inserting in lieu thereof the words "Animas-La Plata, Dolores, Dallas Creek, West Divide, San Miguel". Section 2 of said Act is hereby further amended by deleting the words "Parshall, Troublesome, Rabbit Ear, San Miguel, West Divide, Tomichi Creek, East River, Ohio Creek, Dallas Creek, Dolores, Fruit Growers extension, Animas-La Plata", and inserting after the words "Yellow Jacket" the words "Basalt, Middle Park (including the Troublesome, Rabbit Ear, and Azure units), Upper Gunnison (including the East River, Ohio Creek, and Tomichi Creek units), Lower Yampa (including the Juniper and Great Northern units), Upper Yampa (including the Hayden Mesa, Wessels, and Toponas units)", and by inserting after the word "Sublette" the words "(including the Kendall Reservoir on Green River and a diversion of water from the Green River to the North Platte River Basin in Wyoming), Uintah unit and Ute Indian unit of the Central Utah, San Juan County (Utah), Price River, Grand County (Utah), Ute Indian unit extension of the Central Utah, Gray Canyon, and Juniper (Utah)". The amount which section 12 of said Act authorizes to be appropriated is hereby further increased by the sum of $360,000,000 plus or minus such amounts, if any, as may be required, by reason of changes in construction costs as indicated by engineering cost indexes applicable to the type of construction involved. This additional sum shall be available solely for the construction of the projects herein authorized.

(b) The Animas-La Plata Federal reclamation project shall be constructed and operated in substantial accordance with the engineering plans set out in the report of the Secretary transmitted to the Congress on May 4, 1966, and printed as House Document 436, Eighty-ninth Congress: *Provided,* That the project construction of the Animas-La Plata Federal reclamation project shall not be undertaken until and unless the States of Colorado and New Mexico shall have ratified the following compact to which the consent of Congress is hereby given:

"ANIMAS-LA PLATA PROJECT COMPACT

"The State of Colorado and the State of New Mexico, in order to implement the operation of the Animas-La Plata Federal Reclamation Project, Colorado-New Mexico, a proposed participating project under the Colorado River Storage Project Act (70 Stat. 105), and being moved by considerations of interstate comity, have resolved to conclude a compact for these purposes and have agreed upon the following articles:

"ARTICLE I

"A. The right to store and divert water in Colorado and New Mexico from the La Plata and Animas River systems, including return flow to the La Plata River from Animas River diversions, for uses in New Mexico under the Animas-La Plata Federal Reclamation Project shall be valid and of equal priority with those rights granted by decree of the Colorado state courts for the uses of water in Colorado for that project, providing such uses in New Mexico are within the allocation of water made to that state by articles III and XIV of the Upper Colorado River Basin Compact (63 Stat. 31).

"B. The restrictions of the last sentence of Section (a) of Article IX of the Upper Colorado River Basin Compact shall not be construed to vitiate paragraph A of this article.

"ARTICLE II

"This Compact shall become binding and obligatory when it shall have been ratified by the legislatures of each of the signatory States."

(c) The Secretary shall, for the Animas-La Plata, Dolores, Dallas Creek, San Miguel, West Divide, and Seedskadee participating projects of the Colorado River storage project, establish the nonexcess irrigable acreage for which any single ownership may receive project water at one hundred and sixty acres of class 1 land or the equivalent thereof as determined by the Secretary, in other land classes.

(d) In the diversion and storage of water for any project or any parts thereof constructed under the authority of this Act or the Colorado River Storage Project Act within and for the benefit of the State of Colorado only, the Secretary is directed to comply with the constitution and statutes of the State of Colorado relating to priority of appropriations; with State and Federal court decrees entered pursuant thereto; and with operating principles, if any, adopted by the Secretary and approved by the State of Colorado.

(e) The words "any western slope appropriations" contained in paragraph (i) of that section of Senate Document Numbered 80, Seventy-fifth Congress, first session, entitled "Manner of Operation of Project Facilities and Auxiliary Features," shall mean and refer to the appropriation heretofore made for the storage of water in Green Mountain Reservoir, a unit of the Colorado-Big Thompson Federal reclamation project, Colorado; and the Secretary is directed to act in accordance with such meaning and reference. It is the sense of Congress that this directive defines and observes the purpose of said paragraph (i), and does not in any way affect or alter any rights or obligations arising under said Senate Document Numbered 80 or under the laws of the State of Colorado.

SEC. 502. The Upper Colorado River Basin fund established under section 5 of the Act of April 11, 1956 (70 Stat. 107), shall be reimbursed from the Colorado River development fund established by section 2 of the Boulder Canyon Project Adjustment Act (54 Stat. 755), for all expenditures heretofore or hereafter made from the Upper Colorado River Basin fund to meet deficiencies in generation at Hoover Dam during the filling period of reservoirs of storage units of the Colorado River storage project pursuant to the criteria for the filling of Glen Canyon Reservoir (27 Fed. Reg. 6851, July 19, 1962). For this purpose $500,000 for each year of operation of Hoover Dam and powerplant, commencing with the enactment of this Act, shall be transferred from the Colorado River development fund to the Upper Colorado River Basin fund, in lieu of application of said amounts to the purposes stated in section 2(d) of the Boulder Canyon Project Adjustment Act, until such reimbursement is accomplished. To the extent that any deficiency in such reimbursement remains as of June 1, 1987, the amount of the remaining deficiency shall then be transferred to the Upper Colorado River Basin fund from the Lower Colorado River Basin development fund, as provided in paragraph (d) of section 403.

TITLE VI—GENERAL PROVISIONS: DEFINITIONS: CONDITIONS

SEC. 601. (a) Nothing in this Act shall be construed to alter, amend, repeal, modify, or be in conflict with the provisions of the Colorado River Compact (45 Stat. 1057), the Upper Colorado River Basin Compact (63 Stat. 31), the Water Treaty of 1944 with the United Mexican States (Treaty Series 994), the decree entered by the Supreme Court of the United States in Arizona against California, and others (376 U.S. 340), or, except as otherwise provided herein, the Boulder Canyon Project Act (45 Stat. 1057), the Boulder Canyon Project Adjustment Act (54 Stat. 774) or the Colorado River Storage Project Act (70 Stat. 105).

(b) The Secretary is directed to (1) make reports as to the annual consumptive uses and losses of water from the Colorado River system after each successive five-year period, beginning with the five-year period starting on October 1, 1965. Such reports shall be prepared in consultation with the States of the lower basin individually and with the Upper Colorado River Commission, and shall be transmitted to the President, the Congress, and to the Governors of each State signatory to the Colorado River Compact.

(2) condition all contracts for the delivery of water originating in the drainage basin of the Colorado River system upon the availability of water under the Colorado River Compact.

(c) All Federal officers and agencies are directed to comply with the applicable provisions of this Act, and of the laws, treaty, compacts, and decree referred to in subsection (a) of this section, in the storage and release of water from all reservoirs and in the operation and maintenance of all facilities in the Colorado River system under the jurisdiction and supervision of the Secretary, and in the operation and maintenance of all works which may be authorized hereafter for construction for the importation of water into the Colorado River system. In the event of failure of any such officer or agency to so comply, any affected State may maintain an action to enforce the provisions of this section in the Supreme Court of the United States and consent is given to the joinder of the United States as a party in such suit or suits, as a defendant or otherwise.

(d) Nothing in this Act shall be construed to expand or diminish either Federal or State jurisdiction, responsibility or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects.

SEC. 602. (a) In order to fully comply with and carry out the provisions of the Colorado River Compact, the Upper Colorado River Basin Compact and the Mexican Water Treaty, the Secretary shall propose criteria for the coordinated long-range operation of the reservoirs constructed and operated under the authority of this Act, the Colorado River Storage Project Act, the Boulder Canyon Project Act and the Boulder Canyon Project Adjustment Act. To effect in part the purposes expressed in this paragraph, the criteria shall make provision for the storage of water in storage units of the Colorado River Storage Project and releases of water from Lake Powell in the following listed order of priority:

(1) Releases to supply one-half the deficiency described in article III(c) of the Colorado River Compact, if any such deficiency exists and is chargeable to the States of the upper division, but in any event such releases, if any, shall terminate when the President issues the proclamation specified in section 305(b) of this Act.

(2) Releases to comply with article III(d) of the Colorado River Compact, less such quantities of water delivered into the Colorado River below Lee Ferry to the credit of the States of the upper division from sources outside the natural drainage area of the Colorado River system.

(3) Storage of water not required for the releases specified in clauses (1) and (2) of this subsection to the extent that the Secretary, after consultation with the Upper Colorado River Commission and representatives of the three lower division States and taking into consideration all relevant factors (including, but not limited to, historic streamflows, the most critical period of record, and probabilities of water supply), shall find to be reasonably necessary to assure deliveries under clauses (1) and (2) without impairment of annual consumptive uses in the upper basin pursuant to the Colorado River Compact: *Provided,* That water not so required to be stored shall be released from Lake Powell: (i) to the extent it can be resonably applied in the States of the lower division to the uses specified in article III(e) of the Colorado River Compact, but no such releases shall be made when the active storage in Lake Powell is less than the active storage in Lake Mead, (ii) to maintain, as nearly as practicable, active storage in Lake Mead equal to the active storage in Lake Powell, and (iii) to avoid anticipated spills from Lake Powell.

(b) Not later than July 1, 1968, the criteria proposed in accordance with the foregoing subsection (a) of this section shall be submitted to the Governors of the seven Colorado River Basin States and to such other parties and agencies as the Secretary may deem appropriate for their review and comment. After receipt of comments on the proposed criteria, but not later than January 1, 1969, the Secretary shall adopt appropriate criteria in accordance with this section and publish the same in the Federal Register. Beginning January 1, 1970, and yearly thereafter, the Secretary shall transmit to the Congress and to the Governors of the Colorado River Basin States a report describing the actual operation under the adopted criteria for the preceding compact water year and the projected operation for the current year. As a result of actual operating experience or unforeseen circumstances, the Secretary may thereafter modify the criteria to better achieve the purposes specified in subsection (a) of this section, but only after correspondence with the Governors of the seven Colorado River Basin States and appropriate consultation with such State representatives as each Governor may designate.

(c) Section 7 of the Colorado River Storage Project Act shall be administered in accordance with the foregoing criteria.

SEC. 603. (a) Rights of the upper basin to the consumptive use of water apportioned to that basin from the Colorado River system by the Colorado River Compact shall not be reduced or prejudiced by any use of such water in the lower basin.

(b) Nothing in this Act shall be construed so as to impair, conflict with or otherwise change the duties and powers of the Upper Colorado River Commission.

SEC. 604. Except as otherwise provided in this Act, in constructing, operating, and maintaining the units of the project herein and hereafter authorized, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388 and Acts amendatory thereof or supplementary thereto) to which laws this Act shall be deemed a supplement.

SEC. 605. (a) All terms used in this Act which are defined in the Colorado River Compact shall have the meanings there defined.

(b) "Main stream" means the main stream of the Colorado River downstream from Lee Ferry within the United States, including the reservoirs thereon.

(c) "User" or "water user" in relation to main stream water in the lower basin means the United States, or any person or legal entity, entitled under the decree of the Supreme Court of the United States in Arizona against California, and others (376 U.S. 340), to use main stream water when available thereunder.

(d) "Active storage" means that amount of water in reservoir storage, exclusive of bank storage, which can be released through the existing reservoir outlet works.

(e) "Colorado River Basin States" means the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming.

TO IMPROVE THE EDUCATIONAL OPPORTUNITY FOR AMERICAN INDIANS

Mr. GRUENING. Mr. President, I introduce, on behalf of my colleague from Alaska [Mr. BARTLETT] and myself, a bill to remove an existing limitation on the use of Federal funds by the Bureau of Indian Affairs for the education of Indians in institutions of higher learning or in vocational schools. This measure would be consistent with provisions of the student assistance program administered by the U.S. Office of Education. I ask unanimous consent that the full text of the bill be printed in the RECORD at the conclusion of my remarks.

The act of March 2, 1917, 39 Stat. 969, 988—25 U.S.C. 278—specifically prohibits moneys appropriated by the Congress from being used for the education of Indian children in sectarian schools, and for almost 50 years the Bureau of Indian Affairs has ruled that the act prevents Indians from attending private colleges or universities sponsored by a church if they are recipients of BIA grants.

I am informed that for purposes of the act of March 2, 1917, "Indian" has been held to include the Indians, Eskimos, and Aleuts of Alaska.

Inasmuch as all recent Federal programs of assistance to higher educational institutions and vocational schools have been extended to both public and private institutions—so long as the proper safeguards relating to the separation of church and state have been observed—it is essential that the administration of the Bureau of Indian Affairs scholarship programs be made to conform.

The present program places Indians at a serious disadvantage in preparing themselves for their chosen careers. It robs them of much of the incentive to achieve responsible citizenship in the institutions of their choosing.

Other Americans, who are the recipients of education grants from the Federal Government, are not restricted as to the institutions they can attend. I see no reason why the young Indian should not be free to choose the institution in which he wishes to enroll.

The discriminatory practice established by the act of March 2, 1917, not only creates a serious problem for the young Indian seeking a higher education but also places an obstacle in the path of the various sectarian institutions, since some form of financial assistance is being given to a large percentage of students now on private school campuses. These private or sectarian schools would, I am sure, gladly welcome Indians into their student bodies if these students, or the schools, had the resources to provide the financial aid needed.

The Department of Interior is aware of the discriminatory nature of the act of March 2, 1917, and has assisted in the drafting of the legislation Senator BARTLETT and I have introduced. The measure is of vital importance to Indian students, and I sincerely hope that it will be given early consideration by the Senate.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD as requested by the Senator from Alaska.

The bill (S. 876) relating to Federal support of education of Indian students in sectarian institutions of higher education, introduced by Mr. GRUENING (for himself and Mr. BARTLETT), was received, read twice by its title, referred to the Committee on the Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 876

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following provision of section 21, Act of March 2, 1917 (39 Stat. 969, 988; 25 U.S.C. 278), is repealed:

"And it is hereby declared to be the settled policy of the Government to hereafter make no appropriation whatever out of the Treasury of the United States for education of Indian children in any sectarian school."

SEC. 2. Funds hereafter appropriated to the Secretary of the Interior for the education of Indian children shall not be used for the education of such children in elementary and secondary education programs in sectarian schools. This prohibition shall not apply to the education of Indians in accredited institutions of higher education and in other accredited schools offering vocational and technical training.

Mr. BYRD of West Virginia subsequently said: Mr. President, I ask unanimous consent that the bill introduced earlier today by the distinguished Senator from Alaska [Mr. GRUENING], concerning educational opportunities for American Indians, be permitted to remain at the desk through February 17 next, for additional cosponsors.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT OF CLAYTON ACT

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, a bill to amend the Clayton Act by making section 3 of the Robinson-Patman Act, with amendments, a part of the Clayton Act, in order to provide for governmental and private civil proceedings for violations of section 3 of the Robinson-Patman Act.

This measure is identical to S. 995 of the 89th Congress, which was the subject of 4 days of hearings before the Judiciary Subcommittee on Antitrust and Monopoly in 1965. The distinguished chairman of that subcommittee, the Senator from Michigan [Mr. HART], has expressly invited and urged me to reintroduce the bill and is again joining me as its chief cosponsor. The Senator and I take great pride and pleasure in announcing that the bill is also being cosponsored by the Senator from Alaska [Mr. BARTLETT], the Senator from Nevada [Mr. BIBLE], the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. LONG], the Senator from Indiana [Mr. HARTKE], the Senator from Alabama [Mr. HILL], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Wisconsin [Mr. NELSON], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Texas [Mr. YARBOROUGH].

The purpose of this bill, in a nutshell, is to authorize private and governmental civil enforcement of a certain provision of the Robinson-Patman Act that is not elsewhere found in the antitrust and trade regulation laws of the United States. It is anomalous that violators of section 3 are now subject to criminal prosecution, with punishments up to a $5,000 fine or a year's imprisonment or both, upon conviction, yet are not subject to suits for damages and injunctive relief by those whose businesses their criminal conduct has injured or destroyed. Enactment of this measure would end that anomaly.

Section 3 of the Robinson-Patman Act prohibits three kinds of commercial misconduct in the field of pricing. It forbids "any person engaged in commerce, in the course of such commerce"—and now I shall, in part, paraphrase the statutory language:

First. To be a party to, or assist in, any transaction of sale, or contract to sell, which discriminates to his knowledge against competitors of the purchaser, in that any discount, rebate, allowance, or advertising service charge is granted to the favored purchaser and not granted to his competitor, in respect of a sale of goods of like grade, quality, and quantity;

Second. To sell, or contract to sell, goods in any part of the United States at prices lower than those exacted by said person elsewhere in the United States for the purpose of destroying competition or eliminating a competitor.

Third. To sell, or contract to sell, goods at unreasonably low prices for the purpose of destroying competition or eliminating a competitor.

Prohibitions quite similar to the first two of these three occur also in section 1 of the Robinson-Patman Act, and that section is made, in express terms, amendatory of section 2 of the Clayton Act. Violators of the Clayton Act may be sued for treble damages and injunctive relief by those whom their unlawful conduct has injured.

Before 1958, it had been widely assumed that section 3 of the Robinson-Patman Act was one of the antitrust laws, which, by provisions in the Clayton Act, are the subject of civil enforcement. Although several lower courts doubted or denied the right of private suitors to base damage actions on violations of section 3, enough others did grant relief thereunder to cause the Attorney General's National Committee to Study the Antitrust Laws, in its 1955 report—page 200—to note that private claimants had emerged as the principal enforcers of this section.

Then, on January 20, 1958, the Supreme Court, in two companion cases decided by a 5-to-4 majority, ruled that section 3 of the Robinson-Patman Act was not a part of the antitrust laws, and, as a result, that private actions for treble damages and injunctive relief would not lie for violation of the unreasonably low pricing ban contained only in that section—a criminal statute—and not paralleled in section 2 of the Clayton Act.

In the years since 1958, I have introduced, with distinguished cosponsorship, a number of bills designed to permit civil relief under section 3 of the Robinson-Patman Act. The 88th Congress bill, S. 3079, and the 89th Congress bill, S. 995, received warm support from small businessmen in many and varied industries at hearings before the subcommittee chaired by the Senator from Michigan. Senator HART and I, and our cosponsors, believe that those hearings have made the case for this legislation. It should be enacted. We hope and trust that in this Congress it will be enacted.

All of us know that there is in the Congress a quite considerable inertia to be broken anytime one sets out to amend the antitrust laws, and I myself do not feel that this fact should be decried. Any proposal to amend the antitrust laws deserves and quite properly receives the most searching and often necessarily prolonged consideration before attaining enactment. Such consideration has now been given to this proposal. The time for action has come.

The forces pushing us toward concentration in industry after industry in our economy are very great. Some of them may be unavoidable; but one such force, the occasional practice of deliberate predatory pricing with the express purpose of destroying competition, is not in that class. It can and should be checked; yet it is not feasible to initiate a criminal prosecution every time the existing law against such pricing is broken. Unleashing the power of private civil enforcement will bring vitality to a provision of the criminal law that badly needs to be revitalized, if we are to preserve an economy in which power is dispersed among many competitors, not concentrated in the hands of a few giant companies.

I have high hopes that the Subcommittee on Antitrust and Monopoly, under the leadership of Chairman HART, will give this bill prompt and favorable consideration. I command it to the attention of every Member of Congress and I earnestly bespeak for it the active support of every believer in a competitive economy and every friend of small business.

Mr. President, I ask unanimous consent that the bill may remain at the desk through February 21, 1967, so that other Senators who desire to do so may add their names as cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, will remain at the desk as requested.

The bill (S. 877) to amend the Clayton Act by making section 3 of the Robinson-Patman Act, with amendments, a part of the Clayton Act, in order to provide for governmental and private civil proceedings for violations of section 3 of the Robinson-Patman Act, introduced by Mr. SPARKMAN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949, AS AMENDED

Mr. McCLELLAN. Mr. President, I introduce, for appropriate reference, a bill to amend section 201(c) of the Federal Property and Administrative Services Act of 1949, as amended, to permit further Federal use and donation of exchange sale of personal property throughout the Federal Government.

This bill would amend section 201(c) of the Property Act which authorizes executive departments and agencies, under regulations prescribed by the General Services Administration, to exchange or sell certain items of personal property and apply the exchange allowance or proceeds of sale against the price of similar property acquired. The bill is intended to require agencies desiring to exercise this authority to make the property available to other agencies for Federal utilization, and when it is determined that other agencies do not need it, the property would then become available for donation to health, education, and civil defense activities. This is the procedure which has been successfully followed by the Department of Defense in the disposition of property which becomes excess to its needs.

After the screening for these purposes has been completed the holding agency could dispose of the property or transfer it to the General Services Administration for exchange or sale in accordance with the regulations prescribed for such transactions.

This bill is similar to S. 2610, which was reported by the Committee on Government Operations and unanimously approved by the Senate during the 89th Congress, but failed to be approved in the House.

This bill does, however, contain some refinement over the previous measure in that it gives the Administrator of General Services discretionary authority over the disposal of passenger carrying vehicles, and automatic data processing equipment and systems. This bill would require the Administrator to file an annual report with the Committee on Government Operations of the Senate and House of Representatives, showing the original cost and fair market value of each item exchanged together with the allowance or amount received for property exchanged under this authority.

In conclusion, Mr. President, I believe enactment of this proposal will be beneficial and helpful to all levels of government, will provide uniform disposal procedures for all Federal agencies, and will strengthen the Federal utilization program. Enactment of this bill will also improve the donable property program which has made possible the transfer of usable surplus to schools, colleges, and public health institutions at practically no cost to the Federal Government.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 878) to amend section 201(c) of the Federal Property and Administrative Services Act of 1949 to permit further Federal use and donation of exchange sale property, introduced by Mr. McCLELLAN, by request, was received, read twice by its title, and referred to the Committee on Government Operations.

MAIL ON OCEAN VESSELS

Mr. BARTLETT. Mr. President, I introduce for reference to the appropriate committee a bill to change the regulation covering payments for transportation of mail on ocean vessels by the Postmaster General.

I introduced a similar bill—S. 2730—last year. However, I have changed the language in accordance with the wishes of the Postmaster General which he expressed in commenting on the bill late last session.

The need for the bill can best be stated by quoting from the Postmaster General's letter supporting the legislation. He wrote:

> Since the limitation of 8¢ per pound established by law in 1929 for parcels has already been reached with respect to certain long-haul services, no further upward adjustments, however well justified they may be, can be made unless the present limit is removed. Accordingly the Department has no objection to elimination of the present statutory ceilings in the interest of permitting adjustments in the longer haul service should circumstances require.

Without going into great detail, it is possible to state that the regulation covering payment for the transport of mail on ocean vessels passed about 40 years ago are outdated and unfair to U.S.-flag vessels. I understand that the Universal Postal Union Convention which became effective January 1, 1966, sets rates which are up to 37 percent higher than the rates the U.S. Post Office pays U.S.-flag vessels. Clearly, our merchant fleet has enough difficulties without being short changed by its own Government in this instance.

The bill merely repeals language of the United States Code limiting payments to 80 cents a pound for letters, post cards and postal cards and to 8 cents a pound for other articles and giving the Postmaster General authority to fix the rates.

Inasmuch as this bill as introduced today meets all objections of the Postmaster General, I trust that the appropriate executive agencies can expedite action on it.

I ask unanimous consent that the language of the bill be printed at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 879) to amend section 6409(b)(1) of title 39, United States Code, which relates to transportation compensation paid by the Postmaster General, introduced by Mr. BARTLETT, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

S. 879

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of section 6409(b) of title 39, United States Code, is amended by striking out "may pay compensation not to exceed 80 cents a pound for letters, post cards and postal cards, and 8 cents a pound for other articles" and inserting in lieu thereof "may be compensated at rates fixed by the Postmaster General".

DEPARTMENT OF NATURAL RESOURCES

Mr. MOSS. Mr. President, this body has heard again and again of the need to protect our natural resources. From my experience I have found that everyone agrees on this goal, but we are constantly frustrated in our efforts to do much about it. Notwithstanding the work of our resource agencies, notwithstanding the millions and millions of dollars appropriated by Congress, and regardless of our many conservation bills, America is suffering a progressive deterioration of natural resources.

The trouble is that we have allowed competing interests for the use of our limited resources to block any overall development and protection plan. Every resource management agency is surrounded by competing agencies, each striving to utilize our waters, minerals, and land for its own particular clientele. The result has been that we often have no policy at all when important decisions affecting our natural resources are made.

This has resulted in a loss—not for the competing interests—but for the American people. The decision to dam a river or cut down a 2,000-year-old tree is irrevocable. We will not be given the chance to make that decision again.

The choices we will make in the coming years will affect the beauty and the utility of our land for uncounted generations hereafter. The planning that we must do in the field of water resources will determine the economic future of the Nation. The planning of our land resources is hardly less important, and is so interrelated with water planning as to be inseparable. We cannot wait.

Time is running out on this once virgin land. The lush Potomac Valley is drained by a river of mud, sewage, and floating debris. The remains of unreconstructed strip mines scar the Midwest. The unique redwoods are disappearing at an increasing rate. Many of our richest minerals are becoming scarce. The lifeblood of the West, water, is often put to less than its maximum use. A hodgepodge of dams, planned or licensed by competing agencies, often bears no relation to the maximum utilization of the stream for power, recreation, and conservation. Our two biggest cities, New York and Los Angeles, are covered by vast, noxious clouds of smog. Even Phoenix and Salt Lake City are increasingly covered by a filthy haze.

Our cities are in desperate need of recreation space. People are traveling hundreds of miles to escape the noise and concrete of the city. Attendance at our national parks continues to break records. The once empty forests of Yosemite National Park are now filled with so many people on some weekends that every campsite is filled. And the smoke from their numerous campfires creates a layer of smog over this beautiful park.

The President has said:

> This continent is an abundance, continually being discovered and developed. But much of its richness lies hidden or unused.

I agree completely. Vast amounts of oil shale lie unused in Colorado and Utah. We still have not opened up our geothermal steam springs. The planning of water resources to meet our industrial and mining needs has not been adequate. The exploration for minerals has sometimes suffered from governmental policies. We have not had the kind of planning that would determine the benefits we will receive from different uses of the land and water.

A whole new resource field awaits development in the oceans. But we must have the planning necessary to prevent the mistakes of haphazard exploitation from being repeated in the development of the oceans.

Under present circumstances, the situation promises to get worse, not better. Population increase and technology, geared to ever-rising living standards, are exerting massive pressures on our limited supplies of resources. Water, land, and air are threatened by malpractice and the seemingly insatiable appetite of modern industrial society.

Resources for the future has projected a tripling of requirements for both energy and metals by the year 2000. We will almost double our demand for farm products and nearly triple demand for timber. Withdrawal depletions of fresh water will almost double. Increased demand for land space for outdoor recreation, suburban growth, highways, and airports will encroach on the diminishing supply. Land requirements, if each use is counted separately, would add up to 50 million more acres than this country has—and this assumes no increase in forest lands.

Forest products are projected to grow at a rate that will force us to find 300 million more acres of forest land by the year 2000. But a quarter of our annual supply is now lost to insects, diseases, and fires.

People are often unaware of the demands of an urban society on natural resources. While about 1 gallon of water a day will meet an individual's physiological requirements, the average American city dweller is using 110 gallons a day. Per capita use of water for all purposes has increased in the last 60 years from 530 to 1,900 gallons a day.

The greatest increase in the use of water in the future will come from industry. The effect this could have on pollution is foreboding.

A research foundation reported this past year that we may reach the end of big game hunting and sport fishing by the end of this century. According to this report, there will be too few streams that can support fish and too little wild land to produce forage for big game. Coupled with the increase in population, the end of one of our greatest natural resources is foreseen by this group.

While resources are limited, the uses are interrelated. The decisions on forest use intimately affect the fish and wildlife. The decisions for mineral use in an area inevitably affect its use for conservation or recreation. The true costs of industry must include the pollution and scenic destruction caused thereby. A decision on the feasibility of land and water use for industry must reflect this cost. But a multitude of different agencies prevents this interrelated planning.

The efforts of those seeking to overcome our resource problems are often frustrated by a bureaucratic maze. Newsweek magazine in 1965 said the big obstacle to restoring the Hudson River Valley is bureaucracy. It related how more than 15 Federal agencies from the Coast Guard to the Department of Commerce must deal with New York State Departments of Conservation, Health, Public Works, Commission for Fish and Game, Parks, Water Resources, Motor Boats—and the list does not end there.

This multitude of different agencies on both the State and Federal level, at best, operate in splendid isolation, pursuing contradictory policies and objectives. At worst they engage in open warfare.

One is not surprised to learn that the Soil Conservation Service in the Department of Agriculture pays a bounty to North Dakota farmers for draining potholes and wetlands, while the Bureau of Sports Fisheries and Wildlife in the Department of the Interior entreats their conservation.

More appalling is the result of conflicting policies in the Florida everglades. Here the National Park Service has come into headlong conflict with the Army Corps of Engineers. The Engineers have built massive levees to contain runoff from Lake Okeechobee and constructed 1,400 miles of drainage canals in the name of flood control. Park Service officials complain bitterly that the Engineers have drained Everglades National Park almost dry in their efforts to halt wetlands flooding and reclaim glade country for agriculture.

Flood control advocates have said that reclamation is for people and Everglades Park is "for the birds." But that is not the question at all. The real question is how to develop coordinated planning to develop priorities among limited resources.

The shocking fact is that these conflicting policies are just not being coordinated. Sufficient evaluations are not being made as to the best use of the land, and policy decisions from the separate departments are often in conflict.

We cannot let this anarchy continue without paying a high cost in irreplaceable resources. I do not feel this morass results from lack of devotion or from inefficiency in the agencies concerned. It stems from the lack of overall direction and central administration of our natural resource fields. More urgently than ever, a unified national policy is required to prevent heedless exploitation and to husband diminishing supplies.

I propose a Department of Natural Resources. I do not pretend that it will be a panacea for all of the problems I have mentioned. But it will eliminate the lack of policy and coordination in the field. And it will be a symbol of the importance we attach to the resources we cannot replace.

WATER

Perhaps our water problems best illustrate the need for a Department of Natural Resources. The first Hoover Commission reported on this need as follows:

> Incomparably the greatest opportunity for economy lies in the imposition of precautions to eliminate wasteful water development and to assure the soundness of projects finally adopted. In the past, projects have been carried through which should never have been undertaken at all. Others have been wastefully constructed and without regard to important potential uses.

Probably their most important conclusion was that developing the entire river basin is difficult, if not impossible, as long as independent bureaus with traditional loyalties and jealous clientele carve up the development and management tasks.

This Nation faces a twofold task in developing overall river basin planning. First this country must find, and find quickly, greatly increased supplies of clean water. Second, we must manage with far more wisdom than we have used thus far, the water supplies we now have.

Total management of water resources involves a variety of functions. Among others are watershed protection and management, flood control, river and harbor improvements, irrigation, fish and wildlife, recreation, desalination, and pollution. This whole package must be tied together. We must plan for entire river basins from their sources to their mouths.

Even should authorities be successfully established for every river basin, however, the basins are interrelated. Precipitation, pollution, and water use in one basin can vitally affect others. Coordination in their development and management is essential.

Interbasin transfer cannot even be considered without both river basin planning and overall planning of water programs of many basins and States. Ideally, we should have a national long-range plan for management of water resources in the United States. The national plan would then be the starting point for the river basin plans.

In trying to effectuate this planning we now have three primary departments, Defense, Agriculture, and Interior. In addition, the Federal Power Commission, which grants licenses for projects, and Health, Education, and Welfare, which determines water quality standards, must be considered in all planning.

Below the departmental level, a Pandora's box opens. In Interior alone we have this array of agencies: The Bureau of Reclamation, three power marketing agencies, Bureau of Indian Affairs, the Bureau of Land Management, the Bureau of Fish and Wildlife, the Bureau of Mines, Geological Survey, the National Park Service, the Office of Saline Water, the Office of Water Resources Research, and the Bureau of Outdoor Recreation.

On the basis of expenditures, the most extensive Federal activity in the water resources field is conducted by the Department of Defense through the Corps of Engineers. They first were given the job of maintaining navigable waterways, which has some connection with national defense—at least a better connection than the Navy has in operating petroleum reserves. But the Corps of Engineers has advanced far past maintaining the navigability of our streams. It has gradually been expanded to include dam construction for flood control, water supply, and recreation.

The corps is a highly efficient construction organization, but there is at least an element of truth in the contention that it has been more interested in dam building than in river basin development.

The Engineers operate in every State. Though commanded by a few Army officers, the work force is composed of civilians. Since it has such a tenuous connection with the main duties of the Army it is virtually autonomous.

Until 1936, the bureaucratic tangle, while confused, at least was limited. Up to that time authority to harness rivers for storage and electric power was a function of the Bureau of Reclamation. But the jurisdiction for the Bureau was and is limited to the Western States. Following the great floods of 1936, President Roosevelt asked the Corps of Engineers to build flood control projects. At the same time, TVA was beginning the development of the Tennessee River Basin. Shortly after, Agriculture was given authority to construct small upstream and tributary check dams, and another agency entered the water picture.

In 1944, legislation logically provided that water projects should be multipurpose whenever possible. This brought the Army into irrigation, power generation, and recreation. But since the corps has no marketing facilities, the Interior Department had to market the water and power from these dams. We still face the difficult task of deciding which parts of the costs are for flood control—payable out of tax moneys—and which parts are to be paid from the sale of power.

Congress recognized the dangers in this situation when it passed the Water Resources Planning Act. This act creates a Water Resources Council to coordinate our water resources planning. But this instrument will be an awkward one at best. The Secretary of the Army whose time presumably is occupied by Vietnam, and the Secretary of HEW, who should be concerned about our cities, are now asked to plan our natural resource development.

It is clear that the basic work will be done by the staff, but the decisions must be made by the Council. The Council cannot and will not devote sufficient time to this. One Secretary could do it and accept the responsibility of those decisions.

I support the Water Resources Planning Act, but it is a stopgap measure, and the gap between our needs and our planning for those needs is getting wider.

The confusion extends into other areas. The Department of Defense now serves more recreation seekers than the Department of the Interior. So does the Forest Service. But the Bureau of Outdoor Recreation is in the Interior Department.

LAND

Although the problems are not as severe, the agencies dealing with land should also be coordinated. At present, we have the Bureau of Land Management in Interior administering part of our public lands while most of the remainder is administered by the Forest Service in Agriculture. To be effective, a Department of Natural Resources must include the Forest Service. Originally the Forest Service was supposed to administer land while the Bureau of Land Management was supposed to liquidate the Government's holdings. Now both manage land for multiple use, and their jurisdictions constantly overlap each other, as well as the jurisdictions of the National Park Service, the Bureau of Indian Affairs and other Federal agencies.

An example of this type of duplication is the Flaming Gorge Recreation Area which straddles the Utah-Wyoming border. Much of the land surrounding the water is national forest, so the Forest Service administers part of the recreation area. But the land above the Gorge stretching into Wyoming is administered by the National Park Service. An invisible border ends their separate jurisdictions. Both Services have adapted to the situation, but this dual administration is nonsense.

Senator McGEE and I have introduced legislation which designates the Forest Service as the administrator of the entire recreation area, but this situation is symptomatic of the overlapping jurisdictions in the conservation and recreation fields.

Some people have criticized me for attempting to end the semi-independent status of the Forest Service. I feel it is far more important to insure that the expertise and solid professional background of the Forest Service personnel influence the course of resource planning that will take place in a Department of Natural Resources.

OCEAN

I would foresee in the proposed Department of Natural Resources an Assistant Secretary of Oceanography. This important official could coordinate and emphasize our efforts on this new frontier of the resource field.

Senators MUSKIE, MAGNUSON, BARTLETT, and others have called our attention to the inadequate national effort concerning our marine program. Senator MUSKIE pointed out the need for the improvement of our merchant marine fleet, the exploration of the Continental Shelf and the enhancement of our fisheries products. In addition we need a review of our interests in the law of the sea and a study of possible import restrictions on those nations practicing poor conservation techniques in our adjacent waters.

Our natural resources program cannot continue in the future without recognizing the rich resources of the oceans and determining the extent to which we can utilize these resources to supplement those on the land.

The need for a national oceanography program has been well demonstrated. The only question that remains is whether or not it should be put in the same department as our other natural resources. I think it fits. The problems of pollution in the very important estuaries of our rivers concerns both the ocean and the fresh water. The proposals to use the tides for power must draw on our extensive knowledge of hydroelectric power using fresh water. The minerals that might be found under the water and the hydrocarbons we presently obtain from beneath the sea are the same minerals we find on land. Certainly the Government department dealing with our mineral resources should logically coordinate this undersea effort. The agencies dealing with sport fisheries are in the Department of the Interior. It seems logical to me to include them in a Department of Natural Resources.

Of course, many new techniques for working in an aquatic environment must be found, but this would be the reason for coordinating all oceanography activities under an Assistant Secretary in the Department of Natural Resources.

Senator MUSKIE has pointed out the problem of the low ministerial status of our representatives at conferences on international marine affairs. I think the representation by a Secretary of one of our most important Cabinet departments would correct this situation.

The problems of our Great Lakes share some similarities to our fresh water problems and some similarities to those of the estuaries and oceans. In this new Department, efforts to meet this unique situation could be coordinated at all levels.

An Interagency Committee on Oceanography now coordinates the work of five departments, three independent agencies, and 22 bureaus and offices. But no one working in the area is in a high level policy position. What we need is top-level direction on policy and an adequate staff and budget.

Actually, this bill providing for a Department of Natural Resources is quite simple. The bill provides for a Secretary of Natural Resources and a Deputy Secretary. It provides for two Under Secretaries, one for water and one for land.

The jurisdiction of the Under Secretary for Water includes: the functions exercised by the Bureau of Reclamation; the civil works functions of the Corps of Engineers in the Department of the Army; the work of the Soil Conservation Service under the Watershed Protection and Flood Prevention Act; the Water Pollution Control Authority; coordination of river basin plans with the Federal Power Commission; the Bonneville Power Administration; the Southwestern Power Administration; and all agencies in the Department of the Interior that have water resource matters as their principal concern.

The Under Secretary for Water will supervise an Assistant Secretary for Oceanography. This Assistant Secretary will have jurisdiction over the functions of the sea grant programs of the National Science Foundation, the National Oceanographic Data Center, and the Coastal Engineering Research Center. It would also be wise to transfer to this Assistant Secretary the portion of the U.S. Fish and Wildlife Service which deals with the fisheries resources of the oceans. An office might also be created to coordinate efforts of our other mineral resource agencies in development of the minerals in and under the ocean.

While I have not provided for further administrative division in the bill, it would appear logical to divide the responsibility of the Under Secretary for Land into four branches, each headed by an Assistant Secretary.

The Forest Service and the Bureau of Land Management could report to an Assistant Secretary for Land Resources. The National Park Service, the Fish and Wildlife Service, and the Bureau of Outdoor Recreation could report to an Assistant Secretary for Recreation and Wildlife. The Bureau of Mines, Geological Survey, the Office of Coal Research, and the several other agencies in the Department of the Interior with responsibility in the fields of minerals and fuels could report to an Assistant Secretary for Minerals and Fuels. The fourth Assistant Secretary would supervise our air pollution abatement program.

The adoption of this proposal is long overdue. The task of protecting and wisely utilizing the land, the water, the forest, the wildlife, is one task. All these resources are interdependent. Today, all require wise management on a national basis.

The President has made clear his intention of consolidating functions and services. He is phasing out installations which have completed performance of the functions they were assigned. It is time we consolidated our planning or resource management.

An additional gain will be in the efficiency of State operation. The States cannot protect their resources without Federal cooperation. Our river basins, our waterfowl, our forests, our lakes do not recognize State boundaries. The State responsibilities in these fields are widespread. We should make it possible for them to carry out their responsibilities.

This legislation is introduced because the structure of our resource agencies is unnecessarily fragmented; because this fragmentation is preventing the quality of conservation and management that the public interest requires; and because the Congress has failed to give this question the attention it deserves.

What the bill will do is to enable one executive department to coordinate, at the levels of Under Secretary and Secretary, the activities of all agencies dealing with natural resources. It will enable the President, the Congress, and an executive department to effectively evaluate the Nation's resource requirements and the investment needed to meet them. It will provide the data and the management structure on which long-range planning can be based. It will enable us to consider with sufficient leadtime the raw material requirements of our industries. It will provide coordinated administration of farflung resource programs. It will make it easier for the States, counties, and cities to carry out their expanding responsibilities in the natural resource field.

My greatest pleasure since coming to the Senate has been in working in this conservation area—to improve our parks and recreation areas, to develop our mineral and water resources and to conserve our fish and wildlife. I want to see Congress meet its responsibilities by giving the executive branch the most effective resource management organization possible.

Mr. President, I send to the desk for appropriate reference my bill to redesignate the Department of the Interior as the Department of Natural Resources and to transfer certain agencies to and from such Department, and I ask that it be left on the desk for 2 weeks for cosponsors.

I also ask unanimous consent that the bill be printed in the RECORD following my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and lie at the desk, as requested by the Senator from Utah.

The bill (S. 886) to redesignate the Department of the Interior as the Department of Natural Resources and to transfer certain agencies to and from such Department introduced by Mr. MOSS, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 886

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Department of Natural Resources Act of 1967".

DEPARTMENT OF NATURAL RESOURCES

SEC. 2. (a) The Department of the Interior is hereby redesignated the Department of Natural Resources, and the Secretary of the Interior is hereby redesignated the Secretary of Natural Resources.

(b) All laws, orders, regulations, and other matters relating to the Department of the Interior or to the Secretary of the Interior shall, insofar as they are not inconsistent with the provisions of this Act, be deemed to relate to the Department of Natural Resources or to the Secretary of Natural Resources, respectively.

DEPUTY SECRETARY OF NATURAL RESOURCES

SEC. 3. The Under Secretary of the Interior authorized under the Act entitled "An Act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1936, and for other purposes", approved May 9, 1935, shall be known as the Deputy Secretary of Natural Resources and shall be compensated at the rate prescribed for level II of the Executive Schedule by section 5312 of title 5 of the United States Code.

UNDER SECRETARIES OF NATURAL RESOURCES

SEC. 4. (a) There shall be in the Department of Natural Resources an Under Secretary of Natural Resources for Water, and an Under Secretary of Natural Resources for Lands, who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) Clause (8) of section 5314 of title

5 of the United States Code is amended to read as follows:

"(8) Under Secretary of Natural Resources for Water and Under Secretary of Natural Resources for Lands."

TRANSFERS FROM THE DEPARTMENT OF THE INTERIOR

SEC. 5. (a)(1) The Bureau of Indian Affairs in the Department of the Interior is transferred to the Department of Health, Education, and Welfare and all functions of the Secretary of the Interior being administered through the Bureau of Indian Affairs are transferred to the Secretary of Health, Education, and Welfare.

(2) The Office of Territories in the Department of the Interior is transferred to the Department of Health, Education, and Welfare and all functions of the Secretary of the Interior being administered through the Office of Territories are transferred to the Secretary of Health, Education, and Welfare.

(b) All personnel, property, records, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds, which the Director of the Bureau of the Budget determines are to be used primarily with respect to any office, agency, bureau, or function transferred under the provisions of this section, are transferred to the Department of Health, Education, and Welfare.

TRANSFERS FROM DEPARTMENT OF AGRICULTURE

SEC. 6. (a) The Forest Service in the Department of Agriculture, together with such personnel, property, records, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds as are determined by the Director of the Bureau of the Budget to be used primarily with respect to functions being administered through such service, is transferred to the Department of Natural Resources, and all functions of the Secretary of Agriculture being administered through such service are transferred to the Secretary of Natural Resources.

(b)(1) The functions of the Secretary of Agriculture under the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1001–1008), and the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved December 22, 1944 (58 Stat. 887), are transferred to the Secretary of Natural Resources.

(2) All personnel, property, records, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds, which the Director of the Bureau of the Budget determines are used primarily with respect to any function transferred under the provisions of this subsection, are transferred to the Department of Natural Resources.

CORPS OF ENGINEERS; CIVIL WORKS FUNCTIONS

SEC. 7. (a) The civil works functions of the Corps of Engineers of the Department of the Army and all such functions of the Secretary of the Army with respect to or being administered through such Corps are transferred to the Secretary of Natural Resources.

(b) All nonmilitary personnel, property, records, obligation, commitments, and unexpended balances of appropriations, allocations, and other funds, which the Director of the Bureau of the Budget determines are used primarily with respect to any function transferred under the provisions of this section, are transferred to the Department of Natural Resources.

(c) In time of war or such other national emergency as the President determines, he may transfer—

(1) the functions transferred under subsection (a) of this section to the Secretary of the Army, and

(2) such personnel, property, records, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds as he determines are used with respect to such functions to the Department of the Army. At the end of the war or the period of national emergency the President shall transfer such functions back to the Secretary of Natural Resources, and he shall transfer such personnel, property, records, obligations, commitments, and unexpended appropriations, allocations, and other funds back to the Department of Natural Resources.

TRANSFERS FROM THE DEPARTMENT OF THE NAVY; OCEANOGRAPHIC FUNCTIONS

SEC. 8. The National Oceanographic Data Center in the Department of the Navy together with such nonmilitary personnel, property, records, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds as are determined by the Director of the Bureau of the Budget to be used primarily with respect to functions being administered through such center, is transferred to the Department of Natural Resources, and all nonmilitary functions of the Secretary of the Navy with respect to or being administered through such Center are transferred to the Secretary of Natural Resources.

TRANSFERS FROM THE NATIONAL SCIENCE FOUNDATION; SEA GRANT PROGRAM

SEC. 9. (a) The functions of the National Science Foundation under title II of the Marine Resources and Engineering Development Act of 1966 (80 Stat. 998) relating to sea grant programs, are transferred to the Secretary of Natural Resources.

(b) All personnel, property, records, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds, which the Director of the Bureau of the Budget determines are used primarily with respect to any function transferred under the provisions of this section, are transferred to the Department of Natural Resources.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE; AIR POLLUTION CONTROL FUNCTIONS

SEC. 10. (a) The functions of the Secretary of Health, Education, and Welfare under the Clean Air Act, as amended (42 U.S.C. 1857 et seq.), the Solid Waste Disposal Act (42 U.S.C. 3251), and all other air pollution control functions of such Secretary are transferred to the Secretary of Natural Resources.

(b) All personnel, property, records, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds, which the Director of the Bureau of the Budget determines are used primarily with respect to any function transferred under the provisions of this section, are transferred to the Department of Natural Resources.

AMENDMENTS TO FEDERAL POWER ACT

SEC. 11. The first sentence of section 4(e) of the Federal Power Act (16 U.S.C. 797(e)) is amended by (1) striking out "the chief of Engineers and the Secretary of the Army", and inserting in lieu thereof "the Secretary of Natural Resources", and (2) inserting immediately before the period a colon and the following: "*Provided further*, That no license affecting the comprehensive plan of any river basin commission developed pursuant to the Water Resources Planning Act shall be issued until the plans of the dam or other structures affecting any such comprehensive plan have been approved by the Secretary of Natural Resources".

TRANSFER MATTERS

SEC. 12. All laws relating to any office, agency, bureau, or function transferred under this Act shall, insofar as such laws are applicable, remain in full force and effect. Any transfer of personnel pursuant to this Act shall be without change in classification or compensation, except that this requirement shall not operate to prevent the adjustment of classification or compensation to conform to the duties to which such transferred personnel may be assigned. All orders, rules, regulations, permits, or other privileges made, issued, or granted by any office, agency, or bureau or in connection with any function transferred by this Act, and in effect at the time of the transfer, shall continue in effect to the same extent as if such transfer had not occurred, until modified, superseded, or repealed. No suit, action, or other proceeding lawfully commenced by or against any office, agency, or bureau or any officer of the United States acting in his official capacity shall abate by reason of any transfer made pursuant to this Act, but the court, on motion or supplemental petition filed at any time within twelve months after such transfer takes effect, showing a necessity for a survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, may allow the same to be maintained by or against the appropriate office, agency, or bureau or officer of the United States.

ANNUAL REPORT

SEC. 13. The Secretary shall, as soon as practicable after the end of each calendar year, make a report to the President for submission to the Congress on the activities of the Department during the preceding calendar year.

EFFECTIVE DATE

SEC. 14. The provisions of this Act shall be effective after ninety days following its date of enactment.

SELECTION OF METHOD OF DEPRECIATION BY REGULATED INDUSTRIES

Mr. LONG of Louisiana. Mr. President, I introduce, for appropriate reference, a bill to prevent Federal regulatory agencies from directly or indirectly denying regulated industries the right to exercise business judgment in selecting their method of depreciation or to account for depreciation on a deferred tax accounting basis, together with an explanatory statement, and I ask unanimous consent that the statement be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the explanatory statement will be printed in the RECORD.

The bill (S. 887) to prevent Federal regulatory agencies from directly or indirectly denying regulated industries the right to exercise business judgment in selecting their method of depreciation or to account for depreciation on a deferred tax accounting basis, introduced by Mr. LONG of Louisiana, was received, read twice by its title, and referred to the Committee on Finance.

The explanatory statement, presented by Mr. LONG of Louisiana, is as follows:

EXPLANATION OF BILL DEALING WITH TREATMENT OF DEPRECIATION FOR REGULATED INDUSTRIES

In introducing this bill, the problem with which I am concerned is the treatment by the regulatory agencies of the accelerated depreciation provisions under section 167(b) of the Internal Revenue Code. It has come to my attention that some of the regulatory agencies have taken actions which apparently are designed in effect to compel industries under their jurisdiction to use accelerated tax depreciation even though the industries do not want to do so. For example, the Federal Power Commission, in the case of regulated industries which have discontinued the use of accelerated tax depreciation, has nevertheless established their rates as though they were still using accelerated depreciation. This could well lead to a requirement that all such regulated industries use accelerated tax depreciation. In fact, it is my understanding that the Federal Communications Commission is currently questioning management decisions not to use accelerated depreciation.

My concern is substantially similar to the concern expressed by Congress with respect to the treatment by the regulatory agencies of the investment credit. As you know, when the intent of Congress in this regard was ignored after the 1962 legislation, Congress dealt with this matter specifically in the Revenue Act of 1964 (Sec. 203(e) of that Act). It looks to me as if we must take similar action with respect to accelerated depreciation.

The bill I have introduced would, in general, provide that Congress does not intend regulatory agencies or other government agencies, without consent of the taxpayer, to:

(1) require taxpayers to use any of the accelerated depreciation methods in determining their taxable income on their tax returns,

(2) use any depreciation charge other than that shown on the taxpayer's return in establishing the taxpayer's current income tax expense for cost of service purposes,

(3) exclude deferred tax expense (where deferred tax accounting is consistently followed) in determining current costs of service even though accelerated depreciation methods are used by a taxpayer,

(4) in any manner treat as income any difference between straight line and accelerated depreciation if the latter is not used on the tax return or if a deferred tax expense account is set up on the taxpayer's books of account for such amount, and

(5) accomplish a similar result in any other way.

Any action by regulatory bodies directed toward requiring regulated industries to use the accelerated tax depreciation provisions or to deny these industries the investment benefits of these provisions is in my estimation contrary to the intent of Congress and also would have an unfortunate effect on our economy. Both the statutory language and the committee reports in 1954 make it clear that the new accelerated depreciation methods were optional and that taxpayers could still use straight-line depreciation if they preferred. The committee reports also make it clear that the principal reason for providing these new methods of depreciation was to remove barriers to investment. However, it appears that some of the regulatory agencies are ignoring this intention of Congress.

Another factor which certainly should be considered in a period such as the present, when revenues are so short relative to expenditure requirements, is the significant loss in revenue which probably would result from in effect forcing the regulated industries to use accelerated depreciation methods (since this would be the effect if their costs in any event are determined on this basis). Industry representatives have informed me that this loss could well amount to several hundred million a year in a very few years.

I intend to seek action on this bill.

A MEMORIAL TO ASTRONAUTS WHO LOSE THEIR LIVES IN LINE OF DUTY IN THE SPACE EFFORT

Mr. HOLLAND. Mr. President, I know that all Americans share the deep sorrow of the families of the three Apollo astronauts, Virgil Grissom, Ed White, and Roger Chaffee, whose lives were lost at the Kennedy Space Center on Friday, January 27.

To date, we have lost six of these fine, dedicated men, who were in the space program.

It is my earnest hope, and I know I share this hope with all Americans, that the searching investigations now underway will permit future activities of those in the space program to accomplish their hazardous tasks without being subjected to the risks which manifestly existed in the Apollo capsule at the cape and more recently in the experimental capsule at San Antonio, Tex. Let us hope that the inherent risks involved in the space program will be materially reduced as a result of the searching investigations underway and with continued research and development.

Mr. President, the tragic incident which took place, I am sure, will make the entire Nation more clearly understand that not only during every moment of space flight, but during countless occasions in preparation for the flights our astronauts risk their lives to play their part in what they regard as a vital national objective and to which they are dedicated.

Mr. President, I well realize that each one of our fine astronauts and their families have their own ideas and desires with reference to the type of memorial which should be established for them as individuals, but I feel that a fitting and proper memorial should be established for all the astronauts who lose their lives in line of duty in the space program.

I therefore send to the desk a Senate joint resolution, for myself, Senators SMATHERS, MANSFIELD, DIRKSEN, HOLLINGS, and BYRD of West Virginia, and ask that it be received and appropriately referred. I also ask that the joint resolution lie on the table through February 16, 1967, for additional cosponsors.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, will lie on the desk through February 16, 1967, as requested by the Senator from Florida.

The joint resolution (S.J. Res. 30) to establish a commission to formulate plans for a memorial to astronauts who lose their lives in line of duty in the U.S. space program, introduced by Mr. HOLLAND (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Aeronautical and Space Sciences.

Mr. HOLLAND. Mr. President, let me say that February 16 will be the day following our return from the approaching Lincoln Day recess. I realize that the State of Florida has a peculiar interest in this matter because of the location of the Kennedy Space Center there; but each of the astronauts who lost his life recently comes from another State.

I also realize that this effort is a national effort in the truest sense.

I hope, therefore, that other Senators may feel that they should cosponsor the joint resolution, and I, therefore, invite those who wish to do so to cosponsor it with the two Senators from Florida.

Mr. President, the joint resolution would establish a commission, known as the Astronauts Memorial Commission, composed of five commissioners appointed by the President, one of which would be appointed from the National Aeronautics and Space Administration, another from the Department of Defense and three persons from civilian life.

The joint resolution, if adopted, would authorize the Commission, appointed by the President, to formulate plans for the design, construction, and location at Cape Kennedy, Fla., or in its immediate environs, of a permanent memorial to any astronauts who have lost their lives or who may in the future lose their lives in line of duty in the U.S. space program.

The joint resolution, as proposed, will also authorize the Commission to accept donations from public or private sources for use in planning and constructing the memorial as it is the intent of the resolution that the memorial will be financed by public and private donations, except for the transfer by the National Aeronautics and Space Administration, without cost, to any body authorized to construct the memorial designed by the Commission, any land owned by the United States at Cape Kennedy or its immediate environs, provided that the area so transferred would not affect adversely the space program of the United States and meets with the approval of the National Aeronautics and Space Administration.

The joint resolution further envisions that the Astronauts Memorial Commission will cease to exist within 1 year after it submits its final plans and recommendations to the President and the Congress, and will transfer to any body created to construct the memorial designed by the Commission, all funds and property and income therefrom remaining in the possession of the Commission prior to its termination.

Mr. President, Representative GURNEY, who represents the district in which the Kennedy Space Center is located, is today introducing a somewhat similar joint resolution, different in text but not at all in objectives, which I understand is supported by all members of the Florida delegation in the House.

Mr. President, I suggest again that we will welcome the sponsorship of all Senators of this joint resolution, which proposes a study which should result, in the near future, in the accumulation of funds and the making of plans for the erection of a suitable memorial at Cape Kennedy for those brave astronauts who have lost their lives, including the three astronauts who lost their lives so recently, as well as others who may lose their lives in the space effort in the future.

Mr. President, I ask unanimous consent that our joint resolution be printed in the RECORD at this time for the information of all Senators.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 30

Resolution to establish a commission to formulate plans for a memorial to astronauts who lose their lives in line of duty in the United States States space program

Whereas on January 27 the people of this Nation were saddened and shocked to hear that three gallant astronauts, Virgil I. Grissom, Jr., Edward H. White II, and Roger B. Chaffee gave their lives in the course of a test simulation of the planned first orbit of a manned Apollo spacecraft; and

Whereas other dedicated men have heretofore lost their lives while serving as United States astronauts; and

Whereas in view of the unknown perils attached to the nature of their duties, other astronauts may hereafter lose their lives while participating in the United States space program; and

Whereas the daily lives of all astronauts are filled with every danger that faces men who dare to pioneer in new and unknown places; and

Whereas their tireless efforts and their fearless dedication to their Nation should serve as an example to all Americans in these troubled days; and

Whereas our country is assured that the work of all astronauts who have lost or will lose their lives in the United States space program will be carried on by the selfless men who are their fellow astronauts: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a commission, to be known as the "Astronauts Memorial Commission" (hereinafter referred to as the "Commission"), for the purpose of considering and formulating plans for the design, construction, and location, at Cape Kennedy, Florida, or in its immediate environs, of a permanent memorial to any astronauts who have lost their lives or may hereafter lose their lives in line of duty in the United States space program.

(b) The Commission shall be composed of five commissioners appointed by the President as follows: One person to be appointed from the National Aeronautics and Space Administration, one person to be appointed from the Department of Defense, and three persons to be appointed from private life.

(c) The commissioners shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Commission.

(d) The Commission shall report its final plans, together with its recommendations, to the President and Congress, at the earliest practicable date, and shall make interim reports of its progress to the President and Congress.

(e) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(f) The President shall designate a chairman of the Commission.

(g) Three members of the Commission shall constitute a quorum.

SEC. 2. The Commission is authorized to—

(a) appoint and fix the compensation of such personnel as it deems advisable;

(b) procure temporary and intermittent services to the same extent as authorized for the departments by section 3109 of title 5, United States Code;

(c) make such expenditures for the purpose of carrying out the provisions of this joint resolution as it may deem advisable from funds appropriated or received as gifts for such purpose;

(d) solicit and accept gifts, bequests, or devises of money, securities, or other property, from public or private sources, to be used in carrying out the provisions of this joint resolution or to be used in connection with the construction or other expenses of the memorial to be designed by the Commission, and to sell or exchange and to invest or reinvest in such investments as it may determine from time to time, the moneys, securities, or other property so given, bequeathed, or devised and to use or hold such moneys, securities, or property for the purposes of this joint resolution or the construction or other expenses of such memorial;

(e) accept and utilize the services of voluntary and uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5, United States Code;

(f) hold hearings, organize contests, enter into contracts for personal services and otherwise, and do such other things as may be necessary to carry out the provisions of this joint resolution; and

(g) avail itself of the assistance and advice of the Commission of Fine Arts and the National Council on the Arts, and such Commission and Council are authorized, upon request, to render such assistance and advice.

SEC. 3. The Administrator of the National Aeronautics and Space Administration is authorized to transfer, without cost, to any body which hereafter may be authorized to construct the memorial designed by the Commission, any land and interests in land owned by the United States at the site chosen by the Commission for the establishment of such memorial if such transfer would not affect adversely the space program of the United States.

SEC. 4. The Commission shall cease to exist within one year after the submission of its final report and shall transfer, to any body which may hereafter be created to construct the memorial designed by the Commission, all funds and property, and income therefrom, remaining in the possession of the Commission immediately prior to its termination.

SEC. 5. There is hereby authorized to be appropriated not more than $10,000 to carry out the provisions of this joint resolution.

LEGISLATIVE REORGANIZATION ACT OF 1967—AMENDMENT

AMENDMENT NO. 85

Mr. WILLIAMS of New Jersey submitted an amendment, intended to be proposed by him, to the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the name of the Senator from New York [Mr. JAVITS] be added as a cosponsor on S. 513, to amend the Public Health Service Act by adding a new title X thereto which will establish a program to protect adult health by providing assistance in the establishment and operation of regional and community health protection centers for the detection of disease, by providing assistance for the training of personnel to operate such centers, and by providing assistance in the conduct of certain research related to such centers and their operation, and that his name appear on the bill at the next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the name of the Senator from Pennsylvania [Mr. SCOTT] be added as a cosponsor to S. 728 to provide for the expansion of the Beverly National Cemetery, Beverly, N.J., and that his name appear on the bill at the next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that my name be added as a cosponsor of S. 794 making Columbus Day a legal holiday, and that my name appear thereon at the next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Wyoming [Mr. HANSEN] be added as a cosponsor of the bill (S. 522) to establish a national mining and minerals policy.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HARRIS. Mr. President, I am pleased to ask, at his request, that at the next printing of S. 836, a bill to create a National Foundation for the Social Sciences, the name of the distinguished Senator from South Dakota [Mr. MUNDT] be added. The Senator from South Dakota is the ranking minority member of the subcommittee now considering the bill, the Subcommittee on Government Research of the Committee on Government Operations.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF RESOLUTION

Mr. DIRKSEN. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from New Jersey [Mr. CASE], the Senator from Nebraska [Mr. CURTIS], the Senator from Connecticut [Mr. DODD], the Senator from Oklahoma [Mr. HARRIS], the Senator from South Carolina [Mr. HOLLINGS], and the Senator from New Mexico [Mr. MONTOYA] be added as additional cosponsors of the resolution (S. Res. 8) to create a standing Committee on Veterans' Affairs—for the Veterans' Administration.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of January 25, 1967, the name of Mr. SCOTT was added as a cosponsor of the bill (S. 677) to permit the compelling of testimony with respect to certain crimes, and the granting of immunity in connection therewith, introduced by Mr. MCCLELLAN (for himself and Mr. HRUSKA) on January 25, 1967.

NOTICE OF HEARING BY SUBCOMMITTEE ON INDIAN AFFAIRS OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. JACKSON. Mr. President, I wish to announce that the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs will hold a hearing on Friday, February 17, on S. 282, a bill to provide for the termination of Federal supervision over the property of the Confederated Tribes of Colville Indians located in the State of Washington and the individual members thereof, and for other purposes. The hearing will begin at 10 a.m. in room 3110 New Senate Office Building.

Those who may wish to testify on this proposal are requested to contact Mr. James Gamble, of the committee staff, in order that a witness list may be prepared.

EXTENSION OF TIME FOR FILING OF REPORT UNDER SENATE RESOLUTION 188, SECOND SESSION, 89TH CONGRESS—INDIVIDUAL AND MINORITY VIEWS

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the filing date of the report under Senate Resolution 188, second session, 89th Congress, be postponed until March 15, and that the report be filed on that date together with individual and minority views. The junior Senator from California [Mr. MURPHY] joins in this request.

The VICE PRESIDENT. Without objection, it is so ordered.

EXTENSION OF TIME FOR BILL TO BE HELD AT THE DESK

Mr. SCOTT. Mr. President, I ask unanimous consent that S. 799 to provide more economic, efficient, and effective implementation of the various Federal loan and grant-in-aid programs to improve the quality of urban and rural life through improved comprehensive development planning, programing, and coordination among and between Federal agencies, States, regions, metropolitan areas, and local governments, and to encourage greater coordination between States and their political subdivisions in the planning and programing of Federal loan and grant-in-aid programs, and for other purposes presently lying at the desk, may be permitted to lie at the desk until the close of business on February 17 for additional cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

TREATY ON PRINCIPLES GOVERNING THE ACTIVITIES OF STATES IN THE EXPLORATION AND USE OF OUTER SPACE—REMOVAL OF INJUNCTION OF SECRECY

Mr. BYRD of West Virginia. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive D, 90th Congress, first session, the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies, transmitted to the Senate today by the President of the United States, and that the treaty, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

I

I am today transmitting to the Senate, for your advice and consent, the first Treaty on Outer Space.

The provisions of this treaty reflect the will and desire of the signatory states, already numbering more than half the nations of the world, that the realms of space should forever remain realms of peace.

The privilege of transmitting this milestone agreement to you before the end of the first decade of space exploration is especially gratifying for me.

Only 10 years ago, as a Senator, I chaired the first congressional hearings called to determine what response our national policy should make to the challenges of the exploration of outer space. The hearings and the events of those times seem now a world away for us all. Yet I remember—as I know you do—the climate of great awe and greater anxiety in which Senators addressed themselves to their responsibilities. At that time:

No American satellite had yet been orbited.

The readiness of our rockets was much in question.

There was no NASA, no vast complex at what is now Cape Kennedy, no Manned Spaceflight Center at Houston. The very word, "astronaut," was not in our vocabulary.

Men questioned the capacity of our educational system to yield up the incalculably valuable resource of minds trained for the great tasks of the space age.

The stature of our advanced technology and our ability to participate as leaders in the explorations of the universe was far from being established with certainty.

In that uncertain climate, our concerns about space were quite different from now. We were rightly concerned for the safety of our Nation and for the survival of humankind. We directed our concern to the organization of our society and to the priority of our values as free men.

In November 1958, President Dwight D. Eisenhower asked me to appear before the United Nations to present the U.S. resolution urging that the exploration of outer space be undertaken for peaceful purposes, as an enterprise of international cooperation among all member nations.

On that occasion, speaking for the United States, I said:

> Today, outer space is free. It is unscarred by conflict. No nation holds a concession there. It must remain this way. We of the United States do not acknowledge that there are landlords of outer space who can presume to bargain with the nations of the Earth on the price of access to this domain. We must not—and we need not—corrupt this great opportunity by bringing to it the very antagonisms which we may, by courage, overcome and leave behind forever if we proceed with this joint adventure into this new realm.
>
> We know the gains of cooperation. We know the losses of the failure to cooperate. If we fail now to apply the lessons we have learned, or even if we delay their application, we know that the advances into space may only mean adding a new dimension to warfare. If, however, we proceed along the orderly course of full cooperation we shall, by the very fact of cooperation, make the most substantial contribution toward perfecting peace.
>
> Men who have worked together to reach the stars are not likely to descend together into the depths of war and desolation.

I believe those words remain valid today.

The "very fact of cooperation" in the evolution of this treaty is to be taken as a "substantial contribution toward perfecting peace." As long ago as 1958, President Eisenhower initiated an exchange of letters with the leadership of the Soviet Union, seeking agreements binding the uses of outer space to peaceful purposes. President Kennedy repeatedly reaffirmed our willingness to cooperate toward these ends.

In October 1963, the General Assembly of the United Nations called on nations of the world not to station nuclear or other weapons of mass destruction in outer space. Two months later the Assembly adopted a Declaration of Legal Principles to govern activities in space. On May 7, last year, I repeated, and Ambassador Goldberg reiterated many times thereafter, our view of the urgency of doing all that we could to assure that exploration of outer space would take place in peace, for peaceful ends.

In July 1966, negotiations on the treaty were formally begun at Geneva in the 28-member United Nations Outer Space Committee. Accord was subsequently reached at renewed negotiations in New York. The treaty was unanimously endorsed by the 21st session of the General Assembly just over a month ago.

On January 27, the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies was opened for signature in Washington, London, and Moscow. The United States, United Kingdom, and Soviet Union were among the 60 countries signing the treaty in Washington. Other nations are expected to add their signatures in the near future.

The climate in which such accord has been reached is clearly an encouraging omen for continuing in other realms our constant quest for understandings that will strengthen the chances for peace.

II

In the diplomacy of space, as in the technology of space, it is essential always that interim achievements not be mistaken for final success. This treaty I transmit to the Senate today is such an interim achievement—a significant, but not a final step forward.

It carries forward the thrust of the past decade to enlarge the perimeters of peace by shrinking the arenas of potential conflict. This is a thrust to which the Senate has given its support by ratifying the four Geneva Conventions on the Law of the Sea in 1958, the Antarctic Treaty of 1959 and the Limited Test Ban Treaty of 1963.

As we have dealt with the sea, the atmosphere and the vast unpopulated continent of Antarctica, now in this treaty we extend reason to the activities of nations in the endless realm of outer space.

The treaty lays down fundamental principles:

No nation can claim sovereignty to outer space, to the moon, or to other celestial bodies.

All nations have the right to conduct space activities.

No one may use outer space or celestial bodies to begin a war. The rules of the United Nations Charter apply to space activities.

No country may station in space or orbit around the earth nuclear or other weapons of mass destruction.

No country may install such weapons on a celestial body.

No nation may establish military bases, installations, or fortifications, on a celestial body. Nor may any weapons be tested or military maneuvers be conducted there. The right to visit another country's installations and space vehicles on a celestial body is guaranteed.

Astronauts are "envoys of mankind." If an astronaut lands on another country's soil, he must be returned safely, promptly, and unconditionally.

Space activities and their results are to be reported for the benefit of all.

Each country is to avoid harmfully contaminating outer space and adversely changing the environment of the earth by introducing extraterrestrial matter.

These and other provisions of the treaty are described in detail in the accompanying report of the Secretary of State.

III

Space exploration has become an intimate part of our lives. The exploits of men and machines in outer space excite and thrill us all. The valiant young men who have become symbolic of our national effort as astronauts are close to every American family. The deaths in line of duty of Lt. Col. Virgil Grissom, Lt. Col. Edward White, and Lt. Comdr. Roger Chaffee, touched every American home and heart.

Yet, we must remember that these are only primitive years in the epoch of space exploration and utilization—an epoch that will run to the end of time. In the next decade and in all the decades to come, the capabilities of nations in space will multiply far beyond our comprehension today. If we should flag or falter in our support of this great extension of human knowledge, the concern and anxiety we felt so keenly a decade ago would be known again to other Americans in future times.

When we ask what this Nation or any nation expects to find from exploration in space, the answer is one word: knowledge—knowledge we shall need to maintain earth as a habitable environment for man.

The resources of this planet are already taxed to support human existence. Now and even more each day, as the family of man increases so rapidly, fertile soil, clear water, clean air, and a safe atmosphere all become more precious to men and nations than the metals and jewels of ages past.

The quest for gold and silver, and diamonds and rubies, once led men to explore the earth seeking enrichment for themselves and their nations. So now the realities of this and future ages require that nations pursue together the exploration of space within this galaxy, seeking new knowledge and new capabilities to enrich the life of all mankind.

The future leaves no option. Responsible men must push forward in the exploration of space, near and far. Their voyages must be made in peace for purposes of peace on earth. This treaty is a step—a first step, but a long step—toward assuring the peace essential for the longer journey.

I strongly recommend—in appropriate commemoration of the Senate's own role in charting the course that the world now seems willing to follow—that the Senate act promptly in giving consent to the ratification of this treaty. I hope that I may be able to affirm as President of the United States, what I said as a Senator to the United Nations in 1958:

> On the goal of dedicating outer space to peaceful purposes for the benefit of all mankind, there are no differences within our Government, between our parties or among our people.

Lyndon B. Johnson.

The White House, *February 7, 1967*.

OUTER SPACE TREATY

Mr. MANSFIELD. Mr. President, we have received from the President today, for our advice and consent, the Outer Space Treaty.

This treaty is not a cure-all for the many problems that face humanity.

It will not guarantee us peace.

It will not end the arms race.

It will not solve the menace of nuclear proliferation.

It will not ease all of the age-old tensions that have pitted nation against nation.

Nevertheless, I consider it one of the major documents of our time. For, if there is madness in the world, this treaty expresses man's determination to keep that madness from spreading into outer space. As such, it is a civilizing force that will be felt throughout the world.

And if this treaty succeeds, its implications for our children and our children's children will be beyond measure.

As President Johnson pointed out at the signing of this treaty less than 2 weeks ago:

> We have never succeeded in freeing our planet from the implements of war. But if we cannot yet achieve this goal here on earth, we can at least keep the virus from spreading.
>
> We can keep the ugly and wasteful weapons of mass destruction from contaminating space. And that is exactly what this treaty does.
>
> This Treaty means that the moon and our sister planets will serve only the purposes of peace and not of war.
>
> It means that orbiting man-made satellites will remain free of nuclear weapons.
>
> It means that astronaut and cosmonaut will meet some day on the surface of the moon as brothers and not as warriors for competing nationalities or ideologies.

If we can accomplish that, Mr. President, future generations will look back upon us with profound gratitude—and, in the light of history, perhaps amazement as well.

To me, it is a hopeful sign that nations should choose to rise above their differences of the moment so that they can agree on a sane course of action for the future.

Let us join with those nations in such an agreement.

We know it will be a fragile agreement. We know it may not succeed. We know that it may be openly violated at some future date.

But this opportunity may never come to us again. And if we ignore it, we may be certain, as the President has said, "that the advances into space may only mean adding a new dimension to warfare."

So if this first step we have been asked to take is uncertain, the alternative is unthinkable.

Mr. SPARKMAN. Mr. President, the Outer Space Treaty, which was signed at the White House on January 27, wisely forbids any party to orbit nuclear weapons around the earth. I am glad that the United States agreed to include this prohibition in the treaty. It is easier to refrain from arming an environment that has never been armed than to disarm an already armed area. Outer space is pure—let us keep it that way.

In August of 1962, Roswell Gilpatric, then Deputy Secretary of Defense, announced that the United States would refrain from placing nuclear weapons in orbit around the earth. We then took the lead in securing the agreement of the Soviet Union to adopt the same self-denying posture. In 1963 the Soviets agreed, and that autumn the U.N. General Assembly recorded in a resolution the policy statements of the two space powers that they would not orbit any weapons of mass destruction—General Assembly resolution 1884 (XVIII), October 13, 1963.

The United States adopted this policy, because putting nuclear weapons in orbit could not in any way strengthen our security. The expense of such a program would be great. The problem of control over the weapons would be exceedingly difficult. A race between the Soviets and us to orbit weapons would likely worsen the international situation and thus be harmful to our national security.

Some may wonder whether the Soviets will live up to their treaty commitment. We have no reason whatever to think that they have sought to orbit weapons of mass destruction since they stated their policy in 1963. We expect they will live up to what is their Outer Space Treaty commitment—not because we have blind faith in their word but because the treaty prohibits action by both the United States and the Soviet Union which it is clearly not in their interest to take.

Mr. MOSS. Mr. President, there is one thing that struck me immediately on reading the Outer Space Treaty: only a few articles deal directly with arms control, but these few articles are the ones that have so far received most of the publicity.

This is understandable. The whole question of disarmament and arms control is probably the most important topic in world politics today, and, as President Johnson has said, this space treaty represents the biggest step in arms control since the limited test ban treaty.

But most of the Outer Space Treaty—perhaps three-quarters of it—deals with other rules for space exploration. In the future—50, 100, 200 years from now—these are probably the rules in which historians will be most interested. The world has seen other great ages of exploration, but none of them were guided by this sort of political foresight. In the great age of naval exploration, for example, when the new technologies of navigation and ship construction demonstrated to our ancestors that the world was round, expeditions were motivated by narrow national interests—by a desire for exploitation and colonization. There were conflicts between these national interests, and the following centuries saw many wars as a result. I find it very encouraging that the space age, almost from the start, will be guided by a series of agreed international principles. Sometimes I have thought that the major lesson of history is that men never learn lessons from history. Now, perhaps we have learned something after all.

Mr. McGEE. Mr. President, over the last 20 years, the United States has demonstrated time and again its desire to work for a durable peace. This has not been an easy task. The realities posed by the hard facts of power and by selfish interests have had to be squarely confronted. The task, however, has been given a special urgency by the destructive power of modern weapons.

The recently concluded Outer Space Treaty is therefore of utmost significance. That treaty prohibits the orbiting of nuclear weapons around the earth or their placement on the moon. It reserves the moon for peaceful uses only and prohibits weapons testing and military maneuvers on the moon. The total effect of these provisions is to reduce the possibility that the moon and outer space will be used as a stage for war between nations. We will be spared the immense expense which would be involved in deploying nuclear weapons in outer space. At the same time, our basic security interests will be preserved and we will retain our capability to determine whether other parties are living up to the treaty.

This treaty, therefore, is a major step in the direction of a lasting peace. It will narrow the possibilities of conflict. And it will encourage cooperation among nations in the exploration of space for the benefit of all.

Mr. BREWSTER. Mr. President, in these troubled times, it is a source of some comfort to find that nations continue to seek out and identify matters on which they can agree. The Outer Space Treaty—submitted today by President Johnson—is a notable example.

This treaty is not the answer to all of the world's problems. Indeed, it is only the first, not the last, agreement which will be needed to direct the efforts of men and states in outer space. But it is a reflection of what is possible politically. It enhances the orderly use of space and it furthers our national security. The treaty merits our support.

Mr. PELL. Mr. President, by some sad trick of fate, Col. Edward White lost his life last week at almost the very moment President Johnson was witnessing the signing of the Outer Space Treaty. Colonel White was the nephew of retired Army Col. James C. White, of Newport, R.I.

He said it was a sad trick because the treaty would have made Colonel White very proud and very hopeful. Its purpose is to assure that national boundaries and national conflicts are not extended to the moon and other celestial bodies. This was important to him.

We should all remember the great occasion last year when Colonel White visited the United Nations and presented a U.N. flag to Secretary General U Thant, which he had carried with him during his historic walk in space. During the ceremony, he recalled looking at the earth from his spaceship far above. As he saw the continents and oceans passing by, he reminisced, he was struck by the fact that something was missing: he could see no national boundaries.

Will there be national boundaries on the moon, Mr. President? And on Mars and the planets beyond? Will there be wars that such boundaries always seem to foment?

We can answer "no" by approval of the treaty now before us. This treaty assures freedom of exploration and use of outer space for all nations. And it bars the stationing of nuclear weapons or other weapons of mass destruction in outer space or on celestial bodies.

This is a major document of our times. It is a major weapon of peace. Let us act on it without delay.

Mr. MONTOYA. Mr. President, we have lived in the age of space for a good many years without binding rules of conduct. With the signing of the treaty on principles governing the activities of states in outer space, the nations have taken a first, and, most important step toward the peaceful uses of outer space. The terms of the treaty are important, and no more so than the willingness of the East and West to cooperate for their mutual benefit, which lay behind the Antarctic agreement and the partial test ban treaty. To the extent that we have limited national rivalries in the testing of nuclear weapons, in explorations of the South Pole and in outer space, perhaps it is not too much to hope that one day peace may come to all the earth.

The Treaty on Outer Space points the way. I hope that this body will give its advice and consent to the ratification of this treaty at an early date.

SUMMARY OF THE PRESIDENT'S ECONOMIC REPORT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a statement made by Mr. Gardner Ackley, Chairman of the Council of Economic Advisers, before the Joint Economic Committee, on February 2, summarizing the major threads of this year's Economic Report, which I think is an excellent report, be incorporated at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF GARDNER ACKLEY, CHAIRMAN; JAMES S. DUESENBERRY, AND ARTHUR M. OKUN, MEMBERS, OF THE COUNCIL OF ECONOMIC ADVISERS, BEFORE THE JOINT ECONOMIC COMMITTEE, FEBRUARY 2, 1967

It has been the custom—at least over the past few years—for the Council to open its testimony on the President's Economic Report with a rather lengthy Statement. We intend to depart from that custom this year.

In each of the preceding years in which any Member of the present Council has been associated with these Hearings, it has been the Council's avowed intention *not* to prepare a lengthy opening Statement, reasoning that its own Report—already before the Committee—provided an adequate summary of the Council's views. Yet each year we have looked back at the labors of report-writing and decided there were some points we could have made more clearly, more accurately, or more persuasively if we were to start afresh.

Our different procedure this time does not reflect any smug self-satisfaction that, in contrast with previous years, we have this time said everything just right—nor even any weariness with our message. If anything, rather, it reflects compassion for the Committee, for our mimeograph operator, and for our friends in the press.

And so I shall take less than ten minutes of your time to summarize what seem to us to be the major threads of this year's Report.

First, the economy is in a basically sound and healthy condition, and we expect it to stay that way throughout 1967. We see an advance of GNP this year by about $47 billion to the neighborhood of $787 billion. This would be a smaller gain than last year's, and appropriately so. The real growth would be about in line with the increase in the economy's potential. We expect the advance to be somewhat slower in the first part of the year, speeding up later on.

Second, it is clear that we face significant economic problems. The principal ones are these. Prices have risen more than we would like, and will rise again in 1967, although by less. Our balance of payments still shows a troublesome deficit at least on the liquidity basis. Our housing industry is depressed as the result of last year's tight money and high interest rates. And despite the general prosperity, too many of our citizens are left behind by economic progress. None of these problems will be easily resolved, but we expect to make progress on all of them in 1967.

Third, because we already enjoy a high rate of utilization of our productive resources, the economy cannot be expected to expand at as rapid a pace this year as it has expanded over the past 6 years. During that period we have been absorbing idle or underutilized resources into productive use. Last year, for example, an extra $10 billion of output came from reducing unemployment, converting part-time into full-time jobs, and attracting previously discouraged workers into the labor force. We expect no such extra bonus this year. But this is not bad news; on the contrary, it is welcome exidence of how far we have come in recent years. Further reduction of unemployment is feasible in the longer run. But the rate of progress will depend on the success of our manpower training programs and on an improvement in the operation of our labor markets.

Fourth, designing economic policy is more challenging in today's high-level economy than in an economy with an abundance of underutilized resources. In a slack economy, the appropriate policy is to stimulate an expansion of total demand at a faster rate than total productive capacity is growing. A high-level economy has to track a narrower path. There are stabilizing forces in our economy which help to keep it on an even keel. But timely adjustments of policy are necessary to promote a steady rate of growth. Too slow an expansion of demand would result in economic waste and human suffering. Too fast an expansion would build up inflationary pressures. To keep the economy moving steadily ahead, a close watch on economic developments and a maximum degree of flexibility in policy are required. The normal requirements for flexibility is intensified by the need for prompt action if, unexpectedly, peace should return in Southeast Asia. And the President has directed that preparations should be made for that event, and kept up to date.

Fifth, the economic policy which the President has outlined for 1967 involves a mixture of monetary and fiscal measures. The record of the Federal Reserve in responding to the changing economic climate of recent months as well as our consultations with the Federal Reserve make us confident that fiscal and monetary policies will be working toward the same objectives in the months ahead. Monetary policy is expected to continue the shift—already in process—away from the extreme tightness of last year. As a result, we expect substantial recovery in construction. During the first half of 1967 fiscal policy will be mildly stimulating. This will give time for easier credit conditions to be translated into improved liquidity of financial institutions, increased lending activity, and then increased spending. And it will cushion the effect of the reduction in inventory investment expected in the first half of the year.

In the second half of the year, the expansion in construction increased Social Security payments, and a leveling off in inventory investment will tend to accelerate the growth of total demand. That tendency will be partially offset by the income tax surcharge. The year should produce continued growth in total output and a better balance among residential construction, business fixed investment, and inventory investment.

Sixth, we expect an improved price record in 1967, primarily as a result of the more moderate pace of economic advance. Some of this improvement is already apparent. Unit labor costs will continue to rise during 1967 as a result of bigger wage settlements in a larger number of industries. But demand pressures on labor markets should abate somewhat, particularly in the unorganized sectors where pressures were greatest last year. Nevertheless, the need for restraint and responsibility in private wage and price decisions has not disappeared; if anything, it has become the more urgent. The Council has not specified a single numerical standard to be applied to wage increases in 1967. Such a numerical standard does not seem useful this year.

In any case, it has had in the past the unfortunate effect of making restraint appear to be a "yes" or "no" question. A 3.2 percent wage settlement was taken as evidence of restraint, a 3.4 percent settlement as no restraint, and a defeat for the policy. In fact, restraint and responsibility—or their opposites—constitute a continuous spectrum; and the more restraint and responsibility the better. A 4-percent wage settlement does involve more restraint than a 6-percent settlement. In a given situation, a price reduction may be a more responsible action than a 1-percent price increase, yet the latter is to be preferred to a 3-percent increase.

Seventh, we will be working to narrow the liquidity deficit in our balance of international payments in 1967, and to retain a major share of the 1966 improvement in our official settlements balance. In particular, our trade balance should strengthen significantly through a slower expansion of imports, reflecting the more moderate pace of domestic economic expansion and the lessening of specific pressures on productive capacity. To guard against a renewed excessive outflow of capital, the voluntary balance of payments programs have recently been strengthened; the President has asked for discretionary authority to vary, within limits, the rate of the Interest Equalization Tax; and initiatives have been taken to achieve better worldwide cooperation in lowering interest rates. The President has also suggested new steps to promote foreign travel in the United States.

Eighth, the problem of poverty will continue to be attacked through the many weapons already at our disposal. In addition, the President has singled out for special attention in 1967 an expansion and improvement of training activities for the disadvantaged, and some steps to modernize our system of public assistance. The Social Security changes which he has recommended will, among other things, contribute to a reduction of poverty among the aged. And he has indicated his intention to ask a commission of prominent Americans to study the possible merits of entirely new ways of attacking the problem of poverty.

Ninth, and finally, the President's Report, and our own, look back on an amazing record of economic performance during the past year and the past six. These accomplishments should give us confidence in our ability to find solutions to the economic problems remaining to be solved. In the last year alone, these are some of the achievements:

The largest increase in nonfarm payroll employment of any year in our history, except 1941 and 1942;

A nearly 5-½ percent growth in real output;

A 3-½ percent increase in the real, per-capita standard of living of the American people, led by a 7-percent increase in the real income of our farm operators, and including a 3-percent increase in the average real hourly compensation of employees.

Over the whole 6 years of unmatched expansion, our economy has—

Created nearly 9 million additional jobs;

Achieved more than a 50-percent expansion of industrial production, twice that of the preceding 6 years;

Accomplished a 50-percent increase in average real farm incomes, in contrast with a 9-percent gain in the preceding 6 years; and

Achieved almost a 25-percent increase in the real per-capita standard of living of the American people, a gain equivalent to that of the entire 13 years preceding.

Six years ago, when the current expansion began, the American people faced many and serious economic problems. Some of them still remain, and new ones have arisen. Finding solutions for these problems will be the continuing concern of the Administration, this Committee, and the American people. And when one strikes the balance between our progress and our problems, the record provides basis for confidence that these problems can and will be solved.

Mr. Chairman, we will be happy to attempt to respond to your questions.

VIETNAM—THE NEED FOR POLITICAL BOLDNESS

Mr. NELSON. Mr. President, if we are willing to lead now with political boldness the time may well be ripe for negotiations in Vietnam. We possess a flexibility of action which is soundly based on our power and security in the air and on the ground. We can afford a controlled gamble.

When the bombing truce begins on Wednesday we should announce our intention not to resume bombing of the north at the end of the truce. The announcement should have no strings or conditions attached. Furthermore, we should make it clear that once an honorable peace is negotiated that preserves the integrity of South Vietnam we will withdraw our military presence.

This action carries no serious military risk but it offers great opportunity for substantial political gain.

It will be argued that we unilaterally terminated bombing twice before and it did not work. But the fact is circumstances are dramatically different now than they were then—China is convulsed in a violent internal revolution; Russia is anxious for a settlement; Hanoi knows it cannot win a military victory; and we know our military posture is sound and our forces secure in the south.

It is true that Hanoi may not respond favorably. But the cost of finding out is minor when weighed in the total picture. In no war in modern history has any power been so favorably situated to openly explore all avenues of peace—and to do so without loss of face in the world or military position in the battlefield. No rational person in political or military leadership anywhere supposes we offer to negotiate out of fear of our adversary. It would be, rather, a mark of strength and not of weakness.

To those who say this is not the right time one might ask, When is the right time?

Is it a better alternative to pour in more troops, grind out more victories, bomb more cities and then, at some later date, test the attitude of our adversaries?

Now, it seems to me, is as good a time as any to explore Hanoi's intent. With our dominance of the air and our forces on the ground we can monitor and measure Hanoi's response with considerable accuracy. We can determine before very long whether Hanoi and the Vietcong want to escalate or de-escalate the conflict. If there is a positive response, both sides can de-escalate even before formal negotiations occur. If it fails, we have lost very little.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The time of the Senator has expired.

Mr. NELSON. Mr. President, I ask unanimous consent that I may proceed for an additional minute and a half.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **NELSON.** Mr. President, it has been noted by everyone that Hanoi is talking more and more about a cessation of bombing the north as a condition precedent to negotiations and less and less about unilateral withdrawal of American troops. This is a significant turn of events. If, in fact, she has dropped that demand, it is a dramatic recognition of the realities of the situation. And, if so, we ought to recognize that for her, politically, this was a "damn tough bullet to chew." She not only faces tough internal ideological differences as well as a struggle for succession to political power in the north, but she is an involuntary pawn in the violent China-Russia dispute.

So the posture Hanoi assumes vis-a-vis the United States is directly influenced by her internal and external political problems.

If the political price of starting negotiations is a cessation of bombing the north, it is hardly more than a tuppence for us to pay.

VIETNAM ERA VETERANS' READJUSTMENT ASSISTANCE ACT

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 11, S. 16.

The **PRESIDING OFFICER.** The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 16) to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with amendments, on page 3, line 14, after the word "period", to strike out "ending" and insert "ended"; on page 6, after line 19, to strike out:

"(h) The Administrator shall furnish to each veteran who is receiving additional compensation or allowance under chapter 11, or increased pension as a veteran of World War I, World War II, the Korean conflict, or the Vietnam era, by reason of being in need of regular aid and attendance, such drugs and medicines as may be ordered on prescription of a duly licensed physician as specific therapy in the treatment of any illness or injury suffered by such veteran."

And, in lieu thereof, to insert:

"(h) Any veteran who as a veteran of World War I, World War II, the Korean conflict, or the Vietnam era is receiving increased pension under section 521(d) of this title based on need of regular aid and attendance may be furnished drugs or medicines ordered on prescription of a duly licensed physician as specific therapy in the treatment of an illness or injury suffered by the veteran."

On page 7, after line 9, to strike out:

SEC. 5. (a) Section 1901 of title 38, United States Code, is amended by redesignating subsection (b) as subsection (c), and by adding after subsection (a) the following new subsection (b):

"(b) The benefits of this chapter shall also be made available to each veteran who is suffering from any disability described in subsection (a), if such disability is the result of an injury incurred or disease contracted in or aggravated by active military, naval, or air service since January 31, 1955, and if the injury was incurred or the disease was contracted in line of duty as a direct result of the performance of military duty."

(b) Section 1905 of title 38, United States Code, is amended (1) by striking out at the beginning of the first sentence thereof "The benefits", and inserting in lieu thereof "(a) Except as provided in subsection (b) of this section, the benefits", and (2) by adding at the end thereof a new subsection as follows:

"(b)(1) In the case of any veteran who is eligible for the benefits provided in this chapter by reason of section 1901(b) and who was discharged or released from active military, naval, or air service before the date of enactment of this subsection, any applicable time limitation contained in subsection (a) of this section which otherwise would have begun to run before the date of enactment of this subsection shall not begin to run until that date.

"(2) In the case of any veteran whose entitlement to the benefits provided in this chapter first arose by reason of the enactment of Public Law 85-857, application for such benefits may, notwithstanding the time limitations contained in subsection (a) of this section, be made within one year from the date of enactment of this amendatory Act."

And, in lieu thereof, to insert:

SEC. 5. (a) Section 1901(a) of title 38, United States Code, is amended by striking out "World War II or the Korean conflict" and inserting in lieu thereof "World War II, the Korean conflict, or the Vietnam era".

(b) Section 1905 of title 38, United States Code, is amended to read as follows:

"§ 1905. Applications

"The benefits of this chapter shall be made available to any veteran who meets the eligibility requirements of this chapter and who makes application for such benefits in accordance with regulations prescribed by the Administrator."

And, on page 9, after line 3, to strike out:

SEC. 6. Except as provided in section 7, the amendments made by the first section and sections 2 and 3 of this Act shall become effective on January 1, 1967. The amendments made by sections 4 and 5 of this Act shall become effective upon enactment.

And, in lieu thereof, to insert:

SEC. 6. Except as provided in section 7, the amendments made by sections 2 and 3 of this Act shall become effective on the first day of the first calendar month which begins more than ten days after the date of enactment of this Act. The amendments made by sections 4 and 5 of this Act shall become effective upon enactment.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Vietnam Era Veterans' Readjustment Assistance Act".

SEC. 2. (a) Paragraph (11) of section 101 of title 38, United States Code, is amended to read:

"(11) The term 'period of war' means the Spanish-American War, World War I, World War II, the Korean conflict, the Vietnam era, and the period beginning on the date of any future declaration of war by the Congress and ending on the date prescribed by Presidential proclamation or concurrent resolution of the Congress."

(b) Such section is further amended by adding at the end thereof the following new paragraph:

"(29) The term 'Vietnam era' means the period beginning August 5, 1964, and ending on such date as shall thereafter be determined by Presidential proclamation or concurrent resolution of the Congress."

SEC. 3. (a) Subsection (a) of section 521 of title 38, United States Code, is amended to read as follows:

"(a) The Administrator shall pay to each veteran of World War I, World War II, the Korean conflict, or the Vietnam era, who meets the service requirements of this section, and who is permanently and totally disabled from non-service-connected disability not the result of the veteran's willful misconduct or vicious habits, pension at the rate prescribed by this section."

(b) Such section is further amended by amending subsection (g) to read as follows:

"(g) A veteran meets the service requirements of this section if he served in the active military, naval, or air service—

"(1) for ninety days or more during either World War I, World War II, the Korean conflict, or the Vietnam era;

"(2) during World War I, World War II, the Korean conflict, or the Vietnam era, and was discharged or released from such service for a service-connected disability;

"(3) for a period of ninety consecutive days or more and such period ended during World War I, or began or ended during World War II, the Korean conflict, or the Vietnam era; or

"(4) for an aggregate of ninety days or more in two or more separate periods of service during more than one period of war."

(c) The catchline of section 521 of title 38, United States Code, is amended to read as follows:

"§ 521. Veterans of World War I, World War II, the Korean conflict, or the Vietnam era".

(d) Subsection (a) of section 541 of title 38, United States Code, is amended to read as follows:

"(a) The Administrator shall pay to the widow of each veteran of World War I, World War II, the Korean conflict, or the Vietnam era who met the service requirements of section 521 of this title, or who at the time of his death was receiving (or entitled to receive) compensation or retirement pay for a service-connected disability, pension at the rate prescribed by this section."

(e) Paragraph (1) of subsection (e) of such section is amended to read as follows:

"(1) before (A) December 14, 1944, in the case of a widow of a World War I veteran, or (B) January 1, 1957, in the case of a widow of a World War II veteran, or (C) February 1, 1965, in the case of a widow of a Korean conflict veteran, or (D) before the expiration of ten years following termination of the Vietnam era in the case of a widow of a Vietnam era veteran; or".

(f) The catchline of section 541 of title 38, United States Code, is amended to read as follows:

"§ 541. Widows of World War I, World War II, Korean conflict, or Vietnam era veterans".

(g) Subsection (a) of section 542 of title 38, United States Code, is amended by striking out "or the Korean conflict" and inserting in lieu thereof "the Korean conflict, or the Vietnam era".

(h) The catchline of section 542 of title 38, United States Code, is amended to read as follows:

"§ 542. Children of World War I, World War II, Korean conflict, or Vietnam era veterans".

(i) The table of sections at the beginning of chapter 15 of title 38, United States Code, is amended by striking out "521. Veterans of World War I, World War II, or the Korean conflict."

and substituting in lieu thereof

"521. Veterans of World War I, World War II, the Korean conflict, or the Vietnam era.";

by striking out the subheading

"World War I, World War II, and the Korean conflict"

and substituting in lieu thereof

"World War I, World War II, the Korean conflict, and the Vietnam era";

by striking out

"541. Widows of World War I, World War II, or Korean conflict veterans."

and substituting in lieu thereof

"541. Widows of World War I, World War II, Korean conflict, or Vietnam era veterans.";

and by striking out

"542. Children of World War I, World War II, or Korean conflict veterans."

and substituting in lieu thereof

"542. Children of World War I, World War II, Korean conflict, or Vietnam era veterans."

(j) Chapter 15 of title 38, United States Code, is amended by striking out the subheading "WORLD WAR I, WORLD WAR II, AND THE KOREAN CONFLICT" immediately preceding section 541 of such title, and substituting in lieu thereof "WORLD WAR I, WORLD WAR II, THE KOREAN CONFLICT, AND THE VIETNAM ERA".

SEC. 4. (a) Section 602 of title 38, United States Code, is amended to read as follows:

"§ 602. Presumption relating to psychosis

"For the purposes of this chapter, any veteran of World War II, the Korean conflict, or the Vietnam era who developed an active psychosis (1) within two years after his discharge or release from the active military, naval, or air service, and (2) before July 26, 1949, in the case of a veteran of World War II, or February 1, 1957, in the case of a veteran of the Korean conflict, or before the expiration of two years following termination of the Vietnam era in the case of a Vietnam era veteran, shall be deemed to have incurred such disability in the active military, naval, or air service.".

(b) Subsection (h) of section 612 of title 38, United States Code, is amended to read as follows:

"(h) Any veteran who as a veteran of World War I, World War II, the Korean conflict, or the Vietnam era is receiving increased pension under section 521(d) of this title based on need of regular aid and attendance may be furnished drugs or medicines ordered on prescription of a duly licensed physician as specific therapy in the treatment of an illness or injury suffered by the veteran."

SEC. 5. (a) Section 1901(a) of title 38, United States Code, is amended by striking out "World War II or the Korean conflict" and inserting in lieu thereof "World War II, the Korean conflict, or the Vietnam era".

(b) Section 1905 of title 38, United States Code, is amended to read as follows:

"§ 1905. Applications

"The benefits of this chapter shall be made available to any veteran who meets the eligibility requirements of this chapter and who makes application for such benefits in accordance with regulations prescribed by the Administrator."

SEC. 6. Except as provided in section 7, the amendments made by sections 2 and 3 of this Act shall become effective on the first day of the first calendar month which begins more than ten days after the date of enactment of this Act. The amendments made by sections 4 and 5 of this Act shall become effective upon enactment.

SEC. 7. (a) The amendments made by this Act relating to the payment of burial benefits in the case of veterans of the Vietnam era shall become effective on the date of enactment of this Act.

(b) If the burial allowance authorized by section 902 of title 38, United States Code, is payable solely by virtue of the enactment of this Act, the two-year period for filing applications, referred to in section 904 of such title 38, shall not end, with respect to an individual whose death occurred prior to the enactment of this Act, before the expiration of the two-year period which begins on the date of enactment of this Act, or, in any case involving the correction of a discharge after the date of enactment of this Act, before the expiration of two years from the date of such correction.

Mr. MONTOYA. Mr. President, the quest for justice should always be nonpartisan. Therefore, in a spirit of nonpartisanship I rise to speak today on behalf of hundreds of thousands of our young men and women who are today making the same sacrifices their fathers and grandfathers before them made in conflicts our Nation has seen fit to engage in.

It is a matter of record that since the Tonkin Gulf crisis of August 5, 1964, our Nation has called these young people to the colors in ever-increasing numbers. I do not choose to debate here and now the pros and cons of their callup.

What I do wish to speak of and call the attention of this body to is what we are doing to provide for their return. When these youngsters are mustered out of service of the Nation, what situation will they find when they return home to take up the interrupted threads of their existences?

All have left loved ones for long periods of time. Many have interrupted or postponed educations. All are now in the process of giving up to the Republic the most precious gifts they have to give—their well-being and glorious years of strong youth that, once used, are gone forever.

In addition, they are also putting something on the line for their country—their lives and limbs. Sadly I note our casualty lists and remind all present of the price these youngsters are now paying. Each passing week sees the continual stream of them coming home without limbs, without use of one or more of their senses, with their mental equilibrium in some cases unbalanced on a temporary or permanent basis. Truly we are paying a heavy cost in sorrow for our beliefs.

What provisions are being made for disability pensions for veterans and their surviving widows and children? Drug costs? Special conveyances for those crippled in limb? It is to our shame that we have not yet made full provision for these matters in the case of veterans returning from Vietnam. Each week sees the need grow. We cannot afford to let this situation go on and worsen. If we can pay so much for conflict, shall we not make available these aids for those doing the actual fighting?

Last week President Johnson made a series of proposals to the Congress, which, if enacted, would equalize treatment for all veterans of all our conflicts. It amounted to a hopeful declaration of intent on the part of the administration in regard to veterans benefits. I concur in what the President's message contained. This requires action as soon as possible.

In the last session of the 89th Congress I introduced my Vietnam Era Veterans Readjustment Assistance Act, which contains the essence of the President's proposals on benefits for Vietnam era veterans. It was approved by the Committee on Finance of which the distinguished Senator from Louisiana [Mr. LONG] is the chairman, and then by this body without a dissenting vote. Unfortunately, because of the need to adjourn, the other body did not have the opportunity to act favorably upon it.

Mr. President, I have therefore introduced my bill again this year. It is known as S. 16, and once again with the invaluable aid of Senator RUSSELL LONG, and the other members of the Committee on Finance, it has received the swift and considerate attention that this matter deserves and is once more before this body for consideration.

Senators will recall that the major provisions of the bill are as follows:

Military service of 90 days or more beginning August 4, 1964—date of the Tonkin Gulf crisis—and ending on a date determined by Presidential proclamation would be considered eligible service.

The $250 burial allowance would be extended to Vietnam veterans. The full compensation rate for wartime disability would be given them.

Their widows and surviving children would become eligible for monthly pension payments for non-service-connected disabilities and deaths.

A psychotic condition arising within 2 years after discharge or termination of the Vietnam conflict would be considered to be service connected for purposes of hospitalization by the Veterans' Administration.

Payment for prescribed drugs and medicines would be provided for Vietnam veterans who are on the pension rolls and in need of regular aid and attention.

Payments would be made by the Veterans' Administration of an amount up to $1,600 for autos or other conveyances, including special appliances to veterans who are amputees or blind.

Mr. President, the Veterans' Administration pronounced itself as heartily in favor of this bill when it was presented to the Congress last year. Mr. William Driver, the Administrator of the Veterans' Administration, testified in favor of it.

Every major veterans' organization in the Nation has pronounced itself in favor of this bill.

Most important of all, 72 Senators have joined me in cosponsoring this essential piece of legislation.

Mr. President, before this Nation began to make provisions for its returning servicemen, no nation anywhere had made a comparable effort. It was the United States that really broke ground in this area of responsibility. Mr. Dixon Wecter, a distinguished American historian, detailed this history of veterans treatment in our land in his definitive work on the subject, "When Johnny Comes Marching Home." It would ill behoove us to stop after his last chapter, which does not include recent conflicts.

We must have a sense of social responsibility toward our returning service people, just as we have toward any group of individuals who are in need of aid or social justice. Is the returning Vietnam veteran to remain on the lowest rung of our national ladder? Or is he to be accorded the same honorable consideration he is now earning with his blood and well-being.

I say that the time for debate on this is over. I ask that each of my colleagues search his own heart and conscience, and then move to give this bill the swift passage it has earned and needs.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MONTOYA. I yield.

Mr. KUCHEL. Mr. President, the distinguished Senator from New Mexico [Mr. MONTOYA] has taken the leadership in this field with respect to the American who has put on his country's uniform and who defends freedom today halfway around the globe.

I am proud to have my name among the cosponsors of the bill which is about to pass the Senate. I wish to salute the distinguished Senator from New Mexico and say that he deserves the gratitude of the people of this country for his leadership in this important area.

Mr. MONTOYA. I thank the Senator from California for his comments.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. MONTOYA. I yield.

Mr. BYRD of West Virginia. Mr. President, I associate myself with the remarks which have just been made by the distinguished senior Senator from California [Mr. KUCHEL]. I wish to join in saluting the Senator from New Mexico [Mr. MONTOYA] for the splendid leadership he has given in regard to this very important measure.

I am glad to be associated with the Senator from New Mexico in cosponsoring this measure, and I appreciate the invitation which he extended to me to become a cosponsor of the measure. I am grateful to him for the great work he has done on behalf of our veterans. Again, I thank him, and join in saluting him for the splendid and able leadership which he has performed in this respect.

Mr. MONTOYA. I thank my colleague for his kind words.

Mr. President, I ask unanimous consent that the amendments be agreed to en bloc.

The **PRESIDING OFFICER.** The question is on agreeing to the committee amendments.

The amendments were agreed to en bloc.

Mr. LONG of Louisiana. Mr. President, the Committee on Finance unanimously approved this bill. Basically, the bill is designed to provide additional wartime benefits to veterans who have served since August 5, 1964, in the Armed Forces during the Vietnam crisis. The benefits afforded by the bill are comparable to those provided for veterans of World War I, World War II, and the Korean conflict. S. 16 would recognize that a man who serves his country during this critical period, whether his service be in Vietnam, United States, or West Germany, is serving during wartime. At present, his service is considered, ironically enough, to be during peacetime. Consequently this legislation is not only necessary but timely. Also, this bill rounds out and completes for the Vietnam era group what has heretofore been provided as benefits by the so-called GI cold war bill. It does this by supplementing benefits provided under the cold war bill in adding wartime benefits for this particular group.

Specifically, the bill would extend to Vietnam era veterans the following benefits not presently available to them. It would provide disability compensation at wartime rates under all circumstances. It would also guarantee pensions to the veterans and his survivors for a non-service-connected disability or death. It would assist his survivors by making a $250 burial allowance available. The seriously disabled veteran, one who has lost his sight or limb in the line of duty or as a result of service to our country, would be entitled to receive $1,600 toward the purchase of an automobile. The bill would also provide medical care benefits, such as drugs and invalid lifts.

The committee liberalized the law by removing present time limitations upon applications by eligible disabled veterans to apply for an automobile allowance. It also amended the bill to limit the automobile allowance to veterans of the Vietnam era who sustained their loss of limb or sight as a result of their military service after August 4, 1964. Further, in line with the underlying philosophy of the bill to extend benefits only to Vietnam era veterans, the drug and medicine benefits would likewise be limited to aid and attendance pensioners who qualify because of service during the Vietnam era.

The committee bill makes the pension, disability compensation, and therapeutic devices available as of the first day of the first month which begins more than 10 days after the date of enactment of S. 16. The remaining benefits such as allowances for burial, and automobiles, and benefits for drugs and medicines would be available immediately after the bill becomes law. This action of the committee will assure orderly implementation of these new benefits to the Vietnam era veterans.

During committee hearings last year concerning benefits for Vietnam era veterans, it was demonstrated that since August 5, 1964, military operations not only escalated but also changed in their nature from an advisory function to a retaliatory full-scale military operation. The most recent figures submitted by the Office of Defense to the committee show that we have nearly 390,000 troops in that area, and that as of January 1, 1967, 6,644 of our servicemen had given their lives in the performance of their duty—and this figure grows every day.

Further, the Congress just recently enacted legislation amending charters of various major veterans' organizations to include servicemen who have served since August 5, 1964, to become members of those organizations.

Perhaps, most significant is the fact that the President of the United States, in his recent message to Congress regarding American servicemen and veterans, urged that additional steps must be taken to fulfill our obligations to those who have borne the cost of conflict in the cause of liberty. To achieve this aim the President proposes to remove inequities in the treatment of Vietnam veterans, and recommends enactment of identical benefits that are provided by the committee's bill.

The estimated first-year cost of this bill is $9.7 million. Certainly, an insignificant amount in comparison of the magnitude of the sacrifices we call upon our servicemen to make.

The committee concluded that it is time to assure these fine gallant servicemen who are serving during the Vietnam war, and their dependents and survivors, that they will receive benefits commensurate with the great risks of life and limb to which they are exposed. Passage of this bill would go far in fulfilling the responsibility of Congress to provide equitably for the men serving our country during the Vietnam crisis.

I wholeheartedly recommend passage of this bill by the Senate.

The **PRESIDING OFFICER.** The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MONTOYA. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. BYRD of West Virginia. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

REMOVE RHODESIAN ECONOMIC SANCTIONS

Mr. BYRD of West Virginia. Mr. President, to suggest that the United States reconsider its participation in economic sanctions against Rhodesia appears to me to be a matter of good policy. Our support of the British request for economic sanctions through the United Nations was defended on the basis that the Ian Smith-guided Government was pursuing policies which offered a threat to world peace. Yet current reports on the relationship between Rhodesia and other African nations do not appear to substantiate this so-called threat.

As evidence of this, I invite attention to the February 1 Washington

Evening Star article written by Gordon Lindsay, entitled "Zambia Growing Wary on Rhodesia Sanctions," in which he points out that Zambian officials are losing their taste for any confrontation with the Ian Smith-Rhodesian government, recognizing that economic cooperation, rather than economic sanctions to boycott trade, offers a brighter promise for security and prosperity.

I ask unanimous consent to have the newspaper article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Evening Star, Feb. 1, 1967]

Zambia Growing Wary on Rhodesia Sanctions

(By Gordon Lindsay)

Johannesburg.—As Zambia's reappraisal of its confrontation with Rhodesia drags on, a clear reluctance is growing in the Zambian cabinet to approve any hardening of the current limited sanctions.

Government economists estimate that it costs Zambia $300 million to sustain its opposition to the white Rhodesian regime last year.

Copper revenue would have been at least $180 million higher had production not been lost due to coal shortages, rail difficulties and strikes in the mines.

More than $90 million was committed to hasty improvements of Zambia's northern supply routes (the Great North Road from Abercorn, south of Lake Tanganyika, to Dar es Salaam) and a further $30 million can be written off for a variety of reasons including higher prices for goods imported from sources other than Rhodesia and higher traffic rates on routes other than Rhodesian railways.

Reorganization costs spread throughout private business probably would make a mockery of the last figure.

COPPER PRODUCES SURPLUS

But, with the luck of a reckless gambler who throws away winning cards and still finds an ace up his sleeve, Zambia ended 1966 with a $90 million improvement in its balance of payments.

Government estimates are that Zambia will have a favorable trade surplus of $360 million this year.

Exports in 1966 were worth $720 million (compared to $570 million in 1965) and imports were valued at $360 million ($315 million in 1965).

Foreign reserves are now well over $240 million—by far the highest in black independent Africa.

Copper accounts for nearly all Zambian exports and the phenomenal price for copper this year—once as high as $1,800 a ton because of worldwide shortage—is the reason for the record surplus.

Doubts over Zambian supplies contributed to the scarcity value of copper although the Vietnamese war, Chilean strikes and the Congo-Union Miniere wrangle, would still have pushed prices higher than in 1965.

There is little jubilation over the trade surplus among the more level-headed members of the Zambian cabinet, who point out that if Zambia had ignored the Rhodesian issue and exported normally, the copper industry would have been worth at least $900 million this year.

The loss of revenue is by no means their only argument. Christmas goods were arriving in Lusaka shops last week—an odd proof that things are not going at all well with the new supply routes.

In fact, Rhodesian railways still carry more than 80 percent of Zambia's imports. The rest is brought in by road from Dar es Salaam and Malawi and by rail through the Congo to the Copperbelt. All the routes are affected by practical or political factors.

Export routes are slightly better with Rhodesian railways now carrying only about half of Zambia's reduced copper output of some 48,000 tons a month.

Against the monetary costs Zambia can also blame its often hysterical stance over Rhodesia for the steady exodus of whites caused by worsening race relations. An easing of tension would arrest any new trek south.

ARGUMENTS LESS VALID

Meanwhile, the arguments for Zambia increasing the confrontation with Rhodesia become less valid.

Zambia has always recognized that if it decides to go it alone against Rhodesia and undertake a complete boycott, it risks economic suicide. While there is still strong support for this sort of move in the cause of pan-Africanism, those in favor of it can do nothing to prove it will have any effect.

A $33 million cutback last year of imports from Rhodesia does not appear to have unduly shaken Ian Smith, the Rhodesian premier.

And those in favor of weakening the confrontation with Rhodesia can show that Zambia still needs at least $60 million worth of Rhodesian goods a year.

PRESIDENT JOHNSON MARKS EFFECTIVE DATE OF MINIMUM WAGE LAW

Mr. YARBOROUGH. Mr. President, last week marked the effective date of the minimum wage amendments passed by Congress last year. As President Lyndon B. Johnson said February 1:

> This is another D-Day in our fight to help those that are in need.

As of February 1, 8 million more workers became entitled to the protections of the Federal Fair Labor Standards Act and the 30 million presently covered workers became entitled to $1.40 per hour.

Congressional action on the 1966 amendments took many hours of work on the part of many persons in 1965 and 1966; the issues were vigorously contested before the majority worked its will and produced the meritorious legislation enacted into law.

I am much pleased that President Johnson chose to commemorate the February 1 effective date of the act in a White House ceremony last week. I ask unanimous consent that the President's fine statement hailing the new law be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Minimum Wage Amendments—The President's Remarks at a Ceremony Marking the Effective Date of the Fair Labor Standards Amendments of 1966, February 1, 1967

Mr. Keenan, Secretary Wirtz, General O'Brien, the distinguished chairman and members of the House committee who worked so long and effectively to bring about passage of these amendments, my friend Senator Yarborough, members of the AFL–CIO, ladies and gentlemen:

To me this is another D-Day in our fight to help those that are in need.

Twenty-eight years ago, as a young Congressman, I worked to get the first minimum wage law passed. I was brought into that effort by Dr. David Dubinsky, who is represented here today, and by other members of the AFL–CIO.

The thing that I particularly want to mention is then, as now, most of the enlightened members of organized labor have never been personally affected by the minimum wage laws. As a result of their bargaining, they have all, generally speaking, been above the minimum levels. But union after union and leader after leader in the workers' movement in this country have spent time to see that their colleagues and their fellow workers had the benefits of this legislation.

It is my humble pride as President to see that this declaration of decency has been made real in millions of lives and homes—for as we meet here this afternoon, a new minimum wage has become effective in this country. It will mean a great deal to a great many people—none of whom are here. It will help them to carry on.

Eight million workers, as Mr. Keenan has told you, have new benefits this afternoon—for the first time since this act was passed 28 years ago.

One million more workers are going to get benefits next year.

The minimum rate for most workers—those 30 million previously covered—becomes, today, $1.40 an hour. This still means less, for a year's work, than what we count as a poverty wage. But this brings minimum wages closer in line with minimum decencies than they have ever been before.

An additional billion dollars will go, this year, into those pay envelopes where it is needed most—and this will be for services rendered, for work performed.

If this means very small increases in prices—that we have heard a good deal about—and in costs—and I believe it does mean increases in both—the American people will accept this as a better answer than denying human beings a decent wage.

These are the workers that you rarely see, the workers that we all too often forget to acknowledge. They are the workers that make life a little more complete for everyone of us, every day. They are the charwomen who clean our rooms after we are gone in the evening, through the night. They are the people who make our beds after we leave in the morning. They are the waitresses who get up early to give us coffee before we go to work, the hotel and the motel employees, the hospital service employees, the laundry workers that clean our clothes, the workers in the apparel trades that try to make us look presentable. And, for the first time, the farm workers—several hundred thousand of them.

They are not here in the White House this afternoon, but those who have worked for them and fought for them are, the Members of Congress who could hear their voices and heeded their plea, the leaders of the workers in this country who had done so much to help the people of their own union, but decided to do something to help all people.

This is a great day for America. America is entitled to the feeling that it has done something very right and something very good.

I shall never forget a breakfast I had at a very dark period in the life of this bill over in the Mansion several months ago when Mr. George Meany and Mr. David Dubinsky and several of us were talking about the problems we faced.

Well, those hurdles have been overcome. What was a hope yesterday is now today a reality—and some 9 million will benefit from it. Just knowing that gives you a great deal of satisfaction that can never come to you from any paycheck.

So to you leaders of labor, particularly Secretary Wirtz who testified so long and so eloquently and so effectively, to you Members who heard him, all of you, in behalf of these workers, I say thank you for your efforts.

ARBITRARY DISCRIMINATION IN EMPLOYMENT BASED SOLELY ON AGE

Mr. CANNON. Mr. President, I am privileged to join the distinguished senior Senator from Texas [Mr. YARBOROUGH] in calling for an end to arbitrary discrimination in employment based solely on age.

The Senate last year passed such legislation, but it was modified in conference to include a request to the administration to make specific legislative recommendations to deal effectively with the growing problem of arbitrary age discrimination in employment.

The bill is commendable not only because it offers flexible procedures for eliminating discrimination in hiring, but also because it provides for research of problems of older workers and for fostering job opportunities for these workers through the public employment service.

Arbitrary discrimination in hiring is costly and will become even more costly to the Nation as technological developments make physical labor more outmoded and demand more sophisticated judgment and experience. Yet, because of myths about older workers, it is becoming more and more difficult for persons in the over-45 category to obtain new jobs commensurate with their abilities.

Mr. President, television station KSL in Salt Lake City aired during the week of January 23 an excellent editorial underscoring the need to eliminate prejudices against older workers. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Is any nation rich enough to throw away $4 billion a year? That's the estimated cost of this country's outmoded prejudices against hiring workers over 45 years old.

It's a strange paradox in which America is caught. As *Time Magazine* expressed it recently, the men and women over 45 make up "The Command Generation." They run our industries and professions. They make our laws, and enforce them. They teach our children. They are the most valued employees of virtually any company you can name.

These are the over-45's with jobs. They run the country. But what about the over-45's without jobs? They really aren't all that different. Yet, they are a drag on the job market. It is a rare and fortunate man in that category who can find a new job commensurate with his abilities.

Why is this? Because we have built up a whole series of myths—that it costs much more to hire older workers; that they are absent more; that they can't keep up the pace; that "you can't teach an old dog new tricks."

Actually, none of these prejudices is true. A recent Department of Labor study shows that putting an older worker on the payroll, including all fringe benefits, costs an average of just 5c an hour more than hiring a younger worker. Another study shows that older workers actually lose fewer days from work; that they are just as adaptable; that their average performance, is as good as, and sometimes better, than younger workers.

These facts will become increasingly true as the job market demands less and less physical labor and more and more brain-power, judgment, and management of people.

America cannot afford the continuing waste of productive people who are not producing.

KSL calls on its listeners, particularly those who employ workers, to change our costly prejudices against the older worker and to give him a chance.

PEACE TALKS IN VIETNAM—OPTIMISM OR WISHFUL THINKING?

Mr. McGEE. Mr. President, as the hopes of all of us rise for possible peace talks in Vietnam, we find it sometimes difficult to stay in touch with reality. Lest false expectations escalate our hopes beyond reality, it is well that we face up to a simple, harsh truth; namely, that the most optimistic hope remains still a very dim one.

The distinguished columnist, Richard Wilson, in a recent column published in the Evening Star, sounds this sober warning to his readers.

I ask unanimous consent that his column be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

THE SIGNALS FROM HANOI AND WISHFUL THINKING

(By Richard Wilson)

About as much as can be said with any authority about the outlook for Vietnam peace talks is that the prospect is better than six or eight months ago. The air is filled with gossip and something seems to be stirring.

Beyond this there is not much to say for the simple reason that the United States government has heard less through its private and discreet channels on Hanoi's intentions than has been heard publicly.

But there has been enough talk and atmospherics to cause this government to consider the minimum reciprocal action by Hanoi which would justify the beginning of de-escalation of the war. Perhaps this is the beginning of the withering away of major actions in the war which will amount to a de facto cease-fire, interrupted as in the case of Korea by a long and continuous series of bloody incidents which do not change the status quo.

Experience has taught officials of the U.S. government the lesson that Communist nations relinquish their stated objectives in strange and indirect ways. Their intentions can be explored through suspense novel techniques.

A Russian official sent an important message to the White House during the Cuban missile crisis through a newsman he met secretly in a downtown Washington cocktail lounge.

The Berlin blockade was suspended because an omission in a Stalin speech was explored by a U.S. diplomat through casual contacts with the Soviet representative in the United Nations members lounge. The omission was found to be the key to a changed Soviet attitude. This bar room diplomacy is absurd, melodramatic and hardly believable. But there it is, a fact of international life which Secretary of State Dean Rusk cannot and does not overlook.

So, we are now going through a cat-and-mouse period, or a pregnant period, as some say, which eventually could lead to a de facto end of major military action in Vietnam. Or, then again, this could be but another incident in a systematic campaign which has been going or worldwide for six months to induce the United States to stop bombing North Vietnam without getting anything in return.

All that can be judged from President Johnson's attitude, and that of Secretary Rusk and Secretary of Defense Robert S. McNamara, is that they currently have no intention of stopping the bombing without getting something out of it.

What they fear most is that a stoppage now which produced no result except increased infiltration from the North, as was the case a year ago, would arouse such anger in the United States that the pressure in this country for quick, decisive action could no longer be held back.

They are unquestionably justified in this fear. An unrequited bombing pause could be disastrous for Hanoi, whose leaders have already had a taste of what unintentional bombing can do.

One point is of paramount importance. The bombing cannot be stopped as the first step in de-escalation unless there is a firm and enforced guarantee on the part of the North not to move more men and supplies into the South. Who is to be held responsible if a convoy of trucks moves across the demilitarized zone, spills its men and guns into an American position and kills a few hundred because those trucks were not interdicted by U.S. bombers?

Hanoi is now calling for an unconditional stoppage of bombing, not a pause or anything like that. It would be an act of the utmost irresponsibility to pledge such a stoppage without knowing beyond any doubt precisely what would happen as a result of the stoppage.

The lives of many men hang on that thread. No games can be played, no theoretical humanitarianism can be indulged, no bar room diplomacy will justify the colossal blunder of stopping the bombing without a firm guarantee that the movement of men and supplies from the North will also be stopped.

President Johnson's call for "just almost any" sign from the North may suffice as a preliminary to beginning talks. It will not suffice as a reason for stopping the bombing unconditionally and exposing Americans to death and injury because new forces from the North had gotten through.

There is no reason to suppose that the attitude of the U.S. government is otherwise than stated here. But in Congress and elsewhere there is an oversimplification of how the signals from Hanoi can be exploited. Wishfulness has broken through. It would be folly to permit this wishfulness to destroy the clear advantages to the United States which have been created by the new complex of conditions in Asia.

VFW VOICES SUPPORT FOR S. 9, THE GI BILL

Mr. YARBOROUGH. Mr. President, the Veterans of Foreign Wars, long one of the stanchest supporters among our leading veterans organizations of veterans readjustment assistance, has indicated that it is still way out in front with its ringing endorsement of S. 9, the cold war GI bill amendments of 1967.

The VFW has issued the following statement in support of a more adequate GI bill:

The V.F.W. strongly recommends that the rehabilitation assistance authorized for those who have served in the armed forces during this post-Korean period be broadened to provide the same assistance as was given veterans of the Korean Conflict. The present $100 a month allowance is inadequate. The rates should be substantially increased since even the $110 a month allowance given to Korean veterans would not purchase the same amount of education as in 1952. The program should be broadened to include other types of assistance such as on-the-job training, a pilot training program and on-the-farm training, with educational assistance of one and one-half days for each day of service.

I congratulate the members and officers of the VFW for their continuing leadership in the fight for justice for the veterans of this era.

I ask unanimous consent that a letter, with the accompanying resolution by VFW, from Mr. Francis W. Stover the able and energetic director of National Legislative Service, VFW, be printed at this point in the RECORD.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

VETERANS OF FOREIGN WARS,
OF THE UNITED STATES,
Washington, D.C., January 30, 1966.

Hon. RALPH YARBOROUGH,
Committee on Appropriations,
U.S. Senate, Washington, D.C.

DEAR SENATOR YARBOROUGH: This is to indicate the support of the Veterans of Foreign Wars for your bill (S. 9), which was introduced in the 90th Congress on January 11, which will provide for present day veterans who have served in the Armed Forces since the end of the Korean Conflict a full measure of readjustment benefits in line with those provided to veterans of that Conflict.

The V.F.W. position is contained in a national mandate unanimously approved by the delegates to our New York National Convention, which was held in New York City last August, identified as No. 129 entitled "To Broaden G.I. Educational Benefits," a copy of which is enclosed.

Subsequently, this past fall our National Legislative Committee met here in Washington, D.C. to review all of the mandates approved at our New York Convention for the purpose of recommending our National Legislative Goals for 1967. It is most pleasing to let you know that the No. 3 Legislative Goal recommended by the Committee and approved by our Commander-in-Chief for the first session of the 90th Congress is "Broaden GI Bill." The goal with explanatory text reads as follows:

"The V.F.W. strongly recommends that the rehabilitation assistance authorized for those who have served in the armed forces during this post-Korean period be broadened to provide the same assistance as was given veterans of the Korean Conflict. The present $100 a month allowance is inadequate. The rates should be substantially increased since even the $110 a month allowance given to Korean veterans would not purchase the same amount of education as in 1952. The program should be broadened to include other types of assistance such as on-the-job training, a pilot training program and on-the-farm training, with educational assistance of one and one-half days for each day of service."

Rest assured, therefore, that the V.F.W. will be extending every effort to have the GI Bill broadened as contained in these mandates and directives. Your continuing leadership to have this legislation approved in the Senate is deeply appreciated by the Veterans of Foreign Wars.

With kind personal regards, I am,
Sincerely,
FRANCIS W. STOVER,
Director, National Legislative Service.

RESOLUTION NO. 129: TO BROADEN G.I. EDUCATIONAL BENEFITS

Whereas the Veterans of Foreign Wars of the United States took the lead in 1956 in advocating educational benefits for "Cold War" veterans; and

Whereas our efforts bore fruit in 1966 with the enactment of Public Law 89-358, providing educational benefits for all "Cold War" servicemen; and

Whereas the Veterans of Foreign Wars of the United States was the largest and oldest veterans organization which campaigned for the last decade to do justice for our comrades of the "Cold War"; and

Whereas the final result of the "Cold War" G.I. Bill was not as broad as that provided veterans' education programs; and

Whereas Public Law 89-358 does not provide on-the-job training or on-the-farm training, as in previous veterans' education programs; now, therefore

Be it resolved, by the 67th National Convention of the Veterans of Foreign Wars of the United States, that we support legislation which will broaden Public Law 89-358 by increases in the educational allowance and on-the-job training, and on-the-farm training for all veterans eligible under this law.

CONSERVATION OF NATURAL RESOURCES

Mr. MORSE. Mr. President, last month I had a very interesting and constructive breakfast meeting with representatives of several conservation groups who are active in promoting the conservation of our great natural resources in the western United States.

One of those attending the breakfast meeting was Dr. Donald McKinley, an Oregonian, who is one of the officers of the Federation of Western Outdoor Clubs and who has long been dedicated to conservation in the Pacific Northwest. Dr. McKinley brought to my attention the 31 resolutions that were adopted at the 1966 Conference of the Federation of Western Outdoor Clubs.

Mr. President, it is my belief that these resolutions should be made available to the Members of the Senate. I ask unanimous consent that they be printed at this point in my remarks.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTIONS AND POLICIES OF THE FWOC, 1966

A Federation tradition is to avoid having delegates serve on the Resolutions Committee because that committee must deliberate during the business sessions as well as long into the night. The remoteness of the 1966 Convention adding to our tradition resulted in one of the smallest (in numbers) Resolutions Committees. Whether due to or in spite of there being only four members of the Resolutions Committee, they achieved a distinction of reporting for favorable consideration of the delegates the largest number of resolutions of any Federation convention.

The 31 resolutions that follow are the product of Rodger W. Pegues, Northwest Conservation Representative, Chairman, and Resolutions Committee members Daniel B. Luten, Dr. Donald McKinley and Robert Wenkam. The resolution of thanks to officers, host club, and cooperating agencies is omitted as is custom.

RESOLUTION NO. 1—KAUAI NATIONAL PARK

Proposals have been made that the Kokoe, NaPali, Kalalau Velley, Ke'e, Haena, Wainiha, Lumahai, Alakai Swamp, Maimea Canyou, Barking Sands, and Waialeale areas, on the Island of Kauai be established as a national park.

The rare and exquisite beauty of the area by itself is justification for a national park. In addition the intricate display of the consequences of a complex ecologic history, which includes the widespread introduction of animals and plants, should be made available to all people for their educational, scientific and recreational benefits. An ever-expanding national population, a growing economy, and an affluent society threaten eventual adverse use and consequent loss of scenic treasure and opportunities for public use, education, and enjoyment.

Wildlife management and existing property rights militate against ordinary national park management practices. Nevertheless, some form of Federal protection in the manner of a national park will almost certainly be required within the foreseeable future.

It is therefore resolved that the Federation of Western Outdoor Clubs urges the National Park Service to prepare, and the Congress to consider, a plan for a Kauai National Park consistent with the Island's special needs, existing and future.

It is further resolved that the Federation of Western Outdoor Clubs urges (1) special consideration for existing property rights, including those of present Kokee cabin owners and kuleana landowners, so that those rights may be continued undisturbed as long as park values are not threatened; and (2) special studies to determine if public participation in the park game management program is necessary to control populations of feral animals which have a destructive impact on park flora.

RESOLUTION NO. 2—REDWOOD NATIONAL PARK

Two different proposals for a Redwood National Park are now before Congress. One would establish a park of 90,000 acres in the Redwook Creek area, where the National Park Service originally recommended. The other would establish a park of only 45,000 acres in the Mill Creek area, where there is little virgin timber yet to be saved outside the existing state parks there.

By almost any standard, the Redwood Creek area is the preferable area for a meaningful Redwood National Park. The area has the largest blocks of virgin forest still unprotected; it has trees of record heights, as well as the most diverse range of growing habitats. Moreover, the area has a variety of scenic and recreational resources unmatched by any other area where such a park might be established, including the capacity to sustain heavy recreational use without impairment. In the Redwood Creek area, more watershed protection is provided than in the Mill Creek area. The Mill Creek area seems to have been proposed primarily as a move toward economy in Federal outlays. However, for whatever sum is available, a superior park can be purchased in the Redwood Creek area. In recent public hearings and in two years of written comment to the Federal government, public sentiment has been overwhelmingly in favor of the Redwood Creek area.

It is therefore resolved that the Federation of Western Outdoor Clubs reaffirms its resolution No. 3 of 1964 in favor of a Redwood National Park and it specifically endorses legislation now before Congress (H.R. 11723 and companion bills, and Amendment No. 487 to S. 2962 in the Senate) to establish a Redwood National Park of 90,000 acres in the Redwood Creek area.

RESOLUTION NO. 3—GRAND CANYON NATIONAL PARK

The entire Grand Canyon constitutes a scenic attraction and record of natural history unequaled on the face of the earth. Of the 280 miles of the geological Grand Canyon, only 105 miles is within the present Grand Canyon National Park. The entire canyon needs to be protected forever as a national park, free of threats of dams and other destructive influences.

It is therefore resolved that the Federation of Western Outdoor Clubs supports legislation to enlarge Grand Canyon National Park (H.R. 14176, Saylor; 14177, Dingell; 14211, Reuss) to include the entire geological formation of the Grand Canyon from Lees Ferry to the Grand Wash Cliffs.

RESOLUTION NO. 4—NORTH CASCADES

Great public and private interest in the future of the North Cascades had led to the development of many land use reports for the area. The North Cascades Conservation Council report of 1963, the Agriculture-Interior Departments Study Team Report, the report of the Governor's Committee, and the Governor's recommendations. The latter two adequately reflect the balance of present political and economic pressures within the State of Washington, but do not satisfactorily reflect the interests of true owners of this superlative area, the present and future generations of all the citizens of this Nation.

The North Cascades Conservation Council report of 1963 and the Federal Study Team report reflect the national viewpoint; the former, however, takes a longer range view than the latter.

The North Cascades Conservation Council report of 1963 forms an entirely satisfactory basis for North Cascades legislation. The Federal Report, with certain modifications, can also form a satisfactory basis. These modifications include:

1. High capacity recreation must be limited to the immediate environs of the North Cascades Highway and the south end of Ross Lake. No means for mass access or facilities for mass recreation are permissible except in those areas; however, boat access and lesser facilities are permissible at Stehekin.

2. No aerial trams, ski lifts, or helicopter facilities may be installed at any location within the park area.

3. A national recreation area must be established around the high country to provide a suitable location for high capacity outdoor recreation. This recreation area should include the forested valleys to the west and south of the Glacier Peak Wilderness Area; the Lake Chelan area northwest of Safety Harbor Creek; and parts of the east slope of the Cascades, east of the park boundary and south of the proposed Okanogan Wilderness Area. For the most part, the lands within the proposed park are too high and the recreation season too short to permit high capacity recreation within its limits. To protect the park resources and to provide a suitable place for high capacity outdoor recreation, the peripheral national recreation area is essential.

4. The existing roadless areas in the proposed park, with the exception of the route of the North Cascades Highway, must be classified as wilderness.

5. No north-south roads may be constructed along the shores of Ross Lake or into the valley of Thunder Creek.

6. No road may be constructed to connect Stehekin with the North Cascades Highway.

7. The enabling legislation cannot provide for the construction of dams within the park area.

8. The Glacier Peak Wilderness Area must be withdrawn from mineral entry.

It is therefore resolved that the Federation of Western Outdoor Clubs recommends that federal legislation concerning the North Cascades be based on the North Cascades Conservation Council report of 1963 or on the Federal Study Team report with the above recommended modifications.

RESOLUTION NO. 5—KOKEE WATER PROJECT

The Alakai Swamp Wilderness Preserve was established by the Hawaii State Board of Natural Resources to preserve and protect rare endemic birdlife, flowers, plants, and forest cover of the Alakai Swamp in an undisturbed environment.

The proposed state-federal Kokee Water Project to construct a large earth dam and multiple-use water storage reservoir for hydroelectric peaking power and irrigation water may irreparably damage and destroy by drowning, and by "die-back" beyond the reservoir limits, several hundred acres of fragile native forest and thereby jeopardize the precarious margin of survival for several species of almost extinct endemic birds within the wilderness preserve, one of the most unusual wilderness areas in the nation.

Opportunities for private investment to finance the essential irrigation works and alternative power sources do not appear to have received fair consideration, even though their utilization would protect the unusual, even rare, resources of the wilderness preserve.

It is therefore resolved that the Federation of Western Outdoor Clubs opposes plans for a large, federally supported multiple-use project which would encroach upon the state wilderness preserve and seriously threaten the survival of rare and endangered species of endemic birds and their essential habitat.

It is further resolved that the Federation of Western Outdoor Clubs urges consideration of alternative and less expensive power sources, and of alternative irrigation development, including conventional private investment, to avoid the flooding of Alakai Swamp by a major water storage reservoir.

RESOLUTION NO. 6—HAWAII VOLCANOES NATIONAL PARK

The proximity of the active volcanoes of Mauna Loa and Kilauea to adjacent mountain areas provides an opportunity to expand the original boundaries of Hawaii Volcanoes National Park to include the extinct volcanic mountain of Hualalai and the surrounding slopes of Mauna Loa down to approximately the 9500 foot contour, including the saddle lands between Hualalai and Mauna Loa and the Hawaiian historical sites within the saddle, in particular, the Ahuaumi Heiau.

This park expansion will also justify construction of a high mountain scenic parkway, connecting Puna, Kilauea, Mauna Loa, Hualalai, the upper forest lands of Kona, and the City of Refuge National Historic Park at Honaunau Bay.

It is therefore resolved that the Federation of Western Outdoor Clubs supports the expansion of Hawaii Volcanoes National Park by approximately 120,000 acres and the construction of a 70-mile scenic parkway connecting Hawaii Volcanoes National Park and the City of Refuge Historical Park, and urges favorable recommendation by the National Park Service; with the qualification, however, that the scenic parkway be constructed and located so as not to impair wilderness qualities and ecology away from the immediate vicinity of the parkway, and so as to cause no disruption of the wilderness experience along trails or near shelters.

RESOLUTION NO. 7—OLYMPIC NATIONAL PARK

For too many years the periphery of the Olympic National Park has been threatened by invasion and by nonconforming uses. Sincere efforts to effect proper boundary adjustments have degenerated into timber raids on some of the finest forested areas in the park.

It is therefore resolved that the Federation of Western Outdoor Clubs opposes the deletion of the Bogachiel Valley from the park.

It is further resolved that the Federation of Western Outdoor Clubs urges the Department of the Interior to adopt the recommendations of the Quinault Report of 1962 to acquire the several Quinault inholdings.

It is further resolved that the Federation of Western Outdoor Clubs urges the Department of the Interior to adopt a continuing program of acquiring inholdings and peripheral lands whenever their use, or their potential and pending use, depreciates or threatens to depreciate the outstanding scenic and recreation values of the park.

It is further resolved that the Federation of Western Outdoor Clubs urges the Congress to appropriate the funds necessary for the acquisition of lands in and near the park.

RESOLUTION NO. 8—SONORAN DESERT INTERNATIONAL PARK

The Sonoran Desert constitutes on outstanding scientific, scenic, historical, and recreational resource and is the most scenic and destinctive of American deserts.

A combination of the Organ Pipe National Monument, somewhat enlarged, and the Cabeza Prieta Game Range, together with the spectacular craters of the adjoining Mexican desert country, would constitute a unique collection of desert features.

Grazing and mining threaten the scenic and biological resources of the area which are eminently worthy of preservation in perpetuity.

It is therefore resolved that the Federation of Western Outdoor Clubs supports the establishment of a Sonoran Desert International Park to provide meaningful protection for the above areas together with an optimum opportunity for public use and enjoyment and international cooperation.

RESOLUTION NO. 9—MINERS RIDGE

Persistent rumors indicate that open-pit mining of patented copper deposits in the vicinity of Miners Ridge in the Glacier Peak Wilderness Area is imminent. Open-pit mining of this area would destroy on unmatched scenic resource.

The Secretary of Agriculture has insisted repeatedly that his agency is entirely competent to protect the wilderness values of this region and that National Park status is unnecessary. However, the lands are patented and even under the Wilderness Act it is difficult to understand how the Forest Service can provide effective protection.

It should not be necessary to point out that had these lands been placed in a national park years ago, the current threat could not exist.

It is therefore resolved that the Federation of Western Outdoor Clubs appeal to the Secretary of Agriculture to demonstrate his agency's claim to be able to protect the magnificence of the Miners Ridge area.

It is further resolved by the Federation of Western Outdoor Clubs that the patented lands be purchased by the federal government, restored to the Forest Service, and withdrawn from mineral entry.

RESOLUTION NO. 10—NATIONAL PARK DEVELOPMENT AND USE

The 1916 Act that established the National Park System states the purpose of the National Parks to be, in part, "to conserve the scenery and the natural historic objects and the wildlife therein, and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations."

As a consequence of this standard of management, a visitor to a national park by automobile enjoys not only the immediate spectacle but also the knowledge that he is looking at, and being near to, vast, awesome, primeval areas—areas which have been kept unimpaired for his enjoyment and for those who will follow him.

In recent years, many Park Service officials, beset with the problems brought on by enormous and continuing increases in national park visitation, have begun advocating road patterns and other means of affording mass access which will fragment vast backcountry areas of the national parks.

Advocates of mass access have failed to demonstrate how this will avoid—rather than duplicate—crowding, how the scenic, biological, and geological resources of the parks will be protected, or how meaningful, natural wilderness areas can be established and maintained in the face of mass visitation and visitation facilities.

It is therefore resolved that the Federation of Western Outdoor Clubs condemns proposals for mass access to national park backcountry and urges instead that the national parks be managed so that public use will be consistent with the preservation of the park environment in a natural condition.

RESOLUTION NO. 11—HELIPORTS IN NATIONAL AND STATE PARKS

Recent management plans for the Great Smoky Mountains National Park and the proposed North Cascades National Park reveal a National Park Service desire to locate heliports within park backcountry. Similar plans are proposed for State Parks in Hawaii.

The use of helicopters in park backcountry, except in cases of emergency, is contrary to the basic concept of wilderness as expressed in the Wilderness Act. The noise and attendant over use result in loss of wilderness character in no way compensated for by the transitory gain to the helicopter user.

It is therefore resolved that the Federation of Western Outdoor Clubs most emphatically opposes plans for heliports in wilderness or backcountry of national and state parks.

It is further resolved that the Federation of Western Outdoor Clubs recognizes helicopter use in park wilderness or backcountry as permissible in emergencies when other means of access are inadequate; such use in no way justifies the installation of heliports.

RESOLUTION NO. 12—WATER RESOURCES POLICIES

The culture of peoples is intimately related in many respects to the availability of water.

In the United States, water use, supply, and distribution have become a major problem of local, state, regional and national levels.

It appears that obsolete, inconsistent, and often nonsensical concepts have come to govern our management of water.

It is therefore resolved that the Federation of Western Outdoor Clubs urges swift enactment of S. 3107 (by Senator Jackson) to establish a National Water Commission to investigate all aspects of the nation's water resources, including social and economic aspects of water use.

RESOLUTION NO. 13—WENATCHEE RIVER PROJECT

The Chelan Public Utility District has applied for a federal license to construct a hydroelectric project on the Chiwawa and Wenatchee Rivers which would result in great damage to scenic, wildlands, and fisheries resources in the affected area. The Federation expressed its opposition to the project at its 1965 convention.

In a precedent setting decision, the Department of Agriculture has, on the recommendation of the Forest Service, determined that the project would be inconsistent with the purposes for which the Wenatchee National Forest was established and has notified the Federal Power Commission of its determination.

It is therefore resolved that the Federation of Western Outdoor Clubs commends the action of the Forest Service and the Department of Agriculture in regard to the application of the Chelan Public Utility District.

It is further resolved that the Federation of Western Outdoor Clubs urges the Forest Service and the Department of Agriculture to review all similar project applications in the future not only for the purpose of determining protective conditions but also, as in the case of the Wenatchee River Project, for the purpose of determining the propriety of the project on national forest lands.

RESOLUTION NO. 14—LAND LAW REVIEW

Historically, federal lands have been managed, for the most part, to spur economic development and activity.

Implicit in the theory of management was the proposition that economic expansion and consequent population growth are positive results, in the best interest of the nation.

Burgeoning economic activity and population are now, however, creating problems quite difficult, if not impossible, of solution. Air pollution, water pollution, slums, crowded highways, water shortages, loss of green space, flood damages, crowded schools, and crowded recreation lands are a few products of our mass economy and its concomitant mass population.

Trapped in a philosophy of another day, we continue to manage our activities, including our public lands, as if continuing expansion in economic activity and population were always a positive result. However, if we consider the alternatives it becomes obvious that there are already too many people in the world who are already exploiting its land, air, and water much too rapidly and carelessly.

It is therefore resolved that the Federation of Western Outdoor Clubs urges that the study of the Public Land Law Review Commission include a re-examination of the basic principles of resource management and that this re-examination inquire into the methodology of managing our natural resources in a manner consistent with the maintenance of a stable economy and a stable population.

RESOLUTION NO. 15—RESOURCE AGENCIES AND THE QUALITY OF THE ENVIRONMENT

All too often, state and federal agencies charged with the management or development of various natural resources pursue their goals with little thought for other resource values or uses. The result is often an appreciable loss in the quality of the environment.

No resource has a single use or value. Where, for instance, an official of an agency concerned with mineral development sees a substantial and valuable supply of sand and gravel, the general public may see, and prefer, a wooded hillside, a restful swath of green, a place for footpaths, picnics, or family housing.

If the several values and uses of a resource are to be considered fairly, our governmental processes must provide for a formal, inter-disciplinary appraisal of those values and uses. Inter-agency commissions and public hearings are generally effective instruments for achieving the desired results.

It is therefore resolved that the Federation of Western Outdoor Clubs recommends the enactment of legislation by the Congress and the several states to provide for interdisciplinary and inter-agency inventory and evaluation of natural resources and their uses so as to provide adequate protection for aesthetic, recreation, wildlife, water and fisheries values.

RESOLUTION NO. 16—ROCK AND ROCK PRODUCTS

The future needs of society for economical supplies of sand, gravel, rock and building stone will require the utilization of extensive land areas to supply such materials. Serious conflicts will arise between potential alternative uses of such areas: fisheries spawning and habitat, recreation of many types, scenic values, residential development and industrial sites.

It is therefore resolved that the Federation of Western Outdoor Clubs recommends that federal, state and local governments (both administrative and legislative), in cooperation with private industry, conservation groups and other interested parties:

(1) Conduct surveys and studies and assemble information with respect to sources of future supplies of sand, gravel, rock and building stone, obtain estimates of future needs for such materials, and assess the potential adverse effect of future use of such sources of supplies on other values.

(2) Determine the suitability of such future sources of supply of such materials after giving due consideration (a) to availability of alternative materials to meet the same needs, and (b) to the values of the resources or potential alternative uses destroyed, damaged or precluded by use of the areas involved.

(3) Take action by way of zoning, reservation and acquisition to preserve from future use as sources of supplies of sand, gravel, rock and building stone, those locations better suited for residential or recreational use or scenic enjoyment.

(4) Take steps to require and insure that as areas used for rock or rock products are exhausted or are to be abandoned, they are returned to a condition which will permit them to be utilized for their then highest and best potential use: residential, industrial, recreational, scenic, or agricultural.

RESOLUTION NO. 17—ECOLOGICAL STUDIES

Man's use of natural resources and the enormous impact of this use upon natural life processes has far outrun man's knowledge of these natural life processes and of man's effect upon them.

It is therefore resolved that the Federation of Western Outdoor Clubs supports S. 2282 (by Senator Nelson) to provide for scientific study of environmental systems through grants, federal programs, the establishment of special areas, and inter-governmental cooperation.

RESOLUTION NO. 18—RANGE REHABILITATION

Increasing sagebrush eradication followed by seeding to grass on federal and state lands in the western states tends to result in an elimination of various plant species and a consequent loss in dependent wildlife.

While range managers generally provide suitable habitat for the important game species, non-game species tend to be neglected.

The perpetuation of diversification in animal and plant species is almost certainly essential to maintenance of stable ecosystems, and very much worth the additional cost required to achieve it.

It is therefore resolved that the Federation of Western Outdoor Clubs urges all range managing agencies to provide an optimum diversification of habitat in range rehabilitation projects so as to benefit all varieties of wildlife and maintain stable ecosystems.

RESOLUTION NO. 19—POLLUTION OF THE ENVIRONMENT

The disposal of mankind's waste materials has placed an intolerable burden on the environment. The consequences affect the health and welfare of humanity.

Destruction of plants and animals has been, and is, occurring. Numerous deaths of humans, sometimes in epidemic proportions, are fairly attributable to pollution. Destruction of esthetic and recreational resources diminishes each of us.

It is therefore resolved that the Federation of Western Outdoor Clubs strongly supports effective efforts to curb environmental pollution and strongly condemns half-measures which not only fail to prevent pollution but in addition succeed in convincing the public that its health and welfare are being protected.

It is further resolved that the Federation of Western Outdoor Clubs urges that local, state, and federal agencies charged with controlling environmental pollution be given the financial and political support sufficient to the task.

RESOLUTION NO. 20—AIR POLLUTION MOTOR VEHICLES

Increasingly, the automobile becomes the greatest single contributor to the pollution of the nation's air.

Various control devices are being developed and applied, but the likelihood of adequate elimination of pollutants seems improbable, the problem being inherent in the fuels and internal-combustion engine currently used and in the sheer number of polluting units.

It is therefore resolved that the Federation of Western Outdoor Clubs urges the President of the United States to initiate a substantial research project to develop power systems for motor vehicles which will not generate pollutants.

RESOLUTION NO. 21—ACQUISITION OF RECREATION LANDS

Crowded recreation areas and a continuing disappearance of "green space" together with increasing acquisition costs for all land require acquisition of recreation and open lands, as much as possible and as soon as possible.

It is therefore resolved that the Federation of Western Outdoor Clubs urges local, state, and federal agencies to adopt a program of "acquire now, build later."

It is further resolved that the Federation of Western Outdoor Clubs specifically urges those agencies which are faced with acquisition-development conflicts to set aside development plans temporarily and use all available funds for land acquisition.

RESOLUTION NO. 22—COST OF RECREATION LANDS

Between the time that plans are announced for acquiring lands for park and recreation areas and the time that funds are appropriated and available for purchase, land prices in the affected area tend to appreciate considerably.

Often, this appreciation of land values results in additional delays in acquisition and disruption to recreational development and conservation programs.

It is therefore resolved that the Federation of Western Outdoor Clubs urges the Federal and State Governments to appropriate funds for acquisition at the time acquisition is authorized.

It is further resolved that the Federation of Western Outdoor Clubs urges Congress to investigate other means of blocking speculation in lands earmarked for park acquisition.

RESOLUTION NO. 23—PAYMENTS TO STATES ON TRANSFER OF RECREATION LANDS TO THE FEDERAL GOVERNMENT

Suggestions have been made that the federal government reimburse states whenever it acquires state recreation lands for national parks or recreation areas, the money to be used by the states to acquire new recreation lands.

While the suggestions have merit, it is likely that the end result would often be delayed in establishing national parks and recreation areas, to the detriment of the general public.

It is therefore resolved that the Federation of Western Outdoor Clubs opposes such reimbursement in principle and urges the states to seek other avenues for securing federal assistance to acquire recreation lands.

RESOLUTION NO. 24—PROPERTY TAX ASSESSMENT OF OPEN SPACE

The California State Constitution requires that property be assessed for property tax purposes at its "highest use." As a result, lands near expanding communities are generally assessed at the value they have for developed use. Lands being held in an unused condition or being used for forest or for agricultural production are incapable of supporting the tax burden necessarily imposed.

A similar situation obtains in other states where similiar constitutional provisions, judicial decisions, or customary practice result in lands being assessed for property tax purposes at the value they have for developed use rather than for undeveloped use.

Often it is in the best interest of the general public that these lands not be developed. Recreational potential or actual use, scenic enjoyment, adequate breathing space, and an escape from expanding demands for expensive community facilities and services are a few of the benefits the public receives when these lands remain in an undeveloped condition.

So long as these lands are assessed on the basis of their so-called "highest use," few property owners will be able to retain them in an undeveloped condition.

It is therefore resolved that the Federation of Western Outdoor Clubs supports constitutional amendments, such as Senate Constitutional Amendment No. 4, for the State of California, or legislation where appropriate, to provide for property tax assessment of open lands on the basis of their value in an undeveloped condition.

RESOLUTION NO. 25—WILD OR SCENIC RIVERS

Proposals have been made to preserve free-flowing portions of some of the nation's magnificent rivers. Legislation (S. 1446) has passed the Senate and is before the House. A more comprehensive bill (H.R. 14922) has been introduced in the House.

The Senate bill leaves much to be desired. It proposed but six streams for classification and the consideration of but nine others. It fails to specify the degree of protection to be afforded. It fails to differentiate between degrees of protection which will be necessary for different streams or different portions of the same stream. It fails to spread the protective federal umbrella over streams which the several states may wish to protect. Most importantly, it fails to suspend the authority of the Federal Power Commission to license dams on streams being studied for permanent protection.

Congressman Saylor's bill (H.R. 14922) overcomes each of these weaknesses. Its coverage is broad and it specifies some sixty-six streams to be considered for ultimate classification and protection. Protection is definite, and applied through a classification system based on the degree of naturalness of the stream or portion of the stream. It provides for staying the power of the Federal Power Commission to license dam projects on streams being studied and those classified by the states.

It is therefore resolved that the Federation of Western Outdoor Clubs supports H.R. 14922 by Congressman Saylor and urges its prompt consideration and passage by the Congress.

RESOLUTION NO. 26—NATIONAL TRAIL SYSTEM

A reluctance to act on the part of local and state governments, a geographic overlap in federal agency jurisdiction, and a patchwork of federal-state-private landholdings necessitate federal action to establish a nationwide plan for a national trail system.

Federal leadership will provide rights-of-way, scenic preservation, protection of the system from the use of eminent domain by other agencies, and a comprehensive, urban-rural trail system.

It is therefore resolved that the Federation of Western Outdoor Clubs urges enactment of S. 3171, the national Trail System bill.

It is further resolved that the Federation of Western Outdoor Clubs urges the Forest Service, the National Park Service, and the Bureau of Outdoor Recreation to enlarge their recommendations for specific trails within the National Trail System both in urban and rural areas. Member clubs are urged to make specific recommendations to the three agencies.

RESOLUTION NO. 27—FLORISSANT (COLORADO) FOSSIL LAKE BEDS

The fossil lake beds at Florissant, Colorado, deposited 30 to 40 million years ago, contains the richest assemblage of fossil insects in the Rocky Mountain region.

The area is also rich in unique remains of plant and fish life, and contains numerous petrified redwood stumps in growth position.

It is therefore resolved that the Federation of Western Outdoor Clubs urges enactment of H.R. 8031 (by Rep. Frank Evans) to establish the Florissant National Monument as proposed by the National Park Service, the boundaries to be determined as soon as possible by a Park Service boundary study.

RESOLUTION NO. 28—MINERAL KING

The Forest Service has entered into preliminary agreements for the development of a major ski resort at the Mineral King Game Refuge in California.

The affected area is bordered on three sides by Sequoia National Park, is predominantly of wilderness character, is recognizably of national park quality, and was excluded from the Sequoia National Park when that park was established in 1890 solely because of the then existence of now defunct mining operations.

It is therefore resolved that the Federation of Western Outdoor Clubs opposes the development of a ski resort at Mineral King and urges instead that the mistake of 1890 be corrected by the transfer of the area to Sequoia National Park.

RESOLUTION NO. 29—CHARLES M. RUSSEL GAME RANGE

The Burnt Lodge Roadless Area in the Charles M. Russel Game Range is now a de facto wilderness, containing approximately 13,000 acres of primeval lands.

The area contains some of the roughest and most picturesque badlands in the entire state of Montana, highly populated by various species of wildlife.

It is therefore resolved that the Federation of Western Outdoor Clubs urges the Department of the Interior to initiate the necessary action to bring the Burnt Lodge area into the National Wilderness Preservation System.

RESOLUTION NO. 30—DESOLATION VALLEY PRIMITIVE AREA RECLASSIFICATION

This region, lying southwest of Lake Tahoe on the crest of the Sierra Nevada, is one of the most heavily used of all wilderness regions and merits early reclassification as a Wilderness Area under the Wilderness Act. In addition to the 41,000 acres in the Primitive Area lying in Desolation Valley itself and, largely to the north and east, an additional 24,000 acres of Eldorado National Forest land largely to the west of the Crystal Range is of wilderness quality and would enhance the quality of the region.

It is therefore resolved that the Federation of Western Outdoor Clubs supports proposals for early reclassification of the Primitive Area as a Wilderness Area under the Wilderness Act which would increase its size from 41,000 to 65,000 acres.

RESOLUTION NO. 31—COMMENDATION

As her retirement from the United States Senate nears, the Federation of Western Outdoor Clubs expresses its appreciation to Senator Maurine Neuberger, and her late husband who preceded her, for their work over a twelve-year period in making conservation a major concern of government.

SENATE NEEDS TO KNOW TREMENDOUSLY WIDE SUPPORT GIVEN GENOCIDE CONVENTION IN THE UNITED STATES

Mr. PROXMIRE. Mr. President, it is good for us to recall the tremendously wide support accorded the United Nations Convention on Genocide when the Foreign Relations Committee held their only hearings on this treaty, over 17 years ago. Just a few of the groups whose representatives testified or presented statements in support of Senate ratification at that time were: American Legion, American Federation of Labor, General Federation of Women's Clubs, National Association for the Advancement of Colored People, the Salvation Army, Young Women's Christian Association, Women's Christian Temperance Union, General Federation of Women's Clubs, and the Congress of Industrial Organizations.

This small sampling represents groups of diverse and frequently conflicting interests. However, each recognized the fundamental precept that the barbaric crime of genocide cannot be countenanced by civilized man.

These groups and so many other distinguished Americans who today support ratification realized that the Genocide Convention had evolved from the amendments of 58 nations, after proceedings in the five official languages—French, Spanish, Russian, Chinese, and English. They perceived as well that the lengthy deliberations which produced this convention were conducted in over 30 other languages and dialects.

Perhaps, Mr. President, as I have previously conceded, the Genocide Convention is not the ultimate in legislative draftsmanship. Perhaps there are reservations which the United States should insist upon. But the principal issue—the question of the right to live—is of such overriding importance to all mankind that this Senate cannot continue to ignore it.

Let us stop procrastinating and start deliberating. The convention on Genocide has been calcified instead of ratified by the Senate. There is no defense, no reason, no excuse for further delay.

THE AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967

Mr. YARBOROUGH. Mr. President, last Friday I introduced, for other Senators and myself, S. 830, the Age Discrimination in Employment Act of 1967. A nation so richly endowed should be able to guarantee to all its able-bodied working men and women an opportunity to work, regardless of age. The proposed legislation is President Johnson's recommendation to Congress to establish, as a touchstone of national labor policy, a program to eliminate arbitrary age discrimination in employment. I feel that Congress should give thorough consideration to this legislation, which will carry out one of the most important recommendations in the President's message on older workers.

The bill is being held at the desk through Thursday, February 9, so that other Senators may add their names as cosponsors. I ask unanimous consent that the bill be printed at this point in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 830

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Age Discrimination in Employment Act of 1967."

STATEMENT OF FINDINGS AND PURPOSE

Sec. 2. (a) The Congress hereby finds and declares that—

(1) in the face of rising productivity and affluence, older workers find themselves disadvantaged in their efforts to retain employment, and especially to regain employment when displaced from jobs;

(2) the setting of arbitrary age limits regardless of potential for job performance has become a common practice, and certain otherwise desirable practices may work to the disadvantage of older persons;

(3) the incidence of unemployment, especially long-term unemployment with resultant deterioration of skill, morale, and employer acceptability is, relative to the younger ages, high among older workers; their numbers are great and growing; and their employment problems grave;

(4) the existence in industries affecting commerce of arbitrary discrimination in employment because of age burdens commerce and the free flow of goods in commerce.

(b) It is therefore the purpose of this Act to promote employment of older persons based on their ability rather than age; to prohibit arbitrary age discrimination in employment; to help employers and workers find ways of meeting problems arising from the impact of age on employment.

EDUCATION AND RESEARCH PROGRAM

Sec. 3. The Secretary of Labor shall undertake studies and provide information to labor unions, management, and the general public concerning the needs and abilities of older workers, and their potentials for continued employment and contribution to the economy. In order to achieve the purposes of this Act, the Secretary of Labor shall carry on a continuing program of education and information, under which he may, among other measures:

(a) undertake research, and promote research, with a view to reducing barriers to the employment of older persons, and the promotion of measures for utilizing their skills;

(b) publish and otherwise make available to employers, professional societies, the various media of communication, and other interested persons the findings of studies and other materials for the promotion of employment;

(c) foster through the public employment service system and through cooperative effort the development of facilities of public and private agencies for expanding the opportunities and potentials of older persons;

(d) sponsor and assist State and community informational and educational programs.

PROHIBITION OF AGE DISCRIMINATION

Sec. 4. (a) It shall be unlawful for an employer—

(1) to fail or refuse to hire or to discharge any individual or otherwise discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's age; or

(2) to limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's age.

(b) It shall be unlawful for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of such individual's age, or to classify or refer for employment any individual on the basis of such individual's age.

(c) It shall be unlawful for a labor organization—

(1) to exclude or to expel from its membership, or otherwise to discriminate against, any individual because of his age;

(2) to limit, segregate, or classify its membership, or to classify or fail or refuse to refer for employment any individual, in any way which would deprive or tend to deprive any individual of employment opportunities, or would limit such employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment, because of such individual's age;

(3) to cause or attempt to cause an employer to discriminate against an individual in violation of this section.

(d) It shall be unlawful for an employer to discriminate against any of his employees or applicants for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because such individual, member or applicant for membership, has opposed any practice made unlawful by this section, or because such individual, member or applicant for membership has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this Act.

(e) It shall be unlawful for an employer, labor organization, or employment agency to print or publish, or cause to be printed or published, any notice or advertisement relating to employment by such an employer or membership in or any classification or referral for employment by such a labor organization, or relating to any classification or referral for employment by such an employment agency, indicating any preference, limitation, specification, or discrimination, based on age.

(f) It shall not be unlawful for an employer, employment agency or labor organization—

(1) to take any action otherwise prohibited under subsections (a), (b), (c), or (e) of this section where age is a bona fide occupational qualification reasonably necessary to the normal operation of the particular business, or where the differentiation is based on reasonable reactors other than age;

(2) to separate involuntarily an employee under a retirement policy or system where such policy or system is not merely a subterfuge to evade the purposes of this Act; or

(3) to discharge or otherwise discipline an individual for good cause.

STUDY BY SECRETARY OF LABOR

Sec. 5. The Secretary of Labor is directed to undertake an appropriate study of institutional and other arrangements giving rise to involuntary retirement, and report his findings and any appropriate legislative recommendations to the President and to the Congress.

ADMINISTRATION

Sec. 6. The Secretary shall have the power—

(a) to make delegations, to appoint such agents and employees, and to pay for technical assistance on a fee for service basis, as he deems necessary to assist him in the performance of his functions under this Act;

(b) to cooperate with regional, State, local, and other agencies, and to cooperate with and furnish technical assistance to employers, labor organizations, and employment agencies to aid in effectuating the purposes of this Act.

ENFORCEMENT

SEC. 7. (a) Whenever the Secretary on his own investigation or upon the basis of a written charge by any person claiming to be adversely affected or aggrieved, or on his behalf has reason to believe, that a practice made unlawful by this Act has been committed, he shall endeavor to eliminate any such practice by informal methods of conference, conciliation, and persuasion.

(b)(1) If the Secretary fails to effect voluntary compliance with the Act as a result of such informal methods, he shall issue and serve upon the person who has allegedly committed the unlawful practice a complaint stating such allegations and containing a notice of opportunity for a hearing thereon. After such opportunity for a hearing, the Secretary shall decide on the record whether or not an unlawful practice has been committed under this Act. If it is found that any person has engaged in an unlawful practice, the Secretary may issue an order requiring such person to cease and desist therefrom and to take such affirmative action, including reinstatement or hiring of employees, with or without back pay, as will carry out the purposes of this Act.

(2) For the purpose of any hearing or investigation under this Act, the provisions of section 21 of the Act of June 6, 1934, as amended (48 Stat. 899), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary.

(3) The Secretary may petition any United States court of appeals for any circuit wherein the discriminatory practice in question occurred or wherein the person alleged to have committed an unlawful practice resides or transacts business, for the enforcement of any order issued under subsection (b)(1) of this section and for appropriate temporary relief or restraining order, and any person aggrieved by an order of the Secretary under that section may obtain review thereof in such court. Upon the filing of a petition for enforcement or review the Secretary shall certify and file in the court the record of the proceeding, as provided in section 2112 of title 28, United States Code. No objection to the order of the Secretary shall be considered by the court unless such objection has been urged before the Secretary, or unless the failure or neglect to urge such an objection shall be excused because of extraordinary circumstances. The findings of the Secretary with respect to questions of fact, if supported by substantial evidence on the record considered as a whole, shall be conclusive. If application is made to the court for leave to adduce additional evidence, and it is shown to the satisfaction of the court that such additional evidence may materially affect the result of the proceeding, the court may order such additional evidence to be taken before the Secretary and to be adduced upon hearing in such manner and upon such terms and conditions as the court may direct. The Secretary may modify his findings as to the facts, or make new findings, by reason of the additional evidence so taken, and shall file with the court such modified or new findings. The judgment and decree of the court shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification, as provided in section 1254 of title 28 of the United States Code.

The filing of a petition for court review by any aggrieved person shall not operate as a stay of the Secretary's order, unless specifically ordered by the court.

NOTICES TO BE POSTED

SEC. 8. Every employer, employment agency, and labor organization shall post and keep posted in conspicuous places upon its premises a notice to be prepared or approved by the Secretary setting forth information as the Secretary deems appropriate to effectuate the purposes of this Act.

RECORDKEEPING

SEC. 9. Every employer, employment agency, and labor organization subject to this Act shall make, keep, and preserve such records and shall preserve such records for such time, and shall make such reports, as the Secretary shall prescribe by regulation or order as necessary or appropriate for the enforcement of this Act.

RULES AND REGULATIONS

SEC. 10. The Secretary of Labor may issue such rules and regulations as he may consider necessary or appropriate for carrying out this Act, and may establish such reasonable exemptions to and from any or all provisions of this Act as he may find necessary and proper in the public interest.

CRIMINAL PENALTIES

SEC. 11. Whoever shall (1) forcibly resist, oppose, impede, intimidate or interfere with a duly authorized representative of the Secretary while he is engaged in the performance of duties under this Act or (2) willfully commit a practice made unlawful by this Act shall be punished by a fine of not more than $500 or by imprisonment for not more than one year, or by both: *Provided, however,* That no person shall be imprisoned under this section except when there has been a prior conviction hereunder.

DEFINITIONS

SEC. 12. For the purposes of this Act—

(a) The term "person" means one or more individuals, partnerships, associations, labor organizations, corporations, business trusts, legal representatives, or any organized groups of persons.

(b) The term "employer" means a person engaged in an industry affecting commerce who has twenty-five or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year: *Provided,* That prior to June 30, 1968, employers having fewer than fifty employees shall not be considered employers. The term also means any agent of such a person, but such term does not include the United States, a corporation wholly owned by the Government of the United States, or a State or political subdivision thereof.

(c) The term "employment agency" means any person regularly undertaking with or without compensation to procure employees for an employer and includes an agent of such a person; but shall not include an agency of the United States, or an agency of a State or political subdivision of a State, except that such term shall include the United States Employment Service and the system of State and local employment services receiving Federal assistance.

(d) The term "labor organization" means a labor organization engaged in an industry affecting commerce, and any agent of such an organization, and includes any organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, general committee, joint or system board, or joint council so engaged which is subordinate to a national or international labor organization.

(e) A labor organization shall be deemed to be engaged in an industry affecting commerce if (1) it maintains or operates a hiring hall or hiring office which procures employees for an employer or procures for employees opportunities to work for an employer, or (2) the number of its members (or, where it is a labor organization composed of other labor organizations or their representatives, if the aggregate number of the members of such other labor organizations) is fifty or more prior to July 1, 1968, or twenty-five or more on or after July 1, 1968, and such labor organization—

(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended; or

(2) although not certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of employees of an employer or employers engaged in an industry affecting commerce; or

(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraph (1) or (2); or

(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraph (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

(5) is a conference, general committee, joint or system board, or joint council subordinate to a national or international labor organization, which includes a labor organization engaged in an industry affecting commerce within the meaning of any of the preceding paragraphs of this subsection.

(f) The term "employee" means an individual employed by an employer.

(g) The term "commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States; or between a State and any place outside thereof; or within the District of Columbia, or a possession of the United States; or between points in the same State but through a point outside thereof.

(h) The term "industry affecting commerce" means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affecting commerce" within the meaning of the Labor-Management Reporting and Disclosure Act of 1959.

(i) The term "State" includes a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act.

LIMITATION

SEC. 13. The prohibitions in this Act shall be limited to individuals who are at least forty-five years of age but less than sixty-five years of age: *Provided,* That in order to effectuate the purposes of this Act the Secretary may by rule or regulation issued under section 10 of this Act provide for appropriate adjustments, either upward or downward, in the maximum and minimum age limits, provided in this section.

FEDERAL-STATE RELATIONSHIP

SEC. 14. Nothing in this Act shall affect the jurisdiction of any agency of any State performing like functions with regard to discriminatory employment practices on account of age.

EFFECTIVE DATE

SEC. 15. This Act shall become effective one hundred and eighty days after enactment, except (a) that the Secretary of Labor may extend the delay in effective date of any provision of this Act up to an additional ninety days thereafter if he finds that such time is necessary in permitting adjustments to the provisions hereof, and (b) that on or after the date of enactment the Secretary of Labor is authorized to issue such rules and regulations as may be necessary to carry out its provisions.

APPROPRIATIONS

SEC. 16. There are hereby authorized to be appropriated such sums as may be necessary to carry out this Act.

THE CONSULAR CONVENTION WITH THE SOVIET UNION

Mr. McGEE. Mr. President, another excellent column explaining why Senate approval of the pending Soviet Consular Convention is important to the United States was published in today's Washington Post.

Columnist Richard Reston details ways in which Americans would gain a great deal more from the convention than would Russians.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 7, 1967]

A CONSULAR TREATY FOR SAFER TRAVEL

(By Richard Reston)

MOSCOW.—On Oct. 31, 1963, a professor from Yale University disappeared while traveling in the Soviet Union. American diplomats in Moscow soon suspected something had gone wrong, but they could not be sure of the whereabouts of Prof. Frederick C. Barghoorn.

Later, the Embassy confirmed its worst suspicions, notably that Barghoorn was in the hands of Soviet authorities for alleged espionage activity. But, still, there was no notification from the Soviet Foreign Ministry of any such detention or arrest. In fact, Barghoorn was held incommunicado for 13 days.

In response to heavy pressure from Washington, the professor was finally released and expelled from the Soviet Union on Nov. 14 of that same year.

The Barghoorn case might have been quite another story if a formal consular treaty between the United States and the Soviet Union had existed at the time. Indeed the events surrounding the Barghoorn incident deal with the heart of the Soviet-American consular convention now under discussion in Washington. That treaty, signed in June, 1964, but never ratified by the U.S. Senate, provides for official notification by either the Soviet Union or the United States within three days of the arrest or detention of one of its nationals.

It further specifies that official diplomatic representatives be given the right to visit and communicate with a detained citizen within four days of detention.

In short, the consular treaty that has stirred such controversy in Washington would provide for a far greater degree of protection for Americans traveling in the Soviet Union. The two countries have not had normal consular relations since 1948. Proper consular relations are becoming increasingly important as the number of Americans coming to this country continues to rise.

For example, it is estimated that some 18,000 U.S. tourists now visit the Soviet Union annually. Most of this travel, averaging between three and five days, comes between May and September, and the American tourist figure may go higher in 1967 as the Soviet Union celebrates the 50th anniversary of the 1917 Bolshevik revolution.

All of these American citizens could need U.S. consular assistance at one time or another. A final consular treaty between the Soviet Union and the United States would spell out the rights, duties and operation procedures of consuls, who look after nondisplomatic transactions of their citizens. It would extend not only general assistance and protection but would also cover such other areas as notary rights, birth and marriage certificates, wills and travel documents. Proper consular service could provide American nationals with translation help, advice about domestic laws and assistance in personal and professional dealings with the Soviet government.

What is perhaps more important is that a new consular treaty might produce a more business like approach to some lesser Soviet-American transactions.

But the heart of the matter is more extensive protection for Americans in the Soviet Union. Similar conditions would of course apply to a smaller number of Soviet citizens traveling to the United States.

Since the Barghoorn case—perhaps because the consular treaty has been hanging fire since 1964—the Soviet government generally has been better on the question, at least, of official notification in the event of detention or arrest of American citizens. It is not to suggest that the situation is now perfect.

Only last month, two Americans, Ray Buel Wortham, 25, and Craddock Gilmore, 24, were tried in Leningrad for seemingly minor currency violations and the theft of a bronze bear.

The American Embassy in Moscow was able to assist these two almost from the beginning. Gilmore was fined one thousand dollars and released. Wortham, who was sentenced to three years in a labor camp, is now out on bail while his case is appealed to the Supreme Court of the Russian Federation.

If Wortham is finally convicted, there is no assurance that U.S. diplomats will be allowed further contact with him. With a consular treaty in existence, Wortham would have the right of contact with U.S. officials on a "continuing basis."

The point about such a treaty is that it may, if only slightly, diminish the politics of the cold war and, at the same time, provide Americans with a wider legal backdrop for travel in the Soviet Union.

THE CONSULAR TREATY

Mr. SYMINGTON. Mr. President, after studying the matter of the proposed Consular Treaty with the Soviet Union, for many reasons I am convinced that its ratification is important to the security of the United States.

When people have written to me about this treaty, I have, of course, answered them, and ask unanimous consent that a copy of my letter of reply be included in the RECORD.

I also ask unanimous consent that an editorial, entitled "Consular Pact With Russia Can Help the United States," published in the Kansas City Times of January 28, be printed in the RECORD.

I also ask unanimous consent that an editorial on this subject, entitled "Rickety but Passable Bridges," and published yesterday in the Wall Street Journal, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C.

Re: The Consular Treaty

Acknowledging your letter in regard to the consular treaty with the Soviet Union now pending in the Senate Foreign Relations Committee, it appears that opposition to this proposal arises from a misunderstanding of its provisions and purposes and overlooks the advantages to the United States.

There are more than three times as many American visitors to the Soviet Union now than there were when this treaty was proposed under the Eisenhower Administration in 1959. The primary purpose, then as now, is to protect and assist Americans visiting the Soviet Union.

As you may know, an accused person in the Soviet Union is not permitted to consult with a lawyer or anyone during the period of investigation which can extend up to 90 days. Under this treaty, which would afford an American citizen arrested in the Soviet Union a higher degree of protection than that enjoyed by a Soviet citizen, in from one to three days United States officials must be notified of the arrest of an American and visits by American officials with the arrested American would be guaranteed.

The treaty does not itself provide for the opening of consular offices in each country. It simply provides a legal framework for their operation if they are opened. Under the proposed convention, the receiving country has the right to approve the number and the persons in the consular office. The consular officials and employees are granted immunity from the receiving country's criminal but not civil laws. It should be borne in mind that, after admission, a Soviet consular officer or employee is subject to being declared persona non grata and expelled from the United States.

Secretary of State Dean Dusk has stated that, should the treaty be ratified by both the United States and the Soviet Union, the United States would contemplate the opening of one consular office with 10 to 15 persons. If that occurred, similarly the Soviet Union could open one consulate here to which would be assigned 10 to 15 Soviet nationals.

It is my understanding that J. Edgar Hoover, for whom I have high respect, does not take a position on this treaty pro or con; and has given assurance that the FBI is fully capable of handling any additional work created by the small increase of potential espionage agents.

Of the 1,000 Soviet citizens residing in the United States today, 452 have diplomatic immunity. I believe the FBI can also be responsible for 10 or 15 more.

The rights in this proposed treaty are reciprocal; and it is interesting to note that last year, whereas 900 Soviet tourists and exchange visitors travelled in the United States, 18,000 of our citizens travelled in the Soviet Union.

It is indeed unfortunate that this proposed treaty comes before the American people at a time when the Soviet Union is supplying materials and weapons used in Vietnam against American military forces. But we do not see how the refusal of the United States to ratify this treaty could, in any way, affect Soviet activities in Vietnam. If its ratification would affect our military efforts out there, I do not believe it would have been brought to the Senate.

There are a great many areas of disagreement which exist in the world today; and I believe it important to increase areas of agreement which could serve the interests of the United States as well as other countries.

In our open society, Americans have a right to travel and they expect the protection of their government. I would hope that protection could be afforded on an orderly, legal basis, without every arrest in the Soviet Union requiring high level negotiations between officials in each government, thereby creating an incident which could be perilous in the shrunken but nuclear world in which we live today.

Sincerely,

Stuart Symington.

[From the Kansas City Times, Jan. 28, 1967]

Consular Pact With Russia Can Help the United States

Our faith in the spy-surveillance abilities of the Federal Bureau of Investigation apparently is greater than that of certain members of the United States Senate. Ratification of a U.S.-Soviet consular treaty that was signed in 1964—an important step toward better relations between the two nations—has once more run into Senate opposition. The reason: Concern that the pact would open the way to increased spying in the United States.

J. Edgar Hoover has again placed himself on record with a warning about spying. Most recently, the FBI director wrote Sen. Karl E. Mundt (R-S.D.), an opponent of the treaty, that he stood unequivocally by his statement of March, 1965, that the consular convention would make "more difficult" the work of the FBI in combating Soviet espionage. But he also said he had not intended to imply that the convention "would impose any additional burdens of responsibility upon the FBI that we are incapable of handling." Presumably, Hoover is saying that the FBI could handle the problem. In so far as we know, he has not made a policy recommendation for or against the treaty.

Critics of the pact have cited an unusual provision that would exempt consular officials from criminal prosecution under diplomatic immunity. They could, however, be expelled. The FBI has shown itself more than a match for clandestine operations. Then, too, the United States is not above cloak-and-dagger activities, which are standard procedure in the give-and-take of the cold war. And if there is to be a Russian consulate in Chicago, a similar U.S. establishment will function in Leningrad. The treaty is reciprocal.

But a mutual exchange of spy facilities is not the purpose of the pending agreement. Both governments presumably regard it as a step in the long-range goal of normal relations. Consular offices in the two countries would serve the convenience and protection of tourists. Dean Rusk, secretary of state, has noted that 60 Americans visit the Soviet Union for every Russian who comes here. Thus it appears that the United States has the most to gain.

In addition to making it safer for Americans to travel in Russia, the pact would reduce the difficulties of nonstrategic trade between the two countries. A great deal of paperwork is required for such transactions and present channels are inadequate.

Such commerce and increased contacts between the Russian and American peoples would continue the favorable trend that brought the test-ban and space treaties and direct air service between New York and Moscow. Every small step can contribute to the lessening of tensions. Surely the scarecrow of espionage is not a sufficient reason to abandon the consular pact.

[From the Wall Street Journal, Feb. 6, 1967]

Rickety but Passable Bridges

A good deal of confusion envelops the question of building "bridges to the East," as the current cliche has it. And it is a subject on which it is especially unwise to be dogmatic.

The bitter opponents of the immediately pertinent Congressional bills—to expand U.S.-Soviet consular representation and to ease East-West trade somewhat—naturally concede no uncertainty. Yet we think their underlying confusion consists in making too much of these particular steps and in failing to see the implications of a policy of complete rigidity toward the Eastern bloc.

President Johnson dealt rather persuasively with the opposition arguments to the consular treaty, it seems to us, at his press conference last week.

A principal reason the U.S. wants the agreement, he said, is to protect the 18,000 American citizens who travel to the Soviet Union each year. Moreover, if the opening of any new Soviet consulates in this country should afford fresh opportunities for Russian espionage, the FBI can handle the problem effectively and efficiently.

As for easier East-West trade, Senate Majority Leader Mansfield observed the other day that it is a delusion to believe tight trade restrictions significantly affect Communist policies. What they don't get from us (and no one is talking about doing away with the curbs on strategic materials) they will get from others.

But let us move beyond these specifics, which are not too important in themselves, to the whole larger question of easier relations with the Soviet Union and Eastern Europe.

Only a fool would deny the dangers in detente. The U.S. could be gulled again by the Kremlin, as it was during World War II, trapped into dangerous concessions. Whatever is done now in the way of relaxation must be done with a long memory and a healthy skepticism about Communist intentions.

At the same time a new mood has been gradually developing in Western Europe, and sometimes it seems in the East as well. It is a feeling that the cold war is a dead end from which no good can come and from which a lot of harm could. In part, perhaps, it reflects boredom with the cold war and a desire for more of the material rewards of peace; in part it doubtless is wishful thinking. All the same, it is there.

President de Gaulle gave the move toward relaxation its biggest initial impetus, but now the West Germans, in a sharp turn from previous post-war policy, are joining the French. Chancellor Kiesinger, who has just opened diplomatic relations with Rumania, says he thinks better relations can accomplish a lot that was never possible in a cold-war atmosphere, including the solution of the German problem.

Why should the Soviets, after 22 years of divided Germany, want to solve that problem? Maybe they don't and won't. All that is certain is that change is in the air. One plausible possibility is that fear of Red China might cause the Kremlin to want a new stability on its European flank.

In any case, the mere fact that our French and German allies are turning East is no reason, by itself, for the U.S. to follow suit. We question that Washington is in fact looking at it that way; rather, it seems that the policy makers believe the Franco-German approach is sensible, or at least half-way hopeful. Here is how President Johnson has put it:

"Our relations with the Soviet Union and Eastern Europe are . . . in transition. We have avoided both the acts and the rhetoric of the cold war. When we have differed with the Soviet Union, or other nations for that matter, I tried to differ quietly and with courtesy and without venom. Our objective is not to continue the cold war, but to end it."

Again, why? Overridingly, we would say, because in the nuclear age the nation does have a duty to try to secure the foundations of peace with other powers, where that can be done safely in terms of American security. The cold war, after all, wasn't this country's idea; it was the Soviet Union that made a genuinely peaceful coexistence impossible. If the Soviets, for their own reasons, now are willing—or will be after Vietnam—to undertake more normal relations, so should we be.

Always, of course, with a sharp eye to that long history of Communist treachery, which is what makes it so hard to be categorical about these matters. On balance, though, and in light of the emerging changes in these two decades, we think the Administration is on the right track.

The bridges are not sturdy, and we doubt they ever will lead to a real harmony of view. But they can carry the freight of American initiatives for peace—if the drivers are but careful.

DALLAS TIMES-HERALD ENDORSES SOUTHWESTERN HUMAN DEVELOPMENT ACT AND BILINGUAL AMERICAN EDUCATION ACT

Mr. YARBOROUGH. Mr. President, S. 428 and S. 429, two bills to further the achievement of equality of opportunity by Spanish-speaking persons through education, training, health, citizenship, and other self-help programs, have elicited a spontaneous outpouring of support from individuals of many diverse views. No matter what one's politics, one must agree that the time has come when we can and when we must take affirmative action to enable the Mexican-Americans of the Southwest to move themselves to a position of equality of opportunity.

As the Dallas-Times Herald so rightly points out:

> Texas and the Southwest owes much to its heritage from its Mexican-American people and has lagged sadly in paying their debt to these people through aiding them to achieve their rightful place in our society.

I ask unanimous consent that the Dallas Times-Herald editorial entitled "Overdue Help," published on February 1, 1967, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Overdue Help

In the hue and cry over aid to minority groups, we seem prone to emphasize the needs of the large minority groups and forget about those of the smaller groups. It is, therefore, with satisfaction that we note an effort by Sen. Ralph Yarborough to aid a minority which is one of the most important and deserving in Texas and the Southwest—the Latin-Americans.

Sen. Yarborough proposes spending some $147 million to help Spanish-speaking Americans acquire equal economic opportunity. The Texas senator has asked the Senate to pass a Southwestern Human Development Act which he said would "begin to make the myth of equality of opportunity a reality for Mexican-Americans of the Southwest," and a four-year bilingual American Education Act to help Spanish-speaking people on linguistic-cultural problems.

Texas and the Southwest owes much to its heritage from its Mexican-American people and has lagged sadly in paying their debt to these people through aiding them to achieve their rightful place in our society.

THE GREAT ICE BEAR

Mr. BARTLETT. Mr. President, the November–December issue of Audubon magazine contains a colorful and interesting article on the polar bear. This article, "Plight of the Ice Bear," was written by my good friend and longtime Alaskan, Frank Dufresne, shortly before his death. Frank was 70 when he died last year. He first came to Alaska on the *Nome* steamer in 1920, and for the next 46 years he worked in behalf of the wellbeing and the preservation of Alaska wildlife. He is missed by Alaskans and conservationists everywhere.

It is fitting that Frank's last article should be about the great polar bear. This fine white animal is one of the great treasures of the Arctic and of Alaska. It is truly an animal without a country, an international creature wandering across the Arctic paying no heed to international boundaries or territorial limits.

The importance of this resource has been recognized by all the circum-polar nations. At a conference held, in part, at my suggestion in Fairbanks in September of 1965, representatives of these nations agreed that they have "a responsibility for the preservation of these bears." They agreed "that existing scientific knowledge of the polar bear is far from being sufficient as a foundation for sound management policies."

The participants at the conference agreed to pool whatever knowledge they have and new knowledge they obtain on the bear with the International Union for the Conservation of Nature and Natural Resources. They also agreed that future conferences on the bear would be desirable.

I have suggested and I am hopeful that it will be found possible to hold just such another meeting in the fall of 1967. Two years after the original conference, much has happened in the field of bear research. New and valuable information has been obtained and a good deal of interest has been stirred in scientific as well as popular circles. I believe this interest can be maintained and that a new conference will be helpful in sustaining it.

Because of this widespread interest in the polar bear and its habits, I ask unanimous consent that Frank Dufresne's excellent article may be made part of the RECORD at this point together with a letter from me which was printed in conjunction with the Dufresne article. I sincerely regret that the RECORD cannot print the photographs which illustrated the Dufresne article. They are splendid and beautiful; they were taken by Photographer Frederick C. Baldwin off Norway's Vestspitsbergen.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PLIGHT OF THE ICE BEAR

(By Frank Dufresne)

While driving my dog team along the Arctic coast of Alaska on a moon-bright December day some years ago, I suddenly came across the tracks of a polar bear. The enormous pad prints led from the frozen surface of the sea across a wind-swept beach to a huge pressure ridge, and there disappeared in a jumble of up-ended ice slabs and drifted snow. I knew immediately that I had chanced upon the winter den of a female white bear, and that at that very moment she must be only a few feet from my sniffing Malemutes.

Quickly I loosened my rifle from the sled lashings, in case of sudden encounter, but there was no need. Lady Nanook had affairs of her own to tend to, there in her icy cocoon. She was awaiting the birth of tiny, naked, blind infants who would come into the world with instinct only to nuzzle into the thick, warm fur of the mother and nurse for many weeks through the dark of the winter. Not until the coming of April with its ruby sunlight would the cubs, then grown to spaniel size, follow their parent as she broke through the snowy wall of her cell to strike out across the vast, white world of the polar bear.

Then would begin a nomadic existence on fields of drifting ice aggregating half the size of all North America, a frappé waste extending from the beaches of Arctic Alaska, Canada and Greenland clear across the North Pole to Siberia and to Spitsbergen, Norway's northern archipelago. In a white wilderness not nearly as barren of life as it might first appear, the polar bear family would make the fat hair seals its favorite food.

There would be enormous patches of rich plankton in these icy waters, supporting endless schools of shrimp, small fish and whales. There would be clam beds on the bottom to feed great pods of walrus. Eider ducks and many other hardy birds would arrive in multitudes during the summers. Arctic foxes, airy as powder puffs, would dog the polar bears constantly, as jackals follow a lion, for their leavings.

Lady Nanook would devote a full year of her life to rearing her cubs. Guided by one of the keenest senses of smell possessed by any living creature, she would shuffle across the floating ice pans in search of food, queen of the Arctic!

Then in the second year of their lives, when each cub had grown to a weight of about 300 pounds—teenage twins by human standards—Lady Nanook would send them away to make a life of their own while she prepared for her next family. Though nary a suitor might be in sight, the aroma of her estrus period, which occurs only once in two years, would draw the burly males from extraordinarily long distances, far beyond the range of eyesight. Soon the white queen would be surrounded by persistent swains, and at the right moment she would indulge in somewhat promiscuous interludes involving several boars.

With the approach of another winter and the need to find shelter from the boreal blizzards, the female snow bear would once more seek another pressure ridge or huge snow drift to bring forth her cubs. But whether her hideaway would be near her previous den or many miles away, no one can be sure. And because of this gap in our knowledge of the ice bear's life history, global regulations may be needed to save the polar bear from being exterminated within the century.

Arctic explorers and Eskimo hunters have observed many time that most polar bears encountered along the shorelines are females. Those remaining far out on the ice fields, even at the North Pole itself, are likely to be males. When these animals are out among the floes they are bound to be traveling constantly as the floating ice cakes ferry them hundreds, if not thousands, of miles in their 30-year life span.

Far from being the stationary, ice-locked mass of popular belief, the gelid Arctic seas surge with action. At the North Pole the floes grind ceaselessly under the force of winds and tides, heaving enormous slabs as high as the top of a village church, rumbling and tumbling in titanic chaos. Aviators flying over the polar regions have reported the entire white surface of the ocean, veined with green channels, in constant turmoil.

In 1937 the Russians established an experimental base on this pack ice, near the pole, and drifted southward more than a thousand miles before having to abandon their station when it rounded the top of Greenland and threatened to break apart in the warming North Atlantic waters known to sailors as "iceberg alley."

A few years later the U.S. Air Force built an airfield, complete with barracks, of crushed and compacted ice which they called "ice-crete," on a great slab of shelf ice broken off from Ellesmere Land abutting west Greenland. It had already drifted several hundred miles before the Air Force boarded it an hour's flying time off Point Barrow. Since it was moving in a clockwise direction, it would, in several years, float up the international date line between Alaska and Siberia to the pole, thence east and south to Ellesmere Land again. Like the Russians' wandering outpost, our floating T-3 was visited regularly by polar bears.

Once I stood on the anchored shore ice of the Bering Strait and saw in the distance a cluster of dark specks on the moving ice fields. The specks drew steadily closer, and soon a herd of sleeping walrus swept past my lookout and faded away on the white horizon, migrating northward the easy way by drifting with the current.

While there is considerable proof that some polar bears tend to become locally abundant and more or less colonized in certain areas where their food is plentiful—such as the Canadian Archipelago and Hudson Bay, Soviet-owned Wrangell Island across the polar cap, Novaya Zemlya, Franz Josef Land, and off the northern tip of Spitsbergen—there is also substantial evidence that they will drift and roam for interminable distances.

It is these populations of polar bears, the beasts without a country, which are now causing alarm among conservationists in all parts of the world. Much of the concern is focused on Alaska, where "sportsmen" are not only allowed but encouraged by law to fly out over the ice fields in small, ski-equipped airplanes, land alongside helpless polar bears and gun them down. The highly respected Boone and Crockett Club, which has long served as registrar of American big game trophies, has condemned this practice as "unfair chase," and has gone so far as to withdraw its listing of polar bears until the Alaska Department of Fish and Game sees fit to correct the abuse.

A sportsman's association in Fairbanks has done the same. This travesty on sport has been deplored by many outdoor writers across the nation. One of them wrote: "Anyone who displays a polar bear rug will be suspected of taking unfair advantage."

The deep feelings of Alaska's Senator E. L. Bartlett about what is happening to the polar bear in his state are such that he instigated a world conference in his home town of Fairbanks, attended by representatives of nations bordering the Arctic ice mass. Russia, which controls more land on the polar perimeter than all other countries combined, frankly admitted that its white bears had decreased throughout their vast range. It recommended special agreements between the Soviet Union, United States, Canada, Denmark and Norway for conserving dwindling populations. Russia even went so far as to urge a five-year moratorium on the harvesting of polar bears, and subsequently a limit on the take.

Other attending nations followed with their own reports. Canada said that only northern natives may legally hunt polar bears, and that scientific permits for others to take the white giants are issued only with great care. It said the Canadian kill has approached 600 in a single year, and that the sale of polar bear pelts greatly augments the living of the Eskimos. It explained that decreases in regional stocks may be influenced by encroaching warm ocean currents which destroy some of the white bear's habitat.

Canada's neighbor, Greenland, reported that occurrence of snow bears there is closely related to the shifting mass of Baffin Bay ice. Greenland confessed that over the years the annual kill has dropped from about 200 to 100. Greenland, among its restrictions, permits only residents to hunt polar bears. The bears may not be fired upon from ships. Hunting from aircraft is prohibited.

Norway's wildlife managers said their country averages a take of 324 polar bears a year—mostly at the northern tip of Spitsbergen—by wintering hunters, weather station crews and sealing ships. Where extensive denning of females occurs on Kong Karls Land on Murmansk Rise, between Spitsbergen proper and Franz Josef Land, polar bears are completely protected.

Alaska reported that polar bears no longer are found on St. Matthew Island in the Bering Sea as they were back in the 1880's, and that the animals appear to be shifting their range deeper into the Arctic. But it called the proposal of the Soviet Union for a five-year moratorium on polar bear killing unnecessary at this time. Then the Alaska Department of Fish and Game made this significant statement:

The main economic value of the polar bear has changed during the past 15 years from a subsistence item for Eskimos to sport and trophies for outside hunters. The 1965 harvest of 292 polar bears contributed approximately $450,000 to the economy of Alaska. The hunting methods legalized by the Alaska Department of Fish and Game included small aircraft working, in pairs, flying out from shore bases, locating a polar bear and landing alongside it on the ice, frequently 100 miles or more from the Alaska mainland on what must be classed as international waters.

In what it termed a "statement of accord," the Fairbanks conference agreed that (1) polar bears should be considered an international circumpolar resource and the responsibility of all countries bordering on the Arctic Ocean, and (2) all cubs, and females accompanied by cubs, require protection throughout the year. The delegates agreed they should study polar bear conditions carefully in their respective countries, and that they should meet again for the purpose of drawing up some kind of treaty binding on them all.

The polar bear is not an ancient breed. All of its fossils have been of fairly recent origin, and its tenure on earth may not be very long unless the Fairbanks conference is implemented by corrective legislation. *Thalarctos maritimus* is believed to have evolved from the common European brown bear (*Ursus arctos*) sometime during the Ice Age, when glaciation reached into Eurasia and the northern United States. In adapting itself to life on the frozen seas, the bear became decolored to match its new environment. Its fur thickened and waterproofed itself; its nails became shorter and sharper for gripping slick ice; it developed a shuffling gait quite unlike that of its dark forebears; and it learned to swim, eat and even sleep on the icy waters, sometimes beyond sight of the nearest ice.

There is but one recognized species, and its blood ties with brown and grizzly bears are still so close that it will interbreed in captivity and produce fertile young. In size it ranks among the very largest of all four-footed predators attaining weights in excess of 1,200—possibly even 1,500—pounds to match the bulk of our heaviest Kodiak and Alaska Peninsula brownies and a huge species found on Kamchatka Peninsula across the Bering Sea.

Aside from the apparent widespread decrease of the white bears themselves, there is another adverse factor to their continued existence—the melting of Arctic ice in a gradually warming trend that is spreading open water all through the various seas and bays of the Arctic. Some scientists already predict that if the present trend of rising temperatures continues we shall have within this century an ice-free Arctic Ocean in the summer.

Staple food fish of many varieties will follow the milder water to new bottoms. Fishing nations like Japan, Great Britain and many others with no land possessions in the Arctic will be moving in with seines and dragnets, perhaps even plying back and forth across the North Pole itself. In the long-range view this can only mean that the polar bear will be harder pressed than ever to find a man-free habitat in the ice-locked seclusion it must have.

The plight of the ice bear is already upon it; the danger point has been reached. Big city furriers, seeking to turn a quick profit by the publicity calling for *better protection of the great white bear,* are displaying hides and mounted specimens in their store windows to push sales and, of course, create demand for more killing.

Recently a promoter from Sweden who claims to have a special "in" with the Soviet Union has been visiting America's leading sporting goods stores to drum up wholesale polar bear package hunts behind the Iron Curtain. Alaskan flying guides are advertising quickie bear hunts beyond local jurisdiction on international ice fields.

Today there are probably no more than 10,000 white bears on the northern polar cap—possibly less—roaming across 5,000,000 square miles of "no law" region, subject to indiscriminate killing. The public has been aroused. It is calling on the responsible nations to call a halt, to think less of exacting a profit from a disappearing species and more about perpetuating a unique form of life in which all the world shares an interest.

(Note.—*"Plight of the Ice Bear" is one of the last stories written by Frank Dufresne, who knew our North American bears more intimately than perhaps any other outdoor-nature writer. The bears had no finer champion.*

(Frank Dufresne was a young newspaperman when he boarded an aging steamer bound for Nome, Alaska, in 1920. It was to be a visit, no more, but there he stayed for 24 years, first as field man for the old U.S. Bureau of Biological Survey, then as director of the Alaska Game Commission. He helped write the original territorial game laws.

(After a seven-year stint in Washington, beginning in 1944, as chief of information for the new U.S. Fish and Wildlife Service, he "retired" to become West Coast associate editor for Field & Stream. His byline has appeared on hundreds of stories in such magazines as Reader's Digest, The Saturday Evening Post, Holiday and This Week.

(Paradise, Calif., was the Dufresne home, and there he and his wife, Klondy, nightly entertained—on the edge of a canyon—a host of free-loading raccoons, gray foxes, and a rare cacomistle.

(Frank Dufresne's recent "No Room for Bears" prompted an Audubon assignment to tell readers of the grave threat to the polar bear. A widely acclaimed plea for preservation of these great carnivores, this book has been a conservation best seller; 100,000 copies have been sold.

(Less than two months after mailing this article, Frank Dufresne died unexpectedly, at 70. A memorable autobiography of those 24 years in Alaska, "My Way Was North," has just been published by Holt, Rinehart and Winston.)

U.S. Senate,
Washington, D.C.

Polar bears are stateless animals. They live on the Arctic icepack beyond the territorial limits of any nation, only occasionally and only in a few places ever coming ashore. Their welfare, their protection are the responsibility not just of America or of Russia, but of all the Arctic nations.

These nations acknowledged this responsibility when, at the First International Scientific Meeting on the Polar Bear in Fairbanks, Alaska, in September of last year, they agreed that each country should conduct "a research program on the polar bear" and "give consideration to the prompt exchange of research and management information."

This information is badly needed. No one knows much about the great white bear. No one knows whether its population is stable or declining, whether its existence is endangered or not. It will take the efforts and the cooperation of all the Arctic nations to find out.

My own State of Alaska has been a leader in the scientific study of the polar bear. The Alaska Department of Fish and Game records the size of skull and hide, the sex, the date and location of all bears harvested; laboratory work is being done on bear teeth and reproductive tracts; and all Alaskans have been asked to report to the department the numbers, locations and population component of all bears seen. In recent years, a bag limit has been set for hunting the polar bear. When Alaska became a state, it imposed a closed season on bear hunting and last year it shortened the hunting season. The state believes that "harvests must be regulated in accordance with bear productivity" and its regulations and research are directed to this end.

It is hoped that federal and private research can now be stepped up, not only in the United States but in Canada, Norway, Denmark and the U.S.S.R. as well. With national effort and international cooperation, there is every reason to believe the survival of the polar bear can be assured.

There is, after all, room enough in the Arctic for both man and polar bear.

E. L. Bartlett,
Senator From Alaska.

IMPLICATIONS OF RECENT ELECTIONS IN JAPAN

Mr. McGEE. Mr. President, the implications of the recent elections in Japan are the subject of a meaningful column by Joseph Alsop published in the Washington Post yesterday. The point which Mr. Alsop makes is that if Premier Sato's government had been defeated, it would have been front page news heralding a slap at the American policy in Vietnam. Inasmuch as he won by a healthy margin, however, there was no similar disposition to herald it in the counter-terms of support or an endorsement of the American position in Vietnam.

Instead, as he points out, it was generally relegated to the inside pages of most papers. What this constitutes, in the judgment of Joseph Alsop, is a double standard. If something is critical of American policy, it is front page news. If, on the other hand, it is a development that reflects support, it disappears in the limbo of the inner pages.

Mr. President, I ask unanimous consent that Mr. Alsop's column be printed in the Record.

There being no objection, the article was printed in the Record, as follows:

[From the Washington Post, Feb. 6, 1967]

(By Joseph Alsop)

General, Meet Sato-San

If the outcome of the Japanese election had been just a bit different—if the ruling Liberal Democrats had lost no more than 10 or 15 seats—we should now be hearing great outcry in this country.

Premier Eisako Sato boldly and squarely chose the American alliance as the central issue for the voters to decide on. Arthur Schlesinger Jr. and many others have told us that Vietnam has alienated from the U.S. every "independent Asian nation." A small setback for Sato would have been on many a front page, as final proof of the Schlesinger thesis.

Instead, Premier Sato won a resounding victory, electing no less than 277 members of his Party to the lower house. As one great newspaper's correspondent reported—on Page six!—this was a "solid gain for the pro-American element."

It is important to note these facts, because it is important to understand the power of the double standard that now prevails in some quarters, making Page six the right place for a "solid" U.S. gain, and the front page the right place for the most moderate American setback. But these facts are also important because of the great importance of Japan, whose people have once again shown a strong attachment, not only to the American alliance, but also to constitutional and democratic processes.

Sometimes one wonders at the way the vastest changes in the shape of the world we live in, such as the forward movement of Japan, go all but unnoticed by wise persons. Thus we are told we are an Atlantic power, and the Vietnamese war is a mistake because our business is in Europe. As it happens, however, we are just as much a Pacific power as an Atlantic power. East Asia, too, "is where the action is nowadays," as a banker-friend of this reporter's crisply remarked. And the progess of Japan is the best proof, both that this banker is right, and that our role as a Pacific power is something we should not take lightly.

Briefly, as previously reported in this space, Japan has already passed West Germany, to become the world's third steel-producing power, next to this country and the U.S.S.R., as well as the world's leading steel exporter. This has been achieved, mind you, without any appreciable domestic supplies of coal or iron! And this is by no means the end of the story.

According to the economists of the World Bank, Japan is also due to pass all the European nations in general industrial output, becoming the world's third industrial producer within two to three years. And more astonishing still, the same economists predict that it should take only about a decade for the 100,000,000 people of the Japanese islands to attain a per capita income equal to the present per capita income in Britain.

When and if that happens, please note, Japan will possess a potential power and general weight in the world very nearly equal to the weight and power-potential of any two of the old Western European nations that were the unique industrial "great powers" only half a century ago. Indeed, Japan may then be nudging the U.S.S.R. for second place in the industrial-power lineup.

Please note, too, that this Japanese development is only an advanced example of a process now going on in every East Asian society, except for China, whose people will surely take the same road as soon as they can throw off the shackles of paranoia. In the circumstances, it seems odd to be overly preoccupied, for instance, with the views and postures of General de Gaulle.

The leader of France is an obviously great man, with an unusual knack for throwing his weight about to maximum effect. But his real weight is already a trifle less than Premier Sato's who does not throw his weight about. In a decade, moreover, the weight of de Gaulle or his successor is due to be hardly more than half the weight of Sato or his successor. One is inclined to say, "while on this subject of grandeur, General, let me introduce Sato-San!"

More seriously, this country has a particularly hard row to hoe, for the United States must somehow manage to perform adequately, both as an Atlantic power and as a Pacific power. The reason for the Vietnamese war is precisely the same as the reason for the Korean war—the need to discharge our responsibilities and to protect our position as a Pacific power.

The Japanese development and the Japanese election both mean, one hopes, that Japan and later other nations will actually shoulder more of the burden, not in Vietnam, but in the Pacific in the future. President Johnson has the sense and foresight to be inviting Japan to do precisely that, in a quiet way and at the present moment.

FEDERAL MONEY FOR EDUCATION, FISCAL YEAR 1967

Mr. MORSE. Mr. President, in order that senatorial offices may have available for ready reference the programs administered by the U.S. Office of Education, I ask unanimous consent that a table prepared by that agency showing the funding of programs in fiscal year 1967 be printed at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Federal money for education: Programs administered by the U.S. Office of Education, fiscal year 1967

GROUP I: FOR CONSTRUCTION

Type of assistance	Authorization	Purpose	Appropriation	Who may apply	Where to apply
1. Public schools	School aid to federally impacted and major disaster areas (Public Law 815).	Aid school districts in providing minimum school facilities in federally impacted and disaster areas.	$22,937,000	Local school districts	OE's Division of School Assistance in Federally Affected Areas.
2. Educational television	Public Law 87–447, amending Communications Act of 1934.	Aid in the acquisition and installation of transmitting and production equipment for ETV broadcasting.	3,000,000	Nonprofit agencies, public colleges, State television agencies, education agencies.	Assistant to the Assistant Secretary (Educational Television), Dept. of HEW, Washington, D.C.
3. Community colleges, technical institutes.	Higher Education Facilities Act, title I.	Construct or improve academic facilities	99,660,000	Public community colleges and technical institutes.	State commissions.
4. Other undergraduate facilities.	do	Construct or improve undergraduate academic facilities.	353,340,000	Colleges and universities	State commissions.
5. Graduate facilities	Higher Education Facilities Act, title II.	Construct or improve graduate academic facilities.	60,000,000	Public and private academic institutions, grad. center boards.	OE's Graduate Facilities Branch, Division of Graduate Programs.
6. Undergraduate and graduate facilities.	Higher Education Facilities Act, title III.	Loans to construct or improve higher education facilities.	200,000,000	Public and private nonprofit institutions, cooperative centers, boards of higher education.	OE's Division of College Facilities.
7. Vocational facilities	Appalachian Regional Development Act of 1965.	Construct vocational education facilities in the Appalachian region.	8,000,000	State education agencies in Appalachian region.	OE's Division of Vocational and Technical Education.
8. Area vocational schools	Vocational Education Act of 1963.	Construct or improve area vocational education school facilities.	(1)	Public secondary and postsecondary schools providing education in 5 or more fields.	State boards of vocational education (information from OE's Division of Vocational-Technical Education).
9. Public libraries	Library Services and Construction Act, title II.	Aid construction of public libraries.	40,000,000	State library administrative agencies.	OE's Division of Library Services and Educational Facilities.
10. Educational laboratories	Cooperative Research Act (amended by ESEA, title IV).	Construct and equip national and regional research facilities.	12,400,000	Colleges, school systems, State education departments, industry.	OE's Division of Laboratories and Research Development.
GROUP II: FOR PROGRAMS, INSTRUCTION, AND ADMINISTRATION					
1. School maintenance and operation.	School aid to federally impacted and major disaster areas (Public Law 874).	Aid school districts on which Federal activities or major disasters have placed a financial burden.	$416,200,000	Local school districts	OE's Division of School Assistance in Federally Affected Areas.
2. Strengthening instruction in critical subjects in public schools.	National Defense Education Act, title III.	Strengthen instruction in science, mathematics, modern foreign languages, and other critical subjects.	79,200,000	do	State education agency.
3. Strengthening instruction in nonpublic schools.	do	Loans to private schools to improve instruction in critical subjects.	1,500,000	Nonprofit private elementary and secondary schools.	OE's Division of Plans and Supplementary Centers.

See footnotes at end of table.

Federal money for education: Programs administered by the U.S. Office of Education, fiscal year 1967—Continued

GROUP II: FOR PROGRAMS, INSTRUCTION, AND ADMINISTRATION

Type of assistance	Authorization	Purpose	Appropriation	Who may apply	Where to apply
4. Strengthening instruction in arts and humanities in public schools.	National Foundation on the Arts and Humanities Act of 1965.	Improve instructional capabilities of public schools in humanities-arts fields.	$440,000	Public schools	State education agency.
5. Strengthening instruction in arts and humanities in nonpublic schools.	do	Loans to private schools to improve humanities-arts instruction.	60,000	Private nonprofit schools	OE's Division of Plans and Supplementary Centers.
6. Cuban refugee program	Migration and Refugee Assistance Act.	Assist in providing education for Cuban refugee children.	8,167,000	Board of Public Instruction, Dade County, Fla.	OE's Division of School Assistance in Federally Affected Areas.
7. Programs for the disadvantaged.	Elementary and Secondary Education Act, title I.	Support educational programs in areas having high concentrations of low-income families.	1,053,410,000	State education agencies	OE's Division of Compensatory Education.
8. School library resources and instructional materials.	Elementary and Secondary Education Act, title II.	Support provision of school library resources, textbooks, and other instructional materials.	102,000,000	Local education agencies	OE's Division of Plans and Supplementary Centers.
9. Supplementary centers	Elementary and Secondary Education Act, title III.	Support supplementary educational centers and services.	135,000,000	do	Do.
10. Vocational programs	Smith-Hughes, George Barden, Vocational Education Acts.	Maintain, extend, and improve vocational education programs; develop programs in new occupations.	255,377,455	Public schools	State boards of vocational education (information from OE's Division of Vocational Technical Education).
11. Captioned film loan program.	Captioned films for the deaf	Provide cultural and educational services to the deaf through films.	2,350,000	Groups of deaf persons; nondeaf groups for training.	OE's Division of Research Training and Dissemination.
12. Desegregation assistance.	Civil Rights Act of 1964	Aid school boards in hiring advisers and training employees on problems incident to school desegregation.	3,350,000	School boards and other agencies responsible for public school operation.	OE's Office of Equal Educational Opportunities.
13. Guidance, counseling, and testing in public schools.	National Defense Education Act, title V-A.	Assist in establishing and maintaining guidance, counseling, and testing programs.	24,500,000	Public elementary and secondary schools, junior colleges, technical institutes.	State education agencies.
14. Testing in nonpublic schools.	do	Provide for aptitude-achievement testing of private school students.	(2)	Testing agencies	State education agency or OE's Division of Plans and Supplementary Centers.
15. Services of foreign curriculum specialists.	Mutual Educational and Cultural Exchange Act.	Provide foreign curriculum specialists to U.S. schools to strengthen language-area studies programs.	(3)	Local school agencies, State education agencies, colleges and universities.	OE's Division of Foreign Studies.
16. Pilot youth programs in science.	Science clubs (Public Law 85-875).	Encourage young people interested in science.	50,000	Colleges and universities, State education agencies.	OE's Division of Plans and Supplementary Centers.
17. Teacher institutes	National Defense Education Act, title XI.	Improve qualifications of elementary and secondary teachers and related specialists.	30,000,000	Colleges and universities	OE's Division of Educational Personnel Training.
18. Do	Civil Rights Act of 1964	Improve ability of school personnel to deal with problems incident to school desegregation.	3,185,000	do	OE's Office of Equal Educational Opportunities.
19. Teacher training (handicapped).	Mental Retardation Facilities Act, and others.	Prepare teachers and others who work in education of handicapped.	24,500,000	State education agencies, colleges and universities.	OE's Bureau of Elementary and Secondary Education.
20. Counselor institutes	National Defense Education Act, title V-B.	Improve qualifications of guidance workers in schools and colleges.	7,250,000	Public and private nonprofit colleges and universities.	OE's Division of Educational Personnel Training.
21. Teacher training (vocational).	Smith-Hughes, George Barden, Vocational Education Acts.	Improve qualifications of teachers, supervisors, and directors of vocational education programs.	(1)	Local school districts	State boards of vocational education (information from OE's Division of Vocational-Technical Education).
22. National Teacher Corps.	Higher Education Act of 1965, title V-B.	Strengthen educational opportunities of children in low-income areas.	7,500,000	Local education agencies, colleges and universities.	OE's National Teacher Corps.
23. Experienced teacher fellowships.	Higher Education Act of 1965, title V-C.	Improve the quality of education of elementary and secondary teachers and related personnel.	12,500,000	Institutions of higher education offering graduate programs.	OE's Division of Educational Personnel Training.
24. Prospective teacher fellowships.	do	Improve the quality of education of persons planning careers in elementary and secondary education.	12,500,000	Institutions of higher education offering graduate programs.	OE's Division of Graduate Programs.
25. Institutional assistance grants.	do	Develop and strengthen teacher training programs (elementary-secondary).	5,000,000	Institutions participating in fellowship programs 11-23, 11-24.	Do.
26. Librarian training	Higher Education Act of 1965, title II.	Increase opportunities for training in librarianship.	3,750,000	Colleges and universities	OE's Division of Library Services and Educational Facilities.
27. State administration of HEFA program.	Higher Education Facilities Act of 1963.	Help States administer program under HEFA, title I.	7,000,000	State commissions that administer program.	OE's Division of College Facilities.
28. Endowment of colleges of agriculture and mechanic arts.	Morrill Acts, amended	Support instruction in agriculture and mechanic arts in the land-grant colleges.	14,500,000	The 68 land-grant colleges	Do.
29. Language and area centers.	National Defense Education Act, title VI.	Improve quality of instruction in uncommon-languages-area subjects.	12,700,000	Colleges and universities	OE's Division of Foreign Studies.
30. Acquisition of educational media.	Higher Education Act of 1965, title VI-A.	Improve instruction in selected subject areas.	14,500,000	do	State commissions.
31. Workshops, institutes in educational media.	Higher Education Act of 1965, title VI-B.	Improve capabilities of persons using educational media for undergraduate instruction.	2,500,000	do	OE's Division of College Facilities.
32. Strengthening community service programs.	Higher Education Act of 1965, title I.	Strengthen higher education capabilities in helping communities solve their problems.	10,000,000	Colleges and universities	State agency or institution designated to administer State plan.

See footnotes at end of table.

Federal money for education: Programs administered by the U.S. Office of Education, fiscal year 1967—Continued

GROUP II: FOR PROGRAMS, INSTRUCTION, AND ADMINISTRATION

Type of assistance	Authorization	Purpose	Appropriation	Who may apply	Where to apply
33. Strengthening developing institutions.	Higher Education Act of 1965, title III.	Provide partial support for cooperative arrangements between developing and established institutions.	$28,560,000	Accredited colleges and universities in existence at least 5 years.	OE's Division of College Support.
34. National teaching fellowships.	Higher Education Act of 1965, title IV.	Augment the teaching resources of developing institutions.	1,440,000	Developing institutions nominating prospective fellows from established institutions.	Do.
35. College library resources	Higher Education Act of 1965, title II.	Strengthen library resources of colleges and universities.	25,000,000	Institutions of higher education and combinations thereof.	OE's Division of Library Resources and Educational Facilities.
36. Student loans—matching funds.	National Defense Education Act, title II.	Provide for loans to colleges and universities that cannot meet program's matching obligations.	2,000,000	Accredited nonprofit institutions (including business schools and technical institutes).	OE's Division of Student Financial Aid.
37. Cuban student loans	Migration and Refugee Assistance Act.	Provide a loan fund to aid Cuban refugee students.	3,600,000	Colleges and universities	Do.
38. College work-study	Higher Education Act of 1965, title IV-C.	Provide part-time employment for college students.	134,100,000	do	Do.
39. Reserve contributions to guarantee agencies.	Higher Education Act of 1965, title IV-B.	Help provide adequate loan insurance reserves to guarantee loans.	43,000,000	State or nonprofit private guarantee agencies.	Do.
40. Talent search	Higher Education Act of 1965, title IV-A.	Assist in identifying and encouraging promising high school graduates.	2,500,000	State, local education agencies, public or nonprofit organizations.	Do.
41. Educational opportunity grants.	do	Assist qualified high school graduates to go to college.	112,000,000	Colleges and universities	Do.
42. Cuban refugee professional training.	Migration and Refugee Assistance Act.	Provide refresher training programs for professional personnel.	500,000	do	OE's Division of Educational Personnel Training.
43. Foreign study	Mutual Education and Cultural Exchange Act.	Assist U.S. institutions in promoting language and area studies abroad.	500,000	do	OE's Division of Foreign Studies.
44. State statistical services	National Defense Education Act, title X.	Improve statistical services of State education agencies.	2,250,000	State education agencies	OE's Division of Data Sources and Standards.
45. Strengthening State education agencies.	Elementary and Secondary Education Act, title V.	Improve leadership resources of State education agencies.	22,000,000	State education agencies and combinations thereof.	OE's Division of State Agency Cooperation.
46. Supervision and instruction.	National Defense Education Act, title III.	Strengthen supervision and administration in State education agencies.	7,500,000	State education agencies	OE's Division of Plans and Supplementary Centers.
47. Public library services	Library Services and Construction Act, title I.	Extend and improve public library services.	35,000,000	State library administrative agencies.	OE's Division of Library Services and Educational Facilities.
48. Interlibrary cooperation	Library Services and Construction Act, title III.	Planning for establishemnt of cooperative networks of libraries.	375,000	do	Do.
49. State institutional library services.	Library Services Construction Act, title IV-A.	Planning for improved institutional library services.	365,000	do	Do.
50. Library services to physically handicapped.	Library Services and Construction Act, title IV-B.	Planning for improved library services to physically handicapped.	250,000	do	Do.
51. Civil defense adult education.	Federal Civil Defense Act of 1950.	Provide information on civil defense procedures to the public.	4,055,000	Chief State school officers or State agencies.	OE's Division of Adult Education Programs.
52. Adult basic education	Adult Education Act of 1966	Provide literacy programs for adults.	30,000,000	State education agencies	Do.
53. Occupational training and retraining.	Manpower Development and Training Act of 1962.	Provide training programs to equip persons for work in needed employment fields.	123,700,000	Local school authorities (public, private nonprofit).	State vocational education agency (information from OE's Division of Vocational and Technical Education).
54. Vocational guarantee reserve funds.	National Vocational Student Loan Insurance Act.	Provide adequate loan reserves for vocational student loans.	1,800,000	State and private nonprofit guarantee agencies.	OE's Division of Student Financial Aid.
55. Vocational work-study	Vocational Education Act of 1963, sec. 13.	Provide part-time employment opportunities for vocational education students.	10,000,000	High schools, colleges, vocational or technical schools.	State education agencies (information from OE's Division of Vocational and Technical Education).
56. Researcher training	Cooperative Research Act (amended by ESEA, title IV).	Develop and strengthen programs for training educational researchers.	(4)	State education agencies, institutions, and organizations.	OE's Division of Research Training and Dissemination.

GROUP III: FOR TEACHER TRAINING AND STUDENT ASSISTANCE

Type of assistance	Authorization	Purpose	Appropriation	Who may apply	Where to apply
1. Handicapped teacher scholarships.	Mental Retardation Facilities Act, and others.	Improve training of persons responsible for the education of the handicapped.	(5)	Persons employed or preparing for employment as teachers, supervisors, etc., of handicapped.	Participating institutions (information from OE's Bureau of Elementary and Secondary Education).
2. Desegregation training grants.	Civil Rights Act of 1964	Improve ability of school personnel to deal with desegregation problems.	(6)	Teachers and other personnel of public schools.	OE's Office of Equal Educational Opportunities.
3. Experienced teacher fellowships.	Higher Education Act of 1965, Title V-C.	Improve the quality of education of elementary and secondary teachers and related personnel.	(7)	Experienced teachers planning to continue in elementary and secondary teaching careers.	Local school boards or participating institutions (information from OE's Division of Educational Personnel Training).
4. Prospective teacher fellowships.	do	Improve the quality of education of persons planning careers in elementary and secondary education.	(8)	Prospective teachers and school personnel in related professional areas.	Participating institutions (information from OE's Division of Graduate Programs).
5. Arts and humanities training grants (institutes).	National Foundation on the Arts and Humanities Act of 1965.	Strengthen the teaching of the humanities and the arts in elementary and secondary schools.	$500,000	Persons engaged in or preparing to engage in teaching or supervising or training teachers.	Participating institutions (information from OE's Division of Educational Personnel Training).
6. National Teacher Corps	Higher Education Act of 1965, Title V-B.	Strengthen educational opportunities of children in low-income areas.	(9)	Qualified teachers and prospective teachers.	Participating institutions (information, OE's National Teacher Corps).
7. Study abroad	Mutual Educational and Cultural Exchange Act.	Improve teacher competence and curriculums in modern foreign languages and area studies.	721,000	Teachers and supervisors of foreign languages-area studies (minimum 5 years' experience).	OE's Division of Foreign Studies.

See footnotes at end of table.

Federal money for education: Programs administered by the U.S. Office of Education, fiscal year 1967—Continued

GROUP III: FOR TEACHER TRAINING AND STUDENT ASSISTANCE—Continued

Type of assistance	Authorization	Purpose	Appropriation	Who may apply	Where to apply
8. Summer seminars abroad	do	Improve quality of instruction in modern foreign languages and area studies in the United States.	$178,000	Secondary school and college languages-area studies teachers (minimum 2 years experience).	OE's Division of Foreign Studies.
9. Counseling and guidance training grants (institutes).	National Defense Education Act, title V-A.	Improve counseling of students in schools and colleges.	(9)	Persons engaged in or preparing to engage in counseling and guidance of students.	Participating institutions (information from OE's Division of Educational Personnel Training).
10. Teacher training grants (institutes).	National Defense Education Act, title XI.	Improve the quality of teachers, school librarians, other specialists.	(10)	Teachers, teacher trainers, and supervisors in 12 areas.	Participating institutions (information, OE's Division of Educational Personnel Training).
11. Foreign teacher development.	Mutual Educational and Cultural Exchange Act.	Provide opportunity for foreign educators to observe U.S. methods, curriculum, organization (elementary and secondary).	420,000	Foreign educators (administrators, teachers, teacher trainers, education ministry officials).	U.S. embassies, educational commissions, foundations abroad (information from OE's International Exchange and Training Branch).
12. Teacher exchange	do	Improve and strengthen relations between United States and foreign nations by exchange of teachers.	350,000	Elementary and secondary teachers, college instructors and assistant professors.	OE's Teacher Exchange Section, International Exchange and Training Branch.
13. Captioned films—training grants.	Captioned films for the deaf	Improve quality of instruction available to deaf persons.	(3)	Persons who will use captioned film equipment.	OE's Division of Research Training and Dissemination.
14. Graduate fellowships	National Defense Education Act, title IV.	Increase the number of well-qualified college teachers.	81,957,000	Prospective college teachers working toward doctoral degrees.	Participating institutions (information, OE's Division of Graduate programs).
15. College work-study	Higher Education Act of 1965, title IV.	Provide part-time employment for college students.	(11)	College students	Participating institutions (information, OE's Division of Student Financial Aid).
16. Foreign language fellowships.	National Defense Education Act, title VI.	Train college teachers of modern foreign languages and area studies.	(12)	Undergraduate, graduate, and postdoctoral students trained in modern foreign languages.	Participating institutions (information from OE's Institutional Support Branch, Division of Foreign Studies).
17. Student loans	National Defense Education Act, title II.	Provide for low-interest loans to college students.	190,000,000	College students	Participating institutions (information, OE's Division of Student Financial Aid).
18. Educational opportunity grants.	Higher Education Act of 1965, title IV-A.	Assist qualified high school graduates to go to college.	(13)	Promising high school graduates and college undergraduates of exceptional financial need.	Participating institutions (information from OE's Division of Student Financial aid).
19. Study abroad	Mutual Educational and Cultural Exchange Act.	Assist U.S. institutions in promoting language and area studies.	(14)	Professors, college, and secondary school teachers.	Participating institutions (information, OE's Division of Foreign Studies).
20. National Teaching Fellowships.	Higher Education Act of 1965, title III.	Augment the teaching resources of developing institutions.	(15)	Highly qualified graduate students or junior faculty members from established institutions.	Participating institutions (information from OE's Division of College Support).
21. Study abroad	Mutual Educational and Cultural Exchange Act.	Improve instructional programs in NDEA language and area centers.	640,000	Center faculty members	OE's Division of Foreign Studies.
22. Do	do	Develop competence in language and area studies for graduate students preparing for college teaching.	610,000	Graduate students preparing for college teaching of non-Western language and area studies.	Do.
23. Insured loans and interest benefits.	Higher Education Act of 1965, title IV-B.	Provide student loan program through commercial lenders.	(16)	College students	Participating lenders (information, OE's Division of Student Financial Aid).
24. Educational media personnel training grants (institutes).	do	Improve capabilities of educational media specialists and others using such media at college level.	2,500,000	Those who will use educational media for instruction at undergraduate level.	Participating institutions (information from OE's Division of College Support).
25. Technical assistance, training grants.	Act for International Development of 1961.	Provide specialist training to foreign educators and strengthen education and economy in developing nations.	3,000,000	Foreign nationals from countries with which U.S. has bilateral technical assistance agreements.	AID mission with concurrence local education ministry (information from OE's International Exchange nd Training Branch).
26. Cuban student loans	Migration and Refugee Assistance Act.	Aid needy Cuban refugee college students to finance their education.	(17)	Cubans who became refugees after Jan. 1, 1959.	Participating institutions (information, OE's Division of Student Financial Aid).
27. Librarian fellowships and traineeships.	Higher Education Act of 1965, title II.	Increase opportunities throughout the Nation for training in librarianship.	(18)	Fellows and others undergoing training in librarianship and related fields.	Participating institutions (information from OE's Division of Library Services and Educational Facilities).
28. Cuban professionals retraining grants.	Migration and Refugee Assistance Act.	Aid Cuban refugee teachers and other professional personnel who need assistance for further study.	(19)	Cuban refugee teachers, physicians, and other professional personnel.	Participating institutions (information from OE's Division of Educational Personnel Training).
29. Leadership and vocational training grants.	Government and relief in occupied areas.	Provide opportunities for Ryukyuans to observe and study in U.S. to improve education, economy.	21,711	Ryukyuan nationals selected by their government.	Ryukyu Island government in cooperation with High Commissioner (information from OE's International Exchange and Training Branch).
30. Vocational work-study	Vocational Education Act of 1963, sec. 13.	Provide part-time employment for young people to help them begin or continue vocational training.	(20)	Vocational education students.	Participating institutions (information from State education agencies or OE's Division of Vocational-Technical Education).
31. Occupational training and retraining.	Manpower Development and Training Act.	Train skilled workers in all sections of the Nation.	(21)	Persons referred by State employment services.	Participating institutions (information from OE's Division of Manpower Development and Training).
32. Vocational loans and interest benefits.	National Vocational Student Loan Insurance Act.	Provide loan program for vocational school students through commercial lenders.	(22)	Vocational students	Participating lenders or schools (information from OE's Division of Student Financial Aid).
33. Vocational teacher training grants.	Smith-Hughes, George Barden, Vocational Education Acts.	Improve qualifications of vocational education teachers.	(1)	Teachers of vocational education subjects.	Participating institutions (information from State boards of vocational education or OE's Division of Vocational-Technical Education).

See footnotes at end of table.

Federal money for education: Programs administered by the U.S. Office of Education, fiscal year 1967—Continued

GROUP III: FOR TEACHER TRAINING AND STUDENT ASSISTANCE—Continued

Type of assistance	Authorization	Purpose	Appropriation	Who may apply	Where to apply
34. Adult basic education teacher training grants.	Adult Education Act of 1966	Improve qualifications of teachers of adult basic education courses.	(23)	Teachers and teacher trainers of adult basic education courses.	Participating institutions (information, OE's Division of Adult Education Programs).
35. Researcher training grants.	Cooperative Research Act (amended by ESEA, title IV).	Improve qualifications of educational researchers.	6,500,000	Present and prospective researchers in education.	Participating institutions (information from OE's Division of Research Training and Dissemination).

GROUP IV: FOR RESEARCH

Type of assistance	Authorization	Purpose	Appropriation	Who may apply	Where to apply
1. Comparative education research.	Special foreign currency program (Public Law 480).	Use counterpart funds for educational research of value to the U.S. and other nations.	$500,000	Ministries of education and colleges and universities abroad.	OE's Division of Higher Education Research.
2. Curriculum research (general) (arts and humanities).	Cooperative Research Act	Support research on the improvement of curriculum, including arts and humanities at all levels.	16,085,000	Colleges, universities, State education agencies, private or public groups, or individuals.	OE's Division of Elementary and Secondary Research (Arts-Humanities: Division of Laboratories and Research Development).
3. Curriculum research (demonstration and development).	do	Support research—demonstration and development—on school curriculum improvement.	3,000,000	(Same as IV-2)	OE's Division of Elementary and Secondary Research.
4. Curriculum research (dissemination).	do	Support dissemination of research to improve curriculum.	2,415,000	(Same as IV-2)	OE's Division of Elementary and Secondary Research.
5. Deaf education research	Captioned films for the deaf	Research and demonstration; includes film production.	450,000	Colleges, universities, foundations, agencies, organizations.	OE's Division of Research Training and Dissemination.
6. Educational media research.	National Defense Education Act, title VII.	Support research on educational uses of television, radio, motion pictures, other media.	4,400,000	Grants: Public or nonprofit institutions, individuals; contracts: public agencies, individuals.	Do.
7. Foreign language research.	National Defense Education Act, title VI.	Support research on improved instruction in modern foreign languages and teaching methods.	3,100,000	Colleges, universities, professional associations, public school systems, and individuals.	OE's Division of Higher Education Research.
8. Handicapped research and demonstration.	Mental Retardation Facilities Act, and others.	Promote research and demonstration on education of the handicapped.	6,100,000	State education agencies, local school districts, nonprofit private organizations, public groups.	OE's Division of Elementary and Secondary Research.
9. Library research and demonstration.	Higher Education Act of 1965, title II-B.	Research and demonstrations on libraries and library personnel training.	3,550,000	Colleges and universities, agencies, and organizations.	OE's Division of Research Training and Dissemination.
10. Research and Development Centers.	Cooperative Research Act (amended by ESEA, title IV).	Support research on the major problems of education.	29,600,000	do	OE's Division of Laboratories and Research Development.
11. Vocational research	Vocational Education Act of 1963, sec. 4(c).	Develop research and training, experimental and pilot programs for special vocational needs.	10,000,000	State education agencies, colleges, and universities, local education agencies.	OE's Division of Adult and Vocational Research.

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[1] See II-10.
[2] See II-13.
[3] See III-11.
[4] See III-35.
[5] See II-19.
[6] See II-12.
[7] See II-23.
[8] See II-24.
[9] See II-22.
[10] See II-17.
[11] See II-38.
[12] See IV-7.
[13] See II-41.
[14] See II-43.
[15] See II-34.
[16] See II-39.
[17] See II-37.
[18] See II-26.
[19] See II-42.
[20] See II-55.
[21] See II-53.
[22] See II-54.
[23] See II-52.

NOTE.—Discrimination prohibited: Title VI of the Civil Rights Act of 1964 states: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance." All programs cited herein, like every other program or activity receiving financial assistance from the Department of Health, Education, and Welfare, operate in compliance with this law.

COURT ASKED TO DECLARE PHILANTHROPIST CURRIERS LEGALLY DEAD

Mr. YARBOROUGH. Mr. President, the wills of Mr. and Mrs. Stephen R. Currier, one of the world's most active philanthropic couples, have been filed, and the Manhattan Surrogate's Court has been asked to declare these outstanding persons legally dead.

Mr. and Mrs. Currier disappeared on a chartered plane flight on January 17, 1967, between Puerto Rico and the Virgin Islands. A funeral service is scheduled for 10 a.m. Tuesday, February 7, 1967, at the St. James Episcopal Church in New York City.

This couple made a pact over 12 years ago to expend their great fortune on causes of human need. They were diligent in their chosen task, setting up the Taconic Foundation in 1958 to fund such causes as the civil rights movements, child welfare, race relations, and youth work. Recently, they formed the Urban America, Inc., and sought to serve as catalysts in solving urban problems.

The loss of the Curriers is a heavy one for this Nation and its people in all walks of life. Their imagination and dedication, coupled with their concern and interest in human need, are seldom found.

Mr. President, I ask unanimous consent to have printed in the RECORD the account published on page 1 of the Washington Post of Thursday, February 2, 1967, which tells of some of their philanthropic activities.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COURT ASKED TO DECLARE CURRIERS LEGALLY DEAD—WILLS FILED IN NEW YORK

(By Robert E. Baker)

The wills of Mr. and Mrs. Stephen R. Currier—philanthropic patrons of human need rather than the arts—have been filed in Manhattan Surrogate's Court.

The court has also been asked to declare officially that the Curriers who disappeared on a chartered plane flight between Puerto Rico and the Virgin Islands on Jan. 17 are dead.

Thus ends the story of a remarkable couple who made a pact a dozen years ago to spend their immense wealth during their lifetimes on causes they felt were good for the country. They died young, before they could do it.

Their wills call for the distribution of $30 million—two-thirds to the Taconic Foundation that they established in 1958 and a quarter to their children, Anrea, 10, Lavinia, 9, and Michael, 6.

That $30 million is only a fraction of the

Curriers' wealth. The personal fortune of Audrey Currier, daughter of David K. E. Bruce, U.S. Ambassador in London, and granddaughter of the late Andrew W. Mellon, the Pittsburgh financier, is estimated at $700 million. And Stephen Currier was wealthy in his own right. The bulk of their estates, it is understood, is in various trusts for their children.

Stephen Currier, 36, was Harvard-educated, stiff, formal. Mrs. Currier, 33, was small and shy. They were married secretly in 1955 because she wanted to finish her senior year at Radcliffe without the distraction of planning for a big wedding. The secrecy was enough to drop her from the New York Register.

But that wouldn't hurt the Curriers, for they spurned the "jet-set" types. Mrs. Currier turned over $300 million to her husband for philanthropic work so she could spend time with her children out of the headlines.

FULL-TIME PHILANTHROPIST

Stephen Currier was not the desk-type philanthropist. He worked full-time at it. He went into the slums of Harlem to see what they looked like, smelled like and what the people said. He often started to work at his New York office at 6 a.m. and worked on till late at night.

In 1958, he established the Taconic Foundation to deal in the sensitive area of civil rights at a time when few other foundations were willing, or perceptive enough, to do so. But this was Currier's mark—the innovative, inventive philanthropist.

In 1961, Currier brought in a group of people to Potomac Institute here, which Taconic supports, to "brain storm" the next program for helping the cause of civil rights. They came up with the Voter Education Project four years before the Voting Rights Act, for they saw Negro voter registration as a root problem in the South.

ROLE IN ALABAMA

But Currier was not just a spender. He saw value in diversified support for civil rights. In 1963, when Bull Connor turned the dogs loose on Birmingham Negroes, Currier went out and solicited $1.5 million from the wealthy for a financial pool for seven civil rights organizations.

He saw his role as a catalyst for solving problems—one of them was money—in the civil rights movement. His action steadied the major civil rights groups at a time of despair and growing distress.

He provided financial help to the venerable Southern Regional Council in Atlanta and the NAACP Legal Defense Fund in New York.

During these years, Currier had a passion for anonymity. His public relations men were supposed to keep him that way. It didn't always work. The Curriers made the headlines when they purchased a $418,000 apartment in New York, although the reporters didn't say exactly who he was. And he was accused of "defanging" the March on Washington by using funds to control Negro leaders.

AIDED MRS. JOHNSON

Recently, however, Currier began to emerge into the public. To bolster Lady Bird Johnson's desire for a more beautiful capital city, he retained Lawrence Halprin who came up with bold proposals for new parks and recreation areas for Washington.

And, with the thrust of the civil rights movement blunted, Currier turned to the problems of the big cities. He formed Urban America, Inc., and, shortly before his death, was serving as the catalyst to bring together the mayors, industry, labor and civil rights leaders in an effort to make the urban crisis a top-priority item on the national agenda.

This was the reason he was in the Caribbean at the time of his death. He had been talking to industrial leaders in Boca Raton, Fla., about joining in the battle to solve the urban crisis.

Despite such big projects, Currier was also interested in the little man and young people. The Curriers built a multi-million-dollar home that was a work of art—"Kinlock" in Fauquier County, Va.—but also took a personal interest in the adjacent town of The Plains. And the survivors of the Curriers reflected their thinking by asking that no flowers be sent to the memorial services, scheduled for 10 a.m. Tuesday at St. James Episcopal Church in New York. Any contributions, they said, should be donated to the Curriers' "Harvard Gamble."

This is a fund—some $45,000 a year—for average students, the forgotten students who show promise but are below scholarship level and without financial means, to go to Harvard.

The $20 million left in the Curriers' wills to the Taconic Foundation will provide about a million dollars a year, below the average amount the Curriers were contributing but sufficient to keep it a going concern to provide innovative ideas in the human rights field.

Under Mr. Currier's will, guardians of the children will be Mr. and Mrs. John G. Simon, who were also bequeathed $500,000. This was a typical Currier touch. Simon is not a man of great social status. He is a professor at Yale University, a member of the Taconic board, a thinker of new ideas, a man who saw eye-to-eye with Currier.

THE 100TH ANNIVERSARY OF WEST VIRGINIA UNIVERSITY

Mr. RANDOLPH. Mr. President, today West Virginia University celebrates its 100th anniversary as an institution of higher learning dedicated to enriching the lives of citizens of the Mountain State.

During the past few years that university has experienced substantial growth and has strengthened its primary mission of serving as the major center of professional and graduate training and research in West Virginia.

The university had its origin in the Morrill Act of July 2, 1862, and in an act of the 1863 State legislature accepting the provision of that act.

On January 9, 1866, trustees of the Monongalia Academy in Morgantown offered the State all of its property, including the site of Woodburn Female Seminary, presently the oldest building on the West Virginia University campus, on condition that the new State university be located there. The offer was accepted. On February 7, 1867, the Agricultural College of West Virginia was established. The following year, West Virginia University President Alexander Martin succeeded in persuading the legislature to change the name of the institution to West Virginia University.

During the institution's early years, its supporters were divided on whether it should be a State-supported university or a first-class State-supported college. The university concept won. In 1895, West Virginia University President James L. Goodknight organized a college of engineering and mechanic arts, a college of arts and sciences, a college of law, and a college of agriculture.

Perhaps the best known of the university facilities is the new multimillion-dollar medical center which offers teaching, research, and service programs in the health professions and sciences not duplicated elsewhere in the State. More than 2,000 persons are involved in the threefold purpose of teaching, research, and service.

Four schools—dentistry, medicine, nursing, and pharmacy—are located at the medical center, and a major part of the facility is the West Virginia University Hospital, a statewide referral center for diagnostic and treatment services for patients with difficult medical problems.

Educational programs are offered in the four professional schools and in medical technology and dental hygiene, as well as postgraduate degree programs in anatomy, biochemistry, microbiology, physiology, and pharmacology.

The university's Appalachian Center is responsible for the U.S. AID cooperative programs that now exist between West Virginia University and Tanzania, Kenya, and Uganda, and for the international education contracts and agreements, in addition to developing the overseas commitments of the university. Staff members from the university are on duty in the three countries I mentioned. They are undertaking the planning, construction, staffing, and development of a curriculum for the new agricultural college of Tanzania.

The Sunday Gazette-Mail, of Charleston, W. Va., recognized the centennial observance by publishing a supplement on February 5, 1967, entitled "Threshold, West Virginia University Looks to the Challenge of a New Century." I ask unanimous consent to have selected articles from the supplement printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD as follows:

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

WEST VIRGINIA UNIVERSITY: STANDING AT THE THRESHOLD OF A NEW CENTURY'S CHALLENGE

(By John W. Yago)

The name Woodburn Female Seminary instantly conjures up visions of proper young ladies in long-sleeved dresses learning needlepoint, perhaps a smattering of French and the proper way to pour tea.

It seems unlikely that such an institution could ever develop into a modern, fast moving university, but it is this same Woodburn Female Seminary that was the predecessor of West Virginia University.

The tiny plot of Morgantown hillside that once was the home of the seminary, however, is but a small part of the sprawling university now entering its centennial year.

Nor does today's West Virginia University bear much resemblance to the institution created by the 1867 legislature as the Agricultural College of West Virginia.

The university, like any such institution worthy of the name, has undergone almost continuous change during the past century; it has been pulled and shaped, hindered and helped by the various pressures of a changing society; it has been the object of scorn by its detractors and of unswerving devotion from its supporters; it has been a pawn in political power plays and it has risen to put scholarship above politics; it has been accused of reaching its tentacles into every corner of the state and it has been criticized for exercising so little influence on state affairs; it has been called both a vicious competitor with other state institutions and the logical focal point for all higher education in West Virginia; it has been accused of overemphasizing athletics but catches hell for a losing season; it attempts to upgrade its faculty and is railed for hiring a $20,000 professor.

In short, about the only peaceful thing at WVU in the past century has been the ivy slowly working its way up the walls of the older buildings, oblivious to the turmoil around it.

The nature of the university, its role in the life of West Virginia and its future are subjects for continual and heated debate. There is, however, little room for argument that WVU has ended its first century bigger, stronger and more firmly established than at any time in its history.

From a handful of students when it opened, WVU has grown into an institution with 12,500 students on its three Morgantown campuses spread over 600 acres. It has a growing undergraduate branch in Parkersburg, and a small, specialized graduate center near Charleston may be the nucleus of an even larger graduate facility in the Kanawha Valley.

Its financial operations make WVU one of the biggest businesses in the state, spending about $35 million annually and with physical facilities with an estimated value of $74 million.

More than 900 teachers in almost every conceivable academic specialty compose the university faculty. They are backed up by administrators, service and supporting personnel that bring the total staff to 3,500.

It has representatives in every county in West Virginia through the Center for Appalachian Studies and Development and its extension activities, making university services no further away than the county seat.

The influence of WVU is felt all over the country through research work it does, and its government-sponsored international activities have taken a little of West Virginia to foreign nations.

For years the university's professors have been called upon to advise local state and national governments, and its last two presidents left Morgantown to take high level jobs with the federal government in Washington.

The magnificent $32 million Medical Center with its 522-bed hospital was opened in 1957 and has been acclaimed as one of the finest facilities of its kind in the country.

This is West Virginia University today as it pauses to reflect on its past and pat itself on the back for having gotten through its first hundred years in reasonably good shape.

But it doesn't end here. When the hoopla of this year's celebration has finally died down, the university will find that it has already slipped into its second century.

The past is documented history, although, as with all history, it remains to be seen whether WVU will be judged well or harshly for its accomplishments. This, too, is something that probably will never be absolutely resolved.

What, then, of the future?

Dr. Harry B. Heflin has probably given as much thought as anyone on the campus to what lies ahead for WVU. As vice president for administration and finance he has had to try to keep a few jumps ahead of tomorrow so that the university would not be caught completely by surprise.

His asssessment of the future of WVU is based on a long association with higher education in West Virginia. Dr. Heflin was graduated from Glenville State College, received his master's and doctor's degrees outside the state and was dean of the Marshall University Teachers College in 1947 when he was named president of Glenville.

In 1964 he joined the university staff as a vice president and was named acting president when Dr. Paul A. Miller resigned six months ago.

Dr. Heflin concedes that nobody knows exactly what the future will bring at WVU but that much of it will reflect what is happening in the state at large.

Two things, in particular, will affect both the university and the state: a halt in the loss of population and improved communications making the various sections of the state more accessible to each other.

All of this will result in more demands for services from the university, Dr. Heflin believes. "We already have more than we can handle now," he added.

"Our basic duty is to provide a good educational program on the campus," he continued. "After that we will take on whatever other programs we can within the limitations of staff and money available."

The changes Dr. Heflin sees coming to West Virginia mean that higher education will have to be made available to more students. With its 21 colleges and universities, the state has no shortage of institutions but Dr. Heflin, together with many other observers, thinks some of them are badly located. This, he said, means that the university may have to provide more branch campuses around the state to provide technical courses as well as the usual undergraduate college curriculum. "Any need you can imagine is going to develop," he said. "West Virginia hasn't really entered the modern age yet to take advantage of what is available. Few businesses in the state, for instance use computers. This is going to change, but we are not producing the people to run the computers."

On the university campus, the future is likely to see greater demand for high level graduate and professional education. These programs have a relatively high cost in terms of the numbers of graduates and the state must consider this, Dr. Heflin said.

It is unlikely that WVU will be going into many new academic fields since it already has most of the major units of any university. A general increase in enrollment is expected, and projections show the university will have 16,800 students by 1975.

But, Dr. Heflin cautioned, every past attempt to estimate the future at the university has proven to be too conservative. Enrollments, facility requirements and costs all have outstripped the educated guesses made in the past.

This is why continual study and revision is necessary on WVU's master plan although the university tries to operate on a 5–10 year program.

The future also will see WVU playing an increasingly larger role as a regional and national institution. Financing is partly responsible for this turn of events that has seen many universities extend their influence beyond state boundaries and link together in multiuniversity programs.

Increasing funds from the federal government are nudging this trend toward a disregard of state lines. There are many programs, too, that are just too big, complex and expensive for a single institution to tackle alone.

WVU already is involved in multiuniversity programs in medicine, Dr. Heflin said, and could well find itself in a similar situation in such fields as pollution, health and transportation.

"As more federal money is used for financing," he said, "the scope of the institution will be broadened."

There also is little question that the university will require more financial support from the state to accommodate the larger student body and new tasks asked of it. Intimately involved in this are the tools of education, from buildings to books.

"The things we have been using," Dr. Heflin said, "for 50 or 60 years will go out of date sooner. So it makes you think there might not be much need to, say, put up a building to last that long. There are all sorts of new things continuously coming along in education and you just have to have them."

The acting president believes the university also must be intimately involved in educational television and its impact on the state. A university ETV station is scheduled to go on the air from Morgantown this year and planning is underway on a statewide network of stations that will bring WVU and other educational institutions into virtually every living room in West Virginia.

"This, I think, will have a very great effect on West Virginia," Dr. Heflin said.

One of the major problems to be faced by WVU is the hiring and keeping of a high quality faculty. This in fact, is already a serious problem but not one that WVU faces alone.

"We anticipate," Dr. Heflin said, "that quality staff in good supply will be increasingly harder to come by. The competition gets harder every year and not all of it comes from other universities. A new junior college in Florida, for instance, will draw its faculty from the national supply.

"What it boils down to," he added, "is finances."

The university is making a continuing effort to bring top level men in selected academic fields to the campus, Dr. Heflin said.

If this effort is successful, he hopes it will make West Virginia in general better known in the academic world than it has been in the past.

Dr. Heflin believes the university student of the next few years may also be of a different type, just as today's student differs from his counterpart of 30 years ago.

The contemporary student, he said, is increasingly mature but is working under tremendous pressures. The need for education to succeed, the enroll-or-be-drafted atmosphere and parental pushing all conspire to create this pressure. "As a result," Dr. Heflin said, "it has made them a very nervous, anxious group of students and one that is studying harder than ever before."

But this is likely to change. The boom economy of recent years is leveling off, Dr. Heflin said, and the realization is coming that the liberal arts-oriented institution won't fill the bill for the future. These factors could help reduce the pressure on students.

This, then, is the view of the future of WVU of the man who for the moment sits in the most advantageous place to see it.

If Harry B. Heflin's forecast proves to be correct, then he can be classed with the major prophets, for, as he himself said, every past attempt at predicting about the university has proven to be wide of the mark in at least some respects.

But, based on where WVU has been in the past century and where it stands today, his is a logical outlook.

The key to the future of the university does not lie in Morgantown, nor is it at the state capitol in Charleston. As the largest state university in West Virginia its fate is inextricably tied to the wishes, beliefs, prejudices, opinions, jealousies and leadership exhibited in every corner of the state.

The university can become an institution of the finest sort, a true community of distinguished scholars dedicated to the highest ideals of their calling and providing some of the brainpower needed to elevate the state from second-rate status. Or it can slide along, content with mediocrity, afraid to lead, devoid of ideas and best known for its football team.

At the end of its first hundred years, West Virginia University fits neither of these patterns. It stands, rather, at the threshold of its second century, and the thinking and events of this centennial year could well determine which path it will take.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

EXPERTS' APPRAISAL: HARD LOOK SHOWS "U" STATUS IS ON THE RISE

(By James A. Haught)

It isn't Harvard, but WVU at least is beginning to rise toward a significant national reputation and stature.

That's the appraisal of several West Virginians who are knowledgeable about the relative merits of universities.

For instance, Dr. Leonard Nelson, president of West Virginia Institute of Technology at Montgomery, offered this comment:

Ten years ago, West Virginia had an awfully long way to go, but it has recognized its situation and is moving in the right direction.

Let me give you a personal example. I graduated from Northwestern in 1953, and got an offer from WVU, but my dean told me, "For God's sake, don't go there—unless you want to atrophy. There's no future there."

But in the 10 years I've been at Tech, I've seen a real change in WVU. President Miller was the most important factor, I guess. He brought a dynamic approach.

"I've observed in the past few years positive signs of growth that are a credit to the university. We're on the way to having a state university that is a highly recognized one. We're not there yet—but we're pointed in the right direction."

Dr. Nelson said there are several ways to estimate the stature of a university: by counting the number of graduates who go on to get Ph.D. degrees; by counting the number of graduates eventually listed in "Who's Who"; by asking leaders of the professions and industry to rate the best sources of trained personnel; by seeing which universities are preferred by National Merit Scholars. He said WVU is making a better showing in such comparisons.

Walter F. Snyder, Kanawha County school superintendent, had this to say:

"The major determinants of quality education at the university level are the caliber of the professional staff, the type and extent of library and laboratory facilities.

"Since WVU is largely dependent on the state legislature for operational funds, through the years the university budgets have been too meager to permit university officials to maintain excellence in these three categories.

"As state universities go, I believe WVU offer a reasonably good undergraduate program. I don't believe, however, that the quality of the graduate program offered by the university is equally good."

Dr. William J. L. Wallace, president of West Virginia State College at Institute, remarked:

"We have a very fine university—however, it needs many things, among them being increased financial support.

"WVU has many excellent departments; some of them are better than others, as is the case in any university . . .

"As a criticism, I believe the university could do more in terms of research. But its financial support hasn't been adequate for a research program. It needs support from other areas, such as industry, if it's to have a vital research program."

Joseph G. Jefferds Jr. of Charleston, a former member of the State Board of Education, commented:

"WVU has made tremendous progress. Dr. Paul Miller was an outstanding leader who gave the university real breadth and purpose. The current acting president, Harry Heflin, also has demonstrated great competence as an administrator . . ."

Joseph F. Marsh, president of Concord College at Athens, said:

"In comparison to major state universities in the nation, WVU is a 'late-bloomer'—and the bloom only recently has began to open.

"Fortunately, steps are being taken to strengthen graduate and professional educational programs and research-related services, for these are the areas in which the university is most deficient.

"Education is the key to progress in West Virginia, and among our colleges and universities, WVU is the key institution as far as higher education in concerned. Her leadership and development will, in large measure, determine how the other institutions of higher learning, such as Concord College, develop and progress.

"Recent presidents of the university haven't tried to conceal the university's deficiencies, and this has resulted in considerable progress during the past few years.

"If we can get a true public commitment to higher education among the people of West Virginia, this progress will increase at the accelerated rate needed."

Charles E. Hodges of Charleston, a vigorous WVU alumni leader and son of a former WVU president, gave the most enthusiastic appraisal of the institution. He said:

"The very fact that the university has grown from a simple and somewhat elemental operation—judged by today's standards—to a tremendous complex of educational effort is in itself an indication of achievement. This, of course, is a quantitative measurement.

"From the simple 'Agricultural College of West Virginia' . . . the university has expanded to . . . six colleges, nine schools, two divisions, with numerous educational sidelights.

"Its campus has expanded from a mere plot of ground to multiple campuses in the Morgantown area totaling more than 750 acres, containing 54 buildings, with a half-dozen others a-building, plus nine demonstration and experimental farms and tracts for forestry, civil and mining engineering and biological experimentation.

"Approximately $40 million from state and federal appropriations, plus tuitions, fees and sales income, are expended annually in this operation—of which the size, reach and importance are but faintly understood and realized by most West Virginians."

Hodges pointed out that the College of Law, the oldest of WVU's professional schools, has produced a number of renowned graduates. He continued:

"WVU graduates haven't yet provided a president of the U.S. nor a justice of the U.S. Supreme Court, but they have attained the federal circuit bench, the second-highest level of the nation's judiciary, and every other echelon of the federal, state and local judiciary.

"They have provided cabinet members, congressional leaders, a large number of West Virginia's governors, many of its U.S. senators and congressmen . . .

"Perhaps no part of university development is more significant than the remarkable rise of financial giving . . . by the alumni and friends of the institution . . . The record of annual giving by WVU graduates has risen, in scarcely more than a decade, to top-flight ranking among universities of the nation."

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1957]

WVU's Successful Alumni: University Sends Graduates to Eminence in Many Fields

(By James H. McCauley)

The primary purpose of any university must be the training of each student to cope effectively with the problems of the modern, complex world—especially as related to the field in which he will make his living.

Perhaps one of the more accurate yardsticks by which one can measure the success of an intitution of higher learning is the achievements of its alumni.

After 100 years have passed, no one can fairly compile a list of all graduates who have made names for themselves, and this article certainly does not attempt such a task.

Instead, this is a sampling of a few living WVU graduates who have recorded outstanding achievements in their chosen fields, and who, therefore, constitute a repersentative cross-section of successful alumni.

Appropriately enough, the mineral-rich state has sent several of its university graduates into executive positions of coal or petroleum companies. Dennis L. McElroy retired as executive vice-president and director of Consolidation Coal Co. in 1965, while William N. Poundstone and C. Howard Hardesty, Jr. are both presently executive vice-presidents for the same firm.

Raymond E. Salvati retired as president and chairman of the board of the Island Creek Coal Co. He was also long-time member of the WVU Board of Governors.

Two others who have fared well in this field are Fred R. Toothman and George L. Judy. Toothman is coal development engineer with the Chesapeake & Ohio Railway Co., while Judy is president of Clinchfield Coal Co.

In the petroleum industry, James G. Montgomery holds the presidency of United Natural Gas Co. He is joined by J. French Robinson, former president of Consolidated Natural Gas Co., and James S. Phillips, president of United Fuel Gas. Humble Oil Co. lost an executive in the transportation and supply division when WVU graduate Joseph L. Kenner, Jr., retired.

Three alumni among those presently in legal positions with gas firms are A. Hale Watkins, Thomas A. White and Claude E. (Bert) Goodwin. Watkins is secretary and counsel for the West Virginia Oil and Gas Assn.; White serves as general counsel for Consolidated Gas Supply Corp.; and Goodwin is secretary and counsel for United Fuel Gas.

Alumni have made their marks in other areas of the business world. Harold K. Bradford is president and chairman of the board of some five investment companies.

Three retired vice presidents of large companies are Charles Byron Jolliffe, Robert L. Hogg and J. Jerome Thompson. Jolliffe ended his business career as vice-president and director of research of Radio Corporation of America; Hogg retired as vice-president of the Equitable Assurance Co., after previously serving as congressman; and Thompson terminated his career as vice-president of Charles Pfizer Co.

Many graduates presently hold executive positions with other business concerns. William R. Dotson is vice-president of Polaris Steamship Co.; William H. Bambrick is a vice-president of Foote, Cone & Belding; N. L. Hall serves as vice-president of engineering and member of the executive committee of Hughes Aircraft Co.; and Luttrell Maclin is vice-president of Paine, Webber, Jackson & Curtis of New York. F. A. Dudderar is general superintendent of the Gary, Ind., Steel Works of United States Steel.

Two other former business leaders from WVU are William S. Jones and Harry Ferguson. Jones retired as head of the pharmaceutical department of E. R. Squibb & Sons, while Ferguson was general manager of Carolinas-Virginia Nuclear Power Assn.

Two of the state's living former governors attended the university—Cecil H. Underwood, held office from 1957 to 1961, and W. W. Barron was governor from 1961 to 1965. United States Rep. Arch A. Moore, Jr., recently won his sixth term in West Virginia's First District.

Several alumni have held important federal government positions. William K. Leonhart and Joseph S. Farland both were ambassadors. Leonhart is now a special consultant for the White House and State Department, after serving as the first American ambassador to Tanzania. Farland is a former ambassador to the Dominican Republic and Panama.

Other governmental specialists include Stephen Ailes, former secretary of the Army; Donovan V. McClure, current head of the Peace Corps delegation to Turkey who served previously as associate director of the Peace Corps; and Guy O. Farmer, a partner in the firm of Patterson, Belknap & Farmer in Washington and former chairman of the National Labor Relations Board.

Alumni have taken a high place among the nation's military, as four generals currently head the list. Air Force Gen. Frank K. Everest, Jr. is brigadier general and director of aerospace safety. Everest is best known for his piloting, during which he set several speed and altitude records.

Many federal judges attended the university. Robert E. Maxwell is judge of the Northern District of West Virginia, and Herbert S. Boreman is a United States Circuit Court judge.

West Virginia Supreme Court of Appeals judges include Chauncey H. Browning, Fred H. Caplan and Harlan M. Calhoun, Charleston. Robert T. Donley is a past judge on the high court.

In the field of medicine, John M. Brewster, retired Navy captain, performed pioneer clinical research in the use of antihistamine drugs, and Dana L. Farnsworth is director of Harvard University's health services.

West Virginia University has also produced its share of professionals in communications. J. Montgomery Curtis is director of the American Press institute of Columbia University in New York City. Max R. Fullerton retired as bureau chief of the Baltimore bureau of Associated Press, while Frank M. Kearns holds down the job of senior African correspondent for CBS News. Two important writers come to mind—J. D. Ratcliff, popular free-lance magazine writer, and Joe W. Savage, author of "Mirror of Your Mind," a King Features syndicate presentation.

The bright lights of Hollywood have called at least three WVU graduates to the public limelight. Don Knotts has won four Emmy awards for his work as a comedian, while Mil Lampell also won an Emmy for his performance as a television writer. Fuzzy Knight gained fame as a comedian in the 1920's.

Finally, we take a look at graduates who have become leaders in education. Paul A. Miller, former president of the university, left to take the position of assistant secretary for Health, Education, and Welfare in Washington.

Three university presidents are among WVU alumni. Lloyd H. Elliott is president of George Washington University, after previously serving as president of the University of Maine; Eston K. Feaster holds the presidency of Fairmont State College; and Todd Bullard holds the presidency of Potomac State College.

On the state education level, Rex M. Smith, Charleston, is the West Virginia Superintendent of Schools.

Among noted college professors, James T. Laing, Kent, Ohio, is professor and head of the department of sociology and anthropology at Kent State University, while Julius Cohen is professor of law at Rutgers University in Newark, N.J.

Two graduates holding positions as deans are W. George Pinnell, dean of business at Indiana University, and T. Stephen Crawford, dean of engineering at the University of Rhode Island.

A great number of prominent graduates have undoubtedly been omitted in this article, but one can still grasp a small measure of the degree of success of West Virginia University graduates in a quick glance such as this.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

APPALACHIAN CENTER BEGINNING TO JELL

(By Dr. Ernest J. Nesius)

Multitudes of problems and situations require decisions every day. Will better knowledge help you to make better decisions? Is there a way to make the knowledge stored in the minds of men and their writings available to help you with your decision making?

The West Virginia University Center for Appalachian Studies and Development is an innovative idea within the university structure designed to more completely relate the university to the state and the problems of its citizens. With knowledge it strives to broaden people's attitudes, develop human and natural resources, encourage private and public organizations and institutions in the state, and promote the university's interests in international affairs.

This intra-university organization mobilizes into one coordinated, yet flexible effort, all special public service skills—extension, counseling, research, planning—so as to effectively bring them to bear on meeting the public needs of the present, and perhaps more important, defining public goals for the future.

Operating on the premise that knowledge is basic to success, activities of the Appalachian Center focus almost altogether on education, formal and informal; research, applied and developmental; and planning and organization "how-to" assistance and accomplishment of objectives.

To carry out the idea of using the resources of the entire university in a development role has resulted in the establishment of an administrative structure unique in land grant universities.

Grouped within the center are these program units: the Associated Extension Services, Office of Research and Development, Institute for Labor Studies, and International Programs. Included in the Associated Extension Services are the Cooperative Extension Service, Mining and Industrial Extension Service, and University Extension and Continuing Education.

Another concept that has emerged as the Appalachian Center has unfolded is the Area Appalachian Center. Six area centers—Weston, Morgantown, Parkersburg, Charleston, Keyser, Beckley—have been established for program-making and direction on an area-wide basis. Each area director is responsible for the personnel, budget, and programs within his area. Area specialists and development agents have been assigned to some centers. As programs develop and the budget expands additional area staff will be assigned to meet specific needs.

A system of advisory committees has been established beginning with the County Extension Service Committee, which is set up by state law, Area Center Advisory Committees, Appalachian Center State-wide Visiting Committee, and a University Advisory Board.

Now, three and half years after the center was organized, our organization and programs are beginning to jell and we are better equipped than we have ever been to provide educational assistance. This is true because we have projects that have been defined and methods outlined for their completion; various staff training programs have been completed; our goals are more specific and better defined; we have more research available that has been developed to meet our specific needs; and our audience groups have been better identified.

Recent acts of Congress have provided opportunities for broadening our educational programs.

Of particular interest is our cooperative effort with the College of Agriculture and Forestry and the State Department of Agriculture to place emphasis on agricultural development in the state. Also, our involvement with the agricultural education programs in the East African countries of Tanzania, Kenya, and Uganda has proved extremely stimulating.

Basically, the job that has been assigned to the Appalachian Center is to generate needed facts and to get them to the citizens of the state who want and need them. It is a job of providing "Knowledge for Decisions." Certain resources of the university are available through coordination by the Appalachian Center to groups, organizations, and institutions—both private and public—that wish to determine facts, gather information, make decisions, and move to solve individual and group problems.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

FORTY-TWO NATIONS "ON CAMPUS"

West Virginia University is becoming a more cosmopolitan campus as increasing numbers of foreign students find their way to Morgantown.

The foreign student enrollment has, in fact, grown enough in recent years that the university has established a foreign student office to handle their particular problems.

WVU now has a foreign student population of 190 representing 42 nations. One-hundred-two of the students, or 54 per cent, are enrolled in various graduate programs.

The university's East African programs—development efforts conducted under aid contracts with the federal government—provide a significant number of the foreign students. Forty-three of the students are from African nations and all but one of them are studying under government-sponsored scholarships in connection with the WVU programs in their homelands.

The individual nation with the largest representation at WVU, however, is India with 37 students. Kenya has 24, China 22, Iran 18, Uganda 14 and so on down the list.

"Many people think the foreign students are here on some kind of handout," said Julian Martin, the university's foreign student coordinator. The fact is, he added, that only one-quarter of the foreign students are studying on government scholarships. The rest pay their own way or receive the few scholarships provided by the university itself.

The foreign student office provides a variety of services. It is concerned with the foreign student from the very beginning by reviewing all of their applications for admission to the university. Those accepted are contacted by the foreign student office and given all the necessary advice about getting to Morgantown and enrolling at the university.

During the hectic days of the opening of a term, the university's International House is a busy place, serving as headquarters for foreign students as the staff helps them get settled and started in school.

Foreign students are given an opportunity to participate in the Host Family program, which Martin calls one of the most effective things in establishing good American-foreign student relationships. The host families get to know the students informally through year-long contacts and traditionally give a banquet for them at the end of the year.

The foreign students also have contact with the community through local organizations and are frequently invited to speak to clubs and organizations in the Morgantown area.

American students serve on committees with the foreign students in planning programs and activities throughout the school year. The foreign student office also helps to arrange holiday visits by the students to West Virginia homes.

International House is the center for foreign student activities. It provides living accommodations for five foreign and two American students and the coffee pot is always full in its lounge area.

A highlight of the foreign student's year at WVU is the International Week programs during which the foreign students present programs on the life and culture of their homelands.

Martin is convinced that the foreign student program is a definite asset to the university community.

"What they can contribute can be well worth the cost," he said. "We've got to invest in this if we're to have any kind of cultural exchange and understanding."

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

Cybernetic Nerve Center WVU in Computer Age

Deep down in the basement of West Virginia University's venerable Administration Building is a brightly lighted, air conditioned operation that is fast becoming the university's nerve center.

This is the WVU Computer Center, where, for 24 hours a day, the electronic marvels are busy on a wide variety of chores that would normally take a small army of clerks days to perform. These may range from preparing students grades, to analyzing the university budget or helping a chemistry professor at Marshall University compute equilibrium constants of multiple processes from spectroscopic data.

The WVU Computer Center actually traces its origins back to 1939 when a small amount of the elementary equipment of that day was put into use.

A big step was taken in 1951 when new equipment, relatively primitive by today's standards, enabled the university to start using computers for research and student records.

The first actual computer, an IBM 610, was installed in 1959. It was quickly followed the next year by the more sophisticated IBM 650 which permitted a step up in research and administrative work. This equipment was, in turn, replaced by more up to date models in 1962.

A specialized, business-oriented computer, the IBM 1401 was added, followed by the large scale IBM 7040 to give the center its present, high-powered lineup. Even more equipment is scheduled for installation next year.

The Computer Center is organized to serve three basic functions, according to Director Ernest L. Jones. These include instructional, administrative and research activities.

A full time staff of 35 people, plus part time help and graduate assistants, keep the center operating.

Certain hours are set aside for students to run their own projects through the computer equipment. Students must prepare their own programs and punch cards but do not actually operate the equipment.

In the research area, Jones said 235 projects currently have been approved to be run on the computers. This is in addition to projects prepared by students, many of whom are taking courses in which they are required to solve problems with computers.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

Seventy-Five Years of Football: WVU's Saturday Heroes

(By A. L. Hardman)

Twenty-seven coaches and 75 years ago, the sport of football came to the campus of West Virginia University. That was 1891.

Two members of the senior class—Billy Meyer and the later famous writer, Melville Davisson Post—solicited contributions of $160 and bought 11 football uniforms.

This was the university's first sport and while the students seemed to radiate a fine enthusiasm for the game, not all of the mustachioed, long-locked undergraduates seemed to have any great belly for the blocking and tackling so necessary to the actual game performance.

Meyer and Post finally convinced nine other students that it was all worth while, however, and the Mountaineers immediately sent out an invitation to the Washington and Jefferson team for a game.

E. L. Emory, a Yale man, was the first WVU coach but never wanted much credit for it inasmuch as the W. & J. Presidents walloped the inexperienced West Virginia team, 72–0. They had traveled up the Monongahela River by steamboat to break WVU away on its inauspicious gridiron debut. This opened and closed the season, pronto.

That stunning defeat delivered the message. WVU was not yet ready to take its place on the national gridiron map. So there was no activity in 1892 but in 1893, John C. Rane, a Princeton man, took the team and, in two years had records of 2–1–0, and 2–2–0, indicating that some progress was being made, at least in the won-and-lost column.

The lone defeat in 1893 was to W. & J. again but this time by only 58–0. These two teams didn't play again until 1895, when the Presidents had to fight like demons to come out with a 4–0 victory over a team coached by Harry McCrory of Pennsylvania.

From then on, until this day, there has been football at WVU, except for 1918 when the Mountaineers took a year off because of World War I and a flu epidemic. World War II didn't interrupt the game but curtailed travel greatly and only close-by teams could be played.

For a time, West Virginia had the reputation as being the "graveyard of coaches." Some of the truly great names in the game passed by in the parade of mentors who tried and failed to make West Virginia a power.

Without question, the happiest era of them all was that period of 10 years when the late Arthur E. (Pappy) Lewis was the coach. Lysander L. Dudley, a prominent alumnus, said once that "Pappy took us to a lot of places we had never been and to a lot of places we haven't been to since."

In all, Pappy's teams won 58, lost 38 and tied 2 from 1950 through 1959. They won five Southern Conference titles in that stretch, finished second once and tied for second on another occasion.

His 1953 team played in the Sugar Bowl at New Orleans but had one of its bad days and lost by an embarrassing score of 42–19 to a fleet Georgia Tech team which had the present WVU head coach, Jim Carlen, as one of its star players.

From 1952 through 1959, the Mountaineers won 30 consecutive conference victories. But when Lewis failed to win as impressively as he had in previous years, he resigned under fire in 1960.

If there was another era to rival that of the Lewis regime it was that of the "golden era" of the late Dr. Clarence W. Spears, who coached from 1921 through 1924. His teams won 30 and lost only four in those four seasons and polished off the only undefeated season in 1922 by beating Gonzaga in a post-season game in California.

The only blemish on the 1922 record was a 12–12 tie in a game against Washington and Lee here in Charleston. No other team in the 75 West Virginia has sent into action has ever been able to escape defeat. So the 1922 team still holds a most distinguished honor.

Spears moved on to Minnesota as coach in 1924 although expressing deep regret that he had to part company with the late Harry Adams Stansbury, then athletic director, who had just completed the construction of Mountaineer Field, a 35,000 seat stadium that Stansbury braved the wrath of thousands of West Virginians to build. They called it far too big and certainly too expensive.

They were wrong on both counts. The passing years have proved this. The need for all—and even more—of its 35,000 seats has been in evidence on many occasions. To replace this stadium today would entail costs four or five times as great as the $713,143.61 plunked down by Stansbury, who would have to be rated the greatest man in all West Virginia University athletic history.

The Lewis and Spears records stand alone as the greatest in the school's annals. This is somewhat astonishing when one considers such names as Earle (Greasy) Neale, Charles (Trusty) Tallman, Ira E. Rodgers, Dr. Marshall (Little Sleepy) Glenn, William F. (Bill) Kern, Eugene (Gene) Corum, Dudley S. Degroot and Mont McIntyre who had brief flings at trying to make the Mountaineers a power in national football.

Fielding H. Yost, a native of Fairmont who later gained fame as the "point-a-minute" coach at the U. of Michigan, was a WVU star back in 1895—possibly the first individual who gained great fame at the game. When he went to Michigan to coach, he booked a game with the Mountaineers and thereby inflicted his alma mater's worst defeat—a 103 pounding in 1903.

Of course, as outstanding as Yost might have been, the man whose name drew the greatest acclaim, the man who stayed on to become the most outstanding football player in all WVU history was the late Ira E. Rodgers, who played in 1915–16–17 and 1919. He was named captain of Walter Camp's All-American team in 1919.

The Mountaineers walloped Princeton, 25–0, that year in a game up at Palmer Stadium, which left Camp, one of the witnesses, bug-eyed. After the game Camp personally congratulated Rodge for his performance.

Rodge remained at WVU as an assistant coach under McIntyre and became head coach in 1925, when Spears left for Minnesota. He served six years in this stint and then stepped down in favor of Greasy Neale.

When Bill Kern went away to war in 1940, Rodge again took over and kept the home fires burning until Kern came back in 1946.

DeGroot came and went in three seasons and then Lewis took over. Pappy went to the very heights and then was ingloriously and ungratefully invited to stay on "by the skin of his teeth" by a short-memoried president, Dr. Elvis Stahr, in 1959. Stay? Pappy had no choice but to resign.

Corum took over in 1960 and held the job until the close of the 1965 season. He, like Lewis, was invited to resign in another messy situation, typical of the old "graveyard."

Bright-eyed and young Jim Carlen, professing a great devotion not only to football coaching but to religion, was appointed to the head coaching post on Jan. 14, 1966, at the age of 32.

He immediately surrounded himself with a staff of young and energetic assistants as the WVU coaching budget hit an all-time high. And once more the hope that springs eternal within the hearts of West Virginians was rekindled, despite a modest 3–5–2 record Carlen registered in his first season on the job.

Because West Virginians have always set great store in new coaches, they have consequently come upon many sad days when the Mountaineer teams failed to measure up to expectations.

But their sadness has not always been restricted to coaching failures. There was the occasion in 1910 when Rudolph Monk, captain of the team, died of injuries suffered in a 9–0 loss to Bethany. The Mountaineers were so shocked that they lost their next three games and finished with a 2–4–1 season.

No one will ever forget the day the great team of 1919, led by Rodgers and another All-American, Russ Bailey, was defeated and almost disgraced by the Prayin' Colonels of little Centre College in a game played here in Charleston.

WVU had just won its big one from Princeton, 25–0, and looked upon Centre as a soft touch. But Centre had recruited an almost completely new team from Texas and they were anything but "praying" colonels.

They were players of semi-pro standing and ability, so full of confidence that they never failed to get up a few side bets on their games.

So they not only polished off WVU, 13–0, that unforgettable day in 1919 but took Charleston gamblers and Mountaineer supporters for an even greater ride with their "sucker" bets.

After Spears' great 1922 team had gone unbeaten, it looked like even greater things were in the making in 1923. The Mountaineers went through their first eight games with only a 13–13 tie with Penn State, a perennial spoiler since the first day of WVU football, to mar the record. Then W. & J., also with a history of taking West Virginia teams over the jumps in those early days, ruined the season with a 7–2 win over the Mountaineers.

The 1924 Spears team, led by a 138–pound quarterback named Frances (Skeet) Farley of Charleston, lost only to Pitt, 14–7, but won eight games and two real great ones—a 34–2 victory over Colgate and a 40–7 win over W. & J.

With stars like Aaron Oliker, Charley Dilcher, Ross McHenry, Phil Hill, Carl Davis, etc., the Mountaineers also avenged that 1919 loss to Centre by beating the Colonels, 13–6. It was Centre's only loss.

During Rodgers' first coaching stint, the best record he could muster was an 8–2 in 1928. Neale, in three seasons from 1931 through 1933, failed to turn out a winning team, his best mark being 5–5 in 1932.

Tallman, coaching from 1934 through 1936, had two 6–4 seasons and a 3–4–2 before he resigned to become superintendent of the state police.

Then, in 1937, Dr. Marshall Glenn tutored his team to an 8–1 record and added icing to the cake with a 7–6 win over Texas Tech in the Sun Bowl at El Paso.

But Glenn's teams failed to win after that and finally Kern took over in 1940. His records were no better.

Dudley DeGroot, highly recommended by the pro ranks, came as the "savior" of football at WVU in 1948. His first team had a 9–3 record, including a 21–12 win over Texas Western in the Sun Bowl. But DeGroot, like most of those ahead of him, started a slow trip down the skids and it ended in 1949.

Lewis came on then and then Gene Corum.

Corum's 1960 team, his first, was the only one in 75 years to go without a victory. But he stayed on to build up 8–2, 7–3, and 6–4 records to go with a 4–6. His 1964 team finished with a surprising and thrilling 28–27 win over Syracuse.

The Mountaineers then accepted a bid to play in the Liberty Bowl. They were then pounded by Utah, 32–6, in a game just as embarassing as the beating earlier in the Sugar Bowl.

And once again West Virginia football followed an old pattern. Joy today, sadness tomorrow.

Strangely enough 21 of the 27 coaches who have held the job at West Virginia have turned in winning records. But they didn't beat the right teams, it seems.

West Virginia teams show a record of 373 games won, 262 lost and 40 tied in 75 years. The Lewis era, of course, brought the most with 58, topping the Rodgers record of 44.

The Lewis era also produced some of the school's greatest players, men who would rank close to Rodgers. Some of them were All-Americans Sam Huff and Bruce Bosley, Freddie Wyant, Joe Marconi, Chuck Howley, Bobby Moss and others.

Their next All-American could be halfback Garrett Ford.

But the thing most West Virginians would be happier about at this point would be another big winner.

Coach Jim Carlen and his "new breed" have dedicated themselves to reach this goal.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

Coal Bureau: Research Adds Jobs

From 1959 into 1962 the West Virginia coal industry, the legislature and the administrations of two governors were concerned about the declining use of coal and the lack of action to develop a state-supported coal research program.

During this period the Governor's Scientific Advisory Council of West Virginia on the Uses of Coal was organized and its findings have been largely used as the master plan for research development.

West Virginia University's Coal Research Bureau came into being in 1962 when an additional $20,000 was included in the School of Mines budget. The research bureau director, Joseph W. Leonard, was appointed in August, 1961, and the new agency has been operational ever since.

The Coal Research Bureau's entire program is directed at areas such as utilization, air pollution, preparation and quality control which may maintain and expand West Virginia coal markets and jobs. No state funds are allocated for research that might reduce coal industry employment.

Budget allocations for the bureau now total $137,000 annually in state funds. Its staff now consists of 28 people, including 14 professional research employes, nine part-time professionals and five full- and part-time service personnel.

Projects undertaken by the Coal Research Bureau cover a wide range of topics and include profitable uses of fly ash and other coal-associated minerals, power plant slag as a raw material source for mineral wool production, control of boiler tube corrosion, desulphurization of coal and computer studies of coal characteristics.

One of the most significant processes to develop out of the bureau's program is the patented technique to make construction products such as brick, block, tile and pipe out of fly ash and nuisance products produced by coal-burning power plants. These wastes are mixed with sodium silicate under pressure and then fired to make a brick that tests show can compete with conventional clay bricks.

If bricks are made from power plant ash, it is estimated by the bureau that a typical utility can make 25 cents a ton on the coal it burns, helping to offset the cost of antipollution equipment.

Current research, under contract with the U.S. Department of the Interior, is mainly concentrated on designing and building a prototype plant capable of producing commercial quantities of bricks. The plant is now being developed in leased buildings of the former Morgantown Ordnance Works and is expected to be operational in June.

Another process of importance to the Coal Research Bureau is the magnetic removal of sulphur and ash from pulverized clean coal. The bureau's process eliminates some steps recommended by foreign researchers. The next step is work on a pilot scale to see if large tonnages can be magnetically dry cleaned while maintaining the high degree of technical performance obtained from other systems.

This process, if it proves to be technically and economically feasible on a large scale, may be used at power stations to result in a substantial reduction in air pollution from sulphur burned with coal.

West Virginia's coal research program is geographically located in an area of intensive coal mining and utilization. Leonard believes that this, plus the bureau's mandate, makes it necessary for all research programs to be carried out with the objectives of developing new products, processes, tools and studies which are understood by and useful to the coal industry.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

"U" Hospital: A Medical Success Story

For 70,000 West Virginians the University Hospital has meant a type of medical care that was unavailable in the state only a few years ago.

The 500-bed University Hospital is an integral part of the mammoth Medical Center and occupies a unique place in West Virginia's medical system.

The hospital serves several functions. Not only does it provide a training center for university medical students, but it is a center where West Virginians can take advantage of the services of a large and highly trained staff of medical specialists.

University Hospital was designed and built in conjunction with the whole Medical Center complex. In August, 1960, the hospital accepted its first patients. The entire 500-bed capacity was not put into use at once, but opening has been on a gradual schedule based on need and financial ability to operate the expanded capacity.

The hospital last adult unit was opened in January as an extended care facility. The last children's unit of 30 beds is tentatively planned to be operational later this year.

Hospital Director Eugene L. Staples said that since its opening, the hospital has cared for approximately 70,000 people, many of whom have visited the hospital several times.

All admissions to University Hospital are on a referral basis—a patient's hometown doctor must recommend that he go to University Hospital and ask for his admission.

Approximately 22 percent of the hospital's patients are medically indigent and receive free treatment.

Growth of the hospital is reflected in a statistical report prepared by Staples. In 1960-61, its first year, the hospital admitted 2,293 patients, its clinic handled 5,705 patients, the emergency room 3,041, there were 947 surgical procedures and 231 babies born. In 1965–66, these figures had risen to 9,859 admissions, 54,352 clinic visits, 15,720 emergency room cases, 4,348 surgical procedures and 602 births.

University Hospital does not operate exactly like the usual general hospital. Being a teaching hospital, it asks more of its patient in return for the services of its staff and facilities.

As a teaching hospital, it serves as a practical laboratory for advanced medical students who work with patients under the supervision of qualified doctors.

Among its resources, Universty Hospital can call upon the most modern medical equipment available today. But it does not consider that its biggest asset.

"The biggest thing we have to offer is an accumulation of highly trained specialists," said Staples. Because of its position as a large teaching hospital, Staples said, its staff has had more experience with a large variety of medical problems.

But the director insists that what University Hospital has to offer the patient is just a matter of degree in comparison with other hospitals in the state.

University Hospital's staff consists of 64 full time and 49 part time physicians plus a supporting non-medical staff of 900, including 160 nurses.

Its budget this year is $4.75 million, about three-fourths of which comes from billings to patients. The rest is provided by tax money.

Staples believes the hospital also has benefited the state in ways other than providing medical treatment.

The hospital has attracted a number of medical specialists to West Virginia, he said, and held others who might have left the state. It also has provided training programs and on-the-job experience for personnel from other state hospitals.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

Basketball: Second-Runner No More

(By A. L. Hardman)

Basketball at West Virginia University doesn't date back as far as football—by a matter of about 10 years—and for a long period of time, it was accepted as a distinct second-runner to football.

During the coaching career of Francis Stadsvold at WVU, covering 14 seasons starting in 1920, the Mountaineers did only a little better than break even. And nobody seemed to care much as long as they could hold their own with the hated Pitt Panthers.

Stadsvold did a pretty good job of that for a time. It was nip-and-tuck down through the years and at one time WVU tied four consecutive defeats on Pitt—1924–25–26.

During the years of 1928–29–30, the whole tri-state district thrilled to the individual duels between West Virginia's famous Marshall (Little Sleepy) Glenn and Pitt's equally well known Chipper Charley Hyatt.

In their day, they knew no peer and often old WVU fans have wondered just how great these two crack marksmen might have been were they playing today under the run-and-shoot rules.

When Stadsvold's team began to slip in the late 20s and early 30s, they dropped six in a row to Pitt and went through four losing seasons. The popular Minnesotan resigned after the 1933 season and Glenn replaced him.

Glenn coached three winners right off the bat with stars like Jess Weiner, Bill Klug, Joe Stydahar and Babe Barna. But when the team ran afoul of losing ways in 1937 and 1938, Glenn was replaced by Dyke Raese, who was to strike the most famous blow for popularity and fame ever known to WVU basketball teams.

Raese did little better than break even his first three years as coach but hit upon a real winning combination in 1942 and posted a 16-4 record for the season with such stars as Rudy Baric, Scotty Hamilton, Lou Kelmer, Dick Kesling, and Roger (Shorty) Micks.

The National Invitational tournament in New York City was just getting its wings about this time and WVU's athletic director, the late Roy M. (Legs) Hawley, made a pitch to get the Mountaineers a spot in the eight-team field.

Finally, through his friendship with the tourney director, Ned Irish, WVU got the eighth seeding in the field that included the so-called powers of the east and south.

Led by Baric and Hamilton, the Mountaineers got the headlines the first round when they knocked off top-seeded Long Island U., coached by ex-West Virginian Clair Bee. The score was 58–49.

Inspired by this win, the "Cinderellas" went on to beat Toledo, 51-39, and then drop Western Kentucky, 47-45, in the finals.

Mediocre years fell upon the Mountaineers, however. Raese quit while he was on top and was succeeded by Rudy Baric and the late Harry Lothes, each serving one season.

The late John Brickels came up from Huntington High School then to tutor the Mountaineers to a 12-5 season. On the strength of this and a little more Hawley persuasion, the NIT invited West Virginia back again. But a big DePaul team easily toppled the Mountaineers in the first round, 74-58.

The veteran Lee Patton, who had served for many years at Princeton High School, became coach in 1946 and enjoyed five good seasons with the Mountaineers until his death at the end of the 1950 season.

Robert N. (Red) Brown, highly successful coach at Davis and Elkins and now athletic director at WVU, succeeded Patton and, with All-American Mark Workman, a giant from Charleston, as his big man Brown, too, got in some highly successful years.

His 1952 team rounded out a 22-3 season before going to the Southern Conference tourney. There the Mountaineers spanked William and Mary, 77-64, in the opening round but lost a heartbreaker to Duke, 90-88, in the second round.

Brown stayed on as coach until athletic director Hawley died in 1954. He then moved in to become athletic director and one of the Mountaineers' stars of the past. Fireball Freddie Schaus quit professional basketball to return as coach.

Under Schaus, the Mountaineers enjoyed their greatest day.

He had such outstanding stars as Jerry West, Rod Thorn, Hot Rod Hundley, Joedy Gardner, Lloyd Sharrar, Bob Smith, Willie Bergines, Pete White, etc. and the Mountaineers were immediately a national attraction.

With Hundley as his ace, Schaus piloted the Mountaineers to records of 19–11 in 1955, 21–9 in 1956 and 25–5 in 1957. They won three consecutive Southern Conference titles only to be knocked off by LaSalle, Dartmouth and Canisius, in that order, in NCAA play.

When West made his debut in 1958 as a sophomore, the Mountaineers once again took the Southern Conference but lost in the first round of the NCAA playoffs, bowing to Manhattan, 89–84.

The old NCAA jinx left them in 1959, however, and they came within a whisker of winning the national championship.

After knocking off Davidson, William and Mary and the Citadel to win the Southern Conference tourney, the Mountaineers spilled Dartmouth, St. Joe of Philadelphia, Boston U., and Louisville in its first four games in the NCAA.

But then the California Bears nipped West Virginia, 71-70, in the finals of the NCAA at Louisville. They reached the second round of the NCAA in 1960 but bowed out finally to New York U., 82-81.

Schaus had attracted as much attention as his team during these years and soon the Los Angeles Lakers called upon him to become their coach in the National Basketball League. He's still there.

Meantime, Schaus' assistant, George King, took over. King, a Charleston boy who had shattered every scoring record in the book when he starred at home town Morris Harvey, had gone on to play pro ball and had a good background to take over for Schaus.

He, too, had succesful years winning two Southern Conference titles in four tries and gaining the second round of the NCAA in 1963.

But living in the shadow of the great Schaus was King's misfortune and, while his teams won consistently, there was constant bickering from the spoiled WVU fans that finally caused him to move on. He took the head coaching post at Purdue in April 1965 and is still there.

Meantime, Raymond (Bucky) Waters, 29-year old protege of the late Everett Case of N. C. State, applied for and landed the job. He had served as an assistant to Vic Bubas at Duke since the age of 23 and came well versed in the game.

At WVU he inherited a team totally lacking in height and experience. But he also inherited one of the most sought-after high school stars in the land in Ron (Fritz) Williams of Weirton.

Building around Williams and his only talented big man, Bob Benfield of Charleston, Waters turned in a highly pleasing 19–9 record.

The Mountaineers didn't win the conference tourney, losing to a great Davidson team, 80–69, in the finals, but went without their big man, Benfield, throughout the tourney which was a handicap too great to bear.

Waters is in the midst of his second season now and folks are looking forward to some great things in the future.

Upon taking the WVU job, he called on Garland (Sonny) Moran, a highly successful coach at Morris Harvey College for several years, to be his assistant. And the Waters-Moran combo has made great strides toward restoring WVU basketball to its old level.

George Krajack, a former Clemson star and coach, was hired as freshmen coach, rounding out the best staff WVU has ever had.

West Virginia basketball teams, since 1904, had won 793 games against 452 losses as they went into the 1966–67 season. They had won 166 games against only 32 defeats in the Southern Conference and had won nine conference championships in 16 years in the SC.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

FACULTY: THOUSANDS SHARED IN ACADEMIC SUCCESSES

From an initial investment of $141,000 and with a curriculum containing chiefly classical studies in 1867, West Virginia University in 100 years has grown to a sprawling institution of 15 different colleges and schools, operating on a budget exceeding $40 million.

Thousands of men and women have contributed immeasurably toward the growth and development of the university from its humble beginnings, but perhaps no efforts have been more significant than those of WVU's former faculty members.

Reaching far back into the institution's history, we find a gentleman by the name of James Riley Weaver, a Civil War veteran and member of the original faculty of the Agricultural College of West Virginia (as the university was first named.) Weaver served as professor of mathematics and military tactics, organizing the cadet corps and holding the position of commandant of cadets.

Another member of the original faculty, Franklin S. Lyon, served as principal of the old preparatory department and professor of English until 1886. His daughter, Harriet, was the university's first woman graduate in 1891.

WVU presidents had their troubles with a colorful character, St. George Tucker Brooke, a member of the historic Tucker family who served in both the army and navy of the Confederate armed forces, including a stint on the Merrimac. Brooke, the first WVU professor of law and an able teacher, fought for freedom of expression by attending the Military Ball and deliberately smoking in front of students after several presidents had asked their faculty not to participate in such activities.

One of the most illustrious faculty members was I. C. White, a famed geologist whose work on the bituminous areas of Pennsylvania and West Virginia formed the basis for subsequent and detailed work in these states. He advocated and secured the establishment of West Virginia Geological and Economic Survey in 1897, becoming state geologist the same year, a post which he held until his death 30 years later.

A very popular teacher and well-published writer, Waitman T. Barbe, arrived at the university in 1895, where he remained for 30 years. He served as assistant to the president, and at the same time was president of the WVU Alumni Assn. traveling throughout the state as a university representative; professor of English; editor of the West Virginia School Journal from 1904 until 1923; and Board of Regents member. He published six books, specializing in the interpretation of poetry.

Two WVU law deans were prominent during the early stages of the university. Warren F. Madden, a dean of the College of Law, left in 1927 to become a judge on the United States Court of Claims; while Thurmond W. Arnold went on to a professorship at Yale in 1931 and a later judgeship.

Several persons contributed greatly to the development of the division of music (now part of the Creative Arts Center). Louis Black and Susan Maxwell Moore made great contributions in the first third of the century, while Frank Cuthbert and Weldon Hart provided leadership for further development in music in this decade. Walter A. Mestrezat organized and conducted the University Marching Band.

Arriving in 1901, Jasper Newton Deahl was "a constructive force in molding the educational policies of the state of West Virginia." Deahl served as the first dean of the College of Education, beginning in 1927.

Historian James Morton Callahan served from 1902 through 1929, including 14 years as dean of arts & sciences. Named a professor emeritus of history in 1940, his writings included books on American foreign policy, international relations and West Virginia history.

Other eminent historians included Oliver P. Chitwood and C. H. Ambler, who were both at the university through much of the same era. Both professor emeriti of history, the two wrote a great number of books, with Ambler specializing in West Virginia history. Chitwood retired in 1946 and Ambler in 1947.

An early English department head, Robert A. Armstrong, who held the reins of the department from 1903 until 1930, wrote seven books, including several on Bible interpretation.

Mining engineering rapidly gained stature under the direction of A. C. Callen and later G. Ralph Spindler. Callen took over a professorship of mining engineering in 1917, and vastly expanded the mining education curriculum, resulting in national recognition of the university's course in this area.

Spindler became assistant director to the School of Mines in 1943 and director of mining extension in 1944. He left to take a position with the Ministry of Fuel and Power, United Kingdom, and later was chief of West Virginia's Department of Mines until 1948. He returned to WVU in 1948 as director of the School of Mines, and was named dean of the School of Mines in 1958, a position he held until his death in 1961.

The development of the College of Engineering was accelerated by C. R. Jones, who became professor of mechanical engineering in 1901 and served in that capacity until succeeded by R. P. Davis in 1932. Davis, dean emeritus of the College of Engineering, attained status of an internationally known consultant in the field of structural engineering.

The brother team of Carl and Harold Cather made great contributions to the College of Engineering, amassing more than 90 years of service between them. Carl Henry Cather was chairman of the department of theoretical and applied mechanics, while brother Harold Malcolm Cather was chairman of the department of mechanical engineering.

Allegedly the first full professor of bacteriology in the nation, John Lewis Sheldon took that title in 1903, and was later named professor of botany, where he pioneered the botanical exploration of West Virginia, serving as professor of botany until his retirement in 1919.

A profesor of pathology, Aaron Arkin, established the West Virginia Hygenic Hospital, which has since been taken over by the State Health Department.

A man considered one of the foremost leaders of West Virginia agriculture, Nat T. Frame, was director of agricultural extension from 1919 until 1933. The first dean of agriculture, Thomas C. Atkeson, was a prominent politician, who became head of the National Grange.

Perry Daniel Strausbaugh, who became head of the department of botany in 1923, organized the University Botanical, later called the Botanical Expedition (a traveling field course in botany). After Strausbaugh's retirement in 1948, it became the Terra Alta Biological Station.

Robert C. Colwell, appointed professor and head of the department of physics in 1924, is credited with being largely responsible for the expansion of that department and the development of a research-conscious staff during his 30 years of teaching.

The School of Journalism can look mainly toward one man in tracing its greatest progress. P. I. Reed headed journalism for more than 38 years, during which the department evolved into a separate school in 1939.

Two men stand out in the development of the physical education program at WVU. Harry L. Samuels was named director of intramural sports in 1928, becoming the first full-time instructor in the East. Dean G. Ott Romney's administration saw the formation of the present Athletic Council and the establishment of the department of recreation.

John F. Sly, chairman of political science fom 1930 to 1935, headed a group of faculty members who went to the state capital in 1933 at the request of Gov. H. G. Kump to help solve the problems of the depression and the newly enacted Tax Limitation Amendment.

As most WVU students know, the little safety island in front of the Elizabeth Moore Hall has long been tagged "Grumbein's Island," named after J. B. Grumbein, who served as chairman of the committee on buildings and grounds from 1932 until 1945. Grumbein, who had been a member of the College of Engineering staff since 1904, recommended and supervised the building of the safety island.

Gordon A. Bergy took charge of the department of pharmacy in 1916 as instructor and developed three and four year curriculums, leading to degrees of Pharmaceutical Chemist and Bachelor of Science in Pharmacy.

J. Lester Hayman, dean emeritus and professor of pharmacy, became dean of the newly formed College of Pharmacy in 1936 and held that position until his retirement from administrative duties in 1961.

Harry G. Wheat, who taught at WVU from 1935 to 1956, was the author of six books, principal author of textbooks and contributor to yearbooks and educational journals, mostly directed toward the teaching of arithmetic.

In looking back over the first 100 years of the university, its evolution into a modern institution of learning is perhaps symbolized best by the magnificent University Medical Center. But, this fine structure could never have materialized were it not for the early work of J. N. Simpson, who became head of the medical faculty in 1905 and became known as the founder of the WVU School of Medicine.

One of the men greatly responsible for the building of the Medical Center was Edward J. Van Liere, dean emeritus of the School of Medicine and professor emeritus of physiology, who retired just last July. In his position of dean of medicine from 1935 until 1960, Van Liere was instrumental in the development of the school and the planning and building of the Medical Center.

After a century of progress, building and development has been recorded, West Virginia University's future looks indeed bright.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

AGRICULTURE AND FORESTRY: MAKING THE FUTURE BECOME THE PRESENT

(By Edward White)

A review of the development of agricultural science at West Virginia University must be presented as a composite history, of people and materials, and of hope.

The federal Hatch Act (1887) appropriated funds for establishing agricultural experiment stations at land-grant colleges—colleges established by the Morrill Act of 1862. As a result the West Virginia Agricultural Experiment Station was organized in 1888 under its first director, John A. Myers. Its offices were the old University Armory, converted in 1890 and '94, and demolished in 1961. In 1895 the College of Agriculture was established as a distinct part of the university. It embraced the experiment station.

Director Myers was not popular. There was a strong feeling that the nature of his work was too theoretical, too difficult to understand, and too localized at Morgantown to be of benefit to the state. After a long and bitter quarrel with the State Grange and Farmers' Alliance, Myers was fired in 1897.

At the same time James H. Stewart, a Putnam County lawyer and farmer, was made new director. Although lacking in leadership he was credited with eliminating the station's aloofness, making contact with farmers, bringing good men to its employment, and other modest accomplishments. He bought 91 acres for a farm. As in the case of his predecessor, however, he fell afoul of the problems of fair dissemination of information and intrigue.

Stewart resigned in 1911 and was replaced as director by E. Dwight Sanderson, who, by a consolidation of agencies, became director of the college, the experiment station, and the Agricultural Extension Service, to all of which the Department of Home Economics was added in 1914.

Director Sanderson broadened the field of activities of all departments. Monongalia County bought 592 acres to add to the original farm. And after these early, stumbling beginnings, stimulated by federal funds for cooperative extension under the Smith-Lever Act of 1914, the College of Agriculture moved out upon a highway of progress leading up to the present.

In 1918 it occupied a new building named Oglebay Hall. In 1937 a forestry department was organized. In 1965 the Home Economics Department was transferred to the College of Human Resources and Education. Today, 100 years after the creation of West Virginia University, all agricultural activities are conducted by its College of Agriculture and Forestry.

The college has grown in people and materials in direct proportion to the expansion of its experimental and educational adventures. In the old University Armory of 1887 Director Myers assembled two entomologists, two horticulturalists, a botanist, and a chemist. Today there are 138 scientists and teachers in agriculture and 23 in forestry. The farm opened in 1919 with 20 cows, four mules, and six sheep. Now there are 550 head.

Benefiting greatly from more generous federal and state appropriations the College of Agriculture and Forestry has become a colossal network of property, a huge community of workers and educators.

At its center in Morgantown are two attractive and impressively complete modern experimental and educational buildings. One is expressly for forestry. The other is the general headquarters of the college. It also houses the divisions of agricultural economics, education, engineering, agronomy and genetics, animal industry and veterinary science, horticulture, and plant pathology, bacteriology, and entomology.

From this nucleus lines of communication, instruction, and investigation go out to forests, camps, and farms in Berkeley, Greenbrier, Randolph, and Cabell Counties, at Coopers Rock, in Wardensville, Point Pleasant, Kearneysville, and Reedsville, and to dozens of county test plots. Information from all over the state filters back to the college, where test results are processed through the university's computer center.

Adjacent to the college are livestock, dairy, poultry, and crop farms where experiments are conducted in fertilizing, feeding, management, machine use, and methods.

Hope has been the greatest ingredient motivating the forward march of the college, and it is still a power urging the men involved there today. From its early beginning more faith in the work's basic value has gone into this effort than fruit has been born.

Farmers are hard to teach, and the West Virginia farmer has problems insoluble by conventional experience. His per capita income is still among the lowest of the states. To offset this chronic depressant there has had to be much of the missionary in the men who have spent their lives driving over the defiant mountains carrying the latest agricultural messages.

Absence of visible results from day to day is discouraging. New discoveries, changes in living conditions, tastes, products, and marketing procedures have been so rapid that the college has been harassed with the triple problem of self-education, appraisal, and dissemination.

Nevertheless, it can point with pride to many solid accomplishments. Prominent on the list of these is the State 4-H Camp at Jackson's Mill, unique in its time, one of the best programs in the country. The forestry division, in building itself a remarkable example of wood experimentation, has an outstanding wood-testing laboratory for studying Appalachian hard-wood uses.

The college has had an evident impact upon the state's agriculture. Widespread promotion of grass farming has conserved hundreds of thousands of acres from destruction by erosion. Testing programs at farms have improved the sheep, poultry, beef cattle, swine, dairy cows, crops, and feeds which farmers raise and use.

The role of the college has been to work in the field of basic research with advanced information, to be ready to answer questions when the future becomes the present. In order to aim at that time, the ultimate direction today has to be toward lower acreage and greater production.

The program at the West Virginia College of Agriculture and Forestry intends to be dedicated to this goal. At its most positive, however, it is an endorsement in which success is not always discernable. Yet in those who, today, are responsible for its direction, hope and enthusiasm seem to abound.

[From the Charleston (W. Va.) Sunday Gazette-Mail, Feb. 5, 1967]

FARMING FOR BETTER LIVING

Farm families in 24 counties of West Virginia feel the influence of West Virginia University in a unique program designed to dramatize good farming practices.

The program is "Farming For Better Living" and it's an example of how industry and the university work together toward a common goal.

Each spring some 2,000 farm families enrolled in Farming For Better Living receive a booklet of recommendations for good farming practices. Each fall these same farm families report on their own farm practices. These reports are graded and a county Farming For Better Living council makes an award to the top farm family in the county.

The program had its beginning in the late 1930's. These were the years when the Cooperative Extension Service of West Virginia University was confronted with telling the story of many new agricultural practices—practices that have since greatly increased the production of American agriculture.

The liming and fertilization of pastures, artificial breeding of dairy cattle to high-production bulls, crop rotation, contour farming, soil conservation plans, and a myriad of other new and exciting farm ideas needed to be taken to the grassroot levels of farming.

At the same time Monongahela Power Co. had been pioneering in the field of area development under A. C. Spurr, who was then president of the electric utility. Spurr's philosophy was that in order for the utility to prosper, its customers must first be prosperous.

Extension and power company officials met together and the result was the Farming For Better Living program—a program that dramatized the farm recommendations on the grassroots level. Each year since 1940, cooperative extension officials have updated the FFBL recommendation booklet. Each year the Farming for Better Living awards are made to 24 West Virginia county FFBL champions, to four regional champions and to an over-all Sweepstakes champion.

Each county cooperative extension agent works with local and civic and business leaders to enroll farm families, to interpret the farm recommendations, and to grade the farm reports. On the staff of the Monongahela Power Co. is an agricultural counselor at the general offices in Fairmont, and four field agriculture representatives who sparkplug the FFBL program. Local businessmen in each county are represented on the county FFBL councils and run the program on the local level.

Another program, the outgrowth of this university-utility cooperation, is now called the Community Action Program. The same university-utility effort is expended here to show the small rural community the road to self-improvement.

A. C. Spurr served as President of Monongahela Power Co. from 1935 to 1955. He was also a member of the West Virginia Board of Governors from 1946 until his retirement.

[From the Charleston (W. Va.) Sunday Gazette Mail, Feb. 5, 1967]

BASEBALL, TRACK TEAMS WIN, MOUNTIES DOMINATE RIFLE SHOOTING

Minor sports?

There are none at West Virginia University although there is no mistaking that football and basketball stir up the most interest.

The outstanding coaching staffs of football and basketball, headed by Deacon Jim Carlen and Raymond (Bucky) Waters, respectively, are known from the tip of the panhandle to Virginia border at Bluefield.

But mention the name of Steve Harrick or Stan Romanoski and everybody gets the message in other sports.

Harrick coaches baseball and wrestling at WVU, Romanoski is in charge of track and cross country. Both are dedicated veterans who have long since established footholds in popularity that no other coaches—if they live a hundred years—can match.

But there are other non-minor sports at West Virginia University—all doing well, too, thanks.

Indeed, the sport of rifle shooting has been particularly outstanding.

Few teams have dominated a collegiate sport as has West Virginia in rifle. Last year's national championship was the third for the Mountaineers.

Coach Francis Orchard's team actually rewrote the record book of collegiate rifle shooting, sweeping 11 dual matches, the Coast Guard and Kansas State invitationals, the Southern Conference and U.S. title as well.

Not nearly as much mention as deserved has been accorded the fact that Dean Dahrman, a junior from Arlington, Va., Captain Jack Writer, a senior from LaGrange, Ill., and Andy Holubek, a sophomore from Wheaton, Ill., gained All-American distinction last year.

They joined seven others who have made All-American in the past. It was the third year for Bahrman and Writer to be honored and the second year for Holubeck.

Trish Kinsella, whose sex made her ineligible in Southern Conference competition, set a women's national rifle record and was recognized by Sports Illustrated last year.

Ruel Foster has tutored the tennis team to distinctive seasons in his 15 years of coaching, but inasmuch as the weather in West Virginia is not the very best for tennis, the Mountaineers have not enjoyed good success with their more southerly rivals in the Southern Conference.

Once a fellow named Dr. Thomas Ennis coached the team. That wily old Robert Ripley soon made a connection there, noting that the WVU tennis coach was a man named T. Ennis. Red Brown, present athletic director, coached the team from 1951 to 1954.

In addition to tennis, there is gymnastics, coached by William Bonsall, now in his 14th year.

The 1965 team won the southern district championship and Jerry Spencer, star of the team, was the best in WVU history in all-around performance.

Swimming has been on the upswing in recent years. Last year's team, under the departed coach, Jack Lowder, proved that it would no longer fill the unwanted role of Southern Conference doormat. His successor, Kevin Gilson, is now coach and enjoying a good season.

In his sport, beautiful Bette Hushla attracted national attention as the star of the team in 1965 and made the headlines often after she was barred from Southern Conference competition because of her sex.

Golf, coached by veteran Charley Hockenberry, has produced such stars as Mike Krak, captain of the 1946 team, who is now a well-known pro player, and Reggie Spencer, captain of the 1952 and 1953 teams, and now a pro at Morgantown. The 1966 team won 11 matches—a new high for university golf teams.

Soccer is a relatively new sport on the West Virginia program. It got its start in 1961 with Jim Markel as the coach. He remained through two seasons when Sam Maurice took over. The last two teams have been coached by Greg Myers.

West Virginia was one of 16 teams in the country to be invited to the NCAA championships last year. The team had finished its season with an impressive 13–2 record and had won the Southern Conference title for the second straight year.

Then Temple knocked the Mountaineers off in the first round of NCAA play. But it was a good season as WVU scored first-ever wins over Pitt, Penn State and Slippery Rock.

Harrick's success with the baseball team has been all but phenomenal. Now in his 20th season as diamond coach, his teams, five of which were conference champions, have put together a string of 14 consecutive winning seasons. They have won 312 games against only 151 losses.

They took part in NCAA playoffs in 1948, 1955, 1961 and 1964.

WVU's wrestling teams, which Harrick has coached for 29 years, have won 147 matches against 96 defeats and four ties. They won Southern Conference titles in 1954, 1959, 1964, 1965 and 1966.

The name of Dave Tork has done as much as anything to put WVU in the national limelight, trackwise. Dave, son of Pat Tork of the Department of Physical Education, achieved fame after graduation by setting the world's record for pole vaulting with a vault of 16 feet, two inches in 1962.

Tork is now grooming a lad named Jack Carter, whom he feels will take his place on the Mountaineer varsity. Jack vaulted 15–8 in the NCAA meeting in Detroit last year, finishing second, and Tork has great hopes that he might make Coach Romanoski a great vaulter in years to come.

Although the WVU team must train on a one-fifth mile track, it managed to win the 1964 Southern Conference title. It once had access to the WVU field house, where some of the greatest names in track had performed—fellows like Jesse Owens. But the track there has long since been paved and turned into an exclusively house for basketball, gymnastics and wrestling.

Romanoski's cross country teams have fared well under Romanoski, despite limited talent. They finished first in the Southern Conference in 1962 and have finished second four times.

Romanoski not only has developed a state high school championship meet but has promoted with success the Mountaineer Invitational.

ERA OF IMPROVED COMMUNICATIONS TECHNOLOGY

Mr. TYDINGS. Mr. President, we stand at the threshold of an era of improved communications technology which offers an extraordinary opportunity for enhancing the public welfare. A few years ago, the first communications satellites were launched into orbit. Today the technological capabilities of such communications satellites have dramatically increased. Urgent questions now arise. How will this new technology be used? How can we insure that the widest possible public benefits will result from this new technology?

The February 1967 issue of Fortune magazine contains a fascinating article dealing with this question. In particular, the article focuses on the proposal advanced last year by the Ford Foundation that a domestic satellite system should be established to transmit television signals. Commercial television would pay for the use of the system, but educational and instructional television would be transmitted without charge. A satellite system, the foundation believes, would bring significant savings to the commercial networks, and those savings should be used to underwrite the development of educational and instructional television for the benefit of the public.

The report of the Carnegie Commission on Educational Television, published last month, deals only briefly with the new satellite technology. For the most part, its excellent proposals are restricted in application to ground-line communications systems. In examining and implementing the ambitious Carnegie commission proposals for support of public television, I believe that Congress should not lose sight of the enormous potential offered by satellite communications systems. We must plan for the future so that all of the public secures the benefits of the use of the space around us.

I ask unanimous consent that the Fortune magazine article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From Fortune magazine, February 1967]

The Little Bird That Casts a Big Shadow

(By Charles E. Silberman)

"The benefit to mankind staggers the imagination," says Dr. Harold A. Rosen of Hughes Aircraft Co., discussing the potential of satellite communication. Dr. Rosen, the principal designer of Early Bird, speaks with the understandable enthusiasm of one who has contributed as much as anyone to the rapid development of satellite technology, but he is hardly indulging in overstatement. For the satellite, in the phrase made popular by Marshall McLuhan, the Canadian student of communication, represents another vast "extension of man," enabling him to communicate almost without regard to distance. The telegraph cable, the radio, the telephone cable, and the microwave relay each enormously extended the range of man's voice and thought, but the cost of sending a message with these technologies still varies more or less proportionately with the distance it travels. With the satellite, cost is nearly independent of distance.

Moreover, satellite technology is advancing faster than anyone except Rosen and a few other enthusiasts had expected. A single satellite now scheduled to be put in orbit next year by the Communications Satellite Corp. (Comsat) will provide 1,200 overseas circuits—about as many as are now available from *all* other technologies for transmission of telephone, telegraph, and data from the U.S. to the rest of the world. And this satellite is only the first of several to be launched by Comsat in the next two years on behalf of an international consortium; each satellite in this Intelsat III system will have a 1,200-circuit capacity and a five-year life expectancy. By contrast, Early Bird, orbited by Comsat in 1965 to demonstrate the feasibility of satellite transmission, has a capacity of only 240 channels and a life expectancy of a year and a half. And next generation satellites now under development will have five times the capacity of the Intelsat III "birds"—twenty-five times the capacity of Early Bird—at only nominal increases in cost.

The implications, clearly *do* stagger the imagination. Through satellites the nations of Africa, Asia, and Latin America will have easy access to the advanced nations—and to each other—and a capacity to use radio and television for mass education and information that otherwise would have been utterly impossible. Communication among the developed nations will be facilitated enormously, too. In the past decade international communication has been growing at more than 15 percent per year, compounded; in some regions the growth has been much faster—e.g., 33.9 percent a year between the U.S. and Puerto Rico and the Virgin Islands since the first cable was laid in 1960. And these figures may grossly understate future growth since, in communication, supply tends to create its own demand. Without an exception in recent years, the introduction of new facilities has been followed by much faster than expected growth in demand.

While the satellite's greatest impact may be felt in international telecommunication, at least for the near future its largest market may be within the U.S., which has nearly half of the world's telephones and 40 percent of its TV sets. Satellites can be used to reduce the cost of long-distance telephone and telegraph communication. They may be even more effective in bringing down the cost of data transmission. And a recent highly imaginative and enormously controversial Ford Foundation proposal has made it clear that the most fruitful immediate application of satellite technology is for distribution of network television. Satellites could substantially reduce the cost of television distribution, dramatically increase its range, and improve its coverage and quality. All of the U.S., including Hawaii, Alaska, Puerto Rico, and the Virgin Islands, might be linked by a number of new networks that could enable TV, at long last, to realize its promise.

Understandably, therefore, the satellite has evoked more interest and excitement than any other technological development of recent years, save possibly the computer. (The atom bomb, of course, is in a class by itself.) It has also evoked more opposition and controversy. By making older technologies obsolescent for some (but by no means all) purposes, the satellite threatens the position or even survival of companies whose operations are based upon those technologies. The satellite poses political and financial problems for a number of sovereign nations as well—most particularly for Britain and France, whose ties to their old empires, such as they still are, depend in good measure on their control of the "transit points" through which most international telecommunications must pass. Virtually all international telephone calls from or to Asia, Africa, and the Middle East are routed through London or Paris, for which these cities collect substantial "transit fees"—for example, a call from Abidjan, capital of the Ivory Coast, to Lagos, Nigeria, five hundred miles or so down the coast, may be routed through both Paris and London. Therefore, precisely where and when and for what purpose satellite technology gets introduced have become matters for heated domestic and international debate and negotiation.

Under ordinary circumstances, of course, these questions tend to be answered through the operation of the market. A new technology rarely makes all existing means of achieving a given end obsolete, and the satellite is no exception. Rather, a new technology makes it possible to do some things less expensively, to do some things better though at a higher cost, and to do some things that previously could not be done at all. The choice of which technology to use in any situation normally depends on careful calculations of relative costs and profits; it is the market that determines where and how a new technology will be used and that allocates the gains and losses from its displacement of older technologies. Indeed, this "process of creative destruction," as the late economist Joseph Schumpeter called it, is the critical function of the competitive market—"the essential fact about capitalism."

But what happens when there is no free market? In the communication industry, prices are set by government regulation and competition is minimal, where it exists at all. (The U.S. is virtually unique in having privately owned communication companies; in most nations telephone and telegraph service, like postal service, is operated by the government or a government corporation.) How a new communication technology gets used, and how it is priced, is the result of governmental as well as private decisions. Indeed, in the communication industry, corporate strategy is directed in good measure at shaping and influencing governmental decisions.

A number of decisions are now coming up—some of them to be made by the FCC, some by Congress, some by the White House, and some, in all probability, by the courts—that will largely determine the shape and direction of communication in the U.S. and the world for several decades to come. Hence a titanic struggle is underway, involving an impressive array of private, government, and quasi-public contestants in a bewildering variety of contests. Some of the contests are between governments—e.g., Great Britain and France against the U.S. Within the U.S. itself, some of the conflicts are between different agencies of the federal government—e.g., the FCC versus the Defense Department. Some are within industry—e.g., Comsat versus A.T. & T. Some are between industry and government—e.g., Comsat versus the FCC; and some involve quite new and unexpected lineups—e.g., the Ford Foundation versus Comsat and A.T. & T. The stakes are huge—for the governments, corporations, and foundations involved, and for everyone who uses the telephone or watches television. The way these questions are decided, moreover, may determine the shape not just of the communication industry, but of economic development generally, for it may set precedents that could determine how technologies as yet undeveloped are to be introduced and used.

A CHOSEN INSTRUMENT, BUT FOR WHAT?

The controversies surrounding the communication satellite in part grow out of the newness of the technology, in part out of the fact that the technology is enmeshed in an inordinately complex web of government-corporate relations. The satellite is largely a product of government-financed R. and D., and its promotion has been declared to be an objective of national policy. The Communications Satellite Act of 1962 created Comsat as a chosen instrument with exclusive right to operate the U.S. segment of an international satellite communication system. But the question of who has the right to put up and operate a *domestic* satellite system was left shrouded in ambiguity, as were a number of other questions involving Comsat's relations with governmental and nongovernmental customers and with the FCC.

To some degree, the ambiguity reflects the fact that Congress had to compromise some diametrically opposed notions about who should operate the satellite system—the government, a new company, or the established common carriers. It did so, in part, by using language vague enough to permit everybody to interpret the act in his own way. (See "The Comsat Compromise Starts a Revolution," Fortune, October, 1965.)

THE EXPERTS GUESSED WRONG

In large measure, however, the confusion stems directly from the fact that the Administration and congressional experts who drafted the 1962 act assumed that satellites would be used mainly for international communication, at least over the next decade or so. Their prime concern was the race with the Soviet Union for control of space; and they failed to anticipate the speed with which satellite technology would develop and the direction it would take. Harold Rosen and other experts at Hughes Aircraft argued the feasibility of synchronous satellites, i.e., satellites placed high enough (22,300 miles) to make their orbits synchronous with the rotation of the earth, so that they would keep in a stationary position relative to any point on earth. But most of the experts—notably the prestigious Bell Labs scientists and engineers—insisted that it would not be possible to place or maintain satellites of the necessary power and sophistication in synchronous orbit for a number of years. This pessimism seemed reasonable enough in light of the difficulties the Defense Department was experiencing with its unhappy "Advent" synchronous system, canceled in 1962 after an expenditure of $170 million.

The experts also argued that synchronous satellites would be unsatisfactory devices for telephone transmission because messages (traveling at the speed of light) take three-tenths of a second to cover the distance from speaker to satellite to listener. By the time a speaker gets his reply, six-tenths of a second has elapsed; if both parties tried to speak simultaneously, part of the conversation might be lost.

So the 1962 act was conceived and written on the assumption that, for the immediate future, the only system that could be operated would be one using low or medium-altitude "random" satellites like Bell Labs' Telstar. This assumption, in turn, ruled out a purely domestic satellite system. For one thing, it appeared that such a system would have to be international in scope because the individual satellites would keep moving about from one nation to another. There was also an economic reason. Since no one satellite would be in line of sight of any two points for more than a few hours at a time, a large number of satellites would be required, and that meant very high capital costs. So it seemed that satellite communication would be competitive only with overseas cable or radio transmission.

What happened, of course, was that the advocates of the synchronous satellite were proved right, in short order. Syncom I, Hughes's first version of Early Bird, was placed in orbit by NASA in February, 1963, but failed to function electronically. Syncom II, orbited in July of that year, and Syncom III, orbited thirteen months later, were both successful and have been used by the Defense Department. And in April, 1965, Hughes's Early Bird, built for Comsat, was placed in the orbit in which it still operates. Virtually all communication experts now agree that synchronous rather than random satellites will be used.

Consequently, a number of questions not anticipated when the 1962 act was written are now coming to a head. For the much lower capital costs of the synchronous satellite enormously expand the range of potential application. In international telecommunication, satellites are much more competitive with cables than had been thought, notwithstanding advances in cable technology; except for heavily used short routes like London-Paris or New York-San Juan, satellites now appear to be a lot cheaper than cables. More important, the synchronous satellite opens up new possibilities for purely domestic application.

COMSAT'S PREDICAMENT

But what kind of domestic satellite system—or systems—should be developed? For what specific kinds of communication—transmission of voice, data, television—should satellites be used? Who should own and operate the domestic satellite system or systems, how should the cost reductions that satellites provide be passed on to the users of these systems, and how should the losses, if any, from obsolescence of older technologies be absorbed? These questions go to the heart of the far broader question of how the gains and losses from any of the new technologies arising out of government research and development efforts are to be shared—to whom do these gains and losses belong, and who should make the decision.

Understandably enough, Comsat would like to have the domestic franchise for itself. For one thing, the company is anxious to find as many applications for satellites as it can, since it is limited by law to a single communication technology. Moreover, Comsat now finds itself overcapitalized for the mission for which it was conceived—to develop a global communication system. It raised $200 million through its initial stock offering (half from the general public, half from the existing common carriers, which are also represented on its board). That $200 million, Board Chairman James McCormack told a Senate committee last summer, represented "the estimated costs of a global communications system as then envisioned and really based around the Telstar, the orbiting medium-altitude satellite." But the advent of the synchronous satellite, he said, "makes everything a great deal less expensive, perhaps cuts its costs in half." What is more, Comsat's share of those costs has been cut by the fact that a great many more nations have joined the international consortium than had been expected—fifty-five countries, at last count. Hence "the amount of money initially raised," McCormack conceded, "is not now needed for the purpose as then stated." The money is a special incentive for Comsat to press its view that it alone has the right to launch and operate satellites for domestic purposes.

A.T. & T., on the other hand, is understandably anxious to absorb the satellite into its own common-carrier operations. The telephone company concedes to Comsat, of which it owns 29 percent, the right to own the satellites themselves, but not the ground stations, which may represent up to 55 percent of the costs of a satellite system. In any case, A.T. & T.'s major objective is to have satellites fully integrated into the Bell System; it wants to retain its traditional managerial discretion in deciding—on the basis of its own engineering and accounting studies—when and where a new technology should be used and how the cost savings it provides are to be allocated. The company's two greatest challenges, according to H. I. Romnes, A.T. & T.'s new chairman and chief executive officer, are "the introduction of new technology that will permit us to hold down and reduce rates in the face of inflation and rising costs" and the need to convince the FCC and the state regulatory agencies that "we shouldn't be restrained in exercising our best management judgment in running our business."

BUNDY'S BOMBSHELL

It was the Ford Foundation's proposal, first advanced last summer by its new president, McGeorge Bundy, that brought the questions about a domestic satellite system to the forefront of public discussion—and government decision. The foundation proposed that the FCC authorize creation of a new nonprofit corporation to distribute television programs via satellite. The catalyst was Hughes Aircraft, which some eighteen months ago sold American Broadcasting Companies, Inc., on the idea of a private satellite system to handle its own TV transmission. (Hughes's interest, of course, is to develop a broader market for satellites; at the moment it is limited to two customers, the U.S. Government and Comstat.) The FCC turned down A.B.C.'s application on technical grounds, but invited comments from all interested parties on a number of policy issues the application had raised. The Ford Foundation was responding to this FCC invitation.

According to the Ford plan, developed by engineers, scientists, and economists borrowed from Hughes Aircraft, I.B.M., the Rand Corp., and several universities, the new satellite system could provide greatly expanded and improved transmission at much lower cost to the three existing, and a fourth projected, commercial TV networks. The system would also provide free channels to link the nation's now isolated educational television stations into one or more national networks, as well as free channels for instructional television for schools and colleges. It might even generate some funds for improved and expanded educational television programing.

Most of the discussion and debate the plan has evoked has centered around Bundy's proposal that only part of the savings from satellite distribution should be used to cut the cost to the commercial networks: the great bulk—two-thirds or thereabouts—would be used as a "social dividend" to provide free channels for educational and instructional television. Bundy points out that the U.S. is the only advanced country without a national noncommercial network, notwithstanding the fact that television stations are given, without charge, an enormously valuable and terribly scarce national asset—i.e., their assigned portion of the frequency sprectrum. Since satellite technology is also a national asset, there is a certain amount of logic in using part of the savings from satellite distribution of a noncommercial network. But it is quite understandable that the commercial networks have concentrated their fire on this part of the plan, arguing that they should not be the only ones to be taxed if noncommercial television is to be publicly subsidized.

SHALL THE CARRIER BE DEDICATED?

What A.T. & T. and Comsat are mainly opposed to, however, is not the "social dividend" concept but the idea of separating TV distribution from other satellite applications and other common-carrier operations. Both companies have attacked the Ford proposal as economically unsound and socially undesirable, and each has proposed in its stead a multipurpose satellite system that would handle telephone, telegraph, and data transmission as well as television distribution. (The A.T. & T. and Comsat proposals differ in a number of respects—e.g., ownership of the ground stations, relation of satellite to terrestrial facilities.) Establishing a separate "dedicated" system for television distribution, Comsat argues, would mean costly duplication of facilities that would increase the cost of the TV system and delay the use of satellites for other kinds of communication.

A.T. & T.'s argument against the Ford Foundation proposal is a bit more complicated. The company currently provides the bulk of intercity network connections, but since this service—roughly $65 million in 1965—represents just 0.6 percent of its gross revenues and even less of its net profit, A.T. & T. is not especially worried about losing the TV distribution business. It rests its case on principle rather than on self-interest, the principle being "that only the most overriding considerations of the national interest warrant the establishment of satellite communications systems for specialized applications." Specialized satellite systems—by implication, specialized communication systems of any sort—violate what A.T. & T. calls "the common-carrier concept" that savings from a new communication technology should be "passed along to *all* users." Only thus, the company argues, is it possible to realize the economics of scale that derive from common-carrier operation. As the company's brief to the FCC puts it, "the national interest requires—and our responsibility as a common carried dictates—that the nation's communications needs be met at the lowest possible over-all cost, taking into account the service requirements of all users."

The crux of the matter, however, is that for the next five to ten years—the maximum life expectancy of satellites under the the present state of the art—satellites will not have any great advantage over cables or microwave for transmission of domestic telephone conversations. Transmission by terrestrial cable or microwave appears to be cheaper than satellite transmission on calls going less than 1,000 miles or so—and such calls account for roughly 75 percent of domestic long-distance traffic. Line-haul transmission—the part satellites would handle—represents no more than 15 to 30 percent of the total cost of an interstate long-distance call. Because telephone communication involves two-way transmission of a huge number of relatively small bits of information between an almost infinite number of points, the great bulk of the cost—70 to 85 percent—is embodied in the elaborate switching equipment and the complex logic that automatically chooses an alternate route if the usual one between two points is being used, plus the sophisticated echo suppressors required if a call travels more than a thousand miles. Hence even a drastic reduction—say 50 percent—in line-haul transmission costs would yield only a 7½ to 15 percent cut in the total cost of a long-distance call. Satellites may afford much larger reductions in the cost of data transmission, but a number of technical problems remain to be solved, and in any case such traffic won't become significant until about the middle 1970's.

By contrast, satellites are almost ideally suited for the distribution of television broadcasts. Since TV distribution involves one-way transmission of large blocks of information between a relatively small number of points, relatively little switching is required; line-haul transmission represents some 75 percent of the total distribution cost. Cutting transmission costs by use of satellites thus would yield an almost proportionate reduction in total distribution costs. And since TV transmission is one way, the time-delay problem doesn't arise.

A SUBSIDY FOR TELEPHONE

So the bulk of the traffic—and savings—in the initial satellite systems favored by A.T. & T. and Comsat would come from TV distribution. A.T. & T. envisions that the use of satellites would cut its annual operating costs by $19 million in 1969, virtually all of this attributable to cheaper TV distribution. The saving would rise to $27 million in 1975, of which $16 million would be attributable to television. Not until the late 1970's would the savings from satellite transmission of telephone (data as well as voice) messages exceed the savings from TV distribution. But by that time the original system would have been scrapped altogether and a new and radically different one put in orbit.

Comsat hasn't indicated how large the cost savings in *its* system would be, but its projections indicate that at least three-quarters of the initial traffic would be television broadcasts—and the company concedes that its projections of television channel requirements "may appear to be somewhat lower than estimates made by others." Demand for message channels would not begin to equal or surpass that for television channels until the later 1970's, by which time the company would have to replace its initial system with a wholly new one very similar to the one A.T. & T. has proposed for that period. Thus, Comsat's system doesn't become truly multipurpose until the middle 1970's. What it has proposed, in effect, is that for the first four or five years an essentially single-purpose system be enlarged somewhat, so that TV revenues can subsidize experimentation with satellite transmission of telephone and data messages. This enlargement, Comsat argues, would make possible economies of scale that would lower the average cost per TV channel.

Whether one multipurpose system would in fact be cheaper than two "dedicated" systems is a matter of some debate; there are economies of specialization as well as economies of scale. Whatever the interplay between them, as the Ford Foundation cogently argued in its December 12 filing to the FCC, the argument turns "on how physical facilities are used, not on how they are owned and organized." The choice is not between a number of special-purpose systems and a single multipurpose system owned by Comsat or A.T. & T. "If there are substantial cost advantages in joint use of some part of the facilities of a television satellite system—on the ground or in space—for telephone and data transmission," the foundation suggests, "there is no reason why that should not be done." After all, A.T. & T. was required to share ownership in its latest transatlantic cable with the three U.S. international "record" carriers.

The real question at issue is how satellites are to affect communication rates. Ordinarily, the reduction in the cost of a particular product or service brought about by a new technology will lead to a more or less commensurate reduction in the price of that particular product or service. A $19-million cut in annual costs from use of satellites would have a huge and visible effect on the $65-million annual bill for TV distribution. But if the cost of new facilities must be averaged with those of existing facilities in determining rates, as A.T. & T. has urged, and Comsat has implicitly agreed to, the $19-million saving would all but disappear; it is a mere droplet when measured against A.T. & T.'s $4.6 billion of long-distance revenues. And since costs and revenues from different services would be lumped together, it would be difficult for the FCC or anyone else to judge how much satellites cut the cost of any particular communication service, and hence whether the new technology was being put to its optimum use.

THE AMERICAN TELEPHONE WAY OF LIFE

The FCC traditionally has concerned itself only with A.T. & T.'s *over-all* rate of return on interstate operations. Indeed, until it began its mammoth investigation of A.T. & T.'s costs and revenues a year or so ago, the commission had never seriously tried to find out what those costs were, except in very broad categories. As economist Leland L. Johnson points out in his Rand Corp. study of "Communications Satellites and Telephone Rates," the FCC had never even completed a formal rate hearing or investigation of the "reasonableness" of A.T. & T's long-distance message rates or its rate of return. Any disagreements that arose between it and A.T. & T. were worked out through some compromise that avoided formal proceedings. The two parties negotiated with each other like two sovereign powers.

The result is that A.T. & T. has enjoyed an extraordinary degree of freedom for a regulated company. It has been able to decide what the structure of its rates should be, and it has been able to use profits from one kind of service to subsidize its expansion into other, sometimes unprofitable service areas. The principle that savings from new technology should be "passed along to all users" enables the company—not its customers, not the FCC, not the free play of the market—to decide, in effect, what those savings should be and how they should be used. What the Ford proposal threatens, in short, is not A.T. & T.'s survival—there's no question of that—but its autonomy, its managerial way of life. A.T. & T. is particularly sensitive to that threat because it comes at a time when the FCC appears to be moving in the direction of regulating the company's return on specific categories of service.

To a considerable degree, the issue has been blurred by the fact that A.T. & T. *is* well managed, and that it operates a superbly efficient and almost unbelievably complicated communication system. (To appreciate the quality and economy of A.T. & T.'s service, one has only to travel abroad and try to place an ordinary local phone call.) And yet it is clear that exposure to technological competition has the same effect on A.T. & T. that it has on any other company: it provides a strong incentive to increase efficiency and a strong corrective to the tendency toward caution and technological conservatism.

There is good reason to believe that, had it not been for the Ford Foundation proposal, the application of satellite technology to TV distribution would have been delayed by at least several years, and costs of conventional TV distribution would have gone up instead of down. For, just three days before the foundation filed its plan last August, A.T. & T. formally asked the FCC for permission to raise its TV transmission rates. The rate increase was necessary, A.T. & T. told the commission, because its revenues from TV distribution were not large enough to cover the incremental costs incurred in providing the service.* In discussing the increase, the company made only a vague reference to a "preliminary investigation of the use of satellites for domestic communications service" on its part that indicated "that there may be possibilities for cost reductions when a combination of satellites and landlines is used for the longer hauls." Just five months later—in response to the Ford proposal—the phone company was proposing a combined satellite-land-line system that would cut TV distribution costs by $19 million—more than 25 percent—in 1969.

The FCC's approach to regulation creates a strong bias in favor of technologies requiring heavy capital investment and against capital-saving technologies like satellites; this may reinforce A.T. & T.'s conservatism. The FCC lets a carrier set rates at a level that will permit it to earn a "reasonable" return on its capital investment. With any given rate of return on capital, the larger the fixed investment required, the larger the dollar earnings.

THE RELUCTANT EUROPEANS

Comsat, on the other hand, is eager to find as many satellite applications as possible. Unlike the common carriers, it is limited to a single technology; and it has $180 million of idle capital sitting in the bank. Eventually, the company should be able to employ the capital very profitably in the international satellite system, of which it owns about half. Development of that system has been held back somewhat, however, by the desire of the Europeans to protect their large investments in transatlantic cables. Anyway, the Europeans are not overly eager to stimulate demand for international telephone by any further rate cuts, since they are reluctant to expand local telephone capacity to keep pace with international traffic. Hence Comsat has been able to lease only about one-third of the 240 circuits in Early Bird. The Asian and African countries are eager for satellite service, but they simply cannot finance rapid expansion of domestic telephone plant.

With all these obstacles to rapid growth of international traffic, the U.S. domestic market looks more and more vital to Comsat. The company's projections for 1970 show U.S. domestic traffic reaching a volume ten

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**The company explained that it would have liked to raise its rates still more, but felt unable to do so because a growing number of television stations—177 at the end of 1965—have found it cheaper to get their network programs from private microwave systems than from the Bell System.*

times that of the international, and Comsat naturally would like to have that market for itself And since television distribution, where the satellite's cost advantage is so clear-cut, is a relatively limited market, Comsat is anxious to encourage the use of satellites for telephone and data transmission.

Comsat's problem is complicated still further by the fact that it is severely limited in the number of customers it can serve. It is barred by the 1962 act from selling directly to private users other than common carriers, except with the FCC's permission—and the FCC has made it clear that it won't give that permission. Thus Comsat's main domestic customers are bound to be the common carriers, which also happen to be its biggest stockholders. (A.T. & T. alone owns 29 percent of Comsat's stock and holds three seats on its fifteen-man board.) Comsat sometimes feels the need to accommodate its interests to those of the carriers.

At times, accommodation looks more like subordination. Certainly Comsat has drastically modified its initial reaction to the Ford Foundation proposal from approval in principle to all-out opposition. In late August, for example, the New York *Times* reported—a few days after McCormack and Comsat President Joseph V. Charyk had had lunch with the *Times'* editors—that Comsat was developing "a far-reaching expansion and fundamental refinement" of the Ford proposal, whereby part of the cost savings from *every* satellite application—telephone and data transmission, not just television distribution—would be used to provide free channels and programing funds for educational television. The Comsat counterproposal thus would have married the Ford "social dividend" concept to a multipurpose commercial satellite system, generating profits for Comsat in addition to funds for noncommercial TV. The networks would deal directly with Comsat, bypassing A.T. & T. This "key provision," the *Times* reported, "may prove controversial" in view of the carriers' insistence that Comsat deal only with them and not with their customers. But "it was understood," the *Times* continued, "that Comsat hoped both the carriers and the Federal Communications Commission would agree that educational TV posed a unique issue warranting a new approach."

The hope did not materialize; the trial balloon apparently fared worse in Comsat's boardroom than it did in the *Times'* private dining room. And so the elaborate counterproposal that Comsat submitted to the FCC in December proposed a system in which Comsat would sell its satellite channels to the common carriers in accordance with traditional common-carrier pricing.

THE PENTAGON VERSUS THE FCC

Because it is hedged in by so many constraints, Comsat is forced to play a number of quite different, and sometimes apparently conflicting, games. In fighting for a larger share of international telecommunication traffic, it has in effect abandoned the approach it is urging for the domestic market. Last summer it signed a contract with the Department of Defense to lease directly to the department some thirty transpacific channels on the satellite it was planning to orbit over the Pacific. Before it contracted with Comsat, the Defense Department had opened the bidding to others; the three U.S. international "record" carriers (R.C.A. Communications, I.T.T. World Communications, and Western Union International) quoted prices ranging from $10,000 to $12,500 a month per half circuit. The department then decided to lease the circuits directly from Comsat at a cost of $4,000 a month, only slightly more than what the carriers would have had to pay Comsat had the Defense Department leased the circuits from them. The carriers made a counter-proposal to cut rates about 40 percent on *all* leased circuits in the Pacific if the thirty-circuit satellite contract were assigned to them. The Pentagon turned it down.

The ensuning brouhaha has been almost as intense as the one aroused by the Ford Foundation proposal. In signing the contract, the Pentagon ignored an FCC ruling that Comsat could deal directly with government agencies only in "unique or exceptional circumstances," and then only with the FCC's approval—approval that, in this instance, has not yet been given. The Defense Department contends that it has the right to contract with Comsat without FCC approval. The issue may end up in the courts.

Here again, as in the Ford Foundation proposal, the legal question of who has the right to do what to whom tends to obscure the more fundamental economic question: How should the savings from satellite technology be applied? Indeed, the issues are virtually the same, though Comsat is taking opposite positions in the two cases. For what the thirty-channel contract was clearly *designed* to do was to separate out a specialized service, leased satellite channels, from the composite transpacific business so that the savings attributable to use of satellites could be identified and returned to the user. If the carriers' counterproposal were adopted, the satellite savings would be applied across the board. The Defense Department thus would pay more for its satellite circuits, but less for the cable circuits; according to FCC calculations, which some experts question, the department's net savings would be larger under that plan. But that would, of course, make it much more difficult in the future for the Defense Department to discover what the real costs are, hence more difficult for the department to force the carriers to lower their rates as costs decline. (The department had been trying for several years to get the record carriers to lower their rates, without success.)

MANEUVERING TOWARD MERGER

The thirty-channel controversy, as it has come to be called, has other ramifications. Legislation about to be introduced in Congress would permit, or perhaps require, the international record carriers to merge with each other, and ultimately with Comsat. The high-capacity underseas cables that A.T. & T. began laying in the 1950's destroyed the record carriers' technological base by eliminating the distinction between voice and record (i.e., data) transmission. The record carriers have survived in large part because of protection from the FCC, which reserved certain parts of the leased-circuit business for them, and which has tolerated international telephone and telegraph rates high enough to enable them to exist.

There's considerable doubt as to how long the three companies can continue to exist as separate entities; both David Sarnoff of R.C.A. and Harold Geneen of I.T.T. have expressed interest in merging their international subsidiaries with other carriers. The main impetus for some kind of merger, however, is coming from the White House Office of Telecommunications Management, which thinks that a single entity handling all international telecommunication to and from the U.S. could represent U.S. interests much more effectively than the present system, in which traffic is divided among A.T. & T., the three record carriers, and Comsat.

Comsat would welcome a merger if the terms were favorable—for example, if it could acquire the three record carriers. It fears winding up as a junior partner or being left out altogether. To improve its own bargaining position, therefore, Comsat would like to establish a separate rate structure for satellite communication, as it did in the thirty-circuit contract with the Pentagon; this would dramatize the cost advantage of satellites over conventional means of transmission. The carriers, on the other hand, are using against Comsat the same argument Comsat and A.T. & T. are using against the Ford Foundation: that cost savings from a new technology should not be restricted to the users of that technology, but should be passed on to all common-carrier customers. With the Defense Department and the Office of Telecommunications Management as allies, Comsat is quite willing to engage in open conflict with the record carriers, even though they own about 14 percent of its stock (only one of the record carriers—I.T.T. Worldcom—is represented on the Comsat board).

Ultimately, Congress will have to resolve the issues raised by both the Ford Foundation and the thirty-channel controversies. The legislative guides are sadly out of date: the basic law regulating communication carriers was written in 1934, technologically several millennia ago; and the Communications Satellite Act of 1962 was drawn up before the shape of satellite technology had become clear. In the last analysis, the question Congress must face up to is whether it wants to encourage technological competition or to protect the competitors. The question can no longer be avoided.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

LEGISLATIVE REORGANIZATION ACT OF 1967

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of S. 355.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 355) to improve the legislative branch of the Federal Government, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll, and the following Senators answered to their names:

[No. 17 Leg.]

Aiken
Allott
Anderson
Baker
Bartlett
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Ellender
Ervin
Fannin
Fong
Gore
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, N.Y.
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Smith
Sparkman
Spong
Stennis
Symington

Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Missouri [Mr. LONG], the Senator from New Hampshire [Mr. McINTYRE], and the Senator from Hawaii [Mr. INOUYE] are absent on official business.

I also announce that the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Michigan [Mr. GRIFFIN] is necessarily absent.

The Senator from Texas [Mr. TOWER] is absent on official business.

The PRESIDING OFFICER. A quorum is present.

Mr. LONG of Louisiana. Mr. President, I move to recommit the bill to the Special Committee on the Organization of the Congress.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana to recommit.

Mr. LONG of Louisiana. Mr. President, I should like to explain briefly why I believe it would be well that the committee give this bill further study.

The PRESIDING OFFICER. How much time does the Senator from Louisiana yield himself?

Mr. LONG of Louisiana. I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 10 minutes.

Mr. LONG of Louisiana. I believe it well to explain why, in my judgment, further study should be given to this bill and all the amendments to it at the desk and the suggestions Senators have made.

This reorganization proposal was first submitted to us on the theory that we could streamline Congress to do a more efficient and effective job, and perhaps save the taxpayers some money. But one of the recommendations in the bill, Mr. President, is to create a Special Committee on Veterans.

Mr. President, in my judgment, the creation of such a committee would soon cost the taxpayers nearly $1 trillion; and my belief is well founded. Set up in the back of the Chamber is a chart showing the benefits we have provided to veterans. The whole burden of the argument for creating this special veterans' committee is that the Committee on Finance has been too cautious in affording benefits to veterans. I should like Senators to look at the chart in the rear of the room, to see a tabulation of the benefits we have already voted. To date, we have voted $381 billion in veterans' benefits. The record of veterans' benefits indicates that the trend is toward constantly increasing the amount of such benefits.

In the early wars, we did not pay as much money for veterans' benefits as for the cost of the war; but if Senators will study the chart at the back of the room, they will notice that for the last three wars—World War I, World War II, and the Korean conflict—the veterans' benefits that the Finance Committee has voted for veterans have exceeded the cost of the wars by about 3 to 1.

For example, World War I cost $26 billion for military operations. We have paid out thus far, for benefits for World War I veterans, $41 billion—almost twice the cost of the war. We have about $20 billion remaining to pay—that is, assuming that we do not vote any further benefits for veterans of that war.

There is an additional chart to show what the cost would be of one of the favorite recommendations made on behalf of veterans. Any time a Senator goes to talk to any veterans' organization which includes veterans of World War I, someone there will always say, "What about a special pension for us veterans?"

That proposal is to have a pension of about $100 a month for every veteran and $75 a month for the widow of every veteran, whether he fought or not.

Once we start doing that, we will have to do it for the veterans of all wars, past, present, and future.

If we add the cost of such a proposal to the pensions and other benefits we have already paid and will have to pay, we will then owe the veterans $776 billion.

The Finance Committee has the responsibility of managing the national debt. It has the responsibility of thinking in terms of how much we can afford. Everybody would like to give all the veterans a generous and handsome pension. Everybody would like to have the widows and wives of veterans receive generous pensions, whether they need them or not. However, somebody must have the responsibility of saying, "How much can we afford?"

The Senate has historically placed this responsibility with the Committee on Finance. That is the committee that has the responsibility of managing the national debt and estimating and weighing what the cost would be.

Senators know the kind of thing that we talk about. The argument is that we have to have all of these additional benefits because some other committee would vote for more than the Finance Committee has voted.

Let us look at the cost involved if we vote for the pension proposal.

The Korean conflict cost us $18 billion. If we vote for this pension proposal that has been suggested, the veterans' pension cost for the Korean conflict would be $184 billion, or 10 times the cost of the war.

Mr. President, I think it is unfair to suggest that the Finance Committee has been miserly in considering veterans' pensions. We have voted for a grand total of $381 billion for veterans. Of that amount, a good deal has been paid out, and quite a bit remains to be paid.

In addition to the creating of a veterans' committee there are certain other equally important matters that should be considered and studied. Some of us have pointed out how this bill would greatly impede the committee in its work.

One proposal says that if a Senator objects a committee would have to wait for 2 weeks unless a majority of the committee could meet and agree to hold hearings. Focusing this procedure on today's necessities, think of what this requirement would do to the national debt limit bill presently pending before the House. We are told the Government is running out of money and money is needed to carry on the affairs of the Government. It is anticipated that the bill temporarily increasing the debt limit will be passed in the House of Representatives this week. Under the bill, we would have to call a meeting in order to get the majority of the committee to agree to waive the 2-week limitation. After that we would have to wait 2 days if we had just one objection so that the minority Members could get their views prepared. We would then have to wait 3 more days after the measure was placed on the calendar before we could vote.

That is a great waste of time and effort, where time is of the essence. Also, I have suggested that we ought to have voting machines such as various State legislatures and the United Nations have. In that manner, we could vote more quickly and expedite the business of the Senate.

The senior Senator from Pennsylvania [Mr. CLARK] wants to have the Senate agree to what he refers to as the Bobby Baker amendment. If that is going to be considered, in addition to a large number of other amendments, these should be properly considered and worked on in committee. That is why we have committees.

The committees are better equipped to move more expeditiously with these matters than we are on the floor of the Senate.

For example, in the Committee on Finance, on which I am very proud to serve, we have worked on complicated bills which had as many as 1,000 amendments.

When our committee worked on the Revenue Act of 1964, there were over 1,000 amendments. In the social security bill, the so-called medicare bill of 1965, there were more than 500 amendments.

That is the kind of work that a smaller group of Senators should devote its attention to, and they can then present the Senate with their best judgment after they have obtained some idea of the various points of view of the Senate with respect to the legislation.

I am grateful to the committee for the work that it has done. I think it would be appropriate and proper that the committee take another look at this bill, consider the amendments that have been offered, consider the arguments made on those matters, and thereafter report back to the Senate its best and considered judgment.

If the committee follows this orderly procedure, I would be hopeful that we could dispose of the bill in perhaps 1 or 2 days should the committee report the bill back.

For those reasons, I hope that the Senate will see fit to send the bill back to the committee with the understanding that the committee will, as soon as it deems appropriate, bring the bill back to the Senate with recommendations.

Mr. MONRONEY. Mr. President, I am very sorry indeed that the distinguished assistant majority leader and chairman of the Committee on Finance has moved to recommit the pending bill. I suppose it is only natural that some Senator would do so in view of the many amendments that have been offered.

Recommitting the bill would be a very grievous error. I urge that the Senate not take this action. Let me be crystal clear as to the reasons why I believe a recommittal would be futile and unfair considering the long effort made over the past 2 years by the Joint Committee on the Reorganization of the Congress.

This matter was committed to the special committee by a unanimous vote under a resolution of the Senate and under a resolution of the House to make this study. We heard a large number of witnesses and had many joint committee sessions in order to hear the testimony.

We have spent a great deal of time in executive session in an effort to work out what we had hoped would be the best possible recommendations for a modern Congress, one that would meet the challenges posed by the ever-growing workload that we must carry and the modern demands for service to both America and the world.

Most of the floor debate to date and the amendments which have been considered relate to matters outside the original jurisdiction of the Special Committee on the Organization of Congress.

We were powerless to take up matters affecting the floor rules, yet we have been talking for almost as many hours on these matters as we have on the matters which are germane and on which the committee was permitted to make recommendations for changing Senate procedures.

I do not think the fact that we are not able to resolve all the amendments is any disgrace to the committee. I feel that we have greatly reduced the number of amendments in the almost 3 weeks that we have been considering the bill.

It was not by the choice of the Special Committee on the Organization of the Congress that these amendments are here. We have tried to expedite the consideration of the bill. We have acted to date on 26 amendments.

Most of these amendments were offered by the senior Senator from Pennsylvania [Mr. CLARK].

We have adopted four of these amendments. We compromised on the language on some of the things that the Senate seeks to have done if the bill is recommitted.

We feel that we have displayed earnestness, and we will continue to do so in trying to meet the legitimate objections of Senators who state their belief that the committee is in error in making some of the proposals that it recommends. If the suggestions for changes seemed to be justified to the members of the committee, the committee made such recommendations. The Senate rejected about 18 amendments, and three amendments have been withdrawn.

We have acted on 26 amendments. We now have pending some 48 amendments. I would be much concerned if these 48 amendments came from 48 Members of the Senate. But, strangely enough, they do not. While we have one amendment from each of four Senators—Senator METCALF, Senator THURMOND, Senator CANNON, and Senator MAGNUSON—the other 37 amendments have been offered by only four Members of the Senate. I know of no way by which we can prevent amendments or fail to take them up.

We have attempted to provide the time and the logic and the reason as to our action. Most of the matters that have been suggested were thoroughly considered by the committee. Many of the amendments are duplications. They parallel the same issue. Some present a challenge to the Senate itself to have even the most fundamental rules of the Senate apply to Members of the Senate having rights in committees. Certainly, Members of the Senate have rights in committees.

I believe that we were justified in applying certain Senate rules to committee rules, because committees are not separate Senates in themselves. The chairmen of the committees are not masters of all Senators who are not members of those committees. The bill of rights that would be given to Senators is long overdue, and is a fine part of this legislation. That is not to say that we have not been willing to sit down and talk and compromise, wherever we could, or to modify, as we have done in a number of cases, some of the language that was in the bill.

I particularly refer to the strong argument that the distinguished chairman of the Committee on Finance has made again on the floor today, an argument that he made on September 8, 1966, at hearings of this committee, which were reopened at his request and at the request of others who appeared before the Committee on Rules and Administration.

Every Senator who had anything to complain about—the bill was then sought to be reported by the Special Committee on the Organization of Congress—had a right to testify, and many of them did. Senator JACKSON appeared, Senator MAGNUSON appeared, Senator LONG appeared. We had written statements from Senator HAYDEN, Senator Robertson, Senator BENNETT, and Senator JENNINGS RANDOLPH. This was after notice was given to all Senators.

We discussed the matters and heard at length the distinguished Senator from Louisiana on the matter of proxy voting. I will say to the Senator that we believe that we have modified this matter considerably. We are asking very little of committee chairmen, to provide a quorum in being and a voting majority of those attending on the final reporting of a bill to the floor of the Senate. We modified the original provision that would have allowed the denial of proxy voting in the markup parts of the bill, wherein the bill was being shaped by various amendments or was coming through the channel of legislation, through the subcommittees. The distinguished chairman of the Committee on Finance and other Senators convinced the committee that this would probably be too great a delaying proposition, possibly preventing legislation from getting to the floor, and thus would be more costly in time delay than it was worth.

However, certainly at one point in the consideration of legislation that is moving from a committee to the floor, the Senate itself has a right, and other Senators have a right, to expect a quorum in being and their presence when voting in the committee to report a bill.

The reason for this is simple. We require a Senator to be present in his seat in order to vote on legislation when it is being voted upon by the Senate. But every Senator knows that the vote of a Member in a committee, for the final reporting of a bill, is 10 times more important than the individual Member's vote on the floor. It is 10 times more important for him to vote for or against the bill in committee, and to be recorded for or against it in that place, than it is for him to vote when the bill reaches the floor.

Yet we believe that the roll call votes on the floor of the Senate are priceless. The distinguished Senator from Louisiana apparently does not think that it is important for Senators to be present, to hear the debates, and to be recorded, in the committee. He would go even further in his suggestions, which the committee was not able to accept, and say that every Member would be allowed 5 proxy votes on the floor of the Senate. In other words, we would be given 5 chances to vote by proxy and to be away during the consideration of very important bills.

Make no mistake, these proxy votes would probably occur many times, if they were permitted, on matters of high importance in legislation.

After hearing the suggestion to permit proxy voting on the floor, as well as to permit the continuation of any type of proxy voting that a committee chairman might decide he wants, the committee concluded that this would not be good legislative procedure. On the final markup, the actual, physical presence of a quorum of the committee and a quorum to vote are very important. One cannot argue with a proxy. The handful of proxies that a chairman may have in his pocket are votes of Senators who many times do not know the last changes that have been made in a bill as it came up to the final vote process. Very few of them provide any specifics as to how the Members shall vote. A proxy vote is a vote given to the chairman, or to some other member of the committee, to vote as the chairman would feel the Member wished to be voted. I have been guilty of that practice myself. But I do not think that the practice constitutes good Senate procedure.

Certainly, in one instance during the reporting of the bill to the Senate, the Member can be present in the committee; and if he cannot be there, then his vote should not be counted, any more than it should be counted when he cannot be on the floor of the Senate, when we are voting. I believe that both provisions are unwise.

The big issue that the junior Senator from Louisiana, the chairman of the Committee on Finance, is most concerned with is the establishment of a Committee on Veterans' Affairs. This proposal was before the Joint Committee on the Organization of the Congress in 1946. The original draft of the bill provided that separate Committees on Veterans' Affairs in the House and the Senate would be created. The House abolished the three or four committees that had conflicting jurisdiction and that dealt with veterans affairs, and consolidated veterans affairs in one committee, the Committee on Veterans' Affairs, which has since distinguished itself, I believe, in the adequate consideration of veterans legislation.

When the bill came to the Senate, it was amended to strike out the Committee on Veterans' Affairs as such and to divide its jurisdiction between the Committee on Labor and Public Welfare and the Committe on Finance. I believe that Senator George who was chairman of the Committee on Finance, was most effective in leaving matters dealing with veterans, as I recall, to the Committee on Finance, and matters dealing with welfare of the veterans to the Committee on Labor and Public Welfare. That arrangement has existed for some 20 years.

The committee was of the overwhelming opinion that because of the Korean war, the Vietnamese war, and other veterans' problems, including the veterans' educational program, the medical program, and other matters, the argument for the establishment of a Committee on Veterans' Affairs in the Senate as a companion to the one in the House would add to the clarification of the jurisdictions and would facilitate joint action by the two committees, both representing veterans. In other words, the Veterans' Committee of the House—we already have experienced this situation—often will not take up a bill that the Senate takes up, because they do not recognize the jurisdiction over here as being capable or proper in representing the veterans legislation.

We have lost many bills on which the Veterans' Committee in the House of Representatives refused to go to conference because they did not accept jurisdiction. This is a matter in which we do not want to burn down the house in order to get rid of the mice.

If the distinguished Senator feels that he wants to test this matter, to kill the suggestion or proposal of the establishment of the Veterans' Committee, he could quite easily have made that motion instead of the motion to recommit. I feel that a motion to recommit is going to be a death blow to the reorganization of the Congress. It is difficult to get 100 recommendations, which this bill contains that all Senators will subscribe to. That is primarily the reason why we have received some 63 amendments, practically all of which, except four, have been introduced by four Senators.

Other Senators do not seem to be, or have not been, deeply hostile to any of these matters. Perhaps they are waiting to exercise their parliamentary rights to amend those recommendations of which they disapprove. That is a procedure which the distinguished Senator from Louisiana [Mr. LONG] could properly have followed.

We discussed this matter for some 2 years to try to get together on recommendations that we felt both bodies could accept. There is no use in trying to recommend legislation that is going to die.

Mr. President, I am pleased that the number of Senators who object to our recommendations are few. But their production of amendments is in great quantity. However, when those amendments are singled out, these Senators are objecting to only a few things.

The three members of the Republican Party—the minority party—who served most faithfully, I am sure will agree that there was no partisanship whatsoever shown by the three majority Senators in our consideration of Senate matters.

On the other side of the Capitol, we had the same situation. There were three members of the minority party and three members of the majority party. We all worked together and attempted to perfect the bill in the interests of the House of Representatives as well as of the Senate. The Members of the House look forward to the bill being passed quickly by the Senate, then by the House, and then all of us can go to the country and say: this we have done because we felt it was high time to again modernize the organization of Congress.

The distinguished Senator from Pennsylvania [Mr. CLARK] has offered many amendments. The committee did not go as far as he would have liked it to go. However, now we are getting amendments from those who say that we are going too far. This is a problem one always faces in attempting any reorganization.

Mr. President, for the first time in 21 years, Congress has seriously undertaken a careful look, a bipartisan look, a studied look—a moderate look, if you will—at our organizational machinery. We would be in a pretty bad situation if we said that this bill is taking too much time, although no other bills are waiting or pushing. There is no reason to recommit the bill to make way for another bill. We can lay the bill aside if the debt limit bill comes in.

Mr. President, we have spent more time discussing rule XXII than we have spent in connection with this package of reforms that we are trying to bring about, embodying more than 100 separate ideas for the improvement of Congress.

I do not believe that laying the bill aside while necessary political recognition of ceremonials is conducted is necessary or proper, because I feel that when Senators return we will perhaps have had time to think about the matter. Perhaps we can look at the proposals again and discuss them in committee and try to do something about them.

Mr. LONG of Louisiana and Mr. HOLLAND addressed the Chair.

Mr. LONG of Louisiana. Mr. President, I would like to speak for a few additional moments on my motion.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. DIRKSEN. Mr. President, I contemplate offering an amendment to the motion to recommit. I understand it contains no instruction to report the bill back. I do believe there should be an instruction to report the bill back on a day certain, and I would offer an amendment since it is in order to add to the motion to recommit, instructions to report the bill back to the Senate not later than 30 days from this date.

Mr. MONRONEY. Mr. President, a parliamentary inquiry.

Mr. LONG of Louisiana. Mr. President, I so modify my motion.

The PRESIDING OFFICER. The Senator from Louisiana [Mr. LONG] modifies his motion to report the bill back to the Senate not later than 30 days from this date.

Mr. LONG of Louisiana. Mr. President, I wish to point out a few additional things which indicate that the bill should have more study.

One proposal that requires more study provides that the committee can hold closed hearings only if it is discussing a matter of national security or a matter that would have an adverse reflection on an individual.

Mr. President, the Committee on Finance has necessarily discussed tax returns from time to time, and the law forbids us to discuss these in public. That is one point that evidently was not considered by the special committee, but it is important.

Another proposal that should be considered requires that the statement of a witness be filed 2 days in advance of his appearance unless a majority of the committee determines otherwise. Many times only two or three Senators are present. Sometimes only one Senator is present to take the testimony of a witness who comes before the committee without a written statement. This provision would make it unlawful for the chairman of the committee to hear a witness who had not filed his statement 2 days in advance if a majority of the committee were not present to waive the rule.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MONRONEY. Mr. President, the requirement of a quorum would apply only to final reporting; it would not apply to hearings. The open meeting is not an open hearing. I certainly feel that hearings should be open unless they affect the national security or the personal reputation of someone who might be damaged.

Mr. LONG of Louisiana. If the Senator will look at page 13 of the bill, he will see that the bill requires that a majority of a committee must vote to permit a witness to testify if he has not filed a written statement with the committee 2 days in advance. So if a majority of a committee were not present, it would be necessary to get a majority, which means that it would be necessary to produce a quorum.

Mr. MONRONEY. By a majority vote, not by a majority of the committee.

Mr. LONG of Louisiana. Many times in the Senate we do not have that kind of majority.

To continue, there are all sorts of make-work proposals—and expensive make-work proposals at that, in this bill.

It is required that a summary be made of the statement of every witness before he appears, and that after he has appeared, a summary must be made again. That would mean a summary before he appeared and a summary after he appeared. My guess is that that would cost at least $40,000 for one committee. Multiply that amount by 13 committees, and we are talking about a waste of $520,000.

There is another provision in the bill to require committees to publish their rules. The Committee on Finance has never needed written rules; we operate more or less by unanimous consent, so far as procedure is concerned, and we have had no complaints. If a member of the committee wants hearings to be held, the committee will hold them. If he wants additional witnesses to be called, the committee will call them. These are matters of procedure that Senators talk about and agree upon and then proceed to work out in the best way they can.

The requirement that 2 weeks' notice must be given before a committee can hold hearings, unless a majority of the committee meets and agrees to waive the 2-week rule, will result in a substantial delay in expediting business. A requirement that a committee normally cannot hold a closed hearing could create problems every now and then.

Any action taken by a committee should be discretionary with the committee, no rules should be spelled out for the committee. We are not talking about the national security or about adverse reflection upon an individual. Wherever a problem exists, it should be worked out quietly by reasoning with the people concerned, rather than by forcing them to have an argument out in the open, where tempers tend to become excited and people find themselves frozen into positions.

Many times the Committee on Finance holds 1-day hearings, at which views both pro and con are heard. But the bill provides that if the minority wants to call witnesses, it will be necessary to set aside a separate day. Why should we not call all witnesses at one time?

The bill would require the setting aside of a separate day to hear the so-called minority views.

Furthermore, section 105 would create special legislative review specialists which each committee could have.

Why do we have to pass a law to tell a committee what it can or cannot have?

Furthermore, the proposal would require, when we bring in a conference report, that we have to have a separate statement of all Senate conferees, which is different from a tried and established principle. For a long time we have had a statement from the House managers who speak for the conference. I have no objection at all if the conferees want to file separate statements, but why do we have to write it into law?

This is just one more make-work procedure.

Section 122 would prohibit a Senator from serving on more than one of the following committees: Appropriations, Armed Services, Finance, and Foreign Relations.

Mr. President, this does not affect me. I once served on the Committee on Foreign Relations but because of pressing duties, I chose to resign. But when we have a Senator—a very great Senator—one who is extremely brilliant, competent, and able, and has a great amount of ability to give to his country, why should we have to say that such a Senator cannot serve both on the Appropriations and the Armed Services Committees particularly if he so chooses?

For the good of the country, it might be essential that perhaps the ablest Member of the Senate should serve on those two committees. It might be a great loss to the Nation not to have the benefit of the abilities of one of our best Senators to serve on two of those four committees.

The bill also seems to suggest that we have to have a majority and a minority staff.

As chairman of the Finance Committee, I approached Republican members of the committee and said to them, "Do you Republicans want to have some people named who would be responsible to the Republicans alone?"

They said, "No, we would much prefer to have a professional staff giving the same information to Democrats that they give to Republicans. We would rather not have partisanship on the committee staff. We would rather have everyone a staff professional, equally responsible to every member of the committee."

Mr. President, if that is how the committee wants to act, why should we have to pass a law providing that we have a partisan staff, some Republicans and some Democrats? If the committee prefers to have a nonpartisan staff, why not let it have one?

Those, Mr. President, are some of the problems that the bill would create for one committee. As I say, the various things I am talking about are not going to save any money but instead will cost additional money, and will also take a great deal more time. Instead of streamlining Senate procedure, I believe that it will impede it.

Mr. President, I hope that these comments I am making will be considered by the Senate.

At the time the special committee proposed to report the bill, they gave to committee chairmen the privilege of coming before the special committee to explain the problems the bill might create for their committees. Only three of us appeared. I am happy to say that they did, as I recall, adopt some amendments in order to meet the objections of each one of us who went before the special committee. But in the very brief time afforded us, we did not have enough time to find all the "bugs" in the bill and bring up a good many of the problems which would be created for a single committee. I would assume that the situation would be the same with regard to others who might not have studied the subject in as great a detail as some of us on the Finance Committee have.

Mr. HOLLAND. Mr. President, will the Senator from Oklahoma yield me 3 or 4 minutes?

Mr. MONRONEY. I am happy to yield 3 or 4 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 4 minutes.

Mr. HOLLAND. Mr. President, I think that a great deal of good work has gone into the creation of the pending bill. I do not think it is a bill which should be recommitted. The fact that it would be recommitted under the present motion, with a time limit for it to be reported, takes something out of the sting of a recommittal. However, I want to say to the distinguished Senator from Louisiana, that had he proposed some of the corrections which he has just made on the floor by way of amendments to the bill, the Senator from Florida would have been glad to support them.

The Senator from Florida has told the Senator from Oklahoma from the beginning that there were certain points in the bill to which he objected. The trouble is that we have been spending our time, in the main, considering amendments which lie beyond the scope of the authority of the committee, and other amendments, in the nature of real reforms; but so far as the Senator from Florida is concerned, he has heard very few amendments suggested which really tend to improve or correct the wording of the bill itself.

I think that if we were given a few days to go into such amendments as the distinguished Senator from Louisiana has mentioned, we could make real progress and get the bill passed.

There is great merit in many provisions of the bill.

Any one of us who thinks that the country does not believe Congress, including the Senate, should be somewhat modernized, I think, is not correctly informed; because I believe that the country does think the Senate should be somewhat modernized as to its rules.

I want to say, as one Senator, that I appreciate the labor which has been put forth by members of this committee in a completely nonpartisan way in reporting the bill.

I am only sorry that we have not had amendments proposed to the exact provisions of the bill which would permit us to correct what individual Senators and the majority of us might think are portions of the bill which need correcting.

I hope that the bill will not be recommitted and that we will go ahead and consider amendments which really run to the question of correction, or changes in the wording of the bill.

I thank the Senator from Oklahoma for yielding to me.

Mr. MONRONEY. I thank the Senator from Florida.

Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time for the quorum not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 18 Leg.]

Aiken
Anderson
Bartlett
Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Clark
Cotton
Dodd
Ellender
Gore
Harris
Hartke
Hayden
Hill
Holland

Hollings
Jackson
Jordan, N.C.
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
Metcalf
Monroney
Montoya
Moss
Muskie
Pastore
Pell
Percy
Proxmire
Ribicoff
Russell
Sparkman
Stennis
Symington
Tydings

The PRESIDING OFFICER. A quorum is not present.

Mr. BYRD of West Virginia. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Allott
Baker
Bennett
Boggs
Brewster
Brooke
Carlson
Case
Cooper
Curtis
Dirksen
Dominick
Ervin
Fannin
Fong
Gruening
Hansen
Hart
Hatfield
Hickenlooper
Hruska
Javits
Jordan, Idaho
Kennedy, N.Y.
McGovern
Miller
Mondale
Morse
Morton
Mundt
Murphy
Nelson
Pearson
Prouty
Randolph
Scott
Smith
Spong
Talmadge
Thurmond
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

Mr. MONRONEY. Mr. President, I ask for the yeas and nays on the motion to recommit.

The yeas and nays were ordered.

Mr. MONRONEY. Mr. President, I yield 6 minutes to the distinguished majority leader.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, the pending bill to improve the organization of the Congress is the outgrowth of a congressional mandate to a special committee to conduct an investigation and to make proposals in this field. The Members of the Senate delegation to that special committee were well chosen and their devotion to that task was exemplary. The chairman of the Senate delegation is a man without equal in dedication to and expertise in better congressional organization and reform. He was cochairman of a similar joint committee with the late Senator Robert M. La Follette in 1946 which streamlined the Congress that year. His efforts then were significant, his proposals then were far reaching—and time has shown their immense wisdom.

We were fortunate to gain his consent. He did not ask to serve, but was requested to serve again so that his expertise, his dedication and his broadened experience during the intervening 21 years could be utilized in determining the proper areas for attention to further improve our efficiency and effectiveness.

We were fortunate also to have enlisted the service of so capable a ranking Member from the other side of the aisle as the senior Senator from South Dakota [Mr. MUNDT]. His studious endeavor to achieve effective reforms contributed greatly to the specific proposals which we have under consideration. I concur fully with his remarks on this floor a few days ago when he said this Reorganization Act has much to offer—that it has a great deal of merit; I agree with his view that the disagreement of some Members with some aspects simply does not warrant sending the whole package back to committee.

It is significant that the proposals contained in this bill receive the endorsement of every member of the special committee; our delegation was truly outstanding: the junior Senator from Alabama [Mr. SPARKMAN], the senior Senator from New Jersey [Mr. CASE], my junior colleague from Montana [Mr. METCALF], and the junior Senator from Delaware [Mr. BOGGS]—all of these Members directed their outstanding talents and devoted so many months of their valuable time to the task the Senate requested. Their response to our mandate should be commended—it certainly should not be found wanting. They heard every quarter that desired to express a viewpoint; 199 witnesses appeared. Ample notice and publication was given these hearings—106 Members of Congress testified in person or by statement before that committee. They assimilated well and fully these recommendations and brought forth their combined judgment. It cannot be said that the conclusions reached and the proposals submitted by the special committee are not well thought out. The bill does propose change—our establishment of the special committee implied that change was not only necessary but desirable and long overdue. We may disagree with specific aspects, but the proper place now to offer alternatives is on the floor of the Senate.

A recommittal motion, with or without a time limitation, in my opinion, is not the proper method by which to express dissatisfaction with specific proposals contained in the bill. The committee has made its judgment. There is no reason to believe that further study by the special committee would result in different proposals. The special committee has brought forward its judgment, the Senate as a whole must now face up to whether these proposals shall be instituted. The Senate should now exercise its judgment. I urge the rejection of the recommittal motion.

In my opinion a vote to recommit the work of this committee is a vote to kill the year and a half labor of this committee.

Mr. MONRONEY. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Oklahoma has 3 minutes remaining.

Mr. MONRONEY. Mr. President, I yield 2 minutes to the senior Senator from Pennsylvania.

Mr. CLARK. Mr. President, I hope the motion to recommit will be defeated. While it is true that there are many amendments to the pending bill, there are not that many issues involved here. We have been able to dispose of many of them without controversy.

There is no reason why we cannot continue to do so from now on. There is nothing pressing on the Senate Calendar. We can dispose of the pending bill within the next week or 10 days. If we put it off and then come back, we will run right into the middle of the Vietnam appropriations bill and into a heavily congested Senate Calendar.

There is not a thing that the committee can do that it has not done. I do not think that this is an outstanding bill, but there are good things in it that we should not lose.

We have provided for Senate conference reports and a committee bill of rights, and each of us will have a new legislative assistant. We are reducing the size of committees. We are professionalizing the Capitol police force. We have provided for microphones in the Senate Chamber. We are consolidating the telegraph and telephone allowance to Senators. We have provided for an August recess.

These are worthwhile reforms. We should make these reforms now.

Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield 5 minutes to the distinguished minority leader.

Mr. DIRKSEN. Mr. President, very regretfully I find myself in opposition to the majority leader.

I served on the La Follette-Monroney committee 20 years ago. I know what a labor it is, and out of that experience I hope that the Senate will do a prudent job. It can do so by sending the bill back to committee.

If the bill dies in committee, it will be a confession by the committee itself which reported the bill that it will permit it to die.

We can always call the measure back if we want to.

When I refer to a prudent job, I want to be sure that there is a minimum amount of defect contained in the bill.

In the 1946 bill, we provided for a legislative budget, and the whole thing collapsed. We finally set it up on a subcommittee basis. That was a contributing factor to the impairment of my eyesight, and I had to quit Congress as a result.

We reduced the number of committees in the House from 43 to 19, and in the Senate from 33 to 15.

What was the result? The result was a proliferation of subcommittees. I serve today on 20 subcommittees. How can a Senator do his work within the limitations of time on that kind of basis? It simply cannot be done.

Other things were contained in that bill at that time which experience has shown did not work out.

We included a provision that Congress ought to adjourn before the 31st of July, but there was a little emergency hook contained in the measure that we could take refuge on. It is still in effect and has been since the Korean emergency.

When one wants to get Congress adjourned, the opponents to such adjournment can always take refuge in that little language in the reorganization act.

There are a lot of other defects contained in the bill that time and experience have shown to be present.

On the basis of the discussion we have

had on the votes and the amendments that were offered—and there are now still 55 amendments pending—this bill ought to be sent back to committee.

Not the least of the difficulties will be the amendments contemplated by the distinguished senior Senator from Pennsylvania on the question of disclosing income or liabilities and assets, and all the folderol that goes with it.

Still another amendment deals with other provisions of a like measure. The distinguished Senator from Delaware proposes to offer a substitute that would require that income tax returns be made available to the Committee on Standards and Conduct.

When we set up that committee, we made some provision for it. We said that they should recommend to the Senate whatever their experience shows to be wise.

The Cooper resolution states:

> It shall be the duty of the Select Committee to:
>
> (3) Recommend to the Senate, by report or resolution, such additional rules or regulations as the Select Committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the Senate, and by officers or employees of the Senate, . . .

We have not even given the committee a chance to do anything about it. We are going to cut the throats of these committees if these amendments offered by the distinguished senior Senator from Pennsylvania are agreed to.

The Senator has not given us any assurance with respect to rule XXII, as to whether that matter will come up. Under the procedure here, that will be disposed of by a majority vote, and if I have to lead a filibuster, if I can do so, I am going to do it.

I am not going to permit that kind of business.

We have been through that before.

The other amendment states in effect that the Senate is not a continuing body. We are not going to rewrite these rules on the floor of the Senate. That is a staff job. It has to be done in committee.

The bill should be referred to the committee with the instruction that it must report it back in 30 days. If the committee wants to let it die, it will be its funeral and not ours, but we can still resurrect it.

Mr. LONG of Louisiana. Mr. President, I believe I have 4 minutes remaining.

The PRESIDING OFFICER. The Senator from Louisiana is correct.

Mr. LONG of Louisiana. Mr. President, there are all sorts of items contained in the bill that ought to be changed. The best way to accomplish change is in the committee.

When I made my first speech on the subject, I set out 15 amendments that I thought should be agreed to. For example, there was the provision that all committee meetings should be open. That matter should be entirely discretionary with the committee as to whether the committee meeting should be open or closed. There was also the matter of saying that we could not vote in the committee to report a bill by proxy. That would create a lot of trouble.

We may have a tie vote, and a Senator may be in the hospital or in Washington State or in Maine, and we would have to hold up everything and bring him to the Senate.

There is also the provision that if anyone objects to the majority report of a committee, you must wait 2 days for the minority to file its views, and after the bill has been reported, it has to lay over for 3 days before a vote can be taken.

Much has been said about streamlining the operation of the Senate. Yet there is a requirement in this very bill for a 5-day delay. If you wish to call a hearing, you must give 14 days' notice. If a man wishes to testify, you must have the man there, with a statement, 48 hours ahead of time. And you cannot excuse him for not having a statement, unless you have a majority of the committee there agreeing to do so. So you have to get perhaps nine people to excuse a man because he does not have a statement ready 48 hours ahead of time.

Then, we have the Capitol Hill Employment Service, to find jobs for jobseekers on Capitol Hill.

This bill is different from the previous Reorganization Act, which gave us less committees. This time we are given two additional committees, and at what potential cost?

Look at that chart. If you set up a special committee to consider nothing but veterans, who will ever want to serve on it? It could well cost the taxpayers $776 billion.

Expenses for veterans which have resulted from the big wars have exceeded the cost of the wars by 3 to 1. If a special pension provision is passed, the cost of veterans' benefits will be 10 times the cost of war.

The chart to which I direct your attention indicates a computation of what the cost of the Korean war would be with such a pension added. That war cost $18 billion. We have already provided $69 billion in benefits for veterans of that war—3 times as much as the Korean war cost. If the cost of a special pension is added, the cost of benefits for veterans of the Korean war will be $184 billion, and the cost of the war itself was only $18 billion.

Mr. President, a committee to consider nearly $1 trillion of veterans' benefits should be a committee that has the responsibility of financing its Government and providing funds. That is why the Committee on Finance was given jurisdiction of veterans' matters.

That question, plus all the other impediments of the bill which make it difficult for a committee to operate, should be studied.

I do wish to say that the special committee has been considerate. It did consider our suggestions; and when suggestions were made as to ways the bill could be and should be improved, the committee often took those suggestions to heart.

I have submitted 15 amendments that I believe should be included in the bill. When we have all these amendments to consider, a committee should study them, so that we would not have to offer 15 amendments and insist on rollcall votes here on the floor. That is why I urge the committee to consider these amendments, to consider the views that have been expressed on the floor, and then to report a bill that we hope will be one that can be voted through without many additional amendments.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. DIRKSEN. If anybody is deeply concerned about the Veterans' Committee, I have 50 sponsors on the bill to create a Veterans' Committee, and there will be a Veterans' Committee, despite this bill.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. LONG of Louisiana. I yield.

Mr. HOLLAND. Am I correct in my understanding that if the motion of the Senator should prevail, the limitations in the original resolution setting up this special committee would still be in effect?

Mr. LONG of Louisiana. The Senator's understanding is correct.

Mr. HOLLAND. I thank the Senator.

Mr. President, make no mistake about it, the recommittal of this bill will be the death of the bill. We can reach every objection made by any Senator by taking up these amendments. If it is worth fighting 2, 3, or 4 weeks at a time over a single rule, rule XXII, can we not give a week or two to the matter of correcting all the rules and regulations of the Senate?

I yield the remainder of my time to the distinguished Senator from North Dakota.

Mr. MUNDT. Mr. President, I believe that the Senator from Louisiana has sort of let the cat out of the bag, in connection with the reason why he is seeking to recommit this bill, when he dwells on the argument that he does not believe there should be a separate Veterans' Committee in the Senate.

My beloved minority leader has said that he has introduced a bill on that subject. Great, gracious Aunt Nellie, we have already introduced more than 50 bills on that subject over many years in the Senate, and time after time they have failed. We are still without a Senate Committee on Veterans' Affairs. This is an opportunity to get a Veterans' Committee in the Senate. This is a real opportunity to get a lot of other reforms which are essential to develop more efficiency and more economy and, above all, greater authority for the Senate.

We have it directly from the source, when the majority leader says that a vote to recommit this bill is a vote to kill it. He knows what the agenda is 30 days from today. He knows the problems which confront the Senate. We have it on the record from the majority leader—a vote to recommit is a vote to kill these proposals to reform, revitalize, and strengthen the Senate.

I do not believe that we should kill the bill. We should proceed with these reforms. We should make progress as to which amendments can be considered on the floor and voted up or down.

Certainly, the argument of the minority leader that he favors recommital because he opposes some amendments is irrelevant, because you simply postpone the agony of considering these very same amendments to 30 days from now. I am sure that the Senator from Louisiana and the Senator from Pennsylvania will be back with their amendments 30 days from now.

We have to face up to the issues. We cannot duck them. If we desire some increase in the power, stature, and authority of the Senate, let us vote against recommitting this bill. If we are satisfied with the status quo and do not desire any improvements, recommit the bill and forget it, because it is gone.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the motion to recommit the bill and to report it back within 30 days. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], and the Senator from New Hampshire [Mr. MCINTYRE] are absent on official business.

I also announce that the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Florida [Mr. SMATHERS], and the Senator from Georgia [Mr. TALMADGE] are necessarily absent.

I further announce that, if present and voting, the Senator from Hawaii [Mr. INOUYE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Indiana [Mr. BAYH], and the Senator from Idaho [Mr. CHURCH] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Michigan [Mr. GRIFFIN] is necessarily absent.

The Senator from Texas [Mr. TOWER] is absent on official business.

On this vote, the Senator from Texas [Mr. TOWER] is paired with the Senator from Michigan [Mr. GRIFFIN]. If present and voting, the Senator from Texas would vote "yea," and the Senator from Michigan would vote "nay."

The result was announced—yeas 18, nays 70, as follows:

[No. 19 Leg.]

YEAS—18

Aiken
Baker
Bennett
Dirksen
Ellender
Fannin
Hansen
Hartke
Hill
Hruska
Lausche
Long, La.
McCarthy
Morse
Russell
Smith
Stennis
Williams, N.J.

NAYS—70

Allott
Anderson
Bartlett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dodd
Dominick
Ervin
Fong
Gore
Gruening
Harris
Hart
Hatfield
Hayden
Hickenlooper
Holland
Hollings
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, N.Y.
Kuchel
Magnuson
Mansfield
McClellan
McGee
McGovern
Metcalf
Miller
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Sparkman
Spong
Symington
Thurmond
Tydings
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—12

Bayh
Church
Eastland
Fulbright
Griffin
Inouye
Kennedy, Mass.
Long, Mo.
McIntyre
Smathers
Talmadge
Tower

So the motion of Mr. LONG of Louisiana to recommit was rejected.

Mr. MONRONEY. Mr. President, I move to reconsider the vote by which the motion was rejected.

Mr. MUNDT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table the motion to recommit was agreed to.

AMENDMENT NO. 69

Mr. LONG of Louisiana. Mr. President, I call up my amendment No. 69 and ask that it be stated.

The PRESIDING OFFICER (Mr. GORE in the chair). The amendment will be stated.

The assistant legislative clerk read as follows:

> On page 7, in the second sentence which would be added to section 133(d) of the Legislative Reorganization Act of 1946 by section 102(d) of the bill (as inserted by amendment numbered 35, agreed to January 26, 1967), immediately after the words "may be cast by proxy", insert the words "if rules adopted by such committee forbid the casting of votes for that purpose by proxy".

Mr. DIRKSEN. Mr. President, will the Senator yield? I should like to ask the majority leader a question about the schedule before Senators leave the Chamber.

The PRESIDING OFFICER. Does the Senator from Louisiana yield?

Mr. LONG of Louisiana. Mr. President, I yield for a question.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, on the basis of the progress we have made thus far it is quite evident to me, and I think to everybody, that this bill cannot be finished this week or early next week.

Hearings have started on the public debt bill, and, as I understand, it has to pass both Houses and be signed by the President not later than Wednesday. It would appear that this matter would have to be set aside when the time comes for the consideration of the public debt bill.

I am wondering, in view of our arrangement for the Lincoln Birthday recess, what is contemplated for the remainder of the week. Certainly we cannot have a record vote after the working day ends Wednesday.

Mr. MANSFIELD. Would the Senator refresh my memory as to when the present legislation affecting the debt limit expires? I thought it was the 28th, the end of the month.

Mr. DIRKSEN. I understood it had to be done by the 15th.

Mr. LONG of Louisiana. The Secretary of the Treasury testified that he had to have the bill to increase the debt limit by the end of February, otherwise the Government cannot pay its bills.

Mr. DIRKSEN. I do not know where I got the idea of the 15th, but I think I got it from the committee or from the Treasury, one of the two. But, if that is the case, then, of course, we do not have to bother, and we can go ahead with the bill and consider all 53 amendments which still remain.

Mr. MANSFIELD. I would say, if it is a matter of the 15th, we will, of course, lay this bill aside temporality. If it is the 28th, the end of the month, I think we should continue with the present measure; now that we have had a vote expressing the will of the Senate to continue with this legislation to a conclusion, we should go ahead and dispose of this bill one way or the other.

Following the reorganization bill, or during its consideration if necessary, we would, of course, take up the debt limit legislation because it does have a deadline.

Now I should like to have the attention of the Senator from Louisiana [Mr. ELLENDER], to say that we have a number of committee budget resolutions on the calendar, in which he shows a perennial interest, and they will be scheduled in due course in the near future after the Lincoln holiday recess.

Mr. DIRKSEN. Let me ask this one question: I think my understanding is correct, but have we not agreed that on Friday, if we are in session, and Saturday, if we should be in session, and Monday and Tuesday, there would be no record votes of the Senate?

Mr. MANSFIELD. That is correct.

Mr. MAGNUSON. I wish the Senator would clear that up for me. We expect to be here until the close of business, with perhaps a record vote, on Thursday?

Mr. MANSFIELD. That is correct. Every Senator should have in his desk a copy of the holiday schedule for the remainder of the session. We will be in session until the conclusion of business Thursday this week and we will then adjourn until noon Wednesday next week.

Mr. PASTORE. And rather clearly. Rather clearly, may I say.

Mr. MONRONEY. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I wish to take only a minute on my amendment. Mr. President, what the amendment provides for is that we would simply continue as we have always done with regard to proxy voting in committees. The pending bill provides that a Senator shall not be recorded by proxy in voting to report a bill from a committee. My amendment would simply leave it up to the committee, in its own rules, as to how it wants to do it. If a committee wants to permit an absent Senator to be recorded by proxy, it can do so. If it does not want to, it does not have to.

Mr. President, in my judgment, it is patently ridiculous to make a Senator, perhaps on his deathbed at Walter Reed Hospital or at Bethesda Naval Hospital, come down to the committee room to vote, when he is available by telephone and he can be asked how he would like to be recorded on a particular bill. Sometimes a Senator has to go home to campaign during an election year, and it is a simple matter to get him on the telephone and ask him how he would like to be recorded on a particular bill. This has been standard procedure. If some committee wants to make itself a ruling that an absent Senator must be recorded, my amendment would permit that, but it would be discretionary with a committee whether it wanted to permit members to be recorded by proxy or whether it did not want them to be recorded by proxy.

Thus, those of us who have proxy voting, such as in the Finance Committee, for example, would probably like to continue the practice, because it has worked very well. For those committees that want to forbid proxy voting, they would have the privilege of doing so.

Mr. CARLSON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. CARLSON. I wish to state that we have followed the system of voting by proxy, but we always have a quorum present at the beginning of a session. We do not meet without a quorum, but we do obtain proxies, and I hope that we can continue this system.

Mr. MAGNUSON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. MAGNUSON. As a practical matter—I am speaking only for the Committee on Commerce, but I think I may also include the Committee on Appropriations—in many cases, where work piles up toward the end of a session, and we are all trying to get the big appropriations through, we will have proxies. Sometimes the proxies are between the two rooms—downstairs even, where there are important witnesses. But the committee decides this itself, and any bill that any committee member thinks is of such importance that he wanted to speak up and say, "I do not think that we should allow proxies on this particular bill," or wishes to make a motion, we, of course, adhere to that and say, "All right, we will abolish proxies."

There are literally all kinds of legislation where this must be done. There is nothing particularly inherently bad in it because there might be a Senator who is conducting hearings on a particular bill, and he knows his position on that bill, but it might be that when the time comes for a vote, he cannot for some reason be present. On many occasions when important things were happening, we have waived a priority to permit him to attend another committee, where a vote would be had in 15 minutes, or where many more things were going on. The Senator would say, "I will be in the Finance Committee. When you are ready to vote, call me; or if it is all right, I am voting 'yea.'" That is what happens. Otherwise, the Senator might have to disrupt the Finance Committee meeting, or something else he might be concerned with, in order to return to the other committee and cast his vote in the manner that he knows he will cast it. Of course, we make it a point to get his vote in writing so that there will be no question about it, and the proxies are filed with the committee clerks. There is no question about the way a Senator voted.

The language in the bill sounds good, but in the running of large committees, having an abundance of legislation, all of it important, there are some priorities. Hundreds of nominations, for instance, are considered by the Commerce Committee. Obviously, we could not have every member of the committee present to vote on nominations. We would not want to do that, because some nominations are not contested; they are merely perfunctory.

If a Senator has an interest in a particular nomination—perhaps it is a captain in the Coast Guard—the Senator can come in, and we would be willing to call in the whole committee. This proposal is a little impractical, although it sounds good. I have never known of an important bill in our committee on which the members have not been present to vote, particularly where there was controversy and the vote might have been close. On those occasions, we do not use proxies. In such a case, we try to have all Senators present. However, sometimes one or two may be sick. A Senator may not have been sick between the time he made up his mind as to his decision on an important piece of legislation and the time the bill was finished and he had digested it before the time for the vote—which may have been a week or 10 days or 2 weeks—but something might have happened that prevented him from actually being present. We cannot let a Senator throw away all the work he has done on a bill.

I speak for my committee, although I see in the Chamber many of my distinguished friends—four of them—on the Appropriations Committee. I think they will agree with me that it would be pretty hard for us, toward the busy end of an appropriations session, to do that, as legislation comes to this body, if we are not allowed some proxies. Would that not be true? I ask the Senator from Arizona.

Mr. HAYDEN. Yes.

Mr. MORTON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. MORTON. I have listened with interest to the colloquy between my two committee chairmen and I want to associate myself with the remarks expressed by both. I have never, either on the Finance or Commerce Committees, witnessed the practice of proxy voting being abused. I do not know how either committee could function without it. As the Senator from Kansas [Mr. Carlson] pointed out a few moments ago, we never begin an executive session of the Finance Committee without a quorum.

I may help to make the quorum. Then I may go up to the fifth floor, to a meeting of the Commerce Committee, and I will say to one of my colleagues, "This is the way I feel—A, B, or C. If it comes up, that is the way I would vote. If anything else comes up, you can call me back."

If it were not for that practice, I do not know how we would function.

The minority leader, in his remarks, talked about being on 20 subcommittees. If any member is to go into executive sessions without some sort of proxy rule, I do not know how the committees would function.

The privilege can be abused, of course, but if any chairman should be so dictatorial in running the committee as to abuse that privilege, under the terms of the amendment of the Senator from Louisiana, the committee could take that power away from him and say, "We shall have no more proxies." But in my years here, I have never seen it abused. It was, frankly, a help to me in 1962, when we stayed in session until October. I had a little difficulty in rejoining the Senate because of certain pressures in Kentucky. Perhaps the country, or the State, or the Senate would have been better off without my coming back here, but I am sure that if I had remained here instead of giving my proxy to the Senator from New Hampshire [Mr. Cotton] on the Commerce Committee and the Senator from Delaware [Mr. Williams] on the Finance Committee, I would not be here now. Of course, if anyone wants to say that we would have been better off with the Senator from Kentucky not being here, he may wish to vote against the amendment; but I like it here, and therefore, I am going to vote for the amendment.

Mr. RANDOLPH. Mr. President, will the Senator from Louisiana yield to me?

Mr. LONG of Louisiana. I yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, the argument made by the Senator offering the amendment is a valid one. The Senator from Kentucky [Mr. Cooper], as the ranking minority member, and I, as chairman of the Committee on Public Works, have discussed the matter of the use of proxies. At times we have disagreed as to their use. At times we have been in accord, for example, today, our committee had before it the nomination of Mr. Lowell K. Bridwell to be the Administrator for the Federal Highway Administration, and the nomination of Joe W. Fleming II, to be the Federal Cochairman of the Appalachian Regional Development Commission.

Since there was no opposition to either of these nominations, we think that we should be able to call on members of the committee, who by reason of other important business or because of today's inclement weather could not be present to join in the committee recommendation. Since there were no objections filed against either of the nominees, the Senator from Kentucky [Mr. Cooper] and I felt we could proceed to a polling of the membership on the nominations in question. To do otherwise would seem to me to be unduly delaying these nominations and further burden the already heavy schedules of our Members. There is much to recommend the thinking behind the amendment offered by the Senator from Louisiana.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. WILLIAMS of New Jersey. I have heard no opposition to the amendment offered by the Senator from Louisiana, and everything I feel has already been expressed. I wanted to tell the Senator from Louisiana that I agree with him. If there is no objection to it, I would think it should be supported by the Senate.

Mr. CLARK. Mr. President, on behalf of the floor manager of the bill, who was forced to leave the Chamber briefly, I should like to say it is definitely not true that there is no opposition to this amendment.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. WILLIAMS of New Jersey. No opposition was expressed to it after the amendment was offered until the point of my remarks. I heard no objection voiced to it.

Mr. CLARK. Mr. President, I yield myself 2 minutes.

The floor manager of the bill will shortly return to the Chamber. He asked me to occupy his chair while he was gone.

Earlier in the consideration of this bill, there was extensive floor discussion of the proxy rule. The Senator from South Dakota [Mr. MUNDT], I believe, was present at the time, as were one or two other members of the joint committee.

I was of the view that the proxy rule as it was brought to the floor was too rigorous. After extended discussion on the floor, the floor manager of the bill undertook to provide what I thought was a fair compromise and a fair result, so that the original provision, which would have prohibited proxies on votes in committee prior to reporting of the bill, was eliminated, and it was provided that proxy votes could be taken on amendments, subcommittee reporting, and on everything except the final reporting of the bill.

My own view was that the provision in the bill eliminating proxy voting on this last action, the reporting of the bill, is sound. Reporting of bills is a pretty important matter, and if a Senator is willing to serve here, he should be willing to be present for a vote on the final reporting of a bill. So I do not think that is a rigorous requirement. At any rate, I support that compromise which was worked out on the bill.

I apologize for not having noticed that the floor manager of the bill is present. I reserve the remainder of the time of the floor manager of the bill.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Ohio.

Mr. President, how much time do I have?

The PRESIDING OFFICER. Eleven minutes.

Mr. LONG of Louisiana. I yield to the Senator from Ohio.

Mr. LAUSCHE. Does the amendment offered by the Senator from Louisiana provide for the giving of a blanket proxy, enabling the proxy to vote on any amendments coming up at the meeting at which a Senator does not vote?

Mr. LONG of Louisiana. It would be up to the committee to make its own rules. If a committee wanted to, it could prohibit blanket proxies. But the committee bill has already been amended so that proxies can be voted, except on the reporting of a bill. This amendment would provide for voting by proxy on the reporting of a bill, if the committee so desired. It could authorize proxies to be voted. If it did not want to do so, it could provide the other way around.

Mr. LAUSCHE. That is, the bill before the Senate, as reported by the committee, prohibits the granting of a proxy on the final committee action on the bill?

Mr. LONG of Louisiana. On whether to report the bill; yes.

Mr. LAUSCHE. The Senator's amendment would permit the granting of proxies, provided the committee rule authorizes it, not only on all preliminary issues, but also on the final vote?

Mr. LONG of Louisiana. Yes.

Mr. LAUSCHE. I regret that I cannot subscribe to the amendment.

Mr. MUNDT. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. MONRONEY. I yield 5 minutes to the Senator from South Dakota.

Mr. MUNDT. May I say for the further edification of the Senator from Ohio, this whole procedure has gone through an evolutionary process. The joint committee, all the members from the Senate and the members from the House alike, unanimously agreed that voting by general proxy was an abuse which should be corrected; and in our first report, we eliminated all proxy voting in the committees.

Then, induced by the logic of some of our fellow members confronted by the opposition of some chairmen of committees, who felt that proxies facilitated the work, made legislation easier to pass, and made the committees easier to handle, the joint committee, led by our distinguished chairman, the Senator from Oklahoma, agreed to modify the amendment so that the same procedures which have been followed up to now would prevail up until the point of final passage of the committee bill. In the subcommittees, on all amendments, members can still collect proxies, carry them into the committee room, and the absentee members can outvote those who are present, which frequently happens. I think this procedure is wrong and our joint committee tried to correct it. However, as modified, our proposal now corrects it only insofar as the final vote is concerned.

We felt that there should be some precaution retained. So, on the final passage as a bill leaves the committee to go to the floor, our resolution now prohibits the voting of proxies.

I believe, Mr. President, that this is a defensible compromise. It is a step forward. We should recall that we would not consider permitting proxies to be voted on the floor of the Senate; and all relevant arguments, such as the desire of an absentee Member to exercise his vote as a member of the committee, pertain also to those who frequently and inadvertently are away from the Senate floor when important measures come up. I do not think anybody has seriously proposed that we permit proxy voting on the floor of the Senate; and, theoretically, the rules of the Senate are followed by the committees of the Senate, because they are creatures of the Senate.

I think at stake here, Mr. President, are some pretty basic fundamental principles. One of those is majority rule. Majority rule, if I understand it, means that a majority of those participating in the action determine the result. Frequently we have rather overwhelming majority votes for a President of the United States which still represent a minority of the populace eligible to vote, but at least it is a majority of those participating in the decision; but when you interpret majority rule to mean that it is ruled by a majority of those who belong to a body but do not participate, I think it is stretching the point and defeating the concept of majority rule.

The reason why this committee proposal is important, Mr. President, is that very frequently, in the course of long days of discussion of a bill, its original character is altered very substantially by amendments, and those amendments can be voted on by proxy. Those amendments can be voted on by whoever holds proxies for people who have never heard the amendment discussed. They may have given a general proxy, and said, "You vote me as you would vote," or "Vote me no against all amendments." In that way, the absentee brethren frequently override the decision of those who are there.

So it seems to me that at least we should, at the time of final committee passage, give the absentee member a chance to be there, and if he is not there, he should not have the right to make the determining vote by proxy.

If we believe in rule by a majority of those who participate, instead of those who are absent, proxy votes on final passage should be barred.

So I think this is a pretty legitimate rule. I do not believe our country, basically, believes in the old system of plural voting. Proxy voting, in the Senate, is a system of plural voting, and it is a system of plural voting in a committee, when one member, more zealous for some amendment than another, accumulates a group of proxies, offers an amendment, and then votes it through by the proxies, because we are honorable men; a committee chairman, or any member of the committee, is not going to say he has the proxies to defeat it which he does not have.

If a man has an amendment for which he has been crusading, and has accumulated the proxies and is authorized to cast them, it is most infrequent, if it ever happens, that the people opposing him are going to say, "I have a lot of other proxies on the other side," unless they have actually and specifically been authorized to vote them on the other side. I think now we have a chance to bring a little greater sense of responsibility to committee work. As we all know, in this body, committees play a most important part; and I see no reason, on final approval, for permitting proxy voting in the committees, when I think we unanimously disapprove of it on the floor of the Senate. It is all part of the same fabric, as I see the picture. I think we should retain the compromise position arrived at in agreement by colloquy with the distinguished Senators from Pennsylvania and Oklahoma. We should support the committee position.

Mr. LAUSCHE. Mr. President, will the Senator from Oklahoma yield me 3 minutes?

Mr. MONRONEY. I am happy to yield

3 minutes to the distinguished Senator from Ohio.

The **PRESIDING OFFICER**. The Senator from Ohio is recognized for 3 minutes.

Mr. **LAUSCHE**. Mr. President, I merely wish to relate the impressions which I have gained through my service on the several committees of which I am a member.

Too frequently, I have observed the chairman loaded down with proxies accumulated from members who were not present at the meeting, but who gave to the chairman a general authority to exercise his judgment on what should be done on the separate issues being considered by the committee.

It might be argued that by giving the right of proxy to a chairman, or other member, on preliminary matters, the grantor of the proxy would be protected. It has just been pointed out by the Senator from South Dakota [Mr. MUNDT] that in the absence of a Senator, many amendments are adopted to which his proxy can be voted, but he does not know what those amendments are. If the proposal of the Senator from Oklahoma and the committee is adopted, the Senator who issued the proxy will have to be present at the casting of the final vote, and the other Senators will have a chance to tell him what changes have been made while he was absent.

It is a pretty painful situation to be on a committee and to observe the chairman voting six or seven proxies—and I say this with due respect and with due recognition of the heavy burden of work of a committee chairman—without the Senators who gave the proxies being fully acquainted with each of the issues involved.

Frankly, I was startled to see the bill brought to the Senate as it was. If there is complaint about chairmen having too much power—and I think that complaint is justified, on the basis of what I have seen since I first came to the Senate—this amendment will merely provide a little greater strength in making certain that all the issues will be understood to a maximum degree; although even with this improvement, they will not be adequately understood.

I think that the recommendation of the committee ought to be followed.

Mr. **MONRONEY**. Mr. President, since the original provision of the bill was changed and modified considerably in the effort to be as near to an agreement with the various Senators as we could, to eliminate any justifiable criticism of the way in which it was drawn, we sat down with those who were opposing our position on proxy use and tried to work out an agreement.

In the light of the recent rollcall on the motion to recommit, I say that we expect to sit down with the authors of these amendments and endeavor to modify them in such a way that the committee and the authors of the amendments believe is reasonable.

We have done this in a good many cases, and we would like to move toward that end on the 37 amendments that are pending by four of the Senators and on the four others that are pending from other Senators who have one amendment each.

We intend to counsel, to seek adjustment, and to modify where necessary without losing the benefits of a reorganization procedure.

I am tremendously grateful to the Senate for not recommitting the bill and thus destroying the opportunity of passing on it in its final form.

This amendment was modified, and I read from the modification as the language now reads on page 7 of the bill:

> (d) Section 133(d) of that Act is amended by adding at the end thereof the following new sentences: "The vote of the committee to report a measure or matter shall require the concurrence of a majority of the members of the committee who are present. No vote of any member of any such committee to report a measure or matter may be cast by proxy. Action by any such committee in reporting any measure or matter in accordance with the requirements of this subsection shall constitute the ratification by the committee of all action theretofore taken by the committee with respect to that measure or matter, including votes taken upon the measure or matter or any amendment thereto, and no point of order shall lie with respect to that measure or matter on the ground that such previous action with respect thereto by such committee was not taken in compliance with such requirements. Whenever any such committee by rollcall vote reports any measure or matter, the report of the committee upon such measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each member of the committee. Nothing contained in this subsection shall abrogate the power of any committee of either House to adopt rules (1) providing for proxy voting on all matters other than the reporting of a measure or matter, or (2) providing in accordance with the rules of that House for a lesser number as a quorum for any action other than the reporting of a measure or matter.".

As clearly as we can state it, we make the report of the bill the key factor in the transition of a bill. Hundreds of bills may be referred to a committee. When a bill comes up for final action by the committee and transmission to the floor, we make that a matter of a guaranteed quorum by the majority of the members present, and those present must vote by their vote, and not by proxy.

I have been around a good long time in various committees. I have served under many chairmen. I know that no chairman endeavors to misuse or would misuse a proxy. However, the fact that I can vote from Oklahoma, Alaska, Hawaii, or Europe, if I happen to be there, by proxy vote, is not good parliamentary procedure. It is not good procedure to have a bare majority of one over the number of Senators present being allowed to vote on a measure with six or seven proxies perhaps in the hands of the chairman or the ranking minority member, or some other member of the committee, to be voted after the rollcall has been made and one knows how many votes are needed.

A Senator has probably received a good many proxies that have been handed to him, or perhaps, as is often the case, proxies have been solicited by Senators having a certain viewpoint and the proxies are then voted.

The object of the final markup and the final reporting of a bill is to be sure that the bill is right and that it is the result of majority action of the committee members voting intelligently on the bill as it moves to the floor.

We cannot have intelligent action when a man signs a proxy 2, 3, 4, or 5 days prior to that time. The bill may have been changed in the subcommittee or in the full committee discussion.

The way to be sure that it is the responsibility of each committee member is to have him present in person.

If I am absent, then I take the blame for being absent and missing the vote. I think I should be reported as being absent.

I do feel that when people pick up a report they are entitled to have printed at the end of a report—and our bill so provides—that the votes of the members of the committee shall be recorded. We would not have that right if it can be left to a proxy vote, the proxy having been given at a time when the bill might have been in an entirely different shape.

I think the people of Oklahoma are entitled to know how I vote and when I vote in person.

We would not think, as has been said, of permitting proxy voting on the floor of the Senate or the House, although the distinguished Senator from Louisiana does have an amendment that would provide that each Member be allowed 5 such votes. I do not know what the magic number of 5 proxy votes on the floor of the Senate might mean. However, I am sure that it would not be a thing that my people in Oklahoma would like to see. Neither do I feel that the importance of the vote in the committee—which is 10 times more important in the making of legislation than is the vote of a Member on the floor, because that vote is diluted by 99 other votes—should be permitted.

It would be a careless way to legislate if we were to permit proxy voting on the floor.

We have permitted it in committee, in the interest of moving legislation along in the formative period, but I think that the people have a right to know how we vote in person on the final report as the measure goes to the floor of the Senate to become, perhaps, the law of the land.

Mr. **MAGNUSON**. Mr. President, will the Senator yield?

Mr. **MONRONEY**. I yield.

Mr. **MAGNUSON**. Would the Senate consider accepting an amendment worded, "Exclusive of nominations"?

Mr. **MONRONEY**. The Senator means the confirmation?

Mr. **MAGNUSON**. That is correct. That is a final vote, the reporting on the Senate floor. I can get the figures, but I think that we probably have approximately 3,000 going through the Committee on Commerce every session.

Mr. **MONRONEY**. I do not recall that many.

Mr. **MAGNUSON**. It involves every officer of the Coast Guard and of the

Coast and Geodetic Survey that gets an appointment, from lieutenant on up.

Mr. MONRONEY. Are they contested? Most of them go through without objection.

Mr. MAGNUSON. I know, but it constitutes a final passage. Each individual is reported to the Senate floor.

Mr. MONRONEY. This legislation applies, of course, where a rollcall vote is requested on legislation. Many bills are reported without conflict and do not require a proxy vote.

Mr. MAGNUSON. Mr. President, I want the RECORD to be clear then. The bill is modified so that it is only when there is a rollcall asked for by some committee member or the chairman.

Mr. MONRONEY. It would not have to be a rollcall.

Mr. MAGNUSON. The Senator is correct, but I say if a rollcall is asked for that would be so.

Mr. MONRONEY. The Senator is correct.

Mr. MAGNUSON. The clerk would call the roll, and that would not apply—the rollcall—on amendments to a bill. It would not apply to nominations unless a rollcall were asked for.

It would only apply to the final vote on reporting the bill to the floor of the Senate, which is sometimes done favorably, sometimes unfavorably, and sometimes without recommendations.

Mr. MONRONEY. It would require that a majority of the committee should vote.

Mr. MAGNUSON. It would not apply otherwise. Usually, before every controversial bill, some member of the committee moves to postpone the bill indefinitely and we call the roll.

So, we have it clear.

Mr. MONRONEY. A quorum would be required to do so.

Mr. MAGNUSON. I do not want some different interpretation put upon the language, if and when the bill is passed. I believe that the modification is much better than the original.

The Senator from Oklahoma has said that the people of Oklahoma are entitled to know how he votes. Of course, his vote is recorded, whether he votes by proxy or otherwise. There are very few instances in committees when a rollcall vote is not requested on bills of high priority or of a controversial nature. In most instances, a proxy vote cannot be secured on such bills.

I hope that the impression is not created that chairmen go around and pick up proxies at their own will. A proxy can only be secured if the Senator wishes to give it.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. MUNDT. This matter of proxies is like Topsy—it has grown up astonishingly in our nice garden of legislative procedures. I recall that early in my career in the Senate, proxies were pretty zealously guarded, and committees established rules that the proxy had to be in writing, authorizing a member to vote in a specific way on a specific proposal.

Mr. MAGNUSON. If it is a very controversial piece of legislation.

Mr. MUNDT. Now, through precedent and practice, we have become more and more lax, until we have a general proxy.

I have sat in committees—as I believe other Senators have—and heard a Senator say, "I just got a telephone call from Joe Blow, who wants me to cast his proxy," pro or con. We do not challenge the Senator's word. I am sure he is telling the truth. Joe Blow is away, perhaps in Europe, perhaps campaigning, perhaps downtown.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. MAGNUSON. I believe that the Senator from Oklahoma and the Senator from South Dakota are taking this matter out of perspective. I do not know of any particular proxies that I have had, in the Committee on Commerce, because a Senator happened to be in Europe.

Mr. MUNDT. There is nothing wrong with being in Europe on official business.

Mr. MAGNUSON. I cannot remember any such instances in my committee. These instances occur mainly when a Senator has been present all morning, he knows that there is to be a vote on an amendment or a bill, and he has received a phone call to come to another committee. Ninety-nine percent of the Senators who give a proxy are in the building. As to this talk about a Senator giving another Senator a proxy because he is absent, in Europe, or someplace else, $99\frac{44}{100}$ percent of the time the Senator is in the building, on the premises, but he must be present somewhere else. The Senator has listened all the time. He says, "All right, if there is going to be a vote in the next half hour, I want to vote 'no.' I am going to the Committee on Foreign Relations or the Committee on Finance." And this is where they are.

I do not believe that the practice of giving proxies is abused by the absence of Senators from Washington or from the building or the premises where we do our business. There may be some such occasions. One may go through the files of my committee. I cannot recall a single instance of a proxy being used of a Senator who cabled me from Timbuktu or some such place.

The Senator from Oklahoma and the Senator from South Dakota are relating this matter out of shape. The practice of giving proxies is for the convenience of Senators who are here, who think they are busier some place else at the time and that it is more important that they be there at the time. That is what this discussion is all about.

Mr. MONRONEY. Mr. President, may I inquire how much time is remaining?

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The Senator from Oklahoma has 7 minutes remaining.

Mr. MUNDT. I doubt very much the statistics which the distinguished Senator from Washington first made when he said he thought that 99 percent of the time no Senator who was in Europe would make this kind of request for a proxy. Then the Senator from Washington became more enthusiastic and convinced himself of the validity of his argument, and he gave the figure of $99\frac{44}{100}$ percent. The Senator was 0.44 more wide of the mark the second time than the first, but I do not think that is material.

Mr. MAGNUSON. It is material when the Senator talks about the use of proxies by Senators in Europe.

Mr. MUNDT. I have seen them used.

Mr. MAGNUSON. If that is published, pretty soon we will receive letters asking, "Why were you in Europe when you gave a proxy to JOHN WILLIAMS to vote on a tax bill?"

Mr. MUNDT. Perhaps the members of the Senator's committee are more earthbound than some members of other committees, but there is nothing wrong with being officially in Europe. I simply point out that the Senators are absent in one place or another and for some reason or other.

Mr. MAGNUSON. One might be in Europe too much when Congress is in session.

Mr. MUNDT. If the Senate is to be run by proxies from Senators who are in Europe, it is wrong.

Mr. MONRONEY. It frequently occurs—I am sure the distinguished senior Senator from Washington will not deny this—that Senators are compelled to be away, and they leave a proxy for a week's time with a very trusted chairman or with a trusted member of the committee, and these proxies are voted because they have been left to be used as the Member holding the proxy may judge. I say that this is sloppy legislative procedure.

If we value our seats on the committees, if we value the work, then our consideration, our contribution, should be made at the point of final passage of the bill out of the committee. If a Senator is not there and if he is represented by a piece of paper in the chairman's pocket or the ranking member's pocket or in just a friend's pocket, he is not contributing to the final adjustment at the most important place as that legislation takes form.

Ninety percent or more of the legislation is passed by the Senate as it is reported by the committee, and I see no wisdom or sense or justification for short-circuiting the maximum attendance of the committee at the point of reporting the bill and the maximum accountability of every Senator at that point. If he is not there, he is absent; and he should not be able to control, from 1,000 or 2,000 miles away, how that committee action might take place in the committee room from which he has been forced to be absent. We do not permit it on the floor, and I do not believe that we should permit it in the committee.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. PASTORE. Is that not basically the fault with the whole organization of the Senate? First of all, we pledge that each Member shall have two important appointments on two committees. Then he is barraged with a seat on a half dozen subcommittees. It becomes utterly impossible for a Senator to be in two separate places at the same time. The fault is with the system that we force upon ourselves. I do not believe that the fault is with the proxy system, as much as it is with the whole organization of the Senate.

A Member of the House has one important post. He dedicates and devotes himself to that particular responsibility, and he does his job and does it well. He becomes an expert.

A Senator may be on two important committees. Consider, for example, the Senator who is a member of the Committee on Foreign Relations and, at the same time, a member of the Committee on Finance. Then he is put on a joint committee. He must separate himself among three important committees. And he may be on a half dozen subcommittees. I believe that I serve on four subcommittees of the Committee on Appropriations.

A Senator cannot attend all these meetings at the same time. If that Senator, who is in the building, is not allowed the process of proxy, what is the result? The result is that the legislative democratic process is defeated, because we do not get the benefit of his judgment. If that Senator is compelled to be present when he votes in a committee—and I do not find any fault with that procedure—we must do something to relieve him of the other assignments.

Mr. MONRONEY. May I say to my beloved friend, the Senator from Rhode Island, who makes a great contribution in many ways, that he cites two instances that are contained in this Reorganization Act. One is that we provide that no Senator shall serve on two major committees or one minor committee or joint committee or select committee. In other words, he can serve on two major committees and one minor committee. We also provide that a Senator cannot serve—after the expiration of the necessary grandfather clause—on more than one committee of the big four: the Committee on Appropriations, the Committee on Finance, the Committee on Foreign Affairs, and the Committee on Armed Services.

We are attempting to reach the very thing that the Senator says is cutting down on these.

In any committee on which I have ever served, if the clerk called me and said, "We are going to have a final vote on this bill at 11 o'clock, so be here," and I am scheduled to be in another committee, or I may be in another committee, I am going to break loose from hearing a little bit of testimony or something like that—90 percent of the committee hearings consists of taking testimony—and I will go to my committee, and know what the issue is, and intelligently cast my vote.

Mr. PASTORE. I realize that, and I agree 100 percent. I am finding no fault with the abolition of the proxy system. When important votes are taken, a Senator should be present. I am saying that there is an abuse that has progressed over the years only because of the basic fault within the organization of the Senate. Why are we waiting for grandfather to die in this case? Why do we not do something about it now? If we recognize this to be a fault, why not change the mechanism now? A Senator who serves on two major committees, subcommittees, and a joint committee, as I do, finds it impossible to attend all meetings. Why do we not correct the situation now? Why wait for grandfather to die?

The PRESIDING OFFICER. All remaining time of the Senator from Oklahoma has expired.

Mr. LONG of Louisiana. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Louisiana has 9 minutes remaining.

Mr. LONG of Louisiana. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have not been ordered.

Mr. LONG of Louisiana. Mr. President, I shall modify my amendment, at the end of the amendment where the period appears, by substituting a comma——

Mr. MUNDT. Mr. President, will the Senator speak louder?

Mr. LONG of Louisiana. I shall.

Mr. CLARK. Mr. President, have the yeas and nays been ordered?

Mr. LONG of Louisiana. They have not been ordered.

Mr. President, I modify my amendment at the end of the amendment where the period appears, by substituting a comma and adding:

> However, proxies shall not be voted for such purpose except when the absent Senator has been informed on the matter on which he is being recorded and has affirmatively requested that he be so recorded.

Mr. President, that language would make clear that we would not permit a general proxy.

Mr. MUNDT. Has the Senator added those words?

Mr. LONG of Louisiana. Yes, on the motion——

The PRESIDING OFFICER. Will the Senator send the modification to the desk?

Mr. LONG of Louisiana. Mr. President, I shall yield to Senators, but I wish to explain that as far as this Senator is concerned, this modification would make clear that a Senator would only be recorded by proxy when he knows what the bill is and he knows he has the opportunity of being permitted to vote on reporting. If the Senator happens to be in his home or on official business, or where he is necessarily absent, in another part of the Capitol attending some other committee meeting, if he is called on the telephone and is told, "We are ready to report the bill. Do you wish to be recorded for the bill or against the bill?"—we can go ahead and vote him, making sure this general proxy is authorized in that instance.

As a matter of fact, Mr. President, on the committees on which I have had the privilege of serving, nobody ever gives a general proxy. The proxy has been directed toward a specific bill, to be recorded in a certain fashion. It seems to me to impede a measure unnecessarily when a man is in his office if he cannot be called and asked, "How do you want to be recorded: for or against the bill?"

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. PASTORE. Why is there not added the thought that it has to be in writing? The proxy has to be given in writing, if we are looking for proof that a Senator was notified. One party will say, "I notified him," and the other party will say, "I did not get the call." If a Senator is at home, he could send a telegram—and that would be in writing—"I want to be recorded 'yea' on such and such an amendment."

If a Senator is in the building or if a Senator is in Bethesda Naval Hospital being examined, he could call on the telephone and have the message delivered, or he could have one of his assistants come out to the hospital. However, there should be documentary evidence of the vote.

Mr. LONG of Louisiana. We have a better arrangement in the Committee on Finance. If we have a tie vote we will get the Senator on the telephone. The Senators who are on one side of the question will take the telephone and explain their side to the Senator, and the Senators who are on the other side will then take the telephone and explain their side. Finally, the Senator will be asked: "How do you want to be recorded?" If someone changes his mind we would bring the bill back and take another look at it. We have never had trouble in trying to find out how a person wanted to be recorded. When a Senator is in the hospital and is sick, it would seem that the telephone is a fine invention. It has been here for a long time. It is no problem to call a Senator and determine how he wants to be recorded. Once in a while there might be a problem. It would seem to me that with the telephone both sides could call the Senator and the matter could be explained to him by the chairman, the ranking minority Senator, persons taking one side, and persons taking the other side; then everybody would be satisfied that that is how he wanted to be recorded.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MONRONEY. Mr. President, we yielded to the Senator from Washington [Mr. MAGNUSON] who spoke representing the position of the Senator from Louisiana on the bill.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senator from Oklahoma be accorded 9 additional minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection and the 9 additional minutes are granted.

Mr. MUNDT. If the Senator feels that proxies are so important on a final vote—and there is some merit to the position of the Senator—certainly there is no reason why that should not be done in writing. Then we would have what is virtually the same thing as a Senator voting by his presence. Before a Senator states that he is going to sign in writing, he is going to be sure what the amendments are. That is what we are trying to do. We are trying to increase the responsibility, assumed by a Senator in the exercise of his vote because the Senator from Oklahoma [Mr. Monroney] makes a very significant point when he says that frequently a vote in committee is of a greater magnitude and importance than a vote on the floor of the Senate, where 99 other Senators can outvote one Senator.

The Senator from Louisiana [Mr. Long] speaks of so many tie-breaking votes in that committee. It seems to be a common occurrence. If so, the tie votes should not be broken by absentee members.

Mr. LONG of Louisiana. Mr. President, I would have no objection to a Senator confirming his vote in writing, but sometimes we do need to call a Senator. There have been cases when there have been tie votes and it has been necessary to call a Senator at his home, on the telephone, and say to him, "We have arrived at a tie vote. Here is the issue. There are eight votes for it and eight votes against it. How do you want to be recorded?"

The committee is completely satisfied with that procedure. The two contending sides might talk to the Senator and determine how he wants to be recorded. When we have the Senator on the telephone, it would seem that he should be recorded. In other words, we cannot always get a note in advance because issues change. We can never be sure what the issue is going to be when the matter comes to a vote.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MUNDT. Mr. President, as a taxpayer I am somewhat alarmed about the fact that there are so many tie votes in the Committee on Finance. It sounds as if many of the matters dealing with our taxes are decided by Senators talking over the telephone and casting votes in absentia by proxy. I hope that, under those circumstances, the committee would vote to defer action until the next day or until the absent Senators appeared. This is a significant point. The Senator should come in, and he would come in, and would know the full import of his tie-breaking vote before casting it.

Mr. GORE. Mr. President, whatever is done, we should not allow any proxies in the last 10 days of a session or the last 10 nights of a session.

Mr. MUNDT. It might save money for our taxpayers if we did not have votes in the Senate in the last 10 days of a session.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. MONRONEY. Mr. President, I yield to the Senator from Montana, who is a member of the committee.

Mr. METCALF. Mr. President, the point is that the only time we need the presence of an individual Senator is on the final reporting of the bill. Proxies are allowed the remainder of the time. Somebody calls a Senator on the telephone and says, "Are you for reporting such and such a bill?" In that instance, the Senator does not know what amendments have been added. The Senator cannot find out even in a 30-minute telephone call exactly what has been done to a particular piece of legislation.

Mr. President, a Senator should be able to determine exactly the final disposition of the bill. Then, he could vote one way or the other. The preliminaries can be taken care of by committee rules, by proxies, by people making telephone calls or sending telegrams, and in many other ways. However, when a bill is reported with all of the amendments, changes, and ideas which have been inserted in the bill, the Senator should be there and say, "I am familiar with it. I know what happens. I vote to report the bill." That is all we are asking.

Mr. MONRONEY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment, as modified, of the Senator from Louisiana [Mr. Long].

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the negative). On this vote, I have a pair with the distinguished Senator from New Mexico [Mr. Anderson]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Indiana [Mr. Bayh], the Senator from Hawaii [Mr. Inouye], the Senator from Missouri [Mr. Long], and the Senator from New Hampshire [Mr. McIntyre] are absent on official business.

I also announce that the Senator from Idaho [Mr. Church], the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Massachusetts [Mr. Kennedy], the Senator from Florida [Mr. Smathers], and the Senator from Georgia [Mr. Talmadge], are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Idaho [Mr. Church], and the Senator from Massachusetts [Mr. Kennedy] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Michigan [Mr. Griffin] is necessarily absent.

The Senator from Texas [Mr. Tower] is absent on official business.

If present and voting, the Senator from Texas [Mr. Tower] would vote "yea."

The result was announced—yeas 48, nays 38, as follows:

[No. 20 Leg.]

YEAS—48

Aiken
Bartlett
Bible
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Cotton
Curtis
Dirksen
Dodd
Dominick
Fannin
Hart
Hartke
Hickenlooper
Hill
Hollings
Hruska
Jackson
Javits
Jordan, N.C.
Kennedy, N.Y.
Long, La.
Magnuson
McCarthy
McClellan
McGovern
Mondale
Morse
Morton
Murphy
Muskie
Nelson
Pearson
Pell
Randolph
Ribicoff
Russell
Smith
Spong
Stennis
Symington
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—38

Allott
Baker
Bennett
Boggs
Brooke
Burdick
Case
Clark
Cooper
Ellender
Ervin
Fong
Gore
Gruening
Hansen
Harris
Hatfield
Hayden
Holland
Jordan, Idaho
Kuchel
Lausche
McGee
Metcalf
Miller
Monroney
Montoya
Moss
Mundt
Pastore
Percy
Prouty
Proxmire
Scott
Sparkman
Thurmond
Tydings
Williams, Del.

NOT VOTING—14

Anderson
Bayh
Church
Eastland
Fulbright
Griffin
Inouye
Kennedy, Mass.
Long, Mo.
Mansfield
McIntyre
Smathers
Talmadge
Tower

So the amendment, as modified, of the Senator from Louisiana [Mr. Long] was agreed to.

Mr. LONG of Louisiana. Mr. President, I call up my amendment No. 75.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Pennsylvania.

Mr. CLARK. If I may have the attention of Senators, I should like to ask unanimous consent that the seven amendments which I still have pending, as the Senator from Oklahoma and I have informally agreed, may be the first order of business tomorrow. There will be rollcall votes on all of them.

The reason I do not intend to bring them up this afternoon is because so many Senators have told me that due to the blizzard, they wish to get home early, and would be seriously inconvenienced by further rollcall votes from now on.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. DIRKSEN. What is the purpose of the unanimous-consent request?

Mr. CLARK. To make the Clark amendments the first order of business tomorrow. The Senator from Louisiana, as the Senator knows, has quite properly—and I make no criticism of it at all—occupied the floor all day today, so that what I had stated in the Congressional Record would be the floor business today has not been the floor business. I should like to obtain unanimous consent of Senators that we take those amendments up tomorrow.

Mr. DIRKSEN. It is only a matter of priority of consideration, and nothing more?

Mr. CLARK. That is right.

Mr. DIRKSEN. We waive no rights?

Mr. CLARK. Oh, certainly not. I

would never ask the Senator from Illinois to waive any rights.

Mr. MORSE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Will the Senator from Pennsylvania modify his unanimous-consent request to make it at the conclusion of the morning hour tomorrow?

Mr. CLARK. I so modify my unanimous-consent request.

Mr. MORSE. Mr. President, reserving the right to object, I make this inquiry: Did I understand the Senator from Pennsylvania to say we would have seven rollcall votes tomorrow on his amendments?

Mr. CLARK. If we can get through with them. I would like to; then I will be out of everybody's hair.

Mr. MORSE. Mr. President, I should like to have the attention of the majority leader a moment. We will not finish this bill before the Lincoln Day recess. Commitments for the next few days have been made by a considerable number of Senators. Those who attend the Interparliamentary Conference in Mexico—15 Senators—will be leaving tomorrow. There is nothing we can do about it, but I do not think it is necessary to take up the amendments of the Senator from Pennsylvania tomorrow, in view of the fact that we will not be able to dispose of the bill tomorrow. Of that I am quite certain. I have some amendments which I intend to offer after the Lincoln Day recess. One of them I shall offer this afternoon, in order to have it printed.

Under the circumstances that confront us, tomorrow will apparently be the Senate's last day of seeking to do anything with this bill before the Lincoln Day recess; I should like to suggest that we let the principal amendments go over until after the Lincoln Day recess, and seek, then, to have some unanimous-consent agreement to limit time on the amendments.

If we were not going away on official business, it would be a different matter. But we are going away on official business of the Senate and of the Government, and I think it is unfortunate, under those circumstances, that we go away faced with missing seven rollcall votes. That will put some of us in the position where we shall have to ask the Foreign Relations Committee to send us down at a later date, and we will miss a part of the conference.

Mr. STENNIS. Mr. President, will the Senator yield? Who has the floor?

Mr. CLARK. I believe I have the floor.

Mr. STENNIS. Reserving the right to object, Mr. President, will someone yield to me for a comment?

Mr. CLARK. I yield to the Senator from Mississippi.

Mr. STENNIS. I thank the Senator from Pennsylvania.

Mr. President, I join with the Senator from Pennsylvania in his unanimous-consent request, certainly, to the extent of these two amendments, the remaining two of the three that the Senator had of the so-called Bobby Baker amendments, or pertaining to the matters which are pending before the Ethics Committee. I hope we can dispose of those tomorrow. Debate has already been had on one of them; there is considerable interest in the matter, and I think they ought to be disposed of.

I do not know about the seven, but I am sure we will have a session tomorrow; if the Senator felt that he could reduce the number he would take up tomorrow, perhaps that would increase the probability of unanimous consent.

Mr. CLARK. Mr. President, in order to accommodate not only the Senator from Oregon, but the Senator from Mississippi, I am happy to modify my unanimous-consent request so that it will provide that the two Bobby Baker amendments, on both of which I would hope to have rollcall votes, will have a priority in the order of business tomorrow. Then I shall be perfectly willing to postpone my other five amendments until after the recess.

Mr. MANSFIELD. Mr. President, reserving the right to object, I, too, am planning on leaving tomorrow, and it is my intention to go, regardless of the kinds of votes there are on the floor, to participate in the deliberations of the Mexican-United States Interparliamentary Group, which I think is very important to our foreign relations.

As far as I am concerned, the Senator from Pennsylvania could have as much unanimous consent as he wishes, to vote on as many amendments as he wishes, tomorrow. I wonder if it would not be possible—the roads are getting clear, I understand, and the snow has stopped—if we could not have those so-called Bobby Baker or other amendments considered today.

Mr. CLARK. As far as I am concerned, I am prepared to go forward. The Senator from Oklahoma and a number of other Senators had spoken to me, urging me not to bring any further rollcall votes up now, because of the weather. But I am in the hands of the majority leader and the floor manager of the bill.

Mr. MANSFIELD. May I say that the Senate is on notice that today, tomorrow, and Thursday will be working days, and that at the conclusion of business on Thursday we will adjourn until noon Wednesday of next week, with a pro forma session on Monday, February 13, so that Senators, if they so desire, may return home to make Lincoln Day speeches. So I hope the Senate will proceed with this bill and continue the progress we have made today.

Mr. CLARK. Mr. President, it seems to me, in view of the colloquy which has developed, that it would be wiser for me to withdraw my unanimous-consent request, because I do not think I am likely to obtain unanimous consent, and place myself in the hands of the manager of the bill, the Senator from Oklahoma [Mr. MONRONEY], and be prepared to bring up any amendments this afternoon which he wants brought up.

I yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I thank the Senator. I hope he does not entirely drop his unanimous-consent request, unless we are going to take those matters up this afternoon. That would suit me all right, but I think we will have fewer and fewer Senators here, frankly, from tomorrow on.

Mr. CLARK. Mr. President, may I state that the Senator from Louisiana has the floor, with the intention of bringing up another amendment. I am perfectly willing to stay this afternoon, as well as anybody else, but I do want rollcall votes on my amendments.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. MONRONEY. I have discussed amendment No. 75 of the Senator from Louisiana with the committee, and we are prepared to accept this amendment. I believe it gives a little broader meaning to what committees can do, and there is no use restricting them, if the majority leader agrees to it.

Mr. DIRKSEN. Mr. President——

The PRESIDING OFFICER. The Senator from Louisiana has the floor.

Mr. MANSFIELD. Could the amendment be read?

Mr. LONG of Louisiana. Mr. President, what the amendment provides is that a committee can meet for any purpose during a session of the Senate, with the consent of the majority leader and the minority leader. They both have to agree to it, but the majority leader, speaking for the majority, and the minority leader, speaking for the minority, can agree that a committee can meet and act during a session of the Senate.

The PRESIDING OFFICER. Will the Senator send his amendment to the desk?

Mr. LONG of Louisiana. It is there.

Mr. MONRONEY. Mr. President, may we have the amendment of the Senator from Louisiana stated?

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 14, line 21, strike out the words "conduct a hearing" and insert in lieu thereof the words "sit for any purpose".

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield first to the Senator from California.

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Mr. President, I yield 1 minute to the Senator from California.

Mr. MURPHY. Mr. President, my question of the Senator was, in the event the majority or minority leader objected, would this not make a negative answer.

Mr. LONG of Louisiana. The Senator is correct.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the amendment of the Senator from Louisiana.

Mr. MORSE. What about the unanimous-consent request of the Senator from Pennsylvania?

The PRESIDING OFFICER. It was withdrawn by the Senator from Pennsylvania.

Mr. MORSE. Mr. President, do I understand that the amendment proposes to delegate to the majority and minority leaders the authority to grant committees authorization to meet while the Senate is in session without the Senate itself having the right under our past practice to determine that matter?

Mr. LONG of Louisiana. The pending bill, without the inclusion of my amendment, provides that the committee can meet to conduct a hearing with the consent of the majority and the minority leaders while the Senate is in session.

My amendment would provide that a committee can sit during a session of the Senate for any purpose with the consent of the majority or minority leaders.

The majority leader shall protect the Democratic Senators, and the minority leader shall protect the Republican Senators. I would assume that if any Republican Senator should object to a committee meeting, he would notify the minority leader and the minority leader would not give consent. The same thing would be true with the majority leader who would be protecting the rights of Democratic Senators.

Mr. MORSE. I inquire as to who apportions any time for opposition to an amendment or a provision of the bill.

I would certainly like to speak against both the provision of the bill, if it is as the Senator from Louisiana says, and against his amendment.

The PRESIDING OFFICER. The Senator from Louisiana would control the time.

Mr. MONRONEY. I would not control the time because I have agreed to accept the amendment for the committee.

Mr. MORSE. That requires Senate action. The Senator cannot take it to conference without Senate approval.

Mr. MONRONEY. Mr. President, I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, when the Senator gets through, I want time to oppose the amendment.

The PRESIDING OFFICER. Under the unanimous-consent agreement, if the manager of the bill does not wish to control the time, the minority leader does.

The Senator from Oregon can get time from the minority leader or his designee.

The Senator from Louisiana has the floor.

Mr. MORSE. I think the Senator can apportion time if he wants to do so.

Mr. MONRONEY. The distinguished Senator from Louisiana is in charge of the time for his amendment. I intend to be in favor of the amendment. Therefore, I am not eligible to control the time against the amendment.

Mr. MORSE. Who is the acting minority leader?

Mr. MUNDT. Mr. President, I shall support the amendment, but I am perfectly willing to yield time to the Senator from Oregon.

Mr. MORSE. Mr. President, I ask for not more than 10 minutes.

Mr. MUNDT. Mr. President, the Senator may have it.

Mr. GRUENING. Mr. President, I ask the manager of the bill if he really thinks that these 99 "he" men would be willing to keep a sprinkling, a very minor snow storm, from preventing their action. I see no reason why the lady from Maine should not be present. I see no reason why, with a very slight snowstorm, we cannot stay and get as many amendments completed tonight as we can.

I am one of those leaving on official business, like other Senators.

Mr. CLARK. Mr. President, will the Senator from Louisiana yield me 3 minutes? I am on his side.

Mr. LONG of Louisiana. Mr. President, I yield 3 minutes to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I support the amendment of the Senator from Louisiana, and I am absolutely amazed at my good friend, the Senator from Oklahoma, for accepting the amendment.

The Senator from Oklahoma and I argued on this floor for the better part of 3 hours when I was supporting the position taken by the Senator from Louisiana. The Senator from Oklahoma said that he could not accept the amendment.

I have always wanted committees to have the right to sit, for all purposes, with the consent of the majority and minority leaders while the Senate is in session.

The Senator and I must have argued for a couple of hours on this matter. The Senator from Oklahoma was adamant in his opposition to my position.

I am delighted that the Senator from Louisiana has much more influence with the Senator from Oklahoma than I do, as the Senator is now prepared to accept the amendment.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield 1 minute to the Senator from Montana.

Mr. METCALF. Mr. President, in justice to the Senator from Oklahoma, I want to say that I, as one of the members of the committee, was asked about accepting the amendment. We only accepted amendments today in order to expedite matters. I agree with the Senator from Pennsylvania that we should move forward.

I have been persuaded that the Senator from Pennsylvania and the Senator from Louisiana are correct in their position that this matter should be taken care of by majority vote.

Mr. CLARK. Mr. President, I say to my friend, the Senator from Montana, "Mine is not to ask or reason why. Mine only is to do or die." And if the Senator from Oklahoma wants to die for me, I am only too happy to have him do so. And I shall gladly die with him, if need be, in support of this amendment.

Mr. MONRONEY. Mr. President, I have conferred with all available committee members to see if they were willing to accept the amendment, as I have done on prior occasions. They feel that it would be perfectly all right to accept this amendment.

Mr. CLARK. Mr. President, I am delighted to see that it is not only women that have the privilege of changing their minds.

Mr. ALLOTT. Will the Senator yield?

Mr. MONRONEY. Mr. President, I yield 2 minutes to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I think that the amendment of the Senator from Louisiana is perfectly in order if one happens to agree with this section of the bill.

I am not so sure that we will have changed substantively the picture of the Senate if we agree to this amendment. Looking at it from a practical matter, if the Senator from Virginia should go to the majority leader and say, "I want you to object to a committee sitting," or if the Senator from South Dakota should go to the minority leader and say, "I want you to object to a committee sitting," I think that for all practical purposes we are back where we were when we had to have the unanimous consent of the Senate for committees to sit during the session of the Senate.

I merely want to point this out. I am not going to object to this particular section of the bill.

I think that if a committee is going to sit, it might just as well sit for purposes other than just hearings, as the amendment of the Senator provides. However, I think that actually, for all practical purposes, we will be right back where we started.

Mr. LONG of Louisiana. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 3 minutes.

Mr. LONG of Louisiana. Mr. President, with reference to the observation of the Senator from Colorado, I point out that under our existing rules a committee can sit with the consent of the Senate, but a motion to let the committee sit is debatable. If a single Senator does not want to permit the committee to sit, all he has to do is to suggest the absence of a quorum and then start talking.

That being the case, the only way that the majority leader can get on with the business of the Senate is to adjourn or recess the Senate so that the committee can meet while the Senate is technically not sitting.

It would be much better if that motion were not debatable, or if there were some way to get the matter to a vote.

Sometimes we have very pressing matters that have a time limit and we have to get on to a vote. Oftentimes the matter before the Senate is not a very important measure. This is something that is usually done so that the committee can consider the measure and vote the bill out.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CLARK. Mr. President, when we were discussing this matter on the floor before, the Senator from Oklahoma and I made a very careful legislative history to the effect that when the majority leader or minority leader were called upon to agree to permitting a committee to sit, they were not—I repeat, not—to be guided by one Senator's request, but were to make a decision on the basis of their own judgment of what was good for the Senate as a whole.

The Senator is not attempting to change that legislative history now, is he?

Mr. LONG of Louisiana. No. I would accept the Senator's explanation.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MUNDT. I wish to be sure that nothing in the Senator's amendment would change the committee proposal that this must have the concurrence of both the majority leader and the minority leader. Not just one, but both the majority leader and the minority leader, under the Senator's amendment, would continue to have to concur.

Mr. LONG of Louisiana. The Senator is correct. For example, for the purpose of conducting a hearing.

Mr. MUNDT. The only change is to make it a committee hearing for any purpose?

Mr. LONG of Louisiana. The Senator is correct.

Mr. MUNDT. I see no objection.

Mr. MONRONEY. And the majority leader or minority leader is not to be acting as an agent and is not expected to be acting as an agent to block the committee from sitting at the request of one Member. Sometimes we ask them to object on our own behalf. They would be objecting on their own behalf and with relation to their official duties in connection with securing and expediting legislation on the floor.

Mr. MUNDT. I yield 10 minutes to the Senator from Oregon, against my convictions.

Mr. MORSE. Mr. President, I believe that we are making a great mistake, not only in connection with the procedure encompassed in the amendment of the Senator from Louisiana, but also the provision of the bill to which it relates. We are making a great mistake in the bill. This bill requires further consideration. That is why I voted to send it back to committee. It calls for further consideration by the Monroney committee and also by the separate committees of the Senate.

Yesterday, we had a meeting of the Committee on Labor and Public Welfare, and it became perfectly clear that great dissatisfaction exists within the committee with regard to the operation of this bill, if it is passed in its present form. And it appears that the bill will pass in its present form.

I speak kindly and respectfully. I do not believe that the bill is receiving the consideration that it should receive from individual Senators. I do not believe that they know what they are really adopting, if the bill continues to sail through the Senate.

Let us consider the subject matter that we have before us in the instant case. For many years, many Senators have been attempting to adopt procedural changes governing the Senate, in regard to the periods in which the Senate meets. Some of us have proposed that we should adopt a rule whereby the Senate meets at 9:30 or 10 o'clock in the morning, does business until 12:30 or 1, recesses until 2 for lunch, comes back and does the business of the Senate. Then there would be a period, say, starting at 4 or 4:30, in which nongermane matters would be taken up for that day. That matter is not covered by the pending reorganization bill.

Such a proposal would call, then, for committees meeting at the beginning of the session on days when the Senate does not meet. The committee days would be more frequent, and the Senate session days less frequent. As the session progressed, toward the end of the session, the work of the Senate would take up a greater part of the week, and the work of the committees a smaller part of the week.

I am sorry that this bill does not give any consideration to that type of reform, because in its present form, the bill downgrades the Senate sessions.

We are creating an image across this country that will reflect against the Senate, by this procedure, which already has been followed too much, and which will now be greatly escalated.

There will be increasing criticism from the people of this country, that when a major subject is being discussed on the floor of the Senate, 60 to 70 percent or more of the Senators are not even present. Why? Because you have delegated to two men in the Senate, under this proposal, the authority to have committees meet while seats in the Senate are vacant.

We should change that image of the Senate, for it is not a very favorable image. Efficiency and proficiency call upon us, yes, to change the rules of Senate meetings, but not this way, for this will enhance the practice of the Senate meeting with only a corporal's guard present, and it will continue to make a bad impression upon the people of this country.

Either our Senate sessions are important or they are not. I hope that we have not reached the point in the history of the Senate that meetings of the Senate do not involve serious debate of a nature that can change men's minds. I had hoped we might have moved a little away from the practice of deciding everything behind closed doors, and merely ratifying it on the Senate floor.

This proposal downgrades the Senate so far as its sessions are concerned. As a matter of policy, I do not believe that a committee should meet while the Senate is in session. The soundness of that rule has been proved in history.

Why are we making this retreat? I do not know why we are making it easier for committees to meet while the Senate is in session. What is there about a majority leader or a minority leader that should give him the right and the authority to determine what kind of public impression we create?

I wish to make a prediction. If we adopt this provision of the bill, complemented by the amendment of the Senator from Louisiana it will become a practice in the Senate for committee after committee to hold meetings all over the Capitol and in the Senate office buildings, while major legislation is being discussed on the floor of the Senate with fewer and fewer Senators present in the Chamber.

I hope we have not reached the point where the floor of the Senate is just for the purpose of making speeches. The primary purpose of the floor of the Senate is for Members of the Senate to exchange points of view on major legislation under debate. The people of the country expect us, as their Senators, to come to the floor of the Senate and thrash out, in good faith, the pros and cons of an issue. But what is occurring now, may I say respectfully, is that we walk out on our responsibilities on the floor of the Senate through this procedure. It is being rationalized on the basis that we have to meet in committee. We do not have to meet in committee while the Senate is in session, if we organize properly the work of the Senate, including the work of the committees.

It is a mistake for us to delegate our rights as individual Senators to the majority leader and the minority leader, to decide what kind of image we are going to present to the public on the floor of the Senate, when an item of business is before the Senate.

If a situation calls for committee meetings and it can be explained satisfactorily on the floor, unanimous approval will be received. However, if unanimous approval is not given, a committee should not convene, whether for a hearing or any other purpose.

We should not adopt this approach. It is a mistake. The matter calls for more study as to alternative ways of programing the work of the Senate. This is a great mistake, and I desire the record to show that I oppose not only the amendment of the Senator from Louisiana, but also this section of the Monroney bill itself. It is a very unfortunate section, and it should be stricken from the bill.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. ALLOTT. If the theory of the committee is accepted—the Senator does not accept it and I do not—then I believe there is no objection to the amendment of the Senator from Louisiana. I think it is in perfect conformity and makes it actually better, in my opinion, and I would vote for the amendment.

However, would not the Senator agree that there are some committees for which there is no alternative, such as the Committee on Appropriations? The distinguished Senator from Washington heads the Subcommittee on Independent Offices—I am the ranking minority member, and the distinguished Senator from Oklahoma is on it—and we sit from 10 o'clock in the morning until 5:30, 6:30, and even until 7:30 in the evening. It takes much time to go through these matters. A committee such as that has no alternative but to sit while the Senate is in session.

Mr. President, I am afraid of exactly the same thing that the distinguished Senator from Oregon [Mr. MORSE] has stated, and that is that we are in danger of downgrading the work of the Senate; and any excuse, if we accept the interpretation of the Senator from Pennsylvania [Mr. CLARK] will serve to provide for a committee sitting while important legislative matters are going on and the Senator should be on the floor of the Senate.

Mr. MORSE. Mr. President, will the Senator from Colorado agree that the Committee on Appropriations has never had a problem with the Senate as far as getting unanimous consent to meet is concerned?

Mr. ALLOTT. The Senator is correct.

Mr. MORSE. We have been able to recognize the needs of the committee.

I wish to point out one of the things that might develop under the rule if we were to adopt it. An unpopular issue comes up and someone is representing a side that may not be popular to a majority of Senators. Senators can answer the question, "Were you there for that debate?" by saying to constituents, "No, I could not be there because committee X, committee Y, or committee Z was meeting at that time and I had to be at that committee meeting."

Mr. President, our first responsibility is to the floor of the Senate. That is our first responsibility. We should organize our committee work consonant with the most effective and efficient administration of business on the floor of the Senate. That is why I have pleaded for years that there should be days on which nothing but——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Does a Senator on the minority side yield 2 minutes to the Senator from Oregon?

Mr. ALLOTT. Mr. President, I yield 2 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, the great danger here is that we have not given consideration to the proper organization of floor work and committee work, coordinating the two and correlating the two, so that there is not the constant conflict in time jurisdiction. We have not tried to do that. I am disappointed that this committee report does not cover that aspect. I think it is unfortunate that this bill goes in the direction of encouraging competition between the floor and its committees instead of eliminating the situation that has brought so much criticism upon the Senate.

Mr. President, the criticism is widespread. Senators should talk to their constituents who sit in the galleries and listen to the debates on the floor of the Senate when there are three Senators, four Senators, or five Senators in the Chamber and the remainder of the seats are vacant.

I remember some years ago a constituent of mine from Independence, Oreg., called me off the floor. The first question showed that she was not a Morse supporter. She said, "At least I am glad to see that you were on the job." At that time there were only six Senators present. I said, "Have you got 30 minutes that you can spare?" She said that she did. I took her from committee room to committee room and counted 52 Senators attending committee meetings while the Senate was in session. I told her that we could find other Senators who were in their offices talking to constituents, or who were downtown on official business. We find most of them are on the job.

However, Mr. President, that image exists. Constituents have a right to expect when they send us to the Senate that the business on the floor of the Senate is the primary concern of a Senator when the Senate is in session. Senators go to committees instead and leave to two men, the majority leader and the minority ledaer, to determine how many are going to be on the floor of the Senate. That is not part of the glorious history of this body. Mr. President, this is a new development in the last 20 years. In the early history of this body Members would not think of being out of their seats when a major debate involving the welfare of the country was scheduled on the floor of the Senate.

We have a unanimous-consent agreement. I was not here when that matter was taken up. Had I been here, there would not be an agreement.

Mr. President, I serve notice now, I shall not give consent to another request in this session of Congress. At least we are going to debate full time in the Senate when somebody wants to debate. This is an example to me of the undesirability of unanimous consent to limit debate. I shall not give another one in this session of Congress unless I can be shown that there is a great emergency in some special case justifying it. I am going to do what I can to try to restore to the Senate the prerogatives and duties that were intended when the Senate was created in the first place.

Mr. ALLOTT. Mr. President, I yield myself sufficient time to make a parliamentary inquiry.

Does the Senator from Louisiana wish to proceed?

Mr. LONG of Louisiana. No. The Senator from Colorado may propound his parliamentary inquiry.

Mr. ALLOTT. Mr. President, in the event that no other amendment or any other action is taken before the amendment of the Senator from Louisiana is voted on, would a motion be in order to strike the language beginning with line 20, page 14, and ending at the top of page 15?

The PRESIDING OFFICER. Will the Senator repeat his inquiry?

Mr. ALLOTT. Mr. President, after the amendment of the Senator from Louisiana is acted upon, would it be in order to move to strike the sentence beginning on line 20, page 14?

Mr. MONRONEY. Is that the language beginning with "Any other standing committee of the Senate may conduct a hearing while the Senate is in session if consent therefor has been obtained from the majority leader and the minority leader of the Senate"?

This would throw us back to the present rule so that any unanimous-consent request could be blocked by one Member.

I might say to the distinguished Senator from Colorado that the long history of this provision goes back to 1946 when Senate committees could sit at any time. There was no restraint upon them and no consent or requirement effective, so that we would have a great deal of trouble in keeping Members in the Chamber.

In the Reorganization Act of 1946 it was provided that no standing committee of the Senate or the House shall sit without special leave when the Senate and the House, as the case may be, is in session. This was passed with the understanding that the Senate or the House could be given the authority by a majority vote to permit the committees to meet or sit or transact their business.

The Parliamentarian, through some holding that was never carefully documented, interpreted that this could provide that one Senator of our 100 Senators could prohibit any committee in the Senate from meeting—or any committee in the House, as the case may be—while the Senate is in session.

Mr. President, this device was used in filibusters primarily to prevent committees from meeting. The Senator from Colorado remembers the 7 a.m. sessions that we had to have in order to hear testimony on the independent offices bill before the Senate went into session at 10 o'clock because we could not get permission under filibuster procedures to sit.

This has been a customary weapon of the procedures. It is a little strange to me to find the distinguished Senator from Oregon [Mr. MORSE] wanting to retain this provision. It was one of the reasons we provided unanimous consent would not prevent a meeting. The report of the committee was to give some authority beyond one person to prohibit the necessary work of the committees from going on. We hold up the sessions generally not because of debates on the floor of the Senate but because of jam-ups in the committee. When we get the bills from committees, things start to move.

Mr. ALLOTT. Mr. President, may I have a ruling?

The PRESIDING OFFICER. The Senator's motion is in order.

Mr. ALLOTT. Now, Mr. President, I yield myself——

The PRESIDING OFFICER. That is, the motion would be in order, if the Senator wishes to make it.

Mr. LONG of Louisiana. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Louisiana will state it.

Mr. LONG of Louisiana. Would such a motion be in order while the amendment is pending?

The PRESIDING OFFICER. No; not while the amendment is pending.

Mr. LONG of Louisiana. Mr. President, I recall, when the President of the United States, Lyndon Johnson, was majority leader of the Senate, some occasions when I would be pressing for an amendment, or opposing something in a bill, and would be taking quite a bit of time on the floor of the Senate to do it, and the then majority leader would be told by some of us, "Well, if you can get enough people in here to hear our arguments before we vote, then we will agree to vote." But we are not willing to have this matter decided, so we speak to a relatively empty Chamber. The response of the majority leader was always the same, "I can put a quorum call on and get some Senators in here, but I cannot make them stay to hear your speech. It is up to you to see if you can get Senators to stay to hear what you have to say."

The practice of objecting to committee meetings by a single Senator is well recognized as a filibuster tactic. On some occasions, it is a delaying tactic that Senators can use. On certain occasions, if the Senate, or any substantial number of Senators, do not want a committee to meet, they of course can object to a committee meeting while the Senate is in session. But a great many times, committees have enormously important legislation to work on which requires a great deal of time. As examples, I recall that the Finance Committee spent a great deal of time on the Revenue Act of 1964, the Revenue Act of 1966, on social security amendments—the so-called medicare bill. Many times it took long hours to get the work done, especially because a committee must wait, as the Finance Committee does, until the House passes its revenue bills, and as the Appropriations Committee has to wait many times for the House to pass its appropriations bills. It can create a real problem, finding time to get a committee together to meet.

Those with the responsibility, the majority and minority leaders, have to think about not only the schedule but also the matter of the work of the Senate. Thus, I really think that this is one amendment that would very much help to expedite the business of the Senate.

Mr. President, if there is no other Senator who desires to address himself to this amendment, I am prepared to yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator from Colorado [Mr. ALLOTT] yield back the remainder of his time? Or the Senator from South Dakota [Mr. MUNDT]?

Mr. MORSE. Mr. President, will the Senator from Louisiana yield to me for a question? Does the Senator say that he is about to make a motion?

Mr. LONG of Louisiana. Mr. President, I am prepared to yield back the remainder of my time, but if the Senator from Oregon desires to speak, I can arrange for sufficient time for him.

The PRESIDING OFFICER. All time has been yielded back——

Mr. MUNDT. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment——

Mr. LONG of Louisiana. Mr. President, how much time does the Senator from Oregon need?

Mr. MORSE. Just 1 or 2 minutes.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senator from Oregon [Mr. MORSE] may proceed for 5 minutes.

Mr. MUNDT. Mr. President, if the Senator desires time, I will yield 2 minutes time to him.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, I do not follow the argument of the distinguished Senator from Oklahoma. He raises the point that under the unanimous-consent rule, one Senator has authority to say that committees cannot meet and he seeks to link it to filibuster tactics.

My objection to committee meetings when the Senate is in session does not have the slightest relationship to a filibuster.

My objection to committees meeting when the Senate is in session is that I think it amounts to a downgrading of the primary function of the Senate. I think the Senate should organize its work so that it can hold its meetings for the transaction of business with Senators in the Chamber, for the comparison of points of view.

I do not like the idea of giving to the majority and minority leaders the authority to rule the Senate. Let me say, and most respectfully, that they have too much power, anyway.

I think that each one of us has a responsibility to do what we can to protect the operations of the floor of the Senate. I am all for requiring a unanimous-consent rule for a committee to meet, if the business of the Senate, in the opinion of one Senator, is sufficiently important for a hearing on that business.

The trouble is that we have not tackled the real problem of organizing the schedule of the Senate so that we do not meet so many days in a week, but only those days when Senate business needs to be transacted, and devote the rest of the time to the work of committees.

I should like to ask the Senator from Colorado [Mr. ALLOTT] this question: Is it the Senator's plan to move to strike the language on page 14 of the bill, beginning with the word "any" on line 20, and ending with the word "Senate," on line 1, page 15?

Mr. ALLOTT. Let me say to the Senator from Oregon that while I concur in his remarks, I feel exactly as I stated a few moments ago that, considering the legislative situation, I do not propose to offer that amendment.

Mr. MORSE. That is what I wanted to find out.

Mr. ALLOTT. I would not want the Senator to rely upon the feeling that I might offer the amendment. I was merely making inquiry as to what the situation was. I found out that we would then be back to the original rule.

Mr. MORSE. Which would require a unanimous-consent agreement.

Mr. ALLOTT. Either unanimous consent, or a motion.

Mr. MORSE. What is wrong with that?

Mr. ALLOTT. I see nothing wrong with it. I have been reasonably happy with the situation with respect to this, I must say. The facts are, I think that we must realize that, within this situation, in one sense, the minority, whichever it might be in the Senate, has perhaps a greater degree of protection, although a less formal degree of protection, in this particular bill, than it has otherwise.

Mr. MORSE. Mr. President, I ask unanimous consent to proceed for 2 additional minutes.

Mr. MUNDT. Mr. President, what is the status of the time?

The PRESIDING OFFICER. All time has been yielded back. The Senator from Oregon is speaking under a unanimous-consent agreement.

Mr. MUNDT. Mr. President, I am glad to yield the Senator 2 minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 additional minutes.

Mr. MORSE. Mr. President, I have one additional comment about the reference by the Senator from Oklahoma [Mr. MONRONEY] to the filibuster in connection with committees meeting by unanimous consent. All I am saying is, he is arguing—and it seems to me eloquently—for modification of rule XXII. His argument calls for a change in the filibuster rule.

What the Senate should do is change rule XXII. That has nothing to do with retaining a procedure which I think is of the utmost importance to present the Senate in the proper light to the American people, and to give encouragement to the Senate returning to its primary function when the Senate is in session; namely, for Senators to be in their seats, conducting the business of the Senate on the floor of the Senate.

That is why for many years I have urged that we have a luncheon break and that the Senate recess for the lunch period, instead of going through the very inefficient and confused operation of the Senate where we go down to lunch with the understanding that someone will take the floor of the Senate and hold it while the rest of us eat.

What inefficiency that is.

What a false impression that gives to the American people.

I think we should tackle the problem of regulating the time of the Senate and this, the Monroney bill has not done. This is one of the shortcomings of the report. That is why I believe that its final action needs to be postponed for some days, until we can come in, after more reflection on it, and offer some amendments to improve it.

Now, Mr. President, a parliamentary inquiry. I would like to move to strike the language on line 20, page 14, starting with the word "Any," and ending with the word "Senate" on page 15, line 1.

My inquiry is, Is it in order?

The PRESIDING OFFICER. It is in order.

Mr. MORSE. It is in order?

The PRESIDING OFFICER. But after the pending amendment has been disposed of.

Mr. MORSE. I serve notice that I am going to offer the amendment as soon as the Long amendment has been disposed of; and I want a rollcall on the Long amendment.

Mr. WILLIAMS of Delaware. Mr. President, has all time been used on the amendment?

The PRESIDING OFFICER. All time has been yielded back.

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator withhold that request for a moment?

Mr. MANSFIELD. Yes.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to speak 2 minutes on the amendment before we get the rollcall.

Mr. MANSFIELD. Mr. President, would the Senator allow me to put in a quorum call, and then withdraw it?

Mr. WILLIAMS of Delaware. Yes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, I support the position of the committee that would delegate to the majority and minority leaders the right to give consent for any committee to hold hearings during the sessions of the Senate. I see no danger in that and would support it. However, I do question the wisdom of delegating away our authority as individual Members of the Senate to object to a committee's meeting to mark up a bill during the session of the Senate. We cannot be at both places.

I cite a particular case as to why I am concerned. In the closing days of the last session of the Senate there was pending before the Finance Committee the 1966 Revenue Act, as the Senator from Louisiana [Mr. Long] will remember. The chairman was anxious to get the bill out. On that occasion I did not object to granting permission to our committee to hold hearings on the bill while the Senate was in session, but when committee amendments were being voted on I objected to executive meetings while the Senate was in session. There were measures before the Senate in which I was interested, and I wanted to be present while they were being considered and voted on.

I am referring to the time when the so-called "Christmas tree" bill was being considered by the Finance Committee.

As one who was opposed to these amendments it was important for me to be present in committee during the markup of this bill. Of course, I was not able to stop many of the proposals, but at least I could find out what was being done. I think a member who wants to take part in the markup of a bill by his committee should be able to do so without giving up his right to participate in the legislative processes of the Senate.

For that reason, I question the wisdom of the Senator's pending amendment. I would go along with the provision respecting hearings, but I hope the amendment of the Senator from Louisiana is defeated.

Mr. LONG of Louisiana. Mr. President, I believe the Senator will find, on the occasion he has in mind, that his request was respected and we did not attempt to sit at the time the Senator objected. I believe I respected his request. Had I not done so, and as could be done under the pending proposal, I have no doubt that the minority leader [Mr. Dirksen] would have protected the Senator's rights as a minority member of the committee.

Mr. WILLIAMS of Delaware. I do not question that, but I think we should make that right less vulnerable.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MUNDT. Mr. President, I ask to have 1 minute. I am about to vote for the amendment of the Senator from Louisiana, but I see some merit in the suggestion made by the Senator from Delaware. I wondered if the language as reported by the committee would remove the objections of the Senator from Oregon, so that we could proceed to a vote?

Mr. MORSE. No; I object to the authority on page 14, beginning on line 21.

Mr. MUNDT. Even for a hearing?

Mr. MORSE. Even for a hearing. I am talking about downgrading the prestige of the Senate when we start walking out on our responsibilities to be present when a debate on measures is going on.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Indiana [Mr. Bayh], the Senator from Alabama [Mr. Hill], the Senator from Hawaii [Mr. Inouye], the Senator from Missouri [Mr. Long], the Senator from Minnesota [Mr. McCarthy], the Senator from New Hampshire [Mr. McIntyre], and the Senator from Georgia [Mr. Russell] are absent on official business.

I also announce that the Senator from Idaho [Mr. Church], the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Massachusetts [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Florida [Mr. Smathers], and the Senator from Georgia [Mr. Talmadge] are necessarily absent.

I further announce that, if present and voting, the Senator from Ohio [Mr. Lausche], and the Senator from Massachusetts [Mr. Kennedy] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Michigan [Mr. Griffin] and the Senator from Illinois [Mr. Percy] are necessarily absent.

The Senator from Texas [Mr. Tower] is absent on official business.

If present and voting the Senator from Texas [Mr. Tower] would vote "nay."

The result was announced—yeas 57, nays 25, as follows:

[No. 21 Leg.]

YEAS—57

Allott
Baker
Bible
Boggs
Brewster
Brooke
Burdick
Cannon
Carlson
Case
Clark
Cotton
Dirksen
Dodd
Ellender
Fong
Gore
Gruening
Harris
Hart
Hayden
Holland
Hruska
Jackson
Jordan, Idaho
Kennedy, N.Y.
Long, La.
Magnuson
McClellan
McGee
McGovern
Metcalf
Miller
Mondale
Monroney
Montoya
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Proxmire
Randolph
Ribicoff
Scott
Smith
Sparkman
Stennis
Symington
Thurmond
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.

NAYS—25

Aiken
Bartlett
Bennett
Byrd, Va.
Byrd, W. Va.
Cooper
Curtis
Dominick
Ervin
Fannin
Hansen
Hartke
Hatfield
Hickenlooper
Hollings
Javits
Jordan, N.C.
Kuchel
Mansfield
Morse
Morton
Prouty
Spong
Williams, Del.
Young, Ohio

NOT VOTING—18

Anderson
Bayh
Church
Eastland
Fulbright
Griffin
Hill
Inouye
Kennedy, Mass.
Lausche
Long, Mo.
McCarthy
McIntyre
Percy
Russell
Smathers
Talmadge
Tower

So the amendment (No. 75) of Mr. Long of Louisiana was agreed to.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MORSE. Mr. President, may I first announce, before Senators leave the floor of the Senate, what I propose to do.

I propose to move now an amendment to strike the language starting on line 20, page 14, beginning with the word "Any," and going over to line 1, page 15, after the period on the first line, following the word "Senate."

Before explaining the amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CLARK. Mr. President, may I have the attention of the Senator from Oklahoma [Mr. Monroney].

It is my understanding that the Senator from Oklahoma is in accord with me, and if he is, I shall not ask for unanimous consent that I may have authority to bring up my two Bobby Baker amendments, and perhaps others, tomorrow.

I shall ask for rollcall votes. I want to make the announcement for the benefit of the Senator from Mississippi and others who are interested. If that is agreeable with the Senator from Oklahoma, that will be perfectly all right.

Mr. MONRONEY. Mr. President, I cannot control the situation. The Senator will have to be on the floor and seeking recognition. We will be careful to protect his rights with a quorum call.

Mr. CLARK. It is possible for the Senator from Louisiana to sit in the majority leader's seat and yield the floor and I shall be present to introduce my amendment.

Mr. MONRONEY. The Senator is correct.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Mr. President, are we under a time limitation on the amendment?

The PRESIDING OFFICER. The Senator is under a time limitation.

Mr. MORSE. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 10 minutes.

Mr. MORSE. Mr. President, what I propose to do is to strike the language starting on line 20, page 14: "Any other standing committee of the Senate may conduct a hearing while the Senate is in session if consent therefor has been obtained from the majority leader and the minority leader of the Senate."

Many Senators were not present on the floor of the Senate when we had a debate on the Long amendment which would give the majority leader or the minority leader the authority to have committees meet to conduct hearings and any other business.

I pointed out that, in my judgment, the Senate is not giving proper consideration to the type of reform that we ought to be adopting in regard to the distribution of the time for Senate meetings and for committee meetings.

The Senate is increasingly creating a very negative image across the country for the way in which we conduct Senate business. And we deserve the criticism, for, in my judgment, we are overlooking the historic import of the floor of the Senate.

The Senate was set up by our Constitutional Fathers for the purpose of debate here in the Senate on major issues in an attempt to get the facts for the benefit of our colleagues' point of view and to change minds on the basis of the debate in the Senate.

I speak respectfully and sadly when I say that more and more the floor of the Senate has become just a meeting place for Senators to congregate and vote. Most of the time Senators do not know what they are voting on.

We come through the door, and a staff member says, "The vote is yes," or "The vote is no." They say, if it is an administration bill. "The vote is yes." If it is a Republican bill, they say, "The vote is no." We get that advice and some other advice that has nothing to do with the merits of the bill.

The Senate has ceased to be the parliamentary body that it was set up to be. I think it is a shame, and I think we deserve all of the criticism we get when constituents sit in the galleries and there are four, five, six, or seven Senators on the floor supposed to be debating a major issue.

Our constituents know that the whole thing is a farce and has no substance.

I said earlier this afternoon, and I repeat now, that some of us have been proposing this for years. If we really want to reform the rules of the Senate, we ought to do it on a Senate basis.

One of the great shortcomings of the Monroney bill is to be found in the very section, a part of which I seek to strike, when it says that—

> Except as hereinafter provided, no standing committee of the Senate or the House shall sit.

What are we trying to do? We are trying to tell the House what its procedure shall be.

I want to tell the Senate what we have here. We have a conglomeration of compromises between Members of the Senate and of the House of Representatives in a bill that seeks to reform procedures in both Houses jointly. What we ought to have is a committee to reform procedures in the Senate and a separate committee to reform procedures in the House.

It is not my purpose to tell the House my judgment of what its procedures should be, and it is not the business of the House to tell the Senate what its procedures should be.

Historically, we have some great differences in responsibilities, may I say, in the legislative process. And here, I think, we have one of the compromises as a result of the type of procedure we have set up.

That is why I will move some amendments when I get back from Mexico unless it is desired to steamroller the bill through without opportunity to consider it after the Lincoln Day recess. I think these amendments will correct some of the mistakes if Senators take more time to reflect on the bill.

I speak respectfully, but I have talked to many Senators in the cloakroom and on the floor, and I believe that we have been going at such a tempo since this session has started that, in my judgment, not half of the Members of the Senate know what is in the bill.

We need some time in which to study the bill, and if we were to take some time to study the bill, we would get some modifications in the bill. If there had been more time to study it, we would have recommitted the matter to the Monroney committee for further study.

I now come to the substance of my amendment.

It would be a mistake to give the majority leader and the minority leader the authority to determine between themselves when committees will meet and not meet.

I do not believe in that delegation of Senate power. The majority leader and the minority leader are not our bosses. They are our agents. They are our servants. They are not the ones to call the shots in the Senate of the United States.

That is the equal prerogative of each and every one of us.

There has been a very important benefit in having the rule that committees cannot meet except with unanimous consent of the Senate. When we have had a case that justifies a committee meeting, we will have a hard time, on the 10 digits of our two hands, finding the times that committees have not been able to get the consent of the Senate if the case can be made for it.

The difficulty often is that we are not facing up to our responsibility of regulating the time of the Senate and of the committees, so there is not this conflict as far as meeting dates are concerned.

I want to say that it is also used by strategists to downgrade the importance of a subject matter that may be on the floor for Senate action.

We have too many votes already agreed to; and, of course, it is unfortunate that people get irrevocably committed to vote in a certain way on a bill, irrespective of what may be said about the bill before the debate is over.

How many times have individual Senators gone to a Senator and said, "I wish you would give some consideration to the merits of this," and the reply is, "I have decided that you are right, but, unfortunately, I have myself committed."

Of course, the Senator who irrevocably commits himself to a bill before the debate has been concluded is not living up to his obligations in the Senate, in my opinion. I believe that we should keep our minds open and wait until the debate has been concluded.

We are making a great mistake in downgrading debate in the Senate. I shall not vote to give to my majority leader and the minority leader the power to speak for me on anything, including the power to speak for me in regard to whether or not committees should meet when there is pending on the floor of the Senate a vital matter in which there should be debate and Members of the Senate should be heard, and when Senators should not be in a committee room or somewhere else. That is the problem that faces us, and I plead this afternoon that you do some rethinking about this delegating of power in the Senate.

It has become almost a general practice on the part of Senators to delegate away their power within the Senate and between the Senate and executive branch of government. I have spoken—to your boredom—about my very deep conviction that we are delegating away our power as Senators, under our check-and-balance system, with the result that the responsibility for building up a monstrous executive power in our system of government is the fault of no one but ourselves.

It is incomprehensible to me why men struggle so hard to become Senators; then, when they get here, they shrink from making the decisions they were elected to make, and hasten to delegate their duties to someone else.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. We are walking out on our responsibility of checking the executive branch of the Government. It has its checks upon us. Our forefathers, with great wisdom, recognized the importance of maintaining a system of three coordinate, coequal branches of government, and I do not wish to see it weakened.

You may ask what that has to do with this issue. It has this to do with the issue: You are again feeding the attitude that has developed in the Senate of delegating away more and more of your individual senatorial responsibilities. We should stop doing so.

Whenever a committee can make a case for itself to meet while the Senate is in session, it can come to the floor and in most instances secure that consent.

It was argued earlier this afternoon that the unanimous-consent rule for committees is part of the filibuster technique. My reply to that argument is that it has nothing to do with the filibuster technique unless you permit it to have something to do with that technique. What you should do is change rule XXII, and then you would not have to worry about somebody using the unanimous-consent requirement in regard to committee meetings in connection with a filibuster.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, we should not mix those two things, because they have no cause and effect relationship in fact.

I close, Mr. President, by saying that I believe we should strike this language. This would give us an opportunity later on, in the Senate, as an entity, to decide what rules we may desire in regard to the conducting of committee hearings.

I do not believe that any Senator would suggest that we should run to the House and ask the House whether we should be allowed to pass a rule providing that the Senate will meet, say, 3 days a week in the early period of the session and 2 days a week later on, or vice versa; that on the other days, committees will meet all day; that we shall recess at noon for an hour and a half or 2 hours for lunch. We do not have to get the consent of the House for that.

In my opinion, we have made a great mistake in having a joint committee that seeks to work out conformity of rules between the House and the Senate. There is no virtue in conformity of rules between the Senate and the House. It should be recognized as the prerogative of each body to adopt its own rules. We are constituted differently, we serve different purposes in the representative system, we operate differently, why should we not have different rules?

We have been very jealous about that prerogative in other fields. I do not know why we have yielded in this instance.

We should retain the present rules for the time being and give further consideration to the matter, and we should not vest in the majority leader and the minority leader prerogatives which, in my judgment, we should not vest in them.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. COOPER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Who yields time?

Mr. ALLOTT. Will the Senator yield me 5 minutes?

The PRESIDING OFFICER. Does the Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from Kentucky, and then I shall yield to the Senator from Colorado.

Mr. COOPER. Mr. President, I believe that the Senator from Oregon has raised a very serious question respecting this section of the bill.

It is possible, with the adoption of this section, to organize better the work of the Senate. But there are more important considerations involved. I believe that organization of the Senate's work could be taken care of administratively.

Several years ago I spoke on this subject in the Senate, and called to the minds of Senators the time when the late Senator Taft was in effect the majority leader of the Senate. In the early days of the Congress, he arranged the schedules of the committee meetings and fitted them into the sessions of the Senate, scheduling the short sessions of the Senate in the early days of the Congress, so that in the first 2 or 3 months of the Congress, very effective work was done in the committees, and the work was speeded up. This could be done administratively.

But much larger considerations have been raised by the Senator from Oregon. I believe in important matters which affect one of us as a Member of the Senate, perhaps affect our State, or matters in which we have a deep interest and deep convictions beyond the interests of our State, that each Member should have the right to require, under the present rule, that we be present. This is not meant as a reflection upon the judgment of the majority leader or the minority leader. But we represent our States and we are here as Members of the Senate with our own responsibilities, and I believe that we should protect our responsibilities and our duties.

I concur wholly in what the Senator from Oregon has said about the debates of the Senate. There has been a lessening of interest in debate, I know. But there should be more interest. The Senator from Oregon is one of the Senators who has urged this view for a long time. I support the Senator's motion to strike this section from the bill.

Mr. MORSE. Mr. President, I yield myself 1 minute.

Under the present policy, you ask for unanimous consent. If you do not get unanimous consent, a motion can be made to permit a committee to meet. It may be said that that motion is debatable and that therefore it can be related to a filibuster. But I repeat that you should clean up rule XXII. Merely because a motion for a committee to meet is debatable, you should not therefore vest in two men in the Senate the power to determine whether or not a committee may meet. It is an important prerogative for the Senators individually to decide, as part of the majority, if a majority decides to grant or not to grant the committee meeting.

I yield 5 minutes to the Senator from Colorado.

Mr. ALLOTT. Mr. President, the amendment of the distinguished Senator from Oregon arose out of a parliamentary inquiry I made a few moments ago with respect to the subject of the amendment.

I say to Senators sincerely that I wholeheartedly support this amendment. Now, why? Because of the way the section is written. First, it really comes back to the same thing, anyway; because if a member of a committee comes to the majority leader or to the minority leader, either of them will almost certainly—except in the most exceptional instances—have to agree to the request of an individual member. So, in a way, with this section we would come back to the same thing we now have; that is, that a single member can prevent the sitting of a committee while the Senate is in session.

As the distinguished Senator from Oregon has pointed out so well, what we are doing here is to leave the individual Members of the Senate completely out in the cold. No longer will we have the power to go on the floor and keep a committee from meeting, when that particular committee's meeting is concerned with business on the floor which may be vital not only to him or to his State or to his section of the country, but it may be vital to the national interest of the country.

Many times I have bent backwards, and I am sure other Senators have also, in order not to interfere with the business of the Senate or the business of the committee, even though the option to come to the floor of the Senate and object was available. I do not think there have been many instances when this privilege has been abused.

I agree that we are tending to surrender not only to the executive branch but also in other places too many of the prerogatives which are ours as Senators. For that reason, I believe we would be surrendering here a right which is inherent and a part of the office which we hold in the Senate.

Mr. President, I wholeheartedly support the amendment of the Senator.

The PRESIDING OFFICER. The Senator from Oregon [Mr. MORSE] has 8 minutes remaining.

Mr. MONRONEY. Mr. President, I rise in opposition to the amendment of the distinguished Senator from Oregon. The amendment would put the rule back to where it was before. It would prevent the committees from meeting regardless of how urgent the nature of the reason was, awaiting this report on the legislation from the committee, so that it could be the last order of business on the floor. It would give to one man the ability to block the efforts of 60 or 70 Senators to take up legislation, and it may be at a time when the Senate is engaged in a lackadaisical discussion of something far afield from the pending business and things that are of no great moment to the Senate at all.

It seems to me we have voted for some 20 years by interpreting the rule to mean without special leave to give every Member the right to say no to the other 99 Senators. I do not think that this was intended by the legislative reorganization. We expected a vote by the Senate at that time to allow committees to meet. Some say that because of the right of unlimited debate on a motion to allow them to sit that provision never became effective.

It seems to me the matter has been taken up in a way that would be best suited to both the majority and the minority, in giving to the men who are most seriously concerned with carrying out the vast program of the Senate which it has before it, or expects to have before it, the right jointly to make this decision. I would rather have the distinguished leaders of the majority and the minority make that decision than one Senator over 99 other Senators, who might rise and say, "No, the committees cannot meet."

If we are crowded, as in adjournment time, we come down at 7 o'clock or 8 o'clock in the morning to try to rush in order to get the business of the Senate completed before 11 o'clock, noon, or whatever the time it is that the Senate is meeting. This is not the way to move and expedite our business.

I do not see many Senators who would wish personally to deny the right of committees to meet. They give them that power.

We thought it would have been wrong to provide that the motion to permit committees to sit was nondebatable. This would have given the opportunity for the minority to make the ruling for the majority. The minority called this to our attention. The best arbiters as to whether committees should sit, I think, are the majority and minority leaders of the Senate.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. ALLOTT. The Senator is not contending, and I am sure he did not contend here, that one Senator who would object to the meeting of the committee would tie up the entire Senate.

Mr. MONRONEY. It was my contention that the entire committee apparatus could be tied up.

Mr. ALLOTT. He cannot dictate how it will be run. All that a Senator can do if this amendment is adopted is keep a committee from meeting while the Senate is in session. The committee could meet at other times, as it has done.

Mr. MONRONEY. The committee could meet in the morning and then adjourn, and it may be 20 minutes, 1 hour, or as much as 2 hours. Committees already have the right to meet during the morning hour.

Two or three years ago we passed an amendment—and I helped to get it passed—allowing committees to report legislation during the morning hour. This was one of the amendments attached to this legislation.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. MILLER. The Senator is saying, is he not, that the thrust of this provision in the bill is to speed up action in the Senate; and if a Senator might possibly feel aggrieved under the present rules he can delay things a little. As I understand the situation, if I object under the present committee rules, that committee could not meet this afternoon, but there would be nothing to prevent the committee from meeting tomorrow to conduct the business that it would have conducted this afternoon. In effect, I would have delayed the work of the committee.

Under some circumstances there may be technical reasons, but it seems to me that the thrust of the bill is to help speed up the action of the Senate and, within certain limitations, speeding up the action of the Senate is well overdue.

Mr. MONRONEY. I appreciate the comments of the Senator.

The rule states:

> Except as hereinafter provided, no standing committee of the Senate or the House shall sit, without special leave, while the Senate or the House, as the case may be, is in session.

We would not repeal that provision. We hope that committees will not be in session, but should they need to be in session, after consultation with the two men who have on their hands the program for the entire Senate, they can get permission to sit and complete hearings or complete the markup of a bill while the Senate is in session. I do not think that there will be any great loss to the United States or to future generations by requiring all committee members to forego committee hearings and be here to hear priceless oratory that transpires on the floor of the Senate. It is hard to find it with reference to the issue at hand. It is hard to hear succinct debate on matters such as the legislation before us when we drift and wander around. No wonder there are few Members in the Chamber.

There are few Senators on the floor under the old rule. We have not had good attendance in the past 20 years. Yet the arrangement that the Senator from Oregon wants to go to is to keep what we now have. I think that there would be little deviation. I am surprised that a man who fought the filibuster as hard as the distinguished Senator from Oregon [Mr. MORSE] would like to see it made possible for them to do that, where the floor of the Senate is tied up with a debate over some matter to forestall a vote under rule XXII. It would seem to me that the majority leader and the minority leader would be better able to say whether the committees can sit and do their work.

Committee procedures and the failure to have bills reported cause October and November adjournments. I do not believe that the amendment of the Senator from Oregon would alleviate that situation, by preventing all members of the committee, if need be, getting permission of the Senate through the majority leader and the minority leader to sit in an afternoon or later when the Senate is in session.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield 5 minutes to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I rise to support the position of the Senator from Oklahoma with respect to the pending amendment, which I hope will be defeated.

Senators will recall that for 10 years now I have been attempting to persuade the Senate to adopt a rule which would permit committees to sit while the Senate is in session, by majority vote, to be determined without debate. I endeavored to persuade the Senator from Oklahoma early during the consideration of the bill to accept that amendment. He was unwilling to do so. Nevertheless, we have proceeded, I believe, to what is now an acceptable compromise which, in effect, is that committees can sit, not only for the purpose of hearings, but also, thanks to our good friend from Louisiana, for all purposes, which includes the marking up of a bill, at any time while the Senate is in session if they have the consent, not of every Senator in the Chamber, but of the majority and minority leaders.

More than that, we have made legislative history which establishes that the majority and minority leaders are not automatically to deny that permission because one of their members is affronted at a committee sitting, but are rather to take into consideration, in all good conscience, just what the needs of the Senate are.

Now the Senator from Oklahoma has made an abundant record in the past making it plain that it was never the intention of the managers of the 1946 reorganization bill to give to one Senator the right to prevent committees from sitting. Actually, the practice which has developed has had the effect of tying up the Senate—I repeat to my good friend from Colorado, tying up the Senate—not just committees. Objecting to committees sitting while the Senate is in session is a relic and an anachronism. The situation which results comes pretty close to chaos. Senators well know that as we near adjournment, the Senate does not convene at 12 o'clock or 11 o'clock, but at 10 o'clock in the morning. It does not adjourn at 4 or 5 o'clock, but at 6 or 7 o'clock.

All during that period, any one Senator, as the parliamentary rulings stand now—although the Reorganization Act of 1946 never intended it—can immobilize important legislative committees of the Senate. Were it not for the fact that by custom—of which I personally disapprove—the Appropriations Committee gets unanimous consent to sit at any time, one Senator could tie up appropriations, as well.

On one occasion, 2 years ago, I refused to grant that unanimous consent. I did so in the hope that some members of the Appropriations Committee would be willing to grant to other legislative committees of the Senate the same privilege of moving forward in an orderly way with their work which has traditionally been given to the Appropriations Committee by unanimous consent.

Mr. President, we are now at the beginning of a really important, historic session.

There will be controversial matters coming before the Senate. There is not a legislative committee in this body which is not overworked. It is all very well to say that we can sit at 8 o'clock in the morning, or we can sit until 7 o'clock at night, that we can tell the wife that we will be home for dinner, that we can tell our kids that we will not be able to see them, that we will get up at the crack of dawn—but, try to get a quorum when a committee sits that early, or that late at night.

Thus, we have proceeded by the process of free debate on the floor of this body, and have arrived at a reasonable compromise. We have acted by a rollcall vote on the motion of the Senator from Louisiana, and I hope that we will not now reverse ourselves by adopting the amendment proposed by the Senator from Oregon.

Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oklahoma will state it.

Mr. MONRONEY. How much time remains?

The PRESIDING OFFICER. The Senator from Oklahoma has 17 minutes.

Mr. MONRONEY. Mr. President, I

yield 2 minutes to the distinguished Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 2 minutes.

Mr. MUNDT. Mr. President, I rise in opposition to the Morse amendment because I think we have worked out a reasonably sound and good compromise.

I speak as one who has opposed continued efforts to change rule XXII in order to make it easier for a high riding majority to grind down the position, the desires, and the statements of the minority.

But now we are confronted with a proposal which would continue to establish a minority of one as a control of the Senate. Certainly, the strongest supporter of rule XXII has never argued that one individual Senator should be able to obstruct the Senate; but that is what we actually have here.

In order to try to arrive at a compromise, I believe that the majority party was exceedingly fair in giving the minority leader the same authority as the majority leader in order to prevent a committee from sitting. I think that both leaders are responsible enough and responsive enough so that if a Member of the Senate goes to the leader of his party and says, "I am the ranking member of this committee and I have a special amendment in this committee and I would request you, respectfully, not to permit the committee to meet at such and such a time," I think he would respond.

I think that is the function of leadership, not just to exercise what has been called "the arrogance of power" because of an individual position and attitude, but because as the leader of a group they are willing to listen to consultation. Thus, because I do not believe that a minority of one should control the Senate, because I have confidence in the combined leadership that they will do those things which are in the best interests of the Senate, because they think they have persuasive capacity, at times, to convince individual Senators who might be a little bit obstreperous for a day or two, that perhaps they were not acting wisely in seeking to prevent committees from sitting, I think we can expedite the work of the Senate and protect the rights of individual Members. Accordingly, I oppose the proposal of the Senator from Oregon.

Mr. MORSE. Mr. President, I yield myself 2 minutes to reply to the Senator from Oklahoma and the Senator from Pennsylvania [Mr. CLARK].

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 minutes.

Mr. MORSE. It is not a fact that the present rule permits one man to hold up the Senate in regard to committee hearings. If request for unanimous consent is not obtained, the majority leader or anyone else is in a position to move that the Senate permit a committee to sit.

Oh, but the Senator from Oklahoma is saying by implication that one man can engage in a filibuster. I repeat that the Senator from Oklahoma should join us in trying to get rule XXII changed. Maybe we can change it by way of the Clark proposal, that in such a situation a motion be made that it is not debatable, or debate should be limited, and write it into the rule. But, Mr. President, I do not want the RECORD to stand that one man can prevent committees from meeting. I shall look forward next time to a vote on cloture and how the Senator from Oklahoma gives us the benefit of his vote on cloture.

The rule XXII issue has nothing to do with this issue. It is a very important issue, rule XXII, and we should deal with it separately; but also I want to say that other arguments made by the Senator from Oklahoma, and the Senator from Pennsylvania, in regard to other procedures in the Senate, are irrelevant to this issue. The only relevancy we have here is whether we want to give to the majority and minority leaders the powers of a majority of the Senate, themselves, to decide whether a committee shall meet.

I happen to think that each one of us has an important prerogative in determining the exercise of senatorial power.

I do not propose to vote to give it to the majority and minority leaders. I think that we should stop delegating away our individual senatorial powers.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. Mr. President, I ask unanimous consent to proceed for 1 additional minute.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 additional minute.

Mr. MORSE. If we adopt the rule that I propose, then we can proceed to consider other rules, such as the Senator from Pennsylvania has fought for for 10 years. My record is pretty good in standing with him in support of most of his procedures. But, I am at a loss to understand why my good friend from Pennsylvania wants to delegate to the majority and minority leaders powers that he should insist be retained within the rights of every individual Senator in the Senate.

One more point. Again I want to point out that we have a bill here that is mixed in the sense that we as Senators are going along with a procedure by which we tell the House what they should do with its rules in exchange for letting them have a voice in what we should do with our rules. I repeat that we ought to decide our own rules, independent of the House, and they ought to do likewise.

Before this debate is over, I shall offer an amendment which will treat provisions of this bill as only recommendations to Senate committees.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. I ask unanimous consent to proceed for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. The important thing is to see to it that each committee of the Senate operates on the basis of rules fixed by majority vote. They know the problems of their duties. They can be counted on to adopt rules of procedure for running those committees that will be in the Senate's interest and in the public interest.

We are really proposing in this bill to treat Members of the Senate as though they were kindergarteners, on whom we have to impose rules that they must abide by, such as kindergarten pupils have to, even to raise their hands to leave temporarily.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. I do not know why we must adopt this type of mish-mash bill that, in my opinion, forbids their acting as Senators on a majority-rule basis, for the purpose of operating committees.

If I have any time left, I yield to the Senator from Pennsylvania.

Mr. MONRONEY. Mr. President, I yield 2 minutes to the Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. President, the Senator from Oregon has raised an interesting philosophical argument, which, to my way of thinking, can be defined in this way: Shall we proceed by way of orderly rules and procedure or should the principle of unrestricted liberty govern the procedures in the U.S. Senate?

This is a question which we constantly run into in our pluralistic and democratic society. Sometimes we think we have to use curb bits on ourselves in order to get things done. There are others of us who think that we should exercise our liberties in a free society. All of this confirms my conclusion that we should be on the side of law and order in this regard, because, in my opinion, the structure of the Senate gives far too much negative power to individual Senators and not enough positive power to the majority leader who wants to get through the program of his President and his party.

I feel also that the minority leader has a little too much power and the committee chairmen have too much power sometimes. I would like to preserve the right of the majority leader to control floor procedures. In trying to carry that out I have proposed an amendment, which is not satisfactory to the Senate or to the Senator from Oklahoma. Now we have an amendment which gives me about two-thirds or 70 percent of that which is desirable.

It is for that philosophical reason that I disagree with the Senator from Oregon.

Mr. MORSE. Mr. President, I yield myself one-half minute.

That may be the philosophy and that may be the analysis of the philosophical concepts that are involved in the debate according to my friend from Pennsylvania, but let me say that all advocates of giving unchecked power to administrators have made the argument that it is in the interest of expediting law and order. I have never seen much law or order in a system which has developed that gives to an individual unchecked power over the many. I do not propose to give this kind of unchecked power to either the minority or majority leader of the Senate. It is for us to decide, and it is for them, as our servants, to do as we decide.

Mr. LONG of Louisiana. Mr. President, if I may take 2 minutes, as Senators who have served here know, most of the work of the Senate is done in committee, and the average Senator does more work in committee than on the floor. If Senators want to do it, they can discharge their responsibilities in both places; but when the Senate is in session for long hours and when the committees must meet for the consideration of important legislation, it is necessary that they must be able to meet.

The way we do it now is that a chairman of a committee will discuss the matter with the ranking Member on the other side of the aisle. They will agree to a certain time or day. Perhaps witnesses take more time than was expected, and the committee's meetings run into the hours when the Senate is in session.

At that point the chairman and the ranking Republican member may say, "Shall we ask the Senate for permission for the committee to meet?" It they agree, they will ask the majority leader to make the request, and if it is satisfactory, that is done. But if a Senator objects, and the question is to be put up to a vote, the Senator who has objection can do what we all know we can do. I know I have done it. The Senator can suggest the absence of a quorum. Then he can read a few newspaper articles into the Record, and then suggest another absence of a quorum. After two or three or four quorum calls and a few dilatory tactics, the majority leader will decide that it is futile for the committee to meet. The majority leader is then faced with the choice of either adjourning the Senate, so that the committee can meet, or the committee must stop its proceedings and come back the next day, or after the Senate is through its session, perhaps late at night.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. I yield myself 1 additional minute.

Then the chairman has to try to get enough members together to do business.

So, as a practical matter, unanimous consent must be obtained. A Senator who is not even on the committee or not interested in the bill has the power to keep the committee from getting on with its vital business.

Mr. MONRONEY. Mr. President, I am prepared to yield back my time.

Mr. MORSE. I yield back my time.

The PRESIDING OFFICER. All time on the amendment having been yielded back, the question is on the amendment of the Senator from Oregon. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Indiana [Mr. Bayh], the Senator from Alabama [Mr. Hill], the Senator from Hawaii [Mr. Inouye], the Senator from Missouri [Mr. Long], the Senator from Arkansas [Mr. McClellan], the Senator from New Hampshire [Mr. McIntyre], the Senator from Georgia [Mr. Russell], and the Senator from Mississippi [Mr. Stennis], are absent on official business.

I also announce that the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Massachusetts [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Florida [Mr. Smathers], and the Senator from Georgia [Mr. Talmadge], are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts [Mr. Kennedy], and the Senator from Ohio [Mr. Lausche], would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Michigan [Mr. Griffin] and the Senator from Illinois [Mr. Percy] are necessarily absent.

The Senator from Texas [Mr. Tower] is absent on official business.

The Senator from Idaho [Mr. Jordan], and the Senator from California [Mr. Kuchel] are detained on official business.

If present and voting the Senator from Texas [Mr. Tower] would vote "yea."

The result was announced—yeas 33, nays 47, as follows:

[No. 22 Leg.]

YEAS—33

Aiken
Allott
Bartlett
Bennett
Byrd, Va.
Byrd, W. Va.
Carlson
Cooper
Cotton
Curtis
Dirksen
Dominick
Ervin
Fannin
Gruening
Hansen
Hartke
Hatfield
Hruska
Javits
Jordan, N.C.
Mansfield
Morse
Morton
Murphy
Pastore
Pearson
Pell
Prouty
Thurmond
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—47

Baker
Bible
Boggs
Brewster
Brooke
Burdick
Cannon
Case
Church
Clark
Dodd
Ellender
Fong
Gore
Harris
Hart
Hayden
Hickenlooper
Holland
Hollings
Jackson
Kennedy, N.Y.
Long, La.
Magnuson
McCarthy
McGee
McGovern
Metcalf
Miller
Mondale
Monroney
Montoya
Moss
Mundt
Muskie
Nelson
Proxmire
Randolph
Ribicoff
Scott
Smith
Sparkman
Spong
Symington
Tydings
Williams, N.J.
Yarborough

NOT VOTING—20

Anderson
Bayh
Eastland
Fulbright
Griffin
Hill
Inouye
Jordan, Idaho
Kennedy, Mass.
Kuchel
Lausche
Long, Mo.
McClellan
McIntyre
Percy
Russell
Smathers
Stennis
Talmadge
Tower

So Mr. Morse's amendment was rejected.

Mr. MONRONEY. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. LONG of Louisiana. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LONG of Louisiana. Mr. President, I have two relatively minor amendments that I have discussed with members of the committee and the members of the committee seem to feel that the amendments are all right and that they can accept them.

AMENDMENT NO. 72

Mr. President, I call up my amendment No. 72 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

> On page 11, line 11, immediately after the period, insert closing quotation marks.
>
> Beginning with line 12, page 11, strike out all to and including line 24, page 11.

Mr. LONG of Louisiana. Mr. President, the amendment merely deletes the requirement that a committee must print a set of rules every year. If the committee wants to print the rules, that is fine. If the committee has rules, there is no reason to print them every year once they have been printed.

The amendment would leave it to the discretion of the committee members.

I have discussed the amendment with the distinguished manager of the bill and he seems to feel that it would be a more flexible arrangement. They are willing to accept the amendment.

Mr. MONRONEY. Mr. President, we feel certain that the committee will provide for the printing of rules when major changes are made. We feel that to print them every year would be an unnecessary expense and that it would not be necessary in a new Congress. For that reason, we are willing to accept the amendment.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Louisiana.

The amendment was agreed to.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT NO. 74

Mr. LONG of Louisiana. Mr. President, I call up my amendment No. 74, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows.

> On page 14, line 3, strike out the words "on at least one day of", and insert in lieu thereof the words "during the".

Mr. LONG of Louisiana. Mr. President, I send to the desk a modification of my amendment and ask that it be stated.

The PRESIDING OFFICER. The modification will be stated.

The assistant legislative clerk read as follows:

> On page 14, line 3, strike out the word "on," and insert in lieu thereof, the word, "during."

Mr. LONG of Louisiana. Mr. President, the committee bill would require that if the minority members wish to call witnesses, they be called on another date. My amendment has in mind that if we can complete the entire hearing in 1 day, the minority witnesses would be heard on the same day as the witnesses called by the majority.

Mr. MONRONEY. Mr. President, the

committee is very happy to accept the amendment. We do not wish to prolong the hearings unduly by having a separate day for the minority witnesses. We wanted to make certain that the minority would have the right to put on its witnesses during the committee hearings. It is done, from a practical standpoint, on practically all of the committees anyway.

Mr. CASE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CASE. Does the requirement of 1 week's notice still remain?

Mr. LONG of Louisiana. The Senator is correct. This amendment has nothing to do with the requirement for 1 week's notice.

Mr. WILLIAMS of Delaware. Mr. President, may we have the amendment read as modified?

The assistant legislative clerk read as follows:

> On page 14, line 3, strike out the word "on," and insert in lieu thereof, the word, "during."

Mr. LONG of Louisiana. Mr. President, I do not believe that the committee thought of this, but if we are able to complete the hearings in 1 day, there is no need of having a second day for the witnesses who represent the minority view.

It is recognized that if the hearings require more than 1 day, sometime during that period we would have time for the minority viewpoint to be expressed. However, I do not think that anyone would say that if we can complete all of the witnesses and get them all heard we should not complete the hearings in 1 day. That is what the amendment has to deal with.

Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Louisiana.

The amendment was agreed to.

AMENDMENT NO. 77

Mr. LONG of Louisiana. Mr. President, I call up my amendment No. 77.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to dispense with the reading of the amendment and I will explain why in a moment.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

> (c) Each report of a committee of conference shall be printed as a report of the House of Representatives. As printed in the House, each such report shall be accompanied by an explanatory statement prepared by the conferees on the part of the House. Each such statement shall be sufficiently detailed and explicit to inform the House as to the effect which amendments or propositions contained in such report will have upon the measure to which it relates. If any conferee on the part of the House desires to submit to the House an additional individual explanatory statement with respect to any such report, such individual statement may be filed as an appendix to, and may be printed together with, the explanatory statement made by the conferees on the part of the House, if such individual statement is available at the time of the filing of the report of the committee of conference to the House. The report of a committee of conference with respect to any measure may be printed as a report of the Senate in the discretion of the conferees on the part of the Senate. If such report is so printed, it may include an explanatory statement with respect to that report prepared by the conferees on the part of the Senate.

Mr. LONG of Louisiana. Mr. President, I am not going to insist on a vote. The pending amendment has to do with the requirement that when conferees bring a conference report back to the Senate, they must submit the report of the Senate conferees.

At present, the House managers submit their report and the Senate managers do not ordinarily submit a report. They may have a colloquy on the floor and discuss the conference report and their legislative intent. However, usually they do not submit a report.

The committee bill would require that there be one statement from the conferees on the part of the Senate. Some of us have some doubt about this because we fear that, especially with regard to revenue bills, if the Senate conferees take a different view than the House conferees, the legislative intent is unclear. In this event, we would require litigation in the highest courts to determine what Congress did have in mind when it passed the bill.

If we could have some understanding that in the event the Senate conferees were satisfied with the statement of the House conferees, they could simply so affirm, and we could perhaps comply with this provision in the bill. Otherwise, we would need an amendment to say that we could not have a separate statement if we do not think it necessary.

Mr. MONRONEY. Mr. President, the purpose of the amendment is to give the Senate coequal status in a statement on the part of the managers from both Houses. The statement would be available as a cohesive and prepared statement as to their interpretation of the action of the conference committee.

We have been at a handicap through the years in that our conferees come back, and while the House manager submits a written prepared statement, the Senate manager handles it through colloquy on the floor and in the CONGRESSIONAL RECORD and they have not made a formal statement as to their understanding.

We hope, by providing for a written statement as to the understanding on the part of the Senate and the House, that gradually the managers from the two Houses will get together and use the same statement and have the understanding of the Senate coequal with the understanding of the House.

It will be an easy matter. If the managers on the part of the Senate agree with the House statement, they can just say, "We concur in the statement on the part of the manager of the House as being the Senate statement."

This would avoid any controversy whatever: However, where there is a slight difference in understanding, we want the Senate position to be as clear and as prestigious as the House statement has been. It would eliminate the need for striking this out as an unneeded and unnecessary amendment.

Mr. LONG of Louisiana. Mr. President, what happens on revenue bills usually is that the Joint Committee on Internal Revenue and Taxation staff works for both committees and prepares the statement for the House manager. The Senate staff will work with the House staff, and perhaps with the advice of draftsmen from the Treasury work out what the House manager's statement should be.

It is desirable, if possible, that the statement of the Senate manager should not conflict with that of the House manager, particularly on tax laws.

If we could have an understanding that both can use the same statement, or simply say, "We concur with that statement," then it would not be necessary to amend the bill.

Mr. MONRONEY. Mr. President, we would hope this would be the case in all cases. However, if we were to tell the House that they must agree with the Senate, we know what would happen in the committee. We hope that we can work together so that one statement will suffice for both Houses.

Mr. WILLIAMS of Delaware. Mr. President, the example of the Senator from Louisiana to the effect that there is disagreement between the House and the Senate conferees as to what is intended means that they should go back and do the work over again, because in enacting a tax measure, it is very important that there be complete agreement, by both the House and the Senate, as to what we are doing.

Mr. LONG of Louisiana. Mr. President, I withdraw the amendment.

Mr. President, I move to reconsider the vote by which my amendment No. 69, as modified, was agreed to.

Mr. BYRD of West Virginia. I move to lay that motion on the table.

The PRESIDING OFFICER. The motion of the Senator from Louisiana requires unanimous consent.

Mr. LONG of Louisiana. I ask unanimous consent.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none.

Mr. BYRD of West Virginia. I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion of the Senator from Louisiana.

The motion to lay on the table was agreed to.

ITT-ABC MERGER

Mr. MORTON. Mr. President, in Monday's issue of the Wall Street Street Journal appears comment on a statement that I made in the Senate, in which I criticized the action of the Department of Justice in the ITT-ABC merger case.

In order to set the record straight, I should like to point to a comment in the article, which says:

> Republican Senator Morton, of Kentucky, whose family holds a large interest in ABC's Louisville affiliation, spoke on the Senate floor, advising the FCC to ignore Mr. Turner's intervention.

I rise only to set the record straight. It is probably the fault of my own office that this misconception came about. My late brother-in-law had the first television station in Kentucky. My sister now owns that property. It involves three stations today. They are not ABC; they are NBC. I have no interest in that property. But, of course, there is a family interest, because she is my beloved sister, and I hope that the business prospers.

I merely wish to indicate for the Record that I was speaking for a competitor of my sister's properties, and not as one who had anything to do with ABC, as is indicated in the Wall Street Journal.

UNANIMOUS CONSENT REQUEST

The **PRESIDING OFFICER.** What is the will of the Senate?

Mr. **MORSE.** Mr. President, I have an extraordinary unanimous-consent request to make. I ask unanimous consent that I may send to the desk and have introduced today an amendment which is being drafted presently by legislative counsel. They may not finish it today, so I ask unanimous consent that, when it is finished, it may be printed and lie on the desk, to be called up in this debate. In the event that it proves necessary, the Senator from West Virginia [Mr. Byrd], the secretary of the Democratic conference, is willing to introduce the amendment, by request, on my behalf, tomorrow, with no commitment on his part whatsoever. I make that unanimous-consent request.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

Mr. **MORSE.** I ask unanimous consent that I may have 2 minutes in which to explain my amendment.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

Mr. **MORSE.** Mr. President, this amendment which I shall offer will provide that if the bill is passed, all the provisions in respect to Senate committee and hearing procedures shall be considered as naught but recommendations for the committees; the amendment further provides that each committee of the Senate shall, by majority vote and rule, decide on its own committee procedures, irrespective of any provisions of the bill.

I repeat what I said earlier this afternoon: I do not believe that the House should have the slightest voice in determining what Senate committee procedures should be. The Senate should give to each committee the authority to adopt its own procedures, and the only Senate rule imposed upon the committee in respect to the procedures that it adopts will be the requirement that a majority of a committee shall have the authority to adopt Senate rules.

In essence, this will be the purport of my amendment.

I hope that when the Senate delegation of 15 Members returns on the 15th from Mexico City, where we will be carrying out an official responsibility as Members of the Senate, this bill will still be pending, and that we will have an opportunity at that time to offer this amendment for debate and vote, as well as other amendments that I believe should be considered by the Senate before final action is taken on this bill.

ADJOURNMENT

Mr. **LONG** of Louisiana. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 12 o'clock tomorrow noon.

The motion was agreed to; and (at 6 o'clock and 6 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, February 8, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 7, 1967:

Assistant Secretary of Transportation

Donald C. Agger, of Maryland, to be an Assistant Secretary of Transportation (new position).

HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1967

The House met at 12 o'clock noon.

Rev. John A. Bozeman, Jr., B.D., Aldersgate Methodist Church, Madison, Tenn., offered the following prayer:

Almighty God, our Father, maker of heaven and earth, guardian of all who seek Thy face, we pause during these opening moments of silence in this assemblage of men and women from across the United States to lift our prayers of thanksgiving and praise, and to acknowledge our need for Thy divine guidance this day.

Each of us standing on this hallowed ground in our Nation's history is here because there were men back home who had faith in us; may we so conduct ourselves as to uphold that trust. We are here as men with the credentials of a servant, seeking not the delusion of self-glory or power, but seeking only a place at the foot of the table where we might further the cause of right through self-giving, sacrificial service.

Forgive us, O God, when we fancy ourselves gods—not men—and grant us a faith which says to us when all about seems to be falling in ruins: "Nothing is ever lost which furthers the noble cause of our fellow man—and our country, under God."

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 20. An act to provide for a comprehensive review of national water resource problems and programs, and for other purposes; and

S. 270. An act to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes.

THIRD-CLASS POSTAL RATES

Mr. **HECHLER** of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. **HECHLER** of West Virginia. Mr. Speaker, at a time when the American Advertising Federation is meeting here in the Nation's Capital, it is timely to bring up the subject of free enterprise in advertising. I believe very firmly in the free enterprise system, Mr. Speaker, and that is why I am opposed to any system which allows the Federal Government to use taxpayers' funds to subsidize any form of advertising.

I hope that my colleagues who believe in the free enterprise system will rally to my support, as have people throughout the country who enthusiastically support my bill, H.R. 99, to provide that junk mail and advertising mail should pay their own way. Third-class mail now pays only 60 percent of the cost of delivery. The people of this country are strongly in favor of raising third-class postal rates so that this class of mail will pay its own way.

The Post Office Department, which is now running a deficit of $1.2 billion annually, is losing money on third-class mail not only because of the absurdly low rates. Another reason is that third-class mail weighs a good deal more than first-class mail. I would like to point out that the average out-of-town first-class letter weighs six-tenths of an ounce. The average weight of a third-class bulk piece of mail is 1.3 ounces, which is more than twice the first-class weight average.

Statements are being circulated contending that postal workers and the public favor these absurdly low rates. Others are trying to create a smokescreen by saying I ought to attack second-class rates also. Well, I am in favor of raising second-class rates, and I am sure they will be raised, and I am glad we got the discussion started. I ask those interested in raising second-class rates to join my campaign to raise the third-class rates and I will help them with their efforts on second class.

I have a letter dated January 10, 1967, from Earl F. Gault, secretary of branch 481 of the National Association of Letter Carriers in Parkersburg, W. Va., who states:

> I want to take this opportunity to convey to you the action taken at our January branch meeting. A motion was tendered, duly seconded, to endorse your stand to raise the rates on said class of mail. This motion was carried unanimously, and I was instructed to write you to this effect.

I also have a letter from the wife of a rural mail carrier in Parkersburg who has asked me to withhold her name. She writes:

> Your article in the Parkersburg News on junk mail was very true in every respect. What you did not mention was the extra hard work day after day it causes the poor mailman, especially our rural carrier. I am a rural mail carrier's wife and I know. We go over the route later and the junk mail is strewn hither and yon making the roads look trashy.

NEVER FORGET WHO IS BOSS

Mr. HALEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, anyone who occupies an elective public office is merely the representative of those he is privileged to serve. This is a fact that some people tend to forget, particularly when they have the good fortune of long service.

I have asked permission to place in the Congressional Record a pertinent editorial which appeared on February 6 in the Gondolier, an outstanding newspaper which is published at Venice, Fla. The editorial, "Never Forget Who's Boss," reminds elected officials that the office they hold is theirs in trust, while in fact it is the office of the people. The editorial is more or less a warning to people in public life lest they forget who really is the boss. It follows:

> Never Forget Who's Boss
>
> Of all the desirable qualities in public officials, it seems sometimes that the one most needed and sometimes most overlooked is a reasonable amount of humility.
>
> We don't mean the meekness which sometimes applies to over-softness or over-pliability, sometimes confused with humility as the opposite of pride and haughtiness.
>
> Briefly and pointedly, we are thinking of the type of public official who becomes convinced that he or she is the employer, not the employee, and that he or she, knowing more than the public about what is best for all of us, insists to imposing his or her will.
>
> This condition can lead to many difficulties and objectionable results, ranging from a desire for secrecy in plans and procedures to the implacable conviction that opposition is nothing more than persecution and deserving to be cut down at any cost.
>
> Fortunately, one effect sometimes is the eventual forced retirement from public life of the offender. But on the other hand, a politician occasionally becomes so entrenched that nothing short of a physical or political miracle solves the situation.
>
> We happen to feel that every sign of one of these little Caesars should be watched for and confronted with every bit of our intelligence and strength available, so that arrogance toward or contempt for the public can be taken out of the offender by any means possible.
>
> This applies to the federal, state, county and city governments and their elected and appointed officials. Fortunately, the outstanding offenders are comparatively few. However, this only lulls us sometimes into thinking that perhaps they are all right, mean well and aren't dangerous.
>
> That's the greatest danger of all.
>
> Every effort to keep plans and facts from the public should be fought by every newspaper, every voter and every official and public servant who continues to remember that every branch of government is for and by the people.
>
> No suggestion or plan for change should be accepted without full public notice and full public discussion.
>
> If we have those facts in time and in depth and make a mistake, we at least will have the satisfaction of having tried honestly and intelligently and learned a lesson.
>
> If we have something put over on us, we should burn the skullduggery into the offender's memory with whatever appropriate measures are called for, but there should be no escape and no forgetting that every public official is living in a spotlight and should not be permitted to hide from its beams.

MEMORIALIZING OUR SPACE PIONEERS

Mr. GURNEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GURNEY. Mr. Speaker, the great adventure of our time has been man's exploration of space. No event has so captured the imagination of all our people and of the world, as has the space exploits of our astronauts.

The Nation's space program has witnessed 19 astronauts in space flight, speeds of 17,500 miles per hour, flights up to 14 days in length, altitudes of 850 miles, 1,994 man-flight-hours, and a total man space flight of 17,616,810 miles—indeed, a long list of great triumphs.

These great achievements were all accomplished without even an injury to any of our astronauts.

This safety record also built up a feeling among our people that space flight had become routine and safer than an automobile ride here on earth.

Yet all the while, the men working in the space business knew full well that theirs was a hazardous occupation.

No one knew better than the astronauts themselves that a great deal of luck had combined with safety precautions to avoid accidents and fatalities.

There was a distinct feeling that the accident-free record was working on borrowed time.

Therefore, the Nation and the world were totally unprepared for the terrible accident at the Kennedy Space Center 11 days ago which took the lives of Gus Grissom, Edward White, and Roger Chaffee.

People could not believe that the lives of these fine young men could be snuffed out in a routine checking-out exercise.

The tragedy shocked and rocked the Nation and the world.

It brought home with a dreadful impact the great danger the astronauts face daily—always.

It pointed out why astronauts are the pick of our young men in capability and in bravery—the finest of the fine.

This Nation has always recognized and revered its heroes. Our space flight astronauts have been cheered many times in this Chamber. They have been honored at the White House. They have been lauded by the Nation as a whole.

It seems appropriate that a grieving Nation should perpetuate, for future generations, the names and the memory of the three young men who met their tragic deaths at the cape 11 days ago, as well perhaps as others in the years ahead.

I have introduced, today, legislation directing that the two space committees of the House and Senate consider the matter of an appropriate memorial to these astronauts and come back to the Congress with their proposals.

My resolution does not pick out any specific idea. Already there are many good ideas being talked about as a memorial. Leaving this open for consideration by the committees will allow free discussion and selection of the best means of perpetuating the memory of our astronaut heroes.

The conquest of space is the greatest pioneer undertaking of our generation. The astronauts who risk their lives in this great quest are the pioneer heroes of our time. Their leadership symbolizes the onward, upward progress of a dynamic people, these United States of America.

It is fitting, appropriate, and inevitable that a grieving but grateful nation should recognize and memorialize these space pioneers of our time who have made the supreme sacrifice in furthering the space goals of this Nation.

SCHWEIKER PLAN TO MODERNIZE OUR ANTIQUATED, UNFAIR DRAFT

Mr: SCHWEIKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, I am today introducing the Draft Reform Act of 1967 to modernize our antiquated draft laws. This proposal is the result of more than a year of careful study.

As a member of the House Armed Services Committee, I believe it to be a proposal which can be accepted by Members on both sides of the aisle. It is workable. It solves many of the serious problems inherent in our present crazy quilt draft system.

I hope, Mr. Speaker, that colleagues will give serious attention to this plan. I firmly believe that it can form the practical basis upon which the Congress can act in the coming weeks to remodel our creaky and unfair draft laws.

The time has come to modernize our antiquated, unfair Selective Service System. The time is now, because major portions of the draft law expire this June. The time is now, because the recent major buildup of manpower for the Vietnam war has brought the worst features of the draft home to hundreds of thousands of American families.

The young man turning 18 and registering for the draft with his local selective service board now faces a virtual crazy quilt of inequities and uncertainties. Around him he can see many men his age planning to beat the draft through a number of loopholes that our draft laws leave wide open. And if a young man does wind up subject to the draft, he starts a bureaucratic journey to military service with as many blind and unpredictable turns as an "Alice in Wonderland" maze.

In my opinion, here are the draft's major faults:

Because the draft first calls the oldest men from its main pool of eligible men between 19 and 26, the youngest men are not reached when draft quotas are low. The young men face up to 7 years of uncertainty in making career and family plans, because their draft liability increases as they near 26.

The draft is not administered uniformly across the Nation because the 4,084 local selective service boards have such extreme latitude in interpreting and administering draft laws. Cases with similar facts receive quite different treatment, depending on which draft board in which locality is hearing the case. Instead of operating under national standards, the draft system allows geography to make a difference, leading to inequities across the country.

The present college deferment system permits a student to escape the draft by parlaying one student deferment into another until he is past 26. This favors the student with the financial means to go to college and then on to graduate school. In addition, it gives the student extended time to marry and become a father, which also means a draft deferment.

A man whom a draft board classifies I–A—available for induction—cannot appeal the classification more than 10 days after the board acts. If the man's circumstances change after those 10 days in such a way that he would be entitled to a deferment, he has no right to have a local board reconsider his case, and no right to an appeal. Instead it is entirely up to the local board or Selective Service higher-ups to decide whether to reopen the man's case.

The 10-day period for appealing a I–A classification is too short. Often it takes the local board almost that long to tell the man he has been so classified, and the 10 days include the time it takes the local board to draw up and mail the notification.

A NINE-POINT PLAN TO MODERNIZE THE DRAFT

My proposals to reform the draft boil down to nine points:

First. The first group of men drafted should be 18½-year-olds, reversing the present policy of taking first the oldest men under 26.

Second. The period of draft liability should be cut from the present 7-year span—age 19 to age 26—down to 4 years, from 18½ to 22½.

Third. College students, whose draft deferments expire should be placed in the same top-priority group as 18½-year-olds, regardless of their age.

Fourth. College students, once they have received deferments to complete their studies, should not be further deferred because they have married or become fathers while in college.

Fifth. Separate draft calls by each of the 4,084 local draft boards should be abolished and a national manpower pool of I–A men established, thus wiping out local and regional variations in the size and nature of draft calls.

Sixth. Men should be chosen at random from the national pool of I–A's, if there are more men of the same age in the pool than the Armed Forces need from that age group.

Seventh. Local draft boards should be bound to apply national standards in deciding which students receive deferments and which civilian jobholders are deferred because their work is critical.

Eighth. Local draft boards should be compelled to reopen the case of a man classified I–A if he submits new facts which, if true, would entitle him to another draft status. Now local boards reopen such cases only at their own discretion, unless ordered to do so by the State Director or National Director of Selective Service.

Ninth. The period of time given a man to appeal his local board's draft classification should be lengthened from the present 10 days to 15 days.

THE NEED FOR A LOWER DRAFTING AGE

Gen. Lewis Hershey, national Director of the Selective Service System since 1940, has noted that when draft calls are high, draftees complain of the inequities that keep college students and others with deferments from being called.

But when the draft calls are low, General Hershey says, the complaints shift to the uncertainties of the draft system. The uncertainty, he explains, is not so much the uncertainty of when the young man will be called, but rather whether he may escape being called at all because volunteers are sufficient to fill the limited manpower needs.

Because military manpower needs cannot always be predicted with absolute exactness, there will always be some degree of doubt in any draft system. But the current system's practice of inducting the oldest draft-eligible first has caused unnecessary uncertainties.

In time of low manpower demand, such as the years between the Korean war and Vietnam buildup, the youngest men are destined to sit and wait for several years, not knowing whether they will eventually be drafted or not. Of course, they may remove the uncertainty by enlisting if they wish. In 1963, the average age of draftees was 23.7 years. It has now dropped to 20.3 years.

The youth entering college simply goes, aware of the fact that not too long after he graduates, he will be in the most draft-vulnerable age bracket. Graduating at age 22 before the Vietnam buildup, however, he would have had more than sufficient time to marry and become a draft-exempt father before the average drafting age of 23.7 years.

The boy without college plans faces a job market in which prospective employers hesitate to hire and train a youth who has not completed his military service.

The present oldest-first policy has two minor points in its favor. It encourages early enlistments by volunteers who want to get their service out of the way, instead of waiting several years to face possible drafting. And it still catches students who have been deferred, if their schooling is finished before they reach 26, and if they are not fathers.

However, both these advantages could be retained in a system that eliminated the uncertainties of the present oldest-first system. I propose that the draft induct all the youngest eligibles first, then the men a year older than the youngest, and so on.

A draft that begins with young men of 18½ would also produce the kind of inductees that military officials want. They prefer to train younger men who are not yet so set in their ways.

The public, too, seems to approve of the idea. A Gallup poll released last summer showed 54 percent want military service to start at 18 or earlier and another 20 percent would see it start at 19 or 20. The bulk of our young men have completed high school by age 18½. Those few who were still in high school at 18½ could be deferred from being drafted until they graduated or reached age 20.

Putting the 18½-year-old at the top of the draft pool would require an operating speedup in the draft in order to have it work. Young men would have to be processed, examined, and classified promptly by their draft boards after their 18th birthday when they register. Presently this process is allowed to lag because of the oldest-first policy.

SHORTENING THE PERIOD OF DRAFT LIABILITY

Our present system keeps the young man subject to the draft for 7 years, between his 19th and 26th birthdays. This long period, combined with the priority given to drafting the oldest men under 26, certainly works to scare young men into enlisting early.

But if we shift our policy to draft younger men first and if we realize that the supply of younger men is growing faster than the military needs for fresh manpower, it seems highly unreasonable to keep our young men on the string all the way up to 26.

Some 2 million men turn 18 every year, more than half of them qualified for military service. Yet our annual draft call during the massive Vietnam buildup has been only 340,000 men. It is expected to fall to 200,000 men, at the most, once the buildup for Vietnam is completed.

With such a fast-growing pool of younger draft-age men, we can afford to shorten the period of draft liability to a 4-year span, from 18½ to 22½, instead of the present 7 years of liability from age 19 to age 26.

This would mean that once a young man who had not gone to college reached age 22½ his draft liability would cease. If a man had spent the 4 years from age 18½ to age 22½ as a deferred college student, his 4 years of draft liability would start whenever he completed his education, regardless of his age.

This would assure that men who spend the years between 18½ and 22½ in college would have the same length of time to be liable for the draft as noncollege men of the same age. No man, whether he goes to college or not, should be subject to the draft for more than 4 years, however. If a man graduates from high school at 18½, spends a year out of school without being drafted and then enters college at 19½, he should have only 3 years of draft liability awaiting him when he finishes college, since he has already undergone 1 of his 4.

If men age 18½ are made the top priority draft group, and if the overall period of draft liability is shortened to 4 years, I do not believe that enlistments would be affected. Enlistments, of course, are propped up by the existence of the draft. The draft stimulates young men to enlist and about one man enlists for every one actually inducted through Selective Service. The effect of my proposals would not be to cut enlistments, but simply to force young men to enlist sooner than they do now. They would have to decide before 18½ whether to enlist, risk being drafted or enter college on a student deferment with liability for the draft after college.

CURING THE INEQUITY OF STUDENT DEFERMENTS

General Hershey says that when college students and fathers are deferred from the draft, the system is merely living up to its name. It is being selective in the national interest, and General Hershey says the national interest must come ahead of whether a particular individual ever sees military service.

He explains, and I agree with him, that college students are deferred so that they can serve the Armed Forces more capably when they enter later on, or so that they can learn vital civilian job skills. He says it would be most unpopular for the draft to take fathers away from their households when single men were available for service.

Draft deferments do more than simply keep certain young men on the homefront in time of war. General Hershey contends we can be grateful to Selective Service for channeling manpower where we want manpower to go, offering draft deferment as an incentive. He says Selective Service has built up the Reserve Forces—certainly true since 71 percent of reservists said in a poll they had joined to avoid the draft—and pushed plenty of young men in the direction of teaching and scientific careers.

But if this is what student deferments are supposed to accomplish in theory, in practice they have made for a glaring inequity in the drafting of young men. Two major loopholes in student deferments have arisen:

First, age 26 has been the age at which both college students and noncollege men become safe from the draft. But on the way to age 26, the college students have had an edge—their deferments as students. This is why they have a better chance of reaching 26 without doing any military service than do men with less education. Of the 26-year-olds registered with Selective Service in 1964, just under half of the total had not done any military service. But of the college graduates, three out of five had missed service. Of those with merely high school educations, only two out of five had missed.

By statute the student who receives a draft deferment ties himself up to a longer period of draft liability—up to age 35 instead of age 26. But in practice men over 26—whether they are former students or not—are passed by in favor of younger men, the ones from age 19 to age 26. During the Vietnam buildup, when draft levels were at their highest since Korea, some boards began drafting their over-26 men, but it was not widespread, apparently because the supply of younger men was simply not being exhausted.

The second loophole is the one which permits the college student to become a father before he completes his schooling, thus acquiring draft deferment as a father to pick up where his student deferment leaves off.

While General Hershey views student deferments as merely a postponement of military service, his theory breaks down when college students can use their deferments as convenient avenues to marriage, fatherhood, and freedom from all military obligations, while men of the same age, without college or without wives, have to don uniforms.

I propose that both these loopholes be sealed. I have already said that 18½-year-olds should be the top priority group for the draft. And those men who take student deferments should be placed in that same top priority group when they complete their schooling, regardless of their age at the time.

From the pool of 18½-year-olds, the former college student would pass to the 19½-year-old pool after a year, then on to the 20½- and 21½-year-old pools. After he had put in his own 4-year period of being draft liable, the former college student would cease to be liable, just as the noncollege man's liability ends at the real age of 22½.

This would assure that college students do not miss their 4 years of draft liability just because they went to college from 18½ to 22½. But as I have said, many students have emerged from their higher education being fathers as well as scholars. I do not believe that once we give a student a temporary protection from being drafted, we should allow that student to earn himself a permanent draft deferment on time that we give him. Thus I propose that neither marriage nor fatherhood be permitted to cancel a deferred student's subsequent military obligation.

THE ANTIQUATED SELECTIVE SERVICE SYSTEM

Draftees today enter the manpower pipeline through one of 4,084 separate local draft boards. These boards are the backbone of the Selective Service System and this explains much of what is wrong with the way in which the draft is administered.

For the draft has an administrative backbone of 4,084 scattered vertebrae, each interpreting loosely drawn national regulations in its own, autonomous fashion. Some of the independence of the local boards has been guaranteed by Congress itself in the so-called Universal Military Training and Service Act. But most of their independence comes to them by default—because neither the President nor General Hershey has spelled out in sufficient detail what criteria should guide the local boards' decisions.

The result is a crazy-quilt pattern of fragmented decisionmaking by 4,084 local boards across the country.

For example, a young pilot for an airline which carries substantial cargo for the Department of Defense, was classified eligible for the draft by his local board. Two other pilots for the same airline, each with less experience than the first pilot, were given deferments because their work was deemed critical to the national interest by their local boards.

Apparently in this case the local boards had no list of the skills which the Federal Government considers critical. They relied upon a broad regulation issued by General Hershey which calls for deferment of any civilian whose work is found to be necessary to the maintenance of the national health, safety, or interest.

Just how 4,084 scattered local draft boards can be expected to arrive at uniform decisions using such ill-defined and broad guidelines, I do not know. The fact is clear that they do not. Apparently each of the 4,084 local draft boards must come up with its own definition of the "national health, safety, or interest" and then develop its own interpretation of just what meets its definition. Uniformity is all too rare. "Chaos" is perhaps a mild word for what happens.

One California draft board evidently decided not long ago that it was more in the national interest to draft two Peace Corps members than to wait until they had finished their tours of duty in Peru and the Philippines. This despite the fact that the Government had invested substantial sums in their Peace Corps training.

During much of the current Vietnam buildup it was up to each local board to decide which college students should be deferred by applying its own view of the national health, safety, or interest.

Last March 31, General Hershey finally did supply the local boards with the student deferment guideline they needed. It specified the class rank required for a college student deferment, or, if the student preferred to take the nationwide Selective Service college qualification test instead of submitting his class rank, what test score he needed to make.

These guidelines still do not dictate that a local board must defer a college student who meets them. The act of Congress governing the Selective Service System says specifically that no class rank or test score information is binding on the local board if it chooses not to defer an individual student. Thus, local boards, and not Congress or the President, hold all the chips in the national manpower game of who gets deferred as a student or because of his critical civilian job.

The particular draft board with which a young man registers at age 18 is probably the most important factor in determining when, and even whether, he is drafted. Aside from what a local board thinks is the national interest, each board presides over its own separate manpower pool and the chances of being drafted vary from pool to pool.

One board might have so many volunteers for the draft that it has no need to go beyond its volunteer lists to fill its quota, while another board might be quite stingy with its student deferments because it does not have enough volunteers or nonstudents to meet its quota.

The inequities of geography do not stop with the local boards, either. Which State a young man comes from also plays a part in the contradictory and confused system that is today's draft machinery.

The national manpower call is met by levying a specific quota against each State based, not upon its population, but upon its percentage of the Nation's draft-eligible men classified available by the local boards for induction. Each State then divides its quota among its local boards.

A State with inefficient draft boards who have not promptly classified its registrants will obviously have relatively fewer men classified available for induction and, therefore, will receive draft calls for fewer men. Thus, the present State-by-State quota system has at times worked to reward inefficiency and penalize States like my own Pennsylvania which have processed and classified their registrants promptly.

The maze of 50 State quotas with 4,084 local board quotas superimposed upon them makes the national task of inducting draftees a highly unfair, unpredictable business that operates entirely too much by geographical chance.

It makes little sense to try to muster manpower for a national army by using 4,084 separate local manpower pools. Why not one nationwide pool of available manpower?

At 1966 hearings on the draft before the House Armed Services Committee, on which I serve, I proposed national draft calls using a nationwide computerized pool of draft manpower. This would guarantee the same treatment from coast to coast for all I-A men. Where they happened to live, or where their local draft board happened to be, would no longer matter.

If the President were to order that 18½- to 19½-year-old men to be the first ones called, and if there were more of them in the national manpower pool than were needed, the computer would simply make a random selection from among the group.

The random selection would be made by computer from among men in the same yearly age bracket. Those in the first-year group, between 18½ and 19½, would be called first, those in the second-year group, between 19½ and 20½, called next, and so on up to age 22½.

All registrants in the first-year group who had been classified I-A—available for induction—would stand an equal chance of being inducted under the random selection method. Those in the second-, third-, and fourth-year groups would be selected in respective order only when there were insufficient men in the younger groups to satisfy manpower needs. A registrant's chance of being called would diminish as he grew older, assuming no substantial jump in manpower demands.

WHAT LOCAL BOARDS COULD STILL DO

A national draft call, even if not a universal draft, would be fairer and more easily administered than the present 4,084 separate local board draft calls. But young men would continue to register with their local draft boards at age 18. At the time he registered, a youth would be given a prompt appointment for his physical examination. The local board would classify him well prior to age 18½ and would forward his name, selective service number and classification to national headquarters where the information would be placed in the central computer.

When a national draft call was issued, the computer would choose at random among all those registrants in the first group of men—18½- to 19½-year-olds in the available for induction—I-A—national pool.

Local boards would continue to bear the classification and hearing functions, within tightened national guidelines on student deferments and civilian job deferments. A registrant would still be assured of being able to have his story heard by a board consisting of members of his community. Dependency and hardship deferment cases would still be decided in full by local boards.

The master computer for draft manpower could quite simply be updated as local boards tell headquarters of any change which they had made in an individual registrant's classification.

Instead of the Nation's hundreds of colleges each having to supply thousands of scattered draft boards throughout the Nation with academic information on their students, each college could merely forward information on its students to the central computer. Then headquarters could advise all local boards as to each college student seeking a deferment and what his college record was.

CRITICAL SKILLS DEFERMENTS AND THE INTENT OF CONGRESS

Even with a system that drafted all men from the same national pool, we would not have a fair draft process unless the 4,084 local boards followed uniform policies in granting student deferments and deferments for critical civilian jobholders.

There exists now an approved list of jobs critical to the defense effort or other national goals—the "Department of Commerce List of Currently Essential Activities" and "Department of Labor List of Currently Critical Occupations," found in the same slender pamphlet. The problem has been compelling local boards to follow such a list or one like it. Under present regulations, the local boards do not have to heed such a list. Selective Service Regulations 1622, 20(c) say merely that the local board "may avail itself of the assistance of all Federal, State, or local agencies to obtain information which will help it to determine whether a claim for occupational deferment could be granted."

When the first postwar draft legislation, the Selective Service Act of 1948, was enacted by Congress, it was not intended that Selective Service headquarters itself, let alone the System of 4,084 scattered local boards, would be setting the deferment policy for civilians with critical skills in critical industries.

The preamble to that act, which has stayed on in present legislation, reads in part:

> The Congress further declares that adequate provision for national security requires maximum effort in the fields of scientific research and development, and the fullest possible utilization of the Nation's technological, scientific, and other critical manpower resources.

In 1948 the Armed Services Committees of both the House and Senate were especially concerned about the potential "brain drain" of scientific talent through the Selective Service System. The report of the House committee quoted extensively a letter from one of the scientific witnesses at the committee hearings, Dr. Vannevar Bush. Dr. Bush warned the committee:

> We are now suffering acutely from our failure to continue the training of scientists and technologists during the recent hostilities. We now have a deficit in scientific manpower.

The House committee also quoted Dr. Bush's proposed solution:

> In my opinion the basic cause lay in the selective-service machinery, whereby policies covering the selection of men for deferment were formulated on a piecemeal basis in the very agency which was called upon to supply men for the armed forces. It seems to me of fundamental importance, in order intelligently to allocate manpower in a time of scarcity, for a single group separated from the pressures . . . for filling quotas, to formulate policies and make recommendations with respect thereto to the President.

The Senate committee report concurred in Dr. Bush's thinking. It contended that:

> Any system for manpower control should avoid placing upon the procuring agency—the Selective Service System—the responsibility for formulating a basic pattern for identifying groups which are critical. The task is too complex, and it must not be done on a piecemeal basis. Most of all, it should not be an exclusive responsibility of the very agency which is charged with procuring the personnel needed for the armed forces.

Both committees strongly urged in their reports that the President, not the Selective Service System, control the policies of draft deferments for critical skills through the then-functioning National Security Resources Board. Today this function is served by the Commerce and Labor Departments' lists, compiled expressly for Selective Service use.

There is little excuse for local boards not to be following definite national regulations on what skills and occupations are critical, when the Department of Labor and Department of Commerce have set out guidelines for this task.

Similarly, there are definite national guidelines on which students—based on their class rank and/or test scores—are entitled to be deferred. But we have no guarantee in the law that local boards will follow them. We have no guarantee that decisions across the country in draft cases will be uniform, yet this is the system that supplies manpower to our single national defense force, the system that is sending young men to war and keeping others home in the national interest. If defense is a national problem, then 4,084 scattered local draft boards are not the people to set basic defense manpower policy. Yet our present draft laws are letting them do it.

National guidelines on which civilian

jobholders should be deferred and national guidelines on which students should be deferred should become binding, rather than merely advisory, for local draft boards.

THE RIGHT TO HAVE A CLASSIFICATION RECONSIDERED FOR NEW FACTS

While a man classified I-A by a local board has an absolute right to appeal that decision within 10 days, he has no right to have the case reopened after that 10-day period, even if new facts arise that the local board could not have considered when it classified him. For example, a new job in a critical industry, a new hardship situation, or a decision to enroll in school.

The only time a local board must reopen a draft registrant's classification is when the State Director of Selective Service or the National Director of Selective Service orders it to do so. This puts the burden on the registrant of somehow reaching either the State or the National Director and persuading them he has a case.

I propose that this key defect be rectified. Local boards should be compelled to reopen a man's draft classification and consider it anew whenever he presents timely new facts that, if true, would entitle him to a deferment or exemption rather than I-A status.

The board, in practice, might turn the man down. This would mean that the board did not think that the man's facts, even if proved true, would change his classification.

I think our man should have one more route for his case. I would give him the right to have the case reviewed by the State or National Director, if he submits it to them within 15 days after the local board turns him down. The State or National Director would have to review the case but could then either dismiss his case or order the local board to reopen his classification and consider it anew, power they already have under the Selective Service Regulations.

Local boards are supposed to keep up with a man's changing status, and they can always change his classification on their own initiative based on information they receive. But if the local boards slip up or become obstinate in an individual case, the man needs protection that the present regulations do not provide.

LENGTHENING THE APPEAL PERIOD TO 15 DAYS

The 10-day appeal period provided by law should be extended to 15 days in a number of cases, registrants have found the 10-day period insufficient time in which to exercise their appeal rights. In some instances, this was the result of slow clerical procedures at the local board, or delayed mail.

SHOULD WE MODERNIZE THE DRAFT OR RESORT TO AN ALTERNATIVE?

I have outlined some positive reforms that would bring our obsolete draft system up to 1967 standards. These reforms would correct both the inequities in draft deferment policies and the lack of uniformity that reigns today when such broad decision-making power is vested in 4,084 separate local boards.

But these reforms would leave the strong points of the draft system intact. Local boards would still classify their area men for the draft. Selective Service would continue to be selective, drafting men for military duty in accordance with the national interest and not blindly, by an across-the-board lottery.

Other critics of the draft have argued what we need is not a modernized draft but a wholly new system for recruiting men for military service. Some prefer universal military training. Some suggest a period of national service, in military or peaceful activities, for every youth. And many others feel we should halt compulsory military service and rely solely on volunteers for the Armed Forces.

I do not support either universal military training or national service, as replacements for the present draft system. Universal military training would tax the present capacities of our Armed Forces. It would saddle them with quantities of men they did not need even during the peak of the buildup for Vietnam. During the year ending June 30, 1966, 1,090,000 men entered the Armed Forces under the pressure of abnormally high Vietnam draft calls. Yet during the same year an estimated 2 million young men became 18, and more than half of them would qualify for military service. This bumper crop of 18-year-olds could probably be absorbed by the Armed Forces during a Vietnam-type buildup, but in peacetime they would swell the ranks of a 3-million-man standing force by an unneeded extra million or more.

Congress roundly rejected "UMT" in 1951. While some might see in it a panacea for the current inequities in the draft, I view it as a cure that is far worse than the disease. It is a blessing that the United States, unlike smaller countries, does not need universal military training for its defense.

National service, with 2-year stints for all young men and women in either military service or nonmilitary projects, would be an invasion of the young person's freedom without the overriding justification that it was for defense purposes. Programs like VISTA and the Peace Corps should be strengthened and expanded, but not through national service. For these projects have succeeded and have captured the imagination of our youth because they are strictly voluntary. If youths were recruited against their will to work in such programs, we would only be instituting compulsory service in the social welfare field, where it is hardly welcome.

The proposal I like best as a draft alternative is that of the "volunteer army." Its supporters point out that the supply of available draft-age men far exceeds the needs of our modern Armed Forces, and therefore any compulsory military service plan sends some men to war while others stay home.

The Defense Department has estimated the additional yearly cost of an all-volunteer force at $8 or $9 billion or more. But those in favor of such a force refuse to accept such a high figure. They say the Pentagon is considering only the extra military pay needed to draw volunteers, not the savings to come from greater military efficiency once the volunteers are enlisted. The draft system, they contend, is not only unfair but wastes the military resources it has. Under the draft men must constantly be trained, since 92 percent of those drafted will not reenlist for more military service when their 2-year hitch is up. If these masses of here-today-gone-tomorrow draftees could, indeed, be replaced by dedicated career men, I believe that a volunteer force would not be so costly.

It is true that there are more men aged 18 to 26 qualified for military service than the Armed Forces could use at one time, unless we were in an all-out war. Even the number of men classified I-A—available for induction—is 1.2 million, compared to an annual draft call of 340,000 during the current Vietnam buildup, and an estimated 200,000 men a year, once the Vietnam buildup is completed.

The draft boards of the Nation, in fact, are so glutted with young men's files that they can keep over a million men ready for induction as I-A's, while 2.5 million draftables stay in college with student deferments and 3.5 million hold deferments for fatherhood or other dependency situations. A much smaller number, around 250,000, are deferred for critical civilian jobs in industry and farming.

The draft is not now touching these large groups of deferred men, but some of them, like college students due to lose their deferments when they graduate, are simply buying time. The draft is still a real factor in their lives. With the draft as a stimulus, there is one man classified I-A who enlists in the service of his choice for each man who waits to be drafted.

Both the regular Armed Forces and the Reserves depend substantially on the draft today as a source of enlistees as well as inductees. Large percentages of men in the service say the draft was their motivation for joining voluntarily. A 1964 Defense Department poll got that response from 38 percent of the regular enlisted men it interviewed, 41 percent of the officers polled, and 71 percent of the reservists polled.

This would seem to show that if we were to abolish the draft today, we would be sacrificing much of our present Armed Forces manpower strength. But we have been using the draft as a prop for this manpower strength, instead of doing as much as we could to encourage volunteering.

The Department of Defense has already begun experimenting with lower physical and mental standards for volunteers, so that fewer young men who are so willing to serve would be turned down. In addition, we would be raising military pay and fringe benefits to attract volunteers. We could try accepting as volunteers men with minor criminal records, particularly those who show evidence they want to improve themselves through their Armed Forces experience.

As we developed ways to increase the number of men volunteering for military service, we could also be continuing to replace military men with civilian employees in those service jobs which are nonmilitary. The Department of Defense is already engaged in such a campaign.

But none of these steps could increase overnight the number of volunteers to the strength level we need. It would take a period of years for these steps to work. And certainly, with our commitment in Vietnam, we cannot scrap the draft in the near future. We should modernize it, though, as we lay the groundwork for an all-volunteer military in the future.

CRIME PREVENTION

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, my congratulations to the President for presenting such a strong plea for Federal action to mitigate the ever increasing hazards to our U.S. citizens because of criminal activities in the United States.

I heartily endorse the President's proposal that the Federal Government offer all possible assistance to the States in modernizing and coordinating their efforts to wipe out crime in their areas. The President's proposal to make the streets of this Nation safe retains with the States their inherent right to enforce their own laws. This proposal would give assistance to the States in developing plans and programs for new techniques and procedures and for law enforcement and judicial processing.

I think it is imperative that the Congress act promptly so that this program can be put into immediate effect.

MARINES PROUDLY SERVE IN VIETNAM

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Keith] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. KEITH. Mr. Speaker, a recent letter from a marine, not yet 21 years old, wounded in action, expresses what many of us have wondered—how do our fighting men themselves feel about the Vietnam situation? I place the last paragraph of Cpl. Alan D. Gifford's letter in the Record at this point:

> In closing I would like to speak on behalf of many of my fellow Marines, some of whom have given their lives this past summer in Viet Nam. We are proud to have the honor of serving our country and the ideals of freedom for which it stands. We will continue to support our gallant South Viet-Namese allies in their struggle with Communist insurgents with all our hearts, for we know what it is to have a wonderful country wherein we can live without fear of terrorism. Please be reassured of the dedication of my fellow Marines in this the task for which they have been trained!
>
> Cpl. Alan D. Gifford, 2039876,
> *U.S. Marine Corps.*

FEDERAL-AID HIGHWAY PROGRAM

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Schwengel] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, while all of us believe in economy in government, and most of us believe that Federal spending should be cut, there certainly is disagreement over what items in the budget should be reduced. Nowhere is that disagreement sharper than over the arbitrary action of the President in reducing the Federal-aid highway program.

If there ever was an example of false economy, the cutback in the Federal-aid highway program is one. The completion of the Interstate System and the continued construction of other roads and highways would not be inflationary. Rather in the long run it would help to keep prices down. By completing our highway program we can reduce transportation costs, make the movement of goods and supplies more economical and can help build a better society.

Both industry and labor will be hurt by the cutback. It will increase unemployment and will seriously curtail plans made by the highway construction industry based on what had been the programs of State highway commissions.

The impact on the cutback on Iowa, Mr. Speaker, will be disastrous. Iowa will lose $8 million in fiscal year 1967 and $16 million in fiscal year 1968 if the cutbacks are allowed to stand.

If Iowa is to maintain its present excellent job of finishing its interstate highway construction program, it will have to dip into their primary road funds. This will mean that other needed highway improvements will have to wait. The cutback will mean that construction of needed interstate bridges on Iowa's borders will have to wait.

Mr. Speaker, Iowa now has the longest stretch of continuous toll-free interstate highway in the United States. One can now drive from the western border of Iowa to New York City without so much as a stoplight. The Iowa Highway Commission has embarked on a very ambitious program of improving State highways as well as maintaining their time schedule on the interstate highway program. The cutback places all of these programs in serious jeopardy.

In a time when highway safety is more important than ever before, it seems to me that it is the height of folly to be cutting back on much needed highway construction. If the cutbacks ordered by the President are not rescinded, the completion of the interstate highway program nationwide could be delayed by 6 months to 1 year. Since the Government is embarking on a program to make cars more safe it is completely inconsistent to cut back on a construction program which would make the roads cars travel more safe than before.

The cutback on the Federal-aid highway program raises some other questions which the present administration should answer. Is it going to protect the highway trust fund against any raids? Is it going to build a big balance in the highway trust fund and then sell participation certificates on the basis of that balance? What will be the attitude of the administration if the cutback stimulates the construction of toll road facilities? Finally, and most important, the administration should be required to state clearly on what legal authority it has based its cutback order.

Mr. Speaker, these are important questions which must be answered.

I join with Congressman Cramer in asking for hearings before the Public Works Committee to try to assess the impact of the President's order and to get the answers to the questions many of us have on the advisability and legality of the cutback.

HOW MUCH SHOULD A CORPORATION EARN?

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Younger] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. YOUNGER. Mr. Speaker, recently there was printed in the Harvard Business Review an article entitled "How Much Should a Corporation Earn?" by John J. Scanlon, who is vice president and treasurer of the American Telephone & Telegraph Co. The author is also a senior member of the National Industrial Conference Board and a director of four other companies. His article follows:

[From the Harvard Business Review, January-February 1967]

How Much Should a Corporation Earn?

(By John J. Scanlon)

What level of earnings is required if U.S. business is to grow and prosper to meet national objectives? What is the best test of corporate earnings adequacy? There is much uncertainty and confusion regarding these questions. In this article I shall develop the point of view that the best guide to an answer is not earnings-per-share trends or the cost of capital; it is the concept of opportunity costs. For perspective on this position, some new data are presented to show patterns of corporate earnings, capital expenditures, and other important aspects of the U.S. economic picture today.

As a public utility executive who faces the practical problem of raising large amounts of new capital from investors, I am naturally very much concerned with the implications of earnings and investment trends for national economic policy. At the outset of this discussion, therefore, let us examine the close relationships among plant and equipment expenditures, profits, and growth in gross national product (GNP). By way of conclusion, I shall raise some questions relative to the significance of the corporate earnings and investment picture for public policy.

HOW PROFITS NURTURE GNP

The United States has emerged as the most productive and economically most powerful nation on earth. The upward thrust in the U.S. economy's expansion has resulted in a level of national living that is at once the envy and aspiration of every other nation. Indeed, "blue collar" workers in the United States currently enjoy a standard of living equal to or surpassing that realized by most of the so-called privileged classes in many advanced Western nations.

But this does not mean that the need for economic growth in the United States is diminishing. Just the opposite is true. The *increasing* importance of growth is underscored by the projected increase in the labor force to 94 million by 1975. Since all of the 1975 labor force has already been born, its future can be predicted with actuarial precision. In accordance with the findings of the March 1966 Manpower Report of the President, the U.S. economy must expand enough to provide jobs for 14 million additional workers during the next decade if our nation is to keep 96% of the civilian U.S. labor force actively employed, as it did in 1965. This means that jobs must grow at a 50% greater rate than in the past decade if we are merely to "hold our own."

We Americans are committed, however, to more than just "holding our own" on jobs. The 79th Congress, in the Employment Act of 1946, set forth our nation's economic goals as the promotion of maximum employment, production, and purchasing power. More recently, Congress added two more objectives: a stable price level and preservation of the integrity of the U.S. dollar with the help of balance of payments controls. Of these various goals, the doctrine of full employment has been the overshadowing one. It has been accepted by both political parties. It has been the focus of attention for the past 20 years in each of the Economic Reports of the President. And it has been the subject of a good deal of Congressional concern as well as of the legislation promulgated by recent administrations.

Will our nation's productive capabilities be able to keep pace with its economic and social commitments in the years ahead? More specifically, will the output of the private sector be adequate to meet the truly enormous demands of a sharply rising labor force, a rapidly growing body of elderly citizens, and an ever-rising population of school and college age? To throw some light on these fundamental questions, we must consider more fully the framework within which the corporate sector of the U.S. economy has operated in recent years and consider the goals of future years. Such an examination will, I believe, make two things clear:

1. Economic growth depends on corporate investment in new plant and equipment.
2. Investment in new plant and equipment depends on profits.

Let us look at some of the facts demonstrating each of these relationships.

GNP & Investment. During the past 20 years, U.S. corporations have expended some $800 billion on new plant and equipment. Part A of EXHIBIT I depicts the close relationship between plant and equipment spending and the upward trend of GNP. To facilitate the growth in GNP from the going rate of $200 billion a year at the beginning of 1946 to some $700 billion by the end of 1965, corporate plant and equipment spending was stepped up from a rate of $15 billion to some $55 billion at the end of 1965. As shown on the exhibit, plant and equipment expenditures are considerably more volatile than GNP. Sharp dips in plant and equipment expenditures have invariaby characterized years of recession. Conversely, strong upturns in plant and equipment spending have keynoted years of boom and prosperity.

There has been a significant increase in the ratio of capital investment to jobs. For example, in 1946 the average investment per worker in manufacturing industry was about $7,000. In recent years the average capital invested per worker has exceeded $25,000. These data underscore the need for continuing high corporate outlays for plant and equipment. This is particularly the case if we are to expand job opportunities to meet the expectations of new members of our growing labor force.

Pushing GNP up to $1,000 billion in 1965 dollars (the level often forecasted for the early 1970's) will require an annual growth rate of about 5½%. This is an extremely large order. Most economists would realistically settle for something less. But "something less" would still be something *more* than 3½% to 4% rate recorded since the end of World War II. In short, few will contend that past growth rates will be adequate for the years ahead. To support the higher growth rate just suggested will likely require continued increases in plant and equipment expenditures to perhaps two or more times today's level. The major question is: How can this level of investment be attained?

Investment & Profits. Under the profit-and-loss incentives inherent in our free enterprise system, plant and equipment expenditures can proceed only when reasonably adequate profit opportunities are contemplated. Part B of EXHIBIT I shows the close relationship between corporate plant and equipment expenditures and corporate profits over some 40 years of U.S. economic history. While the relationship is not a mathematically perfect one, it is clear from the relatively straight path of the dots that there is a close interlink between corporate profits and corporate spending.

The overriding importance of profits in spurring investment was recognized by President Kennedy when he stated: "In a free enterprise system there can be no prosperity without profit. We want a growing economy and there can be no growth without investment that is inspired and financed by profit." A parallel thought was pointed up by President Johnson in his 1965 Economic Report when it was noted that federal policy included "a full understanding of the key role of private investment in total market demand and in the long-term growth in incomes, and of the need for adequate profit incentives to stimulate this investment."

While profits are not the only source of funds for capital investment, they play the key role. The importance of internal sources, primarily reinvested earnings and depreciation charges, is indicated in Part C of EXHIBIT I. The lower section of the chart shows the persistent tendency of internal funds to satisfy about three fourths of corporate needs.

Reinvested earnings, of course, are generated directly from profits—being the balance remaining after the payment of cash dividends to shareowners. Additionally, the ability to raise money by selling debt or equity securities is also directly dependent on the outlook for profits. To compete in the capital markets and raise capital successfully, a company must present investors with compelling reasons for placing their savings with the corporation and accepting a risk. The most compelling reason is a solid earnings record and the prospect of improved earnings in the future.

In view of the heavy capital spending by corporations since 1946, the question quite naturally arises: Has capital spending by corporations been overdone? EXHIBIT II indicates that the answer is a clear *no;* in fact, there has recently been a rapid escalation in the amount of equipment of American industry that exceeds 10 years of age. This has occurred despite the sharp upturn in corporate outlays in the past decade. These data suggest that heavy corporate outlays for new facilities during World War II and in the early postwar years up to and including the Korean War have served to present American industry today with an "old age" problem. Also, modern research and development has served to shorten the "life span" of productive facilities. The on-rush of modern technology has made some projects economically obsolete almost before they are off the drawing boards.

Big Question. All this certainly makes it important to know what level of earnings is required if U.S. business is to grow and prosper to meet national objectives. The big question is: What is the best test of corporate earnings adequacy?

The answer to that question is not universally agreed on. To clarify some of the issues, I will proceed to analyze three criteria commonly cited as guideposts for corporate expansion.

FAILURE OF EPS

The first criterion focuses on short-term increases in earnings per share (EPS) as the sole guideline. Proponents of this criterion contend that any expansion which increases EPS during the immediate future is desirable. On the surface, this approach does sound quite attractive, but it can be misleading in a number of ways.

Consider the sale of new shares. In a strong bull market in stocks, market prices are usually well above book values. Hence there may be a tendency to sell new shares to investors and to apply the proceeds to projects of low or questionable earnings potential. Should this occur, the company's stock will likely undergo radical reappraisal when investors come to realize that the projects undertaken are earning below the rates they contemplated when they purchased the shares. In short, today's increase in EPS may be tomorrow's decrease if investor expectations and investment potentials are not taken properly into account.

Another way the EPS criterion may lead management to seek short-run gains in per-share earnings is by resorting to increased debt in the capital structure. As discussed later, appropriate corporate debt ratios have become rather firmly established among different industries. If management imposes undue financial risk on the common shareowners by "leveraging" its capital unwisely, i.e., adding too high a proportion of debt obligations, it will be only a question of time before the company's shares are reevaluated in the market.

From the broader view of corporate ethics, shifting to greater leverage raises a fundamental question: Since investors purchase shares on the basis of a given capital structure policy, is it proper for management to alter that policy and take advantage of stockholders who may be "locked in"—that is, unable to sell at a reasonable profit—when the change in leverage policy finally becomes apparent? This is a particularly pregnant question with respect to the small shareowner who does not have the advantage of the large professional staffs employed by the institutional investors. The latter analyze such matters closely and can dispose of their equity holdings as soon as an adverse debt trend is detected.

Still another way the EPS criterion can be misleading stems from the adoption of accelerated depreciation with "flow-through" of the deferred federal income tax to income. If the corporation adopts accelerated depreciation and enters the higher charges on its books, no problem is presented with respect to reports to shareowners. Likewise, provision can be made to "normalize" the taxes with a reserve account. However, if a company should "flow-through" the deferred federal taxes to current income and reap the tax advantage without provision for the deferred liability, shareowners—particularly owners of small holdings—may be unaware of the fact that the gain is only temporary.

Finally, a company's EPS performance may be affected by postponing expenditures that should be made today for the sake of long-term growth. Although the advantage will be short-lived, this will not be apparent from use of the criterion.

Of course, the EPS standard can be useful under certain conditions. Once the minimum acceptable rate has been achieved, EPS can show increases due to a rising rate of return on investment. Likewise, with an acceptable rate of earnings, the plowback of reinvested earnings will result in increased per-share earnings due to the greater investment base, i.e., increased book equity per share. In these circumstances the use of EPS is not subject to the shortcomings just outlined.

ERRORS OF MARKET TESTS

According to a second criterion of appropriate corporate earnings, expansion is justified if earnings exceed the cost of capital. This is consonant with the well-recognized precept of capital budgeting that projects should be ranged according to expected profitability, with the cutoff point somewhere above the cost of capital. Referring to the significance of the cutoff point or rejection rate, one authority has stated: "Its purpose is to keep the company from making investments that cannot earn enough to pay their cost of capital." [1]

Many companies may set their target earnings rates somewhat above the cost of capital for a variety of reasons. Among these reasons is the possibility that if some projects fail to earn at the anticipated rate, overall earnings may be depressed below the cost of capital. As a result, prudent management would suggest a cutoff point well above the cost of capital.

In the case of regulated business, recent research by Judge Harold Leventhal demonstrates that cost of capital is subsidiary in importance to comparable earnings data.[2]

Substantial and complex problems can, and do, exist in all industries with respect to how the cost of capital is to be determined. The most common approach is to determine the cost of debt and the cost of equity and then meld the two in an appropriate capital structure. But (as we shall see) the appropriate capital structure varies among different industries. In consequence, the overall cost of capital will differ although the respective costs of debt and the respective costs of equity could be approximately the same for companies of comparable credit standing.

The cost of debt for a company with high-grade credit is relatively easy to determine. This is pointed up in Exhibit III. As shown on the left-hand side of the exhibit, there are substantial differences in debt ratio of each of the three industry groups. High-grade industrials have a debt ratio of about 15%; the Bell System carries about 35% debt; and the high-grade electric utilities are in the 50% range. Nevertheless, as the right-hand side of the exhibit shows, the bonds of these three groups sold on an almost identical yield basis during the decade 1955–1964. This indicates that investors have regarded the investment risks attending the debt of these three groups to be approximately the same, despite the differences in debt ratio.

It is important to bear in mind, however, that the differences in capital structure impose different degrees of financial risk on the equity holder; as the left-hand side of Exhibit III shows, varying proportions of debt must be served before the equity holders' interests can be served. Thus, from the viewpoint of the equity holder, these differences in capital structure largely offset differences in basic industry risk.

Difficulties of Measurement. Although the principles just mentioned should be reasonably obvious, there has sometimes been controversy as to how the cost of equity should be determined. This controversy arises because some persons accept, without serious challenge, the theory that equity cost can be determined in the securities markets. Such market tests frequently employ the ratio of dividends to market prices or the ratio of earnings to market prices. From the 1930's through most of the 1950's, such ratios were widely accepted as measures of equity costs; and conceptually, stocks were regarded as identical to bonds, since the ratios were, at base, somewhat analogous to bond yields. Relatively little attention was paid to the fact that the ratios were valid measures of equity cost only in a stagnant situation where current earnings, dividends, and market prices might remain forever unchanged.

In the past half dozen years or more, during which growth has become pretty much universally associated with stock ownership, the use of dividends-price and earnings-price ratios has gone into eclipse for purposes of determining equity costs; even those who accepted the ratios in former years no longer support them. The reason for this is readily understood: D/P and E/P ratios have been below bond yields in recent years, and no one would seriously assert that equity costs are less than bond costs. Underlying the almost universal rejection of the ratios is one stubborn fact: investors pay today's market prices on the basis of what they reasonably consider management will earn in the future. Therefore, it is absurd for management to relate today's market price to current earnings and to conclude that this is all investors expect.

The obvious shortcomings of current D/P and E/P ratios for determining capital costs may be largely overcome by following the investor's capitalization rate approach. The advantage of this method is that it gives primary consideration to investors' expectations of growth. Conceptually, it focuses on what investors actually expect: a combination of dividend return plus growth in earnings, dividends, and market price per share. This approach, nonetheless, requires an estimate of what growth rate investors expect—and this is in considerable degree a subjective determination.

In attempting to answer the basic question of what a company should earn on its actual book investment, therefore, real problems are created if attempts are made to use approaches which are oriented toward investor returns in the market. Some advocates assert that D/P and E/P ratios should be applied to book investment per share. This is patently fallacious because it would result in a reduction in the earnings rate on book equity whenever market prices are above book values (as has been the case for many years). Other advocates hold that equity costs developed from market prices can only be applied to market prices.

We must conclude that determining the cost of equity from market prices is not a simple matter. Further, management of a corporation exerts little direct influence over market prices. The latter are much affected by factors extraneous to management's actions. In short, management's fundamental responsibility is to manage the business in the best long-term interests of the firm's investors, its customers, its employees, and the nation's general welfare. For management to become overly preoccupied in its decision-making process with the movement of stock market prices would be conducive to neglecting its fundamental responsibility of managing the business.

OPPORTUNITY COSTS MEET NEED

Fortunately, the widely accepted opportunity cost principle of economics provides the answer we are looking for. Paul A. Samuelson has described the principle thus:

"The man in the street can clearly recognize costs that are actual cash payments; the economist and the accountant must go well beyond that. But the economist goes even further. He realizes that some of the most important costs attributable to doing one thing rather than another stem from the foregone opportunities that have to be sacrificed in doing this one thing. . . . This sacrifice of doing something else is called 'opportunity cost.' "[3]

In accord with this principle, we may properly conclude that the true cost of equity capital for a company is the earnings the shareowners' capital could attain in alternative opportunities—i.e., in investments in other similarly situated companies. By focusing on opportunity costs, we are unshackled from the vagaries of stock market prices and the host of related problems.

Opportunity cost affords equitable treatment to the investor because he should receive as much on his investment in one company as he could realize elsewhere in a comparable situation. If a company management has no prospect of achieving such earnings, serious questions are raised concerning the recruiting of equity capital, the reinvestment of earnings, or even the continued employment of existing capital in the business. Additionally, management's function is clarified because, while it cannot control market prices, it can make every effort to manage effectively and to achieve desired earnings rates on the investment in the business.

Using the opportunity cost concept, corporate management can determine the earnings rates required by making a comparison with a broadly representative cross section of alternative investment opportunities. On this basis, projects which seem unlikely to earn at the opportunity cost rate can be rejected.

Objective Measures. Evaluating the earnings achieved elsewhere is a relatively straightforward process. Exhibit IV shows the result of a study of 528 major manufacturing companies included in the Standard & Poor's "Compustat" tapes. These are the companies for which consistent and meaningful data are available for most of the postwar period. The results may be considered typical over the past 20 years. The use of period averages for each company eliminates the effect of short-term swings or year-to-year fluctuations in earnings. These fluctuations are not too important provided the company's average earnings rate is adequate. Since investment is usually a long-term phenomenon (common stock is permanent capital), the use of average earnings rates for a reasonably long period would appear quite appropriate.

As indicted in Part A of Exhibit IV, the average rate of earnings on common equity for all 528 companies in the postwar period was 13.9%. But, as may be observed, the graphic arrangement brings out the presence of a strong *central tendency*, with about two thirds of the companies falling in a fairly narrow range. The average earnings rate of companies in this range was 12.0% on common equity.

For further perspective, let us look at a shorter and more current period, recognizing that the value of short periods may be limited because of the tendency for manufacturing earnings to fluctuate from year to year. Part B of Exhibit IV presents data on the seven-year period 1959–1965. The chart suffers in that it emphasizes a period of low earnings and years in which national economic performance fell short of needs, however measured. The average earnings rate for all companies for this period of inadequate economic growth was 11.5%, with the majority of the companies again falling in a narrow range; this time they averaged 9.9%.

It is of interest that, following recovery from the "profits squeeze" and relatively higher unemployment levels characterizing the earlier years of this period, earnings rose to 12.1% in the 1963–1965 period and attained a level of some 14% for 1965 alone.

Earnings Goals. **We may conclude that the opportunity cost principle indicates an appropriate earnings objective approaching the 13.9% on common equity realized by unregulated industry for the entire postwar period 1946–1965. Manufacturing companies, however, are subject to a fair degree of volatility in earnings and would most likely rise**

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[1] Joel Dean, *Managerial Economics* (New York, Prentice-Hall, Inc., 1951), p. 592.

[2] "Vitality of the Comparable Earnings Standard for Regulated Utilities in a Growth Economy," *Yale Law Journal*, May 1965, p. 989.

[3] *Economics* (New York, McGraw-Hill Book Company, Inc., Sixth Edition, 1964), p. 458.

above this level in periods of good earnings and fall below this level in periods of recession.

The earnings attained by manufacturing companies also serve as a guide for the sometimes thorny question of earnings in regulated industry. In years of general prosperity, such as the present period, an appropriate objective for regulated industry might be the average attained in the central tendency of the manufacturing companies during the years 1946–1965. This would recognize the greater volatility of manufacturing earnings and would require earnings approaching 12.0% on common equity. While this is roughly two percentage points below the manufacturing company average of 13.9% achieved in a generally prosperous period, regulated companies might be expected to earn at a rate somewhat above the central tendency of the manufacturing companies in a period of low earnings.

If the regulated companies do not attain earnings of such comparability with nonregulated business, we could witness a long-term misallocation of society's resources, with regulated companies ultimately becoming unable to secure investment capital. The potential danger to society from such a course is pointed up by the experience of the railroads, which have not been able to issue new common equity capital for over a quarter of a century.

Impact of Risk? It is sometimes asserted that differences in risk among different industries might account for differences in realized earnings. If risk, in fact, determined earnings, it should be expected that the companies in each industry would earn at basically similar rates. However, this does not appear to be the case, as Part C of Exhibit IV shows. Here the 528 manufacturing companies are arrayed in each industry according to their rate of earnings on equity. The spread of earnings rates in each industry is roughly similar to that shown for all manufacturing companies, depicted in Part A, regardless of their industry classification. Thus it appears that there is a general centering of rates of equity earnings and that there is no discernible pattern of returns that might be associated with presumed differences in industry risk. In short, the demonstrated deviations from the central tendency would appear to be attributable to factors other than differences in industry risk.

Benefits of Approach. There are clear advantages accruing to the investor and to society as a whole when management follows the opportunity cost principle.

First, investors benefit because the opportunity cost standard will, over the long run, help to move the company's stock in line with other stocks generally, regardless of stock market psychology at any particular time. The opportunity cost concept is, in essence, *the* market test of adequate earnings: if a company is unable to earn at competitive rates, its market price will suffer, and selling new shares on terms fair to existing shareowners will become difficult if not impossible.

Secondly, society also benefits because economic resources are allocated in the most efficient manner consonant with the precepts of freedom and free enterprise. Consumers' decisions "to buy" or "not to buy" are signals transmitted through the market system to producers who, in hopes of earning a profit, attempt to satisfy consumers' needs and desires.

QUESTIONS FOR POLICY MAKERS

At this point I would like to raise a number of questions, suggested by the points outlined earlier, that are important to business and political leaders who are responsible for implementing national economic growth objectives.

1. *How do corporate earnings rates affect GNP and employment rates?*

Part A of Exhibit V presents the postwar earnings record of the 528 manufacturing companies. These companies averaged 14% on common equity. There was a slight gap at about the time of the 1953–1954 recession, with a return about 14% in the prosperity of 1955–1956. Subsequently, a sizable earnings gap began in 1957 and persisted until about 1965, when the gap closed. The low points in earnings of about 10% on common equity were reached in 1958 and 1961.

The decline in the corporate earnings rate cannot be explained by higher depreciation charges in recent years. Admittedly, the absolute amount of depreciation has risen because of greater investment. But the crux of the matter is the trend of depreciation *per $100 of plant invested* This moved down from a high of 6.3% in 1955 to a low of 5.5% in 1961 when earnings were likewise at a recession low.

The impact of the gap in corporate earnings is reflected by Part B of Exhibit V. As a result of the closing of the earnings gap, which was brought about largely through recent legislation designed to stimulate corporate profitability and economic growth as well as employment, the GNP gap has been effectively closed. Simultaneously, unemployment has been reduced to the 4% level.

2. *Are postwar relationships between earnings and growth likely to continue?*

The general lack of data prior to the mid-1920's renders this a difficult question to answer. However, Part C of Exhibit V indicates that the relationship between earnings and growth has been "general" over a period of at least four decades. In this comparison, each of the years 1925–1965 is classified into one of three equal groups:

1. Years of lean profits.
2. Years of average profits.
3. Years of good profits.

In the leanest years, when earnings on equity averaged about 10%, investment in new plant and equipment comprised a bare 7% of GNP. During the middle years earnings on equity averaged 11% to 12%, and spending on new plant and equipment moved up to some 8½% of GNP. But in years of highest profitability—when earnings exceeded 13% on common equity, the nation's plant and equipment spending accounted for over 9% of GNP.

To me, this clearly indicates that the public interest will be served if our nation's leaders guard against any imposition of restraints on corporate profitability that might develop in the years ahead.

3. *Has government regulation of the earnings of public utilities effectively served as "the law's substitute for competition"?*

Exhibit VI suggests that the opportunity cost criterion has been broadly operative for the regulated electric companies. The 128 electric utilities for which data are included in this exhibit account for over 90% of the nation's electric utility industry. As a group, these electrics averaged 12.3% on common equity. This rate is somewhat below the 13.9% averaged for the manufacturing companies, but the great majority of the electrics fall in the central tendency, and the equity earnings rate of 12.1% for this majority is virtually identical with the equity earnings rate of the companies comprising the central tendency of unregulated business. In short, the data suggest that regulation has indeed served effectively as "the law's substitute for competition."

4. *What would be the impact of a corporate tax increase on national economic growth?*

This is a rather timely question in view of pressures to increase corporate and personal taxes to serve as a brake on inflationary pressures. The question has many facets which cannot be fully explored here, but certain aspects bearing on long-term corporate economic problems are pertinent to our discussion.

The period 1946–1957 witnessed reasonably good growth in the U.S. economy. In these years corporate profits after taxes came to 9½% of disposable personal income. However, during the slowdown in economic growth that commenced after 1957, corporate profits dropped to only 7½% of disposable personal income. In recent years, following the successful implementation of legislation designed to stimulate economic growth, corporate profits are back in better balance with disposable personal income; that is, profits have been averaging about 8½% of disposable personal income. However—in view of the increasing investment required per worker today—it would seem that corporate profits should tend to rise relative to disposable personal income.

As our nation's leaders consider remedies for the recent upsurge in inflation—a short-run problem, it is hoped—recognition might well be given to the long-term impact of any proposals for a corporate tax increase. Disproportionate increases can bring a return to the low corporate earnings witnessed in the years of the "GNP gap" with its high unemployment.

In addition to the basic question of a fair and equitable tax structure, one of the more obvious ways to bring prices into line is to use new plant and equipment to increase output and gain efficiencies.

THE TASK AHEAD

This nation faces human and economic problems of truly staggering proportions.

Prominent among these are the reversal of the persistent gold outflow of recent years and the task of providing employment for the millions of young people who will soon increase the labor force substantially.

Also, as Exhibit VII shows, many young people will be attaining marriageable age during the next 15 years, and a tremendous increase in household formation may be contemplated. All this adds up to an overwhelming need for continued high levels of investment in plant and equipment, schools, housing, public utilities, hospitals, and the like.

As businessmen, we must strive to serve the national interests fully in attaining our country's economic goals. This means that as decision makers in the corporate process, we must be alert to remind our nation's political leaders of the fact that any reduction in corporate profitability at this time carries the threat of increasing unemployment and economic stagnation. This is a price our citizenry can ill afford to pay.

[Note.—Exhibits I to VII, referred to in the foregoing article, are in chart form and cannot be reproduced in the Congressional Record.]

BUSINESS, GOVERNMENT, AND THE CONSUMER

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Younger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. YOUNGER. Mr. Speaker, recently Mr. Neil McElroy delivered an address on the subject "Business, Government, and the Consumer." Mrs. Oveta Culp Hobby, former Secretary of Health, Education, and Welfare, gave the introductory remarks as follows:

> If this Nation is to survive as a democracy with an economy based upon private enterprise, there must be an intelligent partnership between government and business. In this speech, Neil McElroy offers a stimulating

and constructive analysis of business and industry in relationship to our Federal Government. It is a speech which should interest any American citizen.

Mr. McElroy's address follows:

BUSINESS, GOVERNMENT, AND THE CONSUMER

I am grateful for the opportunity to take part in this convention and to talk with you about a major concern of that part of American business which manufactures and sells products to American consumers.

I come before you at a time when manufacturers of consumer products are uneasy because of recent government initiatives that affect or might affect them. These are familiar to you so I will not describe them but will list a few of them so there will be no uncertainty as to the type of government action I am referring to.

1. The Packaging Bill.
2. The report of the National Commission of Food Marketing.
3. The establishment of standing subcommittees in Congress to invite federal solutions to consumer problems.
4. Continuing advocacy of a new executive department to advise in the consumer area.
5. A new official thrust against advertising. For many years there have been intermittent criticism of advertising on the ground that it is wasteful and inflationary. Recently, however, these criticisms have been supplemented by a charge that advertising tends to build a monopoly position for the products advertised, and by a proposal to develop government-supported antidotes to selling by advertising.

I shall not undertake a detailed dissent to such proposals; rather I should like to think objectively with you about them and to put before you some steps that industry can take to treat some of their underlying motivations.

We shall begin by stating the obvious—that we in business do not oppose government restraints required to protect consumers against unfair or deceptive marketing of products, or against product performance which threatens the health or safety of individuals, or against practices which transgress anti-monopoly statutes. There is another side to this coin, however. If a free economy is to operate efficiently there must be a minimum of restraint and a maximum of freedom for management to make the innovational decisions which drive the economy forward. Thus, unnecessary legislative restraints in the economic field must be avoided. If not, the accumulating burden of law and regulation may be insupportable and a slowdown of business growth would then become inevitable. This in turn would raise many problems, including a shortage of jobs for the expanding work force of the future, and insufficient tax revenues.

We assume that most proposals to restrict the operation of consumer products businesses are put forward because of a political judgment—which may be correct or incorrect—that there is substantial voter interest in modifying certain business practices. This is the way a democracy works. Certainly I would not expect those in government to constrain or hurt business except as they feel there is an overriding need for the correction of some injury or threat to the public.

What then are the kinds of action which business should undertake in order to forestall *unwise* government restraints? Or, when restraints are deemed to be necessary, how can effective advice be channeled to government officials in order that their decisions may be made with a minimum of injury to business?

I hope you won't consider me "preachy" when I suggest some initial guidance for businessmen who give personal time in the handling of problems with government: i.e., to approach this task with the same attitude as they would use in dealing with any other business problem. Most government officials react quite the same as businessmen and are receptive to the same rational approach that businessmen are accustomed to use with each other. This is not to suggest that political influences at times do not alter the receptivity or the decision; however, politics is not the natural environment of most businessmen and, therefore, they should for the most part handle their Washington problems in the normal manner. Moreover, there is nothing more persuasive to a legislator or to any government executive than facts honestly and clearly presented and in adequate time to be considered. Added to this should be a genuine attitude of respect for the individuals with whom we deal in government. These men and women are doing their best to advance the interests of the United States.

Men at the top levels of the managements of our companies will need to re-evaluate the amount of time that they have heretofore considered necessary for the handling of relationships with government officials. There will doubtless be in every session of Congress several pieces of legislation which would have a major impact on one or more segments of the business community. Businessmen must be prepared first to put their thoughts regarding this legislation in concise and lucid form and then to present this information to those in government who have the responsibility for reviewing the facts before recommending or taking action. Unless business is willing to put its case on proposed legislation or proposed regulatory actions (which often have the force of law) before the officials involved, there is no way for these officials to include the business point of view in policy decisions.

Engaging in debate over proposed new government policies and programs is one way in which business can make its viewpoints effective. However, this is not the most satisfactory use of time of the business executive because it is ordinarily defensive in nature. There are obvious ways in which business can proceed in advance of any proposed governmental action in order to accomplish voluntarily either an improvement in the public's understanding that a business practice is right, or through self-policing to correct a business practice which is undesirable.

I should like to offer some suggestions with respect to each of these.

In the improvement of public understanding there is an obviously desirable procedure:

First, self-examination by each industry in order to delineate its weaknesses with the public;

Then, subsequent decisions to correct these weaknesses where possible; and,

Finally, information programs to assure the public of industry's acceptance of its responsibility to operate in the public interest.

I know that this kind of self-study and planning is being done by some industries. It would be reassuring if it turned out that most of the industries which sell products to consumers are preparing to deal with their public and political problems in this enlightened manner.

Once the weaknesses of an industry are identified, the corrective and counter-action should include widely publicized statements and addresses by top executives. Take advertising, for example. You and we know that advertising has been one of the great stimulative forces in our society—that it has sharpened competition and thereby sped up the development of new products and the improvement of existing products through an expanded research and development effort. We know that advertising has encouraged rapid expansion of consumer demand for products with the result that costs have been reduced and thereby living standards have been improved. We know that as a result of the increased consumption of goods which has been stimulated by advertising, many new jobs have been created. Add these together and we establish on the credit side of advertising a flow of new and improved products, an increased standard of living for our citizens and greater employment.

The values of advertising to our society are enormous and yet advertising is viewed more and more critically by government officials. It's going to be necessary for more top executives to speak more often in support of the values which advertising brings to our economy; and each industry which uses advertising can cite its own chapter and verse to demonstrate that these values are real and not theoretical.

It's going to be equally necessary for the major executives of our consumer-serving corporations to make clear that a proliferation of laws, even though all may be designed to protect the consumer, may threaten the basic efficiencies of a private enterprise economy. As I have said before in this talk, there are certain consumer protections for health, safety, and anti-deception which must be provided. However, when legislation goes much beyond these "musts" the inevitable price that must be paid in the slowing down of the entrepreneurial drive of business must be kept before the public and before those in political power if it is to receive the consideration which the national interest demands.

Now as to self-policing: As you well know, there is in this country a highly regarded organization which up until now has been operating principally on a local basis. I refer to the Better Business Bureaus. The Bureaus are financed by business and are widely used by consumers for checking up on business practices which seem questionable.

There are 126 Better Business Bureaus in this country. On average these bureaus now have nearly 3½ million contacts per year with consumers. In these contacts they serve a function of providing unbiased information to consumers and composing differences between sellers and customers. Consumer-serving industries can and should make use of the information available regarding consumer interests and complaints from these 3½ million contacts in the self-examination proposed earlier in this talk.

Up until recently the operation of the Better Business Bureau complex has had an essentially local orientation; however, in recent months, with substantial help from the Association of National Advertisers, the Bureaus' association has been initiating the development of an added function directed toward a broader availability of Better Business Bureau service as a "third party" in differences between business and consumers.

A Board of Trustees has been created for the newly vitalized Research and Education Foundation of the Better Business Bureau. This Board includes such noted Americans as Charles Kellstadt as Chairman (he was formerly Chairman of Sears, Roebuck); Oveta Culp Hobby, former Secretary of Health, Education, and Welfare; Henry Ford; C. W. Cook, Chairman of General Foods; Louis B. Lundborg, Chairman of the Bank of America; and others.

Especially significant is the decision of the Association of Better Business Bureaus to establish in Washington an Office of Consumer Affairs. The major function of this Office will be to help in providing accurate and detailed data on consumer attitudes and problems to those parts of the government concerned with consumer-business relationships. There has been all too little fact and all too much speculation in recent political discussions of consumer affairs.

Hopefully, as this new Better Business Bureau activity develops over the years, our national government will come to look to this national Office of Consumer Affairs for reliable consumer data and for help in the resolution of problems between business and consumers. While this is an idealistic objective at this time, there is reason to believe that the organization can obtain this kind of acceptance in the Washington environment if it fulfills its role with imagination, competence, and integrity.

Now, in conclusion:

I hope that this talk may have suggested to you that our business managements should recognize recent government initiatives as calling for:

1. Self-examination by the consumer-serving industries though objective research.

2. Identification of areas of weakness in which corrective action can be taken.

3. A program by each consumer-serving industry of informing the public and government officials regarding the efforts taken by industry in self-analysis, in the correction of its weaknesses, and in the operation of its affairs in the public interest.

Our purpose as businessmen is to provide the goods which the American consumer wants and needs. We believe that we are conducting our affairs in a way which is responsible and of service to our many publics and to our government, as well as to our companies. However, that belief is not enough. We must carry to the public and to our government an understanding of the fact that the economic and social advantage to our country of the efficient operation of our businesses requires an environment of as much freedom for management decision as the most intelligent application of public policy will permit.

WATKINS PROPOSES TAX INCENTIVE PLAN TO CORRECT AIR AND WATER POLLUTION

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. WATKINS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. WATKINS. Mr. Speaker, today I have introduced legislation, which I firmly believe can, to a great measure, solve a major health problem confronting this Nation—the polluting of our water and air resources.

Under my bill, any industry which undertakes to construct facilities to correct the pollution of air or water would be entitled to a 20-percent incentive tax credit applied to all costs of the facility buildings, improvements, machinery equipment, and land.

In addition the taxpayer will be permitted at his election, to amortize these expenditures during the tax year or over the next 4 years after the year in which the expenditures were made.

Air and water pollution has become a major national problem and something must be done at the Federal level to help alleviate it. Not only does the polluting affect the health of every man, woman, and child, it also attacks the natural beauty of our Nation, destroying streams, turning our rivers into conduits for human and industrial waste, and enveloping our cities in dense covers of smog.

We can spend millions and millions of dollars on plans to tell us what should be done to correct these problems, on research to establish technical levels setting the point at which pollution becomes dangerous, but we still will not accomplish our ultimate goal—stopping pollution.

This, I believe can only be done by offering those at the source of the pollution a strong incentive to do something about it. I believe that industry will do everything within its power to correct, voluntarily, its own pollution problems, but must be offered financial assistance.

Money spent by private enterprise for the construction of these costly facilities is an investment in nonproductive facilities, primarily in the public interest, requiring high, nonproductive operating costs which continue against future earnings.

There are two ways the Federal Government can provide financial assistance. One is through Federal grants. The other is by offering a tax incentive. I undertook an extensive survey of major industries within my congressional district, which covers all of Chester County and the western portion of Delaware County.

Within that district is a representative group of industries most often blamed for polluting our air and water resource—oil, steel, and paper product producers. From that survey, accompanied with a financial analysis of both methods, I have determined that the tax incentive method is the best and most efficient.

We all know that any Federal-grant program too often bogs down in bureaucratic delay and extremely costly administrative redtape. However, by using the tax incentive method, we can utilize the facilities of an existing Federal bureau—the Internal Revenue Service.

I must pause here to pay my respects to my colleague, the gentleman from Ohio, Congressman BROWN, who introduced similar legislation last week and who was instrumental in directing my attention toward a sound fiscal solution to this problem.

The survey of the industries within my district leads me to believe that with this tax incentive program as law, they would immediately enter into a program to construct such facilities.

Under this legislation, a taxpayer will have to qualify for the benefits of the incentive tax credit and the rapid tax amortization provisions by obtaining approval from the appropriate State agency that the facility is to be constructed in accordance with the State's program for abatement of air and water pollution.

While the provisions of the legislation are relatively simple, they are essential to speed up construction of these necessary facilities. Business and industry must have these incentives to undertake programs of the scope necessary to solve the Nation's pollution problems.

Pollution of our air and water resources continues at an alarming rate, but through this program I believe control facilities can be constructed quickly to prevent further pollution.

I urge every Member of Congress to join with me in support of this program.

COMBATING EMPLOYMENT DISCRIMINATION DUE TO AGE

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I have introduced three bills today to help combat the problem of discrimination in employment due to age.

These bills, for which I wish speedy passage in this session, would prevent the systematic exclusion from employment of individuals over the age of 45, or discrimination against these individuals once employed, in terms of the conditions or privileges of their employment.

Too many employers still tend to think of age 45 as the cutoff point for employment, thus robbing themselves and the Nation of productivity of this increasing group of stable, mature, and experienced personnel. This is also patently unfair to employees in this category.

It is apparent to me that Federal legislation is badly needed to help both employers and employees prevent this wasteful and discriminatory practice.

I have thus introduced the three bills.

One would prevent discrimination in employment because of the age of the applicant.

The second would make it an unfair labor practice for an employer or labor organization to discriminate unjustifiably on account of age.

The third would provide an income tax credit for an employer for increased costs directly due to the employment and/or training of older persons in his trade or business.

I strongly urge the adoption of all three bills.

"RECKLESS ESTABLISHMENT"

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TALCOTT. Mr. Speaker, the syndicated columnist Jenkin Lloyd Jones, in the February 4 Washington Star, reiterated an apt simile of many knee-jerks of the "reckless establishment"; namely, "they rev up their vocal chords into high gears while their brains idle in neutral."

Good illustrations of this sad syndrome, especially among persons who should know better, occurred in many forums during the past few weeks concerning the firing of President Clark Kerr by the board of regents of the University of California and the related attempt by Gov. Ronald Reagan to retrieve some fiscal and intellectual solvency in the higher education system and government of California.

Many columns, speeches, articles, and editorials were ignorantly or maliciously published by the "reckless establishment." They either aped the Savios, Induces, Aptheckers, and other troublemakers on the university campuses without bothering to ascertain the facts or they wantonly and prematurely grasped at a fragile opportunity to criticize or embarrass the board of regents or Governor Reagan without making any constructive suggestion.

Next to the protection of our children, the education of our children is our most important mission. California taxpayers, Governor Reagan, the board of regents, and most students recognize this.

There is no such thing as "free education." There is only expensive—very expensive—education. The total cost of college education has never been published—taxes are only one source. Payments of students and gifts of foundations, alumni, individuals, and other governments add to the enormous total. The problem is not only the costs, but who shall pay the costs. Some students have written to me suggesting that neither they nor their parents should have to pay for their education because they will use their education to benefit society. But if neither they nor their parents should pay for the education that primarily benefits them, why should their neighbors or other remote citizens living 800 miles away pay the costs?

On Friday, February 3, 1967, in the "Letter to the Editor" column of the Washington Star, one writer displayed more knowledge of the situation than most of the apologists of the "reckless establishment." I include the letter of Charles Enders.

SIR: I must take exception to a statement by Max Lerner: "But the head of the Board of Regents also denies it." This refers to Governor Reagan's statement that Dr. Kerr had demanded a vote of confidence from the regents. What Theodore R. Meyer, chairman of the Board of Regents, said concerning this matter is as follows: "A few minutes before the convening of last Friday's regents' meeting, Mrs. Dorothy Chandler, board vice chairman, and I met with Dr. Kerr at his request. He told us that he could not carry on effectively under existing conditions and that if the question of his continuing in office was likely to come up at any meeting in the near future, he thought the regents should face up to it and decide it now, one way or the other."

While Dr. Kerr did not actually say: "I want a vote of confidence," his statement to the chairman of the board actually was a request for such a vote. That the board so interpreted what Dr. Kerr said is expressed by Mrs. Randolph Hearst, a regent, who said: "Kerr delivered an ultimatum to the Regents to the effect that they must either give him a vote of confidence or release him from the office of president."

It is evident from this testimony that the chairman of the board did not concur with Dr. Kerr's charge of "falsehood," but rather sustained Gov. Reagan's statement.

It should be noted further that the motion to dismiss Dr. Kerr was made by Laurence Kennedy, who was put on the Board of Regents by Governor Brown in March 1964. It might likewise be noted that five of the ten regents appointed by Governor Brown voted for Dr. Kerr's dismissal. Does this look like a Reagan maneuver?

CHARLES ENDER.

ARLINGTON.

Another writer, John E. Kieffer, expressed a view that is by far the most prevalent among constituents who wrote me. I include his letter:

SIR: Dr. Kerr and his chancellors all possessed the authority to stop these actions within the university system and to deal firmly with them, as is expected of any educational leader. Their failure to do so is contrary to everything the parents and taxpayers of California have a right to expect. As head of the system, Dr. Kerr must rightfully bear the responsibility and the blame for these disgraceful exhibitions.

The secondary schools of the United States are making every effort to instill in their students high and reasonable standards of ethical conduct, patriotism, honor and a sense of obligation and civic responsibility. These efforts are useless if we are subsequently to turn over our graduates to an environment such as flourished in the University of California system.

There is no question that Dr. Kerr is an able educator within the technical scope of his own academic field. However, as the leader of 87,000 university students whose training cannot help but have an impact on our national future, he has left much to be desired. His removal may well be an initial step in a movement many of us desire to see—the return of the professor to the status of teacher, rather than that of propagandist, and the re-establishment of the university as an institution serving national needs and national progress, rather than a breeding ground for crackpot agitators.

JOHN E. KIEFFER,
Colonel, U.S. Air Force (Retired).

Another writer, a California taxpayer with two sons in the university, expresses the most thoughtful and practical view—which fortunately is shared by the large majority of my constituents who write to me on this subject. I include the letter of Irene Howard:

SIR: Oh, the sanctimonious know-it-allness of Max Lerner! I am a legal resident of California, and have two sons in the university system, so I am deeply interested in the situation. As Mr. Lerner said, "California has built up an impressive structure of higher education" and, he failed to add, at the taxpayers' expense.

The bleeding hearts who mourn for the "students who would be denied an education" because of a small charge, should examine the economic condition of the State of California and realize that Mr. Reagan is trying to balance the books in some small way. And I believe in a right and just way. Certainly I shall be glad to pay tuition for my sons. I do not feel that the rest of the taxpayers of California owe my sons a college education. Clark Kerr did.

IRENE HOWARD.

ALEXANDRIA.

Quite obviously, new or different techniques, methods, and systems are necessary to finance higher education. Jenkin Lloyd Jones suggests a "credit plan" for higher education. He offers a constructive proposal which deserves consideration.

Another plan for waiving tuition for scholastic achievers has been suggested. This proposal would permit the college administration to waive tuition for the next succeeding semester after a student attains a ranking in the upper quarter of his class academically. One-half the tuition could be waived for each student who attains the second highest quarter of his class. Such a plan would encourage scholarship, provide incentive, and discourage those who hang around college campuses primarily for extracurricular activities.

The problems and achievements of the great University of California should be studied by other universities, State governments, and the Federal Government. There are lessons to be learned about intellectual pursuits, the financing of an enormous educational institution, taxation, university administration, and student appreciation and discipline.

Maybe the University of California is so large that academicians cannot administer it. Maybe the taxpayers cannot appreciate the fabulous product of their university. Maybe some students have been lulled into the false belief that education is free or that society or their State owes them an education, as well as a living. Maybe some students and teachers do not deserve their unmatched opportunity and should make room for the more deserving and appreciative.

Maybe we should all—teacher, administrator, taxpayer, elected official, student, parent—get our heads together—without butting them—and strive to solve the obvious financial problems rather than carp for criticism's sake.

I include Mr. Jenkin Lloyd Jones' column which I just mentioned:

CREDIT PLAN FOR EDUCATION URGED

(By Jenkin Lloyd Jones)

The big dust-up at the University of California that resulted in the bouncing of President Clark Kerr undoubtedly had its origins in the ferments last year on the Berkeley campus.

The overwhelming majority of Californians were fed up to here by Mario Savio and Bettina Aptheker, and by assorted Communists, LSD-pushers, pot-smokers, free love champions and dirty sign wavers who flew over from San Francisco's beatnik batroosts and found a university administration utterly incapable of reaching any reasonable definition of "academic freedom."

But what tore it finally was Gov. Ronald Reagan's insistence that California's higher education budget be cut, part of the difference to be made up by imposing tuition fees for the first time.

Kerr reacted emotionally by embargoing all new admissions. The knee-jerks of the "liberal" establishment were both predictable and violent. A Republican governor was out to limit education to the rich and well-born. America's academic hierarchy, which rushed to Kerr's aid last fall by declaring California's university system the finest in the country, denounced Reagan for dismantling it.

It is a sad fact of human physiology that the vocal cords can operate in high gear while the brain is in neutral, and this is as true of intellectuals as the rest of us. Reagan faces a $400 million state deficit next year, and the cost of operating California's state-owned colleges and universities runs at just about that figure.

In the days when a state university consisted of Old Main, 10 starving professors and a small telescope it wasn't much of a burden to the taxpayers. Today, public higher education is a tremendous load. Young America has a tapeworm appetite for diplomas—and quite rightly. In the technology bursting upon us higher education of a broad spectrum of our young is not only necessary for their own welfare, but for the needs of that technology, and even foi national survival.

The question is simply this: How much of the cost of that education should be borne by the beneficiaries or their parents, and how much by the general public, including those who can never hope to share directly in these benefits?

Besides its intellectual blessings, a college education is a huge cash asset. Over a 45-year earning period it is estimated that the average college graduate makes about $200,000 more than the average high school graduate. Should the Fresno truck driver and the Imperial Valley tomato-picker, who never saw a college classroom, be required to contribute additional tax money so that others can be educated free into salaries far above the laborer-level?

Yet, on the other hand, are expanded scholarships the best answer for putting through college natively-bright young Californians who can't afford to pay tuition? A scholarship is, after all, a gift. Under the proposed plan, those who pay the tuition will subsidize those who can't. Is there another way?

There certainly is. Americans invented the installment plan. We buy houses, automobiles, television sets—even trips to Hawaii—with practically nothing down and payments later. Why not college educations? As a matter of fact, installment buying of college degrees makes far more economic sense than installment buying of anything else, for the paying ability of the degree-getter increases as the years go on.

Why shouldn't California, and every other state, calculate the per-student cost of higher education at every level? Considering necessary libraries, laboratory equipment and professors' salaries, the cost per semester should be cheapest in the junior colleges, most expensive in the graduate schools.

Let the state require students who can't pay tuition to sign notes, payable over a 10- or 15-year period beginning three years after graduation. Let these notes carry a scale of interest beginning at 6 and ending at 10 percent, first to encourage early payment and, secondly, to compensate for inflation.

Finally, let it require insurance against early death or disability. The state would assign the policy to the assured on payment of the debt and any private company should be delighted to write it at rock-bottom rates because the policy holder would be inclined to use the same company for his future insurance build-up.

In short, there is no reason why college students have to be handed state subsidies. There is no reason why a student should buy $5,000 worth of instruction and a fair chance at $200,000 extra lifetime income for nothing, or why he should feel he has discharged his obligation to his alma mater by a $10 yearly gift to the alumni association.

Let the state undertake to educate all its willing brains. And let the brains repay the state out of the added dividends.

TRIBUTE TO THE U.S. BUREAU OF NARCOTICS

The SPEAKER. Under a previous order of the House, the gentleman from Oklahoma [Mr. STEED], is recognized for 30 minutes.

Mr. STEED. Mr. Speaker, I have taken this time in order to pay tribute to the U.S. Bureau of Narcotics, to Commissioner Henry L. Giordano and to the gallant men and women who serve with him.

Recent newspaper headlines told a story of another brilliant action by this agency in breaking up a narcotic drug smuggling ring operating out of the Far East through Australia into the United States. What the headlines did not reveal was the fact this success made a heavy blow against a growing and dangerous threat against our country which has its origin in Communist China and which, in itself, is as dangerous as the Communist threat.

My interest in this agency and the work it is doing stems largely from the fact that I have been given an opportunity as chairman of the Appropriations Subcommittee which handles the budget for the Treasury Department and its Narcotics Bureau. For more than a decade this committee work has enabled me to have a detailed knowledge of the work carried on by our Government to reduce the narcotic drug traffic, first from the sources of origin and later within the boundaries of the United States.

Narcotic drug addiction in this country is on the wane. Nations of the world are cooperating more than ever before in stamping out this menace to human health and dignity.

Since about 1960, the Narcotics Agency has carried on an international activity that has met with amazing success. Truly, this program has been foreign aid in its finest form because our program of exporting expert know-how in combating the narcotic drug traffic has returned benefits and dividends many hundreds of times over. I know of no better example of the adage that an ounce of prevention can be worth not pounds, but actually, tons of cure.

This highly successful foreign operation of the Bureau is one of the least known of all our Government's international endeavors. Using only a handful of superbly trained agents strategically located along the historic routes of the international narcotic traffic, the Bureau strikes at the very source of the illicit drug.

Our first work in this area began in 1951 and was limited to Europe and the Far East. As a result of spectacular achievements the Bureau eventually was given primary responsibility for all foreign areas in 1962—and our Appropriations Subcommittee took the lead in providing additional funds for this purpose. This made the Bureau's work worldwide in scope.

Today we have agents operating out of such diverse cities as Istanbul, Beirut, Rome, Paris, Marseilles, Mexico City, Bangkok, Hong Kong, and Singapore.

Needless to say their job is both difficult and dangerous. In 1 year alone they were involved in three gun battles with heavily armed and desperate opium traffickers. Yet their achievements have been startling. Working with their foreign colleagues they have chalked up opium seizures by the ton and heroin seizures in hundred-pound lots.

Illicit narcotics entering this country have been greatly reduced, with resultant decreases in the number of new known addicts. The price of illicit drugs has skyrocketed. Not only have savings to American citizens, to the Government, and to humanity been made in the hundreds of millions of dollars, but literally countless human beings, especially children, have been spared the fate of a living death of drug addiction.

Here are just a few case histories which give an idea of the effectiveness of this program:

In the summer of 1960 narcotic agents stationed in Beirut, Lebanon, obtained information that a man by the name of Tarditi was suspected of smuggling morphine base from Lebanon to France. When another narcotic agent in Paris learned from colleagues in the French Surete that Tarditi had recently returned to France from New York City, an intensive international investigation was initiated. As a result, in October 1960, Bureau of Narcotics agents in New York City arrested Mauricio Rosal, the Guatamalan Ambassador to the Netherlands and Belgium, along with Tarditi and two other henchmen. At that time they seized 102 kilograms of pure heroin valued at over $20 million in the illicit market which remains the largest seizure of heroin in the United States and until recently was the largest such seizure in the world. The four defendants were convicted and received long prison terms.

Following through with leads uncovered in the Rosal case, Bureau agents in France and Mexico were able to identify other major international traffickers. Subsequently, early in 1964, agents in New York arrested Salvador Pardo-Bolland, the Mexican Ambassador to Bolivia, and Juan Arizti, Uruguayan Ambassador Designate to Colombia, after the pair had smuggled over 60 kilograms of pure heroin into Montreal.

In 1965 a narcotic agent stationed in Marseille, France, received information that several French nationals who were then believed to be in New York City were promoting a narcotic transaction. This case was pursued to Columbus, Ga., where in December the agents seized approximately 95 kilograms of pure heroin which had been smuggled into the country by a U.S. Army warrant officer then assigned to Fort Benning, Ga. Further investigation resulted in the indictment of the warrant officer, two French nationals, and a retired U.S. Army major living in France as well as two Mafia gangsters then residing in Miami, Fla. All were convicted in Federal court and received long prison terms.

U.S. narcotic agents take pride in the fact that their efforts contributed to the largest seizure of marihuana on record. In September 1965 they assisted the Mexican Federal judicial police in an undercover case in the State of Gurerrero which resulted in a seizure of three and a half tons of marihuana. The U.S. narcotic agent posed as an underworld marihuana buyer in his negotiations with two defendants, one of whom was wanted for murder.

The case was completed under the most arduous circumstances. The terrain in the area was treacherous, and the remote mountain hideaway of the defendant could only be reached by traveling the last 25 miles on foot.

I could go on and recite scores of other similar cases equally as dramatic if time would allow, but I believe the foregoing examples are sufficiently convincing.

In the newspaper account I referred to previously, the group of international traffickers rounded up total 15 suspects, arrests being made in Honolulu, Miami, and New York, as well as others operating in Hong Kong and Australia. This is just one phase of the total problem confronting us out of the general area of the Pacific Ocean.

Together with members of my Appropriations Subcommittee I have had the opportunity to witness the work of these overseas experts on location. We not only visited with the U.S. agents but had the privilege of meeting a great many of the top officials of the nations involved with us. I cannot praise too highly the wonderful personal standing these U.S. operatives have won from these foreign colleagues, both as to their ability, but especially as to their integrity. I think it is this very personal esteem that makes the difference in whether our overseas efforts succeed or not, and I know of no other group of Americans who have done more to enhance the prestige and esteem in which our Nation is held in other lands. Truly, these agents constitute a dedicated and courageous group of young men who daily risk their lives in this war to suppress the scourge of mankind imposed by traffic in illicit narcotic drugs.

In calendar year 1964 alone, U.S. narcotic agents stationed abroad seized 6.1 metric tons of opium or its equivalent in alkaloids. If this opium had been converted into heroin and smuggled into the United States it would have represented more than 1,300 pounds of pure heroin with an illicit black market value of at least $120 million. This 1 year's total seizure would have supplied every known addict in the United States for at least 6 months.

In terms of human misery the price tag cannot be calculated, particularly when we consider the youngsters who become addicted and keep walking downhill on a one-way road of degradation. Certainly these criminals bent on the subversion of our youth and our manpower resources in general have recognized the role of illicit drugs in their schemes.

For instance, we have recorded with the Bureau as of right now 2,118 known addicts under the age of 21 years. Of this number, 110 are under 18 years of age, which to me is a modern tragedy. Major cities continue to report the death of scores of youngsters who have succumbed to overdoses of heroin. These facts alone would make our illicit narcotic drug suppression program one with a priority of the highest degree.

Even though current statistical patterns continue to give us cause for distress, I believe it is imperative that we remember how much worse these problems would be were it not for the work of our enforcement officers.

Looking back, you may be surprised to learn that in 1914, when our population was approximately 99 million, the American Medical Association estimated there were 256,000 narcotic addicts, or about one out of every 400 Americans. Today, however, as we near the 200 million population level the total recorded addict population is 59,720, an amazing improvement.

In World War I, for example, one man out of every 1,100 was rejected for narcotic drug addiction. Yet, in World War II, that figure was reduced to only one in 10,000. The reason is crystal clear. Effective legislation and effective enforcement have combined over the years to produce what I am sure will continue, a reduction in the illicit drug traffic and a reduction in the availability of illicit drugs in the underworld market. The Harrison Act of 1914, of course, pointed the way. In the early 1920's the manufacture of heroin was outlawed in the United States when it was determined the dangerousness of its addictive properties far exceeded its therapeutic effects and since that time, other enlightened countries have followed suit in banning this drug from medical practice. In 1930, the U.S. Bureau of Narcotics was created within the Treasury Department and to this day, remains as our principal bulwark against this insidious evil.

I earlier mentioned their exploits overseas. On the home front, their activities are equally as sensational. In the early 1930's the Federal Bureau of Narcotics took the lead in exposing the existence of organized crime and the Mafia. Armed with the additional statutory authority of the Narcotic Control Act of 1956 and pursuant to the requests of succeeding Attorneys General, narcotic agents embarked on probably the most successful campaign against the Mafia that we have witnessed to date.

In at least a dozen major conspiracy cases, Bureau agents obtained evidence which resulted in the conviction of over 200 top echelon Mafiosi. Some of the names have become household words. Notorious violators such as Vito Genovese, alleged Mafia overlord who was convicted of narcotic violations, is now serving a 15-year sentence in a Federal penitentiary. Other big names in the organized underworld, such as Big John Ormento, Carmine Galante, Natale Evola, were successfully prosecuted for narcotic violations. These four men attended the infamous Appalachian meeting in upstate New York in 1957.

In 1963, the McClellan committee held its celebrated hearings with former mobster Joe Valachi as the principal witness. Significantly enough it was the Bureau of Narcotics that, in 1959 and again in 1961, convicted Valachi for violation of Federal narcotic laws. He was serving two long prison terms for narcotic violations when he testified. Thus, the cooperation of the Bureau of Narcotics in providing this witness for the Department of Justice and the Senate committee was most laudable. It was just another example of the continuing cooperation that the Bureau of Narcotics renders to all law enforcement agencies.

There is another aspect to this whole problem which I believe must be aired again and again, lest the Congress be stampeded into the relaxation of the stringent laws which have proven to be so beneficial in the continuing fight against narcotic addiction. I am referring to that highly vocal minority which for years has been advocating the free dispensing of drugs to satisfy the craving of drug addicts. For years, these people cited the so-called British plan as living proof of the correctness of their position. Thank God, however, the Congress was not persuaded by their arguments, because today these same people are conspicuous by their silence on the subject of the British plan.

The reason is quite interesting. England today is admittedly experiencing a fantastic rise in the rate of drug addiction. The Parliament, several years ago, became so alarmed that a special committee headed by the distinguished Lord Brain probed their problem in depth. As a result of their findings and the continuing seriousness of their situation, the cry that is heard in Britain today is for tighter laws and tigher sanctions against traffickers.

Those who have argued for the free dispensing of narcotic drugs have also used the argument that the motive for the trafficker would be thus eliminated and the addict, once his supply was assured, would be able to live a useful and productive life. The real experts tell us, however, that 75 percent of the addicts in the United States have had prior criminal records for nonnarcotic offenses before they became drug addicts. It is the criminal who turns to drugs rather than the addict who turns to crime. As a matter of fact whenever researchers of pre-addiction criminality have had access to juvenile records the figure on prior criminality approaches 90 percent. In other words, the addiction for most is merely one facet of a criminal or delinquent behavior pattern.

When we sum up many of the current attitudes toward criminals, whether they be addicts or not, we must come to the inescapable conclusion that there is a group within our society who prefer to substitute the philosophy of excuse for the philosophy of responsibility for every criminal act. I, for one, do not subscribe to such beliefs. Many of these same people now are advocating the legalization of marihuana and LSD while contemptuously ignoring the tragic results that would follow.

I prefer instead to accept the view of the Council on Mental Health of the American Medical Association and the National Research Council of the Academy of Medicine when they speak of the best ways and means of treating drug addicts. They are opposed to the maintenance theory.

When it comes to the subject of narcotic enforcement I prefer to look to the opinions of the U.S. Bureau of Narcotics for the best ways and means to strike at the trafficker. These organizations have proven their position to my complete satisfaction and I submit they deserve the full support of every Member of this Congress.

Mr. Speaker, one final fact. This great blessing of service we have in the Bureau of Narcotics involves a comparatively small budget of $6,138,000 and a total staff of 460.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. STEED. I am happy to yield to the gentleman.

Mr. HALL. Mr. Speaker, I would certainly like to commend the gentleman for taking the time and informing his colleagues, including the gentleman from Missouri, as he has done so well, as to this general problem and particularly to the worthwhile economical and dedicated service of our Bureau of Narcotics.

It just so happens I have perforce—not only professionally but when I was a Chief of a Personnel Service in the executive branch of the Government, during a very difficult time when the use of narcotics had not been replaced by many of our present-day synthetics, and when at the same time of necessity because of the major effort of the United States of America we were having to include some types of drugs in such things as liferafts, for some of our specialized personnel, and many other techniques—worked closely with the Bureau and the Commissioner thereof.

The Commissioners of the Bureau of Narcotics, past and present, have been dedicated people. I have known and worked with them and many of the individual agents. They are seldom thanked and are often unsung as heroes, even though they die in line of duty under very difficult circumstances—oftentimes in back streets and back alleys, because of poverty where narcoticism flourishes. They are completely loyal and devoted. I know the Secretary and Under Secretary of the Treasury are proud.

I want to join with the gentleman and associate myself with his remarks, because I think the Bureau of Narcotics is indeed a division of the Government of which we can be thoroughly proud.

Through the various ramifications and coordination through which we work, as the gentleman from Oklahoma has so well said, and through the Bureau of Public Safety and other departments, whatever they may be called, in other sovereign nations to control this maiming, this chemical affinity for human tissue, this grasping, strangling scourge of the earth that basically is derived from the poppy or the coca leaf and now oftentimes made synthetically, this work deserves the highest commendation. They have prevented not only illegal traffic but have helped prevent the ultimate ambitions of atheistic and godless nations who would arrogate power on this earth and have prevented at our own shoreline, for the good of our Nation, the perversion of our youth in those areas and worked toward the detection and prosecution of those engaged in the perversion of our youth.

I strongly commend the Bureau and I thank the gentleman for bringing this worthwhile and timely message to the House concerning these unsung heroes and this often unthanked Bureau to the attention of the Congress, as well as the world.

I commend the gentleman for his complete and detailed expertise. He has long handled this in the Committee on Appropriations, and now brings it to us in such fashion that it can be read and consumed and digested by this body, and hence, students and the Nation.

I think this report will become a treatise for students of this particular phase of our problems of public safety whether it be in this Nation or otherwise.

Mr. STEED. I thank the gentleman from Missouri very much. I know that the many fine people in this Bureau will be very pleased to know of the gentleman's views.

I hope that my calling this very worthwhile work to the attention of the Congress will further strengthen what this Congress has done in recent years to support this program and provide the means to withstand the attacks that are being made to try to cut down on the authority and the efforts of this agency.

I think the Nation will be greatly harmed if the work of this Bureau is curtailed by any such thing.

I am very grateful to the gentleman for the contribution he has made.

DISASTER RELIEF ACT

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, I am today joining many of my colleagues who support amendments to the Disaster Relief Act by introducing legislation to amend that act by creating the national flood insurance program.

The need for this type of assistance is evident after every natural flood disaster and the subsequent backwash of special laws providing for relief of the stricken area.

In order to create a lasting solution to this widespread national problem, the national flood insurance program will enable the affected citizens to get flood insurance at reasonable rates through private insurance companies. All too often, homeowners, in a potentially dangerous area, are unable to secure private flood insurance, or else it is available only at a prohibitive cost. This bill will authorize the Secretary of Health, Education, and Welfare to contract with private insurance companies to make this type of insurance coverage available to all areas at a reasonable cost to the individual.

A word of commendation is due to the gentleman from Louisiana [Mr. BOGGS] for the leadership he has shown. After Hurricane Betsy last year, the Department of Housing and Urban Development conducted a 9-month study, resulting in specific recommendations for a flood insurance program utilizing the private insurance industry with Government assistance. These recommendations are embodied in this bill, and I am anxious to see prompt committee consideration of this problem.

FISCAL RESPONSIBILITY

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, on February 2, 1967, I introduced a resolution to amend the rules of the House of Representatives with respect to the consideration of appropriations bills.

Throughout much of our history, Congress has been concerned with finding means to keep annual expenditures within the level of revenues, or at least within the guides provided by the Council of Economics Advisers and the Bureau of the Budget.

Many laws were enacted in the 19th century in an effort to accomplish this goal. Furthermore, in 1909, Congress passed the Sundry Civil Appropriation Act which made the President responsible for recommending to it means by which annual expenditures might be brought within the amount of estimated revenues. This act eventually led to the passage of the Budget and Accounting Act of 1921. Since then, numerous bills have been introduced in the Congress for the express purpose of controlling expenditures in relation to revenues.

All too often I feel that the Executive's original budget is not used by Congress as the standard for predicting our national finances. Certainly the Congress is not bound by this budget, but unless we provide a means of informing ourselves of the overall financial picture which will materialize, we will doubtlessly disrupt, to alarming degrees, the planning which works to stabilize our economy.

The sophistication of our economic planning long ago reached the level dictating that this hit-and-miss policy be abandoned. The strength of the economy is too dependent on the national budget to allow the planning of our top economists to go unheeded in congressional appropriations measures.

But this is exactly what has been done.

With noted exceptions, I propose that the rules of the House be amended to prohibit the consideration of appropriation measures in the House any earlier than 30 calendar days before the beginning of the fiscal year and until authorization bills have been reported by the Appropriations Committee in either the President's budget or the legislative budget and a summary report covering the bills has been published.

Excluded from the provisions of my resolution would be private bills, bills appropriating funds essential for national defense, bills appropriating funds essential to meet national emergencies, and bills in which the aggregate amount of all those considered would not exceed 20 percent of the total funds appropriated in the fiscal year most recently ended.

There are currently provisions for the Committee on Ways and Means and the Committee on Appropriations of the House of Representatives and the Committee on Finance and the Committee on Appropriations of the Senate to meet jointly at the beginning of each regular session of Congress, and after consideration, report to their respective Houses a legislative budget for the ensuing fiscal year.

Section 138 of the Legislative Reorganization Act of 1946 provides:

> Such report shall contain a recommendation for the maximum amount to be appropriated for the expenditure in such year which shall include such an amount to be reserved for deficiencies as may be deemed necessary by such committees. If the estimated receipts exceed the estimated expenditures, such report shall contain a recommendation for a reduction in the public debt. Such report shall be made by February 15. Also, the report shall be accom-

> panied by a concurrent resolution adopting such budget and fixing the maximum amount to be appropriated for expenditure in such year. If the estimated expenditures exceed the estimated receipts, the concurrent resolution shall include a section substantially as follows: "That it is the sense of the Congress that the public debt shall be increased in an amount equal to the amount by which the estimated expenditures for the ensuing fiscal year exceed the estimated receipts, such amount being $———."

Under the plan I envision, the joint committee established by section 138 of the Legislative Reorganization Act of 1946 would meet early in each session to consider the Executive budget. They would then make an initial estimate of the amount of the deficit, if any, for that year.

Following that, the many authorization bills would receive the separate, specialized consideration they are required. But before any money is actually voted to fund these authorizations, it would be required that, with noted exceptions, all authorization-bill deliberations be completed.

The appropriations bills then could be considered in toto. Congress would not only have the benefit of seeing the legislative program in its entirety, but it would also have the additional insight which arises from the passage of about 6 months and indicates new trends in the economy and in expected governmental revenues.

Modernization is long overdue in the congressional budgetary process and the most glaring defect in the present arrangements is that they do not force Congress to consider the national budget—both intake and outgo—as a unified whole.

By this resolution, I hope to eliminate the piecemeal approach that is sometimes taken by Congress in regard to expenditures which gives the annual budget a haphazard character, which if fully realized, would shock most taxpayers.

Congressional focus on the total spending process is blurred by this tendency to break the budget into fragments.

Through the resolution which I have offered, I am hopeful that we can take a long step in correcting this problem by starting to comply with section 138 of the Legislative Reorganization Act and adopt a technique of consolidation of appropriation bills so that Congress is forced to look at the whole spending picture.

RECOGNIZING OUR OBLIGATIONS TO THOSE WHO HAVE FOUGHT FOR LIBERTY

The **SPEAKER**. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 5 minutes.

Mr. **HALPERN**. Mr. Speaker, I join the distinguished chairman of the House Committee on Veterans' Affairs, of which I am a member, in introducing four amendments to title 38 of the United States Code.

These amendments would equalize benefits for veterans of the conflict in Vietnam, expand educational opportunities and educational allowances for veterans, increase maximum coverage, and liberalize provisions of the servicemen's group life insurance program, and increase pensions for veterans' widows, and children of veterans.

I urge speedy approval of these measures, as helping to fulfill our obligations to those Americans in our Armed Forces who have fought for our country. It is the very least we can do for those who offer their lives in support of freedom and democracy.

However, I must point out that the program embodied in these four measures leaves a gap which ignores our men who fought in Vietnam before 1964. It is true we called them "advisers" when they went to Vietnam in the early days, and we did not recognize the fact that we were fighting a real, hot war. But they deserve no less by way of benefits than the others who have fought for our country.

I will shortly introduce two additional bills to extend the same veterans' benefits to persons who served in Vietnam before August 5, 1964, the date of the Gulf of Tonkin incident, and to provide on-the-job training, on-the-farm training, and business loans to veterans of the cold war and the conflict in Vietnam.

These are important not only to the fighting men returning to their communities, but is of equal importance to our entire economy. Such training and business loan programs will make it easier to assimilate our returned veterans, and to help restore them to the pursuits of peace.

THE HONORABLE CHRISTIAN A. HERTER

The **SPEAKER**. Under previous order of the House, the gentleman from Massachusetts [Mr. BATES], is recognized for 60 minutes.

Mr. **BATES**. Mr. Speaker, during the past two decades, the Commonwealth of Massachusetts has been privileged to have many of her sons in high positions in the Federal Goverment. Some of these persons served in the House or the Senate and thereafter served in capacities of great trust in the executive branch of our Government.

Among the most famous of these have been a President of the United States, a Secretary of State, an Attorney General of the United States, a Postmaster General of the United States, a Secretary of Commerce, a Secretary of Labor, an Ambassador to the United Nations, and now to Vietnam, an Administrator of Veterans Affairs, a Federal Highway Administrator, the present Speaker of the House of Representatives, a former Speaker of the House of Representatives, a Clerk of the House of Representatives, and a Member of this body who later became Ambassador to Canada, to mention a few.

Today, we pause to recall the name and fame of one of the most renowned men Massachusetts has produced in generations—the Honorable Christian A. Herter.

While we must leave it to the formal biographers and historians to detail the many facets of achievement in the life of our beloved former colleague in the Congress, those of us who knew him meet here today to record in some small measure the esteem in which we held this great public servant.

There are various reasons why I might consider it appropriate to ask that this hour be set aside today. Custom prescribes that the senior Member of the political party to which the deceased was affiliated should initiate and conduct the eulogies for former Members, but neither custom nor duty is the force that motivates my action this afternoon. Nor is it even sufficient to say that I am impelled to do so by the fact that although his home was in Millis, Mass., when he sought rest and contentment it was at his summer house in Manchester by the Sea in my congressional district. It was more a personal rather than an official reason that prompted my request. It was because, like so many of you, I considered him a friend for whom I had great respect. He was a sterling character with high and noble ideals and purposes.

When on December 30, 1966, we were all deeply saddened by the news that Mr. Herter had suddenly been taken from our midst, I expressed my thoughts about him in these words:

> Mr. Herter was distinguished in many ways—a very unusual, experienced, talented and dedicated public servant. When I served with him in the Congress, it was evident that the great respect for him and the high esteem in which he was held was a reflection of his rare qualities of leadership. He was a very human and understanding person.

UNDER SEVEN PRESIDENTS

As we reflect on the scope of the public service rendered by this man who held positions of great responsibility under seven Presidents of the United States, it is difficult to find words to express our profound admiration for him. The highest office held by Mr. Herter was that of Secretary of State, after advancing from Under Secretary in 1959, upon the death of John Foster Dulles, and I can think of no better way to honor his service in that capacity than to quote the President in whose Cabinet he was a member. At the time of Mr. Herter's death, Dwight D. Eisenhower said of him:

> It was with a sense of personal and tragic loss that Mrs. Eisenhower and I learned of Christian Herter's death. For many years he has unceasingly given much to his country selflessly and with great dedication. His wisdom and devotion to peace will be missed by free people everywhere.

His fellow Massachusetts resident, the late President John F. Kennedy, retained Mr. Herter as his Special Representative for Trade Negotiations, a position in which he continued to serve under President Lyndon B. Johnson. In tribute to this service when it was so abruptly terminated by death, Mr. Johnson expressed his "great personal sorrow" at the loss of "a great American," and he stated:

> Throughout his life he stood for an America that would assume its full responsibilities on the world scene in conformity with the highest values of our national tradition.
>
> Christian Herter was a wise, gentle, and wholly dedicated patriot. He will be missed greatly by all of us; but his life and work

will always be remembered as an important part of the half century which has transformed this Nation's place in the world community.

Mr. Johnson also noted that Mr. Herter was "with President Wilson at the Versailles Peace Conference in 1918–19." On that occasion he was secretary of the American Peace Commission.

Symbolic of messages from people all around the world was this one from the Commission for the European Economic Community:

> The Commission deeply regrets the death of this statesman, who had so many claims on our gratitude and who placed the wide knowledge and experience acquired in many years of successful political activity—including a term as Secretary of State under President Eisenhower—at the service of the Trade Negotiations in Geneva. Governor Herter devoted himself unsparingly to the success of these negotiations, which are of such outstanding importance for the further economic development of the free world.

Mr. Herter's public service career began and reached its peak in the State Department, but his principal association with another President, Herbert C. Hoover, was in the post-World War I years before Mr. Hoover entered the White House. Already distinguished as a young Foreign Service officer, Mr. Herter accompanied Mr. Hoover abroad in 1920 as executive secretary of the European Relief Council. When Mr. Hoover became Secretary of Commerce in 1921, he selected Mr. Herter as his personal assistant, a post he filled until 1924 under both President Harding and President Coolidge.

GOVERNOR OF MASSACHUSETTS

Christian Herter was perhaps best known in Massachusetts as our Commonwealth's Governor from 1953 through 1956. He had come to Congress in 1943 and served with distinction for 10 years after serving in the Massachusetts Legislature from 1931 through 1942 and as Speaker of the House for his last 4 years there. At the time of Mr. Herter's passing to his reward, our present Governor, the Honorable John A. Volpe, said:

> He was a great statesman, a great Governor and a great person. He made many lasting contributions to the welfare of mankind.
>
> He will be sorely missed throughout the world.

Another former Massachusetts Governor and House Speaker was a close friend of Mr. Herter from the days when they were at Harvard together. So it is particularly fitting at this point to quote a statement which was issued as one of the last official acts of the Honorable Leverett Saltonstall on the eve of his retirement to conclude his own distinguished career as U.S. Senator from Massachusetts:

> Governor Christian Herter was a gallant gentleman and a public servant of integrity, character and imagination. He performed many services for his state and country from World War I to his death.
>
> We who were his college friends will miss him as a wise counselor.

SERVICE IN CONGRESS

When Congressman Herter represented his Massachusetts district as a Member of this House of Representatives from January 3, 1943, to January 3, 1953, he was considered one of the foremost foreign affairs authorities ever to serve in the Congress.

In this regard, one of the greatest tributes paid to any man in this body was paid to Chris Herter. Early in the 1950's a new program in foreign affairs called point 4 was being considered in the House. The debate on the foreign aid bill had been somewhat prolonged and the Members, myself among them, proceeded to fill the cloakroom. I left the cloakroom momentarily to telephone my office. Upon my return I observed the room was empty. I inquired where the Members had gone, and the reply was that "Chris Herter is starting to speak." Members of the House know how seldom we hear a statement like that. When Chris Herter spoke he had something important to say, and those who knew him understood this.

On Mr. Herter's demise, our present distinguished Speaker and fellow Representative from Massachusetts, the Honorable JOHN W. MCCORMACK, observed:

> Christian Herter was one of the outstanding public servants of all times. His death is a great loss to our country.

Another veteran Massachusetts Congressman, our beloved former Speaker Joseph W. Martin, Jr., on the eve of his retirement from public service, recalled the naming of Mr. Herter to the House Committee on Foreign Affairs. He said:

> It was a big appointment at the time, and many people wanted it. We appointed him, and we never regretted it. He was looked upon as an authority on foreign affairs. He was a fine gentleman, very ambitious and very studious.

A REMARKABLE CAREER

Christian Archibald Herter, who was born in Paris, France, on March 28, 1895, of American parents, studied first for one career but soon was launched upon and became a student of another. He set out to be an architect or interior decorator, graduating cum laude from Harvard University in 1915 and going on to the Columbia University architectural school and the New York School of Applied Design.

We are informed that it was at a reunion at Cambridge in 1916, however, that Chris Herter learned from a classmate who was about to leave for a position there that there was another opening at the U.S. Embassy in Berlin. The story is told that a week later young Herter sailed for Europe with his friend and served for a year as an attaché of the American Embassy in Germany, with 2 months taken out, while only 22 years of age, to operate the American Legation at Brussels, Belgium.

After the United States entered the First World War, Mr. Herter tried to enlist in the Army in 1917, but he was turned down because he was too tall—6 feet, 5 inches. During his next 2 years with the State Department, his assignments included assistant commissioner and secretary of a diplomatic mission to draw up a prisoner-of-war agreement with Germany, and Secretary of the American Peace Commission to the Versailles Conference.

After his association with Herbert Hoover between 1920 and 1924, Mr. Herter's official biography in the Biographical Directory of the American Congress notes that he was "engaged in the publishing business as an associate editor, editor, and vice president at Boston, Mass., 1924–37." That biography also includes these other activities of Mr. Herter's—"visiting lecturer on government at Harvard University in 1929 and 1930; overseer, Harvard University, 1940–1944 and 1946–1952; trustee of many philanthropic and charitable organizations; deputy director of the Office of Facts and Figures, Washington, D.C., in 1946–52."

There were those who said that Chris Herter was well qualified, if not destined, to be the President of the United States. It was more than a forlorn hope and idle chatter regarding such prospects that caused the constitutional lawyers to engage in discussion of whether a son born abroad to American parents could be considered to fulfill the legal requirement that he be "a natural born citizen" if he was to ascend to the Presidency of the United States.

WELL-ROUNDED PERSONALITY

This soft-spoken, brilliant statesman enjoyed many things when his more burdensome official duties permitted. While he may be most universally remembered for his public attainments, those who were closest to him will also recall his avocations as a fisherman, boatsman, gentleman farmer, breeder of golden retrievers, or expert bridge player.

Mr. Herter married the former Mary Caroline Pratt in New York in 1917, and 12 years later moved to Massachusetts. It was primarily at Millis and Manchester that the Herters raised the three sons and daughter who now carry on with his ever-devoted wife. They are Christian A. Herter, Jr., of New York; Dr. Frederic P. Herter, of Dobbs Ferry, N.Y.; Eliot Miles Herter, of Manchester, Mass., and Mrs. Joseph P. Seronde, Jr., of Stowe, Mass. When Mr. Herter died he also had 15 grandchildren.

To Mrs. Herter and his entire family, I extend my deepest sympathy. They can take pride in the knowledge that he will always be found in that small and coveted circle of world figures who contributed the most to mankind.

Countless news stories and editorial tributes followed Mr. Herter's death. I wish, therefore, to conclude my remarks by submitting some of these for this permanent record:

[From the Boston Sunday Herald, Jan. 1, 1967]

CHRISTIAN HERTER DEAD AT 71

Former Gov. Christian A. Herter, U.S. Secretary of State during the last years of the Eisenhower administration and a leading architect of the European Common Market, died in his Washington home Friday night. He was 71.

Only a few hours earlier Herter had been working at his post as President Johnson's special international trade negotiator. And he died just one day after his dream of free trade among European nations came closer to reality.

Herter, who had been named to the position in 1962 by President Kennedy, long had sought to overcome economic disagreements among the European bloc and Britain's exclusion from the Common Market.

He had been cheered by Britain's announcement Thursday of the lifting of tariff restrictions among members of the European Free Trade Association—the so-called Outer Seven, comprising Britain, the Scandinavian countries and Portugal, an economic competitor of the Common Market.

The move was interpreted as a step toward ending tariff restrictions between members of the EFTA and Common Market countries—something Herter had worked hard for as spokesman for the United States.

Herter's son Christian A. Herter, Jr., announced his father's death Saturday in Washington. He said the cause of death was not known.

The son said that his father had not been ill recently, and so far as he knew, was in excellent health. Long plagued with arthritis, a condition doctors said did not affect the stateman's overall health, Herter underwent abdominal surgery 18 months ago. . . .

News of Herter's death saddened high political and diplomatic circles. Secretary of State Dean Rusk, who succeeded Herter in 1961, expressed "deep grief" and said, "During his most recent activity as the President's special representative for trade negotiations, he performed a most difficult and intricate duty with great skill and devotion."

[From the Boston Globe, Jan. 2, 1967]

Christian Archibald Herter—1895–1966

President Johnson's statement of eulogy saluted Christian Herter as a "dedicated patriot." That is what the nation and the outside world correctly thought of him. But he was much more to his North Shore neighbors, his former Beacon Hill colleagues of either party, or the voters of Massachusetts who made him a winner every time he sought their votes.

These Bay Staters who knew him better are more apt to speak of his modesty, his courtly manner, his trustworthy eyes, his shy smile of immense charm.

President Eisenhower, whose nomination in 1952 the then U.S. Rep. Herter helped engineer, has said that "when you look at him you know you are looking at an honest man."

But many learned Mr. Herter's disarming exterior mien masked an inner toughness. This toughness was evident to only a personal few during the last 25 years as he added career upon career in spite of great physical discomfort.

This same toughness, tempered by patience, characterized tedious negotiations with his Soviet counterparts at the height of the Cold War, especially the successful 1959 negotiations to keep encircled West Berlin free.

The same toughness was known, appreciated and respected within the state Republican Party to which he contributed great leadership, first as Speaker of the House of Representatives (1939–42), then as a U.S. congressman (1952–1952), and, lastly, as governor (1953–1957).

At this point in Mr. Herter's crowded career, his adopted state lost him to his first love, diplomacy.

In this field his interest spanned 50 years and his "wise counsel" served Presidents from the days of Woodrow Wilson's peace mission to Paris in 1919 to his last assignment as U.S. trade negotiator in Geneva for Presidents Kennedy and Johnson.

No doubt his appointment in 1959 to be Gen. Eisenhower's Secretary of State was the real climax to his life's interests in America's full participation in a shrinking world's affairs. But his trade negotiator role was no less important.

Three months ago he called the four-year tariff negotiations "frustrating," but was still confident this (his last) mission would bring "real and lasting benefit to the trade of the United States."

This optimism reflected his own advice to the nation in May of 1959. Speaking of the problems of divided Germany, the nuclear arms race, and his deep hopes for big power progress toward disarmament, he told a radio-television audience: "We Americans are inclined to be impatient of delays in solving international problems. We must learn new patience" . . . as we make slow progress toward the ultimate goal of international stability.

In remembering Mr. Herter's half century of public service, we also pay tribute and extend our sympathy to the elegant, lovely Mrs. Herter who, at home or abroad, always was seen by his side during all of those whole crowded, eventful years.

[From the Manchester (Mass.) Cricket, Jan. 6, 1967]

Highly Regarded Summer Resident

Christian A. Herter, former Secretary of State, two-term Governor of the Commonwealth and a valued and respected member of the Manchester summer colony for many years, died Friday evening at his Washington, D.C., home at the age of 71.

Mr. Herter made his mark on the world and it was a good mark. He did much for his country and for the Commonwealth of Massachusetts and yet he was a modest, sincere, down-to-earth man who did not brush an acquaintance by. He liked his summer home here in Manchester and had many friends here, both in the summer group and in the year round members of the community.

He always seemed to have time to at least say a cheery hello and his genuine sincerity and obvious liking for his fellowman, as well as his great insight and unbounded energy and abilities are what made people take him to their hearts and what led him to the greatness he deserved.

[From the Daily Evening Item, Lynn, Mass., Jan. 3, 1967]

Christian A. Herter

The adjective "dedicated" has been applied to so many men in public life at the close of their careers that it has lost some of its original significance. But in the case of Christian A. Herter no other description fully encompasses the nature of his contribution to his state and country over a span of nearly half a century.

Death came to the tall, friendly transplanted son of Massachusetts a few hours after he was at his desk in Washington working as President Johnson's special international trade negotiator.

He could look back on a career that included service as a young man with the State Dept., in our Berlin embassy; a part in the Versailles peace conference following World War I; service with the European Relief Council under Herbert Hoover; the Speakership of the Mass. House of Representatives, where he spearheaded passage of the Unemployment Compensation Act; membership in Congress for five terms where he jumped into national prominence because of his work on the Marshall Plan; four productive years as Governor of Massachusetts, U.S. Secretary of State in the Eisenhower administration and finally, significant service as international trade negotiator for both Presidents Kennedy and Johnson.

While Governor, Mr. Herter made frequent visits to Lynn, never hesitating to lend the prestige of his office or his personal assistance to good causes. For years he went about his duties while suffering from painful arthritis. He was a man of courage, charm and a profound sense of civic responsibility. His death removes one of Massachusetts' "favorite sons" in a sense far broader than the usual political connotation.

[From the Washington (D.C.) Post, Jan. 1, 1967]

Christian Archibald Herter

What American policy in the post-war years might have been without Christian Archibald Herter, who died yesterday, no man can say. But it can be said that few men in public life did more to put an end to the sterile isolationism of the years between the wars. Few worked harder or more effectively to persuade the people of the United States to endorse and approve the active employment of American power to shaping world events.

His influence on the Republican Party was great and possibly decisive, as he labored to alter its traditional attitudes. As Governor, Congressman, Under Secretary and Secretary of State, and as a national party leader, he used his enormous influence, great talents and personal charm in the constant pursuit of peace through collective international efforts.

There might have been a Marshall Plan without him, but without him that plan might never have had the strong bi-partisan support that made it a national instead of an administration purpose.

There might have been a test-ban treaty without him, but he gave the striving for such a treaty its initial impulse and its earliest attention and the foundations he laid resulted in the final achievement.

There might have been a re-orientation of American policy devoted to cultivating the good will and cooperation of the unaligned nations, but that post-Dulles change got its impetus from him and derived much of its thrust from his own friendly, amiable and tolerant personality.

Christian Herter died at a time when once again there are powerful forces in the United States looking wishfully back to a remote past when the Nation did not concern itself with far-off events elsewhere in the world. They will not triumph if the Nation remembers Christian Herter's contribution to a great period of constructive and creative foreign policy.

[From the New York Times, Jan. 2, 1967]

The Herter Heritage

Christian A. Herter was a confirmed internationalist who exemplified the bipartisan approach to American foreign policy. As a Republican Congressman in the Truman Administration, he helped to win G.O.P. support for the Marshall Plan; as Secretary of State under President Eisenhower, his efforts to maintain continuity—and confidence—gained him strong Democratic backing; and, as special representative on trade for both Presidents Kennedy and Johnson, he headed until his death this weekend the American delegation that has been working quietly and conscientiously for trade liberalization in the Kennedy Round.

His life was dedicated to what he conceived to be the national interest. Despite his formidable success as a politician—he never lost an election—he placed public service above personal ambition. He was a carrier forward of great designs, rather than a dynamic innovator; in overcoming physical handicap and in discarding considerations of partisan advantage, he showed rare qualities of integrity and courage.

These qualities were especially valuable for the Kennedy Round. The original bold hopes for a sweeping away of trade barriers were doomed almost from the start of negotiations, but Mr. Herter labored on, prepared to fight for the possible if the ideal was unattainable. It was his resolve to bring the talks to a definite conclusion before the June deadline. His death on the very eve of the most critical series of negotiations leaves a gap that must be promptly and ably filled

> Mr. Herter completed most of the basic work needed to make the Kennedy Round even a limited success. His contribution must not be wasted.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BATES. I yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, the Commonwealth of Massachusetts and our Nation lost a great American when the Honorable Christian A. Herter passed away on the evening of December 30, 1966.

An editorial in the New York Times of January 2 has appropriately stated, and I quote:

> Christian A. Herter was a confirmed internationalist who exemplified the bipartisan approach to American foreign policy. . . . His life was dedicated to what he conceived to be the national interest. Despite his formidable success as a politician—he never lost an election—he placed public service above personal ambition. He was a carrier forward of great designs, rather than a dynamic innovator; in overcoming physical handicap and discarding considerations of partisan advantage, he showed rare qualities of integrity and courage.

Born in Paris, Christian Herter was graduated cum laude from Harvard. He also attended Columbia University's architecture school and New York's School of Applied Design. But foreign service held a great attraction for him and he set his course early in life in the diplomatic field. He served in Berlin but was forced to leave when the United States entered World War I. He was deprived of military service because of physical reasons and instead he took examinations for the foreign service. On the day he was notified that he had passed, he learned that his brother Everit—1 year his senior—had been killed by German shrapnel. It has been said that Mr. Herter resolved in his grief somehow to spend the rest of his life working toward world peace.

He served as an aid to the U.S. delegation at the Versailles peace conference. Subsequently he went to Germany with Herbert Hoover to help direct the American Relief Council there. When Hoover became Secretary of Commerce in 1921, he chose Christian Herter as his assistant.

Then in 1924 he served as coowner and coeditor of two magazines, the Independent and the Sportsman. He also lectured on government and international relations at Harvard for a year.

In 1930 Mr. Herter entered politics and was elected to the Massachusetts House of Representatives. He served 12 years, the last 4 as speaker of the house.

In 1942 he won the first of five successive terms in Congress. He headed a select committee of the House that surveyed European relief needs in 1947 and helped lay the groundwork for the Marshall plan.

As the recipient of the Collier's Award in the amount of $10,000 in 1948 for distinguished congressional service, he donated the sum to the Foreign Service Educational Foundation.

Christian Herter was elected Governor of Massachusetts in 1952. He was reelected in 1954.

In 1959, Mr. Herter became Secretary of State, after the resignation of the late John Foster Dulles and served in that position until 1961. For the previous 3 years he had been Under Secretary of State.

In April 21, 1959, the Senate staged an extraordinary demonstration of bipartisan support for Mr. Herter, unanimously confirming him as Secretary of State in 4 hours and 13 minutes, after suspending Senate rules requiring a minimum of 7 days for confirmation. The Senate's Democratic leadership suspended the normal procedure to emphasize the prestige Mr. Herter enjoyed.

At that time President Lyndon Johnson was serving as majority leader of the U.S. Senate. It is recorded in the CONGRESSIONAL RECORD that on the occasion of confirmation of the nomination of Christian Herter as Secretary of State, the then Senator Johnson said:

> What is important is that every man who served with him has the highest respect for him. We all know him as a good man, a kindly man, an able man, who puts the interests of his country first in every instance.

It was with calmness and fortitude that Mr. Herter faced many crises as Secretary of State. These crises included Soviet pressure on West Berlin, Western disunity, the nuclear arms race, the diplomatic reverberations that followed the downing of an American U-2 plane in the Soviet Union, deteriorating relations with Cuba, and chaos in the Congo.

In spite of physical handicap and the fact that he used crutches Christian Herter traveled extensively while Secretary of State. He was always very optimistic about his physical condition and in no way let it impede his pursuits as a statesman.

On January 15, 1963, the late President John F. Kennedy nominated Mr. Herter as his special ambassador to handle negotiations under this country's new foreign trade program. Specifically the position was that of Special Representative for Trade Negotiations with ambassadorial rank. He continued this task under President Lyndon B. Johnson. He deserved praise for accepting such an arduous post. A man of his years and less devoted to principle and less dedicated to his country certainly would have shied away from so arduous an enterprise. The legislation which Mr. Herter struggled to make effective was in practice, to an astonishing degree, the consequence of his own imaginative appreciation of the trade issues involved in political skill. He became the captain of the ship of his own design.

It is appropriate that we remember the words of wisdom spoken by Christian Herter. In an address as Secretary of State before the National Foreign Trade Council in New York City on November 17, 1959, he spoke as follows, and I quote:

> The paramount question facing our world today is how the great rivalry between political systems can work itself out in the course of history without exploding into thermonuclear war.
>
> What we most need to fear is the loss of our own vision and sense of destiny—of our belief in the eventual spread of democratic freedom to all peoples on our planet. In this, we should have a faith as deep and intense as that of the most devoted disciple of Communism. We should, above all, demonstrate that faith in action.
>
> Freedom thrives on competition. Therefore, we do not need to look with foreboding on the era ahead. Ours is no perfected system, incapable of further growth. America is still in the making. The most inviting of all frontiers lies ahead. To accept the challenge with courage—yea, with buoyant hope—is to be true to the traditions that made America great.

Christian Herter worked toward the ideals he expressed with all his might. He labored from the grassroots of our political system to the international level always humble, always honest, and always putting his country first.

He will be greatly missed, but he has left us a great heritage and we should put all our efforts into preserving the peace that he loved so dearly.

To the Herter family I express my sincere sympathy and assure them of the esteem in which the memory of their dear one is held. Mankind is better because of the life of Christian Herter.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Massachusetts yield?

Mr. BATES. I am pleased to yield to the distinguished minority leader.

Mr. GERALD R. FORD. One of the first persons I met who was in the more senior category when I came to the House of Representatives 18-plus years ago was Chris Herter. He was kind to those of us who were new. He was helpful to those of us who were freshmen. My friendship with Chris Herter grew over the period of time that we served in the House together. Fortunately, I had additional contacts with him when he became Governor of the Commonwealth of Massachusetts. Subsequently, when he came to the Department of State, our friendship and our association grew. When he became Secretary of State, late in the administration of General Eisenhower, I had many opportunities to work with him and to see the constructive point of view that he always took in the consideration of matters involving our national security.

The country lost in Chris Herter a man who gave more than his full share for the benefit of all of us. Even after he had retired as Secretary of State, he was willing to serve in subsequent administrations, and did serve, in a most important capacity in the negotiations going on in Geneva at the present time.

I know of no person with whom I have served who was more anxious to cooperate and who was more kindly in his association with all of us. The Commonwealth of Massachusetts has lost a great citizen. The country has lost a public servant who gave far more than he received. His family has great courage and great understanding. To each and every one of them I extend my deepest sympathy and condolences in the passing of our beloved Chris Herter.

Mr. MORGAN. Mr. Speaker, this afternoon the House of Representatives is briefly suspending its legislative tasks to pay deserved tribute to the memory of one of our truly great former colleagues, Christian A. Herter. Chris, as he was affectionately called by all his many friends, lived a full and dedicated life of public service which will be a source of inspiration for generations of Americans yet to come.

I remember Chris best through my personal associations and long friendship with him while he was a member of this House, a member of the Committee on Foreign Affairs, and later as Secretary of State. But his career began long before that. More than 50 years ago, he started as an attaché in the U.S. Embassy in Berlin. This was his first Government post and it was soon followed by other important appointments in the field of diplomacy. He served with Herbert Hoover in the great humanitarian relief efforts that followed the First World War.

In later years Chris distinguished himself in journalism and not only served in the Massachusetts Legislature where he became speaker, but also followed his service in this House by becoming one of the very best Governors of the great Commonwealth of Massachusetts.

Chris Herter prefaced his experience as Secretary of State by first serving as Under Secretary. The years of his public activities is most impressive. When he passed on, this devoted American, in spite of failing health, was continuing his best efforts to eliminate causes of war and to help build those conditions of stability which he knew so well must be achieved if we are to really have a peaceful world.

In his lifetime, Chris Herter's numerous statesmanlike achievements were formally recognized by many institutions in the academic world. I think that the deepest recognition of his true worth and sterling qualities is to be found in the hearts and minds of all who were privileged to work with him. To know and serve with this splendid patriot was to become one of his many sincere admirers and friends.

Mrs. HECKLER of Massachusetts. Mr Speaker, I wish to join my distinguished colleagues on this occasion to pay tribute to a former Governor, Congressman, Under Secretary, and Secretary of State, and a great American: the late Christian A. Herter, of Massachusetts.

Christian Herter was a confirmed internationalist who exemplified the bipartisan approach to American foreign policy. He used his enormous influence, great talents, and personal charm in the constant pursuit of peace through collective international efforts. As a Republican Congressman in the Truman administration, he helped to win GOP support for the Marshall plan; as Secretary of State under President Eisenhower, his efforts to maintain continuity and confidence gained him strong Democratic backing; and, as special representative on trade for both Presidents Kennedy and Johnson, he headed until his death the American delegation that quietly and conscientiously worked for trade liberalization in the Kennedy round.

There may have been a Marshall plan without him, but without him that plan may never have had the strong bipartisan support that made it a national instead of an administration purpose.

There may have been a test-ban treaty without him, but he gave the effort for such a treaty its initial impulse and laid the foundations for the final achievement.

There may have been a redirecting of American policy devoted to cultivating the good will and cooperation of the unalined nations, but that change got its impetus from him and derived much of its thrust from his own friendly, amiable, and tolerant personality.

It is a privilege and an honor for me to commend this tribute to the memory of a great American: Christian A. Herter.

Mr. MURPHY of Illinois. Mr. Speaker, when the Honorable Christian Archibald Herter passed away, America and the world lost one of the greatest humanitarians that ever lived. He was one of the most beloved, honest, and patriotic men that ever lived.

Christian Herter often expressed his personal desires of seeing that the people of America were the best cared for people in the world.

Because of the long period of time in which Mr. Herter held high office, he was a very powerful man and he used his power both wisely and judiciously, never to benefit himself, but always in behalf of others. He was a superior man because of his integrity.

Christian Herter, wholly dedicated to his country and his fellow man, gave the riches of his mind and heart, and the memory of his faith and strength will serve as a priceless heritage that will inspire us to go forward.

Mr. ZABLOCKI. Mr. Speaker, I wish to join my colleagues in paying tribute to the memory of the late Honorable Christian A. Herter, of Massachusetts.

Governor Herter served his country in many ways, as Governor of a great State, as a Congressman, as an Ambassador, and as Secretary of State. He was a capable and dedicated man who compiled an imposing list of achievements.

It was my privilege to serve with Governor Herter in the House and in the Foreign Affairs Committee. When he was Secretary of State, it was indeed a pleasure to benefit from his views, his succinct and erudite presentations on U.S. foreign policy when he testified before the committee.

I extend deepest sympathy to his family. Surely, their consolation lies in the knowledge that he had served Massachusetts and the Nation fully and well.

Mr. O'NEILL of Massachusetts. Mr. Speaker, this Nation has been fortunate to have public servants who have served it with dedication and devotion. We now mourn the loss of a man who for more than half a century so served his country, Christian Herter. I also mourn the loss of a close personal friend and colleague.

I served with Christian Herter in the Massachusetts House of Representatives from 1939 to 1942 when he was the very able and distinguished Speaker of that body. From the Massachusetts Legislature he entered the U.S. House of Representatives and served here until 1952. While a Member of Congress, he served not only his district, his State, and his Nation, he also showed the concern for the world and our country's role in the world that distinguished his later life. As a Member of the House, Congressman Herter was one of the principal authors of the Marshall plan, the program that saved Europe.

In 1953 he returned to Massachusetts as its Governor and served the Commonwealth for another 4 years. After that his constituency became the entire Nation and his realm that of world affairs and international cooperation. The arts of diplomacy and statesmanship came readily to this tactful, knowledgeable, and cosmopolitan man. He served as Secretary of State under President Eisenhower and served President Kennedy and President Johnson on various special missions concerned with the security and well-being of the United States.

His style was that of the classic diplomat. He was patient, understanding, and fair; and beneath his pleasant, polite manner was assurance and strength.

He enjoyed the confidence of the Presidents he served and spoke with authority when he spoke for his Government.

Our country will always be grateful for the work he did: for the 1959 negotiations with the Soviet Union that kept West Berlin free, for the trade agreements which he negotiated, and the many tasks, large and small, which meant so much to this country.

Christian Herter lived for 71 active years and he served his country for many of them. For the past 25 years he was in constant pain from a normally disabling arthritic condition. But he could not be slowed down, even by pain.

The people of Massachusetts join with the rest of the country in mourning the great loss of a dedicated son. We extend our sympathy to Mrs. Herter who encouraged him in his enduring service to our country.

Mr. KEITH. Mr. Speaker, Christian Herter was a gentle man who devoted his life to improving understanding between people. Before I knew Governor Herter, when I was a member of our Massachusetts Legislature, he had already been active in international relations. He served in our Embassy in Berlin and with Herbert Hoover on the European Refugee Council.

Chris carried this interest in people with him to Congress and to the Governor's chair. Though he impressed everyone with his humanity, he could be firm in holding the line for what he knew to be right.

He had an extraordinary ability to communicate with and charm any audience—whether it consisted of one person or a capacity crowd at the Boston Garden. He would lean his tall, slender frame forward and, with his smile, carry that audience with him.

He was one of those rare political figures with which Massachusetts has been blessed, whose public image was simply an enlargement of the man himself. Leverett Saltonstall is another. One might not always agree with what they said, but one could be sure that it was said with sincere conviction and only after careful study.

None of us who knew him when he followed John Foster Dulles as Secretary of State can ever forget how well he handled the most difficult appointive position this country can ask a citizen to assume. It is one of the hardest and most thankless jobs in the world. Chris undertook it in spite of a severely painful affliction, and he carried it out with the good grace that was characteristic of his entire career.

It is hard to believe that Chris Herter is no longer with us. He was so much a part of Washington and of the Massachusetts Republican scene. His devotion was to his country, which came above partisan politics. We have lost a friend. Our Nation has lost a devoted servant. The world has lost a great citizen.

Mr. BOLAND. Mr. Speaker, I rise to join the gentleman from Massachusetts [Mr. BATES] in paying tribute to a former distinguished Member of the House of Representatives, and one of the greatest statesmen to serve America, the late Christian A. Herter, of Massachusetts.

At the time of his death last December 30, Mr. Herter had culminated a brilliant and successful political and diplomatic career, and was serving as President Johnson's Special Assistant for Trade Negotiations, a position he was appointed to by our late beloved President, John Fitzgerald Kennedy.

Mr. Herter began his diplomatic career with the State Department after graduating from Harvard University, and he was Acting Minister in Belgium in 1917 when the United States entered World War I. After the war he served on Herbert Hoover's Relief Commission, and remained as his secretary while Mr. Hoover was Secretary of Commerce.

Mr. Herter began his public elective career in 1930 when he was elected to the Massachusetts House of Representatives. He served six successive terms, and during his last two terms, 1939 through 1943, he was the speaker of the house of representatives. I had the pleasure of serving with him in the Massachusetts House from 1935 through 1940. Although we represented different political parties, I had the greatest respect for Mr. Herter, because no man was more open to consideration of all facets of a problem. He was always willing to grant an ear to opposite views, and to give careful consideration to all possible approaches to a question. This one quality was to later give a special grace to his diplomatic function as Secretary of State.

Elected to five successive terms in Congress, beginning in 1942, Mr. Herter served on the Foreign Affairs Committee, and after World War II, organized and spearheaded the 17-member Select Committee on Foreign Aid. This committee toured the countries of Europe in August and September of 1947, and studied the depressed conditions there. Their recommendations were to form an integral part of the Marshall plan. It was Congressman Christian Herter who was responsible for changing the control of the Marshall plan from political to nonpolitical.

Twice elected Governor of Massachusetts, in 1952 and 1954, Governor Herter was held in such high regard by his party that he was strongly considered as a presidential candidate when President Eisenhower's health caused some concern whether he might be able to run for a second term in 1956.

Appointed Under Secretary of State by President Eisenhower in 1957, Governor Herter was nominated 2 years later as Secretary of State to succeed the late John Foster Dulles, who had resigned because of illness. Mr. Herter received an unprecedented mark of approval by the Senate in an extraordinary demonstration of bipartisan support.

Mr. Speaker, Christian Herter will be remembered as a great statesman and internationalist beloved not only by Americans, but by champions of the cause of harmony and peace throughout the world.

Mr. CONTE. Mr. Speaker, I am especially proud and honored to join today in the order of my distinguished colleague from Massachusetts to pay humble tribute to one whose career in service to his State and country will serve for all time as a model of selfless dedication and tireless energy. I am deeply honored to add my own thoughts in remembrance today of the late Honorable Christian A. Herter, of Massachusetts.

My own recollection of Chris Herter is more as a personal friend and a beloved colleague, than simply as the great American he truly was. The bond was formed when Chris Herter served as Governor of the Commonwealth of Massachusetts and I was privileged to serve as his majority whip in the State senate.

It was perhaps a coincidence, but nevertheless a most welcome circumstance that placed me on the Foreign Operations Subcommittee of the Appropriations Committee when I first came to the Congress. Chris Herter, by that time, had become Secretary of State under President Eisenhower and, later, under a Democrat administration, as head of the U.S. delegation to the meetings of the General Agreements on Tariffs and Trade in Geneva.

His appearances before our subcommittee were always among the most delightful and pleasant for me, affording me the opportunity to renew the friendship I have always prized so highly. We had frequent opportunities to discuss the old days and events in the State he served so well.

In spite of the crippling arthritis that forced him finally to move about only with the aid of crutches, Chris Herter remained a dedicated outdoor sportsman, a man fond of hunting and fishing and enjoying the great outdoors.

Among my most prized possessions are a pair of hunting boots which Governor Herter presented to me while I was still a member of the Massachusetts State Senate. The boots had been presented to him by a prominent sporting goods company that was, happily for me, a poor judge of shoe sizes.

The boots were hopelessly too small for the towering Governor so he presented them to me, knowing of my own interest in hunting and fishing. I have always felt it a distinct privilege and high honor to have known Chris Herter as the great American statesman he most certainly was, as well as the warmly human personal friend.

His passing is a great loss to all Americans and one that I feel most keenly. It was this sense of personal loss that prompted me to offer some remarks previously in this Chamber in honor of his memory, those remarks appearing in the RECORD for January 11, 1967.

Mr. PHILBIN. Mr. Speaker, I am deeply grieved to learn of the untimely passing of my dear and admired friend, Gov. Christian A. Herter. He was a great, dedicated national and world leader and his demise is a truly irreparable loss to our State and Nation.

Chris Herter had one of the outstanding public careers of our time, which began in his early youth, and included conspicuous service at virtually every level of government—able, distinguished leader of the general court, the Congress, Governor of the Commonwealth, Secretary of State—extremely crucial assignments in our foreign policy world leadership.

His contributions ranged over a broad field of government and extended into international relations. He was highly qualified for the many difficult tasks he undertook and his ready response to every call of country and his unalterable devotion to duty knew no bounds.

In his personal relations, he was considerate, generous and warmhearted, an amiable helpful colleague and a loyal and beloved friend, esteemed, respected, admired and loved by all who were associated with him.

I feel a deep, poignant sense of loss in his passing. He was a great American and dear friend and leaves an irreplaceable void in our midst.

His notable service to our State and country will long be gratefully remembered.

With a heavy heart, I extend my deepest sympathy to his gracious wife and helpmate, Mrs. Herter, and his sorely bereaved family in their sorrow, and pray that this esteemed friend and outstanding statesman will find peace and rest in his heavenly home.

Mr. FARBSTEIN. Mr. Speaker, we mourn the passing on December 30 of Christian Archibald Herter. Mr. Herter was one of our Nation's leading public servants. He was a man whose long and distinguished career showed deep concern with both domestic and foreign policies. His lifetime of service ranged from the Foreign Service, to the speakership of the lower house of the Commonwealth of Massachusetts Legislature, to five terms in Congress, to the governorship of Massachusetts, to executive branch service as Secretary of State under President Eisenhower, and ultimately to service as Special Representative for Trade Negotiations under Presidents Kennedy and Johnson.

As chairman of the House Subcommittee on Foreign Economic Policy, of the Committee on Foreign Affairs, I had the distinct pleasure to work with Christian Herter, this past summer, as we conducted hearings related to the very important Kennedy Trade Round. Mr. Herter's last position, that of Special Representative for Trade, was one of great significance and symbolic meaning, for the outcome of international trade negotiations will effect both domestic and foreign policies. This position was truly symbolic of Christian Herter's broad personal commitment. In this post he achieved much, and in the midst of his selfless labors he passed away, still universally respected.

In every aspect of his long career he showed personal integrity, professional competence, and devotion to the interests of his Nation. We think of him as a diplomat and statesman, but it should not be overlooked that he was a very successful practitioner of the art of politics, too. In fact, he never lost an election. He was one of the great achievers of his generation. One who possessed the admirable ability to combine electoral success with scrupulous honesty in service to his fellow man.

The grieving members of his family have much, indeed, to be proud of in Christian Herter's record of public service. To them we extend our deepest sympathies.

Mrs. KELLY. Mr. Speaker, I feel a deep sense of personal loss at the death of Christian A. Herter, a distinguished former Member of the House of Representatives, a brilliant Governor of Massachusetts, and a dedicated Secretary of State.

I knew him personally and I admired him very much indeed. I knew him and his family long ago in East Hampton, N.Y., and I had the pleasure of serving with him on the Foreign Affairs Committee of the House of Representatives.

During the administration of President Truman, Christian Herter was a key figure in Congress in laying the basis for approval of the Marshall plan for European recovery. In so doing he served his country well, just as he did later as Under Secretary of State, as Secretary of State, and as a special Presidential representative for international trade negotiations.

His career of public service began shortly after he was graduated from college. In 1916 he was posted to Berlin as a member of the Foreign Service; he then served in Belgium, at the Versailles Peace Conference, and as assistant to War Relief Administrator Herbert Hoover. Later he served as Mr. Hoover's assistant in the Department of Commerce.

His public career was long, it was distinguished, and it was brought to a close only by death. His widow, his sons and daughter, his many grandchildren, all have much to be proud of. To them we extend our most profound sympathies.

Mr. BURKE of Massachusetts. Mr. Speaker, when Christian A. Herter died on December 30, 1966, the Nation was deprived of one of its most dedicated servants of peace—a humble, and yet determined, statesman—who conceived of his mission, whether as diplomat, Congressman, or Governor, as a trust bestowed upon him by the people of a land insistent upon seeking harmony in a discordant world. He was, as the Manchester Guardian once called him, a "Boston gentleman," and at the same time, in the words of a well-known political analyst, "a moderate and a rational man." For these reasons, no less than for his ability in the international sphere, not only this Nation, but also the world, feels acutely his loss.

I should like to note at this time the affection with which he was regarded abroad, as well as at home. He was molded in the classic pattern of what a diplomat should be: born in Paris of expatriate artist parents, he learned German and French as well as English, before being brought to the United States at the age of 9. He once spoke in Paris, after his birth:

> The first sentence that comes to mind is "Each man has two countries, his own and France." This sentence, which is so true, has been repeated millions of times, and I believe I can apply it to myself: France is certainly my second country because it is the land of my birth.

Said the French Journal du Dimanche, upon his appointment:

> France . . . gets a friend in Herter. He is a friend, almost a relative, who from the time of his birth in Paris has preserved a deep affection for France.

I do not wish to belabor the point; I wish only to illustrate that Christian Herter was a man of cosmopolitan background, brought up in the traditions of both politics and social grace, and that he combined the best of both in a way that won for him personally, and for the country he represented, the affection of the world. Such tributes do not come without respect for the ability, as well as love for the character, of the man. Nor was the esteem in which he was held abroad limited to France. I might cite one, among many, tributes paid him, again upon his accession to the highest position in the State Department, the praise of then-Chancellor Raab of Australia, who considered him "a true friend of our country, and a man capable of fulfilling the difficult task the United States is facing at the present time."

After graduating cum laude from Harvard, Christian Herter elected to pursue the study of art—what seemed to him then foremost among his several interests; consequently, he enrolled at Columbia University's Architecture School and New York's School of Applied Design. But he was persuaded in 1916, at the age of 21, to take a minor post in the U.S. Embassy in Berlin, from which he was forced to leave when the United States entered World War I against the Kaiser. Already he demonstrated his diplomatic ability when, arrested in Mainz as a suspected spy, he escaped possible summary execution by means of his persuasive skill, convincing his interrogators that he was indeed a member of the U.S. Embassy staff. From that time on, he spent most of his life in either political or diplomatic posts, serving several Presidents of both parties.

He acted as secretary to a special commission that negotiated a prisoner-of-war agreement with Germany in 1918, and in the same year worked as a staff member of the American commission to negotiate the peace at Versailles. In 1919 he went again to Europe, this time to assist Herbert Hoover, who was directing the American Relief Administration. When Mr. Hoover—whose son Herter would replace as Under Secretary of State in 1956—when the elder Hoover became Commerce Secretary in 1921, he picked Herter as his assistant.

Later, disillusioned with Washington, the young and idealistic Herter in 1924 took over the ownership and coeditorship of the Independent magazine, in which position he urged the United States to "shed its isolationist fear" and join the League of Nations. Unable to remain aloof from political activity for long, however, Herter was elected in 1931 to the Massachusetts State House of Representatives, where he served until 1943; from 1943 to 1953 he served with distinction in this House of Representatives. He was, at the time of his appointment as Secretary of State in 1959, "singularly blessed with an enormous fund of affection and respect in Congress," wrote the New York Times, assessing his potential.

> In fact—

Continued the Times—

> he had not a single enemy of any substance in Congress. For a Secretary of State in this age, this fact borders on the miraculous.

Christian Herter's record of service—his part in laying the groundwork for the Marshall plan—is too well known to bear expansion here. It is a tribute to the depth of human concern which characterized every aspect of his public life that when he received the $10,000 Collier's Award in 1948 for distinguished congressional service, he donated the money to the Foreign Service Educational Foundation.

Herter, who never lost an election, served effectively and efficiently as Governor of Massachusetts from 1952 to 1956. Called back to Washington in 1956, he began his appointment as Under Secretary of State. Appointed in 1959 to the job held for so long and so forcefully by John Foster Dulles, Herter succeeded to a position for which he had been recommended by Dulles himself. The Senate, in a gesture of its confidence in, and respect for, his ability, approved his appointment unanimously, after suspending the rule requiring a waiting period of 7 days for confirmation.

Although as Secretary of State, he was besieged with international difficulties, among which the most prominent was the diplomatic stir following the downing of an American U-2 plane in the Soviet Union, Herter never failed to believe in politics, and foreign affairs, as "the art of the possible." He never ceased to believe that courteousness and good manners are essential concomitants to political acumen and diplomatic firmness, and he left his mark of cultivation and gentility upon all those he touched. His internationalism was apparent until his death, when he was serving as the Government's chief planner and negotiator on foreign trade, a position to which he was appointed by the late President Kennedy. That he accepted this post, despite the hardships of arthritis, from which he had suffered for 25 years, despite the fact that he had already served his country more than well, is a tribute in itself. The pursuits of old age, the devotion to his family and his avocations, were not to take precedence over duty conceived and implemented in the service of peace and motivated by selfless compassion for human kind. The Washington Post, in an editorial following his death, perhaps best summarizes the record of his accomplishments:

> His influence on the Republican Party was great and possibly decisive. . . . As Governor, Congressman, Undersecretary and Secretary of State, and as a national party leader, he used his enormous influence, great talent and personal charm in the constant pursuit of peace through collective international efforts.
>
> There might have been a Marshall Plan without him, but without him that plan might never have had the strong bi-partisan support that made it a national instead of an administration purpose.
>
> There might have been a test-ban treaty without him, but he gave the striving for such a treaty its initial impulse and its earliest attention and the foundations he laid resulted in the final achievement.
>
> There might have been a reorientation of American policy devoted to cultivating the good will and cooperation of the unaligned nations, but that post-Dulles change got its impetus from him and derived much of its thrust from his own friendly, amiable and tolerant personality.

Mr. DONOHUE. Mr. Speaker, as a dear friend and fellow Massachusetts colleague of Christian Herter when he served in this House, I, and every person ever privileged to know this dedicated patriot, was deeply saddened at the news of his death last December 31. His whole, mature life was spent in devoted public service to his country and the Commonwealth of Massachusetts. No one is likely to surpass and few will ever equal his characteristically unselfish and remarkable contribution of personal integrity, intelligence, industry and achievement to the civilized progress of his beloved Nation and the world. The name of Christian Herter will forever remain in American history as a shining symbol of the finest traditions of honorable public service.

Mr. Speaker, some time ago Brandeis University named a faculty chair as a living tribute to Christian Herter and, upon his death, it was announced that what had been planned as a living tribute would now be designated as a memorial to him. Donations to complete the fund establishing the Herter chair in international relations may be sent to Brandeis University, Waltham, Mass.

When speaking of the memorial designation Dr. Abram L. Sachar, university president, said:

> I learned with deepest regret of the passing of former Governor Herter. This came as a tremendous shock to Brandeis, where we have virtually completed the endowment for the chair in international relations in honor of Mr. Herter. It is tragic that what had been conceived as a living and happy tribute to one of our great statesmen must now be a memorial.
>
> "Brandeis is especially proud that it conferred an honorary doctor of laws degree upon Gov. Herter in 1955 in the midstream of his productive career.
>
> "Our honorary degree citation described how he moved through 'the jungles of politics without shedding principles of integrity.'
>
> "Gov. Herter's courage, extraordinary accomplishments and moral purpose will always serve as an inspiration to Brandeis as they will to the nation and the world.
>
> "To his widow and children, I want to extend the deepest sympathy," Sachar concluded.

GENERAL LEAVE TO EXTEND

Mr. BATES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

FEDERAL POWER COMMISSION URGED TO INCREASE ALLOCATION OF NATURAL GAS TO NEW YORK-NEW JERSEY METROPOLITAN REGION

Mr. RYAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, on January 30, 13 Congressmen sent a strongly worded letter to the Chairman of the Federal Power Commission urging the Commission "to approve the use of substantially more natural gas for the production of power and heat in the New York-New Jersey metropolitan area."

The letter is based on the facts brought out at the Air Pollution Abatement Conference recently held in New York City and the research done by the Department of Health, Education, and Welfare. These facts conclusively show that the burning of high sulfur fuels such as coal and oil result in dangerous amounts of sulfur dioxide in the air over New York and New Jersey. The evidence also shows that the substitution of natural gas would substantially reduce the frequency of episodic concentrations of sulfur dioxide which have brought death and misery to the citizens of our urban areas.

The letter told the Commission that it "must not wait for a major disaster such as London's in 1952 to act to protect the health and welfare of our citizens."

Mr. Speaker, the signers of the letter believe that air pollution is a valid consideration in the allocation of natural gas. It is abundantly clear that the Federal Power Commission has an obligation to all citizens to do what it can to abate air pollution. The letter concludes:

> It is not an overstatement to say that, by approving additional natural gas for power and heat use, the Federal Power Commission will save thousands of lives.

I wish to include the entire text of the letter at this point in the RECORD:

JANUARY 30, 1967.

Hon. LEE WHITE,
Chairman, Federal Power Commission.

DEAR CHAIRMAN WHITE: We are writing to you in reference to the air pollution crisis in the New York-New Jersey metropolitan area. As you know, sulfur dioxide emissions are a major factor in this crisis. Over 90% of the emission of sulfur oxides in the metropolitan area is a result of burning fuel for heat and power. The health hazard due to sulfur dioxide emissions from the burning of coal and oil fuel has been documented by the Department of Health, Education & Welfare.

The recent conference on Air Pollution Abatement covering 17 counties in the New York-New Jersey area, and held by the Department of Health, Education & Welfare, pointed out that the substitution of natural gas for coal and oil in heat and power production would virtually eliminate sulfur dioxide emissions.

The health and welfare of millions of citizens in the New York-New Jersey area is directly related to the allocation of additional natural gas for combustion in electric power generation and space heating furnaces.

The relationship between air pollution abatement and the substitution of natural gas for coal and oil is clear in the New York-New Jersey area. Here, unlike other places, high sulfur content fossil fuels are the major cause of air pollution which can be significantly attenuated by providing more natural gas. Even assuming the most optimistic dates for substitution of low sulfur coal and oil, or construction of nuclear electric power plants, or the installation of sulfur dioxide removal systems in stacks, the growing energy requirements of an expanding population will increase the sulfur dioxide load in the atmosphere in the next five to ten years unless additional natural gas can be supplied.

The frequency of episodic concentrations of sulfur dioxide, which bring death and misery to thousands of our citizens, would be immediately decreased as a result of greater use of natural gas.

To avoid disaster and to insure the right of every citizen to breathe clean air, we urge you to approve the use of substantially more natural gas for the production of power and heat in the New York-New Jersey metropolitan area. The Federal Power Commission must not wait for a major disaster such as London's of 1952 to act to protect the health and welfare of our citizens. Certainly air pollution abatement is a valid consideration in the allocation of natural gas.

We wish to point out that the recent report of the White House Office of Science and Technology, "Energy R&D and National Progress," states that potential domestic resources of natural gas are ample for increased production for many years. Although new pipelines and storage facilities may be required, there appear to be no technical or economic reasons why the New York-New Jersey metropolitan region should not be allocated substantially more natural gas.

Our natural resources must be used to meet the needs of our citizens. It is not an overstatement to say that, by approving additional natural gas for power and heat use, the Federal Power Commission will save thousands of lives.

Sincerely yours,

JOSEPH P. ADDABBO, JONATHAN B. BINGHAM, FRANK J. BRASCO, JOHN G. DOW, SEYMOUR HALPERN, HENRY HELSTOSKI, THEODORE R. KUPFERMAN, RICHARD D. MCCARTHY, ADAM C. POWELL, OGDEN R. REID, JOSEPH Y. RESNICK, BENJAMIN S. ROSENTHAL, WILLIAM F. RYAN, Members of Congress.

COMMITTEE ON RULES

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a report.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

APPROVING THE USE OF FORCE AGAINST FRIENDLY PEOPLES

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, for the second time in this decade the United States is supporting the use of military force, if necessary, against people friendly to this Nation. The first case, of course, involved the people of Katanga in the Congo. It will be remembered that the United Nations forces entered the Congo to restore peace in that newly independent nation. Before United Nations troops entered the Congo, Dag Hammarskjold outlined the United Nations position:

> This is an internal political problem to which the UN as an organization obviously cannot be a party. Nor would the entry of the UN force in Katanga mean any taking of sides in the conflict to which I have just referred. Nor should it be permitted to shift the weight between personalities or groups or schools of thought in a way which would prejudice the solution of the internal political problem.

What happened to Katanga is now history. In three separate military drives in which innocent civilians were killed, the United Nations forces subdued Katanga. The bulk of the peacekeeping force moved against Katanga while lawlessness and violence reigned in parts of Kasai province and Stanleyville.

Today, with the United Nations forces long gone from the Congo, it is interesting to note the present situation in that country. Barron's, the national business and financial weekly, on February 6, 1967, carried an article entitled "Law of the Jungle—The Congo Is Rapidly Reverting to Savagery." One passage states:

> Despite an estimated quarter-billion dollars worth of U.S. aid, the Congo, according to a recent authoritative private appraisal, has begun to revert to cannibalism, Communism and chaos (not to mention slavery, which as Brussels stiffly reminded Kinshasa, happens to run counter to the United Nations' Universal Declaration on the Rights of Man). If Rhodesia constitutes a vague threat to world peace, as Arthur Goldberg and his fellow UN diplomats have charged, the Congo is a positive menace. In Africa, as elsewhere, the U.S. persistently remains hostile to its friends and friendly to its enemies.

The second case of U.S. support of force against a friend is, of course, Rhodesia. How the United States again found itself committed to the use of military force as a member of the U.N. was synopsized quite well by James J. Kilpatrick in his syndicated column appearing in the Plain Dealer of January 5, 1967. I include it in the Record at this point:

Rhodesia and U.N. Charter

(By James J. Kilpatrick)

Washington.—Ambassador Arthur Goldberg did little to sell his case on Rhodesia in a speech here a few days ago. His case has been flimsy from the very beginning; and the more he attempts to shore it up, the more glaringly its weaknesses lie exposed.

The ambassador chose the prestigious annual luncheon of the Association of American Law Schools for delivery of an address widely regarded as an answer to Dean Acheson's blast at the U.N.'s actions. It was not Ambassador Goldberg's finest hour. Acheson, formerly secretary of state, probably has forgotten more about international law than Goldberg, formerly chief counsel to the steelworkers, ever has learned. The three years Goldberg spent on the Supreme Court added nothing to his education for this particular exchange.

The Security Council's action in imposing mandatory sanctions upon Rhodesia, said the ambassador, "does not flout the principle of self-determination." And this is because—here the mind boggles—this is because the white minority Rhodesian regime is not asserting the right of self-determination.

It would appear to the mind of ordinary men, gifted with ordinary powers of reason, that it is immaterial what the white minority Rhodesian regime asserts. The action of the Security Council either flouts, or it does not flout, regardless of any assertion in Salisbury.

This was Goldberg's second point: The U.N. Charter's ban against intervention in matters which are essentially within the domestic jurisdiction of any state has not been violated because—and again the mind boggles—because Rhodesia is a British territory and not a "state" with its own sovereignty.

Rhodesia has been a functioning, de facto state for the past 14 months. To the naked eye, it exhibits every attribute of sovereignty by which one ordinarily recognizes a state—an established government, a condition of domestic peace and order, a code of laws, a system of courts, a parliament sitting.

But Goldberg will have it both ways: Rhodesia is not a state; it is a territory of the United Kingdom. Are we to understand, then, that a nation's territories are not among those matters essentially within its own jurisdiction? It is a novel thought.

Ambassador Goldberg gets around the consequences of this line of nonreasoning by observing that principle of nonintervention, which Acheson thought had been expressed so unequivocally in Article I of the Charter, contains an exception. "This principle shall not prejudice the application of enforcement procedures under Charter VII."

The astonishing precedent that would be established by Goldberg's ingenious construction is that any member nation may demand the entire massed might of the United Nations to prevent one of its territories from attaining independence.

Once he reaches Chapter VII, the ambassador is in deeper trouble; for in order validly to invoke Chapter VII, it must be shown that Rhodesia has created a threat to the peace. This proposition was quite beyond Mr. Goldberg's powers. His argument boiled down to this: that white Rhodesia's peaceful independence provokes her black neighbors in the same way that a diamond in a jeweler's window provokes the passing thief. It is all the fault of Rhodesia; it is all the fault of the jeweler. Rhodesia's action "involves great risks of violence." Mr. Goldberg has said so. But men may ask if this makes it so.

Finally, the ambassador asserts that the international community, in the late 20th century, cannot accept the existence of a discriminatory system based on minority rule, especially when the discrimination rests upon racial grounds. The United States, he remarked by the way of proof, laid down that policy with its own civil war a century ago.

AN INFORMED AND REASONING CITIZENRY

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, with the accent on education today one would expect a decided increase in reasoned and objective judgments on the issues which are of deep concern to the citizens of this Nation. Unfortunately, this is not always true. A good case in point is the issue of trade with the Soviet-bloc countries which is being encouraged in some circles. While the advocates of increased trade talk of reducing tensions and enticing the East European Communist countries away from the Soviet Union, those who look at reality see the solidarity of these nations, along with the Soviet Union, in aiding North Vietnam with supplies to carry on their war. And to be realistic does not necessarily require a college degree.

For instance, how can one blame a wife who has lost a Navy flyer husband, shot down over North Vietnam, from rigidly opposing the proposed consular convention with the Soviet Union when she thinks of the SAM sites and the Migs supplied to the enemy by the same Soviet Union?

Although written in a humorous vein the following column by Leo Rosten appearing in Look magazine of November 15, 1966, recommends a cure for oversimplifications, non sequiturs, half-truths and packaged thinking so prevalent today in some circles. Would, that more would try it.

I insert the article, "An Infuriating Man," in the Record at this point:

An Infuriating Man

You take my friend Fenwick. He is an exceedingly lovable little man. His disposition is so sunny, his character so open, that even the most hardened cynics, of whom my wife is International Chairman, call Fenwick "utterly adorable." He epitomizes the Boy Scout credo: He is "trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean [great Scott! but he's *clean*], reverent."

Now, you would think that with a track record like that, Fenwick would be just about the most popular man on our block. That is not so. Fenwick is the most unpopular man on our block. People can't *stand* him. I have seen Sunday-school teachers with unblemished complexions and account executives with split-level ranch houses throw conniption fits at the mere mention of Fenwick's name. Why?

I puzzled over this for years, using the finest puzzling equipment money can buy, before I hit upon the answer: Fenwick is a man who goes around being logical. He even uses reason in discussions, and all of the time.

Now, most people believe in reason the way they believe in cold showers: It's OK, if you don't overdo it. Very few people are so insensitive to their fellowman as to go around applying reason to other people's feelings, beliefs or politics. The application of reason to human affairs is illogical. It is also extremely dangerous, as you shall see.

Fenwick, who is very intelligent, assumes that other people are very intelligent too—and that, believe it or not, is the way he talks to them. This makes people very uncomfortable, for nothing is more terrifying than being treated as if you are extremely intelligent—especially by someone you barely know. It makes you think, which imposes cruel demands on your brain, and even makes you examine the pat, conventional answers you have always employed instead of reason—or reasoning.

Fenwick *likes* reasoning. He also likes people. So he listens carefully to anything you tell him, and promptly wants to know where and how you found out whatever it is you told him—and how you know it is so. Worse, he separates inferences from proof. Fenwick enjoys following every single little chug in your train of thought—indeed, he gets right on the train with you. And you have barely begun to move before Fenwick excitedly demonstrates that: (a) you have taken the wrong train; or (b) it doesn't stop where you want to go; or (c) the tracks don't lead from your premise to your perferred conclusion, or (d) that train will land you where you don't want to go and didn't even know you were going.

Yes, Fenwick comes pretty close to being that most odious and exasperating of human types: the persistent thinker. He may even (I hate to suggest this) be an intellectual. An Intellectual is a man who shamelessly uses his brain most of the time. (No one, of course, uses his brain *all* of the time; such a man would be a monster—he would not dig sandpiles by the sea, or fall in love, or observe Mother's Day.)

Oscar Wilde said: "I can stand brute force, but brute reason is quite unbearable. . . . It is hitting below the intellect." But Fenwick, that perverse fellow, *never* hits below the intellect. He is always patient, fair, moderate—which makes him still more unpopular. He is so fair that people can't even accuse him of using unfair tactics, than which nothing is more aggravating when you are wrong.

I once heard Fenwick tell a cocktail party full of decent, tax-paying liberals that no planned society can give or has ever given its masses anywhere near the standard of living of a competitive, "capitalist" society. After the dumbfounded humanitarians had finished stamping their feet, screaming "Reactionary!" and otherwise increasing their psychiatric bills, Fenwick earnestly compared the record of West Germany with East Germany, of Japan with Red China, of Italy or France or England with Soviet Russia. Why, he practically gave several of his listeners apoplexy by going so far as to compare Cuba before and after Fidel Castro.

If *that* episode doesn't tell you what kind of a screwball Fenwick is, let me cite another. Fenwick and a friend of mine from Washington were talking about the minimum wage, which Congress has voted to raise from $1.25 an hour to $1.40—and to $1.60 an hour in 1968. Fenwick stunned my friend by mournfully stating that these minimum-wage laws will create *un*employment—and precisely among those unskilled workers (Negroes, teen-agers, Puerto Ricans) whom the minimum-wage laws pretend to help.

Fenwick said: "To begin with, the average wage earner today gets about *twice* $1.40 an hour. So the bill is not going to affect him—"

"The bill helps the unskilled, the under-educated!" my friend sternly said.

"An *admirable* intention," beamed Fenwick. "A large proportion of that group is unemployed—but if employers aren't hiring them at $1.25 an hour, will they hire them at $1.40 an hour?"

I poured a stiff drink for my friend.

Fenwick went on: "Surely the unemployed will have less chance of getting a job under the new minimum-wage laws than they had under the old."

"What?" cried my friend. "Can you prove that?"

"Yes," said Fenwick kindly. "Every time minimum wages have been raised, since 1945, the ratio of unemployed teen-agers has risen. Every time you raise the minimum, you *must* push more unskilled, discriminated-against workers on to the unemployment rolls."

"What about *the greedy employers,*" my friend demanded, "who cruelly exploit their workers by paying them barely enough to live on?!!"

"Oh, very, very few employers can hold on to workmen if they pay them less than the workers can get elsewhere."

"It isn't what they can 'get,' it's what they're worth!" my friend thundered.

"Only God can decide how much a man is 'worth,'" sighed Fenwick. "We're talking about the best price a man can *get*—"

"Some men can't live on that! Or feed their children—"

"We certainly ought to remedy that!" said Fenwick. "Let's guarantee the poor a minimum income. That does far less damage than a minimum wage."

"Do you mean to stand there and tell me"—my friend was too excited to notice that Fenwick was sitting, not standing—"that no workers are helped when we raise the minimum wage?"

"Oh, *some* workers will be raised from $1.25 to $1.40 an hour, but far more will not get a job they might have gotten at $1.25. And fewer teen-agers and Negroes will get trained on-the-job—which they desperately want and need. It becomes too costly to train them for skills that take long training periods. Raising minimum wages is absolutely *heartless,"* mourned Fenwick. "It prices innocent, willing workingmen and women right out of the market!"

"Then why should Congress pass such laws?" my friend shouted. "And why would humanitarian men like President Johnson and Governor Rockefeller support them?"

"Politics," chuckled Fenwick. "Politicians and labor leaders get credit for raising wages."

"I happen to know that many business leaders favor minimum-wage legislation!"

"Of course they do—if they're making money in the North," beamed Fenwick. "Northern employers love to force up their competitors' costs in the South. In that way, business leaders in the North won't have to face the desirable effects of that free-enterprise system they love to extol. The public, of course, will pay higher prices for many things—and a good many low-wage earners in the South, where living costs are cheaper, will become disemployed. And many more will remain more hopelessly unemployed than they already are." Fenwick regarded my friend innocently. "Tell me honestly: Would you rather work for $1.25 an hour, or be unemployed at $1.40?"

While my friend was wrestling with many unkind thoughts, Fenwick gave his guileless, friendly smile: "I am all in favor of wages rising—for the right reasons. Take domestic servants, who have enjoyed a remarkable, laudable increase in their earnings. Now, domestic servants don't even have a union—"

But I can't bear to go on. I guess you can see why Fenwick is so unpopular. The man is infuriating.

LEO ROSTEN.

P.S.—Outraged letters should be addressed to P.O. Box 146, Tierra del Fuego, where I shall be spending the long, hard winter. L.R.

INTERGOVERNMENTAL PERSONNEL ACT OF 1967

Mr. GALIFIANAKIS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BINGHAM. Mr. Speaker, I am introducing today the Intergovernmental Personnel Act of 1967. This bill is similar to last year's legislation, but I think it contains some significant improvements. Mr. MUSKIE has introduced it in the other body, and it has already received strong support from many academic experts as well as those who deal with day-to-day practical problems such as Mayor Lindsay of New York City.

One of the least noticed developments in our country has been the enormous growth over the last 20 years of State and local governments. We have grown used to thinking of "big government" as "big Federal Government." But we must recognize that in response to the enormous needs of our citizens, especially our city dwellers, we have witnessed a mushrooming of programs and personnel at the State and local levels.

In the two decades from 1946 to 1965, State revenues rose 467 percent and local revenues rose 460 percent. Twenty years ago, the States and localities spent $11 billion to meet public needs; today they are spending nearly $90 billion.

There has been similar jump in State and local employment to cope with administering these increased revenues. For example, we now have 8 million people working in State and local governments, in contrast to only 3.3 million in 1946. This 130-percent growth in employment at the local level presents a startling comparison with the relatively stable, and low figure of 2.6 million at the Federal level.

Unfortunately, the growth in both employment figures and public programs at the State and local level has not always been accompanied by improvement in the quality and professional caliber of administration. The Senate Subcommittee on Intergovernmental Relations in studying this problem exhaustively concluded that the primary need of State and local governments is to attract and retain good people. Both the shortage of professional manpower and the imminent retirement of many competent people who entered government service during the lean days of the 1930's are creating serious problems in building up strong State and local civil service systems.

The recent enactment of many Great Society programs which rely heavily on skilled administration at the local level, has focused much attention on the need for first-rate people to carry them out. The success of both the poverty program and the Elementary and Secondary Education Act, for example, rests on the sensitivity and professionalism of those who have the immediate responsibility, at the local level, for putting them in action.

The basic purpose of the legislation I am introducing today is to strengthen these State and local civil service systems. Title I authorizes the President, to the extent he deems practicable, to require that State and local administrative personnel be employed under a merit system if Federal funds are to be received under grant-in-aid programs. Other titles give matching grants to help strengthen personnel management systems, authorize Federal personnel training programs to admit State and local trainees, and encourage joint recruitment on the Federal and local level.

One feature of the 1967 bill which I would like to mention specifically is title VIII which provides for interchange of

Federal, State, and local employees for a period of up to 2 years. Under the provisions of this title, we would avoid the unfortunate situation where many dedicated career civil servants are inhibited from moving from Federal to State employment, or vice versa, because they would lose substantial benefits based on seniority or uninterrupted tenure.

This bill will enable Federal employees to transfer their valuable services and expertise to State programs without loss of retirement credits, sick leave, or medical insurance. Similarly, State and municipal employees who might have much to gain from observing the procedures and techniques used on the Federal level will be encouraged to take advantage of Federal service. I am convinced that these new provisions to promote the mobility of public servants at all levels and in all branches is a healthy development which should be encouraged and facilitated.

Our State and local personnel systems have become a major factor in the success of many of our new public welfare programs. The Intergovernmental Personnel Act of 1967 provides a variety of ways to strengthen the professional standing and prestige of personnel at the State and local levels.

NEED TO REVISE SELECTIVE SERVICE LAW—XV

Mr. GALIFIANAKIS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, in 1951, Dr. M. H. Trytten, in conjunction with his committee recommendations concerning student deferments for the new selective service law, wrote:

> We cannot foresee the future. We cannot know what the relative roles of the natural sciences, the social sciences, and the humanities will be in that future. We cannot guess what area of knowledge or narrow portion of knowledge or narrow portion of an area of knowledge, seemingly esoteric and useless in practical matters today, may become of basic and vital importance in the future. And until we can know these things, until we can develop omniscience and clairvoyance about developments to come, we must cling fast to across-the-board student deferment—that is, to deferment of the scholastically promising individual regardless of the field of knowledge he chooses to specialize in.

Unfortunately, Dr. Trytten's guideline is not always followed. Some State draft directors, like Virginia's Capt. Charles L. Kessler, believe that the student deferment program should be ended, except for those studying science, engineering, medicine or any other subject deemed essential to the national economy. General Hershey, in an interview, said:

> I happen to think that liberal-arts people are going to have to run this world, because the specialists haven't got enough sense to do more than their own specialty. On the other hand, I know very well that most local boards will defer someone who's in premedic or medical school before they will defer the liberal-arts man, and it won't make any difference what I say.

The National Director then reported that:

> The local boards will defer a scientist before somebody who is teaching music. I know they'll defer an engineer before somebody doing something else. Biology is give and take. Sometimes they think these biologists are going to be in a position to kill everybody in the world, and they'll go a long way to defer one. Sometimes they don't know what biology is—if they think it's botany, they won't go so far.

When asked, during this U.S. News & World Report interview what the chances are of a student obtaining a deferment if he intended to become a teacher, the general replied:

> You better not expect a perfect answer on this question of "whom do we defer"—especially if things get a lot tighter, as I sort of think we are being prepared to expect.
>
> We started deferring teachers with some emphasis about the time that Sputnik went up. Are teachers in the national interest? Why is it that Congress will loan a kid money to go to college, and if he'll teach five years, he doesn't owe anything? They gave him about a 20 per cent reduction in his loan for every year of teaching.
>
> Is that a recognition that a teacher is in the public interest? I would think so. But I've got to run the draft with people, and they've got their own ideas a lot of times. You go out and try to tell the public they should defer a lawyer with the same speed they do an engineer. You just can't sell it.
>
> If a student is in the health line, he's going to be hard to tear loose, because everybody can see themselves sick.
>
> If he's studying to be a minister, you'd probably start your deferments with him. But when there's some poor cuss struggling around there in liberal arts, and the board says, "I'm going to show people how to govern themselves"—he would get laughed at.
>
> Still, I believe honestly that the salvation of this world is trying to get somebody who knows a little bit of a lot of things and has some guts and character. But I don't know if you can develop either one of these qualities.

Last June, before the House Armed Services Committee, the distinguished gentleman from California [Mr. HOLIFIELD] presented an excellent example of the chaotic structure of the Selective Service System. He reported that in one community in his district, four local boards operated out of the same building but each board adopted its own procedures, practices, and interpretation of the law and devised their own set of regulations. Some of these boards even have been further split into panels, again each with its own methods. Mr. HOLIFIELD went on to describe the differing policies of the California boards:

> We have in California some 75 junior colleges, with the curriculum containing the first 2 years of college, and they have the same standards of the 4-year colleges. But yet, if a student attends a junior college—and this is where about 459,000 students of most poor students (sic) are going to college—some boards are recognizing and respecting junior colleges, others do not.
>
> One board defers a student to the middle of October after registration, while another defers to the end of the school year in June. One board considers that a full-time student is one who takes 30 units of study, while another board requires 24 units; another says 12.

This is a perfect description of what happens when the local boards have "got their own ideas." It results in chaos and disorder. General Hershey, however, is satisfied with this operation and continues to oppose the introduction of uniform standards:

> We've got 4000 local boards and if half of them are wrong, that's a damn sight better than if I were making the decisions. I could be wrong all the time.

General Hershey notwithstanding, the confusion originating from the varying policies practiced by the local boards necessitates the establishment of uniform standards.

REASON AND TOLERANCE IS NEEDED IN ENFORCEMENT OF SCHOOL GUIDELINES

Mr. GALIFIANAKIS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FUQUA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FUQUA. Mr. Speaker, recently the U.S. Office of Education released its guidelines for the school year 1967 under title VI of the Civil Rights Act.

I am very concerned as to how these guidelines will be enforced. If the attitude of the Office of Education is inflexible and unbending, then very serious problems will confront local school officials.

If on the other hand, the attitude is one of helpfulness and tolerance, I feel that States like Florida can make genuine progress. In some situations, compliance is no problem, in others it takes a little time and thought, more effort on the part of the State and the Federal Government.

What I have to say here today is something I feel is critical to education in these United States. Maximum progress can and will be made only through cooperation, and I feel that too often we have not seen that attitude.

Let me state that I speak about Florida.

Our State has one of the finest educators this Nation has produced in our superintendent of public instruction, Floyd Christian. His department has no intention of willfully violating the law, rather they seek to blend the law of the land with the circumstances they find themselves with.

This department needs and should have the cooperation of the U.S. Office of Education, but too often this has not been the case.

This is a highly sensitive area and needs to be handled by professionals. The Office of Education sees that competent men and women are used in this area. Professional educators can understand professional educators, and can work together to solve our problems.

Each school district presents a different situation. There are many areas where there will be absolutely no problem. There are others where the situation is extremely difficult. It was never the intent of Congress in passing the Civil Rights Act that arbitrary figures be used. Rather it was their intent that no child be denied access to any school because of his or her race, color, or creed.

There are many States that are making a good-faith effort. I submit to you that no State in the Nation has made more progress and a more determined effort than has Florida.

Why then should we not see a conciliatory attitude on the part of the Office of Education?

Time after time we have seen the State department of education bypassed, yet there has never been any hint nor criticism that the State agency sought to thwart the intent of the law.

What I plead for is simply commonsense and reason. I can understand harsh measures when there is a complete lack of cooperation on the part of the State. Such, I contend, is not now, nor has it been, the situation in Florida.

I submit to the Secretary of Health, Education, and Welfare, that only through cooperation of State and Federal officials can we achieve real progress.

There are so many variables in dealing with combining schools. It makes sense to handle each on an individual basis.

And when handling them on that individual basis, it seems to me that we can use reason—that we attempt not to disrupt the educational process of the children.

This is a trying period.

I believe firmly and sincerely that the county superintendents in Florida are as honorable and hard working as any group of educators in the Nation. Recently I received information from most of the superintendents in my district as to the problems which the guidelines have caused them.

I think it significant to point out that these men already have a multitude of problems. Financing of their local school system, acquiring and keeping faculties, and so forth, are tremendous tasks.

The goal we seek is the best possible education for every child. I believe that if the Federal Government will adopt the attitude that it will work with the State, and through the State, real progress can be made.

I think that professional educators, genuinely concerned about the quality of education as well as compliance with the law, can do more in 1 year of reasonable action, than we will see in a decade of force and coercion.

It is at least worth a try.

I do not believe that such an effort has been made to date.

I find that too often we have seen directives arrived at in a bureaucratic way in Washington and then crammed down the throat of local officials, without regard to local conditions.

In our foreign aid program, this Nation recognizes that local conditions vary, and we attempt to recognize those conditions.

It seems to me that our own people are due this consideration.

THE PLIGHT OF OUR MERCHANT MARINE

Mr. GALIFIANAKIS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Dent] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DENT. Mr. Speaker, in the upcoming argument on the reciprocal trade agreements the following data on the plight of our merchant marine should be read by every Member.

For the past 10 years I have tried to impress Congress with the facts of foreign trade.

When measured by any honest rule, this Nation is facing a serious industrial crisis because of our trade policies. We can have American industrial and job protection without isolationism, or we can have free trade and a bankrupt industrial complex.

Our Merchant Marine and Enlarged Foreign Trade

(By O. R. Strackbein, chairman, the Nationwide Committee on Import-Export Policy, October 28, 1966)

A lingering hope has persisted that a positive correlation could be established between the fortunes of our merchant marine and the upward trend of our foreign trade. The idea of such a correlation seems natural and wholly reasonable.

It has been a long-suffering hope and it still burns, though rather fitfully, in some breasts.

Unfortunately for this fond hope the record of the last thirty years gives it little if any sustenance. The only correlation that is visible is a *regressive* one. The record indicates that the higher our trade has mounted, the lower has run the percentage carried by American flag ships. This is specifically true of our imports but not wholly so of our exports because cargo and military preferences have moderately boosted our ships' export participation.

IMPORT TRADE

Were our merchant marine competitive with the ships of other countries our *share* of yearly imports carried in our ships should have remained constant or nearly so. As imports increased our share of the cargoes should have increased in proportion. The following table abstracted from the Statistical Abstract of the United States, 1966, Table 871, p. 600, shows the waterborne imports of the United States, classified by flag of the carrier vessels for certain years from 1935 to 1964:

U.S. import tonnage (cargo) by flag of carrier vessel

[In millions of short tons]

Year	Total import cargo tonnage	Carried by U.S.-flag ships	Carried by foreign-flag ships	Percent United States
1935	38.0	15.8	22.2	41.6
1945[1]	39.4	31.4	8.0	79.7
1950	96.7	42.2	54.4	43.7
1955	141.1	37.4	103.7	26.5
1960	198.8	19.6	179.2	9.9
1964	233.7	16.2	217.4	7.0

[1] Excludes U.S. Army and Navy cargo, and Great Lakes.

From the above table it can be seen that as recently as 1955 our flag ships carried 26.5% of our import tonnage or 37.4 million short tons of a total of 141.1 million tons. This percentage declined sharply in subsequent years even as our imports climbed to new heights. By 1960 when import tonnage had *risen* to 198.8 million, or by 40% in five years, the tonnage carried by our flag ships had *dropped* from 37.4 million to 19.6 million, or by 47.5%.

The *share* of our imports carried by American flag vessels declined from 26.5% to 9.9%.

Since 1960 our share, already at this low level, has continued to slip. In 1964 total imports had risen to 233.7 million tons but we carried only 16.2 million tons of it, or 7.0%. Had we held even to the 1960 share we would have carried 23.1 million tons instead of 16.2 million, or 7 million tons more than the actual haul.

Better yet, had we held at the 1955 share (26.5%) in 1964, our ships would have carried 61.9 million tons instead of 16.2 million tons, or nearly four times the tonnage to which our share had shrunk in 1964. Meantime our merchant marine continued to be pilloried for its inability to do better in spite of the subsidies it has received year after year.

On an absolute rather than share basis, the tonnage of imports carried by our ships in 1964 (16.2 million) compared with 15.8 million tons in 1935, or an increase of less than 3% in 30 years, while total import tonnage increased from 38.0 million in 1935 to 233.7 million in 1964. This was more than a six-fold increase.

The only sound conclusion is that the *growth* of our import trade, which was in the magnitude of 600% in terms of tonnage, as just noted, in the past 30 years, did nothing for our merchant marine. To all intents and purposes, in point of growth and participation, American flag ship construction and operation stood still during the last 30 years, so far as imports are concerned, with the exception of the World War II period. *There is no reason to believe that so far as present governmental merchant marine policy is concerned a doubling of our foreign trade even now would of itself underwrite the construction of a single ship.* If these policies so successfully resisted expansion over a 30-year period (the wartime expansion excepted) while a six-fold increase in our import tonnage occurred, they would surely experience little difficulty in resisting any stimulus to shipbuilding from a mere doubling of the present level of imports.

EXPORT TRADE

The case of our export trade is a little better; but the more favorable showing did not arise from a stronger international competitive position. It was the result of cargo preferences. Even so the record has been dismal enough, and the outlook grim.

The next table will show U.S. flag ship participation in our export trade:

U.S. export tonnage (cargo) by flag of carrier vessel

[In millions of short tons]

Year	Total export cargo tonnage	Carried by U.S.-flag ships	Carried by foreign-flag ships	Percent United States
1935	42.7	9.7	32.9	22.9
1945	61.6	37.7	23.8	61.2
1950	62.6	20.3	42.3	32.5
1955	112.7	22.1	90.6	19.6
1960	123.8	20.1	103.7	16.3
1964	171.4	23.9	147.4	14.0

Source: Statistical Abstract of the United States, 1966, table 871, p. 600.

In 1955 when our ships carried 26.5%, as the first Table shows, of our *import* tonnage, they carried only 19.6% of our *export* tonnage, as the above Table shows. By contrast with the downward plunge in our share of import tonnage from 26.5% in 1955 to

9.9% in 1960, our share of the export tonnage fell only from 19.6% to 16.3% during the same period. Cargo preference extended to AID shipments held down the slippage. Despite this preference, however, our share in our export shipments fell to 14.0% in 1964. Without the AID preference it would have been less than half as much or between 5% and 6%.[1]

This decline in our share occurred while total exports rose from 123.8 million tons (1960) to 171.4 million tons in 1964 or 30%.

Had we carried the same share in 1964 as in 1955 (which was a modest 19.6%), our ships would have carried 33.6 million tons more of exports than they did, or 57.5 million tons instead of only 23.9 million tons.

Again, it is clear that the growth of our over-all export trade did not rub off on our own shipping. Our ships were held in the doldrums by a public policy that not only inhibited but stunted all growth except such as was attributable to cargo preference.

OVER-ALL TONNAGE

Other measures of the regression of our merchant marine confirm the atrophy of the American merchant marine. The following table shows the net tonnage of vessels entering our seaports, by flag of carrier vessel:

Vessels entered in foreign trade, by flag of carrier vessel, net registered tonnage

[In millions of short tons]

Year	Total tonnage entered seaports	Total U.S. tonnage entered seaports	Total foreign tonnage entered	Percent United States
1931–35	54.9	19.8	35.0	36.1
1941–45	52.6	30.0	22.5	57.1
1951–55	100.6	35.3	65.3	35.0
1955	113.8	30.4	83.4	26.7
1960	145.8	26.7	119.1	18.3
1965	183.7	30.9	152.8	16.8

Source: Statistical Abstract of the United States, 1954, table 715, p. 608; 1966, table 885, p. 606.

During the 1931–35 five-year period (depression years), net registered tonnage of American vessels entering our seaports, according to the Table, was 19.8 million of a total of 54.9 million. Net registered tonnage of foreign vessels entered was 35 million. Our share was 36%. In 1965 the tonnage of U.S. vessels entering our seaports was 30.9 million, compared with 152.8 million tons of foreign shipping. U.S. tonnage had increased 11.1 million; the foreign had ballooned by 117.8 million. Our increase was 56%; the foreign, 335%.

Since *1955* our level rose from 30.4 million tons entered, to 30.9 million in 1965. In the same period *foreign* tonnage entering our seaports increased from 84.2 million tons to 152.8 million. Our increase was 500 thousand tons; the foreign, 68.6 million tons. In other words, the foreign entries into our seaports since 1955 have increased about 136 times our increase.

CONCLUSION

From the foregoing statistics it becomes clear that the hope of establishing a positive correlation between the volume of our foreign trade and the tonnage participation of American flag vessels is unrealistic and rendered wholly untenable by the pursuit of deeply-set and politically irreversible governmental policies that have imposed impossible competitive burdens on the construction of ships in American yards and their operation under the American flag. These burdens have been embodied in a succession of legislative enactments that have had the massive support of the electorate. Among these enactments are obligatory collective bargaining, massive farm price supports, minimum wages, social security, and other welfare measures, plus legislation applicable specifically to the merchant marine, such as working conditions, rations and more rigid governmental regulations.

The justification or desirability of these cost-raising measures is not in question; but their effect in producing competitive handicaps of insuperable proportions cannot be doubted. Under these conditions the natural and expected linkage between the growth in our foreign trade and the fortunes of our merchant marine is destroyed. The two are forced into separate worlds of their own.

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[1] Source: Maritime Administration, Office of Statistics, Aug. 6, 1965. (Contribution of Federal Programs to U.S. Foreign Trade—1964.)

PROPOSED TAX DEDUCTION FOR EXPENSES OF COMMUTING BY MASS TRANSPORTATION

Mr. GALIFIANAKIS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WOLFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WOLFF. Mr. Speaker, it is a fact of life that the majority of our jobs are in the cities while many of the working people must live in the suburbs and assume the financial burden of commuting. A monthly cost of traveling to and from work of $50 is hardly uncommon any more and this burden falls most heavily on the lower income brackets.

At the same time we find that the traffic problem in our cities congested by cars with only one or two passengers is fast reaching the impossible stage.

Legislation I am introducing today meets both these problems by allowing a deduction from Federal taxable income of the expenses of commuting, by mass transportation, to and from work. This would ease the financial burden on the individual, would indirectly subsidize public transportation freeing more direct subsidies for other purposes, and would obviously help to provide a realistic solution to the problem of traffic congestion.

"ELEVATOR OUT OF POVERTY"—UPWARD BOUND PROGRAM IN MAINE

Mr. GALIFIANAKIS. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. KYROS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KYROS. Mr. Speaker, the Upward Bound program has been a great success in Maine, and is fulfilling a cherished American tradition by helping young people to help themselves.

There is an excellent article by Doris C. Davis in the December issue of the Maine Teacher, which aptly describes the Upward Bound program as "an elevator out of poverty."

This is exactly what the program has proven to be for the 150 students participating last summer in Upward Bound projects at Bowdoin College, Gorham State College, and the University of Maine.

Accompanying Miss Davis' article is a report by Norman LaPointe, guidance director at Lewiston High School, on the galvanizing effect Upward Bound students have had upon their classmates since last summer's session.

Mr. Speaker, I heartily endorse the work of the Upward Bound program in Maine and hope that this year the program can be extended to reach more of Maine's needy young people. I wish to include Miss Davis' article and Mr. LaPointe's report as they appeared in the Maine Teacher, at this point in the RECORD:

[From the Maine Teacher, December 1966]

ELEVATOR OUT OF POVERTY

(By Doris C. Davis)

What can a school offer when it wants to give a boost to a young person with good potential but limited economic and cultural background and mediocre school achievement?

This was the question facing directors and faculty at Upward Bound programs this summer on the campuses of Bowdoin College, Gorham State College, and the University of Maine. Each group found a somewhat different answer—but the experience of all three is instructive for teachers who want to help every child, regardless of his background.

Upward Bound is a project of the War on Poverty that brought students from low income families to more than 200 college campuses all over the country for six-week sessions aimed at encouraging and preparing them for higher education. In Maine each of the three centers enrolled 50 older high-school students.

Upward Bound directors and faculty from these institutions are now carrying on an academic year follow-up in the schools and homes of their students. These same students will return to the college campuses next summer and receive guidance through their senior year.

Students chosen for Upward Bound came from families which met the poverty criteria set by the Office of Economic Opportunity. Generally they were students with good potential but who often had been underachievers in their present high schools.

The academic curriculum aimed at the engagement and involvement of the individual. Too often these students had been passive and in some cases uninterested and negative in their school environments. An attempt was made to enlist the student's intellect and creativity through free discussion in small groups, rather than through structured analytical methods. The academic program was not intended to be primarily remedial nor to anticipate future work, but to provide academic experiences through which the student might develop skills helpful for college success, often in areas not usually covered in school curriculums.

As admission to higher education is the basic Upward Bound objective, the first year is to familiarize the student with educational opportunities beyond high school, to create self-awareness of his capacity to handle advanced education, and to provide tools for better academic work in the remaining high school years.

ART WAS IMPORTANT AT GORHAM

At Gorham the first summer emphasized classes in sociology, economics, art, music, and recreation. The high school and college instructors used somewhat unconventional and unstructured approaches in the five classes. Students who had never before painted and those who reportedly hated art found this form of self-expression and creativity exciting. Each student worked in a medium he chose, from water to oil, and the subject matter ranged from abstract representations to life-like portraits. The music classes were conducted in a similar, unstructured manner. Group singing and creativity were stressed and students attempted their own musical compositions. Small group discussions in sociology touched on such diverse subjects as the ape man, war, poverty, and discrimination. Students tried to analyze their own prejudices. The "textbooks" used in sociology included *The Epic of Man* and *Early Man* from the Time-Life book series. Also, Edward Steichen's photographic Essay *The Family of Man* stimulated group discussions on a variety of topics. Students analyzed our monetary system by following "dollars" from creation to destruction. They became more aware of the relation between jobs, income, prices, and wages. Students who were familiar with only basic sports and games were able to experiment with trampoline, weights, and other unique equipment in the college gymnasium.

Gorham Upward Bound students traveled to Hartford, Connecticut, where they analyzed the aesthetic and pragmatic appeal of Constitution Plaza, and viewed a segment of the computer age at Traveler's Insurance Company. On their visit to Boston they browsed in the art stores on Newbury Street, in the Museum of Science on the Charles, and in the bookstore at Boston University. On their trips they met with business and industrial leaders who are planning for the future and who will perhaps assist them in their own futures.

IDEAS AND ABSTRACTIONS AT BOWDOIN

Bowdoin's academic program revolved around humanities, mathematics, and reading development. Many of the materials used were developed by Educational Services Inc., Cambridge, Mass. Humanities units included, "Evolution and Victorian Poetry" (initiated by the film "Clay"); "Style and Point of View" (using *Great Short Stories*); "The Hero in Jail" (using Baldwin's *Notes of a Native Son* and others); "Square vs. Hip" (using Dylan Thomas on records and *Quite Early One Morning*); "Writing about Oneself" (using Camus' *The Stranger* and others); "Vincent Van Gogh" (using *The Letters of Van Gogh* and *The Creative Process*); and "Haiku" (reading and creating poetry).

Mathematics units, in which students were taught not to mistake theory for experiment, included: "Surface Area" (calculating the surface area of various patterns made from wooden blocks); "Game Theory of Strategy"; "Slide Rule" (the mathematical background involved in the workings of a slide rule as well as practical experience); "The Computer" (studying theory, technique, and operation of computers—including visiting computer centers); "Map Coloring" (a development of the four-color problem along with other topological puzzles and oddities); "Probability" (using dice, coins, and cards—examination of basic principles of elementary probability); "Associated Numbers" (an introduction to infinite series and their limits—used Madison Project film on Convergence); "Four Fours" (attempting to make all the numbers from 1 to 25 using exactly four 4's, common mathematical symbols, and no other numbers); and "Elusis" (an ESI card game in which one player thinks up a rule such as alternate colors and the others try to guess the rule by offering cards which are accepted if they fit the rule).

There were four sections of reading development taught by two reading specialists. Students were taught how to develop study skills, including analysis of different types of texts, reading for important ideas, and concentration.

The co-curricular program was carried out by ten Program Assistants, who lived in the dormitories with the Upward Bound students, and by three program advisers in photography, art, and music. Field trips ranged from a visit to a settlement house in the Roxbury area of Boston to Winslow Homer's studio at Prout's Neck, from the Marine Biological Laboratory in Boothbay Harbor to a launching of a destroyer escort at the Bath Iron Works. Afternoon activities were begun as a kind of cafeteria sampling of theater, newspaper, living laboratory, creative writing, etc. Most students participated in sports and in at least one of a series of weekend camping trips. Upward Bound students had a community service project during which they cleared a lakefront area and built a tree house for the local park and recreation commission. Weekly bull sessions (on topics chosen by students) were popular at both Gorham and Bowdoin.

READING AND FAMILY LIVING AT UNIVERSITY OF MAINE

Upward Bound at the University of Maine included a great deal of professional counseling. Formal classes consisted of remedial and developmental reading, study skills, and current world events. In addition, there were about twelve lectures and group discussions on family living. Students also were invited to attend college classes as auditors, according to their interests. One student attended biology classes; one sat in on psychology; one in math; and another in zoology. Several students attended animal autopsies.

The guidance counselor held regular group counseling sessions with all students and individual counseling as needed and requested. This counselor was available at all times of day or night. In addition, the Director and Assistant Director were always available for counseling and were often consulted.

In addition to the four academic instructors, the staff at Maine included a recreation specialist, who also served as house mother for the girls, and ten college-age counselors. Activities included attending summer theatre productions on campus and a trip to Lakewood to see "Oliver," swimming, basketball, softball, bowling, and badminton. Both the Maine and Gorham groups made weekend trips to Baxter Park and climbed Mount Katahdin. They spent one week at Camp Winniaugwamauk with classes and sports going on as usual. They visited the Maine Seafoods Festival at Rockland and had a lobster picnic at Waterman's Beach. They also made campus tours at Farmington State.

At all three groups almost everything was a new experience. Some students had never been up in an elevator. Many had never attended live theatre. Some had never been more than a few miles from their homes. At both the University of Maine and Bowdoin several students came from Indian reservations. Many came from broken homes and were supported by Aid for Dependent Children stipends. Living in dormitories on the college campuses represented a real change in environment.

The classes were exciting to observe. The three faculties consisted of approximately half college and half secondary-level instructors. Many students were quiet when they arrived; some were frightened; some were skeptical; some were apathetic. Not all were changed markedly nor in the same way, but the total response is increasingly positive. As Upward Bound directors visit schools and homes, enthusiasm and effort have replaced lethargy in most cases.

In some instances, there has been a ripple effect, where in other friends along a dirt road in the country may be exchanging the Upward Bound student's materials—from *Brave New World* to the *Christian Science Monitor*.

Many of these Upward Bound students—and perhaps some of their brothers and sisters and neighbors—will no longer have high school a dead end. Problems are many—one student has had to have all his teeth out. Another has to find a place to study. Another has to convince his parents, even though funds for loan and scholarship are available, that he should go on past high school.

Students at the bottom of the economic ladder, often living in remote rural areas, have had their talents long neglected. Most of the students who have had the opportunity to be part of Upward Bound warmly declare that it has been the most meaningful experience of their lives. Upward Bound is a start at reaching the promising student who too often in the past has felt no promise was his.

[From the Maine Teacher, December 1966]

AFTER THEY WENT HOME . . .

A number of students, three of whom attended Gorham State College last summer under the federal Upward Bound program, are organizing an Upward Bound Club at Lewiston High School.

The common purpose of the club according to members is "to get together to do things which we have not done separately or in other groups because we just didn't feel part of any group and as a result were afraid to try." Many activities have already been planned. Andre Ouellette '68, chairman of the club, said, "We will go as far as our imagination and good sense carry us." Some projects:

1. Lectures and talks on art, religion, science, travelogues, and sports.
2. Practice in public speaking through required talks by members on books, educational experience and other events of interest. One presentation for each meeting.
3. Two formal dinners planned for this year.
4. Trip to Boston: Museum of Natural History and Planetarium.
5. Attending plays at Bates College.
6. Group discussion series with teachers and Bates College students: current events, the political situation, and education.
7. To plan an assembly skit or short play.
8. And, of course, ways of financing these projects.

The enthusiasm generated by these young people is not only encouraging to teachers and parents, but more importantly to other students as well. A constitution has been written with the advice of Geneva Kirk, head of the Lewiston High School Social Studies Department, and a membership drive has been planned.

NORMAN LAPOINTE,
Guidance Director,
Lewiston High School.

INTERNATIONAL COMMUNICATIONS AND U.S. FOREIGN POLICY

Mr. GALIFIANAKIS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FASCELL. Mr. Speaker, I am taking this opportunity to announce that the Subcommittee on International Organizations and Movements of the House Foreign Affairs Committee will hold 2 days of hearings on the subject of "International Communications and U.S. Foreign Policy."

The hearings are scheduled for tomorrow and Thursday, February 8 and 9. They will be held in room 2200, Rayburn House Office Building. They will be open to the public.

The hearings will consist of four sessions beginning, respectively, at 10 a.m. and 2 p.m. on the appointed days.

A group of 16 outstanding experts in the field of communications will testify. These will include Dr. Ithiel de Sola Pool, of Massachusetts Institute of Technology; Dr. Joseph Klapper, director of social research for the Columbia Broadcasting System; Mr. John Mecklin, of Time-Life, who has just returned from Vietnam and who served there as our public affairs officer; and Ambassador George V. Allen, Director of the Foreign Service Institute.

We sincerely hope that Members interested in this aspect of our foreign policy will make a note of these hearings and, to the extent that they are able to do so, feel free to attend them.

I would like to point out that these hearings represent the continuation of study of the "U.S. Ideological Offensive in the Cold War," initiated by our subcommittee nearly 4 years ago.

At a time of increasing conflict and danger on the international scene, it is important that we review both the problems and the opportunities created by the revolution in communications.

It is equally urgent that we explore every possibility of using modern communication techniques to further our foreign policy objectives.

The schedule of the hearings, and the names of the witnesses scheduled to appear before our subcommittee, are as follows:

Wednesday, February 8, 10 a.m., room 2200, Rayburn House Office Building: "The Role of Public Opinion in International Relations":

Dr. Lloyd A. Free, Institute for International Social Research, of Princeton, N.J.: "The Role of Public Opinion in Implementing U.S. Foreign Policy."

Hon. George V. Allen, Director, Foreign Service Institute, U.S. Department of State, Washington: "The Role of Governmental Activities in Influencing Public Opinion."

Dr. W. Phillips Davison, Graduate School of Journalism, Columbia University; member, Council on Foreign Relations: "Private Channels of Communication."

John M. Mecklin, associate editor, Fortune magazine, New York: "Problems of Communication in a Crisis Situation: A Case Study of the Role of Public Opinion in the Vietnam Conflict."

At 2 p.m.: "Techniques of Modern Communication: From Comic Books to Computers and Satellites":

Dr. Ithiel de Sola Pool, Center for International Studies, Massachusetts Institute of Technology: "The Impact of Technology on Communications Systems."

Dr. Joseph T. Klapper, director of social research, Columbia Broadcasting Co., New York: "Basic Research in Persuasion and Motivation: The Capability of Communications Media To Influence Opinions on New Issues."

Wilson P. Dizard, Office of Policy and Research, U.S. Information Agency: "The Spread of Television Technology and Implications of Satellite Communications."

John Richardson, Jr., president, Free Europe, Inc. (Radio Free Europe): "Communicating with Totalitarian Societies."

Thursday, February 9, 10 a.m., room 2200 Rayburn House Office Building: "U.S. Communications With the Developing Countries":

Dr. David C. McClelland, professor of psychology; chairman, Department of Social Relations, Harvard University: "Not by Bread Alone: The Role of Motivation in Development."

Dr. Joseph Stepanek, consulting engineer, Boulder, Colo.: "Communications Cycle and the Dissemination of Innovation."

Peter H. Neumann, senior vice president, Addison-Wesley Publishing Co., Reading, Mass.: "The Role of Publications in U.S. Overseas Communications."

Hewson A. Ryan, Deputy Director, Policy and Research, U.S. Information Agency: "U.S. Government Information Programs and the Developing Areas."

At 2 p.m.: "Establishing Internal Communications in Developing Societies":

Dr. Frederick W. Frey, Political Science Department, Massachusetts Institute of Technology: "Mass Media and the Peasantry."

Dr. H. Field Haviland, Jr., the Brookings Institution, Washington, D.C.: "Education as a Factor in Development."

Edgar L. Owens, Chief of Planning Division for Latin America, Agency for International Development, Washington, D.C.: "Fact Collection as a Function and Prerequisite of Effective Internal Communication."

Dr. Mose L. Harvey, director, Center for Advanced International Studies, University of Miami, Florida: "The Need for a 'Leapfrog' and the Promise of the New Technology."

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. HALPERN (at the request of Mr. CARTER), for 5 minutes, today, and for 15 minutes, on February 9; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. MCMILLAN and to include a letter.

Mr. GRAY.

(The following Members (at the request of Mr. GALIFIANAKIS) and to include extraneous matter:)

Mr. ST. ONGE.

Mrs. GRIFFITHS.

Mr. THOMPSON of New Jersey.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 20. An act to provide for a comprehensive review of national water resource problems and programs, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 270. An act to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes; to the Committee on Interior and Insular Affairs.

ADJOURNMENT

Mr. GALIFIANAKIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 32 minutes p.m.), the House adjourned until tomorrow, Wednesday, February 8, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

343. A letter from the Acting Director of Civil Defense, transmitting a report on Federal contributions program—equipment and facilities (reporting symbol OCD–CONG (Q)2) for the quarter ending December 31, 1966, pursuant to the provisions of subsection 201(i) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

344. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a notification of the location, nature, and estimated cost of certain additional facilities projects proposed to be undertaken for the Air National Guard, pursuant to the provisions of section 2231a (1), title 10, United States Code; to the Committee on Armed Services.

345. A letter from the Secretary of Housing and Urban Development, transmitting a report on the insurance premiums and others charges collected under mortgage insurance for land development, by the Federal Housing Administration, pursuant to the provisions of Public Law 89–117; to the Committee on Banking and Currency.

346. A letter from the Secretary of Labor, transmitting a request for a delay in filing the annual report covering the administration of the Fair Labor Standards Act, the filing to be made not later than February 15; to the Committee on Education and Labor.

347. A letter from the Director, Peace Corps, transmitting a draft of proposed legislation to amend further the Peace Corps Act (75 Stat. 612), as amended; to the Committee on Foreign Affairs.

348. A letter from the Assistant Secretary for Administration, Department of Commerce, transmitting a report of foreign excess property disposed of during calendar year 1966, pursuant to the provisions of Public Law 81–152; to the Committee on Government Operations.

349. A letter from the Comptroller General of the United States, transmitting a report of procurement of locomotives for Thailand under the military assistance program, Department of Defense; to the Committee on Government Operations.

350. A letter from the Comptroller General of the United States, transmitting a report of payment of certain severance benefits to former Foreign Service officers, Department of State; to the Committee on Government Operations.

351. A letter from the Acting Secretary of Commerce, transmitting the 10th semiannual report on the activities of the U.S. Travel Service, pursuant to the provisions of section 5 of the International Travel Act of

1961; to the Committee on Interstate and Foreign Commerce.

352. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report of the Administration on employee personal property claims settled during calendar year 1966, pursuant to the provisions of section 241(e), title 31, United States Code; to the Committee on the Judiciary.

353. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to amend title 5, United States Code, to authorize payment of travel expenses of applicants invited by an agency to visit it in connection with possible employment; to the Committee on Post Office and Civil Service.

354. A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to promote and support representation of the U.S. interests in voluntary international commercial standards activities, to establish a clearinghouse for commercial and procurement standards, and for other purposes; to the Committee on Science and Astronautics.

355. A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 399. A bill to authorize the Administrator of Veterans' Affairs to convey certain real property to the city of Batavia, N.Y. (Rept. No. 5). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 2152. A bill to amend the act incorporating the Disabled American Veterans so as to provide for an annual audit of their accounts. (Rept. No. 6). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 2730. A bill authorizing the Administrator of Veterans' Affairs to convey certain property to Temple Junior College, Temple, Tex.; with amendment (Rept. No. 7). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 3593. A bill to amend title 48 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska or Hawaii. (Rept. No. 8). Referred to the Committee of the Whole House on the State of the Union.

Mr. DELANEY: Committee on Rules. House Resolution 226. Resolution providing for the consideration of H.R. 4573, a bill to provide, for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act. (Rept. No. 9). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 124. Resolution authorizing the Committee on Armed Services to conduct a full and complete investigation and study of all matters relating to procurement by the Department of Defense, personnel of such Department, laws administered by such Department, use of funds by such Department, and scientific research in support of the armed services; with amendments (Rept. No. 10). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 4986. A bill to amend the Internal Revenue Code of 1954 to provide that a farmer shall have until March 15 (instead of only until February 15 as at present) to file an income tax return which also satisfies the requirements relating to declarations of estimated tax; to the Committee on Ways and Means.

By Mr. BINGHAM:

H.R. 4987. A bill to strengthen intergovernmental cooperation and the administration of grant-in-aid programs, to extend State and local merit systems to additional programs financed by Federal funds, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the interchange of Federal, State, and local personnel; to the Committee on Education and Labor.

By Mr. BROOMFIELD:

H.R. 4988. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

H.R. 4989. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 4990. A bill to amend the Bankruptcy Act to authorize courts to bankruptcy to determine the dischargeability or nondischargeability of provable debts; to the Committee on the Judiciary.

H.R. 4991. A bill to amend chapter XI of the Bankruptcy Act to give the court supervisory power over all fees paid from whatever source; to the Committee on the Judiciary.

H.R. 4992. A bill to amend the Bankruptcy Act to permit a husband and wife to file a joint petition in ordinary bankruptcy and chapter XIII (wage earner) proceedings; to the Committee on the Judiciary.

By Mr. CLEVELAND:

H.R. 4993. A bill to amend the National Labor Relations Act to make it an unfair labor practice for an employer or a labor organization to discriminate unjustifiably on account of age; to the Committee on Education and Labor.

H.R. 4994. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in employment against individuals on account of their age; to the Committee on Education and Labor.

H.R. 4995. A bill to amend the Internal Revenue Code of 1954 to provide credit against income tax for an employer who employs older persons in his trade or business; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 4996. A bill to require the Secretary of Labor to collect and disseminate employment information regarding local law enforcement agencies; to the Committee on Education and Labor.

H.R. 4997. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 4998. A bill to establish an emergency program of direct Federal assistance in the form of direct grants and loans to certain hospitals in critical need of new facilities in order to meet increasing demands for service; to the Committee on Interstate and Foreign Commerce.

H.R. 4999. A bill to establish a Commission on Trading Stamp Practices to provide for the regulation of trading stamp companies and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FINO:

H.R. 5000. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. GOODELL:

H.R. 5001. A bill to terminate the authority provided by the Participation Sales Act of 1966 to issue and sell beneficial interests and participations; to the Committee on Banking and Currency.

H.R. 5002. A bill to repeal the suspension of the investment credit and of the allowance of accelerated depreciation; to the Committee on Ways and Means.

By Mr. HARSHA:

H.R. 5003. A bill concerning Federal tax fairness; to the Committee on Ways and Means.

By Mr. HERLONG:

H.R. 5004. A bill to amend the Internal Revenue Code of 1954 to provide for the deferment of income from service contracts; to the Committee on Ways and Means.

By Mr. HUNT:

H.R. 5005. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. KARTH:

H.R. 5006. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. KYL:

H.R. 5007. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. LUKENS:

H.R. 5008. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. MAILLIARD:

H.R. 5009. A bill to amend title II of the Merchant Marine Act, 1936, to create the Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PICKLE:

H.R. 5010. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. QUILLEN:

H.R. 5011. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 5012. A bill to provide for the appointment of postmasters and rural carriers in the postal field service on a merit basis, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5013. A bill to amend title 38 of the United States Code so as to provide that public or private retirement, annuity, or endowment payments (including monthly social security insurance benefits) shall not be included in computing annual income for the purpose of determining eligibility for a pension under chapter 15 of that title; to the Committee on Veterans' Affairs.

H.R. 5014. A bill to amend section 502 of title 38, United States Code, to liberalize the disability determinations for pension purposes; to the Committee on Veterans' Affairs.

H.R. 5015. A bill to amend title 38 of the

United States Code so as to provide that monthly social security benefit payments shall not be included as income for the purpose of determining eligibility for a pension under title 38; to the Committee on Veterans' Affairs.

H.R. 5016. A bill to amend chapter 15 of title 38, United States Code, in order to increase by 20 percent the income limitations imposed by that chapter on persons entitled to pensions thereunder; to the Committee on Veterans' Affairs.

By Mr. SCHWEIKER:

H.R. 5017. A bill to provide for a more effective and equitable draft system by amending the Universal Military Training and Service Act; to the Committee on Armed Services.

By Mr. WATKINS:

H.R. 5018. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. WOLFF:

H.R. 5019. A bill to amend the Internal Revenue Code of 1954 to allow an individual an income tax deduction for the expenses of traveling to and from work by means of mass transportation facilities; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 5020. A bill to establish a National Study Commission on Water Conservation and Utilization; to the Committee on Interior and Insular Affairs.

By Mr. QUILLEN:

H.J. Res. 268. Joint resolution authorizing and requesting the President of the United States to issue annually a proclamation designating June as Amyotrophic Lateral Sclerosis Month; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.J. Res. 269. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

H.J. Res. 270. Joint resolution proposing an amendment to the Constitution of the United States with respect to the appointment of postmasters; to the Committee on the Judiciary.

By Mr. CRAMER:

H. Con. Res. 126. Concurrent resolution to direct the appropriate committees of the House of Representatives and the Senate to consider a memorial to the astronauts who lose their lives in the line of duty; to the Committee on Rules.

By Mr. GURNEY:

H. Con. Res. 127. Concurrent resolution to direct the appropriate committees of the House of Representatives and the Senate to consider a memorial to the astronauts who lose their lives in the line of duty; to the Committee on Rules.

By Mr. HERLONG:

H. Con. Res. 128. Concurrent resolution to direct the appropriate committees of the House of Representatives and the Senate to consider a memorial to the astronauts who lose their lives in the line of duty; to the Committee on Rules.

By Mr. SCHWEIKER:

H. Con. Res. 129. Concurrent resolution authorizing the President to proclaim the last week of February in each year as National Father and Son Week; to the Committee on the Judiciary.

By Mr. BUTTON:

H. Res. 223. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. KYROS:

H. Res. 224. Resolution authorizing Members of the House of Representatives to employ during each summer one student congressional intern; to the Committee on House Administration.

By Mr. LLOYD:

H. Res. 225. Resolution amending the Rules of the House of Representatives to permit the presentation and recognition in the Hall of the House of holders of the Congressional Medal of Honor, and for other purposes; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

6. By the SPEAKER: Memorial of the Legislature of the State of Maine relative to the relocation of a certain highway in Maine; to the Committee on Public Works.

7. Also, memorial of the Legislature of the State of Montana relative to the land acquisition policy in the Libby Dam area, Montana; to the Committee on Agriculture.

8. Also, memorial of the Legislature of the State of South Dakota relative to providing Federal financial assistance payments to domestic gold producers; to the Committee on Interior and Insular Affairs.

9. Also, memorial of the Legislature of the State of Washington relative to the restoration of Federal-aid highway funds to the level in effect in November 1966; to the Committee on Ways and Means.

10. Also, memorial of the Legislature of the State of Wyoming relative to ratification of the proposed amendment to the Constitution of the United States relating to Presidential succession; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRADEMAS:

H.R. 5021. A bill for the relief of Pantelis Andreas Gavrilos; to the Committee on the Judiciary.

H.R. 5022. A bill for the relief of George Marinakos; to the Committee on the Judiciary.

H.R. 5023. A bill for the relief of Trifun Pavlovic; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 5024. A bill for the relief of George Wang (also knows as Yao-Shang Wong); to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 5025. A bill to confer jurisdiction on the U.S. Court of Claims to here, determine, and render judgment on certain claims of Mrs. Hazel M. LaFrance against the United States; to the Committee on the Judiciary.

By Mr. HERLONG:

H.R. 5026. A bill for the relief of Teofil Marian Jopek; to the Committee on the Judiciary.

H.R. 5027. A bill for the relief of Boleslaw Juchniewicz; to the Committee on the Judiciary.

By Mr. HUNT:

H.R. 5028. A bill for the relief of Anna Del Baglivo; to the Committee on the Judiciary.

H.R. 5029. A bill for the relief of Maria Baliuardo Frasca; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 5030. A bill for the relief of Mrs. Paz L. Ocampo; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

23. By the SPEAKER: Petition of president, the Democratic Club of Mesa County, Grand Junction, Colo., relative to pay of Armed Forces personnel; to the Committee on Armed Services.

24. Also, petition of Northern Tier Regional Planning Commission, Towanda, Pa., relative to a policy for the reduction of some Federal expenditures; to the Committee on Banking and Currency.

EXTENSIONS OF REMARKS

Correction, Please

EXTENSION OF REMARKS

OF

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1967

Mrs. GRIFFITHS. Mr. Speaker, on January 18, 1967, I placed in the CONGRESSIONAL RECORD a report from the Washington Daily News stating that General Motors does not have a woman designer. General Motors says they have been wronged. They hired a woman designer in 1943.

Design is divided into separate interior and exterior design studios for each of the five car divisions.

Each of the interior studies has a female designer on its staff. In the home appliance area, a woman is Director of Home Economics for GM's Frigidaire Division at Dayton, Ohio.

In their assignments, the lady designers share responsibility for all aspects of interior design, such as shaping the hardware, laying out the controls and instrument panel, selecting fabrics for seats and door panels, and evaluating and making recommendations for comfortable and efficient seating positions. Their jobs involve elements of automotive engineering, human factors engineering, and designing for safety as well as the esthetics of the car's appearance.

I am happy to note that General Motors does have some women designers. I trust that they hire more women executives in the future.

U.S. Dairy Industry Needs Protection

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1967

Mr. ST. ONGE. Mr. Speaker, our domestic dairy industry is currently threatened by foreign imports, especially those of the butterfat type used in the manufacture of ice cream. It is hardly necessary to mention the importance of protecting an industry as vital as this, and one which operates at or near marginal profit levels. Moreover, in spite of quotas established in 1953 and intended to limit entry of dairy products into the United States, the whole history of the importation of these items has been marked by circumvention, evasion, and an almost total disregard for the legal quantitative limits.

In 1966, imports of butterfat-sugar mixtures displaced a market for U.S. dairy farmers equal to 10 percent of total ice cream production. Imports of dairy products are increasing, and the Department of Agriculture predicts that total imports in 1967 will approach 3.5 billion pounds of milk—calculated on a butterfat basis. This amount equals 12 times the total authorized by import quotas.

I am today introducing a bill known as the Dairy Import Act of 1967, which uses as a base for quotas the average annual quantities of butterfat and nonfat milk solids imported during the 5 calendar years, 1961–65. This average would constitute an automatic control and would not require lengthy and often unsatisfactory Tariff Commission proceedings as under the present law. My bill is flexible in regard to countries and products, and thus allows recognition of any legitimate new dairy products. Such products would, of course, be subject to the overall limitation that total imports not exceed the 5-year average.

Under this act, the President may authorize additional imports when called for in the national interest, with appropriate adjustments being made to aid the dairy farmers in achieving a parity price in the marketplace. My bill also provides that the import total could increase in the same ratio as the domestic market expands. This would make it possible for foreign countries to share in the growth of the U.S. market, but their exports could not prosper at the expense of displaced domestic production.

Enactment of this legislation will prevent harm to the dairy industry which is so essential to our national economy. In addition, it will insure that the established quotas are observed, rather than made a mockery as they are today.

Crime Legislation

EXTENSION OF REMARKS

OF

HON. JOHN L. McMILLAN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1967

Mr. McMILLAN. Mr. Speaker, I am certain that all of the House Members have made a desperate effort during the past 6 years to be of assistance in solving the crime problem in the Nation's Capital.

During the past year, there have been a great number of bank robberies and also a great number of robberies have been committed in connection with chain groceries and chain drugstores.

The bankers of the District of Columbia have written a strong letter to the President and the Congress on this subject. I take great pleasure in having a copy of my answer to the bankers' letter inserted into the RECORD. I hope every Member of the House will take a few minutes' time to read my answer to the bankers' letter as we members of the District Committee have spent thousands of hours during the past 6 years in an effort to have legislation enacted into law that would take handcuffs off the police to a certain extent and make some suggestions to the courts of the District of Columbia.

We hope to have another crime bill ready for the House to consider at an early date.

The letter follows:

FEBRUARY 1, 1967.

Mr. ROBERT C. BAKER,
Chairman, the Washington, D.C., Clearing House Association, Washington, D.C.

DEAR MR. BAKER: This is to acknowledge the letter of January 25 signed by you and other members of the Washington, D.C., Clearing House Association. After six years of concerted effort by this Committee to attack the crime problem, it is encouraging now to know of your earnest concern. I am glad to have your suggestions and your expression of interest and support for additional action to provide better law enforcement in the District of Columbia.

I believe that it is in point for me to review some of the objectives of and efforts made by the House Committee on the District of Columbia and indicate the sincere attention and constructive work performed by the Members of the Committee.

From 1952, following an investigation and reorganization of the Police Department, until 1958 the year of decision in the *Mallory* case, the number of crimes in the District of Columbia decreased from about 24,000 offenses and reached a low point of about 15,000 in 1957. Elsewhere in comparable major cities of the nation, crime was increasing.

Beginning in 1958, the trends in crime in the District of Columbia reversed. From that date to the present, the volume of crime has increased nearly 30%, a far greater increase than in any other comparable city in the nation.

I do not attribute this increase in crime solely to the *Durham* decision of 1954 and the *Mallory* case of 1957. I do point out, however, that the rules in these cases applied only in the District and that the criminal mind is alert to court decisions which provided means of escape from conviction. Some experts insist that *Durham* and *Mallory* had nothing to do with the increase of crime in the District of Columbia. None explains why crime in the District accelerated at a rate far in excess of any other comparable city following those decisions.

In the 87th Congress, this Committee began its study of juvenile crime and delinquency and problems in the Juvenile Court. This study was continued in the 88th Congress. Instead of recommending legislation merely increasing the number of judges from 1 to 3 for that court, the House Committee on the District of Columbia reported legislation to reorganize the court administratively, to provide 2 full-time Juvenile Court judges, with availability of four additional experienced judges to assist in reducing the large backlog of cases and to improve court procedures.

When the Juvenile Court bill, reported by the House District Committee, came to the House for consideration, a deluge of telegrams from downtown Washington urged the substitution of legislation providing only 2 additional judges for the court. The House Committee bill was rejected. Since then, the case backlog at the Juvenile Court has doubled.

At the same time this Committee initiated general crime legislation to improve law enforcement in the District of Columbia. In addition to that legislation, the Committee supported the enlargement of the police force, the establishment of the K–9 Corps, and provided salaries and fringe benefits designed to encourage recruitment and retention of officers. This Committee has consistently supported any proposed improvement as to manpower or facilities for the Police Department and the courts.

The recently vetoed crime bill is essentially the product of the interest and efforts of this Committee. It represented thousands of hours of time during six years, given by Members of this Committee in hearings, studies, and conferences, to achieve the draft of effective legislation which was approved by a 2 to 1 majority in the House of Representatives in three successive Congresses.

Last year, for the first time, the legislation reached the point of conferences between the House and the Senate. House Members participated in 9 conference sessions, between March and October. A very comprehensive and fair anti-crime bill was approved by the conferees and passed by both the Senate and the House.

Contrary to your expressed view, the District has restrictions on the sale of hand guns. No one may purchase and no dealer may sell a hand gun in the District of Columbia without filing an application with the Police Department. An investigation is conducted concerning the purchaser and clearance of that application by the Police Department to the dealer must be made before any sale. There is no significant difference whether controls are exercised by law or regulations, when the experience of other jurisdictions is examined.

Congress has enacted provisions in the District of Columbia Code providing special additional penalties for criminals using hand guns. The courts have never used these provisions of the Code. Members of this Committee felt that it was time that the courts imposed these additional heavy penalties as a further deterrent.

Your suggestion in reference to the Federal Bureau of Investigation may be helpful. When crimes are committed against financial institutions, the FBI has original and concurrent jurisdiction, along with the Police Department. The impression of the Committee is that the Police Department enjoys the fullest cooperation from the FBI, not only as to crimes involving banks, but otherwise since this is a Federal jurisdiction.

Nationwide, it appears that we may have been concentrating on the wrong answers to crime for many years. Forty years ago, we had more poverty, more slums, poorer schools, lower educational achievement, but a crime rate which was significantly lower than today. In the meantime, we have tried to reduce crime through expenditures for education, housing programs and slum clearance, counselors and psychiatrists for our juveniles, indeterminate sentences, probation, parole, and rehabilitation for criminals, only to find a rapid acceleration in the crime rate. A recent national study indicated that 85% of those persons apprehended for crimes were repeat offenders. When the crime clearance rate is only 25% or 30%, it becomes obvious that a very large number of criminals are at large in our communities. Alarming as this fact may be, the future is genuinely frightening unless we find more effective remedies than have been used for the past generation.

Operating expenses per pupil in District schools is probably the highest of any comparable city. Within recent years the District has doubled its welfare and public health expenditures. Vast sums have been spent for slum clearance and public housing. The District has one of the lowest unemployment rates of any city in the nation. The per capita income levels are among the most favorable.

Despite these facts, the crime rate has increased almost 300% in 10 years, about double the national average rate, and crime clearance here has dropped from 57% to 25%. During the same time the D.C. prison population at Lorton has dropped from approximately 2200 to about 1100. Such results are not primarily because of any basic defect in organization, inefficiency, or inadequacy of facilities of the Metropolitan Police Department.

I am sure that the Members of this Committee, who have been diligent and who have devoted themselves to this problem, agree with the sense of urgency stated in your letter "that you attack this problem . . immediately . . .". I might observe that for this Committee "immediately" began six years ago. I am sure that the Committee will continue its effort to provide the best possible solutions to the crime problem.

For myself and on behalf of the Members of the House Committee on the District of Columbia, I want to express thanks and appreciation to each member of the Association for the letter.

With kindest regards, I am,
Sincerely yours,
John L. McMillan,
Chairman.

CIA and NSA

EXTENSION OF REMARKS

OF

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1967

Mr. THOMPSON of New Jersey. Mr. Speaker, the current uproar over the revelation that the CIA has been financing the National Student Association (NSA) to the tune of $400,000 per year raises some very fundamental questions.

First, was the clandestine relationship at all useful? Did the NSA succeed in countering the efforts of its Communist-supported opposites? Or was the CIA's under-the-table subsidy of the NSA not only immoral and corrupt, but futile and counterproductive as well?

The subsidy was made "covert," a State Department official explained, because it was decided that public disclosure of Government financing would have opened the NSA to Communist attacks as an instrument of the U.S. Government. But is not the real effect of this covertness, when it is finally made public, infinitely more damaging to the reputation of the NSA and the United States than the harm the CIA was supposedly trying to protect against.

A free society, if it is to remain free, must not stoop to adopt the tactics of totalitarianism. The behavior of the CIA is doubly damaging in this respect. First, our reputation abroad has suffered a great blow, but, equally important, the CIA has helped contribute to a frightening domestic phenomenon. We are creating a generation of young Americans who have no faith in the honesty and openness of their own country. Specifically, NSA has chapters on more than 300 American college and university campuses where about 1.5 million students are gaining an education; these students cannot help but be disillusioned.

Several conclusions are obvious, Mr. Speaker. First, the CIA has destroyed forever the usefulness of the NSA.

One NSA student leader said:

> This has become a nightmare for us. Our whole credibility has been based on the image that we are independent. Now everything we do or have done will be tainted whether we're guilty or not.

The NSA, if it continues in existence, will always be suspect. We can only hope that the CIA has not used other groups of scholars or professional people for similar purposes. The CIA action in this instance is nothing less than horrifying. It is also incredibly stupid.

Perhaps the most unbelievable aspect of the whole affair is the clumsiness of the CIA. It is supposed to be one of the world's most sophisticated intelligence organizations and yet it lets itself get caught subsidizing a bunch of kids. How horribly demoralizing; high-paid supersleuths, part of the country's chief intelligence agency, are nabbed where no self-respecting burglar would have left a fingerprint.

For many months the senior Senator from Minnesota [Mr. McCarthy], has been calling for the CIA to let the Congress know more of its activities and expenditures. The Oversight Committee of the other body has added three Senators from the Foreign Relations Committee as a result of Senator McCarthy's efforts. The House should do the same. There is no reason on earth why Representatives and Senators should not know more about the activities of the CIA. After all, if they allow undergraduates in on their activities why not elected representatives of the people?

The relationship between the CIA and the NSA reportedly began in 1952. In that year John Foster Dulles was appointed Secretary of State. His brother, Allen, then Deputy Director, shortly became Director of the CIA. Did John Foster Dulles persuade his brother, Allen, of the need to give money to the student group to counter the Communist moves of the day? The Dulles brothers were splendid public servants, somewhat Cromwellian in philosophy. That estimable Englishman said, "Trust in God and keep your powder dry." In this instance, I suppose that the Dulles brothers forgot that leaks might dampen the powder. Their successors compounded the errors.

I think it fundamental that the activities and expenditures of the CIA be thoroughly examined by responsible congressional authorities. The CIA and all other Government departments must not only be protected from dominance by each other, but should perform only their legally assigned functions. The CIA was never meant to be a military agency or a State Department. Further, the CIA was never meant to dominate private organizations, labor unions, or tax-exempt foundations. It must never again be allowed to do so.

The exposure of the CIA will prove a valuable thing if it leads to a proper investigation and definition of the Agency's responsibilities. It is now the duty of the Congress to take remedial action without delay.

Where Do We Stand?

EXTENSION OF REMARKS

OF

HON. KENNETH J. GRAY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1967

Mr. GRAY. Mr. Speaker, our esteemed colleague and father of the water pollution control program, the gentleman from Minnesota, Representative John A. Blatnik, was the lead-off congressional speaker at the National Water Seminar sponsored jointly by the American Water Works Association and the Water Pollution Control Federation at Washington's Sheraton Park Hotel on February 7, 1967. As usual, our warrior for clean water and ranking man on our Public Works Committee makes some stirring remarks that should be shared by all of us. His continuing and constant fight for clean water is truly an inspiration and I hope his distinguished leadership in this field is long lived.

The address follows:

Where Do We Stand?

(By Congressman John Blatnik, address before the American Water Works Association Water Seminar, Sheraton-Park Hotel, Washington, D.C., February 7, 1967)

I salute all of you here today not only for your interest in our mutual awesome task of cleaning up our Nation's waters but also for the strong action that you have taken to see that informative seminars like this are held. In the tough years your association was out front and could be counted on for support. Addressing you this morning, I am reminded a little of the stranger who walked into a church one Sunday just in time to hear those assembled intone the words of the general confession:

"We have left undone those things which we ought to have done; and we have done those things we ought not to have done."

Slipping comfortably into a pew he said to himself, "I've found my crowd at last".

So I am honored to be a part of your crowd. We are not strangers. As you know we have come a long way since my original Federal water pollution bill some ten years ago. It was tough going then, but finally after a veto and many close votes we arrived at the unanimous victories of the Water Quality Act of 1965 and the Clear Waters Act of last year. These victories were hard fought and reflect years of hammering out usable language that would satisfy the States, industries and conservations and yet be effective.

Now that we have the legislation on the books we have to move on from these blueprints or we are never going to get the house built. We have taken all the measurements—we have heard all about the problem—we recognize the need for the structure. The question seems to be where do we stand—is the foundation laid or are we at the first story? Maybe the second?

We can safely say that we have successfully taken the program out of the basement of HEW, given it agency status and transferred it to the Department of Interior—but now what? It seems to me that the work is cut out for all of us and I don't think we're getting the job done. I don't feel that all systems are going. This is not said critically. It is said in hopes that we can get on with the building of a structure for clean water. If we need more carpenters, then let's get them—if we need more material then let's get it—if it has to be air conditioned then let's do it.

We were given a clear mandate by unanimous votes by the House and the Senate. The need has been documented over and over again. Yet, we seem to be at a stand-still. Maybe an ad hoc oversight committee should be appointed to see what the hold-up is.

Surely, the intent and the commitment of the Congress to clean up our Nation's waters couldn't be more clear. Surely, the overwhelming support of the now pollution-control-conscious public couldn't be more clear. Show me another issue that the people of the second largest State in the Union—New York—would so readily vote themselves an over-billion-dollar commitment to water pollution control. Where then are the impediments to the construction of a clean water program?

Unfortunately, I hold one of them right here in my hand—it's the budget. It makes me sick when I think of the work we went to last year to hammer out a dollar agreement between the Republicans and Democrats on our side alone to say nothing of the fight we had in conference with the Senate on a dollar amount. We cut the dollar amounts to absolute minimums and then I picked up the budget and found that our absolute minimum authorization of $450 million for fiscal year 1968 has been cut by more than half—$200 million is requested in the budget for construction grants for FY 1968! Mind you, this is after the House side already cut $150 million from the unanimously passed Senate authorization. Just look at the crying needs of New York City alone and you can readily see the budget grossly underestimates the cost associated with the water pollution control in this country. Under the present law, New York City would get a 30% across-the-board Federal grant and because it matches the Federal grant, the Federal share is raised to 40% and then if they have enforcible standards it would be 50%. But with the President's budget request of $200 million every State's share in 1968 is cut by more than half and New York City instead of getting the 50% the law entitles them to, it will receive little more than 20%. Even more scandalous is the fact that information supplied the committee shows that New York City alone will spend nearly $180 million in 1968 on its pollution backlog. This is just $20 million short of the budget request for the entire Nation.

Not only is this budget cut a blow to States like New York which passed its billion dollar bond issue to clean up its waters by a 4-to-1 margin but the many States where the State legislatures are convening right now are going to say, "it does not look like the Federal Government is all that serious about the war on pollution." And the States is the very area that needs encouragement rather than an excuse to sit back. It is all important to fight to restore the authorized full amount. To appropriate less than this amount at this time is to do a great disservice to years of work in abating water pollution.

In closing, we can summarize by saying, we have a new Federal agency, a new structure. We have given it more money, more authority, and more work. Water pollution control has been pulled out of the subbasement of the administrative hierarchy and pushed into the front line. And if I am any judge of the mood of the American people, this is what they want. I think they are going to be rooting for this new program. But I think they are also going to be looking for the results.

All of this, it seems to me, adds up to some important new responsibilities for everyone concerned.

It puts the responsibility on the Congress to come through with the necessary appropriation for the next fiscal year and the still larger appropriations authorized for the years immediately ahead.

It puts the responsibility on the Department of the Interior and the Federal Water Pollution Control Administration to organize themselves in a way that will make for the best possible use of the resources available to them.

It puts the responsibility on the States to set higher goals for the use and enjoyment of their water resources than most of them have considered feasible—or even worth working for—in the past.

It puts the responsibility on business and industry to double and redouble their own water pollution control efforts in full collaboration with the local communities and the State and Federal governments.

It puts the responsibility on the water and waste water expert to bring greater imagination and daring to the search for new and better ways to control pollution.

And, not least of all, it puts the responsibility on that hypothetical individual, the average citizen, to participate in and support the total effort in every way he can.

This is a rough measure of how I view the future of water pollution control in this country at this point. The time for head-shaking and hand-wringing over what has been happening to our water resources has passed. The time for action—far larger and far more effective action than anything we have known before—is at hand. With the Water Quality Act of 1965 and the clean water restoration act of 1966 on the statute books, this kind of action is now possible.

A general but by no means searching review of the situation gives me a good deal of confidence that the preliminaries for the kind of action I am talking about have been going reasonably well.

It is encouraging, I think, that the States, without a single exception, have chosen to pick up the option provided by the Water Quality Act and are undertaking to develop their own water quality standards.

Now I am not so naive as to take for granted that these good intentions are going to materialize automatically into standards that will be acceptable from the national viewpoint. As you know far better than I, setting standards that are both attainable and that will come somewhere near achieving full use and enjoyment of a heavily polluted stream is hardly an easy job.

Some States, I understand, have not yet held hearings on the matter. Some, in fact, are not able to do so without new legislation. But at least the States are moving in the right direction. The people at the Federal Water Pollution Control Administration tell me that before the year is out, all States probably will have enacted whatever additional legislation is necessary in order to become full-fledged partners in the new program. This is progress.

As a matter of fact, I understand that the formal submission of standards is already beginning, although the deadline for this is still nearly five months away. So June 30 will not be an altogether bleak day for America's waters.

I mentioned earlier the important matter of working relationships. It is my impression that, on the whole, the business of standard setting is proceeding with good will on all sides. Quite a number of States—some 20, in all, I believe—have asked for and have received extensive technical assistance from the experts at FWPCA in developing their standards.

It is encouraging also to note that FWPCA is in the process of assembling a number of expert committees to develop criteria for various water uses that will be most helpful in judging the merits of the standards as they are submitted. I understand that an announcement on this development will be forthcoming very shortly.

In closing I want to point out that we need more tax incentive legislation like we passed last year. As you recall, we were successful last year in exempting water pollution control facilities from the suspension of investment tax credit. This means that if all the required conditions are satisfied, an industry can deduct up to 7% of the cost of new waste treatment construction from its income tax liability. We must do more by way of tax incentives to encourage construction of waste treatment plants.

I appreciate the opportunity of addressing this distinguished group and again, I want to commend you for holding seminars of this nature because through them, everyone gets a good dialogue as to the current challenges in water pollution abatement.